



Staff Report to the Zoning Administrator

Application Number: **141026**

Applicant: Dee Murray

Owner: Case

APN: 028-132-30 (previously 028-132-21)

Agenda Date: September 5, 2014

Agenda Item #: 2

Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing two story single family dwelling (approximately 1500 square feet with 4 bedrooms), a detached garage, and an accessory structure, and to construct a replacement two story single family dwelling (approximately 1750 square feet with 3 bedrooms and an attached garage).

Location: Property located on the east side of East Cliff Drive, about 500 feet south from Prospect Avenue. (2-974 East Cliff Drive)

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

Permits Required: Coastal Development Permit

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141026, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	3,541 square feet (per project plans)
Existing Land Use - Parcel:	Single family dwelling and outbuildings
Existing Land Use - Surrounding:	Single family residential neighborhood,
Project Access:	Alley from Prospect Street
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Density Residential)

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

Zone District: R-1-3.5 (Single Family Residential - 3,500 square foot minimum)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Report required at building permit stage
Fire Hazard: Not a mapped constraint
Slopes: 2-5% at building site
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Grading for basement and foundation only
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Drainage plan reviewed and accepted
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside
Water Supply: City of Santa Cruz
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5 Flood Control District

History

A Lot Line Adjustment (Application Number 121012) with the adjacent parcel was performed in 2012. The Assessor's Parcel Number for this site was changed from 028-132-21 to 028-132-30 as a result of the boundary adjustment.

Project Setting

The subject property is located on the east side of East Cliff Drive, across from Schwan Lake to the west. The property is located above East Cliff Drive and is accessed from the rear via an alley off of Prospect Street. Twin Lakes State Beach is located to the south. The surrounding neighborhood is developed with one and two story single family dwellings.

Project Scope

This application is a proposal to demolish the existing two story single family dwelling and associated outbuildings (including a garage and habitable accessory structure) and to construct a two story single family dwelling with an attached one car garage. The design would include a full basement underneath the residence, a single story roof top deck, and a unique lighthouse feature at the northwest corner of the proposed residence. The existing residence includes approximately 1,500 square feet with four bedrooms and the proposed residence would include

approximately 1,750 square feet and three bedrooms. Three parking spaces for the proposed residence would be provided on the subject property, and all spaces would be located entirely outside of the right of way of the alley at the rear of the property.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 3,541 square feet, located in the R-1-3.5 (Single Family Residential - 3,500 square foot minimum) zone district, a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

R-1-3.5 Zone District		
	Site Standard	Proposed
Front Setback	15' min	15'
Side Setback	5' min	5' (north)
Side Setback	5' min	10' (south)
Rear Setback	15' min	15'
Height	28' max	28' to top of lighthouse
Lot Coverage	40% max	35.2%
Floor Area Ratio	50% max	49.5%
Parking	3 spaces required	3 off-street spaces provided

The proposed residence is in compliance with all required site standards, including setbacks, height, and number of stories. The full basement would be located below grade, with ceiling heights less than 7 feet 6 inches, and would be used for storage purposes. The proposed basement would not be counted as a story or be counted as part of the Floor Area Ratio for the residence. The lighthouse feature is located above the bedroom located on the first floor by two areas that are less than 7 feet in height. The lighthouse is less than 70 square feet in area and cannot be used as a bedroom. For all of these reasons, the lighthouse is considered as a mezzanine area with an attic above and is not included in the Floor Area Ratio calculations.

Three off-street parking spaces provided in the attached garage and at the rear of the project site, in compliance with the parking requirements for a 3 bedroom residence.

Local Coastal Program Consistency

The proposed residence is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles. The project site is located between the shoreline and the first public road, with beach access available at Twin Lakes State Beach to the southwest. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water. The property is not identified as a priority acquisition site in the County's Local Coastal Program.

Design Review

The proposed residence complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as articulated roofs, varied wall planes, and a blend of exterior materials to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **141026**, based on the attached findings and conditions.

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

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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Santa Cruz CA 95060
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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: 141026

Assessor Parcel Number: 028-132-30

Project Location: 2-974 East Cliff Drive

Project Description: Demolish existing two story residence and outbuildings, and construct a replacement single family dwelling.

Person or Agency Proposing Project: Dee Murray

Contact Phone Number: (831) 475-5334

- 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).
- E. ☒ Categorical Exemption

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Demolish and re-construct a single family dwelling in an area designated for residential uses.

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

Randall Adams, Project Planner

Date: _____

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-1-3.5 (Single Family Residential - 3,500 square foot minimum), a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UH) Urban High 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 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 compatible with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors will be natural in appearance and complementary to the site.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is located between the shoreline and the first public road, with beach access available at Twin Lakes State Beach to the southwest. Consequently, the residence 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, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-3.5 (Single Family Residential - 3,500 square foot minimum) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is 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. 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 residence 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 these amenities.

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 residence 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-1-3.5 (Single Family Residential - 3,500 square foot minimum) zone district as the primary use of the property will be one single family residence 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 High Density Residential (R-UH) land use designation in the County General Plan.

The proposed residence 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 residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residence will be properly proportioned to the parcel size and 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 residence will comply with the site standards for the R-1-3.5 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 residence is to be constructed as a replacement of an existing residence. The expected level of traffic generated by the proposed project is anticipated to remain at one peak trip per day (1 peak trip per dwelling unit). The project will not overload utilities or adversely impact existing roads or intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed residence 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 residence 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 D: Project Plans, 5 sheets, revised 7/29/14.

- I. This permit authorizes the demolition of an existing dwelling and outbuildings and construction of a single family residence residence, as depicted on the approved Exhibit "D" for this permit. 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.
 - 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, 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. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
 4. Details showing compliance with 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 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 Santa Cruz County Sanitation District.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
 - G. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - 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.
- 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 16.42.080 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 16.42.080, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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

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

perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.

- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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

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: _____

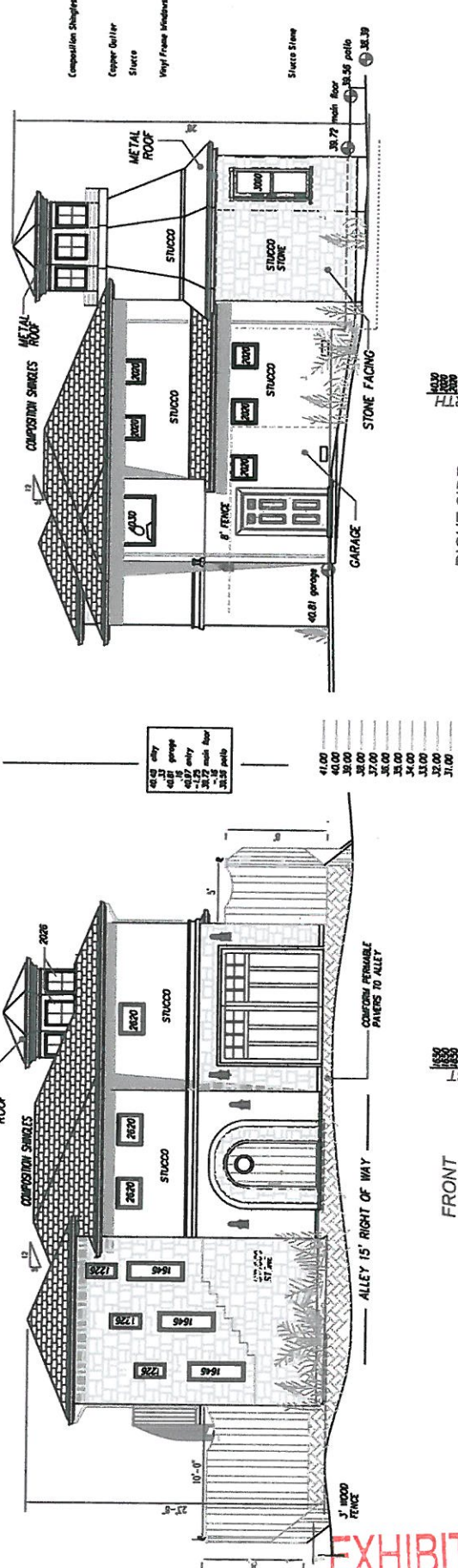
Expiration Date: _____

Wanda Williams
Deputy Zoning Administrator

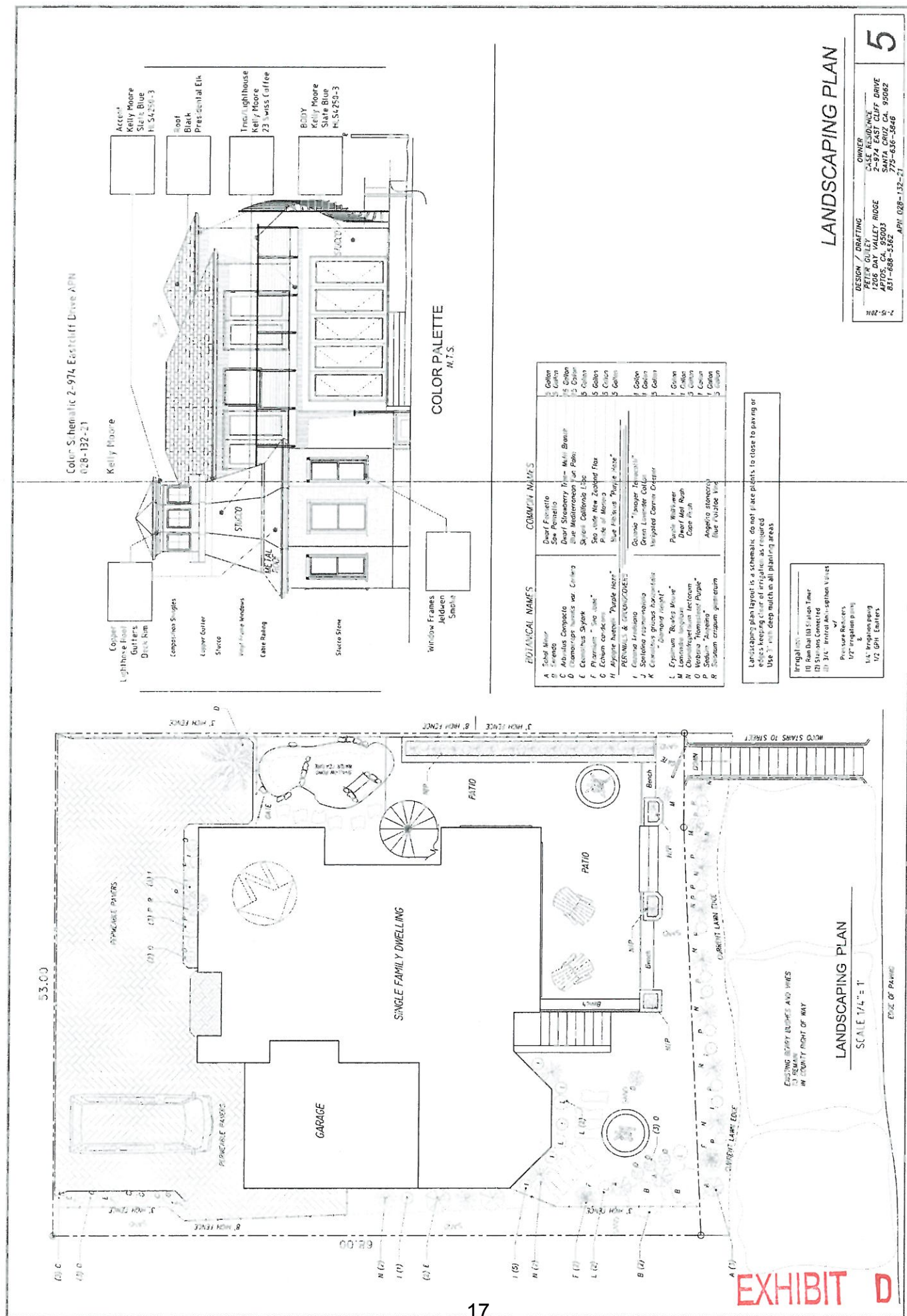
Randall Adams
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

ELEVATION PLAN
SCALE 1/4" = 1'





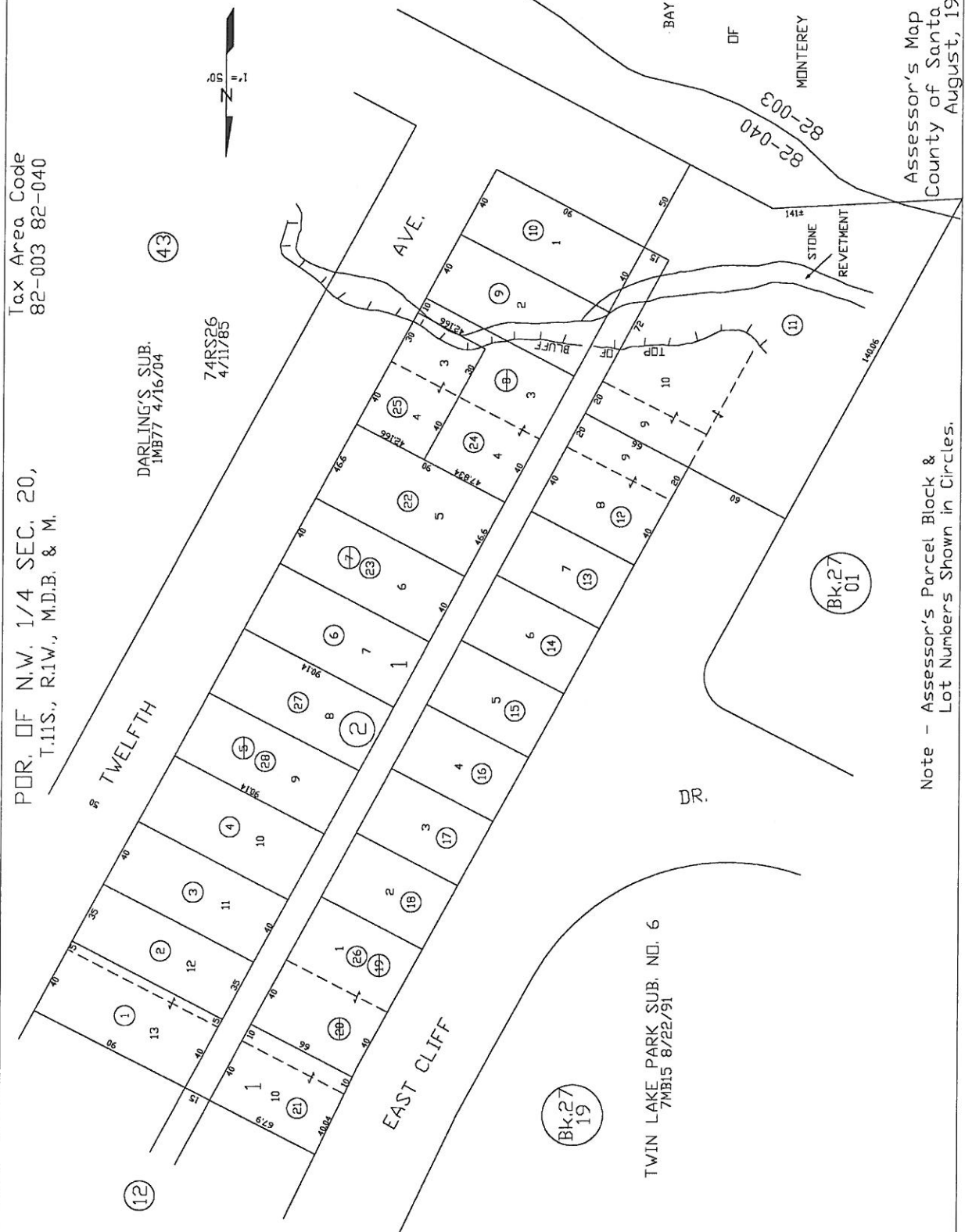


28-13

Tax Area Code
82-003 82-040

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

FOR TAX PURPOSES ONLY
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
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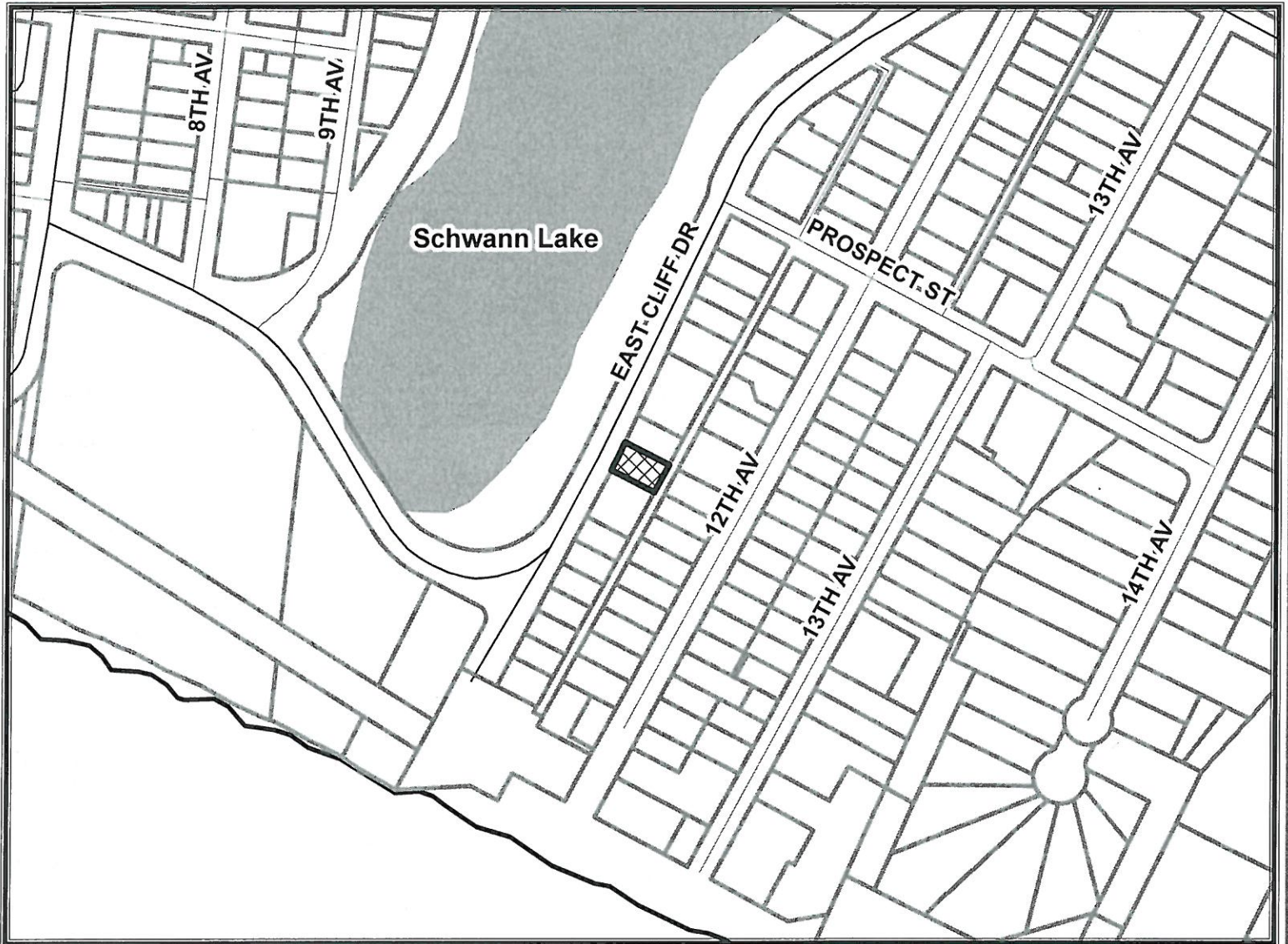


Assessor's Map No. 28-13
County of Santa Cruz, Calif.
August, 1998

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



Location Map



LEGEND

-  APN: 028-132-21
-  Assessors Parcels
-  Street
-  Lakes
-  County Boundary

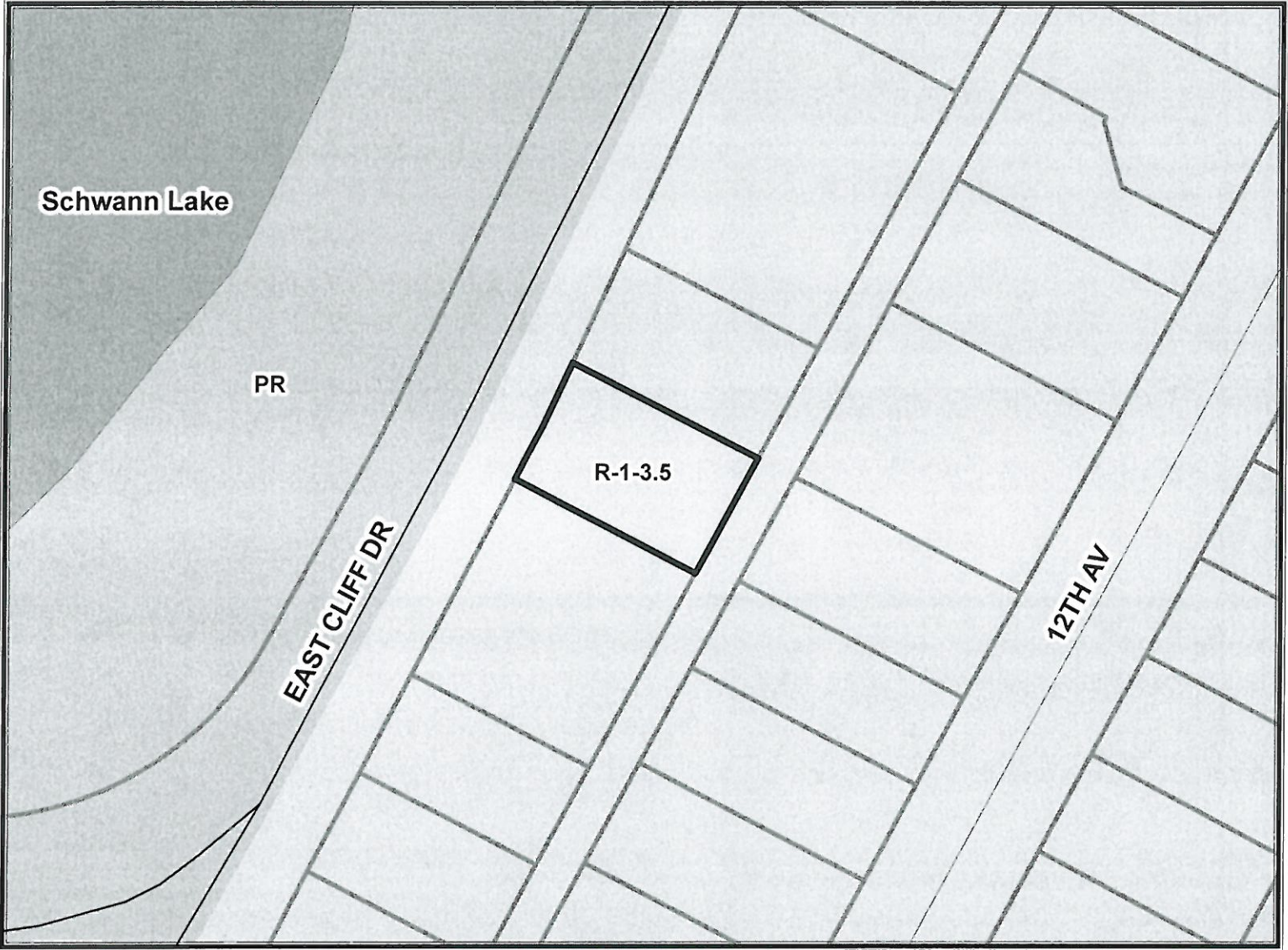


Map Created by
County of Santa Cruz
Planning Department
March 2014

EXHIBIT E



Zoning Map



LEGEND

-  APN: 028-132-21
-  Assessors Parcels
-  Street
-  Lakes
-  RESIDENTIAL-SINGLE FAMILY
-  PARK

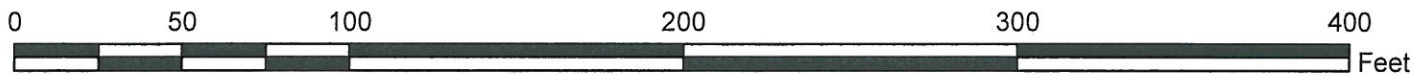
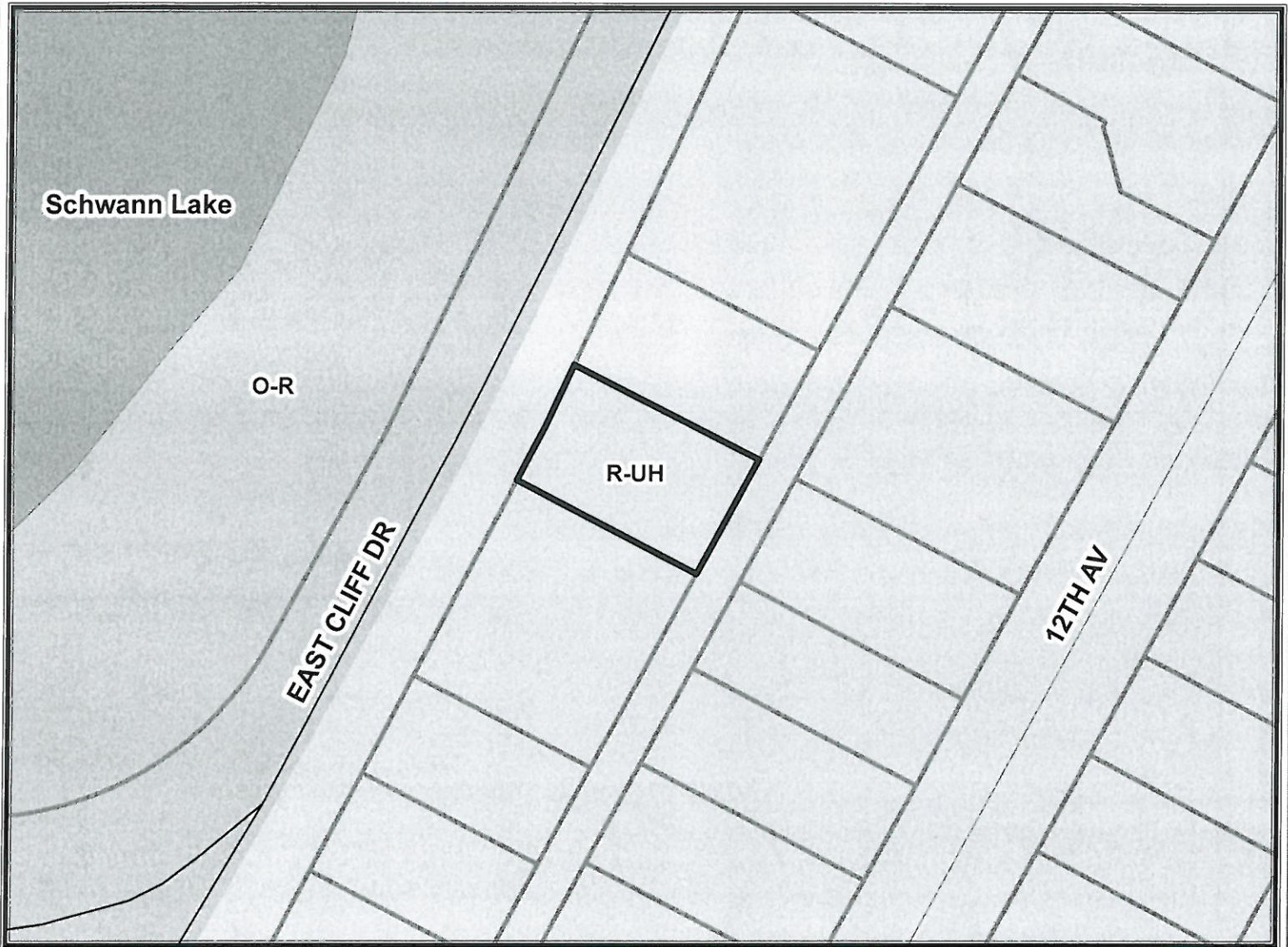


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Planning Department
March 2014

EXHIBIT E



General Plan Designation Map



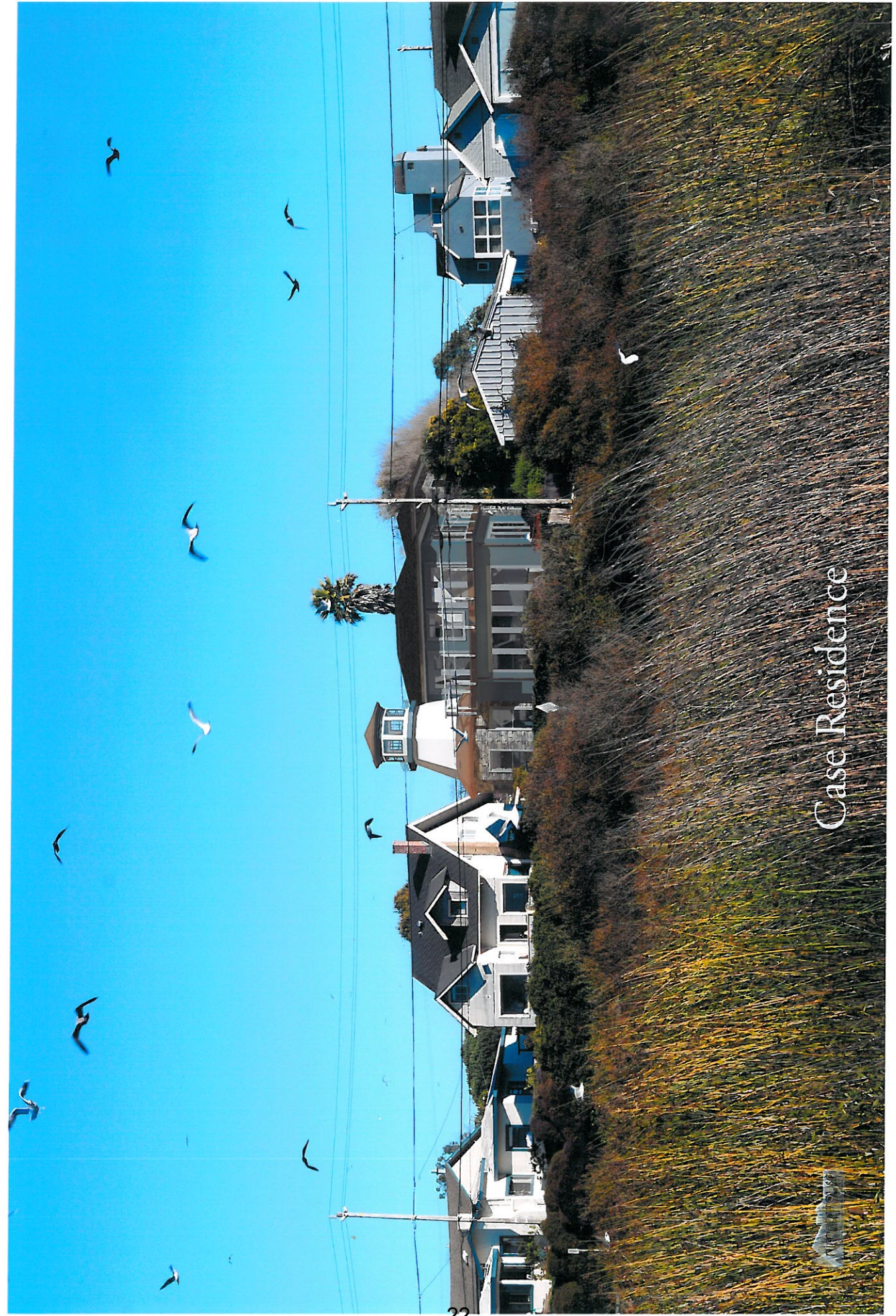
LEGEND

- APN: 028-132-21
- Assessors Parcels
- Street
- Lakes
- Residential - Urban High Density
- Parks and Recreation



Map Created by
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Planning Department
March 2014

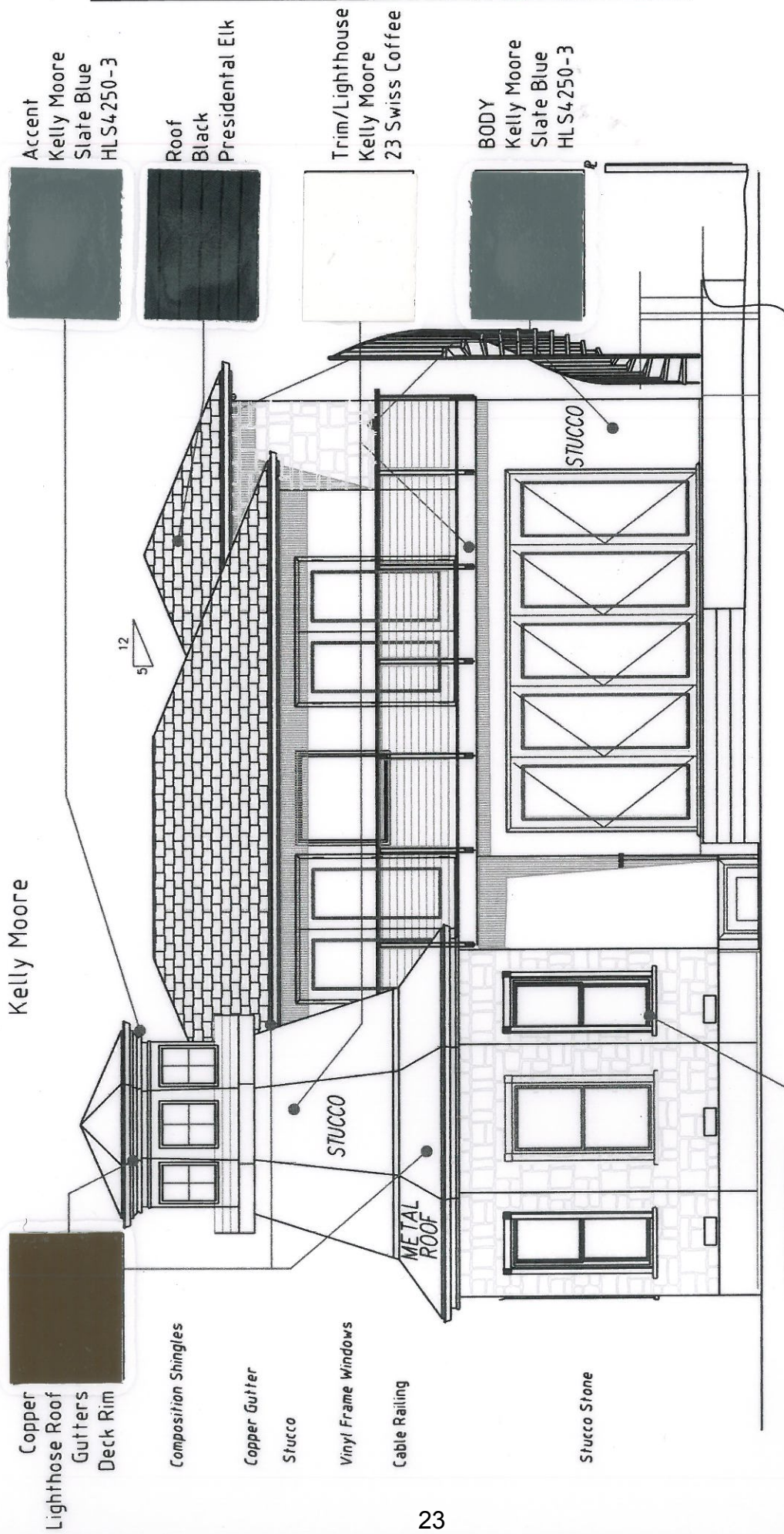
EXHIBIT E



Case Residence

Color Schematic 2-974 Eastcliff Drive APN
028-132-21

Kelly Moore



COLOR PALETTE
N.T.S.