



Staff Report to the Zoning Administrator

Application Number: **05-0758**

Applicant: Richard Emigh
Owner: Donald & Nora Alvord
APN: 028-162-10

Agenda Date: December 7, 2007
Agenda Item #: 6
Time: After 10:00 a.m.

Project Description: Proposal to demolish approximately 223 square feet of and construct a two-story, conforming addition of approximately 973 square feet to an existing 1099 square foot, two-story non-conforming single family dwelling, and to construct a 12 foot high retaining wall. Requires a Coastal Development Permit and a Residential Development Permit to exceed the allowed 800 square foot addition to a non-conforming dwelling and to exceed the allowed six-foot retaining wall height, and a variance to allow structural work in the required east and north yard setbacks.

Location: Project is located just west of the intersection of Sunny Cove Drive and East Cliff Drive on a private **street**, Maguire Street, although **the** address is 2-1682 East Cliff Drive.

Supervisory District: 1st District (District Supervisor: Beautz)

Permits Required: Coastal Development Permit and Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0578, based on **the** attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size: 3659 square feet
Existing Land Use - Parcel: Residential

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

Existing Land Use - Surrounding: Residential to north, south, and east. Motel to west across Johan's Beach Drive
Project Access: East Cliff Drive and Sunny Cove Drive
Planning Area: Live *Oak*
Land Use Designation: R-UM (Residential – Urban Medium)
Zone District: R-1-4 (Single-family Residential – 4,000 sq.ft. minimum site area)
Coastal Zone: XX Inside Outside
Appealable to Calif. Coastal Comm. XX Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Watsonville loam
Fire Hazard: Not a mapped constraint
Slopes: East one-third gently sloping; westerly part has slope up to **66%**. Unstable slope to be supported with new retaining wall.
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 70 cubic yards of grading proposed with retaining wall construction; most grading is backfill behind wall
Tree Removal: No trees proposed to be removed
scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: NIA
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History and Project Setting

A use permit for the existing house was granted on September 6, 1955. The house is located in a residential neighborhood less than a block from the beach. To the west, the property slopes down approximately 15 feet to Johan's Beach Drive, which dead-ends at the beach and separates the residential neighborhood from the Ocean Echo Inn, a motel. Although the property has an East Cliff Drive address, it is physically situated on Maguire Street, a private street one block long that extends west from the intersection of East Cliff Drive and Sunny Cove and ends at the top edge of the slope above Johan's Beach Drive. A large cypress tree is located on the south side of the property and ornamental and ruderal vegetation covers the rest of the lot outside the building footprint.

Zoning & General Plan Consistency

The subject property is a 3659 square foot lot, located in the R-1-4 (single-family residential – 4,000 square foot minimum parcel size) zone district, a designation which allows single-family residential uses. The proposed residential addition is a principal permitted **use** within the zone district and the project is consistent with the site's R-UM (Residential Urban Medium Density) General Plan designation. The project consists of demolition of approximately 223 square feet of the existing house, remodeling the remaining portion, and adding about 973 square feet of new area.

The existing house is non-conforming as to the rear (north) and east side yard setbacks. Fifteen feet are required for the rear setback, but the existing house is only 2 feet from the rear property line. The required side yard setback **is** 5 feet, but the existing house is only 1.5 feet from the east side property line. The proposal includes partial demolition of the east 3.5 feet of the house and construction of a new, conforming, east wall five feet from the property line. The existing north wall is proposed to remain (the length of **the** north wall and therefore the length of the non-conformity there will be reduced by 3.5 feet, from 22 feet to 18.5 feet). A variance is requested to allow structural work in the portion of the house that will remain within 15 feet of the rear property line. **The** proposed work there includes removing the existing windows in the north wall and enclosing the window spaces to make the north wall meet one-hour **fire** requirements to allow remodeling of the second floor into a bedroom. With the partial demolition to move the east wall to the required minimum setback and with approval of the variance for the proposed work within the existing part of the house that will remain within the required 15 foot rear setback, all work will be conforming.

The existing house has two bedrooms. The proposed house will have three bedrooms. Three off-street parking spaces are required for two, three, or four bedrooms. Currently, there are two off-site gravel/dirt parking spaces. Parking for the proposal is conforming as it includes three off-site parking spaces.

Adjacent to the property, in the street right-of-way, is a six-foot (72") diameter cypress **tree**. This tree meets the County Code definition of a significant **tree**. The proposed new addition to the house was purposely extended to the west in order to keep new ground disturbance as far away from the tree as possible so as not to injure the tree or compromise it in any way. An landscape architect reviewed the plans and stated that the proposed work should not affect the health of the **tree** (Exhibit G).

Local Coastal Program Consistency

The proposed residential 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 colors, white with blue **trim** are similar to the house abutting this property on the northeast. The proposed house is not readily visible except from the street immediately in front and from Johan's Beach Drive downslope and immediately to the west. Although located only about 150 feet from the beach, the site is not readily visible from there either. The project site is located between the shoreline and the first public road, but is not identified as a priority acquisition site in the County's Local Coastal Program. Public access to the

beach exists at the end of Johan's Beach Drive to the west and at the end of Sunny Cove, one block to the south. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed residential addition complies with the requirements of the County Design Review Ordinance, in that the proposed project, including the retaining wall, will incorporate site and architectural design features to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The proposed addition to the existing house will retain the existing colors of white with blue trim. The proposed retaining wall would be a maximum of 12 feet tall and approximately 70 feet long with stairs near the middle leading from the parcel down to Johan's Beach Drive. The visible portions of the wall would consist of 8 vertical soldier beams (I beams) spaced 8 feet apart with pressure treated Douglas fir 4" x 12" lagging spanning between each soldier beam. The soldier beams would be a rust color and the Douglas fir lagging would be a greenish brown, the natural colors of those materials. The County Urban Designer has reviewed the proposal and determined that it meets the criteria in County Code for visual compatibility.

Environmental Review

The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301(e), Existing Facilities.

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 **05-0758**, 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 hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Owner: Alvord

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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-1-4 (single-family residential – 4,000 **square** foot minimum parcel size), a designation which allows residential uses. The proposed residential addition is a principal permitted use within the zoned district, consistent with the site's R-UM (Residential Urban Medium Density) 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. The retaining wall is proposed to be off site, approximately 10 feet into the public right-of-way of Johan's Beach Drive. However, that portion of the right of way is currently undeveloped; Johan's Beach Drive ends **less** than 100 feet beyond the subject parcel, is approximately 450 feet long and provides access to only four parcels, all developed so that there is no further development potential that might require widening the street; and the Department of Public Works has indicated it's intention to issue an encroachment permit for the wall.

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 proposed addition to the existing house will retain the existing colors of white with blue trim. The soldier beams of the retaining wall would be a rust color and the Douglas fir lagging would be a greenish brown, the natural colors of those materials. Finally, the development site is not on a prominent ridge, beach, **or** bluff top.

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, while the project site is located between the shoreline and the first public road it is not identified as a priority acquisition site in the County's Local Coastal Program and public access to the beach exists at the end of Johan's Beach Drive immediately adjacent to the west and at the end of Sunny Cove, one block to the south. Consequently, the residential addition

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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 and the retaining wall are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential **uses** are allowed uses in the R-1-4 (single-family residential – 4,000 square foot minimum parcel size) 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 proposed residential addition will not deprive adjacent properties ~~or~~ the neighborhood of light, air, or open space, in that a portion of the existing house will be demolished and reconstructed farther away from the east property line. With approval of the variance to ~~perform~~ structural work on part of the existing, non-conforming north wall that abuts a currently undeveloped portion of the parcel to the north, the structure will meet all current setbacks that ensure access to light, air, and open space in the neighborhood. The retaining wall is proposed to be ~~off~~ site, approximately 10 feet into the public right-of-way of Johan's Beach Drive. However, that portion of the right of way is currently undeveloped; Johan's Beach Drive ends less than 100 feet beyond the subject parcel, is approximately 450 feet long and provides access ~~to~~ only four parcels, all developed so that there is no further development potential that might require widening the street; and the Department of Public Works has indicated it's intention to issue ~~an~~ encroachment permit for the wall.

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 residential 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-1-4** (single-family residential – 4,000 square foot minimum parcel size) zone district in that the primary use of the property will be one single-family dwelling that, with approval of the variance, 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 R-UM (Residential Urban Medium Density) land use designation in the County General Plan.

The proposed residential addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, will result in moving the existing wall closest to the abutting properties away from those 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 residential 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 residential 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 residential addition will comply with the site standards for the R-1-4 (single-family residential – 4,000 square foot ~~minimum~~ parcel size) 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 residential addition is to be constructed on an existing developed lot. **An** addition to an existing single-family dwelling does not generate an increase in traffic. The expected level of traffic generated **by** the proposed project is anticipated to be less than 1 *peak* trip per day (1 peak trip per dwelling unit), 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 proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed residential addition is consistent with the land use intensity and density of the neighborhood. The proposed retaining wall would be the only one on Johan's Beach Drive, a short (450 feet long) street serving as access to four developed parcels. The soldier beams of the retaining wall would be a rust color and the Douglas fir lagging would be a greenish brown, the natural colors of those materials.

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 residential 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. The soldier beams of the retaining wall would be a rust color and the Douglas fir lagging would be a greenish brown, the natural colors of those materials. The Urban Designer has reviewed the proposal and determined that it meets the criteria in County Code for visual compatibility.

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.

The subject property is approximately 3659 square feet in size. The existing house is non-conforming as to the east and north setbacks. The north wall of the house is approximately 2 feet from the property line where 15 feet is required and the east wall of the house is approximately 1.5 feet from the property line where 5 feet is required. The applicant is proposing to demolish a 3.5 foot wide portion of the entire east side of the house so that it will meet the minimum 5 foot setback required there. This will also remove 3.5 feet of the north wall. Approximately 18 feet of the north wall, which is only 2 feet from the property line, will remain. Structural work to include removing windows on the north wall and installing new windows on the west wall within the required 15-foot rear yard setback is proposed as well as interior remodeling. The proposed new addition to the house will be to the south and west and will be conforming. The house cannot be moved farther to the south nor can the part of it that extends into the rear yard setback be demolished and relocated to the front (south) of the house because to do so would encroach on the root zone of a 60 inch diameter cypress tree, a significant tree, in the street right-of-way. Even if the tree were not there, to relocate the non-conforming north part of the house to the front of the house would require a variance from the required 15-foot (20 feet to the garage) front yard setback. Finally, the proposed addition to the house is proposed to meet all setbacks leaving no room to relocate the non-conforming north portion of the existing house elsewhere on the parcel such that no variance would be required.

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 proposed addition will be conforming and the variance is only to allow structural work on the existing non-conforming north part of the house, the size of which will be reduced by demolishing about 223 square feet that currently exists in both the east and north yard setbacks. The house on the parcel immediately to the south of the subject parcel is approximately 10 feet from that parcel's north property line (the south property line of the subject parcel). The proposed house on the subject parcel will meet the 20 foot side yard setback and the reduced front yard setback will not put the proposed house any closer to the house on the parcel to the south than if the 40 foot front yard setback were maintained. The existing portion of Jonathan Way in front of and beyond the subject parcel is currently dirt, approval and construction of the project will include paving and upgrading of that portion of the road.

3. That the granting of such variance 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 the proposed addition will be conforming and the variance is only

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Owner: **Alvord**

to allow structural work on the existing non-conforming north part of the house, the size of which will be reduced by demolishing approximately 223 square feet that currently exists in both the east and north yard setbacks.

Conditions of Approval

Exhibit A: 10 sheets prepared by Richard Emigh, revised 07-23-07; 3 sheets (prepared by Mesiti-Miller Engineering dated 10-31-06; and 1 sheet Topographic Map by Cary Edmundson & Associates dated July 13, 2005.

- I. This permit authorizes the demolition of approximately 223 square feet of an existing single family dwelling, the construction of a two story residential addition of approximately 973 square feet, structural work to the remaining non-conforming rear portion of the dwelling, and construction of a retaining wall a maximum of 12 feet tall and approximately 70 feet long with stairs near the middle leading from the parcel down to Johan's Beach Drive. 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 a Grading Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- 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. Please note: Drainage plan must be completed by a licensed Civil Engineer. A plan not completed by a Civil Engineer will not be approved
 3. Details showing compliance with fire department requirements
 4. Show all downspouts directed into existing offsite system. Detail on plans how these will be routed to on-site 4-inch line.

5. Show on-site storm drain line connecting into existing off-site system to be of adequate size for all runoff draining to this area. For example, APN 028-162-11.
 6. Specify **type of** connection to be made into the County existing 36" storm drain line and size of pipe within the County right-of-way.
- C. 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.
 - D. Meet all requirements and pay any applicable plan check fee of **the** Central Fire Protection District.
 - E. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - F. Pay the current **fees** for Parks and Child Care mitigation for 1 bedroom(s). Currently, **these** fees are, respectively, \$1,000.00 and \$109 per bedroom.
 - G. Pay the current **fees** for Roadside and Transportation improvements for 1 bedroom(s). Currently, these fees are, respectively, \$733.00 and \$733.00 bedroom.
 - H. 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.
 - I. 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.

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

Approval Date: December 7, 2007

Effective Date: December 22, 2007

Expiration Date: December 22, 2009

Don Bussey
Deputy Zoning Administrator

Steven Guiney
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: 05-0758

Assessor Parcel Number: 028-162-10

Project Location: 2-1628 East Cliff Drive

Project Description: Proposal to demolish approximately 223 square feet of and construct a two-story, conforming addition of approximately 973 square feet to an existing 1099 square foot, two-story non-conforming single family dwelling, and to construct a 12 foot high retaining wall. Requires a Coastal Development Permit and a Residential Development Permit to exceed the allowed 800 square foot addition to a non-conforming dwelling and to exceed the allowed six-foot retaining wall height, and a variance to allow structural work in the required east and north yard setbacks.

Person or Agency Proposing Project: Richard Emigh

Contact Phone Number: (831) 479-1452

- 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 Structures, CEQA Guidelines Section 15302(e)

F. Reasons why the project is exempt:

Proposal will not result in an increase of more than 10,000 square feet and is located in an area with all services available and is not an environmentally sensitive area.

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


Steven Guiney, Project Planner

Date: 11-19-07

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

Tax Area Code
 82-040

28-16

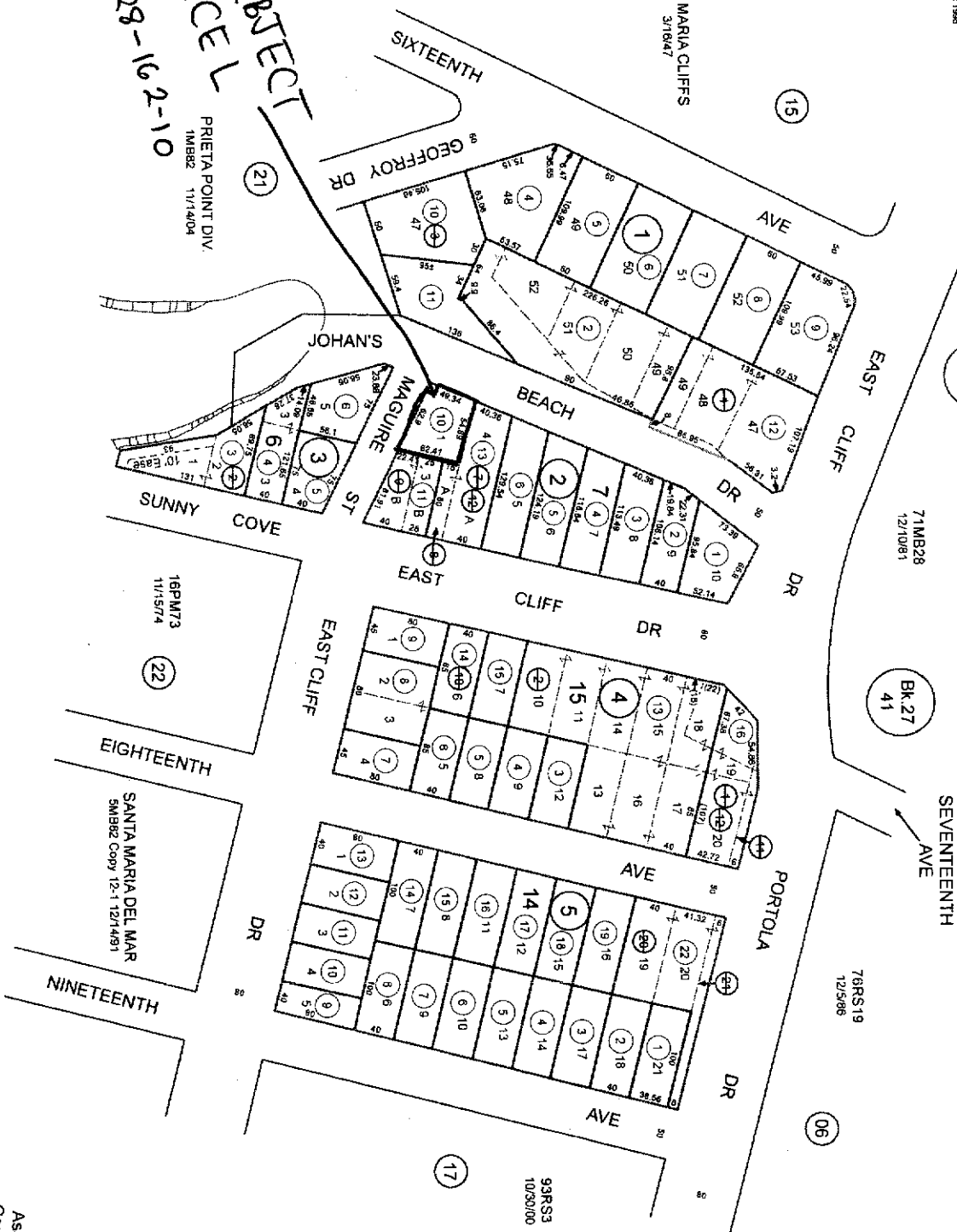
TR# 57 SANTA MARIA CLIFFS
 28MB48 31647

SUBJECT
PARCEL
 PRIETA POINT DIV.
 1MBB2 11/14/04
 APN 028-162-10

Electronically Redrawn 8/19/98 by
 Rev. 12/7/99 GG (99-0062607, LBA 1-12)
 Rev. 11/1/00 mvm (99R53)
 Rev. 8/20/03 (Deed 4074568, Comb 1-22)
 Rev. 3/13/07 mvm (Added esse., 3-03)

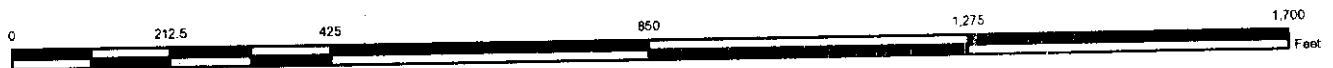
Note - Assessor's Parcel & Block
 Numbers Shown in Circles.

Assessor's Map No. 28-16
 County of Santa Cruz, Calif.
 Aug. 1998


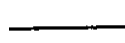



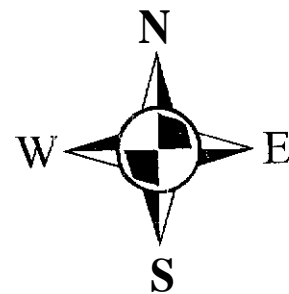


Location Map



Legend

-  APN 028-162-10
-  Streets
-  Assessors Parcels

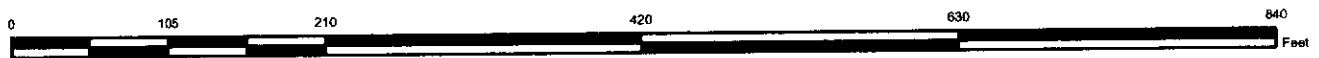
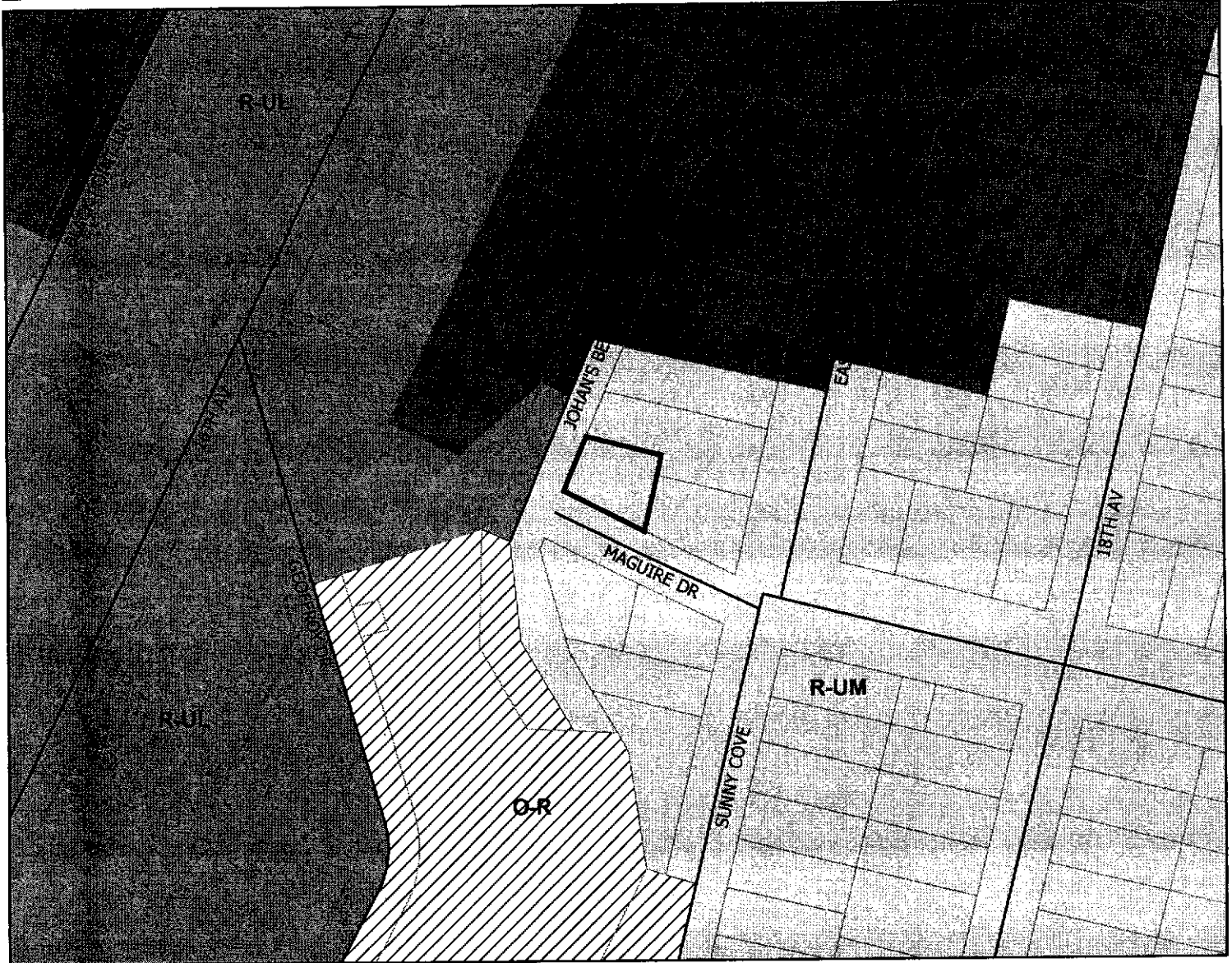


Map Created by
County of Santa Cruz
Planning Department
November 2005








EXHIBIT E

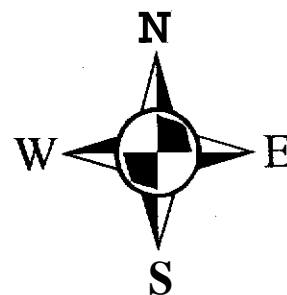


General Plan Designation Map



Legend

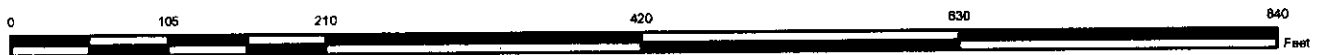
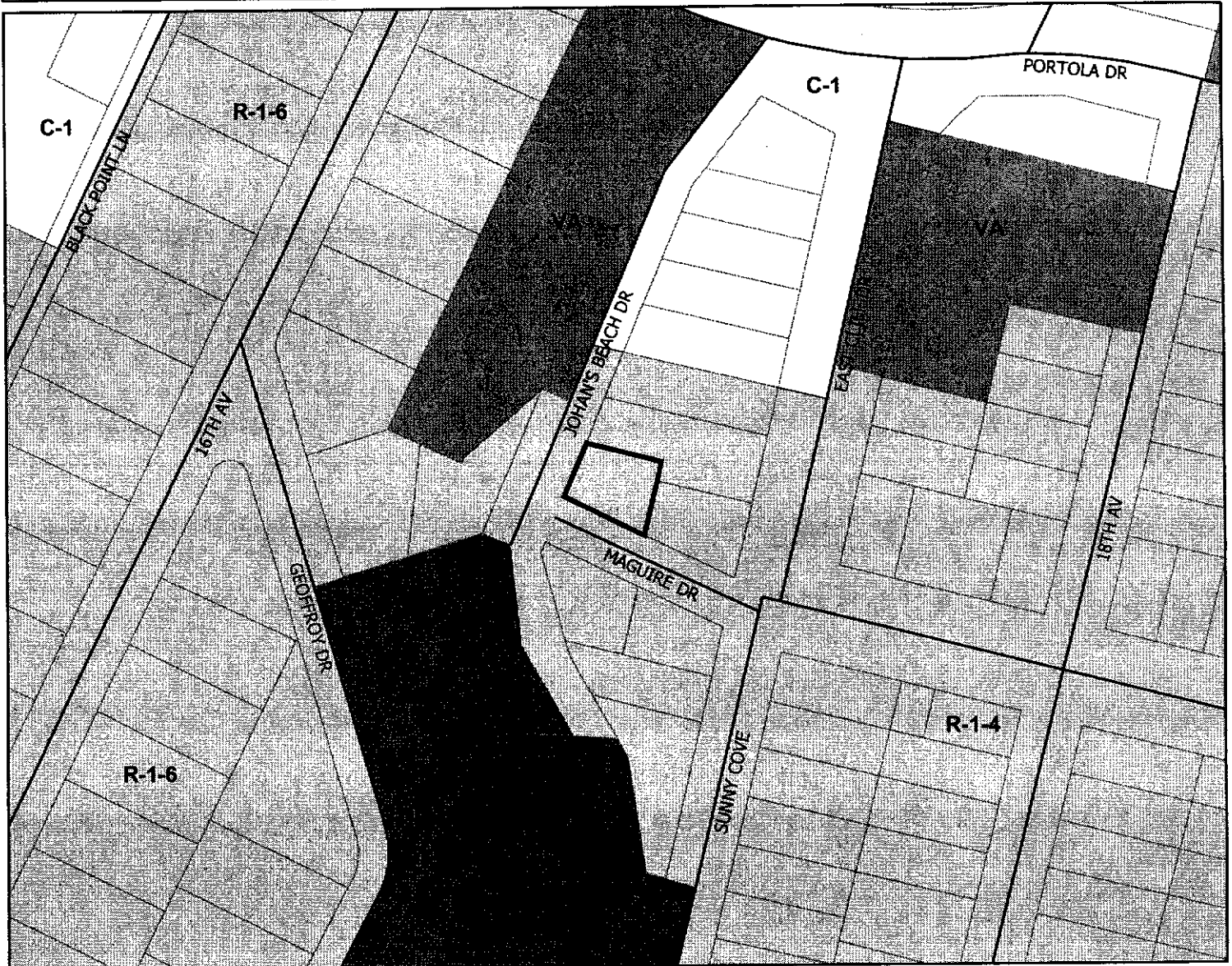
-  APN 028-162-10
-  Streets
-  Assessors Parcels
-  Residential - Urban Medium Density (R-UM)
-  Residential - Urban Low Density (R-UL)
-  Commercial-Community (C-C)
-  Parks and Recreation (O-R)



Map Created by
County of Santa Cruz
Planning Department
November 2005

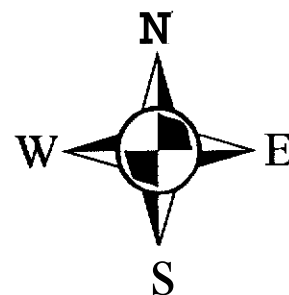


Zoning Map



Legend

- APN 028-162-10
- Streets
- Assessors Parcels
- RESIDENTIAL-SINGLE FAMILY (R-1)
- COMMERCIAL-VISITOR ACCOM. (VA)
- PARK (PR)
- COMMERCIAL-NEIGHBORHOOD (C-1)



Map Created by
County of Santa Cruz
Planning Department
November 2005

April 5, 2007

Mr. Steven Guiney AICP
County of Santa Cruz Planning Dept
701 Ocean Street, 4th Floor
Santa Cruz, Ca. 95060

Re: 05-0758 -- APN 028-161-10

~~Dear Mr. Guiney:~~

Thank you **for** taking time to meet with me April 3, 2007

I just would like to list my concerns that we discussed about **this** construction.

1. I very definitely object to **the** five foot variance in front of the proposed garage
The twenty foot setback from the **property** line is needed so that I will be able
to get in and out of my property when cars will be parked in front of that
garage.
2. That the drainage is handled so that no water comes my way. There **is** nothing
more that **I** can do to keep from being flooded.
3. **I had** the driveway **put** in according to what the planning and coastal commission
asked. However I do not think that it will hold up with all the construction
traffic and heavy equipment I would appreciate that any damage to the driveway
be repaired and also receive help in maintaining it.

I shall appreciate your help regarding the items listed above

Very truly yours, .

Josephine
Josephine Guiney

Santa Cruz, Ca.
Phones: (415) 221-1695
(831) 476-4108

Don Alvord

December 22, 2006

Project Site: 21682 East Cliff Drive
Santa Cruz, Ca.

On December 22 I made a site visit to the address listed above to evaluate a large *Cupressus macrocarpa* (Monterey Cypress). The tree is located adjacent to the parking area in front of the residence. There is an existing 2' concrete retaining wall 33" south and above the tree and a pre-engineered concrete block retaining wall 36" west and above the tree. There is another small concrete retaining wall and steps that lead down to the house east of the tree. The tree has a diameter of 6'-0 at its base and 8 trunks with diameters of between 1 0 and 3 0 measured at breast height originating 3 0 above grade. The tree is approximately 50' tall with an average crown spread of 40'. The crown of the tree is full and the foliage is in good condition with no significant die back evident or sign of disease or insect infestation.

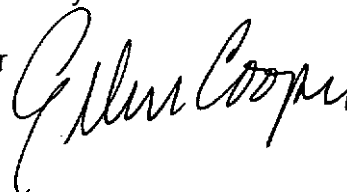
The trunks form 2 main crotch areas. These crotches are wet and soft and full of debris indicating there may be some heart rot. This condition could lead to limb failure at some point. There is also a soft deep hole at the base of the tree indicating there may be rot in the root crown. This species has a tendency to fail where branches attach to trunks. This is due to the moisture retentive nature of the scale-like leaves, causing extremely heavy limbs. The tree should be pruned by a certified arborist to eliminate dead, dying and crossing limbs. The crown can be reduced to eliminate weight as well. The crotch should be examined further and the base tested for the extent of any rot present.

There is some down slope erosion around a few roots. These holes should be filled in by hand.

The plans prepared by Richard Emigh, Architect and dated 9-19-05 indicate that the proposed addition is 20' from the base of the tree. The addition extends out to the existing low retaining wall and steps that currently lead down to the entry. The roots of the tree are already affected by this retaining wall so no large roots will likely be encountered there. Though the addition is outside the dripline of the canopy some small feeder roots may be affected by the excavation for the addition. This will be unlikely to affect the health of the tree.

If any roots over 3 in diameter are disturbed they should be cut cleanly and kept moist and wrapped in burlap until the area is backfilled by hand.

Ellen Cooper



COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: December 9, 2005
TO: Robin Bolster-Grant, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application **05-0758**, APN 028-162-10, 21682 East Cliff Drive, Live Oak

The applicant is proposing to construct a 2-story addition to an existing 2-story single-family non-conforming dwelling. Per the current description, *the* addition is approximately 1,000 square feet (however, it appears to be under 300 sf per the plans). The project requires a Coastal Development Permit and a Residential Development Permit to exceed 800 square foot addition to a non-conforming structure. The property is located just west of the intersection between Sunny Cove Drive and East Cliff Drive (21682 E. Cliff Drive).

This application was considered at an Engineering Review Group (ERG) meeting on December 7, 2005. **The Redevelopment Agency (RDA)** has the following comments regarding the proposed project.

1. The plans should demonstrate that all required parking per Planning's standards is provided onsite with spaces labeled and dimensioned, as there is no on-street parking in this coastal neighborhood or along this portion of East Cliff Drive.
2. Measures should be identified and taken to preserve the existing 60" Cypress tree just offsite to the east (in the Maguire Street right-of-way) during construction.
3. The adjacent streets and rights-of-way should be labeled on *the* Site Plan(s). Maguire Street is a private, non County-maintained street.

The items and issues referenced above should be evaluated as part of this application or addressed by conditions of approval. **If** these issues are addressed, RDA does not need to see future routings of these plans. The Redevelopment Agency appreciates this opportunity to comment. *Thank you.*

cc: Greg Martin, DPW Road Engineering
Paul Rodrigues, RDA Urban Designer

COUNTY OF SANTA CRUZ
Inter-Office Correspondence

DATE: December 8, 2005

TO: Tom Burns, Planning Director
✓ Robin Bolster-Grant, Planner
Brian Turpen, Public Works

FROM: Supervisor Jan Beautz *ap*

RE: COMMENTS ON APP. 05-0758, APN 028-162-10,
21682 EAST CLIFF, (SUNNY COVE)

Please consider the following areas of concern in your evaluation of the above application to construct a 1,000 square foot, two-story addition to an existing non-conforming dwelling.

This proposed addition will result in greater impervious surface coverage of this parcel. However, no drainage plans have been submitted to address the additional runoff this large proposed expansion will create. **As** this parcel is directly adjacent to Sunny Cove Beach, and slopes towards the beach, all additional runoff should be carefully evaluated and mitigated as appropriate.

Assessor's records indicate that the existing dwelling has one bedroom and one bath. This proposed addition will result in three bedrooms and 2 full and 2 half baths. The plans do not indicate parking spaces. The driveway shown appears to be restricted by concrete retaining walls which may limit the available parking width. Does this site provide at least 3 on-site parking spaces as required by Code Sections 13.10.552(a) and 13.10.554(a)?

The limited information provided on Sheet 1 indicates roughly 50% F.A.R. However, calculations **are** vague and appear to have omitted some areas of this proposed expansion. The square footage listed for the second floor is considerably smaller than the first floor while the floor plans appear similar in size. Why? The plans indicate a substantial portion of the second floor family room has a "stair lite tower, 16 feet high" adjacent to the large staircase. Has this area, outside the actual stairwell, been double counted as required by Code Section 13.10.323(c)?

Sheet 2 indicates a large crosshatched area running along the structure's southern and western sides. This appears to be a second floor deck area of approximately 494 square feet. While the elevations make clarification of this area difficult, it appears that significant portions of this deck

area may project further than the first floor of the structure, requiring inclusion in F.A.R. calculations as required by Code Section 13.10.323(c). This may result in this proposed structure exceeding the allowable F.A.R. for this small lot.

This parcel is within the Coastal Zone and is visible from Sunny Cove Beach. Code Section 13.20.130(b)(1) requires that development shall be sited, designed, and landscaped to be visually compatible and integrated with the character of the surrounding area. The current plans do not provide sufficient information to evaluate for compliance with this requirement. How does this proposed structure integrate with the surrounding homes? The elevations provided do not provide sufficient detail as to exterior wall, window, door, and roof features to evaluate the view this structure will present from the adjacent public viewsheds, including surrounding roadways and beach.

Sheet 6 of the submitted plans indicates a significant cypress tree having a 60 inch diameter immediately adjacent to the front yard property line. The drip line shown for this tree encompasses the majority of the driveway and may encroach into the area of disturbance necessary to support the second floor deck. This tree is protected by County Code Chapter 16.34, Significant Tree Protection.

The floor plan for the proposed first floor states that the living room will have a wet bar. However, no additional information is provided. Depending on drain size and available appliances, this area may meet the definition of a kitchen (Code Section 13.10.700-K) and be prohibited by Code. Will additional information be provided to clarify?

JKB :pmp

3420A1

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: December 7, 2005

TO: Planning Department, ATTENTION: ROBIN BOLSTER-GRANT

FROM: Santa Cruz County Sanitation District

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE FOLLOWING PROPOSED DEVELOPMENT:

APN: 028-162-10 APPLICATION NO.: 05-0758

PARCEL ADDRESS: 21682 EAST CLIFF DRIVE

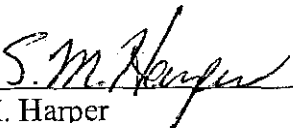
PROJECT DESCRIPTION: CONSTRUCT TWO-STORY ADDITION TO EXISTING TWO-STORY SINGLE FAMILY DWELLING

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project has not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until *the* tentative map approval expires.

Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of *the* building permit application.

The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.

Other: A backflow prevention device may be required.


S.M. Harper
Sanitation Engineering

SMH:abc/574.wpd

c: Applicant: RICHARD EMIGH
413 CAPITOLA AVENUE
CAPITOLA CA 95010

Property Owner: DONALD & NORA ALVORD
P.O. BOX 612312
SOUTH LAKE TAHOE CA 96152

NEW WATER SERVICE INFORMATION FORM

SANTA CRUZ MUNICIPAL UTILITIES

809 Center Street, Room 102

Santa Cruz, CA 95060

Telephone (831) 420-5210

Multiple APN? ☒ N

AFN: 028-162-10

Date: 12/5/2005

Revision Date 1 :

Revision Date 2 :

PROJECT ADDRESS: 2-1682 East Cliff Drive

APPLICANT INFORMATION:

Name: Donald Alvord

Mail Street: PO Box 612312

City/St/Zip: S Lake Tahoe CA 96150

Phone: (530)543-1148

Fax:

Cell:

PROJECT DESCRIPTION:

Propose 2 story, approximately 1000sq ft addition to existing 2 story family dwelling

SECTION 1 EXISTING MAIN AND SERVICES Main Size/Type/Age: 4" AC

(Elevation/zone:

Sizes	Account #'s	Old SIO #'s	Status	Date Closed	Type
3/4"	078-0045				

No connection fee credit(s) for services inactive over 24 months

SECTION 2 FIREFLOWS

Hyd # Size/Type: Static ☐ Res ☐ Flow ☐ Flow w/20# Res. ☐ FF Date Location: Hyd # Size/Type: Static ☐ Res ☐ Flow ☐ Flow w/20# Res. ☐ FF Date Location:

SECTION 3 WATER SERVICE FEES

Service Type	Service Size	Meter Size	Meter Type	# SIOs	Meter Eng Inst	Plan Review	Permit Insp	Rvw Fee	Backflow Permit Type	Fee	Water System Dev	Sewer Connection	Zone Capacity
Domestic													
Dom/Fire													
Irrigation													
Business													
Fire Svc	2	5/8	Disc	1	\$263	\$50	\$180						
Hydrant		Type											

WATER SERVICE FEE TOTALS

\$263	\$50	\$180	\$	\$	\$	\$	\$00
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Street Opening Fee	Irr Plan Review Fee	Total	\$493	- Credits	GRAND TOTAL	\$493
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ADDITIONAL COMMENTS

New meter should be located out at East Cliff Dr. List of SCWO approved service installation contractors enclosed for your use.

Sprinkler ≥ 50%

SECTION 4 QUALIFICATIONS

1. Service will be furnished upon:

(1) payment of the required fees due at the time service is requested (a building permit is required), and, (2) installation of the adequately sized water services, water mains and fire hydrants as required for the project under the rules and regulations of the Santa Cruz Water Department and the appropriate Fire District and any restrictions that may be in effect at the time application for service is made.

2. Fees and charges noted above are accurate as of the date hereof, and are subject to change at any time without notice to applicant.

BP#

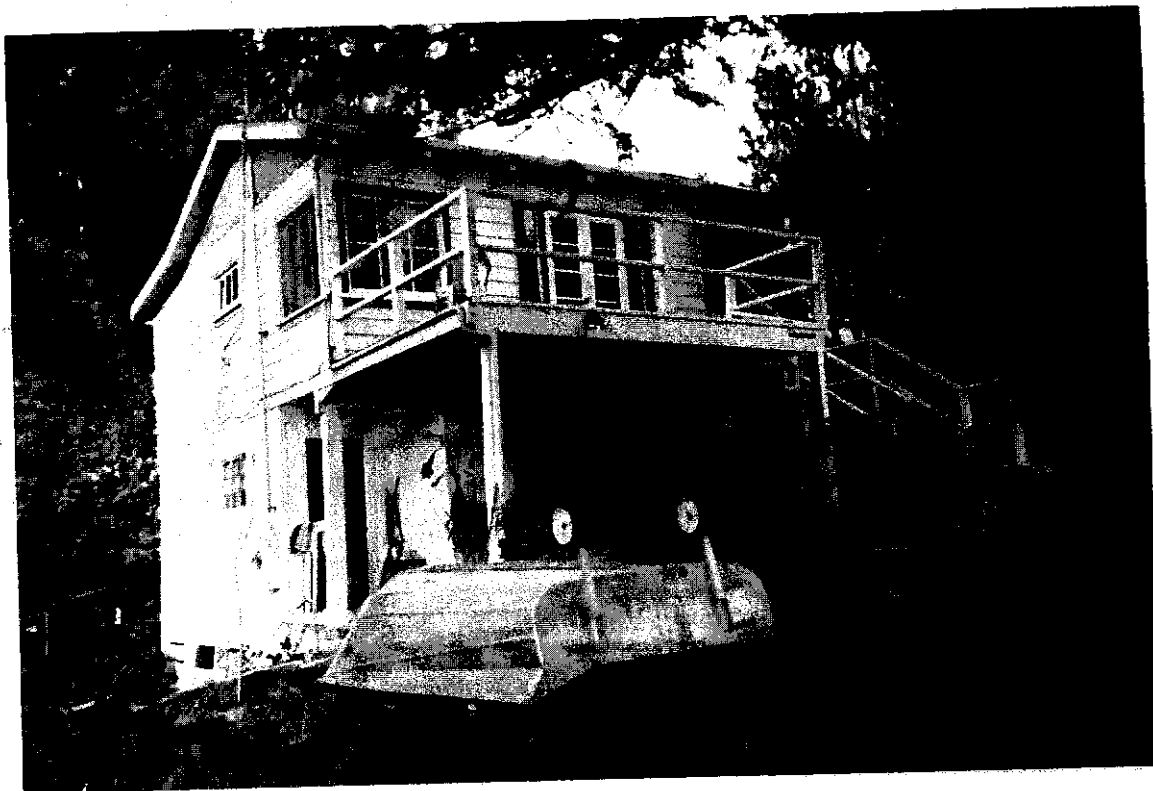
PLAN APP # 05-0758

PLANNER Robin Bolster

REVIEWED BY

M. Fisher

NOTICE: This form does not in any way obligate the City. It is provided only as an estimate to assist you in your planning and as a record for the Water Department. The requirements set forth on this form may be changed or corrected at any time without prior notice. Fees collected by other agencies are not included on this form.



FRONT OF HOUSE

11-21-5

color - Brown

(1) MATHE

STUCCO LOUVER - WHITE

HORIZ SIDING - WHITE

Trim - BLUE

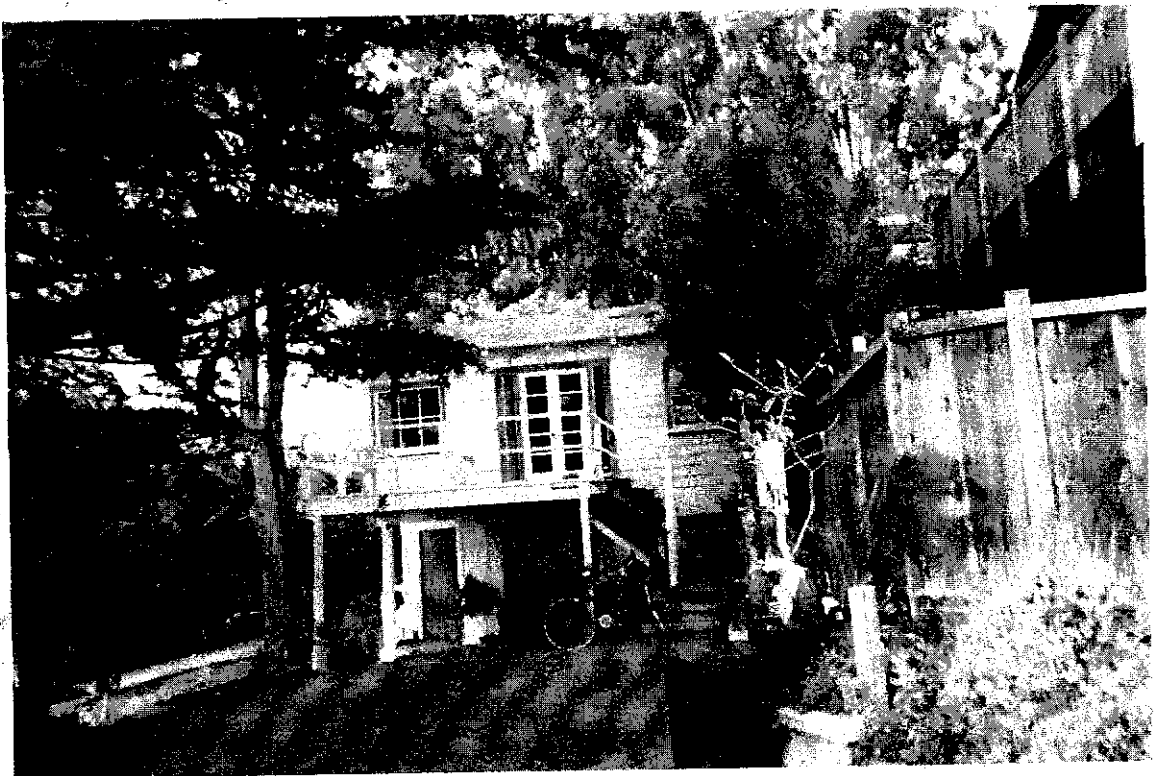
ROOF - GRAY

EXHIBIT H

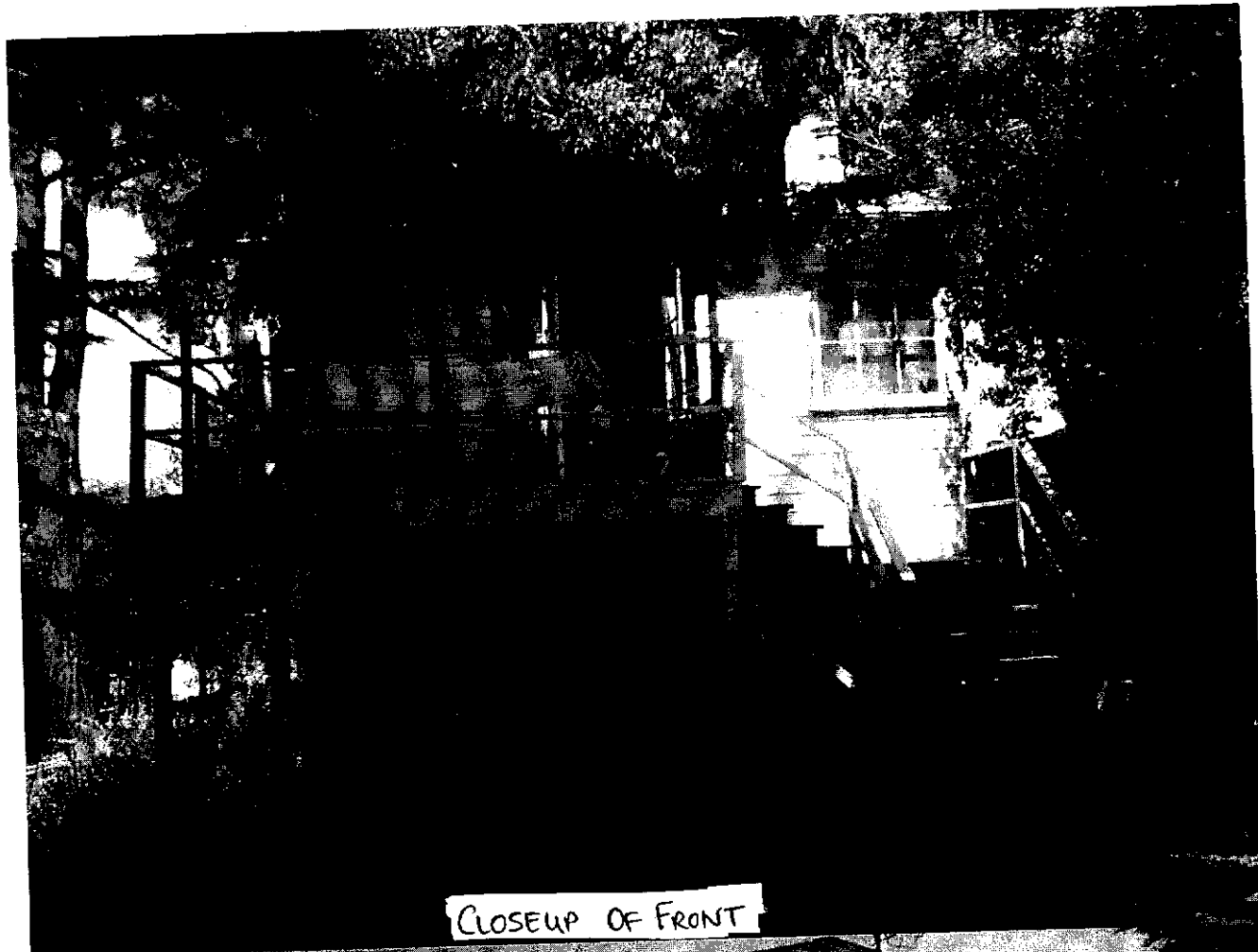
VIEW OF WEST SIDE
HOUSE TO NORTH



VIEW OF FRONT (SOUTH SIDE)
HOUSE TO EAST



11-21-5



CLOSEUP OF FRONT



WEST SIDE

EXHIBIT H



REAR (North Side)

EAST SIDE

REAR (NORTH SIDE)