



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

December 6, 2006

Planning Commission
county of santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Agenda Date: January 10, 2007

Item #: 9

Time: After 9 AM

APN: 032-223-09

Application: 05-0813

Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application 05-0813; a proposal to demolish an existing one-bedroom single-family dwelling and construct a two-bedroom single-family dwelling with attached garage.

Members of the Commission:

This item was heard before your Commission on 11/8/06. Public testimony was taken, followed with a discussion by your Commission. The item was continued to 1/10/07 with a request from your Commission that the applicant redesign the southwest corner of the front elevation to reduce the visual bulk and mass of the proposed residence. The specific areas to be addressed were the overall height of the southwest corner, the amount of area covered by windows, the stone materials used, and the inclusion of additional landscape screening.

Plan Revisions

The applicant and owner met with Planning Department staff to review some sample sketches, and discuss proposed design changes. With the feedback from the meeting with staff, the applicant submitted revised drawings on 12/1/06 with the following revisions:

Reduced Height of Residence at Southwest Comer

The applicant has reduced the height of the southwest corner section of the proposed residence. In the previous design this has been the tallest section of the front elevation, resulting in a unbalanced front elevation. The plate height has been reduced 2 feet and the roof line now matches the other roof sections of the front elevation.

Reduced Window Area

The lowered height of the southwest corner resulted in the removal of two window areas. The applicant has further reduced window area in this section of the proposed residence. The large windows on the first and second floors have been reduced in area. A band of the quartz veneer is proposed to separate the windows in the first and second floors.

Lighter Stone Material

The applicant displayed the proposed stone materials for the feature at the southeast corner of the proposed residence. It appears as though the renderings, and even the material sample made this material appear blockier than it actually is in reality. This material will be a manufactured stacked stone, which will give

this area a contrasting texture to the quartz veneer and stucco used elsewhere in the design. In order to reduce the darkness of the stone material, the applicant has selected a lighter stone color which will be more compatible with the quartz and stone elements of the proposed design.

Additional Landscaping

The applicant has proposed additional landscaping to soften the visual impact of the proposed residence. A mixture of low and tall shrubs, and one tree, are proposed to provide additional screening of the southwest corner of the proposed residence.

Summary

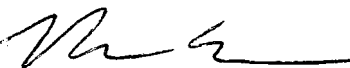
The plans submitted by the applicant have been reviewed by staff and appropriate changes to the design and appearance of the southwest corner of the residence have been made. These changes appear to address the concerns of your Commission regarding the visual bulk and mass of the proposed residence.

Recommendation

Planning Department staff recommends that your Commission:

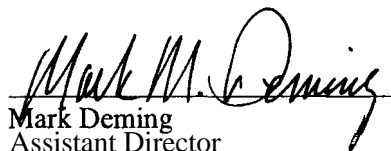
1. **OVERTURN** the Zoning Administrator's prior decision to deny the application;
2. Certify that the proposal is exempt from **further** Environmental Review under the California Environmental Quality Act; and
3. **APPROVE** Application Number **05-0813**, per the revised findings and conditions.

Sincerely,



Randall Adams
Project Planner
Development Review

Reviewed By:


Mark Deming
Assistant Director

County of Santa Cruz Planning Department

Exhibits:

- 2A. Revised Findings
- 2B. Revised Conditions
- 2C. California Environmental Quality Act Exemption
- 2D. Letter regarding plan revisions, prepared by Martha Matson, dated 12/1/06.
- 2E. Planning Commission Minutes, November 8, 2006 public hearing.
- 2F. Letter to the Planning Commission, November 8, 2006 agenda date, with exhibits.

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 - 4,000 sq. ft. minimum), a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district, consistent with the site's R-UM (Urban Medium Density 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 the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements 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 site is surrounded by lots developed to an urban density; the colors and materials shall be natural in appearance and complementary to the site; landscaping has been provided to screen a portion of the proposed residence.

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 with beach access on East Cliff Drive. Consequently, the residence 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 residential uses are allowed uses in the R-1-4 (Single Family Residential - 4,000 sq. ft. minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residence 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 light, air, and open space in the neighborhood.

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 residence 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 - 4,000 sq. ft. minimum) zone district in that the primary use of the property will be one single family residence that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Medium Density Residential (R-UM) land use designation in the County General Plan.

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

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 residence will be constructed as a replacement to the

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Owner: William and Alane Swinton

existing residence. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit), and will not adversely impact existing roads and intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed residence is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the site is surrounded by lots developed to an urban density; the colors and materials shall be natural in appearance and complementary to the site; landscaping has been provided to screen a portion of the proposed residence.

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Conditions of Approval

Exhibit A: Architectural plans prepared by Matson Britton Architects, dated December 21, 2005 (revised 3/28/06 & 12/1/06).
Topographical Survey prepared Bowman and Williams, dated July 11, 2003

- I. This permit authorizes the demolition of an existing one story single-family residence and the construction of a new two story single-family residence with attached garage. 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.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
11. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. 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 "A" on file with the Planning Department. Any changes from the approved Exhibit "A" 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. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5"x 11" format.
 2. Grading, drainage, and erosion control plans.
 3. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be

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provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site that clearly depict the total height of the proposed structure.

4. A landscape plan showing all proposed landscaping.
 5. Details showing compliance with fire department requirements.
 - C. 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.
 - D. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Submit 3 copies of a plan review letter prepared and stamped by a licensed geotechnical engineer.
 - G. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - H. Pay the current fees for Roadside and Transportation improvements for one bedroom. Currently, these fees are, respectively, \$733 and \$733 per bedroom.
 - I. Provide required off-street parking for three 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.
 - 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.
111. 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

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satisfaction of the County Building Official.

- C. The project must comply with all recommendations of the approved soils reports.
- D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify **or** cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and
 - 2. COUNTY defends the action in good faith.
 - C. Settlement. The Development Approval Holder shall not be required to pay or

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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.

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: _____

Mark Deming
Assistant Director

Randall Adams
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.

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: 05-0813
Assessor Parcel Number: 032-223-09
Project Location: 2-35 15 East Cliff Drive, Santa Cruz

Project Description: Proposal to demolish an existing one-story single family dwelling and construct a two-story single family dwelling with **an** attached garage.

Person Proposing Project: Martha Matson

Contact Phone Number: (831)425-0544

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

Specify type:

E. ☒ Categorical Exemption

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

F. Reasons why the project is exempt:

Replacement of an existing 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.

Randall Adams, Project Planner

Date: _____



December 1, 2006

Randall Adams
Project Planner
Development Review
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA 95060

Re: Application #05-0813; APN 032-223-09
The Swinton Residence, 2-3515 East Cliff Drive

Dear Randall:

In response to the comments from the Planning Commission, our informal discussion with Commissioner Bremner after the hearing, and our meeting with you and Larry Kasporowitz on November 21st, we respectfully submit these changes to the proposed Swinton Residence:

1. Landscaping: In order to soften the impact of the left side of the south elevation we are proposing the addition of a tree (birch), low shrubs (English lavender), and two tall shrubs (New Zealand Flax) on the corner. See the Site Plan 1-P2 and the elevation 3-P2.
2. Materials: The stone wall at left south elevation is now to be faced with "alderwood" stacked stone. This stone is lighter in color than the previous choice and contains elements of light grays and light browns. We have also altered the exterior elevation to better represent the overall appearance of this material. See sheet P-5 and the revised materials board.
3. Mass and Bulk: In order to reduce the impact of the left side of the south elevation, which is the facade closest to the street, we have lowered the plate height by two feet. This two foot drop will also strongly be felt on the west elevation as that element spans twenty six feet. See sheet P-5.
4. Fenestration: a. By reducing the height of the front structure on the left side of the south elevation, we have taken out 2'-0" of glass that wrapped all the way around the building. See west, south, and east elevations on sheet P5.

728 NORTH
BRANCIORTE
SANTA CRUZ
CA 95060
877-877-1111

EXHIBIT 2D

b. We have also raised the second floor living room windows above the floor level by 1'-6" and lowered the header height of the downstairs bedroom windows 1'-0". In the space between we have added a stone spandrel to match the stone on the first floor. See south and east elevations on sheet P5.

Gerry and I also wanted to take this opportunity to thank you and Larry for meeting with us on the 21st and discussing the options we brought forth. We appreciate that you were helpful in finding solutions which at the same time, maintained the integrity of the design.

Sincerely:

A handwritten signature in black ink, appearing to read 'Martha Matson', followed by a long horizontal flourish line.

Martha Matson
Architect
MATSON BRITTON ARCHITECTS

Planning Commission Minutes- 11/08/06

Proceedings of the Santa Cruz County
Planning Commission

Volume 2006, Number 20

November 8, 2006

Location: Board of Supervisors, County Government Center,
701 Ocean Street, Room 525, Santa Cruz, CA 95060

Action Summary Minutes

Voting Key

Commissioners: Bremner, Aramburu, Chair Holbert, Gonzalez, and Shepherd
Alternate Commissioners: Messer, Hancock, Hummel, and Britton

Commissioners present were Bremner, Aramburu, Holbert, Gonzalez, Shepherd and Hummel (for item 7).

Consent Agenda

6. Approval of minutes
To approve the minutes of the October 25, 2006 Planning Commission meeting as submitted by the Planning Department.

Approved minutes. Bremner made the motion and Aramburu seconded. Voice Vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

- 6.1 Approval of minutes
To approve the minutes of the October 11, 2006 Planning Commission meeting as submitted by the Planning Department.

Approved minutes. Bremner made the motion and Aramburu seconded. Voice Vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

- 6.2 04-0089 4401 Yardarm Ct., Soquel APN: 102-441-19
Findings for denial for an application to construct a 6-foot masonry wall with 6 foot 8 inch stone piers and to construct 1 vehicular gate with decorative pilasters to a maximum height of 8 feet 8 inches and a pedestrian gate with a wrought iron arch to 8 feet 8 inches. Requires a Residential Development Permit to exceed the maximum 3-foot height limit for walls within the required 40-foot front yard setback. Property located on the Southwest side of the intersection of Yardarm Court and Mainsail Place (4401 Yardarm Court).
Project Denied by Zoning Administrator April 7, 2006.
Applicant Appealed decision April 14, 2006.
Provisionally denied by Planning Commission on October 25, 2006, pending findings for denial.
Owner: Hess, Martin L et al
Appellant/Applicant: Matson Britton Architects

Supervisorial District: 1
Project Planner: Robin Bolster-Grant, 454-5357
Email: plnl11@co.santa-cruz.ca.us

Adoptfindings to approve application and deny appeal. Bremner made the motion and Aramburu seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

Continued Items

There were no continued items

Scheduled Items

7. 05-0813(**) 2-3515 East Cliff Drive, Santa Cruz APN: 032-223-09
Appeal of the Zoning Administrator's September 17, 2006 action to deny application 05-0813, a proposal to demolish an existing one-bedroom single-family dwelling and construct a two-bedroom single-family dwelling with attached garage. Requires a Coastal Development Permit. Property located on the north side of East Cliff Drive, about 60 feet east of 35th Ave.
Appellant/Owner: William & Alane Swinton
Applicant: Martha Matson
Supervisorial District: 1
Project Planner: Randall Adams, 454-3218
Email: pln515@co.santa-cruz.ca.us

Continued to January 10, 2007 for redesign of southwest corner (to soften) and findings for approval. Bremner made the motion and Shepherd seconded. Roll call vote carried 4-1, with ayes from Bremner, Hummel, Shepherd and Gonzalez. Aramburu voted no.

8. 01-0572 1399 Olive Springs Road, Soquel APNs: 099-171-03 & 099-251-01
Permit Review for compliance with conditions of Mining Approval 88-0233. A proposal to amend Mining Approval 88-0233 to modify conditions of approval that require certain drainage and operating activities and to delete conditions that have been satisfied. Update of the 1992 Revegetation Plan is also included. Requires a Minor Amendment to Mining Approval 88-0233.
Owner: CHY Company
Applicant: Powers Land Planning
Supervisorial District: 1
Project Planner: Dave Carlson, 454-3173
Email: pln144@co.santa-cruz.ca.us

Continued to January 24, 2007 for neighborhood meeting on traffic issues and revised conditions. Bremner made the motion and Shepherd seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

9. 05-0797 2541 & 2615 Soquel Avenue, Santa Cruz APNs: 025-131-14, 15, & 16
Proposal to combine Assessor's Parcel Numbers 025-131-14 and 025-131-16, to demolish an existing 960 square foot retail flower shop, to construct a mixed use building consisting of 2,049 square feet of retail on the first floor, one 1,822 square foot residential unit on the second floor and residential parking at the basement level, to grade approximately 5,000 cubic yards, to rezone the properties (parcels 025-131-14, 025-131-15, & 025-131-16) from the **C-4** zone district to the C-2 zone district, and to amend the General Plan land use designations for the three parcels from Service Commercial (C-S) to Community Commercial (C-C). Requires a General Plan Amendment,

Rezoning, Commercial Development Permit, Riparian Exception, and an exception to the onsite driveway width standards (from 18feet to 12 feet)
Owner: Henry Nguyen, Hanh Vo Thi, and Robert Davidson
Applicant: Powers Land Planning
Supervisory District: 3
Project Planner: Robin Bolster-Grant, 454-5357
Email: plnl11@co.santa-cruz.ca.us

Approved staff recommendation with amended conditions and adopted resolution recommending approval to the Board of Supervisors. Aramburu made the motion and Bremner seconded. Voice vote carried 4-0, with ayes from Bremner, Aramburu, Holbert, and Gonzalez. Commissioner Shepherd was absent.

10. 06-0452(**) No Situs APN: 038-081-36
Proposal to divide a 2.95-acre parcel into two parcels of 1.70 acres and 1.25 acres, in order to create two separate future sites for affordable housing and a park. Requires a Minor Land Division; a General Plan/LCP Amendment to change the land use designation from C-V (Commercial-Visitor Accommodations) to R-UH (Urban High Density Residential) on 1.70 acres and to the O-R (Parks, Recreation and Open Space) on 1.25 acres and to revise the Coastal Priority Site designations of APNs 038-081-34, -35, -36; an amendment to the Seacliff Village Plan; a Rezoning from the VA-D (Visitor Accommodations - Designated Park Site) to RM-2.5 (Multi-family residential, 2,500 sf/unit) on 1.70 acres and to PR (Parks, Recreation and Open Space) on **1.25** acres; and a Design Review waiver. Property located on the northwest corner of Searidge Road and McGregor Drive in Seacliff.
Owner: South County Housing Corporation
Applicant: County of Santa Cruz
Supervisory District: 2
Project Planners:
Steve Guiney, 454-3172
Email: pln950@co.santa-cruz.ca.us
Randall Adams, 454-3218
Email: pln515@co.santa-cruz.ca.us

Approved staff recommendation and adopted resolution recommending approval to the Board of Supervisors. Aramburu made the motion and Gonzalez seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

11. Public Hearing to consider proposed ordinance amendments to County Code Chapter 13.10 that would:
 - a) modify County Code Section 13.10.323(b), the Residential Site and Structural Dimensions Chart, to increase the maximum lot coverage from 30% to 40% on residential lots that are 5,000 to 15,000 square feet in size;
 - b) add new County Code Section 13.10.323(e)7 to allow front yard averaging on residential lots; and
 - c) modify County Code Section 13.10.700-S by amending the definition of “Site Area, Net” for residential properties to exclude coastal bluffs, beaches, and submerged Monterey Bay areas from being considered in a parcel’s size when determining lot coverage and floor area ratio maximums.

The Proposed amendments to County Code Chapter 13.10 are amendments to the Local Coastal Program implementing ordinances.
Applicant: County of Santa Cruz
Supervisory District: County Wide
Project Planner: Steve Guiney, 454-3172
Email: pln950@co.santa-cruz.ca.us

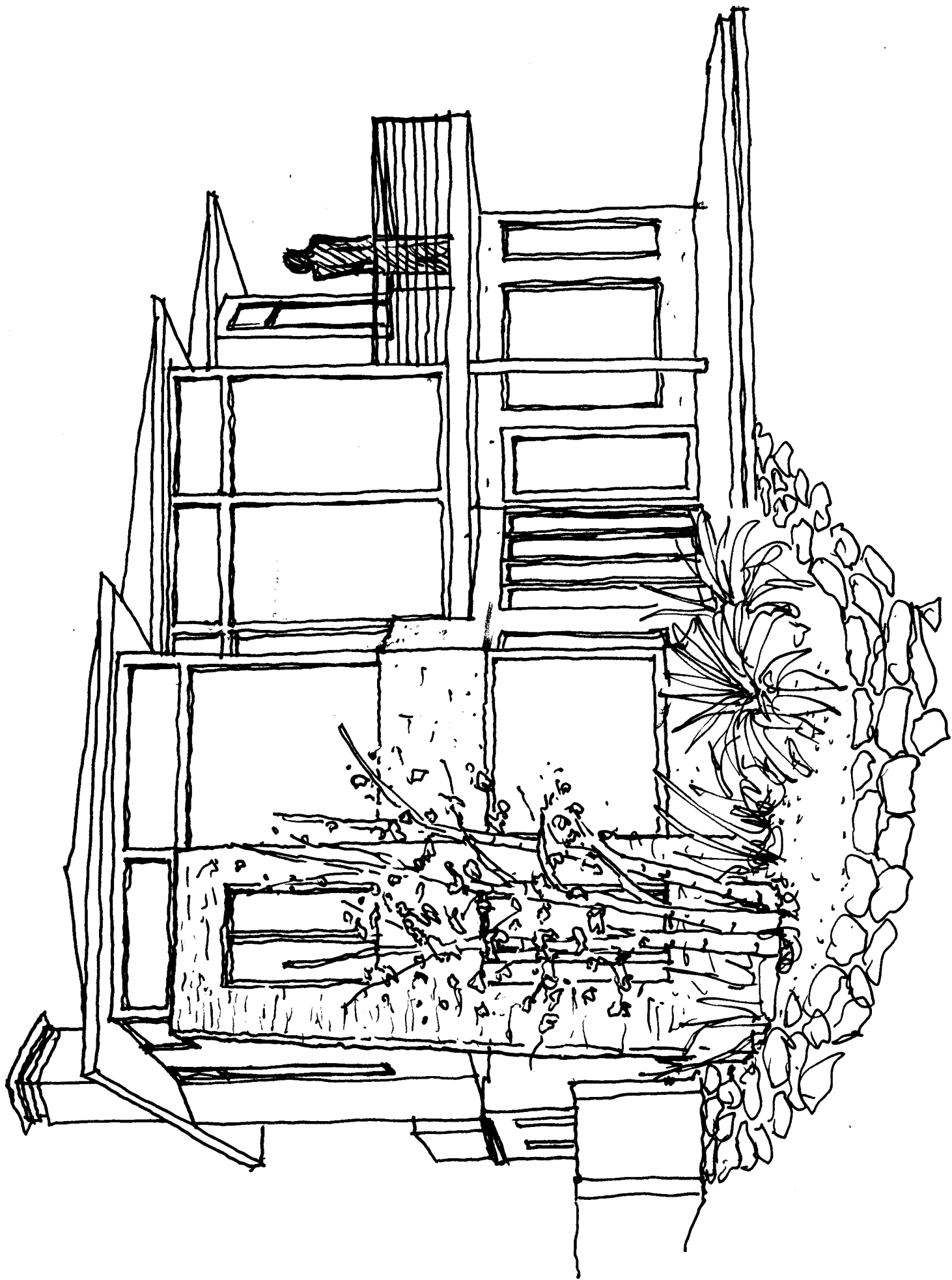
Approved staff recommendation and adopted resolution recommending approval to the board of supervisors. Section a, Shepherd made the motion and Gonzalez seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd. Section b, approved concept with amendment for first floor only. Bremner made the motion and Shepherd seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd. Section c, approved staff recommendation with the direction to add a definition of "beaches." Shepherd made the Motion and Gonzalez seconded. Voice vote carried 5-0 with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

12. Public Hearing to consider ordinance amendments to sections 13.10.215 and 17.10.030 of the Santa Cruz County Code regarding adding a very low income affordability component for housing units created by conversion of non-residential land to residential land. (County Code Chapters 13.10 and 17.10 are Coastal Program implementing ordinances).
Applicant: County of Santa Cruz
Supervisory District: County Wide
Project Planner: Sarah Neuse 454-3290
Email: pln320@co.santa-cruz-ca-us

Approved staff recommendation and adopted resolution recommending approval to the board of supervisors. Aramburu made the motion and Gonzalez seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.

13. Public hearing to consider revisions to Chapters 13.03, 14.01, and 14.02 of the Santa Cruz County Code regarding the conversions of residential units to condominiums or townhouses. County Code Chapters 13.03 and 14.02 are Local Coastal Program implementing ordinances.
Applicant: County of Santa Cruz
Supervisory District: County Wide
Project Planner: Don Bussey, 454-3182
Email: pln401@co.santa-cruz-ca.us

Approved staff recommendation and adopted resolution recommending approval to the board of supervisors. Shepherd made the motion and Gonzalez seconded. Voice vote carried 5-0, with ayes from Bremner, Aramburu, Holbert, Gonzalez, and Shepherd.



APPLICATION NO. 05-0813

STAFF REPORT TO THE PLANNING COMMISSION

EXHIBIT 2F



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

September 28, 2006

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

Agenda Date: November 8, 2006

Item#: 7

Time: After 9 AM

APN: 032-223-09

Application: 05-0813

Subject: A public hearing to consider an appeal of the Zoning Administrator's decision to approve application 05-0813; a proposal to demolish an existing one-bedroom single-family dwelling and construct a two-bedroom single-family dwelling with attached garage.

Members of the Commission:

This application is a proposal to remove the existing single story residence and garage and to construct a replacement two story residence on the subject property. As documented in the staff report to the Zoning Administrator, the replacement residence is designed to comply with the site standards for the zone district, but includes design elements which are not considered as compatible with the surrounding pattern of development. These design elements include a tall two-story stone element and extensive vertical glass surfaces along the front elevation of the proposed residence.

The applicant and owner were informed of the concerns regarding these design elements and were given an opportunity to redesign the replacement residence to address these concerns. The applicant and owner considered the design issues raised by Planning Department staff and decided not to alter the design of the proposed residence. Without any changes to the proposed design Planning Department staff recommended denial of the application.

This item was heard by the Zoning Administrator on 9/15/06 at a noticed public hearing. At the hearing, the property owner presented additional written materials related to the proposed development. The property owner presented arguments which stated that the proposed project complies with all standards in the County Code and requested that the application be approved.

The Zoning Administrator reviewed the additional information and heard the property owner's arguments prior to taking final action to deny this proposal without prejudice (allowing the applicant to reapply within one year). The owner did not feel that the decision was based on the evidence and facts in the record and an appeal of the Zoning Administrator's decision was formally made on 9/22/06 by the property owners.

Design Issues

Although the proposed residence is in compliance with zone district site standards, the design of the proposed residence is not consistent with the requirements of the Design Review ordinance or the Local Coastal Program requirements related to building design, neighborhood compatibility, or development within visual resource areas.

The design of the proposed residence includes a dominant two story element at the front of the residence that is not consistent with the surrounding pattern of development. The bold two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood.

The proposed residence is not consistent with the architectural style or character of the existing residence or the majority of the residences in the surrounding area. Architectural styles vary within the surrounding area, but there are consistent features which are not found in the proposed design. The majority of existing residences in the area are either one story or have second stories that are stepped back from the street, with pitched roofs, stucco or wood siding, and smaller window areas to break up visual mass. The materials proposed, and the configuration of the of the structure with a tall two story element at the front are not typical of the architectural style of the surrounding residences. Additionally, the proposed residence will replace an existing structure that is one story in height, that has smaller window areas, and wood siding. The proposed replacement residence will be a significant change in visual character and architectural style from the existing residence and will not be compatible with the existing pattern of development in the surrounding area.

Appeal Issues

Substantial Evidence and Facts

The appellant has stated that the decision to deny the project was not based on substantial evidence and facts in the record.

The Zoning Administrator considered information noted during his site visit, and all evidence and facts presented in the staff report and at the public hearing prior to taking final action on this application. If there was any lack of clarity in the evidence or facts, the Zoning Administrator would have continued the item and requested additional information from the applicant or Planning Department staff.

Staff Report Findings

The appellant has stated that the Zoning Administrator did not properly identify errors in the staff report findings and did not properly interpret or apply the County Code.

The Zoning Administrator reviewed the staff prepared findings and did not find a need to make changes to the staff prepared findings or identify any errors in interpretation of the County Code

prior to taking final action on this application.

Proper Discretion

The appellant has stated that the Zoning Administrator failed to exercise proper discretion in the adoption of the staff recommendation.

The Zoning Administrator took final action on the project based on an analysis of the facts and materials that were presented, including the staff prepared findings and recommendation. If any changes to the staff report findings were necessary, or if the recommendation was in error, the Zoning Administrator would have made such changes to the findings or recommendation prior to taking final action on the application.

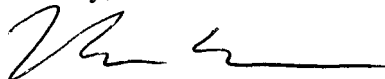
Summary

The issues raised by the appellant can best be summarized as a disagreement with the Zoning Administrator's final action. All of the concerns raised in this appeal were properly addressed by the Zoning Administrator prior the decision to deny the application on 9/15/06.

Recommendation

Planning Department staff recommends that your Commission **UPHOLD** the Zoning Administrator's decision to **DENY** Application Number **05-0813**.

Sincerely,



Randall Adams
Project Planner
Development Review

Reviewed By:



Mark Deming
Assistant Director
County of Santa Cruz Planning Department

Exhibits:

- 1A. Appeal letter, prepared by William G. & Alane K. Swinton, dated 9/22/06.
- 1B. Staff report to the Zoning Administrator, 9/15/06 public hearing.
- 1C. Additional correspondence & materials presented at the 9/15/06 public hearing.

William G. & Alane K. Swinton
2-3515 East Cliff Drive
Santa Cruz, CA 95062

September 22, 2006

VIA HAND DELIVERY

Planning Commission
County of Santa Cruz Planning Department
701 Ocean Street
4th Floor
Santa Cruz, CA 95060

**RE: Appeal of Zoning Administrator Decision, Hearing Date: Friday September 15, 2006
2-3515 East Cliff Drive, Application 05-0813, APN: 032-223-09**


Dear Commissioners:

As property owners of 2-3515 East Cliff Drive, we appeal the Zoning Administrator's denial of Application 05-0813. Enclosed is our check, numbered 5232, payable to the County of Santa Cruz in the amount of \$2,566.00 for the appeal fee, per Mr. Swinton's telephone conversation with Planner Adam on September 21, 2006.

The Zoning Administrator ("ZA") erroneously construed and ignored the evidence and the law, abused his discretion, and made a decision that was not supported by the substantial evidence and facts in the record. The ZA's adoption of the proposed findings set forth in the Staff Report recommending denial as the basis for his decision provides multiple bases for this appeal, including, but not limited to:

- 0 The decision to deny the application was not based on the substantial evidence and facts, presented in the hearing, presented in the application, and provided by the applicant and/or owner to the Planning Department during the processing of the application, as were incorporated into the record.
- 0 The ZA's evaluation of the Planning Department Staff Report findings, and the recommendations contained therein, was in error for multiple reasons including, but not limited to, failure to properly identify errors in analysis of evidence and facts, and failure to properly identify the lack of proper interpretation and application of existing code in the Coastal Development Permit Findings and Development Permit Findings.
- 0 Failure to exercise proper discretion, in that, by relying on and adopting Planning Department Staff recommendations as the decision basis, the ZA, in not recognizing that the Staff Report findings and its recommendations were both not properly founded and were in error, did not discount these findings and recommendations as such, and approve the application.

Sincerely,


William G. Swinton


Alane K. Swinton

Letter and Check #5232 received by the County of Santa Cruz

by _____ on September ____, 2006.



APPLICATION NO. 05-0813

STAFF REPORT TO THE PLANNING COMMISSION

EXHIBIT 1B



Staff Report to the Zoning Administrator

Application Number: **05-0813**

Applicant: Martha Matson
Owner: William and Alane Swinton
APN: 032-223-09

Agenda Date: 9/15/06
Agenda Item #: **6.**
Time: After 10:00 a.m.

Project Description: Proposal to demolish an existing one-bedroom single family dwelling and construct a two-bedroom single family dwelling with an attached garage.

Location: Property located on the north side of E.Cliff Drive, about 60 feet east of 35th Ave.
(2-3515 East Cliff Drive, Santa Cruz)

Supervisory District: First District (District Supervisor: Janet Beautz)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Denial of Application 05-0813, based on the attached findings.

Exhibits

- | | | | |
|----|--------------------------------------|----|---------------------------------|
| A. | Project plans | E. | Site Photos & Photo-simulations |
| B. | Findings | F. | Comments & Correspondence |
| C. | Assessor's Parcel Map | | |
| D. | Location, Zoning & General Plan maps | | |

Parcel Information

Parcel Size:	4,085 sq. ft.
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	East Cliff Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)
Zone District:	R-1-4 (Single Family Residential - 4,000 sq. ft. minimum)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Report reviewed & accepted
Fire Hazard: Not a mapped constraint
Slopes: 2-5%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed other than building foundation
Tree Removal: No trees proposed to be removed
Scenic: Scenic beach/bluff viewshed
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: City of Santa Cruz Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5 Flood Control District

Project Setting

This project is located on East Cliff Drive in the Pleasure Point area of Live Oak. The subject property is located across the roadway from the coastal bluff and the pedestrian pathway. The pedestrian pathway is used recreationally with many people coming to the area to exercise, surf, or enjoy the views of the Monterey Bay. The surrounding neighborhood consists of mostly single-family residences that are a mix of one and two stories in height. Residences immediately to either side of the subject property are one story in height.

Zoning & General Plan Consistency

The subject property is a 4,085 square foot lot, located in the R-1-4 (Single Family Residential - 4,000 sq. ft. min. site area) zone district. The proposed single family residence is a principal permitted use within the zone district and the proposed density is consistent with the (R-UM) Urban Medium Density Residential General Plan designation.

The proposed residence complies with the required site standards for the R-1-4 zone district, as shown in the table below:

SITE DEVELOPMENT STANDARDS TABLE

	R-1-4 Standards	Proposed Residence
Front yard setback:	15 feet minimum	15 feet (at SE corner)
Side yard setbacks:	5 feet minimum	5 feet & 5 feet (with Fireplace allowed in SW setback)

Rear yard setback:	15 feet minimum to alley (Double frontage) 20 feet minimum to garage	16 feet to residence 21 feet to garage
Lot Coverage:	40 % maximum	34 %
Building Height:	28 feet maximum	26 feet 8 inches
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50 %)	49 %
Parking	3 (18' x 8.5') spaces required (for a 2 bedroom residence)	2 in garage 2 uncovered in driveway

This development proposal also includes a 6 foot high stucco fence within the rear yard setback facing the alley. Although the alley is a vehicular right of way, 6 foot high fences typically front on alleyways and the proposed fence is consistent with other existing fences fronting on the alley.

Design Issues & Local Coastal Program Consistency

Although the proposed residence is in compliance with zone district site standards, the design of the proposed residence is not consistent with the requirements of the Design Review ordinance or the Local Coastal Program requirements related to building design, neighborhood compatibility, or development within visual resource areas.

The design of the proposed residence includes a dominant two story element at the front of the residence that is not consistent with the surrounding pattern of development. The bold two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood.

The preliminary review of this application by the County Urban Designer did not identify the concerns listed above, however, further review of the neighborhood compatibility has clearly indicated that the design of the proposed residence is not consistent with the existing residence or the majority of the residences in the surrounding area. Architectural styles vary within the surrounding area, but there are consistent features which are not found in the proposed design. The majority of existing residences in the area are either one story or have second stories that are stepped back from the street, with pitched roofs, stucco or wood siding, and smaller window areas to break up visual mass. The materials proposed, and the configuration of the of the structure with a tall two story element at the front are not typical of the architectural style of the surrounding residences. Additionally, the proposed residence will replace an existing structure that is one story in height, that has smaller window areas, and wood siding. The proposed replacement residence will be a significant change in visual character and architectural style from the existing residence.

A letter was prepared by Planning Department staff, dated 5/23/06 (Exhibit F), which described the above listed issues to the architect and property owners. The letter suggested some possible modifications in the design of the residence to reduce the apparent bulk and mass of the proposed residence, improve the streetscape relationship, and achieve better consistency with existing

structures in the surrounding neighborhood. The property owners considered the recommendations of staff and decided to proceed with the application without further modifications to their existing design. As no modifications have been made to address the above listed issues, Planning Department staff are unable to support the proposal as currently designed.

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. Beach access exists immediately across East Cliff Drive via an existing stairway. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Conclusion

As proposed and conditioned, the project is not 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.

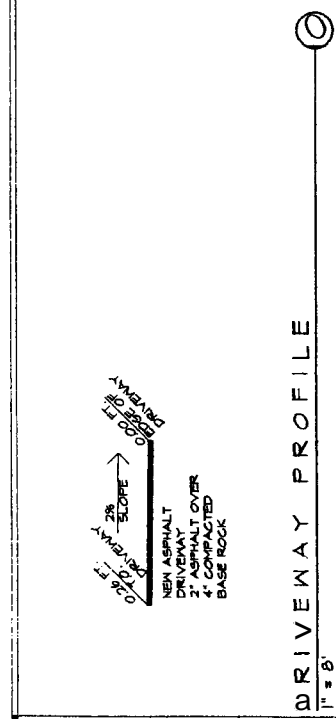
Staff Recommendation

- **DENIAL** of Application Number **05-0813**, based on the attached findings.

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: Randall Adams
Santa **Cruz** County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: pln515@co.santa-cruz.ca.us



DRIVEWAY PROFILE

1" = 8'

1. THESE PLANS SHALL COMPLY WITH CALIFORNIA BUILDING AND FIRE CODES (2001) AND DISTRICT AMENDMENTS.
2. OCCUPANCY R-3, TYPE V-N SPRINKLER.
3. DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC SPRINKLER SYSTEM TO THE FIRE PROTECTION DISTRICT OF SANTA CRUZ COUNTY. PLANS SHALL COMPLY WITH THE UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDBOOK FOR THE APOTOSA SELVA FIRE DEPARTMENT.
4. ADDRESS NUMBERS SHALL BE POSTED AND MAINTAINED AS SHOWN ON THE SITE PLAN. NUMBERS SHALL BE A MINIMUM OF 4 INCHES IN HEIGHT AND OF A COLOR CONTRASTING TO THEIR BACKGROUND.
5. ROOF COVERINGS SHALL BE NO LESS THAN CLASS 'B' RATED.
6. THE JOB COPIES OF THE BUILDING AND FIRE SYSTEMS PLANS AND PERMITS MUST REMAIN ON-SITE DURING INSPECTIONS.
7. BUILDING TO BE PROTECTED BY AN APPROVED AUTOMATIC FIRE SPRINKLER SYSTEM COMPLYING WITH CURRENTLY ADOPTED EDITION OF NFPA 135, ADOPTED STANDARDS OF APOTOSA SELVA FIRE DEPARTMENT.
8. PUBLIC FIRE HYDRANT REQUIRED WITHIN 250 FT. OF ANY PORTION OF THE BUILDING WITH A MINIMUM 1000 GALLON FIRE FLOW.
9. THIRTY (30) FOOT CLEARANCE TO BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OR TO THE PROPERTY LINE; WHICHEVER IS SHORTER DISTANCE.

FIRE NOTES

1. FULL ROOF GUTTERS SHALL BE PLACED AROUND ALL EAVES. DOWNSPOUTS TO GO TO SPLASHPANS.
2. SURFACE DRAINAGE ADJACENT TO FOUNDATION AND PAVEMENTS SHALL BE SLOPED AWAY FROM BUILDING @ 2% MINIMUM GRADE.
3. ARCHITECT TO FIELD VERIFY LOCATIONS OF DOWNSPOUTS.

DRAINS

PROJECT DESCRIPTION:
THIS PROJECT CONSISTS OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH TWO BEDROOMS, 2 1/2 BATHS, AND A TWO CAR GARAGE. THE EXISTING 1 STORY NON-CONFORMING RESIDENCE IS TO BE DEMOLISHED.

CODE COMPLIANCE:
THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24, AND THE FOLLOWING CODES: 2001 USC, 1941 USC, 1941 UPC, AND 1941 NEC.

LOT SIZE: 4085 S.F.

GROSS FLOOR AREAS:
PROPOSED FIRST FLOOR: 649.9 SQ. FT.
PROPOSED SECOND FLOOR: 1066.6 SQ. FT.
GARAGE: 451.6 SQ. FT.

F.A.R. (1610.5) 1086.6 (451.6-225) S.F. / 4085 S.F. = 44%
ALLOWABLE LOT COVERAGE: 1634 S.F. / 4085 S.F. = 40%
LOT COVERAGE: 1186.2 S.F. / 4085 S.F. = 29%

CUT & FILL

1. BETWEEN OCTOBER 18 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED AT ALL TIMES DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DENSITY. BEFORE COMPLETION OF THE PROJECT ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
2. UPON COMPLETION OF CONSTRUCTION, ALL DISTURBED AREAS SHALL BE PERMANENTLY REVEGETATED AS PER THE LANDSCAPE PLANS. AREAS NOT INCLUDED IN LANDSCAPE PLAN SHALL BE RE-SEED AT THE FOLLOWING RATE:
BLAND BROME: 1/4" PER 1000 S.F.
ROSE CLOVER: 1/4" PER 1000 S.F.
ANNUAL INTERSESS: 1/4" PER 1000 S.F.
FERTILIZED SEEDLING WITH 16-20-0 ANTIMONY PHOSPHATE FERTILIZER.
3. DISTURB ONLY THOSE AREAS UNDER CONSTRUCTION. DO NOT LEAVE SOIL UNPROTECTED DURING HEAVY RAIN.
4. STOCKPILE DISTURBED TOPSOIL AND REDISTRIBUTE AROUND FINISHED SITE IN LANDSCAPE AREAS AS SEED BASE.
5. STRAW BALES SHALL BE PLACED IN A ROW WITH THE ENDS TIGHTLY ABUTTING.
6. EACH BALE SHALL BE BEDDED IN THE SOIL A MINIMUM OF 4 INCHES. USE STRAW ROCKS OR FILTER FABRIC TO FILL ANY GAPS BETWEEN THE BALES AND TAMP THE BACKFILL MATERIAL TO PREVENT EROSION UNDER OR AROUND THE BALES.
7. IF THE BALES ARE WIRE BOUND, THEY SHOULD BE ORIENTED SO THE BINDING ARE AROUND THE SIDES RATHER THAN ALONG THE TOP AND BOTTOM. WIRE BINDING THAT ARE PLACED IN CONTACT WITH SOIL SOON DISTINGUISH AND MAY ALLOW THE BALES TO ALLOW WORKERS IN PLACE BY THREE WOODEN STAKES OR REBAR DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE BALES PREVIOUSLY LAID BALE TO FORCE THE BALES TIGHTLY TOGETHER. DRIVE THE STAKES AT LEAST 16" INTO THE GROUND.

EROSION CONTROL NOTES

OWNERS: GERRY SWINTON
2-3515 EAST CLIFF DRIVE
SANTA CRUZ, CA 95062

A.P.N.: 032 - 225 - 04 & 11

ZONING: R-1-4

OCCUPANCY GROUP: R-3 (PER 2001 USC)

CONSTRUCTION V-N, FULLY SPRINKLERED TYPE.

PROJECT DESCRIPTION:
THIS PROJECT CONSISTS OF A NEW TWO STORY SINGLE FAMILY DWELLING WITH TWO BEDROOMS, 2 1/2 BATHS, AND A TWO CAR GARAGE. THE EXISTING 1 STORY NON-CONFORMING RESIDENCE IS TO BE DEMOLISHED.

CODE COMPLIANCE:
THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24, AND THE FOLLOWING CODES: 2001 USC, 1941 USC, 1941 UPC, AND 1941 NEC.

LOT SIZE: 4085 S.F.

GROSS FLOOR AREAS:
PROPOSED FIRST FLOOR: 649.9 SQ. FT.
PROPOSED SECOND FLOOR: 1066.6 SQ. FT.
GARAGE: 451.6 SQ. FT.

F.A.R. (1610.5) 1086.6 (451.6-225) S.F. / 4085 S.F. = 44%
ALLOWABLE LOT COVERAGE: 1634 S.F. / 4085 S.F. = 40%
LOT COVERAGE: 1186.2 S.F. / 4085 S.F. = 29%

PROJECT SUMMARY

ARCHITECTS: MATSON BRITTON ARCHITECTS
120 N. BRANCAFORTE
SANTA CRUZ, CA 95062
651-423-0844 F 651-423-4745

SURVEYORS: BOHMAN & WILLIAMS ENGINEERS
101 CEDAR STREET
SANTA CRUZ, CA 95061
651-426-3560

CONSULTANTS



VICINITY MAP

- P1 TITLE SHEET
- P2 SITE PLAN
- P3 FIRST FLOOR PLAN
- P4 SECOND FLOOR PLAN
- P5 ELEVATIONS
- SU1 SURVEY

SHEET INDEX

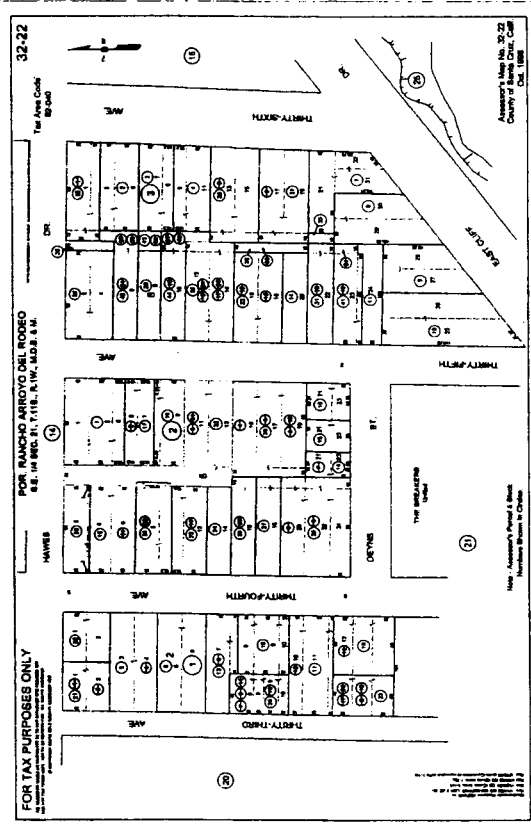
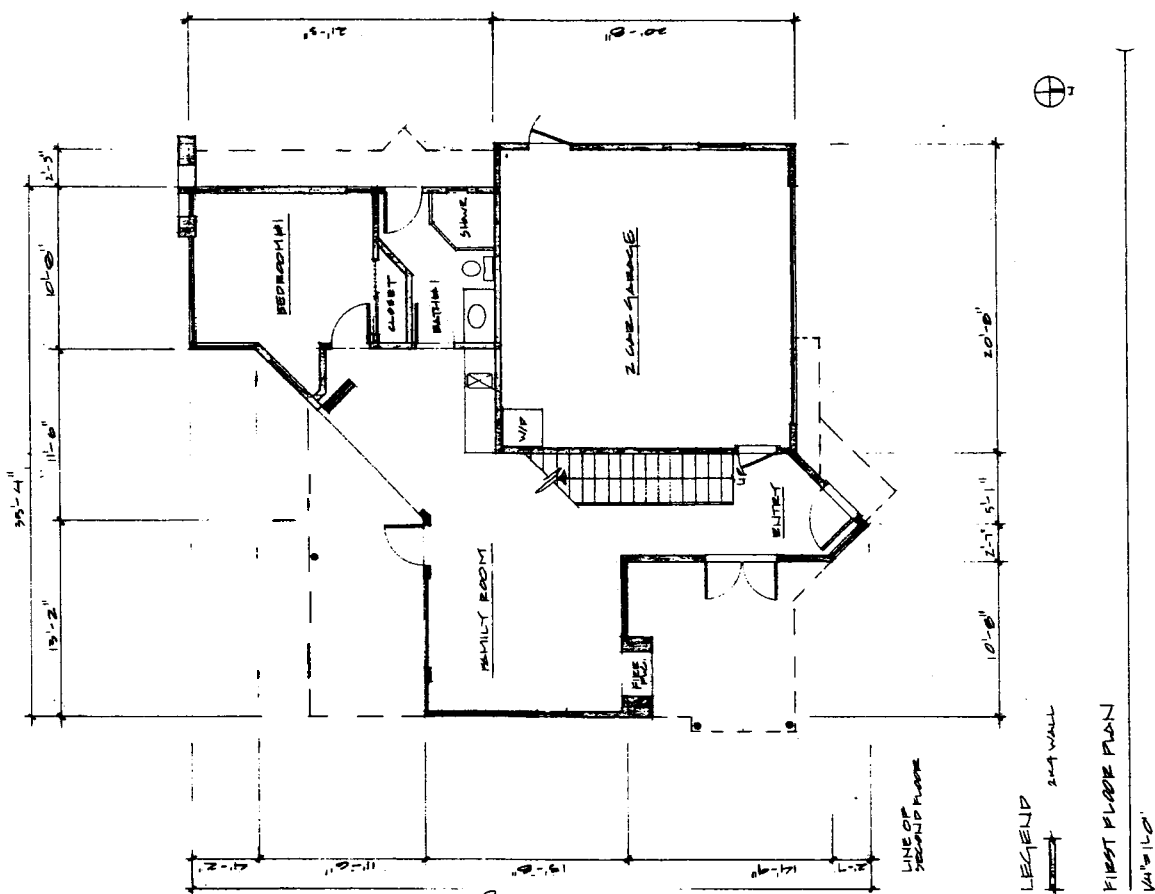
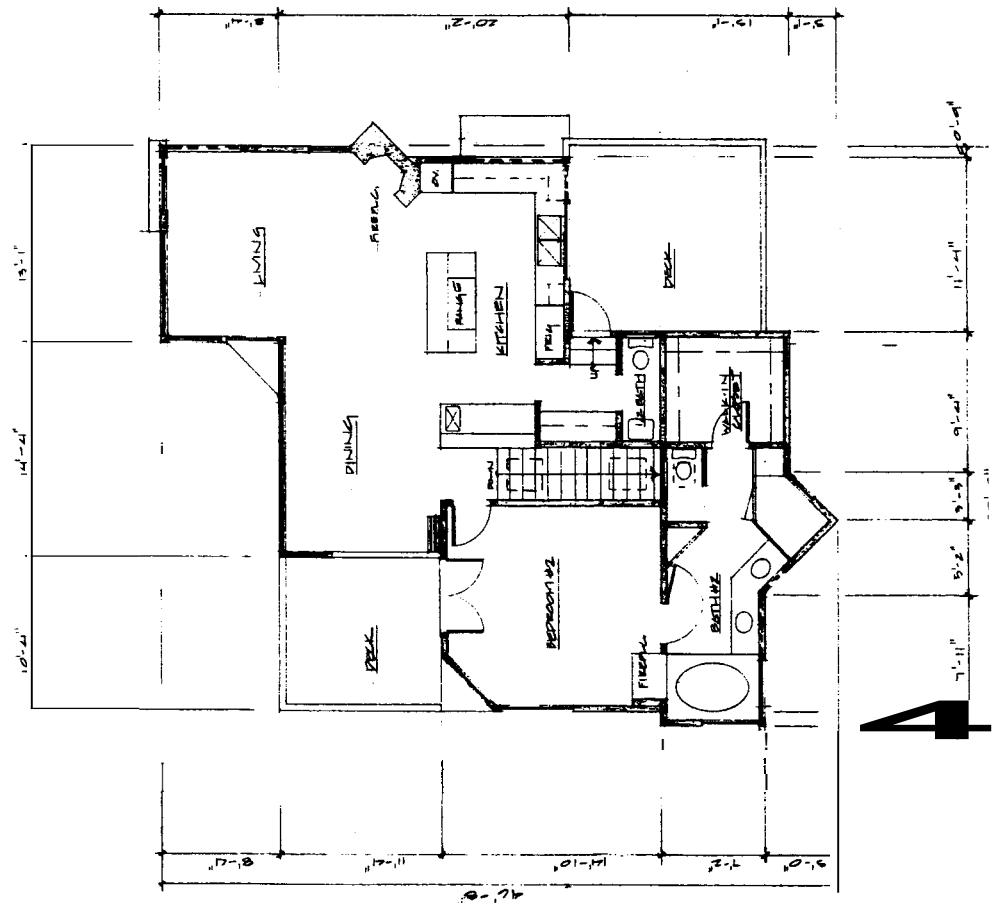


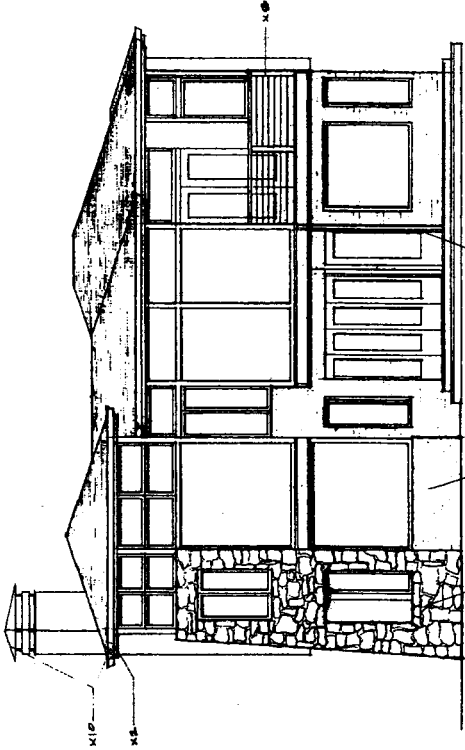
EXHIBIT A

A.P.N. MAP

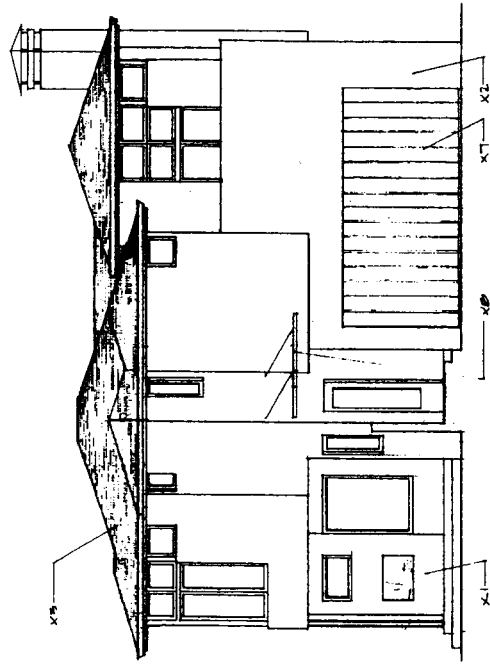




SECOND FLOOR PLAN
1/8" = 1'-0"

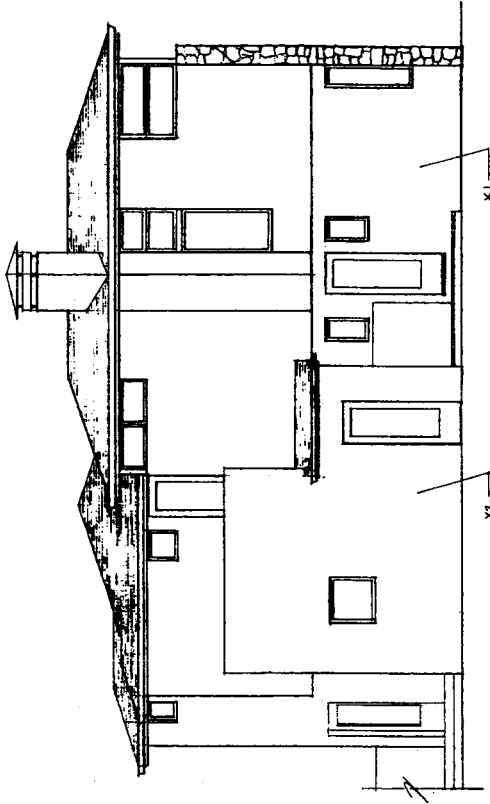


1
SOUTH ELEVATION
1/4"=1'-0"

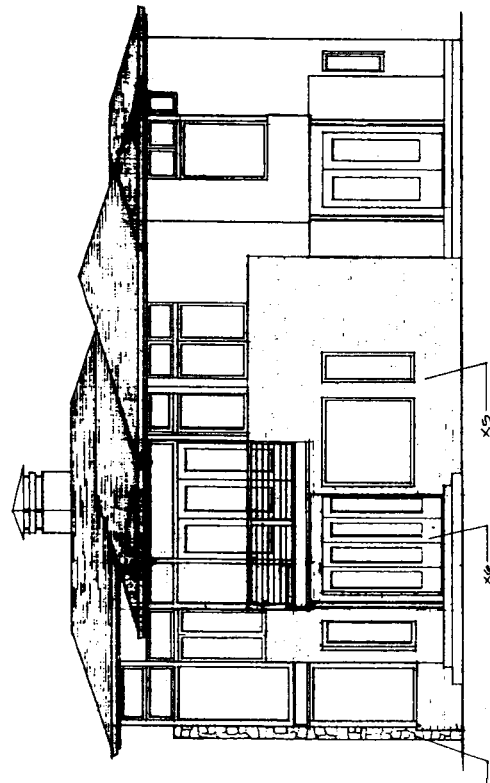


2
NORTH ELEVATION
1/4"=1'-0"

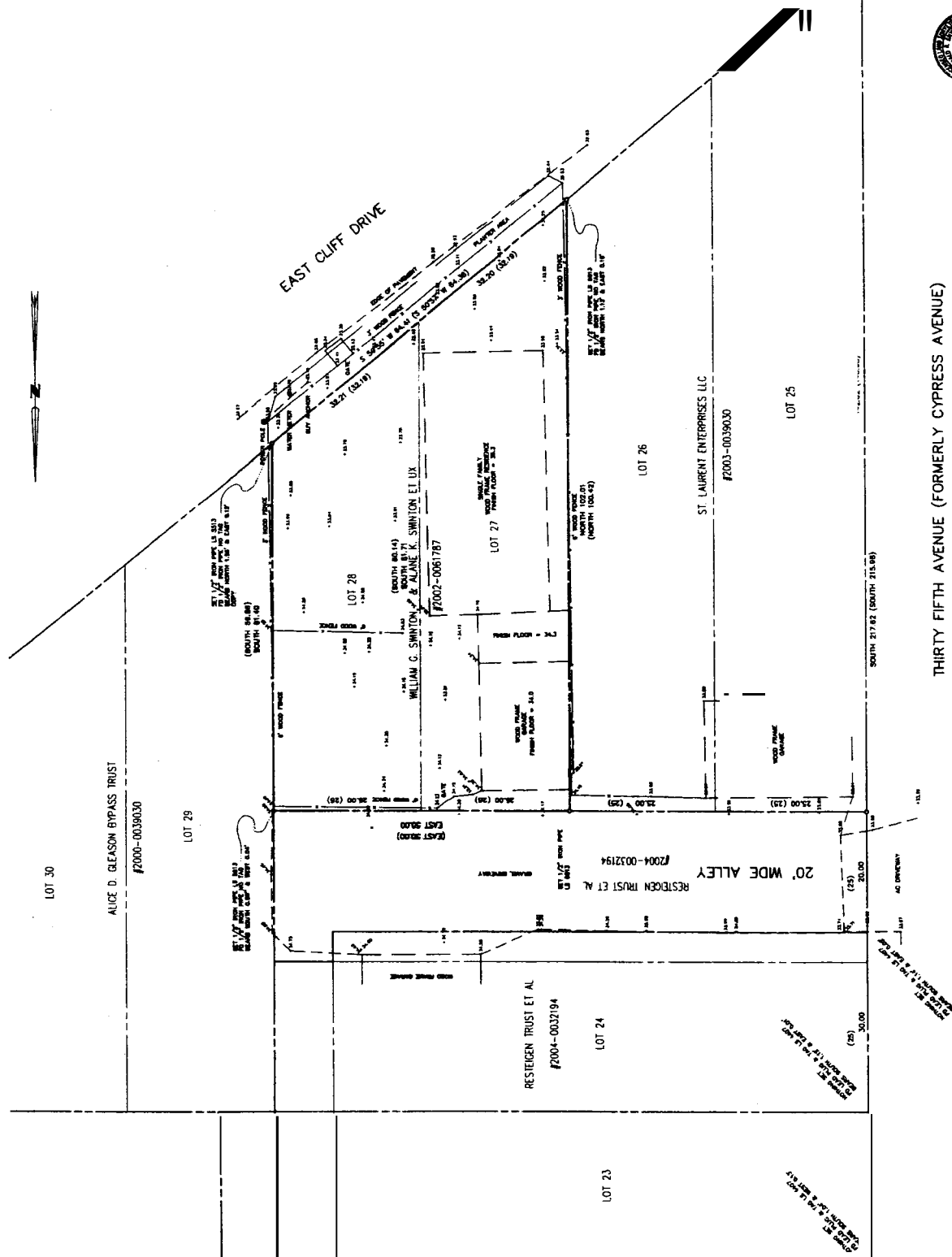
ELEVATION NOTES	
X1	TWO COAT STUCCO W/ HAND TRIMMED FINISH & INTERIOR BODY COLOR
X2	TWO COAT STUCCO W/ HAND TRIMMED FINISH & INTERIOR ACCENT COLOR
X3	HIGH DEFINITION COMPOSITE ROCK PANELS
X4	STONE VENEER - ELBORADO NATURAL STACKED STONE
X5	STONE VENEER - NONSTONE ROCK PANEL, WHITE QUARTZ
X6	METAL DOORS & WINDOWS DARK ANODIZED BRASS FINISH
X7	WOOD VERTICAL SLAT PANEL BALANCE DOOR W/ CHERRY WOOD STAIN
X8	STAINLESS STEEL APPLIANCE
X9	POWDER COATED STEEL BEAMS & PIPE COLLARS TO MATCH FINISHES
X10	COPPER BUTTERS & CHIMNEY CAP
X11	STAINLESS STEEL RAILING



3
WEST ELEVATION
1/4"=1'-0"



4
EAST ELEVATION
1/4"=1'-0"



BASIS OF BEARINGS

The bearings of the lines of this survey are based on the true meridian of the corner of Lot 1 in Block 8 - North.

BENCHMARK

The benchmark for this survey is the corner of Santa Rosa Boulevard and Locust Street in the City of Santa Rosa, California, which is a benchmark of the United States Coast and Geodetic Survey.

NOTES ON BOUNDARY ESTABLISHMENT

The boundaries of the lots in this survey are established by the survey of the lots in Block 8 - North, which is a survey of the United States Coast and Geodetic Survey. The boundaries of the lots in this survey are established by the survey of the lots in Block 8 - North, which is a survey of the United States Coast and Geodetic Survey.

BOWMAN & WILLIAMS
SURVEYORS

W. G. & A. K. SWINTON ET UX

2003-0039030

2004-0032194

2004-0032194

2004-0032194



THIRTY FIFTH AVENUE (FORMERLY CYPRESS AVENUE)

Coastal Development Permit Findings

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 **not** be made, in that the design of the proposed residence is not consistent with Local Coastal Program requirements related to building design, neighborhood compatibility, or development within visual resource areas.

The current proposal is **not** consistent with the requirements of County Code section 13.20.130 (Design Criteria for Coastal Development) related to site planning, building design, and blufftop development, in that the proposed residence includes a dominant two story element at the front of the residence that is not consistent with the surrounding pattern of development. The majority of existing residences in the area are either one story or have second stories that are stepped back from the street, with pitched roofs, stucco or wood siding, and smaller window areas to break up visual mass. The bold two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood,

The current proposal is **not** consistent with the requirements of County Code section 13.20.130(d)1 (Blufftop Development) & General Plan Policy 5.10.12 (Development Visible from Urban Scenic Roads) related to landscaping and protection of visual resources, in that the current design does not use taller landscaping (in the form of trees and shrubs) to soften the appearance of the proposed development from view. Landscaping is necessary to break up the apparent mass and scale of the proposed residence and reduce visual impacts to scenic resources (East Cliff Drive & Monterey Bay viewshed).

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

This finding can **not** be made, in that the structure is not visually compatible, in scale with, or integrated with the character of the surrounding neighborhood as stated in Coastal Development Permit Finding #3, above.

Development Permit Findings

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 **not** be made, in that the design of the proposed residence is not consistent with the County Code requirements related to compatible site design, building design, landscaping, or development with visual resource areas.

The current proposal is **not** consistent with the requirements of County Code section 13.11.072(a)(1) (Compatible Site Design) related to site design and streetscape relationship, in that the two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood.

The current proposal is **not** consistent with the requirements of County Code section 13.11.073 (Building Design) related to compatible building design, proportion of vertical elements, finish materials, or human scale, in that the two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. The majority of existing residences in the area are either one story or have second stories that are stepped back from the street, with pitched roofs, stucco or wood siding, and smaller window areas to break up visual mass. The proposed structure will not include features that create an adequate visual transition between the structures immediately adjacent to the proposed residence and the proposed residence. Additionally, the vertical features and extensive use of glass and dark stone will be out of proportion with features found in surrounding development and will result in a structure that does not relate well to the human scale for pedestrians on East Cliff Drive.

The current proposal is **not** consistent with the requirements of County Code section 13.11.075(a) (Landscape Design) related to landscaping, in that the current design does not use taller landscaping (in the form of trees and shrubs) to soften the appearance of the proposed development from view. Landscaping is necessary to break up the mass and scale of the proposed residence.

The current proposal is **not** consistent with the requirements of County Code section 13.20.130 (Design Criteria for Coastal Development) or County Code section 13.20.130(d)1 (Blufftop Development) as described in Coastal Development Finding #3, above.

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 **not** be made, in that the design of the proposed residence is not consistent with County General Plan requirements related to building design, neighborhood compatibility, or development within visual resource areas.

The current proposal is **not** consistent with the requirements of General Plan Policy **8.4.1** (Neighborhood Character) or General Plan Objective **8.6** (Building Design) related to consistency with existing residential character, architectural style, neighborhood context, and scale of adjacent development, in that the proposed residence includes a dominant two story element at the front of the residence that is not consistent with the surrounding pattern of development. The bold two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood.

The current proposal is **not** consistent with the requirements of General Plan Policy **5.10.12** (Development Visible from Urban Scenic Roads) related to landscaping, in that the current design does not use taller landscaping (in the form of trees and shrubs) to soften the appearance of the proposed development from view. Landscaping is necessary to break up apparent the mass and scale of the proposed residence.

A specific plan has not been adopted for this portion of the County.

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 **not** be made, in that the structure is not visually compatible, in scale with, or Permit Finding #3, and Development Permit Findings #2 & 3, above.

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 **not** be made, in that the design of the proposed residence is not consistent with the County Code requirements related to compatible site design, building design, or landscaping, as described in Development Permit Finding #2, above.

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POR. RANCHO ARROYO DEL RODEO
S.E. 1/4 SEC. 21, T.11S., R.1W., M.D.B. & M.

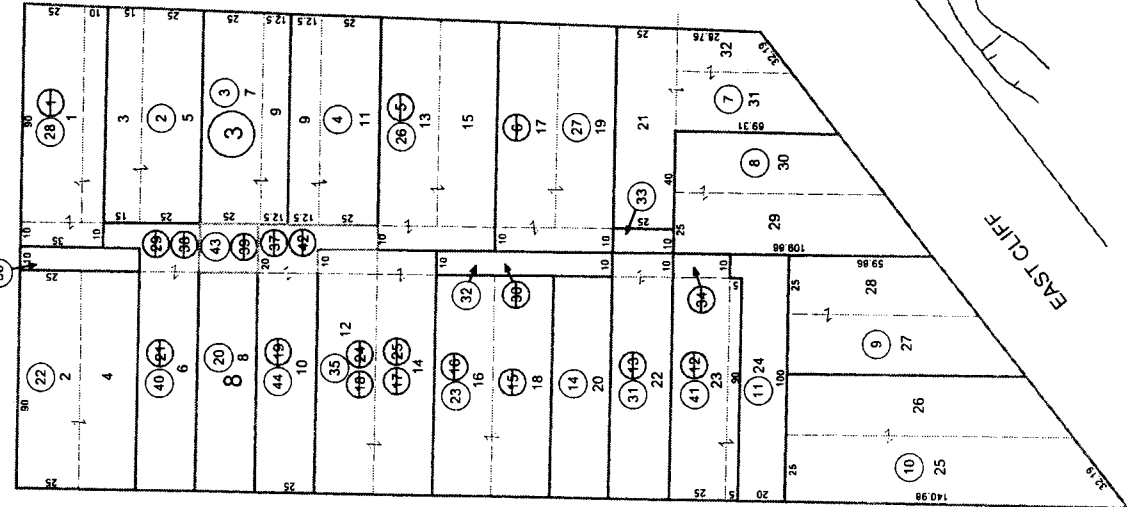
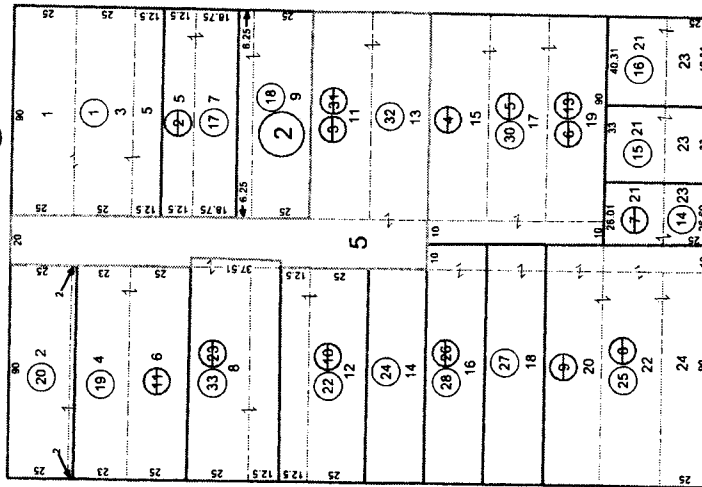
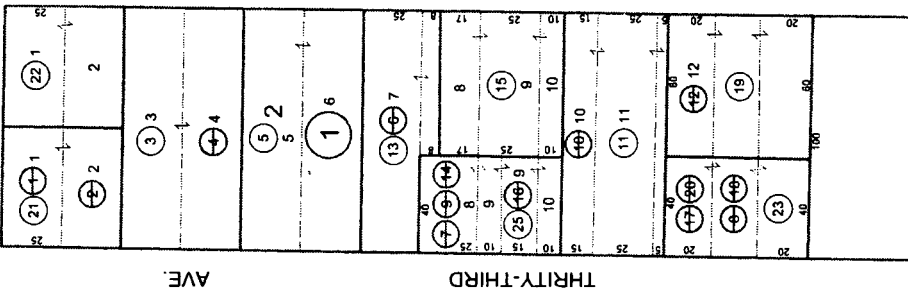
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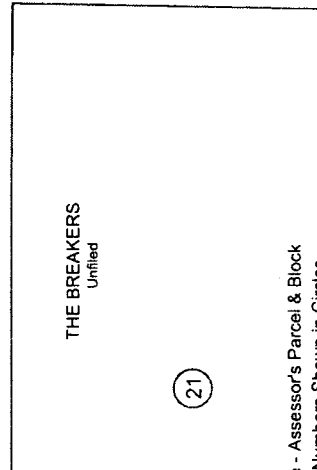
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DR.



DEYNS

ST.



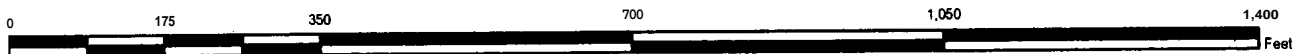
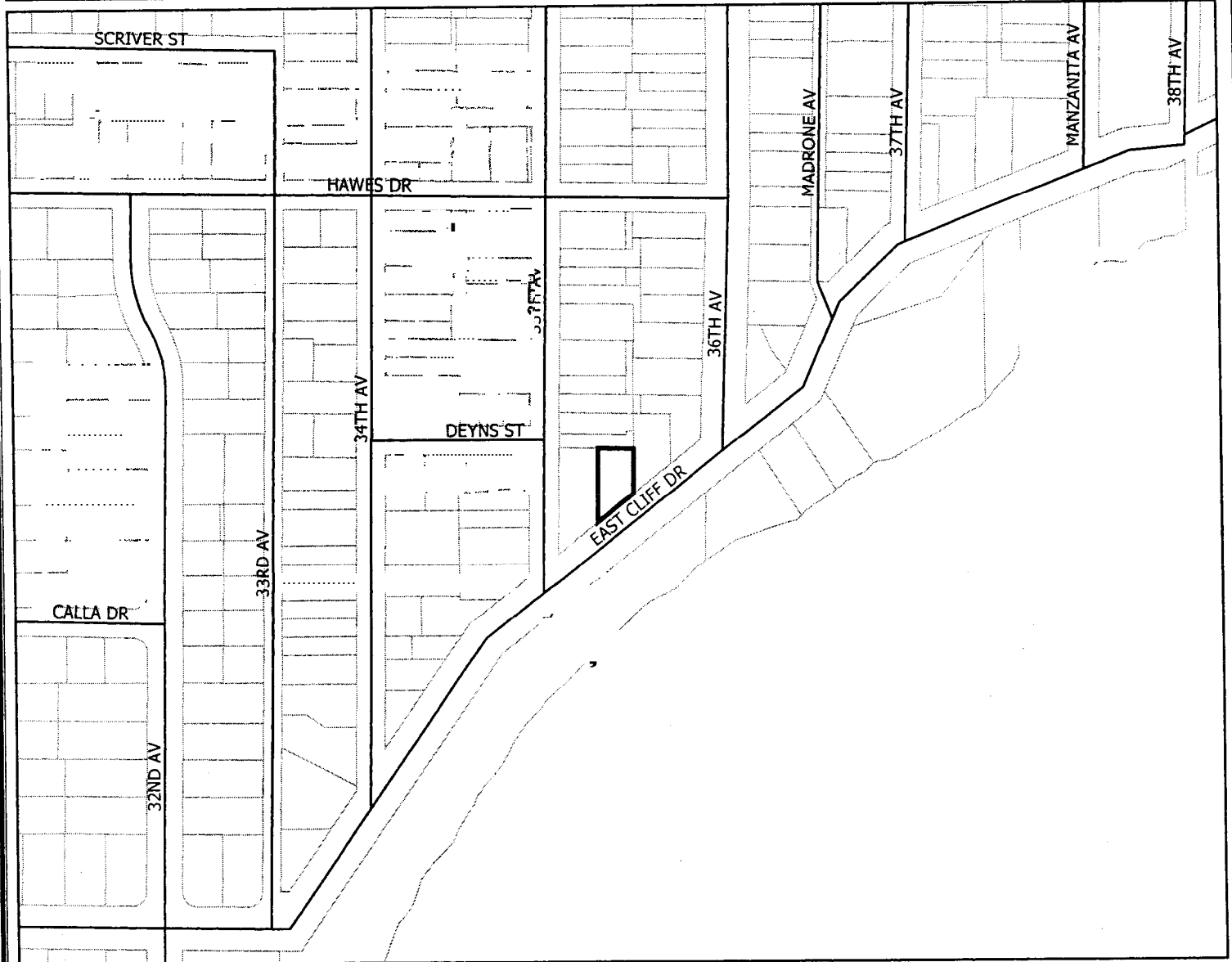
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Rev. 11/26/01 CB (Comb form, 3-44)
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Note - Assessor's Parcel & Block
Numbers Shown in Circles.

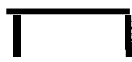


Assessor's Map No. 32-22
County of Santa Cruz, Calif.
Oct. 1998

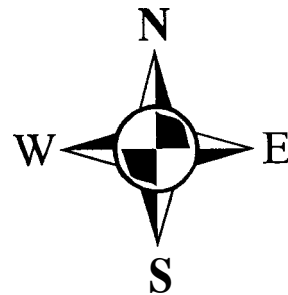


Location Map



Legend

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-  Assessors Parcels
-  Streets

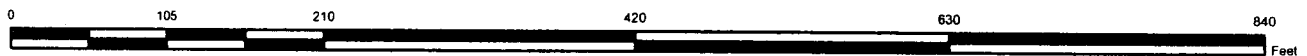
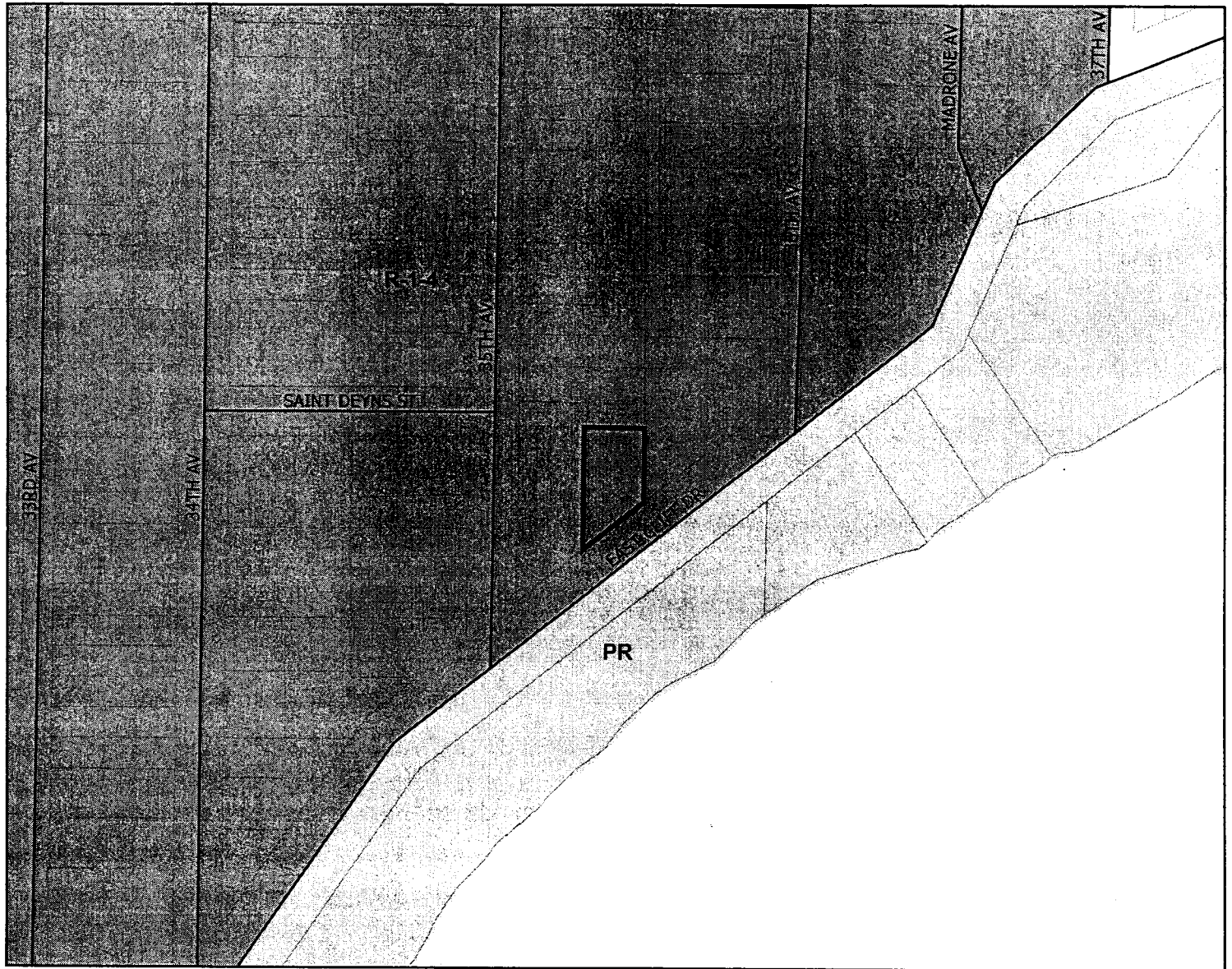


Map Created by
County of Santa Cruz
Planning Department
January 2006






EXHIBIT D

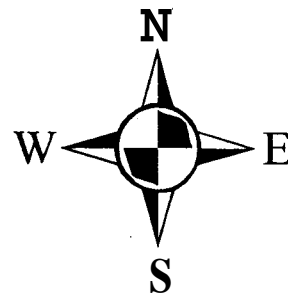


Zoning Map



Legend

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-  Streets
-  Assessors Parcels
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)

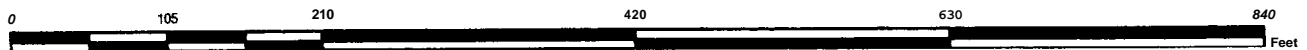
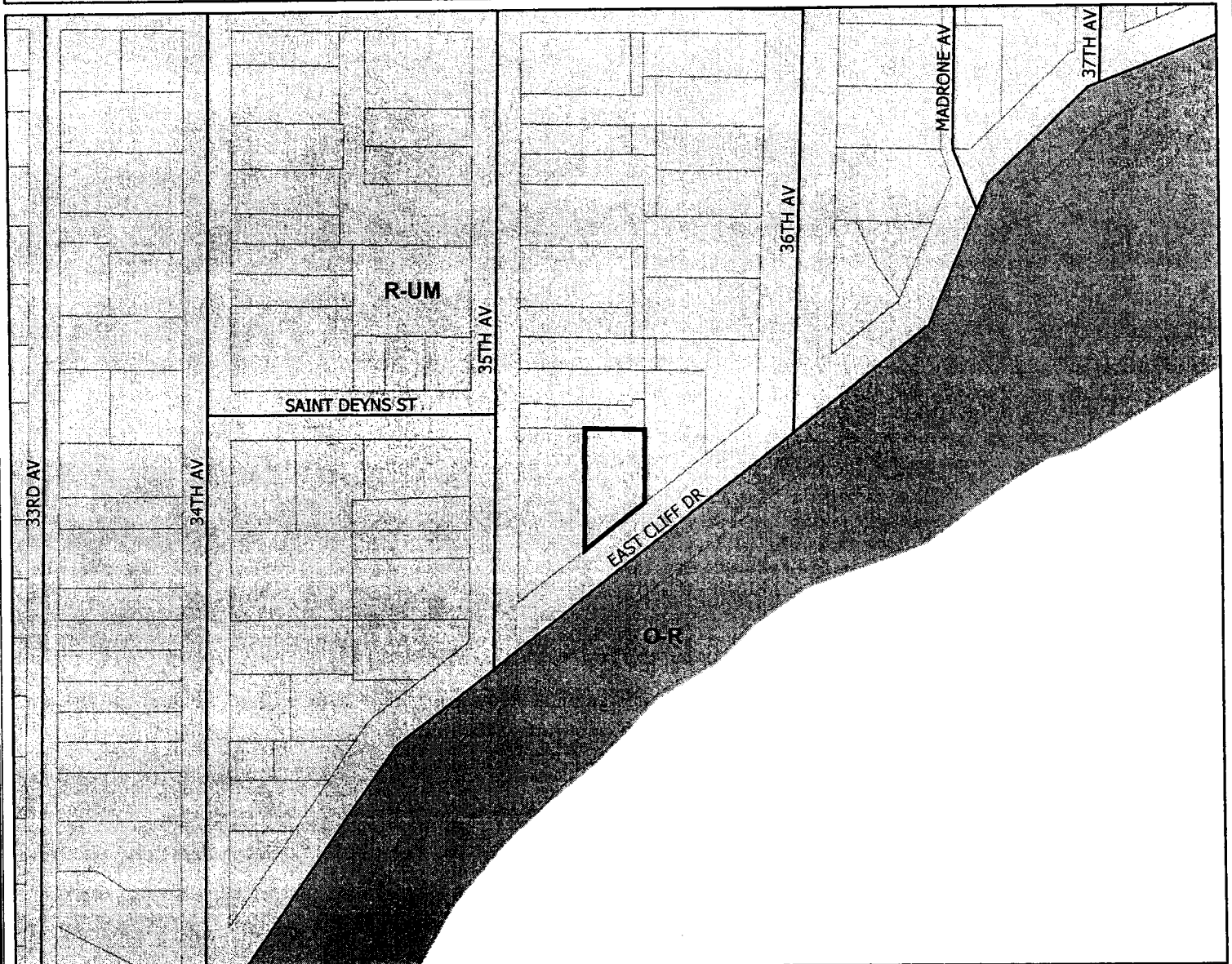


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Planning Department
January 2006





EXHIBIT D

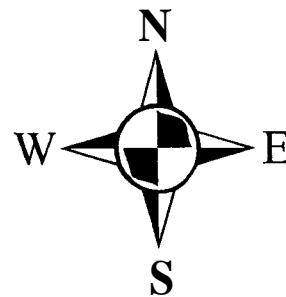


General Plan Designation Map



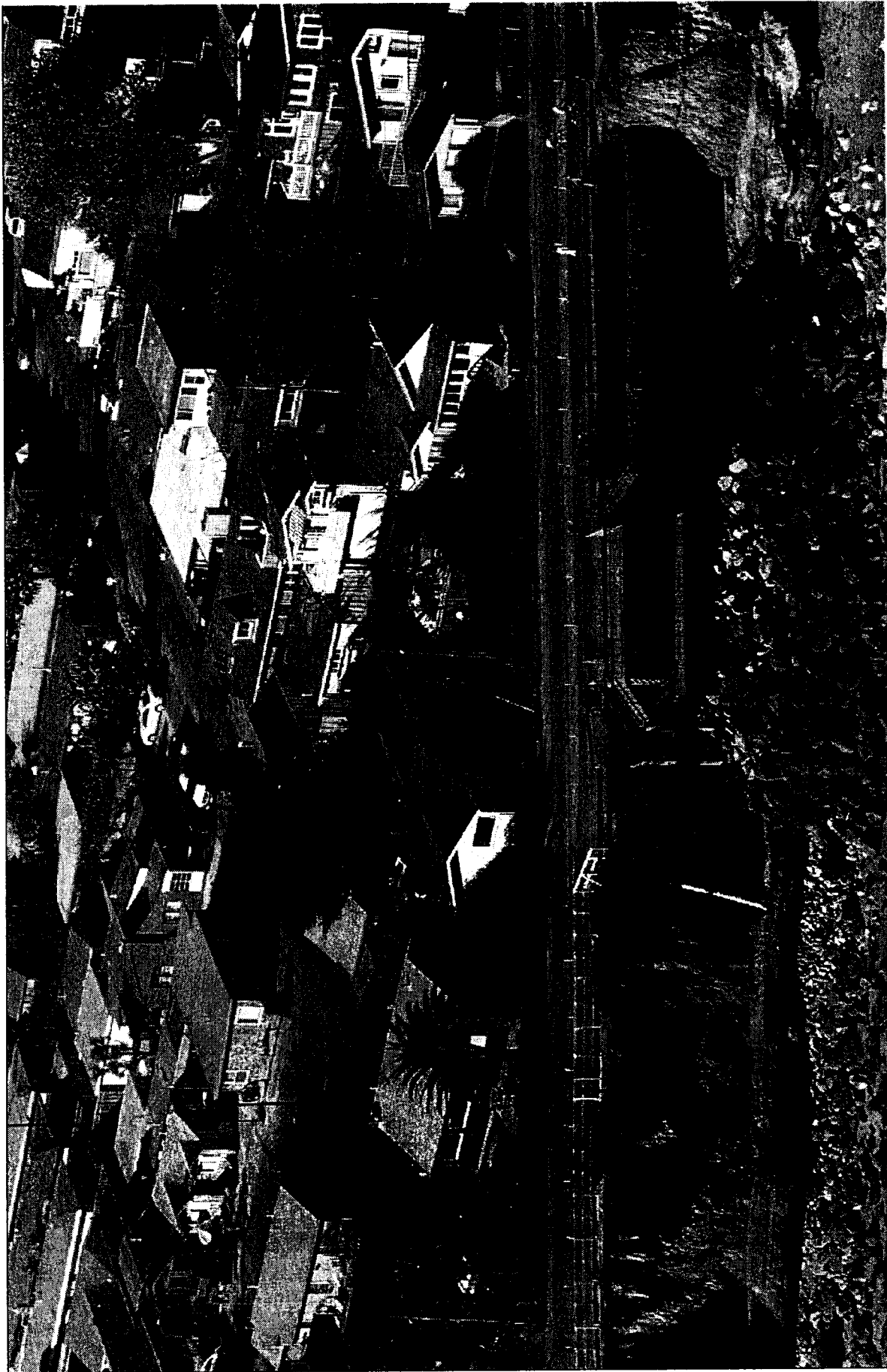
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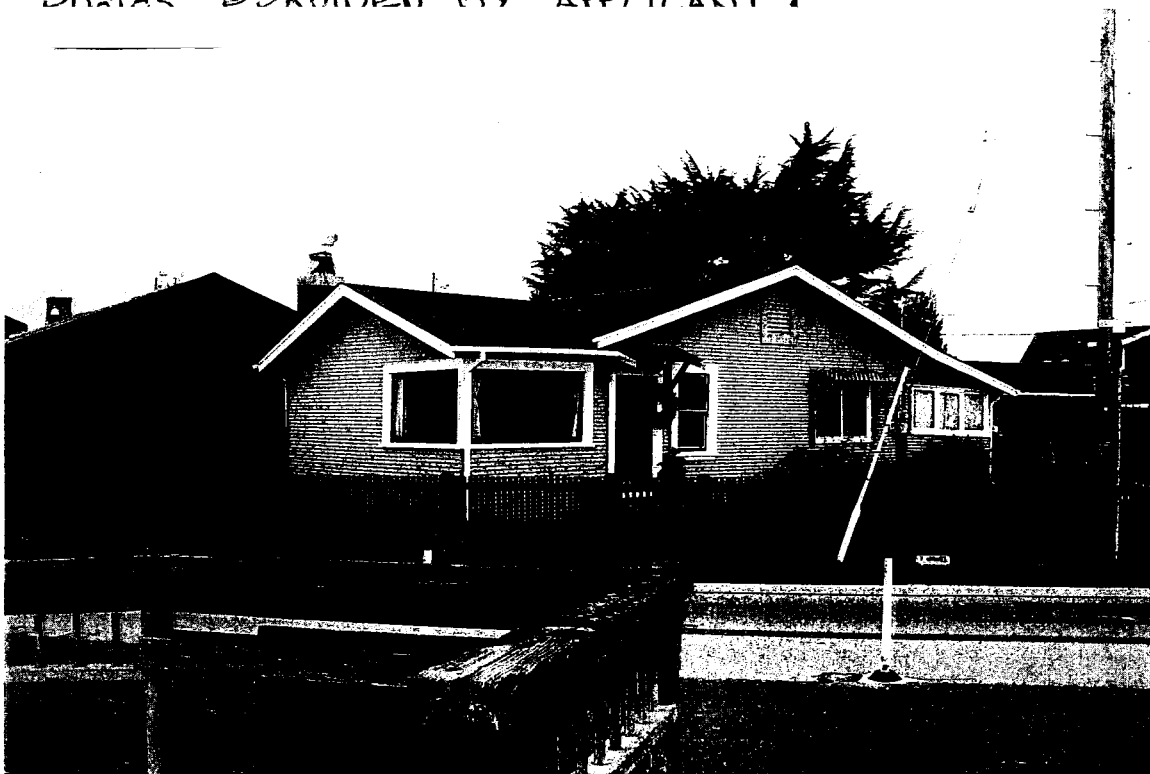
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-  Streets
-  Residential - Urban Medium Density (R-UM)
-  Parks and Recreation (O-R)



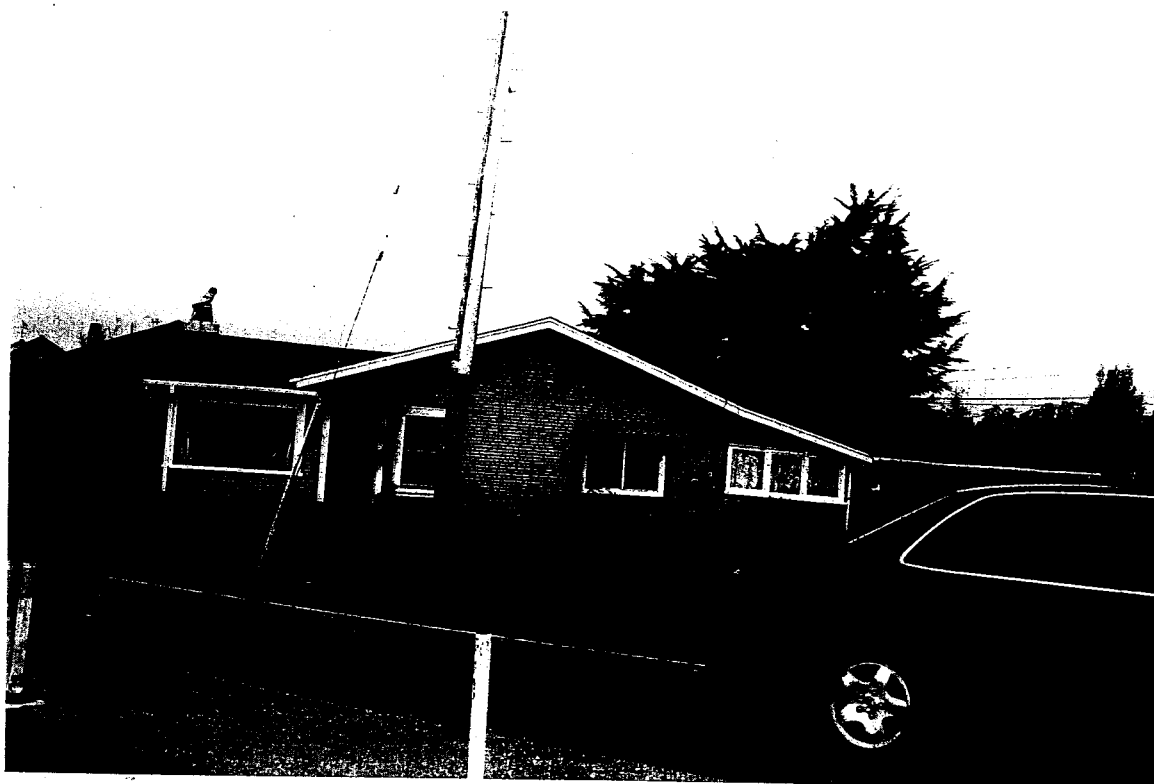
Map Created by
County of Santa Cruz
Planning Department
January 2006

EXHIBIT D





#1: Photo taken from 2-3575 East Cliff Drive, facing inland from the ocean side of the street.



#2: Photo taken from 2-3535 East Cliff Drive, facing inland from the ocean side of the street.



#3: Photo taken from 2-3541 East Cliff Drive, facing inland from the ocean side of the street.



#4: Photo taken from **23615** East Cliff Drive, facing inland from the ocean side of the street.



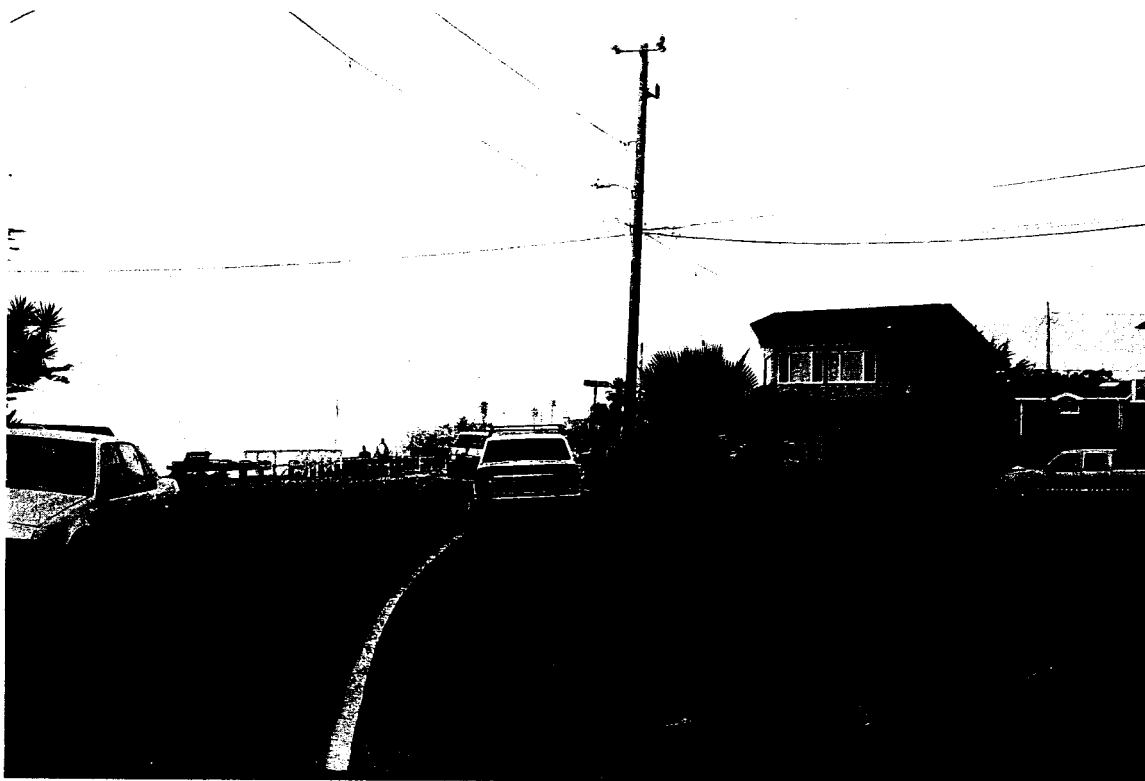
#5: Photo taken from 23635 East Cliff Drive, facing inland from the ocean side of the street.



#6: Photo taken from 23654 East Cliff Drive, facing inland from the ocean side of the street.



#7: Photo taken from 23654 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23654, on the inland side of East Cliff Drive.



#8: Photo taken from 23635 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23654, on the inland side of East Cliff Drive.



#9: Photo taken from 23615 East Cliff Drive, Facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23615, on the inland side of East Cliff Drive.



#10: Photo taken from 23541 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23541, on the inland side of East Cliff Drive.



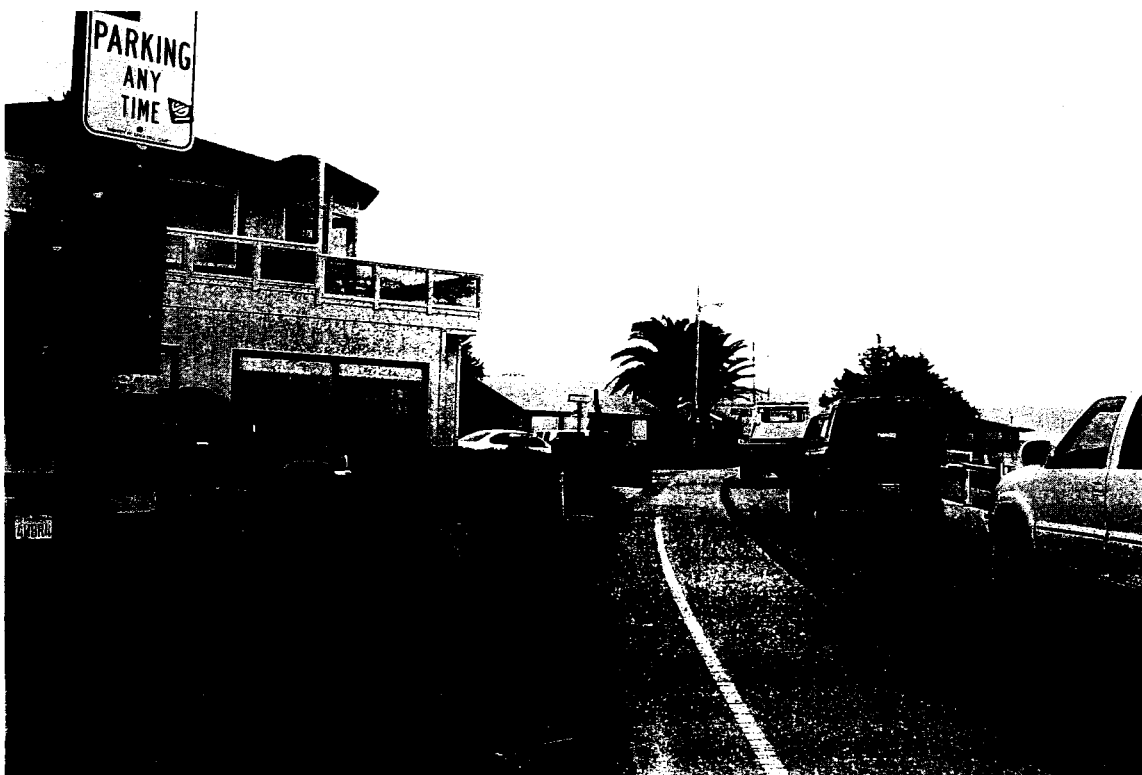
#11: Photo taken from 23535 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23535, on the inland side of East Cliff Drive.



#12: Photo taken from **23471** East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23471 ,on the inland side of East Cliff Drive.



#13: Photo taken from 23451 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23451, on the inland side of East Cliff Drive.



#14: Photo taken from 23439 East Cliff Drive, facing 2-3575 East Cliff Drive. This photo was taken directly in front of 23439, on the inland side of East Cliff Drive.



#15: Photo taken from 23439 East Cliff Drive, facing inland from the ocean side of the street.



#16: Photo taken from 23471 East Cliff Drive, facing inland from the ocean side of the street.



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Photomontage from the West Direction of East Cliff Drive

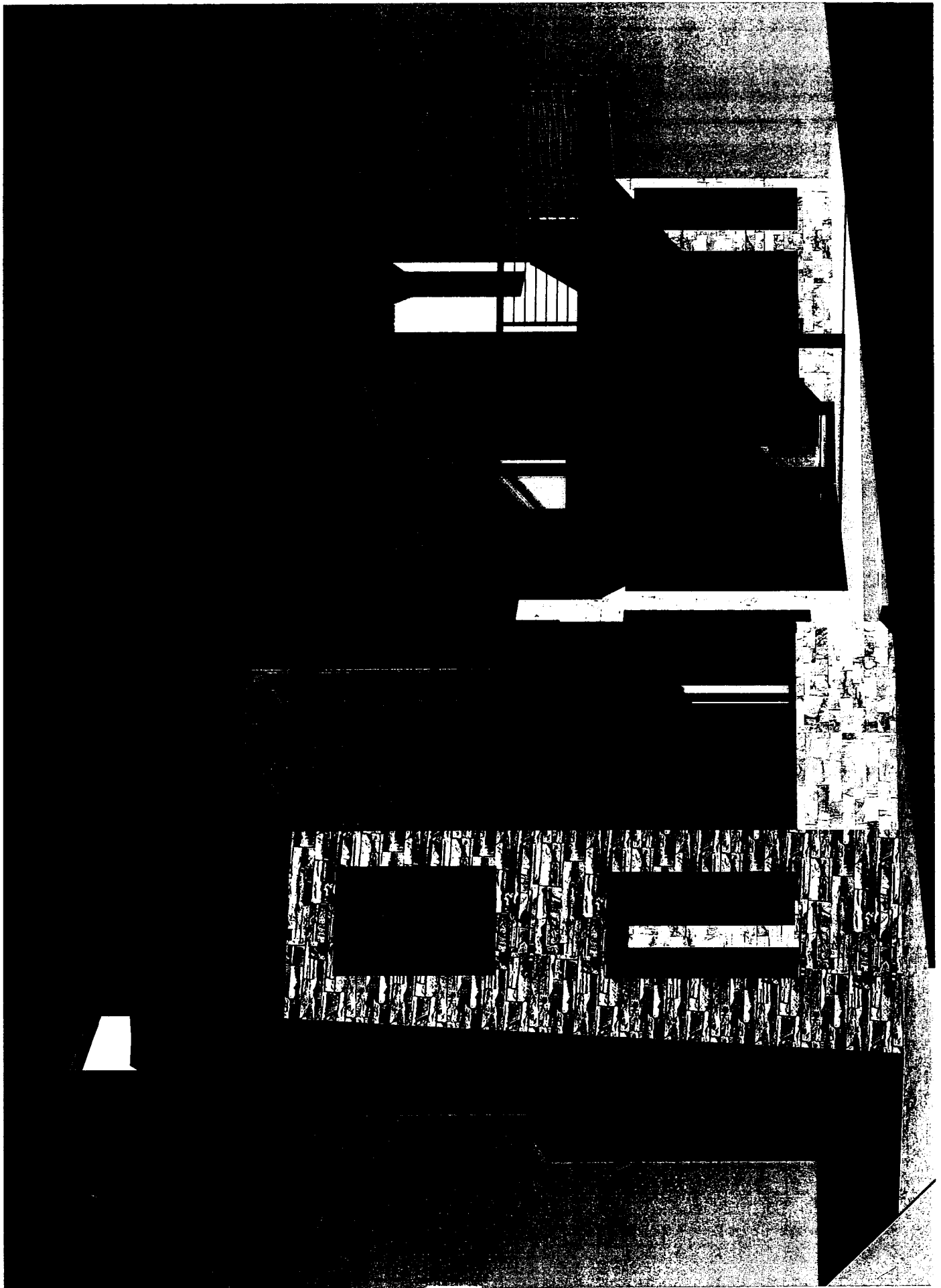
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 Matson Britton Architects
 Rendering: ArchiGraphics

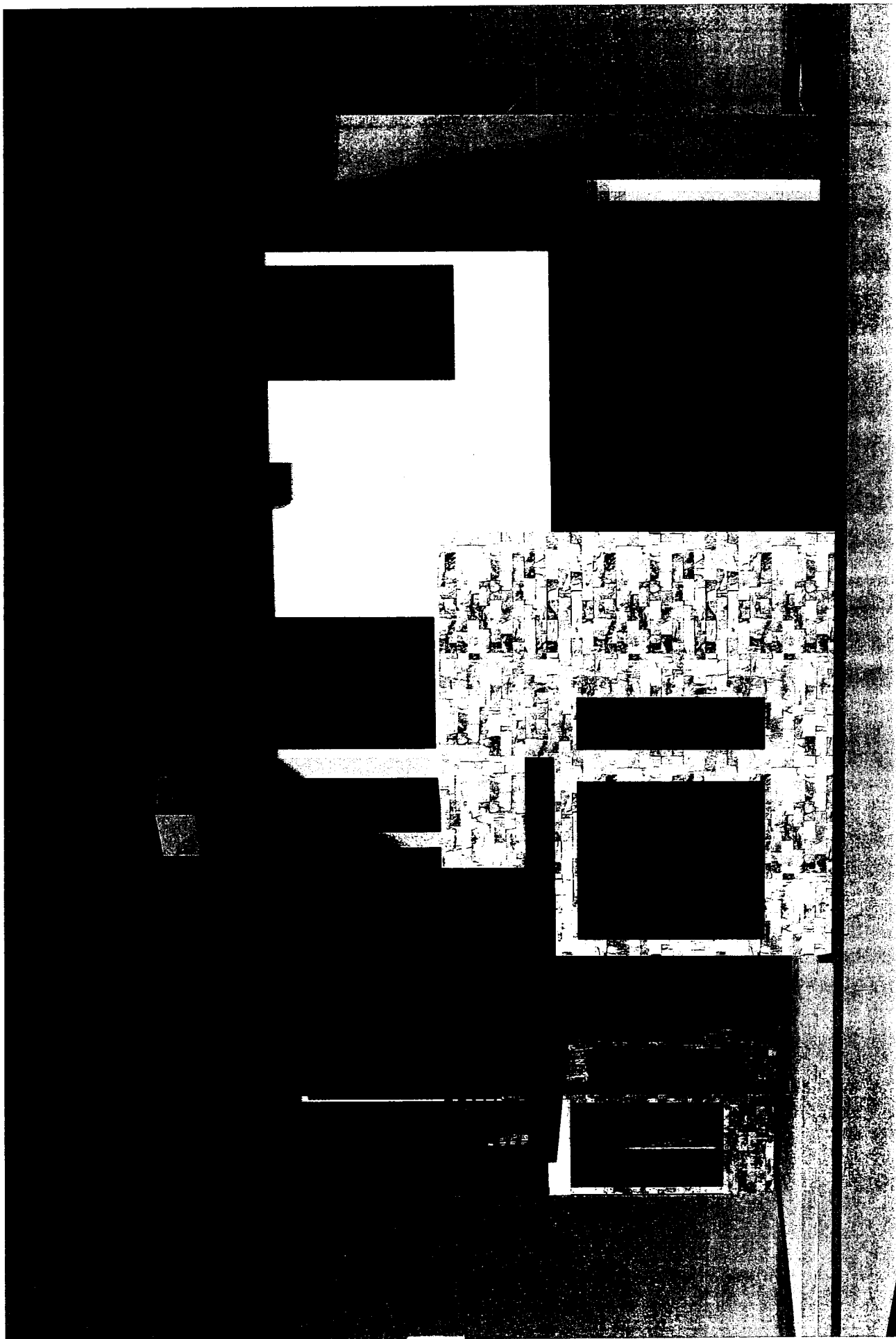


4/2006 ArchiGraphics

Photomontage from the East Direction of East Cliff Drive

SWINTON PROPOSED RESIDENCE
 2-3515 East Cliff Drive, Santa Cruz CA
 Matson Britton Architects
 Rendering: ArchiGraphics





SWINTON RESIDENCE

2-3515 EAST CLIFF DRIVE
SANTA CRUZ, CA 95062

032-223-09

COLOR MATERIALS

WALLS TO BE 2 COATS HARD TROWEL STUCCO W/ CUSTOM COLOR COAT TO MATCH SAMPLE
ROOF TO BE ELK COMPOSITE SHINGLES,
COLOR: SABLEWOOD



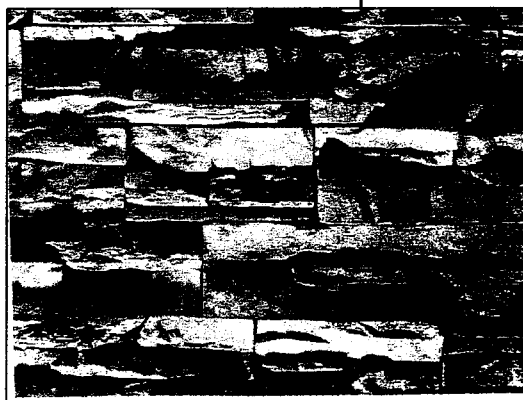
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SANTA CRUZ
CA 95062
031 425-0544

KM638-L
Oak Terrace



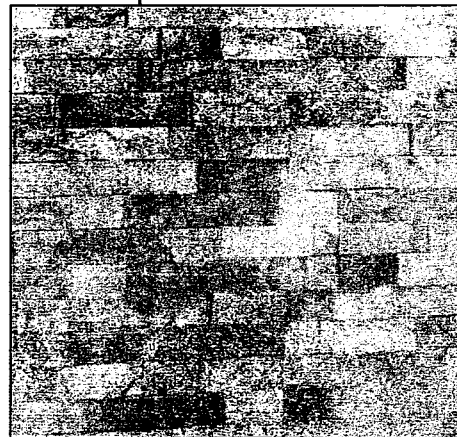
KM639-L
Coc Pazzo

FACIA & ACCENT
COLOR TO MATCH
KM636-L
COC PAZZO



STONE TO
BE EL
DORADO
NANTUCKET
STACKED
STONE

-36-



STONE TO
BE
NORSTONE
ROCK
PANEL IN
WHITE
QUARTZ

EXHIBIT E



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

May 23, 2006

Martha Matson
728 N. Branciforte Drive
Santa Cruz, Ca 95062

Subject: Application # **05-0813**; Assessor's Parcel #: **032-223-09**
Owner: **Swinton**

Dear Martha Matson:

This letter is to inform you that this application has been reassigned to me (Randall Adam) for further review and processing. This follows a letter mailed on 5/11/06 which informed you that the application was complete for further processing as all required submittal information has been received. Although this application has been determined to be complete, there are compliance issues regarding this proposal that must be addressed before Planning Department staff could recommend approval at a public hearing for this application. The issues of concern (with suggested potential solutions) are listed below:

- County Code section 13.11.072(a)(1) (Compatible Site Design): The current proposal contains a large two story mass at the front of the residence. This two story element is not compatible with the immediately surrounding development or with the existing one story residence that the proposed structure will replace. The two story element could be reconfigured to reduce the bulk and mass (and to improve the streetscape relationship) of the proposed residence.

In order to reduce the bulk and mass, and to improve the streetscape relationship, it is recommended that the second floor family room be pulled back to line up with the dining room wall (shown as an 8' 4" projection on the project plans). A deck could be constructed over bedroom #1 in this location instead. Additionally, the roof pitch could also be modified, or the plate height of the roof could be lowered, to reduce the mass of windows facing the street. Other design options may exist which would achieve the objectives specified in the County Code and General Plan, however alterations to the proposed project which do not significantly reduce the apparent bulk and mass, as well as improve the streetscape relationship, can not be supported by Planning Department staff.

- County Code section 13.11.073 (Building Design) & County Code section 13.20.130 (Design Criteria for Coastal Development): In addition the bulk and mass issues above, the finish materials used on the front of the residence include large continuous expanses of glass and a bold two story dark architectural stone element. The use of these finish materials is not inappropriate, but the surface area of the glass should be broken up (perhaps by a horizontal band of stucco, wood trim, or the quartz stone used elsewhere) and the dark (El Dorado Nantucket) stone element will need to be reduced in height to create a sense of human scale at the street level. The current design creates a tall, powerful (almost tower-like) appearance relative to East Cliff Drive, which is out of proportion for this residential street (which is also a tourist attraction with a high volume of pedestrian traffic).

It is also recommended that some wood cladding materials be incorporated into the design (or materials with an appearance of wood) for consistency with surrounding homes.

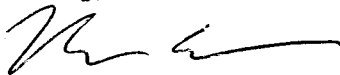
- County Code section 13.11.075(a) (Landscape Design), County Code section 13.20.130(d)1 (Blufftop Development) & General Plan Policy 5.10.12 (Development Visible from Urban Scenic Roads): In addition to the compliance issues listed above, the current design does not use landscaping to soften the appearance of the proposed development from view. Although the project is not located in an area where the structure should be entirely hidden from view by landscaping on the project site, it is recommended that some landscape elements be incorporated into the design to break up the mass and scale of the proposed two story residence. The use of small and medium sized shrubs and at least one tree (possibly deciduous) will be necessary to break up the mass and scale of the proposed residence and reduce visual impacts to scenic resources (East Cliff Drive & Monterey Bay viewshed). The intent of the landscape requirement is to balance the screening of the proposed structure with the streetscape relationship by softening the structure and providing a bridge from the two story elements down to a human scale.

In summary, all of the above listed issues must be addressed in order for Planning Department staff to make the required findings for approval of your Coastal Development Permit application. Overall, the design of the structure is in compliance with residential site and development standards, but the aesthetic considerations in a coastal scenic area will require additional modifications to the reduce the bulk and mass of the proposed structure and to protect scenic resources as required by County Code and the General Plan.

I understand that this may be your first opportunity to review the above listed compliance issues and that you may want to discuss them further prior to formally responding. Please let me know if you would like to meet to discuss these issues and appropriate revisions to the structure and landscape design. Whether or not you decide to meet, I will require a formal response, either in the form of a revised project or in a letter stating that you do not intend to revise the design. I will need this response by **7/23/06** in order to continue processing your application in a timely manner. If no response is received by that date, I will begin preparation of a staff report for your application which addresses the issues described above.

Please let me know you have any questions regarding this letter or if you would like to discuss the issues that I have raised, please contact me at: (831) 454-3218 or e-mail: randall.adams@co.santa-cruz.ca.us

Sincerely,



Randall Adams
Project Planner
Development Review

June 27,2006

Randall Adam, Project Planner
Development Review
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA 95060

Re: Your letter of May 23,2006
Application #05-0813; APN 032-223-09
The Swinton Residence, 2-35 15 East Cliff Drive

Dear Randall:

We wanted to thank you and Cathy for meeting with us. We both appreciated our discussion. It is helpful when applicants are provided with an understanding of staffs concerns on any given project. We appreciate your acknowledgement that "Overall, the design of the structure is in compliance with residential site and development standards...".

From the inception of this project, the Swintons have instructed their architect to design a fully conforming home, without any need to obtain variances.

In summary, your concerns and offered solutions are

1. Code Section 13.11.072(a)(1) [Compatible Site Design]: In particular, your concern is that the southwest corner design element "is not compatible with the immediately surrounding development", and its "apparent bulk and mass" and "streetscape relationship".

Staff is recommending the following change as the sole method of mitigation: The 2nd floor family room be pulled back. Staff has deemed that new two story homes in this neighborhood should be stepped back on the second floor, as this is the design pattern of the existing homes.

2. Code Section 13.11.073 [Building Design] & Section 13.20.130 [Design Criteria for Coastal Development] In particular, the design "creates a tall, powerful...appearance relative to East Cliff Drive, which is out of proportion for this residential street".

Staff is recommending the following changes as the sole method of mitigation: Breaking up the glass surface area, reduction in height of the southwest stone element, and the use of wood cladding materials "for consistency with surrounding homes".

3. Code Section 13.11.075(a) [Landscape Design] & Section 13.20.130(d)1 [Blufftop Development] and General Plan Policy 5.10.12 [Development Visible From Urban Scenic Roads]; In particular, "the current design does not use landscaping to soften the appearance of the proposed development from view".

Staff is recommending the following changes: "The use of small and medium sized shrubs and at least one tree...". Staff would like the inclusion of a tree in the yard facing East Cliff.

We understand that the focus of your concerns revolve around "apparent bulk and mass", "neighborhood compatibility" and "protection of scenic resources".

We would like to address staffs concerns and proposed solutions.

1. Compatible Site Design Code Section 13.11.072(a)(1)

Our design effectively addresses the compatibility with surrounding neighborhood and viewshed by using various architectural design techniques as suggested in code. We do not subscribe to the "stepped back second floor" design pattern as the sole technique to achieve site design compatibility. The current design is sited and designed so as to be visually compatible and integrated with the character of surrounding area, as detailed in the following discussion, successfully addressing both neighborhood compatibility and viewshed concerns.

Current ordinances do not contain different first and second floor-specific setback requirements. We have done an analysis of the East Cliff viewshed and disagree with the implied finding that the two story homes there are set back on the second floor beyond the 15' minimum. In fact, we find that only 3% of two story structures exhibit this pattern.

It should be noted that most of the existing structures (65%) have non-conforming setbacks; many have two story masses that are within 15' front yard setback (42% with an average of approx. 5'). The proposed 2nd story component at the southwest corner, which staff suggests should be set further back, has a minimum front yard setback of 18'-2" and a maximum of 24'-6". The mass is at an angle to East Cliff Drive. Code calls for a 15'-0" front yard setback. In fact, if the front yard setback of all the structures in the viewshed were averaged, this average setback would be significantly less than 15'-0". [Our data shows this average is approx. 10'.] Therefore, the proposed two story mass is placed significantly back from the street, has a greater than the code required set back, and is further back than many of the existing structures. In fact, the proposed home is located 13'-6" back from the existing residence's facade. Any impact of the proposed home's apparent mass is greatly reduced by this generous set back.

In reference to the general style of the house, we originally looked at doing a very modern house with flat roofs, glass, and steel. After an initial meeting with neighbors, we rethought that approach in view of neighbors responses to very modern architecture. The proposed home now is of a neo-craftsman feel with hipped roof structures, stone base, and multi window fenestration. This revised design has received exceptionally strong neighbor support.

We feel that the southwest corner element is in keeping with coastal design, giving a sense of connection to an older, now gone structure, perhaps a old harbormaster's residence. The stone is a good neighbor to the cliffs in front of the project. The front faqade of this southwest element is not massive. In fact, the faqade staff suggests be broken up is only 13'-3" across at the top and 15'-0" at the bottom. The largest unbroken window in this element is 7'-0" wide, which is the same size as other picture windows along East Cliff. With respect to the overall design, staff's suggested change actually increases the apparent bulk and mass, by removing the vertical articulation that is being used to treat this subjective issue, creating a larger continuous mass (27') on the second floor. Additionally, staffs suggestion introduces an unfinished, single story rectangle that is dis-contiguous to the purposeful vertical articulation of the proposed design. Our proposed design, as submitted, uses the very techniques called out in the code: *"The perception of bulk can be minimized by the articulation of the building walls and roof."* [Section 13.11.030(b) Definitions]

Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. A few one story (15%) and a majority of two story (85%) homes in the viewshed are present in a variety of sizes and massing. In general, our studies and the historical findings of the Planning Department indicate that the neighborhood lacks any defining architectural character or design.

Given the generous setbacks and the careful use of the above-described architectural techniques, the proposed design effectively addresses the subtle apparent bulk and mass concern of staff. In fact, taken as a whole, the proposed design actually enhances the viewshed. It complements the scale of neighboring development.

2. **Building Design Code Section 13.11.073 & Design Criteria for Coastal Development Code Section 13.20.130**

The proposed building design is visually compatible and integrated with the character of surrounding neighborhood. In our studies, we have found that establishing non-compatibility is difficult in the context of a diverse neighborhood such as this one as there is not a consistent design or a clear functional relationship between the existing structures. Elements of the proposed design as well as similar scale and massing are present in this neighborhood.

For example, there are several residences along East Cliff Drive with two story facades massed along the very front of the parcels. The wide range of architectural styles, sizes, massing and configuration of structures in this neighborhood accommodates a broad range of designs that could be considered complementary if not compatible.. Code Section 13.1 16 states, *“Complementary development does not necessarily mean the imitation or replication of adjacent development.”* Neighborhood compatibility is highly subjective, particularly in more eclectic neighborhoods, such as this. The proposed project balances building bulk, mass and scale, within a neighborhood that has a range of architectural styles and sizes of structures.

In terms of material compatibility, although there are homes with wood siding, half of the homes (50%) are finished with only stucco and/or stone. On the 1st floor, the white quartz stone effectively breaks up the glass surfaces, and, on both 1st and 2nd floors, vertical articulation and multiple fenestration add to this treatment of mass. We feel that the proposed stone surfaces are compatible with the natural beach setting. In fact, the southwest stone element is complementary both color to the cliffs and in height to the design. Wood is also a material that does not do well by the ocean; this reality is recognized as the newer primary residence construction leans towards the use of stucco alone. Staff recommended some materials that emulate wood but can withstand the environment. However, this is more of a subjective suggestion rather than a Code requirement. We already have materials such as stone, stucco, and copper that will weather beautifully and are natural materials. We are very uncomfortable using simulated materials, with concerns as to both their initial look and long-term aging properties. Code states that a fundamental purpose of Chapter 13 is to *“Promote...stimulating creative design for individual buildings and...encouraging innovative use of materials”*. The proposed design embraces this.

Finally, the proposed building design incorporates all of the elements specified in the Code for the purpose of creating human interest and reducing apparent scale and bulk. These include variation in wall plane, roofline, roof plan, detailing, materials, appropriate siting and the incorporation of building projections.

3. **Landscape Design [Code Section 13.11.075(a)], Blufftop Development [Code Section 13.20.130(d)], & Development Visible from Urban Scenic Roads [General Plan Policy 5.10.12]**

After careful re-examination of the submitted landscape plan, it actually incorporates many of Randall's suggestions: In the plan, there are shrubs and perennials along East Cliff and along the west border. We have plantings below the southwest corner feature. This proposed landscaping does address the Code requirement that “landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed.” [Chap. 13.20.130(d)1 and

(c)2]. We are also amenable to adding a tree but have had neighbors concerned that it would block their views. However, if staff recommends conditioning approval to the addition of a tree, we would amend our landscape plan to do so. In our survey, we have found that 70% the homes in the viewshed only use shrubs, groundcover or hardscape to soften visual impact.

We would also like to state that this application was submitted with numerous letters of support from the neighbors; in fact, we now have in hand over three dozen. We expect even more and, once all are received, will provide them to you in a single package. The Swintons have lived in this house for over 20 years, understand their neighborhood first hand, and have met informally with many of their neighbors. They have been overwhelmed by the preponderance of positive, supportive responses. They are holding a community meeting on site to further discuss this project on July 15th. They have sent formal invitations to all neighbors within 300', as well as staff and Jan Beautz.

In conclusion, we thank Kathy Graves and Randall Adams for their consideration of our proposal. At this time, as our design conforms with the neighborhood and all applicable current regulations, we would like to proceed. The house meets all ordinances in terms of height, setbacks, floor area ratios, and lot coverage and was deemed to have met all "Visual Compatibility" criteria by the urban planner, Larry Kasparowitz, in January 2006. We also complied with every requested change (from Planner Annette Olson's letter of 27 January) in our completion information submission on 28 March. Given completeness, we request the prompt processing of the application and scheduling on the Zoning Administrator's calendar.

It is our sincere hope that this letter, and the additional insight and data herein, clarifies and mitigates the concerns in your letter of 23 May 2006. In light of

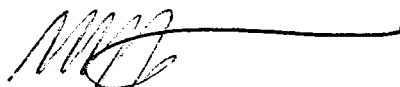
- The above specifics,
- The insight of the dozens of the Swinton's actual neighbors, who are practical experts in understanding Compatibility in the neighborhood they live in,
- The current ordinances in the Code, and
- The positive, expert evaluation by the Urban Planner in early January,

we respectfully ask you to please objectively evaluate our application and to make the required findings for approval.

Sincerely:



Martha Matson
Architect
MATSON BRITTON ARCHITECTS



William G. Swinton
for William G. and Alane K. Swinton, Owners

July 13, 2006

Randall Adams, Project Planner
Development Review
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA 95060

Re: Our letter of June 27, 2006
Application #05-0813; APN 032-223-09
The Swinton Residence, 2-35 15 East Cliff Drive

HAND DELIVERED

Dear Randall:

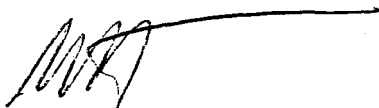
Attached please find over three dozen letters and expressions of support for the above application, as were referenced in our letter of 27 June 2006.

These letters are from our neighbors, who, I submit, are practical experts in neighborhood compatibility and the East Cliff Drive environs. Please review them as they represent a broad and diverse insight into this project. Please understand that each neighbor had an opportunity to review the project plans, including the site survey, photo simulations, elevations, floor plan, etc. Additionally, a few of the neighbors contacted were supportive but not of the disposition to become involved in a written manner. To date, in all our discussions with our neighbors, we have yet to find any objections; in fact, we have been amazed at the very positive reaction to, and understanding of, the design, site plan, and architecture.

Please take special note that included in this package are support from the three immediately adjacent property owners.

Additionally, after the letters, you will find a chronological file. This was included as this package will be part of the materials available to our neighbors during our community meeting, this Saturday, 15 July 2006, to which you have previously received an invitation.

Sincerely:



William G. Swinton
for William G. and Alane K. Swinton. Owners

cc:
Cathy Graves, Santa Cruz County Planning
Larry Kasparowitz, Urban Designer, Santa Cruz County Planning
Tom Burns, Director, Santa Cruz County Planning
Jan Beautz, Supervisor, Santa Cruz County

December 14, 2005

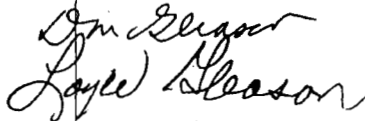
To whom it may concern:

Subject: 2-3515 East Cliff Drive, S.C.

We are delighted to learn of the new home the Swintons are planning. They have been wonderful neighbors for many years and we know they are anxious to upgrade their current structure.

We are pleased that the new home will be set back according to code and that parking will be increased. As next-door neighbors, we fully support this project. It can only improve our neighborhood.

Sincerely,

Handwritten signatures of Don and Loyce Gleason in cursive script.

Don and Loyce Gleason
2-3535 East Cliff Drive
Santa Cruz, Ca. 95062

Cc: Gerry Swinton

3/13/06

To Whom it May Concern,

I am a Pleasure Point resident
and neighbor of Gerry and Alane
Swinton.

I highly endorse their decision
to make the improvements to
their property. Their lot is in a
very desirable location and their
present dwelling is somewhat substandard
in relation to the location.

They showed me their planned house
and I feel it would be an asset
to the neighborhood.

Sincerely,
Thomas J. Atkinson
589 35th Ave.



March 15, 2006

Eric Bodnar
111 34th Avenue
Santa Cruz, CA 95062

To whom it may concern:

It has come to my attention that the Swintons intend to improve their property on East Cliff Drive. It is clear from the plans that the Swintons have put a lot of effort and thought into the proposed project. I feel that the unique yet modest architecture will be a nice addition to the neighborhood. I particularly like the combination of natural stone and stucco in the design, which I feel will complement existing homes in the area. The plan also appears to address a number of existing non-conformance issues and improves off-street parking, much needed in our neighborhood.

Finally, as an owner-resident in the Live Oak community, I am encouraged by other owner-residents who wish to improve their properties and remain in the neighborhood. Owner-residents take pride in their homes, take care of their homes and make good neighbors.

Please consider this letter my formal endorsement of the proposed Swinton project.

Respectfully,

Eric Bodnar

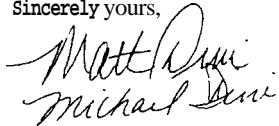


March 15, 2006

county of Santa Cruz
Planning Dept.

Our names are Matt and Michael Dini and we live in the Pleasure Point neighborhood. We have reviewed the drawings of the new home designed for the Swintons. In our opinion we believe the new home would be a wonderful addition to the neighborhood. It **has** all the design features that we **think** would blend in very nicely with the existing homes on the street.

Sincerely yours,

Handwritten signatures of Matt Dini and Michael Dini in cursive script.

Matt and Michael Dini
425 Larch Lane
Santa Cruz, CA 95062
Home Ph 831.464.8547

March 15, 2006

Gerry & Alane Swinton
2-3515 East Cliff Drive
Santa Cruz, CA. 95062

Dear Gerry and Alane,

Congratulations on your new house design. Susie and I have looked at **the** proposed elevations that you dropped by. We heartily encourage you to proceed with your plans and believe that it will make a fine addition to our neighborhood.

As you know we demolished our old house and built a new home about three years ago. It was wonderful to get out of that old drafty house and in to the new one. Our heating bill was cut in half and it was great to **be** able **to** park our automobiles in a real garage.

Best of luck with your new project. We look forward to observing the construction as you move forward.

Very truly yours,



Don & Susie Snyder
2-3645 East Cliff Drive
Santa Cruz, CA. 95062

K:\MSOFFICE\WORD\DON\letters\Gerry 1.doc

PAGE HONORIO
319 35 TH AVE
SANTA CRUZ, CA 95062

TO SANTA CRUZ COUNTY PLANNING DEPT

3/22/2006

TO WHOM IT MAY CONCERN. I AM A NEIGHBOR OF WILLIAM AND ALANE SWINTON
I HAVE SEEN THE PLANS FOR THERE REPLACEMENT HOUSE. I WOULD WELCOME
THE NEW HOUSE AND BELIEVE IT IS GOING TO IMPROVE ARE NEIGHBOR HOOD

THANK YOU

PAGE HONORIO

March 23, 2006

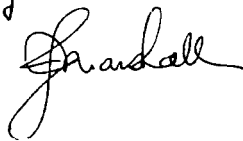
Santa Cruz County Planning Dept.

Re: William and Alane Swinton's
Replacement House
2-3515 East Cliff Drive

Dear Reader

This letter is being provided in
order to voice our support for the
Swinton's home project, which will
be a much needed replacement for their
old home, and architecturally very attractive.

Sincerely,



JIM and ANNIE MARSHALL
2-3439 East Cliff Drive
(831) 476-0877

March 23, 2006

Santa Cruz Planning Dept.
Santa Cruz, CA

To Whom It May Concern:

I am writing this letter **to** state **my** views **on** the Project for **William** and **Alane Swinton's** Replacement House at **2-3515 East Cliff Drive, Santa Cruz, CA 95062.**

My name is **30 Ann Restelgen** and I own the property at **300 - 35th Avenue (Parcel Number: 032-223-41))** and share the **alley** with **William** and **Alane Swinton**. I have gone over the plans and drawings for the proposed project and find them to be beautifully designed. What a lovely addition this will be to our neighborhood. I am particularly pleased to see the inclusion of **4 parking** places (two in the garage and two on the property). This will be greatly appreciated by those of us who must use the alley to get to our own garages.

I hope that this project will begin soon and look forward to watching it progress.

Sincerely,



Ann Restelgen
300 - 35th Avenue
Santa Cruz, CA 95062

03/24/06

Santa Cruz County Planning Department

RE: PROJECT
William and Alane Swinton's Replacement House
2-351 East Cliff Drive
Santa Cruz, CA 95062

To Whom It May concern;

We both concur that William and Alane Swinton are doing to the best of their ability to enhance our neighborhood by remodeling their home by the guidelines of Santa Cruz County. This is something that we both have viewed on their proposed plans and have to agree at the project is to our liking.

Respectfully;


Larry Clark


Gail Clark
344 35th Ave.
Santa Cruz, CA 95062

Planning Dept

To Whom it May Concern:

I am a neighbor of
William and Alane Swinton @
2-3515 East Cliff Drive.

I have reviewed their plans
for a new home and agree it
would be a nice asset to the
neighborhood.

Sincerely,

Kathleen A. Haggen
331 35th

San Jose, CA 95062
831 479-9805

May 28, 2006

Santa Cruz County Planning Department
Santa Cruz, California

To Whom It May Concern:

I have seen William and Alane Savinton's plans for their replacement home at 2-3515 East Cliff Drive, Santa Cruz, California.

It will be a lovely addition to the neighborhood and I look forward to seeing it in completion.

Rita Benbow
2-3471 East Cliff Drive
Santa Cruz, CA 95062

Dear Building / Planning People.

We suggest the Sunitas
Home replacement project

It is great that Placere
Point home owners are upgrading
their property

We suggest the Planning Dept
should support their new
home plans

Carol Fleming
215 35th ST
SC CA

Transcript of voice message rcv'd early June 2006 from

Bill O'Neill
2-3701 E. Cliff Dr
and
2-3705 E. Cliff Dr

"Hi Gerry. **My** name is Bill O'Neill. **I'm** at **2-3705**. You sent me or you called me I believe regarding you're building something. I'm out of town; **I'm** out of town most of the time. Hey listen, I have **no** objection to you doing what you want to do on your property -- nothing no objection whatsoever. **So** there you go. You can put my name do as -- or something on the petition; whatever you want to do.

2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E. Cliff Dr, SC 95062

To: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,



Name: Sterling F. Lewis

Address: 2-3435 E. Cliff Dr.

Santa Cruz, CA

95062

Santa Cruz County Planning Dept.

Re:

Project for William and Alane Swinton's Replacement Home
2-3515 East Cliff Dr.
Santa Cruz, Ca 95062

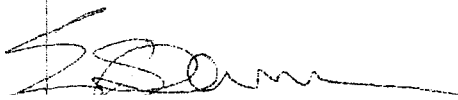
To whom it may concern,

My name is Eric Spence and I live at 301 36th ave. Santa Cruz Ca. Mr Swintons home is visible from the upstairs living area of our home. I have spoken to Mr. Swinton regarding the plans he has to remodel/rebuild his current structure. After reviewing his plans, I fully support him in his proposal.

I believe that the new home would be an improvement to the overall look and appeal of East Cliff Dr. and fully conforms to the other residences located in and around the East Cliff Dr. vicinity.

Our neighborhood homes are an eclectic collection of architecture and designs and I believe that the design of the Swinton's proposed structure would further enhance the special characteristics of our neighborhood that make it so special.

Thank you for your consideration.



Eric Spence
831 475-4617

BOOK & BOOK, LLP
ATTORNEYS AT LAW

June 2, 2006

DAVID B. BOOK
JASON R. BOOK
BRIAN M. KANDER

Santa Cruz County Planning Department

Re: William and Alane Swinton's Replacement Home
2-3515 East Cliff Drive
Santa Cruz, CA 95062

To Whom it May Concern:

I reside at 328 35th Ave., Santa Cruz, and was recently contacted by Mr. William "Gerry" Swinton regarding his above-referenced replacement home. I write to inform you that Mr. Swinton has shown me his proposed plans, including an artist rendering of the completed replacement home, and I cannot find anything relating to the project which would be objectionable or inconsistent with the character of the surrounding neighborhood.

I am hopeful that the Planning Department will allow the Swintons' project to proceed, as I feel it will enhance the area. Thank you.

Very truly yours,

BOOK & BOOK, LLP

By: 

JASON R. BOOK, Partner

JRB:jrb

1111 SOUTHERN AVENUE
SUITE 200
SANTA CRUZ
CALIFORNIA 95062
TELEPHONE (831) 277-1100
FACSIMILE (831) 277-1100
E-MAIL jason@bookandbook.com
WEB SITE www.bookandbook.com

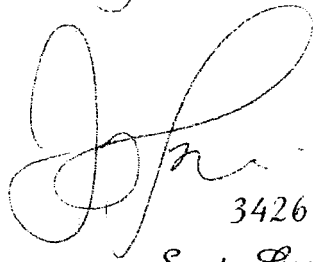
Jeremy Salz Lezin

6-3-06

Santa Cruz Planning Dept.

To Whom it may concern:

My wife Wendy & I are totally in support of the project proposed by William & Alane Swinton at 2-3515 E. Cliff Drive in S.C. We feel that it is in keeping with the other homes lining E. Cliff.



3426 St. Deyns
Santa Cruz, CA 95062
Home: 831-476-7630

NICK TROWBRIDGE

June 3, 2006

Re: William & Alane Swinton's Replacement Home

TO:

Santa Cruz Co. Planning Dept.
Santa Cruz Co. Zoning Board
Santa Cruz Co. Planning Board
&
Whom It May Concern.

I have reviewed the plans of my long time neighbors, William and Alane, for their replacement home. I am very pleased with the quality and thoughtfulness of the design. I am especially pleased with their choice to build a fully conforming home.

I have lived in Pleasure Point for the past 30 years. I own 2-3651 E. Cliff Dr and also own 448 58th Avenue, and have lived in both. Both are part of the East Cliff Drive neighborhood.

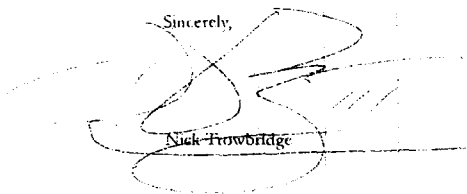
I surf and walk E Cliff often and appreciate and understand the transition of the neighborhood from vacation/2nd homes, constructed with little regard to materials and design, to primary residences. Aging, and I might say ugly, structures are being thoughtfully replaced as end-of-life is being reached. The Swinton project, and the architectural interest of its design, is an excellent example of long time residents thoughtfully improving our neighborhood.

The Swinton project is a wonderful improvement to E Cliff Drive. It is compatible with the neighborhood and will improve the visual quality of E Cliff Drive.

It replaces an ugly and dilapidated structure, with a beautiful home that will be a welcome addition to our community. The Swintons' choice of a low key colors, black, brown, and white, and of non-reflective glass will not distract from the wonderful colors of the ocean and sky. Additionally, the positioning of the home on the lot within and even exceeding the minimum setbacks, is a refreshing improvement in comparison to the existing state of affairs. When I compare this modest home design to the extremely massive new "townhouse" project on E. Cliff, and to existing structures, that are literally right on the street, I find the Swinton home, both in size, form, and lot position to be very appropriate.

I urge all concerned to approve this project as designed with all haste and look forward to its completion.

Sincerely,



Nick Trowbridge

NICK TROWBRIDGE 2-3651 E. CLIFF DR SANTA CRUZ, CA 95062

4-11, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern.

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

Stan Blackburn

Name:

Blackburn

Address:

420 30th Ave

6-4-2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E. Cliff Dr, SC 95062

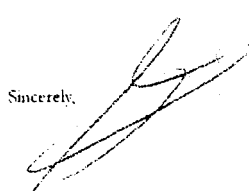
TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E. Cliff Drive.

Sincerely,



Name: Alberto Cubillo
Address: 315 36th Ave
Santa Cruz CA 95062

6/27/06

Re William & Marie Swanton's Replacement Home @ 23515 E. Cliff Dr, SC 95062

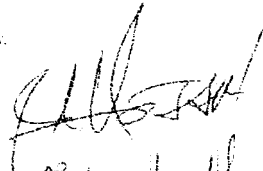
To Santa Cruz Co. Planning Dept. & Whom It May Concern

I have reviewed the plans of my neighbors, William and Marie, for their replacement home. I am pleased with the design.

The new home replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E. Cliff Drive.

Sincerely,



Name:

Richard Alan Hesson

Address:

311 36th Ave
Santa Cruz, Ca

6/5, 2006

Re: William & Aline Swinton's Replacement Home @ 23515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern

I have reviewed the plans of my neighbors, William and Aline, for their replacement home. I am pleased with the design and the fact that they choose to build a fully conforming home.

It replaces an old, dilapidated structure, with a beautiful home that will be a welcome addition to our community.

When I compare this design to the extremely massive new 7 townhouse project on E. Cliff, and to existing structures, that are literally right on the street, I find the design to be appropriate. When completed, it will improve E Cliff Drive.

Yes! Yes!

Sincerely,

Robin "Zeuf" Hesson
[Signature]

Name Robin Janiszewski Hesson
Address 311 36th Ave
Santa Cruz CA 95062

Mike Evans
371 5th Ave
Santa Cruz, CA 95062
(831) 476-5671

June 6, 2006

Santa Cruz County Planning Department

To Whom It May Concern:

Project:

William and Alane Swinton's Replacement Home

2-3515 East Cliff Drive

Santa Cruz, CA 95062

As a 35+ year user and former resident of Pleasure Point I can see no detriment in the Swinton's replacing their existing house and in fact I think it will enhance East Cliff Drive and its promenade.

Sincerely,



Mike Evans

Sam Sexton and Diane Hogan

3433 Saint Deyns
Santa Cruz, CA 95062
USA

Home Phone USA 1-831-476-6081

June 07, 2006

To Whom It May Concern
Santa Cruz County Planning Department

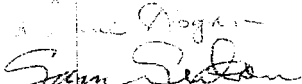
Re: William and Alane Swinton's Replacement House Project
2-3515 East Cliff Drive
Santa Cruz, CA 95062

Dear Sir or Madame

Mr. Swinton, a nearby neighbor, approached my wife and I with his plans for replacing his current home. We have lived in our home for more than 30 years. He has been in his for more than 20 years. He indicated that his lot was conforming and that he was NOT requesting a variance of any type. He will be below allowable height, he will have all building setbacks equal to or greater than currently required minimums. He has plans for a garage and off street parking. He does not have plans for a "granny unit", nor does he have plans for a third floor deck. In reviewing the plans he provided, the home appeared modest in size and appears to both fit the size of the lot and the surrounding structures.

My wife and I support his proposed building plans and encourage the County and the Coastal Commission to approve his request.

Sincerely,


Sam Sexton and Diane Hogan

June 8, 2006

Santa Cruz County Planning Department

Re: **William and Alane Swinton's Replacement Home**
2-3515 East Cliff Drive
Santa Cruz, CA 95062

To Whom it May Concern:

We reside at 121 Anchorage Ave., Santa Cruz, and were recently contacted by Mr. William "Gerry" Swinton regarding his above-referenced replacement home. After reviewing his proposed plans, including an artist rendering of the completed replacement home, we do not find the project to be objectionable or inconsistent with the character of the surrounding neighborhood.

We are hopeful that the Planning Department will allow the Swintons' project to proceed as we feel it will enhance the area. Thank you.

Very truly yours,

Dennis and Joan Book

6/9 2006

Re: William & Alane Swinton's Replacement Home @ 23515 E. Cliff Dr, SC 95062

(C) Santa Cruz Co. Planning Dept. & Whom It May Concern

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

Name: JUAN REPART

Address: 336 36th Ave.

6/10/2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

Clara McSherry
Vida McSherry

Name:

Address:

131 84th St.

cc: [unclear] [unclear]

6-10, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

M. L. Noto

Name:

Kenn D. Noto

Address:

*3274 36th
SC CA 95062*

_____, 2006

Re: William & Alane Swinton's Replacement Home (q. 2 3315 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive

Sincerely,

Name: *Lee Boyd Swinton*
Address: *3315 E Cliff Dr*

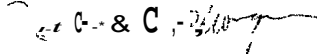
230 E. Empire St
Grass Valley, Ca 95945
June 12, 2006

Santa Cruz Planning Dept

To Whom It May Concern.

I represent the owners of the house at 301 35th St. I have reviewed the proposed project of William and Alane Swinton to replace their current house at 2-3515 East Cliff Drive with a new building. **We do** not have any objections to the proposed project.

Sincerely,


James E. Chargin, Trustee
Ellen X Chargin Trust

June 12, 2006

The Santa Cruz County Planning Department.
Santa Cruz, California

To Whom it **May** Concern,

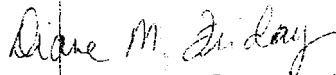
My name is Diane M. Friday and I'm the owner, and resident at 225 35th Ave. Santa Cruz, 95062. My neighbors, William and Alane Swinton are in the process of trying to build their replacement home at 2-3515 East Cliff Dr. I view their home directly, and would like to give my total support for their project.

The Swinton's new home will be in my direct line of sight, and from the plans, drawings, and computer projections I've seen of their new home, think it will be absolutely beautiful. I think it will look fabulous on East Cliff as it will preserve the current neighborhood ambiance of different styles of homes. I find their planned home to be unique, beautiful, and fitting in well with the Pleasure Point neighborhood. I fully encourage you to let them proceed with the building of their new home.

One of the best things of living in Pleasure Point is that **we** are an eclectic neighborhood. Everyone has a unique home. My home doesn't **look** like anybody else's and I like that. The Swinton's new home will **be** unique as well, **and** I feel it's a huge positive for the neighborhood to have a new and beautiful home.

I'm **extremely** lucky in that I'm living in my dream home on Pleasure Point. Seriously, it couldn't get any better living by the ocean in a wonderful area. I fully encourage and support the Swintons with their project, and hope that you grant them the necessary permits to begin the construction of their dream home.

I'd be happy to provide any other information.
Thank you very much,



Diane M. Friday, Owner and Pleasure Point Resident
225 35th Ave.
Santa Cruz, CA 95062
cell 408-455-9453

JUNE 12
2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr. SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,

Bill Wells

OWNER
Name: William Leo Wells
Address: 3525 HARVEY DR.
SANTA CRUZ
95062

16 June 2006

Message from Claire St. Laurent, St. Laurent Enterprises LLC

2-3505 E. Cliff Dr

&

2-3665 E. Cliff Dr.

Message from Ms. Laurent's assistant

- Am out of town
- Assistant authorized to talk on behalf
- Have no disagreement / problem with project. Will not object in any way to county

June 17, 2006

Re William & Alane Swinton's Replacement Home

Santa Cruz Co. Planning Dept

To Whom It May Concern

I have lived in Pleasure Point at my current residence for 21 years and before that have lived on the Point on and off since 1961. I have seen the continuous change that our neighborhood goes through. This continuous change is an essential element of the character of Pleasure Point. It is a tangible and visible sign of the freedom that embodies this neighborhood.

I walk the length of East Cliff Drive almost everyday. I see the eclectic mix of structures; I see the history and the change that is elemental here. Some of our existing homes are the last of early vacation homes. Some are simply large boxes right on the street. In an overview, our neighborhood is a random mix of random styles of various ages.

Regarding the Swinton home, I have reviewed their plans and simulated images. I find the design pleasing. It is not a huge home. The Swintons will live in it. It is not a spec home - what a wonderful concept! It is tasteful and subtly minimal. When finished, it will be a wonderful enhancement to East Cliff Drive.

I find that the Swintons' design is exceptionally pleasing to the eye. The choice of color, the variation in the facade, as the house steps back into the lot -- all of these are inspiring, representing a wonderful architectural interest. I wholly support their design and find it to be compatible with our eclectic neighborhood. It will improve the visual quality of East Cliff Drive.

Furthermore, it represents welcome diversity especially given the seeming overwhelming addition of repetitive pseudo-Spanish / Orange County new spec construction that has recently appeared. [The 7 new houses east of 38th Ave and the 2 new spec houses between the lagoon at 26th beach and 26th Avenue are notable examples of this massive repetitive theme.]

In summary, I am fully supportive of the design in its current form and urge all concerned to approve this project.

Sincerely,



Nat Stevens
2-3451 E. Cliff Dr.
Santa Cruz, CA 95062

6/19, 2006

Re: William & Alane Swanton's Replacement Home (q) 23515 E Cliff Dr. SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

Kate Novak

Name:

Address:

320 35TH AVE.
Santa Cruz, CA 95062

6/19, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood.

When completed, it will improve E Cliff Drive.

Sincerely,

Frank Sutherland

Name: FRANK SUTHERLAND

Address: 210 - 34th Ave.

June 26, 2006

Randall Adams, Project Planner
County of Santa Cruz
Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Re: Application No. 05-0813 Assessor's Parcel No. 032-223-0 Owner: Swinton

Dear Mr. Adams:

I am writing to express my view of the above referenced project. I am a neighboring property owner and have reviewed the Swinton's plans. I am fully supportive of their design. As you know, the project is in compliance with residential and development standards. In addition, the project is situated within all the proper setbacks, especially with respect to its streetscape relationship with East Cliff Drive.

I have seen your letter to the Swinton's regarding the Planning staff's concerns with the project. I strongly disagree with the opinion that the design is not compatible with surrounding development. Furthermore, the proposed design is neither massive nor bulky. The use of glass and stone actually gives the structure a graceful appearance. The window appointment makes the structure transparent. The gaze of a pedestrian looking at the structure would be drawn directly through the glass into the heart of the house. It is human in scale.

I also like the relationship of the second floor family room as it is currently situated over bedroom #1 and would not like to see it pulled back to line up with the dining room. Doing this would destroy the elegant architecture. As is, the design scales back beautifully from the front west corner elevation to the front east corner elevation. On the whole, the front elevation has the feeling of a gentle undulation. I feel the use of stone and glass is simplistic, modest and very attractive.

I hope you will take my opinion into consideration. As a neighbor, long time Pleasure Point resident and property owner, I believe the design is compatible with our neighborhood and will enhance the scenic beauty along East Cliff Drive. Please approve the project design as submitted and do not request that the owner make any changes to the original design.

Thank you for your consideration in this matter.


Phyllis Christensen
102 32nd Avenue
Santa Cruz, CA 95062

cc: Jan Beautz, District 1 Supervisor

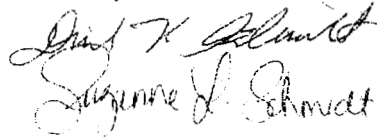
Date: June 27, 2006

To Santa Cruz County Planning Department & Whom It May Concern

Re William and Alane Swinton's Replacement Home at 2-3515 East Cliff Dr., SC,
95062

We have reviewed the plans for the replacement home of William and Alane Swinton and are pleased with the design. As homeowners in Pleasure Point, we feel the new home will be a welcome addition to the neighborhood and will improve the look of East Cliff Drive.

Sincerely,

Handwritten signatures of David and Suzanne Schmidt in cursive ink.

David and Suzanne Schmidt
220 34th Avenue
Santa Cruz, CA 95062

July 20, 2006

Randall Adams, Project Planner
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA 95060

Re: Community Meeting held 15 July 2006 at
The Swinton Residence, 2-35 15 East Cliff Drive
Application #05-08 13; APN 032-223-09

Dear Randall:

We're sorry you were not able to attend our community meeting, held at our home on Saturday, 15 July 2006. The meeting was successful. This letter may help you get a sense of what happened.

All the neighbors in the 300' notice zone were invited via U.S. mail, as were you, other members of the Planning Department, and our district Supervisor. Our architects were present, ready to answer any questions about the design, its conformance to existing code, or any other matter that might have arisen.

Over 35 people attended the meeting. It was so busy that we had a hard time keeping up with the sign-in sheet – we missed some of the attendees. Attached please find a copy of this sheet with 25 sign ins. Several passer-bys also dropped in. Supervisor Beautz was kind enough to attend, along with her assistant Mr. Reetz. She and Mr. Reetz stayed for the entire, almost 2-hour meeting, and were able to hear first hand the neighbors' views concerning the proposed project. Further on in this letter, we will summarize these views.

At the meeting, many exhibits were provided to help simulate discussion and help the neighbors visualize the project on the actual site. These exhibits included:

- The project plans and materials, including blueprints, photomontages, the site survey, FAR worksheet, etc.
- A photographic study of East Cliff Drive
- A photographic study of recent and in-progress construction in Pleasure Point
- The Urban Designer's Design Review report
- Copies of several recent Planning Department findings, each of which acknowledged the general diversity of the Pleasure Point neighborhood, the lack of consistent design and clear functional relationships between existing structures, and the wide range of architectural styles, sizes, massing and configuration within the neighborhood.
- A map of the parcels, illustrating from which written letters of support for the current plans had already been received.
- A chronological file of the various documents and correspondence
- Mark-offs on the site of the various corners of the new residence.

These exhibits did indeed stimulate vigorous discussion amongst residents and with our supervisor. The discussion was exclusively one-sided with sentiments, as best we were able to capture, such as

“...it's beautiful...”,

“...fits in...”,

“...what's wrong with it ? it's fine by me and others I've talked to...”,

“...it's not very big at all...”,

“...what's the problem.. I can't wait for it to be finished...”,

“...when will this be approved...”,

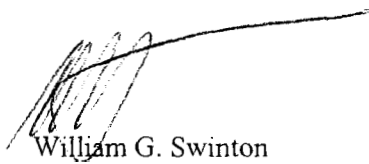
“...the Swintons have done a good job...”,
“...compared to the other houses on the street, this is pleasing to the eye...”,
“...it’s really a lot further back than the existing structure or the other houses on the street...”
“...when do you get started...what’s the holdup...”
“...what are the next steps...”
etc.

No negative sentiment of any kind was made known to us.

Almost all neighbors went on a walking tour of the site, looking at the various comers, visualizing the different rooms, the position of the garage, the setbacks, and the relationship to other buildings. It is important to note that many were amazed at the large setback distance that the southwest comer if from E. Cliff (-25’) and how the building comer begins in the back half of the house next door to the west. Some thought that this distance back from East Cliff Drive was “a lot” and that “the building next door would be in the way...”. We were careful to explain that this generous setback is intentional!

On these walking tours, neighbors also expressed happiness with the additional 3 off-street parking spots, the relatively modest size of the house, and its position on the lot –further back than most residences on the street. After these walking tours, the understanding that the design is within all current limits regarding height, setbacks, size / floor area, etc., and seeing the map depicting the broad neighborhood support in place, many neighbors questioned our supervisor regarding the unclear process that has led to the current state of affairs.

In summary, we were surprised at the attendance, the excitement among our neighbors, and their support. We met some new neighbors, whom we had previously not been successful in contacting by knocking door-to-door, received 2 additional letters of support at the meeting, and were promised of several more forthcoming in the next week. The neighbors appeared to be pleased to see their Supervisor in attendance and welcomed the opportunity to give her their feedback in person.



William G. Swinton
for William G. and Alane K. Swinton, Owners

cc:
Annette Olson, Planner
Cathy Graves, Planner
Larry Kasparowitz, Urban Designer
Tom Bums, Planning Director
Jan Beautz, Santa Cruz County Supervisor
Martha Matson, Architect

Community Meeting SIGN IN SHEET

15 July 2006
The Swinton Residence
2-3515 East Cliff Drive
Santa Cruz, CA 95062

NAME	ADDRESS	Phone # (opt.)	E-mail	Comments
Janet Patton				
Edin Merin	500 Oak Drive, Capitola			
Jim Delany	3430 St Deys St			
DIANE HOGAN	3433 St. Deys			
SPAM TEXON	3433 St Deys			
Diane Friday	225 35th Ave.			
Lowell ALBUTIN	225 35th AVE			
Mat Stevens	2-3451 E. CLIFF DR.			
Dan Gleason	2-3535 E. CLIFF DR.	462-1082	davisgleason@msn.com	
RITA BENDOW	2-3571 E. CLIFF			
Norma Claunch	338-35th Ave			
Pammy Clark	344 35th AVE.			
Paul Clark	344 35th Ave			
Barbara Booth				
Jo Resteigen	300-35th AVE	476-7126		
Charkne Gleason	2-3535 E CLIFF DR.	462-1082	davisgleason@msn.com	
Andrea Johnson	35th Ave #4th	462-3681	AndreaJ123@Comcast.net	
JASON BOOK	328 35th Ave			
Dennis & Joan Book	121 Anchorage Ave			
Vicki Martin	300 35th Ave.			
B. Tucker	300 35th Ave			
J. Brill	331 36th Ave.	234-1815		Good Luck!
Joan Book	121 Anchorage Ave			
IS Mox	35th Ave			

Community Meeting **SIGN IN SHEET**

15 July 2006

The Swinton Residence

2-3515 East Cliff Drive

Santa Cruz, CA 95062

[illegible]

July 24, 2006

Randall Adams, Project Planner
County of Santa Cruz Planning Department
701 Ocean St.
Santa Cruz, CA 95060

Re: Additional Information re Community Meeting held 15 July 2006 at
The Swinton Residence, 2-3515 East Cliff Drive
Application #05-0813; APN 032-223-09 VIA E-MAIL and U.S. MAIL

Dear Randall:

After sending you the report on our Community meeting, I realized that it may be helpful for you to visually understand the siting of the home, especially with respect to the existing home to the west, as the generous setback of the southwest corner of our proposed home was much discussed topic at the meeting. Please recall from my previous letter of the 20th of July, that during the community meeting, many of the neighbors, when on a walking tour of the site, were amazed at the generous and intentional setback of this element of the design.

Attached please find some snapshots taken from the approximate position of the southwest corner of our design. [Note: The current structure is only 4' from the west property line, and thus, I was unable to actually stand at the corner of the new design as this corner is 1' east into the existing home.

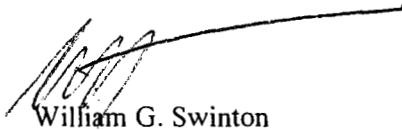
Please note that the front, south facade of our proposed home begins at a position that is only approximately 3' forward of the rear of the existing, neighboring structure to the west. This can be seen in the attached images.

I thought this information might help you to understand the modest size of our proposed design and its generous and streetscape aware setbacks.

Again, In light of

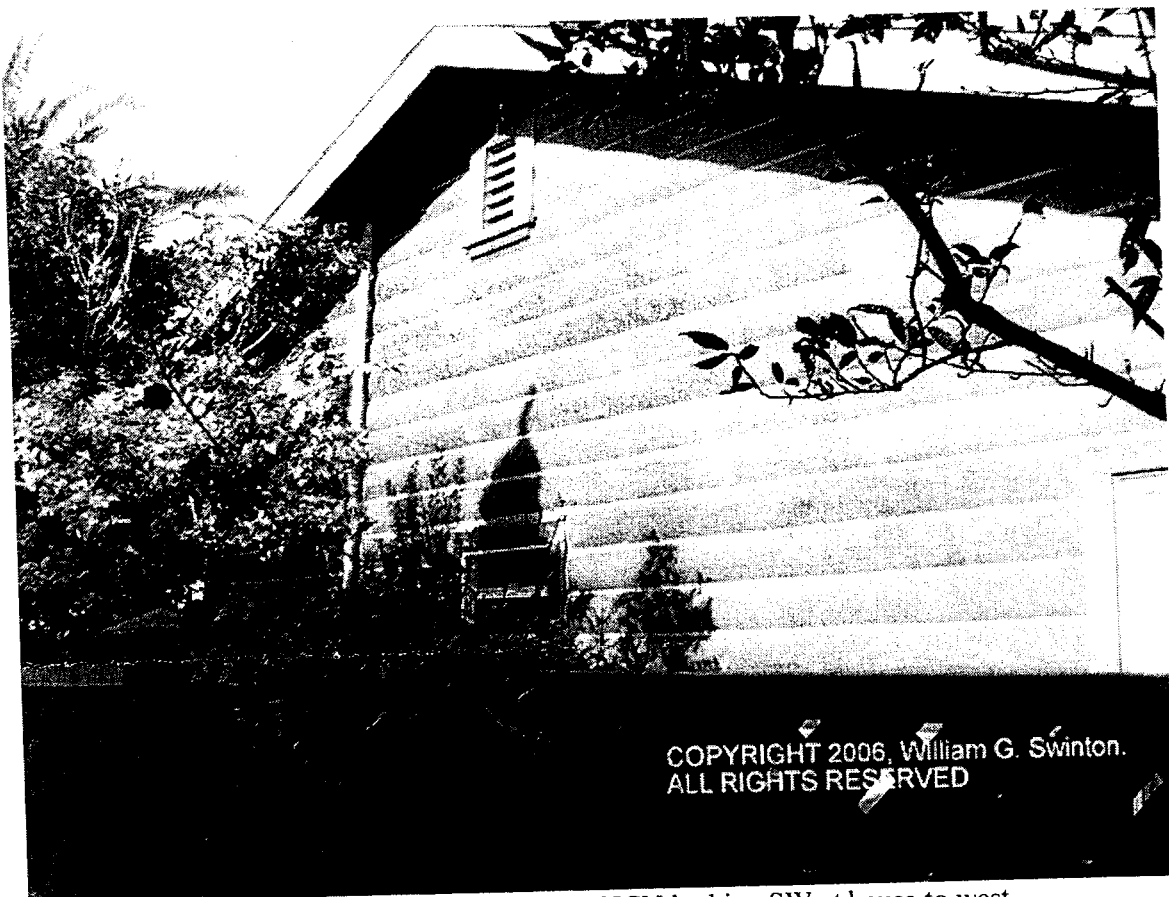
- The above information,
- The insight of the dozens of the Swinton's actual neighbors, who are practical experts in understanding compatibility in the neighborhood they live in, and the neighbors' overwhelmingly positive response received at the community meeting,
- The proposed design's *modest* size and full conformance with all setback, height, FAR, and site coverage ratios,
- The current ordinances in the Code, and
- The positive, expert evaluation by the Urban Planner in January,

I respectfully ask you to please objectively evaluate our application and to make the required findings for approval.

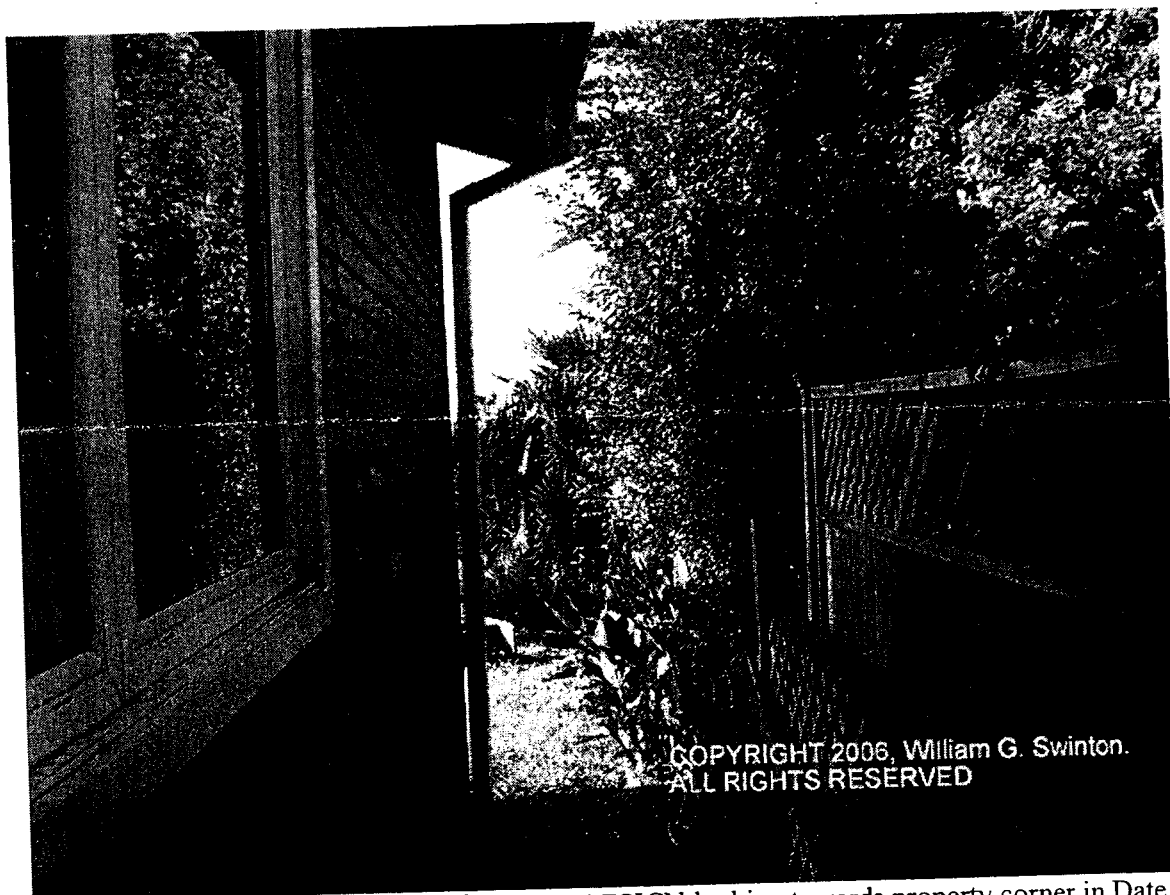


William G. Swinton
for William G. and Alane K. Swinton, Owners

cc:
Annette Olson, Planner
Cathy Graves, Planner
Larry Kasparowitz, Urban Designer
Tom Burns, Planning Director
Jan Beautz, Santa Cruz County Supervisor
Martha Matson, Architect



VIEW FROM APPROX. SW CORNER OF DESIGN looking SW at house to west



VIEW FROM APPROX. SW CORNER OF DESIGN looking towards property corner in Date palm over 25' feet away



VIEW FROM APPROX. SW CORNER OF DESIGN looking to west perpendicular to property –Note: Front, south faqade of our proposed home begins at a position that is only approximately 3' forward of the rear of the existing, neighboring structure to the west

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner : Randa11 Adams
Application No. : 05-0813
APN: 032-223-09

Date: August 14, 2006
Time: 11:18:58
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON JANUARY 13, 2006 BY JESSICA L DEGRASSI =====

Please show on the site plan the entire width of East Cliff Drive and the edge of the bluff. Measure on the site plan distance from existing house to edge of bluff, and distance from proposed house to edge of bluff.

This project will require a soils report, please submit two copies of the report when complete. A list of recommended soils engineers is available upon request. Call 454-3162. ===== UPDATED ON APRIL 21, 2006 BY JESSICA L DEGRASSI =====

Received revised plans, replacement SFD will be located 55-60 feet from edge of bluff, with E.Cliff Drive in between. This distance is sufficient enough to eliminate the requirement for the 100-year determination. The structure to be replaced is currently 45 feet from the edge of the bluff.

Soils report has been reviewed and accepted.

Environmental Planning Miscellaneous Comments

===== REVIEW ON JANUARY 13, 2006 BY JESSICA L DEGRASSI =====

===== UPDATED ON APRIL 21, 2006 BY JESSICA L DEGRASSI =====

A plan review letter from the soils engineer will be required at building permit stage.

An erosion control plan will be required at building permit stage.

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 24, 2006 BY DAVID W SIMS =====

The proposed stormwater management plan is approved for discretionary stage Stormwater Management review. Please see miscellaneous comments for items to be addressed in the building application stage. ===== UPDATED ON APRIL 24, 2006 BY DAVID W SIMS =====

No new comment.

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 24, 2006 BY DAVID W SIMS =====

Miscellaneous: Items to be addressed with the building plans.

General Plan policies: <http://www.sccoplanning.com/pdf/generalplan/toc.pdf> 7.23.1
New Development 7.23.2 Minimizing Impervious Surfaces 7.23.4 Downstream Impact As-

Project Planner: Randal Adams
Application No. : 05-0813
APN: 032-223-09

Date: August 14, 2006
Time: 11:18:58
Page: 2

sessments 7.23.5 Control Surface Runoff

The plan was found to need the following additional information and revisions, consistent with the policies listed above, prior to approving building plans.

1) Please provide an itemized table of all impervious surfacing for existing and proposed conditions. Indicate mitigation measures to treat new impacts from the redevelopment, effectively holding runoff levels to pre-development rates. The discharge of downspouts to splashblocks is a beneficial measure to limit impacts, but may not be sufficient as the only means.

2) The flagstones set in sand help to meet goals to minimize impervious surfacing. Please provide a sectioned construction detail with the building plans.

3) Please fully describe and illustrate on the plans the offsite routing of all runoff to a County maintained inlet(s). Note any inadequacies in these flowpaths. such as ponding. Note the presence and transition between ditches, curbs, etc. . . along the length of the flowpaths.

4) The property slopes at approximately a 1% grade from the NE corner to the SW corner. Indicate where there is a potential for runoff to be received onto this property or to be released onto neighboring property. Provide any necessary measures to control harmful impacts.

5) County policy requires topography be shown a minimum of 50 feet beyond the project work limits. Please provide information to these extents, sufficient to evaluate local drainage patterns.

6) Applicant should provide drainage information to a level addressed in the "Drainage Guidelines for Single Family Residences" provided by the Planning Department. This may be obtained online: <http://www.sccoplanning.com/brochures/drain.htm>

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.90 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

You may be eligible for fee credits for pre-existing impervious areas to be demolished. To be entitled for credits for pre-existing impervious areas, please submit documentation of permitted structures to establish eligibility. Documentations such as assessor's records, surveys records, or other official records that will help establish and determine the dates they were built, the structure footprint, or to confirm if a building permit was previously issued is accepted.

Because this application is incomplete in addressing County requirements, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements.

All resubmittals shall be made through the Planning Department. Materials left with Public Works may be returned by mail. with resulting delays.

Discretionary Comments - Continued

Project Planner: Randal Adams
Application No. : 05-0813
APN: 032-223-09

Date: August 14, 2006
Time: 11:18:58
Page: 3

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON APRIL 24, 2006 BY DAVID W SIMS =====
No new comment.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JANUARY 5, 2006 BY DEBBIE F LOCATELLI =====
Driveway is off of a non-county maintained road, therefore, no comment

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON JANUARY 5, 2006 BY DEBBIE F LOCATELLI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JANUARY 25, 2006 BY GREG J MARTIN =====
We recommend 22 feet from the face of the garage to the property line to provide adequate space for vehicles parked in front of the garage to back out into the alley. Specific driveway details with respect to composition and structural section can be addressed with the building permit.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON JANUARY 25, 2006 BY GREG J MARTIN =====

===== UPDATED ON APRIL 21, 2006 BY GREG J MARTIN =====
The western side of the stucco wall proposed adjacent to the driveway obstructs sight distance for vehicles backing out. The wall is recommended to be located five feet from the edge of the driveway. The driveway surface should be specified. A pervious surface is acceptable.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JANUARY 25, 2006 BY GREG J MARTIN =====
===== UPDATED ON APRIL 21, 2006 BY GREG J MARTIN =====



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

April 21, 2006

Martha Matson
728 N. Branciforte Drive
Santa Cruz, CA 95062

Subject: Review of Geotechnical Investigation by Haro, Kasunich & Associates
Dated March 27, 2006; Project #: SC9159
APN 032-223-09, Application #: 05-0813

Dear Applicant:

The purpose of this letter is to inform you that the Planning Department has accepted the subject report and the following items shall be required:

1. All construction shall comply with the recommendations of the report.
2. Final plans shall reference the report and include a statement that the project shall conform to the report's recommendations.
3. Prior to building permit issuance a *plan review letter* shall be submitted to Environmental Planning. The author of the report shall write the *plan review letter*. The letter shall state that the project plans conform to the report's recommendations.

After building permit issuance the soils engineer *must remain involved with the project* during construction. Please review the *Notice to Permits Holders* (attached).

Our acceptance of the report is limited to its technical content. Other project issues such as zoning, fire safety, septic or sewer approval, etc. may require resolution by other agencies.

Please call the undersigned at (831) 454-3168 if we can be of any further assistance.

Sincerely,

Kevin Crawford
Civil Engineer

Jessica deGrassi
Resource Planner

Cc: Haro Kasunich and Associates Inc.
William and Alane Swinton, Owner

Telephone (831) 420-5210

PROJECT ADDRESS: 2-3515 East Cliff Dr

INFORMATION:

William Swinton
2-3515 East Cliff Drive
Santa Cruz CA 95062-
Fax:

Cell:

SECTION 1 EXISTING MAIN AND SERVICES Main Size/Type/Age: (6"PVC 1991 Elevation zone N

314"	316-39101	Active	sfd

No connection fee credit(s) for services inactive over 24 months

SECTION 2 FIREFLOWS

Hyd # 2050 Size/Type: 6" stmr Static * Res * Flow * Flow w/20# Res. * FF Date

Location: @ 215 35th Ave

Hyd # Size/Type: Static Res Flow Flow w/20# Res. FF Date

Location:

SECTION 3 WATER SERVICE FEES

Service	Service	Meter	Meter	#	Meter	Eng	Plan	Permit	Rvw	Backflow	Water	Sewer	Zone
Type	Size	Size	Type	SIOs	Inst	Review	Insp	Fee	Type	Fee	System Dev	Connection	Capacity
Domestic													
Dom/Fire													
Irrigation													
Business													
Fire Svc	2	518	Disc	1	\$263	\$50	\$180						
Hydrant			Type										

WATER SERVICE FEE TOTALS \$263 \$50 \$180 \$ \$ \$ \$ \$ \$ \$00

Street Opening Fee \$ Irr Plan Review Fee \$ Total \$493 - Credits \$ GRAND TOTAL \$493

ADDITIONAL COMMENTS

List of SCWD approved service installation contractors enclosed for your use.
* work order sent to flow test hydrant

SECTION 4 QUALIFICATIONS

1 Service will be furnished upon

(1) payment of the required fees due at the time service is requested (a building permit is required), and (2) installation of the adequately sized water services, water mains and fire hydrants as required for the project under the rules and regulations of the Santa Cruz Water Department and the appropriate Fire District and any restrictions that may be in effect at the time application for service is made

2 Fees and charges noted above are accurate as of the date hereof, and are subject to change at any time without notice to applicant

BP# PLAN APP # 05-0813 PLANNER Annette Olson REVIEWED BY M. Fisher

NOTICE This form does not in any way obligate the City. It is provided only as an estimate to assist you in your planning and as a record for the Water Department. The requirements set forth on this form may be changed or corrected at any time without prior notice. Fees collected by other agencies are not included on this form.



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, PLANNING DIRECTOR

Project Comment Sheet

Date: January 3, 2006

☐ Accessibility
☐ Code Compliance
☒ Environmental Planning Jessica deGrassi
☒ Fire District Central Fire Protection
☐ Housing
☐ Long Range Planning
☒ Project Review
☒ Urban Designer Lawrence Kasparowitz
☐ Planning Director
☒ Maps - Level 5 Elizabeth Hayward

Dept. of Public Works

☐ Drainage District
☒ Driveway Encroachment
☒ Road Engineering / Transportation
☒ Sanitation
☐ Surveyor
☐ Environmental Health
☒ RDA
☒ Supervisor Janet K. Beautz
☐ Other

To be Mailed:

☒ Santa Cruz City Water ☒ Coastal Commission

From: Development Review Division

Project Planner: Annette Olson Tel: 454-3134
Email: pln143@co.santa-cruz.co.us
Subject APN: 032-223-09
Application Number: 05-0813

See Attached for Project Description

The Attached Application for a Development Permit, Land Division Permit or General Plan Amendment has Been Received by the Planning Department.

Please Submit Your Comments to the Project Planner Via the Discretionary Application Comments/Review Function in A.L.U.S.

Please Complete by: January 20, 2006

Annette - No Sanitation review of this project is required until the Bldg. permit stage. It is a replacement w/no easement issues for public sewer lines on the property. Drain Paves. Sanitation x2783
→ see attached form for our prior determination of no review at discretionary stage.

Santa Cruz County Sanitation District

Project Review Requirements

APN: 032-223-09

Address: _____

Proposed Project: Replacement SFD

Upon preliminary review of your discretionary application plans, The _____ of Santa Cruz Sanitation District finds that:



The County Sanitation Review Fees are not applicable for your project



This project requires review by the County of Santa Cruz Sanitation District. The following fee will be charged by the Planning Department at the time you submit your discretionary application:

SC1 _____ Residential Remodel (remodel expanding footprint, pool, accessory building, retaining wall)

SC2 _____ Residential New or Miscellaneous (right-of-way issues, lot line adjustment)

SC3 _____ Minor Commercial (remodel)

SC4 _____ Minor Commercial (new or replacement)

SC5 _____ Major Commercial (new or replacement)

SC6 _____ Development Review Group (DRG)

SC7 _____ Land Division Improvements



This application should be routed to Environmental Health Services.

Comments _____

Issued by Eleana Andrus

Date 11/16/05



**CENTRAL
FIRE PROTECTION DISTRICT**
of Santa Cruz County
Fire Prevention Division

930 17th Avenue, Santa Cruz, CA 95062
phone (831) 479-6843 fax (831) 479-6847

Date: January 10, 2006
To: William and Alane Swinton
Applicant: **Martha Matson**
From: Tom Wiley
Subject: **05-0813**
Address **23515 E. Cliff Dr.**
APN: 032-223-09
OCC 3222309
Permit: 20060007

We have reviewed plans for the above subject project.

The following NOTES must be added to notes on velums by the designer/architect in order to satisfy District requirements when submitting for **Application for Building Permit**:

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2001) and Central Fire District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and SPRINKLERED as determined by the building official and outlined in Chapters 3 through 6 of the 2001 California Building Code (e.g., R-3, Type V-N, Sprinklered).

The FIRE FLOW requirement for the subject property is 1000 gallons per minute for 120 minutes. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

SHOW on the plans a public fire hydrant, meeting the minimum required tire flow for the building, within 250 feet of any portion of the building.

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.

NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.

Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder
- There must be at least one smoke detector on each floor level regardless of area usage.

- There must be a minimum of one smoke detector in every basement area.

NOTE on the plans where address numbers will be posted and maintained. Note on plans that address numbers shall be a minimum of FOUR (4) inches in height and of a color contrasting to their background

NOTE on the plans the installation of an approved spark arrestor on the top of the chimney. Wire mesh not to exceed ½ inch.

NOTE on the plans that the roof coverings to be no less than Class "B" rated roof.

Submit a check in the amount of \$100.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment *is* not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfrd.com. All other questions may be directed to Fire Prevention at (831) 479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
3222309-011006

MEMORANDUM

Application No: 05-0813

Date: January 17, 2006

To: Annette Olson, Project Planner

From: Lawrence Kasparowitz, Urban Designer

Re: Design Review for a new residence at 2-3515 East Cliff Drive, Santa Cruz

GENERAL PLAN/ ZONING CODE ISSUES**Design Review Authority**

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		See <i>additional comments below</i> .
um Site t			
adii earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			

Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		?
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A

Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
--	--	--	-----

Design Review Authority**13.11.040** Projects requiring design review.

- (a) Single home construction, and associated additions involving 500 square feet or more, within coastal special communities and sensitive sites as defined in this Chapter.

13.11.030 Definitions

- (u) 'Sensitive Site' shall mean any property located adjacent to a scenic road or within the viewshed of a scenic road as recognized in the General Plan; or *located on a coastal bluff*, or on a ridgeline.

Design Review Standards**13.1.072** Site design.

Evaluation Criteria	Meets criteria In code(✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			NIA
Street design and transit facilities			N/A
Relationship to existing structures	✓		
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		

Ridgeline protection			NIA
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria in code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Variation in wall plane, roof line, detailing, materials and siting	✓		

Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

URBAN DESIGNER s COMMENTS:

- *This location is a neighborhood in transition and neighborhood compatibility is difficult to establish.*
- *The applicant should submit twophotomontages of theproposed residence " from both east and west directions looking along East Cliff Drive.*

Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts			N/A
In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A

Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: January 18, 2006
TO: Annette Olson, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application **05-0813**, APN 032-223-09, 23515 East Cliff Drive (near 35th Ave), Live Oak

The applicant is proposing to demolish an existing one-bedroom single-family bedroom and construct a two-bedroom single-family dwelling with attached garage. The project requires a Coastal Development Permit. The property is located on the north side of E. Cliff Drive, about **60** feet east of 35th Avenue (23515 E. Cliff Drive).

This application was considered at an Engineering Review Group (ERG) meeting on January 4, 2006. The Redevelopment Agency (RDA) has the following comments regarding the proposed project.

1. All existing private physical improvements within the East Cliff Drive public right-of-way (ROW) should be removed (fence, gate, planter boxes, etc.). A Public Works Encroachment Permit is required for any improvements or work in the ROW including any planting within the ROW.
2. The plans should demonstrate that all required parking per Planning's standards is provided onsite with spaces labeled and dimensioned, as there is very limited on-street parking in neighborhoods adjacent to the coast.
3. The Site Plan should identify if the existing 6-foot fence along the alley is proposed to be retained or removed. If this fence is to be retained, it should be analyzed with regard to sight distance.
4. Note #3 on P2 references an "existing Meddit. Date tree just outside the PL to remain". This tree should be identified on the project plans, and if needed, should be protected during construction. As well, the Site Plan does not identify any existing trees onsite, which may be removed.
5. RDA encourages that new front yard tree(s) be installed at a 24-inch box size.
6. The applicant/owner should note that there is a future RDA project planned for improvements to this portion of East Cliff Drive. RDA can be contacted at 454-2280 for additional information on this future improvement project as needed.

The items and issues referenced above should be evaluated as part of this application or addressed by conditions of approval. **RDA** would like to see future routings of **this** project if more information is provided regarding the ROW improvements or if any changes are made along the property frontage. The Redevelopment Agency appreciates this opportunity to comment. *Thank you.*

cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, RDA Urban Designer

APPLICATION NO. 05-0813

STAFF REPORT TO THE PLANNING COMMISSION

EXHIBIT 1C

Randall Adams

From: mike guth [mguth@guthpatents.com]
Sent: Thursday, September 14, 2006 4:09 PM
To: Randall Adams
Subject: Comments for the record - 05-0813

Dear Mr. Adams.

I would like to supply the following comments for the record recording application number 05-0813 for APN 032-223-09 and-11.

Neighborhood compatibility, especially mass and scale, is a very important issue in Pleasure Point. The County planning staff has seldom come out with a negative finding in this category. Since the County has done so in this case, it appears that there is a serious issue of conformance. I support the County in its efforts to review ocean front homes in the Pleasure Point area in this regard.

It does appear to me that the County's findings are well supported. I noted today as I went by the project site that many, if not all, of the nearby large homes do not build straight up at the minimum setback from the front, but break the mass with a deck that results in the second story being inset relative to the first. This is in keeping with the outdoor lifestyle in this area, as it provides residents deck access from their living areas, and connects them to the neighbors that they can see **and** converse with. It also dramatically reduces the imposition of the structures.

I appreciate that the applicants have a desire to build as they wish; however, in this case, I support the County findings. I do see from the staff report that this issue was pointed out to the applicants and that they decided to pursue the project anyway. Given that background, I cannot believe that they are surprised by the staff recommendation.

Michael A. Guth
2-2905 East Cliff Drive

Yours Sincerely,
Michael A. Guth
Attorney at Law

(831) 462-8270 **office**
(831) 462-8273 **fax**

Warning: The information contained in this electronic mail message is intended only for the personal and confidential use of the designated recipient(s) named above. This message may be an attorney-client communication, may be protected by the work product doctrine, and may be subject to a protective order. As such, this message is privileged and **confidential**. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this message in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and e-mail and destroy any and all copies of this message in your possession (whether hard copies or electronically stored copies).

From: PLN AgendaMail
Sent: Saturday, September 09, 2006 10:12 PM
To: PLN AgendaMail
Subject: Agenda Comments

Meeting Type : Zoning

Meeting Date : 9/15/2006

Item Number : 6.00

Name : Charles Paulden-People for the Preservation of Pleasure Point

Email : Not Supplied

Address : Not Supplied

Phone : Not Supplied

Comments :

05-0813 (**)
3515 E. CLIFF DRIVE, SANTACRUZ APN(S): 032-223-09

We concur with the Zoning Administrator Staff Recommendation:
Denial of Application 05-08 13, for the reasons stated.

Pleasure Point is in the process of defining its neighborhood character, to defend itself from this large type of building.

Pleasure Point is an historic example of a coastal beach community and is a world destination for its small eclectic charm.

Please do stand your ground on the preservation of not too large houses and protect the cottage style environment that many love.

There are many examples where community character has been lost on the coast.

Please help preserve it here.

Thank you

Charles Paulden

People for the Preservation of Pleasure Point

September 26, 2006

Don Bussey, Zoning Administrator
County of Santa Cruz
701 Ocean St.
4th Floor
Santa Cruz, CA 95060

Re: Zoning Administrative Hearing, Friday 15 September 2006
Item #6
Application #05-0813; APN 032-223-09
Swinton Residence, 2-35 15 East Cliff Drive
CLARIFICATION/ CORRECTION

VIA U.S. MAIL

Dear Mr. Bussey,

In review of the audio transcript of the hearing of the above item, there is mention of my correspondence with you on September 6, 2006, wherein I submitted written comments from the public regarding the above item. Specifically, when you mention the receipt of the public comments, Planner Adams states that there was already a copy of the letters in the record.

In fact, the set of written public comments sent to you included six (6) additional letters received after the initial submission to Planner Adams on July 13, 2006.

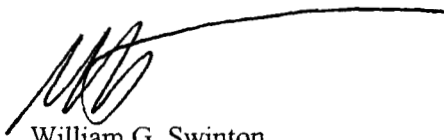
If you had not already noticed this and had not added these additional written comments to the record, please do so. I have attached images of the additional letters that were not in the Planner Adams' staff report, but which were submitted to you on September 6th, as this may help you distinguish these additional letters.

As this matter is being appealed, I ask you to please insure that these written comments are part of the record. As I stated in my previous correspondence, these people have entrusted me to deliver these written comments to those concerned with the processing and administrative actions regarding the above application, with the knowledge and intent that these comments be incorporated into the public record concerning the above matter.

Additionally, I request that the printed materials (PowerPoint slides) I used in my testimony at the hearing, a copy of which was provided to you at the hearing, also be included in the record. If you require an additional printed copy of this material, please do not hesitate to contact me at (831) 475-2139 or by mail.

Thank you for your attention to these details.

Sincerely:



William G. Swinton
for William G. and Alane K. Swinton, Owners

cc: Planner Adams

2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

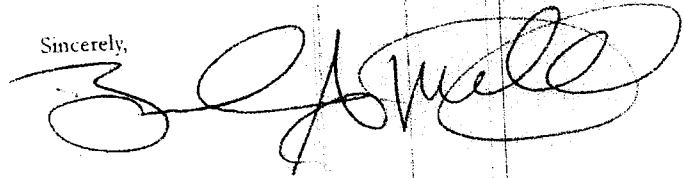
TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name: BERNARD A Mullen

Address:

315 34th Ave

7-11, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,

Name:

Address:

SPENCER

STATION

432 37th Ave

95062

Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060
831-454-2580

July 20, 2006

To Whom It May Concern,

I am writing on behalf of the proposed replacement home of William and Alane Swinton, located at 2-3515 East Cliff Drive, Santa Cruz. As a local resident and frequent surfer at 35th Avenue, I am delighted by the prospect of updated housing projects on East Cliff and in the general area.

To date, much of the Pleasure Point area has become a worn down neighborhood that could use some clean up and updated housing structures. It is a spectacular area, with wonderful character, which with some investment could be a true gem in our community.

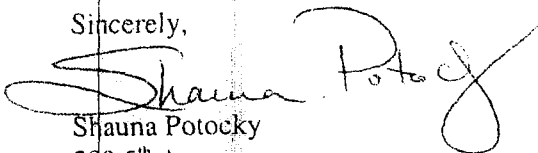
Many of the current structures are worn down and need updating. Having reviewed the plans that the Swinton's have proposed, I find the plans very acceptable for the area and a wonderful addition to the neighborhood. If the plans were in any way objectionable, I would say so, without doubt.

There are nice structures throughout the neighborhood, with a whole new set of structures located further down East Cliff, near the Hook. I believe the area is ready for these updates and the new infusion of structures, which will add to the character of the area and upgrade the feeling of the community.

I support the Swinton's project entirely. Should you have any questions or concerns, please feel free to contact me. I am happy to make myself available to discuss this topic.

Thank you for your consideration of my comments.

Sincerely,



Shauna Potocky
290 5th Ave
Santa Cruz, CA 95062
(831) 464-3876

7/27, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

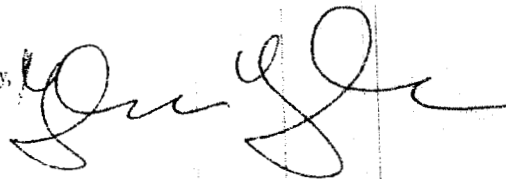
I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Go!

Sincerely,



Name:

Thomas Monpsol

Address:

23335 East Cliff Dr.

Planning Department
County of Santa Cruz

Re: Application #05-0813; Assessor's parcel #032-223-09
Swinton Replacement House
2-315 East Cliff Dr.

To whom it may concern,

I live in and own the house at 2-25454 East Cliff Drive. I have lived at this address for over ten years, and I go past the Swintons' house several times a day. As such I have taken a particular interest in their project. The Swintons have freely allowed me to view their plans, and having seen the plans **I enthusiastically support their design as is.**

I could tell right away that their architects were Cove and Martha Matson, the same architects I used for my remodel, who also have done several houses in the neighborhood. I am particularly happy that a nonconforming structure is being converted to a conforming structure, like my remodel. I think the design is visually appealing and would be a great addition to the neighborhood and look forward to its completion.

The Swintons have also shown me the letter from Randal Adams from the Planning department, and I must formally disagree with each point made by Mr. Adams.

Mr. Adams' first complaint is regarding the size and bulk of the house. From the plans it looks like what is becoming the typical Pleasure Point two story house. The gently angled roof line makes the house seem "cozy" to me. I would say the Swinton design is much less boxier than 2-2613 East Cliff and 18026th which your department allowed.

Regarding Mr. Adams' second complaint of the use of glass, metal and stone. The Devcon house certainly has large frames of glass. Artificially breaking the glass will just make the house look busy and detract from its open, relaxed feel. As someone who is performing major repairs on external wood after only 7 years, asking the Swintons to use wood on a house so near the ocean is highly illogical.

Mr. Adams' last request is for the Swintons to include landscaping to "soften" the structure seems a bit excessive. As I said before, the design strikes me as cozy, open, and relaxed. How much softer can it get? Having passed by their house for years, I am confident the Swintons will continue to have a nice yard that will be a proud addition to the neighborhood.

In conclusion, I want to reiterate that I enthusiastically support the design as is, and I would like our local government to do everything in their power to facilitate the completion of this great addition to the neighborhood.

Sincerely,

Martha V. Schulz

8-19, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name:

Ellica Nash

Address:

400 35th Ave
Santa Cruz 95062

Zoning Administrator Public Hearing

Friday 15 September 2006

The Swinton Residence

2-3515 East Cliff Drive

Application 05-0813 APN: 032-223-09

Proposal to demolish an existing one-bedroom single-family bedroom and construct a two-bedroom single-family dwelling with attached garage. Requires a Coastal Development Permit. Property located on the north side of E. Cliff Drive, about 60 feet east of 35th Ave. (2-3515 E. Cliff Dr.).

OWNER:

APPLICANT:

SUPERVISORIAL DIST:

PROJECT PLANNER:

WILLIAM & ALANE SWINTON

MARTHA MATSON

1

RANDALL ADAMS

pln515@co.santa-cruz.ca.us., 454-3218

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Our Objective day

- Provide input and analysis
 - To aid in the objective evaluation of our application using
 - Specific criteria in existing code
 - Findings of Design Review process, as documented in Planning Department publications
 - Consistent, historical findings of Planning Department regarding the Pleasure Point neighborhood
 - To see that our application in compliance with existing Chapter 13 site and building design criteria
 - As well as it is and as was so found by the report Urban Designer

Short presentation will provide details re

- Our application and its processing
- Work we've done
- What we have learned

Project Info: New home

- 2 bedroom, 2.5 bath, 2 story home with 2 car garage
 - Contemporary interpretation of craftsman style with subtle Asian influence.
 - Low key colors, black, brown, and white and use of non-reflective glass makes minimal statement with respect to the colors of the ocean and sky
 - Modest in size by today's standards
 - 1785 sq. ft. heated living space; 437 sq. ft. garage space
- Fully conforming to existing code
 - Height, set-backs, FAR, lot coverage
 - Meets code sections 13.11.072, 13.11.073, 13.20.130 per Urban Designer (January 2006)
- Primary residence for the Swintons
 - Not a spec project
 - Design or material choices not influenced by the commercial constraints of spec development marketing or fiscal issues
- Our overarching goals in design process
 - Follow all specific criteria in existing Code; specified setbacks, heights, design guidelines, etc.; ask for no variances
 - Create aesthetically pleasing design to complement neighborhood

The Neighborhood --- Pleasure Point

- Originally random collection of budget 2nd/vacation homes
 - Designs, materials, and mass appropriate to this original use
- Natural boundaries
 - To the East: 41st Ave
 - To the West: Moran Lagoon or 23th
- 89% Built out
 - Older homes have been replaced slowly since the 1960s
 - Typically by designs contemporary for the decade
 - Result: Eclectic set of unique homes that continues to change
- Not a *coastal special community* with special design standards

Timeline: 29 June 2006 Written Response includes Study Data

- Neighborhood study data used to address staff's concerns of 23 May

- Compatible Site Design

- Proposed design has minimum front yard setback of 15' and a maximum of 24'-6"
- Building mass placed significantly back from the street; further than many existing structures

- Building Design/Coastal Development Criteria

- Elements of the proposed design as well as similar scale and massing are present in neighborhood
- Proposed design balances building bulk, mass and scale, in neighborhood with wide range of architectural styles

- Landscape Design

- Submitted design has significant landscaping to soften visual impact
- Swintons agree to add tree, if deemed as condition for approval

Analysis using Study Data & Current Code

- Building & Site Design is compatible with surrounding development
 - Size and architectural styles vary widely in the area. Homes in the viewshed are present in a variety of sizes and massing. Our studies and the historical findings of the Planning Department indicate that the neighborhood lacks any defining architectural character or design. Several nearby homes are contemporary in design.

Our design is compatible.

- Several nearby homes contain significant vertical elements with glass.

Our design is compatible.

- Several nearby homes have 2 story masses on the E. Cliff façade; some are vertically linear; some are vertically articulated

Our design is compatible.

- Design contains a composite of various masses, and multiple fenestration, to create proportion. neighborhood development.
- Design contains a composite of various masses, and multiple fenestration, to create proportion. neighborhood development.

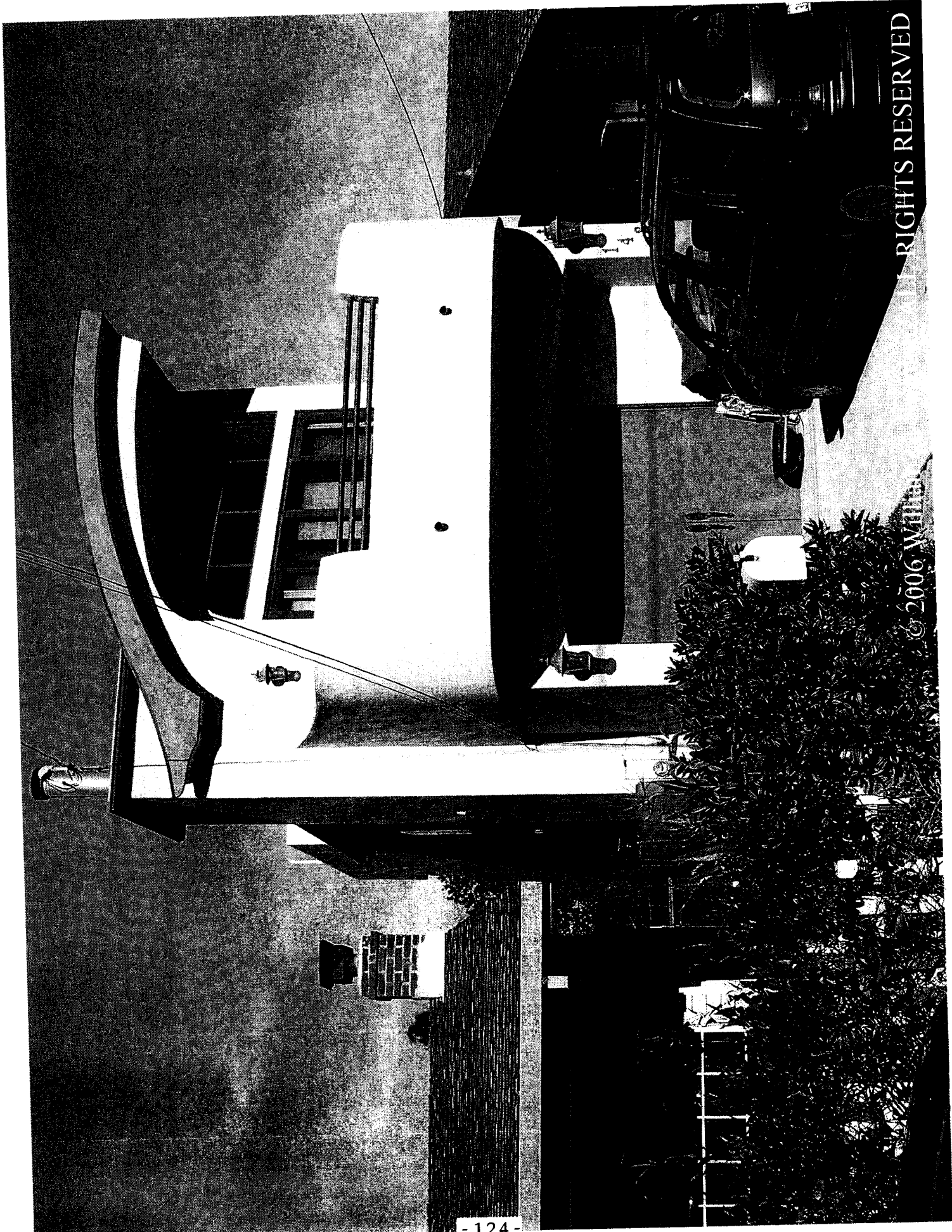
Our design is compatible.

lineated by vertical articulation
this technique is found in other

The Neighborhood

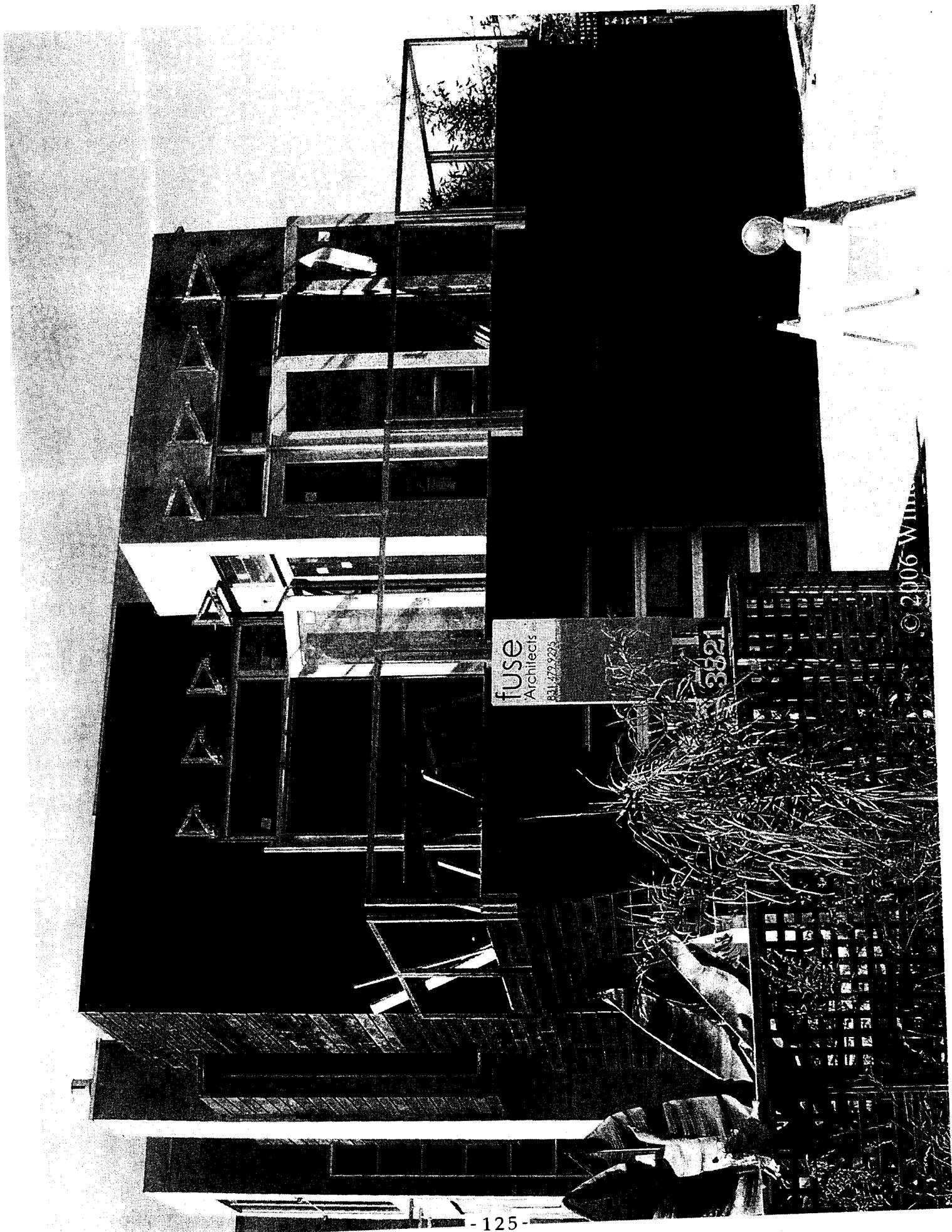
East Cliff Drive looking W





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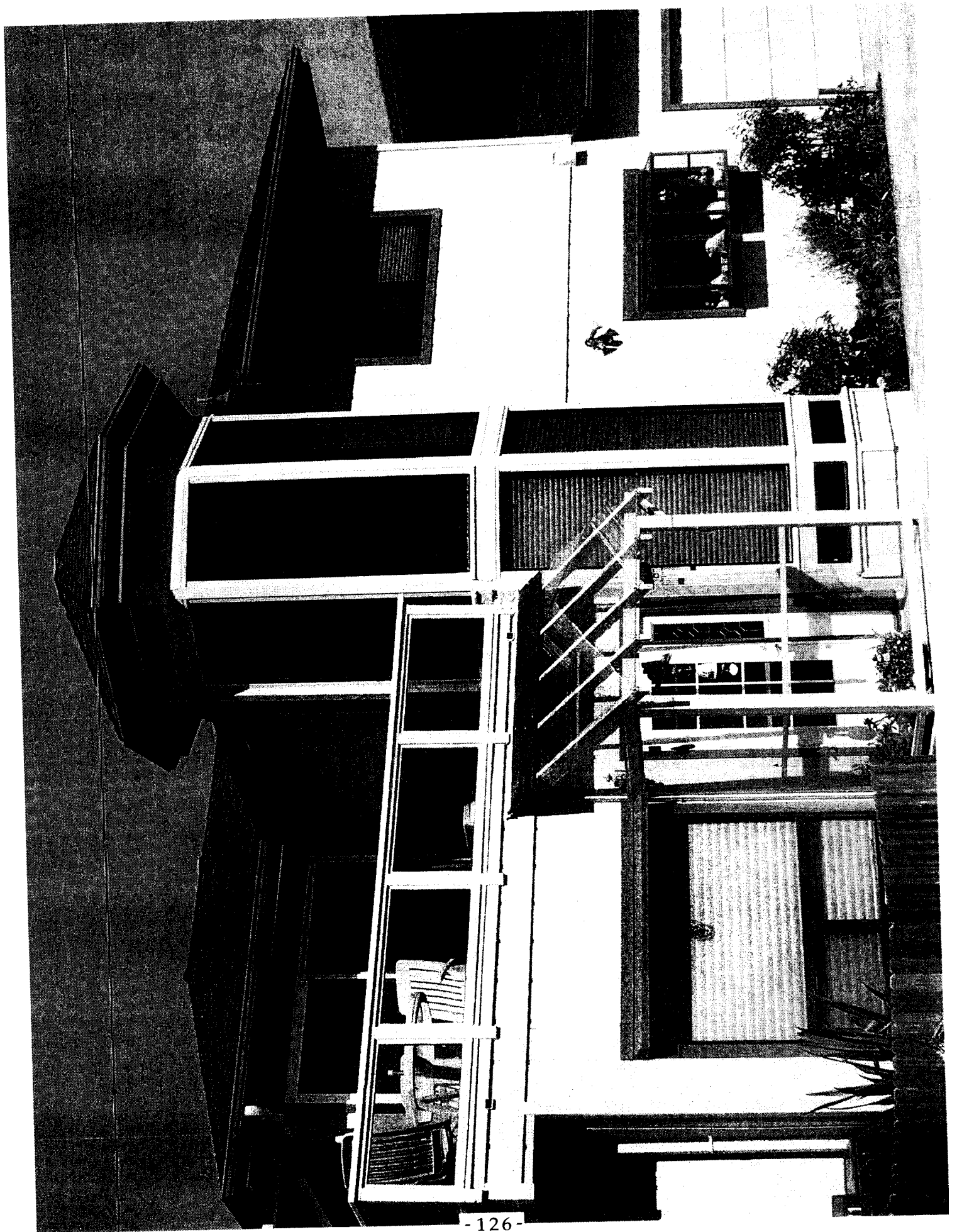
© 2006 White

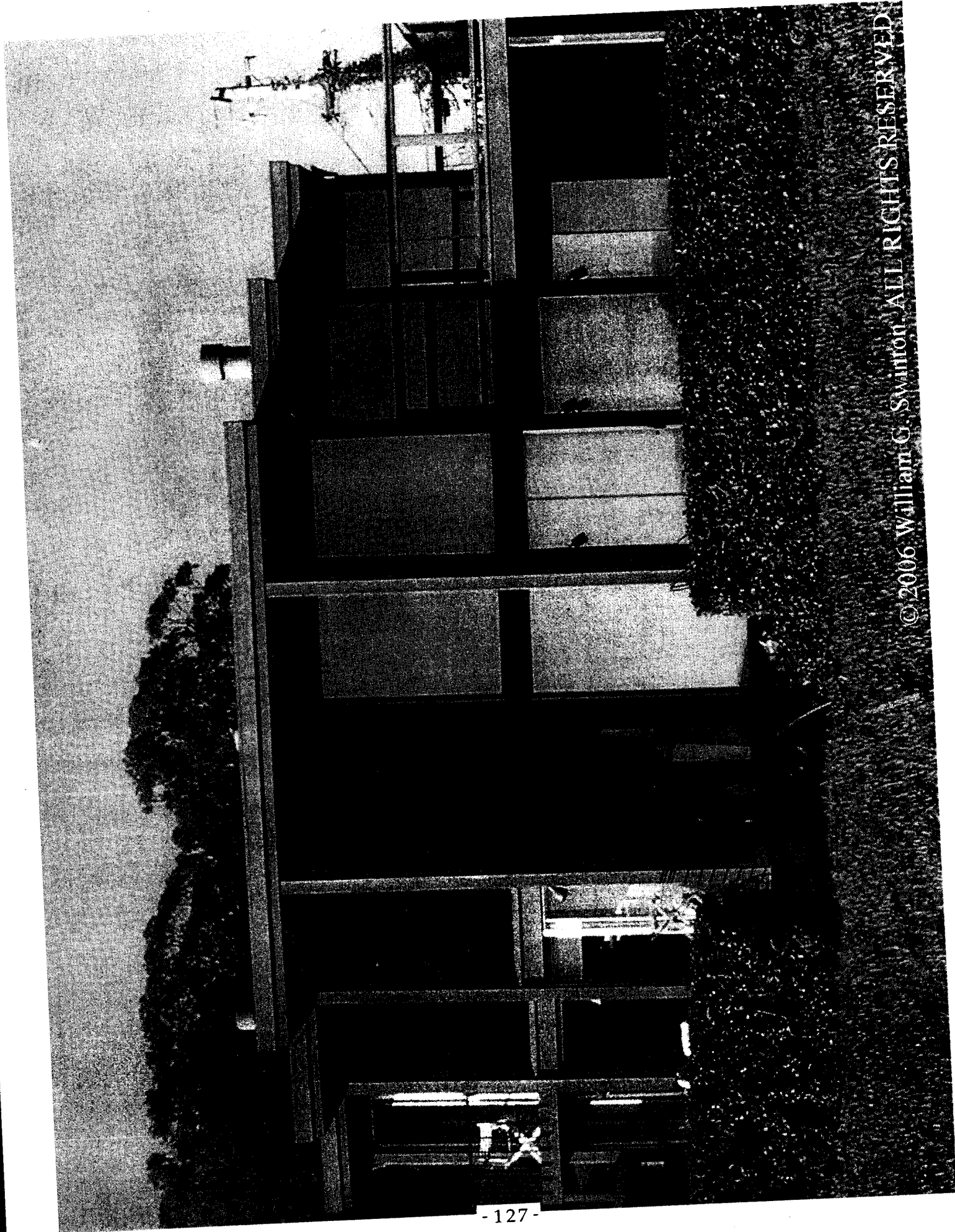


fuse
Architects
831.479.9223
www.fusearchitects.com

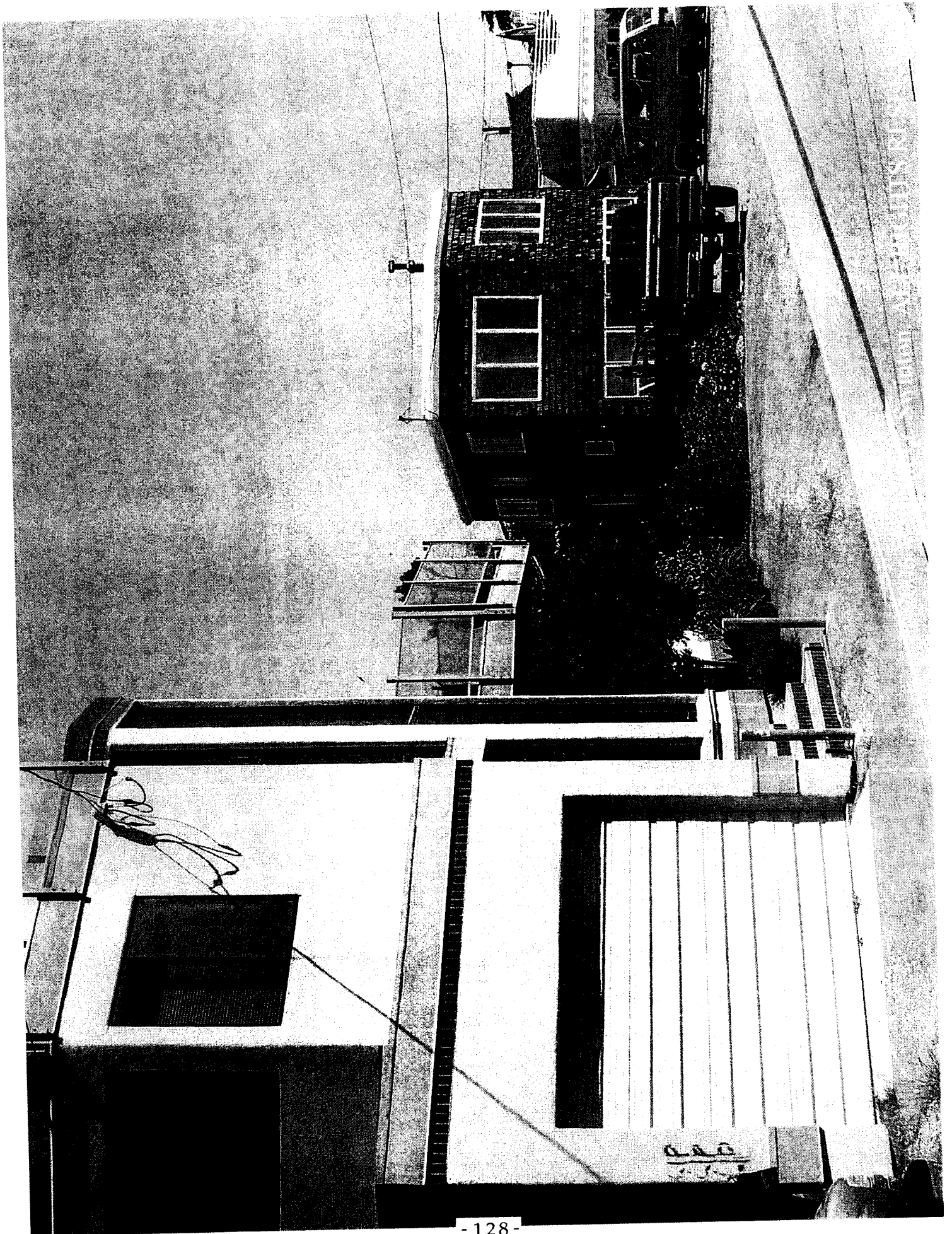
3521

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The Neighborhood

- *“This neighborhood consists of an assortment of styles and sizes of homes ranging from older ranch style homes, bungalows, split-levels, contemporary, Spanish colonial revival, and some with mixtures of these elements with more modern homes....Both one and two story homes are present in a variety of sizes and massing of these structures. In general, the neighborhood lacks any defining architectural character or design. Consequently, there are a number of dwellings in this neighborhood that can individually be considered unique in their size, scale, design and/or massing.”*

» Tom Burns, letter to Board of Supervisors, re nearby Pleasure Point Drive, March 2005

Substantially identical findings have recently been made by Planning Department for

- 2-3645 East Cliff Dr
- Arata 7 townhouse project on E. Cliff, east of 36th Ave
- 24th Ave, south of E. Cliff; new construction approved for vacant lot

Summary

Our design, as submitted in Dec 2005 and critically reviewed in January 2006

- Meets all specific criteria in code
 - Is compatible with surrounding development
 - The expert, professionally trained Urban Designer concurs
 - Dozens of neighbors, practical experts in compatibility, concur

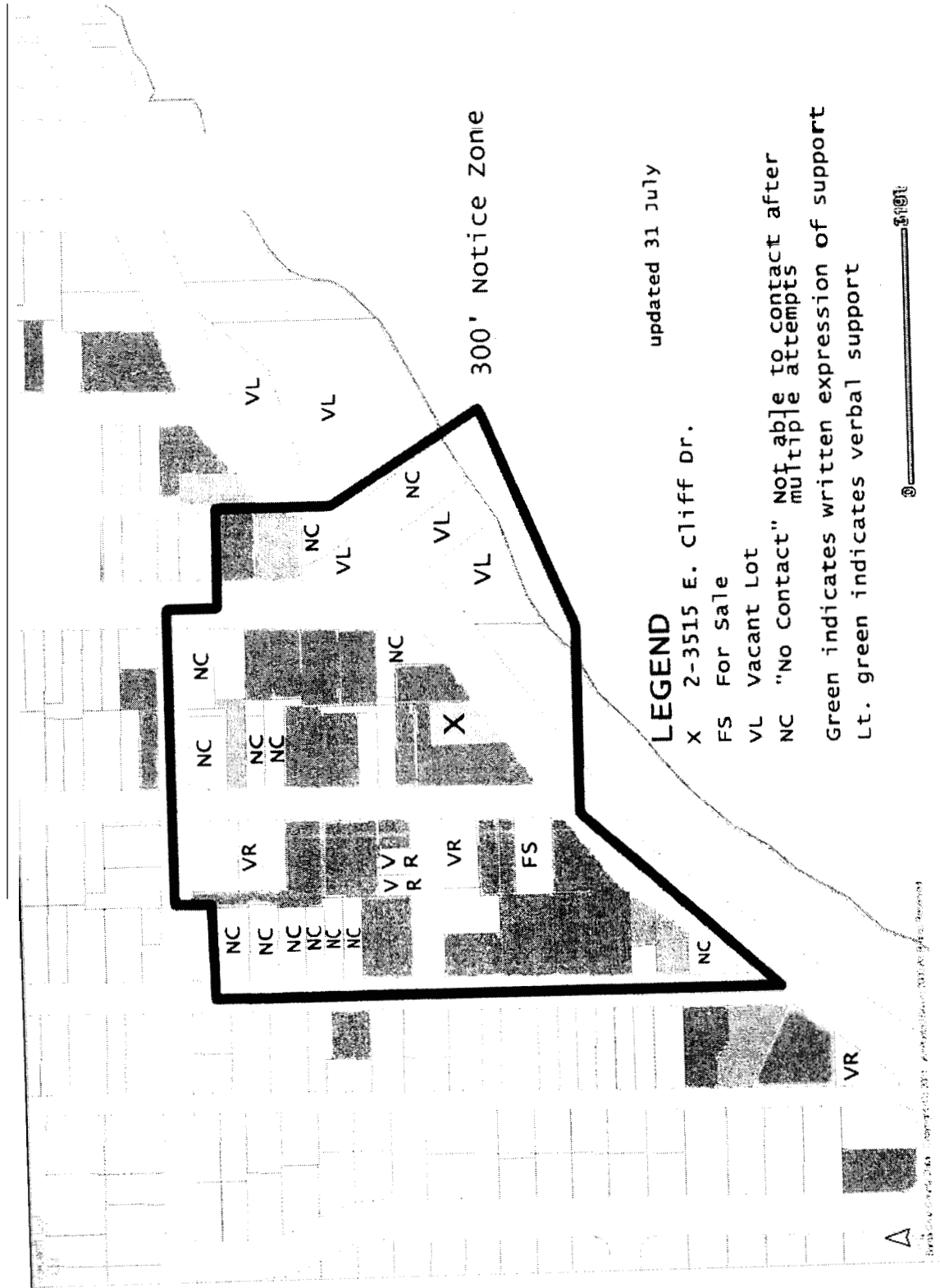
“It shall be the objective of building design that the basic architectural design principles of balance, harmony, order and unity prevail, while not excluding the opportunity for unique design.”

» [Code Chap. 13.11.73(a)]

“ ‘Complementary’ site design, building design... does not necessarily mean the imitation or replication of adjacent development.”

» [Code Chap. 13.116.030(g)]

Thank you

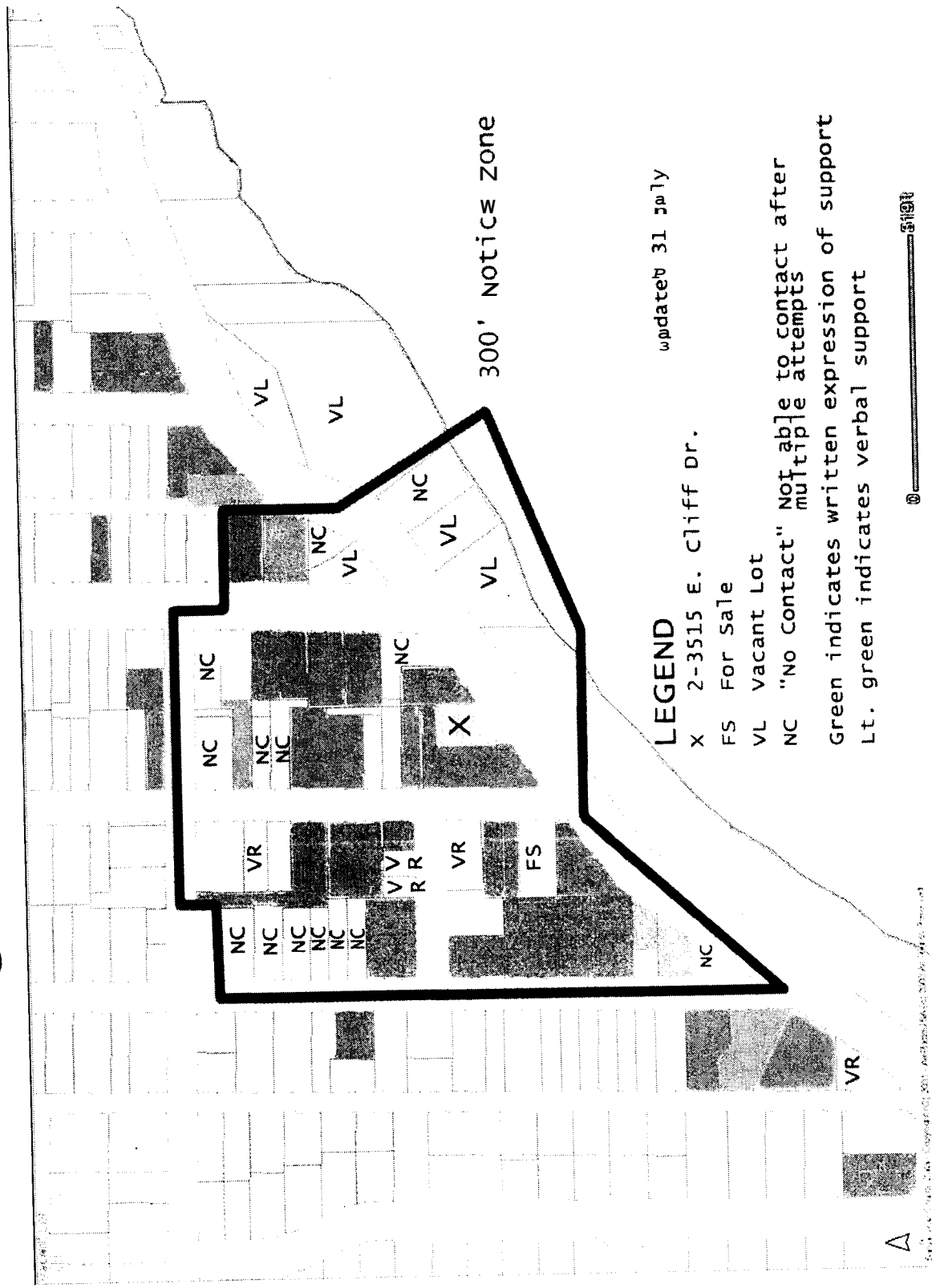


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9/15/2006

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The Neighborhood --- Our Neighbors



Our Neighbors -- What they are saying

- *"...visible..from our home... improvement to overall look of E. Cliff...conforms with other residences...our neighborhood homes are eclectic collection of architecture...further enhance the special characteristics of our neighborhood that make it so special..."*
- *"...fine addition to neighborhood..."*
- *"...welcome...improve the neighborhood..."*
- *"...architecturally very attractive..."*
- *"...doing the best...to enhance our neighborhood..."*
- *"...lovely addition to the neighborhood..."*
- *"...noobjection whatsoever..."*
- *"...welcome addition to our neighborhood..."*

Our Neighbors -- What they are saying

◦ “ ... We have lived in our home for more than 30 years...[the Swintons] for more than 20... modest in size and appears to both fit the size of the lot and the surrounding structures...my wife and I support...”

◦ “ ...Swinton’s new home will be in my direct line of sight...will look fabulous on E. Cliff...preserve current neighborhood ambiance of different styles...fitting well...One of the best things..in Pleasure Point...everyone has a unique home...I like that...the Swinton’s new home...a huge positive for the neighborhood...”

Applicable Code: 13.11.072 Site Design

13.11.072 Site design.

(a) It shall be the objective of new development to enhance or preserve the integrity of existing land use patterns or character where those exist and to be consistent with village plans, community plans and coastal special community plans as they become adopted, and to complement the scale of neighboring development where appropriate to the zoning district context. New development, where appropriate, shall be sited, designed and landscaped so as to be visually compatible and integrated with the character of surrounding areas.

(1) Compatible Site Design.

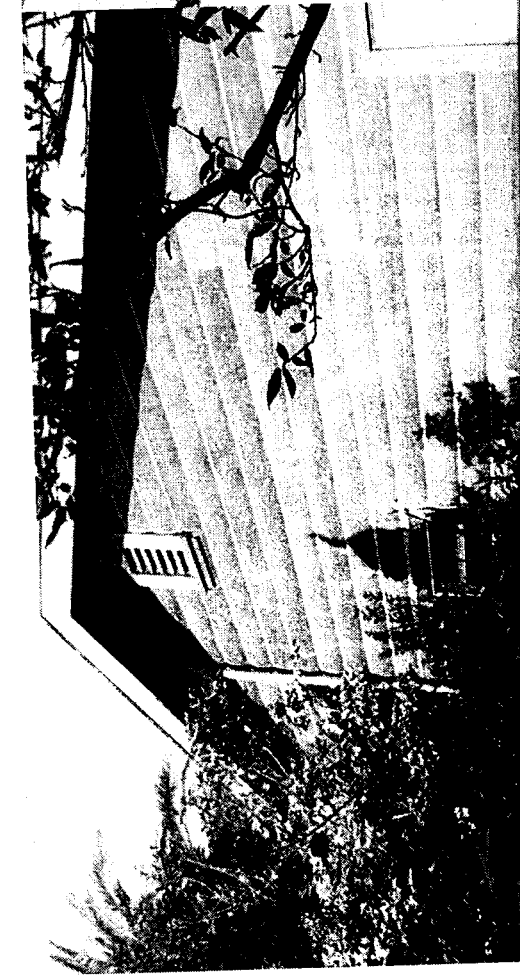
(i) The primary elements of site design which must be balanced and evaluated in relation to the proposed project site and surrounding development in order to create compatible development include:

- (A) Location and type of access to the site.
- (B) Building siting in terms of its location and orientation.
- (C) Building bulk, massing and scale.
- (D) Parking location and layout.
- (E) Relationship to natural site features and environmental influences.
- (F) Landscaping.
- (G) Streetscape relationship.
- (H) Street design and transit facilities.
- (I) Relationship to existing structures.

Applicable Code: 13.11.030 Definitions

13.11.030(e): “Compatibility” is a relative term which requires the analysis of site, building, and landscape design in relationship to adjacent development. Compatibility is established when there are consistent design and functional relationships so that new development relates to adjacent development. **Achieving compatibility does not require the imitation or repetition of the site, building and landscape design of adjacent development.**

View from approx. location SW corner of new hotel



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Design's generous setback of 24' 6" at SW corner is compatible with streetscape, esp. as compared to existing structures that are very close to E. Cliff property lines.

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ADDITIONS TO THE STAFF REPORT FOR THE PLANNING COMMISSION

ITEM 7: 05-0813

LATE CORRESPONDENCE

October 27,2006

Agenda Date: November 8,2006

VIA HAND DELIVERY and E-MAIL

PLANNING COMMISSION

County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

**RE: Appeal of Zoning Administrator Decision, Hearing Date: Friday September 15,2006
2-3515 East Cliff Drive, Application 05-0813, APN: 032-223-09**

Members of the Commission:

As property owners of 2-35 15 East Cliff Dnve, my wife, Alane, and I have appealed the Zoning Administrator's denial of Application 05-0813.

Introduction

Alane and I are long-term residents of Santa Cruz County – Alane for her entire lire, I for my entire adult life. I lived on Pleasure Point for 26 years, Alane for a few years less. We've owned our home at 2-35 15 East Cliff Dnve for 20 years. We're homeowners with, we believe, a deep understanding of our neighborhood history, our neighborhood character, and our neighbors.

We're applying to replace our aging home, which was built in, we believe, the 1920s as a 2nd /vacation home. In 2005, we spent months working on a design that was functional, aesthetically pleasing, and, most importantly, fully compliant with all the county codes and policies. It is a home we intend to live in for many years to come.

In this letter, we hope to give you insight into our thinking, the design and application process, our neighborhood and our design. We have chosen a contemporary style of architecture, with simple and clean detail. In the slow rebuilding/updating of the aging housing stock in our neighborhood, the choice of contemporary has historically been typical of such improvement.

It is our hope that this letter will give you insight into our views, the varied and changing views of the Planning Department of both our proposal and our neighborhood, the overall process, and finally the refreshing and surprisingly overwhelming support given to our proposal by our neighbors. With the information provided, we will ask you to find our application as code compliant, uphold our appeal, and approve our new home.

Please bear with us over the next few pages as our proposal and the process to date is discussed. Let's begin.

Basis of Staff Report and Zoning Administrator's Denial Grounds

All of the findings in the Staff Report, and, as the ZA incorporated the Staff Report as the denial grounds, the ZA's denial are based on the following single line of reasoning:

"Thetwo story stone element on the southwesi comer of the residence and the extensive vertical glass panes on the remainder of thefront elevation are not consistent with the majority of the existing homes thatfront along this section of East Cliff Drive."

Regarding the single line of reasoning in the Staff Report, **it is our position that there is no foundation in existing code that requires consistency with the majority of existing homes to achieve Site Compatibility and Building Design Compatibility in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm.** The Planning Department's historical analysis and our analysis uphold this assessment of neighborhood character.

Given that this single line of reasoning, which has no foundation in the law, is used as the foundation for all the findings in the Staff Report, it is our position that the Staff Report is in error. In adopting the

findings in the Staff Report as the basis for denial of application 05-0813, the **ZA** erred by failing to properly identify errors in analysis of evidence and facts, and by failing to properly identify the lack of proper interpretation and application of existing code in the Coastal Development Permit Findings and Development Permit Finding in the Staff Report. Thus, the denial of the application was made in error, as it does not have basis in existing law.

Consequently, in this appeal, we urge the Planning Commission to **objectively evaluate our application using:**

- 0 **The specific criteria in existing code**
- 0 The **fully positive January 2006 report by the country's expert Urban Designer**, applying the Coastal Design [13.20.130], Site Design [13.11.072], and Building Design [13.11.073] Criteria'.
- 0 The **consistent, historical findings of the Planning Department regarding the actual character of our neighborhood**, which has been repeatedly found by the Planning Department to lack any defining architectural character or design, and that
*"...the wide range of architectural styles, sizes, massing and configuration of structures in this neighborhood **will** accommodate a broad range of designs that could be considered complementary if not compatible."*²
- 0 The **written, overwhelmingly positive comments from dozens of our neighbors**, who are practical experts in neighborhood compatibility.

In this letter, a project overview is presented, followed by discussion of the neighborhood compatibility of the proposed design. This discussion provides insight into the eclectic Pleasure Point neighborhood, which has been found repeatedly to have a wide range of architectural styles and sizes of structures and to lack of any defining architectural style.

The goal of this discussion to provide you, the members of the Planning Commission, the necessary information

- To evaluate the single line of reasoning in the Staff Report, and to find that has no foundation in existing code, and
- To find that the proposed application does comply with existing code.

Finally, for completeness, in Exhibit C attached, each of the Staff Report findings is sequentially reviewed in detail.

Discussion

The key question is whether the design of the proposed home is compatible with the character of the surrounding neighborhood. In the remainder of this letter, this issue and the applicable criteria in existing law are discussed

¹ A reasonable person would assume that, if there were significant issues with an application, and, in particular any design issues, that these would be found during this important evaluation, especially given the weight given to this Design Review step, that is to occur in the first 30 days, per published Department procedures. See Planning Department Published Procedures re Design Review Process (<http://www.sccoplanning.com/design.htm>) and Applicant's Bill of Rights (<http://www.sccoplanning.codresolution.htm>) attached as Exhibit C.

² From letter from Planning Director to Board of Supervisors, dated February 16, 2005, regarding March 8, 2005 agenda item, concerning a newly approved home in Pleasure Point neighborhood, that is so close to the proposed Swinton home that it will be visible from the proposed home.

Project History

In December 2005, Application No. 05-0813, a Proposal to demolish an existing one-bedroom single family dwelling and construct a two-bedroom single family dwelling with an attached garage within the Coastal Zone, was submitted.

In January 2006, an uneventful letter from Planner Olson is received, which included application analysis and evaluation of application completeness. Planner Olson required several additional calculations and specifications to achieve application completeness; all of which were minor in nature. At this time, no significant issues or concerns were raised. The letter included the completely positive evaluation of all design issues by the Planning Department's expert Urban Designer. At this point in time, the process was clear, following the published procedures for Design Review attached as Exhibit D. A reasonable person would believe that, if there were indeed any problems or even concerns, that these would have been identified in this important step and communicated to the applicant at this time.

Five months after application submission, and over four months after initial 30-day review period, held in department publications as an important process step, in the fourth week of May, something appeared to change in evaluation processes and criteria. On May 22, 2006, a new, third planner, Mr. Adams, who typically handles the Aptos area, was assigned to the project. In a letter of May 23, 2006, Planner Adams effectively discarded the findings of the expert Urban Designer and pointed out, for the first time, significant "compliance issues". During a subsequent meeting on May 31, 2006 with department staff and the applicant, it became clear that staff had adopted a new internal model of neighborhood compatibility for Pleasure Point. To address staff concerns regarding "apparent bulk and mass", the staff held that the sole remedy would be that wood must be used as a finish material and that the second story must be pulled back in relationship to the first story. Planner Adams asserted that these are key design elements of compatibility in Pleasure Point. **In the record of previous applications in this area, no similar analysis may be found.** In further conversation, when questioned about staff's fundamental problem in supporting the application, Mr. Adams explained that there was fear of "setting a precedent". The owner, Mr. Swinton, pointed out that each project must be judged in the present on its individual merits, not on anticipation of possible future code changes. The specific changes, held by staff as required, would represent a substantial re-architecture and significant changes to materials. As pointed out to Planner Adams at the meeting, and as is discussed in the following sections of this letter, code suggests a variety of techniques to treat such architectural concerns. many of which were already incorporated in the design.

The applicant, to avoid any possibility of error or oversight, undertook an extensive study of the neighborhood, collecting detailed data on material, architecture, siting/setbacks, materials, landscaping, etc. In a letter to Planner Adams, dated July 13, 2006, the applicant provided detailed analyses based on this study, in an attempt to help the Planner understand that, in fact, the application, as submitted, was fully code compliant. The applicant respectfully disagreed with the new staff assessment, given the applicant's understanding of the neighborhood, of the historical findings of the Planning Department, and of existing code. The applicant's decline to substantially re-architect the design, which was previously found to be compatible, led to a Staff Report with recommendation for denial. On September 15, 2006, the ZA adopted of the Staff Report recommendation, as his denial basis, and denied Application 05-0813.

Project Overview

The project is redevelopment of a residential lot within a row of developed properties on the north side of East Cliff drive, across the roadway from with the coastal bluff. The property is within the appealable jurisdiction of the California Coastal Commission. The property is not a code-defined *special coastal community*, which have special design standards. The 4,085 square foot lot is a basically rectangular, essentially level building site. The proposed home meets all of the site development standards for the R-1-4 zone district. The height of the proposed dwelling ranges from 25.5 to 26.6 feet with no architectural element reaching the 28-foot height limit. Additionally, a private road, APN 032-223-11, at the rear of

the lot allows the garage to be positioned on this north side, thus freeing the south, East Cliff Drive façade of the home from the need to have a 20-24' wide mass for a garage door.

The Planning Staff Report recommended denial of the application based on incompatibility with the neighborhood in design and scale (Chapter 13.20, Coastal Regulations and Chapter 13.11, Design Review ordinance). Several neighbors testified at the public **ZA** hearing in support of the project. Dozens of letters supporting the project, including several dozen from residents within the 300' notice zone, as may be seen on the map in Exhibit **A**, are part of the record. These letters held the design as neighborhood compatible. The record also includes the report from a neighborhood meeting held on July 15, 2006, where all residents with the 300' notice zone, Planning Staff, the Planning Director, and the 1st District Supervisor were invited. Over 35 neighbors attended, as did Supervisor Beautz. The overwhelming sentiment of the neighbors was fully supportive of the design, recognizing it as a positive, compatible addition to the eclectic Pleasure Point neighborhood. The neighbors expressed no negative sentiment of any kind.

Compatible Site Design, Placement and Setbacks

The proposed design meets all site standards as may be seen in the Table 1.

	R 1-4 Standards	Proposed Residence
Front yard setback	15 feet minimum	15 feet (at SE corner) 24.5 feet (at SW corner)
Side yard setback	5 feet minimum	5 feet (east) 5 feet (west, with fireplace allowed)
Rear yard setback	15 feet minimum to alley (double frontage) 20 feet minimum to garage	16 feet to residence 21 feet to garage
Lot coverage	40% maximum	34%
Floor Area Ratio (FAR)	0.5: 1 maximum (50%)	49%
Parking	3 (18' x 8.5') spaces required (for 2 bedroom residence)	2 in garage 2 uncovered in driveway Total: 4 parking spaces

As a reference point, the proposed home is located 13'-6" back from the existing residence's facade. If indeed, any of the design elements of the south facade were to actually represent an apparent bulk and mass issue, when site design compatibility is evaluated, any possible impact of such is greatly reduced by this generous set back. In fact, only at a single point at very SE corner of the home, does the structure lie on the 15' minimum front yard setback.

Other evidence in the record also shows that the proposed Site Design is compatible under existing code criteria. In the record, in the **report of the county's expert Urban Designer**, it was found that the proposal "**Meets criteria in code**" for **all Compatible Site Design [13.11.0721 elements**, including

Compatible Site Design, including the following design elements:

- Location and Access to Site
- Building Siting in terms of its location and orientation
- Building bulk massing and scale
- Parking location and layout
- Relationship to natural features and environmental influences
- Landscaping, and
- Relationship to existing structures,

Natural Site Amenities and Features, including

- Relate to surrounding topography,
- Retention of natural amenities, and
- Siting and orientation which takes advantage of natural amenities.

Views, including

- Protection of public viewshed and
- Minimize impact on private views

As building design and site design are, in some situations, potentially interrelated, it is important to note that the south facade incorporates several architectural techniques, including vertical articulation, multiple fenestration, variation of material, and visual delineation of the first and second stories to address any possible apparent bulk and mass aesthetic issues. The proposed design, as submitted, uses the very techniques called out in the code: "*The perception of bulk can be minimized by the articulation of the building walls and roof*" [Section 13.11.030(b) Definitions]

Given the generous setbacks and the careful use of the above-described architectural techniques, the proposed design effectively addresses any potential apparent bulk and mass impacts. In fact, taken as a whole, the proposed design, being set back considerably more than many of other structures on East Cliff Drive actually enhances the viewshed. Conversely, if the design's siting were to be changed to match the streetscape relationship common to existing residential development, i.e. by redesigning and moving the structure closer to East Cliff Drive, one might then find a siting compatibility problem.

Thus, the proposal is consistent with the requirements of County Code section 13.11.072(a)(1) (Compatible Site Design) et seq.

Compatible Building Design, Massing and Size

The subject parcel is 4085 square feet in size. The proposed home meets all of the site development standards for the R-1-4 zone district.

Architectural Character, Design, Materials, and Neighborhood Compatibility

For this proposal, the applicable neighborhood is best described as East Cliff Drive from 32nd Avenue to 41st Avenue, and those structures along Pleasure Point Drive that are visible from East Cliff Drive. This neighborhood consists of an assortment of styles and sizes of homes ranging from older ranch style

homes, bungalows, split-levels, contemporary, Spanish colonial revival, and some more modern homes with mixtures of these elements. Both one and two story homes are present in a variety of sizes and massing. **On** East Cliff Drive, the 70% of the homes are two story. In general, the neighborhood lacks any defining architectural character or design. Consequently, there are a number of dwellings in this neighborhood that can individually be considered unique in their size, scale, design and/or massing. Additionally, when the greater Pleasure Point neighborhood, from 4 1st Avenue to the east and 23rd Avenue to the west, is considered, the above analysis is even more accurate.

The proposed structure is contemporary in design, incorporating multiple materials and colors. The maximum height of the proposed home varies between 25.5 and 26.6 feet. The maximum height allowed in the residential zone district is 28 feet.

The southwest corner element is in keeping with coastal design, giving a sense of connection to an older, now gone structure, perhaps an old harbor master's residence. The stone with its brown colors is a good neighbor to the cliffs in front of the project. The front facade of this southwest element is not massive. In fact, the southwest element subjectively characterized in the Staff Report as "bold" is only 13'-3" across at the top and 15'-0" at the bottom. The largest unbroken window in this element is 7'-0" wide, which is similar in size as other picture windows along East Cliff Drive. Additionally, as discussed in the prior section, this element is setback much further than the code-specified minimum. In fact, there are several residences along East Cliff Drive with two story facades massed along the very front of the parcels. The wide range of architectural styles, sizes, massing and configuration of structures in this neighborhood accommodates a broad range of designs that could be considered complementary if not compatible.. Code Section 13.1.16 states, ***"Complementary development does not necessarily mean the imitation or replication of adjacent development."*** Neighborhood compatibility is highly subjective, particularly in more eclectic neighborhoods, such as this. The proposed project balances building bulk, mass and scale, within a neighborhood that has a range of architectural styles and structure sizes.

The proposed materials are stucco, two kinds of stone, glass, and copper. **As**, required by code sections 13.20.130(d)(1), (c)(3), the roof is pitched and the selected roofing material, composite shingles, is non-reflective, with the shingles being a brown color, again complementary to the cliff colors. Low-reflective glass for the windows is proposed to minimize any chance of glare, and as to not distract from the natural colors of the sky, cliff, and ocean.

Regarding material compatibility and the code-specified means of achieving compatibility through repetition of certain design element from other structures [13.11.73(b)(1)(ii)]: Although there are many homes finished with wood siding (53%), a significant number (43%) are finished with only stucco and/or stone. On the 1st floor, the white quartz stone effectively breaks up the glass surfaces, and, on both 1st and 2nd floors, vertical articulation and multiple fenestration add to this treatment of apparent mass. The proposed stone surfaces are compatible with the natural beach setting. In fact, the southwest stone element is complementary both color to the cliffs and in height to the design. The design, with an eye towards long-lasting aesthetic appeal, employs materials such as stone, stucco, and copper that will weather beautifully and are natural materials. Recall code holds that a fundamental purpose of Chapter 13 is to ***"Promote...stimulating creative design for individual buildings and ...encouraging innovative use of materials"***. The proposed design embraces this.

The proposed building design incorporates the elements specified in code sections 13.11.30(b) and 13.11.30(v) for the purpose of creating human interest and reducing apparent scale and bulk. These include variation in wall plane, roofline, roof plan, detailing, materials, appropriate siting and the incorporation of building projections.

The Design Review ordinance states under the definition of bulk, ***"Landscaping can also be used to minimize the perceived bulk of a building."*** Regarding this aspect of the proposal, in the submitted landscape plan, there are shrubs and perennials along East Cliff and along the west border, including significant planting along the southwest elements. This proposed landscape plan is intended to address the Code requirement that ***"landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed."*** [code 13.11.075(a) Landscape Design, code 13.20.130(d), Blufftop

Development & General Plan Policy 5.10.12 Development Visible from Urban Scenic Roads]. Originally, it was felt that this plan was adequate, especially since in our survey, we have found that 70% the homes in the viewshed use only shrubs, groundcover or hardscape to soften visual impacts. The applicants have, after a conference with staff, agreed to add a tree in spite of neighbors' concerns that it would block their views. If the Planning Commission conditions approval with the addition of a tree, the landscape plan would be amended to do so.

In review, the proposal incorporates certain elements of the building design or building siting from nearby development, as specified by code to achieve Building Design Compatibility. Consider

- 41% of the structures in the viewshed are finished on stucco and glass without the use of wood. The proposed design employs stucco and glass. The design is compatible.
- **69%** of the structures are two story. The proposed design is two story. The design is compatible.
- 54% of the development in the viewshed is non-conforming, encroaching on the 15' minimum front yard setback, with an average of 10'. The proposed design has a significantly larger and fully conforming setback, varying from the minimum of 15' at the SE corner to between 18'2" and 24'6" in the SW element. The proposed orientation is similar to other structures. The design is compatible.
- Several nearby homes contain significant vertical glass elements. The proposed design included vertical elements with fenestration framed in stone, stucco, and steel. The design is compatible.
- Several nearby homes have two story masses on East Cliff; some are vertically linear, some are articulated. The proposed design uses vertical articulation, as suggested by code [13.11.30(b) and 13.11.30(v)], to properly treat apparent mass and bulk. The design is compatible.
- Size and architectural styles vary widely in the area. Homes in the viewshed are present in a variety of sizes and massing. Our studies and the historical findings of the Planning Department³ indicate that the neighborhood lacks any defining architectural character or design. Several nearby homes are contemporary in design. The proposed home is contemporary with a neo-craftsman feel incorporating hipped roof structures, stone base, and multi window fenestration. The design is compatible

Other evidence in the record also shows that the proposal's Building Design is compatible under existing code criteria. In the record, in the **report of the county's expert Urban Designer**, it was found that the proposal **"Meets criteria in code" for all Design Review Criteria for Coastal Developments [code 13.20.130]**, including

Visual Compatibility, including the following design elements:

Visual compatible and integrated with the character of the surrounding neighborhood

Minimum Site Disturbance, including

Grading, earth moving, and removal of major vegetation shall be minimized,
Retention of mature trees, and
Retention of special landscape features (rock outcroppings, prominent natural landforms, etc.)

Landscaping, including

New or replacement vegetation shall be compatible and suitable to climate, soil, etc. of the area

³ For example, see applications: 02-0271 for new homes on E.Cliff, east of 38th Ave. (postal address 3834 Moana Way).; 05-0743 for vacant lot on 24th Ave. south of E. Cliff; 02-0600 for 2-3030 Pleasure Pt. Drive

In the record, in the **report of the county's expert Urban Designer**, it was found that the proposal **"Meets criteria in code" for all Building Design Criteria [code 13.11.073] elements**, including

Compatible Building Design, including the following design elements:

- Massing of building form,
- Building silhouette,
- Spacing between buildings,
- Street face setbacks,
- Character of architecture,
- Building scale,
- Proportion and composition of projections and recesses, doors and windows, and other features,
- Location and placement of entryways, and
- Finish material, texture and color

Scale, including

- Scale is addressed on appropriate levels, and
- Design elements create a sense of human scale and pedestrian interest

Building articulation, including

- Variation in wall plane, roof line, detailing, materials, and siting

Solar Design, including

- Building design provides solar access that is reasonably protected for adjacent properties, and
- Building walls and major window areas are oriented for passive solar and natural lighting

Thus, the proposal is consistent with the requirements of County Code section 13.11.073. Compatible Building Design, 13.20.130(d), Blufftop Development, and General Plan Policy 5.10.12, Development Visible from Urban Scenic Roads.

Permit Review Standards

The Design Review ordinance states under "Building design" [Section 13.1 1.0731 that, *"It shall be an objective of building design that the basic architectural design principles of balance, harmony, order and unity prevail, while not excluding the opportunity for a unique design. Successful use of the basic design principles accommodates a full range of building designs, from unique or landmark buildings to background buildings"* (emphasis added). The proposed design is in fact not unique. Historically, as original vacation homes have been replaced over the past 25 or so years, the new homes have typically been of styles which were considered contemporary for the time. This design follows that pattern.

Additionally, there are several existing homes in close proximity to the subject parcel that are contemporary in style and which incorporate significant two story vertical elements.

The Design Review ordinance requires the following under Compatible Building Design:

- (i) *Building design shall relate to adjacent development and the surrounding area.*
- (ii) *Compatible relationships between adjacent buildings can be achieved by creating visual transitions between buildings; that is, by repeating certain elements of the building design or building siting that provide a visual link between adjacent buildings. One or more of the building elements listed below can combine to create an overall composition that achieves the appropriate level of compatibility* (emphasis added):
 - (A) *Massing of building form.*
 - (B) *Building silhouette.*
 - (C) *Spacing between buildings.*
 - (D) *Streetface setbacks.*

(E) Character of architecture.

(F) Building scale.

(G) Proportion and composition of projections and recesses, doors and windows, and other features.

(H) Location and treatment of entryways.

(I) Finish material, texture and color.

Therefore, meeting any combination of these elements, and in some cases it may be only one or two of these criteria, can achieve neighborhood compatibility, depending on the cohesiveness of the neighborhood. The Design Review ordinance [13.11.0301 defines compatibility as a relative term, requiring the analysis of site, building, and landscape design in relationship to adjacent development. Section 13.11.030 further states, "*Compatibility is established when there are consistent design and functional relationships so that new development relates to adjacent development. Achieving compatibility does not require the imitation or repetition of the site, building and landscape design of adjacent development* (emphasis added)." For a more homogeneous neighborhood, most of the aforementioned criteria would need to be met in order to achieve neighborhood compatibility. Conversely, establishing non-compatibility is difficult in the context of a diverse neighborhood, such as this one, as there is not a consistent design or a clear functional relationship between the existing structures. Elements of this design as well as similar scale and massing are present in this neighborhood.

For example, there are several residences along East Cliff Drive with two-story facades massed along the front of the parcel, 42% of which are non-conforming with respect to the code-prescribed front yard setback. Within the context of a neighborhood with an established character, such as craftsman style bungalows or predominantly neo-Mediterranean style architecture for example, the proposed contemporary style home might possibly seem to be incompatible and would not meet the objectives of the Design Review ordinance. On the other hand, the wide range of architectural styles, sizes, massing and configuration of structures in this neighborhood will accommodate a broad range of designs that could be considered complementary if not compatible. Perhaps in this setting, complementary site design, another Design Review objective, may be more readily achieved. Chapter 13.1 states, "*Complementary site design: building design, and landscape design is achieved when the proposed design responds to, or contributes to, the existing land use patterns, character, and zoning context. Complementary development does not necessarily mean the imitation or replication of adjacent development.* (emphasis added)"

Neighborhood compatibility is highly subjective, particularly in more eclectic neighborhoods. Additionally, as the neighborhood has been almost completely built out, new development or significant remodeling occurs infrequently over the years. There are several relatively recent (in the context of the previous observation) homes nearby with design features that have been incorporated into the proposed design. The newer home, three homes to the east at 2-3635 East Cliff Drive, is contemporary in style and has significant, 2 story vertical glass elements, directly on the East Cliff Drive property line. This home is significantly taller than the proposed design, and has two-story mass along the entire East Cliff Drive property line.

Another large, contemporary home, 3 homes to the west of the proposed design at 2-3471 East Cliff Drive, also incorporates significant, 2 story vertical glass elements; this home also has a non-conforming front yard setback. Four blocks to the east, at 2-3911 East Cliff Drive, we find two homes that almost exclusively use glass as the front wall material on the East Cliff Drive streetscape.

Moreover, there are several examples of the larger scale use of glass in the greater Pleasure Point neighborhood, specifically at 11 Rockview Drive, the newly approved home at 2-3030 Pleasure Point Drive, 10324th Avenue, and 330 15th Avenue, to mention a few.

As previously mentioned, the proposed design also incorporates materials found in a large number of nearby homes. These materials include stucco, copper, composite roofing, glass, and stone.

According to County Code Section 13.11.072 "*the objective of site design is to enhance or preserve the integrity of existing land use patterns or character where those exist and to complement the scale of*

neighboring development where appropriate to the zoning district context. New development, where appropriate, shall be sited, designed and landscaped so as to be visually compatible and integrated with the character of surrounding areas." For compatible site design, the Design Review regulations state:

The primary elements of site design which must be balanced and evaluated in relation to the proposed project site and surrounding development in order to create compatible development include:

- (A) Location and type of access to the site.*
- (B) Building siting in terms of its location and orientation.*
- (C) Building bulk, massing and scale.*
- (D) Parking location and layout.*
- (E) Relationship to natural site features and environmental influences.*
- (F) Landscaping.*
- (G) Streetscape relationship.*
- (H) Street design and transit facilities.*
- (I) Relationship to existing structures.*

The proposed project balances the zoning R 1-4 Standards with building bulk, mass and scale, within a neighborhood that has a range of architectural styles and sizes of structures.

Conclusion

This proposed dwelling complies with the current site development standards for the subject parcel. The project is under the maximum allowed lot coverage, floor area ratio and all elements of the structure are less than the 28-foot maximum height. In addition, the proposed addition meets the required zone district setbacks. Although the proposed design is not unique given its incorporation of several design elements from very nearby homes, even if it were by some to be considered unique, the Design Review ordinance allows the opportunity for unique designs. The ordinance states that designs need not (and probably should not) be the same, similar or repetitive. In light of the diversity within this neighborhood, which structure is the appropriate example to choose for comparison may be more a matter of taste. In conclusion, the proposed residence is consistent with the objectives of the Design Review ordinance and Coastal Development regulations for this individual house within the context of the wide variety of architectural styles of the neighborhood, a general lack of a cohesive architectural character, and the significant disparity in the size and style and massing of the various structures.

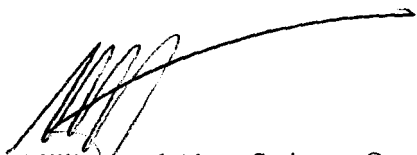
Summary and Recommendation

The proposed project is consistent with all applicable codes and policies of the Zoning Ordinance and County General Plan/LCP.

We respectfully ask that the Planning Commission, please

Uphold our appeal and approve Application 05-0813, adopting the proposed Coastal Zone and Residential Development Findings, as proposed in Exhibit C.

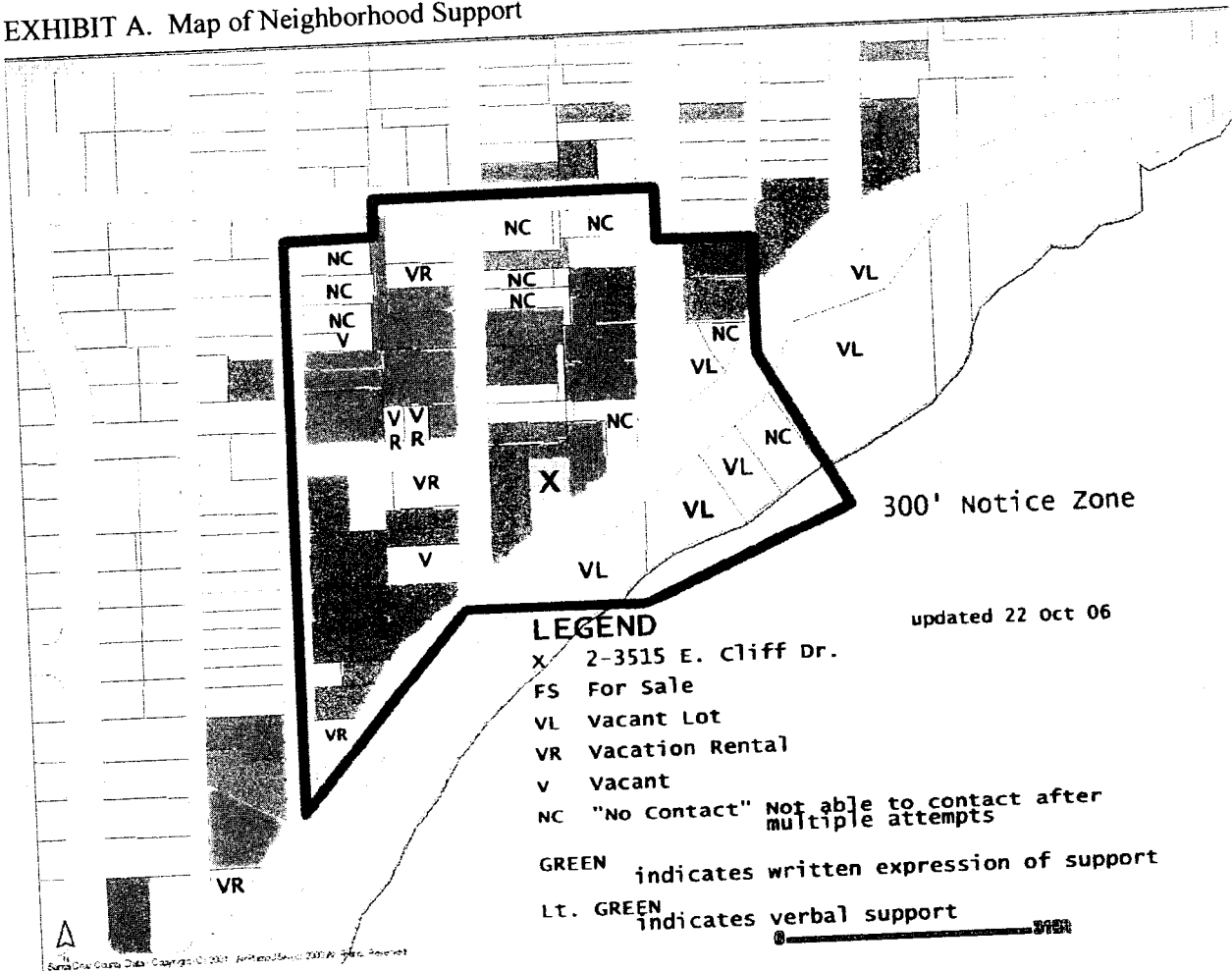
Sincerely,



William and Alane Swinton, Owners

October 27, 2006

EXHIBIT A. Map of Neighborhood Support



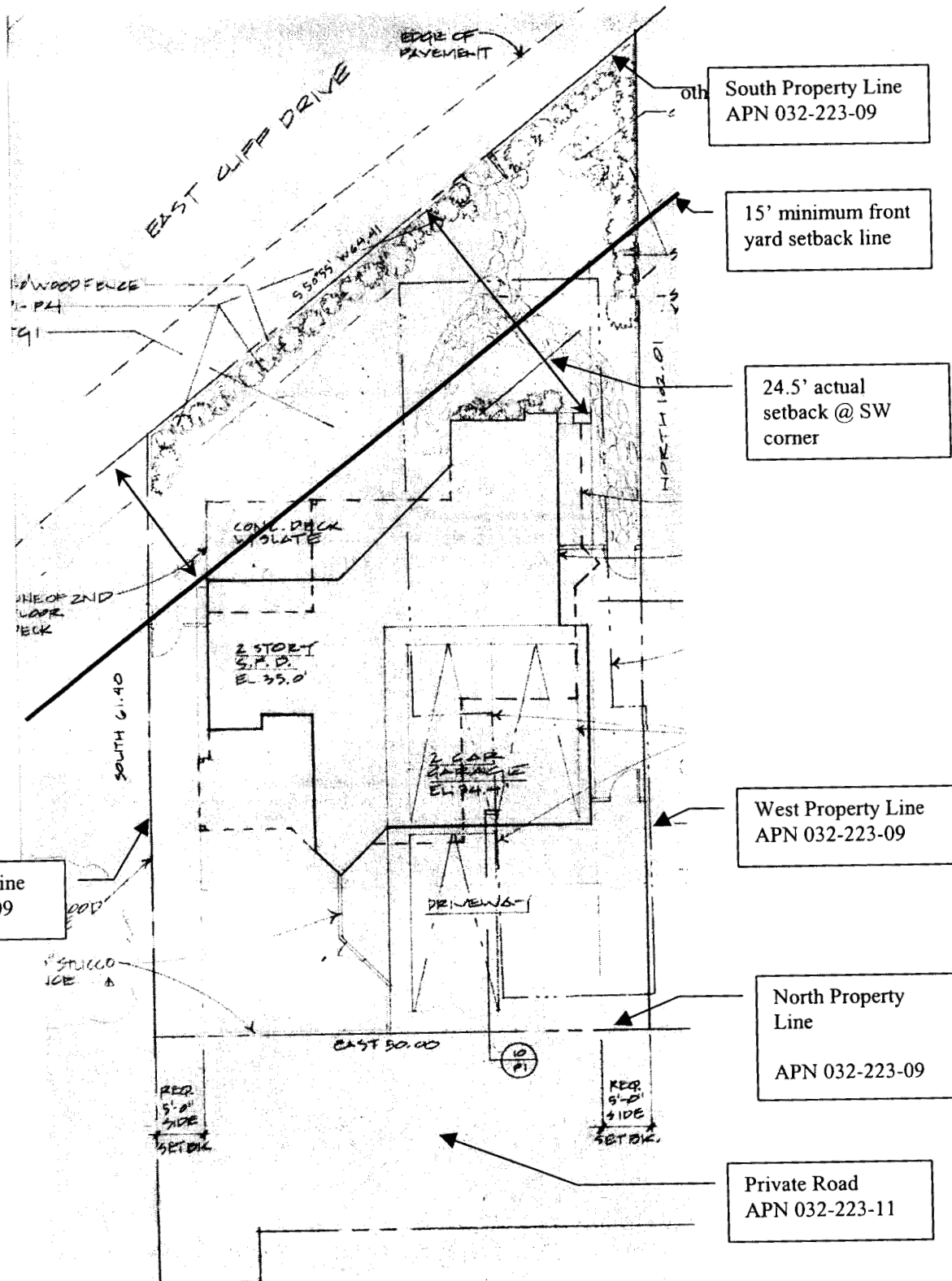


EXHIBIT C. Detailed Analysis of Staff Report Findings & Applicant-supplied draft language for Findings that may properly and fairly be made based on the facts and the record

Coastal Development Permit Finding #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.):

The ZA determined that

- *“the proposed residence includes a dominant two story element at the front of the residence that is not consistent with the surrounding pattern of development”*

Analysis: As discussed previously in this letter, the code definition of “consistency” is specifically defined as it relates to this issue. The ZA’s finding is in error with respect to this definition in the above reasoning. Earlier discussion has clearly demonstrated that a two story element at the front of the residence is consistent by code.

- *“The majority of existing residences in the area are either one story or have second stories that are stepped back from the street, with pitched roofs, stucco or wood siding, and smaller window areas to break up visual mass.”*

Analysis: As discussed previously in this letter, there is no foundation in existing code that requires consistency with the majority of existing homes to meet the requirements of 13.20.130 et seq. in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm.

- *“The bold two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive.”*

Analysis: There is no foundation in existing code that requires consistency with the majority of existing homes to meet the requirements of 13.20.130 et seq. in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm.

- *“These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood.”*

Analysis: As discussed previously in this letter, there is no common streetscape relationship in the neighborhood in question. Several nearby structures contain vertical elements that are sited much closer to East Cliff Drive than the proposed design, and in fact, in some cases are significantly non-conforming.

Conclusion: The basis of Coastal Development Permit Finding #3 is erroneous and not supported by the law and the evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

The single-family dwelling is consistent with the design criteria and special use standards and conditions of County Code Section 13.20.130 et seq., in that the project proposes no grading, is not on a prominent ridge, and is visually compatible with the character of the surrounding urban residential neighborhood. Section 13.20.130(b)l. of the County Code which provides the visual compatibility design criteria for development in the coastal zone, states that all new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas. Section 13.20.130(c) provides the design criteria for projects within designated scenic resource areas. This regulation states that development shall be located, if possible, on parts of the site not visible or least visible from the public view and that development not block public views of the shoreline. The project is not directly on the coastal bluff, as a public road separates it from the bluff. Given the flat lot, it is

impossible to locate the project where it cannot be viewed from East Cliff Drive. The project is located within a neighborhood containing significant disparity in the sizes, styles and massing of the various structures. This particular area is a densely developed urban residential neighborhood and the proposed project is consistent with the pattern of new development in the area.

The proposed roof is pitched and covered in non-reflective material. The structure employs various architectural techniques specified in the code, including vertical articulation, multiple fenestration, variation of material, and visual delineation of the first and second stories, to provide visual interest and to avoid a bulky appearance in accordance with coastal design guidelines. Moreover, the project will utilize earth tone colors, a variety of natural finish materials and low reflective glass to minimize visual impacts. The project will join an existing, highly eclectic neighborhood and will not adversely impact the public view shed. Thus, the proposed project is consistent with coastal design requirements in that the project is not on a ridgeline, does not obstruct public views, and is consistent with the eclectic character of the surrounding neighborhood.

With the addition of a tree to the landscape plan, the current proposal is consistent with the requirements of County Code section 13.20.130(d)(1) (Blufftop Development) & General Plan Policy 5.10.12 (Development Visible from Urban Scenic Roads) related to landscaping, in that the current design does use landscaping to effectively improve the visual quality of the development.

Coastal Development Permit Finding #5 (That the proposed development is in conformity with the certified local coastal program.)

The ZA determined that

- *"...the structure is not visually compatible, in scale with, or integrated with the character of the surrounding neighborhood as stated in Coastal Development Permit Finding #3, above,"*

Analysis: As discussed above and previously in this letter, the proposed structure is in conformity with the certified Local Coastal Program.

Conclusion: The ZA's basis of Coastal Development Permit Finding #5, which is by reference that of erroneous Coastal Development Permit Finding #4, is erroneous and not supported by the law and evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

The proposed single-family dwelling and garage are consistent with the County's certified Local Coastal Program in that a single family dwelling and appurtenant structures are principal permitted uses in the R-1-4 (Single Family Residential) zone district, although a use approval is required in this area of the Coastal Zone. The structure is sited, designed and landscaped to be visually compatible and integrated with the eclectic character of the surrounding neighborhood. The size of the proposed dwelling is consistent with other homes on similar sized lots along the East Cliff Drive. The project is consistent with General Plan policies for residential infill development in a readily visible location, where there already are two-story dwellings.

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,

Development Permit Finding # 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.):

- *"...is not consistent with the requirements of 13.11.072(a)(1) Compatible Site Design ... the two story stone element on the southwest corner of the residence and the extensive vertical glass panes on the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive. These vertical elements will create an apparent bulk and mass which will not match the streetscape relationship common to existing residential development within the surrounding neighborhood"*.

Analysis: As discussed above, the code definition of "consistency" is specifically defined as it relates to this issue. The ZA's finding is in error with respect to this definition. Earlier discussion has clearly demonstrated that the proposed structure is sited in compliance with code.

Analysis: As discussed above, there is no foundation in existing code that requires consistency with the majority of existing homes to meet the requirements of 13.11.072 et seq. in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm.

- *"...is not consistent with the requirements of 13.11.073 Compatible Building Design ... not consistent with the majority..."*

Analysis: There is no foundation in existing code that requires consistency with the majority of existing homes to meet the requirements of 13.11.130 in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm.

- *"...vertical features and extensive use of glass and dark stone will be out of proportion with features found in surrounding development"*

Analysis: As discussed previously in this letter, there is substantial evidence in the record that the proposed structure is in proportion, in both mass and scale and in streetscape setbacks, to the surrounding development.

- *"...is not consistent with the requirements of 13.11.075(a) Landscape Design.. does not use taller landscaping (in the form of trees and shrubs) to soften the appearance for the proposed development from view"*

Analysis: The applicable section of the code simply reads "The required yard (setback) adjoining a street shall incorporate appropriate landscape and/or hardscape. Appropriate landscape elements may include trees, shrubs, and groundcover." It is important to note that there is wide latitude with respect to the landscape elements to be used; the specific term "taller" is not found. As discussed previously in this letter, the proposed landscape plan does include significant shrubs and groundcover and that, the applicant, in spite of concerns of neighbors, will include a tree in the East Cliff Drive yard.

Conclusion: The **ZA's** basis for Development Permit Finding #2 is erroneous and not supported by the was and the evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

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-I-4 (Single-family residential, 4,000 square foot minimum site area) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district.

Development Permit Finding #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.)

The **ZA** determined that

- "...This finding can not be made, in that the design of the proposed residence is not consistent with County General Plan requirements related to building design, neighborhood compatibility, **or** development within visual resource areas.

Analysis: **As** discussed above and previously in this letter, the proposed structure is in conformity with the certified County General Plan.

- "...General Plan Policy 8.4.1 (Neighborhood Character) or General Plan Objective 8.6 (Building Design) related to consistency with existing residential character, architectural style, neighborhood context, and scale of adjacent development, in that the proposed residence includes a dominant two story element at the front **of** the residence that is not consistent with the surrounding pattern of development. The bold two story stone element on the southwest corner **of** the residence and the extensive vertical glass panes **on** the remainder of the front elevation are not consistent with the majority of the existing homes that front along this section of East Cliff Drive.

Analysis: **As** discussed above, the code definition of "consistency" is specifically defined as it relates to this issue. The **ZA's** finding is in error with respect to this definition. Earlier discussion has clearly demonstrated that the proposed structure is sited in compliance with code.

Analysis: **As** discussed above and previously in this letter, there is no foundation in existing code that requires consistency with the majority of existing homes to meet the requirements **of** the applicable General Plan policies in a neighborhood such as Pleasure Point, where there is no dominant or defining architectural character or design paradigm

Conclusion: The **ZA's** basis of Development Permit Finding #3 is erroneous and not supported by the law and the evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

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 that ensure access to light, air, and open space in the neighborhood.

The proposed single-family dwelling will not be improperly proportioned to the parcel size or 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. The size and scale of the proposed single-family dwelling is consistent with that **of** the dwellings in the surrounding neighborhood, is truly an eclectic neighborhood containing a broad range of architectural styles, sizes, massing and configuration of structures. Elements of this design as well as similar scale and massing are present in the context of the larger neighborhood. The dwelling will not block public vistas to the public beach or bay.

A specific plan has not been adopted for this portion of the County.

Development Permit Finding #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.):

The ZA determined that

- *“This finding can not be made, in that the structure is not visually compatible, in scale with, or integrated with the character of the surrounding neighborhood as stated in Coastal Development Permit Finding #3, and Development Permit Findings #2 & 3, above.”*

Analysis: As discussed above and previously in this letter, the proposed structure visually compatible, in scale with, or integrated with the character of the surrounding neighborhood.

Conclusion: The ZA's basis of Development Permit Finding #5 is erroneous, as it simply incorporates other erroneous finding bases, which have been shown above to not supported by the law and the substantial evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

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. The proposed single-family dwelling will complement and harmonize with the existing land uses in the vicinity. The proposed home will result in a dwelling of a similar size and mass to other homes on similar sized lots in the neighborhood. The neighborhood surrounding the project site lacks any particular architectural character or design theme, and there is a significant disparity in the size, style and massing of the various structures in this area. Consequently, there are a number of dwellings in this neighborhood that can individually be considered unique in their size, scale, design, siting and/or massing. Elements of this design as well as similar scale and massing are also present in the context of the larger neighborhood. The project design will complement the eclectic nature of the existing neighborhood.

The proposed development project is consistent with the Design Standards and Guidelines (sections 13.1 1.070 through 13.1 1.076), and any other applicable requirements of this chapter.

Development Permit Finding #6 (The proposed development project is consistent with the Design Standards and Guidelines (sections 13.1 1.070 through 13.1 1.076), and any other applicable requirements of this chapter.):

The ZA determined that

- *“This finding can not be made, in that the design of the proposed residence is not consistent with the County Code requirements related to compatible site design, building design, or landscaping, as described in Development Permit Finding #2, above.”*

Analysis: As discussed above and previously in this letter, the proposed residence is consistent with all requirements.




Conclusion: The ZA's basis of Development Permit Finding #6 is erroneous, as it simply incorporates by reference the erroneous basis for Development Permit Finding #2, which has been shown above to not supported by the law and the substantial evidence in the record.

Suggested finding: The applicant suggests that the following finding should properly and fairly be made based on the substantial evidence and facts in the record:

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. The proposed single-family dwelling will complement and harmonize with the existing land uses in the vicinity. The proposed home will result in a dwelling of a similar size and mass to other homes on similar sized lots in the neighborhood. The neighborhood surrounding the project site lacks any particular architectural character or design theme, and there is a significant disparity in the size, style and massing of the various structures in this area. Consequently, there are a number of dwellings in this neighborhood that can individually be considered unique in their size, scale, design, siting and/or massing. Elements of this design as well as similar scale and massing are also present in the context of the larger neighborhood. The project design will complement the eclectic nature of the existing neighborhood.

EXHIBIT D. Published Planning Department Procedures

<http://www.sccoplanning.com/design.htm>

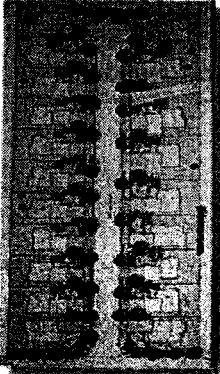


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Design Review



Design Review is considered to be an integral part of the Planning process in Santa Cruz County. **So many projects are reviewed** in terms of site planning, architectural design and landscape design. Many projects submitted to the County of Santa Cruz are not required to be reviewed for design (for example; building permits with no discretionary review).

The primary projects which must be reviewed are: **all commercial, all industrial, all institutional and all county projects.** Residential development projects are reviewed if a) they involve three units or more, b) they occur in a minor land division within the Urban or Rural Services Lines, c) they occur in a minor land division which affects sensitive sites, or d) they are part of a land division of 5 lots or more.

Single family residences will be reviewed for design if: a) they are over 7,000 sq. ft., b) they are within coastal **special** communities, or c) within sensitive sites (adjacent to a scenic road, within the viewshed of a scenic road, on a coastal bluff, or on a ridgeline)

Additions of 500 sq. ft. or more are reviewed if they occur within sensitive sites (adjacent to a scenic road, within the viewshed of a scenic road, on a coastal bluff, or on a ridgeline) or within coastal special communities (these are defined in the County Code and General Plan)

The criteria for evaluating projects for design review is contained within the County of Santa Cruz Code in **Chapter 13.11**. There are also sections of the Coastal Zone Regulations (**Chapter 13.20**) which pertain to the review of the design of projects. Some communities in the county, such as Ben Lomand, Boulder Creek, Felton, Soquel and Aptos have their own Town Plan which includes design elements

The process of design review begins during the first thirty (30) days after submittal of a project to the County. The Urban Designer reviews the project in respect to the applicable ordinances and will write a memo to the Project Planner. As with all those involved in commenting on the project, there may be comments made in regard to the completeness of the submittal. It is the responsibility of the Project Planner to incorporate all comments (including Design Review) into their completeness review and eventually into the staff report for the public hearing.

<http://www.sccoplaning.com/resolution.htm>



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Resolution Establishing County Policies for Permit Processing

WHEREAS, the people of the County of Santa Cruz Adopted by vote in 1978, a comprehensive growth management and environmental protection system; and

WHEREAS, the Board of Supervisors has implemented such a growth management system through a variety of ordinances, regulations, and policies; and

WHEREAS, the concepts of growth management and environmental protection continue to be critically important for and broadly supported by our community; and

WHEREAS, it is equally important that the permit processing system which, in part, implements growth management and environmental protection policies, be as broadly supported as the policies themselves; and

WHEREAS, the Board of Supervisors has undertaken an aggressive program of reforming the permit processing system of the Santa Cruz County Planning Department; and

WHEREAS, the permit processing reform effort has resulted in measurable improvements in the system; and

WHEREAS, more progress needs to be made concerning permit processing reform, and the Board of Supervisors is taking actions to achieve such progress; and

WHEREAS, an essential element of a meaningful permit processing reform effort is for the County to provide clear and helpful information to applicants for permits; and

WHEREAS, it is in the best interests of the people of the County of Santa Cruz to now set forth policies for the processing of permit applications by the County of Santa Cruz in a manner which will have the effect of upholding all of the policies of growth management and environmental protection, while, at the same time establishing a reliable set of permit processing guidelines,

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Santa Cruz that the following policies are hereby adopted for the processing of permit applications by the County of Santa Cruz:



1. An applicant is to be provided with complete information concerning the process which will be followed regarding the application, including specific steps in the process and estimated time frames for each step;
2. An applicant is to receive at the earliest possible time all of the elements required by the County of Santa Cruz which would constitute a complete application;
3. An applicant is to be provided with clear and specific criteria which will be used by the County of Santa Cruz in making decisions pertaining to the application;
4. An applicant is to be provided with information concerning any and all appeals processes available concerning decisions made by the County of Santa Cruz which relate to the application;
5. An applicant is to be entitled to request and be provided with a "single Point of contact" for processing the application;
6. An applicant is to be provided, at the earliest possible time, with notice regarding any delays in processing the application beyond the time frames established by the County of Santa Cruz for processing the permit.

ACTIVITY ANNOUNCEMENT

The County of Santa Cruz Planning Department does not discriminate on the basis of a disability, and no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The Planning

October 27, 2006

Agenda Date: November 8, 2006

VIA HAND DELIVERY and **E-MAIL**

PLANNING COMMISSION

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA 95060

RE: 2-3515 East Cliff Drive, Application 05-0813, APN: 032-223-09

Members of the Commission:

Attached please find 8 additional letters of support from our neighbors regarding the above application. With the addition of these, you should find a total of 52 letters of support attached or included in the Staff Reports.

Please note these people have entrusted me to deliver these written comments to those concerned with the processing of the above application, with the knowledge and intent that these comments be incorporated into the public record concerning the above matter.

Please add these to this record.

Please consider this citizen input. These citizens have taken time evaluate the proposed development, and are, arguably, practical experts in neighborhood compatibility and the Pleasure Point and East Cliff environs.

Sincerely:

A handwritten signature in black ink, appearing to read 'W. Swinton', with a stylized flourish extending to the right.

William G. Swinton
for William G. and Alane **K.** Swinton, Owners

10-7, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

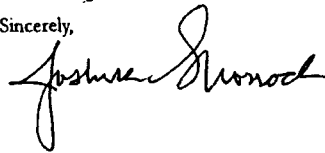
TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for *their* replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Shockley". The signature is fluid and cursive, with the first name "Joshua" written in a larger, more prominent script than the last name "Shockley".

Name: JOSHUA SHOCKLEY

Address: 324 34TH AVE
SANTA CRUZ, CA 95062

10/22, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

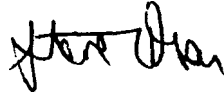
TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name: Steve Olsen

Address: 415 36th Ave
Santa Cruz, CA. 95062

Lived here for over 20 years, and would really enjoy seeing a home as I have seen in the plans go up on 2-3515 E Cliff Dr. It would fit in well with the existing neighborhood, which is quite diverse, and actually would improve the neighborhood.

10/7, 2006

Re. William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, ~~disposed~~ structure, with a ^{new} home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages

When completed as designed, it will improve E Chff Dnve

Sincerely,

Billy Rumpagos

Name: Billy Rumpagos
Address: 599 35th Ave
Santa Cruz, Ca
95062

His property, he
pays his taxes, meets the
reasonable codes, let him Build.

10/07, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

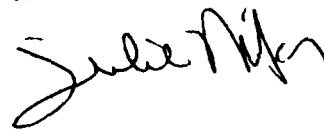
TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, ddapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name:

Julie Mikus

Address:

445-35th AVE
Santa Cruz CA
95062

10-7, 2006

Re: **William & Alane Swinton's** Replacment Home @ 2-3515 E Cliff Dr, SC **95062**

T O Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, **William** and Alane, for their replacement home. I am pleased with the design.

It replaces an old, ddapidated **structure**, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,

Laura Bushnell / Michael Thompson

Name: *Laura Bushnell / Michael Thompson*

Address: *318 34th Ave*

*Santa Cruz, CA
95062*

10/6, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

It replaces an old, ddapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name:

Diane Bouley

Address:

1055 LEWIS CIR

SCCA95062

NICE DESIGN:

I LIVE CLOSE TO PLEASURE POINT STILL
& LIVED HERE FOR 35 YEARS. I AM 4TH
GENERATION SANTA CRUZ RES. I HAVE
KNOWN WILLIAM FOR 25 PLUS YEARS & FEEL
HE IS FOLLOWING ALL YOUR CURRENT
GUIDE LINES...

10/7, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO Santa Cruz Co. Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, ~~William~~ and Alane, for their replacement home. I am pleased with the design.

It replaces an old, dilapidated structure, with a nice home that will be a welcome addition to our neighborhood, which is a mix of homes of various styles, uses and ages.

When completed as designed, it will improve E Cliff Drive.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas M. Lane", with a long horizontal flourish extending to the right.

Name: THOMAS M. LANE

Address: 550 35TH AVE

10-7, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062


TO: Santa Cruz Co. Planning Dept. & Whom It ~~May~~ Concern:

I have reviewed the plans ~~of~~ my neighbors, William and Alane, for their replacement home I ~~am~~ pleased with the design.

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When completed ~~as~~ designed, it ~~will~~ improve E Chff Drive

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Shockley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Name: JOSHUA SHOCKLEY

Address: 324 34TH AVE
SANTA CRUZ, CA 95062

Lani Freeman

From: Randall Adams
Sent: Wednesday, October 25, 2006 7:29 AM
To: Lani Freeman
Subject: FW: I support the original findings-2-3515 East Cliff



pat9043468



pat1631785863



pat1692118147



pat1787476653



pat1858623239

Additional Correspondence for

05-0813 - 11/8/06 PC

-----Original Message-----

From: Charles paulden [mailto:yogacharles@yahoo.com]
Sent: Tuesday, October 24, 2006 9:35 PM
To: Randall Adams
Subject: I support the original findings-2-3515 East Cliff

7. 05-0813(**) 2-3515 East Cliff Drive, Santa Cruz
APN: 032-223-09

I support the original findings of not fitting with the neighborhood character. Even though these homes were built not as a bland subdivision, it was built as a beach cottage community. Please see the attached. The project is in the Breakers beach Subdivision and is part of the historic Pleasure Point beach community. The County is in process of protecting this area from over development. Please let this process go forward so that this unique area maybe preserved. Turn down the appeal. There are many designs to that will work in this area. Look to Capitola, or the Sea Bright Neighborhood plan. Thank you
Charles Paulden
People for the Preservation of Pleasure Point

Appeal of the Zoning Administrator's September 17, 2006 action to deny application 05-0813, a proposal to demolish an existing one-bedroom single-family dwelling and construct a two-bedroom single-family dwelling with attached garage. Requires a Coastal Development Permit. Property located on the north side of East Cliff Drive, about 60 feet east of 35th Ave.

The project is in the Breakers beach Subdivision and is part of the historic Pleasure Point beach community. The County is in process of protecting this area from over development. Please let this process go forward so that this unique area maybe preserved. Thank you
Charles Paulden
People for the Preservation of Pleasure Point

Appellant/Owner: William & Alane Swinton

Applicant: Martha Matson

Supervisory District: 1

Project Planner: Randall Adams, 454-3218

Do You Yahoo!?

Tired of spam? Yahoo! Mail has the best spam protection around

<http://mail.yahoo.com>

COME AND LOOK AT
BREAKERS BONANZA BEACH

2,000 Feet Long

When you come and look—You'll Linger
When You Linger ——— You'll Buy

And you can buy one of these beautiful lots, 75 by 90 feet, with a view that is unsurpassed, and build yourself a summer home—a permanent home—at a price that will actually surprise you.

You have all heard of the Famous Waukesha Mineral Water of Wisconsin—well, right here on this property a water that equals if not surpasses it has been discovered and will be piped to your lot **ABSOLUTELY FREE**.

The Golden Waukesha Mineral Water is the most invigorating water in California—a strong statement—but a taste will convince you of its merits, and buyers of lots may share in this recent discovery of mineral water.

These Lots will soon be snapped up—they may be purchased at as low a figure as

LOTS—\$5.00 Down—\$5.00 Month

Write for full particulars or come and camp awhile on the tract.

Free Water—Free Beach

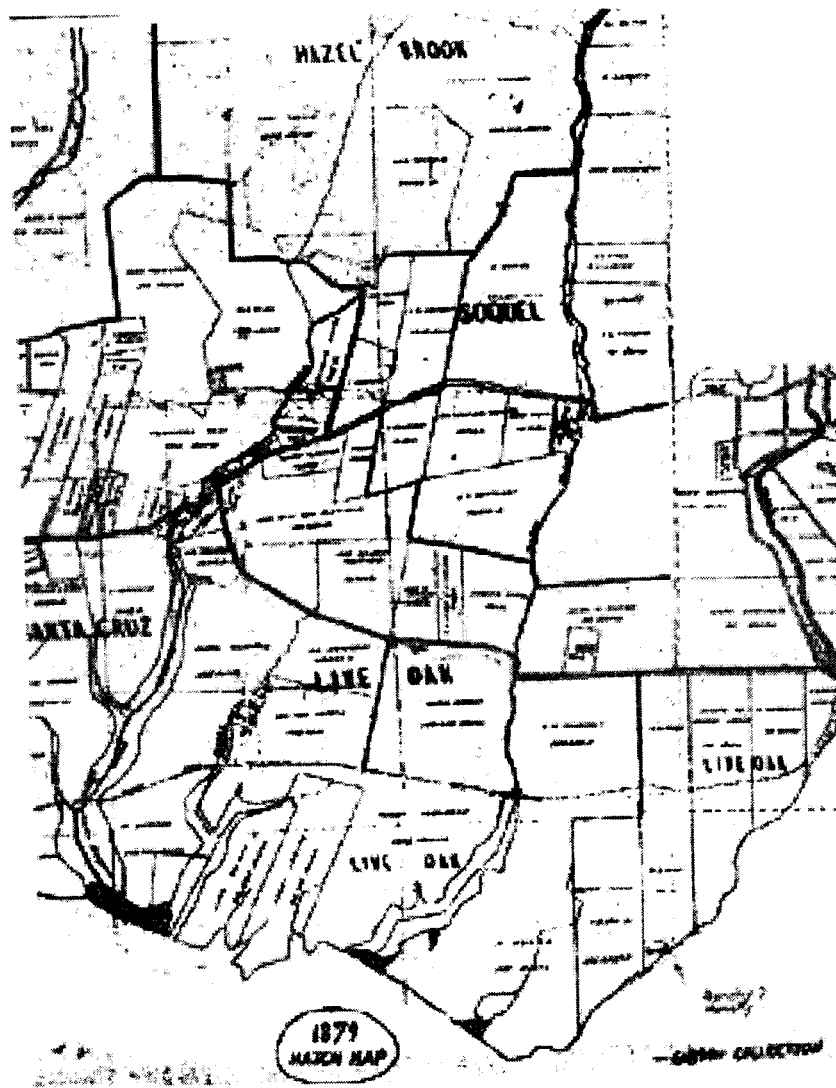
Free Camping Ground

Office on the property on the Cliff Drive, between Santa Cruz and Capitola.

G. W. HAWES
OWNER

28 Wood Street

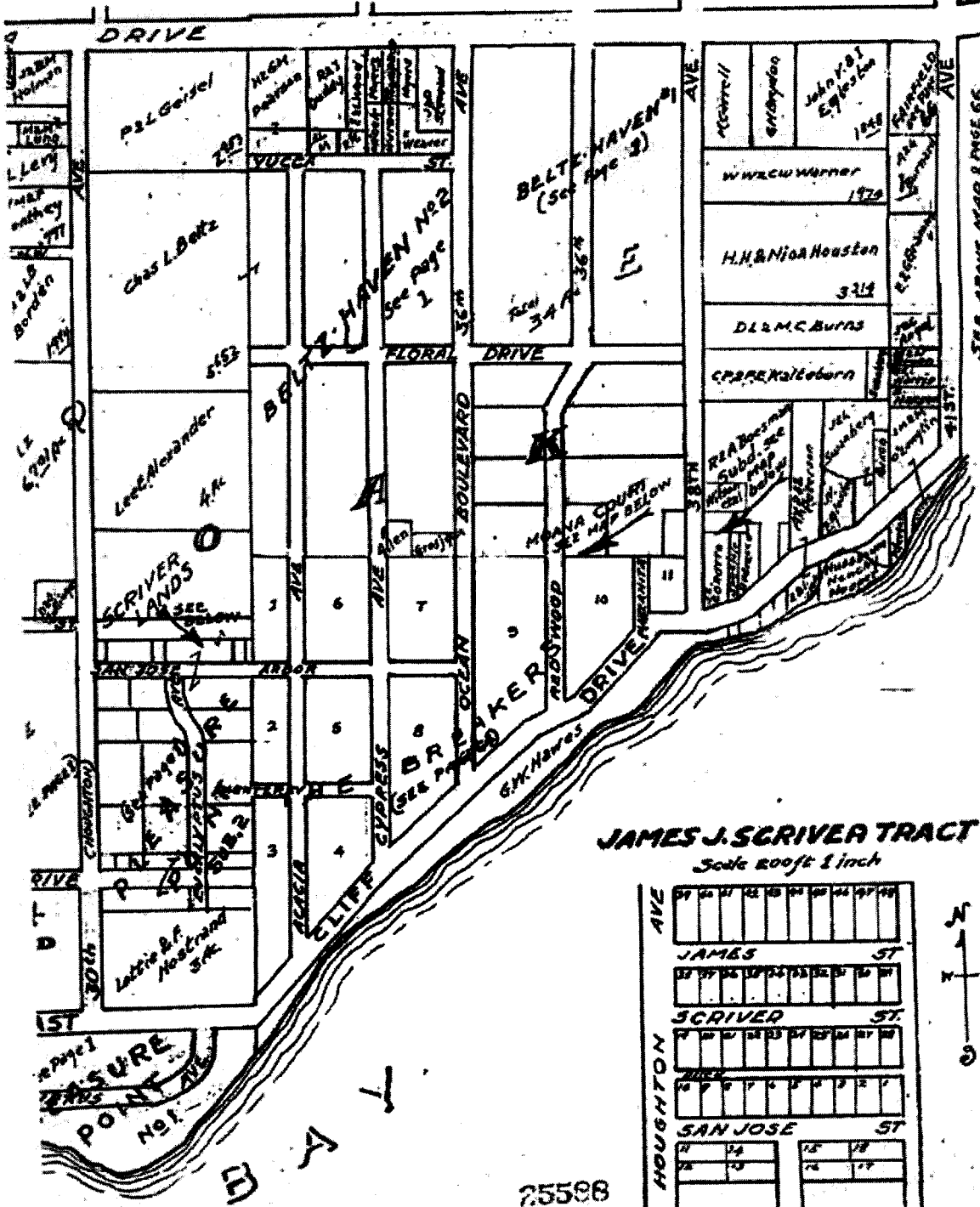
SANTA CRUZ, CAL.





of TWP 11S., RIW.

SCALE 5 CHAINS 1 INCH

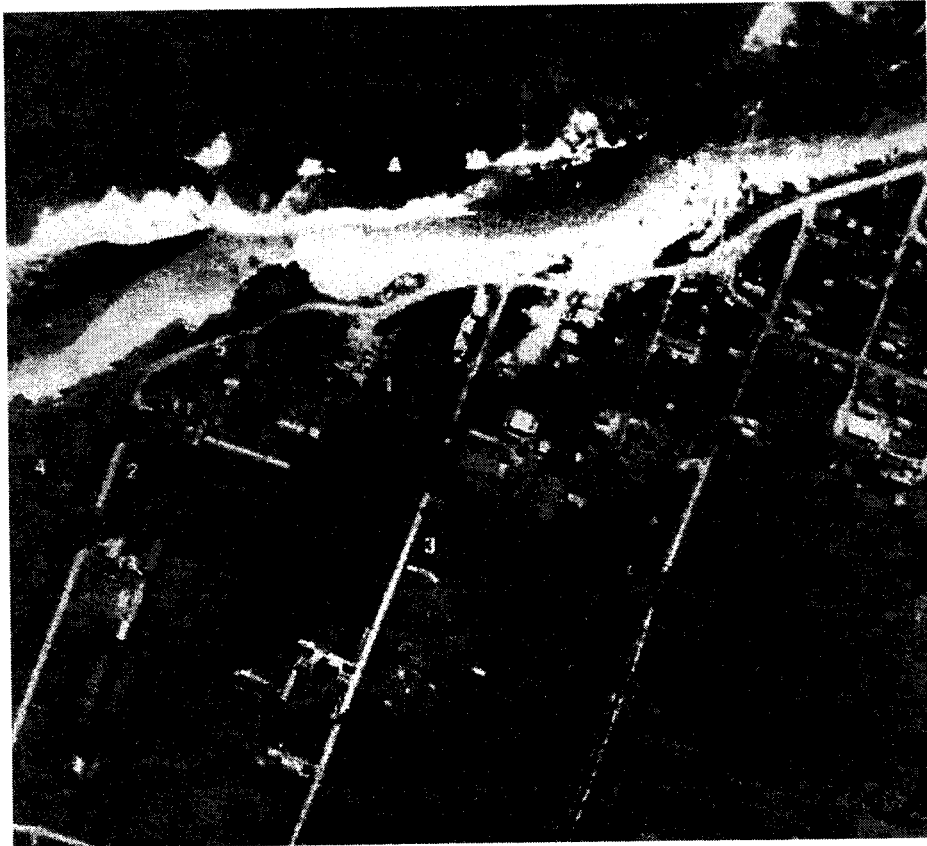


JAMES J. SCRIVER TRACT

Scale 200 ft 1 inch

HOUGHTON AVE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
	JAMES ST																													
	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60
	SCRIVER ST																													
	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90
	SAN JOSE ST																													
	91	92	93	94	95	96	97	98	99	100	101	102	103	104	105	106	107	108	109	110	111	112	113	114	115	116	117	118	119	120
	SAN JOSE ST																													

25588



**ADDITIONS TO THE STAFF REPORT
FOR THE PLANNING COMMISSION**

ITEM 7: 05-0813

LATE CORRESPONDENCE

October 29,2006

Agenda Date: November 8,2006

VIA U.S. MAIL and E-MAIL

PLANNING COMMISSION
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

RE: 2-3515 East Cliff Drive, Application 05-0813, APN: 032-223-09
Request for use of Projector for personal computer based presentation

Members of the Commission:

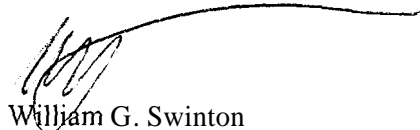
During the public hearing for our agenda item, I have prepared an informative PowerPoint presentation, which would be most easily seen and appreciated by the Commission if it were to be projected on the screen.

It is my understanding that it is proper to inform the Commission in advance when this equipment is needed. This letter serves that purpose.

I have my own laptop, which is easily connected to a projector.

Thank you.

Sincerely:

A handwritten signature in dark ink, appearing to read 'W. Swinton', with a long, sweeping horizontal line extending to the right.

William G. Swinton
for William G. and Alane K. Swinton, Owners

November 6,2006

Agenda Date: November 8,2006

VIA E-MAIL

PLANNING COMMISSION

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA 95060

RE: 2-3515 East Cliff Drive, Application 05-0813, APN: 032-223-09

Members of the Commission:

Attached please find **5 additional letters of support** regarding the above application. With the addition of these, you should find **a total of 56 letters of support attached or included in the Staff Reports.**

Please note these people have entrusted me to deliver these written comments to those concerned with the processing of the above application, with the knowledge and intent that these comments be incorporated into the public record concerning the above matter.

Please add these to this record.

Please consider this citizen input. These citizens have taken time evaluate the proposed development, and are, arguably, practical experts in neighborhood compatibility and the Pleasure Point and East Cliff environs.

Sincerely:

William G. Swinton
for William G. and Alane K. Swinton, Owners

10/25, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Ca Planning Dept. & Whom It May Concern:

I have reviewed the plans of my neighbors, William and Alane, for their replacement home. I am pleased with the design.

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Sincerely,

J-L. Delany
JAMES DELANY

Name: 3430 ST DEYUS ST
Address: S. CRUZ 95002

10-25, 2006

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TO: Santa Cruz Co. Planning Dept. & Whom It May Concern:

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Sincerely,



Name: Joshua F. Lick

Address: 337 35th Ave.
SC, CA 95062

10/28, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr. SC 95062

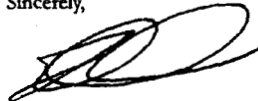
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Sincerely,



Name: KEITH ADAMS

Address: 500 41ST AVE
SANTA CRUZ CA
95062

10-22, 2006

Re: William & Alane Swinton's Replacement Home @ 2-3515 E Cliff Dr, SC 95062

TO: Santa Cruz Ca Planning Dept. & Whom It May Concern:

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Sincerely,

Jack W. Cross

Name: JACK W. Cross

Address: 2-3541 East Cliff Drive

Nov 4, 2006

Re: William & Alane Swinton's Replacment Home @ 2-3515 E Cliff Dr, SC 95062

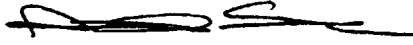
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When completed as designed, it will improve E Cliff Drive.

Sincerely,



Name: Antoinette Seiler

Address: 170 Glen Canyon Ridge
Santa Cruz, CA 95066

I have lived in Santa Cruz 40 yrs
and served the pt for 35 yrs -

T. Seiler