



## Staff Report to the Zoning Administrator

Application Number: **151157**

**Applicant:** Peter Spellman  
**Owner:** Taylor Darling  
**APN:** 031-122-01

**Agenda Date:** 11/18/2016  
**Agenda Item #:** 3  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to develop two single family dwellings of approximately 1,506 square feet on a site with an existing 1,469 square foot single family dwelling. The project will result in a 3-unit dwelling group. Requires a Residential Development Permit.

**Location:** The property is located on the northwest corner of Garden Street and 38<sup>th</sup> Avenue within the Live Oak Planning area.

**Supervisory District:** 1<sup>st</sup> District (District Supervisor: John Leopold)

**Permits Required:** Residential Development Permit

**Technical Reviews:** Geotechnical Report

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 151157, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination) | E. Assessor's, Location, Zoning and General Plan Maps |
| B. Findings                                   | F. Comments & Correspondence                          |
| C. Conditions                                 |   |
| D. Project plans                              |   |

### Parcel Information

Parcel Size:	12,068 square feet
Existing Land Use - Parcel:	Single family residence
Existing Land Use - Surrounding:	Single family and multi-family residential
Project Access:	38 <sup>th</sup> Avenue and Garden Street
Planning Area:	Live Oak
Land Use Designation:	R-UH (Residential Urban High)
Zone District:	RM-3.5 (Multi-Family Residential, 3500 square feet per unit)

Coastal Zone:   x   Inside      Outside   x   Residential Exclusion  
Appealable to Calif. Coastal      Yes   x   No  
Comm.

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Geotechnical Report Accepted, project subject to recommendations  
prior to building permit issuance  
Fire Hazard: Not a mapped constraint  
Slopes: Site is flat  
Env. Sen. Habitat: No identified species  
Grading: No grading proposed  
Tree Removal: One multi-trunk 36" tree, small fruit trees, shrubs  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information

Urban/Rural Services Line:   x   Inside      Outside  
Water Supply: Santa Cruz Water Department  
Sewage Disposal: Santa Cruz Sanitation District  
Fire District: Central Fire Protection District  
Drainage District: Zone 5

### Project Setting

The property is located at the northwest corner of 38<sup>th</sup> Avenue and Garden Street within the Live Oak Planning area and located on the western edge of Capitola. The property is located within the exclusion area of the Coastal Zone and therefore not subject to a Coastal Development Approval.

The site is approximately 12,068 square feet in size. The property contains an existing 1,469 square foot single story single family dwelling that fronts on 38<sup>th</sup> Avenue and a detached shed located north of the dwelling. The site contains a single 36 inch multi-trunk tree located on the southern edge of the property line adjacent to Garden Street and small fruit trees scattered around the corner of the site adjacent to 38<sup>th</sup> Avenue. A three foot wood split rail fence is located along the corner of 38<sup>th</sup> and Garden Street. Shrubs are located along the north and south property lines and some minor site landscaping is located in the front yard. Site landscaping is in poor condition. In addition, an asphalt driveway and parking area occupies more than 50 percent of the front yard on 38<sup>th</sup> Avenue and was constructed without the benefit of a permit and is otherwise non compliant with the residential site development standards.

The property is surrounded by a mobile home to the south, a vacant parcel to the east, multi-family residential dwelling group to the north, and single family residential to the west. Homes are a mix of one and two story dwellings.

Located in the City of Capitola and maintained by the City of Capitola, 38<sup>th</sup> Avenue is an approximately 45 foot wide right of way with single travel lanes and on-street parking. The west side of the right-of-way is developed with curb, gutter, and 4 foot sidewalk with curb return at Garden Street. The east side of the right-of-way is developed with curb, gutter and sidewalk. Frontage improvements on the subject property include a 36 foot nonconforming driveway cut on the 38<sup>th</sup> Avenue site frontage.

Garden Street is a publicly maintained 40 foot right-of-way. Two travel lanes and on-street parking is available. No frontage improvements exist on Garden Street with exception of a drainage inlet on the southern edge of the subject property and asphalt curb on a portion of the roadway across the street from the subject property.

### **Project Description**

The applicant proposes to construct two 1,506 square foot three bedroom, two story, single family dwellings, one proposed with access from Garden Street and the other located to the rear of the site with access from 38th Avenue. The project results in a three unit dwelling group.

The driveway width and curb cut located on 38<sup>th</sup> are proposed to be revised to comply with the Public Works County Design Criteria standard of 24 feet and the existing asphalt parking area in the front yard is proposed to be reduced to comply with the maximum 50 percent standard allowed within the front yard. Five on-site parking spaces are proposed for the existing and proposed dwelling units fronting 38<sup>th</sup> Avenue.

Curb, gutter and four foot wide sidewalk are proposed along the Garden Street property frontage meeting County Design Criteria. A 27 foot wide driveway is provided on the Garden Street frontage with four on-site parking spaces for the proposed dwelling on Garden Street. A large 36 inch multi-trunk tree located on Garden Street is proposed to be removed given limited room adjacent to the proposed sidewalk as well as small distressed fruit trees located at the corner to make room for proposed street trees.

Seven Ginko Biloba street trees are proposed behind the sidewalk of the entire property frontage on 38<sup>th</sup> Avenue and Garden Street. Two Japanese maple trees are also proposed behind the parking area on 38<sup>th</sup> Avenue.

### **Zoning & General Plan Consistency**

The subject property is a parcel of approximately 12,068 square feet, located in the RM-3.5 (Multi-Family Residential, 3500 square feet per unit) zone district, a designation which allows multi-family dwelling residential uses. The proposed three unit dwelling group is a permitted use within the zone district and the zoning is consistent with the site's R-UH (Residential Urban High) General Plan designation.

The proposed dwellings comply with the required site standards associated with the RM-3.5 zone district and meet the minimum 10,500 square foot lot size standard for a three unit dwelling group. The proposed structures meet all required setbacks, lot coverage, floor area as noted in the below table. Proposed buildings are less than 24 feet in height, in compliance with the maximum 28 foot building height.

<b>Site Standards Table</b>			
<b>Setbacks</b>			
	Front (38 <sup>th</sup> Avenue)	Side/Garden Street Side	Rear
Required	20'	5' & 10'	15'
Proposed	68'	5' & 22'	15'3"
<b>Parking</b>			
<u>Residence parking</u> 3 bedroom unit = 2.5 spaces x 3 units = 7.5 (rounded to 8 spaces), 9 on site <u>Guest parking</u> 20% of required spaces = 1.5 spaces (rounded to up 2), 1 on site and 1 proposed on street (allowed by code), additional on-street parking available on 38 <sup>th</sup> Avenue			
<b>Lot Coverage</b>			
40% allowed (4,827 square feet), 27 % (~3,200 square feet including porches) proposed			
<b>Floor Area Ratio (FAR)</b>			
<b>Total floor area (FAR)</b>		Existing dwelling One 1469 Proposed unit Two 1506 Proposed unit Three 1506  <b>Total = 4,481 square feet/12,068 net lot size = 36 % FAR, 50 percent allowed</b>	

The project plans reduce impervious surface area associated with parking within the front yard in compliance with the site development standard of County Code Section 13.10.554, significantly removing hardscape within the front yard and improving the appearance of the frontage on 38<sup>th</sup> Avenue.

With regard to parking, the parking ordinance requires 2.5 spaces per 3 bedroom unit multifamily residential unit, requiring 7.5 (rounded up to 8, per County Code 13.10.551 {A}) spaces. Guest parking is required to be 20 percent of the residential parking. Thus, 1.5 spaces rounded to 2 spaces are required for guest parking. One parking space is proposed on site (Garden Street) and one additional parking space can be provided adjacent to the proposed curb, gutter and sidewalk on Garden Street. The parking code allows guest parking to be provided on street if available. In addition, additional parking is available on 38<sup>th</sup> Avenue.

## Design Review

The proposed project complies with the requirements of the County Design Review Ordinance, in that the proposed dwellings will incorporate site and architectural design features of

surrounding homes to integrate the proposed dwellings into the site and surrounding neighborhood. The project includes the following design details to achieve neighborhood compatibility:

- Maximum building height of approximately 23 feet 2 1/2 inches so that the proposed dwellings do not overwhelm the existing dwelling on site or adjacent dwellings to the west and north
- Low pitched roofs in keeping with the low pitched roof of the existing dwelling on site and surrounding dwellings
- A wrapping single story front porch on the proposed dwelling located on Garden Street to repeat the single story element of the adjacent single story dwellings
- A one story porch on the proposed dwelling on 38<sup>th</sup> Avenue to integrate the single story roof element into the project design
- Minimizing windows on the north wall of proposed unit located in the northwest corner facing the adjoining residence to the north of the subject property to maintain privacy, with exception of a high window and a privacy glazed window at the top of stairs
- Horizontal siding along the bottom half of the proposed dwellings consistent with the horizontal siding of the existing dwelling
- Wood slat fencing throughout the site to create separate yard areas associated with each home and to tie the existing and proposed homes together
- Wood siding consistent with the existing dwelling
- Coordinated roof material, color, and siding color scheme for the existing and proposed homes on site. This includes repainting the existing dwelling
- Setting the proposed dwelling on Garden street farther back from the street than the existing single family dwelling to improve the light available and to reduce shading to the adjoining residence to the west during the winter months
- Coordinated street tree plan to include 7 new trees along 38<sup>th</sup> Avenue and Garden Street to provide design continuity along both 38<sup>th</sup> Avenue and Garden Street, as well as two proposed Japanese maples on either side of the proposed home on 38<sup>th</sup> Avenue to soften the appearance of the dwelling from the 38<sup>th</sup> Avenue
- Reduction in the existing curb cut along 38<sup>th</sup> avenue to 24 feet and reduction of unpermitted parking area to less than 50 percent of the front yard, which improves curb appeal and meets the site development standards and Public Works County Design Criteria
- Curb, gutter and sidewalk and street trees along the entire frontage of the project, resulting in formalized street parking and landscaping

Conditions of approval require a minor revision to the driveway width on Garden Street to comply with the Public Works Design Criteria maximum 24 foot curb cut on Garden Street. The current width is 27 feet. A reduction in the curb cut would not compromise the width of the proposed parking area. The project is also conditioned to require final landscape and irrigation plans to include species, size, number and location of all proposed landscaping, addressing all required trees and shrubs throughout the site, as well as refurbishment of distressed plants at the corner of the site. Final materials and colors for all homes on the site, including consistency of window detail and call outs for fence height, so that the structures and fencing appear to be unified and consistent with the visual simulations provided. Finally, the project is conditioned to require resurfacing of the parking lot fronting 38<sup>th</sup> avenue to unify existing mixed surface material, improving the overall appearance of the parking area.

## **Environmental Review**

A preliminary determination has been made that the project is exempt from the California Environmental Quality Act and a notice of exemption has been attached as Exhibit A.

## **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 **151157**, 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](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Sheila McDaniel  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-2255  
E-mail: [sheila.mcdaniel@santacruzcounty.us](mailto:sheila.mcdaniel@santacruzcounty.us)

# 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: 151157

Assessor Parcel Number: 031-122-01

Project Location: 1305 38th Avenue, Santa Cruz, CA 95060

**Project Description:** Proposal to develop two single family dwellings of approximately 1,506 square feet on a site with an existing 1,469 square foot single family dwelling. The project will result in a 3-unit dwelling group. Requires a Residential Development Permit.

**Person or Agency Proposing Project:** Peter Spellman

**Contact Phone Number:** (831) 419-4170

- 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: Class 3 - New Construction or Conversion of Small Structures (Section 15303). This section allows up to four units within urbanized areas.

**F. Reasons why the project is exempt:**

Construction of two residential units, resulting in a three unit dwelling group.

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

\_\_\_\_\_  
Sheila McDaniel, Project Planner

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

## **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. The proposed residential dwelling group will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures meet all current setbacks that ensure access to these amenities.

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 residential dwelling group and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RM-3.5 (Multi-Family Residential, 3500 square feet per unit) zone district as the primary use of the property will be three residential dwellings that meet 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 dwelling group use is consistent with the use and density requirements specified for the R-UH (Residential Urban High) land use designation in the County General Plan.

The proposed residential dwelling group 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 residential dwelling group will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residential dwelling group 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 residential dwelling group will comply with the site standards for the RM-3.5 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in structures 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 residential dwelling group is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only 2 peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or 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 structures are located in a mixed neighborhood containing a variety of architectural styles, and the proposed residential dwelling group 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 residential dwelling group will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

## Conditions of Approval

Exhibit D: Project Plans, revision date 2/22/2016, prepared by Peter Spellman

- I. This permit authorizes construction of two single family dwellings of approximately 1,506 square feet on a site with an existing 1,469 square foot single family dwelling. The project will result in a 3-unit dwelling group. Requires a Residential Development 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.
  - 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. 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 submittal of a building application, the project shall comply with the following County Sanitation District requirements:
  - A. The Sanitation District Engineer shall approve and sign the civil drawings for utilities prior to submission for a building permit.
  - B. In accordance with Sanitation District Code section 7.04.375 Private Sanitary Sewer System Repair, of Title 7, prior to building permit submittal the applicant/owner is required to inspect and video-record all existing on-site sewer laterals and make repairs to any damaged or leaking pipes that might be shown. This includes root intrusion, open joints, cracks or breaks, sags, damaged or defective cleanout, inflow and infiltration of extraneous water, older pipe materials that are known to be inadequate, inadequate lift or pump stations, inadequate alarm systems for overflows, and inadequate maintenance of lift stations. Color video results (dvd), of a sufficient quality to observe interior pipe condition, joints, sags among other items, shall be made available to the District for review, along with District certification form completed by plumber, and the District shall review results within 10 working days of submittal to the District. Repairs, as required by the District, shall be made within 90 working days of receipt of video result review. Applicant/owner shall obtain a sewer repair permit (no charge) from the District and shall have repairs inspected (no charge) by the District inspector prior to occupancy.

III. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
1. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
  2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. Final materials and colors for all roof material, siding, and window trim details, etc. shall be called out for the existing and proposed homes and shall be consistent throughout all homes and shall include window pane material. This shall be reviewed and approved by staff.
  3. Grading, drainage, and erosion control plans.
  4. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
  5. Building plans shall include 15 gallon street trees for all proposed trees on site.
  6. Plans shall include resurfacing of the on-site parking area adjacent to 38<sup>th</sup> Avenue.
  7. Final Landscape plans shall be provided and shall include species, size, number, and location. Landscaping plans shall be revised to improve the distressed landscaping at the corner of Garden Street and 38<sup>th</sup> Avenue by removing and replacing shrubs in poor condition, providing additional mulch, additional drought tolerant landscaping, and screening irrigation. The plan shall be reviewed and approved by staff.
  8. Plans shall include an irrigation plan to be reviewed and approved by staff.
  9. Driveway and curb cut on Garden Street shall be reduced to a maximum

of 24 feet, meeting the Public Works Design Criteria, unless otherwise approved by Public Works. The parking area width may be 27 feet as proposed however.

10. Fence height shall be called out on the site plan and shall not be greater than three feet in height within any front or street yard setback.

B. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area. Comply with the below requirements:

1. The proposed project is considered a "Medium Project" per Part 3, Section C, #1, b. pg. 47. of the County Design Criteria (CDC) June 2014 edition. The design criteria can be found on the internet at:

<http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.pdf>

2. Section C.3.c: Please include a narrative of the stormwater management on the site in the Stormwater Management Report that addresses each of the Site Design and Runoff Reduction measures called for in this section. Reference: CDC, Part 3, Section C, #3.c, page 52
3. Clarify how runoff being conveyed by the flow line will continue to flow, once the proposed fencing is constructed.
4. Show on the plan a cross section construction detail for the proposed flow line.
5. Show on the plan a cross section construction detail of the flow line and 4" curb drain. How will leaves, twigs, gravel, sand, silt and other debris with a potential to plug the 4" curb pipes, be prevented from plugging the pipe (show on the plan).
6. Show on the plan a cross section construction detail for the proposed paver driveway.
7. A drainage fee will be assessed on the net increase in impervious area. The fees are currently \$1.20 per square foot, and are subject to increase based on the fee amount applicable at the time of permit issuance. Reduced fees (50%) are assessed for semi-pervious surfacing (such as gravel, base rock, paver blocks, porous pavement, etc.) to offset costs and encourage more extensive use of these materials. You may be eligible for fee credits for pre-existing impervious areas to be demolished. To be entitled for credits for pre-existing impervious areas, please submit documentation of permitted structures to establish eligibility. Documentations such as assessor's records, survey records, or other official records that will help establish and determine the dates they were built, the structure footprint, or to confirm if a building permit was previously issued is accepted.

8. A recorded maintenance agreement is required. Please contact the County of Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:

[http://www.dpw.co.santa-cruz.ca.us/Storm\\_Water/FigureSWM25A.pdf](http://www.dpw.co.santa-cruz.ca.us/Storm_Water/FigureSWM25A.pdf)

- C. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District in project comments, dated June 11, 2015 and March 15, 2016.
- D. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- E. Pay the current fees for Parks and Child Care mitigation for 6 bedrooms (2 units x 3 bedrooms). Currently, these fees are, respectively, \$1,000.00 and \$109 per bedroom.
- F. Comply with the Public Works Road Engineering requirements as follows:
  1. With the building permit application, the existing centerline striping on Garden Street near 38<sup>th</sup> Avenue will need to be relocated in order to provide 18' of width for a travel lane with parking on the north side and a 12' (minimum) travel lane on the south side.
  2. Construct an AC access ramp at the north-end termination of proposed sidewalks.
  3. Pay the current fees for Roadside and Transportation improvements for two units. Currently, these fees are \$4,200 per unit (2,100.00 for Roadside Improvements and \$2,100.00 for Transportation Improvement Fees per unit). Total fees are \$8,400.00, but are subject to change.
- G. Pay the current Affordable Housing Impact Fee for two additional residential dwelling units. The fees are based on unit size and the current fee for a 1,506 square foot unit is \$2.00 per square foot.
- H. Provide required off-street parking for 9 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.
- I. 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.
- J. Comply with the County Sanitation District requirements, dated March 23, 2016 including the following:

1. Laterals are shown with a 1% slope. The County Design Criteria require a 2% minimum for private collector lines and laterals connection to the public sewer. Either revise the slope of the lateral, provide a pumped system, or propose some other method of providing a self-cleaning lateral. Details and calculations may be required, depending on the system proposed. Please submit a revised utility plan addressing this item with a copy of these comments attached directly to the District for review, comment, and approval. This must be completed prior to issuance of a building permit. Since the solution chosen by the applicant might affect the finished floor height of the new buildings or may require additional on-site improvements, it is recommended that this issue be resolved prior to significant further development of the construction documents and prior to required public hearings, if any.
2. Include District's "General Notes" on plans. Contact staff for electronic copy.
3. Please attach an approved copy of the sewer system plan, signed by the District representative, to any building permit submittal associated with this parcel.
4. The project sewer design and connection of the project to the Santa Cruz County Sanitation District system shall be required to conform to the County of Santa Cruz Design Criteria (CDC) Part 4, Sanitary Sewer Design, June 2006 edition.

IV. 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. Comply with the following Public Works Drainage requirements:
  1. Prior to clearance of the Building Permit hold, one of these options has to be exercised:
    - A. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design

features. Notes of "general conformance to plans" are not sufficient.

- B. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
  - C. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.
  - E. Pursuant to Sections 16.40.040 and 16.42.080 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 16.42.080, shall be observed.
- V. 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.
- VI. 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.

**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: \_\_\_\_\_

Application #: 151157  
APN: 031-122-01  
Owner: Taylor Darling

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

---

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.



PETER SPELMAN  
ARCHITECTURE  
102 GREEN STREET  
SANTA CRUZ, CA 95060  
408.298.1111  
psdesign@hotmail.com



**1305 38TH AVENUE**  
SANTA CRUZ COUNTY, CA  
APN: 031-122-01

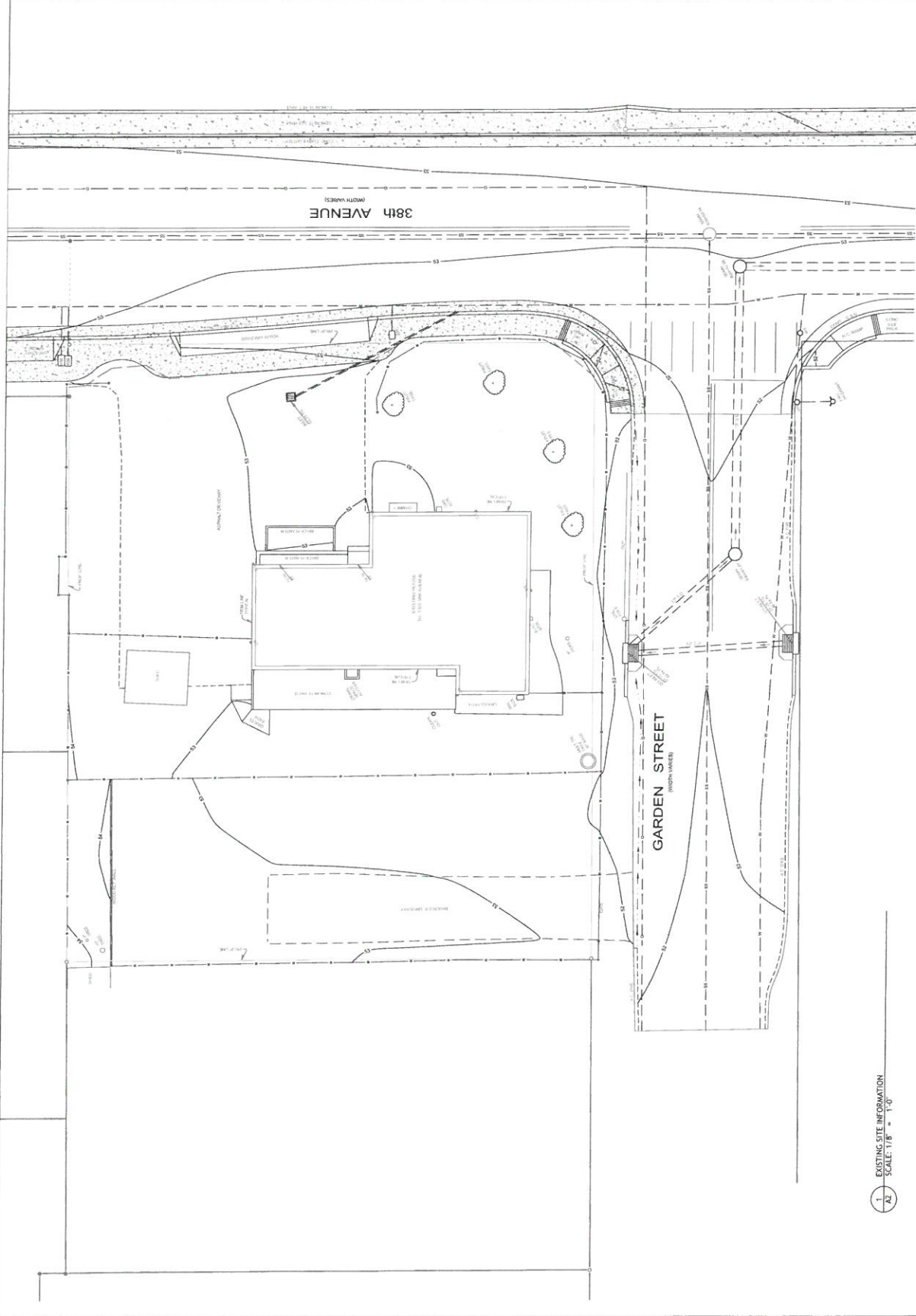
NEW DWELLING GROUP  
ADDING TWO NEW DWELLINGS  
TO EXISTING ONE DWELLING  
EXISTING DWELLING

4-4-2015  
3-12-2015

PROJECT NUMBER: 15-005  
DATE: 4-4-2015

EXISTING SITE  
CONDITIONS

**A2**



1 EXISTING SITE INFORMATION  
A2 SCALE: 1/8" = 1'-0"

PETER STELLMAN  
ARCHITECTURE  
102 GREEN STREET  
SANTA CRUZ, CA 95060  
pdesign@hotmail.com



1305 38TH AVENUE  
SANTA CRUZ COUNTY, CA  
APN: 031-122-01

NEW DWELLING GROUP  
ADDING TWO NEW DWELLINGS  
TO EXISTING DWELLING  
EXISTING DWELLING

PLANNING: 03/17/14	4-12-14
PLANNING REVISIONS:	5-17-14

PROJECT NUMBER: 15-005  
DATE: 6-4-2015

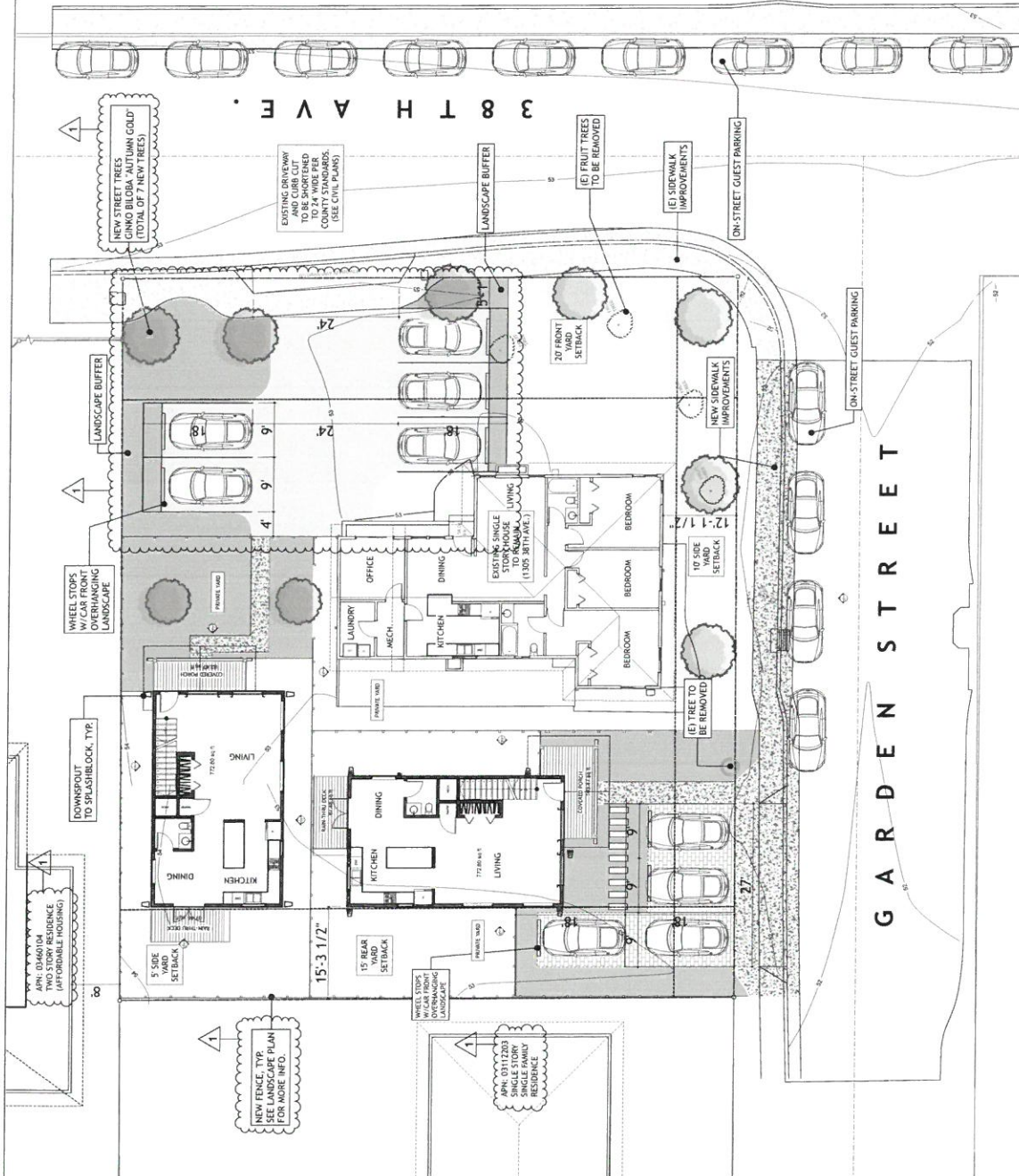
SITEPLAN

A2.1

# SITE INFORMATION

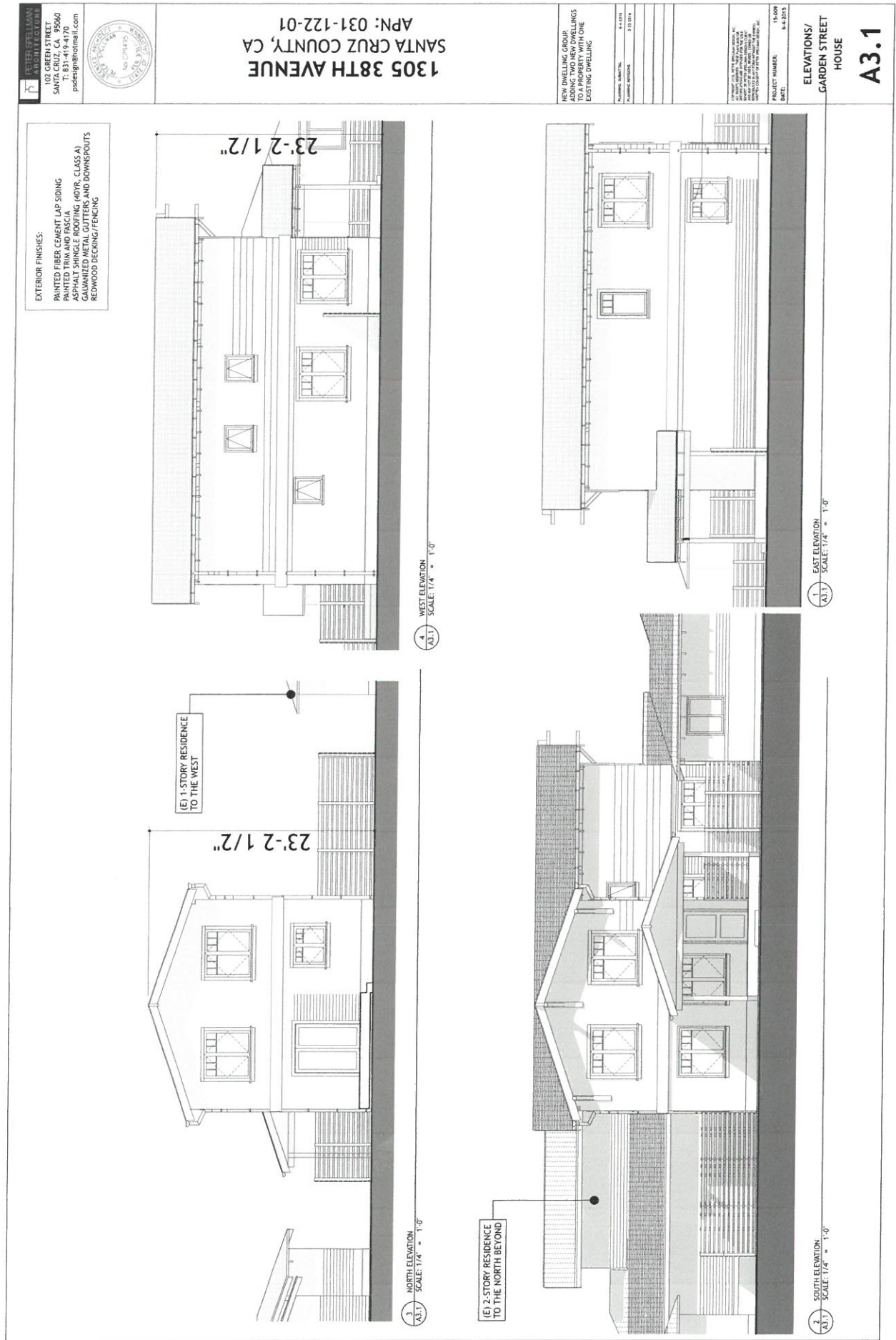
LOT AREA: 11,088 SF  
EXISTING IMPERVIOUS AREA:  
1,800 SF  
DRAINAGE IMPROVEMENTS: 1,800 SF  
27.2% OF LOT AREA  
PROPOSED IMPERVIOUS AREA:  
(E) HOUSE: 1,448 SF  
(E) DRIVEWAY: 1,800 SF  
NEW UNIT 1: 772 SF  
NEW UNIT 2: 772 SF  
TOTAL IMPROVEMENTS: 4,472 SF (AFTER REMOVAL OF 817 SF OF PAVING)  
37.2% OF LOT AREA  
EXISTING LOT COVERAGE:  
1,448 SF / 11,088 SF = 13.05%  
PROPOSED LOT COVERAGE:  
5,920 SF / 11,088 SF = 53.4%  
NEW IMPROVEMENTS ARE 40% LESS  
THAN 18" FROM PAVING GRASS AND ARE NOT COUNTED IN LOT  
COVERAGE AREA.

SITEPLAN NOTE:  
SEE CIVIL PLANS  
FOR ADDITIONAL  
INFORMATION



1 SITEPLAN  
A2.1 SCALE: 1/8" = 1'-0"





PETER BELLAMY  
ARCHITECT  
102 GREEN STREET  
SANTA CRUZ, CA 95060  
PHONE: 831-426-1111  
peter@peterbellamy.com



1305 38TH AVENUE  
SANTA CRUZ COUNTY, CA  
APN: 031-122-01

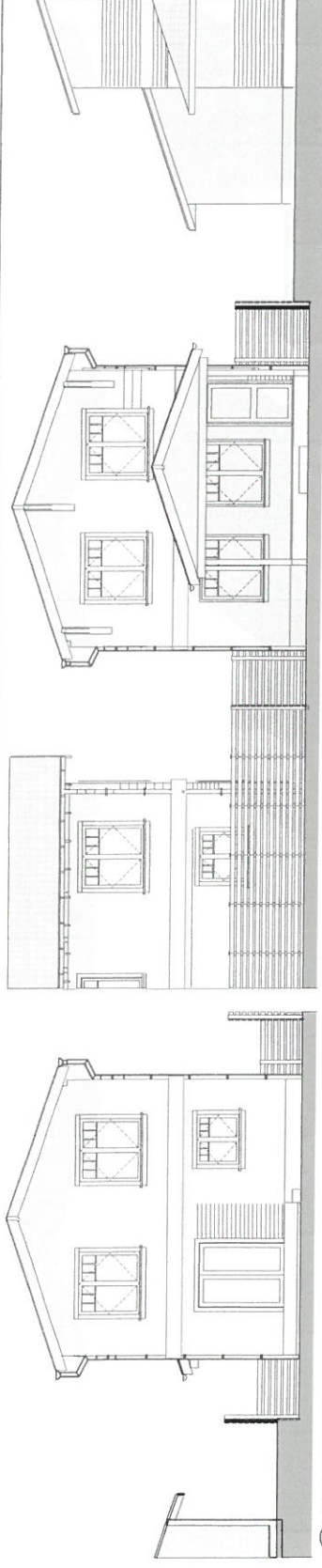
NEW DWELLING GROUP  
ADDING TWO NEW DWELLINGS  
TO AN EXISTING ONE-UNIT  
EXISTING DWELLING

PROJECT NUMBER: 4-1201  
DATE: 4-1201

PROJECT NUMBER: 4-1201  
DATE: 4-1201

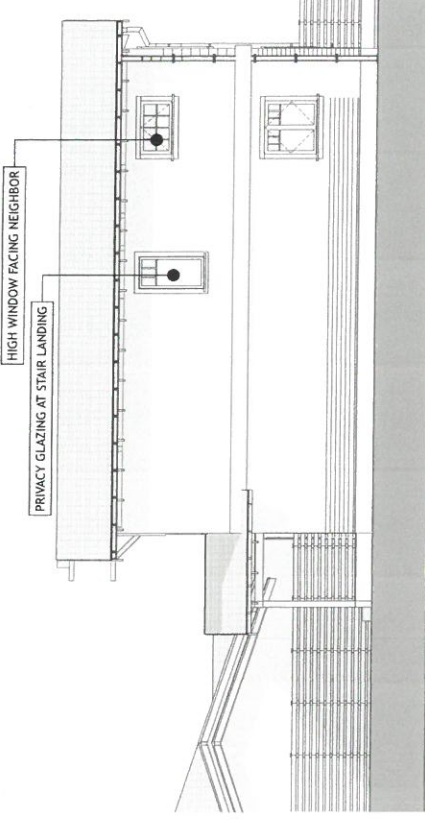
ELEVATIONS/38TH  
AVE. FACING  
HOUSE

A3.2



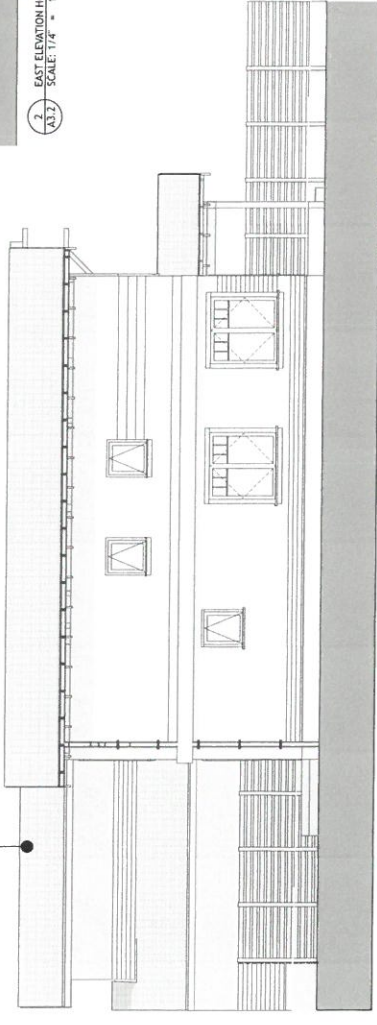
4 EAST ELEVATION HOUSE FACING 38TH  
A3.2 SCALE: 1/4" = 1'-0"

1 EAST ELEVATION HOUSE FACING 38TH  
A3.2 SCALE: 1/4" = 1'-0"



2 EAST ELEVATION HOUSE FACING 38TH  
A3.2 SCALE: 1/4" = 1'-0"

(E) 2-STORY RESIDENCE  
TO THE NORTH BEYOND



1 EAST ELEVATION HOUSE FACING 38TH  
A3.2 SCALE: 1/4" = 1'-0"

EXTERIOR FINISHES:  
PAINTED FIBER CEMENT LAP SIDING  
PAINTED TRIM AND FASCIA  
PAINTED CEILING  
GALVANIZED METAL ROOFING AND DOWNSPOUTS  
REDWOOD DECKING/FENCING





1305 38TH AVENUE  
SANTA CRUZ COUNTY, CA  
APN: 031-122-01

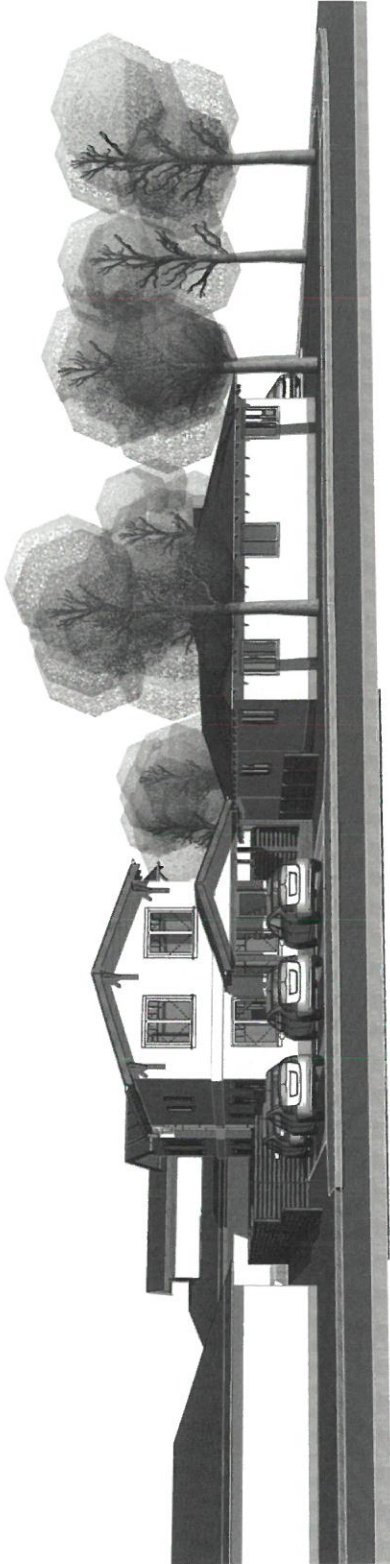
NEW DWELLING GROUP  
ADDING TWO NEW DWELLINGS  
TO EXISTING ONE  
EXISTING DWELLING

PLANNING: JANET TIL  
DATE: 8-4-2015  
DRAWING NUMBER: 2-10-2015

PROJECT NUMBER: 15-009  
DATE: 8-4-2015

PERSPECTIVE  
RENDERINGS

A4



1 PERSPECTIVE VIEW ALONG GARDEN STREET



2 PERSPECTIVE VIEW ALONG 38TH AVENUE





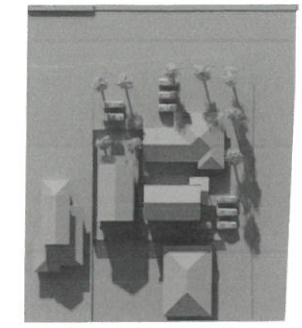
1305 38TH AVENUE  
SANTA CRUZ COUNTY, CA  
APN: 031-122-01

NEW DWELLING GROUP  
ADDING TWO NEW DWELLINGS  
TO EXISTING DWELLING WITH ONE  
EXISTING DWELLING

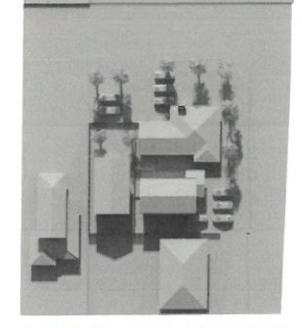
PLANNING: SANTA CRUZ	4-4-2015
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014
PLANNING: GOSWAMI	3-23-2014

PROJECT NUMBER: 15-009  
DATE: 6-4-2015

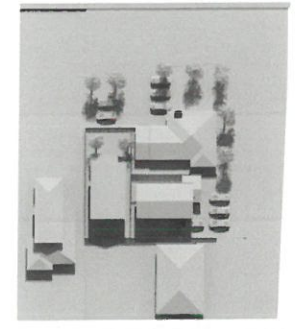
SUN STUDY  
A6



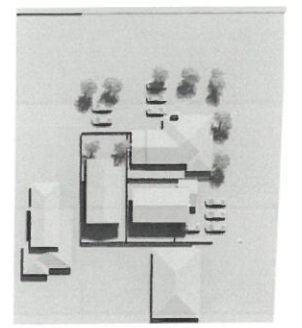
JUNE 20TH 10AM



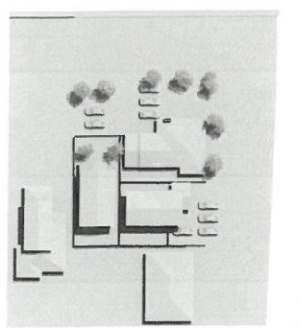
JUNE 20TH 11AM



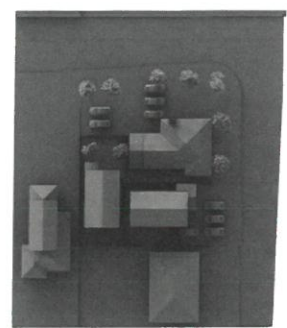
JUNE 20TH NOON



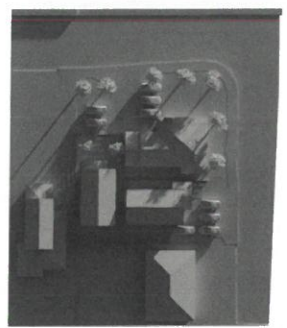
JUNE 20TH 1PM



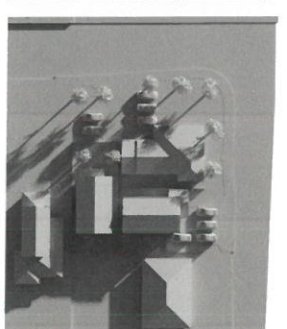
JUNE 20TH 2PM



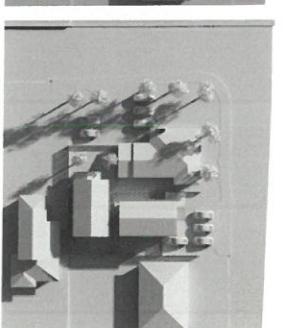
DECEMBER 20TH 10AM



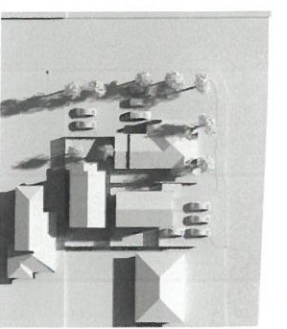
DECEMBER 20TH 11AM



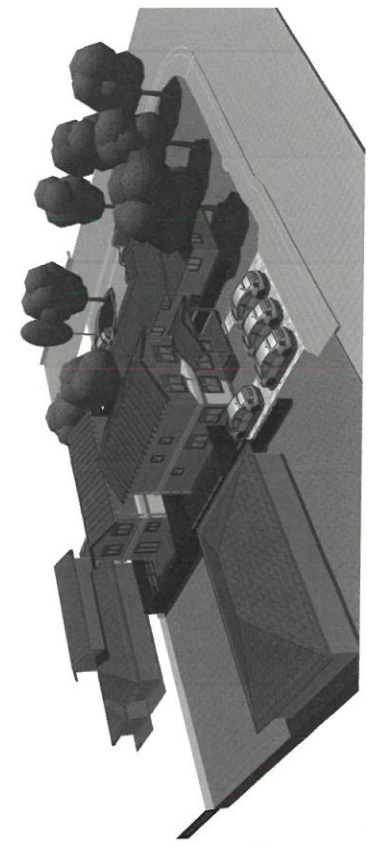
DECEMBER 20TH NOON



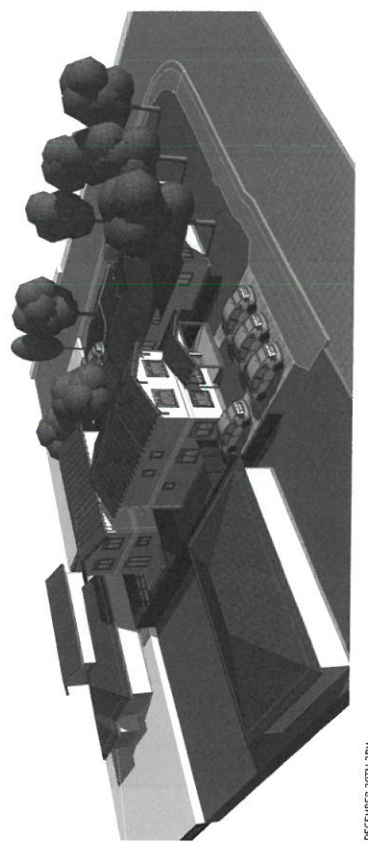
DECEMBER 20TH 1PM



DECEMBER 20TH 2PM



JUNE 20TH 2PM



DECEMBER 20TH 2PM





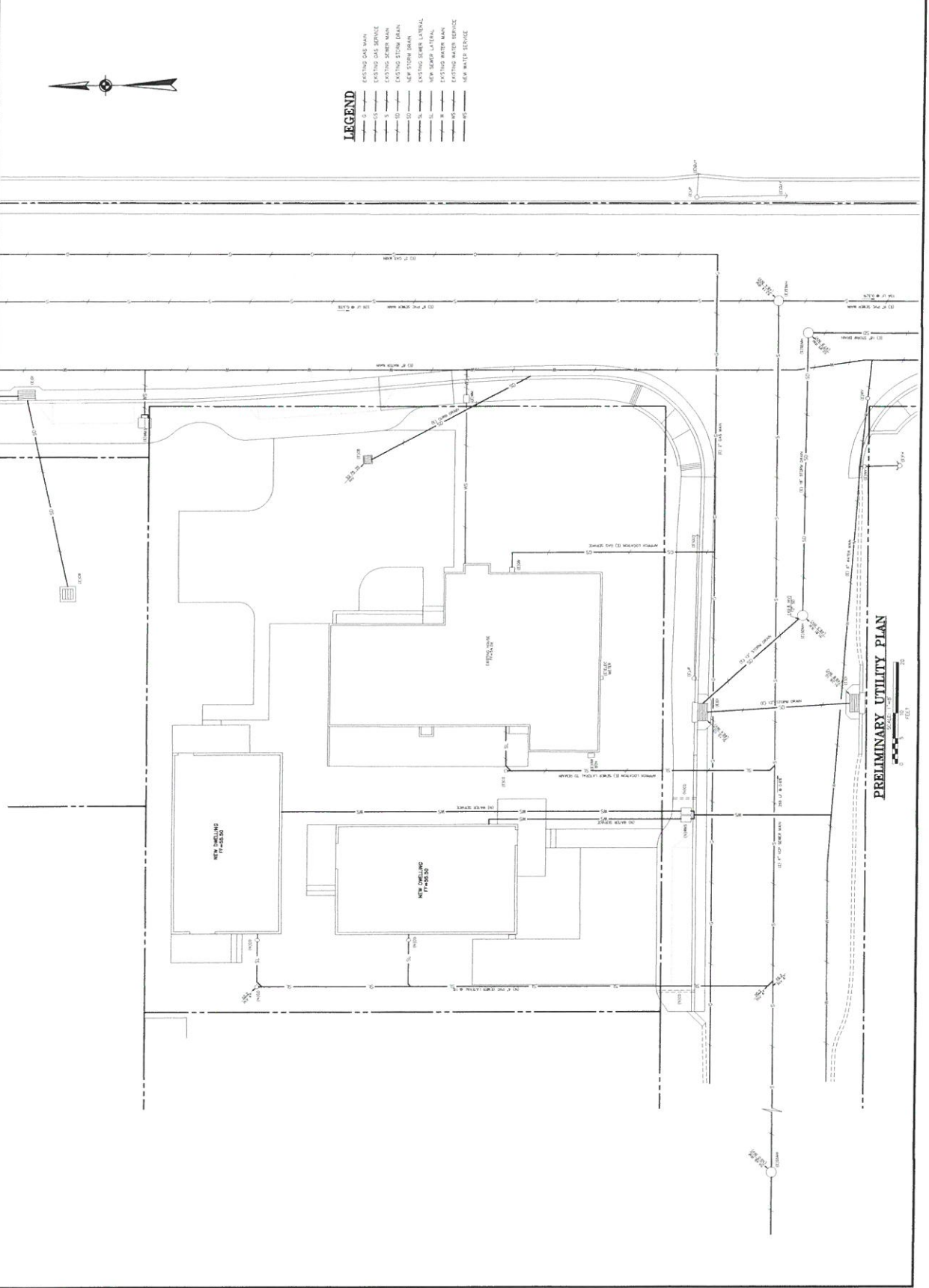
**ROPER ENGINEERING**  
CIVIL ENGINEERING & LAND SURVEYING  
64 PENNY LANE, SUITE A, WATSONVILLE, CA 95076  
(831) 724-5300 <http://roperengineering.com>



**NEW DWELLING GROUP FOR  
SANTA CRUZ GREEN BUILDERS**  
1305 38TH AVENUE SANTA CRUZ APN 031-122-01  
PRELIMINARY UTILITY PLAN

SCALE: AS NOTED  
DESIGNED BY: JR  
DRAWN BY: JR  
DATE: FEB. 16, 2016  
REVISED: MAY 17, 2016  
JOB NO.: 16001  
SHEET

**C2**  
2 SHEETS



**LEGEND**

- EXISTING GAS MAIN
- EXISTING GAS SERVICE
- EXISTING WATER MAIN
- EXISTING WATER SERVICE
- NEW GAS LATERAL
- NEW WATER LATERAL
- NEW GAS SERVICE
- NEW WATER SERVICE

**PRELIMINARY UTILITY PLAN**

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1996

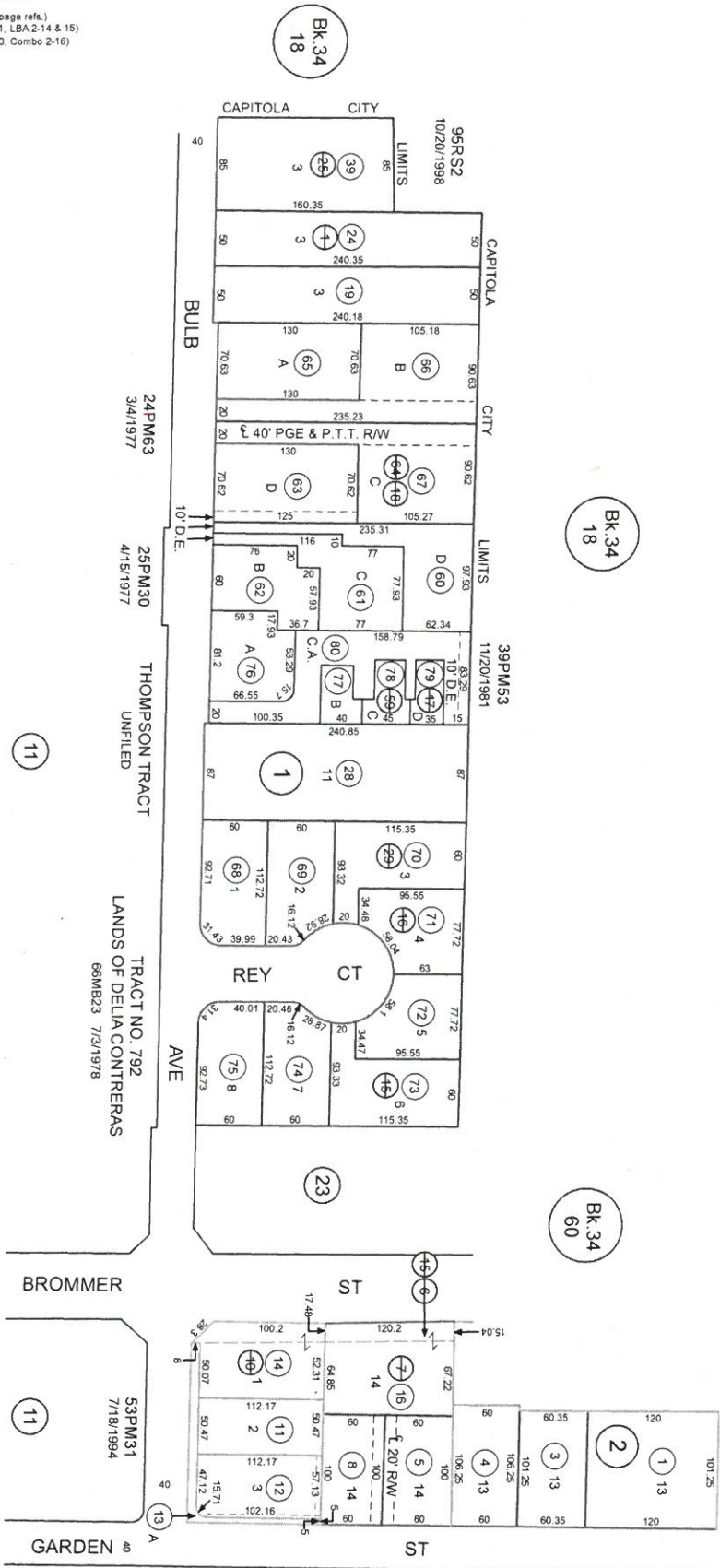
Tax Area Code  
82-040

31-12

1" = N 100'

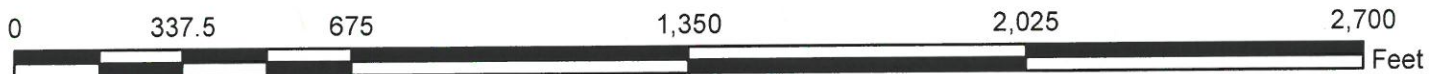
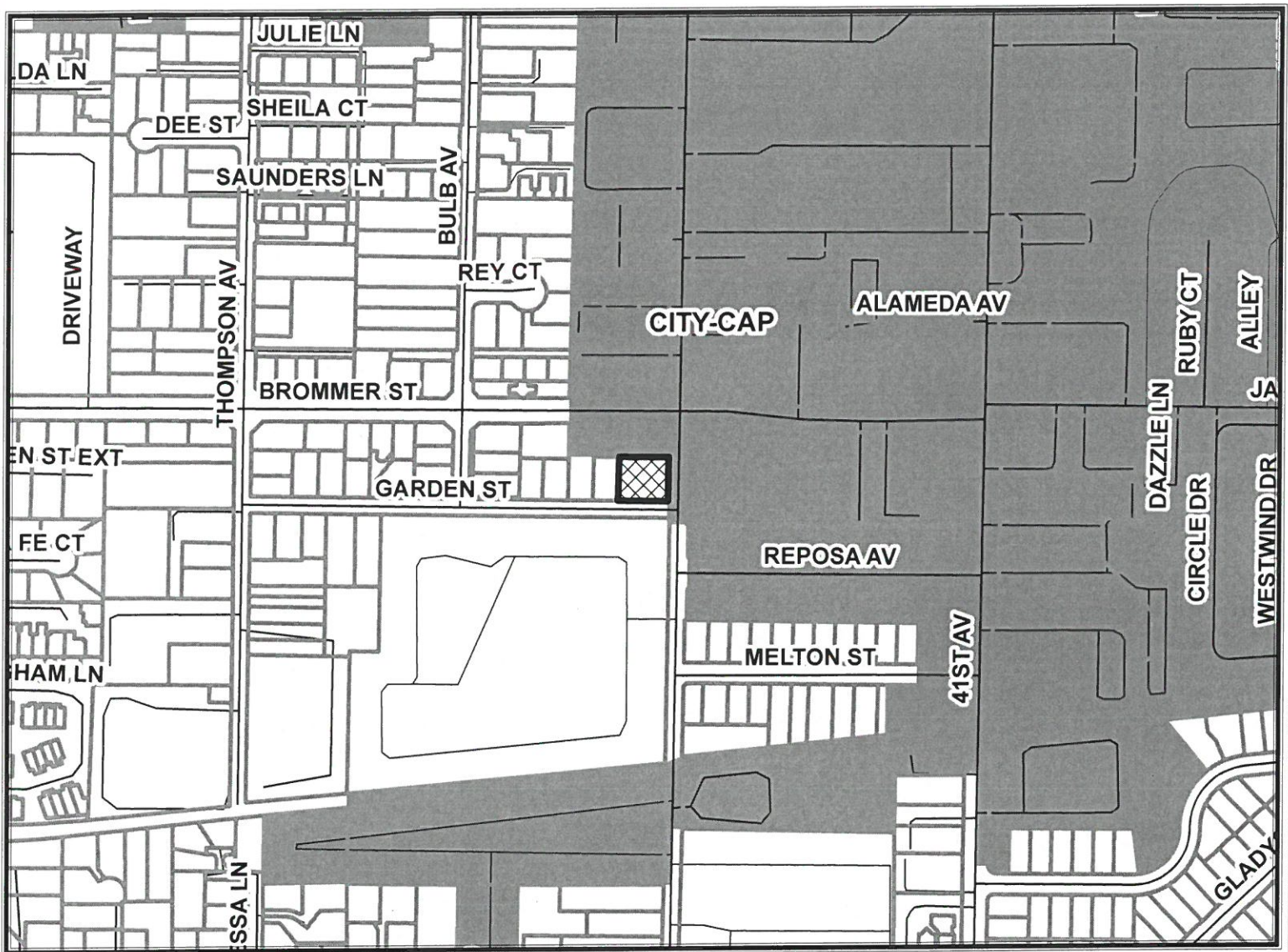
**Note - Assessor's Parcel & Block Numbers Shown in Circles.**

Assessor's Map No. 31-12  
County of Santa Cruz, Calif.  
Aug 1996







# Location Map



## LEGEND

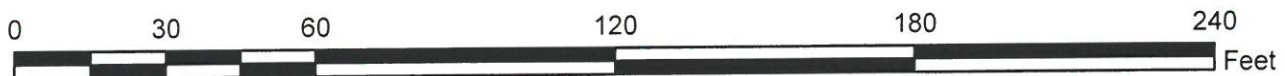
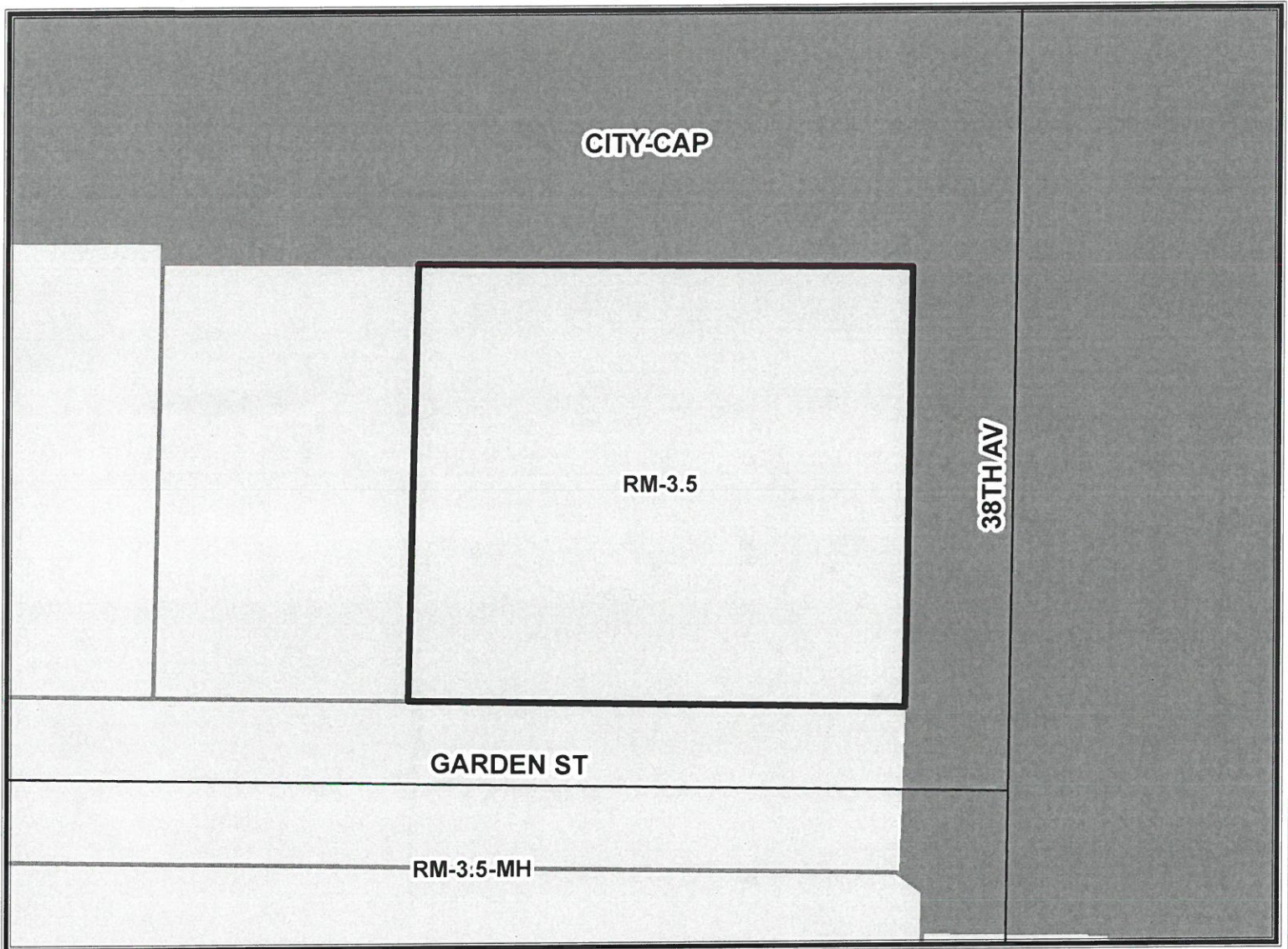
-  APN: 031-122-01
-  Assessors Parcels
-  Street
-  CITY OF CAPITOLA





Map Created by  
County of Santa Cruz  
Planning Department  
June 2015



# Zoning Map



## LEGEND

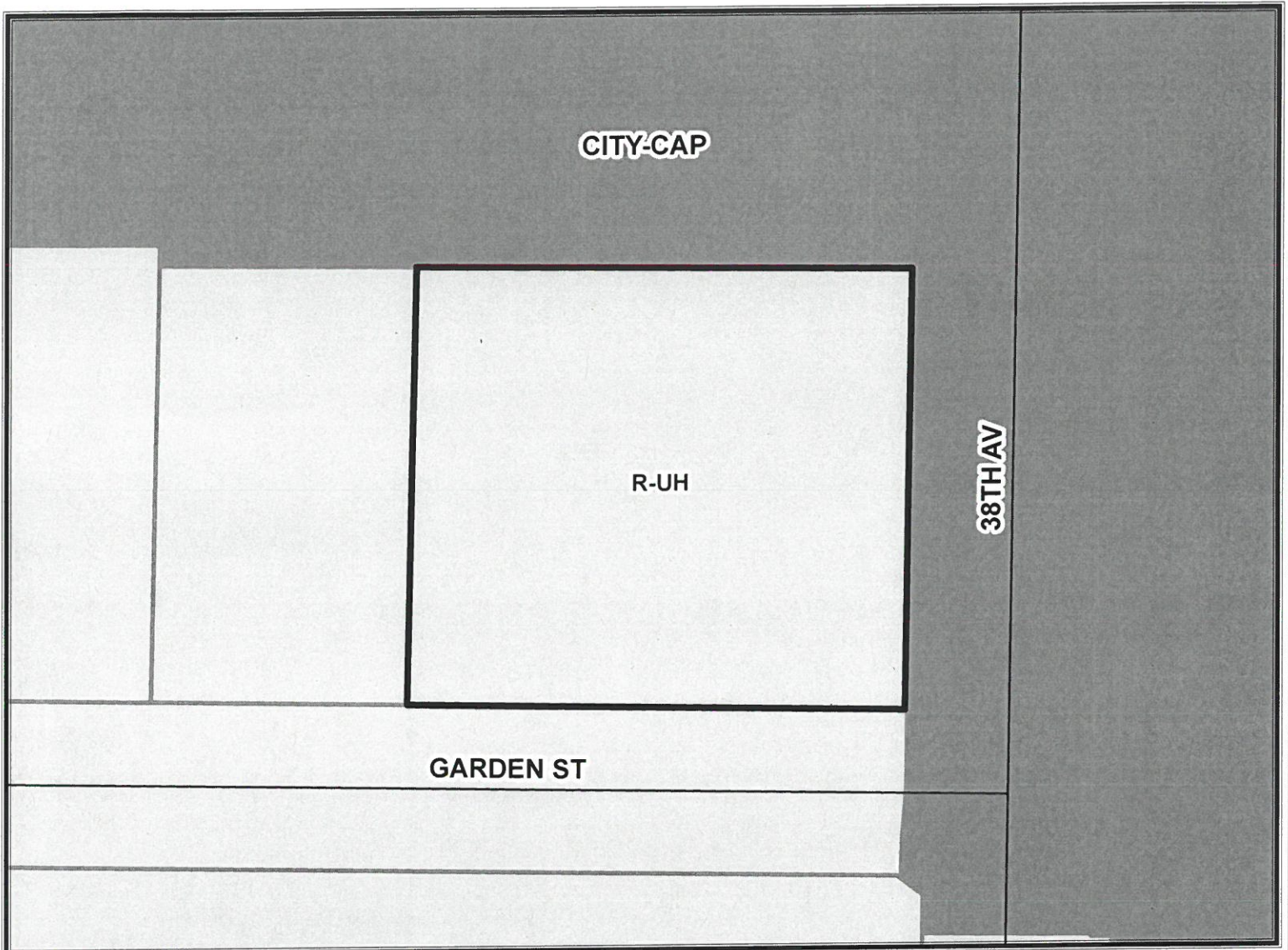
-  APN: 031-122-01
-  Assessors Parcels
-  Street
-  CITY OF CAPITOLA
-  RESIDENTIAL-MULTI FAMILY



Map Created by  
County of Santa Cruz  
Planning Department  
June 2015



# General Plan Designation Map



## LEGEND

-  APN: 031-122-01
-  Assessors Parcels
-  Street
-  CITY OF CAPITOLA
-  Residential - Urban High Density



Map Created by  
County of Santa Cruz  
Planning Department  
June 2015