



Staff Report to the Zoning Administrator

Application Number: **05-0198**

Applicant: Lindeke Construction Inc.
Owner: Lindeke Construction Inc.
APN: 042-052-62

Agenda Date: 7/15/05
Agenda Item #: 4
Time: After 10:00 a.m.

Project Description: Proposal to construct a two story single family dwelling.

Location: Property located on the east side of Seacliff Drive 100 feet north of the intersection with Valencia Avenue.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required Coastal Development Permit

Staff Recommendation:

- Approval of Application 05-0198, 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. Assessor's parcel map |
| B. Findings | F. Zoningmap |
| C. Conditions | G. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | |

Parcel Information

Parcel Size:	4,182 square feet (applicant)
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	Seacliff Drive
Planning Area:	Aptos
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-4 (Single family residential - 4,000 square foot minimum)

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

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: No report required
Fire Hazard: Not a mapped constraint
Slopes: 2-5%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: No archeological review required

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Zone 6 Flood Control District

Project Setting

The subject property is located adjacent to Seacliff Drive in a residential neighborhood. To the rear (east) of the subject property is a narrow right of way and several small single family dwellings which are constructed at the top of the slope above Aptos Creek. A single family dwelling (approved under Coastal Development Permit 04-0056) is currently under construction to the south. The subject property is relatively level and is currently fenced as a staging area for the construction of the adjacent residence, otherwise the parcel is vacant.

Zoning & General Plan Consistency

The subject property is a 4,182 square foot lot, located in the R-1-4 (Single family residential - 4,000 square foot minimum) zone district, a designation which allows residential uses. The proposed single family residence is a principal permitted use within the zone district and the project is consistent with the site's (R-UM) Urban Medium Density Residential General Plan designation.

Local Coastal Program Consistency

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 located between the shoreline and the first public road, with existing public beach access at Río Del Mar and Seacliff State Beach, 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.

Design Review

The proposed single family residence complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a pitched roof, arched windows, and projected porches and decks to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

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 **05-0198**, 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: Randall Adams
Santa Cruz County Planning Department
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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-1-4 (Single family residential - 4,000 square foot minimum), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium Density 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.

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.

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 located between the shoreline and the first public road with existing public beach access at Río Del Mar and Seacliff State Beach. Consequently, the single family residence will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

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-1-4 (Single family residential - 4,000 square foot 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.

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-1-4 (Single family residential - 4,000 square foot minimum) 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 Urban Medium Density Residential (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-1-4** 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 one 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.

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.

This finding can be made, in that the proposed single family dwelling 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 Approval

Exhibit A: Project Plans entitled, "Residence for Bill Lindeke", prepared by Robert Stombs, 8 sheets, dated 1105.

- I. This permit authorizes the construction of a two story 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 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.
- 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. Drainage plans shall include calculations for sizing the retention pits specifically based on the total impervious area proposed for development on this parcel. Erosion control plans shall include the locations of all proposed erosion control devices.
 3. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.
 4. Details showing compliance with fire department requirements.

5. A landscape plan which specifies location number and species of all plantings proposed.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Obtain a final sewer approval for this project from the Santa Cruz County Sanitation District.
 - F. Obtain final water approval for this project from Soquel Creek Water District.
 - G. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - H. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - I. Pay the current fees for Roadside and Transportation improvements for 1 unit. Currently, these fees are, respectively, \$2,000 and \$2,000 per unit.
 - J. Provide required off-street parking for 3 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.
 - K. 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. 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.

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: 05-0198

Assessor Parcel Number: 042-052-62

Project Location: No Situs

Project Description: Proposal to construct a two story single family dwelling.

Person or Agency Proposing Project: Lindeke Construction Inc.

Contact Phone Number: (831) 239-7314

- 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:

Construction of a residence within an area designated for residential development.

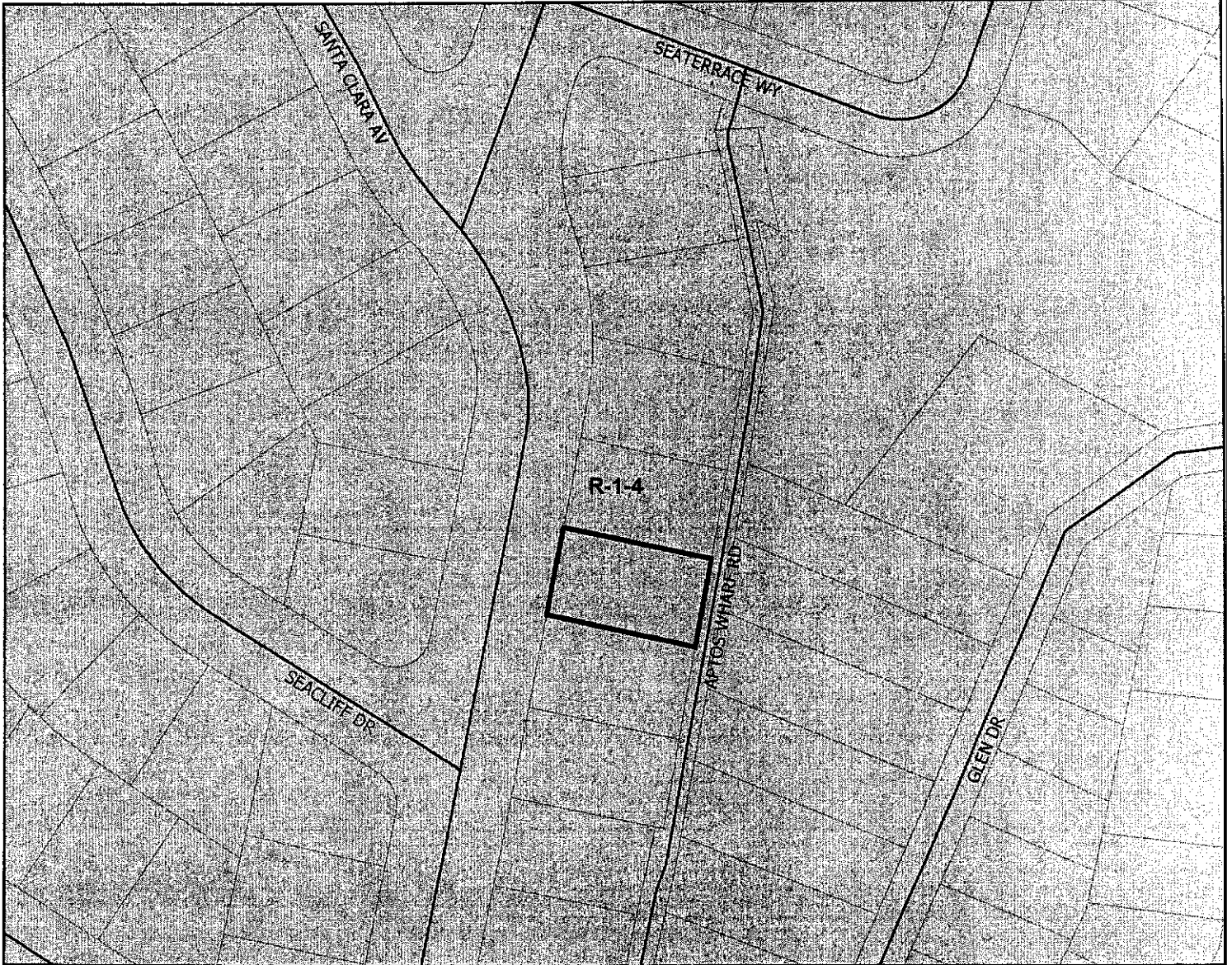
In addition, none of the conditions described in Section 15300.2 apply to this project.

Randall Adams, Project Planner

Date: _____







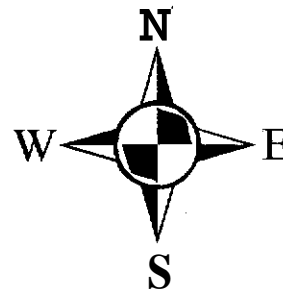
Zoning Map



0 70 140 280 420 560 Feet

Legend

-  APN 042-052-62
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)



Map Created by
County of Santa Cruz
Planning Department
April 2005

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. : 05-0198
APN: 042-052-62

Date: May 24, 2005
Time: 11:20:22
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 5, 2005 BY ROBIN M BOLSTER =====

NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 5, 2005 BY ROBIN M BOLSTER =====

MISCELLANEOUS COMMENT: ===== REVIEW ON FEBRUARY 23, 2004 BY ROBIN M BOLSTER
=====

At the time of building application, the following items must be addressed:

- 1) Please provide a landscaping plan, which specifies location, number and species of all proposed plantings.
- 2) Please provide the locations for all erosion control devices shown on submitted plans.

Dpw Drainage Completeness Comments

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

===== REVIEW ON APRIL 20, 2005 BY CARISA REGALADO =====

The concept of retention pits is accepted as the plan for handling the increase in runoff for the proposed development since it is very similar to the system approved in the adjacent parcel under Discretionary application #04-0056 (this application was referenced for offsite conditions and its affects on the method to be used on-site). Further information on these pits will be needed during the building application stage.

Discretionary stage application review is complete for this division.

(Additional notes in Miscellaneous Comments.)

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.

Dpw Drainage Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Randall Adams
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LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON APRIL 20, 2005 BY CARISA REGALADO =====

For the building application, please submit calculations for sizing pits specifically based on the total impervious area proposed for development on this parcel.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON APRIL 12, 2005 BY RUTH L ZADESKY =====

Show driveway plan view and centerline profile.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON APRIL 12, 2005 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

Dpw Road Engineering Completeness Comments

===== REVIEW ON APRIL 18, 2005 BY TIM N NYUGEN =====

Applicant must meet driveway/encroachment requirements for approval

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON APRIL 18, 2005 BY TIM N NYUGEN =====

NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON APRIL 12, 2005 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON APRIL 12, 2005 BY ERIN K STOW =====

NO COMMENT