

# Staff Report to the Zoning Administrator

Application Number: 171240

Applicant: Benjamin & Andrea Riordan

Owner: Benjamin & Andrea Riordan

APN: 080-282-20

Agenda Date: May 18, 2018

Agenda Item #: 1 Time: After 9:00 a.m.

**Project Description**: Proposal to construct a two story single family dwelling and a detached garage with accessory dwelling unit above on a vacant parcel located in the RR zone district. Requires a Coastal Development Permit.

**Location**: Property is located on the west side of Westdale Drive approximately 1/4 mile south of Pine Flat Drive.

Supervisorial District: 3rd District (District Supervisor: Ryan Coonerty)

Permits Required: Coastal Development Permit

### **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 171240, based on the attached findings and conditions.

### **Exhibits**

A. Categorical Exemption (CEQA

determination)

B. Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and

General Plan Maps

F. Comments & Correspondence

### **Parcel Information**

Parcel Size:

1 acre

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Rural residential neighborhood

Project Access:

Westdale Drive

Planning Area:

Bonny Doon

Land Use Designation:

R-R (Rural Residential)

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 Application #: 171240

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Zone District: RR (Rural Residential) 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 review to be completed with building permit

Fire Hazard:

Not a mapped constraint

Slopes:

5-10%

Env. Sen. Habitat:

Mapped biotic/sandhills - no evidence on site visit by EP staff

Grading:

No grading proposed

Tree Removal:

12 trees removed - 14 replacement trees proposed

Scenic:

Mapped scenic resource - not visible from scenic roads/parks

Drainage:

Drainage to natural vegetation

Archeology:

Mapped resource - report reviewed and accepted

#### **Services Information**

Urban/Rural Services Line:

X Outside Inside

Water Supply:

Well

Sewage Disposal:

Septic

Fire District:

CalFire (County Fire Department)

Drainage District:

None

### **Project Setting**

The subject property is located on the west side of Westdale Drive in a rural residential neighborhood. The property is wooded with a mix of oak and fir trees and is sloped gently down from the northeast to the southwest. Surrounding properties are developed with rural residential home sites.

### **Project Description**

This project is a proposal to construct a new two-story single family residence (3 bed/2 bath) of approximately 1,925 square feet, a detached two-story accessory building including a garage of approximately 290 square feet and an accessory dwelling unit (1 bed/1 bath) of approximately 640 square feet (with a living room on the ground floor), and ancillary improvements (well/water tank/driveways/fencing) on a vacant parcel. A total of 12 trees are proposed to be removed (8 fir trees have already been removed). None of the trees qualify as significant trees (under 40 in. dia.) and 14 replacement trees are proposed.

### **Coastal Development Permit Required**

This proposal includes construction of a new single family dwelling and a detached garage with an accessory dwelling unit above. The construction of a new residence (of any size) on a vacant parcel

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within the coastal zone (or the construction of an addition of more than 500 square feet outside of the appeals jurisdiction) is subject to obtaining a Coastal Development Permit. This project is not eligible for a residential exclusion due to the location of the property outside of the urban services line and within a mapped scenic area.

### Zoning & General Plan Consistency

The subject property is a parcel approximately 1 acre in area, located in the RR (Rural Residential) zone district, a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district and the zoning is consistent with the site's R-R (Rural Residential) General Plan designation. The proposed detached garage and accessory dwelling unit are allowed as accessory uses to the principal permitted residential use of the property.

### **Local Coastal Program Consistency**

The proposed residence and detached accessory building is in conformance with the County's certified Local Coastal Program, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding rural residential 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 and Scenic Resources**

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

The property is located within a mapped scenic resource area, but is not visible from a designated scenic roadway or any public parks or beaches, so the project will not adversely impact scenic resources.

#### 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.

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• APPROVAL of Application Number 171240, 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="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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E-mail: 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: 171240 Assessor Parcel Number: 080-282-20 Project Location: No Situs
Project Description: Construct a single family dwelling and a detached garage with accessory dwelling unit above
Person or Agency Proposing Project: Benjamin & Andrea Riordan
Contact Phone Number: 831-750-6543
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. X Categorical Exemption
Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F. Reasons why the project is exempt:
Construct a residence and accessory structures 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

Owner: Benjamin & Andrea Riordan

## **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 RR (Rural Residential), a designation which allows residential uses. The proposed residence and accessory building is a principal permitted use within the zone district, and the zoning is consistent with the site's R-R (Rural 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 with rural residential home sites; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

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 residence and accessory building 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 RR (Rural Residential) 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.

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## **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 residence and detached accessory building and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RR (Rural Residential) zone district as the primary use of the property will be one single family residence with accessory structures 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-R (Rural Residential) land use designation in the County General Plan.

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

The proposed residence and accessory building 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 residence and accessory building will comply with the site standards for the RR 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.

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This finding can be made, in that the proposed residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day, 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 residence and accessory building 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 residence and accessory building 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.

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## **Conditions of Approval**

Exhibit D: Project plans, prepared by Benjamin Riordan Building and Design, revised 1/18/18.

- I. This permit authorizes the construction of a single family residence and detached accessory building (including a garage and accessory dwelling unit) 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. Grading, drainage, and erosion control plans.

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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 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 of the Environmental Planning section of the Planning Department.
- E. Meet all requirements and pay any applicable plan check fee of CalFire (County Fire Department).
- F. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- G. Pay the current fees for Parks and Child Care mitigation for 4 bedroom(s). Currently, these fees are, respectively, \$578 and \$109 per bedroom.
- H. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling up to 2,000 square feet is \$2 per square foot.
- I. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for an accessory dwelling unit is \$2 per square foot.
- J. 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.
- K. 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.
- L. Complete and record a Declaration of Restriction to construct an accessory dwelling unit. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
- M. Complete and record a Declaration of Restriction to construct a detached garage. You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.

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- 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. The storage container shall be permanently removed from the subject property, as indicated on the approved Exhibit "D".
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - D. The project must comply with all recommendations of the approved soils reports.
  - E. 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.

Owner: Benjamin & Andrea Riordan

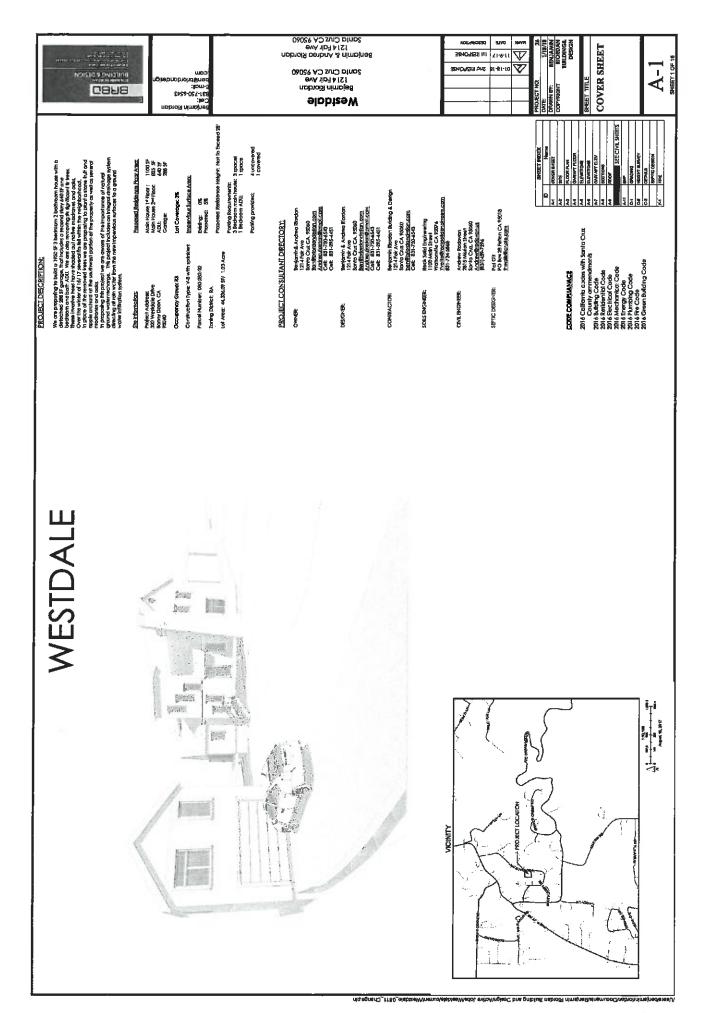
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and
  - 2. COUNTY defends the action in good faith.
- C. <u>Settlement</u>. The Development 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.

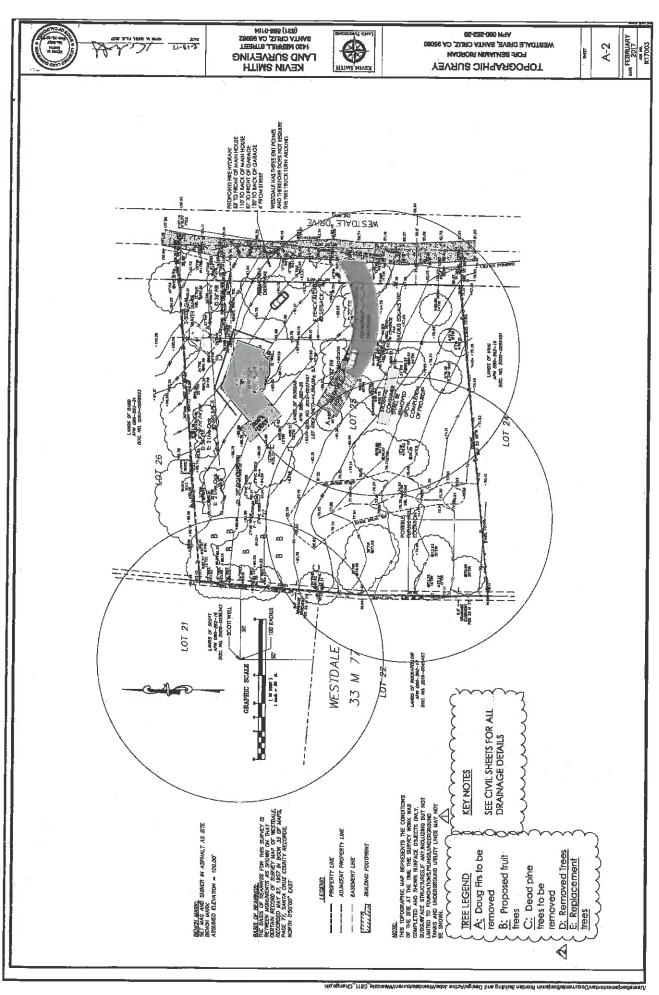
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

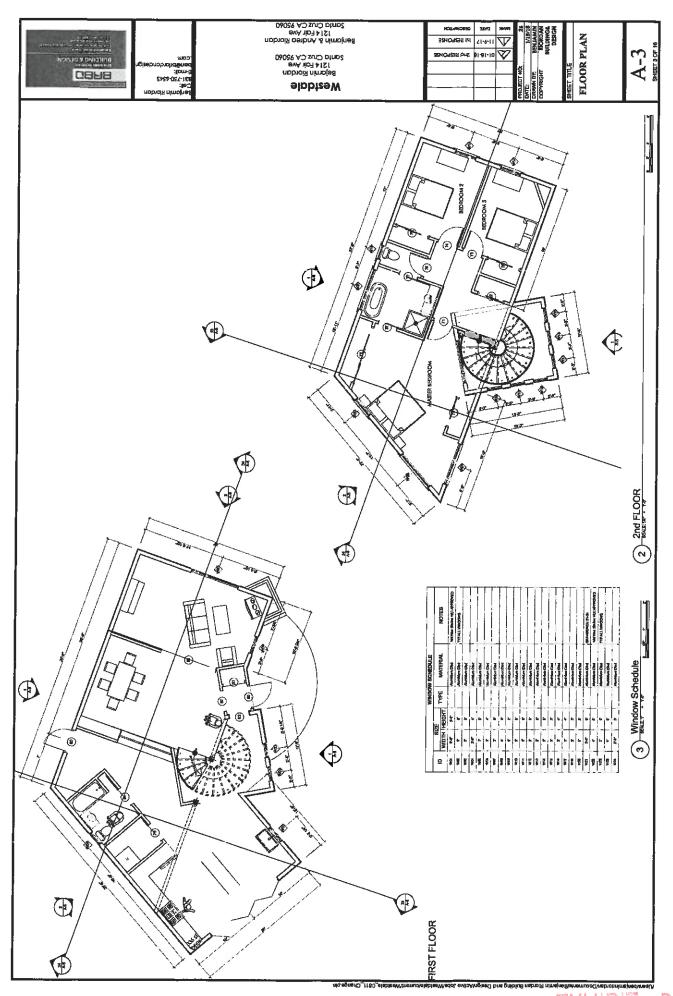
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures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

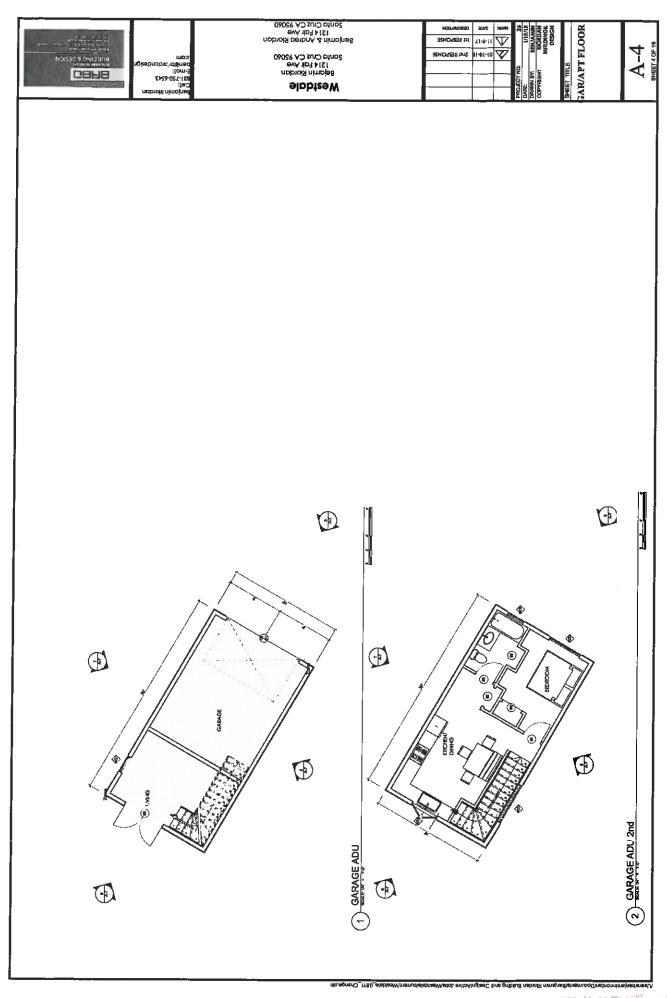
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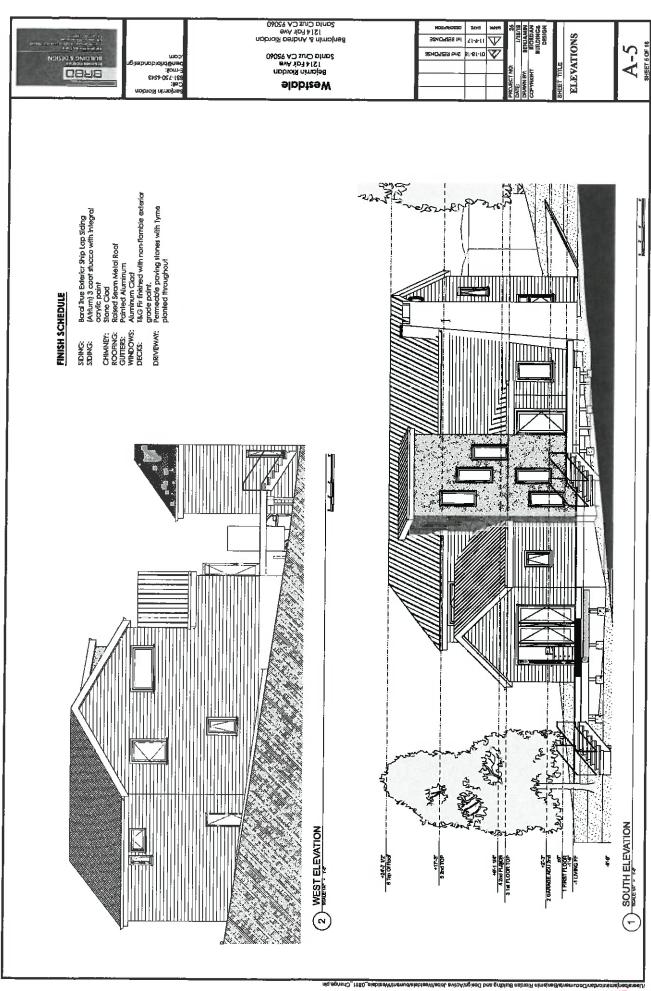
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

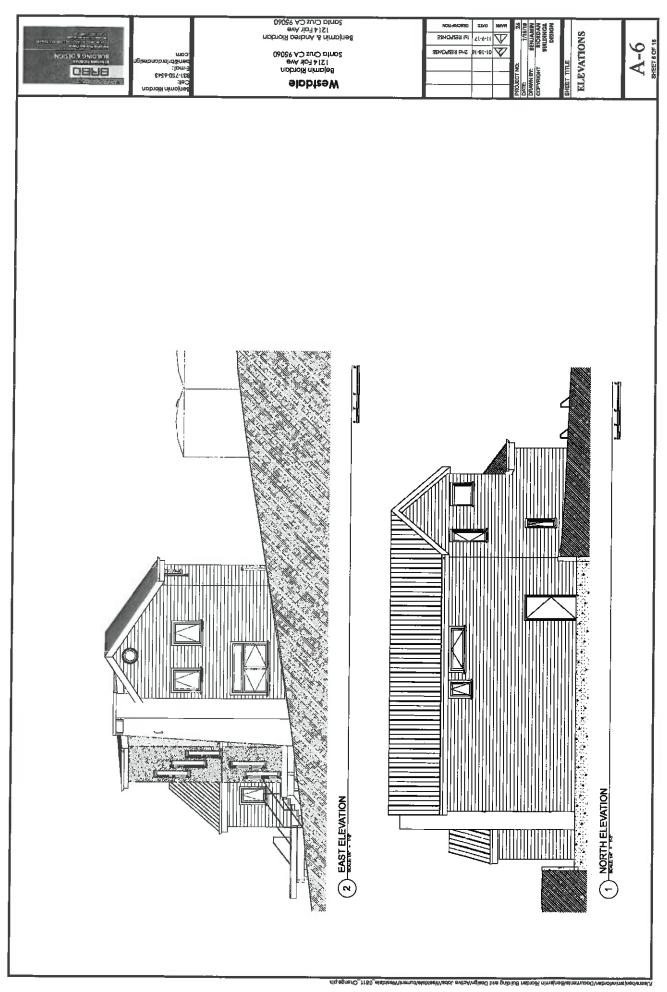


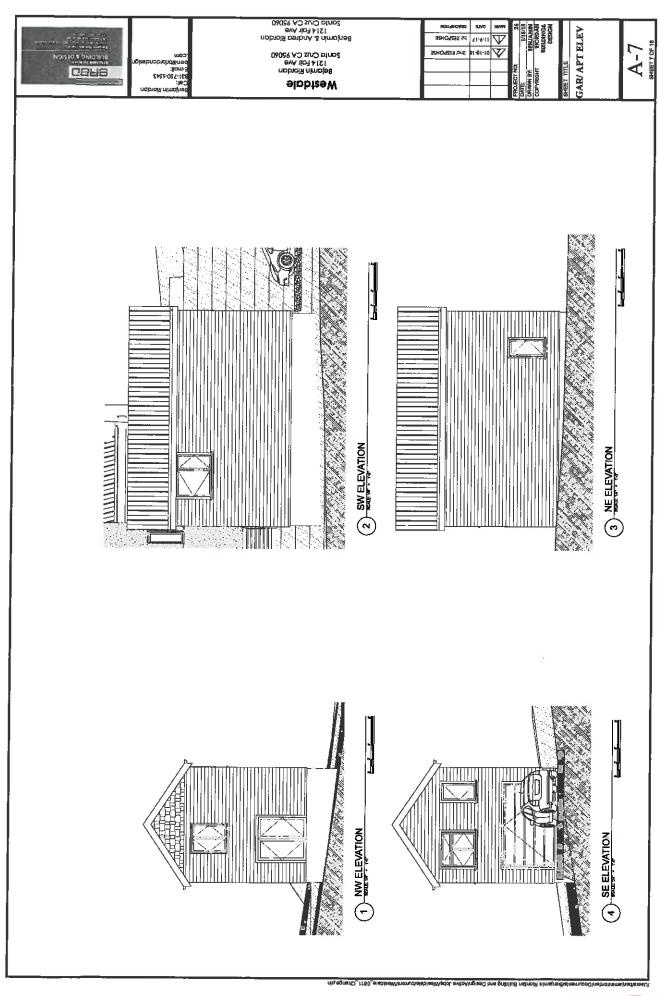


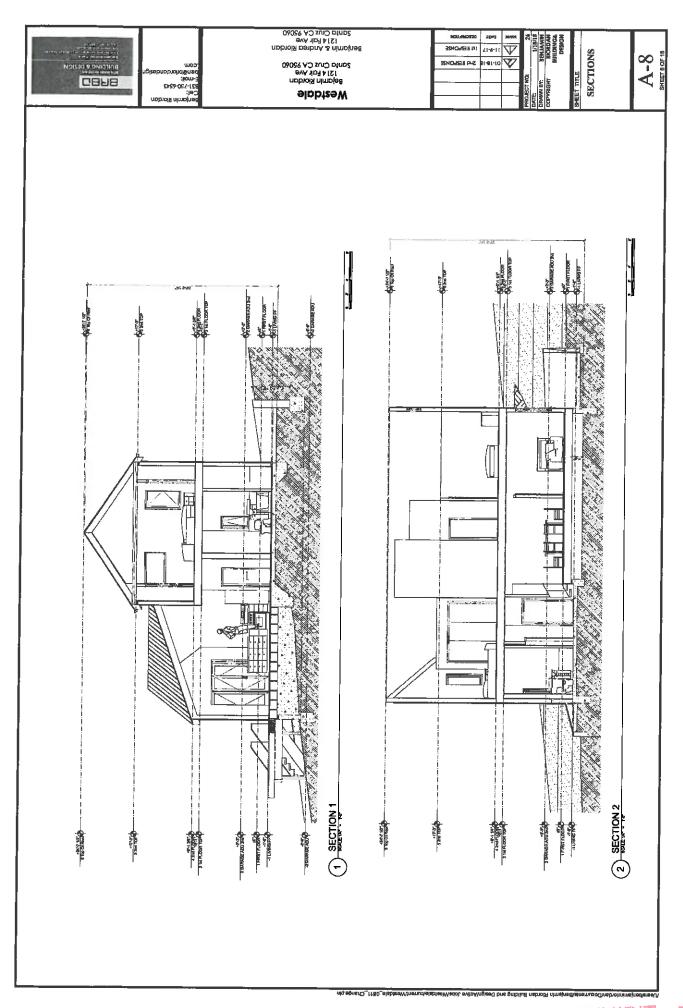


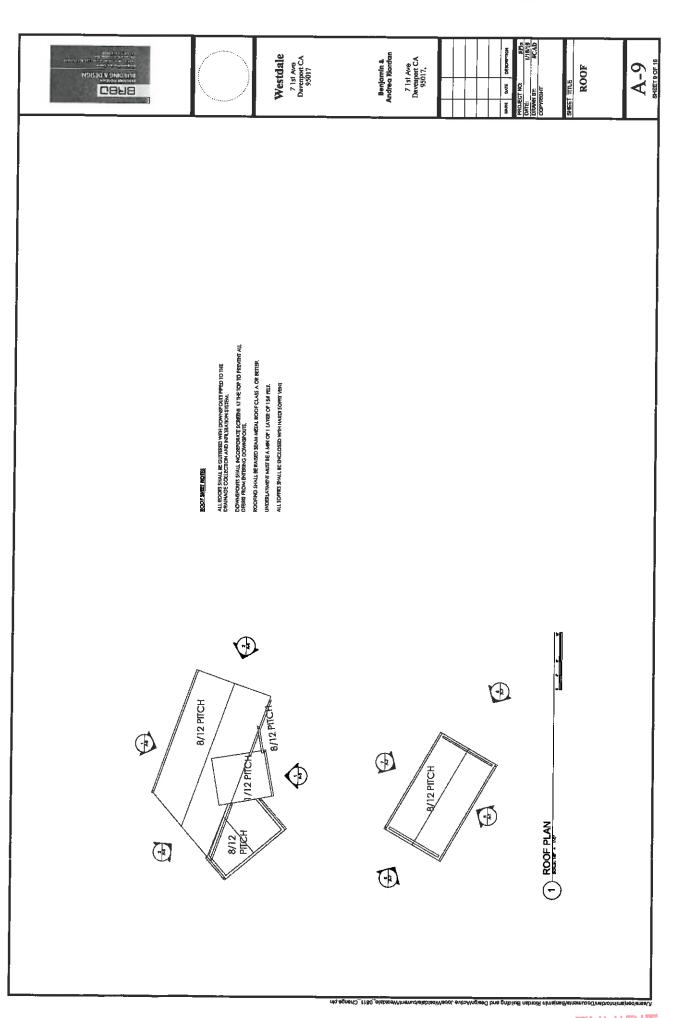








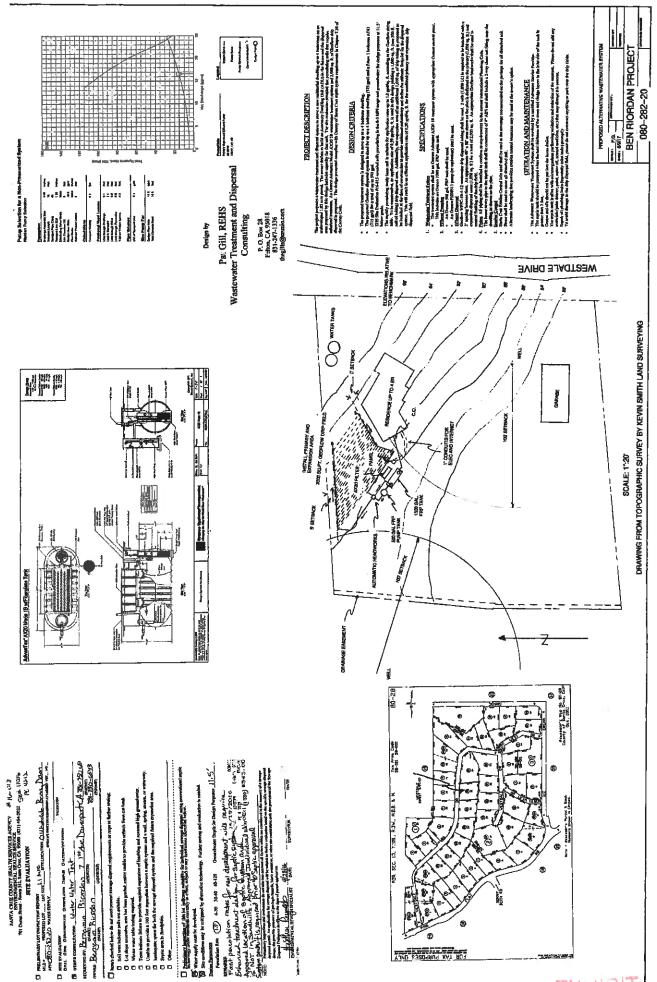


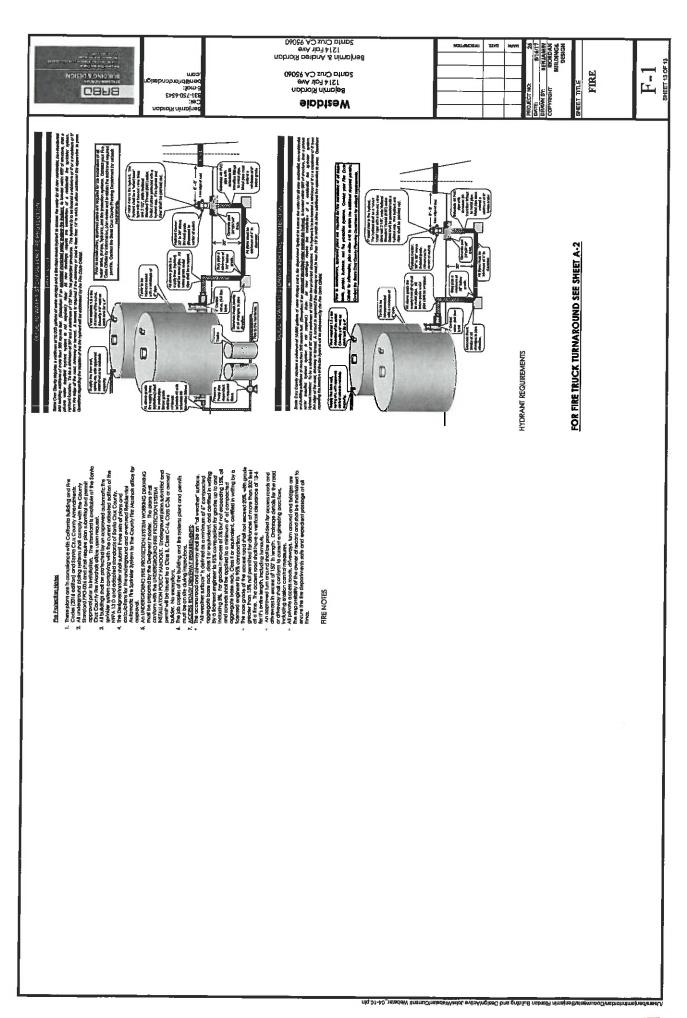


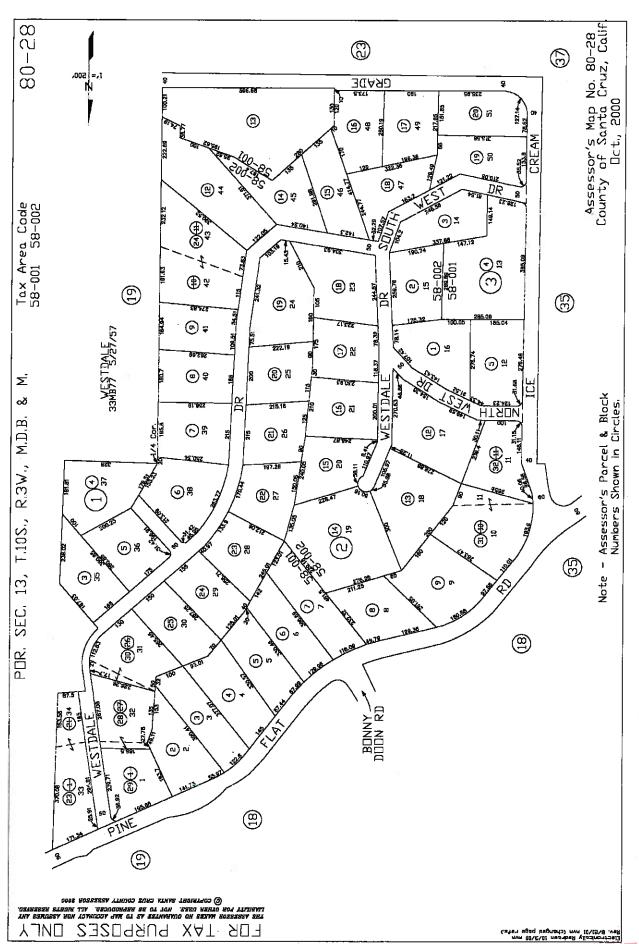
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STORMWATER POLLUTION CONTROL FLAN REQUIREMENTS Any project flat, breaken ground d'ambasser skall tarbés du deformin pilokum. » 1990 d'ambasse de flats insysteme pil sites delusi plas. The submission sufficient 1992 de de de de de flat where and dells indept in chipte de des in matter com as 1990. If action, accord binders are and m a maked to cream control, the parallel Procedure SCA. Shorm, They Mark Rayer Coppered Place Maria Remindent — Stade serve projetos dos dandes veno dus une etc. projetos del Stades paralto, la sector el 1000 edde paral, projeto das landos paráts, deren de vestos comos, un dede projeto, el colo la como determina (es de Mania, Reinare, como segos) los distantantos. 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Major developator, projects des déseix cas uno es mos des larra a demi poblidas casari yém properat les a Qualitad ISTO Developas (QSD). film Same - Ottober 19<sup>th</sup> drough April 19<sup>th</sup> dear given year COOL B -- Who Cas Proper a Story To prince, the Commonths Str. Streemen's Price and the Streem's the Streemen's Streemen' COUNTY OF SANTA CRUZ CONTANTAL TIMOLATOS TOR RESTALANGORIENT PRACTICES (RADA) TO BE DATUENENTED DOBNO CONSTRUCTOR TO CONTANT. BROSON, SERIABRY AND ATO INVENTED POLITION. WITHER THE UNIVERSITY REALIZED SCHOOL OF SANTA CREZ. COUNTY STORMWATER POLLUTION CONTROL BMP MANUAL Motorator politicis, articul plum na manista fir al lec'hing pernit apploateu Ete eventz poezale et elem bai kita poezale d'at do antaquiso plant. CONSTRUCTION SITE Steam Durin Inter Proposition with Thire Math — Site Propo-Steam United Inter Protection with Their Right Staff Land Commentors Day EC-4 Emple Control Masters 9C-1 Fibrillofe 5C-1 Sil News







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# SANTA CRUZ COUNTY PLANNING DEPARTMENT

### Mapped Area

## **Parcel Location Map**

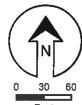


Parcel: 08028220

Study Parcel

Assessor Parcel Boundary

Map printed: 12 Apr. 2018

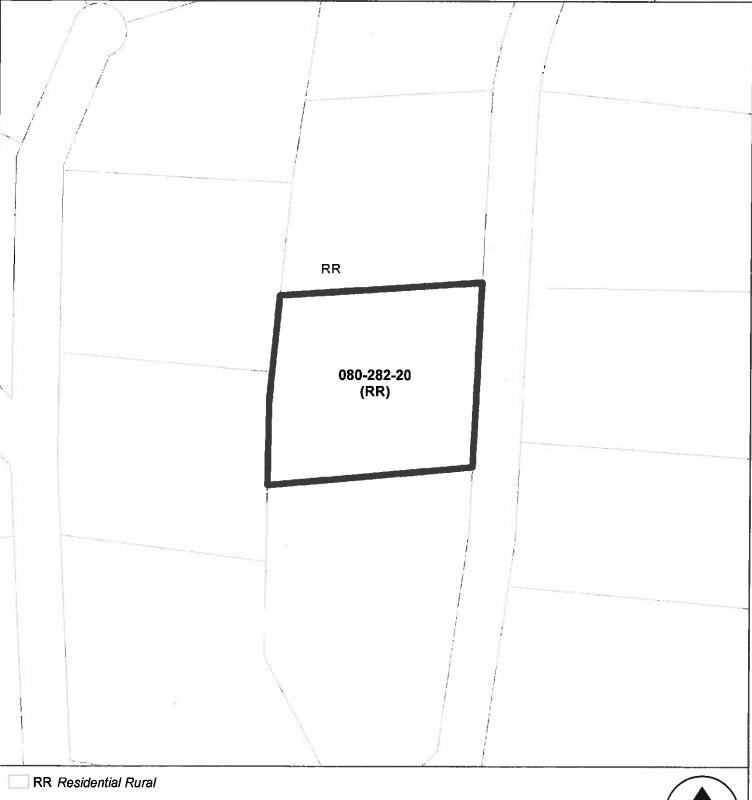


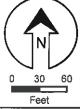


# SANTA CRUZ COUNTY PLANNING DEPARTMENT

Mapped Area

## **Parcel Zoning Map**







# SANTA CRUZ COUNTY PLANNING DEPARTMENT

Mapped Area

# **Parcel General Plan Map**



