



Staff Report to the Zoning Administrator

Application Number: 201289

Applicant: Jon Tsubota for William Fisher Architecture, Inc.

Agenda Date: March 12, 2021

Owner: Vicki Martin

Agenda Item #: 1

APN: 032-223-41

Time: After 9:00 a.m.

Site Address: 300 35th Avenue, Santa Cruz

Project Description: Proposal to construct an attached two-story addition measuring approximately 402 square feet and remodel an existing one-story single-family dwelling measuring approximately 453 square feet, demolish an existing one-story accessory structure measuring approximately 478 square feet, and convert an existing guest house located on the second floor above a detached garage into a new Accessory Dwelling Unit (ADU) measuring approximately 352 square feet in size. Requires a Variance to reduce the required 10-foot street side yard setback to about seven feet. Requires a Coastal Development Permit to construct a residential addition that would increase floor area by more than 10 percent, as well as demolish a structure greater than 250 square feet in the Coastal Zone Appeal Jurisdiction and to establish a new conversion ADU (subject to an administrative Coastal Development Permit).

Location: The subject property is located to the east of the intersection of 35th Avenue and Saint Deyns Street, at 300 35th Avenue in Pleasure Point.

Permits Required: Coastal Development Permit & Variance

Supervisory District: First District (District Supervisor: Manu Koenig)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 201289, based on the attached findings and conditions.

Project Description & Setting

The project is located in the Live Oak Planning Area and the Pleasure Point Community Design Combining District. The immediate vicinity is developed with low density single-family residences.

The property is located on the east side of 35th Avenue, a north-south street initiating at Yucca Drive to the north, extending through residential blocks in the Pleasure Point neighborhood to its intersection with East Cliff Drive to the south. The subject property is located approximately 175

feet north of East Cliff Drive and is positioned directly east of the intersection of 35th Avenue and Saint Deyns Street.

A two-story single-family residence (308 35th Avenue) occupying nearly the entire width and length of its parcel borders the project site to the north. The rear yard of a single-family residence (23535 East Cliff Drive) fronting on East Cliff Drive adjoins the subject parcel to the east. To the south is a shared ownership access parcel (APN 032-223-11), which acts as a right of way provides primary vehicular access for three parcels (300 35th Avenue (the project site), 23515 E. Cliff Drive, and 23535 E. Cliff Drive).

The site is currently occupied by three separate buildings. The westernmost one-story building fronts on 35th Avenue, and measures approximately 453 square feet in size containing one bedroom and a kitchen. This building is the principal residence. A one-story building located in the middle of the lot is proposed to be demolished, and measures approximately 478 feet in size. The building proposed to be demolished was originally constructed as a habitable structure with a bedroom and bathroom but was later converted to an unpermitted residential unit with a kitchen. On the eastern portion of the lot is a two-story building with a garage located on the first story (measuring approximately 412 square feet) and a guest house on the second story (measuring approximately 352 square feet). The guest house and garage were permitted per Coastal Development Permit and Variance No. 88-1290.

At the first story of the primary residence, the project would convert an existing bedroom to a dining room and would construct a new bedroom within a 206 square foot addition. The proposed addition would also include a new second story measuring approximately 196 square feet to contain a second bedroom and new bathroom. At the rear of lot, the existing guest house on the second story will be converted to an ADU and thus minor interior work is proposed to add a new kitchen and remodel the existing bathroom. No exterior expansion of the existing guest house building is proposed.

Both the first and second stories of the proposed addition would encroach within the required 10-foot street side yard setback; thus, a Variance is required to reduce the street side yard setback to about seven feet.

The subject parcel is located within the Coastal Zone Appeal Jurisdiction. A Coastal Development Permit is required as the project entails construction of an addition that would increase floor area of the original structure by more than 10 percent, would demolish a structure greater than 250 square feet, and includes a new conversion ADU (subject to an administrative Coastal Development Permit).

Project Background

In 1988, there were two Coastal Development Permit and Variance Applications (88-0658 & 88-1290) for construction of the two-story guest house at the rear of the property. Application No. 88-0658 was initially denied by the Zoning Administrator on November 18th, 1988. Subsequently, Coastal Development Permit and Variance No. 88-1290 was approved by the Zoning Administrator on June 9th, 1989 to construct the two-story guest house over garage. Coastal Development Permit No. 88-1290 included approval of a Variance for the following: to reduce the required 10-foot street side yard setback to about five feet and three feet for the deck,

to reduce the required 20-foot setback to the entrance of the garage to about five feet, and to increase the maximum building envelope per Pleasure Point Community Design standards to allow wall heights of about 16 feet.

Zoning & General Plan Consistency

The subject property is a 2,950 square foot lot, located in the R-1-4-PP (Residential Single Family - 4,000 square feet parcel minimum) zone district and the Pleasure Point Community Design Combining District, a designation which allows residential uses. The proposed ADU is a principal permitted use within the zone district and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

The proposed ADU qualifies as a "conversion ADU" per SCCC Section 13.10.681. Per SCCC Section 13.10.681(D)(6) on all lots where ADUs are permitted, the habitable portion of an ADU is allowed to be at least 800 square feet. The proposed ADU would measure approximately 352 square feet and is therefore an allowable size. The subject parcel contains three existing off-street parking spaces, including two parking spaces in the garage and one parking space located in the rear yard. The site's three existing parking spaces meet parking requirements for the proposed two-bedroom home per SCCC 13.10.552, and no new parking spaces are required for conversion ADU's.

Development Standard	R-1-4-PP Site Standards	Existing	Proposed
Front yard setback	15 feet	About 6 feet	No change
Rear yard setback	15 feet	About 15 feet	No change
Side yard setback (North)	5 feet	About 1 foot (SFD) and 5 feet (GH)	No change
Street side yard setback (South)	10 feet	About 4 feet (SFD) and 5 feet (GH)	7 feet (SFD)
Maximum height	28 feet	About 11 feet (SFD)	About 20 feet (SFD)
Maximum % FAR	50%	About 49%	About 47%
Maximum % lot coverage	45% (lots less than 3,500 square feet in the PP Combining District)	About 30%	About 38%
Parking	3 spaces for two-bedroom SFD. No add'l required parking spaces for conversion ADU	2 spaces in garage 1 uncovered space in rear yard	No change

* SFD = Principal Single-Family Dwelling, GH= Guest House, ADU = Accessory Dwelling Unit

Variance

The project proposes a reduction to the required 10-foot street side yard setback to approximately seven feet for the construction of the proposed two-story addition. In order for a Variance to be

granted pursuant to SCCC 13.10.230, specific findings must be met. These findings can be met in that the subject parcel has a constrained parcel size relative to an abnormal corner lot configuration that restricts development of the proposed building site. Due to parcel configuration constraints, a Variance to the side yard setback is necessary for the construction of the type of residential development found on other parcels in the vicinity.

Pleasure Point Community Design Combining District

As proposed, the project meets building envelope requirements in the Pleasure Point Combining District for lots of 30 to 35 feet in width in that no portion of the exterior wall exceeds 15 feet in height within seven feet of the side yard property line, side walls measure less than 22 feet in height, and peak roof height is less than 28 feet in height with a compliant roof slope of less than 45 degrees.

Design Review

The proposed addition to the existing single-family dwelling and new conversion ADU complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as clean lines, a pitched roof and natural wood shingle siding on the exterior walls to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. As proposed, the project would comply with the County Design Review Ordinance as outlined in SCCC 13.11.070 through 13.11.076.

Local Coastal Program Consistency

The proposed addition to an existing single-family dwelling, demolition of an approximately 478 square foot accessory structure, and establishment of a new conversion ADU is in conformance with the County's certified Local Coastal Program, in that the project is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. The addition is sited and designed to be visually compatible and integrated with the existing architecture of the home and the surrounding neighborhood to minimize visual impacts as viewed from East Cliff Drive, which is a scenic road. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

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 **201289**, 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.sccoplanning.com

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Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. Soil Report Waiver

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: 201289

Assessor Parcel Number: 032-223-41

Project Location: 300 35th Avenue, Santa Cruz

Project Description: Proposal to construct an attached two-story addition measuring about 402 square feet to an existing one-story single-family dwelling, demolish an existing one-story accessory structure, and convert an existing guest house into an ADU.

Person or Agency Proposing Project: Jon Tsubota for William Fisher Architecture, Inc.

Contact Phone Number: (831) 427-0246

- 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 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Class 1 includes additions to existing structures in a developed area.

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

Jonathan DiSalvo, Project Planner

Date: _____

EXHIBIT A

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned R-1-4-PP (Residential Single Family - 4,000 square feet parcel minimum), a designation which allows residential uses. The proposed addition to the existing single-family dwelling and new conversion ADU is permitted within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium 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.

This finding can be made, 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 SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, 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 will be natural in appearance and complementary to the site; and 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 LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is available along East Cliff Drive.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structure is sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-4-PP (Residential Single Family - 4,000 square feet parcel minimum) zone district, 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 in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the proposed addition to the existing single-family dwelling and new

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conversion ADU 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.

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. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure 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 single family residential addition and the residential conditions under which the parcel will be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4-PP (Residential Single Family - 4,000 square feet parcel minimum) zone district as the primary use of the property will be one single family residence and one ADU that meets site standards for the zone district with the exception of encroachment of the addition within the required side setback for which findings for a Variance can be made.

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 R-UM (Urban Medium Density Residential) land use designation in the County General Plan.

The proposed addition and ADU 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 with the exception the required side yard setback for which findings for a Variance can be made.

The proposed residential addition 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 project, a two-story addition, will comply with the site standards for the R-1-4-PP zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) with the exception of the required side yard setback for which the findings for a Variance can be made 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 addition and ADU is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to be only two peak trips 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 structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed residential addition and ADU conversion 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 addition and ADU conversion 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. The project will incorporate site and architectural design features such as color and materials which would be complementary to the site and pitched rather than flat roof design to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. As proposed, the project would comply with the County Design Review Ordinance as outlined in SCCC 13.11.070 through 13.11.076.

Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the location and configuration of the parcel create a special circumstance for which a Variance can be granted. A 20-foot wide right-of way exists along the south property line which means the parcel is classified as a corner lot. Corner lots are required to maintain a 10-foot setback along the street side yard. This is a circumstance which, coupled with the narrow width of the parcel, prevents the property owner from constructing an addition for a second bedroom in a manner that complies with the side yard setback. The project proposes a modest addition of 402 square feet and meets all other development standards for the zone district, such as floor area ratio (FAR) and lot coverage. The project would allow for the construction of a home measuring approximately 855 square feet inclusive of the addition, which is in conformance with the sizes of homes in the surrounding neighborhood.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the proposed addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and will meet all current setbacks in the zone district other than the side yard setback requirement. Though the project proposes a three-foot reduction of the required 10-foot street side yard setback, the structure will not result in adverse impacts to sight distance or impede traffic. The proposed side yard setback encroachment is not expected to be materially detrimental to public health safety or welfare, or injurious to property or improvements in the vicinity.

The project is also located in an area designated for residential uses. 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.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that the project would not constitute a grant of special privileges in that the project would comply with all site standards for the zone district, with exception of the side yard setback requirement. In all, the project design is within the range of styles found in the vicinity and consistent with the density and intensity of the area. Other homes on parcels of similar size in the vicinity are allowed five-foot side yard setbacks, which is the standard requirement in the R-1-4 zone district for parcels not located on corners. The project proposes a minor deviation from the 10-foot side yard requirement by a total of three feet and would maintain a seven-foot side yard.

Conditions of Approval

Exhibit D: Project plans, prepared by William Fisher Architecture, Inc.

- I. This permit authorizes the construction of a(n) attached addition and conversion ADU as indicated on the approved Exhibit "D" for this 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. 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.
 - D. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - E. 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 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. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review

EXHIBIT C

and approval.

3. Grading, drainage, and erosion control plans.
 4. Details showing compliance with fire department requirements.
- 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.
- C. Meet all requirements of the City of Santa Cruz Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Meet all requirements of the Santa Cruz County Sanitation District. Proof of sanitary sewer service availability is required prior to application for a Building Permit.
- E. Meet all requirements of the Environmental Planning section of the Planning Department.
1. 1. Regarding the construction of a two-story addition to the existing one-story residence, the project site area is mapped as Expansive Soils and existing soils reports in the project site area indicate near surface compressible soils are present. A Soils Report Waiver is granted for the proposed two-story addition and the following conditions shall be adhered to:
 - a. No interior slabs-on-grade are permitted with this Soils Report Waiver;
 - b. Foundation elements for the proposed addition shall be a minimum of 15 inches wide and be embedded at least 30 inches below existing grade, unless deeper footings are required to satisfy structural requirements. To reduce the potential for construction defects related to shrink and swell of the clayey soils, the foundation excavations should be kept moist for a minimum of 48 hours prior to the placement of concrete; and
 - c. The maximum allowable soil bearing pressures used for foundation design shall be for Class 5 soils as outlined in the 2019 California Building Code Table 1806.2 Presumptive Load Bearing Values.
 2. In seeking and accepting this waiver to the requirements of the 2019 California Building Code Section 1803.2 – Geotechnical Investigations, the permit holder accepts full and absolute responsibility for any adverse consequences of waiving the requirement for a soils report.
 3. Plans submitted for the building permit shall clearly state and adhere to the

EXHIBIT C

conditions of the soils report waiver letter dated January 18, 2021 and state that a soils report waiver was granted for this project and provide the date it was granted.

- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - G. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - H. Pay the current fees for Roadside and Transportation improvements for one bedroom. Currently, these fees are, respectively, \$1,000 and \$1,000 per bedroom.
 - I. 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.
 - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. 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 16.42.080 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.
- 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. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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

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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: _____

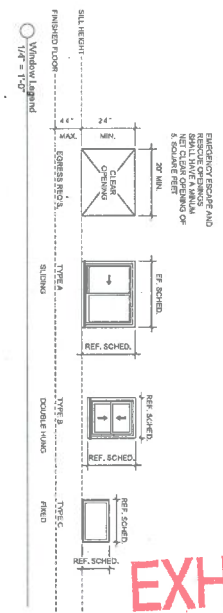
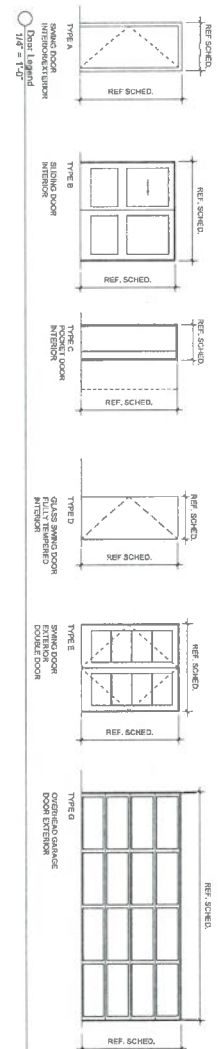
Expiration Date: _____

Annette Olson
Deputy Zoning Administrator

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.

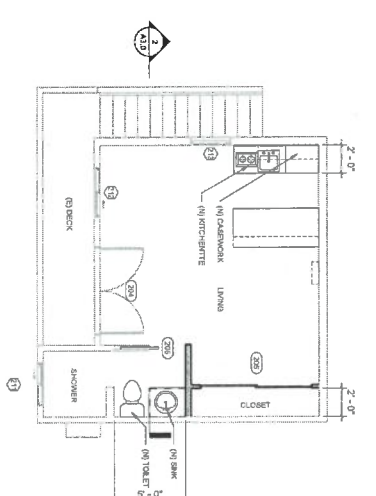
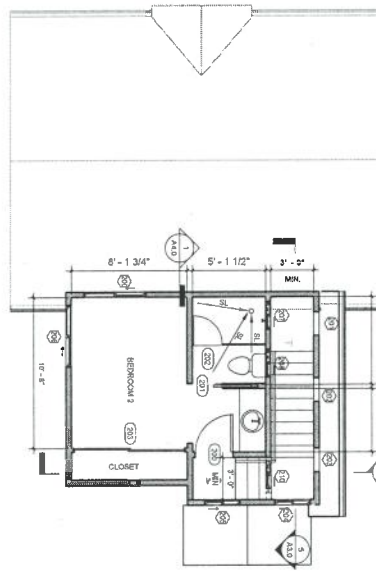






Window Schedule	Door Schedule
TYPE	TYPE
W1	D1
W2	D2
W3	D3
W4	D4
W5	D5
W6	D6
W7	D7
W8	D8
W9	D9
W10	D10
W11	D11
W12	D12
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W100	D100

Window Schedule	Door Schedule
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W1	D1
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W5	D5
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W99	D99
W100	D100



1 LEVEL 1 - (N) PRIMARY RESIDENCE
1/4" = 1'-0"

2 LEVEL 1 - (N) ADU NO CHANGES
1/4" = 1'-0"

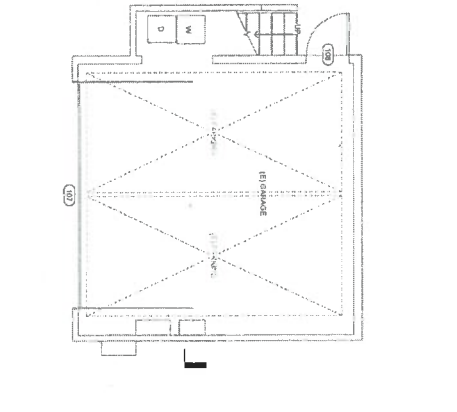
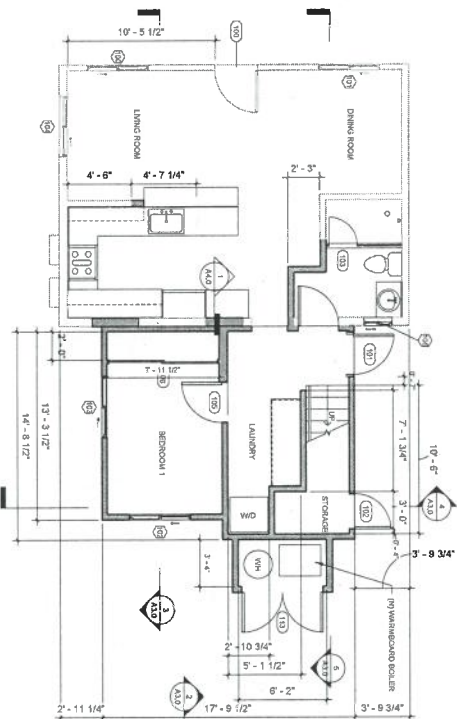
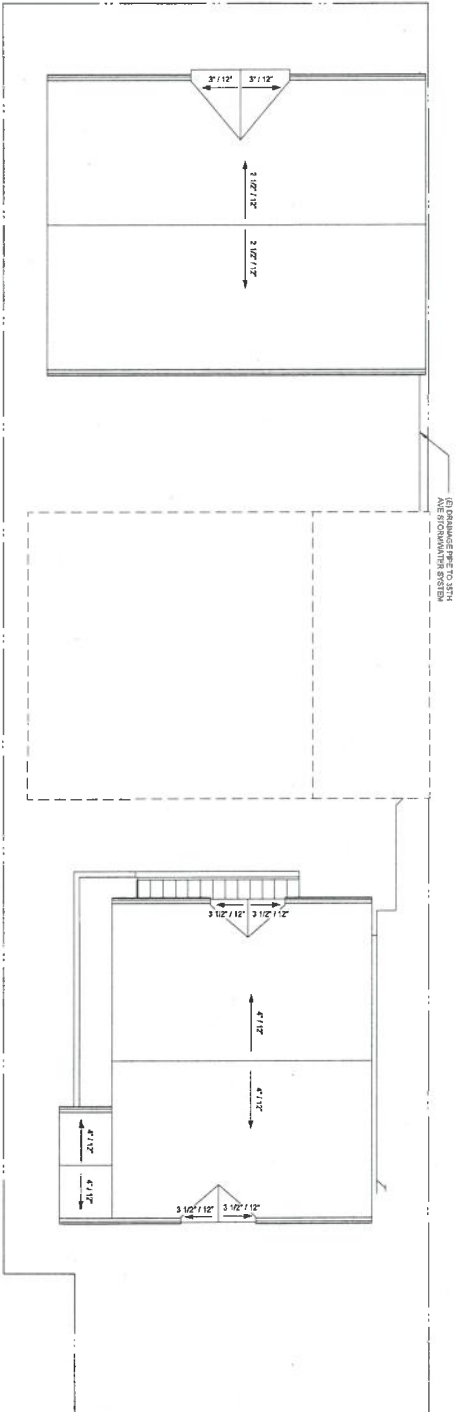


EXHIBIT D

1 ROOF PLAN - EXISTING
1/4" = 1'-0"



2 ROOF PLAN - PROPOSED
1/4" = 1'-0"

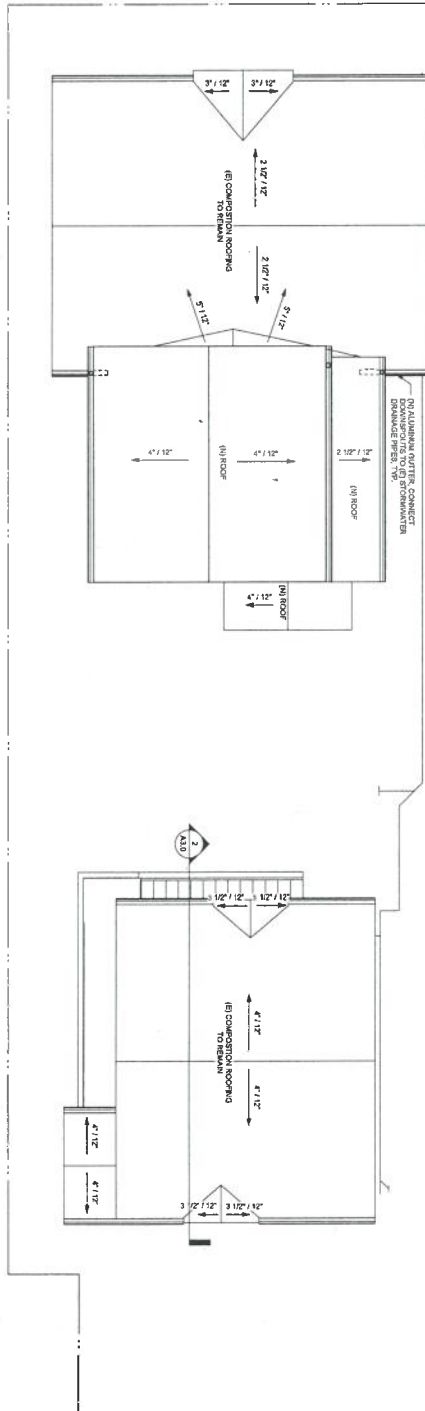


EXHIBIT D

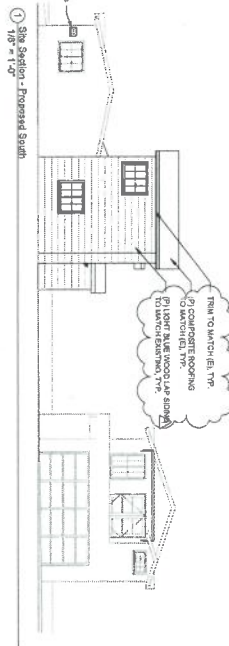
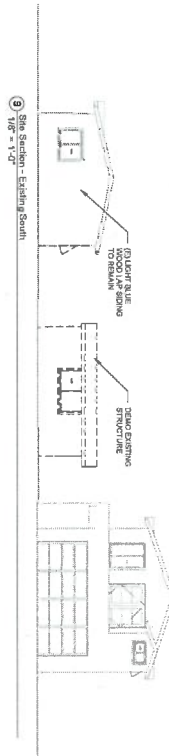
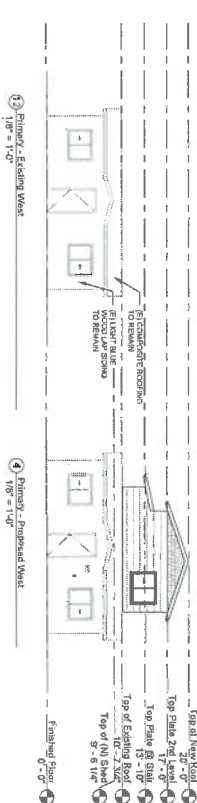
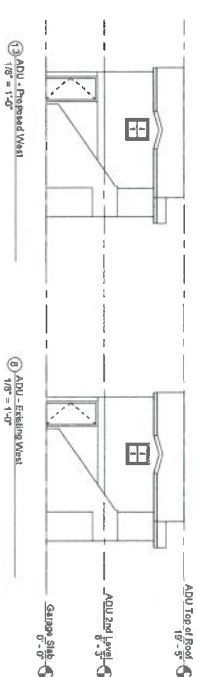
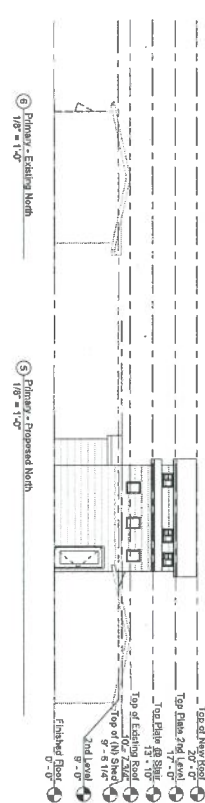
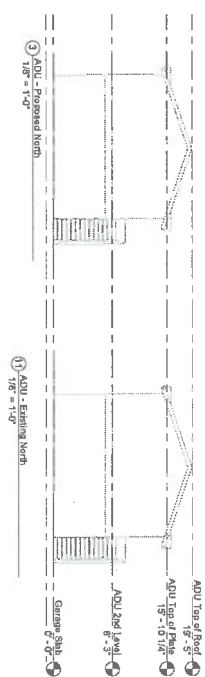
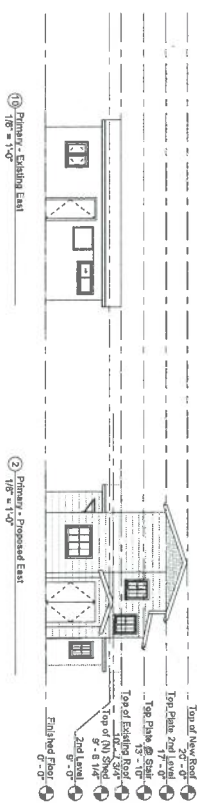
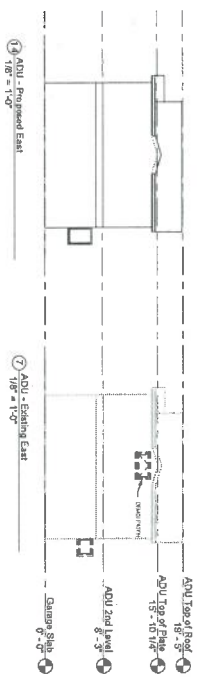


EXHIBIT D

William Fisher Architecture, Inc.
 603 Front Street, Santa Cruz, California 95060
 831.248.0117 bill@modern-architecture.com
 modern-architecture.com



ELEVATIONS

Addition and Remodel
 for Vicki Martin
 300 35th Avenue
 A.P.N. 03222341

Project Schedule
10/1/2018
11/1/2018
12/1/2018

A2.0

FOR TAX PURPOSES ONLY

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POR. RANCHO ARROYO DEL RODEO
S.E. 1/4 SEC. 21, T. 11S., R. 1W., M.D.B. & M.

Tax Area Code
82-040

32-22

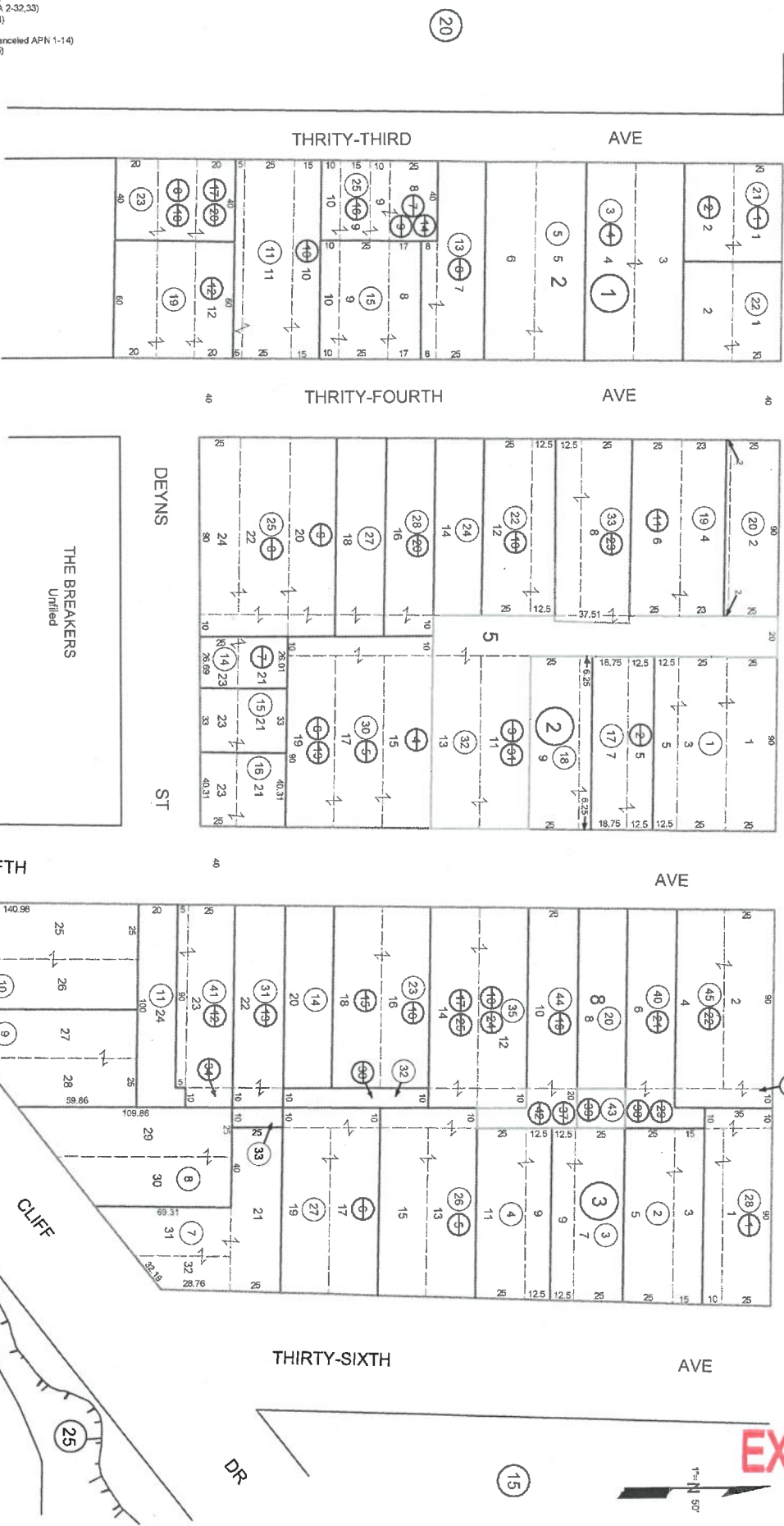
HAWES

14

DR

EXHIBIT E

1"=N 50'



Electronically Redrawn 10/23/98
Rev. 1/14/03 CG (39-002600, LBA 2-32,33)
Rev. 11/28/01 CB (Comb form, 3-44)
Rev. 4/22/02 CB (Comb form, 1-25)
Rev. 3/10/05 mvm (Correction to canceled APN 1-14)
REV 1/23/13 CB (Comb Form, 3-45)

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

Assessor's Map No. 32-22
County of Santa Cruz, Calif.
Oct. 1998



SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Location Map



Mapped Area

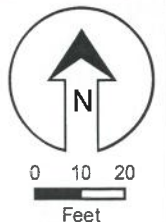


Parcel: 03222341

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 2 Mar. 2021

EXHIBIT E

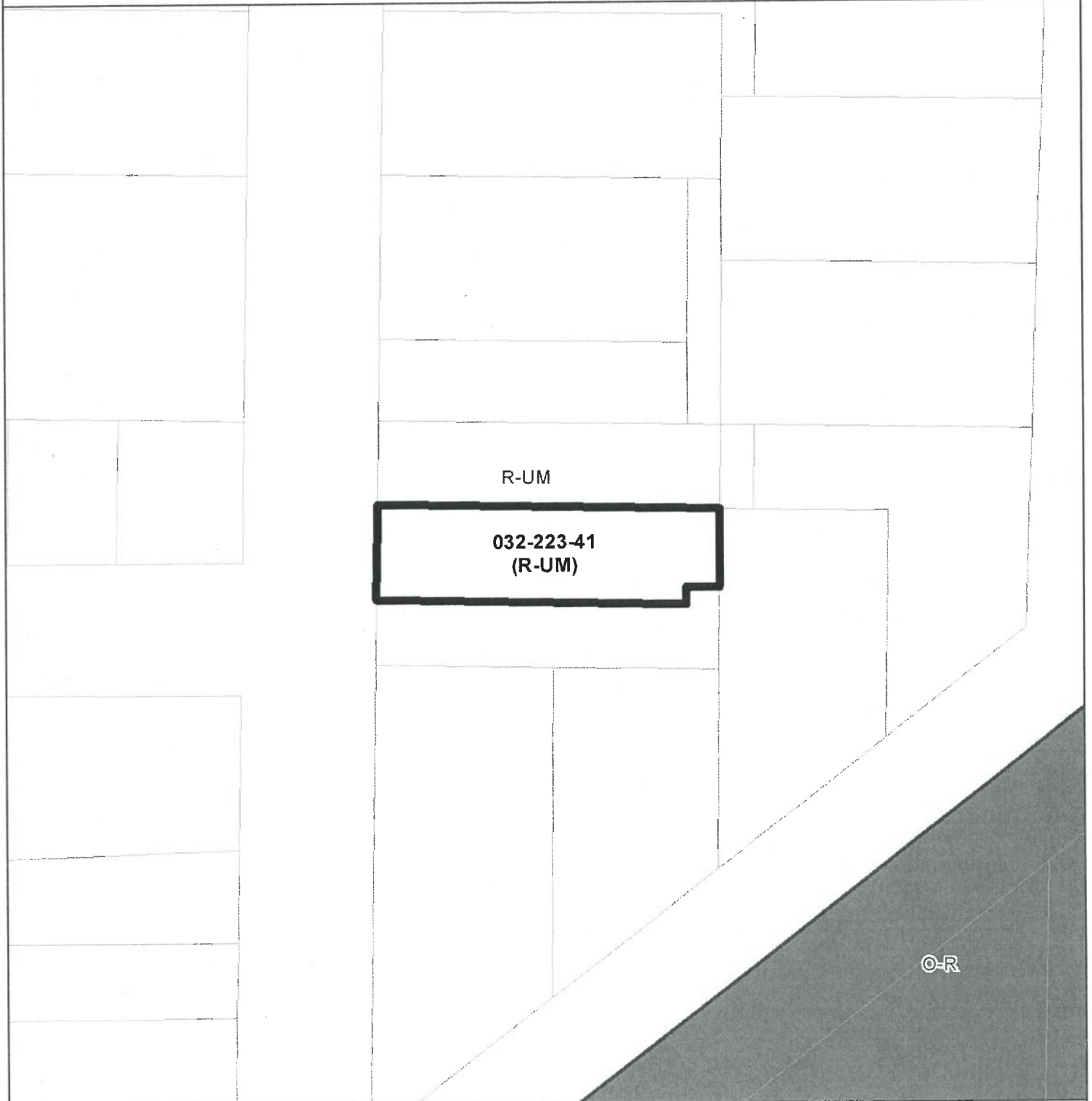




Parcel General Plan Map



Mapped
Area





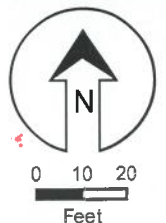
-  O-R *Parks, Recreation & Open Space*
-  R-UM *Res. Urban Medium Density*

EXHIBIT E



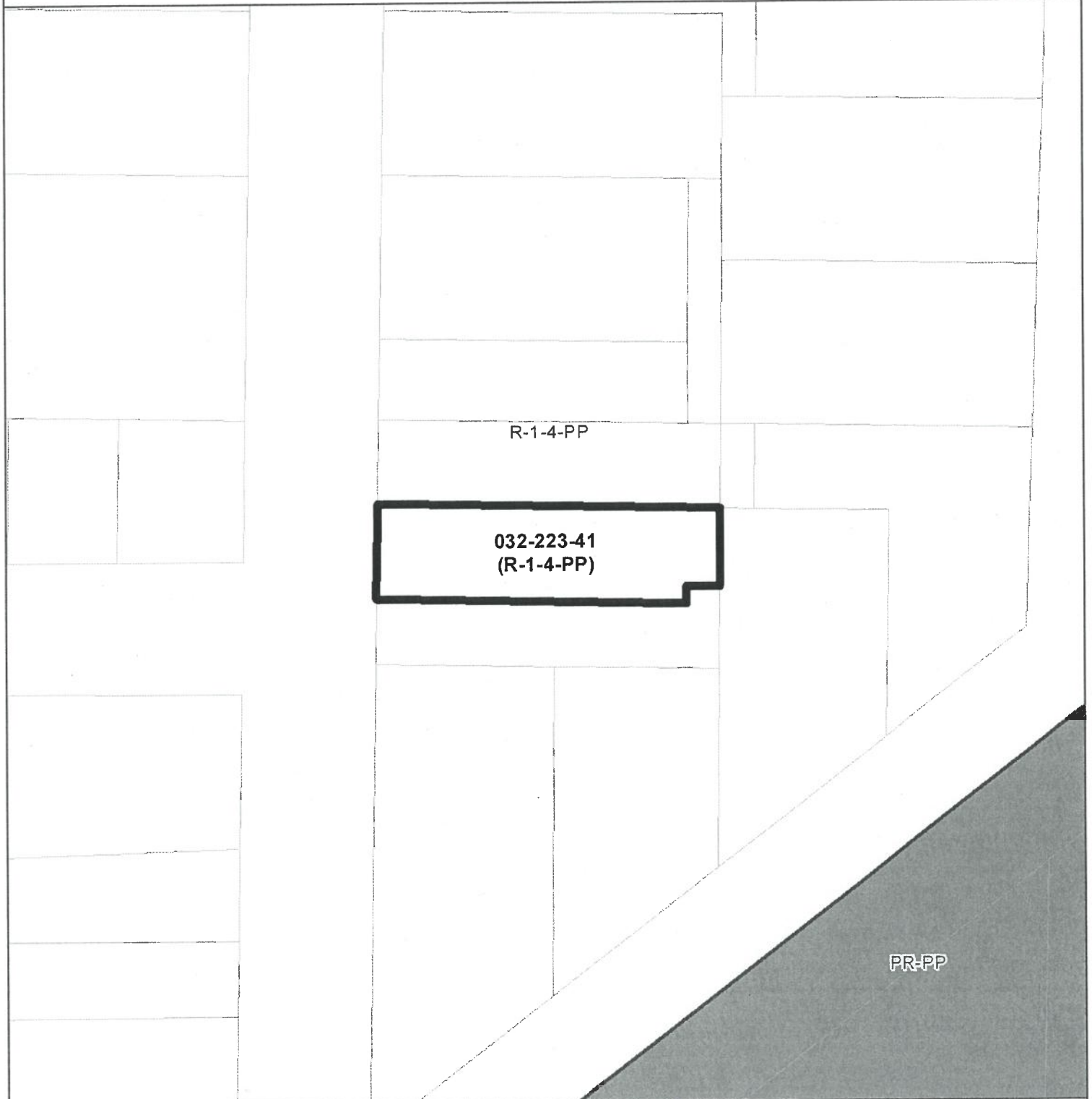


SANTA CRUZ COUNTY PLANNING DEPARTMENT

Parcel Zoning Map



Mapped
Area



- PR Parks, Recreation, & Open Space
- R-1 Single-Family Residential



0 10 20
Feet

EXHIBIT E

Application #: 201289
APN: 032-223-41
Owner: Vicki Martin

Parcel Information

Services Information

Urban/Rural Services Line: X Inside Outside
Water Supply: City of Santa Cruz Water District
Sewage Disposal: County of Santa Cruz Sanitation District
Fire District: Central Fire Protection District
Drainage District: Flood Control District 5

Parcel Information

Parcel Size: 2,950 square feet
Existing Land Use - Parcel: Residential
Existing Land Use - Surrounding: Residential
Project Access: 35th Avenue, APN 032-223-11
Planning Area: Live Oak
Land Use Designation: R-UM (Urban Medium Density Residential)
Zone District: R-1-4-PP (Residential Single Family - 4,000 square feet
parcel minimum)
Coastal Zone: X Inside Outside
Appealable to Calif. Coastal X Yes No
Comm.

Technical Reviews: Soils Report Waiver Review (REV201129), accepted January 18, 2021

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: Less than 15%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Archeology: Not mapped/no physical evidence on site



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

KATHLEEN MOLLOY, PLANNING DIRECTOR

Vicki Martin
300 35th Avenue
Santa Cruz, CA 95062

15 January 2021

Subject: Soils Report Waiver

Project Site: 300 35th Avenue
APN 032-223-41
Application No. REV201129

Dear Applicant:

As outlined in the Development Permit Application REV201129, the proposed development at the 300 35th Avenue project site consists of:

- the conversion of the second story of an existing detached garage into an accessory dwelling unit (ADU);
- the demolition of the existing accessory structure situated mid-parcel; and
- the construction of a two-story addition to the existing one-story residence.

Based upon our site reconnaissance on 9 January 2021, a Geotechnical Investigation or Soils Report prepared in conformance to the 2019 California Building Code is not required for the permitting of the conversion of the second story of the existing detached garage to an accessory dwelling unit (ADU) nor the demolition of the existing accessory structure situated mid-parcel.

Regarding the construction of a two-story addition to the existing one-story residence, the project site area is mapped as Expansive Soils and existing soils reports in the project site area indicate near surface compressible soils are present. A Soils Report Waiver is granted for the proposed two-story addition and the following conditions shall be adhered to:

- No interior slabs-on-grade are permitted with this Soils Report Waiver;**
- Foundation elements for the proposed addition shall be a minimum of 15 inches wide and be embedded at least 30 inches below existing grade**, unless deeper footings are required to satisfy structural requirements. To reduce the potential for construction defects related to shrink and swell of the clayey soils, the foundation excavations should be kept moist for a minimum of 48 hours prior to the placement of concrete; and
- The maximum allowable soil bearing pressures used for foundation design shall be for Class 5 soils as outlined in the 2019 California Building Code Table 1806.2 Presumptive Load Bearing Values.

EXHIBIT G

Soils Report Waiver for 300 35th Avenue
APN 032-223-41
REV201129
15 January 2021
Page 2 of 2

In seeking and accepting this waiver to the requirements of the 2019 California Building Code Section 1803.2 – Geotechnical Investigations, the permit holder accepts full and absolute responsibility for any adverse consequences of waiving the requirement for a soils report.

Please contact the undersigned at rick.parks@santacruzcounty.us if we can be of any further assistance.

Sincerely,



Rick Parks, GE 2603
Civil Engineer – Environmental Planning Section
County of Santa Cruz Planning Department

Cc: Environmental Planning, Attn: Leah MacCarter
Primary Contact: Courtney Hughes <courtney@modern-architecture.com>

EXHIBIT G