



Staff Report to the Zoning Administrator

Application Number: **06-0573**

Applicant: Herb Ichikawa
Owner: Gerardo & Andreas Cortes
APN: 026-291-46

Agenda Date: 3/2/07
Agenda Item #: 2
Time: After 1:00 p.m.

Project Description: Proposal to reconstruct a portion of a fire-damaged duplex (18% damaged) including an interior remodel to remove an un-permitted bathroom and recognize a fence exceeding three feet in height within the front yard setback.

Location: Property located on the east side of 7th Avenue about 275 feet south of the intersection with Brommer St. (912 7th Avenue).

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

Permits Required: Coastal Development Permit and Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0573, 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:	19,166(EMIS Estimate)
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential, Commercial and Designated Park Site
Project Access:	7 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UM (Urban Medium Density Residential)

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

Zone District: RM-4 (Multi-family dwelling, 4,000 square foot minimum parcel size)
Coastal Exclusion Zone: X Inside Outside
Appealable to Calif. Coastal Comm. Yes X No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
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: No trees proposed to be removed
scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: X 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 property is currently developed with ~~three~~ structures—a single-family dwelling and two duplexes—which together provide five residences. The singlefamily dwelling appears to be the first structure built on the property as it is identified in the Assessor's records in 1947 with the subject structure appearing in 1948. The second duplex was constructed with a building permit in 1965.

Three discretionary approvals have been granted for this parcel, including permit 981-U allowing the enclosure of garages to be used as living quarters of the subject duplex. This duplex recently had a fire which destroyed a portion of the eastern unit. The current proposal is to rebuild this portion of the duplex, remove an un-permitted bathroom which encroaches into the side yard setback, and recognize an overheight fence. No intensification of use is proposed.

Project Setting

The subject parcel is accessed from 7th Avenue, an arterial roadway connecting Highway 1 with the neighborhoods and beaches to the south. The County of Santa Cruz Redevelopment Agency recently upgraded 7th Avenue with roadside and landscaping improvements. Adjacent to the north of the subject parcel is a six unit multi-family development, and to the south is a

townhouse development. Across 7th Avenue from the subject parcel is a parcel zoned Community Commercial (C-2) which is a designated park sites.

Zoning, General Plan Consistency and Nonconforming Use

The subject property is a 19,166 square foot lot, located in the **RM-4** (Multi-family dwelling, 4,000 square foot minimum parcel size) zone district, a designation which allows residential uses. The five-unit dwelling group, which the subject duplex is a part of, is a principal permitted use within the zone district. It is, however, a nonconforming use because it exceeds the allowable density of the zone district and the general plan designation of (R-UM) Urban Medium Density Residential. In the RM-4 zone district, 20,000 square feet are required for a five-unit dwelling group, but the subject parcel is less than this minimum. Because it is a nonconforming use and the dwelling group precedes the County's requirement for a development permit, up to 100% of the structure may be reconstructed with a residential development permit and public hearing.

County Code 13.10.261(e)3 requires that a special inspection be made by the Building Official to determine the percentage of fire damage. This special inspection **has** occurred and the inspector determined that **18%** of the duplex is fire damaged (see Exhibit C).

The subject parcel is within the Coastal Exclusion Zone and is a principal permitted use. Therefore, no Coastal Development Permit is required.

Significantly Nonconforming Structure

In addition to being a part of a non-conforming use, the subject duplex is a significantly nonconforming structure due to its location within five feet of the 7th Avenue right-of-way. However, no change is proposed as a part of this application to the portion of the duplex within the front yard setback as it was unaffected by the fire.

County Code 13.10.265(g) stipulates that a nonconforming structure damaged by fire may be reconstructed if **less** than 75% of the total length of the structure's exterior walls are damaged. In this case, a special inspection determined that 18% was damaged. Therefore, the duplex can be reconstructed without having to ~~meet~~ the current zone district's site standards.

Local Coastal Program Consistency

The proposed reconstruction of the existing duplex is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain both multi- and singlefamily dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed reconstruction complies with the requirements of the County Design Review Ordinance, in that the proposal seeks to replace in-kind the portion of the duplex damaged by fire. This structure has existed since at least as early as 1948 and no changes are proposed to the existing design. The design of the duplex is not inconsistent with the eclectic range of architectural styles in the area. The mix of finish materials as well as the low-profile of the structure minimizes the duplex's visual impact on surrounding land uses and the natural landscape.

Overheight Fence

This proposal seeks to recognize the existing overheight fence located within the front yard setback. County Code **13.10.525** requires a residential permit for fences which exceed three feet in height within the front yard setback. The existing fence, which exceeds three feet, is constructed of vertical wood boards and spans approximately one-quarter of the 100-foot long parcel frontage.

Given the location of the duplex directly adjacent to the right-of-way, the fence provides the duplex residents a buffer from vehicular and pedestrian traffic. In addition, the fence provides a small safe area for children to play in. The fence poses no line of sight hazard for vehicles exiting the property as it stops well before the driveway. As a condition of approval, staff recommends that landscaping be **installed** and maintained in the area in front of the fence to soften the fence's appearance.

Storage Room

The storage room located on the eastern side of the duplex appears to have been used as a third unit. This proposal will eliminate the un-permitted bathroom which will diminish the likelihood that this space will be used as a separate unit. Nonetheless, staff is recommending two conditions of approval to assure that this area is used only for storage. The first condition would require that the owner record a declaration acknowledging the space as a non-habitable accessory structure. This would ensure that future owners are aware that the building is a duplex, not a triplex. In addition, an operational condition of approval will be to use this area **only** for storage.

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 **06-0573**, 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

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding can be made, in that the property is zoned RM-4 (Multi-family residential, 4,000 square feet minimum parcel size), a designation which allows multi-family residential uses. The subject duplex, and the dwelling group which it is a part of, is a principal permitted use within the zone district. However, the five units on the subject parcel together exceed the allowable density of the zone district and the General Plan designation. The dwelling group pre-dates the requirement for a discretionary permit for this use.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to section 13.20.130 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density; the colors shall be natural in appearance and complementary to the site; the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, as to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the reconstructed duplex will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local ~~coastal~~ program.

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Additionally, duplex and dwelling groups uses are allowed uses in the **RM-4** (Multi-family residential, 4,000 square feet minimum parcel size) zone district of the area, **as well as** the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain singlefamily

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dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

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 reconstruction will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the area of reconstruction 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 reconstruction and the conditions under which it would be operated or maintained will be consistent with the purpose of the RM-4 (Multi-family dwelling, 4,000 square foot minimum parcel size) zone district in that the primary use of the property will be residential and the area of reconstruction will comply with the setback and height restrictions 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 requirements specified for the Urban Medium Density Residential (R-UM) land use designation in the County General Plan. It does, however, exceed the allowable density ~~as~~ the five units were constructed before development permits were required for the use.

The proposed reconstruction will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties. The area of reconstruction meets all current site standards for the zone district ~~as~~ specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the area of reconstruction 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. Although the subject duplex does not meet the 20-foot front yard setback, ~~this~~ portion of the duplex is not proposed to be altered, has existed in the present location since about 1948, and does not adversely shade adjacent properties.

The duplex is not 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 area of reconstruction will comply with the site standards for the RM-4 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.

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 reconstruction is to an existing fire-damaged duplex. The expected level of traffic generated by the proposed project is anticipated to remain at only 2 peak trip per day (1 peak trip per dwelling unit).

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 structure has existed for over fifty years, is located in a mixed neighborhood containing a variety of architectural styles. Although the existing dwelling group exceeds the allowed dwelling unit density, the use has existed for over 35 years and precedes development permit requirements for dwelling groups.

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 reconstruction will be of an appropriate **scale** and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit **A** 3 sheets by Herbert Ichikawa, architect, dated 10/4/06 and revised 12/1/06.

- I. This permit authorizes the remodel of the western duplex on a parcel with a single-family dwelling and another duplex. 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. Provide a landscaping plan for the area in front of the overheight fence to be approved by the County's Urban Designer. The proposed vegetation should be no taller than three feet in height and should soften the appearance of the overheight fence.
 - 4. Add a note to the storage room attached to the eastern side of the duplex that the storage room will have no plumbing and may have insulated or finished walls, but not both.

5. Details showing compliance with fire department requirements, including all requirements of the Urban Wildland Intermix Code, if applicable.
 - 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, if applicable. Drainage fees will be assessed on the net increase in impervious area.
 - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health **Services**, if required.
 - F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - G. 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.
 - H. Complete and record a Declaration of Restriction to maintain the duplex's storage room as a non-habitable accessory structure. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- 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. Any damage to frontage improvements made in the course of exercising this permit must be repaired in-kind consistent with the Department of Public Works Design Criteria and to the satisfaction of the County's Redevelopment Agency.
 - 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. The storage room attached to the duplex must be maintained as a non-habitable accessory structure.
 - 1. All plumbing is prohibited.
 - 2. Kitchen and food preparation facilities are prohibited.
 - 3. The room cannot be rented, let or leased as an independent dwelling unit.
 - 4. The room may not have a separate electrical meter.
- B. 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

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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 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: 06-0573

Assessor Parcel Number: 026-291-46

Project Location: 912 7th Ave.

Project Description: Proposal to reconstruct a portion of a fire-damaged duplex, including an interior remodel to remove an unpermitted bathroom.

Person or Agency Proposing Project: Herb Ichikawa

Contact Phone Number: (831) 689-9794

- 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. ☒ **Cateerical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Reconstruction of an existing residence in an area zoned for residential use.

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



Annette Olson, Project Planner

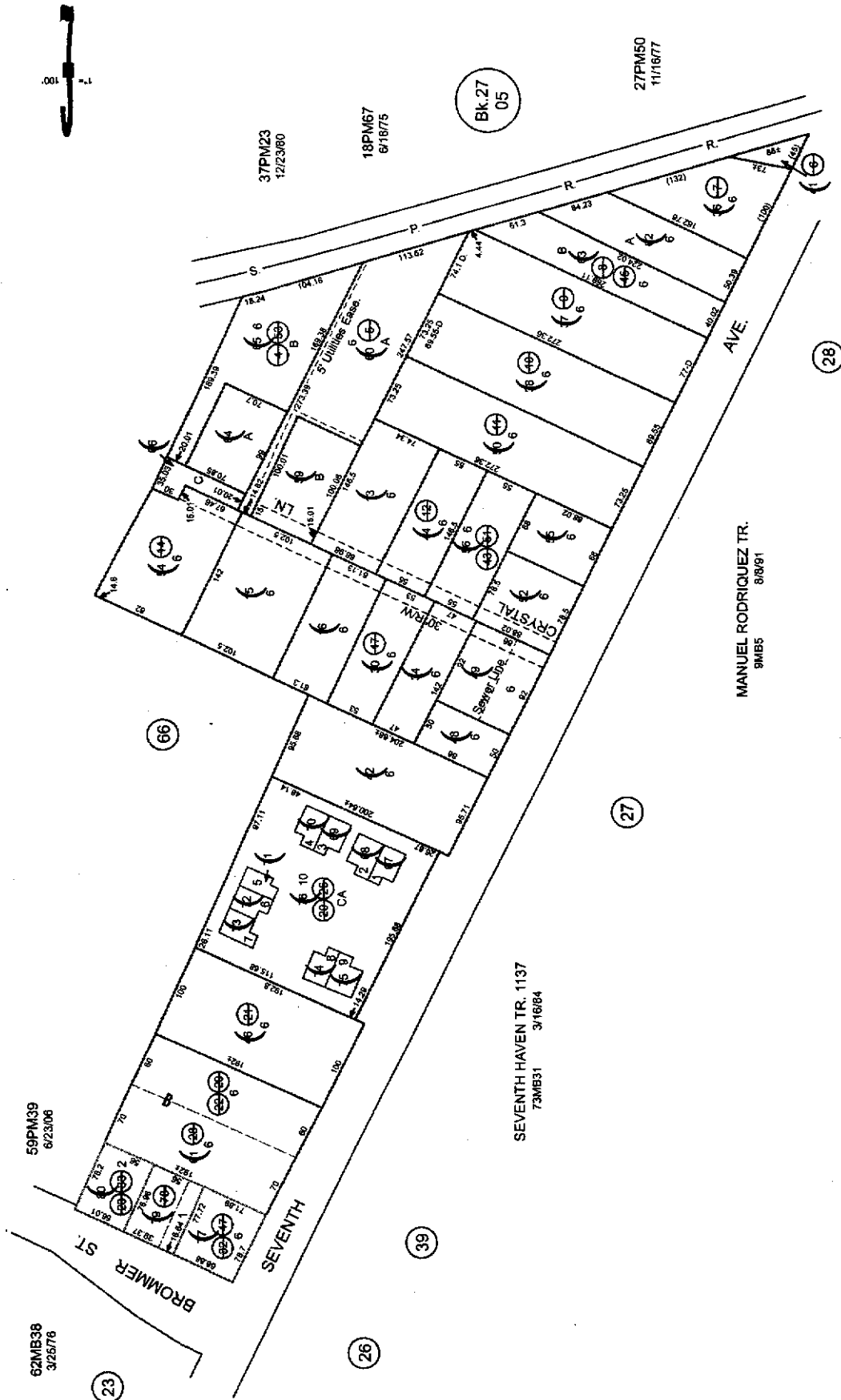
Date: 1/30/07

FOR TAX PURPOSES ONLY

THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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POR. OF S.W. 1/4 SEC. 17,
T.11S., R.1W., M.D.B. & M.

Tax Area Code
82-040



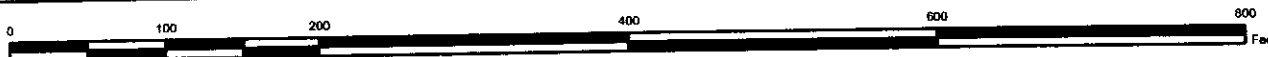
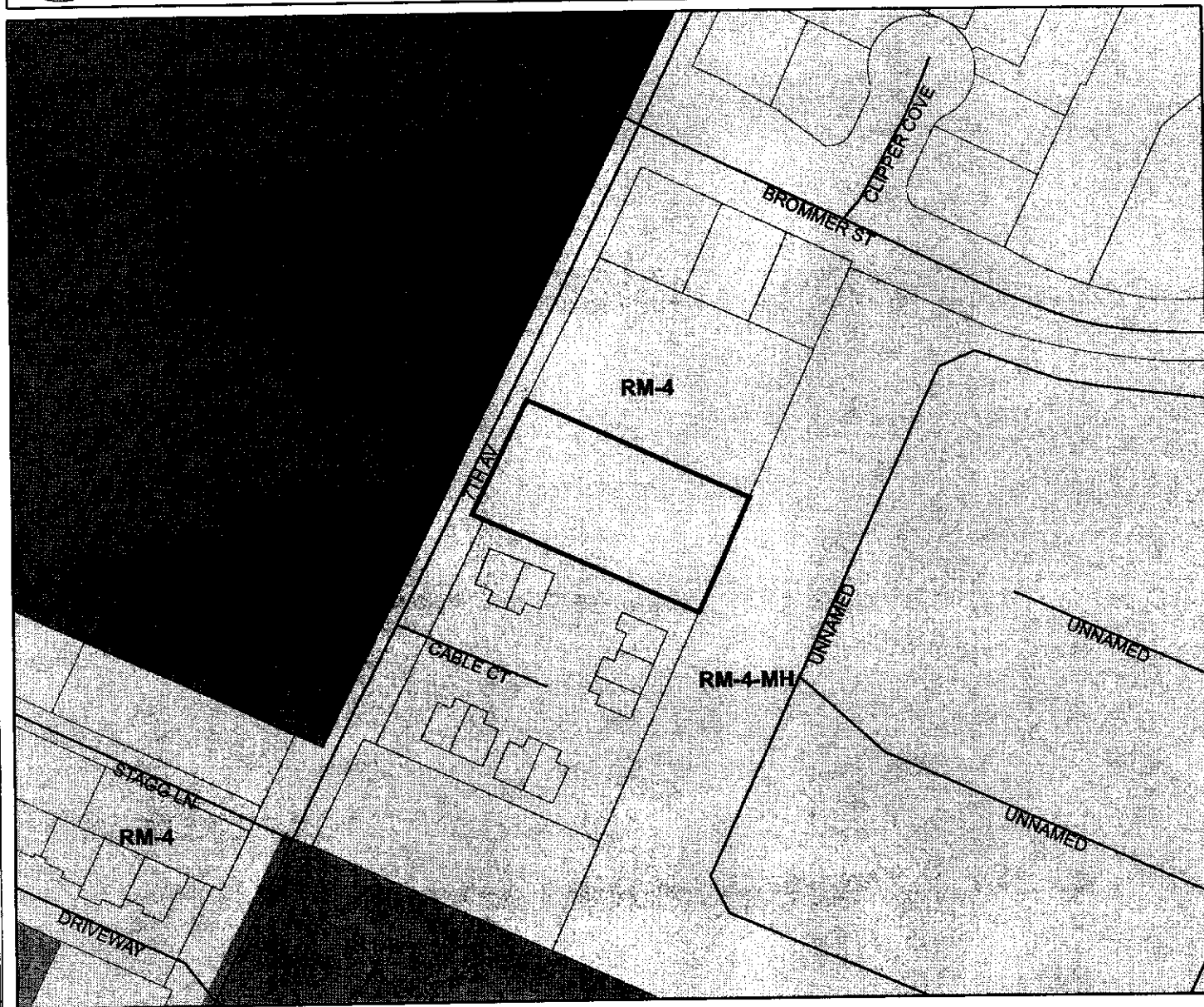
Assessor's Map No. 26-29
County of Santa Cruz, Calif.

Note - Assessor's Parcel Block &
Lot Numbers Shown in Red







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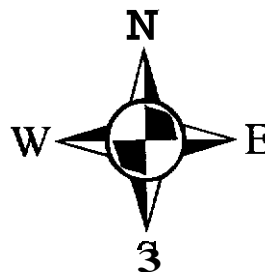


Zoning Map



Legend

-  APN 026-291-46
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-MULTI FAMILY (RM)
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  COMMERCIAL-COMMUNITY (C-2)



Map Created by
County of Santa Cruz
Planning Department
October 2006

7th Ave

DAMAGE ASSESSMENT

All references are for total replacement of the specific element. Adjust as needed.

STRUCTURAL WORK

	<u>1 story</u>	<u>2 story</u>
Foundation	15%	10%
Underfloor Frame	7%	6%
Wall Framing	23%	16% (each story)
Floor/Ceiling Assembly		4%
Roof Framing	15%	10%

TOTAL possible 60%

15% ÷ 2 (7.5)

WALL/ROOF COVERING

Interior	4%
Exterior	7% (includes doors and windows)
Roofing	4%
Insulation	3%

TOTAL possible - 18%

4% ÷ 2 (2)

FIXTURES

Kitchen	5% (includes built-ins only)
Bathroom(s)	4%

TOTAL possible - 9%

9% ÷ 2 (4.5)

PLUMBING

TOTAL possible - 4%

4% ÷ 2 (2)

MECHANICAL

TOTAL possible - 5%

ELECTRICAL

TOTAL possible - 4%

4% ÷ 2 (2)

OTHER STUFF (Inclusion Of these elements could result in totals higher than 100%)

Masonry Chimney	5-10%
Decking	1-10%

TOTAL possible - 20%

BUILDING TOTAL possible - 100%

18%

INTEROFFICE MEMO

APPLICATION N O OW573 (second routing)

Date: December 11, 2006

To: Annette Olson. Project Planner

From: Larry Kasparowitz. Urban Designer

Re: Design Review for reconstruction at 912 Seventh Avenue, Santa Cruz

NO COMMENTS

COUNTY OF SANTA CRUZ
INTER-OFFICE CORRESPONDENCE

DATE: December 22, 2006
TO: Annette Olson, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application #06-0573, 2nd Routing, APN 026-291-46, 912 7th Avenue, S. of Brommer St.,
Live Oak

The applicant is proposing to reconstruct a portion of a fire-damaged duplex (18% destroyed) including an interior remodel to remove an unpermitted bathroom. The project requires a Residential Development Permit for reconstruction of an attached dwelling that is part of a nonconforming dwelling group. The property is located on the east side of 7th Avenue at about 275 feet south of the intersection with Brommer Street (912 7th Avenue).

This application was considered at an Engineering Review Group (ERG) meeting on October 18, 2006 and again on December 20, 2006. The Redevelopment Agency (RDA) previously commented on this application on October 24, 2006 (attached). RDA has the following additional comments regarding the proposed project. RDA's primary concerns for this project involve the identification and protection of newly installed 7th Avenue public road improvements.

1. **See** previous comment #1 (frontage improvements) and #3 (parking onsite) for your information. See previous comment #2, RDA recommends that Planning require as a project condition that any damage to frontage improvements be repaired or replaced in kind by the applicant/owner.
2. RDA recommends that Planning also consider a project condition to soften the over-height fence along the 7th Avenue frontage by requiring the installation of several street trees along the property frontage. The trees should be installed, irrigated and maintained by the property owners. RDA recommends the planting of 3 Chinese Pistache trees at about 16-feet on center to be consistent with the recent improvements along 7th Avenue.

The issues referenced above should be evaluated as part of *this* application and/or addressed by conditions of approval. RDA would like to see future routings of revised plans if there are changes relevant to RDA's comments. RDA appreciates this opportunity to comment. Thank you.

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

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



**CENTRAL
FIRE PROTECTION DISTRICT**
of Santa Cruz County
Fire Prevention Division

930 17th Avenue, Santa Cruz, CA 95062
phone (831) 479-6843 fax (831) 479-6847

Date: December 12, 2006
To: Gerardo and Andrea Cortes
Applicant: Herbert Ichikawa
From: Tom Wiley
Subject: 06-0573
Address: 912 7th Ave.
APN: 026-291-46
OCC: 2629146
Permit: 20060379

We have reviewed plans for the above subject project.

The following NOTES must be added to notes on ~~velums~~ by the designer/architect in order to satisfy District requirements when submitting for Application for Building Permit:

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (2001) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and either SPRINKLERED or NON-SPRINKLERED as determined by the building official and outlined in Chapters 3 through 6 of the 2001 California Building Code (e.g., R-3, Type V-N, Sprinklered).

The FIRE FLOW requirement for the subject property is 1000 gallons per minute for 120 minutes. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

SHOW on the plans a public fire hydrant, meeting the minimum required fire ~~fw~~ for the building, within 250 feet of any portion of the building.

NOTE ON PLANS: New/upgraded hydrants, water storage tanks, and/or upgraded roadways shall be installed PRIOR to and during time of construction (CFC 901.3).

An automatic sprinkler system shall be installed in **any** dwelling when more than 75% of the exterior walls are replaced, rebuilt or altered in **any way** with the exception of replacement of wall coverings.

DELINEATE exterior walls that have been replaced, rebuilt or altered in any way. NOTE the lineal feet of exterior walls. NOTE the lineal feet of exterior walls that have been altered.

If the above outlined condition is true:

NOTE on the plans that the building shall be protected by an approved automatic sprinkler system complying with the edition of NFPA 13D currently adopted in Chapter 35 of the California Building Code.

NOTE that the designer/installer shall submit two (2) sets of plans, calculations, and cut sheets for the

underground and overhead Residential Automatic Sprinkler System to this agency for approval
Installation shall follow our guide sheet.

Show on the plans where smoke detectors are to be installed according to the following locations and approved by this agency as a minimum requirement:

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc).
- One detector in each sleeping room.
- One at the top of each stairway of 24" rise or greater and in an accessible location by a ladder
- There must **be** at least one smoke detector on each floor level regardless of area usage.
- There must **be** a minimum of one smoke detector in every basement area.

NOTE on the plans where address numbers will be posted and maintained. Note on plans that address numbers shall be a minimum of FOUR (4) inches in height and of a color contrasting to their background

NOTE on the plans the installation of an approved spark arrestor on the top of the chimney. Wire mesh not to exceed ½ inch.

NOTE on the plans that the roof coverings to be no less than Class " B rated roof

Submit a check in the amount of \$100.00 for this particular plan check, made payable to Central Fire Protection District. **A \$35.00 Late Fee** may be added to your plan check fees if payment is not received within 30 days of the date of this Discretionary Letter. INVOICE MAILED TO APPLICANT. Please contact the Fire Prevention Secretary at (831) 479-6843 for total fees due for your project.

If you should have any questions regarding the plan check comments, please call me at (831) 479-6843 and leave a message, or email me at tomw@centralFDd.com. All other questions may be directed to Fire Prevention at (831) 479-6843.

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to **correct** any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.
2629146-121206

COUNTY OF SANTA CRUZ
INTEROFFICE CORRESPONDENCE

DATE: October 24, 2006
TO: Annette Olson, Planning Department, Project Planner
FROM: Melissa Allen, Planning Liaison to the Redevelopment Agency
SUBJECT: Application #06-0573, APN 026-291-46, 912 7th Avenue, S. of Brommer St., Live Oak

The applicant is proposing to reconstruct a portion of a fire-damaged duplex (18% destroyed) including an interior remodel to remove an unpermitted bathroom. The project requires a Residential Development Permit for reconstruction of an attached dwelling that is part of a nonconforming dwelling group. The property is located on the east side of 7th Avenue at about 275 feet south of the intersection with Brommer Street (912 7th Avenue).

This application was considered at an Engineering Review Group (ERG) meeting on October 18, 2006. The Redevelopment Agency (RDA) has the following comments regarding the proposed project. RDA's primary concerns for **this** project involve the identification and protection of newly installed 7th Avenue public road improvements.

1. The project Site Plan should accurately reflect existing conditions along the property frontage and the recently installed lower 7th Avenue improvements. All features should be identified in detail (including sidewalk, curb, gutter, drainage improvements, driveway configuration, street trees, landscaping, fences, etc.). The 7th Avenue As-Built plans are available for reference as needed in the Department of Public Works.
2. Any damage or destruction to the new 7th Avenue improvements should be the applicant/owner's responsibility to *repair* or replace in kind, consistent with Public Works Design Criteria standards. Any work within a public right-of-way requires a Public Works Road Encroachment Permit.
3. If an intensification of use is proposed on **this** property, all required parking to serve the units should be provided onsite (with the parking spaces designated, paved, and striped as needed).

The issues referenced above should be evaluated as part of this application and/or addressed by conditions of approval. RDA would like to see future routings of revised plans if there are changes relevant to RDA's comments. RDA appreciates this opportunity to **comment**. *Thank you.*

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

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



County of Santa Cruz

HEALTH SERVICES AGENCY

701 OCEAN STREET, ROOM 312, SANTA CRUZ, CA 95060-4073

(831)454-2022 FAX: (831) 454-3128 TDD: (831) 454-4123

www.co.santa-cruz.ca.us/eh/ehhome.htm

ENVIRONMENTALHEALTH

December 28,2006

Gerardo O. & Andrea Cortes
4464 Ranchero Dr.
Soquel, CA 95073

Subject: Notice and Order to Abate for 913 7th Ave., Santa Cruz (APN: 026-291-46)

Dear Mr. & Mrs. Cortes:

On December 5, 2006 this Office received an environmental nuisance complaint against your property alleging that at the above address there is a rodent nuisance.

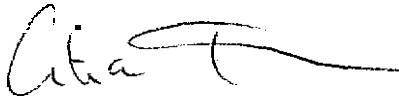
Please abate the environmental nuisance **and** comply with state and local codes by accomplishing the item noted below:

- Ensure all garbage and rubbish is held in vermin proof containers and removed from the property on a weekly basis.
- Keep vegetation and weeds trimmed to allow visual access and remove rodent habitat.
- Remove all stored unused vehicles and objects from the property.
- Do not keep pet or bird food outside.
- Store firewood and lumber away from buildings and at least 18" from the ground.
- Contact a licensed pest control operator prior to clearing vegetation to prevent rodents from migrating to nearby dwellings when their habitat is disturbed

You may appeal this order of abatement by filing a written appeal, specifying the grounds upon which it is made, accompanied by a \$75.00 appeal fee, to the County's Hearing Officer within 10 days from the receipt of this notice. The order to abate will be stayed pending the appeal.

The Environmental Health Service appreciates your cooperation in this matter. Failure to comply with environmental health and sanitation codes prior to January 11,2007, may result in legal action to assure compliance. By Resolution of the Board of Supervisors, a \$150.00 reinspection fee will be charged when violations noted are not corrected prior to the reinspection date. If you have any questions, please telephone me at (831) 454-2752 between 8:00 – 9:00 a.m., Monday through Friday.

Sincerely,



Celia Brown
Senior Registered Environmental Health Specialist

✓cc: Annette Olsen, County Planning,

Complainant: Please advise if action is not taken within 10 working days or we will close our file.

HSA-92.L CO# 4479 PE# 4499