

Staff Report to the **Zoning Administrator**

Application Number: 03-0430

Agenda Date: September 17,2004 **Applicant:** Matson-Britton Architects

Agenda Item#: || Owner: Barbara and Elmer McNece **Time:** After 10:00 a.m. **APN:** 043-152-12, -13

Project Description: Proposal to remodel and construct a second story addition to an existing single-family dwelling, resulting in the addition of **one** bedroom and one family room. Requires a Coastal Development Permit and a Residential Development Permit to construct an addition greater than 800 sq. ft. to a non-conforming structure.

Location: Property located on the bluff side of Bayview Drive about 500 feet southeast of the intersection of Bayview Drive and Toledo Dr. (622 Bay View Drive).

Supervisorial District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit, Residential Development Permit to construct an addition greater than 800 sq. ft. to a non-conforming structure.

Staff Recommendation:

- Approval of Application 03-0430, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

A.	Project plans.	E.	Assessor's parcel map
B.	Findings	F.	Zoningmap
C.	Conditions	G.	Urban Designer's Comments
D.	Categorical Exemption (CEQA	H.	Comments & Correspondence
	determination)		

Parcel Information

Parcel Size: About 24,074 sq. ft. (Approx. 7,434 sq. ft. for APN 043-

152-12 and 16,640 sq. ft. for APN 043-152-13)

Existing Land Use - Parcel: Once singlefamily dwelling and one guesthouse

Existing Land Use - Surrounding: Single-family dwellings

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

Application #: 03-0430 APN: 043-152-12, -13

Owner:Barbara and Elmer McNece

Project Access: Bayview Drive, a County Road

Planning Area: Aptos

Land Use Designation: R-UL (Urban Low Residential)

Zone District: R-1-6 (Single-family residential, 6,000 sq. ft. minimum)

Coastal Zone:

Appealable to Calif. Coastal Comm.

Y
Inside
Yes
No

Environmental Information

Geologic Hazards: Coastal bluff

Soils: Elkhorn Sandy Loam (index no. 133)

Fire Hazard: Not a mapped constraint

Slopes: 2% to 50%+

Env. Sen. Habitat: Not mapped/no physical evidence on site

Grading: No grading proposed

Tree Removal: No trees proposed to be removed Scenic: Scenic resource at top of coastal bluff.

Drainage: Existing drainage adequate
Traffic: No significant increase
Roads: Existing roads adequate

Parks: Existing park facilities adequate

Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ✓ Inside Outside
Water Supply: Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation District Fire District: Aptos/La Selva Fire Protection District

Drainage District: Zone 6

History

According to assessor's records, the existing single-family dwelling on parcel 043-152-12 (parcel –12) was constructed in 1939, and the "guesthouse" on parcel 043-152-13 (parcel –13) constructed in 1941. In 1973, Planning granted a variance to allow the construction of a living room in the guesthouse and established parcel –13 **as** a separate lot from parcel –12 (Development Permit 4597-U). However, in 1985 a building permit was issued for a garage addition over the property line for both parcels, which were represented on the site plan as one parcel (building permit 7739). The construction of this garage effectively eliminated access to parcel –13. Current deeds describe both properties **as** one parcel, so for the purposes of this report parcels –12 and –13 will be considered one lot.

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er: Barbara and Elmer McNece

Project Setting

The project site is located within a neighborhood of both one and two-story single-family dwellings of varying sizes, with the largest homes on the bluff side of Bayview Drive (in the range of 2,000 square feet to 4,000 square feet in the vicinity).

Zoning & Site Standards

The proposed addition, as conditioned, will comply with all site standards (setbacks, height, lot coverage, and floor area ratio) of the R-1-6 zone district. The existing dwelling is non-conforming with regards to the northern side yard setback due to the location of a walk-in closet within 2 feet of the property line. The addition will not increase the existing non-conformity. The following table details compliance with all applicable site standards assuming both parcels –12 and –13 are one lot as described in the current deed and represented on the plans for building permit 7739.

Site Standards	R-1-6 Zone District Standard	Proposed (setbacks to addition)
Front yard setback	20'	30'
Side yard setbacks	5 ′ & 8′	8' to north, about 60' to the south
Rear yard setback	15'	About 100' to coastal bluff
Maximum height	28'	26' 4 "
Maximum Y₀ lot coverage	30%	About 14%
Maximum Yo Floor Area Ratio	50%	About 17%

Local Coastal Program Consistency

As conditioned, the proposed addition complies with the County's certified General Plan/Local Coastal Program, in that the addition is residential in nature and does not increase the density of the site beyond that allowed in the R-UL (Urban Low Residential) General Plan/Local Coastal Program Land Use Designation and the structure will be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood upon completion of Conditions of Approval 11.5 and II.6. These conditions ensure the design will be more compatible with "Old California" style of the existing single-family dwelling. As conditioned, the addition will be compatible with the existing range of architectural styles in the neighborhood.

The project site is located between the shoreline and the first public road above a coastal bluff, but will not interfere with public access to the beach as the property is not identified as a priority acquisition site in the County's Local Coastal Program. The addition will not impact public views from the beach it is about 100 feet from the edge of the coastal bluff.

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Owner: Barbara and Elmer McNece

Design Review

This project is subject to Section 13.20.130 because it is in the Coastal Zone, and it is also subject to Section 13.11 because it is located on coastal bluff (a "sensitive site" by definition in the ordinance – Section 13.11.030 u). The County's Urban Designer visited the site and reviewed the project plans and found the design of the addition is out of character with the existing residence (See Exhibit G, Urban Designer's Comments). The addition has a larger scale, different architectural motif and does not repeat any features of the existing house except for the stucco siding and tile roofing.

The front elevation is the façade that most of the neighborhood will see and contains features so different from the original residence, that they make the combination of old and new discordant. The applicant may intend to remodel or rebuild the existing residence to match the existing, in which case it would be critical to present the whole project, while only approving this portion under the current application.

As proposed however, the Urban Designer does not support an addition that does not fully address the existing residence. He suggests three possibilities for improving the compatibility of the scale and character of this addition in relation to the front facade:

- a. Lower the floor to ceiling height of at least the lower floor.
- b. Remove the shutters from the elevation.
- c. Remove the arched top from the window.

These recommendations have been added as Conditions of Approval. The project's architect may want to present other methods to achieve the same result.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B"("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- APPROVAL of Application Number 03-0430, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

Owner: Barbara and Elmer McNece

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: David Keyon

Santa Cruz County Planning Department

701 Ocean Street, 4th Floor Santa Cruz CA 95060

Phone Number: (831) 454-3561

E-mail: david.kevon@co.santa-cruz.ca.us

Owner: Barbara and Elmer McNece

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 addition is residential in nature and therefore a principal permitted use within the R-1-6 zone district (subject to approval of a Coastal Development Permit at this location) and consistent with the R-UL (Urban Low Residential) General Plan/Local Coastal Program Land Use designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

No easements or special development restrictions (beyond R-1-6 site standards and setbacks from the coastal bluff) apply to this project.

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 subject to the recommendations of the County's Urban Designer to lower the floor to ceiling height on the second floor to eight feet, to remove the shutters from the front elevation on the second story, and replace the arched second story window on the front elevation with a rectangular window to match the existing residence (Conditions of Approval II.5 and **11.6).** Upon completion of these conditions the proposed addition will complement and harmonize with the existing residence and will meet all applicable provisions of Chapter 13.20.130 of the County Code.

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 no public access points exist across the property and a public access point already exists in the neighborhood about 900 feet southeast of the project site at the end of Bayview Drive. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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

This finding can be made, in that the addition is sited and as conditioned will be visually compatible, in scale with, and integrated with the existing dwelling and the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-6 zone



Owner: Barbara 1 Eli McNece

district of the area, as well as the General Plan and Local Coastal Program land use designation.

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 addition will be required to meet all applicable building, electrical, plumbing, and energy codes at the time of building permit application to ensure structural safety. The location of the addition will shadow the property to the immediate north, but the extent of the shadow will not be materially injurious as access to light and air will continue to be maintained *as* the addition is forward of the existing dwelling on the affected property.

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 addition as designed and conditioned meets all site standards of the R-1-6 zone district (see figure 1), is a residential use consistent with the uses allowed in the R-1-6 zone district, and meets all applicable Coastal regulations if all conditions of approval are met.

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 addition conforms to the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

The proposed addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties as all applicable site standards will be met and most of the addition will be located forward of the existing single-family dwelling on the property to the immediate north of the project site, allowing adequate solar exposure to be maintained (Policy 8.1.3, Residential Site and Development Standards Ordinance).

As conditioned, the proposed addition will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy **8.6.1** (Maintaininga Relationship Between Structure and Parcel Sizes), in that the addition will comply with the site standards for the R-1-6 zone district (including setbacks, floor area ratio, height, and number of stones) and will not increase the existing non-conforming side yard setback.

Owner: Barbara and Elmer McNece

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

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 adequate utility services exist for an addition of the size proposed and the trips generated by the one additional bedroom will be minimal and easily absorbed into the existing street system.

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 upon implementation conditions of approval **II.5** and **11.6**, which will make the addition in scale with and architecturally compatible with the existing dwelling, and therefore compatible with the architectural character of the surrounding neighborhood. No increase in residential density is proposed.

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

The proposed addition does not require Design Review under Chapter 13.11. See Coastal Development Permit Finding 3 for specific design review findings under Chapter 13.20.130 of the County Code.

Conditions of Approval

Exhibit A: Project plans, seven sheets, sheets 1 through 5 drawn by Cove Britton and dated March 20,2004, sheet 6 drawn by K.A.P. and dated February 10,2003, and sheet 7 drawn by Matthew D. Ward and dated February 25,2004.

- I. This permit authorizes the construction of a second story addition to an existing single-family dwelling and an interior remodel on the first floor. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way for the proposed driveway.
 - D. Sign, date, and record **an** Affidavit to Combine Parcels for APN's 043-152-12 and APN 043-152-13, and return a copy of the Affidavit to the Planning Department.
- II. 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. 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. A drainage plan showing existing and proposed area drainage (location of ravines, drainage courses and pathways of off-site drainage), device construction details, including retaining wall back drains, culverts, storm drains, energy dissipators, etc., and the total amount of new impervious surface.
 - 3. An erosion control plan which indicates the disposition of any proposed excavated material and notes showing how exposed areas will be maintained during the rainy season (straw/mulch, etc.).
 - 4. Details showing compliance with fire department requirements.

- 5. Submit revised elevations for approval by the Zoning Administrator.

 These elevations shall show how the front façade and the bulk, massing, and scale will be compatible with the existing dwelling.
- C. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- F. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom (note: fees are due to increase at the end of **August** 2004).
- G. Pay the current fees for Roadside and Transportation improvements for one bedroom. Currently, these fees are, respectively, \$667 and \$667 per bedroom (note: fees are due to increase at the end of August 2004).
- **H.** Provide required off-street **parking** for four cars (three for the main dwelling and one for the guesthouse). Parking spaces must be 8.5 feet wide by **18** feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on *the* plot plan.
- I. Submit a Written statement signed by **an** authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school **district**.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to **final** building inspection, the applicant/owner must meet the following conditions:
 - A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. 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

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shall immediately cease and desist from all further site excavation and notify the Sheriff-Coronerif 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.

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 two years from the effective date unless you obtain the required permits and commence construction.

Approval Date:	
Effective Date:	
Expiration Date:	
Don Bussey	David Keyon
Deputy Zoning Administrator	Project Planner

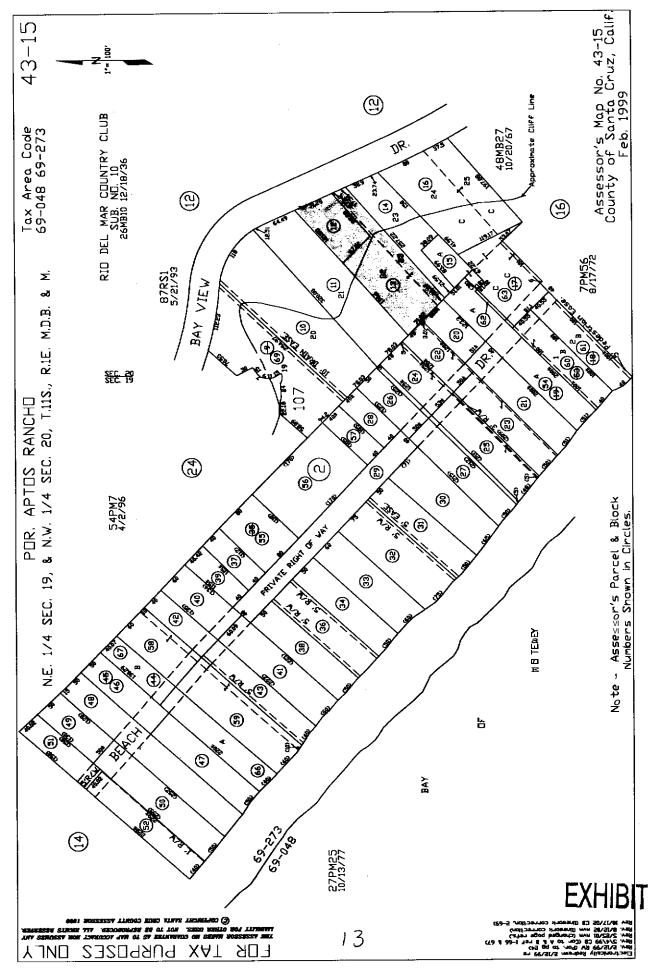
Appeals: **Any** property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the **Zoning** Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the **Santa** Cruz County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

CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

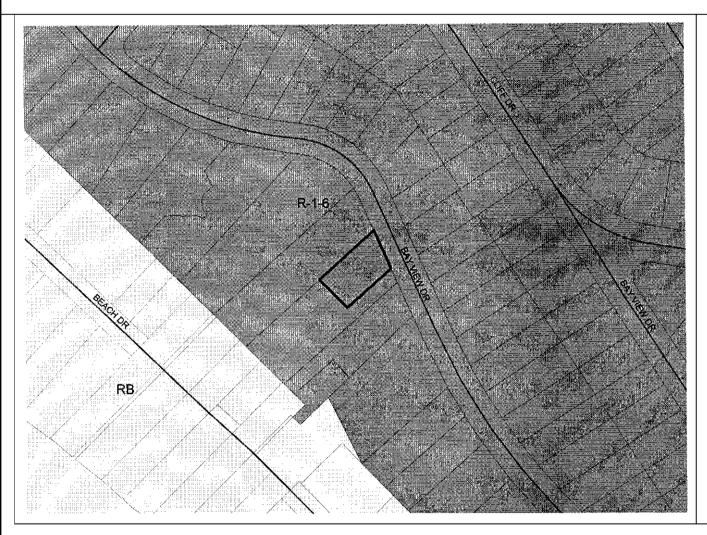
The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

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Assessor Parcel Number: 043-152-12, -13 Project Location: 622 Bay View Drive
Project Description: Minor addition to an existing dwelling
Person or Agency Proposing Project: Cove Britton
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:
EX Categorical Exemution
Specify type: Existing Structures Exemption (Section 15301)
F. Reasons why the project is exempt:
Construction of an addition of less than 2,500 square feet or 50% of the total floor area of existing structure
In addition, none of the conditions described in Section 15300.2 apply to this project.
David Keyon, Project Planner

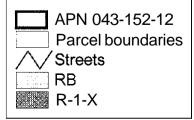


Zoning Map



500 0 500 Feet

Legend





Map created **by** Santa Cruz County
Planning Department:
October 2003

COUNTY OF SANTA CRUZ

Planning Department

INTEROFFICE MEMO

APPLICATION NO: 03-0430 (2nd routing)

Date: August 27,2004

To: David Keyon, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Reviewfor an addition to a single family residence at 622 Bayview Drive, Aptos (Elmer and

Barbara Mc Niece / owner, Cove Britton / applicant)

GENERAL PLAN! ZONING CODE ISSUES

Desian 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
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas		•	The scale of this addition is out of character with the existing residence, making the combination not compatible with the neighborhood

Grading, earth moving, and removal of major vegetation shall be minimized.	N/A
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.	N/A
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	NIA
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	N/A
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological	NIA
•	
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	NIA
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)	NIA

Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed		NIA
Building design	•	<u>'</u>
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction		NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged		NIA
Natural materials and colors which blend with the vegetative cover of the site shall be used, or <u>if</u> the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster		NIA
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		NIA
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building duster 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 soflen the appearance of the structure		NIA
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		NIA
The requirementfor restoration of visually blighted areas shall be in scale with the size of the proposed project Signs		NIA
Materials, scale, location and orientation of signs shall harmonize with surrounding elements		NIA

NIA	
NIA	
NIA	
NIA	
NIA	
N/A	
	NIA NIA NIA NIA NIA

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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 α within the viewshed of a Scenic road as recognized in the General Plan; **or located on** a coastal **bluff** or on a ridgeline.

Evaluation Criteria	Meets criteria In code (✔)	Does not meet criteria (✓)	Urban Designer's Evaluation
Relationship to natural site features	-		
Landscaping	→		
Streetscape relationship			NIA
Street design and transit facilities			NIA
Relationship to existing		U	See comments
structures		,	below.
Natural Site Amenities and Features			
Relate to surrounding topography			
Retention of natural amenities	✓		
Siting and orientation which takes	<u> </u>		
advantage of natural amenities			
Ridgeline protection			NIA
Views			
Protection of public viewshed	✓		
Minimize impact on private views		Y	
Accessible to the disabled,		1	NIIA
pedestrians, bicycles and vehicles			NIA

properties Reasonable protection for currently occupied buildings using a solar	· •	
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			
Buildingsilhouette	<u> </u>		
Spacing between buildings	V		
Street face setbacks	✓		
Character of architecture		~	Many & the elements of this design, i.e. windows, trim, etc. do not attempt W match the existing.
Buildingscale		~	The addition looms over the existing residence.
Proportion and composition of projections and recesses, doors and windows, and other features		~	In relation to the existing residence there is little attempt W compose the building in a holistic way.
Location and treatment of entryways	→		
Finish material, texture and color	•		
Scale is addressed on appropriate levels		~	The sc ale of the addition is out & character with the existing residence.
Design elements create a sense of human scale and pedestrian interest	✓		

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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		NIA

URBAN DESIGNER COMMENTS:

I recommend that the architect redesign the front elevation (as a minimum) to be more compatible with the existing residence.