



Staff Report to the Zoning Administrator

Application Number: **121019**

Applicant: Allan Hills
Owner: Joseph & Nancy Kovalik
APN: 038-221-08

Agenda Date: May 4, 2012
Agenda Item #: 6
Time: After 9:00 A.M.

Project Description: Proposal to construct a two story addition of approximately 825 square feet to an existing detached garage that includes a second dwelling unit on the second floor and a bathroom within the first floor.

Location: Located on the north side of Pine Tree Lane approximately 700 feet west of Potbelly Beach Road at 900 Pine Tree Lane.

Supervisory District: 2nd District (District Supervisor: Ellen Pirie)

Permits Required: Residential Development Permit
Technical Reviews: none

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 121019, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|----------------------------|----|---|
| A. | Project plans | E. | Assessor's, Location, Zoning and
General Plan Maps |
| B. | Findings | | |
| C. | Conditions | | |
| D. | CEQA Categorical Exemption | | |

Parcel Information

Parcel Size:	8,799 square feet
Existing Land Use - Parcel:	residential
Existing Land Use - Surrounding:	residential
Project Access:	Driveway from Pine Tree Lane
Planning Area:	Aptos
Land Use Designation:	R-UL (Urban Low Residential)
Zone District:	R-1-6 (Single-family residential, minimum 6,000 square foot parcel size)

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

Coastal Zone: Coastal Residential

Exclusion Area

Appealable to Calif. Coastal Comm. Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: 177 (expansive)
Fire Hazard: Not a mapped constraint
Slopes: N/A
Env. Sen. Habitat: No evidence of sensitive resources on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Mapped Scenic at property line, but no impacts to scenic areas
Drainage: Existing drainage adequate; no changes proposed
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside Outside
Water Supply: Soquel Creek Water District
Sewage Disposal: Santa Cruz Sanitation
Fire District: Central Fire
Drainage District: Zone 6

History

It is estimated that the existing house and detached garage were first constructed in 1957. In 2010, a consultation (# 10-0037) was completed for consideration of the second dwelling with elevator accessibility that is currently proposed. At the time, the applicant was advised that because the parcel is smaller than 10,000 square feet, annexation to the Santa Cruz County Sanitation District would be required in order to approve a second dwelling unit. This subsequently occurred and the property is now served by a sewer.

Project Setting

The second dwelling unit, new bathroom and attic storage space will be added to an existing garage that sits to the rear of a residential parcel surrounded by other residential parcels on Pine Tree Lane with a similar level of development. Many properties in the vicinity have one-story residences; however the adjacent property to the east has a two-story home. A railroad right-of-way runs through the wooded area north of Pine Tree Lane, with MacGregor Lane and Highway 1 further to the north. The proposed development is screened from these travel corridors by trees and surface topography.

Project Discussion

A shed-dormered attic area is proposed above the new second floor second unit; the central portion of the attic level will be open to the second floor dwelling area, with two storage areas accessed by pull-down stairs. The attic storage areas will also house the elevator mechanicals and equipment for a roof-mounted photovoltaic system, and will meet all ordinance standards for attic space. The second floor unit with a studio-style floor plan will include a bathroom and an elevator for accessibility.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 8,779 square feet, located in the R-1-6 (Single-family residential, minimum 6,000 square foot parcel size) zone district, a designation that allows residential uses. The proposed second dwelling unit, new bathroom and attic storage space addition to an existing garage is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UL) Urban Low Residential General Plan designation.

Local Coastal Program Consistency

The proposed second dwelling unit, new bathroom and storage space addition to an existing garage is in the Coastal Zone Residential Exclusion Area, and thus it does not require a Coastal Permit.

Design Review

The north edge of the subject property abuts a mapped scenic corridor, but the proposed development is adjacent to a heavily wooded railroad corridor and there are no impacts to public views. The proposed second dwelling unit, new bathroom and storage space addition to an existing garage complies with the requirements of the County Design Review Ordinance, in that the proposed project will be compatible in design, materials and finish with the existing residence on the property and with the immediate neighborhood to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental evaluation of the proposed project pursuant to the requirements of the California Environmental Quality Act (CEQA) resulted in the determination that the proposed project is eligible for a Categorical Exemption under CEQA Section 15303, New Construction or Conversion of Small Structures. This Categorical Exemption applies because the project is for construction of a second dwelling unit and a garage appurtenant to a single-family dwelling in a residential zone.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

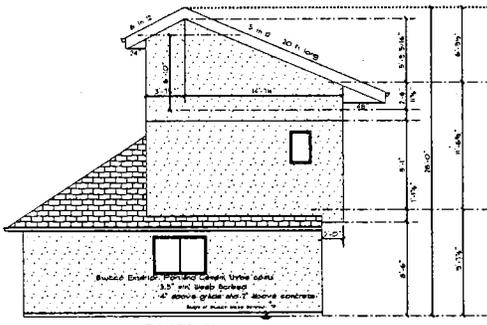
Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **121019**, 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

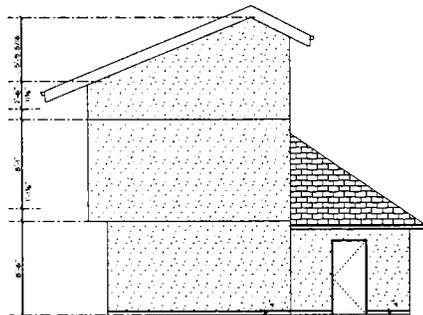
Report Prepared By: Alice Daly
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3140
E-mail: alice.daly@co.santa-cruz.ca.us



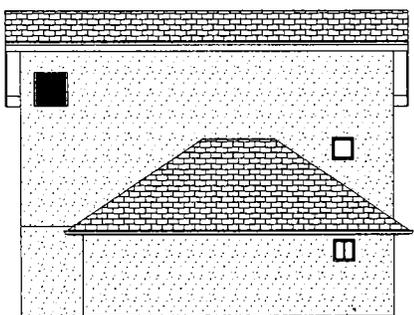
LEFT SIDE ELEVATION



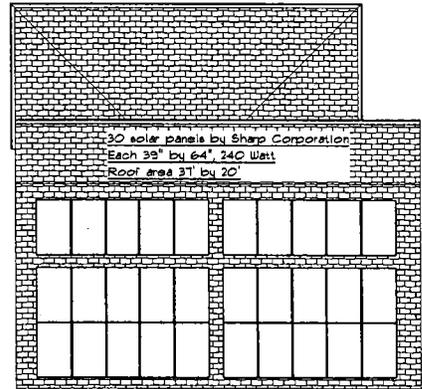
FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



ROOF PLAN

All Real Needs, Inc. DBA: All Inclusive Development
 A Personalized Construction and Real Estate Development Firm
 1651 Tona Way, San Jose, CA 95125
 (408) 354-3662 Phone (408) 354-0023 Fax

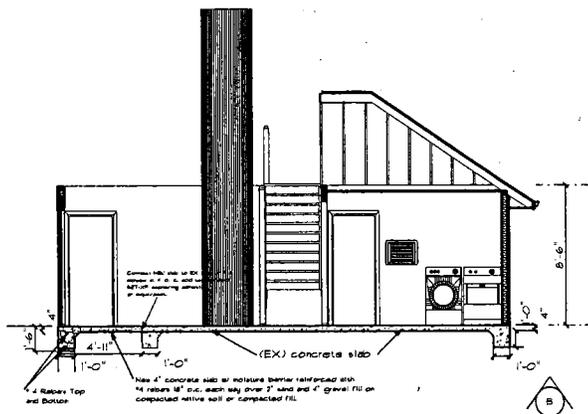
PROJECT: PINETREE RESIDENCE
 300 Pinetree Lane, Acton, CA 95003
 OWNER: Joe Kovallik
 1651 Tona Way, San Jose, CA 95125
 408-354-0611 Phone

Revision:
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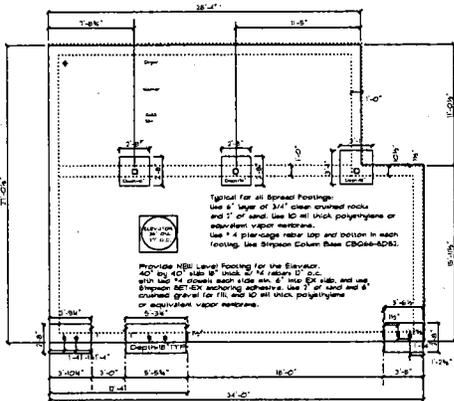
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 & ELEVATIONS

Drawn by: B. Hedberg
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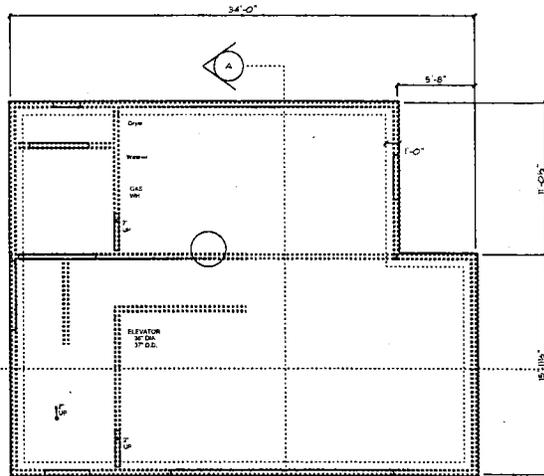
Drawing No.
 A3



Foundation X-section # Section A-A



(NEW) GARAGE SPREAD FOOTINGS PLAN



(NEW) GARAGE FOUNDATION PLAN

All Real Nesch, Inc. DBA: All Inclusive Development
 A Personalized Construction and Real Estate Development Firm
 15981 Viewfield Rd, Toluca Lake, CA 91603
 (408) 354-3627 Phone (408) 354-0103 Fax

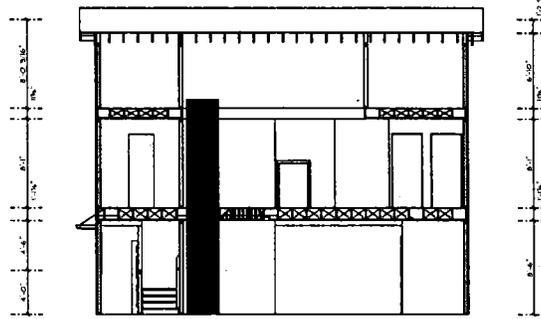
PROJECT: PINETREE RESIDENCE
 3000 Pinetree, San Jose, CA 95003
 OWNER: Joe Kovalik
 1451 Trone Way, San Jose, CA 95125
 408-265-0611 Phone

REVISION

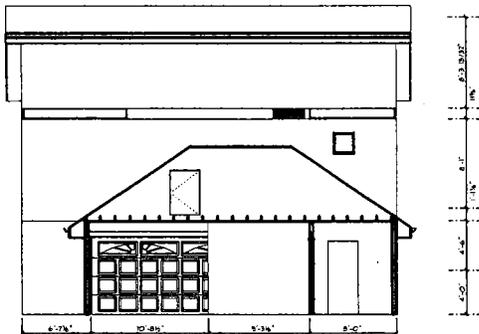
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 A2



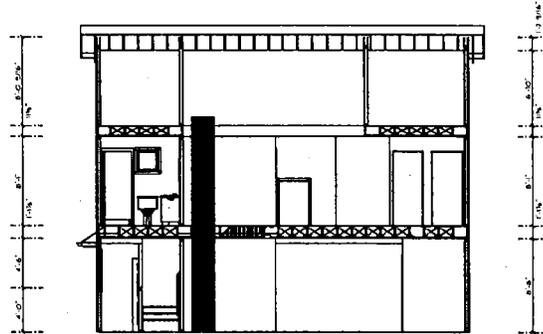
X-Section A-A



X-Section B-B



X-Section D-D



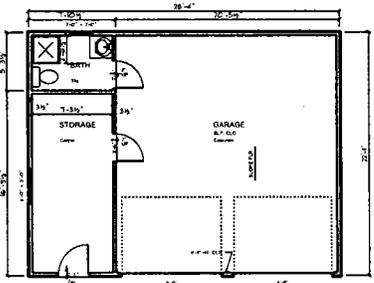
X-Section C-C

All Real Needs, Inc. DBA: All Inclusive Development
 A Personalized Construction and Real Estate Development Firm
 9581 Vinerfield Rd. Trona, Berman, CA 95030
 (408) 354-3622 Phone (408) 354-0101 Fax

PROJECT: PINETREE RESIDENCE
 3000 Pinetree Lane, Appleton, CA 95003
 OWNER: Joe Kovalik
 1651 Trona Way, San Jose, CA 95125
 408-265-0611 Phone

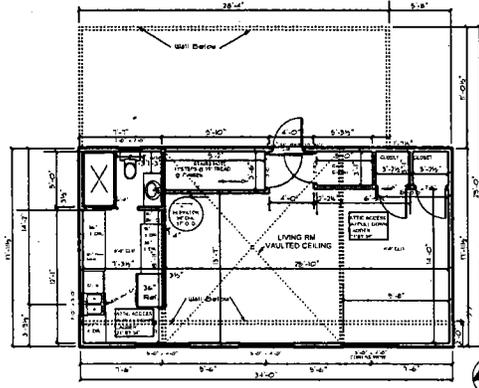
Revisions	
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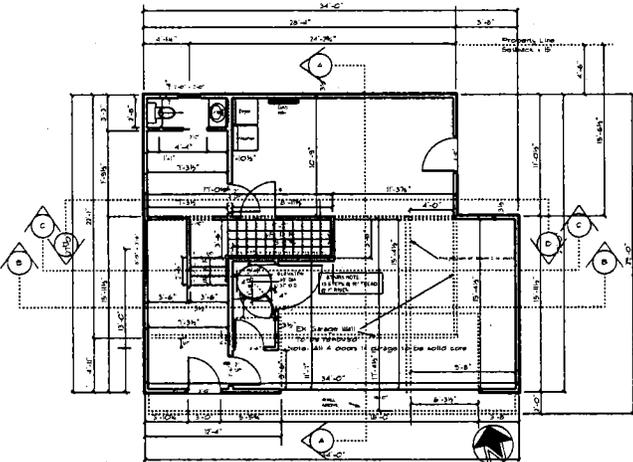
(EX) GARAGE FLOOR PLAN

Storage & Bath: 122 SF
Garage: 482 SF



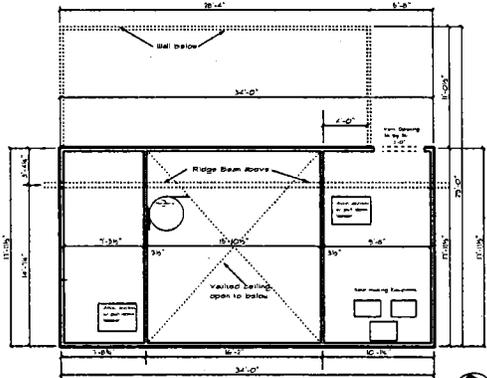
(NEW) GARAGE SECOND FLOOR FLOOR PLAN

Total: 824 SF
Unleased space: 42 SF
Net Second Floor: 842 SF



(NEW) GARAGE FIRST FLOOR PLAN

Storage & Bath: 218.7 SF
Garage: 811.0 SF



(NEW) ATTIC FLOOR PLAN



All Real Needs, Inc. DBA: All Inclusive Development
A Personalized Construction and Real Estate Development Firm
19981 Viafield Rd. Monte Sereno, CA 95030
(408) 354-3662 Phone 14097 354-0102 Fax

PROJECT/PRIORITREE RESIDENCE
19000 Viafield, Aptos, CA 95003
OWNER: Jose Kovalik
1651 Trona Way, San Jose, CA 95125
408-265-0611 Phone

Revisions	
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TITLE:
EX and NEW
Garage Floor
Plan

Drawn By: S. Hestberg
Date: 10/0/02
Scale: 1/4" = 1'-0"

Drawing No.
A1

Revised No.

Development Permit Findings

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

This finding can be made, in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

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 second dwelling unit, new bathroom and storage space addition to an existing garage and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and with the purpose of the R-1-6 (Single-family residential, minimum 6,000 square foot parcel size) zone district as the primary use of the property will be residential, with an existing single-family residence and one new second dwelling unit, new bathroom and storage space addition to an existing garage that meets all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban Low Residential (R-UL) land use designation in the County General Plan.

The proposed second dwelling unit, new bathroom and storage space addition to an existing garage 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 second dwelling unit, new bathroom and storage space addition to an existing garage will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed second dwelling unit, new bathroom and storage space addition to an existing garage 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 second dwelling unit, new bathroom and storage space addition to an existing garage will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed second dwelling unit, new bathroom and storage space addition to an existing garage is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), and such an increase will not adversely impact existing roads and intersections in the surrounding area.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a neighborhood containing a variety of architectural styles with both one-story and two-story structures, and the proposed second dwelling unit, new bathroom and storage space addition to an existing garage 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 finding can be made, in that the proposed second dwelling unit, new bathroom and storage space addition to an existing garage will be scaled and designed in a manner that will be compatible with the aesthetic qualities of surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Building Plans, 12 pages, by Bjorn Haaberg, Architect, dated 1/06/12

- I. This permit authorizes the construction of a second dwelling unit, new bathroom and storage space addition to an existing garage. 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.
 - C. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- 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 "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit must be clearly called out and labeled by standard architectural methods. Any changes that are not properly called out and labeled will not be authorized by any Building Permit issued for the proposed development. The final plans shall include the following additional information:
 1. One elevation shall show the materials and colors on the elevation.
 2. Grading, drainage, and erosion control plans.
 3. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.

4. Details showing compliance with fire department requirements.
 - B. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - C. Meet all requirements of and pay Zone 6 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
 - D. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - E. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - F. Pay the current fees for Roadside and Transportation improvements for one bedroom. Currently, these fees are, respectively, \$1,000 and \$1,000 per bedroom.
 - G. Provide required off-street parking for four 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.
 - 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.
 - I. Complete and record a Declaration of Restriction to construct a second dwelling unit. **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. The project must comply with all recommendations of the approved soils reports.
 - 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.

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 that do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires three years from the effective date listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Steven Guiney, AICP
Deputy Zoning Administrator

Alice Daly, AICP
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: 121019
Assessor Parcel Number: 038-221-08
Project Location: 900 Pine Tree Lane

Project Description: construct a two story addition of approximately 825 square feet to an existing detached garage, including a second dwelling unit on the second floor and a bathroom in the first floor

Person or Agency Proposing Project: Allan Hills

Contact Phone Number: 408-596-0318

- 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. X **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301e)

F. Reasons why the project is exempt:

An addition to existing structures of less than 10,000 square feet in an area where all public services and facilities are available.

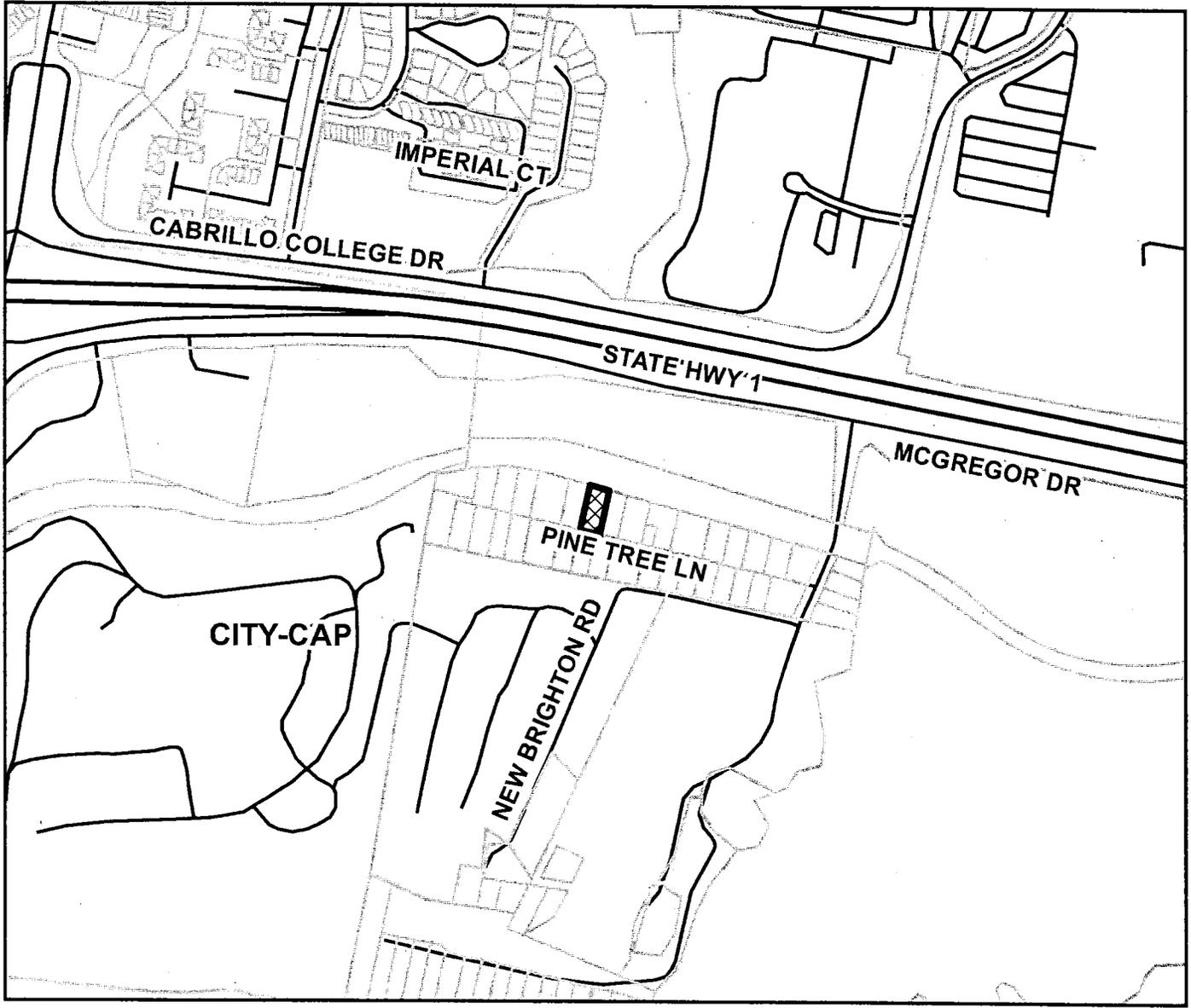
In addition, none of the conditions described in Section 15300.2 apply to this project.

Alice Daly, Project Planner

Date: _____



Location Map



LEGEND

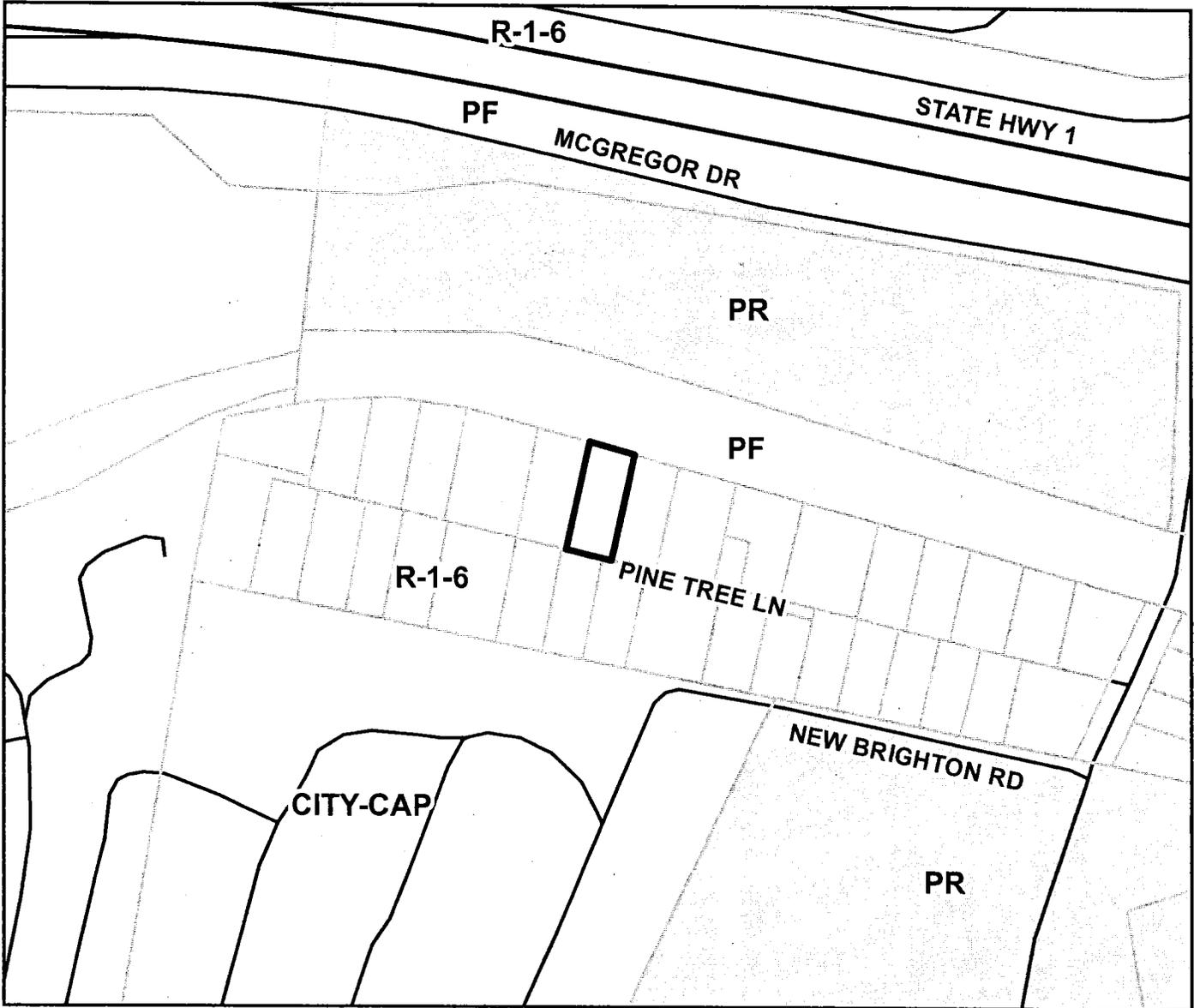
-  APN: 038-221-08
-  Assessors Parcels
-  Streets
-  State Highways
-  CAPITOLA



Map Created by
 County of Santa Cruz
 Planning Department
 February 2012



Zoning Map



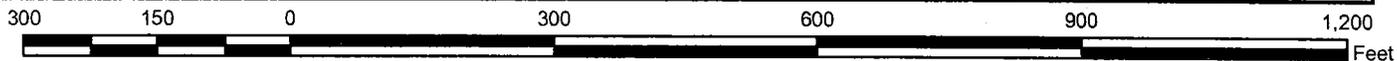
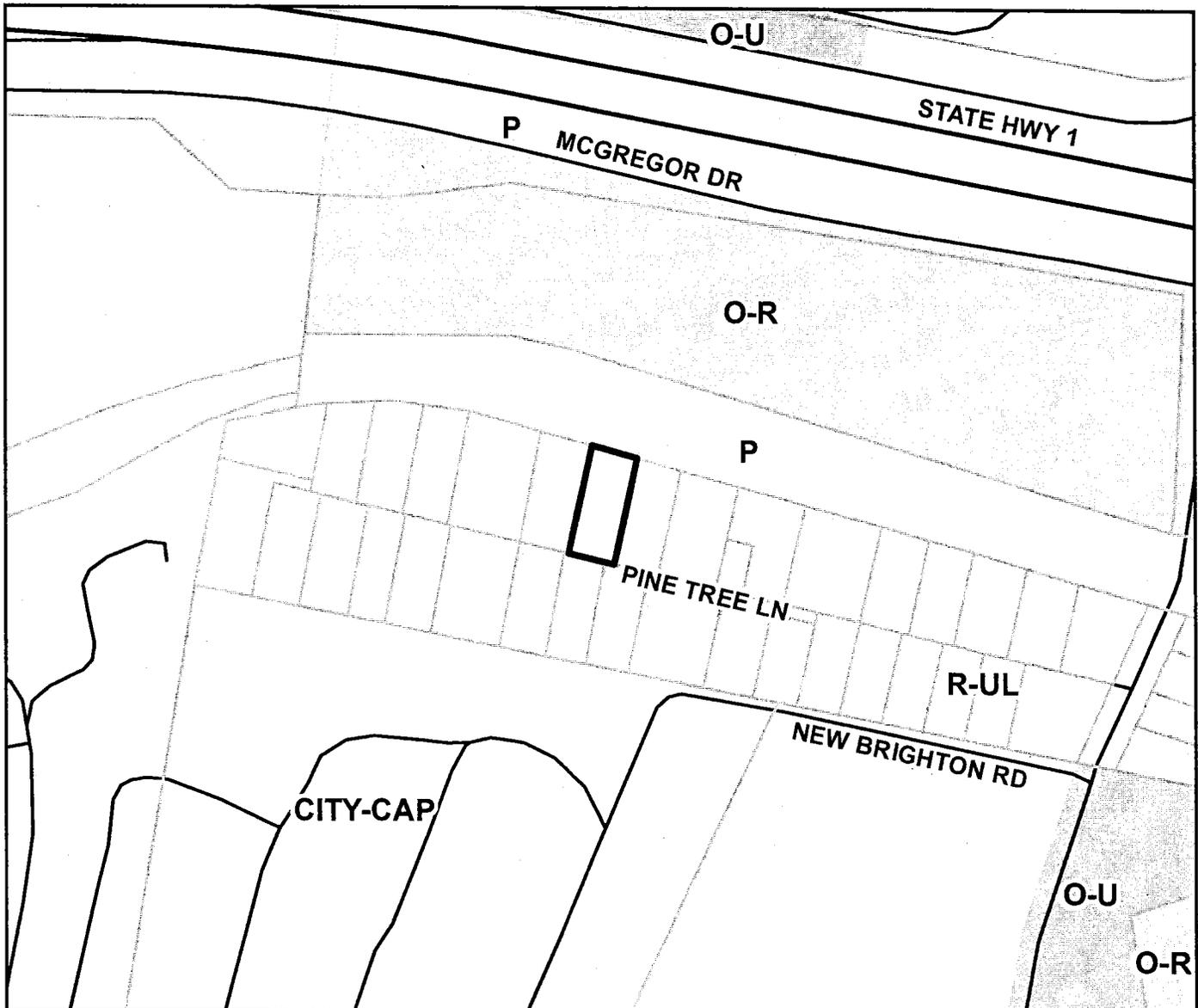
LEGEND

- APN: 038-221-08
- Assessors Parcels
- Streets
- State Highways
- CAPITOLA
RESIDENTIAL-SINGLE FAMILY
- PUBLIC FACILITY
- PARK

Map Created by
County of Santa Cruz
Planning Department
February 2012



General Plan Designation Map



LEGEND

- APN: 038-221-08
- Assessors Parcels
- Streets
- State Highways
- CAPITOLA
- Residential - Urban Low Density
- Public Facilities
- Parks and Recreation
- Urban Open Space

Map Created by
 County of Santa Cruz
 Planning Department
 February 2012