

# Staff Report to the Zoning Administrator

Application Number: 161169

**Applicant:** Brad Sampson

Owner: Brad Sampson

**APN:** 042-067-19

Agenda Date: January 20, 2017

Agenda Item #:

Time: After 9:00 a.m.

**Project Description**: Proposal to construct a two story 4 bedroom 3.5 bath single family residence (approximately 2,600 square feet) with an approximately 700 square foot attached garage.

**Location**: Property located at the northwest end of the cul-de-sac of Shoreview Drive, between 186 & 201 Shoreview Drive.

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

Permits Required: Coastal Development Permit

Technical Reviews: Soils Report Review

#### **Staff Recommendation:**

• Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

• Approval of Application 161169, based on the attached findings and conditions.

#### **Exhibits**

C.

A. Categorical Exemption (CEQA

determination)

E. Assessor's, Location, Zoning and

General Plan Maps

B. Findings

Conditions

D. Project plans

F. Comments & Correspondence

#### Parcel Information

Parcel Size:

32,144 sf (plans)

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Single family residential neighborhood

Project Access:

Shoreview Drive

Planning Area:

**Aptos** 

Land Use Designation:

R-UM (Urban Medium Density Residential)

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

Zone District: R-1-4 (Single Family Residential - 4,000 square feet

minimum)

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

#### **Environmental Information**

Geologic Hazards:

Not mapped/no physical evidence on site

Soils:

Report submitted and accepted

Fire Hazard:

Not a mapped constraint

Slopes:

2-5% at building site, 30%+ at rear of property

Env. Sen. Habitat:

No physical evidence on site

Grading:

90 cubic yards (fill)

Tree Removal:

Arborist report with tree protection recommendations submitted

Mapped scenic resource - not visible from parks, beaches, highways

Scenic: Drainage:

Drainage plan reviewed and accepted

Archeology:

Arch report submitted - no resources identified on site

#### **Services Information**

Urban/Rural Services Line:

X Inside Outside
Soquel Creek Water District

Water Supply: Sewage Disposal:

Santa Cruz County Sanitation District

Fire District:

~ Aptos/La Selva Fire Protection District

Drainage District:

Zone 6 Flood Control District

### **Project Setting**

The subject property is a vacant parcel located at the end of one of the two Shoreview Drive cul-desacs in the Aptos Planning area. The property is relatively level and gently sloped at the building site and slopes down steeply from the proposed building area to the north and northwest. There are numerous oak trees surrounding the building site and the slopes below are vegetated with a mix of trees and brush. The surrounding neighborhood is developed with single family dwellings.

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

The subject property is a parcel of approximately 32,144 square feet, located in the R-1-4 (Single Family Residential - 4,000 square feet minimum) zone district, a designation which allows residential uses. The proposed dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

The minimum setback for properties in excess of 5,000 square feet within the R-1-4 zone district is 20 feet. The adjacent parcel is developed with a residence that is closer than 20 feet to the front property line. For this reason, this project proposes a reduced front yard setback utilizing front yard averaging. The average front yard setback is determined, in this case, by the two adjacent parcels

(with a 20 feet zone district setback on one side and 15 feet 5 inches existing structure setback on the other) resulting in a 17 foot 8.5 inch front yard setback for the proposed development.

The property fronts on a cul-de-sac and has less than 40 feet of lot width at the edge of the right of way. The project includes a driveway and a patio in the front yard setback, but the driveway area will not exceed 50 percent of the required front yard setback. A vertical separation is proposed between the patio area and the driveway to prevent utilization of the patio area for parking or driveway purposes.

#### **Local Coastal Program Consistency**

The proposed dwelling 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. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

### Design Review & Scenic Resources

The proposed dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as varied wall and roof planes to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

The subject property is mapped as a scenic resource area, but the property is not clearly visible from any public beach, public park, scenic highway, or other protected view. The proposed design will be consistent with the surrounding pattern of development and will not adversely impact scenic resources as a result.

#### 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 161169, 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: Randall Adams

Santa Cruz County Planning Department

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## 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.

	nber: 161169 Number: 042-067-19 : No Situs (Shoreview Drive)
Project Descript	tion: Demolish an existing residence and construct a new single family dwelling
Person or Agend	cy Proposing Project: Brad Sampson
Contact Phone N	Number: 831-239-2602
<b>B.</b> Th	ne proposed activity is not a project under CEQA Guidelines Section 15378.  ne proposed activity is not subject to CEQA as specified under CEQA Guidelines ection 15060 (c).
C <u>M</u> me	<u>(inisterial Project</u> involving only the use of fixed standards or objective easurements without personal judgment. <u>(atutory Exemption</u> ) other than a Ministerial Project (CEQA Guidelines Section
	ategorical Exemption
Specify type: Cla	ass 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reasons v	why the project is exempt:
Construction of a	residence in an area designated for residential uses.
In addition, none	of the conditions described in Section 15300.2 apply to this project.
	Date:
Randall Adams, P	Project Planner

## **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-1-4 (Single Family Residential - 4,000 square feet minimum), a designation which allows residential uses. The proposed dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density 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; and the development site is not on a visually 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 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 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-1-4 (Single Family Residential - 4,000 square feet minimum) 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 in the area, and the design submitted is consistent with the existing range of styles.

## **Development Permit Findings**

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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 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-1-4 (Single Family Residential - 4,000 square feet minimum) 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 project includes a reduced front yard setback consistent with County Code section 13.10.323(E)(7) (Front Yard Averaging). The minimum setback for properties in excess of 5,000 square feet within the R-1-4 zone district is 20 feet. The adjacent parcel is developed with a residence that is closer than 20 feet to the front property line. The average front yard setback is determined, in this case, by the two adjacent parcels (with a 20 feet zone district setback on one side and 15 feet 5 inches existing structure setback on the other) resulting in a 17 foot 8.5 inch front yard setback for the proposed development.

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-UM (Urban Medium Density Residential) land use designation in the County General Plan.

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

The proposed 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 dwelling will comply with the site standards for the

R-1-4 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 dwelling is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be one 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.

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 dwelling 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 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.

## **Conditions of Approval**

Exhibit D: Project Plans "Sampson Residence, prepared by Santa Cruz Home Design, dated 9/6/16

- I. This permit authorizes the construction of a new single family dwelling as indicated on the approved Exhibit "D" for 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. 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.
    - 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. Meet all requirements of the Soquel Creek Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- E. Meet all requirements of the Environmental Planning section of the Planning Department.
- F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- G. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- H. Pay the current fees for Parks and Child Care mitigation for 4 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- I. Pay the current fees for Roadside and Transportation improvements for one unit(s). Currently, these fees are, respectively, \$3,000 and \$3,000 per unit.
- J. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling between 2,501 and 3,000 square feet is \$5 per square foot.
- K. Provide required off-street parking for 4 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.
- L. 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.

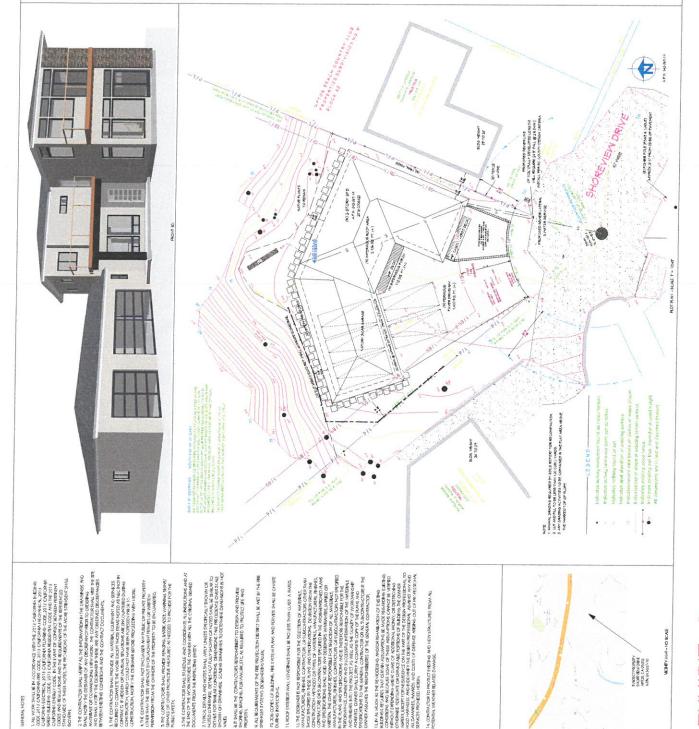
Approval Date:	*	
Effective Date:		
Expiration Date:		

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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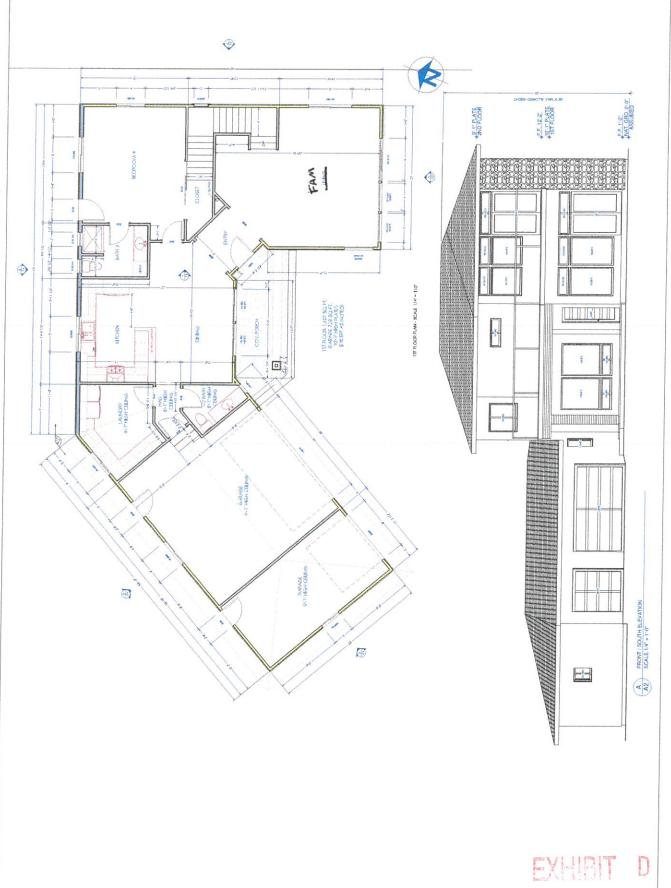
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COASTAL COOMISSION APPLICATION FOR: SHOREVIEW DRIVE APTOS, CA 95003 AP.N. 042-067-19

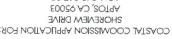


## **SAMPSON RESIDENCE**





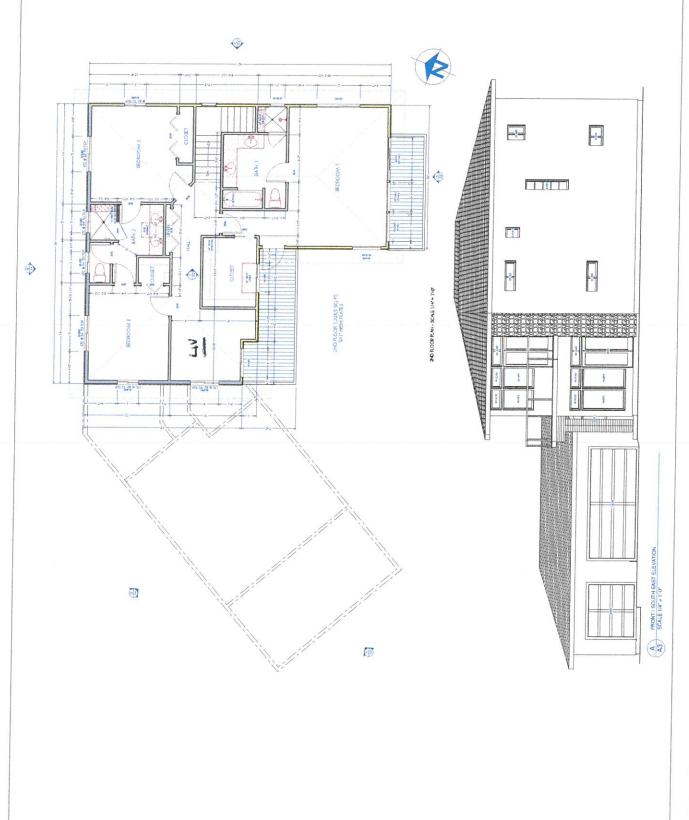
QF-780-240 .N.9A COASTAL COOMISSION APPLICATION FOR:
APTOS, CA 955093
APTOS, CA 955093



**SYMPSON RESIDENCE** 

ELEVATIONS









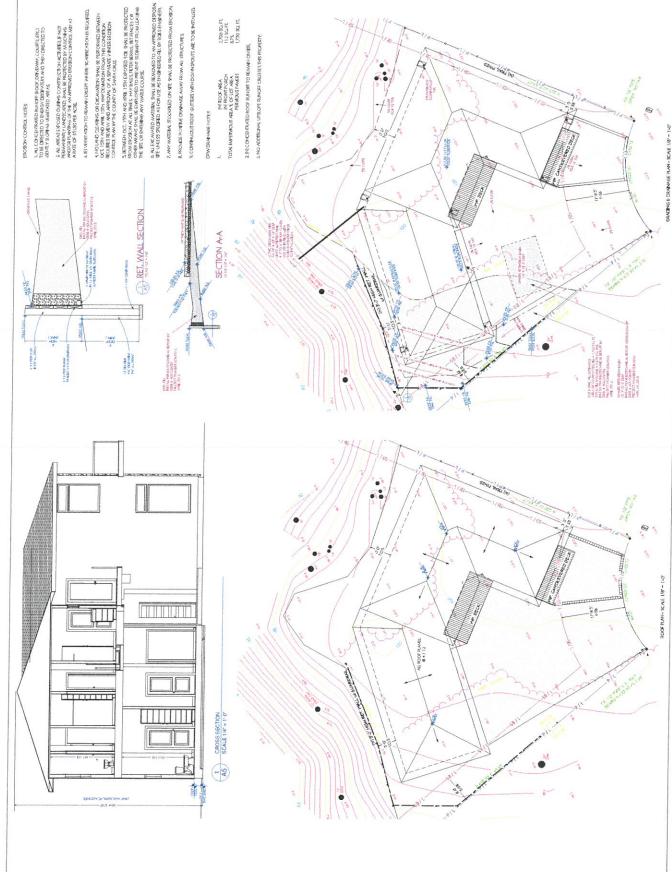


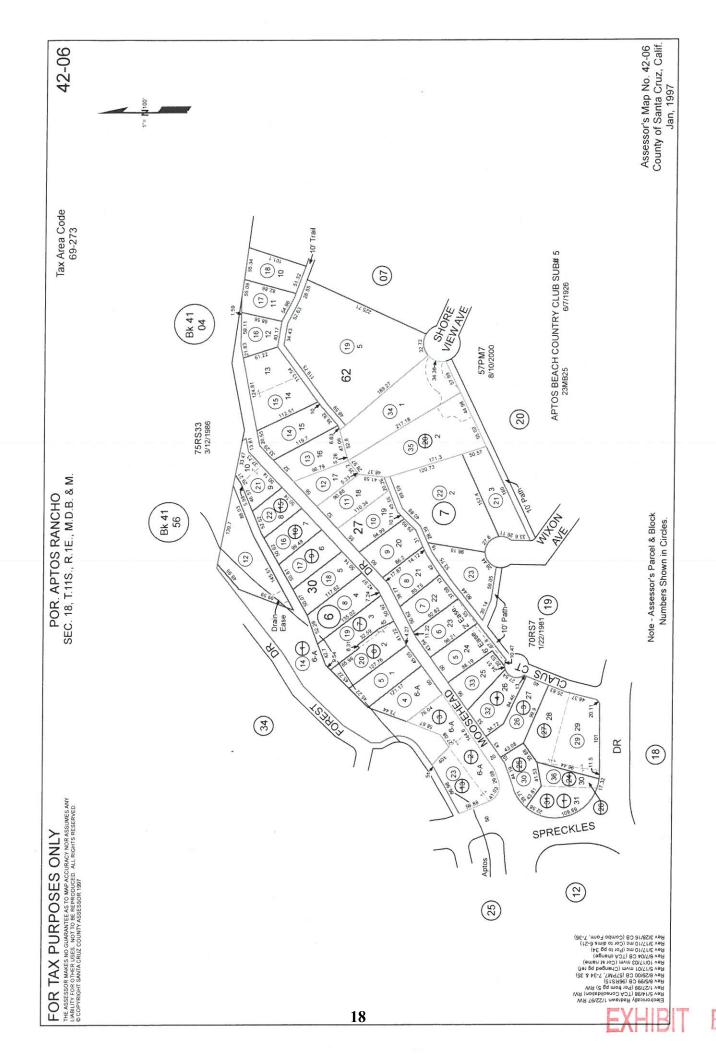
ROOF PLAN 8 SECTION

01-780-240 .N.9A APTOS, CA 95003 SHOKENEM DKINE COASTAL COOMISSION APPLICATION FOR:

SAMPSON RESIDENCE

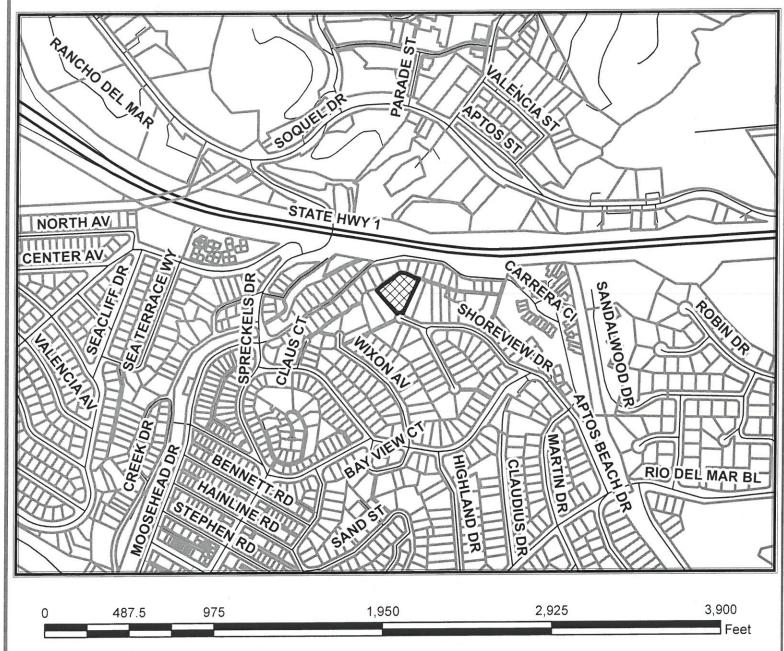


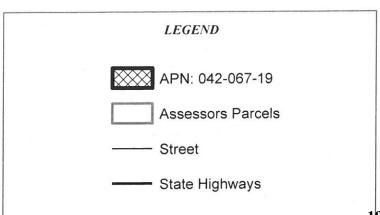






## Location Map





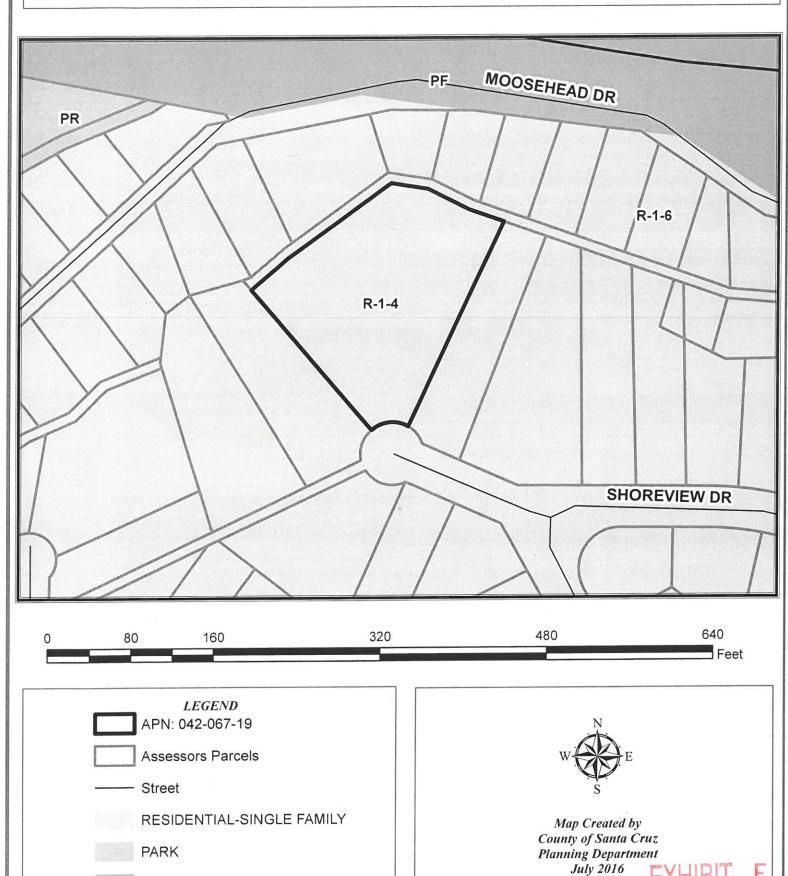


Map Created by County of Santa Cruz Planning Department July 2016

XHIRIT



## Zoning Map



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PUBLIC FACILITY



## General Plan Designation Map

