



Staff Report to the Zoning Administrator

Application Number: 181517

Applicant: Julia Barbic

Agenda Date: 4/5/2019

Owner: Julia Barbic

Agenda Item #: 1

APN: 045-081-20

Time: After 9:00 a.m.

Site Address: 138 Alta Drive, Watsonville, CA 95076

Project Description: Proposal to operate a new four bedroom residential vacation rental in the R-1-9 (Single Family Residential, 8,000 square feet per unit) zone district. Requires a Vacation Rental Permit.

Location: North side of Alta Drive, approximately .25 miles from the intersection of Alta Drive and Mar Monte Avenue.

Permits Required: Vacation Rental Level V

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

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 181517 based on the attached findings and conditions.

Project Description & Setting

The project proposes establishing a four bedroom residential vacation rental in an existing single-family dwelling. The dwelling is situated on an 8,320 square foot lot in a neighborhood comprised primarily of single-family dwellings, with the exception being a 164-acre agricultural property located approximately 200 south-east of the subject property. The neighborhood is accessed at the south end of Alta Drive via Mar Monte Avenue near San Andreas Road. Access on the north end of Alta Drive is via La Selva Drive by way of Highway 1.

Originally constructed in 1979 under building permit #56226, the four bedroom, three bathroom 2,142 square foot dwelling remained largely unchanged through the years until a remodel occurred in 2014 under building permit B-144273. The remodel reconfigured the interior of the dwelling and added approximately 25 square feet to the dwelling without changing the number of bedrooms or bathrooms.

Zoning & General Plan Consistency

The subject property is an 8,320 square foot lot located in the R-1-9 (Single Family Residential-9000 square foot minimum) zone district, a designation which allows residential uses. The proposed vacation rental is a principal permitted use with the zone district and the project is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation. Pursuant to SCCC 13.10.694, this proposal to establish a four bedroom vacation rental is subject to a public hearing in accordance with procedures outlined in SCCC 18.10.

Presently, there are two issued Hosted Rental permits on Alta Drive and one existing Vacation Rental Permit located approximately ½ mile away on Mar Monte Avenue. The property is not located within one of the three designated vacation rental areas within the County in which short-term rental density is limited.

Analysis

As proposed, this vacation rental will allow four vehicles to be parked on site. Offsite parking along Alta Drive is unavailable as many of the properties have been developed up to or beyond the existing 50-foot-wide right of way. The applicant has limited the number of guest vehicles to four as part of the required vacation rental lease agreement provided to guests.

Further, in accordance with the vacation rental ordinance, the permit is proposed to be conditioned to ensure limits on noise generated during quiet hours (10:00 PM to 8:00 AM), includes a prohibition on illegal behavior and fireworks, and requires the establishment of a 24-hour emergency contact. The property owner has established herself as the emergency contact with a listed address approximately 8.5 miles from the proposed rental. The contact information will be available on the Planning Department webpage and is also required to be posted outside of the residence in a visible location (while the property is being rented).

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 181517, 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: Evan Ditmars
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Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Vacation Rental Certification Form
- F. Parcel information
- G. Assessor's, Location, Zoning and General Plan Maps
- H. 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: 181517

Assessor Parcel Number: 045-081-20

Project Location: 138 Alta Drive, Watsonville, CA 95076

Project Description: Proposal to operate a new 4 bedroom vacation rental

Person or Agency Proposing Project: Julia Barbic

Contact Phone Number: 831-359-1496

- 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: Exemption 15301. Existing Facilities. Class 1.

F. Reasons why the project is exempt:

Class 1-Existing Facilities: Operating and leasing of an existing residential structure involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.



Evan Ditmars, Project Planner

Date: 3-27-19

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 proposed residential vacation rental will be located in an existing residential structure in an area designated for residential uses and is not encumbered by physical constraints to development. The residential vacation rental will comply with health and safety standards established for vacation rental units, including smoke and carbon monoxide alarms, working ground fault circuit interrupters, emergency egress in all sleeping rooms, and handrails along stairs and walking surfaces above 30 inches in height to insure the optimum in safety. In addition, the vacation rental standards address noise, occupancy, and parking to ensure that there are no detrimental effects of the vacation rental.

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 vacation rental, and the conditions under which it would be operated or maintained, will be consistent with all pertinent County ordinances, including the vacation rental ordinance, and the purpose of the R-1-9 zone district as the primary use of the property will be a residential vacation rental dwelling that meets all requirements of the vacation rental ordinance.

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 vacation rental use is consistent with the use and density requirements specified for the R-UL land use designation in the County General Plan as it is a residential use in an existing residential structure and the vacation rental ordinance implements the standards contained in the Noise Element of the General Plan.

A specific plan has/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 residential vacation rental is to be located within an existing single-family residential structure. The expected level of traffic generated by the proposed vacation rental is commensurate to any other residential use of the dwelling because the short term rental occupancy of a residence does not change the type of use within the dwelling and, further, guest celebrations that result in temporary increased traffic can occur with both non-vacation rental residential use and vacation rental use.

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Owner: Julia Barbic

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 short-term vacation rental is proposed to be located within an existing residential dwelling located within a residential neighborhood, consistent with the land use intensity and density of residential neighborhoods. Both non-vacation residential uses and vacation rental uses can include celebrations that result in temporary increase in vehicles and building occupancy.

Conditions of Approval

Exhibit D: Project plans, submitted by Julia Barbic as part of rental application, 10/9/2018

- I. This permit authorizes the establishment of a four bedroom residential vacation rental 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.
- II. 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. The vacation rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the Vacation Rental Certification form (Exhibit E).
 - C. The maximum, overnight occupancy of the vacation rental shall not exceed 10 people (2/bedroom + 2, children under 8 not counted).
 - D. The maximum number of vehicles associated with the overnight occupants shall not exceed 4. Parking shall be limited to spaces available on-site.
 - E. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 20 people (twice the number of overnight occupants, children under 8 not counted).
 - F. Occupants and guests shall adhere to the noise standards contained in the County Noise Ordinance (County Code Chapter 8.30). A copy of the County Noise Ordinance (County Code Chapter 8.30) shall be posted inside the vacation rental in a location readily visible to all guests.
 - G. A list of rules shall be posted inside the vacation rental in a location readily visible to all guests. The rules shall include, but not necessarily be limited to the following: maximum number of guests allowed, maximum number of people allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m., maximum number of vehicles allowed, and a reference to the standards contained in the County Noise Ordinance (County Code Chapter 8.30).

- H. Fireworks are illegal in Santa Cruz County and prohibited at the vacation rental.
 - I. The vacation rental shall have a sign identifying the structure as a permitted vacation rental and listing a 24-hour local contact responsible for responding to complaints and providing general information. The sign shall not exceed 216 square inches, be legible from, and be posted no more than 20 feet back from the nearest street.
 - J. The name, address, and telephone number(s) of the local contact person shall be posted inside the vacation rental in a location readily visible to all guests, and shall be submitted to the local Sheriff Substation, the main County Sheriff's Office, the local fire agency, and shall be supplied to the property owners of all properties located within a 300 foot radius of the parcel on which the vacation rental is located. Any change in the contact person's address or telephone number shall be promptly furnished to the agencies and neighboring property owners as specified above.
 - K. The owner/applicant shall comply with the regulations and standards set forth in Chapter 4.24 of the County Code, including any required payment of transient occupancy tax for the vacation rental unit.
 - L. The owner/applicant shall agree to engage in dispute resolution and act in good faith to resolve disputes with neighbors arising out of the use of the dwelling as a vacation rental. Unless an alternate dispute resolution entity is agreed to by all parties involved, dispute resolution shall be conducted through the Conflict Resolution Center of Santa Cruz County.
 - M. Permits for vacation rentals located in the Live Oak Designated Area (LODA) and the Seacliff Aptos Designated Area (SADA), and Davenport Swanton Designated Area (DASDA) shall expire 5 (five) years from the date of approval. To continue in operation as a legal vacation rental, an application to renew the permit must be made before the expiration date, but no sooner than 180 days before the expiration date. Vacation rental permits in the LODA, SADA, and DASDA are non-transferable and become void when a property transfer triggers reassessment.
- III. 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.

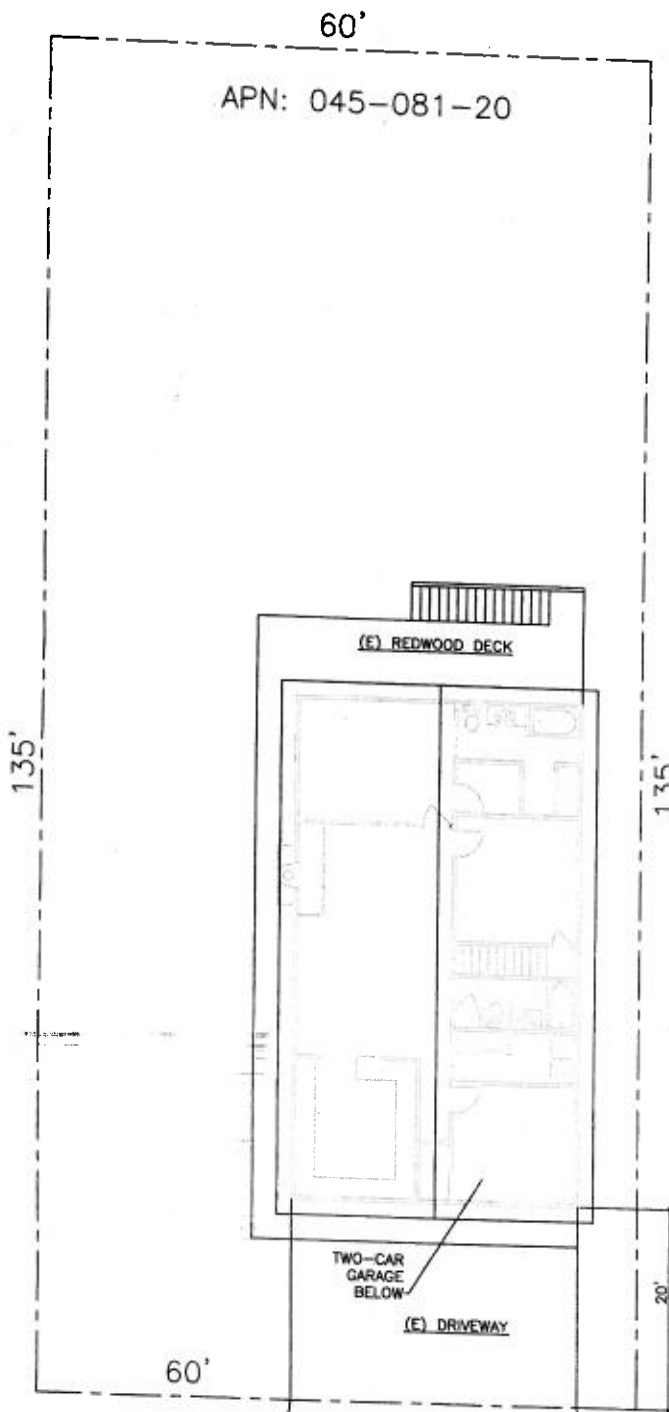
Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
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.



JULIA RESIDENCE
138 ALTA DR.
LA SELVA BEACH, CA

EXHIBIT D

PERMIT NO. 181517

SITE PLAN

SCALE: 1/16" = 1'-0"

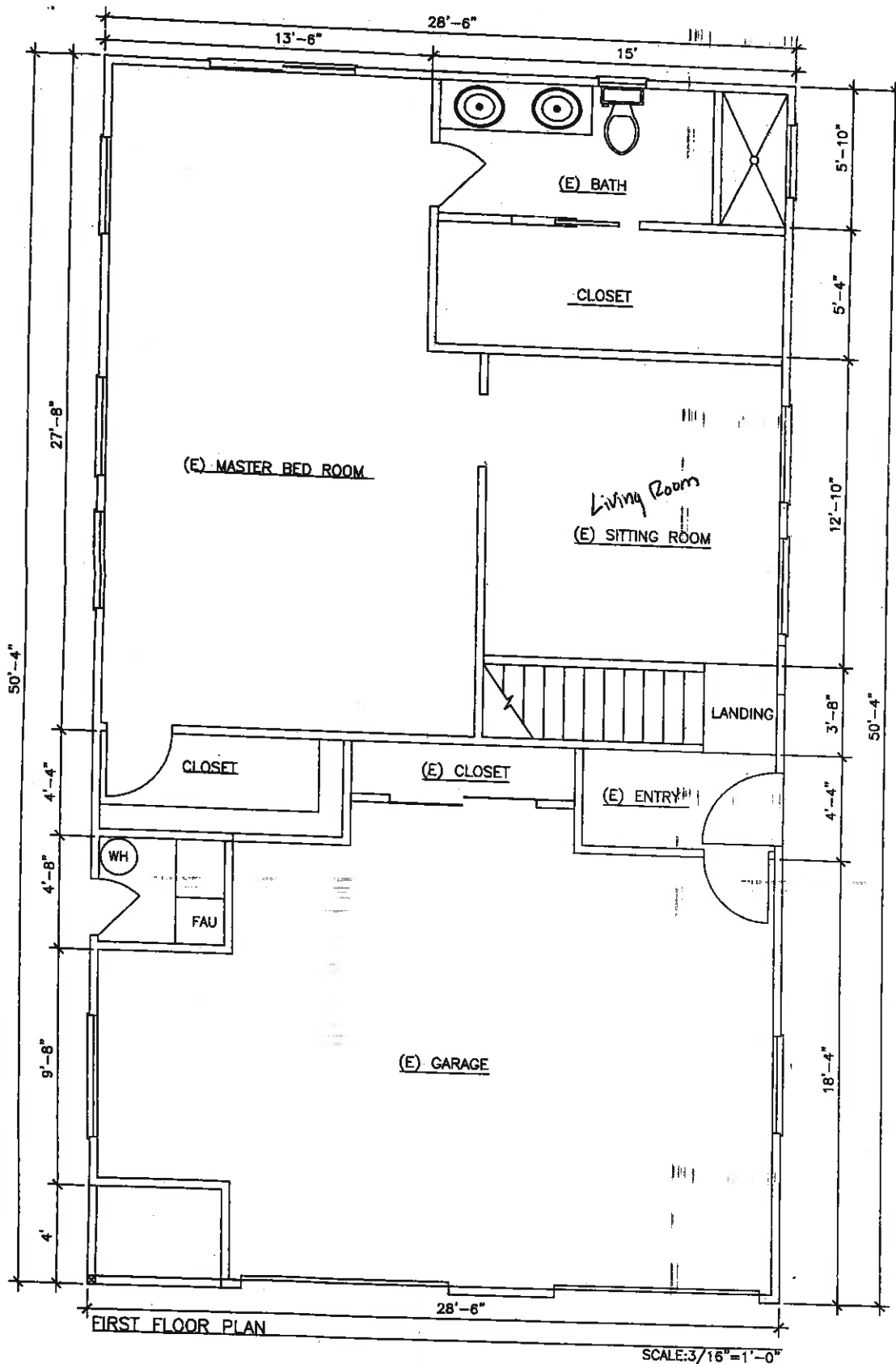


EXHIBIT D

PERMIT NO. 181517

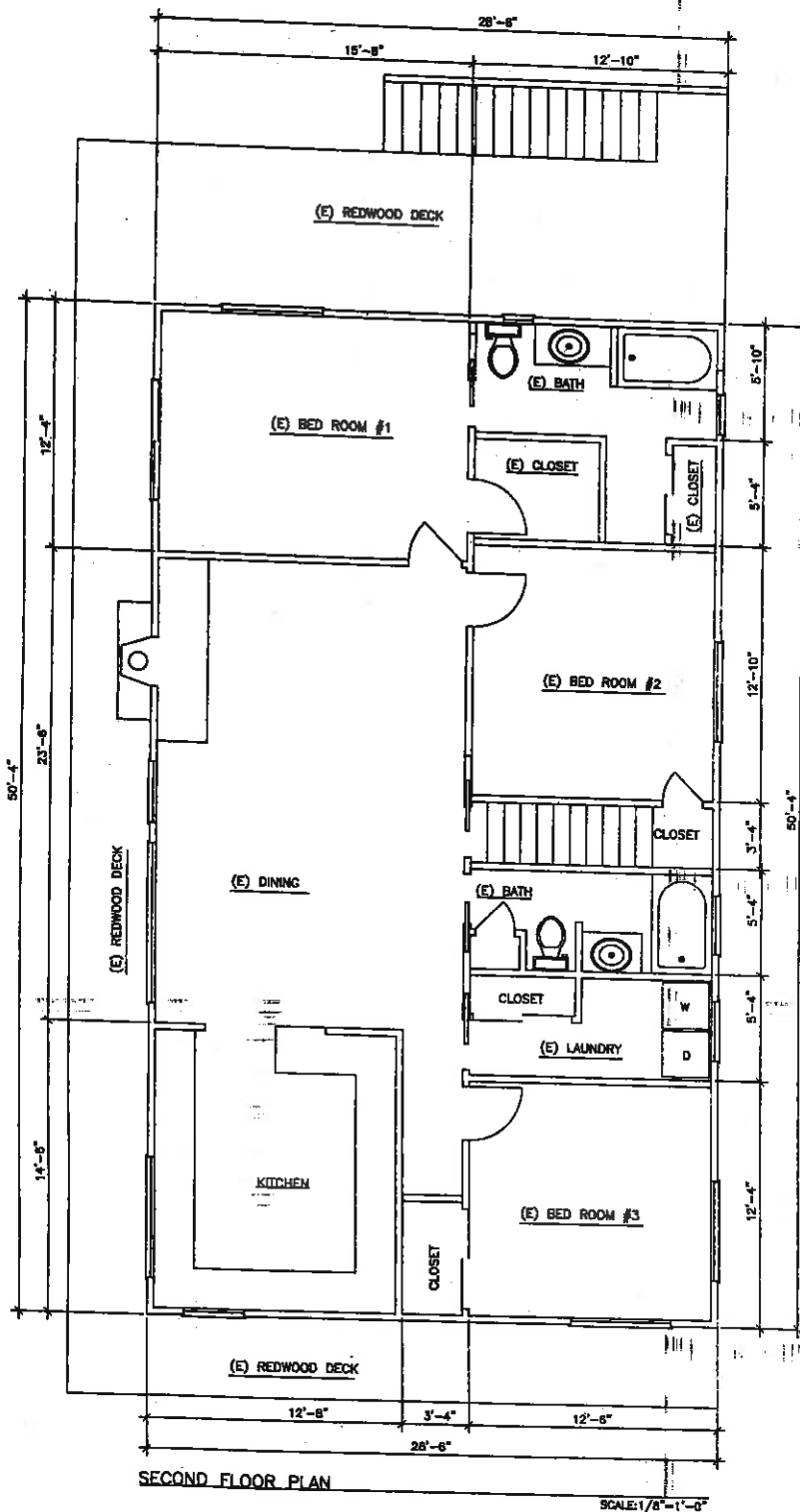


EXHIBIT D

PERMIT NO. 181517

VACATION RENTAL SAFETY CERTIFICATION

The following items require verification to assure the vacation rental unit is equipped and maintained to minimum safety standards to help provide for a safe vacation experience. Verification can be performed by owner (self-certified), certified home inspector, County Building Inspector, or by the property manager/agent.

☒ **Smoke alarms** (listed and approved by the State Fire Marshall) installed in the following locations per the 2016 California Residential Code, Sec. R314.1.

- In each sleeping room.
- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics.

☒ **Carbon Monoxide alarms** (listed by an approved agency such as UL) installed in the following locations per the 2016 California Residential Code, Sec. R315.1.

- Outside each separate sleeping area in the immediate vicinity of the bedroom(s).
- At least one alarm on each story, including basements and habitable attics but not including crawl spaces or uninhabitable attics.

☒ **Working GFCI's** (ground fault circuit interrupters) required at all receptacles within 6 feet of all kitchen, bathroom, bar and laundry sinks per the 2016 California Electrical Code, Art. 210.8.

☒ All sleeping rooms shall be provided with at least one **emergency egress window** with a minimum net clear opening of 5 square feet, with a minimum opening height of 24 inches and minimum net clear opening width of 20 inches, with the bottom of the clear opening being not greater than 44" measured from the floor. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided such devices are releasable or removable from the inside without the use of a key, tool or special knowledge. Per the 2016 California Residential Code, Sec. R310.

☒ All stairs shall have at least one continuous **handrail** running the full length of the stairs per the 2016 California Residential Code, Sec. R311.7.8

☒ All walking surfaces measured vertically more than 30" above grade or other floor levels, including mezzanines, platforms, stairs, ramps and landings shall have **guard railing** a minimum of 42" in height with openings no greater than 4" per the 2016 California Residential Code, Sec. R312.1. Exception: Guards on the open sides of stairs shall have a height not less than 34" measured vertically from a line connecting the leading edges of the treads.

☒ **Pool/spa safety barrier** enclosures shall comply with Santa Cruz County Code, Sec. 12.10.216. Exception: Self-contained spas/ hot tubs with approved safety covers need not comply with barrier reqs.

☒ Rental equipped with at least one **fire extinguisher** (type 2A10BC) installed in a readily visible/accessible location near the kitchen.

I hereby certify that the safety standard conditions listed above are fully complied with and will be maintained in a useable and functioning condition. **Form must be signed by one of the following four parties.**

Julia Barbic
Owner of Rental Unit

8/30/18
Date

Certified Home Inspector

License #

Date

County Building Inspector

Date

Property Manager/Agent

Date

For questions regarding these safety certification requirements please contact the Building Official at (831) 454-3195

Parcel Information

Services Information

Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Soquel Creek Water District
Sewage Disposal:	Septic
Fire District:	Aptos/La Selva Fire Protection District
Drainage District:	N/A

Parcel Information

Parcel Size:	8320 square feet
Existing Land Use - Parcel:	R-1-9
Existing Land Use - Surrounding:	R-1-9, A-P
Project Access:	County ROW (50')
Planning Area:	La Selva
Land Use Designation:	R-UL (Urban Low Density Residential)
Zone District:	R-1-9 (Single Family Residential- 9000 square feet)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Technical Reviews:

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	N/A
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Not mapped/no physical evidence on site

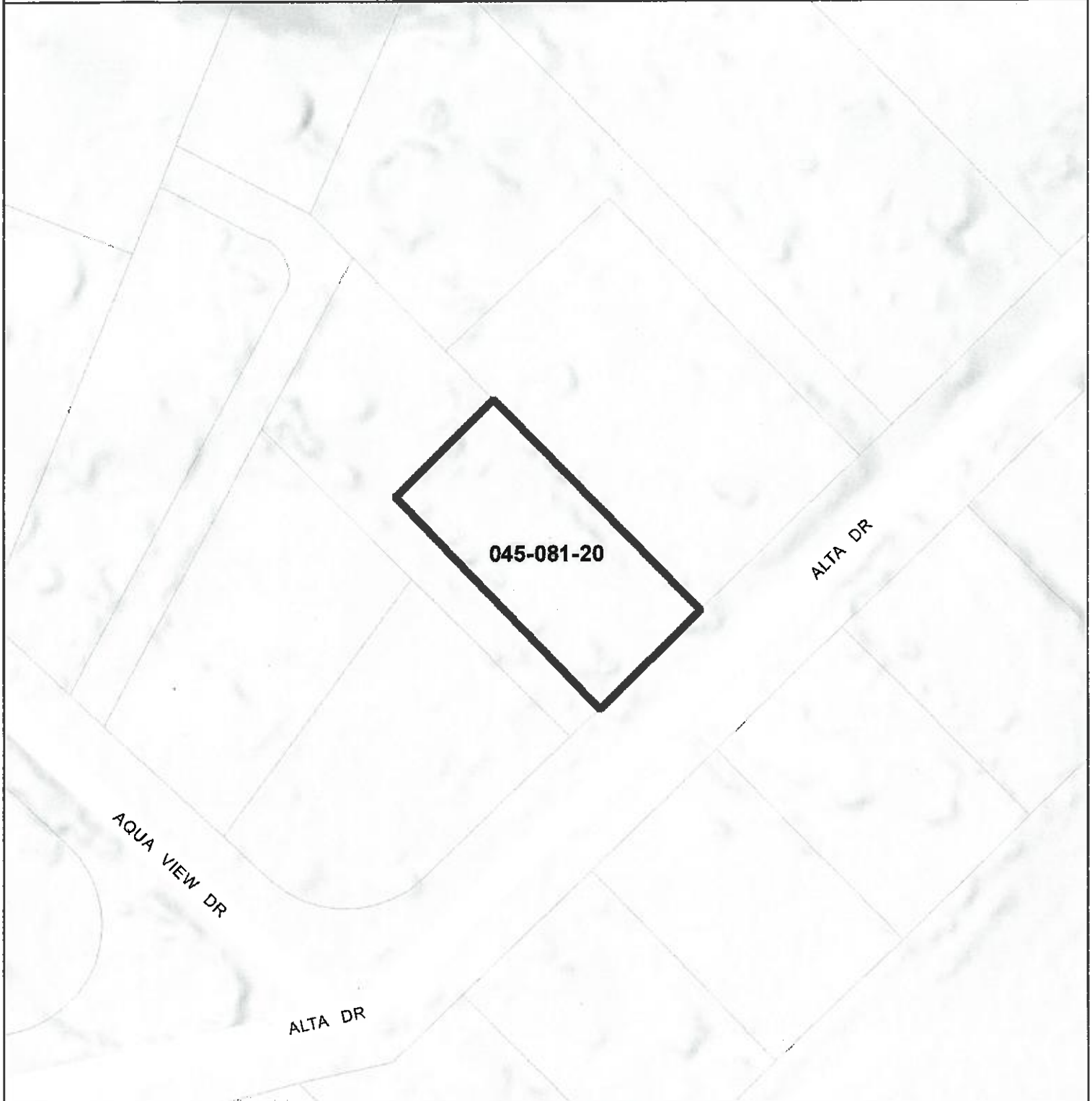


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



Mapped
Area



045-081-20

ALTA DR

AQUA VIEW DR

ALTA DR

Parcel: 04508120



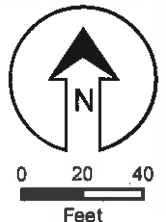
Study Parcel



Assessor Parcel Boundary

Map printed: 27 Mar. 2019

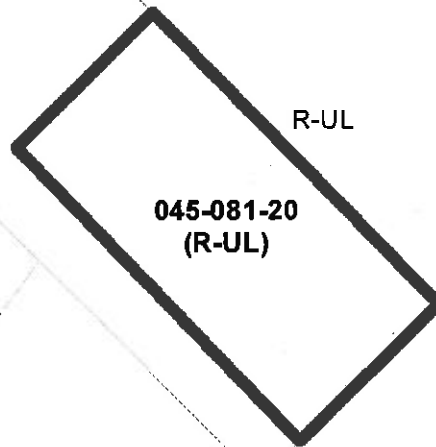
EXHIBIT G
PERMIT NO. 181517





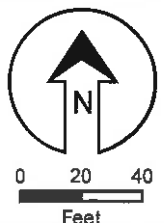
SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel General Plan Map



- AG Agricultural
R-UL Res. Urban Low Density

EXHIBIT G
PERMIT NO. 181517





SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped
Area



- A Agriculture
- R-1 Single-Family Residential

EXHIBIT G
PERMIT NO. 181517

