



## Staff Report to the Zoning Administrator

Application Number: **201318**

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**Applicant:** Frank Phantom

**Owner:** David Gilmer

**APN:** 032-212-09

**Site Address:** 141 34<sup>th</sup> Avenue, Santa Cruz 95062

**Agenda Date:** August 6, 2021

**Agenda Item #:** 1

**Time:** After 9:00 a.m.

**Project Description:** Proposal to convert an existing second floor into a 480 square foot Accessory Dwelling Unit, and construct an approximately 561 square foot, two-story addition to an existing, non-conforming single-family dwelling. Requires a Coastal Development Permit and Variances to increase the allowed FAR from 50% to 62% and to utilize more than 50% of the front yard for parking, and a determination that the project is exempt from further environmental review under California Environmental Quality Act (CEQA).

**Location:** The property is located west of 34th Avenue (141 34th Ave) approximately 160 feet north of E Cliff Drive, in the Pleasure Point Combining District.

**Permits Required:** Coastal Development Permit, Variances

**Supervisory District:** 1st 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 201318, based on the attached findings and conditions.

### Project Description & Setting

The proposed project is located in Pleasure Point, in an area composed of generally small lots. This is a neighborhood in transition, with a wide variety of one- and two-story homes, including older and renovated beach cottages, interspersed with larger, more recently constructed dwellings.

The subject property is 2,500 square feet in size and has two street frontages (two front yards) and is located between 33<sup>rd</sup> Avenue and 34<sup>th</sup> avenue on a block bound by East Cliff Drive to the south and Hawes Drive to the north. The existing two-story single-family dwelling on the subject parcel was constructed in 1975 and is nonconforming because it was constructed at 10 feet from the property line along 33<sup>rd</sup> Avenue, where 15 feet is required. The neighboring dwelling to the

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south is two stories on a 4,000 square foot parcel. The house to the north is one story on a 2,500 square foot parcel.

The applicant is proposing to convert the existing second floor into a 480 square foot Accessory Dwelling Unit and construct an approximately 561 square foot two-story addition (see Exhibit “D” - project plans).

The parcel is located within the Coastal Zone and is within 300 feet of the inland extent of a beach. Given this, a Coastal Development Permit, which is appealable to the Coastal Commission, is required, subject to Santa Cruz County Code Chapter 13.20 “Coastal Zone Regulations.” In addition, the project is seeking a Variance to increase the FAR from 50% to 62% and a Variance to utilize more than 50% of the front yard for parking.

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

The subject property is 2,500 square feet in size, located in the R-1-4-PP (Single-family Residential - 4,000 square feet area per dwelling unit - Pleasure Point Combining District) zone district, a designation which allows residential uses. The proposed addition to the existing single-family residence and the conversion ADU are principal permitted uses within the zone district, and the zoning is consistent with the site's R-UM (Urban Medium Density Residential) General Plan designation.

The Pleasure Point Community Design Combining District (PP) provides site and development standards that are in addition to those imposed by the site's R-1-4 zoning. For lots such as the subject parcel, which are less than 30 feet wide, the PP development standards include a maximum of 22 feet for the outer side walls and a maximum 28 feet of peak roof height at the center of the structure. A roof slope not exceeding 45 degrees is allowed between the 22-foot outer portion of the roof and the 28-foot peak roof height. The proposed addition complies with the minimum and maximum dimensions of the PP building envelope and is graphically demonstrated in Exhibit “D” (project plans).

The proposed addition to the existing single-family home and the conversion ADU have been designed to meet most of the development standards for the R-1-4 zone district as well as the regulations of the Pleasure Point Combining District. A summary of the required and proposed site and development standards that are relevant to this project is provided in the following table.

<b>Development Standards</b>	<b>Required</b>	<b>Proposed</b>
Front Yard (33 <sup>rd</sup> Ave)	15 feet Min.	12 feet first floor (new) and 10 feet second floor (existing)
Front Yard (34 <sup>th</sup> Ave)	15 feet Min.	18 feet
Front Yard (Cantilevered Deck/Porch)	9 feet Min.	12 feet
Side Yards	5 feet Min. (both sides)	5 feet (both sides)
Lot Coverage	45%	44.7%
Floor Area Ratio (FAR)	50%	<b>62% (not including ADU)</b>
Height	28 feet Max.	25'
Width of Garage Door	50% of façade Max.	43%

In accordance with the parking requirements set out in County Code 13.10.552(A)(1) and 13.10.681(D)(7)(d)(ii) a total of three off-street parking spaces are required for the proposed single-family dwelling. Two off-street parking spaces are provided on the driveway on the 34<sup>th</sup> Avenue side and one parking space is provided in the driveway on the 33<sup>rd</sup> Avenue side.

## **Variances**

The proposal includes a request for two variances to development standards, one to Floor Area Ratio (FAR) and the other to the amount of paving allowed within the front yard setback.

### *FAR*

The first variance request is to increase the allowed FAR from 50% to 62%. The special circumstance supporting the variance is the small size of the parcel which, at 2,500 square feet, is substantially below the zone district minimum parcel size of 4,000 square feet.

The applicant is proposing to demolish approximately 150 square feet of the existing one-car garage, convert 480 square feet of the second floor into an ADU, and add 561 square feet of new floor area to the second story. Per Santa Cruz County Code Chapter 13.10.681(D)(7)(c)(ii)(B), an ADU of up to 800 square feet shall be allowed, regardless of lot coverage and FAR. Without the ADU, the proposed FAR of 62% would be 2% less than the existing FAR of 64%.

Exhibit “G” includes a neighborhood analysis of the houses in the vicinity indicating the lot area and FAR calculation. Based on the County Assessor’s records, homes in the neighborhood range in size from 728 square feet to 2,390 square feet. 16 out of the 36 existing properties listed in the neighborhood analysis table, including the subject property, exceed the maximum allowable FAR of 50% in the R-1-4-PP zone. The proposed project will have a gross floor area of 2,031 square feet which will allow for a 1,551 square foot modestly sized home and a 480 square foot ADU.

Currently, the largest home in the neighborhood is a duplex at the corner of 33rd Ave and Hawes Drive with a gross floor area of 2,390 square feet and 96% FAR. The second largest home in the neighborhood is a single-family home on a triangular lot at the corner of 34th and E Cliff Drive with a gross floor area of 2,125 square feet and 106% FAR.

FAR is used as a measurement of bulk and mass. The impact of the resulting mass and bulk of the proposed home is minimized by incorporating plate heights of no more than 8 feet on the first and second floor, with a peak height of 25 feet where 28 feet maximum is allowed. The proposed addition will be visually compatible with the existing single-family dwelling on site, as it will match the existing structure in scale, mass, architectural design, and materials. In addition, height is minimized by the well-articulated building façade, and variety of materials also help in minimizing the visual impact of the proposed home.

### *Parking areas within the front yard setback*

The second request is to utilize more than 50% of the front yard on 34th Avenue for parking. County Code 13.10.554(D) limits parking areas to 50% of the front yard setback. In this case, the special circumstance supporting the variance request is the width of the lot. The zone district minimum parcel width is 35 feet, and the subject parcel is 25 feet wide. Given this, it is not possible to accommodate two standard parking spaces within the front yard setback without exceeding the 50% limit. The proposed three-bedroom home requires three on-site parking spaces. The applicant

is proposing one parking space to be provide on the front yard on 33<sup>rd</sup> Avenue, and two parking spaces to be provided on the front yard on 34<sup>th</sup> Avenue. The latter will result in parking across nearly the entire front yard setback. The proposed parking situation is an improvement over existing conditions where only one parking space is available in the garage. The proposed parking spaces are delineated via two strips of concrete and pervious area in between for each car.

Staff supports the proposed variances to increase the allowed FAR from 50% to 62% and to utilize more than 50% of the front yard for parking.

### **Design Review**

The proposed addition to the existing single-family residence complies with the design criteria for Coastal Zone developments permit. The proposed addition matched the design of the existing house as a beach cottage and is compatible with the architectural style found in the vicinity. The overall design meets the zoning site standards and the Pleasure Point Community Design combining district standards, including setbacks and height.

The proposed design of the home includes measures to break up the bulk and massing of the building with articulation, varied rooflines, offsets, and projections to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Staff supports the proposed architectural style, bulk, and massing of the proposed home.

### **Local Coastal Program Consistency**

The proposed residential addition and ADU conversion is in conformance with the County's General Plan and certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain one- to two-story single-family. Size and architectural styles vary 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 **201318**, 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](http://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. Neighborhood Analysis
- H. Preliminary Finish Material and Color

# 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: 201318

Assessor Parcel Number: 03221209

Project Location: 141 34th Avenue, Santa Cruz

**Project Description: Addition to an existing single-family dwelling and conversion of existing space into an ADU**

**Person or Agency Proposing Project: Frank Planton**

**Contact Phone Number: (831) 475-5841**

- 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:

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

15301. Existing Facilities (Class 1): Construction of an addition (less than 2,500 square feet) to an existing single-family dwelling in an area designated for residential uses.

15303. New Construction or Conversion of Small Structures (Class 3): One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

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

\_\_\_\_\_  
Shila Bagley, 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 (Single-family residential with minimum 4,000 sq. ft. per dwelling unit, - Pleasure Point Combining District), a designation which allows residential uses. The proposed conversion ADU and addition to an existing single-family dwelling 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.

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. Public beach access is available at the Pleasure Point Park/overlook that is located about 0.4 mile east of the subject property and Moran Lake Beach that is located 0.5 mile west of the subject property. Therefore, the proposed addition to the existing single-family dwelling and the conversion ADU will not affect public access to the beach or shoreline. As such, the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan.

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 (Single-family residential with minimum 4,000 sq. ft. per dwelling unit, - Pleasure Point Combining District) 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

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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 the 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 dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-4-PP (Single-Family Residential, with minimum 4,000 sq. ft. per dwelling unit, - Pleasure Point Combining District) zone district as the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district, including the Pleasure Point Combining District Development Standards, except those excepted by the proposed variances.

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 conversion ADU and addition to the existing single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and will meet current setbacks for the zone district as well as the Pleasure Point Combining District Development Standards which were developed in part to preserve solar access. The proposed 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 residential addition will provide a medium sized house and an ADU consistent with development in the neighborhood.

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 addition and conversion ADU is to be constructed on a developed lot. The proposed addition and the conversion ADU will not adversely

impact the level of traffic on the 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 conversion ADU 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 single-family dwelling 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.

## 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 subject parcel is unusually narrow – only 25 feet wide – and small, just 2,500 square feet in area. The proposal includes a request for two variances to development standards based upon these special circumstances.

The first request is to increase the allowed Floor Area Ratio (FAR) from 50% to 62%. Due to the small parcel size, the 50% floor area ratio for the district would allow a total of only 1,250 square feet for a dwelling on the parcel. The existing floor area is approximately 1,530 square feet, which exceeds the current FAR threshold at 61.2%. The proposed variance to the FAR would allow construction of a 1,551 square foot, 3-bedroom dwelling and 480 square foot ADU. Per Santa Cruz County Code Chapter 13.10.681(D)(7)(c)(ii)(B), an ADU of up to 800 square feet shall be allowed, regardless of lot coverage and FAR. Without the ADU, the proposed FAR would be 62%. The variance is justified by the small size of the parcel relative to the neighborhood and to the R-1-4 zone district.

The second request is to utilize more than 50% of the front yard on 34th Avenue for parking. The proposed three-bedroom home requires three on-site parking spaces. The applicant is proposing one parking space be provided within the front yard facing 33<sup>rd</sup> Avenue, and two parking spaces be provided within the front yard facing 34<sup>th</sup> Avenue. The latter will result in parking across nearly the entire front yard setback, which can be supported due to the narrow width of the parcel. Parking spaces are required to be 8.5 feet wide with two side-by-side spaces requiring 17 feet of width. With a parcel width of 25 feet, the standard configuration of a driveway with width enough for two parking spaces is not possible within the 50% parking standard and a variance is required. The proposed parking situation is an improvement over existing conditions where only one parking space is available in the garage. The proposed parking spaces are delineated via two strips of concrete and pervious area in between for each car.

2. That the granting of such 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 parking area will provide for two additional parking spaces for a total of three parking spaces which is the number of spaces required for 3-bedroom single-family dwelling. The driveway design is in harmony with General Plan and zoning objectives, in that it allows for the provision of additional street parking to be available in the East Cliff area, which in return will increase public and visitor-serving vehicular access to this coastal area.

FAR is used as a measurement of bulk and mass. The impact of the resulting mass and bulk of the proposed home is minimized by incorporating plate heights of no more than 8 feet on the first and second floor, with a peak height of 25 feet where 28 feet maximum is allowed. In addition,

mass and bulk is minimized with the well-articulated building façade. The variety of materials also minimizes the visual impact of the proposed home.

The second story addition meets the required side yard setbacks, including the Pleasure Point standards, intended to protect light, air, and open space to the property located on the north and south. The addition will have very little effect on the light and air available to the neighbor to the north. As a result, the proposed addition on the second floor will not be materially detrimental to the public health, safety, or welfare or injurious to properties or improvements in the vicinity.

3. That the granting of such variance 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 neighborhood analysis indicates that almost half of the dwellings on 33<sup>rd</sup> Ave. and 34<sup>th</sup> Ave. exceed the maximum allowable FAR of 50% in the R-1-4-PP zone. Given this, the remodel of other homes within the vicinity of the subject property would potentially require variances as well. Additionally, the subject parcel is unusually narrow and is a substandard parcel size (2,500 square feet) for the district (4,000 square foot minimum).

In addition, the granting of a variance to allow for a driveway to occupy 68% of the required front yard area will not constitute a grant of special privilege to this parcel, due to the narrow width of the parcel. Furthermore, several properties along 33<sup>rd</sup> Ave. and 34<sup>th</sup> Ave. have similar driveways that cover more than 50% of the front yard areas.

Therefore, approval of a variance for the proposed ADU conversion and small addition is not a grant of special privilege.

## Conditions of Approval

Exhibit D: Project plans, 13 sheets, prepared by Envirotects: 2 sheets dated 7/21/2021, 8 sheets dated 5/15/2021, 2 sheets dated 3/7/2021, and 1 sheet dated 12/29/2021.

- I. This permit authorizes the conversion of an existing second floor into a 480 square foot Accessory Dwelling Unit, and construction of an approximately 561 square foot two-story addition to an existing, non-conforming single-family dwelling, 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 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 the final materials and colors consistent to the preliminary materials and colors as they were approved by this Discretionary Application. In addition to showing the materials and colors on the elevation, the applicant shall supply physical color and material such as paint chips, suppliers' brochure, etc., for Planning Department review and approval.

3. 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.
- 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.
1. The application submittal shall adhere to Part 3 Section C of the CDC and County Code 7.79. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
  2. A site assessment shall be performed by the project designer or civil engineer. The plans shall note whether there are any existing drainage issues on or near the site and if any issues or impacts are anticipated resulting from the proposed improvements.
  3. Final stormwater management plans and final construction cross-section details shall be submitted with the building permit application.
  4. A maintenance schedule shall be provided on the plans and shall include inspection frequency, signs of failure, and maintenance requirements for each of the stormwater mitigation features proposed.
  5. The plans show impervious flatwork surrounding the home will be reduced. Please note, if additional impervious surfaces are proposed, Zone 5 fees will be assessed on the net increase in permitted impervious area following the Unified Fee Schedule in place at building permit issuance.
- C. Meet all requirements of the City of Santa Cruz Water Department. 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.
1. Fees shall be owed in accordance with Santa Cruz County Sanitation District Code Title 5.
  2. Show the sanitary sewer lateral layout on the plans. Show cleanout locations.
  3. Exterior cleanouts shall be required at the point of exit from each structure that drains to the sewer system. Additional cleanouts shall be required for each length of 100' and at changes in direction/slope  $> 135^\circ$ .

4. Per District Ordinance Section 7.04.375 A.3.e, the existing sanitary sewer lateral be video inspected by a licensed plumber PRIOR to issuance of building permit. A copy of the video and inspection report must be uploaded to County Sanitation's cloud storage (on box.com) for review. County staff will review and issue a determination of necessary sewer lateral repairs.

If repairs are required, a separate sewer repair permit shall be issued (no-fee). The repairs must be inspected and approved by the Sanitation Inspector before the County will issue final approval of the building permit.

Include on the plans sufficient layout, details, and specifications for the contractor to repair the sewer lateral in accordance with the County's issued repair requirements.

Further details regarding the sewer lateral video inspection requirements can be found here: <https://sccsd.us/sewer-lateral-program/>

Any questions regarding the above criteria should be directed to Bryan Wardlow of the Sanitation Engineering division at (831) 454-2160.

E. Meet all requirements of the Environmental Planning section of the Planning Department.

1. The applicant shall provide three copies of a signed and stamped copy of a soils report. The soils report shall be reviewed and approved by the County Geotechnical Engineer prior to issuance of a building permit.
2. Building permit application plans shall reference the soils report and update(s), include contact information for the geotechnical engineer, and include a statement that the project shall conform to the recommendations of the geotechnical engineer.
3. Building permit application plans shall clearly represent all proposed grading, including any overexcavation and recompaction as recommended by the geotechnical engineer.
4. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual, available here: <http://www.sccoplanning.com/Portals/2/County/Planning/env/ConstructionStormwaterBMPManual-Oct%20312011version.pdf>
5. The applicant shall submit a drainage plan that complies with the requirements set forth in 2019 California Building Code (CBC) Section 1804.4 and the recommendations of the soils engineer.
6. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall

reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form. An electronic copy of this form may be found on our website: [www.sccoplanning.com](http://www.sccoplanning.com), under “Environmental”, “Geology & Soils”, “Assistance & Forms”, “Soils Engineer Plan Review Form”. Please contact Leah MacCarter, Resource Planner if you have questions about the above comments. E-mail preferred.

- 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 (1) bedroom. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
  - H. Pay the current Affordable Housing Impact Fee pursuant to SCCC 17.10. The AHIF rate is based on unit size and project type, as shown in the Affordable Housing Guidelines. The current fee for addition/remodel projects, for a dwelling up to 2,000 square feet, is \$2 per square foot, for all net new habitable floor area in excess of the first 500 square feet in net new space. The fee due is based on the rate in effect at the time of payment, as shown on the Unified Fee Schedule. The Building Division determines total net new habitable floor area for the purpose of calculating the AHIF due.
  - I. Provide required off-street parking for three (3) 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. Noise associated with construction activities shall take place between the hours of 8:00 a.m. and 5:00 p.m. on weekdays unless the Building Official has in advance authorized said activities to start at 7:00 a.m. and/or continue no later than 7:00 p.m. Such activities shall not take place on Saturdays unless the Building Official has in advance authorized said activities and provided said activities take place between 9:00 a.m. and 5:00 p.m. and no more than three Saturdays per month. Such activities shall not take place on Sunday or a federal holiday unless the Building Official has in advance authorized such work on a Sunday or federal holiday, or



during earlier morning or later evening hours of a weekday or Saturday.

- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- D. The project must comply with all recommendations of the approved soils reports.
- 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.

#### 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.

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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: \_\_\_\_\_

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

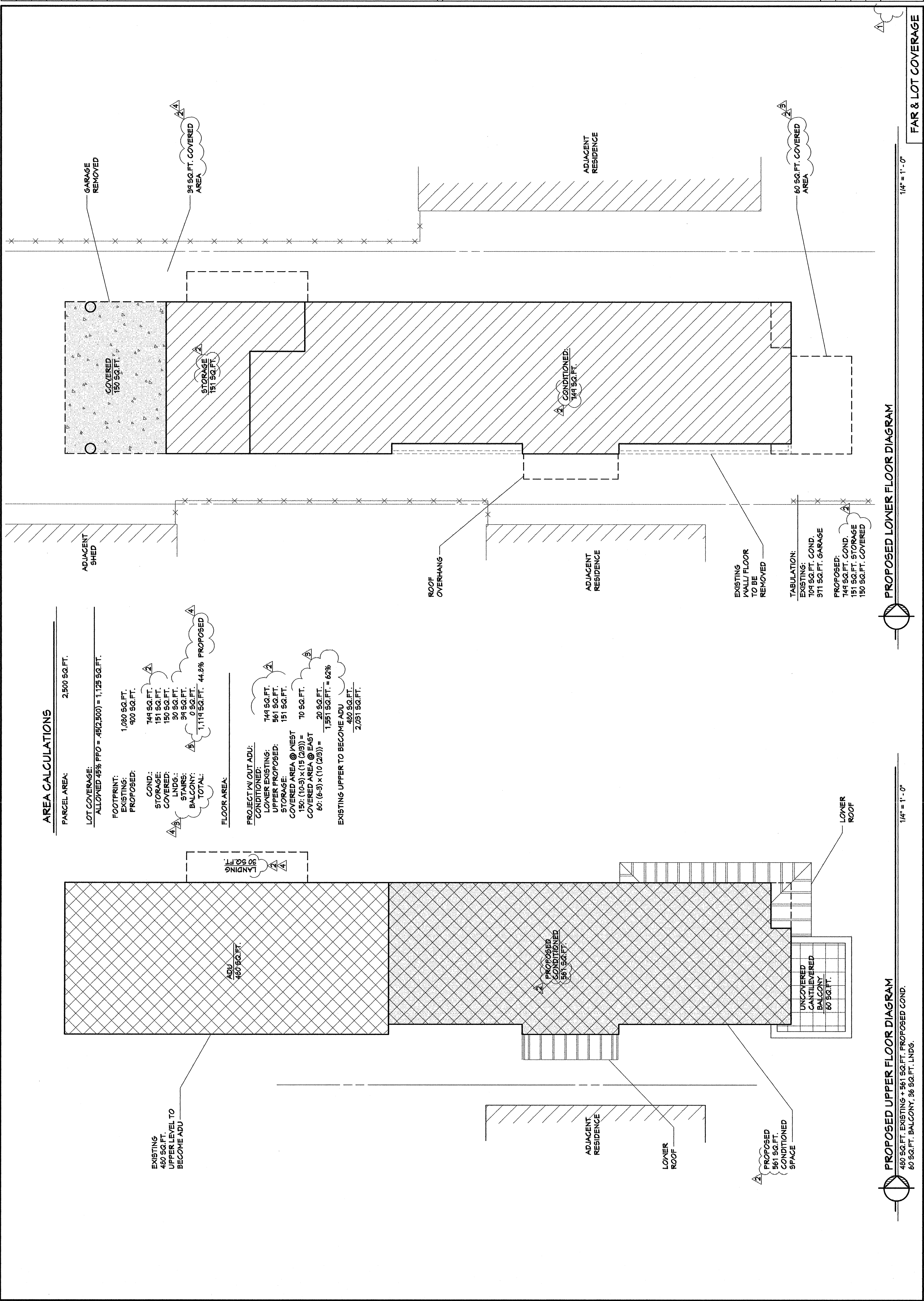
\_\_\_\_\_  
Jocelyn Drake  
Deputy Zoning Administrator

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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.







Revisions	By
03/07/21	BD
05/15/21	BD

Prepared by:

Enviroitects

Frank Phantom, Architect C 24515

1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Enviroitects.com

PROPOSED 2nd STORY ADDITION FOR:

THE GILMER FAMILY

141 34th AVE.

SANTA CRUZ, CA 95062

APN 032-212-09

Date

03/07/21

Scale

AS NOTED

Drawn

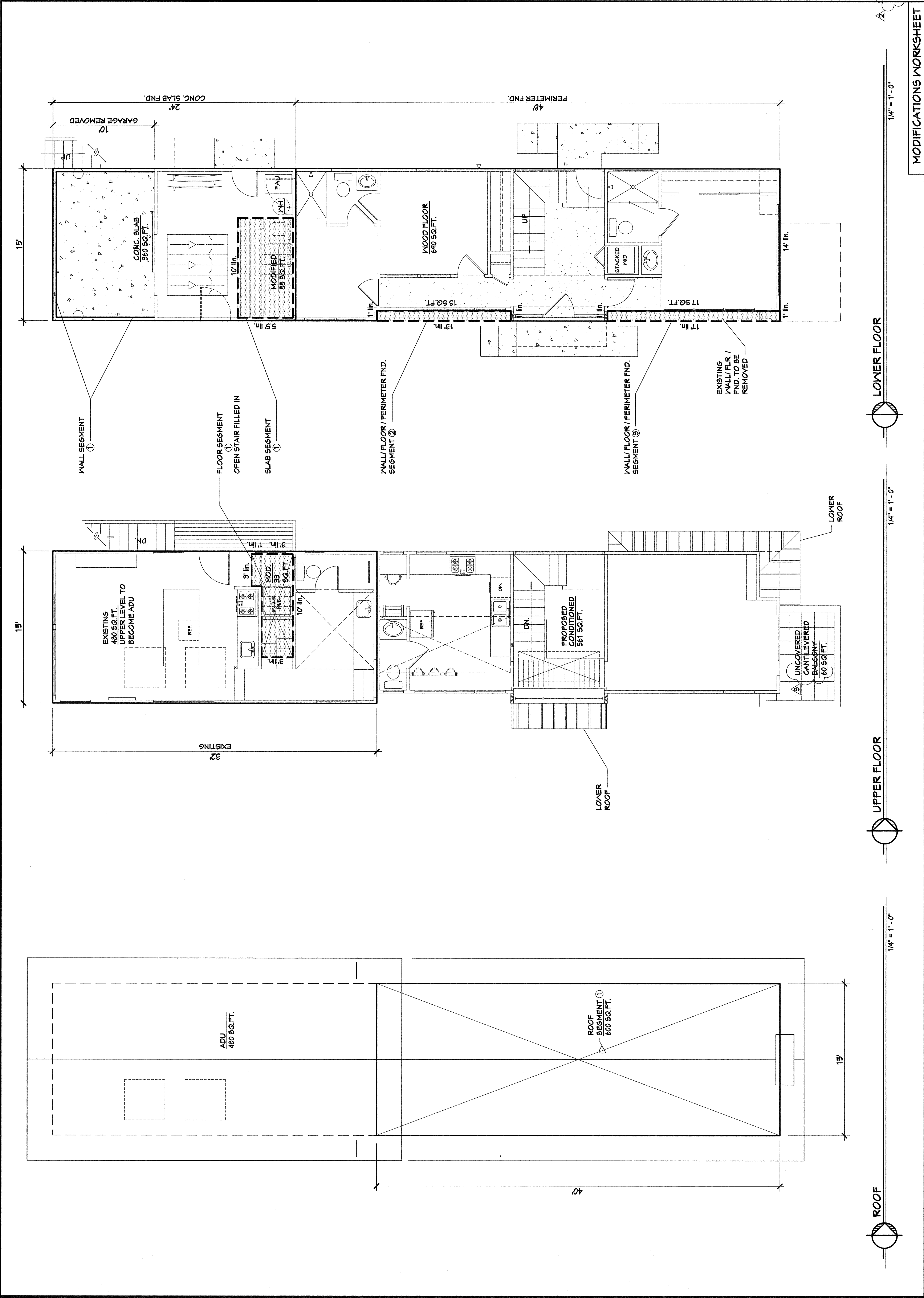
duMont

Job

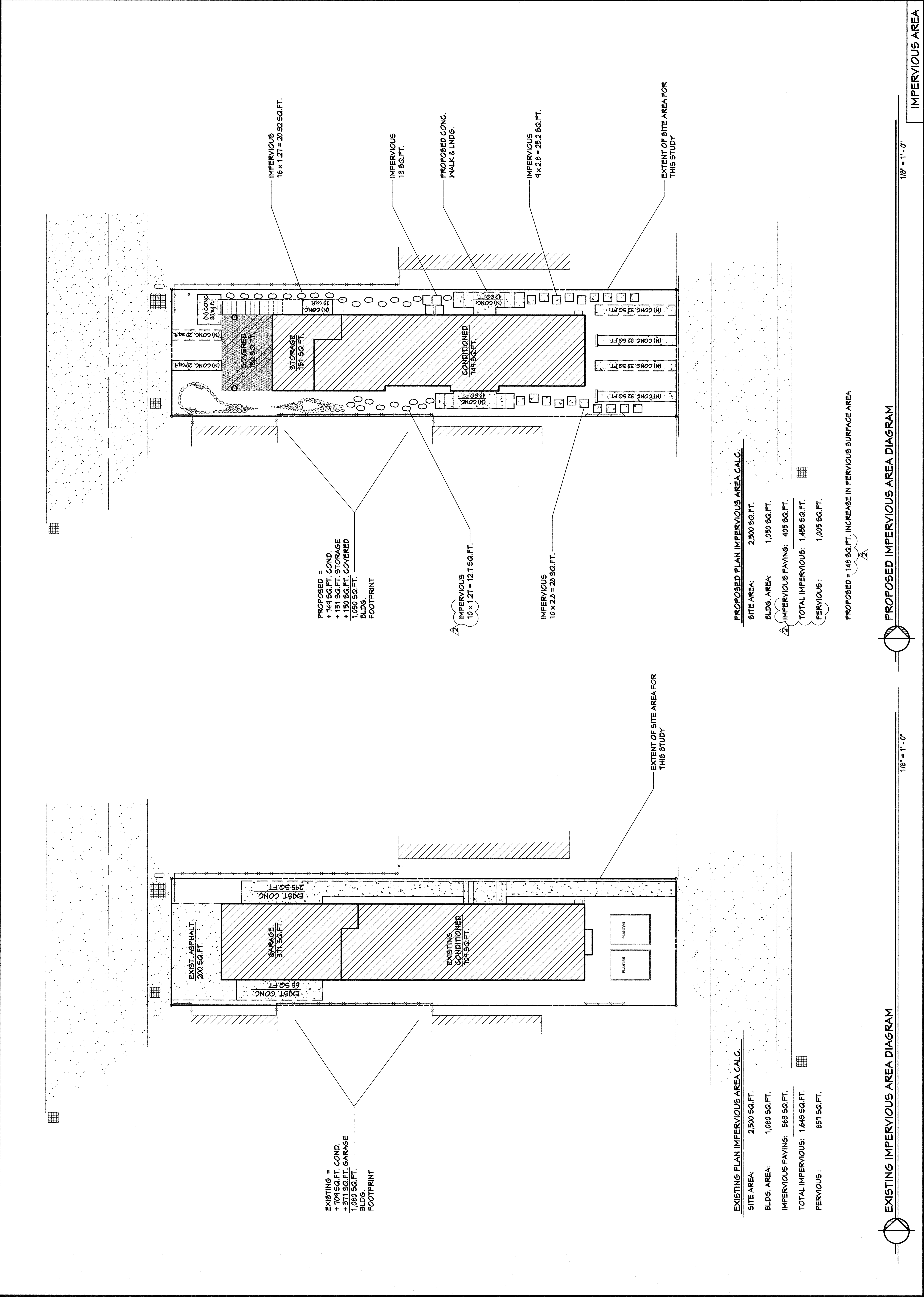
34th Ave.

A1.06

of 12 Sheets





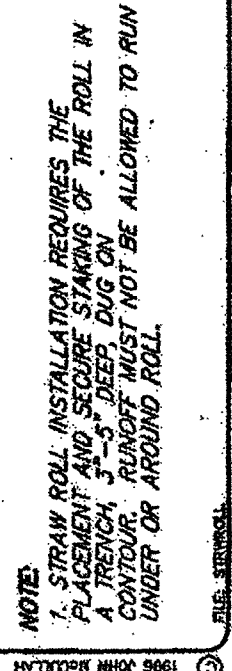


Prepared by: **E<sup>the</sup>nviroctects**  
Frank Phantom, Architect C 24515  
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Enviroctects.com

PROPOSED 2nd STORY ADDITION FOR:  
**THE GILMER FAMILY**  
141 34th AVE.  
SANTA CRUZ, CA 95062

Sheet **A1.2** of 12 Sheets

# STORMWATER PLAN



1. FILL ROCK BARRIER BAGS  $\frac{1}{2}$  FULL OF  $\frac{3}{4}$ " ROCK.
2. PLACE BAGS SUCH THAT NO GAPS ARE EVIDENT IN A SINGLE OR DOUBLE LAYER. STAMP ENTIRE LAYER INTO PLACE PRIOR TO STARTING THE NEXT LAYER.
3. ROCK BARRIER BAGS FOR CATCH BASIN SEDIMENT BARRIERS ARE TO BE USED FOR SMALL, NEARLY LEVEL DRAINAGE AREAS, (LESS THAN 5%).



Revisions	By
12/29/20	BD

Prepared by:  
**Ethe Architects**  
Frank Phantom, Architect C 24515  
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 EtheArchitects.com

APN 032-212-09

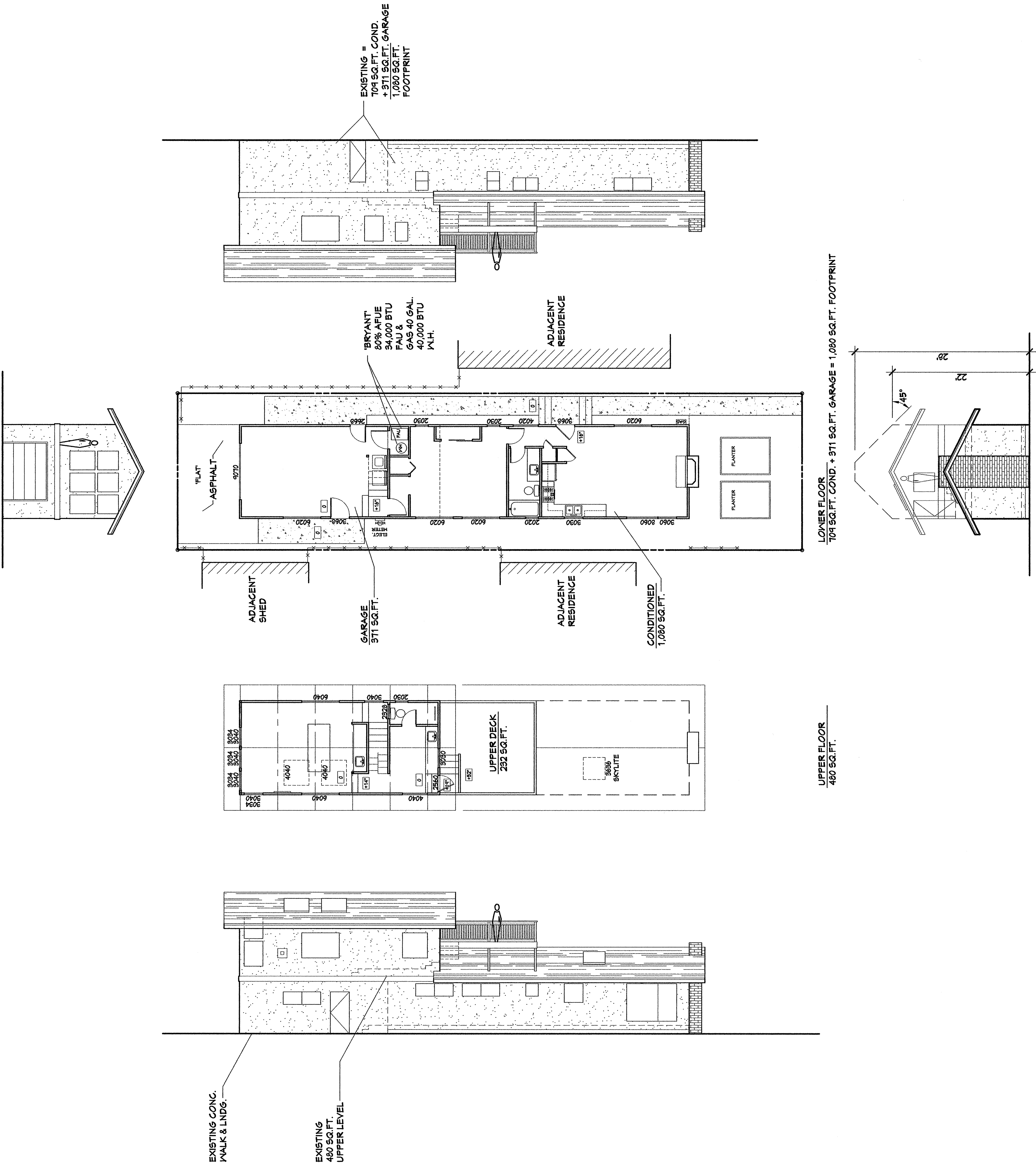
PROPOSED 2nd STORY ADDITION FOR:  
**THE GILMER FAMILY**  
141 34th AVE.  
SANTA CRUZ, CA 95062

Date	08/24/20
Scale	AS NOTED
Drawn	duMont
Job	34th Ave.
Sheet	A2
of	12 Sheets

EXISTING CONDITIONS

1/8" = 1' - 0"

EXISTING SITE PLAN ~ FLOOR PLAN ~ ELEVATIONS







Revisions	By
BD	12/29/20
BD	03/07/21
BD	05/15/21

Prepared by:

Envirotects

Frank Phanton, Architect C 24515

1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotects.com

PROPOSED 2nd STORY ADDITION FOR:

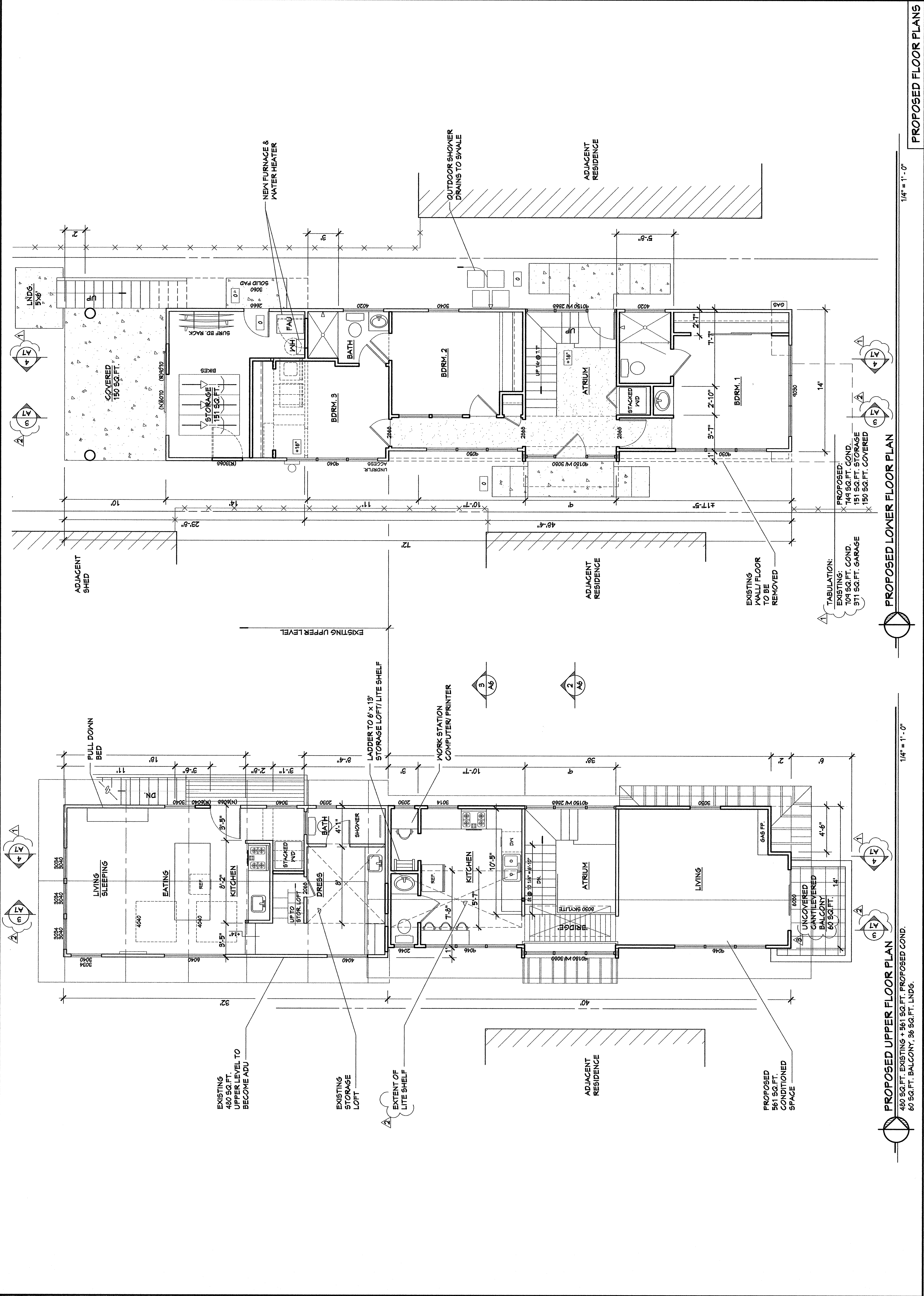
THE GILMER FAMILY

141 34th AVE.

SANTA CRUZ, CA 95062

APN 032-212-09

Date	08/24/20
Scale	AS NOTED
Drawn	duMont
Job	34th Ave.
Sheet	A4
of	12
Sheets	





Revisions	By
BD	12/29/20
BD	09/07/21
BD	05/15/21

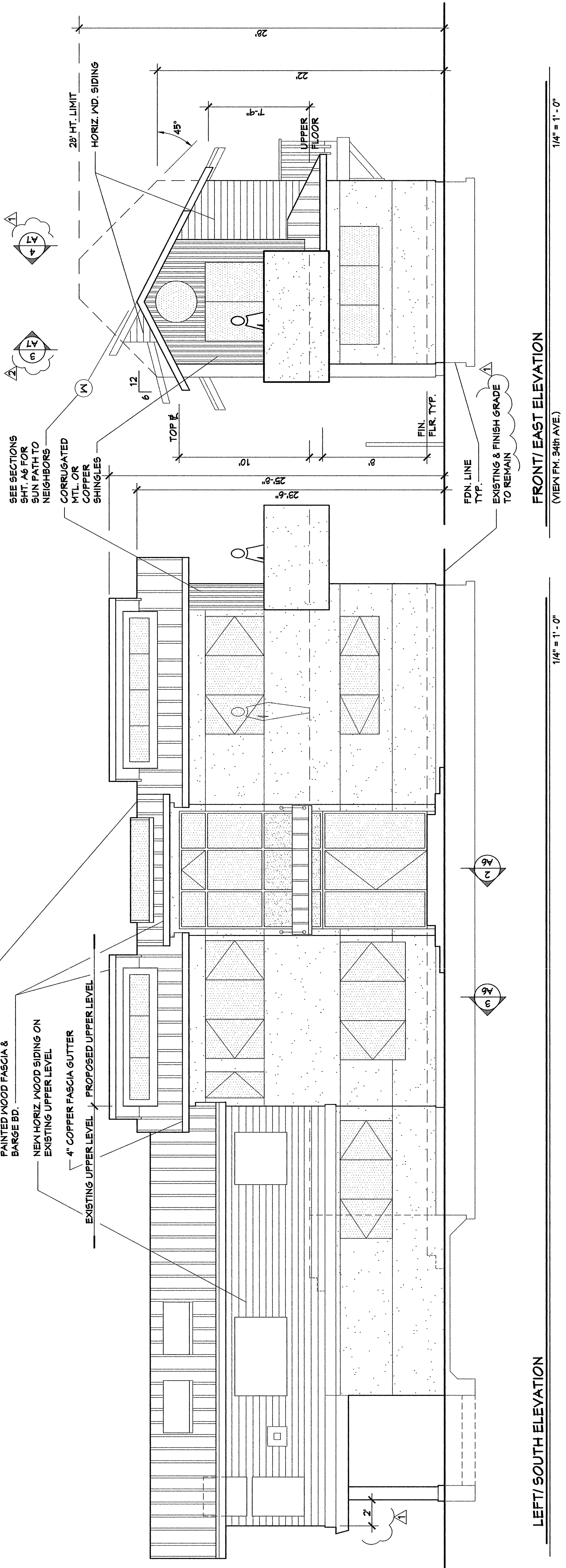
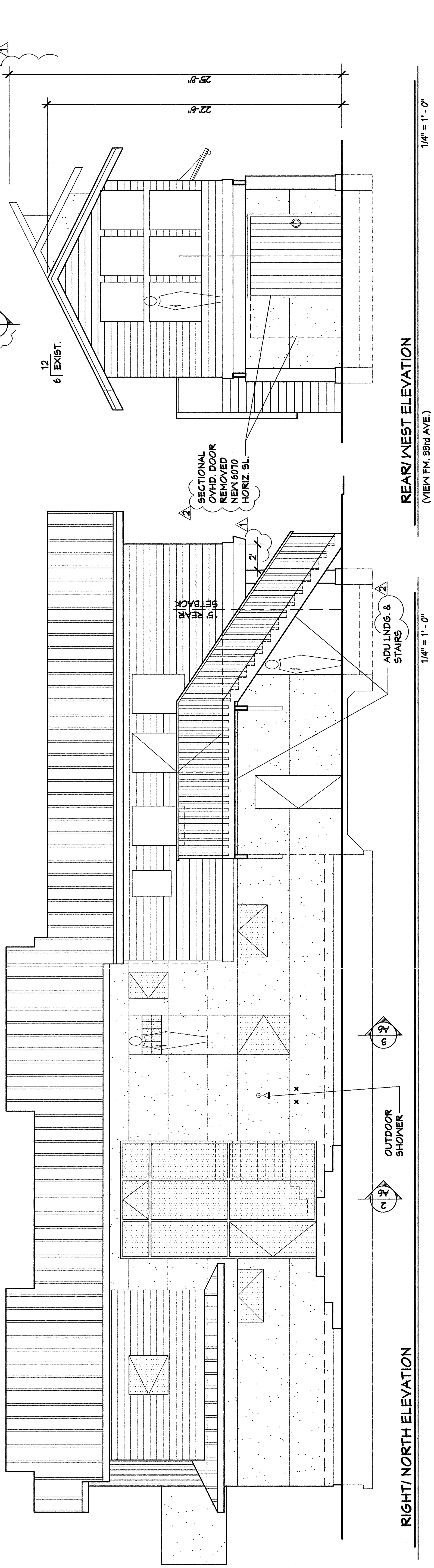
Prepared by:  
**Ethe Enviroitects**  
Frank Phantom, Architect C 24515  
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Enviroitects.com

PROPOSED 2ND STORY ADDITION FOR:  
**THE GILMER FAMILY**  
141 34th AVE.  
SANTA CRUZ, CA 95062  
APN 032-212-09

Date	08/24/20
Scale	AS NOTED
Drawn	duMont
Job	34th Ave.
Sheet	

A5  
of 12 Sheets

ELEVATIONS



PROPOSED 2nd STORY ADDITION FOR:  
**THE GILMER FAMILY**  
141 34th AVE.  
SANTA CRUZ, CA 95062  
APN 032-212-09

Prepared by:

**E<sup>The</sup>nvirotoects**

Frank Phantom, Architect  
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotoects.com

Revisions

By	BD
12/29/20	BD
03/07/21	BD
05/15/21	BD

Date12/29/20

ScaleA5 NOTED

DrawnduMont

Job34th Ave.

A5.1

of 12

Sheets

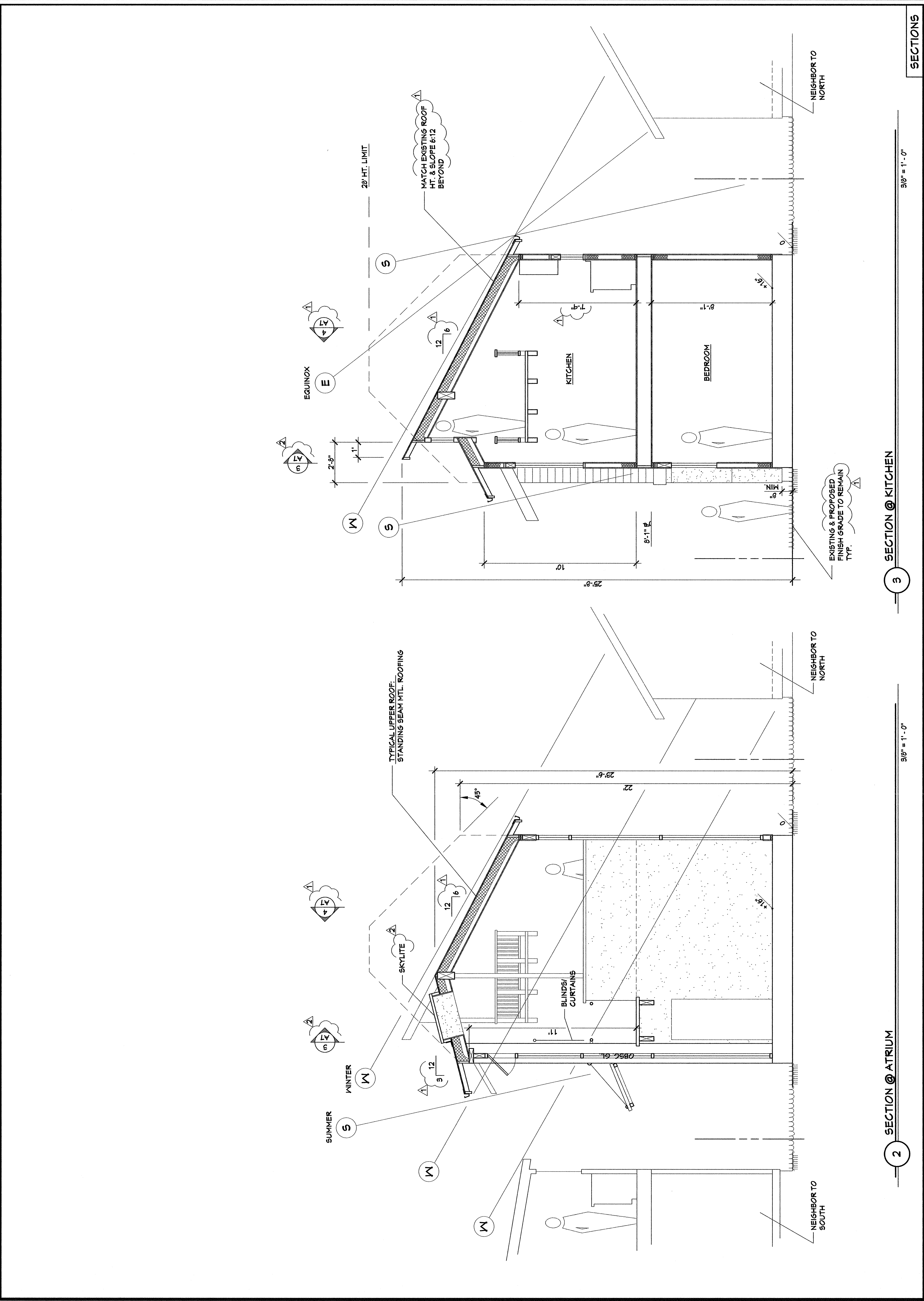
FINISH MATERIAL & COLOR

1/4" = 1' - 0"

FRONT/ EAST ELEVATION  
(VIEW FM. 34th AVE.)

28





Revisions	By
12/29/20	BD
03/07/21	BD

Prepared by:

Enviro

the Architects

Frank Phantom, Architect C 24515  
1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirothearts.com

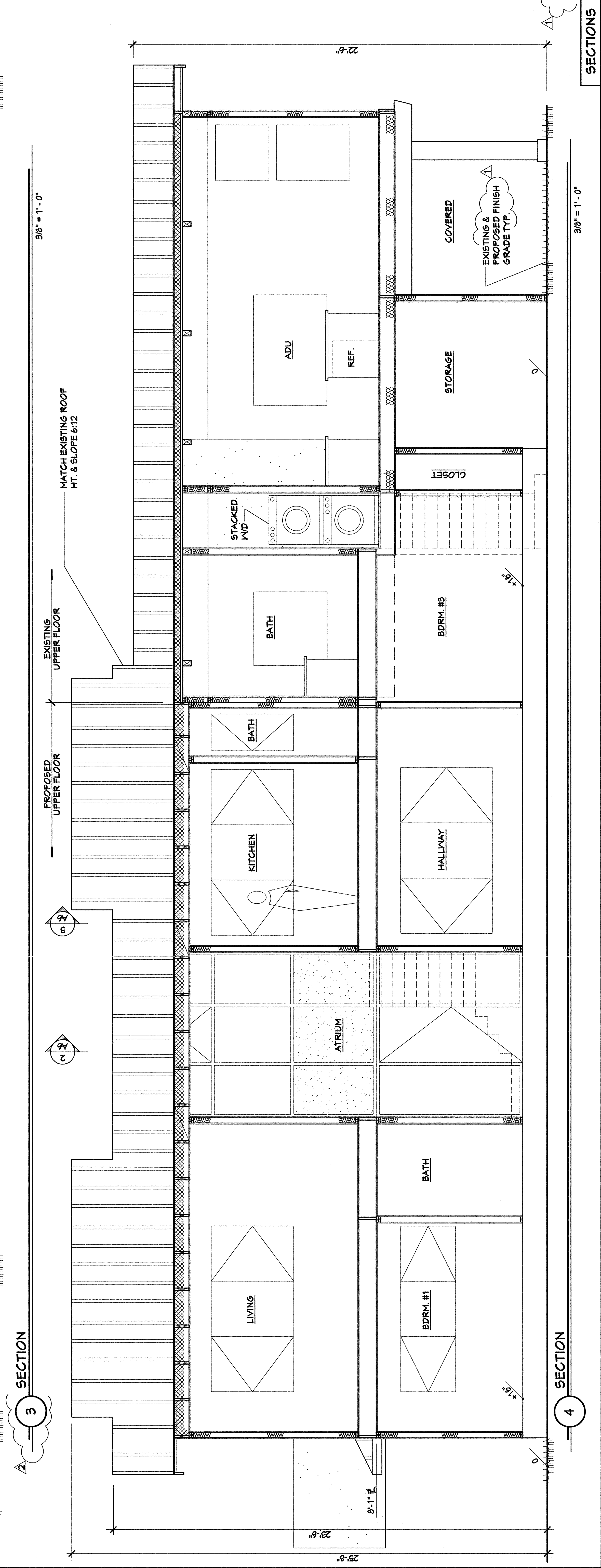
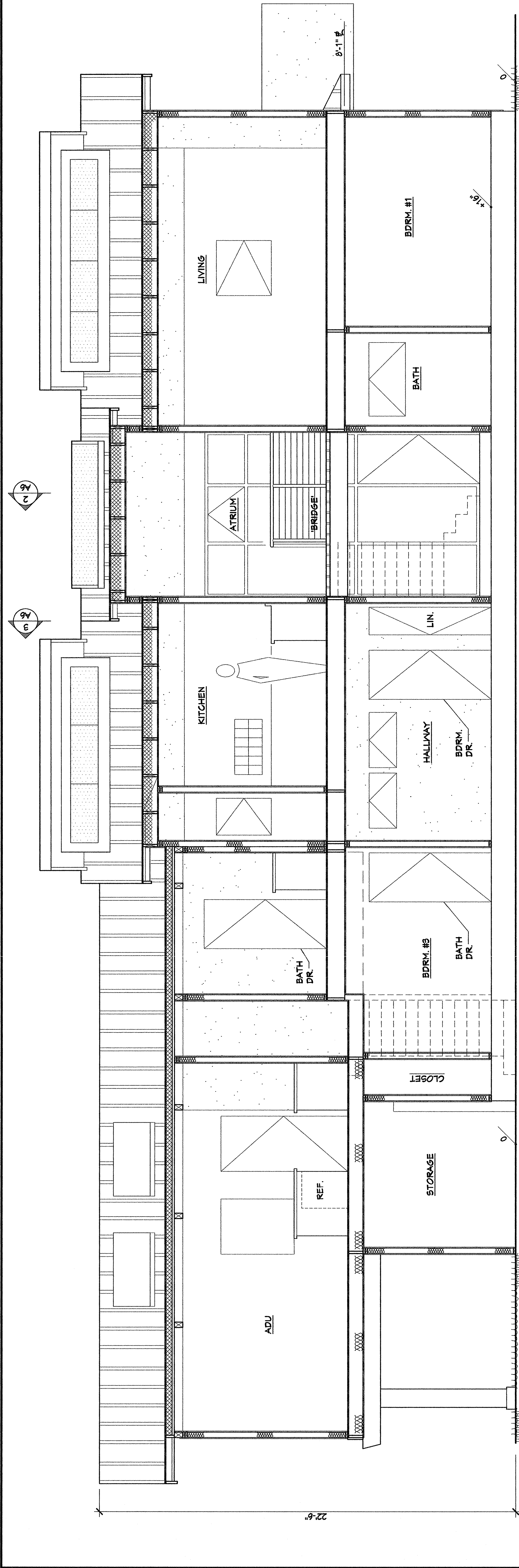
PROPOSED 2nd STORY ADDITION FOR:

THE GILMER FAMILY

141 34th AVE.  
SANTA CRUZ, CA 95062

APN 032-212-09

Date	12/29/20
Scale	AS NOTED
Drawn	duMont
Job	34th Ave.
Sheet	A7
of	12 Sheets





Revisions	By
12/29/20	BD
03/07/21	BD
05/15/21	BD

Prepared by:

Envirotolects

Frank Phantom, Architect C 24515

1840 41st Ave., Ste. 102 #141, Capitola, CA 95010 475-5841 Envirotolects.com

PROPOSED 2nd STORY ADDITION FOR:

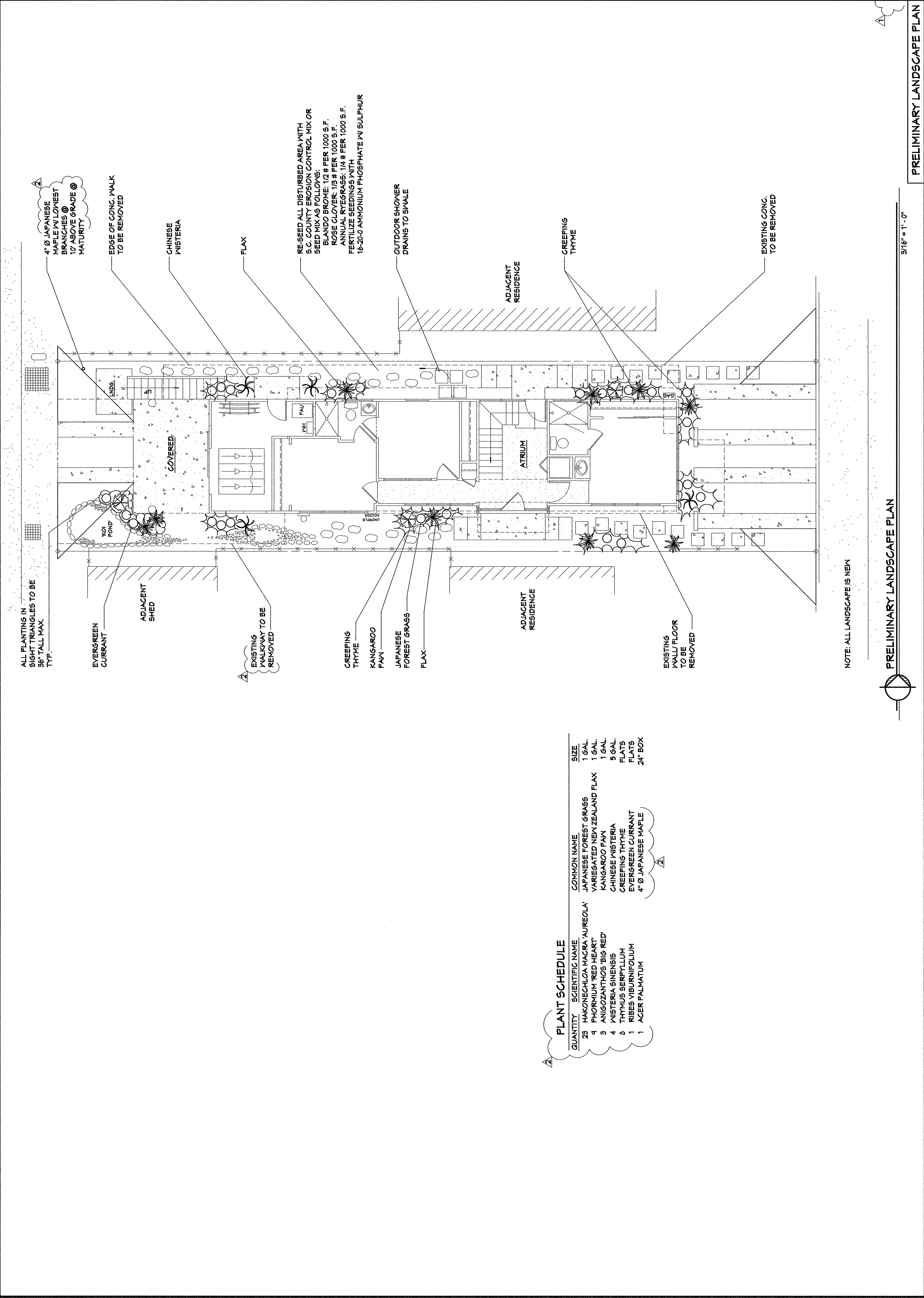
THE GILMER FAMILY

141 34th AVE.

SANTA CRUZ, CA 95062

APN 032-212-09

Date	12/29/20
Scale	AS NOTED
Drawn	duMont
Job	34th Ave.
Sheet	L1
of	1
Sheets	











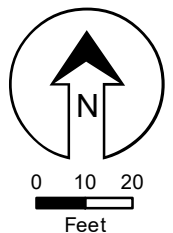
# Parcel Location Map



**Parcel: 03221209**

-  Study Parcel
-  Assessor Parcel Boundary



Map printed: 1 Jul. 2021

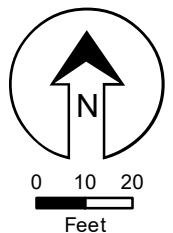




# Parcel General Plan Map





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

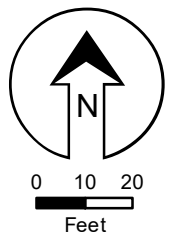




# Parcel Zoning Map



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



## Parcel Information

### Services Information

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

### Parcel Information

Parcel Size: 2,500  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential  
Project Access: 33<sup>rd</sup> Ave and 34<sup>th</sup> Ave  
Planning Area: Live Oak  
Land Use Designation: R-UM (Urban Medium Density Residential)  
Zone District: R-1-4-PP (Single-Family Residential (with minimum  
4,000 sq. ft. per dwelling unit) - Pleasure Point)  
Coastal Zone:   X   Inside    Outside  
Appealable to Calif. Coastal Comm.   X   Yes    No

### Technical Reviews:

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Fire Hazard: Not a mapped constraint  
Slopes: 0-15%  
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

**Neighborhood Analysis**

<b>APN</b>	<b>Address</b>	<b>Lot Area (s.f.)</b>	<b>Gross Floor Area (s.f.)</b>	<b>FAR</b>	<b>Notes</b>
03221208	149 34TH AVE	2500	610	24%	
03220132	300 33RD AVE	2400	696	29%	
03220124	190 33RD AVE	2780	728	26%	
03222233	340 34TH AVE	3400	740	22%	
03220102	3230 HAWES DR	2900	871	30%	
03222228	324 34TH AVE	2500	952	38%	
03222224	328 34TH AVE	2200	952	43%	
03220120	210 33RD AVE	2650	1008	38%	
03220140	200 33RD AVE	2600	1034	40%	
03222115	315 34TH AVE	3000	1040	35%	
03220125	180 33RD AVE	2800	1095	39%	
03222227	318 34TH AVE	2500	1112	44%	
03221205	207 33RD AVE	2500	1164	47%	04-0183 (Variance for alteration of nonconforming structure)
03220131	312 33RD AVE	2300	1178	51%	
03221118	130 34TH AVE	1170	1194	102%	
03220118	322 33RD AVE	3200	1244	39%	
03221216	233 34TH AVE	2500	1256	50%	
03221109	23435 E CLIFF DR	2800	1297	46%	92-0862 (Setback Variance)
03220104	324 33RD AVE	3400	1325	39%	
03222222	330 34TH AVE	3300	1325	40%	
03222220	360 34TH AVE	2500	1342	54%	92-0080 (Setback Variance)
03220155	230 33RD AVE	2600	1406	54%	191107 (FAR Minor Exception)
03221207	201 34TH AVE	2500	1412	56%	
03222119	245 34TH AVE	3600	1456	40%	
03221111	148 34TH AVE	2700	1469	54%	
03220154	226 33RD AVE	2600	1474	56%	191106 (FAR Minor Exception)
03221204	215 34TH AVE	2500	1481	59%	
03221209	<b>141 34TH AVE</b>	<b>2500</b>	<b>1590</b>	<b>64%</b>	<b>Proposed FAR is 62%</b>
03222123	250 33RD AVE	2500	1599	64%	161087 (Setback Variance and FAR Minor Exception)
03222125	311 33RD AVE	2350	1656	70%	

Application #: 201318

APN: 032-212-09

Owner: David Gilmer

03220103	326 33RD AVE	2900	1666	57%
03222113	325 34TH AVE	2900	1682	58%
03221206	205 34TH AVE	2500	1800	72%
03222121	3300 HAWES DR	2500	1934	77%
03221108	23401 E CLIFF DR	2000	2125	106%
03222122	3310 HAWES DR	2500	2390	96%

Note:

1. The row with grey highlight indicates the proposed project.
2. This information is supplied by the Assessor's office, which maybe not accurately reflecting the actual square footage of the buildings.

BRONZE STANDING  
SEAM MET. ROOF

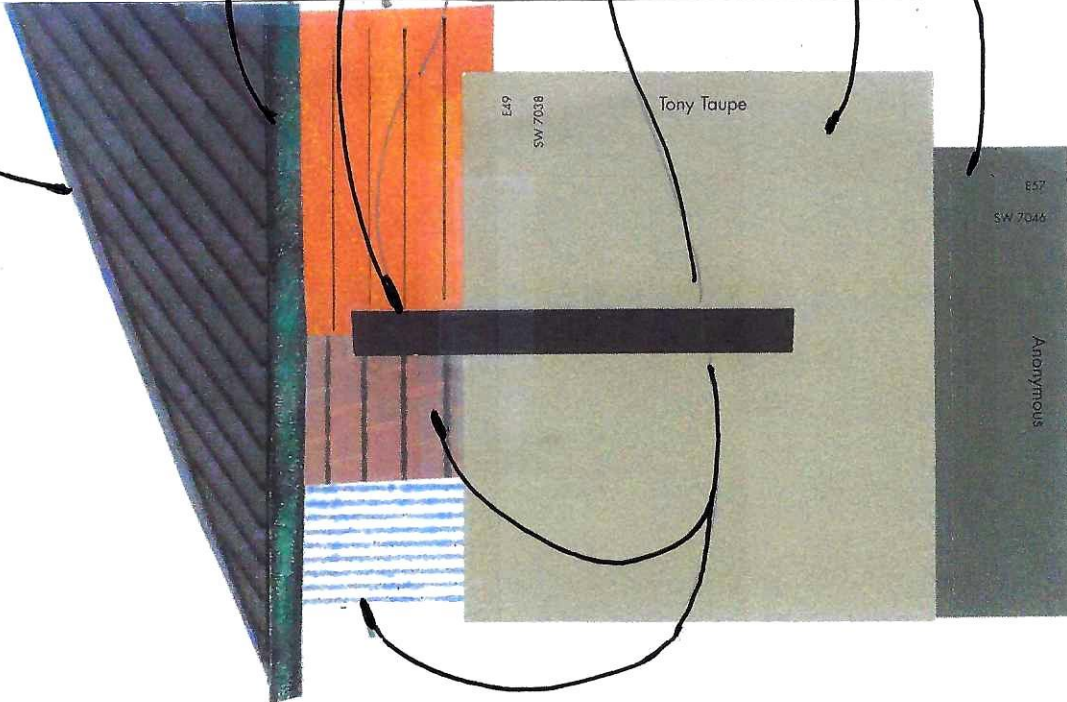
COPPER GUTTER  
& FLASHING

BROWN ANOD.  
WOOD FRAMES  
HONEY COLORED  
HORIZONTAL SIDING

CORRUGATED  
MET. OR  
COPPER SHINGLE  
ACCENT

STUCCO

STUCCO  
LOWER 3'



COLORS