

Staff Report to the Zoning Administrator

Application Number: 101103

Applicant: Georg Kluzniok

Agenda Date: April 15, 2011 Agenda Item #: 3 Time: After 10:00 a.m.

Owner: Fisher **APN:** 060-141-33

Project Description: Proposal to construct an approximately 2800 square foot single family dwelling with an attached garage. Requires an Agricultural Buffer Reduction (approved by APAC on 2/24/11) and a Variance to reduce the required 20 foot street side yard setback to 14 feet and to reduce the required 40 foot front yard setback to about 30 feet.

Location: Property located on the east side of Ocean Street Extension on Quail Crossing, about 1600 feet northwest of the intersection with Monti Verdi Heights.

Supervisoral District: 5th District (District Supervisor: Stone)

Permits Required: Variance & Agricultural Buffer Determination (approved by APAC 2/24/11)

Technical Reviews: Preliminary Grading Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 101103, based on the attached findings and conditions.

Exhibits

A. Project plans

B. Findings

C. Conditions

Categorical Exemption (CEQA D. determination)

E. Assessor's, Location, Zoning and General Plan Maps

Agricultural Buffer Determination F. Conditions of Approval (2/24/11) & Permit

G. Comments & Correspondence

Parcel Information

Parcel Size:

109,550 square feet (2.5 acres)

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Single Family Residences

Project Access:

Via Quail Crossing (Private Driveway)

Planning Area:

Land Use Designation:

Zone District:

Coastal Zone:

Appealable to Calif. Coastal Comm.

Carbonera

R-S (Suburban Residential)

RA (Residential Agriculture)

____ Inside ____ X__ Outside

____ Yes ____ X__ No

Environmental Information

Geologic Hazards: Area of known landslide hazard. Geologic reports reviewed under

permit 04-0196 identify proposed building site as feasible for

construction.

Soils: Mapped area of very high liquefaction potential; soils report

approved proposed building site (04-0196); additional soils report

review required at building permit stage.

Fire Hazard: Mapped fire hazard area; Fire hydrant located at corner of Quail

Crossing and Ocean Street Extension; CalFire approves of preliminary plans with conditions of approval to comply with all

other requirements at building permit stage.

Slopes: Steep slopes on the northern portion of the property, which is not

proposed for development. Slope greater than 30% between proposed building area and Ocean Street Extension and between proposed

building site and Quail Crossing to the north.

Env. Sen. Habitat: Biotic report concluded the absence of sandhills habitat on the subject

property; Mapped for biotic species associated with the San Lorenzo River, which will not be impacted by the proposed development as

per Environmental Planning Staff.

Grading: 344 cubic yards of cut and 610 cubic yards of fill proposed.

Preliminary grading review completed and Grading Permit required

at building permit stage.

Tree Removal: Some tree removal proposed; however, proposed building area is

primarily cleared. No trees proposed for removal within more heavily wooded area to the north. Existing oak trees at southwest property line to be preserved as conditions of approval of agricultural buffer

determination.

Scenic: Not a mapped resource

Drainage: New drainage system to include two roof drain cisterns, two rock

trenches, and a catchment system to retain runoff to predevelopment

levels.

Archeology: Northeastern portion of parcel across Quail Crossing mapped for

archeological resources; no development or disturbance proposed in the mapped location; archaeological report conducted under permit

04-0196 indicates no resources on property.

Services Information

Urban/Rural Services Line: ___ Inside ___X Outside Water Supply: Private well

Sewage Disposal:

Septic Cal Fire

Fire District:
Drainage District:

None

History

Permit 04-0196 approved the grading of approximately 715 cubic yards to widen and resurface the existing access road (currently known as Quail Crossing). The permit included Preliminary Grading Review, Geotechnical Report Review, and an Archaeological Site Review. A supplementary soils report and engineering geology report identified the proposed development envelope as a feasible building site. Additionally, a biotic report review indicated that construction within the proposed building site would not impact adjacent resource land and an archaeological report review indicated that there are no resources evident at the site.

The subject parcel is one of four parcels confirmed by certificate of compliance 03-0323 and later was subject to two lot line adjustments (04-0388 & 06-0464).

Project Setting

The parcel is located on the eastern side of Ocean Street Extension about 1 mile west of the junction with Graham Hill Road and is accessed by Quail Crossing, which is a private driveway that serves three additional parcels.

The topography of the parcel slopes gently to the west towards Ocean Street Extension with steeper slopes over 30% at the southwestern and northwestern portions of the parcel. The Quail Crossing right of way runs north/south through the eastern portion of the subject parcel and the portion of the subject parcel east of the right of way is too narrow to develop.

The proposal is to construct a single story single-family dwelling of approximately 2,800 square feet on a 2.5 acre parcel. The building site is within 200 feet of Commercial Agricultural land to the southwest. On February 24th, the Agricultural Policy Advisory Commission (APAC) granted approval of the proposed reduction in the 200 foot agricultural buffer setback to a minimum of 58 feet from APN 060-151-05 and 171 feet from APN 060-151-81.

Geologic and Geotechnical Reports

Geologic and Geotechnical Reports were reviewed and accepted by Environmental Planning Staff in 2004. The reports recommended the proposed building location as appropriate to mitigate hazards associated with landsliding and conditions associated with this permit would require that the applicant submit a design level addendum to the previously accepted geotechnical report for review prior to building permit issuance to ensure compliance with the previous reports' recommendations.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 2.5 acres and is located within the RA (Residential Agriculture) zone district, a designation which allows residential uses. The

proposed single family residence is also consistent with the site's (R-S) Suburban Residential General Plan designation. The proposed structure complies with the site standards required for the RA zone district with the exception of the northern street side yard setback and the front yard setback, for which the property owner is requesting Variances, as per the table below:

	REQUIRED SITE STANDARDS (13.10.323)	PROPOSED RESIDENCE	
Front Yard Setback:	40'	30'	Requires Variance approval
Side Yard Setbacks:	20' & 20'	27' (southeast) & 14' (east)	Requires Variance approval at east property line
Rear Yard Setback:	5'	>300'	✓
Lot Coverage:	45%	Approximately 2.7%	√
Building Height:	28'	18'	✓

Variances

The parcel is constrained by steep topography to the east, north, and west and potential development areas are further restricted due to the location of the private roadway (Quail Crossing) through eastern and northern portions of the parcel. Quail Crossing has a 20 foot paved roadway with a 40 foot right of way. Given that the road runs through the subject parcel, the required development setbacks are measured from the edge of the right of way, which is the most restrictive measurement. Further, geotechnical and geologic reports, which were accepted by County staff as a part of a 2004 permit (see History section above), review liquefaction and landslide potential on the parcel and identify the proposed building site as a feasible for construction. Given the geologic and topographic constraints on the parcel and the location of the private roadway, staff is able to make the findings required to support the proposed Variances.

Design Review

The proposed development complies with the requirements of the County Design Review Ordinance in that it will be a single story residence of modest size with a low 2:12 roof pitch that will blend in with the natural surrounding land contours. The structure was sited and designed to incorporate low impact features including a low pitched roof to accommodate solar panels, south facing windows, and a cistern water collection system. Existing and proposed landscaping and trees along the south, southeast and southwest property lines will buffer the residence from public view along Ocean Street Extension.

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 101103, 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

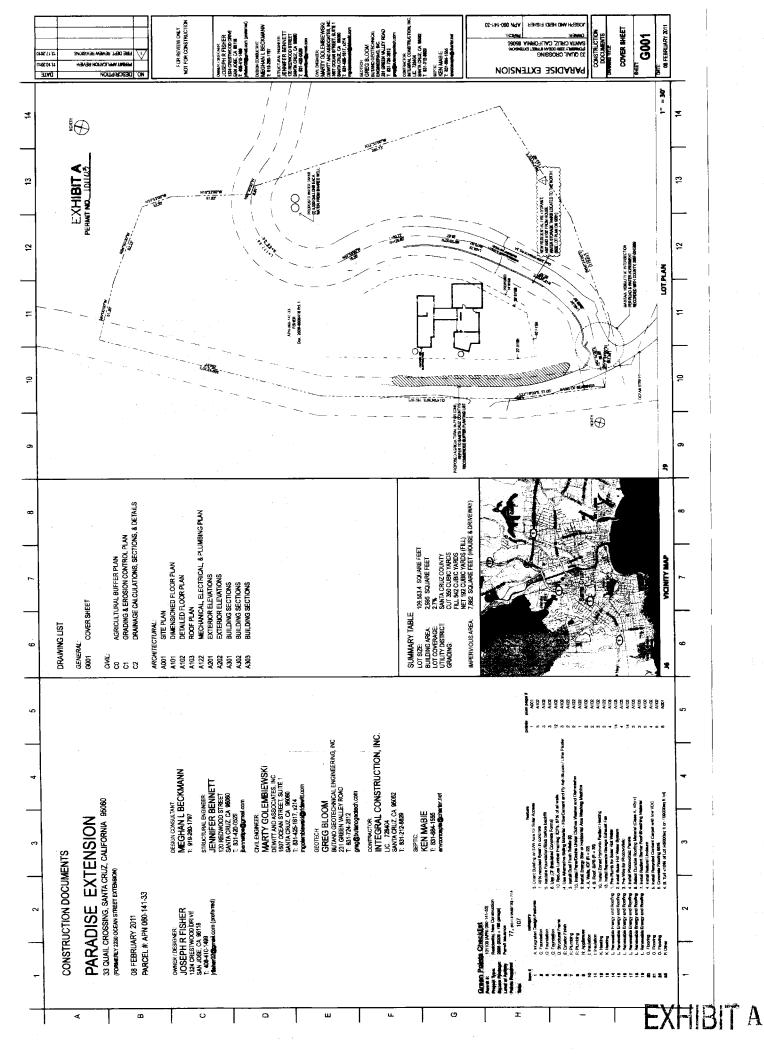
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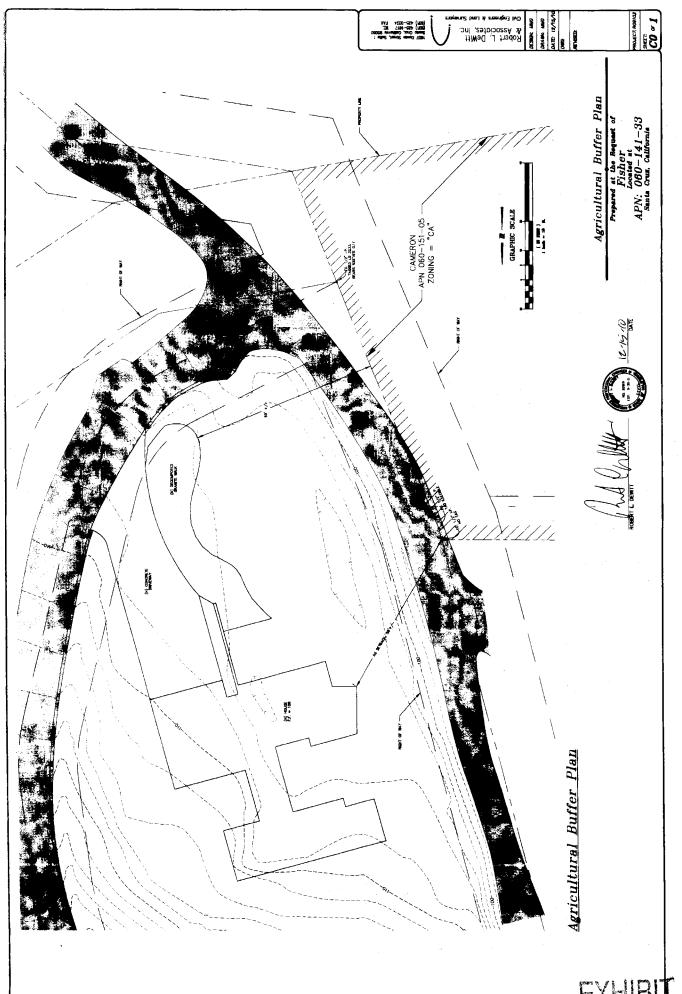
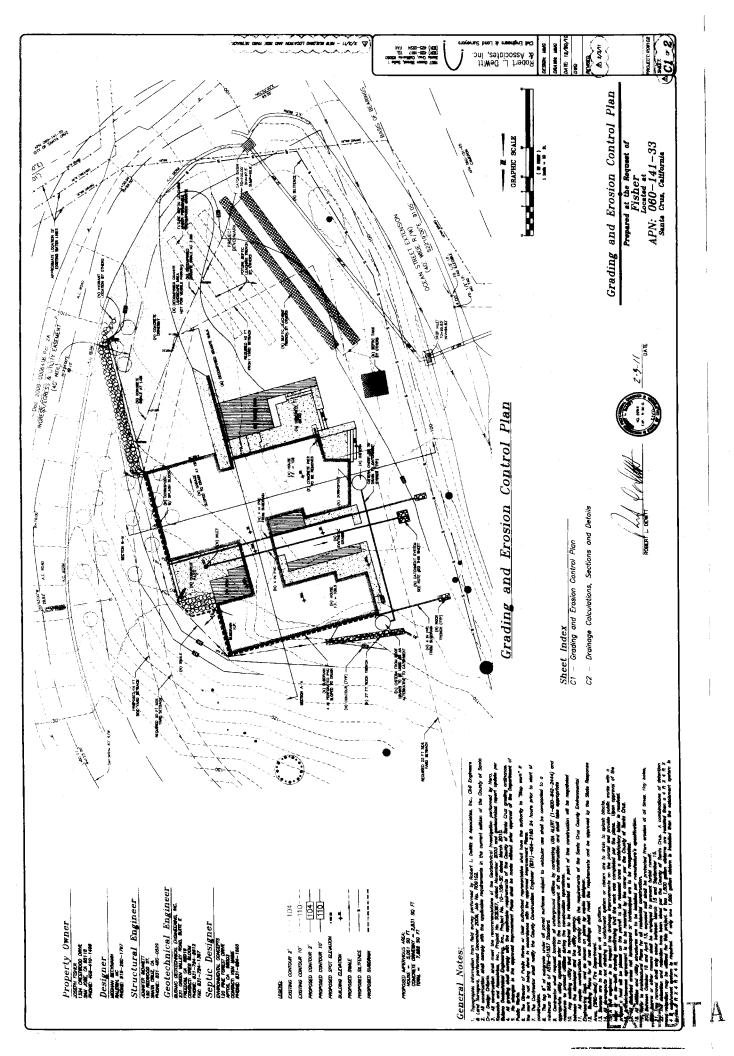
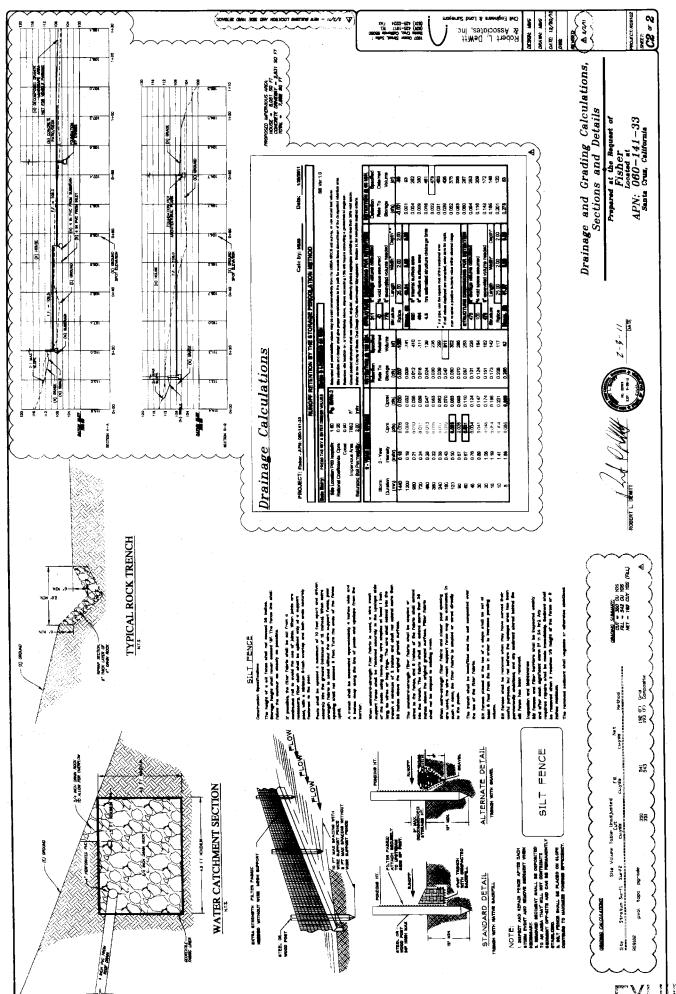
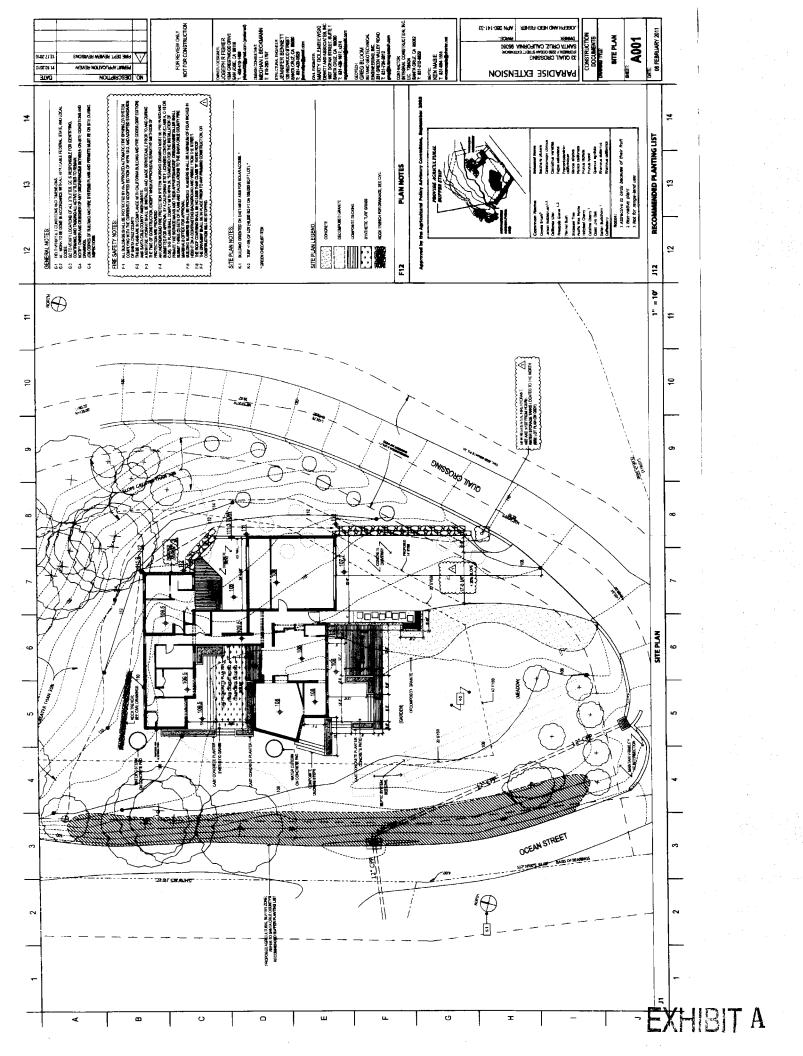


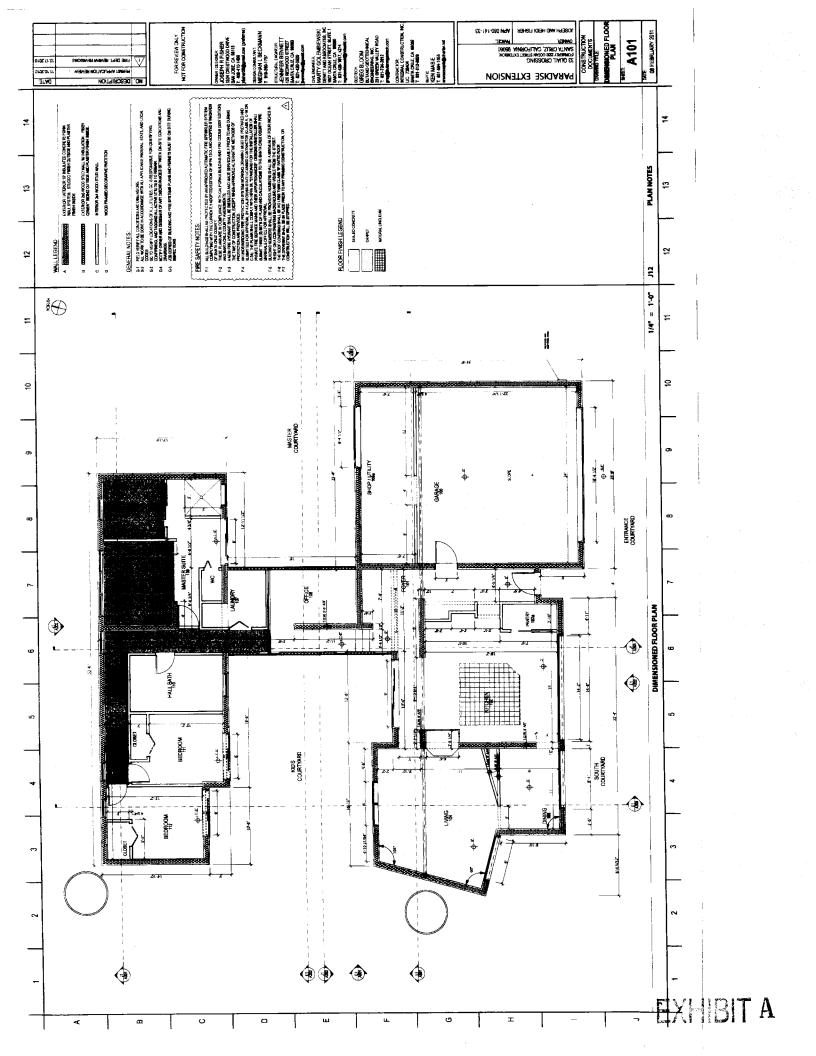
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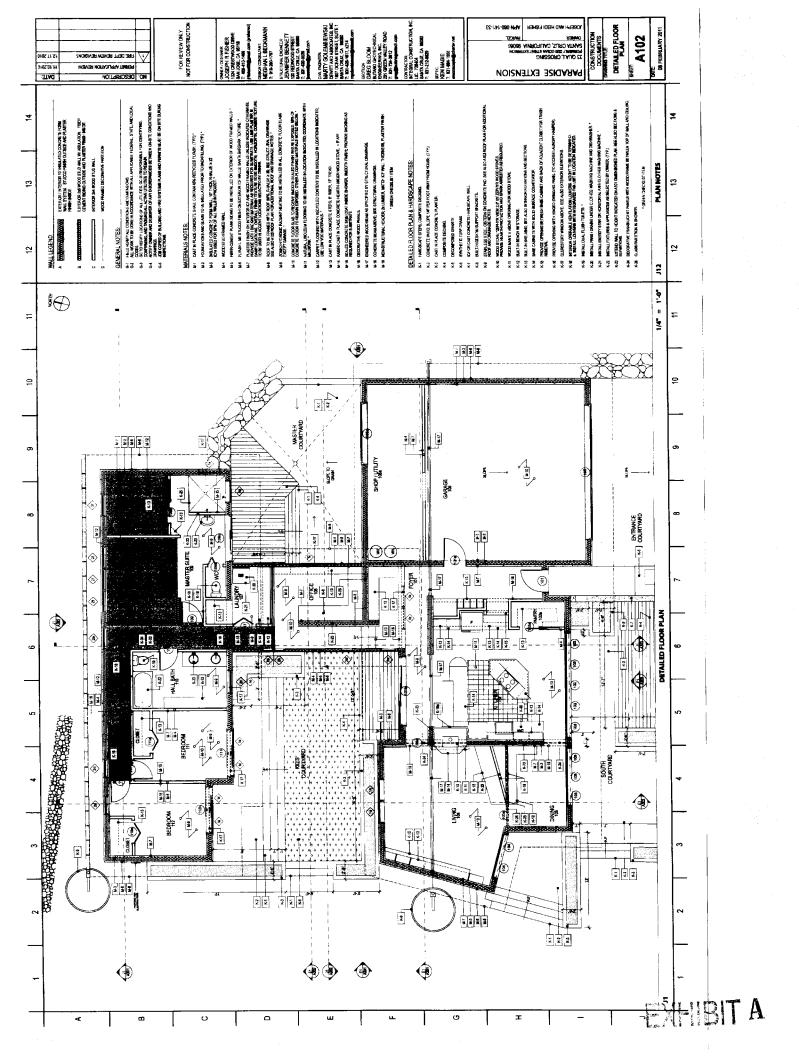


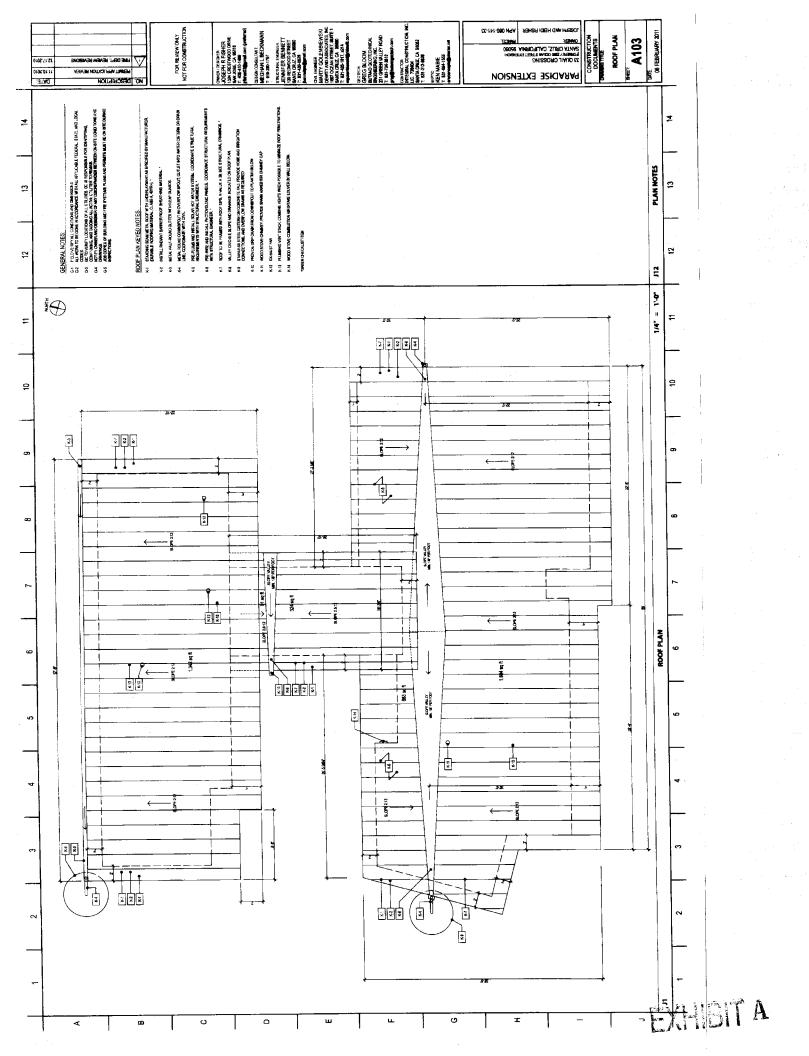


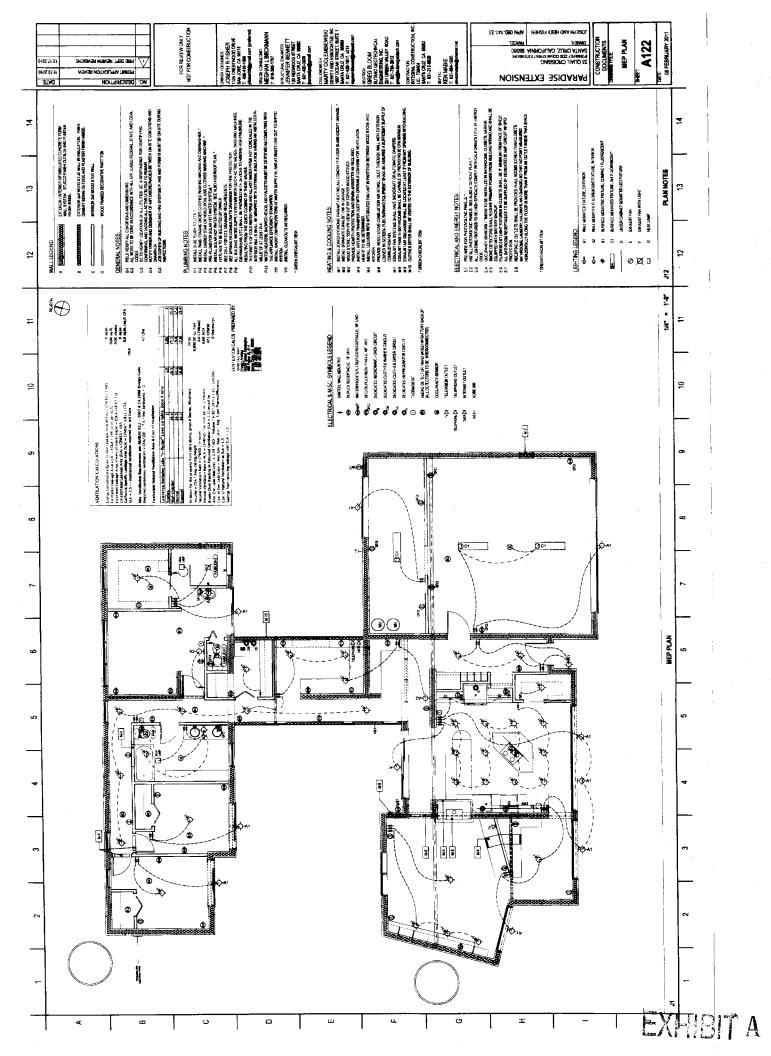
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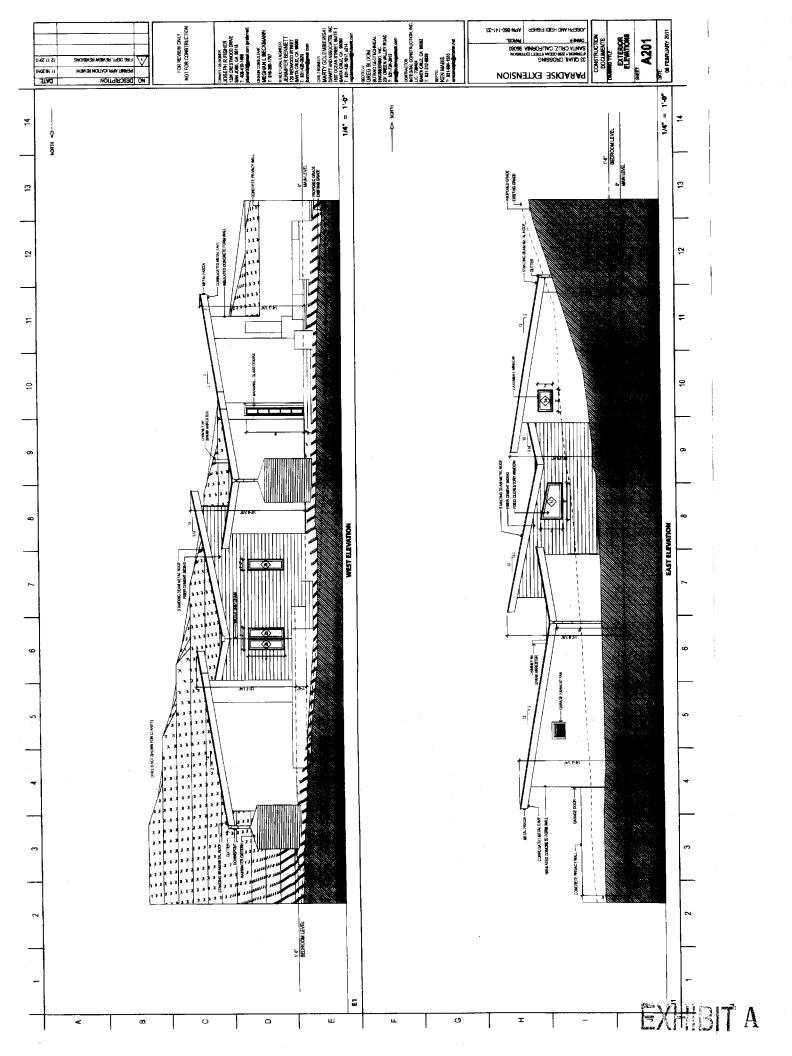


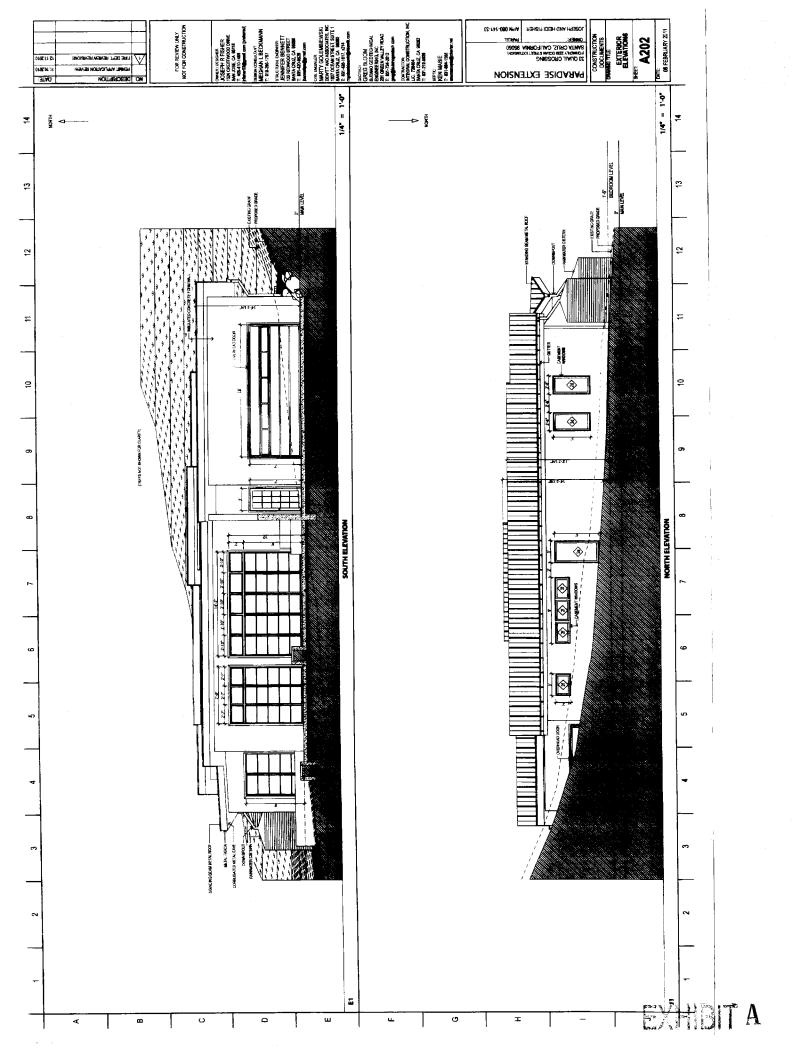


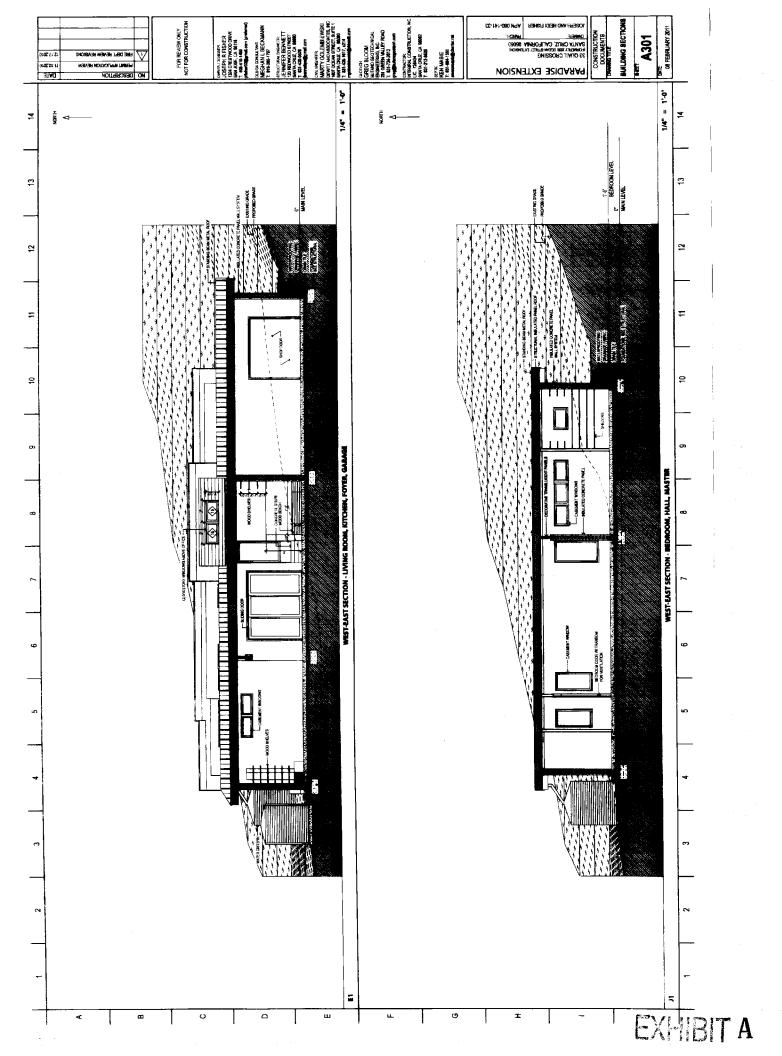


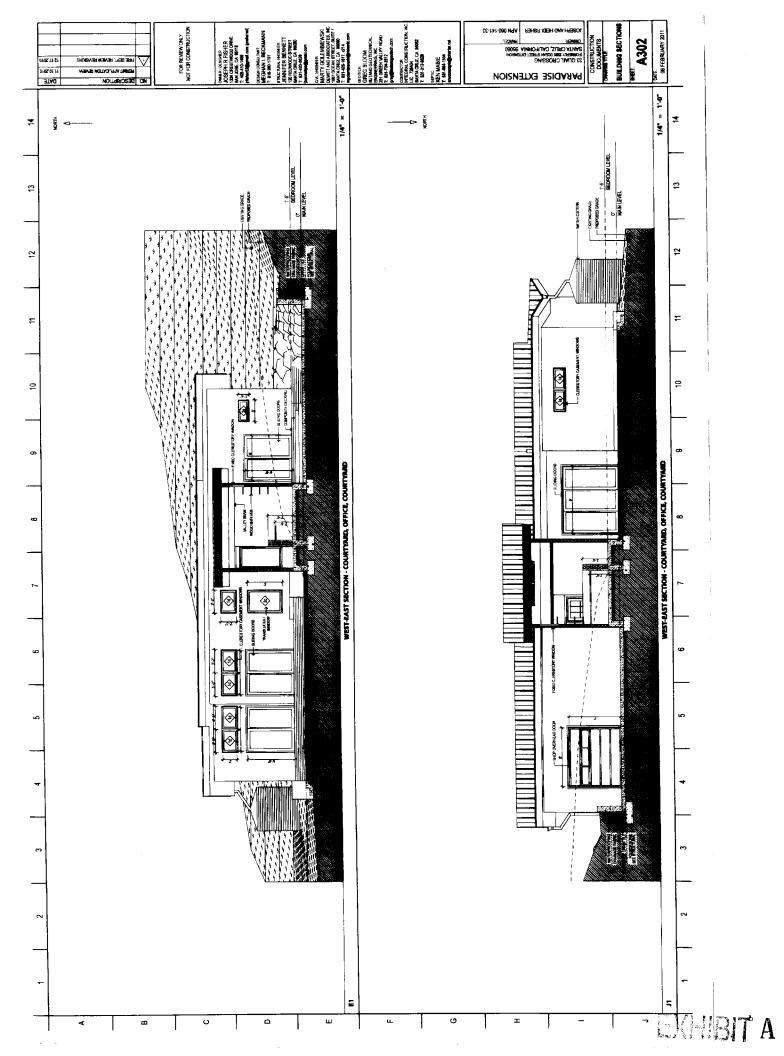


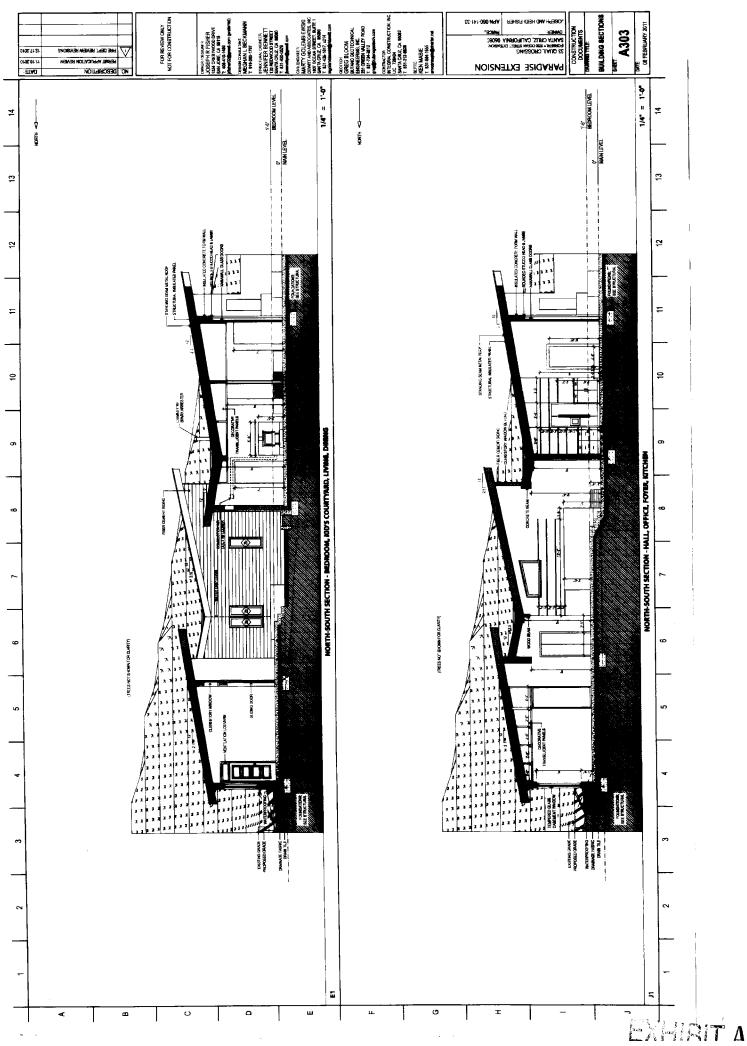












Variance Findings

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

This finding can be made, in that although the subject parcel is approximately 2.5 acres in size, the buildable area is limited due to steep slopes, existing riparian vegetation, the location of a roadway, and geologic and geotechnical constraints associated with landsliding and liquefaction. Existing riparian vegetation and steep slopes at or in excess of 30% are located on the northwestern portion of the parcel over approximately 2 acres. This portion of the parcel is also located closest to the San Lorenzo River which would not create ideal building areas for habitable structures given the high liquefaction potential. Steep slopes in excess of 30% are also located on the southwest portion of the site between the proposed building area and Ocean Street Extension. The proposed variance to the street side yard setback would move the structure to the northeast, creating a greater separation between the slope to Ocean Street Extension (a public street) and the proposed residence.

The property is accessed by Quail Crossing, which is a private driveway with a 40-foot right of way that serves three additional parcels to the north. The driveway cuts through the eastern portion of the parcel, which further reduces the parcel's developable area. The proposed variance to reduce the required 40 foot front yard setback to 30 feet is a minimal reduction given that the setback is measured from the edge of a right of way that will likely not be improved in the future, and the encroachment of 10 feet into the front yard setback will not obstruct vehicular site distance along Quail Crossing or Ocean Street Extension.

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 the construction of a single family dwelling is a permitted use in the RA (Residential Agriculture) zone district. The property is a rural lot and development in the surrounding area is limited to a range of non-urban densities. Water supply, septic system suitability, vehicular access and fire protection are adequate on the property. The proposed location of the residence at the southeastern portion of the site complies with zone district requirements to protect existing riparian resources and provides adequate protection from natural hazards associated with landsliding and liquefaction.

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 and in the RA (Residential Agriculture) zone district with similar constraints (geologic concerns, steep slopes, riparian resources, and a driveway through the parcel) would also be considered for variance approval.

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 the RA (Residential Agriculture) zone district, which is an area that is designed for rural residential uses. The property is encumbered by steep slopes, riparian resources, and the potential for liquefaction and landsliding, however, the proposed building is located within an envelope which was determined by project engineers to be feasible for habitable construction, and the project will not be located on steep slopes or impact riparian resources. 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.

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 proposal is to construct one single family dwelling on a 2.5 acre parcel which meets all of the preliminary requirements for fire protection, septic system suitability, vehicular access, and water supply. The proposed single family dwelling meets the required site standards for height, lot coverage, and side and rear yard setbacks, and the property owner is requesting minor variances to reduce the required 20 foot side yard setback and 40 foot front yard setback which will not impact the light, air or privacy to surrounding residences.

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 property is designated as Suburban Residential (R-S) in the County General Plan and one single family dwelling on a 2.5 acre parcel complies with the density requirement of 1-5 net developable acres per unit.

The proposed single family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, in that the single family residence will not adversely shade adjacent properties, and will meet current side and rear yard setbacks for the zone district that ensure access to light, air, and open space in the neighborhood. The minor encroachment of 10 feet into the front yard setback and 6 feet into the side yard setback will not impact light, air, or open space currently available to surrounding properties.

The proposed single family residence will be appropriately proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family residence is a modest size, single story dwelling unit of about 2800 square feet, with a low roof pitch that will blend in with the surrounding topography. The project 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 residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit) and such an increase will not adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed structure is located in a mixed rural neighborhood containing a variety of architectural styles, and the proposed single family residence is consistent with this range of styles and 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 single family residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties by showcasing green building features and providing new landscaping at the corner of Ocean Street Extension and Quail Crossing. The resulting residence will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Project Plans, Construction documents (11 sheets), dated 2/8/2011; Engineered plans (3 sheets), dated 12/15/10 (sheet C0), 2/3/11 (sheets C1 & C2) prepared by Robert DeWitt and Associates, Inc.

- I. This permit authorizes the construction of an approximately 2800 square foot, 4 bedroom, single family residence, a Variance to allow the residence to encroach 6 feet into the 20 foot north street side yard setback and 10 feet into the 40 foot front yard setback and grading of approximately 350 cubic yards of excavation and 542 cubic yards of fill. 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 accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the County road right-of-way.
 - E. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
 - F. All conditions of the Agricultural Buffer Determination (Permit HA22503) are hereby incorporated by reference.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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. Submit a color and material board in an 8 1/2" x 11" format for Planning Department review and approval. Additionally, the building plans must include specific materials and colors on an elevation that are consistent with the approved Exhibit A.
- 2. Engineered grading, drainage, and erosion control plans.
 - a. Plans shall show the use of alternative surfacing to minimize impervious surface.
- 3. Details showing compliance with fire department requirements. The proposed structure(s) are located within the State Responsibility Area (SRA) and the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- 4. Plans shall include the following notes:
 - a. To minimize dust, noise, and nuisance impacts on surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor comply with the following measures during all construction work:
 - (i) Limit all construction to between the hours of 8:00 a.m. and 5:00 p.m, Monday Friday.
 - (ii) Ensure that at least one travel lane of Quail Crossing is kept open at all times.
 - (iii) Prevent sediment/debris from leaving the site. Any dirt tracked onto Quail Crossing or Ocean Street Extension shall be removed at the end of each workday.
- 5. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall respond promptly and effectively to all complaints.
- B. 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.
- C. The property owner shall record a maintenance agreement for the proposed retention system. Please contact the County of Santa Cruz Recorder's office for appropriate 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

- D. Meet all requirements and pay all required fees of the County Department of Public Works, Stormwater Management.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - 1. Sheet C1 shall show the future septic leachfield expansion area (see approved septic site plan available at EHS). There could be a setback issue from the approved expansion leachfield to both the proposed. The setback from the approved expansion leachfield to both the proposed 'decomposed granite walk' and the 'grill area' must be a minimum of 5'.
- F. Meet all requirements and pay any applicable plan check fee of the Cal Fire Protection District.
- G. Submit a site specific, design level addendum to the original soils report that includes recommendations for potentially liquefiable soils onsite.
- H. Pay the current fees for Parks and Child Care mitigation for 4 bedroom(s).
- 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. To minimize dust, noise, and nuisance impacts on surrounding properties to insignificant levels during construction, the owner/applicant shall or shall have the project contractor comply with the following measures during all construction work:
 - 1. Limit all construction to between the hours of 8:00 a.m. and 5:00 p.m, Monday Friday.
 - 2. Ensure that at least one travel lane of Quail Crossing is kept open at all times.
 - 3. Prevent sediment/debris from leaving the site. Any dirt tracked onto Quail Crossing or Ocean Street Extension shall be removed at the end of each workday.
 - 4. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site. The disturbance coordinator shall respond promptly and effectively to all complaints.
- 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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "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 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, AICP Deputy Zoning Administrator	Samantha Haschert 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

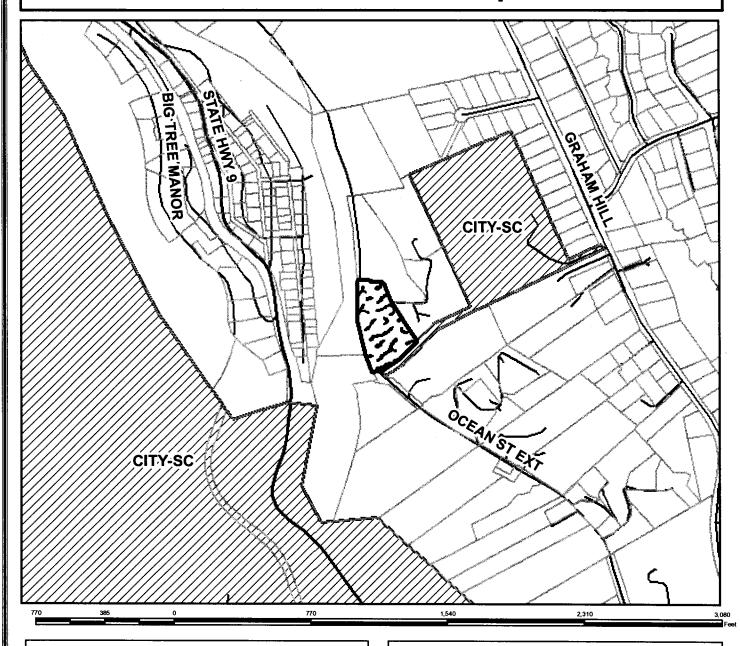
The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Asse	ssor Parc	fumber: 101103 el Number: 060-141-33
Proje	ect Locati	on: No Situs
Proje	ect Desci	ription: Proposal to construct a single family dwelling within the front and street side yard setbacks on an existing vacant parcel.
Pers	on or Ag	ency Proposing Project: Georg Kluzniok
Cont	tact Phor	ne Number: (831) 212-8829
Α.		The proposed activity is not a project under CEQA Guidelines Section 15378.
В		The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C		<u>Ministerial Project</u> 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).
Spec	ify type:	
E	X	Categorical Exemption
Spec	ify type:	Class 3 - New Construction or Conversion of Small Structures (Section 15303)
F.	Reaso	ons why the project is exempt:
Cons	struct nev	v single family dwelling on a currently vacant parcel.
In ad	ldition, n	one of the conditions described in Section 15300.2 apply to this project.
		Date:
Sama	antha Ha	schert, Project Planner

Assessor's Map No. 60-14 County of Santa Cruz, Calif. June, 1999 60-14 Tax Area Code MAP OF PART OF LANDS OF CITY OF SANTA CRUZ 37MB15 2/14/61 1-032 92-003 (b) HILL GRAHAM (3) SECS. 1 & 2, T.11S., R.2W., M.D.B. & M. (15) POR. RINCON RANCHO City of Santa Cruz Water Treatment Plant **(9**) (3) 59M9 9/19/73 Note - Assessor's Parcel & Block Numbers Shown in Circles. (*) (*) (*) (*) **(** 42MB37 11/2/64 **૱** ⊕ <u>_</u> ⊕ **⊕ ((3)** (<u>ह</u>) **(B) (1)** (**3**) (8) **(1) (1)** (I) (B) (D) **4 (** EXT ST OCEAN (1 43MB13 2/18/65 (4) FOR TAX PURPOSES ONLY DEASSESSOR WAS ASSUMENT ON THE ASSESSOR WAS TO UNA ACCURACY NOT ASSUMENT ON THE PERMODICED ALL ROATS RESERVED ACCOMPANY RESERVED.



Location Map







APN: 060-141-33



Assessors Parcels



Streets



State Highways



SANTA CRUZ

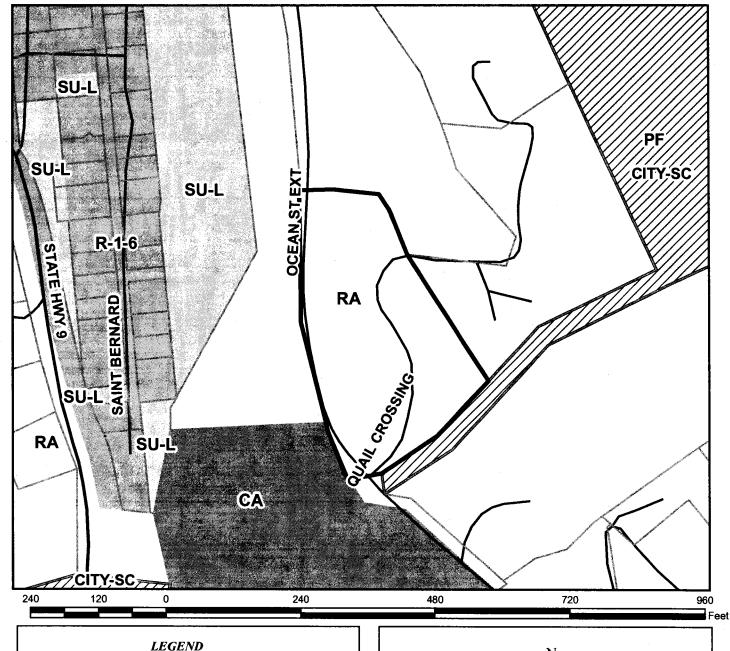


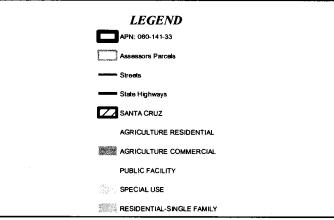
Map Created by County of Santa Cruz Planning Department March 2011





Zoning Map





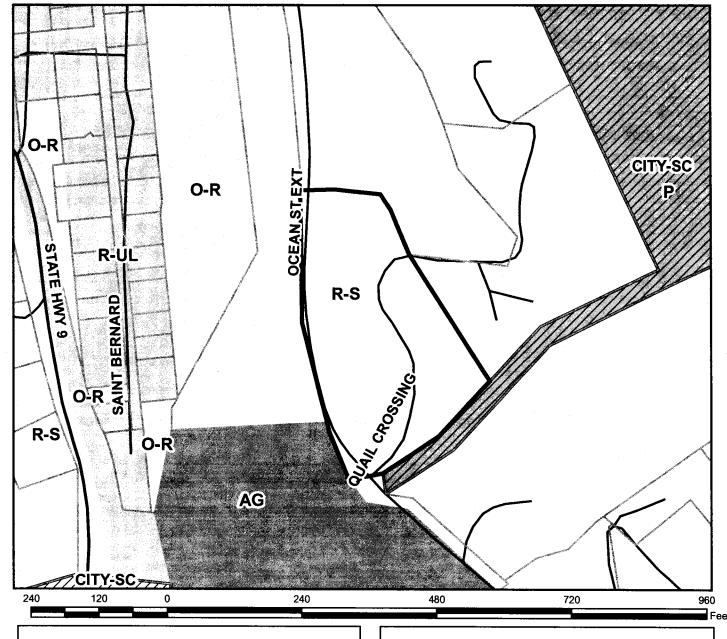


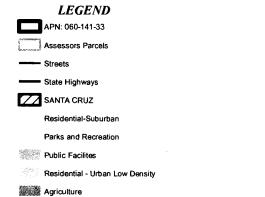
Map Created by County of Santa Cruz Planning Department March 2011

EXHIBIT E



General Plan Designation Map







Map Created by County of Santa Cruz Planning Department March 2011

EXHIBIT E



COUNTY OF SANTA CRUZ Planning Department

AGRICULTURAL BUFFER DETERMINATION

Owner: Address:

JOSEPH AND HEIDI FISHER 1324 CRESTWOOD DRIVE SAN JOSE, CA 95118

Permit Number: HA22503 Parcel Number(s): 060-141-33

PROJECT DESCRIPTION AND LOCATION

SUBJECT TO ATTACHED CONDITIONS

Distribution: Applicant, File, Clerical

Proposal to construct an approximately 2,800 square foot single family dwelling with an attached garage (101103). Requires an Agricultural Buffer Reduction to reduce the required 200 foot agricultural buffer to the surrounding CA (Commercial Agriculture) zoned parcels known as APN's 060-151-05 and 060-151-81 to 58 feet and 171 feet, respectively (

APAC Approval Date: 2/24/11		Effective Date: _	
Exp. [Date (if not exercised): <u>see conditions</u>	Subject to final disco Planning Com., or B Coastal Appeal E	retionary review if Zoning Admin., oard action is required. exp. Date: <u>N/A</u>
	This project requires a Coastal Zone Permit, whice may be appealed to the Board of Supervisors. The decision body.	h is not appealable to the appeal must be filed w	e California Coastal Commission. It vithin 14 calendar days of action by
r	This project requires a Coastal Zone Permit, the a Commission. (Grounds for appeal are listed in the with the Coastal Commission within 10 business action. Approval or denial of the Coastal Zone Pe 14 calendar days of action by the decision body.	e County Code Section 1 days of receipt by the Co	3.20.110.) The appeal must be filed pastal Commission of notice of local
APAC must b	REVIEW IS NOT A BUILDING PERMIT. A Bu e initiated prior to the expiration date in order to	ilding Permit must be on exercise this permit.	obtained (if required) and construction
accept noncor owner	responsibility for payment of the County's cost mpliance with the permit conditions. This permit signature below. Cost Conditions of the County's cost mpliance with the permit conditions. This permit signature below.	s for inspections and a lit shall be null and voice	all other actions related to

Application #: 101103 APN: 060-141-33

Owner: Joseph and Heidi Fisher

Conditions of Approval

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN's 060-151-05 and 060-151-81. 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 and Grading 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 accepted or processed while there is an outstanding balance due.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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. A development setback of a minimum of 58 feet from the single-family dwelling (and comparable outdoor spaces) to the adjacent Commercial Agriculture zoned parcel APN 060-151-05.
 - 2. A development setback of a minimum of 171 feet from the single family dwelling (and comparable outdoor spaces) to the Commercial Agriculture zoned parcel APN 060-151-81.
 - 3. Final plans shall show the location of the vegetative buffering barrier which shall be composed of drought tolerant shrubbery as provided on the County's Recommended Agricultural Buffer Planting List. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff. The existing oak trees at the southwest property line shall be preserved and included in the



Application #: 101103 APN: 060-141-33

Owner: Joseph and Heidi Fisher

agricultural buffer. (Added by APAC 2/24/11)

- 4. Sheet C1 shall show the future septic leachfield expansion area (see approved septic site plan available at EHS). There shall be a minimum setback of 5 feet from the decomposed granite walkway and the grill area to the expansion leachfield.
- 5. Grading, drainage, and erosion control plans.
- B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
- C. The applicant shall submit a specific design level addendum to the original soils report that includes recommendations for potentially liquefiable soils onsite.
- D. Meet all requirements and pay all fees of Cal Fire.
- 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. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
 - B. The required vegetative shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required vegetative barrier has been completed.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.

IV. Operational Conditions

- A. The vegetative barrier shall be permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose non-compliance 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, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval



APN: 060-141-33

Owner: Joseph and Heidi Fisher

("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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "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 #: 101103 APN: 060-141-33

Owner: Joseph and Heidi Fisher

Please note: This permit expires three years from the effective date listed below or if additional discretionary permits are required for the above permitted project, this permit shall expire on the same date as any subsequent approved discretionary permit(s) 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:	2/24/2011	-
Effective Date:	3/10/2011	
Expiration Date:	Same as 101103	

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Agricultural Policy Advisory Commission under the provisions of County Code Chapter 16.50, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.





Discretionary Application Comments 101103 APN 060-141-33

Drainage Review

Routing No: 1 | Review Date: 02/28/2011

GERARDO VARGAS (GVARGAS): Incomplete

Application No.: 101103

G V

2/28/11

Completeness Comments:

1. The proposed square footage of 7,852, classifies this project as a significant single family dwelling, therefore increasing the application fee by \$400.00. In order to deemed this application complete please submit an additional \$400.00 to the Public Works Department.

Note: The proposed drainage plan has been accepted based on sole concept, further details maybe required at the building application stage.

Miscellaneous Comments.

Projects are required to minimize impervious surfacing. This project is proposing an extensive paved driveway. The requirement to minimize impervious surfacing can be achieved by the use of porous pavement, pavers, or baserock etc.. where feasible.

A recorded maintenance agreement will be required for the proposed retention system. Please contact the County of Santa Cruz Recorder's office for appropriate 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

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

EXHIBIT G

Print Date: 03/18/2011

Page: 1



Discretionary Application Comments 101103

APN 060-141-33

Drainage Review

Routing No: 1 | Review Date: 02/28/2011

GERARDO VARGAS (GVARGAS): Incomplete

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 asbuilt 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.

The applicant is encouraged to discuss the above comments with the reviewer to avoid unnecessary additional routings. A \$200.00 additional review fee shall be applied to all re-submittals starting with the third routing.

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

Environmental Health Review

Routing No: 1 | Review Date: 11/18/2010

JIM SAFRANEK (JSafranek): Complete

The project is complete for EHS.

The following issue must be resolved prior to the issuance of the BP:

Sheet C1 does not show the future septic leachfield expansion area (see approved septic site plan available at EHS). There could be a setback issue from the approved expansion leachfield to both the proposed 'decomposed granite walk' and the 'grill area'. The setback must be a minimum of 5'. This setback may require an adjustment in the location of the walkway and grill area. In any case,

Discretionary Application Comments 101103 APN 060-141-33

Environmental Health Review

Routing No: 1 | Review Date: 11/18/2010

JIM SAFRANEK (JSafranek): Complete

EHS will look for this setback on the building site plan when the applicant seeks EHS Building Clearance.

This EHS requirement was communicated to the applicant's agent today.

Routing No: 2 | Review Date: 03/01/2011 JIM SAFRANEK (JSafranek): Complete

The project is complete for EHS with no change in previous comment (see conditions).

Environmental Planning

Routing No: 1 | Review Date: 11/30/2010

JESSICA DUKTIG (JDUKTIG): Complete

Application complete for Enviro. Planning.

MISC COMMENTS:

- 1. Submit a site specific design level addendum to the original soils report that includes recommendations for potentially liquefiable soils onsite.
- 2. The engineered grading plans will be formally reviewed at the building application stage.

Routing No: 2 | Review Date: 03/01/2011

JESSICA DUKTIG (JDUKTIG): Complete

Application complete for Enviro. Planning.

MISC COMMENTS:

- 1. Submit a site specific design level addendum to the original soils report that includes recommendations for potentially liquefiable soils onsite.
- 2. The engineered grading plans will be formally reviewed at the building application stage.

Routing No: 3 | Review Date: 03/01/2011

SAMANTHA HASCHERT (SHASCHERT): Not Required

Application complete for Enviro. Planning.

MISC COMMENTS:

- 1. Submit a site specific design level addendum to the original soils report that includes recommendations for potentially liquefiable soils onsite.
- 2. The engineered grading plans will be formally reviewed at the building application stage.

Fire Review

Routing No: 1 | Review Date: 02/17/2011

COLLEEN BAXTER (CBAXTER): Complete

Complete per project planner. Notes, hydrant, sprinkler, water storage, etc will be required as conditions of approval to be shown on the building permit plans prior to building permit issuance.

Print Date: 03/18/2011

Page: 3

Fire Review

Routing No: 1 | Review Date: 02/17/2011

COLLEEN BAXTER (CBAXTER): Complete

MARSHAL

santa cruz county fire department / CALFIRE

CAL FIRE

SAN MATEO-SANTA CRUZ UNIT

6059 HIGHWAY 9 P.O. DRAWER F-2 FELTON, CA 95018 Phone (831) 335-6748 Fax # (831) 335-4053 JOHN FERREIRA FIRE CHIEF

Date: 2/17/11

Planning Department County of Santa Cruz Attention: Name 701 Ocean Street Santa Cruz, CA 95060

Subject:

APN: 060-141-33 / Appl #101103

Address

Dear Name:

The Santa Cruz County Fire Marshals Office has reviewed the plans for the above cited project and has no objections as presented.

- Any other requirements will be addressed in the Building Permit phase.
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.





Discretionary Application Comments 101103

APN 060-141-33

Fire Review

Routing No: 1 | Review Date: 02/17/2011

COLLEEN BAXTER (CBAXTER): Complete

NOTE on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."

Note: 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, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Should you have any additional concerns, you may contact our office at (831) 335-6748.

Routing No: 2 | Review Date: 03/08/2011

SAMANTHA HASCHERT (SHASCHERT): Not Required

Project Review

Routing No: 1 | Review Date: 12/10/2010

SAMANTHA HASCHERT (SHASCHERT): Incomplete

signage required

Routing No: 2 | Review Date: 01/25/2011

SAMANTHA HASCHERT (SHASCHERT): Incomplete

Applicant incomplete for APAC approval of the reduced ag buffer reduction.

Routing No: 3 | Review Date: 03/08/2011

SAMANTHA HASCHERT (SHASCHERT): Not Required

Road Engineering Review

Routing No: 1 | Review Date: 03/01/2011 RODOLFO RIVAS (RRIVAS): Complete

EXHIBIT G

Print Date: 03/18/2011

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