

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0425  
**APN:** 032-161-21  
**APPLICANT:** Robin Brownfield  
**OWNER:** Victor and Paula Rinkle

**PROJECT DESCRIPTION:** Proposal to reconstruct a single family dwelling.

**LOCATION:** 520 37<sup>th</sup> Avenue, Santa Cruz

**PERMITS REQUIRED:** Coastal Development Permit and two Variances

**ENVIRONMENTAL DETERMINATION:** Exempt  
**COASTAL ZONE:** X Yes N o  
**APPEALABLE TO CCC:** X Yes     No

### PARCEL INFORMATION

**PARCEL SIZE:** 1,552 sq. ft.  
**EXISTING LAND USE:**  
    **PARCEL:** single family residence  
    **SURROUNDING:** single family residential  
**PROJECT ACCESS:** 37<sup>th</sup> Avenue  
**PLANNING AREA:** Live Oak  
**LAND USE DESIGNATION:** RM (Urban Medium Residential)  
**ZONING DISTRICT:** R-I-4 (Single Family Residential – 4,000 sq. ft. minimum)  
**SUPERVISORIAL DISTRICT:** First District (Janet Beautz, Supervisor)

### ENVIRONMENTAL INFORMATION

a. Geologic Hazards	a. Not mapped/no physical evidence on site
b. Soils	b. N/A
c. Fire Hazard	c. Not a mapped constraint
d. Slopes	d. Flat site
e. Env. Sen. Habitat	e. Not mapped/no physical evidence on site
f. Grading	f. No grading proposed
g. Tree Removal	g. No trees proposed to be removed
h. Scenic	h. Not a mapped resource
i. Drainage	i. Existing drainage adequate
j. Traffic	j. N/A
k. Roads	k. Existing roads adequate

- |                       |  |
|-----------------------|--|
| l. Parks              | 1. Existing park facilities adequate       |
| m. Sewer Availability | m. Existing connection                     |
| n. Water Availability | n. Existing connection                     |
| o. Archeology         | o. Not mapped/no physical evidence on site |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line:	<u>  X  </u> Yes <u>    </u> No
Water Supply:	City of Santa Cruz
Sewage Disposal:	Santa Cruz Sanitary
Fire District:	Central Fire Protection District
Drainage District:	5

### **HISTORY**

This application was received on October 7, 2003 and deemed complete on January 23, 2004.

### **ANALYSIS**

The subject property is a 1,552 square foot lot, located in the **R-1-4** (Single Family Residential - 4,000 sq. ft. minimum) zone district, a designation, which allows residential uses. The proposed single family residence with attached garage is a principal permitted use within the zone district and the project is consistent with the site's (RM) Urban Medium Residential General Plan designation.

### **SITE DEVELOPMENT STANDARDS TABLE**

	<b>R-1-4 Standards</b>	<b>Existing Residence</b>	<b>Proposed Residence</b>
<b>Front yard setback:</b>	15 feet (residence)	12'-6" <i>(non-conforming)</i>	15'-0"
<b>Rear yard setback:</b>	15 feet	4'-6" <i>(non-conforming)</i>	5'-2" <i>(non-conforming)</i>
<b>Side yard setbacks:</b>	5 feet	2'-0" <i>(non-conforming)</i>	3'-6" North side <i>(non-conforming)</i>
		12'-3"	7'-0" South side
<b>Lot Coverage:</b>	40 % maximum	35.4 %	36 %
<b>Building Height:</b>	28 feet maximum	14'-0"	23'-4"
<b>Floor Area Ratio (F.A.R.):</b>	0.5:1 maximum	.354	.50
<b>Parking</b>	1 bedroom – 2 (18' x 8.5')	None <i>(non-conforming)</i>	one uncovered

The existing residence is a non-conforming structure. The structure does not meet the setbacks for the front, rear and north side setbacks. Currently, no parking on-site is provided, where two parking spaces would be required (for one bedroom). The applicant's proposed plan improves the parking situation by providing one space on site. The proposed structure meets the front setback but does not meet the rear and north side setbacks. This lot is narrower and shorter than the normal for the zone district, and the applicant has placed the structure such that there is approximately seven feet in the rear and seven feet on the south (sunny) side for outdoor use.

The neighborhood is mixed with one and two story residences and the board and batt siding is compatible with the setting.

## **VARIANCES**

The applicant is requesting two variances – one for the rear setback and another for one of the side setbacks.

Given the small area of this lot (1,515 sq. ft. where 4,000 sq. ft. is the zoning minimum) and the narrow width of this lot (28.5 feet where 40 feet is the zoning minimum), staff can support the variances requested and make the necessary findings.

Findings for Approval of the Variances are attached for this project.

## **COASTAL ISSUES**

The proposed single family residence is 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.

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 **03-0425**, 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. Location map
- F. General Plan map
- G. Zoning map
- H. Assessors Parcel map
- I. Comments from other Departments
- J. Urban Designer's Memo
- K. Correspondence

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.

Report Prepared By: Lawrence Kasparowitz  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
phone: (831) 454-2676  
email: pln795@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-1-4 (Single Family Residential - 4,000 sq. ft. minimum), a designation which allows residential uses. The proposed single family residence is a principal permitted use within the zone district, consistent with the site's (RM) Urban Medium 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.

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 13.20.130 et 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 not on a prominent ridge, beach, or bluff top.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-SERVING POLICIES, STANDARDS AND MAPS OF THE GENERAL PLAN AND LOCAL COASTAL PROGRAM LAND USE PLAN, SPECIFICALLY CHAPTER 2: FIGURE 2.5 AND CHAPTER 7, AND, AS TO ANY DEVELOPMENT BETWEEN 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 single family residence with attached garage 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-1-4 (Single Family Residential - 4,000 sq. ft. minimum) 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 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-1-4 (Single Family Residential - 4,000 sq. ft. minimum) zone district. The proposed location of the single family residence does not meet all current site standards for the zone district, however staff believes the findings for variances can be met. The conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4 zone district in that the primary use of the property will be one single family residence

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 Medium Residential (RM) land use designation. The proposed residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Urban Low Residential).

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 current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed 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 proposed single family residence will comply with the site standards which set bulk and mass for the R-1-4 zone district (including 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 standard size lot in the vicinity. The rear setback and the north side setback have been increased from the existing residence's location (however, the proposed location does not meet standards but staff believes that variances are warranted and findings can be made).

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.

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 a replacement of a single family residence on an existing developed lot.

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 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 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.



Application # 03-0425  
APN: 032-161-21  
Owner: Victor and Paula Rinkle

Page 9

The proposed development is consistent with the Design Standards of the County Code in that the proposed single family residence with attached garage 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.

### VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The small size of this parcel is enough for the variances to be granted. County Code states:

*" That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. " (bold type added).*

This property is approximately 38% the size of the minimum parcel size of the zoning district. The property is also only 71.25% of the minimum parcel width of this zoning district.

The proposed residence is within the maximums for Height, Lot Coverage and Floor Area Ratio.

2. THAT THE GRANTING OF SUCH VARIANCE WILL BE IN HARMONY WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

This structure does not overpower the parcel. The reduction in setbacks will not be injurious to neighboring parcels. The existing home is closer to the rear and side property lines than the current proposal.

3. THAT THE GRANTING OF SUCH A VARIANCE WILL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGES INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE VICINITY AND ZONE IN WHICH SUCH IS SITUATED.

Allowing a decrease the side setback and rear setback is not a special privilege, in that is consistent with the recent decisions on other small size properties in the area.

## **CONDITIONS OF APPROVAL**

Exhibit A: plans prepared by Brownfield & Associates, dated October 2003 with revisions dated January 2004.

- I. **This** permit authorizes the construction of a two story single family residence with one exterior parking space. 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.
  - C. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- 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. Grading, drainage, and erosion control plans.
    2. Details showing compliance with fire department requirements.
  - C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  - D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
  - E. Submit 3 copies of a soils **report** (if required) prepared and stamped by a licensed Geotechnical Engineer.
  - F. 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.

**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.**

Application # 03-0425  
APN: 032-161-21  
owner: Victor and Paula Rinkle

Page 13

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

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

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

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

\_\_\_\_\_  
Lawrence Kasparowitz  
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.

# 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: 03-0425  
Assessor Parcel Number: 032-161-21  
Project Location: 520 37" Avenue, Santa Cruz

### Project Description:

Person or Agency Proposing Project: Robin Brownfield

Contact Phone Number: (831) 685-3818

- 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).

### Specify type:

E. X Categorical Exemption 15303(a)

### Specify type:

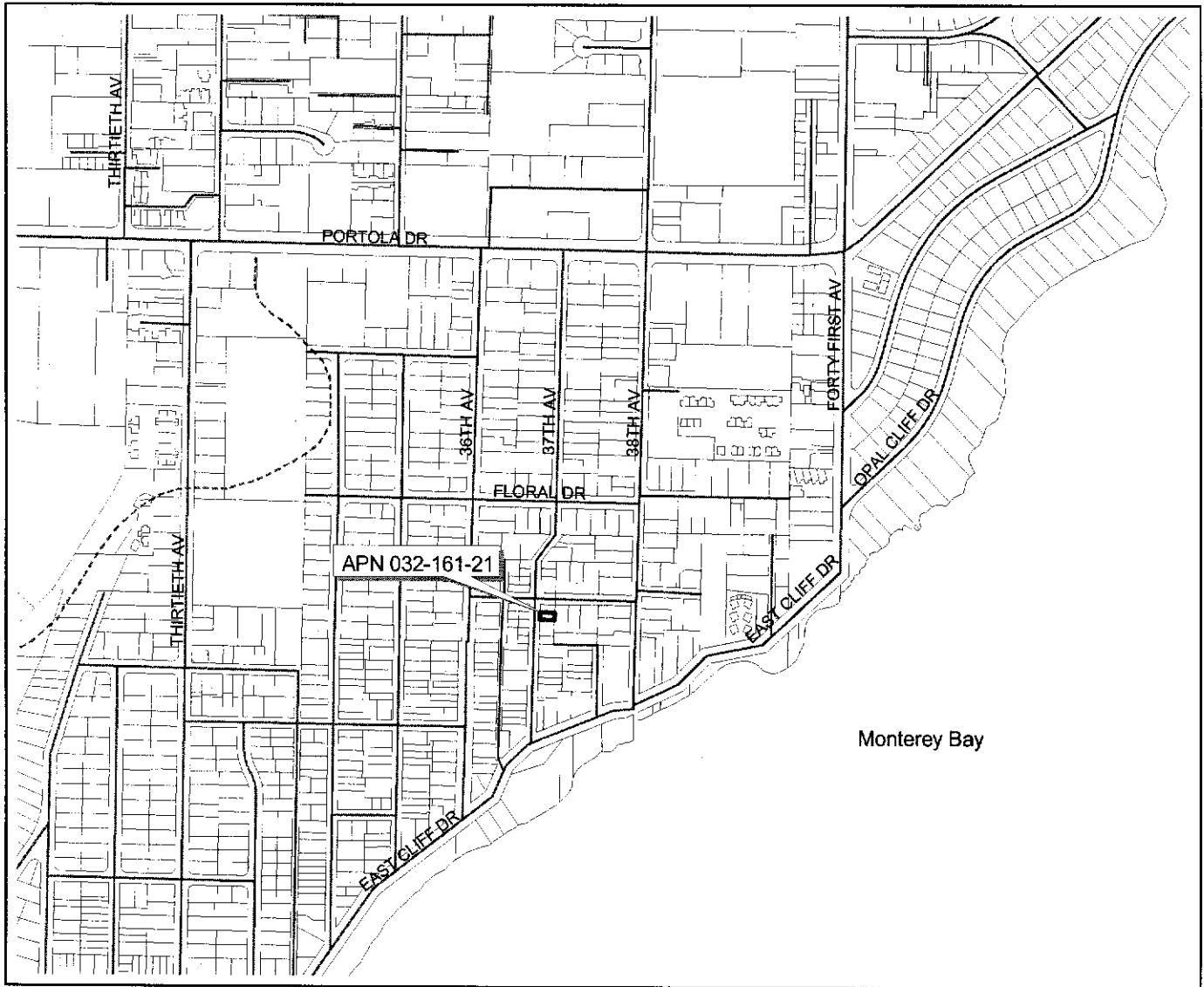
F. Reasons why the project is exempt: New Construction of Small Structure

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

\_\_\_\_\_  
Lawrence Kasparowitz, Project Planner

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

# Location Map



0.25 0 0.25 Miles

Map created by Santa Cruz County  
Planning Department:  
October 2003



EXHIBIT E

# General Plan Map



500 0 500 Feet

## Legend

- Parcel boundaries
- APN 032-161-21
- Streets
- Parks and Recreation
- Residential - Urban Medium Density

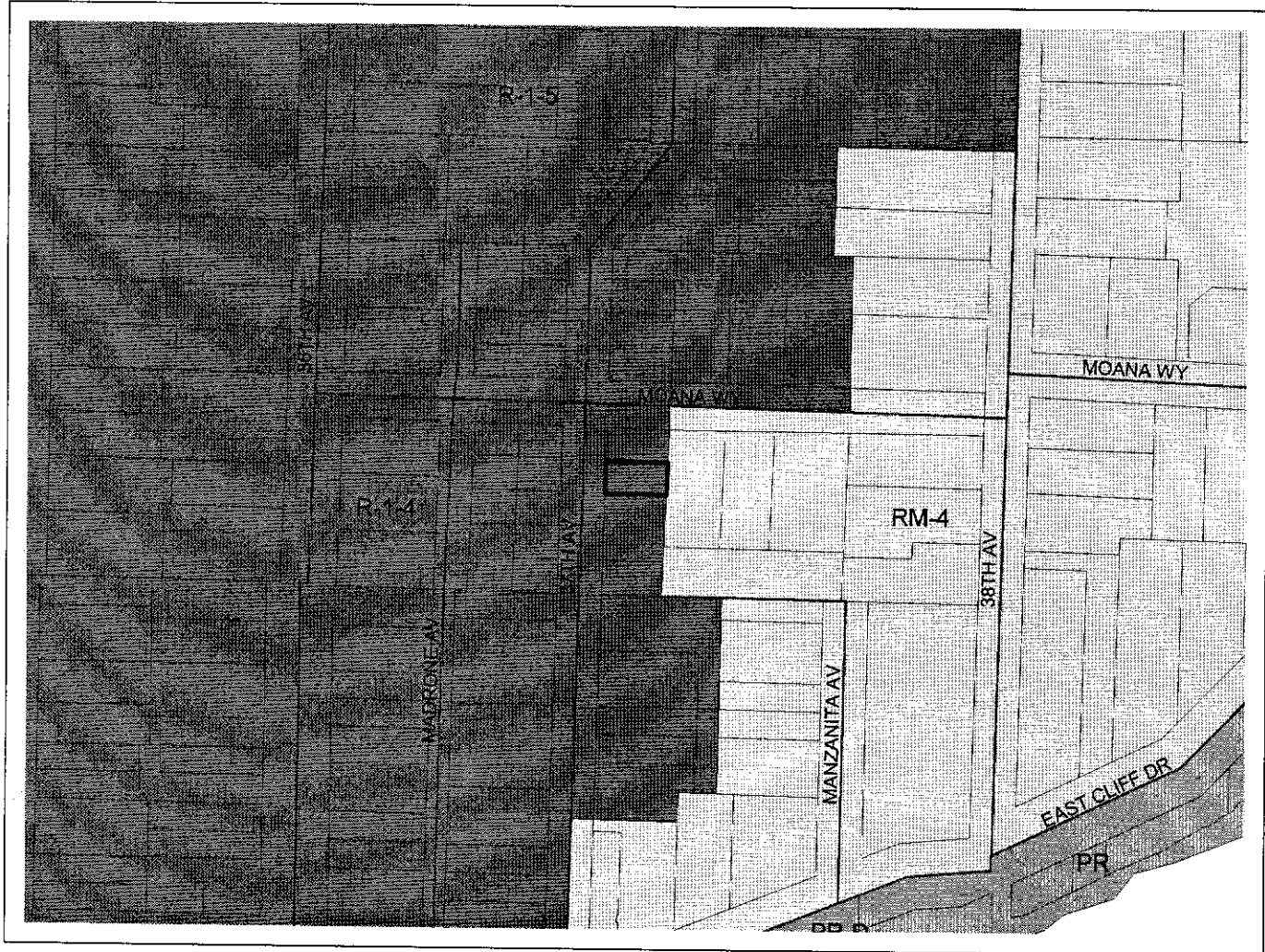


Map created by Santa Cruz County  
Planning Department  
October, 2003

EXHIBIT F



# ing Map



500 0 500 Feet

## Legend

	APN 032-161-21
	Parcel boundaries
	Streets
	R-1-X
	PR
	RM



Map created by Santa Cruz County  
Planning Department:  
October 2003

EXHIBIT G

FOR TAX PURPOSES ONLY  
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1998

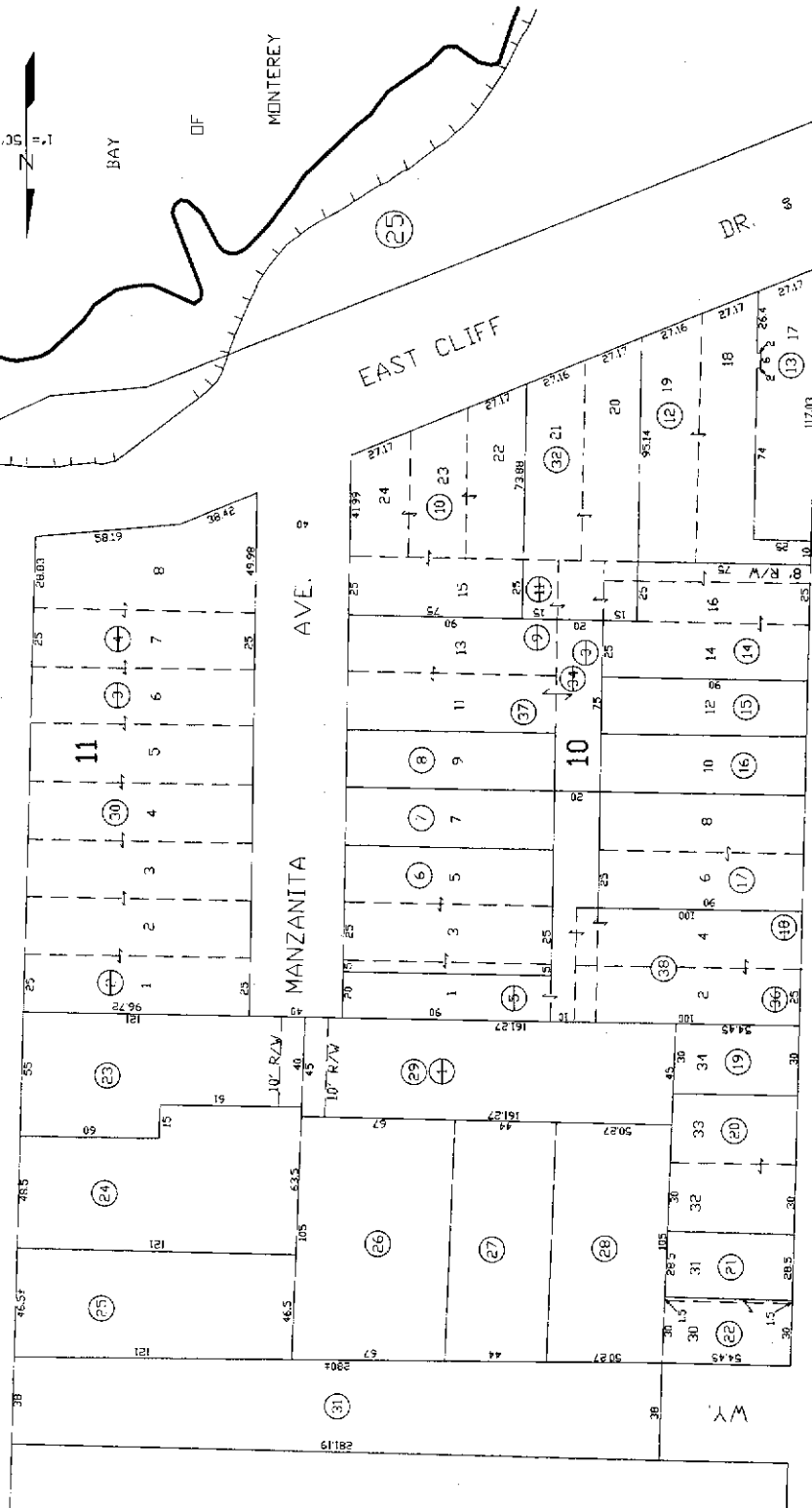
POR. RANCHO ARROYO DEL RODEO  
 E. 1/2 SEC. 21, T.11S., R.1W., M.D.B. & M.

Tax Area Code  
 82-040

32-16

THIRTY-EIGHTH

AVE.



THIRTY-SEVENTH

AVE.

MOANA

Assessor's Map No. 32-16  
 County of Santa Cruz, Calif.  
 October 1998

Note - Assessor's Parcel & Block  
 Numbers Shown in Circles. (15)

**C O U N T Y   O F   S A N T A   C R U Z**  
**D I S C R E T I O N A R Y   A P P L I C A T I O N   C O M M E N T S**

Project Planner: Larry Kasparowitz  
Application No. : 03-0425  
APN: 032-161-21

Date: March 26, 2004  
Time: 12:20:36  
Page: 1

**Environmental Planning Completeness Comments**

===== REVIEW ON OCTOBER 28, 2003 BY ROBERT S LOVELAND =====  
NO COMMENT

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON OCTOBER 28, 2003 BY ROBERT S LOVELAND =====  
NO COMMENT

**Dpw Drainage Completeness Comments**

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

===== REVIEW ON OCTOBER 15, 2003 BY ALYSON B TOM ===== Application with plans dated 10/03 has been received. The application is not complete with regards to drainage.

- 1) Provide site topographic information (such as contours, spot elevations, or drainage slope arrows with grade labels) so that the drainage patterns are clear
- 2) Provide information regarding the existing and proposed drainage plans. The note that downspouts will release to splashblocks is not adequate. Describe where the splashblocks will be located and how runoff will be directed from the splashblocks. Demonstrate that runoff will not adversely impact adjacent or downstream properties and how and where runoff will leave the project site.

- 3) Are the parking areas impervious? Are the parking areas existing or proposed? Describe how these areas will drain.

===== UPDATED ON JANUARY 12, 2004 BY ALYSON B TOM ===== Application with plans revised in November 2003 has been received and is complete for the discretionary stage. Please see miscellaneous comments for issues to be addressed in the building permit stage prior to permit issuance

**Dpw Drainage Miscellaneous Comments**

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

===== REVIEW ON OCTOBER 15, 2003 BY ALYSON B TOM ===== Please note that Zone 5 impervious area fees will be assessed on the net increase in impervious area due to this project. Please clearly describe all existing and proposed impervious areas (roof, driveway, parking, patio etc.).

===== UPDATED ON JANUARY 12, 2004 BY ALYSON B TOM ===== Please address the following prior to building permit issuance.

- 1) Provide a detail for the proposed swales
- 2) Consider outletting drain lines on pervious landscaped areas to attenuate some of the flows. Drain lines should not extend into the county right of way. Provide details for the outlets

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No. : 03-0425  
APN: 032-161-21

Date: March 26, 2004  
Time: 12:20:36  
Page: 2

3) Please note that the proposed parking lot surfacing will be assessed as semi-im pervious. Clearly show all existing impervious areas for fee credit.

All submittals related to this project should be made through the Planning Department

For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

**Dpw Driveway/Encroachment Completeness Comments**

===== REVIEW ON OCTOBER 8, 2003 BY RUTH L ZADESKY =====

Show driveway plan view and centerline profile.

Show existing ground and driveway elevations on profile.

===== UPDATED ON DECEMBER 30, 2003 BY DEBBIE F LOCATELLI =====

Driveway approach to be installed per County of Santa Cruz Design Criteria Part 6 - Driveway & Encroachments.

**Dpw Driveway/Encroachment Miscellaneous Comments**

===== REVIEW ON OCTOBER 8, 2003 BY RUTH L ZADESKY =====

Driveway to conform to County Design Criteria Standards.

Encroachment permit required for all off-site work in the County road right-of-way.

===== UPDATED ON DECEMBER 30, 2003 BY DEBBIE F LOCATELLI =====

Encroachment permit required for all off-site work in the County road right-of-way,

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON OCTOBER 21, 2003 BY RODOLFO N RIVAS =====

A six-foot utility easement dedication is required. Please contact the Department of Public Works to obtain an offer of dedication form. ===== UPDATED ON JANUARY 13, 2004 BY RODOLFO N RIVAS =====

It is acceptable to comply with the 6-foot P.U.E. dedication requirement at the building permit phase. Additionally, with the building permit application show parking layout for two vehicles. NO COMMENT

**Dpw Road Engineering Miscellaneous Comments**

===== REVIEW ON OCTOBER 21, 2003 BY RODOLFO N RIVAS =====

NO COMMENT

===== UPDATED ON JANUARY 13, 2004 BY RODOLFO N RIVAS =====

NO COMMENT

## INTER

## MEMO

APPLICATION NO: **03-0425** (second routing)

Date: March 29, 2004

To: Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a new single family residence at 520 37<sup>th</sup> Avenue, Santa Cruz (Victor and Paula Rinkle / owner, Robin Brownfield / applicant)**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
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
major trees shall be minimized.			N/A
Developers shall be required 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.			N/A
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			N/A
<b>Ridgeline Development</b>			

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			NIA
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			NIA
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			NIA
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			NIA
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)			NIA
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			NIA
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			NIA
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			NIA

The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
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).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
<b>Restoration</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			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
<b>Signs</b>			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only <b>CALTRANS</b> 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
<b>Beach Viewsheds</b>			

Blufftop development and landscaping (e.g., <b>decks</b> , patios, structures, trees, shrubs, etc.) in rural areas shall <b>be</b> set back from the bluff edge a sufficient distance to <b>be</b> out of sight from the shoreline, or if infeasible, not visually intrusive			<b>N/A</b>
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic <b>Hazards</b> ) or Chapter 16.20 (Grading Regulations)			<b>N/A</b>
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			<b>N/A</b>



# BROWNFIELD & ASSOCIATES

ROBIN BROWNFIELD 201 Bayview Ct. Aptos CA 95003 Phone:(831)685-3818 Fax:685-3819

David Heinlein Project Planner  
Planning Department  
701 Ocean Street  
Santa Cruz, CA 95060

November 15,2003

RE: Application #03-0425  
A.P.N. 032-161-21

## VARIANCE JUSTIFICATION STATEMENT

This property is extremely small in size, with many of the surrounding properties in the neighborhood being considerably larger. There are quite a few neighboring properties that enjoy much closer setbacks than even we are proposing. If, in fact, we were to meet the required setbacks the remaining building area would be 15'-6" by 19'-5" (301 sq. ft.).

We are proposing to demolish the existing residence at 520 37<sup>th</sup> Ave. and reconstruct a new single family residence. In doing this, we plan on increasing the front setback from 12' to 15', the rear setback from 4'-9" to 5'-2" and the side setback from 2' to 3'. We also propose to decrease the lot coverage from 37% to 36%. Another major improvement we will be providing is an off-street parking space, which at this present time does not exist.

Due to the unusually small size of this lot and the fact that we will be improving the many non-conforming issues that exist with the existing structure we feel this will be a positive project for the neighborhood.

Sincerely,

Robin Brownfield

FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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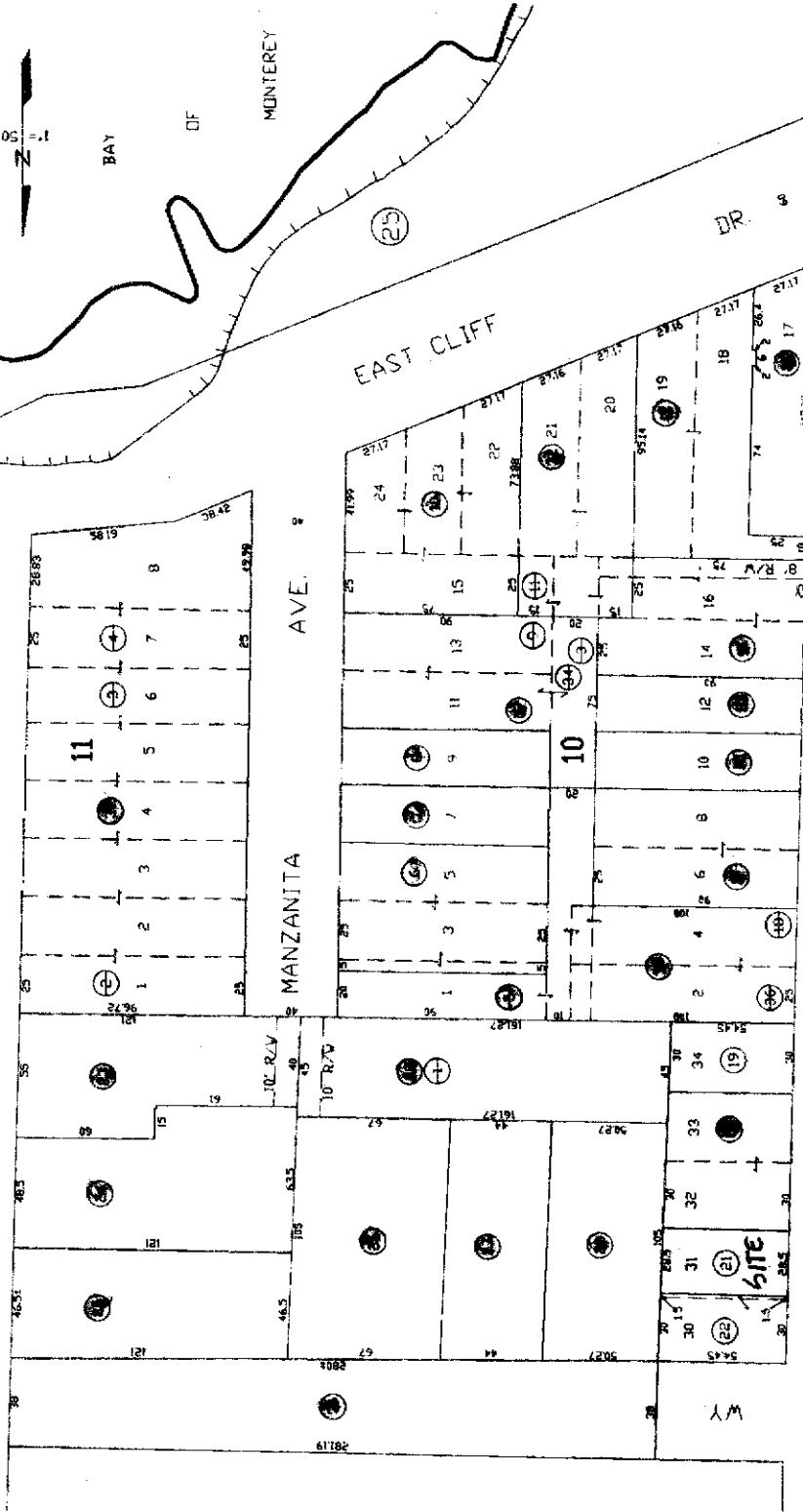
POR. RANCHO ARROYO DEL RODEO  
E. 1/2 SEC. 21, T.11S., R.1W., M.D.B. & M.

Tax Area Code  
82 040

32-16

THIRTY-EIGHTH

AVE.



THIRTY-SEVENTH

AVE.

MDANA

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

(15)

Assessor's Map No. 32-16  
County of Santa Cruz, Calif.  
October 1998

= Much larger lot sizes

THE BREAKERS  
Unfiled

EXHIBIT K



STREET ELEVATION



ENTRY TO BEDROOM

SOMERSON



BATHROOM

