



Staff Report to the Zoning Administrator

Application Number: **04-0345**

Applicant: Dennis Anderson, Architect
Owner: Uriel and Akami Chee
APN: 033-162-49

Agenda Date: May 6, 2005
Agenda Item # 7
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing single story, single family residence and construct a 4,125 sq. ft., 4 bedroom residence with a two car attached garage.

Location: 4425 Opal Cliff Drive, Santa Cruz

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

Permits Required: Coastal Development Permit, Residential Development permit

Staff Recommendation:

- Approval of Application 04-0345, 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 | E. Location map |
| B. Findings | F. General Plan map |
| C. Conditions | G. Zoning map |
| D. Categorical Exemption (CEQA determination) | H. Discretionary Application Comments |

Parcel Information

Parcel Size:	8,838 sq. ft.
Existing Land Use - Parcel:	Single family dwelling
Existing Land Use - Surrounding:	residential
Project Access:	Opal Cliff Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Residential Urban Medium Density)
Zone District:	R-1-5 (5,000 sq. ft. min. site area)

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

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

Services Information

Urban/Rural Services Line: ☒ 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: Zone 5

History

This project was received on August 26, 2004 and deemed complete on March 22, 2005.

Project Setting

The project is located approximately half way along Opal Cliff Drive on the inland side at the corner of Court Drive. Opal Cliff Drive contains predominantly two story single family residences.

Zoning & General Plan Consistency

The subject property is a 8,838 square foot lot, located in the R-1-5 (5,000 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-UM) Residential Urban Medium Density General Plan designation.

	R-1-5 Standards	Proposed Residence
Front yard setback: Court Drive and Opal	20 feet (residence and front of garage)	20'-0"
Side yard setback:	5 feet	5' - 0"
Lot Coverage:	30 % maximum	30 %
Building Height:	28 feet maximum	27'- 8"
Floor Area Ratio (F.A.R.):	0.5:1 maximum	.43
Parking	3 bedrooms – 3 (18' x 8.5')	two in garage two uncovered

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.

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.

Staff Recommendation

- **APPROVAL** of Application Number **04-0345**, 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

Report Prepared By: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
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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-1-5 (5,000 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-UM) Residential Urban Medium 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-1-5 (5,000 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-1-5 (5,000 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 Medium Density (**R-UM**) 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-1-5 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 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.

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 Dennis Anderson, Architect dated July 23, 2004. Drainage plan and survey prepared by Bowman and Williams, Consulting Civil Engineers, date February 17, 2005.

- I. This permit authorizes the construction of a (n) single family dwelling. 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building 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. 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.
 - 3. 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.

- F. Pay the current fees for Parks and Child Care mitigation for one bedroom.
 - G. Pay the current fees for Roadside and Transportation improvements for one bedroom.
 - 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.
111. 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.
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Application # 04-0345
APN 033-162-49
~~Owner:~~ Uriel and Akami Chee

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

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: 04-0345
Assessor Parcel Number: 033-162-49
Project Location: 4425 Opal Cliff Drive, Santa Cruz

Project Description: Proposal to demolish an existing single story, single family residence and construct a 4,125 sq. ft., 4 bedroom residence with a two car attached garage.

Person Proposing Project: Dennis Anderson, Architect

Contact Phone Number: (408) 354-9329

- 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

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

F. Reasons why the project is exempt:

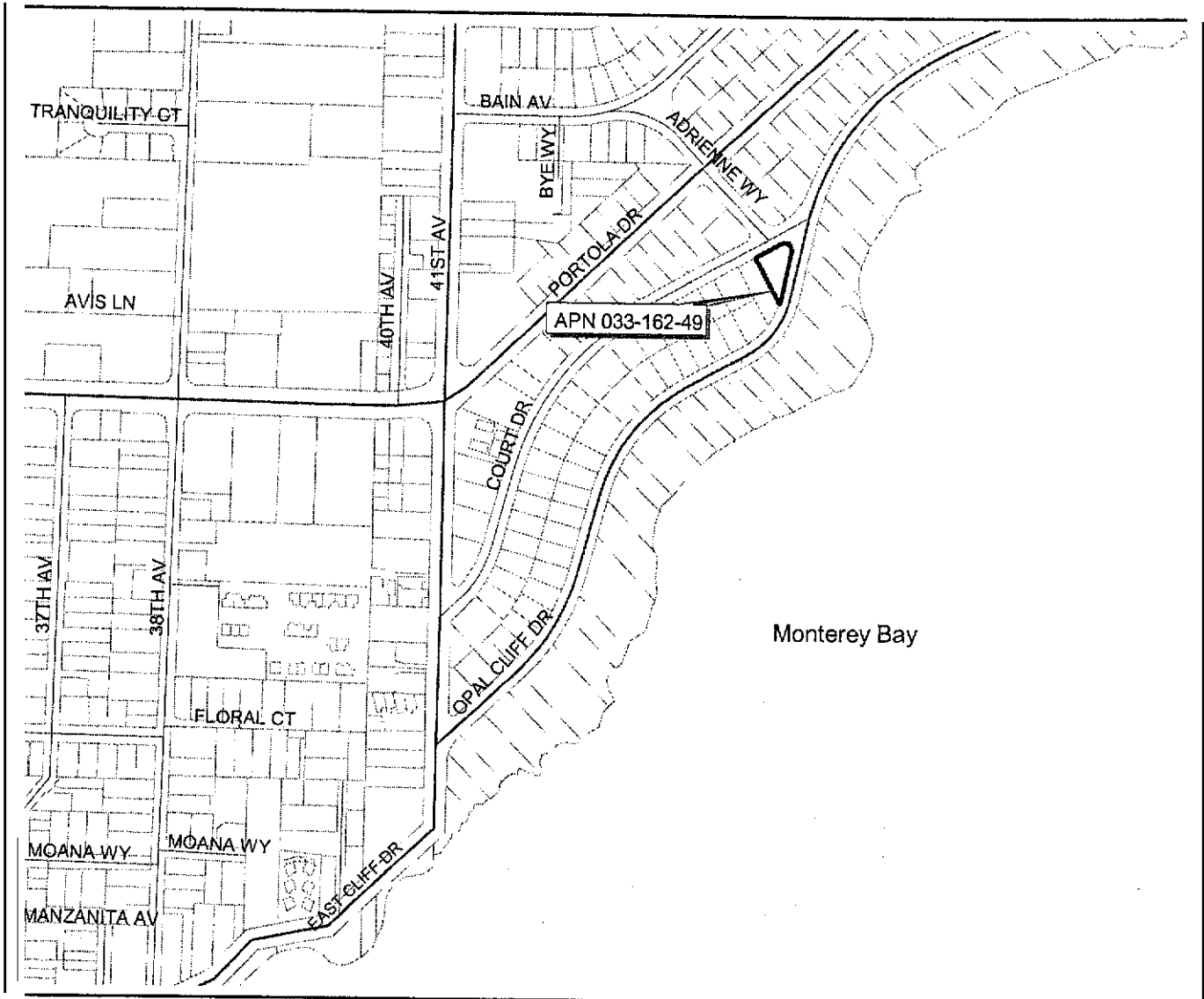
New single family dwelling replacing an existing single family dwelling.

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

Lawrence Kasparowitz, Project Planner

Date: _____

Location Map

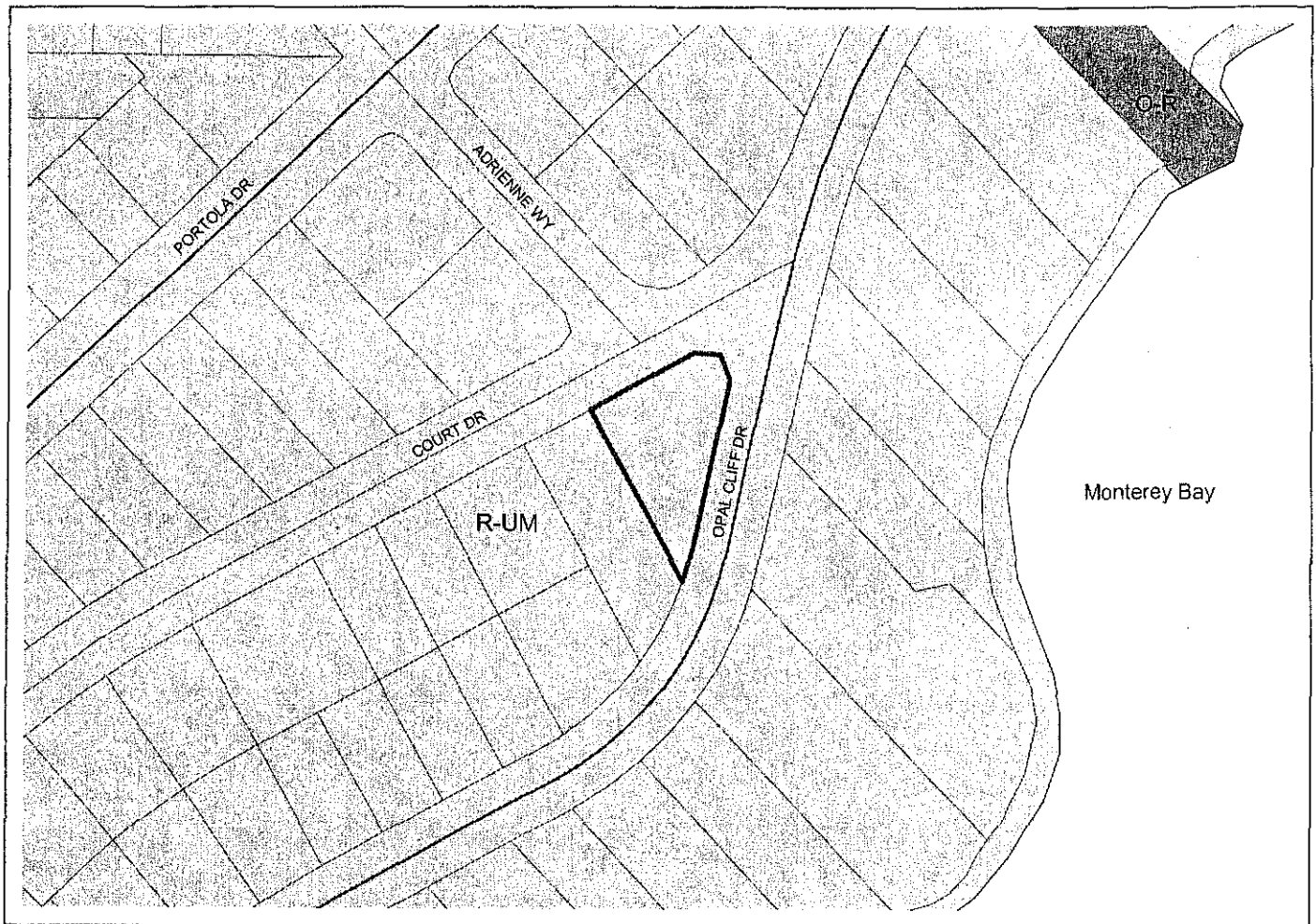


1000 0 1000 Feet

Map created by Santa Cruz County
Planning Department:
July 2004







General Plan Map



200 0 200 400 600 Feet

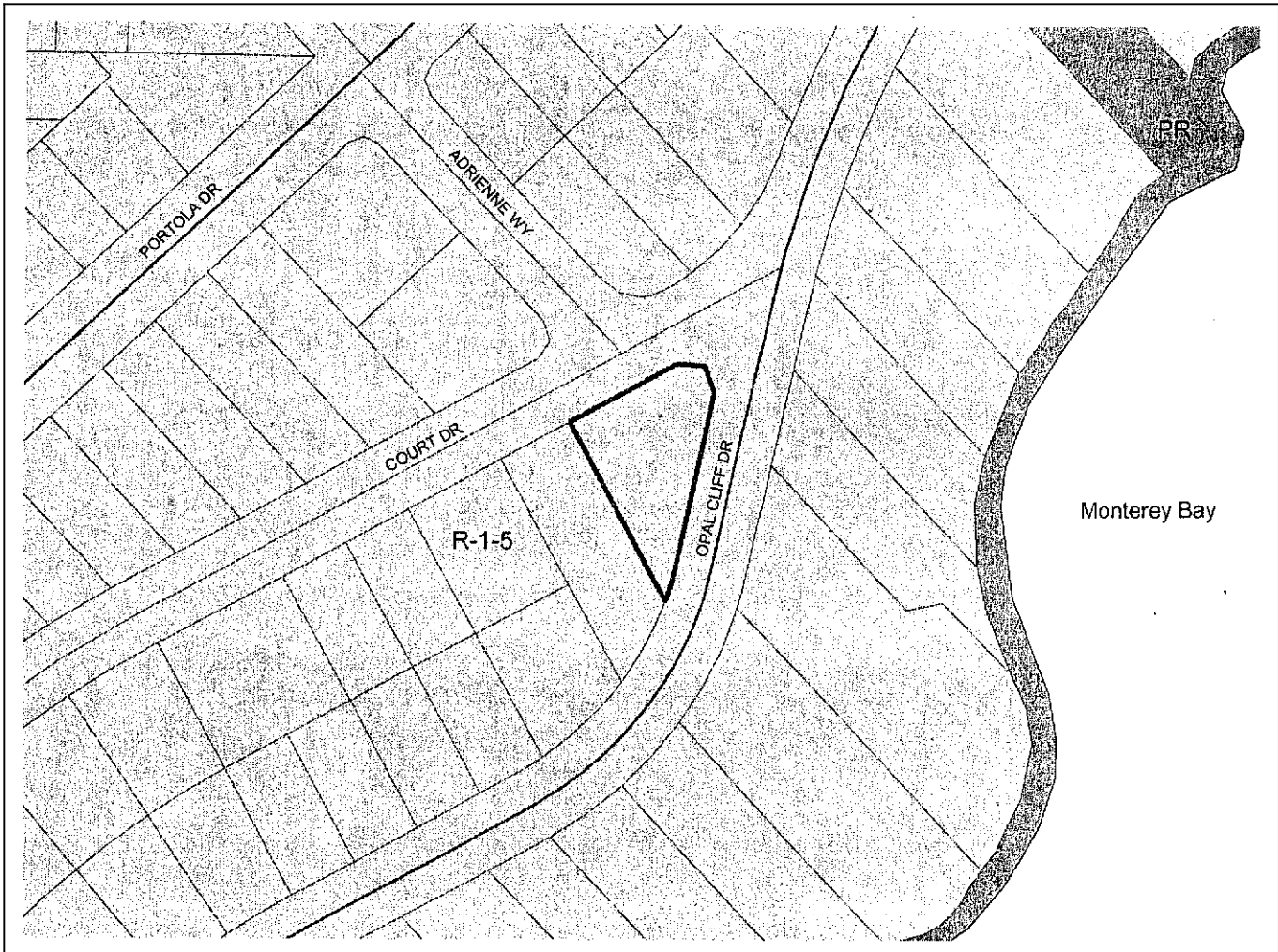
Legend

-  APN 033-162-49
-  Streets
-  Parks and Recreation
-  Residential- Urban Medium Density







Map created by Santa Cruz County
Planning Department:
July 2004

Zoning Map



200 0 200 400 600 Feet

Legend

-  APN 033-162-49
-  Streets
-  R-1-5
-  PR



Map created by Santa Cruz County
Planning Department:
July 2004

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. : 04-0345
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Date: March 22, 2005
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Environmental Planning Completeness Comments

===== REVIEW ON AUGUST 2, 2004 BY JESSICA L DEGRASSI =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 2, 2004 BY JESSICA L DEGRASSI =====
Submit erosion and sediment control plans for building permit submittal

Dpw Drainage Completeness Comments

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

===== REVIEW ON AUGUST 30, 2004 BY CARISA REGALADO =====
No drainage information has been shown to consider acceptance of this application. To be approved by this division at the discretionary application stage, all potential off-site impacts and mitigations must be determined. Proposed projects must conclusively demonstrate that (see drainage guidelines):

- The site is being adequately drained.
- Site runoff will be conveyed to the existing downstream drainage conveyance system or other safe point(s) of release, if taken off-site.
- The project will not adversely impact roads and adjacent or downslope properties if taken off-site.

Please clarify the following items:

- 1) What is the existing drainage pattern?
- 2) What is the proposed drainage pattern?
- 3) How will runoff from this development be handled? Will roof and impervious pavement runoff be retained on-site or directed off-site? Please show on-site drainage system to be used, including downspouts, perforated pipe, etc., plus direction of flow and conveyance to existing off-site drainage system, if any. If flow will be directed to an existing off-site drainage system, the system conditions and the point of release must be described.
- 4) If directing runoff off-site, please show that areas and structures along the flow path will not be impacted or erosion caused by this development.
- 5) In developing the drainage plan for this project, please refer to your previous discretionary application, 02-0064, for details and comments that may also apply to this project, if you chose to use the same drainage design or direct runoff off-site.

Project Planner: Larry Kasparowitz
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If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

Please call or visit the Dept. of Public Works. Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions. ===== UPDATED ON MARCH 15, 2005 BY ALYSON B TOM ===== Application with drainage calculations and updated plans dated 2/17/05 has been received and is complete with regards to drainage for the discretionary stage. However, the proposed swale and inlet in the County road right-of-way required approval by the DPW Driveway Encroachment (per conversation with J. Swenson).

Please see miscellaneous comments for drainage issues to 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 AUGUST 30, 2004 BY CARISA REGALADO =====

For increases in impervious area, a drainage fee will be assessed. The fees are currently \$0.85 per square foot. (See 2004/05 Santa Cruz County Department of Public Works Service & Capital Improvement Fees.) Therefore, for the building application stage, please submit the following items:

- 1) List amount of new impervious area to be constructed by this project on the plans.
- 2) List amount of existing impervious area to be demolished by this project on the plans and submit documentation verifying these amounts. Suitable documentation includes photos and Assessor's records. If photos are used, these must clearly define the year it represents; therefore, it is recommended that a copy of the Assessor's records, including the construction page, be submitted accounting for permitted area. ===== UPDATED ON MARCH 15, 2005 BY ALYSDN B TOM ===== The following items should be addressed prior to building permit issuance:

- 1) An encroachment permit is required for all work in the County road right-of-way, including the proposed swale and inlet.
- 2) The proposed inlet on Court Street should be acceptable to DPW driveway encroachment.
- 3) Zone 5 fees will be assessed on the net increase in impervious area due to the project.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====
no comment

Dpw Driveway/Encroachment Miscellaneous Comments

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===== REVIEW ON JULY 28, 2004 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.

Fencing is not allowed within the County road right-of-way.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====

1. The driveway ~~must~~ meet County of Santa Cruz standards. Please provide the following information for the driveway: The structural section, a centerline profile, and a typical cross section.

2. Indicate on plans how the driveway will connect to Opal Cliff Dr. and if there is existing curb, gutter, and sidewalk.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====

NO COMMENT

