

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 04-0204

**APN:** 038-461-01

**APPLICANT:** John Snyder

**OWNER** William and Denise Watkins

**PROJECT DESCRIPTION:** Proposal to remodel the exterior of an existing single-family dwelling to include the installation of wood siding, the removal of six skylights, the replacement of windows and deck railings, and the construction of an additional 615 square feet of decking. Requires an Amendment to Coastal Development Permits 91-0315, 92-0289, 94-0227, and 94-0623 and Design Review.

**LOCATION:** Property located at the end of Los Olas Drive (797 Las Olas Drive).

**PERMITS REQUIRED:** Amendment to a Coastal Permit

**ENVIRONMENTAL DETERMINATION:** Categorically exempt, -Class 1

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

### PARCEL INFORMATION

**PARCEL SIZE:** 23,412 square feet

#### **EXISTING LAND USES**

**PARCEL:** Existing single-family dwelling

**SURROUNDING:** Single-family dwellings, beach, coastal bluff

**PROJECT ACCESS:** Las Olas Drive, a private road

**PLANNING AREA:** Aptos

**LAND USE DESIGNATION:** R-UL, O-U, O-R (Urban Low Density Residential, Urban Open Space, and Parks and Recreation)

**ZONING DISTRICT:** R-1-8 (Single-family residential, 8,000 square foot minimum)

**SUPERVISORIAL DISTRICT:** 2<sup>nd</sup> District

### ENVIRONMENTAL INFORMATION

- |                      |  |
|----------------------|--|
| a. Geologic Hazards  | a. Flood Zone-V (Wave run-up flood zone), potential landslide hazards from coastal bluff |
| b. Soils             | b. Beach sand (Soils Index Number 109)   |
| c. Fire Hazard       | c. Not a mapped constraint   |
| d. Slopes            | d. 30% and greater at bluff  |
| e. Env. Sen. Habitat | e. Not mapped/no physical evidence on site   |
| f. Grading           | f. No grading proposed   |
| g. Tree Removal      | g. No trees proposed to be removed   |
| h. Scenic            | h. Coastal Scenic Resource Area  |

- |                       |  |
|-----------------------|--|
| 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. Sewer service will continue to be available |
| n. Water Availability | n. Water service will continue to be 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

### **HISTORY**

The County Planning Department approved the existing single-family dwelling under Coastal Development Permit 91-0315 (issued under APN 038-191-37). Subsequent to this approval, an amendment and two minor variations have been approved to remove conditions of approval requiring additional rip-rap (92-0289), lower the height of the roof (94-0227), and alter the façade of the lower level garage and storage area (94-0623).

### **ANALYSIS AND DISCUSSION**

#### **Proposal**

The property owner proposes to remove and replace the existing stucco exterior with cedar shingles, remove and replace windows, replace existing deck railings with tempered glass, replace existing garage doors, and construct an additional 615 square feet of cantilevered decking along the beach side of the house. Additional exterior lighting is also proposed, including floodlights along the lower level and low-voltage lighting along the outside deck. No changes to the floor plan or building footprint are proposed beyond the construction of the additional decking.

Plans for the lower level show an existing bathroom, shower, and closet not shown on plans for previous permits. Due to the location of the lower level within the 25 foot wave run up zone (Flood Zone-V), habitable features are not permitted within areas below 25 feet above mean sea level (msl). As a condition of approval of this permit, all plumbing and habitable features will be required to be removed from the lower level (Condition of Approval ILC.4.).

The proposed repair or replacement of the existing retaining wall and the construction of the portion of the cantilevered decking over the beach will require a Coastal Development Permit from the California Coastal Commission as both have been deemed to be within the Coastal Commission's jurisdiction. Prior to obtaining a building permit for the retaining wall, a

Geologic Hazards Assessment will be required to determine possible impacts to the structure and neighboring properties.

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 **04-0204**, 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
- H. Urban Designer's Comments

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-1-8 (Single-family residential, 8,000 square foot minimum), a designation which allows residential uses. The exterior remodel will not change the use of the property from a single-family dwelling, which is a principal permitted use within the zone district, consistent with the site's (R-UL, 0-U, 0-R) Urban Low Density Residential, Urban Open Space, and Parks and Recreation 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 subject property is encumbered by an open space easement as evidenced by the 0-U and 0-R General Plan Land Use designations. However, the proposed project will not conflict with any of these easements as the project will only entail the exterior modification of an existing single-family dwelling. Public access to the beach will continue to be maintained from New Brighton State Beach and Seabright State Beach.

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 proposal is consistent with the design and use standards pursuant to Section 13.20.130 in that the proposed exterior remodel will use materials and colors that will harmonize with the existing neighborhood and the natural surroundings. The proposed cedar shingles will blend in with the natural environment better than the existing gray stucco. The increase in deck space will not significantly alter the design of the house.

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 proposed exterior remodel of an existing dwelling will not result in a further reduction in public access. While public access is not available from the site, public access is available from

the Seacliff State Beach at the entrance to Las Olas Drive and from New Brighton State Beach to the west of the project site. The 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 certified Local Coastal Program/ General Plan in that the exterior modifications will result in a single-family dwelling that is compatible with the surrounding neighborhood and natural environment. The modifications will reduce the visual impact of the existing structure by using natural materials and earth-tone colors. The building footprint and the number of approved bedrooms will not change as a result of this permit, resulting in no change to the density nor intensity of the use on the site.

## **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 proposed exterior remodel will not result in any structural changes that will be detrimental to the health, safety, or welfare of humans in the vicinity. Any additional lighting will not result in inefficient or wasteful use of energy, as most lights will be low voltage.

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 proposed exterior remodel will comply with all pertinent County Ordinances and the purposes of the R-1-8 zone district in that the use of the site will remain one single-family dwelling and the additional deck area will comply with all site standards of the R-1-8 zone district, including lot coverage and Floor Area Ratio.

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 on a parcel with three General Plan/Local Coastal Program Land Use designations: Urban Low Density Residential (R-UL), Urban Open Space (O-U), and Parks and Recreation (O-R). The proposed remodel is consistent with the General Plan in that the density and intensity of the residential use on site will not increase.

The proposed remodel 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).

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.

The proposed remodel will not increase the number of bedrooms, and will therefore not overload utilities nor generate any additional traffic.

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 exterior remodel will complement and harmonize with the surrounding neighborhood and natural environment in that the proposed cedar siding and brown stain will reflect existing homes in the vicinity and will result in less visual impact than the existing gray stucco. No increase in land use intensity or dwelling unit density will result from the remodel.

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 County's Urban Designer reviewed the proposed remodel for conformance with the County's Design Review Guidelines and found the project to comply with all applicable guidelines (See Exhibit G).

## **CONDITIONS OF APPROVAL**

Exhibit A: Project plans, 7 sheets, drawn by Blair D. Boyer, Architect, dated 5/6/04.

- I. This permit authorizes the exterior remodel of an existing single-family dwelling and the construction of an additional 615 square feet of cantilevered deck. 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 Coastal Development Permit from the California Coastal Commission for the repair of the retaining wall and construction of the additional cantilevered decking.
  - C. 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 proof of an approved Coastal Development Permit from the California Coastal Commission for the cantilevered deck and repair of the retaining wall.
  - C. 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.
    3. A detailed drainage plan detailing the proposed materials for the additional cantilevered deck (detailing if the surface is pervious or impervious). If impervious, the drainage should follow existing drainage patterns toward the beach. All additional runoff must be dispersed and retained on site.
    4. Plans shall show the removal of all habitable features from the lower level to comply with FEMA requirements, including all plumbing fixtures.
  - D. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in



impervious area.

- E. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - F. Submit a revised lighting plan for review and approval by the County's Urban Designer. This revised lighting plan shall not include additional motion-sensor lights or flood lights on the lower level unless a specific threat to security or safety is identified.
  - G. Obtain a building permit for the repair or replacement of the retaining wall. A Geologic Hazards Assessment will be required prior to issuance of this permit, and additional analysis (in the form of a Soils Report Review or Engineering Geologic Report Review) may be necessary.
- 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 16.42.100 of the County Code, if at anytime 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.
  - B. The lower level shall not be used for human habitation in keeping with Federal Emergency Management Agency (FEMA) guidelines.

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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: \_\_\_\_\_

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
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: 04-0204

Assessor Parcel Number: 038-461-01

Project Location: 797 Las Olas Drive

**Project Description: Remodel of existing structure**

**Person or Agency Proposing Project: John Snyder**

**Contact Phone Number: (925) 209-3894**

- 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:**

Remodel of an existing single-family dwelling

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

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

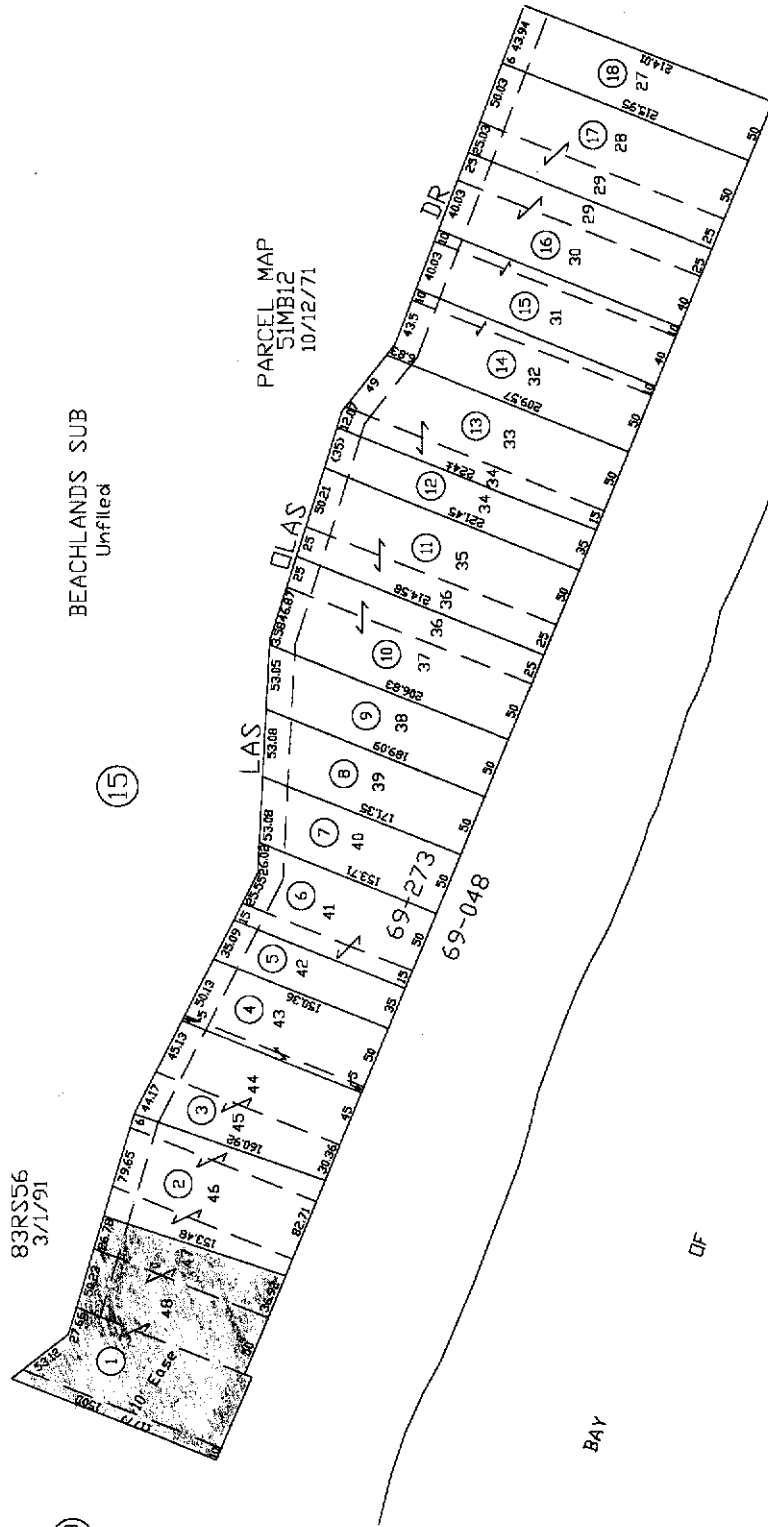
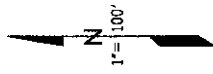
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APTOS RANCHO  
 POR. SEC. 13, T.11S., R.1W., M.D.B.&M. PROJECTED

Tax Area Code  
 69-273 69-048

38-46

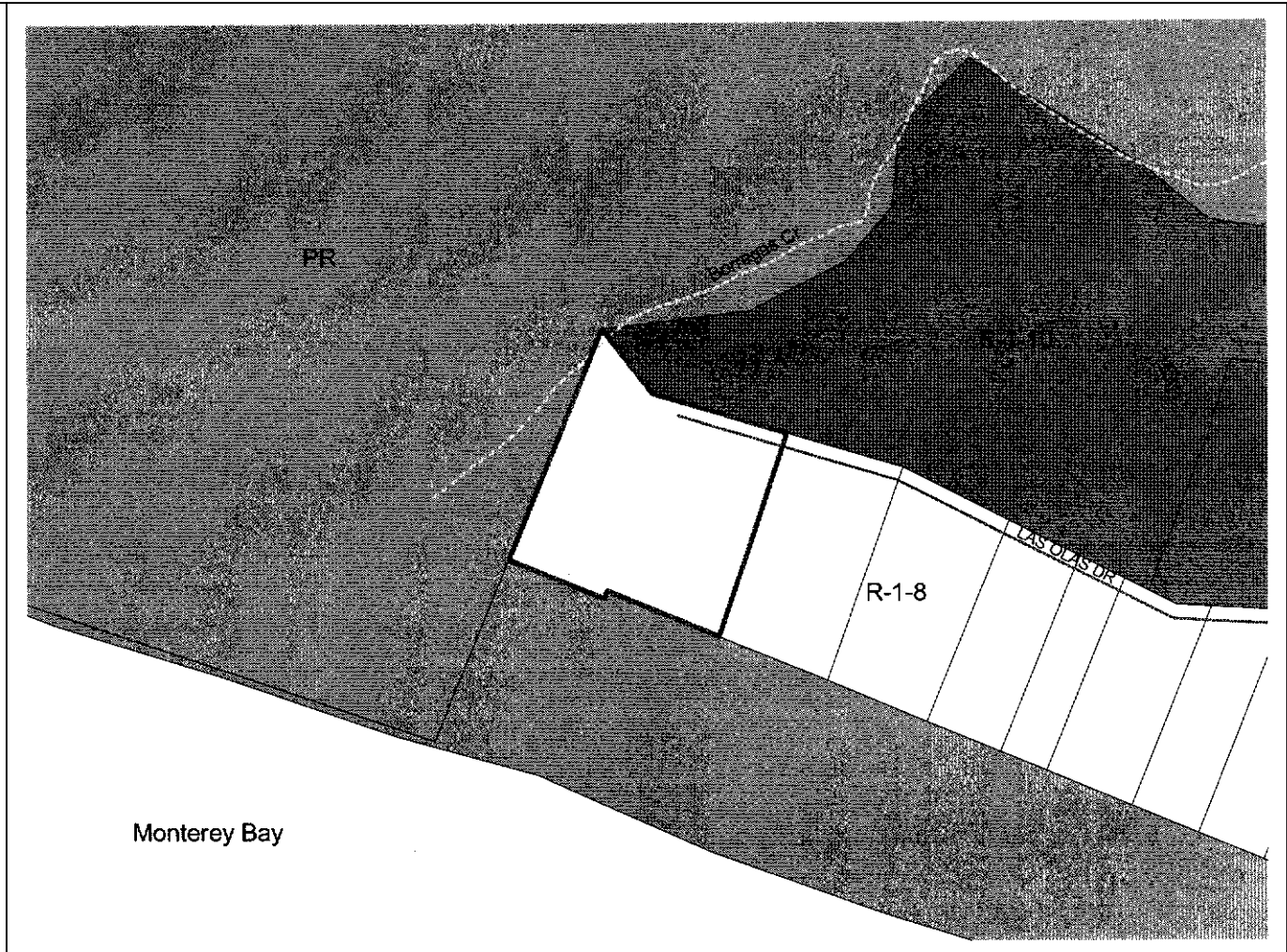


Assessor's Map No. 38-46  
 County of Santa Cruz, Calif.  
 Aug. 1995

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

EXHIBIT E  
 EXHIBIT

# Zoning Map



200 0 200 400 600 Feet

## Legend

	APN 038-461-01
	Streets
	Intermittent Stream
	R-1-10
	R-1-8
	PR



Map created by Santa Cruz County  
Planning Department:  
May 2004

# E MEMO

## APPLICATION N O 04-0204

Date: June 4,2003

To: David Keyon, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Reviewfor a remodel of an existing single family residence at Las Olas Drive, Aptos  
(Watkins/ owner, Snyder / applicant)

## GENERAL PLAN/ZONING CODE ISSUES

### Design Review Authority

**13.20.130** The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

### Desian Review Standards

**13.20.130** Design criteriafor coastal zone developments

Evaluation Criteria	Meets criteria In code ( ✓ )	Does not meet criteria( ✓ )	Urban Designer's Evaluation
<b>Visual Compatibility</b>			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
<b>Minimum Site Disturbance</b>			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		

Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			NIA
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			NIA
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological	✓		
possible, on parts of the site not visible or least visible from the public view.			
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			NIA
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			NIA
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			NIA
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			NIA
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			NIA

Natural materials and colors which			N/A
buildings, colors and materials shall repea cluster			
<b>Large agricultural structures</b>			
The visual impact of large agricultural structures shall be minimized by locating the structure withi existing group of buildings			N/A
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).			N/A
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure			N/A
<b>Restoration</b>			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development			N/A
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Materials, scale, location and orientation of signs shall harmonize with surrounding elements			N/A
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited			N/A
Illumination of signs shall <del>be</del> permitted only for state and county directional and informational signs, <del>except</del> in designated commercial and visitor serving zone districts			N/A



In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors			N/A
<b>Beach Viewsheds</b>			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight <b>from</b> the shoreline, or if infeasible, not visually intrusive			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		

### URBAN DESIGNER COMMENTS

- *The exterior lighting is over designed and should be reduced **substantially**. The **lighting** should not ~~illuminate~~ the beach*