



Staff Report to the Zoning Administrator

Application Number: **111190**

Applicant: Brian Maridon
Owner: Anna Jean Golino
APN: 046-321-09

Agenda Date: January 6, 2012
Agenda Item #: 2
Time: After 10:00 a.m.

Project Description: Proposal to recognize the conversion of 800 square feet of existing garage/guest house space to a second dwelling unit, and construct a new 529 square foot detached garage.

Location: The property is near Manresa Beach, located on the south side of San Andreas Road at 1425 San Andreas Road (the parcel address is 1375 San Andreas Road).

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

Permits Required: Coastal Development Permit
Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 111190, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|---|----|----------------------------------|
| A. | Project plans | E. | Assessor's, Location, Zoning and |
| B. | Findings | | General Plan Maps |
| C. | Conditions | | |
| D. | Categorical Exemption (CEQA
determination) | | |

Parcel Information

Parcel Size:	1.97 acres
Existing Land Use - Parcel:	Residential/agricultural
Existing Land Use - Surrounding:	Residential (RR and RA) north, south and east; Parks and Open Space (PR, La Selva Beach) to the west

Project Access: Driveway from San Andreas Road
Planning Area: La Selva Beach
Land Use Designation: R-R (Rural Residential)
Zone District: RR (Rural Residential)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
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: Mapped Scenic
Drainage: Existing drainage adequate
Archeology: No ground disturbance proposed for portion mapped

Services Information

Urban/Rural Services Line: Inside X Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: septic
Fire District: Aptos-La Selva Fire District
Drainage District: Out-of-zone

History

Building Permit No. 76550 for the 5-bedroom, two-story single-family residence and garage on site was issued on June 12, 1984. At some point, the garage became a 3-bedroom guest house for which there is no permit record. The current proposal would bring one of the guest house bedrooms to non-habitable status, creating a 140 square foot garden equipment storage room with exterior access only, and recognize the garage/guest house structure as a two-bedroom 800 square foot second-dwelling unit.

In 2011, two Building Permits (B-111542 and B-111135) were issued for an interior kitchen remodel and re-roofing of the main dwelling.

Project Setting

Approximately 2/3 of the project site is relatively flat, at the top of a coastal buff that drops approximately 100 feet downward to Manresa State Beach. The proposed second dwelling unit remodel and the proposed new garage are inland from the main dwelling and will not be visible from any public vantage point. The property is adjacent to other RR-zoned residential parcels to the north and south, and RA-zoned residential and agricultural uses inland across San Andreas Road. Public

access, parking and facilities for Manresa State Beach are located to the north along San Andreas Road less than ¼ mile away from the property.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 1.97 acres, located in the RR (Rural Residential) zone district, a designation that allows residential uses. The proposed second dwelling unit and detached garage are permitted uses within the zone district appurtenant to the single-family residential use, and the zoning is consistent with the site's (R-R) Rural Residential General Plan designation.

Local Coastal Program Consistency

The proposed second dwelling unit and new detached garage are in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible 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 consistent with the existing range of styles. The project site is located between the shoreline and the first public road, but it is not identified as a priority acquisition site in the County's Local Coastal Program, and the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed second dwelling unit and new detached garage comply with the requirements of the County Design Review Ordinance, in that the project will incorporate architectural design features that will harmonize with the colors, style and materials of the existing converted garage and residence on the site to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. There will be no views of the project from La Selva Beach or from any other public areas. No scenic views would be impacted.

Environmental Review

Environmental evaluation of the proposed project pursuant to the requirements of the California Environmental Quality Act (CEQA) has resulted in the determination that the proposed project is eligible for a Categorical Exemption under CEQA Section 15303, New Construction or Conversion of Small Structures. This Categorical Exemption applies because the project is for construction of a second dwelling unit and a garage appurtenant to a single-family dwelling in a residential zone.

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.

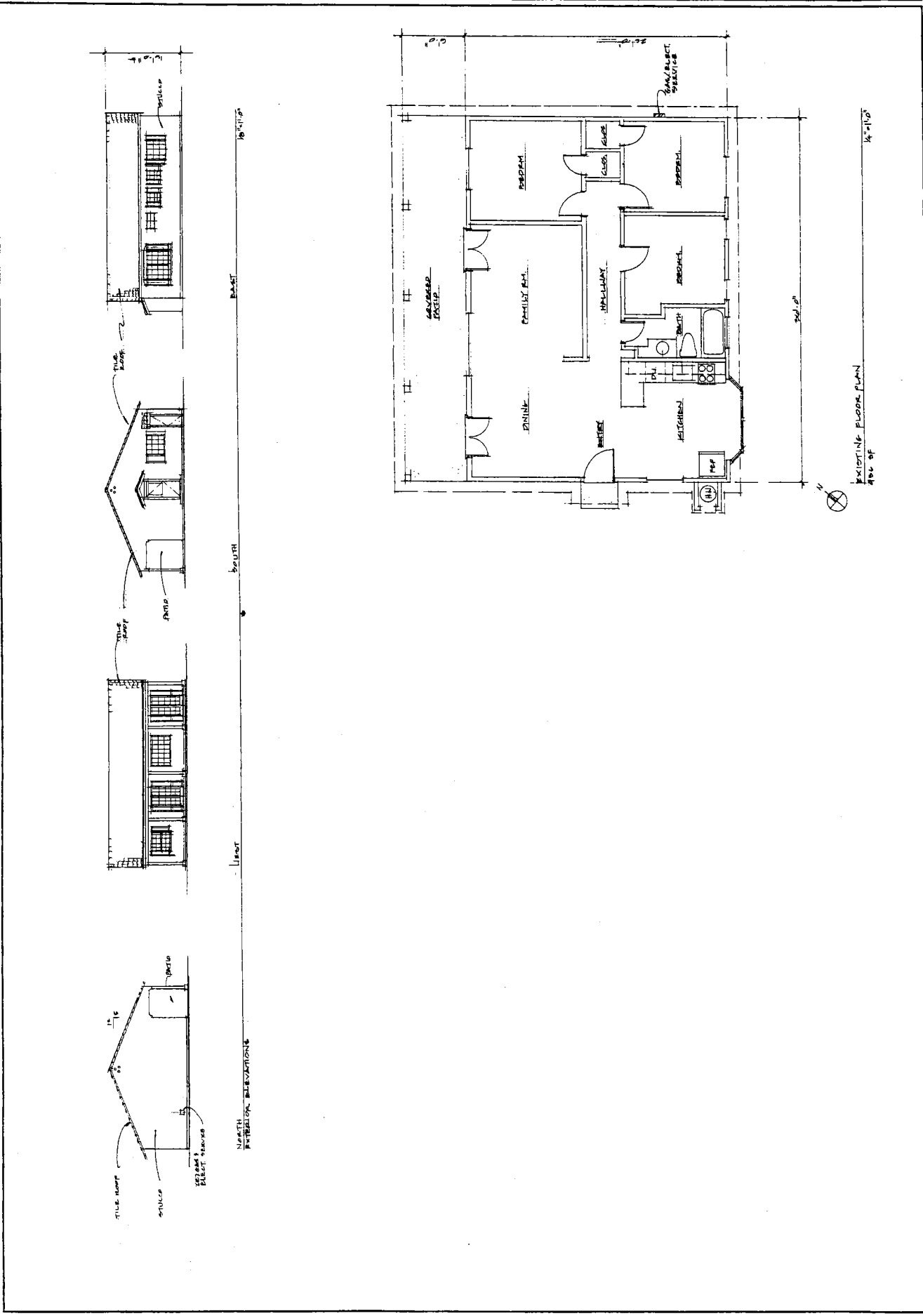
Staff Recommendation

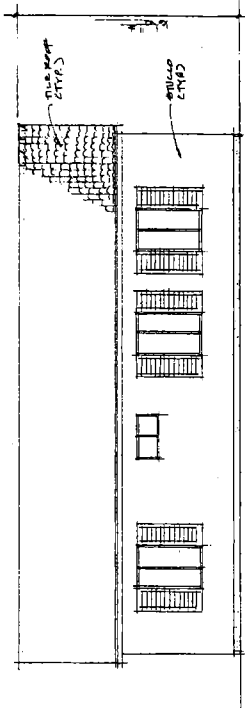
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **111190**, based on the attached findings and conditions.

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

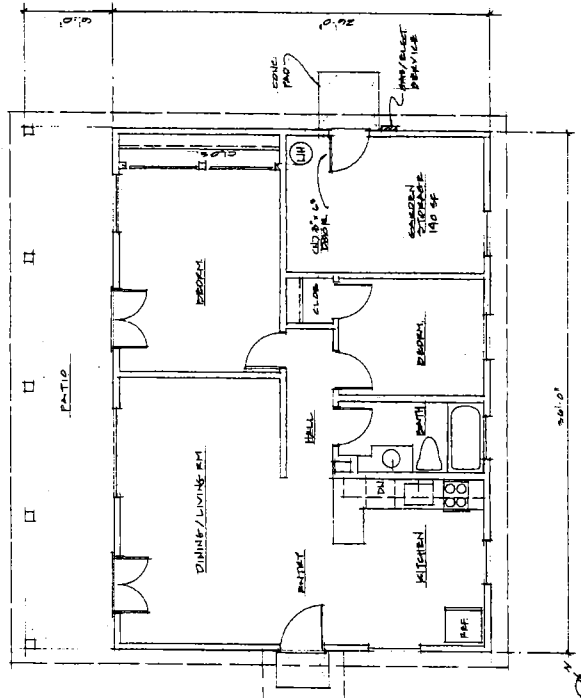
Report Prepared By: Alice Daly
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Santa Cruz CA 95060
Phone Number: (831) 454-3140
E-mail: alice.daly@co.santa-cruz.ca.us



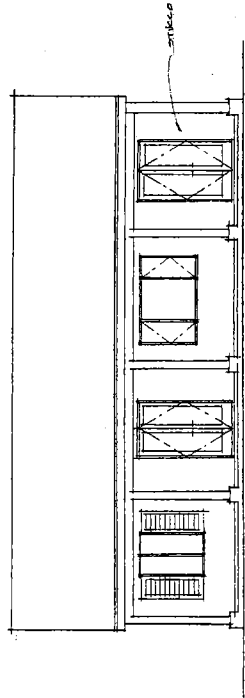


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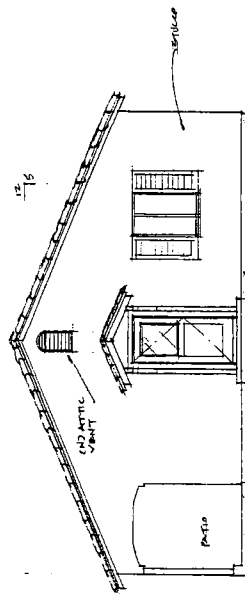
LEGEND
 Existing 2 x 4 studs @ 16" O.C.
 Walls to be removed
 New walls 2 x 4 studs @ 16" O.C.



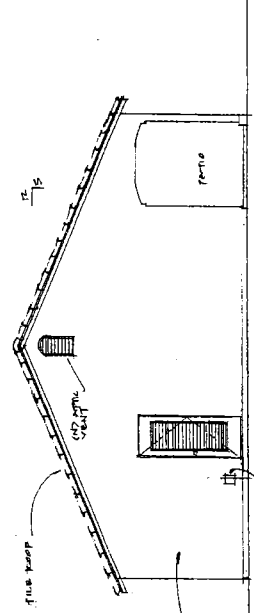
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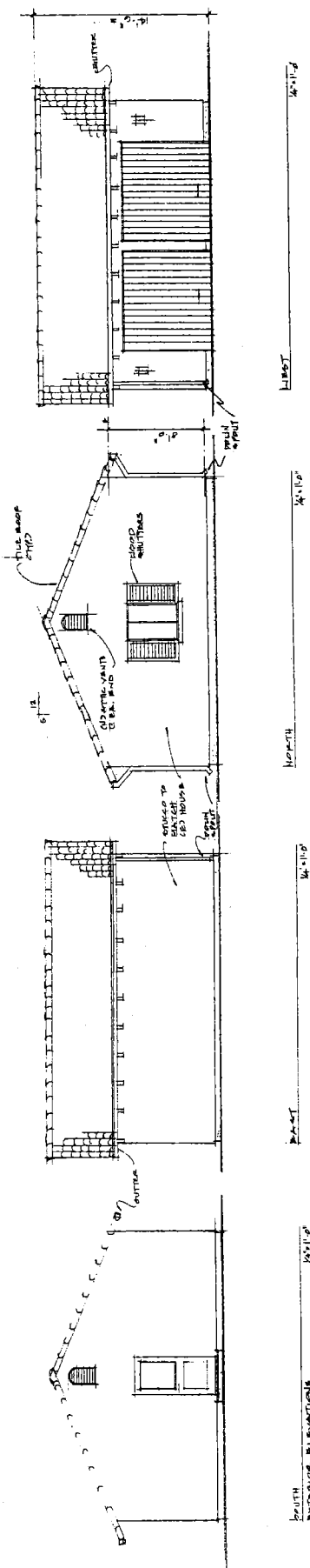
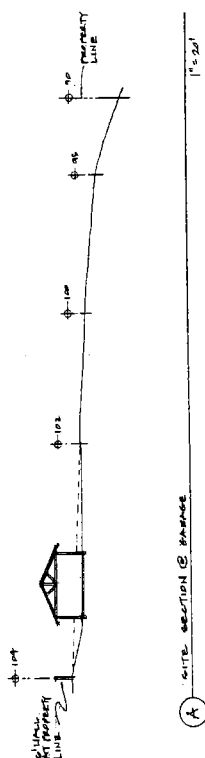
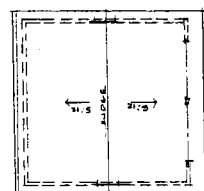
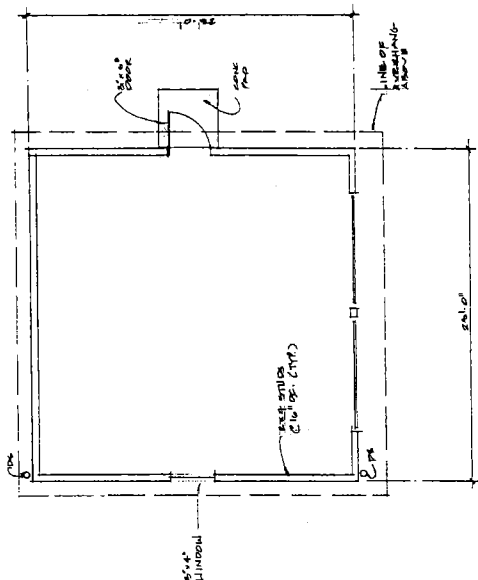
14'-11 1/2" W
 14'-11 1/2" H



14'-11 1/2" W
 14'-11 1/2" H



14'-11 1/2" W
 14'-11 1/2" H



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 RR (Rural Residential), a designation that allows residential uses. The proposed remodel and recognition of a second dwelling unit and new detached garage are principal permitted uses within the zone district, and the zoning is consistent with the site's (R-R) Rural 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 as 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 will not be visible to the surrounding neighborhood, but will be compatible with the existing residence on the property as to its architectural style and materials. The site is surrounded by lots developed to a similar density, the colors and materials will be complementary to the site, and while the subject property is on a beach bluff top, it will not be visible and thus have no visual impacts from public viewing areas.

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, the remodel and recognition of a second dwelling unit and new detached garage will not interfere with public access to the beach, ocean, or any nearby body of water. 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 proposed remodel and recognition of a second dwelling unit and new detached garage is sited and designed to be compatible and integrated with the character of the surrounding neighborhood. Residential uses are allowed uses in the RR (Rural Residential) zone district, as well as the General Plan and Local Coastal Program land use designation. Other developed parcels in the area contain single family dwellings and appurtenant structures of similar scale. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles.

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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 remodel and recognition of a second dwelling unit and new detached garage and the conditions under which they will be used and maintained will be consistent with all pertinent County ordinances and the purpose of the RR (Rural Residential) zone district, as the primary use of the property will be one existing single-family residence, a second dwelling unit and a detached garage that 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 Rural Residential (R-R) land use designation in the County General Plan.

The proposed second dwelling unit and new detached garage 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 proposed remodel and recognition of a second dwelling unit and new detached garage 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 second dwelling unit and new detached garage will be properly 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 second dwelling unit and new detached garage will comply with the site standards for the RR 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 remodel and recognition of a second dwelling unit and new detached garage would be constructed on an existing lot developed with a single-family residence. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit), and 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 neighborhood containing a variety of architectural styles, and the proposed remodel and recognition of a second dwelling unit and new detached garage will be 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 remodel and recognition of a second dwelling unit and new detached garage 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, 4 sheets, by Brian Maridon, Architect, dated 8/25/11.

- I. This permit authorizes the remodel and recognition of an 800 square foot 2-bedroom second dwelling unit and non-habitable garden storage room from what is currently a 3-bedroom guest house, and the construction of a new 529 square foot detached garage. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by 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.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official, if required.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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. 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. The applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
 2. Grading, drainage, and erosion control plans.
 3. Details showing compliance with Aptos-La Selva Beach Fire Department requirements.

- B. 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.
 - C. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - 1. Indicate on the plans the manner in which building downspouts will be discharged.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - E. Meet all requirements and pay any applicable plan check fee of the Aptos-La Selva Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Pay the current fees for Parks and Child Care mitigation for 2 bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - H. 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.
 - I. Complete and record a Declaration of Restriction to construct an Accessory Dwelling Unit (ADU). **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All 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 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 three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

Alice Daly, AICP
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: 111190

Assessor Parcel Number: 046-321-09

Project Location: 1425 San Andreas Road

Project Description: Recognize conversion of 800 square feet of existing garage space to a second dwelling unit and construct a new 529 square foot detached garage.

Person or Agency Proposing Project: Brian Maridon

Contact Phone Number: 831-425-4549

- 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. X **Categorical Exemption**

Specify type: New Construction or Conversion of Small Structures (CEQA Section 15303)

F. Reasons why the project is exempt:

Construction of a second dwelling unit and a garage appurtenant to a single-family dwelling in a residential zone.

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

Alice Daly, Project Planner

Date: _____

FOR TAX PURPOSES ONLY

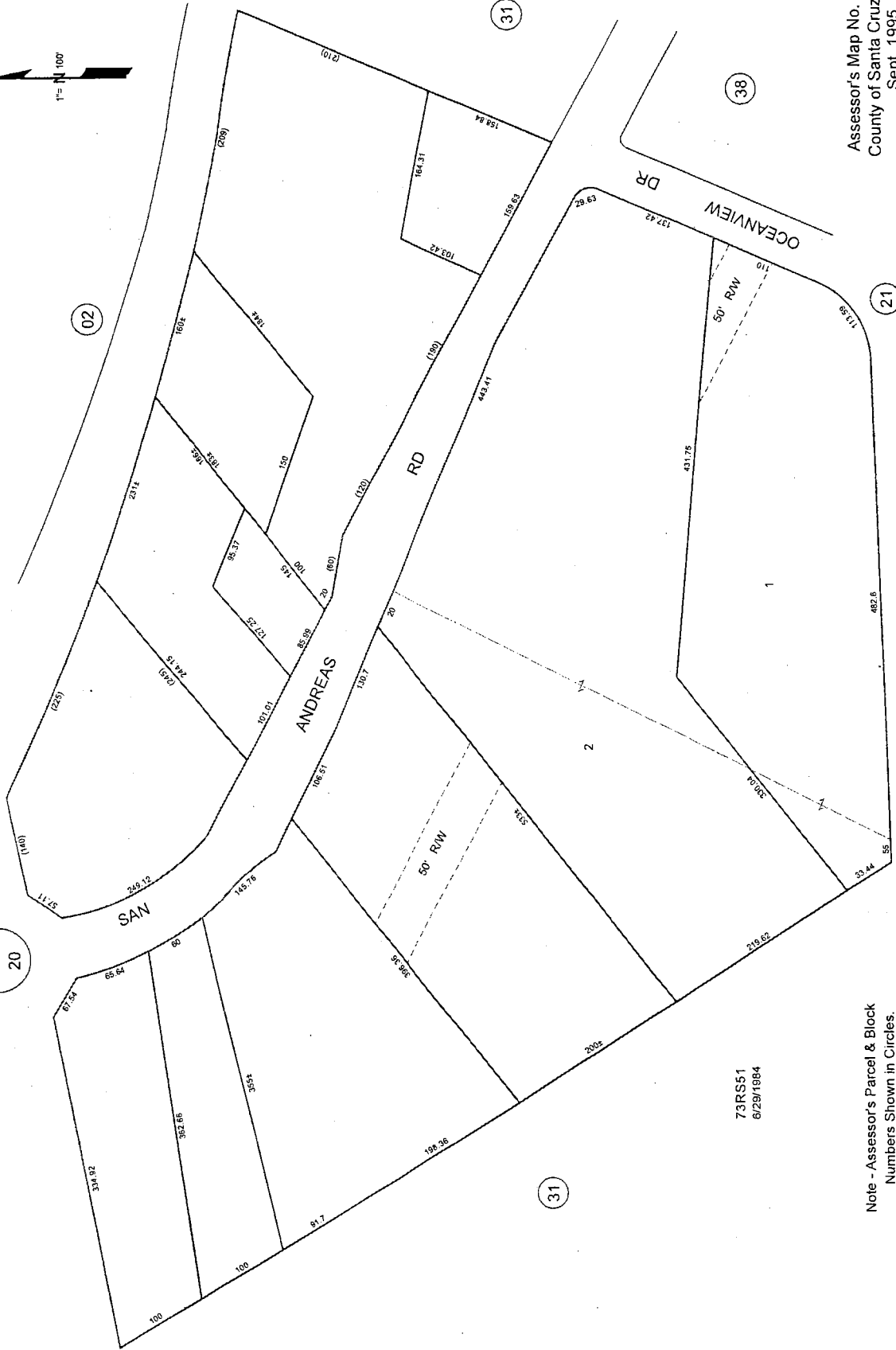
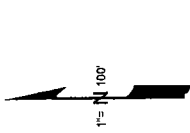
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POR. SAN ANDREAS RANCHO
SECS. 33, T.12S. R.1E., M.D.B. & M.

Tax Area Code
69-279

46-32

Bk. 45
20



95RS34
3/25/1989

42RS7
9/22/1964

73RS51
6/29/1984

Electronically drawn 9/12/85 KSA
Rev. 8/28/97 CB (Removed RTW as per owner)
Rev. 5/2/98 TCA CONSOLIDATION RM
Rev. 8/28/98 OG (Cor page ref.)
Rev. 8/28/98 CB (95RS34)
Rev. 5/2/01 RM (changed page refs.)
Rev. 5/20/10 CB (Spatial Adjustment)

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





Assessor's Map No. 46-32
County of Santa Cruz, Calif.
Sept. 1995

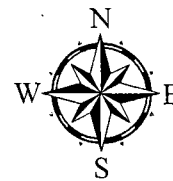


Location Map



LEGEND

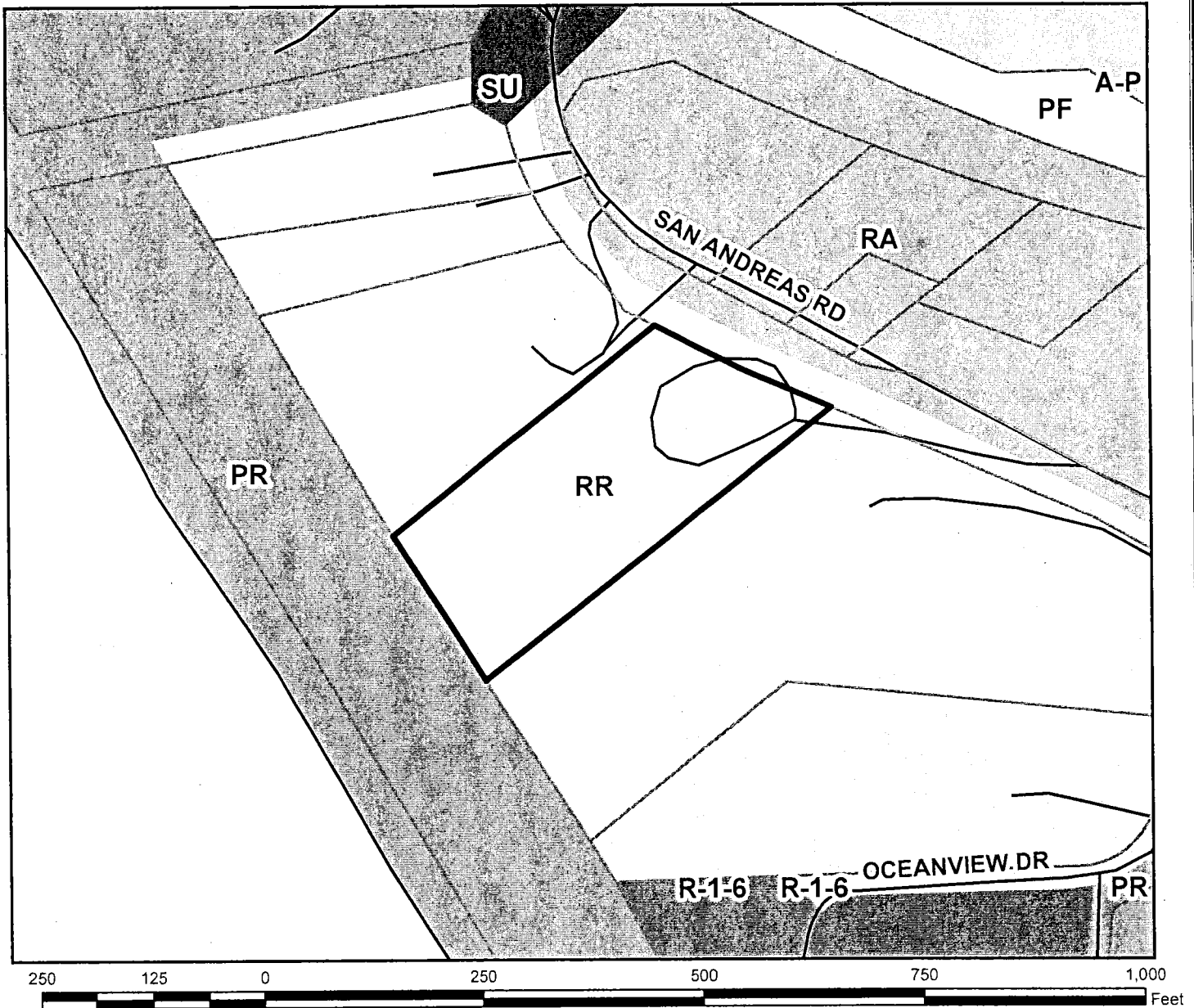
-  APN: 046-321-09
-  Assessors Parcels
-  Streets
-  County Boundary



Map Created by
County of Santa Cruz
Planning Department
October 2011

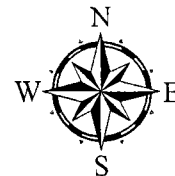


Zoning Map



LEGEND

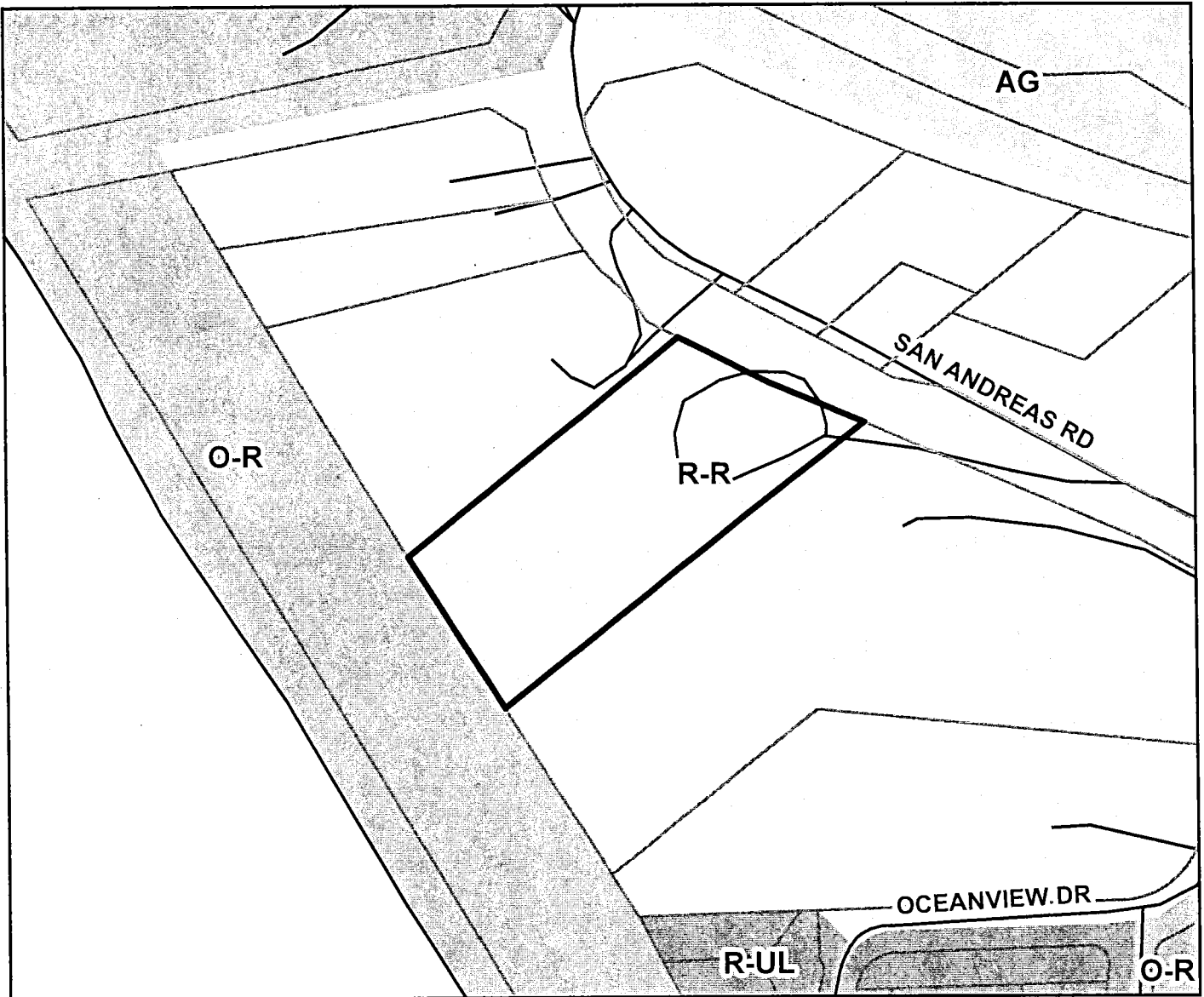
- APN: 046-321-09
- Assessors Parcels
- Streets
- County Boundary
- RESIDENTIAL-RURAL
- AGRICULTURE
- AGRICULTURE RESIDENTIAL
- PARK
- PUBLIC FACILITY
- RESIDENTIAL-SINGLE FAMILY
- SPECIAL USE



Map Created by
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Planning Department
October 2011

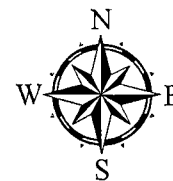


General Plan Designation Map



LEGEND

- APN: 046-321-09
- Assessors Parcels
- Streets
- County Boundary
- Residential-Rural
- Agriculture
- Parks and Recreation
- Residential - Urban Low Density



Map Created by
County of Santa Cruz
Planning Department
October 2011