



Staff Report to the Zoning Administrator

Application Number: **05-0637**

Applicant: Wayne Miller
Owner: Rinconada Development LLC
APN: 027-182-06

Agenda Date: 12/2/05
Agenda Item #: 7
Time: After 10:00 a.m.

Project Description: Proposal to reconstruct more than 50% of the exterior, nonconforming single-family dwelling. Requires a Variance to make structural modifications exceeding 50% of the total length of the exterior walls within the nonconforming portions of a **structure**.

Location: Property located at the corner of Assembly Way and East Cliff Drive (2631 East Cliff Drive).

Supervisory District: Third District (District Supervisor: Mardi Wormhoudt)

Permits Required: Variance, Coastal Development Permit & Amendment to Residential Development Permit 04-0648

Staff Recommendation:

- Approval of Application 05-0637, 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:	3,274 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	East Cliff Drive
Planning Area:	Live Oak

Land Use Designation: R-UH (Urban High Residential)
Zone District: R-1-3.5 (Single-family residential - 3,500 square feet)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: No soils report required
Fire Hazard: Not a mapped constraint
Slopes: 2-5%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Scenic Beach Viewshed
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: City of Santa Cruz
Sewage Disposal: County Sanitation District
Fire District: Central Fire Protection
Drainage District: Zone 5

History

According to Assessor's records, the subject dwelling was constructed in 1933. Building permit records reflect a number of modifications to the building resulting in a legal duplex. Residential Development Permit 04-0648 allowed changes to the structure to convert it from a duplex to a single-family dwelling. During construction, it became apparent that the work required for this conversion would exceed 50% of the total length of the exterior nonconforming walls of the structure and a variance became required. Since the need for a variance was identified in June 2005, the dwelling has been boarded up and surrounded by a chain link fence.

Project Setting

The subject parcel is located on the northeast corner of the intersection of East Cliff Drive and Assembly Avenue. Surrounding uses include residential development north of East Cliff Drive and recreational uses on the Twin Lakes beach area south of East Cliff Drive. Because of this structure's location, it is a prominent feature both within the neighborhood and from the beach.

Zoning & General Plan Consistency

The subject property is a 3,274 square foot lot, located in the R-1-3.5 (Single-family residential - 3,500 minimum lot size) zone district, a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district and the project is consistent with the site's (R-UH) Urban High Residential General Plan designation.

Variance

The structure is considered to be significantly nonconforming due to its location approximately two feet from the Assembly Way right-of-way, a 25-foot wide right-of-way with a 12 to 14-foot wide travel lane for one-way traffic. Many of the structures along Assembly Way are significantly nonconforming due to their location within five feet of the right-of-way and small parcel size.

A variance to reconstruct more than 50% of the length of the nonconforming walls of the structure is warranted based on the following discussion. The existing walls are structurally sound, but structural modifications are required to complete the reconstruction to current building codes. These modifications will exceed the 50% limit for structural alterations to nonconforming walls. This is considered appropriate as the conversion of this structure to its original use as a single-family dwelling and the aesthetic benefits of this project would not be possible to complete without exceeding the 50% limit.

The intention of County Code 13.10.265 in making structures significantly nonconforming when located within five feet of the right-of-way is to recognize the inherent health and safety conflict between vehicular traffic and structures. However, this conflict is mitigated along Assembly Way in that the right-of-way is about 25 feet wide, yet the travel lane is only 12-14 feet wide. With approximately eight additional feet between the travel lane and the structure, the functional setback from vehicular traffic is ten feet. In addition, since over half of the structures along Assembly Way appear to be significantly nonconforming, this approval does not constitute a special privilege as any significantly nonconforming structure in the area will face the same constraints of maintaining structures built, in many cases, in the early 1900s that may not be in conformance with the current required setbacks.

This project constitutes an effort to bring the structure into compliance with current regulations in several regards. The duplex is proposed to be returned to its original use as a single-family dwelling which is the principal permitted use for the R-1-3.5 (Single-family residential - 3,500 square feet) zone district, and the conversion will result in a less intense use of the property as the number of bedrooms is being reduced from four to three. The number of conforming parking spaces is increasing from one to three, which will make available more on-street parking for the public. Additionally, planter boxes constructed in the right-of-way will be removed, freeing up more space for the public's use. No expansion of the structure is proposed.

Local Coastal Program Consistency and Scenic Resources

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 mostly 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 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. In addition, to facilitate the public's access to the beach and bay, improvements within the rights-of-way will be removed and additional parking will be provided on site which will result in more on-street parking becoming available for the public.

Because of this property's prominent position facing Twin Lakes Beach, it has a significant visual impact on the viewshed. The proposed design will be a substantial improvement over both the duplex which was finished in T1-11 plywood and the current boarded-up state of the property. The County of Santa Cruz's Urban Designer has reviewed and accepted the proposed design.

Design Review and Harbor Area Special **Community**

The proposed project has been reviewed and accepted by the County's Urban Designer and will have clean lines, a pitched roof, and horizontal wood lap siding on the upper floor which comply with the Harbor Area Special Community design criteria.

In addition, the proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as non-reflective glazing to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The replacement **of** the T1-11 plywood siding with horizontal wood lap siding and stone veneer constitutes a significant improvement for such a prominently sited structure.

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 **05-0637**, 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.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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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 exceeding the 50% limit on structural alterations to the nonconforming dimension of the structure is necessary to complete the reconstruction approved under Residential Development Permit 04-0648. The significantly nonconforming wall is structurally sound and the structural alterations to it are needed to provide sheerwall, new headers for windows, new studs for nailing and roof support and non-structural changes to the interior walls. The special circumstance in this case is that this project constitutes an effort to return this structure to its original condition as single-family dwelling which is the principal permitted use in this zone district. and this reconstruction cannot be completed without exceeding the 50% limit on structural alterations to the nonconforming dimension of the structure.

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 variance will recognize the reconstruction of an existing dwelling on a residentially zoned parcel and the structure will be adequately set back (approximately 10 feet) from the existing traveled roadway to prevent potential health and safety impacts.

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 other properties in the neighborhood are developed with single-family dwellings in similar configurations to the proposed structure. Therefore, it would not be a grant of special privilege for the proposed project to be reconstructed on the property and the design would be in harmony with the existing pattern of development in the neighborhood.

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-1-3.5 (Single-family residential - 3,500 square feet), a designation which allows residential uses. The single-family dwelling is the principal permitted use within the zone district, and is consistent with the site's (R-UH) Urban High 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. Public access will be enhanced by the proposed removal of improvements within the rights-of-way.

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; and the colors shall be natural in appearance and complementary to the site.

County Code identifies the Harbor Area as a special community and specifies the following design criteria.

New development in the single-family (R-1) parts of the Harbor Area Special Community shall incorporate the characteristics of older dwellings in the area, e.g., the small scale, clean lines, pitched roofs, wood construction, and wood siding. Setbacks should conform to that predominant for other houses on the street.

The County of Santa Cruz's Urban Designer has reviewed and accepted the proposed design as being compliant with these criteria.

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 this single-family dwelling will not interfere with public access

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to the beach, ocean, or any nearby body of water. Public access to the beach will be enhanced by the removal of improvements within the right-of-way and the additional public parking created by accommodating all **of** the subject parcel's parking requirements on site.

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-1-3.5 (Single-family residential - 3,500 **square** feet) 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 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 reconstruction of the single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the no expansion to the existing structure is proposed.

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 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-1-3.5 (Single-family residential - 3,500 square feet) zone district in that the primary use of the property will be one single-family dwelling and no expansion of the structure is proposed.

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

The reconstruction of the existing dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that there is no expansion of the existing structure and therefore there will be no new impacts to the adjacent properties' access to light; air, and open space.

The reconstruction of the existing 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 expansion of the existing structure is proposed. In addition, the design of the single-family dwelling will be appropriate for the site as specified in General Plan Policy 5.10.3 (Protection of Public Vistas).

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

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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 reconstruction of the existing single-family dwelling will result in a less intense use of the property and will not therefore overload utilities. The expected level of traffic generated by the proposed project is anticipated to decrease from two to only one peak trip per day, such an increase 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 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.

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 reconstruction of the existing single-family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area. In addition, the proposed design is consistent with the Harbor Area Special Community design criteria. The County of Santa Cruz's Urban Designer has reviewed and accepted the proposed design.

Conditions of Approval

Exhibit **A** Project Plans "Hill Residence for Rinconada Development," three sheets prepared by Wayne Miller, Designer, dated October 27, 2005. Topographic Map by Mission Engineers, Inc., dated December 15, 2004.

- I. This permit authorizes the reconstruction of more than 50% of the nonconforming dimensions of the existing significantly nonconforming 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 Change Order to Building Permit 140812 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 required.
- II. Prior to approval of Building Permit Application 57505M, 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. 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, including the proposed stone veneer, and color of roof covering for approval by the County of Santa Cruz's Urban Designer. 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, including all requirements of the Urban Wildland Intermix Code, if applicable.
 - C. Submit two copies of the approved Discretionary Permit with the recorded Conditions of Approval attached.
 - D. Meet all requirements of and pay Zone 5 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 Central Fire Protection District.
 - F. 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.
 - G. 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.
 - H. Complete and record a Declaration of Restriction to maintain the ground floor garage and storage area as a non-habitable accessory structure. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- 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 structures in the East Cliff Drive and Assembly Way rights-of-way must be removed.
 - C. Only non-reflective glass may be installed.
 - D. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.
- IV. Operational Conditions
 - A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, 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.

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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.

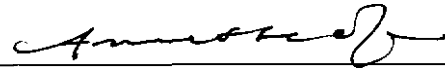
Please note: This permit expires two years from the effective date unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator



Annette Olson
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: 05-0637

Assessor Parcel Number: 027-182-06

Project Location: 2631 E. CLiff Dr.

Project Description: Proposal to reconstruct more than 50% of the exterior, non-conforming walls on a significantly nonconforming single-family dwelling

Person or Agency Proposing Project: Wayne Miller

Contact Phone Number: (831) 724-1332

- 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 1 - Existing Facility (Section 15301)

F. Reasons why the project is exempt:

Reconstruction of an existing residential structure.

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


Annette Olson, Project Planner

Date: 11-1-05

FOR TAX PURPOSES ONLY PPR. PF N.W.1/4 SFC. 20, T.11S., R.1W., M.D.B. & M. Tax Area Code 27-18

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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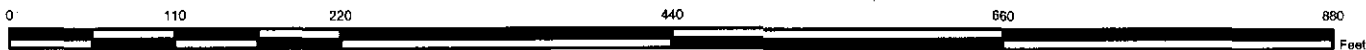
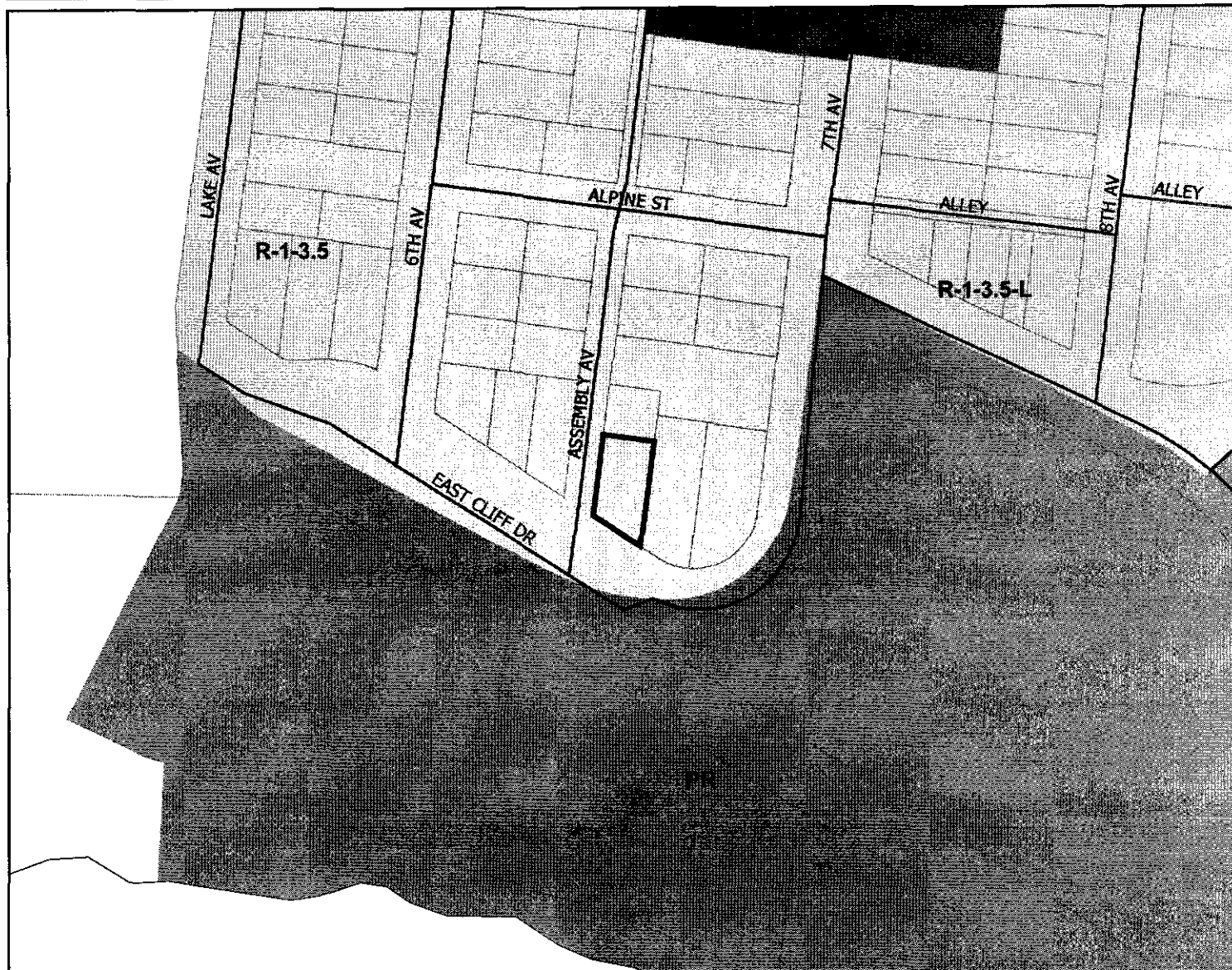
Assessor's Map No. 27-18
County of Santa Cruz, Calif
July, 1996

Note - Assessor's Parcel & Block
Numbers shown in outline


Electronically Redrawn 1/9/97
Rev. 4/28/96 GS (CA consolidation)
Rev. 8/3/95 NWM (changed page refs.)

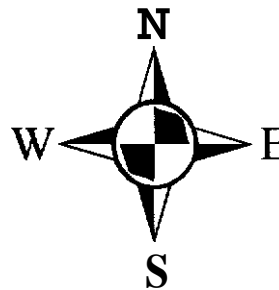


Zoning Map



Legend

-  APN 027-182-06
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)
-  COMMERCIAL-NEIGHBORHOOD(C-1)



Map Created by
County of Santa Cruz
Planning Department
October 2005

MEMORANDI**Application No: 05-0637**

Date: October 18, 2005

To: Annette Olson, Project Planner

From: Lawrence Kasparowitz, Urban Designer

Re: Design Review for a residential remodel at 2631 E. Cliff Drive, Santa Cruz

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.

Design Review Standards

1320.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria(✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.	✓		N/A
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.	✓		N/A
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		N/A

Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline			N/A
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted			N/A
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Rural Scenic Resources			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road			N/A
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			NIA
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 blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an 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			N/A
Feasible elimination or mitigation of			N/A
development			
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project			N/A
Signs			
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 be permitted only for state and county directional and informational signs, except 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			N/A
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 from 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			N/A

Design Review Authority**13.11.040** Projects requiring design review

- (a) Single home construction, and associated additions involving 500 square feet or more, ***within coastal*** special ***communities*** and sensitive sites as defined in this Chapter.

Design Review Standards**13.11.072** Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures	✓		
Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A
Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		

Reasonable protection for adjacent properties	✓		
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13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings			N/A
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties			
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE (831) 427-4863
FAX (831) 427-4677



October 4, 2005

Annette Olson
Santa Cruz County Planning Department
701 Ocean Street, Suite 410
Santa Cruz, CA 95060

Subject: **05-0637** (Rinconada Development LLC **SFD** project at Assembly Avenue and East Cliff Drive in the Live Oak beach area)

Dear Ms. Olson:

We received your request for comments on the above-referenced project. Thank you for coordinating with us regarding this project since, **as** you know, it is located in a sensitive coastal resource area adjacent to Twin Lakes State Beach and East Cliff Drive and coastal permit decisions at that location must be understood in that context. We note that we previously noted a series of coastal issues with respect to this site to Karen McConaghy (in April) and to Cathy Graves (in May and September) in County Planning, and that the following reiterates and expands upon those previous comments.

As we have long recommended, Live *Oak* beach area street right-of-ways must be protected for public use. This is particularly important at and near **high** public use areas immediately adjacent to the beach such **as** this —even more so given the importance of Twin Lakes State Beach in that regard and the lack of support facilities (such **as** parking) located there. We are not supportive of the private development existing and proposed in the right-of-way in this case, we believe that it is inconsistent with the LCP, and we recommend that all such development be required to be removed. This applies to the elevated patio/planters identified on the project plans, **as** well **as** to any development along the west of the residence (we note that the plans do not depict anything in this area, but it appears that development exists there).

Similarly, development proposed immediately adjacent to beach area public right-of-ways must be understood in this same beach area public use context. There are several things to note in this respect. First, the proposed elevated patio/planters built to the right-of-way's edge will also impact the ability of the public to use the right-of-way (e.g., for parking) and will contribute to a perceived sense of the right-of-way itself being "hemmed in;" both now and in the future when East Cliff Drive is improved in this area. Such structures will also limit and prejudice these future right-of-way improvements. The elevated patio/planters are not allowed by the LCP in the required setbacks adjacent to the right-of-ways, and we recommend that they be removed from the proposed project and this area instead appropriately landscaped.

Second, it is not clear to us that the proposed driveway has been located so **as** to maximize potential public parking areas in the East Cliff Drive right-of-way. Please ask the applicant to evaluate an option that shifts the location of the driveway/garage in order to maximize the

Annette Olson

From: Wayne Miller [wayne@catalyst2001.com]
Sent: Friday, October 07, 2005 9:35 AM
To: Annette Olson
Subject: #05-0637 Todd Hill Residence (Rinconada)

Dear Annette,

I received the letter from Dan Carl at the CCC. I would like to bring up a few points of which Dan is apparently unaware.

The encroachment of the structures that are existing in the public right of way (E. Cliff Dr.) have been removed. There was an existing encroachment permit that was granted around 15 years ago for landscaping and retaining walls in the R.O.W. for the homes in this stretch of E. Cliff Dr. between the harbor and 7th Ave. I personally applied for this encroachment permit which went through a coastal hearing and was approved. This is not relevant now because we will no longer be encroaching into the R.O.W.

Assembly Way is a private road that is an alley that runs all the way from E. Cliff Dr. to Murray St. It has never been a public parking area and is lined with homes many of which sit closer than Todd Hill's home.

I have participated in all of the RDA meetings regarding the development of the E. Cliff Dr. R.O.W. and not one that I recall proposed parking along the existing homes. Because this stretch is the only outlet for harbor traffic, beach side parking was proposed so the beach goers did not have to unload and cross the street.

The relocation of the driveway and parking will have no effect on street frontage parking. If it was located on the east side there would not be enough room between the driveway and the corner because parking is not allowed that close to the corner (if there was a curb it would be red at the corner like it is one block down at 6th Ave.). If the driveway was located to the west side it would have to be setback from the corner as well and would not allow for parking between the neighboring driveway and the new driveway.

I would like to point out that the existing home had one questionably conforming parking space for a duplex. The current proposal and permit has 3 conforming spaces for a SFD. This will free up at least 2 public spaces on the street that would have otherwise been used by the occupants

The suggestion to move the garage and parking to the Assembly Way side is not realistic. The slope of the street does not allow for the required driveway/parking approach slope and width without major excavation of Assembly Way and the rear of the site. This will work to the disadvantage of the uphill neighbor and **may** not be feasible at all.

The setbacks, lot coverage and F.A.R. are unchanged or reduced. To meet these standards the home owner would be required to demolish the home and replace it with a 2 story home that could effectively be up to 12 feet higher than what is existing. I doubt this would be closer to the intent of the design guidelines.

The use of wood as a siding should be discouraged rather than encouraged because the weather it has to stand up to would require the use of first growth redwood. Second growth has more knots and will not stand up to the pounding it gets along the coast. Since the voter initiative to renew our commitment for the environment passed around 15 or 20 years ago the County of Santa Cruz stopped requiring wood siding.

Our proposal does not to add to the existing structure, so increased articulations would require either less floor space, increased height, larger F.A.R. or more lot coverage. Size reduction is unreasonable because the home owner is already giving up one third of the existing living space.

The look of the home as proposed with horizontal siding, water table band, stuccoed basement walls and slate shingle roof is a substantial improvement over the existing T-111 plywood siding and raw concrete.

In conclusion I believe we are proposing a remodel that will enhance the neighborhood and increase the overall conformity to the current standards.

Thank you,
Wayne Miller
Applicant's Representative/Designer
724-1332