

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0371

**APN:** 045-141-23

**APPLICANT:** Ron Gordon

**OWNER** Paul and Cynthia Frost

**PROJECT DESCRIPTION:** Proposal to construct a 660-square foot, 2nd story addition (master bedroom/bath) and 40 square foot deck to an existing single-family dwelling and to construct a 160-square-foot rooftop deck over detached one-story garage. Requires a Coastal Permit with Design Review.

**LOCATION:** Property located on west side of Loma Avenue approximately 230 feet from intersection with Altivio Avenue in La Selva Beach.

**PERMITS REQUIRED:** Coastal Development Permit and Design Review

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 3

**COASTAL ZONE:** ☒ Yes ☐ No **APPEALABLE TO CCC:** ☐ Yes ☒ No

### PARCEL INFORMATION

**PARCEL SIZE:** Approximately 10,400 square feet (EMIS estimate).

#### **EXISTING LAND USES**

**Parcel:**

One story single-family dwelling

**Surrounding:**

One and two story single-family dwellings

**PROJECT ACCESS:**

Loma Avenue

**PLANNING AREA:**

La Selva Beach

**LAND USE DESIGNATION:**

R-UL (Urban Low Density Residential)

**ZONING DISTRICT:**

R-1-6 (Single-family residential, 6,000 square foot minimum)

**SUPERVISORIAL DISTRICT:**

Supervisory District 2 (Supervisor Ellen Pirie)

### ENVIRONMENTAL INFORMATION

- |                      |  |
|----------------------|--|
| a. Geologic Hazards  | a. No mapped geologic hazards              |
| b. Soils             | b. Elder Sandy Loam and Elkhorn Sandy Loam |
| c. Fire Hazard       | C Not a mapped constraint                  |
| d. Slopes            | d. 2% to 30% in northwest corner           |
| e. Env. Sen. Habitat | e. Potential Monarch Butterfly habitat     |
| f. Grading           | f. No grading proposed                     |
| g. Tree Removal      | g. No trees proposed to be removed         |
| h. Scenic            | h. Mapped scenic resource                  |
| i. Drainage          | i. Existing drainage adequate              |
| j. Traffic           | j. No significant increase in traffic      |

- |                       |  |
|-----------------------|--|
| k. Roads              | k. Existing roads adequate                                   |
| l. Parks              | l. Existing park facilities adequate                         |
| m. Sewer Availability | m. Existing septic system approved by Environmental Health.  |
| n. Water Availability | n. Water service available from Soquel Creek Water District. |
| o. Archeology         | o. Not mapped/no physical evidence on site                   |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: ☒ Yes ☐ No

Water Supply: Soquel Creek Water District

Sewage Disposal: Existing septic system

Fire District: Aptos/ La Selva Fire Protection District

Drainage District: No Drainage District

### **HISTORY**

According to Assessor's records, the existing single-family dwelling was constructed in 1956. A living/dining room addition was constructed in 1998 under Coastal Development Permit 98-0052 and building permit 4757D.

### **ANALYSIS AND DISCUSSION**

#### **Existing Conditions**

The existing one-story single-family dwelling contains 3 bedrooms, 2 ½ bathrooms, and a one-car garage. The existing dwelling is approximately 1,916 square feet and with a 434 ~~square~~ foot garage, including the additions constructed under Coastal Development Permit 98-0052. A 286 square foot lean-to was constructed subsequent to the approval of Coastal Permit 98-0052 without the benefit of permits, and will be required to be removed as it is located within the required 15 foot rear yard setback.

#### **Project Scope**

The proposed second-story addition will add 660 square feet of habitable space, to be used as a master bedroom suite with a new bathroom. An additional 200 square feet of decks are also proposed above the garage and off of the second story addition. When completed, the addition will result in a single-family dwelling of approximately 2,636 square feet consisting of 3 bedrooms and 3 full bathrooms. No increase in bedrooms will result from the addition, as the existing master bedroom will be converted into a living room.

#### **Zoning and General Plan**

The property is zoned R-1-6 (Singlefamily residential, 6,000 square foot minimum parcel size) with a General Plan/Local Coastal Program Land Use Designation of R-UL (Urban Low Density Residential). The existing single-family dwelling and proposed addition is a principal permitted use within the R-1-6 zone district.

### Site Standards

The proposed addition will meet all required site standards of the R-1-6 zone district (County Code Section 13.10.323), including lot coverage, floor area ratio, and setbacks per the following table:

Site Standards	R-1-6 Zone District Standard	Proposed
Front yard setback	20' minimum	15' to existing SFD, 28'-6" to addition
Side yard setback	5' and 8' minimum	10'
Rear yard setback	15' minimum	15' to garage*
Maximum height	28' maximum	24'
Maximum % lot coverage	30% maximum	25%*
Maximum % Floor Area Ratio	50% maximum	27%*

### Neighborhood Compatibility

When completed, the addition will result in a single-family dwelling with a partial second story similar to other single-family dwellings on Loma Avenue. The asphalt composition roofing and plywood siding proposed for the addition will match the existing structure and will be compatible with surrounding houses on Loma Avenue.

### Coastal Issues

The subject property is located within Coastal Zone, but will not be visible from the beach due to Eucalyptus trees to the southwest of the project site. The project will not impede coastal access or any existing or proposed open space easements as the subject property is located approximately ½ mile from the beach in a developed neighborhood.

### Parking

No net increase in bedrooms will result from the proposed addition, so no additional parking spaces will be required. Three parking spaces currently exist and three parking spaces will remain subsequent to the addition.

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.

## RECOMMENDATION

Staff recommends:

1. **APPROVAL of** Application Number **03-0371**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. Assessor's parcel map
- F. Zoningmap
- G. Comments & Correspondence

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.

Report Prepared By: David Keyon  
Santa Cruz County Planning Department  
701 Ocean Street, ~~4th~~ Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-3561 (or, david.keyon@co.santa-cruz.ca.us )

### 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.

The property is zoned R-1-6 (Single-family residential, 6,000 square foot minimum), a designation which allows residential uses. The proposed addition to a single-family dwelling is a principal permitted use within the zone district, 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.

The proposal does not conflict with any existing easement **or** development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site as the site is located approximately % mile from the beach.

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.

The proposed addition is consistent with the design and use standards pursuant to Section 13.20.130 in that the development is consistent with the surrounding neighborhood in terms of architectural style and materials used; the site is surrounded by single-family dwellings with second stories; the colors will be natural in appearance and complementary to the site; and the development site is not located in a scenic resource area or special community **as** defined in the County code.

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 the 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 the public recreation policies of Chapter 3 of the Coastal Act commencing with Section 30200.

The project site is not located between the coast the first through public road (San Andreas Road), and **is** located approximately ½ mile from the beach within a developed portion of La Selva Beach. Therefore, the project will conform with all General Plan/Local Coastal Program policies with regards to public access and recreation.

5. That the proposed development is ~~in~~ conformity ~~with~~ the certified Local Coastal Program.

The proposed addition is in conformity with the County's certified Local Coastal Program in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-6 (Single-family residential, 6,000 square foot minimum) zone district of the area, as well as the R-UL General Plan and Local Coastal Program land use designation. Surrounding parcels already contain single-family dwellings with two stories. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

### **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.**

The proposed second-story addition to an existing single-family dwelling and the construction of a deck above the garage and the conditions under which they will be used will not be detrimental to the health, safety, or welfare of persons in the neighborhood in that the addition will comply with all R-1-6 zone district site standards and will be required to comply with all applicable building, plumbing, and electrical codes prior to issuance of the building permit. The addition will not result in inefficient use of energy, as the addition will be required to comply with all applicable energy codes prior to building permit issuance. The addition will not be materially injurious to properties in the vicinity as all second-story decks and windows will face either the street or the Eucalyptus grove to north and west of the property.

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.**

The proposed location of the second-story addition and deck will be consistent with all pertinent County ordinances and the purposes of the R-1-6 zone district in that the use of the site will remain one single-family dwelling and the addition will comply with all R-1-6 zone district site standards.

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.**

The project is located in the Urban Low Density Residential (R-UL) land use designation. The proposed addition will not change the residential use of the property, and will therefore be consistent with this designation. The addition will not increase the density or intensity of the use on the site as the use will remain one single-family dwelling with three bedrooms.

The proposed second story addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties as it will meet all current site and development standards for the R-1-6 zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed addition will result in a single-family dwelling that will not be improperly proportioned to the parcel size or 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 resulting two-story single-family dwelling 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 be of 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 La Selva Beach.

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.

The proposed project will not overload utilities or generate additional traffic as no net increase in bedrooms or bathrooms will result from the addition. The existing dwelling has three bedrooms and after completion of the addition will continue to have three bedrooms, as the existing master bedroom will be converted into a living room.

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.

The proposed addition will use the same materials and will be painted to match the existing dwelling, which complements and harmonizes with the existing neighborhood. Most surrounding single-family dwellings on Loma Avenue have partial second stories with wood siding and ~~shingled~~ roofs like the proposed addition.

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 addition does not require design review under Sections 13.11.070 through 13.11.076 of the County Code.



## **CONDITIONS OF APPROVAL**

Exhibit A: Project plans, seven pages, drawn by Ron Gordon, dated January 5, 2004.

- I. This permit authorizes the construction of a second story addition to a single-family dwelling and the construction of a 160 square foot deck above the garage. 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 Demolition Permit from the Santa Cruz County Building Official for the lean-to.
  - C. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. 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 "A" on file with the Planning Department. The final plans shall include the following additional information:
    1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
    2. Details showing compliance with fire department requirements.
  - C. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
  - D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
  - E. Provide required off-street parking for three cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
  - 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. The existing "lean-to" in the rear yard setback must be removed.
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - D. 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.
- 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.

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**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 TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.**

Approval Date: \_\_\_\_\_  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
David Keyon  
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.

# 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: 03-0371

Assessor Parcel Number: 045-141-23

Project Location: 45 Loma Ave.

**Project Description: Construct second story addition to existing single-family dwelling**

**Person or Agency Proposing Project: Ron Gordon**

**Contact Phone Number: (831) 724-4673**

- 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).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: 15301, Existing Structures Exemption.

F. **Reasons why the project is exempt:** The floor area of the addition is less than 50% of the total floor area of the structure.

In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
David Keyon, Project Planner

Date: \_\_\_\_\_

Recording requested by:

COUNTY OF SANTA CRUZ

When recorded, return to:

Planning Department

Attn: David Keyon

County of Santa Cruz

701 Ocean Street

Santa Cruz, CA 95060

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### **CONDITIONS OF APPROVAL**

Development Permit No. 03-0371

**Property Owner:** Paul and Cynthia Frost

Assessor's Parcel No.: 045-141-23

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By signing below, the owner agrees to accept the terms and conditions of approval of Application 03-0371 and to accept responsibility for payment of the County's cost for inspections and all other action related to noncompliance with the permit condition. The approval of Application 03-0371 is null and void in the absence of the owner's signature below.

Executed on \_\_\_\_\_  
(date)

Property Owner(s) signatures:

\_\_\_\_\_  
(Signature) (Print Name)

\_\_\_\_\_  
(Signature) (Print Name)

\_\_\_\_\_  
(Signature) (Print Name)

**ALL INSTRUMENTS ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.  
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT  
SHALL BE ATTACHED.**

STATE OF CALIFORNIA, COUNTY OF SANTA CRUZ } ss

**on** \_\_\_\_\_ before me \_\_\_\_\_, personally  
appeared \_\_\_\_\_,  
personally known to me (or proved to me on the basis of satisfactory evidence) to be the  
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their  
signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s)  
acted, executed the instrument.

WITNESS my hand and official seal

Signature \_\_\_\_\_  
(Signature of Notary Public)

**This** form must be reviewed and approved by a County Planning Department staff person after notarization **and** prior to recordation.

Dated: \_\_\_\_\_

COUNTY OF SANTA CRUZ

By: \_\_\_\_\_  
Planning Department Staff



# County of Santa Cruz

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## PLANNING DEPARTMENT

701 OCEAN STREET - 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

TOM BURNS, DIRECTOR

### STEPS FOR COMPLETING AND RECORDING THE CONDITIONS OF APPROVAL FOR THIS PERM

1. Review all of the information on the document to be recorded. The property **owner** is responsible for reviewing ALL of the entered information, including the Assessor's Parcel Number (**APN**), site address, owner's name(s), previous owner(s), document number(s), and recording dates. If any of **this** information is found to be incorrect, notify the Planning Department of the inaccuracy PRIOR to recording the document. If necessary, a corrected version of the document will be prepared at the owner's request.
2. Obtain the signature(s) of ALL property owners. Signatures must be verified by a notary public. The County has a notary public and/or the phone book lists several.
3. Bring the notarized form into the Planning Department for review and signature by a Planning Department staff person prior to recording. Please ask the receptionist for assistance in obtaining a signature, please do not sign on to the waiting list for **this** purpose.
4. In order to save the photocopy costs (see below), you may bring along your own copy or copies (**as well as** the original) to the Recorder's Office which they will stamp for free.
5. Have the form recorded in the **County** Recorder's Office, Room 230, and have a photocopy made with the recorder's stamp on it, or have your COPY certified. There is a fee for the photocopy. Please contact the Recorder's Office regarding their fees & hours of operation at: (831) 454-2800. **NOTE: DO NOT RECORD THIS INSTRUCTION FORM WITH YOUR RECORDABLE DOCUMENTS.**
6. The copy may be mailed directly to the Planner or routed to the planner through the Planning reception desk **as** you step off the elevator **on** the 4<sup>th</sup> floor.
7. The original stamped recorded document will be sent to the Planning Department in 3-5 weeks and placed in permanent records.

YOUR BUILDING APPLICATION WILL **NOT** BE APPROVED BY THE PLANNING DEPARTMENT, AND YOUR USE MAY NOT BEGIN UNTIL STEPS 1-6 HAVE BEEN COMPLETED.



FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED, ALL RIGHTS RESERVED.

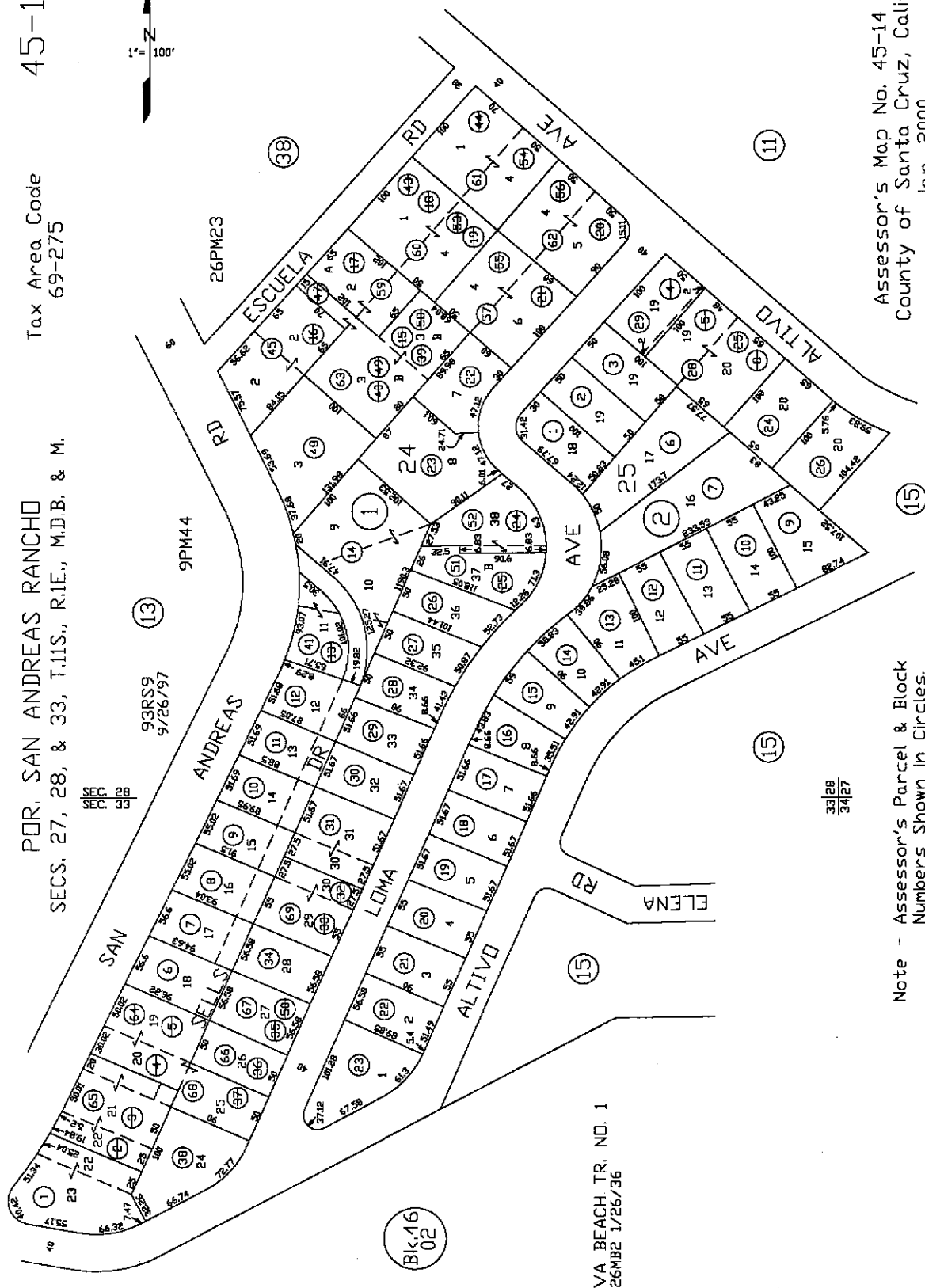
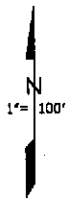
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REPRODUCED FROM 1/20/00 KSA (Per to Pg. 15)  
 IN 1/2/02 CG (Comb. Form 1-58)  
 IN 5/17/02 RM (Removed per. of R/V)  
 IN 6/23/02 DD (2-0015296, COMB 1-59)

45-14

Tax Area Code  
69-275

POR. SAN ANDREAS RANCHO  
 SECS. 27, 28, & 33, T.11S., R.1E., M.D.B. & M.



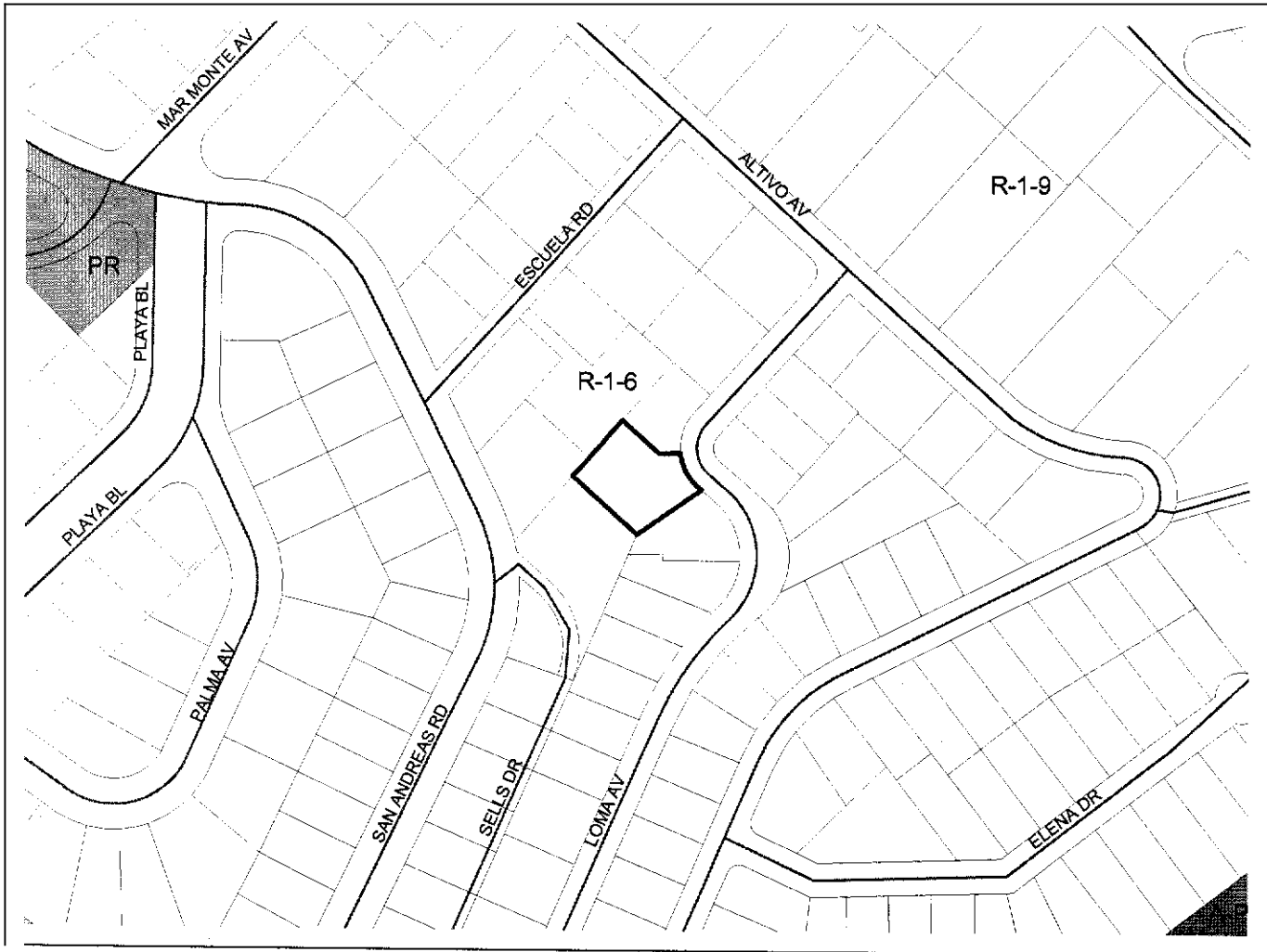
Assessor's Map No. 45-14  
 County of Santa Cruz, Calif.  
 Jan. 2000

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

LA SELVA BEACH TR. NO. 1  
 26MB2 1/26/36









# Zoning Map



500 0 500 Feet

## Legend

-  APN 045-141-23
-  Parcel boundaries
-  Streets
-  R-1-X
-  PR
-  A



Map created by Santa Cruz County  
Planning Department:  
September 2003

