

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, CA 95060

November 15, 2017  
10:00 A.M. SESSION

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

Audience: 9

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 \$600, 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 -

**1. This Item was continued from the Zoning Administrator meeting of October 18, 2017  
109 Seabright Ave. CP17-0138 APN 010-286-03**

Design Permit, Coastal Permit, and Variance to increase the height of an existing single family dwelling by 10-feet, to convert 1245 square feet of underfloor area to a habitable first floor which will increase the height of a wall located within the north side yard setback, and to construct interior and exterior improvements to an existing single-family dwelling on a substandard parcel located within the R-1-5/OF-R/CZ-O/SP-O Zone District. (Environmental Determination: Categorical Exemption) (Alyssa Cutright & Michael Yurochko, owner/filed: 8/2/17) SH

*This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.*

**Recommendation: That the Zoning Administrator continue the item to the next regularly scheduled Zoning Administrator meeting of December 20, 2017.**

The public hearing was opened.

SPEAKING FROM THE FLOOR:

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SPEAKING FROM THE FLOOR WITH CONCERNS:

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

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator continued the item to the Zoning Administrator meeting of December 20, 2017, to allow the applicant sufficient time to complete a Geology report. This item will not be re-noticed or re-advertised.

New Business

**2. 769 N. Branciforte Ave. CP17-0012 APN 010-021-02**  
Residential Demolition Authorization Permit, Minor Land Division and Design Permit to demolish a single family home and construct a three unit townhome project on a parcel in the R-L zone district. (Environmental Determination: Categorical Exemption) (Abel and Clara Flores, Owner/Filed: 1/24/17) RG

**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves the Residential Demolition Authorization Permit, Minor Land Division 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:

Robin Alaga

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, subject to the findings and conditions contained in the staff report with revised Conditions #5 and #25 & added condition #39.

**REVISED CONDITIONS #5, #25 & ADDED CONDITION #39:**

5. A parcel map showing the original parcel and the parcels being created by the subdivision, with pertinent supporting data, shall be filed with the ~~Planning Department~~ **Public Works Department** with the appropriate recording fees as set by the County Recorder. Said parcel map shall be a reproducible tracing prepared by a licensed land surveyor or a registered civil engineer.

**25. Except as provided in Condition No. 39 below,** ~~The~~ development of the site shall be in substantial accordance with the approved plans submitted and on file in the Department of Planning and Community Development of the City of Santa Cruz. All aspects of construction must be completed prior to occupancy. Major modifications to plans or exceptions to completion may be granted only by the City authority which approved the project.

**39. Final building plans shall indicate that the porch for Unit "A" is no greater than 30-percent of the wall line from which it projects. The maximum projection into the front yard setback is six feet.**

**3. 125 Reno Way**

**CP17-0123**

**APN 003-272-33**

Design Permit for first and second story additions to an existing single family dwelling on a substandard lot in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (Fredrick Kressman, Owner/Filed: 7/5/17) RG

**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves the Design Permit and Coastal Permit, and Variance 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:**

Pat Powers

**SPEAKING FROM THE FLOOR WITH CONCERNS:**

Dan McFadden

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 125 Reno Way, subject to the findings and conditions contained in the staff report with added condition #25.

**ADDED CONDITION #25**

**25. Prior to issuance of a building permit, the applicant shall record a land use agreement confirming that the structure is to be used as a four bedroom single-family residence and stipulating that the upstairs bar cannot be used as a kitchen as defined by Section 24.22.372 of the Zoning Ordinance.**

**4. Adjacent to 117 Morrissey CP17-0165 APN: NA**  
Administrative Use Permit and Design Permit for a telecommunications facility in the public right-of-way adjacent to adjacent to 117 Morrissey. (Environmental Determination: Categorical Exemption) (Ben Hackstedde for Verizon Wireless, Owner/Filed: 8/31/2017) MF  
**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves the Administrative Use Permit 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:

Ben Hackstedde

CORRESPONDENCE RECEIVED WITH CONCERNS:

Tutti Hacking  
Laura Sutherland

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 Adjacent to 117 Morrissey subject to the findings and conditions contained in the staff report with revised condition #7.

**REVISED CONDTION #7:**

7. The applicant shall apply for an encroachment **permit** with the Department of Public Works.

**5. 1106 N. Branciforte Ave. CP16-0176 APN 009-181-12**  
Administrative Use Permit to allow a use variation to recognize a fifth unit in a Single-Family Residential (R-1-5) zone district for a property with a historic structure listed in Volume III of the City's Historic Building Survey (Environmental Determination: Categorical Exemption) (F. John LaBarba, Owner/Filed: 9/1/16) RG  
**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves 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:

Charlie Eadie  
John LaBarba

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 1106 N. Branciforte Ave., subject to the findings and conditions contained in the staff report with revised conditions #3, #6 & #9.

**REVISED CONDITIONS: #3, #6, & #9.**

3. This permit shall be exercised within one (1) year of the date of final approval in **accordance with the schedule outlined in condition no. 6 below**, or it shall become null and void.

6. **The project shall proceed in accordance with the following schedule:**

**Within 180 days of approval of this application:**

- **A building permit to legalize the fifth unit shall be obtained and a final inspection shall be received**

**Within one year of approval of this application:**

- **A third parking space shall be added to the driveway to the east of the existing garage**
- **Repaint exterior elevations with historic color scheme as included in the project file, unless otherwise approved by the Zoning Administrator.**

**Within two years of approval of this application:**

- **Remove and replace composition roofing with hexagon “old style” composition roofing.**
- **Remove and replace plastic rain gutters with 5” ogee copper rain gutters.**

~~The work shown on the approved restoration plan shall be completed within one year of the effective date of the final approved Administrative Use Permit. Also within this timeframe, a third parking space shall be added to the driveway to the east of the existing garage.~~

9. **Prior to issuance of a building permit to legalize the fifth unit, the applicant shall record a land use agreement memorizing the timeframes for construction outlined in Condition No. 6 above.**

## Adjournment—10:58am

The next Zoning Administrator meeting will be held on December 6, 2017 at 10:00 a.m. in the City Council Chambers.

APPROVED:

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**ERIC MARLATT, ZONING ADMINISTRATOR**

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](http://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 six hundred (\$600) 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.

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](mailto:CityClerk@cityofsantacruz.com). The Cal-Relay system number: 1-800-735-2922.