



Staff Report to the Zoning Administrator

Application Number: **181559**

Applicant: Daryl Woods, Architect
Owner: Benjamin Warren
APN: 046-251-29
Site Address: 37 Crest Lane, La Selva Beach

Agenda Date: 3/1/2019
Agenda Item #: 5
Time: After 9:00 a.m.

Project Description: Proposal to construct a two-story detached accessory structure with a 980 square foot garage with half bathroom and laundry room at the first floor and an 856 square foot accessory dwelling unit at the second floor in the Residential Agriculture (RA) zone district. Requires a Coastal Development Permit and Residential Development permit.

Location: Property located at the end of Crest Lane (37 Crest Lane), approximately 1,000 feet southeast from Crest Drive.

Permits Required: Coastal Development Permit and Residential Development Permit

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181559 based on the attached findings and conditions.

Project Setting: The property is located at the south end of Crest Lane, approximately 1,000 feet southeast of Crest Drive. The parcel is currently developed with a single family residence and detached garage, both of which were constructed in the early 1950's. The existing garage is proposed to be demolished and replaced with a new accessory structure comprised of a garage with half bathroom and laundry room at the first story, and an accessory dwelling unit on the second story. The newly constructed accessory structure is proposed to be attached to the existing residence by a covered breezeway.

The area is a mix of residential and commercial agriculture uses. Crest Lane is a dead-end street that is developed with single family residences of varied architectural styles. To the north, northeast and southwest of Crest lane residential and commercial agricultural properties are developed with residences and accessory structures, in addition to mixed agricultural uses. An active plant nursery is located directly to the northeast of the subject property.

Zoning & General Plan Consistency: The subject property is an approximately 28,836 square foot lot, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed accessory dwelling unit and non-habitable accessory structure (garage) are principal permitted uses within the zone district and the project is consistent with the site's AG (Agricultural) General Plan designation.

The proposed development has been designed to meet site development standards with respect to structural setbacks, parking, lot coverage and maximum structural height. The required and proposed site and development standards relevant to this project are summarized in the table below:

Development Standard	Required	Proposed
Front Yard Setback	30 feet	53 feet
Side Yard Setbacks	15 feet (both sides)	15± feet (both sides) 13 feet to exterior stairs at the southeast side
Rear Yard Setback	15 feet	15+ feet
Lot Coverage	20% maximum	12%
Floor Area Ratio (FAR)	n/a	n/a
Height	24 feet maximum	23'6"
Parking Requirement	3 spaces	3+ spaces

Santa Cruz County Code Section 13.10.611 allows a toilet within a non-habitable accessory structure when an administrative approval is granted. While the proposed structure would be located in close to the primary dwelling, a toilet within the accessory structure would allow access to facilities without having to enter the main dwelling after yard work or repair to personal vehicles or equipment. A declaration of restriction is required to be recorded to restrict the non-habitable portion of the structure from containing habitable features, such as heating or cooling. Further, the non-habitable garage may not be rented or leased as a separate, independent dwelling unit as defined in County Code Section 13.10.700-D. This policy will be reflected in the required declaration of restriction, as well.

The proposed structure will be located within 200 feet of Type 3 - Coastal Zone Prime Agricultural Land which is located at the northeast and southwest property boundaries. Sunset Nursery, a plant nursery, is currently in operation at the northeast side on APN 046-251-17. In accordance with SCCC Chapter 16.50 habitable accessory structures, additions thereto, and outdoor areas designed for intensive human use are subject to a 200-foot agricultural buffer setback or require review and approval from the Agricultural Policy Advisory Commission. An exception can be made to this requirement if an existing legal dwelling already encroaches within the 200-foot buffer setback and any new habitable structures do not exceed 1,000 square feet in size, encroach no further than the existing dwelling, and an appropriate vegetative and/or other physical barrier either exists, or is provided and maintained. The proposed accessory dwelling unit will not encroach further into the required agricultural setback than the primary residence and the existing outdoor deck/ patio areas; however, pursuant to the County Code, a vegetative buffer will be required as a Condition of Approval at the northeast and southwest property boundaries that are adjacent to the Type 3 agricultural properties.

Local Coastal Program Consistency: The proposed garage and accessory dwelling unit are 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 neighborhood. Developed parcels in the area contain single family dwellings and accessory structures. Size and architectural styles vary in the area, and the design submitted is consistent with the existing

range of styles. Further, the parcel is located at end of a rural, dead-end road and a vegetative buffer will be required at the northwest and southeast property boundaries in conformance with SCCC Chapter 16.50, therefore, the proposed project will result in minimal visual impact as viewed from neighboring properties.

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.

Environmental Review: As proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA). Class 1 consist of demolition of existing facilities, including single-family structures. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

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 **181559** 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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Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Comments & Correspondence

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: 181559

Assessor Parcel Number: 046-2551-29

Project Location: 37 Crest Lane, La Selva Beach

Project Description: Proposal to construct a two-story, detached structure, with a 980 square foot garage with half bathroom and laundry at the first floor and a 856 square foot accessory dwelling unit at the second floor. Requires a Coastal Development Permit and a Residential Development Permit.

Person or Agency Proposing Project: Daryl Woods, Architect

Contact Phone Number: 831-234-9853

- 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 – 15301 – Existing facilities & Class 2 -15302 - Replacement or Reconstruction
Class 1 consist of demolition of existing facilities, including single-family structures. Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

F. Reasons why the project is exempt:

Demolition of an existing single-family residence and construction of a new single-family residence on a residentially zoned parcel located in a residential neighborhood.I

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

Elizabeth Hayward, Project Planner

Date: _____

EXHIBIT A

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned RA (Residential Agriculture), a designation which allows residential uses. The proposed garage and accessory dwelling unit are a principal permitted uses within the zone district, and the zoning is consistent with the site's AG (Agriculture) 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.

The project site is encumbered by a 15 foot utility easement along the northeastern property line and a 20 foot right of way along the southeastern property line. The proposed development project would be constructed outside of the easements, therefore the project is designed in conformance with this finding.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 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 directly adjacent to lots developed to an urban density with accessory structures; the colors will be 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 LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made in that the project site is not located between the shoreline and the first public road. Consequently, the demolition and replacement of an existing garage with accessory dwelling unit at the second story will not interfere with public access to the beach, ocean, or any nearby body of water. The project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district, as well as the AG (Agriculture) General Plan and Local Coastal Program land use designations. Developed parcels in the area contain single family dwellings and accessory structures. Size and architectural styles vary in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the garage and second story accessory dwelling unit 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.

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 ensure 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 garage and accessory dwelling unit, and the conditions under which they would be operated or maintained, will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district. The primary use of the property will remain as residential, developed with a single family residence, accessory dwelling unit and 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 AG (Agriculture) land use designation in the County General Plan.

The proposed garage and accessory dwelling unit will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The garage and accessory dwelling unit will not adversely shade adjacent properties and will meet current setbacks for the zone district.

The proposed structure 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 structure will comply with the site standards for the RA (Residential Agriculture) 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 structure will be constructed on a developed lot. The expected level of traffic generated by the proposed project is anticipated to be only two peak trips 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 will be located in a mixed neighborhood containing a variety of architectural styles, and the proposed garage and accessory dwelling unit are 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.

The proposed project is not subject to Design Standards and Guidelines.

Conditions of Approval

Exhibit D: Project plans, prepared by Daryl Woods, dated 11/5/2018.

- I. This permit authorizes the construction of a garage with half bathroom and laundry room with an accessory dwelling unit at the second story 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 Demolition Permit from the Santa Cruz County Building Official for the existing detached garage.
 - C. 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.
 - 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 applicable.
- 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, as required.
 4. Final plans shall show the location of the vegetative buffering barrier along the northeast and southwest parcel boundaries which shall be composed of drought tolerant shrubbery consistent with the recommended agricultural buffer plant list. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
 5. 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. Meet all requirements of the San Andreas Municipal Water Company. Proof of water service availability is required prior to application for a Building Permit.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - 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. Complete and record a Declaration of Restriction to allow construction of a 980 square foot garage with half bathroom and laundry room with second story 856 square foot 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.
 - H. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the existing agricultural buffer setbacks.
- 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.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

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.

Further Reading

5. Candidates must provide evidence for positive questions in that within 1000 to 1001 permitted to print subject to observation. Further, must be divided away from the building boundaries as a minimum of 2 percent for a minimum horizontal distance of 6 feet. Unannounced must be divided by again located to enable access location.

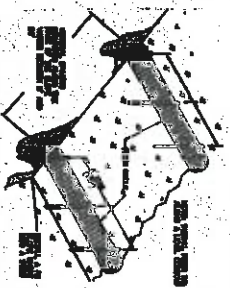
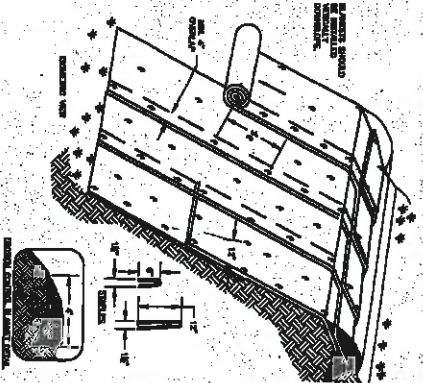
5. The migration of water or spread of sediment root systems below foundations, walls, or pavements may cause undesirable differential movements and subsequent damage to these structures. Landscaping should be planned accordingly.

Discussion

- A. He wanted and still has offered to leave the club.**

- with berries, yams and cotton clover or quack

SLT2 - DAY/NIGHT NOTES



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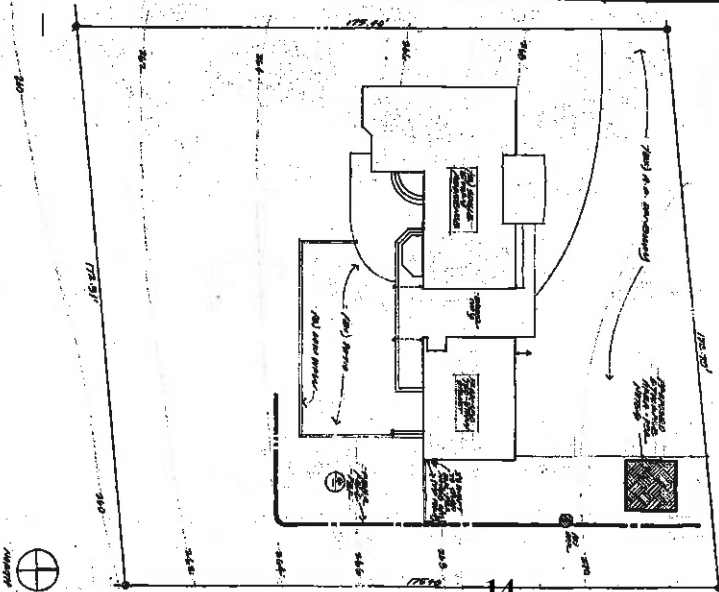
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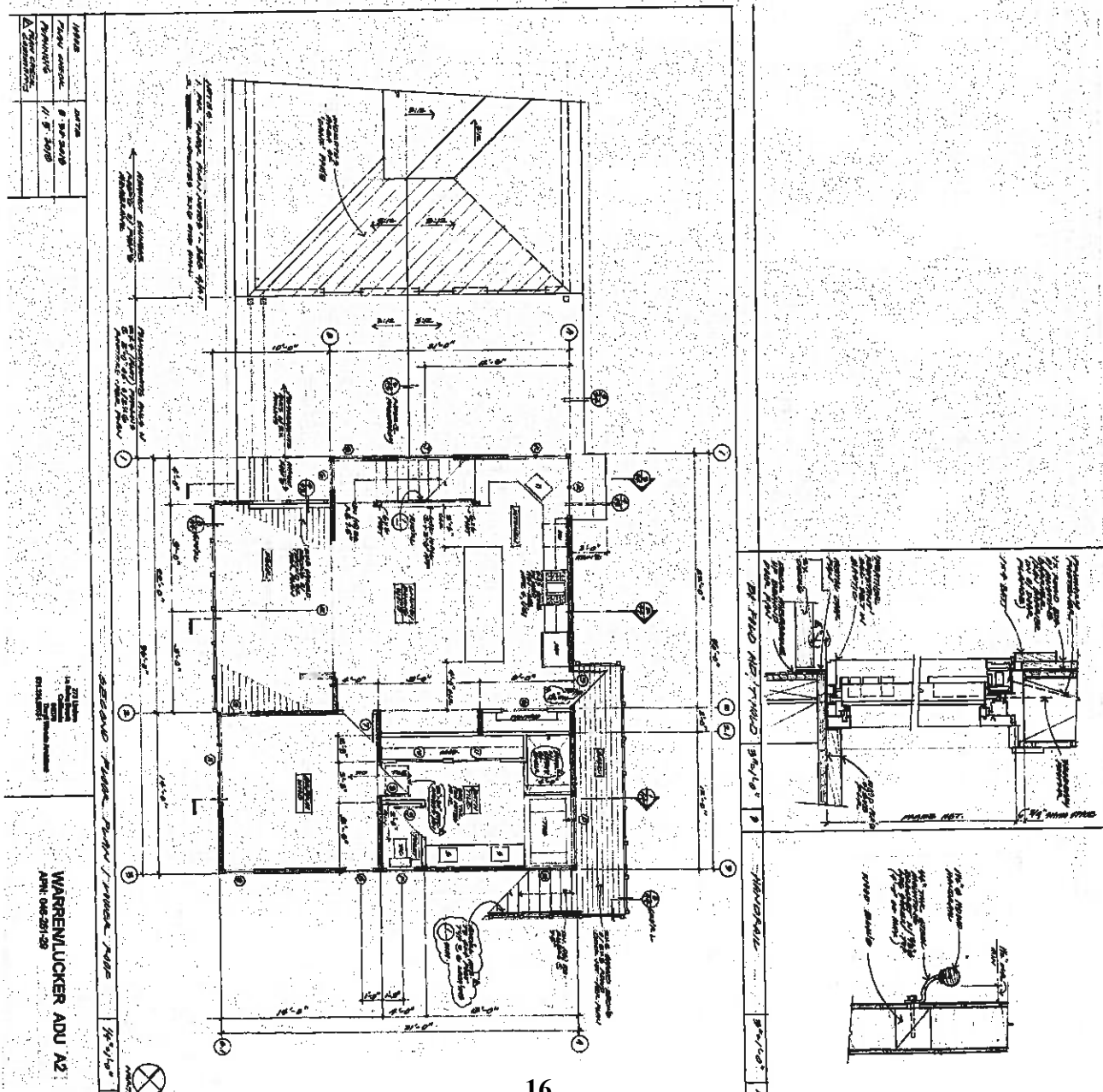
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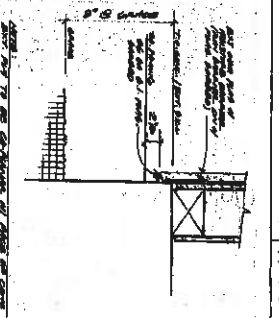
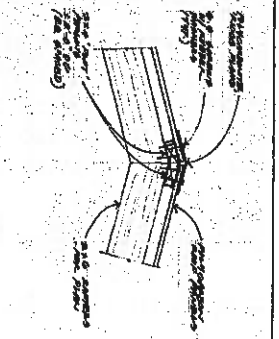
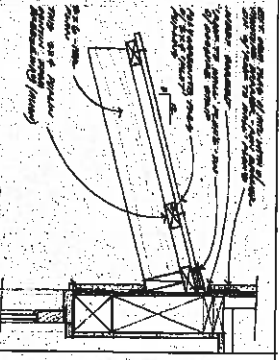
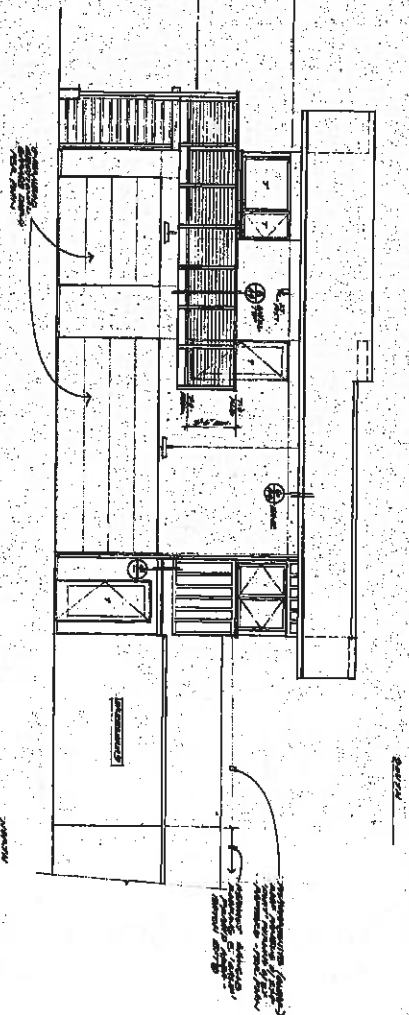
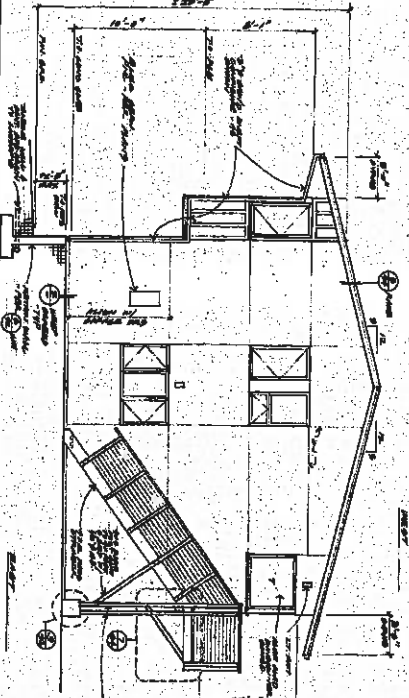
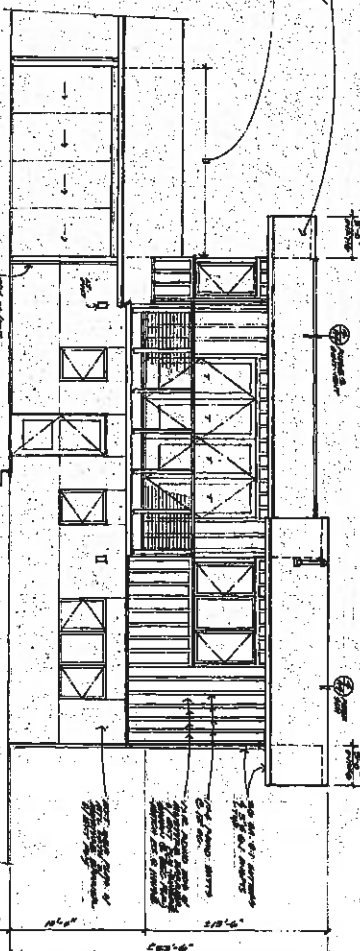
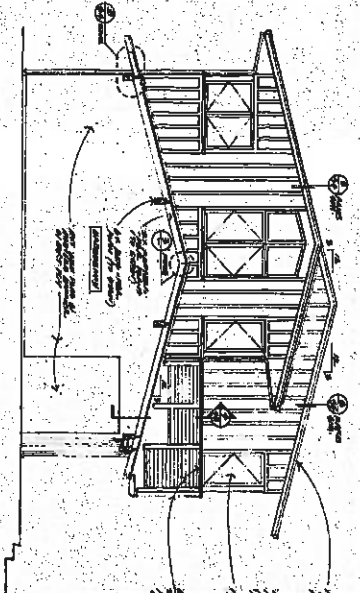
2000-2001 Slope Measures

1. COULD YOU DESCRIBE THE
2. ~~REASON~~ A REASON FOR YOUR CURRENT
3. THE REASON WHY YOU ARE CURRENTLY

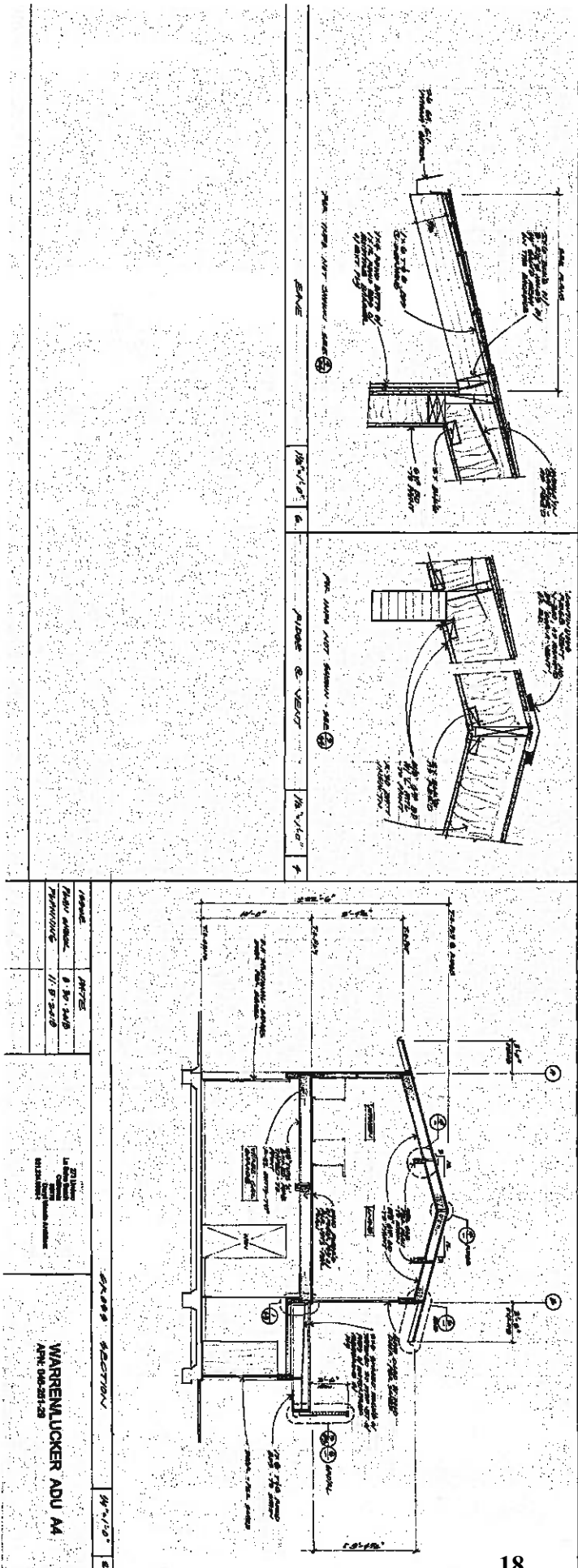
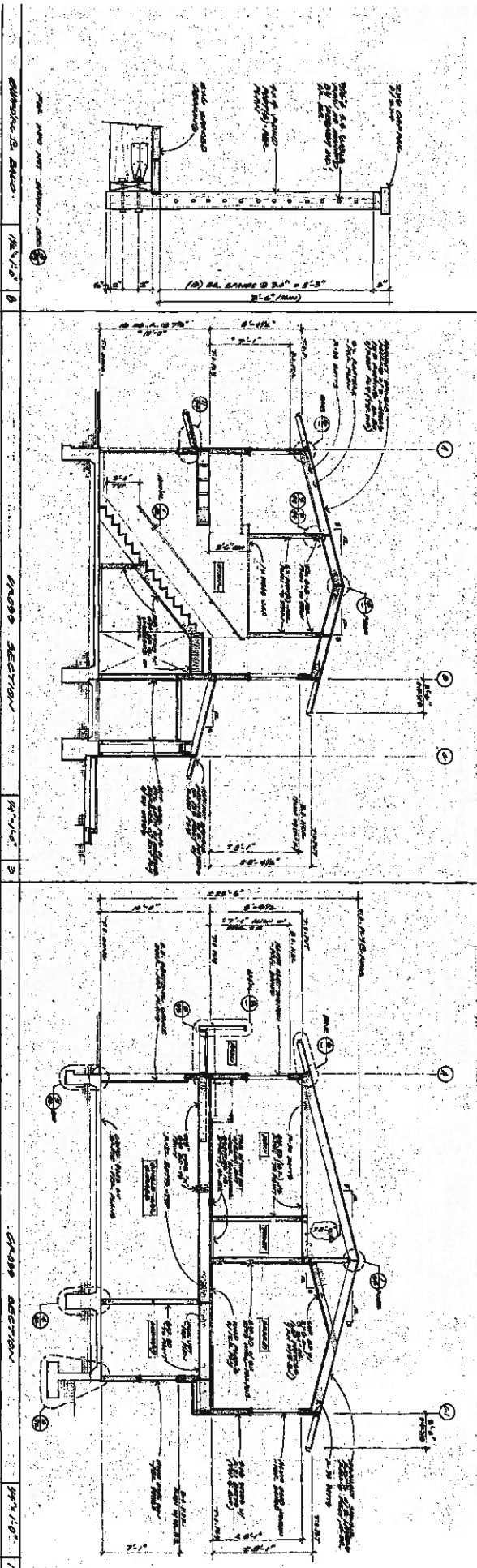
POSITION CONTINGENT LEARNING







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Parcel Location Map



Mapped
Area

CREST LN

046-251-29

PALM VIEW LN

HARMS WY

Parcel: 04625129

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 14 Feb. 2019

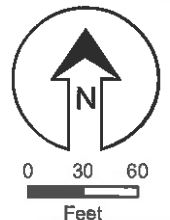


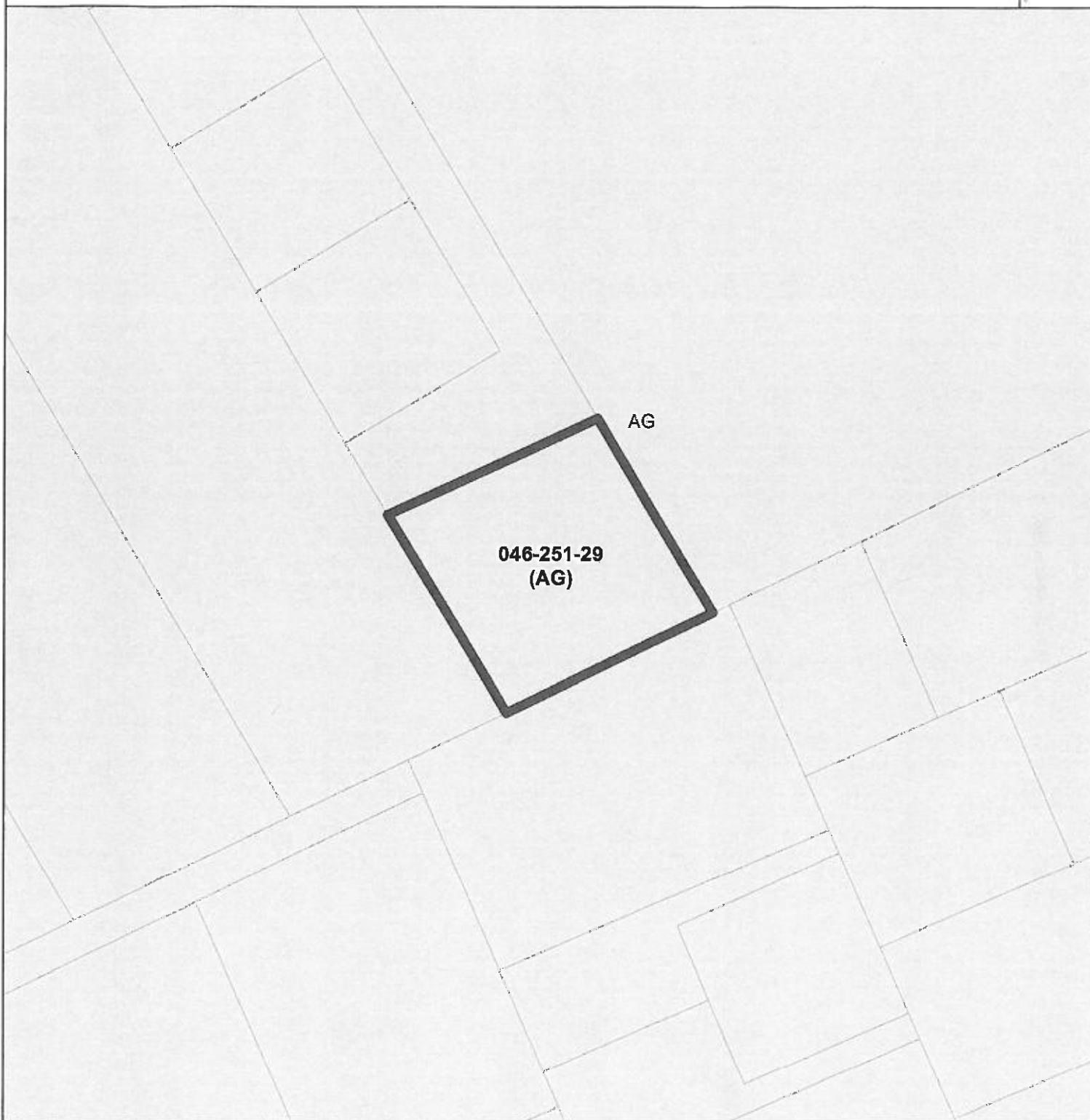
Exhibit E



SANTA CRUZ COUNTY PLANNING DEPARTMENT
Parcel General Plan Map



Mapped
Area



AG Agricultural

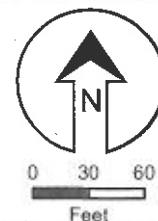


Exhibit E






Parcel Zoning Map



Mapped
Area



-  A Agriculture
-  CA Commercial Agriculture
-  RA Residential Agricultural

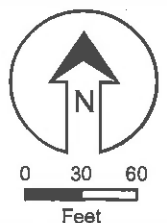


Exhibit E

Parcel Information

Services Information

Urban/Rural Services Line:	<input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside
Water Supply:	San Andreas Mutual Water Company
Sewage Disposal:	Septic
Fire District:	Aptos – La Selva Beach Fire Protection District
Drainage District:	Zone 7

Parcel Information

Parcel Size:	.66 acres (estimated)
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential and Agricultural
Project Access:	Crest Lane
Planning Area:	Aptos/ La Selva Beach
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	RA (Residential Agriculture)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Technical Reviews: Soils Report Review

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	< 100 cubic yards
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Not mapped/no physical evidence on site