

Staff Report to the Zoning Administrator

Application Number: 181538

Applicant: Frauke Zajac

Owner: Robert & Pamella Caldeira

APN: 063-021-22

Site Address: 140 Thayer Road

Agenda Date: August 2, 2019

Agenda Item #: 2 Time: After 9:00 a.m.

Project Description: Proposal to construct a detached garage (approx. 1,000 sq. ft.), an accessory dwelling unit (approx. 1,200 sq. ft.) and a new workshop (approx. 1,150 sq. ft.) attached to an existing two story storage building on site with a single family dwelling.

Location: Property located on the north side of Thayer Road approximately 700 feet west of Bonny Doon Road. (140 Thayer Road)

Permits Required: Coastal Development Permit, Residential Development Permit

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181538, based on the attached findings and conditions.

Project Description & Setting

The subject property is located to the north of Thayer Road in the Bonny Doon planning area and is connected to Thayer Road via a 40 foot wide corridor access. The property is developed with an existing single family dwelling (approx. 1,150 square feet) and detached garage/storage building (approx. 1,600 square feet). This project proposes to construct an accessory dwelling unit (approx. 1,200 square feet) and workshop (approx. 1,150 square feet) attached to the existing garage/storage building and to construct a separate garage (approx. 1,000 square feet).

The subject property is wooded and moderately sloped. The proposed buildings would be located to the east of the existing dwelling adjacent to the existing driveway to the residence. Surrounding parcels are wooded and developed with rural residential homesites on larger parcels.

A Coastal Development Permit is required because the project is located within the coastal zone. A Residential Development Permit is required because the project involves a non-habitable accessory structure over 1,000 square feet in size.

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 APN: 063-021-22

Owner: Robert & Pamella Caldeira

Zoning & General Plan Consistency

The subject property is a 9.9 acre parcel, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed accessory buildings are ancillary to the principal permitted residential use within the zone district and the zoning is consistent with the site's R-R (Rural Residential) General Plan designation.

Accessory Dwelling Unit

Accessory dwelling units are allowed up to a maximum of 1,200 square feet in floor area on parcels that are one acre or larger. Per State law, a public hearing is not required for accessory dwelling unit approvals, but an administrative Coastal Development Permit is required.

Non-Habitable Accessory Structures

The proposed workshop would connect the proposed accessory dwelling unit (as well as a garden shed) to the existing two story garage and storage building. The total non-habitable floor area of the combined workshop/shed/garage/storage building would be over 1,000 square feet (approx. 4,000 square feet) and a Residential Development Permit is required. The proposed structure would be located on a larger parcel, approximately 100 feet from the nearest property line, in a wooded area. The proposed accessory structures would not create a visual impact for adjacent residential properties or the general public.

Non-habitable accessory structures may be attached to accessory dwelling units, but interior access between the accessory dwelling unit and other structures (other than to an adjacent garage) is not allowed. In this case, the proposal includes a breezeway/carport that would separate the accessory dwelling unit from the workshop.

Local Coastal Program Consistency

The proposed accessory buildings 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 detached accessory structures. 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.

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.

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APN: 063-021-22

Owner: Robert & Pamella Caldeira

Staff Recommendation

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

• APPROVAL of Application Number 181538, 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.sccoplanning.com

Report Prepared By: Randall Adams

Santa Cruz County Planning Department

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Phone Number: (831) 454-3218

E-mail: randall.adams@santacruzcounty.us

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

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: 181538

	cel Number: 063-021-22 tion: 140 Thayer Road		
Project Description: Proposal to construct an accessory dwelling unit, workshop, and garage on site with a single family dwelling. Person or Agency Proposing Project: Frauke Zajac			
A B C D	The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c). Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment. Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).		
E. <u>X</u>	Categorical Exemption		
Specify type:	Class 3 - New Construction or Conversion of Small Structures (Section 15303)		
F. Reaso	ons why the project is exempt:		
Construction	of residential accessory structures in an area designated for residential uses.		
In addition, n	one of the conditions described in Section 15300.2 apply to this project.		
Randall Adar	Date:		
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Owner: Robert & Pamella Caldeira

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 accessory buildings are ancillary to the principal permitted residential 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 SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the development is consistent with the existing structures in terms of architectural style; 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 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 identified as a priority acquisition site in the County Local Coastal Program and the property is not located near the public beach or other bodies of water.

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 existing residential development on the property. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings and accessory buildings. 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 accessory buildings 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.

Owner: Robert & Pamella Caldeira

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 accessory buildings 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 as the proposed structures will be ancillary to the primary residential use of the property.

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.

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 accessory buildings are to be constructed on site with an existing single family dwelling. The expected level of traffic generated by the proposed project will not adversely impact existing roads or intersections in the surrounding area or overload utilities in the vicinity.

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 structures are located in a rural residential neighborhood containing a variety of architectural styles, and the proposed accessory buildings are consistent with the land use intensity and density of the neighborhood.

Owner: Robert & Pamella Caldeira

Conditions of Approval

Exhibit D: Project plans, prepared by Frauke Zajac, revised 3/7/19.

- I. This permit authorizes the construction of a detached garage, an accessory dwelling unit and a new workshop 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.
- 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.
 - 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.

- 5. The entry driveway turnout shall be located within the 40 foot wide right of way (flag portion of parcel).
- 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 2 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 an accessory dwelling unit is \$2 per square foot.
- I. Provide required off-street parking for 5 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.
- J. 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.
- K. 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.
- L. Complete and record a Declaration of Restriction to construct a Non-Habitable Accessory Structure (detached garage). 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 construct a Non-Habitable Accessory Structure (workshop). You may not alter the wording of this declaration. Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building

Owner: Robert & Pamella Caldeira

Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved soils reports.
- D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, it officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
 - A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

Owner: Robert & Pamella Caldeira

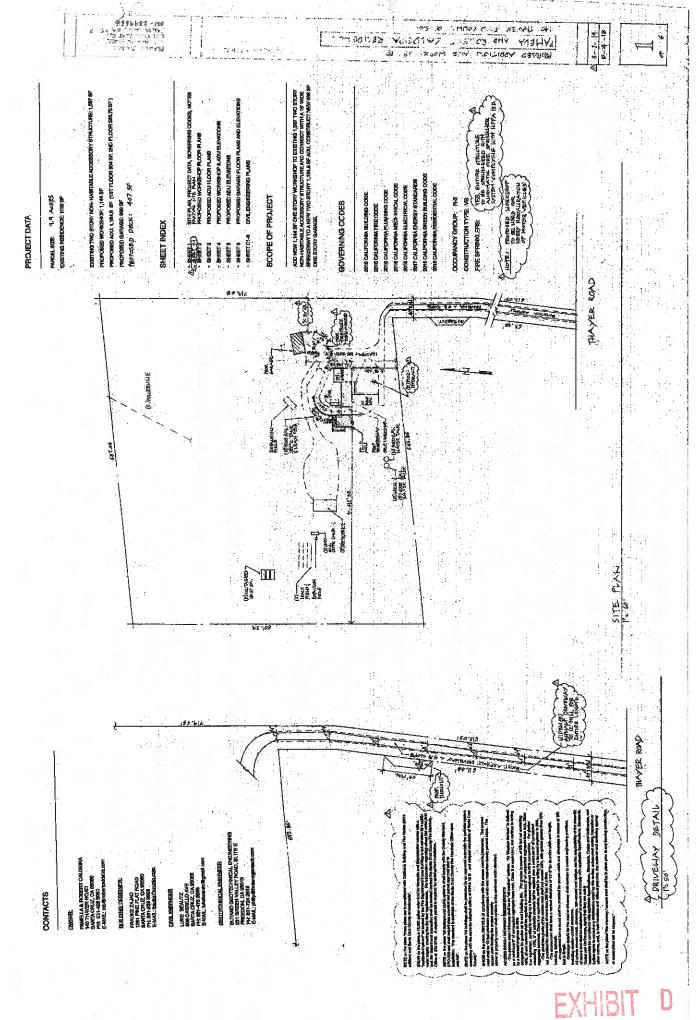
- COUNTY bears its own attorney's fees and costs; and
- 2. COUNTY defends the action in good faith.
- C. <u>Settlement</u>. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

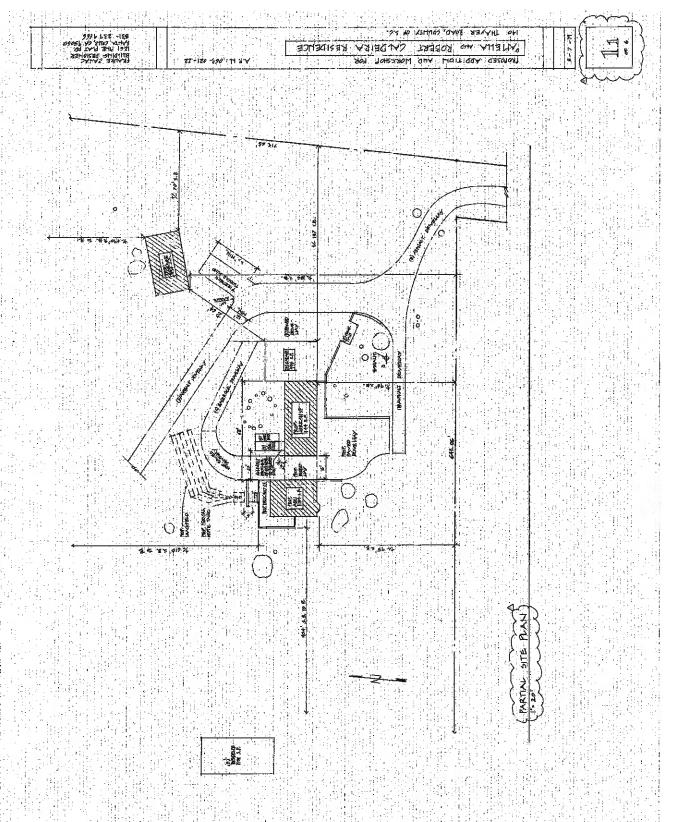
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

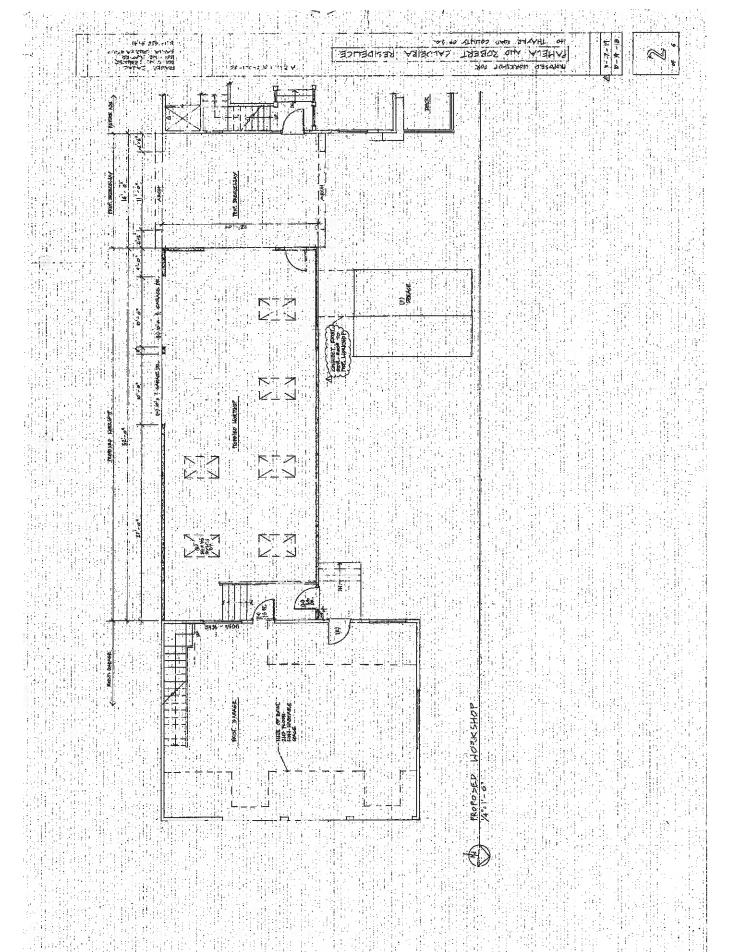
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date:	
Effective Date:	
Expiration Date:	

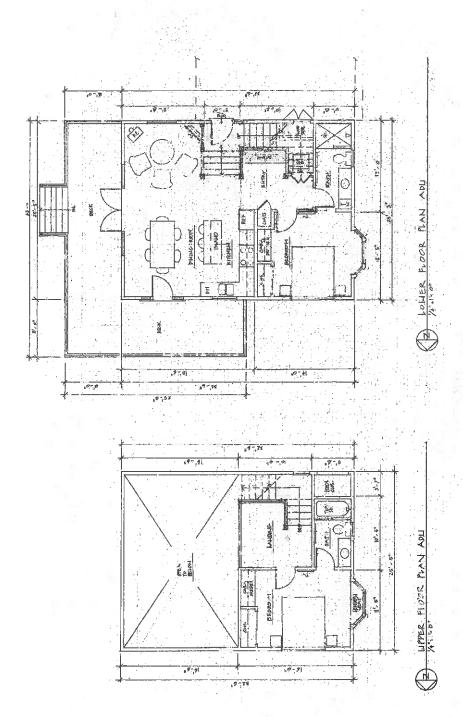
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



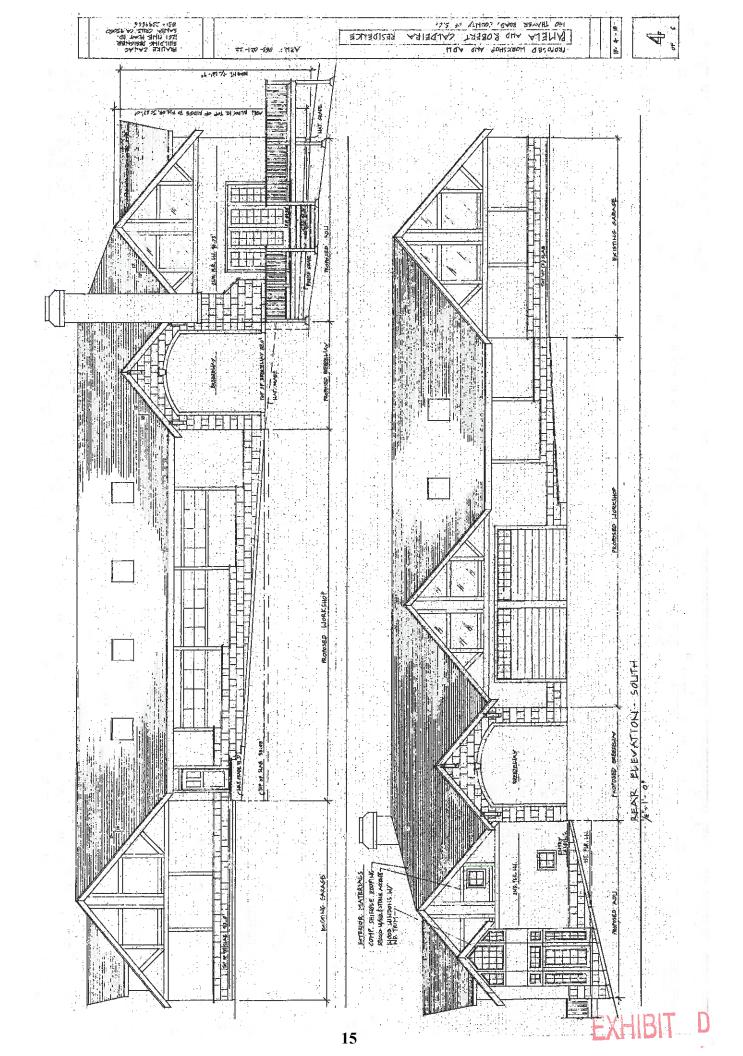




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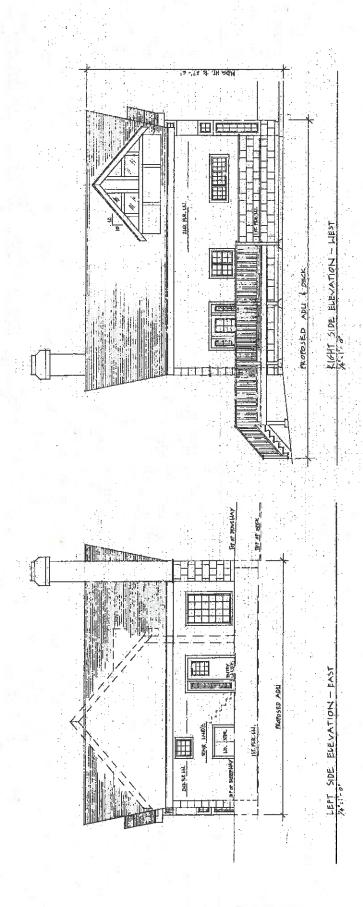


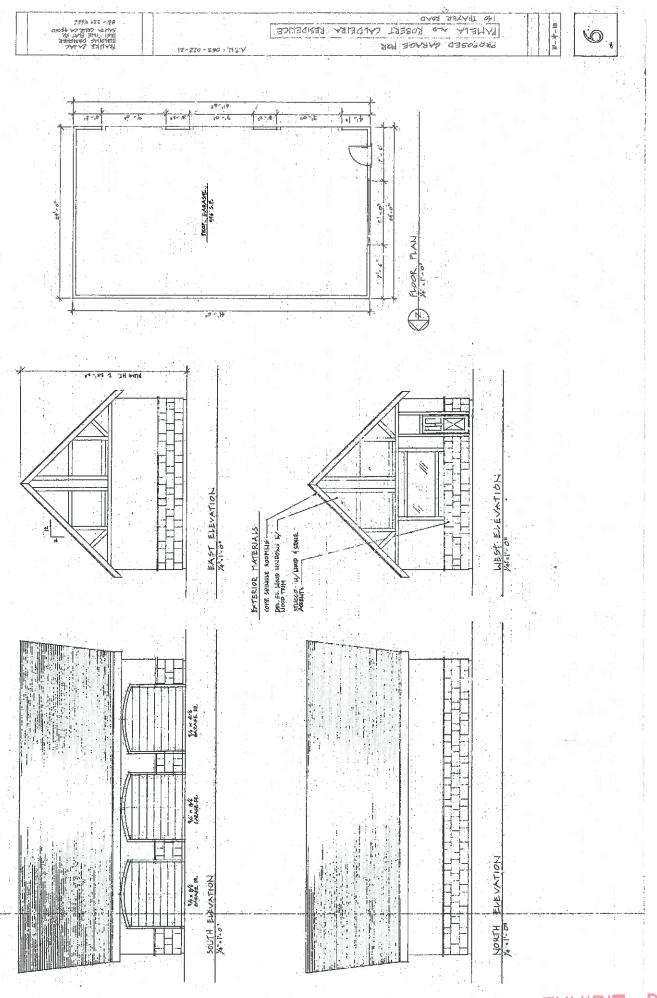
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Social and strong mulcip is to be used for and illustrated areas as a means for temporary posterior using permonent stockhorbina is established. If may be used on stopes up to \$1 HeV (338), presenting seed of minimum of Saed and strong mulch shall consist in the year-olds go seed of minimum of 5 lbs/1000 as, It,) over disturbed areas and then placeds a uniform incident and of strate (2.5 bost/1000 as, It), however, but it is house in the soul with a studded rater or uniforming it with a technifer should a studded rater or uniforming it with a technifer shoulding munision. The sirvey band to assistive habitat, the seed stad be amust where banks in the sirvey who if he sirvey who if he seed should be seed into a banks, or wiscons that sensitive notifiet, he seed nit and straw should be as recommended this project biologist, be indicated on the plans, and approved by the mining beautiment. RELATIVE COMPACTION SLOPE forces shot not be used in streams, channels, drain shels, or any place to they is concentrated. VOLUNE – 65 CUBIC YARDS AS PER THE FORECT CONTINUED, NO OFFICENCIANTON AND RECOMPACTION OF FROCET CONTINUED, INCOMED, NO OFFICENCIANTON AND RECOMPACTION OF BELOFF FOUNDATIONS IS RECOMPED, NO OFFICENCIAL DELICATION OF THE PROPERTY OF TH GRADING FOR ADU, WORKSHOP, & PAYER BLOCK DRINGWAY (ACCOUNTING FOR SLAB AND DRIVEWAY STRUCTURAL SECTIONS) All drainage bilets are to be precast concrete Christy baxes, model as indicated on plan, or equivalent, with cancrete bottoms All construction shall be an occordance with the recommendations of the Contembrate Investigation propored for the sile by Bulana Gententrical Engineering, Inc., Project No. 18-120-50. Stockpile disturbed topsoil and redistribute around the linished site STORM DRAW TOP OF FOOTING TOP OF GRATE TOP OF WALL All construction shall comply with applicable requirements in the current edition of the Sonto Gruz County Design Criteria. SCHRICKTION & RECOMPACTION OF TOP 6" OF SUBGRADE BELOW PAYED AREAS The Director of Planning, or his outhorized representative, shall have the authority to stop wark If the wark is not being done accordance with the approved impravement Plans. The contractor shall notify the Santa Cuz Caunty Planning Department (454–2580 or 454–2077) at least 24 hours prior to the start of construction. No changes in the approved plans shall be made without prior approval by the Santa Cruz Caunty Flanning Department. LINEAR FEET PERFORATED RADIUS -SEDIMENT CONTROL NOTES GRADING FOR GARAGE (ACCOUNTING FOR SLAB STRUCTURAL SECTION) ABBREVIATIONS-6. All starm drain material to be SDR 35 PVC. GENERAL NOTES PROJECT TOTAL

QUT = 410 CUBIC YARDS

FILL = 20 CUBIC YARDS

NET = 390 CUBIC YARDS CUT EXISTING GROUND FINISHED GRADE CUT = 400 CUBIC YARDS FILL = 10 CUBIC YARDS TL = 10 CUBIC YARDS

l fences shall ggt be used on a stope, or across ony contour line, if not installed the some elevation throughout, slit fences will create arosion.

fences shall <u>aat</u> be used in locations Where panded water may cause Stadding

The ends of the sit lance shot be turned uphill to prevent stormwoter from Royking oround the fence. The crowinum length of stope draining to any paint along the sitt fonce should be 200 feet or tess.

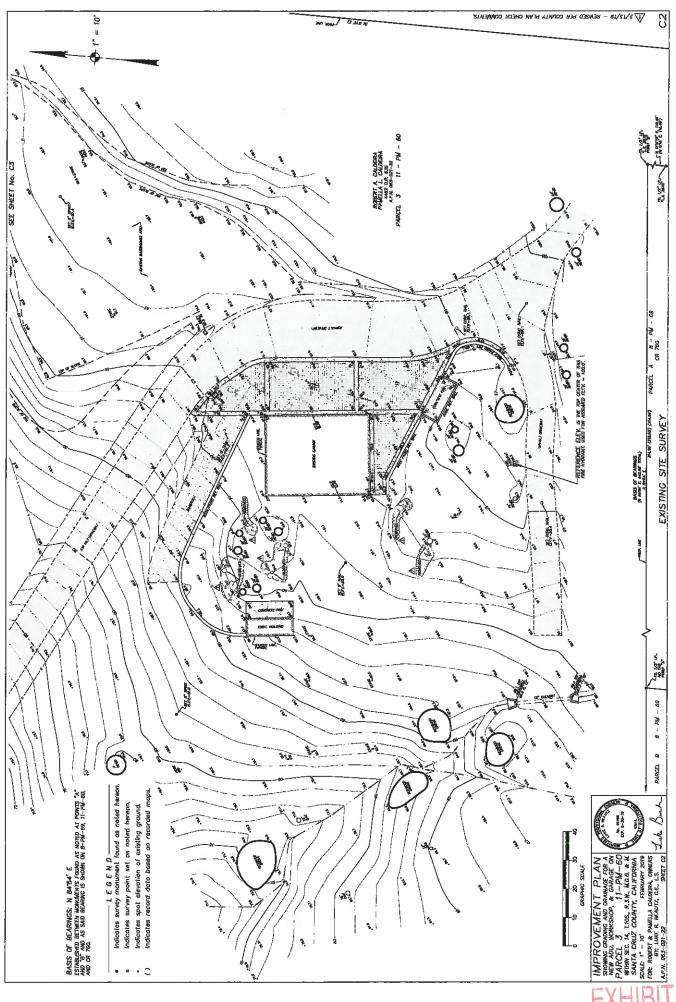
IMPROVEMENT PLAN
SUPPLY CENTRAL AND HORSON AND PARAME FOR A
NEW ADU, HORKSHOP, & CARAGE ON
11-PM-60
HTM SEC 4, 710S, 8.3%, ADB-41
SANTA GRUZ COUNTY, CALIFORNIA

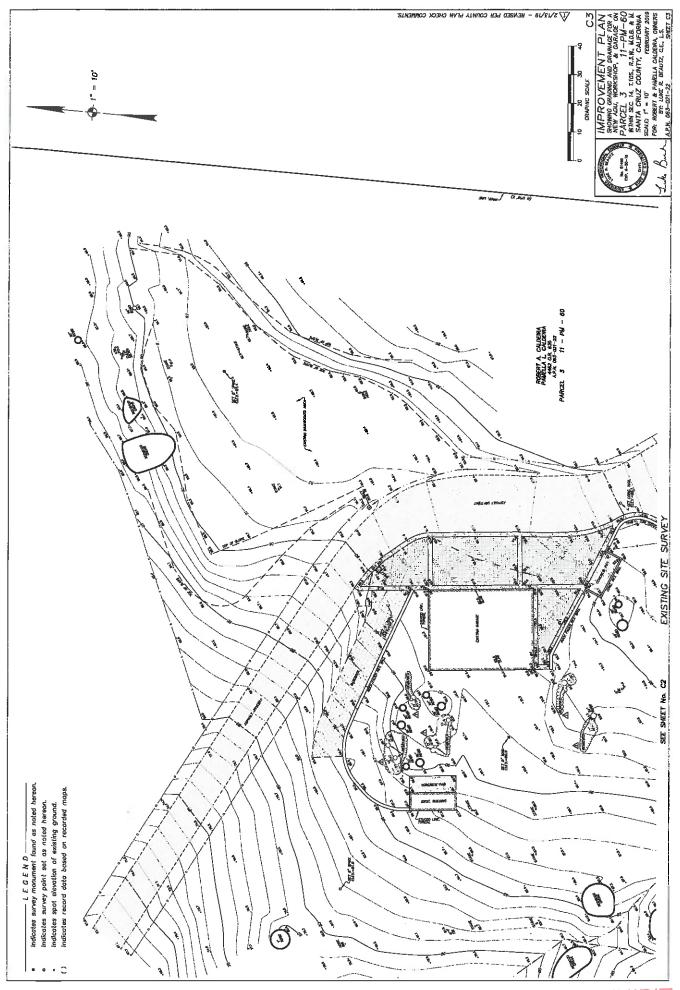
FOR: HOBERT & PAMELLA CALDERA, OMNERS BY: LUNE R. BEAUTZ, C.E., L.S. A.P.N., 083-021-22 SHEET OF

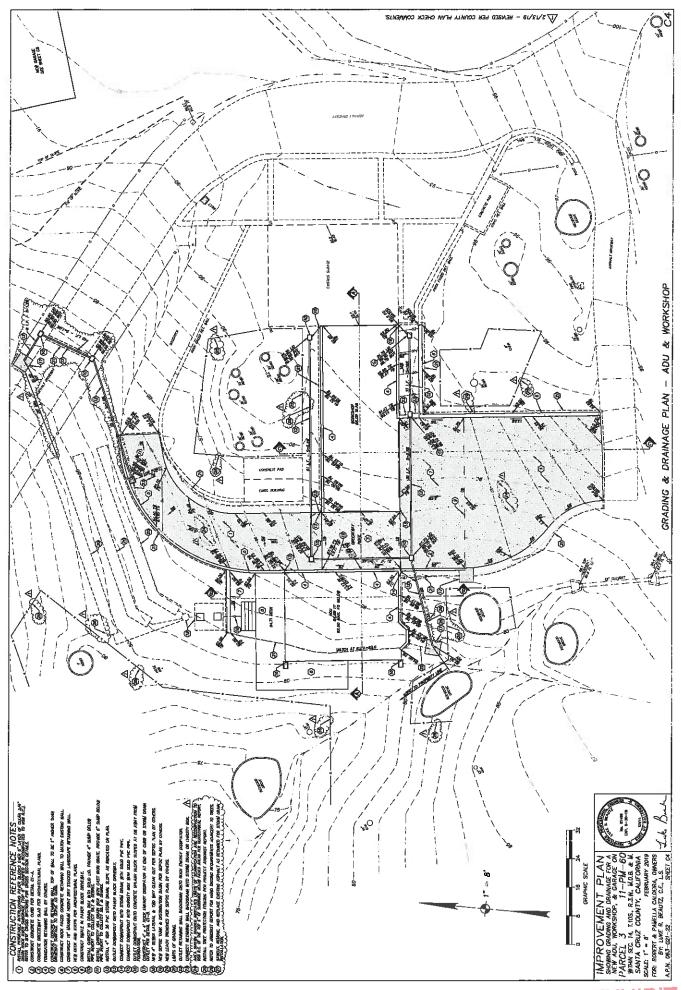
La Bur

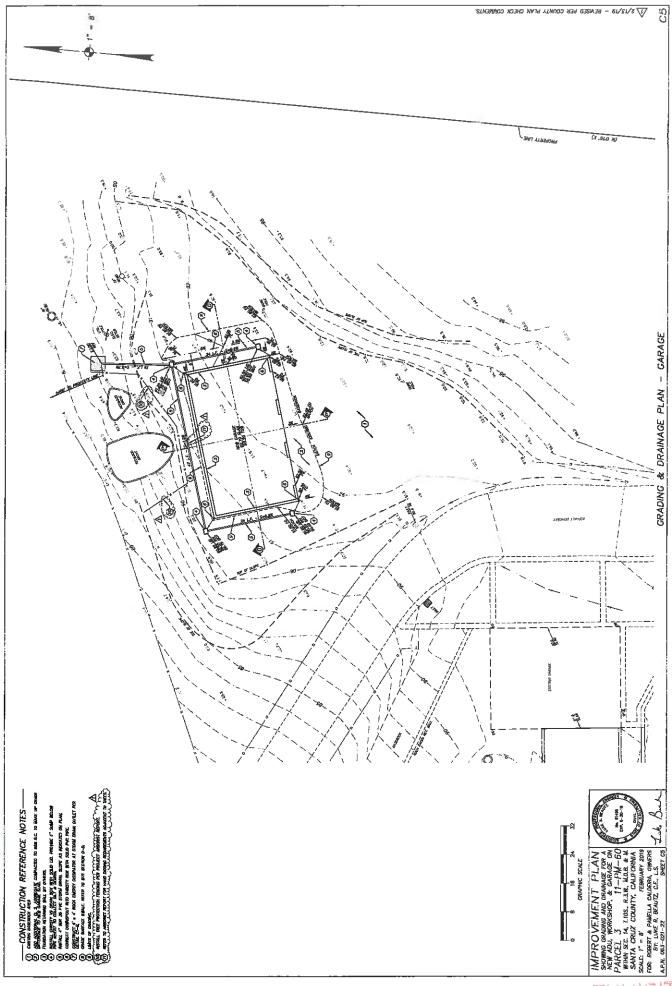
NOTES, DETAILS, & DRAINAGE ANALYSIS

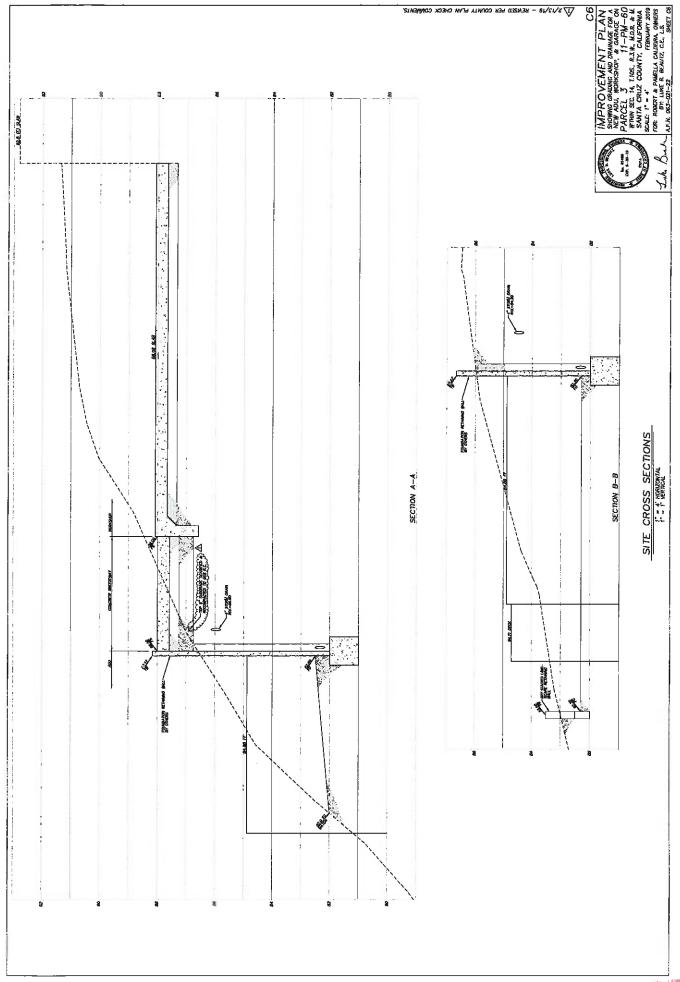
REVISED PER COUNTY PLAN CHECK COMMENTS.

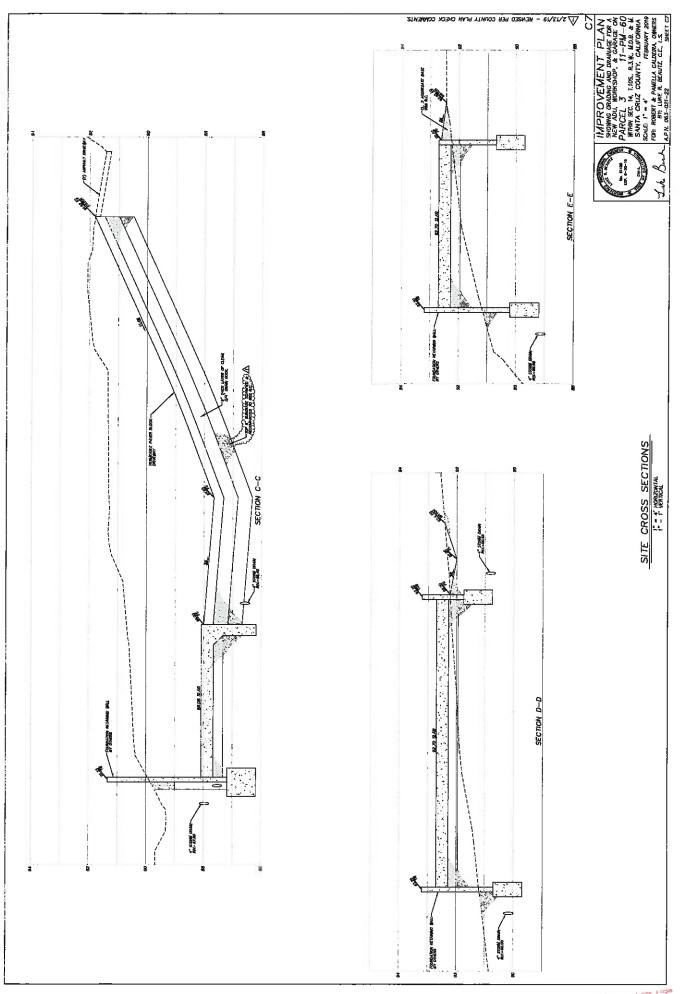


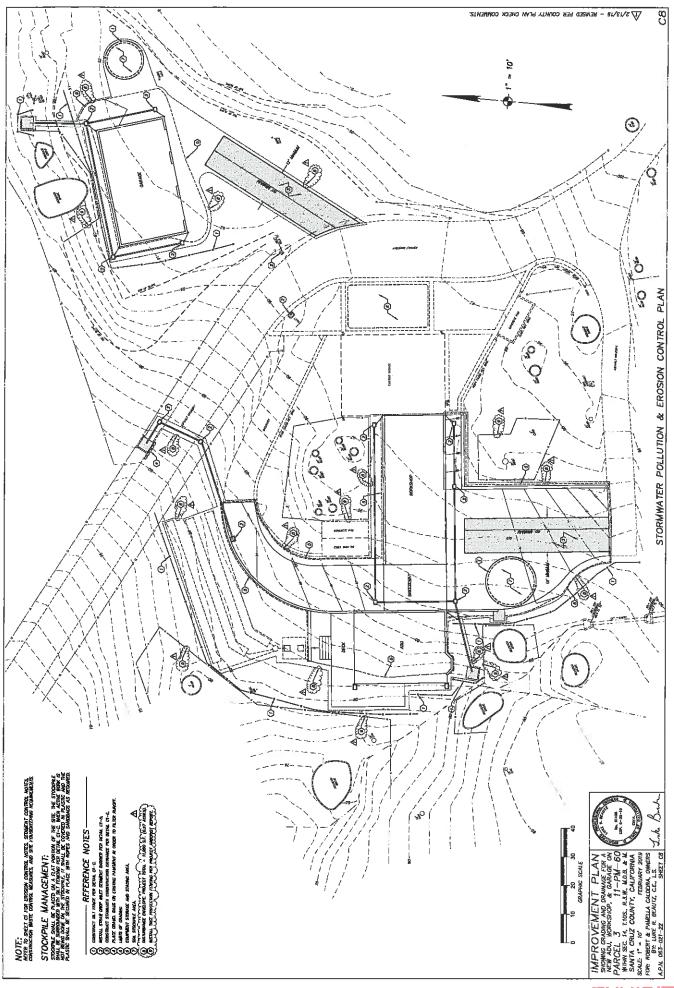


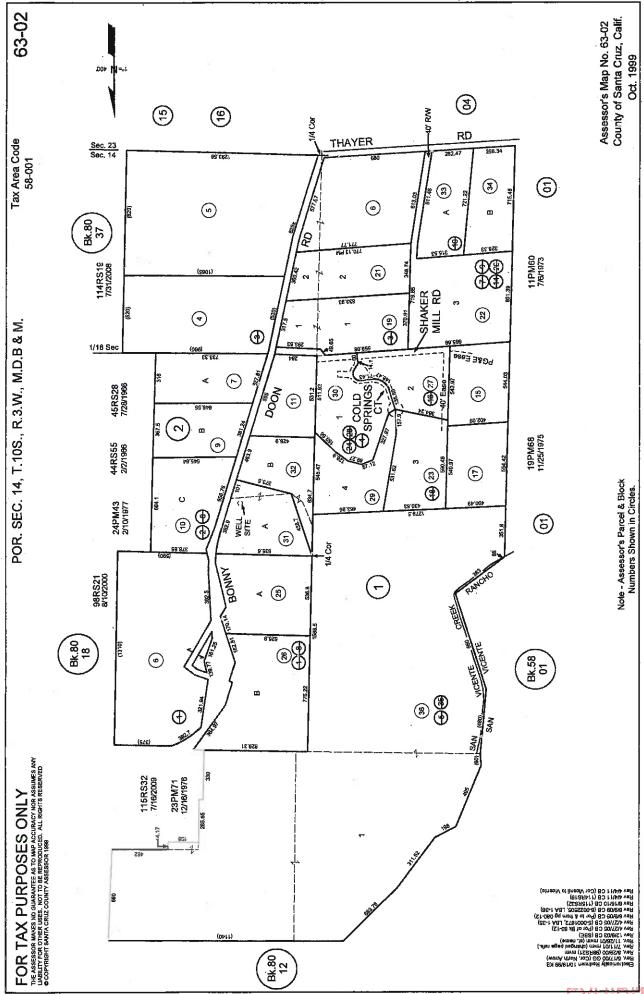














SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



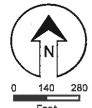


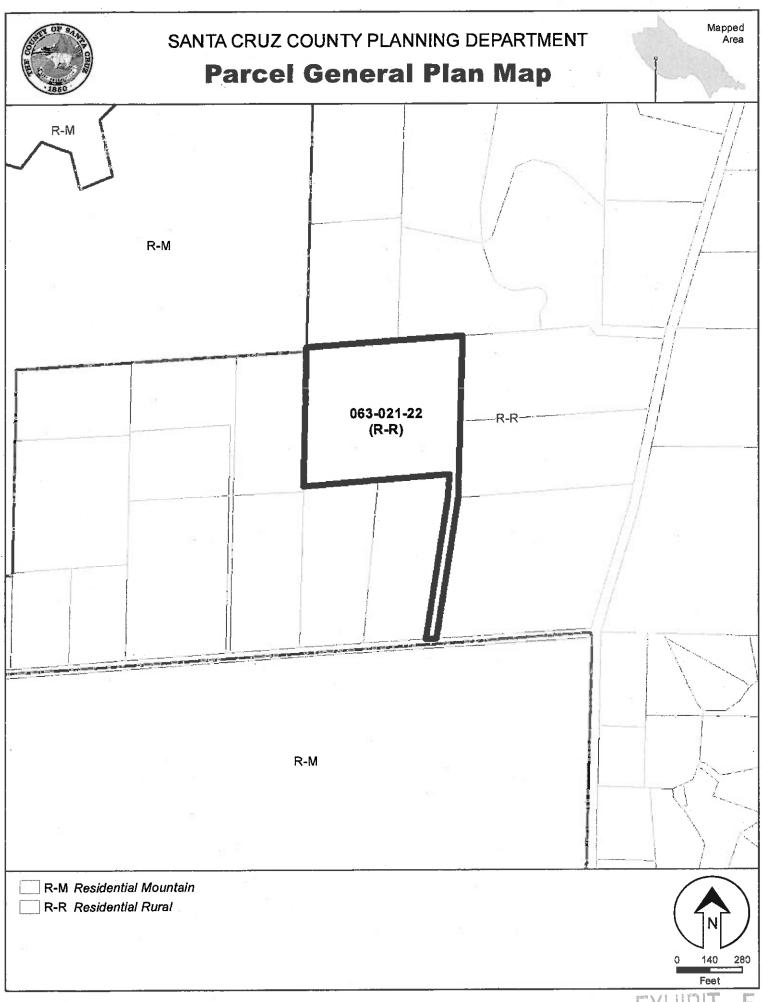
Parcel: 06302122

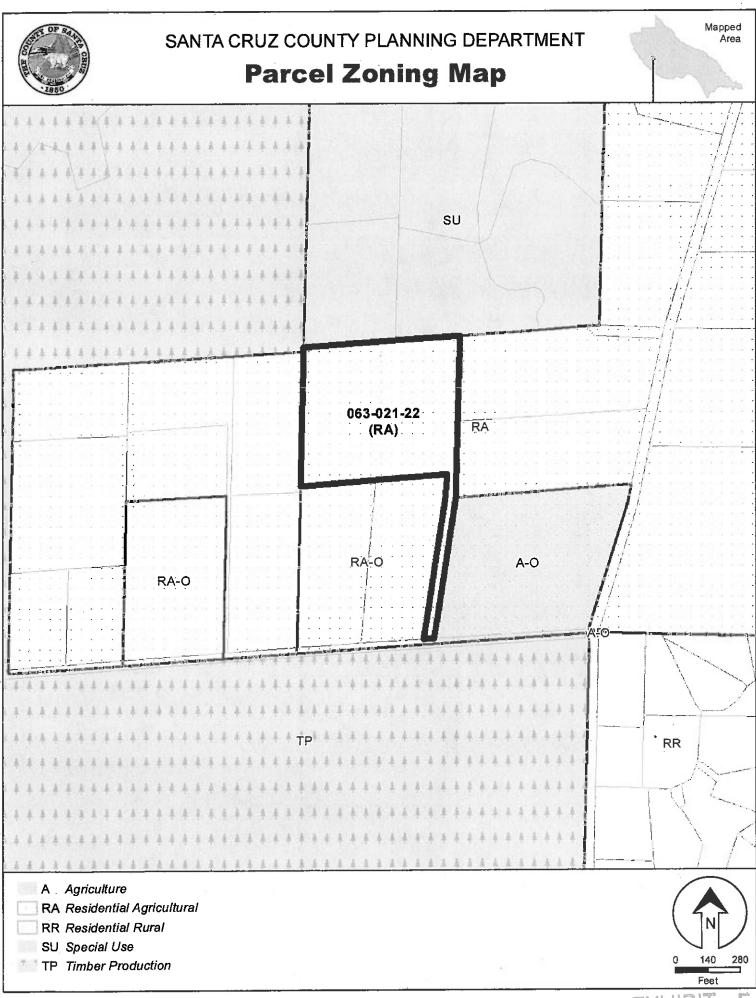
Study Parcel

Assessor Parcel Boundary

Map printed: 13 Jun. 2019







Owner: Robert & Pamella Caldeira

Parcel Information

Services Information

Urban/Rural Services Line:

Inside

X Outside

Water Supply:

Well Septic

Sewage Disposal: Fire District:

CalFire (County Fire Department)

Drainage District:

None

Parcel Information

Parcel Size:

9.9 acres

Existing Land Use - Parcel:

Single family residential

Existing Land Use - Surrounding:

Rural residential neighborhood

Project Access:

Thayer Road Bonny Doon

Planning Area: Land Use Designation:

R-R (Rural Residential)

Zone District:

RA (Residential Agriculture)

Coastal Zone:

X Inside Outside

Appealable to Calif. Coastal

__ Yes

X No

Comm.

Technical Reviews: Archaeological Report Review (REV181165)

Soils Report Review (REV181166)

Environmental Information

Geologic Hazards:

Not mapped/no physical evidence on site

Fire Hazard:

Not within mapped critical fire - within SRA-High fire designation

Slopes:

5-10%

Env. Sen. Habitat:

Not mapped/no physical evidence on site

Grading:

Grading for building foundations

Tree Removal:

7 existing trees removed within construction area

Scenic:

Not a mapped resource

Archeology:

Report reviewed and accepted - no resources observed