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## Staff Report to the Planning Commission

Application Number: **07-0004**

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**Applicant:** Powers Land Planning

**Agenda Date:** August 8, 2007

**Owner:** Seascape Beach Estates Homeowner's Association

**Agenda Item #:** 8

**APN:** 054-181-01 et. al.

**Time:** After 9:00 a.m.

**Project Description:** Proposal to establish a Planned Unit Development for the existing Seascape Beach Estates Subdivision (tracts 483) in order to re-adopt the site standards as established under the original subdivision. Requires a Planned Unit Development, a Coastal Development Permit, and an amendment to the Local Coastal Program Implementation Plan.

**Location:** Property located at the end of Clubhouse Drive, within the neighborhood encompassed by Via Campana, Via Concha, and Via Gaviota.

**Supervisory District:** 2nd District (District Supervisor: Ellen Pirie)

**Permits Required:** Planned Unit Development Permit, Coastal Development Permit, Local Coastal Program Implementation Plan amendment.

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0004, based on **the** attached findings and conditions.

### Exhibits

- |                                    |   |
|------------------------------------|---|
| A. Map of Planned Unit Development | F. Categorical Exemption (CEQA determination) |
| B. Findings                        | G. Assessor's parcel maps                     |
| C. Planning Commission Resolution  | H. Zoning & General Plan maps                 |
| D. Ordinance                       | I. Comments & Correspondence                  |
| E. Conditions of Approval          |   |

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

### Parcel Information

Existing Land Use - Project: Single-family dwellings  
Existing Land Use - Surrounding: Single-family and multi-family dwellings, public beach  
Project Access: Club House Drive  
Planning Area: Aptos  
Land Use Designation: R-UL (Urban Low Density Residential)  
Zone District: R-1-6, ~~RB~~ (Single-family residential, 6,000 square foot net site area per unit, Ocean Beach Residential)  
Coastal Zone:  Inside  Outside  
Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Potential Coastal flood hazards along Via Gaviota, coastal bluff regulations apply along portions of Via Concha and Via Palo Alto.  
Soils: Beach sand and Elkhorn Sandy Loam  
Fire Hazard: Not a mapped constraint  
Slopes: Coastal bluff terraced in original development  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Coastal Scenic  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:  Inside  Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: Zone 6

### Background

The properties subject to the proposed Planned Unit Development (PUD) are part of **the** Seascape Beach Estates, subdivision tract 483, Unit 1. This subdivision, approved in 1967, was developed with single-family dwellings by the developer, the Aptos Seascape Corporation.

When approved, the subdivisions were required to meet the R-1-6 and RB development standards in effect at time of approval. These setbacks were as follows:

**Figure 1: Site Standards at Time of Project Approval**

	<b>R-1-6</b>	<b>RB</b>
<b>Front Yard Setback</b>	<b>20'</b>	<b>10'</b>
<b>Side Yard Setbacks-60' wide lots</b>	6' each side	5' one side, 0' other side
<b>Side Yard Setbacks-50' wide lots</b>	5' each side	5' one side, 0' other side
<b>Rear Yard Setback</b>	<b>10'</b>	<b>10'</b>
<b>Maximum Height</b>	30'	16'
<b>Lot Coverage</b>	<b>45%</b>	None
<b>Floor Area Ratio</b>	None	None

Since project approval and construction of most of the residences in the Seascape Beach Estates, these setback standards have been modified (see setback of current site standards, below in Figure 2). However, the original site standards have been consistently applied to all development on these properties, despite subsequent changes. The Assessor's Parcel Maps for each of these parcels reference these site standards as approved by the Planning Director at the time. In the late 1990's, it was discovered that the subdivisions creating these lots did not specify that the original **1960's** development standards (the original **R-1-6** and **RB** site standards outlined above) were officially designated as permanent site standards. Instead, previous conditions state that all site development standards of the zone district shall apply, meaning that future development would be required to comply with the current site standards rather than the **1960's** site standards.

As a result of subsequent site standard changes, the majority of houses in the Seascape Beach Estates Subdivision are non-conforming and cannot be rebuilt under current site standards, and remodels and additions frequently require variances. Furthermore, the current site standards are in conflict with the site standards adopted by the Homeowner's Association.

Aptos Seascape Combining District

In an effort to rectify conflicts between the original site standards and current site standards, the County proposed the creation of an "AS" (Aptos Seascape) Combining District for the single-family portion of Seascape Beach Estates. This district would re-implement the original site standards (see Figure 1, above). The Board of Supervisors approved this combining district on April 29, 2003, and sent the proposal to the California Coastal Commission for approval. The Coastal Commission expressed serious concerns about the potential for significant visual impacts under the "new" site standards as the revised regulations would allow structures of a greater bulk and mass than the existing **R-1-6** and **RB** site standards. In particular, the Coastal Commission opposed increased height limits for the **R-1-6** zoned parcels along the coast side of Via Gaviota and along the top of the bluff on Via Palo Alto, and the removal of lot coverage requirements for **RB** zoned parcels along Via Gaviota. As the Coastal Commission would not approve the combining district as proposed, the County withdrew the proposal.

## Project Setting

The Seascape Beach Estates development is located between Monterey Bay and Sumner Avenue in Aptos, a little more than one mile downcoast from the Rio del Mar Esplanade. The development encompasses Via Campana, Via Concha, and Via Gaviota. The area of the proposed PUD is developed with single-family dwellings of one to **three** stories in height, with only one remaining vacant lot in the project boundary.

## Project Scope

The proposed Planned Unit Development (PUD) is intended to implement revised site standards similar to the original development standards while addressing the Coastal Commission's concerns about increased bulk and mass and the resulting visual impacts to the public viewshed. Per Section 18.10.180 of the County Code, Planned Unit Developments allow projects to deviate in certain respects from the zoning map and the underlying district site standards as long as the objectives of the zone district and General Plan designation are met. The PUD will provide an avenue to implement revised site standards that are compatible with the Homeowner's Association CC&R's and to remove most of the residences in the Seascape Beach Estates Homeowner's Association from non-conforming status.

## Zoning and General Plan/LCP Consistency

The development is zoned R-1-6 (Single-family residential, 6,000 square foot minimum) with the exception of parcels along **the** coast side of Via Gaviota between 770 and 940 Via Gaviota (parcels 054-191-62 to 054-231-12), which are zoned RB (Ocean Beach Residential). The General Plan/Local Coastal Program Land Use Plan designation for **the** entire development is R-UL (Urban Low Density Residential).

The proposed PUD to change site standards will comply with the objectives of both the R-1-6 and RB zone districts, as well as the R-UL General Plan/Local Coastal Program Land Use Plan designation as the Seascape Beach Estates will remain single-family residential at a density of about **4** to 6 units per net developable acre.

The proposed site standards will comply with General Plan Policy 5.10.2 (development within visual resource areas) and Policy 5.10.3 (Protection of Public Vistas) in that additions in excess of 250 square feet will require a Coastal Development Permit which will be reviewed for compliance with the County's Design Review Ordinance (Section 13.11 of the County Code). The changes to site standards will have a minimal impact on views from the public beach, as most houses in the development are already constructed to these site standards and any additions or alterations will have a comparable bulk, mass, and scale as surrounding development.

## Proposed Site Standard Changes

Most existing development in the Seascape Beach Estates was constructed under the old site standards (see Figure 1), and is non-conforming with regards to current zone district site

standards. The PUD proposes a new set of site standards that correspond to the original site standards and will replace the regular site standards for the zone district, as outlined in the following tables:

**Figure 2: Current Zone District Site Standards**

Site Standards	R-1-6	RB (lots on beach side of street)
Front yard setback	20'	10'
Side yard setbacks	5' and 8'	0' and 5'
Rear yard setbacks	15'	10'
Maximum height	28'	17'
Maximum no. of stories	2	1
Lot coverage	40%	40%
Floor Area Ratio	50%	50%

**Figure 3: Proposed Site Standards (please see Exhibit A)**

Site Standard	Area A	Area B	Area C	Area D
Front yard setback	20'	20'	10' (20' to garage)	20'
Side yard setback	6'	6'	5'	6'
Rear yard setback	10'	10'	10' to seawall	10'
Max. height*	30' 28' Via Camp.	16'	16'	20'
Lot coverage	N/A	N/A	N/A	N/A
Floor Area Ratio	N/A	N/A	N/A	N/A

\*Height measured from the highest point on the curb abutting the front of the house to the highest point of the roof, excluding chimneys. Staff recommends a maximum height of 28 feet along Via Campana.

**Area A:** APN's 054-181-01 to 054-181-08, 054-181-10, 054-182-01 to 054-182-13, 054-191-24 to 054-191-30, 054-192-01 to 054-192-03, and 054-631-02.

**Area B:** APN's 054-181-09, and 054-191-01 to 054-191-17.

**Area C:** APN's 054-191-32, 054-191-35, 054-191-39, 054-191-41, 054-191-47 to 054-191-48, 054-191-53, 054-191-59, 054-191-61 to 054-191-63, 054-191-65, 054-191-67 to 054-191-68, 054-191-71, 054-191-75 to 054-191-76, 054-191-78 to 054-191-80, and 054-231-12.

**Area D:** APN's 054-191-18 to 054-191-23.

Different site standards will apply to some parcels based on the Geologic Hazards Ordinance due to coastal bluff setbacks or coastal flood hazard elevation requirements (see Geologic Hazards, below).

## Geologic Hazards

Some properties in the Seascape Beach Estates Homeowner's Association are subject to coastal bluff setbacks under Section 16.10.070(h). This setback will be at least 25 feet from the top edge of the coastal bluff or the distance determined to be necessary to provide a stable building site over a 100-year lifetime of the structure, whichever is greater. These more stringent setback requirements apply to parcels 054-191-01 through 054-191-05, and 054-191-32.

Properties on the beach side of Via Gaviota are located within an area subject to coastal flooding (FEMA flood zone V). New structures and improvements to existing structures considered to be substantial improvement (improvements in excess of 50% of the value of structure) will be required to comply with FEMA flood elevation requirements, including elevation of the lowest habitable floor above the base flood elevation. At this location, the flood elevation requirement is 21 feet above mean sea level. As the elevation of Via Gaviota is about 20 feet above mean sea level, it is possible to comply with the proposed 16' height limit and meet the FEMA flood elevation requirements.

## Impacts to private viewsheds

The proposed Planned Unit Development will allow heights in excess of those currently permitted under the R-1-6 zone district along Via Campana, the west end of Via Concha, and along a portion of the bluff side of Via Gaviota. The height limit in these areas is proposed to be increased from the existing 28 feet to 30 feet, resulting in potential impacts to private views from homes along Via Palo Alto, especially those above Via Campana. The County does not protect private views, such as ocean views from existing single-family dwellings. However, to minimize conflicts staff recommends the maximum height for houses along Via Campana remain at 28 feet in height, rather than the 30 feet originally proposed (see Figure 3, above).

The proposed increase in height along Via Gaviota and the west end of Via Concha will not significantly impact private views due to the grade differentiation between those streets and the houses above.

## Conclusion

As proposed and conditioned, the planned unit development 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

Staff recommends that your Commission adopt the attached resolution, sending a recommendation to the Board of Supervisors for approval of application number 07-0004, based on the attached findings and conditions, and certification of the Mitigated Negative Declaration

in accordance with **the** California Environmental Quality Act

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)

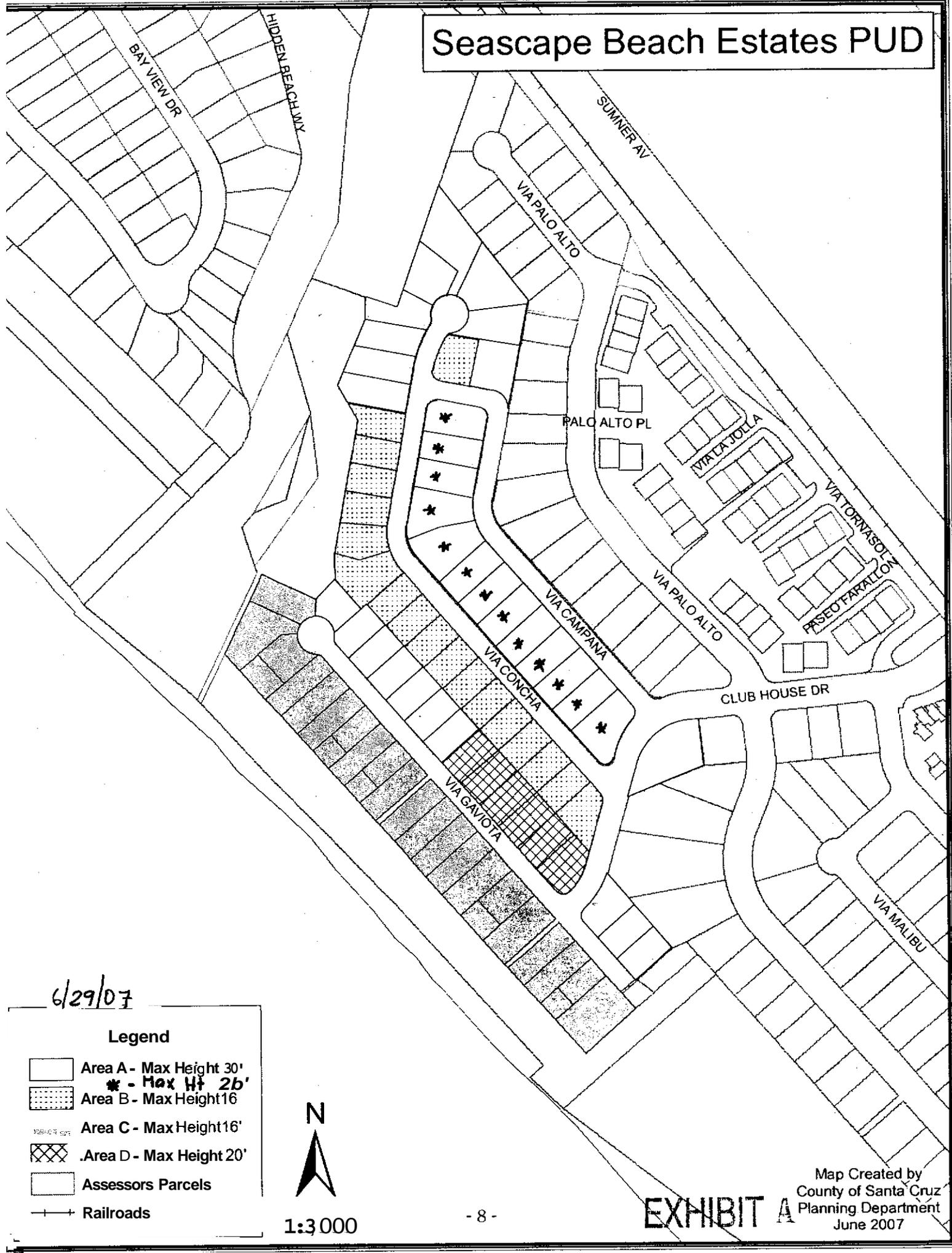
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Report Reviewed By:

  
\_\_\_\_\_  
Mark Deming  
Assistant Planning Director  
Development Review

# Seascape Beach Estates PUD



6/29/07

### Legend

-  Area A - Max Height 30'
-  \* - Max Ht 26'
-  Area B - Max Height 16'
-  Area C - Max Height 16'
-  Area D - Max Height 20'
-  Assessors Parcels
-  Railroads



1:3000

**EXHIBIT A**

Map Created by  
County of Santa Cruz  
Planning Department  
June 2007

## Planned Unit Development Permit Findings

1. That the proposed location of the uses are in accordance with the objectives of the County Code and the purposes of the district in which the site is located.

This finding can be made, in that the use of the Seascape Beach Estates will continue to be single-family residential.

2. That the proposed location of the Planned Unit Development and the conditions under which it would be operated or maintained will not be detrimental to the public's health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

This finding can be made, in that County ordinances protecting health and safety (including the Geologic Hazards Ordinance), and all applicable building codes, will continue to apply to development within the Seascape Beach Estates. The changes to the site standards will not be materially injurious to properties in the development as these site standards are already implemented by the Seascape Beach Estates Homeowner's Association for the purpose of maintaining neighborhood character and preserving private views.

3. That the proposed Planned Unit Development will comply with each of the applicable provisions of the County's Planned Unit Development ordinance.

This finding can be made, in that the primary use of the development will remain single-family residential with a density consistent with the R-1-6 zone district and the R-UL (Urban Low Density Residential) General Plan designation.

4. That the standards of dwelling unit density, site area and dimensions, site coverage, yard spaces, heights of structures, distances between off-street loading facilities and landscaped areas will produce a development that is compatible with and integrated into the surrounding built and natural environment consistent with the objectives of the County Code.

This finding can be made, in that the density of the development will remain consistent with the R-1-6 and RB zone districts. The proposed changes to site standards are compatible with the surrounding built and natural environment in that most existing houses already comply with these standards in order to obtain approval from the Homeowner's Association. Adequate open space will continue to be provided within the development as the revised yard requirements will not be a significant departure from zone district standards, and steep slopes and bluffs will continue to limit development. Finally, the revised maximum height limitations minimize visual impacts from the public beach as future additions and new homes in the most visually prominent locations, the beach side of Via Gaviota and the portion of Via Concha along the coastal bluff, as the maximum height in these locations will be reduced to 16 feet.

5. That the standards of dwelling unit density, site coverage, yard spaces, heights of structures, distances between structures, off-street parking, and off-street loading facilities

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Owner: Seascape Beach Estates Homeowner's Association

will be such that the development will not generate more traffic than **the** streets in the vicinity can carry and will not overload utilities.

This finding can be made, in that the implementation of the revised site standards will not reduce off-street parking requirements (which will continue to **be** governed by the County Code), and traffic levels will remain unchanged as no new parcels will be created.

6. That the combination of different dwelling and/or structure types and the variety of land uses in the development will complement each other and will harmonize with existing and proposed land uses, structures, and the natural environment in the vicinity.

This finding can be made, in that the development will continue to consist entirely of single-family dwellings of **between** one and three stories.

7. That the degree of departure from the required development and density standards is roughly proportional to the benefits provided to the neighborhood and/or the community in which the Planned Unit Development is located.

This finding can be made, in that the degree of departure **from** the zone district development standards is not significant with the exception of the revised height requirements and the removal of floor area ratio and lot coverage site standards. **The** revised height requirements will be more restrictive (16 feet versus 28 feet) for properties along the coastal bluff on Via Concha and adjacent to the public beach on Via Gaviota, reducing potential impacts **of** future development on the public viewshed.

8. That the proposed development is consistent with the General Plan/Local Coastal Program Land Use Plan.

This finding can be made, in that the proposed site standards will comply with the use and density standards for the R-UL (Urban Low Residential) General Plan/LCP land use designation. Furthermore, the proposed changes will comply with General Plan Policy 5.10.2 (development within visual resource areas) in that the changes to site standards will have a minimal impact on views from **the** public beach. Most houses in the development are already constructed to these site standards and any additions or alterations will have a comparable bulk, mass, and scale as surrounding development, and Design Review will be required for additions **or** alterations that require a Coastal Development Permit.

## 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 use of the development will remain single-family residential, consistent with the R-1-6 and RB zone districts.

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 planned unit development will not impact existing access or utility easements.

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 implementation of the planned **unit** development with **the** revised site standards will not significantly alter the character of the existing neighborhood as most houses were constructed to these standards and are currently non-conforming to the R-1-6 zone district standards. Future construction that complies to the new site standards will therefore be compatible with surrounding development.

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 proposed planned unit development **to** revise site standards will not affect any existing public access points.

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

See Planned Unit Development Permit Finding 8, above.

## 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.

See Planned Unit Development Permit Finding 2, above.

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 planned unit development to recognize subdivision site standards will comply with the purpose of the **R-1-6** and RB zone districts in that the primary use of the development will be single-family residential.

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.

See planned unit development finding 8, above.

**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 planned unit development and revised site standards will not increase the number of residential units within the development, and therefore will not result in an increase in utility usage or traffic.

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 use of the development will remain single-family residential with a density of one unit per 6,000 to 10,000 square feet of net developable site area.

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 planned unit development and revised site standards will result in future development that is compatible with **the** surrounding neighborhood. The reduced maximum height requirements along portions of Via Concha will reduce potential visual impacts to the public beach, while areas with increased maximum height

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**APN: 054-181-01 et. al.**

**Owner: Seascape Beach Estates Homeowner's Association**

limits are located behind existing development so visual impacts to the public beach are minimized. Due to the location of the development within the appealable district of the California Coastal Commission, significant changes to existing structures (such as additions greater than 250 square feet) will be required to be reviewed by the County's Urban Designer for conformance with the County's Design Standards and Guidelines.

**BEFORE THE PLANNING COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA**

**RESOLUTION NO. \_\_\_\_\_**

On the motion of Commissioner  
duly seconded by Commissioner  
the following Resolution is adopted:

**PLANNING COMMISSION RESOLUTION  
SENDING RECOMMENDATION TO THE BOARD OF SUPERVISORS  
ON PROPOSED AMENDMENT TO THE ZONING ORDINANCE**

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WHEREAS, the Planning Commission has held a public hearing on Application No. 07-0004, involving portion of the Seascape Beach Estates within the Seascape Beach Estates Homeowner's Association (encompassing Via Gaviota, Via Concha, Via Campana, and 1405 Clubhouse Drive), and the Planning Commission has considered the Planned Unit Development, all testimony and evidence received at the public hearing, and the attached staff report.

WHEREAS, the proposed Planned Unit Development is a Local Coastal Program Implementation Plan Amendment; and

WHEREAS, the Planned Unit Development and Coastal Development Permit comply with all applicable regulations of the County Code and the purposes and policies of the Local Coastal Program, and

WHEREAS, the Planned Unit Development and Coastal Development Permit have been found to be categorically exempt from CEQA.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the Board of Supervisors adopt the attached ordinance amending the Zoning Ordinance adopting the Planned Unit Development to revise site standards for the Seascape Beach Estates Subdivision, Unit 1, based on the accompanying findings.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 8<sup>th</sup> August, 2007, by the following vote:

AYES:           COMMISSIONERS  
NOES:           COMMISSIONERS  
ABSENT:        COMMISSIONERS  
ABSTAIN:       COMMISSIONERS

\_\_\_\_\_  
Renee Shepherd, Chairperson

ATTEST: \_\_\_\_\_  
Mark Deming, Assistant Planning Director

APPROVED AS TO FORM:

  
DEPUTY COUNTY COUNSEL

ORDINANCE \_\_\_\_\_

**ORDINANCE AMENDING COUNTY CODE CHAPTER 13.10 BY ADOPTION OF A  
PLANNED UNIT DEVELOPMENT TO RE-ESTABLISH THE ORIGINAL SITE  
STANDARDS FOR THE SEASCAPE BEACH ESTATES SUBDIVISION**

This Planned Unit Development is located within the Coastal Zone and as such constitutes a Local Coastal Program Implementation Plan amendment. Prior to final approval of the Coastal Development Permit associated with this Planned Unit Development, the California Coastal Commission must certify this Implementation Plan amendment.

This Planned Unit Development substantially re-establishes the site standards that were in effect at the time that the Seascape Beach Estates Subdivision-Unit 1 (Tract No. 483) was approved and most of the residences constructed. The following standards apply only to the parcels listed in Attachment 1 and shown on the PUD Map (Attachment 2).

**SECTION I**

For the subject parcels (see Attachments 1 and 2), the following site standards shall supersede the site standards of subsection (b) of Section 13.10.323 of the County Code:

Site Standard	Area A	Area B	Area C	Area D
Front yard setback	20'	20	10 (20 to garage)	20
Side yard setback	6	6	5'	6'
Rear yard setback	10'	10	10 to seawall	10
Max. height'	30' 28 Via Camp.	16	16'	20
Lot coverage	N/A	NIA	NIA	NIA
Floor Area Ratio	NIA	NIA	NIA	NIA

- B. Development on the following parcels that meets the definition of “substantial improvement” (i.e., improvements in excess of 50% of the value of the structure, County Code Section 16.10.040(3m)) shall be subject to all requirements of Chapter 16.10: APN’s 054-191-32, 054-191-35, 054-191-39, 054-191-41, 054-191-47 to 054-

July 31, 2007

191-48,054-191-53, 054-191-59, 054-191-61 to 054-191-63, 054-191-65,054-191-67 to 054-191-68,054-191-71, 054-191-75 to 054-191-76, 054-191-78 to 054-191-80, and 054-231-12.

- C. 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

### SECTION III

This Ordinance shall *take* effect on the 31<sup>st</sup> day after **final** passage or upon certification by the California Coastal Commission, whichever occurs latest.

PASSED AND ADOPTED by **the** Board of Supervisors of the County of Santa Cruz this \_\_\_\_\_ day of \_\_\_\_\_, 2007, by the following vote:

AYES: SUPERVISORS  
NOES: SUPERVISORS  
ABSENT: SUPERVISORS  
ABSTAIN: SUPERVISORS

\_\_\_\_\_  
CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: \_\_\_\_\_  
Clerk of the Board

APPROVED AS TO FORM:   
County Counsel

- Attachments: 1. List of Assessor's Parcel Numbers subject to the Planned Unit Development  
2. Map of Planned Unit Development 07-0004

Copies to: Planning  
County Counsel

July 31, 2007

**LIST OF AFFECTED ASSESSOR'S PARCELS: PUD 07-0004**

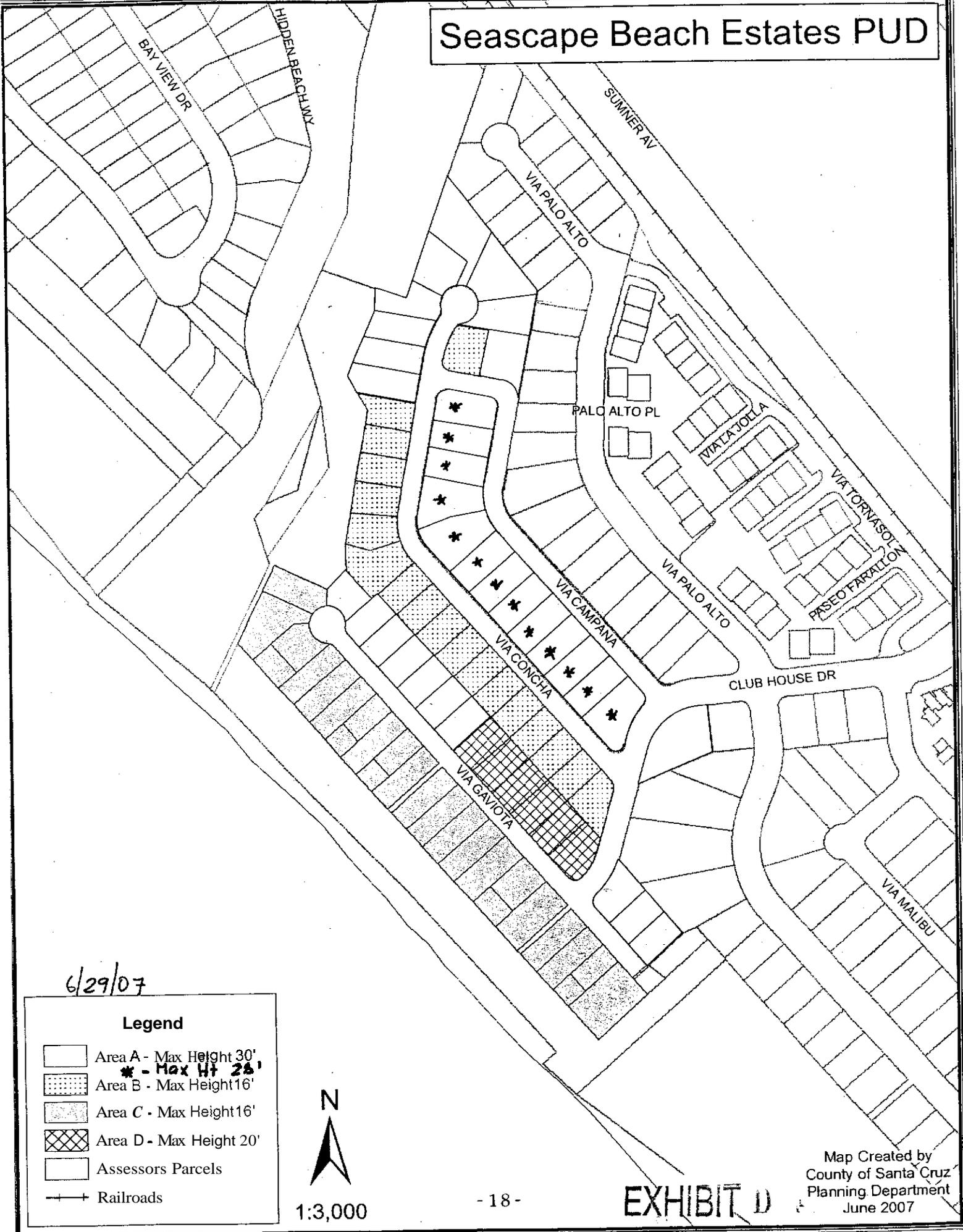
**Area A** APN's 054-181-01 *to* 054-181-08, 054-181-10, 054-182-01 to 054-182-13, 054-191-24 to 054-191-30, 054-192-01 to 054-192-03, and 054-631-02.

**Area B:** APN's 054-181-09, and 054-191-01 *to* 054-191-17.

**Area C:** APN's 054-191-32, 054-191-35, 054-191-39, 054-191-41, 054-191-47 to 054-191-48, 054-191-53, 054-191-59, 054-191-61 to 054-191-63, 054-191-65, 054-191-47 to 054-191-68, 054-191-71, 054-191-75 to 054-191-76, 054-191-78 to 054-191-80, and 054-231-12.

**Area D:** APN's 054-191-18 *to* 054-191-23.

# Seascape Beach Estates PUD



6/29/07

### Legend

-  Area A - Max Height 30'
-  Area B - Max Height 16'
-  Area C - Max Height 16'
-  Area D - Max Height 20'
-  Assessors Parcels
-  Railroads



1:3,000

## EXHIBIT D

Map Created by  
 County of Santa Cruz  
 Planning Department  
 June 2007

SEASCAPE BEACH ESTATES SUBDIVISION – UNIT 1  
PLANNED UNIT DEVELOPMENT

**Conditions of Approval**

Exhibit A: Exhibit A, PUD Map, dated June 29, 2007.  
 List of Assessors Parcel Numbers subject to the PUD

I. This permit authorizes the implementation of revised site standards as shown below in table 1.

Table 1

Site Standard	Area A	Area B	Area C	Area D
Front yard setback	20'	20'	10' (20' to garage)	20'
Side yard setback	6'	6'	5'	6'
Rear yard setback	10'	10'	10' to seawall	10'
Max. height*	30' 28' Via Camp.	16'	16'	20'
Lot coverage	N/A	N/A	N/A	N/A
Floor Area Ratio	N/A	N/A	N/A	N/A

\*Height measured from the highest point on the curb abutting the front of the house to the highest point of the roof, excluding chimneys. Staff recommends a maximum height of 28 feet along Via Campana.

II. Prior to exercising any rights granted by this permit, the applicant 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. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) on every parcel subject to this Planned Unit Development.

III. All future construction shall be performed according to the site standards as approved in this Planned Unit Development.

IV. Operational Conditions

A. Development on the following parcels will require a Geologic Hazards Assessment to determine the appropriate coastal bluff setback (25 feet or the setback required to provide 100 year stability to the structure, whichever is more restrictive): APN's 054-191-01 through 054-191-05, and 054-191-32 (239 Via Concha to 283 Via Concha, 733 Via Gaviota).

B. Development on the following parcels is subject to Federal Emergency

**Application #: 07-0004**

**AFN: 054-181-01 et. al.**

**Owner: Seascape Beach Estates Homeowneh Association**

Management Agency regulations if considered “substantial improvement” (i.e., improvements in excess of 50% of the value of the structure): APN’s 054-191-32,054-191-35, 054-191-39,054-191-41, 054-191-47 to 054-191-48,054-191-53, 054-191-59, 054-191-61 to 054-191-63,054-191-65,054-191-67 to 054-191-68,

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Application # 07-0004  
APN: 054-181-01 et. al.  
Owner: Seascape Beach Estates Homeowner's Association

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 on the expiration date listed below unless you obtain the required permits and commence construction.**

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

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

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

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**Mark Deming**  
Assistant Planning Director

**David Keyon**  
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 Planning Commission, may appeal the act or determination **to** the Board of Supervisors 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: 07-0004  
Assessor Parcel Number: 054-181-01 et. al.  
Project Location: 285 Via Concha et al.

**Project Description: Planned Unit Development to recognize site standards proposed under the original subdivision**

**Person or Agency Proposing Project: Powers Land Planning**

**Contact Phone Number: (831) 426-1663**

- 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: 15305 (Minor Alterations in Land Use Limitations)

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

Minor changes to site standards applied to an existing subdivision

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

\_\_\_\_\_  
David Keyon, Project Planner

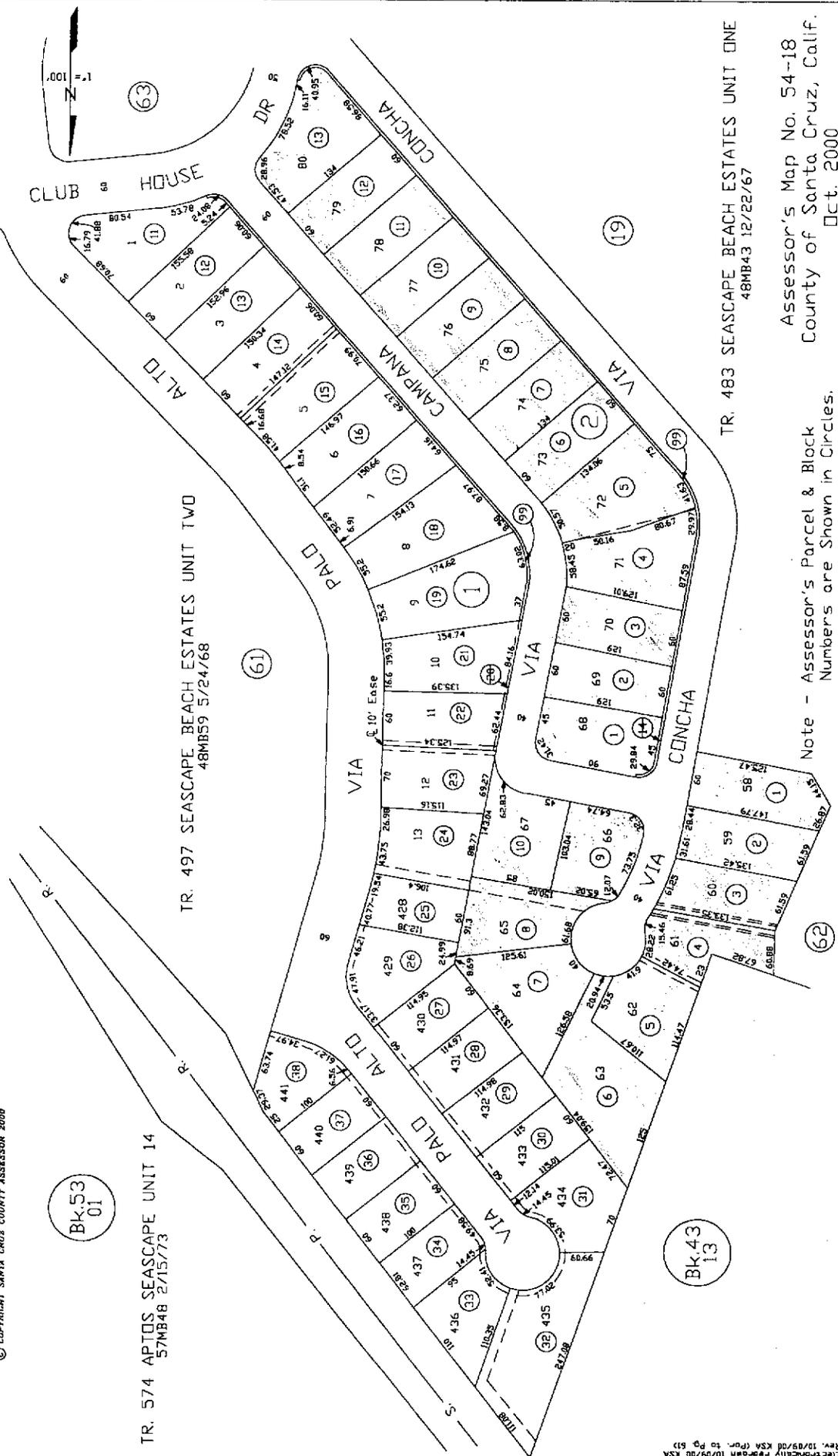
Date: \_\_\_\_\_

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POR. APTOS RANCHO  
 SEC. 20, T.11S., R.1E., M.D.B. & M.

Tax Area Code  
 69-267

54-18



TR. 574 APTOS SEASCAPE UNIT 14  
 57MB48 2/15/73

TR. 497 SEASCAPE BEACH ESTATES UNIT TWO  
 48MB59 5/24/68

TR. 483 SEASCAPE BEACH ESTATES UNIT ONE  
 48MB43 12/22/67

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

Assessor's Map No. 54-18  
 County of Santa Cruz, Calif.  
 Oct. 2000

Bk.53  
 01

Bk.43  
 13

Electronically Prepared on 10/09/00 KSA  
 Rev. 10/09/00 KSA (Rev. 10/09/00 KSA)

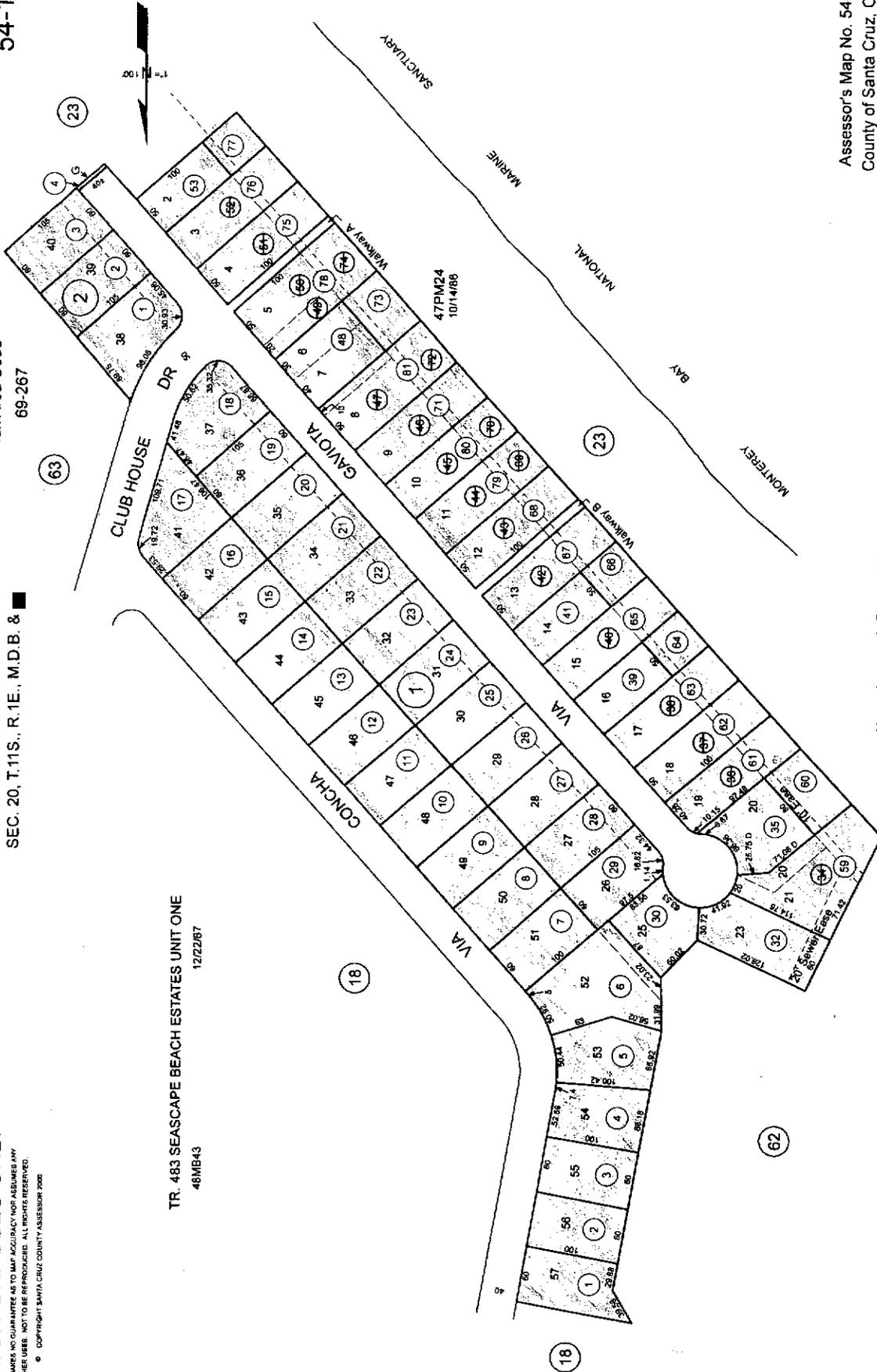
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SEC. 20, T.11S., R.1E., M.D.B. & ■

Tax Area Code  
69-267

54-19



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

Assessor's Map No. 54-19  
County of Santa Cruz, Calif.  
Oct. 2000

Electronically returned 10/10/00 KSA  
Rev. 01/01/00 KSA (Rev. 10/99)  
Pay \$7905 CB (Comb Form, 1-11)

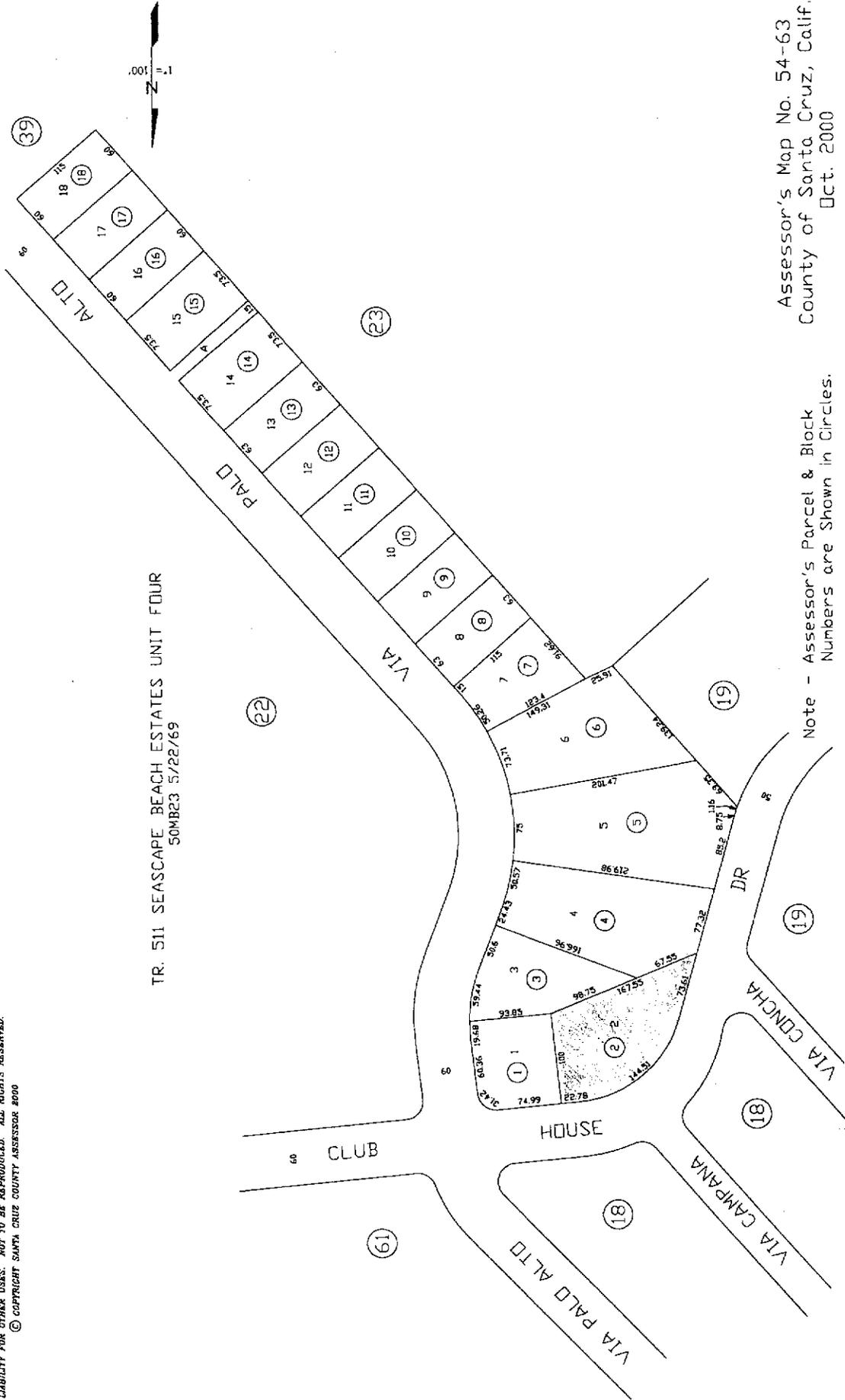
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Tax Area Code  
 69-267

54-63

TR. 511 SEASCAPE BEACH ESTATES UNIT FOUR  
 SOMB23 5/22/69



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

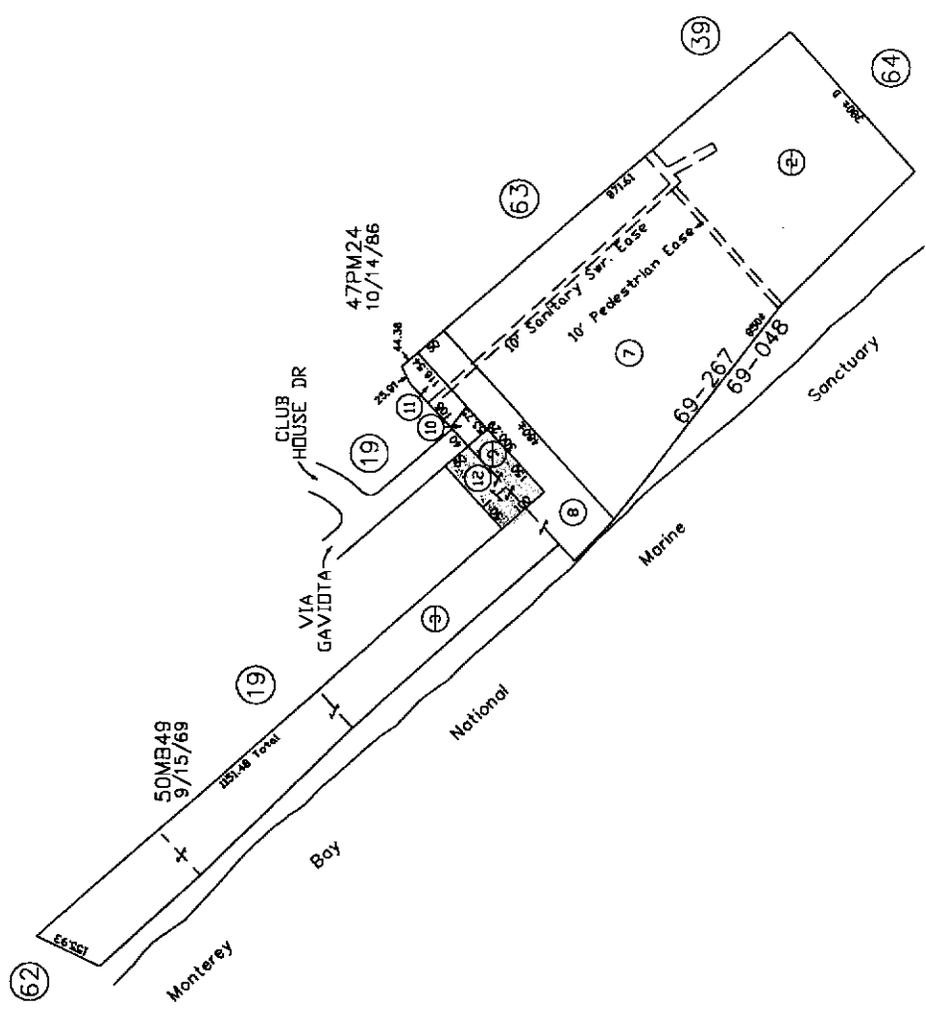
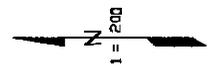
Assessor's Map No. 54-63  
 County of Santa Cruz, Calif.  
 Oct. 2000

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Tax Area Code  
 69-048 69-267

54-23



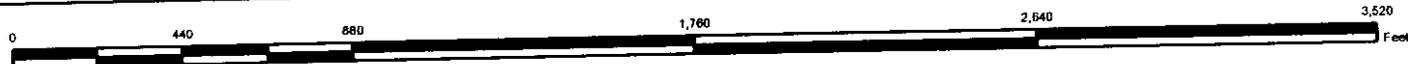
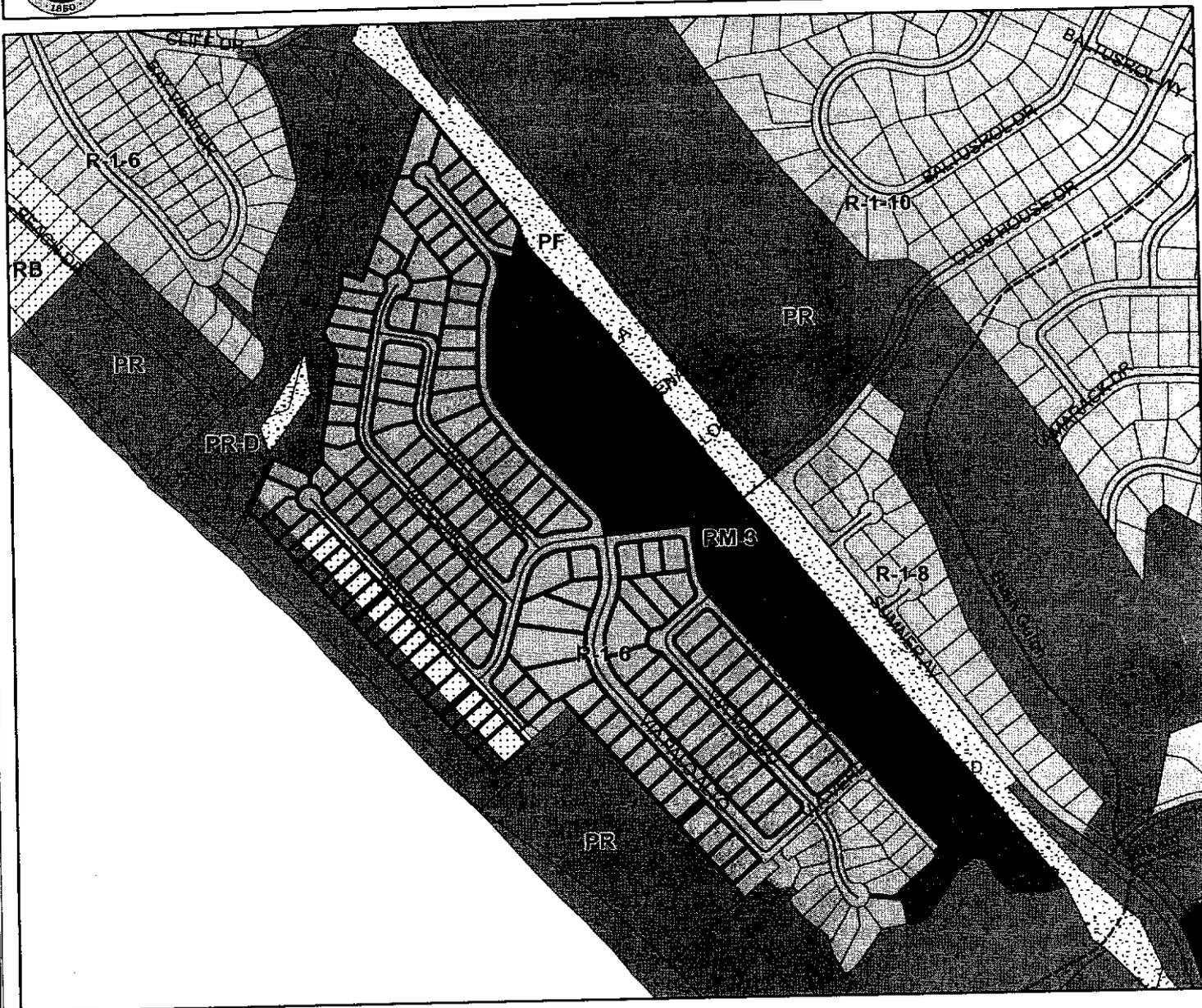
Assessor's Map No. 54-23  
 County of Santa Cruz, Calif.  
 Oct. 2000

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

**EXHIBIT C**

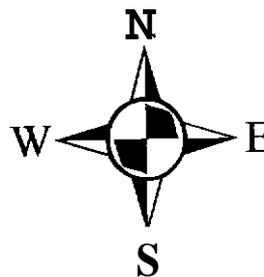


# Zoning Map



## Legend

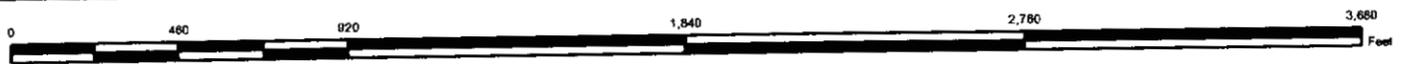
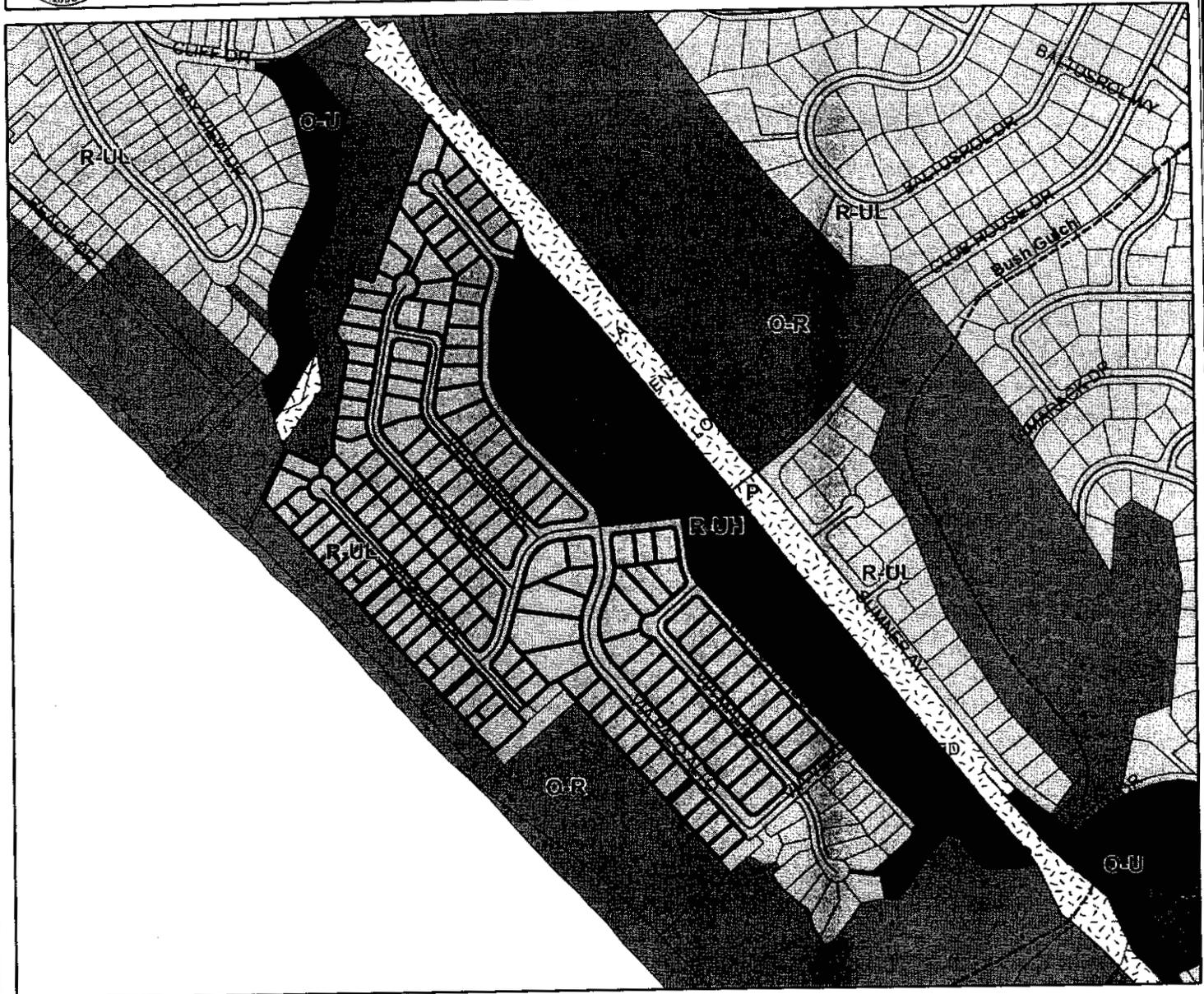
-  07-0004 Subject Parcels
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)
-  RESIDENTIAL-MULTIFAMILY (RM)
-  PUBLIC FACILITY (PF)
-  RESIDENTIAL- OCEAN BEACH (RB)



Map Created by  
 County of Santa Cruz  
 Planning Department  
 January 2007

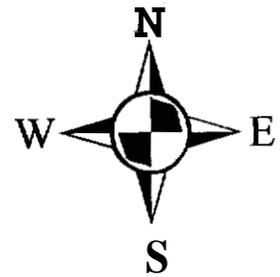


# General Plan Designation Map



## Legend

- 07-0004 Subject Parcels
- Assessors Parcels
- Streets
- INTERMITTENT STREAM
- Residential- Urban Low Density (R-UL)
- Parks and Recreation (O-R)
- Residential- Urban High Density (R-UH)
- Urban Open Space (O-U)
- Public Facilities (P)



Map Created by  
County of Santa Cruz  
Planning Department  
January 2007

July 24,2007

Planning Commission of Santa Cruz County  
County Government Center  
701 Ocean Street  
Santa Cruz. CA 95060

Attn: David Keyon, Project Planner

Dear David:

I am writing to you concerning the hearing on the proposed site standards submitted by the Seascape Beach Estates Subdivision. I own a home on Via Palo Alto, directly above Via Campana. Any construction in the Seascape Beach Estates Subdivision affects both the environment of my home **as well as** the view of the ocean from my house.

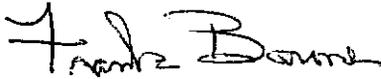
Over the past several years the Seascape Beach Homeowners Association has approved remodels of many homes, keeping within the original guidelines of reasonable footprints, while preserving the views of the homes in and around the subdivision. In fact, if you look around the subdivision there has been very little height variance among the homes. This includes both single **as well as** two story homes.

Most recently the Architectural Committee of the Seascape Homeowners Association apparently approved the construction of a remodel at 161 Via Campana which deviates significantly from the previous guidelines. It is a two story structure with a height in excess of 30 feet that completely blocks the views of many of the homes on Via Palo Alto. It towers over the existing homes and completely changes **both** the character and the environment of the beachside community.

We may never know if or why this structure was approved by the Architectural Committee of the Seascape Homeowners Association. However, we must insure that this kind of uncontrolled building not continue to degrade the ecology of this beachside community. Increasingly large structures leave very little room for water runoff and the area needed for plants and trees to grow to protect the hillsides. French drains are not a cure-all.

I thereby request the Planning Commission, when considering changes to the Seascape Beach Association Planned Unit development ordinance, consider the desire of all of the homeowners in and around the Seascape Beach Community, who wish to ~~maintain~~ the environment and continue to enjoy their ocean views. More specifically I would like to include a provision that the size and the height of any remodeled home conform to the dimensions of the previously existing structure.

Thanks for your consideration in this matter.



Frank Barone  
872 Via Palo Alto  
Aptos, CA 95003

Mailing Address:

19723 Northampton Dr.  
Saratoga, CA 95070

Attachment (1)

