



Staff Report to the Zoning Administrator

Application Number: **10-0048**

Applicant: Leif Rideout, Architect
Owner: Jack and Patricia Kennon
APN: 028-161-05

Agenda Date: August 6, 2010
Agenda Item #: 3
Time: after 10:00 a.m.

Project Description:

The applicant proposes to revise a previously approved Coastal Permit (08-0247) as follows:

1. add 45 sq. ft. to the kitchen,
2. add 37 sq. ft. to the living room,
3. add 31 sq. ft. to the entry and
4. convert a trellised area into a covered porch.

Location: The project is located at 222 16th Avenue, Santa Cruz, approximately 250 feet south of the intersection with East Cliff Drive.

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Amendment to Coastal Development Permit 08-0247

Technical Reviews:

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 10-0048, based on the attached findings and conditions.

Exhibits

- | | |
|--|-------------------------------------|
| A. Project plans | E. Assessor's, Location, Zoning and |
| B. Findings | General Plan Maps |
| C. Conditions | F. Comments & Correspondence |
| D. Categorical Exemption (CEQA
determination) | |

Parcel Information

Parcel Size: 6,599 sq. ft.
Existing Land Use - Parcel: vacant
Existing Land Use - Surrounding: single family residences
Project Access: 16th Avenue
Planning Area: Live Oak
Land Use Designation: R-UL (Urban Low Density Residential)
Zone District: R-1-6 (Single family residential - 6,000 sq. ft. minimum)
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: Not a mapped constraint
Fire Hazard: Not a mapped constraint
Slopes: site is relatively flat
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

Permit 08-0247 authorized construction of a two story, 5 bedroom, approximately 2,792 square feet single family dwelling with an attached 480 sq. ft. garage and 261 square feet of second story decking. Construction has not begun and therefore the site is currently vacant.

At the time the application was approved by the Zoning Administrator, the maximum lot coverage in this zone district was 30%. Condition II A – 5 required the applicant to remove the outdoor trellis and outdoor patios that exceeded 18 inches in height in order to comply with the limit. The applicant was advised that the Coastal Commission was considering revised development standards to allow 40 percent lot coverage and the condition noted that they could return for a Level 4 amendment to the permit if the limit was increased.

The approved permit (see table below) allowed approximately 46% Floor Area Ratio and the applicant is currently proposing approximately 50%. Since increased Floor Area Ratio was not part of the earlier permit, staff finds that a Level 5 amendment is more appropriate.

Project Proposal

The applicant submitted revised plans that propose to add minor amounts of additional floor area and convert a trellised area into a covered porch.

PROJECT COMPARISON TABLE

	08-0247		10-0048	
Lot Coverage	2,618 sq. ft.*	39.7 %	2,301 sq. ft.	34.9 %
Floor Area Ratio	3,002 sq. ft.	45.5 %	3,298 sq. ft.**	49.9 %
* included rear patio (over 18" in height) and front porch with trellis (over 18" in height).				
** applicant has increased area considered in FAR calculations.				

Zoning & General Plan Consistency

The subject property is a parcel of approximately 6,599 square feet, located in the R-1-6 (Single family residential - 6,000 sq. ft. minimum) zone district, a designation that allows residential uses. The proposed single-family residence is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

Local Coastal Program Consistency

The additions and revisions to the previously approved single-family residence maintain 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, and the additions do not affect this compatibility.

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.

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 approved single-family residence complies with the requirements of the County Design

Review Ordinance. Changing from a trellis to roofed porch has an insignificant affect on the street view because it is forty feet back from the property line. The other additions are not visible from the street side. Side setbacks are all respected.

Environmental Review

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is already served by an existing well and septic system, no change of use is proposed and the construction of a small building is exempt under Section 15303 of CEQA (Class 3 - New Construction or Conversion of Small Structures).

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 **10-0048**, 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: Lawrence Kasparowitz
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-2676
E-mail: pln795@co.santa-cruz.ca.us

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

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 - 6,000 sq. ft. minimum), a designation that allows residential uses. The proposed single-family residence is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

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

This finding can be made, in that the additions do 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 additions are consistent with the design of the approved SFD, which itself is consistent with surrounding neighborhood in terms of architectural style. The site is surrounded by lots similarly developed with single family dwellings, and 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 while the project site is located between the shoreline and the first public road, the additions to the single-family residence will not interfere with public access to the beach, ocean, or any nearby body of water. There are no access ways that affect the parcel. 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 additions are to a structure that 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

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

residential - 6,000 sq. ft. minimum) 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 board and batten and stucco design is not inconsistent with the existing range.

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

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 will not deprive adjacent properties or the neighborhood of light, air, or open space.

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 additions to the single-family residence are consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single family residential - 6,000 sq. ft. minimum) zone district in that the primary use of the property will be one single-family residence that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the additions do not affect the use or density specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

The additions to the single-family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties because they meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), 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 additions will not cause the single-family residence to 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 single-family residence 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.

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

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

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.

The addition does not add a bedroom and will not affect utilities or traffic.

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 residence 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 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.

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

Conditions of Approval

Exhibit A: Architectural plans, 4 sheets, prepared by Leif Rideout, Architect, dated February 17, 2010.

This permit authorizes the revision of a previously approved Coastal Permit (08-0247) in order to add 45 sq. ft. to the kitchen, add 37 sq. ft. to the living room, add 31 sq. ft. to the entry and convert a trellised area into a covered porch.

All conditions of Permit 08-0247 shall apply with the exception of Condition II A-5.

- I. 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. 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.
- II. 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

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

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.

Application #: 10-0048
APN: 028-161-05
Owner: Jack and Patricia Kennon

Please note: This permit expires three 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: _____

Steven Guiney
Deputy Zoning Administrator

Lawrence Kasparowitz
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: 10-0048
Assessor Parcel Number: 028-161-05
Project Location: 222 16th Avenue, Santa Cruz

Project Description: Proposal to revise a previously approved Coastal Permit (08-0247) as follows:

1. add 45 sq. ft. to the kitchen,
2. add 37 sq. ft. to the living room,
3. add 31 sq. ft. to the entry and
4. convert a trellised area into a covered porch.

Person Proposing Project: Leif Rideout, Architect

Contact Phone Number: (831) 454-0791

- 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. X Categorical Exemption

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

F. Reasons why the project is exempt:

Construction of a residence in an area designated for residential development.

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

Lawrence Kasparowitz, Project Planner

Date: _____

EXHIBIT D

Tax Area Code
82-040

POR. OF N.E. 1/4 SEC. 20,
T.11S., R.1W., M.D.B. & M.

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 1998

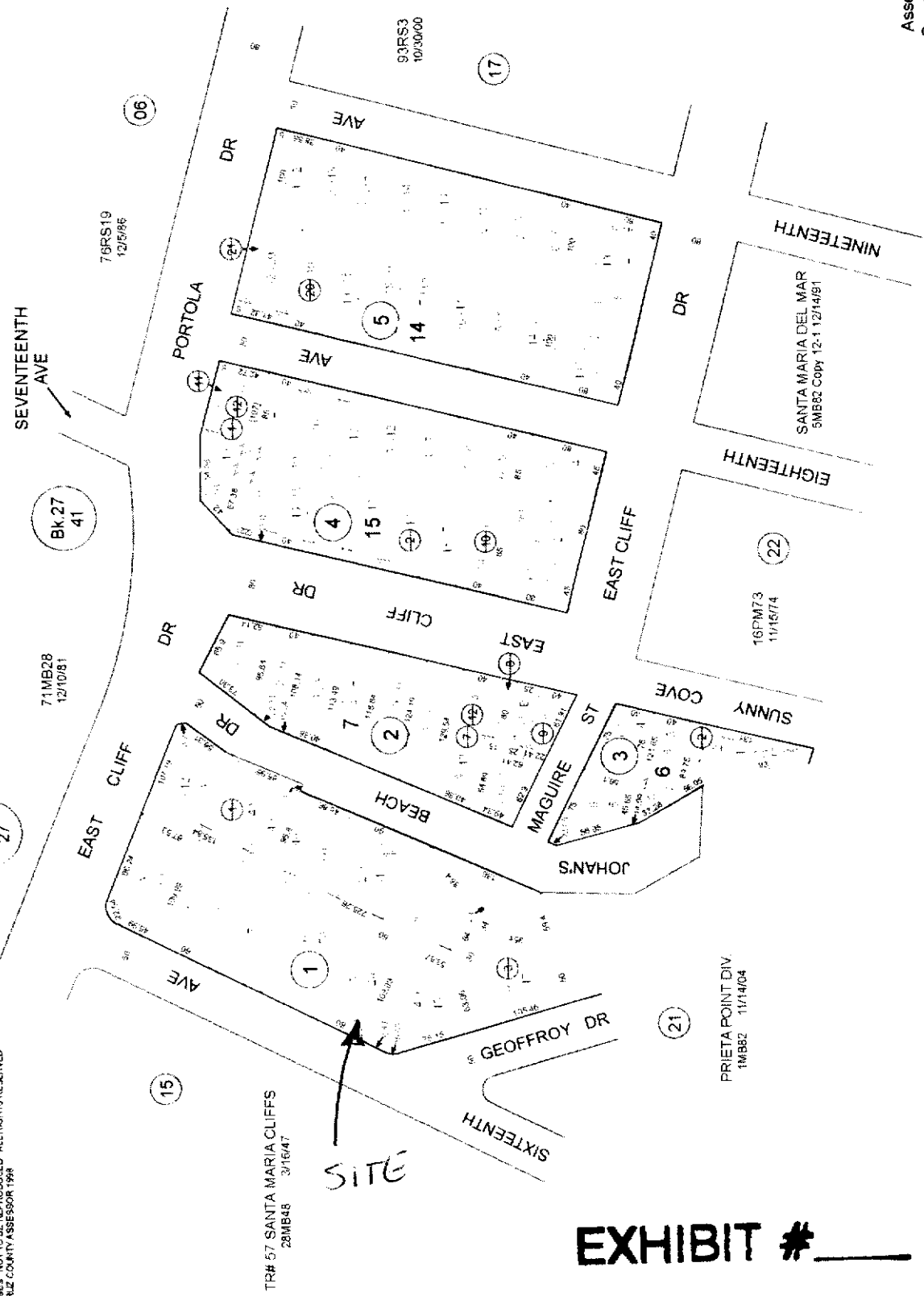
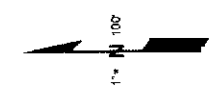


EXHIBIT # _____

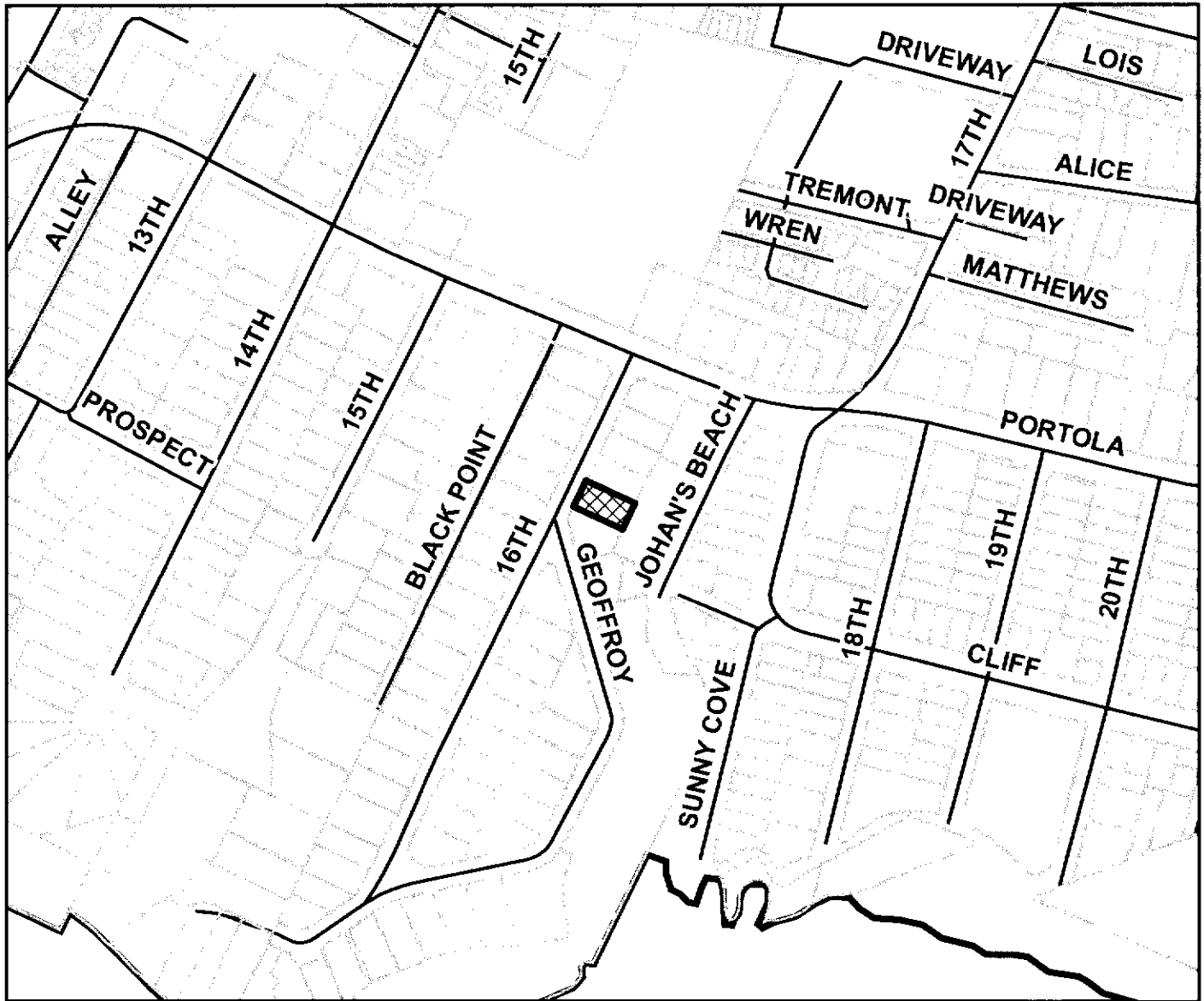
Assessor's Map No. 28-16
County of Santa Cruz, Calif.
Aug. 1998

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





Electronically Redrawn 8/15/98 by
Rev. 12/7/99 GCS (99) 0062607, LBA 1-12)
Rev. 11/2/00 from (99) 006153)
Rev. 8/20/03 (Revised 4074566, Comb 1-22)
Rev. 3/13/07 from (Added error 1-303)

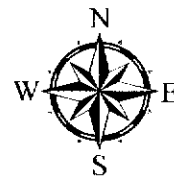


Location Map



LEGEND

-  APN: 028-161-05
-  Assessors Parcels
-  Streets
-  County Boundary

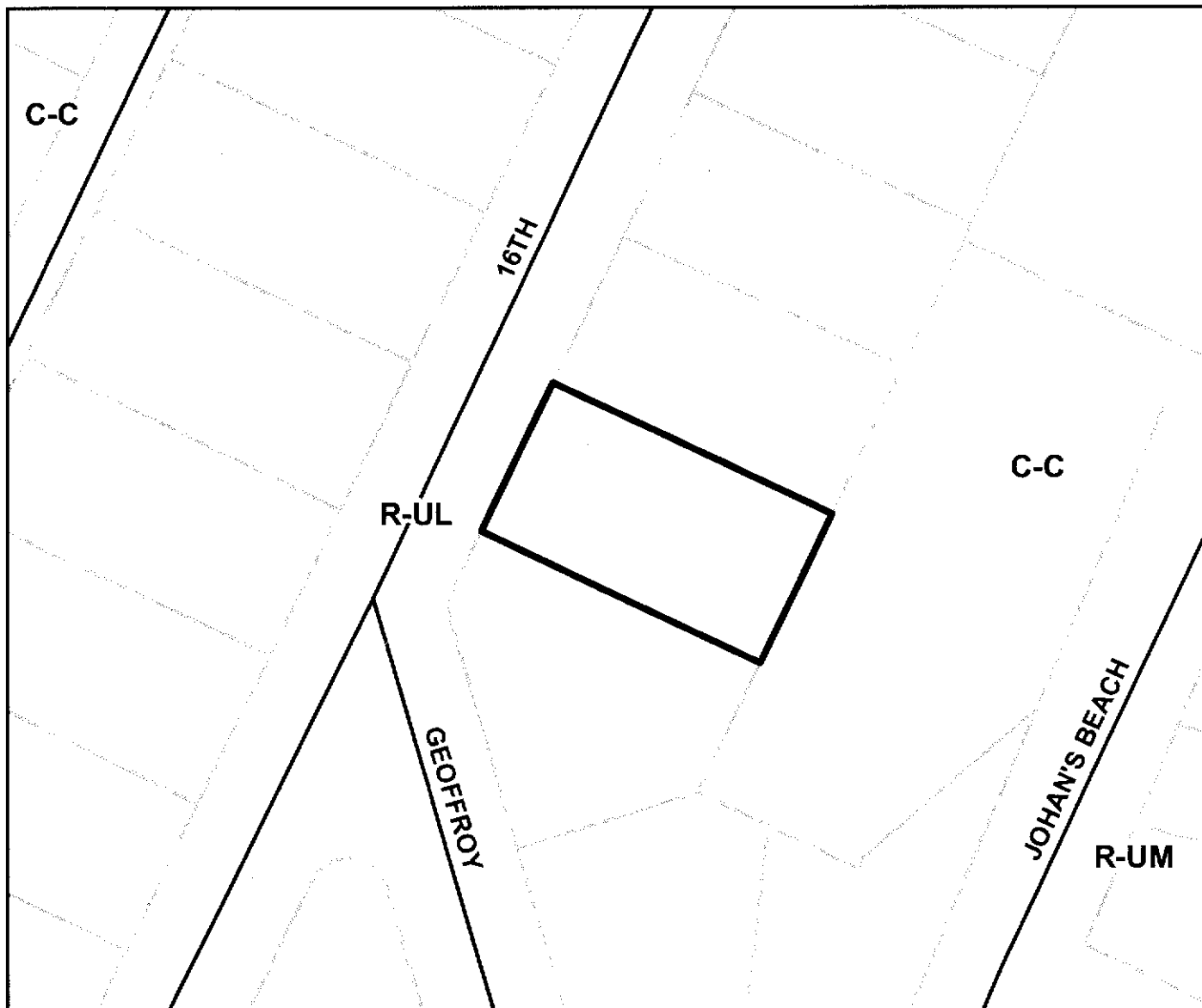


Map Created by
County of Santa Cruz
Planning Department
July 2010

EXHIBIT



General Plan Designation Map



80 40 0 80 160 240 320 Feet

LEGEND



APN: 028-161-05



Assessors Parcels

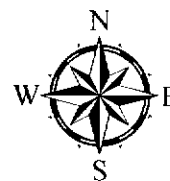


Streets

Residential - Urban Low Density

Residential - Urban Medium Density

Commercial-Community

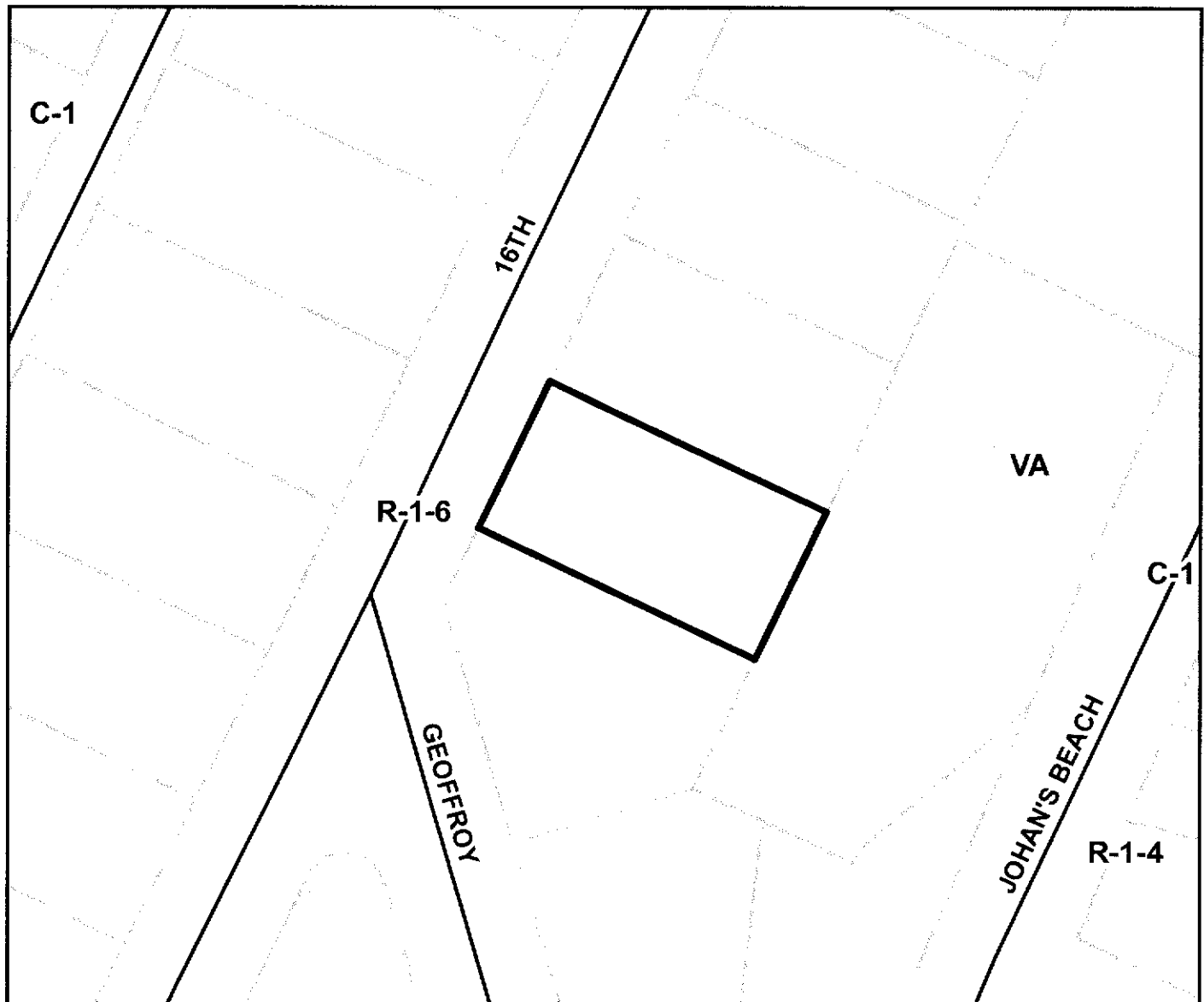


Map Created by
County of Santa Cruz
Planning Department
July 2010

EXHIBIT # _____



Zoning Map



80 40 0 80 160 240 320 Feet

LEGEND



APN: 028-161-05



Assessors Parcels

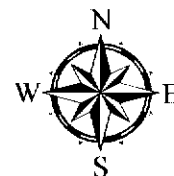


Streets

RESIDENTIAL-SINGLE FAMILY

COMMERCIAL-VISITOR ACCOM.

COMMERCIAL-NEIGHBORHOOD



Map Created by
County of Santa Cruz
Planning Department
July 2010

EXHIBIT



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

Project Planner: Larry Kasparowitz
Application No.: 10-0048
APN: 028-161-05

Date: July 26, 2010
Time: 14:20:23
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON MARCH 16, 2010 BY ANTONELLA GENTILE =====
No comment

Environmental Planning Miscellaneous Comments

===== REVIEW ON MARCH 16, 2010 BY ANTONELLA GENTILE =====
Prior to Building Permit Approval

- 1) Submit 3 copies of geotechnical report.
- 2) Submit engineered grading and drainage plan. Grading to include any necessary excavation and recompaction proscribed in the soils report prepared for the site.
- 3) Submit erosion control plan which includes the location and construction details for all proposed measures. Plan must include protection at site entrance to prevent sediment from leaving the site.
- 4) A plan review letter from the project geotechnical engineer must be submitted, which states that the plans conform to the recommendations made in the report prepared for the site.

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 11, 2010 BY TRAVIS RIEBER =====
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 MARCH 11, 2010 BY TRAVIS RIEBER =====
1. The submitted drainage plan has not been revised to reflect the proposed changes. Please revise.
 2. Sheet A1 shows concrete walkways and patios which is inconsistent with sheet D1 which shows pervious pavers. Please revise sheet A1. Provide a cross section detail of the proposed paver block patios and walkways.
 3. How will leaves, twigs, gravel, sand, silt and other debris with a potential to clog perforated pipes be prevented from entering the drainage system? Site plans shall specify required maintenance procedures to assure proper functioning of the proposed drainage system.
 4. A recorded maintenance agreement will be required for the proposed retention pits. Please contact the County of Santa Cruz Recorder's office for appropriate

EXHIBIT # _____

Discretionary Comments - Continued

Project Planner: Larry Kasparowitz
Application No.: 10-0048
APN: 028-161-05

Date: July 26, 2010
Time: 14:20:23
Page: 2

recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at: <http://www.dpw.co.santa-cruz.ca.us/Storm%20Water/FigureSWM25.pdf>

5. Gravel packed chambers shall be screened from the surrounding soils with the use of geotextile fabric filter envelope providing high permittivity.

Upon approval of the project, a drainage -Hold- will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans. In order to clear the Hold, one of these options has to be exercised: 1. The civil engineer has to inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of -general conformance to plans- are not sufficient. 2. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown. 3. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone #. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold if the submittal is satisfactory.

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.

EXHIBIT #_____