



Staff Report to the Zoning Administrator

Application Number: **131051**

Applicant: Courtney Christiansen
Fuse Architects

Agenda Date: 8/15/14

Owner: Craig
APN: 050-072-11

Agenda Item #: 6
Time: After 9:00 a.m.

Project Description: Proposal to construct a 2,520 square foot accessory structure with 1,260 square feet to be used as a day-care center for approximately 25 children and 1,260 square feet to be used as a non-habitable garage. Requires a Commercial Development Permit to operate a day-care center in a habitable accessory structure greater than 640 square feet with two half baths and a kitchen and a Residential Development Permit to allow for a non-habitable accessory structure in excess of 1,000 square feet with a half bath.

Location: Property is located on the north east side of Amesti Drive approximately 300 feet south of the intersection with Alaga Lane.

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

Permits Required: Residential Development Permit

Staff Recommendation:

- Determination that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131051, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	1.02 acres
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Amesti Road

Planning Area: Pajaro Valley
Land Use Designation: R-S (Suburban Residential)
Zone District: RR (Rural Residential)
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal ☐ Yes ☒ No
Comm.

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils Report reviewed under application REV131018
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
Archaeology: Archaeological Report reviewed under application REV131019

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Watsonville City Water
Sewage Disposal: Septic
Fire District: Pajaro Valley Fire
Drainage District: Flood Zone 7

Project Setting

The subject property is approximately 1.02 acres in size and located outside the urban services boundary. The parcel is developed with a single family dwelling with attached garage, detached workshop and several outbuildings. Currently, the property owner operates an in-home daycare.

The properties to the north and west are development with single family dwellings whereas the properties located to the south and east are vacant of residential development but have active agricultural operations. The subject parcel is entirely fenced and partially surrounded by large trees.

Proposed Development

The proposal to use a portion of the 2,520 square foot accessory structure as a day-care center requires a Commercial Development Permit. As further described in the attached finding and conditions, the proposed day-care facility will contain a kitchen and two half baths. The request to have the habitable portion of said structure exceed the allowed 640 square feet is supported by the ability the increased number of enrolled children at the existing daycare center. As further described in the program statement for the daycare center (Exhibit E) the need for a kitchen and multiple half baths is an integral part of the "farm to garden" curriculum. Aside from the kitchen

and increased size of the habitable accessory structure, the proposal complies with all other requirements of County code Section 13.10.611 with respect to the amenities allowed in habitable accessory structures.

The proposal to utilize a portion of the proposed 2,520 square foot accessory structure as a garage/workshop requires a Residential Development Permit in that the portion which is to be used as a shop will exceed the allowed 1,000 square foot and will contain a half bath. The proposed shop will replace an existing 930 square foot workshop. The proposal to exceed 1,000 square feet in size and allow for a half bath is supported by the noncommercial vehicle repair/maintenance that occurs within said structure and proximity to the main dwelling.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 44,408 square feet in size, located in the RR (Rural Residential) zone district, a designation which allows residential uses. The proposed accessory structure and daycare center is an allowed use within the zone district and the zoning is consistent with the site's (R-S) Suburban Residential General Plan designation. The property is located outside of the coastal zone.

Design Review

The proposed accessory structure complies with the requirements of the County Design Review Ordinance, in that the proposed project has been designed to incorporate existing landscape screening and will be painted with natural "earth tone" colors to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The single story design will not exceed 17 feet in height in order to meet the height restrictions of the zone district and ensure the structure is of appropriate scale to that of the surrounding structures.

Environmental Review

The project qualifies for a Category 3, Categorical Exemption under the California Environmental Quality Act and is not subject to further environmental review.

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

- Determination that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **131051**, based on the attached findings and conditions.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Nathan MacBeth
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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: 131051
Assessor Parcel Number: 050-072-11
Project Location: 640 Amesti Road

Project Description: Construct an accessory structure for use as a daycare center and workshop

Person or Agency Proposing Project: Courtney Christiansen

Contact Phone Number: (831) 479-9295

- 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).
E. X **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a residential addition in an area designated for residential uses.

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

Nathan MacBeth, Project Planner

Date: _____

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 and institutional (preschool) 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 accessory structure will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to these amenities.

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 accessory structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RR (Rural Residential) zone district as the primary use of the property will be one single family dwelling with detached habitable and non-habitable accessory structures that meets all current site standards for the zone district. Further, the use of the habitable portion of the proposed accessory structure as a day care center is an allowed use within the zone district and meets all applicable codes with respect to parking, building design, and neighborhood compatibility.

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 use is consistent with the use and density requirements specified for the Suburban Residential (R-S) land use designation in the County General Plan.

The proposed accessory structure 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), in that the accessory structure will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed accessory structure 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 structure is located in a neighborhood containing large parcels and a mix of residential and agricultural uses. Accessory structures of this size are typical for parcels containing such uses and the proposed structure will comply with the site standards for the RR zone district (including setbacks, lot coverage, floor

area ratio, height, and number of stories). Further the design of the proposed structure is one 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 accessory structure is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed day-care center is anticipated to be 6 trips per day in addition to the daily trips associated with the existing single family dwelling on site. A determination by the Department of Public Works Road Engineering was that such an increase will not adversely impact existing roads or intersections in the surrounding area. The proposed development is not expected to overload existing utilities in the 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 residential neighborhood containing a variety of architectural styles, and the proposed accessory structure is consistent with the land use intensity and density of the neighborhood. The proposed building will replace an existing structure (workshop) and is intended to accommodate an increase in enrollment to an existing daycare on site. The use of a portion of the proposed structure as a day-care facility is consistent with the uses allowed in the RR zone district and the building is of appropriate size and design to ensure compatibility with the other similar accessory structures located on properties in the vicinity.

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.

The proposed development is consistent with County Design standards in that the accessory structure will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. The proposed structure will replace an existing 930 square foot non-habitable accessory structure currently used as a workshop and the proposed design is an improvement to the condition of the existing structure. The use of natural earth-tone color and the existing landscape and large trees will help soften the visual impact of the proposed structure and help blend with the other development in the vicinity.

Conditions of Approval

Exhibit D: Project Plans 3 sheets, Prepared by Fuse Architects, Dated April 28, 2014

- I. This permit authorizes the construction of a 2,520 square foot accessory structure for use as a daycare center for 25 children with attached workshop. 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 Demolition Permit for the existing accessory structure from the Santa Cruz County Building Official.
 - C. 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.
 - 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 called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 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 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Pay the current fees for Child Care mitigation for a 1,260 square foot daycare center. Currently, these fees are \$.12 per square foot (\$151.20).
 - H. Pay the current fees for Roadside and Transportation improvements. Please contact the Department of Public Works for a current list of fees.
 - I. Provide required off-street parking for 8 cars associated with the daycare facility, one of which shall be accessible. 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.
 - K. Complete and record a Declaration of Restriction to construct a non-habitable accessory structure with a half bath attached to a habitable accessory structure. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- 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. Construction hours shall be Monday through Saturday 8AM to 5PM.
 - B. All site improvements shown on the final approved Building Permit plans shall be

installed.

- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- D. The project must comply with all recommendations of the approved soils reports.
- E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.

IV. Operational Conditions

- A. All necessary state licensing requirements for the daycare center shall be met and maintained.
- B. Daycare hours of operation shall be Monday through Friday 7 am – 6 pm.
- C. Maximum number of children attending the daycare center is 30 with 2 employees or 25 students with 3 employees or any such combination of student to teacher ratio so long as the parking demand does not exceed 8 parking spaces (1 parking space per every 5 children, plus 1 space per employee).
- D. The accessible path of travel shall remain clear during the approved hours of operation for the daycare center.
- E. All uses associated with the non-habitable accessory structure shall be contained within the structure during the operation of the daycare center.
- F. In the event that the use of the habitable accessory structure as a day care center ceases for a period of 3 out of the previous 5 years, the following conditions shall be met unless approvals are granted to convert the structure to an Accessory Dwelling Unit:
 - 1. The kitchen shall be removed from said structure.
 - 2. Said structure shall contain amenities only as allowed by Table One (Amenities Regulation) County Code Section 13.10.611(C)(2). It is the property owner's responsibility to obtain all required permits for additional amenities.
 - 3. Said structure will not be rented, let or leased as a separate, independent dwelling unit as defined in County Code Section 13.10.700-D. The

structure may only be rented as part of the primary dwelling unit for a single-housekeeping unit which shares kitchen or food preparation facilities, (i.e. similar to renting a bedroom in a home). The purpose of a Single-Family-Dwelling Zone District is to allow one dwelling unit on a parcel for a single housekeeping unit which shares kitchen or food preparation facilities.

- G. 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.

Application #: 131051
APN: 050-072-11
Owner: Craig

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: _____

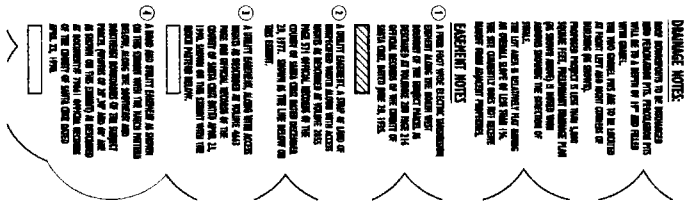
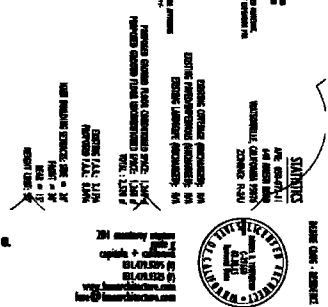
Effective Date: _____

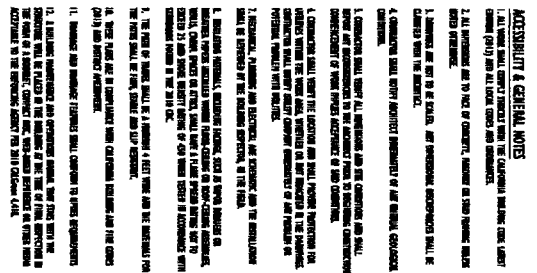
Expiration Date: _____

Wanda Williams
Deputy Zoning Administrator

Nathan MacBeth
Project Planner

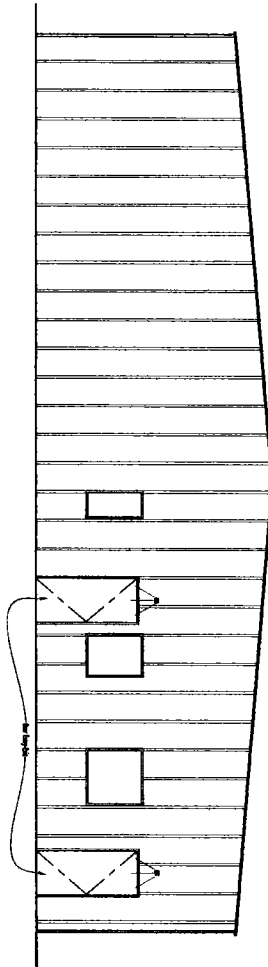
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



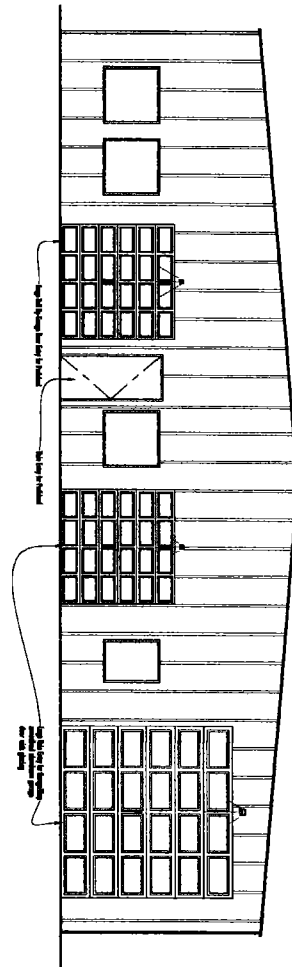


ELEVATIONS
SCALE: 1/8" = 1'-0"

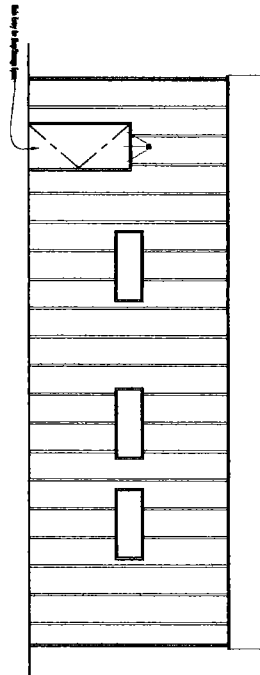
NORTH ELEVATION
SCALE: 1/8" = 1'-0"



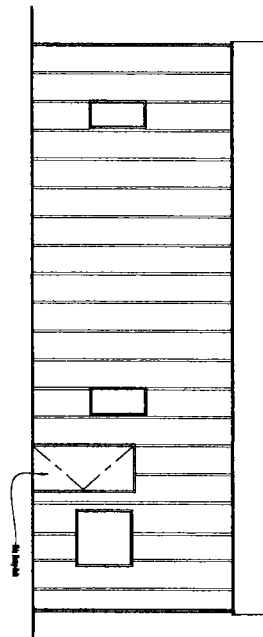
SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



EAST ELEVATION
SCALE: 1/8" = 1'-0"



WEST ELEVATION
SCALE: 1/8" = 1'-0"



A3.1

Elevations

JANUARY 15, 2011
REVISED PERMIT SET, 2014
REVISED APRIL 26, 2014

Teacher Debbie Craig Daycare

APN #: 838-072-11
640 AMESTI ROAD, CONROLITO, CALIFORNIA 95076

FUSO architects inc.

Principals
daniel gomes / architect
daniel tommasetti / architect

200 working hours
capital + construction
REVIEWED BY
REVIEWED BY
REVIEWED BY



STATE SEAL - ARCHITECT

Purpose of building: Dual-purpose

Craig Residence: 640 Amesti Road, Corralitos, California 95066

APN #: 050-072-11

Our plan for this building has two parts: We plan on having a Children's Daycare center as well as space to house my husband's workshop for the equipment that is used to maintain our property. This is a steel building that will be painted to match the existing structures.

1. Preschool/Afterschool Care facility

We plan on having a state licensed preschool/childcare facility serving 24 children. The emphasis of the preschool/childcare is gardening. The children and their families will be involved in growing a majority of the food consumed, caring for chickens and rabbits and turkeys, and learning about sustainable environments. We will be learning our ABCs and 123s in the garden and amongst the animals. The afterschool children will be offered a quiet environment in which to finish their homework, as well as a safe place to play and care for their environment. There will be a major emphasis on renewable, sustainable, and healthy care of their world. There will be workshops and events throughout the year providing information and activities to encourage families to do this at home, as well as at school.

There will be 2 full-time employees and one part-time employee. The hours of operation will be between 7am and 6pm. There will be no scheduled deliveries to the facility. Because we will be using environmentally friendly products and maintain as close to organic a facility as possible, we do not anticipate any hazardous waste disposal. There will be rainwater collection systems in place, a compost pile for food waste, and a "chicken bucket" for food scraps to feed to the chickens.

There will be two main storage areas within the preschool—one for bikes and riding toys and one for paints, art supplies, craft materials, etc.

As shown on the floor plan, the portion of the building designated for the preschool has an area labeled "Prep-Area/Storage." This area will have a kitchen (range, sink, refrigerator) that will be used for preparation of the children's meals as well as the morning and afternoon snacks. The kitchen in the preschool building is necessary because the preschool's curriculum emphasizes the purpose and process of farm and garden. The children learn by carrying out the tasks and chores that are associated with operating and maintaining the farm. The kitchen is essential in the process that brings food from "farm to table." The proposed kitchen will only be used in association with the preschool and will never be used as a residential living area.

2. Work space for repair of owner's (my husband) motorcycles, boats and tractors.

The shop/work space will be for non-commercial storage and repair of the owner's (my husband's) motorcycles, boats and tractors. There will be no employees or hours of operation, as this is a non-commercial facility.

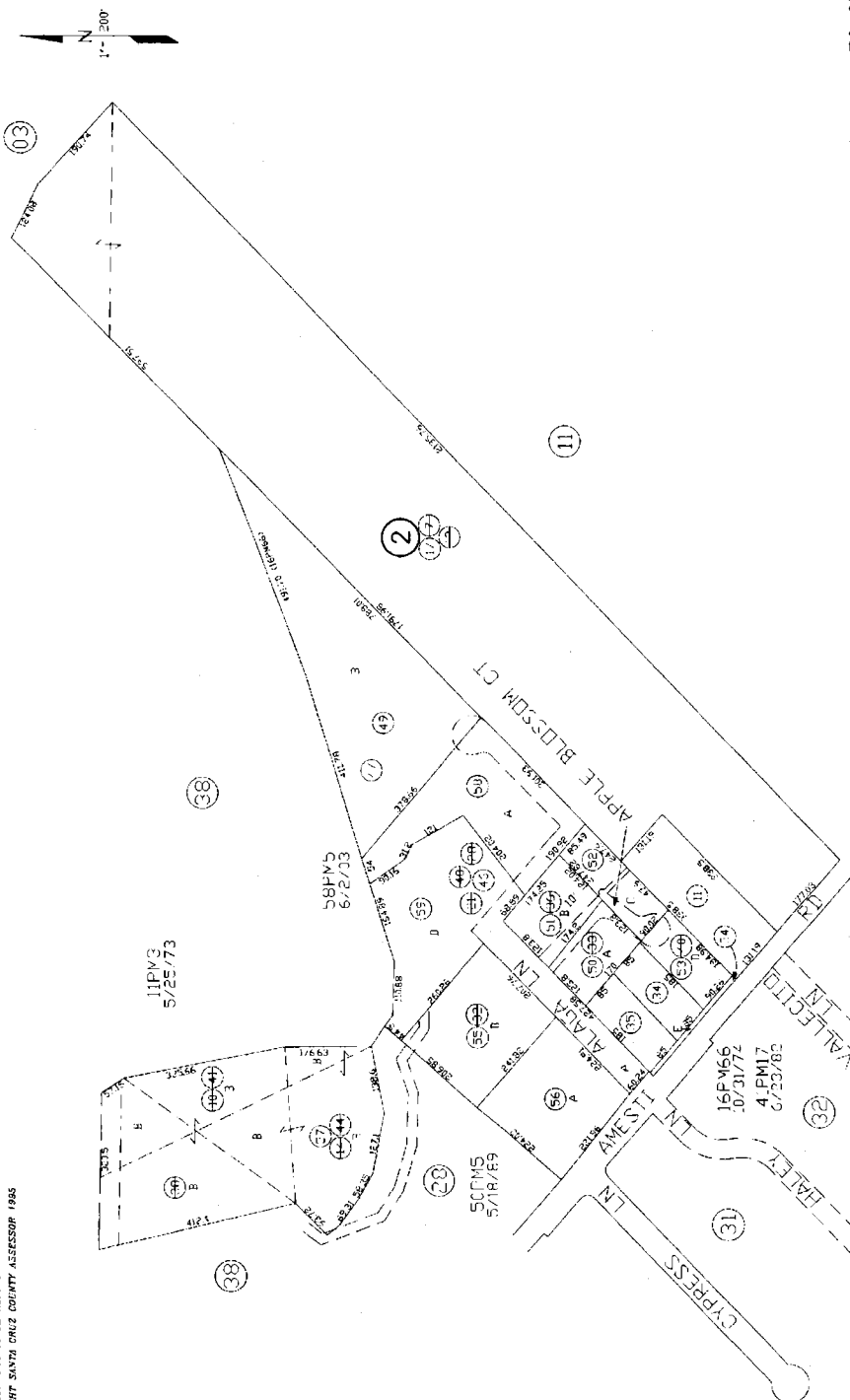
There will be storage and disposal of hazardous materials; such as paint, cleaning fluids, gasoline, and oil. All hazardous materials will be labeled and stored safely according to label and manufacture's recommendations. Disposal of these hazardous materials will be through the hazardous waste disposal unit at the Santa Cruz County Dump site.

As shown on the proposed floor plan, there is a small bathroom (toilet and sink) centrally located in the interior of the area labeled "shop/storage space." This bathroom is placed in this area as a designated shop bathroom for my husband to clean himself up after he has been working so he doesn't have to walk into our house bathroom dirty. This bathroom is a necessary feature to keep our home clean and to limit the distance my husband must walk to use the restroom and to wash grime off of his hands.

Tax Area Code
69-253

PTR RANCH DE LES CORRALES
N. 1/2 SEC. 19, T. 11S., R. 2E., N. 23. & M.

FLR AX PURPOSES ONLY

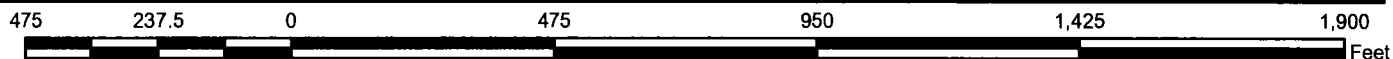
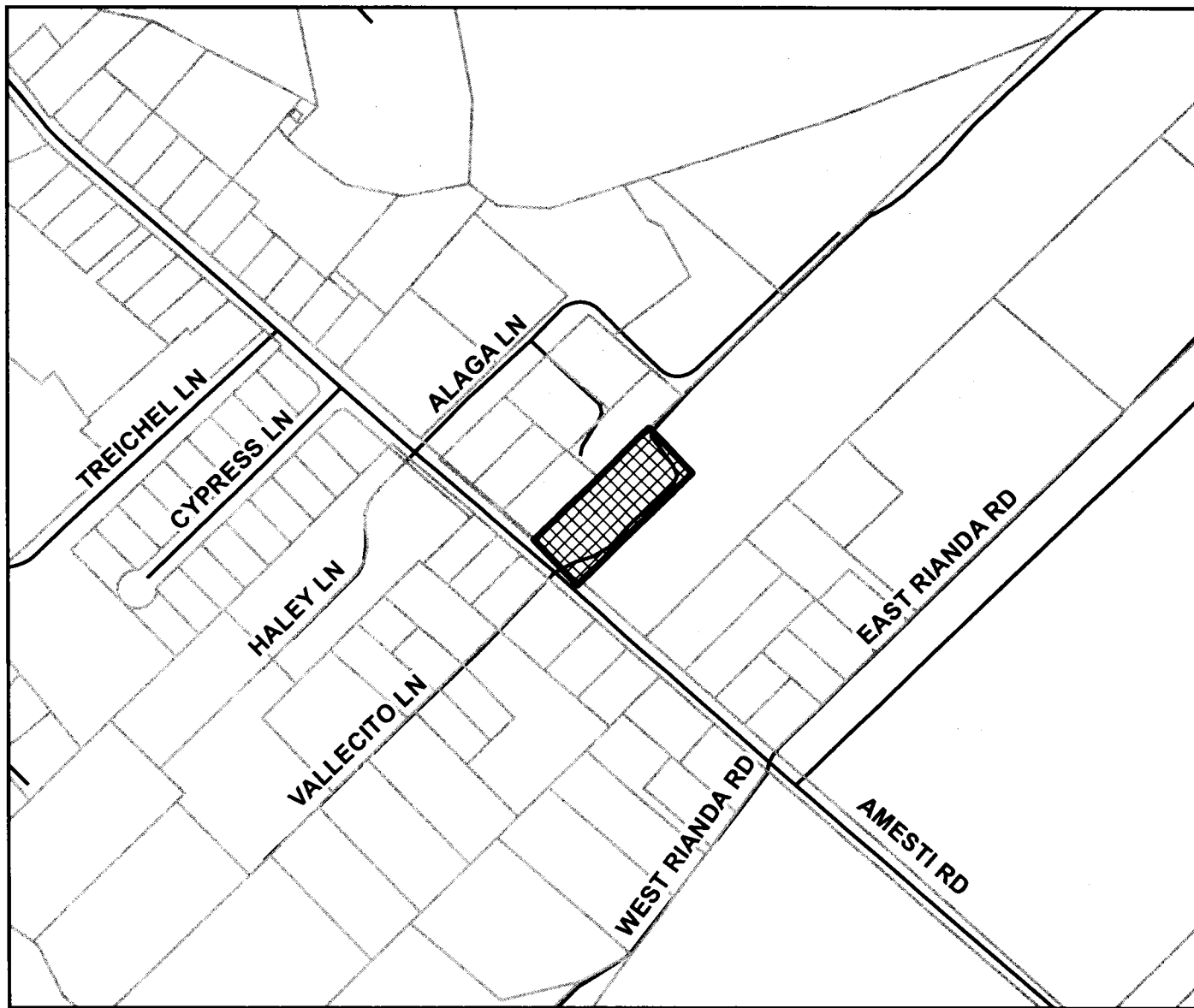


Assessor's Map No. 50-07
County of Santa Cruz, Calif.
Oct 1995




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

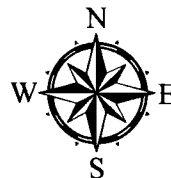


Location Map



LEGEND

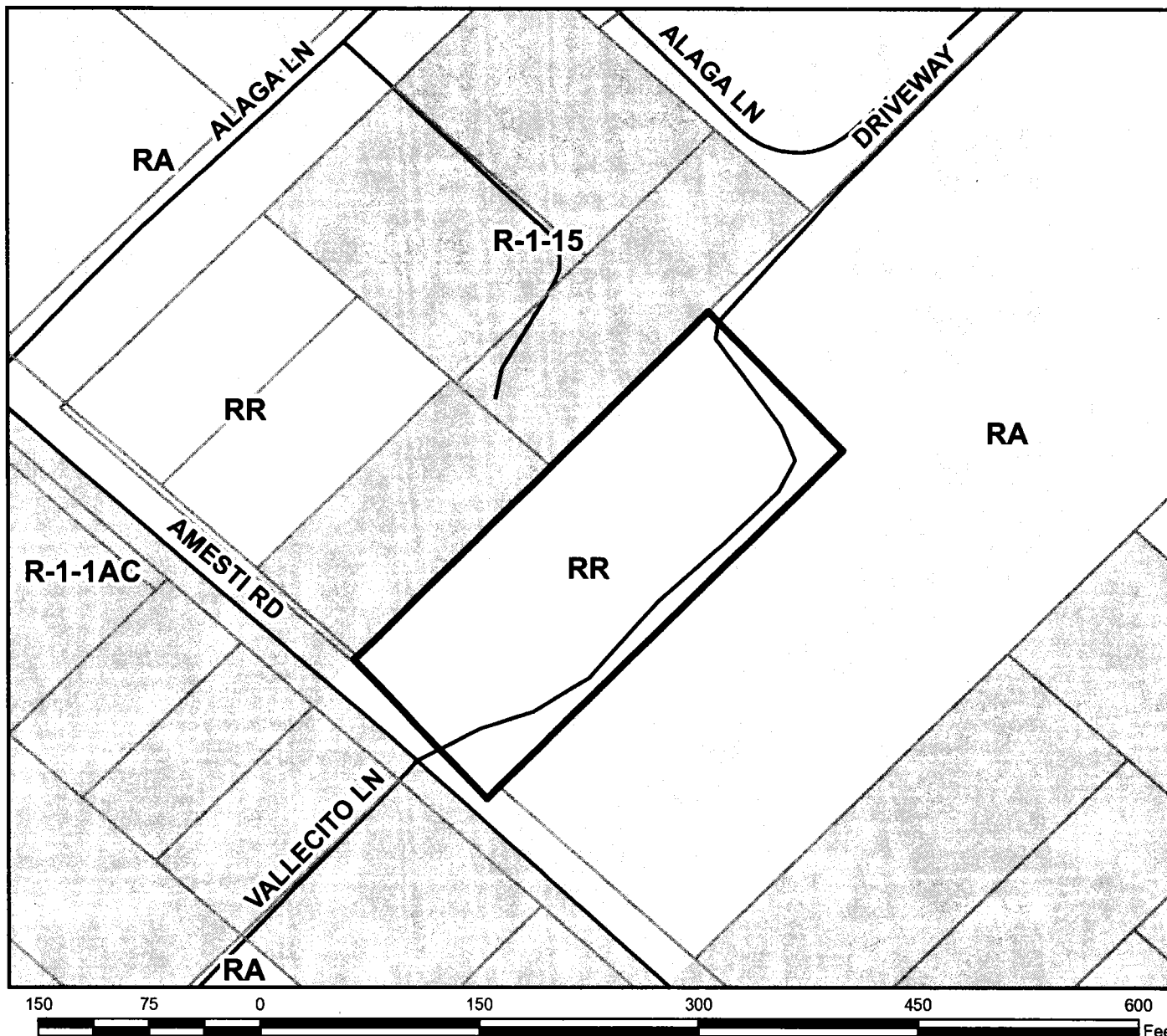
-  APN: 050-072-11
-  Assessors Parcels
-  Streets



Map Created by
County of Santa Cruz
Planning Department
March 2013



Zoning Map



LEGEND



APN: 050-072-11



Assessors Parcels



Streets

RESIDENTIAL-RURAL

AGRICULTURE RESIDENTIAL

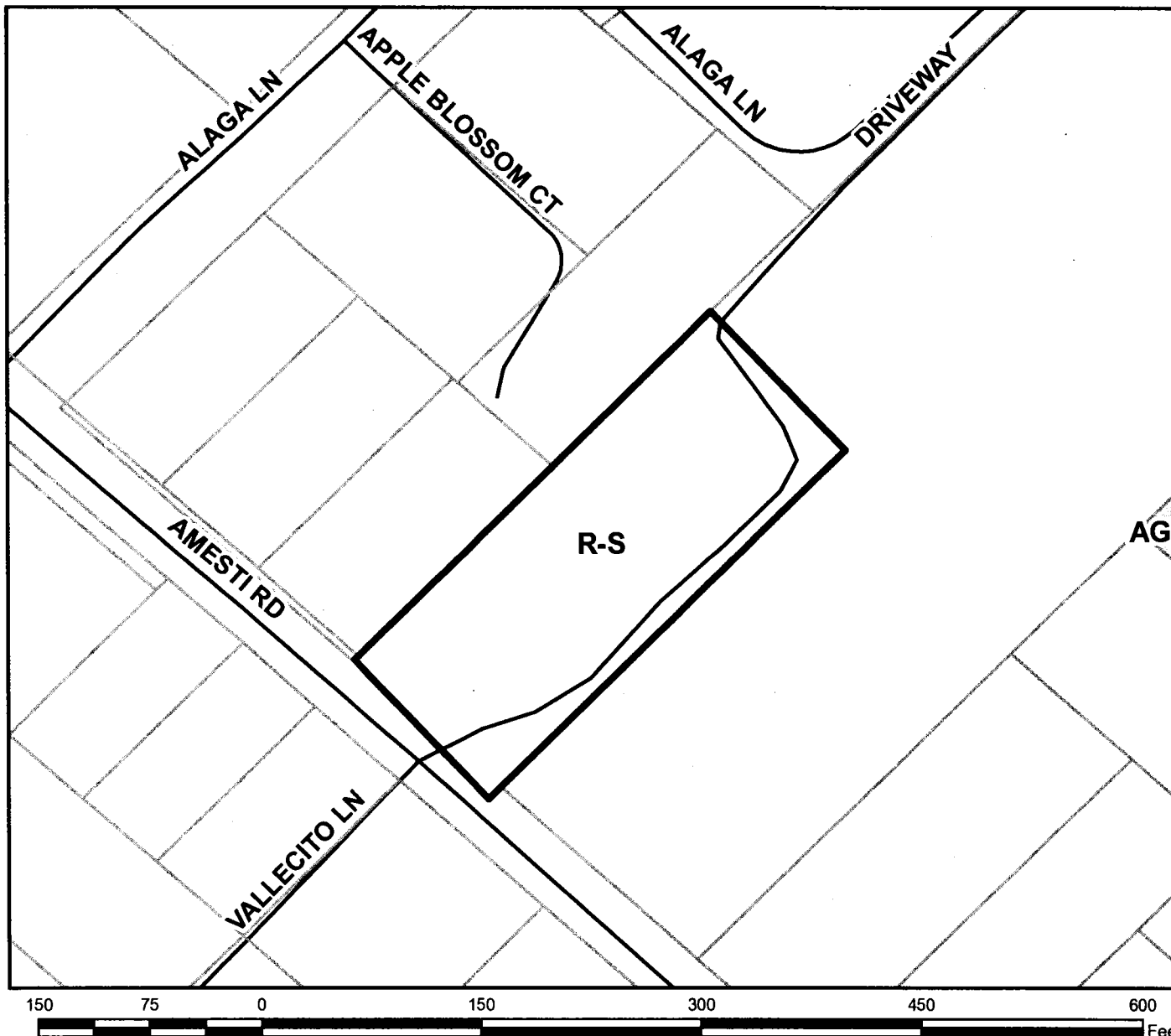
RESIDENTIAL-SINGLE FAMILY








Map Created by
County of Santa Cruz
Planning Department
March 2013

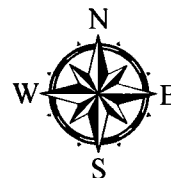


General Plan Designation Map



LEGEND

-  APN: 050-072-11
-  Assessors Parcels
-  Streets
-  Residential-Suburban
-  Agriculture



Map Created by
County of Santa Cruz
Planning Department
March 2013