



Staff Report to the Zoning Administrator

Application Number: **08-0157**

Applicant: Hamilton Swift Land Use and
Development Consulting

Owner: Cali Investments

APN: 025-141-14

Agenda Date: August 8, 2008

Agenda Item #: 1

Time: After 10:00 a.m.

Project Description: Proposal to occupy an existing commercial building with a construction materials and supplies sales business (Big Creek Lumber), establish a Master Occupancy Program, and provide a 100 square foot building facade sign. The project requires a Commercial Development Permit and a Variance to increase the maximum sign area from 50 square feet to 100 square feet.

Location: Property located on the north side of Soquel Avenue, 500 west from the Soquel Avenue freeway overpass. (2801 Soquel Avenue)

Supervisory District: 3rd District (District Supervisor: Neil Coonerty)

Permits Required: Commercial Development Permit and a Variance to increase the maximum sign area from 50 square feet to 100 square feet.

Technical Reviews: None

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 08-0157, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size: 3.41 acres
Existing Land Use - Parcel: Vacant Commercial Building, previously Commercial Feed Store
Existing Land Use - Surrounding: Commercial
Project Access: Soquel Avenue
Planning Area: Live Oak
Land Use Designation: Commercial Service
Zone District: C-4
Coastal Zone: ☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm. ☐ Yes ☒ No

Environmental Information

Geologic Hazards: No
Soils: N/A
Fire Hazard: N/A
Slopes: N/A, site development completed
Env. Sen. Habitat: Riparian area at rear of site. Existing improvements comply with 20-foot riparian corridor setback.
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Existing building not visible from Highway 1 Scenic Corridor.
Drainage: Existing drainage improvements adequate. See attached letter of Glen Ifland, Civil Engineer regarding status of existing improvements (Exhibit G)
Archeology: Not mapped/no physical evidence on site

Services Information

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

History

The site contains an approximately 19,000 square foot commercial building with an approximately 10,000 square foot covered storage area at the rear. This commercial building was previously approved and constructed under Use Permit 89-0643 for use as the Cali Feed pet supply store. Pursuant to County Code Section 13.10.332, this was processed as a Zoning Administrator Approval because the commercial building is less than 20,000 square feet in size. The covered storage area was not attributed to building square footage for purposes of establishing the level of review.

The project included two areas for future build-out subject to Planning Commission approval that were never developed. Otherwise, the site was fully improved with circulation, parking, landscaping, drainage improvements, and frontage improvements including sidewalks and street trees.

The Cali Feed use operated for approximately 12 years, after which the business closed. The building has remained vacant for many years since then. Pursuant to County Code section 18.10.132 (d) if a use ceases or is abandoned for 1 year, the permit, if one exists, becomes null and void. Though the building exists, the building does not retain any use permit rights. The proposed use is subject to approval by the Zoning Administrator at this time.

Proposed Use

The applicant is proposing to occupy the existing building with Big Creek Lumber, a construction material and supply sales business currently located on Portola Drive and 38th Avenue. Hours of operation are expected to be between 7 am and 5 pm on weekdays, between 8 a.m. and 4 p.m. on Saturdays, and closed on Sunday. The applicant does not propose any changes to the exterior of the building or site with exception of a 100 square foot building sign, a checkout kiosk at the rear, west side of the building, handicap accessible upgrades required by the Building Department, propane tank installation, and interior modifications to accommodate the building supply storage and office needs of the use.

In addition, the applicant requests a Master Occupancy Program. This program would allow all uses where consistent with the C-4 zone district and available parking on site.

Zoning & General Plan Consistency

Site Development

The subject property is located in the C-4 zone district, a designation which allows the proposed construction material and supply sales uses. The proposed project is consistent with the site's "Service Commercial" General Plan designation as well.

All site development standards were met when the previous building and use was permitted under application 89-0643. Staff reviewed the site and observed that the overall site is in good condition with exception of some landscape areas that have not been properly maintained and a few vacant areas that were retained for future development that never occurred. There are a few bare areas in the parking area where plans have died or were trampled throughout the years. And, the two areas previously retained for future development are not formally landscaped and are not particularly attractive and stand out against the rest of the landscaping and site development. The landscape plan previously approved and included in this project submittal package shows a mix of grasses. Today, this area has been cut down to the ground and appears as weeds. Until such time that an application for build-out occurs the project has been conditioned to provide a revised landscape plan to be reviewed and approved by the Urban Designer and Santa Cruz Water Department. It is suggested that a drought tolerant ground cover

be provided in those areas. Otherwise, the existing trees located along both sides of the entry drive appear to require pruning. The project is conditioned to address these areas prior to issuance of a building permit for interior modifications.

The applicant also submitted a letter from Ifland Engineers, the civil engineer responsible for the original drainage design. This letter addresses the current status of the drainage improvements. Based on this analysis it appears that the drainage improvements are functioning as originally designed, though the existing silt and grease trap located at the rear northwest corner requires clean-out. The project is conditioned to meet this maintenance requirement.

Signage

Pursuant to the sign ordinance, signage in excess of the 50 square foot sign standard requires a variance. A variance to the sign ordinance is appropriate in this situation for a number of reasons.

The site does have special circumstances affecting the visibility of the business. In particular, the subject property slopes approximately 10 feet down from Soquel Avenue and the existing two story commercial building is set back approximately 135 feet back from the property line adjacent to the street. In addition, street trees located along the Soquel Avenue frontage limit visibility of the building from the street.

Approval of a variance would not be a grant of special privilege in that most the other properties in the vicinity are located at the street elevation and are set back approximately 10 feet from the street and have significantly greater visibility. Thus, the strict application of the Zoning Ordinance would deprive the subject property of business visibility enjoyed by other properties in the vicinity.

Lastly, approval of a signage variance would not be detrimental to the health and safety of the site or to surrounding properties.

Master Occupancy Program

Master Occupancy Programs allow changes to the use of the building that only require a change of use approval by the Planning Department as opposed to the public hearing procedure normally required. These approvals require all uses to comply with the applicable zone district and use chart. Master Occupancy Program uses are also limited to uses that meet the parking requirements. Staff adds that future uses at this site should be those that are fully contained within the building, that meet the building occupancy type specified for the existing building, and that provide outdoor storage and display limited to the rear of the building as proposed with this application. These are necessary limitations since it cannot be anticipated what type of outdoor storage will be provided, what type of outdoor site arrangement will be necessary to accommodate future uses, or what other unforeseen issues might become evident. Also, uses meeting the building occupancy type will not present conflicts associated with building construction materials, fire protection provisions, or maximum floor area and height limitations of the building.

Uses that require site reconfiguration for outdoor storage in front of the building are recommended to obtain a minor variation to this use approval. This will allow for an evaluation of site layout, parking, circulation, outdoor storage, and allow a determination of whether the proposed use is appropriate for the site, and what, if any, conditions of approval are necessary. Additionally, applications for additional building square footage are recommended to obtain a Planning Commission approval pursuant to the ordinance review process for buildings over 20,000 square feet.

Design Review

The proposed project is not subject to design review because the building and site development has already been completed under a previous use permit application. Proposed signage, although larger than the standard, is suitable for the size and location of the building on the subject property.

Environmental Review

Previous Project

Overall site development was previously reviewed by the County's Environmental Coordinator under Application 89-0643. This previous project received a Negative Declaration with mitigation measures. All mitigation measures were completed prior to final of the building permit.

The most significant issues addressed through this previous environmental review process were traffic and circulation. At the time of approval the project was required to provide mitigation measures related to traffic impacts, including traffic impact fees associated with proposed trip ends and installation of roadway striping for a two-way left turn lane at Soquel and 7th Avenue. These mitigations also addressed site drainage improvements including a discharge pipe into Arana Gulch with appropriate erosion control and a silt and grease trap. The project also provided landscaping, general erosion control, and frontage improvements including curb, gutter and sidewalk.

Proposed Project

The Environmental Coordinator determined that the proposed project is exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) because this is an existing facility. And though the building is currently vacant, impacts associated with this site and type of uses allowed within this building were already evaluated and addressed through Environmental Review. Thus, this proposed use is considered a change of use within an existing building in the context of CEQA and no further Environmental Review is required.

Mention of the proposed traffic and parking requirements for the proposed uses are provided here to further support this determination. The expected level of traffic generated by the proposed project is anticipated to be only 90 trips per day, less than the 110 trips generated from the previous Cali Feed Store based on existing trip ends generated by the Big Creek Lumber business

on Portola Drive. Also, the site provides 62 parking spaces, in excess of the required 55 parking spaces. Thus, the proposed project is not expected to adversely impact existing roads and intersections in the surrounding area beyond that previously anticipated or exceed the available parking on the site. The project is also conditioned to maintain the existing drainage improvements so that the site drains properly, consistent with the original mitigation measures.

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 **08-0157**, 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.

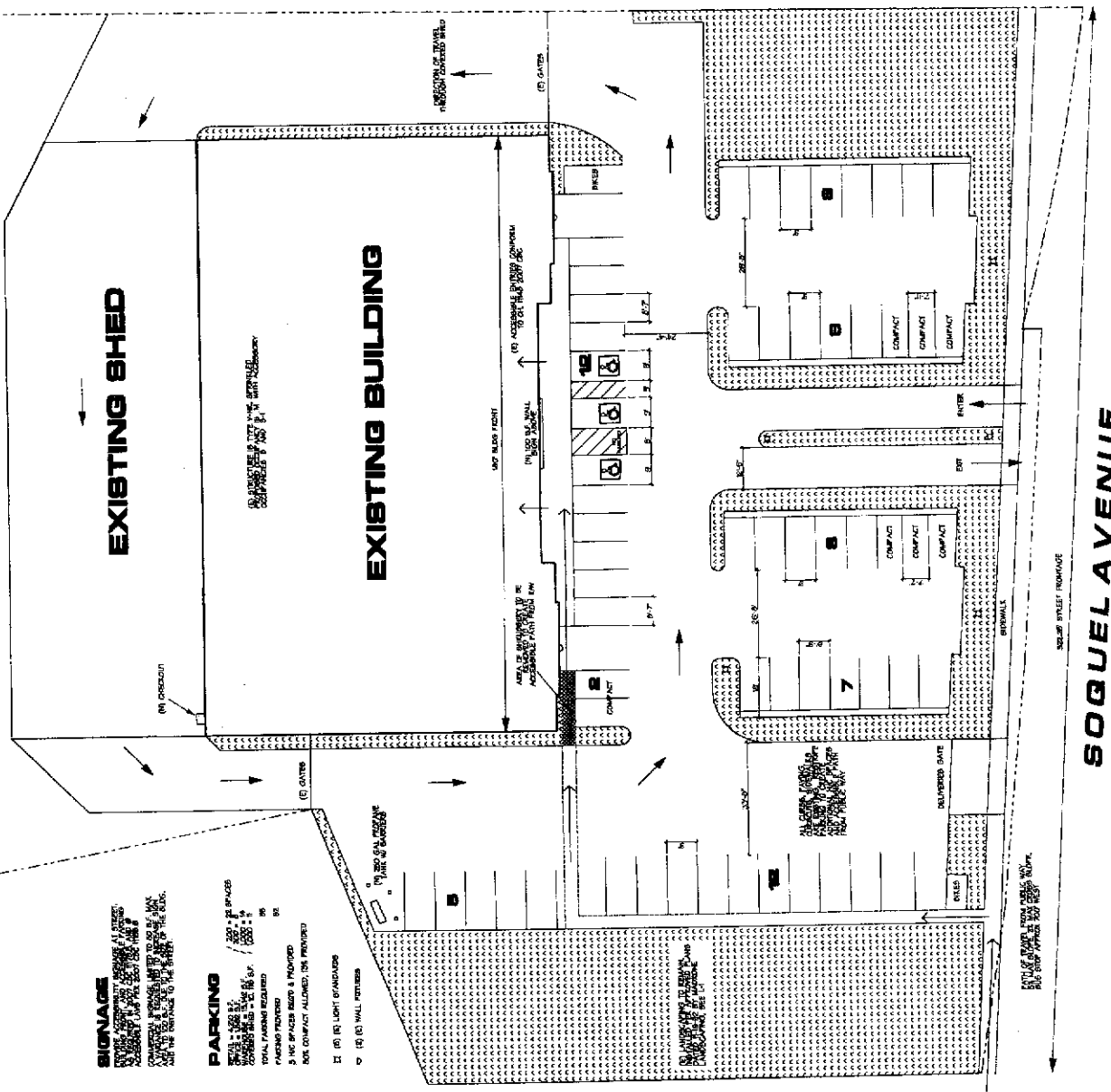
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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SIGNAGE
 SEE SHEET 04-2-03B FOR SIGNAGE REQUIREMENTS.
 ALL SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY OF SAN JOSE SIGNAGE ORDINANCE.

PARKING
 200 - 22 SPACES
 TOTAL PARKING REQUIRED - 200 SPACES
 TOTAL PARKING PROVIDED - 200 SPACES
 5 HC SPACES REQUIRED & PROVIDED
 SEE COMPACT ALLOWED, ON PREVIOUS SHEET

II (B) (6) LIGHT STANDARDS
 (C) (6) WALL MOUNTED



SOQUEL AVENUE

7

FLOOR PLAN



SCALE: 1/8" = 1'-0"
DATE: 04-20-00
DRAWN BY: L.P.
CHECKED BY: L.P.
PROJECT: BIG CREEK LUMBER

BLDG IS TYPE VME, SPARKLER

COVERED SHED
10,000 S.F.

WAREHOUSE
13,400 S.F.

RETAIL
4,000 S.F.
HALLS WITH 100' LAMP

OFFICE
200 S.F.

OFFICE
80 S.F.

WOMEN

STAIRS
100 S.F.

EMERGENCY EXIT
DOOR

ROLL-UP DOOR

ROLL-UP DOOR

ROLL-UP DOOR

ROLL-UP DOOR

ROLL-UP DOOR

ROLL-UP DOOR

ROLL-UP DOOR

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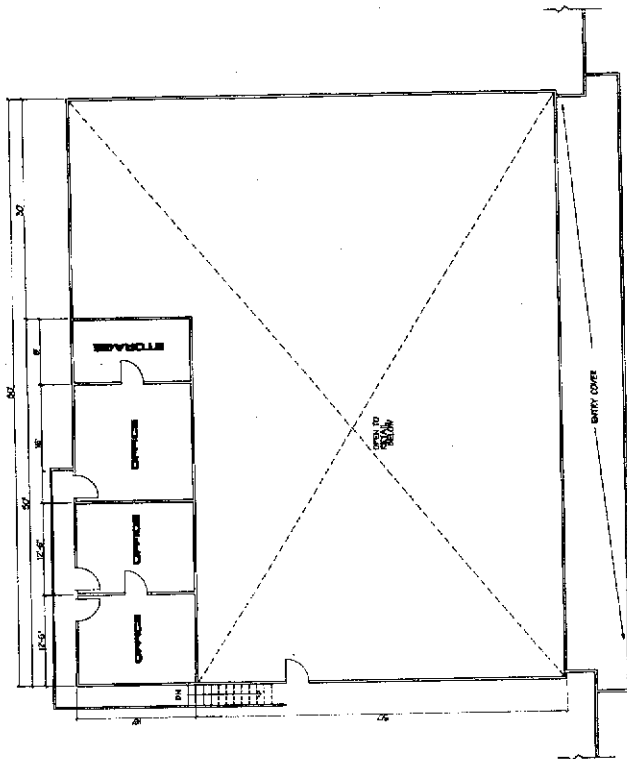
ROLL-UP DOOR

ROLL-UP DOOR

EMERGENCY EXIT
DOOR
MIN. DISTANCE 100'

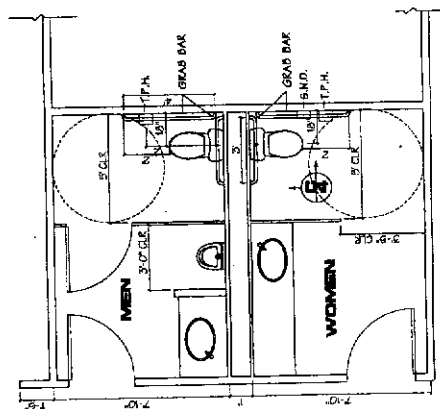
OPEN

OPEN



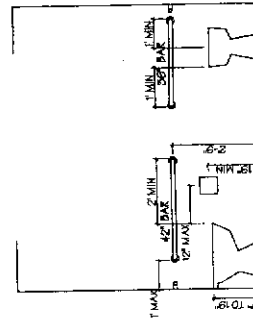
MEZZANINE PLAN

SCALE: 1/8" = 1'-0"



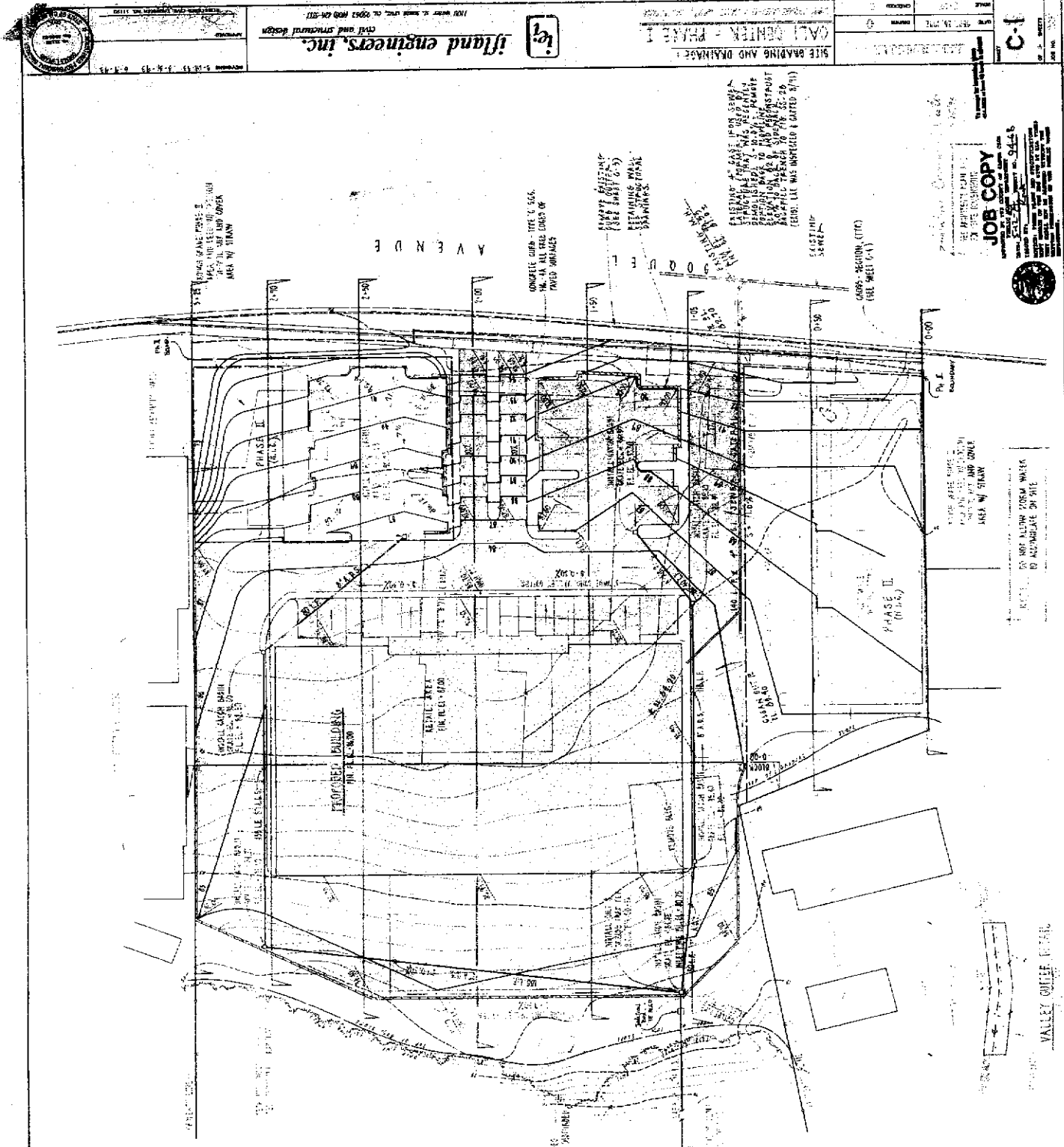
A EXISTING LAVB

SCALE: 3/8" = 1'-0"



C LAV DETAIL

SCALE: 1/8" = 1'-0"



GENERAL NOTES:

1. Block Map: County Block Map 116, 30 Avenue & 30th Avenue Intersection, 40' west from centerline of 7th Avenue and 30' north from centerline of 30th Avenue, on top of 10' high curb. Standard least cap - Post emblematic dimension = 10.21
2. All construction shall comply with applicable requirements in the current edition of the "County of Santa Cruz Design Manual".
3. All figures (PLC) references, unless otherwise specified, refer to standard drawings in the current edition of the "County of Santa Cruz Design Manual".
4. No changes to the approved Improvement Plans shall be made without prior approval of the Department of Public Works.
5. The Director of Public Works or his authorized representative shall have the authority to "Stop Work" if the work is not being done in accordance with the approved Improvement Plans.
6. The Contractor shall notify the County Construction Engineer (408-453-2123) 24-hours prior to start of construction.
7. Any existing utilities that are required to be relocated as a part of this construction shall be indicated at the developer's expense.
8. In those instances within the roadway or water, gutter or sidewalk, all underground utilities shall be in place before any earthwork or other work is done. All underground utilities shall be in place before any earthwork or other work is done. All underground utilities shall be in place before any earthwork or other work is done.
9. All catch basins to be "Chain" (C-2) with (2) 24" x 24" x 24" catch basins.

AREA WITHIN DOTTED LINE IS NOT TO BE CONSTRUCTED

EROSION CONTROL NOTES:

1. Between October 15 and April 15, exposed soil shall be protected from erosion at all times. Hay bales, filter berms, or other means shall be employed to prevent wind erosion to adjoining property.
 2. All areas on wet or all soils, exposed during construction, if not permanently landscaped per plans, shall be protected by mulching, sod or planting of the following: approved erosion control mat, at a rate of 25 lb. per acre:

Straw	50%
Row Cover (polyester mulch)	35%
Cracking Red Fescue	15%
Cracking Red Fescue	15%
Cracking Red Fescue	15%
Cracking Red Fescue	15%
 3. Unnecessary grading and dewatering of soil shall be avoided.
 4. Any excess materials shall be disposed of off-site or stockpiled in a manner to avoid runoff onto adjoining properties.
- During construction no topsoil or water shall be permitted to enter the channel or storm drain system. Use of all and greater traps or filter berms or hay bales may be used to prevent such discharge.
- Upon completion of construction, all remaining exposed areas shall be permanently revegetated per landscaping plans.
- Any materials specified during construction shall be covered with plastic.

Any materials specified during construction shall be covered with plastic.

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, in that the subject property slopes approximately 10 feet down from the Soquel Avenue and the existing two story commercial building is set back approximately 135 feet back from the property line adjacent to the street. These site circumstances, in addition to street trees, limit visibility of the structure from the street. All the other properties are located at the street elevation and are set back approximately 10 feet from the street and have significantly greater visibility to the street. The strict application of the Zoning Ordinance would deprive the subject property of business visibility enjoyed by other properties in the vicinity.

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.

This finding can be made, in that a variance will be in harmony with the general intent and purpose of zoning objectives to ensure that business signage is visible to the street, but does not disrupt the safety or welfare of surrounding development in the vicinity.

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 other properties in the vicinity with similar topographical and site development circumstances such as the subject property would be given the same consideration to ensure that signage is visible to the street from the building.

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 along Soquel Avenue in an area with mixed commercial uses and the proposed construction supply sales use will be operated in a building previously permitted for the site (Cali Feed Store), which operated for many years without negative impacts. The site is not encumbered by physical constraints to development. Interior modifications required for this use 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 use will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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

This finding can be made, in that the proposed location of the construction supply sales use and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the C-4 (Commercial Service) zone district in that the primary use of the property will be construction supply sales that meets all current site standards for the zone district.

While proposed signage does not meet the permitted square footage, variance findings are included.

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

This finding can be made, in that the proposed Commercial Construction supply sales use is consistent with the use and density requirements specified for the Service Commercial land use designation in the County General Plan.

The proposed use 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, in that the use will not adversely shade adjacent properties, and will meet current setbacks for the zone district that ensure access to light, air, and open space in the neighborhood.

The proposed building was previously approved for a commercial service use and thus the proposed commercial service use 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 use and existing building will comply with the site standards for the C-4 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

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

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

This finding can be made, in that the proposed building already exists and all site improvements are already completed. The proposed use will not exceed the traffic generated by the previously approved Cali Feed Supply Store. The expected level of traffic generated by the proposed project is anticipated to be only 90 trips per day, less than the 110 trips generated from the Cali Feed Store, which 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 use will be located within an existing commercial building in a mixed neighborhood containing a variety of architectural styles, and the proposed use 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 existing commercial building was previously approved and complies with the Design Standards and Guidelines. The proposed commercial use will be conducted inside the commercial building with exception of wood storage, which will be located behind the rear of the building and will not be visible to the street or affect the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Conditions of Approval

Exhibit A: Plans June 7, 2008 by Leif Rideout, Architect

- I. This permit authorizes the occupancy of the existing 20,000 square foot commercial building for use as a construction materials and supplies sales business and authorizes a Master Occupancy Program for this site. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 for interior modifications to the building.
- 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 1/2" x 11" format for Planning Department review and approval.
 - C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
 - D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services. This shall include submittal of a Hazardous Mitigation Management Plan.

- E. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.
 - F. Maintain required off-street parking for 62 cars as shown on Exhibit A.
 - G. Submit a revised landscape plan, prepared by a landscape architect, for review and approval by the Urban Designer and Santa Cruz City Water Department. The plan shall provide a drought tolerant ground cover for the two vacant grass areas shown on the southeast corner and southwest corner of the site.
- 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. The applicant shall clean out the existing silt and grease trap located at the rear, northwestern corner of the site and submit a letter from the contractor performing the work noting the date the work was completed.
 - C. The applicant shall replant landscape areas shown on the site where planting is dead or sparse. Planting shall be consistent with the landscape plan. The drip irrigation system shall be replaced or repaired as necessary.
 - D. The applicant shall submit a letter from the project landscape architect verifying that all plant materials and irrigation have been installed per the plans.
 - E. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- IV. Operational Conditions
- A. All landscaping and drainage improvements shall be permanently maintained. A site visit shall be conducted to ensure that landscaping and tree maintenance has been completed.
 - B. Expansion of the building floor area beyond 20,000 square feet shall require Planning Commission approval.
 - C. This permit constitutes a Master Occupancy Program for the project site and shall be subject to the following:
 - 1. Uses permitted are those uses listed as consistent in the C-4 zone district specified in Section 13.10.332 of the County Code, that are entirely contained within the building, that do not require more parking than available on-site (62 parking spaces), and that provide outdoor storage or

display at the rear of the building only. Prior to a change in use a Level 1 Change in Use Approval shall be approved by the Planning Department.

2. Applications for any Level 1 Change of Use Permits are subject to approval by the Environmental Health Services Department, Air Pollution Control District, Sanitation District (as necessary) and the Planning Department (Zoning and Building) and other agencies as determined by the Planning Department. All uses shall be consistent with the existing Building Occupancy Type M and Accessory Building Occupancy Type B and S-1 prior to approval.
 3. Any change in use that requires outdoor storage or display in front of the building or parking lot shall be processed as a Minor Variation to this use permit.
- D. 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.
- II. 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, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Sheila McDaniel
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: 08-0157

Assessor Parcel Number: 025-141-14

Project Location: 2801 Soquel Avenue

Project Description: Proposal to occupy an existing 20,000 square foot commercial building with a construction supply sales use and 100 square foot building facade sign.

Person or Agency Proposing Project: Hamilton Swift Land Use and Development Consulting

Contact Phone Number: (831) 459-9992

- 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 1 - Existing Facilities (Section 15301)

F. Reasons why the project is exempt:

Proposal to occupy existing commercial building

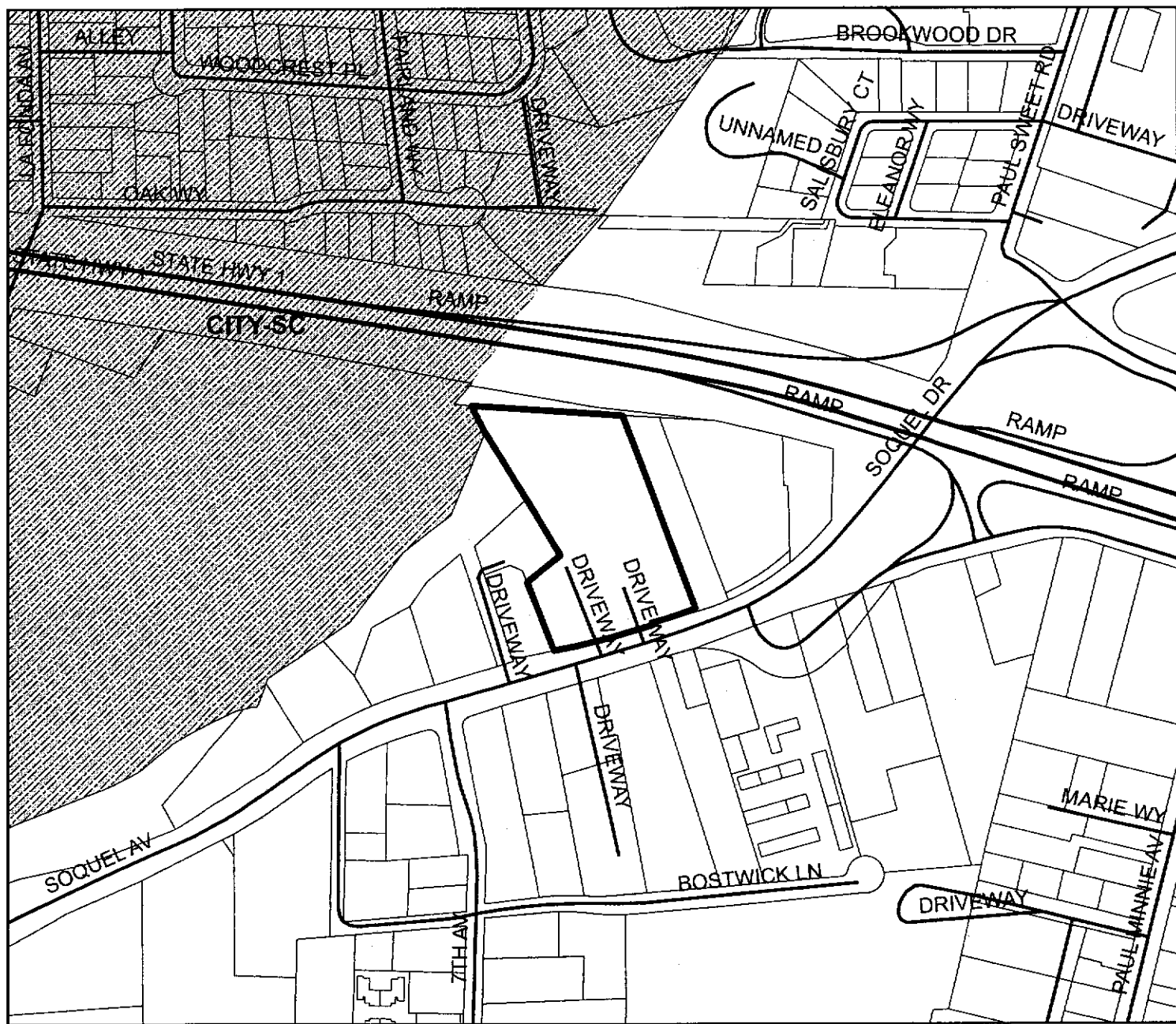
In addition, none of the conditions described in Section 15300.2 apply to this project.


Sheila McDaniel, Project Planner

Date: 7/17/08








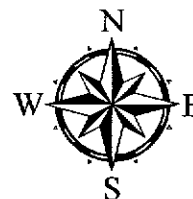
Location Map



0 310 620 1,240 1,860 2,480 Feet

LEGEND

-  APN: 025-141-14
-  Assessors Parcels
-  Streets
-  State Highways
-  SANTA CRUZ

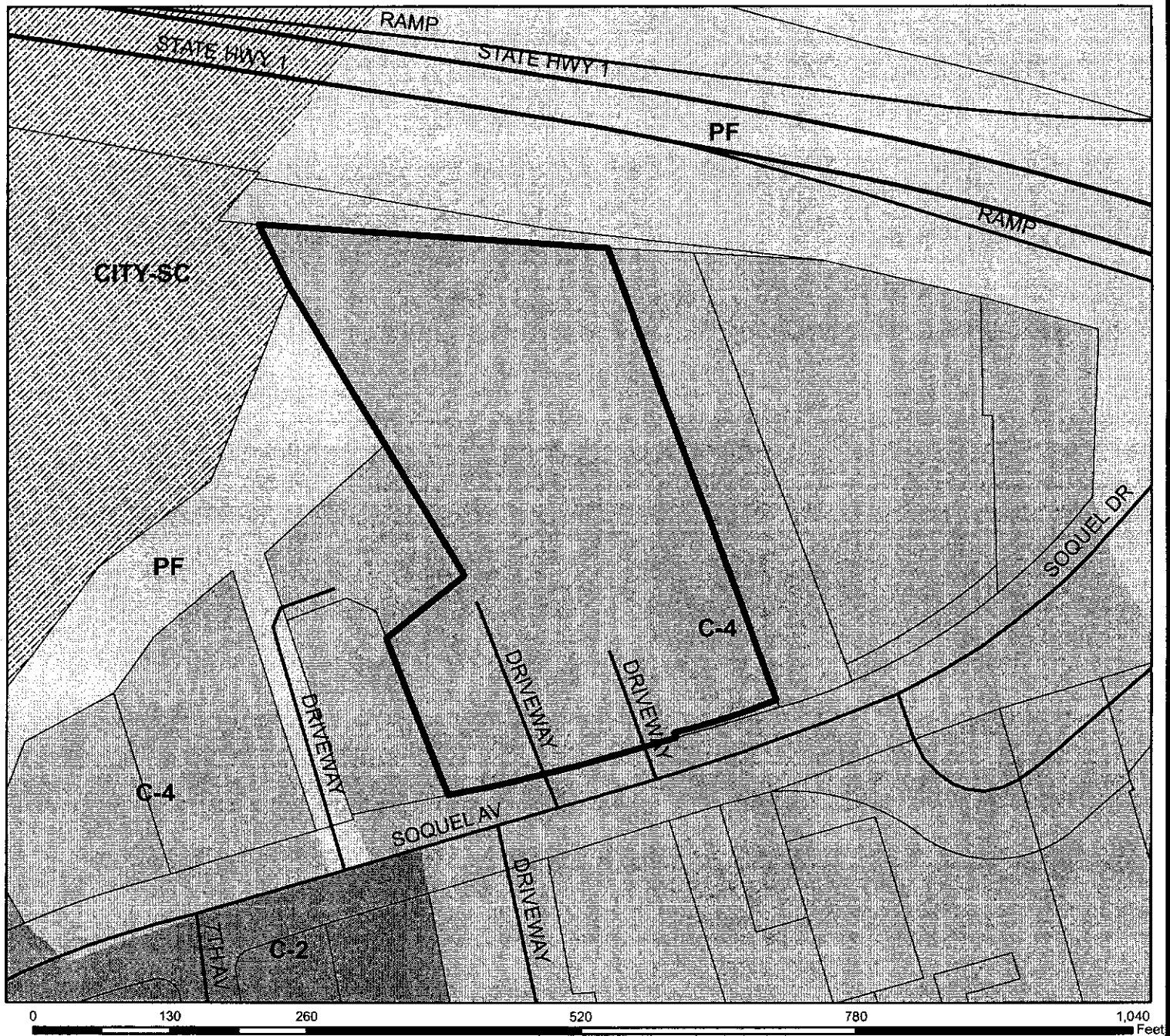


Map Created by
County of Santa Cruz
Planning Department
April 2008

EXHIBIT E

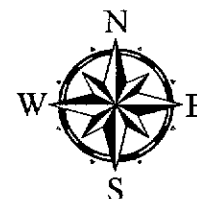


Zoning Map



LEGEND

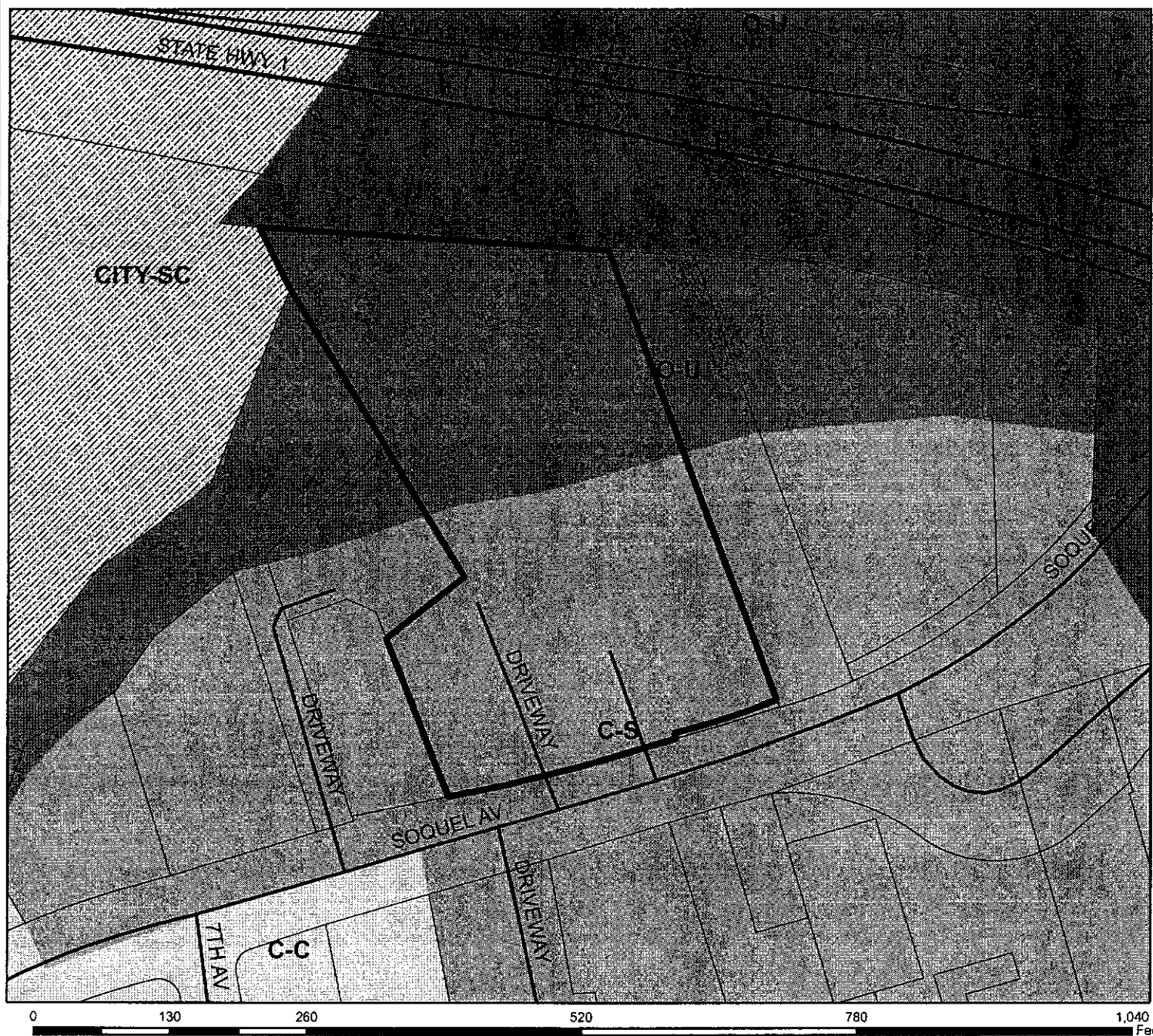
- APN: 025-141-14
- Assessors Parcels
- Streets
- State Highways
- COMMERCIAL-SERVICE
- COMMERCIAL-COMMUNITY
- PUBLIC FACILITY
- SANTA CRUZ



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April 2008

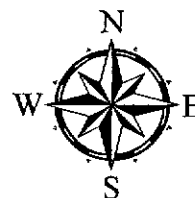


General Plan Designation Map



LEGEND

- APN: 025-141-14
- Assessors Parcels
- Streets
- State Highways
- Commercial-Service
- Commercial-Community
- Urban Open Space
- Public Facilities
- SANTA CRUZ



Map Created by
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Planning Department
April 2008



Civil Engineering ■
Structural Design ■
Development Planning ■

March 28, 2008

#08013

Steve Cali
c/o John Swift
Hamilton/Swift Land Use Consultants
500 Chestnut Street, Suite 100
Santa Cruz, CA 95060

**RE: 2801 Soquel Avenue – Santa Cruz
Former Cali Feed Store
Storm Drainage Facilities**

Dear Steve:

We have completed our on-site investigation of the existing storm drainage facilities as per your authorization dated 3/24/08. We found that the system was constructed per our design plans dated 9/28/92 and revised 3/19/93, 3/21/93 and 6/9/93 and approved 7/2/93 by John Fathom, Santa Cruz County Public Works Director and Engineer for Flood Control Zone 5, with only minor changes in the location of one catch basin, the addition of a trench drain in front of the building and an additional 6" pipe down the slope to the gabion mattress.

Each catch basin was checked for incoming and outgoing pipes, any signs of a clogged system or debris collection. The system shows no signs of deterioration and appears to have been working well during the past 14 years since construction was completed.

At the top of the slope along the retaining wall at the rear northwest corner, the catch basin which collects flow from all the pipes is also a silt and grease trap. The basin is three feet below the outlet pipe so that silt and debris can be captured in this lower basin. We found that the trap is completely full and needs to be cleaned out. Apparently periodic cleaning of the trap has not been taking place.

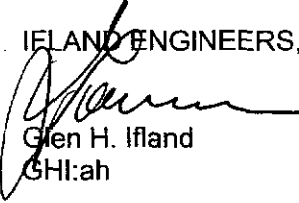
The 12" diameter outfall pipe down the slope at the rear of the site is now heavily overgrown with ivy and blackberry vines, but at the toe of the slope the gabion mattress (energy dissipater) as shown on the plan is in place with the wire cage filled with gabion rock. This area which is part of Arana Gulch is very swampy and thick with dense overgrowth. There is no sign of erosion.

In conclusion, the system is in good condition and it should continue to service the site well, assuming the current site conditions are not significantly altered.

Enclosed is a reduced size copy of the original plan.

Sincerely,

IFLAND ENGINEERS, INC.


Glen H. Ifland
GHI:ah

Sheila McDaniel

From: Jim Safranek
Sent: Wednesday, June 25, 2008 1:40 PM
To: Sheila McDaniel
Cc: Elizabeth Gutierrez
Subject: FW: Application # 08-0157

Sheila:

Here are the findings of our HazMat inspector for this project after reviewing the plans sent down.
Do you need the plans routed back to you?

JS

-----Original Message-----

From: Rolando Charles
Sent: Wednesday, June 25, 2008 7:38 AM
To: Jim Safranek
Cc: 'pln05@co.santa-cruz.ca.us'
Subject: Application # 08-0157

Jim,

The propane tank is only thing we regulate. We do not regulate retail items.

Permit was approved by Haz Mat under conditions that an HMMP be submitted to our department when the facility is ready to open

Rolando

Accessibility: Project Comments for Development Review
County of Santa Cruz Planning Department

Date: May 15, 2008 **Revised 6/26-08**
Planner: Sheila Mc Daniel
Project: Big Creek Lumber

Application Number: **08-0157**
APN : 025-141-14

Dear Mr. Rideout,

A preliminary review of the plans for the above project was conducted to determine any accessibility concerns. The following comments are to be applied to the project design.

Note: Santa Cruz County has adopted the 2007 California Building Codes, effective January 1, 2008. Building Permit applications submitted on or after that date will be subject to the new codes.

Please refer to the brochure titled *Accessibility Requirements - Building Plan Check* which can also be found on the County of Santa Cruz Planning Department website: http://www.sccoplanning.com/html/bldg/access_plancheck.htm

Project Description:

Tenant improvement of an existing 2-story retail/ storage structure with new a Route of Travel to the public R/W, new accessible parking spaces and office installation on lower floor. Occupancy classification 'M' – mercantile; 'S' storage - no change except for storage room conversion to office on the lower floor.

Completeness Items: Note: This review is based on the revised plans dated 5/05/08.

The proposed pedestrian Route/Path of Travel to the public R/W is not sufficiently detailed to verify that it will comply with accessibility requirements. Provide spot elevations, slopes, location of detectible warning devices at vehicular paths, handrails, ramp curbs if required, etc. CBC 1133B, 1133B.8.5
6/26/08 Not applicable

The existing bathrooms do not fully comply with accessibility requirements. The door cannot swing into the required clear space in front of the sinks. (reverse door swing) 1115B.3.2, Provide additional details verifying that the lavs and urinals comply with accessible fixture requirements 1115B.4. 80 inch headroom height is required at the path of travel to the women's restroom 1133B.8.2

The proposed accessible parking spaces require additional details. i.e. slopes, cross-slopes, ramp details, wheel stops, signage, dimensions, etc. CBC 1129B

Provide new office door details verifying the installation of lever hardware and counter heights 28-34 inch high. CBC 1122B.4

Note: If the scope of improvement work is less than \$119,958.65 you may qualify for an Unreasonable Hardship for accessibility improvement costs in excess of 20% of the value of work. An itemization of these costs and completion of the Unreasonable Hardship Request form will be necessary. CBC 1134B
6/26/08 Items resolved.

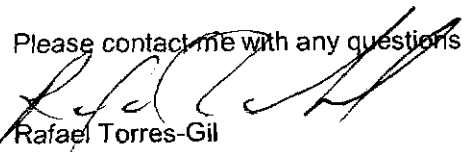
Compliance Issues:

See above

Permit Conditions/Additional Information:

The existing entry doors will require verification of clear widths, door pressure, kick plates and signage at the time of permit application submittal.

Please contact me with any questions regarding these comments.


Rafael Torres-Gil
Building Plans Examiner
Supervising Building Inspector
County of Santa Cruz Planning Department