



Staff Report to the Zoning Administrator

Application Number: 181516

Applicant: Derek Van Alstine
Owner: Mark and Tracy Burriss
APN: 045-402-01

Agenda Date: February 7, 2020
Agenda Item #: 3
Time: After 9:00 a.m.

Site Address: 15 Marea Avenue, LaSelva Beach

Project Description: Proposal to amend application 76-1871-V by constructing an approximately 1,300 square foot addition to the first and second story of an existing single family dwelling. Requires a Variance and Coastal Development Permit.

Location: Project located on the southwest corner of the intersections of Marea Avenue and Anita Avenue (15 Marea Avenue)

Permits Required: Amendment to Coastal Development Permit and Variance

Supervisory District: Second District (District Supervisor: Zach Friend)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181516, based on the attached findings and conditions.

Project Description & Setting

The subject property is located in a coastal community of LaSelva Beach, an area consisting of one and two story residential development and a variety of architectural styles. The project area can be characterized as rural in nature yet developed at an urban density. Properties in the vicinity are served by individual septic systems. The project area contains mature vegetation, expansive coastal views, sloped terrain, and meandering streets. The property is developed with an existing two story single family dwelling with attached carport. The home was originally constructed in 1977 with a five foot reduction to the required 10 foot street side yard setback.

This is a proposal to construct an approximately 1,300 square foot first and second story addition to the existing dwelling. The project requires a coastal development permit due to the project location: in an area shown on maps as within the Coastal Appeals Jurisdiction and a variance for modifications to portions of the existing dwelling located within the side yard setback.

Variance

Variance application 76-1872-V was approved in 1977 to allow for a reduction to the required 10 foot street side yard to five feet from the street side property line with Marea Avenue. The project proposes slight modifications to portions of the dwelling that are located within the side yard setback including new portions of the second story wall and roof. Additionally, the project intends to install new exterior color and materials which substantially modify a prior approval. The project requires an amendment to Variance application 76-1872-V.

Zoning & General Plan Consistency

The subject property is a 5,400 square foot lot, located in the R-1-6 (Single Family Residential - 6,000 square foot minimum parcel) zone district, a designation which allows residential uses. The proposed development is a principal permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Residential Density) General Plan designation.

Local Coastal Program Consistency

The proposed single family dwelling is 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 single family dwellings. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Conclusion

As proposed and conditioned, the project is 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **181516**, 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.sccoplanning.com

Report Prepared By: Nathan MacBeth
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3118
E-mail: nathan.macbeth.@santacruzcounty.us

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information

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: 181516

Assessor Parcel Number: 045-402-01

Project Location: 15 Marea Avenue

Project Description: Proposal to construct an approximately 1300 square foot addition to an existing single family dwelling.

Person or Agency Proposing Project: Derek Van Alstine

Contact Phone Number: (831) 426-8400

- 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).
E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Modifications to an existing single family dwelling in an area designated for residential uses.

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

Nathan MacBeth, Project Planner

Date: _____

EXHIBIT A

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the location of the existing home was approved with a variance to reduce the required 10 foot side yard setback to five feet. The project proposes an addition to the existing home which results in a small increase in height to the portion of the home located within the reduced setback. The project does not result in further reduction to the previously approved side yard reduction.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the existing home is located within the required 10 foot street side yard setback. The proposed development will comply with all current site standards including the previously approved street side yard reduction.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the existing home has been granted a variance to reduce the required 10 foot street side yard setback to five feet in the past. The proposed project intends to construct a 1,300 square foot addition and update the façade of the existing home. As a result of the existing home having been originally sited with reduced setbacks, modifications to the existing home result in the need to amend the previously approved variance. Homes in the vicinity which have not been granted such an approval for reduced yards are able to be modified without variance approval.

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-6 (Single Family Residential - 6,000 square foot minimum parcel), a designation which allows residential uses. The proposed single family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UL (Urban Low Residential Density) 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 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 SCCC 13.20.130 and 13.20.140 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 complementary to the coastal setting; and the development site is not on a prominent ridge, beach, or bluff top. Though the project site is partially mapped as a scenic resource, the project is not visible from a beach or prominent scenic vista.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available at Manresa State Beach which is approximately 500 feet to the west.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Residential uses are allowed uses in the R-1-6 (Single Family Residential - 6,000 square foot minimum parcel) zone district, 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 in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is located between the shoreline and the first

Application #: 181516
APN: 045-402-01
Owner: Mark and Tracy Burriss

public road however, the proposed development will not interfere with public access to the beach, ocean, or any nearby body of water. The project site is not identified as a priority acquisition site in the County Local Coastal Program.

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. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure the optimum in safety and the conservation of energy and resources.

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 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 R-1-6 (Single Family Residential - 6,000 square foot minimum parcel) zone district as the primary use of the property will be one single family dwelling that meets all current site standards for the zone district with the exception of the proposed variance for which findings can be made.

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 R-UL (Urban Low Residential Density) land use designation in the County General Plan.

The proposed use will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and with the exception of the proposed variance, the project meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the Single family dwelling will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single family dwelling 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 single family dwelling, with the exception of the side yard setback, 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 remodel and addition to an existing single family dwelling will not adversely impact existing roads or intersections in the surrounding area in that no additional trips are anticipated. The project site is already served by utilities.

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

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

Conditions of Approval

Exhibit D: Project plans, prepared by Derek Van Alstine, dated 2/4/19.

- I. This permit authorizes the construction of an approximately 1,300 square foot addition and remodel of an existing single family dwelling as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.

3. Grading, drainage, and erosion control plans.
 4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet
 5. Details showing compliance with fire department requirements.
 6. Submit a Final Landscape Plan which includes the retention of the tree located within the right of way at the corner of Marea Ave and Anita Ave. Portions of the right of way adjoining the subject property, including the bank, shall be included in the final landscape plan.
-
- B. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - C. Meet all requirements of the Soquel Creek Water District. Proof of water service availability is required prior to application for a Building Permit.
 - D. Meet all requirements of the County Department of Environmental Health Services for this project.
 - E. Meet all requirements of the Environmental Planning section of the Planning Department.
 - F. Meet all requirements and pay any applicable plan check fee of the Aptos/LaSelva Fire Protection District.
 - G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - H. Pay the current fees for Parks and Child Care mitigation for 1 additional bedroom. Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
 - I. Pay the current fees for Roadside and Transportation improvements for one additional bedroom. Please contact the Department of Public Works for a current list of fees.
 - J. Pay the current Affordable Housing Impact Fee. Please contact the Housing Division of the Planning Department for a current list of applicable fees.

- K. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - L. 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. The project must comply with all recommendations of the approved soils reports.
 - D. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.
- IV. Operational Conditions
- A. The tree located within the right of way, at the corner of Marea Ave and Anita Ave shall be retained and maintained. Landscaping shall be maintained in a manner which does not result in adverse impacts to sight distance.
 - B. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development

Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires 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: _____

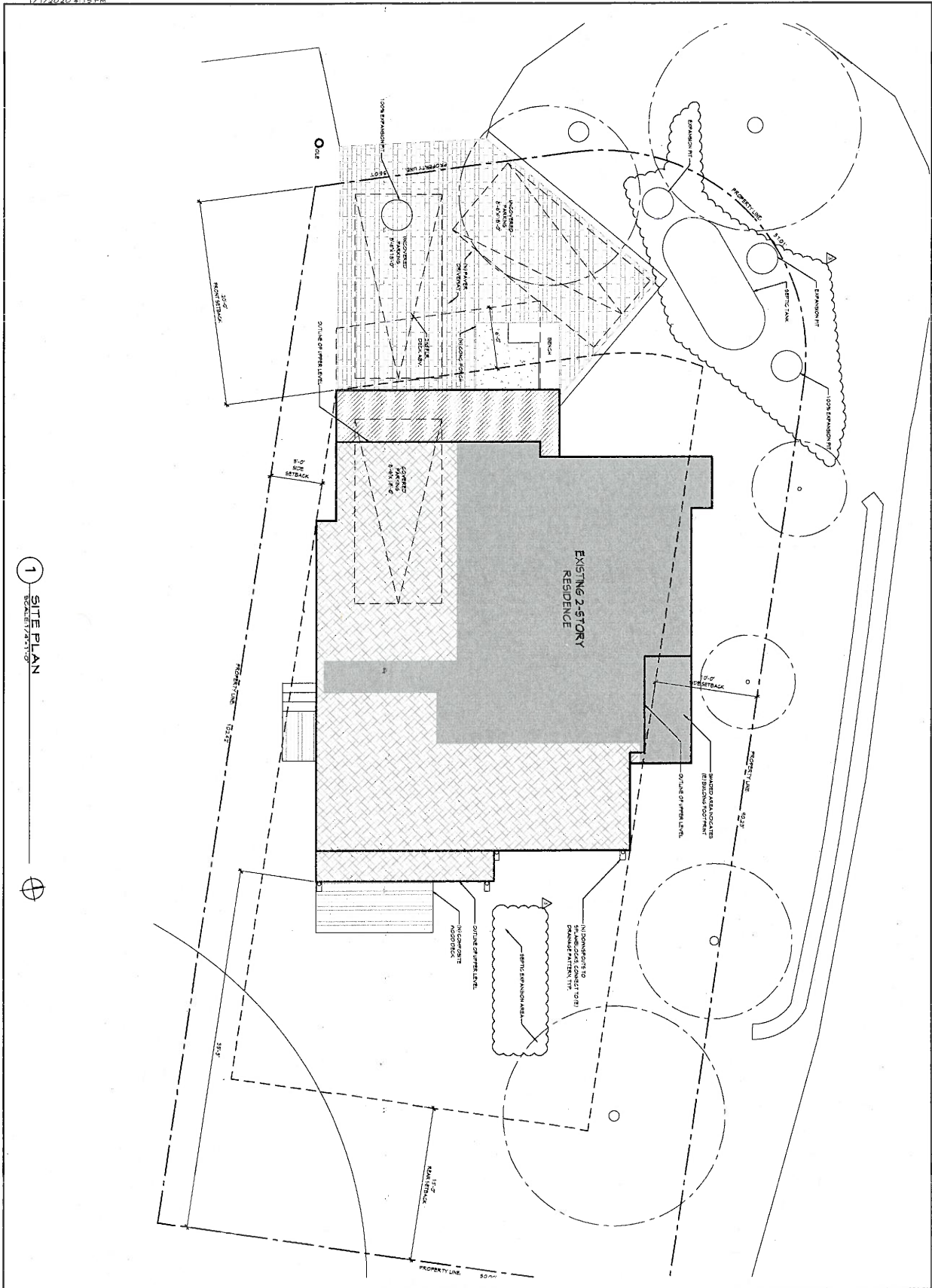
Expiration Date: _____

Application #: 181516
APN: 045-402-01
Owner: Mark and Tracy Burriss

Jocelyn Drake
Deputy Zoning Administrator

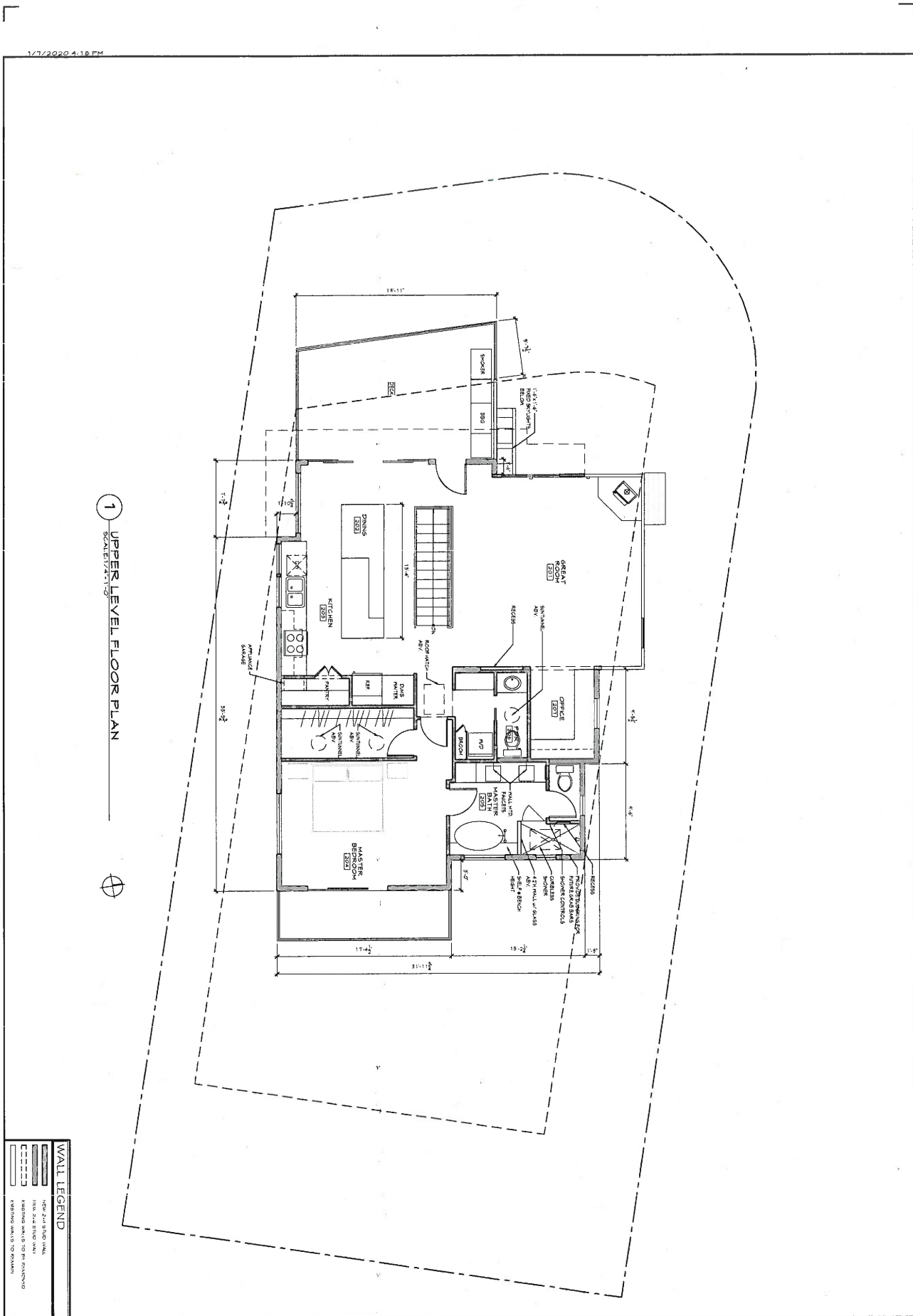
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.





1 SITE PLAN
SCALE: 1/8" = 1'-0"

| | | | | |
|----|-----------|--|--|--|
| A1 | SITE PLAN | BURRIS RESIDENCE 15 MAREA AVENUE LA SELVA BEACH, CA 95076 | | DVRD DEREK VAN ALSTINE RESIDENTIAL DESIGN, INC. 1515 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA (511) 426-8400 PHONE (511) 426-5446 FAX |
| | | PROJECT NO. 2019-001 DATE: 1/7/2020 | | |
| | | DRAWN BY: DVA CHECKED BY: DVA | | |
| | | SCALE: 1/8" = 1'-0" SHEET NO. 1 OF 1 | | |



1 UPPER LEVEL FLOOR PLAN
SCALE: 1/4" = 1'-0"

[illegible]

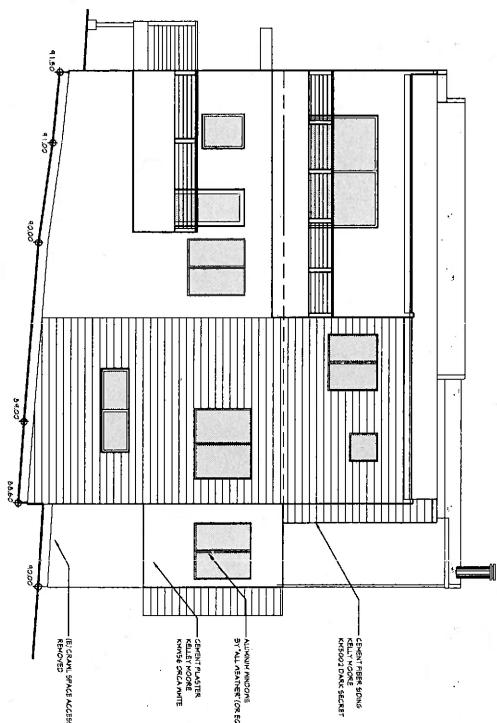
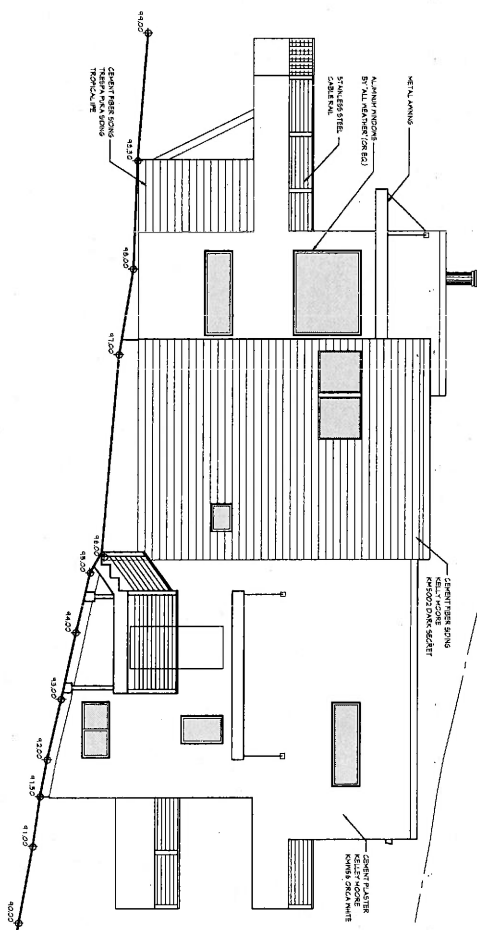
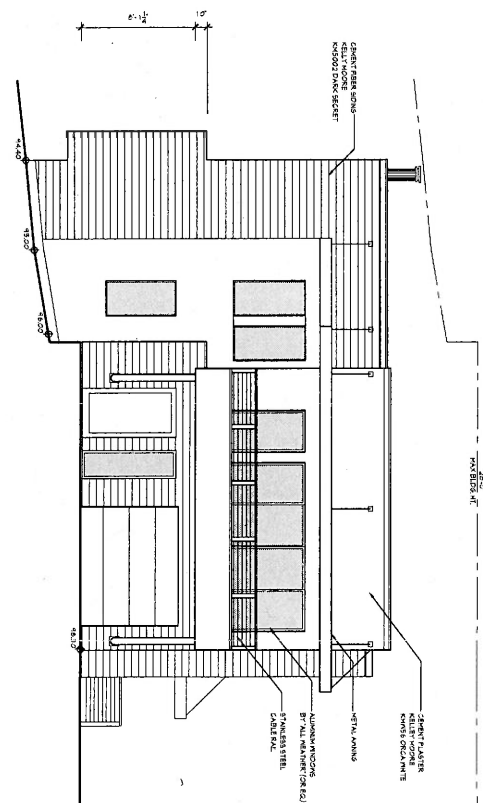
1 ROOF PLAN
SCALE 1/4" = 1'-0"



WALL LEGEND.

| | |
|---|------------------------------|
|  | NEW 2x4 STUD WALL |
|  | NEW 2x6 STUD WALL |
|  | EXISTING WALLS TO BE REMOVED |
|  | EXISTING WALLS TO REMAIN |

[illegible]



DEREK VAN ALSTINE
RESIDENTIAL DESIGN INC.

1335 SEABRIGHT AVENUE SUITE 200, SANTA CRUZ, CALIFORNIA
(811) 426-8600 PHONE (811) 426-8466 FAX

BURRIS RESIDENCE
15 MAREA AVENUE
LA SELVA BEACH, CA 95076

FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

POR. SAN ANDREAS RANCHO
N.E. 1/4 SEC. 33, T.11S., R.1E., MD.B. & M.

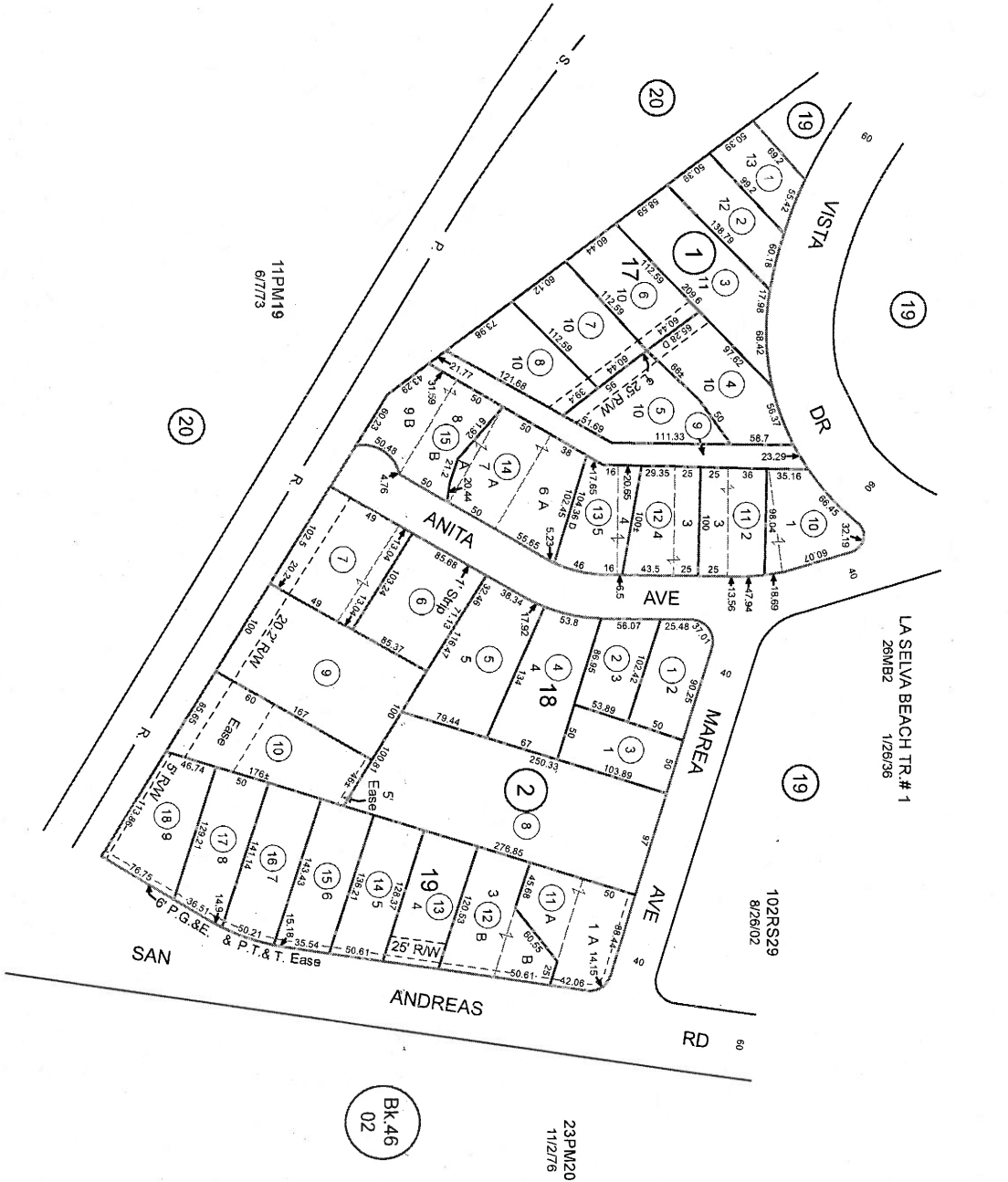
Tax Area Code
69-375

45-40

Electronically redrawn 1/10/00 KSA
Rev. 1/10/00 KSA (Por. from Pg. 19)
Rev. 5/29/02 mvm (101RS35)
Rev. 12/27/02 DD (corr pg. 102PM29)
Rev. 2/25/03 mvm (102RS29)
Rev. 3/21/07 mvm (Cor. dim., 2-10)

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

Assessor's Map No. 45-40
County of Santa Cruz, Calif.
Jan. 2000





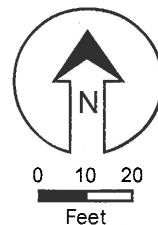
Parcel Location Map



Parcel: 04540201

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 30 Dec. 2019



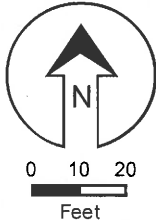


Parcel General Plan Map

045-402-01
(R-UL)

R-UL

 R-UL Res. Urban Low Density





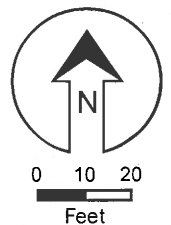
Parcel Zoning Map

R-1-6

045-402-01
(R-1-6)

RM-3

- ☐ R-1 *Single-Family Residential*
- ☐ RM *Residential Multi-Family*



Application #: 181516
APN: 045-402-01
Owner: Mark and Tracy Burriss

Parcel Information

Services Information

| | |
|----------------------------|--|
| Urban/Rural Services Line: | <u>X</u> Inside <u> </u> Outside |
| Water Supply: | Soquel Creek Water District |
| Sewage Disposal: | Septic Maintained |
| Fire District: | Aptos LaSelva Fire Protection District |
| Drainage District: | Outside Flood Control District |

Parcel Information

| | |
|------------------------------------|--|
| Parcel Size: | 5,445 square feet |
| Existing Land Use - Parcel: | Residential |
| Existing Land Use - Surrounding: | Residential |
| Project Access: | Anita Avenue |
| Planning Area: | LaSelva |
| Land Use Designation: | R-UL (Urban Low Residential Density) |
| Zone District: | R-1-6 (Single Family Residential (6,000 square foot minimum parcel)) |
| Coastal Zone: | <u>X</u> Inside <u> </u> Outside |
| Appealable to Calif. Coastal Comm. | <u>X</u> Yes <u> </u> No |

Environmental Information

| | |
|--------------------|--|
| Geologic Hazards: | Not mapped/no physical evidence on site |
| Fire Hazard: | Not a mapped constraint |
| Slopes: | Sloping site |
| Env. Sen. Habitat: | Mapped biotic/no physical evidence on site |
| Grading: | No grading proposed |
| Tree Removal: | No trees proposed to be removed |
| Scenic: | Not a mapped resource |
| Archeology: | Not mapped |