



Staff Report to the Zoning Administrator

Application Number: **07-0031**

Applicant: Hamilton-Swift
Owner: Edward & Jean Kashian
APN: 043-243-03

Agenda Date: 6/15/07
Agenda Item #: 4
Time: After 10:00 a.m.

Project Description: Proposal to construct a single story, one bedroom addition to an existing single family dwelling.

Location: Property located on the south side of Bay View Drive between Granada Drive and Toledo Drive. (544 Bay View Drive)

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

Permits Required: Coastal Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0031, based on the attached findings and conditions.

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:	22,949 square feet
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family residential neighborhood, Coastal bluff
Project Access:	Bay View Drive
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-6 (Single family residential - 6,000 square feet minimum)

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

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Coastal bluff to rear of property (no changes proposed)
Soils: No report required
Fire Hazard: Not a mapped constraint
Slopes: 2-5% at project site
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: 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

History

The subject property is one of two parcels created by Minor Land Division 92-0486. Following the land division, Building Permit 112937 was issued in 1996 and the existing residence was completed in 1997.

Project Setting

The project site is located on the southwest side of Bay View Drive in the Rio Del Mar area of Aptos. An existing residence is located on the subject property. A single family residential neighborhood is located to the north and east. A coastal bluff is located to the southwest with residential development below the subject property.

Zoning & General Plan Consistency

The subject property is an approximately 23,000 square foot parcel, located in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district, a designation which allows residential uses. The existing residence, including the proposed addition, 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.

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 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 beach access at Seaview Drive, Hidden Beach, and Seacliff State Beach. The subject property 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 project complies with the requirements of the County Design Review Ordinance, in that the proposed addition will match the architectural style, colors, and materials of the existing residence to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **07-0031**, based on the attached findings and conditions.

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

The County Code and General Plan, as well as bearing 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
Phone Number: (831) 454-3218
E-mail: randall.adams@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.

This finding can be made, in that the property is zoned R-1-6 (Single family residential - 6,000 square feet **minimum**), a designation which allows residential uses. The existing residence, including the proposed addition, 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 existing residence and surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the addition is located to the front of the residence away from the coastal bluff.

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 beach access at Seaview Drive, Hidden Beach, and Seaciff 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-1-6 (Single family residential - 6,000 square feet 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 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-1-6 (Single family residential - 6,000 square feet minimum) zone district in that the primary use of the property will be one single family dwelling that meets 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 result in a structure that is 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 resulting structure will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed addition is to an existing single family dwelling. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit), the project 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 addition 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.

Conditions of Approval

Exhibit A: Project Plans "Kashian Beach House Addition", prepared by Boone & Low, 7 sheets, dated 1/18/07.

- I. This permit authorizes the construction of a(n) single story, one bedroom addition as depicted in the approved Exhibit "A" for this permit. Prior to exercising any **rights** granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit from the Santa Cruz County Building Official.
- 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. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. 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, including all requirements of the Urban Wildland Intermix Code, if applicable.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - 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. Obtain final sanitary sewer clearance from the Santa Cruz County Sanitation

District.

- F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - G. Pay the current fees for Parks and Child Care mitigation for 1 bedroom(s). Currently, these fees are, respectively, \$1000 and \$109 per bedroom.
 - H. Pay the current fees for Roadside and Transportation improvements for 1 bedroom(s). Currently, these fees are, respectively, **\$733** and **\$733** per bedroom.
 - I. 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.
 - J. 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.

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

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

Application #: 07-0031
APN: 043-243-03
Owner: Edward & Jean Kashian

Please note: This permit expires two years from the effective date on the expiration date listed below 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: 07-0031

Assessor Parcel Number: 043-243-03

Project Location: 544 Bay View Drive

Project Description: Proposal to construct a single story, one bedroom addition to an existing residence.

Person or Agency Proposing Project: Hamilton-Swift

Contact Phone Number: (831) 459-9992

- 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:

Proposal to construct an addition to an existing single family residence in an area designated for residential uses.

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

Randall Adams, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

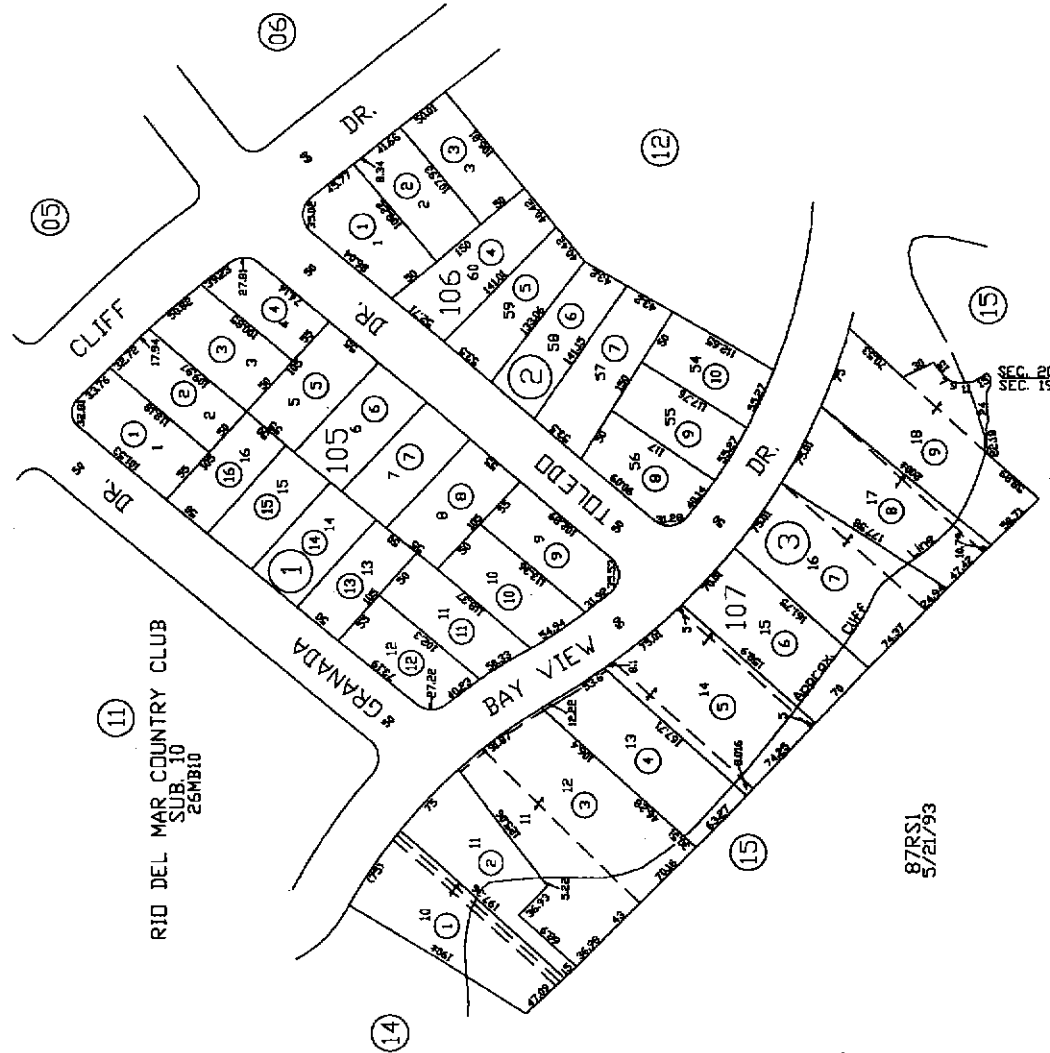
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSURES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1999

NE. 1/4 SEC. 19, & N.W. 1/4 SEC. 20, T.11S., R.1E., M.D.B. & M.

POR, APTOS RANCHO

Tax Area Code
69-273

43-24



RIO DEL MAR COUNTRY CLUB
SUB 10
25MB10

54PM7
4/2/96

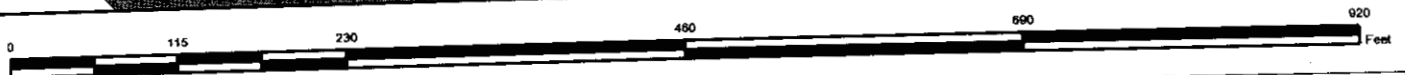
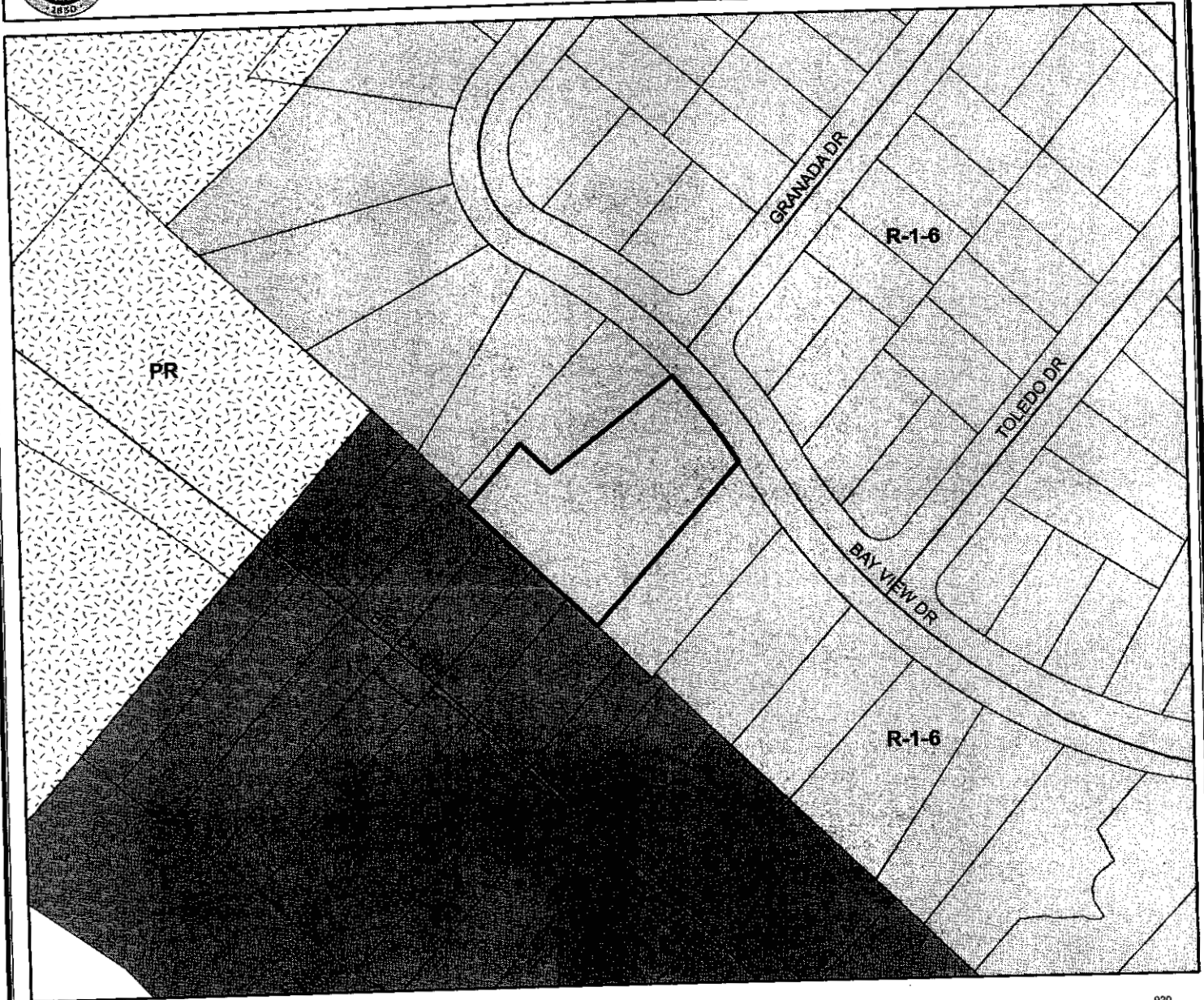
87RS1
5/21/93

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







Assessor's Map No. 43-24
County of Santa Cruz, Calif.
Feb. 1999

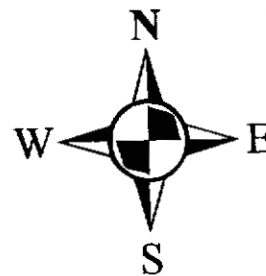


Zoning Map



Legend

-  APN 043-243-03
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  RESIDENTIAL-OCEAN BEACH (RB)
-  PARK (PR)



Map Created by
County of Santa Cruz
Planning Department
January 2007

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: Randall Adams
Application No.: 07-0031
APN: 043-243-03

Date: May 7, 2007
Time: 11:19:01
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 9, 2007 BY ANDREA M KOCH =====

- 1) No completeness comments.

Environmental Planning Miscellaneous Comments

===== REVIEW ON FEBRUARY 9, 2007 BY ANDREA M KOCH =====

- 1) Although the subject parcel is located on a coastal bluff, no Geologic Hazards Assessment is required. The reason is that the proposed project does not meet the definition of "development" in Section 16.10.040(s) of the Geologic Hazards Ordinance. The addition is located between the existing house and the street to the north, so it does not extend the existing structure toward the sea.

Permit Conditions:

- 1) No new hardscape or any other development that may alter drainage patterns is allowed in the rear yard abutting the blufftop without approval from Environmental Planning.

Dpw Road Engineering Completeness Comments

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

===== REVIEW ON JANUARY 30, 2007 BY TIM N NYUGEN =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

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

===== REVIEW ON JANUARY 30, 2007 BY TIM N NYUGEN =====
NO COMMENT

INTEROFFICE MEMO

APPLICATION N O 07-0031

Date: January 23, 2007

To: Randall Adams, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: Design Review of an addition to an existing s.f.d. at 44 Bay View Drive, Aptos

Design Review Authority

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

Design Review Standards

13.20.130 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	✓		
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.	✓		

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
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			N/A
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 turnouts, rest stops or vista points			N/A
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)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
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			N/A

buildings, colors and materials shall repeat or harmonize with those in the cluster			
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an			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 <i>site</i> (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
Restoration			
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			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			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 materials and colors			N/A
Blufftop development and landscaping			N/A

backfrom the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually			
NO new permanentstructures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter			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