

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0419

**APN:** 038-165-08

**APPLICANT:** Samuel Benavides

**OWNER** Michele Kraft

**PROJECT DESCRIPTION:** Proposal to remodel the interior and conduct minor exterior alterations to an existing single-family dwelling. No increase in the number of bedrooms nor square footage proposed. Requires a Coastal Development Permit to construct improvements to a residence within 50 feet of a coastal bluff.

**LOCATION:** Property located on the south side of Seacliff Drive at the southwest side of the intersection of Seacliff Drive and Cross Way (707 Seacliff Drive).

**PERMITS REQUIRED:** Coastal Development Permit

**ENVIRONMENTAL DETERMINATION** Categorically Exempt - Class 1

**COASTAL ZONE:**  Yes  No      **APPEALABLE TO CCC:**  Yes  No

### PARCEL INFORMATION

**PARCEL SIZE:**

About 5,924 square feet

**EXISTING LAND USES**

**PARCEL:**

One story single-family dwelling.

**SURROUNDING**

One and two story single-family dwellings, coastal bluff to south.

**PROJECT ACCESS:**

Seacliff Drive, A County maintained road.

**PLANNING AREA:**

Aptos

**LAND USE DESIGNATION**

R-UM (~~Urban~~ Medium Residential)

**ZONING DISTRICT:**

R-1-4 (Single-family residential, 4,000 square foot minimum)

**SUPERVISORIAL DISTRICT:**

District 2

### ENVIRONMENTAL INFORMATION

a. Geologic Hazards

a. Coastal bluff about 35 feet to the rear of existing dwelling.

b. Soils

b. Dandle **Loam** (soils index number 125)

c. Fire Hazard

C Not a mapped constraint

d. Slopes

d. Flat at project site.

e. Env. Sen. Habitat

e. Potential Monarch **Butterfly** habitat

f. Grading

f. No grading proposed

g. Tree Removal

g. No trees proposed to be removed

h. Scenic

Located on a bluff top

- |                       |                                            |
|-----------------------|--------------------------------------------|
| i. Drainage           | i. Existing drainage adequate              |
| j. Traffic            | j. No increase in traffic                  |
| k. Roads              | k. Existing roads adequate                 |
| l. Parks              | l. Existing park facilities adequate       |
| m. Sewer Availability | m. Service available                       |
| n. Water Availability | n. Service available                       |
| o. Archeology         | o. Not mapped/no physical evidence on site |

**SERVICES INFORMATION**

Inside Urban/Rural Services Line:  Yes  No

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 Flood Control/ Water Conservation District

**ANALYSIS AND DISCUSSION**

The proposed project encompasses the interior and exterior remodel of an existing single-family dwelling, with no change to the building footprint. The project requires a Coastal Development Permit due to the location of the dwelling within 50 feet **of** a coastal bluff.

The remodel will result in a decrease in the number **of** bedrooms from three to two, as one bedroom will be converted to a one-car garage. No new square footage is proposed, and the dwelling will not encroach further toward the edge of the coastal bluff and therefore will not require a slope stability analysis under the Geologic Hazards Ordinance.

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.

**RECOMMENDATION**

Staff recommends:

1. **APPROVAL** of Application Number **03-0419**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

**EXHIBITS**

- A. Project plans
- B. Findings

- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoning map
- G. Comments & Correspondence

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.

Report Prepared By: David Keyon  
Santa Cruz County **Planning** Department  
701 Ocean Street, ~~4th~~ Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3561 (or, david.keyon@co.santa-cruz.ca.us )

## **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.

The property is zoned R-1-4 (Single-family residential, 4,000 square foot minimum), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, 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.

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.

The proposed remodel is consistent with the design and use standards pursuant to Section 13.20.130 in that the remodel will not significantly alter the exterior appearance of the existing structure, which is architecturally compatible with the existing neighborhood.

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.

The project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE CERTIFIED LOCAL COASTAL PROGRAM.

The proposed remodel is in conformity with the County's certified Local Coastal Program in that the remodel will not significantly alter the exterior appearance of the existing structure, which is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4 (Single-family residential, 4,000 square foot minimum) 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 Spanish/Mediterranean style of the dwelling is consistent with the existing range.

## **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.

The location of the proposed remodel to an existing single-family dwelling 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 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 Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed remodel will not deprive adjacent properties or the neighborhood of light, air, or open space, in that no new square footage will be added.

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.

The project site is located in the R-1-4 (Single-family residential, 4,000 square foot minimum) zone district. The proposed location of the single-family dwelling 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-1-4 zone district in that the primary use of the property will remain one single-family dwelling that meets all current site standards for the zone district with the exception of lot coverage. As no change in the building's footprint is proposed, the structure will remain non-conforming with regards to lot coverage after the remodel.

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.

The project is located in the Urban Medium Residential (R-UM) land use designation. The proposed residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Urban Medium Residential).

**The** proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties as no new square footage will be added as a result of the remodel. The dwelling meets all current site and development standards

for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), with the exception of lot coverage. Lot coverage will be permitted to remain above 30% as no change is proposed to the building's footprint.

The proposed remodel of a single-family dwelling 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 no increase in square footage is proposed and the architectural style will remain Spanish/Mediterranean, consistent with the architectural mix of the neighborhood.

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

4. THAT THE PROPOSED USE WILL NOT OVERLOAD UTILITIES AND WILL NOT GENERATE MORE THAN THE ACCEPTABLE LEVEL OF TRAFFIC ON THE STREETS IN THE VICINITY.

The proposed remodel will not overload utilities and will not generate any additional traffic since no new square footage or bedrooms are proposed. Subsequent to the remodel, the number of bedrooms will decrease from three to two, resulting in a decrease in the intensity of the existing residential use on site.

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.

The proposed remodel will not significantly alter the Spanish/Mediterranean style of the existing single-family dwelling, and will therefore continue to complement and harmonize with the physical design and land use intensity 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.

The proposed remodel will be consistent with the design standards and guidelines outlined in Sections 13.11.070 through 13.11.076 in that the exterior appearance of the dwelling will remain essentially the same, and the bulk, mass, and scale of the dwelling will remain the same.

## CONDITIONS OF APPROVAL

Exhibit A: Project plans, 7 sheets, drawn by Samuel Benavides, dated 3/30/04

- I. This permit authorizes the interior and exterior remodel of an existing one story single-family dwelling and the conversion of a bedroom to a one-car garage. 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. Details showing compliance with fire department requirements.
  - C. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - D. Continue to provide required off-street parking for **three 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.
  - E. Remove all structures on State Park property, and move the hot-tub to a conforming location outside of the rear-yard setback. Building permit plans should reflect these changes.
- 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.

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**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: \_\_\_\_\_

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Don Bussey  
Deputy Zoning Administrator

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David Keyon  
Project Planner

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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: 03-0419  
Assessor Parcel Number: 038-165-08  
Project Location: 707 Seacliff Drive

**Project Description: Interior and exterior remodel of existing single-family dwelling**

**Person or Agency Proposing Project: Samuel Benavides**

**Contact Phone Number: (831) 655-1763**

- 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: 01: Existing Structures Exemption

F. **Reasons why the project is exempt:**

Structure is existing, no new square footage proposed

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

\_\_\_\_\_  
David Keyon, Project Planner

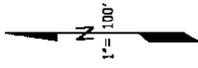
Date: \_\_\_\_\_

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APTOS RANCHO  
 POR. N.W. 1/4 SEC. 13, T.11S., R.1W.  
 M.D.B. & M.

Tax Area Code  
 69-270

38-16



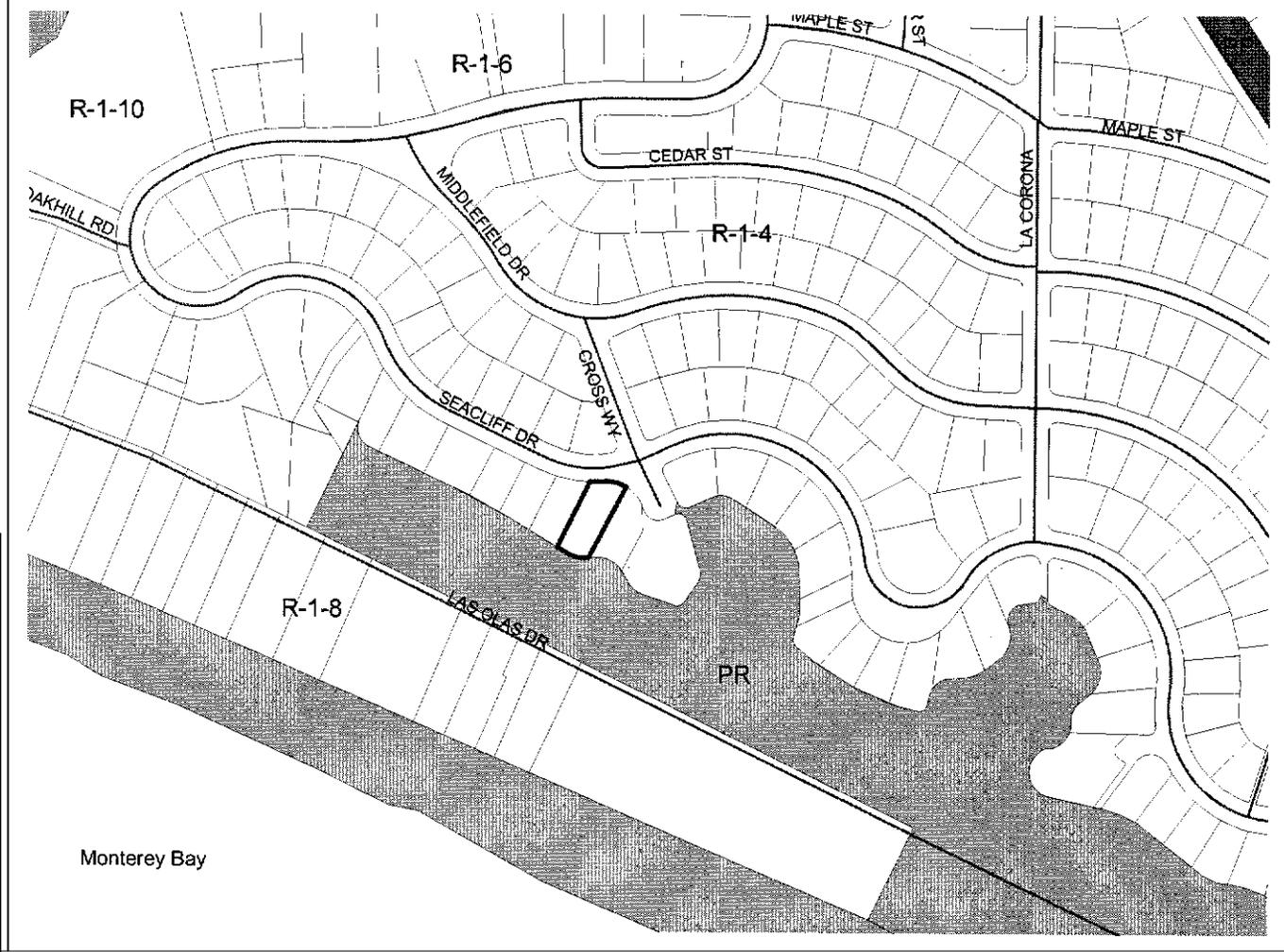
Note - Assessor's Parcel & Block  
 Numbers Shown in Circles

Assessor's Map No. 38-16  
 County of Santa Cruz, Calif  
 11-1-1997

Technically Reprint 10/30/97 wrp  
 Rev. 5/4/98 KSA (20)  
 Rev. 5/12/99 C9 (Tax Consolidation)  
 Rev. 4/27/01 MVA (changed page refs.)

**EXHIBIT E**

# Zoning Map



## Legend

	APN 038-165-08
	Parcel boundaries
	Streets
	intermittent Stream
	R-1-X
	PR
	PF



Map created by Santa Cruz County  
 Planning Department:  
 October 2003