



## Staff Report to the Zoning Administrator

Application Number: **08-0342**

**Applicant:** Matson Britton Architects  
**Owner:** Trent & Michele West  
**APN:** 046-061-49

**Agenda Date:** January 16, 2009  
**Agenda Item:** 5.  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to construct a new 3,539 square foot 2-story single-family dwelling with an attached 511 square foot garage. Requires a Coastal Development Permit.

**Location:** No situs; Linda Vista Avenue, approximately 100 feet from the intersection of Linda Vista Avenue and Sand Dollar Drive in La Selva Beach.

**Supervisory District:** 2nd District (District Supervisor: Ellen Pirie)

**Permits Required:** Coastal Development Permit

**Technical Reviews:** geotechnical review

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0342, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Project plans                              | F. Location, Zoning and General Plan maps |
| B. Findings                                   | G. Color and Materials board              |
| C. Conditions                                 |   |
| D. Categorical Exemption (CEQA determination) |   |
| E. Assessor's parcel map                      |   |

### Parcel Information

Parcel Size:	16,814 square feet (EMIS estimate)
Existing Land Use - Parcel:	vacant
Existing Land Use - Surrounding:	residential
Project Access:	From driveway off Linda Vista Avenue
Planning Area:	La Selva Beach
Land Use Designation:	AG (Agriculture)
Zone District:	RA (Residential Agriculture)

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

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

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: Small portion > 30%; structure will clear span the area  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: < 100 cubic yards of grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Portion mapped: Sand Dollar Drive is a Scenic road. Project will not impact views from Sand Dollar  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:   x   Inside      Outside  
Water Supply: Soquel Water District  
Sewage Disposal: Private septic  
Fire District: Aptos/ La Selva Fire District  
Drainage District: Outside of drainage district zone

### Project Setting

The proposed project is set on an undeveloped vacant lot within the residentially-developed La Selva Beach community, and is surrounded by existing residences. There are no significant trees on the parcel. The lot slopes downward from north to south where it is adjacent to the Linda Vista Avenue right-of-way. The parcel is more than 200 feet from any CA-zoned land. As proposed, the new single-family residence would not impact public views to or from the beach or other scenic areas.

### Zoning & General Plan Consistency

The subject property is a 16,814 square foot lot located in the RA (Residential Agriculture) zone district, a designation that allows residential uses. The proposed single-family residence is a principal permitted use within the zone district and the project is consistent with the site's (AG) Agriculture General Plan designation.

### Local Coastal Program Consistency

The proposed single-family residence is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. 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 complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as stepped-back second-story elements and colors and materials that are compatible with the neighborhood in order to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The proposed residence incorporates clay tile roofing, stucco, trellises and wrought-iron railing in a Mediterranean-type design that is a good fit with the eclectic beach community 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 **08-0342**, 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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## **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 RA (Residential Agriculture), a designation that allows residential uses. The proposed single-family residence is a principal permitted use within the zone district, consistent with the site's (AG) Agriculture 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 compatible with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors and materials shall be natural in appearance and complementary to the site, and the proposed dwelling is not on a prominent ridge, beach, or bluff top.

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single-family residence will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the RA (Residential Agriculture) zone district, as well as in the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of size and scale.

## Conditions of Approval

Exhibit A: Project plans, 10 sheets, by Matson Britton Architects, dated 7/31/08 and revised 10/15/08.

- I. This permit authorizes the construction of a 3,539 square foot two-story single-family residence with an attached 511 square foot 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 Building Permit from the Santa Cruz County Building Official.
    1. 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 processed while there is an outstanding balance due.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
- 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.
    2. Grading, drainage, and erosion control plans.
    3. 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 depict the total height of the proposed structure. Maximum height is 28-feet.

4. 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. Meet all requirements of and pay drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
  - F. Meet all requirements and pay any applicable plan check fee of the Aptos- La Selva Fire Protection District.
  - G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
  - H. Pay the current fees for Parks and Child Care mitigation for 4 bedroom(s). Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
  - I. 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.
  - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.

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

IV. Operational Conditions

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

- B. Hours of construction shall be limited to 8am-5pm, Monday-Friday, and excluding holidays.

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

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.

- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder

shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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Minor variations to this permit that 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.**

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

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

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

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
Alice Daly  
Project Planner

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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: 08-0342

Assessor Parcel Number: 046-061-49

Project Location: Linda Vista Avenue, La Selva Beach, no situs

**Project Description: proposal to construct a new 3,539 square foot 2-story single-family dwelling with an attached 511 square foot garage**

**Person or Agency Proposing Project: Matson Britton Architects**

**Contact Phone Number: 831-425-0544**

- 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: New Construction

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

Construction of one new single-family residence in a residential zone.

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

\_\_\_\_\_  
Alice Daly, Project Planner

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

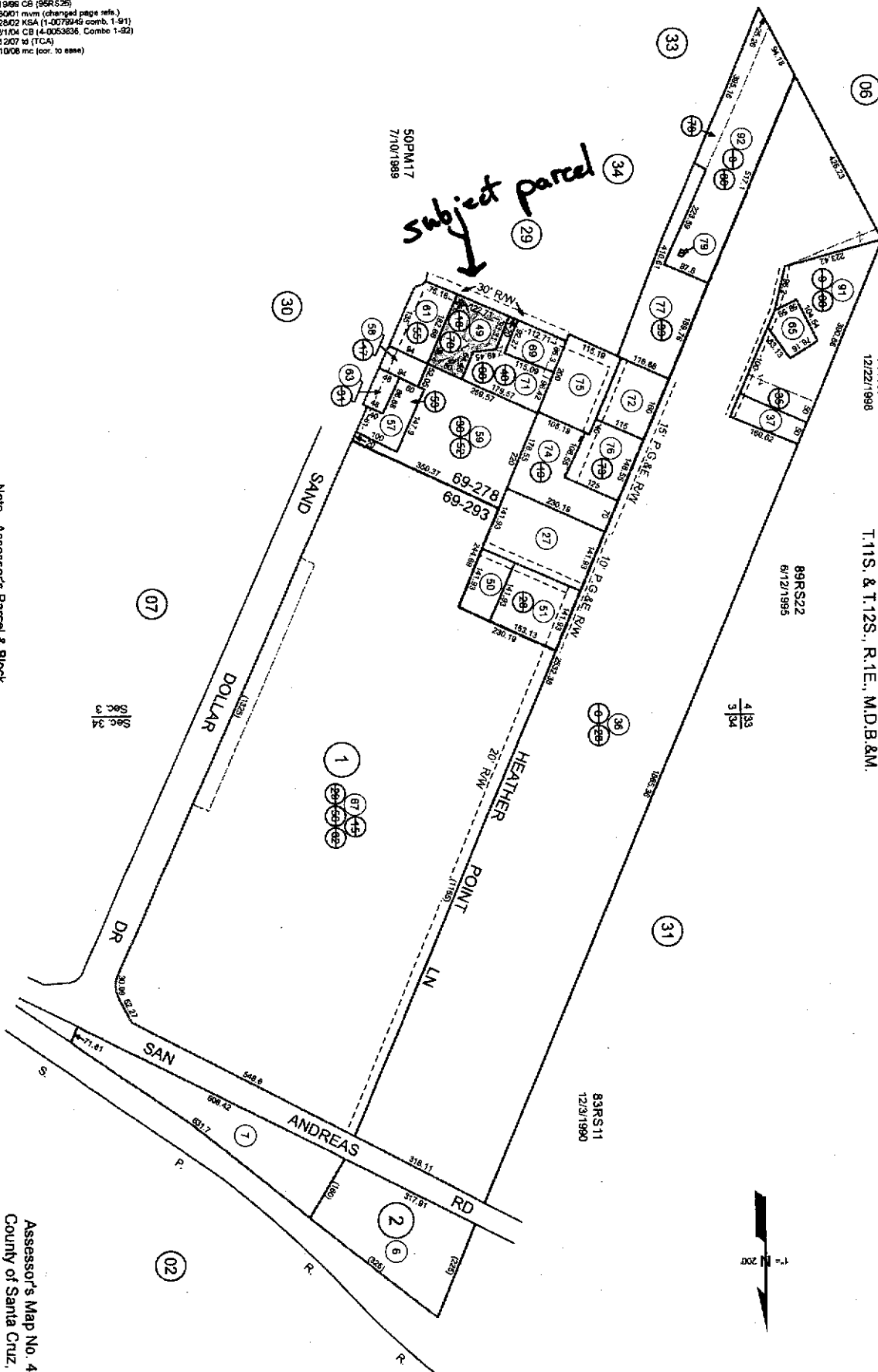
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 Rev. 1/23/97 CB (Cor)  
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 Rev. 2/19/98 CB (95RS25)  
 Rev. 5/30/01 num (changed page refs.)  
 Rev. 2/28/02 KSA (1-0079949 comb. 1-91)  
 Rev. 12/1/04 CB (4-0053836, Combo 1-92)  
 Rev. 5/1/07 to (TCA)  
 Rev. 5/1/08 mc (cor. to 5555)

# FOR TAX PURPOSES ONLY

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

Assessor's Map No. 46-06  
 County of Santa Cruz, Calif.  
 June 1991



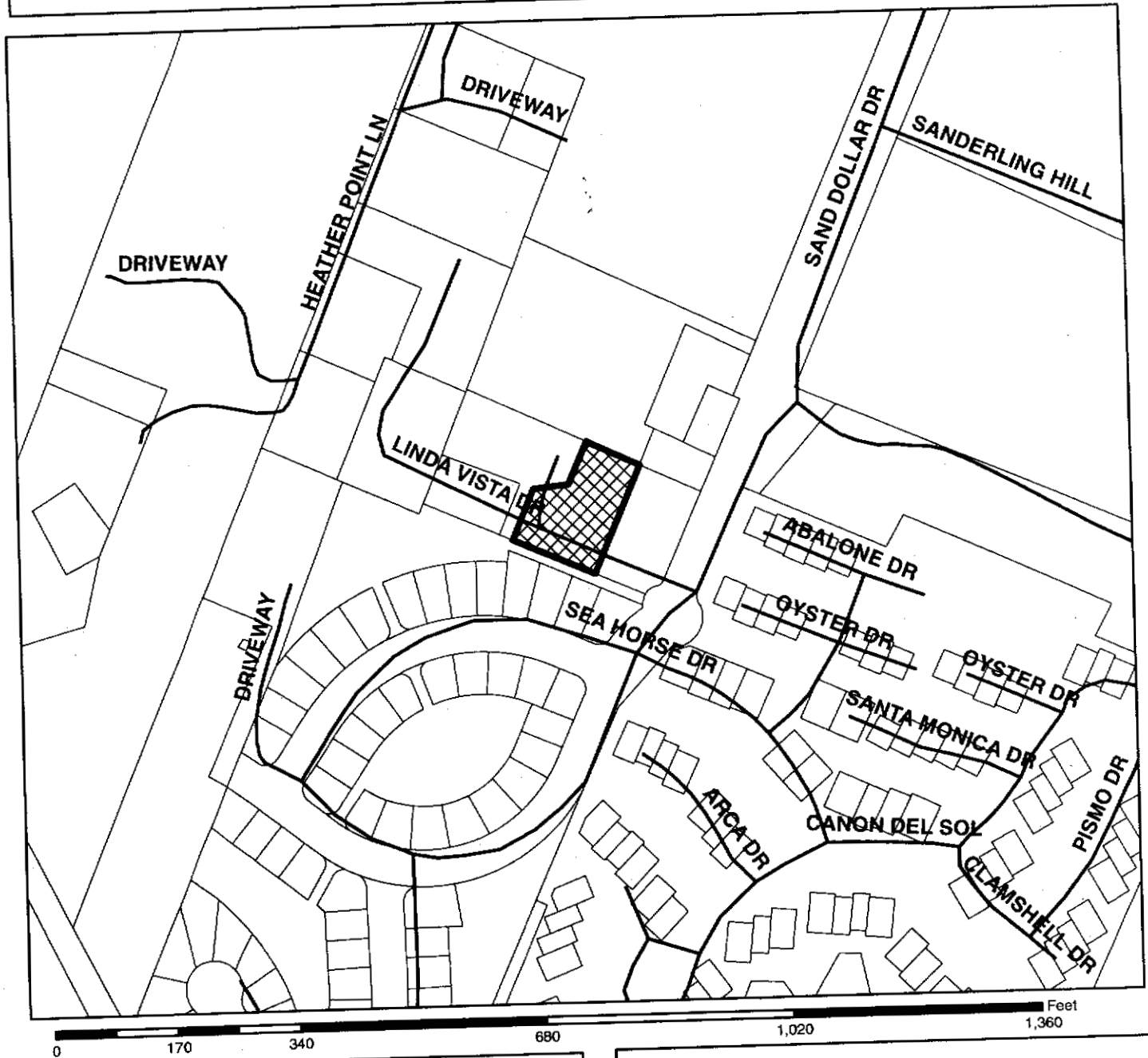
P.O.R. SAN ANDREAS RANCHO  
 SECS. 3, 4, & 34,  
 T.11S. & T.12S., R.1E., M.D.B.&M.

Tax Area Code  
 69-278 69-293




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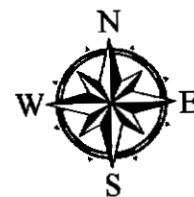


# Location Map



## LEGEND

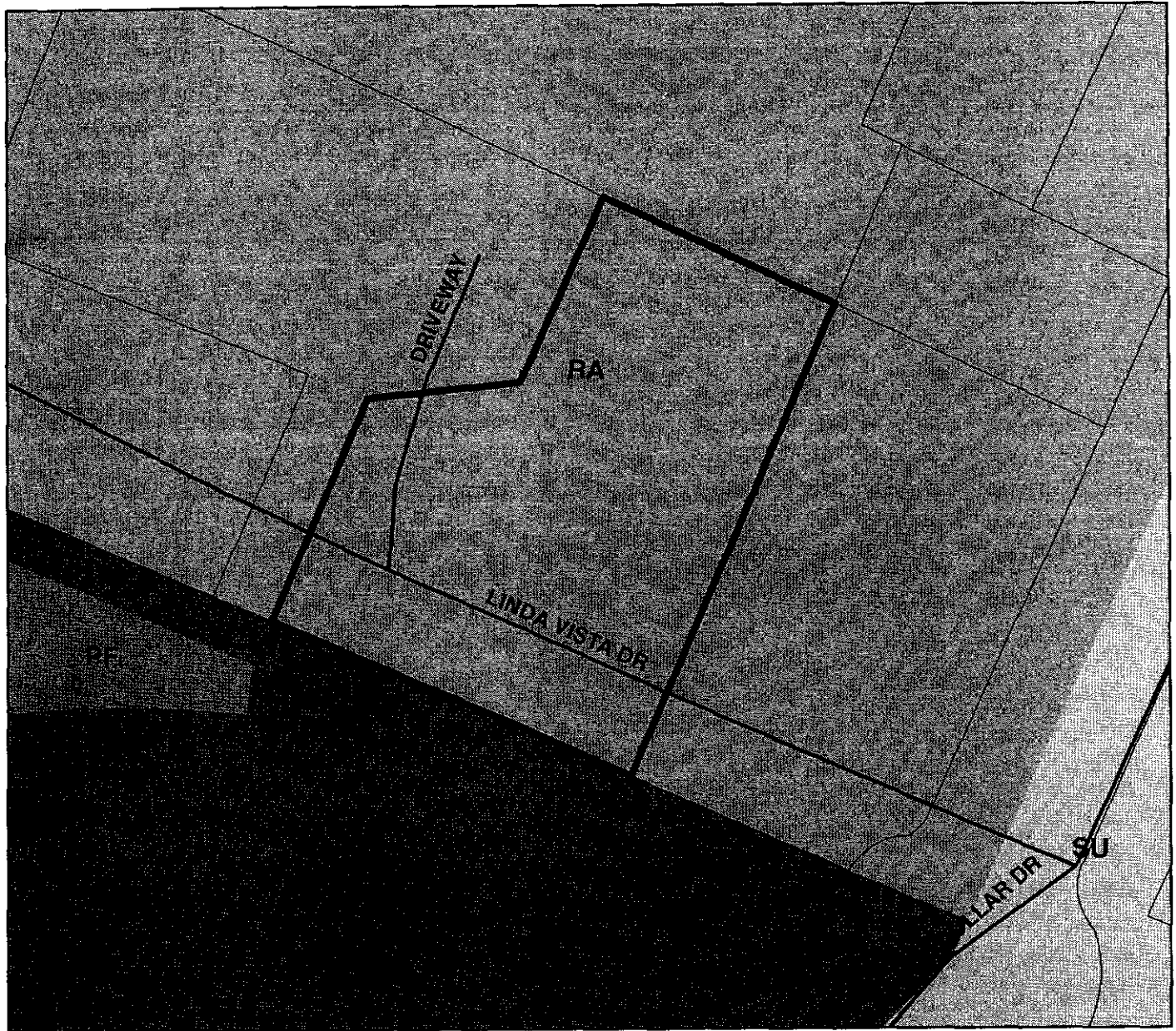
-  APN: 046-061-49
-  Assessors Parcels
-  Streets



Map Created by  
County of Santa Cruz  
Planning Department  
August 2008










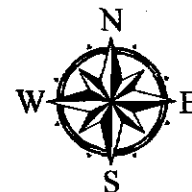
# Zoning Map



0 40 80 160 240 320 Feet

## LEGEND

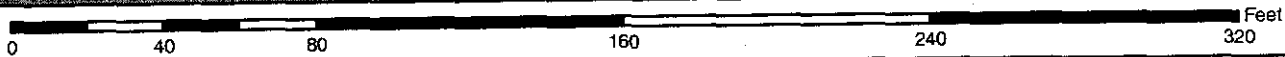
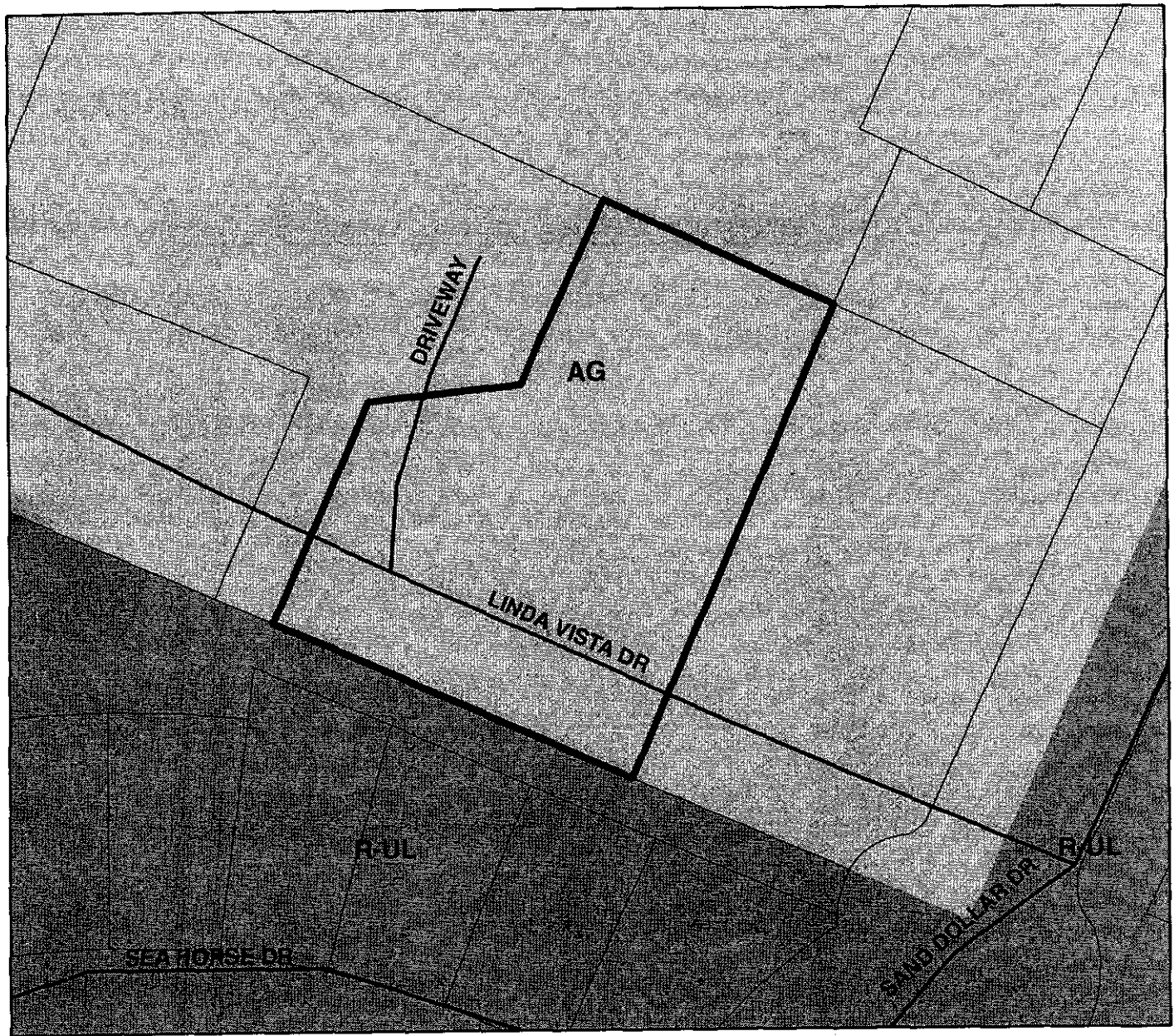
-  APN: 046-061-49
-  Assessors Parcels
-  Streets
-  AGRICULTURE RESIDENTIAL
-  PUBLIC FACILITY
-  RESIDENTIAL-MULTI FAMILY
-  SPECIAL USE



Map Created by  
County of Santa Cruz  
Planning Department  
August 2008



# General Plan Designation Map



## LEGEND



APN: 046-061-49



Assessors Parcels



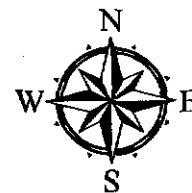
Streets



Agriculture



Residential - Urban Low Density



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August 2008



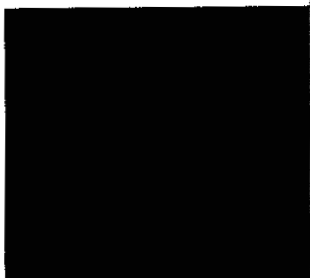
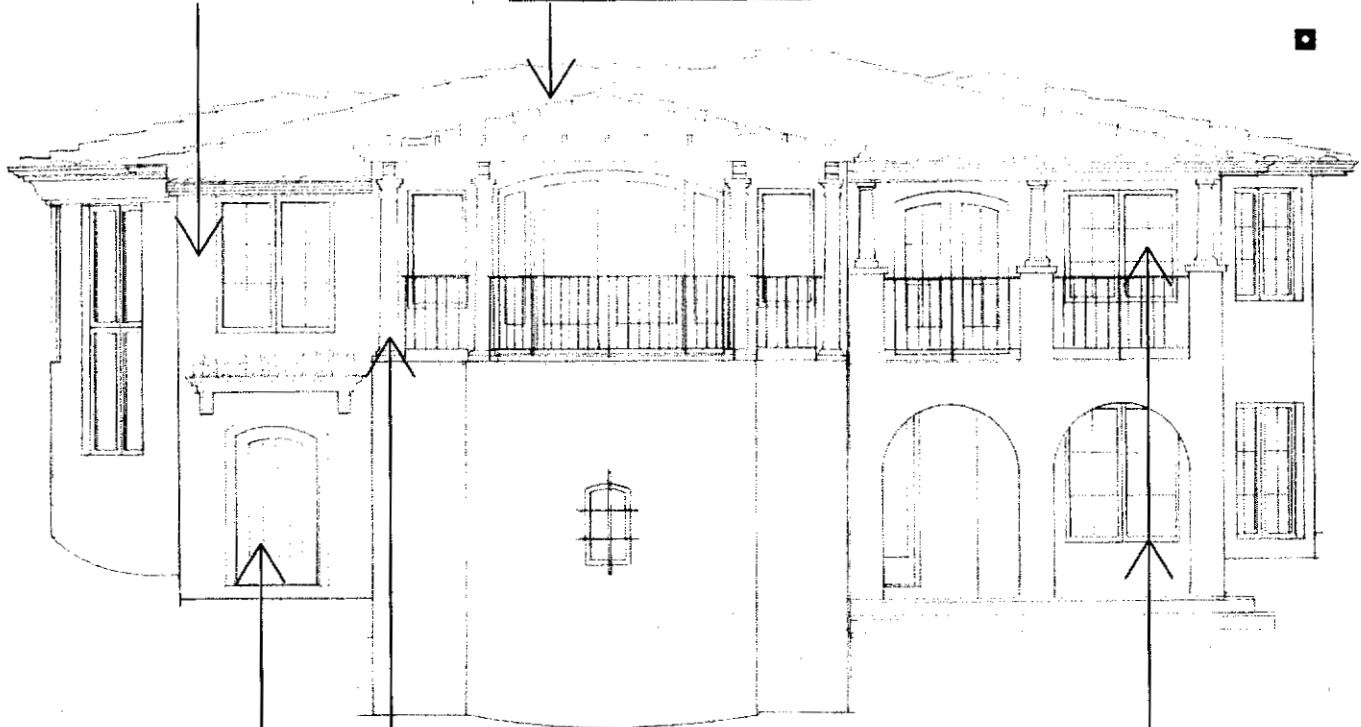
# WEST RESIDENCE

LINDA VISTA DRIVE  
LA SELVA BEACH, CA 95076  
A.P.N.: 046 - 161 - 49

## COLOR & MATERIALS

TWO COAT  
HARD  
TROWEL  
STUCCO TO  
MATCH  
"KELLY-MOORE"  
OW260-1  
FUZZY  
SLIPPERS

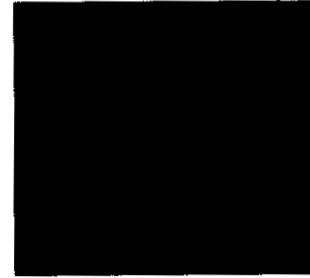
CLAY TILE ROOF TO BE "DELEO"  
MIXED COLOR WITH SAHARA /  
SPANISH RED / BRICK RED



WOOD DOORS & TRELLIS TO BE  
MAHOGANY STAIN



STAINED  
CONCRETE  
COLUMNS  
TO MATCH  
"CONCRETE  
DESIGN INC."  
GS10  
SADDLE



CLAD WOOD  
DOORS &  
WINDOWS  
TO MATCH  
"JELDWIN"  
CHESTNUT  
BRONZE

728 N BRANCIORTE

SANTA CRUZ

CA 95062

831-425-0544



EXHIBIT G