



Staff Report to the Zoning Administrator

Application Number: **06-0163**

Applicant: Umbra Design
Owner: Gayle Topping
APN: 027-151-30

Agenda Date: March 16, 2007
Agenda Item #: 0.2
Time: after 8:30 a.m.
Continued from 2/2/07

Project Description: Proposal to construct a *two* story, rear addition of approximately 760 sq. ft. to an existing non-conforming single family residence which includes a one car garage (with no increase in number of bedrooms).

Location: 248 Ninth Avenue, Santa Cruz

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

Permits Required: Coastal Development Permit, Residential Development Permit, Design Review and Historic Resource Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application **06-0163**, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|--|----|--|
| A. | Project plans | G. | Zoning map |
| B. | Findings | H. | Discretionary Application comments |
| C. | Conditions | I. | Urban Designer's comments |
| D. | Categorical Exemption (CEQA determination) | J. | Historical Commission notice of action |
| E. | Location map | K. | Letter from Civil Engineer re: drainage |
| F. | General Plan map | | |

Parcel Information

Parcel Size:	4,583 sq. ft.
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential
Project Access:	Ninth Avenue
Planning Area:	Live Oak (Yacht Harbor)

Land Use Designation: R-UH (Urban High Density Residential)
Zone District: R-1-3.5-L (Single Family Residential –
3,500 sq. ft. min. lot size)
Coastal Zone: X Inside ___ Outside
Appealable to Calif. Coastal Comm. X Yes ___ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: 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: X Inside ___ Outside
Water Supply: City of Santa Cruz Water Department
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

Project Setting

The project is located in the Yacht Harbor Special Coastal Community in the Live *Oak* Planning Area.

Local Coastal Program Consistency

The proposed single family residence is in conformance with the County's certified **Local** Coastal Program, in that the structure is sited and designed to be visually compatible, in **scale** with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

The project site is 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.

Zoning & General Plan Consistency

The subject property is a **4,583** square foot lot, located in the **R-1-3.5-L** (Single Family Residential - **3,500**sq. ft. min. lot size) zone district, a designation that allows residential **uses**. The proposed single family residence is a principal permitted use within the zone district and the project is consistent with the site's (R-UH) Urban **High** Density Residential General Plan designation.

SITE DEVELOPMENT STANDARDS TABLE

	R-1-3.5 Standards	Proposed Residence
Front yard setback:	15 feet	12'± (<i>existing non-conforming to remain</i>)
Side yard setback:	5 feet / 5 feet	1'-6" north (<i>existing non-conforming to remain</i>) 5'-2" south
Rear yard setback:	15 feet	49'±
Lot Coverage:	40 % maximum	29 %
Building Height:	28 feet maximum	26' - 5"
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50%)	48.4%
Parking	2 bedrooms – 3 (18'x 8.5')	one in garage two on driveway

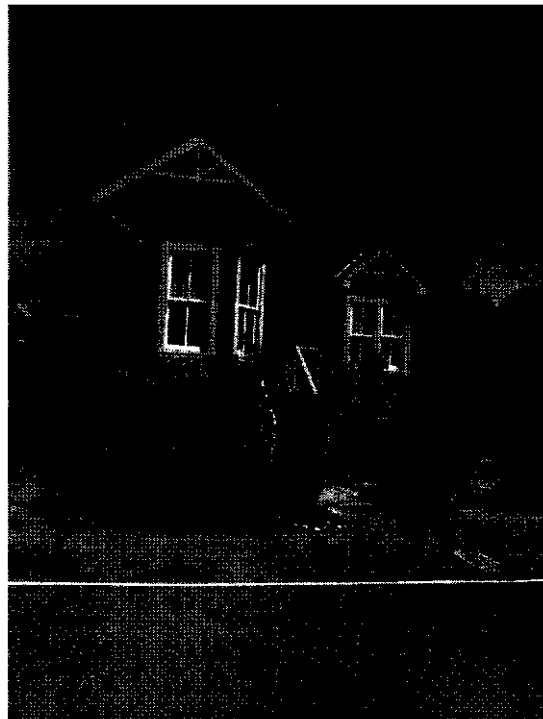


Figure 1. Front view of existing residence (no changes proposed)

Design Review

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance (**Section 13.11**), the Yacht Harbor Special Community design requirements (Section 13.20) in that the design contains wood siding and pitched roofs and compliments the existing historic structure. **See** Exhibit I for memo **from** the County Urban Designer.

Historic Resource Review

The Historic Resources Commission reviewed this application on May 11, 2006. The existing house was the parsonage for the Twin Lakes Baptist Church (which subdivided this area). The house is rated NR5. The proposed addition proposes no changes to the existing front or sides of the existing historic structure.

The Commission approved the Historic Resource Preservation Plan with no unusual conditions.

Drainage

Bowman and Williams, the civil engineers for the project are proposing an infiltration trench over a bio swale as a means of pre-treating storm water runoff. A silt and grease trap is proposed upstream of the infiltration trench as a means of pre-treating the runoff. The steepness of the slope precludes using a bio swale. The drainage system has been designed to limit the runoff from the site to pre-development levels during a small storm event. The Department of Public Works Drainage Division has reviewed the drainage plans and consider them complete for discretionary review.

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and no change of use is proposed.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number 06-0163, 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: **Lawrence** Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
E-mail: pln795@co.santa-cruz.ca.us

Application #: 06-0163
APN: 027-151-30
Owner: Gsyle Topping

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-1-3.5-L (Single Family Residential - 3,500 sq. ft. min. lot size), a designation which allows residential uses. The proposed single family residence is a principal permitted use within the zone district, consistent with the site's **(R-UH)** Urban High Density Residential General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are **known** to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to **section** 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; 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 residence will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified **as** a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-3.5-L (Single Family Residential - 3,500 sq. ft. min. lot size) 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.

Application #: 06-0163
APN: 027-151-30
Owner: Gayle Topping

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single family residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding *can* be made, in that the proposed location of the single family residence 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-1-3.5-L** (Single Family Residential - 3,500sq. ft. min. lot size) zone district in that the primary use of the property will be one single family residence that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban High Density Residential (R-UH) land use designation in the County General Plan.

The proposed single family residence will not adversely impact the light, solar opporhmities, 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 residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single family residence 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 residence will comply with the site standards for the **R-1-3.5-L** zone district (including setbacks, lot coverage, floor **area** ratio, height, and number of stories) and will result in a structure consistent

Application #: 06-0163
APN: 027-151-30
Owner: Gayle Topping

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 residential addition is to be constructed on an existing developed lot.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a **variety of** architectural styles, and the proposed single family residence **is** consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and **any** other applicable requirements of this chapter.

This finding can be made, in that the proposed single family residence 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. The project was reviewed by the Urban Designer and found to be in **conformance** with Chapter 13.11.

Application # **06-0163**
APN: **027-151-30**
Owner: **Gayle Topping**

Conditions of Approval

Exhibit A: Architectural plans prepared by Umbra Design, dated 3/21/06 and revised 9/19/06.

Drainage and erosion control plans prepared by Dunbar and Craig, dated June 12, 2006

- I.** This permit authorizes the construction of an addition to an existing single family residence (without change in the number of bedrooms). Prior to exercising any rights granted by this permit including without limitation, any construction or site disturbance, the applicant owner shall:
 - A.** Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B.** Obtain a Building Permit ~~from~~ the Santa Cruz County Building Official.
- 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

EXHIBIT C

Application # 060163
APN: 027-151-30
Owner: Gsyle Topping

elevations and cross-sections and the topography of the project site that clearly depict the total height of the proposed structure.

4. Details showing compliance with fire department requirements.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Meet all requirements of and pay Zone **5** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
 - G. 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.

Application #: 06-0163
APN: 027-151-30
Owner: Gayle Topping



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.

Application# 06-0163
APN: 027-151-30
Owner: Gayle Topping

Please note: This permit expires 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

Lawrence Kasparowitz
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

CALIFORNIA ENVIRONMENTAL, QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 06-0163
Assessor Parcel Number: 027-151-30
Project Location: 248 Ninth Avenue

Project Description: Proposal to construct a two story addition of approximately 760 sq. ft. to an existing non-conforming single family residence which includes a one ~~car~~ garage (with no increase in number of bedrooms).

Person Proposing Project: Umbra Design

Contact Phone Number: (831) 655-9930

- A. _____ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. _____ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
D. _____ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. **X** Categorical Exemption

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

F. Reasons why the project is exempt:

Addition to ~~an~~ existing residence in an area designated for residential **uses**.

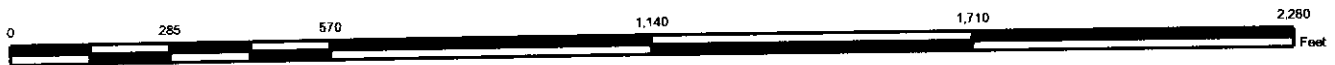
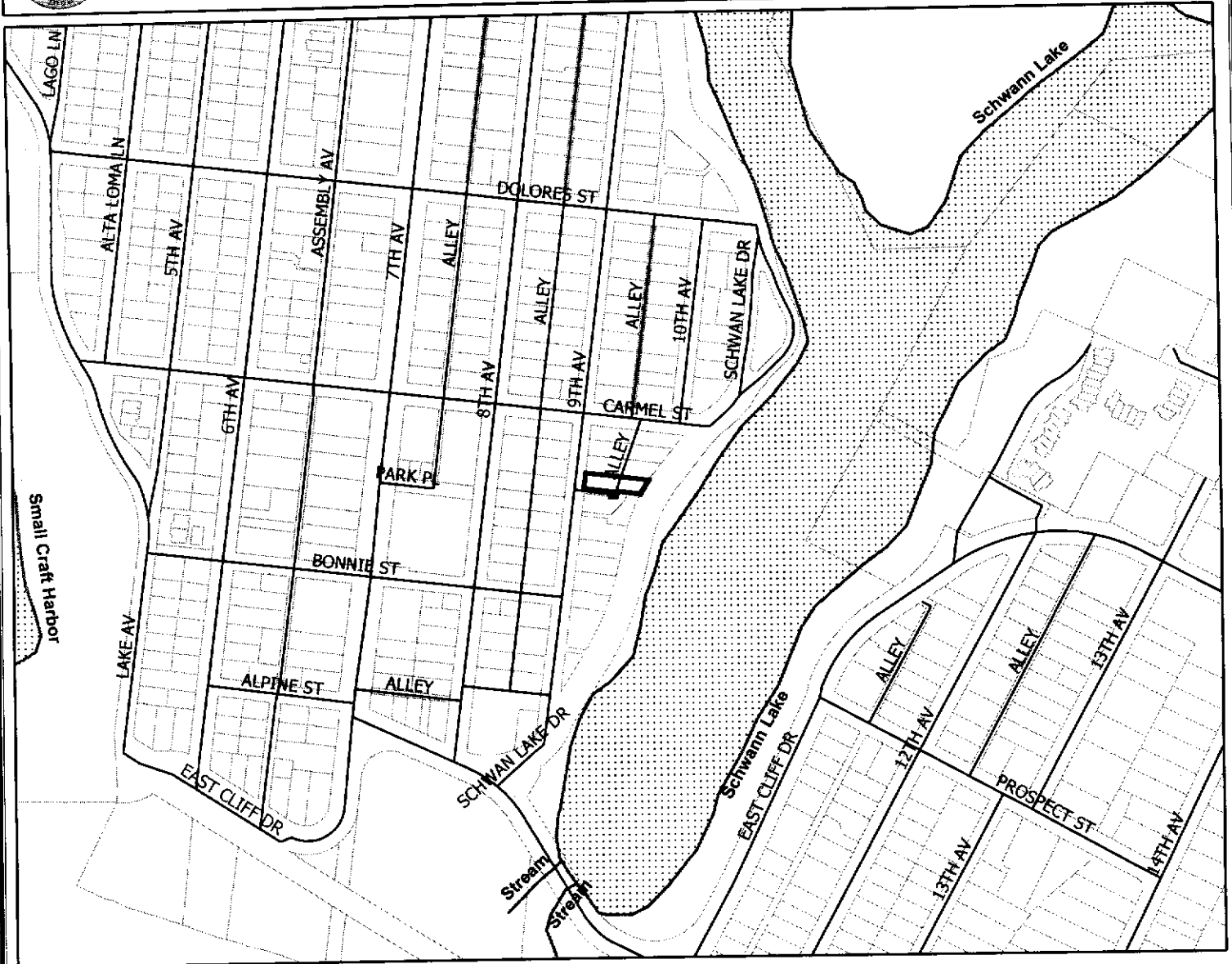
In addition, none of the conditions described in Section 15300.2 apply to this project.

Lawrence Kasparowitz, Project Planner

Date: _____



Location Map



Legend

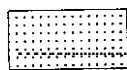


APN 027-151-30

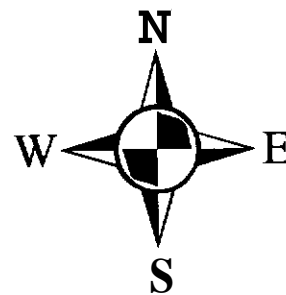


Streets

Assessors Parcels



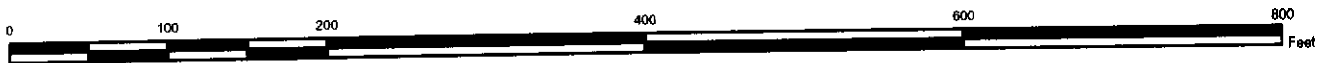
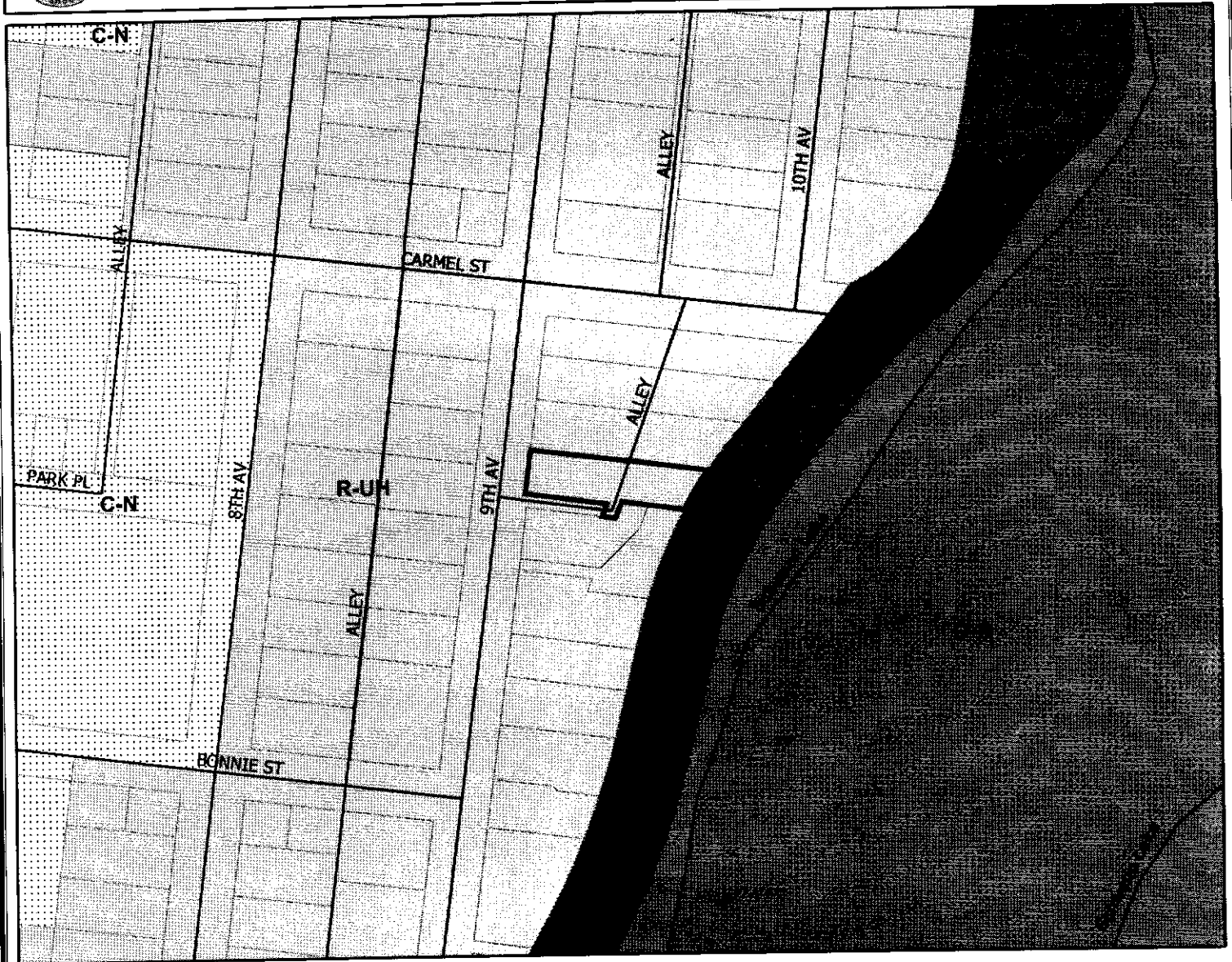
Lakes











Map Created by
County of Santa Cruz
Planning Department
March 2006

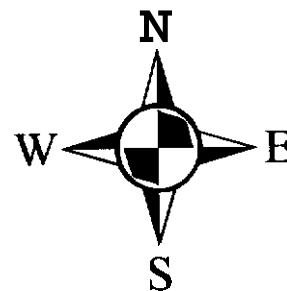


General Plan Designation Map



Legend

-  APN 027-151-30
-  Streets
-  Assessors Parcels
-  PERENNIAL STREAM
-  Residential- Urban High Density (R-UH)
-  Parks and Recreation (O-R)
-  Urban Open Space (O-U)
-  Commercial-Neighborhood (C-N)

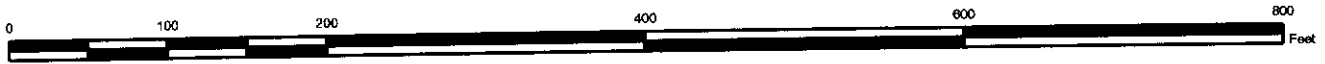
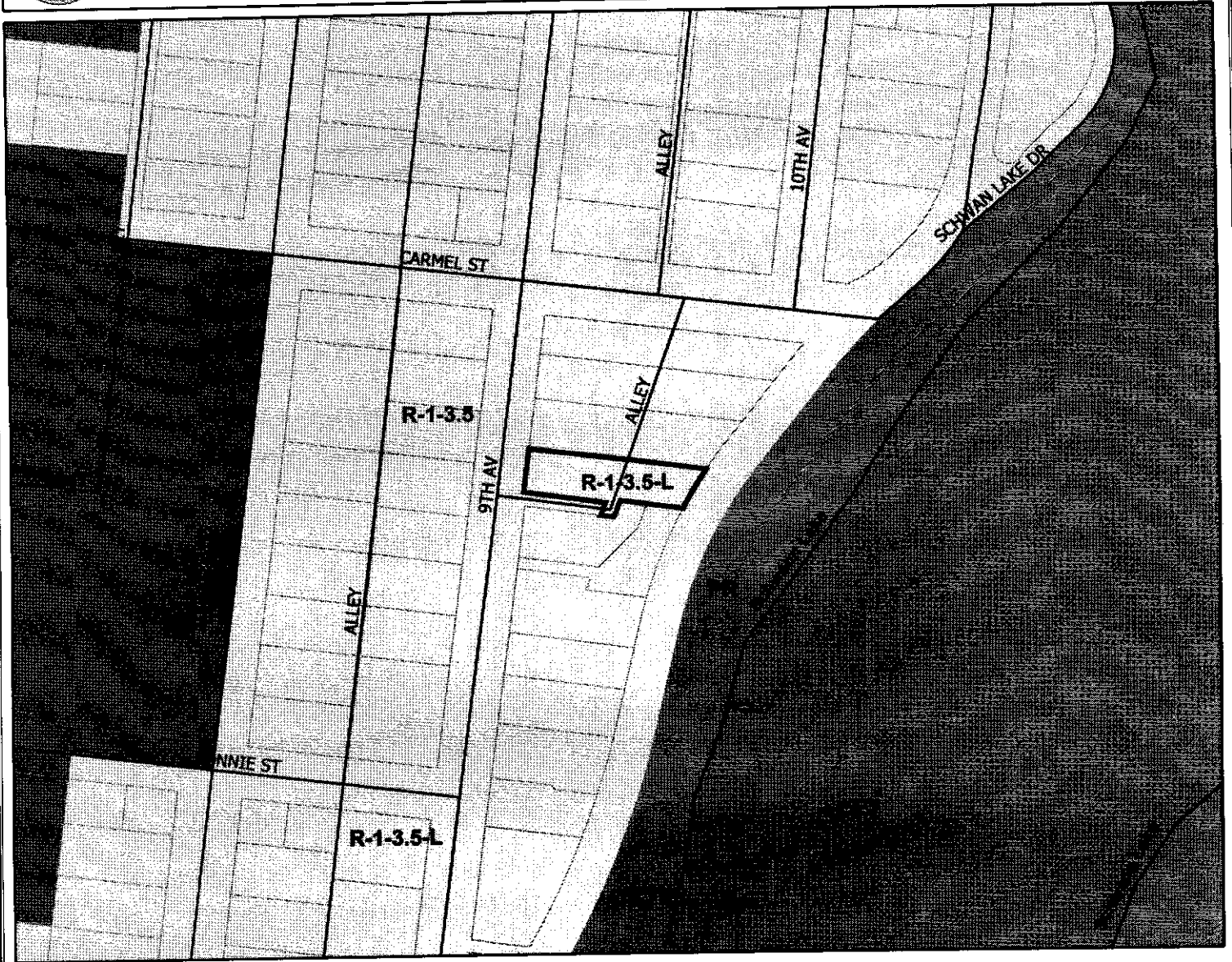


Map Created by
County of Santa Cruz
Planning Department
March 2006

EXHIBIT F

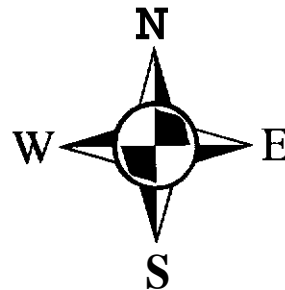


Zoning Map



Legend

-  APN 027-151-30
-  Streets
-  Assessors Parcels
-  Lakes
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)
-  COMMERCIAL-NEIGHBORHOOD(C-1)



Map Created by
County of Santa Cruz
Planning Department
March 2006

EXHIBIT G

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Larry Kasparowitz
Application No.: 06-0163
APN: 027-151-30

Date: October 1 , 2006
Time: 13:13:56
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 6, 2006 BY JESSICA L OEGRASSI =====

Please revise site plan to include topography and edge of lagoon, also show the 100-foot riparian setback from the water line of the lagoon.

Please revise site plan to show proposed drainage for addition. ===== UPDATED ON JUNE 15, 2006 BY JESSICA L DEGRASSI =====

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 6, 2006 BY JESSICA L DEGRASSI =====

An erosion and sediment control plan will be required at building permit application stage. ===== UPDATED ON AUGUST 9, 2006 BY JESSICA L DEGRASSI =====

The retention device proposed on the drainage plan should be redesigned to include a softer design, such as a bio-swale. The adjacent lot was required to construct a bio-swale instead of the hard drainage structure. Suggest the applicant obtain comments from the Coastal Commission asap regarding the proposed drainage structures onsite.

Dpw Drainage Completeness Comments

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

===== REVIEW ON APRIL 4, 2006 BY ALYSON B TOM ===== Application with plans dated March 21, 2006 has been received. Please address the following:

1) Please provide some drainage information on the plans indicated how and where runoff from added impervious areas will be handled. **It** should be clear that runoff from the proposed project will not adversely impact adjacent or downstream properties. Runoff should be dissipated on site and should not directly discharge to the lagoon.

See miscellaneous comments for issues to be addressed prior to building permit issuance.

===== UPDATED ON JUNE 27, 2006 BY ALYSON B TOM ===== Application with civil plans dated 6/12/06 has been received. Application is complete, however **it** appears that as proposed, the retention trench installation will require a riparian exception. **It** does appear feasible to locate the trench outside of the riparian corridor. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON APRIL 4, 2006 BY ALYSON B TOM ===== The following should be addressed prior to building permit issuance:

1) Water quality treatment and mitigation prior to discharge to the lagoon may be

EXHIBIT H ,

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 06-0163
APN: 027-151-30

Date: October 11, 2006
Time: 13:13:56
Page: 2

required

2) Zone 5 fees will be assessed on the net increase in impervious area due to the project. Please indicate the materials used for the existing and proposed decks.

For questions regarding this review Public Works stormwater management staff is available from 8-12 Monday through Friday. All submittals for this project should be made through the Planning Department.

===== UPDATED ON JUNE 27, 2006 BY ALYSON B TOM ===== Please address the following in addition to previous miscellaneous comments prior to building permit issuance:

1) Provide facilities for silt accumulation and removal above the proposed retention trench

2) Consider locating the proposed retention trench further away from the property line.

3) If construction of the proposed project requires work off site the applicant is responsible for obtaining any and all necessary easements/approvals.

EXHIBIT H

UM

Application No: 06-0163

Date: April 14, 2006

To: Lawrence Kasparowitz, Project Planner

From: Urban Designer

Re: Design Review for a rear addition at 248 9th Avenue, Santa Cruz

GENERAL PLAN / ZONING CODE ISSUES

Design Review Authority

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design 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	✓		
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.	✓		

Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridge top shall not be permitted			NIA
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.			NIA
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
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
Structures shall be designed to fit the topography 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			NIA
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			NIA
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).			NIA
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			NIA
Restoration			
Feasible diminution 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 impaired areas shall be in scale with the size of the proposed project			N/A
Materials, scale, location and orientation of signs shall harmonize			NIA
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or			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			NIA
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			NIA

materials and colors			
(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 (Structures)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred			N/A



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX (831) 454-2131 TDD (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

May 4, 2006

AGENDA DATE: May 11, 2006

HISTORIC RESOURCE PRESERVATION PLAN

Applicant: Umbra Design (Christine Hopper)
Owner: Gayle Topping
Application No.: ... 06-0163
APN: 027-151-30
Situs: 248 9th Avenue, Live Oak
Location: East side of 9th Avenue about 105 feet south from Cannel Street
Historic Name: Twin Lakes Baptist Church Parsonage
Current Name: Twin Lakes Baptist Church Parsonage
Rating: NR5

Existing Site Conditions

Parcel Size: 4583 square feet
Use: Single family residence

Planning Policies

Planning Area: Live Oak
Zone District: R-1—3.5-L
General Plan Land Use Designation: Urban High Residential, Harbor Area Coastal
Special Community
Community, Specific, or Town Plan: N/A
General Plan Resources and Constraints: Ground Water Recharge (portion)
Coastal Zone: Yes

I. PROJECT DESCRIPTION

This is a proposal to make interior alterations and construct a 2-story addition of approximately 750 square feet to an existing designated historic resource. The historic resource is a two-story 1483 square foot building that, according to the Historic Resources Inventory, was originally built as the parsonage for the Twin Lakes Baptist Church. The proposed addition consists of a solarium and family room on the upper floor and a master bedroom on the lower floor.

II. DISCUSSION

A. Background and Site Description

The building is located on the east side of 9th Avenue about 110 feet south from Carmel Street in the Yacht Harbor – Twin Lakes area of Live Oak. The property is relatively flat at the building site, but drops off steeply at the rear and is separated from Schwan Lake by the Schwan Lake Drive unimproved right-of-way. According to the evaluation done of the property in 1986, “(t)his house was built in the 1890s for the parson for the Twin Lakes Baptist Church” and its significance stems from “its association with the Twin Lakes Baptist Church and its long history of activity in the Santa Cruz area.”

Please refer to from the HRI for the complete information about the historic and architectural significance of the building (Exhibit B).

B. Proposal

The proposal involves interior remodeling and construction of a new addition at the east side (rear) of the existing structure.

C. Purview of the HRC

Your Commission is requested to consider an Historic Resource Preservation Plan to address the proposed addition to an existing designated historic resource. In so doing, your Commission will be considering the effect of the proposal on the architectural and historic integrity, significance, and setting of the existing historic building.

D. Historic Preservation Criteria

General Plan Policies 5.20.3 and 5.20.4 require that development activities on property containing historic resources protect, enhance, and/or preserve the “historic, cultural, architectural, engineering, or aesthetic values of the resource as determined by the Historic Resources Commission” based on the Commission’s review and approval of historic preservation plans. Chapter 16.42 of the County Code implements those General Plan Policies.

County Code Subsection 16.42.040(a) and Section 16.42.070 are applicable to the proposal. Subsection 16.42.040(a) states, in relevant part, that

[n]o person shall make or cause any material change to the exterior of an historical structure. . . unless such action is in conformance with a valid Historic Resource Preservation Plan approved by the Historic Resources Commission.

Subsection 16.42.070, Historic Preservation Criteria, requires that alteration of historic resources meet certain criteria. Those criteria are listed below, each followed by a discussion of the applicability of each criterion and how the proposal does or does not meet that criterion.

E. Alteration Criteria

1. *Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.*

No change in use is proposed. The building was originally constructed as a residence, is currently used as a residence, and will continue to be a residence.

2. *The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*

According to the survey and evaluation form for the site,

One and one half stories and constructed of wood, this building is sheathed in vertical (sic) board and batten. The porch entry is recessed in the center of the gable end. Windows are on each side of the entry. Stick detailing is in the peak of the gable, and at the roof corners."

The proposal involves new exterior construction at the rear of the building with similar material. No historical material or distinctive architectural features will be removed.

3. *All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier or later appearance shall be discouraged.*

The proposed alterations do not attempt to create an earlier or later appearance for the existing building.

4. *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.*

No historically significant features resulting from changes over time are proposed to be modified.

5. *Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity.*

The proposed alterations would not affect the style of the building.

6. *Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities.*

Repair or replacement of missing architectural features should be based on accurate duplications of features substantiated by historic, physical or pictorial evidence rather than on conjectural design or the availability of different architectural elements from other buildings or structures.

There are no deteriorated or missing architectural features.

7. The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building material should not be utilized.

No surface cleaning is proposed.

8. *Every* reasonable effort shall be made to protect and preserve archaeological resources affected by, or adjacent to any project.

The site is not in a mapped archaeological area, but this **HRPP** is conditioned with the standard condition regarding discovery of archaeological material.

9. Alterations and additions to existing properties shall not destroy significant historical, architectural or cultural elements or materials, and shall be compatible with the size, scale, color, materials, and character of the property, neighborhood or environment.

The proposed work would not destroy significant historical, architectural or cultural elements or materials. The exterior materials of the new addition are proposed to match the exterior materials of the existing building. The alterations will be in keeping with the character of the property and neighborhood.

10. Whenever possible, new additions or alterations to structures shall be done in a *manner* so that the essential form and integrity of the structure would be unimpaired.

The size of the existing building will be increased by approximately 50 percent. The exterior changes will be limited to the rear of the existing building. From the front of the property, the only visible change will be a new chimney at the rear of the addition, on the north side of the house. The new addition will be visually off-set from the existing house by the solarium with its distinctive glass.

III. ENVIRONMENTAL REVIEW

The proposal has been reviewed for compliance with the California Environmental Quality Act and found to be categorically exempt because the proposed work conforms to the Secretary of the Interior's standards for additions to historic buildings. No further environmental review is necessary for this project relative to historic resources.

IV. CONCLUSION

The proposal involves a two story addition to the rear of the existing designated historic resource that will complement, but be clearly distinguished from the existing house. The proposal is generally consistent with the requirements of County Code regarding alterations of historic resources.

V. RECOMMENDATION

Therefore, it is RECOMMENDED that your Commission take the following actions:

A. Adopt the following Findings:

1. The Historic Resource Preservation Plan, as conditioned, is consistent with General Plan Objective 5.20 and General Plan Policies 5.20.3 and 5.20.4 and with the purposes and goals of County Code Chapter 16.42; and
2. The Historic Resource Preservation Plan, as conditioned, is in conformance with the requirements of Section 16.42.070 (Historic Preservation Criteria) of the County Code; and
3. The Historic Resource Preservation Plan, as conditioned, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

B. Approve the Historic Resource Preservation Plan as submitted, with the following conditions:

1. **Other permits required.**
Obtain a coastal development permit and a building permit before beginning work.
3. **Discovery of Historic Archaeological Resources and Native American Cultural Sites:** 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.

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

Exhibits

- A. Applicant's Historic Resource Preservation Plan Submittal
- B. Historic Resources Inventory pages
- C. Location and vicinity maps
- D. CEQA Notice of Exemption

Report prepared by:

Steven Guiney, AICP
Planner IV
Historic Resources Commission Staff



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831)454-2580 FAX: (831)454-2131 TDD: (831)454-2123
TOM BURNS, PLANNING DIRECTOR

NOTICE OF ACTION

HISTORIC RESOURCES COMMISSION COUNTY OF SANTA CRUZ

Meeting of May 11, 2006

Applicant: Umbra Design (Christine Hopper)
Owner: Gayle Topping
Application No.: ... 06-0163
APN: 027-151-30
Situs: 248 9th Avenue, Live Oak
Location: East side of 9th Avenue about 105 feet south from Carmel Street

PROJECT DESCRIPTION: This is a proposal to make interior alterations and construct a 2-story addition of approximately 750 square feet to an existing designated historic resource. The historic resource is a two-story 1483 square foot building that, according to the Historic Resources Inventory, was originally built as the parsonage for the Twin Lakes Baptist Church. The proposed addition consists of a solarium and family room on the upper floor and a master bedroom on the lower floor.

HISTORIC RESOURCES COMMISSION ACTION: On May 11, 2006, the Historic Resources took the following action on the proposed Historic Resource Preservation Plan:

A. FINDINGS. Adopted the following three Findings:

1. The Historic Resource Preservation Plan, as conditioned, is consistent with General Plan Objective 5.20 and General Plan Policies 5.20.3 and 5.20.4, and with the purposes and goals of County Code Chapter 16.42; and
2. The Historic Resource Preservation Plan, as conditioned, is in conformance with the requirements of Section 16.42.070 (Historic Preservation Criteria) of the County Code; and
3. The Historic Resource Preservation Plan, as conditioned, will preserve and maintain the cultural and historical heritage of the County and/or further cultivate the knowledge of the past.

B. **APPROVAL.** Approved the Historic Resource Preservation Plan as conditioned.

C. **CONDITIONS.** Applied the following conditions:

1. **Other Permits**

Obtain a coastal permit and a building permit before starting any work.

2. **Discovery of Historic Archaeological Resources and Native American Cultural Sites:** 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.

**Note: This is NOT a building permit
You must obtain all other required permits and approvals before beginning work.**

Please note:

This approval expires two years from the effective date unless you obtain other required permits and commence construction.

Approval Date: May 11, 2006

Effective Date: May 25, 2006

Expiration Date: May 25, 2008



Steven Guiney
Historic Resources Commission Secretary

APPEALS

This action may be appealed to the Board of Supervisors by the property owner, or other aggrieved person, or any other person whose interests are adversely affected by this act of the Historic Resources Commission. Appeals to the Board shall be taken by filing a written notice of appeal with the Clerk of the Board of Supervisors not later than the fourteenth (14th) calendar day after the day on which the act or determination appealed from was made. In this case, the Historic Resources Commission acted to approve the proposal on May 11, 2006. Therefore, any appeal must be filed with the Clerk of the Board of Supervisors not later than 5:00 p.m., May 25, 2006.



BOWMAN & WILLIAMS
CONSULTING CIVIL ENGINEERS
A CALIFORNIA CORPORATION

1011 CEDAR • PO BOX 1621 • SANTA CRUZ, CA 95061-1621
PHONE (831) 426-3560 FAX (831) 426-9182 www.bowmanandwilliams.com

November 16, 2006

Ms. Gayle Topping
P.O. Box 2352
Aptos, CA 95001

Re: 248 Ninth Avenue Drainage Recommendations, ~~EN~~ 027-151-30
Our File No. 23658

Dear Ms. Topping,

It is our understanding that the County is asking for justification ~~as~~ to why we have proposed an infiltration trench over a bio swale ~~as~~ a means of ~~pre~~ treating storm water runoff from your project.

An infiltration is a rock filled trench that receives storm water runoff. Runoff is stored in the void space between the stones and infiltrates ~~through~~ the bottom and sides of the trench into the soil matrix. The trench we have designed for your residence is sized to infiltrate runoff at a rate that will ~~limit~~ the amount of runoff leaving your property to pre development levels for a 2 year storm event. In addition to limiting the amount of runoff from your property, the infiltration trench will perform well in eliminating fine sediment and associated pollutants. ~~As~~ a means of ~~pre~~ treating runoff before it enters the infiltration trench we have provided a silt and grease trap on the storm drain line just upstream of the trench.

A bio swale would also eliminate fine sediment and associated pollutants from runoff. However, a bio swale on this site would not be very effective in infiltrating excess runoff into the soil due to the steepness of the terrain (approximately 15% slope).

In ~~conclusion~~, we recommend using the infiltration trench over the bio swale for your project because it has the additional benefit of limiting the runoff ~~from~~ the site to pre development levels during small storm event.

I hope this information proves useful, please don't hesitate to call should you have any questions.

Sincerely,
Bowman & Williams

Jeffrey R. Naess, P.E.



EXHIBIT K