



Staff Report to the Zoning Administrator

Application Number: **06-0635**

Applicant: Suzanne Scofield
Owner: Scofield
APN: **071-161-05**

Agenda Date: **02-16-07**
Agenda Item #: **3.**
Time: After 10:00 a.m.

Project Description: Proposal to rebuild (up to 75 percent) a fire-damaged single-family dwelling in the PA zone district with C-0 General Plan designation, with very slight modifications to the footprint, elevations, and floor plan.

Location: East side of Highway 9 approximately 200 feet north of the intersection with Fall Creek Drive, Felton.

Supervisory District: 5th District (District Supervisor: Mark Stone)

Permits Required: Level **5** Residential Development Permit to reconstruct a significantly nonconforming single-family dwelling.

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0635, **based** on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|------------------------------|
| A. | Project plans | E. | Location map |
| B. | Findings | F. | Assessor's parcel map |
| C. | Conditions | G. | Zoning map |
| D. | Categorical Exemption (CEQA determination) | H. | General Plan Designation map |

Parcel Information

Parcel Size:	8320 square feet
Existing Land Use - Parcel:	Residence
Existing Land Use - Surrounding:	Nonconforming and conforming residential to north and south , commercial and non-conforming residential across Highway 9
Project Access:	Highway 9

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

Planning Area: San Lorenzo Valley
Land Use Designation: C-0 (Professional and Administrative Office)
Zone District: PA (Professional and Administrative Office)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: N/A
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
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: San Lorenzo Valley Water District
Sewage Disposal: On-site individual system
Fire District: Felton
Drainage District: Zone 8

History

The parcel originally had a residential General Plan designation and a commercial zoning. As part of the highway 9 rezoning project, the General Plan land use designation was changed to office (C-0) and the zoning to PA, although the use was historically residential. The house was destroyed by fire in mid-2006. Because the house is in a commercial zone district, a Level 5 permit is required to rebuild the house. This parcel is to be included in the highway 9 rezoning "clean-up" to return the parcel to a residential general plan designation and to change the zoning to residential also. The owner has been advised to apply for a level 5 permit to rebuild the home.

Project Setting

The project site fronts on Highway 9 and extends approximately 170 feet east to the San Lorenzo River. The parcel slopes very gently from the highway toward the river for approximately one half of its length, after which it falls away precipitously to the river. Adjoining properties and the area in general are built out. The land uses on either side of the parcel and across the highway are both residential and commercial uses with most of the residential uses being non-conforming to the commercial zoning. The San Lorenzo Valley High School lies just west of the parcels on the west side of the highway.

Zoning & General Plan Consistency

The subject property is an approximately **8315** square foot lot, located in the PA (Professional and Administrative **Office**) zone district, a designation that allows residential uses only in conjunction with commercial uses. However, this parcel originally had a residential General Plan designation and a commercial zoning. As part of the highway 9 rezoning project, the General Plan land use designation was changed to office (C-0) and the zoning to PA, although the use was historically residential. According to County Code Section **13.10.261** the house is considered to be significantly non-conforming and is subject to Table 1 of that section, which allows for reconstruction of up to **75** percent of the pre-existing building with a Level **5** approval if there is no intensification of the use. The proposal here fits that description.

A new deck is proposed on the north side of the house, at the rear of the garage, which, according to the plans, will be approximately three feet from the north property line and is proposed to be as much as **36** inches above grade. **An** arbor is also proposed as part of that deck.

A new entry deck is also proposed on the south side of the house. That deck will extend to less than a foot from the south property line and will be less than **18** inches above grade. The required side yard setback for the PA zone district is zero. The proposed deck meets that standard. If the lot were zoned **R-1-15** like other nearby residential lots, because the lot, at approximately **8300** square feet is less than **80** percent of **15,000** square feet, the side yard setbacks would be five feet on one side and eight feet on the other. The deck and arbor on the north side of the house would not meet the required residential standards and when the lot is rezoned to residential, that deck and arbor will become non-conforming.

Lot coverage is approximately **23** percent. There is no maximum lot coverage in the PA zone district. Were the lot zoned R-1-15, the maximum allowed lot coverage would be **30** percent.

The proposed height of the reconstructed house is **16** feet **6** inches, well below the PA zone district limit of **35** feet or the residential limit of **28** feet.

Local Coastal Program Consistency

The proposal is not located in the **coastal** zone, so a determination of consistency with the Local Coastal Program is not necessary.

Design Review

The proposal is not subject to Design Review.

Environmental Review

The project is eligible for a categorical exemption from environmental review under the California Environmental Quality Act (CEQA). Specifically, the project is exempt as a Class **2** exemption, Replacement or Reconstruction, as described in CEQA Guidelines Section **15302**. The project will not have any adverse impact on the environment.

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 **06-0635**, 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: Steven Guiney
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA **95060**
Phone Number: (831) 454-3172
E-mail: steven.guiney@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 residential project, while located in an area designated for commercial uses, is a preexisting residential use and the reconstruction of the house is allowed with Level 5 approval 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 proposal to reconstruct the fire-damaged house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure, while not meeting all current setbacks that ensure access to light, air, and open space in the neighborhood, will be reconstructed such that all features will be located as they were before the fire, with the addition of decks on the north and south sides.

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 house and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the PA (Professional and Administrative Office) zone district, as a significantly non-conforming structure with a Level 5 Development Permit, in that the primary use of the property as a legal, non-conforming residential use pre-exists the PA zoning.

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 house, as a significantly non-conforming structure with a Level 5 Development Permit, is a legal, non-conforming residential use that pre-dates the requirements specified for the Commercial Office (C-0) land use designation in the County General Plan.

The proposed reconstruction of the pre-existing residential use will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and is not required to meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), because it is the reconstruction of a legal, pre-existing, nonconforming house. The proposal to reconstruct the fire-damaged house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure, while not meeting all current setbacks that ensure access to light, air, and open space in the neighborhood, will be reconstructed such that all features will be located as they were before the fire.

The proposed reconstruction of the legal, pre-existing, nonconforming house 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 reconstruction of the fire-damaged house will locate all features as they were before the fire.

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 reconstruction of the legal, preexisting, nonconforming fire-damaged house will be reconstructed to have the same square footage and room layout as before the fire. The expected level of traffic generated by the reconstructed house will not change from that generated by the residential use of the house before the fire and as such 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 reconstructed fire-damaged house 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.

While the proposed reconstruction of the legal, pre-existing, nonconforming fire-damaged house is not subject to design review, the proposed reconstructed house 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: Reconstruction of a legal, non-conforming single family dwelling

- I. This permit authorizes the reconstruction of a legal, non-conforming, fire-damaged single family dwelling. Prior to exercising any rights granted by this permit including without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- 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. 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 8 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - F. Meet all requirements and pay any applicable plan check fee of the Felton Fire Protection District.
 - G. Provide required off-street parking for 2 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.
- 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: February 16, 2007

Effective Date: March 2, 2007

Expiration Date: March 2, 2009

Application # 06-0635
AFN 071-161-05
Owner: Suzanne Swfield

Don Bussey
Deputy Zoning Administrator

Steven Guiney
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: **06-0635**

Assessor Parcel Number: **071-161-05**

Project Location: **6950 Highway 9, Felton**

Project Description: Proposal **to** rebuild (up to **75** percent) a ~~fire-damaged~~ single-family dwelling in the PA zone district with C-0 General Plan designation, with the same ~~footprint~~, elevations, and floor plan.

Person or Agency Proposing Project: Suzanne Scofield

Contact Phone Number: 335-2532

- 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. ☒ Cateeorical Exemption

Specify type: Class **2**; Reconstruction of Replacement

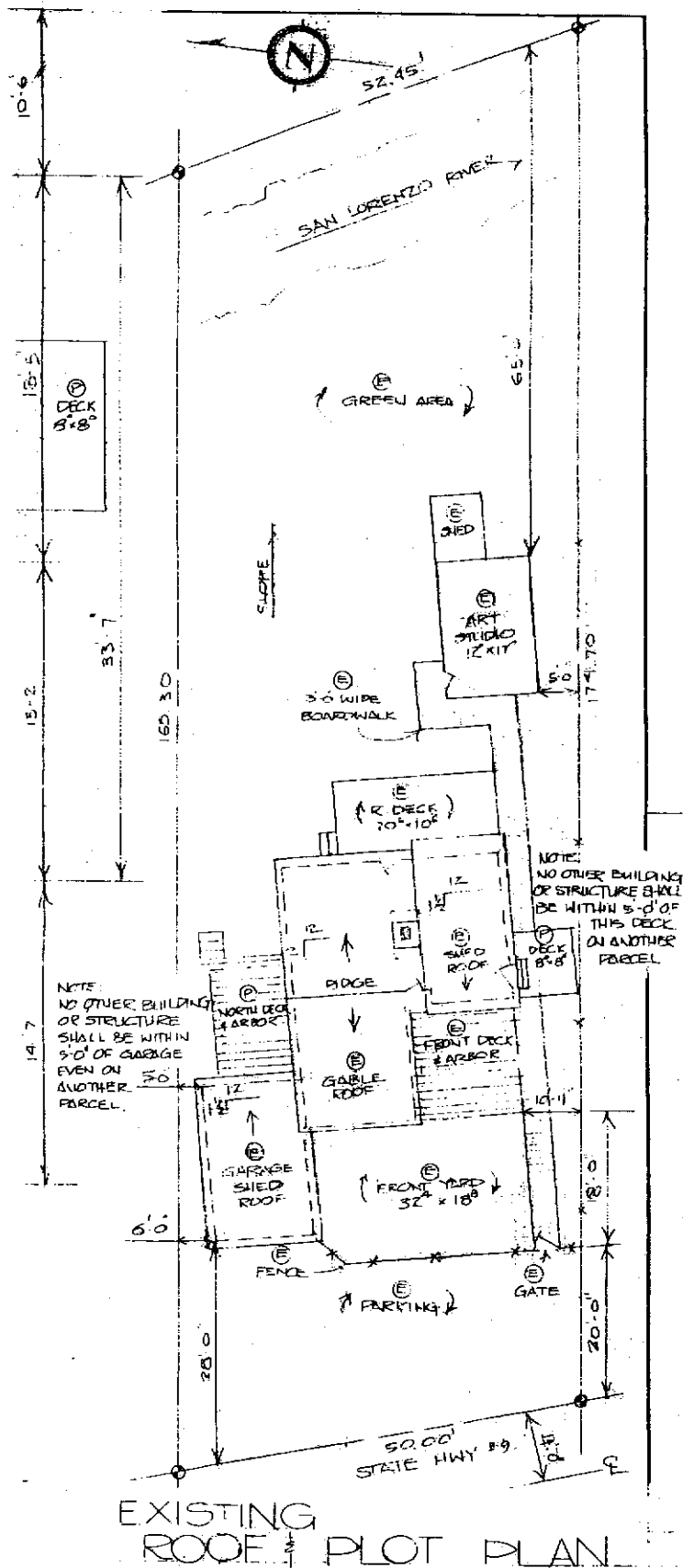
F. Reasons why the project is exempt:

The project is to reconstruct a fire-damaged single family dwelling with the same footprint, elevations, floor plan, and square footage.

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

Steven Guiney, Project Planner

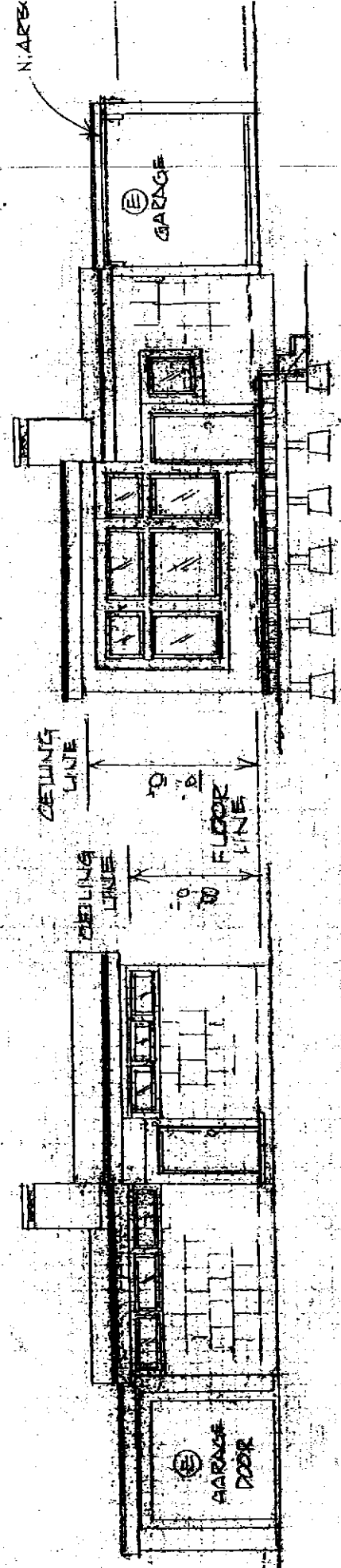
Date: _____



MRS. SUZANNE SCOFIELD		
5000' STATE HWY #9		
DATE: 6/1/86	PROJECT NUMBER: 001-181-05 S.001	DRAWN BY: D. GENE
5000' HIGHWAY #9 FELTON, CA.		408/379,3307
RENOVATIONS		1 OF 3

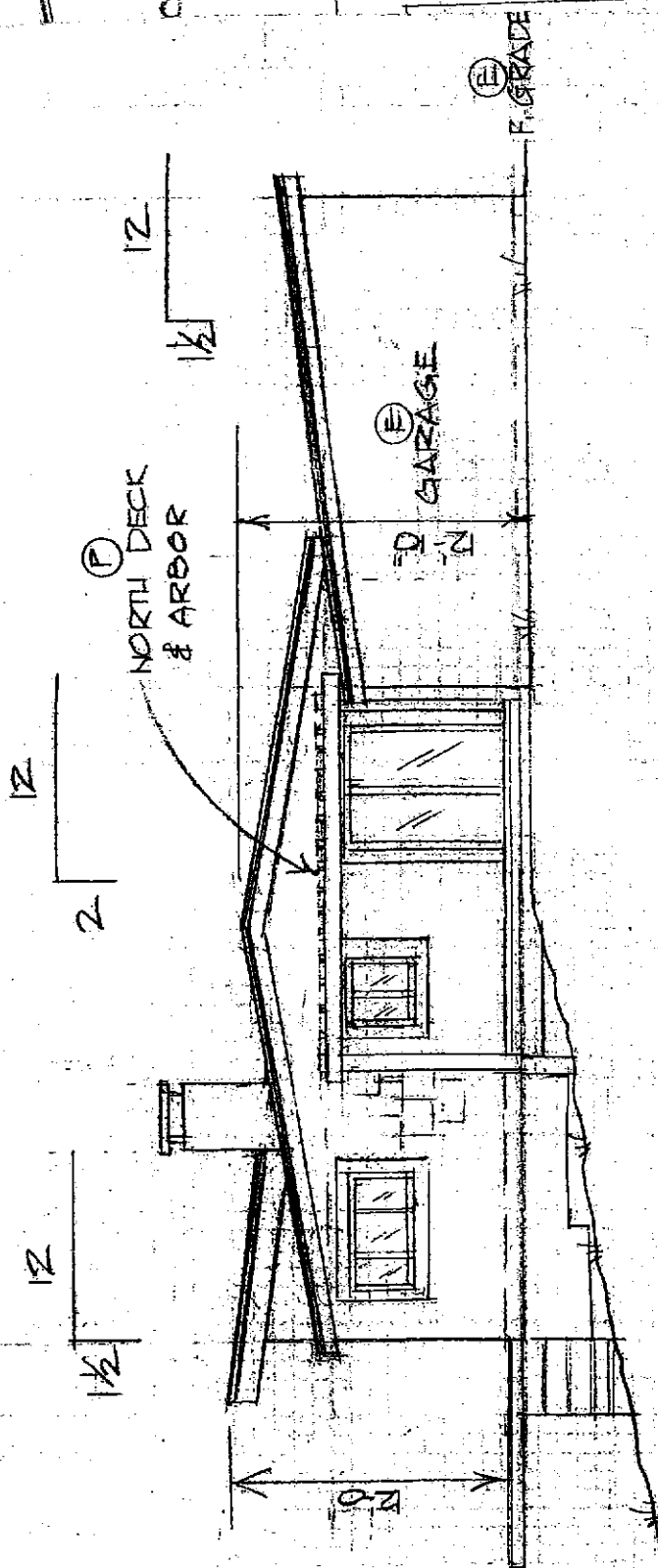


$$\sin \alpha = \frac{1}{2} \Rightarrow \alpha = 30^\circ$$



EXISTING & PROPOSED EAST ELEVATION and WEST ELEVATION

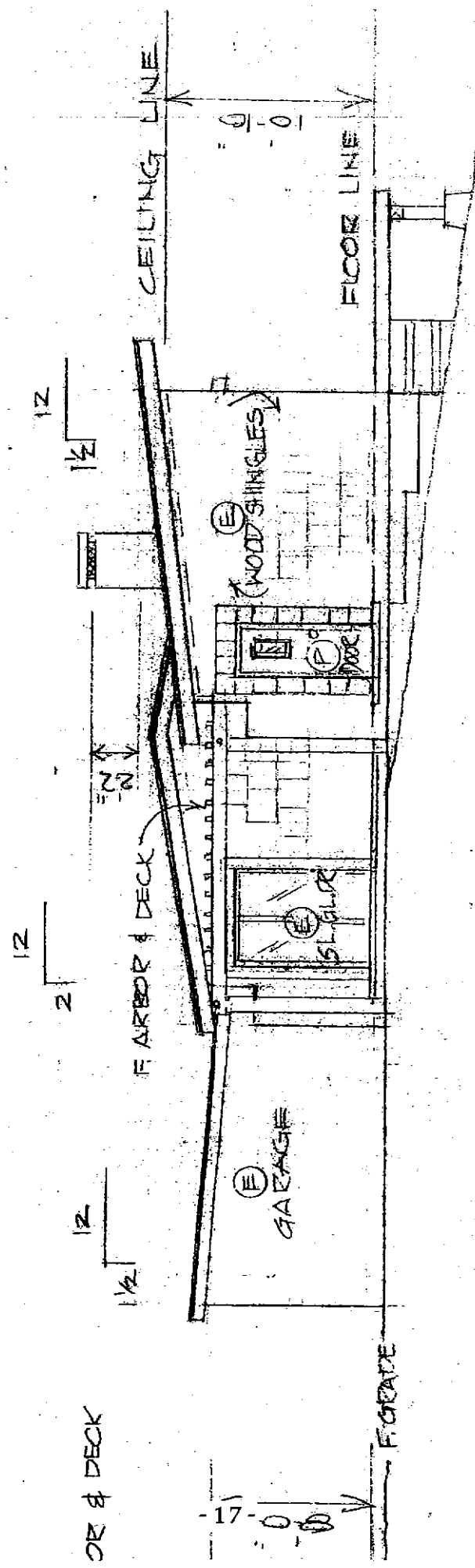
EXHIBIT A



EXISTING & PROPOSED
NORTH ELEVATION (LEFT)

SCALE: 1/8" = 1'-0"

EXHIBIT A

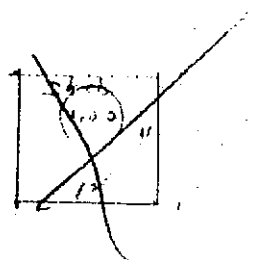
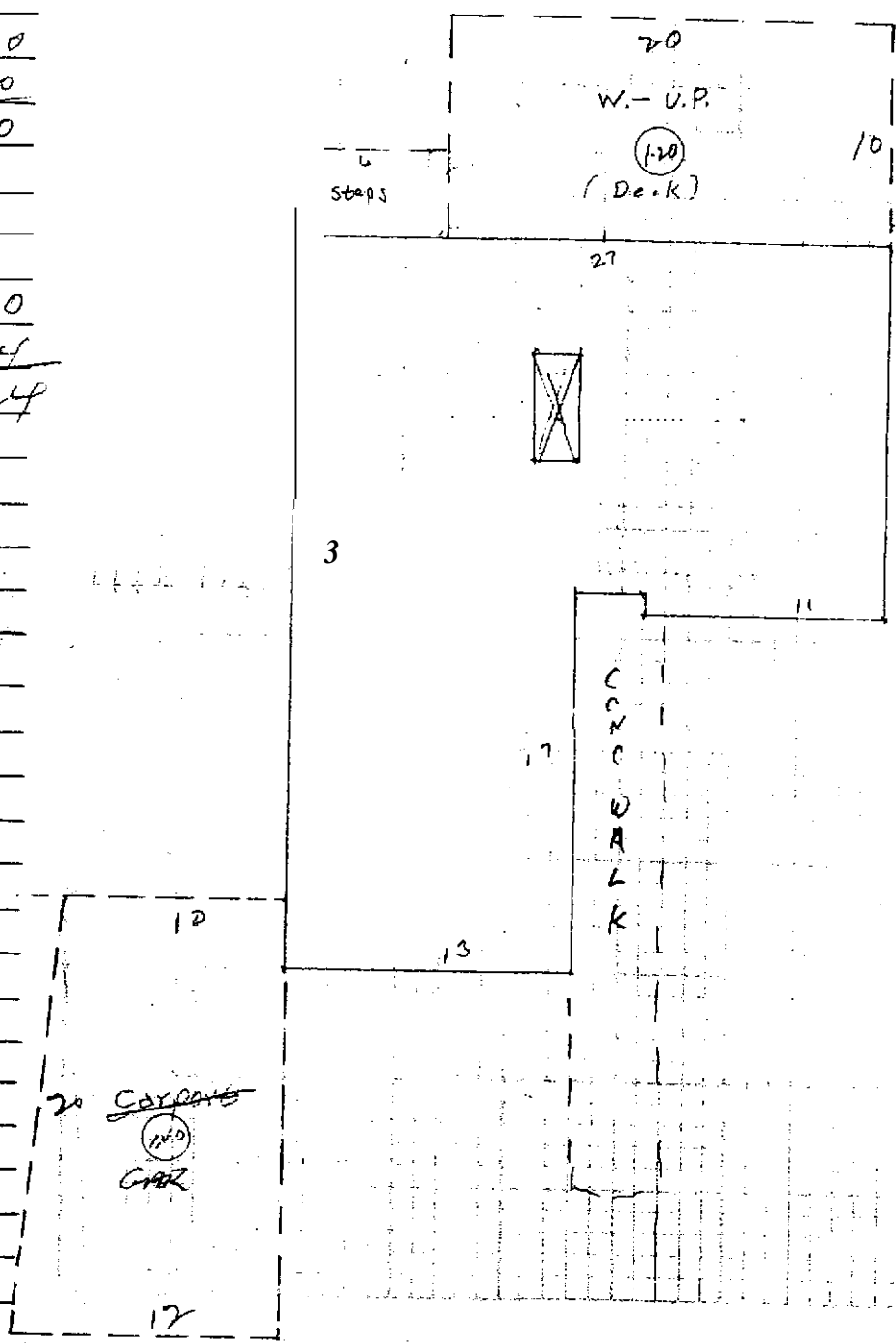


EXISTING & PROPOSED
SOUTH ELEVATION (RIGHT)

SCALE: 1/2" = 1'-0"

200
20
<u>220</u>

0 -- 200
4 = 24
<u>224</u>



ASSESSOR'S DRAWING

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 residential project, while located in an area designated for commercial uses, is a pre-existing residential use and the reconstruction of the house is allowed with Level 5 approval 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 proposal to reconstruct the fire-damaged house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure, while not meeting all current setbacks that ensure access to light, air, and open space in the neighborhood, will be reconstructed such that all features will be located as they were before the fire.

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 house and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the PA (Professional and Administrative Office) zone district, as a significantly non-conforming structure with a Level 5 Development Permit, in that the primary use of the property as a legal, non-conforming residential use pre-exists the PA zoning.

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 house, as a significantly non-conforming structure with a Level 5 Development Permit, is a legal, non-conforming residential use that pre-dates the requirements specified for the Commercial Office (C-0) land use designation in the County General Plan.

The proposed reconstruction of the pre-existing residential use will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and is not required to meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), because it is the reconstruction of a legal, pre-existing, nonconforming house. The proposal to reconstruct the fire-damaged house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure, while not meeting all current setbacks that ensure access to light, air, and open space in the neighborhood, will be reconstructed such that all features will be located as they were before the fire.

The proposed reconstruction of the legal, pre-existing, nonconforming house 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 reconstruction of the fire-damaged house will locate all features as they were before the fire.

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 reconstruction of the legal, preexisting, nonconforming fire-damaged house will be reconstructed to have the same square footage and room layout **as** before the fire. The expected level of traffic generated by the reconstructed house will not change from that generated by the residential use of the house before the **fire** and as such 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 reconstructed fire-damaged house 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.

While the proposed reconstruction **of** the legal, preexisting, nonconforming fire-damaged house is not subject to design review, the proposed reconstructed house 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: Reconstruction of a legal, non-conforming single family dwelling

- I. **This** permit authorizes the reconstruction of a legal, non-conforming, fire-damaged single family dwelling. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa ~~Cruz~~ County Building Official.
 - C. Obtain a Building Permit ~~from~~ the Santa Cruz County Building Official.
- 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. 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 8 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- F. Meet all requirements and pay any applicable plan check fee of the Felton Fire Protection District.
- G. Provide required off-street parking for 2 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.

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 attorneys 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: February 16, 2007

Application # 06-0635
AFN: 071-161-05
Owner: Suzanne Scofield

Effective Date: March 2.2007

Expiration Date: March 2.2009

Don Bussey
Deputy **Zoning Administrator**

Steven Guiney
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: 06-0635

Assessor Parcel Number: 071-161-05

Project Location: 6950 Highway 9, Felton

Project Description: Proposal to rebuild (up to 75 percent) a fire-damaged single-family dwelling in the PA zone district with C-0 General Plan designation, with the same footprint, elevations, and floor plan.

Person or Agency Proposing Project: Suzanne Scofield

Contact Phone Number: 335-2532

- 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 2; Reconstruction of Replacement

F. Reasons why the project is exempt:

The project is to reconstruct a fire-damaged single family dwelling with the same footprint, elevations, floor plan, and square footage.

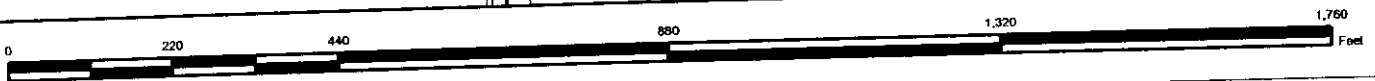
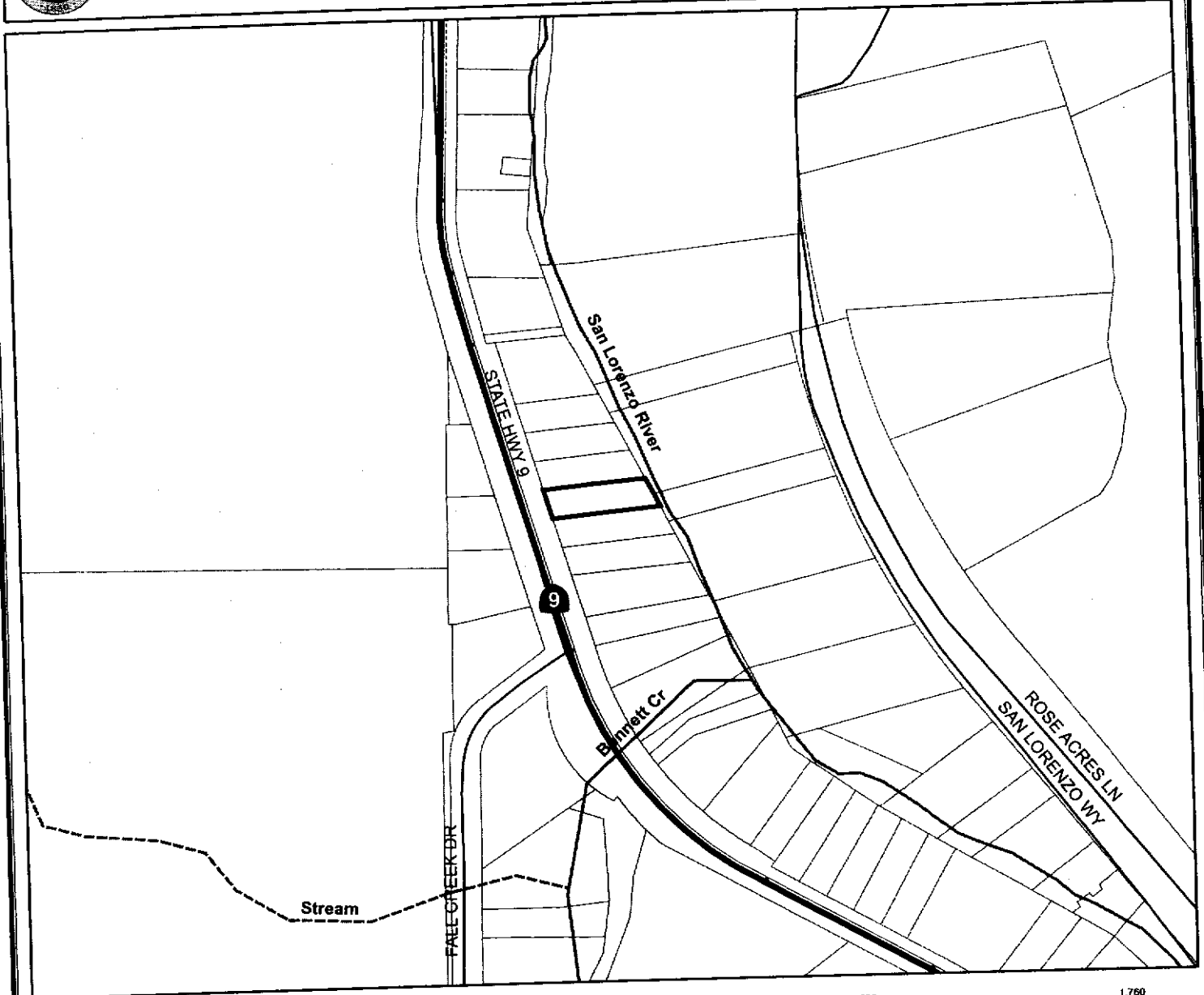
In addition, none of the conditions described in Section 15300.2 apply to this project.

Steven Guiney, Project Planner







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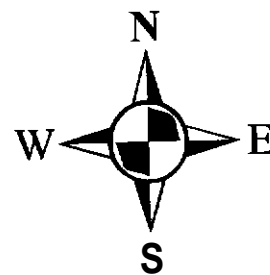


Location Map



Legend

-  APN 071-161-05
-  Assessors Parcels
-  INTERMITTENT STREAM
-  PERENNIAL STREAM
-  State Highways
-  Streets



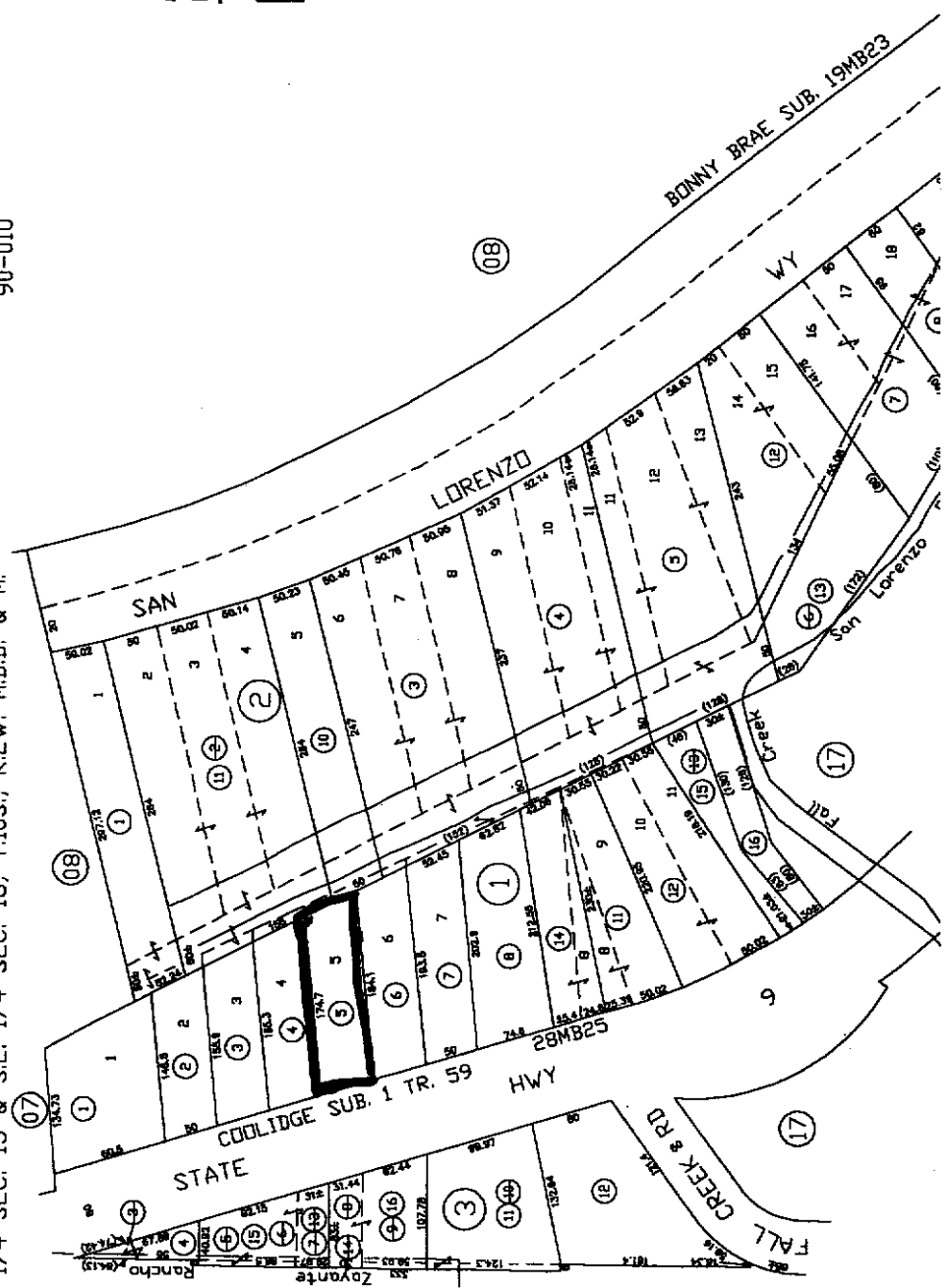
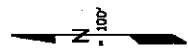
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Planning Department
November 2006

Tax Area Code
90-010

ZATANIE KANLUMU
1/4 SEC. 15 & SE. 1/4 SEC. 16, T.10S., R.2W. M.D.B. & M.

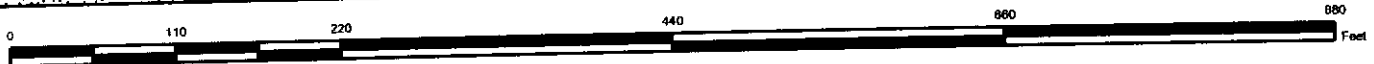
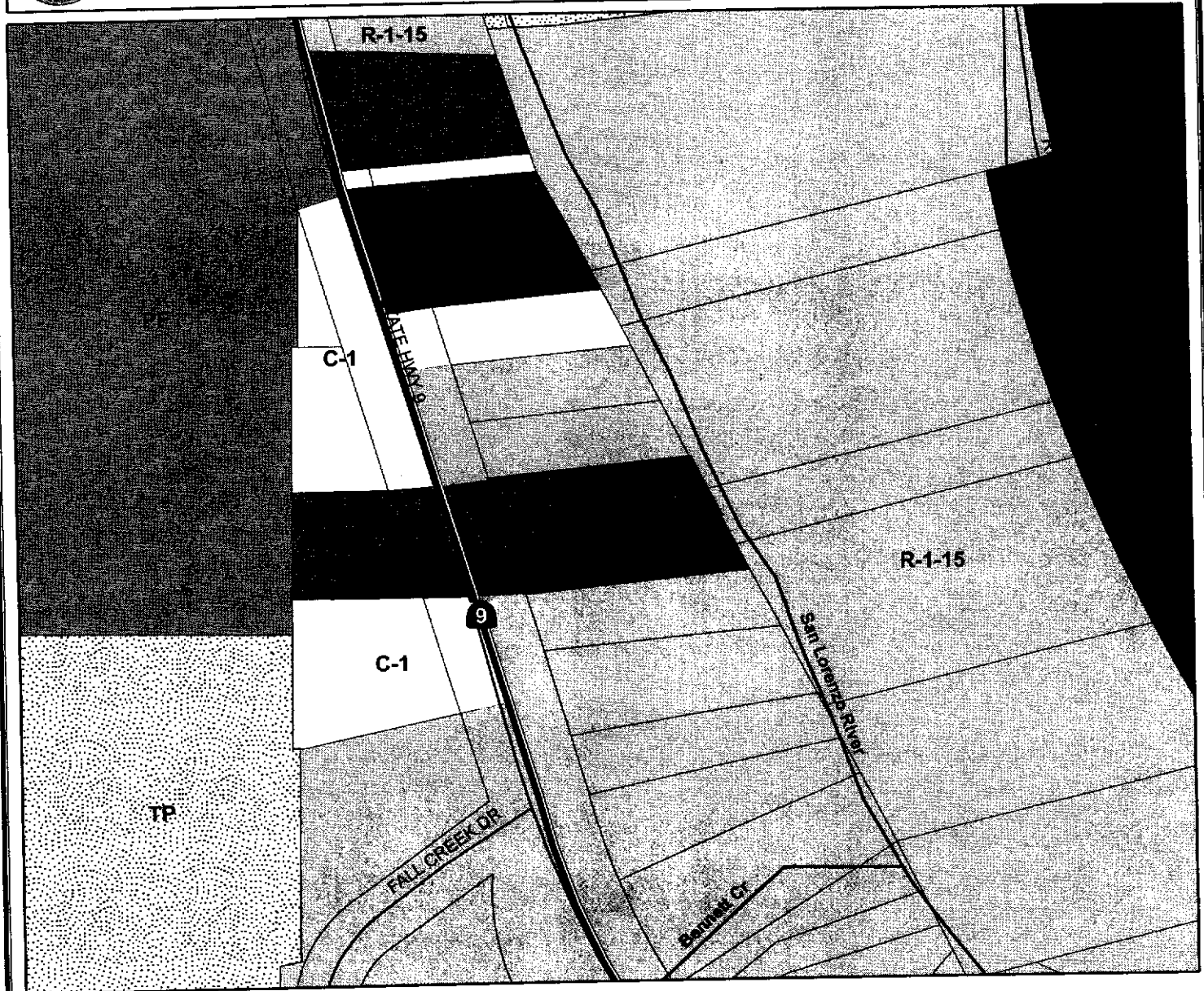
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Form 6/03/00 Jm



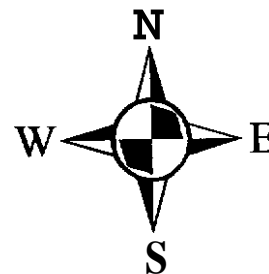


Zoning Map



Legend

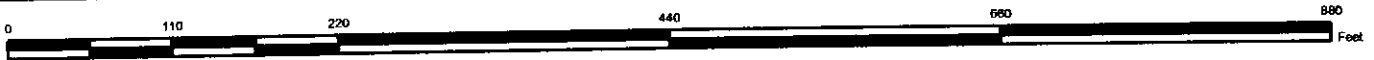
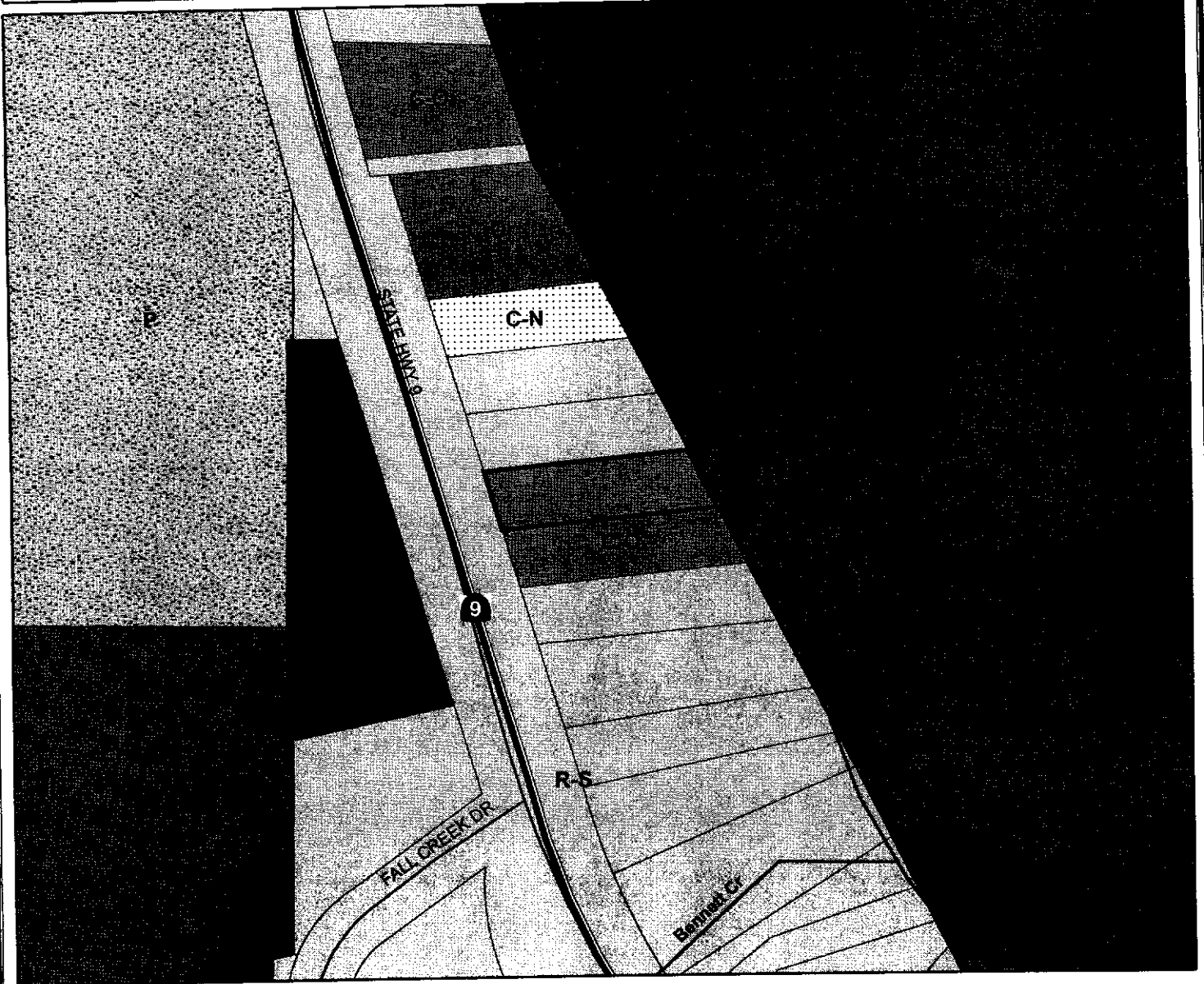
- APN 071-161-05
- Assessors Parcels
- Streets
- State Highways
- PERENNIAL STREAM
- COMMERCIAL-PROF OFFICE (PA)
- PUBLIC FACILITY (PF)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- AGRICULTURE RESIDENTIAL (RA)
- COMMERCIAL-NEIGHBORHOOD (C-1)
- TIMBER PRODUCTION (TP)



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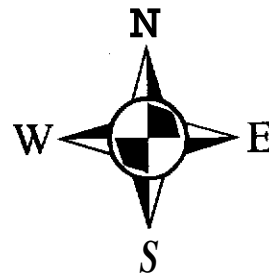


General Plan Designation Map



Legend

- APN 071-161-05
- Assessors Parcels
- Streets
- PERENNIAL STREAM
- State Highways
- Residential-Suburban (R-S)
- Commercial-Office (C-O)
- Residential-Mountain (R-M)
- Commercial-Community (C-C)
- Public Facilities (P)
- Commercial-Neighborhood (C-N)



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