



COUNTY OF SANTA CRUZ 0259

PLANNING DEPARTMENT

701 OCEAN STREET, 4TH FLOOR, SANTA CRUZ, CA 95060

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ALVIN D. JAMES, DIRECTOR

JANUARY 22,200 1

AGENDA: 2/6/0 1

Board of Supervisors
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

SUBJECT: Parking Lot Alterations

Members of the Board:

On March 21, 2000 your Board, pursuant to a request by then Chairperson Wormhoudt, directed the Planning Director, in conjunction with County Counsel, to review a letter from the Chair of the Santa Cruz County Commission on Disabilities recommending that a permit be required for parking lot alterations.

Staff has met on several occasions with County Counsel, Supervisor Wormhoudt, the County Administrative Officer, and members of the Santa Cruz County Commission on Disabilities to discuss this item.

DISCUSSION

These meetings and associated analysis have established the following:

Slurry sealing, top dressing, overlaying or replacing a parking lot constitutes an alteration. Therefore, Title 24 of the State Code requires that parking spaces must be provided which meet current code and the path of travel from the parking lot to the building served must be made to comply with current codes.

As best we are able to determine, no other jurisdiction in California currently requires a permit for slurry sealing, top dressing, overlaying or replacing a parking lot.

Requiring a permit for slurry sealing, top dressing, overlaying or replacing a parking lot has the potential to significantly increase the cost of a parking lot paving, slurry seal or overlay project. In many cases substantial grading, and/or installation of ramps may be triggered by a relatively inexpensive slurry seal project. However, Title 24 contains a hardship provision relative to site accessibility that permits the Building Official to approve exemptions to full compliance based on legal or physical constraints.

If a Building Permit were required for this work, the permit process would require review by several County agencies where a series of other related land use issues might be raised. The total permit and

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review fees would be approximately \$610.00 and additional fees could be incurred if discretionary approvals (use approval, coastal permit, variance, etc.) are required.

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Obtaining these approvals could potentially extend estimated time lines for these projects. Compliance with current accessibility regulations could cause the reduction of the total number of parking places --- in some instances, perhaps, below the minimum required. Where this occurred, the parking lot might have to be expanded, or landscaped areas reduced or reconfigured as possible and/or appropriate.

There are an estimated 1,600 parking lots in the unincorporated area of the County. Alterations are typically done every 5 years, and are estimated to result in approximately 320 permits per year.

CONCLUSIONS

Based upon the above, Planning staff does not recommend that the County require a building permit for slurry sealing, top dressing, overlaying or replacing a parking lot. In staffs judgment, compliance with State law can be achieved with an approach that combines education of parking lot owners and paving contractors with focused enforcement action, while avoiding the expense and delays associated with the requirement of a building permit. For this reason, the Department recommends the following steps be taken:

1. Education. We would urge the Commission on Disabilities to assist in this effort by preparing and distributing educational materials to parking lot owners and paving contractors.
2. Enforcement. The Code Compliance Section of the Planning Department will give priority to investigation of complaints of parking lot alterations not in compliance with current accessibility codes. Code Compliance staff will work in collaboration with staff of the Commission on Disabilities and with the Sheriffs Office Accessibility Compliance Teams to work with parking lot owners to bring the lots into compliance. In cases where compliance is not timely, a Notice of Violation will be issued, a building permit will be required, the case will be referred to the Administrative Hearing Officer and civil penalties will be sought.
3. Ordinance. The Planning Department, in collaboration with the Commission on Disabilities, develop and bring to your Board a revision to Chapter 12 of the County Code specifically addressing the County's commitment to enforcement of accessibility regulations
4. Annual Review. The Planning Department and Commission on Disabilities will annually review Title 24 and make recommendations to your Board as necessary.

It is, therefore, **RECOMMENDED** that your Board take the following actions:

1. Direct the County Commission on Disabilities to develop an educational program concerning the requirements of Title 24 and to report back to your Board with their implementation including any budgetary requirements.
2. Direct the Planning Department to make investigation of complaints relating to this issue a priority for the Code Compliance section.
3. Direct the Planning Department to work with the Commission on Disabilities to prepare an amendment to Chapter 12 of the County Code relating to this issue for your Board's consideration on March 6, 2001; and,

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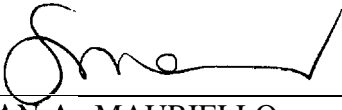
4. Direct the Planning Department and Commission on Disabilities to jointly review Title 24 on an annual basis and make such recommendations to your Board as may be necessary, and;
5. Accept and file this report.

Sincerely,



ALVIN D. JAMES
Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer