



Staff Report to the Zoning Administrator

Application Number: **07-0150**

Applicant: Andrew & Kathryn Jones,
c/o Powers Land Planning, Inc.

Agenda Date: 5/16/08

Owner: Andrew & Kathryn Jones

Agenda Item #: 3

APN: 027-082-12

Time: After 10:00 a.m.

Project Description: Proposal to construct a two-story single-family dwelling of about 2,700 square feet (with a basement) which requires a Variance to reduce the front yard setbacks from 20 to 15 feet for a double frontage lot and Riparian Exception to reduce the setback from Schwan Lake from 100 feet to approximately 94 feet, and construct a decomposed granite driveway for access to an existing sanitary sewer.

Location: Property located at the end of Eaton Street at Ninth Avenue, between the driveway to 909 Eaton and 462 Ninth Avenue.

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

Permits Required: Coastal Development Permit, Development Permit, Variance and Riparian Exception

Technical Reviews: Soils Report Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0150, 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) | H. Board of Supervisors Letter from DPW dated August 16, 2007 |

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

Parcel Information

Parcel Size: 5,713 square feet (5,110 net site area)
Existing Land Use - Parcel: Vacant except for a shed
Existing Land Use - Surrounding: Residential
Project Access: Eaton Street and Ninth Avenue
Planning Area: Live Oak
Land Use Designation: U-O, R-UH
(Urban Open Space, Urban High Residential)
Zone District: R-1-3,500 (Single-family Residential (3,500 minimum site area))
Special Community: Harbor Area Special Community
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Soils report accepted
Fire Hazard: Not a mapped constraint
Slopes: Minimal change in elevation across lot
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: Approximately 220 cubic feet including basement, per applicant
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Drainage plan submitted
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: County of Santa Cruz County Sanitation District
Fire District: Central Fire Protection District
Drainage District: Zone 5

Project Setting & History

The subject parcel is located in the Harbor Area Special Community where Ninth Avenue and Eaton Street meet. To the north and east of the parcel is Schwan Lake, a state park. The lake is approximately 40 feet below the elevation of the parcel and the bank slopes steeply to the water. To the south and west of the parcel is residentially-zoned land developed with single-family dwellings. Vegetation-- including oaks, ivy and acacia trees-- is located along the banks of the lake.

A driveway runs through the subject parcel's northwest corner and continues north to a single-family dwelling. The subject property is developed with a shed which is to be demolished to

make room for the proposed dwelling. In addition, a sanitary sewer and manhole are located on the east side of the property.

This neighborhood was part of Subdivision No. 2 of Twin Lake Park which was recorded in 1890. The subject parcel had been held as a part of APN 027-082-01. In 2004, a previous owner applied for a lot legality determination/certificate of compliance to confirm that APN 027-082-01 was comprised of two legal lots of record, the subject parcel being one of these. An unconditional certificate of compliance was approved for both parcels on July 19, 2004. On April 6, 2005, the property owner were granted a judgment for half of the Schwan Lake right-of-way. This has been incorporated into the subject property.

The current proposal is to construct a single-family dwelling and a decomposed granite driveway for access to the sanitary sewer on the subject parcel.

Zoning & General Plan Consistency

The subject property is a 5,713 square feet lot, located in the R-1-3,500 (Single-family Residential, 3,500 minimum site area) zone district, a designation which allows residential uses. With the deduction of the driveway easement running through the property, the net site area is 5,110 square feet (see survey, sheet S1 of Exhibit A). The proposed single-family dwelling is a principal permitted use within the zone district and the project is consistent with the site's Urban Open Space, Urban High Residential General Plan designation. The project complies with the County's requirements for floor area ratio, lot coverage, height, parking and all setbacks except for the front yard setbacks for which the owner requests a variance.

Variance

The owner requests a variance to reduce both the front yard setbacks from 20 to 15 feet. A variance to site standards is possible when, because of special circumstances applicable to the property, the application of the Zoning Ordinance would deprive the property of privileges enjoyed by other property in the vicinity. In this case two special circumstances apply: the amount of area devoted to setbacks and the location of a driveway easement which renders a piece of the parcel unusable for development.

Because the parcel is greater than 5,000 square feet and is within the R-1-3,500 (Single-family residential, 3,500 square foot minimum site area), the front setback is 20 feet instead of the 15 feet required of parcels less than 5,000 square feet. Of the parcel's 5,110 square feet net site area, a triangular piece of about 490 square feet of it is isolated from the rest of the parcel by the driveway easement that runs through the northwest corner. This easement renders almost 500 square feet of the parcel as unusable for development, yet this area contributes to the parcel being over 5,000 square feet and triggers the 20-foot setback requirement. Without this triangular piece of land, the parcel would be less than 5,000 square feet and the front yard setbacks would be the proposed 15 feet, not 20 feet. This constitutes a special circumstance in that no other parcel in the vicinity is constrained in this manner.

An additional special circumstance is the substantial amount of the parcel devoted to setbacks as a result of the parcel's shape, its adjacency to Schwan Lake which requires a 100-foot riparian

setback, the driveway easement which makes the parcel a corner lot and requires a street side yard setback, and the location of the parcel between two rights-of-way—Ninth Avenue and Schwan Lake Drive—which requires front setbacks on both frontages.

The parcel is wider than it is deep. With 90 feet of frontage and a rear property line that is over 90 feet long, the parcel has double the area devoted to the front yard setbacks of the surrounding parcels which are just 40 feet wide (see Assessor's parcel map, Exhibit E). In addition, because the parcel is adjacent to Schwan Lake, it must observe a 100-foot riparian setback. Although this proposal seeks a riparian exception for about 88 square feet of the structure, most of the structure observes this setback which takes up about 300 square feet beyond the rear yard setback. Because of the driveway easement, this parcel is a corner parcel and a street side yard setback from the easement is required. Last, due to the parcel's adjacency to both Ninth Avenue and Schwan Lake Drive, the front yard setback must be applied to both frontages. With the various setbacks accounted for and the triangular piece of land discussed above deducted, only about 1,500 square feet are available for development. Because the parcel exceeds 5,000 square feet, it is required to have 20-foot front yard setbacks, but the usable portion of the parcel more closely parallels that of the smaller parcels in the area that have a 15-foot setback.

In addition to the reasons noted above, a variance is warranted for the setback from Schwan Lake Drive in that Schwan Lake Drive will *never* be developed as a vehicular right-of-way. This is particularly evident relative to the subject parcel given that a judgment was awarded to the property owners for the western half of the right-of-way abutting their property. Since no vehicular traffic will use the remaining portion of the right-of-way, concerns about vehicular/structure conflicts and line of sight issues are moot. Although Schwan Lake Drive is shown on the parcel map as a vehicular right-of-way, functionally it is not, nor will it ever be, one. Therefore, a variance to the 20-foot setback is reasonable since a 15-foot setback will provide a sufficient buffer between the eastern property line and the proposed dwelling.

Finally, the Harbor Area Special Community Design Criteria states that, "Setbacks should conform to that predominant for other houses on the street" (County Code 13.20.144). The applicant has documented the setbacks along the east side of Ninth (see Attachment G) and found that the average setback, depending on how it is calculated, ranges from 12'3" to 13'6". Therefore, a 20-foot setback would be excessive given the intent of the Harbor Area Special Community Design Criteria to build new dwellings to conform to the existing pattern of setbacks. The proposed variance to allow a 15-foot setback more closely parallels the existing setbacks.

Local Coastal Program Consistency

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. Although the project site is located between the shoreline and the first public road, it is not identified as a priority acquisition site in the County's Local Coastal Program. No public pedestrian access is proposed as a part of this application.

Design Review

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as tucking most of the second floor into the roof to reduce the apparent mass and bulk of the structure. In addition, the garage will be a "swing garage" so the broad expanse of the garage door will not be visible from the Eaton Street and Ninth Avenue. The structure is well-articulated with a varied roofline that further reduces the apparent mass and bulk of the dwelling.

The applicant submitted a color board for the proposed structure showing most of the body of the structure as being painted dark green with red colored trim and a reddish colored roof (Exhibit A). Initially, staff was concerned that the roof color would be too bold a color for this sensitive site adjacent to Schwan Lake, particularly given the steep pitch of the roof. The applicant, however, clarified that the roof material is more brown than red with a color board from the roofing manufacturer (also Exhibit A). The County's Urban Designer reviewed and accepted the proposed colors.

This parcel is part of the Harbor Area Special Community for which there are specific design criteria. County Code 13.20.144 identifies the Harbor Area as a special community and specifies the following:

New development in the single-family (R-1) parts of the Harbor Area Special Community shall incorporate the characteristics of older dwellings in the area, e.g., the small scale, clean lines, pitched roofs, wood construction, and wood siding. Setbacks should conform to that predominant for other houses on the street.

The proposed design has been reviewed by the County's Urban Designer and will have clean lines, a pitched roof and wood construction which comply with the Harbor Area Special Community design criteria. The house will be finished with shingles and a small area of stucco on the north elevation. Although the structure is larger than the original vacation cottages in the area, given that the second floor is mostly incorporated into the roof and the simple fenestration of the front elevation, it will appear to be a relatively modest structure from Ninth Avenue and Eaton Street. The existing vegetation will screen the view of the structure across Schwan Lake.

Basement

This proposal includes an approximately 332 square foot basement that is accessed by a staircase from the utility area of the garage. The basement meets the County Code definition of basement in that more than 50% of the basement's exterior perimeter wall is below grade and no portion of the of the perimeter exterior wall exceeds 5 feet 6 inches above the exterior grade. Because the ceiling is less than 7 feet 6 inches, it is not included in the floor area ratio calculation. To ensure that the basement is constructed as designed, a condition of approval is proposed which would require that the building plans provide the finished slab elevation of the basement and finished floor elevations for the two floors above.

Sanitary Sewer

An older, vitrified clay sanitary main and a manhole are located between the proposed dwelling and Schwan Lake. The Department of Public Works, Sanitation is requiring the project to upgrade the vehicular access to this sewer line which needs infrequent maintenance. Although the Department of Public Works intends to eventually abandon this sewer line, there is no timeline established for this to occur. Incremental efforts to abandon the sewer line, however, have begun. On August 16, 2007, the Board of Supervisors approved a proposal in which the property owner will reconnect the sewer lateral on the subject property (and the lateral on an adjacent property which they own) to the new sewer main located in Ninth Avenue and provide a 12-foot wide driveway to the manhole (see Board Letter dated August 16, 2007: Exhibit H).

Riparian Exception

As noted above, the parcel is located adjacent to Schwan Lake. The setback from the lake is 100 feet and the proposed dwelling has three corners that encroach into that setback (for a total of approximately 88 square feet). These encroachments require a Riparian Exception. The driveway to the manhole which was required as a part of the August 16, 2007 Board of Supervisors action described above, represents a significant disturbance. Since this driveway is between Schwan Lake and the proposed dwelling, any encroachment of the dwelling into the setback will be into an area of existing disturbance. Therefore, Environmental Planning staff supports this riparian exception.

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 **07-0150**, 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

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Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

The finding can be made in that the subject parcel's shape, the amount of area devoted to setbacks and the location of a driveway easement which renders a piece of the parcel as unusable for development, constitute a special circumstance, and the strict application of the Zoning Ordinance would deprive the subject property of privileges enjoyed by other property in the vicinity under the identical zoning classification.

Because the subject parcel is greater than 5,000 square feet in the R-1-3.5 zone district (single-family dwelling, 3,500 square feet minimum parcel size), the front yard setback is required to be 20 feet. This proposal seeks a variance to reduce the front yard setback to 15 feet, which is the required setback for parcels in this zone district which are less than 5,000 square feet.

The buildable portion of this parcel (5,110 square foot net site area; 5,713 square feet gross) is limited to the southwest portion of the parcel due to the riparian setback to the east and a driveway easement which runs through the parcel's northwest corner. This driveway easement effectively severs an approximately 490 square foot piece of land from the rest of the parcel. The special circumstance is that this triangular piece of land contributes to the parcel size being over 5,000 square feet yet cannot be built upon due to the location of the driveway. Without this piece of land, the property would be less than 5,000 square feet and the required front yard setback would be 15 feet which is the setback that the applicant proposes for this variance.

An additional special circumstance is the substantial amount of the parcel devoted to setbacks as a result of the parcel's shape, its adjacency to Schwan Lake which requires a 100-foot riparian setback, the driveway easement which makes the parcel a corner lot and requires a street side yard setback, and the location of the parcel between two rights-of-way—Ninth Avenue and Schwan Lake Drive—which requires front setbacks on both frontages. The parcel is wider than it is deep. With 90 feet of frontage and a rear property line which is over 90 feet long, the parcel has double the area devoted to the front and rear yard setbacks of the surrounding parcels which are just 40 feet wide (see Assessor's parcel map, Exhibit E). In addition, because the parcel is adjacent to Schwan Lake, it must observe a 100-foot riparian setback. Although this proposal seeks a riparian exception for about 88 square feet of the structure, most of the structure observes this setback which takes up about 300 square feet beyond the rear yard setback. Because of the driveway easement, this parcel is a corner parcel and a street side yard setback from the easement is required. Last, due to the parcel's adjacency to both Ninth Avenue and Schwan Lake Drive, the front yard setback must be applied to both frontages. With the various setbacks accounted for and the triangular piece of land discussed above deducted, only about 1,500 square feet are available for development. Because the parcel exceeds 5,000 square feet, it is required to have 20-foot front yard setbacks, but the usable portion of the parcel more closely parallels that of the smaller parcels in the area that have a 15-foot setback. Therefore, requiring the project to meet the 20-foot front yard setbacks would deprive the property owners of privileges enjoyed by other property owners in the vicinity who own property with the identical zoning classification.

In addition to the reasons noted above, a variance is warranted for the setback from Schwan Lake Drive in that Schwan Lake Drive will never be developed as a vehicular right-of-way. This is particularly evident relative to the subject parcel given that a judgment was awarded to the property owners for the western half of the right-of-way abutting their property. Since no vehicular traffic will use the remaining portion of the right-of-way, concerns about vehicular/structure conflicts and line of sight issues are moot. Although Schwan Lake Drive is shown on the parcel map as a vehicular right-of-way, functionally it is not, nor will it ever be, one. Therefore, a variance to the 20-foot setback is reasonable since a 15-foot setback will provide a sufficient buffer between the eastern property line and the proposed dwelling.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

The intention of requiring parcels over 5,000 square feet to have an increased front yard setback is to diminish the visual impact to the streetscape of the larger sized house that is possible with a larger parcel. This variance would be in harmony with the intent of this objective due to the parcel's shape. The parcel is unusually wide along the Ninth Avenue frontage. Most parcels in the area have 40 feet of frontage where the subject parcel has 90 feet. Given this and the fact that about 50 percent of the frontage will have no structure behind it due to the unbuildable triangle discussed above, the driveway and 10 foot street yard setback from the driveway, the proposed structure's impact on the Ninth Avenue streetscape will be mitigated by this open area and the intent of the zoning objective will be met.

In addition, the Harbor Area Special Community Design Criteria states that, "Setbacks should conform to that predominant for other houses on the street." (County Code 13.20.144). The applicant has documented the setbacks along the east side of Ninth (see Attachment G) and found that the average setback, depending on how it is calculated, ranges from 12'3" to 13'6". Therefore, a 20-foot setback would be excessive given the intent of the Harbor Area Special Community Design Criteria to build new dwellings to conform to the existing pattern of setbacks. The proposed 15-foot setback is much closer to the average setback for the eastern side of Ninth Avenue and, when other properties are redeveloped, it is the setback that most structures will meet. The proposed 15-foot front yard setback will therefore be in harmony with the general intent and purpose of zoning objectives. In addition, the proposed setback will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that reducing the required setback to that of the existing pattern of development will have no such consequence.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made in that the Harbor Area Special Community design criteria specifically stipulates that setbacks should conform to that predominant for other houses on the street (see finding two above). Since most setbacks are less than 15 feet, the granting of a variance to allow a front yard setback of 15 feet rather than 20 feet does not constitute a grant of special privileges.

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In addition, any parcel in the vicinity which is constrained in the same way (see finding one) would be a candidate for a variance.

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 R-1-3,500 (Single-family Residential, 3,500 minimum site area), a designation that allows residential uses. The proposed single-family dwelling is a principal permitted use within the zone district, consistent with the site's Urban Urban High Residential/Open Space (R-UH/U-O) General Plan designation.

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

This finding can be made, in that 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; and the colors shall be natural in appearance and complementary to the site.

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 although the project site is located between the shoreline and the first public road, it does not appear to provide access to Schwan Lake. Consequently, the single-family dwelling will not interfere with public access to the beach, ocean, or any nearby body of water. Access to Schwan Lake is available one block to the south. 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, residential uses are allowed uses in the R-1-3,500 (Single-family Residential, 3,500 minimum site area) zone district of the area, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single-family dwellings. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The style of the proposed dwelling conforms to the Harbor Area Special

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Community design criteria in that the structure will have clean lines, a pitched roof, wood construction, and wood siding.

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 California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks, except for the front yard setbacks, that ensure access to light, air, and open space in the neighborhood. Although a variance is requested for the front yard setbacks, these setbacks will not affect adjacent properties' solar access as the greatest impact will be to Ninth Avenue and Eaton Street, and the nearest neighbor is to the south.

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 single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-3,500 (Single-family Residential, 3,500 minimum site area) zone district in that the primary use of the property will be one single-family dwelling that meets all current site standards for the zone district except for the front yard setbacks for which a variance is requested.

There is a small encroachment, about 88 square feet, into the riparian setback of Schwan Lake. However, findings can be made for an exception and the project is consistent with Chapter 16.30 (Riparian Corridor and Wetlands Protection).

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/Open Space (R-UH/U-O) land use designation in the County General Plan.

The proposed single-family dwelling 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, except for the front yard setback, as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single-family dwelling will not adversely shade adjacent properties, and will meet current setbacks, except for the front yard setbacks, for the zone district that ensure access to light, air, and open space in the

neighborhood. Although a variance is requested for the front yard setbacks, this setback will not affect adjacent properties' solar access as the greatest impact will be to Ninth Avenue and Eaton Street, and the nearest neighbor is to the south.

The proposed single-family dwelling 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 single-family dwelling will comply with the site standards for the R-1-3,500 zone district, except the front yard setbacks, and will result in a structure consistent with a design that could be approved on any similarly sized and constrained lot in the vicinity (see Variance Findings).

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 single-family dwelling is to be constructed on an existing lot which is currently developed with a shed. The expected level of traffic generated by the proposed project is anticipated to be only peak trip per day (1 peak trip per dwelling unit), and 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 single-family dwelling is consistent with the land use intensity and density of the neighborhood.

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 single-family dwelling 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.

Riparian Exception Findings

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

The special circumstance that affects the property includes the condition from Department of Public Works Sanitation department. This department will be requiring an upgrade to the existing access road located between the proposed development and Schwan Lake. This road will be a 12-foot wide baserock access road to an active sewer manhole located on the subject property. Due to the area of disturbance between the new single-family dwelling and the lake, the encroachment of the new dwelling into the riparian setback will not pose a threat to the riparian corridor of Schwan Lake.

2. That the exception is necessary for the proper design and function of some permitted or existing activity on the property;

The exception is necessary for the proposed single-family dwelling, as it partially encroaches into the required setback from Schwan Lake.

3. That the granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area in which the project is located;

The granting of the exception will not be detrimental to the public welfare or injurious to other property downstream or in the area where the project is located. Construction activities shall be properly controlled to prevent sediment from leaving the site during the rainy season. A detailed erosion and sediment control plan shall be submitted as part of the building permit application.

4. That the granting of the exception, in the Coastal Zone, will not reduce or adversely impact the riparian corridor, and there is no feasible less environmentally damaging alternative;

The granting of the exception will not reduce or adversely impact the riparian corridor due to the reasons stated in finding number 1. The proposed development does not impact any riparian species located on the parcel.

5. That the granting of the exception is in accordance with the purpose of this chapter, and with the objectives of the General Plan and elements thereof, and the Local Coastal Program Land Use Plan.

The granting of the exception is in accordance with the purpose of the Riparian Corridor Protection Ordinance and the objectives of the General Plan, as well as the Local Coastal Program. In order to protect and enhance the riparian corridor all landscaping within the riparian corridor (within 110-feet of the edge of the lake) shall be native riparian species, an asphalt curb or earth berm shall be constructed at the entrance to the public works access road and no structures shall be placed on the lakeside of the public works access road.

Conditions of Approval

Exhibit A: 7 sheets total: Three sheets by Dennis Britton Residential Design: site plan revised 1/23/08, floor plans dated 3/4/07, elevations, dated 3/4/07; Two sheets by Brian Keller Design Detail: landscape plan revised 1/11/08, design detail dated 1/11/08; One sheet by D.B. "Data Calculations" dated 3/16/07; One sheet by Gary Ifland & Assoc., "Exhibit" dated 2/5/07.

- I. This permit authorizes the construction of a single-family dwelling with a basement and a driveway for access to the existing sanitary sewer. 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. Any existing sewer laterals must be abandoned as specified by and to the satisfaction of the Department of Public Works, Sanitation.
 - C. Obtain a Demolition Permit from the Santa Cruz County Building Official.
 - D. Obtain a Building Permit from the Santa Cruz County Building Official.
 - E. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - F. 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. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color

and material board in 8 ½" x 11" format for Planning Department review and approval

2. Detailed grading, erosion and sediment control plans.
 - a. Submit the proposed grading volumes and the extent of all grading to be performed. Include the grading required for the overexcavation and recompaction of soils beneath pavements and exterior concrete flatwork. The lateral extents of overexcavation and recompaction shall be shown in the plan view and the depth of overexcavation shall be shown on the structural section of the driveway surfacing.
 - b. The overflow from the detention chamber is currently directed toward the slope. This is in direct conflict with the soils report recommendation. Revise the plans to show the drainage being directed away from the slope or provide a berm or other diversionary structure to preclude runoff from flowing over the slope as approved by the soils engineer.
3. Provide a complete drainage plan that satisfies the requirements of the Department of Public Works, Storm Water Management section, including:
 - a. The perforated pipe(s) within the brick wall need to have maintenance access points provided that enable inspection and cleanout/flushing of the perforated pipe from any debris that enters. A sump and/or filter screen is also required to provide reasonable upstream protection of the perforated pipe(s) from debris entry. See County Design Criteria, Part 3, Section G, 5 or Section H, 7 for contaminant screening criteria.
 - b. It is recommended that the perforated pipe, to the extent possible, be elevated to a higher point within the gravel bed to enhance the length of the routing path through the gravel fill. This will also simplify access and debris sump design.
4. To ensure that the height of the basement is constructed such that it is less than 7 feet 6 inches, the building plans must provide the finished slab elevation at the basement and finished floor elevations for the two floors above. These must be shown on a cross-section. In addition, add a note that the final height between the bottom floor joists and the top of the basement slab must be less than 7 feet 6 inches.
5. 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. Maximum height is 28-feet.

6. All landscaping within the riparian corridor (within 110 feet of the edge of Schwan Lake) shall be native riparian species. An asphalt curb or earth berm shall be constructed at the entrance to the Department of Public Works' access road. No fences shall be placed across the Public Works access road. No structures shall be placed on the lake side of the public works access road.
- C. The owner shall comply with the conditions enumerated in the August 16, 2007 Board of Supervisors letter:
1. The applicant shall reconnect all sewer laterals on APN 027-082-02 and APN 027-082-12 to the existing sewer main in 9th Avenue and repave that portion of the roadway at their cost.
 2. The private force main shall be connected to the sewer main in 9th Avenue through a 12-foot driveway at the applicant's cost.
 3. The house proposed under application 07-0150 shall be connected to the sewer main in 9th Avenue.
- D. 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.
- E. 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.
- F. Meet all requirements and pay any applicable fees of the Central Fire Protection District.
- G. Meet all requirements and pay all required fees of the City of Santa Cruz Water District. These requirements may include the extension of approximately 20 feet of water main, the relocation of the existing 2-inch blow-off, a new fire hydrant and main. These improvements, if required, will be paid for by the property owner.
- H. Submit a plan review letter written by the author of the project soils report. The letter shall state that the project plans conform to the recommendations of the report.

- I. Pay the current fees for Parks and Child Care mitigation for three bedroom(s). Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
 - J. Pay the current fees for Roadside and Transportation improvements for one unit. Currently, these fees are, respectively, \$2,200 and \$2,200 per unit, but are subject to change.
 - K. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - L. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. Prior to the commencement of construction, construction fencing shall be installed to protect the mature trees located in the northwest corner of the parcel.
- IV. 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 basement must be constructed such that its final height, as measured between the bottom floor joists and the top of the basement slab, is less than 7 feet 6 inches
 - D. The project must comply with all recommendations of the approved soils reports.
 - E. No private improvements may be made in Schwan Lake Drive. This right-of-way may be developed in the future as a California State Park trail.
 - F. 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.

V. 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 driveway leading to the sanitary sewer may not be obstructed or blocked.

VI. 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 listed below unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit.

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: 07-0150
Assessor Parcel Number: 027-082-12
Project Location: no situs

Project Description: Proposal to construct a new two-story single-family dwelling with a basement and a decomposed granite driveway for access to an existing sanitary sewer on a vacant parcel.

Person or Agency Proposing Project: Ron Powers

Contact Phone Number: (831) 426-1663

- 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:

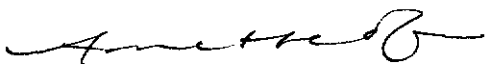
E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

New single family dwelling in a developed area.

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



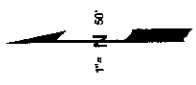
Annette Olson, Project Planner

Date: 4/11/08

Tax Area Code
82-040

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

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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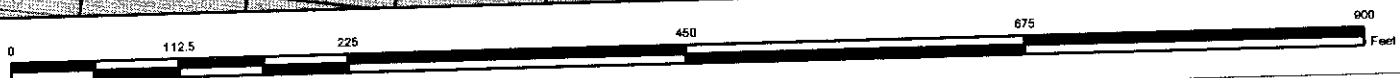


Assessor's Map No. 27-08
County of Santa Cruz, Calif.
August 1998

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

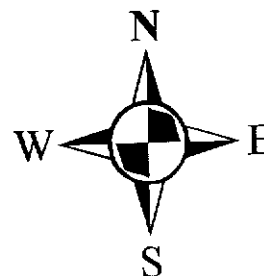


Zoning Map



Legend

- APN 027-082-12
- Assessors Parcels
- Streets
- Perennial Strea
- Lakes
- RESIDENTIAL-SINGLE FAMILY (R-1)
- COMMERCIAL-NEIGHBORHOOD (C-1)
- RESIDENTIAL-MULTI FAMILY (RM)
- PARK (PR)
- COMMERCIAL SERVICE (C-4)



Map Created by
County of Santa Cruz
Planning Department
March 2007

EXHIBIT F

INTEROFFICE MEMO

APPLICATION NO: 07-0150

Date: April 11, 2008

To: Annette Olson, Project Planner

From: Larry Kasparowitz, Urban Designer

Re: New residence at 9th Avenue and Eaton Street, Santa CruzDesign Review Authority

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
Minimum Site Disturbance			
Grading, earth moving, and removal of major vegetation shall be minimized.			N/A
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees, or nuisance species.			N/A
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.			N/A
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area			N/A

Rural Scenic Resources			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.			N/A
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points			N/A
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)			N/A
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed			N/A
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction			N/A
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged			N/A
Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster			N/A
Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive			N/A
No new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)			N/A
The design of permitted structures shall minimize visual intrusion, and			N/A

shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred			
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Design Review Authority

13.11.040 Projects requiring design review.

- (a) Single home construction, and associated additions involving 500 square feet or more, ***within coastal special communities*** and sensitive sites as defined in this Chapter.

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Site Design			
Location and type of access to the site	✓		
Building siting in terms of its location and orientation	✓		
Building bulk, massing and scale	✓		
Parking location and layout	✓		
Relationship to natural site features and environmental influences	✓		
Landscaping	✓		
Streetscape relationship			N/A
Street design and transit facilities			N/A
Relationship to existing structures			N/A
Natural Site Amenities and Features			
Relate to surrounding topography	✓		
Retention of natural amenities	✓		
Siting and orientation which takes advantage of natural amenities	✓		
Ridgeline protection			N/A
Views			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
Safe and Functional Circulation			
Accessible to the disabled, pedestrians, bicycles and vehicles			N/A

Solar Design and Access			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
Noise			
Reasonable protection for adjacent properties	✓		

13.11.073 Building design.

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Compatible Building Design			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks	✓		
Character of architecture	✓		
Building scale	✓		
Proportion and composition of projections and recesses, doors and windows, and other features	✓		
Location and treatment of entryways	✓		
Finish material, texture and color	✓		
Scale			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian interest	✓		
Building Articulation			
Variation in wall plane, roof line, detailing, materials and siting	✓		
Solar Design			
Building design provides solar access that is reasonably protected for adjacent properties	✓		
Building walls and major window areas are oriented for passive solar and natural lighting	✓		

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON APRIL 26, 2007 BY JESSICA L DEGRASSI =====

Please submit a soils report for the parcel which addresses potential expansive soils and/or high groundwater at this site. A list of recommended soils engineers is available. ===== UPDATED ON SEPTEMBER 5, 2007 BY CAROLYN I BANTI =====

The following are Completeness Comments in regards to soils and grading issues:

The soils report has been accepted. Please see letter dated 9/5/07.

Prior to the discretionary application being deemed complete, a plan review letter shall be submitted to Environmental Planning. The author of the soils report shall write the plan review letter. The letter shall state that the plans conform to the recommendations of the report. ===== UPDATED ON NOVEMBER 7, 2007 BY JESSICA L DEGRASSI =====

Please submit a plan review letter from the soils engineer. ===== UPDATED ON FEBRUARY 8, 2008 BY JESSICA L DEGRASSI =====

Plan review letter received, no further comments.

Environmental Planning Miscellaneous Comments

===== REVIEW ON APRIL 26, 2007 BY JESSICA L DEGRASSI =====

===== UPDATED ON SEPTEMBER 5, 2007 BY CAROLYN I BANTI =====

The following are Compliance Comments in regards to soils and grading issues:

No Comment

The following are Miscellaneous Comments/Conditions of Approval in regards to soils and grading issues:

Please submit plan review letters with the building permit and improvement plans, as applicable. The author of the soils report shall write the plan review letter. The letter shall state that the project plans conform to the recommendations of the report.

Please provide the grading volumes on plans submitted with the building permit application. These volumes should include grading required for the overexcavation and recompaction of soils beneath pavements and exterior concrete flatwork.

Grading plans submitted with the building permit application shall show all grading to be performed. The lateral extents of overexcavation and recompaction shall be shown in plan view and the depth of overexcavation shall be shown on the structural section of the driveway surfacing.

The overflow from the detention chamber is currently directed toward the slope. This is in direct conflict with the soils report recommendations. Please revise the plans to show the drainage being redirected away from the slope or provide a berm or other diversionary structure to preclude runoff from flowing over the slope, as approved by the soils engineer.

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
Page: 2

===== UPDATED ON MARCH 28, 2008 BY JESSICA L DEGRASSI =====

All landscaping within the riparian corridor (within 110-feet of the edge of the lagoon) shall be native riparian species. An asphalt curb or earth berm shall be constructed at the entrance to the public works access road. No fences shall be placed across the public works access road. No structures shall be placed on the lake side of the public works access road.

Dpw Drainage Completeness Comments

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

===== REVIEW ON APRIL 25, 2007 BY DAVID W SIMS =====

1st Review Summary Statement:

The plan is generally well conceived. Some informational items and clarifications of intent to meet policy requirements are needed.

Reference for County Design Criteria: <http://www.dpw.co.santa-cruz.ca.us/DESIGNCRITERIA.PDF>

Policy Compliance Items:

Item 1) While several mitigation measures are shown on the plans, the proposed level of treatment to be attained is not clear. The project is required to control runoff levels to predevelopment rates for a broad range of storms up through the 10 year event, and notation of this intent should be included on the plan for clarity. The elevation position of the overflow pipe indicates that the proposed detention functionality meeting County requirements is conceptually suspect. See item 4.

Item 2) The proposals for SF Rima pavers, flagstones on sand, and DG access drive address the requirement to minimize impervious surfacing.

Information Items:

Item 3) Incomplete. Provide information about the routing of runoff from the street and neighborhood upslope of this property, and show how it will be adequately conducted such that it will not be a problem for the development.

Item 4) Incomplete. Indicate how and where detention control is provided on the proposed system including operating elevations. Clarify if the bottom of the Atlantis rainwater detention tanks are exposed to soil percolation or lined with a barrier. Indicate whether there is any intent to store water for uses other than storm-water control.

Please see miscellaneous comments. ===== UPDATED ON NOVEMBER 27, 2007 BY DAVID W SIMS =====

2nd Review Summary Statement:

The proposed development cannot be approved because it is unlikely that the conceptualized mitigation measures as proposed are sufficient to meet County requirements.

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
Page: 3

Policy Compliance Items:

Prior Item 1) The project is required to control runoff levels to predevelopment rates for a broad range of storms up through the 10 year event, and notation of this intent should be included on the plan for clarity. The plan revision to provide an energy dissipater and water distribution system within the brick wall for roughly half the building roof will be unable to control runoff rates to the storm levels required. The remaining half of the roof is directed to the Atlantis tanks, which due to outlet configuration will not provide any flow mitigation once seasonally filled.

Prior Item 2) Addressed.

Information Items:

Item 3) Complete.

Item 4) Complete. Applicant has clarified that the intent of the Atlantis tank system is for storage of future irrigation water. As such, the tanks do not serve as detention mitigation. While this does clarify the information requested for this item, it does not resolve the need to provide correct forms and levels of mitigation. See item 1. ===== UPDATED ON FEBRUARY 21, 2008 BY DAVID W SIMS =====
Policy Compliance Items:

Prior Item 1) Addressed. The plan to provide an energy dissipater and water distribution system within the brick wall for roughly half the building roof has been improved by addition of a gravel bed for better flow delay of roof downspout discharges. See miscellaneous comments for requirements to be met with the building plans.

Prior Item 2) Addressed.

Information Items:

Item 3) Complete.

Item 4) Complete.

See miscellaneous comments.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON APRIL 25, 2007 BY DAVID W SIMS =====

A) The detention overflow point may be better located away from the walkway steps and bare DG soil surface to better prevent erosion potential.

B) The plans show new topo lines across the existing driveway. Is this surface being rebuilt?

Discretionary Comments- Continued

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
Page: 4

C) Does the DG surfacing need to extend as far back to the south corner of the property as shown? There appears to be some intervening landscape proposed along the easement length, so why the additional DG surfacing beyond this point?

D) Provide calculations and full construction details for all mitigation measures with the building plans.

E) Detention inspection and cleanout locations will be needed.

F) Maintenance procedures for the drainage facilities and mitigation measures must be provided on the plans.

G) A recorded maintenance agreement may be required for certain stormwater facilities.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.95 per square foot, and are assessed upon permit issuance. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

You may be eligible for fee credits for pre-existing impervious areas to be demolished. To be entitled for credits for pre-existing impervious areas, please submit documentation of permitted structures to establish eligibility. Documentations such as assessor's records, survey records, or other official records that will help establish and determine the dates they were built, the structure footprint, or to confirm if a building permit was previously issued is accepted. Not all existing pavements may be recognized as exempt from mitigation, or credited against impact fees.

Because this application is incomplete in addressing County requirements, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements.

All resubmittals shall be made through the Planning Department. Materials left with Public Works will not be processed or returned.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON NOVEMBER 27, 2007 BY DAVID W SIMS =====

Sheet L1: Additional contours were added at the NE property corner. Either elevation contour 46 is not displayed, or contours 45 and 44 are mislabeled. Please review.

Sheet A1: Drainage & Erosion Control note 1 uses the term 'detention basins' while detention function is not actually provided. ===== UPDATED ON FEBRUARY 21, 2008 BY DAVID W SIMS =====

Sheet L1: Contours corrected.

Sheet A1: Drainage & Erosion Control note 1 corrected.

Requirements of the building application:

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
Page: 5

The perforated pipe(s) within the brick wall need to have maintenance access points provided that enable inspection and cleanout/flushing of the perforated pipe from any debris that enters. A sump and/or filter screen is also required to provide reasonable upstream protection of the perforated pipe(s) from debris entry. See County Design Criteria, Part 3, Section G, 5 or Section H, 7 for contaminant screening criteria.

It is recommended that the perforated pipe to the extent possible be elevated to a higher point within the gravel bed to enhance the length of the routing path through the gravel fill. This will also simplify access and debris sump design.

Dpw Road Engineering Completeness Comments

===== REVIEW ON APRIL 16, 2007 BY GREG J MARTIN =====

The width of the shared driveway should be 18 feet up to and including the first individual driveway. Show the boundaries of each parking space and number. The first stair should be set back 1 foot from the right-of-way.

----- Greg Martin 831-454-2811 ===== UPDATED ON
NOVEMBER 21, 2007 BY ANWARBEG MIRZA =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON APRIL 16, 2007 BY GREG J MARTIN =====

===== UPDATED ON NOVEMBER 21, 2007 BY ANWARBEG MIRZA =====
NO COMMENT

Dpw Sanitation Completeness Comments

===== REVIEW ON APRIL 16, 2007 BY BOB BRYAN =====

Sewer service is currently available.

===== UPDATED ON NOVEMBER 19, 2007 BY BEATRIZ - BARRANCO =====
Sewer service is currently available.

Dpw Sanitation Miscellaneous Comments

===== REVIEW ON APRIL 16, 2007 BY BOB BRYAN =====

Sewer service is not available until the following issues are addressed:

Easements shall be provided for all District maintained sewers.

All easements shall be improved to a width of at least 12 feet, shall be fully accessible to all District maintenance vehicles, and shall be no less than 20 feet in width. No fences, decks, landscaping, or other obstructions shall be placed over or in such easements. Any gates that must be constructed over such easements shall be noted on the improvement plans as at least 10 feet wide, with standard locking mechanisms compatible with existing District padlocks.

Lateral for proposed development shall be connected to the sewer main in Ninth Avenue.

Discretionary Comments - Continued

Project Planner: Annette Olson
Application No.: 07-0150
APN: 027-082-12

Date: April 11, 2008
Time: 15:45:04
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The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the Uniform Plumbing Code.

A backflow prevention device may be required on the sewer lateral. ===== UPDATED ON APRIL 16, 2007 BY BOB BRYAN =====

===== UPDATED ON NOVEMBER 19, 2007 BY BEATRIZ - BARRANCO =====

Sewer service is available for the subject development. This review notice is effective for one year from the issuance date to allow the applicant the time to receive tentative map, development or other discretionary permit approval. If after this time frame this project has not received approval from the Planning Department, a new availability letter must be obtained by the applicant. Once a tentative map is approved this letter shall apply until the tentative map approval expires.

The improvement plan submitted for the subject project is approved by the District based upon plans submitted November 5, 2007. Any future changes to these plans shall be routed to the District for review to determine if additional conditions by the District are required by the plan change. All changes shall be highlighted as plan revisions and changes may cause additional requirements to meet District standards.

Lateral for proposed development shall be connected to the sewer main in Ninth Avenue.

The plan shall show all existing and proposed plumbing fixtures on floor plans of building application. Completely describe all plumbing fixtures according to table 7-3 of the Uniform Plumbing Code. A backflow prevention device may be required on the sewer lateral.

NEW WATER SERVICE INFORMATION FORM

City of Santa Cruz Water Department 809 Center Street Room 102 Santa Cruz, CA 95060 Phone (831) 420-5210 Fax 831-420-5201

APN: 027-082-12

Multiple APN? ☐ N

Project Address: 1 lot N of 462 - 9th Ave

Date: 4/6/2007

PROJECT DESCRIPTION:

New SFD on vacant lot

Revision 1 :

Revision 2 :

APPLICANT INFORMATION:

Name: Andrew & Kathryn Jones
 Mailing Address: 1479 W Robinhood Ln
 City/State/Zip: Fresno CA 93711-
 Email:

REPRESENTATIVE INFORMATION:

Name: Ron Powers
 Mailing Address: 1607 Ocean St. Suite 8
 City/State/Zip: Santa Cruz CA 95060-
 Email:

SECTION 1 EXISTING MAIN AND SERVICES

Main Size/Type/Age: 20" to 40" 4" mn ext rpd?
 Elevation zone: ☐ N *No connection fee credit(s) for services inactive over 24 months*

Sizes	Account #'s	Old SID #'s	Status	Date Closed	Type
-0-					

SECTION 2 FIREFLOWS

Hyd #	Size/Type:	Static	Res	Flow	Flow w/20# Res.	FF Date	Location:
Hyd #	Size/Type:	Static	Res	Flow	Flow w/20# Res.	FF Date	Location:

SECTION 3 WATER SERVICE FEE Totals (see Page 2 for Details)

Plan Review Fees: Permit Fees: Meter Inst Fees: Water Conn Fees: Sewer Conn Fees: Zone Cap Fees: Credits: Total Due:

Service/Hydrant Eng	\$50	Service/Hydrant Install	\$180.00						
Backflow	\$0	Backflow	\$0.00						
Irrigation	\$0	St. Opening	\$0.00						
Misc Fees									
Totals	\$50		\$180.00	\$526	\$6,530	\$0	\$0.00	\$0	\$7,286.00

SECTION 4:

BR# PLAN APP # 07-0150 PLANNER David Keyon REVIEWED BY Sherry Reiker

ADDITIONAL COMMENTS

A min of 20' of 4" PVC water main extension and relocate the existing 2" blow-off may be required at the developer's expense. There are no existing fire hydrants within 500' of the proposed SFD, please note that a new 6" sump fire hydrant installation may be required and would need to be connected to a 6" min size water main. Please confirm fire sprinklers and new fire hydrant requirement with the Central Fire Protection Agency, please have them complete the enclosed Fire Protection Requirements Form and return it to the SCWD. Please see page 2 for additional water main installation fees, Agreements, Bonds, etc. If no water main work is required then please see the enclosed approved contractors list and detail.

QUALIFICATIONS

Service will be furnished upon: (1) payment of the required fees due at the time service is requested (a building permit is required), and: (2) installation of the adequately sized water services, water mains and fire hydrants as required for the project under the rules and regulations of the Santa Cruz Water Department and the appropriate Fire District and any restrictions that may be in effect at the time application for service is made. NOTICE: This form does not in any way obligate the city. It is provided only as an estimate to assist you in your planning and as a record for the Water Department. The requirements set forth on this form may be changed or corrected at any time without prior notice. Fees collected by other agencies are not included on this form.

David Keyon

From: Barry Samuel
Sent: Tuesday, April 03, 2007 1:52 PM
To: David Keyon
Subject: Application #07-0150

David,

I have reviewed application #07-0150 and have no comments.

Barry

Barry C. Samuel, Director
Santa Cruz County Parks
831- 454-7901



**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: April 29, 2008
To: Andrew and Kathryn Jones
Applicant: **Powers Land Planning**
From: Tom Wiley
Subject: **07-0150**
Address: none
APN: 027-082-12
OCC: 2708212
Permit: 20080116

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 (2007) and District Amendment.

NOTE on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE-FIRE RATING and SPRINKLERED as determined by the building official and outlined in the 2007 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, type and location, meeting the minimum required fire flow 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 construction (CFC 508.5).

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 on the plans 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 \$115.00 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@centralfpd.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.
2708212-042908

AVERAGE FOR ALL STRUCTURES

8'6"

2'

19'

15'

7'

20'

18'6"

12'

8'6"

$$170'6" \div 9 = 12'8"$$

~~FOR~~ AVERAGE FOR PROPERTIES

2'

19'

15'

7'

20'

18'6"

12'

8'6"

$$102' \div 8 = 12'8"$$

AVERAGE FOR PROPERTIES/EXCLUDING PORCHES

2'

18'6"

19'

12'

15'

8'6"

13'

$$108' \div 8 = 13'6"$$

20'



Santa Cruz County Sanitation District

701 OCEAN STREET, SUITE 410, SANTA CRUZ, CA 95060-4073
(831) 454-2160 FAX (831) 454-2089 TDD: (831) 454-2123
THOMAS L. BOLICH, DISTRICT ENGINEER

AGENDA DATE: AUGUST 16, 2007

BOARD OF DIRECTORS
SANTA CRUZ COUNTY SANITATION DISTRICT
701 Ocean Street, Room 410
Santa Cruz, California 95060

SUBJECT: REQUEST FOR REDUCTION IN PUBLIC SEWER EASEMENT WIDTH
APN 027-082-12 - 9TH AVENUE AT SCHWAN LAKE

Members of the Board:

The applicant for a development permit at the subject parcel has requested that your Board allow a reduction in the standard sewer easement width, from 20 feet to 15 feet, for a proposed single family dwelling and allow a variance for the surfacing material to be used for access to the sewer easement.

The current requirement for a public sewer easement is 20 feet in width, with a minimum of 12 feet improved so District vehicles can access the sewer line in the easement. The District developed this standard easement width from past experience in accessing these off road sewer mains and is part of the Santa Cruz County Design Criteria. The 20 feet width of easement is the minimum that the District typically requires for sewer maintenance and repair or replacement.

The subject sewer main is located behind the parcel and runs along the bank of Schwan Lake (see attachment "A"). There is also a newer sewer main in 9th Avenue constructed in 2004 that is contiguous to these parcels. The Schwan Lake Drive sewer is an older 6-inch vitrified clay pipe and has cavities and offset joints. There are five sewer laterals connected to this old sewer main between manhole 15 and manhole 23. The applicant owns two adjacent parcels (APN's 027-082-02 and -12) with three of the five laterals. With the applicant's cooperation, these three laterals will be reconnected to the recently constructed sewer main in 9th Avenue at their cost.

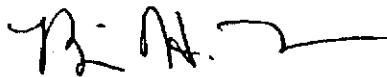
Due to its proximity to the Schwan Lake and deteriorated condition of this older collection line, staff recommends abandoning the sewer line and reconnecting the two remaining existing laterals to the sewer main in 9th Avenue in a future sewer project. Two of the parcels have laterals in both 9th Avenue and in the deteriorated line (APN 027-082-02 and APN 027-082-03). In the future, the District could connect services from APN 027-082-03 to the sewer main in 9th Avenue and construct a lateral in 9th Avenue to the house located at 436 9th Avenue.

In addition, the applicant requests approval of a 12-foot wide decomposed granite driveway to access Manhole 15 (see attachment "B"). A house north of the subject parcel has a private lift station and the force main sewers into this manhole. The applicant proposes to relocate the force main at their cost, to the main in 9th Avenue thus reducing the need to access the manhole behind the subject parcel. Staff recommends accepting this material for the driveway since it is unlikely there will be a need for our crew to access the sewer main in the future years.

It is therefore recommended that your Board approve the applicant's request for a reduction in sewer easement width and accept a 12-foot wide, 8-inch deep decomposed granite driveway with the following conditions:

1. That the applicant reconnect all sewer laterals on APN 027-082-02 and APN 027-082-12 to the existing sewer main in 9th Avenue and repave that portion of the roadway at their cost;
2. That the private force main be connected to the sewer main in 9th Avenue through a 12-foot wide driveway, at their cost;
3. The proposed new house be connected to the sewer main in 9th Avenue.

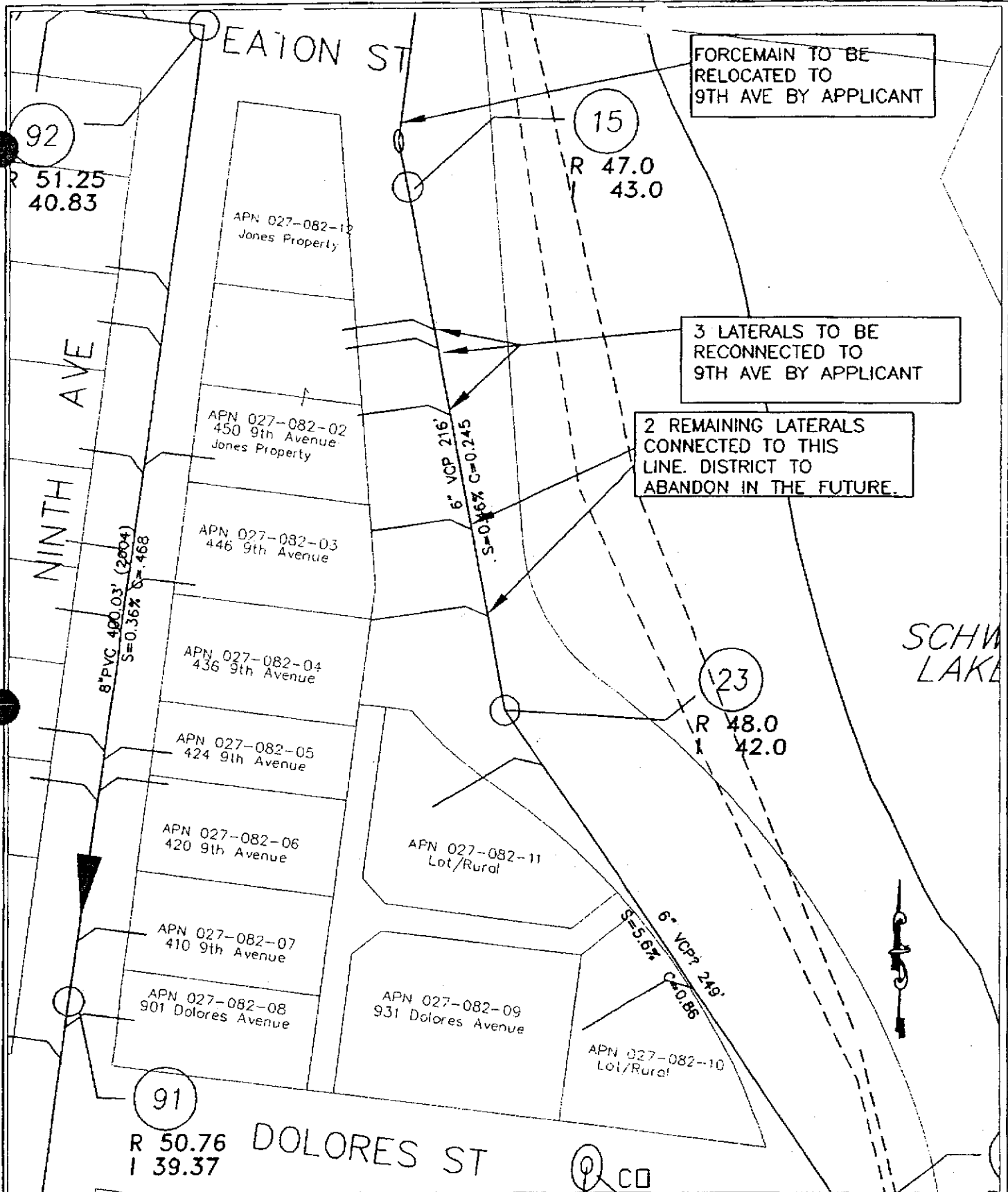
Yours truly,



For THOMAS L. BOLICH
District Engineer

BB:dls/b1067

copy: applicant



SANTA CRUZ COUNTY SANITATION DISTRICT
SEWER VARIANCE FOR APN 027-082-12

NOT TO SCALE



IFLAND SURVEY

Surveying · Mapping · GPS

303 Polero Street, Suite 43-108, Santa Cruz, CA 95060
Tel 831.426.7941 Fax 831.426.8288

JOB NO. G04064 - ANI NES
SHEET NO. 1 OF 1
CALCULATED BY GRJ DATE 05/23/07
SCALE: 1" = 10'

PROPOSED SANITARY SEWER EASEMENT EXHIBIT

