



Staff Report to the Zoning Administrator

Application Number: **06-0586**

Applicant: Michael Morrish, Morrish Designs
Owner: James Chubb & Martha Lopez Chubb
APN: 027-112-14

Agenda Date: July 20, 2007

Agenda Item #: **3**

Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing 638 square foot, one-story single family dwelling and a 200 square foot garage and construct a new 1,580 square foot two-story single family dwelling with three bedrooms and a 239 square foot single-car garage.

Location: Property located on the east side of 9th Avenue, approximately 160 feet north from the intersection with Carmel Street, at 340 9th Avenue.

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

Permits Required: Coastal Development Permit and Roadway/Roadside Exception

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0586, 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 and General Plan maps |
| D. Categorical Exemption (CEQA determination) | H. Comments & Correspondence |

Parcel Information

Parcel Size:	3,200 square feet
Existing Land Use - Parcel:	One single family dwelling
Existing Land Use - Surrounding:	Residential
Project Access:	9 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Density Residential)
Zone District:	R-1-3.5 (Single family residential, 3500 s.f. minimum area)

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

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

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Not a known constraint, soils report required
Fire Hazard: Not a mapped constraint
Slopes: Gentle slope down from 9th Ave.
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Minimal grading proposed to level site and create dry creek
Tree Removal: One 6" maple proposed to be removed
Scenic: Not a mapped resource
Drainage: Drainage to be retained on site/less than pre-development levels
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

According to assessor's information the existing dwelling was constructed in approximately 1919. The only permit on file for this parcel was issued to construct an arbor and enclose a water heater (Permit 6158, issued in 1959). The existing dwelling is in generally poor condition and is proposed to be demolished.

Project Setting

The subject parcel is located in the Harbor Area Special Community, an area which includes several recognized historic structures, two of which are on 9th Avenue, in the vicinity of the proposed project. The area surrounding the proposed project is an eclectic mix of housing styles and types that includes older homes, new construction, wood siding, stucco and a variety of architectural styles. Both one and two-story homes are found in the area.

Zoning & General Plan Consistency

The subject property is a 3,200 square foot lot, located in the R-1-3.5 (Single family residential, 3,500 square foot minimum site area) zone district, a designation that allows residential uses. Although the parcel is less than 3,500 square feet in area, which would be required to create a new lot, it is an existing lot of record and the minor non-conformity does not affect the developability of the parcel. The proposed two-story single family dwelling and attached garage 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.

As proposed, the project is consistent with the all of the site standards for the zone district as follows:

	R-1-3.5 Standards	Proposed Residence
Front Setback	15 feet (20 feet to garage)	17 feet, 20 feet to garage
Rear Setback	15 feet	25 feet
Side Setbacks	5 feet	5 feet and 6½ feet
Lot Coverage	40% maximum	34%
Floor Area Ratio (FAR)	50% maximum	49.8%
Building Height	28 feet maximum	26½ feet
Parking	3 spaces for 3 bedrooms	3 spaces (1 in garage, two in driveway)

Local Coastal Program Consistency

The proposed two-story single family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and generally 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 proposed design 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.

The subject parcel is located within the Harbor Area Special Community that requires new development to incorporate the characteristics of older dwellings in the area including small scale, clean lines, pitched roofs, wood construction and wood siding. The surrounding development includes a wide variety of construction methods and materials, and both one and two-story dwellings are common. The only unifying theme in the immediate neighborhood is the incorporation of wood siding and pitched roofs and the small scale of the homes. The proposed development incorporates all of these design elements.

The materials proposed, however, are not completely consistent with other homes in the neighborhood. Only one other home on the block containing the subject parcel utilizes a stone accent, and it is limited to one accent wall. The County's Urban Designer has recommended no more than two cladding materials be used and that the use of stone accent be limited or deleted. That recommendation has been incorporated into the conditions of approval.

Design Review

The proposed two-story single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as a bay window, stepped back second story, and variation in roof planes to reduce the visual impact of the proposed development on surrounding land uses.

Drainage

The proposed project will result in an increase in the amount of impervious and semi-pervious area on site. The project site slopes down from 9th Avenue, towards an alley along the rear property line. Currently, there are no drainage facilities available in 9th Avenue or in the alley, and existing runoff from surrounding lots results in ponding and potholes in the alley. To avoid the possible impact of additional runoff from new impervious area; the applicant has incorporated drainage features to retain runoff on site, including semi-pervious pavers in the driveway and a retention basin in the rear of the parcel.

Roadway/Roadside Exception

The required road standard for 9th Avenue would require a 56-foot right-of-way and a 36-foot road width, curb-to-curb. The existing 9th Avenue right-of-way is only 40 feet, however, and almost all of the parcels along the street are currently developed. Projects on local streets within a Transportation Improvement Area are required to make an irrevocable offer of dedication for a right-of-way in conformance with County Design Criteria unless granted an exception per County Code Section 15.10.050(f). The required finding, that improvements would not be appropriate in this location due to the character of development in the area and the lack of improvements on surrounding properties, can be made and has been included in the Findings in Exhibit B. The applicant has proposed to retain the existing right-of-way, outside of the travel lanes, for parking.

Environmental Review

Environmental review has not been required for the proposed project since the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project is eligible for an exemption because the proposed project involves construction of a small structure and the parcel is located within the Urban Services Line, is 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 **06-0586**, 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

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Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special **Use(SU)** district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-3.5 (Single family residential, 3,500 square foot minimum site area), a designation that allows residential uses. The proposed two-story single family dwelling with attached garage 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, as conditioned, 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 two-story single family dwelling with an attached garage 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 (Single family residential, 3,500 square foot minimum site area) 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

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Owner: **James** Chubb & **Martha Lopez** Chubb

with the existing **range**.

The subject parcel is located within the Harbor Area Special Community that requires new development to incorporate the characteristics of older dwellings in the area including small scale, clean lines, pitched roofs, wood construction and wood siding. The surrounding development includes a wide variety of construction methods and materials, and both one and two-story dwellings are common. The only unifying theme in **the** immediate neighborhood is the incorporation of wood siding and pitched roofs and the small scale of the homes. The proposed development incorporates all of these design elements. The County's Urban Designer has recommended no more than two cladding materials be used and that the use of stone accent be limited or deleted. That recommendation has been incorporated into the conditions of approval.

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 two-story single family dwelling and attached garage 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 two-story single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-3.5 (Single family residential, 3,500 square foot minimum site area) zone district in that the primary use of the property will be one single family dwelling with an attached garage 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 two-story single family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the two-story single family dwelling will not adversely shade adjacent properties, and will meet or exceed current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed two-story single family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed two-story single family dwelling with an attached garage will comply with the site standards for the R-1-3.5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the

vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed two-story single family dwelling is to be constructed on an existing developed lot, where a single-family dwelling is currently located and will be demolished. **The** expected level of traffic generated by the proposed project is not anticipated to increase as the number of peak trips (1 peak trip per dwelling unit) will remain the same.

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 two-story single family dwelling is consistent with the land use intensity and density of the neighborhood. The subject parcel is located within the Harbor Area Special Community that requires new development to incorporate the characteristics of older dwellings in the area including small scale, clean lines, pitched roofs, wood construction and wood siding. The surrounding development includes a wide variety of construction methods and materials, and both one and two-story dwellings are common. The only unifying theme in the immediate neighborhood is the incorporation of wood siding and pitched roofs and the small scale of the homes. The proposed development incorporates all of these design elements. The County's Urban Designer has recommended no more than two cladding materials be used and that the use of stone accent be limited or deleted. That recommendation has been incorporated into the conditions of approval.

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

This finding can be made, in that the proposed two-story single family dwelling with an attached garage 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 subject parcel is located within the Harbor Area Special Community that requires new development to incorporate the characteristics of older dwellings in the area including small scale, clean lines, pitched roofs, wood construction and wood siding. The surrounding development includes a wide variety of construction methods and materials, and both one and two-story dwellings **are** common. The only unifying theme in the immediate neighborhood is the incorporation of wood siding and pitched roofs and the small scale of the homes. The proposed development incorporates all of these design elements. The County's Urban Designer has recommended no more than two cladding materials be used and that the use of stone accent be limited or deleted, That recommendation has been incorporated into the conditions of approval.

Roadway/Roadside Exception Findings

1. The improvements area not appropriate due to the character **of** development in the area and the lack of such improvements on surrounding developed property.

For a local street, such as 9th Avenue, County Design Criteria would call for a 56-foot right of way and a 36-foot curb-to-curb road width. The existing right-of-way, however, is **40** feet. Almost all of the parcels along 9th Avenue are developed, and improvements that would widen the existing road appear unlikely. This required finding can be made as the character of development in the Harbor area generally precludes sidewalks, curb and gutter and formalized parking, and the proposed project will be consistent with surrounding development. The applicant has proposed to maintain and improve parking within the right-of-way as part of the project. In lieu of dedication of right-of-way, the applicant will be required to pay transportation and roadside improvement fees for the new development.

Conditions of Approval

Exhibit A: Project Plans by Monish Designs, Sheet 1 dated 4/9/07, Sheets 2 through 6 dated 11/22/06; Drainage & Erosion Control Plan, Sheet C1 of 1 dated April 2007, by Robert L. DeWitt and Associates, Inc.

- I. This permit authorizes the construction of a two-story single family dwelling with an attached garage. 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. Existing sewer laterals must be properly abandoned (including inspection by the Sanitation District) prior to issuance of the demolition permit.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official,
 - D. Obtain an Encroachment Permit from the Department of Public **Works** for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa **Cruz** (Office of the County Recorder).
 - B. Submit final architectural plans, including structural and foundation 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, and shall clearly demonstrate that the setback to the bay window is a minimum of 15-feet from the front parcel boundary. 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. Identification of finish of exterior materials and color of roof covering for Planning Department approval. Cladding materials should be revised to eliminate the stone wainscot or to limit it to one specific area of the structure. Final materials and colors must be reviewed and approved by the Urban Designer. Any color boards must be in 8.5" x 11" format.
 2. The driveway must be consistent with County Design Criteria. No landscaping is allowed in the County right-of-way.

3. Landscape plans must be submitted with the application for a building permit. At least one of the trees proposed for the front yard shall be 24" box size **at** installation.
 4. Location of on-site sewer laterals, clean-outs, and connections to existing public sewer must be shown on the plot plan of the plans submitted for a building permit. All proposed plumbing fixtures must be shown on the floor plans. Completely describe all fixtures according to table 7-3 of the uniform plumbing code.
 5. Drainage plans that include the following information:
 - a. Provide details and/or specifications on the plans for the proposed pavers for the driveway.
 - b. Provide details and proposed topographic information for the proposed retention facility. Include material information and maintenance requirements for the retention area. Include provisions for safe overflow. Demonstrate with proposed topographic information that the overflow path will not impact adjacent properties.
 - c. Include updated calculations and drainage notes on sheet C1 consistent with the project data on sheet 1. **Also** include gravel pathway areas with the semi-pervious areas.
 - d. Provide a subdrain system for the proposed paver driveway if necessary based on site soil conditions.
 6. Erosion control plans showing locations and construction details of all temporary erosion control measures (such as straw bales) to be used during inclement weather.
 7. Because the structure is 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.
 8. 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.

- 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. Semi-pervious surfaces will be assessed 50% of the drainage fee for impervious surfacing.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Submit three copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. One copy shall be provided to the Stormwater Management Section of the Department of Public Works.
 - G. Pay the current fees for Parks and Child Care mitigation for two bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom, but are subject to change. Credit has been provided for one bedroom in the existing structure, per available assessor's information.
 - H. Pay the current fees for Roadside and Transportation improvements for two bedrooms. Currently, these fees are, respectively, \$733 and \$733 per bedroom, but **are** subject to change. Credit has been provided for one bedroom in the existing structure, per available assessor's information.
 - I. Provide required off-street parking for three 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.
 - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100. shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- B. Signs designating the County right-of-way as “No Parking” “Tenant Parking Only,” or similar are not allowed. No landscaping is allowed within the right-of-way.

V. As a condition of this development approval, the holder of this development approval (“Development Approval Holder”), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys’ fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

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

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires two years from the effective date on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date: _____
Effective Date: _____
Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Cathy Graves
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: 06-0586

Assessor Parcel Number: 027-1 12-14

Project Location: 340 - 9th Avenue, Santa Cruz

Project Description: Demolish an existing one story, single family dwelling and construct a new two story single family dwelling

Person or Agency Proposing Project: Michael Morrish, Morrish Designs

Contact Phone Number: (831) 479-0995

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

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 3 -New Construction (Section 15303)

F. Reasons why the project is exempt:

Proposal to demolish an existing dwelling and construct a new dwelling and site improvements in an area designated for residential uses.

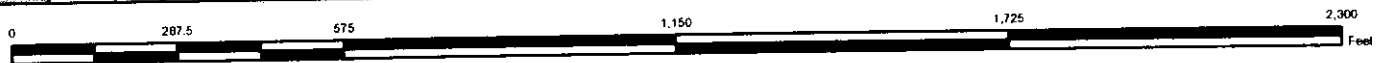
In addition, none of the conditions described in Section 15300.2 apply to this project.

Cathy Graves, Project Planner






Date: _____

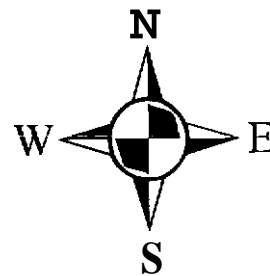


Location Map



Legend

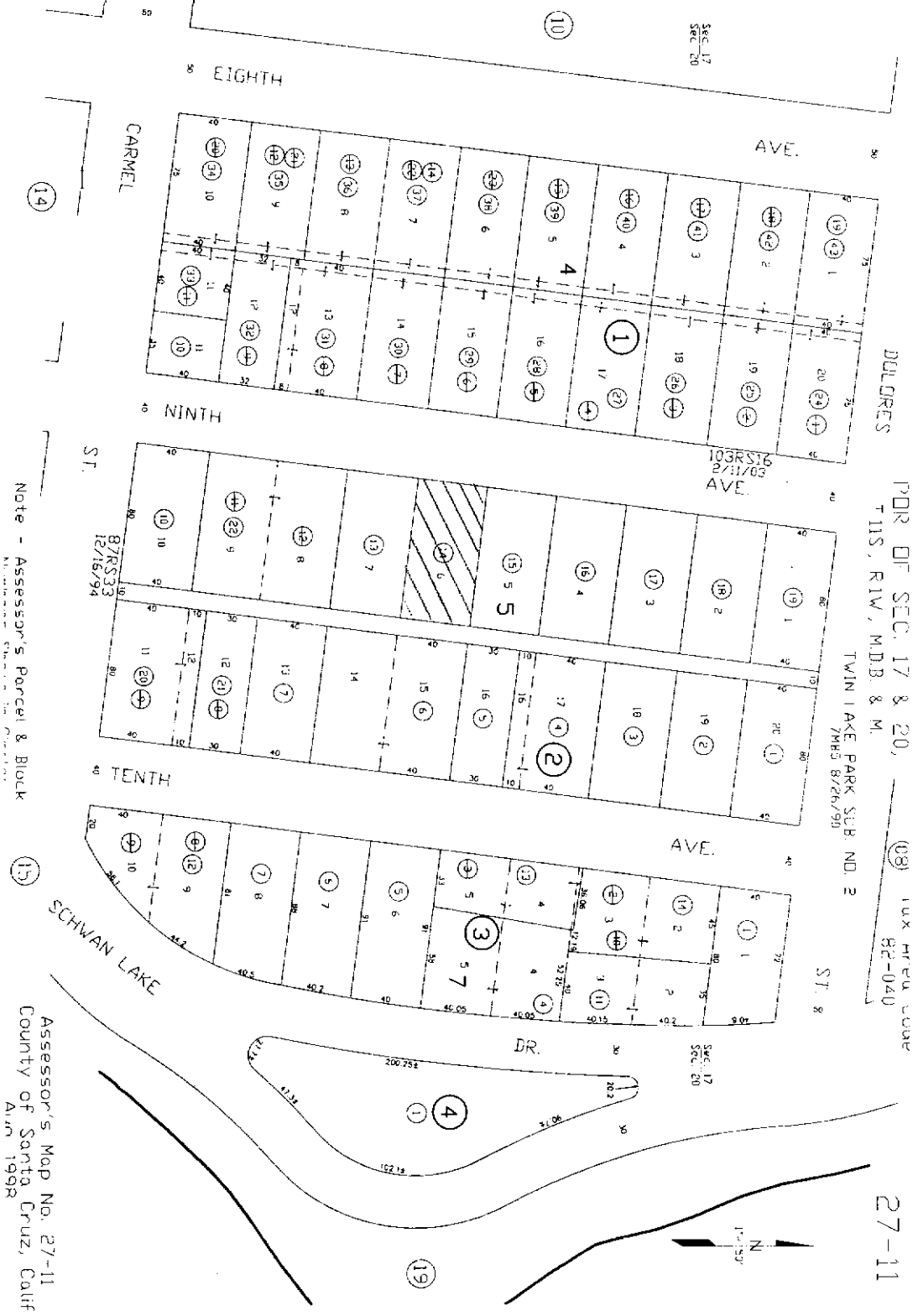
-  APN 027-112-14
-  Assessors Parcels
-  Streets
-  Lakes
-  City of Santa Cruz



Map Created by
County of Santa Cruz
Planning Department
November 2006

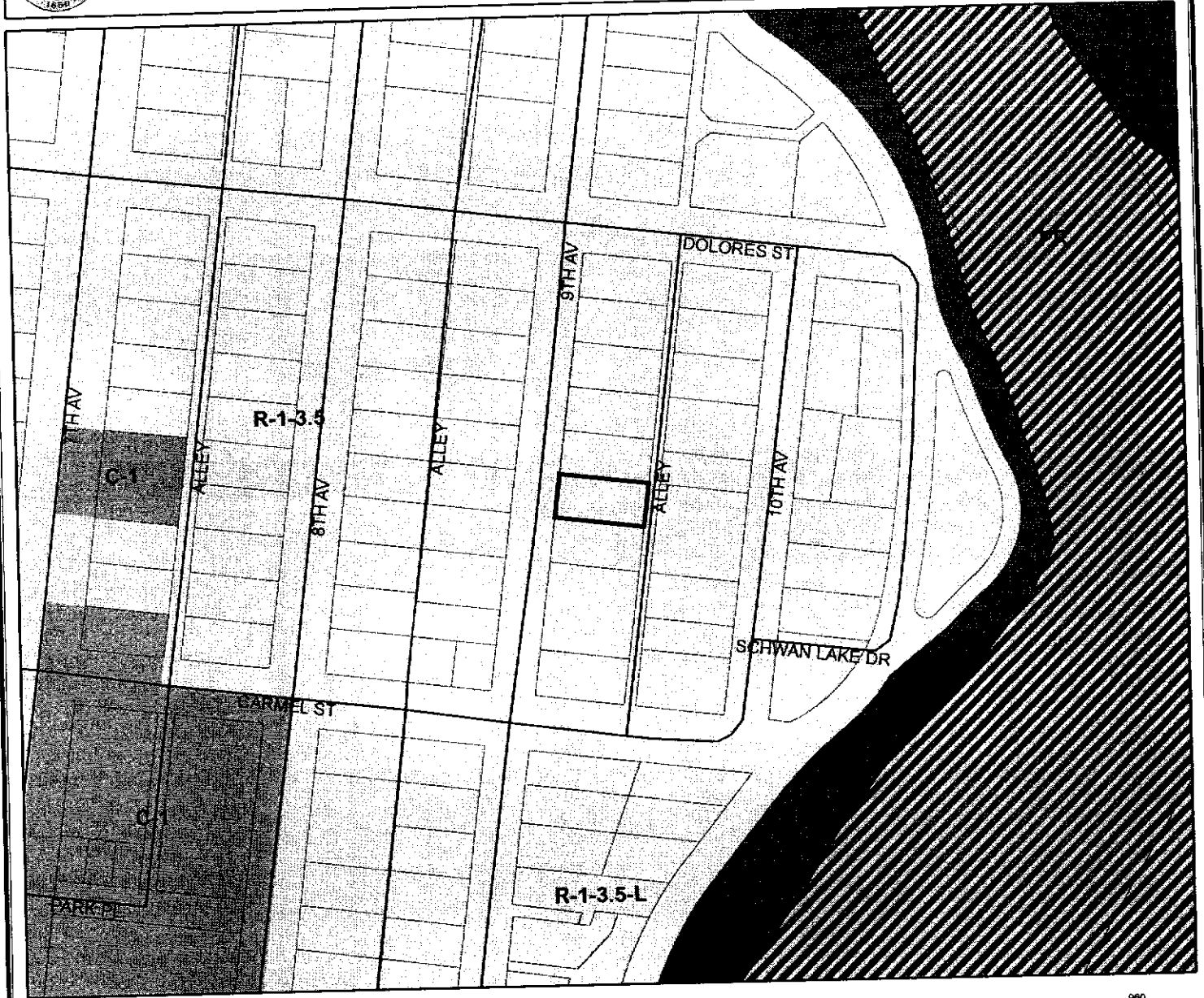
FOR TAX PURPOSES ONLY

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 LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVE
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





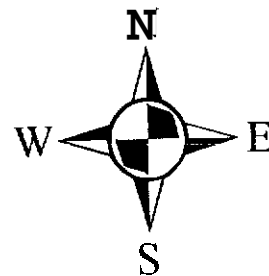


Zoning Map



Legend

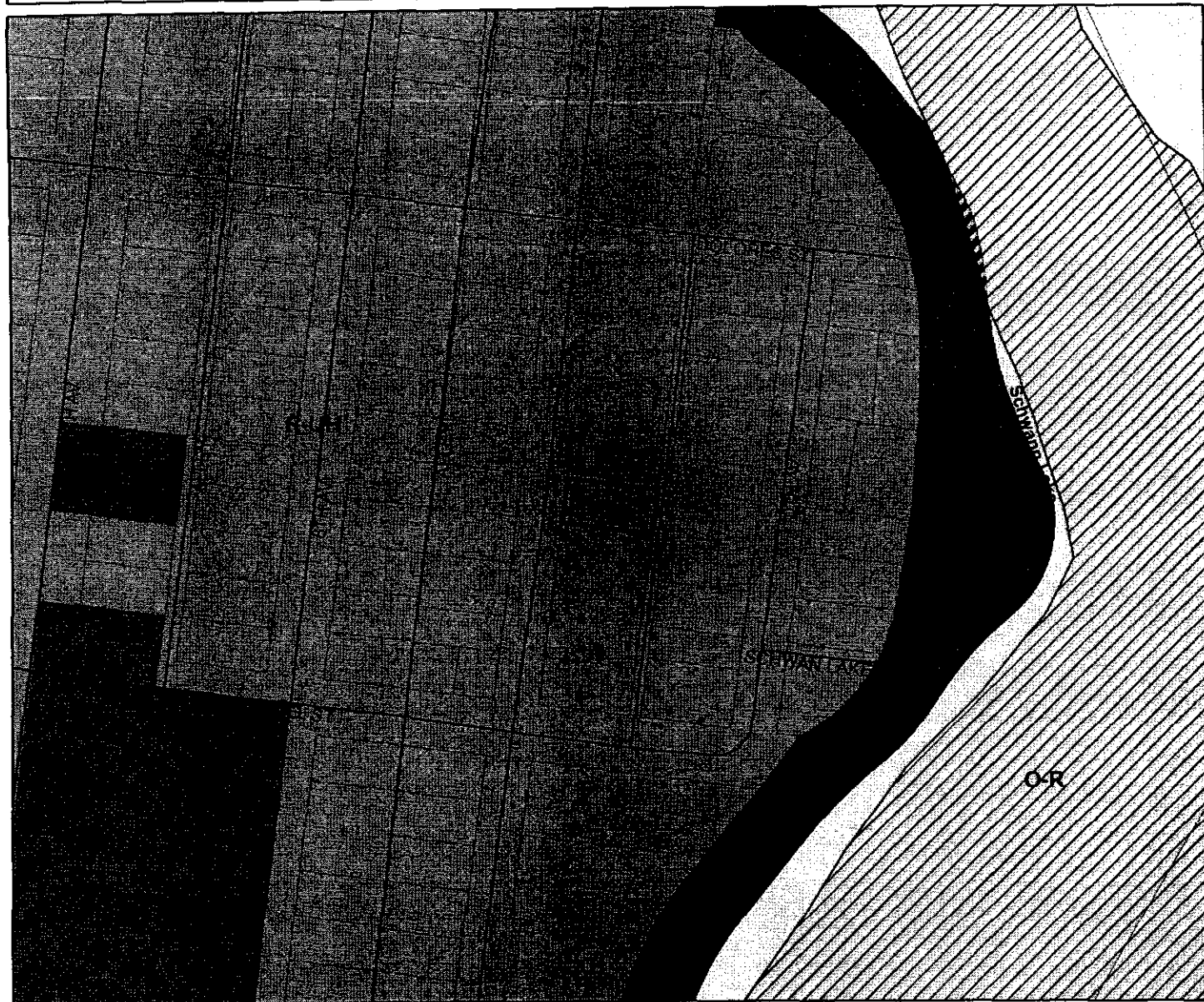
-  APN 027-112-14
-  Assessors Parcels
-  Streets
-  Lakes
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  COMMERCIAL-NEIGHBORHOOD(C-1)
-  PARK (PR)



Map Created by
County of Santa Cruz
Planning Department
November 2006

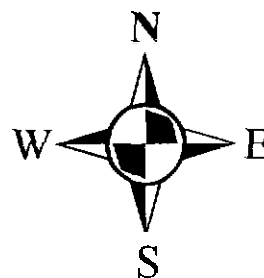


General Plan Designation Map



Legend

- APN 027-112-14
- Assessor's Parcels
- Streets
- Lakes
- Residential - Urban High Density (R-UH)
- Commercial-Neighborhood (C-N)
- Urban Open Space (O-U)
- Parks and Recreation (O-R)



Map Created by
County of Santa Cruz
Planning Department
November 2006

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Cathy Graves
Application No.: 06-0586
APN: 027-112-14

Date: May 2, 2007
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Environmental Planning Completeness Comments

===== REVIEW ON OCTOBER 26, 2006 BY ANDREA M KOCH =====

10/26/06

1) No completeness comments. Project complete as far as Environmental Planning requirements.

Environmental Planning Miscellaneous Comments

===== REVIEW ON OCTOBER 26, 2006 BY ANDREA M KOCH =====

10/26/06

Permit Conditions/Additional Information:

1) At the time of building permit application, submit a) drainage plans showing locations and construction details of all drainage devices and b) erosion control plans showing locations and construction details of all temporary erosion control measures (such as straw bales) to be used during inclement weather.

2) At the time of building permit application, submit structural and foundation plans.

3) This property is mapped as potential habitat for the Zayan te band-winged grasshopper: however, this mapping on the GIS is incorrect. The Zayante band-winged grasshopper does not occur in this area

Dpw Drainage Completeness Comments

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

===== REVIEW ON OCTOBER 19, 2006 BY ALYSON B TOM ===== Application with plans dated 10/13/06 has been received. Please address the following:

1) Provide a drainage plan describing how runoff from the proposed roof and paved areas will drain without adversely impacting adjacent residential or downslope private alley properties. Specifically show how the impervious paths along the side yards will drain. The drainage plan should provide on site mitigations for any added runoff due to the project. Existing drainage patterns should be maintained.

2) This project is required to minimize impervious area. Consider pervious surfacing for the driveway and pathway areas.

3) Topographic information indicates the project site drains to the private alley at the rear of the parcel. What facilities are available on the alley to handle site runoff? Where do these facilities lead? Depending on the proposed site drainage plan an an engineered assessment of the downstream private drain path may be required.

Discretionary Comments - Continued

Project Planner: Cathy Graves
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4) Zone 5 fees will be assessed on the net increase in impervious area due to this project.

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

===== UPDATED ON NOVEMBER 9, 2006 BY ALYSON B TOM ===== The following is an update to the original completeness comment No 3.

Based on site observations from the project planner this site does drain toward the private alley with limited drainage facilities. An engineered assessment of the downstream private drainage path and recommendations for off-site improvements is required for this project.

===== UPDATED ON DECEMBER 12, 2006 BY ALYSON B TOM ===== Application with plans dated 11/27/06 has been received. Please address the following:

1) Previous comment No. 1 has not been fully addressed. The most recent plans describe regrading the entire lot and sending all site runoff to the west side of the lot into a "retention areas". As stated in the previous comment existing drainage patterns should be maintained. Approval of plan to divert all runoff to the west side of the lot requires sufficient justification and a description and engineered analysis of the entire diversion path demonstrating adequacy in terms of capacity and condition. The analysis should assume no detention/retention on site and full build out of the watershed. The plans should include the replacement and upgrade of any downstream facility that is not adequate. Provide information regarding the proposed grades and elevations for the proposed lot. Show the extent of grading and describe how the grades will tie into existing grades. Will the grading impact any offsite drainage patterns?

2) Previous comment No. 3 from 10/19/06, updated on 11/9/06 has not been addressed.

3) How was the proposed retention area sized. How will safe overflow be accommodated from the facility. Provide existing and proposed topographic information describing the overflow path. Overflow should not be directed to adjacent property.

===== UPDATED ON APRIL 25, 2007 BY ALYSON B TOM ===== Application with site plan revised on 4/9 and drainage civil plan dated April 2007 has been received. Based on the application proposing a decrease in impervious area coverage and maintenance of existing drainage patterns the application is complete for the discretionary stage with regards to storm water management. 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 OCTOBER 19, 2006 BY ALYSON B TOM ===== See completeness comments.

===== UPDATED ON DECEMBER 12, 2006 BY ALYSON B TOM ===== The following should be addressed in the building permit application:

1) Provide details and/or specifications on the plans for the proposed pavers for

Project Planner: Cathy Graves
Application No.: 06-0586
APN: 027-112-14

Date: May 2, 2007
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the driveway

2) Provide details and proposed topographic information for the proposed retention facility. Include provisions for safe overflow. Demonstrate with proposed topographic information that the overflow path will not impact adjacent properties.

3) Zone 5 fees will be assessed on the net increase in impervious area due to the project. Semi pervious surfaces will be charged at 50%

===== UPDATED ON APRIL 25, 2007 BY ALYSON B TOM ===== Please address the following in addition to previous miscellaneous comments with the building permit application:

1) Update calculations and drainage notes on sheet C1 consistent with the project data on sheet 1. Also include gravel pathway areas with the semi pervious areas.

2) In addition to previous miscellaneous comment No.2 include material and maintenance requirements for the proposed retention area

3) Provide a subdrain system for the proposed paver driveway if necessary based on site soils.

4) Update the project notes on sheet 1 to be consistent with sheet C1

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON OCTOBER 20, 2006 BY DEBBIE F LOCATELLI =====

Driveway must meet the Santa Cruz County Design Criteria, please make notation on plans. No landscaping allowed in the County right-of-way, designated permit parking. Signs designating County right-of-way as "No parking". "tenant parking only", etc., not allowed. Please add this language to plans. Thank you

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON OCTOBER 20, 2006 BY DEBBIE F LOCATELLI =====

Driveway to conform to County Design Criteria Standards.

Dpw Road Engineering Completeness Comments

===== REVIEW ON OCTOBER 24, 2006 BY GREG J MARTIN =====

The required road standard for Ninth Avenue would call for a 56 foot right-of-way and 36 feet curb to curb. Ninth Avenue has a right-of-way of 40 feet and virtually all of the parcels are developed. The existing road has white stripes to denote the travel lanes versus parking. Public Works has no objection to an exception which provides a minimum of 18 feet between the white stripes and 7 feet wide paved parking along the project-s frontage.

If you have any questions, please call Greg Martin at 831-454-2811.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON OCTOBER 24, 2006 BY GREG J MARTIN =====

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: December 12, 2006
TO: Cathy Graves, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application #06-0586, 2nd **Routing**, APN 027-112-14, 3409" Avenue, N. of Carmel St., LO

The applicant is proposing to demolish an existing **638** square foot one-story single-family dwelling and a 200 square foot garage and construct a new 1,580 square foot two-story single family dwelling with three bedrooms and a 239 square foot single-car garage. The project requires a Coastal Development Permit. The property is located on the east side of 9th Avenue, approximately 160 feet north of the intersection with Carmel Street (340 9th Avenue).

This application was considered at Engineering Review Group (ERG) meetings on October 18, 2006 and December 6, 2006. The Redevelopment Agency (RDA) previously commented on this application on October 24, 2006 (attached for reference). RDA's primary concerns for this project involve the protection of public right-of-way for public uses and the provision of adequate and functional onsite parking to serve the residence. RDA appreciates the applicant responding to some of the previous RDA comments. RDA has the following remaining comments regarding the proposed project.

1. See previous comment #2. Typically, two tandem spaces located directly behind a one-car garage do not function well for consistent use of the garage as required parking.
2. See previous comment #3. RDA suggests that one of the front yard trees (Japanese Maple) proposed should be required to **be** planted at a 24" box size.

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA does not need to see future routing of revised plans unless there are changes relevant to RDA's comments. RDA appreciates this opportunity to comment. Thank you.

cc: Greg Martin, DPW Road Engineering
Betsey Lynberg, RDA Administrator

Paul Rodrigues, RDA Project Manager
Jan Beautz, District 1 Supervisor

INTEROFFICE MEMO

APPLICATION NO: 060586 (third routing)

Date: June 12, 2007

To: Cathy Graves, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review for a new residence at 340 Ninth 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.			NIA
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			NIA

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

Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
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			N/A

buildings, colors and materials shall repeat or harmonize with those in the cluster			
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps; unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A
Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees,			N/A

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			
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10(Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
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

Design Review Authority**13.11.040** Projects requiring design review.

- (a) Single home construction, and associated additions involving 500 square feet or more, within **coastal special communities** and sensitive sites as defined in this Chapter.

Design Review Standards**13.11.072** Site design.

Evaluation Criteria	Meets criteria in code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Buildingsiting in terms of its location and orientation	✓		
Buildingbulk, massing and scale	✓		
Parkinglocation and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping			<i>Not required</i>
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures	✓		
Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Accessible to the disabled, pedestrians,			N/A

Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Reasonable protection for adjacent properties	✓		

Evaluation Criteria	Meets criteria in code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings			N/A
Street face setbacks			N/A
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color		✓	See comments below.
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

URBAN DESIGNERS COMMENTS:

The stone wainscot is out of character with the neighborhood. If the applicant would like to use stone, it should be used on a volume within the design and end at a logical corner rather than mid-wall. The living room "volume" would be a logical area. The stone should start adjacent to the entry wall, continue up the gable and turn the corner. In order for the stone to stop at a corner, I suggest that the stair landing protrude six inches from the rest of the wall.

Typically, I would suggest no more than two materials (and often one material might be preferable), and as such the applicant may want to delete the stone altogether.