

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, Ca 95060  
**August 5, 2009**  
10:00 A.M. SESSION

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

Other: Eight members of the audience.

Eric Marlatt, Zoning Administrator, called the meeting to order at 10:00 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 Hearing**

**Old Business - None**

**New Business - Public Hearing**

1.     **337 Oxford Way**                                 **09-096**                                 **APN 003-301-29**  
Coastal Permit to construct a 280 square foot detached accessory building (garage) in an R-1-5/CZO/SPO zone district. (Environmental Determination: Categorical Exemption) (V. Bishop, owner/filed: 6/23/09) **JL**  
This project requires a Coastal Permit which is appealable to the California Coastal Commission after all possible appeals are exhausted through the City.  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**

Ezra Manners

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 337 Oxford Way, subject to the findings and conditions contained in the staff report.

- 2. 1126 Pacific Ave. 09-098 APN 005-153-10**  
Design, Administrative Use and Extension Area Permits to allow signs, beer and wine service and café extension area for existing Delmarette Café use in the CBD zone district. (Environmental Determination: Categorical Exemption) (City of Santa Cruz, owner / filed: 6/25/09) **DL**  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

SPEAKING FROM THE FLOOR:

Fred Meng

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 1126 Pacific Ave., subject to the findings and conditions contained in the staff report; with revised condition 12.

**REVISED CONDITION 12:**

**12.** Prior to construction of the café extension area, a revised plan shall be submitted for review and approval by the Zoning Administrator. The proposed café extension area shall be reduced in size to **10** ~~seven~~ feet – 3.5 inches deep from the flat portion of the building wall by approximately 15 feet wide. Additionally, the proposed enclosure fence extending from the right side of the door should be ~~eliminated~~ **reduced** to ~~remove~~ **lessen** this obstruction near the café door. With this size reduction design modification, the design of the proposed extension area would conform to the requirements of the design guidelines for the downtown area. The revised plan concept includes a ~~435~~ **175** square foot extension area that will have:

- a 36-inch iron rail wall to separate and define the extension area without ~~any~~ **a short four foot** enclosure fence in the area immediately adjacent to the door and Del Mar Theater;
- ~~two~~ 24-inch square tables with **two-four** seats each;
- **five foot by five foot clear area at the café door to meet building code requirements;** and
- a trash and recycling bin.

- 3. 535 Highland Ave. 09-092 APN 001-141-45**  
Design Permit to demolish a 478 square foot portion and construct a 947 square foot addition to an existing 5,066 square foot single-family dwelling on a standard lot in the R-1-5 zone district. (Environmental Determination: Categorical Exemption) (J. G. Mahaney, owner/filed: 6/15/09) **JL**  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**

John Mahaney

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 535 Highland Ave., subject to the findings and conditions contained in the staff report with modified condition 10; striking first, second and third bullet points.

**MODIFIED CONDITION 10:**

**10.** The applicant shall **paint the addition to match the existing residence.** ~~incorporate the following modifications, subject to review and approval by the Zoning Administrator, into the final working drawings submitted for building permits:~~

- ~~• Remove the wall and door between the existing living room and the proposed family room.~~
- ~~• Modify the design of the stair between the existing living room and the proposed family room to provide direct access between the spaces.~~
- ~~• Use wood frame windows to blend in with the existing residence. White vinyl windows shall not be used.~~

**4. 1312 W. Cliff Dr. 09-014 APN 003-283-21**  
Design Permit to construct a 145 square foot deck on the front of an existing single-family dwelling in the R-1-5 (Single-Family Residence District), CZ-O (Coastal Zone Overlay), SP-O (Shoreline Protection Zone Overlay), WCD (West Cliff Drive Overlay) Zone districts. (Environmental Determination: Categorical Exemption) (F. & M. Kressman, owners/filed: 2/10/09) **MA**  
**Recommendation: Approval, with conditions.**

The Zoning Administrator summarized the report.

The public hearing was opened.

**SPEAKING FROM THE FLOOR:**

Pat Powers

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 1312 W. Cliff Dr., subject to the findings and conditions contained in the staff report; with revised conditions 4, 7 and added condition 11.

**REVISED CONDITIONS 4 & 7:**

- 4.** If, upon exercise of this permit, this use is at any time determined by the ~~Zoning Board~~ **Zoning Administrator** to be incompatible with the surrounding neighborhood, revocation of, or amendment to, this permit by the ~~Zoning Board~~ **Zoning Administrator** could occur.
  
- 7.** **Except as provided in Condition No. 11 below,** the development of the site shall be substantially in 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.

**ADDED CONDITION 11:**

- 11.** **Final building plans may include a deck design that includes a projection into the front yard setback, consistent with Section 24.12.120 of the Zoning Ordinance and based on a building wall that includes the entire front of the residence (22 feet, 10-inches).**

**Adjournment**

The Zoning Administrator adjourned the meeting **at 10:31 a.m.** to the next regularly scheduled meeting, to be held on August 19, 2009 at in the City Council Chambers.

**APPROVED:**

**ERIC MARLATT, ZONING ADMINISTRATOR**