



Staff Report to the Zoning Administrator

Application Number: **05-0057**

Applicant: David Subocz

Agenda Date: 1/20/06

Owner: Lany & Lora Van Den Heuvel

Agenda Item #: 4

APN: 026-311-05, 31, 32

Time: After 10:00 a.m.

Project Description: Proposal to recognize an existing landscape business.

Location: Property is located on the south side of Brommer Street approximately 400 feet west of the intersection with 17th Avenue. (1500 Brommer Street)

Supervisory District: 1st District (District Supervisor: Janet Beautz)

Permits Required: Commercial Development Permit, Master Occupancy Program

Staff Recommendation:

- Approval of Application 05-0057, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|---|------------------------------|
| A. Project plans | E. Assessor's parcel map |
| B. Findings | F. Zoningmap |
| C. Conditions | G. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | |

Parcel Information

Parcel Size:	78,512 square feet (in 3 parcels)
Existing Land Use - Parcel:	Commercial landscape business
Existing Land Use - Surrounding:	Commercial service & Residential
Project Access:	Brommer Street
Planning Area:	Live Oak
Land Use Designation:	C-S (Service Commercial)
Zone District:	C-4 (Commercial Service)
Coastal Zone:	___ Inside <u>X</u> Outside

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	N/A
Fire Hazard:	Not a mapped constraint
Slopes:	2-5%
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Easement for storm drain to be dedicated
Archeology:	Not mapped/no physical evidence on site

Services Information

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

History

The existing commercial landscape business has been expanded from a prior roofing contractor's storage yard that was approved under Design Permit D-72-4-11 on APN 026-311-32. The expansion of the landscape business requires a Commercial Development Permit to recognize the intensified use. The applicants have included two additional parcels to accommodate all of the commercial and employee vehicles, equipment and plant storage, and an office for the landscape business. This application for a Commercial Development Permit will address the proposed commercial use on all three parcels.

Project Setting

The subject property is located on the south side of Brommer Street, approximately 400 feet west of 17th Avenue in the Live *Oak* planning area. Commercial uses are located on the south side of Brommer street, and residential development is located to the north. The parcels immediately adjacent to the proposed development are designed for commercial service uses. Parcels immediately across Brommer Street include single family dwellings.

Zoning & General Plan Consistency

The subject property is comprised of three parcels totaling approximately 78,512 square feet, located in the **C-4** (Commercial Service) zone district, a designation which allows commercial uses. The proposed commercial development is an allowed use within the zone district and the project is consistent with the site's (C-S) Service Commercial General Plan designation. Each of the three parcels contain a minimum of 10,000 square feet, consistent with the requirements of the C-4 zone district.

Commercial Development Permit

A Commercial Development Permit is required to recognize the existing landscape business. The operations conducted by the landscape business include off-site gardening and landscaping services, landscape construction (including decks, retaining walls, patios, walkways, fences, outside lighting, irrigation, etc.) tree removal and pruning, and firewood delivery. All of the services are provided off-site, but a staging location is required for storage, maintenance and preparation for the above listed operations.

The applicant has included three parcels (1358, 1500, 1514 Brommer Street) in this application to accommodate the landscape business. The three parcels will be used as follows:

1358 Brommer Street (APN 026-311-05)

be This parcel will be used for overflow employee parking, mulch and plant storage, roll-off truck storage, and for firewood storage and operations. This parcel has two access gates, the primary entry gate will be located at a minimum of 20 feet back from the back of the sidewalk along Brommer Street with a secondary exit gate. In the morning the entry gate and the exit gate will both be opened to accommodate vehicles entering and exiting. This will adequately prevent vehicles from blocking Brommer Street while entering this portion of the commercial development.

The firewood operation will require the use of chainsaws and a log splitter. This will generate noise which will carry over to the residential neighborhood across Brommer Street. Given that this use is located within the C-4 (Commercial Service) zone district, some duration of this sort of noise is considered as acceptable. In order to prevent an extended duration of noise from this operation, staff recommends that the hours for chainsaw and log splitter use be limited to the hours between 9 AM and 3 PM weekdays. The firewood prepared on-site will be sold off-site only, no on-site sales of firewood will be allowed by this permit.

1500 Brommer Street (APN 026-311-32)

This parcel is the location of the prior roofing contractor's storage yard and is the central parcel of the three included in this development proposal. This parcel will be used for employee parking, and equipment storage and maintenance. The maintenance of equipment will be conducted on site, and due to the use of motorized equipment, any equipment maintenance or repair which involves the audible operation of small motorized equipment (lawnmowers, edgers, blowers, weed whackers, chainsaws, etc.) will be limited to the hours between 9 AM and 4 PM weekdays.

Two existing buildings located within the required front yard setback on this parcel will be demolished.

1514 Brommer Street (APN 026-311-31)

This parcel is the location of a prior printing business and contains a commercial building and a pre-existing non-conforming single family dwelling. The office use is proposed within the commercial building and the single family dwelling is proposed to be maintained as a caretaker's

unit to watch over the three commercial properties and to have a presence on the site when the landscape business is not in operation. Additional parking is located to the rear of the office building.

This parcel is the only parcel that has bathroom facilities. Due to the need for employees to have direct access to bathroom facilities, staff recommends that pedestrian gates be located so that employees can access the bathrooms on this parcel from the other parcels without having to walk out to the sidewalk along Brommer Street. A pedestrian pathway which leads from 1358 Brommer Street, across 1500 Brommer Street, to the bathroom facilities on 1514 Brommer Street shall be provided, with a pedestrian gate at each property boundary to be open during regular business hours.

In order to limit the overall duration of commercial activity on the three parcels, the hours of operation of the proposed landscape business will be limited to the hours between 8 AM and 5 PM weekdays. Quiet office work (within the office facility) and patrols by the property caretaker will be allowed outside of these hours. No equipment may be operated on the project site (or transported to or from the project site) outside of the hours between 8 AM and 5 PM weekdays. No weekend operations are authorized by this permit.

Since each parcel exceeds the minimum 10,000 square feet required within the C-4 (Commercial Service) zone district, it is not necessary to require that these parcels be combined as a component of this development proposal. However, each of the three parcels are interconnected as a component of the proposed commercial development, and the sale, transfer, or removal of any of the three parcels from the commercial operation will require an amendment to this permit.

Master Occupancy Program

A Master Occupancy Program will be established for the proposed commercial use. Given that the proposed development includes three separate parcels, the Master Occupancy Program would only be applicable if all three parcels are included in a sale or a transfer to another use. With the use proposed, contractor's storage and maintenance yards are what would be appropriate on the three parcel configuration if it were to be sold or transferred to another use. Any other use would require an amendment to this permit.

Parking

Adequate parking is provided for the employees and commercial vehicles on the three parcels. The overflow employee parking area located on APN 026-311-05 will accommodate the seasonal fluctuation in employees and ensure that employee and commercial vehicle parking will not occur on public streets. Staff recommends that parking of commercial and employee vehicles occur entirely on the subject property, with no off-site parking allowed on public streets in the project vicinity.

Commercial Signage

The sign proposed will comply with the regulations for signs in commercial districts, in that it will not exceed a total of 50 square feet in area or 7 feet in height. Additional directional signage

for entry and exit gates and accessible parking will be allowed. A sign for fire wood sales is also proposed, which is a reasonable request given the nature of the commercial business. Staff recommends that the sign for firewood sales include language stating that firewood is available by delivery only.

Landscape Plan

The subject parcels will be surrounded by fencing with a minimum of approximately 11 feet between the fencing and the sidewalk on Brommer Street for landscaping. In order to create a visual buffer, a landscape plan will be required which adequately screens the proposed commercial development from the residential development across Brommer Street. The Urban Designer will review the landscape plan at the building permit stage to ensure compliance with the Design Review ordinance.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

Staff Recommendation

- APPROVAL of Application Number **05-0057**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to **in** this report are **on file** and available for viewing at the Santa Cruz **County** Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, **as** well as hearing agendas and additional information are available **online** at: www.co.santa-cruz.ca.us

Report Prepared By: Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) **454-3218**
E-mail: randall.adams@co.santa-cruz.ca.us

Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for commercial uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made, in that the proposed location of the commercial development and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-4 (Commercial Service) zone district in that the primary use of the property will be a contractor's storage and maintenance yard.

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

This finding can be made, in that the proposed commercial use is consistent with the use requirements specified for the Service Commercial (C-S) land use designation in the County General Plan.

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

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

This finding can be made, in that the proposed commercial development is currently existing and will not involve retail sales. The intersections in the immediate area are operating at acceptable levels and no increase in traffic volume is proposed.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed commercial development is consistent with the land use intensity on the south side of Brommer Street. In order to reduce potential impacts to the residential development across Brommer Street, conditions have been added to limit the hours of operation of noise generating equipment and a landscape plan has been required to visually screen the commercial development.

Application #: 05-0057
APN: 026-311-05, 31, 32
Owner: Larry & Lora Van Den Heuvel

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed commercial development will be of an appropriate scale and type of design within the C-4 (Commercial Service) zone district and a landscape plan has been required to visually screen the commercial development from the residential neighborhood across Brommer Street.

Conditions of Approval

Exhibit A: Project Plans "Paradise Landscape", 7 sheets, prepared by William de Ess Studios and Ifland Engineers, dated 7/27/05, revised 10/25/05.

- I. This permit recognizes an existing commercial landscape business and associated improvements on three parcels (APN 026-311-05, 31, 32) as depicted on the approved Exhibit "A" and as modified by these conditions of approval. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain Demolition Permit(s) from the Santa Cruz County Building Official for the removal of the office and storage buildings from APN 026-311-32 (indicated as buildings 1 & 5 on the Exhibit "A" for this permit).
 - C. Obtain Building Permit(s) from the Santa Cruz County Building Official for all structures on APN 026-311-32 that are over 120 square feet in area or otherwise require a Building Permit per the requirements of the Santa Cruz County Building Official. **These Building Permit's must be obtained and final inspections must be completed within 6 months from the effective date of this permit, or this permit will be considered void.** Additional Building Permits may be required for any interior modifications to the existing buildings on APN 026-311-31.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - B. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. **The final plans shall include the following additional information:**
 1. A final sign plan for the proposed commercial development shall be

submitted for staff review and approval. Signage for the proposed commercial development must comply with the current requirements of the County Code. Any sign for firewood sales must indicate that firewood is available for delivery only.

2. Grading, drainage, and erosion control plans, that are prepared, wet-stamped, and signed by a licensed civil engineer. Grading and drainage plans must include estimated earthwork, cross sections through all improvements, existing and proposed cut and fill areas, existing and proposed drainage facilities, and details of devices such as back drains, culverts, energy dissipaters, detention pipes, etc. **Verify** that the detention facilities are adequate to meet County requirements for release rates.
3. Engineered improvement plans for all on-site and off-site improvements. All improvements shall be submitted for the review and approval by the Department of Public Works.
4. A pedestrian pathway which leads from APN 026-311-05, across APN 026-311-32, to the bathroom facilities on 026-311-31 shall be provided, with a pedestrian gate at each property boundary to be open during regular business hours. The pedestrian gates must be located so that employees can access the bathrooms on this APN 026-311-31 from the other parcels without having to walk out to the sidewalk along Brommer Street.
5. A landscape plan shall be provided for review and approval by the County Urban Designer. The landscape plan shall comply with the following requirements:
 - a. Adequate screening of the proposed commercial development from Brommer Street with trees, shrubs and vines shall be provided, per the requirements of County Code section 13.11.075.
 - b. Parking lot landscaping shall be provided, per the requirements of County Code section 13.11.074(c)
6. A lighting plan for the proposed development. Lighting for the proposed development must comply with the following conditions:
 - a. All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties. Light sources shall not be visible from adjacent properties. Light sources can be shielded by landscaping, structure, fixture design or other physical means. Building and security lighting shall be integrated into the building design.
 - b. All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards

to a maximum height of 15 feet are allowed.

- c. Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.
 - 7. Utility equipment such as electrical and gas meters, electrical panels, junction boxes, and backflow devices shall not be located on exterior wall elevations facing streets unless screened from streets and building entries using architectural screens, walls, fences, and/or plant material.
 - 8. Details showing compliance with fire department requirements.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Drainage.
 - 1. Drainage fees will be assessed on the net increase in impervious area.
 - 2. The storm drain easement (across APN 026-311-05) must be dedicated to the County of Santa Cruz as indicated on the approved Exhibit "A" for this permit.
 - 3. The existing drainage pipe which crosses APN 026-311-05 must be upgraded per Department of Public Works, Drainage comments.
 - 4. A maintenance agreement for any water quality treatment devices must be provided.
 - 5. A permit from the State Water Resources Control Board may be required; it is the responsibility of the applicant/owner to achieve compliance with state requirements.
 - E. Meet all requirements of and pay applicable fees to the Santa Cruz County Sanitation District.
 - F. Meet all requirements of and pay any applicable plan check fee of the Central Fire Protection District.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.

- B. All new utilities to serve the proposed development shall be installed underground.
 - 1. Pad-mounted transformers (as part of the underground electrical service distribution system) shall not be located in the front setback or area visible from public view, unless they are completely screened by walls and/or thick landscaping, and shall not obstruct views of traffic from tenant spaces or driveways, or views to monument signs. Underground vaults may be located in the front setback area for aesthetic purposes.
- C. Back flow devices and other landscape irrigation valves shall not be located in the front setback or area visible from public view, unless they are completely screened by walls and/or thick landscaping, and shall not obstruct views of traffic from tenant spaces or driveways, or views to monument signs.
- D. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- E. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100 shall be observed.

IV. Operational Conditions

- A. **Master Occupancy Program (Commercial Landscape Business):** Given the location of the project with respect to existing residential and commercial uses, all change of use requests shall be processed at Level 3 to allow a thorough review of possible impacts. Only the uses listed below may be processed at Level 1, based on the existing configuration of the proposed commercial development:

Contractor's storage and maintenance yards using all three parcels (APN 026-311-05, 31, 32) as indicated on the approved Exhibit "A" for this permit.

If any of the three parcels listed above are separately sold, transferred, or otherwise removed from the commercial business approved by this permit, a permit amendment will be required.

The following additional restrictions apply to all uses:

Parking: All parking of commercial and employee vehicles must occur entirely on the subject property, with no off-site parking allowed on public streets in the

project vicinity.

Hours of Operation: The hours of operation of the proposed landscape business are limited to the hours between 8 AM and 5 PM weekdays. Quiet office work (within the office facility) and patrols by the property caretaker will be allowed outside of these hours. No equipment may be operated on the project site (or transported to or from the project site) outside of the hours between 8 AM and 5 PM weekdays. No weekend operations are authorized by this permit.

Firewood Processing & Sales: The hours for chainsaw and log splitter use is limited to the hours between 9 AM and 3 PM weekdays. The firewood that is prepared on-site must be sold off-site only. No on-site sales of firewood are allowed by this permit.

Equipment Maintenance: Any equipment maintenance or repair which involves the audible operation of small motorized equipment (lawnmowers, edgers, blowers, weed whackers, chainsaws, etc.) is limited to the hours between 9 AM and 4 PM weekdays.

- B. All landscaping must be permanently maintained, per the requirements of County Code section 13.11.075(b)(2).
 - C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant *or staff* in accordance with Chapter 18.10 of the County Code.

Please note: This permit expires 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

Randall Adams
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.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 05-0057

Assessor Parcel Number: 026-311-05, 31, 32

Project Location: 1500 Brommer Street

Project Description: Proposal to recognize an existing landscape business.

Person or Agency Proposing Project: David Subocz

Contact Phone Number: (831) 4268941

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Proposal to recognize an existing commercial landscape business in an area designated for commercial uses.

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

Randall Adams, Project Planner

Date: _____

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 05-0057

Assessor Parcel Number: 026-311-05, 31, 32

Project Location: 1500 Brommer Street

Project Description: Proposal to recognize an existing landscape business.

Person or Agency Proposing Project: David Subocz

Contact Phone Number: (831) 4268941

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

- E. ☒ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Proposal to recognize an existing commercial landscape business in an area designated for commercial uses.

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

Randall Adams, Project Planner

Date: _____

EXHIBIT E

POR. OF S.E. 1/4 SEC. 17,
T.11S., R.1W., M.D.B. & M.

BROMMER

76RS25
12/22/86

Tax Area Code
82-040

26-31

36PM18
25

51MB7
10/29/70

11PM52
6/29/73

20PM29
2/5/76

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

Assessor's Map No. 26-31
County of Santa Cruz, Calif.
July, 1998

July, 1998

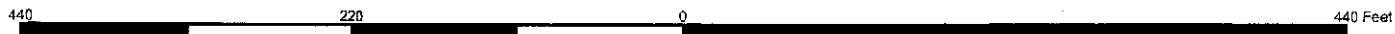
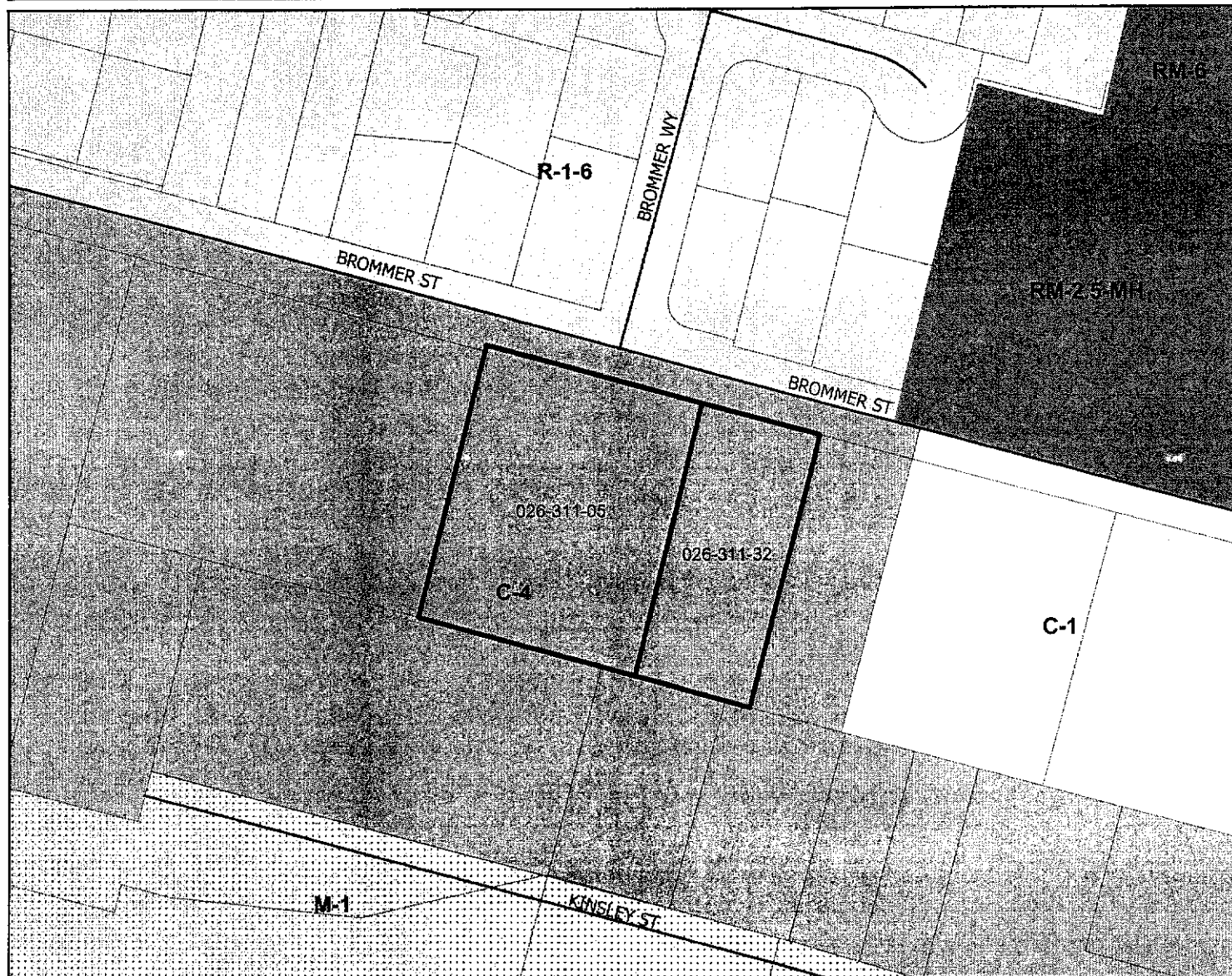
BK.27
24

Bk. 29
18









EL DORADO



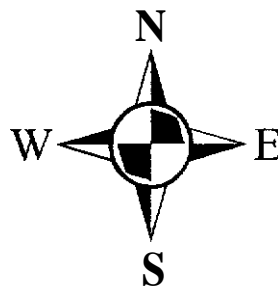
Zoning Map



Legend

-  APN 026-311-05, -32
-  Streets
-  Assessors Parcels
-  COMMERCIAL-NEIGHBORHOOD(C-1)
-  COMMERCIAL SERVICE (C-4)
-  LIGHT INDUSTRIAL(M-1)
-  RESIDENTIAL-MULTIFAMILY (RM)
-  RESIDENTIAL-SINGLE FAMILY(R-1)

n



Map Created by
County of Santa Cruz
Planning Department
January 2005

EXHIBIT F

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Randall Adams
Application No.: 05-0057
APN: 026-311-05

Date: December 23, 2005
Time: 09:03:10
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON FEBRUARY 11, 2005 BY ROBIN M BOLSTER =====
NO COMMENT

Environmental Planning Miscellaneous Comments

===== REVIEW ON FEBRUARY 11, 2005 BY ROBIN M BOLSTER =====
NO COMMENT

Code Compliance Completeness Comments

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

===== REVIEW ON FEBRUARY 8, 2005 BY KEVIN M FITZPATRICK =====
NO COMMENT

The last sheet of the submitted plans, labeled Sheet 9 of 47, shows the parcel to the right of 026-311-32 as owned by Truman. This parcel is actually owned by Van Den Heuvel, recorded transfer on 12/04/2003. (KMF) ===== UPDATED ON AUGUST 8, 2005 BY KEVIN M FITZPATRICK =====

NO COMMENT

Project description addresses posted violation. (KMF) ===== UPDATED ON NOVEMBER 7, 2005 BY KEVIN M FITZPATRICK =====

NO COMMENT

===== UPDATED ON NOVEMBER 7, 2005 BY KEVIN M FITZPATRICK ===== This addresses the code violation. (KFM)

NO COMMENT

Code Compliance Miscellaneous Comments

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

===== REVIEW ON FEBRUARY 8, 2005 BY KEVIN M FITZPATRICK =====
NO COMMENT

Any building permits for existing structures shall be finalized within 180 days of the approval of this Development Permit. There should be a provision in the Development Permit that no expansion will occur onto APN: 026-311-31 prior to any required permit or amendments to this permit. (KMF) ===== UPDATED ON AUGUST 8, 2005 BY KEVIN M FITZPATRICK =====

===== UPDATED ON NOVEMBER 7, 2005 BY KEVIN M FITZPATRICK =====
NO COMMENT

Dpw Drainage Completeness Comments

===== REVIEW ON FEBRUARY 14, 2005 BY ALYSDN B TOM ===== Application with civil plans dated 1/26/05 has been received. The application is not complete for the discretionary stage. Please address the following:

1) Please label each impervious area (roof, paving, concrete, baserock, etc.) as existing and permitted, existing and not permitted, or proposed. If an impervious

Discretionary Comments - Continued

Project Planner: Randal Adams
Application No.: 05-0057
APN: 026-311-05

Date: December 23, 2005
Time: 09:03:10
Page: 2

area is older than 1969 (and documents are provided to prove its existence prior to this date) credit will be given as a permitted coverage.

- 2) Demonstrate how this project will minimize proposed impervious areas as required by the General Plan.
- 3) Demonstrate how this project will mitigate for water quality and quantity impacts due to this project.
- 4) Demonstrate that the on-site 18 inch RCP and the downstream facilities are adequate to handle the added runoff from this project. If facilities are not adequate please update the plans to incorporate facility upgrades.
- 5) Is there an existing easement for the 18 inch RCP? If not, please provide an easement for this private facility. The property owner is responsible for maintenance of this pipe.
- 6) Does this site receive runoff from any adjacent site? If so, how has the site been designed to accommodate this runoff?

All submittals for this project should be made through the Planning Department. For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

See miscellaneous comments for issues to be addressed prior to building permit issuance.

===== UPDATED ON AUGUST 10, 2005 BY ALYSON B TOM ===== Application with letter and plans by Ifland Engineers dated 7/29/05 has been received. The drainage analysis assumes that all of the existing impervious surfaces are permitted. Please provide the documentation supporting this assumption. Based on the results of the documentation provided on site and/or off site improvements may be required.

Previous comments NO. 1, 4, 5, and 6 from 2/14/05 still need to be addressed

For questions regarding this review Public Works stormwater management staff is available from 8-12 Monday through Friday. All submittals should be made through the Planning Department.

===== UPDATED ON NOVEMBER 10, 2005 BY ALYSON B TOM ===== Application with civil plans dated 10/25/05 and drainage study dated October 2005 prepared by Ifland Engineers has been received. Please address the following:

- 1) The drainage study submitted indicates the storm drain pipe on the site and downstream from the site is undersized. This project is required to upgrade the pipe on the project site to meet current County Design Criteria standards.

The proposed detention/retention system is acceptable as proposed

For questions regarding this review Public Works stormwater management staff is available from 8-12 Monday through Friday.

Dpw Drainage Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Randal Adams
Application No.: 05-0057
APN: 026-311-05

Date: December 23, 2005
Time: 09:03:10
Page: 3

===== REVIEW ON FEBRUARY 14, 2005 BY ALYSON B TOM ===== The following should be dealt with prior to building permit issuance:

1) Put a note on the plans to include signage next to all catch basins on site that states "No Dumping, Drains to Bay" or equivalent. The owner is responsible for maintaining this signage.

2) Zone 5 fees will be assessed on the net increase in permitted impervious area due to this project.

3) Submit a recorded maintenance agreement for any water quality treatment device.

It appears that this project may be required to obtain a storm water construction permit from the State Water Resources Control Board. It is the applicant's responsibility to obtain this permit, as needed.

Additional site details may be required at the building permit stage.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON FEBRUARY 2, 2005 BY DEBBIE F LOCATELLI =====
Title 9 of the Santa Cruz County Code: Section 9.80.085 Moratorium Excavation newly renovated public right-of-ways is prohibited for three (3) years after an overlay of an entire street. Please find an alternative to the sewer lateral connection to avoid trenching into Brommer Street (paved April 8, 2003).

Driveway approaches have already been installed per Brommer Street Improvement Project (completed 2003)

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON FEBRUARY 2, 2005 BY DEBBIE F LOCATELLI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON FEBRUARY 17, 2005 BY GREG J MARTIN =====
All gates should be set back 20 feet from the back of sidewalk and turn inward or move laterally.

The sign within the landscape area should be at least 3 feet from the sidewalk

The landscape plans should match the civil plans

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-
DATED ON AUGUST 22, 2005 BY GREG J MARTIN =====

All gates should be set back 20 feet from the back of sidewalk and turn inward or move laterally. ===== UPDATED ON NOVEMBER 14, 2005 BY GREG J MARTIN =====
Previous comments have been addressed

Dpw Road Engineering Miscellaneous Comments

Discretionary Comments - Continued

Project Planner: Randal1 Adams
Application No.: 05-0057
APN: 026-311-05

Date: December 23, 2005
Time: 09:03:10
Page: 4

===== REVIEW ON FEBRUARY 17, 2005 BY GREG J MARTIN =====
===== UPDATED ON AUGUST 22, 2005 BY GREG J MARTIN =====



**PARADISE
LANDSCAPE
PROFESSIONAL TREE CARE**

Commercial • Residential
Landscape, Maintenance & Professional Tree Care
1500 Brommer Street
Santa Cruz CA 95062

C27 LIC #725662

Full Service Company

(\$31) 475-1714
1-800-95-PARADISE
Fax (831) 479-8899

July 29, 2005

**Program Statement
for
Paradise Landscape**

Paradise Landscape Inc. is a full-service landscape company which provides service to commercial and residential properties. We provide landscape maintenance, yard clean-up, renovation services, irrigation installation and troubleshooting, tree service, root feeding, power parking lot sweeping, outdoor lighting, wire locating and repair, plant installation, and construction of decks, fences, patios, walkways, and retaining walls. We are proposing the following master occupancy plan for our business location at 1358, 1500, and 1514 Brommer Street, Santa Cruz.

1358 Brommer Street

The westernmost lot, APN 026-311-05, will be used for overflow employee parking, mulch and plant storage, roll off truck storage, and our firewood operation.

This lot will only be needed for employee parking during our peak season. As many as 13 employee cars can be parked on this lot. (See Parking Plan.)

Our tree care and removal services generate quite a bit of chipped wood; this material is to be stored in a 40-yard bin for use as mulch. Excess mulch will be either donated to schools or non-profits, recycled through Santa Cruz County's green recycling program, or given to Bamboo Giant in Aptos.

Also stored on this parcel will be potted plants for use in landscaping. This will be a constantly rotating stock, the types of plants represented varying with the season and with current client demands

Finally, this lot will contain our firewood operation. In addition to mulch, our tree care and removal services generate a lot of large tree branches and lengths of trunk. Thick pieces will be

split with a hydraulic splitter (a machine which is much quieter than a chainsaw). This is proposed to be done for no longer than 12 hours per week and only between 8 a.m. and 12 p.m. Long pieces will then be cut with a chainsaw. Heavy seasonal demand will require from 3-5 hours of chainsaw work per week, and the chainsaw will never be used before 9 a.m. or after 5 p.m. Our 30-yard wood storage bin will be positioned between the cutting area and Brommer Street in order to shield the adjacent residential development from any noise produced by the firewood operation. The splitting, cutting, and storage of firewood is anticipated to occupy from 2500 to 3500 sq. ft., depending on the season. Finished firewood will be stored on location for seasoning, but it will not be sold on site. Customers will call in their orders for delivery.

1500 Brommer Street

The middle lot, APN 026-311-32, will have space for employee car parking (18 spaces) employee bicycle parking (180 sq. ft.), equipment maintenance, and storage of tools: equipment, and green waste for recycling. The green waste is collected from our yard care services and will be deposited into two 30-yard bins which will be emptied every two days. The buildings will be used as follows:

Building	Contents
1	office building to be demolished
2	supplies for building maintenance; crankcase oil and oil recycling; gardening hand tools
3	mechanic's shop with attached storage trailer
4	riding mowers; large push mowers
5	storage
6	construction tools
7	construction tools
8	chainsaws and related equipment; pesticides & dry fertilizer
9	mowers, blowers, & string trimmers

The small equipment such as lawnmowers, edgers, blowers, and power hand tools will be repaired and maintained by a full-time on-site mechanic. All vehicle maintenance will be conducted off site by a professional commercial mechanic (Randy's Repair) with the exception of very minor repairs such as the replacement of brake light bulbs. We have contracts with Bayside Oil and Devco Oil to supply us with crankcase oil and to recycle our used oil.

1514 Brommer Street

The last lot, APN 026-311-31, has two buildings on it - a single-family dwelling in front and a commercial building in the rear. There is also room for 6 parking spaces in the very rear of the lot. Our preference is to have our day-to-day administrative operations located in the office portion of the commercial building and to use the back bedroom of the single-family dwelling


(as a home-based business use) for storage and maintenance of our financial records. Until we get approval to use the commercial building in this way, we are temporarily locating our offices in the single-family dwelling, but ultimately, we would like to use that building as a residence for a family member who will also serve as a caretaker and watch over the properties after hours and on the weekends, Harley will continue to live at home with us.

Our hours of operation are from 8 a.m. to 5 p.m., Monday through Friday. The vast majority of the activity on the Brommer Street parcels will take place between 8 and 9 a.m. – when employees arrive, get their assignments, pick up their equipment, and leave for clients' properties – and between 4 and 5 p.m. – when they return, replace the vehicles and equipment they used, and leave for home. During most of the day, our Brommer Street location will be quiet, with only 2 to 4 office workers, our full-time mechanic, and up to 2 employees (depending on demand) doing firewood work at the previously designated times.

Our business experiences significant seasonal fluctuations, with spring and summer being our busiest times. During the fall and winter months, when plant growth is at a minimum and when rainy weather becomes a factor, we have fewer employees and a greatly reduced workload.

If you have any questions, please don't hesitate to contact me.

Sincerely,



Lora J. Van Den Heuvel
Vice President
Paradise Landscape, Inc.



**PARADISE
LANDSCAPE
PROFESSIONAL TREE CARE**

Commercial • Residential

CZ7 LIC #725662

Full Service Company

Landscape, Maintenance & Professional Tree Care
1500 Brommer Street
Santa Cruz, CA 95062

(831) 475-1714
1-800-95-PARADISE
Fax (831) 479-8899

January 26, 2005

Planning Department
County of Santa Cruz
701 Ocean Street
Santa Cruz, California 95060

Dear Planning Department;

Paradise Landscape Inc. is a full service **landscape** company which provides service to commercial and residential **properties**. We provide landscape maintenance and yard **clean up**, renovation services, irrigation installation, troubleshooting, wire **locating** and repairs, **tree** service, root **feeding**, power **parking** lot **sweeping**, lighting, decks, **fences**, **patios**, **walkways**, retaining walls and planting installation.

Our hours of operation are Monday through Friday, 8:00 a.m. to 5:00 p.m. All **work** is performed **at** our customers' properties.

At 1500 Brommer St., Santa Cruz we have 2 thirty-yard dumpster that are 18x8x6 in size. We dispose all **green waste** into these **dumpster** for recycle purposes. We **also** have a wood **box** at 1358 Brommer St., Santa Cruz that is the **same size** as the dumpsters and which our split wood is placed into.

All other debris **boxes** are located at job sites or Guadalupe Landfill in San Jose. Any questions **please** do not hesitate to contact me at 531-475-1714 Monday though Friday **from** 8:30 a.m. and 4:00 p.m.

Sincerely,

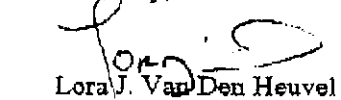

Lora J. Van Den Heuvel
Vice President
Paradise Landscape, Inc.

EXHIBIT G

**PARADISE
LANDSCAPE**

**PROFESSIONAL TREE CARE
COMMERCIAL & RESIDENTIAL**

475-1714

INSTALLATION • MAINTENANCE • DESIGN

801 E. 400 S.
— 2nd Floor —

EXHIBIT G



**PARADISE
LANDSCAPE
PROFESSIONAL TREE CARE**

Commercial • Residential
Landscape, Maintenance & Professional Tree Care
1500 Brommer Street
Santa Cruz, CA 95062

C27 LIC #725662

Full Service Company

(831) 475-1714
1-800-95-PARADISE
Fax (831) 479-8899

October 25, 2005

Randall Adams
Project Planner
Development Review
Santa Cruz County Planning Department
701 Ocean Street, Fourth Floor
Santa Cruz, CA 95060

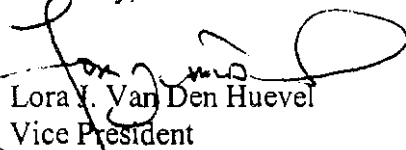
Dear Mr. Adams,

I am responding to several issues raised in your letter dated August 25, 2005. I hope these responses will assist in furthering our pending application with you.

- The small building #5, shown on the plans within the front yard setback, will be demolished.
- Since the gates to all three parcels are left open during business hours, our staff and employees use the sidewalk to walk between the three parcels. This is preferred over interior gates because additional points of entry create security problems. If you prefer interior gates, we would accept that as a condition of approval.
- We prefer to keep the "Firewood for Sale" sign if it can be approved under this application as-is.
- We continue to deliver firewood to customers, with no on-site retail sales.
- The proposed two-gate system at 1358 Brommer allows ~~for~~ the supervisor to park in front of the recessed gate, unlock the gate, proceed through and then unlock the second gate from the inside. Both gates are then left open during business hours. If you prefer both gates to be recessed, we would accept that ~~as~~ a condition of approval.

If you have any questions, please don't hesitate to contact me.

Sincerely,


Lora J. Van Den Huevel
Vice President
Paradise Landscape, Inc.