



## Staff Report to the Zoning Administrator

Application Number: **07-0489**

**Applicant:** Wayne Miller

**Owner:** Matthew Quilter and April Franklin

**APN:** 042-093-17

**Agenda Date:** February 1, 2008

**Agenda Item #:** 1

**Time:** After 10:00 a.m.

**Project Description:** Proposal to construct a 752 square foot second-story addition to an existing 1,192 square foot one-story single-family dwelling, and remodel the existing first story.

**Location:** 170 Seacliff Drive, Aptos, CA 95003

**Supervisory District:** Second 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 07-0489, based on the attached findings and conditions.

### Exhibit

- |   |                                      |
|---|--------------------------------------|
| A. Project plans                              | F. Zoning Map                        |
| B. Findings                                   | G. General Plan Map                  |
| C. Conditions                                 | H. Neighborhood Compatibility Photos |
| D. Categorical Exemption (CEQA determination) | I. Color Board                       |
| E. Location Map                               | J. Discretionary Comments            |

### Parcel Information

Parcel Size:	4,000 square feet (gross and net)
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family residential
Project Access:	Existing driveway from Seacliff Drive
Planning Area:	AT (Aptos)
Land Use Designation:	R-UM (Urban Medium-Density Residential)
Zone District:	R-1-4 (Single-Family Residential, 4,000 square foot minimum site area)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

## Environmental Information

Geologic Hazards:	Not mapped / no physical evidence on site
Soils:	Elkhorn Sandy Loam
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped /no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Archeology:	Not mapped / no physical evidence on site

## Services Information

Urban Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Aptos Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Aptos/ LaSelva Fire District
Drainage District:	Region 6

## History

The existing 1,192 square foot single-family dwelling and 242 square foot garage on the project site was built in 1960. Building Permit # 0001577D was issued in 1990 for chimney repair, and Building Permit # 00109850 was issued in 1995 for re-roofing.

## Project Setting

The subject property is a 4,000 square foot lot located mid-block on Seacliff Drive across the street from the coastal bluff above Seacliff State Beach, and is not visible from the beach. The rear yard abuts two rear yards on San Benito Avenue, and all parcels in the vicinity are level lots of similar size. The neighborhood is a mix of one and two-story single-family residences, with two-story dwellings being in the majority.

## Zoning & General Plan Consistency

The subject property is a 4,000 square foot lot, located in the R-1-4 (Single-Family Residential, 4,000 square foot minimum site area) zone district, a designation that allows residential uses. The single-family dwelling for which an addition is proposed is a principal permitted use within the zone district and the project is consistent with the site's (R-UM) Urban Medium-Density Residential General Plan designation.

## Local Coastal Program Consistency

The proposed second-story addition to a 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 and in scale with the character of the surrounding neighborhood. Developed parcels in the vicinity contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent 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.

### **Design Review**

The proposed single-family dwelling addition and remodel complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features, such as appropriate colors and materials that are compatible with the existing character of the neighborhood, to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The project will not be visible from Seacliff State Beach. A color board has been provided for the proposed addition, and the colors and materials will match the existing dwelling.

### **Environmental Review**

Environmental review of the proposed project per the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that ~~the~~ proposed project is exempt per CEQA Section 15301 (Class 1- 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 per Section 15301 (Class 1- Existing Facilities).
- **APPROVAL** of Application Number **07-0489**, 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](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Alice Daly  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3259  
E-mail: [alice.daly@co.santa-cruz.ca.us](mailto:alice.daly@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-1-4 (Single-Family Residential, 4,000 square foot minimum site area), a designation that allows residential uses. The proposed 752 square foot addition to a single-family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UM) Urban Medium-Density Residential General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, **or** open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style, bulk and massing; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is across the street from, but 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 the project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling 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-1-4 (Single-Family Residential, 4,000 square foot minimum site area) 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.

**Application #:** 07-0489

**APN:** 042-093-1 1

**Owner:** Matthew Quilter and April Franklin

Size and architectural styles **vary** widely in the area, and the design submitted is consistent 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 752 square foot addition to a single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure 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 752 square foot addition to a 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-1-4 (Single-Family Residential, 4,000 square foot minimum site area) 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 Medium-Density Residential (R-UM) land use designation in the County General Plan.

The proposed 752 square foot addition to a single-family dwelling 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 single-family dwelling 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 752 square foot addition to a single-family 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 the proposed 752 square foot addition to a single-family dwelling will comply with the site standards for **the** R-1-4 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 752 square foot addition to a single-family dwelling is to be constructed on an existing developed lot. While construction activities may generate a de minimus increase in traffic and utility demand, upon completion the proposed project would not generate additional traffic on the streets in the vicinity nor overload utilities.

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 752 square foot addition to a 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 proposed 752 square foot addition to a 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. The colors and materials **used** will match the existing home, and will be compatible with the neighborhood.

## Conditions of Approval

Exhibit A: Project plans, 5 sheets (sheets 1-5 out of 1-10), prepared by Wayne Miller, dated November 5, 2007.

- I. This permit authorizes the construction of a 752 square foot second-story addition to an existing 1,192 square foot one-story single-family dwelling, and a remodel of the existing first story. 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. Grading, drainage, and erosion control plans.
    - 2. Details showing compliance with fire department requirements.
  - 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 and pay any applicable plan check fee of the Aptos-LaSelva Fire Protection District.
  - E. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer for review by Environmental Planning. When the soils report has been accepted, building permit plans must comply with all recommendations in the soils report.



- F. Contact the Department of Public Works Sanitation District (831-454-2160) to schedule a dye test of the onsite drainage system to insure that it is not connected to the public sewer. If it is determined that there is a connection of storm water to the sewer system, the owner shall promptly disconnect the storm/ surface drainage system at his or her own cost.

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.

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Minor variations to **this** permit that 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 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

\_\_\_\_\_  
Alice Daly  
Project Planner

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Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected

Application # 07-0489

AFN: 042-093-17

Owner: Matthew Quilter and April Franklin

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: 07-0489

Assessor Parcel Number: 042-093-17

Project Location: 170 Seacliff Drive Aptos CA 95003

**Project Description: proposal to construct a 752 square foot second-story addition to an existing 1,192 square foot one-story single-family dwelling, and remodel the existing first story.**

**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 – New Construction or Conversion of Small Structures (Section 15303)

**F. Reasons why the project is exempt:**

Proposal to construct an 752 **square** foot addition to and reconstruction of **an** existing single-family dwelling.

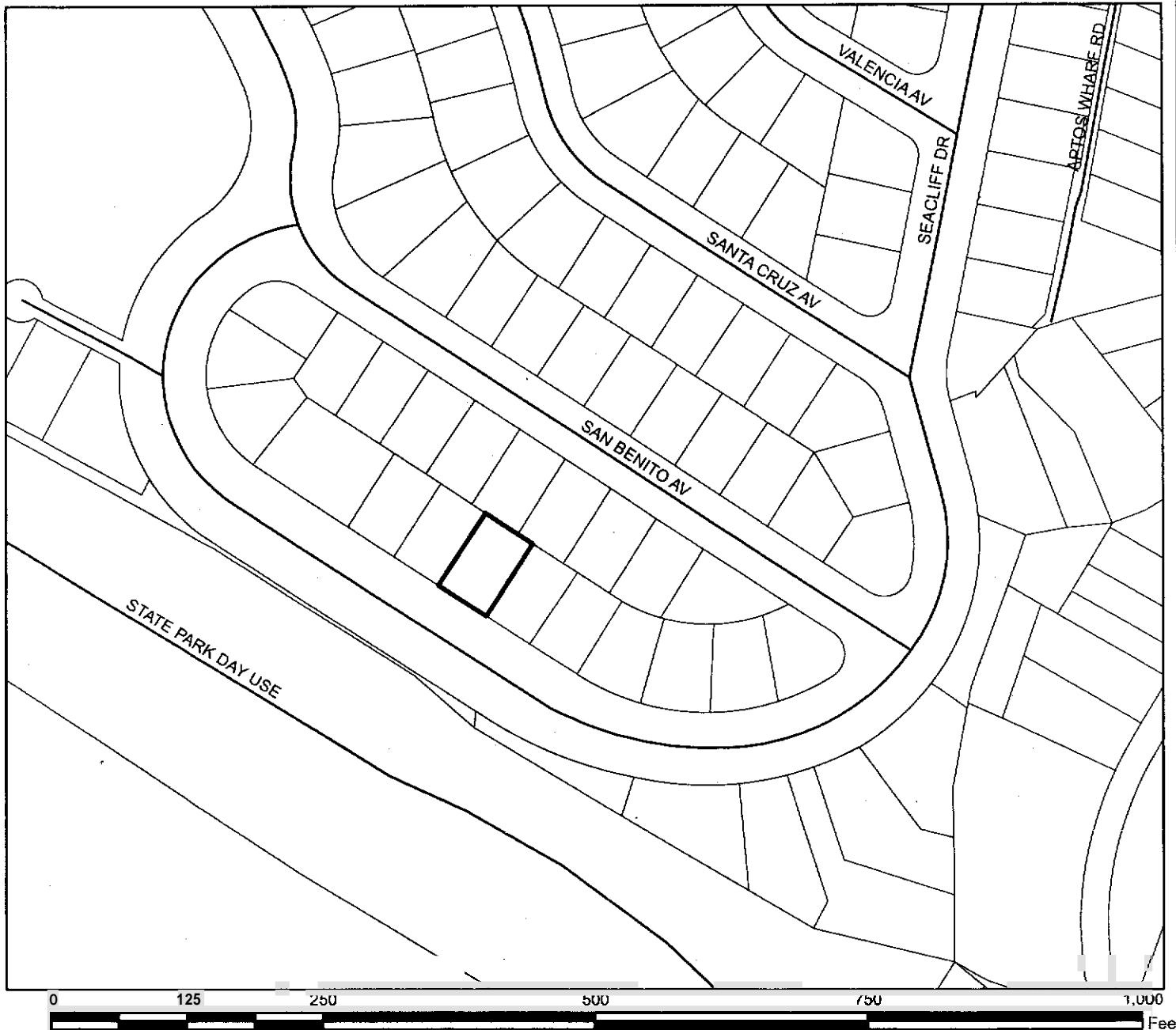
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Alice Daly, Project Planner





Date:\_\_\_\_\_

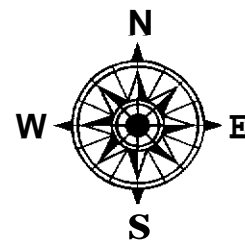


# Location Map



## LEGEND

-  APN: 042-093-17
-  Assessors Parcels
-  Streets
-  County Boundary

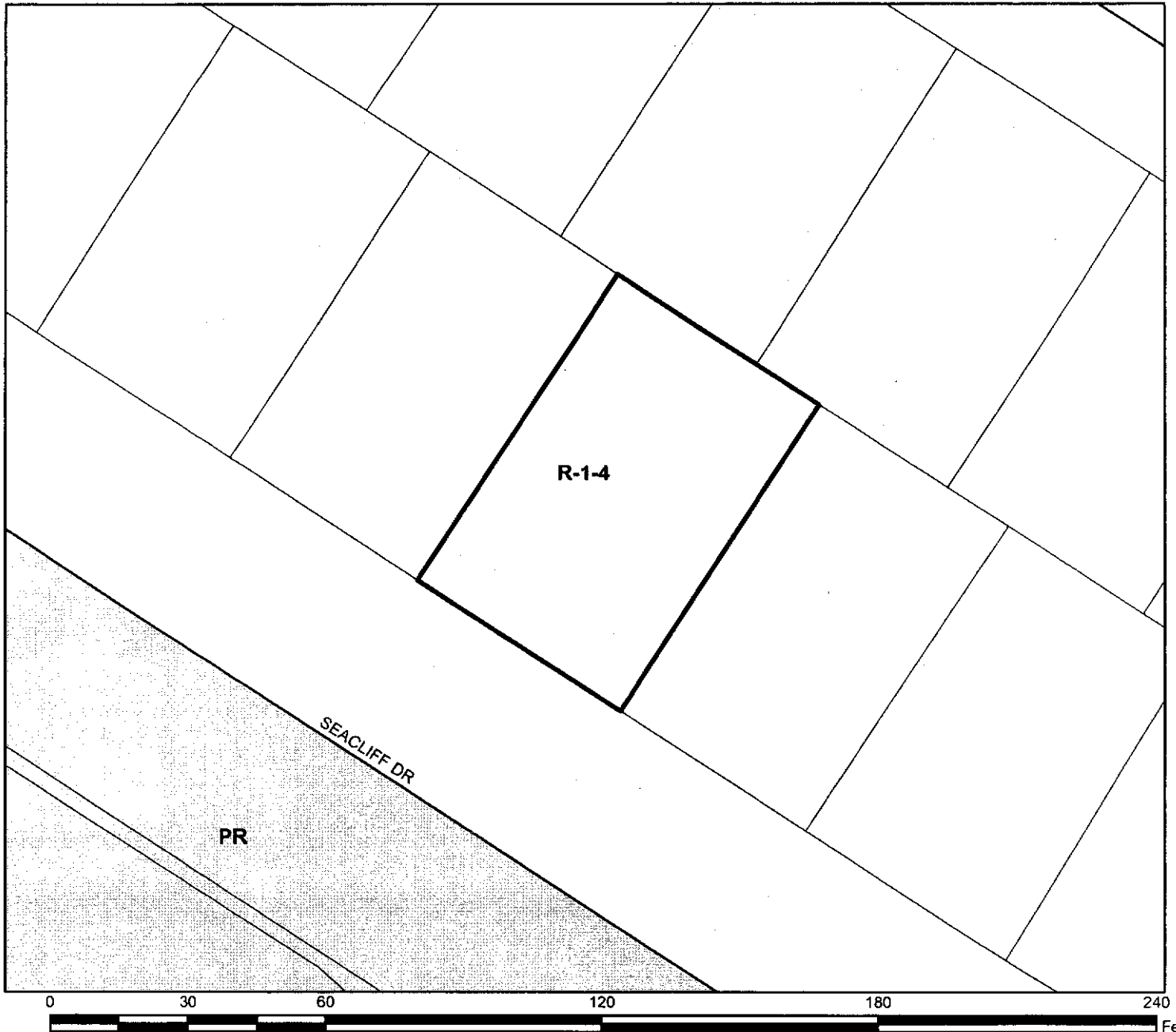


Map created by  
County of Santa Cruz  
Planning Department  
August 2007




**Exhibit E**



# Zoning Map

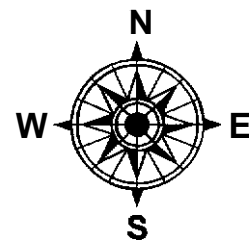


## LEGEND

-  APN: 042-093-17
-  Assessors Parcels
-  Streets

PARK

RESIDENTIAL-SINGLE FAMILY

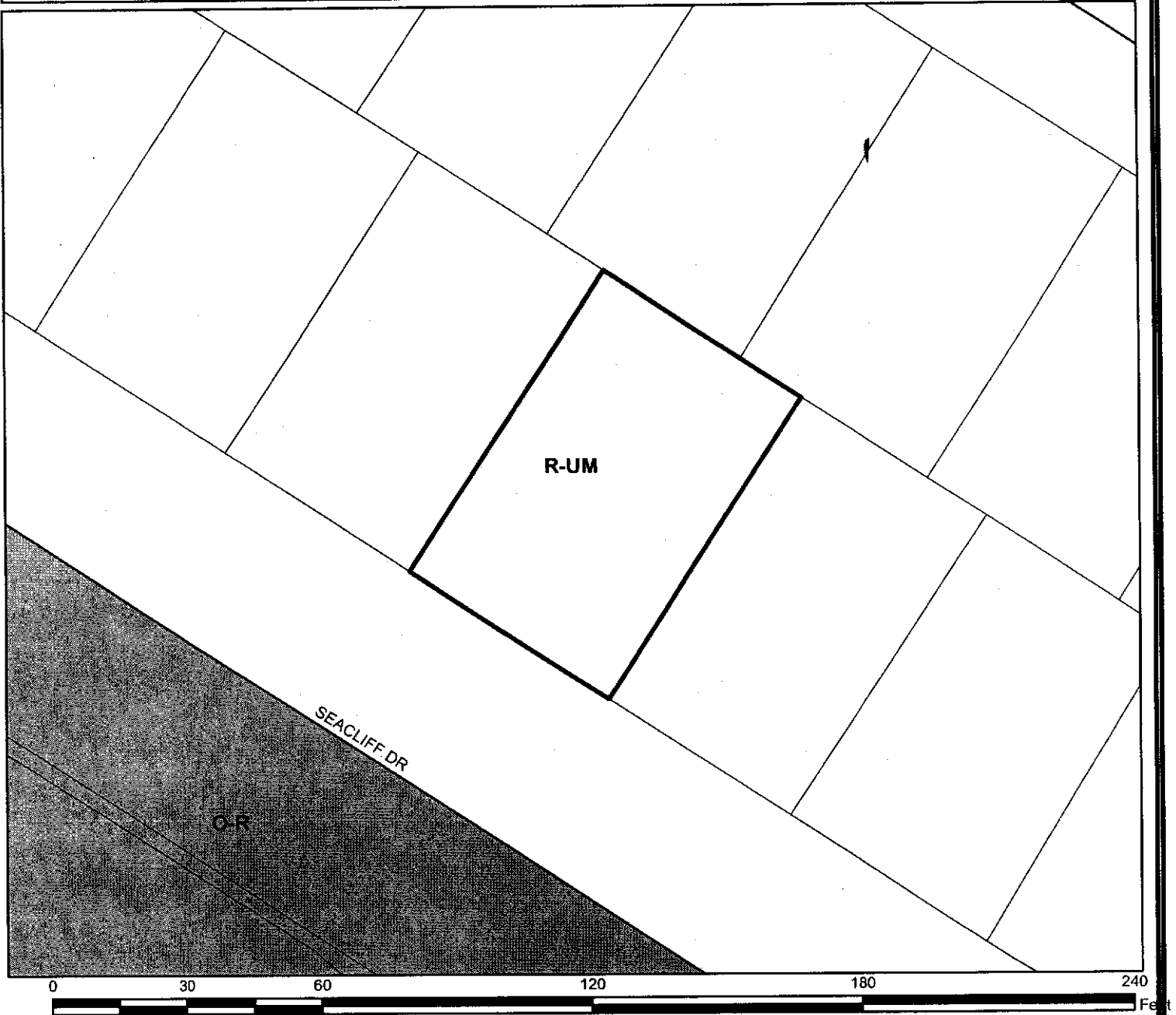


Map created by  
County of Santa Cruz  
Planning Department  
August 2007






**Exhibit F**

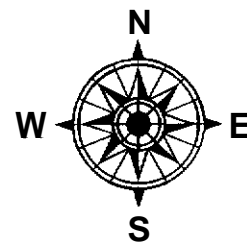


# General Plan Designation Map



## LEGEND

-  APN: 042-093-17
-  Assessors Parcels
-  Streets
-  Parks and Recreation
-  Residential - Urban Medium Density

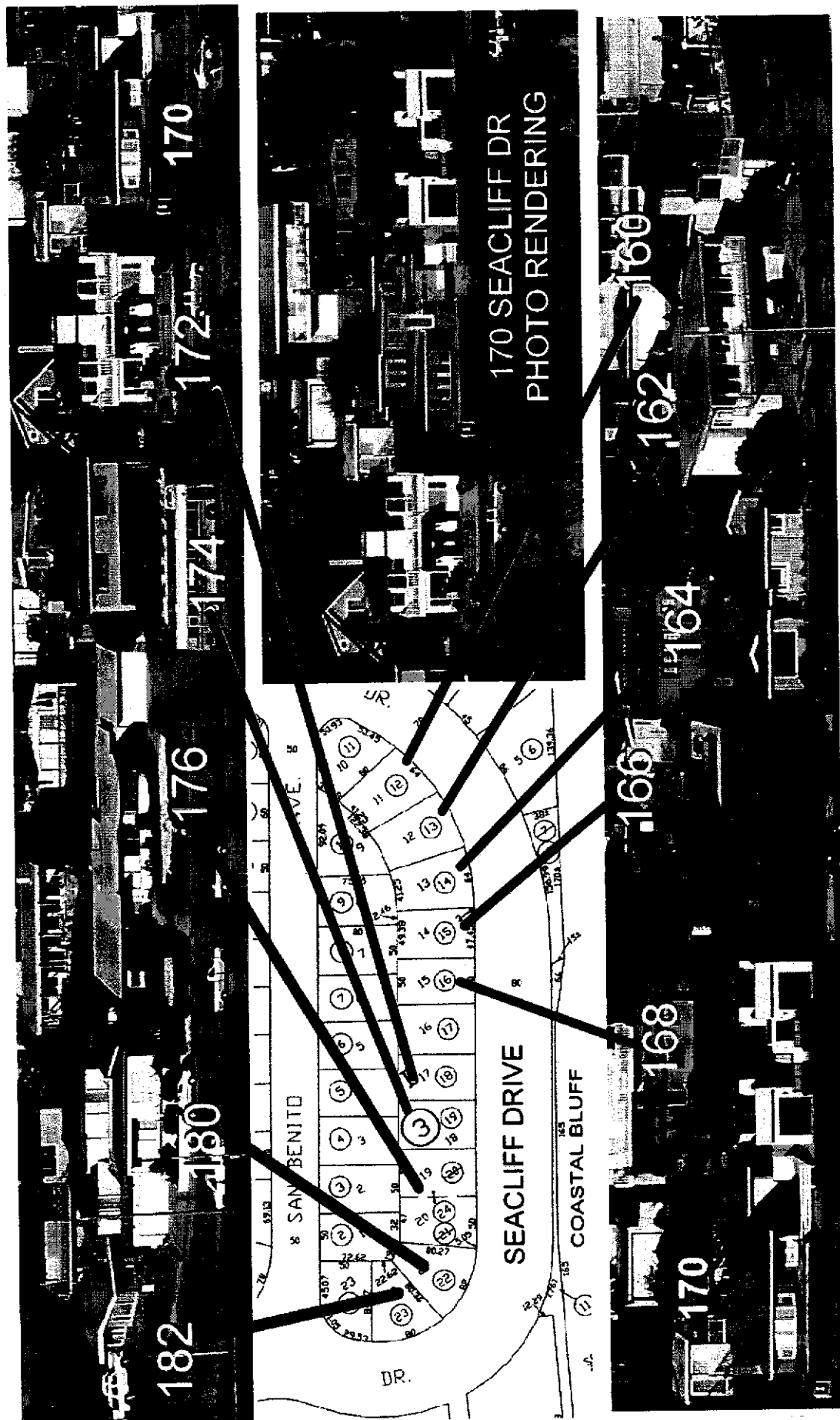


Map created by  
County of Santa Cruz  
Planning Department  
August 2007

**Exhibit G**

# **QUILTER RESIDENCE ADDITION 170 SEACLIFF DRIVE, APTOS**

APN 042-093-17







**Quilter Residence  
Addition  
170 Seacliff Drive  
Aptos, Ca  
APN-042-093-17**

## COLORS

Note: Colors shown are to match the existing home.



Stucco

Corbels/Trim/Doors

Windows

Shingles

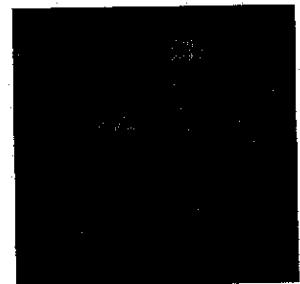


Acrylic  
"Autumn  
Mocha"

Sherwin Williams  
"Spring Snow"

Milgard Windows  
Color "White"

Elk Prestique  
"Antique Slate"



**C O U N T Y   O F   S A N T A   C R U Z**  
**DISCRETIONARY APPLICATION COMMENTS**

**Project Planner:** Alice Daly  
**Application No. :** 07-0489  
**APN:** 042-093-17

**Date:** January 9. 2008  
**Time:** 16:27:48  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON SEPTEMBER 28, 2007 BY ANTONELLA GENTILE =====  
No completeness comments.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON SEPTEMBER 28, 2007 BY ANTONELLA GENTILE =====  
Items to be addressed during building permit application review:

1. Submit 3 copies of a soils report prepared by a licensed geotechnical engineer for review by Environmental Planning.
2. Once the soils report has been accepted. building permit plans must comply with all recommendations made in the report.
3. Submit an erosion control plan that addresses how sediments will be prevented from leaving the site during and after construction.
4. Submit a drainage plan

**Dpw Road Engineering Completeness Comments**

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

===== REVIEW ON SEPTEMBER 26. 2007 BY ANWARBEG MIRZA =====  
NO COMMENT

**Dpw Road Engineering Miscellaneous Comments**

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

===== REVIEW ON SEPTEMBER 26. 2007 BY ANWARBEG MIRZA =====  
NO COMMENT

**Dpw Sanitation Completeness Comments**

===== REVIEW ON SEPTEMBER 26, 2007 BY DIANE ROMEO ===== No. 1 Review Summary Statement; APN: 42-093-17; App. No. 07-0489:

Reference for County Design Criteria: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF>

Policy Compliance Items:

The proposed project requires plan check at building permit phase only. There are no public sewer mains on the subject property that will be affected by the expansion of the building footprint.

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Discretionary Comments - Continued

Project Planner: Alice Daly  
Application No.: 07-0489  
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Date: January 9, 2008  
Time: 16:27:48  
Page: 2

A condition of approval for this property is to contact the District at 831-454-2160 to schedule a dye test of the onsite drainage system to insure that it is not connected to the public sewer. If it is determined that there is a connection of storm water to the sewer system, the owner shall promptly disconnect the storm/surface drainage system at his or her own cost. Any questions regarding the above criteria should be directed to Diane Romeo of the Sanitation Engineering division at (831) 454-2160.

There are no miscellaneous comments.

**Dpw Sanitation Miscellaneous Comments**

===== REVIEW ON SEPTEMBER 26, 2007 BY DIANE ROMEO ===== There are no miscellaneous comments.

**Aptos-La Selva Beach Fire Prot Dist Completeness C**

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

===== REVIEW ON OCTOBER 5, 2007 BY ERIN K STOW =====

DEPARTMENT NAME: Aptos/La Selva Fire APPROVED

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

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

**Aptos-La Selva Beach Fire Prot Dist Miscellaneous**

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

===== REVIEW ON OCTOBER 5, 2007 BY ERIN K STOW =====

NO COMMENT