



Staff Report to the Zoning Administrator

Application Number: **06-0043**

Applicant: Lorna Gail & Frederick Daniel
Grundeman

Agenda Date: April 7, 2006

Owner: Lorna Gail & Frederick Daniel
Grundeman

Agenda Item #: **5**

APN: 028-081-13

Time: After 10:00 a.m.

Project Description: Two story nonhabitable accessory structure within the Urban Services Line.

Location: South side of Felt Street, (2470 Felt Street), 300 feet east from 24th Avenue in Santa Cruz.

Supervisory District: 1st District

Permits Required: Residential Development Permit to exceed the maximum 17 foot and one story height limitation.

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0043, based on the attached findings and conditions.

Exhibits

- | | |
|---------------------------------|--------------------------|
| A. Project plans | determination) |
| B. Findings | E. Assessor's parcel map |
| C. Conditions | F. Zoningmap |
| D. Categorical Exemption (CEQA) | |

Parcel Information

Parcel Size:	9554 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Felt Street

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

Planning Area: Live Oak
 Land Use Designation: Urban Medium Residential
 Zone District: Multi-Family Residential, 4,000 square foot minimum
 Coastal Zone: X Inside Outside
 Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
 Soils: NIA
 Fire Hazard: Not a mapped constraint
 Slopes: Site slopes slightly down to the north
 Env. Sen. Habitat: Not mapped/no physical evidence on site
 Grading: No grading proposed
 Tree Removal: One fruit tree to be removed
 Scenic: Not a mapped resource
 Drainage: Swale at garage entrance to existing natural drainage into rodeo Creek
 Archeology: Not mapped/no physical evidence on site

Services Information

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

History

The existing house was built in **1938** and completed a remodel in January of 2005. The site has historically been used for residential and agricultural purposes. Fruit trees and what appear to be agricultural sheds are in the rear yard.

Project Setting

The project site consists of a relatively large lot in a residential neighborhood. **An** existing 1388 square foot residence with decking **and** stairs is located in the front portion of the parcel. The lot slopes gradually down to the rear where the nonhabitable accessory structure is proposed. Rodeo Creek is about 500 feet to the east of the site. A large parcel with multiple nonconforming units exists to the east and a single family dwelling is on the lot to the west. Monterey pine trees separate the project site and the unit to the west

Zoning & General Plan Consistency

The subject property is a 10,149.5 square foot lot, located in the RM-4 (Multi Family Residential, 4,000 square foot minimum), a designation which allows nonhabitable accessory structures. The proposed nonhabitable accessory structure is a principal permitted use within the zone district and the project is consistent with the site's Urban Medium Density Residential General Plan designation.

Local Coastal Program Consistency

The proposed two story nonhabitable accessory structure is in conformance with the County's certified Local Coastal Program. The project is eligible for a Coastal Exclusion in accordance with Section 13.20.070 of the County Code and the State Coastal Act. 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.

Design Review

The proposed two story nonhabitable accessory structure is not subject to design review per Section 13.11.040 of the County Code.

Environmental Review

The project under consideration is exempt from environmental review per Article 19 of the California Environmental Quality Act.

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 06-0043, based on the attached findings and conditions.
- a 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: Darcy Houghton
Santa **Cruz** County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz **CA** 95060
Phone Number: (831) 454-7586
E-mail: pln618@co.santa-cruz.ca.us

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 accessory 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 two story nonhabitable accessory structure 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. The topography is such that the home west of the site is at a greater elevation and views the site from above. Also, there is a grove of Monterey Pine Trees along the property line to screen the rear yard of the project site where the accessory structure will be located. These trees will not be removed for extension of the driveway to serve the proposed garage. They are primarily on the adjoining lot. To the west of the project site is a group of nonconforming units. The proposed two story accessory structure will not be visually intrusive from the yards of these units. A deck is proposed along the side of the structure. It is 84 square feet and on the second level. However, it will be lower in elevation than the existing deck on the house. The existing deck on the house is already larger and higher than the proposed deck and has some impacts on the privacy and viewshed of the homes on the parcel to the east. The proposed 84 square foot deck on the proposed accessory structure is closer in elevation to the homes east of the site and so will have minimal impacts on privacy.

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 two story nonhabitable accessory structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-4 (Multi-Family Residential, 4,000 square foot minimum) zone district in that the primary use of the property will be one single family dwelling.

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 use is consistent with the use and density requirements specified for the Urban Medium Density Residential land use designation in the County General Plan.

The proposed nonhabitable accessory structure 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 accessory structure 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 two story, 960 square foot nonhabitable accessory structure 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 structure will comply with the site standards for the RM-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. The parcel consists of 9554 square feet. A 320 square foot storage building between the proposed location of the two story structure and home has recently been removed. Resulting lot coverage with the proposed structure will be 18.2% and floor area ratio will be 23.7%. This is well within the required 30% lot coverage and 50% floor area ratio.

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 nonhabitable accessory structure will not contribute to traffic. It will provide additional off street parking which is in need along this segment of Felt Street. No utilities will be affected by the project. The structure will not be connected to sewer or water. The structure will have electricity but will not have a meter separate from the main residential unit.

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 nonhabitable accessory structure is consistent with the land use intensity and density of the neighborhood. The project is similar in size and materials to other buildings in 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 two story nonhabitable accessory structure 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: Architectural Drawings by Ron Ragsdale Drafting and Design dated January 5, 2006

- I. This permit authorizes the construction of a two story, 960 square foot nonhabitable accessory structure.. 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 Department.
- 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. **Any** changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. 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. 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, including

all requirements of the Urban Wildland Intermix Code, if applicable.

5. Indicate on the plans the 320 square foot structure which was removed and include in the project description the recognition of removal of this building.
 - 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 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Record a Declaration Of Restrictions for a nonhabitable accessory structure. **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. 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

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate **was** significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement **modifying** or affecting the interpretation or validity of any of the **terms** or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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 on the expiration date listed below unless you obtain the required permits and commence construction.

Application #: 06-0043

APN: 028-0x1-13

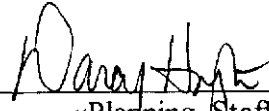
Owner: Lorna Gail & Frederick Daniel Grundeman

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator



«Planning Staff»
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: 06-0043

Assessor Parcel Number: 028-081-13

Project Location: 2470 Felt Street

Project Description: Construct a two story nonhabitable accessory structure

Person or Agency Proposing Project: Daniel and Lorna Crundeman

Contact Phone Number: 831-476-9425

- 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:

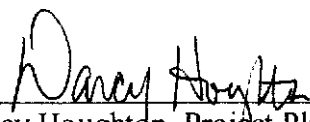
E. ☒ **Categorical Exemption**

Specify type: Section 15303, Class 3, (e) Accessory structures.

F. **Reasons why the project is exempt:**

Appurtenant buildings such as garages

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



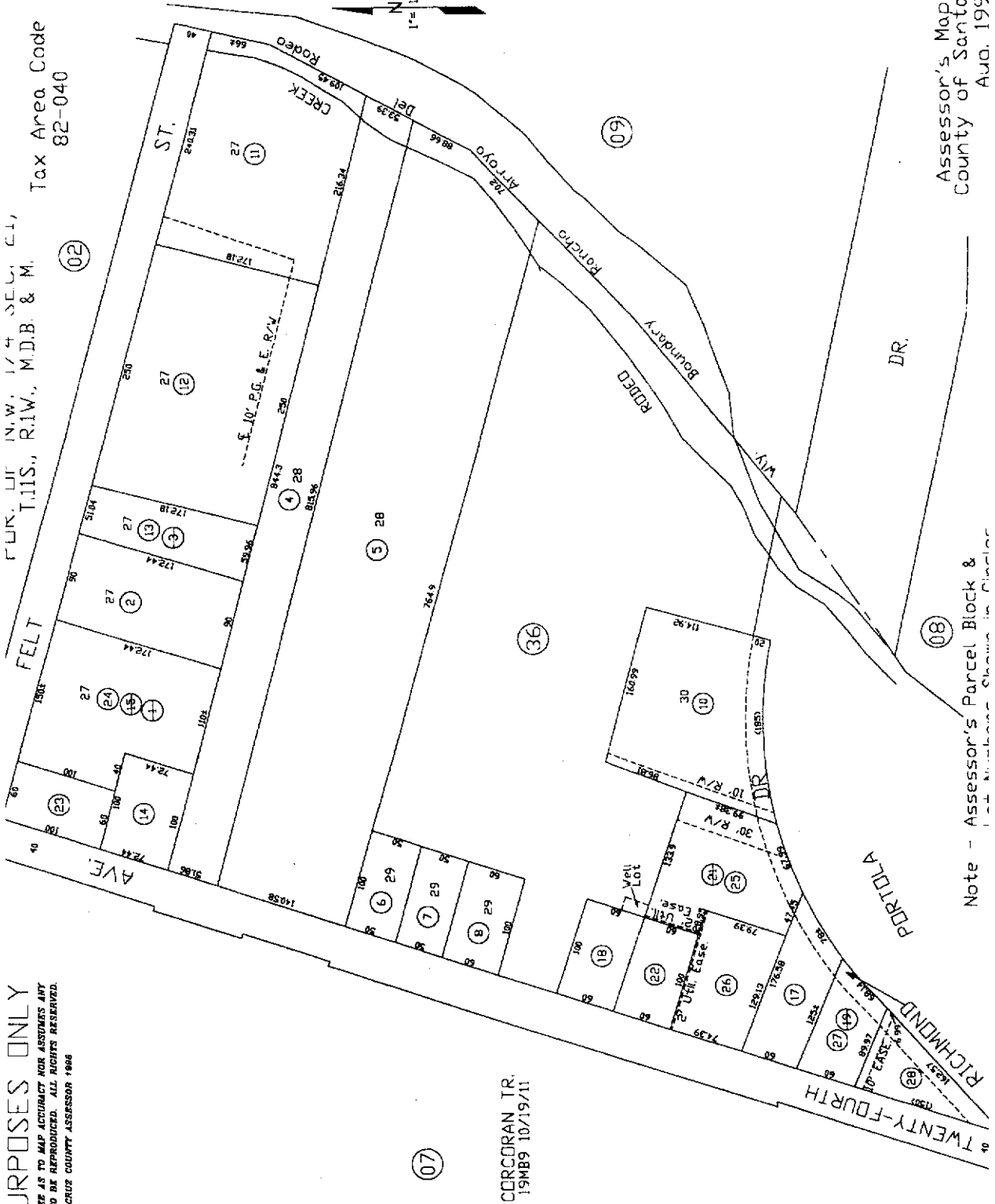
Darcy Houghton, Project Planner

Date: 3/15/04

FOR TAX PURPOSES ONLY
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 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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FLUK. LIT N.W. 1/4 SEC. 11,
 T11S., R1W., M.D.B. & M.
 Tax Area Code
 82-040

28-08



CORCORAN TR.
 19MB9 10/19/11

Assessor's Map No. 28-08
 County of Santa Cruz, Calif
 Aug. 1998

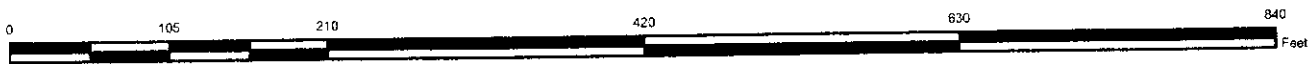
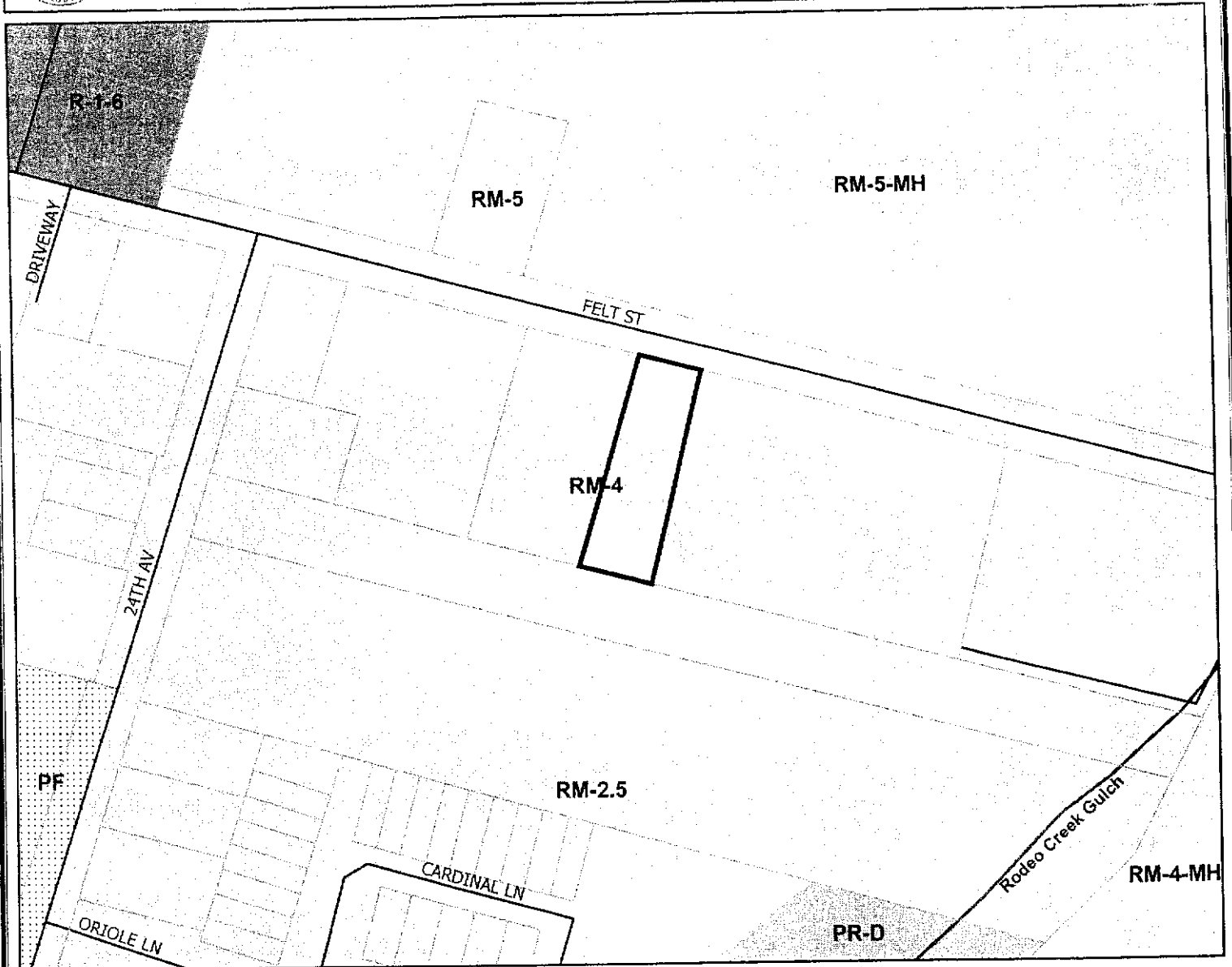
Note - Assessor's Parcel Block &
 1-1 Number shown in Parcel

12








electronically Redrawn 8/18/98 re
 v. 9/28/98 CB (added Richmond Dr.)

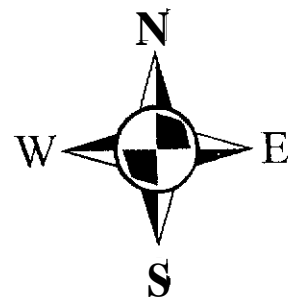


Zoning Map



Legend

-  APN 028-081-13
-  Assessors Parcels
-  PERENNIAL STREAM
-  RESIDENTIAL-MULTI FAMILY (RM)
-  PARK (PR)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PUBLIC FACILITY (PF)



Map Created by
County of Santa Cruz
Planning Department
February 2006