

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 03-0390

APN: 042-121-50

APPLICANT: Sherry Hrabko

OWNER Sean Francis Crowley

PROJECT DESCRIPTION: Proposal to demolish an existing carport and to construct a new two story addition of approximately 864 square feet and to change the existing flat roof to a pitched roof with decorative dormer windows and to add covered porch at front entry on Treasure Island Drive. Requires an Amendment to Coastal Permit 86-0906, a Residential Development Permit for a fence of 3 to 6 feet in the front setback, Design Review, and a Minor Flood Assessment.

LOCATION: Property located on the West side of Treasure Island Drive at about 290 feet North West of Winfield Way (217 Treasure Island Drive).

PERMITS REQUIRED Coastal Development, Residential Development, Flood Hazard Assessment

ENVIRONMENTAL DETERMINATION: Categorically Exempt - Class 1

COASTAL ZONE: ☒ Yes ☐ No

APPEALABLE TO CCC: ☐ Yes ☒ No

PARCEL INFORMATION

PARCEL SIZE:

4,495 square feet (from survey)

EXISTING LAND USES

PARCEL:

One single-family residence

SURROUNDING:

Single-family residences

PROJECT ACCESS:

Treasure Island Drive in front and 20' wide alley at rear

PLANNING AREA:

Aptos

LAND USE DESIGNATION:

R-UH (Urban High Density Residential)

ZONING DISTRICT:

R-1-3.5 (Single-family residential, 3,500 square foot minimum)

SUPERVISORIAL DISTRICT:

Second District

ENVIRONMENTAL INFORMATION

a. Geologic Hazards

a. Within a 100-year Flood Plain for Aptos Creek (FEMA Flood Zone-A)

b. Soils

b. Elder Sandy **Loam** (Soils Index #129)

c. Fire Hazard

c. Not a mapped constraint

d. Slopes

d. Site is flat (0-2% slopes)

e. Env. Sen. Habitat

e. Mapped sensitive habitat, no evidence on site

f. Grading

f. No grading proposed

- | | |
|-----------------------|---|
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Within a mapped scenic area |
| i. Drainage | i. Existing drainage adequate |
| j. Traffic | j. No increase |
| k. Roads | k. Existing roads adequate |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. Sewer service available |
| n. Water Availability | n. Water service available |
| o. Archeology | o. Within a mapped archeological area, no evidence. |

SERVICES INFORMATION

Inside Urban/Rural Services Line: ☒ Yes ☐ No

Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz County Sanitation District
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Zone 6

HISTORY

The existing single-family dwelling was constructed in 1967 under building permit number 2081, issued in January 1967. A Coastal Development Permit (86-906) was issued on March 16, 1987 for the construction of a 576 square foot carport with uncovered deck above. The proposed addition requires an amendment to this original approval.

ANALYSIS AND DISCUSSION

Project Description

The property owner proposes to enclose an existing carport and convert it to a garage, construct a second story addition for a living room, and construct a peaked roof to create attic space for additional storage. The interior attic space will have a height of less than 7' 6" at its highest point, and therefore will not be considered habitable space. The owner also proposes to remodel the exterior to include a covered front entryway and a balcony. No increase in the number of bedrooms is proposed, so no additional parking spaces will be required.

Zoning and General Plan

The zoning is R-1-3.5, a zone district with permits single-family dwellings. This zone district implements the R-UH (Urban High Residential) General Plan/ Local Coastal Program Land Use Designation.

The proposed addition will meet all required site standards of the R-1-3.5 zone district (County Code Section 13.10.323), including lot coverage, floor area ratio, and street side yard setbacks from Cross Way. The following table details these site standards and how the proposal complies with them:

	R-1-3.5 Zone District Standard	Proposed
Front yard setback (From Treasure Island Dr.)	15' minimum	35' to front porch
Side yard setback	5' minimum	5' both sides
Rear yard setback (from alley)	15' minimum	19' to deck
Maximum height	28' maximum	27' 11"
Maximum % lot coverage	40% maximum	34%
Maximum % Floor Area Ratio	50% maximum	48%

Neighborhood Compatibility

The surrounding neighborhood is composed primarily of two-story single-family dwellings with both peaked and flat roofs. The proposed addition and remodel complements the neighborhood in terms of bulk, mass, scale, materials, and colors, and meets the provisions of the Coastal Zone Design Criteria outlined in Section 13.20.130 of the County Code.

Flood Zone Issues

The proposed project is located within a Federal Emergency Management Agency (FEMA) designated 100-year flood zone (Flood **Zone-A**). Flood elevation and other FEMA regulations do not apply to this project at this time as the addition and remodel **has** been determined by **staff** to not constitute "substantial improvement" under the County's Geologic Hazards Ordinance, as the improvements will not exceed 50% of the total market value of the structure. Future improvements may require implementation of FEMA flood elevation requirements.

Coastal Issues

The project site is not located between the ocean and the first through public road, nor is it a priority acquisition site. The project will not be visible from the beach.

Parking

Three parking spaces will continue to be provided on site, which is sufficient for a three-bedroom dwelling. No increase in parking spaces will be required as no new bedrooms are proposed.

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 **03-0390**, 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-1-3.5 (Single-family residential, 3,500 square foot minimum), a designation which allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, consistent with the site's (R-UH) Urban High Density Residential General Plan designation.

2. THAT THE PROJECT DOES NOT CONFLICT WITH ANY EXISTING EASEMENT OR DEVELOPMENT RESTRICTIONS SUCH AS PUBLIC ACCESS, UTILITY, OR OPEN SPACE EASEMENTS.

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.

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 proposal 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; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. THAT THE PROJECT CONFORMS WITH THE PUBLIC ACCESS, RECREATION, AND VISITOR-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.

The project site is not located between the shoreline and the first public road. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

**5. THAT THE PROPOSED DEVELOPMENT IS IN CONFORMITY WITH THE
CERTIFIED LOCAL COASTAL PROGRAM.**

The proposed project 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-1-3.5 (Single-family residential, 3,500 square foot minimum) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. 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 location of the proposed addition 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 in that the addition will be located on the second floor (outside of the 100-year flood plain) and will be conditioned to comply with all applicable provisions of the Uniform Building Code and the County Building ordinance. The addition will not result in inefficient or wasteful use of energy in that it will comply with all applicable energy codes. Finally, the addition will not be materially injurious to properties or improvements in the vicinity in that the project is located in an area designated for residential uses and will meet all applicable R-1-3.5 site standards. The proposed addition will not deprive adjacent properties or the neighborhood of light, *air*, or open space, in that the structure meets all current setbacks and the additional height for the peaked roof will allow sunlight to reach neighbors to the north of the subject 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 project site is located in the R-1-3.5 (Single-family residential, 3,500 square foot minimum) zone district. 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 R-1-3.5 zone district in that the primary use of the property will remain single-family dwelling that meets all current site standards for the zone district.

The proposed addition complies with Section 16.10 of the County Code (the Geologic Hazards Ordinance) with regards to flood elevation requirements as the proposed addition and remodel will not constitute a substantial improvement **as** defined in Section 16.10.040(r). A statement from an appraiser and calculations by County building staff have determined that the total improvements will not exceed 50% of the total market value of the existing structure.

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 High Density Residential (R-UH) land use designation. The proposed residential use is consistent with the General Plan in that it meets the density

requirements specified in General Plan Objective (Urban High Density Residential).

The proposed single-family dwelling 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 proposed addition will not result in a single-family dwelling that is 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 proposed single-family dwelling will comply with the site standards for the R-1-3.5 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 Rio del Mar.

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 use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that the use will remain one single-family dwelling with three bedrooms. No increase in traffic is anticipated **as** no new bedrooms are proposed for the addition.

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 and remodel 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 in the vicinity, in that the proposed structure will remain two stories, in a neighborhood of predominately two-story homes and the **proposed** single-family dwelling is consistent with the land use intensity and density of the neighborhood.

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 project does not require design review under Chapter 13.100.070 through 13.1 **1.076** of the County Code.

ADDITIONS OF API OVERL

Exhibit A: Project plans, **3** pages drawn by Sherry Hrabko and dated 9/9/03, one page drawn by Nathan Schwartz and drawn 11/13/03.

- I. This permit authorizes the demolition of an existing carport, the construction of a two-story addition and exterior remodel to an existing single-family dwelling, and construction of a fence of **3** feet to **6** feet within the front yard setbacks. 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 carport.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works **for** all off-site work performed in the County road right-of-way.
- 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. Drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements.
 4. Details showing that the hot tub is either less than 18" in height above grade or is within a location that meets all applicable setbacks. A hot tub with a height greater than 18" above grade cannot be approved at the location shown on the current project plans.
 - C. Meet all requirements of and pay Zone **6** drainage ~~fees~~ to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in

impervious area.

- D. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
 - E. Continue to 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.
 - G. Complete and record a Declaration of Restriction to construct and maintain a three-bedroom single-family dwelling. **YOU MAY NOT ALTER THE WORDING OF THIS DECLARATION.** Follow the instructions to record and return the form to the Planning Department.
 - H. Complete and record a Declaration of Acknowledgement of Geologic Hazards acknowledging the location of the dwelling within a flood-plain. **YOU MAY NOT ALTER THE WORDING OF THIS DECLARATION.** Follow the instructions to record and return the form to the Planning Department.
- 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. 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. A building permit will be required prior to any conversion of the garage into a second unit. If construction of the second unit occurs within **5** years of the

approval date of this permit, a new statement from an appraiser will be required prior to issuance of this building permit to confirm that the combination of the development undertaken by **this** permit and the construction of the second unit will not exceed 50% of the total market value of the structure. If the total improvements exceed 50% of the total market value of the structure, then the **structure** will be required to meet all applicable FEMA flood elevation requirements.

- B. **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.

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: 03-0390

Assessor Parcel Number: 042-121-50

Project Location: 217 Treasure Island Drive

Project Description: Interior and exterior remodel of existing single-family dwelling

Person or Agency Proposing Project: Sherry Hrabko

Contact Phone Number: (831) 477-7794

- 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: **01** : Existing Structures Exemption

F. Reasons why the project is exempt:

Addition to an existing single-family dwelling in a residential zone district

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

David Keyon, Project Planner

Date: _____

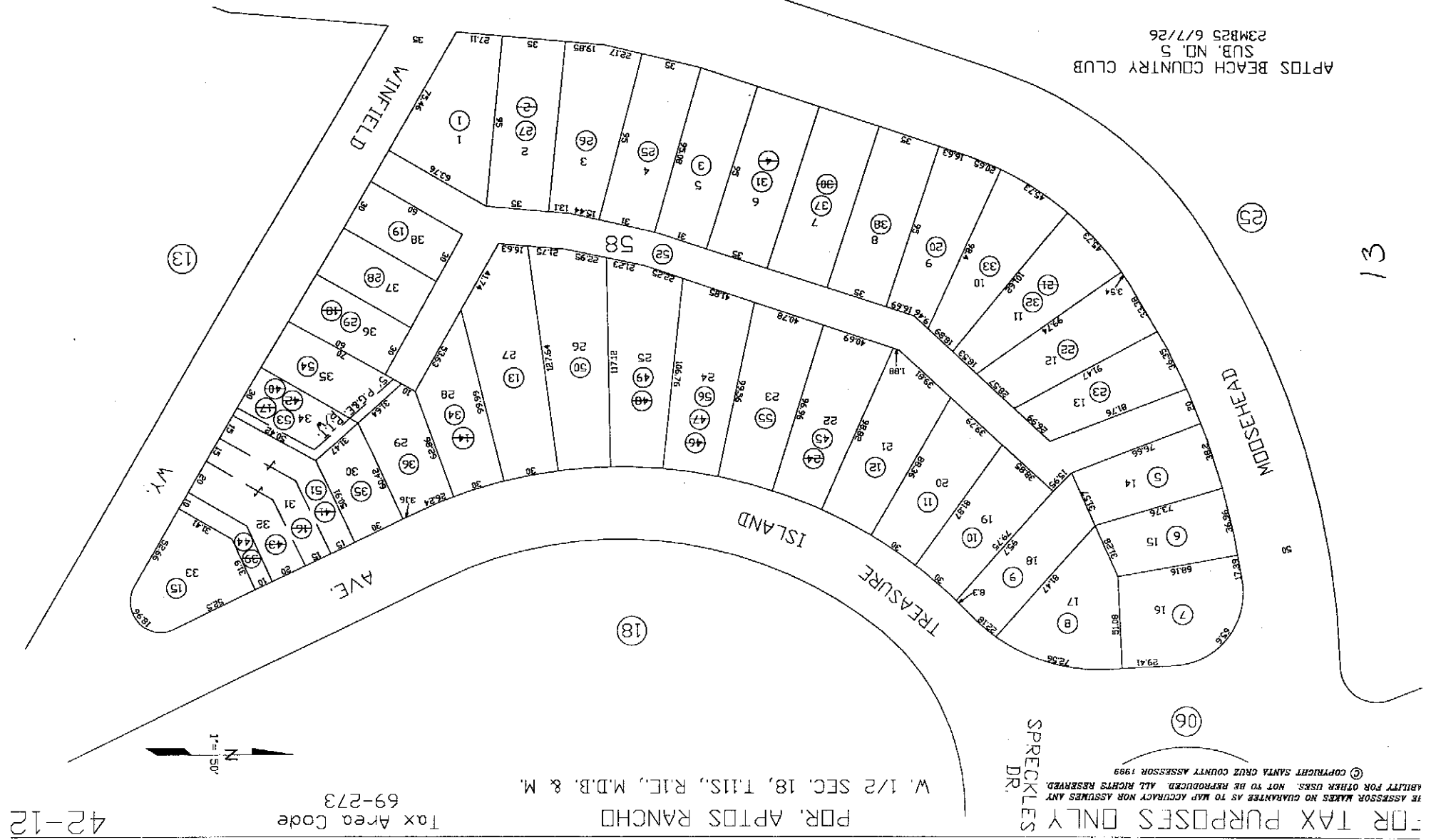
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APTOS BEACH COUNTRY CLUB
SUB. NO. 5
23MB25 6/7/26

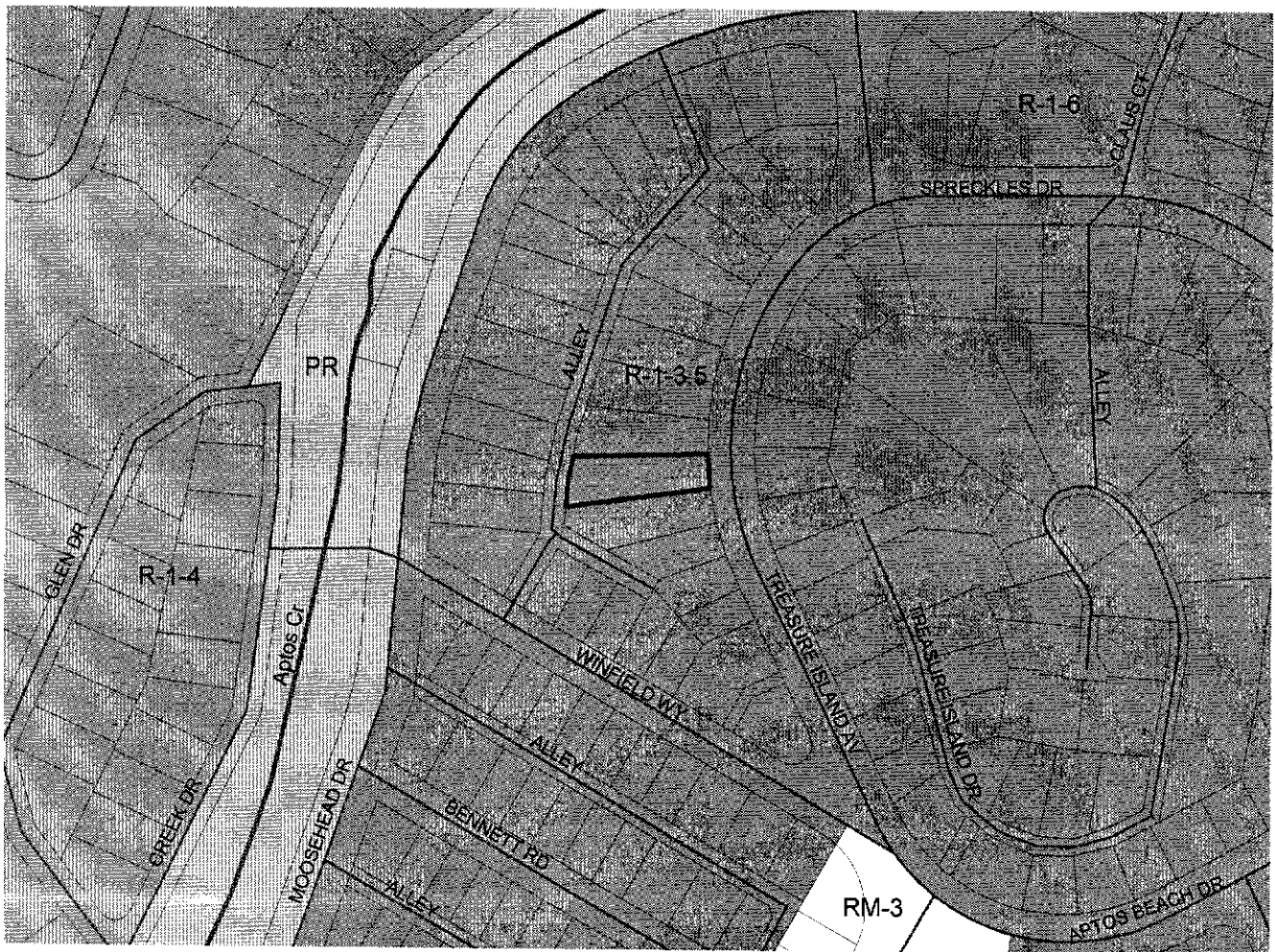
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SPECKLES
DR.
IF ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
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Note - Assessor's Parcel Block &
Lot Numbers Shown in Circles.

Assessor's Map No. 42-12
County of Santa Cruz, Calif
January, 1999



Zoning Map



500 0 500 Feet

Legend

	APN 042-121-50
	Parcel boundaries
	Streets
	Perennial Stream
	R-1-X
	RM
	PR



Map created by Santa Cruz County
Planning Department:
September 2003