

## Staff Report to the Zoning Administrator

Application Number: 161147

Applicant: Alan Stocklmeir

Owner: Alan Stocklmeir

**APN:** 054-581-12

Agenda Date: December 2, 2016

Agenda Item #:

Time: After 9:00 a.m.

**Project Description**: Proposal to construct a two story duplex, each unit containing two bedrooms and an attached garage. Requires a Residential Development Permit.

Location: Property located on the west side of Hyannis Court, south of the intersection with Seascape Blvd.

Supervisorial District: 2nd District (District Supervisor: Friend)

Permits Required: Residential Development Permit

#### **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 161147, based on the attached findings and conditions.

#### **Exhibits**

A. Categorical Exemption (CEQA

determination)

B. Findings

C. ConditionsD. Project plans

E. Assessor's, Location, Zoning and General Plan Maps

F. Comments & Correspondence

#### **Parcel Information**

Parcel Size:

6,000 square feet

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Multi-family Residential

Project Access:

Hyannis Court

Planning Area:

Aptos

Land Use Designation:

R-UH (Urban High Residential)

Zone District:

RM-3 (Multi Family Residential (3,000 square foot

minimum)

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

Appealable to Calif. Coastal

Comm.

X Inside
Yes
X No

**Environmental Information** 

Geologic Hazards: Not mapped/no physical evidence on site

Soils: Soils Report accepted (see REV161056)

Fire Hazard: Not a mapped constraint

Slopes: Gentle slope to the southwest corner of the property Env. Sen. Habitat: Not mapped/no physical evidence on site

Grading: Approximately 40 cubic yards

Tree Removal: No trees proposed to be removed Scenic: Not a mapped resource

Drainage: Conditioned to comply with DPW requirements

Archeology: Not mapped

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District

Sewage Disposal:
Santa Cruz County Sanitation District
Fire District:
Aptos La Selva Fire Protection District

Fire District: Aptos La Selva Fire Protection District Drainage District:

**Project Setting** 

The subject property is undeveloped and situated just south of the intersection of Hyannis Court and Seascape Blvd in the Aptos Planning Area. The parcel is gently sloping downward to the southwest corner from Hyannis Court. The surrounding area is primarily developed with multifamily development on lots of similar size. The site is shown on maps as within Residential Exclusion area of the Coastal Zone.

#### **Zoning & General Plan Consistency**

The subject property is a parcel 6,000 square feet in size, located in the RM-3 (Multi Family Residential (3,000 square foot minimum) zone district, a designation which allows residential uses. The proposed duplex 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 development is consistent with the RM-3 zone district site standards. The project proposes the construction of two, two bedroom "multi-family" dwellings. SCCC 13.10.552 requires parking be provided at a rate of 2.5 spaces for each two bedroom unit totaling 5 spaces. In addition, guest parking would be provided at a rate of 20% (1 space) as required by SCCC 13.10.552 (A)(4). Whereas the required residential parking would be located onsite, the code allows guest parking to be located on-street if sufficient curb space is available abutting the subject property. In this case, sufficient curb space is available to accommodate the required

guest parking.

#### **Design Review**

The proposed duplex complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as the use of natural colors and material similar to that of the surrounding development, a hipped roof design and a comprehensive landscape plan to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The project complies with all site standards for the RM-3 zone district in terms of setbacks, height, lot coverage and floor area ratio.

#### 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 161147, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

Report Prepared By: Nathan MacBeth

Santa Cruz County Planning Department

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E-mail: nathan.macbeth@santacruzcounty.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: 161147 Assessor Parcel Number: 054-581-12 Project Location: No Situs
Project Description: Construct a two story duplex.
Person or Agency Proposing Project: Alan Stocklmeir
Contact Phone Number: (408) 203-9816
<ul> <li>A The proposed activity is not a project under CEQA Guidelines Section 15378.  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).</li> </ul>
E. X Categorical Exemption
Specify type: Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reasons why the project is exempt:
A class 3 categorical exemption consists of construction and location of limited numbers of new, smal facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. An example of this exemption includes, but is not limited to: (b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.  In addition, none of the conditions described in Section 15300.2 apply to this project.
Data
Nathan MacBeth, Project Planner  Date:

#### **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 duplex 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 duplex and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-3 (Multi Family Residential (3,000 square foot minimum) zone district as the primary use of the property will be one duplex that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UH (Urban High Residential) land use designation in the County General Plan.

The proposed residential use 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 residential use will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residential use 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 use will comply with the site standards for the RM-3 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 duplex is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 2 peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or intersections in the surrounding area. The project is located within the Urban Services Line and will-serve letters have been issued from the County of Santa Cruz Sanitation District and Soquel Creek Water District. It is expected that utilities are readily available.

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 duplex is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed duplex 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 surrounding area is developed with multi-family development similar to that of the proposed development. Color and materials will be complimentary to the site and compatible with the homes in the vicinity.

#### **Conditions of Approval**

Exhibit D: Project Plan 7 sheets, Prepared by Daryl Fazekas Architecture, revised 8/17/16

- I. This permit authorizes the construction of a two story duplex. 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 Building Permit from the Santa Cruz County Building Official.
    - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the County road right-of-way.
  - E. 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. Details showing compliance with fire department requirements.
- B. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- C. Obtain an Environmental Health Clearance for this project from the County 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. Submit 2 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- F. Pay the current fees for Parks and Child Care mitigation for 4 bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- G. Pay the current fees for Roadside and Transportation improvements for 4 bedrooms. Please contact the Department of Public Work for a current list of fees.
- H. Pay the current Affordable Housing Impact Fee. Please contact the Housing Division for a current list of fees.
- I. Provide required off-street parking for 5 cars and 1 on-street parking space for a guest vehicle. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way with the exception of the guest space.
- J. 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. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.

- C. The project must comply with all recommendations of the approved soils reports.
- D. Pursuant to Sections 16.40.040 and 16.42.080 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, it 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. <u>Settlement</u>. 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.

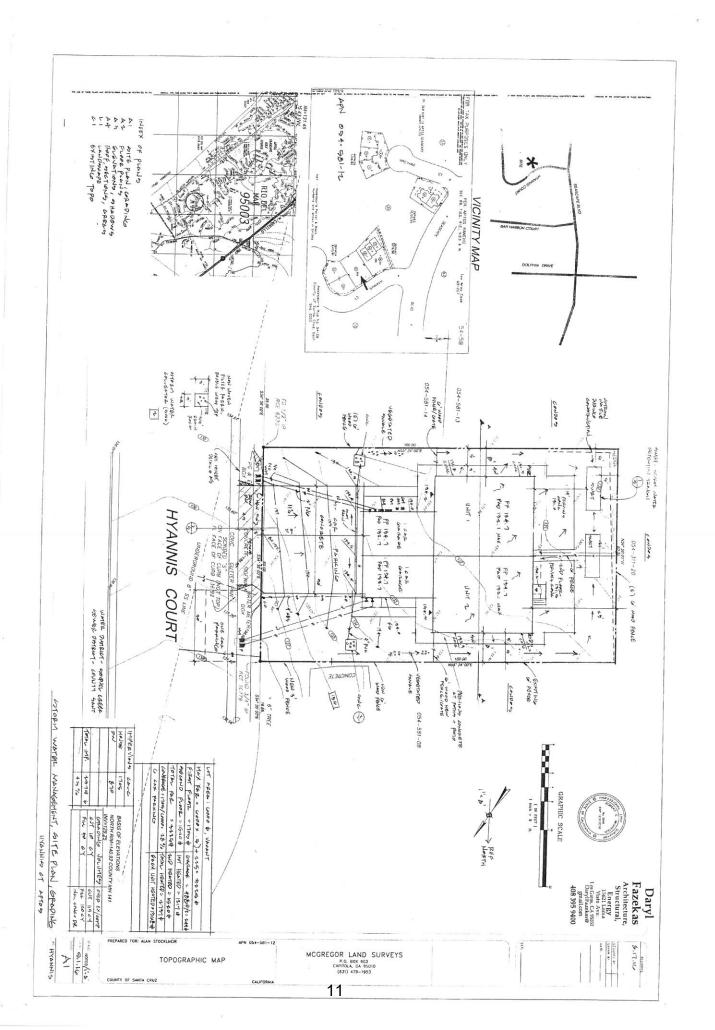
D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

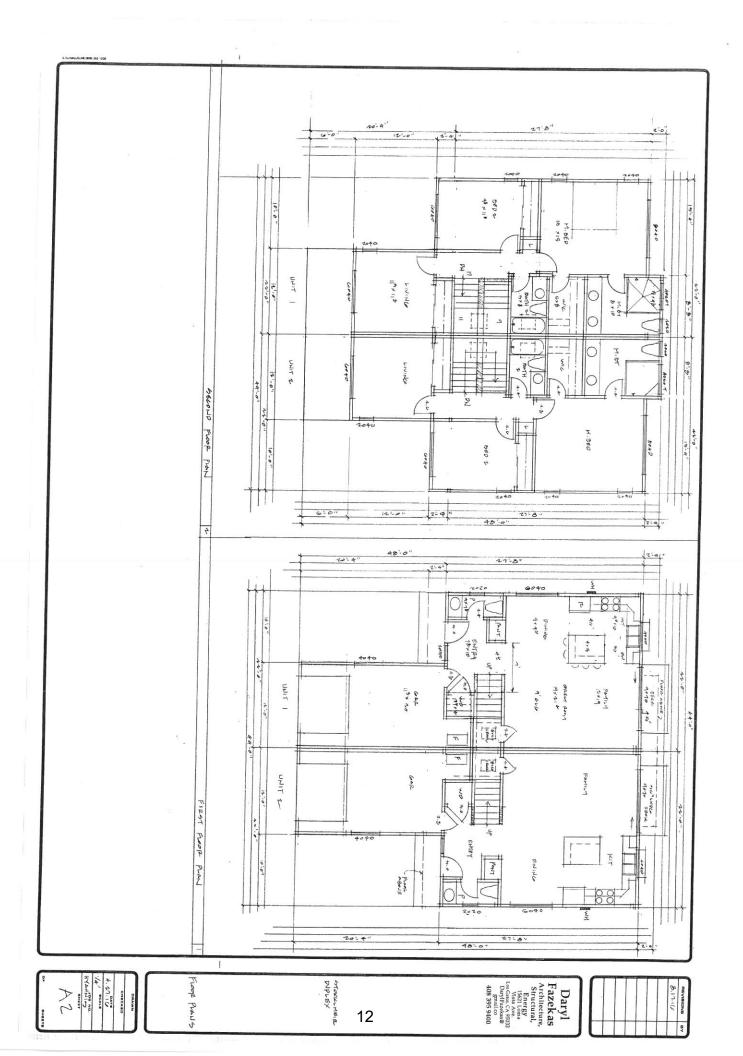
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

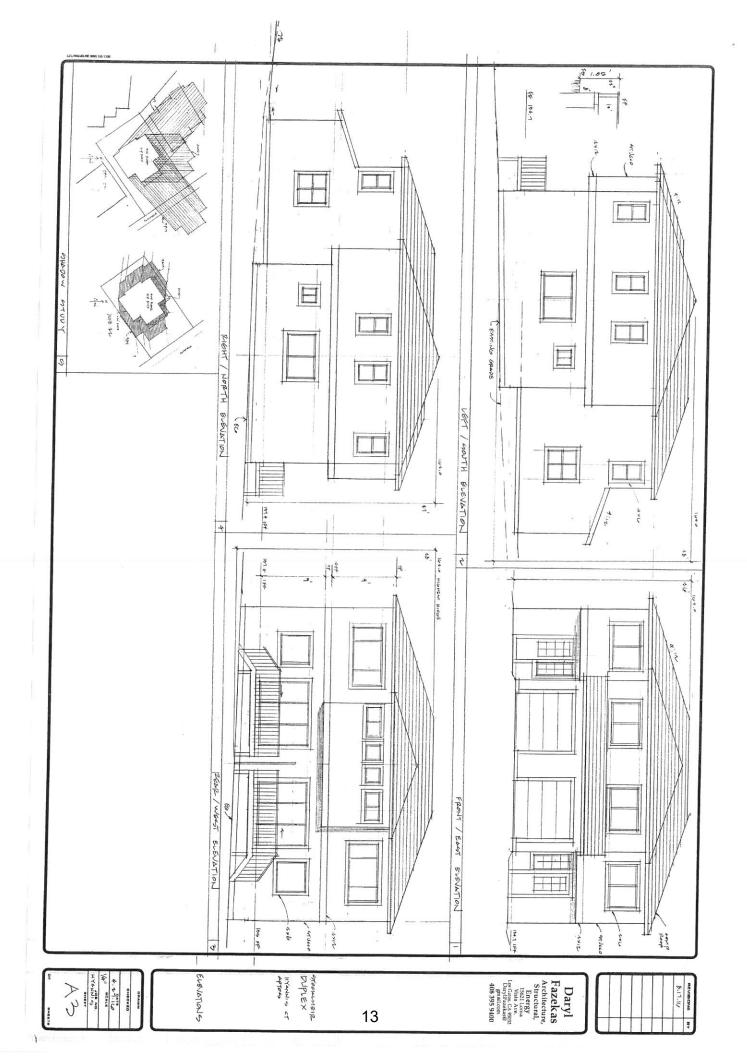
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures 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.

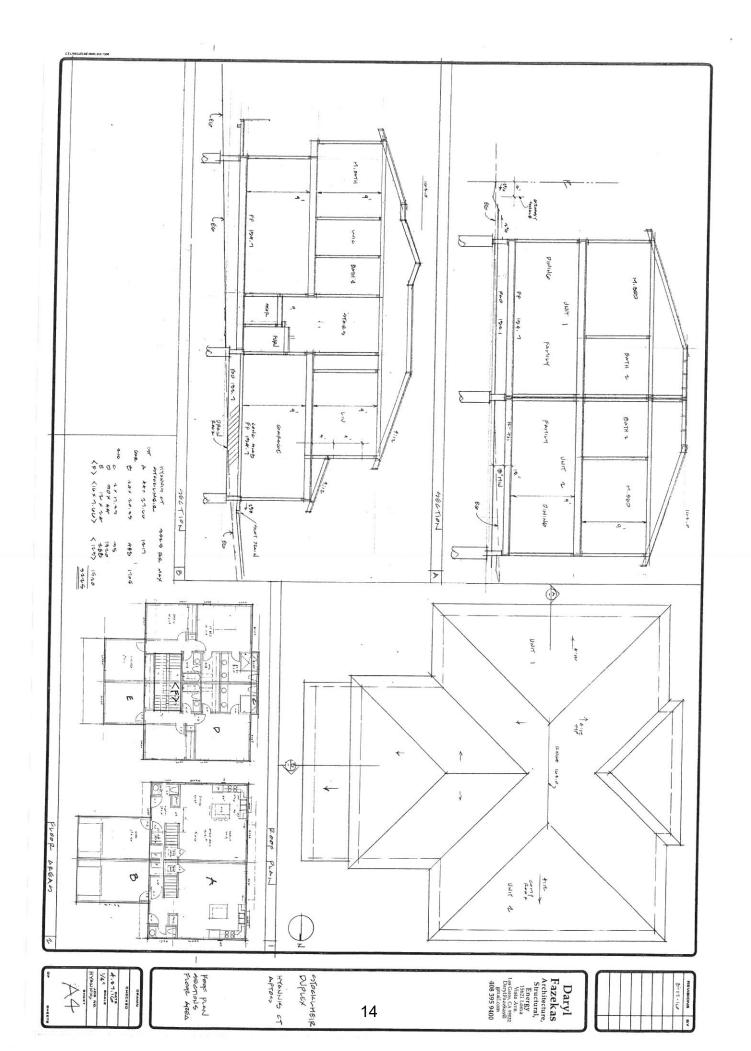
Approval Date:	
Effective Date:	
Expiration Date:	

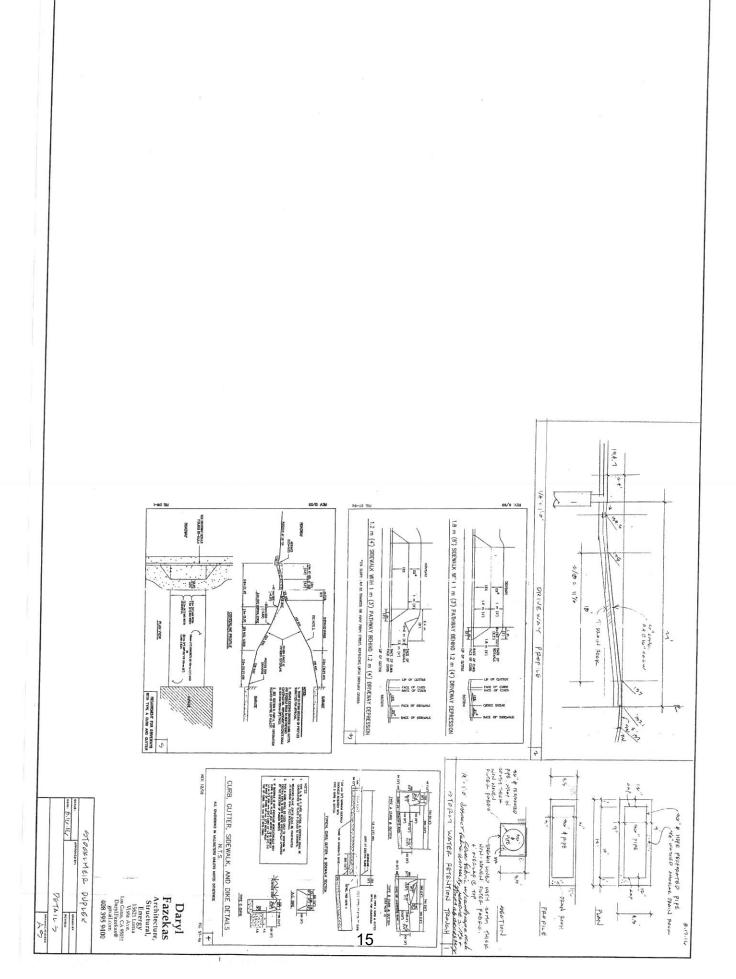
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

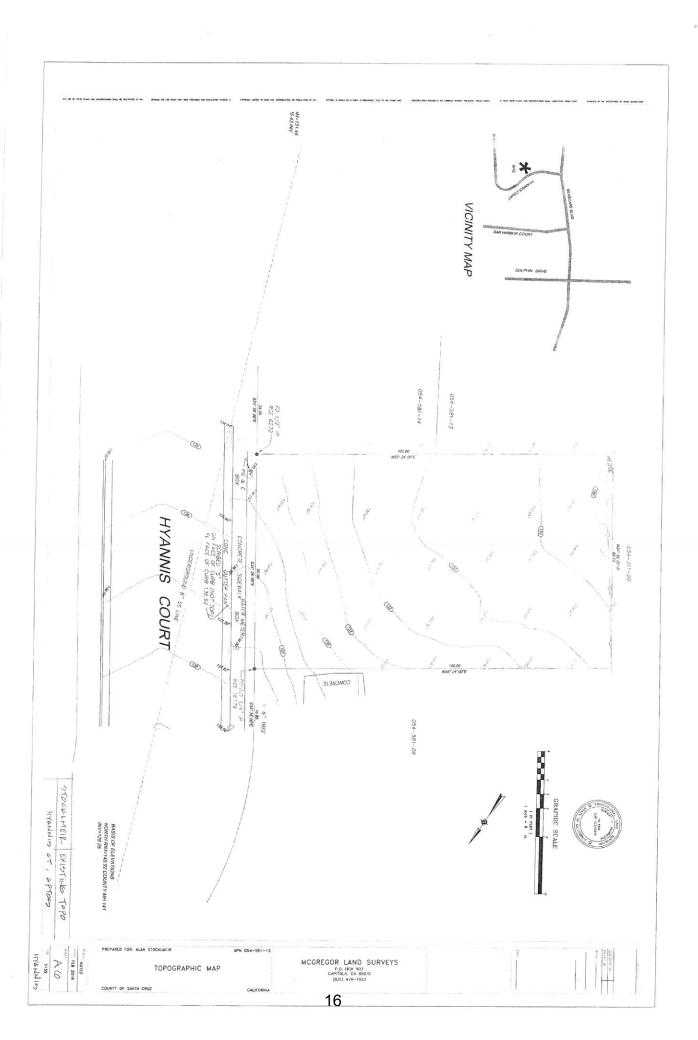


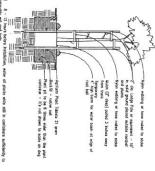












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Plant Legend 

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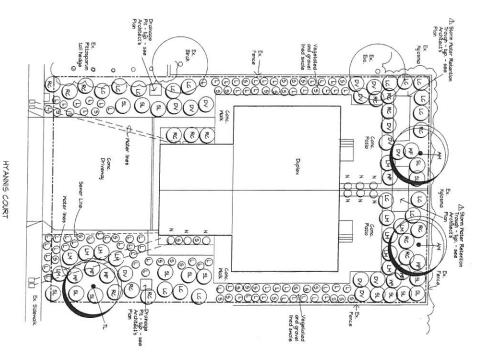
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Planting Plan





Stocklmier Residence

Hyannis Court, Aptos APN 054-581-12





GREGORY LEWIS LANDSCAPE ARCHITECT



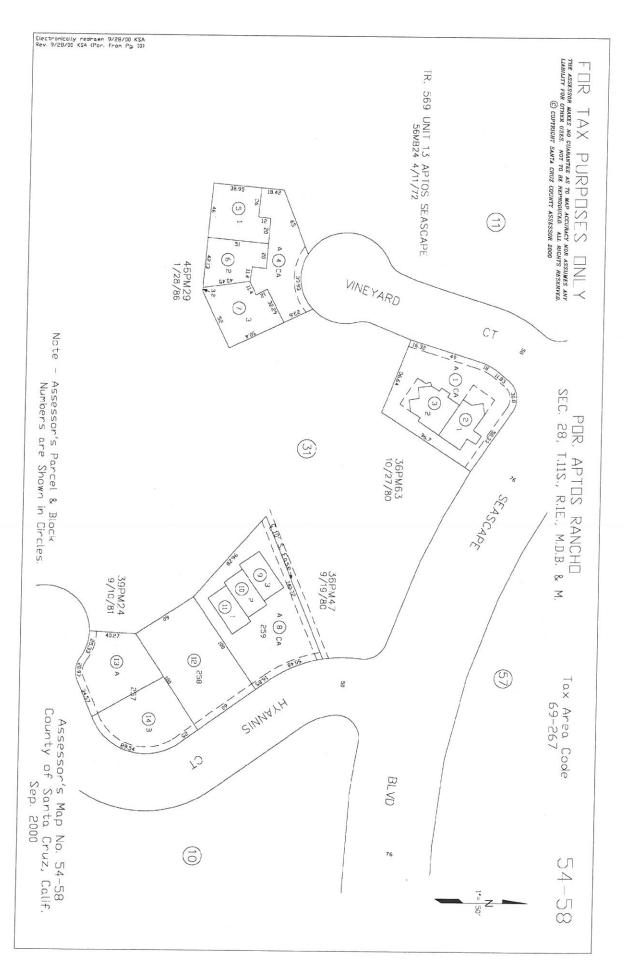
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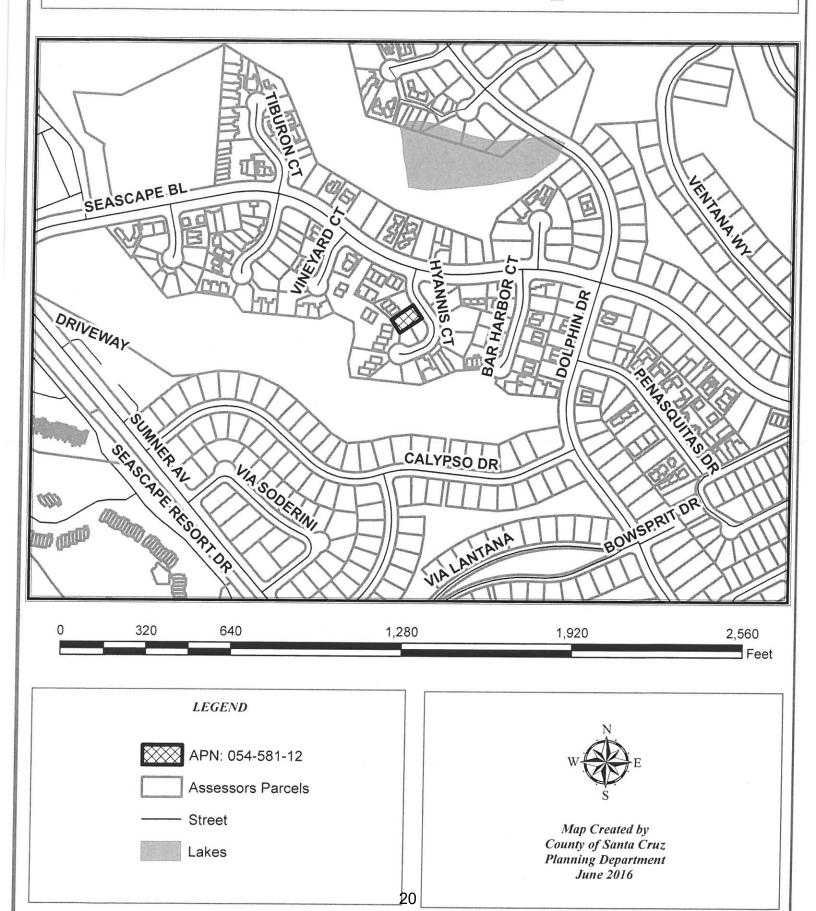
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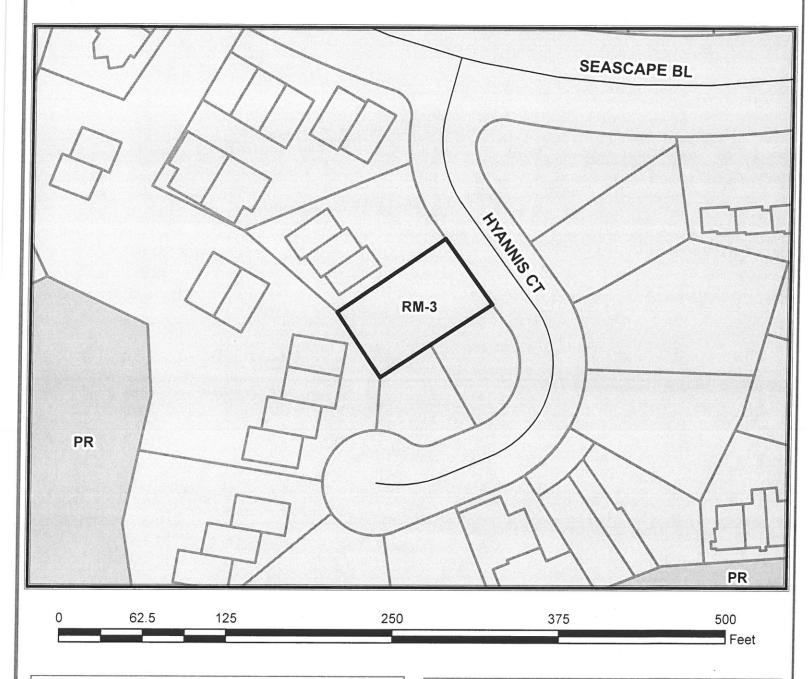


## Location Map





# Zoning Map



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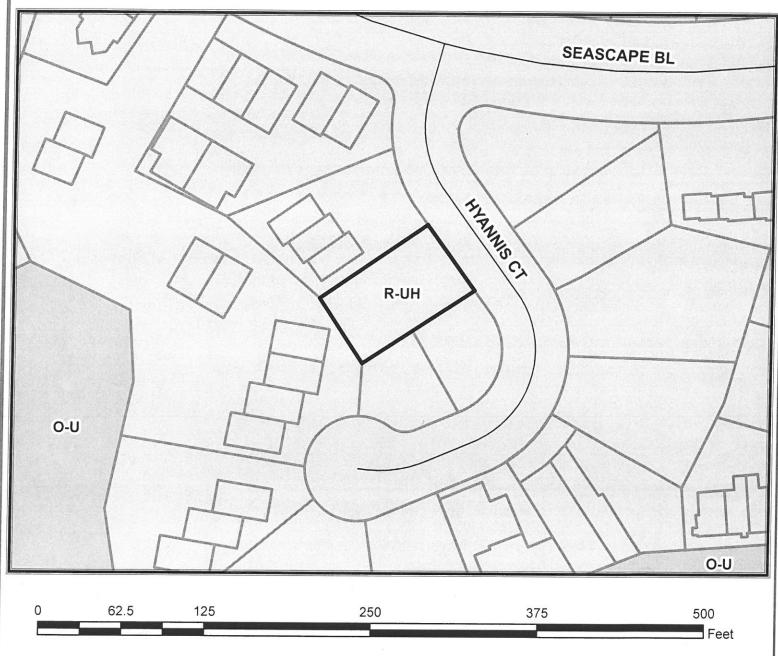
# APN: 054-581-12 Assessors Parcels Street RESIDENTIAL-MULTI FAMILY PARK



Map Created by County of Santa Cruz Planning Department June 2016



## General Plan Designation Map



LEGEND

APN: 054-581-12

Assessors Parcels

---- Street

Residential - Urban High Density

Urban Open Space



Map Created by County of Santa Cruz Planning Department June 2016

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