



Staff Report to the Zoning Administrator

Application Number: 181337

Applicant: Carol Riewe, Architect

Agenda Date: March 1, 2019

Owner: John & Shelly Schuur

Agenda Item #: 1

APN: 064-242-13

Time: After 9:00 a.m.

Site Address: 775 Toll House Gulch Road, Felton

Project Description: Proposal to remodel an existing residence, including construction of an addition (approx. 570 sf) and enlarging an existing garage (approx. 1000 sf), resulting in a residential structure approximately 6,500 sf in area. Requires a Residential Development Permit for a large dwelling (over 5,000 sf).

Location: Property located on Toll House Gulch Road in Felton at 775 Toll House Gulch Road.

Permits Required: Residential Development Permit

Supervisory District: 5th District (District Supervisor: Bruce McPherson)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181337, based on the attached findings and conditions.

Project Setting

The subject property is located on the east side of Toll House Gulch Road in the San Lorenzo Valley planning area south of the town of Felton. The residence is located in a wooded area and is screened from view of neighboring residences by existing vegetation. The surrounding neighborhood consists of rural residences on sloped and heavily forested parcels ranging from one to over 20 acres in size.

Zoning & General Plan Consistency

The subject property is approximately 2.7 acres and is located within the RA (Residential Agriculture) zone district, a designation which allows residential uses and is consistent with the site's R-R (Rural Residential) General Plan designation.

No new bedrooms are proposed (currently 4 bedrooms) and all required parking will be provided on the project site.

A Residential Development Permit is required because the total (habitable and non-habitable combined) floor area of structure would exceed 5,000 square feet as a result of the proposed addition. The maximum size of a single family dwelling (without a Residential Development Permit review for a large dwelling) is 5,000 square feet of floor area.

Large Dwelling Review

The proposed additions (of approximately 570 square feet of heated space and approximately 1,000 square feet of garage area) would result in a structure that is over 5,000 square feet of floor area (total of approximately 6,500 square feet). Single family dwellings (or additions to existing single family dwellings) over 5,000 square feet are subject to a Residential Development Permit for large dwelling review.

The existing residence and attached garage currently total approximately 5,000 square feet in area and the proposed additions would not substantially modify or alter the visual bulk or mass of the existing residence. The proposed additions would be consistent with the architectural style, colors, and materials of the existing residence. The subject property is located in a wooded area and existing vegetation will screen the structure and proposed additions from surrounding residences and public view.

Design Review

The proposed additions comply with the requirements of the County Design Review Ordinance, in that the proposed additions will be consistent with the architectural style, colors, and materials of the existing residence and the structure will be adequately screened from view to prevent visual impacts 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 **181337**, 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.sccoplanning.com

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Exhibits

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

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: 181337

Assessor Parcel Number: 064-242-13

Project Location: 775 Toll House Gulch Road, Felton

Project Description: Add 570 sq. ft. habitable space and 1,000 sq. ft. non-habitable space to an existing residence

Person or Agency Proposing Project: Carol Riewe, Architect

Contact Phone Number: 831-426-0658

- 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:

Construct a residential addition 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: _____

EXHIBIT A

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 ensure the optimum in safety and the conservation of energy and resources.

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 addition and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district as the primary use of the property will continue to be one single family dwelling.

The proposed addition will comply with all required site standards for the zone district. No new bedrooms are proposed and parking for the existing four bedroom home is provided on site.

The project will comply with the requirements of County Code section 13.10.325 regarding large dwelling review, in that the existing residence and proposed additions are compatible with the architectural character and pattern of development in the surrounding rural residential neighborhood; the structure will be adequately screened from view by existing vegetation; the construction will not involve excessive grading or substantial modification of existing topography; the proposed addition will be compatible with the architectural style, colors, and materials of the existing residence.

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

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

The project 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 addition will comply with the site standards for the RA zone district (including setbacks, lot coverage, height, and number of stories).

The project will be in compliance with the requirements for large dwellings as specified in General Plan Policy 8.6.4 (Review of Large Dwellings), in that the proposed addition will be adequately screened from surrounding residential properties by existing vegetation and will be compatible with the architecture, colors, and materials of the existing residence.

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 additions are to be constructed at an existing single family residence and no increase in bedrooms or dwelling unit density is proposed. No substantial increase in utilities consumption or traffic generation is anticipated.

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 addition is consistent with the land use intensity and density of the neighborhood. Although the residence will be over 5,000 square feet in floor area, the structure will be adequately screened from neighboring views by existing vegetation.

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 additions will be consistent with the architectural style, colors, and materials of the existing residence and the structure will be adequately screened from view to prevent visual impacts of the proposed development on surrounding land uses and the natural landscape.

Conditions of Approval

Exhibit D: Project plans, prepared by Carol A. Riewe, Architect, dated 9/4/18.

- I. This permit authorizes the construction of an addition 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.
- 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. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 2. 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.
 3. Grading, drainage, and erosion control plans.
 4. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.

- B. Meet all requirements of and pay Zone 8 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - D. Meet all requirements of the Environmental Planning section of the Planning Department.
 - E. Meet all requirements and pay any applicable plan check fee of the Felton Fire Protection District.
 - F. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
 - G. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling over 4,000 square feet is \$15 per square foot.
 - 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

Application #: 181337
APN: 064-242-13
Owner: John & Shelly Schuur

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.

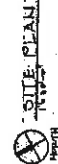
Approval Date: _____

Effective Date: _____

Expiration Date: _____

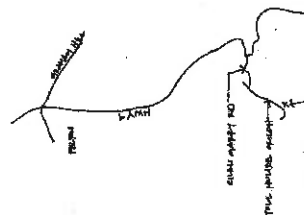
Jocelyn Drake
Deputy Zoning Administrator

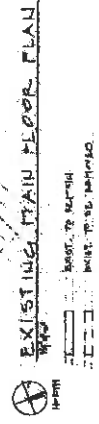
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.



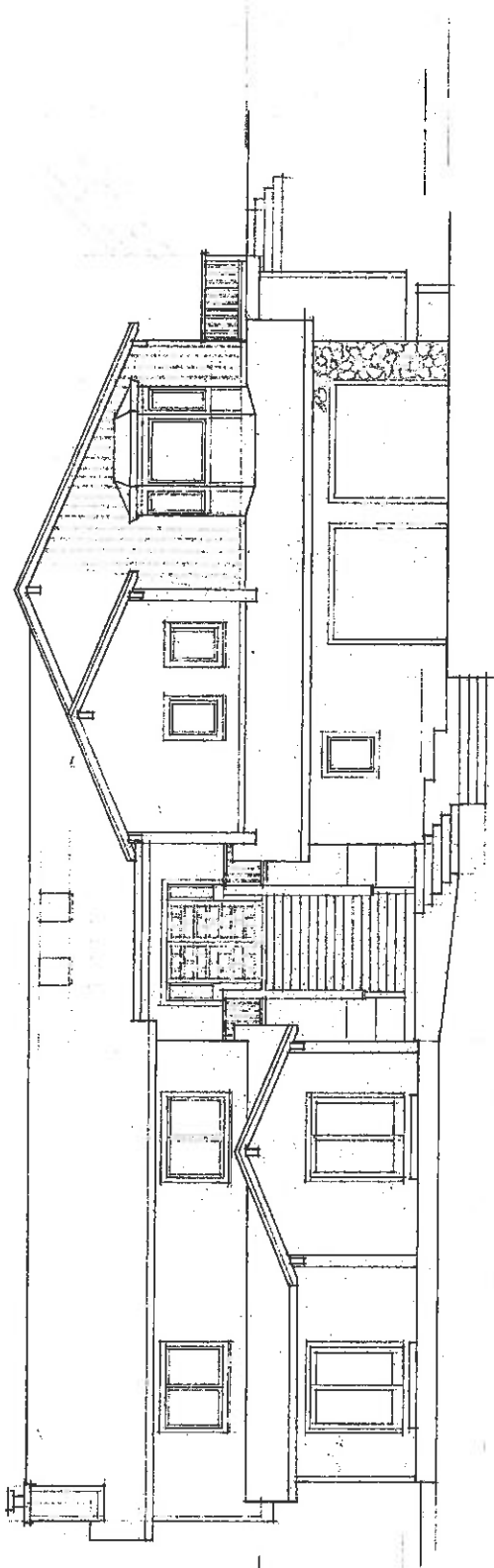
VICINITY MAP:

THE RESULTS OF THE ABOVE TESTS ARE AS FOLLOWS:

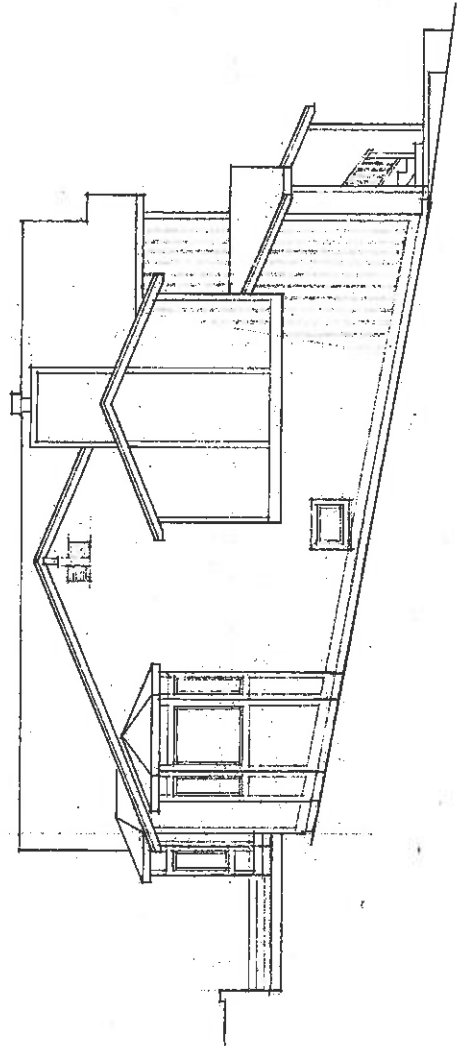




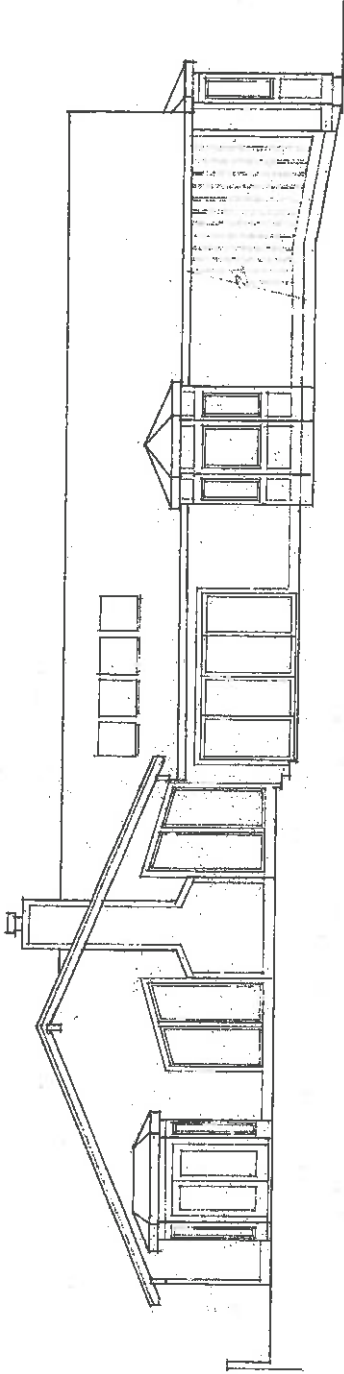
EXISTING ELEVATIONS



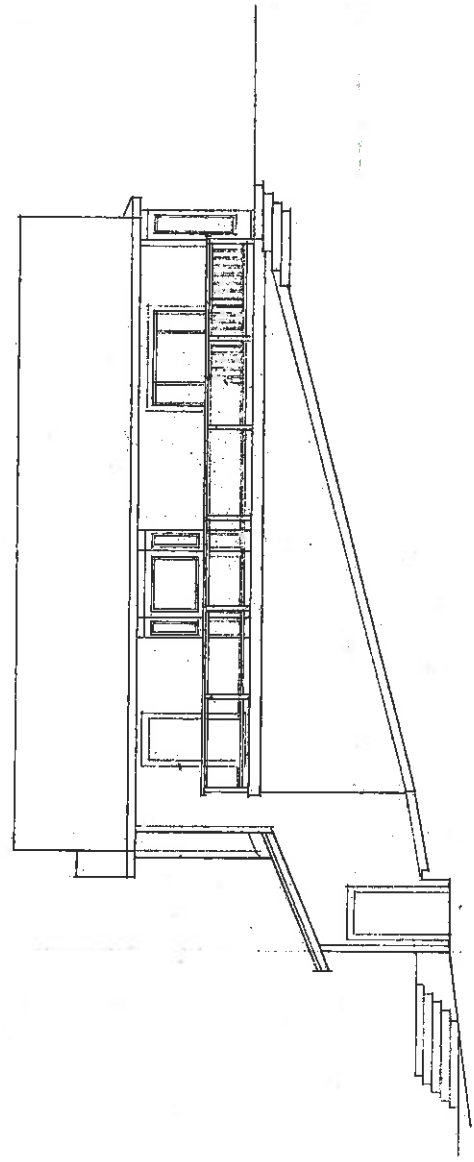
EXISTING NORTH ELEVATION (front)



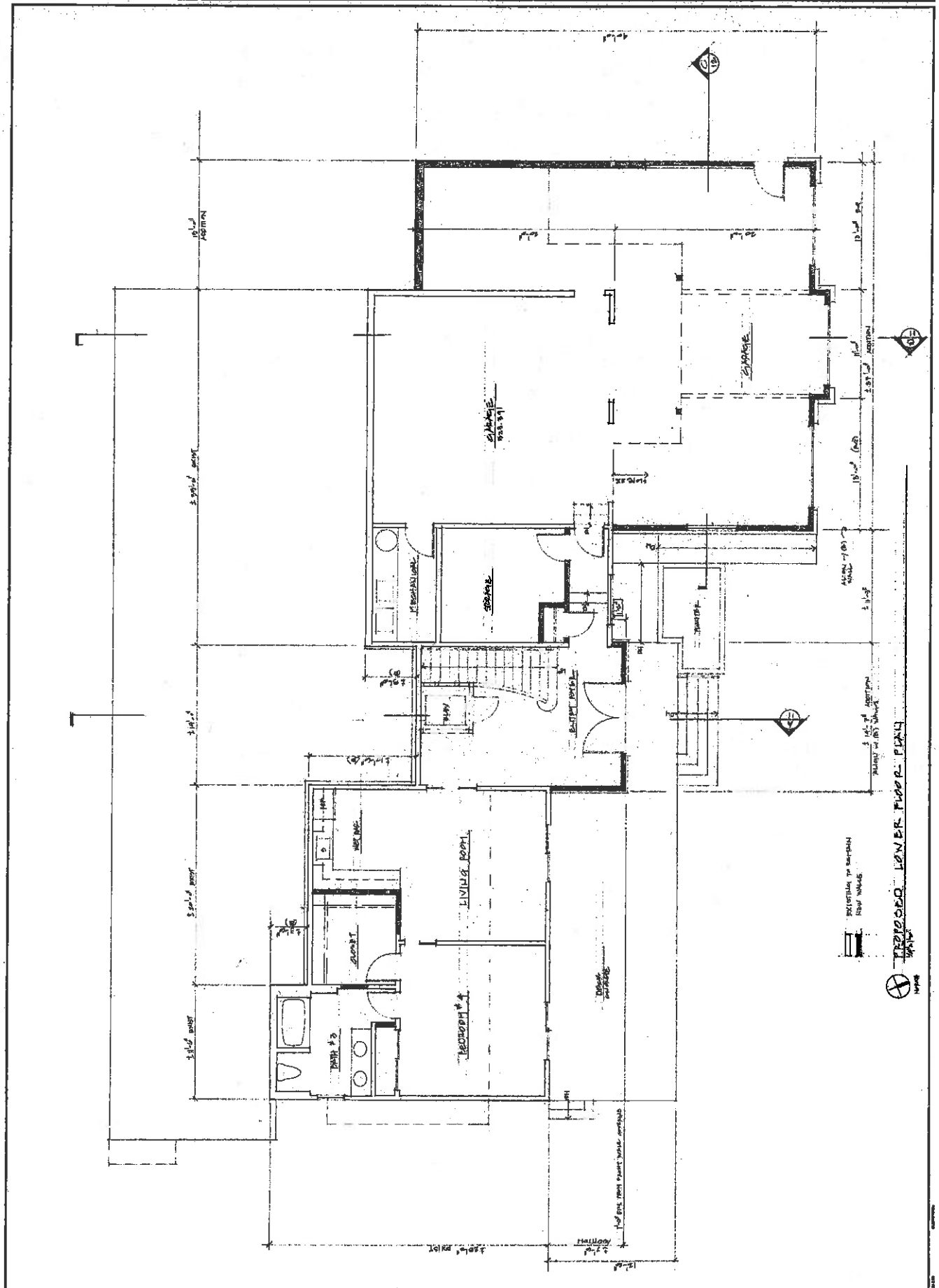
EXISTING EAST ELEVATION (side)

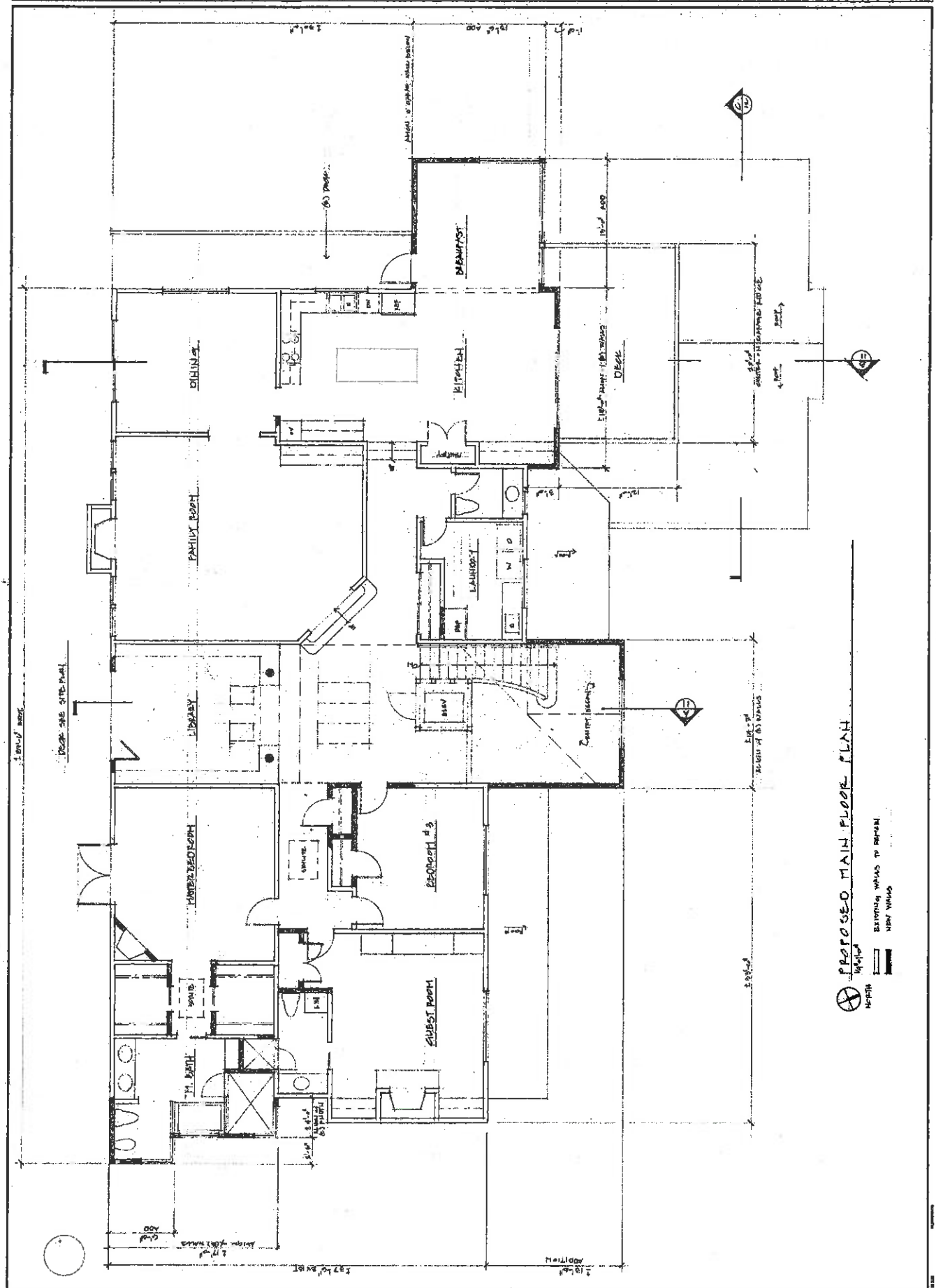


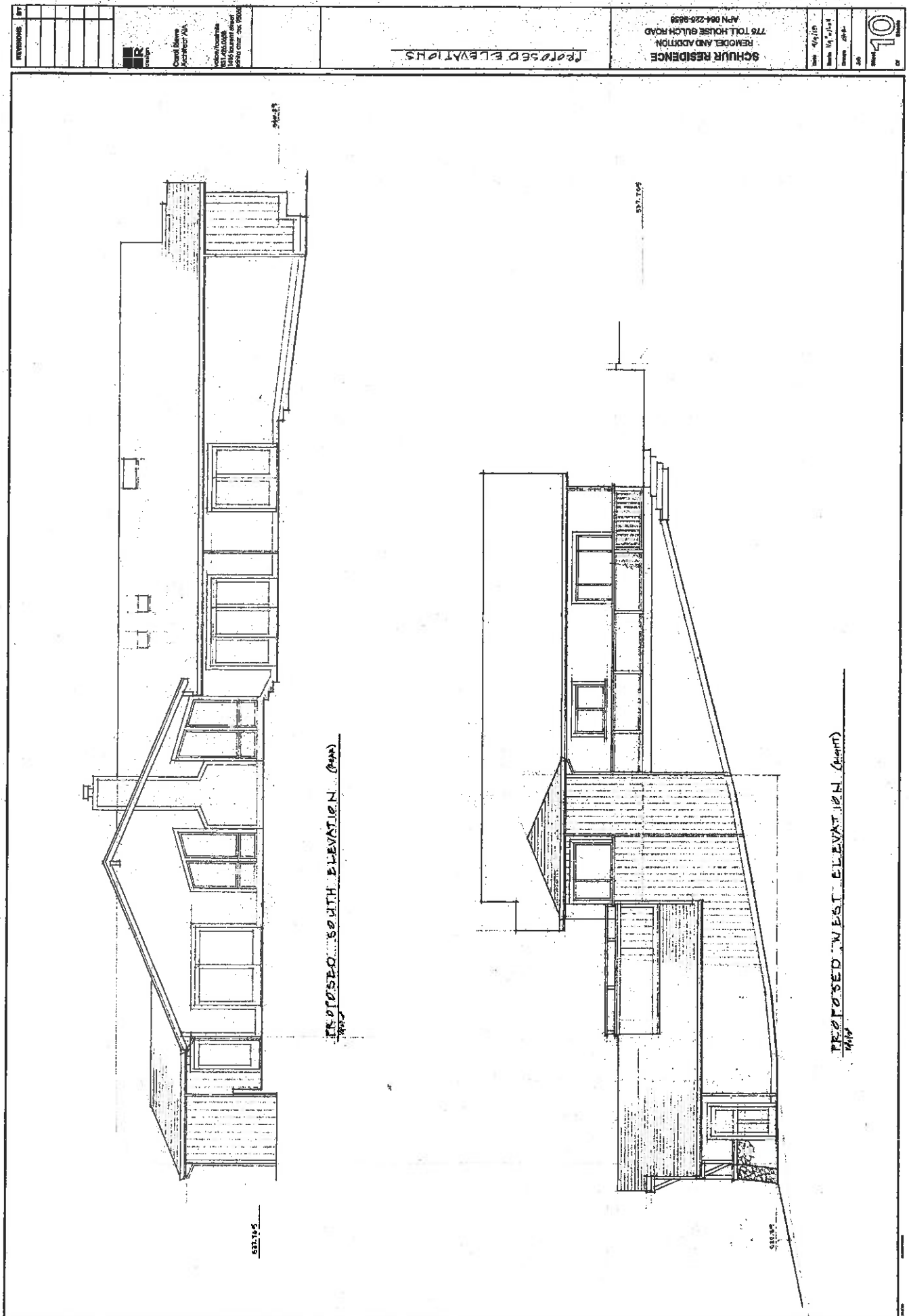
EXISTING SOUTH ELEVATION (EXIST.)
 7/11/18

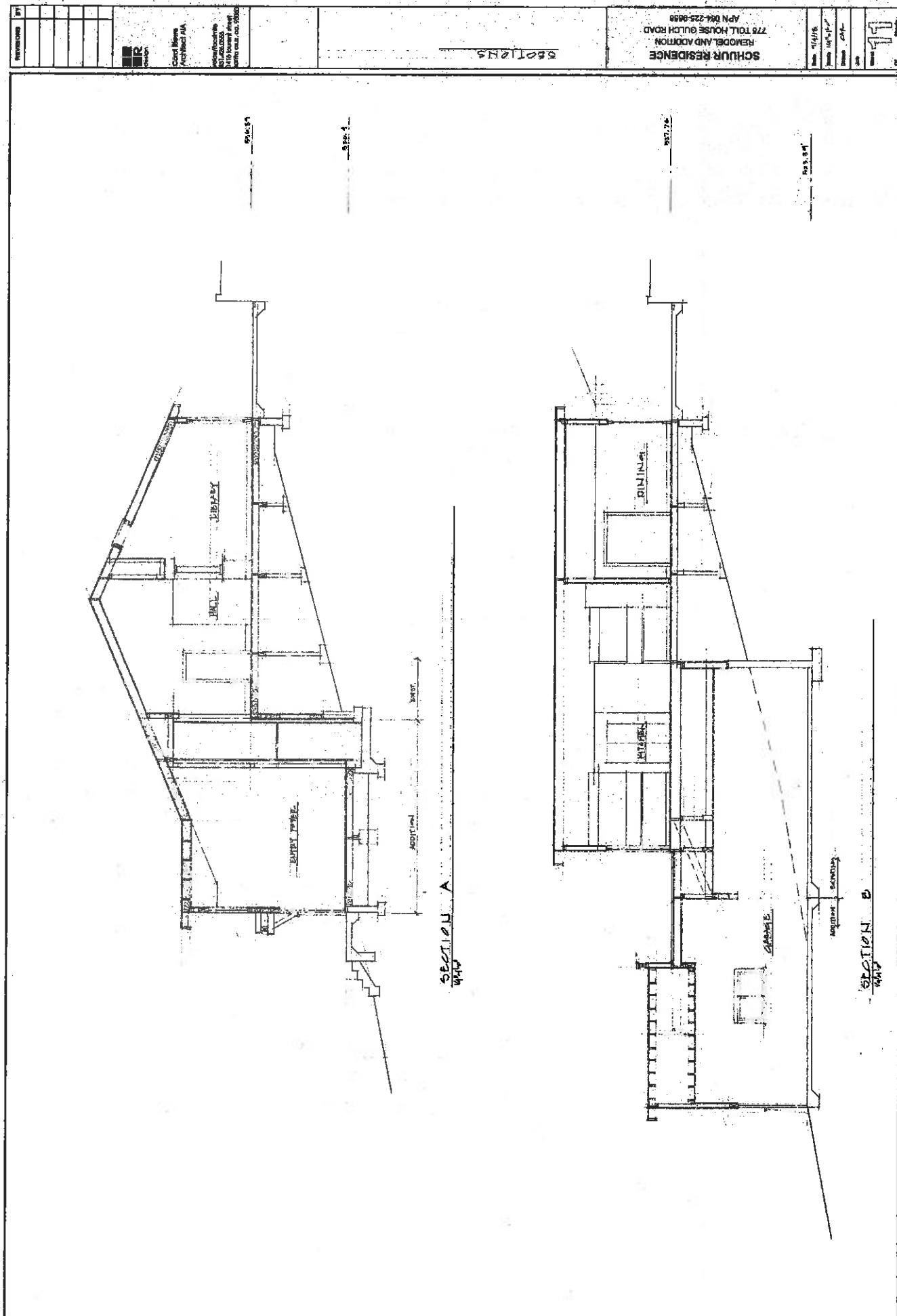


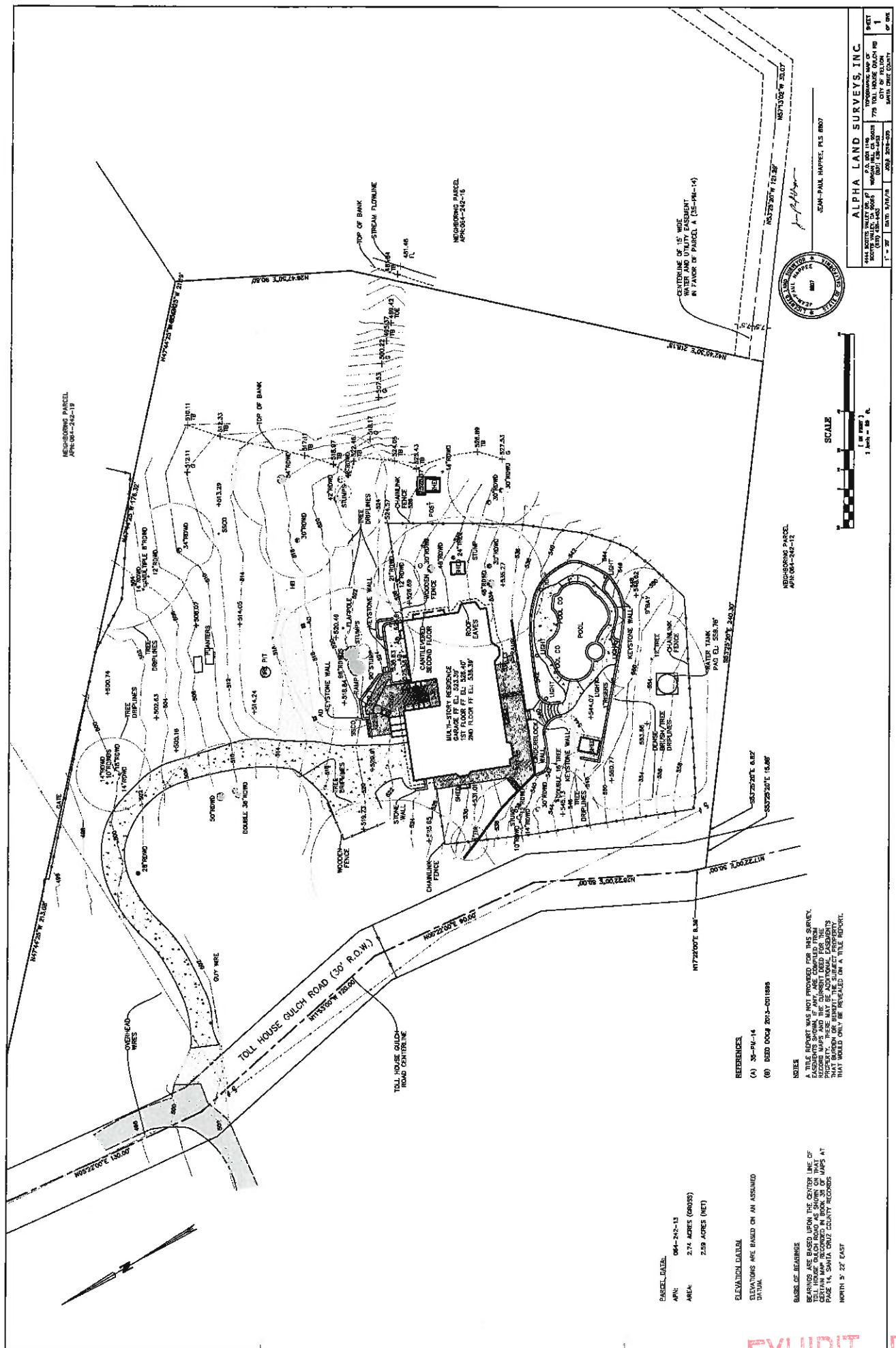
EXISTING WEST ELEVATION (EXIST.)
 7/11/18











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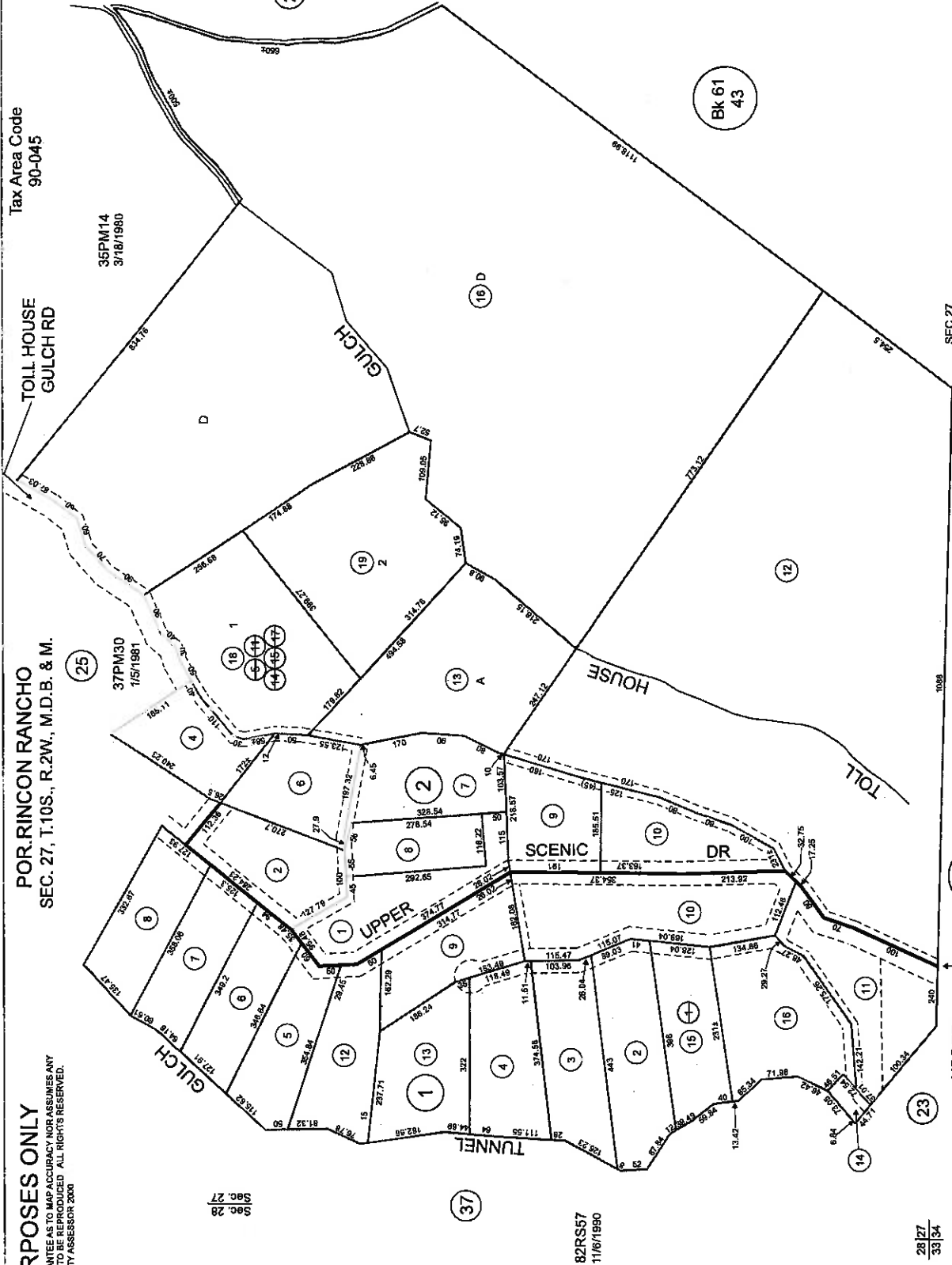
POR RINCON RANCHO
SEC. 27, T. 10S., R. 2W., M.D.B. & M.

Tax Area Code
90-045

TOLL HOUSE
GULCH RD

35PM14
3/18/1980

37PM30
1/5/1981



82RS57
11/6/1990

28/27
33/34

UPPER
TOLL HOUSE
GULCH RD

Bk 62
04

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

SEC 27
SEC 34

Bk 61
43

Assessor's Map No. 64-24
County of Santa Cruz, Calif.
March 2000

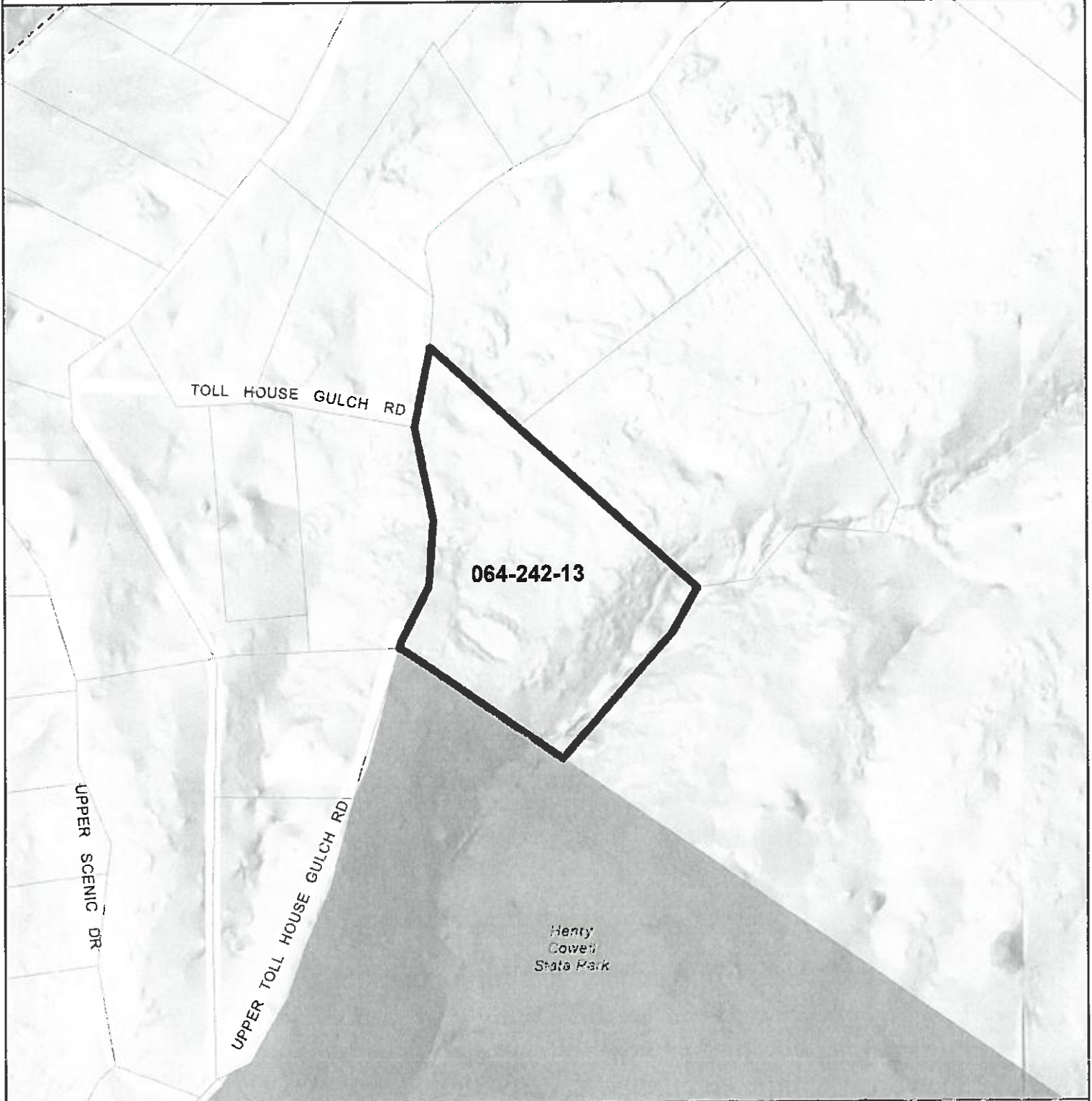
EXHIBIT E






SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map

Mapped
Area

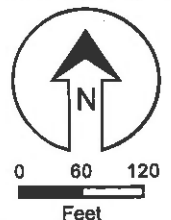


Parcel: 06424213

-  Study Parcel
-  Assessor Parcel Boundary
-  Existing Park

Map printed: 28 Jan. 2019

EXHIBIT E





SANTA CRUZ COUNTY PLANNING DEPARTMENT
Parcel General Plan Map



Mapped
Area

R-M

R-M

R-R

**064-242-13
(R-R)**

- ☐ R-M *Residential Mountain*
- ☐ R-R *Residential Rural*

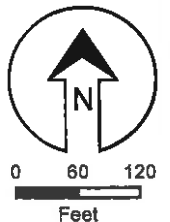


EXHIBIT E

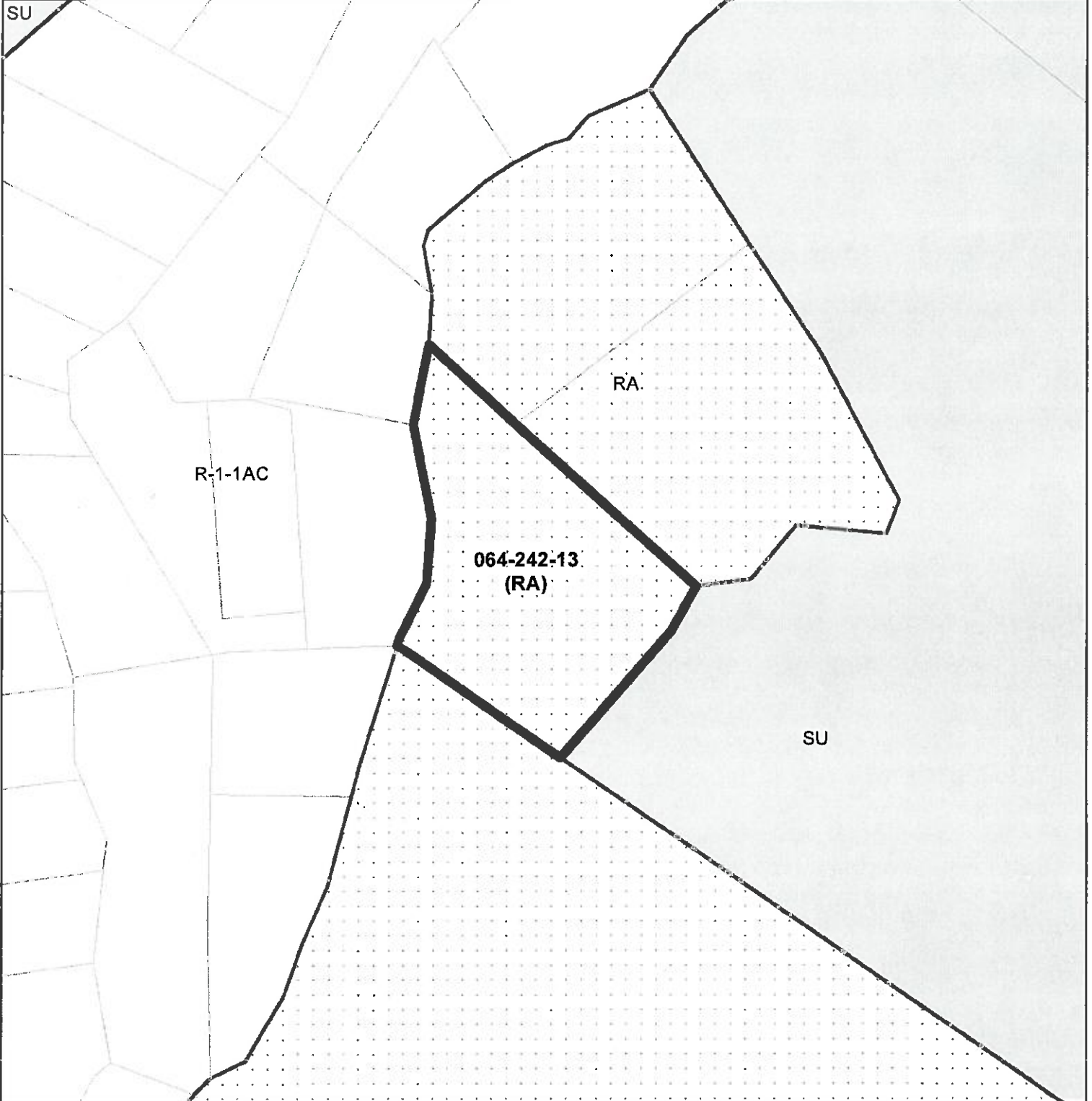





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped
Area



-  RA *Residential Agricultural*
-  R-1 *Single-Family Residential*
-  SU *Special Use*

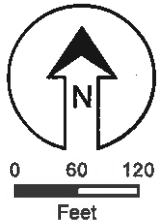


EXHIBIT E

Parcel Information

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private/mutual
Sewage Disposal: Septic
Fire District: Felton Fire Protection District
Drainage District: Zone 8 Flood Control District

Parcel Information

Parcel Size: 2.7 acres
Existing Land Use - Parcel: Single family residence
Existing Land Use - Surrounding: Rural residential neighborhood
Project Access: Toll House Gulch Road
Planning Area: San Lorenzo Valley
Land Use Designation: R-R (Rural Residential)
Zone District: RA (Residential Agriculture)
Coastal Zone: ☐ Inside ☒ Outside

Technical Reviews: Soils Report Review (REV181142)

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: 5-15+%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Building foundation only
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Archeology: Not mapped/no physical evidence on site

CAROL A. RIEWE

1416 Laurent Street Santa Cruz CA 95060

ARCHITECT AIA

831.426.0658 voice/fax

September 4, 2018

APN 064-242-13

Statement of design parameter for residence over 5000 S.F.

The total existing area of this structure is 4,889 S.F. We are proposing an additional 1,584 S.F. for a total of 6,473. This 2.74 acre parcel is zoned RA and is not limited by a F.A.R. The parcel sits secluded from view of Toll House Gulch Road as the road only intersects the northern tip of the parcel.

Parcels to the North 064-242-18 & 19 are zoned RA, as well as the parcel to the South 064-242-12. To the West parcels 064-242-6 & 7 are zoned R1- IAC. To the East parcel 064-242-16 zoned SU, which is I believe is part of the Henry Cowell Redwoods State Park.

The subject parcel is surrounded by parcels that are 1 acre minimum. Existing trees surround the perimeter of the subject parcel and obscure views of the addition. The existing and proposed addition sit into the site reducing any height impact to surrounding parcels. The main portion of our proposed addition is a single story garage.

EXHIBIT G