



Staff Report to the Zoning Administrator

Application Number: **04-0488**

Applicant: Dee Murray
Owner: Willam Geisreiter
APN: 028-142-13

Agenda Date: March 4, 2005
Agenda Item#: 7
Time: After 10:00 a.m.

Project Description: Proposal to construct a one-story, 175 square foot solarium addition to an existing non-conforming single-family dwelling.
See Project Geologic Hazards Assessment (04-0420).

Location: Located on the east side of 13 Avenue about 750 feet south of Prospect Street in the Live Oak Planning Area (At 120 13th Avenue).

Supervisorial District: First District (District Supervisor: Janet K. Beautz)

Permits Required: Amendment to Coastal Development Permit 90-0198

Staff Recommendation:

- Approval of Application 04-0488, 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 13,400 square feet
Existing Land Use - Parcel:	Single-family dwelling
Existing Land Use - Surrounding:	Single-family dwellings, beach
Project Access:	13 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UL and O-R (Urban Low Residential and Existing)

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

Zone District: Parks and Recreation)
R-1-6, PR (Single-family residential, 6,000 square feet
minimum, and Parks and Recreation)
Coastal Zone: Inside Outside
Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Coastal bluff setbacks apply (see Geologic Hazards Assessment 04-0420)
Soils: Pinto Loam (162) and Beach sand (109)
Fire Hazard: Not a mapped constraint
Slopes: Flat at project site
Env. Sen. Habitat: Not mapped physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Coastal Scenic Area
Drainage: Existing drainage adequate
Traffic: No increase in traffic
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped physical evidence on site

Services Information

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

History

According to assessor's records, the existing house was constructed in 1924. In 1990, a Coastal Development Permit was approved allowing the construction of a deck and spa adjacent to the dwelling and an addition of 98 square feet.

Project Setting

The subject property is located on the east end of 13'' Avenue on the coastal bluff, adjacent to the public viewpoint at the end of 13'' Avenue. The site is bounded by beach to the south and east (part of Twin Lakes State Beach), and is protected by rip-rap approved under previous coastal permits (88-0926 and 91-0939). The 13'' Avenue neighborhood is comprised of single-family dwellings of varying architectural styles.

A small trash enclosure encroaches over the property line into the 13'' Avenue right-of-way,

which is used primarily by the public using the 13th Avenue overlook due to the lack of proper trash disposal facilities at that location.

Zoning & General Plan Consistency

The subject property contains two zoning designations, with the R-1-6 (Single-family residential, 6,000 square feet minimum) zoned portion of the site above the bluff at the location of the existing residence, and the PR (Parks and Recreation) zoned portion including all land from approximately the top of the bluff to the mean high tide line. The proposed solarium is an addition to an existing residential use, and will not alter the primary use of the site as a single-family residence. Therefore, the project is consistent with the purposes of the R-1-6 and PR zone district. Both zone districts implement the R-UL (Urban Medium Residential) and O-R (Existing Parks and Recreation) General Plan/Local Coastal Program Land Use Designations.

As the location of the solarium will be within the R-1-6 zoned portion of the site, these site standards apply. The house is non-conforming with regards to the northern side yard setback, and the existing garage is non-conforming with regards to the front yard and northern side yard setbacks. However, the proposed solarium addition will comply with all applicable setbacks and minimum separation between structures. After completion, lot coverage will be 8.9% and Floor Area Ratio will be about 10%, well under the maximums for the zone district.

The property is non-conforming with regards to parking, as only one off-street parking space is provided (in a garage) for a two-bedroom house. However, since the proposed solarium is not an intensification of use (i.e., no new bedrooms are being added), an additional parking space is not required.

Local Coastal Program Consistency

The proposed single-family residence is in conformance with the County's certified Local Coastal Program, in that the solarium is sited and designed to be visually compatible, in scale with, and integrated with the character of the existing house, and therefore the surrounding neighborhood. As the addition will be set back 46 feet from the edge of the coastal bluff on the street west side of the property, it will not be visible from the beach except at extremely low tides.

Design Review

The proposed solarium addition does not require Design Review as it is a minor addition of less than 500 square feet. The solarium complies with all applicable provisions of Section 13.20.130, as it is designed to be visually compatible with the existing dwelling, will not be readily visible from the beach, and will not involve extensive site disturbance.

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 **04-0488**, 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 property is zoned R-1-6, PR (Single-family residential, 6,000 square feet minimum, and Parks and Recreation), a designation which allows residential uses like single-family dwellings and associated additions.

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 solarium complements the existing dwelling on site and is therefore compatible with the neighborhood. Though the site is located on a bluff top, it is setback sufficiently to not be readily visible from the public beach.

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

This finding can be made, in that the proposed solarium addition will not alter existing public access adjacent to the site, nor will it block public views from the adjacent vista point.

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

This finding can be made, in that the solarium is sited and designed to be visually compatible, in scale with, and integrated with the character of the house and surrounding neighborhood. It will not be visible from the beach, nor will it block public views from the adjacent 13" Avenue vista point.

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 proposed solarium will be required to comply with all applicable building, electrical, and energy codes prior to building permit issuance.

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 is residential in nature and will meet all applicable site standards of the R-1-6 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 Low Residential and Existing Parks and Recreation (R-UL and 0-R) land use designation in the County General Plan.

The proposed single-family residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, as it will meet all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed single-family residence 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 solarium will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed addition will not result in a significant increase in utility usage, nor will it result in an increase in traffic since no new bedrooms are proposed.

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 will not increase the dwelling unit density nor the land use intensity of the site, as no new bedrooms are 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 project does not require Design Review under Chapter 13.11 as the total addition will be less than 500 square feet.

Conditions of Approval

Exhibit **A** Project plans, three sheets, drawn by Clarke Schultes, dated 9/1/04

- I. This permit authorizes the construction of a 175 square foot addition for use as a solarium. 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. An erosion control plan.
 3. A drainage plan showing the following information:
 - a. All downspouts, splashblocks, or other method of handling roof runoff. Plans must demonstrate the chosen method will not cause adverse impacts to the coastal bluff.
 - b. The limits of all existing and proposed impervious areas at the location of the solarium.
 4. Details showing compliance with fire department requirements.
 - C. Meet all requirements of and pay any Zone 5 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 Central Fire Protection District.
- III. All construction shall be performed according to the approved plans for the Building

Permit. Prior to final building inspection, the applicant'owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the Geologic Hazards Assesment.

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: 04-0488

Assessor Parcel Number: 028-142-13

Project Location: 120 13th Avenue

Project Description: Construction of a minor addition to an 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: 15301(e)

F. Reasons why the project is exempt:

Construction of an addition of less than 50% of 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

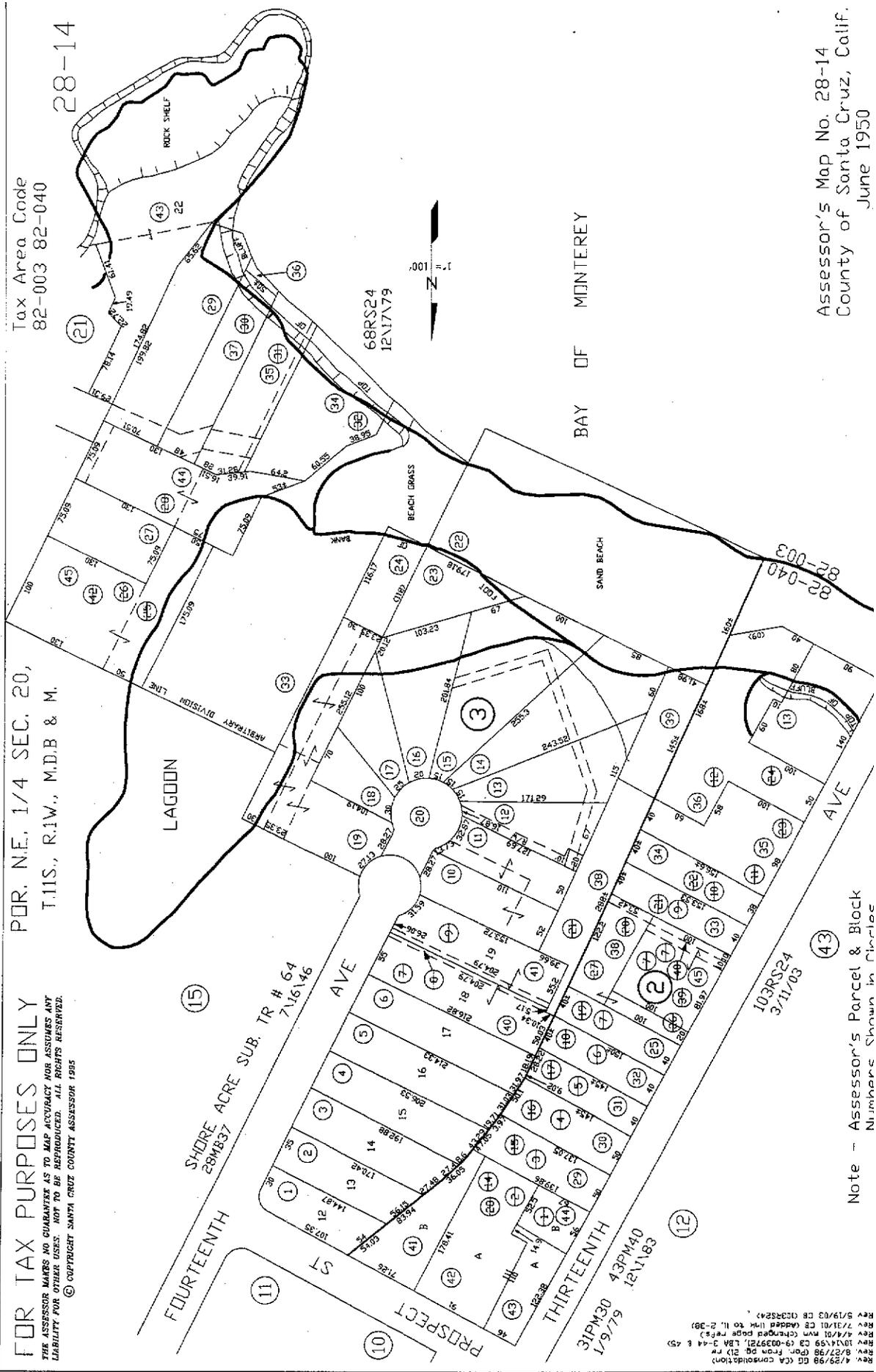
Date: _____

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POR. N.E. 1/4 SEC. 20,
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Tax Area Code
 82-003 82-040

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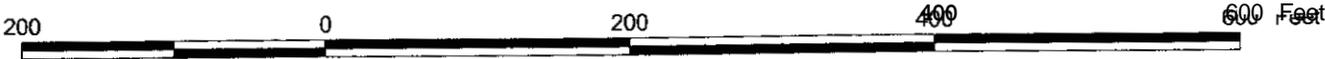
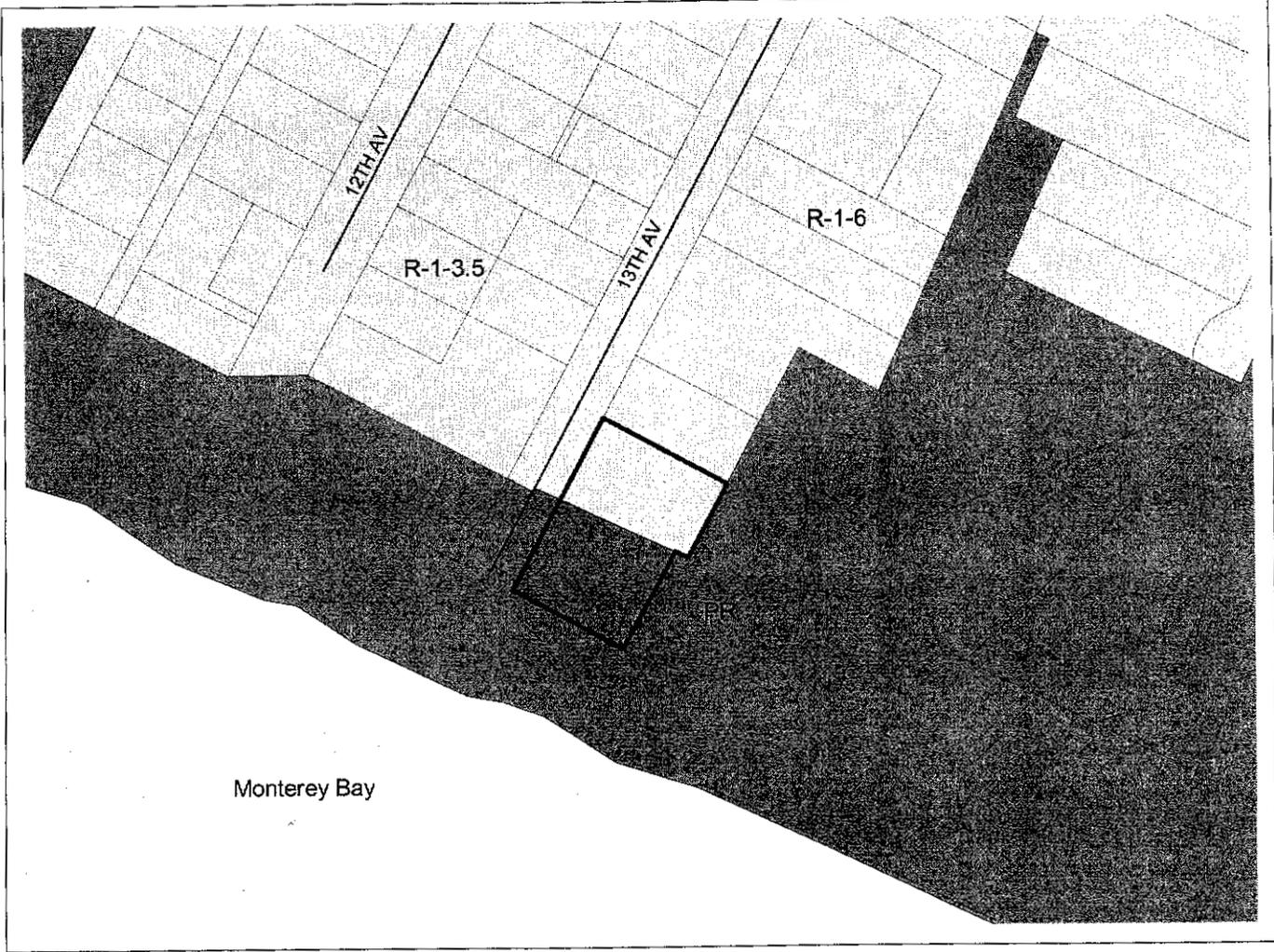
Assessor's Map No. 28-14
 County of Santa Cruz, Calif.
 June 1950

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

Rev. 4/29/99 GC (CA consolidation)
 Rev. 8/27/98 (from PG 21) Rev
 Rev. 10/1/95 (from PG 21) Rev
 Rev. 7/1/91 (from PG 21) Rev
 Rev. 5/19/03 CE (030524)
 Rev. 7/31/01 CE (added link to II, 2-30)
 Rev. 4/14/01 (changed page refs)

EXHIBIT E

Zoning Map



Legend

	APN 028-142-13
	Parcel boundaries
	Streets
	R-1-X
	PR



Map created by Santa Cruz County
Planning Department:
October 2004