



Staff Report to the Zoning Administrator

Application Number: **131002**

Applicant: Matson-Britton Architects
Owner: Bradley Peranick
APN: 043-231-14

Agenda Date: May 3, 2013
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to construct a new 2-story, 4 bedroom, 3 bath, 2 half-bath, 3,459 square foot single-family residence with an attached 449 square foot garage in the R-1-6 zone district.

Location: The property is located on Kingsbury Drive, approximately 235 feet from the intersection with Rio Del Mar Boulevard, at 314 Kingsbury Drive.

Supervisory District: 2nd District (District Supervisor: Zach Friend)

Permits Required: Coastal Development Permit
Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131002, based on the attached findings and conditions.

Exhibits

- | | |
|---|---|
| A. Categorical Exemption (CEQA Determination) | D. Project Plans |
| B. Findings | E. Assessor's, Location, Zoning and General Plan Maps |
| C. Conditions | |

Parcel Information

Parcel Size:	7,394 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Proposed driveway off Kingsbury Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Residential)
Zone District:	R-1-6 (Single-Family Residential, 6,000 square foot minimum parcel size)

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

Environmental Information

Geologic Hazards: Mapped liquefaction area
Soils: Not a mapped constraint
Fire Hazard: Not a mapped constraint
Slopes: Gently sloped
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: 9 cubic yards of cut and 45 cubic yards of fill proposed
Tree Removal: No trees proposed to be removed
Scenic: Yes, mapped scenic area
Drainage: Drainage plans under review
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: x Inside Outside
Water Supply: Soquel Water District
Sewage Disposal: County Sanitation District
Fire District: Aptos-La Selva Fire District
Drainage District: Zone 6

History

The property was previously developed with a 4-bedroom single-family residence that was built in 1964 and demolished last year. The prior residence spanned both APNs 043-231-13 and -14, which were two lots within one APN (043-231-11) until 2010.

In 2008, application # 08-0373 was submitted for the demolition of the existing residence and for the construction of a new 6,600 square foot home with a 609 square foot second dwelling unit and a 611 square foot garage. This application was not approved.

In 2010, under application # 10-0098, two Unconditional Certificates of Compliance were approved and issued which established the legality of two lots, A and B, as separate legal lots within the subject property on APN 043-231-11. The current application is for development of a residence on Lot B, which is now designated as APN 043-231-14. Under application 101048, the original 1964 residence was demolished and a new 3,597 square foot residence was built next door on Lot A, now designated as APN 043-321-13.

Project Setting

The subject property is in an existing developed single-family residential neighborhood in Aptos, across the street from a coastal bluff. The parcel is mapped "Scenic Resources", and thus is subject to review pursuant to the County Design Review Ordinance. Many of the surrounding residences are also two-story homes, of similar size as the proposed residence. There are distant views to the coastal public beach below.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 7,394 square feet, located in the R-1-6 (Single-Family Residential, 6,000 square foot minimum parcel size) 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 Residential General Plan designation.

Local Coastal Program Consistency

The proposed single-family residence is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible and in scale with the character of the surrounding neighborhood. Other developed parcels in the area contain single family dwellings. House sizes and architectural styles vary in the area, and the design submitted is consistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. The proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed single-family residence complies with the requirements of the County Design Review Ordinance, in that the proposed project was reviewed for consistency with the requirements of the County Design Review Ordinance (Chapter 13.11) and Design Criteria for Coastal Zone Development (Chapter 13.20). Consistency will be achieved through incorporation of site and architectural design features such as neutral colors and natural-appearing materials to reduce the visual impact of the proposed development on surrounding land uses and on the natural landscape.

Environmental Review

Environmental evaluation of the proposed project per the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that the proposed project is eligible for a Categorical Exemption under CEQA Section 15303(a), New Construction. This Categorical Exemption applies because the project is for the construction of one new single-family residence in a residential zone.

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 **131002**, 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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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: 131002

Assessor Parcel Number: 043-231-14

Project Location: 315 Kingsbury Drive

Project Description: Proposal to construct a new 2-story, 4-bedroom, 3 bath, 2 half-bath, 3,459 square foot single-family residence with an attached 449 square foot garage in the R-1-6 zone district.

Person or Agency Proposing Project: Matson-Britton Architects

Contact Phone Number: 831-425-0544

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: CEQA Section 15303(a): New Construction

F. Reasons why the project is exempt:

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

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

Alice Daly, AICP, Project Planner

Date: _____

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 square foot minimum parcel size), 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 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 no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the range of architectural styles found in the surrounding neighborhood, the site is surrounded by residential lots developed to an urban density, and the colors will be natural-appearing and complementary to the site. The development site is across the street from a coastal bluff high above a public beach, but the proposed new residence will not be readily visible from any public coastal areas and will not have a significant impact on public coastal views.

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

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

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Residential uses are allowed uses in the R-1-6 (Single-Family Residential, 6,000 square foot minimum parcel size) 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 in the area, and the design submitted is consistent with the existing range.

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family residence will meet all current standards that ensure the health, safety and welfare.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the single-family residence and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and site standards for height, setbacks, lot coverage and floor area ratio and the purpose of the R-1-6 (Single-Family Residential, 6,000 square foot minimum parcel size) zone district. 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 proposed residential use is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

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

The proposed single-family residence will be properly 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 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.

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 developed property which has been determined to be two legal parcels rather than one and will thus be developed with one additional residence. The expected level of traffic generated by the proposed project is anticipated to be one new 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 single-family residence is located in a residential 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 be compatible the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit D: Project Plans, 9 sheets, by Matson-Britton Architects, dated 1/02/13 and revised 2/25/13.

- I. This permit authorizes the construction of a 2-story, 4 bedroom, 3 bath, 2 half-bath, 3,459 square foot single-family residence with an attached 449 square foot garage in the R-1-6 zone district. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain an Encroachment Permit from the Department of Public Works, if required, for all off-site work performed in the County road right-of-way.
 - D. 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.
- 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly labeled by standard architectural methods to indicate such changes. Any changes that are not properly labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application.
 2. Grading, drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements.
 - 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. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - 1. A recorded maintenance agreement will be required for the proposed retention system. Please contact the County Recorder's office for appropriate recording procedures. 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_Water/FigureSWM25A.pdf
 - 2. Provide a cross section detail for the proposed semi-pervious driveway and the subdrain at the driveway.
 - 3. The civil engineer shall inspect the drainage improvements on the parcel and provide Public Works with a letter confirming that the work was completed per the plans, or as-built plans stamped by the civil engineer may be submitted in lieu of the letter.
 - 4. Prior to building permit issuance, the applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual. The Manual may be found on our website at www.sccoplanning.com under Environmental / Erosion and Stormwater Pollution Control / Construction Site Stormwater BMP Manual.
- D. Meet all requirements and pay any applicable plan check fee of the Aptos-La Selva Fire Protection District.
- E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - 1. Prior to Building Permit issuance, the applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. Please note that the plan review form must reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. An electronic copy of this form may be found on our website at www.sccoplanning.com, under Environmental / Geology & Soils / Assistance & Forms / Soils Engineer Plan Review Form.
- F. Pay the current fees for Parks and Child Care mitigation for 3 bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.

- G. Pay the current fees for Roadside and Transportation improvements for a new single-family dwelling. Currently, these fees are, respectively, \$3,000 and \$3,000.
 - H. 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.
 - I. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
 - D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.
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Application #: 131002
APN: 043-231-14
Owner: Bradley Peranick

Minor variations to this permit that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires 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: _____

Wanda Williams
Deputy Zoning Administrator

Alice Daly, AICP
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.

FOR TAX PURPOSES ONLY

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POR. APTOS RANCHO

S.E. 1/4 SEC. 18 &
SEC. 19, T.11S., R.1E., M.D.B. & M.

Tax Area Code

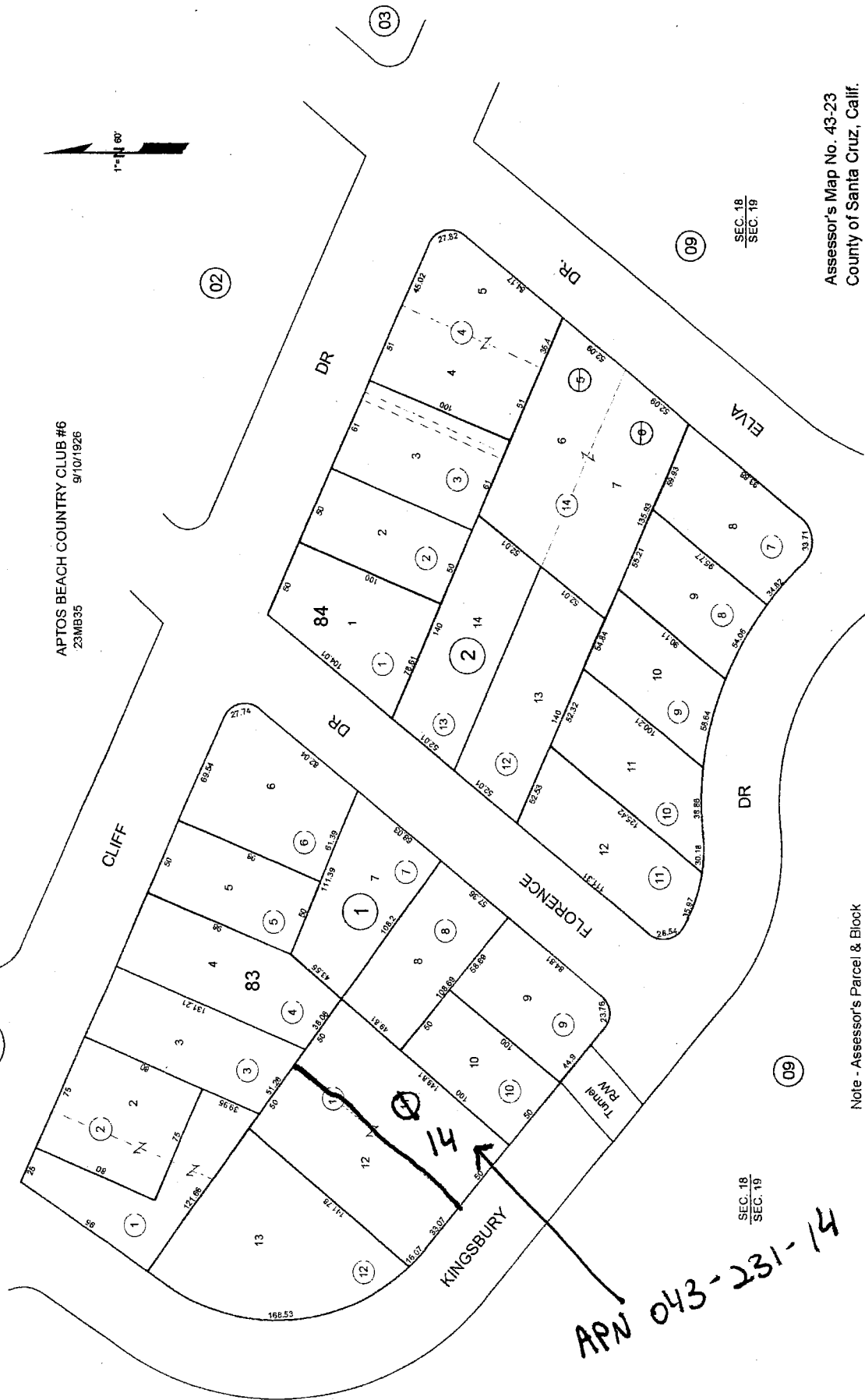
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APTOS BEACH COUNTRY CLUB #6
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SEC. 18
SEC. 19

SEC. 18
SEC. 19

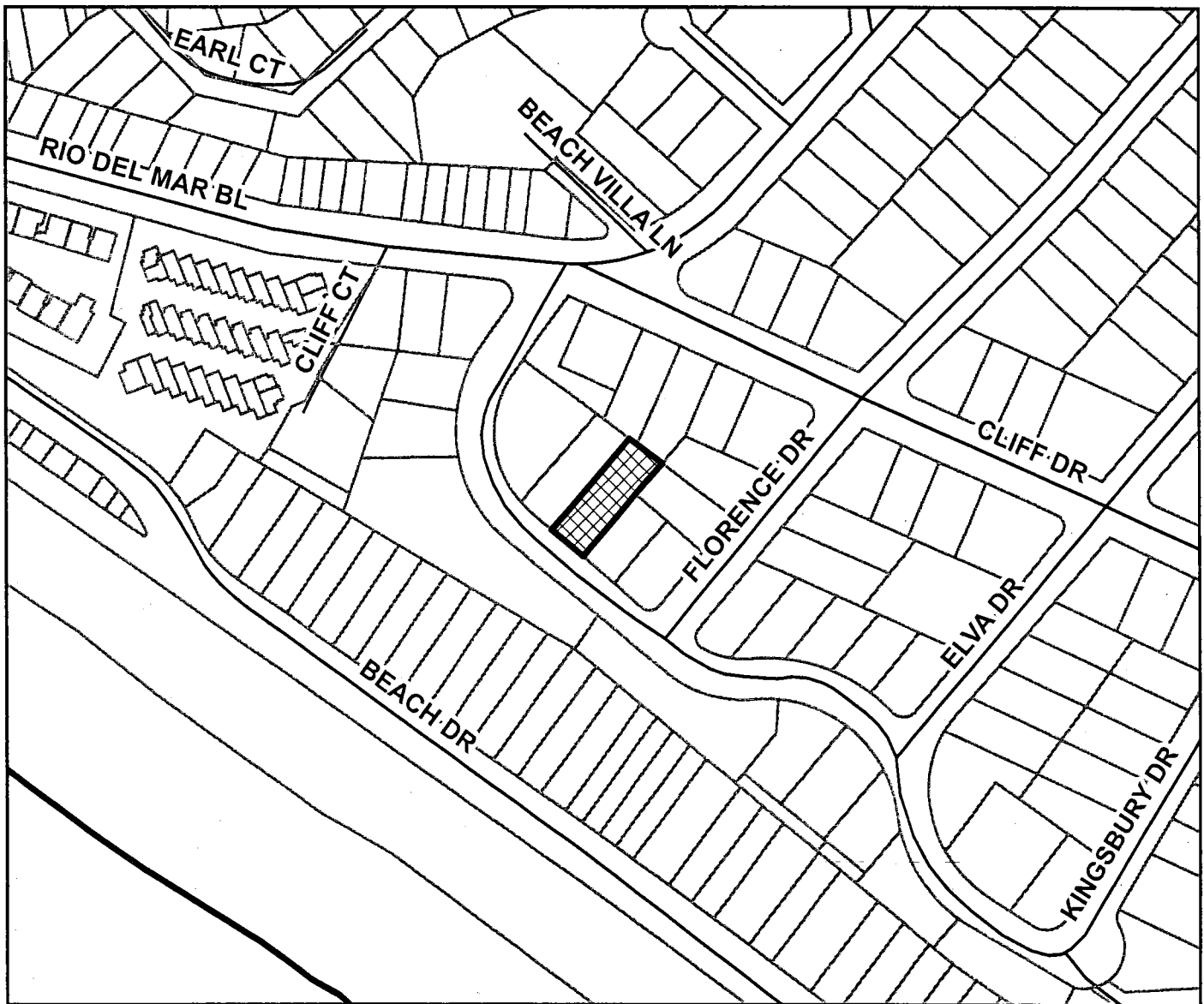
Assessor's Map No. 43-23
County of Santa Cruz, Calif.
Oct., 2001

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





APN 043-231-14

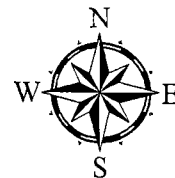


Location Map



LEGEND

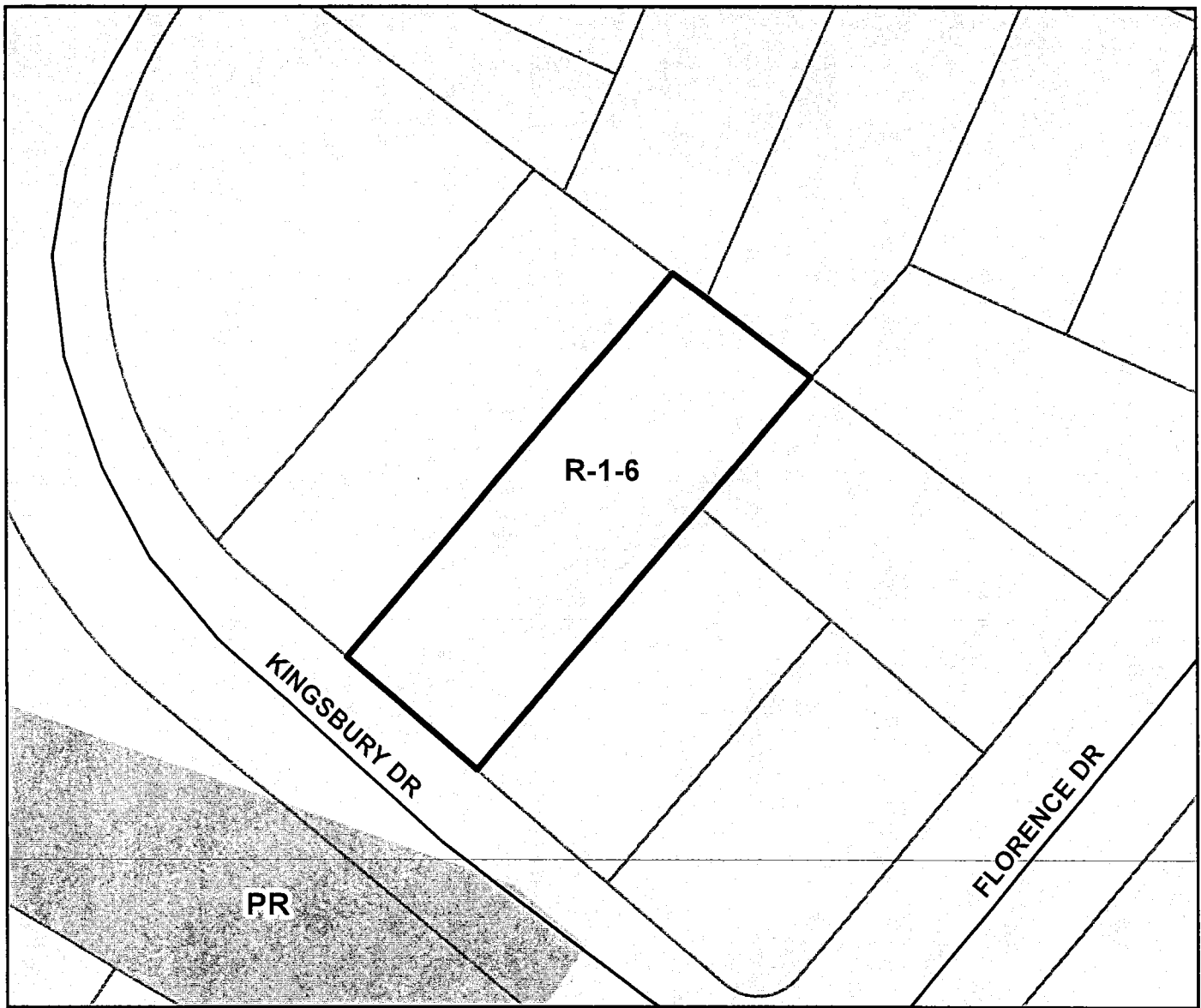
-  APN: 043-231-14
-  Assessors Parcels
-  Streets
-  County Boundary



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County of Santa Cruz
Planning Department
January 2013



Zoning Map



LEGEND



APN: 043-231-14



Assessors Parcels

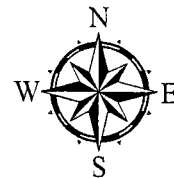


Streets

RESIDENTIAL-SINGLE FAMILY



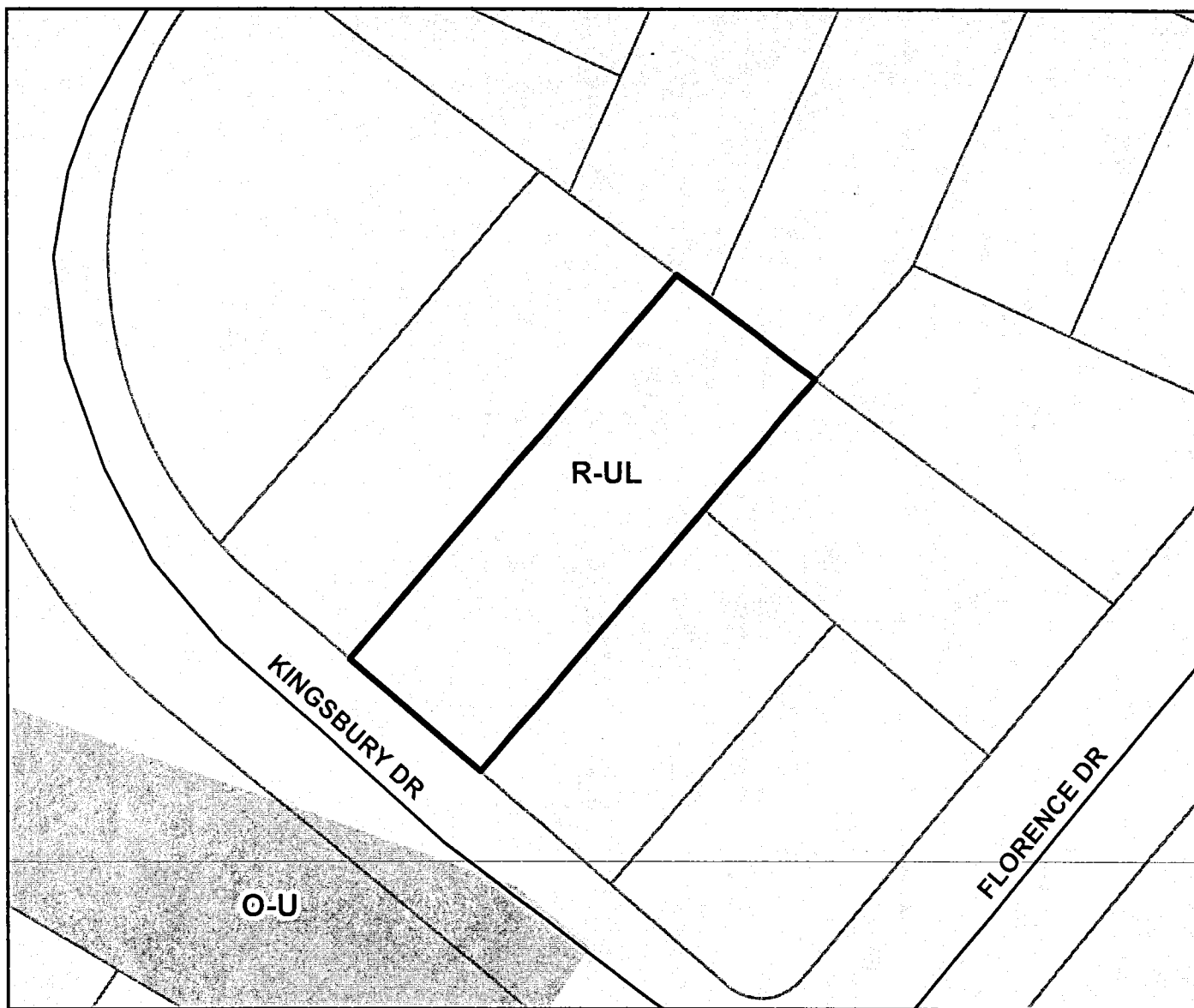
PARK








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January 2013

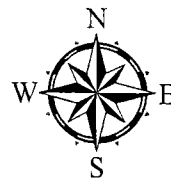


General Plan Designation Map



LEGEND

-  APN: 043-231-14
-  Assessors Parcels
-  Streets
-  Residential - Urban Low Density
-  Urban Open Space



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January 2013