



## Staff Report to the Zoning Administrator

Application Number: **161106**

**Applicant:** DeMattei Construction  
**Owner:** Jennifer Krach  
**APN:** 033-132-03

**Agenda Date:** November 3, 2017  
**Agenda Item #:** 4  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to remodel an existing two story single family dwelling, and to add a cantilevered covered second floor rear deck, new front porch, skylights and windows, on property located in the R-1-5 zone district.

**Location:** Property located on the south side of Opal Cliff Drive approximately 750 west of the intersection with Cliff Drive. (4640 Opal Cliff Drive)

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

**Permits Required:** Coastal Development Permit

**Technical Reviews:** Geotechnical/Geologic Report Review

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 161106, 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:	13,111 square feet
Existing Land Use - Parcel:	Single family dwelling
Existing Land Use - Surrounding:	Single family residential neighborhood, coastal bluff
Project Access:	Opal Cliff Drive
Planning Area:	Live Oak

Land Use Designation: R-UM (Urban Medium Density Residential)  
Zone District: R-1-5 (Single Family Residential - 5,000 square foot minimum)  
Coastal Zone: X Inside       Outside  
Appealable to Calif. Coastal Comm. X Yes       No

### Environmental Information

Geologic Hazards: Coastal bluff at rear of property - report reviewed and accepted  
Soils: Report reviewed and accepted  
Fire Hazard: Not a mapped constraint  
Slopes: 2-3% at building site  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Scenic beach viewshed  
Drainage: No change to existing drainage improvements  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line: X Inside       Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5 Flood Control District

### Project Setting

The subject property is located on the southeast side of Opal Cliff Drive in the Live Oak Planning area and is developed with an existing two story single family residence. The property is in a neighborhood of single family residential development, with a coastal bluff and the Pacific Ocean to the southeast of the property.

### Zoning & General Plan Consistency

The subject property is a parcel of approximately 13,111 square feet, located in the R-1-5 (Single Family Residential - 5,000 square foot minimum) zone district, a designation which allows residential uses. The existing residence 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.

### Local Coastal Program Consistency

The proposed project is in conformance with the County's certified Local Coastal Program, in that the existing structure (including the proposed rear deck) 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 located between the shoreline and the first public road, with public beach access available at 41st Avenue and at Capitola main beach. The property 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 project complies with the requirements of the County Design Review ordinance and scenic resource policies specified in the County General Plan, in that the proposed residential remodel and second story rear deck will be of a compatible design consistent with the existing residence and will not increase the visual impact of the existing residence on the scenic beach viewshed or surrounding land uses.

### **Coastal Bluff**

The project site is located adjacent to a coastal bluff to the southeast of the subject property. An existing coastal protection structure is located on the bluff face at the rear of the property. Geologic and geotechnical reports have been reviewed and accepted for this application and an appropriate coastal bluff setback has been determined. The proposed second story cantilevered deck will comply with the required coastal bluff setback.

### **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 **161106**, 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)**

Application #: 161106  
APN: 033-132-03  
Owner: Jennifer Krach

Page 4

Report Prepared By: Randall Adams  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3218  
E-mail: [randall.adams@santacruzcounty.us](mailto:randall.adams@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: 161106

Assessor Parcel Number: 033-132-03

Project Location: 4640 Opal Cliff Drive

**Project Description: Modify an existing single family dwelling and construct a detached garage with accessory dwelling unit above**

**Person or Agency Proposing Project: DeMattei Construction**

**Contact Phone Number: 408-816-6877**

- 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 1 - Existing Facilities (Section 15301)

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

Remodel an existing residence in an area designated for residential uses.

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

\_\_\_\_\_  
Randall Adams, Project Planner

Date: \_\_\_\_\_

## **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-1-5 (Single Family Residential - 5,000 square foot minimum), a designation which allows residential uses. The proposed existing residence 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; the colors will be natural in appearance and complementary to the site; and the proposed improvements will be consistent with the existing residence on the subject property.

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.

The project site is located between the shoreline and the first public road, with public beach access available at 41st Avenue and at Capitola main beach. Consequently, the existing residence 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-1-5 (Single Family Residential - 5,000 square foot 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 location of the existing residence 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-1-5 (Single Family Residential - 5,000 square foot minimum) zone district as the primary use of the property will be one single family residence 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-UM (Urban Medium Density Residential) land use designation in the County General Plan.

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

The proposed existing residence 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 existing residence will comply with the site standards for the R-1-5 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.

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 project involves an existing residence on a developed lot. No increase in traffic generation or utilities consumption is anticipated as a result of the project.

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 existing residence 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 remodel and second story rear deck will be of a compatible design consistent with the existing residence and will not reduce or visually impact available open space in the surrounding area.



## Conditions of Approval

Exhibit D: Project plans, prepared by DeMattei Construction, revised 3/27/17.

- I. This permit authorizes the remodel of an existing residence and construction of a second floor covered deck 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. 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. Details showing compliance with fire department requirements.

- 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.
  - D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
  - E. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
  - F. Submit 3 copies of plan review letters prepared and stamped by the project Geologist.
- 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, 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.

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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 #: 161106  
APN: 033-132-03  
Owner: Jennifer Krach

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

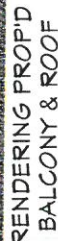
Expiration Date: \_\_\_\_\_

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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.

SITE PLAN

SCALE: 1"=10'-0"



**SCOPE OF WORK**  
ADD CANTILEVERED REAR BALCONY. NO NEW  
LIVING AREA OR FOOTPRINT

ADD CANTILEVERED REAR BALCONY. NO NEW LIVING AREA OR FOOTPRINT

# PROJECT DATA

ZONING R-1-5  
OCCUPANCY TYPE R-3  
BUILDING TYPE VB  
SPRINKLERS NON-SPRINKLERED  
AFN 003-112-03

LOT AREA	1787
FLOOR AREA	38
(E) 1st FLR	
(E) 2nd FLR	2325
TOTAL (E) FLR AREA	

(E) ATTACHED GARAGE 396

OWNER: JENNIFER KRACH  
4640 OPAL CLIFF DRIVE  
SANTA CRUZ, CALIFORNIA 95062  
(408) 666-5558

jennkrach1@yahoo.com

GEOLOGIST: GREGG EASTON  
EASTON GEOLOGY INC  
PO BOX 3533  
SANTA CRUZ, CALIFORNIA 950  
(831) 247 4317

# SHEET INDEX

CS COVERSHEET, SITE PLAN, APM

### A1.1 (E) FLOOR PLANS

## A1.2 (N) FLOOR PLANS

A2.1 (E) ELEVATIONS  
A2.1 (N) ELEVATIONS

FIG 1 GEOLOGY SITE PLAN

FIG 2 GEOLOGY SECTION

CONSTRUCTION SHALL CONFORM TO:

2013 California Building Code

2013 California Residential Code  
2013 California Plumbing Code

2013 California Mechanical Code

2013 California Electrical Code

2013 Energy Code  
2013 CalGreen Building Code

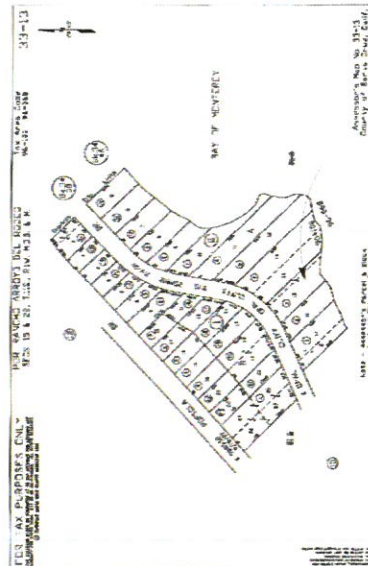
2013 California Fire Code

2013 California Reference Standards Code

## LOCATION MAP



**ASSESSORS  
PARCEL MAPS**



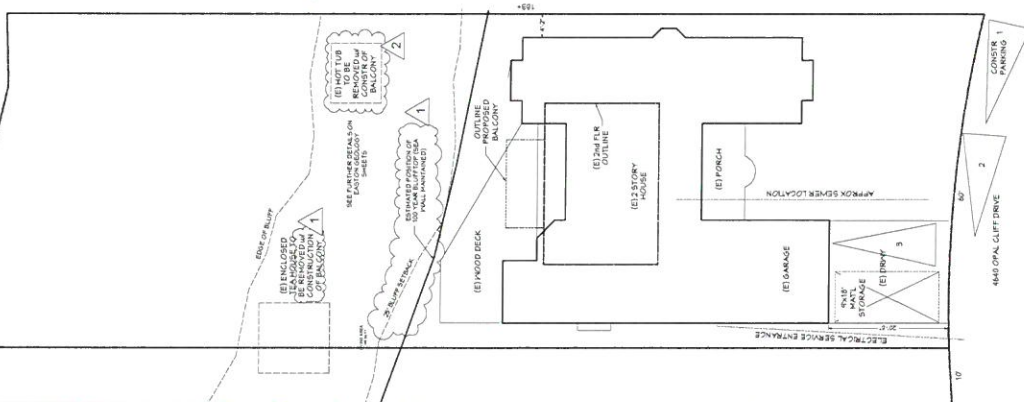
## STORM WATER POLLUTION CONTROL PLAN REQUIREMENTS

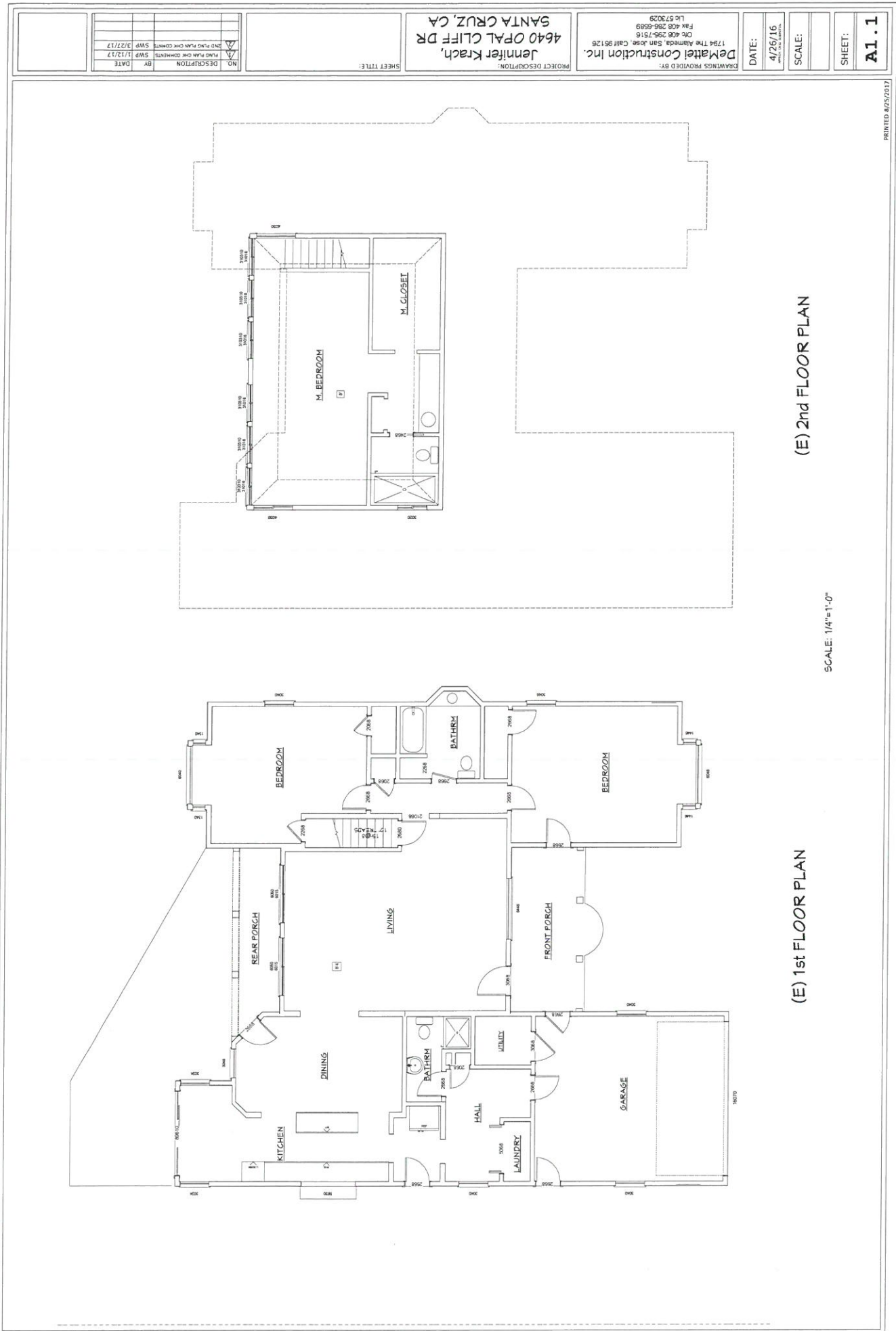
### Construction Materials

- All house-assembled construction materials that are not actively being used (i.e., wall studs, joists, girders, trusses, hydraulic lines, etc.) shall be covered and banded.
- All chemicals shall be stored in watertight containers (with appropriate secondary containment to prevent any leakage or leakage) in a storage shed completely outdoors.
- Exposure of construction materials to precipitation shall be minimized. This does not mean that construction materials and equipment shall be transported to be outdoors and exposed to environmental conditions (i.e., poor, equipment poor, climate, conditions, and delays). NADA, Inc.
- Host Management Practices to prevent the off-site tracking of house construction and landscape materials shall be implemented.

## Waste Management

- [illegible]





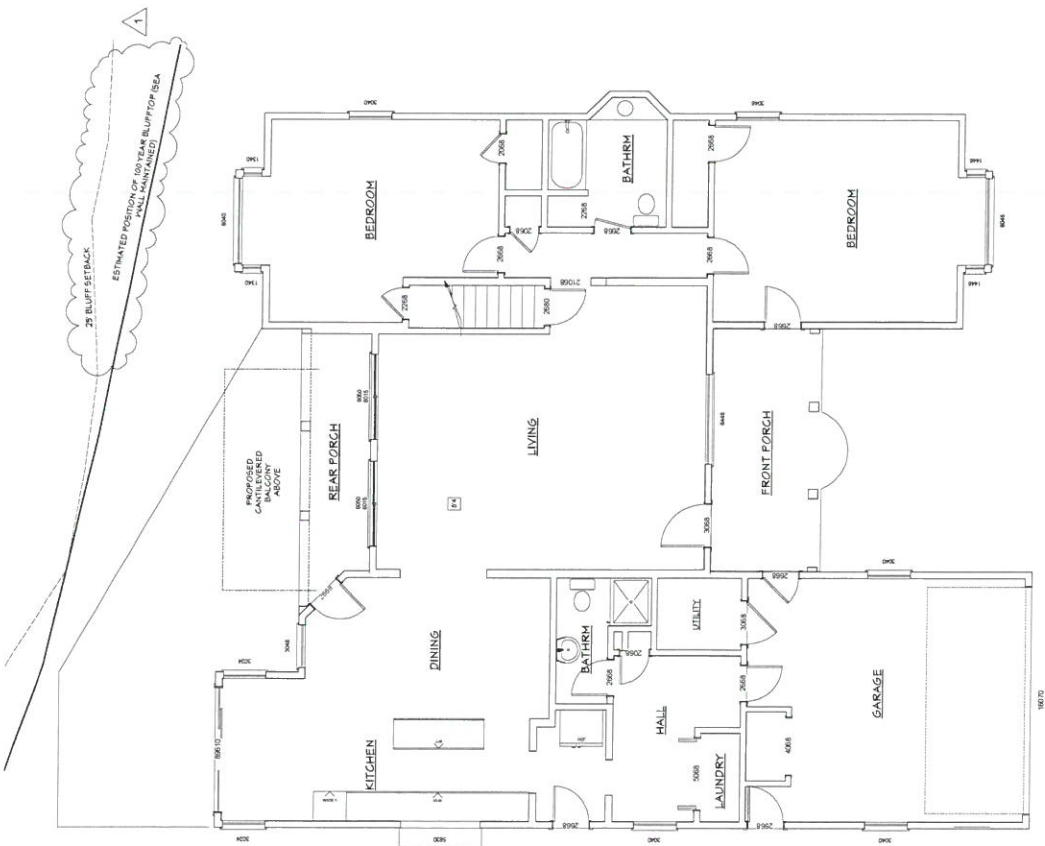


NO.		DESCRIPTION		BY	DATE
1		2ND FLOOR PLAN CDR COMMENTS		SWP	3/27/17

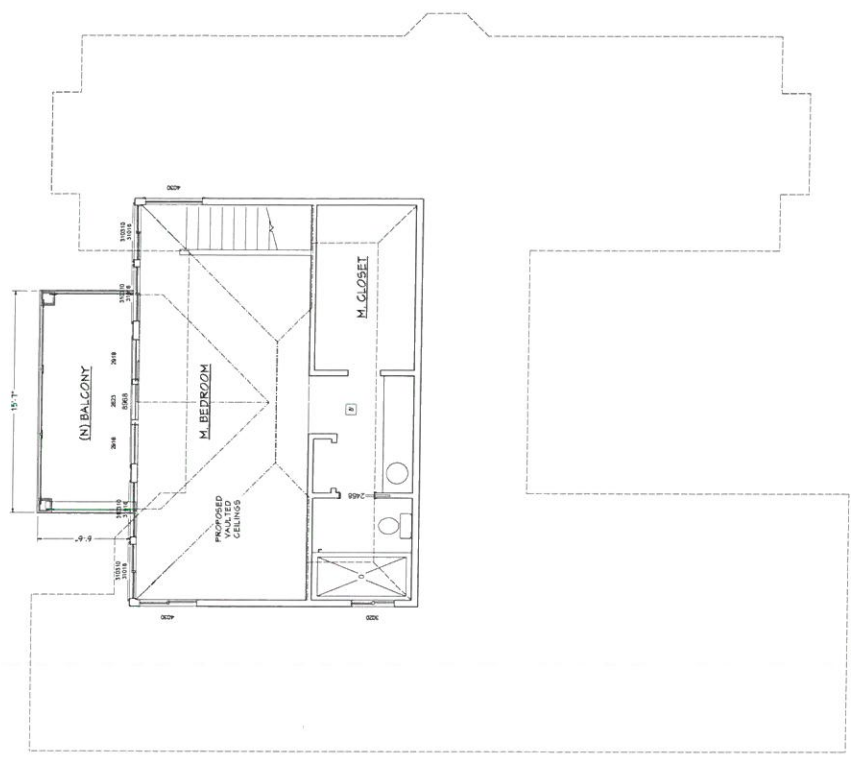
DATE:		4/26/16
SCALE:		
SHEET:		
SHEET:		A1.2

PROJECT DESCRIPTION:  
 Jennifer Krach,  
 4640 OPAL CLIFF DR  
 SANTA CRUZ, CA

DRAWINGS PROVIDED BY:  
 DeMattei Construction Inc.  
 1794 The Alameda, San Jose, Calif 95126  
 Lic 573029  
 FIC 408 296-0569  
 OIC 408 296-7516

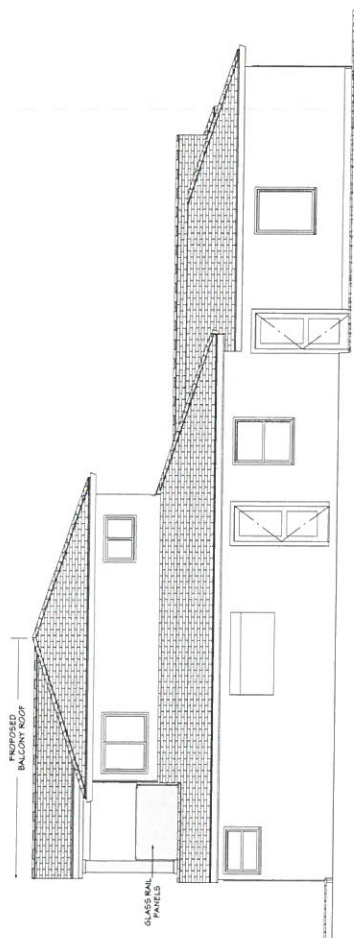


(N) 1st FLOOR PLAN

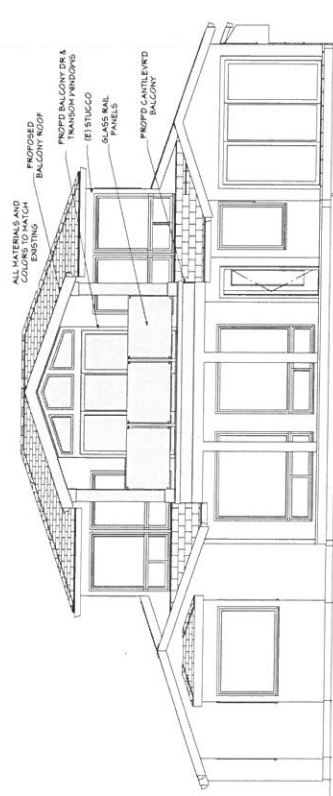


(N) 2nd FLOOR PLAN

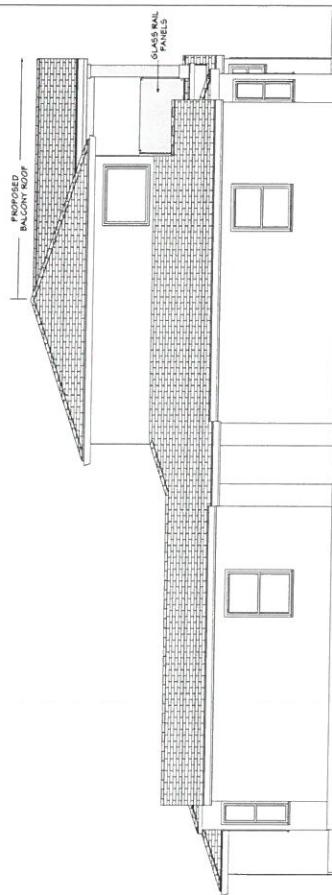




LEFT ELEVATION



PROPOSED REAR  
ELEVATION



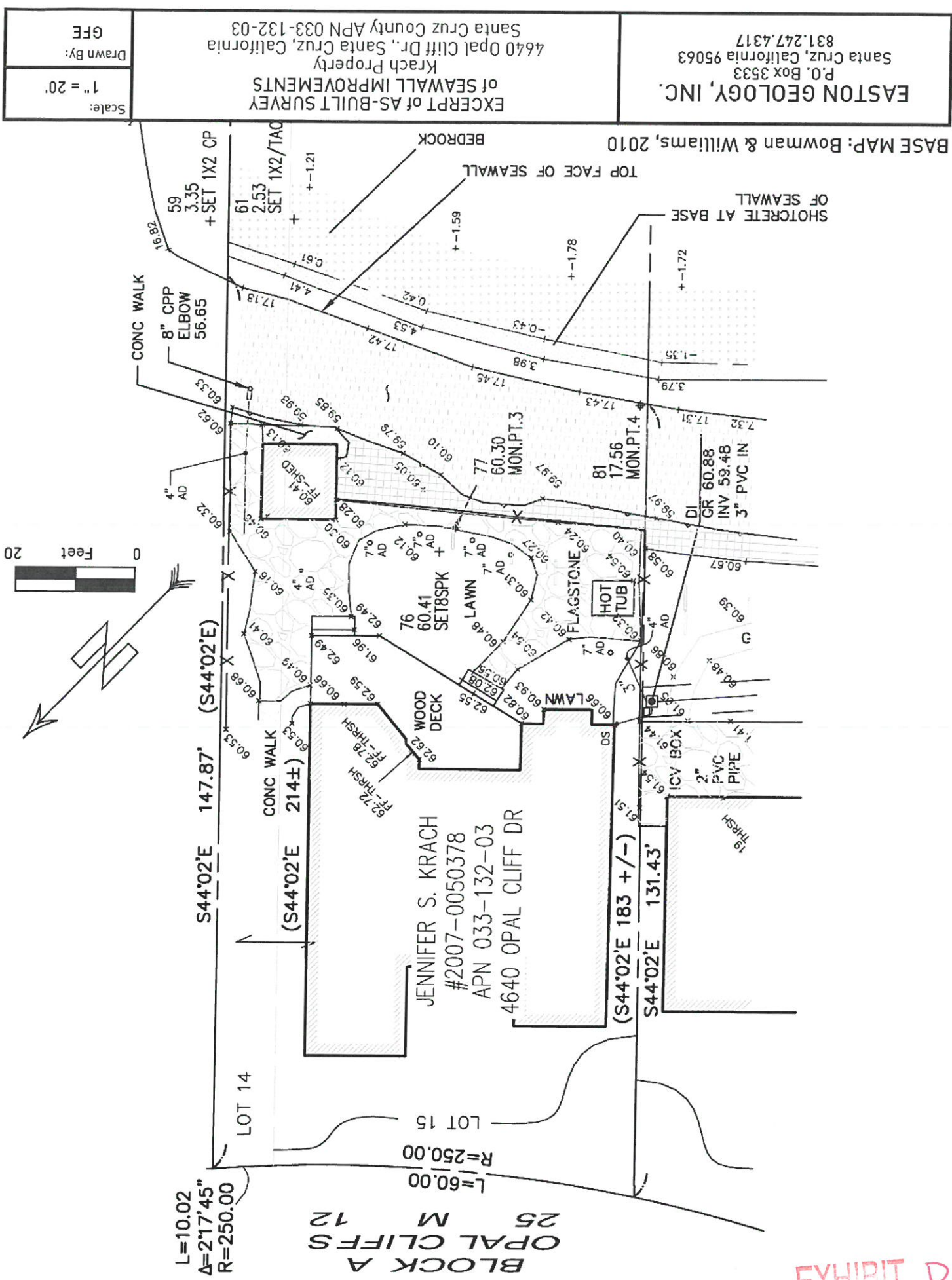
PROPOSED RIGHT ELEVATION

FRONT ELEVATION  
NO CHANGE

(N) ELEVATIONS  
SCALE: 1/4"=1'-0"

(N) ELEVATIONS







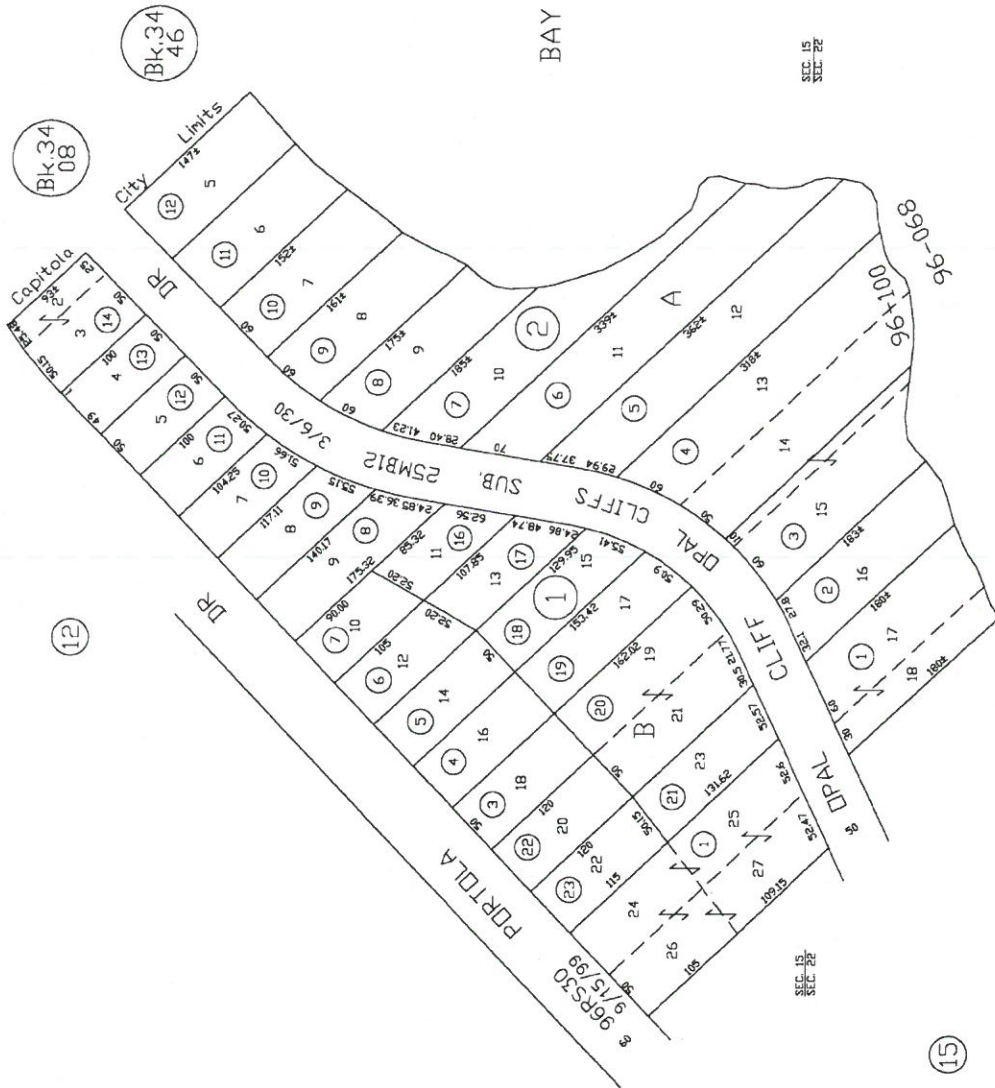
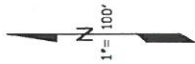
FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1995

POR. RANCHO ARROYO DEL RODEO  
SECS. 15 & 22, T.11S., R.1W., M.D.B. & M.

Tax Area Code  
96-100 96-068

33-13



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

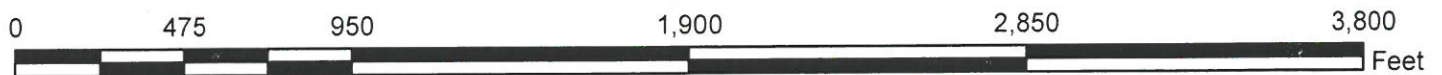
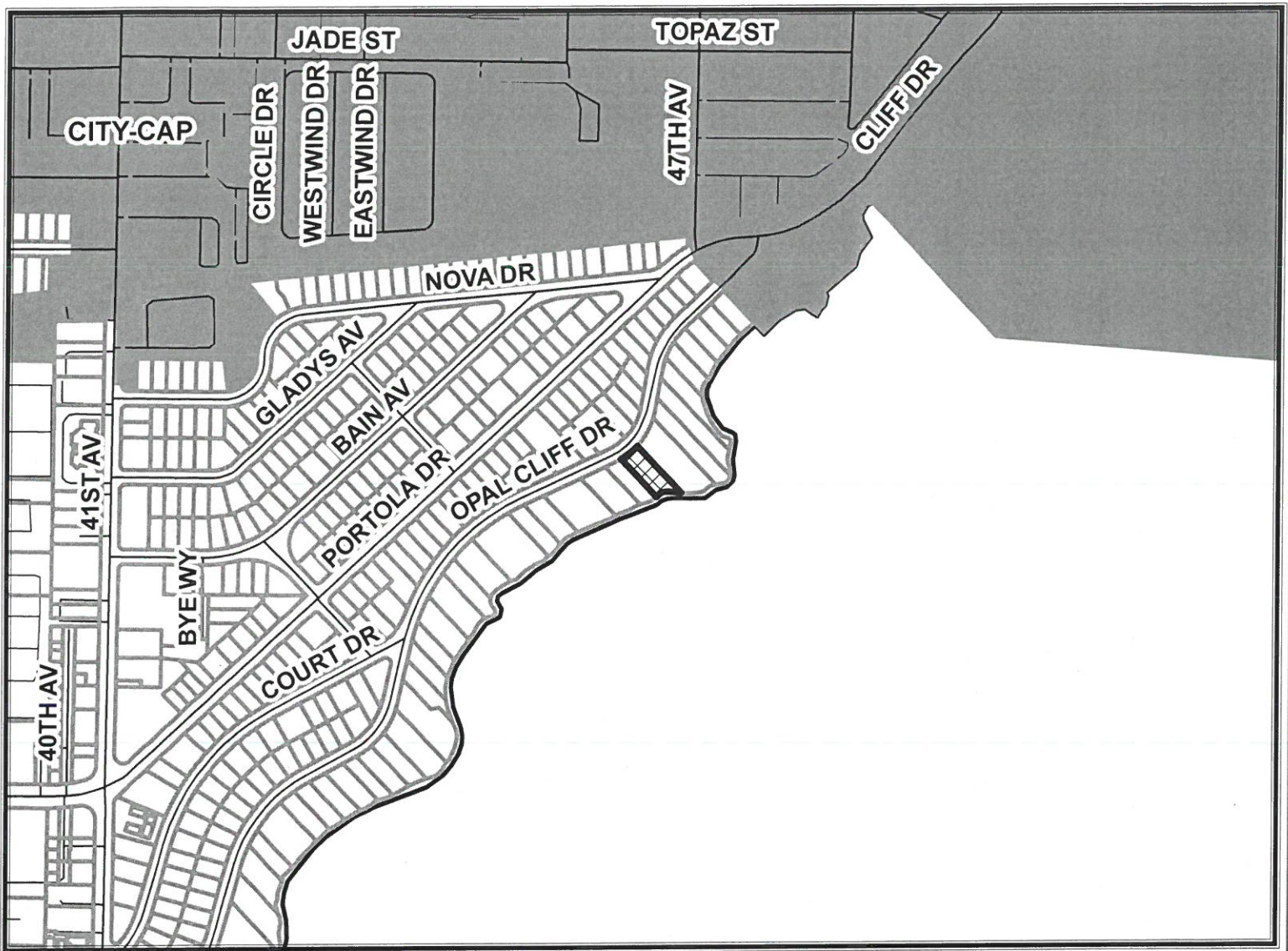
Assessor's Map No. 33-13  
County of Santa Cruz, Calif.  
June 1995

Electronically drawn 6/2/95 KSA  
Rev. 4/9/98 CG (CA consolidation)  
Rev. 12/13/99 CG (96RS30)  
Rev. 1/25/00 CG (cor. and other)  
Rev. 4/12/01 nvm (changed page refs)










# Location Map



## LEGEND

-  APN: 033-132-03
-  Assessors Parcels
-  Street
-  CITY OF CAPITOLA
-  County Boundary



Map Created by  
County of Santa Cruz  
Planning Department  
May 2016

EXHIBIT E



# Zoning Map



## LEGEND

-  APN: 033-132-03
-  Assessors Parcels
-  Street
-  County Boundary
-  RESIDENTIAL-SINGLE FAMILY
-  PARK



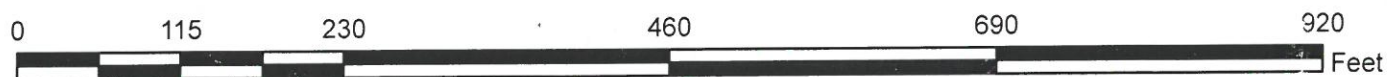
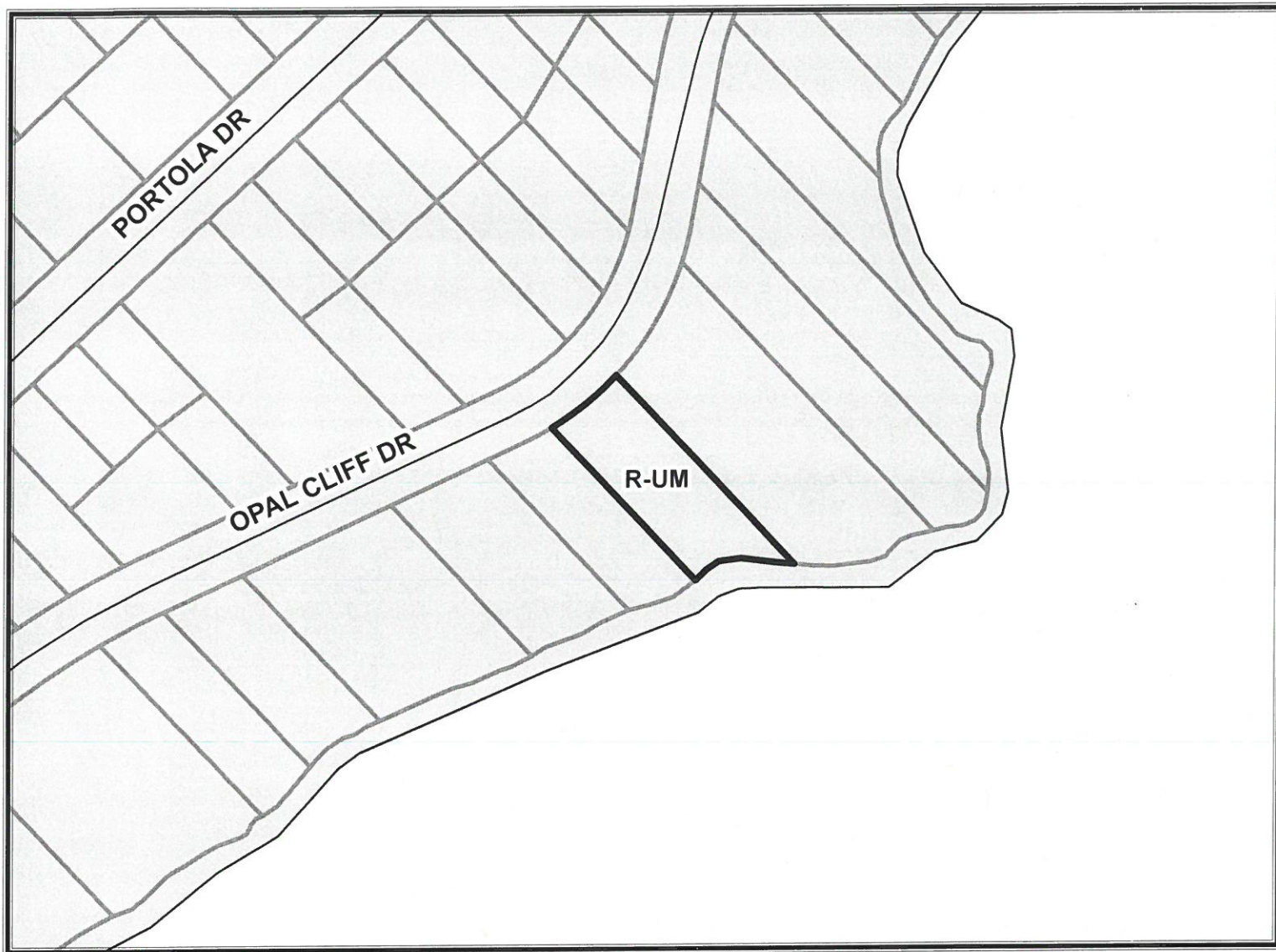
Map Created by  
County of Santa Cruz  
Planning Department  
May 2016

EXHIBIT E





# General Plan Designation Map



## LEGEND

-  APN: 033-132-03
-  Assessors Parcels
-  Street
-  County Boundary
-  Residential - Urban Medium Density



Map Created by  
County of Santa Cruz  
Planning Department  
May 2016

EXHIBIT E