



## Staff Report to the Zoning Administrator

Application Number: **141078**

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**Applicant:** Dennis Norton  
**Owner:** Britt  
**APN:** 038-218-04

**Agenda Date:** 9/5/14  
**Agenda Item #:** 4  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to demolish an existing single family dwelling and construct a new 2-story 3 bedroom 3 bath single family dwelling in the R-1-4 zone district. Requires a Coastal Development Permit.

**Location:** Project located on the west side of Park Drive approximately 160 feet south of the intersection with Coates Drive (413 Park Drive).

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

**Permits Required:** Coastal Development Permit

### Staff Recommendation:

- Determination that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141078, based on the attached findings and conditions.

### Exhibits

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

### Parcel Information

Parcel Size:	3,223 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Park Drive
Planning Area:	Aptos
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	R-1-4 (Single Family Residential (4,000 square foot minimum parcel size))

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

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Soils report reviewed under REV141035  
Fire Hazard: Not a mapped constraint  
Slopes: Property is flat  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Mapped scenic resource  
Drainage: Drainage to be evaluated with building permit  
Archeology: Not mapped

### Services Information

Urban/Rural Services Line:   X   Inside      Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Sewer  
Fire District: Aptos La Selva Fire Protection  
Drainage District: Flood Control District 6

### Project Setting

The subject property is developed with an existing single family dwelling with attached garage that was constructed in 1961. This is a proposal to demolish the existing structure and construct a new 1,800 square foot single family dwelling which requires a coastal development permit due to the project's location within the coastal appeals jurisdiction. The subject property is not located within a coastal special community.

The site is relatively flat and surrounded by parcels that are developed at an urban density. The range of architectural styles varies widely in the area which consists of a mix of one and two-story single family dwellings.

### Zoning & General Plan Consistency

The subject property is a parcel of approximately 3,240 square feet, located in the R-1-4 (Single Family Residential (minimum 4,000 square foot minimum parcel size)) zone district, a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan designation.

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

### **Environmental Review**

The proposed development qualifies for a Class 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 **141078**, 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](http://www.co.santa-cruz.ca.us)**

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Santa Cruz County Planning Department  
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Santa Cruz CA 95060  
Phone Number: (831) 454-3118  
E-mail: [nathan.macbeth@co.santa-cruz.ca.us](mailto:nathan.macbeth@co.santa-cruz.ca.us)

# 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: 141078  
Assessor Parcel Number: 038-218-04  
Project Location: 413 Park Avenue

**Project Description: Construct a replacement single family dwelling**

**Person or Agency Proposing Project: Dennis Norton**

**Contact Phone Number: (831) 479-2616**

- 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. ☒ **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 single family dwelling 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: \_\_\_\_\_

## 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-1-4 (Single Family Residential (minimum 4,000 square foot minimum parcel size)), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) Urban Medium 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 surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

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

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the single family dwelling 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. Additionally, residential uses are allowed uses in the R-1-4 (Single Family Residential (minimum 4,000 square foot minimum parcel size)) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain a mix of one and two-story single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

## 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 dwelling 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 single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4 (Single Family Residential (minimum 4,000 square foot minimum parcel size)) zone district as the primary use of the property will be one single family dwelling 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 Medium Residential (R-UM) land use designation in the County General Plan.

The proposed single family dwelling 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 single family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single family dwelling 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 dwelling will comply with the site standards for the R-1-4 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 dwelling is to be constructed on an existing developed lot and is not expected overload utilities. The level of traffic generated by the proposed single family dwelling is not expected to increase above existing levels (1 peak trip per dwelling unit). Therefore, the project will not adversely impact existing roads or 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 neighborhood containing a variety of architectural styles, and the proposed single family dwelling 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 proposed single family dwelling is not subject to design review as specified in County Code Section 13.11.040.

## Conditions of Approval

Exhibit D: Project plans 8 sheets prepared by Dennis Norton dated 4/28/14

- I. This permit authorizes the demolition of an existing single family dwelling and construction of a new single family dwelling. 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 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. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- 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 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.
- D. Meet all requirements and pay any applicable plan check fee of the Fire Protection District.
- E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- F. Pay the current fees for Parks and Child Care mitigation for 1 additional bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- G. Pay the current fees for Roadside and Transportation improvements for 1 additional bedroom. Please contact Department of Public Works for a list of current fees.
- 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. Construction hours: Monday through Saturday between 8 AM and 5 PM unless prior authorization is granted in advance by Planning Staff to work outside of the listed hours of construction.
- 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. 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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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 #: 141078  
APN: 038-218-04  
Owner: Britt

**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: \_\_\_\_\_

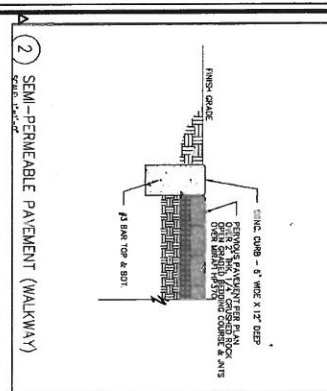
Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Wanda Williams  
Deputy Zoning Administrator

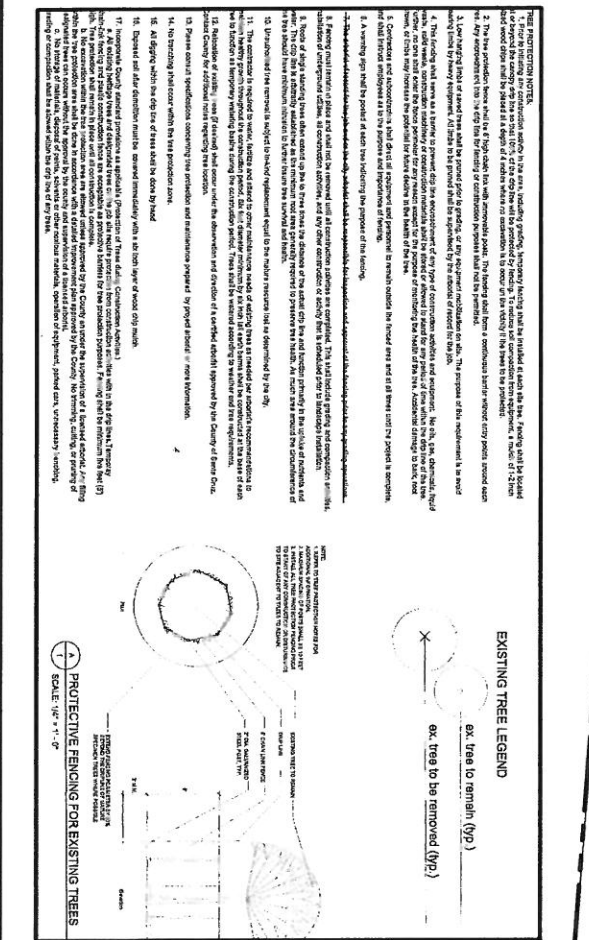
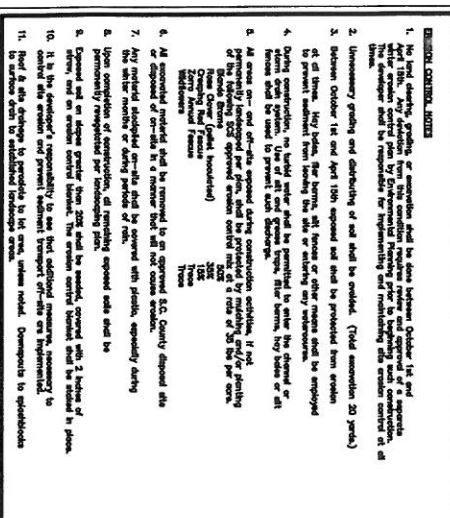
\_\_\_\_\_  
Nathan MacBeth  
Project Planner

\_\_\_\_\_  
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.





Δ TYPICAL DRIVEWAY



**SITE PLAN**

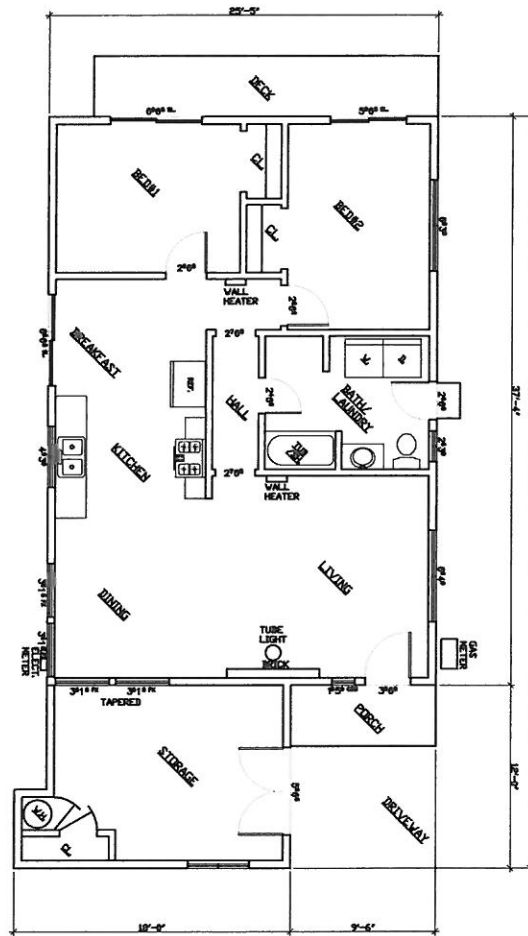
SCALE 1/4" = 1'-0"



**NOTE:**  
SEE CIVIL ENGINEER'S DESIGN  
FOR FRONT STREET/DRIVEWAY  
DRAINAGE (SEE SHIT )

**NOTE:**  
SEE LANDSCAPE PLAN  
(SHEET L-2)

FLOOR PLAN  
SCALE 1/8" = 1'-0"



3

12/30/13

1/4" = 1'-0"

PARK

# EXISTING FLOOR PLAN

DENNIS NORTON  
HOME DESIGN AND  
PROJECT PLANNING

705 S GAVIN AVE - GAVIN, CA 95029 - TEL 408 255-  
14 408 255

BRITT RESIDENCE  
413 PARK DR  
APTOS, CA 95003  
APN 038-218-04

LOUIS & KATHY  
BRITT  
408-222-4823

EXHIBIT D

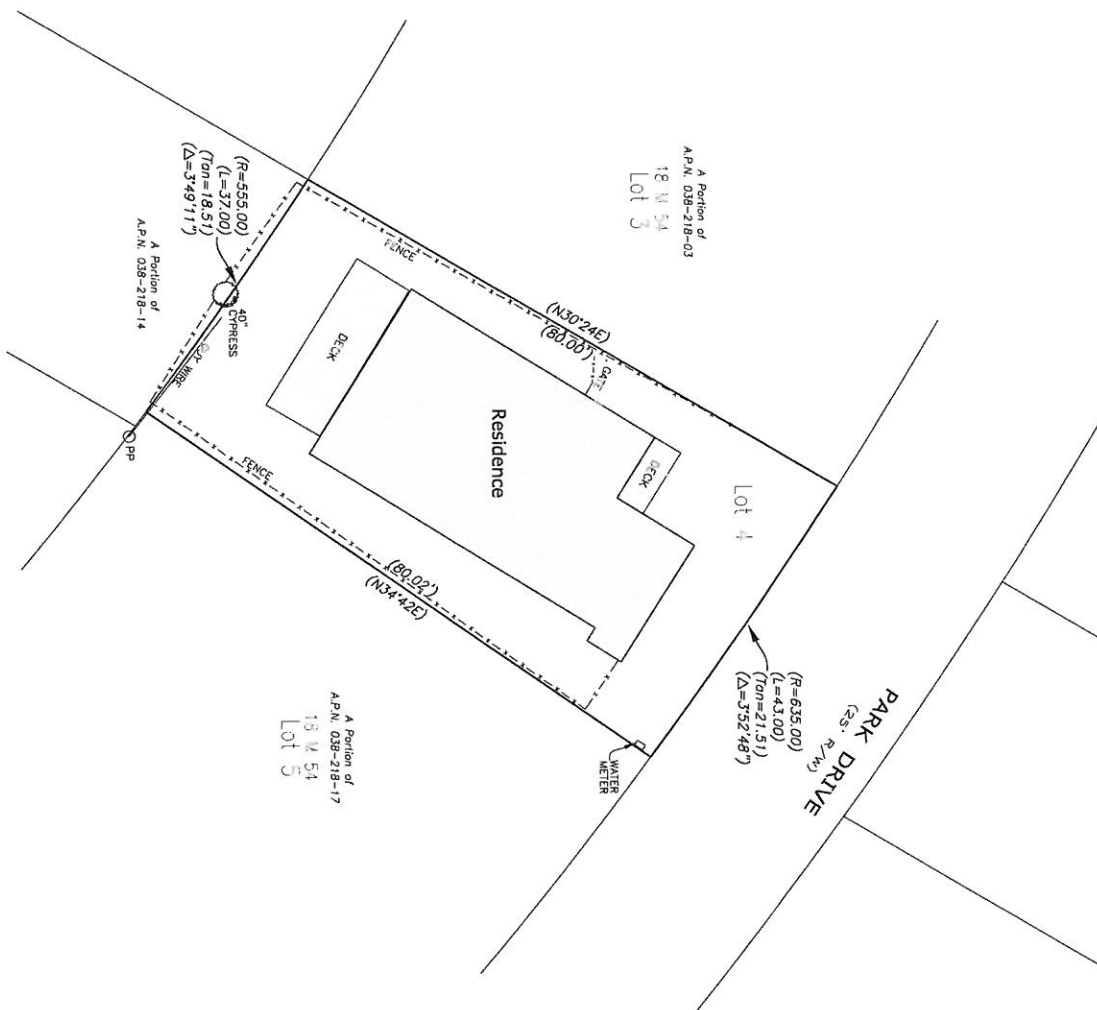




**NOTE:**  = TEMPERED GLASS



PAUL JENSEN  
PROFESSIONAL LAND SURVEYOR #4627  
BOULDER CREEK, CALIFORNIA



Scale: 1" = 8'

**LEGEND:**

(S) x (X) x (W) = RECORD DATA

———— = PROPERTY LINES

———— = ADJOINING PROPERTY LINES

PP = POWER POLE

REFERENCE MAP:  
18 M 54

Scale: 1"=8'

February 2014

**Site Map**  
of the lands of  
Douglas Britt  
and  
Kelly Anderson  
413 Park Drive  
Aptos, California  
APN 038-218-04



**CLASSIC BUNGALOW** The extended eaves, exposed rafters, art nouveau window trim and distinctive stonework make this a classic re-creation of Arts and Crafts architecture. The gray-green color scheme softly brings out the home's features blending it nicely with its surroundings.

Storm Cloud Gray

BEHR  
PREMIUM PLUS  
ULTRA

CLASSIC BUNGALOW  
Cabaña Clásica

- Simply Sage PPU10-16
- Elephant Skin PPU18-16
- Artisan PPU3-18
- Vintage Linen PPU7-16



**CLASSIC BUNGALOW** The extended eaves, exposed rafters, art nouveau window trim and distinctive stonework make this a classic re-creation of Arts and Crafts architecture. The gray-green color scheme softly brings out the home's features blending it nicely with its surroundings.

413 PARK DRIVE, APPS **EXHIBIT D**

Electronically Redrawn 11/14/97 wrp  
 Rev. 5/4/98 KSA (CA)  
 Rev. 5/19/99 CB (Tax Consolidation)  
 Rev. 12/7/99 CB (9-0062645, LBA 1-26 & 27)  
 Rev. 4/27/01 mvm (changed page refs.)  
 Rev. 2/28/06 md (spatial adjustment)  
 Rev. 5/9/12 mc (118RS25)

# FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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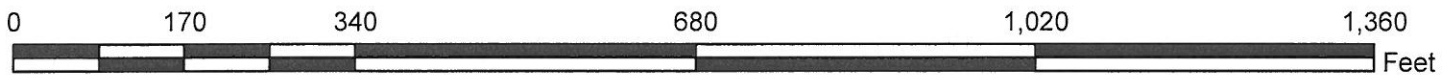
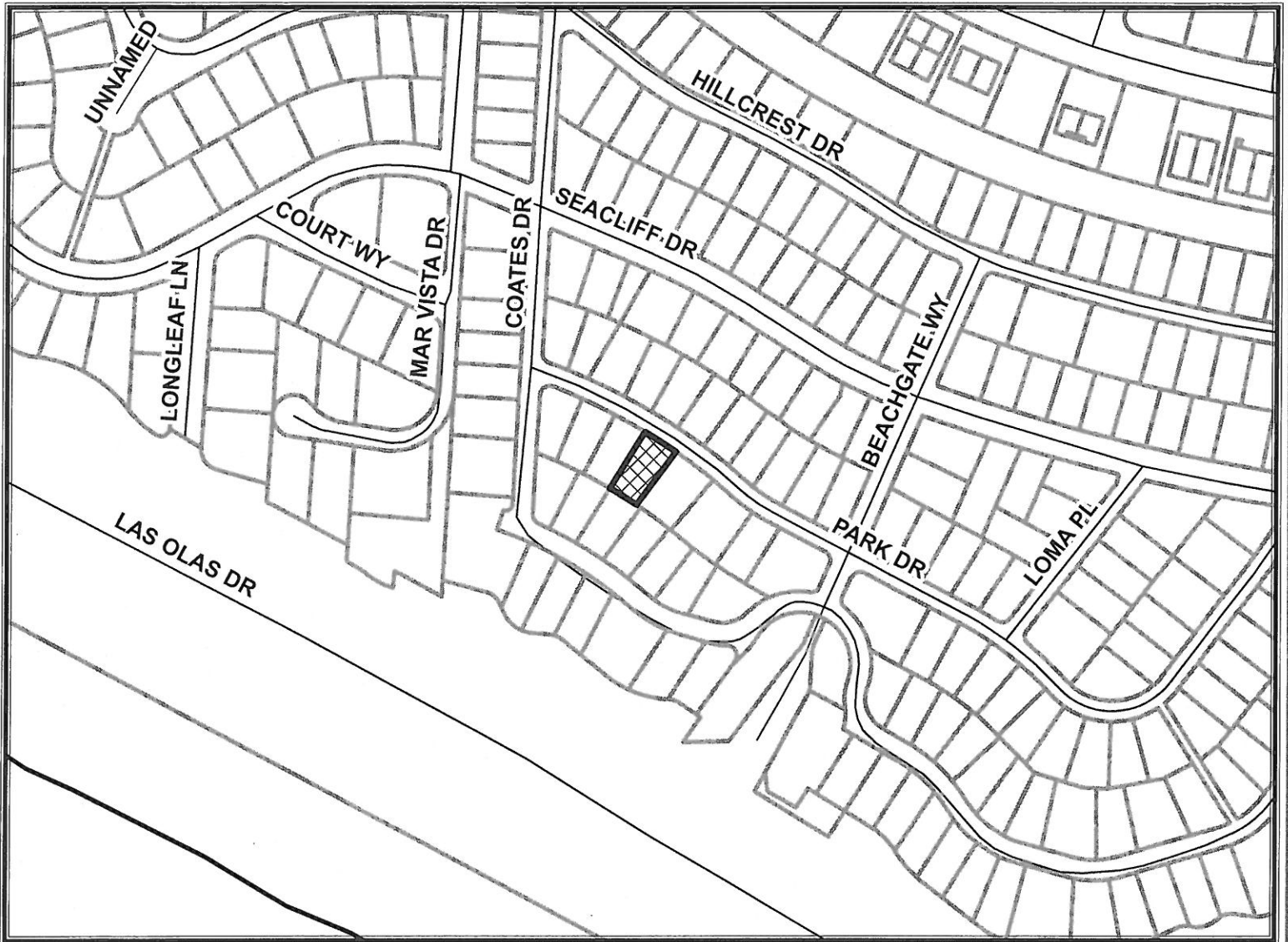


Note - Assessor's Parcel & Block Numbers Shown in Circles.





Assessor's Map No. 38-21  
 County of Santa Cruz, Calif.  
 Nov., 1997



# Location Map



## LEGEND

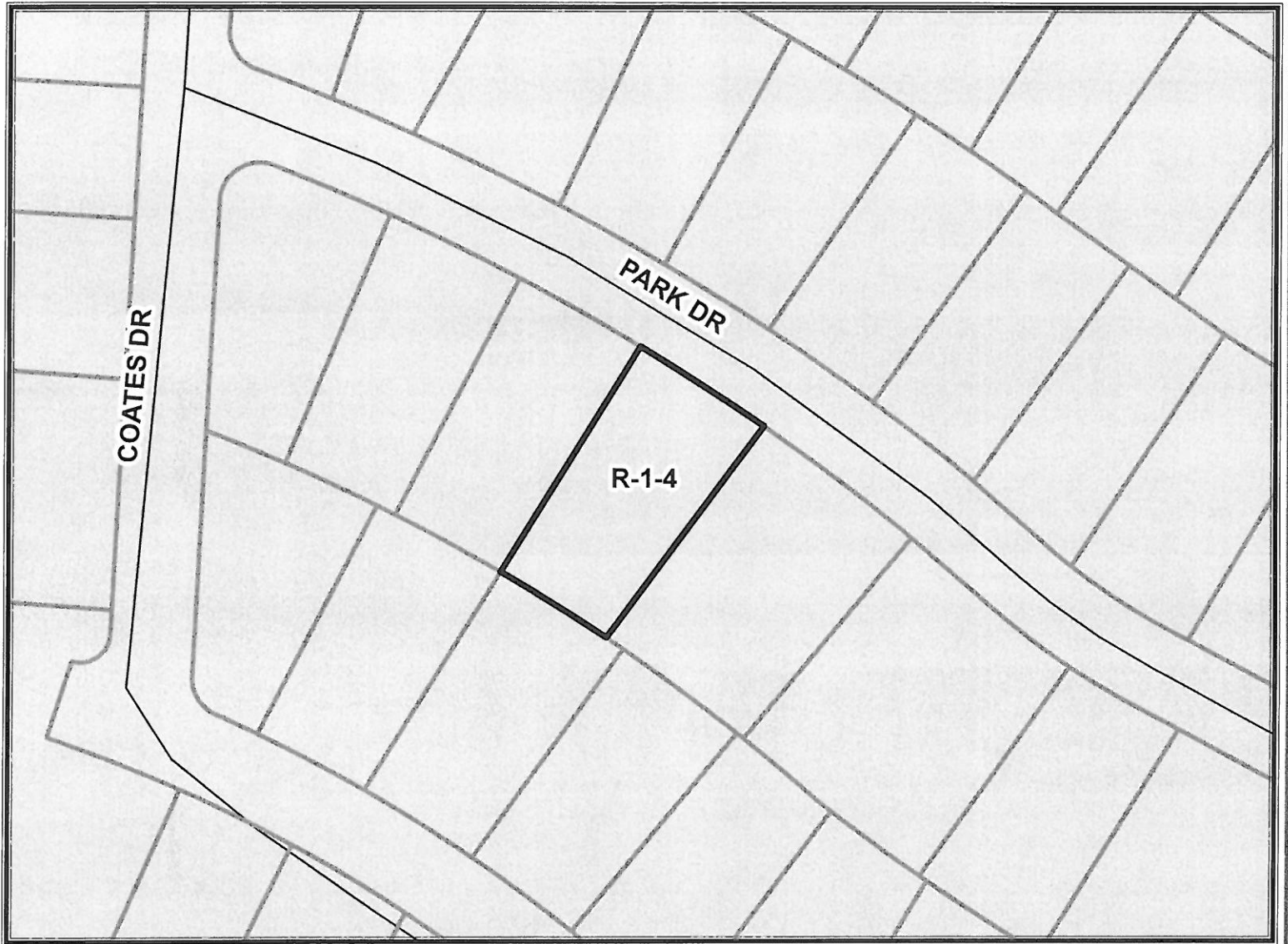
-  APN: 038-218-04
-  Assessors Parcels
-  Street
-  County Boundary





Map Created by  
County of Santa Cruz  
Planning Department  
May 2014

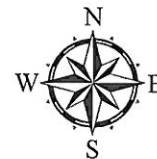


# Zoning Map



## LEGEND

-  APN: 038-218-04
-  Assessors Parcels
-  Street
-  RESIDENTIAL-SINGLE FAMILY




Map Created by  
County of Santa Cruz  
Planning Department  
May 2014

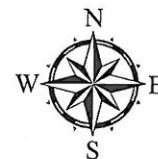


# General Plan Designation Map



## LEGEND

-  APN: 038-218-04
-  Assessors Parcels
-  Street
-  Residential - Urban Medium Density



Map Created by  
County of Santa Cruz  
Planning Department  
May 2014