



Staff Report to the Zoning Administrator

Application Number: **06-0326**

Applicant: Wayne and Judy Miller
Owner: Mark Delgado
APN: 038-213-05

Agenda Date: February 2, 2007
Agenda item #: 5
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing one story residence and to construct a two story single family dwelling.

Location: Property located on the west side of Loma Place approximately 50 feet south of Seacliff Drive (113 Loma Place).

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

Permits Required: Coastal Development Permit, Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0326, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	3684 square feet
Existing Land Use - Parcel:	Single Family Residence
Existing Land Use - Surrounding:	Single Family Residences
Project Access:	Loma Place, a public road
Planning Area:	Aptos
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	R-1-4 (Single Family Residential)
Coastal Zone:	<u> X </u> Inside <u> </u> Outside

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

Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Potentially expansive soils: Geotechnical report required at building permit phase.
Fire Hazard:	Not a mapped constraint
Slopes:	Parcel is relatively flat; no slopes
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	Two significant trees are located in the rear yard that are not proposed for removal and will not be impacted by new construction; tree details required on building plans
Scenic:	New residence will not be visible from the scenic beach viewshed
Drainage:	Existing drainage adequate; system details to be reviewed during building permit phase
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<u> X </u> Inside <u> </u> 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

History

A building permit for the existing single family residence was finaled in **1961** (#9912). No significant changes have been made to the structure since then, absent a post replacement on the carport (BP #2845D) finaled in **1990** and a re-roof (BP #141273) finaled in **2005**.

Project Setting

The project site is located on the west side of Lorna Place, a public road with a 25-foot right of way. The neighborhood is composed of a mix of one and two story single family dwellings of varying styles and characteristics.

The existing residence, proposed for demolition, is nonconforming for front and side yard setbacks and the entire front yard area (590 square feet) is a paved driveway/parking area.

Project Scope

The property owners propose to demolish the existing one story single family home and construct a new two story single family dwelling to replace it. The new house will be about 1446 square feet, up to a maximum height of 26', and will have two bedrooms and two and a half bathrooms.

Parking will be provided for up to 3 cars which is the required number of spaces for a two bedroom house. There will be a courtyard in the front yard which will have exterior stairs from the second story and a 6 foot high wall located within the required front yard setback.

Zoning & General Plan Consistency

The subject property is a 3,684 square foot lot, located in the R-1-4 (Single Family Residential – 4000 square foot minimum) zone district, a designation which 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) Urban Medium Residential General Plan designation. The proposed structure has been designed to comply with all R-1-4 zone district site standards, as shown in the following table:

	R-1-4 Site Standards	Proposed
Front Yard Setback	15'	16'
Side Yard Setbacks	5' & 5' (parcel <60' wide)	5' & 5'9"
Rear Yard Setback	15'	15'
Maximum Height	28'	25'4"
Maximum % Lot Coverage	40%	39.2%
Maximum Floor Area Ratio	50%	49.98%

Courtyard Wall

The proposed residence includes a 6-foot tall wall around a courtyard located in the front yard. The subject parcel abuts Loma Place, a public road, and the wall will be located within the required 15-foot front yard setback. The wall will be made of stucco and will have a swinging iron gate on the south side for pedestrian access. The wall will not interfere with vehicular site distance on Loma Place or impact the visibility of vehicles entering or exiting the property. The wall will be setback an adequate distance so as not to create a walled effect on the street. The wall will serve as an architectural feature and will create privacy within the proposed front courtyard.

Significant Trees

There are two large trees located in the rear yard of the subject parcel that meet the definition of Significant Tree, as defined in the County Code (Section 16.34.030). The trees are not proposed for removal as a part of the project; however, the applicant shall be required to provide details (size and species) and the locations of the trees on the building plans to ensure that the trees will not be impacted by construction. Removal of a significant tree requires prior County approval and a Significant Tree Removal permit.

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.

Design Review

The proposed single family dwelling complies with the requirements of the County **Design** Review Ordinance, in that the proposed project will incorporate site and architectural design features such as stepped in balconies and entryways 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

- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **06-0326**, based on the attached findings and conditions.

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: Samantha Haschert
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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 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 13.20.130et *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-1-4 (Single Family Residential – 4000 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 single family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the house meets all current setbacks that ensure access to light, air, and open space in the neighborhood and the proposed courtyard wall will not exceed 6-feet in height. The location of the courtyard wall along Loma Place will allow adequate sight distance for vehicles to turn on to and off of Loma Place in a safe manner, in that the design of the wall meets County design criteria related to street intersection sight distance.

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 – 4000 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 and a courtyard wall is a normal ancillary use in 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 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 meets current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood and the proposed wall is set back from the road and allows adequate sight distance consistent with road standards specified in the General Plan.

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 will replace an existing residence. 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), which is the same as the existing residence; therefore, there will be no increase in peak trips.

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. The proposed courtyard wall will be compatible with the visual character of the neighborhood due to its height, design, and location.

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, "Delgado Residence", 3 pages, prepared by Wayne Miller, dated **11/01/06**

- I. This permit authorizes the construction of a single family dwelling and a 6 foot tall courtyard wall in the front yard. 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 a Grading Permit from the Santa Cruz County Building official, if required.
 - E. 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. 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.
- C. All utilities shall be underground. All facility relocation, upgrades or installations required for utilities service to the project shall be noted on the construction plans. All preliminary engineering for such utility improvements is the responsibility of the owner/applicant. Pad-mounted transformers shall not be located in the front setback or in any area visible from public view unless they are completely screened by walls and/or landscaping (underground vaults may be located in the front setback). Utility equipment such as gas meters and electrical panels shall not be visible from public streets or building entries.
- D. 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.
- E. 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.
- F. Meet all requirements and pay all applicable fees to Santa Cruz Sanitation District.
- G. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- H. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- I. The existing trees and all significant trees located in the south west corner of the subject property shall be retained. Appropriate measures shall be taken, including installation of construction fencing, to ensure that this vegetation will not be destroyed **as** a result of construction activities. Any proposal to remove this vegetation shall require **an** amendment to this permit.
- J. Pay the current fees for Parks and Child Care mitigation for 2 bedroom(s). Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
- K. Pay the current fees for Roadside and Transportation improvements for 2 bedroom(s). Currently, these fees are, respectively, \$2,200 and \$2,200 per bedroom.

- L. 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.
 - M. 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. 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 two years from the effective date on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Samantha Haschert
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: 06-0326

Assessor Parcel Number: 038-213-05

Project Location: 113 Lorna Place

Project Description: Proposal to demolish an existing one story residence and construct a two story single family dwelling with a 6-foot tall courtyard wall within the front yard setback.

Person or Agency Proposing Project: Wayne and Judy Miller

Contact Phone Number: (831) 724-1332

- 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:

Proposal to construct a single family residence in *an area* designated for residential uses.

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

Samantha Haschert, Project Planner

Date: _____

electronically Redrawn 11/14/97 wrp
 av 5/4/96 KSA (CA)
 av 5/19/96 CB (Tax Consolidation)
 av 12/7/99 CB (9-0062545, LBA 1-26 & 27)
 av 4/27/01 mm (changed page refs)
 av 2/28/06 md (spatial adjustment)

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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APTOS RANCHO
 POR. SEC. 13, T.11S, R.1W, M.D.B. & M.

Tax Area Code
 69-270 69-273

38-21

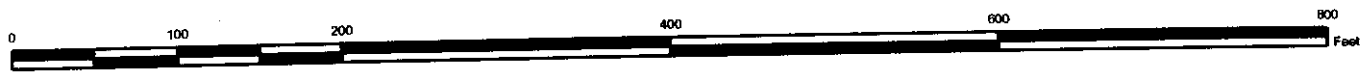
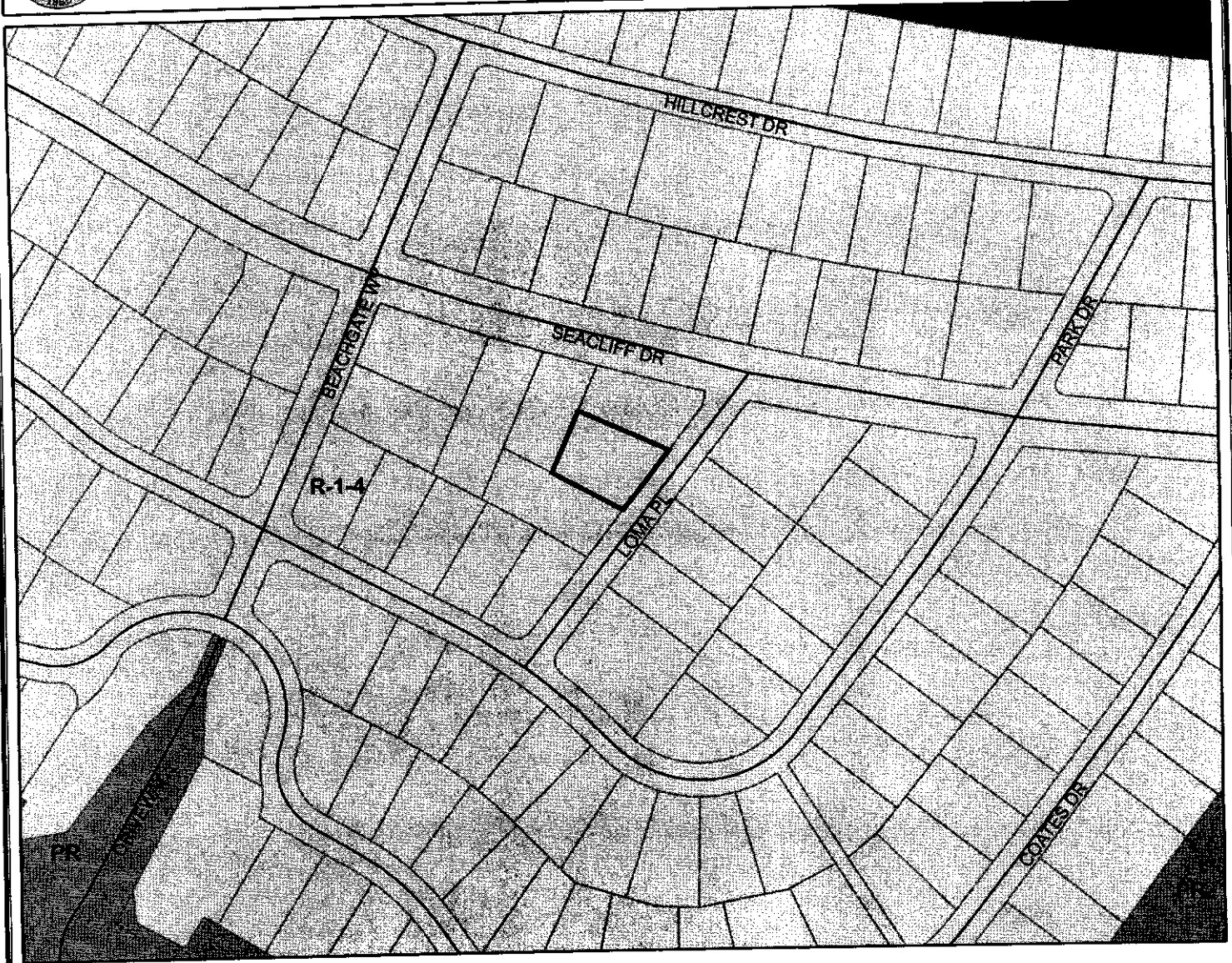
Note - Assessor's Parcel & Block
 Numbers Shown in Circles.









Assessor's Map No. 38-21
 County of Santa Cruz, Calif.
 Nov., 1997

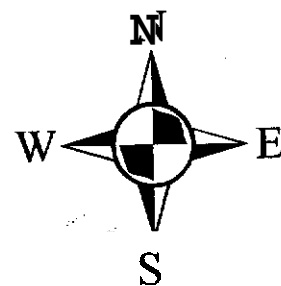


Zoning Map



Legend

-  APN 038-213-05
-  Streets
-  Assessors Parcels
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)
-  PUBLIC FACILITY (PF)



Map Created by
County of Santa Cruz
Planning Department
June 2006

C O U N T Y O F S A N T A C R U Z
Discretionary Application Comments

Project Planner: Samantha Haschert
Application No.: 06-0326
APN: 038-213-05

Date: December 26, 2006
Time: 13:42:40
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Environmental Planning Completeness Comments

===== REVIEW ON JUNE 29, 2006 BY ANDREA M KOCH =====
06/29/06

1) No completeness comments. ===== UPDATED ON JUNE 30, 2006 BY ANDREA M KOCH
=====

Environmental Planning Miscellaneous Comments

===== REVIEW ON JUNE 29, 2006 BY ANDREA M KOCH =====
06/29/06

1) It appears from the site visit that there are a couple of trees in the vicinity of the backyard. I could not determine whether they were in the backyard of the subject property or in the neighbor's yard.

Please indicate on the plans any existing trees on the site, their size and species, and whether they are proposed for retention or removal.

A Significant Tree Removal Permit is needed for removal of trees of "significant" size in the Coastal Zone, as defined in Section 16.34.030 of the County Code. To obtain a Significant Tree Removal Permit for removing a native tree, you would need to submit an arborist's letter stating that it is dead or diseased, or that its removal is necessary for some other reason. An arborist's letter would not be required for removal of a non-native tree, but you would still need a Significant Tree Removal Permit if the tree is of a "significant" size.

A Significant Tree Removal Permit for either a native or non-native tree would be conditioned to require replacement of removed trees with native trees.

2) The site is flat. so a grading permit probably will not be needed. However, if any grading is proposed, submit a grading plan showing existing and proposed topographic contours and grading quantities.

3) Show on the building permit application plans (as you did on the discretionary permit plans) location and details of proposed drainage devices.

4) Include erosion control notes on the building permit application plans (as you did on the discretionary permit plans).

5) Submit a geotechnical (soils) report from a registered civil engineer experienced in soils engineering. This is required because soils on the property are potentially expansive.

For a list of geotechnical engineers that frequently prepare reports for the County, go to:

<http://www.sccoplanning.com/soilconsultants.htm>

Discretionary Comments - Continued

Project Planner: Samantha Haschert
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Time: 13:42:40
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6) Once final building permit plans acceptable to all departments have been prepared, you will need to submit a plan review letter from the soils engineer stating that the plans are in conformance with the recommendations in the report.

Dpw Drainage Completeness Comments

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

===== REVIEW ON JULY 3, 2006 BY JOHN G LUMICAO =====

Show the existing site drainage pattern and any changes as a result of this project

Drainage notes states that the ultimate destination of the runoff will be to the beach but the discharge outfall of the storm runoff before it reaches the beach would be Las Olas Drive. This section of the drive has storm drainage issues such as ponding, flooding to name a few. The project reduces the building footprint of the building thereby reducing runoff but discharges all runoff to the street that contributes to the issues downstream. It is not clear on the plans if this was the previous manner runoff was discharged, existing site plans does not show any previous drainage features. To mitigate offsite issues it is recommended that some runoff should be allowed to infiltrate onsite rather than discharging all runoff off-site. This can be achieved by using best management practices (i.e. vegetated swales rather than pipes, downspouts to splash blocks to landscape, etc.)

===== UPDATED ON SEPTEMBER 19, 2006 BY JOHN G LUMICAO =====
NO COMMENT

Dpu Drainage Miscellaneous Comments

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

----- REVIEW ON JULY 3, 2006 BY JOHN G LUMICAO ----- You may be eligible for credit for pre-existing impervious areas to be demolished. To receive credit for previously permitted impervious areas being removed, replaced or modified, please submit assessor's records and/or any other documentation of permitted structures to establish eligibility for fee credits.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JUNE 19, 2006 BY RUTH L ZADESKY =====

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON JUNE 19, 2006 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 JULY 3, 2006 BY TIM N NYUGEN =====
NO COMMENT

Discretionary Comments - Continued

Project Planner: Samantha Haschert
Application No. : 06-0326
APN: 038-213-05

Date: December 26, 2006
Time: 13:42:40
Page: 3

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JULY 3, 2006 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 JULY 12, 2006 BY ERIN K STOW =====
DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPRVED
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 JULY 12, 2006 BY ERIN K STOW =====
NO COMMENT

Randall Adams

From: Gary Wimmer [gary@fordlandco.com]
 Sent: Wednesday, November 29, 2006 1:32 PM
 To: Randall Adams
 cc: Mark Delgado
 Subject: 113 Loma, Aptos

Dear Mr. Adams:

Below you will find my comments related to the development proposed @ the above mentioned address. The owner, Mr Mark Degado has been kind enough to speak with me on the phone about our concerns as a neighbor. I had previously sent him the comments below, so he is aware that I am forwarding them on to you for consideration by staff.

Since I do not live at 107 Loma full time I do not receive mail there. I'd like to ask that notice of public hearing if there is one and publication of the staff report, if mailed, to be sent to me at my work address below. Alternatively, I'm happy to receive information and notices via this email address.

Gary Wimmer
 Ford Land Company, LLC
 3000 Sand Hill Road 11120
 Menlo Park CA 94025
 Fax 650-854-7353

Dear Mr Adams

I am the neighbor to the west of the above project (107 Loma). I have spoken with the owner of the property directly about his plans and shared with him the clarifications of those items that may effect my property. I have generally no objection to the proposed project subject to clarification/confirmation of the following :

1 DRAINAGE:

I currently do not have water under my home at 107 Loma due in large part to the drainage to the street of all my rainwater leaders which was allowed at the time of my construction. I also own the next door property at 334 Park which is an older structure and has water under the house at frequent times of the year from run off of old structures that do not have appropriate drainage. A current home under construction next to my 334 Park home is required to install a water detention system for the water run off. Those constructing that home recognize the geology of the area is in large part clay. They have elected to over excavate their detention system or make modifications to it to be sure that their water run off to the extent its deposited in the detention system on their site, will actually be deep enough and of the appropriate size to actually contain the water for enough time to actually percolate back into the soil, and not under my home, next door.

That said, the current older structure to be removed at 113 Loma does not currently cause my home an under house ground water or moisture problem. I want to be assured that the proposed detention system at 113 Loma is designed with the knowledge of the geology of the area and that the system will be built to accomodate a sudden surge of water run off into an appropriately designed detention system that does not effectively force water into clay soils and percolate to the underside of my home. A design of the detention system should not be sized with out a soils report of that immediate area. My neighbors to the other side on Park were helpful and sensitive to this matter well after the public process had expired. I trust this would also be protocol in the case of 113 Loma.

2 UNDERGROUND UTILITIES

I would expect that the current overhead PG&E, Telephone and Cable service will be required to be under

EXHIBIT G

grounded from the Pole to the new residence as was the requirement for my home at 107 Loma and all other homes recently constructed.

3 VEGETATION/SCREENING

It is my understanding from conversations from the Owner of 113 Loma that all existing vegetation on the property will be removed. On the fence line separating my home (107) and 113 Loma, several significant trees exist and provide visual screening between the homes. They may not be the best specimens but they screen effectively and took a long time to grow. A Pine tree, an oversized bush of some type extending two stories in height and a holly tree all provide significant green screening. The Same neighbors who share the opposite property line with me mentioned in 1. above, in addition to working with us on the water detention, also agreed that they would retain the existing vegetation which has served as a screen during their construction and has also become very valuable so that our bedrooms that now share a property line will not have to share the views inside the bedrooms.

The Owner of 113 Loma is aware of the lack of privacy into his proposed master bedroom and our kitchen dining room if the vegetation is removed and I can understand his desire to start over, however the current vegetation if replaced will take many years to achieve the same level of privacy for our home. I would like to request that the current vegetation be retained and protected during construction and that a separate planting plan/proposal be designed before any decision is made to remove the current vegetation. Of course fast growing, non native vegetation plans sometimes involve very invasive root structures and I would hope that we as neighbors are considered before anything is removed.

The owner is surrounded by 3 two story homes, and it is an improvement to the neighborhood for him to redevelop his property. I'm sympathetic to his situation that he is the last house of the 4 to go two stories but we all built around existing conditions and I have been very successful with 2 other neighbors in working out a win/win situations regarding the maintenance of existing vegetation for screen purposes. I hope the county and the owner of 113 will continue that tradition.

4 SATELLITE DISH

Currently the Dish at 113 Loma was installed on the south west roof line of the older structure and if it wasn't for the current vegetation we would view the dish out of 4 of our windows. I would request the the placement of a future dish be sighted in a location where the owner can receive signal but in a less obvious location- especially if the status of the screening vegetation is uncertain.

Subject to my concerns above and the staff report as pertaining to the above, I support the project at 113 Loma

Gary Wimmer

Wayne Miller



P. O. Box 1929
Freedom, CA 95019
Phone (831) 724-1332
Fax (831) 724-4238

Attention Randall Adams
Re. 06-0326
APN: 038-213-05

*Re-calc w/ correct lot area
& deduction of open area < 16' in height
49.98% FAR
... since req'd.*

Dear Randall,

I am writing on behalf of my client Mark Delgado to request a variance to the 50% F.A.R. to allow for exterior stairs from a second story deck into the private courtyard.

We feel that the variance is justified because the neighborhood is made up of small lots of odd dimensions that in some cases unreasonably restrict the F.A.R. to 50%.

In order to make enough room for covered patios, decks and stairs to have enough width and depth to be useable exterior space precious heated area must be sacrificed.

The Delgado lot is of standard width but it is not as deep as the surrounding lots. This creates a restricted building envelope that the other lots do not share.

The front and rear setbacks have more impact on the useable footprint area than side setbacks do because with a 71 feet average depth the front and rear setbacks are almost 50% of the depth. The side setbacks with a 50 feet width are only 20% of the width.

The squarer shape of this lot **allows** for the center courtyard design for privacy but requires a bigger second story to make the smaller footprint within the setbacks of the lot. The impact of a second story is stairs because they take up space living. This is acknowledged by not counting stairways twice. But they still have to be counted once.

Interior stairs take up space on two floors but only count once. If the exterior landing and stairs (44 sqft.) were counted at the same half rate (because it has no second story over it) it would be 22 square feet. It is open sided and covers patio like a second story deck or porch. The understairs area taller than 5 feet in height divided by half like the covered porch or patio the stairway F.A.R. would put us under the 50% F.A.R. Because it is all counted we are **34** square feet over the maximum F.A.R.

Our request does not grant a special privilege to the Delgado residence. Four of the residences in the block have received similar but larger variances. The house currently under construction at 336 Park Drive that was granted a variance for a 65% F.A.R. with a 3 feet side setback because of the small, narrow lot. That house is about 400 square feet larger than ours ~~is~~ and it's on a lot that is about 400 square feet smaller and all of the extra space is enclosed.

Details of the neighborhood variances are spelled out in the staff report for Application 040596 at 336 Park Drive. I have attached a copy.

The requested F.A.R. for our variance does in no way affect the neighbors in terms of health and welfare, privacy, solar access or any other consideration.

Sincerely,

Wayne Miller, applicant and project designer
for Mark Delgado, property owner

EXHIBIT G

INTEROFFICE MEMO

APPLICATION N O 06-0326 (second routing)

Date: September 7, 2006

To: Randall Adams, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for wireless a new residence at 113 Lorna Place, Seacliff

COMPLETENESS ISSUES

the bay window location on the second floor appears to be within the side setback.

GENERAL PLAN / ZONING CODE ISSUESDesign Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas		✓	See comments below.
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		

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Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			N/A

Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A

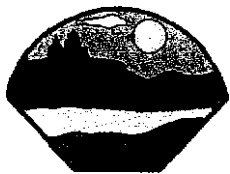
EXHIBIT G

The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A
Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred			N/A

Urban Designer's Comments

- Provide a more interesting side elevation (right) .

APPROVED



Aptos/La Selva Fire Protection District

6934 Soquel Drive • Aptos, CA 95003

Phone # 831-685-6690 • Fax # 831-685-6699

July 12, 2006

Planning Department
County of Santa Cruz
Attention: Randall Adams
701 Ocean Street
Santa Cruz, CA 95060

Subject APN: 038-213-05 / Appl #06-0326
113 Loma Place

Dear Mr. Adams:

Aptos/La Selva Fire Department **has** reviewed the plans for the above cited project and has no objections as presented.

- Any other requirements will be addressed in the Building Permit phase.
- Plan check is based upon plans submitted to **this** office. Any changes or alterations shall be resubmitted for review prior to construction.

In order to obtain building application approval, recommend you have the DESIGNER add appropriate **NOTES** and DETAILS showing the following information **on the plans that are Submitted for BUILDING PERMIT**.

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (**2001**) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE **RATING**, and SPRINKLERED or NON-SPRINKLERED as determined by building official and outlined in Part IV of the California Building Code.
(e.g. R-3, Type V-N, Sprinklered)

SHOW on the plans a public fire hydrant within 250 feet of any portion of the building meeting **the** minimum required fire flow for the building. This information can be obtained from the water company.

NOTE on the plans the job copies of the building and fire systems plans and permits must be on-site during inspections.

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and **further agree** to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, ~~the~~ reviewer and reviewing agency.

Sincerely,



Jim Dias, Fire Marshal
Fire Prevention Divisio
Aptos/La Selva Fire Protection District

Cc: Mark Delgado
113 Lorna Place
Aptos, CA 95003

Cc: Wayne or Judy Miller
P.O. Box 1929
Freedom, CA 95019

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: JUNE 23, 2006

TO: Planning Department, ATTENTION: RANDALL ADAMS

FROM: Santa Cruz County Sanitation District STEVE HARPER

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT:

APN: 38-213-05

APPLICATION NO.: 06-0326

PARCEL ADDRESS: 113 LOMA PLACE, APTOS, CALIFORNIA


PROJECT DESCRIPTION. DEMOLISH EXISTING SINGLE FAMILY DWELLING AND
RECONSTRUCT 2-STORY SINGLE FAMILY DWELLING

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time ~~frame~~ this project ~~has~~ not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.

Existing lateral(s) must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. An abandonment permit for disconnection work must be obtained from the District.

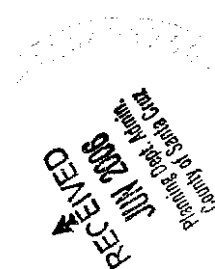
The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.


S.M. HARPER
Sanitation Engineering

SMH:ss/707

c: Applicant: Wayne or Judy Miller
Po Box 1929
Freedom, CA 95019

Property Owner: Mark Anthony Delgado
113 Loma Place
Aptos, CA 95003





P.O. Box 158
Mail to: 5180 Soquel Drive
Soquel, CA 95073-0158
PHONE (831) 475-8600 FAX (831) 475-4291

PROJECT COMMENT SHEET

Date of Review: 06/21/06
Reviewed By: Carol Carr

Returned	Randall Adams
Proj	county of Santa Cruz
Comments to:	Planning Department
	701 Ocean St., Ste. 400
	Santa Cruz, CA 95060-4073

Owner: Mark Anthony Delgado
118 Loma PL
Aptos, CA 96008

Applicant: Wayne or Judy Miller
PO Box 1929
Freedom CA 96019

Type of Permit: Development Permit
County Application #: 06-0326

Subject APN: 038-213-05

Location: Located on the west side of Loma Place approximately 50 feet south of Seacliff Drive (113 Loma Place).

Project Description: Proposal to demolish an existing one story residence and to construct a two story single family dwelling.

Notice

Notice is hereby given that the Board of Directors of the Soquel Creek Water District is considering adopting policies to mitigate the impact of development on the local groundwater resources. The proposed project would be subject to such and any other conditions that the District may adopt prior to granting water service.

It should not be taken as a guarantee that service will be available on the project in the future or that additional conditions will not be imposed by the District prior to granting water service.

Requirements

The developer/applicant, without cost to the District, shall:

- 1) Comply with all on the project in accordance with State Bulletin No. 74;
- 2) Satisfy all conditions imposed by the District to assure necessary water pressure, flow and quantity;
- 3) Satisfy all conditions for water conservation required by the District at the time of application for service, including but not limited to:
 - a) All applicants for new water service from Soquel Creek Water District shall be required to offset expected water use of their respective lots by a 1.2 to 1 ratio by retrofitting existing developed property within the Soquel Creek Water District service area so that any new development has a "zero impact" on the District's groundwater quantity. Applicants for new service shall bear those costs associated with the retrofit as deemed appropriate by the District up to a maximum set by the District and pay any associated fee set by the District to reimburse administrative and inspection costs in accordance with District procedures for implementing this program.
 - b) Plans for a water conservation system and its installation shall be submitted to the Conservation Staff for review.



P.O. Box 168
 Mail to: 5180 Soquel Drive
 Soquel, CA 95073-0168
 PHONE (831) 475-8500 FAX (831) 475-4291

PROJECT COMMENT SHEET

- c) All interior plumbing fixtures shall be low-flow and have the EPA Energy Star label;
 District Staff shall inspect the completed project for compliance with all conservation requirements prior to commencing water service;
- 4) Complete LAFCO annexation requirements, if applicable;
- 5) All units shall be individually metered with a minimum size of 5/8-inch by 3/4-inch standard domestic water meters;

A memorandum of the terms of this letter shall be recorded with the County Recorder of the County of Santa Cruz to insure that any future property owners are notified of the conditions set forth herein.

Soquel Creek Water District Project Review (

1. SCWD has reviewed the plans submitted by Wayne Miller Designer and has made comments. 1) The applicant is an existing SCWD customer. Review of the plans does not indicate the need for changes in the current service. 2) Should the Fire District require additional fire protection to the subject building, a Fire Protection Requirements Form should be submitted to SCWD.

Attachments:

- ☐ Soquel Creek Water District Procedures for Processing Minor Land Divisions (MLD) dated November 9, 1992
- ☐ Soquel Creek Water District Procedures for Processing Water Service Requests for Subdivisions and Multiple Unit Developments
- ☐ Resolution 79-7, Resolution of the Board of Directors of the Soquel Creek County Water District Establishing Landscape Design and Irrigation Water Use Policy
- ☐ Water Demand Offset Policy Fact Sheet
- ☐ Soquel Creek Water District New Water Service Application Request.
- ☐ Soquel Creek Water District Variance Application
- ☐ Soquel Creek Water District Water Waiver For Pressure and/or Flow
- ☒ Fire Protection Requirements Form