



Staff Report to the Zoning Administrator

Application Number: 131338

Applicant: Dennis Norton
Owner: Dan and Sheree Kirby
APN: 027-111-30

Agenda Date: April 18, 2014
Agenda Item #: 3
Time: After 9:00 a.m.

Project Description: Proposal to demolish an existing one-story 816 square foot single-family dwelling, and construct a two-story 1,525 square foot single-family dwelling with a 39 square foot covered front porch and a 228 square foot attached garage that has no interior access to the dwelling in the R-1-3.5 zone district. Requires a Coastal Development Permit; two Minor Exceptions, one to allow for a reduction in the required setback to a garage entrance from 20 feet to around 18 feet 6 inches and one to allow an increase in the allowed Floor Area Ratio from 50% to around 50.9%, and an Amendment to Vacation Rental Permit 111491 (for a one bedroom vacation rental) to permit a three bedroom vacation rental (131338), and a Soils Report Review (REV131128).

Location: Property located on the west side of 9th Avenue (331 9th Ave) at about 160 feet north of the intersection with Carmel Street in the Yacht Harbor Special Community.

Supervisory District: First District (District Supervisor: John Leopold)

Permits Required: Coastal Development Permit
Minor Exception
Amendment to Vacation Rental Permit 111491

Technical Reviews: Soils Report Review

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 131338, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	3,000 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential neighborhood
Project Access:	9 th Avenue
Planning Area:	Live Oak
Land Use Designation:	R-UH (Urban High Residential)
Zone District:	R-1-3.5 (Single-Family Residential)
Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Environmental Information

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

Services Information

Urban/Rural Services Line:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Water Supply:	Santa Cruz City Water District
Sewage Disposal:	Santa Cruz County Sanitation District
Fire District:	Central Fire Protection District
Drainage District:	Zone 5

History

The original one-story, 1 bedroom house was constructed on the parcel in 1921. In 1976 an application (76-135-PD) was approved to construct a covered patio and an enclosed porch onto the dwelling. Subsequently Building Permit #46669 was issued for the construction of these additions, although this permit did not receive final inspection clearance. At some time after this, the covered patio and enclosed porch were remodeled to become one additional bedroom and a living room for the dwelling and the existing living room was then converted to a third bedroom. No permits were issued for this work. In 2011 a Permit was issued to allow the dwelling to be rented as a vacation rental. Vacation Rental Permit 111491 was issued on November 18, 2011 and allowed up to 4 guests, 8 people at gatherings and a maximum of 4 vehicles for the vacation rental, based upon the one legally recognized bedroom and three available parking spaces on the parcel.

Project Setting

The existing nondescript house is located on 9th Avenue between Dolores Street to the north and Carmel Street to the south, within a quiet residential neighborhood lying close to Schwan Lake, that consists of a wide variety of one and two-story homes. Due to the small lots in the area most of the surrounding homes are small or moderately sized structures and, although there are some exceptions, older homes are typically one story and newer and remodeled homes are mostly two-story. As required by the special design criteria for the Santa Cruz Yacht Harbor Special Community, many of the newer homes include wood siding to match the existing older dwellings in the area.

Zoning & General Plan Consistency

The subject property is a parcel of approximately 3,000 square feet, located in the R-1-3.5 (Single-Family Residential) zone district, a designation which allows residential uses. The proposed replacement single-family dwelling is a principal permitted use within the zone district and the zoning is consistent with the site's (R-UH) Urban High Residential General Plan designation. Vacation Rentals are an allowed use in a residential zone district subject to the provisions of County Code section 13.10.694.

With the exception of a minor increase in the allowed Floor Area Ratio for the dwelling and a reduced setback to the garage entrance, the proposed dwelling has been designed in accordance with the site and development standards for the R-1-3.5 zone district as follows:

	<u>REQUIRED STANDARD</u>	<u>PROPOSED</u>
Front Yard	15 feet	15 feet
Side Yards	5 feet	5 feet
Rear Yard	15 feet	15 feet
Setback To Garage Entrance	20 feet	18.5 feet
Lot Coverage	40%	34.7%
Floor Area Ratio	50%	50.9%

As set out in County Code section 13.10.235, the proposed additional floor area and reduced setback to the garage can be allowed subject to the approval of two Minor Exceptions. In accordance with this Code section, setbacks may be reduced by up to 15% and, on lots of less than 4,000 square feet in area the floor-area-ratio may be increased by up to 7.5%. As proposed this application includes for a Minor Exception to allow for reducing the required setback to a garage entrance by 1 foot 6 inches, which is 7.5% of the required 20 foot setback and also to increase the allowed floor area of the dwelling by 27 square feet, a 0.9% increase in the allowed floor-area-ratio. A complete list of Minor Exception findings is included with this staff report.

The reduction in the required setback to a garage entrance will not reduce the driveway to less than 18 feet in length. Therefore, as required by County Code section 13.10.552, three on-site parking spaces can be provided for the proposed three bedroom single-family dwelling, one in the garage, one on the driveway to the garage and one additional parking space within the front yard. The parking within the front yard will not exceed 50% of the total yard area.

Local Coastal Program Consistency

The proposed single-family dwelling is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles. Further, the proposed dwelling has been designed in accordance with the design criteria for the harbor area as set out in County Code section 13.20.144, in that the small-scale replacement house has been designed in-line with the characteristics of older dwellings in the neighborhood with clean lines, a pitched roof and with Hardie Board siding that is designed to have the appearance of wood siding. No mature trees are proposed to be removed for this project.

The project site is not located between the shoreline and the first public road and is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

Design Review

The proposed single-family dwelling complies with the requirements of the County Design Review Ordinance in that the proposed dwelling includes wall and roof plane variations and building projections such as balconies, a covered porch and a bay window to reduce the overall scale and bulk of this otherwise modest home. In addition, the structure has been designed to include painted Hardie Board siding at the upper floor which will have the appearance of wood siding so that the home will be in character with surrounding homes in the yacht Harbor Special Community. The lower floor of the new home will be stucco and, at the front elevation, also incorporate a slate stone and this will serve to further break up the façade and reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Environmental Review

Environmental Review has not been required for the proposed project since, as proposed, the project qualifies for an exemption under the California Environmental Quality Act (CEQA) consistent with the CEQA guidelines in Section 3, New Construction or Conversion of Small Structures (15303), in that the proposed replacement dwelling is will be constructed within an area designated for residential uses and, with the approval of a Minor Exception for a reduced setback to a garage entrance and minor increase in the allowed floor-area-ratio, will conform to all of the required site and development standards for the zone district.

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 **131338**, 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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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: 131338

Assessor Parcel Number: 027-111-30

Project Location: 331 9th Avenue, Santa Cruz, Ca 95062

Project Description: Proposal to demolish and existing one story 816 square foot dwelling and construct a replacement 1,525 two-story dwelling with a 228 square foot attached garage

Person or Agency Proposing Project: Dennis Norton

Contact Phone Number: (831) 476-2616

- 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).
E. ☒ **Categorical Exemption**

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

F. Reasons why the project is exempt:

Construction of a Replacement single-family dwelling in an area zoned for residential uses.

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

Lezanne Jeffs, Project Planner

Date: _____

EXHIBIT A

Coastal Development Permit Findings

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

This finding can be made, in that the property is zoned R-1-3.5 (Single-Family Residential), a designation which allows residential uses, including vacation rentals within a single-family home. The proposed single-family dwelling is a principal permitted use within the zone district, and the zoning is consistent with the site's (R-UH) Urban High Residential General Plan designation.

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

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the site is surrounded by lots developed to an urban density. Further, the proposed dwelling has been designed in accordance with the design criteria for the harbor area as set out in County Code section 13.20.144, in that the small-scale replacement house has been designed in-line with the characteristics of older dwellings in the neighborhood, with clean lines, a pitched roof and with Hardy Board siding that is designed to have the appearance of wood siding. The colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top. No mature trees are proposed to be removed for this project.

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

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

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

This finding can be made, in that the structure is sited and designed to be visually compatible, in scale, and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the R-1-3.5 (Single-Family Residential) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

Development Permit Findings

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

This finding can be made in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

The proposed single-family dwelling will not deprive adjacent properties or the neighborhood of light, air, or open space in that, although the proposed garage entrance will be less than the required 20 feet from the property line, the structure meets all current setbacks that ensure access to these amenities. The increased setback to a garage entrance is required to ensure that off-street parking is available in the driveway. Since the required length of a parking space is 18 feet, the reduction of the proposed setback to 18 feet 6 inches will not reduce the number of available parking spaces for the dwelling.

The use of the replacement dwelling as a vacation rental will allow for the continuation of an existing use on the parcel. The increased number of guests and one additional vehicle that will be allowed are both in accordance with all of the requirements of the County Vacation Rental ordinance.

- 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.**

The proposed location of the single-family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-3.5 (Single-Family Residential) zone district. The primary use of the property will be one single-family dwelling that, subject to the approval of a Minor Exception to allow for a 7.5% reduction in the required setback to a garage entrance and a 0.9% increase in the maximum allowed floor-area-ratio, meets all current site standards for the zone district. Minor Exception findings are included with this report.

In accordance with the provisions of County Code section 13.10.694, the proposed Amendment to Vacation Rental Permit 111491 will allow for an increase in the number of guests from four to eight people, not counting children under 12 years of age (two per bedroom plus two) and an increase in the number of guests allowed at celebrations or gatherings from eight to sixteen (twice the number of guests), based upon the increase in the number of bedrooms from one to three in the new dwelling. The number of vehicles allowed in association with the vacation rental will increase from four to five cars based upon the provision of one additional parking space on the parcel.

Therefore this finding can be made.

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

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the Urban High Residential (R-UH) land use designation in the County General Plan. A vacation rental is an allowed use in any residential zone district with no requirement for any other use.

As specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), the proposed single-family dwelling will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties in that, even though the project requires the approval of a Minor Exception to allow a small increase in floor area and a reduced setback to the garage entrance, the project meets current site standards for the zone district that ensure access to these amenities.

The proposed single-family dwelling will be properly proportioned to the parcel size and 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 replacement single-family dwelling will comply with the site setbacks standards, height, number of stories and maximum lot coverage for the R-1-3.5 zone district. The proposed increase in the allowed floor-area-ratio by 0.9% and reduction in the required 20 foot setback to the garage entrance are allowed subject to the approval of a Minor Exception as set out in County Code section 13.10.235, and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The proposed dwelling is located within the Yacht Harbor Special Community. As required by General Plan Policy 8.8.1 the existing house on the parcel that is to be demolished is not a listed historic structure and the proposed replacement house has been designed to incorporate the characteristics of older dwellings in the neighborhood in that it is a small scale structure with clean lines, a pitched roof and has been designed to include materials that have the appearance of traditional wood siding at the second floor.

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 single-family dwelling is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project day (1 peak trip per dwelling unit) is not anticipated to change from the level generated by the existing dwelling and therefore the proposed project will not adversely impact existing roads or intersections in the surrounding area.

- 5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.**

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single-family dwelling is consistent with the land use intensity and density of the neighborhood.

- 6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.**

This finding can be made, in that the proposed single-family dwelling will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

Minor Exception Findings

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

The project proposes the demolition of an existing one-story 816 square foot home and the construction of a replacement two-story dwelling of 1,525 square feet with a 228 square foot attached garage on an existing 3,000 square foot parcel. The maximum allowed floor-area-ratio for the R-1-3.5 zone district is 50% which would allow for a dwelling of 1,500 square feet with a 225 square foot garage. County Code section 13.10.235(B) allows for minor increases in floor-area-ratio on lots that are less than 4,000 square feet in size, of up to 7.5% of the total maximum. This would allow an increased floor-area-ratio of 57.5%. As proposed the total floor-area-ratio would be increased by only around 0.9%, which represents a minimal increase of only 28 square feet. This section of the Code also allows for a reduction in the required setbacks by up to 15%, which would allow for a reduction in the required setback to the front of the garage to 17 feet. As proposed the garage will be around 18 feet 6 inches from the property line, a reduction of only 7.5%. This reduction will not preclude the provision of parking on the driveway in front of the garage.

The special circumstance that applies to this lot is that the proposed project is located in an area that includes several newer homes that are a similar size to the house on the subject parcel and within a neighborhood that also includes several nonconforming duplexes that are within structures that are larger than would be allowed under current site and development standards. Many of the older homes in the neighborhood are also nonconforming to setbacks. The proposed project is therefore in character with other developments in the vicinity that are under identical zoning classification.

2. **That the granting of the Minor Exception 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 proposed replacement dwelling with an increased floor-area-ratio of 50.9% and a reduced setback to the front of the garage of 18 feet 6 will not deprive adjacent properties or the neighborhood of light, air, or open space. The structure meets all of the setbacks for the zone district that ensure access to these amenities and the minor increase in the allowed floor-area-ratio will not significantly change the impact of the structure on surrounding properties. If the garage were to be converted to another use (notwithstanding the requirement for the provision of off-street parking) a minimum front yard setback of only 15 feet would apply to that portion of the dwelling and the structure would therefore conform to setback requirements. The proposed replacement dwelling will have a finished height of around 25 feet 8 inches, which is less than the maximum 28 foot height limit allowed in the zone district.

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

This finding can be made in that the granting of a Minor Exception to allow for an increase in the allowed floor-area-ratio to around 50.9% will not constitute a grant of special privilege to this parcel, as similar approvals could be granted on adjacent properties in the neighborhood which is mostly comprised of smaller parcels that are less than 4,000 square feet in size.

Further, the proposed project is located in an area that includes several older homes and within a neighborhood where many of the homes are nonconforming with respect to floor-area-ratio and setbacks. The proposed replacement dwelling is therefore consistent with the character of the neighborhood in which it is situated.

- 4. That there will be no increase in stormwater leaving the property as a result of additional impermeable area created by a minor increase in lot coverage. The project as approved incorporates measures or conditions that direct runoff to the landscape, uses permeable paving material, reduces existing impermeable area, or incorporates other low impact drainage practices to control any increase in stormwater runoff.**

This finding can be made in that, as proposed the project will not result in lot coverage that exceeds the maximum 40% that is allowed in the zone district. Further, the proposed landscaping and site design for the new home includes details such as flagstones laid in sand and gravel areas to reduce the overall areas of impervious surfaces on the parcel and includes bio-swales for water retention, therefore the project will result in the reduction in the amount of stormwater leaving the parcel.

Conditions of Approval

Exhibit D: 5 sheets prepared by Dennis Norton, dated 11/06/13, of which 1 sheet was revised 1/27/14; 1 sheet prepared by Paul Jensen, Professional Land Surveyor, dated April 2013, and 2 sheets prepared by Michael Arnone Associates, dated 12/17/13.

- I. This permit authorizes the demolition of an existing single-family dwelling and the construction of a replacement single-family dwelling with an attached garage as shown on Exhibit D and an amendment to Vacation Rental Permit 111491 to increase the maximum number of guests allowed from 4 to 8 guests, not including children under 12 years of age, to increase the allowed number of guests at a celebrations or gathering from 8 to 16 guests and to increase the allowed number of vehicles associated with the vacation rental from 4 to 5 vehicles. This approval does not confer legal status on any existing use on the subject property that is 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 Demolition Permit from the Santa Cruz County Building Official.
 - C. 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.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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, 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.
 2. Grading, drainage, and erosion control plans.
 3. Details showing compliance with fire department requirements
- B. 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.
- C. Meet all requirements of and pay Zone 5 drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.

Note: Projects are required to minimize impervious surfacing. This project is proposing a paved driveway. The requirement to minimize impervious surfacing can be achieved by the use of porous pavement (paver blocks, turf blocks, base rock, gravel, pervious concrete, etc.) where feasible.

For fee calculations please provide tabulation of new impervious and semi-impervious (gravel, base rock, paver blocks, pervious pavement) areas resulting from the proposed project. Make clear on the plans by shading or hatching the limits of both the existing and new impervious areas. To receive credit for the existing impervious surfaces to be removed please provide documentation such as assessor's records, survey records, aerial photos or other official records that will help establish and determine the dates they were built.

Site plans shall specify maintenance requirements such as; what needs to be maintained, how often each drainage improvement needs to be maintained, what to look for indicating maintenance is required, and what the maintenance procedures are for each specific drainage improvement. A recorded maintenance agreement is required for the proposed bioswales.

- D. The applicant shall submit a drainage plan that complies with the requirements set forth in 2010 California Building Code (CBC) Section 1803.3.
- E. The applicant shall submit a stormwater pollution control plan that meets the requirements set forth in the County's Construction Site Stormwater Pollution Control BMP Manual.
- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District.

- G. A soils report prepared by a licensed Geotechnical Engineer has been submitted in support of this application (REV131128). This report has not yet been accepted.

Prior to building permit approval the applicant shall submit:

- a. Two copies of the final, accepted soils report and
- b. The applicant shall submit a signed and stamped Soils (Geotechnical) Engineer Plan Review Form to Environmental Planning. The plan review form shall reference each reviewed sheet of the final plan set by its last revision date. Any updates to the soils report recommendations necessary to address conflicts between the report and plans must be provided via a separate addendum to the soils report. The author of the report shall sign and stamp the completed form.

Plans submitted for the building application shall be designed in conformance with all recommendations provided in the soils report, once accepted. In addition, the project shall comply with all requirements set forth in the soils report acceptance letter, once it has been prepared

- H. Pay the current fees for Parks and Child Care mitigation for two additional bedrooms. Currently, these fees are, respectively, \$1,000 and \$109 per bedroom.
- I. Pay the current fees for Roadside and Transportation improvements for two additional bedrooms. Currently, these fees are, respectively, \$1,000 and \$1,000 per bedroom.
- J. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- K. Complete and record a Declaration of Restriction to construct a garage that has no interior access to the dwelling. **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- L. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- M. Provide updated information in support of the Amendment to Vacation Rental Permit 111491, to include an updated Owner Agent form, Vacation Rental Safety Certification, name, address and telephone numbers of the local contact person (within a 30 mile radius of the rental and to be available 24 hours a day), Copy of the Rental/Lease agreement, and Transient Occupancy Tax Registration Certificate.

III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. All site improvements shown on the final approved Building Permit plans shall be installed.
- B. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
- C. The project must comply with all recommendations of the approved soils reports. Prior to building permit final, the applicant shall submit a final inspection form, signed and stamped by the soils engineer.
- D. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. The Vacation Rental shall be maintained and operated so that, at all times, it is in compliance with the items listed on the Vacation Rental Certification form (required to be approved before issuance of a Building Permit for the proposed replacement dwelling).
- B. The maximum, overnight occupancy of the vacation rental shall not exceed 8 people (2/bedroom + 2, children under 12 not counted).
- C. The maximum number of vehicles associated with the overnight occupants shall not exceed 5 (number of on-site parking spaces, plus 2 additional on-street spaces).
- D. The maximum occupancy allowed for celebrations and gatherings between 8:00 a.m. and 10:00 p.m. shall not exceed 16 people (twice the number of overnight occupants, children under 12 not counted).
- E. All other conditions of approval of Vacation Rental Permit 111491 are hereby incorporated by reference into the approval of this permit.
- F. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development 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 three 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 #: 131338
APN: 027-111-30
Owner: Dan and Sheree Kirby

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Wanda Williams
Deputy Zoning Administrator

Lezanne Jeffs
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.

10	SECTIONS
11	ELECTRICAL PLAN
51	FOUNDATION FRAMING PLAN
52	FLOOR/ROOF FRAMING
53	TYPICAL FOUNDATION DETAILS
54	TYPICAL FRAMING DETAILS
55	TYPICAL FRAMING DETAILS
56	GENERAL NOTES
1-24	GENERAL NOTES

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56	GENERAL NOTES
1-24	GENERAL NOTES

BY THE MANUFACTURER, UNLESS NOTED OTHERWISE, WHEN INSTALLING OVER PLUMBOO, USE COMMON NAILS, JOIST AND BEAM HANGERS SHALL BE U-1092, EXCEPT AS NOTED

PLUMBING: *See* **Plumbing**

- TWO 20" APP SMALL APPLIANCE CIRCLES SUPPLYING KITCHEN & DINING ROOM
- SEPARATE CIRCUIT FOR DISHWASHER

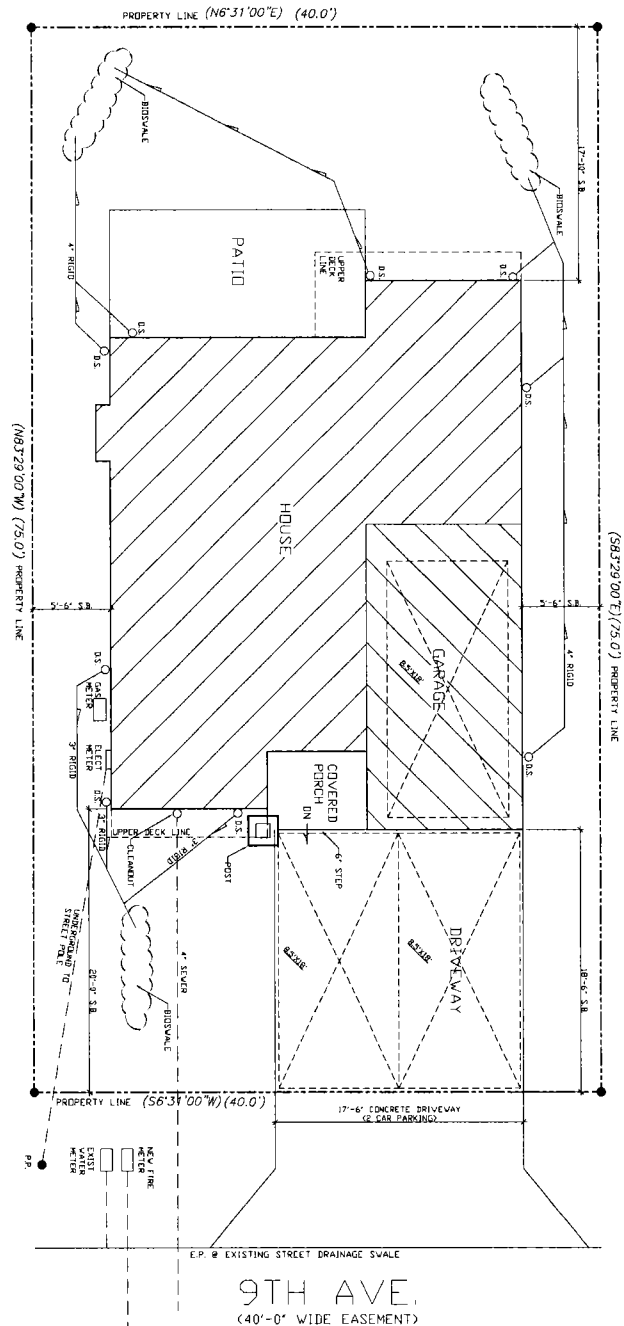
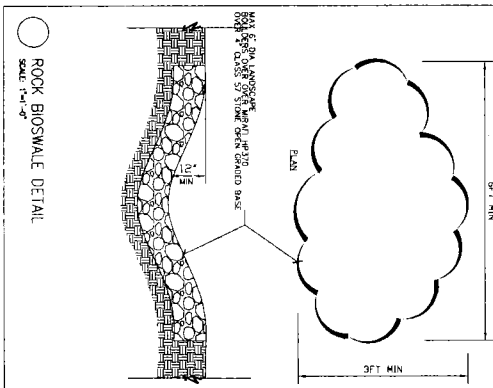
COVER SHEET
LEGEND OF SHEETS

OCCUPANCY CLASSIFICATION (R3A)
BUILDING CONSTRUCTION TYPE VB
SPRINKLED
FIRE FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1000
GALLONS PER MINUTE FROM AN HYDRANT LOCATED WITHIN 250 FEET.
EXISTING HYDRANT 1000 GPM

[illegible]

- [illegible]

48881 a means of 50 percent of the construction cost of the building. The cost of the construction is estimated to be \$100,000. The cost of the construction is estimated to be \$100,000. The cost of the construction is estimated to be \$100,000.



SITE PLAN

SITE PLAN

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING

712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616

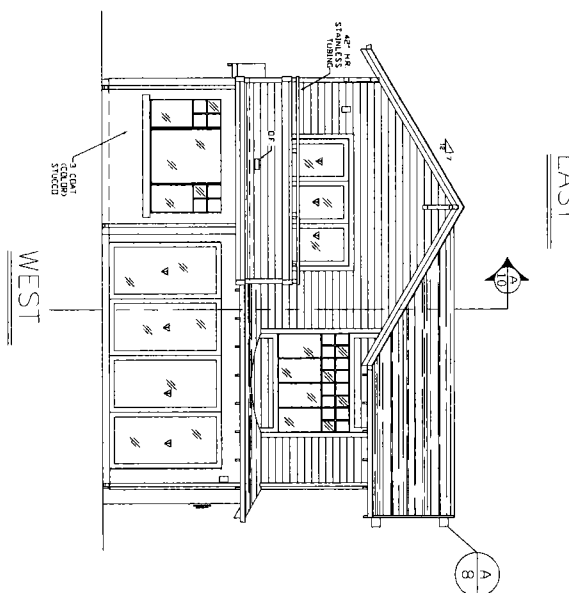
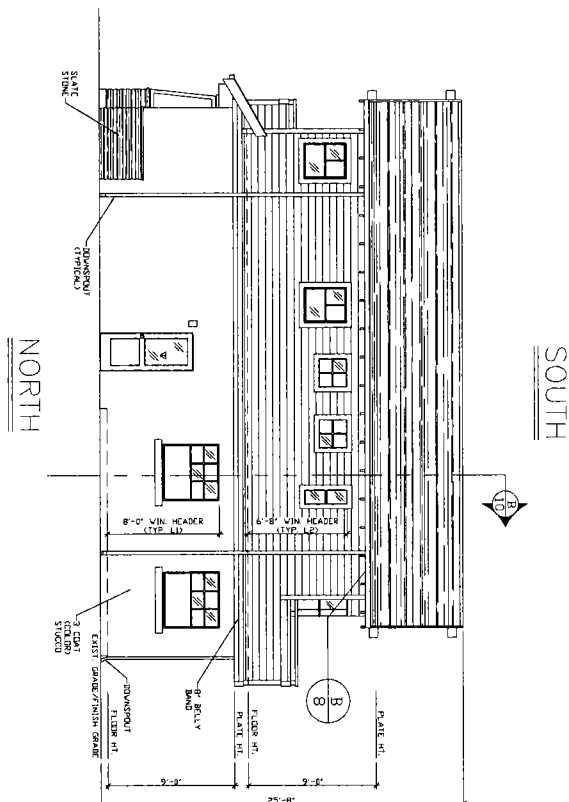
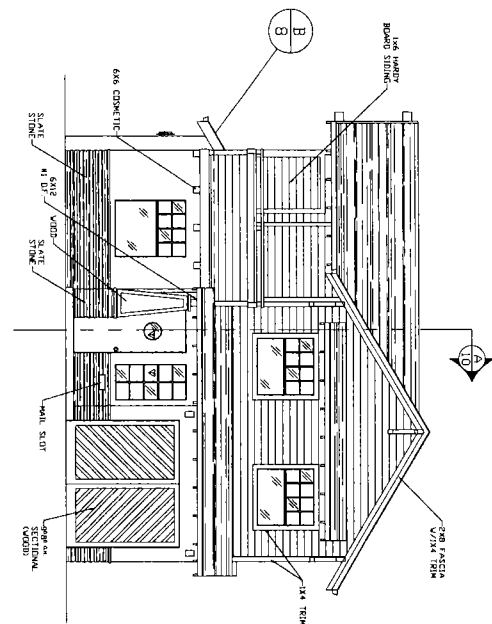
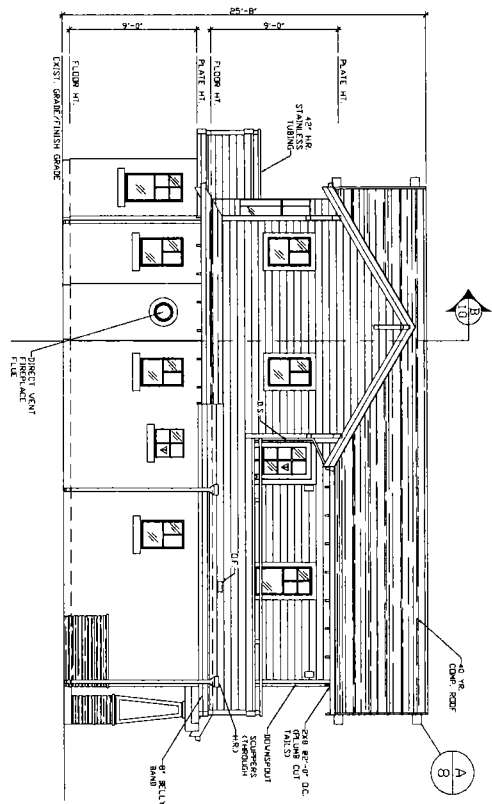
331 9TH AVE.
SANTA CRUZ, CA 95062
APN 027-111-30

DAN & SHERIE KIRBY
944 PORTSWOOD CIRCLE
SAN JOSE, CA 95128
415-407-9933

[illegible][illegible]

FLOOR PLAN

DAN & SHEREE KIRBY
944 PORTSWOOD CIR
SAN JOSE, CA 95122
415-407-9933



ELEVATIONS
NOTE  = TEMPERED GLASS

ELEVATIONS

DENNIS NORTON
HOME DESIGN AND
PROJECT PLANNING

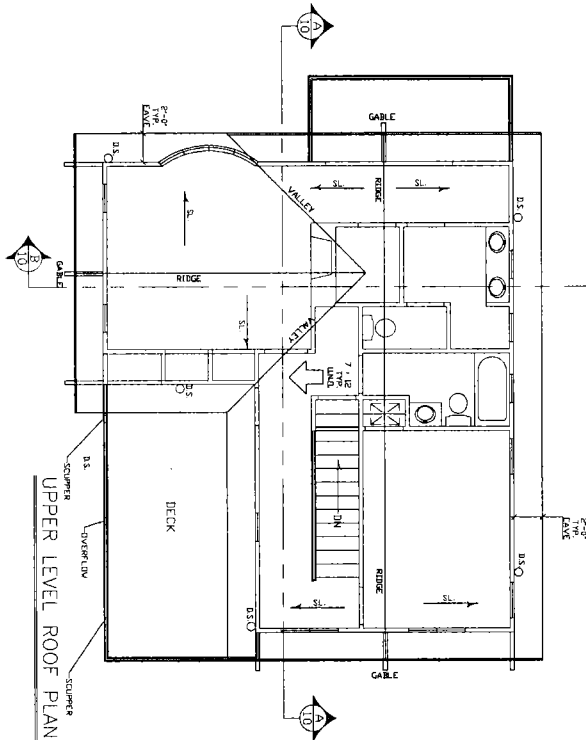
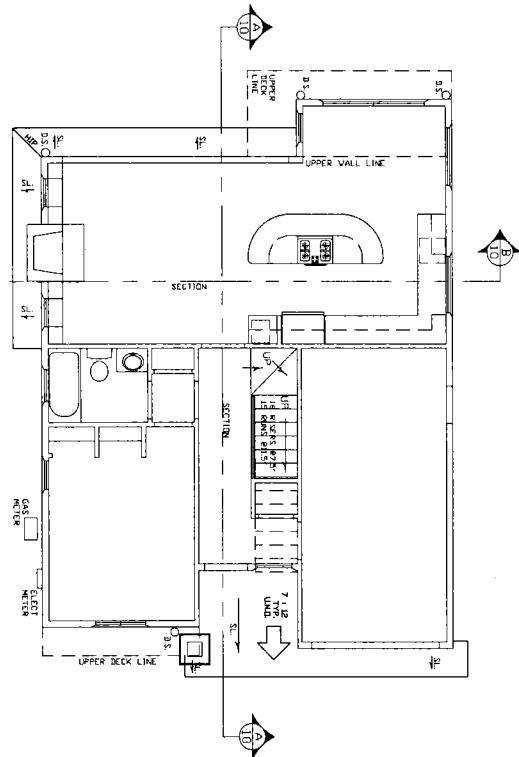
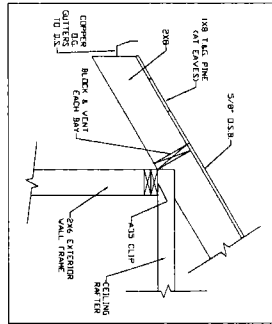
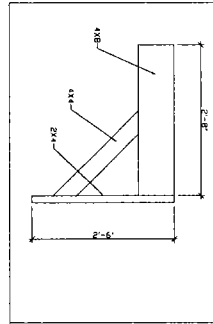
712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 475 2618

KIRBY RESIDENCE
331 9TH AVE.
SANTA CRUZ, CA 95062
APN 027-111-30

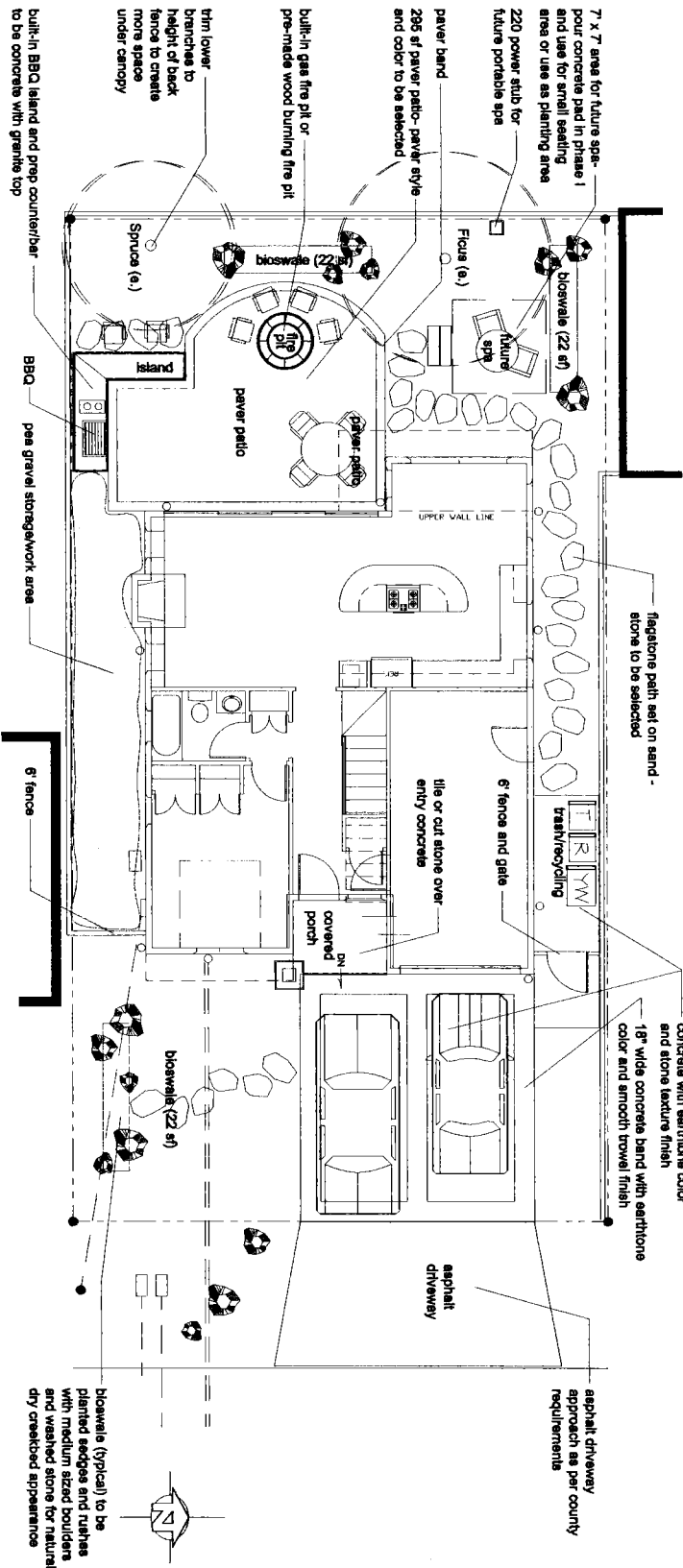
DEN & SHANE ARCH
9444 POSTWOOD DR
SANTA CRUZ, CA 95061
408.290.2833

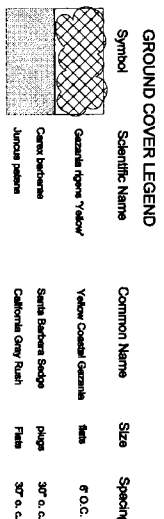
DATE 07/27/14
BY
CHECKED
APPROVED

5
SHEET



ROOF PLAN



[illegible]

sheet number:
L - 2

sheet title:
planting

scale:
1/4" = 1' - 0"

[illegible]

DATE	PURPOSE	BY
12/17/13	received from [unclear]	MAA

KIRBY RESIDENCE
331 9th AVENUE
SANTA CRUZ, CALIFORNIA


Michael Arnone + Associates
LANDSCAPE ARCHITECTURE
3370 Samuel Pk. Santa Cruz, CA 95062
921.462.6565 info@michaelarnone.com www.michaelarnone.com

FOR TAX PURPOSES ONLY

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103RS16
2/11/2003

DOLORES

POR. OF SEC. 17 & 20,
T.11S., R.1W., M.D.B. & M.

87RS33
12/16/1994

(08)

Tax Area Code
82-040

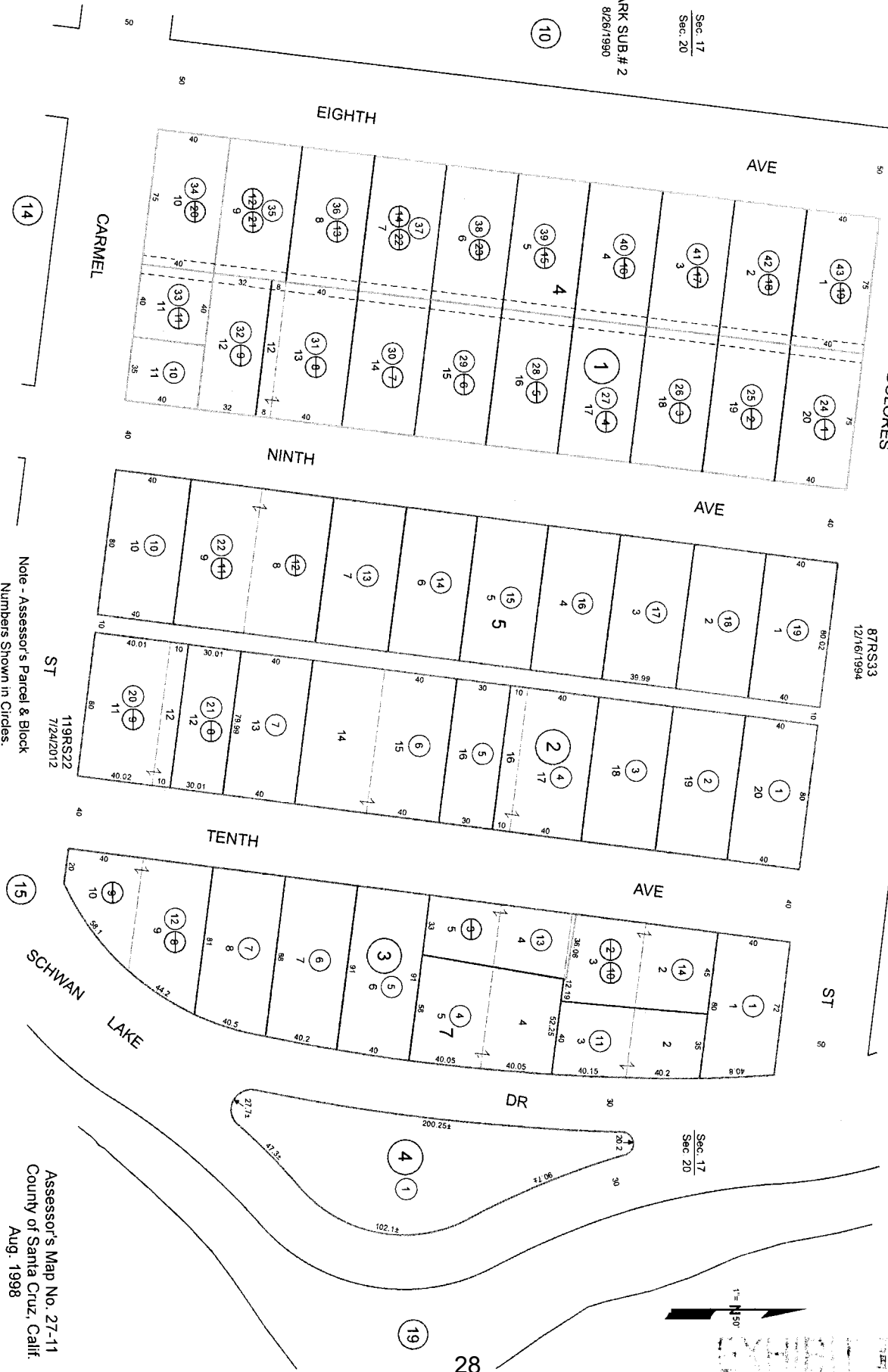
27-11

Sec. 17
Sec. 20

TWIN LAKE PARK SUB. # 2
7MB5 8/26/1990

(10)

Electronically Redrawn 8/11/98 rw
Rev. 10/3/00 CB (0-0039145, LBA 3-13 & 14)
Rev. 4/2/01 mm (changed page refs.)
Rev. 3/19/03 CB (103RS16)
Rev. 9/27/10 mc (116RS39)
Rev. 8/14/13 CB (119RS22)



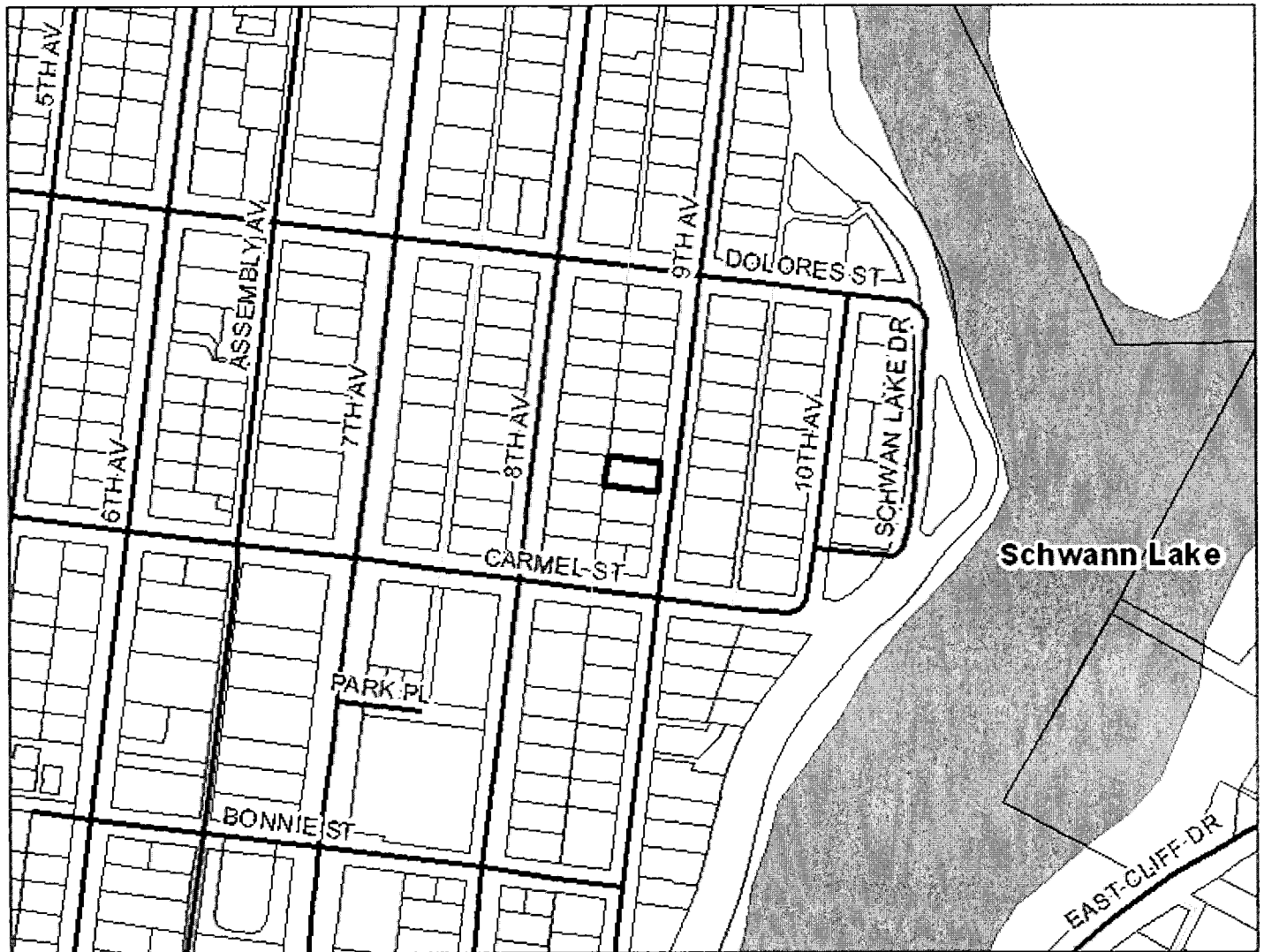
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

ST 119RS22
7/24/2012





Assessor's Map No. 27-11
County of Santa Cruz, Calif.
Aug. 1998

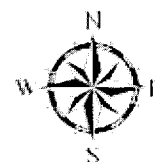


Location Map



LEGEND

-  APN: 027-111-30
-  Assessors Parcels
-  Street
-  Lakes



Map Created by
County of Santa Cruz
Planning Department
December 2013






EXHIBIT D

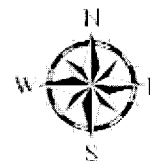


Zoning Map



LEGEND

-  APN: 027-111-30
-  Assessors Parcels
-  Street
-  RESIDENTIAL-SINGLE FAMILY
-  COMMERCIAL-NEIGHBORHOOD



Map Created by
County of Santa Cruz
Planning Department
December 2013



General Plan Designation Map



LEGEND



APN: 027-111-30



Assessors Parcels



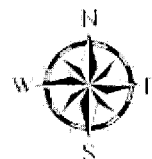
Street



Residential - Urban High Density



Commercial-Neighborhood



Map Created by
County of Santa Cruz
Planning Department
December 2013

EX-101 10