

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0040

**APN:** 046-212-07

**APPLICANT:** Roy Horn

**OWNER:** Thomas Armes

**PROJECT DESCRIPTION:** Proposal to construct a 2,041 square foot addition and remodel of an existing single family dwelling, including approximately 30 cubic yards of grading, in the appealable area of the Coastal Zone.

**LOCATION:** Property is located on the south side of Hillview Way, at about 300 feet south from Oceanview Drive. (170 Hillview Way, La Selva Beach).

**PERMITS REQUIRED:** Amendment to Coastal Zone Permit 90-0295, Residential Development permit for an over 800 square foot addition to an existing non-conforming structure and Design Review.

**ENVIRONMENTAL DETERMINATION:** Exempt - Category 3

**COASTAL ZONE:** ☒ Yes ☐ No      **APPEALABLE TO CCC:** ☒ Yes ☐ No

### PARCEL INFORMATION

**PARCEL SIZE:** .25 acres

**EXISTING LAND USE:**

**PARCEL:** Single-family residential

**SURROUNDING** Single-family residential

**PROJECT ACCESS:** Hillview Way

**PLANNING AREA:** La Selva

**LAND USE DESIGNATION:** R-UL (Urban- Low Density Residential)

**ZONING DISTRICT:** R-1-6 (Residential, 1 unit/6,000 sq. ft)

**SUPERVISORIAL DISTRICT:** Second District, Ellen Pirie

### ENVIRONMENTAL INFORMATION

- |                      |  |
|----------------------|--|
| a. Geologic Hazards  | a. Located on a coastal bluff              |
| b. Soils             | b. N/A                                     |
| c. Fire Hazard       | c. Not a mapped constraint                 |
| d. Slopes            | d. 30+% rear portion of the property       |
| e. Env. Sen. Habitat | e. Not mapped/no physical evidence on site |
| f. Grading           | f. 30 cubic yards                          |
| g. Tree Removal      | g. No trees proposed to be removed         |
| h. Scenic            | h. In a mapped resource                    |
| i. Drainage          | i. Existing drainage adequate              |
| j. Traffic           | j. N/A                                     |
| k. Roads             | k. Existing roads adequate                 |
| l. Parks             | l. Existing park facilities adequate       |

- |                       |  |
|-----------------------|--|
| m. Sewer Availability | m. Existing sewer system adequate          |
| n. Water Availability | n. Existing water adequate                 |
| o. Archeology         | o. Not mapped/no physical evidence on site |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line:  X  Yes N o

Water Supply: Soquel Creek Water District

Sewage Disposal: Septic

Fire District: Aptos/La Selva Fire Protection District

Drainage District: N/A

### **HISTORY**

The application was accepted on February 4<sup>th</sup>, 2003 and deemed complete on July 25<sup>th</sup>, 2003. It amends Coastal Development Permit 90-0295 which was approved by the Zoning Administrator on May 4<sup>th</sup>, 1990. It was subsequently reviewed by the Board of Supervisors, on special consideration requested by Supervisor Levy on June 12<sup>th</sup>, 1990. The purpose of the special consideration was to address issues relating to bluff setback and compliance with CC & R's. The Board referred the application to the Planning Commission with direction that the Commission consider a greater setback from the coastal bluff and a redesign to result in a smaller scale structure. The project was redesigned to address these concerns and was approved by the Planning Commission on August 8<sup>th</sup>, 1990.

### **ANALYSIS AND DISCUSSION**

The property is a 10,936 square foot lot, located in the R-1-6 (Residential, 1 unit/6,000 sq. ft.) zone district, a designation which allows residential uses. The proposed single-family residence is a principal permitted use within the zone district and the project is consistent with the previously approved 1965 development and parking standards for the Old Place De Mer Planned Unit Development (1576-U). The proposed 2,041 square foot addition will result in a 34 percent lot coverage and a 59 percent Floor Area Ratio, both of which are allowed with the previously approved 1576-U development standards. The proposed addition will meet the required front, side and rear yard setbacks, which are 20, 8, 6 and 25 feet respectively.

The parcel lies upon a coastal bluff over looking Manresa State Beach. The rear addition will minimally be visible from the coastal bluff and the majority of the additions will only be visible from the street portion of the property. Chapters 13.20 and 13.11 both are applicable because the parcel is located in the Coastal Zone. Section 13.20.130.b.1 pertaining to visual compatibility, and Section 13.20.130.d.1 pertaining to blufftop development are both applicable in that the blufftop development in rural areas is required to be set back sufficient distance so not to be visually intrusive. The proposed additions also are consistent with Chapter 13.11.072 of the County's zoning ordinance pertaining to development located within a public viewshed (13.11.072.b.2.i). The additions have been designed to match the existing windows, roofing and siding of the existing residence. The Urban Designer, Larry Kasparowitz reviewed the proposed additions and concluded that the design meets the criteria in 13.20 and 13.11 in the County's Zoning Ordinance (see Exhibit F). The homeowners's association for this development has been

dissolved and development is no longer subject to the CC & R's. The applicant's statement to that effect is included as exhibit "J."

The proposed additions to the single-family residence are in conformance with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. 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.

As proposed and conditioned, the project is consistent with all applicable codes and policies of the previously approved Planned Unit Development 1576-U, the County's Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

## RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **03-0040**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. 1965 Zoning Ordinance 13.04.170 Regulations for One-Family Residence or "R-1" District
- F. Urban Designers Comments
- G. Zoning map
- H. General Plan map
- I. Comments & Correspondence
- J. Applicant's statement regarding homeowners association

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.

Application # 03-0040  
APN: 046-212-07  
Owner: Thomas Annes

Page 4

Report Prepared By: David Heinlein  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-5321 (or, david.heinlein@co.santa-cruz.ca.us)

### **COASTAL DEVELOPMENT PERMIT FINDINGS:**

1. THAT THE PROJECT IS A USE ALLOWED IN ONE OF THE BASIC ZONE DISTRICTS, OTHER THAN THE SPECIAL USE (SU) DISTRICT, LISTED IN SECTION 13.10.170(d) AS CONSISTENT WITH THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LUP DESIGNATION.

The property is zoned R-1-6 (Residential, 1 unit/6,000 sq. ft.), a designation which allows Residential uses. The proposed additions to the single-family-residence is a principal permitted use within the previously approved 1965 parking and site development standards as approved in the Planned Unit Development 1576-U which established the 1965 zoning ordinance (~~R-1~~) as the applicable site standards for this development. The proposed project is consistent with these site standards (see Exhibit E).

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

The proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements 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 13.20.130et seq.

The proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is on a coastal bluff but is located as far possible to allow access to the parcel while meeting the required setbacks. In addition, the proposed addition to the existing single-family residence is predominately located on the street side of the parcel with only a minor portion of the addition being visible from the coastal portion of the parcel. The proposed addition has been designed to incorporate the existing single-family residence to minimize the visual impacts.

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 AND NEAREST PUBLIC ROAD AND THE SEA OR THE SHORELINE OF ANY BODY OF WATER LOCATED WITHIN THE COASTAL ZONE, SUCH DEVELOPMENT IS IN CONFORMITY WITH THE PUBLIC ACCESS AND PUBLIC RECREATION POLICIES OF CHAPTER 3 OF THE COASTAL ACT COMMENCING WITH SECTION 30200.

The project site is not located between the shoreline and the first public road. Consequently, the additions to the single-family-residence will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

**5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE  
CERTIFIED LOCAL COASTAL PROGRAM.**

The proposed project is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, Residential uses are allowed uses in the R-1-6 (Residential, 1 unit/6,000 sq. ft.) zone district of the area, 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 widely in the area, and the design submitted is not inconsistent with the existing range.

### **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.

The location of the proposed additions to the single-family residence 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 in that the project is located in an area designated for Residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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.

The project site is located in the R-1-6 (Residential, 1 unit/6,000 sq. ft.) zone district. The proposed location of the single-family residence and the conditions under which it would be operated or maintained will be consistent with the previously approved Planned Unit Development 1576-U which established the 1965 zoning ordinance (R-1) as the applicable site standards for this development. The proposed project is consistent with these site standards (see Exhibit E).

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.

The project is located in the Urban- Low Density Residential (R-UL) land use designation. The proposed Residential use is consistent with the General Plan in that the density meets the previously approved Planned Unit Development 1576-U requirements for parking and site development. (See discussion under Finding 2 above).

The proposed single-family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and

development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single-family residence will not adversely shade adjacent properties, and will meet setbacks for the applicable zone district that ensure access to light, air, and open space in the neighborhood.

The proposed addition to the single-family residence will not be improperly proportioned to the parcel size or 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 resulting single-family residence will comply with the previously approved Planned Unit Development 1576-U site standards (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, however this development is subject to and consistent with the conditions for Planned Unit Development 1576-U.

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.

The proposed **use** will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that it is additions to an existing single-family residence on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and 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.

The proposed additions to the single-family-residence 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 in the vicinity, in that the proposed structure is two-stories, in a mixed neighborhood of one and two-story homes and the proposed single-family residence is consistent with the land use intensity and density of the previously approved 1576-U Planned Unit Development.

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 development is consistent with the Design Standards and Guidelines of the County Code in that the proposed single-family residence 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. Larry Kasparowitz, the County's



Application #: 03-0040

APN: 046-212-07

Owner: Thomas Armes

Page 9

Urban Designer reviewed the proposed additions on March 24<sup>th</sup>, 2003 and concluded that the proposed project was consistent with the County's Design Guidelines.

## **CONDITIONS OF APPROVAL**

Exhibit A: Project Plans, sheets A-1 thru A-2, dated January 1<sup>st</sup>, 2003, prepared by Roy Horn, sheet A-3, dated January 3<sup>rd</sup>, 2003 prepared by Roy Horn, sheets A-4 thru A-6, dated January 1<sup>st</sup>, prepared by Roy Horn.

- I. This permit authorizes the 2,041 sq. ft addition to an existing single-family residence. 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.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
    1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
    2. Details showing compliance with fire department requirements.
  - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - D. A Plan Review letter from the project geotechnical engineer will be required. **(Environmental Planning)**
  - E. A Plan Review letter from the project geologist will be required. **(Environmental Planning)**
  - F. Please submit a detailed erosion control plan. Please include construction details for each practice selected and show their installed locations. **(Environmental Planning)**
  - G. Please identify that there will be no disturbance to rear yard vegetation (within 25 feet of the coastal bluff). If disturbance is proposed, please provide a detailed landscaping plan for review. **(Environmental Planning)**

- H. The recharge pits shall be enlarged approximately 50% in each dimension. This volume will correspond more accurately to the low range permeability value of 6"/hr in the soil mapping. If actual soil tests for the leach field indicate higher permeability is present, this condition may be waived by the department of Public Works drainage section. (DPW Drainage)
  - I. Please fully describe the offsite drainage path between the residence and the storm drain referred to as the point of offsite disposal. This path as well as the disposal point must be found to be adequate. (DPW Drainage)
  - J. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
  - K. Provide required off-street parking for 6 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.
  - L. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100, 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.

---

**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 TWO YEARS FROM THE EFFECTIVE  
DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS  
AND COMMENCE CONSTRUCTION.**

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

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

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

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
David Heinlein  
Project Planner

\_\_\_\_\_  
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.

**NOTICE OF EXEMPTION FROM THE  
CALIFORNIA ENVIRONMENTAL QUALITY ACT**

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document

Application No.: 03-0040

Assessor Parcel No.: 046-212-07

Project Location: 170 Hillview Way, La Selva

Project Description: Proposal to construct a 2,041 square foot addition to and remodel of an existing single-family dwelling

Person or Agency Proposing Project: Roy Horn

Contact Phone: 831-475-6977

- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.  
B. ☐ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.  
C. ☐ Statutory Exemption other than a Ministerial Project.  
Specify type:

**D. Categorical Exemption**

- |  |   |
|--|---|
| <input type="checkbox"/> 1. Existing Facility  | <input type="checkbox"/> 20. Changes in Organization of Local Agencies  |
| <input type="checkbox"/> 2. Replacement or Reconstruction                                    | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies   |
| <input checked="" type="checkbox"/> 3. New Construction of Small Structure                   | <input type="checkbox"/> 22. Educational Programs   |
| <input type="checkbox"/> 4. Minor Alterations to Land  | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings  |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations                              | <input type="checkbox"/> 24. Regulation of Working Conditions   |
| <input type="checkbox"/> 6. Information Collection   | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space   |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs   |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources  | <input type="checkbox"/> 27. Leasing New Facilities   |
| <input type="checkbox"/> 9. Inspection   | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities  |
| <input type="checkbox"/> 10. Loans   | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities   |
| <input type="checkbox"/> 11. Accessory Structures  | <input type="checkbox"/> 30. Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales                                    | <input type="checkbox"/> 31. Historical Resource Restoration/Rehabilitation   |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes         | <input type="checkbox"/> 32. In-Fill Development Projects   |
| <input type="checkbox"/> 14. Minor Additions to Schools                                      |   |
| <input type="checkbox"/> 15. Minor Land Divisions  |   |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks                   |   |
| <input type="checkbox"/> 17. Open Space Contracts or Easements                               |   |
| <input type="checkbox"/> 18. Designation of Wilderness Areas                                 |   |
| <input type="checkbox"/> 19. Annexation of Existing Facilities Lots for Exempt Facilities    |   |

E. ☐ Lead Agency Other Than County:

\_\_\_\_\_  
David Heinlein, Project Planner

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

**EXHIBIT D**

- 13.04.170 REGULATIONS FOR ONE-FAMILY RESIDENCE OR "R-1" DISTRICT

- d) Maximum Building Height Limit: Main Buildings -- Thirty (30) feet. Accessory buildings -- Fifteen (15) feet.  
 e) Minimum Building Site Area Required: Six Thousand and (2,000) square feet, except where combined with any "B" District.  
 f) Minimum Building Site Width Required: Sixty (60) feet.  
 g) Maximum Building Site Depth: Not to exceed three (3) times building site width.  
 h) Percentage of Building Site Coverage Permitted: Forty-five (45) percent.  
 i) Minimum Front Yard Required: Twenty (20) feet, except where combined with any "B" District.  
 j) Minimum Side Yards Required: Six (2) feet, except where combined with any "B" District.  
 k) Minimum Rear Yard Required: Ten (10) feet, except where combined with any "B" District.

Parking Required: Not less than one (1) parking space for each dwelling unit.

one (1) parking space for each dwelling

## COUNTY OF SANTA CRUZ

## Planning Department

## INTEROFFICE MEMO

APPLICATION NO: 034040

Date: March 24, 2003

To: David Heinlein, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for additions and remodel to an existing residence at 170 Hillview Way, La Selva Beach (Armes / owner, Horn/applicant)

**COMPLETENESS ISSUES**

The plans as submitted are complete enough for Design Review (however, the applicant may want to shade the new areas of construction on the elevations for clarity).

**GENERAL PLAN / ZONING CODE ISSUES**Design Review Authority

**13.20.130** The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

**13.20.130** Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Visual Compatibility</b>			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
<b>Minimum Site Disturbance</b>			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building	✓		



site, dead or diseased trees, or nuisance species.			
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be	✓		
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline.			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted.			N/A
<b>Location of development</b>			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.	✓		
Development shall not block views of the shoreline from Scenic road turnouts, rest stops or vista points.			NIA
<b>Site Planning</b>			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities).	✓		
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed.	✓		
<b>Building design</b>			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction.	✓		
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged.	✓		

Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster.	✓		
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings.			<b>N/A</b>
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			<b>NIA</b>
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the			<b>NIA</b>
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development.			<b>NIA</b>
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project.			<b>N/A</b>
<b>Signs</b>			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements.			<b>N/A</b>
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited.			<b>NIA</b>
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts.			<b>N/A</b>

In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors.			N/A
(e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive.	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations).			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred.	✓		

**Design Review Authority****13.11.040** Projects requiring design review

- (a) Single home construction, and associated additions involving 500 square feet or more, within coastal special communities and sensitive sites as defined in this Chapter.

**13.11.030** Definitions

- (u) "Sensitive Site" shall mean any property located **adjacent to a scenic road** or within the viewshed of a scenic road as recognized in the General Plan; or located on a coastal bluff, or on a ridgeline.

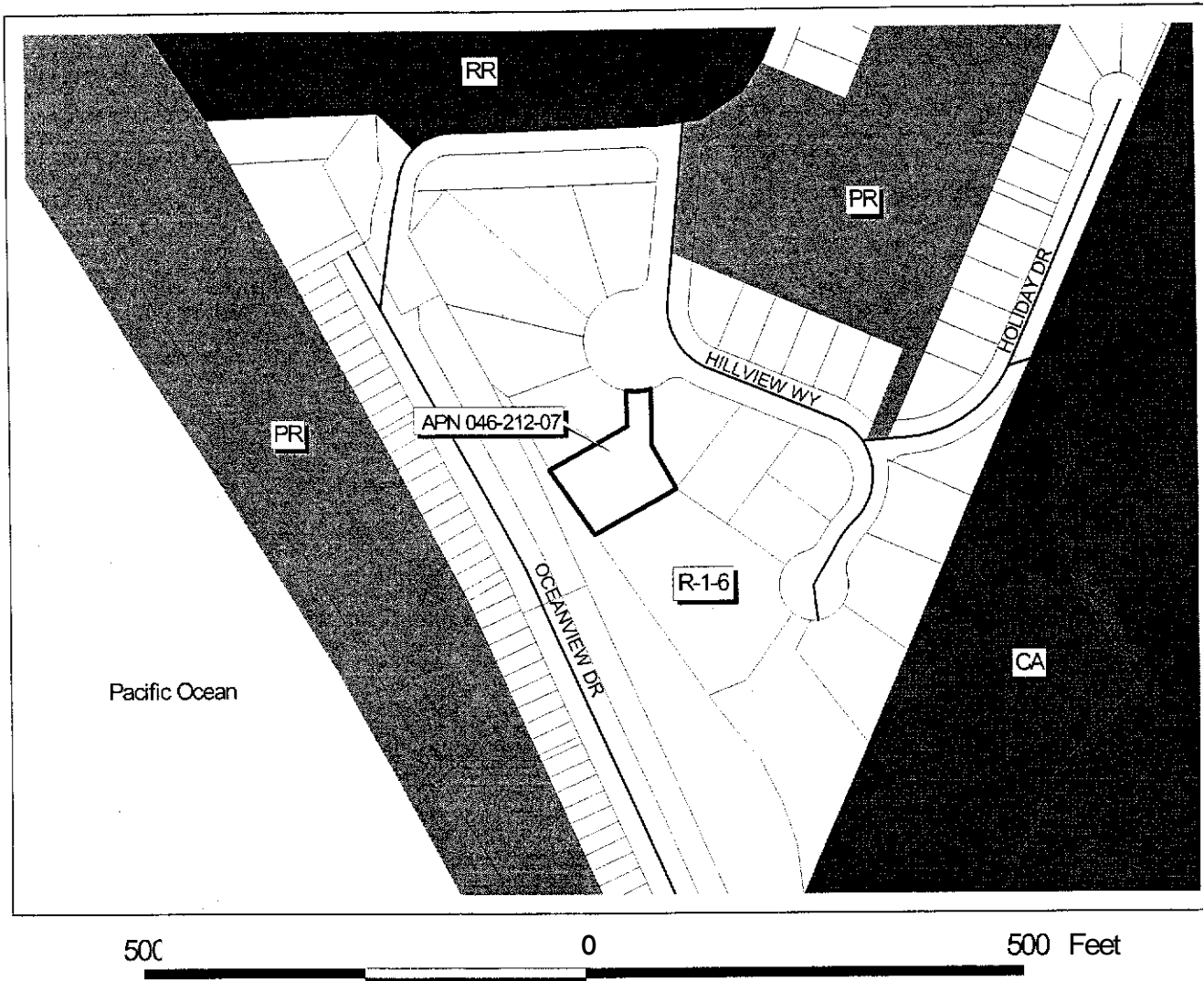
Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Site Design</b>			

Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing	✓		
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Accessible to the disabled. pedestrians, bicycles and vehicles			N/A
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation

Spacing between buildings	✓		
Street face setbacks			N/A
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
<b>Scale</b>			
Scale is addressed on appropriate levels	✓		
Design elements create a Sense of human scale and pedestrian interest	✓		
<b>Building Articulation</b>			
Variation in wall plane, roof line, detailing, materials and siting	✓		
<b>Solar Design</b>			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting		✓	

## Zoning Map



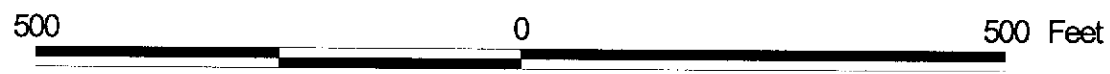
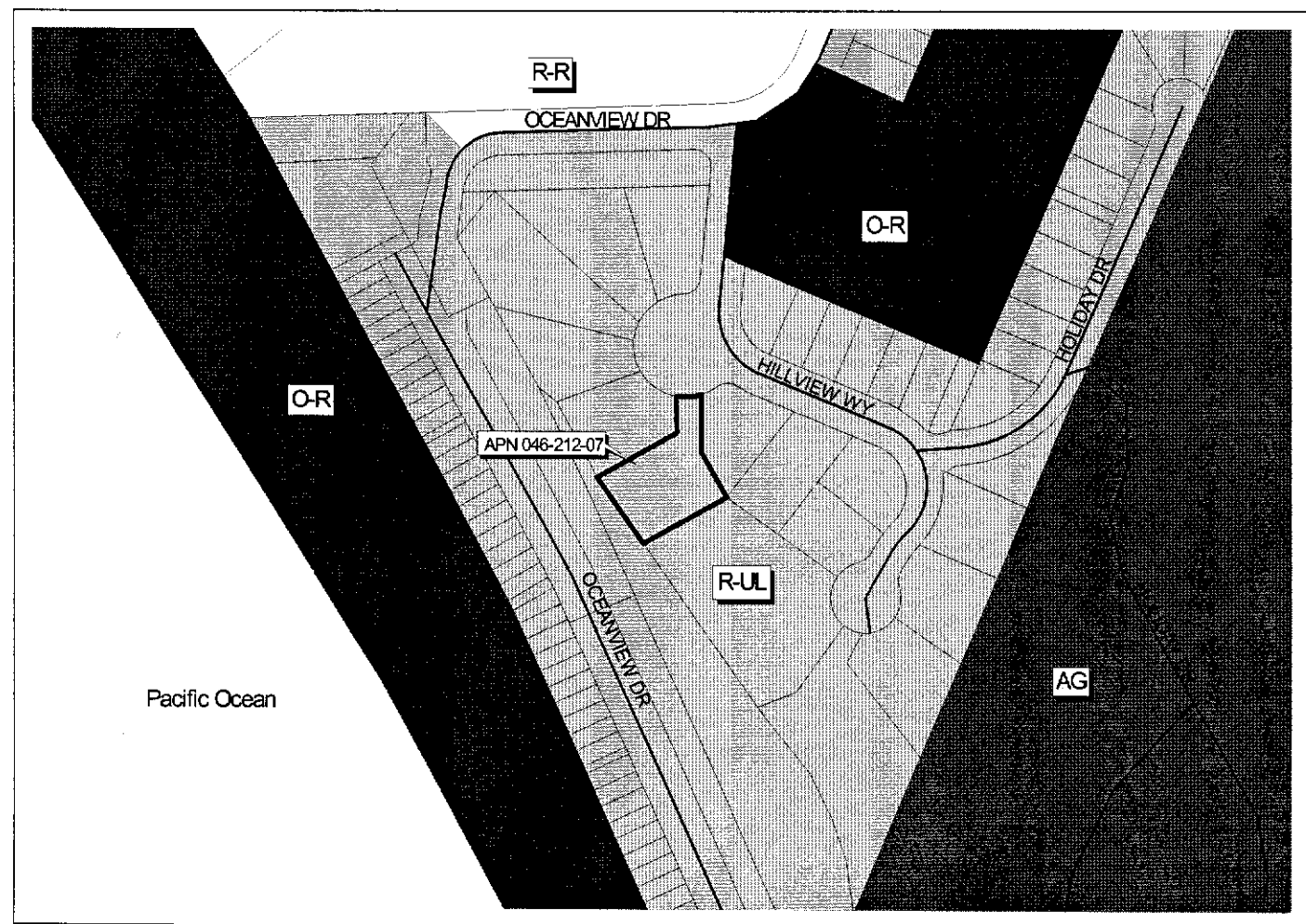
## Legend

- APN 046-212-07
- APN boundaries
- Streets
- CA
- RR
- R-1-X
- PR



Map created by Santa Cruz County  
Planning Department:  
February 2003

# General Plan Map



## Legend

	APN 046-212-07
	APN boundaries
	streets
	Rural Residential
	Residential - Urban Low Density
	Agriculture
	Parks and Recreation



Map created by Santa Cruz County  
Planning Department:  
February 2003

COUNTY OF SANTA CRUZ  
DISCRETIONARY APPLICATION COMMENTS

EXHIBIT I

Project Planner: David Heinlein  
Application No.: 03-0040  
APN: 046-212-07

Date: December 1, 2003  
Time: 10:27:20  
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 28, 2003 BY ROBERT S LOVELAND =====

1. On "Sheet 1", dated 1/03, a 25 foot setback from the top of the coastal bluff to the existing foundation has been noted. According to the General Plan, the minimum setback from a coastal bluff is 25 feet. General Plan policy (6.2.11) also states: "The setback shall be sufficient to provide a stable building site over a 100-year lifetime of the structure, as determined through geologic and/or soil engineering reports". Please identify the 100 year stability line on "Sheet 1". NOTE: the project geotechnical engineer and geologist must confirm the 100 year stability line in their addendum reports.

2. The project geotechnical engineer and geologist will need to submit addendum reports addressing the proposed project. ===== UPDATED ON JUNE 16, 2003 BY ROBERT S LOVELAND =====

I received copies of the geologic report (4/03) and the geotechnical report (5/03). These reports have been forwarded to the County Geologist for review.

Environmental Planning Miscellaneous Comments

===== REVIEW ON FEBRUARY 28, 2003 BY ROBERT S LOVELAND =====

Conditions of Approval:

1. A Plan Review letter from the project geotechnical engineer will be required.
2. A Plan Review letter from the project geologist will be required.
3. Please submit a detailed erosion control plan. Please include construction details for each practice selected and show their installed locations.
4. Please identify that there will be no disturbance to rear yard vegetation (within 25 feet of the coastal bluff). If disturbance is proposed, please provide a detailed landscaping plan for review.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 26, 2003 BY DAVID W SIMS =====

The proposed development falls entirely within a Groundwater Recharge Zone. This will require the onsite recharge of all increases in stormwater runoff due to the addition of new impervious areas. Such as roof areas and pavements. Please add clarification on the extent of proposed new paved areas.

The flagstone set in sand that is part of the perimeter landscape paving is recognized as a semi-pervious surface and will be evaluated as if contributing not more than 50% of its extents to impervious cover. Bedding the flagstone in grout or over



Discretionary Comments - Continued

Project Planner: David Heinlein  
Application No. : 03-0040  
APN: 046-212-07

Date: December 1, 2003  
Time: 10:27:20  
Page: 2

other impervious under-liner would negate this reduction. Total impervious area increases less than 500 sq. ft. are exempt from recharge requirements. The current proposal appears to exceed this threshold.

The applicant will need to revise their proposal to meet the Groundwater Recharge requirements.

Additionally, describe on the plans the offsite routing of runoff leaving *the* parcel to a point of safe disposal in a County maintained system or natural drainage course. If a safe and adequate path is not present, include proposals to correct this situation.

Drainage guidelines for single-family dwellings can be obtained at the following Planning Dept. website: <http://sccountyOl.co.santa-cruz.ca.us/planning/drain.htm>

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 to 12:00 am if you have questions.

===== UPDATED ON JUNE 24, 2003 BY DAVID W SIMS =====

2nd Routing: The applicant has failed to address revision to their proposal to meet the groundwater recharge requirements. Page 9 of the Haro, Kasunich & Associate's geotechnical report specifically state: "Our analysis, and the site history indicate landslides from saturated soil conditions alone will not occur." The recommendations on page 11 are to avoid releasing runoff over the bluff slope and to collect and discharge runoff/seepage water on the "landward side of the residence." More detailed comments on page 18 of this report do not preclude recharge either. This leaves open the potential to recharge the modest quantity of runoff increase created by the proposal within land areas on the landward side of the residence. Since it was found to be feasible to provide on-site leach lines, it also appears feasible to provide some runoff recharge.

If the geotechnical determination is that there is a valid geotechnical safety issue preventing onsite recharge, this conclusion must be specifically addressed in detail on a stamped and signed letter from the geotechnical engineer.

Describe the entire path on the plans for the offsite routing of runoff or runoff overflow leaving the parcel to a point of safe disposal in a County maintained system or natural drainage course. If a safe and adequate path is not present, include proposals to correct this situation. Drainage review approval will not be given without this detailed plan description.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 to 12:00 am if you have questions. ===== UPDATED ON AUGUST 15, 2003 BY DAVID W SIMS =====

Approved for discretionary stage of review. Please *see* miscellaneous comments for items to address in the building application.

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE **NOT** YET BEEN SENT TO PLANNER FOR THIS AGENCY

Discretionary Comments - Continued

Project Planner: David Heinlein  
Application No.: 03-0040  
APN: 046-212-07

Date: December 1, 2003  
Time: 10:27:20  
Page: 3

===== REVIEW ON FEBRUARY 26, 2003 BY DAVID W SIMS =====  
NO COMMENT

===== UPDATED ON JUNE 24, 2003 BY DAVID W SIMS =====  
NO COMMENT

===== UPDATED ON AUGUST 15, 2003 BY DAVID W SIMS =====

It is recommended that the recharge pits be enlarged approximately 50% in each dimension. This volume will correspond more accurately to the low range permeability value of 6"/hr in the soil mapping. If actual soil tests for the leach field indicate higher permeability is present, this enlargement may be ignored.

Please fully describe the offsite drainage path between the residence and the storm drain referred to as the point of offsite disposal. This path as we have it as the disposal point must be found to be adequate.

Dpw Road Engineering Completeness Comments

===== REVIEW ON MARCH 7, 2003 BY RODOLFO N RIVAS =====  
NO COMMENT

===== UPDATED ON JUNE 10, 2003 BY GREG J MARTIN =====  
No comment.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON MARCH 7, 2003 BY RODOLFO N RIVAS =====  
NO COMMENT

===== UPDATED ON JUNE 10, 2003 BY GREG J MARTIN =====  
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON FEBRUARY 26, 2003 BY JIM G SAFRANEK ===== Applicant's future expansion area for septic disposal shown on site plan does not match w/ location previously approved by EHS. Applicant will be required to obtain approval from EH Inspector for change; may require a site visit. EHS contact: Ruben Sanchez, 454-2751.

===== UPDATED ON FEBRUARY 26, 2003 BY JIM G SAFRANEK =====

Applicant must provide an Environmental Health Clearance for this project, Provide a satisfactory septic tank pumper's report to demonstrate that the septic system is functioning. Contact Land Use staff of Environmental Health at 454-2022,

===== UPDATED ON MARCH 5, 2003 BY JIM G SAFRANEK =====

Applicant provided an adequate pumper's report. Septic expansion relocation still needs approval for complete EHS discr. clearance.

===== UPDATED ON JUNE 19, 2003 BY JIM G SAFRANEK ===== Existing septic leachfield drawn on site plan does not match leachfield location on approved septic plan. Leachfield expansion area has been relocated. New exp. field location needs to be approved by EHS district inspector. 454-2751 Ruben Sanchez.

===== UPDATED ON JULY 2, 2003 BY JIM G SAFRANEK ===== Applicant has satisfied EHS discr. review requirements according to R. Sanchez.

Environmental Health Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: David Heinlein  
Application No.: 03-0040  
APN: 046-212-07

Date: December 1, 2003  
Time: 10:27:20  
Page: 4

----- REVIEW ON FEBRUARY 26, 2003 BY JIM G SAFRANEK =====  
NO COMMENT  
===== UPDATED ON JUNE 19, 2003 BY JIM G SAFRANEK =====

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON MARCH 6, 2003 BY ERIN K STOW =====  
DEPARTMENT NAME:Aptos/La Selva Fire Dept. Approved with the folling conditions  
A minimum fire flow of 1,000 GPM is required from one hydrant located within 250 feet of the site.  
A 30 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.  
All Fire Department building requirements and fees will be addressed in the Building Permit phase.  
Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.  
===== UPDATED ON JUNE 13, 2003 BY ERIN K STOW =====  
DEPARTMENT NAME:Aptos/La Selva Fire Dept. Plans approved.  
All Fire Department building requirements and fees will be addressed in the Building Permit phase.  
Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Oist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON MARCH 6, 2003 BY ERIN K STOW =====  
NO COMMENT  
===== UPDATED ON JUNE 13, 2003 BY ERIN K STOW =====  
NO COMMENT



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN JAMES, DIRECTOR

### For Residential And Non-Residential Projects: Is Your Project In A Common Interest Ownership Development?

Assessor's Parcel Number 046-212-07

Application# 03-C040

Check the applicable item below.

1 NOT APPLICABLE / OUTSIDE:

I certify that the above-referenced parcel is NOT within a Common Interest Ownership Development/Homeowner's Association which requires review and approval of development and building plans.

2. WITHIN / ALREADY SUBMITTED:

I certify that I have already submitted a copy of my building plans to the appropriate Common Interest Ownership Development/Homeowner's Association for review and approval. The plans submitted to the Association are identical to those submitted to the County as part of my permit application.

3. WITHIN / NOT YET SUBMITTED:

The above-referenced parcel is within a Common Interest Ownership Development/Homeowner's Association which requires review and approval of development and building plans, but my building plans have not yet been submitted to the Association. I understand that Zoning Plan Check approval will not be granted, and a building and/or development permit will not be issued until I provide written certification to the County that I have submitted my plans to the Association and that those plans are identical to those submitted to the County as part of my permit application.

I certify that the above information is true and correct. I understand that providing false information on this form may delay issuance of my permit or invalidate my permit if it has already been issued, and may result in enforcement action by the County: including posting a Stop-Work notice.

[Signature]  
Signature of Owner or Agent

Roy E. Horn  
Print name of Owner or Agent

12 Dec 03  
Date