

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 04-0080 **APN:** 045-011-23

APPLICANT: Beverly Kenville

OWNER: Louise White & Steven Fralick

PROJECT DESCRIPTION: Proposal to construct a 859 square foot detached garage.

LOCATION: Property located on the north side of Vista Grande Drive, about 1200 feet west from Bonita Drive.

PERMITS REQUIRED: Coastal Development Permit

ENVIRONMENTAL DETERMINATION: Exempt - Category 3

COASTAL ZONE: X Yes No **APPEALABLE TO CCC:** X Yes No

PARCEL INFORMATION

PARCEL SIZE: 2.7 acres

EXISTING LAND USE:

PARCEL: Single family residence

SURROUNDING: Rural residential neighborhood & Highway One scenic corridor

PROJECT ACCESS: Vista Grande Drive (Off Bonita Drive)

PLANNING AREA: Aptos

LAND USE DESIGNATION: R-R (Rural Residential)

ZONING DISTRICT: RA (Residential Agriculture)

SUPERVISORIAL DISTRICT: 2

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. 5-10 % slopes |
| e. Env. Sen. Habitat | e. Santa Cruz Long Toed Salamander |
| f. Grading | f. 45 cubic yards |
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Highway One Scenic Corridor |
| 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. Septic |
| n. Water Availability | n. Yes |
| o. Archeology | o. Not mapped/no physical evidence on site |

SERVICES INFORMATION

Inside Urban/Rural Services Line: ___ Yes X No
Water Supply: Soquel Creek Water District
Sewage Disposal: Septic
Fire District: Aptos/La Selva Fire Protection District
Drainage District: None

HISTORY

This item was previously reviewed under Application Number 02-0646. At that time, it was discovered that the proposed garage was located outside of the approved building envelope on the subject property. The earlier application was withdrawn and a separate application was made to modify the building envelope (03-0446), which was approved on 12/31/03. The revised building envelope will adequately accommodate the proposed garage.

ANALYSIS AND DISCUSSION

The subject property is a 2.7 acre parcel, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed detached garage is accessory to the principal permitted use within the zone district and the project is consistent with the site's (R-R) Rural Residential General Plan designation.

Detached Garage

The proposed project consists of an approximately 859 square foot detached garage and a driveway to the rear of the subject property. The design and location of the new garage will be compatible with the existing residence and pattern of development within the rural residential neighborhood.

Santa Cruz Long Toed Salamander Habitat

The subject property is located within the mapped habitat of the Santa Cruz Long Toed Salamander. In site visits performed by Environmental Planning staff and Department of Fish and Game representatives, it was determined that the construction of the proposed detached garage and driveway within the existing disturbed lawn area would not result in an impact to Santa Cruz Long Toed Salamander habitat. The placement of the water tank on the slope above the proposed garage was reviewed by both Environmental Planning staff and Department of Fish and Game representatives and was determined not to impact the habitat of the Santa Cruz Long Toed Salamander.

Scenic Issues

The subject property is located within the viewshed of the Highway One scenic corridor. The existing trees and vegetation at the rear of the property, and along the Highway One frontage adequately screen the subject property and the proposed development from view. No visual impact to the Highway One scenic corridor will result from the proposed development.

Coastal Issues

The proposed detached garage 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 with detached accessory structures. 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.

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.

RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application Number **04-0080**, 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. Assessor's parcel map
- F. Zoning map
- G. Comments & 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: Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218 (or, randall.adams@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 RA (Residential Agriculture), a designation which allows residential uses.

The proposed detached garage is accessory to the principal permitted residential use within the zone district, 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.

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 in a pattern consistent with rural residential development; 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 detached 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 RA (Residential Agriculture) 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 and detached accessory structures. 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 detached garage 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 detached garage 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 RA (Residential Agriculture) zone district. The proposed location of the detached garage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA zone district in that the primary use of the property will be a single family residence and a detached garage that meet all current site standards for the zone district.

3. THAT THE PROPOSED USE IS CONSISTENT WITH ALL ELEMENTS OF THE COUNTY GENERAL PLAN AND WITH ANY SPECIFIC PLAN WHICH HAS BEEN ADOPTED FOR THE AREA.

The project is located in the Rural Residential (R-R) 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 (Rural Residential).

The proposed detached garage 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 detached garage 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 detached garage 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 detached garage will comply with the site standards for the RA zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The proposed development will comply with the requirements of General Plan Policy 5.10.1 (Development Visible from Rural Scenic Roads), in that the proposed site for the detached garage is adequately screened from view by existing vegetation between the project site and the Highway One scenic corridor.

The proposed detached garage will comply with the requirements of General Plan Policy 5.1.6 (Development Within Sensitive Habitats), in that the proposed detached garage, driveway, and water tank will be located on the project site in existing disturbed areas that will not result in an impact to existing habitat of the Santa Cruz Long Toed Salamander.

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 detached garage on ~~an~~ existing parcel developed with a single family dwelling. No increase in traffic generation will result from the proposed development.

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 detached garage 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 a detached garage in a rural residential neighborhood of homes and detached accessory structures. The existing single family dwelling and the proposed detached garage will result in a pattern of development that 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.

The proposed development is consistent with the Design Standards and Guidelines of the County Code in that the proposed detached 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.

CONDITIONS OF APPLICANT

Exhibit A: Project Plans entitled, "Detached Garage", 5 sheets, prepared by Beverly Kenville, dated 2/25/04.

- I. This permit authorizes the construction of an approximately 859 square foot detached garage, driveway access to the garage, and the installation of a water tank and associated plumbing, as shown on the approved Exhibit "A" for 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.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
- 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. Grading, drainage, and erosion control plans. Including details of the protective measures to ensure survival of Santa Cruz Long Toed Salamanders that may attempt to enter the construction site.
 3. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay all required drainage fees to the County Department of Public Works, Drainage.
 - D. Obtain an Environmental Health Clearance and pay the required review fees for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.

- F. Complete and record a Declaration of Restriction to construct a detached garage.
YOU MAY NOT ALTER THE WORDING OF THIS DECLARATION.
Follow the instructions to record and return the form to the Planning Department.

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. 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.**

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Randall Adams
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.: 04-0080

Assessor Parcel No.: 045-011-23

Project Location: 122 Vista Grande Drive

Project Description: Proposal to construct a detached garage.

Person or Agency Proposing Project: Beverly Kenville

Contact Phone: (831) 464-3973

- 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:

Randall Adams, Project Planner

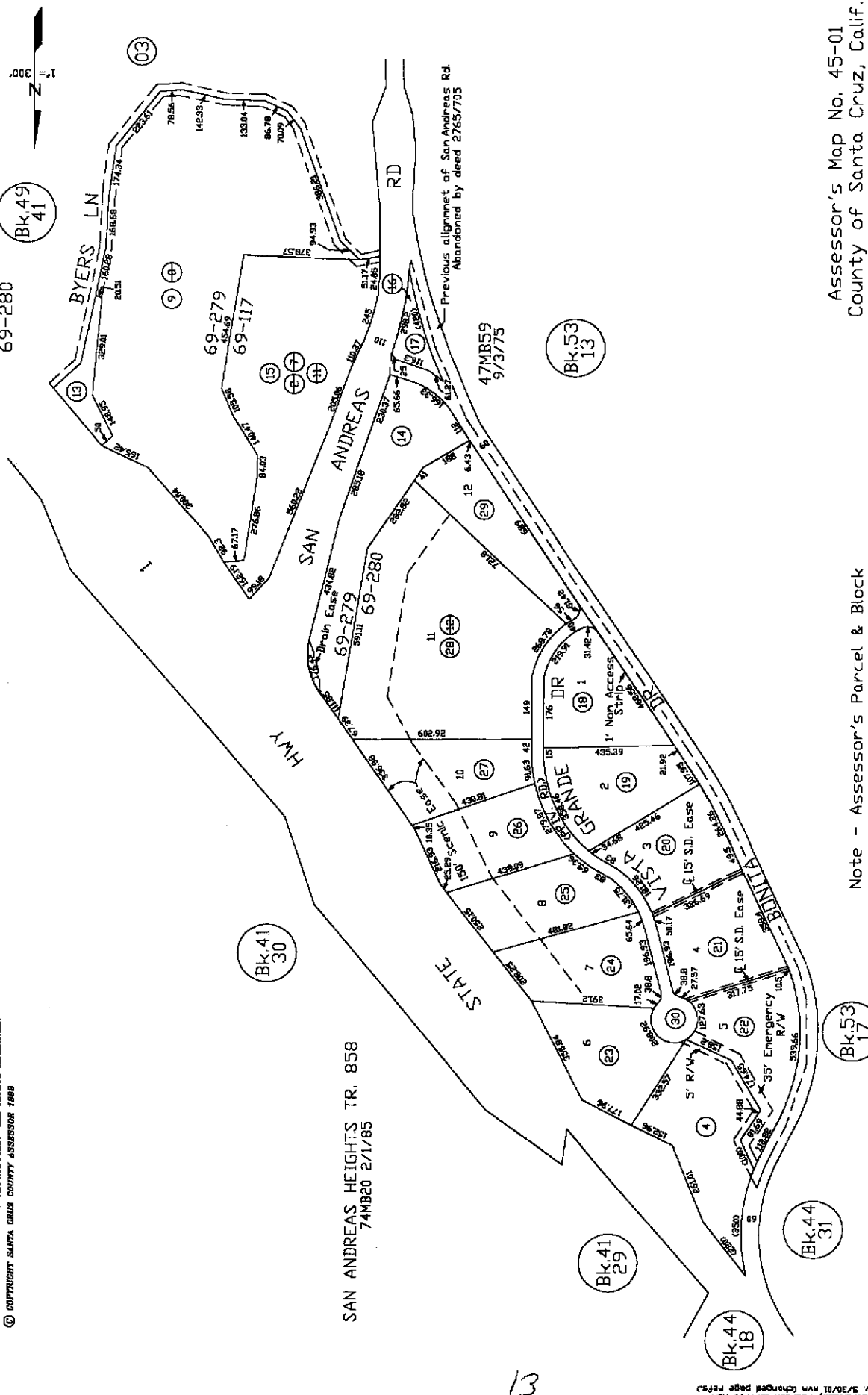
Date: _____

45-01

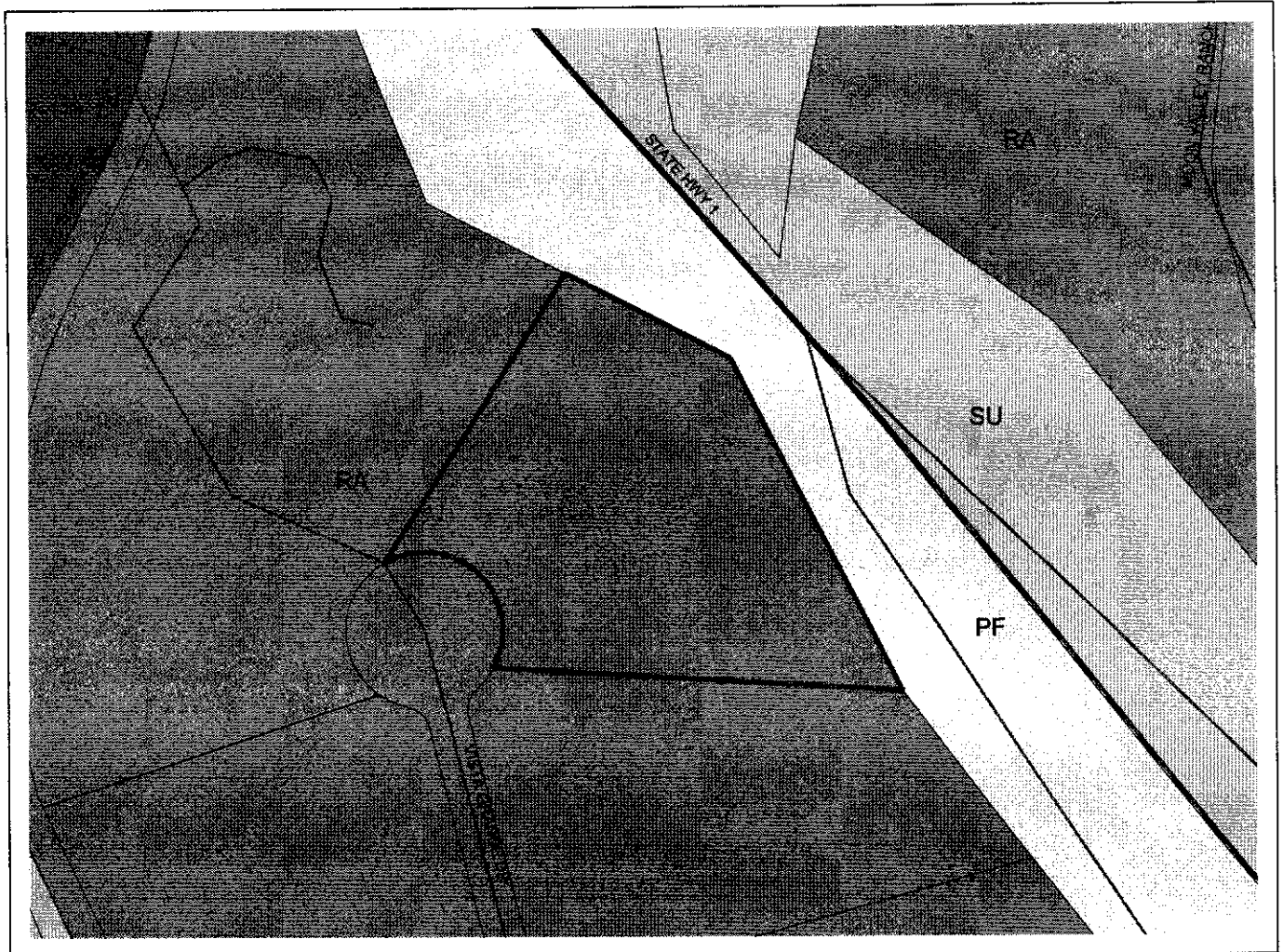
Assessor's Map No. 45-01
County of Santa Cruz, Calif.

Note - Assessor's Parcel & Block

EXHIBIT E

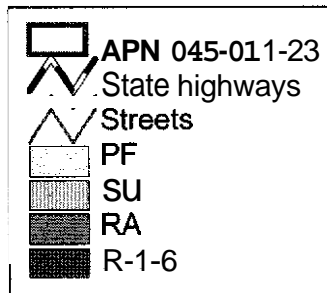


Zoning Map



200 0 200 400 600 Feet

Legend



Map created by Santa Cruz County
Planning Department:
March 2004

EXHIBIT F

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: Randal1 Adams
Application No. : 04-0080
APN: 045-011-23

Date: April 19, 2004
Time: 11:38:59
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Environmental Planning Completeness Comments

===== REVIEW ON MARCH 16, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON MARCH 16, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 8, 2004 BY ALYSON B TOM ===== Application with plans dated 2/25/04 has been received and is complete with regards to drainage for the discretionary stage. Please see miscellaneous comments for issues that should be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 8, 2004 BY ALYSON B TOM ===== The following comment should be addressed prior to building permit issuance.

- 1) Please provide details for the pipe outlets
- 2) Describe how safe overflow will be accomodated in the french drain system.
- 3) Submit a letter from the project geotechnical engineer approving of the final drainage plan (referring to dated plans) and stating that the proposed plan will maintain pre-development runoff rates leaving the site. Since this site is located in a groundwater recharge zone it must be clear that the site soils, slopes, and drainage will allow for all of the additional runoff due to this project to infiltrate back into the ground.

All submittals should be made through the planning department. For questions regarding this review public works storm water management staff is available from E-12 monday through friday.

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON MARCH 12, 2004 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 Build' Permit phase.
Plan check is based upon plans submitted to this office. Any changes or alteration

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Randal Adams
Application No.: 04-0080
APN: 045-011-23

Date: April 19, 2004
Time: 11:38:59
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shall be re-submitted for review prior to construction

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON MARCH 12, 2004 BY ERIN K STOW =====
NO COMMENT

EXHIBIT G