



Staff Report to the Zoning Administrator

Application Number: **121053**

Applicant: Matson Britton Architects
Owner: John P. and Kimberly M. McMorrow
Co-Trustee
APN: 032-232-05

Agenda Date: July 6, 2012
Agenda Item #: 1
Time: After 9:00 a.m.

Project Description: Proposal to remodel an existing nonconforming two-story single-family dwelling to include modifying the roofline, reconfiguring interior space and stairways, partially enclosing a second floor covered deck, fully enclosing a first floor covered porch, replacing all exterior doors and windows, extending an uncovered front and rear porch of less than 18 inches in height, and constructing a 6-foot courtyard wall within the front yard setback.

Location: Project is located on the south side of Pleasure Point Drive, approximately 100 feet east of the intersection with Rockview Drive.

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Coastal Development Permit, Residential Development Permit to allow a wall greater than three feet in height within the front yard setback. and a Variance to increase the Floor Area Ratio from 55% to approximately 57%

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 121053, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size: Approximately 6,307 **gross** square feet
Approximately 4,807 **net** square feet (less bluff area)

Existing Land Use - Parcel:	Single-Family Residential
Existing Land Use - Surrounding:	Single-Family Residential
Project Access:	Pleasure Point Drive
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Residential)
Zone District:	R-1-5-PP (Single-family dwelling, 5,000 square foot minimum parcel size, Pleasure Point Combining District)
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

Environmental Information

Geologic Hazards:	Coastal Bluff
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:	Not a mapped resource
Drainage:	Existing drainage adequate
Archeology:	Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Public
Sewage Disposal:	Public
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

History and Project Setting

According to County Assessor's records, the existing two-story dwelling and attached garage on the property were constructed in 1935. Subsequent minor building permits were issued for fireplace repair and utility and roof upgrades.

The project site is located on a coastal bluff in the Pleasure Point area of Live Oak. The lot is approximately 6,307 gross square feet in area; deducting the coastal bluff area at the southern end of the parcel results in a net site area of approximately 4,807 square feet. The existing house and attached garage are nonconforming with respect to the east side yard setback, front yard setback, floor area ratio, off-street parking requirements, and coastal bluff setback, with the rear wall of the residence located approximately nine feet from the top of the bluff.

The developed portion of the parcel is virtually flat, with the rear (southerly) portion sloping toward the ocean at a gradient of approximately 40%. The base of the bluff is reinforced with a large volume of rock rip rap, approved under grading permit #87-0949.

Residences in the vicinity of the subject parcel are primarily of two-story construction and are somewhat similar in size and configuration to that of the subject dwelling. Specifically, the parcel immediately east of the subject site is about 4,435 square feet in net site area and developed with a two-story residence and attached garage that is approximately 2,400 square feet in area. The adjacent dwelling to the west is also two-story, about 1,725 square feet in area (including attached garage) and is located on a smaller parcel of approximately 3,340 square feet of net site area. All three houses were constructed during the same 5-year period in the mid-to-late 1930s.

The proposed residential remodel essentially retains the existing building footprint, with minor changes to the exterior configuration. On the first floor, a bathroom is proposed to be expanded into a portion of the garage; a covered walkway along the west side of the house would be enclosed and added to the kitchen. On the ocean side of the lot, the existing deck is to be replaced and extended to the top of the bluff. The new deck is to be of pervious construction, uncovered, and no more than eighteen inches above grade. The front entry is also proposed to be enclosed and expanded and doors added off of the living room, leading to a front courtyard. An existing 3-foot tall brick wall at the front (street side) of the lot is proposed to be replaced by 6-foot tall courtyard wall that will be pulled back about nine feet away from the street. At the second floor, a bathroom is proposed to be added and a portion of an existing covered deck enclosed and used to expand the master bathroom.

While the proposed improvements will slightly increase the degree of nonconformity with respect to floor area ratio, there will be no increase in nonconforming setbacks or lot coverage. The proposed front courtyard wall exceeds the 3-foot height limit within the 20-foot front yard setback and requires Residential Development Permit approval. The following table summarizes the existing and proposed site standards for the subject parcel:

SITE STANDARDS TABLE

	R-1-5-PP Site Standards	Existing Residence	Proposed Residence
Front Yard Setback (garage)	20'	15'*	No change
Side Yard Setbacks	5' & 8'	6'-1" & 7'-4"*	No change
Second Story Side Yard Setbacks (Pleasure Point Plan)	10' & 10'	10'-2" & 7'-4"*	No change
Rear Yard Setback	15'	41'	No change
Geologic Bluff Setback	25'	0'*	No change
Lot Coverage	40%	34%	No change
Floor Area Ratio	50%	55%*	57%*
Building Height	28'	23'-6"	No change
Parking	3 spaces	1 space*	No change*

*Does not conform to current site standards for the zone district

Zoning & General Plan Consistency

The subject property is a parcel of approximately 6,307 square feet, located in the R-1-5-PP (single-family dwelling, 5,000 square foot minimum parcel size, Pleasure Point combining) zone district, a designation which allows residential uses. The proposed residential remodel is a principally-permitted use within the zone district and the zoning is consistent with the site's (R-UM) Urban Medium Residential General Plan designation. The existing dwelling is nonconforming with respect to front and side-yard setbacks, floor area ratio, off-street parking requirements, and the minimum 25-foot coastal bluff setback. With the exception of a small increase in floor area ratio, the proposal does not increase the degree of nonconformity with the R-1-5 standards. A variance is required in order to expand the floor area ratio from 55% to 57% and the findings are contained in Exhibit B of this report.

The proposed changes do not increase the degree of nonconformity with respect to the Pleasure Point Plan, in that no additional square footage is proposed to be added at the second story.

Local Coastal Program Consistency

The proposed residential remodel 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. The remodel would update and enhance the existing structure by introducing features that are more consistent with the Monterey style, including a more defined formal courtyard, cross gabled roof line, multi-paned windows and prominent false shutters. Parcels in the vicinity are primarily developed with two-story residences. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range of styles. The project site is located between the shoreline and the first public road; however there are no public easements through or adjacent to the project site. Therefore the proposed residential remodel will not interfere with public access to the beach, ocean, or other nearby body of water. The parcel is not identified as a priority acquisition site in the County's Local Coastal Program.

Design Review and the Pleasure Point Plan

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate several site and architectural design features that will enhance the aesthetic value of the existing dwelling. At the street front, the proposed design incorporates a more formal courtyard; with an arched wooden gate. The remodel would also replace the hipped second story over the garage with a traditional cross gable. The existing windows are proposed to be replaced with longer multi-paned windows at the street and ocean-facing elevations, breaking up the wall massing and providing more visual interest. The window shutters are to be painted dark green to offer greater contrast than now exists, and both the street and ocean-facing elevations will retain the majority of the traditional second story balconies on either side. A condition of approval requires the glazing to be of low-reflectivity to minimize any potential impact from glare on coastal views.

The project is also subject to the provisions of the Pleasure Point Plan. The proposed remodel conforms to the Plan in that the overall footprint and square footage of the existing house will be

essentially unchanged. Additionally, the exterior design changes discussed above will result in an improved street appearance and a more authentic representation of the Monterey architectural style of the structure.

Geologic Hazards – Coastal Bluff

As stated, the project site is located on a coastal bluff and the rear portion of the existing dwelling encroaches approximately 13.5 feet into the required 25-foot bluff setback. Section 16.10.070 of the County Geologic Hazards Ordinance requires all development to adhere to the minimum 25-foot setback from the top of the coastal bluff and prohibits additions from being constructed within the bluff setback. While the subject proposal includes enclosing a portion of the second story covered deck and first story covered porch, it has been determined that enclosing existing space is not considered to be an “addition” as defined in §16.10.040 (c) of the County Code. The enclosure is also not defined as “development” under §16.10.040(s)(8) in that the existing covered deck and porch are considered habitable space and therefore the construction of walls around a portions of these areas would not represent a change of use.

Finally, the residential remodel does not modify or replace more than fifty (50) percent of the total length of the exterior walls; therefore the proposal complies with the provisions of the Geologic Hazards Ordinance. A Declaration of Geologic Hazards will be required to be recorded with the County as a condition of this permit approval.

Variance

As stated previously, the existing residence is nonconforming with respect to floor area ratio. The proposed remodel would increase FAR from 55% to approximately 57%. The increase is a result of the enclosure of the first story porch and portion of the second story deck. The enclosures do not represent an increase in the overall footprint of the house; nor do they appreciably impact the overall bulk and mass of the structure. The parcel is constrained by the presence of the large expanse of coastal bluff and the deduction of this bluff area (1,500 square feet) significantly restricts the resulting net site area.

The proposed porch and deck enclosure is located primarily along the south (ocean-facing) elevation and; therefore, does not significantly impact the adjacent dwellings to the east and west. Retaining a large portion of the unenclosed covered second story deck, together with the proposed window changes, will serve to break up the massing along the south-facing elevation and create additional visual interest.

Other properties in the neighborhood, which are similarly constrained by the presence of the extensive coastal bluff, have obtained variances to floor area ratio, lot coverage, setback, and parking standards. Therefore, the approval of a variance for the subject proposal would not be a grant of special privilege.

Front Yard Fence

Currently the property is developed with a 4-foot tall landscape wall located at the edge of the sidewalk at the front of the property. This proposal includes replacing the brick wall with a new 6-

foot tall brick wall that would be pulled back 9 ½ feet to be flush with the face of the garage. The proposed wall would exceed the 3-foot fence height limitation within the front yard setback, however, the wall does not project beyond the front of the garage and therefore would not impact adequate sight distance of vehicles entering the street from the driveway. The wall provides a harmonious and compatible street front appearance consistent with a traditional Monterey-style architectural design and will not negatively impact access to light and air for surrounding properties.

Parking

The existing garage was constructed with the house in 1935. While the structure is more than 17 feet wide, the location of stairs, water heater, and other utilities have historically precluded parking more than one vehicle. The current proposal would reduce the size of the garage by 31.5 feet as a result of enlarging an interior bathroom. Although the site is nonconforming with respect to off-street parking, the reduction in garage space does not further reduce the number of available onsite parking spaces, nor does it reduce existing onsite parking capacity.

The driveway extends 15 feet from the garage and is therefore not long enough to meet the County's 18-foot minimum length for on-site parking. However, the surrounding garages on this side of Pleasure Point Drive are all similarly constrained and have been so since the houses were constructed in the mid 1930s. While the spaces cannot be counted due to their length, they will continue to function to accommodate two additional cars, thereby preserving street parking for other neighborhood residents and visitors.

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 **121053**, 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

Application #: 121053

APN: 032-232-05

Owner: John P. and Kimberly M. McMorrow

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JOHN & KIMBERLY MCMORROW
2995 WOODSIDE ROAD, #400
WOODBRIDGE, VA 22193

8-1-5-PP

15.4.2007

CODE COMPLIANCE: THIS RESIDENTIAL CONSTRUCTION COMPLIES WITH TITLE 24, AND THE FOLLOWING CODES: 2010 CALIFORNIA RESIDENTIAL CODES, 2010 CBC, 2010 CMC, 2010 CPC, AND 2010 CEC.

GROSS LOT SIZE (APPROX.):

EXISTING FLOOR AREAS PER COUNTY CALCULATIONS.
NO CHANGE IN FAR/LOT COVERAGE PROPOSED.
EXISTING FIRST FLOOR AREA:

EXISTING SECOND FLOOR AREA: 1,303.91 SQ. FT.

SOUTH ELEVATION COVERED AREA:
 $118.8 \times 2 = 237.6 + 32.175 - 140$ (covered area credit) = **120.775 SQ.**

EXISTING FAR: 2637 / 4807 = 55%

$$118.8 \text{ (South Elevation Covered Deck)} = 1655.48 / 4807 = 34\%$$

Category	Amount
TOTAL	2344.91 \$Q.1

PROPOSED FIRST FLOOR:
1041 + 141.385 (enclosed "covered area"
1 covered) = 1182.385 sq

TOTAL **2553.55 SQ. FT.**

PROJECT CALCULATIONS

1	TITLE SHEET
2	SITE PLAN

PROPOSED COURTYARD WALL AND EXISTING BASEMENT

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EXISTING FAR. $2637 / 4907 \approx 55\%$

$$1041 \text{ (residence)} + 374 \text{ (garage)} + 121.68 \text{ (North Elevation Covered Deck)} + 118.8 \text{ (South Elevation Covered Deck)} = 1655.48 / 4807 = 34\%$$

EXISTING SECOND FLOOR:	1303.91 SQ. FT.
TOTAL	2344.91 SQ. FT.

PROPOSED FIRST FLOOR:
1041 + 141,385 (enclosed "covered area")

303.91 + 6/.26 (enclosed "covered area") =	1371.17 SQ. FT.
TOTAL	2553.55 SQ. FT.

3/4-31.5 - 34.5 SW, FL

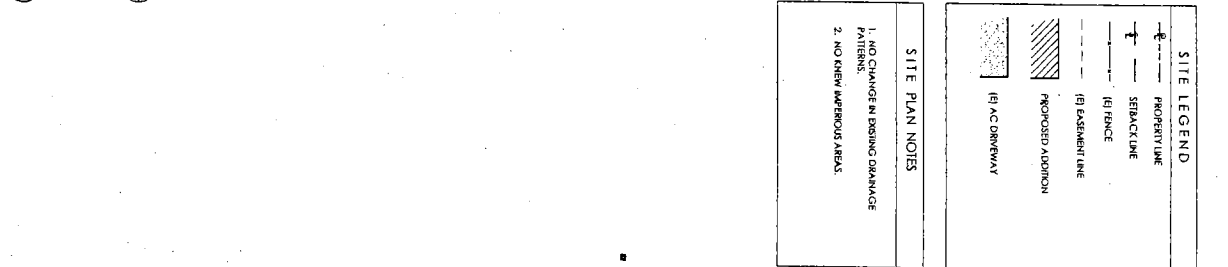
1 TITLE SHEET
2 SITE PLAN
3 EXISTING FIRST AND SECOND FLOOR PLANS

PROPOSED COURTYARD WALL AND EXISTING BASEMENT

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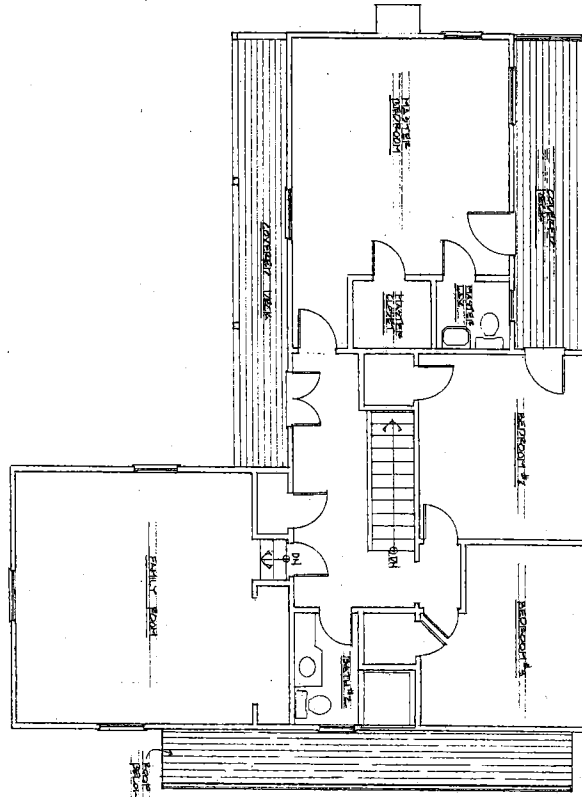
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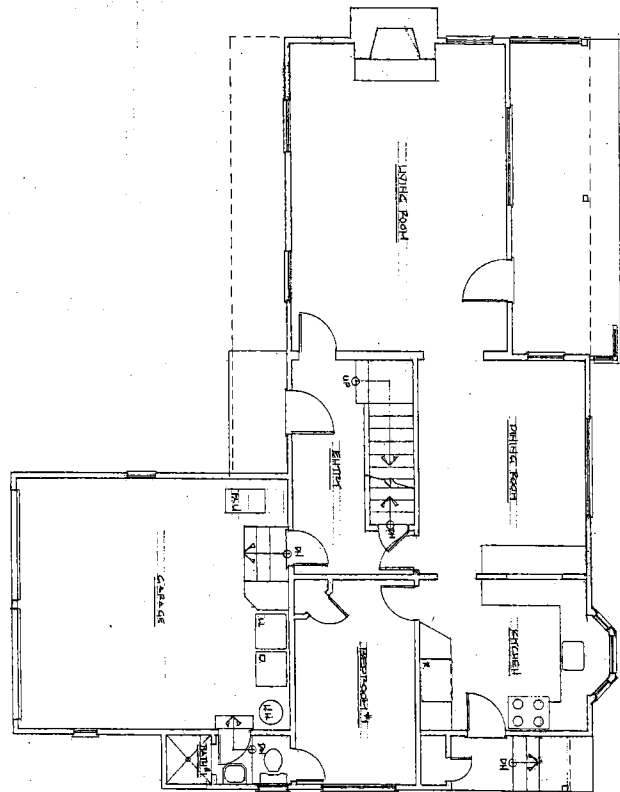
EXISTING SECOND FLOOR PLAN

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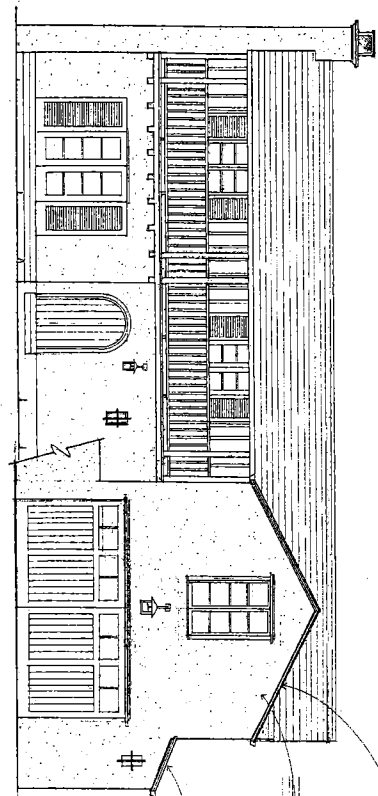
EXISTING FIRST FLOOR PLAN

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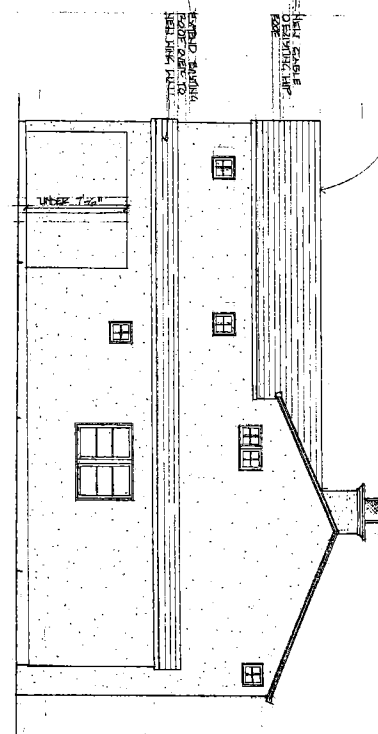
EXISTING FLOOR PLAN

McMorrow Remodel
2825 Pleasure Point Drive
County of Santa Cruz
A.P.N. 032-232-05



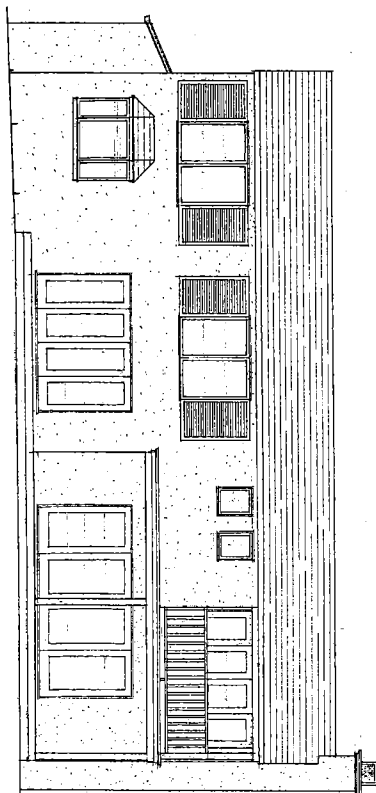
NORTH ELEVATION

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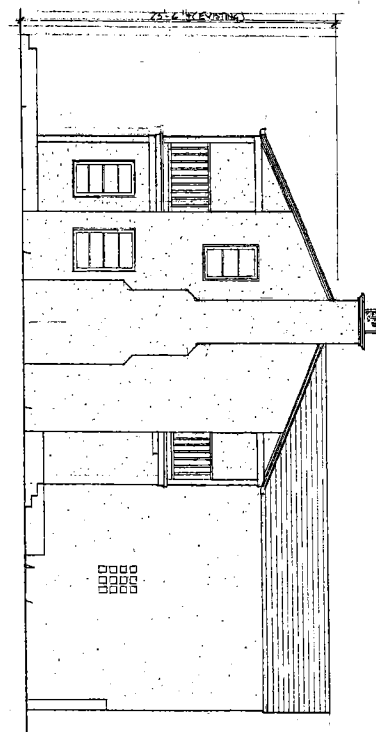
WEST ELEVATION

①



SOUTH ELEVATION
SCALE 1/4" = 1'-0"

④

EAST ELEVATION
SCALE: 1/4" = 1'-0"

③

TO MATCH EXISTING FULL-LENGTH JERSEYS -
PLASTIC BRICK TO BE PROVIDED (NUMBER UNKNOWN)

PLANT EXHIBITING ROOF SURFACES
UNDER THE TREATED GASES
MARKED AS RESULTS

HEAVY CABLE
DEAD END, HAP
PAGE

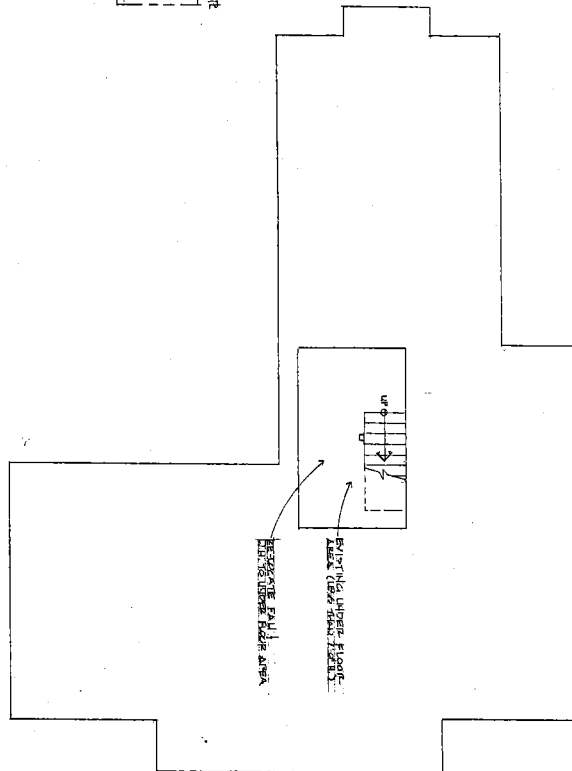
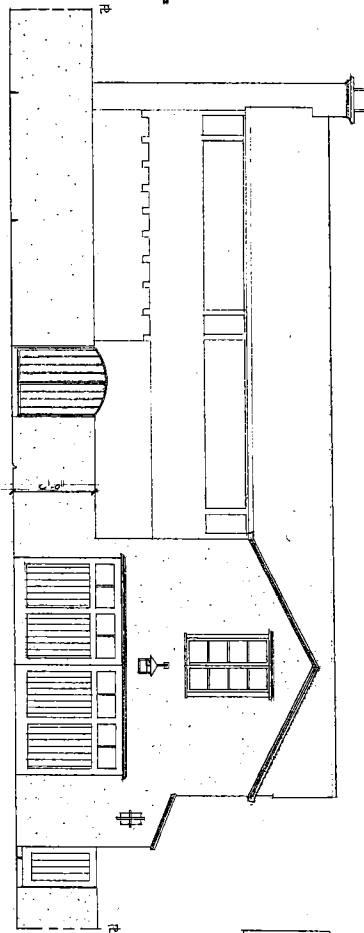
पुस्तकालय, दिल्ली

2016-2017 JAN. ELEVATION - NORTH

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EXTENDING UNDER FLOOR AREA

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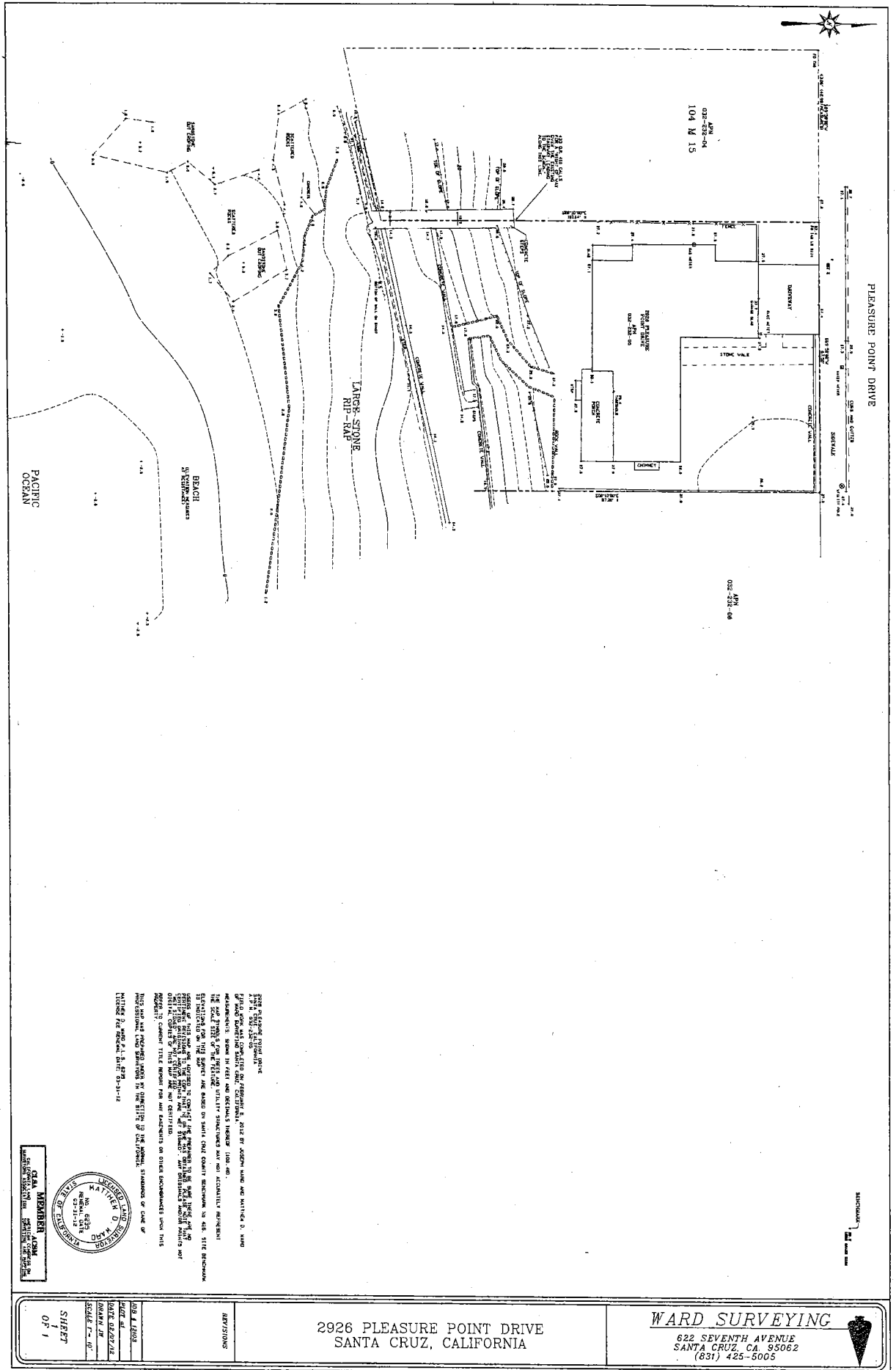


2016-2017 JAN. ELEVATION - NORTH

McMorrow Remodel
2925 Pressure Point Drive
County of Santa Cruz
A.P.N. 032-232-05

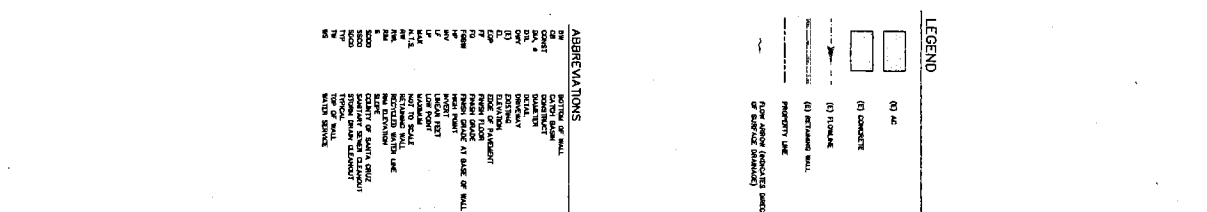
220 N. BEACHVIEW
SANTA CRUZ
CA 95060
(520) 298-1234





2926 PLEASURE POINT DRIVE
SANTA CRUZ, CALIFORNIA

WARD SURVEYING
622 SEVENTH AVENUE
SANTA CRUZ, CA 95062
(831) 425-5005



Ω

project no.	11-039-1	SITE IMPROVEMENTS FOR MCMORROW RESIDENCE 2926 PLEASURE POINT DRIVE SANTA CRUZ, CALIFORNIA APN: 032-232-05
date	APRIL 2012	EXISTING CONDITIONS
scale	AS SHOWN	
dwg name	CML1.DWG	

RI Engineering, Inc.

303 Potrero SL, Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.riengineering.com



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-1-5-PP (Single-family dwelling, 5,000 square foot minimum parcel size, Pleasure Point Community Plan combining), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UM) Urban Medium 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 is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be consistent with the dwelling's traditional Monterey style of architecture and complementary to the site. While development site is located adjacent to a coastal bluff, the resulting dwelling will occupy virtually the same floor area as the existing house, with the exception of the enclosure of a portion of an existing covered deck and porch.

The proposed enclosures occur at the south elevation and will not negatively impact the residences to the east and west. There is no beach at the base of the coastal bluff; therefore the residential remodel will not impact any beach goers in the vicinity. The street view is improved by removing the existing concrete wall located adjacent to sidewalk, and replacing it with a wall nearly 10 feet further away from the street. A traditional wooden gate and carriage-style garage door will also serve to create visual interest from the street.

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 proposed remodel will not occur in the vicinity of any public access to the ocean and will not impact any views of the ocean. Consequently, the residential remodel 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-1-5-PP (Single-family dwelling, 5,000 square foot minimum parcel size, Pleasure Point Community Plan combining) 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. The majority of houses in the neighborhood are of two-story design and similar square footage. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent 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. The proposed remodel and overheight fence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that no additional square footage is proposed. Additionally, the proposed location of the overheight courtyard wall does not pose any line-of-sight conflicts and represents an improvement over the existing wall location.

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 proposed six-foot tall wall and the conditions under which it would be operated or maintained represents an improvement over the existing concrete wall design and location. The existing 4-foot high wall is located eight-to nine feet forward of the garage entry and immediately adjacent to the sidewalk, restricting the line of site to oncoming traffic and crowding the public sidewalk.. The proposed courtyard wall, while two feet taller than the existing wall, will be relocated to be flush with the edge of the garage and nine feet back from the edge of the sidewalk. Therefore, the wall will be consistent with the purpose of the R-1-5-PP (single-family dwelling, 5,000 square foot minimum parcel size, Pleasure Point Community Plan Combining) zone district in terms of aesthetic value and compatibility with the surrounding neighborhood.

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

The proposed overheight wall will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and, while located within the front yard setback, the location of the wall will not negatively impact access to light, air, and open space in the neighborhood. The re-location of the overheight wall will improve an existing traffic hazard and will enhance the aesthetic value of subject property.

The Pleasure Point Plan has been adopted for this portion of the County. The proposed relocation of the courtyard wall will provide greater visual interest, increased safety, and reduce the impact

to pedestrian traffic along the public sidewalk.

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 courtyard wall is to be constructed on an existing developed lot. The proposed residential remodel will not result in any intensification in residential uses on the site and will not therefore have no impact on traffic generation.

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 subject dwelling and improvements are located in a mixed neighborhood containing a variety of architectural styles, and the proposed remodel is consistent with the land use intensity and density of the neighborhood. The re-location of the courtyard wall will improve the appearance and functionality of the street and sidewalk interface and will be more consistent with the Monterey style architecture of the dwelling..

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 remodel 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.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding to allow a variance to increase the floor area ratio from 55% to 57% can be made, in that the subject parcel is constrained by the unusual geometry of the coastal bluff. Over 20% of the parcel (1,500 square feet) is defined as a coastal bluff under the County Geologic Hazards Ordinance. The form of the bluff in this location includes not just the typical vertical component but also a substantial lateral rock shelf that is unique to this section of the County coastline. Because all area defined as coastal bluff is deducted from the gross site area, that space represents a loss of over 20% of the entire lot area.

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 increase in floor area ratio from 55% to 57% is a small change, which is not anticipated to impact any of the surrounding properties or coastal viewshed. The increase results from partially enclosing an existing second story balcony and fully enclosing an existing first story porch. No increase in the existing building footprint is proposed, nor is the newly enclosed space directly adjacent to surrounding structures. The resulting elevations, when viewed from the coastline, will offer improved articulation and visual interest compared to the existing view.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that other properties in the vicinity with the same circumstances of extensive coastal bluff would be given the same consideration for allowing increased floor area ratio. The dwelling located 135 feet to the west of the subject lot (20 Rockview Dr.) obtained a variance to increase the floor area from 50% to 71% in 2001.

Conditions of Approval

Exhibit A: Project Plans (6 Sheets) prepared by Matson Britton Architects, dated 02/29/12, Surveyed Site Plan, prepared by Ward Surveying, dated 01/07/12, Topographic Survey, prepared by RI Engineering, Inc., dated April 2012.

- I. This permit authorizes the remodel of an existing nonconforming two-story single-family dwelling to include modifying the roofline to create a cross gable, reconfiguring interior space and stairways, partially enclosing a second floor covered deck, fully enclosing a first floor covered porch, replacing all exterior doors and windows, extending an uncovered front and rear porch of less than 18 inches in height, and constructing a 6-foot courtyard wall within the front yard setback. 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 Demolition Permit from the Santa Cruz County Building Official, if required.
 - C. 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.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. 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 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application.
 2. Grading, drainage, and erosion control plans, as required by Environmental Planning staff.
 3. Details showing compliance with fire department requirements.
 4. The building plans shall include detailed Floor Area Ratio (FAR) calculations, which demonstrate that the final FAR will not exceed 57%.
 5. Proposed glazed exterior surfaces adjacent to the bluff shall be of low reflectivity.
- 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 any required Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. 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. Provide required off-street parking for one car. 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.
- F. 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. 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. Construction activities at the site are limited to the hours of 8 am to 6 pm weekdays (excluding holidays) unless approved in advance by the Planning Department.
- B. Construction vehicles are prohibited from blocking any roads, driveways, or pedestrian easements.
- C. The applicant shall designate a disturbance coordinator and a 24-hour contact number shall be conspicuously posted on the job site.
- D. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
 - 1. COUNTY bears its own attorney's fees and costs; and

2. COUNTY defends the action in good faith.

- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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

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

Robin Bolster-Grant
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: 121053

Assessor Parcel Number: 032-232-05

Project Location: 2926 Pleasure Point Drive

Project Description: Proposal to remodel existing non-conforming single-family dwelling

Person or Agency Proposing Project: Matson Britton Architects

Contact Phone Number: (831) 425-0544

- 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: 15301-Existing Facilities

F. Reasons why the project is exempt:

Minor residential remodel with no intensification of use

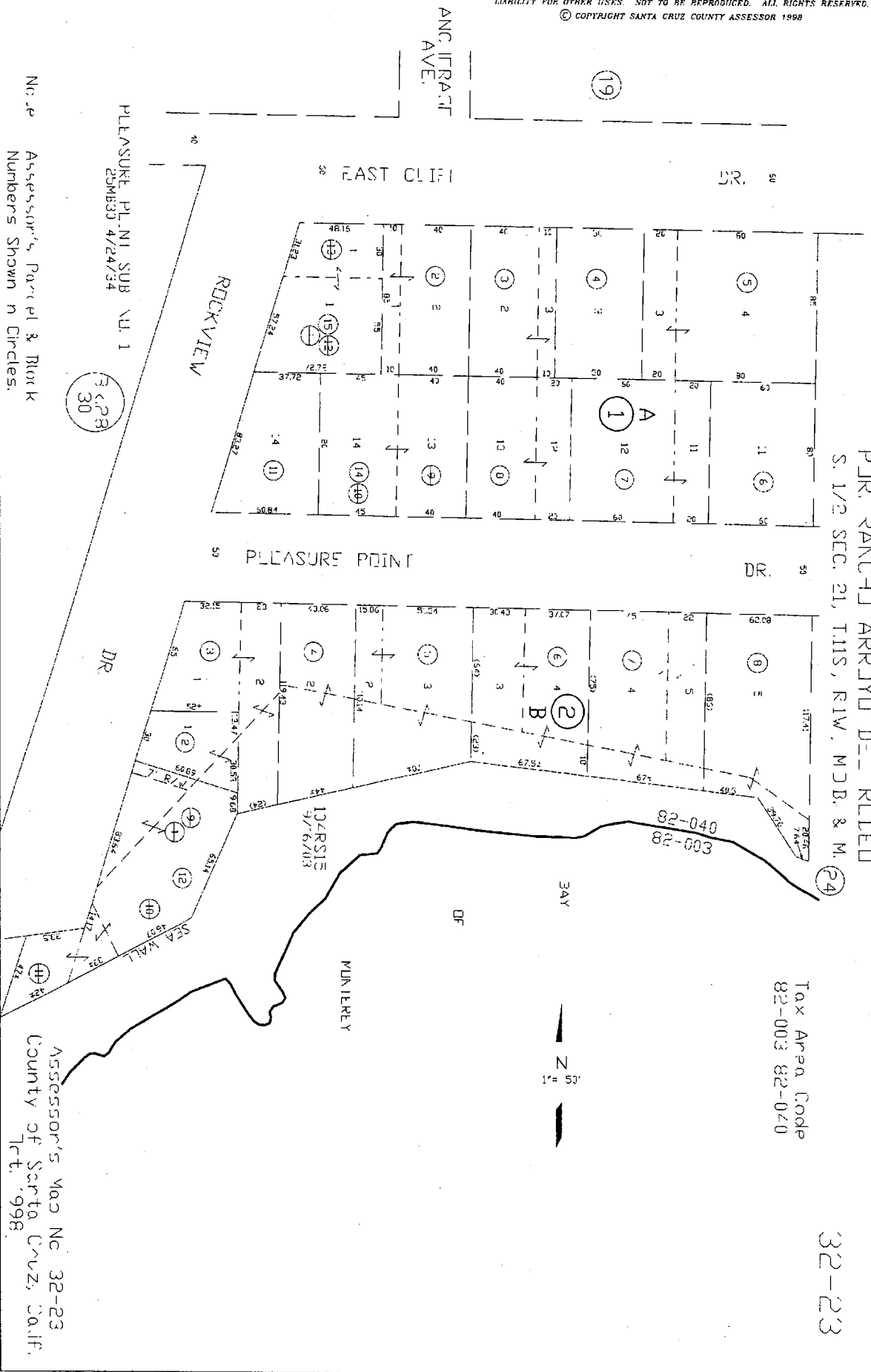
In addition, none of the conditions described in Section 15300.2 apply to this project.

Robin Bolster-Grant, Project Planner

Date: _____

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Assessor's Map No 32-23
County of Santa Cruz, Calif.
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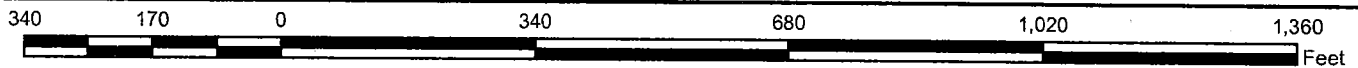
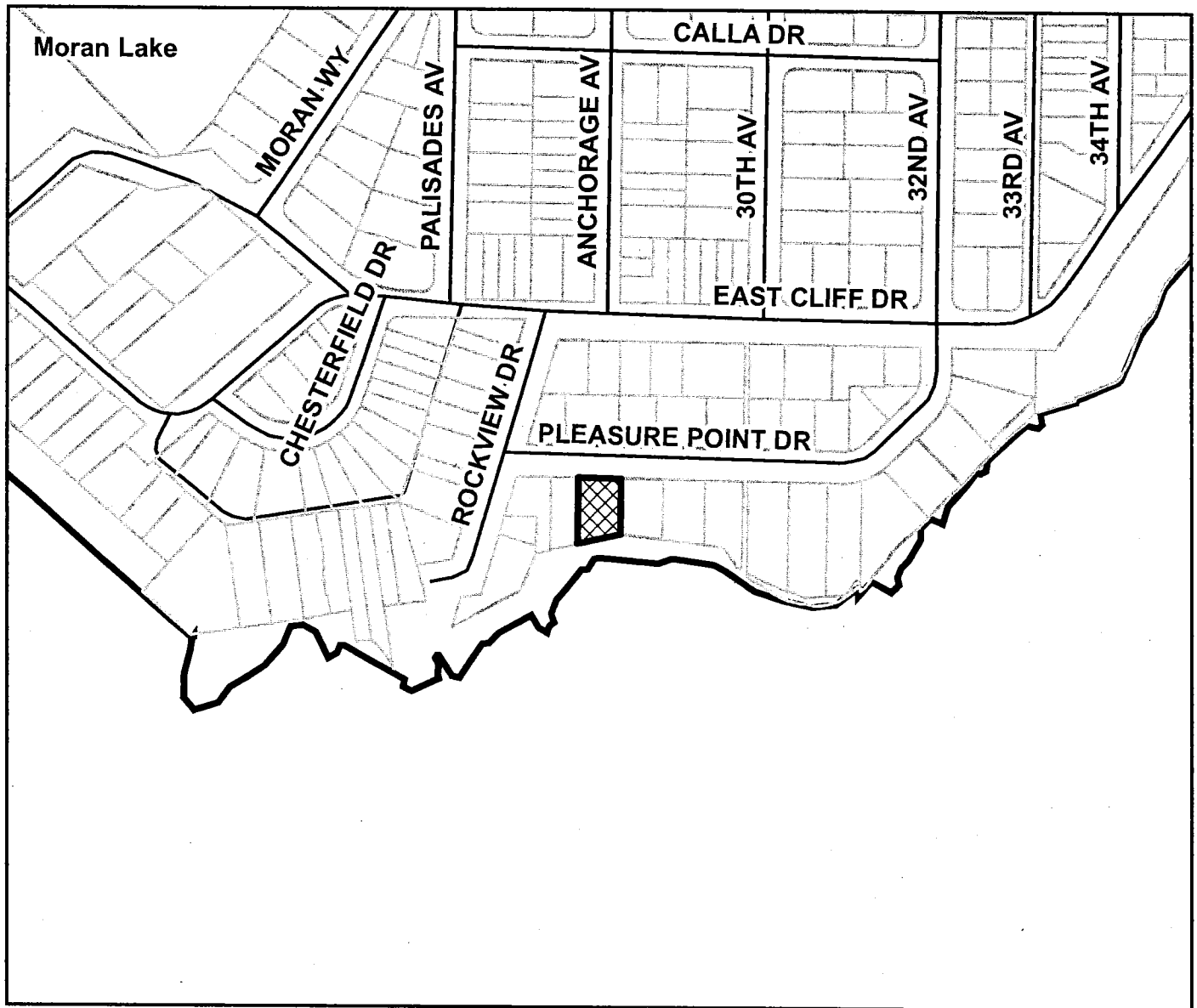
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


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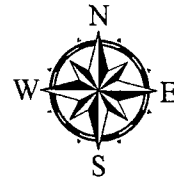


Location Map



LEGEND

-  APN: 032-232-05
-  Assessors Parcels
-  Streets
-  County Boundary
-  Lakes

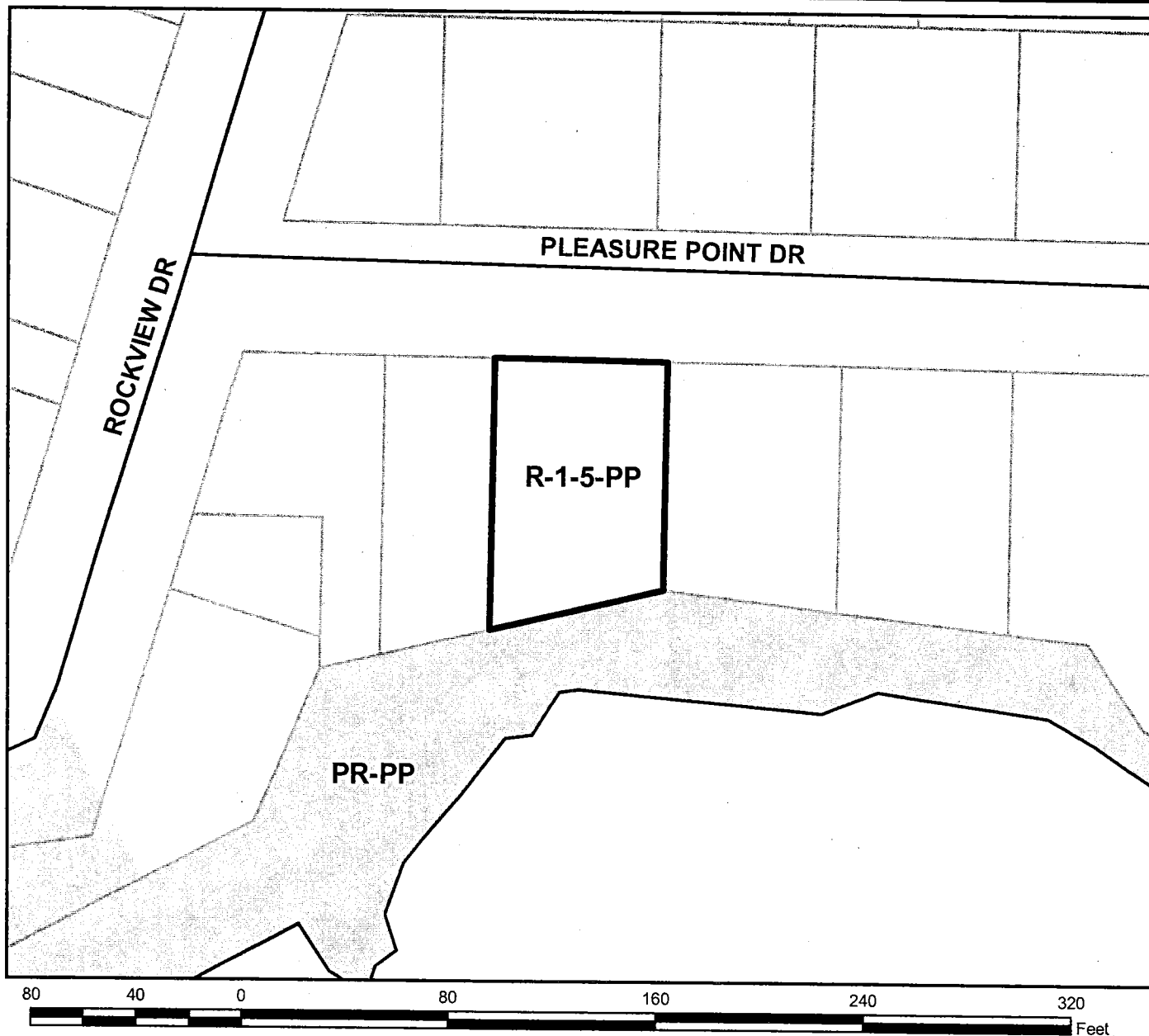


Map Created by
County of Santa Cruz
Planning Department
March 2012

EXHIBIT E



Zoning Map



LEGEND



APN: 032-232-05



Assessors Parcels



Streets

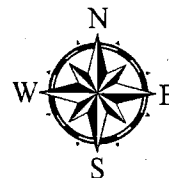


County Boundary

RESIDENTIAL-SINGLE FAMILY



PARK

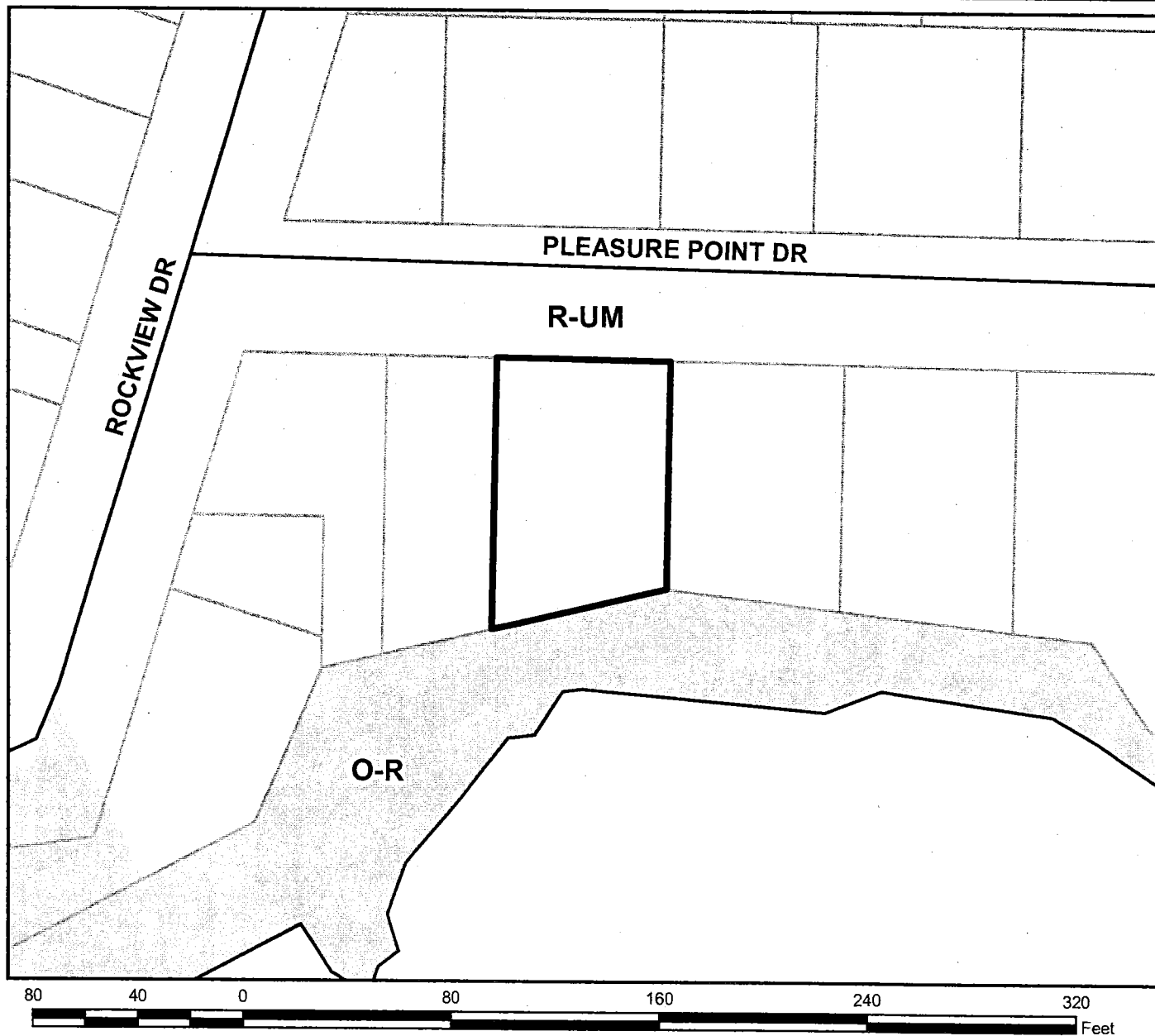


Map Created by
County of Santa Cruz
Planning Department
March 2012

EXHIBIT E



General Plan Designation Map



LEGEND



APN: 032-232-05



Assessors Parcels



Streets



County Boundary

Residential - Urban Medium Density



Parks and Recreation



Map Created by
County of Santa Cruz
Planning Department
March 2012

EXHIBIT E



Environmental Planning

Routing No: 2 Review Date: 05/22/2012

ANTONELLA GENTILE (AGENTILE) : Complete

Completeness Comments

1. This project is considered complete by Environmental Planning.

Compliance/Miscellaneous Comments

1. Upon additional consideration and discussions with staff, it has been determined that the conversion of the enclosed patio on the second story to bedroom space can be considered a remodel of existing area rather than an addition. However, the enclosure of the porch area (first floor, southwest corner) is still considered an addition. Therefore the project does not comply with County Code at this time and cannot be approved.

Compliance comments from this office dated 3/22/12 are included for reference here: "County code section 16.10.070(h)1(v) requires that "additions, including second story and cantilevered additions, shall comply with the minimum 25 foot and 100 year setback." The proposed plans show the addition of habitable space over the existing second story covered deck and on the southwestern corner of the first floor. Both of these additions are within the 25-foot setback and are therefore prohibited. Please remove these additions so that staff can recommend approval of the project."

Conditions of Approval

If this project is modified to comply with County Code, the following conditions shall apply:

1. All existing drainage patterns shall be maintained.
2. Additional modification of or disturbance to the bluff beyond the footprint of the proposed deck shall be subject to approval by the County Geologist.

Fire Review

Routing No: 1 Review Date: 03/20/2012

KAREN MILLER (KMILLER) : Complete

Date: March 16, 2012

To: Arthur Fitzsimmons

Applicant: Mat\son Britton Architects

From: Tom Wiley

Subject: 121053

Address 2926 Pleasure Point Dr.

APN: 032-232-05

EXHIBIT F



Fire Review

Routing No: 1 Review Date: 03/20/2012

KAREN MILLER (KMILLER) : Complete

occ: 3223205
Permit: 20120032

We have reviewed plans for the above subject project.

We have reviewed plans for the above subject project. District requirements appear to have been met.

Please ensure designer/architect reflects equivalent notes and requirements on velums as appropriate when submitting for **Application for Building Permit**.

Submit a check in the amount of \$115.00 for this particular plan check, made payable to Central Fire Protection District. A \$35.00 **Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralfpd.com. All other questions may be directed to Fire Prevention at (831)479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
3223205-031612

Project Review

Routing No: 2 Review Date: 05/22/2012

ROBIN BOLSTER (RBOLSTER) : Complete

Sanitation Review

Routing No: 1 Review Date: 04/23/2012

ROBIN BOLSTER (RBOLSTER) : Not Required