

# **Staff Report to the Zoning Administrator**

Application Number: 141185

**Applicant:** Dennis Anderson **Owner:** Schuerman-Gen

**APN:** 052-321-02

Agenda Date: April 3, 2015

Agenda Item #: 1 Time: After 9:00 a.m.

**Project Description**: Proposal to remodel an existing three bedroom single family dwelling including enclosure of an approximately 440 square foot patio courtyard in the Special Use zone district.

Location: Property located at 91 Cormorant Way in Pajaro Dunes.

Supervisorial District: 2nd District (District Supervisor: Zach Friend)

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 141185, based on the attached findings and conditions.

#### **Exhibits**

В.

A. Categorical Exemption (CEQA

determination) Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and

General Plan Maps

F. Comments & Correspondence

#### **Parcel Information**

Parcel Size:

8,320 square feet (GIS)

Existing Land Use - Parcel:

Single family dwelling

Existing Land Use - Surrounding:

Single family residential neighborhood (Pajaro Dunes),

Pacific Ocean

Project Access:

Cormorant Way (access via private walkway)

Planning Area:

San Andreas

Land Use Designation:

R-UL (Urban Low Density Residential)

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

Zone District: SU (Special Use)

Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

#### **Environmental Information**

Geologic Hazards: VE (wave run-up) 100 year flood zone

Soils: N/A

Fire Hazard: Not a mapped constraint

Slopes: 5 percent

Env. Sen. Habitat: Beach/dune habitat
Grading: No grading proposed

Tree Removal: No trees proposed to be removed

Scenic: Mapped scenic resource
Drainage: Existing drainage adequate

Archeology: Not mapped/no physical evidence on site

#### **Services Information**

Urban/Rural Services Line: Inside X Outside

Water Supply: City of Watsonville Sewage Disposal: City of Watsonville

Fire District: CalFire

Drainage District: Zone 7 Flood Control District

#### **Project Setting & Scope**

The subject property is located within the single family residential portion of Pajaro Dunes, a private beachside development located in the dunes beside the mouth of the Pajaro River. Homes in this area are accessed via private boardwalks from the access roadway (Cormorant Way). The predominant vegetative cover is dune grasses and associated vegetation, and the Pacific Ocean is located to the west of the subject property.

The project proposal consists of a remodel of the existing residence that includes the removal of a pitched roof element, reorganization of the interior space (including the enclosure of an existing patio of approximately 440 square feet), relocation of the existing entry walkway, and installation of updated doors, windows, and exterior siding materials.

### Zoning & General Plan Consistency

The subject property is a parcel of approximately 8,320 square feet, located in the SU (Special Use) zone district, a designation which allows residential uses when paired with a residential General Plan land use designation. The proposed residence is a principal permitted use within the zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

#### **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 in the area, with additional review and oversight by the Pajaro Dunes Homeowners Association, and the design submitted is consistent with the existing range of styles in the development. The subject property is not identified as a priority acquisition site in the County's Local Coastal Program. The project site is located between the shoreline and the first public road, with private beach access available on a boardwalk located one property to the north of the subject property, and public beach access available at Sunset State Beach (Palm Beach Day Use) to the north at West Beach Road. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

#### **Design Review & Scenic Resources**

The subject property is located within a mapped scenic beach viewshed. The proposed remodel of the existing residence complies with the requirements of the County Design Review Ordinance and General Plan/Local Coastal Program policies to protect designated scenic resources. The proposed project will retain the style, character, and general form of the existing residence (while reducing overall structure height) 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 141185, 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: Randall Adams

Santa Cruz County Planning Department

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Phone Number: (831) 454-3218

E-mail: randall.adams@santacruzcounty.us

## 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: 141185

Assessor Parcel Number: 052-321-02 Project Location: 91 Cormorant way, Watsonville	
Project Description: Remodel an existing single family dwel existing courtyard	ling including enclosure of an
Person or Agency Proposing Project: Dennis Anderson	
Contact Phone Number: (831) 457-8348	
The proposed activity is not a project under CEQ  The proposed activity is not subject to CEQA as Section 15060 (c).	specified under CEQA Guideline
Ministerial Project involving only the use of fix measurements without personal judgment.  Statutory Exemption other than a Ministerial Project involving only the use of fix measurements without personal judgment.  Statutory Exemption other than a Ministerial Project involving only the use of fix measurements without personal judgment.	
E. X Categorical Exemption	
Specify type: Class 3 - New Construction or Conversion of Sma	all Structures (Section 15303)
F. Reasons why the project is exempt:	
Remodel an existing single family dwelling in an area designate	d for residential uses.
n addition, none of the conditions described in Section 15300.2	apply to this project.
Date:	
Randall Adams, Project Planner	

### **Coastal Development Permit Findings**

1. That the project is a use allowed in one of the basic zone districts 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 SU (Special Use), a designation which allows residential uses when implementing a residential General Plan/Local Coastal Program land use designation. The proposed residence is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UL (Urban Low 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 and Section 13.20.140 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the colors will be natural in appearance and complementary to the site; and the building will not increase in visual bulk, mass, or height.

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 subject property is not identified as a priority acquisition site in the County's Local Coastal Program. The project site is located between the shoreline and the first public road, with private beach access available on a boardwalk located one property to the north of the subject property, and public beach access available at Sunset State Beach (Palm Beach Day Use) to the north at West Beach Road. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

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 SU (Special Use) 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 are reviewd by the Pajaro Dunes Homeowners Association, and the design submitted is consistent with the existing range of styles in the neighborhood.

### **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 modifications to the existing residence will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all required 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 modifications to the existing 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 SU (Special Use) zone district and residential General Plan land use designation, as the primary use of the property will be one 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 Low Density Residential (R-UL) land use designation in the County General Plan.

The modifications to the existing 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 all required setbacks.

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 project consists of modifications to an existing residence. The expected level of traffic generated by the proposed project is anticipated to remain at only 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 existing residence is located in a mixed neighborhood containing a variety of architectural styles, as determined by the Pajaro Dunes Homeowners Association, 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 modifications to the existing 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, prepared by Anderson-McKelvey Architects, dated 9/8/14.

- I. This permit authorizes modifications to an existing residence as indicated 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 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. 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 sheet 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 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 7 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- D. 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, it 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.

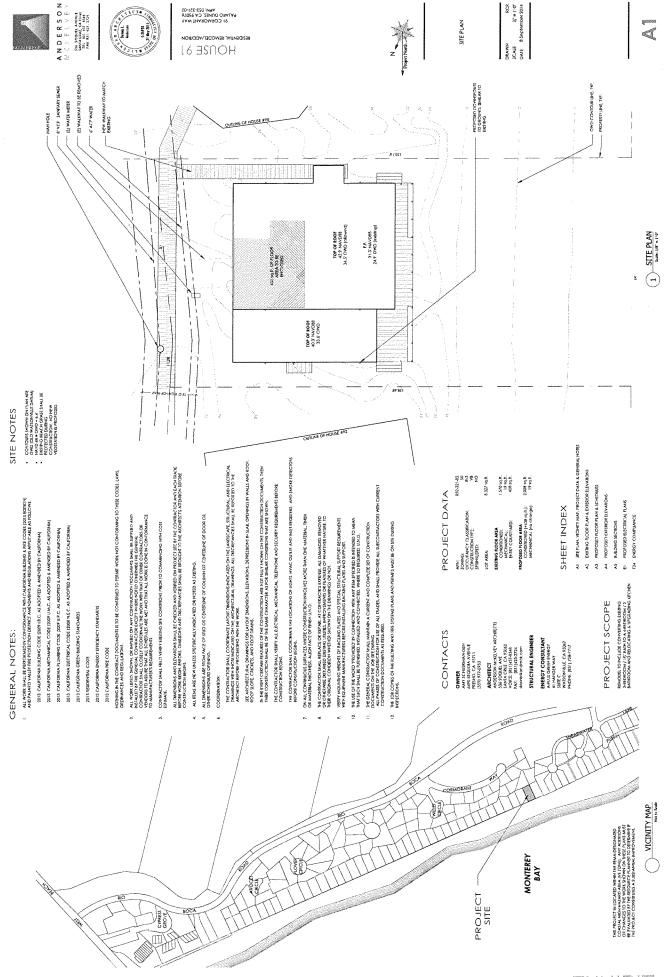
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

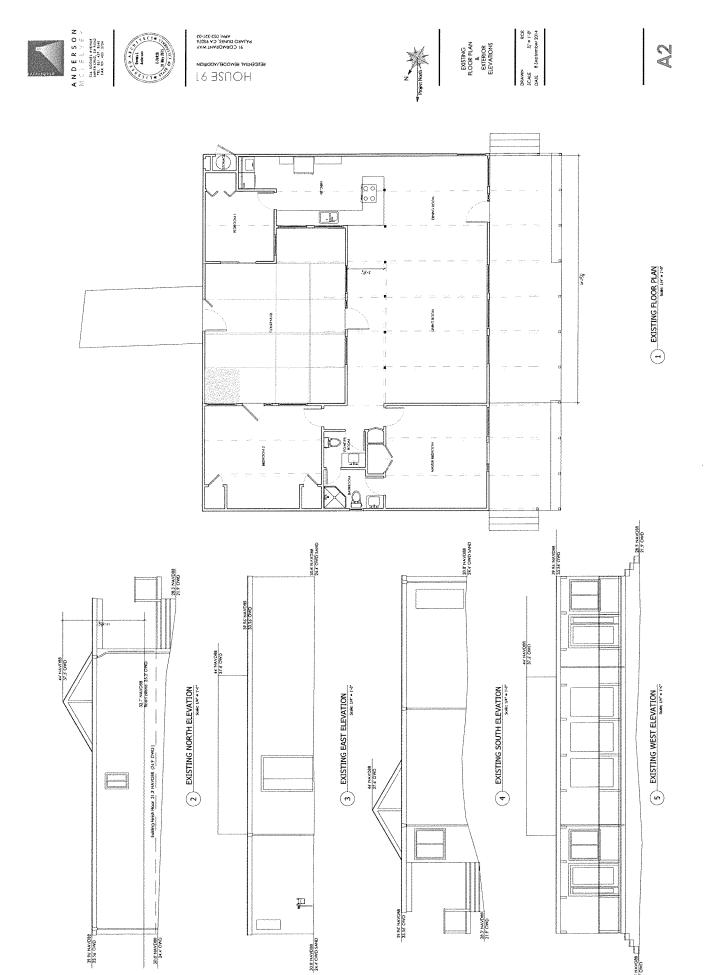
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

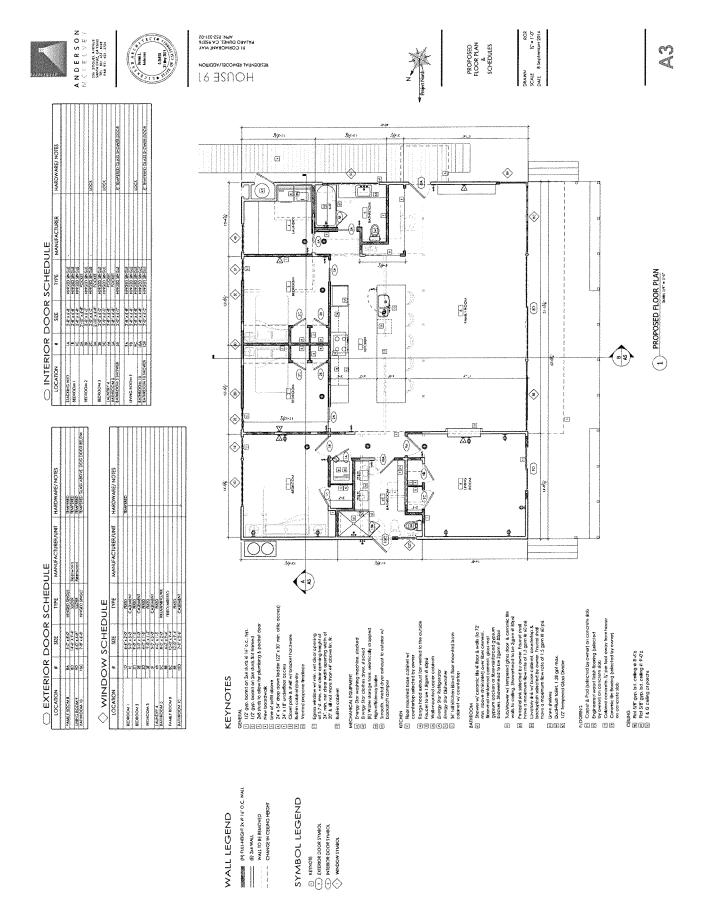
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures 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.

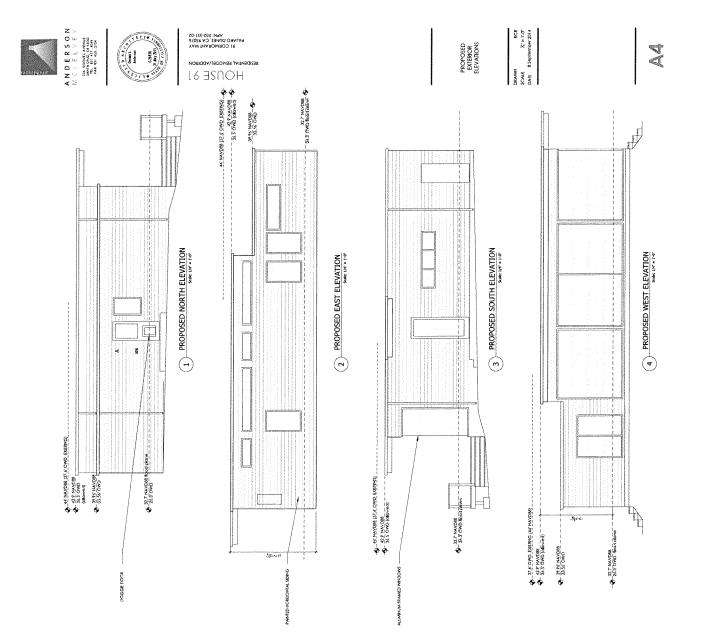
Wanda Will Deputy Zoning A		Randall Adams Project Planner	
Expiration Date:			
Effective Date:			
Approval Date:		<del>and the state of </del>	

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.







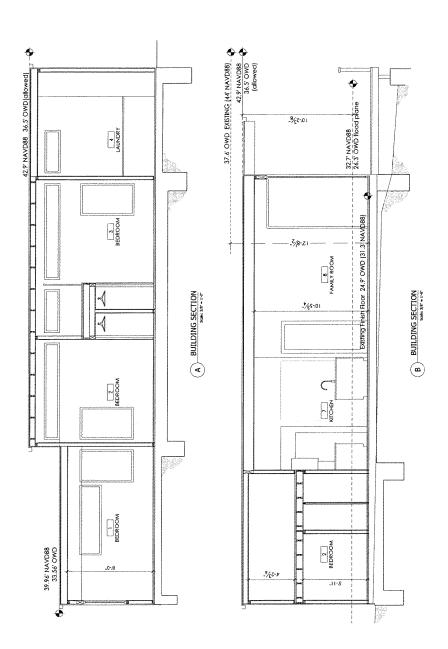


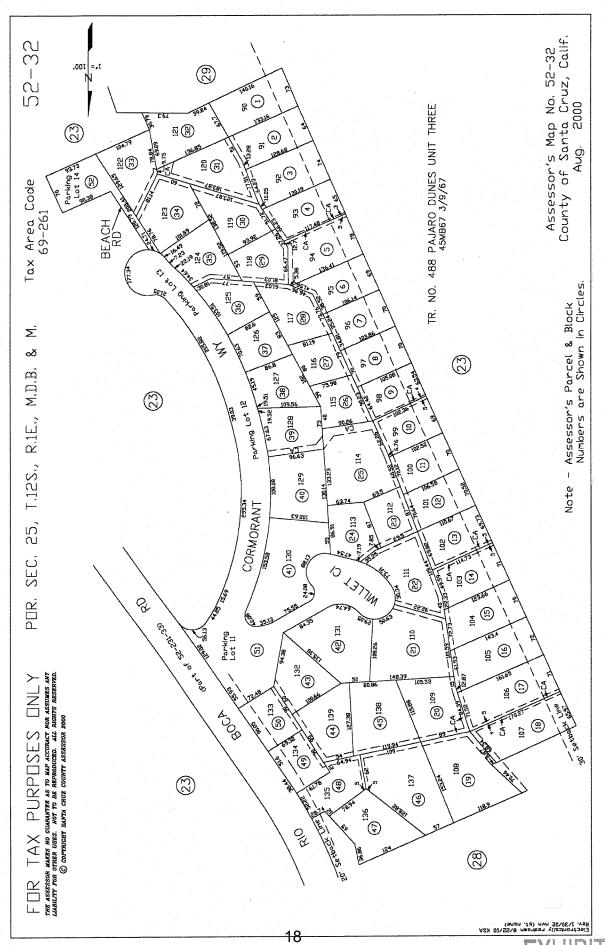
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BUILDING

9) CORMORANT WAY PAJARO DUNES, CA 95076 APN; 052-321-02

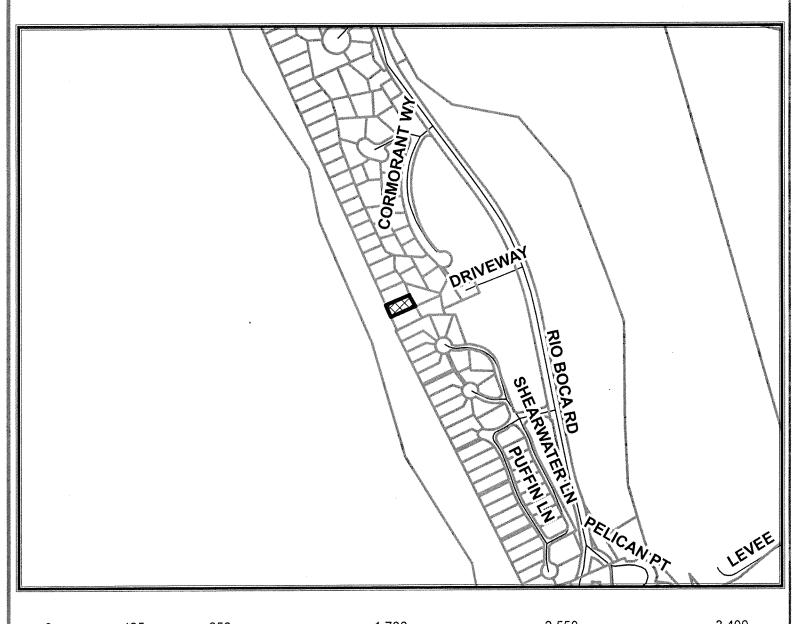
RESIDENTIVE REMODERVEDDILION
HORSE 6 J







## Location Map



0 425 850 1,700 2,550 3,400 Feet

APN: 052-321-02

Assessors Parcels

Street

County Boundary

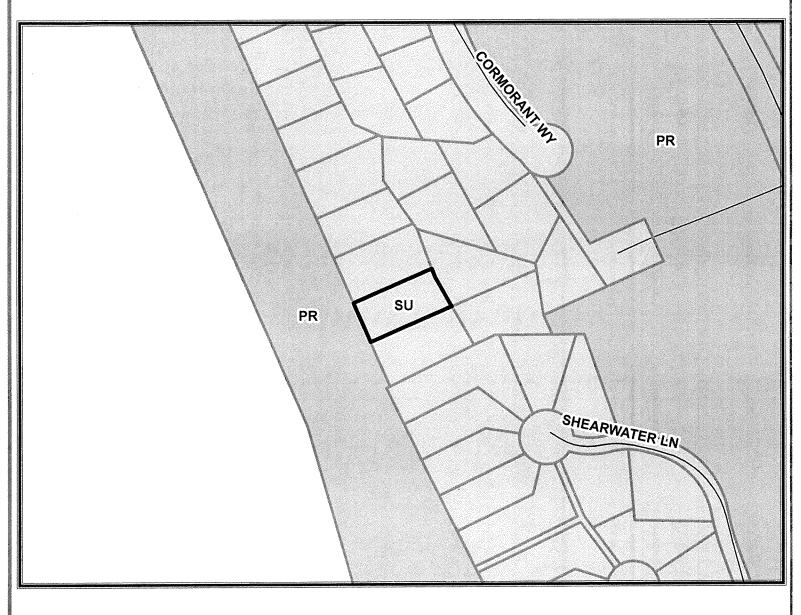


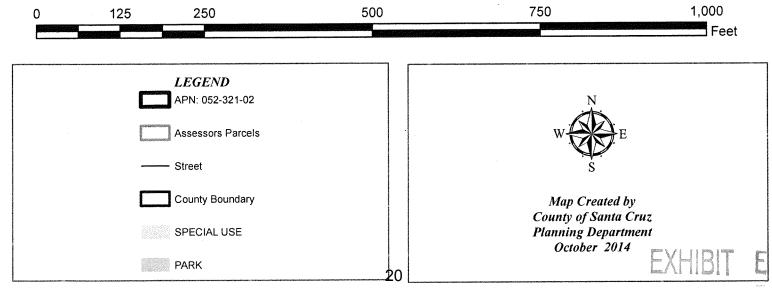
Map Created by County of Santa Cruz Planning Department October 2014

EXHIBIT



## Zoning Map







## General Plan Designation Map

