



## Staff Report to the Zoning Administrator

Application Number: **07-0066**

**Applicant:** Heidi Spicer  
**Owner:** Andrew Cohen and George Jaynes  
**APN:** 027-132-07

**Agenda Date:** November 7, 2008  
**Agenda Item #:** 1  
**Time:** After 10:00 a.m.

**Project Description:** Proposal to recognize alteration of a non-conforming dwelling group which includes significantly non-conforming structures to include roof reframing, an interior remodel; structural alteration of a significantly non-conforming wall, construction of an addition of approximately 9 square feet, demolition of a portion of a laundry and utility room and relocation of the laundry/utility room, and to re-roof the remainder of the main (conforming as to use) dwelling; relocation and removal of the lower floor (reconstruction) of the non-conforming (as to use) carriage house; demolish a water heater closet and relocate the water heater; and to change the use of an existing significantly non-conforming (as to use) commercial structure from a salon to a commercial bakery.

**Location:** Property located on the west side of Seventh Avenue, at the intersection with Bonnie Street, at 625 Bonnie Street, at 625 Bonnie Street.

**Supervisory District:** Third District (District Supervisor: Neal Coonerty)

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

**Technical Reviews:** None

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 07-0066, based on the attached findings and conditions.

### Exhibits

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

County of Santa Cruz Planning Department  
701 Ocean Street, 4<sup>th</sup> Floor, Santa Cruz CA 95060

### Parcel Information

Parcel Size: 4,795 square feet (per survey)  
Existing Land Use - Parcel: Non-conforming dwelling group & commercial  
Existing Land Use - Surrounding: Residential and commercial  
Project Access: 7<sup>th</sup> Avenue and Bonnie Street  
Planning Area: Live Oak  
Land Use Designation: R-UH (Urban High Density Residential)  
Zone District: R-1-3.5 (Single family residential - 3,500 square feet per unit)  
Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Soils report to be submitted with building permit  
Fire Hazard: Not a mapped constraint  
Slopes: Parcel is flat  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate, no change to existing patterns  
Archeology: Not mapped/no physical evidence on site

### Services Information

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

### History

According to assessor's records, the main dwelling and the garage apartment (currently referred to as the "carriage house") were constructed in 1929. At some time, prior to any permit requirements, a portion of the main dwelling (which is now proposed to be the master bedroom) was converted to a beauty salon. In approximately 1951, the current commercial building was constructed and the beauty salon use was relocated to that building. A beauty salon remained at that location until very recently. The only permits on record for this parcel include a building permit, no. 8415 issued in 1963, for a sign for the beauty shop; and a building permit, no. 47128C issued in 2003, to re-roof the commercial structure. Assessor's records do not reflect any significant changes to the structures on site since 1951.

In May, 2006, a complaint was received by the County regarding unpermitted construction on site. An inspection by Code Compliance staff found re-roofing of the main structure, the

installation of new wall sheathing, studs and siding, and the installation of new water heaters. At the time of the inspection, it appeared that portions of the main dwelling were rented to at least two individuals. A Notice of Violation was recorded on November 9, 2006 for the unpermitted construction.

In August, 2007, an additional complaint was received that the garage, with apartment above, had been relocated on site, further from the north side property line and closer to Bonnie Street. Photographs provided by the complainant and inspection of aerial photographs confirmed the relocation of the building, at least 34" to the south. An additional Notice of Violation was recorded on September 25, 2007. This application is intended to address all of the violations, improve the parking and access on site and to allow a change of use in the commercial structure.

### **Project Setting**

The project site is located on the west side of 7<sup>th</sup> Avenue, in an area with a mixture of commercial and residential uses. Commercial uses are found directly east and south east of the subject parcel and a commercial parking lot is located directly south. Residential uses are located north and west of the project site, within the same R-1-3.5 zone district. Many of the homes on the residentially zoned properties are non-conforming with respect to site standards, as they were also constructed prior to permit requirements. Additionally, many of the parcels also contain multi-family structures or non-conforming dwelling groups that are inconsistent with the R-1-3.5 zone district, given the small size of the parcels.

### **Zoning & General Plan Consistency**

The subject property is a 4,795 square foot lot, located in the R-1-3.5 (Single family residential - 3,500 square feet per unit) zone district, a designation that would allow only one, single family dwelling on site. Since the two-unit dwelling group was constructed prior to the adoption of zoning and building regulations in the County, the existing dwellings are legal and non-conforming. Although the plans indicate that the lower floor garage of the "carriage house" would be removed and the structure relocated, it is conceivable, given the age of the structure, that modifications required to complete the proposed changes would be considered reconstruction (structural alteration of more than 50% of the exterior walls). County Code Section 13.10.261, Table 3, allows the reconstruction of dwelling groups, without expansion, as long as the parcel has a general plan designation that allows primary residential use and the use was constructed prior to requirements for a Development Permit.

The commercial use, however, is located on a parcel with both residential zoning and general plan designations, so that use is legal but significantly non-conforming. In addition, all of the structures are currently non-conforming as to site standards for the zone district and the main dwelling and the commercial structure are significantly non-conforming. The main dwelling is located within 5-feet of a structure on another property (to the north) and is located within 5-feet of a right-of-way (to the south and west), and the commercial building is located within 5-feet of a right-of-way to the east and south. The carriage house is currently non-conforming as it is located less than 5-feet from the north side setback, but is not significantly non-conforming. The proposed project would, however, actually decrease some of the non-conformity of the existing structures, as shown in the following table:

	<b>R-1-3.5 Site Standards</b>	<b>Current condition</b>	<b>Proposed</b>
<b>Front yard setback</b> (to commercial building on 7 <sup>th</sup> Avenue)	15'	0'	0'
<b>Rear yard setback</b> (to main dwelling on alley)	15'	0'	8'
<b>Side yard setback</b> (north)	5'	Less than 1' to main dwelling; 3.8' to carriage house; 2.8' to commercial building	Less than 1-foot to main dwelling; 5' to carriage house; 2.8' to commercial building
<b>Street side yard setback</b> (south)	10'	0' to main dwelling and commercial building; 15' to carriage house	0' to main dwelling and commercial building; 18' to new laundry; 23' to carriage house
<b>Maximum height</b>	28'	About 16' (carriage house)	About 15.5' (main dwelling)
<b>Separation between structures</b>	10'	9' between main dwelling & carriage house; 5' between carriage house & commercial bldg.	8' between carriage house & commercial bldg.
<b>Maximum % lot coverage</b>	40%	61%	59%
<b>Maximum Floor Area Ratio</b>	50%	61%	59%

### Local Coastal Program Consistency

The proposed project, with a non-conforming dwelling group and commercial structure, is in conformance with the County's certified Local Coastal Program with respect to design, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. It is, however, inconsistent with the Zoning and General Plan designations and, therefore, is not considered a principal permitted use within the Coastal Zone and is subject to appeal to the Coastal Commission. 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 Request

The proposal requires approval of a variance for the structural alteration of a non-conforming wall and demolition of the existing laundry/utility room and construction of a new wall approximately 8-feet from the rear property line on the main dwelling. An additional variance is required for the carriage house to be located approximately 8-feet from the commercial structure, where a 10-foot separation would be required.

Most of the surrounding residential area is developed with residences of the same general size and design as the existing residential buildings, and many parcels in the area are developed with multi-family residences or detached dwelling groups. Most of this area was developed before the existing zoning and General Plan regulations became effective. Because of this, most of the development does not comply with current setbacks, lot coverage, and floor area ratio and numerous Variances have been granted to accommodate additions or other changes to existing dwellings. Those are summarized in the following table:

Parcel Number	Permit Number	Date	Summary description
027-131-02	81-64-V	4/81	Reduce setbacks to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-131-03	84-07-CZ,V, RA	4/84	Reduce setback & separation between structures to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-131-04	1094-V	10/69	Reduce setbacks and increase lot coverage for new duplex
027-131-11	76-862-PD	7/76	Reduce setbacks to construct addition to non-conf. dwelling
027-131-13	84-0677-CZ,V	9/84	Reduce setbacks, increase lot coverage and FAR to construct 2 <sup>nd</sup> story addition to non-conf. Dwelling
027-132-08	417-V	4/63	Reduce setbacks and increase lot coverage for new dwelling
027-132-09	494-V	11/63	Reduce setbacks to construct new garage on site with a dwelling
027-132-09	98-0362	2/99	Reduce setbacks and increase FAR to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-132-13	3087-U	4/68	Reduce setbacks to construct a new covered patio on a non-conf. Dwelling
027-132-16	75-71-PD	3/75	Reduce setbacks to construct a new dwelling
027-162-16	02-0618	5/03	Increase FAR to construct a new dwelling
027-162-17	488-V	11/63	Reduce setbacks to construct an addition to existing non-conf. garage
027-162-17	1912-U	1/64	Reduce setbacks to construct an addition to existing non-conf. dwelling
027-162-17	82-954-V	2/83	Reduce setbacks to construct an addition to existing non-conf. dwelling
027-163-12	90-0245	7/90	Reduce setbacks to construct an addition and garage to non-conf. dwelling

Although a few of the Variances granted (especially the earliest ones) were for new construction on existing lots, the majority of Variances granted in the area have been to allow additions or modifications to existing non-conforming dwellings that were built prior to the enactment of zoning regulations in the County.

Special circumstances that affect this specific parcel include the shape of the parcel, the location of rights-of-way on three sides, and the location of existing structures on the parcel to the north. Granting the requested Variance would not be a grant of special privilege to this property owner as similar Variances have been granted in the immediate vicinity. The requested Variance would provide a remedy for the proposed modifications to the dwellings consistent with the existing surrounding development, and will actually decrease the existing non-conformity as it relates to lot coverage and floor area ratio.

Many of the structures in this area are non-conforming as they are not consistent with site standards for the zone district. As such, the proposed development would not constitute a grant of special privilege inconsistent with existing surrounding development.

In addition, the proposed modifications will improve the functionality of the main dwelling and the site. Currently, the main dwelling lacks interior access between rooms, that is generally required of a single-family dwelling. The proposed modifications will establish interior access between all portions of the main dwelling, and provide improved parking and landscaping on the

site. The relocation of the "carriage house" will also allow for additional landscaping and additional area for parking on site.

### **Commercial Change of Use**

The applicant also proposes to change the use of the existing commercial building on site from a salon to a retail bakery (without seating area). Per County Code Section 13.10.260(c)(2)(i), the use of a non-conforming structure may be changed to a use of the same or less intense nature with a Level V Development Permit. For commercial uses, an intensification of use is one that results in a 10% (or more) increase in parking demand. Per the parking calculation provided by the applicant on Page A2.1 of the plans, and verified by staff, there will be no increase in parking demand for the proposed new use.

The plans do show, however, some modifications to the commercial structure that appear to be structural. Per County Code Section 13.20.262(a) only ordinary maintenance and repair in kind, not involving structural repairs, may be made to non-residential non-conforming structures. A condition of approval has been included to require that the plans submitted for a building permit, include only modifications that are non-structural in nature. Structural modifications to the commercial structure will be prohibited.

The non-conforming commercial use is consistent with the requirements of General Plan Policy 2.18.1, in that the structure was originally built in 1951 for commercial use and the property has a continuous history of commercial use (three of the last five years). In addition, the proposed use is compatible with adjacent land uses as it is a low-intensity use that is accessed from 7<sup>th</sup> Avenue, a major arterial with adequate pedestrian access, and will not create a nuisance. Conditions of approval have been included to limit the hours of operation so that the use does not create an adverse impact to adjacent residential development.

### **Environmental Review**

Environmental review has not been required for the proposed project since the project, as proposed, qualifies for an exemption to the California Environmental Quality Act (CEQA). The project is eligible for an exemption because the proposed project does not involve construction of new structures (only minor changes to an existing structures) and has no potential to cause an environmental impact due to its limited size and scale.

### **Conclusion**

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

- **APPROVAL** of Application Number **07-0066**, 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](http://www.co.santa-cruz.ca.us)**

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Proposed Site Plan  
1/8" = 1'-0"

SEVENTH AVENUE

BONNIE STREET (A COUNTY ROAD 47' WIDE)

ALLEY

EXISTING BUILDING

PROPOSED BUILDING

PARKING LOT

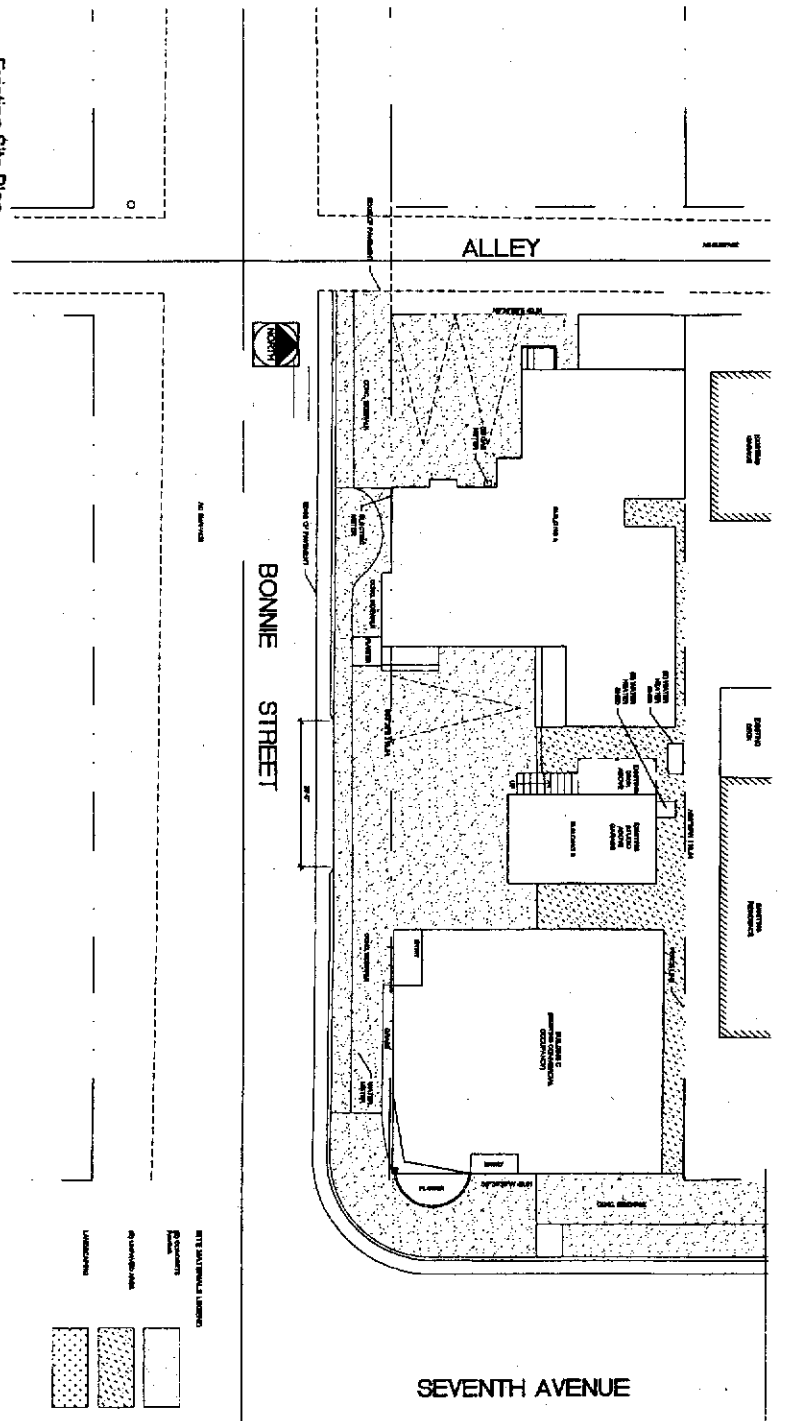
LANDSCAPING

LANDSCAPING

CHANGING ZONE



Existing Site Plan  
1/8" = 1'-0"



E Site

Existing Site Plan

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

Andrew Cohen Property

625 Bonnie Street

Santa Cruz, CA 95062 APN 027 132 07

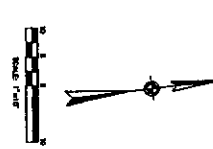
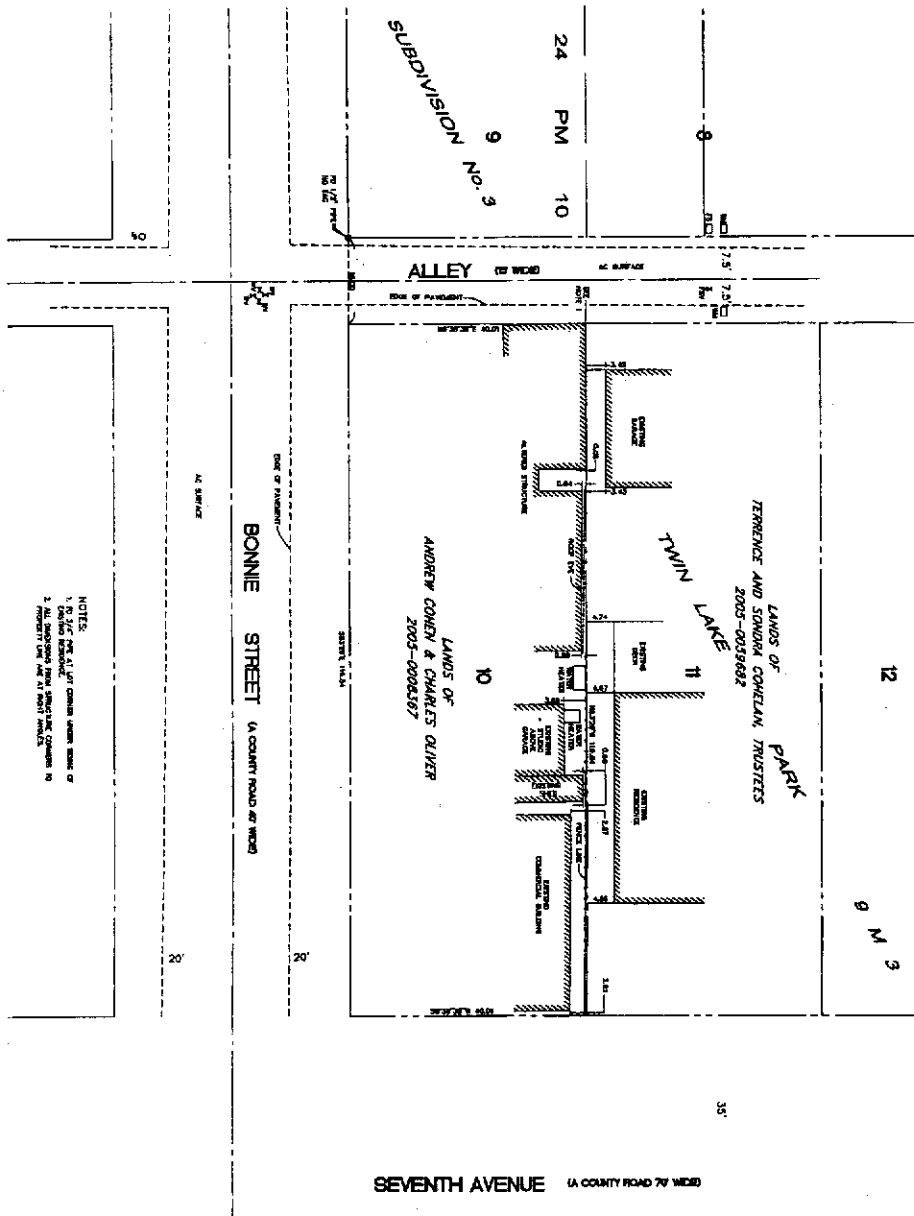
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ANDERSON  
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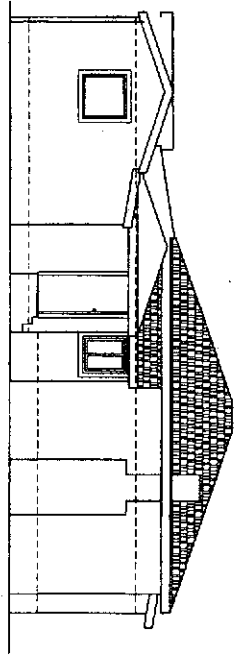
100% Planning Review  
100% Building Review  
100% Fire Review  
100% Health Review  
100% Environmental Review  
100% Traffic Review  
100% Noise Review  
100% Air Quality Review  
100% Water Quality Review  
100% Wetlands Review  
100% Cultural Resources Review  
100% Historical Resources Review  
100% Archaeological Review  
100% Paleontological Review  
100% Biological Resources Review  
100% Geotechnical Review  
100% Seismicity Review  
100% Hazardous Materials Review  
100% Radioactive Materials Review  
100% Air Quality Review  
100% Noise Review  
100% Traffic Review  
100% Water Quality Review  
100% Wetlands Review  
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100% Archaeological Review  
100% Paleontological Review  
100% Biological Resources Review  
100% Geotechnical Review  
100% Seismicity Review  
100% Hazardous Materials Review  
100% Radioactive Materials Review

DATE: 07/11/2011  
TIME: 10:00 AM  
BY: ANDERSON SPICER  
PROJECT: 625 BONNIE STREET  
SANTA CRUZ, CA 95062  
APN: 027 132 07  
SHEET: 9 OF 10

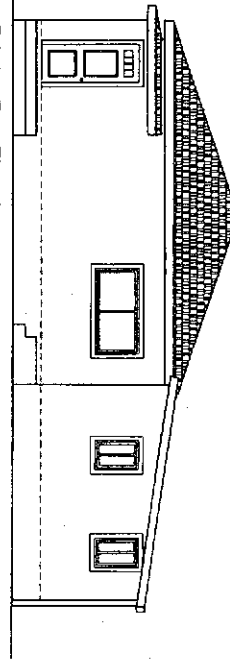
EXHIBIT A



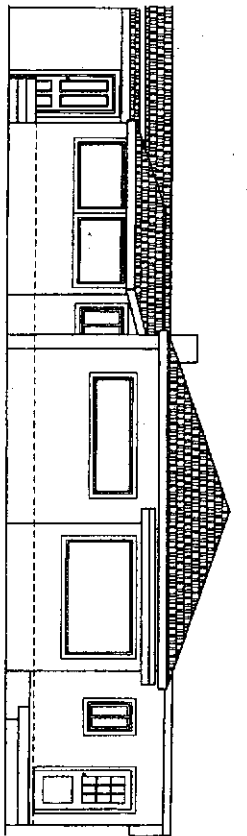
REVISION DATE: 8.2007	
SITE PLAN FOR	
ANDREW COHEN	
DATE: 02-27-13	APR 027-13-07
MID COAST ENGINEERS	
CIVIL ENGINEERS AND LAND SURVEYORS	
10000 N. 1ST ST., SUITE 100, SAN JOSE, CA 95131	
623 BONNIE STREET, SANTA CRUZ, CALIFORNIA	
1 of 1	



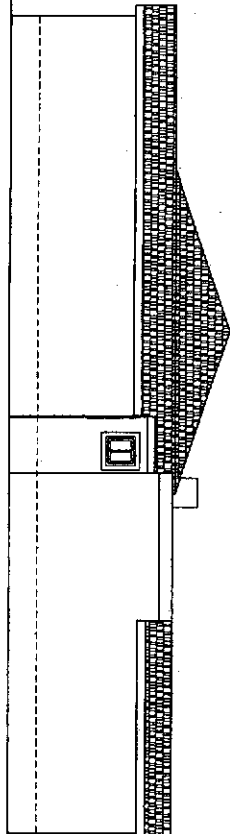
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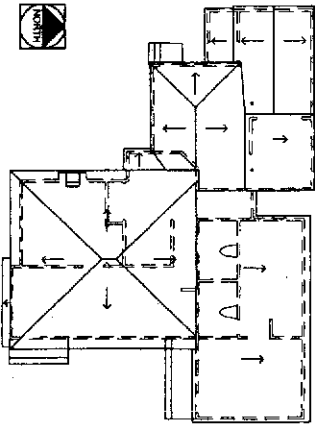
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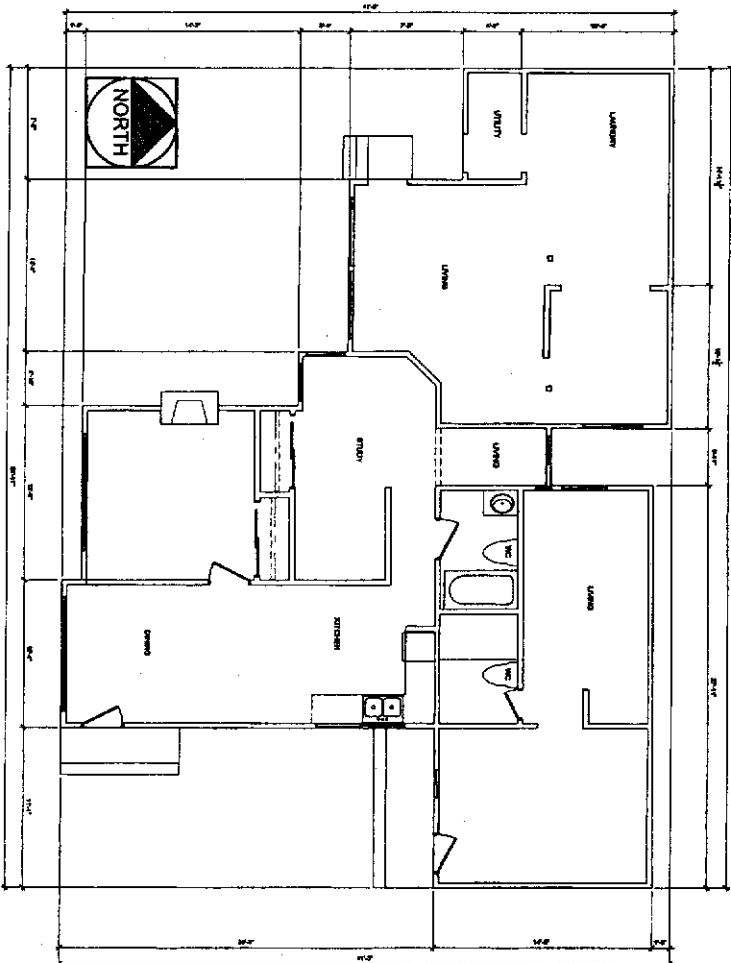
Existing South Elevation  
1/4" = 1'-0"



Existing North Elevation  
1/4" = 1'-0"



Building A Roof Plan - Existing  
1/4" = 1'-0"



Building A Floor Plan - Existing  
1/4" = 1'-0"

Building A - Existing  
Plans and Elevations  
scale: 1/4" = 1'-0"

Andrew Cohen Property  
625 Bonnie Street  
Santa Cruz, CA 95062 APN 027 132 07

ANDERSON  
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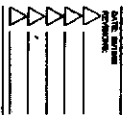
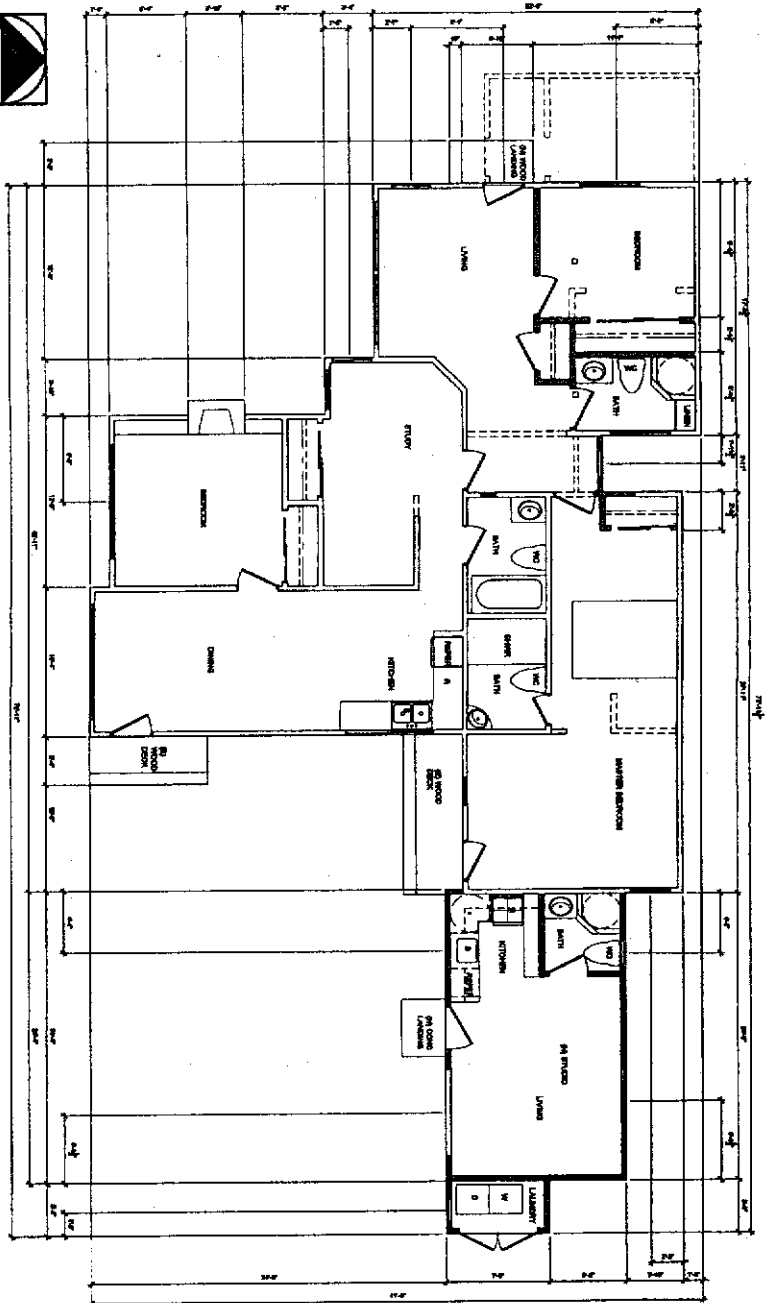


EXHIBIT A

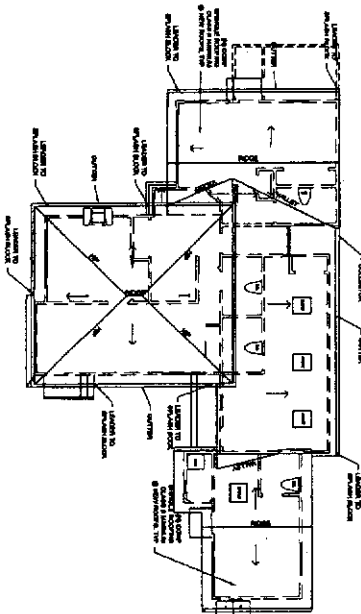
A1.1



Building A Floor Plan - Proposed  
1/4" = 1'-0"



Building A Roof Plan - Proposed  
1/8" = 1'-0"



A1.2

Building A - Proposed  
Floor and Roof Plans  
scale: 1/4" = 1'-0"

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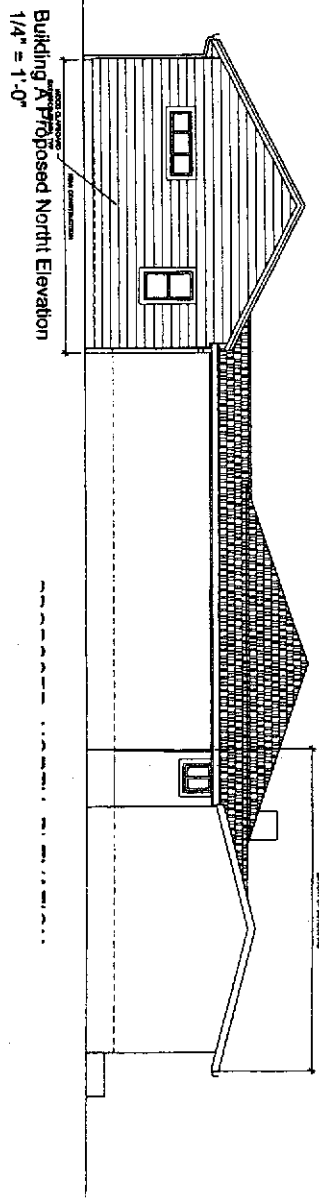
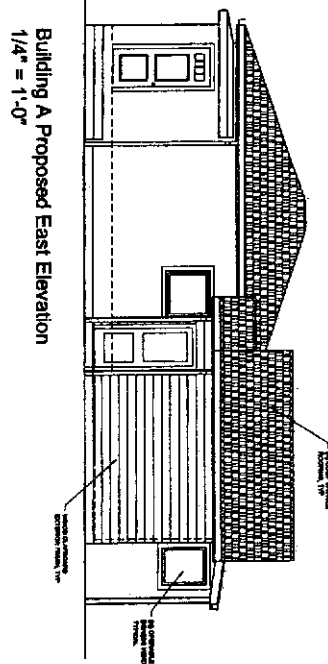
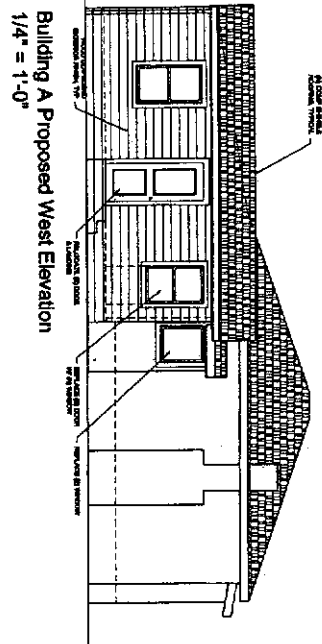
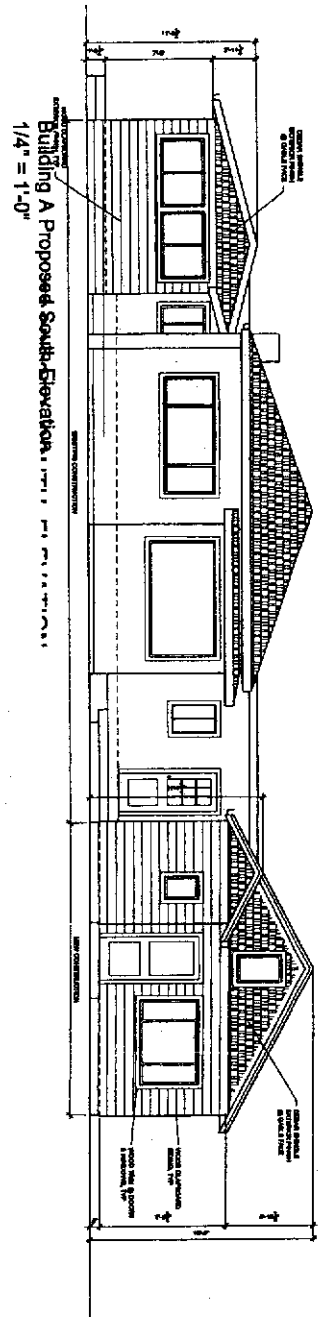
**ANDERSON  
SPICER**

Architects

1000 North Main Street  
Santa Cruz, CA 95060  
408.298.1234  
www.andersonspicer.com

DATE: 07/20/2016  
DRAWN BY: [Signature]  
CHECKED BY: [Signature]

**EXHIBIT A**



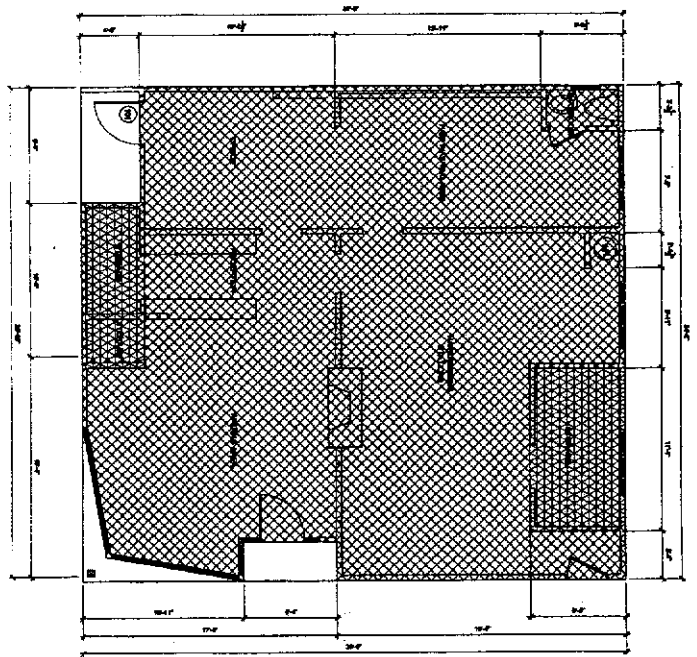
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**Building A - Proposed  
Exterior Elevations  
scale: 1/4" = 1'-0"**

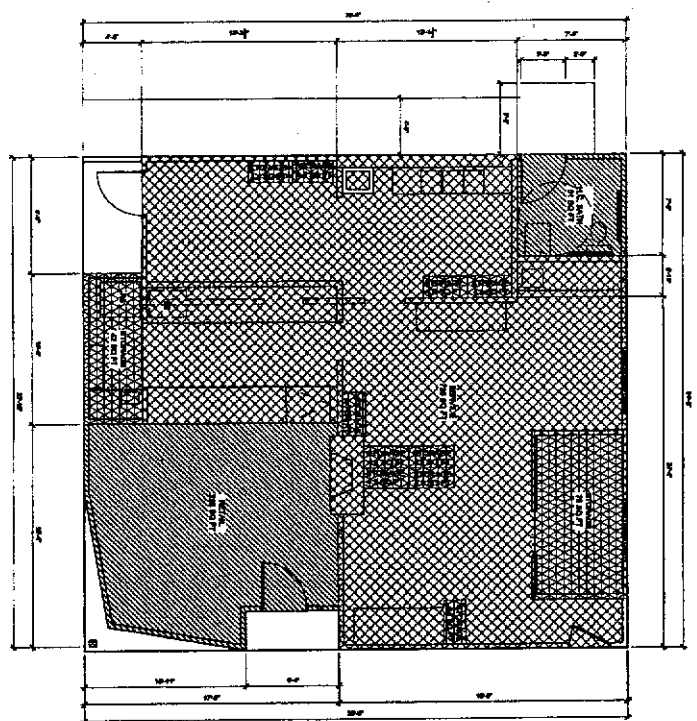
Andrew Cohen Property  
625 Bonnie Street  
Santa Monica, CA 95062 APN 027 132 07

ANDERSON  
SPICER

**EXHIBIT A**



Existing Floor Plan  
1/4" = 1'-0"



Proposed Floor Plan  
1/4" = 1'-0"

OCCUPANCY LABEL	AREA CALCULATION	PERCENTAGE
EXISTING OCCUPANCY	17,100 sq. ft.	100%
PROPOSED OCCUPANCY	17,100 sq. ft.	100%
TOTAL OCCUPANCY	17,100 sq. ft.	100%

AREA CALCULATION	PERCENTAGE
EXISTING OCCUPANCY	100%
PROPOSED OCCUPANCY	100%
TOTAL OCCUPANCY	100%
EXISTING OCCUPANCY	100%
PROPOSED OCCUPANCY	100%
TOTAL OCCUPANCY	100%

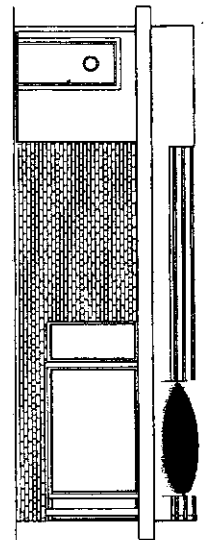
A2.1

Floor Plans  
Area Calculations  
Scale: 1/4" = 1'-0"

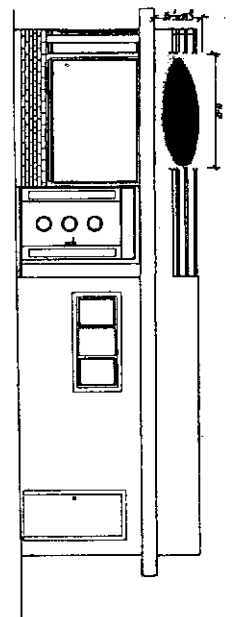
Andrew Cohen Property  
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ARCHITECTS  
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Santa Monica, CA 90401  
Tel: 310.311.1000  
Fax: 310.311.1001  
www.andersonspicer.com

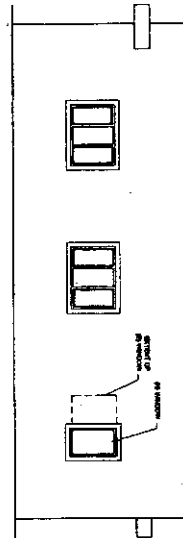
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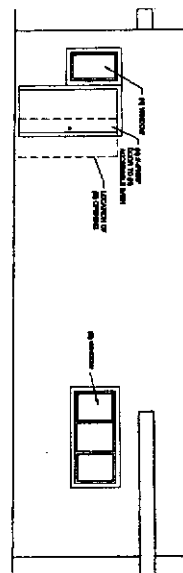
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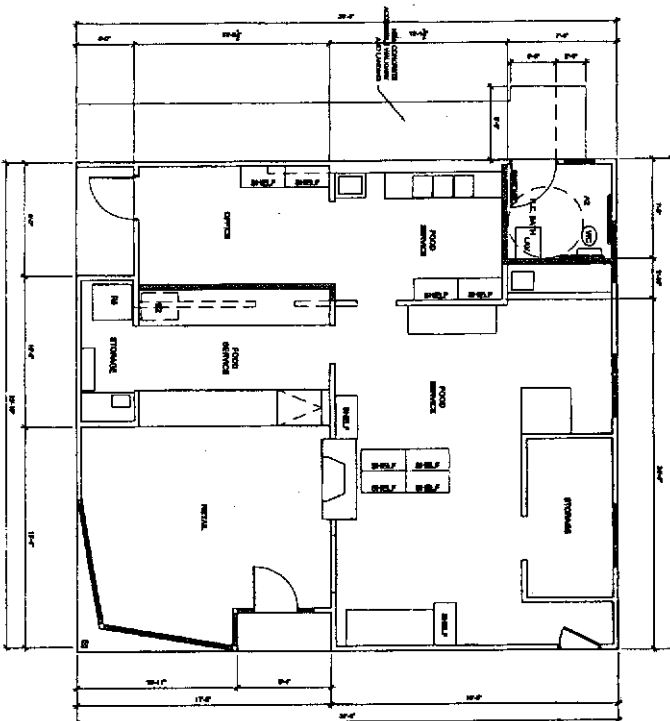
Building C Proposed East Elevation  
1/4" = 1'-0"



Building C Proposed North Elevation  
1/4" = 1'-0"



Building C Proposed West Elevation  
1/4" = 1'-0"



Building C Proposed Floor Plan  
1/4" = 1'-0"

A2.2

Building C - Plan  
Exterior Elevations  
scale: 1/4" = 1'-0"

Andrew Cohen Property  
625 Bonnie Street  
Santa Cruz, CA 95062 APN 027 132 07  
- 15 -

## **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, as the existing uses are legal and non-conforming with respect to use. While the uses (residential dwelling group and commercial building) would not be allowed today, the structures and uses pre-date the Zoning Ordinance and General Plan and are allowed to continue, with limits on expansion, reconstruction and intensification. Because the current uses are not consistent with the current zoning and General Plan designation, they are not considered principal permitted uses within the Coastal Zone and any approval is subject to appeal to the Coastal Commission.

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 and is in conformance with the County's certified Local Coastal Program with respect to design, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood.

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 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.

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

This finding can be made, as the existing uses are legal and non-conforming with respect to use. While the uses (residential dwelling group and commercial building) would not be allowed today, the structures and uses pre-date the Zoning Ordinance and General Plan and are allowed to



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continue, with limits on expansion, reconstruction and intensification. Because the current uses are not consistent with the current zoning and General Plan designation, they are not considered principal permitted uses within the Coastal Zone and any approval is subject to appeal to the Coastal Commission. Developed parcels in the area contain both single-family and multi-family dwellings as well as dwelling groups and commercial zoning and uses are found to the east and south of the project site. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range.

## Development Permit Findings

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses, and the commercial use on site is significantly non-conforming, but legal as it was established prior to the requirement for permits. The proposed project will not exacerbate existing structural non-conformities, and the proposed modifications will improve the functionality of the main dwelling and the site. Currently, the main dwelling lacks interior access between rooms, that is generally required of a single-family dwelling. The proposed modifications will establish interior access between all portions of the main dwelling, and provide improved parking and landscaping on the site. The relocation of the "carriage house" will also allow for additional landscaping and additional area for parking on site. 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 modifications to the single family dwelling and the carriage house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the modifications improve the existing non-conformity to 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 two-unit dwelling group was constructed prior to the adoption of zoning and building regulations in the County, and the existing dwellings are legal and non-conforming. County Code Section 13.10.261, Table 3, allows the reconstruction of dwelling groups, without expansion, as long as the parcel has a general plan designation that allows primary residential use and the use was constructed prior to requirements for a Development Permit. In addition, all of the structures are currently non-conforming as to site standards for the zone district and the main dwelling and the commercial structure are significantly non-conforming. The main dwelling is located within 5-feet of a structure on another property (to the north) and is located within 5-feet of a right-of-way (to the south), and the commercial building is located within 5-feet of a right-of-way to the east and south. The carriage house is currently non-conforming as it is located less than 5-feet from the north side setback, but is not significantly non-conforming. The proposed project would, however, actually decrease some of the non-conformity of the existing structures. With approval of the associated Variance, the modified portions of the dwellings will meet current site standards for the zone district.

The commercial use, however, is located on a parcel with both residential zoning and general plan designations, so that use is legal but significantly non-conforming. Per County Code Section 13.10.260(c)(2)(i), the use of a non-conforming structure may be changed to a use of the

same or less intense nature with a Level V Development Permit. For commercial uses, an intensification of use is one that results in a 10% (or more) increase in parking demand. Per the parking calculation provided by the applicant on Page A2.1 of the plans, and verified by staff, there will be no increase in parking demand for the proposed new use.

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 existing two-unit dwelling group is a legal, non-conforming use that was established prior to permit requirements. The proposed modifications to the dwellings are consistent with Housing Element of the County's General Plan, specifically Objectives 3.4 (rehabilitation and maintenance of existing housing stock); Objective 3.7 (preservation of existing rental units); and Program 3.7 (to allow existing non-conforming dwellings to be repaired and structurally altered).

The proposed modifications to the dwellings will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and, with approval of the associated Variances, will meet current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance). The dwellings will not adversely shade adjacent properties.

The proposed modifications to the dwellings 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 changes are designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Many of the homes on the surrounding residentially zoned properties are non-conforming with respect to site standards, as they were also constructed prior to permit requirements. Additionally, many of the parcels also contain multi-family structures or non-conforming dwelling groups that are inconsistent with the R-1-3.5 zone district, given the small size of the parcels.

The non-conforming commercial use is consistent with the requirements of General Plan Policy 2.18.1, in that the structure was originally built in 1951 for commercial use and the property has a continuous history of commercial use (three of the last five years). In addition, the proposed use is compatible with adjacent land uses as it is a low-intensity use that is accessed from 7<sup>th</sup> Avenue, a major arterial with adequate pedestrian access, and will not create a nuisance. Conditions of approval have been included to limit the hours of operation so that the use does not create an adverse impact to adjacent residential development.

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 modifications are to structures on an existing developed lot, and no intensification of use is proposed. Because the residential uses do not include additional bedrooms, and there is no intensification of the commercial use proposed, no

increase in the traffic generation is anticipated.

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 changes are designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Many of the homes on the surrounding residentially zoned properties are non-conforming with respect to site standards, as they were also constructed prior to permit requirements. Additionally, many of the parcels also contain multi-family structures or non-conforming dwelling groups that are inconsistent with the R-1-3.5 zone district, given the small size of the parcels.

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 modifications to the dwellings will result in structures that are 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.

### **Additional Findings for Significantly Non-Conforming Structures**

7. That the existing structure and the conditions under which it would be operated and maintained is not detrimental to the health, safety or welfare of persons residing or working in the vicinity or the general public, or be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses, and the commercial use on site is significantly non-conforming, but legal as it was established prior to the requirement for permits. The proposed project will not exacerbate existing structural non-conformities, and the proposed modifications will improve the functionality of the main dwelling and the site. 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.

8. That the retention of the existing structure will not impede the achievement of the goals and objectives of the County General Plan, or of any Specific Plan which has been adopted for the area.

This finding can be made, in that the existing two-unit dwelling group is a legal, non-conforming use that was established prior to permit requirements. The proposed modifications to the dwellings are consistent with Housing Element of the County's General Plan, specifically Objectives 3.4 (rehabilitation and maintenance of existing housing stock); Objective 3.7 (preservation of existing rental units); and Program 3.7 (to allow existing non-conforming dwellings to be repaired and structurally altered).

The proposed modifications to the dwellings will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties and, with approval of the associated Variances, will meet current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance).

The proposed modifications to the dwellings 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 changes are designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Many of the homes on the surrounding residentially zoned properties are non-conforming with respect to site standards, as they were also constructed prior to permit requirements. Additionally, many of the parcels also contain multi-family structures or non-conforming dwelling groups that are inconsistent with the R-1-3.5 zone district, given the small size of the parcels.

The non-conforming commercial use is consistent with the requirements of General Plan Policy 2.18.1, in that the structure was originally built in 1951 for commercial use and the property has a continuous history of commercial use (three of the last five years). In addition, the proposed use is compatible with adjacent land uses as it is a low-intensity use that is accessed from 7<sup>th</sup> Avenue, a major arterial with adequate pedestrian access, and will not create a nuisance. Conditions of approval have been included to limit the hours of operation so that the use does not create an adverse impact to adjacent residential development.

No specific plan has been adopted for this area.

9. That the retention of the existing structure will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects of the neighborhood.

This finding can be made, in that the proposed changes are designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Many of the homes on the surrounding residentially zoned properties are non-conforming with respect to site standards, as they were also constructed prior to permit requirements. Additionally, many of the parcels also contain multi-family structures or non-conforming dwelling groups that are inconsistent with the R-1-3.5 zone district, given the small size of the parcels.

10. That the proposed project will not increase the nonconforming dimensions of the structure unless a Variance Approval is obtained.

This finding can be made, in that the proposed project does not increase the nonconforming dimensions of the structures. A Variance has been requested for structural modifications to non-conforming portions of the structures and the required findings can be made.

## 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 special circumstances that affect this specific parcel include the shape of the parcel, the location of rights-of-way on three sides, and the location of existing structures on the parcel to the north. The proposal requires approval of a variance for the structural alteration of a non-conforming wall and demolition of the existing laundry/utility room and construction of a new wall approximately 8-feet from the rear property line on the main dwelling. An additional variance is required for the carriage house to be located approximately 8-feet from the commercial structure, where a 10-foot separation would be required. The proposed modifications will improve the functionality of the main dwelling and the site.

Many of the structures in this area are non-conforming as they are not consistent with site standards for the zone district. As such, the proposed development would not constitute a grant of special privilege inconsistent with existing surrounding development.

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 the project is located in an area designated for residential uses. The proposed project will not exacerbate existing structural non-conformities, and the proposed modifications will improve the functionality of the main dwelling and the site. Currently, the main dwelling lacks interior access between rooms, that is generally required of a single-family dwelling. The proposed modifications will establish interior access between all portions of the main dwelling, and provide improved parking and landscaping on the site. The relocation of the "carriage house" will also allow for additional landscaping and additional area for parking on site. 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 modifications to the single family dwelling and the carriage house will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the modifications improve the existing non-conformity to current setbacks that ensure access to light, air, and open space in the neighborhood.

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 most of the surrounding residential area is developed with residences of the same general size and design as the existing residential buildings, and many parcels in the area are developed with multi-family residences or detached dwelling groups.

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Most of this area was developed before the existing zoning and General Plan regulations became effective. Because of this, most of the development does not comply with current setbacks, lot coverage, and floor area ratio. The requested Variance would provide a remedy for the proposed modifications to the dwellings consistent with the existing surrounding development, and will actually decrease the existing non-conformity as it relates to lot coverage and floor area ratio.

Numerous Variances have been granted in the immediate area to accommodate additions or other changes to existing dwellings. Those are summarized in the following table:

Parcel Number	Permit Number	Date	Summary description
027-131-02	81-64-V	4/81	Reduce setbacks to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-131-03	84-07-CZ, V, RA	4/84	Reduce setback & separation between structures to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-131-04	1094-V	10/69	Reduce setbacks and increase lot coverage for new duplex
027-131-11	76-862-PD	7/76	Reduce setbacks to construct addition to non-conf. dwelling
027-131-13	84-0677-CZ, V	9/84	Reduce setbacks, increase lot coverage and FAR to construct 2 <sup>nd</sup> story addition to non-conf. Dwelling
027-132-08	417-V	4/63	Reduce setbacks and increase lot coverage for new dwelling
027-132-09	494-V	11/63	Reduce setbacks to construct new garage on site with a dwelling
027-132-09	98-0362	2/99	Reduce setbacks and increase FAR to construct 2 <sup>nd</sup> story addition to non-conf. dwelling
027-132-13	3087-U	4/68	Reduce setbacks to construct a new covered patio on a non-conf. Dwelling
027-132-16	75-71-PD	3/75	Reduce setbacks to construct a new dwelling
027-162-16	02-0618	5/03	Increase FAR to construct a new dwelling
027-162-17	488-V	11/63	Reduce setbacks to construct an addition to existing non-conf. garage
027-162-17	1912-U	1/64	Reduce setbacks to construct an addition to existing non-conf. dwelling
027-162-17	82-954-V	2/83	Reduce setbacks to construct an addition to existing non-conf. dwelling
027-163-12	90-0245	7/90	Reduce setbacks to construct an addition and garage to non-conf. dwelling

Although a few of the Variances granted (especially the earliest ones) were for new construction on existing lots, the majority of Variances granted in the area have been to allow additions or modifications to existing non-conforming dwellings that were built prior to the enactment of zoning regulations in the County.

## Conditions of Approval

Exhibit A: Project plans prepared by Heidi Anderson Spicer, Architect, dated 8/18/2008 and site plan prepared by Mid Coast Engineers, dated 4/10/2007.

- I. This permit authorizes alteration of a non-conforming dwelling group which includes significantly non-conforming structures to include roof reframing, an interior remodel, structural alteration of a significantly non-conforming wall, construction of an addition of approximately 9 square feet, demolition of a portion of a laundry and utility room and relocation of the laundry/utility room, and to re-roof the remainder of the main (conforming as to use) dwelling; relocation and removal of the lower floor (reconstruction) of the non-conforming (as to use) carriage house; demolish a water heater closet and relocate the water heater; and to change the use of an existing significantly non-conforming (as to use) commercial structure from a salon to a commercial bakery. 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.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
    2. The application for a building permit shall be submitted to the County of Santa Cruz within six months of the effective date of this permit.
  - C. Record a Declaration of Restriction to Maintain a Structure as a Single Family Dwelling for the conforming (main) dwelling on site. This structure shall not have more than one kitchen or food preparation facility, and rooms within this structure shall not be rented separately as independent dwelling units.
- 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. Details showing compliance with fire department requirements.
3. Details showing compliance with Environmental Health Services requirements, for the bakery use of the commercial building. The building permit submittal must include the following:
  - a. A zoning clearance form (available from Environmental Health Services);
  - b. Three sets of plans for Environmental Health Services review;
  - c. One set of equipment cut sheets;
  - d. The mandatory checklist for a new food establishment (available from Environmental Health Services);
  - e. The application for plan review (available from Environmental Health Services).
4. A drainage plan that includes the following:
  - a. The existing site drainage pattern and any changes as a result of the project;
  - b. Demonstration that runoff will not adversely impact adjacent or downstream neighbors;
  - c. Submit documentation of permitted structures to establish eligibility for fee credits for existing permitted development (Assessor's records);
  - d. A tabulation of existing impervious areas including concrete driveways and parking and a tabulation of the post-development impervious area.
5. Details showing compliance with fire separation requirements of the 2007 California Building Code, including fire resistive construction, if applicable.
6. Plans shall clearly indicate that structural changes to the significantly non-conforming commercial building are prohibited. The exterior bathroom access door shall be removed and replaced by an internal door that does not require structural modification, but meets Environmental Health requirements. Only ordinary maintenance and repair in kind, not involving structural repairs may be made to the commercial building, consistent with County Code Section 13.10.262.

7. A landscape plan that includes plant species, sizes and irrigation method for the areas shown as new "landscape area" (west side of main dwelling) and "planter" (south and east side of carriage house).
  - 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. Pay any applicable plan check fee of the Central Fire Protection District.
  - E. Pay any remaining Code Compliance fees.
  - F. 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.
- IV. Operational Conditions
- A. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
  - B. The approved use for the non-conforming commercial structure is a retail bakery with on-site and/or off-site sales. The following requirements apply:
    1. No intensification of use is allowed. Any future change of use will require approval of a Level V Development Permit.
    2. No restaurant seating is allowed, either inside or outside the building. All food products sold on site shall be intended for off-site consumption.
    3. The bakery shall only be open to the public from 7:00 am until 6:00 pm Tuesday through Sunday. Hours for bakery operations (not open to the public) are not limited.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
  2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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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 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.**

Application #: 07-0066  
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Owner: Andrew Cohen and George Jaynes

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

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

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

\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator

\_\_\_\_\_  
Cathy Graves  
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: 07-0066  
Assessor Parcel Number: 027-132-07  
Project Location: 625 Bonnie Street

### Project Description:

Person or Agency Proposing Project: Heidi Spicer

Contact Phone Number: 831-425-2020

- 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 construct improvements an existing single family dwelling and to relocate a guest cottage..

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

\_\_\_\_\_  
Cathy Graves, Project Planner

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

# FOR TAX PURPOSES ONLY

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⑨ P.O.R. OF N.W. 1/4 SEC. 20,  
T.11S, R.1W, M.D.B. & M.

Tax Area Code  
82-040

27-13

⑩ TWIN LAKE PARK SUB. NO. 3  
9MB3 8/26/1890

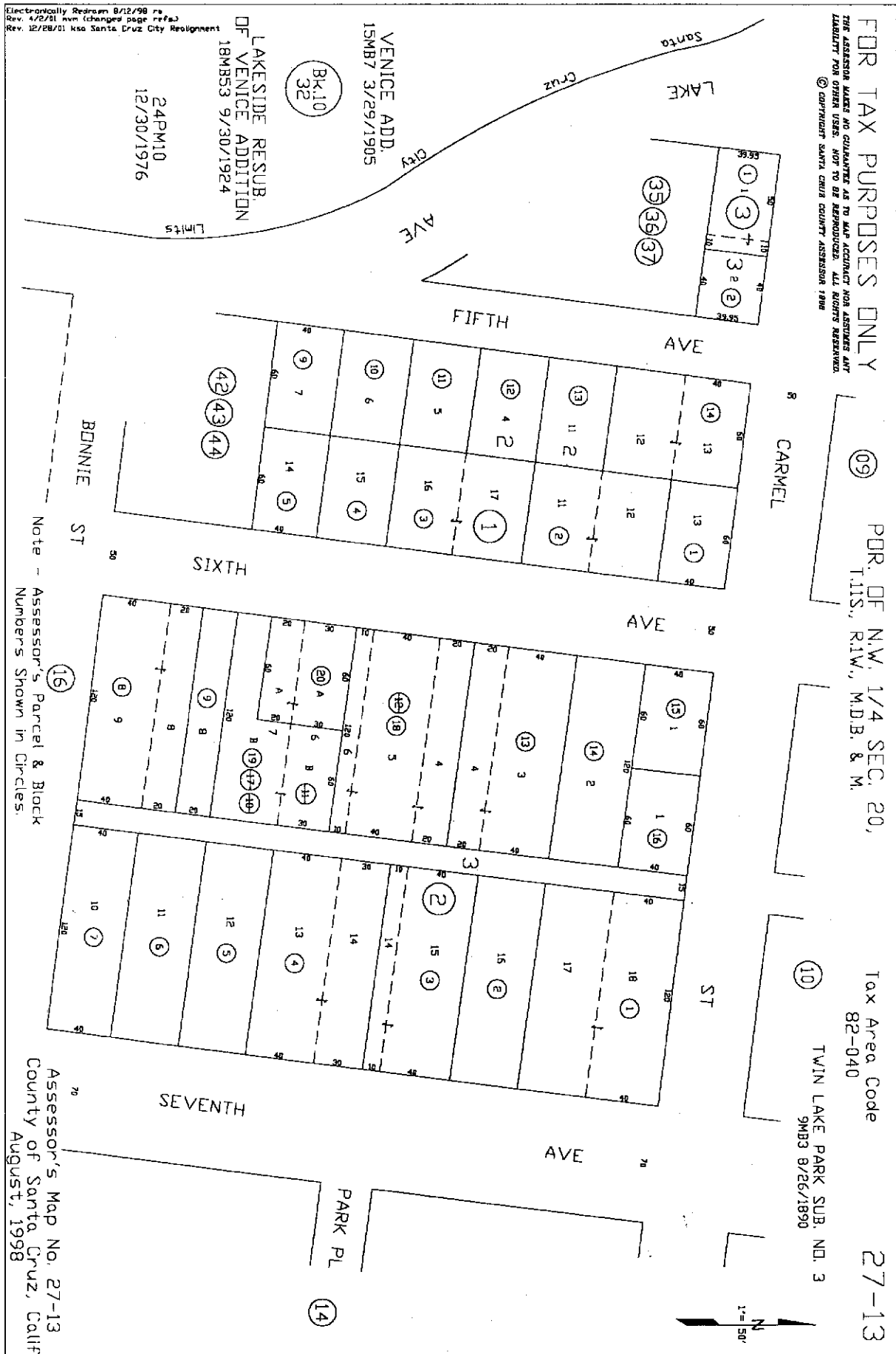
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Rev. 4/2/01 hvm (changed page ref.)  
Rev. 12/28/01 kso Santa Cruz City Realignment

LAKEVIEW RESUB.  
OF VENICE ADDITION  
18MB53 9/30/1924

24PM10  
12/30/1976

VENICE ADD.  
15MB7 3/29/1905

Bk.10  
32

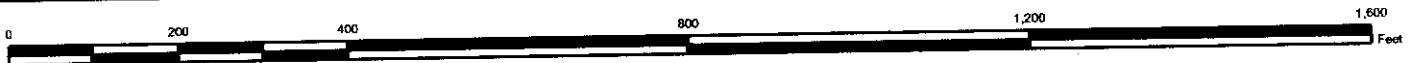
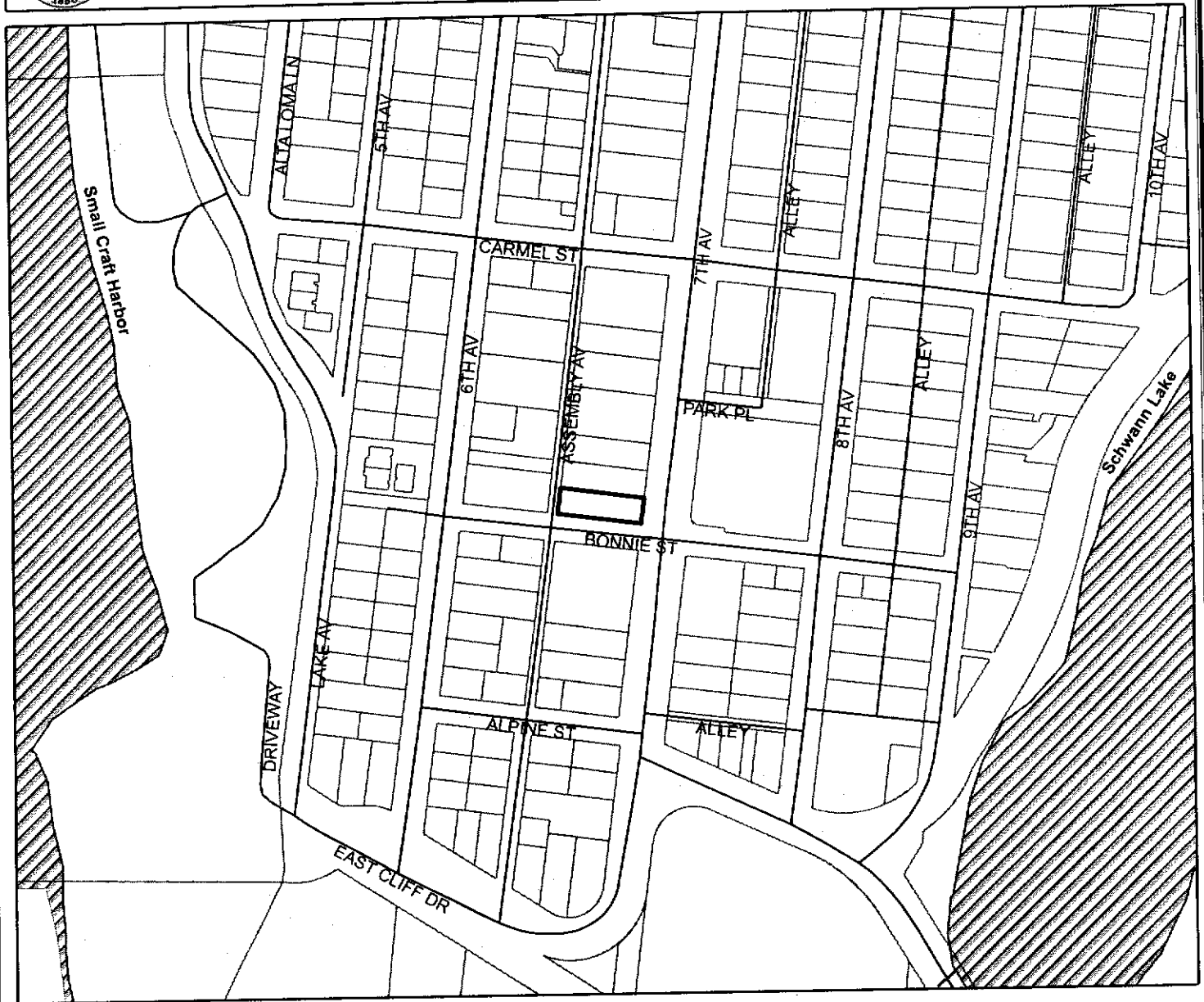


Note - Assessor's Parcel & Block  
Numbers Shown in Circles.





Assessor's Map No. 27-13  
County of Santa Cruz, Calif.  
August, 1998

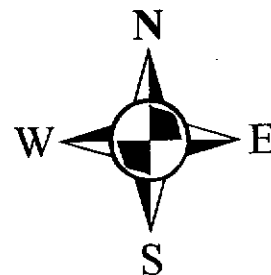


# Location Map



## Legend

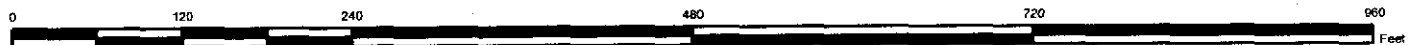
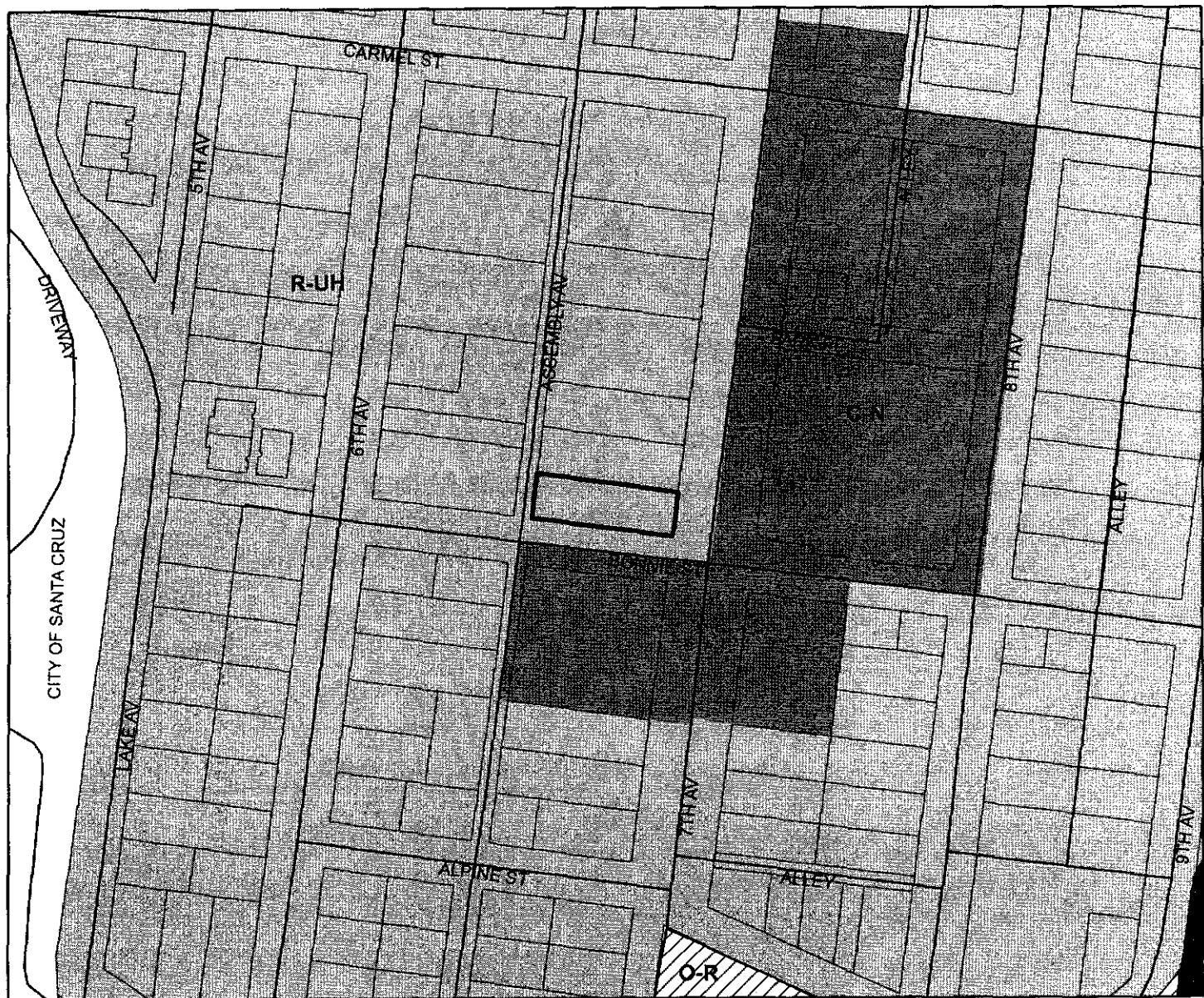
-  APN 027-132-07
-  Assessors Parcels
-  Streets
-  PERENNIAL STREAM



Map Created by  
County of Santa Cruz  
Planning Department  
January 2007

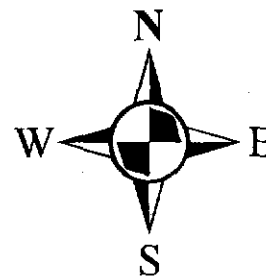


# General Plan Designation Map



## Legend

- APN 027-132-07
- Assessors Parcels
- Streets
- Residential - Urban High Density (R-UH)
- Commercial-Neighborhood (C-N)
- Parks and Recreation (O-R)

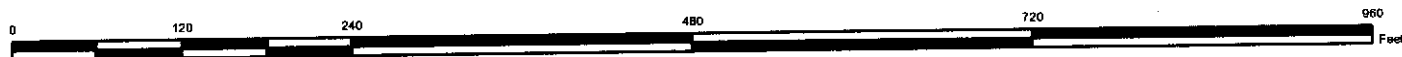
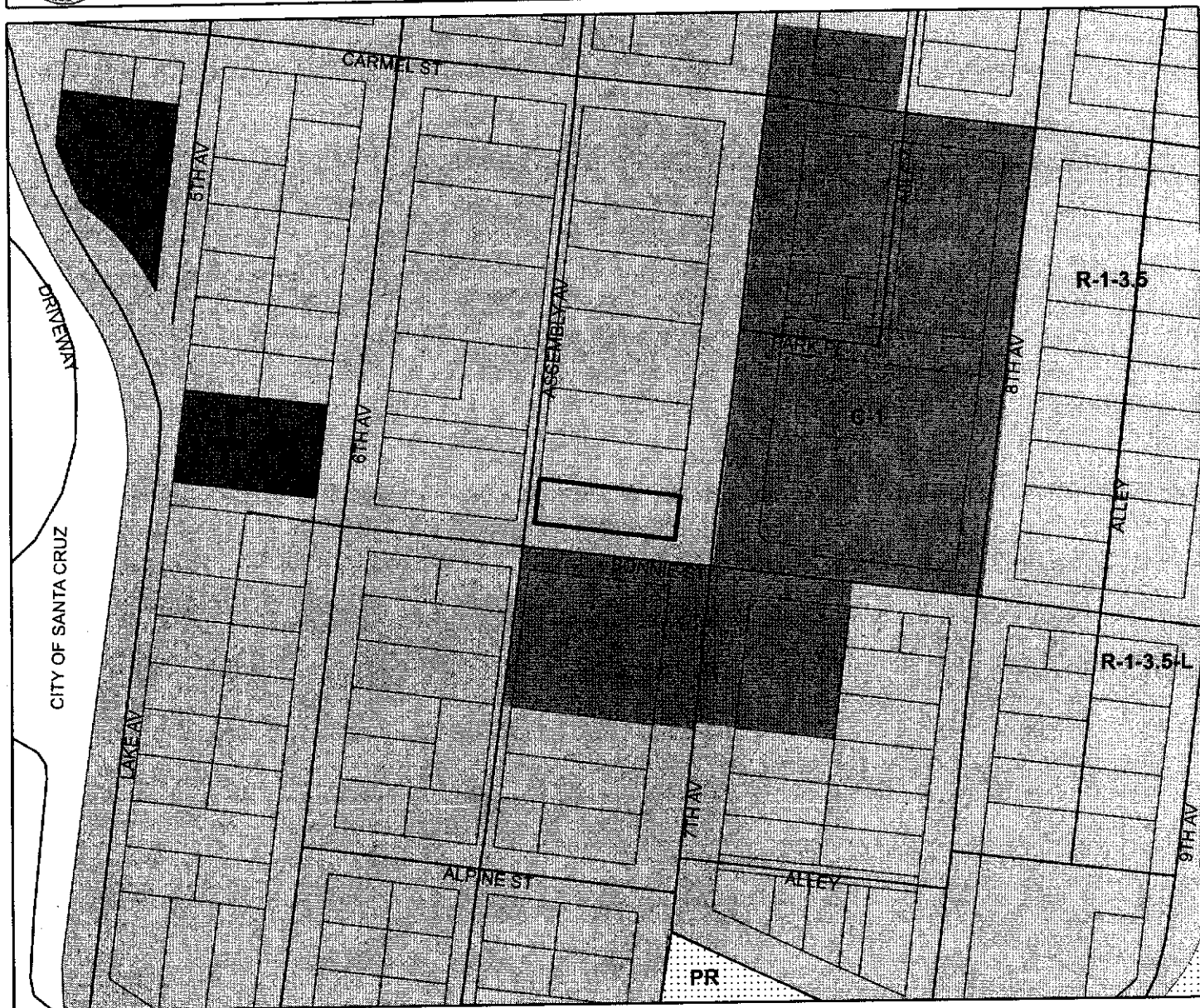


Map Created by  
County of Santa Cruz  
Planning Department  
January 2007



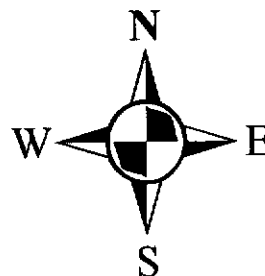


# Zoning Map



## Legend

- APN 027-132-07
- Assessors Parcels
- Streets
- RESIDENTIAL-SINGLE FAMILY (R-1)
- COMMERCIAL-NEIGHBORHOOD (C-1)
- RESIDENTIAL-MULTI FAMILY (RM)
- PARK (PR)



Map Created by  
County of Santa Cruz  
Planning Department  
January 2007

**C O U N T Y   O F   S A N T A   C R U Z**  
**D I S C R E T I O N A R Y   A P P L I C A T I O N   C O M M E N T S**

**Project Planner:** Cathy Graves  
**Application No.:** 07-0066  
**APN:** 027-132-07

**Date:** June 1, 2007  
**Time:** 08:34:07  
**Page:** 1

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**Code Compliance Completeness Comments**

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

According to site visit conducted by CCI, Kevin Fitzpatrick and Aaron Landry the "existing" floor plan is incorrect. The rear left area was storage space not a livingroom. The area was in general disrepair and not habitable. Bedroom 2, rear of structure, is unconfirmed as this was the result of illegal remodeling. (LM) Disc. application addresses the violation. Please make condition of approval 120 days from approval date to obtain building permits. (LM) ===== REVIEW ON FEBRUARY 21, 2007 BY LAURA MADRIGAL =====

NO COMMENT

===== UPDATED ON JUNE 1, 2007 BY LAURA MADRIGAL =====

NO COMMENT

===== UPDATED ON JUNE 1, 2007 BY LAURA MADRIGAL =====

NO COMMENT

**Code Compliance Miscellaneous Comments**

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

===== REVIEW ON FEBRUARY 21, 2007 BY LAURA MADRIGAL =====

===== UPDATED ON JUNE 1, 2007 BY LAURA MADRIGAL =====

===== UPDATED ON JUNE 1, 2007 BY LAURA MADRIGAL =====

NO COMMENT

**Dpw Drainage Completeness Comments**

===== REVIEW ON FEBRUARY 26, 2007 BY ANWARBEG MIRZA ===== UPDATED ON 05/30/07-----AM----- Previous comments have not been addressed. Please address following comments.

1. How does the existing home-runoff drain? Are there any problems? Show the existing site drainage pattern and any changes as a result of this project.

2. How will runoff from the side yards, dirt area, and driveway areas drain. Demonstrate that runoff will not adversely impact adjacent or downstream neighbors.

Until further information is submitted, a thorough review of this application cannot be completed. Once submitted, additional items may need to be addressed before the application can be deemed complete.

For questions regarding this review the Public Works Drainage staff is available 8:00 to 12:00 Monday to Friday.

See Miscellaneous Comments for the Building application stage. ===== UPDATED ON MAY 29, 2007 BY ANWARBEG MIRZA =====

===== UPDATED ON MAY 29, 2007 BY ANWARBEG MIRZA =====

===== UPDATED ON MAY 30, 2007 BY ANWARBEG MIRZA =====

Disc tionalary Comments - Continued

Project Planner: Cathy Graves  
Application No.: 07-0066  
APN: 027-132-07

Date: June 1, 2007  
Time: 08:34:07  
Page: 2

**Dpw Drainage Miscellaneous Comments**

===== REVIEW ON FEBRUARY 26, 2007 BY ANWARBEG MIRZA =====

1. Show records of permitted activities for all structures and paving

2 Show tabulation of existing impervious areas including concrete driveways/parking. Show tabulation of impervious area that will result from proposed development. A drainage impact fee will be assessed on the net increase in impervious area. Reduced fees are assessed for semi-pervious surfacing to offset costs and encourage more extensive use of these materials.

3.This project is required to limit post development flows to pre development levels. The drainage concept submitted does describe retaining stormwater on site, but per GIS map, onsite dirt area appears too small compare with the area in submitted plan. Please clarify and provide details on the plans describing how retention will be accommodated, include existing and proposed pattern, and details for the outlet and overflow design.

4.A satisfactory drainage plan shall 1) quantitatively demonstrate that the post-development runoff rate will not exceed the pre-development rate, and 2)Show that the proposed project will not adversely impact roads or downslope properties. Note: Off site impact study may be required Please call the Dept. of Public Works, Stormwater Management Section, from 8:00 am to 12:00 noon if you have questions.

===== UPDATED ON MAY 29, 2007 BY ANWARBEG MIRZA =====

1) Show all drainage features on plan.

2) Are all of the existing impervious areas shown on sheet 1(including driveways/parking) permitted? Clearly label all existing and proposed/unpermitted impervious areas. Zone 5 fees will be assessed on the net increase in impervious area.

3) Please submit documentation of permitted structures to establish eligibility. Documentations such as assessor-s records, surveys 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.

**Dpw Sanitation Completeness Comments**

===== REVIEW ON MAY 14, 2007 BY CARMEN M LOCATELLI =====

Sewer service is currently available. Must route building application to Public Works Sanitation.

**Dpw Sanitation Miscellaneous Comments**

===== REVIEW ON MAY 14, 2007 BY CARMEN M LOCATELLI =====



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

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

**Date:** May 15, 2007  
**To:** Andrew Cohen  
**Applicant:** **Clare Machado**  
**From:** Tom Wiley  
**Subject:** **07-0066**  
**Address:** **625 Bonnie St.**  
**APN:** 027-132-07  
**OCC:** 2713207  
**Permit:** 20070144

We have reviewed plans for the above subject project.

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

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

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

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

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

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

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

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

NOTE on the plans where address numbers will be posted and maintained. Note on plans that address

numbers shall be a minimum of FOUR (4) inches in height and of a color contrasting to their background.

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

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

Provide construction detail for the one hour wall that is located on the/within three feet of the property line.

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

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

CC: File & County

As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source. Further, the submitter, designer, and installer agrees to hold harmless from any and all alleged claims to have arisen from any compliance deficiencies, without prejudice, the reviewer and the Central FPD of Santa Cruz County.  
2713207-051507

## Cathy Graves

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**From:** Andrew Strader  
**Sent:** Thursday, September 25, 2008 7:56 AM  
**To:** Cathy Graves  
**Subject:** Faith and Heathers Harbor Bakery (APN# 027-132-07)

Hi Cathy,

It was nice to talk to you yesterday. Environmental Health will need the following information from the business owners for our review and approval:

1. Clearance from Zoning (form available in out office)
2. A plan review submittal including:
  - a. 3 sets of plans
  - b. 1 set of equipment cut sheets
  - c. the mandatory checklist for a new food establishment (checklist available in our office or online)
  - d. the application for plan review. (form available in our office or online)

Thank you,

*Andrew Strader, R.E.H.S.*  
Environmental Health Specialist III  
Santa Cruz County  
Environmental Health Service  
701 Ocean Street, Room 312  
Santa Cruz, CA 95060  
(831) 454-2741  
(831) 454-3128 - fax

**Andrew J. Cohen**  
1804 Doris Drive  
Menlo Park, CA 94025  
650-325-5955 (H)  
650 868 7977 (Cell)

May 8, 2007

TO: County of Santa Cruz Planning Department


ATTENTION OF: Cathy Graves

FROM: Andrew J. Cohen

RE: 625 Bonnie Street Santa Cruz, CA.

I, Andrew Cohen, owner of the residence located at 625 Bonnie Street, designate the single family dwelling to be determined as the conforming use.

Regards,



Andrew Cohen

Faith and Heather's Harbor Bakery  
201 7<sup>th</sup> Ave.  
Santa Cruz, CA. 95062

July 2, 2008

Dear Cathy Graves,

This is a short letter to give better understanding of what we are trying to do at 201 7<sup>th</sup> Ave. as "Faith and Heathers Harbor Bakery". We will be a Specialty Cupcake Bakery with a Half Convection oven. This will consist of 20 rotating cupcakes, 5 a day 6 days a week. We will be open Tuesday thru Sunday year round. We will also have Grab and Go Pre-made Sandwiches, Salads, Breakfast burritos to accompany the cupcakes sold during breakfast and Lunch hours. This is similar to like a Jamba Juice. Our customers will come in get what they want and leave. Customers will not be parked for long periods of time as they would when you have a hair salon. With the hair salons that have been in this business prior you would have three to four hair Technicians and a Owner along with clients to each employee who would stay for up to 3 hours depending on what was being done hair cut, Color, Highlights, extensions up-doo's etc. This would depend on more parking then what is needed for our MICRO Bakery and Grab and Go items. We will have 4 employees total with 2 employees working at one time. Faith lives in the neighborhood and would be riding her bike. Heather would have a very small electric car and the other two employees may have cars as one of the employees lives in the neighborhood as well and has said riding his bike would be fine. The customers would not need the parking spaces for long because it is Grab and Go Pre-made items that we are selling. Claire Machado shows ten parking spaces that belong to the entire property including three spaces that the Owner AJ Cohen pays for on the street. The Parking lot across the street sells parking on the weekends for \$4 dollars a day during the summer which could be the busiest time of year. Also, across the street is Five Branches College that has 300 students that have expressed huge support for our opening as they would benefit from having a quick healthy menu across the street. Thank you for your time in reading this.

Menu attached.

Sincerely,

Faith Sackett and Heather Troy

*Heather Troy*  
*Faith Sackett*



**The Harbor Bakery- 201 7th Ave**

Specializing in designer, gourmet, organic Cupcakes  
serving the Twin Lakes/Harbor residential, business and beach communities

**Cupcake Menu:**

20 Varieties of Cupcakes with 5 rotating cupcakes served daily along with one specialty cupcake offered weekly. Seasonal varieties will also be available for holidays plus special order cupcake catering for Weddings and parties.

Sizes offered- Medium, large and mini versions of each cupcake

**Cupcake Varieties offered:**

Banana Fudge  
Black and White  
Carrot  
Green Tea  
Tropical Pineapple  
Snickers-doodle  
Coco-nut  
Triple Ginger  
Meyer Lemon  
Peanut Butter Chip  
Red Velvet  
Berry Delight  
Strawberry  
Cinnamon Mocha  
Applelicious  
Mint Chocolate  
Very Vanilla  
Dark Chocolate Orange  
Mango Lime  
Marshmallow Smores  
Very Vegan  
Gluten Free  
Agave Gold  
Pup-cakes

**THE 'I AM ON TIME' - GRAB AND GO MENU**

To Compliment the cupcakes we will offer these PRE-PACKAGED, GRAB AND GO ITEMS:

The Hot Board Breakfast Burrito

The Bay Breakfast Croissant

6- inch Quiches

Sandwiches- Turkey Cranberry, Veggie Italian, Sweet and Smokey Tofu/Turkey

Local Organic Mix Garden Salads

**DRINKS**

Soft Drinks

Bottled Water

Specialty Drinks (Vitamin Water, Acai, Fuse, Red Bull, etc.)

Iced and Hot Tea

Coffee Drinks

Fruit Smoothies