



## Staff Report to the Zoning Administrator

Application Number: **07-0074**

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Applicant: Chuck Burket for The Final Draft      Agenda Date: January 18, 2007  
Owner: Richard Freeman      Agenda Item #: **2**  
APN: 103-181-35      Time: After 10:00 a.m.

Project Description: Proposal to recognize the conversion of an existing garage to a second unit, construct new additions to extend the existing dwelling, construct a new garage and demolish existing horse stalls.

Location: Property located on the south side of Coldbrook Lane, at 221 Coldbrook Lane, about 1,000 feet east of the intersection with Soquel San Jose Road.

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

Permits Required: Variance and Residential Development Permit

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0074, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Project plans                              | F. Zoning and General Plan maps         |
| B. Findings                                   | G. Comments & Correspondence            |
| C. Conditions                                 | H. Letter from Fire Agency              |
| D. Categorical Exemption (CEQA determination) | I. Copy of approved Septic Permit       |
| E. Assessor's parcel map                      | J. Archaeological Reconnaissance Survey |

### Parcel Information

Parcel Size:	45,168.4 square feet gross/43,174.8 net
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Coldbrook Lane
Planning Area:	Summit
Land Use Designation:	R-R (Rural Residential)
Zone District:	RA (Residential Agriculture)

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County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

## Environmental-Information

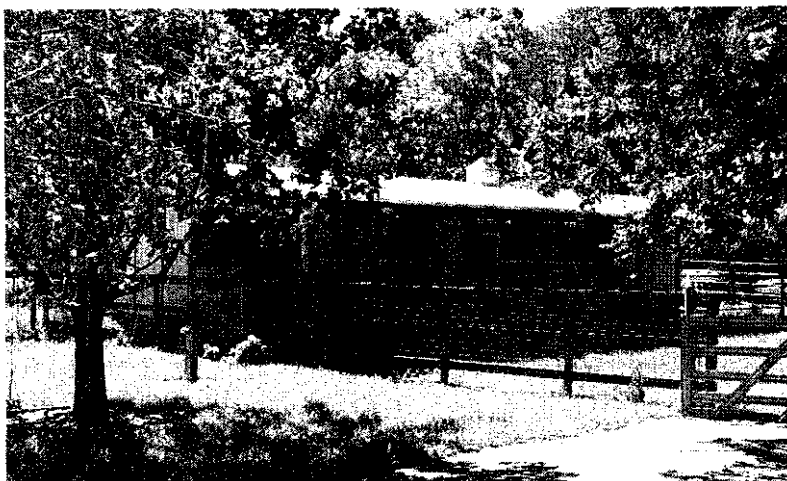
Geologic Hazards: Floodway/floodplain of **Soquel** Creek (outside of building envelope)  
Soils: Soils report to be required for building permit  
Fire Hazard: Not a mapped constraint  
Slopes: Less than 10% slope at building site  
Env. Sen. Habitat: Soquel Creek runs through parcel, development set back 60' from edge of water.  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Field reconnaissance on 4/2/07, no resources identified

## Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: Existing private well  
Sewage Disposal: Existing individual septic system  
Fire District: Central Fire Protection District  
Drainage District: Non-zone

## History

The existing single family dwelling and original garage were constructed and received an inspection final in 1983, under building permit number 32849. Although the permit information on **file** indicates the home was to contain two bedrooms and two baths, **the** initial Assessor's records indicate that a three-bedroom home was constructed. Assessor's records also noted that a horse shelter was constructed at approximately the same time as the dwelling, but it was replaced by the current horse stalls prior to 1988. No permits have been found for the existing horse stalls and they are proposed to be removed **as part** of this application, as they are located within the side setback.



Horse stalls proposed to be removed.

Assessor's records also note that a drive-by inspection was conducted in August 2003 that documented the conversion of the garage and shop to living space; It is not known exactly when the conversion took place. This application seeks to recognize the conversion of that space to a second unit and to construct a new garage and other additions within the south side setback. Two carports were also constructed without benefit of permits, one on the southwest, adjacent to the second unit conversion and one on the northeast. Both of these are also proposed to be removed as part of this application.



Carports proposed to be removed.

### Project Setting

The subject parcel is located on Coldbrook Lane in a rural residential area located between Soquel San Jose Road and Soquel Creek. The terrain gently slopes down from Soquel San Jose Road towards the creek, where slopes increase to as much as 100% from the top of the creek bank to the edge of the water. Five of the parcels on the east side of Coldbrook Lane, including the subject parcel, are bisected by Soquel Creek, further reducing the area available for development. Approximately 40% of the subject parcel is not developable, due to the location of the creek and associated riparian area.

The majority of the parcels fronting on Coldbrook Lane are larger than the subject parcel, which is 45,168.4 square feet in gross area (43,174.8 square feet net) and are significantly wider than the subject parcel, which is less than 100 feet in width. The average size of parcels fronting on Coldbrook Lane is 51,593 square feet (not including APN 103-181-06 which is over 7 acres in area) and the average width is 153 feet (also not including parcel 06).

### Zoning & General Plan Consistency

The subject property is a 45,168 square foot lot (1.037 acres), located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The existing single family dwelling and proposed second unit are principal permitted uses within the zone district and the project is consistent with the site's (R-R) Rural Residential General Plan designation.

The proposed project is consistent with the site standards for the RA zone district as follows, with the exception of a reduced south side setback to accommodate the conversion of the shop and garage to a second unit, construction of a new garage, and construction of a small addition to the southeast corner of the dwelling, for which a variance is requested.

	RA Zone District-Standard	Proposed
Front yard setback	40'	108'
Side yard setbacks	20' & 20'	15' north (existing non-conforming) and & 14' south (variance requested)
Rear yard setback	20'	About 238'
Maximum height	28'	18'
Maximum % lot coverage	10%	7.9%
Maximum % Floor Area Ratio	N/A	NIA

It has been determined that a Riparian Exception will not be required for the proposed addition to the southeast corner of the dwelling, as the new construction does not encroach within 60-feet of the mean rainy season flowline or within 20-feet of woody vegetation associated with the riparian area. In addition, the proposed addition does not extend the structure any further toward the creek beyond the furthest extent of the existing structure.

### Variance Request

A variance is requested to reduce the south side setback from 20 feet to approximately 14 feet to the converted second unit, new garage and residential additions. Included are findings that there are special circumstances applicable to the parcel itself, that granting the variance would be in harmony with the parcel's zoning, and that approving the variance would not be a grant of special privileges not enjoyed by other similarly situated property owners.

The special circumstances applicable to the parcel include the location of Soquel Creek and the associated riparian corridor that limit development to approximately 60% of the site, and the narrow configuration of the parcel combined with the requirement of the fire agency for an emergency turnaround. The house was approved and inspected by the County in its current location. The proposed additions would conform to the existing south side setback for the dwelling of approximately 14-feet. Although it would be possible to construct a garage on site that meets the required 20-foot side setback, the fire agency has required an emergency turn-

around (See Exhibit H) that limits the location of any new construction or additions to the single-family dwelling. Additionally, the existing location of the septic system and well limit the area on which improvements could be constructed. The garage is proposed in the only area adjacent to the house that would accommodate the required turn-around, would not require the removal of large redwood trees that line the driveway, and would not obstruct the septic system or leach field.



**Mature redwoods Lining driveway**

Both the proposed garage and the additions to the dwelling would be constructed in line with other improvements on the site and would not encroach further into the side setback than does the existing **house**. Location of the addition elsewhere would encroach on the setback to Soquel Creek, would place development over the septic system and/or leachfield, or would encroach on the required fire turnaround. There is minimal development on the adjacent parcel to the south, so the reduced setback will not have a negative impact on adjacent structures or development.

### **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 this exemption due to the fact that minor additions to an existing dwelling are proposed in an area that is zoned for residential development. Sufficient site investigations have been conducted to assure that proposed development is not located in a sensitive or hazardous environment. No extenuating circumstances or special site conditions that would require further review under CEQA are evident in the proposed project.

### **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 **07-0074**, 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](http://www.co.santa-cruz.ca.us)

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## Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the special circumstances applicable to the parcel include the location of Soquel Creek and ~~the~~ associated riparian corridor, the narrow configuration of the parcel combined with the requirement of the fire agency for an emergency turnaround, and the limited area available for development (approximately 60% of the site). The house was approved and inspected by the County in its current location. The proposed additions would conform to the existing side setback for the dwelling of approximately 14-feet. Although it would be possible to construct a garage on site that meets the required 20-foot side setback, the fire agency has required an emergency turn-around (See Exhibit H) that limits the location of any new construction or additions to the single-family dwelling. Additionally the existing location of the septic system and well limit the area on which improvements could be constructed. The garage is proposed in the only area adjacent to the house that would accommodate the required turn-around, would not require the removal of large redwood trees that line the driveway, and would not obstruct the septic system or leach field.

Five of the parcels on the east side of Coldbrook Lane, including the subject parcel, are bisected by Soquel Creek, further reducing ~~the~~ area available for development. Approximately 40% of the subject parcel is not developable, due to the location of the creek and associated riparian area.

The size and configuration of the parcel could deny the owner privileges enjoyed by other property owners in the immediate vicinity. The majority of the parcels fronting on Coldbrook Lane are larger than the subject parcel, which is 45,168.4 square feet in ~~gross~~ area (43,174.8 square feet net) and are significantly wider than the subject parcel, which is less than 100 feet in width. ~~The~~ average size of parcels fronting on Coldbrook Lane is 51,593 square feet (not including APN 103-181-06 which is over 7 acres in area) and the average width is 153 feet (also not including parcel 06). This increased size and width afford neighboring property owners greater opportunity to locate structures such that a variance would not be required.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that both the proposed garage and the additions to the dwelling would be constructed in line with other improvements on the site and would not encroach ~~further~~ into the side setback that does ~~the~~ existing house. Location of the addition elsewhere would encroach on the setback to Soquel Creek or would place development over the septic system and/or leachfield. There is minimal development on the adjacent parcel to the south, so the reduced setback will not have a negative impact on adjacent structures or development.

The project is located in an area designated for residential uses and, while encumbered by

physical constraints to development (Soquel Creek and its associated riparian comdor) the project has been designed to avoid these constraints. 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 dwelling, second unit and site improvments will not deprive adjacent properties or the neighborhood of light, air, or open space, and will be consistent with the pattern of development in the area. The proposed location of the garage and additions may actually improve public safety, as an expanded fire turnaround is proposed.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the size and configuration of the subject parcel could deny the owner privileges enjoyed by other property owners in the immediate vicinity, were the requested variance not granted. The majority of the parcels fronting on Coldbrook Lane are larger than the subject parcel, which is 45,168.4 square feet in gross area (43,174.8 square feet net) and are significantly wider than the subject parcel, which is less than 100 feet in width. The average size of parcels fronting on Coldbrook **Lane** is 51,593 square feet (not including **APN** 103-181-06 which is over 7 acres in **area**) and the average width is 153 feet (also not including parcel 06). This increased size and width afford neighboring property owners greater opportunity to locate structures such that a variance would not be required. In addition, approximately 40% of the parcel is not developable, due to the location of the creek and riparian area, a constraint that is shared by only four other parcels along Coldbrook Lane.



This finding can be made, in that the project **is** located in an area designated for residential uses and, while encumbered by physical constraints to development (**Soquel** Creek and its associated riparian conidor), the project has been designed to avoid these constraints. 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 additions to the single family dwelling, second unit and new 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, with the exception of the south side setback, for which a variance is requested.

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 additions to the single family dwelling, second unit and new garage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district in that the primary **use** of the property will be one single family dwelling, a second unit, and site improvments that meets all current site standards for the zone district, with the exception of the side setbacks. The north side setback is legal and non-conforming and is not proposed to be altered, and a variance is requested for the south side setback. The removal of an unpermitted carport adjacent to the north property line will decrease the non-conformity in this area.

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 Rural Residential (R-R) land **use** designation in the County General Plan.

The proposed additions to the single family dwelling, second unit and new garage 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) with the exception of the south **side** setback for which a variance is requested. The proposed additions 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 with the exception of the south side setback for which a variance is requested.

The proposed single family dwelling, second unit and site improvements 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 additions will comply with the site standards for the RA zone district (including setbacks, with the exception of the south setback for which a variance is requested, lot coverage, 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 additions are to be constructed on an existing lot **of** record on which one single-family dwelling currently exists. The expected level of traffic generated by the proposed project is anticipated to be only 2 peak hour trips per day (1 peak hour trip per dwelling unit) an increase of one peak hour trip. Such an increase will not adversely impact existing roads and intersections in the surrounding area.

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

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

## Conditions of Approval

Exhibit A: Project plans by The Final Draft, undated, five sheets; and Partial Survey Plan by Bridgette Land Surveying, dated 8/7/07, one sheet.

- I. This permit authorizes the conversion of an existing garage to a second unit; construction of new additions to extend the existing dwelling, construction of a new garage, and demolition of two carports and existing horse stalls. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of **the** County of Santa Cruz (Office of the County Recorder).
  - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on **file** with the Planning Department. **Any** changes from the approved Exhibit "A" for **this** development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. Grading, drainage, and erosion control plans. The erosion control plan must show locations and construction details of measures to **keep** sediment from entering **Soquel** Creek. Show construction fencing placed between **the** proposed development and vegetation along the creek bank to **keep** construction activities away from the vegetation and the creek.
    2. Details showing compliance with fire department requirements, including all requirements of **the** Urban Wildland Intermix Code.
  - 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 and pay any applicable plan check fee of the Central Fire Protection District.
  - E. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
  - F. Pay the current fees for Parks and Child Care mitigation for two bedrooms (one additional bedroom than shown on the original assessor's records and the second unit). Currently, **these** fees are, respectively, \$578 and \$109 per bedroom.
  - G. Provide required off-street parking for four 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.
  - H. 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.
  - I. Complete and record a Declaration of Restriction to construct and maintain a second unit. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
  - J. Complete and record a Declaration of Restriction to construct and maintain a non-habitable accessory structure (garage). **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall **be** performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. No vegetation along the creek bank may be removed
  - E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the

Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or ~~annul~~ this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
  - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
    - 1. COUNTY bears its own attorney's fees and costs; and
    - 2. COUNTY defends the action in good faith.
  - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
  - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
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Application #: 07-0074  
APN: 103-181-35  
Owner: Richard Freeman

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

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Appeals: **Any** properly 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: 07-0074

Assessor Parcel Number: 103-181-35

Project Location: 221 Coldbrook Ln, Soquel, CA 95073

Project Description: Proposal to recognize conversion of **an** existing garage to a second unit, construct new additions to the existing dwelling, construct a new garage and demolish existing horse stalls.

Person or Agency Proposing Project: Chuck Burket for The Final Draft

Contact Phone Number: (831) 688-5038

- 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 of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Proposal to construct additions to a single family dwelling and a new garage 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

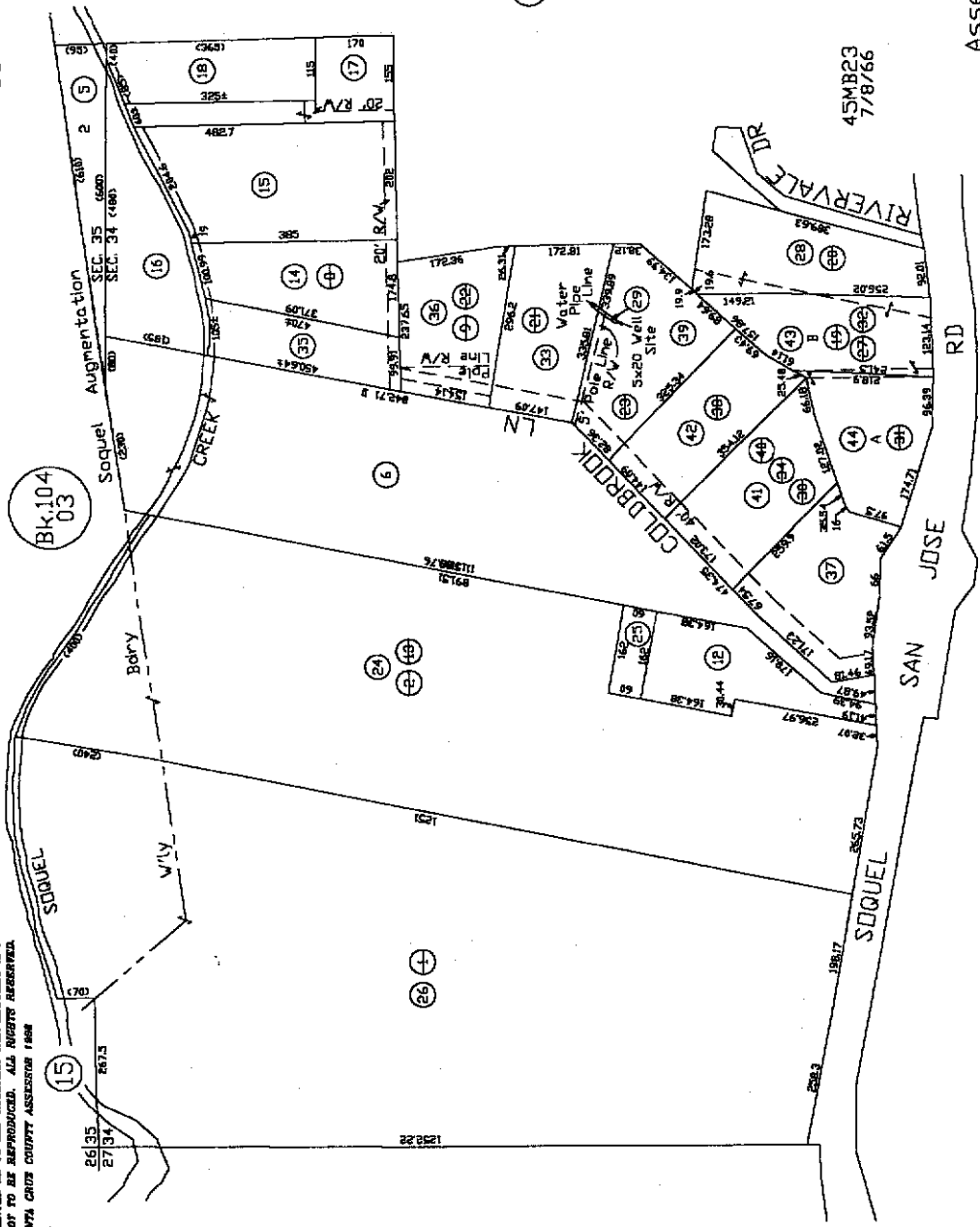
Date: \_\_\_\_\_

103-18

Tax Area Code  
83-010

FOR TAX PURPOSES ONLY

FOR TAX PURPOSES ONLY  
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY FOR ANY PURPOSES OTHER THAN  
THOSE FOR WHICH IT WAS DESIGNED. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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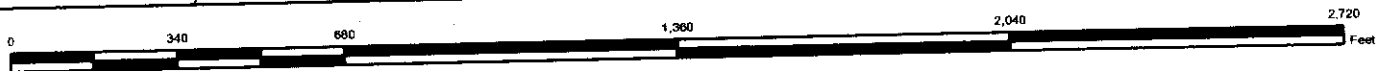
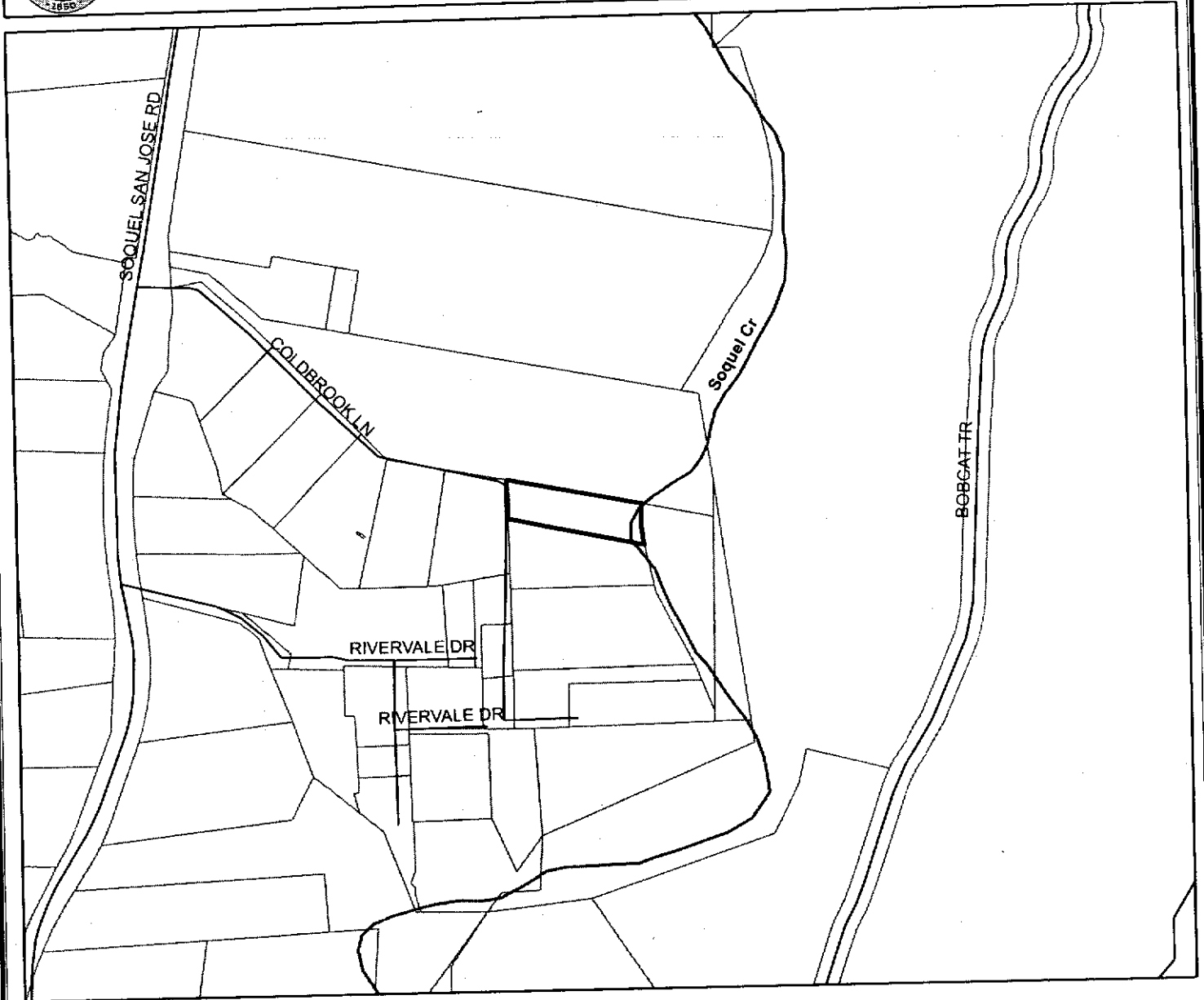
Assessor's Map No. 103-18  
County of Santa Cruz, Calif.  
Aug. 1998

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







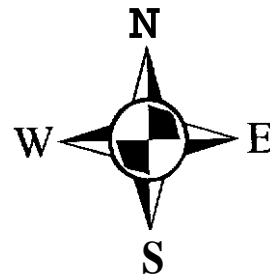


# Location Map



## Legend

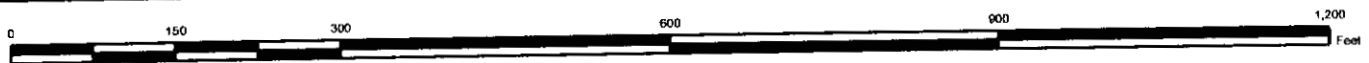
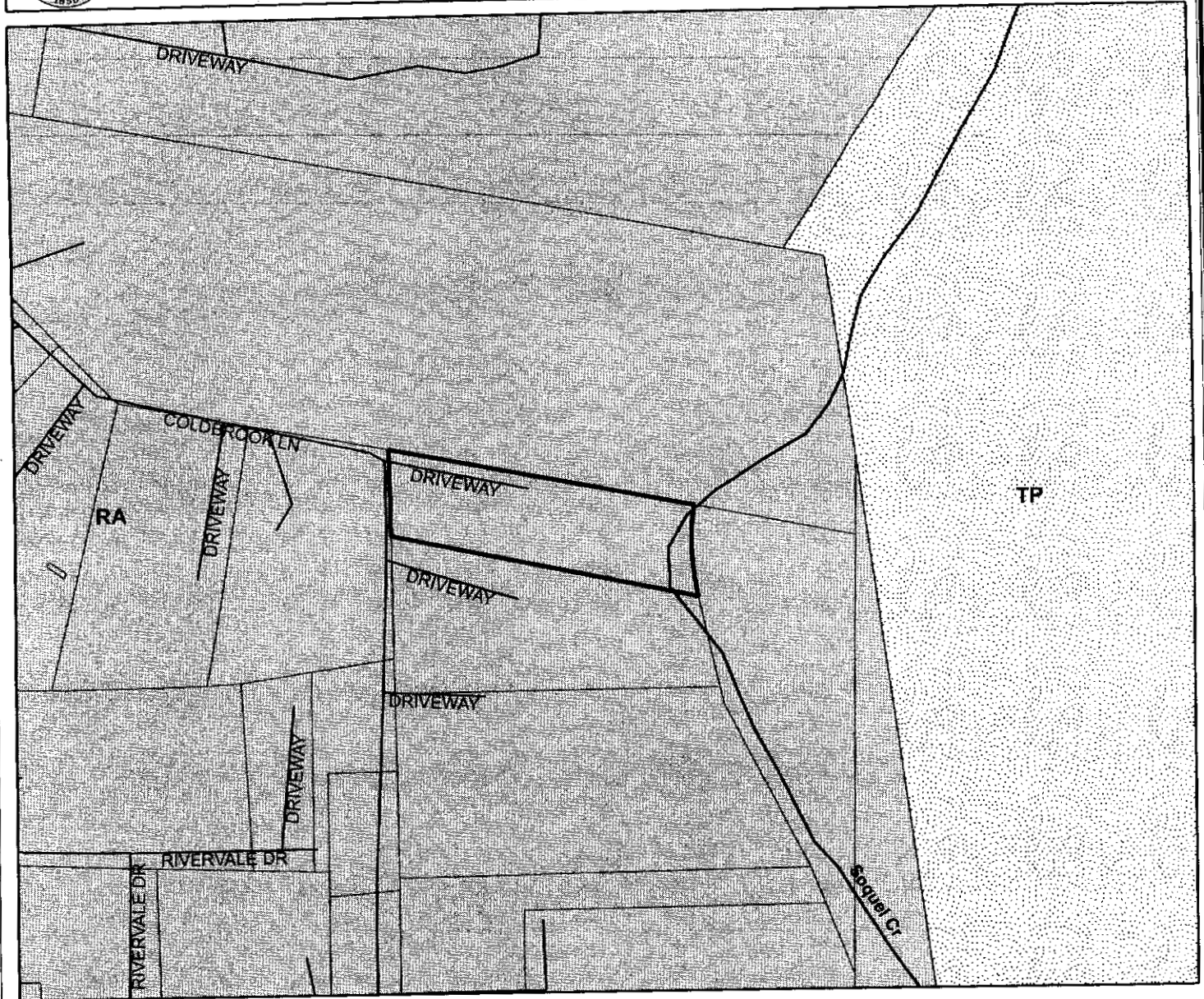
-  APN 103-181-35
-  Assessors Parcels
-  Streets
-  PERENNIAL STREAM









Map Created by  
County of Santa Cruz  
Planning Department  
March 2007

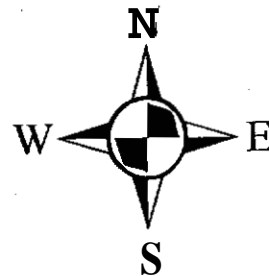


# Zoning Map



## Legend

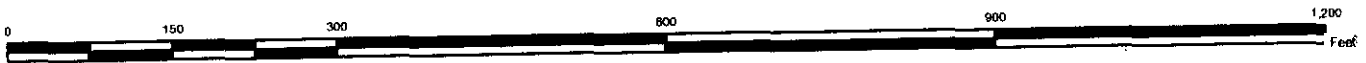
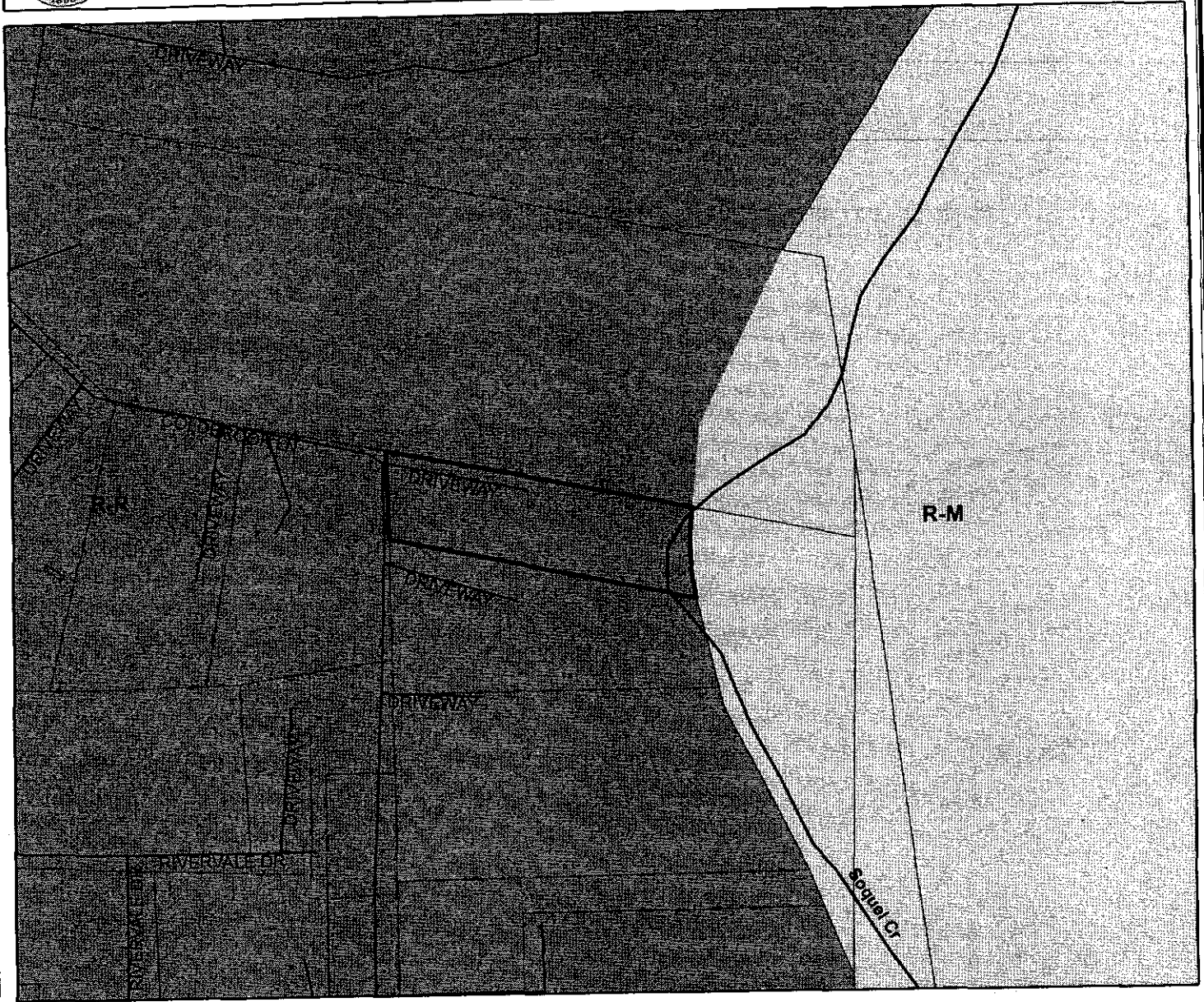
-  APN 103-181-35
-  Assessors Parcels
-  Streets
-  PERENNIAL STREAM
-  AGRICULTURE RESIDENTIAL(RA)
-  TIMBER PRODUCTION (TP)









Map Created by  
County of Santa Cruz  
Planning Department  
March 2007



# General Plan Designation Map



## Legend

-  APN 103-181-35
-  Assessors Parcels
-  PERENNIAL STREAM
-  Streets
-  Residential-Rural (R-R)
-  Residential-Mountain(R-M)

N

W.

S

Map Created by  
County of Santa Cruz  
Planning Department  
March 2007

**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.:** 07-0074  
**APN:** 103-181-35

**Date:** December 17, 2007  
**Time:** 10:14:15  
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**Environmental Planning Completeness Comments**

===== REVIEW ON MARCH 20, 2007 BY ANDREA M KOCH =====

- 1) Please show the dripline of the existing trees at the creekbank
- 2) The archaeologic assessment is in process. This project cannot be deemed complete until completion-of the archaeologic assessment.

===== UPDATED ON JUNE 19, 2007 BY ANTONELLA GENTILE =====

1. No Riparian Exception is required for this application
2. Arch. review is completed.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON MARCH 20, 2007 BY ANDREA M KOCH =====

Miscellaneous Notes:

- 1) According to FEMA flood maps, the existing house and proposed development are located outside of the floodplain and floodway. Therefore, development does not have to comply with FEMA regulations.

- 2) It appears that the proposed development will not need a Riparian Exception. A Riparian Exception would be needed for any development within 50 feet of the mean rainy season flowline, or for any structure within 60 feet of the mean rainy season flowline. Also, a Riparian Exception would be needed for development located within 20 feet of woody vegetation associated with the riparian area.

The proposed development appears not to encroach into any of these areas. Even if it did, I would probably not require a Riparian Exception because the proposed development does not extend the structure any further toward the creek beyond the furthest extent of the existing structure.

- 3) County Resource maps show this site as habitat for the foothill yellow-legged frog and steelhead. However, no biotic assessment will be required. The foothill yellow-legged frog is rare and unlikely to inhabit the already disturbed portion of the property where development is proposed. Also, the steelhead lives in Soquel Creek and is unlikely to be affected by the proposed addition if proper erosion control is implemented.

Conditions of Approval :

- 1) During building permit application, submit an erosion control plan. The plan must show locations and construction details of measures to keep sediment from entering the creek.
- 2) No vegetation along the creek bank may be removed
- 3) On the building permit application plans, please show construction fencing placed

Discretionary Comments - Continued

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between proposed development and vegetation along the creek bank to keep construction activities away from the vegetation and the creek.

===== UPDATED ON JUNE 19, 2007 BY ANTONELLA GENTILE =====

No additional comments.

Dpw Drainage Completeness Comments

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

===== ~~2~~NO REVIEW COMMENTS=====06/19/2007=====GV===== Previous comments have not been addressed completely. Please refer to previous comments. .

===== REVIEW ON MARCH 16, 2007 BY JOHN G LUMICAO ===== The proposed (N) Addition storm drain system modifies existing or natural drainage path. The natural flowpaths based on the contour lines shown should flow towards the backyard. The proposed drainage plan as shown on C1 ties into an existing concrete V-ditch to an adjacent property, this manner alters the natural flow. The plan shows a 100% slope on the backyard that stretches throughout this area including where the concrete V-ditch is. Therefore diverting and increasing runoff at a single spot may result in a more damaging end result but if there is a good technical/engineering reason as to why flowpaths has to be diverted maybe acceptable as long as it is demonstrated more clearly. This may be done by additional explanation which can be included in the storm drainage notes or a letter from a geotech or a civil engineer recommending and approving such method of disposal. Additionally if tying to an existing storm drainage system is recommended and approved by a civil engineer, a letter from the adjacent property owners accepting this runoff should be submitted with the plans. A drainage easement might be required to do this.

===== UPDATED ON JUNE 19, 2007 BY GERARDO VARGAS =====

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 16, 2007 BY JOHN G LUMICAO ===== The building applicant has to provide sufficient detail to constitute a complete drainage plan. The applicant should provide storm drainage information to a level addressed on the guidelines for single family dwelling provided by the Planning Department.

===== UPDATED ON JUNE 19, 2007 BY GERARDO VARGAS =====

Dpw Road Engineering Completeness Comments

===== UPDATED ON MARCH 15, 2007 BY GREG J MARTIN ===== NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON MARCH 15, 2007 BY GREG J MARTIN =====

Environmental Health Completeness Comments

===== REVIEW ON MARCH 13, 2007 BY JIM G SAFRANEK ===== Septic appl. has been

Discretionary Comments - Continued

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submitted but has not been approved. Contact Troy Boone of EHS at 454-3069.

Was the horse stall previously permitted? How many horses?

===== UPDATED ON JUNE 6, 2007 BY JIM G SAFRANEK ===== Septic appl still not approved.

===== UPDATED ON OCTOBER 9, 2007 BY JIM G SAFRANEK ===== Septic appl. now approved by EHS.

Environmental Health Miscellaneous Comments

===== REVIEW ON MARCH 13, 2007 BY JIM G SAFRANEK =====

NO COMMENT

===== UPDATED ON OCTOBER 9, 2007 BY JIM G SAFRANEK =====

COUNTY OF SANTA CRUZ

Inter-Office Correspondence

DATE: June 18,2007

TO: Tom Burns, Planning Director  
Cathy Graves, Planner ✓

FROM: Supervisor Jan Beautz *JB*

RE: Comments on Application 07-0074, 221 Coldbrook Ln, Soquel

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This application proposes to recognize conversions of a garage **to** a second unit, expand the main dwelling and seeks a variance to the side yard setbacks. Please consider the following comments in your review of this application.

The proposed expanded dwelling space on this property is approximately 2,800 **sq** A (2,300 **sq** ft main dwelling and 500 sq ft ADU). The property is rectangular in shape, 105 ft wide and **has** about ½ acre of flat area. Given that there appears to be a reasonable level of building and use already on the property, can variance findings be made for the increased building area?



**CENTRAL  
FIRE PROTECTION DISTRICT**  
of Santa Cruz County  
Fire Prevention Division

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930 17<sup>th</sup> Avenue, Santa Cruz, CA 95062  
phone (831) 479-6843 fax (831) 479-6847

September 25, 2007

Final Draft

Re: 221 Coldbrook Lane

The ~~turn~~ around at the residence is required due to the length and radius of the driveway. The garage will be required *to* be located within the required set back to achieve the turn around dimensions. The dimensions of the turn around are required by the Central Fire Protection **District**.

Sincerely,

Thomas A. Wiley  
Fire Plan Check



APPLICATION FOR SEWAGE DISPOSAL PERMIT

DN 1713  
P. 4221

To Be Completed By Applicant:

Owner's Name RICH FREEMAN Assessor's Parcel Number 103 - 181 - 35  
Mailing Address 221 GOLDBROOK LN City SOQUEL State CA Zip 95073  
Job Address If Different Than Above SGM Owner's Phone: (H) \_\_\_\_\_ (W) \_\_\_\_\_  
Directions to Site CHURCH BUCKLE  
Mail Correspondence to: P.O. BOX 2175 SANTA CRUZ 95063 Applicant's Phone: \_\_\_\_\_

The Proposed Sewage Disposal System Will Serve: Validation  
☐ Single Residence: Number of Bedrooms including dens, offices, guest houses, etc.):  
Existing: \_\_\_\_\_ Proposed (or legalizing) \_\_\_\_\_ Total: \_\_\_\_\_  
Multiple Residences--Total No. of Units (with kitchens): 2 Total No. of Bedrooms: 4+1+1  
☐ Commercial/Institutional Facility-- Describe: \_\_\_\_\_  
Peak daily wastewater flow: \_\_\_\_\_ GPD (Attach meter records and calculations)  
List any other uses on the property: \_\_\_\_\_  
(Must also be shown on plot plan)

This Application Is For:  
☐ New sewage disposal system to serve new development -- Parcel Size: \_\_\_\_\_ Date Recorded: \_\_\_\_\_  
☐ Repair/Replacement of system that serves existing development  
☒ Upgrade of system that serves existing development for addition/remodel purposes  
☐ Septic Tank Only ☐ Greywater Sump Only ☐ Curtain Drain Only ☐ Grease Trap ☐ Distribution Device  
CONTRACTOR: \_\_\_\_\_ SEWAGE DISPOSAL CONSULTANT: \_\_\_\_\_

Contractor's License Law Certificate (Complete A or B)  
☐ A. The applicant is licensed under the provisions of the Calif. Contractors License Law under license number \_\_\_\_\_ which is in full force and effect.  
☐ B. The applicant is exempt from the provisions of the Calif. Contractors License Law for the following reason: ☐ Owner/Builder ☐ Other \_\_\_\_\_  
Date 12-21-06 Applicant Signature [Signature]  
Worker's Compensation Certificate (Complete A or B)  
☐ A. A currently effective certificate of Worker's Compensation Insurance coverage is on file with Santa Cruz County Environmental Health Service  
☐ B. I certify that in the performance of the work for which this permit is issued I shall not employ any person in any so as to become subject to the worker's comp. laws of Calif.  
Date 12-21-06 Applicant Signature [Signature]

I understand that issuance of a permit by Santa Cruz Environmental Health Service implies no guarantee of septic system function. Any subsequent septic system failure will require the owner to have the septic tank pumped and make repairs as necessary to confine sewage below ground surface. I hereby acknowledge that I have read this application and the instructions on the reverse side, and state that the formation on this page and the following page is correct, and agree to comply with all County Ordinances and State laws regulating construction of private sewage disposal systems.  
Incomplete application for sewage disposal permits will become null and void if all required information is not submitted within one year of date of application. I understand that this permit shall expire: In 24 months after approval if a building permit is not applied for in that time period.  
I agree to comply with additional conditions which may be imposed by Staff as listed on the following page to ensure that the system meets standards.  
I agree to provide 24-hour notice directly to the inspector during office hours the morning of the day before an inspection is requested.  
I understand that County approval of the Sewage Disposal Permit does not constitute County approval of any illegal building or land use activities that may be present on this site.  
I certify that the Information contained in this application, particularly pertaining to bedrooms and uses on this site, is accurate.

Date: 12-21-06 Applicant Signature: [Signature] Owner Signature: [Signature] Date: 12-21-06

PERMIT NUMBER: 07-039 EHS USE ONLY  
The design for the sewage disposal system presented herein meets the standards for: ☐ Not Applicable ☒ Standard System  
☐ Special Operating System: Fee Level: [ ] 1 [ ] 2 [ ] 3 [ ] 4 [ ] 5 Type: \_\_\_\_\_  
Application Approved by: \_\_\_\_\_ Date: 10/2/07 Supervisor: [Signature] Date: 11/2/07  
THIS PERMIT EXPIRES ON 10/2/09 OR WILL BE VALID AS LONG AS THE BUILDING APPLICATION IS VALID.

# APPLICATION FOR SEWAGE DISPOSAL PERMIT - PROPOSED DESIGN FOR SEWAGE DISPOSAL SYSTEM

Plan Revised ☐ Date 12-21-06

Permit # 07-131

The Following Is To Be Completed By The Applicant:

Assessor Parcel Number 103-181-35

System # \_\_\_\_\_ (If multiple systems on property)

Water Supply: Public(Company Name): \_\_\_\_\_

Shared (Source APN) \_\_\_\_\_

Individual \$- \_\_\_\_\_

My Proposal Is For (check one):

- ☐ 1. A new septic system for new development (standard septic system requirements and water supply requirements).
- ☒ 2. A repair or upgrade of a system that serves existing development (must meet standard system requirements including expansion area). Future **expansion** trenches must be shown on plot plan.
- ☐ 3. A nonconforming system to serve existing development (cannot meet standard system requirements).
- ☐ 4. A haulaway system (parcel can only accommodate less than 50% of leachfield requirements).
- ☐ 5. A specific alternative system design: (attach diagram and specifications) \_\_\_\_\_

For system types 3, 4, 5, owner or agent must sign an Acknowledgment of **Onsite** Sewage Disposal System with Special Operating Conditions, and must comply with the requirements **specified** in the Acknowledgment, which is made a part of this permit). (EHS Staff: If necessary, change category above to match completed permit).

My Proposed System Design Is:

☒ Gravlty Flow ☐ Pump Up ☐ Pressure-Distribution

Septic Tank

Septic Tank ☒ New ☐ Existing Size (gallons): 2000 Material: Concrete Brand: \_\_\_\_\_

If Pump Chamber ☒ New ☐ Existing Size (gallons): \_\_\_\_\_ Material: \_\_\_\_\_ Brand: \_\_\_\_\_

Design soil percolation rate range (minutes per inch) (circle choice): <1 1-5 6-30 31-60 61-120

- ☐ Conventional Leaching Device Specifications: ☒ Leachfield ☐ Greywater Sump
- Number lines 2 Total linear feet 100 width (ft) 15' Effective Depth (ft) 7 Proposed Area (sq.ft) 1050
- Maximum Trench Depth: 7' Existing functional leachfield that meets standards (sq.ft.) \_\_\_\_\_
- ☐ Distribution Device type \_\_\_\_\_ Leachfield grand total \_\_\_\_\_
- ☐ Chamber Leaching: Brand/ Model \_\_\_\_\_ No. Chambers \_\_\_\_\_ Linear Feet \_\_\_\_\_
- ☐ Seepage Pit(s): (allowed only for certain Repair/Upgrade)
- Number: \_\_\_\_\_ Diameter: \_\_\_\_\_ Flow depth: \_\_\_\_\_ Total square feet: \_\_\_\_\_

Draw & attach two copies of a plot plan that clearly describes the design (turn page over for plot plan requirements).

## EHS USE ONLY

Permit conditions to be satisfied: WELL SETBACK TO BE STAKED PRIOR TO CONSTRUCTION  
INSTALLER ALL SETBACKS TO EXISTING PROPERTY LINE CREEK AND WELL

(Note: Failure to comply with conditions may result in recordation of Notice of Violation.)

INSTALLER \_\_\_\_\_

INSPECTIONS	INSPECTOR	DATE	INSPECTOR	DATE
TANK:	_____	_____	_____	_____
LEACHING:	_____	_____	_____	_____
DIST. BOX:	_____	_____	_____	_____
INSP. RISERS:	_____	_____	_____	_____
ALT. SYSTEM	_____	_____	_____	_____
WATER CONSERVATION:	_____	_____	_____	_____
			AS BUILT RECEIVED	
			FINAL	

NOTES: TRAFFIC GRADE RISERS ON LEACH LINES AND D-BOX.

SHOULD THIS SYSTEM BE RECHECKED? \_\_\_\_\_ WHEN? \_\_\_\_\_ DESCRIBE WHAT TO CHECK FOR: \_\_\_\_\_



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

April 6, 2007

Chuck Burket  
The Final Draft  
PO Box 2175  
Santa Cruz, CA 95063

**SUBJECT: Archaeological Reconnaissance Survey for APN 103-181-35**

Dear Chuck,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel referenced above. The research has concluded that cultural resources were not evident at the site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development.

Please contact me at 831-454-3207 if you have any questions regarding this review.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Gentile".

Antonella Gentile  
Planning Technician

Enclosure  
CC Owner, Project Planner, File

Santa Cruz County Survey Project

Exhibit B

Santa Cruz Archaeological Society  
1305 East Cliff Drive, Santa Cruz, California 95062

Preliminary Cultural Resources  
Reconnaissance Report

Parcel APN 103-181-35 SCAS Project number SE-07-1081  
Development Permit Application No 07-0074 Parcel Size 33279. ft.  
Applicant Fenial Droft sq  
Nearest Recorded Cultural Resource Edge of the North of property

On 4-2-2007 (date) two (#) members of the Santa Cruz Archaeological Society spent a total of 1/2 hours on the above described parcel for the purpose of ascertaining the presence or absence of cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of cultural resources where soil was obscured by grass, underbrush, or other obstacles. No core samples, test pits or any subsurface analysis was made. A standard field form indicating survey methods, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of cultural resources on the parcel. The proposed project would therefore, have no direct impact on cultural resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Cabrillo College Archaeological Technology Program, 6500 Soquel Drive, Aptos, CA 95003, (831) 479-6294, or email [redwards@cabrillo.edu](mailto:redwards@cabrillo.edu).