

# Staff Report to the Zoning Administrator

Application Number: 141031

Applicant: Ron Powers

Owner: Carl & Annamae Navarra

**APN:** 054-191-24

Agenda Date: 5/2/14 Agenda Item #: 3

Time: After 9:00 a.m.

**Project Description**: Proposal to construct a 110 square foot of cantilevered deck addition, extend an existing eave across the front of the house and install a new window at the second floor and side lights at the entry door of an existing single family dwelling in the R-1-6 Zone District. Requires a Coastal Development Permit.

**Location**: Project located on the east side of Via Gaviota approximately 400 feet north of the intersection with Club House Drive (817 Via Gaviota).

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

Permits Required: Coastal Development Permit

#### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141031, based on the attached findings and conditions.

#### **Exhibits**

A. Categorical Exemption (CEQA

determination)

B. Findings

C. Conditions

D. Project plans

E. Assessor's, Location, Zoning and

General Plan Maps

F. Comments & Correspondence

#### **Parcel Information**

Parcel Size:

6,316.2 square feet

Existing Land Use - Parcel:

Residential Residential

Existing Land Use - Surrounding: Project Access:

Via Gaviota (Private Road)

Planning Area:

Aptos

Land Use Designation:

R-UL (Urban Low Density Residential)

Zone District:

R-1-6 (Single family residential - 6,000 square feet

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

min	imum)	
X	Inside	Outside
X	Yes	No

Comm.

#### **Environmental Information**

Appealable to Calif. Coastal

Geologic Hazards: Mapped flood plain

Soils: Soils report not required

Fire Hazard: Not a mapped constraint

Slopes: 0-50% slopes

Env. Sen. Habitat: Not mapped/no physical evidence on site

Grading: No grading proposed

Tree Removal: No trees proposed to be removed

Scenic: Mapped scenic resource

Drainage: No change to existing drainage

Archeology: Not mapped

#### **Services Information**

Urban/Rural Services Line: X Inside Outside

Water Supply: Soquel Creek Water

Sewage Disposal: Santa Cruz Sanitation District

Fire District: Aptos La Selva

Drainage District: Zone 6

#### **Project Setting**

The subject parcel is located within a gated community (Seascape Beach Estates) and developed with an existing single family dwelling. The surrounding parcels are developed at an urban density and the homes located across the street from the subject parcel are backed up to Hidden Beach Park as defined in the County General Plan. The front of the subject parcel is gently sloping whereas the back of the parcel consists of a coastal bluff. The existing home is situated at the base of the bluff and partially within the mapped flood plain and entirely within a mapped scenic resource.

### **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 6,300 square feet, located in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district, a designation which allows residential uses. The proposed deck addition 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 improvements are in conformance with the County's certified Local Coastal

Owner: Navarra

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. Though the project site is located between the shoreline and the first public road, it is not identified as a priority acquisition site in the County's Local Coastal Program. The proposed project will not interfere with public access to the beach, ocean, or other nearby body of water since there is an existing public access to the beach directly across the street (Via Gaviota).

### **Design Review**

The proposed deck addition is not subject to Design Review as defined in County Code Section 13.11.040.

#### **Environmental Review**

The proposed development qualifies for a Class 3 Categorical exemption under the California Environmental Quality Act (CEQA) and not subject to further environmental review.

#### 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 141031, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

Report Prepared By: Nathan MacBeth

Santa Cruz County Planning Department

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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: 141031 Assessor Parcel Number: 054-191-24 Project Location: 817 Via Gaviota			
Project Description: Construct a deck addition to an existing single family dwelling.			
Person or Age	ncy Proposing Project: Ron Powers		
Contact Phone	e Number: (831) 600-7401		
В	The proposed activity is not a project under CEQA Guidelines Section 15378. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).		
C <u>I</u> D <u>S</u>	Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.  Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).		
E. <u>X</u> (	Categorical Exemption		
Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)			
F. Reasons why the project is exempt:			
Construction of a residential addition in an area designated for residential uses.			
In addition, non	e of the conditions described in Section 15300.2 apply to this project.		
Nathan MacBetl	h, Project Planner		

## **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-1-6 (Single family residential - 6,000 square feet minimum), a designation which allows residential uses. The proposed deck 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 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 natural in appearance and complementary to the site; and 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-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.

Though the project site is located between the shoreline and the first public road, the proposed development will not interfere with public access to the beach, ocean, or any nearby body of water in that an existing public access is available directly across the street from the project site. 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-1-6 (Single family residential - 6,000 square feet 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 is consistent with the existing range of styles.

### **Development Permit Findings**

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed deck addition and extension of the eave across the front of the house 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 location of the proposed deck addition and extension of the eave across the front of the house and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single family residential - 6,000 square feet minimum) zone district as the primary use of the property will be one single family dwelling 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 proposed deck addition and extension of the eave across the front of the house 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 neither the deck nor the extension of the eave will adversely shade adjacent properties, and both will meet current setbacks for the zone district.

The proposed improvements to the existing dwelling will result in a structure that 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 improvements will comply with the site standards for the R-1-6 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 improvements will be constructed on an existing developed lot. The level of traffic generated by the proposed project is not expected to increase above existing levels and will not 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 project is located in a mixed residential neighborhood containing a variety of architectural styles, and the proposed deck addition and extension of the eave is consistent with the land use intensity and density of the neighborhood. Additionally, the proposed new replacement window at the second floor and side lights next to the entry door are considered minor alterations to the existing structure and consistent with the type of architectural features found on homes in the vicinity.

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.

The proposed improvements are minor in nature and not subject to Design Review as defined in County Code Section 13.11.

## **Conditions of Approval**

Exhibit D: Project Plan 4 Sheets, Prepared by Gabbert Construction, Dated 8/10/13

- I. This permit authorizes the construction of a 110 square foot deck addition, alterations to existing eaves and window replacement. 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.
- 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. The site plan and elevations shall delineate the extent of the flood hazard area including the flood zone boundary and the base flood elevation.
    - 3. Drainage and erosion control plans.
    - 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. Prior to issuance of the building permit, the applicant shall submit two copies of the completed Substantial Improvement Forms, including a contractor affidavit, owner affidavit, and cost breakdown, for the proposed project. The forms can be downloaded here:

  <a href="http://www.sccoplanning.com/LinkClick.aspx?fileticket=FzxV4JVLAw0%3d">http://www.sccoplanning.com/LinkClick.aspx?fileticket=FzxV4JVLAw0%3d</a>
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- D. If the project cost estimate exceeds 50% of the structure's value, either portions of the project shall be removed from the project plans prior to building permit issuance to reduce project costs below 50%, or the applicant shall modify the application to bring the structure into compliance with all FEMA and County regulations for new construction within the FEMA-designated VE-Zone.
- E. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- 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. 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.

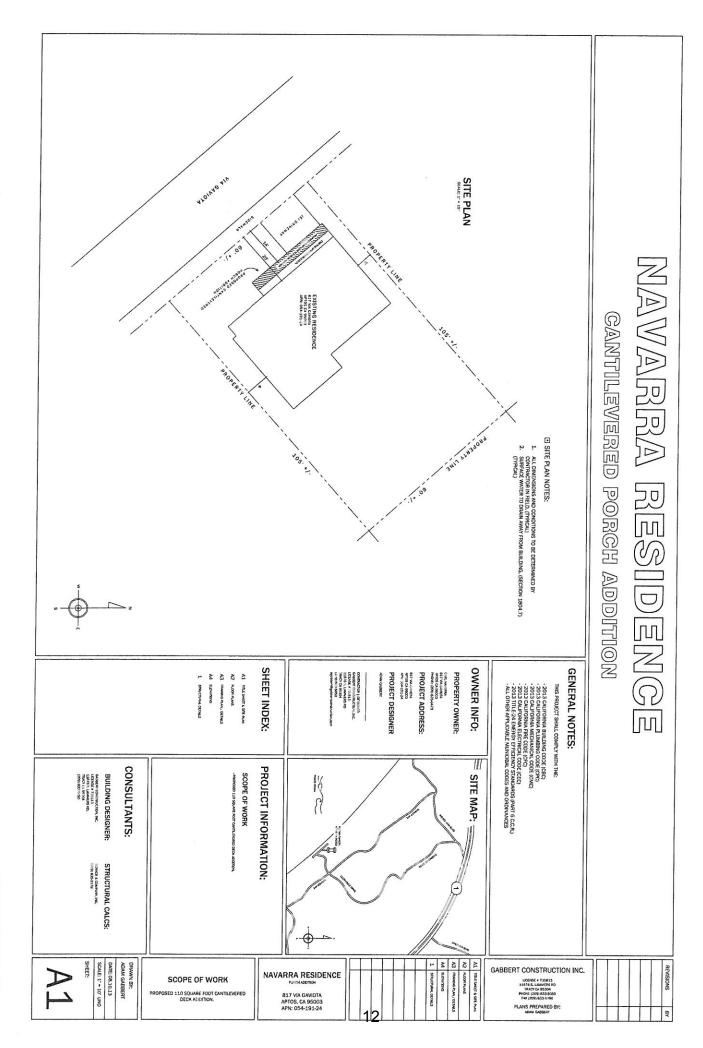
- B. Additional work (including siding, roofing, damage repairs, etc.) proposed within 5 years of the issue date of the building permit shall be evaluated for cumulative improvement. If the total value of the proposed work, when added to the costs of this project, exceeds 50% of the structure's value, the structure will be required to comply with all FEMA and County regulations for new construction within the FEMA-designated VE-Zone.
- 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.

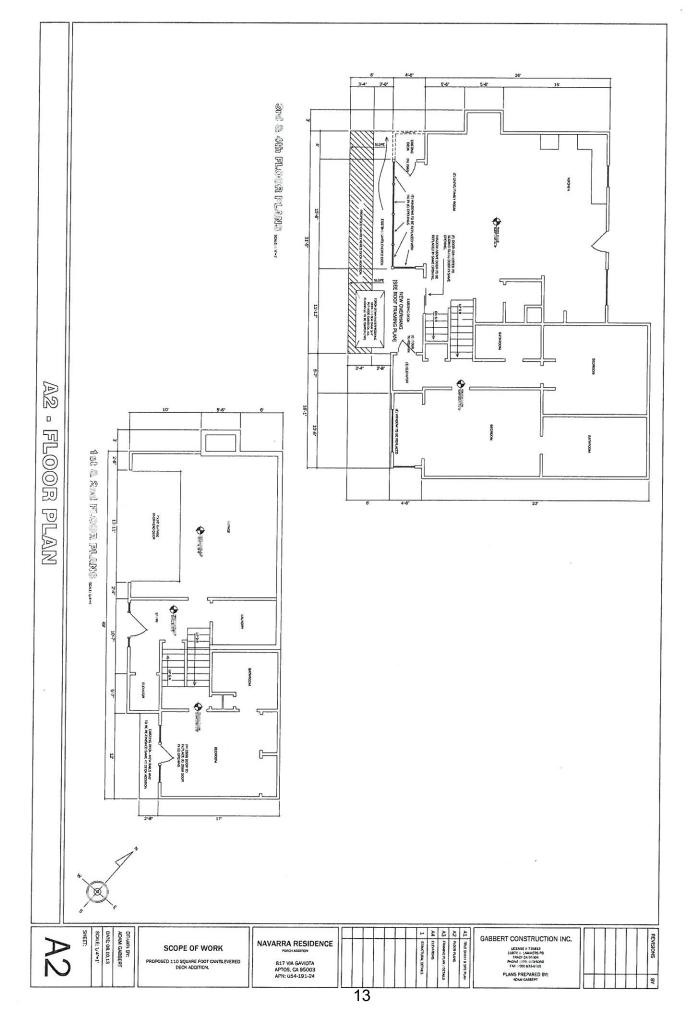
Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures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

Approval Date:	
Effective Date:	
Expiration Date:	
Wanda Williams	Nathan MacBeth
Deputy Zoning Administrator	Project Planner

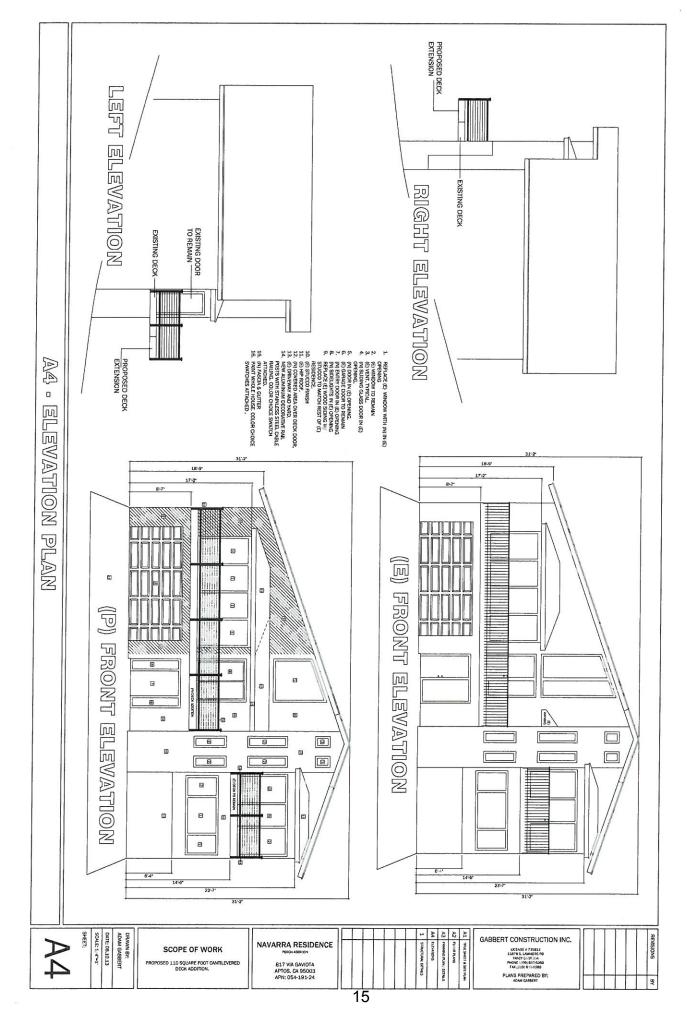
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

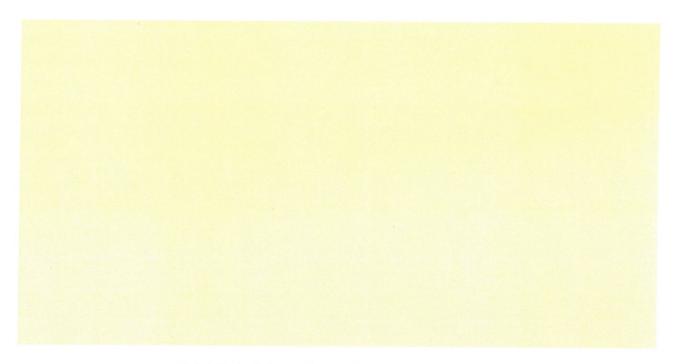




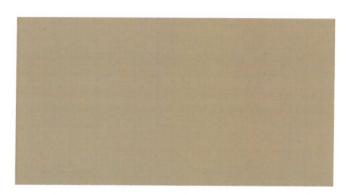


EXEMPED D





Paint Body Color - Martha Stewart "Bone Folder"



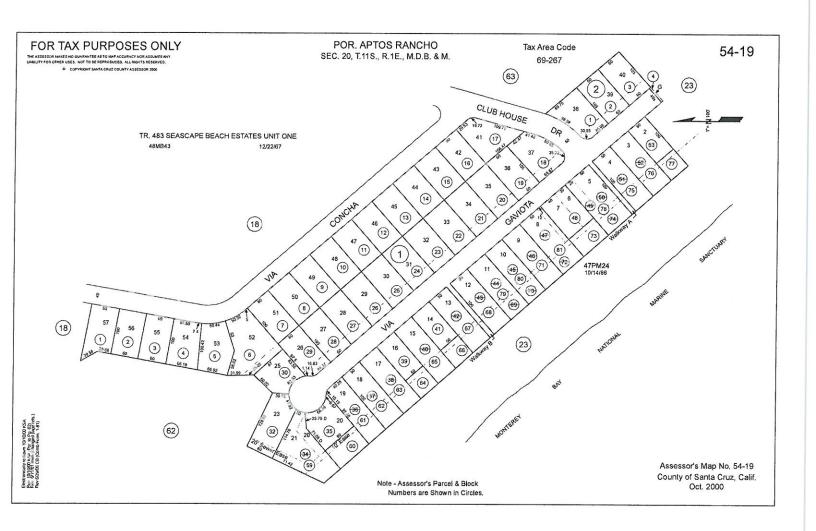
Deck Railing Color - Sand



Roofing Color - Weathered Wood



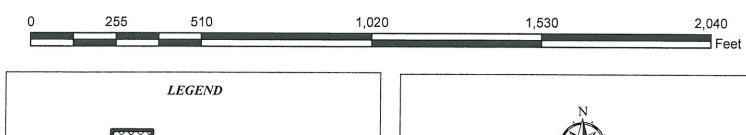
Paint Trim Color - Martha Stewart "Wrought Iron"





## **Location Map**





APN: 054-191-24
Assessors Parcels
Street
County Boundary



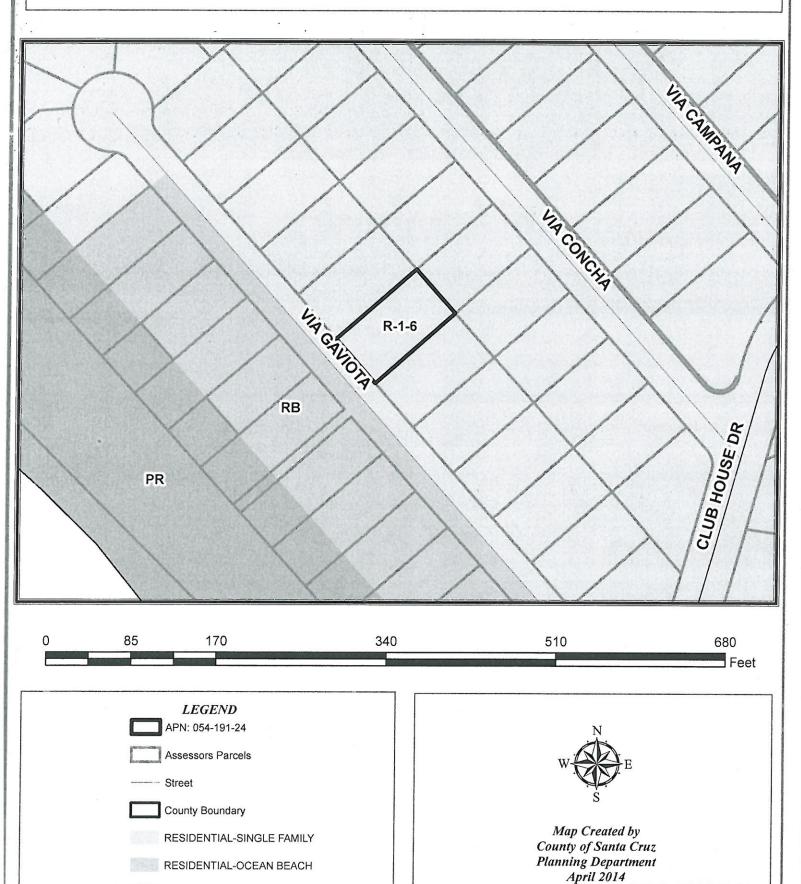
Map Created by County of Santa Cruz Planning Department April 2014

EXHIBIT E.



PARK

## **Zoning Map**





## General Plan Designation Map

