



Staff Report to the Zoning Administrator

Application Number: **171066**

Applicant: Larry Golden
Owner: Margaret and Jean-Yves Michel
APN: 026-531-14

Agenda Date: July 7, 2017
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to add a 1,287 square foot addition to an existing 560 square foot single family dwelling on a site with another single family dwelling in a two unit dwelling group. Requires an amendment to Residential Development Permit 88-0500.

Location: Property located on the north side of Harper Street, approximately 600 feet west of 17th Avenue (1421 Harper Street located behind 1419 Harper Street).

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Amendment to Residential Development Permit 88-0500

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171066, 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:	22,281 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential and Neighborhood Commercial
Project Access:	Harper Street
Planning Area:	Live Oak
Land Use Designation:	R-UL (Urban Low Density Residential)

Zone District: R-1-6 (Single Family Residential - 6,000 square feet minimum)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Will be required as a part of the building permit application
Fire Hazard: Not a mapped constraint
Slopes: Site sloped less than 15%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No significant grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Drainage plan and calculations submitted and approved.
Archeology: Not mapped/ no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz Water
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5 Flood Control District

History

The parcel was previously developed with a single- family dwelling and detached garage in the 1950s. The second dwelling of 560 square feet was subsequently constructed above the existing detached garage. The proposed project is for an addition to one existing residence in a two residence dwelling group. The discretionary permit for the existing two unit dwelling group was issued after approval by the Zoning Administrator on October 21, 1988.

Project Setting

The subject property is located on the north side of Harper Street in the Live Oak planning area of the unincorporated County of Santa Cruz. The parcel is currently developed with one single family dwelling at the front of the property and a second single family dwelling above the detached garage behind the front unit. The rear portion of the 22,281 square foot parcel is undeveloped and is covered primarily in grasses and a variety of small trees. The property is bounded by a single-family residential neighborhood to the south, west and east that is developed with a mixture of one and two-story homes and where several of the parcels are developed with dwelling groups. To the immediate west of the subject parcel a minor land division was recently approved for development of three new 2-story single family dwellings on a parcel of 24,505 square feet. A small park, the Hestwood Neighborhood Park, which includes footpaths, benches and a children's play area, is located at the

comer of Avila Avenue approximately 420 feet west of the project site. North of the parcel there is a large area of vacant land fronting onto Capitola Road, owned by the County of Santa Cruz that is currently zoned for neighborhood commercial uses.

Dwelling Group

The proposed project will be in compliance with the requirements set forth by County Code Section 13.10.322 which states dwelling groups of up to four units are allowed in the single-family zone districts with a discretionary approval heard before the Zoning Administrator. The proposed project is an addition to an existing two unit dwelling group on a 22,281 square foot parcel. Due to the size of the parcel an additional unit could potentially be developed at the rear of the property. The density of dwelling groups is evaluated in the same way that the density of a land division is evaluated, in that it is based upon the subject parcel's General Plan designation. As discussed below, this project complies with the General Plan designation. It also complies with the requirement that the homes be detached single-family dwellings.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 22,281 square feet, located in the R-1-6 (Single Family Residential - 6,000 square feet minimum) zone district, a designation which allows residential uses. The existing dwelling group of two dwellings meets the density requirements of the Urban Low Density Residential (R-UL) General Plan designation which requires 6,000 to 10,000 square feet per unit. The existing dwelling group would require a minimum of 12,000 square feet. The subject parcel is approximately 22,281 square feet in size therefore the two dwellings comply with the density standard for the R-UL General Plan requirement.

Design Review

The proposed addition to an existing dwelling group complies with the requirements of the County Design Review Ordinance, in that the proposed project is well below the allowed square footage that could be allowed on the parcel. The addition will be compatible with the existing development on the subject parcel as well as the surrounding neighborhood where there is a range of architectural styles. The proposed addition will be constructed at the rear of the existing two story residence behind the other existing residence at the front of the parcel. It is anticipated to have minimal or no visible impact from Harper Street. The addition will be visible to the neighbors to the east, however, the proposed addition is only 138 square feet at the second story and 1,149 square feet at the first story and will be partially obscured by a 5+ foot tall fence. The visual impact to neighboring homes will be minimal, and the solar impact will be negligible. The addition will be compatible with a similar aesthetic as the existing structures in the area with similar architectural features required as a condition of approval.

The existing residential units are detached structures, consistent with the existing pattern of development in the surrounding area. Architectural styles are compatible with existing homes in the area and are consistent with the County Design Review ordinance.

Environmental Review

A preliminary determination has been made that the project is exempt from the California Environmental Quality Act and a notice of exemption has been attached as Exhibit A.

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 **171066**, 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

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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.

Application Number: 171066

Assessor Parcel Number: 026-531-14

Project Location: 1419/ 1421 Harper Street, Santa Cruz, CA

Project Description: Proposal to add a 1,287 square foot addition to an existing single family dwellin on site with another single family dwelling. Requires an amendment to Residential Development Permit 88-0500.

Person or Agency Proposing Project: Larry Golden

Contact Phone Number: 831-426-8460

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
- C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
- D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).
- E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a residence in an area designated for residential uses.

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

Elizabeth Hayward, 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 2016 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residential dwelling group addition will not deprive adjacent properties or the neighborhood of light, air, or open space in that the structures meet 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 residential dwelling group addition 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-1-6 (Single Family Residential - 6,000 square feet minimum) zone district as the primary use of the property will be two dwellings that meet 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-UL (Urban Low Density Residential) land use designation in the County General Plan.

The proposed residential dwelling group addition 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 addition to an existing dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residential dwelling group addition 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 residential dwelling group addition will comply with the site standards for the R-1-6 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 residential dwelling group addition is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 2 peak trips per day (1 peak trip per dwelling unit), however this will not result in an increase since two residential units already exist. There will be no adverse impact to 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 addition is located in a mixed neighborhood containing a variety of architectural styles, and the existing dwelling group 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 residential dwelling group addition 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, revision dated February 17, 2017 prepared by Larry Golden, CPBD.

- I. This permit authorizes the construction of an addition to an existing dwelling in a two unit dwelling group as indicated on the approved Exhibit "D" for this permit. 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, if required.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way, if required.
 - 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. Color, design and materials for the addition shall be compatible with the existing development on the subject site.

3. Grading, drainage, and erosion control plans.
 4. 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.
- B. Meet all requirements of and pay Zone 5 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 Environmental Planning section of the Planning Department.
1. The applicant shall provide 2 copies of a soils report prepared by a licensed geotechnical engineer for review by Environmental Planning.
 2. Building permit application plans shall reference the soils report and include a statement that the project shall conform to the report's recommendations.
 3. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual.
 4. The applicant shall submit a drainage plan that complies with the requirements set forth in 2016 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.
 5. 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.
- D. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- E. Pay the current fees for Roadside and Transportation improvements for one bedroom. Currently, these fees are, respectively, \$433.00 and \$1,000 per one bedroom.

- F. Comply with the Public Works Road Engineering requirements as follows:
 - 1. A six-foot utility easement dedication is required.
 - 2. Existing driveway should meet County of Santa Cruz Design Criteria (see FIG DW-5).
 - G. Provide required off-street parking for at least four 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.
 - H. 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.
 - B. Earthwork is prohibited during the rainy season (October 15-April 15) unless a winter grading permit is approved by the Planning Director.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

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.

Application #: 171066
APN: 026-531-14
Owner: Margaret and Jean-Yves Michel

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.



Parcel Location Map

Santa Cruz County Planning Department

Parcel Number
026-531-14
Jun. 19, 2017



026-531-14

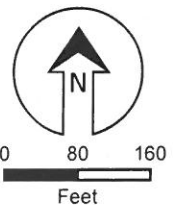
Westwood Park



Location Overview

Symbol Key

- Street
- ▭ Park





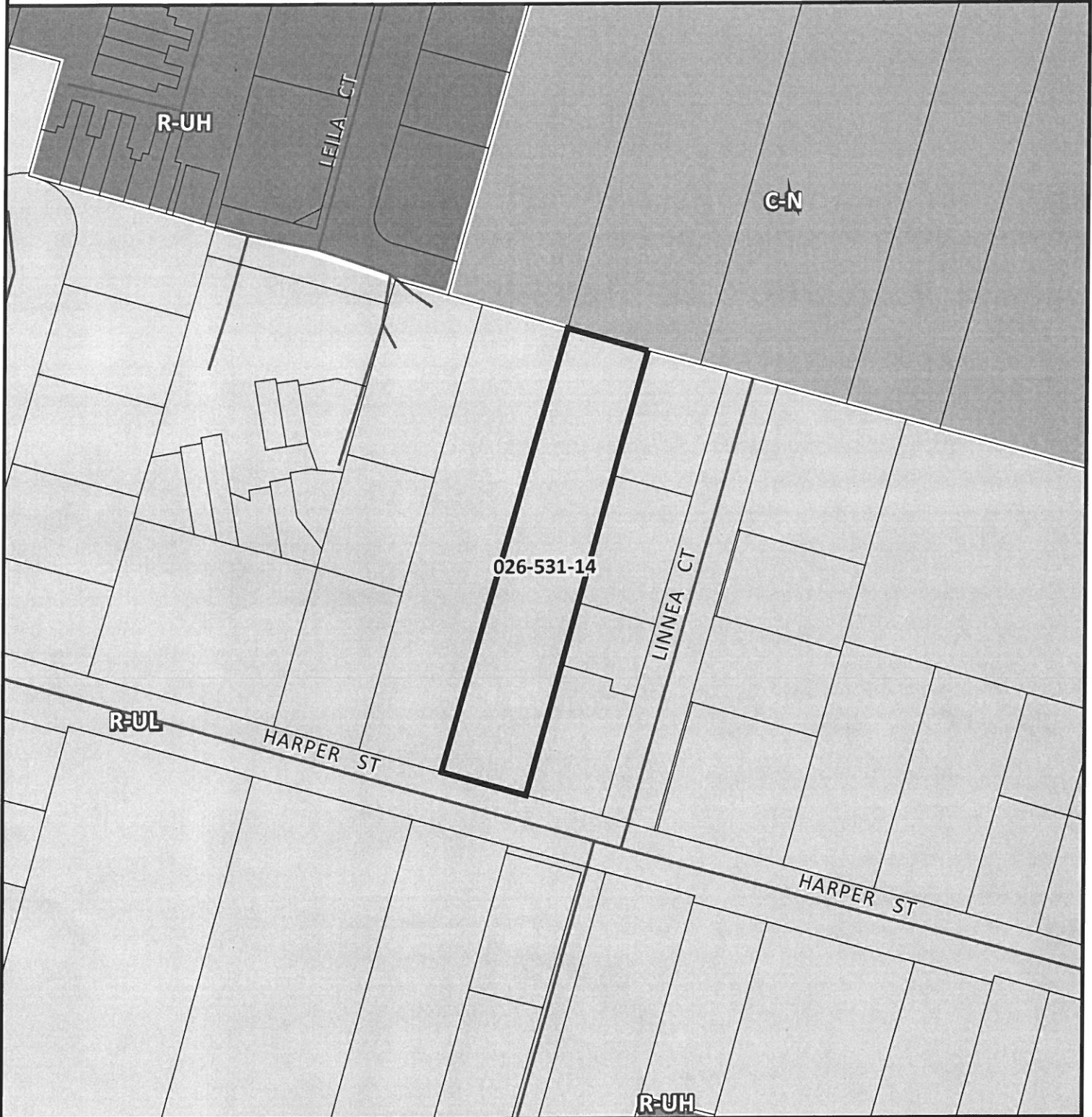
Parcel General Plan Map

Santa Cruz County Planning Department




Parcel Number

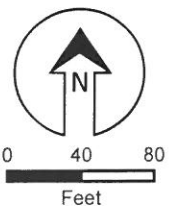
026-531-14

Jun. 19, 2017



General Plan

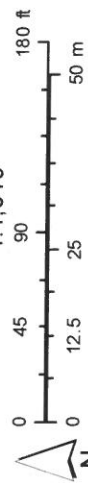
-  C-N - Commercial-Neighborhood
-  R-UL - Residential - Urban Low Density
-  R-UH - Residential - Urban High Density



Parcel Zoning Map



1:1,049



June 26, 2017