



Staff Report to the Zoning Administrator

Application Number: **07-0732**

Applicant: Janet Dows
Owner: Mary McCarthy
APN: 058-084-01

Agenda Date: April 18, 2008
Agenda Item #: 1
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing single-family residence with detached garage and construct a new 1,726 square foot 2-story, 2 bedroom, 3 bathroom single-family dwelling with a detached 548 square foot garage with a 548 square foot accessory dwelling unit on the second floor of the garage structure.

Location: 85 Marine View Avenue, Davenport

Supervisory District: 3rd District (District Supervisor: Neal Coonerty)

Permits Required: Coastal Development Permit and Agricultural Buffer Reduction Determination

Technical Reviews: drainage review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0732, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	5,227.2 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	CA-zoned open space (north/ east/ west) Residential (south)
Project Access:	Driveway from Marine View Avenue
Planning Area:	North Coast

Land Use Designation: R-UL (Residential Urban Low)
Zone District: R-1-6 (Single-family Residential- 6,000 square foot minimum site area)
Supervisory District: Third (District Supervisor: Neal Coonerty)
Within Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: C-Fire (small portion of NE corner of parcel in Critical Fire Hazard area)
Slopes: N/A
Env. Sen. Habitat: Biotic resource mapped: potential monarch butterfly habitat in eucalyptus grove adjacent within 200 yards of site; project will not encroach
Grading: 12 cubic yards of cut, 7 cubic yards of fill
Tree Removal: No trees proposed to be removed
Scenic: Yes, in Scenic Resources area
Drainage: Existing drainage adequate
Archeology: Potential Archeological Resources mapped; Archeological Reconnaissance survey completed August 13, 1997

Services Information

Inside Urban/Rural Services Line: ☒ Yes ☐ No
Water Supply: Not in water district
Sewage Disposal: Davenport Sanitation
Fire District: County Fire
Drainage District: Not in drainage zone

History

In 1997, a Coastal Development Permit (97-0396) was approved to allow a remodel and second-floor addition to an existing non-conforming single-family dwelling on the project site. The project required a Variance, as the existing dwelling is within the required front setback (within 8 feet of the Marine View Avenue right-of-way; the currently proposed new residence and garage/ accessory dwelling unit will meet all setbacks), and an Agricultural Buffer Determination for development within 200 feet of a CA-zoned parcel. In 2000, a Significant Tree Removal Permit (00-0278) was issued for removal or trimming of six eucalyptus trees that were considered to be part of the adjacent monarch butterfly habitat. The eucalyptus grove covers an adjacent area within approximately 200 yards of the project site to the north and northwest

As part of the currently proposed project, a new approval of an Agricultural Buffer Determination (for reduction of the required residential setback of 200 feet from CA-zoned property) was brought forward and approved by the Agricultural Policy Advisory Committee (APAC) on March 20, 2008:

Project Setting

The proposed project is on the northwest edge of a developed residential neighborhood in Davenport. It is bordered on the north and west by undeveloped CA-zoned land that contains a eucalyptus grove near the project site that is a monarch butterfly over-wintering habitat. The subject property is characterized by topography that is mostly flat, including the area of the existing and proposed new structures. However, the rear (north) of the parcel slopes upward, with the toe of slope beginning about 10 feet from the rear property line and sloping up at approximately 15-35% for several hundred yards into the adjacent CA-zoned parcel. There is also a narrow up-sloped area in the front yard beginning at the edge of the street pavement, so that the flat developed area of the parcel begins about 10 feet in from the front property line and is raised about 5 feet above street level.

Zoning & General Plan Consistency

The subject property is a 5,227 square foot lot, located in the R-1-6 (Single-Family Residential) zone district, a designation that allows residential uses. The proposed single-family residence, detached garage and accessory dwelling unit is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Residential General Plan designation.

Local Coastal Program Consistency

The proposed single-family residence, detached garage and accessory dwelling unit is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings, many of which are two stories. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed single-family residence, detached garage and accessory dwelling unit were reviewed by the County Urban Designer and comply with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features that are consistent with the existing neighborhood and with the Davenport Special Community design policies. Specific characteristics of the Davenport neighborhood include one and two-story wooden residences with multiple gables, bay windows, porches and vertical siding, to name a few of the details incorporated into the proposed residence that are compatible with surrounding development. The proposed project sits immediately adjacent to land that will remain in open space, and its massing and colors will be compatible with its setting within the natural landscape, as well as with the nearby developed residential neighborhood.

Environmental Review

Environmental review of the proposed project per the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that the proposed project is exempt per CEQA Section 15303 (Class 3- New Construction).

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

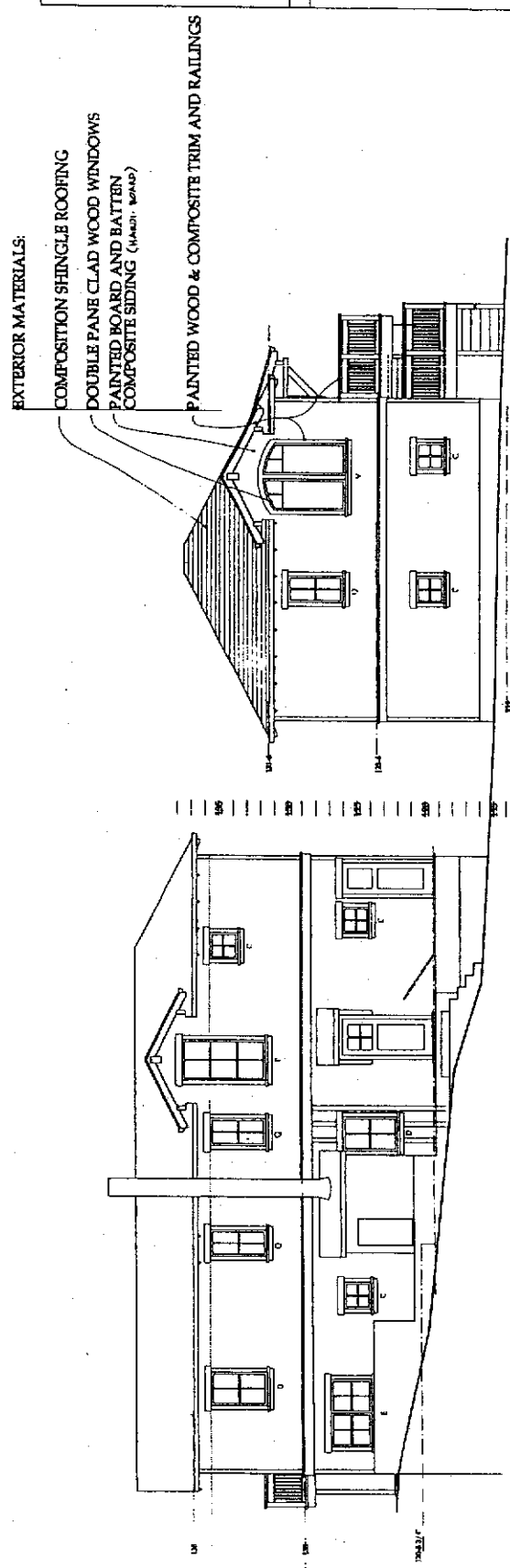
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 07-0732, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

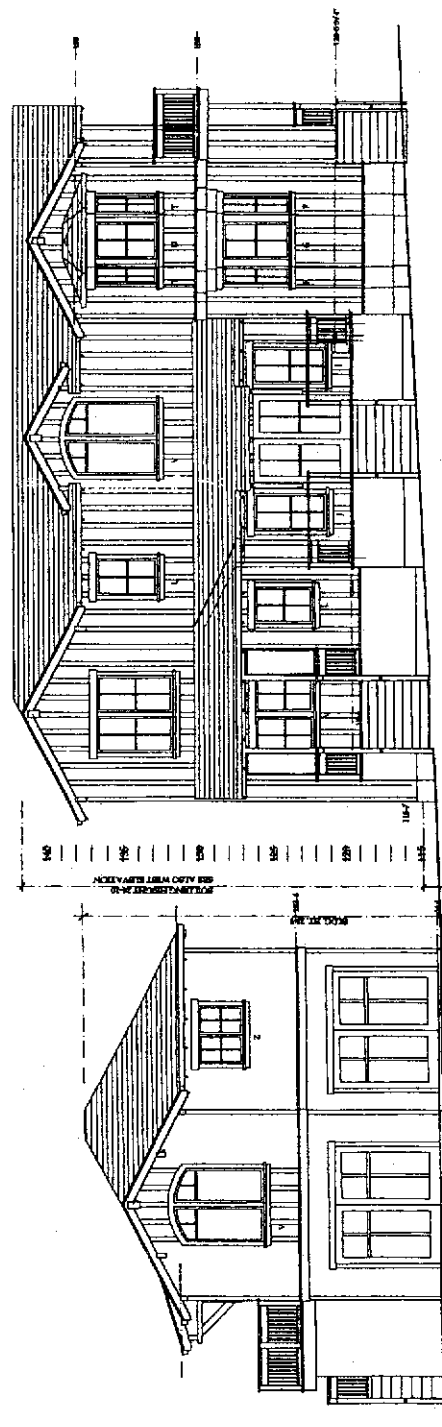
Report Prepared By: Alice Daly
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3259
E-mail: alice.daly@co.santa-cruz.ca.us

12-12-07
 MC CARTHY RESIDENCE
 PROPOSED NEW HOME, GARAGE, AND 2ND UNIT
 85 MARINE VIEW AVENUE, DAVENPORT, CALIFORNIA
 JANET DOWS ARCHITECT
 1425 Seabright Avenue, Santa Cruz, CA 95062
 Phone: (831) 427-1346
 License # C-24412



RESIDENCE NORTH ELEVATION
 1/4" = 1'-0"

GARAGE / ADU NORTH ELEVATION
 1/4" = 1'-0"



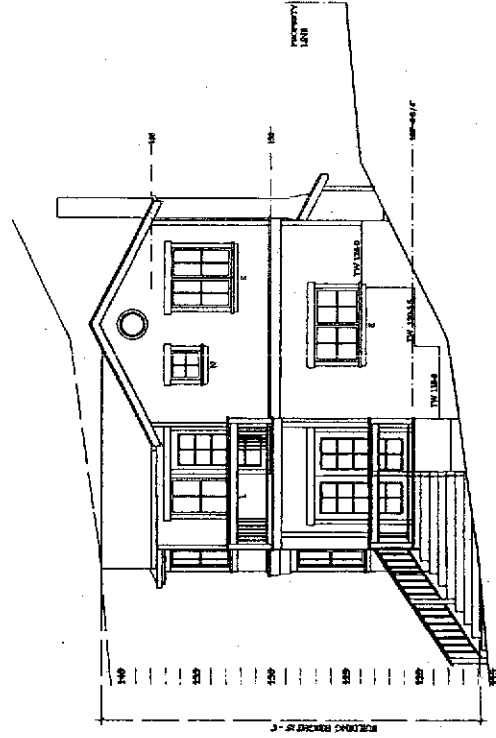
RESIDENCE SOUTH ELEVATION
 1/4" = 1'-0"

GARAGE / ADU SOUTH ELEVATION
 1/4" = 1'-0"

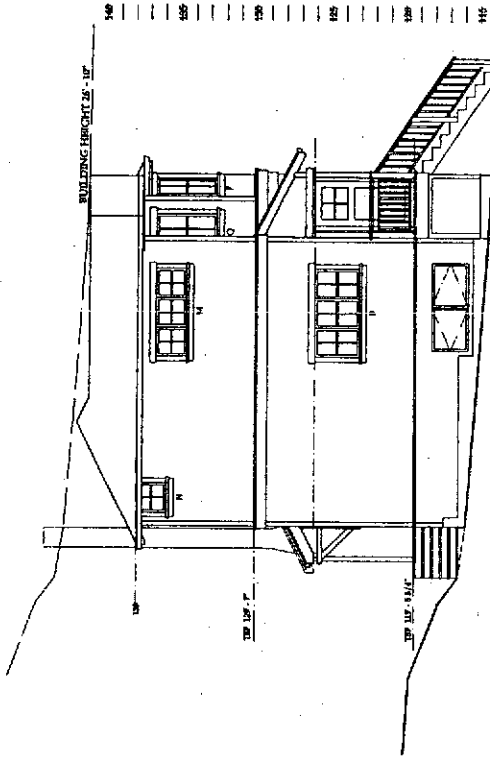
MC CARTHY RESIDENCE
PROPOSED NEW HOME, GARAGE, AND 2ND UNIT
85 MARINE VIEW AVENUE, DAVENPORT, CALIFORNIA

JANET DOWS Architect
1425 Seabright Avenue, Santa Cruz, CA 95060
Phone: (831) 457-1546
License # C-24412

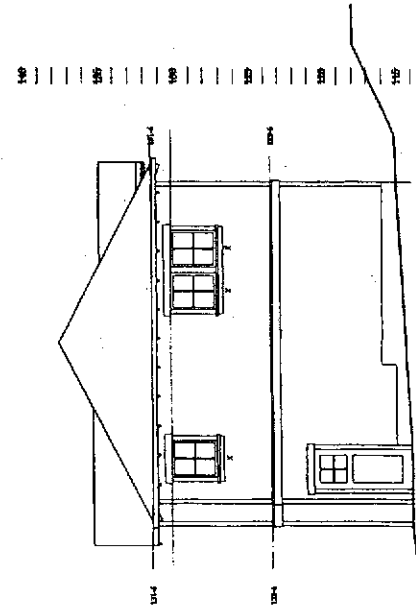
12-13-07



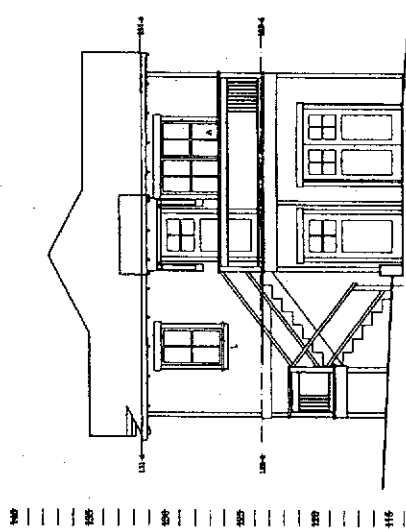
RESIDENCE EAST ELEVATION
1/8" = 1'-0"



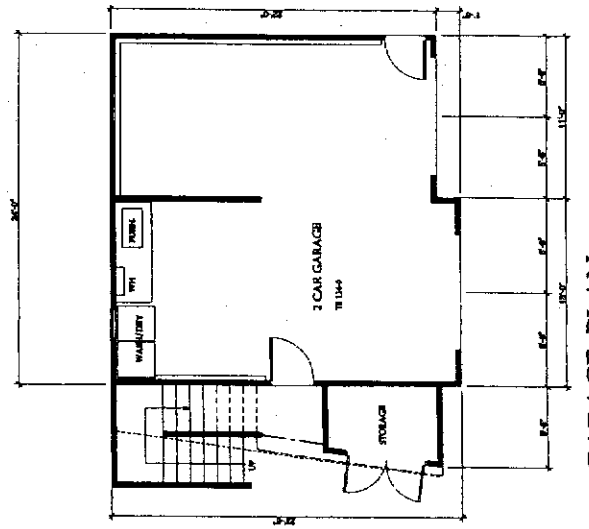
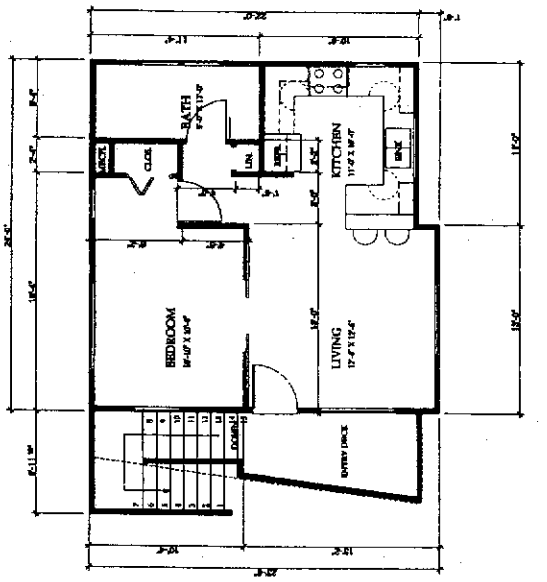
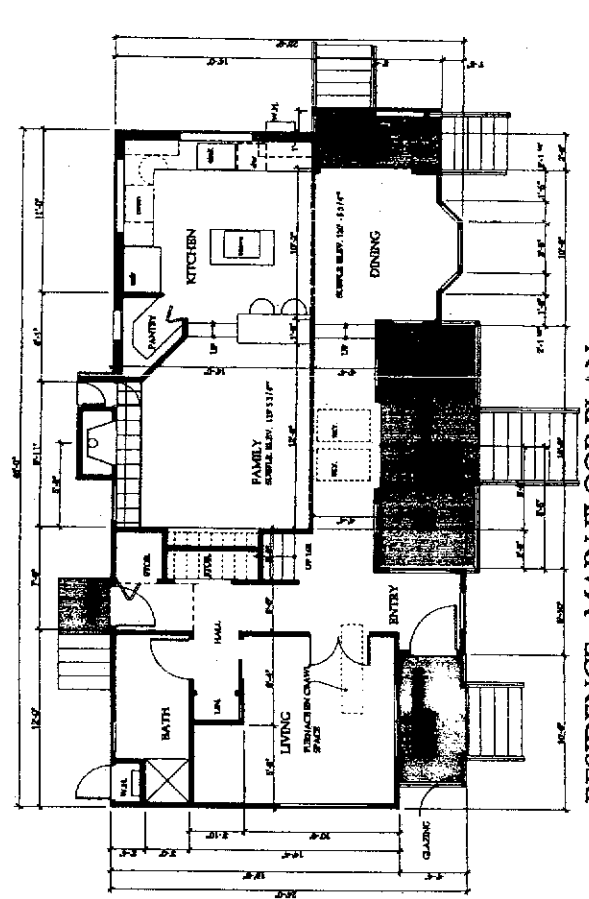
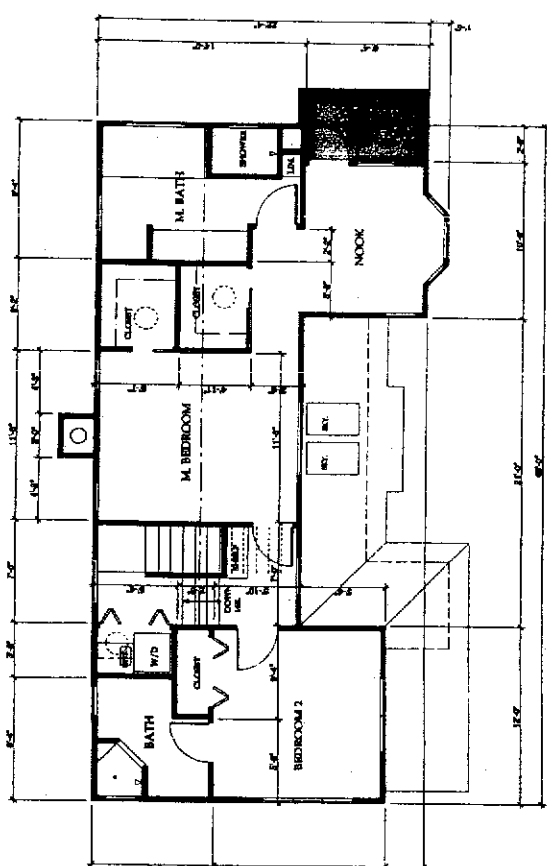
RESIDENCE WEST ELEVATION
1/8" = 1'-0"



GARAGE / ADU EAST ELEVATION
1/8" = 1'-0"



GARAGE / ADU WEST ELEVATION
1/8" = 1'-0"



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-1-6 (Single-Family Residential), a designation that allows residential uses. The proposed single-family residence, detached garage and accessory dwelling unit is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Residential General Plan designation.

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

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

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single-family residence, detached garage and accessory dwelling unit 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-1-6 (Single-Family Residential) 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. The design submitted is consistent with the existing range of design, size and scale in the vicinity.

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family residence, detached garage and accessory dwelling unit will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the single-family residence, detached garage and accessory dwelling unit 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-1-6 (Single-Family Residential) zone district in that the primary use of the property will be one single-family residence, detached garage and accessory dwelling unit that meets all current site standards for the zone district. The proposed project is consistent with agricultural preservation requirements in that the adjacent CA-zoned parcel is not suitable for any kind of intensive agricultural use within 200 feet of the project due to topographic and biotic restraints, and there will thus be no conflicts created by the proximity of the proposed new residence. An Agricultural Buffer Determination (for reduction of the required residential setback of 200 feet from the surrounding CA-zoned property) was brought forward and approved by the Agricultural Policy Advisory Committee (APAC) on March 20, 2008.

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 Low Residential (R-UL) land use designation in the County General Plan.

The proposed single-family residence, detached garage and accessory dwelling unit will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single-family residence, detached garage and accessory dwelling unit will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed single-family residence, detached garage and accessory dwelling unit will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single-family residence, detached garage and accessory dwelling unit will comply with the site standards for the R-1-6 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.

The proposed project is also consistent with the Davenport Special Community policies and guidelines.

An Agricultural Buffer Determination (for reduction of the required residential setback of 200 feet from the surrounding CA-zoned property) was brought forward and approved for this project by the Agricultural Policy Advisory Committee (APAC), as required by the General Plan when there is less than a 200-foot buffer between residential uses and CA-zoned land.

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

This finding can be made, in that the proposed single-family residence, detached garage and accessory dwelling unit is to be constructed on an existing lot with an existing single-family dwelling that is proposed to be demolished prior to construction of the new residence. The new residence and second dwelling unit will have a total of three bedrooms, and the existing residence has two bedrooms. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit); 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 neighborhood containing a variety of architectural styles, including many historic and traditional details such as wooden siding, multiple gables, bay windows and porches that are incorporated into the proposed design, and the proposed single-family residence, detached garage and accessory dwelling unit is consistent with the land use intensity and density of the neighborhood.

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

This finding can be made, in that the proposed single-family residence, detached garage and accessory dwelling unit will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project plans, 6 sheets, prepared by Janet Dows, dated 12/12/07 and as revised 2/6/08.

- I. This permit authorizes the demolition of an existing single-family residence with a detached garage and the construction of a new 1,726 square foot single-family residence, 548 square foot detached garage and 548 square foot accessory dwelling unit on the second floor of the garage structure. 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 2. A development setback of a minimum of 15 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 058-122-12.
 3. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.

4. Grading, drainage, and erosion control plans.
 5. 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 that clearly depicts the total height of the proposed structure. Maximum height is 28-feet.
 6. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the County Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Pay the current fees for Parks and Child Care mitigation for 1 bedroom. Currently, these fees are, respectively, \$578 and \$109 per bedroom.
 - H. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - I. 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.
 - J. Complete and record a Declaration of Restriction to construct a second dwelling unit. **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. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- D. The project must comply with all recommendations of the approved soils reports.
- 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.
 - B. All required Agricultural Buffer Setbacks shall be maintained.
- 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

Alice Daly
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: 07-0732

Assessor Parcel Number: 058-084-01

Project Location: 85 Marine View Terrace

Project Description: Proposal to demolish an existing single-family dwelling and detached garage and to construct a new 1,726 square foot single-family residence and a detached 548 square foot garage with a 548 square foot accessory dwelling unit on the second floor.

Person or Agency Proposing Project: Janet Dows

Contact Phone Number: 831-457-1346

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

F. Reasons why the project is exempt:

The proposal is to construct a 1,726 square foot single-family dwelling and a 548 square foot garage with a 548 square foot second-floor accessory dwelling unit.

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

Alice Daly, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

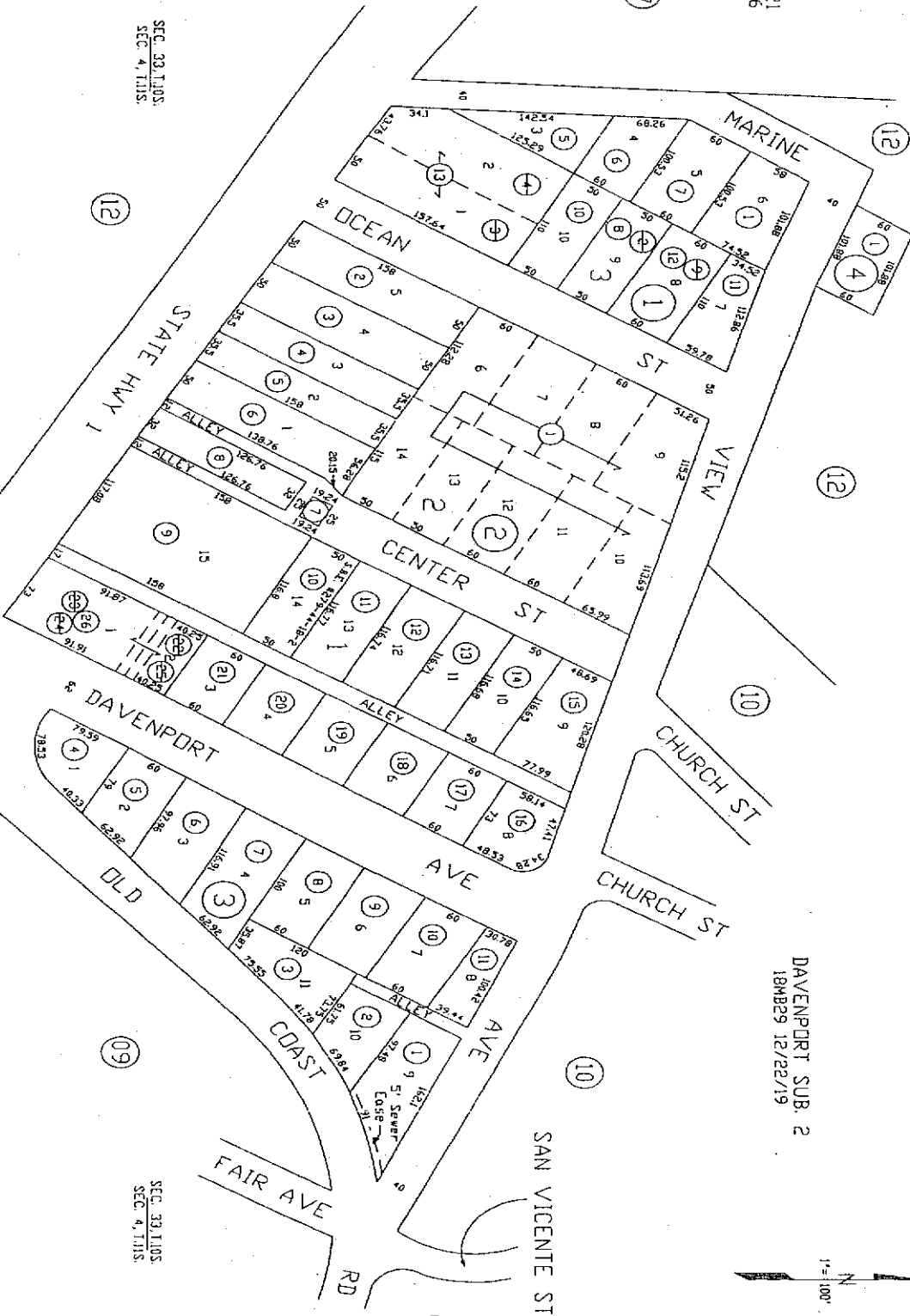
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

SAN VICENTE RANCHO

PDR. SEC. 33, T.10S, R.3W, & SEC. 4, T.11S, R.3W, M.D.B. & M.

Tax Area Code 58-08
86-003

7SR521
2/7/86



SEC. 33, T.10S,
SEC. 4, T.11S.

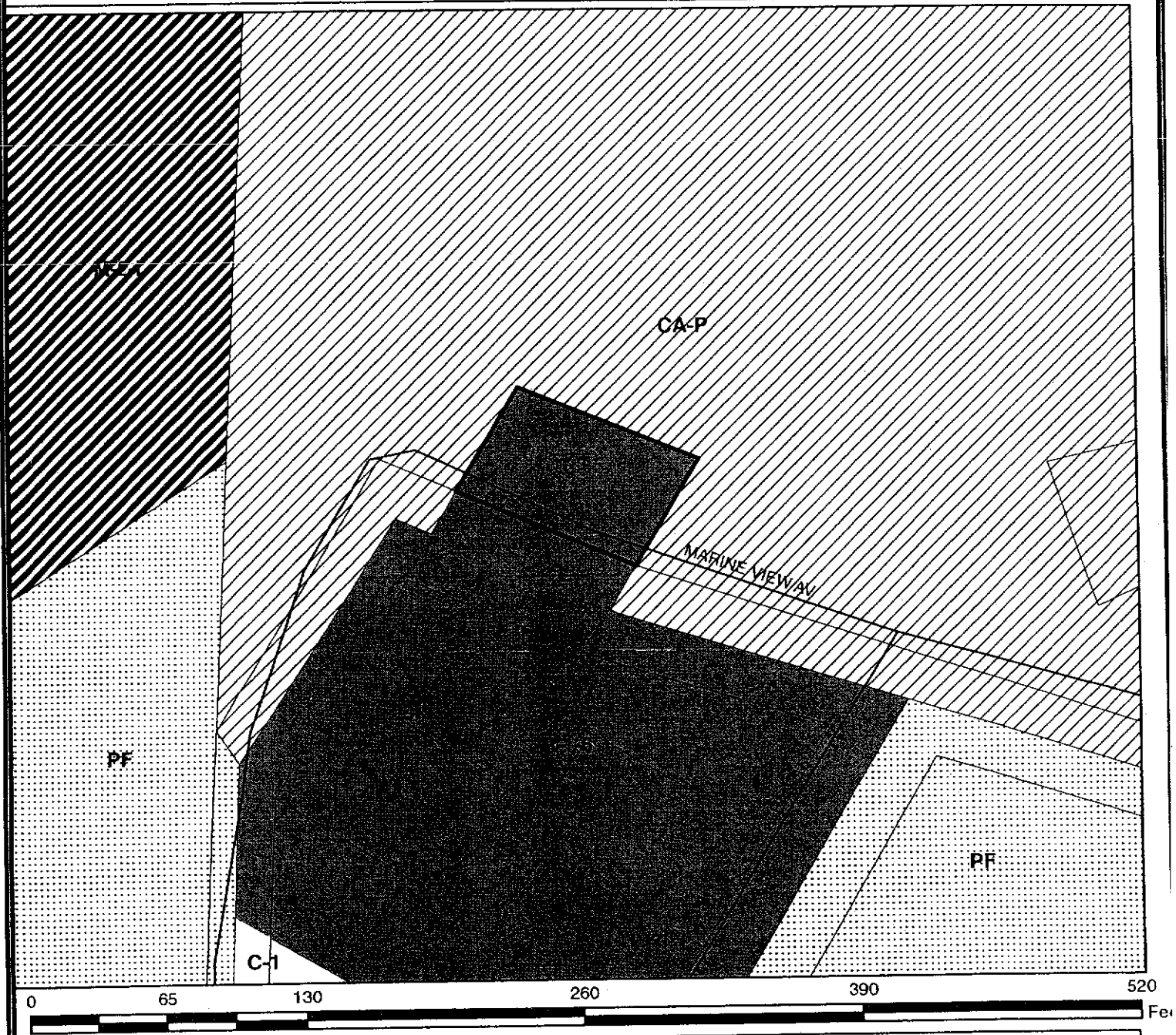
SEC. 33, T.10S,
SEC. 4, T.11S.

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

Assessor's Map No. 58-08
County of Santa Cruz, Calif.
Oct. 1999

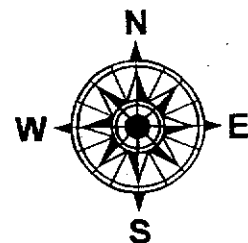


Zoning Map



LEGEND

- APN: 058-084-01
- Assessors Parcels
- Streets
- RESIDENTIAL-SINGLE FAMILY
- AGRICULTURE COMMERCIAL
- PUBLIC FACILITY
- HEAVY INDUSTRIAL
- COMMERCIAL-NEIGHBORHOOD

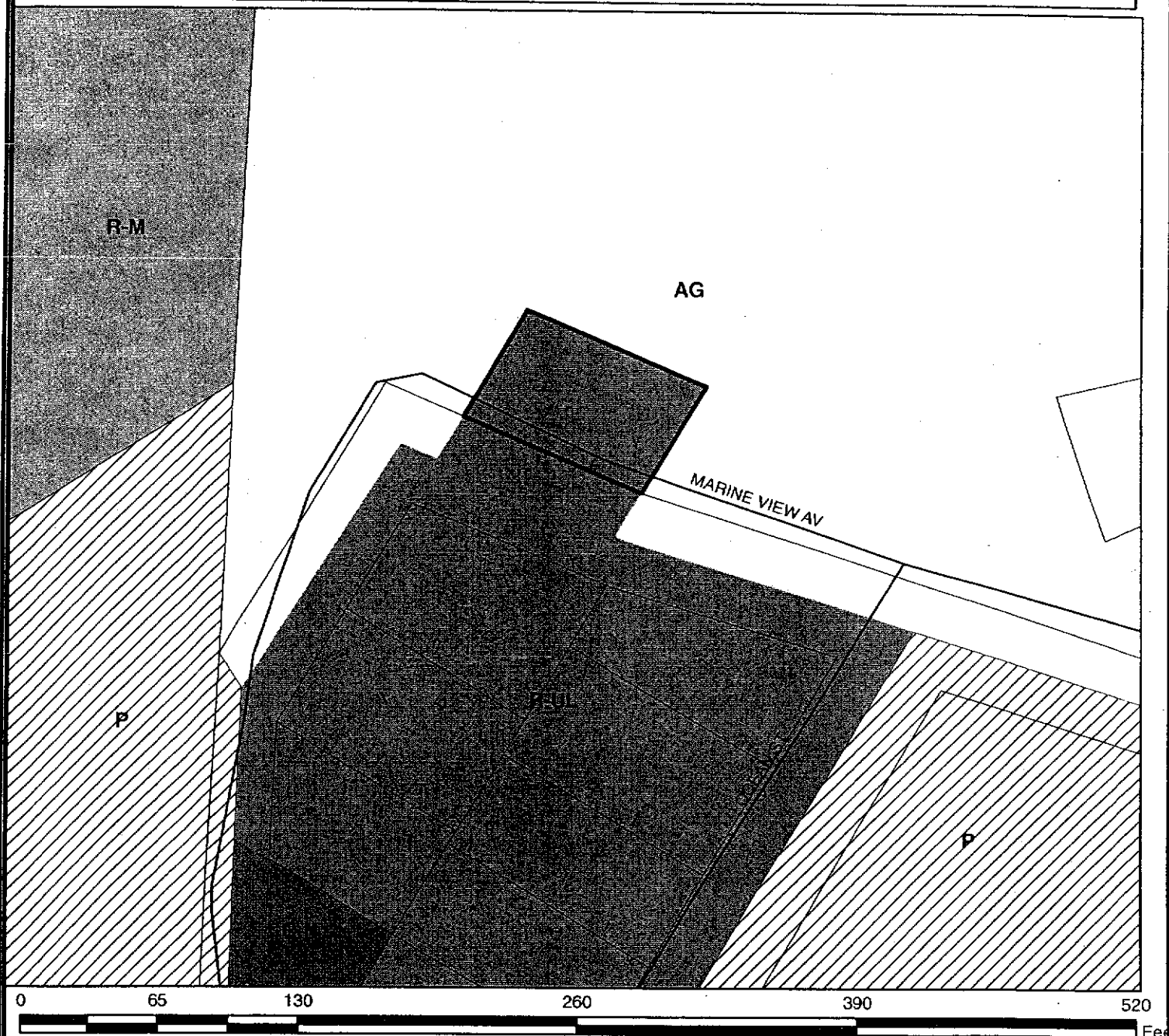


Map created by
County of Santa Cruz
Planning Department
January 2008

EXHIBIT F

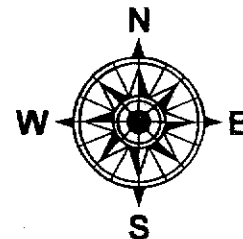


General Plan Designation Map

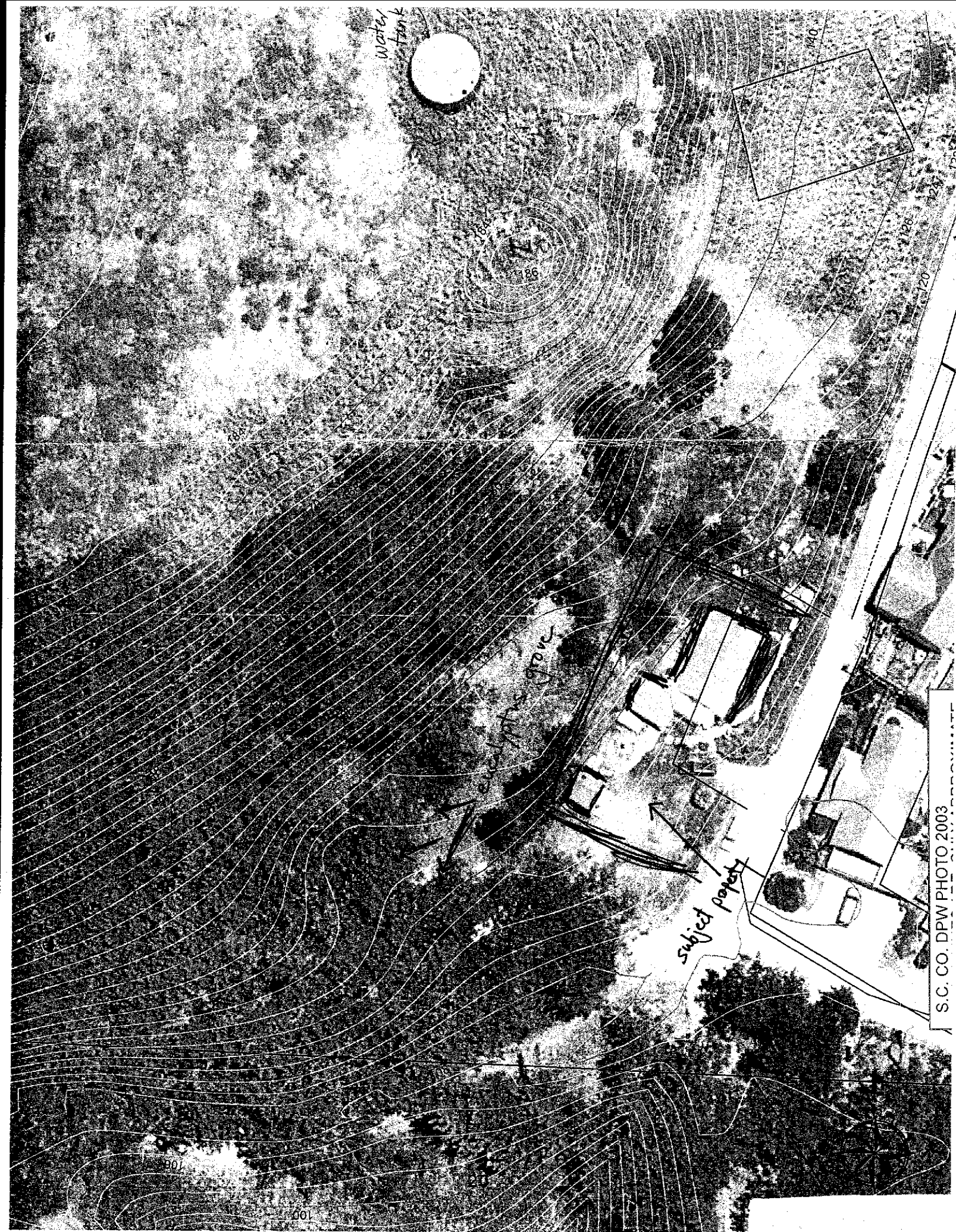


LEGEND

- APN: 058-084-01
- Assessors Parcels
- Streets
- Residential - Urban Low Density
- Agriculture
- Residential-Mountain
- Commercial-Neighborhood
- Public Facilities



Map created by
County of Santa Cruz
Planning Department
January 2008



water tank

186

subject's grave

subject property

S.C. CO. DPW PHOTO 2003

TRANSMITTAL - LEVEL 5, 6 & 7

DATE: _____

TO: Support Staff

FROM: Alice Daly

RE: Application # 07-0732

PLEASE COMPLETE THE ITEMS CHECKED BELOW:

Return all original documents to the planner, unless checked ⇒ ☐ Use original documents for distribution

☐ Make _____ copies of the attached documents; distribute as follows:

☐ Mail copies to: ☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ Send a copy to District Supervisor _____ (via Inter-office mail)

☐ Send copies to: ☐ DPW Surveyor (Plans & Conditions – all land divisions)

☐ Housing (Conditions – projects with affordable housing reqts.)

☐ _____

☐ Extra copy to planner

☐ Mail a copy to the California Coastal Commission: ☐ Certified Mail ☐ Send attached plans

☐ Mail copy of Coastal Exclusion to Coastal Commission with any attached documents/exhibits.

☐ Mail copy of permit conditions to: _____ (Local Fire District)

☐ Send copy of CEQA notice to the Clerk of the Board:

☐ Notice of Exemption

☐ Notice of Determination/Negative Declaration

☐ Certificate of Fee Exemption

☐ Special instructions:

☐ Send attached exhibit(s) to:

☐ Applicant

☐ Owner

☐ Applicant/Owner (if same)

☐ Send attached recordable documents to:

☐ Applicant

☐ Owner

☐ Applicant/Owner (if same)

☐ _____

☐ _____

Completed by: _____

(support staff)

(date)



County of Santa Cruz Planning Department

Steps for Completing and Recording the Conditions of Approval for this Permit

1. Review all of the information on the document to be recorded. The property owner is responsible for reviewing **all** of the entered information, including the Assessor's Parcel Number (APN), site address, owner's name(s), previous owner(s), document number(s), and recording dates. If any of this information is found to be incorrect, notify the Planning Department of the inaccuracy **prior** to recording the document. If necessary, a corrected version of the document will be prepared at the owner's request.
2. Obtain the signature(s) of **all** property owners. A notary public must verify all signatures. The Planning Department has a notary public and/or the phone book lists several other notaries public.
3. Bring the notarized form into the Planning Department for review and signature by a Planning Department staff person prior to recording. Please ask the receptionist for assistance in obtaining a signature, please do not sign on to the waiting list for this purpose.
4. In order to save the photocopy costs, you may bring along your own copy or copies (as well as the original) to the Recorder's Office, which they will stamp for you for a fee.
5. Have the form recorded in the County Recorder's Office, Room 230, and have a photocopy made with the recorder's stamp on it, or have your copy conformed. Please contact the Recorder's Office regarding their fees & hours of operation at: (831) 454-2800. **Note: Do not record this instruction form with your recordable documents.**
6. The copy may be mailed directly to the Planner or routed to the planner through the Planning reception desk as you step off the elevator on the 4th floor.
7. The original stamped declaration will be sent to the Planning Department in 3-5 weeks and placed in permanent records.

Your building application will not be approved by the planning department, and your use may not begin until steps 1-6 have been completed.

By signing below, the owner agrees to accept the terms and conditions of approval of Application 07-0732 and to accept responsibility for payment of the County's cost for inspections and all other action related to noncompliance with the permit condition. The approval of Application 07-0732 is null and void in the absence of the owner's signature below.

Executed on _____
(date)

Property Owner(s) signatures:

(Signature) (Print Name)

(Signature) (Print Name)

(Signature) (Print Name)

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT
SHALL BE ATTACHED.**

STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ} ss

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature _____
(Signature of Notary Public)

This form must be reviewed and approved by a County Planning Department staff person after notarization and prior to recordation.

Dated: _____

COUNTY OF SANTA CRUZ

By: _____
Planning Department Staff

Return recorded form to:

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

Attention: Alice Daly
Application #: 07-0732

Notice

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department
Attn: Alice Daly
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Conditions of Approval

Development Permit No. 07-0732

Property Owner: Mary McCarthy

Assessor's Parcel No.: 058-084-01

Exhibit A: Project plans, 6 sheets, prepared by Janet Dows, dated 12/12/07 and as revised 2/6/08.

- I. This permit authorizes the demolition of an existing single-family residence with a detached garage and the construction of a new 1,726 square foot single-family residence, 548 square foot detached garage and 548 square foot accessory dwelling unit on the second floor of the garage structure. 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 ½" x 11" format for Planning Department review and approval.
 2. A development setback of a minimum of 15 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 058-122-12.
 3. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
 4. Grading, drainage, and erosion control plans.
 5. 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 that clearly depicts the total height of the proposed structure. Maximum height is 28-feet.
 6. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements and pay any applicable plan check fee of the County Fire Protection District.
- F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.

- G. Pay the current fees for Parks and Child Care mitigation for 1 bedroom. Currently, these fees are, respectively, \$578 and \$109 per bedroom.
 - H. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - I. 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.
 - J. Complete and record a Declaration of Restriction to construct a second dwelling unit. **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. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - 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.

- B. All required Agricultural Buffer Setbacks shall be maintained.
- 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

Alice Daly
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.