

**ACTION MINUTES  
OF THE ZONING ADMINISTRATOR MEETING**

City Council Chambers  
809 Center Street  
Santa Cruz, CA 95060

May 4, 2016  
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 10:06 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 \$514, unless the project is appealable to the California Coastal Commission.

**Call to Order** by Zoning Administrator Eric Marlatt

**Oral Communications—None**

The Zoning Administrator received a request of the planning staff to continue 724 Riverside Ave. indefinitely, as there are health and safety concerns associated with an unpermitted unit on the site. Additional public noticing to re-notice and re-advertising will be processed.

**Announcements** - No action shall be taken on these items.

**Public Hearings**

Old Business -

*Continued from the Zoning Administrator meeting of April 20, 2016.*

**1. 724 Riverside Ave. CP16-0002 APN 007-401-24**

Design Permit to legalize lower floor conversion of permitted, detached garage and construct a second-story on same garage to create a dwelling unit. Variance to allow development of this additional unit on a substandard lot in the RM zone district lot that does not meet the minimum lot width for two units. (Coastal Permit Exclusion). (Environmental Determination: Categorical Exemption) (MALE FRANK WADE, owner/filed: 1/7/2016) NC

**Recommendation: That the Zoning Administrator acknowledge the environmental determination and approve the Design Permit to convert a detached garage and construct a second story addition to create a new unit and a Variance to lot width for a parcel in the R-M Zone district based on the Findings listed below and the Conditions of Approval attached in Exhibit "A".**

The Zoning Administrator summarized the report.

The public hearing was opened.

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator continued the item indefinitely, as there are health and safety concerns associated with an unpermitted unit on site. This item will be re-advertised and re-noticed.

*Continued from the Zoning Administrator meeting of April 20, 2016.*

**2. 214 Plymouth St. & 103, 105, 107, 111 & 113 Grant St. CP16-0023  
APN: 008-202-15**

Design Permit and Minor Land Division to divide an existing parcel into 3 lots and to construct 3 duplexes on a parcel located in the RL zone district. (Environmental Determination: Categorical Exemption) (Plymouth Grant LLC, owner/filed: 2/8/16) SH

**Recommendation: That the Zoning Administrator acknowledges the environmental determination and approves the Design Permit and Minor Land Division 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:**  
Matthew Thompson

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 214 Plymouth St. & 103, 105, 107, 111 & 113 Grant St; with revised conditions No. 7 (bullet 4) and No. 9-b. subject to the findings and conditions contained in the staff report.

**REVISED CONDITIONS No. 7 (bullet No. 4) and No. 9-b:**

7. Prior to recordation of the parcel map, the applicant shall submit improvement plans for review and approval as required by the Department of Public Works, or an improvement agreement shall be entered into with the City Council, together with the necessary improvement security as set forth in Chapter 23.24 of the Subdivision Ordinance.
  - a) The plans shall show all improvements required by the Department of Public Works, the City Water Department, the Fire Department, the Sanitation Department and any other City agencies requiring public or on-site improvements. Requirements may include the following:

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- Undergrounding of utilities.
- Installation or repair of curbs, gutters and sidewalks.
- Sidewalk installation including street trees, street lights, and accessibility improvements.
- Removal of existing driveways, **if required by the Public Works Department.**
- Sanitary sewer improvements.
- Crosswalk and intersection improvements.
- Installation of site drainage improvements.

9. Prior to the issuance of further permits, the following conditions shall be met:

- a) Prior to building permit issuance on any of the three new parcels, a Demolition Permit shall be obtained for the demolition of the two existing accessory buildings.
- b) ~~Plans shall show the use of high quality window and door materials on all elevations such as wood, wood with non vinyl cladding, or fiberglass. The garage doors shall include windows and decorative hardware to convey a high quality appearance from the public way.~~ **Windows and exterior doors shall be configured as shown on the approved plans and elevations. Garage doors shall have a three dimensional panel pattern similar to the approved elevations.**
- c) All street improvements, as required by the Public Works Department (i.e., curbs, gutters, sidewalks, paving, etc.), shall be completed and a bond shall be posted with the Public Works Department to secure construction of such street improvements.

New Business

**3. 253 4th Avenue**

**CP16-0039**

**APN: 010-254-05**

Design Permit to construct a second story addition to a single family dwelling and continue a nonconforming side yard setback on a substandard lot in the R-1-5/CZ-O zone districts. (Environmental Determination: Categorical Exemption) (BARARA AND STAN BOVEE, owner/filed: 2/24/16) CC

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves 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:

Clarke Shultes

Sara Kane

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 253 4<sup>th</sup>., subject to the findings and conditions contained in the staff report.

**4. 221 Mountain View Avenue CP16-0011 APN: 010-182-25**

Design Permit for a second story addition to a single family dwelling on a substandard lot in the R-1-5/CZ-O zone district. (Environmental Determination: Categorical Exemption) (JULIO & MARKETA BRICENO, owner/filed: 1/21/16) CC

**Recommendation:** That the Zoning Administrator acknowledges the environmental determination and approves 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:**

Julio Briceno

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

**5. Public Right-of-way CP16-0045 City-Wide**

Coastal and Design Permits to approve an ordinance of the City of Santa Cruz amending section 10.40.220 and adding section 10.40.235 to the Santa Cruz Municipal Code pertaining to regulation of parking vehicles and trailers within marked parking spaces along curbs in accordance with California State Vehicle Code Section 22508. (Environmental Determination: Categorical Exemption) (City of Santa Cruz, owner/filed 3/8/16) MF

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 acknowledges the environmental determination and approves the Coastal and Design Permits 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.

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator acknowledged the environmental determination and approved the project at public-right-of-Way, subject to the findings and conditions contained in the staff report.

**6. Public Right-of-way**

**CP16-0048**

**City-Wide**

Coastal and Design Permits to recognize a Parking Rate Increase at the Wharf and Depot Park and to extend the hours of operation of the parking meters in the Beach area. (Environmental Determination: Categorical Exemption) (City of Santa Cruz, owner/filed 3/9/16) MF

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 acknowledges the environmental determination and approves the Coastal and Design Permits 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.

Was noticed with local certified.

**CORRESPONDENCE RECEIVED WITH CONCERNS:**

Ryan Moroney, and Rosie Brady, CA Central Coastal District Office

Dan Ackerstein

Mike Watson

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

The Zoning Administrator summarized the Coastal Commission's concerns regarding noticing; however, he confirmed with case planner, that notice was provided in accordance with the Local Coastal Plan, which was certified by the Coastal Commission.

The Zoning Administrator, approved the item, and in response to the Coastal Commission's concern that the parking rate changes would impact public low cost public access to the coast. He noted that access in these areas, is more than just parking. The Boardwalk has free entry; the Wharf has free entry; West Cliff Dr. and levy paths are free to use; the Marine Sanctuary Visitor's Center is also free. He noted that the intent of the Coastal Act is being met, and approval of the Coastal Permit is consistent with the Local Coastal Plan. He noted that he will augment findings, to reflect what was noted.

**ZONING ADMINISTRATOR ACTION:** The Zoning Administrator acknowledged the environmental determination and approved the project at the public right-of-way subject to the findings and conditions contained in the staff report; with revised agenda report findings.

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**Adjournment—10:26am**

The next Zoning Administrator meeting will be held on May 18, 2016 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 five hundred fourteen dollar (\$514) 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.