**Applicant:** Robin Alaga **Agenda Date:** January 5, 2024

**Owner:** Barker **Agenda Item #: 2 APN:** 027-073-02 **Time:** After 9:00 a.m.

Site Address: 471 8th Ave, Santa Cruz, CA 95062

**Project Description**: Proposal to construct a two-story, 918 square foot addition and to remodel an existing non-conforming one-story 805 square foot single-family dwelling with attached 310 square foot garage including a conversion of 57 square feet of the existing garage into habitable area to result in a 1,766 square foot single family dwelling with an attached 253 square foot one-car garage.

Application Number: 231370

**Location**: Parcel is located on the southeastern side of 24th Avenue (102 24th Avenue), approximately 330 feet southeast of the intersection of 24th Avenue and East Cliff Drive in the Live Oak Planning Area.

**Permits Required**: Coastal Development Permit, Variance, and Minor Exception to Lot Coverage and Floor Area Ratio, and Design Review

**Supervisorial District**: 1<sup>st</sup> 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 231370, based on the attached findings and conditions.

## **Project Description & Setting**

The subject parcel is a 3,136 square foot lot that is currently developed with an 805 square foot single story single-family dwelling and attached 310 square foot garage and shop. The parcel is located on a predominantly residential street that features a mix of one- and two-story dwellings within the Harbor Area Special Community, which is located in the Live Oak Planning Area. The 7<sup>th</sup> Avenue Tourist Commercial Area is located to the west of the parcel, and the parcel directly adjacent to the subject parcel contains a restaurant use. Twin Lakes Beach is the closest beach to the subject property with beach access is located at the end of 8<sup>th</sup> Avenue, approximately 1600 feet south of the subject property.

The proposal is to construct a two-story, 918 square foot addition that will add 171 square feet to the first floor and create a new 747 square foot second story to the existing dwelling. The proposed

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second story will be setback from the front of the existing portion of the dwelling between eight to thirteen feet. The proposed remodel at the lower floor will include a conversion of a 57 square foot portion of the existing garage/shop into habitable area, however sufficient square footage will be maintained so that the structure is retained as a 253 square foot one-car garage. The proposal also includes exterior alterations including new windows, new finishes, and new roofing. The proposed alterations to the roof will result in a change to the existing roof to result in a roof profile that matches the adjoining properties. The renovations to the structure will also result in an internal reconfiguration of rooms, however no additional bedrooms will be added to the structure as a result of the proposed project.

#### **Project Background**

The existing dwelling was constructed in 1949, prior to the requirement for planning permits. Since its original construction, the structure has only been modified to reconstruct the fireplace that was damaged as a result of the 1989 Loma Prieta earthquake, which was completed under Building Permit 4142E.

## **Zoning & General Plan Consistency**

The subject property is a 3,136 square foot lot, located in the R-1-3.5 (Single family residential - 3,500 square feet) zone district, a designation which allows residential uses. The proposed single family dwelling is a principally permitted use within the zone district and the zoning is consistent with the site's R-UH (Urban High Density Residential) General Plan designation.

The site and development standards for parcels in the R-1-3.5 zone district in accordance with County Code section 13.10.323 – "Development Standards for Residential Districts" are set out in Table 1 below:

| Site Standard                  | Requirement | Existing          | Proposed                |
|--------------------------------|-------------|-------------------|-------------------------|
| Front Setback                  | 15 feet     | 8 feet            | 8 feet* (1st floor)     |
|                                |             |                   | 16 feet 8 inches        |
|                                |             |                   | (2 <sup>nd</sup> floor) |
| Rear Setback                   | 15 feet     | 23 feet 6 inches  | 23 feet 6 inches        |
|                                |             |                   | (no change)             |
| Side Setback (north)           | 5 feet      | 2 feet to chimney | 2 feet to chimney       |
|                                |             | 3 feet to wall    | 3 feet to wall          |
|                                |             |                   | 5 feet to proposed      |
|                                |             |                   | addition                |
| Side Setback (south)           | 5 feet      | 1 foot            | 1 foot (no              |
|                                |             |                   | change)                 |
| Lot Coverage                   | 40%         | 36%               | 45%+                    |
| Floor Area Ratio               | 50%         | 33%               | 53.7%+                  |
| Building Height (at roof peak) | 28 feet     | 14 feet 8 inches  | 23 feet 8 inches        |
| Site Width/Frontage            | 35 feet     | 40 feet           | 40 feet                 |

<sup>\*</sup>Requires approval of a Variance

<sup>\*</sup>Requires approval of a Minor Exception

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The project proposes to alter the pitch of the roof so that it no longer slopes away from the street. A Variance to the front yard setback is required because the proposed revisions to the roof profile at the lower floor will result in an increase in height of the existing non-conforming wall within the front yard setback, thereby increasing the existing nonconformity. In addition, because the proposed 918 square foot addition will result in a dwelling that exceeds the site standards for Lot Coverage and Floor Area Ratio additional approvals are required to exceed the maximum 40% lot coverage and 50% Floor Area Ratio (FAR) standards for the zone district. Due to the small size of the parcel, the project is eligible for Minor Exceptions to both Lot Coverage and FAR, therefore the project seeks a Minor Exception to allow Lot Coverage of 45% and Floor Area Ratio of 53.7%. The project also requires a Coastal Development Permit because the project proposes an addition greater than 500 square feet and the parcel is located in the Coastal Zone outside of the appeals jurisdiction.

#### Variance

The proposal requests a Variance to the front yard setback to allow an additional 4 feet in height to the existing non-conforming wall, resulting in an increase from 9 feet 6 inches to 13 feet 6 inches in height. Pursuant to Santa Cruz County Code Section 13.10.230 – Variance Approvals, variances are a discretionary approval that allows the discretionary authorization of exceptions to the zoning district site and development standards for a property, subject to specific findings, which can be found in Exhibit B of this report. The proposed Variance will not result in an additional encroachment into the front yard setback but will allow for additional building massing to be constructed to the existing non-conforming 8-foot setback. The proposed changes to the roof will allow the dwelling to establish a roof profile consistent with adjacent dwellings and continue to enjoy the setback that aligns with adjoining properties. The additional four feet in height is to the peak of the proposed roof and the front portion of the dwelling will remain respectful of the lowscale character of the Harbor Area Special Community, especially the dwellings directly adjacent to the subject property.

## **Minor Exceptions**

Pursuant to Santa Cruz County Code Section 13.10.235 – Minor Exceptions, the purpose of the Minor Exception ordinance is to provide a streamlined discretionary review process to allow consideration of minor variations from the zoning district site standard, which includes up to a 25% increase of the total allowable Lot Coverage on parcels with a net site area of less than 6,000 square feet and up to a 7.5% increase of the total allowable Floor Area Ratio on parcels 4,000 square feet or less. Given that the parcel is less than 6,000 square feet in size, it may seek a Minor Exception to allow up to 50% Lot Coverage. The proposed project seeks to exceed the site standard for lot coverage of 40% to allow 45%, which is within the allowed threshold for a Minor Exception to Lot Coverage. Given that the parcel is less than 4,000 square feet in size, it is also eligible for a Minor Exception to Floor Area Ratio to allow up to 57.5% Floor Area Ratio. The proposed project seeks to exceed the site standard for Floor Area Ratio of 50% to allow 53.7%, which is within the allowed threshold for a Minor Exception to Floor Area Ratio.

#### **Design Review**

The subject parcel is located within the Harbor Area Special Community, therefore, Design Review is required subject to Santa Cruz County Code Sections 13.11 - Site, Architectural and

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Landscape Design Review and 13.20.144 - Harbor area special community design criteria.

The proposed residence complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as similar roof profiles and a recessed second story addition to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape. The siting of the proposed twostory addition is within the standard building envelope and meets required height and setbacks. The second story addition is stepped back to varying depths between eight and thirteen feet on the structure, which creates articulation of the walls and visual interest from the street. Furthermore, the setback of the second story addition creates an appropriate transition between adjacent structures by retaining a low-scale portion of the dwelling towards the front portion of the dwelling. Recessed second story additions can also be observed on other parcels along 8th Avenue and Eaton Street. The proposed Variance to the front yard setback will allow for the existing non-conformity to be maintained while allowing for a change to the roof pitch that better aligns with the roof pitch observed on most dwellings in the surrounding area. Lastly, the design of the dwelling, including the proposed second story addition, provides articulation of the building through a variation in wall plane and roof line and creates visual interest from the street. Walls that are visible from the street are encouraged to have similar or complementary architectural treatments that are consistent with those recommended in the Harbor Area Special Community.

## Harbor Area Special Community

The proposed second story addition to the dwelling is setback between eight to thirteen feet, which allows the dwelling to retain a low-scale profile view from the street, which is typical of dwellings within the Harbor Area Special Community. The proposed alteration to the roof pitch aligns with other dwellings in the surrounding area and is respectful of the character of this element of dwelling construction observed in the Harbor Area Special Community. While wood and wood-like construction are typical and preferred in the Harbor Are Special Community, the proposal includes exterior alterations that will result in a cream colored, smooth stucco finish to both the existing dwelling and the proposed addition, along with dark brown wooden windows and wood detailing. A variety of finishes can be observed at dwellings along Eaton Street and 8<sup>th</sup> Avenue, including wood shingles, wood panels, board and batten siding, and stucco. Furthermore, the dwellings directly north and south, as well as two dwellings across the 8<sup>th</sup> Avenue to the east of the dwelling have smooth stucco finishes of varying colors. The use of wooden detailing respects the character of the Harbor Area Special Community while allowing for construction with more durable materials, as is necessary in the moist, coastal environment.

#### **Coastal Zone**

## Local Coastal Program Consistency

The proposed residence is in conformance with the County's 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 single family dwellings that vary in size and architectural styles, and the design submitted is consistent with the existing range of styles. Further, the proposed dwelling has been designed in accordance with the design criteria for the Harbor Area Special Community as set out in County Code section 13.20.144, in that the small-scale replacement house has been designed in-line with the

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characteristics of older dwellings in the neighborhood, with clean lines and a pitched roof. The exterior of the dwelling will be finished with stucco to match surrounding homes and includes natural wood details, including wood windows and doors, wood shutters and exposed wood beams. No mature trees are proposed to be removed for this project.

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 bodies of water.

## Coastal Development Permit

Pursuant to Santa Cruz County Code Section 13.20.061 – "Improvements to Existing Single-Family Residences Exemption," a Coastal Development Permit is required for the project because it proposes an addition greater than 500 square feet outside of the Coastal Commissions appeal jurisdiction. However, given that the parcel is located within a Coastal Special Community, pursuant to Santa Cruz County Code Section 13.20.121 and 13.20.040, the project is appealable to the Coastal Commission because it is within a sensitive coastal resource area.

The Coastal Development Permit for this application is considered appropriate because it has been designed so that it is respectful of the small-scale character of the Harbor Area Special Community through a recessed second story addition that provides a smooth transition between adjacent dwellings and is designed to with wall and roofline articulation that will create visual interest from the street. The parcel serves as a buffer between a busy commercial street and quiet residential neighborhood; therefore, the additional height will provide a transition and noise attenuation for the neighborhood with an appropriately designed addition. The proposed project will not result in any increase in parking demand as no additional bedrooms are proposed. Due to the subject parcel's significant distance from the closest beach and beach access, the proposed structure is not expected to have a significant impact on coastal or beach access.

#### 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 **231370**, 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 Division 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

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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

# CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 231370

| Assessor Parcel Number: 027-073-02<br>Project Location: 471 8th Ave, Santa Cruz, CA 95062   |
|---|
| Project Description: Proposal to construct a 918 square foot, two-story addition to an existing single family dwelling, non-habitable accessory structure.  |
| Person or Agency Proposing Project: Robin Alaga   |
| Contact Phone Number: (831)724-4994   |
| <ul> <li>A The proposed activity is not a project under CEQA Guidelines Section 15378.</li> <li>B The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).</li> <li>C Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.</li> <li>D Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).</li> </ul> |
| E. X Categorical Exemption  |
| Specify type: Class 15301 – Existing Facilities   |
| F. Reasons why the project is exempt:   |
| The proposed addition is 918 square feet, therefore, it will not result in an increase in floor area of more than 10,000 square feet and is in an area where all public services and facilities are available to allow for the maximum development permissible in the General Plan and the project is not located in an environmentally sensitive area.   |
| In addition, none of the conditions described in Section 15300.2 apply to this project.   |
| Date:   |
| Victoria Miller, Project Planner  |

## **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-1-3.5 (Single-family residential, 3,500 square feet), a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UH (Urban High 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 and is generally in accordance with the design criteria for residential development found at Santa Cruz County Code Section 13.20.144. The proposed dwelling has been designed in accordance with the design criteria for the Yacht Harbor Special Community as set out in County Code section 13.20.144, in that the small-scale replacement house has been designed in-line with the characteristics of older dwellings in the neighborhood, with clean lines and a pitched roof. The exterior of the dwelling will be finished with stucco to match the surrounding homes and includes natural wood details, including wood windows, wood shutters and exposed wood beams. No mature trees are proposed to be removed for this project. The structure also utilizes finishes that are harmonious with adjoining and adjacent parcels and the colors will be natural in appearance and complementary to the site. The site is surrounded by lots developed to an urban density 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 at the end of 8<sup>th</sup> Avenue, approximately 1600 feet south of the subject site.

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-1-3.5 (Single-family residential, 3,500 square feet) 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 and the Harbor Area Special Community.

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 residence 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 residence 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-1-3.5 (Single-family residential, 3,500 square feet) zone district as the primary use of the property will be one residence that, with the approval of a Variance to the front yard setback and Minor Exception to Floor Area and Lot Coverage, meets all current site standards for the zone district.

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

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

The proposed residence will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and, with the approval of a Variance to the front yard setback and Minor Exception to Floor Area and Lot Coverage, 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 residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residence 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 residence, with the approval of a Variance to the front yard setback and Minor Exception to Floor Area and Lot Coverage, will comply with the site standards for the R-1-3.5 zone district (including height and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed fence and landscaping is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is anticipated to continue to be only 1 peak trip per day and, as such, the proposed project 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 primarily residential neighborhood adjacent to a small commercial corridor and is located within the Harbor Area Coastal Special Community. The existing residence is consistent with the land use intensity and density of the neighborhood and the proposed addition will result in a structure that harmonizes with the character of the Harbor Area Special Community and is respectful of the existing scale of nearby development, while also allowing for an addition that improves livability of the structure.

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 addition and alterations to the existing residence will be of an appropriate scale and 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 proposed project is respectful of the typical characteristics of the Harbor Area Special Community and incorporates elements such as retaining a low-scale portion of the existing dwelling towards the street, utilizing wooden detailing and a similar gable roof profile as adjoining properties. Further, the proposed dwelling has been designed in accordance with the design criteria for the Yacht Harbor Special Community as set out in County Code section 13.20.144, in that the small-scale replacement house has been designed in-line with the characteristics of older dwellings in the neighborhood, with clean lines and a pitched roof. The exterior of the dwelling will be finished with stucco to match surrounding homes and includes natural wood details, including wood windows, wood shutters and exposed wood beams. No mature trees are proposed to be removed for this project.

## **Variance and Minor Exception 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.

#### Variance

This finding can be made in that the granting of a Variance allows the parcel to retain its existing non-conformity while allowing a roof pitch similar to the adjoining properties, which share the same non-conforming setback. Adjacent parcels are of a similar size, shape and setback and feature gable roofs with wall plates that face the street, and the proposed Variance would allow the subject parcel to renovate the dwelling to allow a roof pitch that more closely aligns with its neighbors and creates a more harmonious neighborhood character along this portion of 8<sup>th</sup> Avenue within the Harbor Area Special Community.

## Minor Exceptions

This finding can be made in that the subject parcel is substandard in size, like many other properties in the vicinity, and is deprived of the same privileges enjoyed by other properties with an identical zoning classification due to its size. Due to the size constraints of the site, a Minor Exception to Lot Coverage and Floor Area Ratio is considered appropriate to allow for a modern, livable addition that is respectful of neighborhood character on a substandard lot.

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.

#### Variance

This finding can be made in that the proposed Variance will not result in any additional encroachment further into the setback toward the street and will only allow a maximum of 4 feet of additional wall height to an existing non-conforming wall to allow for a roof design that is more harmonious with the character of the neighborhood. The proposed additional wall height will not be materially detrimental to public health, safety, or welfare, or injurious to property or improvements in the vicinity.

## Minor Exceptions

This finding can be made in that the proposed increase in Lot Coverage and Floor Area Ratio is not expected to have a significant negative impact on adjacent properties. The residential use of the site aligns with the intent and purpose of zoning objectives and does not allow for development in areas that would not be normally approved for development. The proposed addition that results in the need for Minor Exceptions to Lot Coverage and Floor Area Ratio has been designed to meet all other zone district site standards and will result in a dwelling that is designed to be more harmonious with the character of the neighborhood while improving livability of the structure.

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.

#### Variance

This finding can be made in that the proposed Variance seeks to maintain the existing non-conforming setback of eight feet, which aligns with the setbacks enjoyed by adjoining parcels, while proposing to alter the roof pitch to a design that is more harmonious with those observed within the Harbor Area Special Community. The existing dwelling features a comparatively low front wall height, and the proposed renovation will allow the structure to be more consistent with the character of the area. The proposal will not result in any additional encroachment towards the street and is not considered to constitute the granting of a special privilege.

## Minor Exceptions

This finding can be made in that a Minor Exception can be approved on any parcel meeting the specific requirements found at Santa Cruz County Code 13.10.235 – Minor Exceptions. It has specific provisions to allow for an increase in Floor Area Ratio for parcels less than 4,000 square feet and an increase in Lot Coverage for parcels less than 6,000 square feet, both of which apply to the subject parcel. The purpose of the Minor Exception ordinance is to provide a streamlined discretionary review process to allow consideration of minor variations from the zoning district site standards. A property with the same or similar circumstances could be considered for Minor Exception to Floor Area Ratio because the Minor Exception effectively considers the substandard size as a special circumstance and applies adjusted site standards to allow for more equitable development of substandard parcels.

4. That there will be no increase in stormwater leaving the property as a result of additional impermeable area created by a minor increase in lot coverage. The project as approved incorporates measures or conditions that direct runoff to the landscape, uses permeable paving material, reduces existing impermeable area, or incorporates other low impact drainage practices to control any increase in stormwater runoff.

This finding can be made in that, this Permit includes conditions of approval requiring that the project comply with all requirements of the Department of Public Works, Stormwater Management Division, including that all pre-development run-off patterns and rates be maintained. In addition, the Permit is conditioned to require that existing pervious paving be replaced with semi-impervious surfaces where feasible.

## **Conditions of Approval**

Exhibit D: Project plans, prepared by Robin Alaga, dated December 12, 2023.

- I. This permit authorizes the construction of a 918 square foot, two-story addition to an existing residence 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 Santa Cruz County Planning 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 Santa Cruz County Planning 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 right-of-way.
  - E. Obtain a Coastal Encroachment Permit for all existing improvements to remain in the 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 Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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. At minimum, all detailing on the structure shall be wood, including window trim, shutters, and exposed beams. 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 Santa Cruz County Planning review and approval.

- 3. Grading, drainage, and erosion control plans.
- 4. Details showing compliance with fire department requirements.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
  - 1. The discretionary application has not been reviewed for compliance with Part 3 of the County Design Criteria. Prior to issuance of a building, grading, or other permit, final Stormwater Management documents shall be submitted for review and approval by Stormwater Management Section that adheres to the County Design Criteria and County Code 7.79.
  - 2. Pre-development runoff patterns and rates shall be maintained, and safe stormwater overflow shall be incorporated into the project design.
  - 3. Existing impervious paving shall be replaced with semi-impervious surfaces (pervious pavers, gravel, permeable concrete, etc.) shall be used where feasible for flatwork (such as the driveway, patios, walkways, etc.). Per County Code Section 13.10.235 Minor Exceptions, the project shall incorporate measures or conditions that direct runoff to landscape, use permeable paving material, reduce existing impermeable area, or incorporate other low impact drainage design practices to control any increase in stormwater runoff.
- C. Meet all requirements of the City of Santa Cruz Water District.
- D. Meet all requirements of the Santa Cruz County Sanitation District.
- E. Meet all requirements of the Environmental Planning section of Santa Cruz County Planning.
- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
- G. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- H. Pay the current fees for Parks mitigation. Currently, these fees are \$4.51 per square foot for single family dwellings based upon added habitable floor area.
- I. Pay the current fees Childcare mitigation. Currently, these fees are \$0.74 per square foot for single family dwellings based upon added habitable floor area.
- J. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and

the current fee for a dwelling up to 2,000 square feet is \$2 per square foot based upon added habitable floor area.

- K. Provide required off-street parking for 2 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.
- L. 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. The project must comply with all recommendations of the approved soils reports.
  - D. 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. 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 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: |                             | - |
|                  |                             |   |
|                  | 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.

Landscape Materials

experienced field personnel.

not being used or applied.

· Contain stockpiled materials such as mulches and topsoil when they are not actively

• Discontinue the application of any erodible landscape material within 2 days before a

· Apply erodible landscape material at quantities and application rates according to manufacture recommendations or based on written specifications by knowledgeable and

• Stack erodible landscape material on pallets and covering or storing such materials when

• Contain fertilizers and other landscape materials when they are not actively being used.

forecasted rain event or during periods of precipitation

17175× ÷ 3200 = 53.7%

1439 sp - 3700 = 45%

27-07 POR. OF S.W. 1/4 SEC. 17, Tax Area Code THE ASSESSOR MARES NO CHARACTER AS TO MAP ACCURACT NOR ASSUMES ANY LUMBLITY FOR CHIEF WASS. NOT TO BE REPRODUCED. ALL MORTS RESERVED. EATON (04) T.11S., R.1V., M.D.B. & M. VICINITY MAP SUB. NII. 2 ₩@ 2 **(9)**23 **(31)** 1 ⊕®24 + 37 25 | 36 25 36 SPINES ③ 25 @ · (3) œ. **(9)12** 15 (B) at Assessor's Map No. 27-07 County of Santa Cruz, Calif August, 1998 Note - Assessor's Parcel & Block

SURFACE DISSIDATOR (A) =NEIGHBOR

+STRAW WATTLE (4)

+ - GARAGE CONVERSIO EXISTING RESIDENCE -NEIGHBOR VUX conclox (E) BASEROCK - DEMOLISH CLOSET PORCH. - DS TO SPLASH (E) COHC. WALK 10.00 REMOVE COLK WALK IN BOW TE

8TH AVENUE

NOTED BHEST SHEETS

& Kathleen Opal Cliff Driv 78<sup>TH</sup> AVE.

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ADDITION

BARKER

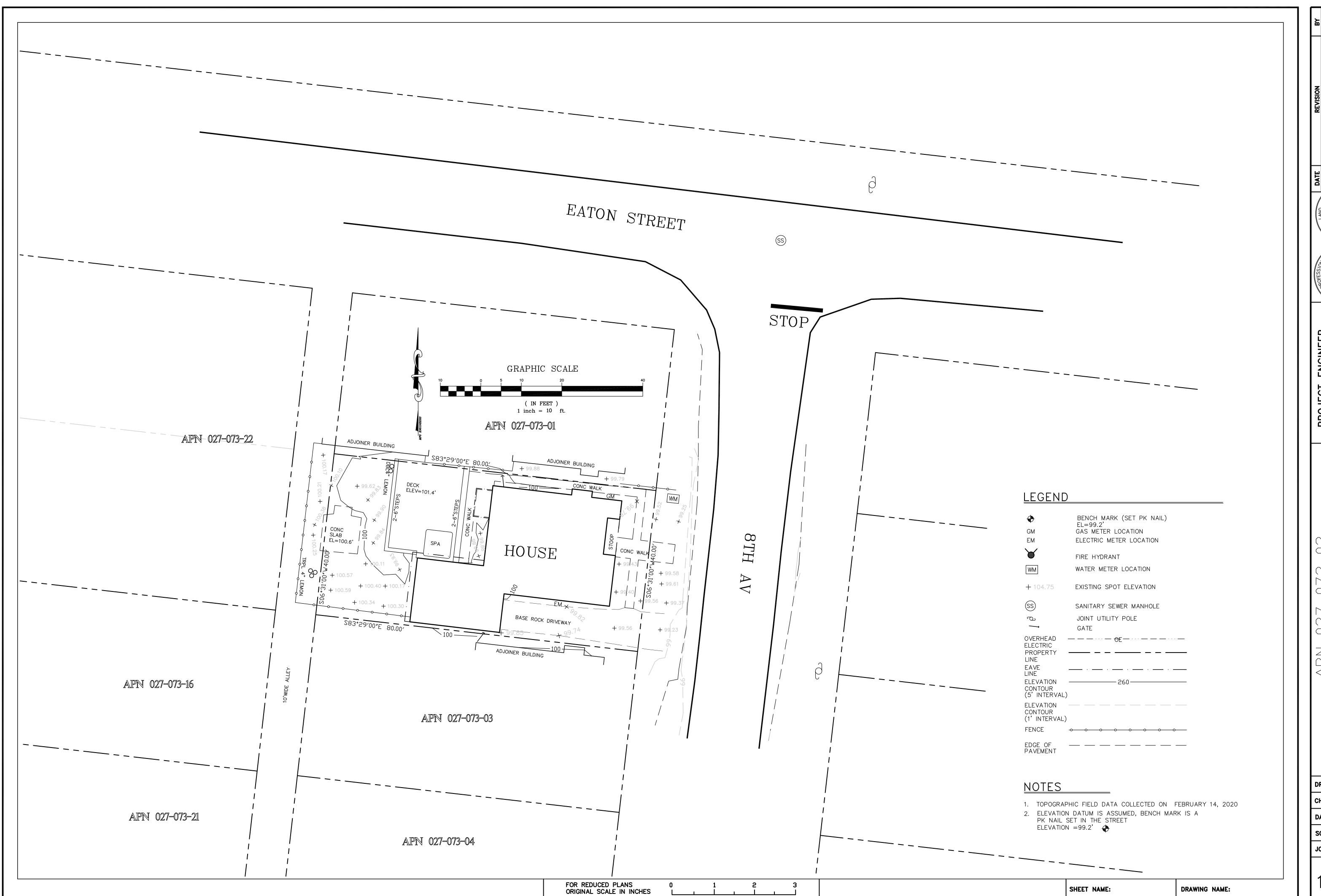
**REVISIONS** 

29. OCT. 23

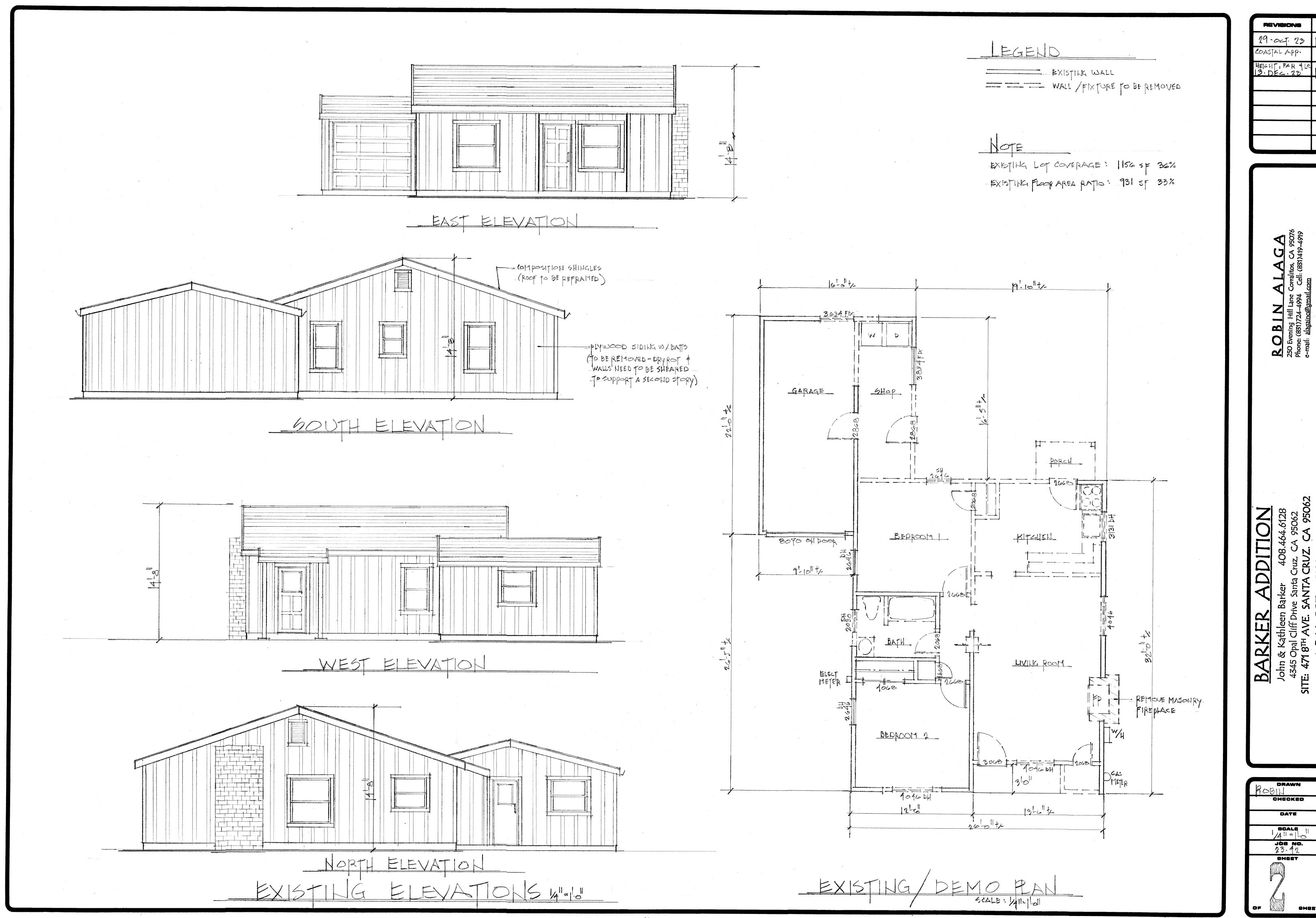
COASTAL APP.

H & FIRE Notes

12. DEC. 23



| ₽₽                               |   |                              |                                |
|----------------------------------|---|------------------------------|--------------------------------|
| REVISION                         |   |                              |                                |
| DATE                             |   |                              |                                |
| LAND SUNK                        | MICHAEL F GOO<br>No. 7867                       | * Exp. 12/31/20              | CALIFORNI                      |
| PROFESSIOW 17                    | MICHAEL F GOODHUE  MICHAEL F GOODHUE  No. 43754 | Exp. 6/30/21 **  CIVIL CIVIL | CALIFORN                       |
| PROJECT ENGINEER                 |   | 763_16                       | CEL (831) 601–9519             |
| APN 027-073-02                   | TOPOGRAPHIC MAP                                 | 7 7 7                        | 471 OTH AVENUE, SANIA CRUZ, CA |
| CHECI<br>DATE:<br>SCALI<br>JOB I | N: M<br>KED:<br>E: 1<br>NO.<br>SHEE             | MF(<br>/20<br>"=             | )                              |



HEIGH [IFAR FLO]

29-OCT 23

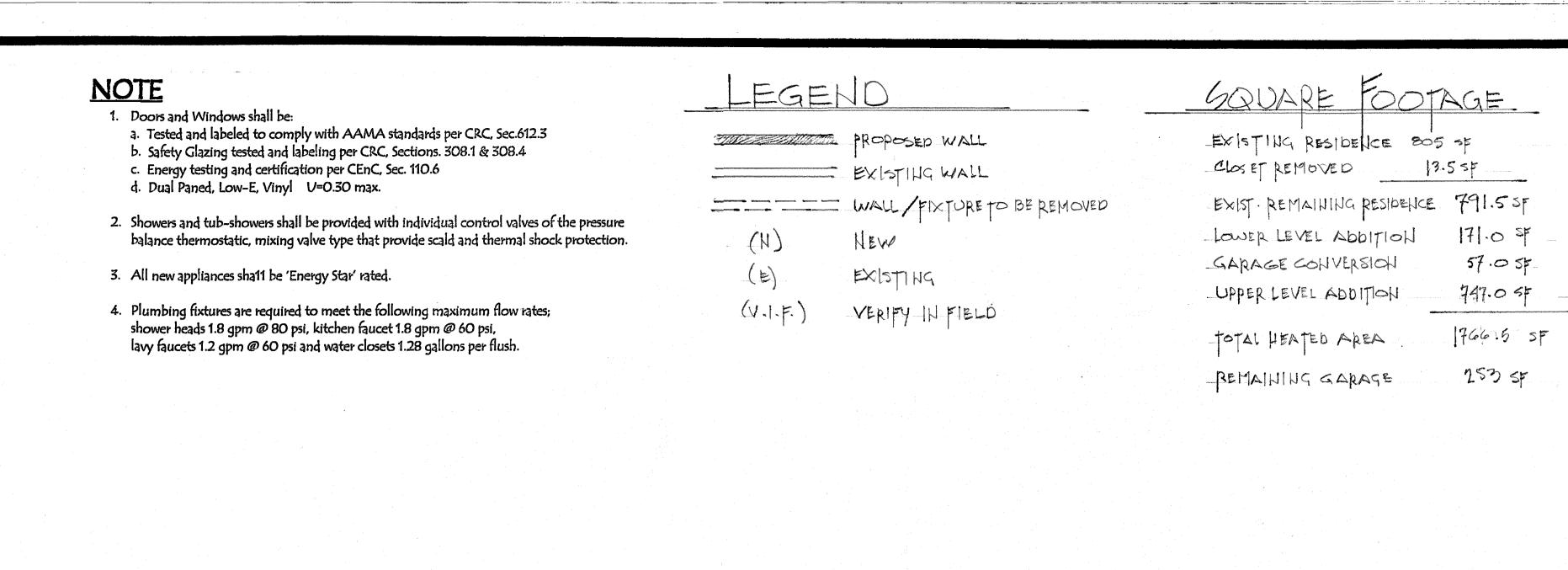
JOB NO. 23.42

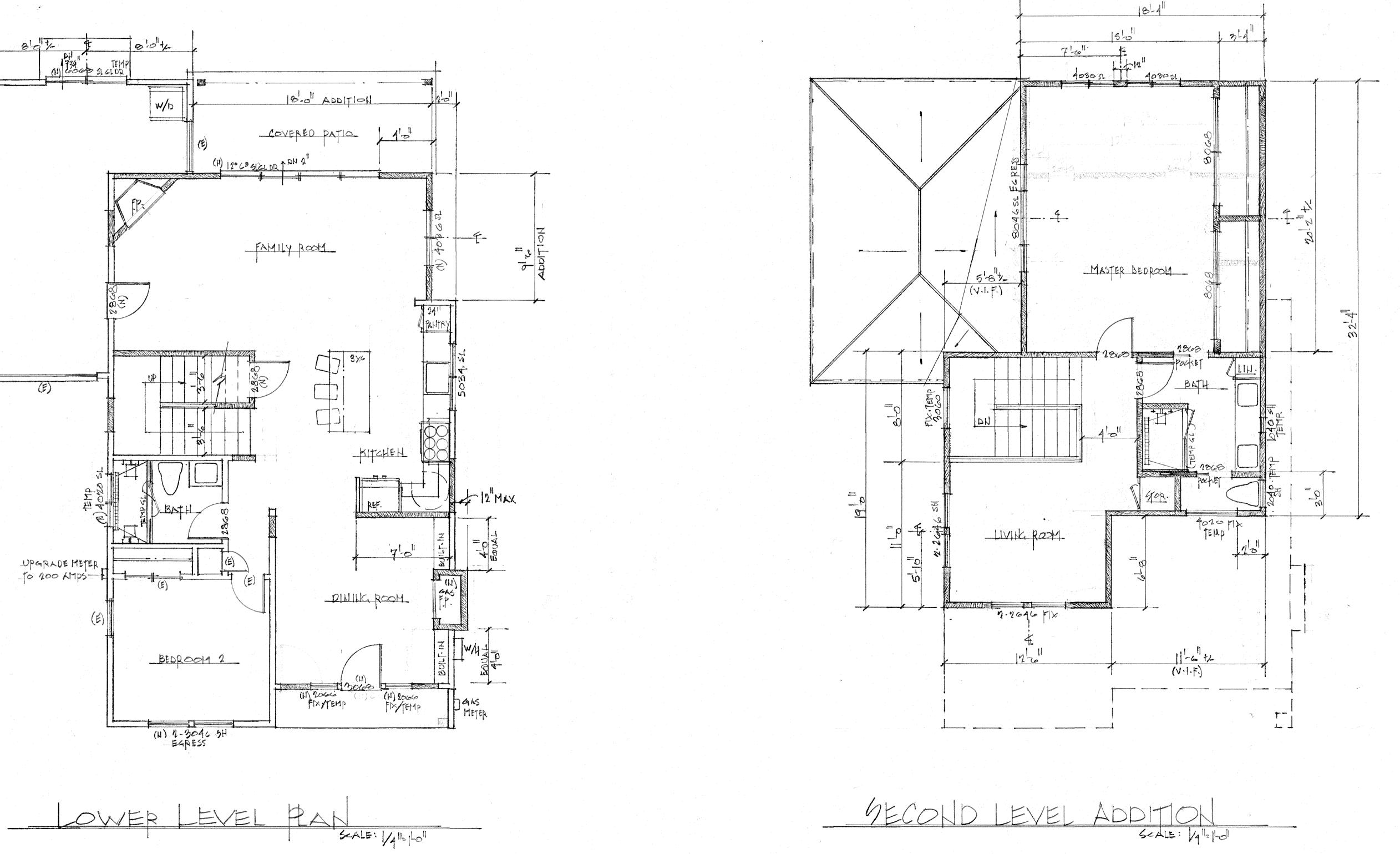
 ADDITION

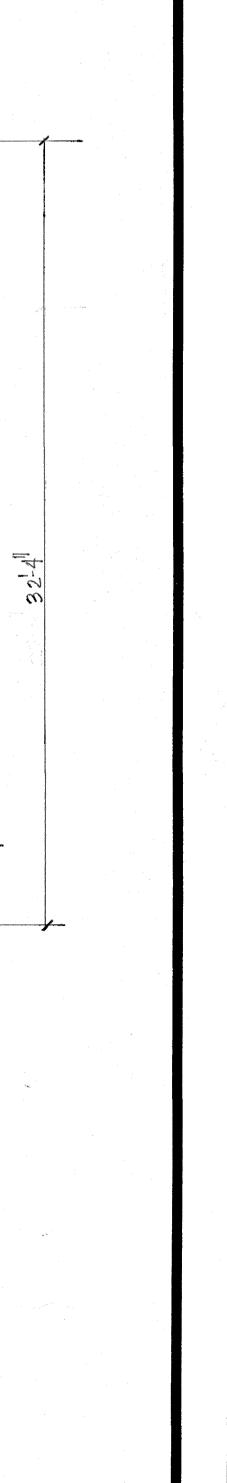
 arker
 408.464.6128

 e Santa Cruz, CA 95062

 ANTA CRUZ. CA 95062





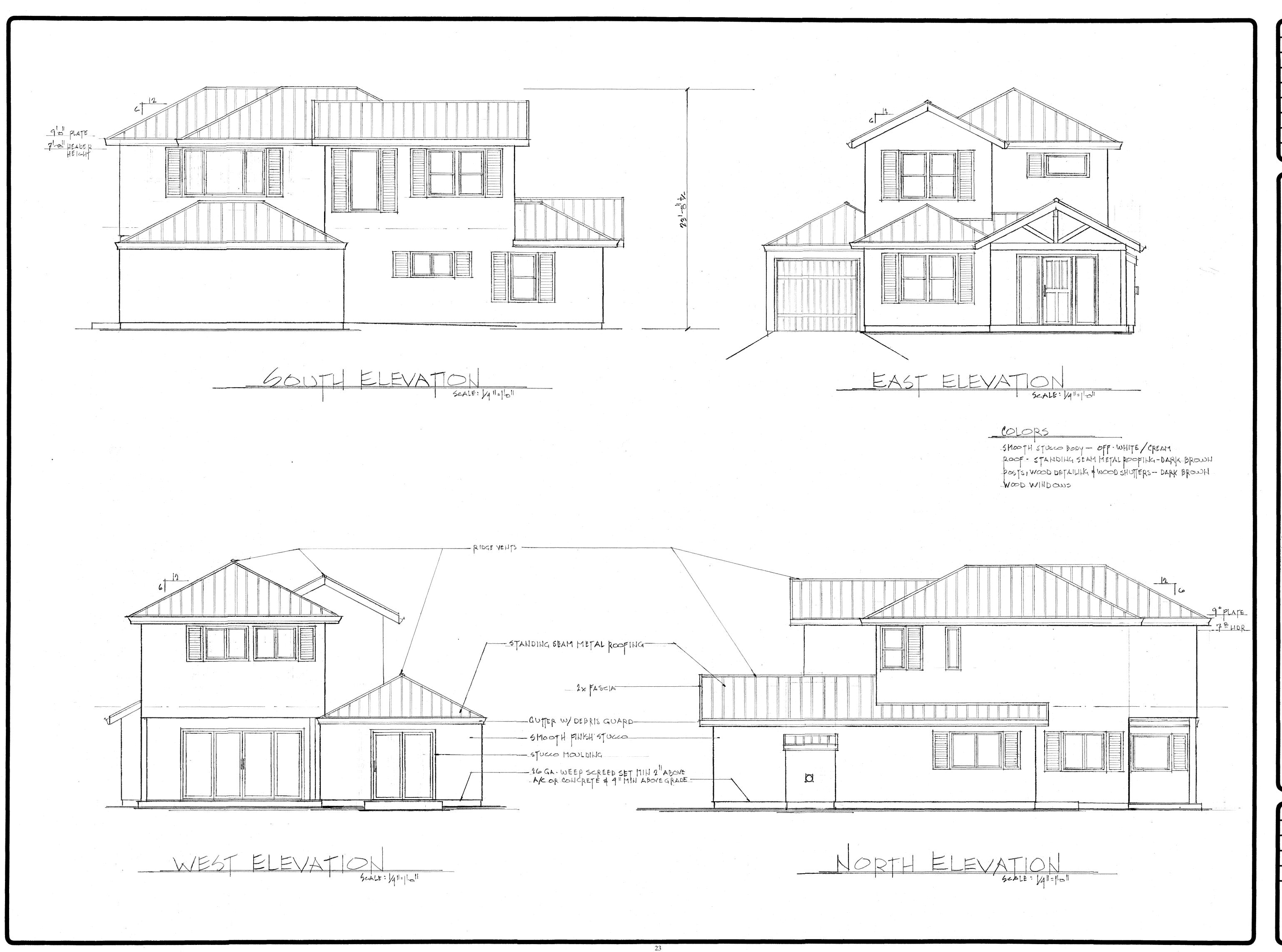


ADDITION

BARKER

29.00-7.23

COASTAL APP



19.0c.T.23 RA
COASTAL APP

OBIN ALAGA

Evening Hill Lane Corralitos, CA 95076

ne: (831)724-4994 Cell: (831)419-4919

ail: alagainc@qmail.com

BARKER ADDITION
John & Kathleen Barker 408.464.6128

CHECKED

CHECKED

CHECKED

DATE

SCALE

JOB NO.

23.40

SHEET



## SANTA CRUZ COUNTY PLANNING DEPARTMENT

## **Parcel Location Map**



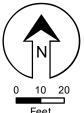


Parcel: 02707302

Study Parcel

Assessor Parcel Boundary

Map printed: 26 Dec. 2023







## **Parcel Information**

#### **Services Information**

Urban/Rural Services Line: X Inside \_ Outside

Water Supply: City of Santa Cruz Water Department Sewage Disposal: County of Santa Cruz Sanitation District

Fire District: Central Fire Protection District

Drainage District: Zone 5

## **Parcel Information**

Parcel Size: 3,136 square feet Existing Land Use - Parcel: Residential

Existing Land Use - Surrounding: Residential and Commercial

Project Access: 8<sup>th</sup> Avenue Planning Area: Live Oak

Land Use Designation: R-UH (Urban High Density Residential)

Zone District: R-1-3.5 (Single-family residential, 3,500 square feet)

27

Comm.

**Technical Reviews**: Geotechnical Report Review (REV231163) – Approved 11/14

#### **Environmental Information**

Geologic Hazards: Not mapped/no physical evidence on site

Fire Hazard: Not a mapped constraint

Slopes: N/A

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

EXHIBIT F