



## Staff Report to the Zoning Administrator

Application Number: **111106**

**Applicant:** Santa Cruz County Sheriff  
**Owner:** County of Santa Cruz  
**APN:** N/A

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

**Project Description:** Proposal to expand the geographic extent of the Davenport Parking Program to include: Ocean Street, Center Street, Marine View Avenue (publicly maintained portion only), and Church Street.

**Location:** Town of Davenport

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

**Permits Required:** Requires an amendment to Coastal Development Permit 00-0464.

**Technical Reviews:** N/A

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application #111106, based on the attached findings and conditions.

### Exhibits

- |                 |   |
|-----------------|---|
| A. Location Map | D. Categorical Exemption (CEQA Determination) |
| B. Findings     |   |
| C. Conditions   |   |

### Parcel Information

Parcel Size:	N/A
Existing Land Use - Parcel:	N/A
Existing Land Use - Surrounding:	Residential
Project Access:	Hwy. 1
Planning Area:	North Coast
Land Use Designation:	N/A
Zone District:	N/A
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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

## Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	N/A
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
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:	<u>  X  </u> Inside	<u>    </u> Outside
Water Supply:	N/A	
Sewage Disposal:	N/A	
Fire District:	N/A	
Drainage District:	N/A	

## History & Discussion

For many years, the town of Davenport has dealt with numerous law enforcement issues related to late night partying on Davenport Beach. To address some of these problems, in 1999 the Board of Supervisors voted to establish a permit parking program in the town of Davenport. The current parking program covers Davenport Avenue and restricts parking after 10:00 p.m., which is when North Coast County beaches are closed to the public.

However, in the ten years since this program was implemented, many other streets in Davenport have seen an increase of late night beach parking, accompanied by an increase of crime and anti-social behavior. Under the current program, many people who intend to go to Davenport Beach after the beach is officially closed now park on streets not covered by the parking program. These individuals are often disruptive to neighbors, making noise when leaving and returning to their vehicles late at night. Many are inebriated and leave trash on the beach and in the neighborhoods. A number of the businesses in town have also experienced vandalism and theft on a regular basis.

Because of the continued problems caused by late night partying on the beach and the spill-over of late night parking on additional streets in town, members of the community have requested that the current parking program in Davenport be expanded to include: Ocean Street, Center Street, Marine View Avenue (publicly maintained portion only), and Church Street. The Sheriff's Department is supportive of such an expansion and believes that it would provide the County with an additional enforcement tool to address the illegal behavior in the town.

In order to expand the program, the current Coastal permit (#00-0464) must be amended. The

Sheriff's Office will continue to operate the program as a part of their community policing efforts.

### **Project Setting**

Residential (primarily) portions of the Town of Davenport, including Ocean Street, Center Street, Church Street, and Marine View Avenue (publicly maintained portion only). Please refer to Exhibit A for a map of the existing and proposed geographic area covered by the Davenport Parking Program.

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

The streets that are included in the proposed expansion area are primarily surrounded by single-family residential-zoned parcels, with several Public and Community Facility zoned parcels as well. These parcels have Urban Low Residential and Public Facility General Plan Land Use designations. The proposed program expansion is consistent with these zoning districts and general plan land use designations.

### **Local Coastal Program Consistency**

The proposed parking program area expansion is in conformance with the County's certified Local Coastal Program, in that 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, and that the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water (as nighttime parking is still available across and along Highway 1).

### **Environmental Review**

The proposed project is exempt from CEQA per CEQA Section 15035(b).

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. The findings and conditions of approval listed as part of the original Coastal Development Permit (#00-0464) shall apply to this proposed amendment.

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number 111106, based on the attached findings and conditions.

**Supplementary reports and information referred to in this report are on file and available**

Application #: 111106  
APN: N/A  
Owner: County of Santa Cruz

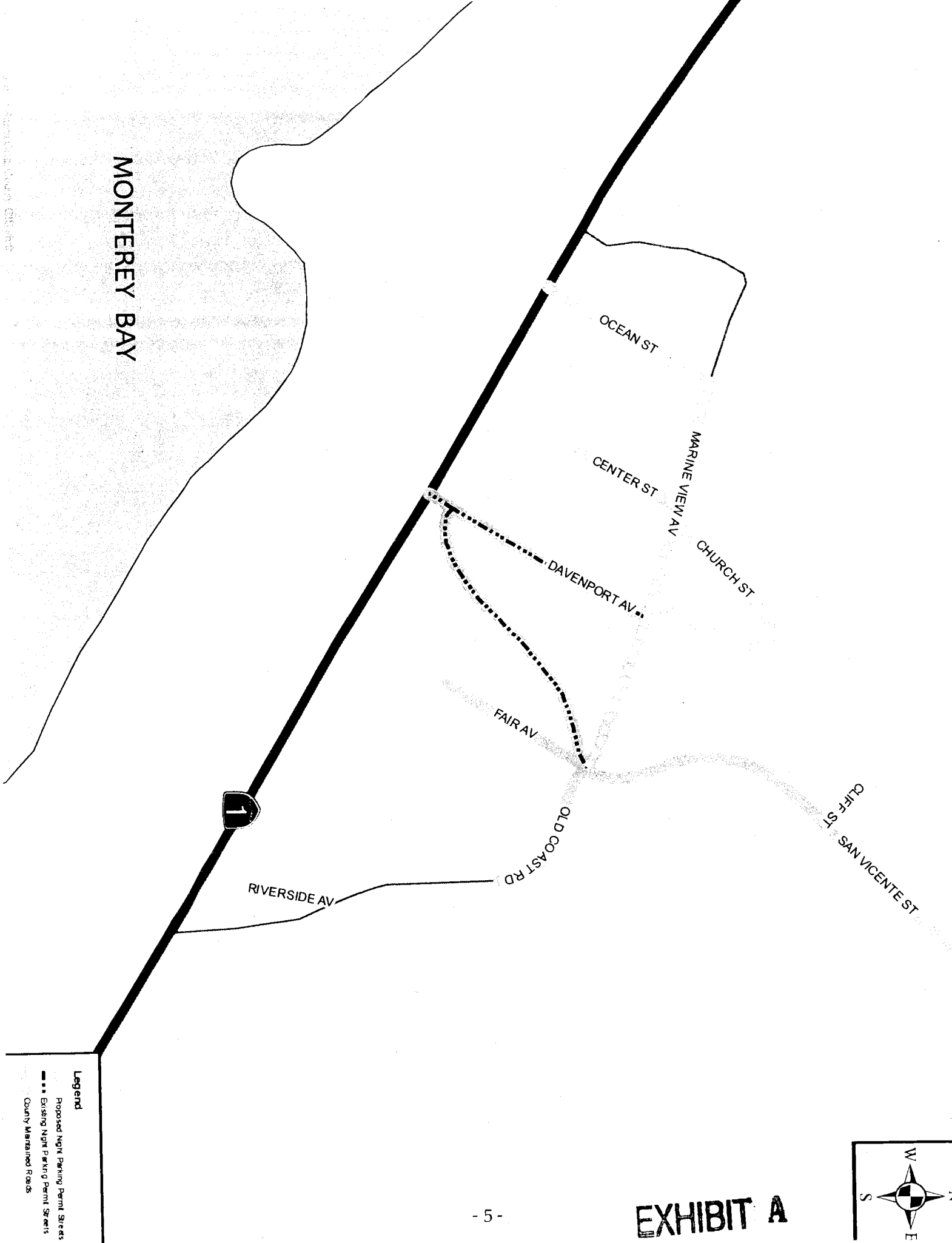
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**for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**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)**

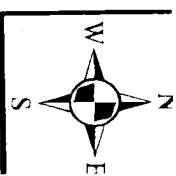
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Santa Cruz CA 95060  
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E-mail: [frank.barron@co.santa-cruz.ca.us](mailto:frank.barron@co.santa-cruz.ca.us)

MONTEREY BAY



Legend

- Proposed Night Parking Permit Streets
- Existing Night Parking Permit Streets
- County Maintained Roads



## 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 (LCP) Land Use Plan designation.

This finding can be made, in that the proposed parking program and sign placement are to be located within the street right-of-way. The zoning designations for the adjacent parcels along Ocean Street, Center Street, Church Street, and Marine View Avenue (publicly maintained portion only) are primarily single-family residential (R-1-6), with several Public Facility (PF) and Neighborhood Commercial (C-1) zoned parcels as well. The placement of the new signs and expansion of the parking program are considered a public facility which is allowable in all of these zones, in this area of the County, with approval of a Coastal Development Permit at Level 5. The R-1-6 zoning is consistent with the R-UL, Urban Low Density, General Plan/LCP designation which covers all of the residentially zoned parcels along the project area. The PF and C-1 zoning are consistent with the P, Public Facility, and NC, Neighborhood Commercial, General Plan/LCP designations which covers all of the PF and C-1 zoned parcels along the project area.

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 proposed program expansion and sign placement do not conflict with any existing easement or development restriction such as public access, utility, or open space easements as no such easements or restrictions are known to encumber the project site. Public access to coastal areas will not be reduced. Formal placement of signs within this right-of-way shall be reviewed and approved by the County Public Works Department prior to any placement of signs.

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 proposed program expansion is consistent with the design criteria and special use standards and conditions of this chapter pursuant to Section 13.20.130 et seq., in that the project does not involve excessive grading, is located on a prominent ridge, and is visually compatible with the surrounding neighborhood.

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 area is not located between the shoreline and the first public road, and there is ample unrestricted public parking in close proximity to the adjacent

beach and bluff top areas. Consequently, the proposed Parking Permit Area Expansion will not interfere with public access to the beach, ocean, or any nearby body of water, or adjacent bluff top areas. 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 there is ample unrestricted public parking in close proximity to the adjacent beach and bluff top areas. Consequently, the proposed Parking Permit Area Expansion will not interfere with public access to the beach, ocean, or any nearby body of water, or adjacent bluff top areas. The project therefore conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan/LCP land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

## **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 consists of a relatively minor expansion of an existing permit parking area in Davenport, which by its nature 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.

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 project consists of a relatively minor expansion of an existing permit parking area in Davenport, which will continue to be operated and maintained in manner consistent with all pertinent County ordinances and the purposes of the zone districts in which the project area is located.

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 project consists of a relatively minor expansion of an existing permit parking area in Davenport, which will continue to be consistent with all elements of the County General Plan/LCP. The proposed expansion of the parking district and associated signage is consistent with all elements of the General Plan/LCP in that the parking program and signs are a public facility allowable within the right-of-way. The project is consistent with the General Plan in that it makes no demands upon adjacent services beyond enforcement of the parking requirements and the placement of and maintenance of the signs. The proposed expansion area is not located in a hazardous or environmentally sensitive area and the proposal protects natural resources by expanding in an area designated for this type of development. 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 Permit Parking Area Expansion will likely reduce traffic in the project area, and will not adversely impact existing roads and intersections in the surrounding area, nor impact exiting utilities. The intent of the program is to reduce overnight parking of non-residents.



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 Permit Parking Area Expansion will not impact land uses in the vicinity and will not be in any way incompatible with the physical design aspects, land use intensities, and dwelling unit densities 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 Permit Parking Area Expansion will not impact urban design in the area, and will not reduce or visually impact available open space in the surrounding area.

## Conditions of Approval

- I. This permit authorizes the implementation of the expansion of the Davenport Permit Parking Program. 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 an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. All parking permit program sign installation/construction shall be performed according to the approved plans and placement of signs shall be per the requirements of the Department of Public Works. The applicant/owner must meet the following conditions:
  - A. 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.

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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 the conditions of approval are complied with and the use commences before the expiration date.**

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

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

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

\_\_\_\_\_  
Steven Guiney, AICP  
Deputy Zoning Administrator

\_\_\_\_\_  
Frank Barron, AICP  
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: 111106  
Assessor Parcel Number: N/A  
Project Location: Town of Davenport

**Project Description:** Proposal to expand the geographic extent of the Davenport Parking Program to include: Ocean Street, Center Street, Marine View Avenue (publicly maintained portion only), and Church Street.

**Person or Agency Proposing Project:** Santa Cruz County Sheriff's Office

**Contact Phone Number:** Lt. Bob Payne, (831) 454-2440

- 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:** 5. Alterations in Land Use Limitation

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

This project involves a minor expansion of the geographic scope of an existing residential parking permit program.

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



Frank Barron, Project Planner

Date: 6/20/11

**TRANSMITTAL - LEVEL 5, 6 & 7**

DATE: \_\_\_\_\_

TO: Support Staff

FROM: «Planning\_Staff»

RE: Application # «Application\_Number»

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**PLEASE COMPLETE THE ITEMS CHECKED BELOW:**

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

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

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

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

☐ Send copies to: ☐ DPW Surveyor (Plans & Conditions – all land divisions)  
☐ Housing (Conditions – projects with affordable housing reqts.)

☐ \_\_\_\_\_

☐ Extra copy to planner

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

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

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

☐ Attach permit conditions to application (Hansen only)

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

☐ Notice of Exemption (include copy of application form indicating COB fee payment)

☐ Notice of Determination/Negative Declaration

☐ Certificate of Fee Exemption

☐ Special instructions:

☐ Send attached exhibit(s) to:

☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ Send attached recordable documents to:

☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ \_\_\_\_\_

☐ \_\_\_\_\_

Completed by: \_\_\_\_\_

(support staff)

(date)

Return recorded form to:

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

Attention: «Planning\_Staff»  
Application #: «Application\_Number»

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Notice

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION  
(CALIFORNIA GOVERNMENT CODE §27361.6)

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department  
Attn: «Planning\_Staff»  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

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### Conditions of Approval

Development Permit No. 111106  
Property Owner: County of Santa Cruz  
Assessor's Parcel No.: N/A

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- I. This permit authorizes the implementation of the expansion of the Davenport Permit Parking Program. 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 an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. All parking permit program sign installation/construction shall be performed according to the approved plans and placement of signs shall be per the requirements of the Department of Public Works. The applicant/owner must meet the following conditions:
  - A. 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.

By signing below, the owner agrees to accept the terms and conditions of approval of Application 111106 and to accept responsibility for payment of the County's cost for inspections and all other action related to noncompliance with the permit condition. The approval of Application «Application\_Number» is null and void in the absence of the owner's signature below.

Executed on \_\_\_\_\_,  
(date)

Property Owner(s) signatures:

\_\_\_\_\_  
(Signature) (Print Name)

\_\_\_\_\_  
(Signature) (Print Name)

\_\_\_\_\_  
(Signature) (Print Name)

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

STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ} ss

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

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

Witness my hand and official seal.

Signature \_\_\_\_\_  
(Signature of Notary Public)

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

Dated: \_\_\_\_\_

COUNTY OF SANTA CRUZ

By: \_\_\_\_\_  
Planning Department Staff



## County of Santa Cruz Planning Department

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

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

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