

Staff Report to the Planning Commission

Application Number: 06-0284

Applicant: W. Tyler Hopkins
Owner: Sean & Natasha Hopkins etal.

APN: 054-161-30

Agenda Date: 10/1 1/06
Agenda Item#: 9
Time: After 9:00 a.m.

Project Description: Proposal to convert a duplex lot into two townhouse parcels.

Location: Property located on the south side of Seascape Boulevard approximately 400 feet east of Dolphin Drive (2002 & 2004 Seascape Boulevard).

Supervisoral District: 2nd District (District Supervisor: Ellen Pine)

Permits Required Minor Land Division, Coastal Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0284, based on the attached findings and conditions.

Exhibits

A. Project plans
 B. Findings
 C. Conditions
 E. Assessor's parcel map
 F. Zoning & General Plan maps
 G. Comments & Correspondence

D. Categorical Exemption (CEQA determination)

Parcel Information

Parcel Size: 6,900 square feet Existing Land Use - Parcel: Residential duplex

Existing Land Use - Surrounding: Single and multi-family residential neighborhood

Project Access: Seascape Boulevard

Planning Area: Aptos

Land Use Designation: R-UH (Urban High Density Residential)

Zone District: RM-3 (Multi-family residential - 3,000 square feet minimum)

Coastal Zone: <u>X</u> Inside Coastal Zone:

Appealable to Calif. Coastal Comm. X Yes Appealable to Calif. Coastal Comm.

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 Application # 06-0284 Page 2

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Environmental Information

Geologic Hazards: Not mappdno physical evidence on site

Soils: No report required

Fire Hazard: Not a mapped constraint

Slopes: 2-5%

Env. Sen. Habitat: Not mappdno 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 mappdno physical evidence on site

Services Information

Urban/Rural Services Line:XInsideOutsideWater Supply:Soquel Creek Water District

Sewage Disposal: Santa Cruz County Sanitation District Fire District: Aptos/La Selva Fire Protection District

Drainage District: Zone 6 Flood Control District

Project Setting

The subject property is located in the residential neighborhood of Seascape. The property is occupied by an existing duplex. The surrounding pattern of development includes both single family and multi-family residential development.

Townhouse Conversion

This application is to convert existing units in common ownership into separate ownership units. The existing duplex will be converted into two townhouse units. In projects involving less than four existing units, a minimum of one-half of the existing units must be sold to persons who resided in the units for a minimum of three years prior to the conversion (other regulations apply to affordable housing projects or developments which increase the total number of units). In this case, both units were occupied by the owners (who share ownership of the duplex) at the time of application for the proposed conversion. This conversion will allow the current owners to own the units individually and to obtain separate financing. Either owner could choose to sell the units individually at a later date but no long term tenants will be displaced by the proposed conversion.

Parcel Size & Developable Area

The subject property is one single parcel of **6,900** square feet that is developed with a duplex. The division of the parcel into two separate townhouse parcels requires a minimum of 3,000 square feet of net developable land per unit. The proposed land division will comply with the minimum parcel size of the RM-3 (Multi-FamilyResidential – 3,000 square feet minimum) zone district. Both units are accessed by separate driveways with no shared vehicular access.

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General Plan Consistency

The subject property is designated **as** Urban High Density Residential (R-UH) in the General Plan. The Urban High Density Residential (R-UH) General Plan designation requires a range of 2,500 to **4,000** square feet per dwelling unit. The proposed project is consistent with the General Plan, in that the two townhouse parcels will share common area open space for a minimum of 3,000 square feet per each multi-family dwelling unit..

Local Coastal Program Consistency

The proposed land division is in conformance with the County's certified Local Coastal Program in that the structure is existing and is visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Residential Design & Neighborhood Compatibility

The duplex (that is proposed to be converted to two separate townhouse units) currently exists and no modifications are proposed. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and multi-family units in the immediate area. The current and proposed architectural style is compatible with the architecture in the neighborhood and the surrounding pattern of development.

Utilities

Water, sewer, and electrical utilities are available to the subject property. The existing water and sewer mains will be capable of handling the additional volume necessary to serve the proposed parcel.

Environmental Review

Environmental Review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for this exemption due to the fact that the proposed parcels are located within the Urban Services line, will be served by an existing driveway to an existing roadway, and the existing duplex is currently served by water and sewer utilities. No extenuating circumstances or special site conditions that would require further review under CEQA are evident in the proposed project.

Conclusion

The proposed division of the existing duplex lot into two townhouse parcels will be compatible with surrounding development patterns and will not adversely impact scenic or environmental resources.

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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.
- e APPROVAL of Application Number **06-0284**, 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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Santa Cruz CA 95060

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Report Reviewed By:

Mark Deming

Assistant Director

Santa Cruz County Planning Department

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Subdivision Findings

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or specific plan, if any.

This finding can be made, in that the proposed division of land, its design, and its improvements, are consistent with the General Plan. The project creates two multi-family residential townhouse parcels and a common area parcel and is located in the Urban High Density Residential (R-UH) General Plan designation which allows a density of one unit for each 2,500 to 4,000 square feet of net developable parcel area. The proposed project is consistent with the General Plan, in that the two townhouse parcels will share common area open space for a minimum of 3,000 square feet per each multi-family dwelling unit.

The project is consistent with the General Plan in that the full range of urban services is available to the existing duplex which will be converted to two townhouses, including public water and sewer service. Both units are currently accessed by separate driveways to the public street, which provides satisfactory access to the project. The proposed subdivision is similar to the pattern and density of surrounding development, is near commercial shopping facilities and recreational opportunities, and will have adequate and safe vehicular and pedestrian access.

The subdivision, as conditioned, will be consistent with the General Plan regarding infill development, in that the proposed residential development will be consistent with the pattern of the surrounding development, and the design of the proposed structure is consistent with the character of similar developments in the surrounding neighborhood.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the use of the property will be residential in nature, lot sizes meet the minimum dimensional standards for the RM-3 (Multi-Family Residential – 3,000 square feet minimum) zone district where the project is located, which allows for interior setbacks to be reduced for parcels not abutting the periphery of the project site (per County Code section 13.10.323(d)1(i)). No alteration in the existing setbacks, parcel coverage, or height of the existing duplex are proposed as a part of this project.

This proposal complies with the requirements of County Code section 14.02.040(c) (Condominium Conversions), in that no fewer than one-half of the units to be converted will be sold to persons who have resided in the project for a period of three years prior to the notification of intention to convert.

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4. That the site of the proposed subdivision is physically suitable for the type and density of development.

This finding can be made, in that no challenging topography affects the site and the structure and all site improvements have already been installed.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that no mapped or observed sensitive habitats or threatened species will be adversely impacted through the development **of** the site. The conversion of the existing duplex to townhouses will not create any adverse environmental impact.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding *can* be made, in that municipal water and sewer are available to serve all proposed parcels.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that no easements are known to encumber the property. Access to all lots will be from existing driveways.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented in a manner to take advantage of solar opportunities. The existing structure will not be modified and will meet the minimum setbacks **as** required within the zone district.

9. 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 structure is existing and is visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The surrounding neighborhood contains single family and multi-family residential development, with many duplexes and townhouse developments in the immediate area. The proposed residential development is compatible with the architecture in the neighborhood and the surrounding pattern of development.

Owner: Sean & Natasha Hopkins etal.

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 **RM-3** (Multi Family Residential - 3000 square foot minimum), a designation which allows residential uses. The proposed multi-family residential development is a principal permitted use within the zone district, 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 consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

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

This finding *can* be made, in that the project site is not located between the shoreline and the first public road. Consequently, the residential development 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 RM-3 (Multi Family Residential - 3000 square foot minimum) 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 and multi-family residential dwellings. Size and architectural styles vary widely in the area, and the existing structure is consistent with the surrounding architectural style.

Application # 06-0284 **AFN 054-161-30**

Owner: Sean & Natasha Hopkins etal

Conditions of Approval

Minor Land Division & Coastal Development Permit No.: 06-0284

Applicant: W. Tyler Hopkins

Property Owner(s): Sean & Natasha Hopkins et al.

Assessor's Parcel No.: 054-161-30

Property Location and Address: 2002 & 2004 & Seascape Boulevard, Seascape

Planning Area: Aptos

Exhibits:

A. Tentative Map by Cary Edmunson, dated 6/27/06.

All correspondence and maps relating to this land division shall carry the land division number noted above.

- I. Prior to exercising any rights granted by this Approval, the owner shall:
 - A. Sign, date and return one copy of the Approval to indicate acceptance and agreement with the conditions thereof, and
 - B. Pay the required fee for processing the Environmental Exemption to the Clerk of the Board. This fee is currently \$25 per exempted project, but is subject to change.
- II. A Parcel Map for this land division must be recorded prior to the expiration date of the tentative map and prior to sale, lease or financing of any new lots. The Parcel Map shall be submitted to the County Surveyor (Department of Public Works) for review and approval prior to recordation. No improvements, including, without limitation, grading and vegetation removal, shall be done prior to recording the Parcel Map unless such improvements are allowable on the parcel as a whole (prior to approval of the land division). The Parcel Map shall meet the following requirements:
 - A. The Parcel Map shall be in general conformance with the approved tentative map and shall conform with the conditions contained herein. All other State and County laws relating to improvement of the property, or affecting public health and safety shall remain fully applicable.
 - B. This land division shall result in no more than **two** (2) multi-family residential townhouse lots and a common area parcel. A statement shall be added to clearly

Owner: Sean & Natasha Hopkins etal.

state that the common area parcel surrounding the two multi-family residential townhouse lots is not a building site.

- C. The minimum amount of parcel area per dwelling unit shall be 3,000 square feet of net developable land.
- D. The following items shall be shown on the Parcel Map:
 - 1. Building envelopes and/or building setback lines located according to the approved Tentative Map.
 - 2. The net area of each lot to nearest square foot.
 - 3. Common areas clearly labeled as, "Not a Building Site."
- E. The following requirements shall be noted on the Parcel Map as items to be completed prior to obtaining a building permit on lots created by this land division:
 - 1. Water service shall be reviewed by the Soquel Creek Water District. New meters or separate connections shall be installed, if required by the Soquel Creek Water District.
 - 2. Sewer service shall be reviewed by the Santa Cruz County Sanitation District. A shared sewer lateral may be considered by the Santa Cruz County Sanitation District if private maintenance of the shared lateral is proposed.
 - 3. All future construction of the lots shall conform to the Design Guidelines, the Architectural Floor Plans and Elevations, as stated or depicted in Exhibit **A** and shall also meet the following additional conditions:
 - a. Notwithstanding the approved architectural plans, all future development shall comply with the development standards for the RM-3 zone district. Total development on the subject property shall not exceed 40% lot coverage, or a 50% floor area ratio, or other standards as may be established for the zone district.
- III. Prior to recordation of the Parcel Map, the following requirements shall be met:
 - **A.** Submit a letter of certification from the Tax Collector's **Cffice** that there are no outstanding tax liabilities affecting the subject parcels.
 - B. Meet all requirements of the Santa Cruz County Sanitation District, including, without limitation, the following standard conditions:
 - 1. Submit and secure approval of a sewer improvement plan providing

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sanitary sewer service to each parcel. If a shared sewer lateral is proposed, it must be indicated on the improvement plans.

- 2. Pay all necessary bonding, deposits, and connection fees,
- C. All requirements of the Aptos/La Selva Fire Protection District shall be met.
- D. Any changes to the approved map and/or improvement plans shall be reviewed and accepted by the Planning Department prior to recordation of the Parcel Map. Further review by the approving body and possible amendment of the development approval may be required.
- IV. 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.
- 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

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cc: County Surveyor

Owner: Sean & Natasha Hopkins et al

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.

Within *30* days of the issuance of this development approval, the Development Approval Holder shall record in the office of the Santa Cruz County Recorder an agreement that incorporates the provisions of this condition, or this development approval shall become null and void.

Amendments to this land division approval shall be processed in accordance with chapter 18.10 of the county code.

This Tentative Map **is** approved subject to the above conditions and the attached map, and expires 24 months after the 14–day appeal period. The Final map for this division, including improvement plans if required, should be submitted to the County Surveyor for checking **at least 90 days** prior to the expiration date and in no event later than **3** weeks prior **to** the expiration date.

Approval Date:	
Effective Date:	
Effective Date:	
Expiration Date:	
Mark Deming	Randall Adams
Assistant Director	Project Planner

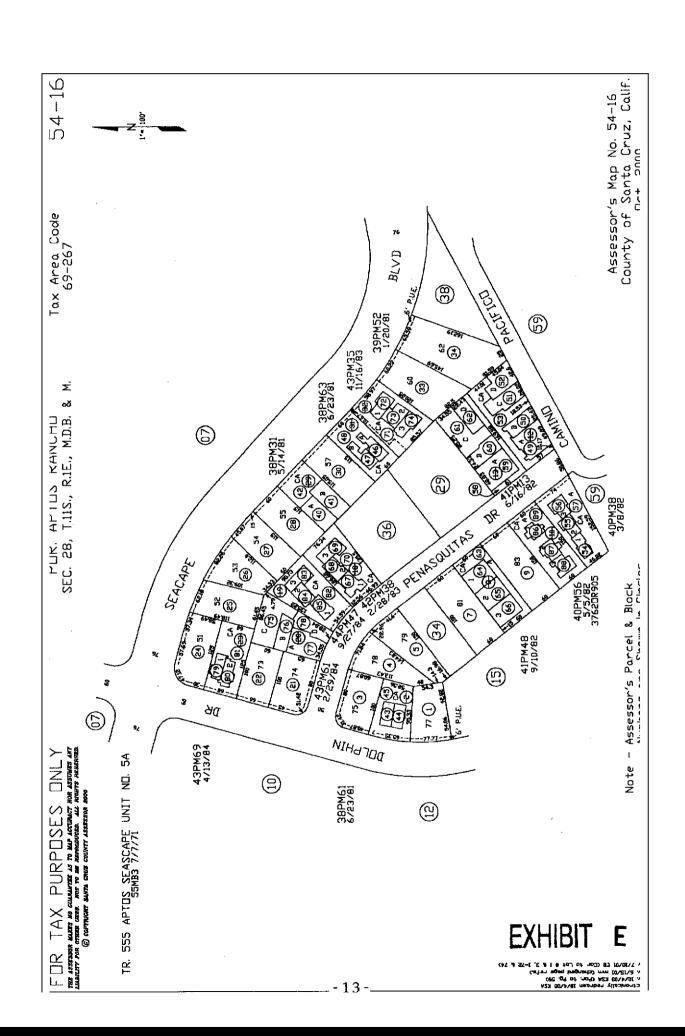
Appeals: Any property owner, or other person aggrieved, or **any** other person whose interests are adversely affected by any act or determination of the Planning Commission, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

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.

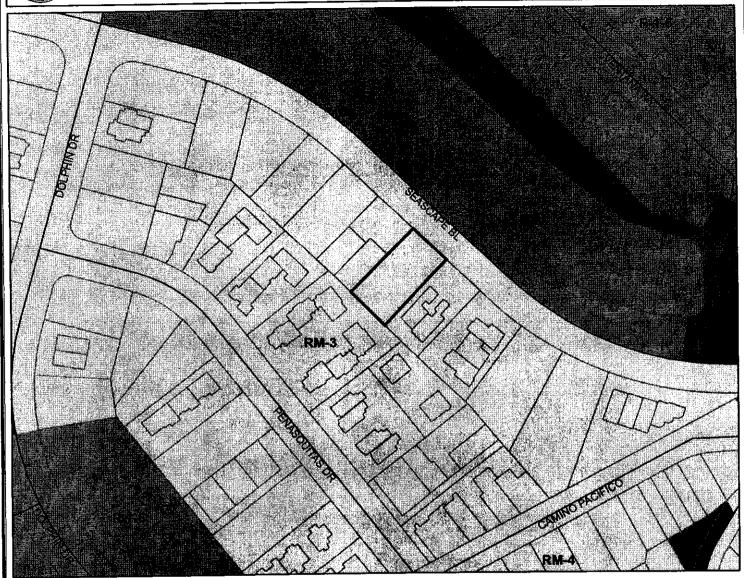
Application Number: 06-0284

	essor Parcel Number: 054-161-30 ect Location: 2002 & 2004 Seascape Boulevard	
	ect Description: Proposal to divide an existing duplex lot into two townhouse parcels.	
Person or Agency Proposing Project: W. Tyler Hopkins Contact Phone Number: (831) 251-1521		
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).	
Spec	rify type:	
E	X Categorical Exemption	
Spec	eify type: Class 15 - Minor Land Divisions (Section 15315)	
F.	Reasons why the project is exempt:	
Mino	or land division within an urbanized area with all urban services available.	
In ad	ldition, none of the conditions described in Section 15300.2 apply to this project.	
	Date:	
Ranc	lall Adams, Project Planner	





Zoning Map



0 110 220 440 960 880

Legend



Assessors Parcels

- Streets

RESIDENTIAL-MULTI FAMILY (RM)

RESIDENTIAL-SINGLE FAMILY (R-1)

SPECIAL USE (SU)

PUBLIC FACILITY (PF)

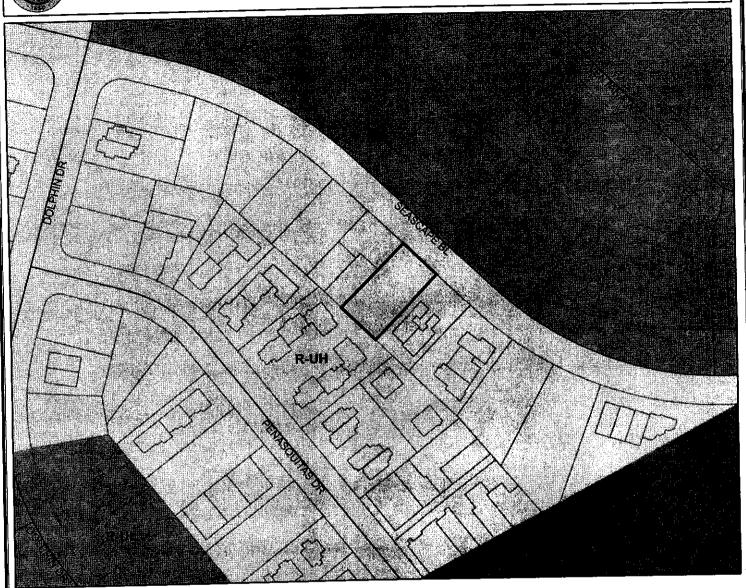


Map Created by
County of Santa Cruz
Planning Department
June 2006

EXHIBIT



General Plan Designation Map





Legend

APN 054-161-30

Assessors Parcels

---- Streets

Residential - Urban High Density (R-UH)

Residential - Urban Low Density (R-UL)

Residential - Urban Medium Density (R-UM)



Map Created by County of Santa Cruz Planning Department June 2006

EXHIBIT

- 15

COUNTY OF SANTA CRUZ DISCRETIONARY APPLICATION COMMENTS

Project Planner: Randall Adams Application No.: 06-0284 APN: 054-161-30

Date: September 7. 2006

Time: 13:50:13

Page: 1

Aptos-La Selva Reach Fire Prot Dist Completeness C

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

====== REVIEW ON JUNE 2, 2006 BY ERIN K STOW == DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

====== REVIEW ON JUNE 2. 2006 BY ERIN K STOW = NO COMMENT



Aptos/La Selva Fire Protection District

6934 Soquel Drive - Aptos, CA 95003 Phone # 831-685-6690 - Fax # 831-685-6699

June 1,2006

Planning Department County of Santa Cruz Attention: Randall Adams 701 Ocean Street Santa Cruz, CA 95060

Subject: APN: 54-161-30 / Appl #06-0284

2002 Seascape Blvd.

Dear Mr. Adams:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has no objections as presented.

Sincerely,

Jim Djás, Fire Marshal
Fire Prevention Division
Aptos / La Solve Fire Protect

Aptos/La Selva Fire Protection District

Cc: Sean & Natasha Hopkins

2002 Seascape Blvd. Aptos, CA 95003

SANTA CRUZ COUNTY SANITATION DISTRICT

INTER-OFFICE CORRESPONDENCE

DATE: JUNE 12, 2006

TO: Planning Department, ATTENTION: RANDALL ADAMS

FROM: Santa Cruz County Sanitation District Steve Harper

SUBJECT: SEWER AVAILABILITY AND DISTRICT'S CONDITIONS OF SERVICE FOR THE

FOLLOWING PROPOSED DEVELOPMENT:

APN 54-161-30 APPLICATION NO.: 06-0284

PARCEL ADDRESS: 2002 Seascape Blvd. Aptos

PROJECT DESCRIPTION Convert duplex into 2 townhouse units

Sewer service is available for the subject development upon completion of the following conditions. This notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project has not received approval from the Planning Department, a new sewer service availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

Proposed location of on-site sewer lateral(s), clean-out(s), and connection(s) to existing public sewer must be shown on the plot plan of the building permit application.

The applicant must form a homeowners' association with ownership and maintenance responsibilities for all on-site sewers for this project; reference to homeowner's association shall be included on the Final Map and in the Association's recorded CC&R's which shall be recorded. Applicant shall provide a copy of said CC&R's to the District prior to the filing of the final map.

The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the uniform plumbing code.

OTHER. A backflow preventive device may be required.

S.M. Harper

Sanitation Engineering

SMH:ss/28

c: Applicant: Sean & Natasha Hopkins 2002 Seascape Blvd.

Aptos, CA 95003