



## Staff Report to the Zoning Administrator

Application Number: **04-0640**

**Applicant:** Miguel Podolsky

**Agenda Date:** March 4, 2005

**Owner:** Courtney Goff and Mary Willis-Goff

**Agenda Item #:** 5

**APN:** 028-211-11

**Time:** After 10:00 a.m.

**Project Description:** Proposal to construct a new two story, single family dwelling with a three car garage on a vacant parcel.

**Location:** Sixteenth Avenue, Santa Cruz

**Supervisory District:** First District (District Supervisor: Janet K. Beautz)

**Permits Required:** Coastal Development Permit.

### Staff Recommendation:

- Approval of Application 04-0640, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

### Exhibits

- |    |  |    |                                      |
|----|--|----|--------------------------------------|
| A. | Project plans                              | F. | General Plan Map                     |
| B. | Findings                                   | G. | Zoning map                           |
| C. | Conditions                                 | H. | Colors and Front Elevation rendering |
| D. | Categorical Exemption (CEQA determination) |    | (ZA packet only)                     |
| E. | Location map                               |    |                                      |

### Parcel Information

Parcel Size:	7,200 sq. ft.
Existing Land Use - Parcel:	vacant
Existing Land Use - Surrounding:	Single-family residential
Project Access:	Sixteenth Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UL (Residential Urban Low Density)
Zone District:	R-1-6 (6,000 sq. ft. min. site area)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

## Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: N/A  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: One small Palm is proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Traffic: N/A  
Roads: Existing roads adequate  
Parks: Existing park facilities adequate  
Archeology: Not mapped/no physical evidence on site

## Services Information

Urban/Rural Services Line:  X  Inside      Outside  
Water Supply: City of Santa Cruz Water Department  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: 5

## History

This application was received on December 16, 2004 and deemed complete on January 15, 2005.

## Project Setting

The proposed residence is sited on a vacant lot in the middle of the block on Sixteenth Avenue between East Cliff Drive and Monterey Bay. Geoffroy Drive begins at Sixteenth Avenue and wraps around the property one lot away at the rear. The neighboring residences are one and two story homes in a variety of architectural styles. There is one small palm on the edge of the property that will be removed for the construction of the residence.

## Local Coastal Program Consistency

The proposed single family dwelling 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.

### Zoning & General Plan Consistency

The subject property is a 7,200 square foot lot, located in the **R-1-6** (6,000 sq. ft. min. site area) zone district, a designation that allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Residential Urban Low Density General Plan designation.

### SITE DEVELOPMENT STANDARDS TABLE

	<b>R-1-6 Standards</b>	<b>Proposed Residence</b>
<b>Front yard setback:</b>	20 feet (residence and front of garage)	20'-0"
<b>Side yard setback:</b>	5 feet / 8 feet	5 feet / 8 feet
<b>Lot Coverage:</b>	30 % maximum	29.9 %
<b>Building Height:</b>	28 feet maximum	24'-10"
<b>Floor Area Ratio (F.A.R.):</b>	0.5:1 maximum (50 %)	48 %
<b>Parking</b>	4 bedrooms – 3 (18' x 8.5')	three in garage two uncovered

### Design Review

The proposed single family dwelling is subject to Chapter 13.20 (the Coastal Development standards and not to 13.11 (the Design Review standards) and therefore only has to meet the test of neighborhood compatibility. The neighboring structures are both one and two stories and have a wide variety of architectural styles. This residence has been designed to have simple, modern features that will not detract from the neighborhood.

### Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban *Services* line, is already served by existing water and sewer utilities, and no change of use is proposed.

### 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.

Application# **04-0640**  
APN: **028-211-11**  
Owner: **Courtney Goff and Mary Willis-Goff**

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#### Staff Recommendation

- APPROVAL of Application Number **04-0640**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)

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## 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.

This finding can be made, in that the property is zoned R-1-6 (6,000 sq. ft. min. site area), a designation that allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UL) Residential Urban Low Density General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that 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.

This finding can be made, 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.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single family dwelling 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.

This finding can be made, 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 (6,000 sq. ft. min. site area) 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.

This finding can be made, 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 dwelling 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.

This finding can be made, in that the proposed location of the single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (6,000 sq. ft. min. site area) zone district in that the primary use of the property will be one single family dwelling that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Residential Urban Low Density (R-UL) land use designation in the County General Plan.

The proposed single family dwelling 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 dwelling 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 dwelling 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 dwelling will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed single family dwelling is to be constructed on an existing undeveloped 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.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family dwelling is consistent with the land use intensity and density of the neighborhood.

## Conditions of Approval

Exhibit A: Architectural plans prepared by Miguel Podolsky, Architect dated 11/12/04 and revised 1/25/05.

A. This permit authorizes the construction of a Currently, these fees are, respectively, \$109 per bedroom, but are subject to change.

II. single family dwelling with attached garage. 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 an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.

III. 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 prepared and stamped by a licensed Geotechnical Engineer, if required.
- F. Pay the current fees for Parks and Child Care mitigation for four bedroom(s). Currently, these fees are, respectively, \$109 per bedroom, but are subject to change.

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**EXHIBIT C**



- G. Pay the current fees for Roadside and Transportation improvements for one unit. Currently, these fees are, respectively, \$2,000 per unit, but are subject to change.
  - H. Provide required off-street parking for three 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.
  - I. 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.
- 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.

Application #: 04-0640  
APN: 028-211-11  
Owner: Courtney Goff and Mary Willis-Gaff

**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

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

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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: 04-0640

Assessor Parcel Number: 028-211-11

Project Location: Sixteenth Avenue, Santa Cruz

Project Description: Proposal to construct a new two story, single family dwelling with a three car car garage on a vacant parcel.

Person or Agency Proposing Project: Miguel Podolsky

Contact Phone Number: (831) 763-1550

- 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. ☒ Categorical Exemption

Specify **type**: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

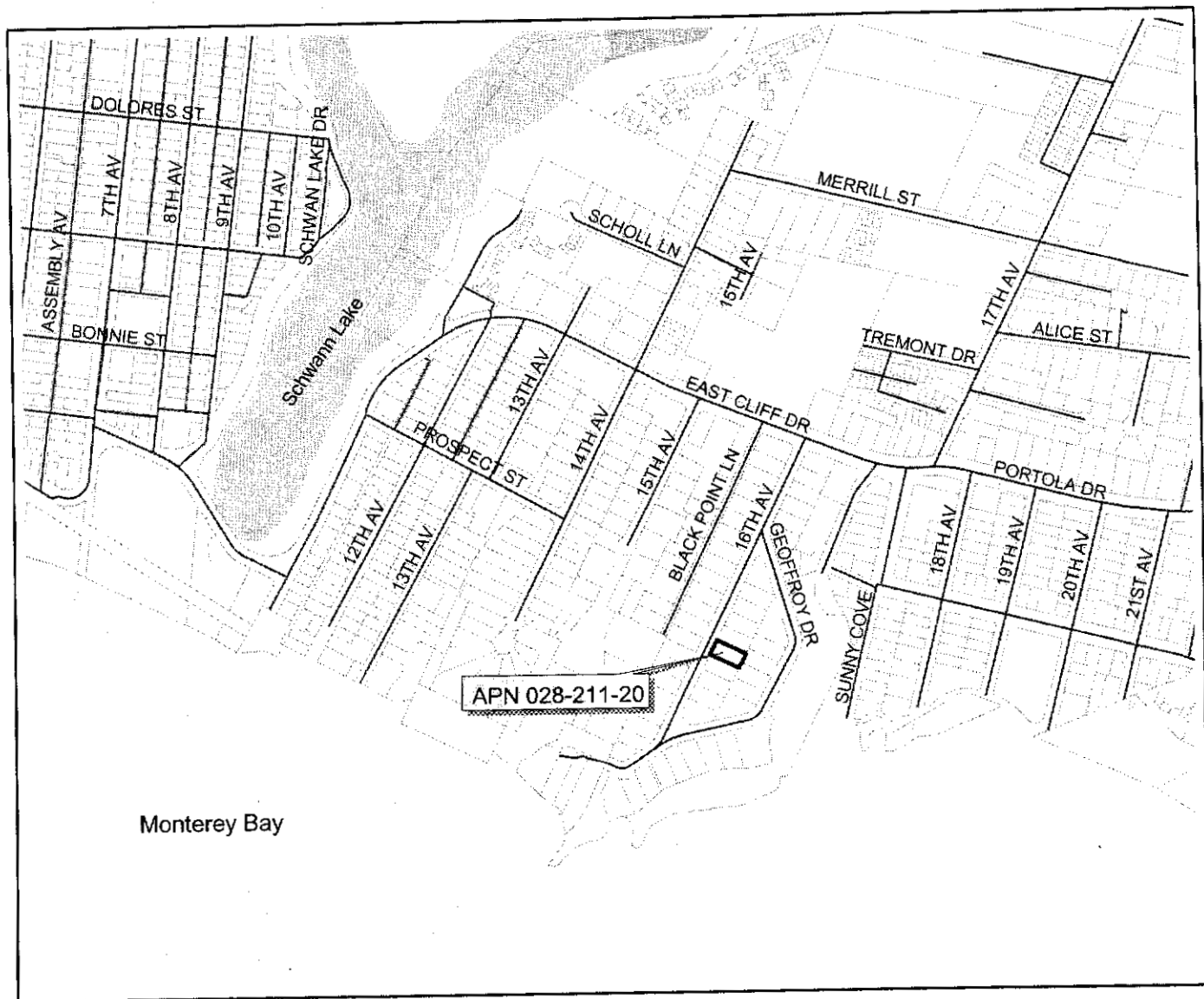
- F. Reasons why the project is exempt: new single family dwelling in a developed area.

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

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

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

# Location Map

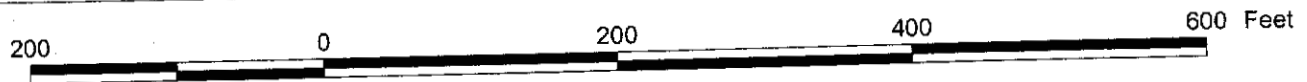
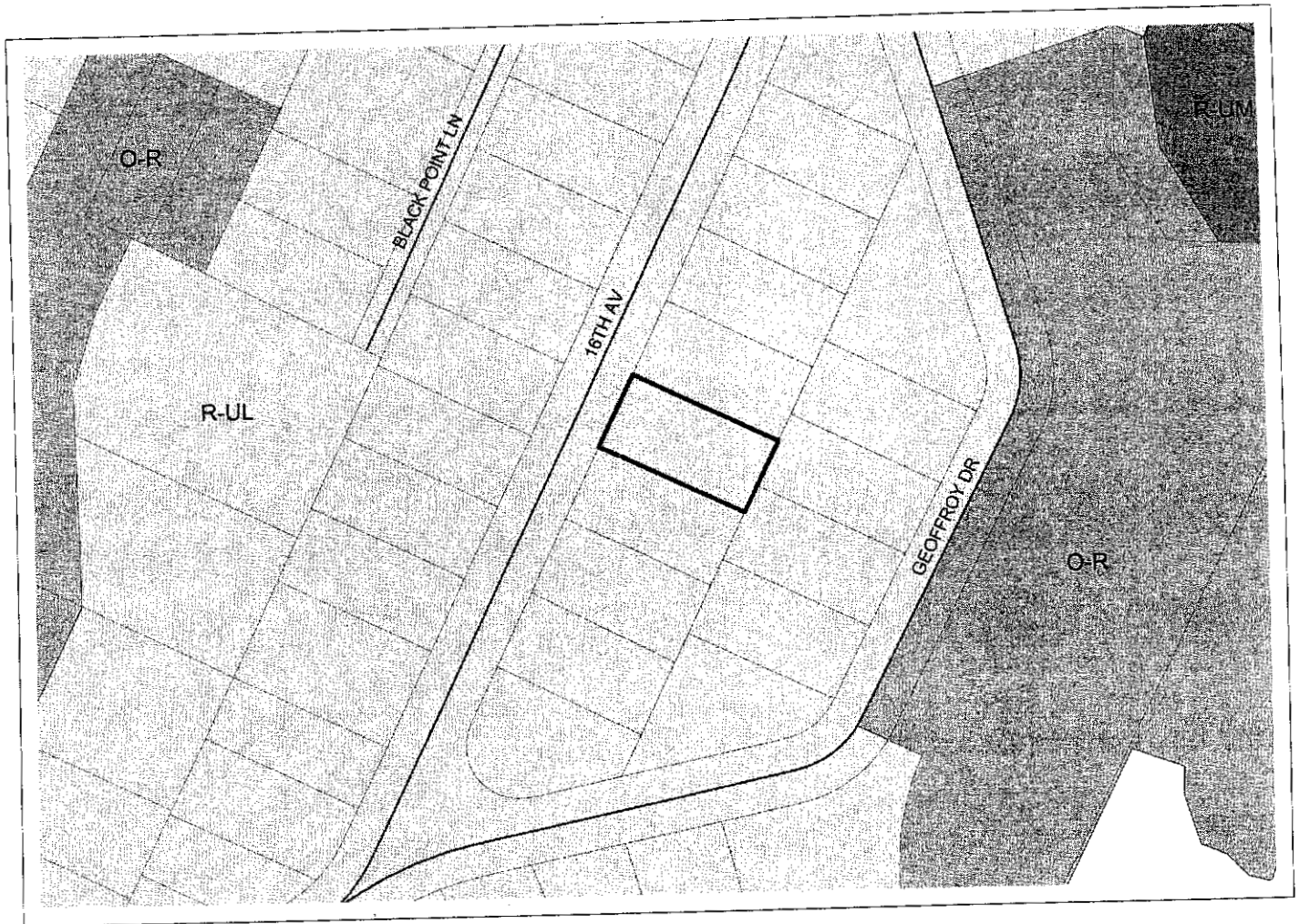


Map created by Santa Cruz County  
Planning Department:  
December 2004









EXHIBIT E

# General Plan Map



## Legend

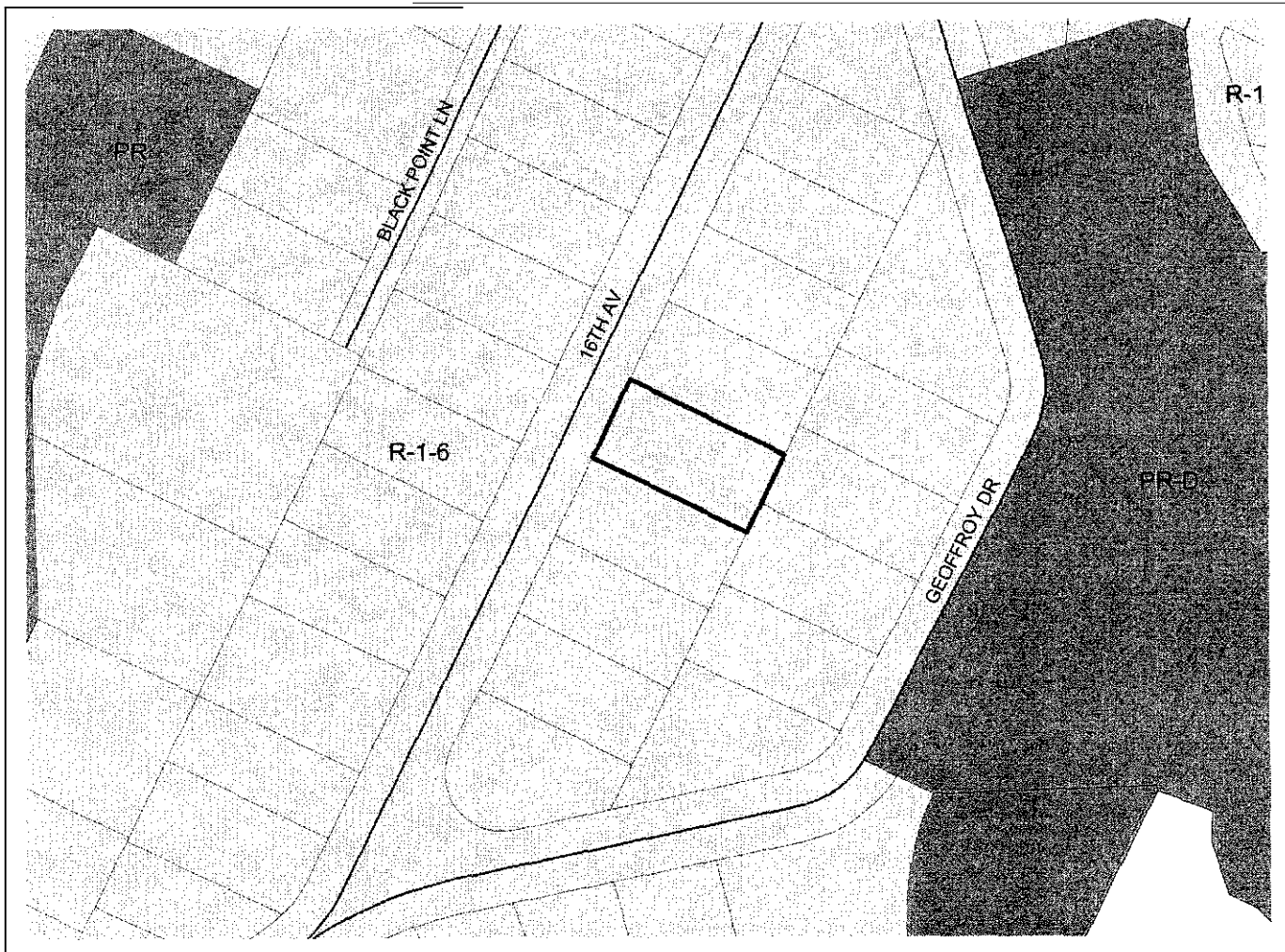
-  APN 028-211-20
-  Parcel boundaries
-  Streets
-  Parks and Recreation (O-R)
-  Residential - Urban Low Density (R-UL)
-  Residential - Urban Medium Density (R-UM)



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December 2004






EXHIBIT F

# Zoning Map



200 0 200 400 600 Feet

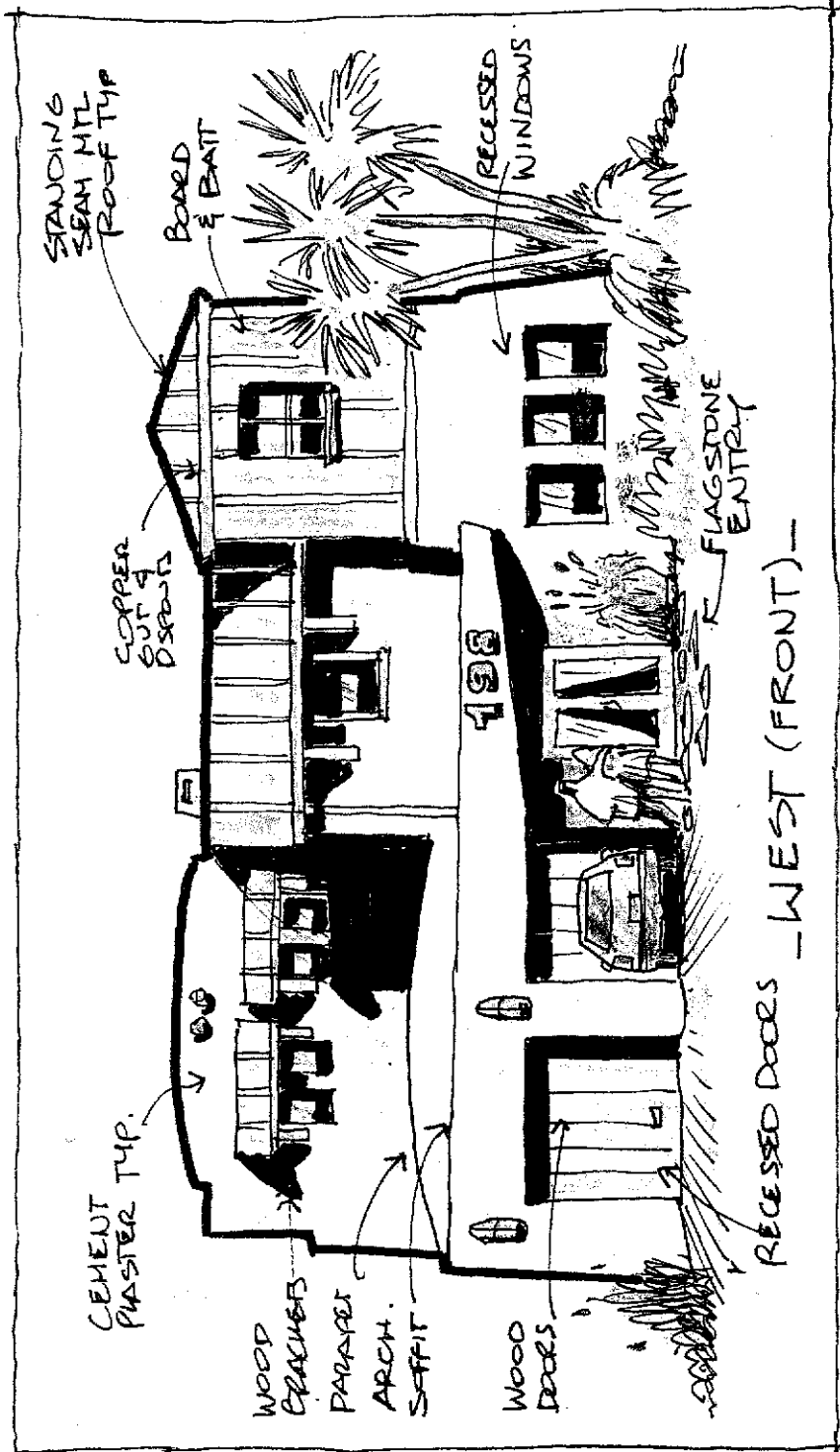
## Legend

-  APN 028-211-20
-  Parcel boundaries
-  Streets
-  Single-Family Residential (R-1-6)
-  Parks, Recreation, and Open Space (PR)



Map created by Santa Cruz County  
Planning Department:  
December 2004

EXHIBIT G



# 16th Avenue Residence - Preliminary design -