



## Staff Report to the Zoning Administrator

Application Number: **151301**

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**Applicant:** William C. Kempf  
**Owner:** James Renney  
**APN:** 028-431-16

**Agenda Date:** October 21, 2016  
**Agenda Item #:**  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to demolish the existing single-family dwelling, remove a 20-inch diameter tree, and construct a two-story single-family dwelling and related improvements.

**Location:** Property located on the east side of 12<sup>th</sup> Avenue south of Prospect Street in Live Oak (140 12<sup>th</sup> Avenue).

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

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

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 151301, 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:	4,600 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	12 <sup>th</sup> Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Residential)
Zone District:	R-1-3.5 (Single-family Residential with a 3,500 square foot minimum parcel size)

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Coastal Zone:	<u>X</u> Inside	<u>  </u> Outside
Appealable to Calif. Coastal Comm.	<u>X</u> Yes	<u>  </u> No

### Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Soils report required at building permit stage
Fire Hazard:	Not a mapped constraint
Slopes:	0-5%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	Less than 100 cubic yards
Tree Removal:	One Significant Tree proposed for removal
Scenic:	Not a mapped resource; not visible from beach
Drainage:	Preliminary drainage plan submitted and accepted
Archeology:	Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:	<u>X</u> Inside	<u>  </u> Outside
Water Supply:	City of Santa Cruz	
Sewage Disposal:	County of Santa Cruz	
Fire District:	Central Fire Protection District	
Drainage District:	Zone 5	

### History & Project Setting

The subject parcel is located near Twin Lakes State Beach in a neighborhood that is in transition, with many of the smaller summer homes being redeveloped with two-story homes. The East Cliff Shopping Center, as well as several restaurants and other businesses, is located within walking distance.

The subject parcel is located five parcels north of the beach. It is developed with a single-family dwelling and a detached garage that, according to the County Assessor's records, were constructed in 1951, a date that precedes the requirement to obtain a building permit.

The current proposal is to demolish the existing home, remove a 20-inch diameter tree, and construct a two-story dwelling. The existing detached garage is proposed to remain.

### Zoning & General Plan Consistency

The subject property is a parcel of approximately 4,600 square feet, located in the R-1-3.5 (Single-family Residential with a 3,500 square foot minimum parcel size) zone district, a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's R-UH (Urban High Residential) General Plan designation. The proposed dwelling conforms to the site standards for the zone district, including setbacks, floor area ratio, lot coverage, and height limit.

### **Local Coastal Program Consistency**

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program (LCP), in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. This residential neighborhood supports a broad range of architectural styles with the predominant style being simple, pitched roofed designs characteristic of a beach community. The proposed dwelling, which is in a traditional pitched-roof style and has a varied roofline, offsets and projections, will be compatible with the existing range of architectural styles. The house is designed to have a smaller second story element which will ensure that it will not have a bulky or boxy design that looms over the streetscape. The portion of the home that is closest to the street is one-story with the second story beginning about 36 feet back from the front property line. This design reduces the visual impact of the house on the streetscape. Similarly, at the rear of the house, the second story is located about 34 feet from the rear property line. This partial second story design protects the solar access of neighbors to a much greater extent than if a full second story were proposed. A combination of one and two-story elements will reduce the visual impact of the proposed dwelling. The existing garage is set back at the rear of the parcel which minimizes the impact of the garage on the streetscape. Given this, the project is complies with the County's Local Coastal Program (LCP) and the County Design Review Ordinance (County Code 13.11).

### **Tree Removal**

A 20-inch tree, which is located within the building site, is proposed to be removed. John Montgomery, Landscape Architect, identified it as a *Myoporum laetum* (mousehole tree). Both the Design Review and the Coastal Zone Regulations ordinances (13.11.075 and 13.20.130(B)(2)) require that trees over six inches in diameter be incorporated into a project's site plan unless the tree is diseased or dead, obstructs the building site or is a nuisance tree. In this case, the 20-inch tree is almost entirely dead and is located within the building envelope. Given this, staff supports its removal.

### **Environmental Review**

A project is exempt from further review under the California Environmental Quality Act if it is eligible for a Categorical Exemption. In this case, the proposed project is exempt under Article 19 Categorical Exemption 15303, Class 3 which includes exemptions for up to three new single-family dwellings in urbanized areas. The subject parcel is located in an urbanized area and the project proposes just one new single-family dwelling. Given this, this application is exempt from further Environmental Review.

### **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**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **151301**, 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](http://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, listed in section 13.10.170(D) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-3.5 (Single-family Residential with a 3,500 square foot minimum parcel size), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UH (Urban High Residential) General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to Section 13.20.130 and Section 13.20.140 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program (LCP), in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. This residential neighborhood supports a broad range of architectural styles with the predominant style being simple, pitched roofed designs characteristic of a beach community. The proposed dwelling, which is in a traditional pitched-roof style and has a varied roofline, offsets and projections, will be compatible with the existing range of architectural styles. The house is designed to have a smaller second story element which will ensure that it will not have a bulky or boxy design that looms over the streetscape. The portion of the home that is closest to the street is one-story with the second story beginning about 36 feet back from the front property line. This design reduces the visual impact of the house on the streetscape. Similarly, at the rear of the house, the second story is located about 34 feet from the rear property line. This partial second story design protects the solar access of neighbors to a much greater extent than if a full second story were proposed. A combination of one and two-story elements will reduce the visual impact of the proposed dwelling. The existing garage is set back at the rear of the parcel which minimizes the impact of the garage on the streetscape. Given this, the project complies with the County's Local Coastal Program (LCP) and the County Design Review Ordinance (County Code 13.11).

Section 13.20.130(B)2 requires the retention of trees over six inches in diameter with exceptions granted such as when the tree is dead or diseased, obstructs the building site or is a nuisance tree. In this case, the 20-inch in diameter tree is almost entirely dead and is located in the building site. Given this, staff supports the tree's removal.

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 the nearest through public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-3.5 (Single-family Residential with a 3,500 square foot minimum parcel size) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

The proposed design will be visually compatible with the neighborhood in that it breaks up the apparent mass and bulk of the home by placing a one-story element at the front of the house. This softens the impact of the house on the streetscape. The house increases to two stories 36 feet back from the street. In addition a cross gable and an additional one-story element at the front of the house further break up the mass and bulk of the home and ensure that the house will not loom over the streetscape or otherwise appear too massive for the building site. A minimum of site disturbance will be required given that the subject parcel is essentially flat. A landscape plan is included as a condition of approval to soften the impact of the proposed new home. The landscape plan will comply with the water efficiency requirements of the City of Santa Cruz Water Department. No impact to public views will occur given that this project is located on a bluff and there are two two-story homes located between it and the coastal bluff. Given this, the proposed development will not be visible from 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 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 single-family dwelling 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. The existing garage, which is proposed to be retained, is nonconforming with respect to setbacks because it was built before building permits were required and is located very close to the rear and side property lines. Staff is not aware of any issues related to this garage's location and supports its retention. The garage meets the 10-foot separation required between structures.

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

This finding can be made, in that the proposed location of the single-family dwelling 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-1-3.5 (Single-family Residential with a 3,500 square foot minimum parcel size) zone district as the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district. The existing garage, which is proposed to be retained, is nonconforming with respect to setbacks because it was built before building permits were required and is located very close to the rear and side property lines. Staff is not aware of any issues related to this garage's location and supports its retention.

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 R-UH (Urban High Residential) land use designation in the County General Plan.

The proposed single-family dwelling 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 single-family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single-family dwelling 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 single-family dwelling will comply with the site standards for the R-1-3.5 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. As noted above, the existing nonconforming garage is proposed to be retained. There are no known issues associated with the garage that would be improved by its removal. Therefore, staff supports the retention of the garage.

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 single-family dwelling is to be constructed on an existing lot. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day. No increase in traffic or additional impact to existing roads or intersections are anticipated since this is a replacement home.

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 single-family dwelling is consistent with the land use intensity and density of the neighborhood. This is a neighborhood of relatively small lots developed with one and two-story homes. There is a broad range of architectural styles, but many of the homes have a simple, pitched roof design characteristic of beach communities. The submitted site and architectural designs would be compatible with this range. The proposed dwelling would replace the existing dwelling. Therefore, the land use intensity and density would remain the same.

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 single-family dwelling 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. The proposed new dwelling meets the required setbacks of the zone district which ensure access to light, air and open space. The submitted design minimizes the impact of the home on the streetscape and controls the apparent mass and bulk by setting back the second story about 36 feet from the front property. The first story element that fronts 12<sup>th</sup> Avenue, provides a transition to the second story and ensures that the new home will not "loom" over the streetscape. The submitted design will be compatible with the existing range of architectural styles found in the neighborhood. The existing garage is located at the rear of the parcel which minimizes the visual impact of it on the streetscape.

## Conditions of Approval

Exhibit D: 5 sheets of architectural drawings by William C. Kempf, architect, dated 3/30/16.  
4 sheets of civil engineering by Todd R. Creamer, registered Professional Engineer, C2G / Civil Consultants Group, Inc., dated 3/30/16.

- I. This permit authorizes the demolition of the existing house, removal of 20-inch tree and the construction of a three-bedroom single-family dwelling as shown in Exhibit D. 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.
  - 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. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
  - 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. 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. A copy of the text of these conditions of approval incorporated into the



full size sheets of the architectural plan set.

2. 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 sheet in 8 1/2" x 11" format for Planning Department review and approval.
3. Grading, drainage, and erosion control plans.
4. Submit a landscape plan for the front yard. The landscape plan must include the required replacement tree to compensate for the removal of the 20-inch in diameter tree. Additional landscaping in the form of a landscape strip, tree wells or other must be provided to soften the impact of the long driveway.
5. Comply with the requirements of Environmental Planning, including:  
Prior to approval of building permits:
  - a. The applicant shall provide 2 copies of the soils report with the building permit application.
  - b. Building permit application plans shall reference the soils report and include a statement that the project shall conform to the report's recommendations.
  - c. Provide a replacement tree approved by a landscape architect or arborist to compensate for the removal of the 20-inch diameter tree.
  - d. Plans shall clearly represent the depth and extent of proposed overexcavation and recompaction of soils as recommended by the soils engineer.
  - e. Cross-sections shall be provided on the plan for all proposed swales.
  - f. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.
6. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
7. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management.

- a. Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:
    - i. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.
    - ii. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
    - iii. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.
  - b. Zone 5 fees will be assessed on the net increase in permitted impervious area due to the project. This project may be eligible for fee credits for existing impervious areas if documentation is presented demonstrating existing impervious areas are permitted or were built prior to 1969. County staff will utilize 1975 aerial photos to establish credit if no additional information is furnished by the applicant. The fees are currently \$1.20 per square foot. A 50% credit will be given to semi-pervious surfaces. The fees are subject to increase based on the fee amount applicable at the time of permit issuance.
- B. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.



- C. Pay the current fees for Parks and Child Care mitigation for 1 bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
  - D. Pay the current fees for Roadside and Transportation improvements for 1 bedroom. Currently, these fees are, respectively, \$1,000 and \$1,000 per bedroom.
  - E. Provide required off-street parking for 3 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.
- 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. Prior to site disturbance: A preconstruction meeting shall be scheduled 1-4 days prior to commencement of earthwork. Attendees shall include Environmental Planning staff, the grading contractor, the soils engineer and the civil engineer. Perimeter erosion control will be inspected by Environmental Planning staff.
  - B. Earthwork is prohibited during the rainy season (October 15-April 15) unless a winter grading permit is approved by the Planning Director.
  - C. Limit all construction to the time between 8:00 am and 5:00 pm weekdays unless a temporary exception to this time restriction is approved in advance by County Planning to address an emergency situation.
  - D. All site improvements shown on the final approved Building Permit plans shall be installed.
  - E. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - F. The project must comply with all recommendations of the approved soils reports.
  - G. 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.
- B. All existing and required replacement tree(s) shall be maintained by the property owner, unless approved for removal by either a letter to the file (if the tree is dead or diseased as established by an arborist) or a minor variation.

#### 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.

Application #: 151301  
APN: 028-431-16  
Owner: James Renney

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 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: \_\_\_\_\_

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 151301

Assessor Parcel Number: 028-431-16

Project Location: 140 12th Avenue, Santa Cruz

**Project Description: Proposal to demolish the existing house, remove a 20-inch in diameter tree, and construct a two-story single-family dwelling and related improvements.**

**Person or Agency Proposing Project: William C. Kempf**

**Contact Phone Number: (831) 459-0951**

- 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 (Section 15303)

**F. Reasons why the project is exempt:**

This project includes the removal of one tree and the construction of one single-family residence in a residential zone district within the Urban Services Line.

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

  
\_\_\_\_\_  
Annette Olson, Project Planner

Date: 10/11/16

NEW HOME FOR:

140 12TH AVENUE  
SANTA CRUZ COUNTY, CALIFORNIA



140 12TH AVENUE  
SANTA CRUZ COUNTY, CALIFORNIA  
VICINITY MAP, PROJECT DATA, GENERAL NOTES

AWARD DATE:	MARCH 17, 2016
INSTRUCTION RELEASE:	
CLIENT NAME:	CONAERN
OBJECT NAME:	140 12th AVENUE

[illegible]

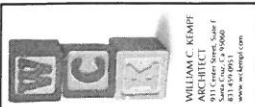
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**DISCLAIMER**

A1

VICINITY MAP	CONSULTANTS	PROJECT DATA	AREA CALCULATIONS
	<p><b>ARCHITECT:</b> WILLIAM C. KEMP, ARCHITECT 911 CENTERS STREET, SUITE F SAN FRANCISCO, CA 94109 BILL KEMP: 813.459.4993</p> <p><b>CIVIL ENGINEER:</b> C-22 CIVIL CONSULTANTS GROUP, INC. 10000 COLUMBIA AVENUE, SUITE 6 SCOTT VALLEY, CA 95066 TODD CREMER: 813.438-4420</p> <p><b>GEOTECHNICAL ENGINEER:</b> TAMKO ASSOCIATES AND ASSOCIATES, INC. 116 E. LAKE AVENUE WATSONVILLE, CA 95076 B31.722-4175</p>	<p><b>OWNERS:</b> BOBI CORKERN &amp; BILL CORKERN STOCKTON, CALIFORNIA</p> <p><b>CONTACT:</b> BOBI CORKERN BETHAS CONSTRUCTION 113 MOORE CREEK ROAD SANTA CRUZ, CA 95060 813.421-1080</p> <p><b>PROJECT SITE:</b> 140 12TH AVENUE SANTA CRUZ, CALIFORNIA</p> <p><b>ASSESSORS PARCEL NUMBER:</b> 02B-431-16</p> <p><b>ZONING:</b> R-1-3.5</p> <p><b>CONSTRUCTION TYPE:</b> TYPE V-B</p> <p><b>OCCUPANCY:</b> GROUP R-3, U</p> <p><b>FIRE SPRINKLERS:</b> NONE</p> <p><b>PROJECT DESCRIPTION:</b> DEMOLITION OF THE EXISTING 1,809 S.F., 2 BEDROOM 1 BATH SINGLE FAMILY RESIDENTIAL UNIT WITH A NEW TWO STORY 3 BEDROOM 4 BATHROOM SINGLE FAMILY RESIDENCE IN ITS PLACE.</p> <p><b>REFERENCE CODES:</b> 2013 CALIFORNIA BUILDING CODE 2013 CALIFORNIA RESIDENTIAL CODE 2013 CALIFORNIA GREEN BUILDING CODE 2013 CALIFORNIA GREEN BUILDING CODE</p>	<p>1. ZONE DISTRICT: R-1-4 2. PARCEL AREA: 4,600 S.F. 3. AREA OF RIGHTS-OF-WAY: 0 ACRES 4. NET PARCEL AREA: 4,600 S.F.</p> <p><b>LOT COVERAGE CALCULATION</b></p> <p>MAX LOT COVERAGE (40%): 1,840 S.F.</p> <p>SFACES FIRST FLOOR HEATED GARAGE: 1,578 S.F. ADDITIONAL AREA: 210 S.F. 28 S.F.</p> <p>TOTAL AREA COUNTED TOWARDS LOT COVERAGE 1,816 S.F.</p> <p>*ADDITIONAL AREAS ARE AREAS UNDER THE STAIRS GREATER THAN 18" OFF THE GROUND</p> <p><b>F.A.R. CALCULATION</b></p> <p>MAX FLOOR AREA (50% F.A.R.): 2,300 S.F.</p> <p>FIRST FLOOR HEATED GARAGE: 1,578 S.F. SECOND FLOOR HEATED GARAGE: 720 S.F.</p> <p>TOTAL AREA COUNTED TOWARDS F.A.R.: 2,298 S.F.</p> <p>FOR THIS LOT, THE GARAGE IS NOT COUNTED DUE TO THE 225 S.F. GARAGE CREDIT. PATIOS &amp; COVERED AREAS UNDER THE FIRST 3' OF EAVES ARE NOT COUNTED AS WELL.</p>

[illegible]



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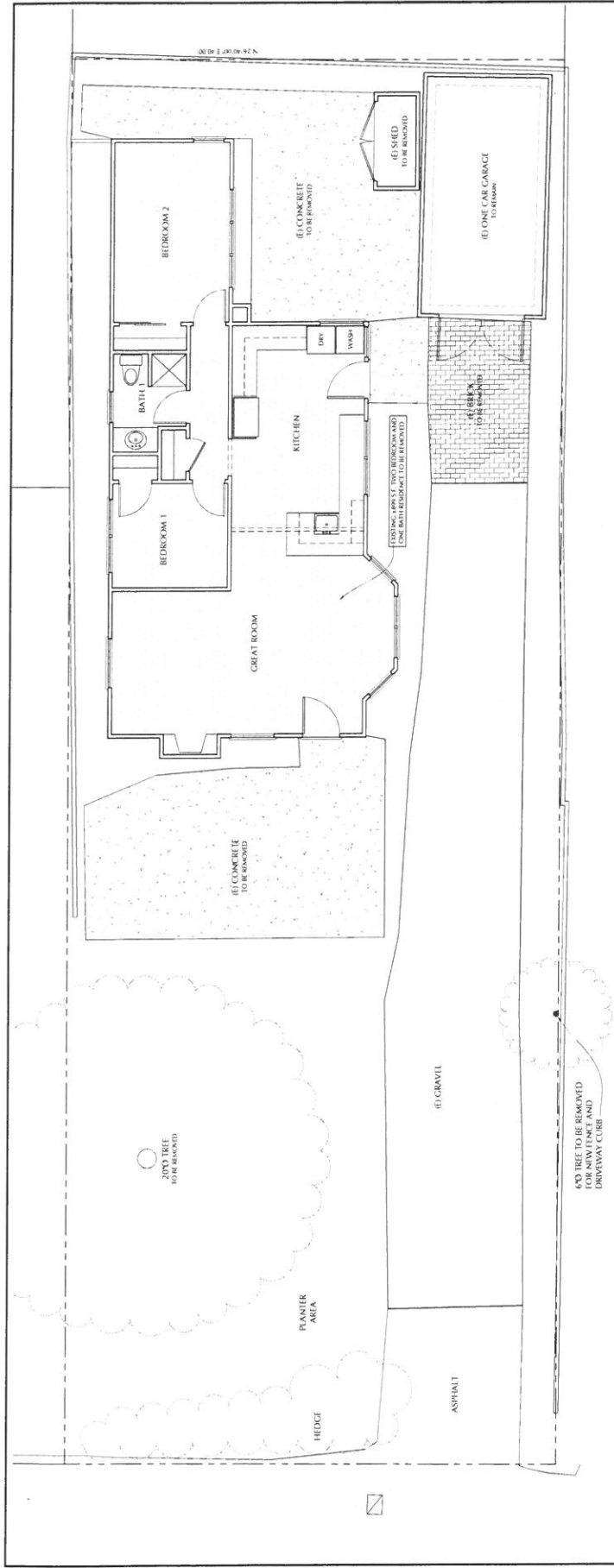
EXISTING SITE AND FLOOR PLAN  
NEW HOME FOR:  
VINNOCENZI, CALIFORNIA  
140 12TH AVENUE  
SANTA CRUZ, CALIFORNIA

DRAWING DATE	OCTOBER 20, 2016
CONSTRUCTION RELEASE	
CHECK NAME	
DATE	
PROJECT NAME	140 12TH AVENUE

NO.	DESCRIPTION	DATE
1	PLANNING	1/20/16
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DISCLAIMER  
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A2.1



1 EXISTING FIRST FLOOR AND SITE PLAN

SCALE: 1/8\"/>





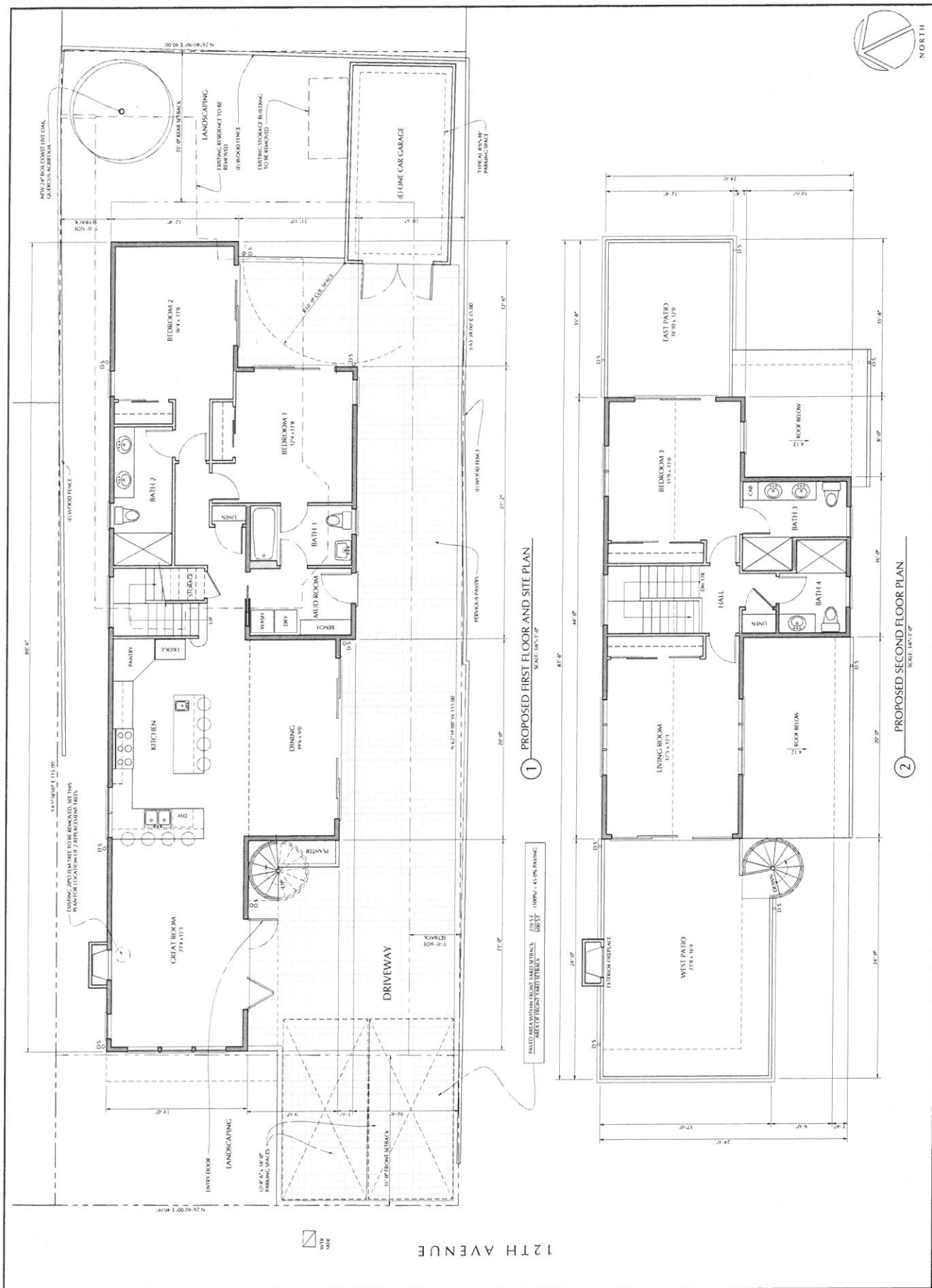
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DRAWING DATE: OCTOBER 20, 2016	CONSTRUCTION RELEASE
CLIENT NAME: CORSTEN	
PROJECT NAME: 140 12th AVENUE	

140 12TH AVENUE  
SANTA CRUZ, CALIFORNIA  
PROPOSED SITE AND FLOOR PLANS



**WILLIAM C. KEMP**  
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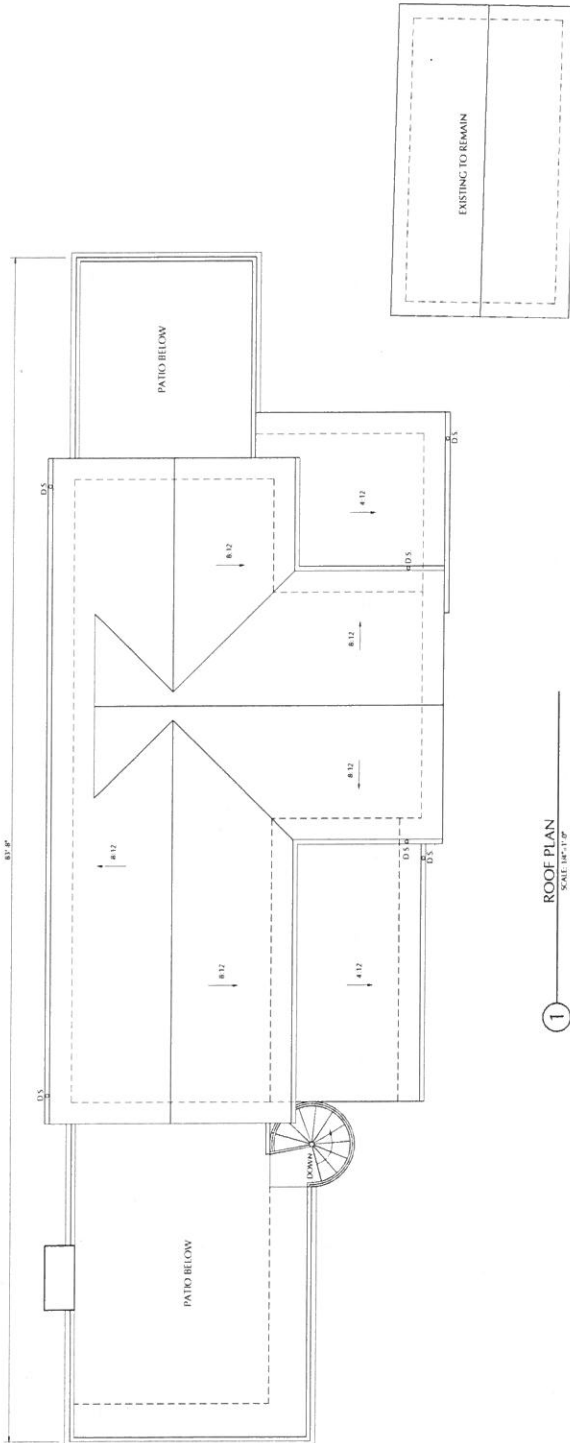
PROPOSED EXTERIOR ELEVATION & ROOF PLAN  
140 12TH AVENUE  
SANTA CRUZ, CALIFORNIA  
NEW HOME FOR

DRAWING DATE: OCTOBER 20, 2016  
CONSTRUCTION RELEASE  
CLIENT NAME: CORDON  
PROJECT LOCATION: 140 12TH AVENUE

REVISION	DATE
1	DISCUSSION
2	PLANNING
3	DESIGN

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A3



1 ROOF PLAN  
SCALE 1/8" = 1'-0"



2 SOUTH ELEVATION  
SCALE 1/8" = 1'-0"





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NEW HOME FOR

140 12TH AVENUE

SANTA CRUZ, CALIFORNIA

EXTERIOR ELEVATIONS

DRAWING DATE	OCTOBER 20, 2018
CONSTRUCTION RELEASE	
CLIENT NAME	
CONTRACT	
PROJECT NAME	
140 12TH AVENUE	

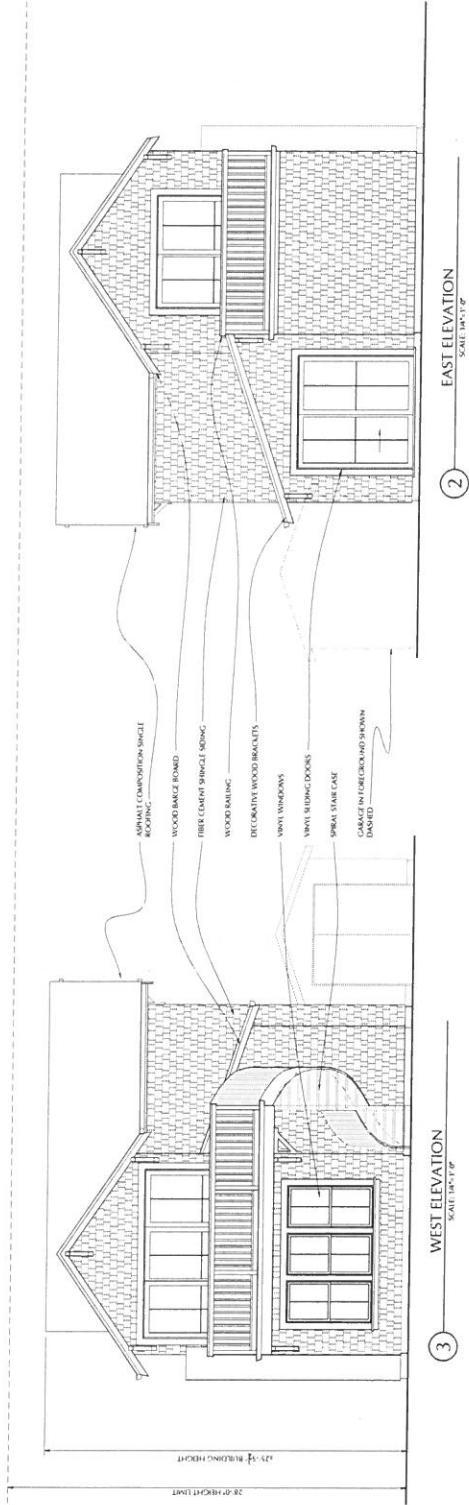
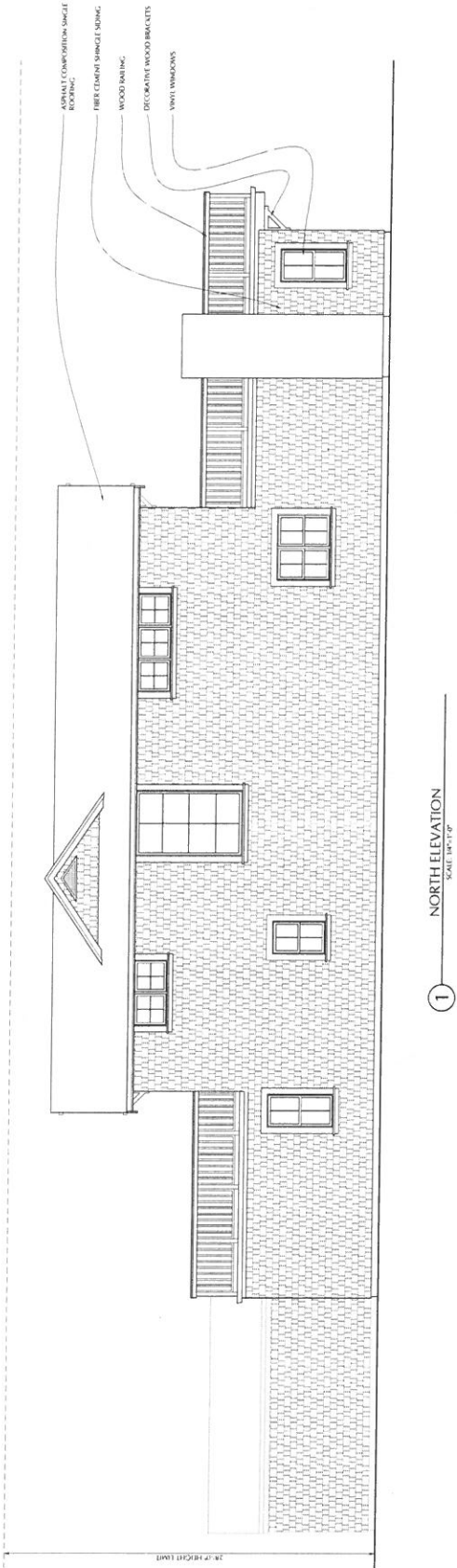
DATE	DESCRIPTION	DATE	DESCRIPTION
10/20/18	PLANNING	10/20/18	PLANNING

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A4





WILLIAM C. KEMPF  
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WWW.WCKEMPF.COM

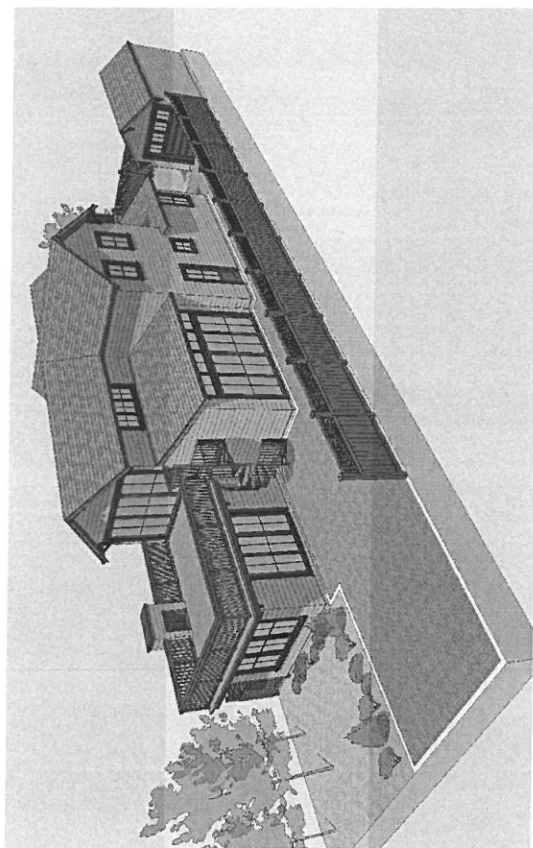
NEW HOME FOR:  
1401 12TH AVENUE  
SANTA CRUZ, CALIFORNIA  
PERSPECTIVE VIEWS

DRAWING DATE: MARCH 17, 2016  
A.P.S.:  
CLIENT NAME: CORKEN  
PROJECT NAME: 1401 12TH AVENUE

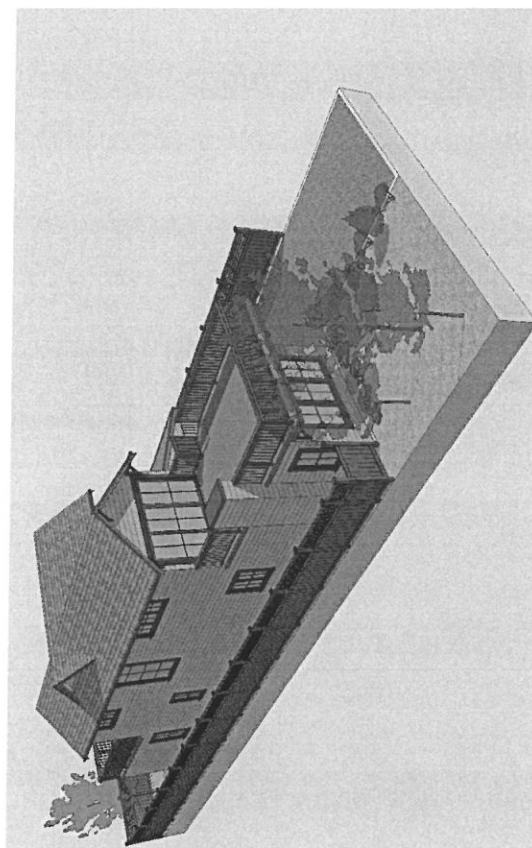
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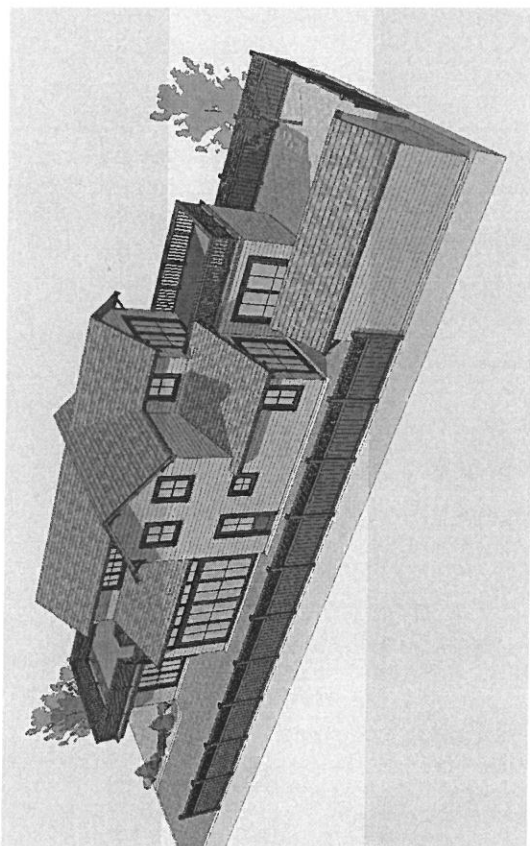
A5



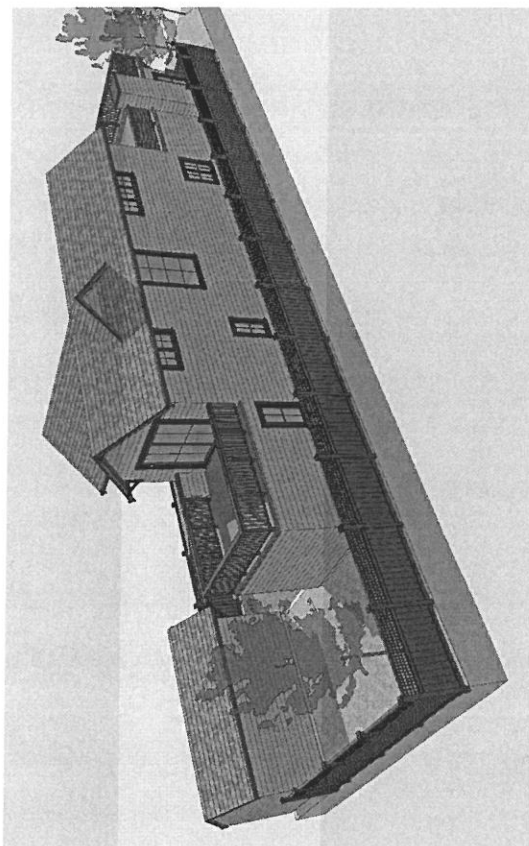
VIEW 1



VIEW 2



VIEW 3



VIEW 4





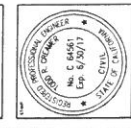
**WILLIAM C. KNAPF ARCHITECT**  
 811 Center Street, Suite 7  
 San Jose, CA 95128  
 408.282.0000  
 info@wcknapf.com

GRADING, DRAINAGE & UTILITY PLAN  
 140 12TH AVE, SANTA CRUZ, CA 95062  
 NEW HOUSE FOR  
 PRIVATE RESIDENCE

ISSUING DATE: JULY 31, 2025  
 CLIENT NAME: WILLIAM KLEMP  
 PROJECT NAME: 140 12TH AVE  
 CITY: SANTA CRUZ



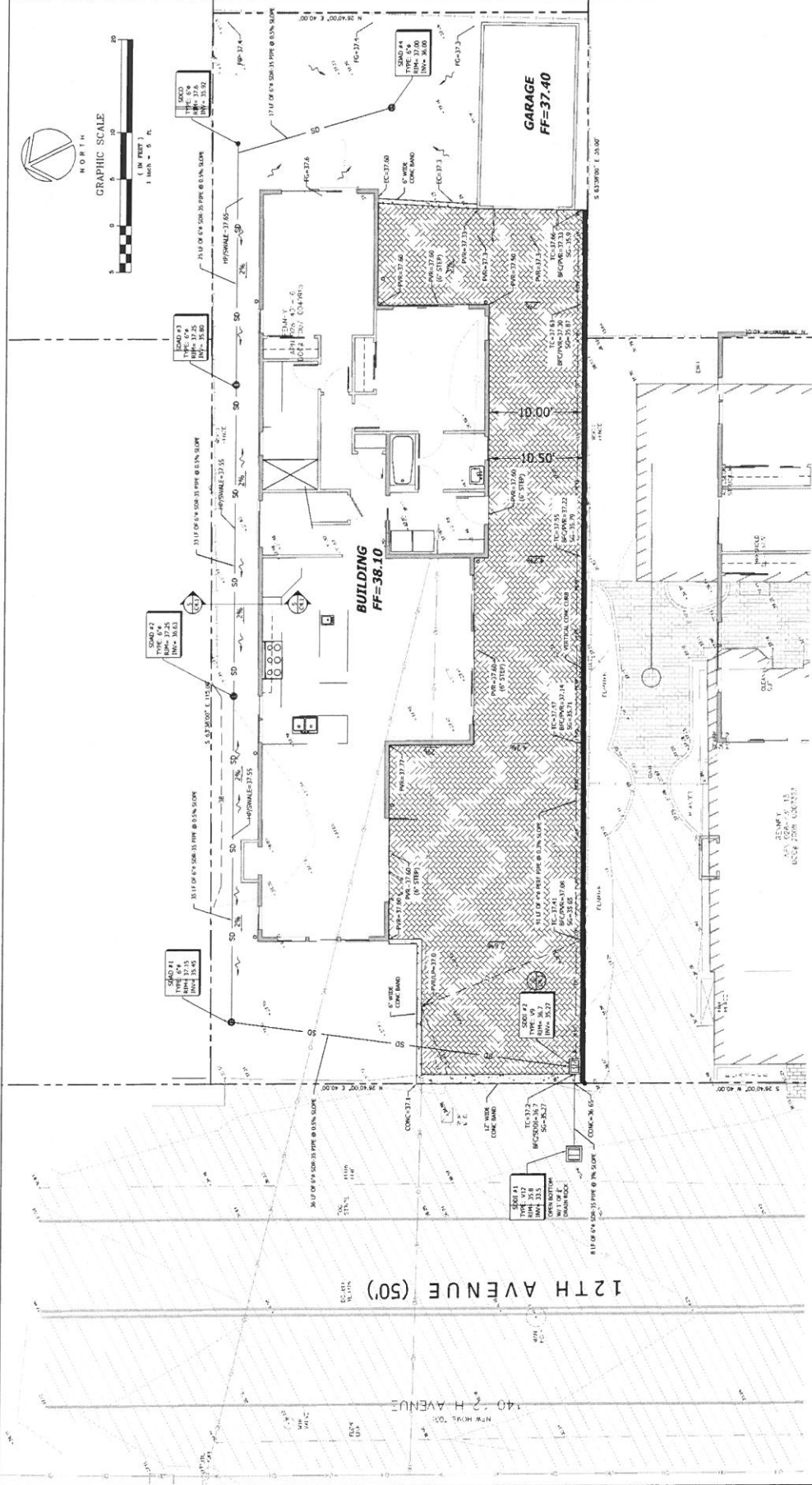
**C2G CIVIL CONSULTANTS GROUP, INC.**  
 1000 N. ZEPHYRUS AVE., SUITE 100  
 SAN JOSE, CA 95128  
 408.282.0000  
 info@c2ginc.com



WILLIAM C. KNAPF  
 CIVIL ENGINEER  
 No. C 6446  
 Exp. 6/30/27

REVISIONS	DATE	BY
1. SC. COMMENTS	07/30/25	

**C2.1**



**NEW IMPERVIOUS AREA TABLE**

PROPOSED BUILDING	SQFT	ACRE
	1889	0.038
PERVIOUS PAVING (80%)	899	0.019
PERVIOUS PAVING & CURB	77	0.002
<b>TOTAL</b>	<b>2575</b>	<b>0.059</b>
<b>TOTAL INCREASE IN NEW IMPERVIOUS AREA</b>	<b>275</b>	<b>0.004</b>

**LEGEND**

- (N) CONCRETE BAND
- (N) PERVIOUS PAVING
- (N) DEFINED CONCRETE CURB
- DAYLIGHT TO (E) GRADE
- PROPERTY LINE
- LIMIT OF GRADING
- EXISTING GRADE

**GRADING NOTES**

- ALL GRADING SHALL BE SHOWN ON THIS PLAN. ANY GRADING NOT SHOWN SHALL BE CONSIDERED TO BE THE SAME AS THE EXISTING GRADE.
- ALL MATERIAL TO BE USED IN ALL WITHIN BUILDING AND AREAS & HAVING OR HAVING TO BE FREE OF ALL WEEDS & FOREIGN MATTER.
- ALL BUILDING AREAS TO BE CONNECTED TO MAIN RELATIVE CORNER, GRADIENT & STREET AREAS TO BE CONNECTED TO MAIN RELATIVE CORNER FOR ASPH (0.55/9).
- BUILDING AND TO BE LEVEL SIDE TO SIDE, FRONT TO REAR, UNLESS OTHERWISE SHOWN.
- BUILDING AND PREPARATION SHALL BE WITHIN 5' BENCH ALL EXTERIOR AREAS OF THE BUILDING. OVER FACIATE & RECONNECT THE EXISTING GRADE.
- STREPPING SHALL BE PLACED IN PLANTING AREAS. ALL EXCESS STREPPING SHALL BE MAILED OFF. WORKING DEBRIS SHALL BE MAILED OFF TO AN ADJACENT PROPERTY OR TO THE STREET. ALL EXCESS DEBRIS SHALL BE MAILED OFF TO AN ADJACENT PROPERTY OR TO THE STREET.
- ALL EXCESS DEBRIS SHALL BE PLACED IN PLANTING AREAS. ALL EXCESS STREPPING SHALL BE MAILED OFF. WORKING DEBRIS SHALL BE MAILED OFF TO AN ADJACENT PROPERTY OR TO THE STREET.
- CONNECTIONS TO EXISTING PUBLIC UTILITIES SHALL BE DONE WITH APPROVAL & IN ACCORDANCE WITH THE UTILITY COMPANY'S REQUIREMENTS.
- CONTRACTOR SHALL PROTECT ALL EXISTING SITE IMPROVEMENTS NOT IDENTIFIED FOR REMOVAL DURING CONSTRUCTION. THEY SHALL REMAIN AND BE MAINTAINED IN GOOD CONDITION AT ALL TIMES.
- ALL EXCESS DEBRIS SHALL BE PLACED IN PLANTING AREAS. ALL EXCESS STREPPING SHALL BE MAILED OFF. WORKING DEBRIS SHALL BE MAILED OFF TO AN ADJACENT PROPERTY OR TO THE STREET.
- GRADING SURFACES FOR BOTH CUT AND FILL SHALL NOT EXCEED 20% EXCEPT OTHERWISE DIRECTED.

**SITE PREPARATION**

Description	Excavation	Fill	Net
Excavation	72	0	72
Fill	0	72	72
<b>TOTAL</b>	<b>72</b>	<b>72</b>	<b>0</b>

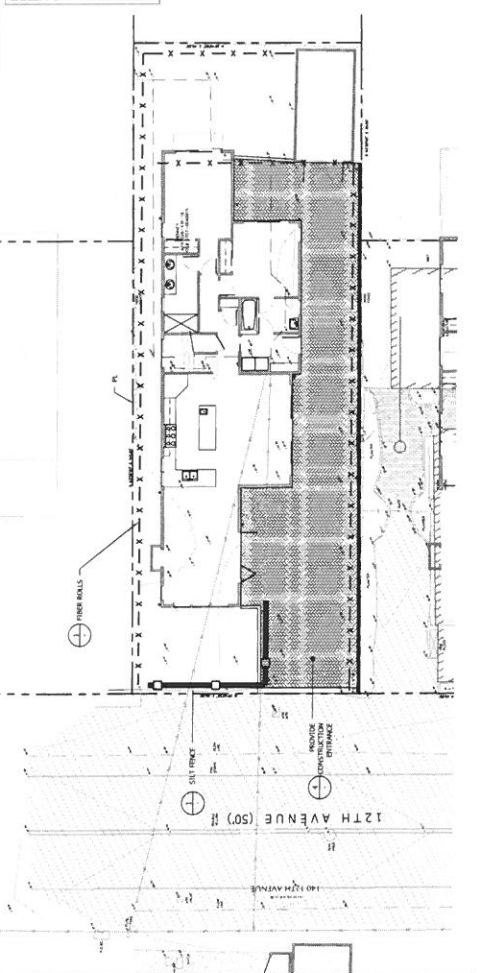
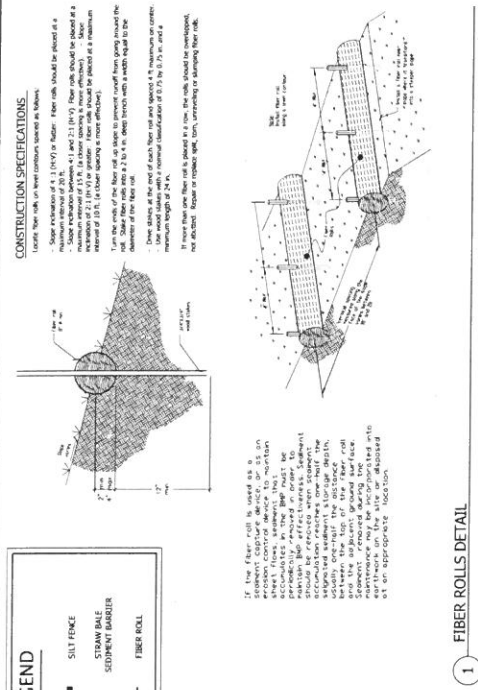
**SITE GRADING VOLUME TOTALS**

Description	Excavation	Fill	Net
Excavation	72	0	72
Fill	0	72	72
<b>TOTAL</b>	<b>72</b>	<b>72</b>	<b>0</b>

**FIRE SPRINKLER SYSTEM NOTE**

ALL BUILDINGS SHALL BE PROTECTED BY AN AUTOMATIC FIRE SPRINKLER SYSTEM. THE SYSTEM SHALL BE DESIGNED AND INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CALIFORNIA FIRE CODE, CHAPTER 12 OF THE CALIFORNIA BUILDING CODE.

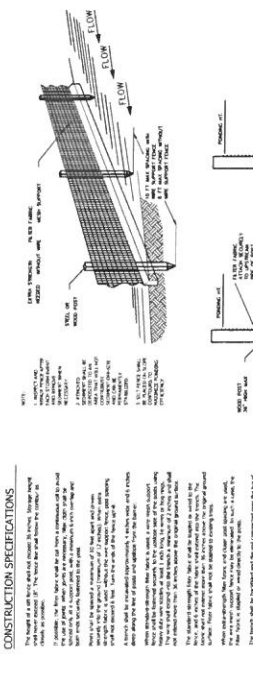




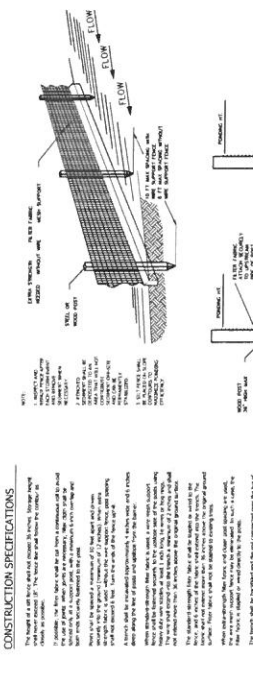
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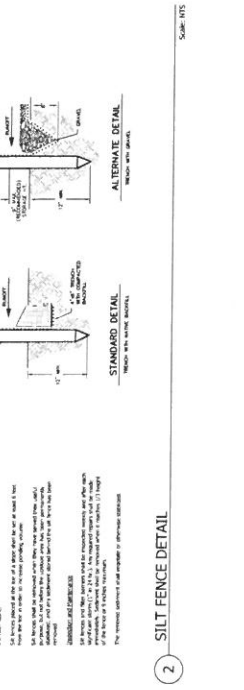
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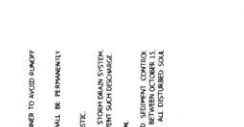
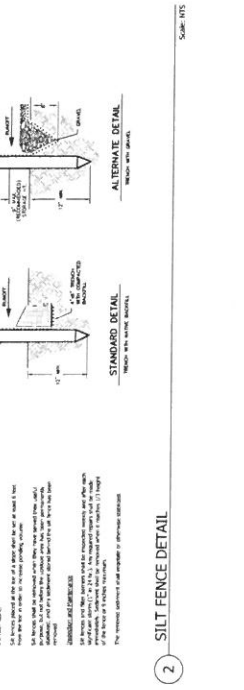
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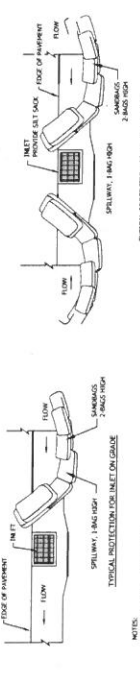
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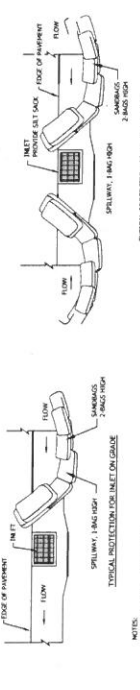
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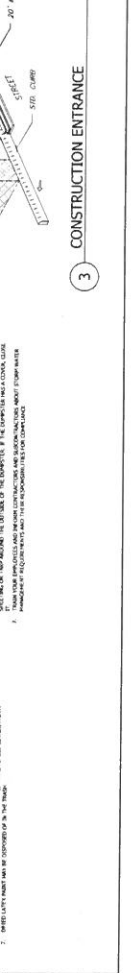
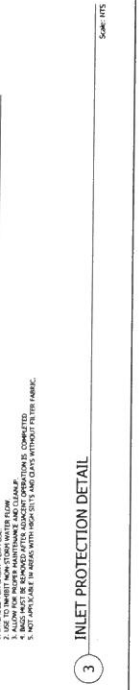
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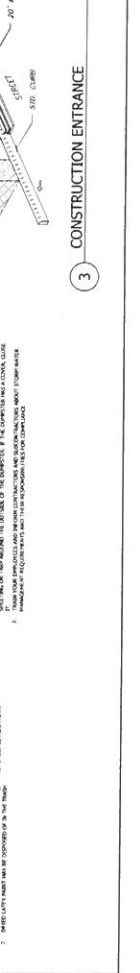
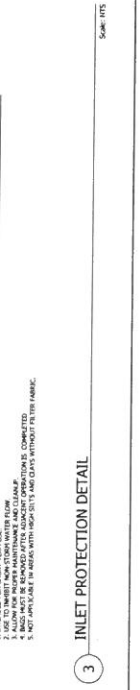
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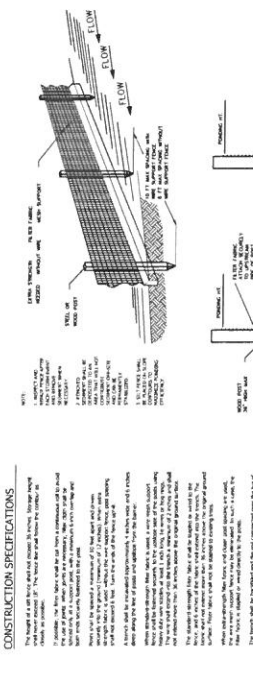
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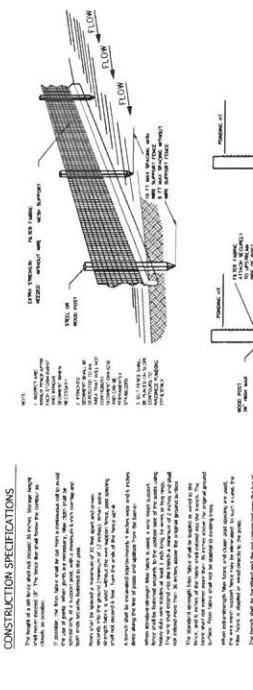
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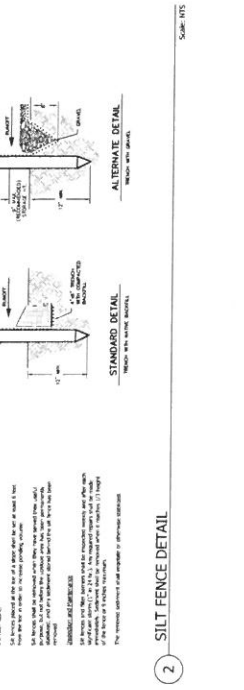
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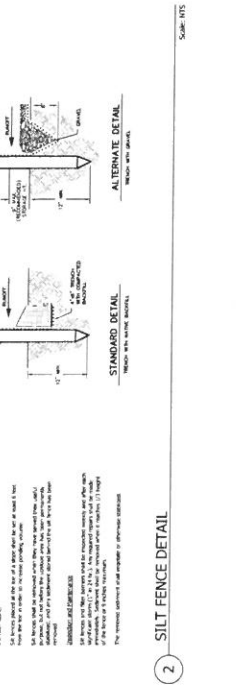
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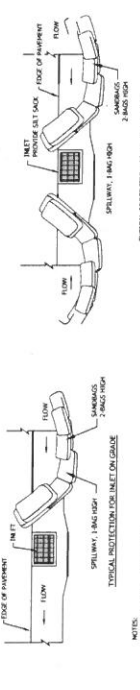
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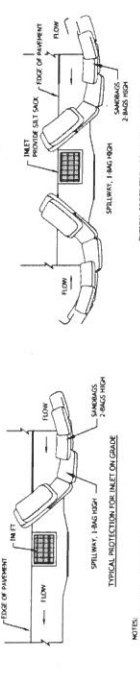
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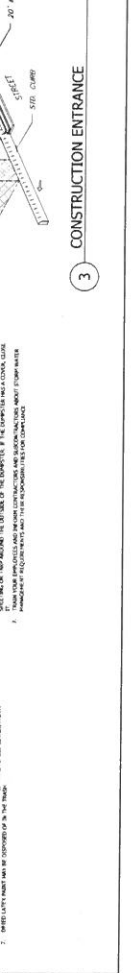
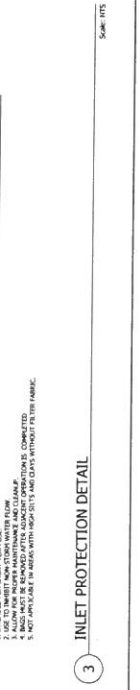
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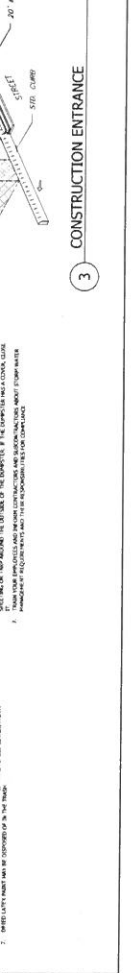
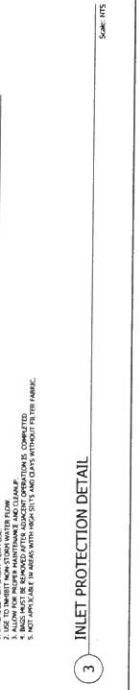
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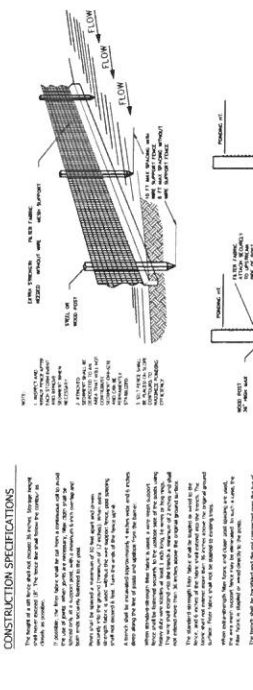
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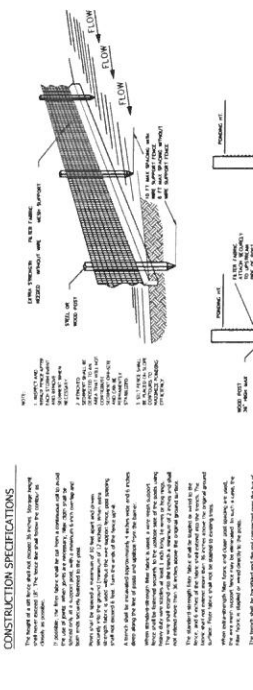
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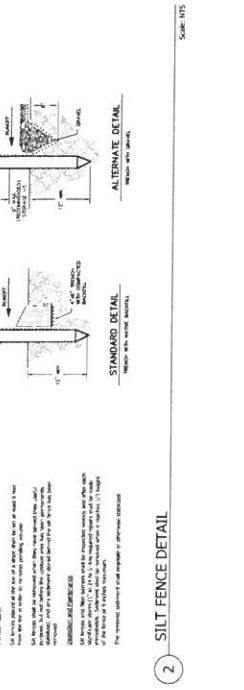
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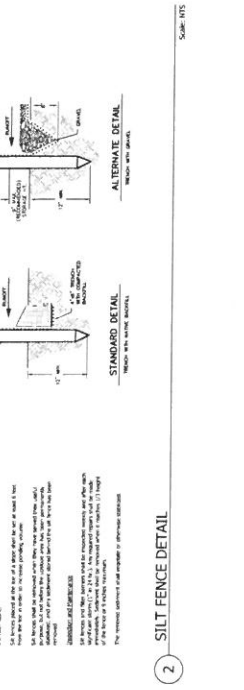
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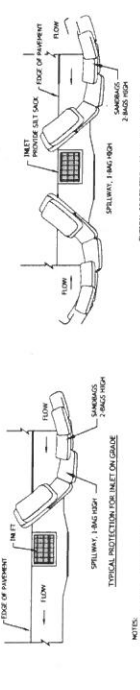
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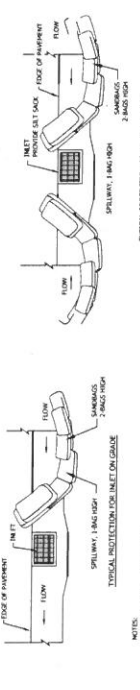
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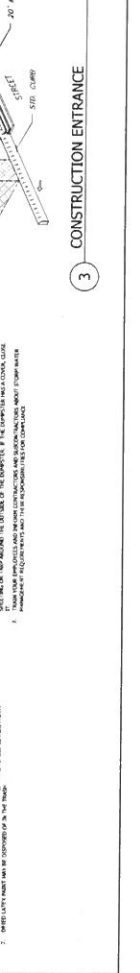
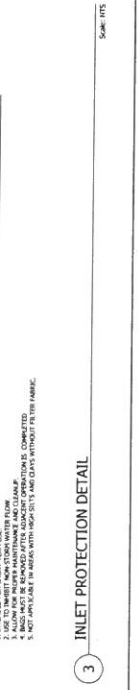
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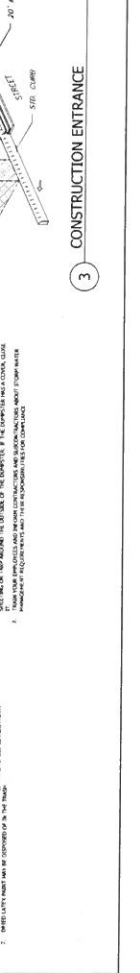
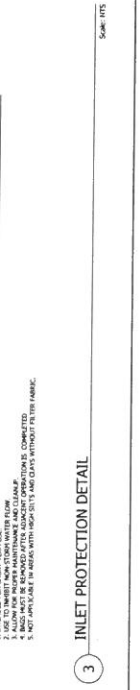
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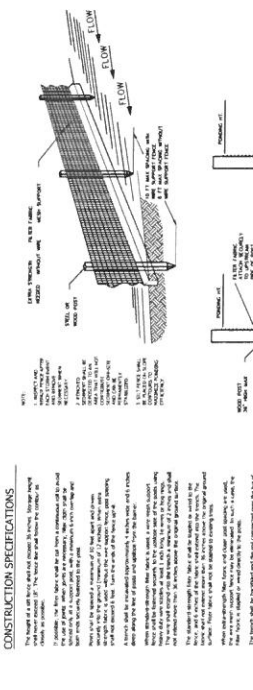
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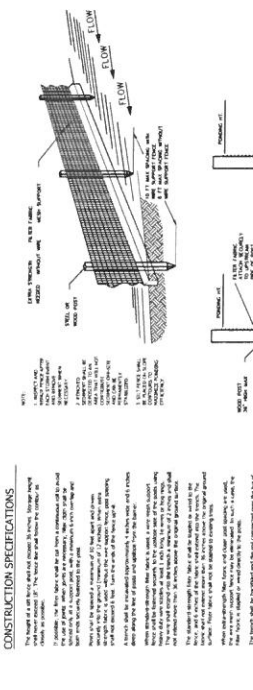
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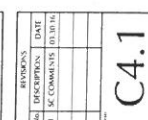
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Scale: 1/8" = 1'-0"





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**POR OF NW 1/4 SEC. 20,  
 T.11S., R.1W., M.D.B. & M.**

Tax Area Code  
 82-040

**28-43**

Electronically Redrawn 8/26/98 rw  
 Rev. 8/26/98 (Por. from pg. 13) rw  
 Rev. 6/5/07 Id (110RS6)

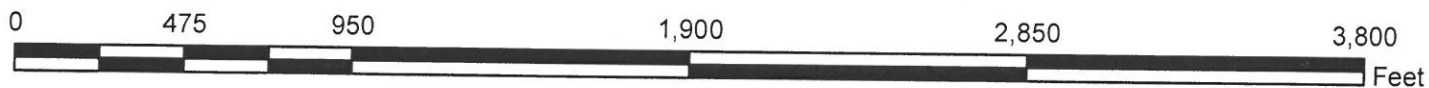
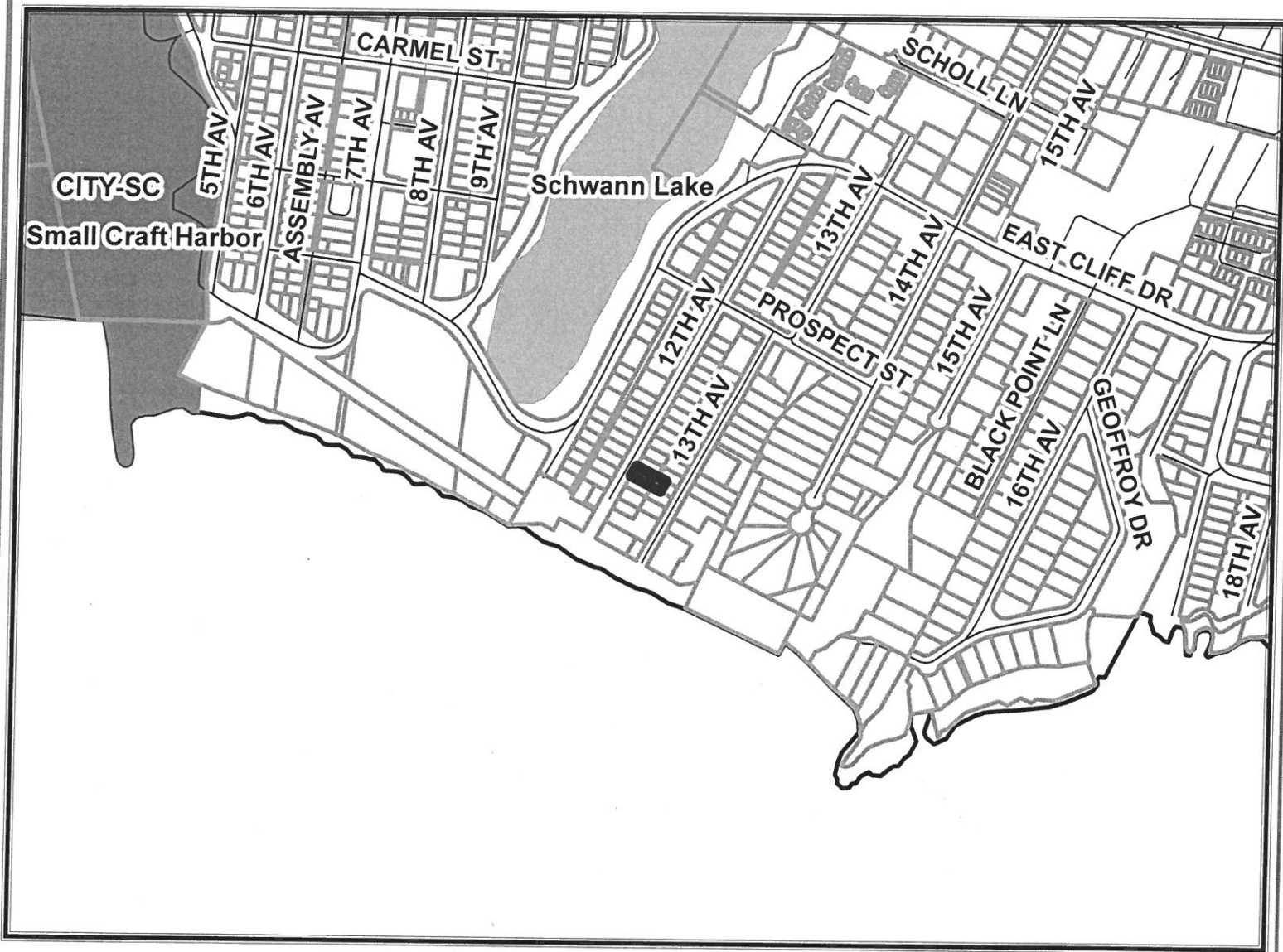
Note - Assessor's Parcel & Block  
 Numbers Shown in Circles.

Assessor's Map No. 28-43  
 County of Santa Cruz, Calif.  
 August, 1998





# Vicinity Map



- LEGEND**
- APN: 028-431-16
  - Assessors Parcels
  - Street
  - CITY OF SANTA CRUZ
  - County Boundary
  - Lakes

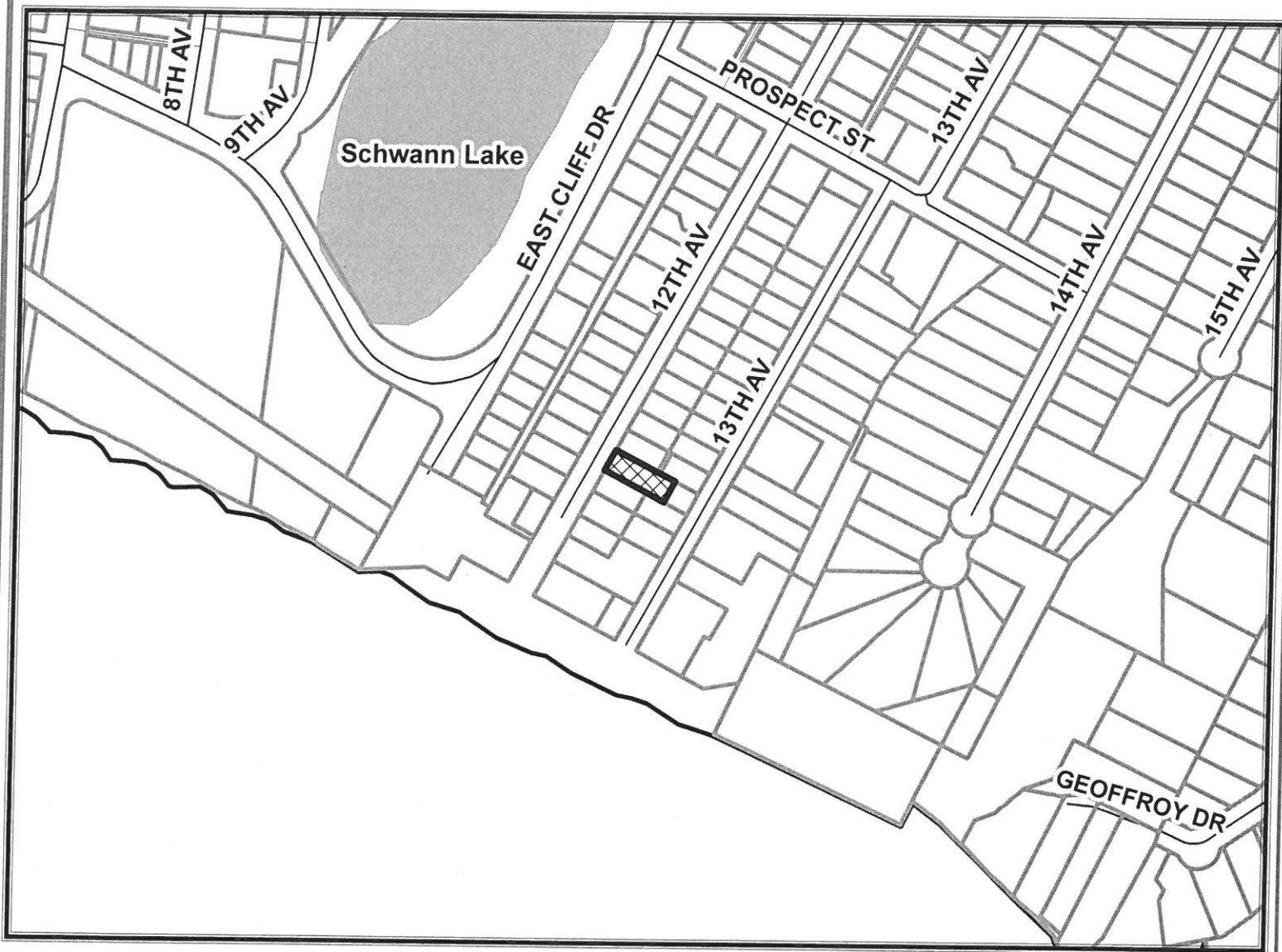


Map Created by  
County of Santa Cruz  
Planning Department  
November 2015






EXHIBIT E



# Location Map



## LEGEND

-  APN: 028-431-16
-  Assessors Parcels
-  Street
-  County Boundary
-  Lakes

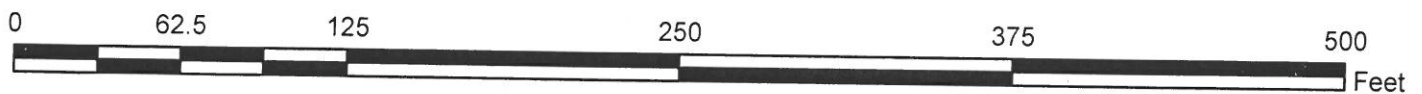
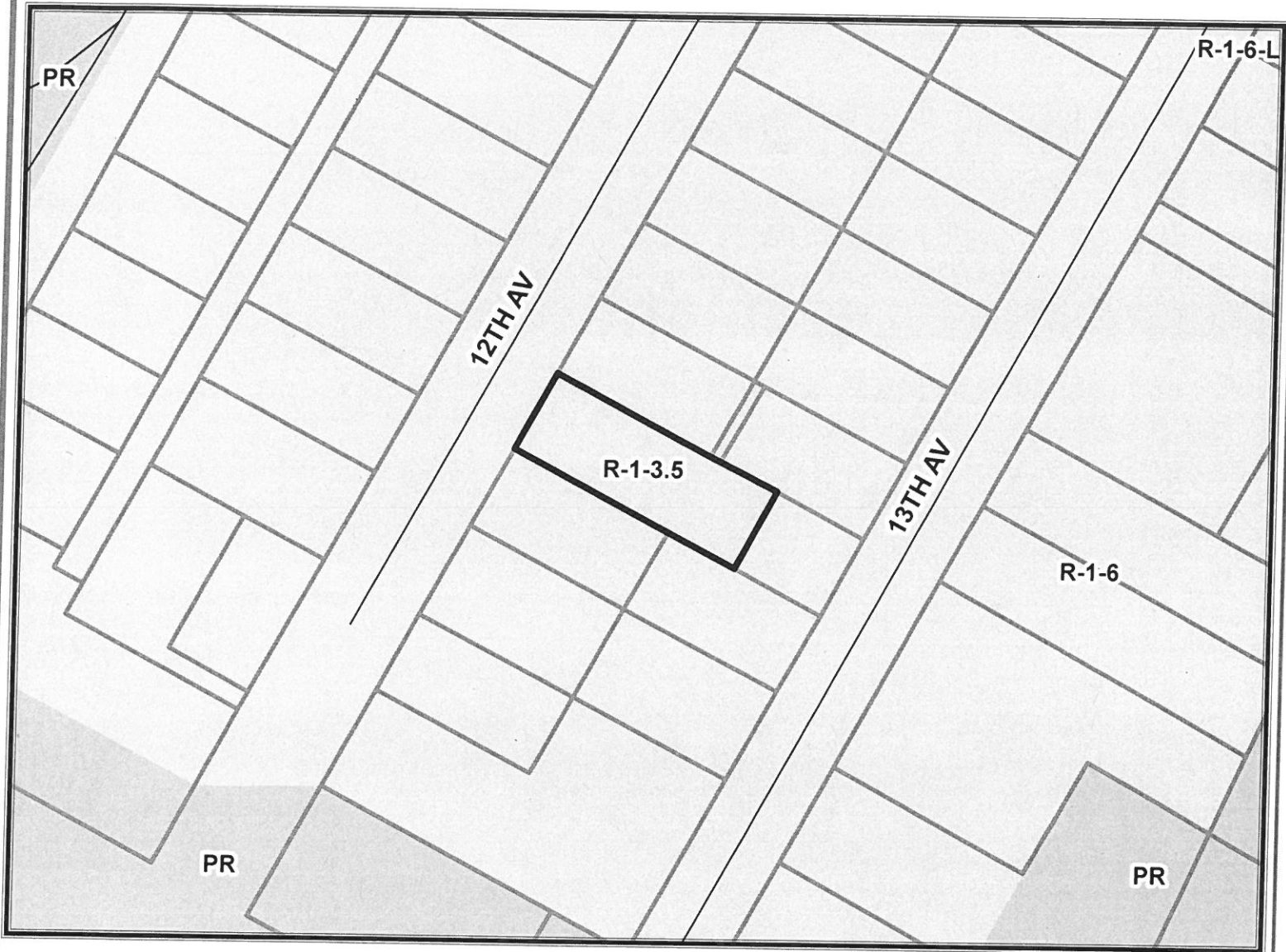


Map Created by  
County of Santa Cruz  
Planning Department  
November 2015

EXHIBIT E



# Zoning Map



## LEGEND

-  APN: 028-431-16
-  Assessors Parcels
-  Street
-  RESIDENTIAL-SINGLE FAMILY
-  PARK

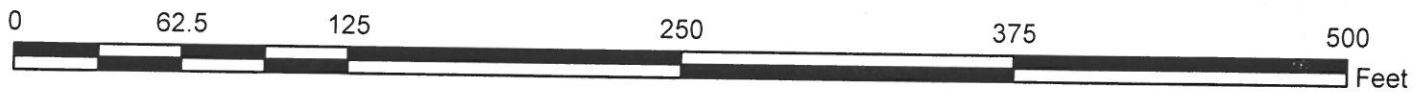
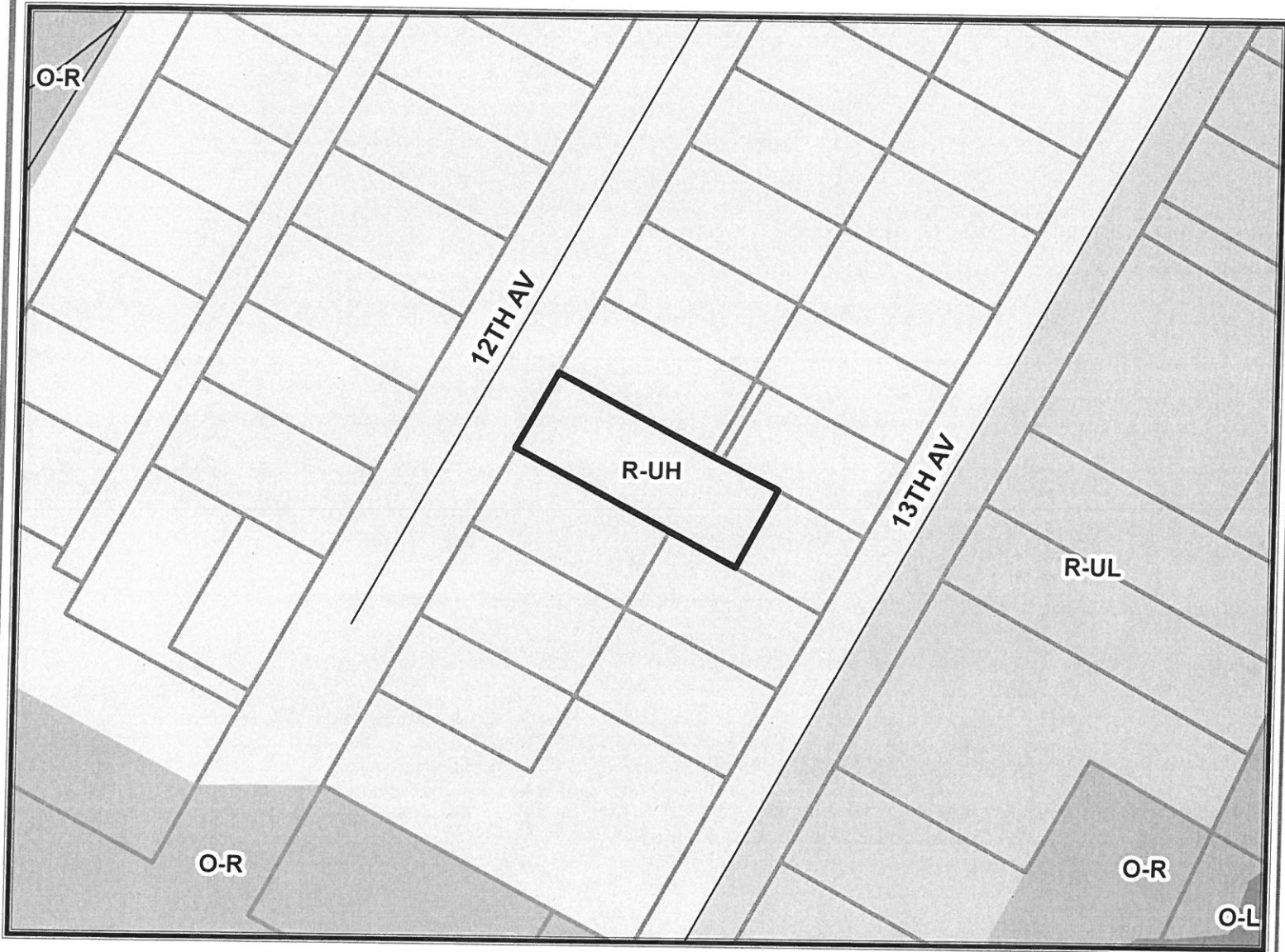


Map Created by  
County of Santa Cruz  
Planning Department  
November 2015












# General Plan Designation Map



## LEGEND

-  APN: 028-431-16
-  Assessors Parcels
-  Street
-  Residential - Urban High Density
-  Residential - Urban Low Density
-  Parks and Recreation
-  Lake



Map Created by  
County of Santa Cruz  
Planning Department  
November 2015

EXHIBIT E

## **Annette Olson**

---

**From:** John Montgomery [jmontgomery@jm-la.com]  
**Sent:** Monday, September 26, 2016 1:37 PM  
**To:** Annette Olson  
**Subject:** Permit for new construction for the property located at 134 & 140 12th Avenue, Santa Cruz

Good Afternoon Annette:

The contractor for the homeowners of the above referenced property have requested that we provide you with the name of the dead tree currently located on this property. The tree is a *Myoporum Scrophulariaceae laetum*.

Please let us know if you have any further questions, or if we may be of any further assistance.

Thank you.

John

**John Montgomery, ASLA**

**John Montgomery Landscape Architects**

Off. 925.820.8884

Fax 925.820.6455

CA Lic. #4059

[www.jm-la.com](http://www.jm-la.com)

12th

## Annette Olson

---

**From:** Lynn Dunn [dunnreimers@mac.com]  
**Sent:** Wednesday, September 28, 2016 10:35 AM  
**To:** Annette Olson  
**Cc:** Antonella Gentile; Wanda Williams; Bill Kempf; lyonscape72@gmail.com  
**Subject:** Re: 028-431-16-151301--3rd routing

Annette,

Great, waiting to hear from you. We will meet with Antonella on Monday @ her counter hours.

Thanks,

Lynn Dunn & Charles Reimers

On Sep 28, 2016, at 10:13 AM, Annette Olson wrote:

Hi Lynn.

I need to talk about this with Antonella and Wanda. After that, we'll get back to you.

-Annette

---

**From:** Lynn Dunn [mailto:dunnreimers@mac.com]  
**Sent:** Tuesday, September 27, 2016 2:55 PM  
**To:** Antonella Gentile; Annette Olson  
**Cc:** Wanda Williams; lyonscape72@gmail.com  
**Subject:** Fwd: 028-431-16-151301--3rd routing

Antonella & Annette,

See Bill Kempf's question below. Do you approve the planting of a Windmill Palm tree instead of a Coast Live Oak Tree in the rear of the property @ 140 12th Ave ?

Lynn Dunn & Charles Reimers  
165 13th Ave.

Begin forwarded message:

**From:** Bill Kempf <bill@wckempf.com>  
**Subject:** Re: 028-431-16-151301--3rd routing  
**Date:** September 27, 2016 11:22:24 AM PDT  
**To:** Lynn Dunn <dunnreimers@mac.com>  
**Cc:** antonella.gentile@santacruzcounty.us, Wanda Williams <wanda.williams@santacruzcounty.us>, Annette Olson <annette.olson@santacruzcounty.us>, lyonscape72@gmail.com

Hi Lynn.



Thanks for contacting me about the palm tree. I like the idea but ultimately it will need to be decided by the owners of the property. I will pass your e-mail along to them and see what they think.

It would also be helpful to get the County's take on the species and location to see if they support what you are proposing.

I am currently out of town and can dig into this next week.

Bill Kempf  
Sent from my iPhone

On Sep 27, 2016, at 6:33 PM, Lynn Dunn <[dunnreimers@mac.com](mailto:dunnreimers@mac.com)> wrote:

**From:** Lynn Dunn <[dunnreimers@mac.com](mailto:dunnreimers@mac.com)>  
**Subject:** Fwd: 028-431-16-151301--3rd routing  
**Date:** September 27, 2016 9:28:58 AM PDT  
**To:** [bill@wckempt.com](mailto:bill@wckempt.com)  
**Cc:** [antonella.gentile@santacruzcounty.us](mailto:antonella.gentile@santacruzcounty.us), Wanda Williams  
<[wanda.williams@santacruzcounty.us](mailto:wanda.williams@santacruzcounty.us)>, Annette Olson  
<[annette.olson@santacruzcounty.us](mailto:annette.olson@santacruzcounty.us)>, [lyonscape72@gmail.com](mailto:lyonscape72@gmail.com)

Hello Bill,

We are the backyard neighbors of 140 12th Ave. Below is the conversation I had with Antonella Gentile & Wanda Williams yesterday regarding the the plan of planting a coast live oak tree in the rear property of 140 12th Ave.

This morning, I got a call from Mike Lyons, owner Lyonscape. The owners of 310 12th Ave, just decided they want to purchased another tree. Mike was wondering if you had any interest in the Windmill palm tree? I told him you have not demolished the house yet. He said he could put the palm in it's box. The windmill palm was purchased at Garden Haven in Soquel. It is 12 feet high(slow growing) in a 36 inch container. The cost with delivery is \$1500.

As you know there are many palms in Live Oak and they grow well. If fact, there are two palm trees on your project at 435 13th not included in Nigel Belton's report.

We feel this a good solution for the small space(15 foot depth) allowing sun & views. After conversations yesterday with both Antonella Gentile and Director Wanda Williams, it is my understanding the county will consider options other than Coast Live Oak recommended by Antonella Gentile.

CONACT INFO:

Michael Lyons, Owner  
Lyonscape, Lic. 939668

lyonscape72@gmail.com  
www.Lyonscape.com

Thanks,

Lynn Dunn & Charles Reimers  
165 13th Ave.

Antonella:

As we discuss with you today at the counter, our review of the official file, you initiated the recommendation of two not one 24" box Coast Live Oak trees. I found nothing the file suggesting the applicant had initiated the request. Architect Bill Kempf responded to your recommendation "we propose to mitigate the tree removal(in the front yard) with one 24" box Coast Live Oak tree in the rear of the property, so the tree does not block views....."

Annette Olson measured the back yard, it is 15 feet long. We showed you the map with surrounding trees. We share a backyard fence with 140 12th Ave and there are 2 significant trees in the rear of the yards, one our property line @ 165 13th Ave line and one on 150 12th Ave property line.

Landscape Lesley Grainger(Gayles Bakery) and Landscape architect, Ronald Reimers last week reviewed the dimensions of the 140 12th Ave rear property and do not recommend coast live oak tree due to size and coastal zone. You said you recommended Coast Live Oak trees because it is in Live Oak and said at this time it is too late in the process(routing 2) for you to contact the applicant to discuss other options. And as Annette, a hearing is the only option at this point. We are requesting you make an exception and contact or forward our email to Bill Kempf.

This weekend, Michael Lyon, Lyonscape, planted a windmill palm @ 310 12th Ave. The back yard is small like 140 12th Ave. There are hundreds of varieties of palm trees planted all over Live Oak, see area around portola ave and 41st street.

FYI, this morning my husband and I reviewed Cty of Santa Cruz, Significant Tree Replacement list, with Director Wanda Williams.

We showed a picture of Coast Live Oak Tree and many palm trees planted in Live Oak. Small lots, in the coastal zone, trees size have a large impact. We encouraged Director Williams to direct the expansion of the tree replacement list to address coastal zones and small lots. See you Monday.

Sincerely,

Lynn Dunn  
Charles Reimers  
165 13th Ave