

Staff Report to the Zoning Administrator

Zoning Administrator Application Number: 111055

Applicant: Matthew Thompson **Owner:** Carolyn Anne Gray

APN: 028-304-83

Agenda Date: June 17, 2011

Agenda Item #: 4 Time: After 10:00 a.m.

Poject Description: Proposal to construct a two story addition, with approximately 45 square feet at the first floor and 370 square feet at the second floor, to an existing nonconforming, 830 square foot, one story single family dwelling.

Location: Property located on the north side of Rockview Drive (pedestrian walkway) approximately 100 feet west of the end of the cul-de-sac of Rockview Drive (5 Rockview Drive).

Supervisoral District: First District (District Supervisor: John Leopold)

Permits Required: Coastal Developent Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111055, based on the attached findings and conditions.

Exhibits

A. Project plans

B. Findings

C. Conditions

D. Categorical Exemption (CEQA

determination)

E. Assessor's, Location, Zoning and

General Plan Maps

Parcel Information

Parcel Size:

4,927 sq.ft. (gross) 3,050 sq.ft. (net)

Existing Land Use - Parcel:

Single-family dwelling

Existing Land Use - Surrounding:

Single-family residences to the North, East and West, a

public access easement, rock shelf and ocean to the

south.

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

For vehicular traffic access is via South Palisades Project Access:

Avenue. Pedestrians may access the property via

Rockview Drive.

Planning Area:

Live Oak

Land Use Designation:

R-UM (Urban Medium Residential) R-1-5-PP (Residential Agriculture)

Zone District:

Outside

Coastal Zone:

X Inside

Appealable to Calif. Coastal

X Yes No

Comm.

Environmental Information

Coastal bluff on western portion of the parcel: Geologic reports Geologic Hazards:

reviewed by the county Geologist for neighboring properties; no

additional review required for this project.

Soils:

N/A

Fire Hazard:

Not a mapped constraint

Slopes:

N/A

Env. Sen. Habitat:

Not mapped/no physical evidence on site

Grading:

No grading proposed

Tree Removal:

No trees proposed to be removed

Scenic:

Not a mapped resource Existing drainage adequate

Drainage: Archeology:

Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:

X Inside Outside

Water Supply:

Santa Cruz City Water District

Sewage Disposal:

Santa Cruz County Sanitation District

Fire District:

Central Fire Protection District

Drainage District:

Zone 5

History

The existing 830 square foot home on the parcel was constructed in 1929 and other than ordinary maintenance and repair, has not been materially altered since that time. In 1997 Planned Development Permit and Variance 97-1027-PD was approved to allow for the construction of a 264 square foot detached garage with a reduced front yard setback, of 2 feet to Palisades Avenue and a reduced side yard setback of 1 foot 6 inches. Building Permit #62198 was issued in November 1997 for the construction of the garage. In 1987 application 87-0360 was approved for grading to allow for the construction of a concrete seawall along the public access easement.

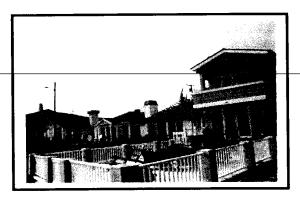
Project Setting

The subject 4,927 square foot parcel is located partly on the coastal bluff and partly on a rock shelf/beach area adjacent to the Pacific Ocean, and has vehicular access via South Palisades Avenue, an alleyway, which lies to the north. Rockview Drive, which bisects the parcel to the

south of the house and a landscaped area, is no longer a public street and the road right of way has been replaced by a public access easement with a four foot wide concrete pedestrian walkway that runs parallel to and on the top of a concrete seawall. South of this wall is a rock shelf and beach area, therefore the only developable portion of the parcel lies outside the easement and north of the public walkway. The existing one story single-family dwelling is located on the northern portion of the parcel within this gently sloped 3,050 square foot area, with lawns that run down from the house to the public path.



View looking west along the public walkway and seawall to 5 Rockview Drive



Existing homes on Rockview Drive. 5 Rockview Drive is second from the right.

The property is located in a neighborhood characterized by newer or remodeled one and two story homes interspersed with older single story beach cottages, similar to the one story home on the subject parcel. Along this portion of Rockview Drive most of the homes are currently single story cottages. However, a new second story addition, has recently been constructed at 7 Rockview Drive, immediately to the east of the subject property, and permits have been issued for the replacement of the existing one story house with a two story single-family dwelling at 3 Rockview Drive, immediately to the west of the subject property.

Project scope

The proposed project is for the construction of additions to the existing 830 square foot, nonconforming one story, single-family dwelling. Proposed additions include 45 square feet at the first floor and a 371 square foot addition at the second floor. In addition, a 9 square foot area at the first floor is to be demolished and the area remodeled for a new entry, to result in a two story dwelling of 1,237 square feet. The proposed additions meet all the applicable site standards for the zone district and the nonconforming walls that are within the required 5 foot side yard setbacks will not require more than fifty percent structural alteration and therefore can remain in their existing locations. No changes are proposed to the existing detached garage.

Coastal bluff/Geologic Hazards

Geologic review of the rock shelf and seawall to the south of the subject dwelling has not been required for this project due the limited scope of the proposed work. The proposed additions tot hedwelling comply with the required setbackfrom the coastal bluff, which has been armored with a seawall. The decision to forego the requirement for a geologic report was based upon the

review of findings contained in technical studies submitted to the County of Santa Cruz with regard to the construction of additions at the dwelling immediately to the east and for the proposed new dwelling immediately to the west of the subject parcel.

Zoning & General Plan Consistency

The subject property is located in the R-1-5-PP (Single-Family Residential, Pleasure Point Combining District) zone district, a designation which allows residential uses. The proposed single-family residence is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan designation. Further, the addition meets all site and structural standards of the Pleasure Point Community Design Combining District.

Local Coastal Program Consistency

The proposed additions to the single-family residence are in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain one and two story single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles. The project site is located between the shoreline and the first public road. However, the proposed additions to the existing one story dwelling will not impact the public pedestrian easement that traverses the parcel and therefore the project will not interfere with public access to the beach, ocean, or other nearby body of water. The property is not identified as a priority acquisition site in the County's Local Coastal Program.

Design Review

The proposed project complies with the requirements of the County Design Review Ordinance, in that only minor additions are to be constructed and the resulting two story dwelling will be located between an existing two story house and an approved two story house for which Building Permits have already been issued. The proposed additions will result in a dwelling that is in character with the approved dwellings on either side, although it will be smaller than both, and so will not have a significant visual impact on surrounding land uses or the natural landscape.

Environmental Review

The proposed remodel and deck addition at the existing dwelling has been determined to be categorically exempt from review under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines Section 15301, Existing Facilities.

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

• Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

 APPROVAL of Application Number 111055, based on the attached findings and conditions.

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

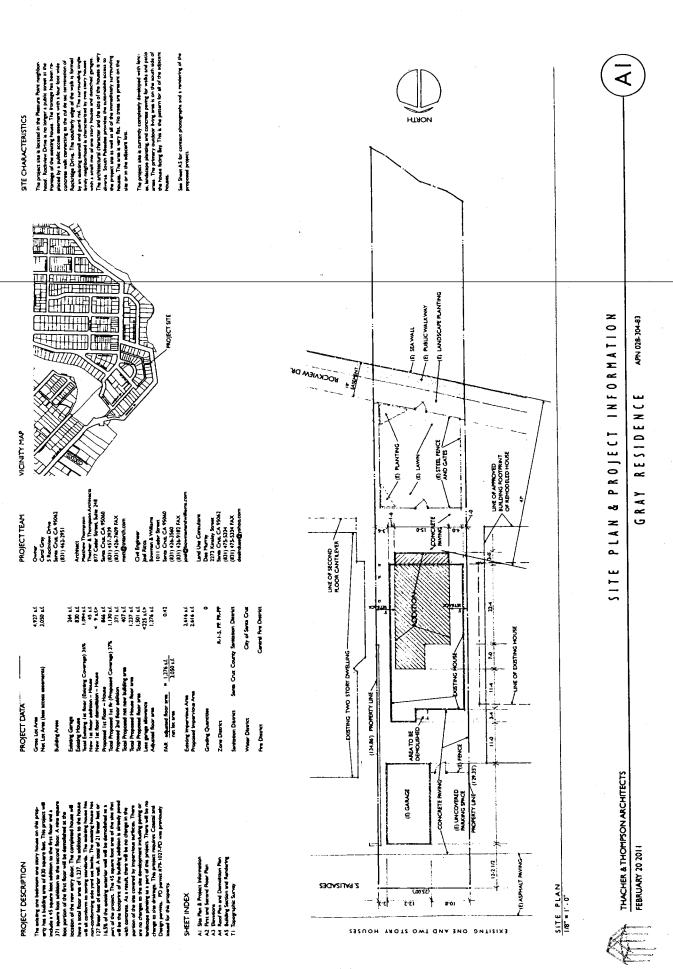
Report Prepared By: Lezanne Jeffs

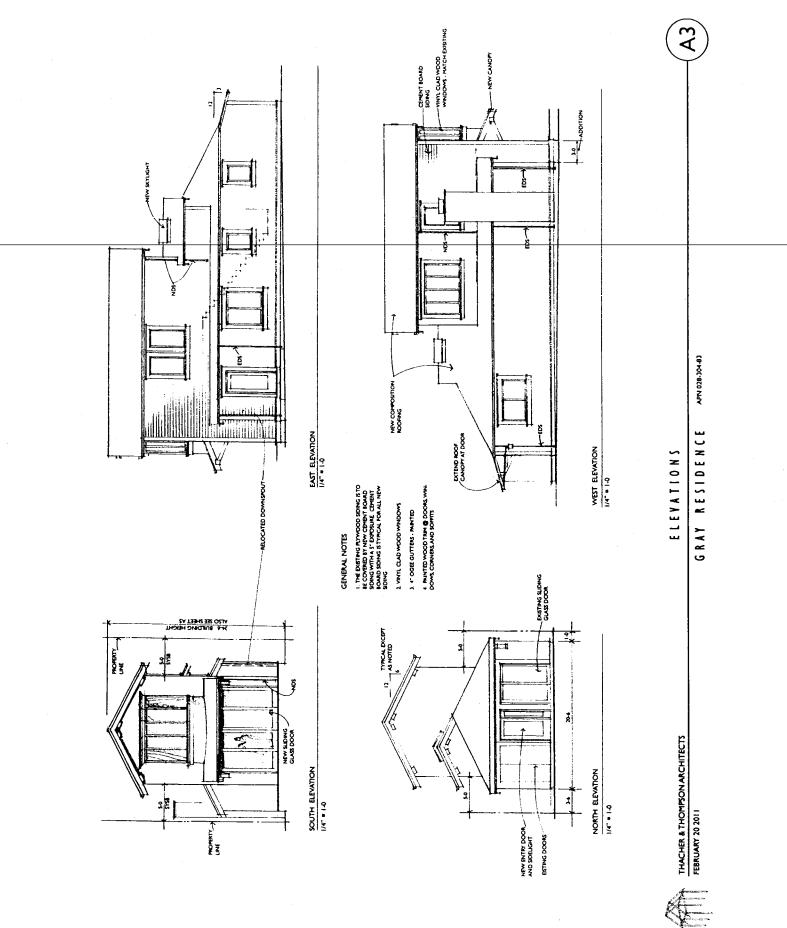
Santa Cruz County Planning Department

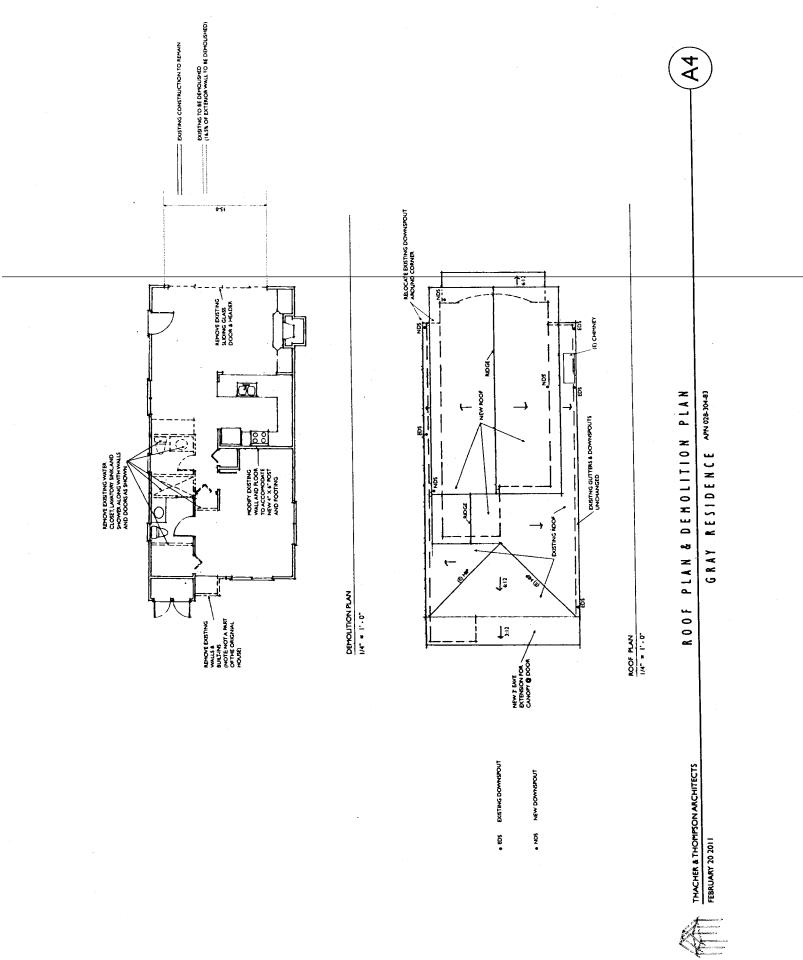
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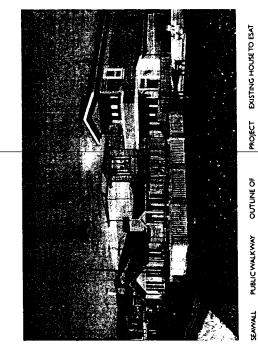






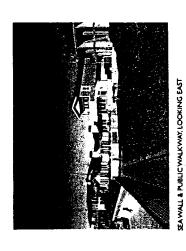


PROJECT SITE BETWEEN NEIGHBORING HOUSES, LOOKING NORTH EAST



OUTLINE OF APPROVED HOUSE





SOUTH PALISADES LOOKING EAST

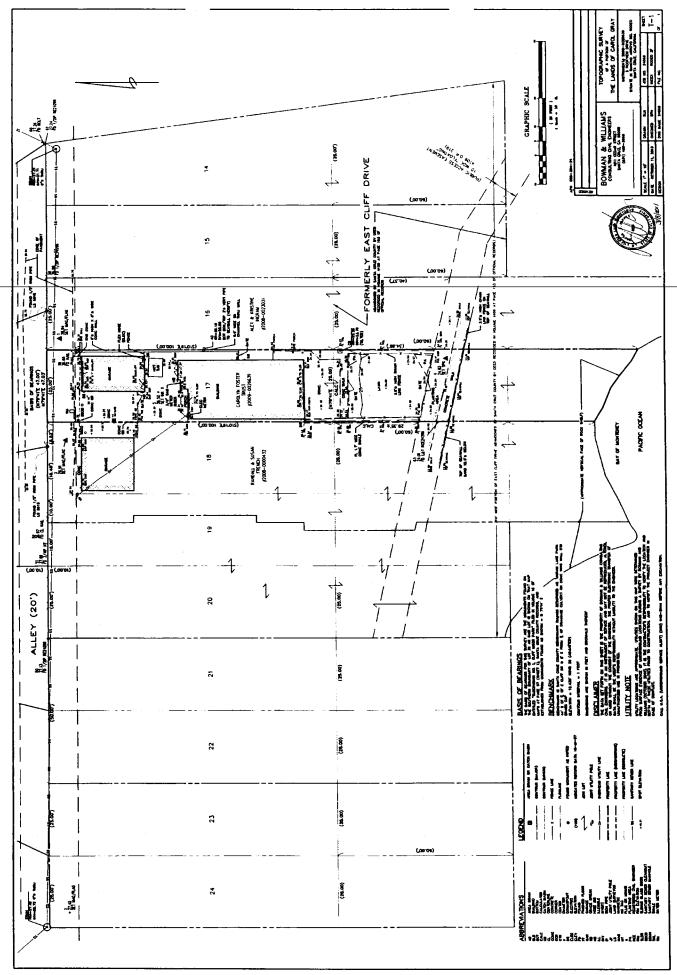
THACHER & THOMPSON ARCHITECTS FEBRUARY 20 2011

RENDERING SECTION AND BUILDING

GRAY RESIDENCE APN 028-104-83

BUILDING SECTION





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-1-5-PP (Single-Family Residential, Pleasure Point Combining District), a designation which allows residential uses. The proposed two story single family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) Urban Medium 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 proposed additions to the existing one story dwelling do not conflict with the existing public pedestrian easement that traverses the parcel, and will not affect public access to the shoreline or to neighboring properties. The proposed project will not conflict with utility, or open space easements as 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 development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site. Although the development site is located on a prominent beach/ bluff top, the proposed additions will result in a two story dwelling that is similar in style, but smaller in scale than the existing and approved adjacent dwellings, and so will not have a significant visual impact on views from the 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, although the project site is located between the shoreline and the first public road, the project will not alter or conflict with the existing public pedestrian easement that crosses the property. Consequently, the proposed two story 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 structure is sited and designed to be visually compatible, in

Application #: 111055 APN: 028-304-83

Owner: Carolyn Anne Gray

scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-5-PP (Single-Family Residential, Pleasure Point Combining District) 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 consistent with the existing range of styles.

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residential facility will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the proposed additions meet all current setbacks that limit these types of impacts.

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 residential structure 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-1-5-PP (Single-Family Residential, Pleasure Point Combining District) zone district. The primary use of the property will be one existing nonconforming single-family dwelling with additions that meet all current site standards for the zone district. Existing nonconforming walls that lie within the required side yard setbacks will not require more than 50% structural alteration and may therefore remain in their current location.

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 Residential (R-UM) land use designation in the County General Plan.

The proposed first and second story additions to the existing nonconforming one story dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and will meet all current site and development standards for the zone district, including height and setbacks, as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed first and second story additions will be properly proportioned to the parcel size and 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 first and second story additions will comply with the site standards for the R-1-5-PP 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 small additions that are to be constructed to the existing one story single-family dwelling are not anticipated to increase traffic from the present level of use. The project will therefore not impact existing roads or 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 two story structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed first and second story additions to the existing nonconforming one story dwelling are 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 proposed first and second story additions to the existing nonconforming one story dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Architectural plans (5 sheets) prepared by Thacher and Thompson Architects, dated February 20, 2011.

- I. This permit authorizes the construction of first and second story additions to the existing nonconforming one story dwelling. 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.
 - 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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. One elevation shall indicate materials and colors, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 - 2. Provide a detailed "Wall Alteration Plan" to show all proposed changes to the existing exterior walls and to confirm that existing nonconforming walls that are within the required 5 foot side yard setbacks, will not require alterations to greater than 50% of their total combined length.
 - 3. Final plans submitted with the building permit application shall include an erosion control plan.

- B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal.
- 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 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, it 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 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. <u>Successors Bound</u>. "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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

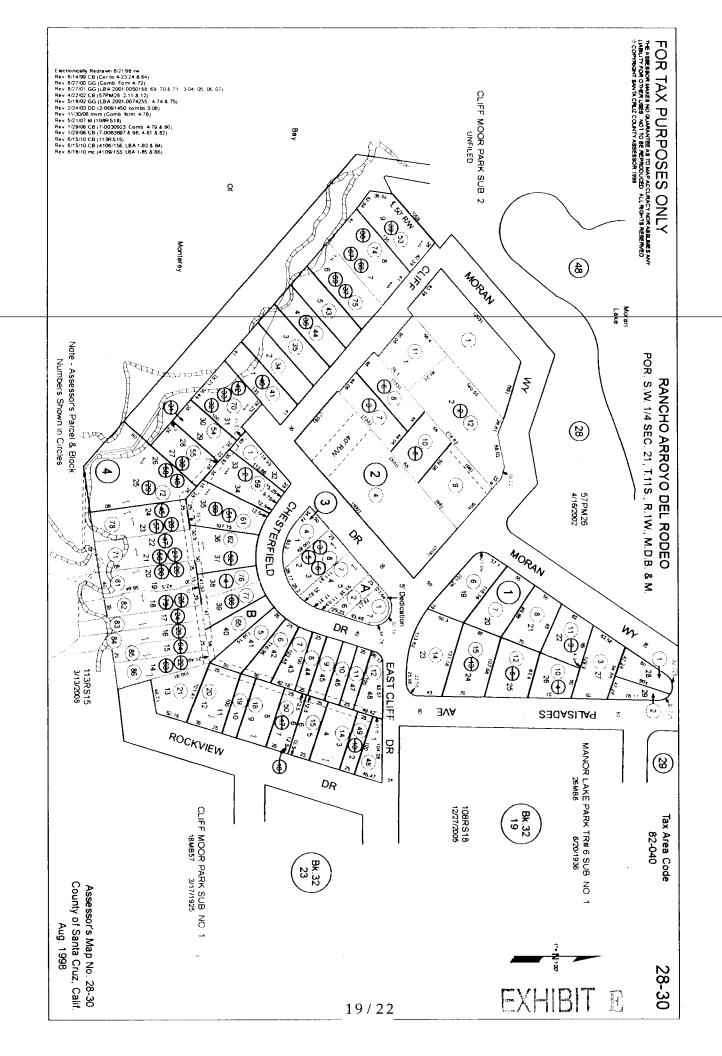
Approval Date:		
Effective Date:		
Expiration Date:		
Steven Guiney, AICP	Lezanne Jeffs	Project
Deputy Zoning Administrator	Planner	Troject

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

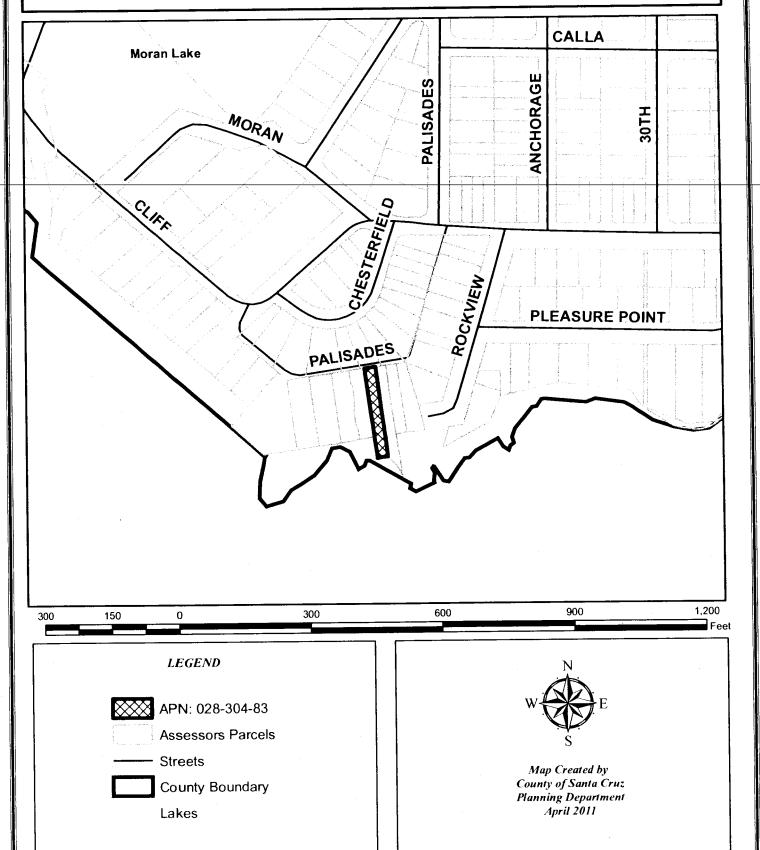
The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

	umber: 111055	
Assessor Parcel Number: 028-304-83		
Project Locati	on: 5 Rockview Drive, Santa Cruz, CA 95062	
Project Descr	iption: Proposal to construct a two story addition to an existing single family	
	dwelling (approximately 45 square feet on 1st floor and 370 square feet on 2nd floor).	
Person or Ag	ency Proposing Project: Matthew Thompson	
Contact Phor	ne Number: (831) 457 3939	
A B	The proposed activity is not a project under CEQA Guidelines Section 15378. 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. <u>X</u>	Categorical Exemption	
Specify type: Class 1 - Existing Facilities (Section 15301)		
F. Reaso	ns why the project is exempt:	
Minor addition	n to an existing single-family residence.	
In addition, no	one of the conditions described in Section 15300.2 apply to this project.	
	Date	
Lezanne Jeffs	Date:	





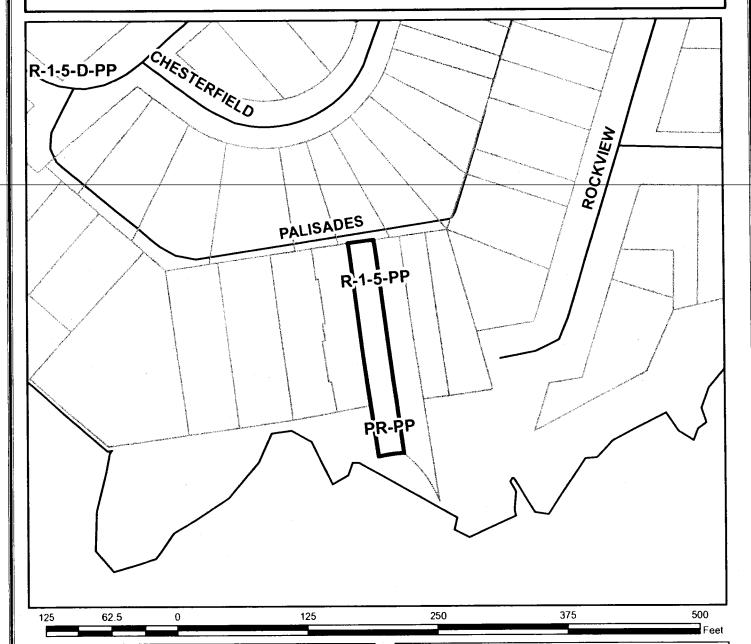
Location Map



20/22



Zoning Map



LEGEND

APN: 028-304-83

Assessors Parcels

Streets

County Boundary

RESIDENTIAL-SINGLE FAMILY

PARK



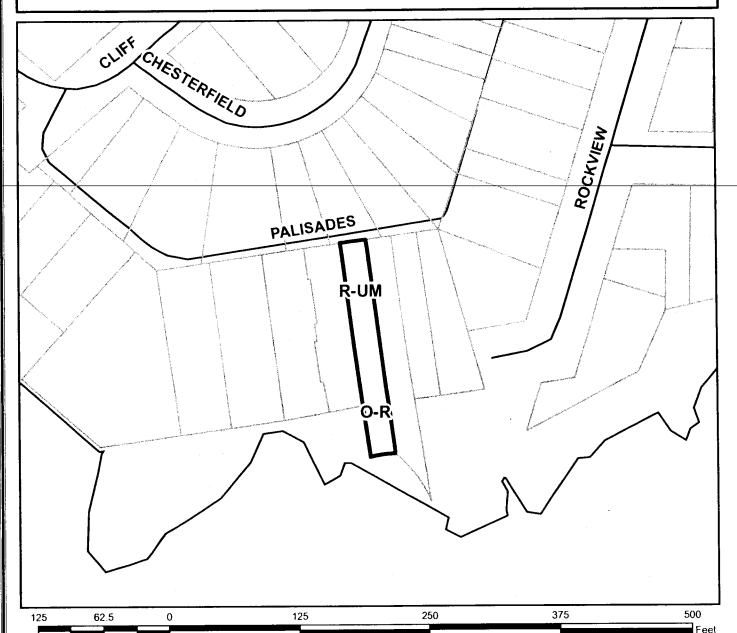
Map Created by County of Santa Cruz Planning Department April 2011

21/22

EXHIBIT E



General Plan Designation Map



LEGEND

APN: 028-304-83

Assessors Parcels

Streets

County Boundary

Residential - Urban Medium Density
Parks and Recreation



Map Created by County of Santa Cruz Planning Department April 2011

22/22

EXHIRIT E