

**ACTION MINUTES
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers
809 Center Street
Santa Cruz, CA 95060

September 2, 2015
10:00 A.M. SESSION

Staff Present: Eric Marlatt, Zoning Administrator
Linda Miranda, Recording-Secretary

Audience: Approx. 20

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:02 a.m. in the Council Chambers of City Hall. He welcomed members of the public to the meeting and read a list of the items to be heard at this morning's meeting, describing the procedures to be followed for the public hearing. He also informed those in attendance of their right to appeal any of the decisions of the Zoning Administrator, noting that appeals must be filed within ten calendar days of the meeting date. He noted all appeals must be filed in the Planning Department along with the appeal fee of \$500, unless the project is appealable to the California Coastal Commission.

Call to Order by Zoning Administrator Eric Marlatt

Oral Communications—None

Announcements - No action shall be taken on these items.

Public Hearings

Old Business

Continued from the Zoning Administrator meeting of August 5, 2015

1. **2000 Soquel Ave CP14-0116 APN 011-051-14**
Administrative Use Permit and Design Permit to construct a monopole for a new telecommunication facility in the CC zone district. (Environmental Determination: Categorical Exemption) (De Montigny Dennis U/M, owner/filed:9/8/2014) MF
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use and Design Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:
Rebekah Anderson

SPEAKING FROM THE FLOOR WITH CONCERNS:

Jon Friesell
Michelle Friesell

CORRESPONDENCE RECEIVED WITH CONCERN:

James A. Herd, Attorney

No one else wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 2000 Soquel Avenue, subject to the findings and conditions contained in the staff report.

Continued from the Zoning Administrator meeting of August 19, 2015

2. 138 Fern St. CP15-0073 APN 008-161-25
Administrative Use Permit to establish a brewpub as a Low-Risk Alcohol Outlet for beer manufacturing and sales with outdoor seating in an existing industrial building located in the IG zone district. (Environmental Determination: Categorical Exemption) (DEVINS ELIZABETH A TRUSTEE ETAL, owner/ filed: 5/21/2015) SH
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Applicants in attendance

No one wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 138 Fern Ave. subject to the findings and conditions contained in the staff report.

New Business

3. 111 Los Altos Court CP15-0077 APN 002-174-14
Design Permit to add a 1,122 square foot second story to an existing 2,445 square foot single family dwelling all of which will exceed 3,000 square feet. Project includes the demolition of an unpermitted unit in the basement and the conversion of this space to unheated storage in the R-1-5 (Single Family Residence District) zone district. (Environmental Determination: Categorical Exemption) (Auddrena Mauga and Kelly Kisse, owners/ filed: 06/01/15) MA

Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Auddrena Mauga
Kelly Kisse
Warren Tamashiro

SPEAKING FROM THE FLOOR WITH CONCERNS:

Sharon Caiocca
Jonathan Guy
Jonna Anderson

CORRESPONDENCE RECEIVED WITH CONCERNS:

Sharon Caiocca
Jonathan Guy
Jonna Anderson

No one else wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 111 Altos Court, subject to the findings and conditions contained in the staff report; with revised Agenda Report findings: #5; 6; 21 and 24.

The Zoning Administrator indicated that the findings included in the staff report, may be revised, to include field observations. The Action Minutes will note the revisions.

- 5. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural landforms, building profiles, location, and orientation must relate to natural landforms.**

No heritage trees will be removed. ~~Solar access will not be impacted as all of the proposed construction will be to the northerly end of the site, and~~ **Solar access will not be significantly impacted** as the **resulting height of the** addition will be located at a **similar height** ~~the same level~~ as the adjacent home. There are no natural landforms on the parcel that would be **physically** impacted. **The gabled roof follows the slope of the lot providing a stepped down appearance.**

6. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.

~~Not applicable; the street is not located near the ocean.~~ While the second floor addition may obstruct some views of the ocean from Alta Vista Drive, viewshed impacts have been minimized with an overall height that is five feet lower than the maximum allowed in the zoning district.

21. Form and scale should relate to the use of the structure as a single-family residence. Also, the scale of structures shall be at a human scale so as not to overwhelm or dominate their surroundings. New structures shall be consistent with the scale of structures on adjacent lots and generally be compatible with existing surrounding structures.

The scale of the home is at a human scale and does not overwhelm or dominate the surroundings. The addition over the garage repeats the pattern of the surrounding neighborhoods and is only slightly higher (less than five feet) than ~~located at a level very near the neighbor's roofline,~~ thereby producing compatibility with the surrounding neighborhood.

24. Development should relate to the natural land forms and surroundings and minimize grading by following the natural contours as much as possible. Graded slopes should be rounded and contoured to blend with the existing terrain. Structures built on slopes or hills should be sensitively designed to minimize visual impact by stepping structures to match topography. Significant natural vegetation should be retained and incorporated into the project whenever possible. Landscaping shall be required for the front yard areas.

The lot is sloped and the right side of the gable end follows the slope. The addition is of a similar height tot the adjacent, upslope residence. The project is located on a lot which is fully landscaped with mature landscaping including a deck at the rear.

New Business (Cont'd)

4. 421 Poplar St. CP15-0096 APN 009-241-01
Administrative Use Permit to convert a permitted recreation room into an Accessory Dwelling Unit (ADU) located six feet from the rear property line and above a detached garage on an R-1-5 lot. (Mickey Evans, owner/filed: 6/24/15) MF
Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Administrative Use Permit per the findings noted in the staff report and the Conditions of Approval, listed as Exhibit "A".

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:
Greg Evans

No one else wished to speak and the public hearing was closed.

ZONING ADMINISTRATOR ACTION: The Zoning Administrator acknowledged the environmental determination and approved the project at 421 Poplar St., subject to the findings and conditions contained in the staff report; with modified condition #16 and added condition #18.

16. Prior to issuance of a building permit, the property owner shall file with the County Recorder an Accessory Dwelling Unit Declaration of Covenants and Land Use Restriction in accordance with Section 24.16.170 of the Zoning Ordinance **stating that:**

- a. **The accessory unit shall not be sold separately;**
- b. **The unit is restricted to the approved size of 374 sq. ft. maximum as shown in the plans submitted with Application No. CP15-0096;**
- c. **The use permit for the accessory unit shall be in effect only so long as either the main residence, or the accessory unit, is occupied by the owner of record as the principal residence;**
- d. **The above declarations are binding upon any successor in ownership of the accessory unit.**

18. **Owner shall submit proof that a “Homeowner’s Exemption’ for the property has been granted by the County Assessor prior to issuance of building permits.**

Adjournment—10:55am

The next Zoning Administrator meeting will be held on September 16, 2015 at 10:00 a.m. in the City Council Chambers.

APPROVED:

ERIC MARLATT, ZONING ADMINISTRATOR

The City of Santa Cruz does not discriminate against persons with disabilities. Out of consideration for people with chemical sensitivities, we ask that you attend fragrance free. Upon request, the agenda can be provided in a format to accommodate special needs. Additionally, if you wish to attend this public meeting and will require assistance such as an interpreter for American Sign Language, Spanish, or other special equipment, please call the City Clerk's Department at 420-5030 at least five days in advance so that we can arrange for such special assistance, or email CityClerk@cityofsantacruz.com. The Cal-Relay system number: 1-800-735-2922.

Any writing related to an agenda item for the open session of this meeting distributed to the Zoning Administrator less than 72 hours before this meeting is available for inspection at the City Planning Department, 809 Center Street, Room 107 or on the City's website www.cityofsantacruz.com. These writings will also be available for review at the Zoning Administrator meeting in the public review binder at the rear of the Council Chambers.

Appeals must be received by the Planning Department within ten (10) calendar days following the date of the action from which such appeal is being taken. An appeal must be accompanied by a five hundred dollar (\$500) filing fee, unless the item involves a Coastal Permit that is appealable to the California Coastal Commission, 725 Front St., Suite 300, Santa Cruz, CA 95060 in which case there is no fee.