



Staff Report to the Zoning Administrator

Application Number: **04-0590**

Applicant: Gregory Smith
Owner: Patrick & Laura Murphy
APN: 038-151-27

Agenda Date: 5/20/05
Agenda Item #: 9
Time: After 10:00 a.m.

Project Description: Proposal to construct a two story addition to ~~an~~ existing two story single family dwelling, by enclosing an existing second story deck and lower floor carport, constructing a new entry, and widening the existing driveway.

Location: Property located on the south side of Oakhill Road, approximately 400 feet west of Seacliff Drive. (735 Oakhill Road)

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Coastal Development Permit

Staff Recommendation:

- Approval of Application 04-0590, based on the attached findings and conditions.
- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|---|------------------------------|
| A. Project plans | E. Assessor's parcel map |
| B. Findings | F. Zoning map |
| C. Conditions | G. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | |

Parcel Information

Parcel Size:	17,380 square feet (per applicant)
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential neighborhood
Project Access:	Oakhill Road (off Seacliff Drive)
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)

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

Zone District: R-1-10 (Single family residential - 10,000 square foot minimum)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Coastal bluff at rear of property
Soils: Not required
Fire Hazard: Not a mapped constraint
Slopes: 15-20%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: 16 cubic yards of fill material for minor driveway widening
Tree Removal: No trees proposed to be removed
scenic: Scenic beach viewshed
Drainage: Existing drainage adequate
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
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 District

Project Setting

The project site is located on a slope above the south side of Oakhill Road. A coastal bluff is located at the rear of the property, which drops steeply down to Las Olas Drive. The subject property and the rear portion of the upper floor of the existing residence is visible from the public beach viewshed.

Zoning & General Plan Consistency

The subject property is a 17,380 square foot lot, located in the R-1-10 (Single family residential - 10,000 square foot minimum) zone district, a designation which allows residential uses. The proposed addition to a single family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UL) Urban Low Density Residential General Plan designation.

Scenic Resources

The proposed addition will occur at the front of the existing single family dwelling and will not be visible from within the public beach viewshed.

Development on a Coastal Bluff

The proposed addition will be located outside of the required 25 foot setback from the edge of the coastal bluff, and no further geologic or geotechnical review has been required.

Local Coastal Program Consistency

The proposed addition 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 widely in the area, and the design submitted is not inconsistent with the existing range. The project site is located between the shoreline and the first public road, with existing developed beach access at New Brighton State Beach, Beachgate, and Seacliff State Beach, 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.

Design Review

The proposed addition complies with the requirements of the County Design Review Ordinance, in that the proposed project will be compatible with the existing residence and the addition will not be visible from within the public beach viewshed.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- **APPROVAL** of Application Number **04-0590**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

Application #: 04-OS90

Page 4

APN: 038-151-27

Owner: Patrick & Laura Murphy

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: Randall Adams
~~Santa Cruz~~ County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
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Coastal Development Permit Findings

1. That the project is a **use** allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned R-1-10 (Single family residential - 10,000 square foot minimum), a designation which allows residential uses. The proposed addition to an existing single family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UL) Urban Low Density 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 proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions **are known** to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the 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 shall be natural in appearance and complementary to the site; the area of proposed work will not be visible from within the public beach viewshed.

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

This finding can be made, in that the project site is located between the shoreline and the first public road, with existing developed beach access at New Brighton State Beach, Beachgate, and Seacliff State Beach. Consequently, the addition 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 scale with, and integrated with the character **of** the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-10 (Single family residential - 10,000 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 design submitted is not inconsistent 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.

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 Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed addition will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the addition meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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 addition 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-1-10 (Single family residential - 10,000 square foot minimum) zone district in that the primary use of the property will be one single family dwelling and the addition will meet all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Density Residential (R-UL) land use designation in the County General Plan.

The proposed addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and 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 addition will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed addition will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed addition will comply with the site standards for the R-1-10 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed addition is to be constructed to an existing single family dwelling. The expected level of traffic generated by the proposed project is anticipated to remain at only peak trip per day (1 peak trip per dwelling unit), with no increase. This proposal will not adversely impact existing roads and 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 structure is located in a ~~mixed~~ neighborhood containing a variety of architectural styles, and the proposed addition is 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 project will be compatible with the existing residence and the addition will not be visible from within the public beach viewshed.

Conditions of Approval

Exhibit A: Project plans, "Murphy Addition & Remodel", 4 sheets, prepared by Gregory Smith Architect, dated 11/19/04.

- I. This permit authorizes the construction of a(n) addition and interior remodel to an existing single family 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.
 - C. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way, if applicable.
- 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. Grading, drainage, and erosion control plans
 3. Details showing compliance with fire department requirements.
 - C. 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.
 - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. 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.

- F. 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 16.42.100 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.

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.

Application# 04-0590
APN: 038-151-27
Owner: Patrick & Laura Murphy

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

Randall Adams
Project Planner

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

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

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

Application Number: 04-0590

Assessor Parcel Number: 038-151-27

Project Location: 735 Oakhill Road, Aptos

Project Description: Proposal to construct an addition to an existing single family dwelling.

Person or Agency Proposing Project: Gregory Smith

Contact Phone Number: (831) 458-1080

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

F. Reasons why the project is exempt:

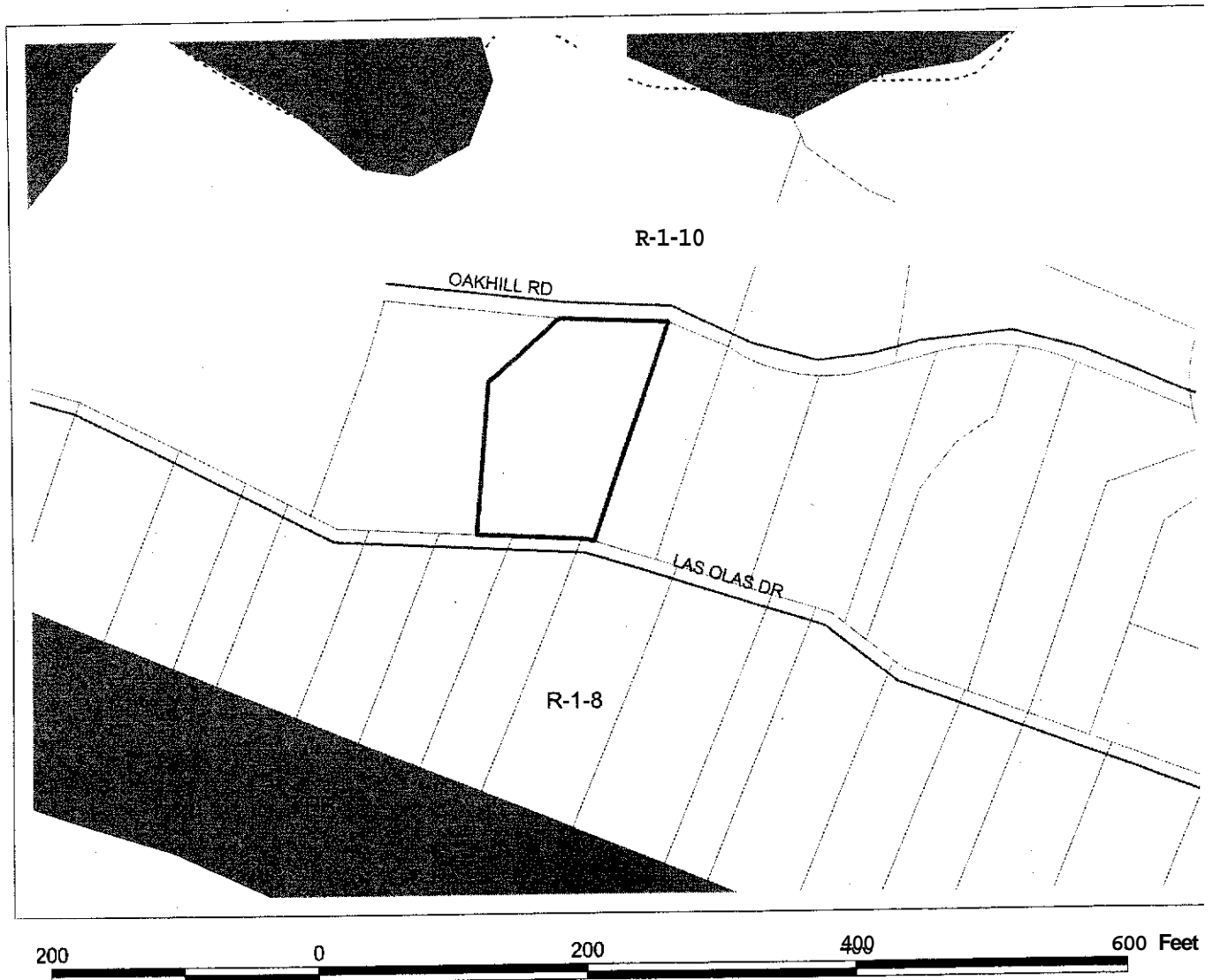
Construction of an accessory building within an area designated for residential development.

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

Randall Adams, Project Planner

Date: _____

Zoning Map



Legend

	APN 038-151-27
	Parcel boundaries
	Streets
	Intermittent Stream
	R-1-X
	PR



Map created by Santa Cruz County
Planning Department:
December 2004

EXHIBIT F

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Randal Adams
Application No. : 04-0590
APN: 038-151-27

Date: April 12, 2005
Time: 08:56:43
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON DECEMBER 13, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON DECEMBER 13, 2004 BY ROBIN M BOLSTER =====
NO COMMENT

Dpw Drainage Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 10, 2004 BY ALYSON B TOM ===== Application with plans dated 11/19/04 has been received. Please address the following:

1) Please describe the extent of the new driveway/parking area. How will this area be surfaced (gravel, pavement, etc.)? It appears that this area may drain to Oakhill Road, a private road. Describe what drainage facilities are existing in the road and downstream from the road (particularly if it flows to private facilities) and demonstrate that they are adequate to handle the added runoff from the expanded driveway/parking.

2) Will the room addition result in any increase in impervious area? It appears that the addition may be over existing impervious area. Will the addition change drainage patterns at all? If so, describe the existing and proposed patterns for the area of the addition. Demonstrate that the proposed drainage scheme will not cause any adverse impacts on site or offsite.

Please note that drainage impact fees will be assessed on the net increase in impervious area. These fees will be assessed at the building permit approval stage.

Additional site specific comments may be made at the building permit stage

For questions regarding this review Public Works storm water management staff is available from 8-12 monday through friday.

All submittals regarding this project should be made through the Planning Department.

===== UPDATED ON DECEMBER 10, 2004 BY ALYSON B TOM =====

===== UPDATED ON MARCH 8, 2005 BY ALYSON B TOM ===== Application with letter from Gregory Smith, dated 1/28/05 has been received. The application is complete with regards to drainage for the discretionary stage. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Randall Adams
Application No.: 04-0590
APN: 038-151-27

Date: April 12, 2005
Time: 08:56:43
Page: 2

===== REVIEW ON DECEMBER 10, 2004 BY ALYSON B TOM ===== See completeness comments.

===== UPDATED ON MARCH 8, 2005 BY ALYSON B TOM ===== The following should be addressed prior to building permit issuance

1) Based on information provided in the 1/28/05 letter, the proposed project will result in an increase in impervious area that will drain to private drainage facilities. In order to approve of this project the applicant shall either a) provide analysis demonstrating that the downstream private facilities are adequate to handle all existing and proposed runoff (an engineer is required for all off site analysis). b) provide a letter from the owner of the downstream private drainage facilities approving of the additional runoff, or c) update project plans by utilizing alternative surfacing (such as pervious asphalt or concrete, etc.) or removing other existing impervious areas so that there is no net increase in impervious coverage due to the project.

Zone 6 fees will be assessed on the net increase in impervious area due to this project at the time of building permit issuance.

For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

Dpw Road Engineering Completeness Comments

===== REVIEW ON DECEMBER 13, 2004 BY TIM N NYUGEN =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON DECEMBER 13, 2004 BY TIM N NYUGEN =====
NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 29, 2004 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

All Fire Department building requirements and fees will be addressed in the Building Permit phase.

Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON DECEMBER 29, 2004 BY ERIN K STOW =====
NO COMMENT

EXHIBIT G

PROJECT, SITE, & NEIGHBORHOOD PICTURES

THE GOALS OF THIS PROJECT ARE TO ADD NEW FLOOR AREA WHERE AN EXISTING DECK EXISTS, ADD A NEW FIRST STORY ENTRY AND INTERIOR STAIR ACCESS TO PROVIDE A FIRST STORY ENTRY AND TO INCLUDE AN EXISTING SEPARATE LOWER STORY BEDROOM AND BATH INTO THE MAIN DWELLING. THE ADDITION IS MAINLY OVER THE EXISTING GARAGE/CARPORT AND SLIGHTLY INTO THE EXISTING DRIVEWAY. ALMOST NO YARD AND LANDSCAPING WILL BE DISTURBED BY THE ADDITION. ROOF LINES AND EXISTING BUILDING DETAILING WILL BE USED TO BLEND THE ADDITION INTO THE BUILDING. A RETAINING WALL WILL BE ADDED ALONG THE UPPER DRIVEWAY PARKING & TURN AROUND AREA TO MAINTAIN THE EXISTING BACK UP DEPTH AND TO INCREASE THE GUEST PARKING AREA NEAR THE HOUSE.

INTERIOR CHANGES WILL BE TO REMODEL THE TWO EXISTING SECOND STORY BATHROOMS AND TO PROVIDE A NEW KITCHEN AREA.

THE EXISTING UTILITY ROOM WILL BE MODIFIED TO HAVE A BETTER ACCESS FROM THE HOUSE VIA THE NEW ENTRY.

The following series of photographs show the project from different views, the existing house elevation away from the beach where the addition will happen, the neighborhood, and the existing landscaping that will remain.



This is the view from the beach showing the corner of the existing roof which will not change from this view.

EXHIBIT G



A close up from the beach of the erosion protected bluff top (inspected and approved) and the corner of bedroom-1 and the existing roof overhang. Only the windows will be replaced with newer insulated windows.

The following pictures will be from the back side of the hill facing away from the bluff top

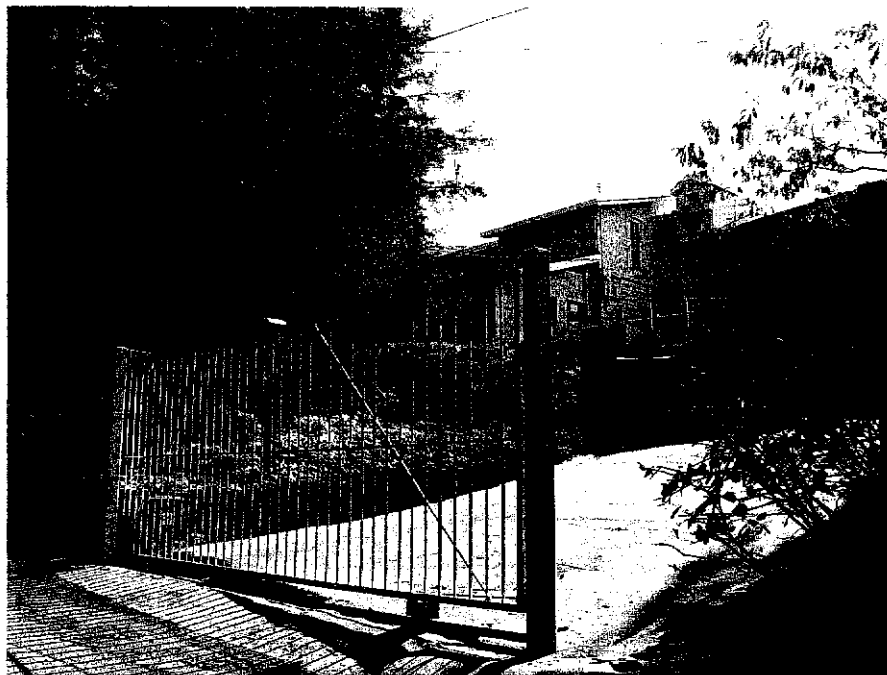


Neighbor to the north and down hill, and across Oakhill Road from the project site

EXHIBIT (



The neighbor to the West standing on Oakhill Road down from the project site.



The neighbor to the East from Oakhill Road.

EXHIBIT (



The addition will replace the deck that is over the existing carport. The addition will be flush with the wall of the bedrooms on the **left** or east side of the building. The new driveway retaining wall will be about where the small tree now stands. This tree will be removed. The existing ivy will remain and will eventually cover the new retaining wall.

EXHIBIT G



This view looks up the driveway from Oakhill Road. The addition will extend the left bedroom wall and fill in where the upper deck is now. The new entry will be where the small bush is just below the left side of the carport opening. The addition will not affect any of the existing mature landscaping.

EXHIBIT G



This picture shows the upper parking and turnaround area. The wood steps will be removed and a new second story deck will extend off the end of the house where the steps are now. The retaining wall will widen the parking area to offset the encroachment of the addition on the left in front of the carport. The garden shed is behind the small tree in the center of the picture and is covered w/ ivy.



This picture shows the existing steps up to the patio and back side of the house. The low 2 ft high concrete retaining wall will be where the stack of wood is now sitting. This will provide a transition from the toe of the bank to the driveway surface. All of the existing trees will remain and most of the ivy will not be touched.