



Staff Report to the Zoning Administrator

Application Number: **06-0103**

Applicant: Kathleen Church
Owner: Charles & Deanna Doty
APN: 032-041-42

Agenda Date: 9/15/06
Agenda Item#: 2.
Time: After 10:00 a.m.

Project Description: Proposal to demolish an approximately 450 square foot garage; remove a Significant Tree; and construct a new detached garage with a two-bedroom dwelling unit above on a parcel with an existing dwelling to create a dwelling group.

Location: Property located on the southwest corner of Roland Dr. and 38th Ave. (999 38th Ave.)

Supervisory District: First District (District Supervisor: Janet Beautz)

Permits Required: Residential Development and Significant Tree Removal Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0103, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	8,675 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	38 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Residential)
Zone District:	RM-4,000 (Multi-family residential, 4,000 square feet minimum parcel size)

County of Santa Cruz Planning Department
701 Ocean Street, 4th Floor, Santa Cruz CA 95060

Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: No soils report required
Fire Hazard: Not a mapped constraint
Slopes: 0-2%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: One Significant Tree proposed for removal.
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

The subject parcel is currently developed with a two-bedroom, single-family dwelling and a detached garage. According to Planning Department records, the existing single-family dwelling was constructed in the **1950s**. It appears that the existing garage, which is proposed for removal, was constructed without benefit of permits.

Project Setting and Overview

The subject parcel is located on a corner with frontage on both Roland Drive and **38th** Avenue. Surrounding land uses include: a four-plex to the west, multi-unit developments to the north and south, and a single-family dwelling and two mobile home parks to the east.

The subject parcel is level with one significant tree located along the property's Southern property line. A significantly nonconforming storage shed is located adjacent to the Roland Drive frontage, and a fence exceeding three feet is located within the street yard setback along Roland Drive.

The current proposal is to remove the significant tree, demolish the existing detached garage, move the significantly nonconforming storage shed out of the street side yard setback, reduce the overheight fence along Roland Drive to three feet, and construct a garage with a dwelling unit above.

Zoning & General Plan Consistency

The subject property is an 8,675 square foot lot, located in the RM-4,000 (Multi-family residential, 4,000 square feet minimum parcel size) zone district, a designation which allows residential uses. A two-unit dwelling group is an allowed use within the zone district if the subject parcel has two times the zone district's minimum parcel size. In this case, the subject parcel is 8,675 square feet in size where 8,000 square feet is the minimum required for a two-unit dwelling group. The parcel's General Plan designation is R-UH (Urban High Residential) which specifies a parcel size ranging from 2,500 to 4,000 square feet. In this case, the parcel exceeds this limit by about 675 square feet. There is not, however, sufficient land with which to add a third dwelling unit, and the proposed dwelling unit brings the parcel into closer conformance with the parcel's **General** Plan designation than it is currently. The owner is aware that, as proposed, a land division would not be possible in the future.

Site Development Standards Table

	RM-4 Standards	Existing / Proposed
Minimum parcel size	4,000	8,000+
Front yard setback:	20 feet	26.5 feet (existing house) 43.25 feet (proposed unit)
Street yard setback:	15 feet	15 feet
Side yard setback:	5 feet	5 feet
Rear yard setback	15 feet	15 feet
Lot Coverage:	30 % maximum	25 %
Building Height:	28 feet maximum	27 feet
Floor Area Ratio (F.A.R.):	0.5:1 maximum (50 %)	31 %
Open Space	200 square feet per unit	200+ square feet per unit
Parking	2 x 2 bedrooms units = 5 (18' x 8.5') spaces + 20% for guest parking	Two spaces within garage Two spaces on driveway One space off of Roland Dr.

Residential Exclusion

This parcel is located within the Coastal Residential Exclusion Area. County Code 13.20.071 (Residential Development – One to four unit exclusion) indicates that if a project is a principal permitted use under the applicable zone district and is between one to four units, then no Coastal Permit is required. Because the zone district use chart indicates that a dwelling group is a principal permitted use for the R-M (Multi-family) zone district, no Coastal Permit is required for this project.

Significant Tree Removal

A Significant Tree Removal Permit is required for trees within the Coastal Zone and with a diameter of 20-inches or greater at breast height (4.5 feet). Being within the residential exclusion does not exempt the project from obtaining a Significant Tree Removal Permit.

The applicant proposes to remove a Douglas fir which meets the County Code definition of a significant tree. An arborist evaluated the tree and found evidence that the tree is distressed. Environmental Planning staff accepted the arborist's conclusion and recommends that the owner plant three replacement trees and record a deed restriction designating the three replacement trees as protected from removal. The applicant has selected three trees from the County's significant tree replacement list to compensate for the loss of the Douglas fir (Exhibit G).

38th Avenue Overlay

The Department of Public Works plans to overlay 38th Avenue this summer. The owner is aware that development should be coordinated with the overlay. If this is not possible, then the owner will be required to pay the Department of Public Works' trench cut fee for cutting into the newly paved surface.

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

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **06-0103**, based on the attached findings and conditions.

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

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

Report Prepared By: Annette Olson
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3134
E-mail: annette.olson@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 residential 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. The proposed garage with a dwelling unit above will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space 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 be made, in that the proposed location of the 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 RM-4,000 (Multi-family residential, **4,000** square feet minimum parcel size) zone district in that the primary use of the property will be a dwelling group that meets all current site standards for the zone district.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban High Residential (R-UH) land use designation in the County General Plan. Although the proposal slightly exceeds the upper end of the R-UH parcel size, there is insufficient land with which to add a third unit on the subject parcel. In addition, given the developed status of the adjacent parcels, it would be impossible to assemble adequate land with which to bring the project into closer conformance with the General Plan designation.

The proposed development will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the garage with a dwelling unit above will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed garage with a dwelling unit above will not be improperly proportioned to the parcel size or the character of the neighborhood as specified in General Plan Policy **8.6.1** (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed garage

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Owner: Charles & Deanna Doty

with a dwelling unit above will comply with the site standards for the RM-4,000 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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 garage with a dwelling unit above is to be constructed on an existing residential lot. The expected level of traffic generated by the proposed development is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads and intersections in the surrounding area.

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

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed development is consistent with the land use intensity and density of the neighborhood.

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Significant Tree Removal Findings

1. That removal is necessary in conjunction with another permit to allow the property owner an economic use of the property consistent with the land use designation of the Local Coastal Program land use plan.

Given the tree's location, the setback and separation requirements of County Code 13.10.323 and the density requirements of the General Plan, the tree removal is necessary to allow the property owner an economic use of the property.

Conditions of Approval

Exhibit A: 3 sheets by Kathleen Church, Architect, dated 6/9/06.

- I. This permit authorizes the construction of a garage with a two-bedroom dwelling unit above. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - C. Obtain a Building Permit from the Santa Cruz County Building Official.
 - 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. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in 8.5" x 11" format.
 2. Grading, drainage, and erosion control plans.
 3. For the three replacement trees, indicate the species selected on the site plan. Trees must be a minimum of 15-gallons in size.
 4. For any structure proposed to be within 2 feet of the maximum height limit for the zone district, the building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above.

This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure.

5. 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. Drainage fees will be assessed on the net increase in impervious area.
 - E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. If required, pay the Department of Public Works trench cut fee to cut into the **38''** Avenue overlay.
 - G. Pay the current fees for Parks and Child Care mitigation for 2 bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom, but are subject to change.
 - H. Pay the current fees for Roadside and Transportation improvements for a new unit. Currently, these fees are, respectively, **\$1,540** and \$1,540 per unit, but are subject to change.
 - I. Provide required off-street parking for **6** cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - C. The project must comply with all recommendations of the approved soils reports.

- D. 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. 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.
- B. The three trees that are to replace the Significant Tree must be maintained in perpetuity. It is the property owner's responsibility to ensure their long-term survival.

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 on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Annette Olson
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: 06-0103

Assessor Parcel Number: 032-041-42

Project Location: 999 38th Ave.

Project Description: Proposal to demolish an existing garage and construct a new garage with a dwelling unit above on a parcel with an existing dwelling to create a dwelling group and removal of a Significant Tree to be replaced with 3 trees.

Person or Agency Proposing Project: Kathleen Church

Contact Phone Number: (831) 477-0106

- 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:

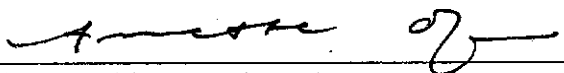
E. ☒ Categorical Exemption

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

F. Reasons why the project is exempt:

Construction of a second dwelling unit in a residential zone.

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

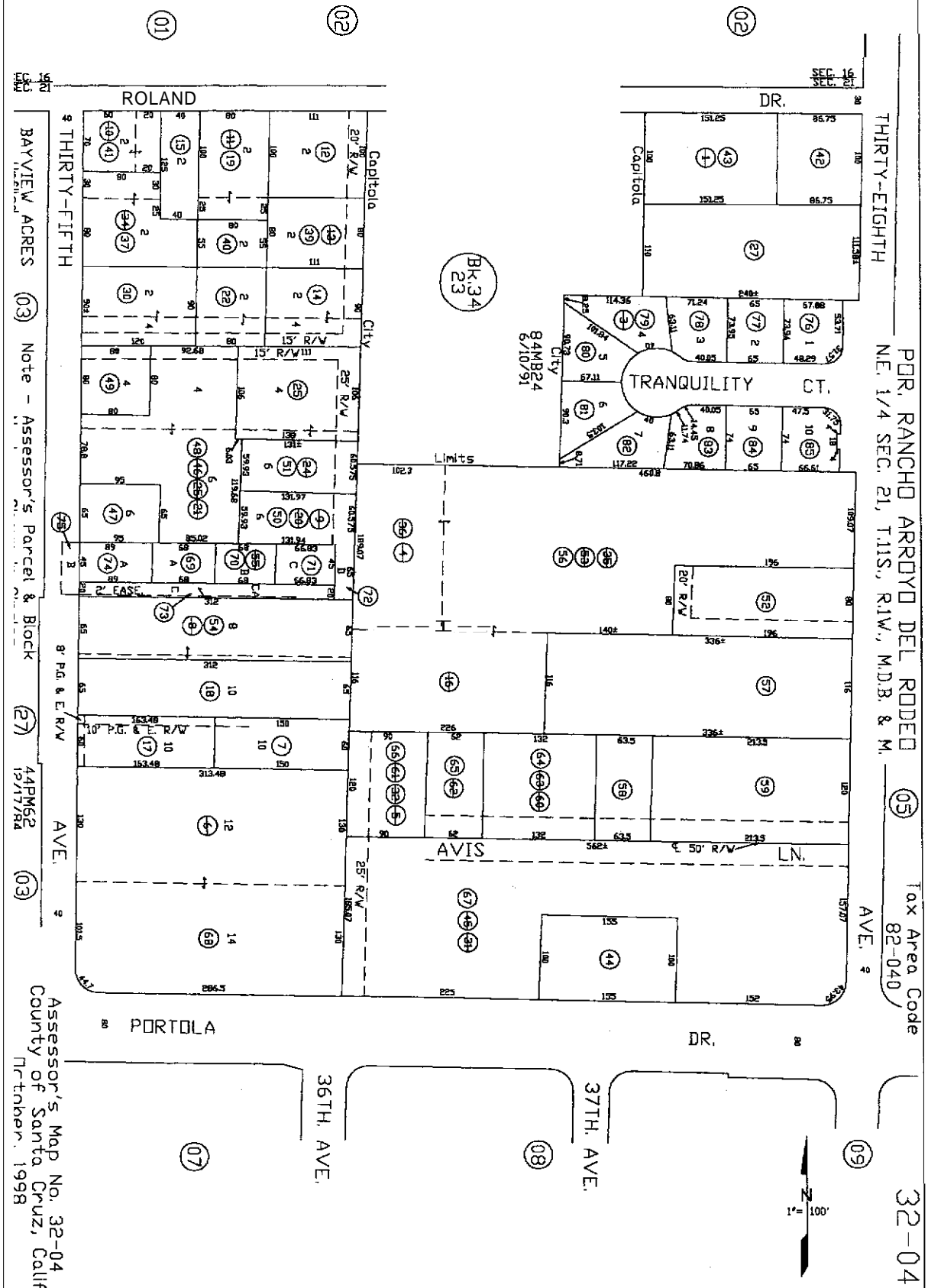


Annette Olson, Project Planner

Date: 8.14.06

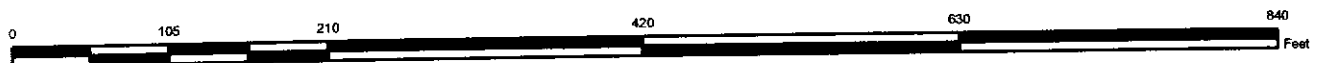
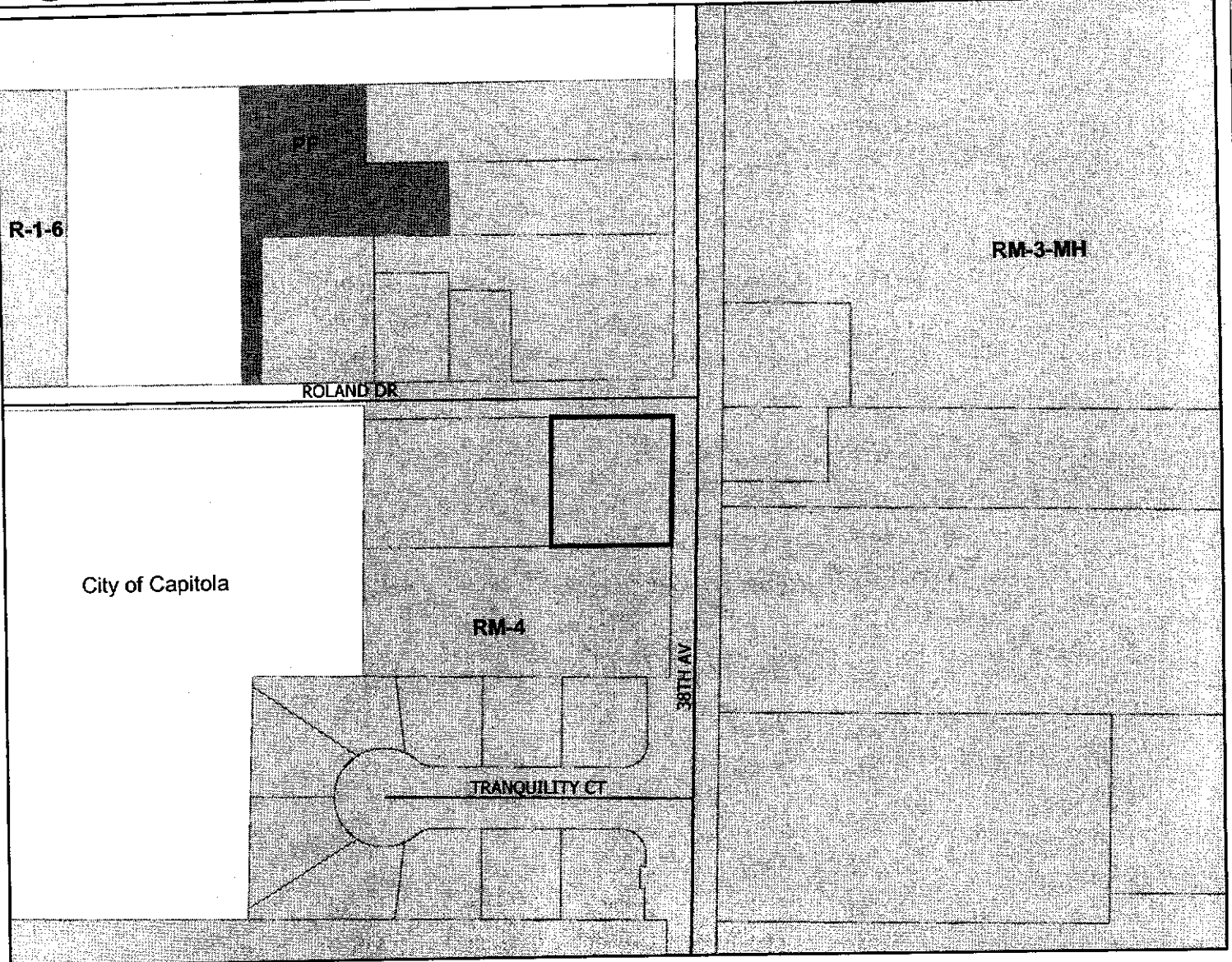
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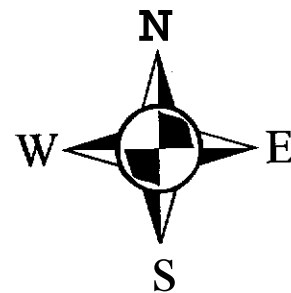


Zoning Map



Legend

-  APN 032-041-42
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-MULTIFAMILY (RM)
-  PUBLIC FACILITY (PF)
-  CITY PROPERTY



Map Created by
County of Santa Cruz
Planning Department
March 2006

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: Annette Olson
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Environmental Planning Completeness Comments

===== REVIEW ON MARCH 10, 2006 BY JESSICA L DEGRASSI =====

The proposed garage/second unit is going to be located very close to an existing large cypress tree. Please provide an arborists report which addresses how the proposed construction of the garage/second unit will affect the tree. The arborist shall make recommendations to preserve this tree, which may result in the relocation of the garage/second unit. ===== UPDATED ON JUNE 15, 2006 BY JESSICA L DEGRASSI =====

complete

Environmental Planning Miscellaneous Comments

===== REVIEW ON MARCH 10, 2006 BY JESSICA L DEGRASSI =====

An erosion and sediment control plan will be required at building permit submittal. This plan shall show how sediment will be prevented from leaving the site. Suggest the use of silt fence or straw bales around the area to be disturbed during construction. ===== UPDATED ON MAY 25, 2006 BY JESSICA L DEGRASSI =====

The large fir tree onsite has been evaluated by a local arborist and is recommended to be removed before construction activities, due to the state of the tree and the constraints of the proposed garage/second unit and required setbacks. The removal of this tree requires a sig tree permit. Condition the development permit to require replacement trees 3:1, the applicant may choose from the sig tree replacement list. Condition permit to require that owner of property consider the replacement trees as sig trees for the lifetime of the planted trees, and shall maintain these trees in good health. They shall be 15 gallon size. ===== UPDATED ON JUNE 15, 2006 BY JESSICA L DEGRASSI =====

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 21, 2006 BY CARISA R DURAN =====

No drainage information has been given to consider acceptance of this application. To be approved by this division at the discretionary application stage, all potential off-site impacts and mitigations must be determined: therefore, proposed projects must conclusively demonstrate that (see drainage guidelines):

The site is being adequately drained

- Site runoff is conveyed to the existing downstream drainage conveyance system or other safe point(s) of release, if taken off-site.

- The project is not adversely impacting roads and adjacent or downslope properties if taken off-site.

Please address the following items:

1) A drainage plan was not submitted in the plans received as required for proposed development. How is roof and other impervious area runoff to be handled for the

Discretionary Comments - Continued

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development? Impervious areas include roofed structures, driveways, parking areas, turnarounds, walkways, patios. etc.

2) Please specify the amount of existing and new impervious surface area that will result from the proposed project.

3) What is the existing drainage pattern (topography)? What will the new pattern be if it is to be altered?

4) Are there any structures in the path of flow that would be impacted by this development in the adjacent parcels?

5) Projects are required to maintain predevelopment rates where feasible. Mitigating measures should be used on-site to limit increases in post-development runoff leaving the site. Best Management Practices should be employed within the development to meet this goal as much as possible. Such measures include limiting impervious areas, using pervious or semi-pervious pavements, runoff surface spreading, discharging roof and driveway runoff into landscaping. etc. Please show proposed mitigations on the plans.

A drainage plan for this project must be included in the plan set for this application. Until further information is submitted addressing the above comments, a thorough review of this application cannot be completed. Once submitted, additional items may need to be addressed before the application can be deemed complete.

This application is for development in Zone 5. For increases in impervious area, a drainage fee will be assessed. The fees are currently \$0.90 per square foot.

All subsequent submittals for this application must be done through the Planning Department. Submittals made directly to Public Works will result in delays.

Further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://w.sccoplanning.com/brochures/drain.htm>

Please call or visit the Dept. of Public Works. Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions. ===== UPDATED ON JUNE 26, 2006 BY CARISA R DURAN =====
2ND ROUTING - 6/26/06

Revised plans dated 6/9/06 were received. Plans submitted address 1st routing comments in addition to the below items as discussed by phone with the architect, Kathleen Church.

1) No change in drainage pattern of driveway.

2) Proposed channel drain and swale will be located in the driveway adjacent to the front of the garage.

The application is deemed complete

Dpw Drainage Miscellaneous Comments

Discretionary Comments - Continued

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

===== REVIEW ON MARCH 21. 2006 BY CARISA R DURAN =====
 No comment. ===== UPDATED ON JUNE 26. 2006 BY CARISA R DURAN =====
 No comment.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MARCH 9, 2006 BY DEBBIE F LOCATELLI =====

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MARCH 9, 2006 BY DEBBIE F LOCATELLI =====
Driveway to conform to County Design Criteria Standards, which includes ADA requirements.

Dpw Road Engineering Completeness Comments

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

REVIEW ON MARCH 21, 2006 BY GREG J MARTIN =====
Roland Drive is approximately 350 feet long with a right-of-way of 30 feet. Roland Drive should meet County Standards for an Urban Local Street with Parking. This requires two 12 foot travel lanes, 6 feet on each side for parking, and separated sidewalks on each side. The right-of-way requirement for this road section is 56 feet. However, we have no objection to an exception for a 30 foot right-of-way. The adjacent properties along Roland Drive have houses built upon them. The existing houses are relatively close to the right-of-way precluding any opportunity to widen the right-of-way.

County Standards for streets may be proposed by showing 1) a typical road section of the required standard on the plans crossed out, 2) the reason for the exception below, and 3) the proposed typical road section. Thirty-eighth Avenue has a right-of-way of 40 feet with a road width of 30 feet and a existing four foot sidewalk along the proposed project-s frontage. ty-eighth Avenue should meet County Standards for an Urban Local Street with Parking. This requires two 12 foot travel lanes, 6 feet on each side for parking. and separated sidewalks on each side. The right-of-way requirement for this road section is 56 feet.

-----However, we have no objection to an exception for a 40 foot right-of-way as the frontage along the property already has existing sidewalk, curb, and gutter. Exceptions to the County Standards for streets may be proposed by showing 1) a typical road section of the required standard on the plans crossed out, 2) the reason for the exception below and 3) the proposed typical road section.

Discretionary Comments - Continued

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The information shown on the plans is incomplete. The parking requirements should be placed on the plans for this two unit dwelling group. It appears that six spaces are required, 3 for each dwelling unit. Each parking space, including those in the garage should be dimensioned and labeled on the site plan. Each dwelling unit should have assigned parking spaces and this should be detailed on the site plan.

The plans are not recommended for approval. No conflict should be created between the parking for each unit with respect to access. Tandem parking spaces are acceptable, however the units may not share a tandem space. A tandem space may not block more than one car from ingressing/egressing the site.

In addition, an accessible sidewalk and associated easement is required around the driveway apron in compliance with the County Design Criteria.

Dpw Road Engineering Miscellaneous Comments

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

===== REVIEW ON MARCH 21, 2006 BY GREG J MARTIN =====
===== UPDATED ON MARCH 23, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

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

===== REVIEW ON MARCH 21, 2006 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

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

===== REVIEW ON MARCH 21, 2006 BY JIM G SAFRANEK =====
NO COMMENT

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: July 3, 2006
TO: Annette Olson, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Applic # **06-0103, 2nd Routing**, APN 032-041-42,999 38" Avenue at Roland Drive, LO

The applicant is proposing to demolish an approximately 450 square foot garage and construct a new detached garage with a two-bedroom dwelling above on a parcel with an existing dwelling to create a dwelling group. The project requires a Residential Development Permit. The property is located on the southwest corner of Roland Drive and 38th Avenue (999 38th Avenue), Live Oak.

This application was considered at Engineering Review Group (ERG) meetings on March 1 and June 21, 2006. The Redevelopment Agency (RDA) previously commented on this application on March 23, 2006. Please see those comments for any remaining unresolved planning considerations (e.g. #s 3, 5 and 6). RDA has the following additional comments on this application. RDA's primary concerns for this project involve the provision of adequate roadside improvements as needed, sufficient onsite parking to serve the units, and adequate consideration of the large tree onsite.


1. The applicant should be advised that a pavement overlay project by Public Works for this portion of 38" Avenue is planned for this summer. The applicant/owner should coordinate the timing of any necessary improvements or tie-ins to facilities (i.e. sewer, water, gas, etc.) in 38th Avenue with Public Works, as a moratorium period may apply after paving that restricts trench cuts into the new pavement.
2. RDA encourages that the mature (116" circumference) Douglas fir tree onsite be protected if possible, and supports Environmental Planning's replacement tree recommendations if the tree must be removed.

The items and issues referenced above should be evaluated as part of this application or addressed by conditions of approval. RDA does not need to see future routings of this project unless more information is provided or changes are proposed relevant to these comments. The Redevelopment Agency appreciates this opportunity to comment. Thank you.

cc: Greg Martin, DPW Road Engineering
Betsey Lynberg, RDA Administrator
Ralph Norberg, DPW/RDA Engineering

Paul Rodrigues, RDA Project Manager
Jan Beautz, 1st District Supervisor

COUNTY OF SANTA CRUZ
Inter-Office Correspondence

DATE: June 30, 2006
TO: Tom Burns, Planning Director
v Annette Olson, Planner
FROM: Supervisor Jan Beautz 
RE: COMMENTS ON APPLICATION 06-0103, 999 38TH AVE,
APN 032-041-42, SECOND ROUTING

This is the second routing of this application to build an additional dwelling on a parcel at 38th and Roland.

In addition to the comments in my memo of March 21, 2006, please consider the following in your review of this application.

This application calls for the removal of a Douglas Fir tree on the south side of the property and states that they will replant three "Significant Trees from list provided by environmental planner." These trees should be of a species that will grow to a significant height in a reasonable amount of time to mitigate the loss of the established significant tree and should be specified now.

There are no elevations on the plans that show the look of the existing dwelling that is to remain. The proposed new building is of a very plain appearance. Photographs should be taken of this and the adjacent property. The County Urban Designer should review this information to see if there is justification for this plain design and if there are features that will improve it without making it out of character with its surroundings. Why are there not photographic renderings of what the units will look like as compared to what is there?

There are still no drainage plans.

JKB:ted

3755C1



Arborist Report

**Doty Residence
999 38th Avenue
Santa Cruz 95062**

May 3, 2006

Assignment:

Assessment of health, stability and structural integrity of a mature specimen of Douglas fir, *Pseudotsuga menziesii*, that is located at the southeast corner of the site. Trunk circumference is **116** inches (abh).

Observations:

The subject exhibits various symptoms associated with distress. Foliar density has diminished so that the canopy is somewhat sparse. Remaining foliage is slightly discolored. Relatively minor stems that have been succumbing to necrosis during the past few years are currently decaying and falling from the canopy. More substantial stems are beginning to succumb to necrosis. Cumulative distress has stimulated a profusion of cones, and copious bleeding of sap from fresh pruning wounds.

Symptoms associated with instability or destabilization have not been observed.

Structural integrity has been severely compromised by disfigurement and subsequent developmental inadequacies. Between approximately twelve and sixteen feet above grade, the main trunk divides into nine vertical trunks. The largest of these trunks is approximately two feet wide. Five are approximately twelve to eighteen inches wide. Two are approximately ten inches wide. The union of the largest trunk and an adjacent trunk exhibits approximately two feet of inclusion. (Bark inclusion is bark that becomes compressed within an acutely narrow union as the associated limbs or trunks expand but are unable to form an intact union through the compressed bark.) The condition of the center of the union of the nine trunks, and the stimulus for their development are unknown. (They apparently developed around the top of the trunk in response to major trunk failure or fracture. Such unions are innately structurally inadequate; particularly as the interior of the damaged main trunks begins to decay.) Decay and deterioration of necrosis within the canopy will continue to enhance structural deficiencies. The species innately exhibits inferior structural integrity.



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Notes:

Surface roots and buttress as high as approximately eighteen inches have caused significant damage to adjacent features. Pavement that is approximately thirty inches from the trunk (above buttress) within an adjacent site has been elevated and severely fractured. Three major roots have created 'Ridges' of displacement within the fractured pavement. One of these ridges extends across the pavement and into a lawn of the adjacent site. A curb at the edge of the pavement, between the pavement and the subject, has been severely fractured and elevated as much as approximately ten inches. The buttress has caused minor lateral displacement of the curb as well.

Development of the site or repair of features at the adjacent site will severely violate the established root system of the subject. The corner of the foundation of a proposed building will be within approximately three feet of the main trunk, and more than eighteen inches deep. The interior of the building will be paved with concrete slab. The extent of excavation necessary for the installation of subterranean utilities is unknown. Such violation would be extremely distressful, and would likely be fatal to the already distressed subject within only a few years. Damage to major roots could potentially contribute to destabilization, or promote root decay, which would also contribute to destabilization.

RE: 16.34.060

16.34.060(b): "Removal is necessary to protect health, safety, and welfare." Structural failure would be extremely hazardous. The subject is within minimal proximity to the associated and neighboring residences, and to 38th Avenue. Structural failure would involve major limbs that are very heavy and very long (they could be hazardous for considerable distances from the actual failure.). Such structural failure will be imminent as necrosis and subsequent decay accelerates.

16.34.060 (d): "Removal will not involve a risk of adverse environmental impacts such as degrading scenic resources." The subject is currently unappealing visually, and will continue to deteriorate. Removal will therefore improve endemic scenic quality.

16.34.060(f): "Removal is necessary in conjunction with another permit to allow the property owner an economic use of the property consistent with the land use designation of the Local Coastal Program Land Use Plan." The proposed building would be very detrimental to the stability of the subject. Such instability would be extremely hazardous, and would become more so as necrosis and subsequent decay accelerates.

Recommendations:

Salvage is impractical. The subject should therefore be removed.
Inspection conducted and report composed by Tony Tomeo, ISA arborist #WE5197A.

May 10, 2006

EXHIBIT G

Charles Doty
115 Darwin Street
Santa Cruz, Ca 95063

cdoty4pw@sbcglobal.net

office (831) 427-3322 or (408) 379-4323 cell (831) 566-8954 fax (831) 427-3012

Date: 7/27/06

To: County of Santa Cruz Planning Department
Application#06-0103 APN 032-041-42
999 38th Ave. @ Roland Drive Santa Cruz, Ca

Attn: **Annette Olson, Development Review Planner**

Dear Annette,

I am responding to the issue of tree replacement at the proposed site of development. From the **Significant Tree Replacement List** I received, I have chosen; **1st Tree; Eucalyptus polyanthemus (Silver Dollar Gum)** to be located on the southeast corner of the property, which is supposed to be a **very fast growing and semi-evergreen** type tree to replace **the** existing Douglas **Fir** that will have to be removed. **For the other two trees along the north border of property** I have chosen the **Lyonothamus floribundus (Catilina Ironwood)** which are native to our area, and should thrive in the type of climate and soil at the site. They will be of the 15 gallon container size as specified. Please contact me if there is any other information you require.

Thank You,

Charles Doty