



## Staff Report to the Zoning Administrator

Application Number: **04-0664**

**Applicant:** Devlin Jones  
**Owner:** Dean Montero  
**APN:** 042-152-05

**Agenda Date:** August 8, 2008  
**Agenda Item #:** 0.1  
**Time:** After 8:30 AM

**Project Description:** Proposal to construct a two-story structure with an office and garage on the lower floor and a residence (studio apartment) on the upper floor. Requires a Variance to reduce the front yard setback from Marina Avenue from 20 feet to 0 feet, and a reduction of the front yard setback from Venetian Road from 20 feet to about 16 feet.

**Location:** 115 Venetian Road, Rio Del Mar

**Supervisory District:** Second District (District Supervisor: Ellen Pirie)

**Permits Required:** Commercial Development Permit, Coastal Development Permit and Variance

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 04-0664, based on the attached findings and conditions.

### Exhibits

- |   |                                       |
|---|---------------------------------------|
| A. Project plans                              | F. General Plan map                   |
| B. Findings                                   | G. Zoning map                         |
| C. Conditions                                 | H. Aerial map                         |
| D. Categorical Exemption (CEQA determination) | I. Discretionary Application Comments |
| E. Location map                               | J. Urban Designers Comments           |

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### Parcel Information

Parcel Size: 1,786 sq. ft.  
Existing Land Use - Parcel: vacant  
Existing Land Use - Surrounding: Commercial and residential  
Project Access: Venetian Boulevard and Marina Avenue  
Planning Area: Aptos  
Land Use Designation: C-N (Neighborhood Commercial)  
Zone District: C-1 (Neighborhood Commercial)  
Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

### Environmental Information

Geologic Hazards: Floodplain  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: Flat site  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees on parcel  
Scenic: Mapped resource  
Drainage: Existing drainage adequate  
Archeology: Mapped/previously disturbed site

### Services Information

Urban/Rural Services Line: ☒ Inside ☐ Outside  
Water Supply: Soquel Creek Water District  
Sewage Disposal: Santa Cruz County Sanitation District  
Fire District: Aptos/La Selva Fire Protection District  
Drainage District: 6

### Project Setting

The subject parcel is located in Rio del Mar near the Esplanade. The lot is narrow (less than 28 feet wide) has two street frontages – Venetian Road and Marina Avenue. The site is flat with no structures or trees on the property.

### Proposal

The applicant is proposing to build a small structure containing an office on the lower floor and a studio apartment above. Two parking spaces for the office are located on the Venetian Road frontage (one of the spaces is a van accessible stall and loading zone).

### Zoning & General Plan Consistency

The subject property is a 1,786 square foot lot, located in the C-1 (Neighborhood Commercial) zone district, a designation that allows mixed-use uses. The proposed office with studio apartment above is a principal permitted use within the zone district and the project is consistent with the site's (C-N) Neighborhood Commercial General Plan designation.

### SITE DEVELOPMENT STANDARDS TABLE

	C-1 Standards	Proposed Building
Min. site area per parcel	10,000 sq. ft.	1,786 sq. ft.
Front yard setback:*	20 feet* (Marina Ave.) 20 feet* (Venetian Rd.)	0'-0" ( <i>non-conforming</i> ) 16'-0" ( <i>non-conforming</i> )
Side yard setback:	0 feet	0'-0" (west) 3'-0" (east)
Lot Coverage:	N/A	--
Building Height:	3 stories, 35 feet maximum	2 stories, 27'-0"
Floor Area Ratio (F.A.R.):	N/A	--
Parking	<i>office</i> – one space / 200 sq. ft. two required  <i>residence (studio)</i> – one space	two uncovered (one accessible van space with loading zone)  two in garage
* A front yard across the street from an "R" district shall be 20 ft. (Sec. 13.10.333 b.2)		

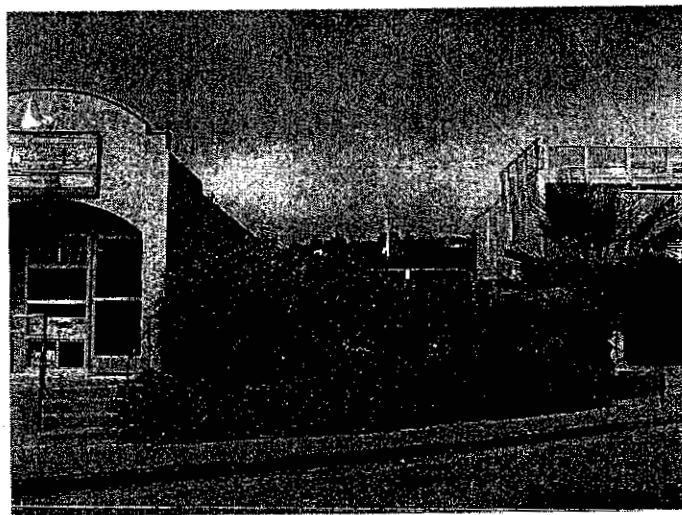


Fig 1. View of lot at Venetian Road

### Mixed Use Regulations

A mixed-use structure such as the one proposed is subject to a variety of zoning regulations, policy interpretations and building code applications. The following table summarizes the applicable sections:

MIXED USE REGULATIONS			
	<i>Within County Code</i>	<i>Within Interpretation Manual</i>	<i>Within Building Code</i>
In C-1 and C-2, 50% of building area can be Residential (67% if project is 100% affordable)	13.10.332		
Residential regulations must meet Urban High Density	13.10.332		
Residential discouraged from standing alone		13.10.332(b)	
Parking can be reduced up to 20% based on the number of independent property owners	13.10.553		
Residential must provide required amount of private open space	13.10.323		
Structure may be three stories and up to 35 feet in height (C-1 zoning standards)	13.10.333		
In C-1, 50% offices and 50% residential are allowed		13.10.332(b)	
Areas for common use (stairways, mechanical, elevators, etc.) count 50-50		13.10.332(b)	
Openings and fire protection of walls <i>for each use</i> , are based on State Building Code.			Title 24
Commercial must meet all accessibility standards including parking, path of travel, entry door, corridors and rest rooms.			Title 24

The proposed building meets both the county code sections and the interpretations listed above. The design has been reviewed for both accessibility and fire resistance regulations in a preliminary manner.

### Local Coastal Program Consistency

The proposed use 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 and commercial buildings. Size and architectural styles vary widely in the area. Nearby buildings have flat roofs and pitched roofs, and both stucco and wood siding.

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.

### Variance

A variance is requested to allow the garage with a deck above to extend to the property line along Marina Avenue and into the front setback. The project is located in the C-1 zone district. Since the site has two street frontages the required front setback on both Venetian Road and Marina Avenue would be ten feet on each, however because the site has residential zoning across both streets, the operative setback would be twenty feet.

Staff supports the variance due to the unusually small size of this lot (1,760 sq. ft.) as well as the narrow width (less than 30 ft.). This small lot has two street frontages and applying the front setbacks from each street severely limits the developable area. A building built to the setback would have a footprint of approximately 700 sq. ft. maximum. The adjacent lots are similarly zoned and built to the front setback (see Fig. 2).



Fig. 2 - View of lot at Marina Avenue

## **Design Review**

The proposed building contains a 465 sq. ft. office below and a 465 sq. ft. studio above. Attached to the office is a two car garage. The upper floor studio opens to a deck above the garage at the rear (Marina) and a deck toward the front (Venetian). The roofing is composition shingle and the siding is a mixture of stucco and vertical wood board and batts. The west wall (on the property line) is concrete block. There are wood trellis' above both decks.

The deck on the Venetian Avenue side is shown with posts supporting it. These posts are located in a parking space and the van loading space and will have to be removed. A condition of approval will require the deck to be cantilevered or supported at the property lines.

The west elevation shows a concrete masonry wall (c.m.u.) unbroken for two stories. Staff has confirmed with the Building Plans Checker that a one-hour firewall does not need to be masonry. A condition of approval has been added to revise this wall to be stucco with expansion joints in a pattern that will break up the expanse of stucco.

## **Floodplain Issues**

This project is located within the floodplain of Aptos Creek. Environmental Planning has reviewed the plans and conditions of approval will require the structure to meet FEMA floodplain requirements.

## **Environmental Review**

Environmental review has not been required for the proposed project in that the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project qualifies for an exemption because the property is located with the Urban Services line, is already served by existing water and sewer utilities, and no change of use is proposed.

## **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 04-0664, 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.

Application #: 04-0664  
APN: 042-152-05  
Owner: Dean Montero

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

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### 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 C-1 (Neighborhood Commercial), a designation which allows a mixed-use building. The proposed uses (office with studio apartment above) are permitted uses within the zone district, consistent with the site's (C-N) Neighborhood Commercial 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; 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 project 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, mixed-use uses are allowed uses in the C-1 (Neighborhood Commercial) 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.



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## 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 mixed-use 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 office with studio apartment above will not deprive adjacent properties or the neighborhood of light, air, or open space. The structure does not meet all current setbacks, however a Variance has been included in the application for extending into the front setback at Marina Avenue. The overall site design ensures 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 structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances (except for the Variance mentioned above) and the purpose of the C-1 (Neighborhood Commercial) zone district in that the primary use of the property will be one mixed use building.

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 mixed use is consistent with the use and density requirements specified for the Neighborhood Commercial (C-N) land use designation in the County General Plan.

The proposed structure will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the structure will not adversely shade adjacent properties, and although the new structure will not one of the two front setbacks for the zone district, the design does ensure access to light, air, and open space in the neighborhood.

The proposed structure 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 structure will comply with most of the site standards for the C-1 zone district (including height and number of stories) and a variance has been applied for a reduced setback

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

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

This finding can be made, in that the proposed structure is to be constructed on an existing undeveloped lot. 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), 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 design and size of the structure 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 structure 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.

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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.

This finding can be made for the following reasons:

- a. This property is approximately 1,786 sq. ft. where the minimum parcel size of the zoning district is 10,000 sq. ft.
- b. The property is 25 feet wide where the minimum parcel width for the zone district is 60 ft.
- c. The property is bounded on opposite sides by public right-of-ways (Venetian Road and Marina Avenue).
- d. This property is located on a one block wide sliver of C-1 zoning with R-1 zoning on both sides, requiring greater front setbacks (than the normal C-1 zone).

The small size of this parcel, the narrow width and the double street frontage, and residential zoning across both streets are restraints emanating from the physical conditions of the property that are unusual. Staff believes the combinations of the above features are valid rationale for a variance to be granted.

2. That the granting of such 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.

This finding can be made. There is no Lot Coverage or Floor Area Ratio in the C-1 zone district. The structure is 28 feet where 35 feet is the maximum height for the district. Three stories are allowed in the C-1 district and the structure has been limited to two stories.

This structure does not overpower the parcel, as it has been designed to be limited in mass and bulk.

3. That the granting of such variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties

This finding can be made. Adjacent properties extend into the front setbacks on both Venetian Way and Marina Avenue. The proposed design will align with the existing street facades of the building on both streets.

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### Conditions of Approval

Exhibit A: Architectural plans prepared by Devlin Jones and Streeter Group,  
dated 7/27/2007.  
Civil Engineering plans prepared by Robert DeWitt & Associates,  
dated Sept. 2005, last revision dated 7/30/07.

- I. This permit authorizes the construction of a building containing an office on the ground floor with studio apartment above. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
  - C. 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.
    2. Grading, drainage, and erosion control plans.
    3. Details showing compliance with fire department requirements.
    4. Revise the west elevation to show a stucco finish one-hour wall (omit use of concrete masonry units or cover with stucco) with a pattern of expansions joints.

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5. Lighting requirements:
  - a. All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.
  - b. Building and security lighting shall be integrated into the building design.
  - c. Light sources shall not be visible from adjacent properties.
- 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.
- D. Meet all requirements of the Environmental Planning Division for construction within a floodplain, including but not limited to the following:
  1. Submit certification by a registered professional engineer or architect that FEMA flood proofing standards and requirements and those in County Code Chapter 16.10 have been complied with. The certification shall indicate the elevation to which flood proofing was achieved.
  2. A Geologic Hazards Declaration shall be recorded for this property.
  3. Following review and acceptance of the soils report, a plan review letter will be required that states that the building, grading and drainage plans are in conformance with the recommendations made in the report. If revisions are made to the plans, a revised plan review letter will be required to verify that revisions are in conformance with report recommendations. The plan review letter must confirm that anchoring of foundations and the structures attached to them is adequate to prevent flotation, collapse, and lateral movement of the structure due to forces that may occur during a base flood.
  4. Plans shall show that the structure is to be constructed with materials utility equipment resistant to flood damage and using construction hods and practices that minimize flood damage.
  5. Plans shall show that electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities are designed and/or located to prevent water from entering or accumulating within the component during flood.
  6. Elevation sheet must indicate the Base Flood Elevation. For non-residential structures, flood proofing must be implemented so that below an elevation one foot higher than the Base Flood Elevation, the structure is watertight with walls substantially impermeable to the passage of water.

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7. Specifications and plans must be developed or reviewed by a registered professional engineer or architect.
  8. An erosion control plan will be required, which includes the location and construction details for all proposed erosion control devices.
- E. Meet all requirements of and pay Zone 6 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 plan check fee of the Aptos/La Selva Fire Protection District.
  - G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer, if required.
  - H. Pay the current fees for Parks and Child Care mitigation for one bedroom. Currently, these fees are, respectively, \$750 and \$36 per bedroom.
  - I. Pay the current non-residential use fee for Child Care mitigation for 465 sq. ft. of office. Currently, this fee is \$ .23/ sq. ft.
  - J. Pay the current fees for Roadside and Transportation improvements for one bedroom (same as studio). Currently, these fees are, respectively, \$1,650 and \$1,650 per bedroom.
  - K. Provide required off-street parking for four 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. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. The project must comply with all recommendations of the approved soils reports.

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- D. Pursuant to Sections 16.40.040 and 16.42.100 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.100, shall be observed.

IV. Operational Conditions

- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- 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

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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.

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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

\_\_\_\_\_  
Lawrence Kasparowitz  
Project Planner

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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: 04-0664  
Assessor Parcel Number: 042-152-05  
Project Location: 115 Venetian Boulevard, Rio Del Mar

Project Description: Proposal to construct a two-story structure with an office and garage on the lower floor and a studio apartment on the upper floor.

Person Proposing Project: Devlin Jones

Contact Phone Number:

- 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)

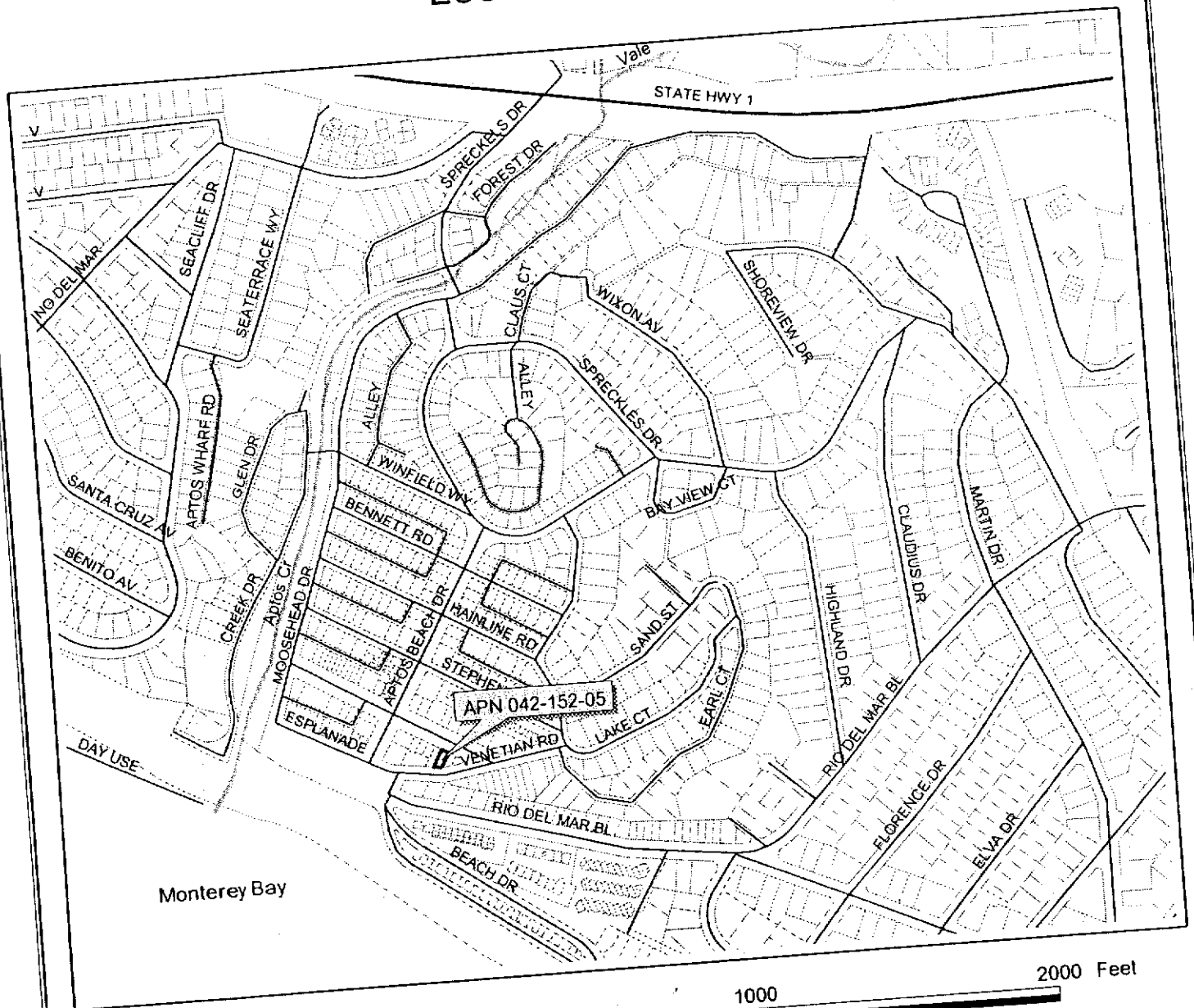
F. Reasons why the project is exempt: small mixed use structure

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

\_\_\_\_\_  
Lawrence Kasparowitz, Project Planner

Date: \_\_\_\_\_

# Location Map

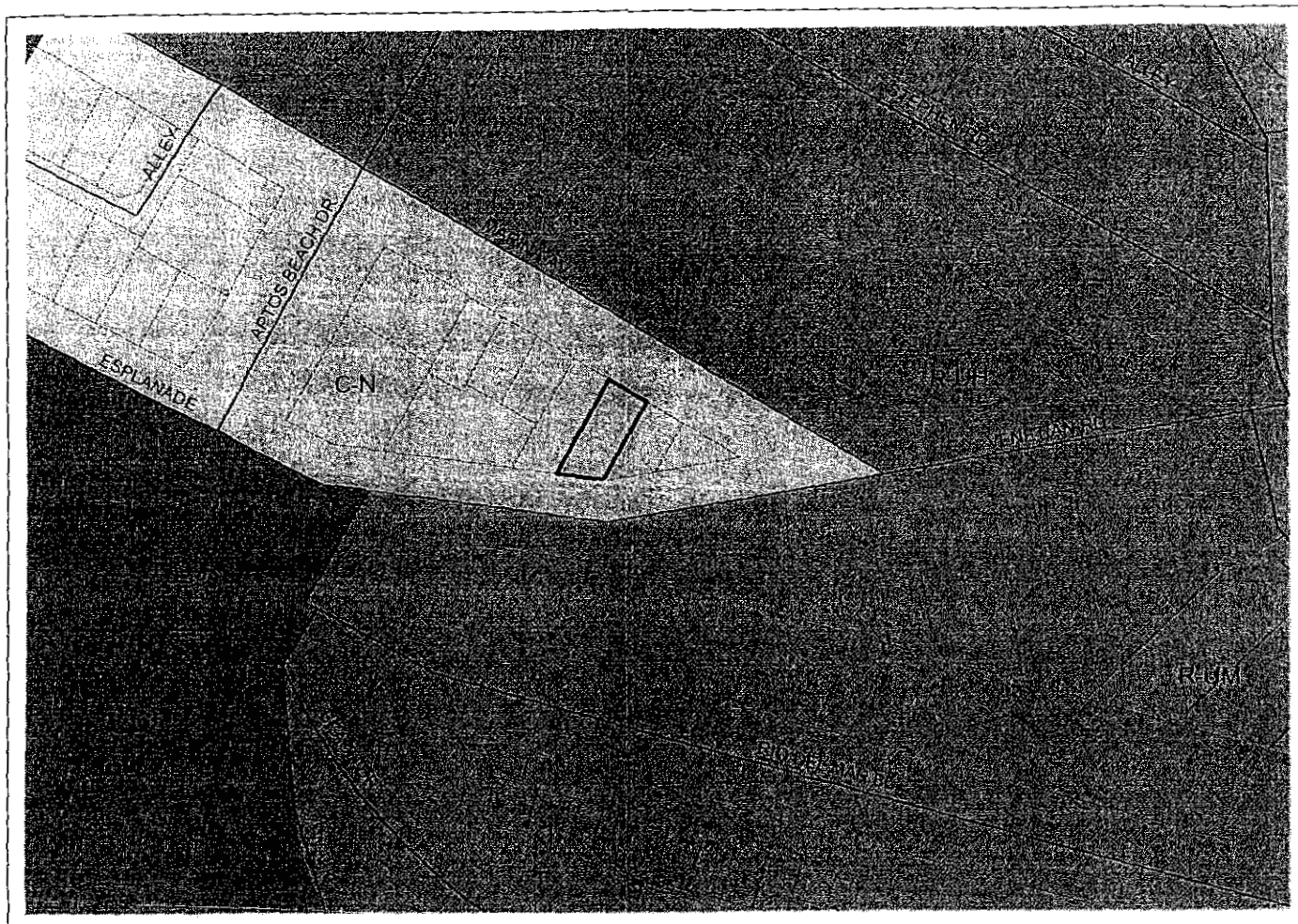


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Map created by Santa Cruz County  
Planning Department:  
January 2005



# General Plan Map



200 0 200 400 Feet

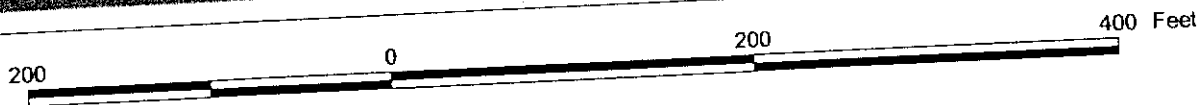
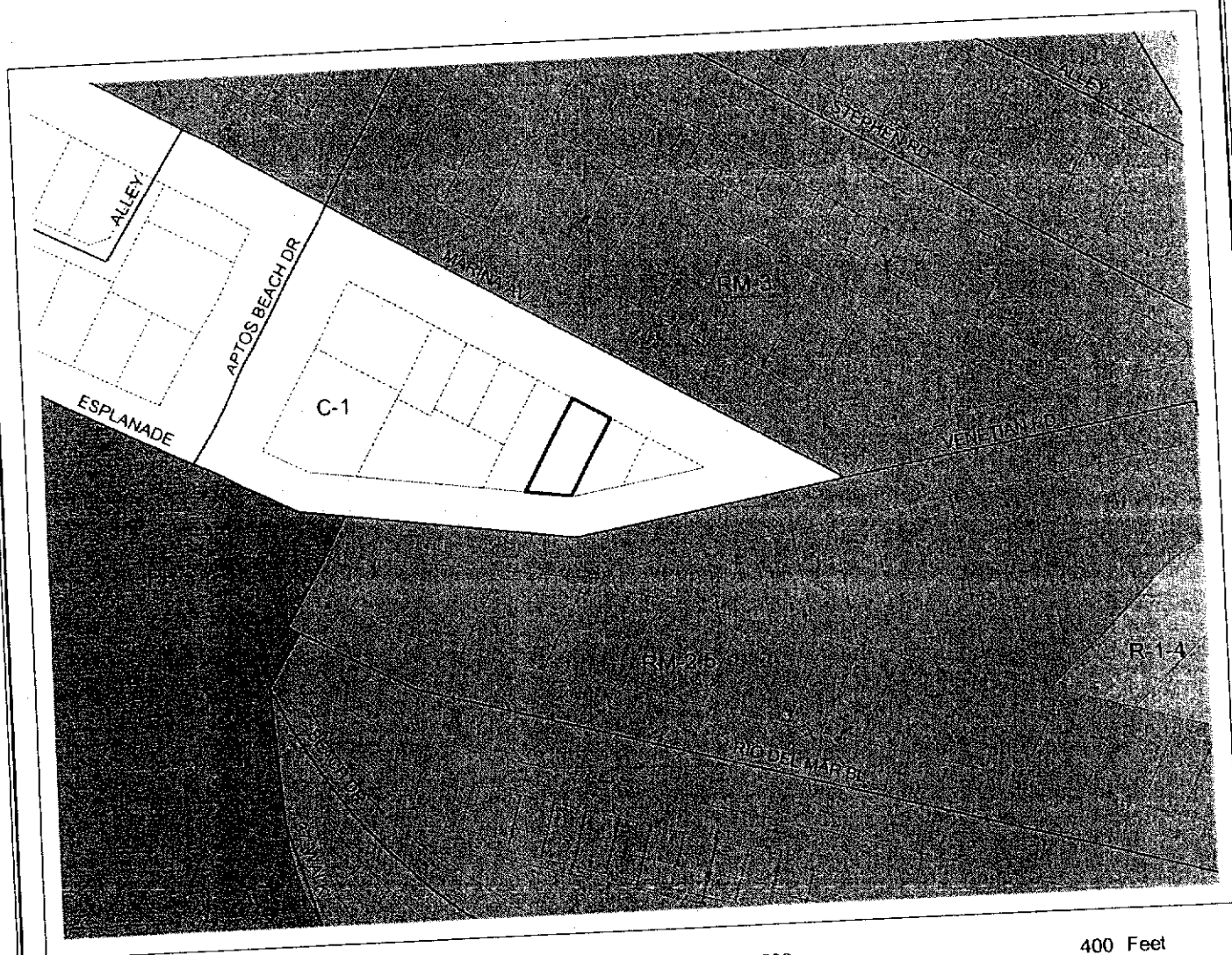
## Legend

	APN 042-152-05
	Parcel boundaries
	Streets
	Parks and Recreation
	Residential - Urban High Density
	Residential - Urban Medium Density
	Neighborhood Commercial

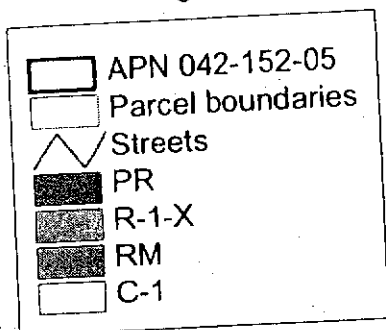


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Planning Department:  
January 2005

# Zoning Map

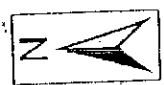
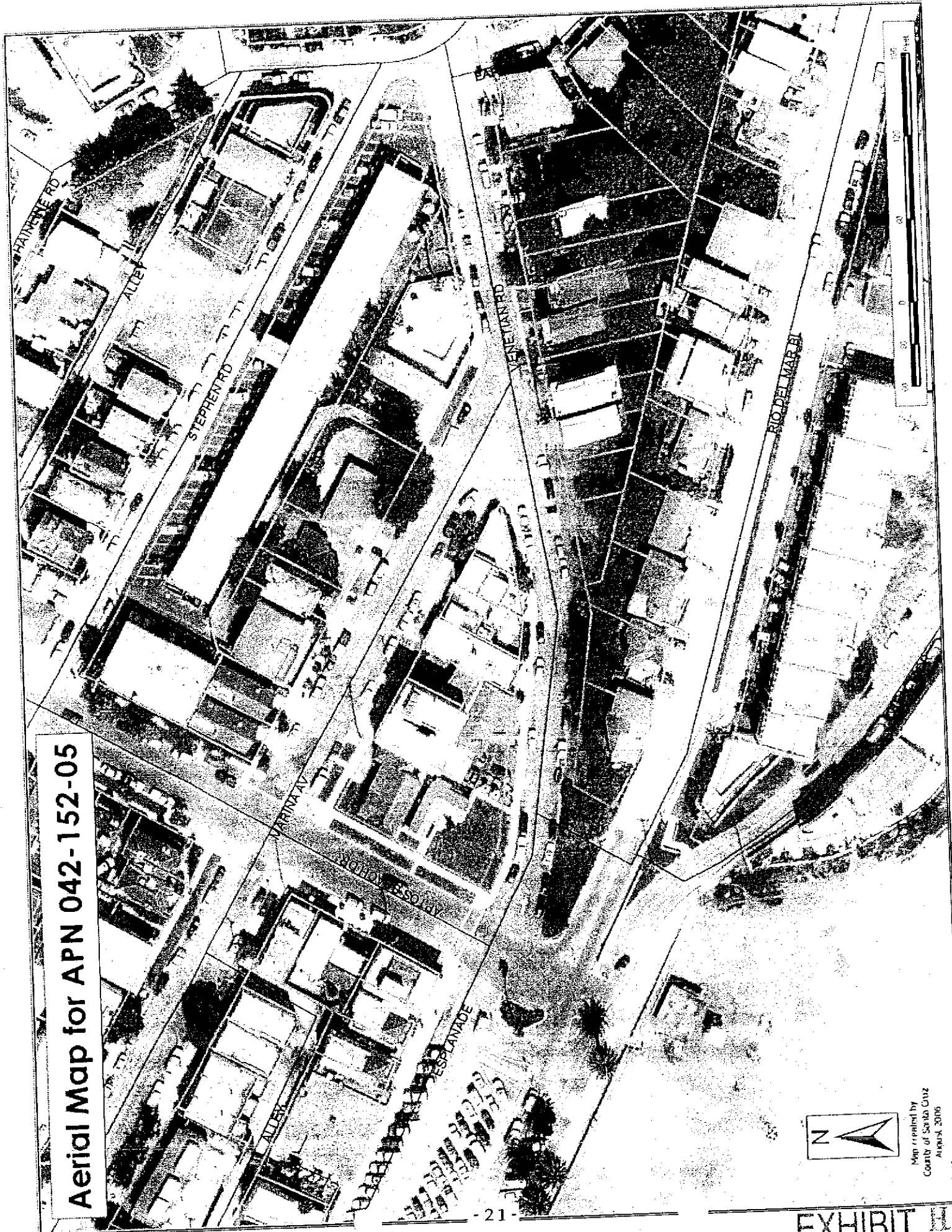


## Legend



Map created by Santa Cruz County  
Planning Department:  
January 2005

Aerial Map for APN 042-152-05



Map created by  
County of Santa Cruz  
August, 2005

EXHIBIT



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

**Project Planner:** Larry Kasparowitz  
**Application No.:** 04-0664  
**APN:** 042-152-05

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**Environmental Planning Completeness Comments**

===== REVIEW ON JANUARY 20, 2005 BY ROBIN M BOLSTER =====

The plans are not clear in delineating existing building, versus proposed construction. Please show which existing structures are proposed for demolition.

===== UPDATED ON APRIL 21, 2005 BY ROBIN M BOLSTER =====

The plans still do not make clear whether the existing sheds will be demolished or are proposed to remain. This is considered a completeness issue in that a design of the structure, which incorporates existing sheds may have potential FEMA implications. Please clarify.

===== UPDATED ON NOVEMBER 29, 2005 BY ANDREA M KOCH =====

11/29/05

1) No additional comments.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON JANUARY 20, 2005 BY ROBIN M BOLSTER =====

Prior to building application approval the following items must be addressed:

1) The site location within a floodplain requires that a geotechnical (soils) report be submitted. Please submit two copies for review.

2) Following review and acceptance of the soils report a plan review letter will be required that states that the building, grading and drainage plans are in conformance with the recommendations made in the report. If revisions are made to the plans, a revised plan review letter will be required to verify that revisions are in conformance with report recommendations. The plan review letter must confirm that anchoring of foundations and the structures attached to them is adequate to prevent flotation, collapse, and lateral movement of the structure due to forces that may occur during a base flood.

3) Plans shall show that the structure is to be constructed with materials and utility equipment resistant to flood damage and using construction methods and practices that minimize flood damage.

4) Plans shall show that electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities are designed and/or located to prevent water from entering or accumulating within the component during flood.

5) Elevation sheet must indicate the Base Flood Elevation. For non-residential structures, floodproofing must be implemented so that below an elevation one foot higher than the Base Flood Elevation, the structure is watertight with walls substantially impermeable to the passage of water. Specifications and plans must be developed or reviewed by a registered professional engineer or architect.

Discretionary Comments - Continued

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6) An erosion control plan will be required, which includes the location and construction details for all proposed erosion control devices.

===== UPDATED ON FEBRUARY 11, 2008 BY ANTONELLA GENTILE =====  
Additional conditions:

Prior to building permit final, the following shall be required:

1. Certification by a registered professional engineer or architect that floodproofing standards and requirements have been complied with. The certification shall indicate the elevation to which floodproofing was achieved.

2. A Geologic Hazards Declaration shall be recorded for this property.

**Code Compliance Completeness Comments**

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

===== REVIEW ON JANUARY 7, 2005 BY KEVIN M FITZPATRICK =====  
NO COMMENT

The application description is not complete. Add to the description; demolish two illegal structures.

**Code Compliance Miscellaneous Comments**

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

===== REVIEW ON JANUARY 7, 2005 BY KEVIN M FITZPATRICK =====  
NO COMMENT

Make as a "Condition of Approval". Demolition permit for illegal structures to be obtained and finalized within 60 days of approval date of Discretionary Permit. (KMF)

**Dpw Drainage Completeness Comments**

===== REVIEW ON JANUARY 21, 2005 BY DAVID W SIMS =====

A site plan dated 12/28/04 and site survey map (June 2004) was submitted with the application, and was reviewed for completeness of discretionary development and compliance with County policies listed below. The project plan was found to need the following additional information prior to approving discretionary stage Stormwater Management review. 6.4.3 Development on or Adjacent to Coastal Bluffs and Beaches 7.23.1 New Development 7.23.2 Minimizing Impervious Surfaces 7.23.4 Downstream Impact Assessments 7.23.5 Control Surface Runoff Required items: 1) Please indicate to the Stormwater Management section how the written goals and intent of the Public Health and Safety element has been met. Also indicate how the proposed project adequately meets the requirements of policy 6.4.3 of the County General Plan. Determination of this item as a completeness issue is to be made by the Planning Department. 2) The project site will be required to hold runoff rates to pre-development levels. Various runoff reduction measures (commonly called BMP's) are to be used before detention. County standard detention will be required only to the extent that pre-development runoff rates cannot be otherwise maintained through these required

## Discretionary Comments - Continued

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measures, & where drainage problems are not resolved. 3) Indicate the materials of all proposed and existing site surfacing. Indicate what surfaces are to be removed. Clarify the materials of the building deck areas, and show whether or not these will be pervious. Indicate how impervious surfacing will be minimized to meet policy 7.23.2. 4) The chronic stormwater management problems within the Rio Del Mar Flats are well known and current studies have been made. The applicant will not be required to perform a downstream impact assessment. However, an engineered site drainage/stormwater plan is required from a licensed civil engineer. 5) Indicate on the plans the manner in which building downspouts will be discharged. Proposing downspouts as discharged directly to the stormdrain system or curb face is generally inconsistent with efforts to hold runoff to pre-development rates and is to be avoided if not controlled. All paved site runoff is to be treated with a water quality device or other best management practice prior to release. Indicate this on the plans. A standard recorded maintenance agreement will be required prior to approval of the building plans. A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.85 per square foot, and are assessed upon permit issuance. Because this application is incomplete in addressing County development policies, resulting revisions and additions will necessitate further review comment and possibly different or additional requirements. The applicant is subject to meeting all future review requirements as they pertain to the applicant's changes to the proposed plans.

All resubmittals of plans, calculations, reports, faxes, extra copies, etc... shall be made through the Planning Department. Materials left with Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON JANUARY 24, 2005 BY DAVID W SIMS =====

===== UPDATED ON APRIL 21, 2005 BY DAVID W SIMS ===== 2nd Routing: 1) Prior item 1: Incomplete. Response to this item has not been addressed to the Stormwater Management section. Since this County section is responsible for "minimizing public expenditures" related to stormwater infrastructure and "protecting the environment" through implementing water quality protections, (important goals of the Public Health and Safety element), a complete response to this review section on this item is needed. 2) Prior item 2: Incomplete. Insufficient runoff control measures have been proposed to successfully hold runoff levels to pre-development rates. Their effectiveness has not been demonstrated. 3) Prior item 3: Incomplete. Indicate how impervious surfacing will be minimized to meet policy 7.23.2., so as to "minimize the amount of post- development surface runoff". Given the chronic local flooding problems, a large percentage of any site paving should be of pervious materials. Indicate the materials of all proposed and existing site surfacing. Show accurate delineation of all new and existing areas. Indicate specifically what surfaces are to be removed. 4) Prior item 4: Incomplete. An engineered site drainage/stormwater plan is required from a licensed civil engineer. 5) Prior item 5: Incomplete. The applicant has shown a method for how down- spouts and pavement runoff will be routed and this is an improvement. However, the vegetative areas proposed to absorb and filter the discharge are quite small and there are insufficient details to judge the feasibility of the landscape areas to provide the required levels of mitigation. Additionally, these mitigations and the stormwater control plan as a whole have not been designed by a licensed civil engineer. See items 2 and 4.



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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 30, 2005 BY DAVID W SIMS ===== 3rd Routing: 1) Prior item 1: Complete. Modifications to the proposal to elevate the structure on concrete piers, and to prevent creation of enclosed storage space at flood levels has significantly helped to address Stormwater Management section concerns regarding "minimizing public expenditures" related to stormwater infrastructure and "protecting the environment" through avoiding water quality exposure risks from product storage. 2) Prior item 2: Incomplete. Insufficient and unacceptable runoff control measures have been proposed to address runoff impacts. An adequate stormwater management plan has not been demonstrated.

a) The detention design is not accepted because it does not meet policy requirements to control runoff impacts by other methods (see item 3; General Plan policies 7.23.1 and 7.23.2; County Design Criteria Part 3, Sect G1). Please provide other methods in the next submittal. (Note: Comments on detention system deficiencies are provided below, but do not override the issue of non-acceptability of the measure previously mentioned above.) b) The detention design is not functional as proposed, and the calculation assumptions are substantially inconsistent from the plans. Most significantly, the calculations presume the ability to achieve an ongoing off-site "allowable release" while the system is filling. The configuration detailed on the plans does not allow any off-site release until after the system has filled. This difference in operation greatly affects the necessary storage volume for the system. It also does not appear that elevations at the site will permit the use of the type of detention proposed in the calculations. Other appropriate methods, calculations and/or configurations should be used. c) The post-development composite C-value is calculated incorrectly and introduces errors throughout the rest of the calculations. d) The peak calculated volume was not correctly selected; instead a lesser value was used. e) The headwater value used in the orifice calculations is not achievable for the configuration shown on the plans. f) The design appears to rely on ground permeability to dispose of trapped water. This ability is not accounted for in the design calculations. Any design relying on ground percolation will need to substantiate this capability within the design calculations. Any stormwater control measure using storage should be shown to be emptied in a short period of time such that its service is available for the next storm event. The site is mapped as having soils of useful permeability. g) Detention pipe perforation size and number is not specified, and it is not clear whether adequate rates of water could pass into the storage area. The continuous pipe connection used in the design will lead to system failure if perforations are too few or became clogged. Such a pipe should be designed as a non-continuous span to assure water is injected into the storage area. h) The proximity of the detention system to neighboring buildings must be shown on the plans, and be maintained at a distance sufficient to prevent damages from concentrated storage and extended percolation of trapped water. i) No silt and grease trap has been provided to address site water quality protection, or to effectively protect the service life of the gravel detention bed. j) Provide a dimensioned construction detail of any outlet (orifice) control structure that assures its proper constructability in agreement with all design assumptions and elevations.

3) Prior item 3: Incomplete. This item has not been addressed. Indicate how impervious surfacing will be minimized to meet policy 7.23.2., so as to "minimize the amount of post-development surface runoff". Given the chronic (i.e. annual) local flooding problems, a large percentage of any site paving should be of pervious

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materials. Indicate the materials of all proposed site surfacing.

Per calculations, there appears to be a large increase (84%) in proposed impervious surfacing. This is not acceptable. Because this site directly drains into neighboring areas that flood each year, the policy requirement to minimize impervious paving is to be fully met, so that there are no runoff impacts for these frequently occurring runoff events. This means that the extent of impervious paving for the approved project is to be reduced from that of the existing condition. There is nothing preventing provision of porous pavement on the site, including under the elevated building onto which roof downspouts could be discharged. Porous pavement and a shallow depth clean gravel sub-grade can be effectively designed, avoiding the elevation problems and the impossibility of offsite surface release of runoff from a deep detention pit.

- 4) Prior item 4: Complete. An engineered site drainage/stormwater plan was provided from a licensed civil engineer. The plan is not yet acceptable. See items 2 and 3.  
5) Prior item 5: Complete. Item is no longer applicable due to proposal changes.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$0.90 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. ===== UPDATED ON NOVEMBER 30, 2005 BY DAVID W SIMS =====

===== UPDATED ON SEPTEMBER 8, 2006 BY DAVID W SIMS ===== 4th Routing: Prior item 1: Complete. Prior item 2: Complete. See miscellaneous comments. Prior item 3: Incomplete. Devlin Jones's plans (sheet C-1) note existing impermeable pavement to be cut to create the patio and pathway. The FAR calculations also show these areas as impermeable. The engineer's plans (sheet C2) show these surfaces and additional areas under the building overhang to be new porous concrete. Please revise information on Devlin Jones's plans for consistency with the engineer's plan and County policy.

Prior items 4, 5, 6: Complete. ===== UPDATED ON DECEMBER 12, 2006 BY DAVID W SIMS ===== 5th Routing: Prior item 1, 2: Complete. Prior item 3: Incomplete. This submittal did not include plans from the civil engineer (Dewitt). The plans from Devlin Jones have been changed, but could only be compared to prior submitted civil plans. This comparison indicates the two plan sets remain inconsistent with each other. Resubmit all sets of project plans, fully revised for mutual consistency, so they can be checked for meeting development requirements.

Prior items 4, 5, 6: Complete. ===== UPDATED ON AUGUST 27, 2007 BY DAVID W SIMS =====  
6th Routing:

Review Summary Statement:

The plan revisions placing office space on the ground floor with additional uncovered parking has invalidated the drainage and mitigation design proposed in the 5th routing. Due to the extent of changes the review comments are renumbered and no longer correspond to the prior reviews.

## Discretionary Comments - Continued

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The present development proposal does not adequately control stormwater impacts. The proposal is out of compliance with County drainage policies and the County Design Criteria, and also lacks sufficient information for complete evaluation. The Stormwater Management section cannot recommend approval of the project as proposed.

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

### Policy Compliance Items:

Item 1) The applicant will need to provide mitigations with complete detailed calculations showing that runoff rates are held to pre-development levels for a broad range of storms up through the 10-year event. The use of BMP's is required. The pre-development condition may not assume any credit for non-permitted construction. Any credits claimed in the calculations must provide documentation of the legal status along with the calculations.

Item 2) The use of permeable concrete for the uncovered parking spaces and walkways meets County policy to minimize impervious surfacing. This use also has the potential to control water quality impacts and to provide alternative mitigation volume for the building runoff.

### Information Items:

Item 3) Incomplete. Sheet A-2 of the plans notes downspouts to be piped underground, while sheet C2 of the plans shows no underground pipe, but provides a detail of a splash block indicating surface discharge. If the downspouts facing Marina Ave. are discharged to the ground surface, this runoff will not be mitigated, which is unacceptable. Please revise for consistency and provide appropriate mitigation.

Item 4) Incomplete. Indicate whether the trellis covered deck above the landscape area will have a solid deck or a pervious deck, and note this condition on the plans and in calculations.

Item 5) Incomplete. The rock filled trench and any other mitigation storing concentrated runoff water should not be placed against the neighboring building's foundation. Locate any mitigation measures that concentrate runoff with as much spacing as possible away from structure foundations.

Item 6) Incomplete. It is noted on the plans that the rock trench is to have fabric and native soil backfilled over the top of the rock fill. This conflicts with the drawn detail that shows rock up to finished grade. Providing soil backfill would either reduce the proposed storage volume or force lowering elevations of the rock fill, which would invalidate positive drainage of the facility. Please revise the mitigation approach to something that works.

Item 7) Incomplete. The calculations on the plan indicate 19.5 cubic feet storage volume being provided in the rock trench. Checked against County standards this is substantially too small to treat the building structure. Additionally, various notes show the length of the rock trench at 23, 15, and 13 feet and the width at 2.5 and 2 feet, and the pipe slopes at 5.0%, 0.5%, and 0.05%. Please revise the design to

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match required calculations.

Item 8) Incomplete. Provide fully annotated and dimensioned construction details showing the porous concrete section and sub-grade design, consistent with the required calculations. Provide plan view elevations showing finished grade of all pavements.

Please see miscellaneous comments.

Dpw Drainage Miscellaneous Comments

===== REVIEW ON JANUARY 21, 2005 BY DAVID W SIMS ===== NO COMMENT =====  
UPDATED ON APRIL 21, 2005 BY DAVID W SIMS ===== NO COMMENT ===== UPDATED ON  
NOVEMBER 30, 2005 BY DAVID W SIMS ===== Miscellaneous items to be addressed with  
the building application: A) Specify the CDC standard detail (Fig. ST-4b) for the  
under sidewalk drain, and show the sidewalk extents to be removed and reconstructed.  
B) Detention structure dimensions in plan view are incorrectly noted. C) Include the  
engineer's stamp on all civil plan sheets. D) General note 7 on civil sheet C1 has  
the incorrect phone area code. E) Devlin Jones sheet C-1 notes the County storm  
drain as a City drain. F) The downspout locations on the civil sheet do not agree  
with those those sheets of Devlin Jones.

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

All resubmittals shall be made through the Planning Department. Materials left with  
Public Works may be returned by mail, with resulting delays.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am  
to 12:00 noon if you have questions. ===== UPDATED ON SEPTEMBER 8, 2006 BY DAVID  
W SIMS ===== Miscellaneous: A) Acceptable runoff control measures have been  
proposed to address runoff impacts. Specifically, the use of porous concrete is  
proposed for the entire patio and walkway, and for 25% of the building footprint  
area located under the rear building overhang. Building downspouts are discharged to  
the porous concrete for infiltration into the sub-grade. This represents the primary  
means of site runoff mitigation for the building and pavements, and its application  
is a required development condition and the basis of Stormwater Management approval.  
Any future attempt to eliminate this approved measure or avoid the related policies  
required of this project will result in retraction of review approval given by the  
Stormwater Management section. B) Only two roof downspouts are shown. Should addi-  
tional downspouts be needed they must also discharge to a porous pavement mitigation  
area, consistent with the approved mitigation method. As applicable, show how this  
would be achieved. C) As previously stated, the gravel detention trench proposed is  
not accepted and it may be eliminated from the building application to reduce  
project costs. The storage and soil surface area available in the sub-grade of the  
porous pavement areas is sufficient to control runoff impacts and is better posi-  
tioned to do so. D) Submit calculations with the building application that quantify  
the storage provided in the porous pavement sub-grade, and quantify the ability of  
ground permeability to dispose of introduced water within a short period of time.  
See Part 3, section H of the new design criteria for guidance on related calculation

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methods. The site is mapped as having soils of useful permeability. E) Provide fully annotated and dimensioned construction details showing the porous concrete section and sub-grade design, consistent with the calculations. Provide plan view elevations showing finished grade of all pavements. F) The impermeable pavement under portions of the building footprint will accumulate surface contaminants and drain spills from parked cars. This pavement surface must not be sloped towards Marina Ave. unless a trench drain and a silt and grease trap is provided to capture such flows. It would be acceptable to slope the impermeable pavement towards the porous pavement. Provide clarification. G) Show the sidewalk extents to be removed and replaced anywhere an under-curb drain is proposed. H) The plans state the site drains to Soquel Creek. The site actually drains to Aptos Creek. Please correct. I) Where applicable, revise old references to County standard drawing figures to agree with the new design criteria. J) Sheet C2: The engineer's stamp is missing graphics.

Other requirements may be made by the building application reviewer.

Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions. ===== UPDATED ON DECEMBER 12, 2006 BY DAVID W SIMS =====

See comments provided with prior routings. ===== UPDATED ON AUGUST 27, 2007 BY DAVID W SIMS =====

A) Sheet C2 incorrectly shows the entire finished floor at elevation 14.0. This would prevent entry of cars for parking. Sheet A-2 also shows the garage slab well above existing grade, and notes existing grade at 12.1 feet while the survey shows the existing sidewalk approach at 10.8 feet.

B) Sheet A-01 shows a landscape zone adjacent to parking space P-1. The proposal for a rock filled trench in the same location conflicts with this proposal unnecessarily.

C) As previously stated, the gravel detention trench as proposed is not accepted and it may be eliminated from the building application to reduce project costs. The storage and soil surface area available in the sub-grade of the porous pavement areas is sufficient to control runoff impacts and is better positioned to do so.

D) Downspout locations are not consistently shown between sheets A-01 and C2. Please correct.

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

F) Please note on the plans provision for permanent bold markings at each inlet that read: "NO DUMPING - DRAINS TO BAY".

G) Show the sidewalk extents to be removed and replaced anywhere an under-curb drain is proposed.

H) The plans state the site drains to Soquel Creek. The site actually drains to Aptos Creek. Please correct.

I) Revise old references to County standard drawing figures to agree with the new

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design criteria. Sheet C2 uses SD-16, which has been updated.

J) Sheet C2: The engineer's stamp is missing graphics.

A drainage impact fee will be assessed on the net increase in impervious area. The fees are currently \$1.00 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.

### Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JANUARY 11, 2005 BY RUTH L ZADESKY =====

### Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON JANUARY 11, 2005 BY RUTH L ZADESKY =====

### Dpw Road Engineering Completeness Comments

===== REVIEW ON JANUARY 24, 2005 BY GREG J MARTIN =====

The parking layout does not meet County standards. Diagonal parking at a sixty degree angle requires 40 feet in width and the parcel is only 27.5 feet wide. The columns of the building will also require about 2 feet adjacent to the aisle.

Standard diagonal parking which meets County parking layout requirements is not possible on the site. ===== UPDATED ON APRIL 12, 2005 BY GREG J MARTIN =====  
The parking layout shown provides for an aisle of less than nine feet. It does not appear that diagonal parking is feasible as proposed.

We recommend alternative parking configurations be evaluated.

===== UPDATED ON NOVEMBER 28, 2005 BY GREG J MARTIN =====

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Pedestrian access to the sidewalk is required. ===== UPDATED ON SEPTEMBER 13, 2006 BY GREG J MARTIN =====

Proposed parking layout does not meet standards. The area between the two parking space 1 and 3 would be considered a driveway and would be required to be ten feet wide instead of the eight feet proposed. The two parking spaces are required to be 8.5 feet wide instead of the 8 feet proposed. These requirements in conjunction with the narrow width of the lot result in the proposed layout being infeasible for the lot. Access from Venetian Road for on-site parking spaces should be considered.

Pedestrian access from Venetian Road and Marina Avenue should be provided.

===== UPDATED ON SEPTEMBER 15, 2006 BY GREG J MARTIN =====  
Per JRS no comments. ===== UPDATED ON DECEMBER 15, 2006 BY GREG J MARTIN =====

NO COMMENT

===== UPDATED ON AUGUST 16, 2007 BY GREG J MARTIN =====  
No comment.

### Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JANUARY 24, 2005 BY GREG J MARTIN =====  
===== UPDATED ON APRIL 20, 2005 BY GREG J MARTIN =====  
===== UPDATED ON NOVEMBER 28, 2005 BY GREG J MARTIN =====

We have no objections to a carport. However we do not encourage more than two perpendicular spaces directly accessed from a County road. More than two perpendicular spaces may result in the County road acting more as a parking aisle than a road.

If you have any questions please call Greg Martin at 831-454-2811. ===== UPDATED ON SEPTEMBER 13, 2006 BY GREG J MARTIN =====

===== UPDATED ON DECEMBER 15, 2006 BY GREG J MARTIN =====  
===== UPDATED ON AUGUST 16, 2007 BY GREG J MARTIN =====  
===== UPDATED ON AUGUST 16, 2007 BY GREG J MARTIN =====

### Dpw Sanitation Completeness Comments

===== REVIEW ON AUGUST 9, 2007 BY DIANE ROMEO ===== No. 1 Review Summary  
Statement; Appl. No. 04-0664; APN: 042-152-15; Montero:

The Proposal is out of compliance with District or County sanitation policies and the County Design Criteria (CDC) Part 4, Sanitary Sewer Design, June 2006 edition, and also lacks sufficient information for complete evaluation. The District/County Sanitation Engineering and Environmental Compliance sections cannot recommend approval of the project as proposed.

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

Policy Compliance Items:

Item 1) This review notice is effective for one year from the issuance date allow the applicant the time to receive tentative map, development or other discretionary

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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.

Information Items:

Item 1) A complete engineered sewer plan, addressing all issues required by District staff and meeting County -Design Criteria- standards (unless a variance is allowed), is required. District approval of the proposed discretionary permit is withheld until the plan meets all requirements. The following items need to be shown on the plans:

Show proposed sewer lateral (including length of pipe, pipe material, cleanouts located maximum of 100-feet apart along with ground and invert elevations) and slope noted (minimum 2%) and connection to the existing public sewer.

Applicant shall contact Planner for deposit of Sanitation review fee for -Minor New Mixed Use- projects. The use of an existing lateral will require the following:

In accordance with Sanitation District Code section 7.04.375 Private Sanitary Sewer System Repair, of Title 7, prior to building permit submittal the applicant/owner is required to televise all on-site sewer laterals and make repairs to any damaged or leaking pipes that might be shown. This includes root intrusion, open joints, cracks or breaks, sags, damaged or defective cleanout, inflow and infiltration of extraneous water, older pipe materials that are known to be inadequate, inadequate lift or pump stations, inadequate alarm systems for overflows, and inadequate maintenance of lift stations. Color video results (tape or dvd), of a sufficient quality to observe interior pipe condition, joints, sags among other items, shall be made available to the District for review, along with District certification form completed by plumber, and the District shall review results within 10 working days of submittal to the District. Repairs, as required by the District, shall be made within 90 working days of receipt of video result review. Applicant/owner shall obtain a sewer repair permit (no charge) from the District and shall have repairs inspected by the District inspector prior to backfilling of pipe or structure.

Show elevation of nearest publicsewer main manhole or clean out rim upstream of lateral connection to public sewer and elevation of lowest finished floor elevation that is plumbed and connected to the waste line. Indicate the installation of sewer backflow or overflow device if required by District code.

Any questions regarding the above criteria should be directed to Diane Romeo of the Sanitation Engineering division at (831) 454-2160.

There are no miscellaneous comments.

Dpw Sanitation Miscellaneous Comments

===== REVIEW ON AUGUST 16, 2007 BY DIANE ROMEO ===== There are no miscellaneous comments.



Discretionary Comments - Continued

Project Planner: Larry Kasparowitz  
Application No.: 04-0664  
APN: 042-152-05

Date: June 6, 2008  
Time: 11:18:16  
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Environmental Health Completeness Comments

===== REVIEW ON JANUARY 20, 2005 BY JIM G SAFRANEK =====  
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON JANUARY 20, 2005 BY JIM G SAFRANEK ===== This is Commercial  
Dev. with Public Services(not Res. Dev. permit w/ onsite sewage). EHS review fee is  
\$231, not \$462. Please notify applicant.

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON FEBRUARY 25, 2005 BY ERIN K STOW =====  
DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED  
A new fire hydrant is required located within 250 feet of the site with a minimum  
fire flow of 1,500 G.P.M.  
All Fire Department building requirements and fees will be addressed in the Building  
Permit phase.  
Plan check is based upon plans submitted to this office. Any changes or alterations  
shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON FEBRUARY 25, 2005 BY ERIN K STOW =====  
NO COMMENT

## MEMORANDUM

Application No: 04-0664

Date: June 6, 2008

To: Larry Kasparowitz, Project Planner

From: Urban Designer

Re: Design Review for a new mixed-used building at 115 Venetian Way, Aptos

GENERAL PLAN / ZONING CODE ISSUESDesign Review Authority

13.11.040 Projects requiring design review.

(e) All commercial remodels or new commercial construction.

Design Review Standards

13.11.072 Site design.

Evaluation Criteria	Meets criteria in code( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Site Design</b>			
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			N/A
Landscaping	✓		
Streetscape relationship	✓		
Street design and transit facilities			N/A
Relationship to existing structures	✓		
<b>Natural Site Amenities and Features</b>			
Relate to surrounding topography			N/A
Retention of natural amenities			N/A
Siting and orientation which takes advantage of natural amenities			N/A
Ridgeline protection			N/A

<b>Views</b>			
Protection of public viewshed	✓		
Minimize impact on private views	✓		
<b>Safe and Functional Circulation</b>			
Accessible to the disabled, pedestrians, bicycles and vehicles	✓		
<b>Solar Design and Access</b>			
Reasonable protection for adjacent properties	✓		
Reasonable protection for currently occupied buildings using a solar energy system	✓		
<b>Noise</b>			
Reasonable protection for adjacent properties	✓		

## 13.11.073 Building design.

Evaluation Criteria	Meets criteria in code ( ✓ )	Does not meet criteria ( ✓ )	Urban Designer's Evaluation
<b>Compatible Building Design</b>			
Massing of building form	✓		
Building silhouette	✓		
Spacing between buildings	✓		
Street face setbacks			N/A
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	✓		
<b>Scale</b>			
Scale is addressed on appropriate levels	✓		
Design elements create a sense of human scale and pedestrian	✓		
<b>Building Articulation</b>			
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.	✓		

## 13.11.074 Access, circulation and parking.

Parking			
Minimize the visual impact of pavement and parked vehicles.	✓		
Parking design shall be an integral element of the site design.	✓		
Site buildings toward the front or middle portion of the lot and parking areas to the rear or side of the lot is encouraged where appropriate.	✓		
Lighting			
All site, building, security and landscape lighting shall be directed onto the site and away from adjacent properties.			<i>Suggest as Condition of Approval</i>
Area lighting shall be high-pressure sodium vapor, metal halide, fluorescent, or equivalent energy-efficient fixtures.			<i>Suggest as Condition of Approval</i>
All lighted parking and circulation areas shall utilize low-rise light standards or light fixtures attached to the building. Light standards to a maximum height of 15 feet are allowed.			<i>Suggest as Condition of Approval</i>
Building and security lighting shall be integrated into the building design.			<i>Suggest as Condition of Approval</i>
Light sources shall not be visible from adjacent properties.			<i>Suggest as Condition of Approval</i>
Loading areas			
Loading areas shall be designed to not interfere with circulation or parking, and to permit trucks to fully maneuver on the property without backing from or onto a public street.			N/A