



## Staff Report to the Zoning Administrator

Application Number: **08-0169**

**Applicant:** Dennis Norton  
**Owner:** Randy French  
**APN:** 028-304-79

**Agenda Date:** 12/05/08  
**Agenda Item #:** 2  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to demolish an existing single-family dwelling and detached garage, construct a 2-story 2,280 square foot single-family dwelling with a 281 square foot attached garage, and to grade approximately 150 cubic yards. Requires a Coastal Development Permit, a Variance to cover greater than 50 percent of the front yard with a driveway, and a Preliminary Grading Approval.

**Location:** Property located on the south side of South Palisades with a property address of 3 Rockview Drive.

**Supervisory District:** 1st District (District Supervisor: Jan Beautz)

**Permits Required:** Coastal Development Permit, Variance to cover greater than 50% of the front yard with a driveway,

**Technical Reviews:** Geological Report Review, Geotechnical Report Review

**Staff Recommendation:**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0169, based on the attached findings and conditions.

**Exhibits**

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map
- G. Comments & Correspondence

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

### Parcel Information

Parcel Size: 7,761 square feet gross, 6,036 square feet net  
Existing Land Use - Parcel: Single Family Dwelling  
Existing Land Use - Surrounding: Single Family Residential  
Project Access: Palisades Avenue, 20' right-of-way  
Planning Area: Live Oak  
Land Use Designation: R-UM (Urban Medium Residential)  
Zone District: R-1-5 (Single family residential - 5,000 square feet)  
Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

### Environmental Information

Geologic Hazards: Geologic Report Review completed and accepted. Project conditioned to comply with recommendations.  
Soils: Soils Report Review complete. Project required to comply with recommendations.  
Fire Hazard: Not a mapped constraint  
Slopes: Site is flat to edge of coastal bluff, 92 feet from development  
Env. Sen. Habitat: Mapped as containing Santa Cruz Tarplant and Zayante Band-Winged Grasshopper, though no physical evidence was identified on site  
Grading: 150 cubic yards proposed for the basement  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Project conditioned to comply with Public Works Drainage requirements.  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside  
Water Supply: Santa Cruz Water Department  
Sewage Disposal: Santa Cruz Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5 Flood Control District

### Project Setting

The subject property is located on the south side of South Palisades Avenue and is provided with a situs address of 3 Rockview Drive, though the property has no vehicular access from Rockview. The subject property is approximately 360 feet in length and 35 feet in width. The site fronts on the ocean, though it is not identified within a scenic corridor as there is no public beach due to steady wave-run-up to the bluff. A pedestrian easement crosses the site along an

existing wave run up sea wall near the top of the bluff. The development is approximately 92 feet from the easement and does not interfere with the proposed improvements.

The parcel contains an existing 861 square foot (approximate) single story single-family dwelling with a 195 square foot deck and a detached 281 square foot one-story garage.

The subject property is surrounded by a single story residence on each side of the structure. A two story residence two properties to the east was approved by the Zoning Administrator on November 7, 2008. Otherwise, the proposed residence is surrounded by a two story residential building three homes to the east and two homes to the west.

### **Detailed Project Description**

The applicant is proposing to demolish the existing dwelling and garage and to construct a new 2,280 square foot single family dwelling with a 433 square foot basement, 76 square foot deck and a 281 square foot one story garage. The dwelling includes an approximately 1,151 square foot first floor and a 1,129 square foot second floor.

### **Zoning & General Plan Consistency**

The subject property is zoned R-1-5 (Single family residential - 5,000 square feet) zone district, a designation, which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UM) Urban Medium Residential General Plan designation.

### **Setbacks**

The following setbacks apply to this property based on a parcel width less than 60 feet in width.

	Front	Side	Rear
Required	20	5 & 5	15'
Proposed	20	5'1" & 5'1"	15' plus

As is evident, the project complies with all required setbacks.

### **Floor Area Ratio (FAR)**

The following table is provided to depict the proposed floor area ratio information.

<b>Proposed Floor Area</b>	
First Floor	1151 square feet
Second Floor	1129 square feet
Garage	281 square feet

Basement area	433 square feet
Sub Total	2,994 square feet
Garage Credit	- 225 square feet
<b>Total FAR 2,769 square feet/6,036 net lot size = 46 Percent</b>	

A careful assessment of the floor area was completed to verify the proposed square footage shown on the project plans. These calculations confirmed that the square footage does not exceed the figures shown above. Rather these numbers fall significantly under the figures provided by the applicant because stairways and landings were not discounted in the applicant's FAR calculation. Nonetheless, the proposed structure does not exceed 50 Percent Floor Area Ratio allowed by the Ordinance.

#### Lot Coverage and Front Yard Coverage

The proposed building footprint is approximately 1,151 square feet and covers approximately 20 percent of the parcel, which is under the permitted 30 percent allowed by the Ordinance.

The ordinance allows driveways to cover no more than 50 percent of the front yard area. The proposed 18 foot wide driveway apron exceeds this standard by a ½ foot. A variance to cover greater than 50% of the front yard with driveway area is included in this application. Normally most parcels meet the minimum 60-foot parcel width and can provide parking for two cars without exceeding 50 percent of the front yard area. Given the site's 35-foot parcel width a variance is appropriate, especially because the area requested is small. Variance findings are attached.

#### **Local Coastal Program Consistency**

The proposed Single Family Dwelling 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. The size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. While the immediate structures on either side of the structure are single story dwellings, two other structures within the same locale are two story structures more representative of the proposed dwelling. A current application two structures to the east was approved on November 7, 2008 by the Zoning Administrator. This approval authorized a second story addition and a Variance to allow parking to exceed 50 percent of the front yard due to limited site width.

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**

Design review, including a determination of neighborhood compatibility, was completed by the Urban Designer and is attached as Exhibit G. The Urban Designer recommended that design alterations be provided to break up the second story wall massing on the east side of the building. The plans were revised to add a wall recess at the mid-point along the east wall plane as well as window shutters, and other window detailing. It should be noted that the Urban Designer also recommended that a photomontage be provided of the proposed structure. The applicant did not provide this material. Instead, the applicant provided a streetscape view of the proposed dwelling relative to the immediately surrounding dwellings. This was deemed an acceptable alternative because the homes along this portion of South Palisades are located side by side and views of the proposed dwelling can only be seen from the street front along South Palisades and from Rockview Drive unless one is walking along the pedestrian pathway. Most of the proposed structure is obscured from view because of the close proximity of the adjacent structures and limited view from the end of Rockview drive. The streetscape submittal was adequate for the Urban Designer to find the project consistent with the requirements of the County Design Review Ordinance.

## **Environmental Review**

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). A project exemption form is attached as Exhibit D. Should the project be approved, the applicant will be required to file the CEQA exemption form with the Clerk of the Board. There is a \$50.00 filing fee.

## **Conclusion**

As proposed and conditioned, the project is consistent with most applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Variance Findings are included for the ½ foot driveway apron in excess of the 50 percent coverage standard. 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 08-0169, 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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APN: 028-304-79  
Owner: Randy French

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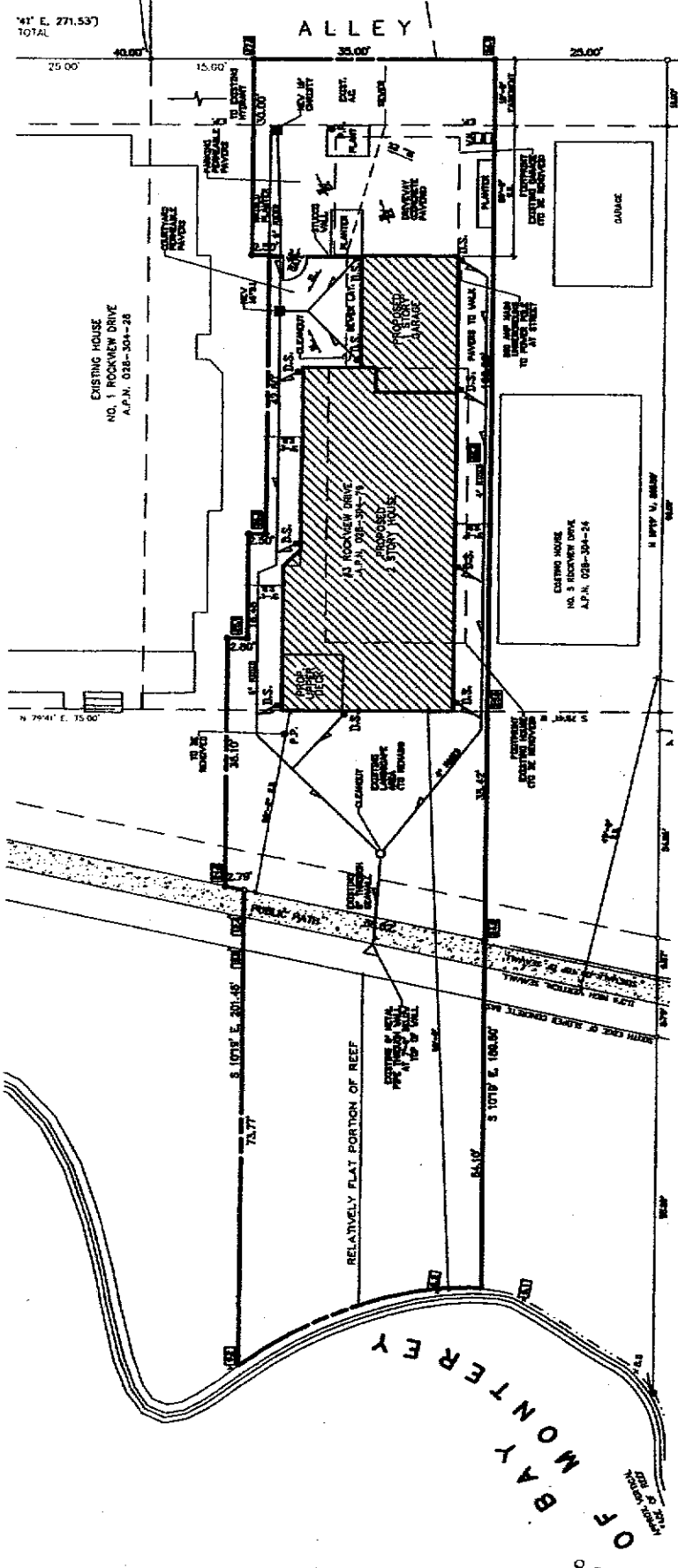
Report Prepared By: Sheila McDaniel  
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E-mail: [sheila.mcdaniel@co.santa-cruz.ca.us](mailto:sheila.mcdaniel@co.santa-cruz.ca.us)

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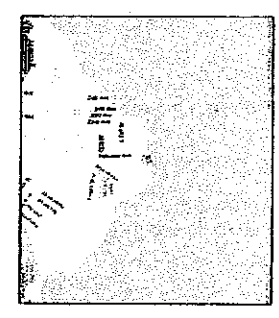
**IMPERVIOUS AREA CALCULATIONS**  
 EXISTING - 2,394 SQ. FT.  
 PROPOSED - 1,539 SQ. FT.

**GRADING:**  
 NO GRADING REQUIRED  
**EXCAVATION:**  
 180 YARDS

**NOTE:**  
 ALL LANDSCAPE &  
 DRIVEWAY PAVERS  
 SHALL HAVE 3" BASE  
 & 2" SAND, COMPACTED

**LOT AREA:**  
 6,036 SQ. FT. NET  
 5,761 SQ. FT. GROSS

**NEW RESIDENCE = 2,713 SQ. FT.**  
**NEW GARAGE = 281 SQ. FT.**



**1 VICINITY MAP**  
 SCALE: NONE

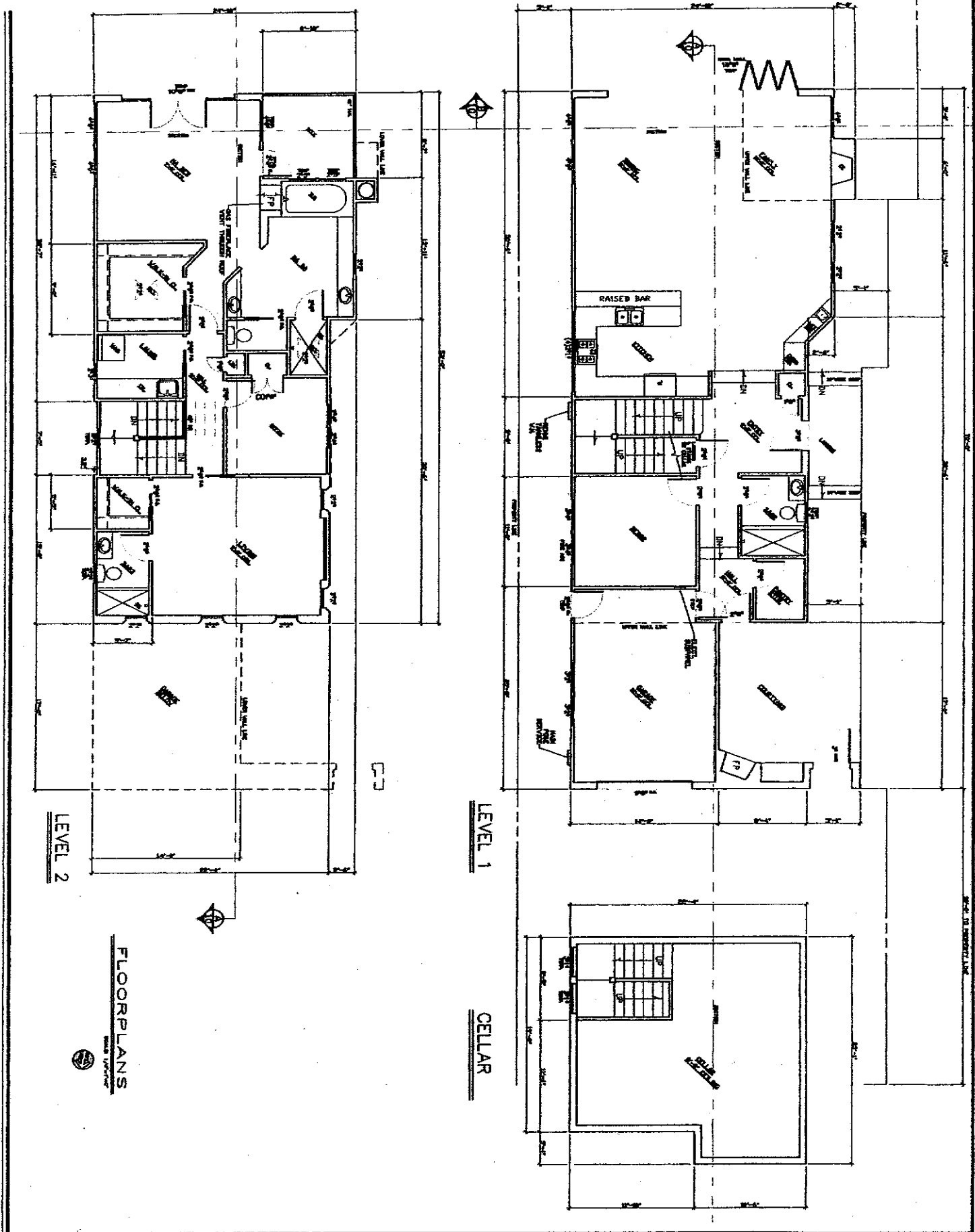
**SITE PLAN**  
 SCALE: 1/8"=1'-0"

**FIRE DEPARTMENT REQUIREMENTS**  
 CALIFORNIA FIRE DEPARTMENT REQUIREMENTS FOR A MINIMUM TWO  
 STORY RESIDENCE WITH AN ATTACHED GARAGE ARE AS FOLLOWS:  
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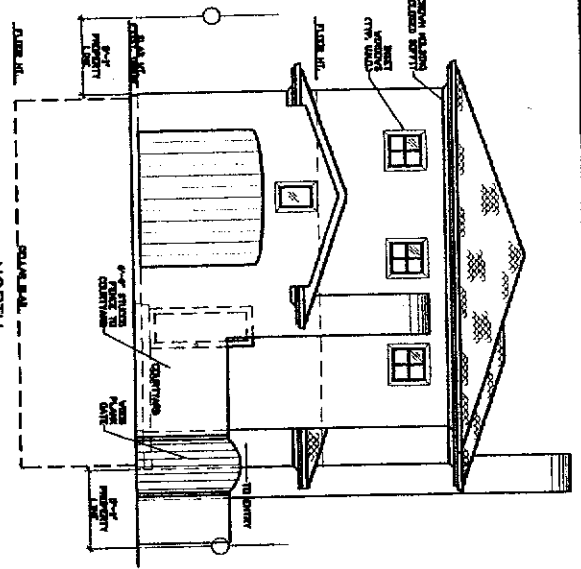




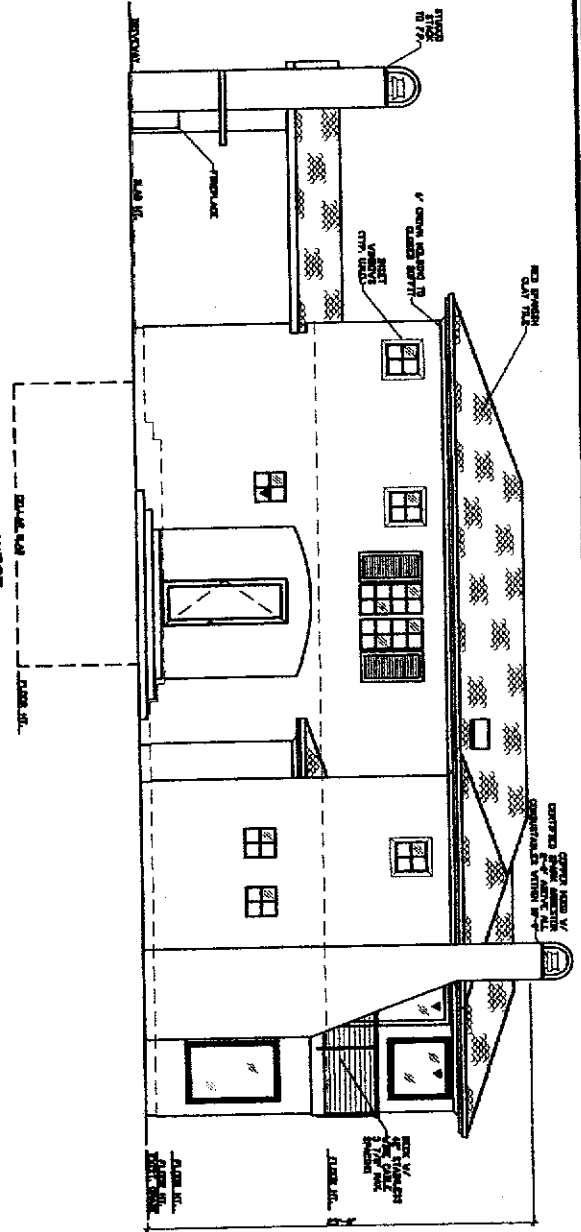


4	04/21/08 FRENCH 1/4"=1'-0" 00	<b>PROPOSED FLOORPLANS</b>	<b>DENNIS NORTON</b> ARCHITECT AND PROJECT MANAGER 700 S. GILBERT AVE. SUITE 100, SAN JOSE, CA 95128 408.433.4444	<b>FRENCH RESIDENCE</b> 3 ROCKVIEW DRIVE SANTA CRUZ, CA 95062 APN 028-304-79	RANDY FRENCH 0000-0000-0000 0000-0000-0000

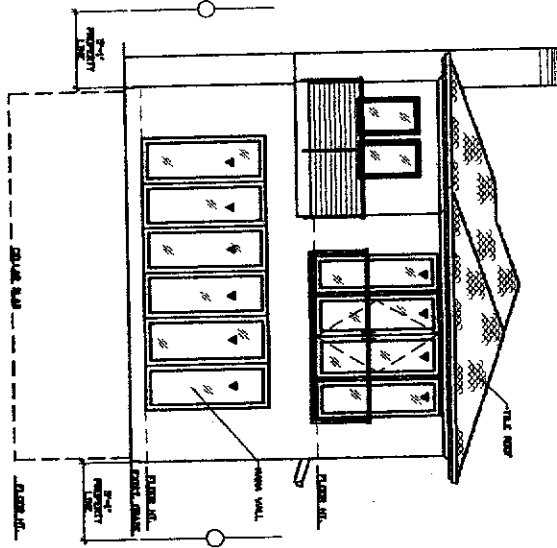
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(ALLEY)



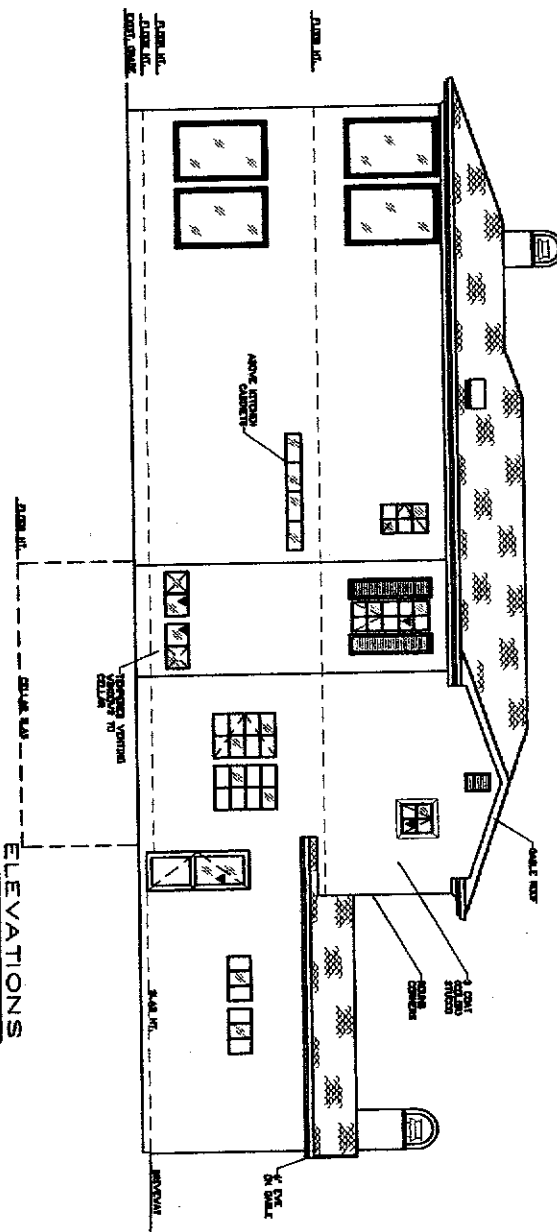
WEST



SOUTH  
(OCEAN)



EAST



ELEVATIONS

NOTE: V = TYPED GLASS

ELEVATIONS

DENNIS NORTON  
HOME DESIGN AND  
FURNITURE PLANNING

FRENCH RESIDENCE  
3 ROCKVIEW DRIVE  
SANTA CRUZ, CA 95062  
APN 028-304-79

EXHIBIT A

VIEW FROM OCEAN

VIEW FROM STREET

STREETSCAPE

STREETSCAPE

DENNIS NORTON  
HOME DESIGN AND  
PROJECT PLANNING

FRENCH RESIDENCE  
3 ROCKVIEW DRIVE  
SANTA CRUZ, CA 95062  
APN 028-304-79

## 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-1-5 (Single family residential - 5,000 square feet), a designation, which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium 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. A pedestrian easement from Rockview is not affected by the development.

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; and although the development site is located bluff top, the site is not adjacent to a public beach or within a designated scenic corridor.

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 although the project site is located between the shoreline and the first public road, the site does not have access to the shoreline because wave run-up prevents access. Consequently, the single family dwelling 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-1-5 (Single family residential - 5,000 square feet) zone

district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

## 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 dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets the 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 dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-5 (Single family residential - 5,000 square feet) zone district in that the primary use of the property will be one single family dwelling.

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 Medium Residential (R-UM) land use designation in the County General Plan.

The proposed single family dwelling will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family dwelling will comply with the site standards for the R-1-5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed single family dwelling is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is not

anticipated to increase the trips per day (1 peak trip per dwelling unit).

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family dwelling 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 dwelling 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.



## 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 subject parcel is 35 feet wide, 25 feet less than the required 60-foot parcel width in the zone district. The ordinance allows driveways to cover no more than 50 percent of the front yard area. The proposed 18 foot wide driveway apron exceeds this standard by a ½ foot. Normally most parcels meet the minimum 60-foot parcel width and can provide parking for two cars without exceeding 50 percent of the front yard area. The narrow parcel width prohibits development of a driveway apron for two parking spaces in the front yard, a privilege enjoyed by other property in the vicinity and under identical zoning classification.

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 vehicle parking in the front yard will not affect public health, safety, or welfare or be injurious to property or improvements in the vicinity. Furthermore, allowance of a ½ foot increase in the standard will still meet the intent of the ordinance to allow two parking spaces in the front yard.

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 other properties in the vicinity under similar circumstances, such as this existing narrow parcel, would be given the same consideration. It should also be noted that this variance only allows a ½ foot portion of the driveway apron to exceed the standard.

## Conditions of Approval

Exhibit A: Plans prepared by Dennis Norton, dated April 23, 2008

- I. This permit authorizes the demolition of an existing dwelling and garage and to construct a new 2, 280 square foot single family dwelling with a 433 square foot basement, 76 square foot deck and a 281 square foot one story garage. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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.
  - D. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - E. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit and or Demolition 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.
    2. Drainage, and erosion control plans.

- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area. Submit plans meeting all requirements of the County Department of Public Works and specifically address the following issues:
  - 1. Does the site currently receive any run-off from the road or adjacent parcels? If so, how will the project continue to accept this runoff without causing adverse impacts.
  - 2. Provide a sump area in the proposed catch basins to prevent leaves, twigs, gravel, sand, silt and other debris and contaminants from entering and plugging the proposed drainage system.
  - 3. Provide a cross section construction detail of the proposed pervious pavers.
  - 4. For fee calculations please provide tabulation of existing impervious areas and new impervious areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.
- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- F. Plans shall comply with all requirements of the Geological Report and Geotechnical Report Review and Geotechnical Report and Geotechnical Report Review.
  - 1. Submittal of a final landscape and drainage plan to the County Geologist for review and approval.
  - 2. The project civil engineer and/or geotechnical engineer must develop a plan to monitor the existing seawall to confirm that the wall is functioning adequately.
    - a. The owners must continue to monitor and maintain the wall so that the seawall functions as designed.
    - b. The seawall-monitoring plan must be recorded as part of a declaration of geologic hazards. The notice of geologic hazards will be prepared at the time of the submittal of the Building Permit, and will reference the conclusions of the approved geotechnical engineer and engineering geology report.
  - 3. Final plans shall reference the reports and include a statement that the project shall conform to the reports' recommendations. Plans shall also

- provide a thorough and realistic representation of all grading necessary to complete this project.
4. Submit two copies of the reports and updates with the building permit application.
- G. Meet all requirements of the County Department of Public Works Sanitation and shall specifically address the following:
1. Plans shall show the proposed location of on-site sewer lateral (s), clean-out(s), and connection(s) to existing public sewer on the plot plan of the building permit application.
  2. Existing lateral(s) must be properly abandoned (including) inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. An abandonment permit for disconnection work must be obtained from the District. Show all existing and proposed plumbing fixtures on floor plans of building application.
- H. Pay the current fees for Parks and Child Care mitigation for 1 additional bedroom. Currently, these fees are, respectively, \$1,000.00 and \$109 per bedroom, respectively.
- I. Pay the current fees for Roadside and Transportation improvements for 1 additional bedroom. Currently, these fees are, respectively, \$847.00 and \$847.00 per bedroom. The total fee is \$1,694.00.
- J. 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.
- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.
  - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time

during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- 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 listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.**

# 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: 08-0169  
Assessor Parcel Number: 028-304-79  
Project Location: 3 Rockview Drive

**Project Description: Proposal to demolish an existing single family dwelling and detached garage and construct a 2 story 2,280 square foot single family dwelling with a 281 square foot attached garage and a 433 square foot basement.**

**Person or Agency Proposing Project: Dennis Norton**

**Contact Phone Number: (831) 476-2616**

- 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, Section 15303

F. **Reasons why the project is exempt:**

Proposal to construct new Single family Dwelling

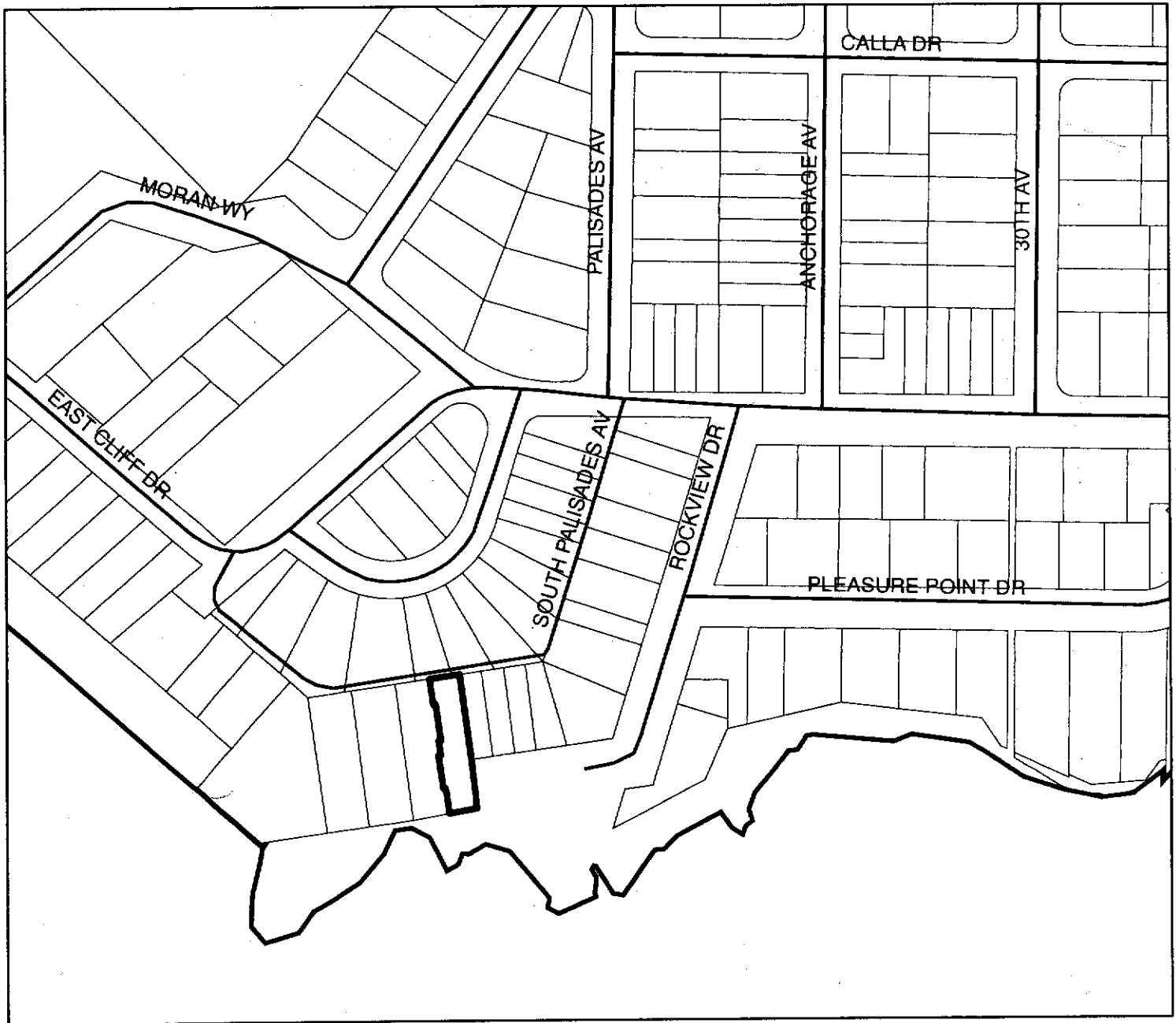
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Sheila McDaniel, Project Planner

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







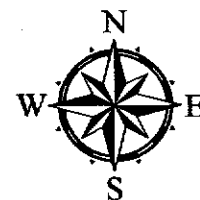
# Location Map



0 160 320 640 960 1,280 Feet

## LEGEND

-  APN: 028-304-79
-  Assessors Parcels
-  Streets
-  County Boundary



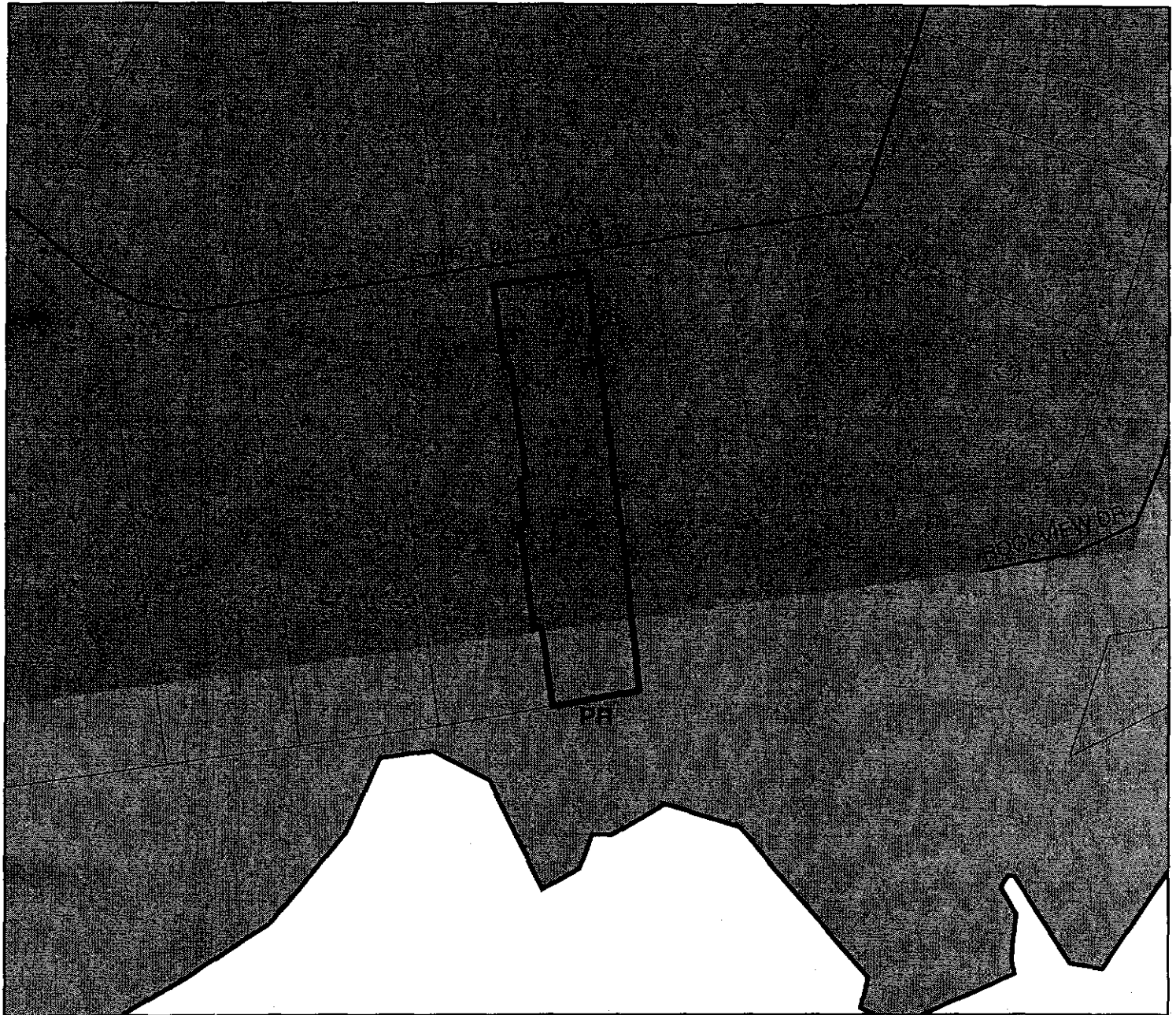
Map Created by  
County of Santa Cruz  
Planning Department  
May 2008

EXHIBIT E






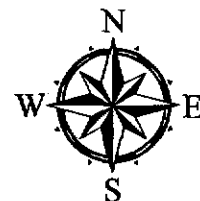
# Zoning Map



0 50 100 200 300 400 Feet

## LEGEND

-  APN: 028-304-79
-  Assessors Parcels
-  Streets
-  County Boundary
-  RESIDENTIAL-SINGLE FAMILY
-  PARK

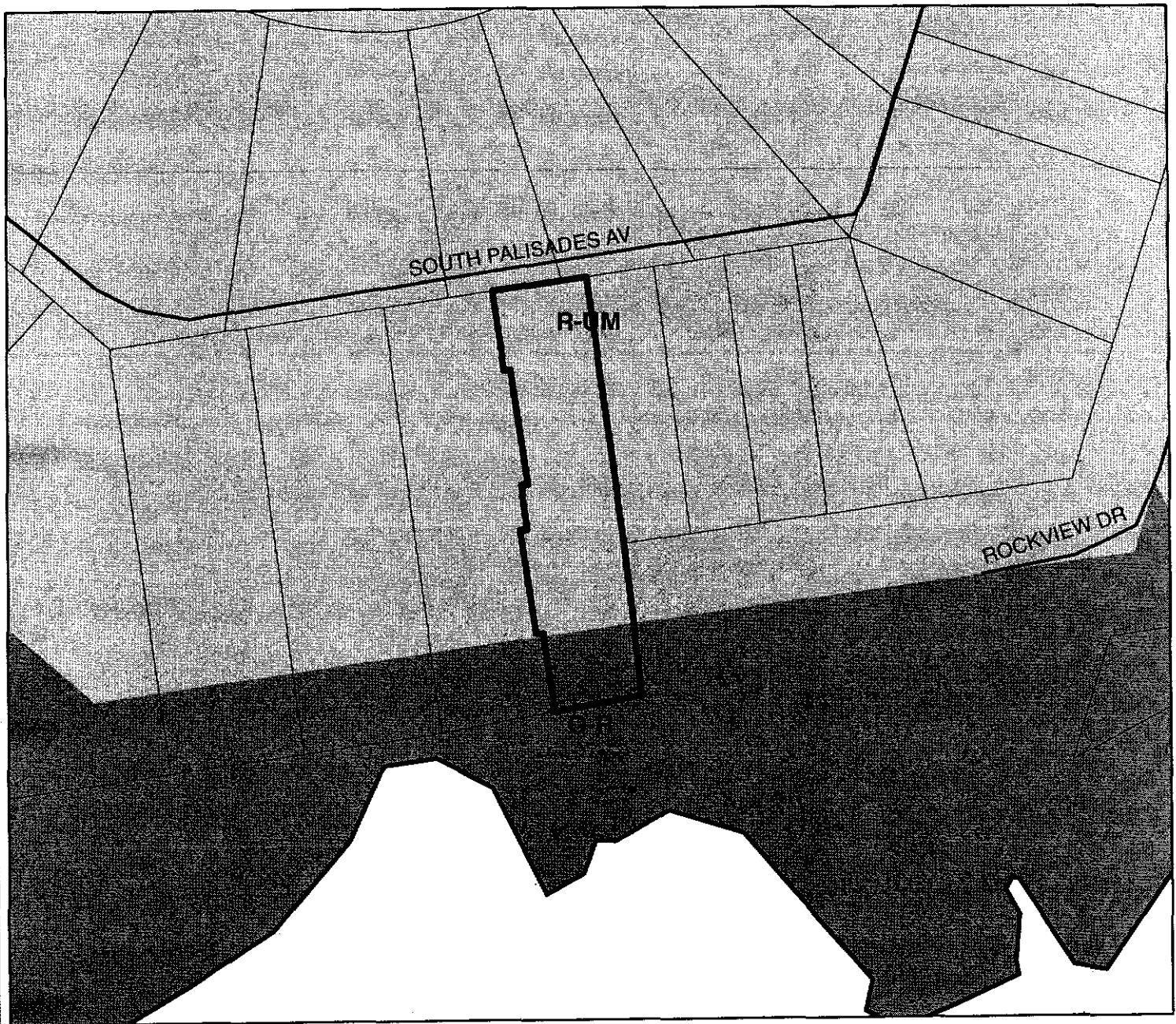


Map Created by  
County of Santa Cruz  
Planning Department  
May 2008

EXHIBIT F









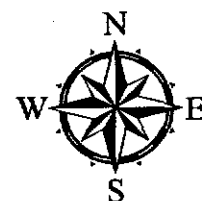
# General Plan Designation Map



0 50 100 200 300 400 Feet

## LEGEND

-  APN: 028-304-79
-  Assessors Parcels
-  Streets
-  County Boundary
-  Residential - Urban Medium Density
-  Parks and Recreation



Map Created by  
County of Santa Cruz  
Planning Department  
May 2008

**EXHIBIT G**

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

**Project Planner:** Sheila Mcdaniel  
**Application No.:** 08-0169  
**APN:** 028-304-79

**Date:** October 21, 2008  
**Time:** 11:00:58  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON MAY 8, 2008 BY JOSEPH L HANNA =====

The package was routed without the updated engineering geology report, and geotechnical engineer reports. These are both required for this property and must be submitted before completeness. ===== UPDATED ON AUGUST 6, 2008 BY JOSEPH L HANNA =====

Reports reviewed and accepted. Joe Hanna 8-5-08

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON MAY 8, 2008 BY JOSEPH L HANNA =====

===== UPDATED ON AUGUST 6, 2008 BY JOSEPH L HANNA =====

Project shall conform to the requirements set for in the letter from Joe Hanna dated July 30, 3008.

**Dpw Drainage Completeness Comments**

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

===== REVIEW ON MAY 19, 2008 BY TRAVIS RIEBER =====

The plans dated 4/26/2008 have been received and are approved for the discretionary application stage. See miscellaneous comments for issues to be addressed at the building application stage.

**Dpw Drainage Miscellaneous Comments**

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

===== REVIEW ON MAY 19, 2008 BY TRAVIS RIEBER =====

1. Does this site currently receive any runoff from the road or adjacent parcels? If so, how will the project continue to accept this runoff without causing adverse impacts.

2. Provide a sump area in the proposed catch basins to prevent leaves, twigs, gravel, sand, silt and other debris and contaminants from entering and plugging the proposed drainage system.

3. Provide a cross section construction detail of the proposed pervious pavers.

4. For fee calculations please provide tabulation of existing impervious areas and new impervious areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas.

Note: A drainage fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.

**Discretionary Comments - Continued**

**Project Planner:** Sheila Mcdaniel  
**Application No.:** 08-0169  
**APN:** 028-304-79

**Date:** October 21, 2008  
**Time:** 11:00:58  
**Page:** 2

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**Dpw Driveway/Encroachment Completeness Comments**

===== REVIEW ON MAY 8, 2008 BY DAVID GARIBOTTI =====  
No Comment. project adjacent to a non-County maintained road.

**Dpw Driveway/Encroachment Miscellaneous Comments**

===== REVIEW ON MAY 8, 2008 BY DAVID GARIBOTTI =====  
No comment.

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON MAY 19, 2008 BY ANWARBEG MIRZA =====  
NO COMMENT

**Dpw Road Engineering Miscellaneous Comments**

===== REVIEW ON MAY 19, 2008 BY ANWARBEG MIRZA =====  
NO COMMENT

**Dpw Sanitation Completeness Comments**

===== REVIEW ON MAY 23, 2008 BY CARMEN M LOCATELLI =====  
Sewer service is currently available.

**Dpw Sanitation Miscellaneous Comments**

===== REVIEW ON MAY 23, 2008 BY CARMEN M LOCATELLI =====  
Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.  
Existing lateral(s) must be properly abandoned (including inspection by District) prior to issuance of demolition permit or relocation or disconnection of structure. An abandonment permit for disconnection work must be obtained from the District. Show all existing and proposed plumbing fixtures on floor plans of building application.

## INTEROFFICE MEMO

APPLICATION NO: 08-0169 (second routing)

Date: August 1, 2008

To: Sheila McDaniel, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: New residence at Rockview Drive, Santa Cruz

## COMPLIANCE ISSUES

Design Review Authority

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

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Visual Compatibility</b>			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
<b>Minimum Site Disturbance</b>			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		

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

<b>Rural Scenic Resources</b>			
<b>Location of development</b>			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
<b>Site Planning</b>			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A

<b>Building design</b>			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
<b>Large agricultural structures</b>			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
<b>Restoration</b>			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
<b>Signs</b>			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A

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

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

**13.11.030** Definitions

- (u) "Sensitive Site" shall mean any property located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; or **located on a coastal bluff**, or on a ridgeline.

**Design Review Standards****13.11.072** Site design.

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Site Design</b>			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping			
Streetscape relationship	✓		
Street design and transit facilities			N/A
Relationship to existing structures	✓		
<b>Natural Site Amenities and Features</b>			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
<b>Views</b>			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
<b>Safe and Functional Circulation</b>			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A



<b>Solar Design and Access</b>			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
<b>Noise</b>			
Reasonable protection for adjacent properties	✓		

**13.11.073 Building design.**

<b>Evaluation Criteria</b>	<b>Meets criteria In code ( ✓ )</b>	<b>Does not meet criteria ( ✓ )</b>	<b>Urban Designer's Evaluation</b>
<b>Compatible Building Design</b>			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		

<b>Scale</b>			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
<b>Building Articulation</b>			
Variation in wall plane, roof line, detailing, materials and siting	✓		
<b>Solar Design</b>			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		



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

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

**Date:** May 13, 2008  
**To:** Randy French  
**Applicant:** same  
**From:** Tom Wiley  
**Subject:** 08-0169  
**Address** 3 Rockview Dr.  
**APN:** 028-304-79  
**OCC:** 2830479  
**Permit:** 20080135

We have reviewed plans for the above subject project.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit**:

We have reviewed plans for the above subject project. District requirements appear to have been met.

Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for **Application for Building Permit**.

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2007) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and SPRINKLERED as determined by the building official and outlined in the 2007 California Building Code (e.g., R-3, Type V-N, Sprinklered).

The FIRE FLOW requirement for the subject property is 1000 gallons per minute for 120 minutes. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

SHOW on the plans a public fire hydrant, type and location, meeting the minimum required fire flow for the building, within 250 feet of any portion of the building.

NOTE ON PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to construction (CFC 508.5).

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.

NOTE on the plans that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder.
- There must be at least one smoke detector on each floor level regardless of area usage.
- There must be a minimum of one smoke detector in every basement area.

NOTE on the plans where address numbers will be posted and maintained. Note on plans that address numbers shall be a minimum of FOUR (4) inches in height and of a color contrasting to their background.

NOTE on the plans the installation of an approved spark arrestor on the top of the chimney. Wire mesh not to exceed ½ inch.

NOTE on the plans that the roof coverings to be no less than Class "B" rated roof.

NOTE on the plans that the electric gate shall be equipped with the Central Fire Protection District key entry system.

**Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District.** A \$35.00 Late Fee may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at [tomw@centralfpd.com](mailto:tomw@centralfpd.com). All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.  
2830479-051308