

STAFF REPORT TO THE ZONING ADMINISTRATOR

APPLICATION NO.: 01-0010 **APN:** 026-311-05, 32

APPLICANT: Larry & Lora Van Den Heuval

OWNER Larry & Lora Van Den Heuval

PROJECT DESCRIPTION: Proposal to maintain and expand an existing landscape contractor's storage yard to include a Master Occupancy Plan.

LOCATION: Property located on the south side of Brommer Street, about 500 feet west from 17th Avenue, in Live Oak.

PERMITS REQUIRED: Commercial Development Permit, Master Occupancy Permit

ENVIRONMENTAL DETERMINATION: Exempt - Category 1

COASTAL ZONE: ___ Yes X No

APPEALABLE TO CCC: ___ Yes X No

PARCEL INFORMATION

PARCEL SIZE: 22,000 & 40,000 square feet

EXISTING LAND USE:

PARCEL: Commercial

SURROUNDING: Commercial, residential

PROJECT ACCESS: Brommer Street

PLANNING AREA: Live Oak

LAND USE DESIGNATION: Commercial Service

ZONING DISTRICT: C-4 (commercial service, light industrial)

SUPERVISORIAL DISTRICT: First District (Jan Beautz)

ENVIRONMENTAL INFORMATION

- | | |
|-----------------------|--|
| a. Geologic Hazards | a. Not mapped/no physical evidence on site |
| b. Soils | b. N/A |
| c. Fire Hazard | c. Not a mapped constraint |
| d. Slopes | d. N/A |
| e. Env. Sen. Habitat | e. Not mapped/no physical evidence on site |
| f. Grading | f. No grading proposed |
| g. Tree Removal | g. No trees proposed to be removed |
| h. Scenic | h. Not a mapped resource |
| i. Drainage | i. Existing drainage capacity unknown |
| j. Traffic | j. N/A |
| k. Roads | Existing roads adequate |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. N/A |
| n. Water Availability | n. N/A |
| o. Archeology | o. Not mapped/no physical evidence on site |

SERVICES INFORMATION

Inside Urban/Rural Services Line: X Yes ___ No
Water Supply: Santa Cruz Municipal
Sewage Disposal: County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 6

HISTORY

The project includes 2 parcels, one of which (026-311-32) has been utilized as a contractor's storage yard for more than 30 years. A County Planning Department Design Review Permit (D-72-4-11) was issued in 1972 for a Roofing Contractor's Storage Yard. The approved exhibit, site and landscaping plan on file in the Planning Department for the Design Review represents the entire parcel absent of buildings and including equipment and material storage. No permits are on record for the second parcel 026-311-05. The current use, Paradise Landscaping, operates on both parcels (totaling about 61,736 sq. ft.) utilizing one parcel separately for service vehicles, equipment storage buildings, and office buildings (026-311-32). The *other* parcel (026-311-05) is used for debris storage, wood cutting for resale, and employee and equipment parking. The existing use was issued a red tag for Zoning Code Violations on **January 3rd**, 2000 for conducting an expanded commercial use without a Commercial Development Permit. The owner submitted an application for a Commercial Development Permit on **January 8th**, 2001 in response to the violation notice. The application material was reviewed by various County agencies and the planning staff and deemed to be incomplete. Several notices were sent to the applicant/owner requesting additional information and no materials have been submitted to staff for additional review. A final notice was sent to the applicant and owner on **March 2nd**, 2004 from the Director of Planning requesting the materials needed to process the proposed application, to date planning staff have not received the requested materials

ANALYSIS AND DISCUSSION

The project site is located in the C-4 (Commercial Services) zone district, a designation that allows commercial service uses. The proposed expansion **of** the existing contractor's storage and landscaping business includes recognizing 10 storage buildings (from 64 square feet to about 475 square feet in size), one office building (276 square feet), and **parking/storage** for approximately 25 service vehicles on a 21,736 square foot parcel (026-311-32). The adjacent 39,998 square foot parcel **is** used for 20 employee parking spaces and vehicle equipment parking wood cutting for resale use (firewood), and debris dumpster bin storage. The property is located adjacent to developed residential area across Brommer **Street**. A contractor storage yard use can be considered consistent with the site's Commercial Service, **Light** Industrial General Plan designation when operation on-site does not create significant adverse environmental or neighborhood impacts.

Incomplete Application Materials

On March 2nd, 2004, a final notice was sent to the property owner and applicant from the Director of Planning indicating that additional information was needed. To date, planning staff has not received the required information to recommend approval. That letter is attached as Exhibit "G."

General Plan Consistency

General Plan Policy 2.17.4 Design of Service Commercial/Light Industrial Uses is to ensure compatibility with adjacent uses through Commercial Development Permit procedures with careful attention to landscaping, signage, access, site and building design, drainage, on-site parking and circulation, fencing and mitigation of nuisance factors.

General Plan Policy 6.3.4 requires an erosion control plan approval for all development and General Plan Policy 6.3.5 requires that adequate erosion control measures be provided to prevent potential erosion impacts. The applicant's refusal to submit an erosion control plan prevents the Department of Public Works Drainage section staff from reviewing the existing landscapers storage yard for potential impacts caused by erosion.

The Planning Department has received numerous complaints regarding off-site noise being emitted from day to day activities. General Plan Policy 6.9.a states "to promote land uses which are compatible with each other and with existing and future noise environment. Prevent new noise from increasing the existing noise levels above acceptable standards and eliminate or reduce noise from existing objectionable noise source." On several site visits to determine ambient noise emitted from onsite activities, staff used a decibel measuring device to determine if the existing activities exceed the allowable 60 dB noise levels for the Commercial Service, Light Industrial General Plan designation. Planning staff determined that the ambient noise emitted from standard onsite activities was well above the allowable 60 dB noise levels. When staff measured the ambient noise emitted from the cutting of firewood, the noise levels were in the high 90-100 dB ambient noise levels.

Inconsistencies with County Ordinance

The applicant/owner propose a "valet" style parking plan which is not consistent with the County ordinance. Section 13.11.074 (a) access, circulation and parking states, "It shall be an objective to design pedestrian, bicycle and vehicle circulation, and **parking**, to be safe, convenient, and readily understandable to users. access, circulation and **parking** design shall relate to the proposed development on adjoining properties." Planning staff reviewed the proposed parking plan and determined that the parking plan proposed does not provide an adequate parking plan which is safe and convenient. Planning staff concluded that there is ample room on both parcels to provide parking for employees, company vehicles and the general public. The proposed parking plan submitted does not provide safe and convenient parking design.

The applicants proposed use of "porta-potties" onsite which conflicts with County Code Section 7.38.035, which states "**every** person owning, leasing, occupying or using any building designed or used for human habitation or commercial activities shall be required either to provide and maintain a properly functioning individual sewage disposal system or to provide and maintain an adequate connection to a public sewer for such building. All sewage disposal systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition at all times. The owner, lessee, occupant, user, or his or her designated agent, shall be responsible for the maintenance of such systems." The existing contractor's storage yard is located within two hundred feet of a public sewer and connection to the sewer has been determined to be feasible by Public Works Sanitation staff in that sewer service is available by contract with **the** County Sanitation District, and connection is technically feasible based on engineering and technical factors.

Conclusion

Planning Department staff has discussed with the applicant and the owner that additional information is needed to determine the application complete for further processing. However, they have continually stated that the property use is pre-existing, that the revised information and materials submitted are adequate for processing the permit, and that he would like **final** determination made and a Commercial Development Permit issued. Planning staff and other relevant departments have reviewed the proposed project and the most recent plans submitted and determined that, due **to** a lack of information submitted by the property owner and that applicant, there is not enough information for staff to **make** the recommendation or the findings for approval. Additionally, information that has been submitted is inconsistent with the County's General Plan, Zoning Ordinance and other applicable Ordinances.

RECOMMENDATION

Staff recommends:

1. Denial of application 01-0010

EXHIBITS

- A. Project plans
- B. Findings
- C. General Plan Map
- D. Zoning map
- E. Vicinity Map
- F. Agency comments
- G. Memo sent from Tom Bums March 2nd, 2004
- H. Correspondence

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.

Report Prepared By: David Heinlein
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5321 (or, david.heinlein@co.santa-cruz.ca.us)

COMMERCIAL 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 not be made. The location and operation of the existing contractors storage yard and the existing unpermitted use could be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, in that the intensive use would create traffic, noise and nuisance impacts affecting the surrounding single family and multi-family residences. The proposed project is located in an area designated for commercial services but due to lack of information submitted by the owner/applicant, necessary findings for approval can not be made for the intensive contracting uses. Existing conditions on the property including erosion, inadequate treatment of runoff and noise are detrimental to the health and welfare of persons residing in the neighborhood.

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 not be made. Although the project site is located in the C-4 (Commercial Service, Light Industrial) zone district, the existing location of the contractors storage yard, storage buildings and general operations will not be consistent with all pertinent County ordinances.

The applicant/owner propose a "valet" style parking plan which is not consistent with the County ordinance. Section 13.11.074 (a) access, circulation and parking states, "It shall be an objective to design pedestrian, bicycle and vehicle circulation, and parking, to be safe, convenient, and readily understandable to users. access, circulation and *parking* design shall relate to the proposed development on adjoining properties." Planning staff reviewed the proposed parking plan and determined that the parking plan purposed does not provide an adequate parking plan which is safe and convenient. Planning staff concluded that there is ample room on both parcels to provide parking for employees, company vehicles and the general public.

The applicant is requesting the use of "porta-potties" to be located on site. County Code Section 7.38.035 states "every person owning, leasing, occupying or using any building designed or used for human habitation or commercial activities shall be required either to provide and maintain a properly functioning individual sewage disposal system or to provide and maintain an adequate

connection to a public sewer for such building. All sewage disposal systems, both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition at all times. The owner, lessee, occupant, user, or his or her designated agent, shall be responsible for the maintenance of such systems.” The existing contractor’s storage yard is located within two hundred feet of a public sewer and connection to the sewer has been determined to be feasible in that sewer service is available by contract with the County Sanitation District, and connection is technically feasible based on engineering and technical factors.

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 not be made. Though the project site is located in the C-4 (Commercial Service, Light Industrial) land use designation, due to lack of information submitted and careful examination of the insufficient plans from planning staff, it was determined that proposed use of the existing contractors storage yard, storage buildings and the general operations will not be consistent with all elements of the County General Plan.

General Plan Policy 2.17.4 Design of Service Commercial/Light Industrial Uses is to ensure compatibility with adjacent uses through Commercial Development Permit procedures with careful attention to landscaping, signage, access, site and building design, drainage, on-site parking and circulation, fencing and mitigation of nuisance factors.

General Plan Policy 6.3.4 requires an erosion control plan approval for all development and General Plan Policy 6.3.5 requires that adequate erosion control measures be provided to prevent potential erosion impacts. The applicant/owner’s refusal to submit **an** erosion control plan prevents the Department of Public Works Drainage section staff from reviewing the existing landscapers storage yard for potential impacts caused by erosion.

General Plan Policy 6.9a states “ to promote land uses which are compatible with each other and with existing and future noise environment. Prevent new noise from increasing the existing noise levels above acceptable standards and eliminate or reduce noise from existing objectionable noise source.” General Plan Policy 6.9.1 requires that all new development to conform with the Land Use Compatibility Guidelines and that all new residential and noise sensitive land developments should conform to a noise exposure standard of 60 dB. The owners use of chainsaws on the parcels and the additional use on Assessors Parcel Number 026-311-33 directly conflicts with the allowable noise being omitted from on-site **uses**. Planning staff used a decibel meter on several occasions to measure the ambient noise which was emitted from the parcels. The average noise emitted during the wood cutting activities was in the mid to **high** 90 dB range.

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 not be made. Due to lack of information submitted by the applicant/owner, planning staff is unable to analyze the potential traffic impacts. Planning staff has received numerous complaints regarding the parking impacts caused by the existing use. These impacts include but are not limited to: employee parking in the residential areas and large amounts of dirt and mud being tracked on to the local streets.

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 not be made. Although the project site is located in the C-4 (Single Family Residential - 20000 square foot minimum) zone district, the existing location of the contractors storage yard, storage buildings and general operations will not be consistent with all pertinent County ordinances.

The applicant/owner propose a “valet” style parking plan which is not consistent with the County ordinance. Section 13.11.074(a) access, circulation and parking states, “It shall be an objective to design pedestrian, bicycle and vehicle circulation, and **parking**, to be safe, convenient, and readily understandable to users. access, circulation and **parking** design shall relate to the proposed development on adjoining properties.” Planning staff reviewed the proposed parking plan and determined that the parking plan purposed does not provide an adequate parking plan which is safe and convenient. Planning staff concluded that there is ample room on both parcels to provide parking for employees, company vehicles and the general public.

The existing traffic and parking problems persist at the site. The Planning Department has received numerous complaints regarding employee parking occurring along the residential portions of Brommer Avenue. Additionally, the traffic Paradise Landscaping is creating from employee vehicles leaving the site is causing large amounts of dirt and mud to be deposited along Brominer street causing additional impacts to the surrounding residential neighborhoods.

Ambient noise emitted from the existing use does not conform to General Plan Policy 6.9.1, which requires that all new development to conform with the Land Use Compatibility Guidelines and that all new residential and noise sensitive land developments should conform to a noise exposure standard of 60 dB. The owners use of chainsaws on the parcels and the additional use on Assessors Parcel Number **026-3 11-33** directly conflicts with the allowable noise being omitted from on-site uses. Planning staff used a decibel meter on several occasions to measure the ambient noise which was emitted from the parcels. The average noise emitted during the wood cutting activities was in the mid to high 90 dB range.

Planning staff carefully examined the existing and proposed additions to Paradise Landscaping and concluded that even though the parcels are zoned C-4 (Commercial Service, Light Industrial), the existing and proposed additions to Paradise Landscaping are too intense for the existing neighborhood. The parcels are too small for the intensity which has been proposed and without the proper information required for review, staff is unable to incorporate proper

conditions which could be used to mitigate the existing impacts to the surrounding residential neighborhoods.

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 not be made. Section 13.11.040 projects requiring design review states “design review shall be required for the following private and public activities,” The proposed commercial project requires Design Review under Section 13.11.040 (e), all commercial remodels or new commercial construction. Due to lack of materials submitted, including but not limited to; the finished exterior materials and color of roofing and scaled drawings that show all structural details and all elevations of the structures, the County’s Urban Designer has been unable to review the proposed Commercial Development Permit and Master Occupancy Program to determine if the project 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 which is required with the Design Standards and Guidelines of the County Code.

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE
DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS
AND COMMENCE CONSTRUCTION.**

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

David Heinlein
Project Planner

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.

NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz ~~has~~ reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

Application No.: 01-0010

Assessor Parcel No.: 026-311-32

Project Location: 1500 Brommer Street

Project Description: Contractors storage yard

Person or Agency Proposing Project: Lany & Lora Van Den Heuval

Contact Phone: (831) 475-1714

- A. ☐ The proposed activity is not a project under CEQA Guidelines, Sections 1928 and 501.
B. ☐ Ministerial Project involving only the **use** of fixed standards or objective measurements without personal judgment.
C. ☐ Statutory Exemption other than a Ministerial Project.
Specify type:

D. Categorical Exemption

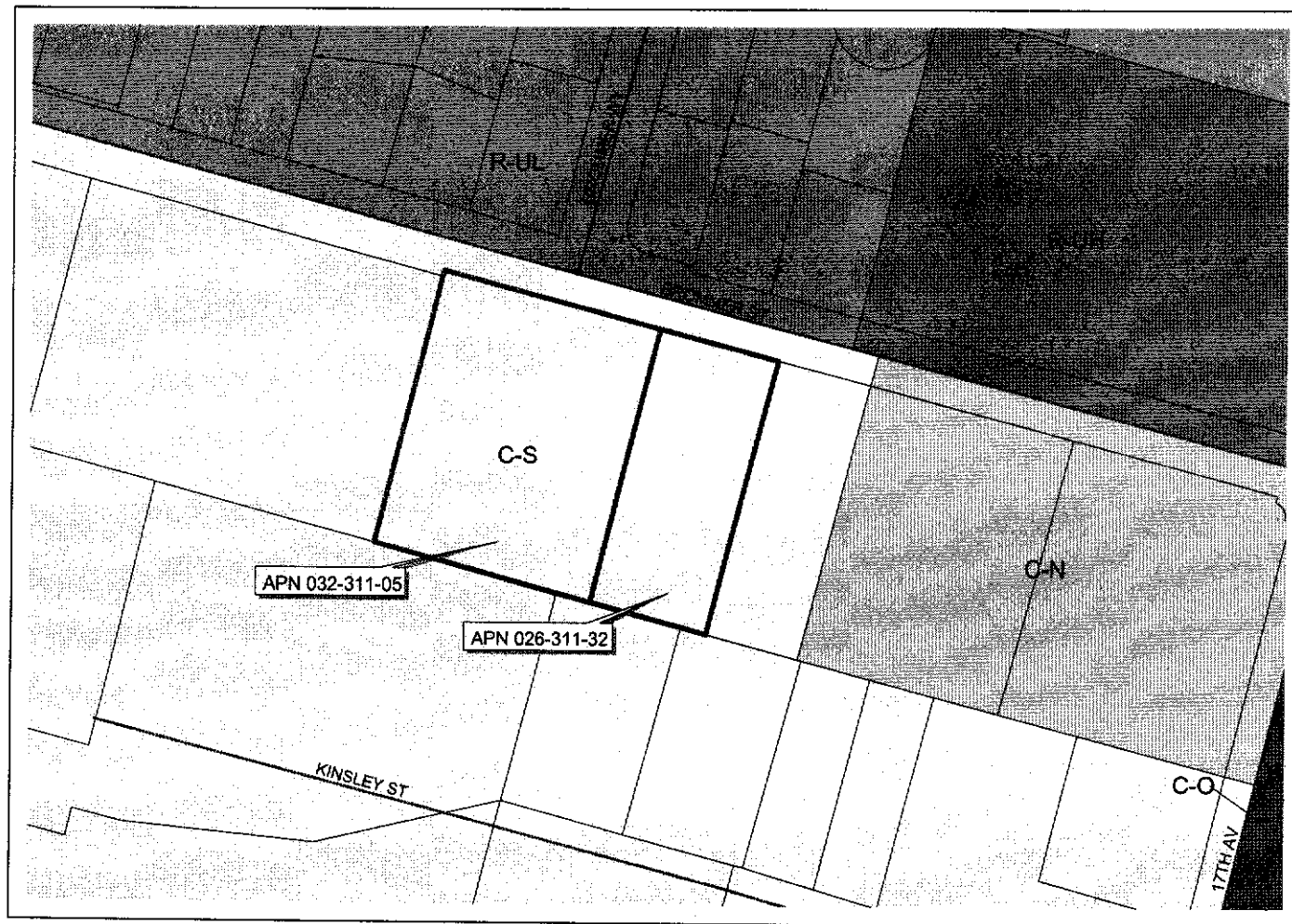
- | | |
|--|---|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input checked="" type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 22. Educational Programs |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 23. Normal Operations of Facilities for Public Gatherings |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 24. Regulation of Working Conditions |
| <input type="checkbox"/> 6. Information Collection | <input type="checkbox"/> 25. Transfers of Ownership of Interests in Land to Preserve Open Space |
| <input type="checkbox"/> 7. Actions by Regulatory Agencies for Protection of the Environment | <input type="checkbox"/> 26. Acquisition of Housing for Housing Assistance Programs |
| <input type="checkbox"/> 8. Actions by Regulatory Agencies for Protection of Nat. Resources | <input type="checkbox"/> 27. Leasing New Facilities |
| <input type="checkbox"/> 9. Inspection | <input type="checkbox"/> 28. Small Hydroelectric Projects at Existing Facilities |
| <input type="checkbox"/> 10. Loans | <input type="checkbox"/> 29. Cogeneration Projects at Existing Facilities |
| <input type="checkbox"/> 11. Accessory Structures | <input type="checkbox"/> 30. Minor Actions to Prevent, Minimize, Stabilize, Mitigate or Eliminate the Release or Threat of Release of Hazardous Waste or Hazardous Substances |
| <input type="checkbox"/> 12. Surplus Govt. Property Sales | <input type="checkbox"/> 31. Historical Resource Restoration/Rehabilitation |
| <input type="checkbox"/> 13. Acquisition of Land for Wild-Life Conservation Purposes | <input type="checkbox"/> 32. In-Fill Development Projects |
| <input type="checkbox"/> 14. Minor Additions to Schools | |
| <input type="checkbox"/> 15. Minor Land Divisions | |
| <input type="checkbox"/> 16. Transfer of Ownership of Land to Create Parks | |
| <input type="checkbox"/> 17. Open Space Contracts or Easements | |
| <input type="checkbox"/> 18. Designation of Wilderness Areas | |
| <input type="checkbox"/> 19. Annexation of Existing Facilities Lots for Exempt Facilities | |

E. ☐ Lead Agency Other Than County:

David Heinlein, Project Planner

Date: _____

General Plan Map



200 0 200 400 600 Feet

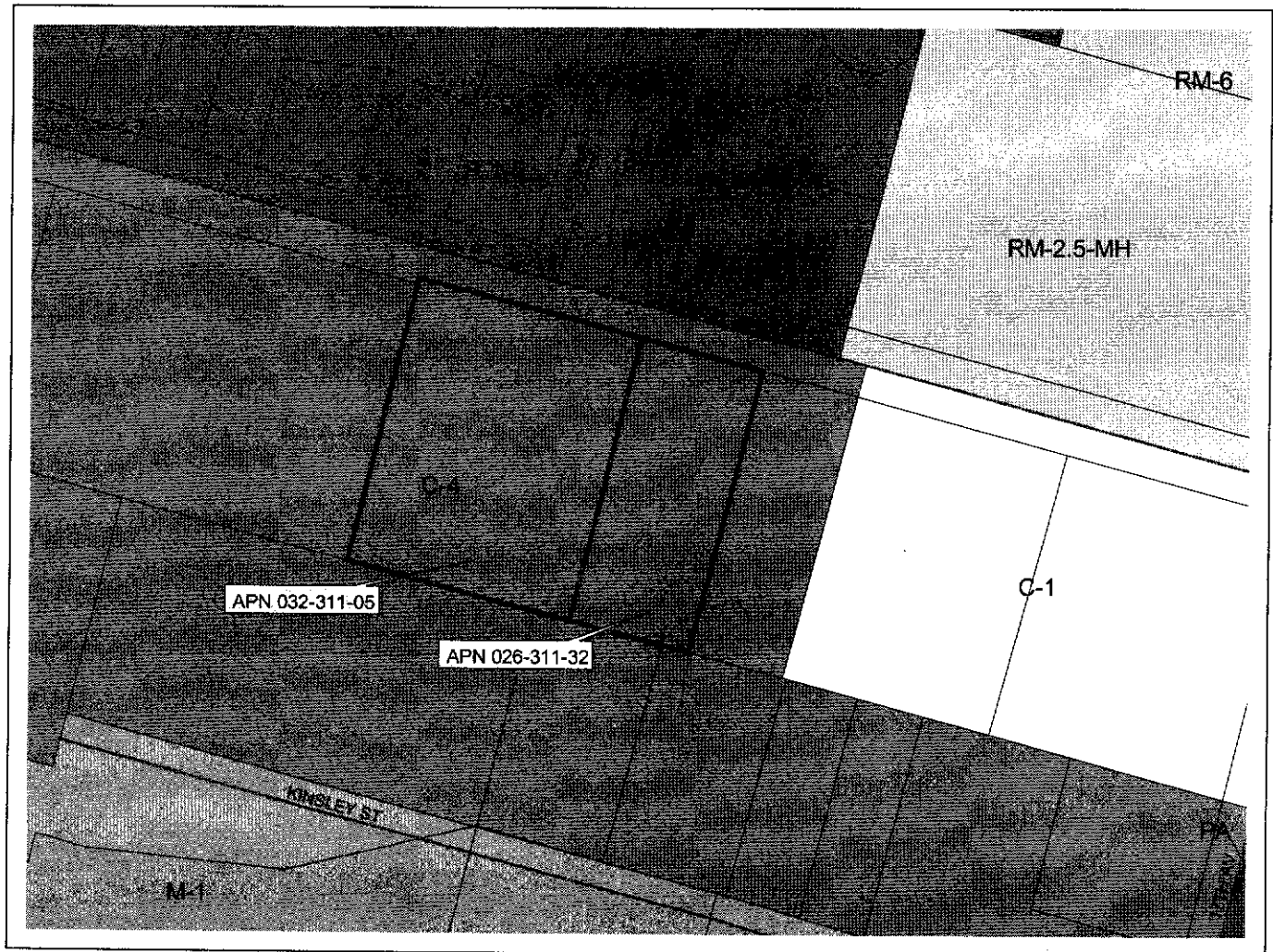
Legend

	APN 026-311-05,32
	Streets
	Office Commercial
	Residential - Urban High Density
	Residential - Urban Low Density
	Neighborhood Commercial
	Service Commercial



Map created by Santa Cruz County
Planning Department:
February 2004

Zoning Map



200 0 200 400 600 Feet

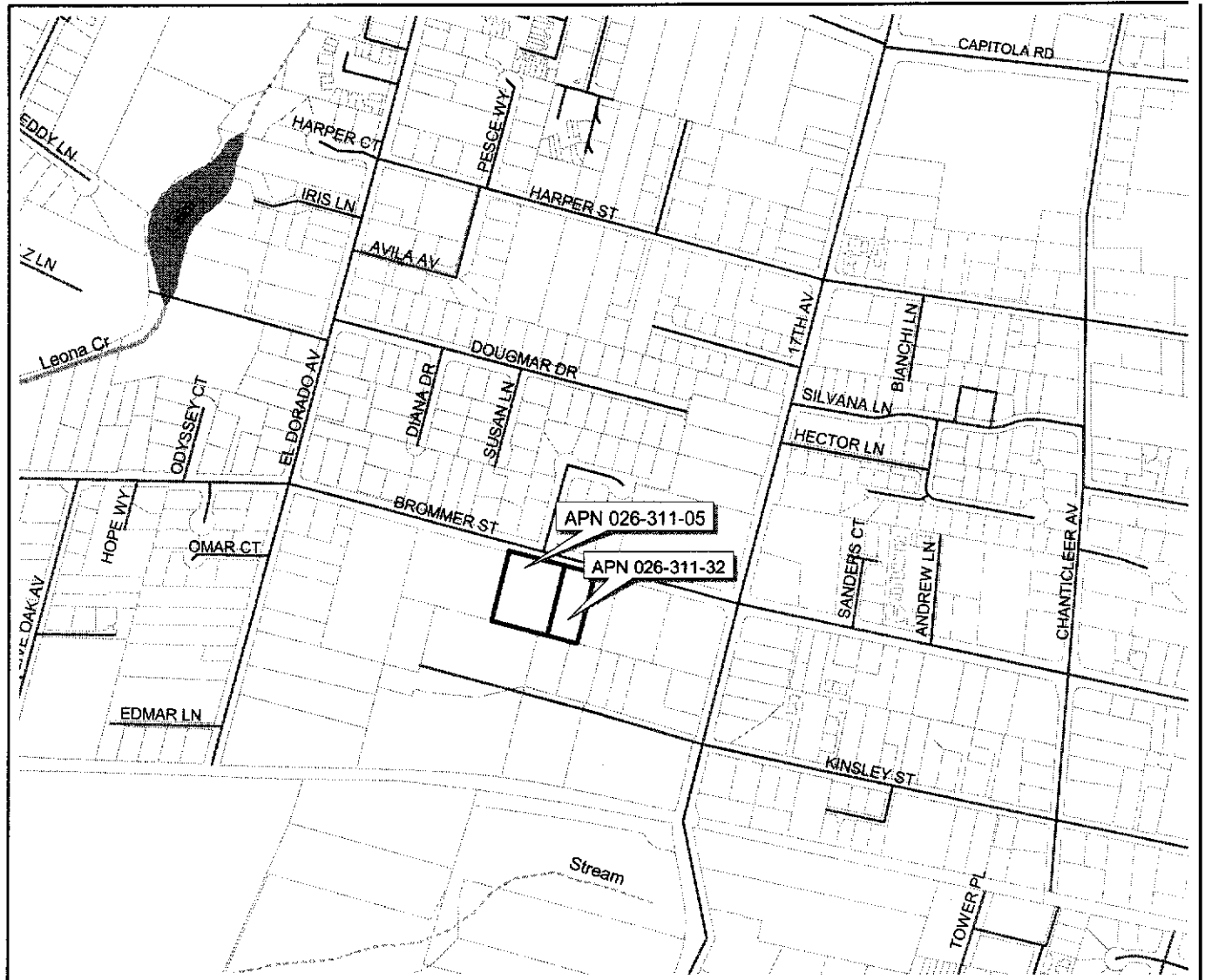
Legend

	APN 026-311-05,32
	Streets
	PA
	R-1-X
	RM
	C-1
	M-1
	c-4



Map created by Santa Cruz County
Planning Department:
February 2004

Location Map



1000 0 1000 2000 Feet

Map created by Santa Cruz County
Planning Department:
February 2004



COUNTY OF SANTA CRUZ
DISCRETIONARY APPLICATION COMMENTS

EXHIBIT,

Project Planner: David Heinlein
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Date: May 12, 2004
Time: 07:16:00
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Environmental Planning Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 26, 2001 BY BETH DYER =====

NO COMMENT

Environmental Planning Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 26, 2001 BY BETH DYER =====

Should building permit(s) be necessary, an erosion control plan, a drainage plan, and preliminary grading information (including total volume of earthwork, the disposal of fill and/or excavated material, and cross-sections that include existing and finished grade) will be required.

Code Compliance Completeness Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 19, 2001 BY KEVIN M FITZPATRICK =====

NO COMMENT

The first issue is that D-72-4-11 is a design review and not a Commercial Development Permit. The application description should be changed to a New Commercial Development Permit. Also, as was discussed in a meeting between the property owner, Asst. Planning Director Mike Dever and Principal Planner Mark Deming, this application should include the adjoining lot that is owned and being used by Paradis Landscape. (KMF) ===== UPDATED ON JANUARY 23, 2001 BY KEVIN M FITZPATRICK

NO COMMENT

There is an issue of employee parking. This does not appear to be addressed by this Application. (KMF) ===== UPDATED ON NOVEMBER 16, 2001 BY KEVIN M FITZPATRICK

===== This application appears to completely address the violation as issued. (KMF)

NO COMMENT

===== UPDATED ON MARCH 20, 2003 BY KEVIN M FITZPATRICK =====

Code Compliance Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON JANUARY 19, 2001 BY KEVIN M FITZPATRICK =====

NO COMMENT

This application should address the signage. The front freestanding sign exceeds seven feet in height. (KMF) ===== UPDATED ON NOVEMBER 16, 2001 BY KEVIN M

FITZPATRICK =====

NO COMMENT

Discretionary Comments - Continued

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No additional comments by Code Compliance. (KMF) ===== UPDATED ON MARCH 20, 2003
BY KEVIN M FITZPATRICK =====

NO COMMENT

I believe I saw a for sale sign on APN: 026-311-05, which is where the dumpsters are to be stored. I will verify on next field trip. (KMF)

Dpw Drainage Completeness Comments

===== REVIEW ON JANUARY 26, 2001 BY ALYSON B TOM =====
Additional drainage information is required:

1.Plans should show topographic information such as contour lines and spot elevations.Demonstrate that the pathway of site runoff will not adversely impact adjacent properties.

2.A Zone 5 drainage fee will be assessed on the net increase in impervious area. The fees are currently \$0.70per square foot and shall be increased on each upcoming July 1 by \$0.05until they reach \$0.85per square foot by the year 2003. Credit will be given for all existing permitted buildings and impervious areas currently on the site. Clearly differentiate on the plans between existing, permitted impervious areas and proposed or non-permitted impervious areas.

3.If the scope of the application is changed in response to Code Compliance comments additional drainage review comments may be required.

4.For questions regarding this review Public Works drainage staff is available from 8:00-12:00 Monday through Friday. ===== UPDATED ON NOVEMBER 29, 2001 BY ALYSON B TOM =====

1) Demonstrate that the on-site 18" RCP and the downstream facilities are adequate in capacity and condition to handle the added runoff from this project. If facilities are not adequate please update the plans to incorporate facility upgrades.

Please see miscellaneous comments for issues that must be addressed in the building permit stage. ===== UPDATED ON MARCH 26, 2003 BY ALYSON B TOM ===== Previous completeness comments made on November 29, 2001 have not been addressed. Please note that the storm drain on site and downstream from this site are private systems. The County does not own or maintain these systems. Please submit evaluation as was previously requested.

Please remove the stand-pipe and drain rock from the silt and grease trap detail.

Please add notes to the plan describing how the modular building will drain (sheet flow off roof, downspouts to splashblocks, ??).

Dpw Drainage Miscellaneous Comments

===== REVIEW ON JANUARY 26, 2001 BY ALYSON B TOM =====
NO COMMENT

===== UPDATED ON NOVEMBER 29, 2001 BY ALYSON B TOM =====

The following comments must be addressed in the building permit stage

Discretionary Comments - Continued

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Time: 07:16:00
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- 1) Please clearly delineate the extent of the proposed baserock areas. Please provide a cross section of the proposed baserock areas. 4 inches or more of baserock is considered impervious (less than 4 inches is considered semi-impervious). A zone 5 drainage fee will be assessed on the net increase in impervious area.
- 2) All runoff from parking and driveway areas should be treated with a silt and grease trap prior to leaving the site. Please update the plan accordingly. A signed and recorded maintenance agreement for the silt and grease trap(s) is required prior to building permit issuance.
- 3) Demonstrate how runoff from the equipment and materials storage area (specifically in the area of dumpster storage) will be directed and how the areas will be maintained so as not to allow runoff pollution.
- 4) For questions regarding this review Public Works drainage staff is available from 8:00-12:00 Monday through Friday.

Dpw Driveway/Encroachment Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 2, 2001 BY RUSSELL M ALBRECHT =====

Show property lines on plot plan drawn to scale.

Show existing roadside improvements, ie. curb and gutter or valley gutter or . . ."

Since the adj. lot lookstobe a part of this landscaping business, this application review should include APN 26-311-05. Public Works has received complaints regarding the tracking of mud onto the bike lane and into Brommer Street from this fire wood cutting yard. I would like to see some means of erosion control and/or paved driveway approach to avoid a mud hazard. Also, the plans have to show the position of property lines and the R/W line along Brommer St. I have a concern that the existing Paradise sign may be located in the right-of-way adjacent to 26-311-32 as well as the fence along the wood yard (26-311-05) may be in the R/W. Plans should be to scale and show all these existing improvements. ===== UPDATED ON FEBRUARY 7, 2001 BY RUSSELL M ALBRECHT =====

Show property lines on plot plan drawn to scale.

Show existing roadside improvements, ie. curb and gutter or valley gutter or . . ."

===== UPDATED ON DECEMBER 19, 2001 BY RUSSELL M ALBRECHT =====

Show driveway plan view and centerline profile.

Show existing ground and driveway elevations on profile.

Show existing roadside improvements, ie. curb and gutter or valley gutter or . . ."

Dpw Driveway/Encroachment Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 2, 2001 BY RUSSELL M ALBRECHT =====

Driveway to conform to County Design Criteria Standards.

Encroachment permit required for all off-site work in the County road right-of-way.

Fencing is not allowed within the County road right-of-way.

===== UPDATED ON FEBRUARY 7, 2001 BY RUSSELL M ALBRECHT =====

Driveway to conform to County Design Criteria Standards.

Discretionary Comments - Continued

Project Planner: David Heinlein
Application No.: 01-0010
APN: 026-311-05

Date: May 12, 2004
Time: 07:16:00
Page: 4

Encroachment permit required for all off-site work in the County road right-of-way. Fencing is not allowed within the County road right-of-way. Remove sign from the 5' dedication area. Existing signs on front fence say 'no parking, private property', which may also be in the 5' dedication area. No fencing allowed within this dedication area and official signs for no parking should be utilized. Landscape plans required for landscape encroachment within the County road right-of-way and dedication area. Driveway approaches must be paved with minimum 1.5" asphalt concrete over 6" aggregate baserock. up to gate area. Beyond gate, surfacing may consist of asphalt over baserock, or slurry seal over 6" baserock minimum. Proposed fencing shall not block sight distance for motorists at adjacent intersections and driveways.

===== UPDATED ON DECEMBER 19, 2001 BY RUSSELL M ALBRECHT =====

Driveway to conform to County Design Criteria Standards.

Encroachment permit required for all off-site work in the County road right-of-way.

Civil engineered plans required for curb, gutter and sidewalk.

Fencing is not allowed within the County road right-of-way.

Proposed fencing shall not block sight distance for motorists at adjacent intersections and driveways.

Dpw Road Engineering Completeness Comments

===== UPDATED ON APRIL 4, 2003 BY GREG J MARTIN =====

===== UPDATED ON FEBRUARY 11, 2004 BY GREG J MARTIN =====

Please show the existing parking layout.

Dpw Road Engineering Miscellaneous Comments

===== UPDATED ON APRIL 4, 2003 BY GREG J MARTIN ===== It is recommended that frontage improvements be constructed along both parcels consistent with the approved plan line and in coordination with the Redevelopment Agency. The five foot right-of-way dedication meets the requirement of the approved plan line. The project signage should not be within the proposed right-of-way dedication.

An encroachment permit will be required for the frontage improvements.

The development is subject to Live Oak Transportation Improvement (TIA) fees at a rate of \$400 per daily trip-end generated by the proposed use. The project plans show approximately 59.787 square feet for a contractor's yard on the two parcels. The estimated trip generation for fee purposes is 1 trip-end per 1,000 gross square feet (ksf) for a contractor's yard. Therefore the total trips may be calculated as 59.79 ksf of contractor's yard multiplied by 1 trip ends/ksf equals 60 trip ends being generated by the project. The fee is calculated as 60 trip ends multiplied by \$400 per trip end equals \$24,000. The total TIA fee of \$24,000 is to be split evenly between transportation improvement fees and roadside improvement fees.

-No Parking- signs on the fence should be removed and replaced with standard -No Parking/Bike Lane- signs, ===== UPDATED ON FEBRUARY 11, 2004 BY GREG J MARTIN

Environmental Health Completeness Comments

Discretionary Comments - Continued

Project Planner: David Heinlein
Application No.: 01-0010
APN: 026-311-05

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===== REVIEW ON FEBRUARY 1, 2001 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON NOVEMBER 21, 2001 BY JIM G SAFRANEK =====
NO COMMENT
===== UPDATED ON APRIL 15, 2003 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON FEBRUARY 1, 2001 BY JIM G SAFRANEK =====
===== UPDATED ON FEBRUARY 1, 2001 BY JIM G SAFRANEK ===== EHS review fee is
\$47.
===== UPDATED ON NOVEMBER 21, 2001 BY JIM G SAFRANEK =====
===== UPDATED ON APRIL 15, 2003 BY JIM G SAFRANEK =====

Redevelopment Agency Completeness Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 8, 2001 BY SHERYL L MITCHELL =====
See Comments below and attached information.

Redevelopment Agency Miscellaneous Comments

LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO PLANNER FOR THIS AGENCY

===== REVIEW ON FEBRUARY 8, 2001 BY SHERYL L MITCHELL =====
The Redevelopment Agency appreciates the ability to comment on this project and has the following comments, as we discussed: (1) the application is incomplete in that it lacks a majority of the application requirements (see enclosed, "Lists of Required Application Materials." The Redevelopment Agency is not able to provide complete comments on an incomplete application. Please have the applicant submit the required materials to the Planning Department, for the Planning Department's re-routing of any new information to RDA. However, despite the incomplete application, RDA is able to provide some preliminary comments at this time. (1) the applicant may be required to offer a right-of-way dedication to the Department of Public Works in anticipation of a future road improvement project. This issue was discussed at the last Engineering Review Group (ERG) meeting and will be further discussed at the upcoming ERG meeting. (2) the landscaping, parking, fence and gate's location and ultimate design will need to be consistent with the County's ordinances, including the Commercial Zone district, Parking, Fence and Design Review requirements. (3) the fence may be located within the required front yard setback (20 foot front yard setback required if abutting or adjacent to residential) and if so will require an over-height fence variance. (4) temporary uses/structures are for the most part considered inconsistent with the zoning and building codes, with a few exceptions that are not applicable to this site, therefore, the port-a-potty shown is not considered an allowed structure/use. (5) Is the applicant proposing any tenant improvements or building remodels? If so, the plans and project description should be revised to reflect the proposed modifications and/or improvements.

Also, it appears that this business is utilizing two parcels. If so, the plans and

Discretionary Comments - Continued

Project Planner: David Heinlein
Application No.: 01-0010
APN: 026-311-05

Date: May 12, 2004
Time: 07:16:00
Page: 6

project description need to be revised to reflect this. Also, if this is true, RDA questions whether this application should be evaluated as a "Master Occupancy Program Permit" including shared parking, access, coordinated interior circulation and comprehensive landscaping.

===== UPDATED ON FEBRUARY 8, 2001 BY SHERYL L MITCHELL =====



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
TOM BURNS, DIRECTOR

March 2, 2004

Larry Van den Heuvel
1500 Brommer Street
Santa Cruz, CA 95062

Dear Mr. Van den Heuvel.

This letter addresses the status of your Commercial Development Permit application No. 01-0100, to maintain and expand your landscape contractor's yard on Brommer Street. As you are aware, this property has been the subject of a lengthy Code Compliance investigation, originating in 1999, and resolution of this violation is a priority for the County. Over the years, we have made repeated attempts to have you submit the necessary plans to allow us to process the application. In an attempt to resolve this issue, the project planner for the application recommended approval of the project with conditions of approval intended to address deficiencies in the original and subsequent information submittals. Upon further review, however, it appears that the information submitted remains significantly deficient, such that a recommendation for approval is inappropriate at this time. I therefore requested staff to withdraw the staff report and continue the Zoning Administrator hearing date. The purpose of this letter to give you one last opportunity to submit the information needed to act on your application.

In order to move your proposed project forward with a recommendation for approval, the following information is required:

- Final Architectural Plans for all structures, that include the following additional information:
 1. The finish of exterior materials and color of roof covering on a color board in 8.5" x 11" format.
 2. Details showing compliance with fire department requirements.
 3. Correct setbacks from all property lines and from adjacent residential uses.
 4. Appropriate accessibility accommodations.
 5. Scaled drawings that show all structural details and all elevations of the structures.
- A site plan, drawn to scale, showing the entire property, with topography in the vicinity of proposed improvements, showing existing development, including structures and landscaping, proposed layout of structures and other improvements including conceptual landscaping and driveways, pedestrian walks, required parking and loading areas, and the

location of each parking space with areas for turning and maneuvering vehicles. The parking plan must show off-street parking for a minimum of **45** total vehicles, including employee vehicles and those owned by the business. Parking spaces must be **8.5** feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. "Valet style" parking is not allowed.

- An erosion control plan, a drainage plan, and preliminary grading information (including total volume of earthwork, the disposal of fill and/or excavated material, and cross-sections that include existing and finished grade).
- Engineered sanitation plans including the location of the permanent restroom facilities and the sewer connections. Restrooms for employee and customer use must be attached to the office building. Temporary restroom facilities (porta-potties) are not allowed and must be removed from the site, with the exception of mobile facilities being stored for use in the field.
- Engineered drainage plans that demonstrate that the on-site 18" reinforced concrete pipe and the downstream facilities are adequate in capacity and condition to handle the added runoff from this project. If facilities are not adequate, plans shall incorporate facility upgrades.
- Notes **on** the plan describing how the modular building will drain (sheet flow off roof, downspouts to splashblocks).
- The extent of the proposed baserock areas clearly delineated.
- The location and specifications of a silt and grease trap or other water quality treatment device to treat runoff prior to leaving the site.
- Property lines on plot plan drawn to scale.
- Existing roadside improvements.
- Driveway plan view and centerline profile. Driveway must conform to the County Design Criteria Standards.
- Existing ground and driveway elevations on profile.
- An indication on all plans that all fencing and signage is outside the County road right-of-way, all fence signage is to be removed and all unofficial signs relating to parking are to be removed.
- Circulation plans that indicate that all driveway entrances of both parcels shall have a 50-foot wide apron paved with minimum **1.5"** asphalt concrete over **6"** aggregate baserock, and the remainder of the parcels covered with granite baserock to a minimum depth of **6"**.
- Detailed landscape plans for the entire site, specifically delineating any landscaping within the County right-of-way, including the number **size**, and species of all existing and proposed plants and an irrigation plan.

- Three copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- A lighting plan that includes lighting that is screened and directed on the parcels 026-311-32 and 026-311-05.
- A sign plans for business identification sign and any directional signs. All signage shall be consistent with Section 13.10.580 of the County Code.
- A statement of planned business activities at the site. The statement should include the following:
 1. All current or anticipated uses including vehicle storage, dumpster storage, office uses, staging operations, wood cutting composting, etc., and the hours during which these activities will occur.
 2. Methods to reduce noise generation from the property to an hourly average noise level of 50dB or less at the property lines.
 3. The number of employee vehicles that will be on site at any one time.
 4. The planned hours of total operation.
 5. A statement that all operations, including employee parking, will be retained on site.

To expedite resolution of *this* matter, I have set a new public hearing for May 21, 2004. In order to allow sufficient time for review of your information submittal, the above information must be submitted no later than April 15, 2004. If the above information is not received by that date, in a form sufficient to proceed with the review process, we will have no choice but to move forward to the public hearing with a recommendation for denial. From our perspective, we have more than provided sufficient time over the years to allow you to resolve this long-standing violation in a fashion that results in a positive outcome for you. It is time to either bring this item to a positive conclusion or proceed with abating the violation and closing down your operation. We continue to hope that the issue can be resolved in an amicable manner, but at this point, that is in your **court**. If you have any questions about this request, please feel free to have your attorney contact myself, your project planner, David Heinlein, or the manager of the Project Review section, Cathy Graves.

Sincerely,



Tom Burns
Planning Director

cc: Timothy Morgan, 121 Jewell Street, Santa Cruz, CA 95060
 Dave Laughlin, Principal Planner, Code Compliance
 Cathy Graves, Principal Planner, Project Review
 David Heinlein, Project Review Planner



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831)454-2580 FAX: (831) 454-2131 TDD: (831)454-2123
TOM BURNS, DIRECTOR

February 25, 2004

Zoning Administrator
County of Santa Cruz
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: Proposal to maintain and expand an existing landscape contractor's storage yard to include a Master Occupancy Program
Application No. 01-0010
Applicant: Timothy Morgan
Owner: Larry Van Den Heuval

Dear Mr. Bussey,

Staff is requesting a continuance of the above application to allow additional time to consult with County Counsel. In order to allow full neighborhood input and participation, we are requesting that the item be continued to an unnamed future date, and that neighboring property owners and residents be noticed when a new date is chosen.

Thank you for consideration of this request.

Sincerely,

Cathy Graves
Principal Planner
Project Review

cc: Tom Burns, Planning Director
David Heinlein, Project Review Planner
Timothy Morgan, Applicant.



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN JAMES, DIRECTOR
CATHY GRAVES, PRINCIPAL PLANNER

August 21, 2003

Larry Van Den Heuvel
1500 Brommer Street
Santa Cruz, CA 95062

Dear Mr. Van Den Heuvel,

Thank you for meeting with us on August 20, 2003, to resolve the issue of submittal requirements for your Commercial Development Permit. The letter to your attorney, Timothy Morgan, dated May 5, 2003, which we discussed in the meeting, was in response to his appeal of our completeness determination of April 16, 2003, and does not include all of the details of the submittal requirements from that earlier letter. Mr. Morgan indicated that you intend to withdraw the current application, No. 01-0010 and resubmit a new application to be processed at-cost. In order to assist you and your consultant to present a complete application submittal requirement, I would like to reiterate the submittal requirements from our letter of April 16, which addressed the deficiencies in your prior submittals. Those are detailed below, and I have added information (shown in italics) to better explain the requirements. I have also included a list of required application materials to use as a checklist.

1. **More information on site plans.** Please submit revised site plans (*12 copies*), drawn to scale, to include the following information.
 - a. Landscaping plan submitted is inadequate, needs to be revised. (*Your proposed project is subject to Design Review. See attached "Submittal Requirements for Design Review for Landscaping Plan requirements."*)
 - b. Inadequate employee parking plan submitted; "valet" style parking is not allowed. To review parking standards, please see attached parking requirements. (*A copy of County Code Section 13.10.550, et. seq. is attached.*)
 - c. Parking plan does not include a plan for the vehicles used for commercial use. Commercial vehicle parking plan required. (*Show the location of the commercial vehicle parking. If any of the commercial vehicle parking is shared with employee parking, include an analysis of which vehicles will be parked in which spaces at what time.*)
 - d. Fence plan shown "to be removed." Plans seem to indicate a chain link to be used as a replacement. Included on the revised plan shall be the height of the proposed fence, materials used and security measures. (*If the existing fence is to be replaced, please make that clear on the plans. If the existing fence is to remain, include a statement to that effect and also include the dimensions and material of the fence as it will be maintained in the future.*)
 - e. Provide staff with information as to the disposition of the compost pile that was present during the March 14, 2003 site visit. (*If the composting is to be part of*

the application, please include that on the plans, including the location, method and disposition of the composted materials.)

- f. No elevations were provided on the resubmitted plans. Staff requires elevations on all structures, existing and proposed, on the project site. Elevations need to be included on the site plans. Reduces copies cannot be accepted unless they have been scaled accordingly so that staff can analyze height. *(See attached "Submittal Requirements for Design Review" for Preliminary Architectural Plan requirements.)*
- g. No sign plan was indicated on resubmitted plans. The existing sign located on the parcel is in violation. An additional sign plan, clearly indicating the location and height is required. *(A copy of County Code Section 13.10.581 relating to signs in "C" districts is attached.)*
- h. Adjacent development is not indicated on the resubmitted plans. All adjacent development is required on resubmitted plans. *(See attached "Submittal Requirements for Design Review" for Site Analysis Diagram requirements.)*
- i. Brommer Street frontage is incorrect on the plans; provide accurate street frontage on revised site plans, *(Improvements have recently been completed on Brommer Street. Plans must include the existing improvements, including landscaping.)*
- j. During a previous site visit, staff noted a "for sale" sign on the property containing the proposed dumpsters and other uses. If the property is for sale, staff will need additional information where the existing structures, vehicles and other uses on the property will be located. *(Please explain how, if the property is sold, that will affect the proposed project and the location of vehicle storage or structures on the adjacent parcel.)*

2. through 7. Planning Staff agreed that we would provide you with updated drainage comments by September 3, 2003. These will be forwarded to you separately. It will be your responsibility to supply the information requested by that agency.

8. Should building permit(s) be necessary, **an** erosion control plan, a drainage plan, and preliminary grading information (including total volume of earthwork, the disposal of fill and/or excavated material and cross sections that include existing and finished grade) will be required. **(Environmental Planning)** *This is informational information only, should not have been included as a completeness comment, and is not necessary for a resubmittal, unless grading is proposed,*

9. Show property lines on plot plan drawn to scale. **Show** existing roadside improvements, i.e. curb and gutter or valley gutter or...? Public Works has received complaints regarding the tracking of mud onto the bike lane and into Brommer Street from the firewood-cutting yard. I would like to see some means of erosion control and/or paved driveway approach to avoid a mud hazard. Also, the plans have to show the position of property lines and the right-of-way line along Brommer St. I have a concern that the existing sign may be located in the right-of-way adjacent to 026-31 1-32 as well **as** the fence along the wood yard (026-31 1-05) may be in the right-of-way. Plans should be to scale and show all these existing improvements. **(DPW Driveway/Encroachment).** *(Plans must include clear delineation of all property lines, the Brommer Street right-of-way and all of the existing improvements on Brommer Street. The sign and any fencing must be located outside of the Brommer Street right-of-way. Please refer to the enclosed*

sign regulations for information about the size, design and location of signage. Plans must also include a method to assure that mud, gravel, base rock or other debris is not tracked from either parcel onto the sidewalk, bike lane, landscape strip or roadway of Brommer Street.)

10. Show driveway plan view and centerline profile. **(DPW Driveway/Encroachment)** *(Include this information for all driveways that access the public street).*
- 11 Show existing ground and driveway elevations of profile. **(DPW Driveway/Encroachment)** *(Include this information for all driveways that access the public street).*
12. EHS Review Fee is \$47.00. **(Environmental Health).** *(This is no longer an issue. Appropriate fees will need to be paid at the time of application submittal).*
13. An engineered sewer plan is required showing proposed sewer and connection to the proposed modular building. **(DPW Sanitation)** *(Porta-potties are not allowed for commercial businesses within the Urban Services Line. Sewer service will need to be provided to the parcel and to the modular building).*

Please review the "Additional Comments" included in the April 16 incompleteness determination. Although these are not submittal requirements, (with the exception of some drainage comments, which we will forward to you under separate cover) these comments do contain important information that may affect any final action on your project. Please contact either myself, at 454-3141, or your project planner, David Heinlein, at 454-5321, if you have any questions about this information.

Sincerely,

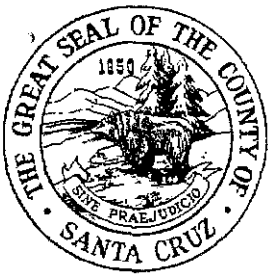


Cathy Graves
Principal Planner
Project Review Section

Attachments:

- 1) Letter from David Heinlein, Project Planner, dated April 16, 2002
- 2) List of Required Application Materials and lists of Supplemental Requirements
- 3) County Code Section 13.10.581 et. seq. pertaining to signs in the "C" districts
- 4) County Code Section 13.10.550 et. seq. pertaining to offstreet parking and loading requirements
- 5) County Code Section 13.10.331 et. seq. pertaining to commercial uses and development standards

cc: Timothy J. Morgan, Attorney at Law
David Heinlein, Project Planner
David Laughlin, Principal Planner
Kevin Fitzpatrick, Code Compliance Investigator



County of Santa Cruz

APR 21 2003

PLANNING DEPARTMENT

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

ALVIN D. JAMES, DIRECTOR

April 16, 2003

David Subocz
719 Swift Street., # 12
Santa Cruz, CA
95060

Subject: Application # 01-0010; Assessor's Parcel #: 026-0311-32, 05
Owner: **Larry and Lora Van Den Heuvel**

Dear Mr. Subocz:

This letter is to inform you of the status of your application. On **August 1st, 2001**, the above referenced application was submitted for an Amendment to Commercial Development Permit D-72-4-11- with the Santa Cruz County Planning Department.

The application was found to be incomplete on February 7th, 2003 and a letter requesting additional information was sent to the applicant on that date. Although some information was submitted on March 18th, 2003, that information does not address the issues identified in the original incompleteness determination. The following information is still required for the application to move forward:

1. **More information on site plans.** Please submit revised site plans, drawn to scale, to include the following information:
 - a. Landscaping Plan submitted is inadequate, needs to be revised
 - b. Inadequate employee parking plan submitted; "valet" style parking is not allowed. To review parking standards, please see attached parking requirements.
 - c. Parking plan does not include a plan for the vehicles used for commercial use. Commercial vehicle parking plan required.
 - d. Fence plan shown "to be removed." Plans indicate a chain length to be used as a replacement? Included on the revised plans shall be height of the proposed fence, materials used and security measures.
 - e. Provide staff with information as to the disposition of the compost pile staff examined during the March 14th, 2003 site visit.
 - f. No elevations were provided on resubmitted plans. Staff requires elevations on all structures (existing and proposed) on the project site, Elevation plans need to be included on site plans, reduced copies can not be accepted as staff can not analyze height

29

requirements.

- g. No sign plan was indicated on resubmitted plans. The existing sign located on the parcel is in violation. An additional sign plan, clearly indicating location and height are required.
- h. Adjacent development not indicated on resubmitted plans. All adjacent development is required on resubmitted plans.
- i. Brommer Street frontage **is** incorrect on plans, provide accurate street frontage on revised site plans.
- j. During a previous site visit, staff noted a for sale sign on the property containing the proposed dumpsters and other uses. If the property is for sale, staff will need addition information where the existing structures, vehicles and other uses on the property will be located.

Please review the attached comments from all agencies. Comments listed under the heading "Completeness Comments" for each agency must be addressed and resolved prior to your application being considered complete and able to move forward with review. Questions related to these comments can be addressed to each separate agency.

- 2. Previous completeness comments made on November 29, 2001 have not been addressed. Please note that the storm drain on site and downstream from this site are private systems. The County does not own or maintain these systems. Please submit evaluation as was previously requested. (DPW Drainage)
- 3. Plans should show topographic information such as contour lines and spot elevations. Demonstrate that the pathway of site runoff will not adversely impact adjacent properties. (DPW Drainage)
- 4. A Zone 5 drainage fee will be assessed on the net increase in impervious area. The fees are currently \$0.70 per square foot and shall be increased on each upcoming July 1 by \$0.05 until they reach \$0.85 per square foot by the year 2003. Credit will be given for all existing permitted buildings and impervious areas currently on the site. Clearly differentiate on the plans between existing, permitted impervious areas and proposed or non-permitted impervious areas. (DPW Drainage)
- 5. If the scope of the application is changed in response to Code Compliance comments and additional drainage review comments may be required. (DPW Drainage)
- 6. Please remove the stand-pipe and drain rock from the sill and grease trap detail. (DPW Drainage)
- 7. Please add notes to the plan describing how the modular building will drain (sheet flow off roof, downspouts to splash blocks?). (DPW Drainage)
- 8. Should building permit(s) be necessary, an erosion control plan, a drainage plan, and preliminary grading information (including total volume of earthwork, the disposal of fill and/or excavated material, and cross-sections that include existing and finished grade) will be required. (Environmental Planning)
- 9. Show property lines on plot plan drawn to scale. Show existing roadside improvements, i.e. curb

and gutter or valley gutter or...? Public Works has received complaints regarding the tracking of mud onto the bike lane and into Brommer Street from this fire wood cutting yard. I would like to see some means of erosion control and/or paved driveway approach to avoid a mud hazard. Also, the plans have to show the position of property lines and the WW line along Brommer St. I have a concern that the existing Paradise sign may be located in the right-of-way adjacent to 26-31 1-32 as well as the fence along the wood yard (26-31 1-05) may be in the R/W. Plans should be to scale and show all these existing improvements. (DPW Driveway/Encroachment)

10. Show driveway plan view and centerline profile. (DPW Driveway/Encroachment)
11. Show existing ground and driveway elevations on profile. (DPW Driveway/Encroachment)
12. EHS review fee is \$47. (Environmental Health)
13. An engineered sewer plan is required showing proposed sewer and connection to the proposed modular building. (DPW Sanitation)

Additional Comments

These comments are not addressing completeness of the application. These comments are provided to the owner and applicant addressing other issues the proposed project has.

14. Please clearly delineate the extent of the proposed base rock areas. Please provide a cross section of the proposed base rock areas. 4 inches or more of base rock is considered impervious (less than 4 inches is considered semi-impervious). A zone 5 drainage fee will be assessed on the net increase in impervious area. (DPW Drainage)
15. All runoff from parking and driveway areas should be treated with a silt and grease trap prior to leaving the site. Please update the plan accordingly. A signed and recorded maintenance agreement for the silt and grease trap(s) is required prior to building permit issuance. (DPW Drainage)
16. Demonstrate how runoff from the equipment and materials storage area (specifically in the area of dumpster storage) will be directed and how the areas will be maintained so as not to allow runoff pollution. (DPW Drainage)
17. For questions regarding this review Public Works drainage staff is available from 8:00-12:00 Monday through Friday. (DPW Drainage)
18. I believe I saw a for sale sign on APN: 026-311-05, which is where the dumpsters are to be stored. I will verify on next field trip. (Code Compliance)
19. Driveway to conform to County Design Criteria Standards. Encroachment permit required for all off-site work in the County road right-of-way. (DPW Driveway/Encroachment)
20. Fencing is not allowed within the County road right-of-way, Remove sign from the 5' dedication area. Existing signs on front fence say 'no parking, private property', which may also be in the 5' dedication area. No fencing allowed within this dedication area and official signs for no parking should be utilized. Landscape plans required for landscape encroachment within the County road right-of-way and dedication area. Driveway approaches must be paved with minimum 1.5" asphalt concrete over 6" aggregate base rock: up to gate area. Beyond gate, surfacing may consist of asphalt over base rock, or slurry seal over 6" base rock minimum. Proposed fencing shall not block

sight distance for motorists at adjacent intersections and driveways. (DPW Driveway/Encroachment)

21. Civil engineered plans required for curb, gutter and sidewalk. Fencing is not allowed within the County road right-of-way. Proposed fencing shall not block sight distance for motorists at adjacent intersections and driveways. Contact DPW Driveway/Encroachment to confirm these improvements have been made and cleared by that department. (DPW Driveway/Encroachment)
22. It is recommended that frontage improvements be constructed along both parcels consistent with the approved plan line and in coordination with the Redevelopment Agency. The five foot right-of-way dedication meets the requirement of the approved plan line. The project signage should not be within the proposed right-of-way dedication. Contact DPW Road Engineering to confirm these improvements have been made and cleared by that department. (DPW Road Engineering)
23. An encroachment pennit will be required for the frontage improvements. Contact DPW Road Engineering to confirm these improvements have been made and cleared by that department (DPW Road Engineering)
24. The development is subject to Live Oak Transportation Improvement (TIA) fees at a rate of \$400 per daily trip-end generated by the proposed use. The project plans show approximately 59,787 square feet for a contractor's yard on the two parcels. The estimated trip generation for fee purposes is 1 trip-end per 1,000 gross square feet (ksf) for a contractor's yard. Therefore the total trips may be calculated as 59.79 ksf of contractor's yard multiplied by 1 trip ends/ksf equals 60 trip ends being generated by the project. The fee is calculated as 60 trip ends multiplied by \$400 per trip end equals \$24,000. The total TIA fee of \$24,000 is to be split evenly between transportation improvement fees and roadside improvement fees. (DPW Road Engineering)
25. No Parking- signs on the fence should be removed and replaced with standard -No Parking/Bike Lane- signs. (DPW Road Engineering)
26. Planning staff is recommending to management that this project immediately be converted to an at cost project requiring the applicant to submit a check to the Fiscal Department in the amount of \$5,000.00. (Planning Department)
27. Planning staff is also recommending to management that this application be abandoned as provided in 18.10.430(a)(1) in 60 days unless all requirements in the above mention items in this incomplete letter are satisfied. Planning staff is recommending that the project be pulled from the May 18th hearing date. (Planning Department)
28. Planning staff is recommending that the project be removed from consideration at the April 18th hearing date. (Planning Department)

You should submit the required materials to the Planning Deaartment at one time. Due to the complexity of the proposed project and **to** increase efficiency, the County **of** Santa Cruz Planning Department has revised the application process to include an appointment time with the project planner **to** submit the revised plans or additional required materials. Please contact **your** project manager to schedule an appointment to resubmit additional information. Resubmitted materials will not be accepted at the front counter. Listed below is the phone number and e-mail address **of** your project manager to schedule an appointment.

Revisions to plans should be included in complete, updated sets of plans. The number of sets required shall be the same number as originally submitted, to allow for routing to all agencies, unless otherwise specified in this letter. (Please submit all plans folded into ~ 8.5" x 11" format in addition to one reduced

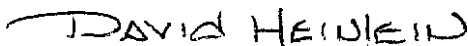
set "8.5 x 11"). You have until Tuesday, June 17th, 2003, to submit the information indicated. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees.

Alternatively, you may withdraw the application. If you wish to withdraw the application, please notify me in writing.

You have the right to appeal this determination that the application is incomplete pursuant to Section 18.10.300 of the County Code and Section 65943 of the Government Code. To appeal, submit a \$390.00 fee and a letter addressed to the Planning Director stating the determination appealed from, and the reasons you feel the determination is unjustified or inappropriate. The appeal letter and fee must be received by the Planning Department no later than 5:00 p.m., Thursday, **April 30th, 2003.**

Should you have further questions concerning this application, please contact me at: (831) 454-5321, or e-mail: **david.heinlein@co.santa-cruz.ca.us**

Sincerely,



David Heinlein
Project Planner III
Development Review

Cc. file and owner; Larry and Lora Van Den Heuvel, 1500 Brommer Street, Santa Cruz, CA. 95062, Don Bussey, Cathy Graves, Kevin Fitzpatrick, David Laughlin, Jan Beautz, Timothy Morgtn, 121 Jewell Street., Santa Cruz, CA 95060

ATTENTION!

Appointments are req'd for
submittal of most applications.
Call 831-454-3252 to schedule.



LIST OF REQUIRED APPLICATION MATERIALS

COUNTY OF SANTA CRUZ - PLANNING DEPARTMENT
GOVERNMENTAL CENTER
701 OCEAN STREET - 4TH FLOOR
SANTA CRUZ CA 95060
(831)454-2130

In order to expedite our review of your application, please provide each of the items checked on this sheet. _____ copies of plans are required. Without these materials, your application may not be accepted. Certain types of applications are accepted by appointment only. For information call (831) 454-2130; for an appointment to submit an application call 454-3252. ←

<u>Item</u>	<u>Source</u>
<input checked="" type="checkbox"/> 1. Site Plan, minimum 18"x24", of the entire property, drawn to scale showing property dimensions and with north at the top. Show natural and human-made features as follows:	Applicant
<input checked="" type="checkbox"/> a. Topography (land elevation contour lines), wells, streams, trees over 6" diameter (including dripline), other. vegetation, landscaping, drainage ways, etc. (existing and proposed.	Topographic maps at the County Surveyor's Office or Applicant's engineer
<input checked="" type="checkbox"/> b. All existing and proposed structures and their uses with their dimensions and setbacks from property lines including fences, walls, decks, septic system and leachfields; provide the percentage of the lot covered by structures.	
<input checked="" type="checkbox"/> c. All existing and proposed roads , rights-of-way, easements, curbs, curb-cuts, sidewalks, street trees, driveways, parking and loading areas, and trash and recycling areas.	
<input checked="" type="checkbox"/> d. Property uses on adjacent parcels and across adjacent streets.	
<input checked="" type="checkbox"/> e. Show trees to be removed.	
<input checked="" type="checkbox"/> 2. Location and vicinity map showing precisely where the project is located in relation to nearby lots, streets, highways, and major natural features such as the ocean, beaches, wetlands, and major landforms.	Applicant

Attention!

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LIST OF REQUIRED APPLICATION MATERIALS

	<u>Item</u>	<u>Source</u>
<input checked="" type="checkbox"/>	3. Preliminary building plans (architectural drawings), 18"x24", drawn to scale, showing all elevations (north, south, east, and west), dimensions and floor plans. Label all rooms. Provide floor area ratio calculations. State exterior colors and materials. Full construction plans are not submitted until you apply for a building permit.	Applicant's Designer
<input checked="" type="checkbox"/>	4. Preliminary Erosion Control, Drainage, and Grading Plans.	Applicant, Grading Contractor, or Engineer
<input checked="" type="checkbox"/>	5. Preliminary landscaping and irrigation plans showing location, quantity, species and size of plantings.	Applicant's Designer or Landscape Architect
<input type="checkbox"/>	6. Shadow plans showing the location, height, and shadow patterns of major vegetation, buildings, and other structures on the proposed site and on all affected building envelopes; the location of any existing solar energy systems on surrounding properties, and approximate distances between structures, vegetation, and the south-facing glass or solar energy system. Shadow patterns are those cast on the 21 st of December between 10:00 a.m. and 2:00 p.m., PST.	Applicant's Designer
<input type="checkbox"/>	7. One set of project plans at 8½"x11", reproducible quality.	Applicant's Designer
<input checked="" type="checkbox"/>	8. Owner/Agent form, required if applicant is other than the property owner.	
<input checked="" type="checkbox"/>	9. Supplemental Application Materials (see attached sheet(s)).	
<input checked="" type="checkbox"/>	10. Other Requirements:	

Supplemental Requirements: Design Review



Attn: Submittal of your application requires an appointment. Please call 454-3252.

SUPPLEMENTAL REQUIREMENTS: DESIGN REVIEW

COUNTY OF SANTA CRUZ - PLANNING DEPARTMENT
GOVERNMENTAL CENTER
701 OCEAN STREET - 4TH FLOOR
SANTA CRUZ CA 95060
(831) 454-2130

Chapter 13.11 and Section 18.10.210(e) of the County Code set forth the procedures and requirements for development projects located in Santa Cruz County that are subject to Design Review. In order to expedite our review of your application, please provide each of the items checked on this sheet. 12 copies of plans are required. Without these materials, your application will not be accepted. Certain types of applications are accepted by appointment only. For information call (831) 454-2130; for an appointment to submit an application call 454-3252.

- ☒ 1. A Vicinity **Map**, drawn to an appropriate scale, showing the location of the project in relation to major roads, streams, or other physical features
- 2. **Site** Plan, drawn to an appropriate scale, showing:
 - ☒ Layout of all streets immediately abutting and/or providing access to the project; include street widths
 - ☒ All existing and proposed property lines
- 3. Site Analysis Diagram, drawn to an appropriate scale, showing:
 - ☒ All building footprint outlines and dimensions including ~~percentage of site~~ square footage of floor area,
 - ☒ Setbacks from all property lines
 - ☒ Contiguous land uses and uses across the street from the project site
 - ☒ Location of improvements on contiguous parcels including the size and location of mature landscaping
 - ☐ A perspective drawing depicting the elevations visible from all street frontages and contain sufficient information to gauge the project's impact on the surrounding neighborhood. This material shall, at a minimum, include a 3-D perspective or an axonometric view of the proposed improvements with emphasis placed on the interface with adjacent lots as well as section illustrations depicting topography and building outlines. Where land divisions are proposed, this emphasis shall be placed on the adjacent neighborhoods
- ☒ 4. Design Guidelines for the project consisting of a written statement establishing the parameters of site planning, landscaping, and architectural design
- 5. **Preliminary** Architectural Plans, drawn to an appropriate scale, including:
 - ☒ All exterior elevations showing building height, exterior materials, and the location and size of glazing (Note: The location of windows on the preliminary architectural plans **will** constitute final approval **unless** changed by the **decision-maker(s)**.)

- ☒ All floor plans (calculate and note on the plan the floor area of each plan)

6. **A Landscaping Plan**, including:

- ☒ Location, size, and species of existing plants
☒ Location, size, and species of proposed plantings
☒ Irrigation plan and specifications
☒ Location, height, material, color, and elevation of any proposed retaining walls

- ☐ 7. **Material and Color Sample Board** showing a complete inventory of proposed materials and colors displayed on an 8-1/2" x 11" board. Include manufacturers specifications.

Attention!
Appointments are req'd for
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SUPPLEMENTAL APPLICATION MATERIALS

COUNTY OF SANTA CRUZ • PLANNING DEPARTMENT
GOVERNMENTAL CENTER
701 OCEAN STREET • 4TH FLOOR
SANTA CRUZ CA 95060
(831) 454-2130

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Item

Source

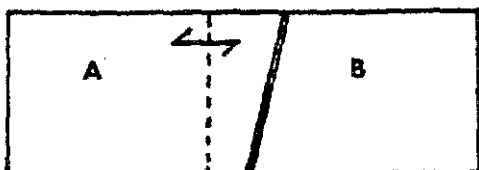
COASTAL PERMIT

- | | | | |
|--------------------------|----|---|-----------|
| <input type="checkbox"/> | 1. | Samples of exterior materials and colors (roofing, siding, and widow trim) | Applicant |
| <input type="checkbox"/> | 2. | Photographs of project site and adjoining properties (urban only). | Applicant |
| <input type="checkbox"/> | 3. | Staking building site or scaffolding outlining the proposed building may be required. | Applicant |
| <input type="radio"/> | 4. | Existing and proposed public pedestrian access to and along shoreline. | Applicant |

LOT LINE ADJUSTMENT

- | | | | |
|--------------------------|----|---|------------------------------|
| <input type="checkbox"/> | 1. | Copies of current deeds of all parcels. | Applicant or County Recorder |
| <input type="checkbox"/> | 2. | Signatures of all affected property owners. | Applicant |
| a | 3. | Square footage of area transferred, etc. (existing and resulting parcel sizes) | Applicant |
| a | 4. | Show proposed adjustment on a plot plan. | Applicant |

Example. Existing Property Line to be deleted - - - - -
New Property line **—————**



	Existing	Proposed	Difference
A	5,000	6,000	+1,000
B	6,000	5,000	-1,000

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Appointments are req'd for
submittal of most applications.
Call 831-454-3252 to schedule.

SUPPLEMENTAL
 APPLICATION MATERIALS

Item

Source

COMMERCIAL DEVELOPMENT PERMITS

- | | | | |
|-------------------------------------|-----|--|----------------------|
| <input checked="" type="checkbox"/> | 1. | Design review requirements (Chapter 13.11 of the County Code), including site design, landscaping, irrigation, recycling and trash areas, site plan, and elevations. | Zoning Counter |
| <input checked="" type="checkbox"/> | 2. | Preliminary engineered site improvement plan including grading, erosion control, drainage, baserock, paving, utility connections, and frontage improvements | Applicant's engineer |
| <input checked="" type="checkbox"/> | 3. | Drainage calculations for design-year storm (contact Public Works for requirements) | Applicant's engineer |
| <input checked="" type="checkbox"/> | 4. | Sign plans including size, location, number, materials, and color | Applicant's designer |
| <input checked="" type="checkbox"/> | 5. | Program statement including uses, number of employees, hours of operation, delivery schedules, and use and storage of hazardous materials | Applicant |
| <input checked="" type="checkbox"/> | 6. | Lighting plan including location, number, and specifications | Applicant's designer |
| <input checked="" type="checkbox"/> | 7. | Location of nearest bus stops and fire hydrants | Applicant's designer |
| <input checked="" type="checkbox"/> | 8. | Parking and circulation plan including space dimensions, number of standard, compact, and handicapped spaces, driveway and circulation widths, loading spaces, and striping plan | Applicant's designer |
| <input checked="" type="checkbox"/> | 9. | Exterior colors and materials of, roofing, siding, and windows | Applicant's designer |
| <input checked="" type="checkbox"/> | 10. | Landscape plan including species, locations, size, number, and irrigation plan | Applicant's designer |

VARIANCES

- | | | | |
|--------------------------|----|---|-----------|
| <input type="checkbox"/> | 1. | Submit a written statement of the special circumstances that justify the variance, such as, topography, parcel size, configuration, or location of existing structures | Applicant |
|--------------------------|----|---|-----------|

**COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT**

13.10.580 Signs in R-1, RB, RR, RA, RM, A, AP, AND CA DISTRICTS.
.....

No signs or outdoor advertising structure or display of any kind shall be permitted in the R-1, RB, RR, RA, RM, A, AP, or CA Districts except the following:

- (a) One non-illuminated sign or nameplate not larger than one square foot in area pertaining to a home occupation.
- (b) One non-illuminated sign not larger than six square feet in area pertaining to the sale, lease, rental, or display of a structure or land.
- (c) One identification sign, not directly illuminated, not larger than twelve square feet in area, located on the site of a discretionary use and included in the Development Permit for said use.
- (d) One or two non-illuminated signs, single or double-faced, with a total area not larger than fifty square feet, pertaining to the sale of subdivision lots and included in the permit for said subdivision. (Ord. 839, 11/28/62; 1834, 2/27/73; 1891, 6/19/73; 2779, 9/11/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.581 SIGNS IN C, CT, VA, PA, PF and M DISTRICTS. (Ord. 434'6, 12/13/94)

(a) No sign, outdoor advertising structure or display of any kind shall be permitted except the following:

1. One business or identification sign and one small pedestrian-oriented sign per site as provided below. A variance to allow more than one business sign may be considered under the provisions of Section 13.10.230 if justified by special circumstances such as limited visibility or unusually large size of a structure, location on a corner, historic preservation concerns, or consistency with a village design plan.

2. Signs pertaining to a use conducted on the site, with aggregate areas according to the following table. The following formulas for calculating total sign area for all signs displayed shall be used unless a variance is obtained under the provisions of Section 13.10.230.

TOTAL SIGN AREA ALLOWED

BASIS FOR CALCULATION	TOTAL SIGN AREA* ALLOWED
-----------------------	--------------------------

Front width of building on an interior lot or front width plus street side width of building on a corner lot	1/2 sq. ft. (72 sq. in.) of sign area per foot of building width
---	--

or

Width of site along the street (interior of corner lot)	1/4 sq. ft. (36 sq. in.) of sign area per foot of site width
---	--

Maximum allowable area on an interior lot less than 40 feet wide at the street	20 sq. ft.
--	------------

Maximum allowable area	50 sq. ft
------------------------	-----------

*Sign area is defined as: The area within a well-defined border; or, the area of one side of a double-sided sign; or on a sign with no defined border, the area within the perimeter which encloses the letters, symbols or logo.

4/3

3. Direction signs for ~~offstreet~~ parking and loading facilities not exceeding four square feet.

4. One sign pertaining to the sale, lease, rental or display of a structure or land, not exceeding six square feet.

(b) Permanent and temporary window signs are each limited to a maximum of 20 percent of the window area of the building. Temporary window signs not displayed for more than two weeks are not included in the total sign size limitation.

(c) Signs directly across the street from a residential zone district shall be limited to 30 square feet in area and shall not be directly illuminated or flashing.

(d) A freestanding sign detached from a building shall be of a design consistent with the architectural character of the building and shall be designed as an integral part of the landscaped area. Freestanding signs shall not exceed 7 feet in height, measured from the existing grade at the edge of the road. Where onstreet parking limits the visibility of freestanding signs, such signs may be erected to a maximum height of 12 feet, measured from the existing grade at the edge of the road.

(e) Signs located on a wall or on a roof fascia shall be designed as an integral part of the building design. Building signs shall be located on or below the upper line of the roof fascia.

(f) Signs and supports shall be set back a minimum of five feet from the edge of the right of way or roadway, whichever is greater, and shall not obstruct vehicular sight distance or pedestrian/bicycle circulation.

(g) No sign other than a directional sign shall project more than 12 inches into a required rear yard or required interior side yard.

(h) Visibility of signs within a scenic corridor shall be minimized by the use of appropriate material, size, location, and orientation. No illuminated signs shall be permitted within a scenic corridor.

(i) Where sign lighting is permitted, only indirect illumination or low-intensity interior illumination shall be used. It is preferred that lighted signs be designed with light-colored translucent letters and logos, on a semi-opaque dark background. Any permitted sign lighting shall be unobtrusive to adjacent properties and any glare shall be directed onto the site.

(j) Moving signs, flags, banners, sandwich board signs or flashing signs shall not be permitted.

(k) Shopping Centers.

1. A sign program shall be developed for any shopping center or any group of business uses with shared sign facilities. The program shall include a name sign containing the name of the center, a directory sign either separate or combined with the name sign, and one small pedestrian-oriented sign for each shop. The sign program shall specify sign designs, dimensions, materials, colors, lighting, if any, and placement.

2. A variance to allow more than one name sign for the center may be considered under the provisions of Section 13.10.230 if justified by special circumstances such as limited visibility or unusually large size of structure, location on a corner, historic preservation concerns, or consistency with a Village Design Plan.

3. The total area of the center's name sign(s) and directory sign shall not exceed fifty square feet. The area of each individual shop sign shall not exceed one-half square foot per foot of building width measured across the front of the building, and shall not exceed a maximum of 18 square feet, whichever is smaller. (Ord. 839, 11/28/62; 1704, 4/25/72; 2857, 2/12/80; 3035, 1/13/81; 3166, 1/12/72; 3344, 11/23/82; 3432, 8/23/63)

13.10.582 SIGNS IN THE "PR" DISTRICT.
.....

(a) No signs or outdoor advertising structure or display of any kind shall be permitted in the PR District except the following:

1. One identification sign, not directly illuminated, not larger than twelve (12) square feet in area, located on the site of the use and included in the permit for said use.

2. Direction signs for off-street parking or other facilities not exceeding four square feet.

(b) Sign design in the PR District shall follow Subsections (d) through (f) of Section 13.10.581 Commercial Signs. (Ord. 3344, 11/23/62; 3432, 8/23/83)

13.10.583 TEMPORARY SIGNS IN ALL DISTRICTS.
.....

(a) Temporary signs, not including political signs, that are to be used in conjunction with a special event or an approved temporary use are permitted subject to the following restrictions.

(1) Maximum sign area permitted shall be 6 square feet in a residential zone district and 18 square feet in all other zone districts.

(2) Temporary signs shall not be placed so as to constitute a traffic hazard.

(3) Temporary signs shall be removed not more than 10-days after the special even or temporary use to which they refer.

(b) Political signs are allowed without restriction provided that they shall not be placed so as to constitute a traffic hazard and that they shall be removed not more than 10 days after the election to which they refer. (Ord. 2857, 2/12/80, 4228, 12/15/92)

13.10.584 DIRECTIONAL SIGNS.
.....

(a) Regardless of any other provision of this Chapter to the contrary, directional and informational signs of a public or quasi-public nature, including signs identifying specific village areas and signs giving directions to properties not situated adjacent to the street from which such signs are visible, are allowed with a Level IV Approval, provided that no individual sign shall be larger than 12 inches by 42 inches and no individual village directional sign shall be larger than 12 square feet. Such signs shall contain only the name of the use with an appropriate arrow indicating the direction.

(b) No sign established under the provisions of this section shall be illuminated by artificial light which is not maintained stationary and constant in intensity and color at all times when in use.

(c) It is the intent of these regulations to discourage indiscriminate placing of signs along the public highways and streets of this County and to encourage the joint use of single structures upon which signs may be displayed. Multiple use of a single structure to display signs is allowed with a Level IV Use Approval, provided that where one struc-

ture is used to display multiple signs, the outside dimensions of the structure shall not exceed ten feet by ten feet and shall be designed so as not to obstruct traffic visibility.

(d) Temporary off-site directional signs of a larger size shall be permitted for seasonal produce sales, subject to securing a Level IV Use Approval. The signs shall only be permitted for direct sale to the public of produce grown on the same site. The information on the signs shall be limited to the type of produce, the farm name and the directions to the farm site.

Individual signs shall not exceed 16 square feet in area.

(Ord. 1191, 6/9/66; 2267, 5/11/76;
2750, 8/21/79; 3186, 1/12/62; 3344, 11/23/62;
3432, 8/23/83)

13.10.585 NONCONFORMING SIGNS. Owners of nonconforming signs, except those signs which have been designated as historic resources pursuant to County Code Chapter 16.42, shall have the following times within which to remove, alter, or otherwise make such signs conform to this chapter:

(a) Except as otherwise provided, all signs shall be removed, altered or otherwise made to comply with this Chapter on or before January 1, 1961, except that any sign, other than a portable sign, which was installed or maintained pursuant to a use permit or planned development permit issued since September 20, 1974, shall be removed, altered, or otherwise made to conform to this Chapter by December 31, 1965; unless a variance is obtained under the provisions of Section 13.10.230.

(b) Portable signs, sandwich boards, movable freestanding signs, tire stacks, window signs, wind signs, signs painted on buildings, walls or fences, rotating or flashing signs, and all signs of less than \$100 in replacement value shall be removed, altered, or otherwise made to comply with this Chapter within 30 days after the effective date of this section. "Portable Sign" includes, but is not limited to, any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric or plastic, cardboard, wallboard or other light material, with or without a frame.

(c) Signs appurtenant to any use shall be removed within 30 days of the discontinuance of said use.

(d) Failure to remove, alter or otherwise make a nonconforming sign conform to the requirements of this Chapter within the time allowed shall be deemed to be in violation of this Chapter and a public nuisance subject to abatement in accordance with Chapter 1.14 of this Code. The owner of the land on which a sign is displayed shall be held responsible for rendering such a sign conforming. (Ord. 2047, 8/21/74; 2658, 2/12/80; 3166, 1/12/82; 3344, 11/23/82; 3432, 6/23/83; 3927, 6/28/89; 4496-C, 8/4/96)

(v001)

13.10.550 Offstreet parking and loading
facility regulations.

In order to alleviate or to prevent traffic congestion and shortage of curb spaces, offstreet parking and loading facilities are required to be provided incidental to new land uses and major alterations and enlargements of existing land uses. The number of parking spaces and the number of loading berths prescribed in this chapter or to be prescribed by the Zoning Administrator shall be in proportion to the need for such facilities which is created by the particular type of land use. Offstreet parking and loading areas are to be laid out in a manner which will ensure their usefulness, protect the public safety and where appropriate, insulate surrounding land use from their impact. (Ord. 560, 7/14/58; 839, 11/28/62; 1582, 2/15/72; 1704, 4/15/72; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

**COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
701 OCEAN STREET
SANTA CRUZ, CA 95060**

785

13.10.551 Offstreet parking facilities required.

(a) In all districts, in connection with every use, there shall be provided at the time of initial occupancy of a site or of construction of a structure or a major alteration, or enlargement of a site or structure, offstreet parking space for automobiles and bicycles in accordance with requirements prescribed in this Chapter. For the purposes of this Chapter, "parking space" shall mean a space conforming to the standards set forth in Section 13.10.554 and maintained open, clear and available for the parking of motor vehicles. Also, for the purpose of this chapter the term "major alteration or enlargement" shall mean a change of use or an addition which would increase the number of parking spaces required by not less than 10 percent of the total required, and the term "bicycle" shall include mopeds as defined in the California Vehicle Code. If, in the application of the requirement of this Chapter, a fractional number is obtained, one parking space shall be provided for a fraction of one-half or more, and no parking spaces shall be required for a fraction of less than one-half.

(b) If more than one use is located on a site, the number of parking spaces provided shall be equal to the sum of the requirements prescribed in this chapter for each use. (Ord. 839, 11/23/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.552 Schedule of offstreet parking space requirements.

(a) Offstreet parking spaces for residential uses shall be provided according to the type and size of residence as described below:

1. Resident Parking.

#BEDROOMS	SFDs	MFDs	MOBILE-HOMES
1 bedroom	2 spaces	2 spaces	2 spaces
2 bedrooms	3 spaces	2.5 spaces	2 spaces
3 bedrooms	3 spaces	2.5 spaces	2 spaces
4 bedrooms	3 spaces	3 spaces	2 spaces
Add. bed.	1 space	.5 space	N/A
	ea.	ea	

2. Guest Parking for Multi-Family Residential Developments. In addition to providing the requirement amount of residential parking, additional, separate guest parking shall be provided, in an amount equal to 20 percent of the required resident parking, for all multi-family residential uses. Where it can be demonstrated that abutting, on-street curb space is available for guest parking, the required number of guest parking spaces can

be reduced in the amount of one (1) space per 18 feet of this available curb.

3. Bicycle Parking for Residential Uses.

Use	Bicycle Parking Spaces
Single Family Dwelling	0.0
Multi-Family Dwelling	One (1) lockable storage shed or lockable garage space capable of holding one bicycle per unit, plus 0.2 spaces per unit as set forth in Section 13.10.560
Mobilehome	0.2 per unit

(b) Offstreet parking for non-residential uses shall be provided according to the use and size as described in the table below:

USE	REQUIREMENTS	
	Auto Parking Spaces	Bicycle Parking Spaces
Motels, hotels, lodging houses, visitor accommodations with or without kitchens	1.1 per unit, or 1 per habitable room, whichever is more.	0.2 per unit and storage necessary to accommodate them; with a minimum of 2
Day care homes, Foster Family Homes, Residential care homes	1 per every 5 children or adults for whom care is provided, plus 1 for the resident owner or manager	0.2 per employee
Day Care Center	1 per every 5 children or adults for whom care is provided, plus 1 per employee	0.2 per employee
Elementary school and junior high school	0.3 per employee	0.2 per employee and student
High school	0.3 per employee, 0.1 per student	0.2 per employee and student
College, university, professional or trade school	0.3 per employee and student	0.2 per employee and student
Places of public assembly: churches, community centers, private clubs, auditoriums	0.25 per seat or 30 per 1000 sq. ft. (92.9 sq. meters)	0.1 per seat or 10 per 1000 sq. ft. (92.9 sq. meters)
Sanitariums, nursing homes, institutions, providing sleeping accommodations	0.3 per bed	0.2 per employee
Hospitals	1.5 per bed and 1 per 200 sq. ft. (18.6 sq. meters) of office	0.2 per bed
Business Offices	1 per 200 sq. ft. (18.6 sq. meters) of gross floor area*	1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area'
Medical Offices	Number of Practitioners**	Spaces Req
	1	7
	2	13
	3	17
	4	21
	5	25
	+5 for each additional practitioner	
Libraries, museums, art galleries	1 per 300 sq. ft. (27.9 sq. meters) of gross floor area'	1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area*
Retail stores and service establishments	1 per 200 sq. ft. (18.6 sq. meters) of gross floor area*; 3 minimum	1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area*; 2 minimum

* Exclude any floor area used only for storage or truck loading.

**Practitioners shall include, but not be limited to, donors, hygienists, hypnotists and others providing health related services

USE

REQUIREMENTS

Auto Parking Spaces

Bicycle Parking Spaces

Restaurants, bars, soda fountains, and similar establishments

1 per 100 sq. ft. (9.3 sq. meters) of gross floor area*, and 0.3 per employee

1 per 400 sq. ft. (37.2 sq. meters) of gross floor area'

Commercial service enterprises, repair shops, wholesale establishments and bulky merchandise retail (e.g., furniture, motor vehicles)

1 per 300 sq. ft. (27.9 sq. meters) of gross floor area'; 2 minimum

1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area'; 2 minimum

Warehouses, storage buildings and storage facilities combined with commercial or industrial uses.

1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area; 2 minimum

1 per 3000 sq. ft. (278.8 sq. meters) of gross floor area; 1 minimum

Open uses, commercial and industrial uses conducted outside of buildings.

0.3 per employee and 1 per 600 sq. ft. (55.8 sq. meters) of land area devoted to such use.

1 per 1000 sq. ft. (92.9 sq. meters) of land devoted to such use

Manufacturing plants and other industrial uses

1 per 600 sq. ft. (55.0 sq. meters) of gross floor area'; 2 minimum

1 per 2000 sq. ft. (185.9 sq. meters) of gross floor area'; 2 minimum

Public buildings and grounds

1 per 200 sq. ft. (18.6 sq. meters) of gross floor area' plus 30 per 1000 sq. ft. of public assembly area

1 per 1000 sq. ft. (92.9 sq. meters) of gross floor area"

Public utility structures and installations

0.5 per employee plus additional spaces as prescribed by the Approving Body

0.2 employee

Exclude any floor area used only for storage or truck loading

(c) Other Uses. Any use not specified in this schedule shall require the same number of spaces as the most similar use, as determined by the Approval Body or, if it can be shown that a use is not expected to utilize the required number of spaces, and assurance is given by recorded indenture, or other means, that the required number of spaces will be provided when the use or circumstances of occupancy change, then a different parking requirement may be authorized by a Level V Approval.

(d) Maximum. The maximum number of parking spaces allowed shall not exceed by 10 percent the requirements as established above unless determined by the Approving Body to be necessary due to special circumstances of the use intended.

(e) Handicapped Parking. Parking spaces specifically designed, located and reserved for vehicles licensed by the State for use by the handicapped shall be provided in each parking facility of 10 or more spaces according to the following table:

Total Spaces Required	Maximum Number of Handicapped Spaces Required
1—9	0
10—49	1
50—99	2
100—199	3
200 or more	4

The Approving Body may determine additional spaces to be necessary due to the special circumstances of the use intended.

13.10.553 Variations to requirements.

The off-street parking requirements of this Chapter may be satisfied or modified in alternate ways:

(a) Parking Plan. A specific parking plan initiated by the County and approved by the appropriate Approving Body may supersede those parking standards contained in Section 13.10.552, if the purpose of this Section is met, or in order to permit or preserve significant public amenities, and for either case in the Coastal Zone, a specific finding is made and supposed that visitor access and parking will not be preempted.

(b) Reductions in Required Parking. Parking facilities for two or more uses that participate in a parking agreement may be shared thereby reducing the overall parking requirement for the uses if their entrances are located within three hundred (300) feet of the parking facility, if their hours of peak parking do not coincide,

and/or it can be demonstrated that the nature or number of uses of the facilities will result in multipurpose trips.

Reductions in the total number of parking spaces may be made according to the following table:

Number of independent property users	Reduction allowed
2 to 4	10%
5 to 7	15%
8 or more	20%

The Approving Body may allow a larger reduction if it can be demonstrated that parking demands for the uses occur at different times of the day.

(c) Housing for the Elderly. The total number of automobile spaces may be reduced by as much as 75 percent when, in the judgement of the Approving Body, reduction will be commensurate with the reduced parking demand created by the facility, including visitors and accessory facilities. Land area required for provision of deferred parking spaces shall be maintained in reserve, and shall be landscaped according to approved landscaping plans.

Congregate Senior Housing shall be required to provide a minimum of .5 spaces per unit. Land area required for the provision of .25 deferred parking spaces per unit shall be landscaped according to approved landscaping plans. Bicycle storage shall be provided at the rate of one space for every ten units. (3756, 4/22/86)

(d) Transportation and Parking Alternatives. Parking requirements prescribed for any use, or combination of uses on the same or adjoining sites may be reduced by as much as 20 percent subject to acceptance of the Approving Body based upon a detailed Alternate Transportation and Parking Program supplied by the applicant, and certified by the County, which may include, but is not limited to, provision of special transit incentives for employees, the operation of effective pooling programs, preferential parking arrangements, charter buses, club buses, employer's contribution to bus service cost, staggered or variable work hours.

In evaluating the request, the Approving Body shall consider, among other factors:

1. Projected effectiveness of carpool, vanpool, staggered work hours or similar transportation programs.
2. Proximity to public transportation facilities serving a significant portion of employees and/or customers.
3. Evidence that employees and/or customers utilize, on a regular basis, transportation alternatives to the automobile.

4. Evidence of land owned, leased or otherwise guaranteed for **use** by developer that can be held in contingency reserve to be used for supplying additional parking in the event that the program does not reduce parking demand by the required amount.

Where an Alternate Transportation and Parking Program is employed and plans approve? which reduce the number of required off ~~street~~ parking spaces for 2 development, a written agreement between the landowner(s) and the County must be approved. Such an agreement must be in satisfactory form and content to **County** Counsel and is subject to approval by all appropriate Approving Bodies. This agreement shall be in a form capable of and subject to being recorded to constitute a covenant running with the land. The agreement shall include:

1. A guarantee that program will not be diminished, suspended, eliminated, or in any way be operated at a lower level of effort on the part of those responsible for its implementation without prior County approval.

2. A provision for bi-annual certification of the program by the County which will include, **among** other things, review of past years ~~effort~~ to encourage employee's and customer's use of alternative transportation, and an accounting of the number of persons targeted by the program that ~~actually~~ 2nd regularly employ techniques promoted by program. Such a report shall update that section of the plan outlining efforts to increase participation in the program during the coming years. The County shall retain the option to require changes, including but not limited to, the ~~uses's~~ intensity and program as are needed to achieve the required reduction in peak parking demand.

(e) Compact Car Parking. A proportion of the total spaces otherwise required by the Schedule of Offstreet Parking Requirements may be ~~designed~~ and marked for compact car use according to the following table:

Total Spaces Required	Allowable Percentage of Compact Car Spaces
0—5	0
6—50	10%
51—80	30%
81 or more	40%

(f) Parking Requirements for Small Recycling Collection Facilities. Small recycling collection facilities may not locate where existing parking capacity is already fully utilized. Otherwise, 2 reduction of available parking spaces in an established parking facility by the placement of a small recycling collection facility may be allowed

under the following circumstances. (Note: In areas zoned CT-Tourist Commercial the number of available parking spaces used as the basis to ~~determine the~~ allowable parking space reduction must be increased by 10%).

1. For a business use:

Number of Available Parking Spaces	Maximum Reduction in Number of Parking Spaces
0—25	0
26—35	2
36—50	3
50—100	4
100+	5

2. Far a community facility **use**: Maximum of five (5) spaces when not in conflict with parking needs of the community facility **use**.

The collection facility shall be sited to minimize disruption of available parking and vehicular circulation. (Ord. 1424,4122169;1704, 4/25/72; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3748, 4/22/86; 3843,6123188; 4496-C, 8/4/98)

13.10.554 Standards of offstreet parking facilities.

Offstreet parking facilities for autos shall conform with the following standards:

(a) Size of Parking Spaces.

1. Each standard size parking space shall be not less than 18 feet (5.5 meters) in length and 8-1/2 feet (2.7 meters) in width, ~~exclusive of aisles and access drives~~.

2. Each compact car parking space shall be not less than 16 feet (4.9 meters) long and 7.5 (2.3 meters) wide.

3. All piking spaces shall have 2 vertical clearance of not less than 7.5 feet (2.3 meters).

4. Each parking space designated for handicapped use shall nor be less than 18 feet (5.5 meters) long and 8 feet (2.4 meters) wide when located at the end of a row of spaces, or 12 feet (3.6 meters) wide when located between two conventional spaces. The end of a row of spaces shall have no obstruction on one side for at least 4 feet (1.2 meters) from the front. Such parking space shall be located in an area with a slope not exceeding two percent, and shall be near or convenient to a level or ramped entrance, with a slope not exceeding five percent Parking spaces for the handicapped shall be assigned and ~~restricted for use~~ by the handicapped only.

(b) Each parking space shall be accessible from a street or alley. Tandem parking spaces shall be allowed for the purpose of fulfilling parking requirements set forth in this Chapter for single family dwelling units, either

attached or detached, and for multi-family dwellings where garages are within, attached or immediately adjacent to the dwelling units, and for hotels and restaurants with a valet parking plan where such uses are to be located in existing structures on parcels of such size or shape that preclude the ability to meet current parking requirements for that use. Such a valet parking plan shall be approved by the Appropriate Body and be guaranteed to operate full time during established business hours for the life of the use.

(c) Entrances and exits shall be provided at locations approved by the Public Works Director according to encroachment permit procedures. Backing out movements onto the street shall be discouraged. Backing out movements onto major streets shall not be allowed where a reasonable alternative exists to do otherwise.

(d) The parking area, aisles and access drives shall be paved with 2 inches of asphalt concrete over 5 inches of Class II base rock or equivalent permeable or nonpermeable surface so as to provide a durable, dust-less surface, and shall be graded and drained so as to prevent erosion and disperse surface water. Parking areas, aisles and access drives together shall not occupy more than 50 percent of any required front yard setback area for any residential use.

Variances to this rule can only be granted, pursuant to Section 13.10.554(l), if locating parking areas, aisles or access drives in front yard setbacks result in less environmental damage than at all alternative locations.

(e) On site drainage percolation or detention shall be provided so as not to exceed predevelopment runoff levels, and designed for a 10-year storm, unless waived by the Public Works Director. Drainage shall be filtered to reduce urban contamination of downstream drainage. The installation and maintenance of traps for oil, grease, and silt is required for all parking lots for 20 spaces or more and for all commercial and industrial projects. The requirement for the collection of runoff water for filtration may be waived by the Approving Body in rural area where appropriate.

(f) Wheel stops and bumper rails shall be provided where needed for safety or protection of property.

(g) If the parking area is illuminated, lighting shall be deflected away from the abutting residential sites so as not to cause annoying glare.

(h) Landscaping requirements for projects subject to the design standards found in Chapter 13.11 shall conform to Section 13.11.074(c). Projects not subject to the design standards found in Chapter 13.11 shall conform to the following standards:

1. A comprehensive landscape plan shall be submitted for review and approval for developments requiring five automobile parking spaces or more. A minimum of one (1) tree for each five (5) parking spaces shall be provided. The plan shall indicate existing and proposed trees, shrubs and ground cover and delineate species, size, placement and irrigation methods. The plan shall include species from the recommended species list (or other approved equivalent species) for the specific plant community of the project. Landscape plans shall be required to be prepared by the project architect, a registered landscape architect, or other qualified individual.

2. Trees shall be provided in sufficient size and quantity to adequately screen and soften the effect of the parking area within the first year.

3. Landscaping shall be planted in the ground or in approved planters.

4. Where a site adjoins a residential zone district, landscaping shall be used to ensure privacy and screen unsightliness.

5. Hose bibs shall be conveniently located for hand watering, or an irrigation system shall be installed to ensure that all landscaping is permanently maintained.

(i) No repair work or servicing of vehicles shall be conducted on a parking area.

(j) Maintenance. Parking areas shall be maintained in good condition and kept free of trash, debris, display or advertising uses. No changes shall be made in the number of parking spaces designated on the parking plan without review of the complete development permit by the Approving Body.

(k) Provisions shall be made for pedestrian movement in all parking areas. Projects subject to the provisions of Chapter 13.11 shall meet the requirements of Section 13.11.074(a)2.

(l) A request for a variance from the provisions of this section may be considered according to Chapter 18.10 at Level V. This request for variance must state in writing the provision from which it is to be varied, the proposed substitute provisions, when it would apply, and its advantages. In granting a variance, the Zoning Administrator shall be guided by the following criteria:

1. That there are special circumstances or conditions affecting the property.

2. That the variance is necessary for the proper design and/or function of a reasonable project for the property.

3. That adequate measures will be taken to ensure consistency with the purpose of this section. (Ord. 839, 1/23/62; Ord. 1080, 4/26/65; Ord. 2801, 10/30/79; 3186,

1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3784, 4/22/86; 4496-C, 8/4/98)

13.10.555 Location of offstreet parking facilities.

(a) In an "RA," "RR," "R-1," "RM," or "PR" District, offstreet parking facilities prescribed in this chapter shall be located on the same Site as the use for which the spaces are required, or on an adjoining site separated only by an alley from the use for which the spaces are required.

(b) In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," "M-2" or "M-3" District, off-street parking facilities prescribed in this chapter shall be located within 300 feet (91.4 meters) of the use for which the spaces are required, measured by the shortest route of pedestrian access. (Ord. 4346, 12/13/94)

(c) Off-Site Parking Facilities. Where parking cannot be provided on-site to meet the requirements of this Chapter, the requirements for parking facilities may be satisfied by the permanent allocation of the required number of spaces for each use in either a shared-use or in an exclusive-use off-site parking facility. An easement in perpetuity, attached to the land for which the application is being made, granting such off-site parking rights shall be recorded in the office of the County Recorder. The easement shall designate the off-street parking facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the easement shall not be terminated and that the offstreet parking facility shall not be used for any other purpose unless a Development Permit amendment has been approved pursuant to Chapter 18.10 either eliminating the requirement for the parking facility or approving alternative parking facilities.

(d) Shared, In-Lieu Parking in a Parking and Business Improvement Area. In a "CT," "C-1," "C-2," "C-4," "PF," "PA," "VA," "M-1," or "M-3" District, within the boundaries of business improvement district or parking and business improvement area which provides for shared, managed, public parking, the requirement for parking facilities may be satisfied by the provision of shared, in-lieu parking spaces if approved by the Board of Supervisors, acting as the Board of Directors of the business district or improvement area. Such spaces shall be assigned pursuant to an in-lieu parking program adopted by the Board of Supervisors. (Ord. 4346, 12/13/94)

(e) Compact Car Stalls. When designing the location of compact car stalls the developer shall take all necessary steps to ensure that stalls will not cause traffic jams and

confusion for drivers. In long-term facilities, compact Stalls should be located close to entrances, while in facilities with high turnover stalls should be scattered throughout the facility. (Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3748, 4/22/86; 4195, 5/12/92)

13.10.556 Outdoor storage of personal property and materials.

(a) No portion of any undeveloped or vacant site and, for any developed residential parcel, no portion of any front yard or any required side yard set back, or any required rear yard of corner or double frontage lots shall be used for the storage of any of the following:

(1) Building or construction materials, except those materials, bins, and dumpsters reasonably required for work under construction on the premises pursuant to a valid and effective building permit.

(2) Storage of construction or commercial equipment, machinery, chemicals, or materials.

(3) Inoperative vehicles or parts thereof.

(4) Household appliances, equipment, machinery, furniture, salvage materials, or boxes.

(b) Items and materials identified in 13.10.556(a) may be stored in rear yards provided such is screened from public view or stored within an approved storage structure constructed in accordance with applicable building and zoning regulations.

(c) Operative vehicles in excess of those allowed in the front yard pursuant to Section 13.10.554(d) must be parked in side or rear yards provided that the vehicle is screened from public view or stored within an approved structure constructed with the required building and zoning permits. (Ord. 4338, 11/29/94; 4496-C, 8/4/98)

13.10.560 Bicycle parking provisions.

Parking spaces for bicycles shall meet the following conditions:

(a) Each parking space shall be no less than 6 feet (1.8 meters) long and 2 feet (0.6 meters) wide, exclusive of pedestrian and auto aisles and access areas. Storage sheds for bicycles shall be no less than 3 feet (.9 meters) by 6 feet (1.8 meters) by 4 feet (1.2 meters).

(b) Each space shall have a parking rack capable of supporting bicycles of various sizes in a vertical position.

(c) Parking racks shall be securely fastened to the lot surface and shall be of sufficient structural strength to resist vandalism and theft.

(d) Parking spaces shall be clustered in lots not to exceed 10 spaces each. Bicycle parking lots shall be dispersed throughout the development. (Ord. 2801,

10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/34/83; 3748, 4/22/86)

13.10.570 Offstreet loading facilities required.

All retail business uses, wholesale or warehousing establishments and industrial uses shall provide one loading space for each 5,000 square feet (464.7 square meters) of floor area. Each mortuary shall provide one loading space for hearses regardless of the amount of floor area devoted to said use, and one additional loading space for each 5,000 square feet (464.7 square meters) over the initial 5,000 square feet devoted to said use. (Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.571 Standards for and location of offstreet loading facilities.

Offstreet loading facilities provided in compliance with Section 13.10.570 shall conform to the following standards:

(a) Each loading berth shall be not less than 45 feet (13.7 meters) long and 12 feet (3.7 meters) wide and shall have an overhead clearance of not less than 14 feet (4.3 meters), except that for mortuaries, a loading berth used exclusively for hearses shall be not less than 24 feet (7.3 meters) long and 10 feet (3.0 meters) wide, and shall have an overhead clearance of not less than 8 feet (2.4 meters).

(b) Sufficient room, for turning and maneuvering vehicles shall be provided on the site.

(c) Each loading berth shall be accessible from a street or alley.

(d) Entrances and exits shall be provided at locations approved by the Public Works Director according to encroachment permit procedures.

(e) The loading areas, aisles and access drives shall be paved with 2 inches of asphalt concrete over 5 inches of Class II base rock or equivalent, so as to provide a durable, dustless surface, and shall be graded and drained so as to disperse surface water.

(f) Wheel stops and bumper rails shall be provided where needed for safety or to protect property.

(g) If the loading area is illuminated, lighting shall be deflected away from the adjoining residential sites so as not to cause annoying glare.

(h) A loading area shall not be located in a required front, side or rear yard.

(i) No repair work or servicing of vehicles shall be conducted in a loading area.

(j) Loading area shall be maintained in good condition, and kept free of trash, debris, and display or advertising uses. No changes shall be made in the number

of loading spaces designated on the parking plan without review of the complete development permit by the Zoning Administrator.

(k) Offstreet loading facilities prescribed in Section 13.10.570 shall be located on the same Site as the use for which the berths are required or on an adjoining site. (Ord. 839, 11/28/62; Ord. 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.575 Existing uses.

No existing use of land or structure shall be deemed to be a nonconforming use or a nonconforming structure solely because of the lack of offstreet parking facilities or offstreet loading facilities prescribed in this Chapter, provided that facilities being used for offstreet parking and offstreet loading at the time of the adoption of this Chapter shall not be reduced in capacity to less than the number of spaces or berths prescribed in this Chapter or reduced in area to less than the minimum standards prescribed in this Chapter. (Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.576 Reduction of offstreet parking and loading facilities.

Except as provided in Section 13.10.553 (f) no offstreet parking facility or offstreet loading facility provided for a use of land or structure in compliance with Sections 13.10.551 or 13.10.570 shall be reduced in capacity or in area without sufficient additional capacity being provided elsewhere to comply with the regulations of this Chapter. No offstreet parking space or offstreet loading berth provided for a use of land or a structure in compliance with the requirements of this Chapter shall be deemed to provide an offstreet parking space or an offstreet loading berth for a use or a structure on another site, except as otherwise provided in this Chapter. (Ord. 839, 11/28/62; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3843, 6/23/88)

13.10.577 Designation of off-site loading facilities.

The requirements for off-street loading facilities may be satisfied by the permanent allocation of the required number of loading berths for each use on an adjoining site. An easement in perpetuity, attached to the land for which the application is being made, granting such loading rights, shall be recorded in the office of the County Recorder. The easement shall designate the off-street loading facility and the uses or structures to be served, with legal descriptions of the sites involved, and shall specify the hours of operation, provide for maintenance, and certify that the

easement shall not be terminated and that the off-street loading facility shall not be used for any other purpose unless a Development Permit amendment has been approved pursuant to Chapter 18.10, either eliminating the requirement for the loading facility or approving alternative loading facilities. (Ord. 839, 11/28/62; 1704, 4/25/72; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 4195, 5/12/92)

13.10.578 Off-street parking and off-street loading.

In any "C" or "M" District: on a site of width of sixty (60) feet (18.3 meters) or less situated between sites improved with buildings, or where sites comprising forty (40) percent of the frontage on a block are improved with buildings, the off-street parking and off-street loading regulations of this chapter may be waived by the Approving Body upon finding that no parking problem exists in the area or will result from such a waiver. (Ord. 1191, 8/9/66; 2801, 10/30/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3748, 4/22/86)

13.10.580 Signs in R-I, RB, RR, RA, RM, A, AP, and CA Districts.

No signs or outdoor advertising structure or display of any kind shall be permitted in the R-I, RB, RR, RA, RM, A, AP, or CA Districts except the following:

(a) One non-illuminated sign or nameplate not larger than one square foot in area pertaining to a home occupation.

(b) One non-illuminated sign not larger than six square feet in area pertaining to the sale, lease, rental, or display of a structure or land.

(c) One identification sign, not directly illuminated: not larger than twelve (12) square feet in area, located on the site of a discretionary use and included in the Development Permit for said use.

(d) One or two non-illuminated signs, single or double-faced, with a total area not larger than fifty (50) square feet, pertaining to the sale of subdivision lots and included in the permit for said subdivision. (Ord. 839, 11/28/62; 1834, 2/27/73; 1891, 6/19/73; 2779, 9/11/79; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

13.10.581 Signs in C, CT, VA, PA, PF and M Districts.

(a) No sign, outdoor advertising structure or display of any kind shall be permitted except the following:

I. One business or identification sign and one small pedestrian-oriented sign per site as provided below. A variance to allow more than one business sign may be

considered under the provisions of Section 13.10.230 if justified by special circumstances such as limited visibility or unusually large size of a structure, location on a corner, historic preservation concerns, or consistency with a village design plan.

2. Signs pertaining to a use conducted on the site, with aggregate areas according to the following table. The following formulas for calculating total sign area for all signs displayed shall be used unless a variance is obtained under the provisions of Section 13.10.230.

TOTAL SIGN AREA ALLOWED

BASIS FOR CALCULATION	TOTAL SIGN AREA ALLOWED
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Front width of building on an interior lot or front width plus street side width of building on a corner lot	1/2 sq. ft. (72 sq. in.) of sign area per foot of building width
--	--

or

Width of site along the street [interior of corner lot]	1/4 sq. ft. (36 sq. in.) of sign area per foot of width
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Maximum allowable area on an interior lot less than 40 feet wide at the street	20 sq. ft.
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Maximum allowable area	50 sq. ft.
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* Sign area is defined as: The area within a well-defined border; or, the area of one side of a double-sided sign, or on a sign with no defined border, the area within the perimeter which encloses the letters, symbols or logo.

3. Direction signs for offstreet parking and loading facilities not exceeding four square feet.

4. One sign pertaining to the sale, lease, rental or display of a structure or land, not exceeding six square feet.

(b) Permanent and temporary window signs are each limited to a maximum of 20 percent of the window area of the building. Temporary window signs not displayed for more than two weeks are not included in the total sign size limitation.

(c) Signs directly across the street from a residential zone district shall be limited to 30 square feet in area and shall not be directly illuminated or flashing.

ACCESSIBLE PARKING

TITLE 24 TOTALLY
COMPLIES W/ ADA
FOR PARKING

Parking Sec. 3107A

(a) Accessible Parking Required. 1. General. Each lot or parking structure where parking is provided for the public as clients, guests or employees shall provide accessible parking as required by this section. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. Table No. 31A establishes the number of accessible parking spaces required.

EXCEPTION: This subsection shall not apply to existing facilities where compliance with local ordinances precludes satisfying the above requirements or of providing equivalent facilitation unless a change of occupancy occurs.

• Interpretation [for Section 3107A(a)1]

- There is some new information in this section taken from ADA.
- First, accessible parking must now be located on the shortest accessible route possible to an accessible entrance, if the parking serves a particular building. If not, the accessible spaces must be located on the shortest accessible route possible to an accessible entrance to the parking facility. If the facility serves multiple accessible entrances, then accessible parking must be distributed so spaces are located near all accessible entrances. Table 31-A has been changed to reflect the increased number of accessible spaces required by ADA.

Tabk No. 31-A: Spaces Required.

Total Number of Parking Spaces in Lot or Garage	Minimum Required Number of Spaces
1-25	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1000	2 % of total
1001 and over	20 plus 1 for each 100 or fraction thereof over 1001

3107A(a)2. Less than Five Spaces. When less than 5 parking spaces are provided at buildings and facilities subject to these regulations, one shall be 14 feet wide and lined to provide a 9 foot parking area and a 5 foot loading and unloading area. However, there is no requirement that the space be reserved exclusively or identified for use by persons with disabilities only.

3107A(a)3. Medical Care Outpatient Facilities. At facilities providing medical care and other services for persons with mobility impairments, parking spaces complying with this section shall be provided in accordance with Table 31A except as follows:

A. Outpatient units and facilities: 10 percent of the total number of parking spaces provided serving each such outpatient unit or facility;

B. Units and facilities that specialize in treatment or services for persons with mobility impairments: 20 percent of the total number of parking spaces provided serving each such unit or facility.

- **Interpretation [for Section 3107A(a)3]**
- Subsection 3 is a new requirement taken from the ADA. The
- intent is to provide a greater percentage of accessible spaces in
- health care occupancies that serve people with mobility impair-
- ments, since there would be a correspondingly greater demand

• **Interpretation [for Section 3107A(a)3]**
• **continued**

• for accessible spaces. The federal Architectural and Transportation Barriers Compliance Board acknowledges this is a confusingly written section, but provides the following interpretations.

• Subparagraph A covers outpatient facilities serving people with mobility impairments. These are considered to be clinics or surgicenters, for instance, where patient stays do not exceed 24 hours and where one would find services not commonly found in doctors' offices. For instance, an orthopedic surgeon's office where exams and diagnosis are done would not be required to provide the additional parking specified in this subparagraph; but a clinic where simple surgeries such as arthroscopy are provided would be required to supply the additional accessible spaces. If the clinic adjoins the doctor's office, then parking associated with the office would be figured according to Table 31-A, while parking associated with the clinic would be figured according to subparagraph A.

• Subparagraph B requires 20% of the spaces to be accessible and pertains to facilities that provide services to people with mobility impairments, such as a spinal cord injury unit or a rehabilitation center.

Section 3107A, continued

(b) **Parking Space Size.** Accessible parking spaces shall be located as near as practical to a primary entrance and shall be sized as follows:

3107A(b)1. Where single spaces are provided, they shall be 14 feet wide and outlined to provide a 9-foot parking area and a 5-foot loading and unloading access aisle on the passenger side of the vehicle, when more than one space is provided in lieu of providing a 14-foot-wide space for each parking space, two spaces can be provided within a 23-foot-wide area lined to provide a 9-foot parking area on each side of a 5-foot loading and unloading access aisle in the center. The minimum length of each parking space shall be 18 feet.

See Figure No. 31-18A.

3107A(b)2. One in every eight accessible spaces, but not less than one, shall be served by an access aisle 96 inches wide minimum and shall be designated van accessible as required by 3107A(c). All such spaces may be grouped on one level of a parking structure.

• **Interpretation [for Section 3107A(b)2]**

• Subsection 2 is a new provision taken from the ADA for van-accessible spaces. One in every eight accessible spaces, and always at least one, must have the larger access aisle and must

• **Interpretation [for Section 3107A(b)2]**
• **continued**

- have a sign designating it van-accessible. Van accessible spaces are counted toward the total required number of accessible spaces, rather than in addition to the total number required.

Section 3107A(b), continued

3. Arrangement of Parking Space. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. Also, the space shall be so located that persons with disabilities are not compelled to wheel or walk behind parked cars other than their own. Pedestrian ways which are accessible to people with disabilities shall be provided from each such parking space to related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space.

EXCEPTION 1. Ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation.

See Figures Nos. 31-18AC

EXCEPTION 2 Where the enforcing agency determines that compliance with any regulation of this subsection would create an unreasonable hardship, a variance or waiver may be granted when equivalent facilitation is provided.

EXCEPTION 3. Parking spaces may be provided which would require a person with a disability to wheel or walk behind other than accessible parking spaces when the enforcing agency determines that compliance with these regulations or providing equivalent facilitation would create an unreasonable hardship.

NOTE: See Section 110-10.

3107A(b)4. Slope of Parking Space Surface Slopes of accessible parking spaces shall be the minimum possible and shall not exceed 1/4 inch per foot (2.083 percent gradient) in any direction.

3107A(c) Identification of Parking Spaces for Off-Street Parking Facilities Each parking space reserved for persons with physical disabilities shall be identified by a reflectorized sign permanently posted immediately adjacent to and visible from each stall or space, consisting of a profile view of a wheelchair with occupant in white or dark blue background. The sign shall not be smaller than 70

Section 3107A(c) continued

square inches in area and, when in a path of travel, shall be posted at a minimum height of 80 inches from the bottom of the sign to the parking space finished grade. Signs may also be centered on the wall at the interior end of the parking space at a minimum height of 36 inches from the parking space finished grade, ground or sidewalk. Spaces complying with 3107A(b)2 shall have an additional sign "Van-Accessible" mounted below the symbol of accessibility.

An additional sign shall also be posted, in a conspicuous place, at each entrance to off-street parking facilities, or immediately adjacent to and Visible from each stall or space. The sign shall be not less than 17 inches by 22 inches in size with lettering not less than 1 inch in height, which clearly and conspicuously states the following:

"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or license plates issued for persons with disabilities may be towed away at owner's expense. Towed vehicles may be reclaimed at _____ or by telephoning _____." Blank spaces are to be filled in with appropriate information as a permanent part of the sign

In addition to the above requirements, the surface of each accessible parking space or stall shall have a surface identification duplicating either of the following schemes:

1. By outlining or painting the stall or space in blue and outlining on the ground in the stall or space in white or suitable contrasting color a profile view depicting a wheelchair with occupant; or
2. By outlining a profile view of a wheelchair with occupant in white on blue background. The profile view shall be located so that it is visible to a traffic enforcement officer when a vehicle is properly parked in the space and shall be 36 inches high by 36 inches wide. See Figure 31-18.

• Interpretation [for Section 3107A(c)]

- To summarize subsection (c), there are three, and sometimes four, different signs required in connection with accessible parking:
- one at the entrance to the parking lot stating that accessible parking is available; one at each accessible space reserving it for disabled people and informing violators that their cars will be towed; one in the same location identifying van-accessible spaces; and one painted on the surface of the space showing the International Symbol of Accessibility.

Section 3107A, continued

(d) **Parking Structures.** All entrances to and vertical clearances within parking structures shall have a minimum vertical clearance of 8 feet 2 inches when required for accessibility to accessible parking spaces.

EXCEPTION 1. When the enforcing agency determines that compliance with Section 3107A(d) would create an unreasonable hardship, an exception may be granted when equivalent facilitation is provided

- ***Interpretation [for Section 3107A(d)]***

- The 8'2" clearance required by subsection (d) is intended to allow
- tall vans with hydraulic lifts to enter parking structures. Exception
- 1 recognizes that in some cases it would be an unreasonable
- hardship to raise a roof, so equivalent facilitation is allowed in
- such a case.

- Note that when in an existing building where Exception 2 below is
- allowed and the 8'2" clearance is waived through the local ap-
- peals process, you must still provide accessible parking inside the
- structure for those who don't use tall vans.

Section 3107A(d), continued

EXCEPTION 2. This section shall not apply to existing buildings where the enforcing agency determines that, due to legal or physical constraints, compliance with these regulations or equivalent facilitation would make an unreasonable hardship.

See Section 110-10D.

Passenger Drop-off and Loading Zones

Sec. 3108A

(a) **Location.** When provided, passenger drop-off and loading zones shall be located on an accessible route of travel.

- ***Interpretation [for Section 3108A(a)]***

- This is a new section taken from the ADA. Whenever passenger
- drop-off and loading zones are provided, they all must be on an
- accessible route of travel so that a disabled person leaving a
- vehicle has a path to the facility served by the loading zone.

Section 3108A, continued

(b) **Passenger Loading Zones. 1. General** Where provided, one passenger drop-off and loading zone shall provide an access aisle at least 60 inches wide and 20 feet long adjacent and parallel to the vehicle pull-up space. Such zones shall be located on a surface with

Section 3108A(b)1, continued

a slope not exceeding 1 vertical in 50 horizontal. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided.

- **Interpretation [for Section 3108A(b)1]**

- Subparagraph (b)1 requires that when passenger loading zones are provided, at least one must have an access aisle adjacent to the pull-up space that is of sufficient size to allow a passenger in a wheelchair to exit the vehicle by lift or to transfer from the passenger seat to a wheelchair. A ramp is required if there is a curb between the pull-up space and the access aisle.

3108A(b)2. Vertical Clearance. Provide minimum vertical clearance of 114 inches at accessible passenger loading zones and along at least one vehicle access route to such areas from site entrances and exits.

- **Interpretation [for Section 3108A(b)2]**

- This is a new requirement from the ADA. Don't confuse it with the 8'2" vertical clearance required for parking structures, discussed elsewhere in this chapter. This 9'5" clearance is required at accessible passenger loading zones and along at least one vehicle access route.

Section 3108A, continued

(c) Valet Parking. Valet parking facilities shall provide a passenger loading zone complying with subparagraph (b) above and shall be located on an accessible route to the entrance of the facility. The parking space requirements of Section 3107A apply to facilities with valet parking.

- **Interpretation [for Section 3108A(c)]**

- This section really says two things. First, it says that valet parking facilities must have an accessible passenger loading zone and must be located on an accessible route to the facility entrance. Second, it says that even when parking lots are served by valet parking, they must provide the required number of accessible spaces. This is because specially-equipped vans must be parked by their owners rather than by valets.

DIVISION III ACCESSIBILITY FOR EXISTING BUILDINGS

NOTE: This Division replaces Appendix Chapter 31, Division II for use in California.

Scope

Sec. 3109A.

The provisions of this Division apply to renovation, structural repair, alteration and additions to existing buildings, including those identified as historic buildings. This division identifies minimum standards for removing architectural barriers, and providing and maintaining accessibility to existing buildings and their related facilities.

Alterations.

Sec. 3112A

(a) General. All existing buildings and facilities, when alterations, structural repairs or additions are made to such buildings or facilities shall comply with all provisions of Division I, New Buildings except as modified by this Division. These requirements shall apply only to the area of specific alteration, structural repair or addition and shall include those areas listed below:

• Interpretation [for Section 3112A(a)]

- This section contains information that was previously found in
- Chapter 1. It has been amended in some places, but the overall
- concept is unchanged. That is, renovation projects are required to
- meet the same standards as new construction projects, except
- that the scope of the standards is dependent on the extent of the
- renovation. The following subsections amplify this concept by
- providing that for each remodel, you must provide an accessible
- entrance to the building, an accessible primary path of travel from
- that entrance to the area of remodel, and accessible restrooms,
- drinking fountains, and public phones serving the area of remodel.

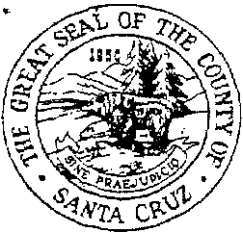
Section 3112A(a), continued

(i). A primary entrance to the building or facility and the primary path of travel to the specific area of alteration, structural repair or addition.

3112A(a)(ii). Sanitary facilities, drinking fountains and public telephones serving the area.

EXCEPTION 1: When the total construction cost of alterations, structural repairs or additions does not exceed a valuation threshold of \$50,000, based on January 1981, "ENR US20 Cities" average

80K (94)



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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ALVIN JAMES, DIRECTOR

Article III. Commercial Districts

(a) General Purposes

13.10.331 Purposes of commercial districts.

(1) To provide for retail stores, offices, service

purposes

(2) To contain commercial facilities in appropriately located areas, avoiding new freeway oriented development and new smp commercial uses, and providing opportunities for commercial uses to concentrate for the convenience of the public and in mutually beneficial relationships to each other.

(3) To ensure that commercial facilities and uses are compatible with the level of available public facilities and services, minimizing traffic congestion and preventing the overloading of utilities and public services.

(4) To ensure that commercial development is compatible with natural resource protection, environmental quality, and the scenic setting of the County.

(5) To ensure that commercial facilities are constructed and operated such that they are compatible with adjacent development, and that high standards of urban design are maintained, minimizing impacts on residential area and providing for adequate site layout, protection of solar access to adjacent property, landscaping, sign and building design and size, and on-site parking, loading, and circulation. (Ord. 3501, 3/6/84)

(6) To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses, and from fire, explosion, noxious fumes and other hazards.

(7) To provide space for community facilities and institutions which appropriately may be located in commercial areas.

(8) To provide for a mixture of commercial and residential uses where the advantages of such a mixture, such as convenience, atmosphere, and low energy use, can be maximized, and the conflict, such as noise, traffic, and lack of adequate visual amenities, can be reduced to an acceptable level. Residential uses are intended to be incidental or secondary to commercial use of a site or as otherwise provided by a Village Design Plan.

(9) To maximize efficient energy use and energy conservation in commercial uses, and to encourage the use of locally available renewable energy resources. (Ord. 560, 7/14/58; 681, 5/8/61; 839, 11/28/82; 2762, 9/4/19; 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3501, 3/6/84)

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ATTACHMENT

(b) Specific "PA" Professional-Administrative Office District Purposes. To provide for professional and administrative office uses in areas where such use is designated on the General Plan, or in areas designated for neighborhood, community or service commercial use, particularly where an office use can provide a buffer use between residential areas and the more intensive commercial or industrial activities. Professional and administrative office uses are intended to be low impact, non-retail activities. The "PA" District is intended to allow a compatible collection of related services within a development and may include a variety of retail and service uses where they are accessory to office uses on a site. (Ord. 1834, 2/27/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

(c) Specific "VA" Visitor Accommodations District Purposes. To provide areas specifically reserved for visitor accommodations and limited appurtenant uses. To allow a broad range of such overnight or extended stay lodging for visitors and to recognize these as commercial uses. The Visitor Accommodations District is intended to be located primarily in areas designated Visitor Accommodation or in areas designated as Community Commercial on the General Plan, and in locations where there are existing or approved (at the date of this section) visitor accommodations developments. All visitor accommodations are intended to be located where adequate access and public services and facilities are available, and to be designed and operated to be compatible with adjacent land uses, utilize and complement the scenic and natural setting of the areas, and provide proper management and protection of the environment and natural resources. (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83)

(d) Specific "CT" Tourist Commercial District Purposes: To encourage and recognize a narrow range of visitor serving uses in appropriate locations in the County on major transportation corridors or in commercial centers where properties have a land use designation on the General Plan of Neighborhood or Community Commercial. Visitor serving uses allowed in this zone district include primarily food services, auto fueling, visitor accommodations, and related accessory uses.

(e) Specific "C-1" Neighborhood Commercial District Purposes. To provide compact and conveniently located shopping and service uses to meet the limited needs within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood Commercial uses and facilities are intended to be of a small scale, with a demonstrated local need or market, appropriate to a

neighborhood service area, and to have minimal adverse traffic, noise, or aesthetic impacts on the adjacent residential areas.

(f) Specific "C-2" Community Commercial District Purposes. To provide centers of concentrated commercial uses accommodating a broad range and mixture of commercial activities, serving the general shopping and service needs of community-wide service areas, and including visitor accommodations. This district is intended to be applied to areas designated on the General Plan as Community Commercial. The Community Commercial districts are intended to have definite boundaries to promote the concentration of commercial uses.

(g) Specific "C-4" Commercial Services District Purposes. To meet the commercial services needs of the various communities in the County by allowing a broad range of commercial services uses in areas reserved for and designated as Commercial Services on the General Plan. Commercial service uses are intended primarily to be non-retail in nature, such as building material suppliers, auto repair, or freight terminals, and to be non-polluting. These uses usually need large sites, proximity to major streets to handle truck traffic, and in some cases need access to rail transportation. The Commercial Services districts are intended to be located in areas where the impacts of noise, traffic, and other nuisances and hazards associated with such uses will not adversely affect other land uses. Commercial recreational uses needing large sites and good access, such as drive-in theaters or indoor arenas, are also included in this district.

(Entire section updated: Ord. 4346, 12/13/94)

13.10.332 Commercial uses.

(a) Principal Permitted Uses.

(i) In the Coastal Zone, the principal permitted uses in the Commercial Districts shall be as follows:

"PA" Professional and administrative offices;

"VA" Visitor accommodations;

"CT" Visitor serving uses and facilities;

"C-1" Neighborhood-serving, small-scale commercial services and retail uses;

"C-2" Community-serving, large-scale retail uses and small-scale commercial services;

"C-4" Commercial services of all types and uses needing large sites or outdoor use areas; including appurtenant uses and structures.

(2) Principal permitted uses are all denoted as uses requiring a Level IV or lower Approval unless otherwise denoted with the letter "P" in the Commercial Uses Chart in subsection (b) of this section. In the Coastal Zone, actions to approve uses other than principal permitted uses

are appealable to the Coastal Commission in accordance with the provisions of Chapter 13.20 of the County Code relating to Coastal Zone Permits, and in some cases, as provided in Chapter 13.20, any development is appealable.

(b) Allowed Uses.

(1) The uses allowed in the commercial districts shall be as provided in the following Commercial Uses Chart below. A discretionary approval for an allowed use is known as a "Use Approval" and is given as part of a "Development Permit" for a particular use. The type of permit processing review, or "Approval Level," required for each use in each of the commercial zone districts is indicated in the chart. The processing procedures for Development Permits and for the various Approval Levels are detailed in Chapter 18.10 Permit and Approval Procedures. The Approval Levels given in this chart for structures incorporate the Approval Levels necessary for processing a building permit for the structure. Higher Approval Levels than those listed in this chart for a particular use may be required if a project requires other concurrent Approvals, according to Section 18.10.123.

(2) Timber harvesting and associated operations, requiring approval of a Timber Harvesting Plan by the California Department of Forestry, are not allowed uses in the Commercial zone districts.

COMMERCIAL USES CHAR?

KEY:

A = Use must be ancillary and incidental to a principal permitted use on the site

P = Principal permitted use (see Section 13.10.332(a)); no use approval necessary if "P" appears alone

I = Approval Level I (administrative, no plans required)

2 = Approval Level II (administrative, plans required)

3 = Approval Level III (administrative, field visit required)

4 = Approval Level IV (administrative, public notice required)

5 = Approval Level V (public hearing by Zoning Administrator required)

6 = Approval Level VI (public hearing by Planning Commission required)

7 = Approval Level VII (public hearing by Planning Commission and Board of Supervisors required)

— = Use not allowed in this zone district

* = Level IV for projects of less than 2,000 square feet

Level V for projects of 2,000 to 20,000 square feet

Level VI for projects of 20,000 square feet and larger

USE	PA	VA	CT	C-1	C-2	C-4
Accessory Structures and uses (not principal permitted uses unless associated with a principal permitted use), including:						
Accessory structures, non-habitable, no; including wirehouses (subject to Section 13.10.611)						
Less than 500 sq. ft.	3	3	3	3	3	3
500—2,000 sq. ft.	4	4	4	4	4	4
Outdoor storage, incidental to an allowed use, and screened from public streets and adjacent property						
Less than 500 sq. ft.	3A	3A	3A	3A	3A	3A
500—2,000 sq. ft.	4A	4A	4A	4A	4A	4A
Parking, on-site, in accordance with Section 13.10.500, et seq.	4	4	4	4	4	4
Parking facilities for off-site, uses when developed according to Section 13.10.550, et seq.	4	4	4	4	4	4
Recycling collection facilities in accordance with Section 13.10.658:						
Reverse vending machines	1	1	1	1	1	1
Small collection facilities	4	4	4	4	4	4
Signs in accordance with Section 13.10.581	4	4	4	4	4	4

USE	PA	VA	CT	C-1	c-2	c-4
Adult Entertainment, subject to Sections 13.10.621, 13.10.622 and 13.10.623 including adult bookstores; adult motion picture theaters, bath establishments	—	—	—	—	516	—
Agricultural Service Establishments not engaged in hazardous chemicals	—	—	—	—	—	5/6*
Animal Services (subject to Section 13.10.642), including:						
Animal rooming services and other animal services where the animals do not stay overnight	—	—	—	4/5/6*	4/5/6*	4/5/6*
Boarding kennels, veterinarian's offices, small animal hospitals, animal shelters and pounds, including the short-term boarding of animals	—	—	—	—	—	4/5/6*
Outdoor exercise yards in connection with the above	—	—	—	—	—	5/6*
Veterinary Clinics or offices with no overnight boarding of animals	—	—	—	—	41516	4/5/6
Automobile Service Stations; subject to the provisions of Sections 13.10.656 and 13.10.657						
Gas stations with car washes, service bays and/or vehicle repair services	—	—	5/6*	—	5/6*	5/6*
Gas stations or gas pumps with no service bays nor vehicle repair service	—	—	5/6*	5/6*	5/6*	5/6*
BANKS, including:	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	—
Automated Bank Teller Facilities Savings and loan companies						
Boat and marine services, such as:	—	—	—	—	—	4/5/6*
Boat building						
Boat rentals, sales, and services						
Boat storage						
Commercial fishing facilities						
Marine services and launching facilities						
Clubs, private, including garden clubs, fraternal lodges, community service organizations, meetings halls and conference rooms	4/5/6*	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*

USE	PA	VA	CT	C-1	C-2	C-4
Commercial change of use within existing structures:						
Change of use in accordance with an approved master occupancy program	1	1	1	1	1	1
Change of use within the Town Plan areas of the San Lorenzo Valley, to a use in conformance with a Town Plan, and not resulting in an intensification of use	1	1	1	1	1	1
Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will not result in an intensification of use:	1	4/5/6*	4/5/6*	1	1	4/5/6*
Change from a use conforming to a valid development (use) permit, to another use allowed in the zone district which will result in an intensification of use:	4	4/5/6*	4/5/6*	4	4	4/5/6*
Change from a use not approved by a valid development (use) permit, to another use allowed in the zone district: for projects of:						
under 2,000 sq. ft.	3	4	4	3	3	4
2,000 — 20,000 sq. ft.	4	5	5	4	4	5
over 20,000 sq. ft.	4	6	6	5	5	6
(For legal, nonconforming uses, see Section 13.10.260 and .262 for additional requirements)						
Commercial Recreation and Entertainment, indoor, subject to Section 13.10.654, such as:	—	4/5/6*A	4/5/6*A	—	4/5/6*	
Auditoriums, indoor						
Bowling alleys						
Card rooms						
Dancing establishments; dance halls; discos						
Game establishments; pin-ball and video game rooms (see Section 13.10.700-G, -V definitions)						
Nightclubs						
Pool halls						
Theaters, indoor						
Commercial Recreation, General: involving outdoor facilities, public assembly, or large sites, such as:	—	—	—	—	—	5/6
Flea markets						
Miniature golf course; putting greens; par 3 golf; driving ranger						

USE	PA	VA	CT	C-1	C-2	C-4
Skateboard parks						
Skating rinks						
Sports arenas, stadiums						
Swimming pools, public						
Theaters, drive-in (subject to Section 13.10.622)						
Commercial Services, Personal, such as:	4/5/6*A	4/5/6*A	—	4/5/6*	4/5/6*	—
Barber shops						
Beauty shops						
Commercial Services, Neighborhood, such as:	—	—	—	4/5/6*	4/5/6*	4/5/6*
Copy and Duplicating services						
Dressmakers						
Dry cleaners using non-flammable nonexplosive solvents						
Film Processing, ancillary and incidental to a permitted retail or service use						
Food lockers						
Laundries; self-service laundries						
Locksmiths						
Picture framing shops						
Printing shops, light; duplicating services						
Repair shops, for the repair of small appliances; radio; stereo, and television repair						
Shoe repair shops						
Tailors						
Tool or cutlery sharpening or grinding services						
Commercial Services, Community such as:	—	—	—	—	4/5/6*	4/5/6*
Auction rooms						
Catering services						
Gunsmiths						
Mortuaries (not including crematories)						
Rental shops: medical, clothing, household goods, etc; indoor						
Taxidermists						
Upholstery shops, (auto upholstery allowed only in C-4)	—	—	—	—	—	4/5/6*
Commercial Services, general, indoor, such as:	—	—	—	—	—	4/5/6*
Commercial cleaning services, including: linen services; dry cleaning and dyeing plants; carpet cleaning shops; diaper supply services; mattress reconditioning						
Contractor's shops including: glass shops; plumbing shops; sheet metal shops; heating and ventilating shops						

	PA	VA	CT	C-1	C-2	C-4
Exterminators						
Laboratories and related facilities for research, experimentanon, testing, film processing						
Printing, lithographing, engraving, book binding						
Repair shops, including household and office equipment repair; safe and vault repair						
Storage buildings for household goods, mini-storage						
Commercial Services, general, involving outdoor use, heavy trucking , or vehicle use and storage, such as:	—	—	—	—	—	4516'
Automobile repair and service shops operated partly out of doors						
Automobile rental enterprises						
Automobile washing, polishing, and detailing services						
Parcel shipping and delivering services						
Taxi company with vehicle parking and storage						
Contractors' and heavy equipment storage and rental yards, including storage yards for commercial vehicles; bus or transit service yards for the storage, servicing and repair of transit vehicles						
Outdoor storage yards for recreatiocal vehicles, trailers, boats						
Recycling centers, including large collection facilities and processing facilities						
Shipping terminals, including tucking terminals, packing and crating services, shipping services, freight forwarding terminals						
Storage facilities, including cold-storage plants; ice storage warehouses, excluding the storage of fuel or flammable liquids						
Community Facilities, such as:	4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	4 5 6*
Bus or transit stations (storage, servicing or repair of vehicles allowed only in C-4)						
Churches and other religious centers or institutions						
Community centers						
Day-care centers (see Section 13.10.900-D definition)						
Energy systems, community (subject to Section 13.10.611 and ,700-E definition)						
Fire stations						
Libraries						
Museums						
Post offices						

USE	PA	VA	CT	C-1	C-2	C-4
Restrooms, public Utilities, public, structures and uses, energy facilities (see Section 13.10.700-E definition)						
Cottage industry , (see Section 13.10.700-C definition)	—	—	—	4/5/6*	4/5/6	4/5/6*
"M-1" Districts, all allowed uses , provided that not more than 20 persons shall be engaged in the production, repair , or production, repair, or processing of materials on any one shift and provided further that regulations for the "M-1" District as stated in Section 13.10.345 shall apply to every use	—	—	—	—	—	4/5/6*
Offices (not to exceed 50% of building area in C-1) such as:						
Administrative offices	4/5/6*	4/5/6*	—	4/5/6	4/5/6	4/5/6
Travel Agencies						
Addressing services	4/5/6*	—	—	4/5/6*	4/5/6*	4/5/6*A
Business offices, general						
Catalog sales offices						
Dental offices						
Duplicating shops						
Editorial offices						
Executive offices						
Finance offices						
Fortune tellers						
Insurance offices						
Interior decoration studios						
Laboratories, medical, optical, and dental, not including the manufacture of pharmaceutical or other similar products for general sale or distribution						
Medical offices and clinics						
Message services; answering services						
Optical offices						
Photographers; photographic studios						
Professional offices						
Radio and television programming stations, without transmitting towers						
Real estate offices						
Telegraph offices						
Title companies						
Open space uses according to the PR District Chart (Section 13.10.352)	—	P	P	—	—	—

USE	PA	VA	CT	C-1	c-2	c-4
Physical culture facilities, such as:	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*
Bath establishments; hot tubs, sauna establishments (subject to Chapter 5.08)						
Fitness centers						
Gymnasiums						
Massage establishments (subject to Chapter 5.08)						
Physical culture studios						
Racquet clubs, indoor						
Spas						
Radio and television broadcasting stations including transmitting towers, subject to Section 13.10.655	4/5/6*	—	—	4/5/6*	4/5/6*	4/5/6*
Residential uses, such as:						
Dwelling units, single-family and multi-family, up to 50% (67% if project is 100% affordable) of the floor area of the entire development, developed according to development standards of Urban High Residential						
1—4 units	5	—	—	5	5	—
5—19 units	6	—	—	6	6	—
20— units	7	—	—	7	7	—
Repair, alteration, expansion or reconstruction of dwelling units and accessory structures which are consistent with the General Plan, subject to Sections 13.10.260 and .261 Nonconforming uses	BP-6	BP-6	BP-6	BP-6	BP-6	BP-6
Repair, alteration, expansion or reconstruction of dwelling units and accessory structures which are inconsistent with the General Plan, subject to Sections 13.10.260 and .261 Nonconforming uses	BP-6	BP-6	BP-6	BP-6	BP-6	BP-6
Convalescent hospitals	4/5/6*	—	—	—	—	—
Nursing homes (see Section 13.10.700-N definition)	4/5/6*	—	—	—	—	—
Restaurants: bars , food service subject to 13.10.651 in the "PA" Zone district; such as:						
Bar, micro-breweries, brew pubs, subject to Section 13.10.654 (ancillary to restaurants in C-1)						
Bakeries; baked foods stores						

USE	PA	VA	CT	C-1	c-2	c-4
Candy stores						
Cheese stores						
Delicatessens						
Donut shops						
Ice cream shops						
Restaurants						
Sandwich shops						
Other food specialty outlets						
In buildings of 500 square feet or less	4A	4A	4	4	4	4
In buildings of larger than 500 square feet	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*	—
Outdoor food service	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*	—

Retail Sales, Neighborhood, such as:

Antique stores
 Art and handicraft sales and service
 Art galleries
 Bicycle rentals
 Bicycle shops
 Bookstores
 Candy stores
 Clock and watch sales and repair
 Clothing stores
 Flower shops
 Food stores; grocery stores, limited to 20,000
 square feet in the C-1 district
 Gift shops
 Hardware stores
 Jewelry stores
 Liquor stores
 Luggage stores
 Musical instrument and recordings sales and
 repair
 Newspaper and magazine sales
 Pet shops
 Photographic equipment and supplies
 Plant shops, for indoor sales of plants in
 containers
 Produce markets
 Recreational equipment sales, rentals and
 services, such as sporting goods, bait and
 tackle, marine hardware and supplies, diving
 equipment, bicycles, roller skates, surfboards,
 windsurfers
 Shoe stores
 Sporting goods stores
 Stationery stores
 Toy stores

USE	PA	VA	CT	C-1	C-2	C-4
Tobacco shops						
Variety stores						
Video sales and rentals						
Wine tasting and sales rooms	—	41516-A	4/5/6*A	4/5/6*	4/5/6*	4/5/6*A
Drug stores; pharmacies, medical appliances and supplies	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*A	4/5/6*	4/5/6*A
Retail Sales, Community, such as:	—	—	—	—	4/5/6*	4/5/6*A
Appliance showrooms						
Automobile supply stores						
Business machine stores						
Computer sales and service						
Department stores						
Fabric and sewing materials stores						
Floor covering showrooms						
Furniture stores						
Garden supply stores						
Home furnishing and decorating stores						
Household appliances stores						
Kitchen/bath/housewares stores						
Orthopedic and appliance;; sales and rentals						
Paint stores						
Pawnshops						
Scientific instrument stores						
Secondhand stores						
Stamp and coin stores						
Stores for display and retail sales of lighting, plumbing, heating, refrigeration, ventilation, fixtures and equipment						
Warehouse stores selling to members or the general public						
Retail Sales, requiring large sites, large showrooms, or outdoor sales areas, such as:	—	—	—	—	—	4/5/6*
Automobile sales and service, including automobile repair and service garages operated entirely within enclosed buildings or screened from public streets; automobile sales; automobile upholstery installers, indoor; tire stores, including installation; used car sales lots.						
Building materials yards, including: lumber yards, not including planing mills or sawmills; building materials yards other than gravel, rock or cement yards; storage; bulk, or rock, gravel, sand, and aggregates in bins nor to exceed a capacity of 5 yards each, limited to a maximum of 10 bins per site						

USE	PA	VA	CT	C-1	C-2	C-4
Feed and farm supply stores						
Firewood processing and sales						
Mobilehome sales and service						
Motorcycle sales and services						
Nurseries selling plants in containers; garden centers						
Recreational vehicle and trailer sales and service						
Retail sales of large appliances or equipment needing large showrooms						
Wholesale suppliers						

Schools, Studios and Conference Facilities, such as

4/5/6*	4/5/6*A	—	4/5/6*	4/5/6*	4/5/6*
--------	---------	---	--------	--------	--------

Am and crafts studios or schools
 Conference and seminar facilities without overnight accommodations
 Dance studios or schools
 Music studios or schools
 Pre-school, elementary, secondary and college facilities
 Professional; trade, business and technical schools

Temporary uses (See Section 13.10.700-T definition), such as:

Carnivals and circuses	—	—	—	—	3	3
Christmas tree sales lots	—	—	—	3	3	3
Outdoor sales not to exceed 4 per year on any site	—	—	—	3	3	3

Visitor Accommodations, subject to Section 13.10.335(b), such as:

Time share, visitor accommodations subject to Section 13.10.693

1—4 units	—	5	—	—	—	—
5—19 units	—	6	—	—	—	—
20+ units	—	7	—	—	—	—

Type A uses: Hotels; inns, pensions, lodging houses, "bed and breakfast" inns, motels, recreational rental housing units (see Section 12.02.020(10))

1—4 units	—	5P	5	—	5	—
5—19 units	—	6P	6	—	6	—
20+ units	—	7P	7	—	7	—

USE	PA	VA	CT	C-1	c-2	c-4
Type B uses: Organized camps; group camps; conference centers (subject to Sec. 13.10.692); hostels; recreational vehicles camping parks; tent-camping parks						
1—4 units	—	5	5	—	—	—
5—19 units	—	6	6	—	—	—
20+ units	—	7	7	—	—	—
Wineries (see definition Section 13.10.700-W)	—	—	/6	/6	/6	4/5/6*

(Ord. 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3593, 11/6/84; 3632, 3/26/85; Ord. 4577 § 4, 1 14/99)

Zone Districts: 2824, 12/4/79;

Combining Zone Districts: 560, 7/14/58; 1891, 6/11/373; 1985, 2/19/74; **2874**, 12/4/79;

PA uses: 1834, **2/27/73**; 2661, 4/17/79; 2769, 9/11/79; 3593, 11/6/84; 3632, 3/26/85

C-1 uses: 839, 11/28/62; 1118, 8/25/65; 1188, 8/2/66; 1543, 9/11/70; 1581, 3/2/71; 1817, 1/16/73; 2066, 10/29/74; 2449, 5/24/77; 2661, 4/17/79; 2770, 9/11/79; 2800, 10/30/79; 2853, 1/29/80; 2868, 3/4/80; 3593, 11/6/84; 3632, 3/26/85

C-2 uses: 839, 11/28/62; 1019, 10/19/64; 1188, 8/21/66; 1817, 1/16/73; 2066, 10/29/74; 2429, 5/24/77; 2661, 4/17/79; 2770, 9/11/79; 2800, 10/30/79; 2853, 1/29/80; 3593, 11/6/84; 3632, 3/26/85

C-3 uses: 839, 11/28/62; 1817, 1/16/73; 2661, 4/17/79; 2770, 9/11/79; 2868, 3/4/80; 2946, 6/10/80; 3593, 11/6/84; 3632, 3/26/85

C-4 uses: 839, 11/28/62; 1019, 10/19/64; 1136, 12/7/65; 1219, 12/20/66; 1282, 1/2/68; 1578, 2/23/71; 1817, 1/16/73; 2581, 8/22/71; 2661, 4/17/79; 2770, 9/12/79; 2868, 3/4/80; 3593, 11/6/84; 3632, 3/26/85; CC: 2763, 9/4/79; 2800, 10/30/79; 2853, 1/29/80; 3593, 11/6/84; 3632, 3/26/85; 4285, 12/14/93; 4346, 12/13/94; 4525, 12/8/98)

13.10.333 Development standards for commercial districts.

(a) **Site and Structural Dimensions.** The following minimum parcel size, frontage, yard dimensions, 2nd building height limits shall apply within all commercial zone districts, except as noted elsewhere in this section or in the general exceptions as noted in Sec. 13.10.510, et seq.

COMMERCIAL SITE AND STRUCTURAL DIMENSIONS CHART

District Designation	Minimum Site Area Per Parcel (net developable square feet)	Minimum Parcel Frontage (feet)	Front	Minimum Yard-(feet)	Rear	Maximum Building Height Limit-(feet)
PA	10,000	60	10	Side interior: 0 Street: 10	10	3 stories, but nor to exceed 35 ft.
VA	10,000	60	10	10	10	
C-T	10,000	60	10	0	0	
C-i	10,000	60	10	0	0	
c-2	10,000	60	10	0	0	
C-4	10,000	60	10	0	0	

Footnotes:

1. See also General Site Standards exceptions in Sections 13.10.510, 13.10.520 and 13.10.521.
2. Subject to exceptions as provided in subsection (b) of this section.
3. See also Chapter 12.28, Solar Access Protection; subject to solar access requirements in Section 13.11.072

(Ord. 1834, 2/27/73; 2849, 1/22/80; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 3501, 3/6/84; 4496-C, 8/4/98)

(b) Yards, Exceptions.

- (1) See Chapter 16.50 regarding setback/buffer requirements for parcels abutting agricultural uses.
- (2) Front Yard Abutting or Across the Street From an "R" or "A" District. On sites abutting on and fronting on the same street as, or across a street or alley from, property in an "R" District or an "A" District, the minimum front yard shall be 20 feet.
- (3) Reversed Corner Lots. On a reversed corner lot adjoining a key lot in an "R" or "A" District, the minimum side yard adjoining the street shall be not less than one-half of the required front yard on the key lot.
- (4) Abutting an "R" or "A" District. The minimum side or rear yard, in feet, abutting any residential or any agricultural district shall be as follows:

PA	VA	CT	C-1	e-2	c-4
same as the abutting "R" or "A" District	same as the abutting "R" or "A" District	30	30	30	30

(5) Across a Street From an "R" or "A" District. The minimum side or rear yard on a street or alley across from any residential or any agricultural district shall be 10 feet. (Ord. 1891, 6/19/73; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83)

(c) Other Regulations. Other development standards applicable to commercial zone districts are contained in the following sections of Chapter 13.10:

SECTIONS

General site standards	13.10.510, et seq.
Signs	13.10.580, et seq.
Parking	13.10.550, et seq.
Fences	13.10.525
Minimum parcel sizes	13.10.510(g)
Use of non-developable land	13.10.671
Use of urban open space land	13.10.672
Trip reduction requirements (development projects for 50 or more employees)	13.10.591
Design review	13.11.010, et seq.
Agricultural buffers/setbacks	16.50.095

(Ord. 839, 11/28/52; 2764, 9/4/79; 3186, 1/12/82; 3344, 1/23/82; 3432, 8/23/83; 4133, 6/4/91; 4314, 5/24/94)

(Entire section: Ord. 4346, 12/13/94)

13.10.334 Public facilities requirements for commercial districts.

(a) All regulations of the local fire department or County Fire Marshal shall be met to ensure adequate road access and water availability for fire protection. A letter indicating all fire department requirements shall be submitted with the project application.

(b) All requirements of the local sanitation district and water district shall be met. Letters indicating adequate sewer and water service to the project shall be submitted with the project application. Within the Coastal Zone, adequate system capacity shall be reserved for priority coastal uses as per Section 17.02.070.

(c) All improvement requirements and fees shall be met for drainage districts, transportation improvement zones, and roadside improvement districts where required by district or section regulations (Title 15).

(d) The recommendations of the Santa Cruz Metropolitan Transit District should be met to ensure the provision of adequate transit facilities. For commercial projects of 6,000 square feet or larger, a letter indicating the Transit District's recommendation shall be submitted with the project applications. (Entire Section: Ord. 4346, 12/13/94)

13.10.335 Special standards and conditions for commercial districts.

(a) "C-1," "C-2" and "C-4" Use Standards.

(1) In the "C-1" or "C-2" Districts, all business, services and processes shall be conducted entirely within a completely enclosed structure except for outdoor food and drink establishments, recycling collection facilities, off-street parking and loading areas, gasoline stations, garden supply stores, Christmas tree lots, bus depots, transit stations, public utility uses, and radio and television transmission towers. On-site storage of stock-in-trade may be allowed pursuant to a Level IV Approval provided that the storage area is adequately screened from view from adjacent parcels. (Ord. 3843, 6/23/87)

(2) In the "C-1" District, all products produced on the site of any of the permitted uses shall be sold, primarily at retail only, on the site where produced.

(3) In the "C-1" District no more than five persons, and in a "C-2" District no more than ten persons, shall be engaged in the production, repair or processing of materials on any one site, except that this provision shall not apply to bars, restaurants and soda fountains.

(4) In the "C-4" District, all office and retail uses that are required to be ancillary and incidental, shall be related to the main use of the site such as business offices to operate the permitted use or the retail sale of goods

produced or served as a part of the primary permitted use. (Ord. 4346, 12/13/94)

(b) Visitor Accommodations Use Standards.

1. Allowed Densities Chart

Type	Density
A, with kitchens	1 habitable room—1300 net developable square feet
A, without kitchens	1 habitable room—1100 net developable square feet
B, RV or tent camps	1 site/1300 net developable square feet
B, hostels	1 bed/325 net developable square feet
B, group quarters	2 beds/1300 net developable square feet

2. Density Calculations. Types of visitor accommodations may be combined; however, combined densities may not exceed the maximum allowed for the total number of net developable square footage on the property. All values given above are maximums and may be reduced based on services and access constraints, compatibility with adjacent land uses and neighborhood character, or adverse environmental impacts. Permanent residential units for fire personnel shall be in place of density credits for visitor accommodations use at the rate of one kitchen and up to 5 permanent residents per 3000 net developable square feet. A unit over 400 square feet in total square footage, including bathrooms and kitchens, creates a presumption of more than one habitable room. Inside the Coastal Zone, the performance standards in Figure 2-5 in the Local Coastal Program Land Use Plan for priority accommodations sites also apply. (Ord. 4496-C, 8/4/98)

3. Permit Conditions. All Development Permits for visitor accommodations shall include the following conditions:

(i) All visitor accommodations units shall be managed for short-term occupancy with occupancy limited to not more than 29 consecutive days and limited to 29 days in any one calendar year by an individual or group of occupants, except that single-ownership units may be occupied by the owner(s) up to 45 days in any one calendar year. Notwithstanding the foregoing, visitor accommodation units described as follows may be

occupied by the owner(s) up to 90 days in one calendar year: units located on coastal bluff property which has been the subject of litigation in which a remittitur was issued by the California Court of Appeal on or before April 25, 1983 in a decision requiring the County of Santa Cruz to grant either "compensating densities" in excess of "the base densities" thereon, or to grant "some other transfer of development rights," and which litigation has been settled by Stipulation for Judgment and Judgment Thereon."

(ii) A rental contract for the short-term rental of all units shall be maintained at all times with 2 professional management firm approved by the County. Such contract shall contain occupancy restrictions for Visitor Accommodations Units as specified in (i) above. The rental contract shall be established prior to issuance of building permits for the project.

(iii) Centralized, on-site management shall be provided at all times for the maintenance and operation of the visitor accommodations, related facilities, and the property. Such management may be provided by the property owner or by a separate management firm under contract. Plans for management shall be submitted to and approved by the Planning Director and a Transient Occupancy Tax Permit obtained from the Treasurer-Tax Collector by such management prior to the issuance of building permits.

(iv) Deed restrictions running with the property and limiting use of short-term occupancy and providing for the maintenance of centralized rental and management of the facility shall be recorded prior to issuance of building permits.

(v) All Visitor accommodations units shall be subject to any County Uniform Transient Occupancy Tax Ordinance or a special tax on time share units, camping units, or other visitor accommodation units. Reports of the occupancy of Visitor Accommodations Units together with payment of transient occupancy taxes or any other taxes due from the use of visitor accommodations units shall be made in accordance with Santa Cruz County Code Section 4.24.080.

(vi) Visitor accommodation projects shall be evaluated to insure that a diversity of all types of visitor accommodations is provided in the Coastal Zone consistent with Local Coastal Program Land Use Plan policy. Visitor accommodations projects on Priority Sites shall primarily provide accommodations available to the general public.

(vii) Visitor accommodations development in areas designated for Neighborhood or Community Commercial

use shall not adversely affect the integrity of the retail commercial centers. (Ord. 4346, 32133194)

(c) Master Occupancy Program Requirements

1. Master Occupancy Program Requirements. When requested by a property owner, or prior to or concurrently with the approval of any new or expanded use for which a Level V or VI Approval is required in any of the Commercial Use Zone Districts, a Development Permit for a Master Occupancy Program may be approved by the Zoning Administrator or Planning Commission. Such approval shall be accompanied by 2 finding of General Plan consistency pursuant to Section 65402 of the California Government Code.

2. Master Occupancy Program Elements. The Master Occupancy Program shall establish all allowed occupancies and shall include provisions for adequate site improvements for each occupancy.

3. Environmental Review. The adoption or amendment of a Master Occupancy Program is a "project" within the meaning of CEQA and the County Environmental Review Guidelines and is subject to environmental review.

4. Development Permit Approval. Occupancy permits, when applied for pursuant to an approved Master Occupancy Program, shall be processed as a Level I Approval or other level as specified by the conditions of the Master Occupancy Program Development Permit. (Ord. 4346, 12/13/94)

See also: Regulations for Visitor Accommodations Special Uses in Section 13.10.690 et seq. (Ord. 839, 11/23/82; 3277, 7/27/82; 3186, 1/12/82; 3344, 11/23/82; 3432, 8/23/83; 3994, 6/6/89; 4496-C, 8/4/98)



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

701 OCEAN STREET, SUITE 310, SANTA CRUZ, CA 95060
(831) 454-2580 FAX (831) 454-2131 TDD (831) 454-2123

ALVIN JAMES, DIRECTOR
CAMY GRAVES, PRINCIPAL PLANNER

May 5, 2003

Timothy J. Morgan
Attorney at Law
121 Jewell Street
Santa Cruz, CA 95060

Subject: Application No. 01-0010
APN: 026-311-32, 05
Owners: Larry & Lora Van Den Heuvel

Dear Mr. Morgan,

I have reviewed your letter regarding the appeal of the most recent completeness determination on the above application. Based on the information provided, the appeal is denied, and the application remains incomplete. The justification for denial of the appeal follows. Although your appeal has been denied, **the County is not requesting that additional information be submitted at this time**, given the length of time that the application has been complete and the proposal's non-compliance with County ordinances and policies. Based on the information that has been submitted to date, the project planner, David Heinlein, will prepare staff report with his recommendation to the Zoning Administrator, and the application will be set for public hearing. You have been added to the list of parties to receive a notice and a copy of the staff report for the hearing.

Appeal Issues

1. More information on site plans:
 - a. Landscaping Plan. This item remains incomplete. The landscaping plan was detennined to be deficient in the staff report prepared by Bob Stakem, dated December 6, 2002. Specifically required were street trees consistent with the Urban Forestry Master Plan and frontage improvements consistent with the Brommer Street Plan Line. This information has not been submitted.
 - b. Employee parking plan. This information has been submitted. The parking plan submitted in not consistent with County ordinances and policies. *Chapter 13 SC*
 - c. Commercial Vehicle parking. The original plan did show "equipment storage" but there appears to be inadequate room for the number and size of vehicles noted by Mr. Van Den Heuvel. The plan for parking commercial vehicles is not consistent with County ordinances and policies. *Chapter 13 SCCC*
 - d. Fence. A plan showing the location of the fence has been submitted, however, there has been no plan submitted that shows the height or materials of the proposed fence. Given the lack of that information, we cannot determine if the proposed fence is consistent with County ordinances and policies. *Chapter 13 SCCC*

- e. Compost pile. This is not shown on any of the plans submitted, but was noted during a site visit. No information has been submitted at any time as to the disposition of this material. This is not a completeness issue.
 - f. Elevations. Elevations were previously submitted, but the plan has been revised from the original submittal. Elevations for the "proposed 944 square foot modular" shown on the plan dated March 18, 2003, have not been submitted. Although brochures from GE Capital Modular Space have been submitted, none of them are for a 944 square foot modular unit, so it is not possible to determine which brochure applies. Given the information submitted, it is not possible to determine if the structure is consistent with County ordinances and policies.
 - g. Sign. A sign plan was submitted. It is not consistent with the County's sign ordinance, and the inconsistency was noted in the staff report by Bob Stakem. *Chapter*
 - h. Adjacent Development. This was originally requested on February 7, 2001, however staff has located aerial photographs of the area that show some of the adjacent development, so this information is not needed at this time.
 - i. Brommer St. frontage. The staff report prepared by Bob Stakem, dated December 6, 2002, specifically required street trees consistent with the Urban Forestry Master Plan and frontage improvements consistent with the Brommer Street Plan Line. This information has not been submitted.
 - j. For sale sign. This is not a completeness issue.
- 2 -7 Public works comments. These are completeness comments, because the information submitted on March 18, 2003, is a revision of drainage information previously submitted which was determined to be deficient. Sufficient information has not been submitted to determine the potential for off-site impacts.
8. The Environmental Planning comments do not address project completeness, and should have been included as informational only.
- 9-11 DPW Driveway/Encroachment. Most of these comments specifically relate to the request for additional information in the staff report of December 6, 2002, prepared by Bob Stakem. That includes frontage improvements consistent with the Brommer Street Plan Line, paved circulation that eliminates tracking mud and gravel to the driveway approach and Brommer Street, and a request for the cross-section and composition of the base rock material. That information has not been submitted.
12. Environmental Health comments. This request is not longer a completeness issue, but the fee is still due and payable to Environmental Health.
13. DPW Sanitation comments. There was not a routing error. Plans were not routed to DPW Sanitation because the applicant was not originally proposing sewer service to the parcel, but was proposing to provide "porta-potties." Because this is not an allowed method of disposal for a commercial facility, as originally noted by Environmental Health, the plans were modified to include restroom facilities (although this is not entirely clear, since we do not have a floor plan corresponding to the "proposed 944 square foot modular"). The modification was routed to DPW Sanitation following the March 18 submittal. The information has not been submitted.

The recommendation from the staff planner to require that the application be converted to an at-cost basis and that the applicant submit a check in the amount of \$5,000 as a deposit towards the processing cost was part of the Zoning Administrator's action. Although your appeal letter notes that your clients appeal that determination, because the proper fees to appeal the Zoning Administrator's decision were not submitted, that decision has not been appealed. Should the project be continued by the Zoning Administrator at the next public hearing, the deposit will still be required prior to any additional processing.

As detailed above, all of the seven items required by the Zoning Administrator at the December 6, 2002 hearing have not been submitted. For that reason, the application was determined to be incomplete and additional fees for processing the application were required, not because the Sanitation District comments were not adequately addressed.

This letter constitutes a final decision on the administrative appeal of the incompleteness letter dated April 16, 2003, that accompanied the Zoning Administrator's action. As stated earlier, **the County, at this time, is not** requesting that **any** additional information **be submitted**. Based on the information that has been submitted, and the inconsistency of the proposal with adopted County ordinances and policies, it appears that the required findings needed to recommend approval of the proposed project cannot be made at this time. Although the project planner will make the recommendation to the Zoning Administrator, based on my review it appears that the only recommendation possible would be denial.

If you have any further questions about your appeal, please call me at (831) 454-3141. If you have specific questions about the application or the upcoming public hearing, please contact the project planner, David Heinlein, at (831) 454-5321.

Sincerely,



Cathy Graves
Principal Planner
Deputy Zoning Administrator

cc: Alvin James, Planning Director
Dave Laughlin, Principal Planner, Code Compliance
✓ David Heinlein, Project Planner
Kevin Fitzpatrick, Code Compliance Investigator
Lany & Lora Van Den Heuvel, Owner and Applicant
David Subocz, William de Ess Studios
Janet Beantz, First District Supervisor

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2003 APR 30 PM 3 48

April 30, 2003

Mr. Alvin James
Director, Santa Cruz County Planning Department
701 Ocean Street
Santa Cruz, California 95060

Subject: Application: 01-0010
APN: 026-0311-32, 05
Owners: Larry & Lora Van Den Heuvel

Dear Mr. James,

This letter constitutes the appeal by my clients, Mr. and Mrs. Larry Van Den Heuvel, of the Zoning Administrator's determination on April 18, 2003, that their application 01-0010 is incomplete. My clients were informed of the basis for a staff recommendation that their application be deemed incomplete in a letter from the Planning Department staff, dated April 16, 2003, and sent to David Subocz, who is acting as the owners' land use consultant in this matter. A copy was sent to me as applicants' attorney. A copy of this letter is enclosed for your convenience.

By way of background, you should know that at a Zoning Administrator hearing on December 6, 2002, the applicants were given until February 21, 2003, to submit additional materials that would *make* their application complete. These items were identified by the Zoning Administrator as the six items listed in planner Bob Stakem's staff report, as well as a seventh item consisting of a demonstration of adequate on-site and off-site drainage. It was clearly understood that my clients' application would be deemed complete when these seven items had been submitted to the Planning Department. A copy of the relevant pages of Mr. Stakem's report, referred to at the December 6th ZA hearing, is also enclosed.

On March 7, 2003, at the request of my clients' land use consultant, the Zoning Administrator allowed additional time for my clients to submit these materials.

The planning staff letter of April 16th expands considerably the Zoning Administrator's prior determination of what needed to be submitted to make my clients' application complete. We

contend that the materials submitted by Mr. Subocz to the Planning Department on March 18, 2003, satisfy the requirements imposed by the Zoning Administrator on December 6, 2002. For convenience, I will comment on these items in the order in which they were listed in the April 16, 2003 staff letter.

1. More information on site plans.

a. Landscaping Plan

The resubmitted plan dated March 18, 2003 was identical to the previous plan with respect to landscaping information and for which no comments were received. The landscape plan was not contended to be incomplete by staff or the ZA on December 6th; submission of a more complete landscape plan was not one of the requirements imposed by the ZA at the December hearing. Accordingly, we believe it is inappropriate to add this comment at this time.

b. Employee Parking Plan

Although the owners did use the term "valet-style" to help staff visualize the physical arrangement of their parking plan, it is not valet parking. In valet parking, someone other than the vehicle owner parks the vehicle. This is not the case with this plan. The employees park their own cars in a predetermined order and in reserved spaces based upon their work schedules. The owners retain copies of all employees' car keys in a locked box in their office should an emergency occur and the need arise to move an employee's vehicle before they return at the end of the day. Mr. Subocz advises me that he previously discussed this parking program with Bob Stakem, and Mr. Stakem requested a demonstration of the parking program before he would make any recommendation. Unfortunately, Mr. Stakem – we understand – is no longer working on planning-related matters, and apparently the discussion was not communicated to the current staff planner, Mr. Heinlein.

c. Commercial Vehicle Parking

Parking for commercial vehicles **was** shown on the previous parking plan as "at large" parking and as "equipment storage". In addition, previous staff and current staff both visited the property and could easily have seen the arrangement at that time. Previous staff made no specific comments about parking for commercial vehicles and were apparently satisfied with the on-site inspection as it related to the prepared plans. Accordingly, we believe it is inappropriate to add this comment at this time.

d. Fence

Previous staff made no comments about the fence and were apparently satisfied with the on-site inspection as it related to the prepared plans. In addition, there is a fence design which was previously submitted and is contained in the land use file. It can be found in the land use file and was not required to be changed. (Again, this was not one of the seven items identified at the December 6th ZA hearing as lacking in completeness.)

e. Compost Pile

The compost in temporary storage is being donated to a local school and therefore does not constitute expansion of services. If staff had inquired, we could have

explained the status of the compost pile.

- f. Elevations
Elevations *were* previously submitted. They can be found in the land use file and were not required to be changed.
- g. Sign Plan
A sign plan, showing location of signs and specifying compliance with county sign ordinance, *was* submitted.
- h. Adjacent Development
Information on adjacent development was not requested as part of previous review (see previous comments on December 6th ZA hearing). Therefore, we believe it is inappropriate to add this comment at this time.
- i. Brommer St. Frontage
The resubmitted plan dated March 18, 2003 was identical to the previous plan with respect to the Brommer St. frontage and for which no comments were received. Although it is true that the implementation of the Brommer St. improvements has outpaced this application, the applicant elected to show the Brommer St. improvements as indicated on previous plan, as is customary without instructions to the contrary. We, therefore, believe it is inappropriate to add this comment at this time.
- j. "For Sale" Sign
If staff had inquired, this question could have been easily answered.

The staff letter then states, "Comments listed under the heading "Completeness Comments" for each agency must be addressed..." Unfortunately, there is no such heading anywhere in the letter. We are unsure as to what we should conclude from this regarding the comments that follow, so we will address them through reference to the staff report issued at the April 18, 2003 public hearing.

2. through 7. DPW Drainage Comments

The current design documents contain drainage information, topographic information, and methods and materials for erosion control and silt and grease interception for both parcels.

8. Environmental Planning Comments

Given the ambiguous language used by Environmental Planning staff, we can only conclude that this comment does not address application completeness but technical documents to be required *if* building permits are required.

9. through 11. DPW Driveway/Encroachment Comments

These items appear to be a copy of staff comments included in a discretionary comments sheet by the previous planner and dated November 6, 2002. However, these comments do not appear in the staff report prepared for the December 6, 2002 public hearing. At

that public hearing, it was concluded that the matter would be continued to allow applicant additional time to address the seven deficiencies identified. Although other departments' comments were included in the staff report as an exhibit, *they were not specifically identified as completeness items within the body of the staff report*. To quote the staff report, "An application status letter that listed 15 items to be addressed before the project could proceed processing was sent to the owner on February 7, 2001. In response, revised plans and additional information was [sic] submitted and has been evaluated. Prior to determining this application complete, the following issues must be addressed and additional information submitted..." The staff report then listed the same six items as listed under "ANALYSIS AND DISCUSSION" in the December 6, 2002 staff report with the additional seventh item identified, as previously discussed.

12. Environmental Health Comments

Applicants are aware that they owe Environmental Health \$47.00, but payment of this fee has never before been communicated as a completeness item.

13. DPW Sanitation Comments

Due to a routing error, DPW Sanitation has only seen this application as of the March 18, 2003 revisions. As a result of this review, DPW Sanitation is requiring an engineered sewer plan. DPW Sanitation's initial review period should have started with the January 8, 2001 application. It is unfortunate that DPW Sanitation was not routed plans prior to March 18, 2003. However, it is not the applicants' responsibility to see that all departments requiring review are routed the necessary documents. Although we agree that an engineered sewer plan should be required, and will be prepared, prior to the start of construction, we feel it is inappropriate to add this comment at this time.

Finally, I note that an inter-office memo from staff planner David Heinlein, to the Zoning Administrator, dated April 17, 2003 (copy enclosed), advises that the project continues to be incomplete and recommends that the project be converted to an at cost project, with the requirement that the applicant submit a check to the Fiscal Department in the amount of \$5,000. This recommendation was never communicated to the applicants or their land use consultant prior to the April 18th hearing, and was certainly not part of the April 16th staff report. A handwritten note on the memo says: "Done. No one at hearing."

I do not know whether this recommendation was adopted by the Zoning Administrator as part of his determination of incompleteness of the application. If so, then my clients also appeal the determination to convert the project to an at cost project with the requirement to pay \$5000 for costs to be incurred.

It is my clients' contention, as expressed in my letter to the Zoning Administrator dated April 16, 2003, and delivered for consideration at the April 18th hearing (copy enclosed), that all seven items required by the Zoning Administrator at the December 6, 2002, hearing to be submitted to make my clients' application complete have been submitted by Mr. Subocz. The Sanitary District's request for an engineered sewer plan was not part of those seven requirements. (It

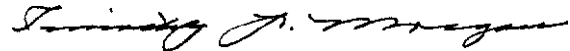
TIMOTHY J. MORGAN

ATTORNEY AT LAW

appears that an internal routing error is responsible for the Sanitary District's untimely request.) An engineered plan can certainly be required as part of any conditions of approval of the discretionary permit. My clients can submit an engineered plan at that stage in the development process. However, to deem their application incomplete and convert it to an at cost project and require \$5,000 in up front fees, on account of the failure of the Planning Department to communicate internally with the Sanitary District, is unwarranted and an abuse of discretion.

I hope to have an opportunity to discuss this matter further with you. Thank you for your anticipated close attention to this appeal.

Very truly yours,



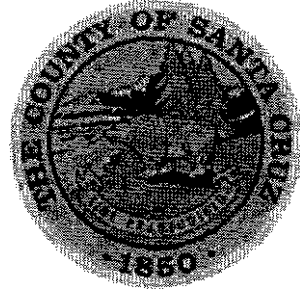
Timothy J. Morgan

Encl:

Ltr. dtd. 4/16/2003 from David Heinlein to David Subocz
Planning Staff Report prepared for ZA hearing on 12/6/2002
Inter-Office Correspondence, dtd. 4/17/2003, from David Heinlein to **ZA** Don Bussey
Ltr. dtd. 4/16/2003 from Timothy J. Morgan, Esq., to Don Bussey
Check for \$390.00 payable to Santa Cruz County Planning Dept. (Appeal fee)

cc: Clients
David Subocz

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE



DATE: April 17, 2003

TO: Don Bussey, Zoning Administrator

FROM: David Heinlein, Project Planner III, Development
Review

SUBJECT: 01-0010

The application (including the recent resubmittal continues to be incomplete.

Planning staff is recommending in that the following action take place immediately;

- The project is removed from consideration at the April 18th hearing date.
- This project immediately be converted to an at cost project. The applicant shall submit a check to the Fiscal Department in the amount of \$5,000.00

Thank you for this consideration.

Sincerely,

David Heinlein

David Heinlein
Project Planner
County of Santa Cruz
(831) – 454-5321
david.heinlein@co.santa-cruz.ca.us

*Done
No one at hearing*



County of Santa Cruz

APR 21 2003

PLANNING DEPARTMENT

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

ALVIN D. JAMES, DIRECTOR

April 16, 2003

David Subocz
719 Swift Street., # 12
Santa Cruz, CA
95060

Subject: Application # **01-0010**; Assessor's Parcel #: **026-0311-32, 05**
Owner: **Larry and Lora Van Den Heuvel**

Dear Mr. Subocz:

This letter is to inform you of the status of your application. On **August 1st, 2001**, the above referenced application was submitted for an Amendment to Commercial Development Permit D-72-4-11- with the Santa Cruz County Planning Department.

The application was found to be incomplete on February 7th, 2003 and a letter requesting additional information was sent to the applicant on that date. Although some information was submitted on March 18th, 2003, that information does not address the issues identified in the original incompleteness determination. The following information is **still** required for the application to move forward:

1. **More information on site plans.** Please submit revised site plans, drawn to scale, to include the following information:
 - a. Landscaping Plan submitted is inadequate, needs to be revised.
 - b. Inadequate employee parking plan submitted; "valet" style parking is not allowed. To review parking standards, please see attached parking requirements.
 - c. Parking plan does not include a plan for the vehicles used for commercial use. Commercial vehicle parking plan required.
 - d. Fence plan shown "to be removed." Plans indicate a chain length to be used as a replacement? Included on the revised plans shall be height of the proposed fence, materials used and security measures.
 - e. Provide staff with information as to the disposition of the compost pile staff examined during the March 14th, 2003 site visit.
 - f. No elevations were provided on resubmitted plans. Staff requires elevations on all structures (existing and proposed) on the project site. Elevation plans need to be included on site plans, reduced copies can not be accepted as staff can not analyze height

requirements.

- g. No sign plan was indicated on resubmitted plans. The existing sign located on the parcel is in violation, An additional sign plan, clearly indicating location and height are required.
- h. Adjacent development not indicated on resubmitted plans. All adjacent development is required on resubmitted plans.
- i. Brommer Street frontage is incorrect on plans, provide accurate street frontage on revised site plans.
- j. During a previous site visit, staff noted a for sale sign on the property containing the proposed dumpsters and other uses. If the property is for sale, staff will need addition information where the existing structures, vehicles and other uses on the property will be located.

Please review the attached comments from all agencies. Comments listed under the heading "Completeness Comments" for each agency must be addressed and resolved prior to your application being considered complete and able to move forward with review. Questions related to these comments can be addressed to each separate agency.

- 2. Previous completeness comments made on November 29, 2001 have not been addressed. Please note that the storm drain on site and downstream from this site are private systems. The County does not own or maintain these systems. Please submit evaluation as was previously requested. (DPW Drainage)
- 3. Plans should show topographic information such as contour lines and spot elevations. Demonstrate that the pathway of site runoff will not adversely impact adjacent properties. (DPW Drainage)
- 4. A Zone 5 drainage fee will be assessed on the net increase in impervious area. The fees are currently \$0.70 per square foot and shall be increased on each upcoming July 1 by \$0.05 until they reach \$0.85 per square foot by the year 2003. Credit will be given for all existing permitted buildings and impervious areas currently on the site. Clearly differentiate on the plans between existing, permitted impervious areas and proposed or non-permitted impervious areas. (DPW Drainage)
- 5. If the scope of the application is changed in response to Code Compliance comments and additional drainage review comments may be required. (DPW Drainage)
- 6. Please remove the stand-pipe and drain rock from the silt and grease trap detail. (DPW Drainage)
- 7. Please add notes to the plan describing how the modular building will drain (sheet flow off roof, downspouts to splash blocks?). (DPW Drainage)
- 8. Should building permit(s) be necessary, an erosion control plan, a drainage plan, and preliminary grading information (including total volume of earthwork, the disposal of fill and/or excavated material, and cross-sections that include existing and finished grade) will be required. (Environmental Planning)
- 9. Show property lines on plot plan drawn to scale. Show existing roadside improvements, i.e. curb

and gutter or valley gutter or...? Public Works has received complaints regarding the hacking of mud onto the bike lane and into Brommer Street from this fire wood cutting yard. I would like to see some means of erosion control and/or paved driveway approach to avoid a mud hazard. **Also**, the plans have to show the position of property lines and the R/W line along Brommer St. I have a concern that the existing Paradise sign may be located in the right-of-way adjacent to 26-31 1-32 as well as the fence along the wood yard (26-31 1-08) may be in the R/W. Plans should be to scale and show all these existing improvements. (DPW Driveway/Encroachment)

10. Show driveway plan view and centerline profile. (DPW Driveway/Encroachment)
11. Show existing ground and driveway elevations on profile. (DPW Driveway/Encroachment)
12. EHS review fee is \$47. (Environmental Health)
13. An engineered sewer plan is required showing proposed sewer and connection to the purposed modular building. (DPW Sanitation)

Additional Comments

These comments are not addressing completeness of the application. These comments are provided to the owner and applicant addressing other issues the proposed project has.

14. Please clearly delineate the extent of the proposed base rock areas. Please provide a cross section of the proposed base **rock** areas. 4 inches or more of base rock is considered impervious (less than 4 inches is considered semi-impervious). A zone 8 drainage fee will be assessed on the net increase in impervious area. (DPW Drainage)
15. **All** runoff from parking and driveway areas should be treated with a silt and grease trap prior to leaving the site. Please update the plan accordingly. A signed and recorded maintenance agreement for the silt and grease trap(s) is required prior to building permit issuance. (DPW Drainage)
16. Demonstrate how runoff from the equipment and materials storage area (specifically in the area of dumpster storage) will be directed and how the areas will be maintained so as not to allow runoff pollution. (DPW Drainage)
17. For questions regarding this review Public Works drainage staff is available from 8:00-12:00 Monday through Friday. (DPW Drainage)
18. I believe I saw a for sale sign on APN: 026-31 1-05, which is where the dumpsters are to be stored. I will verify on next field trip. (Code Compliance)
19. Driveway to conform to County Design Criteria Standards. Encroachment pennit required for all off-site work in the County road right-of-way. (DPW Driveway/Encroachment)
20. Fencing is not allowed within the County road right-of-way. Remove sign from the 5' dedication area. Existing signs on front fence say 'no parking, private property', which may also be in the 5' dedication area. No fencing allowed within this dedication area and official signs for no parking should be utilized. Landscape plans required for landscape encroachment within the County road right-of-way and dedication area. Driveway approaches must be paved with minimum 1.5" asphalt concrete over 6" aggregate base rock, up to gate area. Beyond gate, surfacing may consist of asphalt over base rock, or slurry seal over 6" base rock minimum. Proposed fencing shall not block

sight distance for motorists at adjacent intersections and driveways. (DPW Driveway/Encroachment)

21. Civil engineered plans required for curb, gutter and sidewalk. Fencing is not allowed within the County road right-of-way. Proposed fencing shall not block sight distance for motorists at adjacent intersections and driveways. Contact DPW Driveway/Encroachment to confirm these improvements have been made and cleared by that department. (DPW Driveway/Encroachment)
22. It is recommended that frontage improvements be constructed along both parcels consistent with the approved plan line and in coordination with the Redevelopment Agency. The five foot right-of-way dedication meets the requirement of the approved plan line. The project signage should not be within the proposed right-of-way dedication. Contact DPW Road Engineering to confirm these improvements have been made and cleared by that department. (DPW Road Engineering)
23. An encroachment permit will be required for the frontage improvements. Contact DPW Road Engineering to confirm these improvements have been made and cleared by that department (DPW Road Engineering)
24. The development is subject to Live Oak Transportation Improvement (TIA) fees at a rate of \$400 per daily trip-end generated by the proposed use. The project plans show approximately 59,787 square feet for a contractor's yard on the two parcels. The estimated trip generation for fee purposes is 1 trip-end per 1,000 gross square feet (ksf) for a contractor's yard. Therefore the total trips may be calculated as 59.79 ksf of contractor's yard multiplied by 1 trip ends/ksf equals 60 trip ends being generated by the project. The fee is calculated as 60 trip ends multiplied by \$400 per trip end equals \$24,000. The total TIA fee of \$24,000 is to be split evenly between transportation improvement fees and roadside improvement fees. (DPW Road Engineering)
25. No Parking- signs on the fence should be removed and replaced with standard -No Parking/Bike Lane- signs. (DPW Road Engineering)
26. Planning staff is recommending to management that this project immediately be converted to an at cost project requiring the applicant to submit a check to the Fiscal Department in the amount of \$5,000.00. (Planning Department)
27. Planning staff is also recommending to management that this application be abandoned as provided in 18.10.430 (a) (1) in 60 days unless all requirements in the above mention items in this incomplete letter are satisfied. Planning staff is recommending that the project be pulled from the May 18th hearing date. (Planning Department)
28. Planning staff is recommending that the project be removed from consideration at the April 18th hearing date. (Planning Department)

You should submit the required materials to the Planning Department at one time. Due to the complexity of the proposed project and to increase efficiency, the County of Santa Cruz Planning Department has revised the application process to include an appointment time with the project planner to submit the revised plans or additional required materials. Please contact your project manager to schedule an appointment to resubmit additional information. Resubmitted materials will not be accepted at the front counter. Listed below is the phone number and e-mail address of your project manager to schedule an appointment.

Revisions to plans should be included in complete, updated sets of plans. The number of sets required shall be the same number as originally submitted, to allow for routing to all agencies, unless otherwise specified in this letter. (Please submit all plans folded into ~ 8.5" x 11" format in addition to one reduced

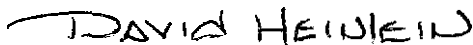
set "8.5 x 11"). You have until Tuesday, June 17th, 2003, to submit the information indicated. Pursuant to Section 18.10.430 of the Santa Cruz County Code, failure to submit the required information may lead to abandonment of your application and forfeiture of fees.

Alternatively, you may withdraw the application. If you wish to withdraw the application, please notify me in writing.

You have the right to appeal this determination that the application is incomplete pursuant to Section 18.10.300 of the County Code and Section 65943 of the Government Code. To appeal, submit a \$390.00 fee and a letter addressed to the Planning Director stating the determination appealed from, and the reasons you feel the determination is unjustified or inappropriate. The appeal letter and fee must be received by the Planning Department no later than 5:00 p.m., **Thursday, April 30th, 2003.**

Should you have further questions concerning this application, please contact me at: (831) 454-5321, or e-mail: david.heinlein@co.santa-cruz.ca.us

Sincerely,



David Heinlein
Project Planner III
Development Review

Cc. file and owner; Larry and Lora Van Den Heuvel, 1500 Brommer Street, Santa Cruz, CA, 95062, Don Bussey, Cathy Graves, Kevin Fitzpatrick, David Laughlin, Jan Beautz, Timothy Morgan, 121 Jewell Street., Santa Cruz, CA 95060

March 16,2003

To: David Heinlein
Santa Cruz County Planning Department

From: Live Oak Mobile Home Park
Manuel and Margaret Cabral, Owners

Re: **01-0010** **APN(S): 026-311-32**
Applicant and Owner: Larry Van Den Heuvel
1500 Brommer Street, Santa Cruz, CA **95062**

We are writing to you again to express are concern with Paradise Landscape operations at the above address. As we stated before, we strongly feel that the area above is not a appropriated place for that kind of business.

They create too much traffic in and out all day long with commercial vehicles and employees. Winter time is the mud that they carry into the street and summer time is the dust which is unbearable, as well as the noise from their recycling and wood splitting. Also when the portable toilets get serviced the smell is another thing very hard to cope with, as well as the site of all of the dumpsters store there, which makes the place really look like a dump.

We are also very concerned about hazards materials and gasoline, because that kind of business involves and requires the use of lots of gasoline to operate the lawn mowers, blowers, weed eaters, etc.

We are not against the owner or the business, but the location where the business is being conducted. We do feel that the place is not the appropriate place to run that kind of a business among us, the residents.

Thank you

COUNTY OF SANTA CRUZ
PLANNING DEPARTMENT
MEMORANDUM

DATE: August **13,2001**
To: Dwight Herr, Consultant to County Counsel
FROM: Melissa Allen, Development Review
CC: Marie Costa, County Counsel
 Dave Laughlin, Code Enforcement
 Kevin Fitzpatrick, Code Enforcement
 Don Bussey, Development Review
 Cathy Graves, Development Review
John Swift, Applicant's Representative
SUBJECT: Application **01-0010**, Paradise Landscape and Professional Tree Service

The following is a summary of the status of the submittal and processing for Application 01-0010, APN 026-31 **1-32**.

- Application for Commercial Development, Code Compliance Violation Resolution, Environmental Exemption, etc., submitted January **8,2001**.
- Project "incomplete" letter dated February **7, 2001**. Identified **29** items from various departments that needed to be addressed prior to deeming the application complete for processing to hearing. Attachments included copies of checklists associated with required/supplemental application materials necessary for completion.
- The "incomplete" letter required materials to be submitted prior to April **9,2001**. Pursuant to Code Section 18.10.430, failure to submit the required information may lead to abandonment of the application and forfeiture of fees. Provisions to withdraw the application or appeal the determination were included, however these were not done. A provision was included to allow for additional time based on extenuating circumstances.
- I was in contact with the new project representative, **John** Swift, around that time and he had verbally requested more time while they worked on both the project plans and submittal package and further addressed code enforcement concerns. I asked for a written letter request for additional time, for the file.
- I received three letters from John Swift since that time (dated **4/5/01, 6/20/01, & 7/17/01**), but none addressed the request for additional processing time, nor was anything submitted to address **the 29** items identified in the original "incomplete" letter.
- I have not responded to these letters because they primarily addressed the applicants concerns regarding the issues surrounding the prior Design Permit, the change of use issues, the intricacies of the contractor's storage yard use, and the current Use Permit requirement. This is more relevant to the code enforcement and county counsel's review of the project. (I was directed by my supervisor in March to concentrate my focus on processing the current development permit application as submitted, as this application process would most likely be the same required regardless of the outcome of the enforcement hearings. Don Bussey, Dave Laughlin, and Marie Costa have been working on the history of the Design Permit/Use Permit process applicable to this case and the resolution of these concerns.)