



Staff Report to the Zoning Administrator

Application Number: **04-0332**

Applicant: Dee Murray
Owner: Timothy and Jennifer Bumb
APN: 043-152-31

Agenda Date: November 5, 2004
Agenda Item #: 2
Time: After 10:00 a.m.

Project Description: Proposal to remodel and construct a 314 square foot addition to an existing single-family dwelling. Remodel includes lowering the height by 2 feet, replacement of the existing flat roof with a sloped roof, removing a rooftop deck, replacing the existing siding, and reconfiguring exterior windows.

Location: Property located on the beach side of Beach Drive, approximately 700 feet south of the locked gate and about 1 mile southeast of the intersection of Beach Drive and Rio Del Mar Blvd. (at 553 Beach Dr.).

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

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0332, 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. | Zoning map |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | | |

Parcel Information

Parcel Size:	About 10,750
Existing Land Use - Parcel:	One single-family dwelling
Existing Land Use - Surrounding:	Single-family dwellings on either side, beach to the west, vacant lot on coastal bluff to the east across Beach Drive.

Project Access: Beach Drive (a private road)
Planning Area: Aptos
Land Use Designation: R-UL, O-R (Urban Low Residential, Existing Parks and Recreation)
Zone District: RB (Ocean Beach Residential)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Coastal wave run-up zone (Flood Zone V)
Soils: Beach sand (Soils Index No. 109)
Fire Hazard: Not a mapped constraint
Slopes: Flat (about 3 % slope toward beach)
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Coastal scenic area
Drainage: Existing drainage patterns to be maintained
Traffic: No increase in traffic
Roads: Existing roads adequate
Parks: No additional impacts to the beach
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 was constructed around 1965. Permits for repairs to the rip-rap, decking, and roof have been granted subsequently.

Project Setting

The project site is located on the coast side of Beach Drive in a row of one-story single-family dwellings stretching from the private road entry gate to the end of Beach Drive down coast. The existing dwelling sits directly on the beach, with shoreline protection provided by a continuous line of rip-rap stretching along the developed portion of Beach Drive. Due to RB zone district standards which limit the height of structures on the coast side of Beach Drive to a maximum of 17 feet, most houses in the vicinity are one story with the exception of houses on the bluff side of Beach Drive.

Zoning & General Plan Consistency

The proposed remodel and addition maintains consistency with the RB zone district and the R-UL General Plan designation, as the use of the site will remain a four-bedroom single-family dwelling. All appropriate RB zone district site standards will be met, as detailed in the following table.

	RB Zone District Standard	Proposed
Front yard setback	10'	11'
Side yard setbacks	0' & 5'	4' 8" and 3' 6" (5' to addition)
Rear yard setback	10'	About 120' to mean high tide
Maximum height	17' on beach side	17'
Maximum % lot coverage	40%	About 8%
Maximum % Floor Area Ratio	50%	About 13%

The existing dwelling is non-conforming with regards to the northwest side yard setback. Structural changes to the non-conforming portion will not encompass more than 50% of the linear length of the walls within the setback. The proposed master bedroom addition will be designed to meet the five foot setback.

Local Coastal Program Consistency

The proposed remodel and addition to an existing dwelling conforms to the County's Local Coastal Program in that the materials, design and colors used will be compatible with the Beach Drive neighborhood. Coastal access will not be impeded, as the addition will not encroach into the five-foot pedestrian easement along the northwest property line. Finally, the visual impact to the beach viewshed will be the same as the removal of the roof top deck and addition of the peaked roof will not increase the bulk, mass, and scale of the structure.

Design Review

The proposed remodel and addition complies with all applicable provisions of the County's Design Criteria for Coastal Permits (Section 13.20.130 of the County Code). The remodel will result in a single-family dwelling that is visually compatible with the Beach Drive neighborhood as it will remain one story and will incorporate wood shingle siding similar to surrounding homes. The colors will be earth-tone to minimize visual intrusion onto the beach.

The proposed remodel and addition does not require Design Review under Section 13.11 of the County Code as the addition totals less than 500 square feet.

Coastal Flooding Issues

The project site is located in an area subject to coastal wave action and flooding (Federal Emergency Management Agency Flood Zone-V), but the proposal is exempt from FEMA flood elevation requirements, as the improvements do not meet the County's definition of "substantial

improvement” (Section 16.10.040 of the County Code). The total assessed value of the existing structure is \$390,000, and the improvements have been determined by staff to be less ~~than~~ \$195,000, and therefore are not considered “substantial improvement.” Future improvements, including those resulting from storm damage, may require the structure to be elevated and meet all FEMA requirements for the wave run-up zone.

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 **04-0332**, 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.

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

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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 primary use of the site will continue to be one single-family dwelling, a principal permitted use in the RB zone district and a use consistent with the site's (R-UL) Urban Low Residential General Plan/ Local Coastal Program Land Use designation. The portion of the site with a General Plan designation of O-R (Existing Parks and Recreation) will remain undeveloped.

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

This finding can be made, in that the proposed remodel will not encroach further into the 5 foot wide pedestrian easement on the northwest property line. No other easements or development restrictions exist on the property.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130et seq.

This finding can be made, in that the remodel and addition will result in a single-family dwelling that is consistent with the surrounding neighborhood in terms of architectural style, scale, and colors. The proposed materials and colors will complement the neighborhood and site, and will not impede upon the beach view shed more than the existing 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 remodel and addition will not reduce the existing five foot wide pedestrian easement along the northwestern boundary of the property. This easement is not used at the present, as adequate beach access exists across a vacant lot two 100 feet southeast of the project site.

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

This finding can be made, in that the remodel and addition is designed to be visually compatible and in scale with the surrounding neighborhood and to minimize intrusion to the beach view shed. Single-family dwellings are principal permitted uses within the RB zone district and are allowed under the R-UL General Plan/ Local Coastal Program Land Use designation. The O-R (existing parks and recreation) designated portion of the site will remain undeveloped.

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 remodel and additions will be required to comply with all applicable building, electrical, plumbing, and energy codes at the building permit stage.

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 addition will be consistent with all RB zone district site standards and the portion of the house within the non-conforming side yard setback is not considered "substantial improvement," and therefore is exempt from the requirements of the County's Geologic Hazards Ordinance pertaining to flood elevation.

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 remodel and addition will result in a single-family dwelling that is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan. No development is proposed for the portion of the site with a General Plan Land Use designation of O-R (Existing Parks and Recreation).

General Plan/LCP policy 5.10.7 allows structures, which would be visible from a public beach, where compatible with existing development. The proposed addition and remodel will be compatible with the surrounding Beach Drive neighborhood in that the house will remain one story and the materials and colors will complement the surrounding homes without being intrusive to the beach view shed.

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 proposed addition will not increase the density or intensity of the single-family use on site beyond the existing house. Adequate utility service will continue to be available to the house, and no traffic increase is anticipated as the house will remain a four bedroom single-family dwelling.

5. That the proposed project will complement and harmonize with the existing and proposed

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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 addition and remodel will retain the same bulk, mass and scale of the existing dwelling and will incorporate earth-tone colors and wood shingle siding to complement the surrounding development and coastal setting of the site. No increase in bedrooms or units 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 remodel and addition does not require Design Review under Section 13.11 as the proposed addition will total less than 500 square feet.

Conditions of Approval

Exhibit A: Project plans, 3 pages, drawn by Thacher and Thompson Architects, dated July 6, 2004 and revised October 6, 2004.

- I. This permit authorizes the exterior and interior remodel of a single-family dwelling and an addition of 190 square feet. 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.
- 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.
 3. Details showing compliance with fire department requirements.
 - 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. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. 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.

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
Deputy Zoning Administrator

David Keyon
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: 04-0332

Assessor Parcel Number: 043-152-31

Project Location: 553 Beach Drive

Project Description: Remodel and addition to existing single-family dwelling

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: (831) 475-5334

- 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: Minor alteration and addition to an existing single-family dwelling (15301)

F. Reasons why the project is exempt:

Minor interior and exterior alterations, remodel, and construction of an addition not more than 50% of the existing dwelling

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

David Keyon, Project Planner

Date: _____