



# **AGENDA**

## **CAPITOLA PLANNING COMMISSION**

### **Thursday, September 1, 2016 – 7:00 PM**

Chairperson            T.J. Welch  
Commissioners        Ed Newman  
                                  Gayle Ortiz  
                                  Linda Smith  
                                  Susan Westman

#### **1. ROLL CALL AND PLEDGE OF ALLEGIANCE**

#### **2. ORAL COMMUNICATIONS**

##### **A. Additions and Deletions to Agenda**

##### **B. Public Comments**

*Short communications from the public concerning matters not on the Agenda. All speakers are requested to print their name on the sign-in sheet located at the podium so that their name may be accurately recorded in the Minutes.*

##### **C. Commission Comments**

##### **D. Staff Comments**

#### **3. APPROVAL OF MINUTES**

##### **A. Planning Commission - Regular Meeting - Jul 21, 2016 7:00 PM**

##### **B. Planning Commission - Regular Meeting - Aug 4, 2016 7:00 PM**

#### **4. CONSENT CALENDAR**

*All matters listed under "Consent Calendar" are considered by the Planning Commission to be routine and will be enacted by one motion in the form listed below. There will be no separate discussion on these items prior to the time the Planning Commission votes on the action unless members of the public or the Planning Commission request specific items to be discussed for separate review. Items pulled for separate discussion will be considered in the order listed on the Agenda.*

##### **A. 2205 Wharf Road            #16-041            APN: 034-141-34**

Minor land division to create two lots of record, design permit for a new Single-Family Residence, and a tree removal permit for the property located in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Christopher Wright

Representative: Dennis Norton, filed: 3/14/16

**B. 4170 Gross Rd Ext. #16-154 APN: 034-141-24**

Conditional Use Permit for a school (College of Botanical Healing Arts) to occupy an 800-square-foot commercial suite located in the CC (Community Commercial) Zoning District. This project is not in the Coastal Zone and does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption  
Property Owner: Lockwood Family Trust  
Representative: COBHA, filed: 8/11/16

**C. 1760 41st Avenue #16-129 034-131-23**

Design Permit and Sign Permit application for a complete exterior remodel of the existing McDonald's restaurant, located in the CC (Community Commercial) Zoning District. This project is not in the Coastal Zone and does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption  
Property Owner: McDonald's US LLC  
Representative: Hala Ibrahim, filed: 6/21/16

**5. PUBLIC HEARINGS**

*Public Hearings are intended to provide an opportunity for public discussion of each item listed as a Public Hearing. The following procedure is as follows: 1) Staff Presentation; 2) Public Discussion; 3) Planning Commission Comments; 4) Close public portion of the Hearing; 5) Planning Commission Discussion; and 6) Decision.*

**A. 109 Central Avenue #16-026 036-112-09**

Design Permit, Conditional Use Permit and Variance request to side yard setbacks and height for a second-story addition to a historic residence located in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the city. Environmental Determination: Categorical Exemption  
Property Owner: Mark Kane  
Representative: Dennis Norton, filed: 2/29/16

**B. 4100 Auto Plaza Drive #16-140 034-141-29**

Design Permit for exterior remodel and sign permit at the existing Subaru dealership in the Community Commercial (CC) zoning district. This project is not in the Coastal Zone and does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption  
Property Owner: Santa Cruz Seaside Company  
Representative: Peter Bagnall, filed 7/8/2016

**6. DIRECTOR'S REPORT****7. COMMISSION COMMUNICATIONS****8. ADJOURNMENT**

**APPEALS:** The following decisions of the Planning Commission can be appealed to the City Council within the (10) calendar days following the date of the Commission action: Conditional Use Permit, Variance, and Coastal Permit. The decision of the Planning Commission pertaining to an Architectural and Site Review can be appealed to the City Council within the (10) working days following the date of the Commission action. If the tenth day falls on a weekend or holiday, the appeal period is extended to the next business day.

All appeals must be in writing, setting forth the nature of the action and the basis upon which the action is considered to be in error, and addressed to the City Council in care of the City Clerk. An appeal must be accompanied by a one hundred forty two dollar (\$142.00) filing fee, unless the item involves a Coastal Permit that is appealable to the Coastal Commission, in which case there is no fee. If you challenge a decision of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this agenda, or in written correspondence delivered to the City at, or prior to, the public hearing.

**Notice regarding Planning Commission meetings:** The Planning Commission meets regularly on the 1<sup>st</sup> Thursday of each month at 7:00 p.m. in the City Hall Council Chambers located at 420 Capitola Avenue, Capitola.

**Agenda and Agenda Packet Materials:** The Planning Commission Agenda and complete Agenda Packet are available on the Internet at the City's website: [www.cityofcapitola.org](http://www.cityofcapitola.org). Agendas are also available at the Capitola Branch Library, 2005 Wharf Road, Capitola, on the Monday prior to the Thursday meeting. Need more information? Contact the Community Development Department at (831) 475-7300.

**Agenda Materials Distributed after Distribution of the Agenda Packet:** Materials that are a public record under Government Code § 54957.5(A) and that relate to an agenda item of a regular meeting of the Planning Commission that are distributed to a majority of all the members of the Planning Commission more than 72 hours prior to that meeting shall be available for public inspection at City Hall located at 420 Capitola Avenue, Capitola, during normal business hours.

**Americans with Disabilities Act:** Disability-related aids or services are available to enable persons with a disability to participate in this meeting consistent with the Federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the meeting in the City Council Chambers. Should you require special accommodations to participate in the meeting due to a disability, please contact the Community Development Department at least 24 hours in advance of the meeting at (831) 475-7300. In an effort to accommodate individuals with environmental sensitivities, attendees are requested to refrain from wearing perfumes and other scented products.

**Televised Meetings:** Planning Commission meetings are cablecast "Live" on Charter Communications Cable TV Channel 8 and are recorded to be replayed on the following Monday and Friday at 1:00 p.m. on Charter Channel 71 and Comcast Channel 25. Meetings can also be viewed from the City's website: [www.cityofcapitola.org](http://www.cityofcapitola.org).



**DRAFT MINUTES  
CAPITOLA PLANNING COMMISSION MEETING  
THURSDAY, JULY 21, 2016  
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

**1. ROLL CALL  
AND PLEDGE OF ALLEGIANCE**

Commissioner Linda Smith: Present, Commissioner Gayle Ortiz: Present, Commissioner Edward Newman: Present, Chairperson TJ Welch: Present, Commissioner Susan Westman: Absent.

**2. ORAL COMMUNICATIONS**

**A. Additions and Deletions to Agenda**

Staff noted that additional materials were provided by Verizon for item 5A.

**B. Public Comments**

None

**C. Commission Comments**

Commissioner Smith said that on July 13 she saw the back awning at Rocks of Petra that was denied in June has not yet been removed. Staff said it is working with the applicant but daily fines are now accruing. Commissioners also saw illegal sidewalk signage. Commissioner Newman followed up on questions about the issue of public access/use of tables in the walkway. Staff is reviewing all permits, which often reference previous permits.

**D. Staff Comments**

None

**3. APPROVAL OF MINUTES**

**A. Planning Commission Minutes for the Regular Meeting of June 2, 2016**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Gayle Ortiz, Commissioner
<b>SECONDER:</b>	Edward Newman, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch
<b>ABSENT:</b>	Westman

**4. CONSENT CALENDAR**

**A. 3801 Clares Street #16-117 APN: 034-261-47**

Modification to the existing Conditional Use Permit to extend the hours of operation of a dialysis treatment center in the CC (Community Commercial) Zoning District.

This project is not located in the Coastal Zone.

Environmental Determination: Categorical Exemption

Property Owner: Capitola Roth Investments, LLC

Representative: Frank E. Jesse, filed: 6/8/16

Minutes Acceptance: Minutes of Jul 21, 2016 7:00 PM (Approval of Minutes)

Commissioner Smith asked if there have been any noise complaints and was told there have been none.

Motion: Approve a modification to the existing Conditional Use Permit with the following conditions and findings:

### **CONDITIONS OF APPROVAL**

1. The project approved consists of a Conditional Use Permit to operate a medical office/clinic within an existing ~~vacant~~ commercial space located at 3801 Clares Street.
2. Any significant modifications to the size or exterior appearance of the structure must be approved by the Planning Commission.
3. The application shall be reviewed by the Planning Commission upon evidence of non-compliance with conditions of approval or applicable municipal code provisions.
4. Business hours will be limited to 6:00 a.m. – 12:00 a.m.
5. The applicant shall obtain approval for a Sign Permit through the Community Development Department for any new signage.
6. Deliveries and trash pickup are limited to the hours of 8:00 a.m. to 5:00 p.m. daily.
7. A notice must be posted at all times next to the employee exit stating that the back parking area is a quiet zone after 7 pm. No idling or loitering is allowed.

### **FINDINGS**

**(A) The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

Community Development Department Staff and the Planning Commission have reviewed the application and determined that the proposed business may be granted a modification to the existing conditional use permit to extend the operation hours until midnight within the CC Zoning District. The use meets the intent and purpose of the Community Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

**(B) The application will maintain the character and integrity of the neighborhood.**

Community Development Department Staff and the Planning Commission have reviewed the proposed use and determined that the use complies with the applicable provisions of the Zoning Ordinance and maintains the character and integrity of this area of the City. Conditions of approval have been included to carry out these objectives.

**(C) This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves the extension of operation hours for a dialysis center. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Edward Newman, Commissioner
<b>SECONDER:</b>	Gayle Ortiz, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch
<b>ABSENT:</b>	Westman

**B. 145 Wesley Street #16-056 APN: 036-172-02**

Design Permit for a remodel, expansion of existing garage, and second-story addition to an existing single-family home located in the R-1 (Single-Family Residential) Zoning District. This project is in the Coastal Zone but does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption  
 Property Owner: Noah and Heather Fox  
 Representative: Judy and Wayne Miller, filed: 04/13/2016

Motion: Approve a Design Permit with the following conditions and findings:

**CONDITIONS**

1. The project approval consists of remodel of the first floor, a 172-square-foot addition to the garage and a 1,087-square-foot addition of a new second-story to an existing 1,782-square-foot residence. The maximum Floor Area Ratio for the 6,428-square-foot property is 48% (3,085 square feet). The total FAR of the project is 3,052 square feet, compliant with the maximum FAR within the zone. The proposal also includes a 114-square-foot covered entryway, which is not counted towards the FAR. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 21, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.

7. Prior to issuance of building permit, all Planning fees associated with permit # 16-056 shall be paid in full.
8. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
13. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
14. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
15. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
16. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
17. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.

18. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
19. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
20. In any case where the conditions to the granting of a permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the Planning Commission may revoke the permit.

### **FINDINGS**

- A. The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the single-family home. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.
- B. The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the R-1 (Single Family Residence) zoning district. The project as designed maintains the character and integrity of the neighborhood. The proposed addition with front entryway compliments the existing single-family homes in the neighborhood.
- C. This project is categorically exempt under Section 15301-E of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**  
This project involves the addition to an existing single-family residence in the R-1 (Single-Family Residential) Zoning District. Section 15301-E of the CEQA Guidelines exempts additions to existing homes in a residential zone.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Edward Newman, Commissioner
<b>SECONDER:</b>	Gayle Ortiz, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch
<b>ABSENT:</b>	Westman

**5. PUBLIC HEARINGS****A. Verizon Wireless Antenna Facility at Utility Pole #3501 adjacent to 2091 Wharf Road #15-109**

Design Permit and Conditional Use Permit for the installation of a new Verizon wireless antenna and ancillary equipment on an existing utility pole in the Wharf Road right-of-way in the R-1 (Single-Family Residential) Zoning District.

This project is not located in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Pacific Gas & Electric

Representative: Jason Osborne, filed 6/30/15

Assistant Planner Ryan Safty presented the staff report. He reviewed municipal code standards and exceptions for cell facilities. The FCC preempts local laws under certain circumstances, including gap in coverage and selection of least intrusive location. Tests show a gap in coverage to the south and capacity concerns, and this application presented studies to support this exception. Since no commercial or industrial sites met the location need, Verizon focused on utility poles. On the morning of this public hearing Verizon asked for a change of height from 2 feet to 4 feet 6 inches, saying it was needed for stability.

Jason Osborne spoke on behalf of the application.

There was no public comment.

Commissioners did not express any concerns about the additional height assuming the remainder of the application is the same. Commissioner Smith would prefer a light-colored matt finish rather than a color intended to hide the equipment, which the other commissioners supported. Commissioner Newman noted that the City is undergrounding utilities over time and at some point this location will be a tall street light pole.

Motion: Approve a Design Permit and Conditional Use Permit with the following conditions and findings:

**CONDITIONS OF APPROVAL**

1. The project approval consists of a new, small-cell wireless antenna facility on to an existing utility pole in front of 2091 Wharf Road. The new antenna facility will consist of a four ~~two~~ foot tall canister antenna located on top of the utility pole. The existing utility pole will be extended by 12 feet-two inches ~~seven feet-eight inches~~ to accommodate the new antenna equipment, cross arm, conduits, pole steps, equipment cabinet, two remote radio heads, and electrical meter. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 21, 2016, as modified through conditions imposed by the Planning Commission during the hearing.
2. All Planning fees associated with permit #15-109 shall be paid in full.
3. The applicant was granted a design permit, conditional use permit, and location exemption for the installation of a new, small-cell Verizon wireless antenna facility on an existing wooden utility pole (#3501) in front of 2091 Wharf Road. In any case where the conditions of the permit are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty

calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.

4. The applicant must maintain a bond or other form of security to the City's satisfaction throughout the life of the project. The bond must be approved by the Community Development Director and be signed by both parties prior to building permit issuance.
5. The wireless communication facilities shall comply with all Federal Communication Commission (FCC) rules, regulations, and standards. Every two years the wireless telecommunications service provider shall submit to the director of community development: (1) a certification by a licensed engineer that the emissions are within the current FCC standards; and (2) a report on the level of cumulative radio frequency emissions within an eight hundred-foot radius from the subject antenna.
6. All utility pole-mounted facilities shall be painted with a light-colored ~~mesa brown~~, non-reflective matte finish using an appropriate color that blends with the backdrop. The final choice of colors shall be approved by the community development department, in accordance with section 17.98.120 of the Capitola Municipal Code.
7. The wireless communications facilities shall be constructed and operated in such a manner as to minimize the amount of noise impacts to adjacent uses and activities. Backup generators shall only be operated during power outages and for testing and maintenance purposes. At any time, noise attenuation measures may be required by the director when deemed necessary.
8. Testing and maintenance activities of wireless communications facilities which generate audible noise shall occur between the hours of eight a.m. and five p.m., weekdays (Monday through Friday, non-holiday) excluding emergency repairs, unless allowed at other times by the director. Testing and maintenance activities, which do not generate audible noise, may occur at any time, unless otherwise prohibited by the director.
9. All wireless communications providers shall provide signage, as required by the director, which shall identify the name and phone number of the wireless communications provider for use in case of an emergency.
10. The new wireless communications facilities shall be maintained by the wireless service provider in good condition. This shall include keeping all wireless communications facilities graffiti free.
11. The height of the utility pole with the new small-cell wireless antenna facility is 52 feet-four inches ~~47 feet-ten inches~~. This is the maximum height approved by the Planning Commission. Future facility updates shall not exceed the approved height of 52 feet-four inches ~~47 feet-ten inches~~. Future facility updates shall not attach additional mass to the utility pole or antenna without the approval of the Planning Commission.
12. The applicant must obtain an Encroachment Permit from the Public Works department for the one and a half foot retaining wall located within the city right-of-way.
13. At time of Building Permit submittal, the wireless carrier applicant must submit equipment specifications for all proposed pole-mounted equipment in order for the Building Department to verify existing structure's load capacity. The Building Department may require a report prepared by a structural and electrical engineer.

14. The wireless communications facility which provides service to the general public shall be designed to survive a natural disaster without interruption in operation. To this end, the measures listed in section 17.98.200 of the Municipal Code shall be implemented.
15. Wireless communications providers shall provide the city with a notice of intent to vacate a site a minimum of thirty days prior to the vacation, and all other forms of cessation of operation on-site shall follow the rules and regulations set forth in Municipal Code section 17.98.210.
16. In the event that the original permittee (Verizon) sells its interest in a wireless communication facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the city for maintaining consistency with all project conditions of approval, including proof of liability insurance. A new contact name for the project (#15-109) shall be provided by the succeeding carrier to the community development department within thirty days of transfer of interest of the facility.
17. This permit shall be valid for a period of ten years. An approval may be extended administratively from the initial approval date for a subsequent ten years and may be extended administratively every ten years thereafter upon the verification of the wireless communications provider's continued compliance with Municipal Code chapter 17.98 and with the findings and conditions of approval under which the application was originally approved. This does not apply to preexisting legal nonconforming uses.
18. Should the director determine that the wireless communications facility may no longer be in compliance, the director may, at his or her discretion, schedule a public hearing before the planning commission at which the planning commission may modify or revoke an approval in accordance with chapter 17.98.240 of the Municipal Code.
19. All wireless communications facilities shall meet the current standards and regulations of the Federal Communications Commission, the California Public Utilities Commission, and any other agency of the federal or state government with the authority to regulate wireless communications providers. If such standards and regulations are changed, the wireless communications provider shall bring its facilities into compliance with such revised standards and regulations within ninety days of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal or state agency. Failure to bring wireless communications facilities into compliance with such revised standards and regulations shall constitute grounds for the immediate removal of such facilities at the wireless communications provider's expense.

## **FINDINGS**

### **A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

The Planning Commission reviewed and approved the applications with conditions of approval with respect to the maintenance, design and operation of the use to ensure that the new wireless facility will not have a negative impact on the surrounding residential uses and secure the general purposes of the Zoning Ordinance and General Plan.

### **B. The application will maintain the character and integrity of the neighborhood.**

The Planning Commission reviewed and approved the application with conditions of approval to ensure that the antenna will not extend beyond the approved height of 47 feet ten-inches and will not be visually intrusive so as to preserve the character and

identity of the neighborhood. The new equipment will match the color and design of the existing pole in an area lined with other utility poles, and is not located in a sensitive view corridor.

**C. This project is categorically exempt under the Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves the construction of a new, small-cell Verizon wireless antenna facility. The project will result in a minor modification and addition to an existing utility pole. Section 15301 exempts the minor alteration of existing facilities.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Gayle Ortiz, Commissioner
<b>SECONDER:</b>	Linda Smith, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch
<b>ABSENT:</b>	Westman

**6. ADJOURNMENT**

Approved by the Planning Commission at the regular meeting of Sept. 1, 2016.

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Linda Fridy, Minutes Clerk



**DRAFT MINUTES  
CAPITOLA PLANNING COMMISSION MEETING  
THURSDAY, AUGUST 4, 2016  
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

**1. ROLL CALL  
AND PLEDGE OF ALLEGIANCE**

Commissioner Linda Smith: Present, Commissioner Gayle Ortiz: Present, Commissioner Edward Newman: Present, Chairperson TJ Welch: Present, Commissioner Susan Westman: Present.

**2. ORAL COMMUNICATIONS**

**A. Additions and Deletions to Agenda**

None

**B. Public Comments**

Marylin Garrett said that in May 2015 there was a smart meter explosion in Capitola and she believes they continue to pose a public safety threat. She distributed information.

Ron Graves, former commissioner, noted that the Cinelux movie theater marquee construction has been delayed and is concerned that what is being built is freestanding and not what was approved. He also does not believe the Capitola Road sign meets approved plans.

**C. Commission Comments**

None

**D. Staff Comments**

None

**3. CONSENT CALENDAR**

**A. 211 Esplanade #16-122      035-211-03**

Design Permit application to re-face the top of building fascia and a Sign Permit application for a wall sign at 211 Esplanade (The Sand Bar), located in the CV (Central Village) Zoning District.

This project is in the Coastal Zone but is exempt from a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Chuck Hammers

Representative: Shawn Adams – Monterey Signs, filed: 6/14/16

Motion: Approve a Design Permit and Sign Permit with the following conditions and findings:

**CONDITIONS**

1. The project approval consists of a sign permit for a new wall sign and design permit for new wood fascia backing behind the sign, located on the front façade of 211 Esplanade in the CV (Central Village) zoning district. The proposed project is approved as indicated in the conditions of approval reviewed and approved by the

Minutes Acceptance: Minutes of Aug 4, 2016 7:00 PM (Approval of Minutes)

Planning Commission on August 4, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.

2. One new wall sign and associated stained wood backing are approved for the property at 211 Esplanade. The approved sign includes lettering and a guitar and beach themed logo, constructed out of one-half inch acrylic. The lettering portion is 26 inches tall and 113 inches long. The logo is 24 inches tall and 82 inches long. The total square footage of the new signage is 34 square feet. The stained wood backing will replace all 38 feet – two inches of the building fascia above the existing overhang, and is located behind the new wall sign.
3. The approval includes five “gooseneck” lights above the signage. The “gooseneck” light source must be screened from direct view, so that the light is directed against the sign and does not shine into adjacent property or distract motorists or pedestrians along Esplanade and adjacent properties.
4. Prior to installation, a building permit shall be secured for the new wall sign and wooden fascia authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission.
5. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
6. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes shall require Planning Commission approval.
7. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
8. Prior to issuance of building permit, all Planning fees associated with permit #16-122 shall be paid in full.

## **FINDINGS**

- A. The signage, as designed and conditioned, will maintain the character and aesthetic integrity of the subject property and the surrounding area.**  
The wall sign and stained wood backing on the front of the building were designed to maintain the character and aesthetic of the Central Village district.
- B. The signage, as designed and conditioned, reasonably prevent and reduce the sort of visual blight which results when signs are designed without due regard to effect on their surroundings.**  
The new wall sign and wood backing on the front of the building complement the building design and the design of neighboring building along the Esplanade.
- C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The project involves exterior modifications to an existing restaurant in the CV (Central Village) zoning district. Section 15301 of the CEQA Guidelines exempts minor modifications to existing structures.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Linda Smith, Commissioner
<b>SECONDER:</b>	Gayle Ortiz, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch, Westman

#### 4. PUBLIC HEARINGS

##### A. 190 El Camino Medio #16-107 035-262-01

Conditional Use Permit application to conduct an owner-occupied Bed and Breakfast at the existing residence and variance request to parking standards, located in the AR/R-1 (Automatic Review / Single-Family Residential) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the city.

Environmental Determination: Statutory Exemption

Property Owner: Gordon Hunt

Representative: Kathleen Notch, filed: 5/24/16

Assistant Planner Ryan Safty presented the staff report. Following notification during the Transient Rental Occupancy (TRO) compliance sweep that short-term rental is not permitted at this location, the owner applied for a B&B Conditional Use Permit. The property does not meet current parking standards for the existing single-family home or the additional requirements for the B&B use, so a variance is required. Planner Safty presented a tandem parking proposal from the applicant that straddles the garage entry, but this does not meet space size requirements and again would require a variance. Because the request is for an intensified use, it does not meet the unique circumstance necessary for variance findings.

Applicant Gordon Hunt spoke to the application and said the parking could accommodate four SUVs. Commissioner Newman confirmed that the applicant lives at the property. Commissioner Smith confirmed his plan would be to continue to rent two bedrooms.

Gabe spoke in support of the application.

Bob Edgren, neighbor, spoke in opposition to the project, saying noise issues increased when the transient use began. The area has also increased in congestion with use by the public of the adjacent stairs. He also asked if it meets ADA regulations.

Steve Ross, neighbor, said parking along El Camino Medio was removed due to fire access concerns and this application would extend into the narrow roadway. He raised possibility of rezoning the street to include in TRO since it is so close to the Village.

Commissioner Ortiz said tandem parking only works for long-term, in-and-out uses, which is not usually the case in vacation uses. Rezoning would impact Cliff Drive and she feels a need to hold the line.

Commissioner Westman agreed that while the TRO overlay may require periodic review, the current application does not meet requirements.

Commissioner Newman is sympathetic to the application since it is closest to the Village and separated by the stairs. It may be appropriate for rezoning but he does not support the conditional use.

Commissioner Smith agrees with the other commissioners and has concerns with the B&B conditional use in residential areas, which she feels has the potential to be very intrusive.

Chairperson Welch noted that driveway paving extends into public property and gives the impression that there is more private parking space than actually exists.

Motion: Deny the Conditional Use Permit, Variance and Coastal Development Permit based on the following findings:

### **FINDINGS**

**A. The application, subject to the conditions imposed, does not secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff and the Planning Commission have reviewed the project. The application does not secure the purposes of the Zoning Ordinance and General Plan because the project would not provide required on-site parking in an already parking deficient area.

**B. The application will not maintain the character and integrity of the neighborhood.**

Community Development Staff and the Planning Commission have reviewed the project. The project will not maintain the character and integrity of the neighborhood because the project would not meet on-site parking requirements in an already parking deficient area.

**C. This project is statutorily exempt under Section 15270 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15270 of the CEQA Guidelines statutorily exempts projects which are disapproved.

**D. Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site but the strict application of this title is not found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**

The strict application of the code does not deprive the property of privileges enjoyed by other properties under identical zoning. The property currently supports a single-family residence similar to others in the vicinity. All of the properties on El Camino Medio are zoned AR/R-1 (Automatic Review / Single-Family Residential) and none enjoy the privilege of operating a bed and breakfast use with deficient on-site parking.

**E. The grant of a variance would constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**

A variance to parking standards would constitute the grant of a special privilege because no other properties in the same zone and vicinity currently enjoy use of a bed and breakfast with deficient on-site parking.

### **COASTAL FINDINGS**

***D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed***

**development conforms to the certified Local Coastal Program, including, but not limited to:**

- The proposed development does not conform to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

**(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.**

**(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;**

- The proposed project is located at 190 El Camino Medio. The home is located in an area with coastal access. The applicant's proposal to use public right-of-way to meet on-site parking demands which could preclude a future sidewalk to connect to the pedestrian stairs leading to Depot Hill.

**(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other**

**factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;**

- The proposed project is located along El Camino Medio. No portion of the project is located along the shoreline or beach, but the project is near the beach.

**(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);**

- There is not history of public use on the subject lot. However, there is history of public use on the adjacent stairwell to the north.

**(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;**

- The proposed project is located at 190 El Camino Medio. The home is located in an area with coastal access. The applicant's propose to use public right-of-way to meet on-site parking demands which could preclude a future sidewalk to connect to the pedestrian stairs leading to Depot Hill.

**(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.**

- The proposed project is located on private property but could impact access and recreation of the public stairwell. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

**(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**

**a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;**

**b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;**

**c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.**

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

**(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

**a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;**

- The project is located on a residential lot.

**b. Topographic constraints of the development site;**

- The project is located on a steep sloping lot.

**c. Recreational needs of the public;**

- The project does not impact recreational needs of the public, but if approved it may affect the City's ability to provide pedestrian walkways from the stairwell to Monterey Avenue.

**d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;**

**e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;**

**f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.**

**(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**

- No legal documents to ensure public access rights are required for the proposed project due to it being denied.

**(D) (6) Project complies with visitor-serving and recreational use policies;**

**SEC. 30222**

**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.**

- The project involves a use change to a single-family home on a residential lot of record.

**SEC. 30223**

***Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.***

- The project involves the use of a single family-home on a residential lot of record.

***c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.***

- The project involves the use of a single-family home on a residential lot of record.

***(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;***

- The project does not comply with applicable parking standards.

***(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;***

- The project is requesting a variance from the parking size standards, but meets the other requirements of the code due to their being no addition space proposed.

***(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;***

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

***(D) (10) Demonstrated availability and adequacy of water and sewer services;***

- The project is located on a legal lot of record with available water and sewer services.

***(D) (11) Provisions of minimum water flow rates and fire response times;***

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

***(D) (12) Project complies with water and energy conservation standards;***

- The project is for a use modification to an existing single family home. There are no structural changes proposed.

***(D) (13) Provision of park dedication, school impact, and other fees as may be required;***

- The project was denied, thus this section does not apply.

***(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;***

- The project does not involve a condo conversion or mobile homes.

***(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;***

- Conditions of approval can be included to ensure compliance with established policies if approved.

***(D) (16) Project complies with Monarch butterfly habitat protection policies;***

- The project is not located in areas where Monarch Butterflies have been encountered, identified and documented.

***(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;***

- The proposal does not include any physical change to the property or home.

***(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;***

- The proposal does not include any physical change to the property or home.

***(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;***

- The proposal does not include any physical change to the property or home.

***(D) (20) Project complies with shoreline structure policies;***

- The proposal does not include any physical change to the property or home.

***(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;***

- This use is a conditional use, but not consistent with the parking requirements of the Single Family zoning district.

***(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;***

- The project does not conform to zoning and parking requirements.

***(D) (23) Project complies with the Capitola parking permit program as follows:***

- The project site is located within the area of the Capitola parking permit program, but would not meet the parking requirements of the zoning code.

<b>RESULT:</b>	<b>DENIED [UNANIMOUS]</b>
<b>MOVER:</b>	Linda Smith, Commissioner
<b>SECONDER:</b>	Susan Westman, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman, Welch, Westman

**B. Verizon Wireless Communication Facility at 4400 Capitola Road #15-156  
034-111-53**

Design Permit and Conditional Use Permit for the installation of a new Verizon wireless antenna and ancillary equipment on the roof of an existing commercial building in the PO (Professional Office) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is not appealable to the California Coastal Commission.

Minutes Acceptance: Minutes of Aug 4, 2016 7:00 PM (Approval of Minutes)

Environmental Determination: Categorical Exemption  
Property Owner: Lomak Property Group  
Representative: Verizon Wireless – Nexius, filed 9/29/15

Commissioner Newman recused himself since he owns property within 500 feet of the project and left the dais. Planner Safty presented the staff report. He reviewed the zoning code standards and restrictions for cell facilities, but noted that the Federal Telecommunications Act of 1996 allows a process to preempt local standards, including proof of a significant gap in coverage and selection of the least intrusive solution. The applicant provided maps and studies to support this exception.

Chairperson Welch asked why some projects have a third-party review and was told that a third-party consultant is hired when staff believes a more detailed analysis of alternative locations is warranted. In this case, there were no other sites which could provide necessary coverage and still meet residential setback requirements, so a third-party review was not necessary.

Jason Osborne spoke on behalf of the application. He clarified efforts to locate the cell facility. In response to questions about meeting the FCC standards, he explained standing close to the facility when powered up would present a danger but mitigations include locks to the site, warning signs and powering off during work on the roof. He also explained the process to list sites with the FCC and CPUC.

Chairperson Welch asked if similar projects such as those heard recently can be presented as one application. Mr. Osborne said they differ enough that they are handled separately.

Member of the public Michael Smith asked what is directly under the roof? He is concerned about exposure for those directly underneath. He also expressed concern about additional facilities.

Maureen Smith noted the United States has the lowest standards for radiation exposure and expressed frustration with limits placed on the public and jurisdictions by federal resolutions. She asked property owners not to support these applications.

Bob Edgren asked if there was a map of all cell towers and facilities. He also questioned health impacts.

Laura Melia, neighbor, expressed concerns about the dangers of cell facilities.

Deborah Turner, neighbor, expressed frustration that health concerns are not permitted to be considered.

Bonnie Johanssen said she spoke with the property owner and shared a California Medical Association resolution supporting research into harm to health under current standards.

Marylin Garrett spoke to concerns about exposure to radiation.

Commissioner Westman said she shares the public's frustration with the limits placed on local government. She asked to condition a measurement of radiation to confirm it meets the stated standards shortly after placement as well as the required two-year studies. Mr. Osborne said Verizon would conduct such a study. The commission supported this additional condition.

Commissioner Smith said the commission does review the studies included in the report in depth to at least confirm that applications meet the current standard.

Motion: Approve a Design Permit , Conditional Use Permit and Coastal Development Permit with the following conditions and findings:

### **CONDITIONS OF APPROVAL**

1. The project approval consists of a new, small-cell wireless antenna facility on to the roof of an existing office building at 4400 Capitola Road. The new antenna facility will consist of two, two foot tall canister antennas located on top of the existing two-story building, extending two feet-six inches over the existing roofline. The equipment cabinet will be located on the ground, behind the south-eastern corner of the building. The remaining ancillary will be located on the roof top. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 4<sup>th</sup>, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. All Planning fees associated with permit #15-156 shall be paid in full.
3. The applicant was granted a design permit, conditional use permit, and location exemption for the installation of a new, small-cell Verizon wireless antenna facility on the roof of an existing office building at 4400 Capitola Road. In any case where the conditions of the permit are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
4. The applicant must maintain a bond or other form of security to the City's satisfaction throughout the life of the project. The bond must be approved by the Community Development Director and be signed by both parties prior to building permit issuance.
5. The wireless communication facilities shall comply with all Federal Communication Commission (FCC) rules, regulations, and standards. Every two years the wireless telecommunications service provider shall submit to the director of community development: (1) a certification by a licensed engineer that the emissions are within the current FCC standards; and (2) a report on the level of cumulative radio frequency emissions within an eight hundred-foot radius from the subject antenna. The first test is to be conducted immediately following construction. A report with the certified engineer's findings shall be submitted to the City within 60 days of facility activation.
6. All roof-mounted facilities shall be painted with a non-reflective matte finish using an appropriate color that blends with the backdrop. The final choice of colors shall be approved by the community development department, in accordance with section 17.98.120 of the Capitola Municipal Code.
7. The wireless communications facilities shall be constructed and operated in such a manner as to minimize the amount of noise impacts to adjacent uses and activities. Backup generators shall only be operated during power outages and

- for testing and maintenance purposes. At any time, noise attenuation measures may be required by the director when deemed necessary.
8. Testing and maintenance activities of wireless communications facilities which generate audible noise shall occur between the hours of eight a.m. and five p.m., weekdays (Monday through Friday, non-holiday) excluding emergency repairs, unless allowed at other times by the director. Testing and maintenance activities, which do not generate audible noise, may occur at any time, unless otherwise prohibited by the director.
  9. All wireless communications providers shall provide signage, as required by the director, which shall identify the name and phone number of the wireless communications provider for use in case of an emergency.
  10. The new wireless communications facilities shall be maintained by the wireless service provider in good condition. This shall include keeping all wireless communications facilities graffiti free.
  11. The height of the new antennas, including the existing building height, are 34 feet-six inches. This is the maximum height approved by the Planning Commission. Future facility upgrades or co-locations shall not exceed the approved height of 34 feet-six inches. Future facility updates shall not attach additional mass to the rooftop antenna facilities without the approval of the Planning Commission.
  12. The proposed equipment cabinet located behind the building at ground level must not exceed six feet in height, pursuant to section 17.98.080.G.4 of the municipal code. The equipment cabinet must be redesigned, or located partially underground to comply with this requirement.
  13. At time of Building Permit submittal, the wireless carrier applicant must submit equipment specifications for all proposed roof-mounted equipment in order for the Building Department to verify existing structure's load capacity. The Building Department may require a report prepared by a structural and electrical engineer.
  14. The wireless communications facility which provides service to the general public shall be designed to survive a natural disaster without interruption in operation. To this end, the measures listed in section 17.98.200 of the Municipal Code shall be implemented.
  15. Wireless communications providers shall provide the city with a notice of intent to vacate a site a minimum of thirty days prior to the vacation, and all other forms of cessation of operation on-site shall follow the rules and regulations set forth in Municipal Code section 17.98.210.
  16. In the event that the original permittee (Verizon) sells its interest in a wireless communication facility, the succeeding carrier shall assume all responsibilities concerning the project and shall be held responsible to the city for maintaining consistency with all project conditions of approval, including proof of liability insurance. A new contact name for the project (#15-156) shall be provided by the succeeding carrier to the community development department within thirty days of transfer of interest of the facility.

17. This permit shall be valid for a period of ten years. An approval may be extended administratively from the initial approval date for a subsequent ten years and may be extended administratively every ten years thereafter upon the verification of the wireless communications provider's continued compliance with Municipal Code chapter 17.98 and with the findings and conditions of approval under which the application was originally approved. This does not apply to preexisting legal nonconforming uses.
18. Should the director determine that the wireless communications facility may no longer be in compliance, the director may, at his or her discretion, schedule a public hearing before the planning commission at which the planning commission may modify or revoke an approval in accordance with chapter 17.98.240 of the Municipal Code.
19. All wireless communications facilities shall meet the current standards and regulations of the Federal Communications Commission, the California Public Utilities Commission, and any other agency of the federal or state government with the authority to regulate wireless communications providers. If such standards and regulations are changed, the wireless communications provider shall bring its facilities into compliance with such revised standards and regulations within ninety days of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling federal or state agency. Failure to bring wireless communications facilities into compliance with such revised standards and regulations shall constitute grounds for the immediate removal of such facilities at the wireless communications provider's expense.

### **FINDINGS**

**A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

The Planning Commission reviewed and approved the application with conditions of approval with respect to the maintenance, design and operation of the use to ensure that the new wireless facility will not have a negative impact on the surrounding residential, commercial, and office uses and secures the general purposes of the Zoning Ordinance and General Plan.

**B. The application will maintain the character and integrity of the neighborhood.**

The Planning Commission reviewed and approved the application with conditions of approval to ensure that the antenna will not extend beyond the approved height of 34 feet-six inches (including existing building height) and will not be visually intrusive so as to preserve the character and identity of the commercial and office center and surrounding neighborhoods. The new equipment will mimic the design of a roof top vent, and is not located in a sensitive view corridor.

**C. This project is categorically exempt under the Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves the construction of a new, small-cell Verizon wireless antenna facility. The project will result in a minor modification and addition to the rooftop of an existing office building. Section 15301 exempts the minor alteration of

existing facilities.

### **COASTAL FINDINGS**

***D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:***

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

***(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.***

***(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;***

- The proposed wireless antenna project is proposed to be located on an existing office building at 4400 Capitola Road. There is no coastal access near the proposed site.

***(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline***

**processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;**

- The proposed project is located along Capitola Road. The proposed wireless facility will not affect the public beach or shoreline.

**(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);**

- There is not history of public use on the subject lot.

**(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;**

- The proposed project is located on private property on Capitola Road. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

**(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.**

- The proposed project is located on private property rooftop and will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

**(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**

- a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;**
- b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;**
- c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.**

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

**(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

**a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;**

- The project is located at 4400 Capitola Road. The proposal consists of a minor structural addition to an existing roof top. The use will not be limited to seasons or hours. The project is required to comply with FCC regulations related to environmental and public health and safety.

**b. Topographic constraints of the development site;**

- The project is located on a flat lot.

**c. Recreational needs of the public;**

- The project does not impact recreational needs of the public, however it will be visible from Capitola Road public right-of-way.

**d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;**

**e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;**

**f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.**

**(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**

- No legal documents to ensure public access rights are required for the proposed project

**(D) (6) Project complies with visitor-serving and recreational use policies;**

**SEC. 30222**

**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall**

***have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.***

- The project is proposed to be located on an existing office building (zoned Professional Office) lot of record.

**SEC. 30223**

***Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.***

- The project is proposed to be located on an existing private property office-use lot of record.

***c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.***

- The project is proposed to be located on an existing professional office-use lot of record.

***(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;***

- The project involves an antenna addition to an existing office building. The proposal does not affect parking, and thus complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

***(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;***

- The project complies with the design guidelines and standards established by the Municipal Code.

***(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;***

- The project will not negatively impact public landmarks and/or public views. The project will not block public views to and along Capitola's shoreline, however it will be slightly visible to the public from Capitola Road.

***(D) (10) Demonstrated availability and adequacy of water and sewer services;***

- The project is located on a legal lot of record with available water and sewer services.

***(D) (11) Provisions of minimum water flow rates and fire response times;***

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

***(D) (12) Project complies with water and energy conservation standards;***

- The project is for a new small-cell wireless antenna facility. No water fixtures are proposed.

***(D) (13) Provision of park dedication, school impact, and other fees as may be required;***

- The project will be required to pay appropriate fees prior to building permit issuance.

***(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;***

- The project does not involve a condo conversion or mobile homes.

***(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;***

- Conditions of approval have been included to ensure compliance with established policies.

***(D) (16) Project complies with Monarch butterfly habitat protection policies;***

- The project is outside of any identified habitats where Monarch Butterflies have been encountered, identified and documented.

***(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;***

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

***(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;***

- Geologic/engineering reports are not required for this application. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

***(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;***

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

***(D) (20) Project complies with shoreline structure policies;***

- The proposed project is not located along a shoreline.

***(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;***

- The use is not allowed where it is proposed, being that it is within 500 feet of a restricted residential zone. An exception was made to the location standards due to the “significant gap” and “least intrusive means” findings.

***(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;***

- The project does not conform in that it is proposed in a restricted area.

***(D) (23) Project complies with the Capitola parking permit program as follows:***

- The project will not affect the Capitola parking permit program.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [4 TO 0]</b>
<b>MOVER:</b>	Linda Smith, Commissioner
<b>SECONDER:</b>	Susan Westman, Commissioner
<b>AYES:</b>	Smith, Ortiz, Welch, Westman
<b>RECUSED:</b>	Newman

**C. 419 Capitola Avenue #16-101 APN: 035-131-26**

Design Permit and Variance for front and side yard setbacks for a three story duplex located in the CN (Neighborhood Commercial) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit that is appealable to the California Coastal Commission after all possible appeals are exhausted through the city.

Environmental Determination: Categorical Exemption

Property Owners: Daniel Gomez and Daniel Townsend, filed 5/16/2016

Representative: Daniel Gomez and Daniel Townsend

Commissioners Westman and Newman recused themselves since they own property within 500 feet of the project and left the dais.

Planner Cattan presented the staff report. Commissioner Ortiz noted that she was not party to the conceptual review so she cannot draw from previous feedback. The application includes a variance to front and side-yard setbacks. Special attributes include angled property lines and substandard depths. Many existing structures do not meet front yard setbacks and neighboring properties have significant lot coverage. She shared shade study images that include both existing and proposed.

Ron Graves, neighbor, said he sees a number of the suggestions from the conceptual review have been incorporated in the formal project. He confirmed there are limited windows facing the rear neighbors and supports approval.

Commissioner Smith asked if the lack of landscaping is due to the location or a style choice. The applicant responded that drainage limits the possibilities, but landscaping will be part of the project. She noted that the commission has expressed concern about too many flat-topped buildings during the zoning discussions, but will not deny an application based on style preferences. She would like a condition of planting in the front.

Commissioner Ortiz complimented the design, but does feel it is very large and has some concerns about the precedent. She also wants landscaping against the building at street level.

Commissioner Welch appreciates concerns about the size but also thinks the design helps mitigate some of the impact.

Motion: Approve a Design Permit, Variance, and Coastal Development Permit with the following conditions and findings:

**CONDITIONS**

1. The project approval consists of redevelopment of the existing duplex at 419 Capitola Avenue. The existing structure will be demolished and a new duplex will be built in its place. The first floor garage will be 960 square feet of unconditioned space. The

second story is 904 square feet and the third floor is 710 square feet. The total enclosed square footage of the new building is 2,574 square feet. There is also 269 square feet of balcony proposed. A variance has been granted for front and side yard setbacks. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 4, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.

2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans
3. At time of submittal for building permit review, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. At the time of submittal for building permit review, the Landscape Plan must be updated to include vegetation within the front yard of the property. This vegetation may be attached to the structure or within planters due to drainage issues on the site. The updated landscape plan must be to the satisfaction of the Community Development Director.
6. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
7. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
8. Prior to issuance of building permit, all Planning fees associated with permit # 16-101 shall be paid in full.
9. Prior to issuance of building permit, Affordable housing in-lieu fees shall be paid as required to assure compliance with the City of Capitola Affordable (Inclusionary) Housing Ordinance.
10. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
11. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
12. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements

all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).

13. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
14. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
15. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
21. In any case where the conditions to the granting of a permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the Planning Commission may revoke the permit.

## **FINDINGS**

**A. The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the duplex. The project conforms to the development standards of the CN (Neighborhood Commercial) zoning district with the granting of a variance for front and side yard setbacks. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance, General Plan and Local Coastal Plan.

**B. The application will maintain the character and integrity of the neighborhood.**

Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project as designed maintains the character and integrity of the neighborhood. The proposed addition with front entryway compliments the existing development pattern in the neighborhood.

**C. This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**

This project involves the redevelopment of a duplex in the CN (Neighborhood Commercial) Zoning District. Section 15303 of the CEQA Guidelines exempts construction of a duplex in an urbanized area.

**D. Special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**

The project is located in the a block of Capitola Avenue in which the majority of existing structures do not comply with setback due to substandard lot sizes.

**E. The grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.**

There are many properties within the same block of Capitola Avenue that do not comply with front and side yard setbacks.

## **COASTAL FINDINGS**

**D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:**

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

**(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of**

approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, “cumulative effect” means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.

(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project’s effects upon existing public access and recreation opportunities. Analysis of the project’s cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project’s cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;

- The proposed project is located at 419 Capitola Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;

- The proposed project is located along Capitola Avenue. No portion of the project is located along the shoreline or beach.

(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and

**improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);**

- There is not history of public use on the subject lot.

**(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;**

- The proposed project is located on private property on Capitola Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

**(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.**

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

**(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**

**a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;**

**b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;**

**c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.**

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

**(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

**a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;**

- The project is located on a Commercial Neighborhood (CN) zoned lot.

**b. Topographic constraints of the development site;**

- The project is located on a flat lot.

**c. Recreational needs of the public;**

- The project does not impact recreational needs of the public.

**d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;**

**e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;**

**f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.**

**(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**

- No legal documents to ensure public access rights are required for the proposed project.

**(D) (6) Project complies with visitor-serving and recreational use policies;**

#### **SEC. 30222**

**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.**

- The project involves a duplex on a Commercial Neighborhood (CN) zoned lot of record.

#### **SEC. 30223**

**Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.**

- The project involves a duplex on a Commercial Neighborhood (CN) zoned lot of record.

**c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.**

- The project involves a duplex on a Commercial Neighborhood (CN) zoned lot of record.

**(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;**

- The project involves the construction of a three-story duplex. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

**(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;**

- The project complies with the design guidelines and standards established by the Municipal Code.

**(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;**

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

**(D) (10) Demonstrated availability and adequacy of water and sewer services;**

- The project is located on a legal lot of record with available water and sewer services.

**(D) (11) Provisions of minimum water flow rates and fire response times;**

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

**(D) (12) Project complies with water and energy conservation standards;**

- The project is for a duplex. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Soquel Creek Water District.

**(D) (13) Provision of park dedication, school impact, and other fees as may be**

**required;**

- The project will be required to pay appropriate fees prior to building permit issuance.

**(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;**

- The project does not involve a condo conversion or mobile homes.

**(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;**

- Conditions of approval have been included to ensure compliance with established policies.

**(D) (16) Project complies with Monarch butterfly habitat protection policies;**

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

**(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;**

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

**(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;**

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

**(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;**

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

**(D) (20) Project complies with shoreline structure policies;**

- The proposed project complies with shoreline structure policies.

**(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;**

- This use is a conditional use consistent with the Commercial Neighborhood zoning

district.

**(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures:**

- The project, with an approved variance to setbacks, conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

**(D) (23) Project complies with the Capitola parking permit program as follows:**

- The project complies with the parking requirements of the Capitola Municipal Code. The site is not located within the area of the Capitola parking permit program.

<b>RESULT:</b>	<b>APPROVED AS AMENDED [3 TO 0]</b>
<b>MOVER:</b>	Linda Smith, Commissioner
<b>SECONDER:</b>	Gayle Ortiz, Commissioner
<b>AYES:</b>	Smith, Ortiz, Newman
<b>RECUSED:</b>	Welch, Westman

**D. 2205 Wharf Road #16-041 APN: 034-141-34**

Minor land division to create two lots of record, design permit for a new Single-Family Residence, and a tree removal permit for the property located at 2205 Wharf Road in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District. This project is not in the Coastal Zone and does not require a Coastal Development Permit. Environmental Determination: Categorical Exemption  
Property Owner: Christopher Wright  
Representative: Dennis Norton, filed: 3/14/16

This item was heard following item 4B. Planner Cattan presented the staff report. She noted that the lot is very large and amply meets the square footage requirements for the lot division, but one lot would require a four-foot exception to depth. A shared driveway is supported as safer for the Wharf Road location.

Commissioner Newman confirmed the required lot size for the triplex. He asked if the shared driveway is subtracted and it is not.

Andrew West, Woolsey Circle, said the private utilities owned by the properties on his street are not willing to let the applicant tie in to their utilities.

Pat Trimble, Loma Vista Mobile Homes, said the applicant's property was originally part of the mobile home park and contained a single duplex, which the structure still is according to tax roles. He asked when it became a triplex. The park association has concerns about an easement to a major gas line. Also under current plans it appears the emergency access easement through the property is blocked. He asked that the project be delayed until these questions are addressed.

Peter Taylor, 2225 Wharf Road, said the staff report implies the applicant's two houses share the driveway, but says it goes through his property and has a history of dangerous access. He also questioned the existing triplex and emergency accessibility.

Melody Taylor said they believed they lived in a single-family neighborhood. Trash can placement on Wharf Road is already a concern with existing homes.

Rachel Weiss, Woolsey Circle, echoed safety concerns about that stretch of Wharf Road and provided copies of denial of an easement by the property owners.

Chris Wright, applicant, believes he has met requirements for the triplex conversion and fire concerns. He acknowledged driveway is shared. He has identified other options for utilities.

Planner Cattan said an existing duplex was converted to a triplex through a building permit since it was not additional square footage. The shared access agreement is not an issue that the city has a role in.

Commissioner Ortiz asked if the driveway meets safety standards.

Commissioner Westman suggested the commission continue the hearing to address the Loma Vista concerns, talk with the fire department and public works, and look at other issues including placement of trash cans.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 9/1/2016 7:00 PM</b>
<b>MOVER:</b>	Gayle Ortiz, Commissioner	
<b>SECONDER:</b>	Linda Smith, Commissioner	
<b>AYES:</b>	Smith, Ortiz, Newman, Welch, Westman	

## 5. DIRECTOR'S REPORT

City Council starts Zoning Code Update hearings Aug. 11. A Polar Express train has been suggested to run through Capitola during the holidays and Council will discuss it at that meeting as well. Currently it does not know what the destination will be.

## 6. COMMISSION COMMUNICATIONS

## 7. ADJOURNMENT

Approved by the Planning Commission at the regular meeting of September 1, 2016.

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Linda Fridy, Minutes Clerk



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: SEPTEMBER 1, 2016  
 SUBJECT: **2205 Wharf Road #16-041 APN: 034-141-34**

Minor land division to create two lots of record, design permit for a new Single-Family Residence, and a tree removal permit for the property located in the RM-LM (Residential Multi-Family – Low-Medium Density) Zoning District. This project is not in the Coastal Zone and does not require a Coastal Development Permit.  
 Environmental Determination: Categorical Exemption  
 Property Owner: Christopher Wright  
 Representative: Dennis Norton, filed: 3/14/16

### **APPLICANT PROPOSAL**

The application includes a minor land division to create two lots of record from a single lot of record. The applicant is also seeking a design permit for a new single-family home on the newly created lot located along Wharf Road. There is an existing triplex on the rear lot. A tree removal permit is also required for the removal of a deodar cedar tree. The project is located in the RM-LM (Multiple-Family Low Density) Zoning District.

### **BACKGROUND**

On August 4, 2016, the Planning Commission reviewed the application. Questions came up regarding fire access to the mobile home park behind the development and utilities. The applicant is continuing to work on written documentation of preliminary approval from Central Fire and a will serve letter from the Sanitation District.

### **RECOMMENDATION**

Staff recommends the Planning Commission **continue** project application #16-041 to the October 6, 2016 Planning Commission meeting.

Prepared By: Katie Cattan  
 Senior Planner



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: SEPTEMBER 1, 2016  
 SUBJECT: **4170 Gross Rd Ext. #16-154**      **APN: 034-141-24**

Conditional Use Permit for a school (College of Botanical Healing Arts) to occupy an 800-square-foot commercial suite located in the CC (Community Commercial) Zoning District.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: Lockwood Family Trust

Representative: COBHA, filed: 8/11/16

### **APPLICANT PROPOSAL**

The applicant submitted a request for a Conditional Use Permit for an aromatherapy school at 4170 Gross Road Ext., Suite #5 in the CC (Community Commercial) Zoning district. The proposed use is consistent with the General Plan and Zoning Ordinance with the issuance of a Conditional Use Permit.

### **DISCUSSION**

4170 Gross Road Ext is a square shaped, 20,000 square-foot parcel located on the southeastern end of Gross Road containing a single-story, 6,800 square-foot commercial building and a parking lot. The building consists of four units occupied by Peoples Integrative Medicine, Coast Auto Insurance, and Aspire Lending. The fourth unit is currently vacant but was previously used as a beauty salon. The applicant is proposing to occupy the vacancy with an aromatherapy school.

### **Conditional Use Permit**

The proposed use of an aromatherapy school is considered a *specialized school* within the zoning code. A specialized school requires a Conditional Use Permit (CUP) within the CC (Community Commercial) zoning district. In considering an application for a CUP, the Planning Commission must give due regard to the nature and condition of all adjacent uses and structures.

The municipal code lists additional requirements and review criteria for some uses within the CUP consideration (§17.60.030). There are no additional requirements for specialized schools within the ordinance. In issuing a CUP for the specialized school, the Planning Commission may impose requirements and conditions with respect to location, design, siting, maintenance and operation of the use as may be necessary for the protection of the adjacent properties and in the public interest.

The application includes a Letter of Description outlining the specific operating details of the aromatherapy school (Attachment 1). COBHA offers courses Monday through Thursday from 5:00 p.m. to 9:30 p.m. The applicant indicated a possibility of workshops once a month on Saturday and Sunday from 12:00 p.m. to 4:00 p.m. or from 9:00 a.m. to 5:00 p.m.

One office employee will occupy the unit during office hours from 9:00 a.m. to 5:00 p.m. Monday through Friday. One teacher and a maximum of 10 students will occupy the unit during class hours from 5:00 p.m. to 9:30 p.m. Monday through Thursday.

4170 Gross Road Ext. is in a CC (Community Commercial) zone adjacent to an R-1 (single-family residential) zone. One single-family residence is located next to the southern end of the parcel, separated by a wooden fence. All onsite lighting is located inside the building. There are no light posts or flood lights located outside the building. Lights in the suite will be out by 10:00 p.m. Monday through Thursday when class is held. Lights will be out by 5:00 p.m. on days where no class is held. Classroom operations will have limited influence on the neighboring property due to their operation indoors.

### Parking

4170 Gross Road Ext. contains 24 parking spaces including a handicapped spot. §15.51.130(G) specifies that a school shall provide one parking space for each employee, including teachers and administrators, plus additional spaces as determined by the Planning Commission to be adequate for student and visitor parking. As mentioned previously, the school will have a maximum of two employees onsite at the same time.

The following table breaks down the suite, suite size, existing land use types, and amount of required parking for the multiuse building:

Suite Size	Land Use	Parking Requirement for Land Use	Required Parking
1,540 sf	Peoples Integrative Medicine	1 space per 300 sf	5
2,167 sf	Aspire Lending - Financial Institution	1 space per 300 sf	7
2,280 sf	Coast Auto Insurance - Office	1 space per 300 sf	8
800 sf	COBHA - specialized school	1 space per employee plus as determined by PC	2
Total Required Parking			22

The 22 required spaces is less than the 24 currently available therefore, 4170 Gross Road Ext. complies with the parking requirement for the site. Within a school the Planning Commission may require additional parking. Requiring additional parking at this site is not necessary due to the alternating schedule of the land uses within the mixed use building and the 2 available onsite parking spaces.

Aspire Lending, Peoples Integrative Medicine, and Coast Auto Insurance employ a total of nine employees. All three businesses close at or before 5:00 p.m. therefore no other businesses will be operating during COBHA class hours. Aspire Lending and People's Integrative Medicine are closed over the weekend. Coast Auto Insurance is open from 9:00 a.m. to 1:00 p.m. on

Saturdays. Coast Auto Insurance has a total of two employees on site during business hours. COBHA may occasionally operate a weekend workshop once a month from 12:00 p.m. to 4:00 p.m. or from 9:00 a.m. to 5:00 p.m.

### **CEQA**

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves a small aromatherapy school occupying an existing commercial space. No adverse environmental impacts were discovered during project review by either Staff or the Planning Commission.

### **RECOMMENDATION**

Staff recommends the Planning Commission review and **approve** application #16-154, subject to the following conditions and based upon the following findings:

### **CONDITIONS**

1. The project approval consists of a Conditional Use Permit to operate an aroma therapy school, College of Botanical Healing Arts (specialized school) within an existing commercial space located at 4170 Gross Road Ext. Suite #5. No modifications to the exterior of the structure are proposed within the application. Any significant modifications to the size or exterior appearance of the existing design require approval of a Design Permit by the Planning Commission.
2. Parking for the proposed specialized school must be accommodated within the onsite parking.
3. The applicant shall obtain a business license from the City of Capitola prior to operating the business.
4. Prior to granting of final occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director.
5. The conditional use permit will expire in the case where the conditional use permit has not been used within two years after the date of granting thereof. Any interruption or cessation beyond the control of the property owner shall not result in the termination of such right or privilege. A permit shall be deemed to have been "used" when actual substantial, continuous activity has taken place upon the land pursuant to the permit.
6. The applicant was granted a conditional use permit for an aroma therapy school. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.

### **FINDINGS**

**A. The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance and General Plan.**

Community Development Department Staff and the Planning Commission have reviewed the application and determined that the proposed business may be granted a conditional use permit within the CC Zoning District. The use meets the intent and purpose of the Community Commercial Zoning District. Conditions of approval have been included to ensure that the use is consistent with the Zoning Ordinance and General Plan.

**B. The application will maintain the character and integrity of the neighborhood.**

Community Development Department Staff and the Planning Commission have reviewed the proposed use and determined that the use complies with the applicable provisions of the Zoning Ordinance and therefore maintain the character and integrity of this area of the City. Conditions of approval have been included to carry out these objectives.

**C. This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

The proposed project involves an aroma therapy school occupying an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

**ATTACHMENTS:**

1. 4170 Gross Rd - Letter of Description
2. 4170 Gross Rd - Site Plan

Prepared By: Joanna Wilk  
Intern



Letter of Description: The College of Botanical Healing Arts, COBHA

Description of School:

Founded in 1997, COBHA, is among the first Aromatherapy Colleges, and is a pioneer in creating high standards for Essential Oil Therapy education in the U.S. We are a CA state certified school by the California Bureau of Private Post Secondary Education (School Code: 4400871). Our curriculum meets national standards of certification as set by the Alliance of International Aromatherapists. We operate on a trimester schedule with a fall, winter, and spring semester with classes starting in mid-September, and continuing through June. The months of December, July, and August see no classes. We offer a rigorous and comprehensive 456 hour certification program in Essential Oil Therapy focusing on essential oils, herbs, and nutrition. COBHA is a 501(c)3 designated business, Federal ID #: 91-1865306.

How Many Teachers:

COBHA has a rotating faculty of 8 core program instructors; there is always one instructor at a time teaching any class.

How Many Students:

COBHA class size range from our 4 student minimum to our 10 student maximum.

How Large is the Unit:

800 sq. ft.

Hours of Operation:

One office employee will occupy the unit Monday-Friday, 9:00-5:00 business hours.

Classes are always held in the evening from 5:00-9:30 p.m., Mondays-Thursdays. There is always one instructor at a time teaching any class. Saturdays and Sundays see one-day workshop classes that operate within 9-5 business hours. Most workshops are 12:00-4:00, half day, or full day, 9:00-5:00. Workshops take place once a month, and do not always happen every month. Lights will be out by 10:00 p.m. when class is held. If no class is being held Lights will be out by 5:00 p.m.

The College of Botanical Healing Arts

Office:(831)-462-1807 ~ Toll Free:(877)-321-7346 ~ FAX:(831)-462-9307

cobhasantacruz@gmail.com ~ www.cobha.org

1821 17th Avenue, Santa Cruz, CA 95062



There are 3 other Businesses in the 4 unit bldg.:

1) People's Integrative Medicine

- open 9am-5pm
- 7 patient rooms (says converting one to an office)
- 3 Practitioners on site at a time.

2) Coastal Auto Ins.

- open 9am - 5pm M-F & 9am - 1pm Sat
- 4 agents with offices and 1 large conference

3) Aspire Lending

- open 8am - 4pm M-F with 2 employees

Parking:

There are 24 total parking spaces, 1 being handicap designated.

Note: All 3 other businesses are closed during our class time.

Trash:

There are large community trash dumpster where trash will be emptied by instructors after each class.

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1821 17th Avenue, Santa Cruz, CA 95062

Gross Rd

4170 Gross Rd

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Google earth

Attachment: 4170 Gross Rd - Site Plan (1585 : 4170 Gross Rd Ext.)



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: SEPTEMBER 1, 2016  
 SUBJECT: **1760 41st Avenue #16-129 034-131-23**

Design Permit and Sign Permit application for a complete exterior remodel of the existing McDonald's restaurant, located in the CC (Community Commercial) Zoning District.

This project is not in the Coastal Zone and does not require a Coastal Development Permit.

Environmental Determination: Categorical Exemption

Property Owner: McDonald's US LLC

Representative: Hala Ibrahim, filed: 6/21/16

### **APPLICANT PROPOSAL**

The applicant has submitted a request for a Design Permit to construct a complete exterior remodel of the existing McDonald's restaurant at 1760 41<sup>st</sup> Avenue. The proposal also includes a Sign Permit application to upgrade the signs onsite. The property is located in the CC (Community Commercial) zoning district.

### **BACKGROUND**

The Architectural and Site Review Committee reviewed the application on August 10<sup>th</sup>, 2016. The committee had no concerns with the proposal.

### **ZONING SUMMARY**

The following table outlines the zoning code requirements for development in the CC (Community Commercial) Zoning District relative to the application.

#### **CC (Community Commercial) Zoning District**

<b>Development Standards</b>	<b>Existing</b>	<b>Proposed</b>
<b>Height:</b> 40'	17'-11"	19'-3"
<b>Front Yard:</b> Landscaped areas of front yards shall be set back fifteen feet in accordance with the 41st Avenue design guidelines.	The restaurant is located roughly 290' from 41 <sup>st</sup> Ave. There is minimal landscaping along 41 <sup>st</sup> Ave.	No change.
Side and rear yard setbacks may be required through architectural and site approval in order to provide adequate light	Side yard 17' and Rear yard 118'	No change.

and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide		
Front yards and corner lot side yards shall not be used for required parking facilities.	The front yard contains a majority of required parking.	No change.
<b>Parking</b>	<b>Existing</b>	<b>Proposed</b>
No change is square footage or intensification of use, therefore compliance with current parking standards is not required.	41 spaces	41 spaces
<b>Landscaping.</b> Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards	Approximately 5% landscaped.	No change to landscaping proposed. Staff recommends requiring 2 street trees along 41 <sup>st</sup> Avenue.
<b>(relevant) 41<sup>st</sup> Avenue Design Guidelines</b>		
<b>4.A.1:</b> Signs should be part of the overall building design, and signs should be related to building scale		Complies. Sign proposal would relate well with building scale.
<b>4.A.3:</b> Attached signs are encouraged		Yes. Wall signs to be attached.
<b>4.A.4:</b> Individual letters attached to a wall are preferred to cabinet signs		Complies. Channel letters are proposed.
<b>4.A.6:</b> Freestanding signs should be monument signs		Complies. The only freestanding sign is a monument sign.
<b>4.A.7:</b> All signs shall conform to sign ordinance		No. Additional wall signs requested through "special signage" exception (§17.57.090)
<b>Accessory Building</b>		N/A
<b>Underground Utilities – required with 25% increase area</b>		N/A

### Landscaping

The existing 36,592 square foot property is approximately 5% landscaped. The applicant is not proposing to alter existing landscaping as a part of the proposal. Along the western edge of the subject property, adjacent to 41<sup>st</sup> Avenue, is an existing landscape strip that runs parallel with 41<sup>st</sup> Avenue. McDonald's currently has no landscaping in this area. Staff recommends that the applicant be required to plant two new 24-inch box trees in the landscaping strip. Condition #12 has been included to ensure compliance with the tree planting. As conditioned, the tree species, location, and irrigation must be submitted to the Community Development Director for approval prior to building permit issuance.

### DISCUSSION

The applicant is proposing an exterior façade and interior décor upgrade to create a more modern look to the building. The applicant is proposing to refinish and paint the existing brick siding at the base of the building and install stucco siding on the top half of the single-story

building. The applicant is proposing an aluminum canopy between the brick and stucco sidings that would project over the walkway by up to four feet to provide shade and to add variety to the building façade. The canopy would maintain nine feet of clearance to the walkway below and would be compliant with the code's eight foot requirement.

The existing tiled mansard style roof is proposed to be removed and replaced with a flat roof and parapet wall on top. The applicant is proposing two tiled wall sections on the west and south elevations to place the arched "M" logo signs. The new tiled wall on the south elevation will contain the entryway. The tiled wall towers would add variety to the façade and would be one foot-four inches above the roof line with a total height of 19 feet-three inches, compliant with max height limitation of 40 feet in the CC (Community Commercial) zoning district.

### **Sign Permit**

The applicant is also applying for a Sign Permit to install new signage throughout the property. Pursuant to the Sign Ordinance of the municipal code, the size of each individual wall sign is limited to one square foot of signage per linear foot of business frontage. The existing building contains a 57 square foot roof sign on the 43 linear foot front-west elevation. The applicant is proposing to replace this sign with a 33 square foot McDonalds sign and a 14 square foot "M" logo wall sign on the new tiled walled. There is a 20 square foot wall sign on the 73 linear foot south-side elevation. The existing 20 square foot wall sign on the south side of the building would be replaced with a 14 square foot "M" logo, located on the southern tiled wall to match the front. The applicant is also proposing to install two, three square foot "Welcome" signs along the south and north entrances. In total, the proposal would reduce the overall sign area by 10 square feet. In addition, the applicant is proposing to re-face the existing 34 square foot monument sign, adjacent to 41<sup>st</sup> Avenue.

The individual letters and "M" logo of the wall signs are proposed to be internally illuminated with white LED's. The code does not include restrictions for illumination to wall signs, but requires that the lighting not have an intensity of more than fifty foot-candles as measured from ground level (§17.57.110). Staff has included condition # 13 to require the applicant to prove compliance with lighting intensity at time of building permit submittal. The existing monument sign off 41<sup>st</sup> Avenue is internally illuminated and is non-conforming. The code states that internally lighted monument signs shall be limited to the use of individually lighted letters with opaque or wood background materials (§17.57.070-A). The applicant is proposing to replace the aluminum face of the sign, and maintain the existing non-conforming internal illumination of the entire sign, rather than limit to the lettering as required.

Although the existing sign area would be reduced with the proposal, the code only allows one wall sign per business unless the business is located at the corner of two streets (§17.57.070-B). The applicant is proposing three separate wall signs on two sides of the building.

The applicant is requesting an exception to the sign code for commercial sites located in geographically constrained areas (§17.57.090). Pursuant to the municipal code, a CC zoned property which is geographically located such that the visibility from other properties and from a public street is limited, may apply for special signage through the Planning Commission. Due to the geographic constraint and corporate design preference, the applicant is proposing two wall signs on the front-west elevation when one is allowed and one wall sign on the south-side elevation.

Pursuant to section 17.57.090, the following findings must be made to approve special signage:

1. *The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.*

Staff Analysis: The restaurant at 1760 41<sup>st</sup> Avenue is setback roughly 290 feet from 41<sup>st</sup> Avenue. It is difficult to see when driving along 41<sup>st</sup> Avenue and completely screened from Capitola Road. The Burger King, located north of the subject property at 2001 41<sup>st</sup> Avenue contains a similar use but is not visually constrained as it is located on the corner of 41<sup>st</sup> Avenue and Clares Street close to the street. The Burger King contains a logo wall sign on both the southern and northern elevations, a logo sign and “Home of the Whopper” wall sign on the east elevation, and a monument sign off of 41<sup>st</sup> Avenue. The sign proposal at McDonalds is much less intense, even though it is located in a visually constrained area.

2. *The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area. This subsection C does not allow approval of: signs over sixteen feet high, sound signs, abandoned signs, balloon signs greater than fifteen inches in diameter, or freestanding signs.*

Staff Analysis: The proposed signage at 1760 41<sup>st</sup> Avenue would upgrade the existing façade and would not be visually overwhelming. The proposal would not have a significant adverse effect on the character of the surrounding area. The existing sign area would be reduced by 10 square feet with this proposal.

Staff recommends the Planning Commission grant an exception to allow two wall signs on the west façade and one wall sign on the south façade due to the limited visibility from a public street and the reduced sign area of the proposal.

### **CEQA REVIEW**

Section 15301 of the CEQA Guidelines exempts minor alterations to existing structures. This project involves an exterior remodel of an existing restaurant in the CC (Community Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

### **RECOMMENDATION**

Staff recommends the Planning Commission review the application and **approve** project application #16-129 based on the findings and conditions.

### **CONDITIONS OF APPROVAL**

1. The project approval consists of a sign permit for three new wall signs and replaced monument sign, and a design permit for an exterior upgrade and roof change at 1760 41<sup>st</sup> Avenue in the CC (Community Commercial) zoning district. The proposed project is approved as indicated in the conditions of approval reviewed and approved by the Planning Commission on September 1<sup>st</sup>, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Any sign illumination must be screened from direct view, so that the illumination does not shine into adjacent property or distract motorists or pedestrians.

3. Prior to construction, a building permit shall be secured for the new signs, roof change, and exterior upgrades authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission.
4. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes shall require Planning Commission approval.
6. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
7. Prior to issuance of building permit, all Planning fees associated with permit #16-129 shall be paid in full.
8. At time of submittal for building permit review, Public Works Standard Detail SMP STRM shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with the Public Works Standard Detail BMP STRM.
9. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Creek Water District, and Central Fire Protection District.
10. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
11. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
12. Prior to issuance of building permits, the applicant must submit a landscape plan to the Community Development Director, which shows two new 24-inch box trees to be planted and appropriate irrigation installed in the landscaping area adjacent to the 41<sup>st</sup> Avenue sidewalk. The types of trees should be based on the recommendation of an arborist or landscape architect. The two trees must be planted prior to certificate of occupancy.
13. Prior to issuance of building permits, the applicant must submit documentation proving that the lighting intensity of the internally illuminated wall signs will not exceed an intensity of more than fifty footcandles as measure from ground level. (§17.57.110).
14. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.

15. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
16. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.
17. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
18. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
19. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
20. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

### **FINDINGS**

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The proposal involves an exterior remodel and sign changes to the existing McDonald's restaurant at 1760 41<sup>st</sup> Avenue. The project secures the purpose of the Zoning Ordinance, and General Plan.
- B. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the exterior façade and sign changes. The building changes will maintain the character of the surrounding commercial neighborhood.
- C. **This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**  
Section 15301 of the CEQA Guidelines exempts minor alterations to existing structures. This project involves an exterior remodel of an existing restaurant in the CC (Community Commercial) zoning district. No adverse environmental impacts were discovered during review of the proposed project.

- D. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.**

The allowance of three wall signs is appropriate for the McDonald's remodel. The wall signs comply with the maximum allowed square footage but separate the signage to complement the architecture. The nearby Burger King has multiple wall signs as well.

- E. The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area.**

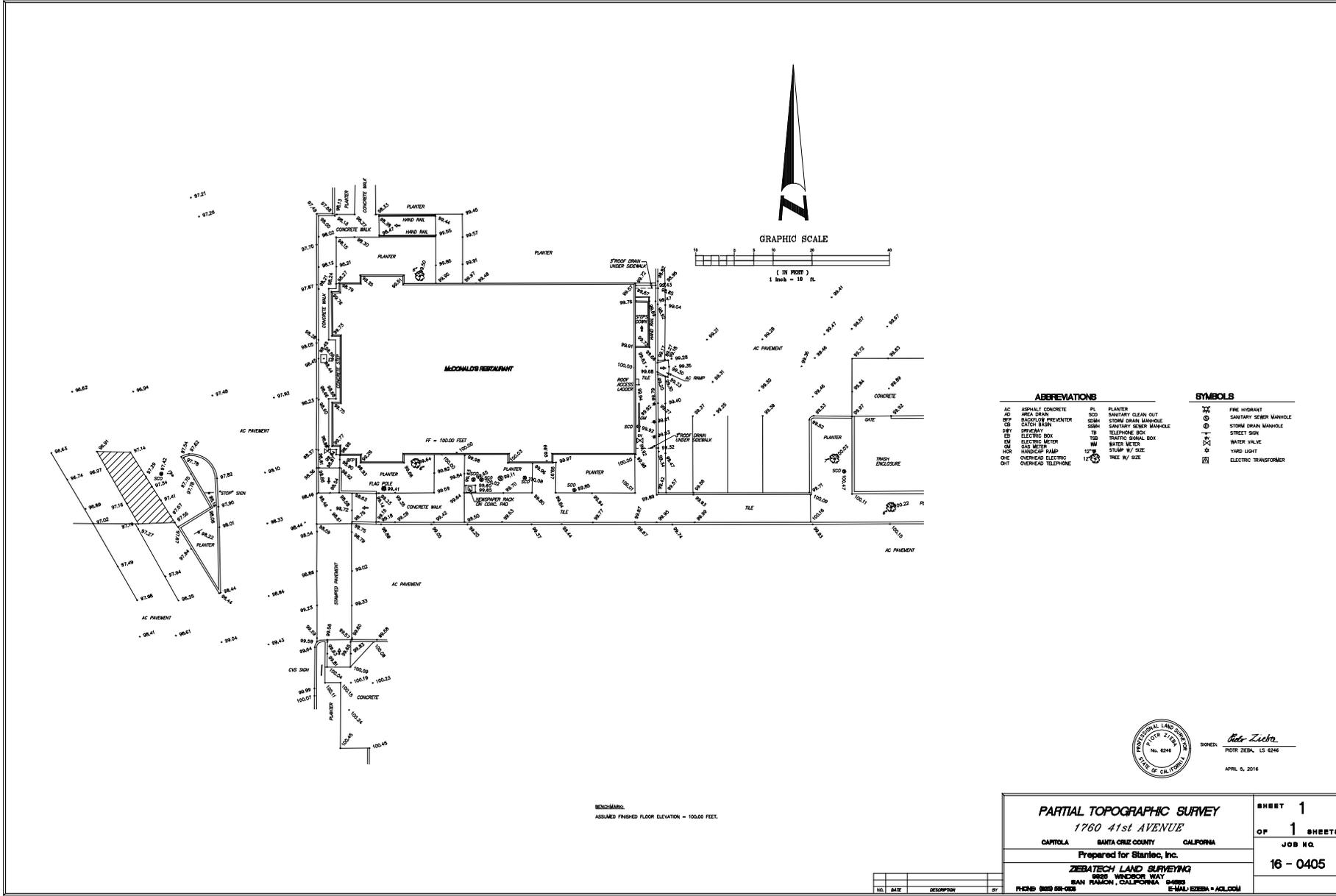
The special signage will complement the character and integrity of 41<sup>st</sup> Avenue.

**ATTACHMENTS:**

1. Project Plans

Prepared By: Ryan Safty  
Assistant Planner





ABBREVIATIONS		SYMBOLS	
AC	ASPHALT CONCRETE	PL	PLANTER
AD	AREA DRAIN	SC	SANITARY CLEAN OUT
BP	BACKFLOW PREVENTER	SDM	STORM DRAIN MANHOLE
CB	CATCH BASIN	SMH	SANITARY SEWER MANHOLE
CP	CURBWAY	TS	TELEPHONE BOX
EB	ELECTRIC BOX	TSB	TELEPHONE SIGNAL BOX
EM	ELECTRIC METER	W	WATER VALVE
EW	ELECTRIC WIRE	WV	WATER VALVE
HR	HANDICAP RAMP	12"	12" STUMP 1/2" SIZE
OE	OVERHEAD ELECTRIC	17"	17" STUMP 1/2" SIZE
OT	OVERHEAD TELEPHONE		
		⊗	FIRE HYDRANT
		⊙	SANITARY SEWER MANHOLE
		⊕	STORM DRAIN MANHOLE
		+	STREET SIGN
		⊗	WATER VALVE
		⊙	YARD LIGHT
		⊕	ELECTRIC TRANSFORMER

PROFESSIONAL LAND SURVEYOR  
 No. 6248  
 STATE OF CALIFORNIA  
 SIGNATURE: *Rob Zieba*  
 TITLE: SURVEYOR  
 APRIL 6, 2016

REMARKS:  
 ASSUMED FINISHED FLOOR ELEVATION = 100.00 FEET.

<b>PARTIAL TOPOGRAPHIC SURVEY</b> 1760 41st AVENUE CAPITOLA SANTA CRUZ COUNTY CALIFORNIA Prepared for Starlec, Inc. ZIEBATECH LAND SURVEYING 6900 WINDSON WAY SAN RAMON, CALIFORNIA 94583 PHONE 925-58-0202 E-MAIL EZIEBA@AOL.COM		SHEET 1 OF 1 SHEETS JOB NO. 16 - 0405
--	--	--













# McDonald's

**1760 41st Ave., Capitola, CA 95010**



**1 VICINITY MAP**  
Scale: N.T.S.



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electrical advertising  
1700 West Anaheim Street  
Long Beach, California  
90813-1195  
Phone: 562.495.3808  
Facsimile: 562.435.1867  
www.superiorsigns.com

Project:  
McDonald's

Address:  
1760 41st Ave.,  
Capitola, CA

Account Manager:  
**Mike Rathbun**

Designer:  
**L. Ramirez 3.50**

Scale: **AS NOTED**

Design No. **16-06-1989-00 P**

Date: **06.29.16**

Reg. No.:

Revisions:  
R

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FOR JOB CHECK	DATE
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FOR CONSTRUCTION	DATE
Acct. Mgr.	
Design	
FOR INSTALL ONLY	DATE
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Attachment: Project Plans (1580 : 1760 41st Avenue)



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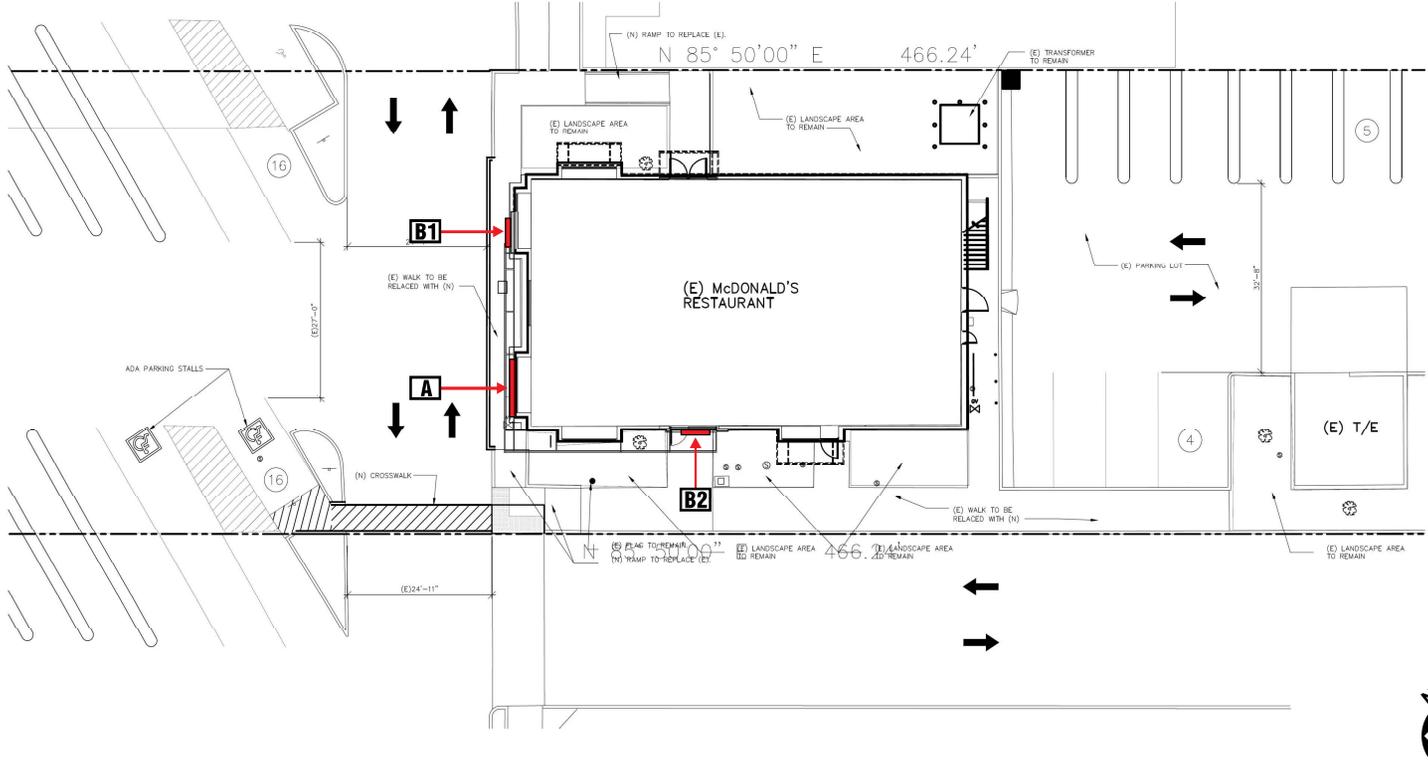
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SIGN SCHEDULE - McDONALD'S SIGNAGE					
NO.	DESCRIPTION	ILLUM.	AREA	QUANT.	TOTAL
A	CHANNEL LETTERS	Y	32.8	1	32.8
B	CHANNEL ARCH	Y	14.0	2	28.0
C					
D	"WELCOME" LETTERS	N	3.0	2	-
E					
F					
U	ADDRESS NUMBERS	Y	40.0	2	-
Z	REFACE EXISTING MON.	Y	-	2	-
TOTAL SQ. FOOTAGE =					60.8



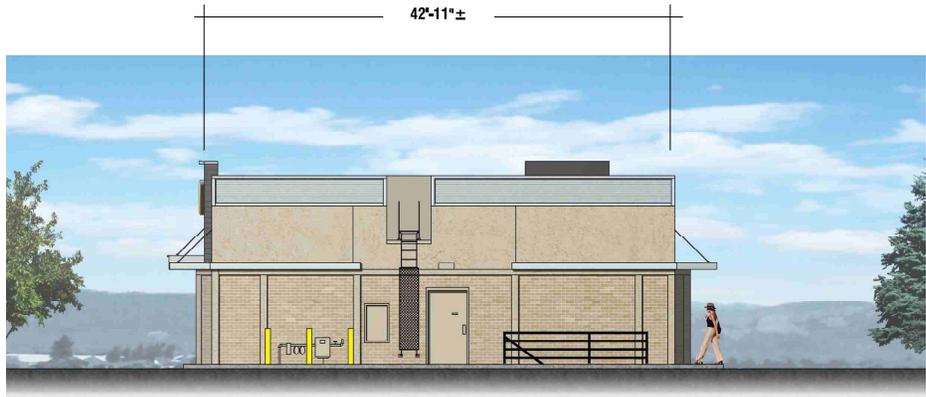
1 SITE PLAN  
Scale: N.T.S



Attachment: Project Plans (1580 : 1760 41st Avenue)



1 FRONT ELEVATION - WEST  
Scale: 3/32" = 1'-0"



2 REAR ELEVATION - EAST  
Scale: 3/32" = 1'-0"

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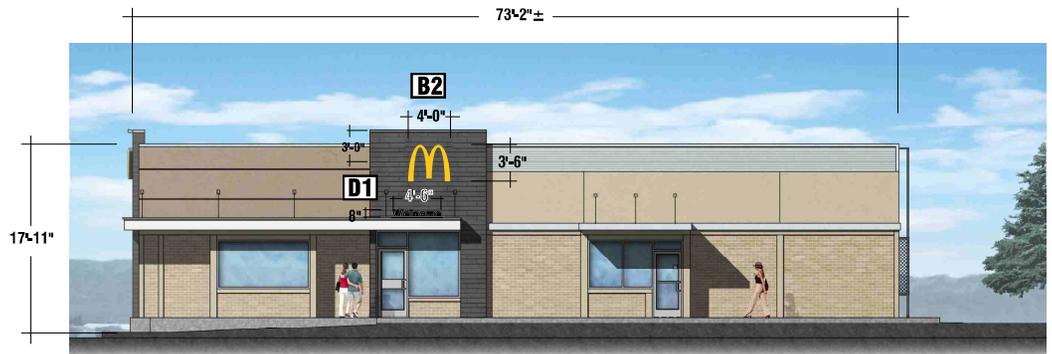
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Attachment: Project Plans (1580 : 1760 41st Avenue)



3 NON-DRIVE THRU ELEVATION - SOUTH  
Scale: 3/32" = 1'-0"



4 SIDE ELEVATION - NORTH  
Scale: 3/32" = 1'-0"

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Revisions:  
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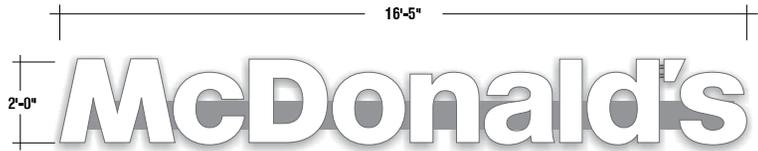
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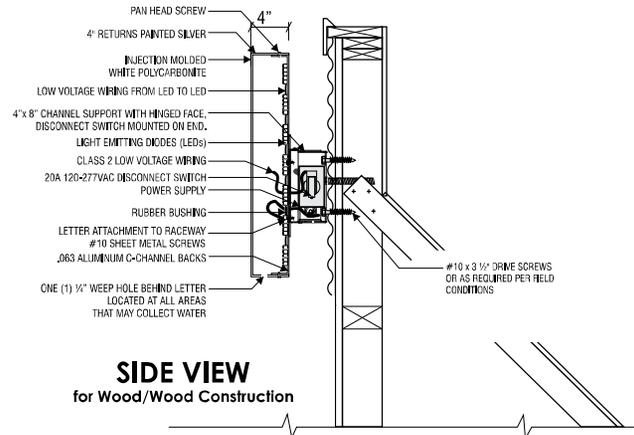
**A LED ILLUMINATED CHANNEL LETTERS / ELECTRICAL CHANNEL SUPPORT** 32.8 Sq. Ft.  
 Quantity: One (1) Required Scale: 3/8" = 1'-0"

**SPECIFICATIONS:**

- LETTERS: INJECTION MOLDED WHITE POLYCARBONITE
- RETURNS: SILVER
- ILLUMINATION: WHITE LED'S
- CHANNEL SUPPORT: ALUMINUM CONSTRUCTION PAINTED SILVER
- POWER REQ: 1.6 AMPS
- NOTE: SIGN WEIGHT = 70 LBS

**Note to All Contractors**

**120 Sign Voltage**  
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.



**1 CHANNEL LETTER - CORRUGATED METAL WALL ATTACHMENT**  
 Scale: n.l.s



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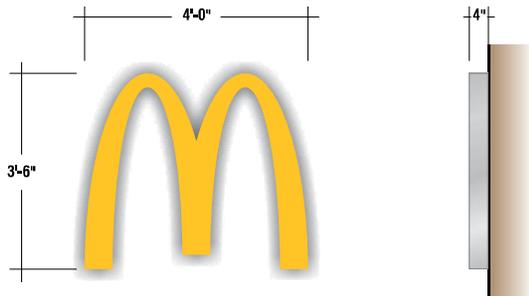
Account Manager:  
 Mike Rathbun  
 Designer:  
 L. Ramirez 3.50  
 Scale: AS NOTED  
 Design No. 16-06-1989-00 P  
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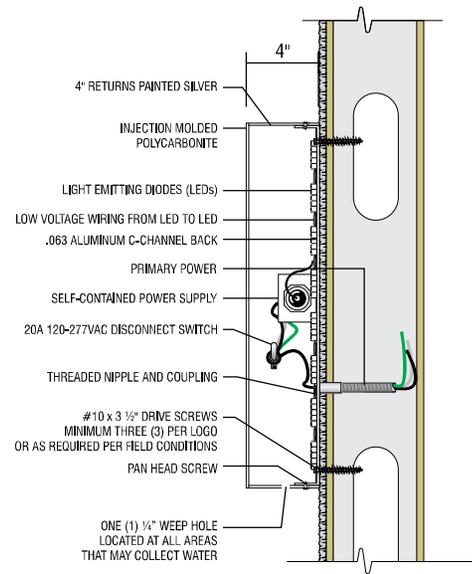
Attachment: Project Plans (1580 : 1760 41st Avenue)



**B1 B2 LED ILLUMINATED CHANNEL LOGO** 14.0 Sq. Ft.  
 Quantity: Two (2) Required Scale: 1/2" = 1'-0"

**SPECIFICATIONS:**

- LOGO: INJECTION MOLDED YELLOW POLYCARBONITE  
 RETURNS: OPAQUE POLYCARBONITE PAINTED SILVER  
 ILLUMINATION: WHITE LED'S  
 POWER REQ: 1,3 AMPS  
 NOTE:



**1 TYPICAL SECTION DETAIL - SELF-CONTAINED BUILDING LOGO**  
 Scale: n.t.s

**Note to All Contractors**

**120 Sign Voltage**  
 This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign. All wall penetrations to be sealed with UL Listed silicone sealant.



**D1 D2 NON-ILLUMINATED FREESTANDING FLAT CUT OUT LETTERS** 3.0 Sq. Ft.  
 Quantity: Two (2) Required Scale: 1/2" = 1'-0"

**SPECIFICATIONS:**

- LETTERS: FLAT CUT OUT ALUMINUM PAINTED BLACK WITH GRAY VINYL INSET ON FACE
- RAIL: ALUMINUM PAINTED BLACK MOUNTED TO AWNING SUPPORT WITH 1/4 -20 SELF DRILLING SCREWS FOUR (4) PLACES

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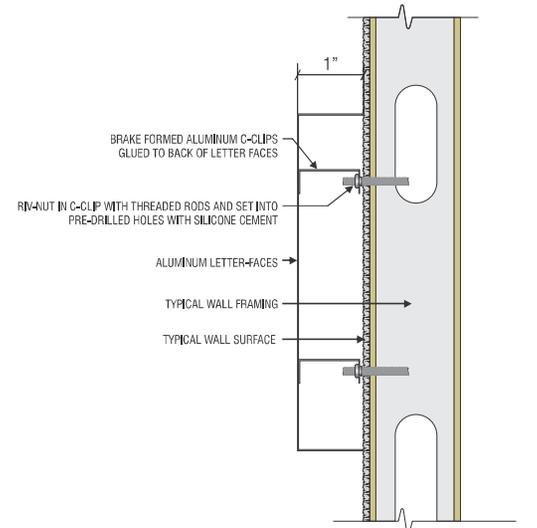
Attachment: Project Plans (1580 : 1760 41st Avenue)



**U CUSTOM FABRICATED NON-ILLUMINATED ADDRESS NUMBERS**  
 Quantity: One (1) Required Scale: 1 1/2" = 1'-0"

**SPECIFICATIONS:**

- NUMBERS: 1" DEEP NON-ILLUMINATED ALUMINUM REVERSE CHANNEL ADDRESS NUMBERS, .063" RETURNS & .080" FACES TO BE PAINTED BLACK



**1** TYPICAL SECTION DETAIL  
 SCALE: NTS

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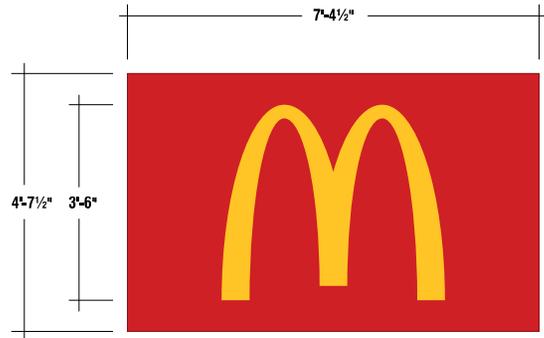
Account Manager:  
 Mike Rathbun  
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 L. Ramirez 3.50  
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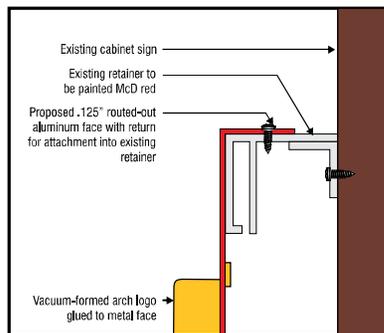


**2 REFACE EXISTING DOUBLE FACE ILLUMINATED MONUMENT**  
 Quantity: Two (2) Faces Required Scale: 1/2" = 1'-0"

**SPECIFICATIONS:**

- FACES:** .125 ALUMINUM PAINTED BRAKE FORM RETURNS PAINTED McDONALD'S RED (PMS #1795C) AND ROUTED OUT FOR ARCH
- ARCH:** VACUUM FORMED .118 SABIC YELLOW LEXAN (YWG6039X) PUSH-THRU ARCH (NEXGEN)
- ILLUMINATION:** TO REMAIN AS IS
- CABINET:** TO REMAIN AS IS
- EXISTING RETAINERS:** PAINT McDONALD'S RED (PMS #1795C) / McD PORTION OF CABINET ONLY
- SUPPORT:** TO REMAIN AS IS

**NOTE:**



**1 PROPOSED FACE CHANGE TO EXISTING D/F MONUMENT SIGN**



**2 EXISTING D/F ILLUMINATED MONUMENT SIGN**  
 Scale: n.t.s



**3 PROPOSED FACE CHANGE TO EXISTING D/F ILLUMINATED MONUMENT SIGN**  
 Scale: n.t.s

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Attachment: Project Plans (1580 : 1760 41st Avenue)



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: SEPTEMBER 1, 2016  
 SUBJECT: **109 Central Avenue #16-026 036-112-09**

Design Permit, Conditional Use Permit and Variance request to side yard setbacks and height for a second-story addition to a historic residence located in the R-1 (Single-Family Residential) Zoning District.

This project is in the Coastal Zone and requires a Coastal Development Permit, which is appealable to the California Coastal Commission after all possible appeals are exhausted through the city.

Environmental Determination: Categorical Exemption

Property Owner: Mark Kane

Representative: Dennis Norton, filed: 2/29/16

### **APPLICANT PROPOSAL**

This application consists of a Design Permit, Variance, Conditional Use Permit, and Coastal Development Permit for an addition to a historic, single-family home located at 109 Central Avenue. The property is located in the R-1 (Single-Family Residential) zoning district. The applicant is proposing a 610 square foot second-story addition and a 317 square foot basement under the back half of the residence.

### **BACKGROUND**

The subject application was submitted on February 29<sup>th</sup>, 2016. Following submittal, staff contracted Leslie Dill of Archives & Architecture LLC to conduct a historic review of the proposal. On May 19<sup>th</sup>, 2016, staff met with the applicant and historian at site. The historian provided comments and suggestions to the applicant in order to properly preserve the historic structure and comply with the Secretary of Interior Standards. On June 7<sup>th</sup>, 2016, the applicant submitted updated plans that were found in compliance with the standards.

On July 13<sup>th</sup>, 2016, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Director, Steve Jesberg: Steve Jesberg was not present but provided planning staff with comments. Planner Ryan Safty directed the applicant to submit a Stormwater application and fee, show existing and new impervious surface areas on the site plan, and include a drainage plan showing direction of runoff. Staff also recommended that the applicant incorporate runoff reduction measures.

Building Official, Brian Van Son: Brian Van Son explained that the vent termination for the fireplace must be relocated away from property line, and asked for clarification of use, egress, and steepness of access stairs of the basement at time of Building Permit

submittal. Mr. Van Son also explained that engineering review is required for the new basement to ensure safety of the neighboring structure for excavation.

Local Historian, Carolyn Swift: Carolyn Swift was not present but informed planning staff that she had reviewed the historic report prepared by Leslie Dill and agreed with her findings.

Local Architect, Frank Phanton: Frank Phanton explained that the site plan should show location of neighboring buildings, and that the south-side second story window may create privacy issues with the neighbors.

Landscape Architect, Megan Bishop: Megan Bishop was not present but informed planning staff that that she has no concerns. She recommends that any disturbed area be seeded with an erosion control mix.

City Planner, Ryan Safty: Ryan Safty explained that a variance will be required for height, as well as side yard setbacks. Staff recommended the applicant submit a streetscape of the proposal.

Following the Architectural and Site Review hearing, the applicant submitted revised plans and information on July 22<sup>nd</sup>, 2016 in response to comments from the Architectural and Site Review Committee. The applicant, however, did not relocate the south-side second-story window per Mr. Phanton's request and did not submit a streetscape per planning's request.

### **ZONING SUMMARY**

The applicant is proposing rehabilitation of the existing house and a new second-story addition at the back of the existing house. The existing northern side yard is non-conforming located one foot-five inches from the property line. The applicant is requesting a variance to build a second story at that same setback, a variance to the zone height, and a variance to the 80% structural alteration requirement for existing non-conforming structures. The following table outlines the zoning code requirements for development in the R-1 (Single Family Residential) Zoning District relative to the application.

#### **R-1 (Single Family Residential) Zoning District**

<b>Coastal</b>		
<b>Is project within Coastal Zone?</b>		Yes
<b>Is project within Coastal Appeal Zone?</b>		Yes
<b>If exempt, list applicable exemption.</b>		n/a
<b>Use</b>		
<b>Existing Use</b>		Single Family
<b>Proposed Use</b>		Single Family
<b>Principal Permitted or CUP?</b>		Principal Permitted
<b>Historic</b>		
<b>Level of Historic Feature</b> (local/state/federal or n/a)		Local
<b>Completed DPR523.</b> (if yes, list consultant)		No DPR523
<b>Significant Alteration of Historic Feature?</b> (CUP required)		Yes – CUP required
<b>Development Standards</b>		
<b>Building Height</b>	<b>R-1 Regulation</b>	<b>Proposed</b>
	25 ft.	26 ft. ( <i>variance</i> )
<b>Floor Area Ratio (FAR)</b>		
<b>Lot Size</b>	4,000 sq. ft.	

<b>Maximum Floor Area Ratio</b>	54% (Max 2,160 sq. ft.)	
First Story Floor Area	972 sq. ft.	
Existing Detached Garage	297 sq. ft.	
Second Story Floor Area	610 sq. ft.	
Basement Floor Area (250 sq. ft. exception)	70 sq. ft. (320 -250 sq. ft.)	
Covered Porch + Second-story Deck (150 sq. ft. exception) (67 sq. ft.) + (48 sq. ft.) = 115 sq. ft.	0 sq. ft. (115 – 150 sq. ft.)	
<b>TOTAL FAR</b>	1,949 sq. ft. (49%)	
<b>Yards</b> (setbacks are measured from the edge of the public right-of-way)		
	<b>R-1 Regulation</b>	<b>Proposed</b>
<b>Front Yard 1<sup>st</sup> Story</b>	15 ft.	*11ft.-7in. from right-of-way
<b>Front Yard 2<sup>nd</sup> Story</b>	20 ft.	*11ft.-7in. from right-of-way
<b>Side Yard 1<sup>st</sup> Story</b> <i>North (N) &amp; South (S)</i>	10% lot width Lot width 40 4 ft. min.	*1ft. - 5in. from property line (N) 13ft.- 6in. from property line (S)
<b>Side Yard 2<sup>nd</sup> Story</b> <i>North (N) &amp; South (S)</i>	15% of width Lot width 40 6 ft. min	1ft. - 5in. from property line (N) ( <i>variance</i> ) 15ft.- 7in. from property line (S)
<b>Rear Yard 1<sup>st</sup> Story</b>	20% of lot depth Lot depth 100 20 ft. min.	43ft.- 8in. from property line
<b>Rear Yard 2<sup>nd</sup> Story</b>	20% of lot depth Lot depth 100 20 ft. min	39ft.- 8in. from property line
<b>Detached Garage</b>	8ft. minimum from rear yard	10 ft. from property line
<b>Encroachments</b> (list all)	Existing non-conforming encroachments:	North-side and front setbacks of existing home
<b>Variance Requests</b>	Height, side-yard setbacks, and structural alteration allowance for non-conforming structures (§17.72.070)	
<b>Parking</b>		
	<b>Required</b>	<b>Proposed</b>
<b>Residential (from 1,501 up to 2,000 sq. ft.)</b>	2 spaces total 1 covered 1 uncovered	3 spaces total 1 covered 2 uncovered
<b>Detached Garage</b>	Complies with Standards?	Yes
<b>Underground Utilities: required with 25% increase in area</b>		Yes - required

\* Denotes existing non-conformity

## **DISCUSSION**

The structure at 109 Central Avenue is located within the Depot Hill neighborhood. The design of the home is considered local “vernacular” and was built in 1905. This area of Depot Hill consists primarily of single-family, one-story, wood-frame homes with steep roof pitches, located between Escalona Avenue to the north and the ocean to the south. The character defining features of the historic home at 109 Central Avenue include compact, rectangular footprint of the main wing, the low one-story massing, full-width front-gabled roof, recessed front porch, large double-hung focal windows at the front, boxed eaves and wall fascia, flat-board trim at the windows and doors, horizontal wood lap siding and flat corner boards, scalloped shingle siding at the front gable, square wood louvered vent, and wood window sash and trim.

The applicant is proposing to construct a new foundation under the entire home, add a 320 square foot basement below the existing home with access at the rear of the home, and a 610 square foot second-story addition at the rear of the existing home. The new basement has no internal access and will be utilized for storage. No improvements are suggested in the plans such as plumbing or 220 electric to suggest the space would be occupied as a secondary dwelling unit. The second story addition would contain a master bedroom and bathroom, sitting area, stairwell and 48 square feet of second-story deck space. The back yard area is screened from neighboring properties with the existing detached garage and mature landscaping, thus the proposed second-story deck space is not considered a privacy concern by staff. The applicant is proposing to add 144 square feet of habitable space within the existing roof area at the front of the home. The front exterior of the home remains preserved within the proposed remodel. The applicant is proposing to demolish the shed roof on the rear and add a 466 square foot second-story above. The applicant is proposing to use six inch horizontal siding for the addition area in order to differentiate the new work from the existing eight inch horizontal siding. (Attachment 1)

### **Compliance with Historic Standards**

At time of submittal, staff sent the plans and photo documentation of the historic features out for a third party technical review by Architectural Historian, Leslie Dill. Home designer, Dennis Norton, worked with Ms. Dill to address all design concerns. On July 7<sup>th</sup>, 2016, Ms. Dill submitted a Secretary of the Interior's Standards Review of the proposed rehabilitation and addition project at 109 Central Avenue, which concluded that the proposal would meet the Secretary of the Interior's Standards for Rehabilitation, with the inclusion of general notes to the cover sheet of the plans when submitting for a building permit. (Attachment 2) Staff has included Condition of Approval #4 to ensure compliance with her recommendation.

### **Non-Conforming Structure**

The existing historic structure is non-conforming in terms of setbacks. The Municipal Code requires a four foot side yard setback and fifteen foot front yard setback, while the existing home is setback just one foot-five inches from the north-side property line and 11 feet-seven inches from the front property line. Pursuant to code section 17.72.070, an existing non-conforming structure may remain as long as the improvements will not be beyond 80% of the present fair market value of the structure. To bring the historic home into compliance with the setback regulations would require a portion of the historic home to be removed or to shift the entire home south. To remove a portion of the historic home would modify the massing of the original cottage and would be contrary to the Secretary of Interior's Standards. To move the home south would alter the existing character of the home, and eliminate existing uncovered parking spaces and access to the detached garage space. Maintaining the home in its current non-conforming location as proposed is preferred to preserve the integrity of the historic structure. Therefore, the applicant is requesting a variance to section 17.72.070 of the code in order to preserve the existing historic residence.

### **Variance**

The applicant is proposing to construct a second-story addition at the same one foot-five inch north-side yard setback as the existing historic home. The existing home is 22 feet in height, under the 25 foot max zone height. The total height of the addition is proposed to be a maximum of 26 feet tall with the addition and new foundation. The proposal does not meet the code's height requirements and will exacerbate the existing non-conforming setback, and thus requires a variance with approval by the Planning Commission. The applicant is also requesting a variance from the allowed structural alterations to non-conforming properties listed in section 17.72.070 of the municipal code.

Pursuant to §17.66.090, the Planning Commission, on the basis of the evidence submitted at the hearing, may grant a variance permit when it finds:

- A. That because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;
- B. That the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which subject property is situated.

The special circumstance applicable to the subject property is that the existing home is historic and therefore the location of an addition must be sited appropriately to maintain the historic integrity of the structure. The historic resource is protected within the municipal code, general plan, and under the California Environmental Quality Act (CEQA). Historic preservation is a priority within the City of Capitola. Goal LU-2 of the Capitola General Plan states “Preserve historic and cultural resources in Capitola.” The General Plan includes the following policy statements in support of the variance for the historic home and applications of the Secretary of Interior’s Standards:

*GP-Policy LU-2.1: Historic Structures. Encourage the preservation, restoration, rehabilitation, maintenance, and adaptive reuse of important historic structures in Capitola.*

*GP-Policy LU 2.2: Modification Standards. Use the U.S Secretary of the Interior’s Standards for the Treatment of Historic Properties as a guide for exterior modification to identified historic resources.*

In accordance with Ms. Dill’s Secretary of the Interior’s Standards review, the applicant was guided not to modify the front of the structure, and any new addition must be setback far enough as to not visually dominate the existing historic design. Pursuant to Secretary of the Interior’s Standard #2, “the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.” Pursuant to standard #9, “new additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”

Ms. Dill’s analysis of standard #9 states that, “the proposed two-story rear addition and second-story addition on the north side of the main house are compatible with and differentiated from the original house design in form, size, massing and location.... The second story has low wall plates, creating a compact visual connection, compatible with the historic house. ... The second story addition at the main house is to the north, where the proximity of the neighboring house inhibits the angle of viewing (and there is currently heavy vegetation). The size of the addition also creates a compatible rear roof.” (Attachment 2)

### **Side Yard Setbacks**

The new addition is proposed within the north-side yard setback to preserve the location and appearance of the historic structure. The south-side of the historic home is readily visible from Central Avenue, while the north-side is hidden by a row of trees in between the subject property and the neighboring property to the north (111 Central Avenue). When designing the addition, the applicant focused on the preservation of the more visible south-side. In order to preserve the appearance of the steep-slopping roof to the south and the location of the existing kitchen within the residence, the applicant placed the second-story area in line with the existing northern wall

of the historic residence. The second-story addition would be within the required six foot north-side yard setbacks and requires a variance.

Staff recommends support of the variance to side yard setbacks. The Depot Hill neighborhood consists primarily of single-family residences which, like the subject property, are located on small properties and generally contain reduced yard setback areas. Depot Hill contains residences with a variety of architectural styles, heights, massing, and setbacks. The proposed remodel and addition work at 109 Central Avenue would be compatible with neighboring properties in terms of size, massing, and setbacks. In accordance with Ms. Dill's historic review, the proposal visually maintains the historically significant south-side sloped roof. If the second-story addition area and stairwell were reversed and constructed closer to the south-side of the property, the historically significant south-side roof line would be altered and may compromise the historic integrity of the home. Lastly, the proposed remodel and addition work will not max out the property in terms of allowed floor area ratio. The project was thoughtfully designed in order to create additional living space while maintaining existing open space on the property and preserving the historic nature of the home. Therefore, staff recommends approval of the variance to side-yard setbacks of the second-story addition.

### **Height**

The applicant is proposing a new foundation and basement below the existing 22 foot tall home. In order to accommodate the height of the new foundation and second-story addition area, the applicant is requesting a variance to height standards to allow the hipped roof in the rear to be 26 feet tall when the limit is 25 feet. The municipal code allows height exceptions for historic properties in the R-1 zone of up to 27 feet if the building meets applicable side and rear setback standards. (§17.15.080) However, the existing home and addition does not comply with north-side yard setbacks and thus does not comply with the required findings for a height exception. The wall plate of the rear-yard second-story is proposed to be eight feet, with the pitched roof being five and one-half feet above the wall plate. Staff recommends that the applicant reduce the height by one foot in order to be compliant with height limitations. As mentioned previously, the architectural historian supported the differentiation in the new roof from the existing roof area. By reducing the height, the roof would continue to be differentiated while complying with the zone height of 25 feet.

### **Structural Alterations for Non-conforming Structures**

The variance request to the allowed structural alterations (§17.72.070) is necessary for the proposed preservation and addition work to the historic residence. The final home design has been found in compliance with the Secretary of the Interior's Standards by Architectural Historian Leslie Dill. Maintaining the home in its current non-conforming location as proposed is preferred to preserve the integrity of the historic structure. Therefore, staff supports the request of a variance to the allowed structural alterations of non-conforming structures pursuant to section 17.72.070 of the municipal code.

### **CEQA**

Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence in a residential zone. This project involves rehabilitation and addition of second-story floor area to an existing historic residence in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

### **RECOMMENDATION**

Staff recommends the Planning Commission review the application and **approve** project application #16-026 with a one foot reduction to height, based on the findings and conditions.

## **FINDINGS**

- A. **The application, subject to the conditions imposed, secures the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan. The integrity of the historic resource will be maintained with the proposed design. A variance has been granted to preserve the location and massing of the historic home by allowing a reduced side yard setback and waiver of maximum allowed structural alterations to non-conforming properties (§17.72.070).
- B. **The application will maintain the character and integrity of the neighborhood.**  
Community Development Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the addition to the historic resource. The new addition will not overwhelm the historic structure. The design does not compromise the integrity of the historic resource.
- C. **This project is categorically exempt under Section 15303 of the California Environmental Quality Act and is subject to Section 753.5 of Title 14 of the California Code of Regulations.**  
Section 15303(a) of the CEQA Guidelines exempts the construction of one single-family residence in a residential zone. This project involves rehabilitation and addition of second-story floor area to an existing historic residence in the R-1 (Single-Family Residential) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.
- D. **Special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, exist on the site and the strict application of this title is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification;**  
The special circumstance applicable to the subject property is that the existing home is historic. The historic resource is protected within the municipal code, general plan, and under the California Environmental Quality Act (CEQA). The applicant has requested a variance to side yard setbacks and maximum permissible structural alterations to non-conforming structures in order to preserve the historic nature of the existing residence. The proposal complies with the Secretary of the Interior's Standards for historic rehabilitation.
- E. **The grant of a variance would not constitute a grant of a special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.**  
The subject property contains a historic residence. The historic resource is protected within the municipal code, general plan, and under the California Environmental Quality Act (CEQA). The applicant was required to follow the Secretary of the Interior's Standards of review and work with an Architectural Historian during the design proposal, which limited the amount and location of the addition. The variance to side yard setback and permissible structural alterations to non-conforming structures is required to preserve the existing historic structure. The grant of this variance would not constitute a special privilege since many Depot Hill properties similarly do not comply with setbacks.

**CONDITIONS OF APPROVAL**

1. The project approval consists of an addition to an existing historic resource located at 109 Central Avenue. The project approval consists of construction of a 610 square-foot second-story addition and 320 square foot basement to a 1,269 square-foot single family home. Only 70 square feet of the basement are calculated against the maximum Floor Area Ratio of the property. (§17.15.100-B) The maximum Floor Area Ratio for the 4,000 square foot property is 54% (2,160 square feet). The total FAR of the project is 49% with a total of 1,949 square feet of floor area, compliant with the maximum FAR within the zone. The project approval includes approval of variances to setbacks and permissible structural alterations to non-conforming structures (§17.72.070). The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 1<sup>st</sup>, 2016, except as modified through conditions imposed by the Planning Commission during the hearing.
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans.
3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At time of building plan submittal, the plans shall include a language on the cover sheet referring to the property as an "Historic Resource", requiring review of all design revisions, and that the project should include notes that the existing historic elements are to be protected during construction.
5. At time of building plan submittal, the California State Historical Building Code shall be referenced in the architectural notes on the front page, in the event that this preservation code can provide support to the project design.
6. At the time of building plan submittal, all proposed preservation treatments (e.g., epoxy wood consolidant and paint preparation techniques), shall be identified on the plans.
7. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
8. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval and potentially a review by the Historic Architect for continued conformance with the Secretary of Interior standards.
9. Prior to making any changes to the historic structure, the applicant and/or contractor shall field verify all existing conditions of the historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Community Development Department for further direction, prior to construction.

10. Prior to issuance of building permit, a final landscape plan shall be submitted and approved by the Community Development Department. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of irrigation systems, if proposed. Native and/or drought tolerant species are recommended.
11. Prior to issuance of building permit, all Planning fees associated with permit #16-026 shall be paid in full.
12. Affordable Housing in-lieu fees shall be paid prior to issuance of building permit, in accordance with chapter 18.02 of the Capitola Municipal Code.
13. Prior to issuance of building permits, the applicant must revise plans to show the height of the residence limited to 25 feet, compliant with the height regulations of the R-1 (Single-Family Residential) zoning district.
14. Prior to issuance of building permits, the building plans must show that the existing overhead utility lines will be underground to the nearest utility pole.
15. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, Soquel Water District, and Central Fire Protection District.
16. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
17. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
18. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
19. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
20. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official. §9.12.010B
21. Prior to a project final, all cracked or broken driveway approaches or street edge shall be replaced per the Public Works Standard Details and to the satisfaction of the Public

Works Department. All replaced driveway approaches shall meet current Accessibility Standards.

22. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
23. The applicant was granted a conditional use permit for the alteration to a historic structure. In any case where the conditions of the permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefore, the Planning Commission may revoke the permit.
24. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
25. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
26. Upon receipt of certificate of occupancy, garbage and recycling containers shall be shielded and placed out of public view on non-collection days.

### **COASTAL FINDINGS**

***D. Findings Required. A coastal permit shall be granted only upon adoption of specific written factual findings supporting the conclusion that the proposed development conforms to the certified Local Coastal Program, including, but not limited to:***

- The proposed development conforms to the City's certified Local Coastal Plan (LCP). The specific, factual findings, as per CMC Section 17.46.090 (D) are as follows:

***(D) (2) Require Project-Specific Findings. In determining any requirement for public access, including the type of access and character of use, the city shall evaluate and document in written findings the factors identified in subsections (D) (2) (a) through (e), to the extent applicable. The findings shall explain the basis for the conclusions and decisions of the city and shall be supported by substantial evidence in the record. If an access dedication is required as a condition of***

*approval, the findings shall explain how the adverse effects which have been identified will be alleviated or mitigated by the dedication. As used in this section, "cumulative effect" means the effect of the individual project in combination with the effects of past projects, other current projects, and probable future projects, including development allowed under applicable planning and zoning.*

***(D) (2) (a) Project Effects on Demand for Access and Recreation. Identification of existing and open public access and coastal recreation areas and facilities in the regional and local vicinity of the development. Analysis of the project's effects upon existing public access and recreation opportunities. Analysis of the project's cumulative effects upon the use and capacity of the identified access and recreation opportunities, including public tidelands and beach resources, and upon the capacity of major coastal roads from subdivision, intensification or cumulative build-out. Projection for the anticipated demand and need for increased coastal access and recreation opportunities for the public. Analysis of the contribution of the project's cumulative effects to any such projected increase. Description of the physical characteristics of the site and its proximity to the sea, tideland viewing points, upland recreation areas, and trail linkages to tidelands or recreation areas. Analysis of the importance and potential of the site, because of its location or other characteristics, for creating, preserving or enhancing public access to tidelands or public recreation opportunities;***

- The proposed project is located at 109 Central Avenue. The home is not located in an area with coastal access. The home will not have an effect on public trails or beach access.

***(D) (2) (b) Shoreline Processes. Description of the existing shoreline conditions, including beach profile, accessibility and usability of the beach, history of erosion or accretion, character and sources of sand, wave and sand movement, presence of shoreline protective structures, location of the line of mean high tide during the season when the beach is at its narrowest (generally during the late winter) and the proximity of that line to existing structures, and any other factors which substantially characterize or affect the shoreline processes at the site. Identification of anticipated changes to shoreline processes at the site. Identification of anticipated changes to shoreline processes and beach profile unrelated to the proposed development. Description and analysis of any reasonably likely changes, attributable to the primary and cumulative effects of the project, to: wave and sand movement affecting beaches in the vicinity of the project; the profile of the beach; the character, extent, accessibility and usability of the beach; and any other factors which characterize or affect beaches in the vicinity. Analysis of the effect of any identified changes of the project, alone or in combination with other anticipated changes, will have upon the ability of the public to use public tidelands and shoreline recreation areas;***

- The proposed project is located along Central Avenue. No portion of the project is located along the shoreline or beach.

***(D) (2) (c) Historic Public Use. Evidence of use of the site by members of the general public for a continuous five-year period (such use may be seasonal). Evidence of the type and character of use made by the public (vertical, lateral, blufftop, etc., and for passive and/or active recreational use, etc.). Identification of***

**any agency (or person) who has maintained and/or improved the area subject to historic public use and the nature of the maintenance performed and improvements made. Identification of the record owner of the area historically used by the public and any attempts by the owner to prohibit public use of the area, including the success or failure of those attempts. Description of the potential for adverse impact on public use of the area from the proposed development (including but not limited to, creation of physical or psychological impediments to public use);**

- There is not history of public use on the subject lot.

**(D) (2) (d) Physical Obstructions. Description of any physical aspects of the development which block or impede the ability of the public to get to or along the tidelands, public recreation areas, or other public coastal resources or to see the shoreline;**

- The proposed project is located on private property on Central Avenue. The project will not block or impede the ability of the public to get to or along the tidelands, public recreation areas, or views to the shoreline.

**(D) (2) (e) Other Adverse Impacts on Access and Recreation. Description of the development's physical proximity and relationship to the shoreline and any public recreation area. Analysis of the extent of which buildings, walls, signs, streets or other aspects of the development, individually or cumulatively, are likely to diminish the public's use of tidelands or lands committed to public recreation. Description of any alteration of the aesthetic, visual or recreational value of public use areas, and of any diminution of the quality or amount of recreational use of public lands which may be attributable to the individual or cumulative effects of the development.**

- The proposed project is located on private property that will not impact access and recreation. The project does not diminish the public's use of tidelands or lands committed to public recreation nor alter the aesthetic, visual or recreational value of public use areas.

**(D) (3) (a – c) Required Findings for Public Access Exceptions. Any determination that one of the exceptions of subsection (F) (2) applies to a development shall be supported by written findings of fact, analysis and conclusions which address all of the following:**

**a. The type of access potentially applicable to the site involved (vertical, lateral, bluff top, etc.) and its location in relation to the fragile coastal resource to be protected, the agricultural use, the public safety concern, or the military facility which is the basis for the exception, as applicable;**

**b. Unavailability of any mitigating measures to manage the type, character, intensity, hours, season or location of such use so that agricultural resources, fragile coastal resources, public safety, or military security, as applicable, are protected;**

**c. Ability of the public, through another reasonable means, to reach the same area of public tidelands as would be made accessible by an access way on the subject land.**

- The project is not requesting a Public Access Exception, therefore these findings do not apply.

**(D) (4) (a – f) Findings for Management Plan Conditions. Written findings in support of a condition requiring a management plan for regulating the time and manner or character of public access use must address the following factors, as applicable:**

**a. Identification and protection of specific habitat values including the reasons supporting the conclusions that such values must be protected by limiting the hours, seasons, or character of public use;**

- The project is located on a residential lot.

**b. Topographic constraints of the development site;**

- The project is located on a flat lot.

**c. Recreational needs of the public;**

- The project does not impact recreational needs of the public.

**d. Rights of privacy of the landowner which could not be mitigated by setting the project back from the access way or otherwise conditioning the development;**

**e. The requirements of the possible accepting agency, if an offer of dedication is the mechanism for securing public access;**

**f. Feasibility of adequate setbacks, fencing, landscaping, and other methods as part of a management plan to regulate public use.**

**(D) (5) Project complies with public access requirements, including submittal of appropriate legal documents to ensure the right of public access whenever, and as, required by the certified land use plan and Section 17.46.010 (coastal access requirements);**

- No legal documents to ensure public access rights are required for the proposed project.

**(D) (6) Project complies with visitor-serving and recreational use policies;**

**SEC. 30222**

**The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall**

*have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry.*

- The project involves a single family home on a residential lot of record.

**SEC. 30223**

***Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.***

- The project involves a single family home on a residential lot of record.

***c) Visitor-serving facilities that cannot be feasibly located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.***

- The project involves a single family home on a residential lot of record.

***(D) (7) Project complies with applicable standards and requirements for provision of public and private parking, pedestrian access, alternate means of transportation and/or traffic improvements;***

- The project involves the construction of a single family home. The project complies with applicable standards and requirements for provision for parking, pedestrian access, and alternate means of transportation and/or traffic improvements.

***(D) (8) Review of project design, site plan, signing, lighting, landscaping, etc., by the city's architectural and site review committee, and compliance with adopted design guidelines and standards, and review committee recommendations;***

- The project complies with the design guidelines and standards established by the Municipal Code.

***(D) (9) Project complies with LCP policies regarding protection of public landmarks, protection or provision of public views; and shall not block or detract from public views to and along Capitola's shoreline;***

- The project will not negatively impact public landmarks and/or public views. The project will not block or detract from public views to and along Capitola's shoreline.

***(D) (10) Demonstrated availability and adequacy of water and sewer services;***

- The project is located on a legal lot of record with available water and sewer services.

***(D) (11) Provisions of minimum water flow rates and fire response times;***

- The project is located within close proximity of the Capitola fire department. Water is available at the location.

***(D) (12) Project complies with water and energy conservation standards;***

- The project is for a single family home. The GHG emissions for the project are projected at less than significant impact. All water fixtures must comply with the low-flow standards of the Sequel Creek Water District.

***(D) (13) Provision of park dedication, school impact, and other fees as may be required;***

- The project will be required to pay appropriate fees prior to building permit issuance.

***(D) (14) Project complies with coastal housing policies, and applicable ordinances including condominium conversion and mobile home ordinances;***

- The project does not involve a condo conversion or mobile homes.

***(D) (15) Project complies with natural resource, habitat, and archaeological protection policies;***

- Conditions of approval have been included to ensure compliance with established policies.

***(D) (16) Project complies with Monarch butterfly habitat protection policies;***

- The project is outside of any identified sensitive habitats, specifically areas where Monarch Butterflies have been encountered, identified and documented.

***(D) (17) Project provides drainage and erosion and control measures to protect marine, stream, and wetland water quality from urban runoff and erosion;***

- Conditions of approval have been included to ensure compliance with applicable erosion control measures.

***(D) (18) Geologic/engineering reports have been prepared by qualified professional for projects in seismic areas, geologically unstable areas, or coastal bluffs, and project complies with hazard protection policies including provision of appropriate setbacks and mitigation measures;***

- Geologic/engineering reports have been prepared by qualified professionals for this project. Conditions of approval have been included to ensure the project applicant shall comply with all applicable requirements of the most recent version of the California Building Standards Code.

***(D) (19) All other geological, flood and fire hazards are accounted for and mitigated in the project design;***

- Conditions of approval have been included to ensure the project complies with geological, flood, and fire hazards and are accounted for and will be mitigated in the project design.

***(D) (20) Project complies with shoreline structure policies;***

- The proposed project complies with shoreline structure policies.

***(D) (21) The uses proposed are consistent with the permitted or conditional uses of the zoning district in which the project is located;***

- This use is a conditional use consistent with the Single Family zoning district.

***(D) (22) Conformance to requirements of all other city ordinances, zoning requirements, and project review procedures;***

- The project conforms to the requirements of all city ordinances, zoning requirements and project development review and development procedures.

***(D) (23) Project complies with the Capitola parking permit program as follows:***

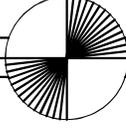
- The project site is located within the area of the Capitola parking permit program.

**ATTACHMENTS:**

1. Project Plans
2. Historian Review

Prepared By: Ryan Safty  
Assistant Planner

# KANE Residence



GENERAL INFORMATION	
<b>SITE AREA:</b>	<b>ZONE:</b>
4,000 SQ. FT.	R-1
<b>BUILDING:</b>	
EXISTING 1 STORY HOUSE	953 SQ. FT.
EXISTING DETACHED GARAGE	297 SQ. FT.
EXISTING COVERED PORCH	67 SQ. FT.
<b>EXIST. TOTAL</b>	<b>1,317 SQ. FT.</b>
<b>PROPOSED 1ST FLOOR</b>	
PROPOSED 2ND FLOOR	610 SQ. FT.
<b>SUBTOTAL</b>	<b>1,927 SQ. FT.</b>
<b>PROPOSED 2ND FLOOR DECK</b>	
PROPOSED BASEMENT (370-250)	67 SQ. FT.
EXISTING DETACHED GARAGE	297 SQ. FT.
EXISTING COVERED PORCH	67 SQ. FT.
<b>TOTAL</b>	<b>2,061 SQ. FT.</b>
4,000 sq X 54% = MAX.	2,160 SQ. FT.

LEGEND OF SHEETS	
PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	SITE PLAN
3	FLOORPLANS (EXISTING & PROPOSED)
4	ELEVATIONS (PROPOSED)
5	ELEVATIONS (EXISTING)
6	ROOF PLAN
7	DETAILED PLANNING DETAILS
8	SECTIONS
9	ELECTRICAL PLAN
10	BEST MANAGEMENT PRACTICES
11	SMOKE

CODE ANALYSIS	
CONSTRUCTION DOCUMENTS HAVE BEEN PREPARED IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (CBC & CFC)	
OCCUPANCY CLASSIFICATION	R-2/U
BUILDING CONSTRUCTION TYPE	V-B
FIRE RATING	SEMI-FINISHED

## NOTES

### GENERAL:

- PROJECT SHALL COMPLY WITH THE 2013 CALIFORNIA RESIDENTIAL BUILDING CODE, PLUMBING, MECHANICAL, ELECTRICAL, FIRE AND ENERGY CODES, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE.
- CONTRACTOR SHALL LOCATE AND VERIFY ALL UTILITIES IN THE FIELD.
- VERIFY THE STABILITY OF ALL ELEMENTS BEFORE DOING ANY WORK AND PROVIDE SHORING, BRACING AND/OR SUPPORT AS REQUIRED.
- VERIFY ALL GRASSES AND DIMENSIONS IN FIELD. WRITING DIMENSIONS SHALL SUPERSEDE SCALED DRAWINGS. CONTACT DESIGNER IF ANY DISCREPANCIES EXIST.
- CONTRACTOR SHALL REMOVE ALL DEBRIS PROMPTLY AND KEEP CONSTRUCTION SITE ORDERLY.
- PLUMBING AND MECHANICAL PLANS WILL BE SUBMITTED BY THE CONTRACTOR.
- NO PERSON MAY TAP INTO ANY FIRE HYDRANT FOR ANY PURPOSE OTHER THAN FIRE SUPPRESSION OR FOR WIRE FIRST WITHOUT OBTAINING WRITTEN PERMISSION FROM THE WATER SUPPLIER FROM THE PUBLIC WORKS DEPT.
- ALL HOSES USED IN CONNECTION WITH ANY CONSTRUCTION ACTIVITIES SHALL HAVE A SHUT OFF NOZZLE WHEN AN AUTOMATIC SHUT OFF NOZZLE CAN BE OBTAINED FOR THE SIZE/TYPE OF HOSE USED, PROVIDE AUTOMATIC SHUT OFF NOZZLE.
- NO PORTABLE WATER MAY BE USED FOR COMPACTION OR DUST CONTROL. IN CONSTRUCTION ACTIVITIES WHERE THERE IS REASONABLY AVAILABLE RECLAIMED OR SUBSTITUTABLE WATER APPROVED BY THE COUNTY HEALTH DEPT., ALL WORK AND CONSTRUCTION SHALL COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE (CBC) AND ALL OTHER APPLICABLE BUILDING CODES, REGULATIONS AND REQUIREMENTS.
- PERMANENT PROPERTY CONSUMER HUBS ARE REQUIRED TO BE IN PLACE PRIOR TO FOUNDATION INSPECTION.

### SITE:

- MIN. GRASS SHALL SLOPE (MINIMUM 2%) AWAY FROM STRUCTURE.
- ALL DISTURBED AREAS, NOT WITHIN LANDSCAPE PLAN, TO BE REVEGETATED WITH NATIVE GRASSES.
- ALL MATERIALS CONTAINING GRASS, BRUSH, OR ROOTS SHALL BE STRIPPED PRIOR TO ANY GRADING OPERATIONS. THIS MATERIAL SHOULD BE STOCKPILED BY THE COUNTY HEALTH DEPT.
- AREAS NOTED TO BE SAVED ARE TO BE PROVIDED PROTECTION BY FENCING OR OTHER MEANS DURING CONSTRUCTION.
- THE INSTALLATION FORM OF #8 AND THE CERTIFICATION OF INSULATION ARE REQUIRED TO BE POSTED AT THE JOB SITE DURING THE CONSTRUCTION PHASE OF THE PROJECT.
- ALL HOUR DRAINAGE TO SPRAYBOARDS TO VEGETATED AREAS (BEST).
- ALL SUBCONTRACTORS TO REVIEW AND SIGN CONSTRUCTION WASTE MANAGEMENT PLAN.

### ENERGY REQUIREMENTS:

- ALL EXTERIOR DOORS SHALL HAVE ALUMINUM OR WOOD THRESHOLD AND INTERLOCKING WEATHERSTRIP, UNLESS NOTED OTHERWISE.
- JOISTS AND PENETRATIONS SHALL BE CALKED AND SEALED.
- DOORS AND WINDOWS SHALL BE CERTIFIED. ALL WINDOWS DOUBLE GLAZED EXCEPT WHERE NOTED OTHERWISE.
- EXHAUST SYSTEM SHALL HAVE DAMPER CONTROLS.
- HVAC EQUIPMENT SHALL HAVE SETBACK THERMOSTAT.
- FIRST FIVE FEET OF PIPES CLOSEST TO WATER HEATER TANK SHALL BE WRAPPED WITH 3/4" MIN.
- HVAC EQUIPMENT, WATER HEATER, SHOWER HEADS AND FAUCETS SHALL BE CERTIFIED.
- CONTRACTOR TO PROVIDE & POST ON THE STRUCTURE AT FINAL INSPECTION A COMPLETED INSULATION CERTIFICATE.
- RFC LABELS MUST REMAIN ATTACHED TO THE GLAZING UNTIL ATTEMPTATION INSPECTION IS COMPLETED.

### FOUNDATION:

- CONTRACTOR SHALL CAREFULLY EXCAVATE ALL MATERIALS NECESSARY OF WATERHEATER INSULATION, FOR CONSTRUCTION OF THE WORK. ANY MATERIAL OF AN UNSUITABLE OR DULLETHOUGH NATURE DISCOVERED BELOW THE BOTTOMS OF THE FOUNDATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER BEFORE PROCEEDING WITH WORK.
- GROUND ON WHICH GRADE BEAMS AND EXTERIOR CONCRETE FLOORWORK ARE CONSTRUCTED MUST BE LOOSELY PREDESTROYED BEFORE CONCRETE IS PLACED.
- USE 200 POUNDS TREATED SLOD OR CONCRETE OR MASONRY FOUNDATION WALLS.
- USE MINIMUM #4@12" X 12" ALL AT 144" O.C. UNLESS NOTED OTHERWISE. ALL ANCHOR BOLTS SHALL BE INSTALLED WITH METAL SLOTTED WASHERS (3" X 3" X 2.59"). FOUNDATION DETAILS SHALL SUPERSEDE GENERAL NOTES.
- PROVIDE RAFTER DRAIN ACCESS WITHIN 6" OF ALL BATHROOMS AND PLUMBING CLEANSOUTS. PROVIDE ADDITIONAL 18" ACCESS UNDER MARK HEAT DUCT.
- PROVIDE SAMPSON NO. 25 OR EQUAL #3/4" FOUNDATION BOLTS (2 C/P. PER 25 L.F.). PLACE AT MAX/4" # 4" O.C. STARTING AS CLOSE TO CORNERS AS POSSIBLE AND LOCATED TO PROMOTE CROSS VENTILATION.
- PROVIDE MIN/40 SQ. IN. FIXED VENTILATION PER CAR TO OUTSIDE AIR, 6" ABOVE GARAGE FLOOR.
- CONCRETE SHALL DEVELOP 2500 PSI MIN. COMPRESSIVE STRENGTH AT 28 DAYS.
- IN ACCORDANCE WITH THE PROVISIONS IN 90.319, STANDARD PRACTICES FOR CURING CONCRETE/LATEST EDITION ALL CONCRETE WORK SHALL CONFORM WITH THE APPLICABLE PROVISIONS, LATEST EDITION.
- REINFORCING STEEL SHALL CONFORM TO ASTM GRADE 40 FOR #4 BARS AND SMALLER AND GRADE 60 FOR #4 BARS AND LARGER. BARS SHALL BE WELDED TOGETHER AND LAPPED AT SPACES A MINIMUM OF 40 BAR DIAMETERS IN CONCRETE AND MASONRY. WIDE PARTS OF SINGLE LAYER HORIZONTAL BARS MEET AT CORNERS. HOOK ONE BAR TO LAP ON 40 BAR DIAMETERS WITH THE INTERSECTING BAR. ALTERNATE LAYERS WITH EACH LAY 40 BAR DIAMETERS. SEE DRAWINGS FOR OTHER LAP REQUIREMENTS. WHERE NOTED, WHERE CONCRETE IS POURING AGAINST EARTH, PROVIDE 2" MINIMUM CONCRETE AROUND REINFORCED STEEL. CONCRETE COVER FOR OTHER CONSTRUCTION SHALL BE AS FOLLOWS (1) ABOVE GRADE FORMED - 1 1/2" MIN. (2) BELOW GRADE FORMED - 2" MIN. (3) OTHER - SEE STRUCTURAL PLANS.
- PROVIDE NECESSARY HOLES THROUGH CONCRETE FOR ACCESS, PLUMBING, ETC. SEE FOUND. DET.
- GARAGE SLAB TO BE FINISHED SMOOTH. ALL OTHER EXPOSED CONCRETE SLABS SHALL BE FINISH LEOPARD FINISH, UNLESS NOTED OTHERWISE.
- SLOPE GARAGE SLAB 1/4" TO OUTSIDE FOR DRAINAGE.
- ALL DRIVERS ARE TO FACE OF CONCRETE FOR FOUNDATION FACE OF STUDS FOR FRAMING, UNTO.
- FRAMING ANCHORS AND STRAPS AND OTHER STANDARD FRAMING ACCESSORIES SHALL BE "SWAMPED" OR APPROVED EQUAL, OF THE IDENTIFICATION NOTED ON THE PLANS. ALL NAIL HOLES SHALL BE FILLED, AND NAILS SHALL BE OF THE SIZE AND LENGTH SPECIFIED AND/OR SUBSTITUTED BY THE MANUFACTURER, UNLESS NOTED OTHERWISE. WHEN INSTALLING OVER FLYWOOD, USE CORNER NAILS, JOIST AND BEAM HANGERS SHALL BE 1/4" THICK EXCEPT AS NOTED.
- MAX OR EQUAL AT PRESSURE TREATED WOOD.

### FRAMING, FINISHES, ETC.:

- CONTRACTOR SHALL CONFORM TO THE "GENERAL CONSTRUCTION REQUIREMENTS" THE "CONVENTIONAL CONSTRUCTION PROVISIONS" AND ANY OTHER SECTION OF 2013 C.B.C. UNLESS NOTED OTHERWISE IN THE PLANS OF THESE SPECIFICATIONS.
- METAL FRAME CONNECTORS SHALL BE SIMPSON OR EQUAL, INSTALL PER MANUFACTURER'S SPECIFICATIONS.
- NAILS EXPOSED TO WEATHER OR P.T. WOOD SHALL BE GALVANIZED USE COMMON TYPE NAILS UNTO.
- FLOOR JOISTS AND CEILING JOISTS TO BE SIDE LAPPED AND NAILED OVER TOP PLATES.
- DOUBLE JOISTS UNDER PARALLEL PARTY WALLS.
- PROVIDE RAFTER TIES (MIN. 1/8" X 96" O.C.) IN LOWER THIRD OF ATTIC WHERE CEILING JOISTS ARE USED.
- ALL BOLTS THROUGH WOOD SHALL BE A DRIVE FIT WITH WASHER UNDER HEADS AND NUTS.
- PROVIDE JOISTS AT 16" ON CENTER AND PARTIALLY OR FULL BEARING WALLS AND AT 8'-0" O.C. MAX. FOR 2X12 AND DEEPER MEMBERS.
- PROVIDE JOISTS EQUALS MIN/14" TYPED OF AREA TO BE VENTED.
- PROVIDE 2X2 ATTIC ACCESS, WITH MIN/30" HEAD ROOM.
- ALL EXTERIOR WALL COVERAGE SHALL BE APPLIED OUR MIN/15 LB. BUILDING PAPER.
- EXTERIOR STUCCO WALLS SHALL HAVE A 3/16" WEED SCREEN AT OR BELOW THE FOUNDATION. 2.4" AT LINE AND 4" MIN. ABOVE GRADE AND TWO LAYERS OF BRICK D PAPER OVER WOOD SHAPING. STUCCO TO BE APPLIED W/3" COAT APPLICATION.
- PROVIDE DOUBLE PARTIES AND HEADERS AT ALL SKYDOME OPENINGS.
- OCCUPANCY SEPARATION BETWEEN GARAGE AND HOUSE SHALL BE A SELF-CLOSING, TIGHT FITTING, SOLID CORE DOOR 1 3/8" MIN. IN THICKNESS.
- MINIMUM 6" O.C. CLEARANCE REQUIRED FROM STAR TRAP HOODING TO CEILING.
- COMBUSTION AIR: PROVIDE 2" 6"X14"-1/4" MESH VENTS 6" FROM FLOOR & 6" FROM CEILING.
- SKYLIGHTS SHALL BE THERMALLY INSULATED GLASS FOR GLAZED SKYLIGHTS.
- THE ENCLOSURES SHALL BE FULLY THERMALLY GLASS LAMINATED SAFETY GLASS OR APPROVED PLASTIC OF A SHATTER-RESISTANT TYPE.
- INTERMEDIATE WALLS OR AN ORNAMENTAL PATTERN SHALL PREVENT PASSAGE OF A 4" DIAMETER SPHERE, A LOAD OF 20 LBS. PER LINEAR FOOT APPLIED HORIZONTALLY TO THE TOP RAIL.
- ALL FRAMING LUMBER SHALL BE GRADE STAMPEL. ALL WALLS SHALL BE FRAMED WITH 2X4 STUDS @ 16" O.C. - UNLESS OTHERWISE SPECIFIED.
- PLYWOOD SHALL BE H&A MATCH SHEATHING CONFORMING TO PS-88, EXPOSURE 1 OF EXTERIOR, OF THE MANUFACTURER'S AND/OR SPAN RATING NOTED ON THE DRAWINGS. LAY FACE GRAIN OF SHEETS PERPENDICULAR TO SUPPORTING MEMBERS OF HORIZONTAL DIAPHRAGMS. SHEETS MAY BE LAD WITH FACE GRAIN OTHER PERPENDICULAR OR PARALLEL TO SUPPORTING MEMBERS OF VERTICAL DIAPHRAGMS, PROVIDED THAT ALL SHEET EDGES ARE BLOCKED. PROVIDE ONE PLYSAY AT THE CENTER OF ALL UNSUPPORTED SHEET EDGES ON ROOFS UNLESS NOTED OTHERWISE UNLESS OTHERWISE NOTED.
- PLYWOOD EDGE NAILING PER 2013 C.B.C. OR AS SPECIFICALLY NOTED SHALL OCCURE AT ALL FRAMED OR BLOCKED SHEET EDGES AND AT OTHER LOCATIONS INDICATED ON THE PLANS AND DETAILS, WHETHER OR NOT SHEET EDGES OCCUR AT THESE LOCATIONS.
- MICROFILM MEMBERS SHALL BE AS MANUFACTURED BY JOIST, JOIST, OR APPROVED EQUAL IN ACCORDANCE WITH THE FOLLOWING SPECIFICATIONS: 19-2500 OR, 19-3000/2000 PPR, CONFORMING TO MER-401.
- GLU-LAMINATED BEAMS MANUFACTURED BY AN APPROVED FABRICATOR. CERTIFICATE OF COMPLIANCE SHALL BE PROVIDED UNLESS NOTED. GLU-LAMS SHALL BE GRADE 24E-1/4" FOR SIMPLE SPANS.
- STEEL WOOD HORIZONTAL MEMBERS SHALL BE INSTALLED IN ALL WALLS AND PARTITIONS WHERE STUDS ARE GREATER THAN EIGHT FEET IN HEIGHT. STEEL WALLS SUPPORTING BEAMS SHALL HAVE POSTS OF THE SAME WIDTH UNDER BEAMS UNLESS OTHERWISE NOTED.
- WOOD STUDS SHALL BE ATTACHED TO CONCRETE FOUNDATIONS OR SLAB WITH 5/8" X 10" ANCHOR BOLTS @ 4'-0" O.C. MAXIMUM SPACING, EXCEPT AS NOTED OTHERWISE. THERE SHALL BE A MINIMUM OF TWO BOLTS, INCLUDING ONE BETWEEN 0' AND 10" FROM EACH ENDING EDGE.
- WOOD STUDS SHALL BE ATTACHED TO CONCRETE FOUNDATIONS OR SLAB WITH 5/8" X 10" ANCHOR BOLTS @ 4'-0" O.C. MAXIMUM SPACING, EXCEPT AS NOTED OTHERWISE. THERE SHALL BE A MINIMUM OF TWO BOLTS, INCLUDING ONE BETWEEN 0' AND 10" FROM EACH ENDING EDGE.
- DOUBLE PLATES SHALL LAP A MINIMUM OF 4'-0" AT SPICES AND BE NAILED WITH NO LESS THAN #6-16A NAILS. ALL CUTS IN PLATES SHALL OCCUR OVER A STUD.
- HOLE IN WOOD STUDS OR PLATES OF BEAM OR BEARING WALLS SHALL BE PLACED IN THE CENTER OF THE PEECE AND SHALL BE NO GREATER IN DIAMETER THAN 1/3 THE WIDTH OF THE MEMBER. HOLES LARGER THAN THIS UNDER BEAMS UNLESS OTHERWISE NOTED.
- NAILS OVER OPENINGS IN NON-BEARING WALLS SHALL BE SMOKE MEMBERS THE WIDTH OF THE STUDS AND OF A MINIMUM NORMAL SPACING. NAILS SHALL BE INSTALLED TO THE SPAN LENGTH IN FEET, UNLESS IN BEAMS UNLESS OTHERWISE NOTED.
- CUTTING OF BEAMS AND JOISTS FOR PIPES SHALL BE NOT PERMITTED WITHOUT THE PRIOR APPROVAL OF THE ENGINEER.
- ALL TAPE SHALL BE APPLIED TO ALL JOISTS AND BEAMS TO PREVENT MOISTURE FROM THE JOIST FRAMING TO HAVE MOISTURE CONTENT OF 10% OR LESS @ THE TIME OF CONNECTION INSTALLATION.

### PLUMBING:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION (2013 C.P.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- SLICE OF DRAWS (1/4" TYP. MIN. CLEARANCE FOR EXPOSED) 18" MIN.
- PROVIDE 1/2" SQ. ACCESS PANEL FOR ALL PLUMBING FIXTURES HAVING CONCEALED SLIP JOINT CONNECTIONS.
- TOILET SHALL HAVE MAX. 1.28 GAL./FLUSH. SHOWER HEAD FLOW SHALL BE MAX. 2.0 GAL./MIN. AT 80 PSI WATER PRESSURE SHALL BE 5.0 GPM MAX. FAUCETS SHALL BE MAX. 1.5 GPM.
- PIPE MATERIALS:
  - A. WATER - COPPER TYPE "K" WITH LEAD FREE SOLDER
  - B. DRAIN - SCHWEDIE
  - C. GAS - SCHWEDIE 40 BLACK STEEL
- PREPARE GAS SHUT OFF VALVES SHALL BE LOCATED IN THE SAME ROOM AS THE OUTLET, OUTSIDE THE HEARTH, BUT NOT MORE THAN 4' FROM SUCH OUTLET.
- ALL FAUCETS SHALL HAVE A MAXIMUM FLOW HEAD OF 1.5 GPM @60 PSI.
- SHOWER HEADS, LAVATORIES, SHOWERS AND WASHING MACHINES SHALL BE PROVIDED WITH BOTH HOT AND COLD WATER.
- USE OF SOLIDERS CONTAINING MORE THAN TWO-TENTHS (2) OF 1 PERCENT LEAD IN MAKING JOINTS ON PRIVATE OR PUBLIC WATER SUPPLY SYSTEM IS PROHIBITED.
- ALL HOT WATER FAUCETS THAT HAVE MORE THAN TEN FEET OF PIPE BETWEEN THE FAUCET SHALL BE EQUIPPED WITH A HOT WATER RECYCLING SYSTEM. (SECTION 403, ORD. 3322)

- PROVIDE ACCESS PANEL (MIN. 12" X 12") OR UTILITY SPACE FOR ALL PLUMBING FIXTURES HAVING CONCEALED SLIP-JOINT CONNECTIONS.
- PROVIDE 200 POUNDING HUBS.
- SHOWER AREA WALLS SHALL BE FINISHED WITH A NON-ABSORBENT SURFACE TO A HEIGHT OF 72" ABOVE FINISH FLOOR. SHOWER & TUB WALLS TO BE A SMOOTH, HARD NON-ABSORBENT SURFACE OVER A MOISTURE RESISTANT UNDERLAMENT (MEMBRANE, FIBER CEMENT, GLASS MAT OPTYMAL, ETC) TO A HT. OF 72" ABOVE DRAIN NUT (MIN/12" PER 2012).
- USE NON-REMOVABLE BACKFLOW PREVENTION DEVICES ON ALL HOSE BIBS. (CPO603)
- WATER HEATERS SHALL HAVE A PRESSURE RELIEF VALVE W/DRAIN TO OUTSIDE.
- SHOWERS AND TUB-SHOWER COMBINATIONS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF PRESSURE BALANCE OR THE THERMOSTATIC MIXING VALVE TYPE (MAX. 120°)
- PROVIDE APPROVED NON-REMOVABLE BACKFLOW PREVENTION DEVICES ON HOSE BIBS
- PROVIDE 1" WATER LINE FROM METER TO WATER HEATER.
- ALL BUILDING WATER SUPPLY SYSTEMS IN WHICH QUICK-ACTING VALVES (WASHING MACHINES, DISHWASHERS, ETC.) ARE INSTALLED, SHALL BE PROVIDED WITH DEVICES TO ASSURE HIGH PRESSURES AREALTING FROM THE QUICK CLOSING OF THESE VALVES.
- FERRULS GAS PIPES MUST BE ELECTRICALLY ISOLATED FROM THE REST OF THE GAS SYSTEM WITH A LISTED OR APPROVED ISOLATION FITTING INSTALLED A MIN. OF 6" ABOVE GRADE.

### MECHANICAL:

- ALL WORK SHALL BE DONE IN ACCORDANCE WITH (2013 C.M.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- CLOTHES DRYER SHALL BE VENTED TO EXTERIOR OF BUILDING. ALL FACTORY MADE PRODUCTS TO BE INSTALLED TO INSTALLATION INSTRUCTIONS & STANDARDS, USE 1/2" RIBB HIVE.
- BATHROOMS, TOILET COMPARTMENTS AND LAUNDRY ROOMS REQUIRING MECHANICAL VENTILATION SHALL HAVE A SYSTEM CAPABLE OF PROVIDING 3 AIR CHANGES PER HOUR.
- SPARK ARRESTOR SECURED ON EACH PREPLACED CHIMNEY AND SHALL HAVE MINIMUM AREA OF 4 TIMES NET FREE AREA OF CHIMNEY OUTLET.
- CHIMNEYS SHALL EXTEND MIN. 2' ABOVE THE HIGHEST ELEVATION OF ANY PART OF THE BUILDING WITHIN 10' OF CHIMNEY. SECURE LOWER SECTION OF METAL FLUE TO PREVENT LATERAL DISPLACEMENT.
- STRAP WATER HEATERS TO WALL AND/OR FASTEN TO FLOOR TO RESIST LATERAL FORCES EQUAL TO 100% OF GRAVITY LOAD.
- HEATING AND COOLING EQUIPMENT LOCATED IN THE GARAGE WHICH GENERATES A GLOW, SPARK OR FLAME CARBIDE OF IGNITION FLAMMABLE VAPORS SHALL BE INSTALLED WITH PILOTS AND BURNERS OR HEATING ELEMENTS AND SWITCHES AT LEAST 18" ABOVE THE FLOOR LEVEL.
- ALL ENVIRONMENTAL AIR DUCTS SHALL BE A MINIMUM OF 3'-0" FROM ANY OPENING INTO BUILDING.
- DUCTS PENETRATING THE SEPARATION SHALL BE CONSTRUCTED OF NOT LESS THAN 8 GAUGE GALVANIZED STEEL AND BE CONTINUOUS WITHOUT OPENINGS OR NON-METALLIC CONNECTIONS.
- "TOUCH" CONNECTIONS TO BE WRAPPED WITH LISTED UL 18" TAPE IN ACCORDANCE WITH THE FOLLOWING:
  - A. ATTACH THE TAPE TO THE SOLAR WITH AT LEAST TWO WRAPS OF APPROVED DUCT TAPE AND SECURE WITH AN APPROVED CLAMP.
  - B. FULL JACKET AND INSULATION BACK OVER THE CORE AND USE TWO WRAPS OF APPROVED TAPE OR AN APPROVED CLAMP.
- PIPE PENETRATIONS TO BE METAL INCLUDING PIPES EXPOSED IN THE GARAGE.
- ALL AIR DUCTS INSTALLED UNDER A FLOOR IN A CRAWL SPACE SHALL BE INSTALLED SO AS TO MAINTAIN A VERTICAL CLEARANCE OF EIGHTEEN (18) INCHES FOR ALL PORTIONS OF THE DUCT THAT WOULD OBSTRUCT ACCESS TO ANY PART OF THE CRAWL SPACE. C.M.C. SECTION 604.

### ELECTRICAL:

- ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION (2013 C.E.C.) AND ALL APPLICABLE CODES AND LOCAL ORDINANCES.
- ALL 125 VOLT, SINGLE PHASE 15 AND 20 AMP RECEPTACLE OUTLETS INSTALLED OUTDOORS, IN GARAGES, IN BASEMENTS, IN BATHROOMS AND THE KITCHEN ABOVE COUNTER TOP SURFACE SHALL HAVE GROUND-FAULT CIRCUIT PROTECTION.
- PLUMBING PIPELINES PERMITTED FOR USE AS ELECTRICAL GROUND.
- SMOKE DETECTORS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING, AND HAVE BATTERY BACK-UP. ONE SMOKE DETECTOR SHALL BE LOCATED IN EACH SLEEPING ROOM & HALLWAY ON EACH FLOOR.
- SERVICE CONDUCTORS SHALL HAVE A CLEARANCE OF NOT LESS THAN 3 FEET FROM WINDOWS, DOORS, PORCHES, FIRE ESCAPES OR SIMILAR LOCATION.
- GENERAL LIGHTING IN KITCHEN AND BATHS SHALL BE FLOURESCENT & 25 LUMENS PER SQ. FT. MIN.
- LIGHT FIXTURES ABOVE SHOWERS/TUB SHALL BE WP RATED AND COMPLY WITH CODE.
- CONDUCTOR WIRES WITH AN INSULATED NATHAL AND A FOUR-FRONG OUTLET ARE REQUIRED FOR DRYERS AND COOLING UNITS.
- RECEPTICALS AT FRONT & REAR OF HOME SHALL BE WATERPROOF & GFCI PROTECTED & MUST BE WITHIN 6'-6" OF EXTERIOR WALL OR OPENING.
- PROVIDE GFI CIRCUITS AT GARAGE, KITCHEN, BATHS AND EXTERIOR.
- LIGHT FIXTURES IN CLOSETS TO BE MINIMUM 12" FROM FACE OF SHELF IF INCANDESCENT, 4" IF FLOURESCENT OR LED.
- ALL BRANCH CIRCUITS THAT SUPPLY 120-VOLT, SINGLE PHASE, 15- AND 20-AMP OUTLETS INSTALLED IN SWIMMING, RECREATION ROOMS, CLOSETS, HALLWAYS, OR SIMILAR ROOMS OR AREAS SHALL BE GROUND-FAULT CIRCUIT INTERRUPTER (GFCI) CIRCUIT BREAKER PROTECTED.
- KITCHEN CIRCUITS TO BE IN ACCORDANCE WITH CALIFORNIA ELECTRIC CODE (SECTION 220.2) AND 200 AMP SMALL APPLIANCE CIRCUITS SUPPLYING KITCHEN & DINING ROOM. - SEPARATE CIRCUIT FOR APPLIANCE.
- DISHWASHER RECEPTACLE MUST BE ACCESSIBLE. LOCATED UNDER SINK.
- ALL RADIUMS INSTALLED MUST BE SUPPLIED BY A DEDICATED 20AMP CIRCUIT WITH GFCI PROTECTION. CALIFORNIA ELECTRIC CODE ARTICLE 210-8 & 210-11(C)(3).
- CENTRAL HEATING EQUIPMENT SHALL BE SUPPLIED BY AN INDIVIDUAL BRANCH CIRCUIT.
- ALL LAUNDRY ROOMS, BATHROOMS, GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS, IN BASEMENTS, IN BATHROOMS AND IN GARAGES SHALL BE CONTROLLED BY AN OCCUPANT SWITCH IN BATHROOMS, GARAGES, LAUNDRY ROOMS, AND UTILITY ROOMS.
- RECESSED LUMINAIRES ARE REQUIRED TO BE LABELED FOR ZERO CLEARANCE INSULATION/PROTECTION (ICR0).
- ALL TAPE SHALL BE APPLIED TO ALL JOISTS AND BEAMS TO PREVENT MOISTURE FROM THE JOIST FRAMING TO HAVE MOISTURE CONTENT OF 10% OR LESS @ THE TIME OF CONNECTION INSTALLATION.
- ALL RADIUMS RECEPTIBLES TO BE SUPPLIED BY A DEDICATED 20AMP CIRCUIT WITH GFCI PROTECTION. CALIFORNIA ELECTRIC CODE ARTICLE 210-8 & 210-11(C)(3).
- ALL LAUNDRY ROOM RECEPTIBLES TO BE SUPPLIED BY A DEDICATED 20AMP CIRCUIT.
- NON-FLOURESCENT LIGHTING IN KITCHEN MAY NOT EXCEED 50% OF THE TOTAL WATTAGE OF PERMANENTLY INSTALLED LIGHTING.

REVISIONS:	BY:
Δ 07/19/16	22

OWNER:  
MARK & MARIE KANE  
109 CENTRAL AVE.  
CAPITOLA, CA 95010  
415-333-0693

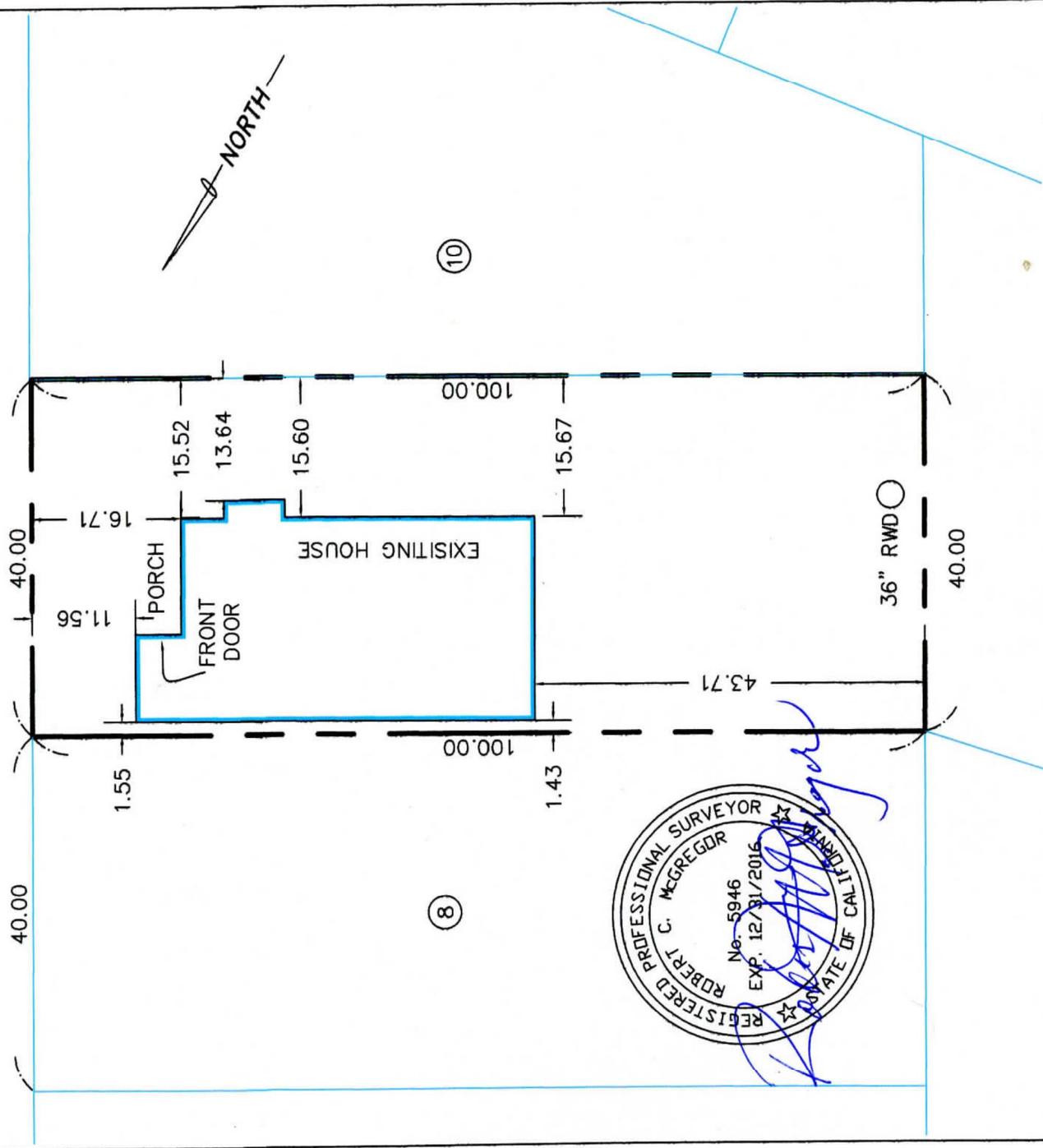
KANE RESIDENCE  
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CAPITOLA, CA 95010  
APN 036-112-09

DENNIS NORTON  
HOME DESIGN AND  
PROJECT PLANNING  
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COVER SHEET  
LEGEND OF SHEETS

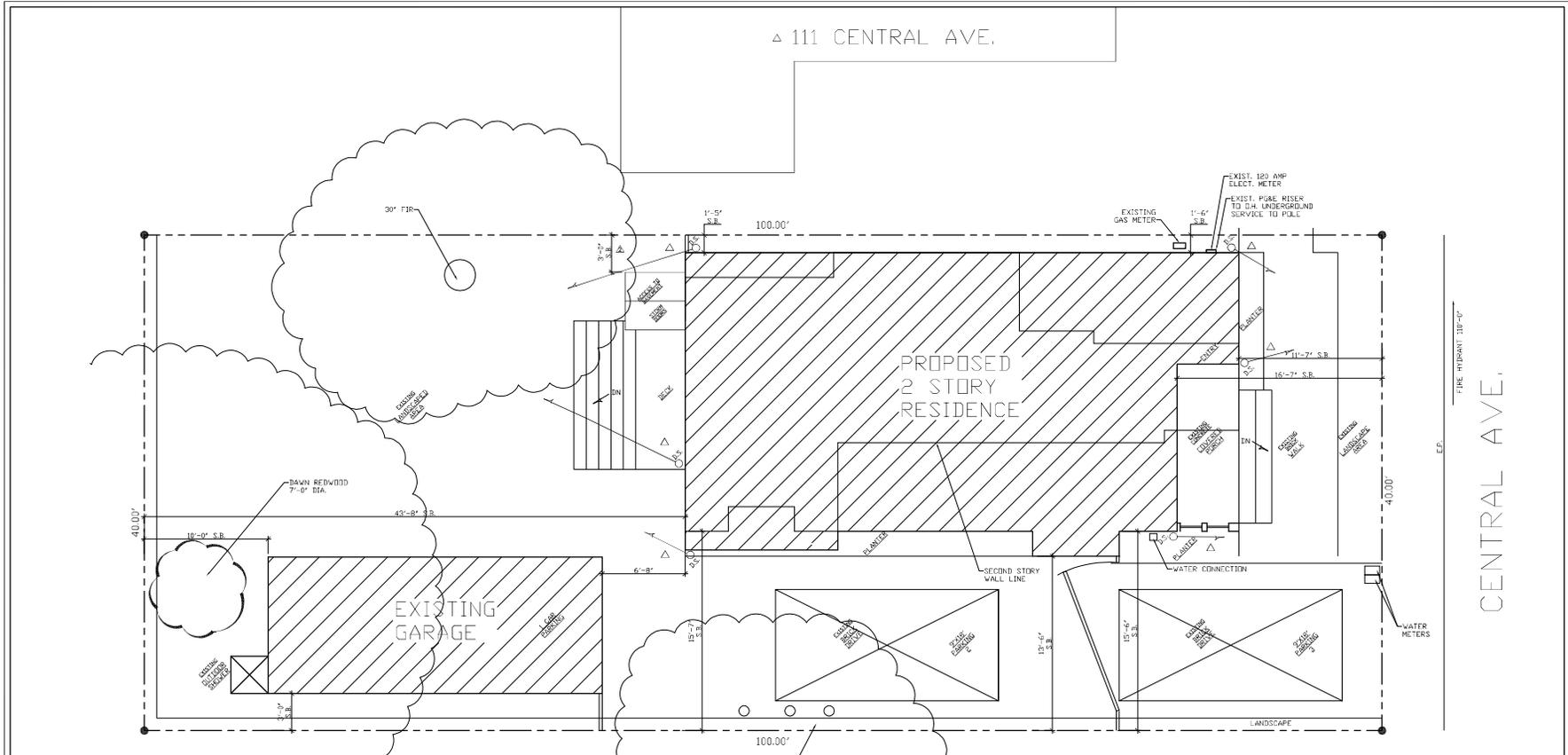
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JOB NO.:	CENTRAL
DATE:	06/01/16
SHEET:	1
OF # SHEETS:	

# CENTRAL AVENUE



## PLANIMETRIC MAP

PREPARED AT THE REQUEST OF  
**MARK KANE**  
 109 CENTRAL AVENUE, CAPITOLA  
 SANTA CRUZ COUNTY, CALIFORNIA  
 APN 036-112-09 DATE: 03-31-16 FILE NO: 4112 & 5168 SCALE: 1"=16'  
**MCGREGOR LAND SURVEYS**  
 P.O. BOX 903  
 CAPITOLA, CA 95010  
 (831) 479-1953



**FIRE DEPARTMENT REQUIREMENTS**  
 OCCUPANCY CLASSIFICATION R101/B  
 BUILDING CONSTRUCTION TYPE VB  
 SPRINKLERED  
 FIRE FLOW REQUIREMENTS FOR SUBJECT PROPERTY ARE A MINIMUM 1000 GALLONS PER MINUTE FROM AN HYDRANT LOCATED WITHIN 250 FEET  
 EXISTING HYDRANT 1000 GPM

- EROSION CONTROL NOTES**
- No land clearing, grading, or excavation shall be done between October 1st and April 15th. Any deviation from this condition requires review and approval of a separate winter erosion control plan by Environmental Planning prior to beginning such construction. The developer shall be responsible for implementing and maintaining site erosion control at all times.
  - Unnecessary grading and distributing of soil shall be avoided.
  - Between October 1st and April 15th exposed soil shall be protected from erosion at all times. Hay bales, fiber berms, silt fences or other means shall be employed to prevent sediment from leaving the site or entering any watercourse.
  - During construction, no turbid water shall be permitted to enter the channel or storm drain system. Use of silt and grass mats, fiber berms, hay bales or silt fences shall be used to prevent such discharge.
  - All areas on- and off-site exposed during construction activities, if not permanently landscaped per plans, shall be protected by mulching and/or planting of the following SCS approved erosion control mix at a rate of 35 lbs per acre.  
 Grass Berms 50%  
 Rose Clover (seal inoculated) 30%  
 Cheeping Red Fescue 15%  
 Zero Annual Fescue Trace  
 Wall-to-walls Trace
  - All excavated material shall be removed to an approved S.C. County dispose site or disposed of on-site in a manner that will not cause erosion.
  - Any material stockpiled on-site shall be covered with plastic, especially during the winter months or during periods of rain.
  - Upon completion of construction, all remaining exposed soils shall be permanently revegetated per landscaping plan.
  - Exposed soil or slopes greater than 20% shall be seeded, covered with 2 inches of straw, and an erosion control blanket. The erosion control blanket shall be staked in place.
  - It is the developer's responsibility to see that additional measures, necessary to control site erosion and prevent sediment transport off-site are implemented.
  - All downspouts to splashblocks to protect.

THESE PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2013) AND DISTRICT AMENDMENTS.  
 DESIGNER/INSTALLER SHALL SUBMIT THREE SETS OF PLANS AND CALCULATIONS FOR THE UNDERGROUND AND OVERHEAD RESIDENTIAL AUTOMATIC FIRE SPRINKLER SYSTEM TO FIRE FOR APPROVAL. IF INSTALLED SMOKE DETECTORS ARE TO BE INSTALLED ACCORDING TO CALIFORNIA BUILDING CODE AND APPROVED BY FIRE AGENCY.  
 BUILDING NUMBERS SHALL BE PROVIDED. NUMBERS SHALL BE A MINIMUM OF FOUR INCHES IN HEIGHT ON A CONTRASTING BACKGROUND AND VISIBLE FROM THE STREET.  
 INSTALL AN APPROVED SPARK ARRESTER ON THE TOP OF CHIMNEYS. THE WIRE MESH SHALL NOT EXCEED 1/2" INCH.  
 ROOF COVER SHALL BE NO LESS THAN CLASS "C" RATED ROOF.  
 A 30-FOOT CLEARANCE WILL BE MAINTAINED WITH NON-COMBUSTIBLE VEGETATION AROUND ALL STRUCTURES OR TO THE PROPERTY LINE, WHICHEVER IS A GREATER DISTANCE.  
 THE JOB COPIES OF THE BUILDING AND PERMITS MUST BE ON SITE DURING INSPECTIONS.  
 FIRE HYDRANT SHALL BE PRINTED IN ACCORDANCE WITH THE STATE OF CALIFORNIA HEALTH AND SAFETY CODE, SEE JURISDICTION REQUIREMENTS.  
 DRIVEWAY SHALL HAVE IN PLACE (ALL WEATHER SERVICE) PRIOR TO ANY FRAMING CONSTRUCTION.  
 THE DRIVEWAY SHALL HAVE AN OVERHEAD CLEARANCE OF 14 FEET VERTICAL DISTANCE FOR ITS ENTIRE WIDTH.  
 AS A CONDITION OF SUBMITTAL OF THESE PLANS, THE OWNER AND INSTALLER CERTIFY THAT THESE PLANS ARE DETAILS COMPLY WITH APPLICABLE SPECIFICATIONS, STANDARDS, CODES AND ORDINANCES, AND FURTHER AGREE TO CORRECT ANY DEFICIENCIES NOTED BY THIS REVIEW, SUBSEQUENT REVIEW, INSPECTION OR OTHER SOURCE, AND, TO HOLD HARMLESS AND WITHOUT PREJUDICE, THE REVIEWER AND REVIEWING AGENCY.  
 DRIVEWAY WILL BE 14 FEET WIDE WITH A MAXIMUM SLOPE OF 8% WITH A SOIL DISPOSITION OF 8% DRIVEWAY SHALL BE 4-INCH CONCRETE SURFACE.  
 SEE SITE PLANS FOR DRIVEWAY.

**SITE PLAN**  
 1/4"=1'-0"

REVISIONS	BY
Δ 07/12/16	ES
Δ 08/16/16	ES

**OWNER:**  
 MARK & MAURINE KANE  
 109 CENTRAL AVE  
 CAPITOLA, CA 95010  
 415-939-0683

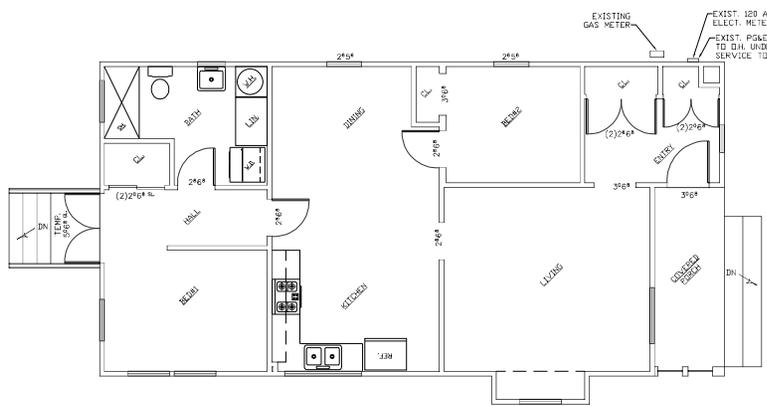
**KANE RESIDENCE**  
 109 CENTRAL AVE.  
 CAPITOLA, CA 95010  
 APN 036-112-09

**DENNIS NORTON**  
 HOME DESIGN AND  
 PROJECT PLANNING  
 712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616  
 Fax 831 476 2611

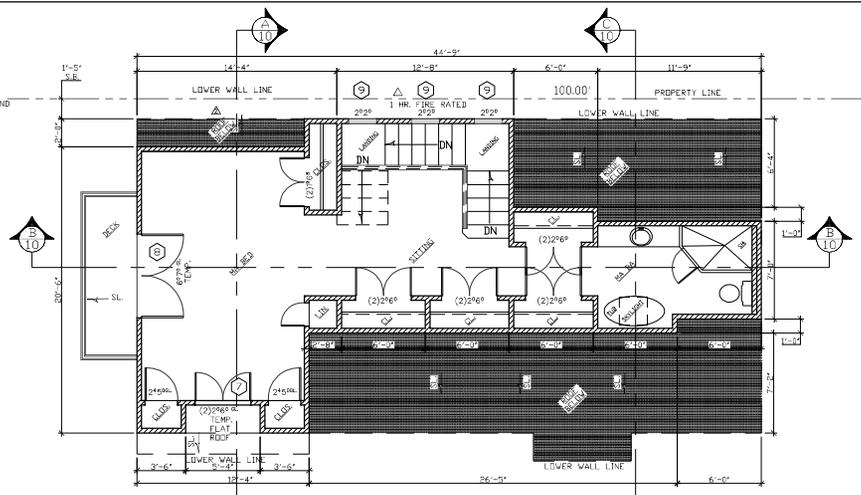
**SITE PLAN**

**DRAWING:** GG  
**SCALE:** 1/4"=1'-0"  
**JOB NO.:** CENTRAL  
**DATE:** 05/19/16

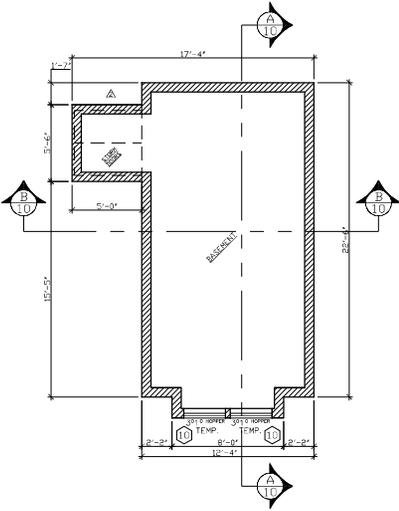
**SHEET**  
 2  
 OF 4 SHEETS



EXISTING SINGLE STORY FLOOR PLAN



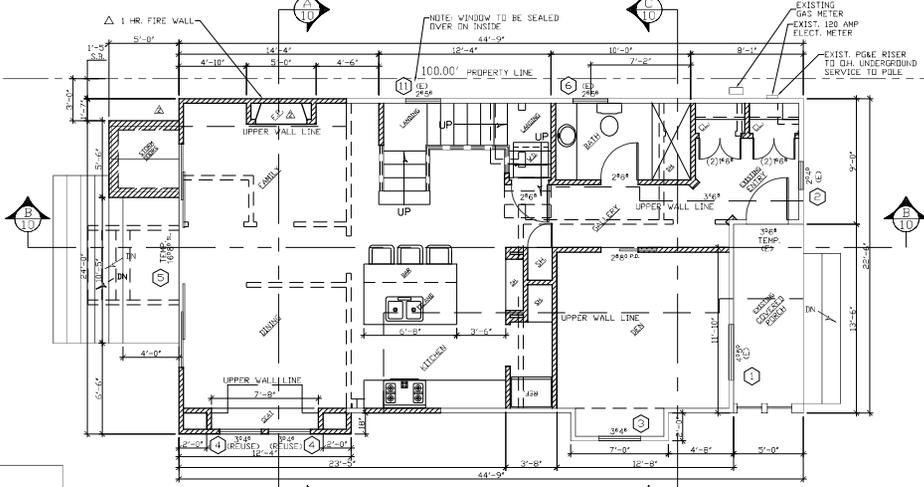
PROPOSED UPPER FLOOR PLAN



PROPOSED BASEMENT FLOOR PLAN



WINDOW SCHEDULE					
ID.	QTY.	SIZE	DESCRIPTION	NEW OR EXISTING	STATUS
1	1	4'6"	DOUBLE HUNG	E	TO REMAIN
2	1	2'4"	DOUBLE HUNG	E	TO REMAIN
3	1	3'4"	DOUBLE HUNG	E	REPLACE MARVIN
4	2	3'4"	DOUBLE HUNG (REUSE)	E	TO REMAIN
5	1	1'6" x 8'	[4 PANEL] SL. OR TEMP.	N	NEW
6	1	2'4"	SINGLE HUNG	E	REPLACE MARVIN
7	1	4'6"	FRENCH DOORS	N	NEW
8	1	6'7"	[2- 3'6"] FRENCH, TEMP.	N	NEW
9	3	2'2"	AWNING, TEMP.	N	NEW
10	2	3'1"	HORIZONTAL, TEMP.	N	NEW
11	1	2'4"	DOUBLE HUNG	E	TO REMAIN



PROPOSED LOWER FLOOR PLAN

NOTES:  
 "MARVIN" REPLACEMENT WINDOWS.  
 FRAME & TRIM TO REMAIN.  
 OPERABLE UNITS TO BE RELACED.  
 MATCH EXISTING TRIM & DETAILS.

FLOORPLAN  
 1/4"=1'-0"

REVISIONS	BY
Δ 07/12/16	GG
Δ 08/16/16	GG

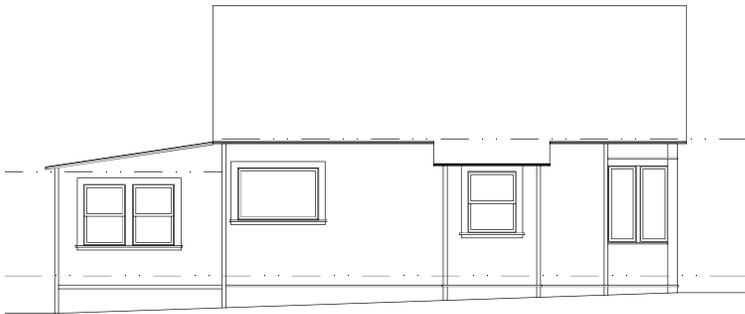
OWNER:  
 MARK & MAURINE KANE  
 109 CENTRAL AVE.  
 CAPITOLA, CA 95010  
 415-939-0683

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 PROJECT PLANNING  
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 FAX 476.8881

FLOOR PLANS

DRAWING	GG
SCALE	1/4"=1'-0"
JOB NO.	CENTRAL
DATE	06/01/16
SHEET	4
OF SHEETS	

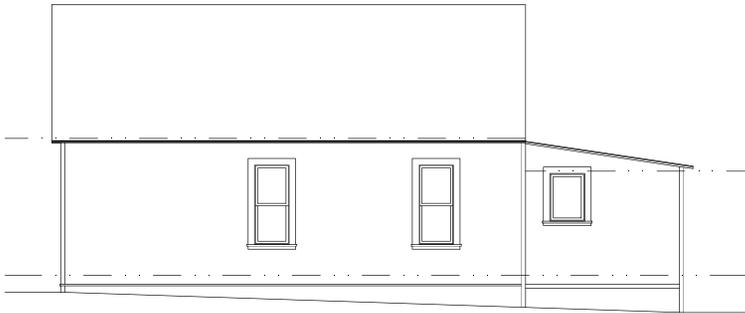
Attachment: Project Plans (1577 : 109 Central Avenue)



2 SIDE  
SCALE: 1/4"=1'-0"



1 FRONT  
SCALE: 1/4"=1'-0"



4 SIDE  
SCALE: 1/4"=1'-0"



3 BACK  
SCALE: 1/4"=1'-0"

NOT FOR  
CONSTRUCTION

REK VAN ALS  
SIDENTIAL DESIGN  
INC.  
1535 SCARBRIGHT AVE. SUITE 201, SANTA CRUZ, CALIFORNIA  
(831)426-8400 PHONE (831)226-8446 FAX

THE  
DYE  
WARD  
INC.  
DESIGNER

REARDON RESIDENCE  
429 RIVERVIEW AVENUE  
CAPITOLA, CA 95010

REV. 035-121-34

ISSUE DESCRIPTION

SCHEMATIC DESIGN: 10/10/22-13

HISTORIC SUBMITTAL: JAN/05-15

PLANNING SUBMITTAL:

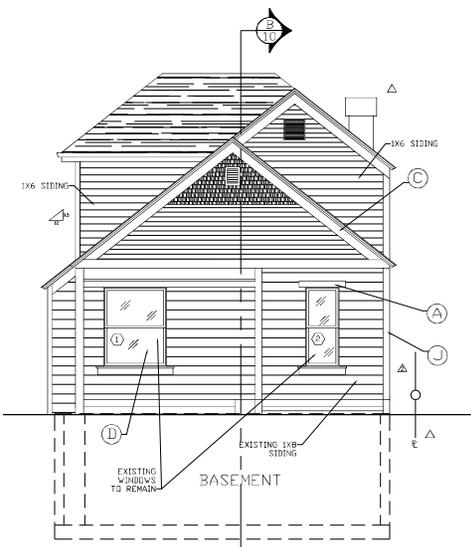
BUILDING SUBMITTAL:

DEC/15-15

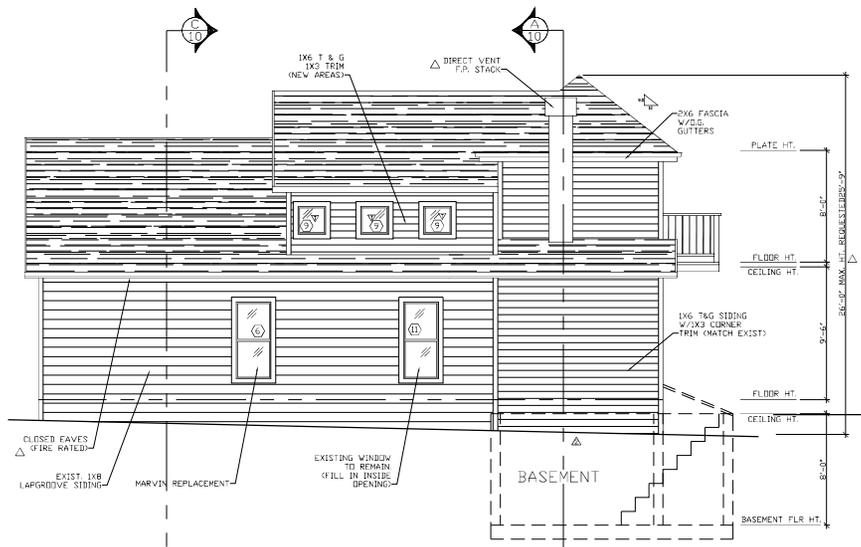
REVISIONS:

EXTERIOR ELEVATIONS

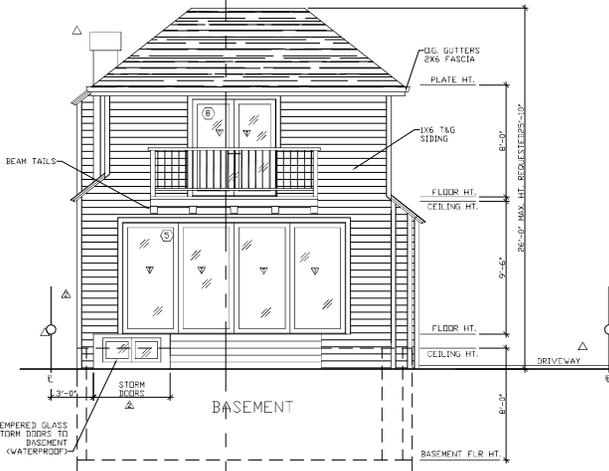
Attachment: Project Plans (1577 : 109 Central Avenue)



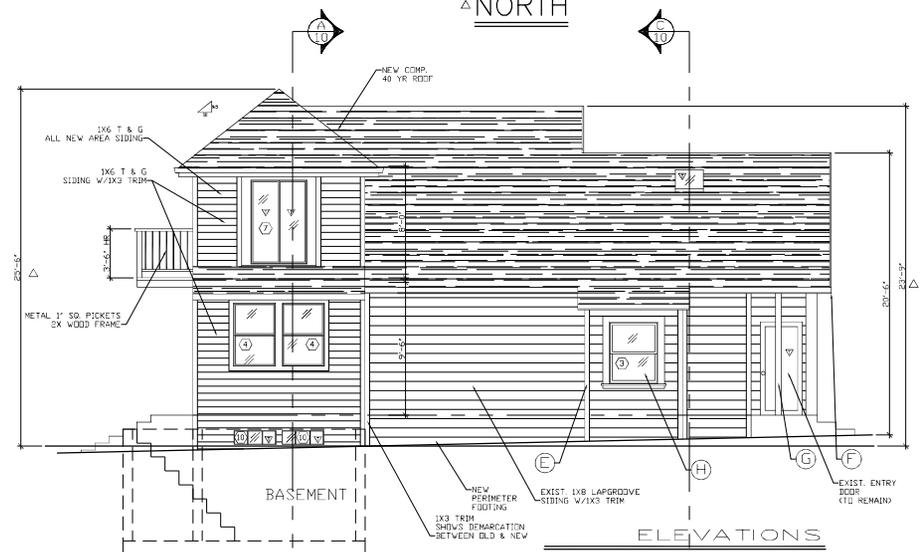
EAST



NORTH



WEST



SOUTH

ELEVATIONS  
NOTE: ▽ = TEMPERED GLASS 1/4"=1'-0"

REVISIONS	BY
Δ 07/19/16	GG
Δ 08/16/16	GG

OWNER:  
MARK & MAURINE KANE  
109 CENTRAL AVE.  
CAPITOLA, CA 95010  
415-939-0683

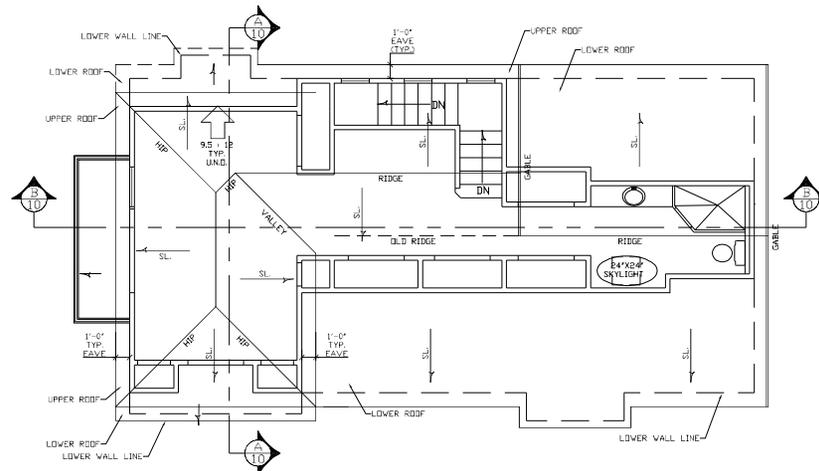
KANE RESIDENCE  
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APN 036-112-09

DENNIS NORTON  
HOME DESIGN AND  
PROJECT PLANNING  
712 C CAPITOLA AV. CAPITOLA, CA 95010 • 831 476 2616  
FAX 476 2615

ELEVATIONS

DRAWN:	GG
SCALE:	1/4"=1'-0"
JOB:	CENTRAL
DATE:	06/01/16
SHEET:	5
OF # SHEETS	5

Attachment: Project Plans (1577 : 109 Central Avenue)



ROOF PLAN  
1/4"=1'-0"

REVISIONS:	BY:

OWNER:  
 MARK & MAURINE KANE  
 109 CENTRAL AVE.  
 CAPITOLA, CA 95010  
 415-939-0683

KANE RESIDENCE  
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 CAPITOLA, CA 95010  
 APN 036-112-09

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 HOME DESIGN AND  
 PROJECT PLANNING  
 712 C CAPITOLA AV., CAPITOLA, CA 95010 • 831 476 2616  
 FAX 831 476 2616

ROOF PLAN

DRAWN:	GG
SCALE:	1/4"=1'-0"
SCALE:	CENTRAL
DATE:	05/19/18
SHEET:	08
OF #	SHEETS

Attachment: Project Plans (1577 : 109 Central Avenue)



Attachment: Project Plans (1577 : 109 Central Avenue)

WOOD SHINGLES  
4" COURSES

CLOSED PLYWOOD  
"ROUGH SAWN"  
SOFFETT.

1x6  
BUE  
TRIM.



2x6 TRIM  
BOARD.

TYPICAL WINDOW  
WOOD DOUBLE HUNG  
1x4 TRIM  
2x BEVELED SILL  
W/ 1x3 BOTTOM  
TRIM.

1x8 LAP GROOVE  
SIDING.  
W/ 1x3 CORNER  
TRIM.

2'x5'  
Louvered  
SHUTTERS  
(TO BE  
REMOVED)

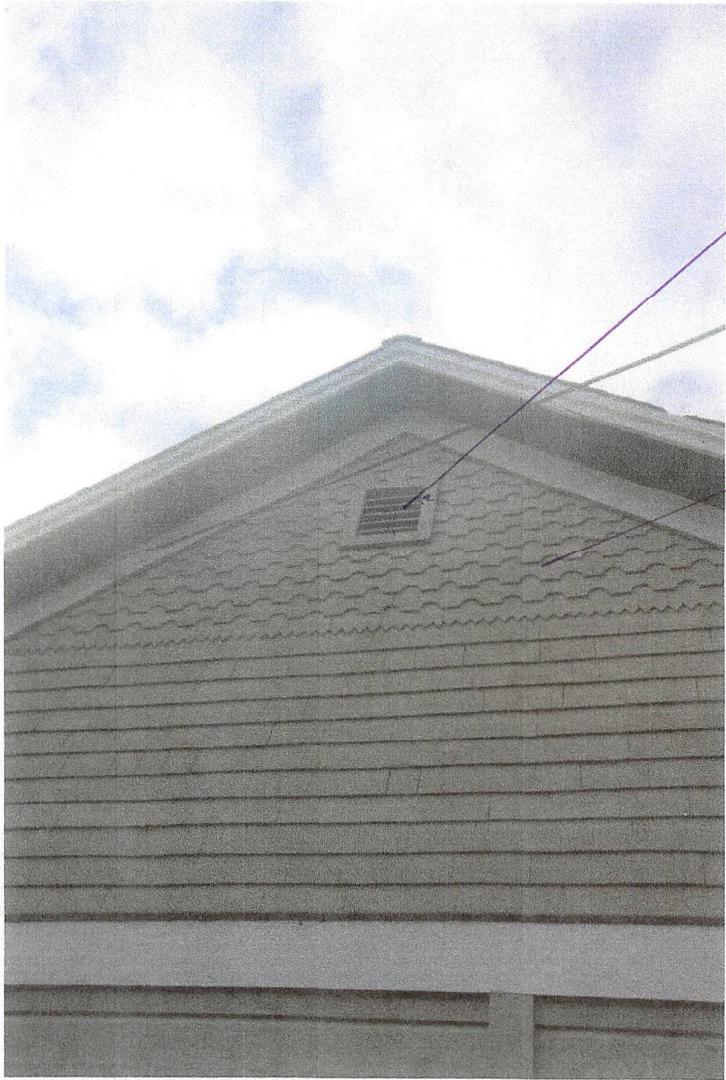
DOG EARS  
TO WOOD  
WINDOWS.



FRONT  
WINDOW  
& GABLE

Attachment: Project Plans (1577 : 109 Central Avenue)

B



WOOD LOUVERED  
EVE VENT

SCALLOPED  
SHINGLES.  
4" COURSES.



CLOSED  
SOFFIT.

2x6 FACIA BOARD  
w 2x3 TRIM

1x6 EAVE  
TRIM.

SCALLOPED  
SHINGLES  
4" COURSES.

1 ROW OF  
RIDGE CUT  
SHINGLES.

WOOD  
GABLE  
VENT  
2'-0" x 2'-4"



Attachment: Project Plans (1577 : 109 Central Avenue)

D

4x4 POST  
WRAPPED  
W/ 1x6 FIR.

TYPICAL  
DOUBLE HUNG  
WINDOW + TRIM.  
(SEE SHEET (A))



FIXED  
GLASS  
WOOD WINDOWS  
1x TRIM & SILL

ENTRY  
PORCH

1x8 LAP  
SIDING  
(TYP.)

E

WINDOW TO BE  
REMOVED

TYPICAL  
DOUBLE HUNG  
WINDOW  
(SEE PG A)

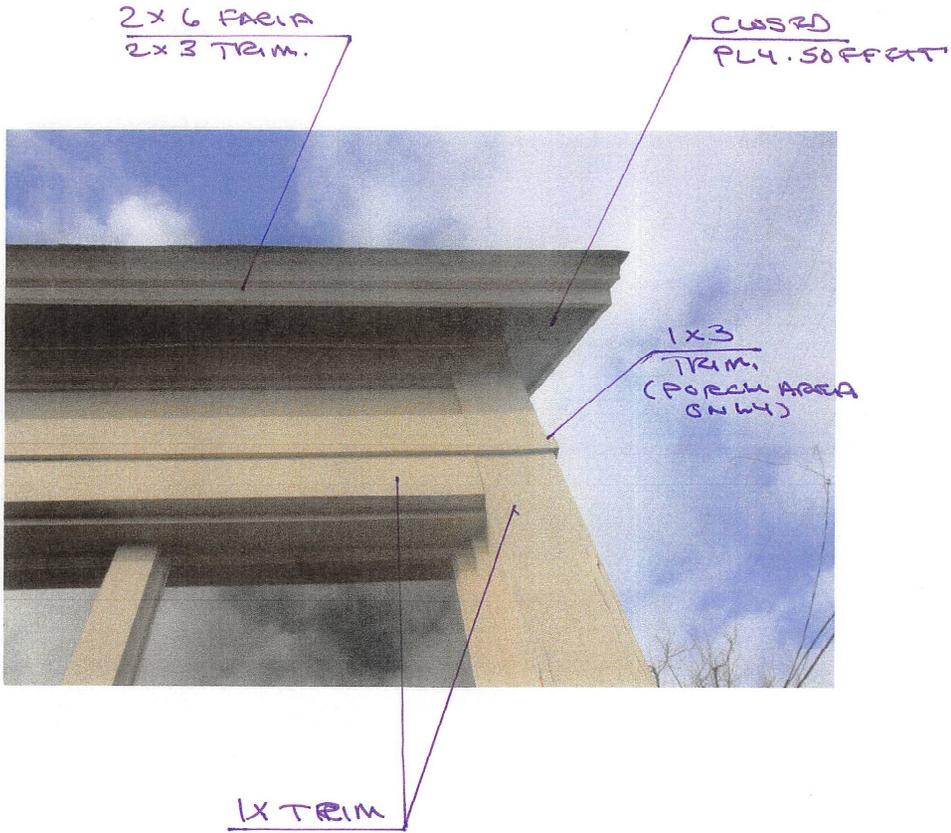


2x6 FASCIA  
2x3 TRIM.  
CLOSED PLYWOOD  
"ROUGH SAWN"  
SUPPORT.

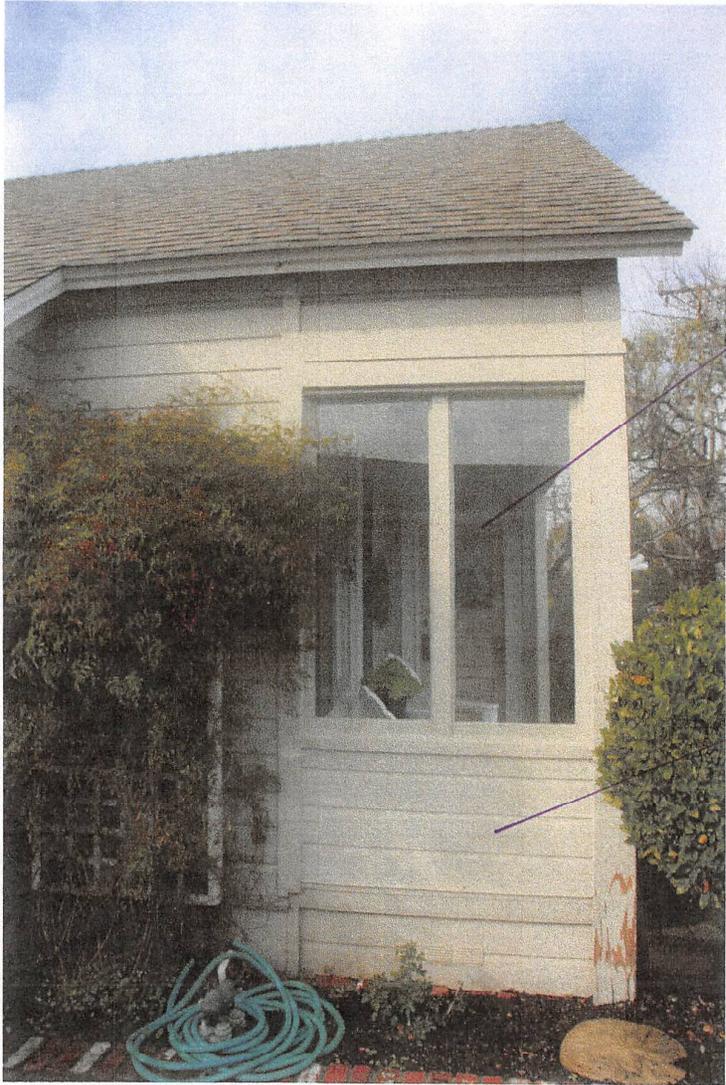
1x8  
LAP  
BEVEL  
SIDING.

Attachment: Project Plans (1577 : 109 Central Avenue)

F



G

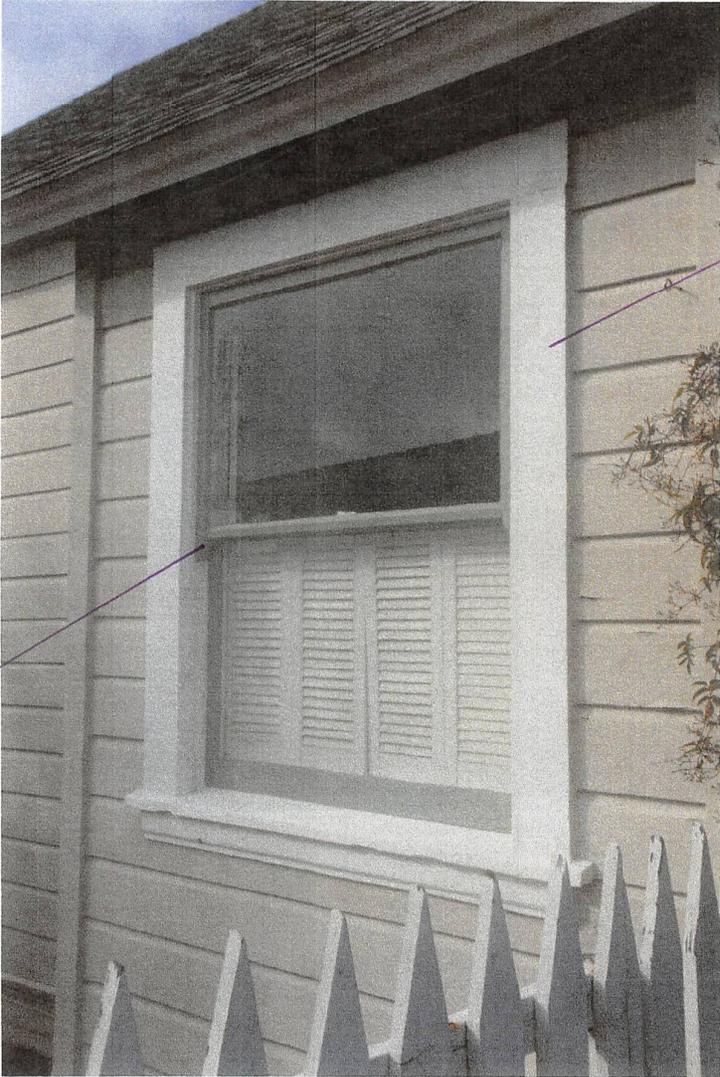


FIXED PORCH  
WINDOWS.  
(WOOD SASH)

LAP  
SIDING.

SIDE  
ENTRY  
PORCH

Attachment: Project Plans (1577 : 109 Central Avenue)



WOOD WINDOW  
DOUBLE HUNG.  
1x4 TRIM  
2x SILL  
w/1x3 TRIM.

"DOG EARS"

I



EXISTING GARAGE

5

1x6 LAP  
SIDING.

2x6 FACIA  
2x3 TRIM.



1x3  
CORNER  
TRIM.

NORTH FRONT  
SIDE.

(K)

2x6  
EXPOSED  
RAFTER

3-1x6 VERT.  
@45°  
6 1/4" SPACING.



Attachment: Project Plans (1577 : 109 Central Avenue)

**SECRETARY OF THE INTERIOR'S STANDARDS REVIEW****PROPOSED REHABILITATION AND ADDITION PROJECT****at the****HISTORIC RESIDENCE AT 109 CENTRAL AVENUE**

Kane Residence

109 Central Avenue  
(Parcel Number 036-112-09)  
Capitola, Santa Cruz County  
California

For:

City of Capitola  
Attn: Ryan Safty, Assistant Planner  
Community Development Department  
420 Capitola Avenue  
Capitola, CA 95010

Prepared by:

ARCHIVES & ARCHITECTURE LLC  
PO Box 1332  
San Jose, CA 95109  
408.369.5683 Vox  
408.228.0762 Fax

Leslie A. G. Dill, Partner and Historic Architect

July 7, 2016

Attachment: Historian Review (1577 : 109 Central Avenue)

## INTRODUCTION

### Summary

With the incorporation of one recommended set of project notes, this proposed residential rehabilitation and addition project meets the *Secretary of the Interior's Standards for the Treatment of Historic Properties – Rehabilitation Standards* (Standards). The recommendation is presented here, and the analysis is described more fully in the report that follows:

The project plans do not specifically address the historic status of the property. It is recommended that language on the cover sheet should refer to the property as an Historic Resource, requiring review of all design revisions, and that the project should include notes that the existing historic elements are to be protected during construction be included (Standard 6).

### Report Intent

Archives & Architecture, LLC (A&A), was retained by the City of Capitola to conduct a Secretary of the Interior's Standards Review of the proposed rehabilitation and addition project proposed for an historic property at 109 Central Avenue, Capitola, California. A&A was asked to review the exterior elevations, plans, and site plan of the project to determine if the proposed project is in compliance with the *Secretary of the Interior's Standards for Rehabilitation* (Standards). The Standards are understood to be a common set of guidelines for the review of historic buildings and are used by many communities during the environmental review process to determine the potential impact of a project on an identified resource. If a project meets the Standards, it is considered to have mitigated the project to a "less than significant" impact under the California Environmental Quality Act (CEQA).

### Qualifications

Leslie A. G. Dill, Partner of the firm Archives & Architecture, has a Master of Architecture with a certificate in Historic Preservation from the University of Virginia. She is licensed in California as an architect. Ms. Dill is listed with the California Office of Historic Preservation as meeting the requirements to perform identification, evaluation, registration, and treatment activities within the professions of Historic Architect and Architectural Historian in compliance with state and federal environmental laws. The state utilizes the criteria of the National Park Service as outlined in 36 CFR Part 61.

### Review Methodology

For this report, Leslie Dill referred to the historic survey listing of the residence in the Capitola Architectural Survey and reviewed the Depot Hill Historic District Feasibility Study by Archives & Architecture, dated June 2004 where the property was identified as a contributor to that potential district. In May, a set of proposed plans, dated March 2016, were forwarded for initial response. The plans were prepared by Dennis Norton, of Dennis Norton Home Design and Project Planning. Comments and suggestions were provided by A&A in the form of a memo, dated May 10, 2016, and the designer responded with some written comments. Then Ms. Dill and the designer met at the site with Katie Cattan of the City of Capitola where the potential design alterations and addition were discussed. The design was subsequently revised and electronically forwarded for review. For this report, A&A evaluated, according to the Standards, a set of preliminary prints dated June 1, 2016. The set included Sheets 1, 2, 4, 5, 8, 9, 10, the BMP, and a property survey. Also used in the review was an unnumbered sheet that shows the existing elevations and a 12-page set of annotated photos from the architect. These were provided during the earlier comment process.

### Disclaimers

This report addresses the project plans in terms of historically compatible design of the exterior of the residence and its setting. The consultant has not undertaken and will not undertake an evaluation or report

ARCHIVES & ARCHITECTURE LLC

Attachment: Historian Review (1577 : 109 Central Avenue)

on the structural conditions or other related safety hazards that might or might not exist at the site and building, and will not review the proposed project for structural soundness or other safety concerns. The Consultant has not undertaken analysis of the site to evaluate the potential for subsurface resources.

## **PROJECT DESCRIPTION:**

### **Character of the Existing Resource**

The parcel 109 Central Avenue was first identified as part of the Capitola Architectural Survey published in 1986. The Survey says merely, “109 Central Avenue; Vernacular; ca. 1905. Shingled pediment above full length open porch with a protective edge.” To review the design of the proposed alterations and addition project, Archives & Architecture, LLC created an initial in-house list of character-defining features, also utilizing the photographs submitted by the applicant. The list includes, but may not be limited to: the compact, rectangular footprint of the main, historic wing; the low one-story massing; the full-width front-gabled roof; the recessed front porch at the southeast corner of the house, with its square outer post and trimmed beam; the large double-hung focal windows at the front façade; the boxed eaves and wall fascia; the flat-board trim at the windows and doors; the horizontal wood lap siding and flat corner boards; the square-cut, saw-tooth, and scalloped shingle siding at the front gable end; the small square wood louvered vent; the individual placement of the double-hung window openings, and the wood window sash and trim, including dog ears at the upper sash. Alterations include the shed-roofed rear wing; the diagonal vertical accents at the front porch; the front shutters; the fixed glazing at the porch side, and the roofing materials.

### **Summary of the Proposed Project**

The proposed project includes the construction of a replacement addition at the rear of the historic house. The existing addition is one story; the new addition is proposed to have two stories and a basement. The original house would be altered at part of its roofline to enclose a new set of stairs, and the attic would be converted to living space, creating a one-and-one-half-story front wing.

## **SECRETARY’S STANDARD’S REVIEW:**

The *Secretary of the Interior’s Standards for Rehabilitation* (Standards), originally published in 1977 and revised in 1990, include ten standards that present a recommended approach to repair, while preserving those portions or features that convey a resource’s historical, cultural, or architectural values. Accordingly, Standards states that, “Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.” Following is a summary of the review with a list of the Standards and associated analysis for this project:

1. **“A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.”**

**Analysis:** There is no change of use proposed for this residential property.

2. **“The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.”**

**Analysis:** No historic footprint of the main original house is proposed for removal in this project; the walls and the majority of the roof form will be preserved. The recessed front porch will remain. All four corners of the historic house will be visually maintained in the proposed design;

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through offsets in the wall planes, through differences in the roof heights, and through trim and siding dimensions. The existing shed-roofed rear addition is proposed for demolition, but the historic house's character-defining features are proposed for preservation, including the original footprint, its full-width gabled roof form, boxed eaves, siding, windows, trim, and front porch. A portion of the historic roof form will be removed for the second-story stair addition; the eaves are continuous, and the amount of roof that will be removed and altered will not impact the overall perception of the historic gabled roof form.

3. **“Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other historic properties, will not be undertaken.”**

**Analysis:** There are no proposed changes that might be mistaken for original features or copied from other properties. The proposed materials and elements will be used in adequately differentiated dimensions and in modern materials and proportions; these features will not create a false sense of historical development. (See also Standard 9).

4. **“Changes to a property that have acquired historic significance in their own right will be retained and preserved.”**

**Analysis:** No existing changes to the property have been identified as having acquired historic significance in their own right. The shed-roofed wing proposed for demolition is to the rear of the original front wing, and is understood to be recent. The faux shutters, proposed for removal, are also understood to be non-character-defining features.

5. **“Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.”**

**Analysis:** The features and finishes that characterize the main house are shown as preserved on the proposed drawings. Specifically, this includes: the historic windows and trim, the historic siding materials, and the historic detailing, such as boxed eaves, gable vent, and corner boards.

6. **“Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.”**

**Analysis:** The current physical condition of the house appears visually to be very good, and the historic features are shown as generally preserved in the project drawings. It is recommended that general notes be added to the final building permit document cover sheet, which would note the historic significance of the property and indicate that all changes to the project plans must be reviewed, and note that the existing historic elements are to be protected during construction.

7. **“Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.”**

**Analysis:** Although it is expected that the project is proposed for painting, no harsh chemical or physical treatments are shown as proposed in this proposed phase of work.

8. **“Archeological resources will be protected and preserved in place. If such resources must be**

**disturbed, mitigation measures will be undertaken.”**

**Analysis:** Archeological resources are not evaluated in this report.

9. **“New additions, exterior alterations or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.”**

**Analysis:** The proposed addition and alterations are generally differentiated from the design of the historic house, and are compatible with the historic property in size, scale, and proportion.

The proposed two-story rear addition and second-story addition on the north side of the main house are compatible with and differentiated from the original house design in form, size, massing, and location. Specifically, the footprint of the rear addition is of an appropriate size, making a subordinate form with respect to the historic original wing. There is clarity of separation between the original house footprint and the proposed rear addition; the basement and two-story addition are joined at the back wall of the historic house. The historic house remains generally intact in massing and form. [Note: there might be a minor drawing error on the North Elevation on Sheet 5. The eaves of the rear hipped roof would likely be terminated at the side of the proposed new front roof, and the front roof would hang over the offset wall plane. This is fine.] The addition is offset to the south from the original house at the first floor, and it is offset from the original house on the north at the second floor. The second story has low wall plates, creating a compact visual connection, compatible with the historic house. The addition is to the rear of the house, somewhat concealed from the street although visible in three dimensions from the southeast. The second story addition at the main house is to the north, where the proximity of the neighboring house inhibits the angle of viewing (and there is currently heavy vegetation). The size of the addition also creates a compatible rear roof. The new addition preserves the historic eaves at the first floor. The roof slopes of the existing and proposed wings are identical, but differentiated by form. The second story stair addition roof and massing is parallel to the historic roof, providing an echo of the original design, while the rear addition has a hipped roof set at a 90-degree angle, providing differentiation.

The current design of the proposed materials and elements is both compatible and differentiated from the historic design. Specifically, the siding, window size, type and lite pattern, eaves, and various trims and detailing meet this standard.

The proposed new horizontal wood lap siding at the additions is similar to and compatible with the historic horizontal wood lap siding, but is subtly differentiated by a change in size from 1x8 to 1x6. The historic shingle pattern at the original gable end includes a decorative pattern that differentiates it from the new gable end with its simplified shingle pattern. [Note: For this review, it is assumed that the new gable-end material will be cut shingles that match the lower portion of the historic gable end. Although the drawings do not specifically note this, the drawings seem to indicate shingles. This is a compatible and differentiated material choice.]

The proposed new and reused non-historic windows, as well as the French doors, are compatible in scale with the historic windows and are proportionately sized and placed with respect to the historic fenestration configuration. The proposed windows have appropriately scaled single-lite sash. They will be clearly differentiated by their modern style and overall opening size. The

proposed new vent at the new gable end is compatible in size with the original one on the main front façade. The proposed eave detail and use of flat-board trim throughout the new additions is compatible with the historic building and does not need to be differentiated because the other elements provide that role.

The proposed new rear balcony is differentiated from the historic house by its modern cantilevered structure and metal guardrail elements. The guardrail is compatible with the size and form of the wood elements and the repetitive small-scale balusters, in keeping with the scale and pattern of such historic elements as the lap siding and shingles.

10. **“New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”**

**Analysis:** Although the rear wall and gable end of the historic house would need to be reestablished, their materials have been lost in the recent past with the construction of the existing rear addition. The location of the historic rear wall can be understood from the footprint and form of the current design, and the character-defining features of the house would be unimpaired in this project. The proposed design would preserve the essential form and integrity of the historic property.

### **Conclusion**

With the inclusion of general notes to the cover sheet of the building permit set, the currently proposed rehabilitation and addition project would meet the *Secretary of the Interior’s Standards for Rehabilitation*.



## STAFF REPORT

TO: PLANNING COMMISSION  
 FROM: COMMUNITY DEVELOPMENT  
 DATE: SEPTEMBER 1, 2016  
 SUBJECT: **4100 Auto Plaza Drive #16-140 034-141-29**

Design Permit for exterior remodel and sign permit at the existing Subaru dealership in the Community Commercial (CC) zoning district. This project is not in the Coastal Zone and does not require a Coastal Development Permit.  
 Environmental Determination: Categorical Exemption  
 Property Owner: Santa Cruz Seaside Company  
 Representative: Peter Bagnall, filed 7/8/2016

### **APPLICANT PROPOSAL**

The current application is for a design permit and sign permit to remodel the existing Subaru dealership. The footprints of the buildings onsite will be increased 50 square feet for the new icon tower. The remodel includes a new entryway, upgraded exterior finishes, a new Subaru icon tower, and updated signs. One new sign is proposed on the Subaru icon tower.

### **BACKGROUND**

The building was previously occupied by Mazda and Subaru. In July of 2016, Mazda moved from the shared location. The newly remodeled building will be exclusively a Subaru dealership.

On August 10, 2016, the application was reviewed by the Architectural and Site Review committee. The committee provided the applicant with the following comments:

Local Architect, Frank Phanton, expressed that the proposed remodel is a nice improvement.

Local Landscape Architect, Megan Bishop: had no comments on the remodel.

Local Historian, Carolyn Swift: noted that the building is not historic.

Public Works, Danielle Uharriet, provided the applicant with guidance for stormwater compliance.

Building Official, Brian Van Son: provided the applicant with ADA compliance standards and explained the building permit process for remodels and signs.

Senior Planner, Katie Cattan: provided the applicant with a list of additional information necessary to process the application, including sign information and stormwater.

Following the Arch and Site meeting, the applicant submitted updated plans to address the signs and stormwater concerns.

### **DISCUSSION**

The current application is to remodel the existing Subaru dealership. The remodel includes a new entryway with an ADA access ramp, steps, and landing. The exterior finishes will be upgraded with stucco exterior siding along the walls and composite metal panels and fascia located within the roof overhang. A new Subaru icon tower is proposed by the entryway that is 18 feet tall by eight feet wide. The icon tower will increase the footprint of the existing building by 50 square feet.

### **Development Standards of CC Zone**

The following table outlines the development standards for the CC zoning district relative to the proposed design permit.

<b>Development Standards</b>	<b>Existing</b>	<b>Proposed</b>
<b>Height:</b> 40 ft	28 ft	28 ft
<b>Front Yard:</b> Landscaped areas of front yards shall be set back 15 feet.		Existing landscaping area ranges from 8 to 20 feet along Auto Plaza Drive. Landscaping is increased slightly in plan.
<b>Side and rear yard setbacks</b> may be required through architectural and site approval in order to provide adequate light and air, assure sufficient distance between adjoining uses to minimize any incompatibility and to promote excellence of development; except that where a side or rear yard is provided it shall be at least ten feet wide		0 ft side yard 20 ft rear yard  No change to side and rear yard.
<b>Front yards and corner lot side yards</b> shall not be used for required parking facilities.		Front yard landscaping exists. Site is auto dealership so goods are parked outside in parking lot.
<b>Parking</b>		<b>Proposed</b>
1 space per 300 sf retail, office, and personal service. No change in the parking requirement for the building. ADA compliance results in 4 less spaces.		217 spaces 68 customer spaces
<b>Landscaping.</b> Five percent of the lot area shall be landscaped to ensure harmony with adjacent development in accordance with architectural and site approval standards		7,986 sf 6.5%
<b>Underground Utilities – required with 25% increase area</b>		N/A

### **Signs**

Subaru is proposing to replace the existing signs throughout the site, including the previous Mazda dealership signs. Pursuant to 17.57.020, changes to sign facing on an existing legal conforming sign, when the new sign is to be substantially the same size and design as that of existing or originally approved, may be approved administratively. Within the sign application, all but one of the new signs qualify as replacement signs.

The one new sign is a Subaru logo sign that is proposed to be located on the icon tower by the entryway. The Subaru logo sign is a three-foot tall by five-foot long oval shaped wall sign.

Typically, wall signs are limited to one wall sign per business with a maximum size of one square foot per linear foot of building. There are currently two wall signs on the front façade of the 110 feet long building including the 20 square foot “Santa Cruz” sign and the 75 square foot “Subaru” sign. The new logo sign is 15 square feet, bringing wall signs to their maximum allowance of 110 square feet.

Pursuant to 17.57.090, the applicant is requesting an exception to the one wall sign maximum standard due to the commercial site location in geographically constrained areas. The code allows the Planning Commission to allow special signage when a commercial site that has low visibility due to geographic challenges including being located on a dead-end street like Auto Plaza Drive. The Planning Commission may approve additional signage or variations to sign standards upon making the following findings:

1. The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.
2. The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area.

The proposed signs are appropriate along Auto Plaza Drive due to the unique land use and site. The auto dealership lots are large providing plenty of space for the showroom and parking. Allowing the auto dealership to breakdown the wall sign square footage into three signs creates interest along the long 110 foot building façade. The design will complement the new Toyota dealership and add to the character and integrity of the surrounding area.

### **CEQA REVIEW**

This project is categorically exempt under Section 15301 of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations. The proposed project involves a remodel of an existing commercial space. No adverse environmental impacts were discovered during project review by either the Planning Department Staff or the Planning Commission.

### **RECOMMENDATION**

Staff recommends the Planning Commission **approve** project application #16-140 based on the following Conditions and Findings for Approval.

### **CONDITIONS**

1. The project approval consists of a Design Permit and a Sign Permit for the remodel of the existing Subaru car dealership building at 4100 Auto Plaza Drive. The existing structures will remain as is with a small 50 square foot addition at the entryway for a icon tower. The entryway will be remodeled with new stairs, ADA ramp, and landing. The exterior finishes to the building will be upgraded with new stucco and metal paneling. One new sign has been approved on the icon tower. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on September 1, 2016, except as modified through conditions imposed by the Planning Commission during the hearing
2. Prior to construction, a building permit shall be secured for any new construction or modifications to structures authorized by this permit. Final building plans shall be consistent

with the plans approved by the Planning Commission. All construction and site improvements shall be completed according to the approved plans

3. At time of submittal for building permit review, the Conditions of Approval must be printed in full on the cover sheet of the construction plans.
4. At the time of submittal for building permit review, Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP) shall be printed in full and incorporated as a sheet into the construction plans. All construction shall be done in accordance with Public Works Standard Detail Storm Water Best Management Practices (STRM-BMP).
5. Prior to making any changes to approved plans, modifications must be specifically requested and submitted in writing to the Community Development Department. Any significant changes to the size or exterior appearance of the structure shall require Planning Commission approval.
6. Prior to issuance of building permit, all Planning fees associated with permit # 16-140 shall be paid in full.
7. Prior to issuance of a building permit, the applicant must provide documentation of plan approval by the following entities: Santa Cruz County Sanitation Department, the appropriate Water District, and Central Fire Protection District.
8. Prior to issuance of building permits, a drainage plan, grading, sediment and erosion control plan, shall be submitted to the City and approved by Public Works. The plans shall be in compliance with the requirements specified in Capitola Municipal Code Chapter 13.16 Storm Water Pollution Prevention and Protection.
9. Prior to issuance of building permits, the applicant shall submit a stormwater management plan to the satisfaction of the Director of Public Works which implements all applicable Post Construction Requirements (PCRs) and Public Works Standard Details, including all standards relating to low impact development (LID).
10. Prior to any land disturbance, a pre-site inspection must be conducted by the grading official to verify compliance with the approved erosion and sediment control plan.
11. Prior to any work in the City road right of way, an encroachment permit shall be acquired by the contractor performing the work. No material or equipment storage may be placed in the road right-of-way.
12. During construction, any construction activity shall be subject to a construction noise curfew, except when otherwise specified in the building permit issued by the City. Construction noise shall be prohibited between the hours of nine p.m. and seven-thirty a.m. on weekdays. Construction noise shall be prohibited on weekends with the exception of Saturday work between nine a.m. and four p.m. or emergency work approved by the building official.  
§9.12.010B
13. Prior to a project final, all cracked or broken driveway approaches, curb, gutter, or sidewalk shall be replaced per the Public Works Standard Details and to the satisfaction of the Public Works Department. All replaced driveway approaches, curb, gutter or sidewalk shall meet current Accessibility Standards.

14. Prior to issuance of a Certificate of Occupancy, compliance with all conditions of approval shall be demonstrated to the satisfaction of the Community Development Director. Upon evidence of non-compliance with conditions of approval or applicable municipal code provisions, the applicant shall remedy the non-compliance to the satisfaction of the Community Development Director or shall file an application for a permit amendment for Planning Commission consideration. Failure to remedy a non-compliance in a timely manner may result in permit revocation.
15. This permit shall expire 24 months from the date of issuance. The applicant shall have an approved building permit and construction underway before this date to prevent permit expiration. Applications for extension may be submitted by the applicant prior to expiration pursuant to Municipal Code section 17.81.160.
16. The planning and infrastructure review and approval are transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
17. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.
18. In any case where the conditions to the granting of a permit have not been or are not complied with, the community development director shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or to correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than thirty calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the Planning Commission may revoke the permit.

## **FINDINGS**

- A. **The application, subject to the conditions imposed, will secure the purposes of the Zoning Ordinance, General Plan, and Local Coastal Plan.**

Community Development Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the CC (Community Commercial) Zoning District. Conditions of approval have been included to carry out the objectives of the Zoning Ordinance and General Plan.

- B. **The application will maintain the character and integrity of the neighborhood.**

Planning Department Staff, the Architectural and Site Review Committee, and the Planning Commission have all reviewed the project. The project conforms to the development standards of the CC (Community Commercial) Zoning District and will provide an updated look to the existing building. Conditions of approval have been included to ensure that the project maintains the character and integrity of the area.

- C. **This project is categorically exempt under Section 15302(b) of the California Environmental Quality Act and is not subject to Section 753.5 of Title 14 of the California Code of Regulations.**

Section 15301 of the CEQA Guidelines exempts a remodel of an existing commercial structure. No adverse environmental impacts were discovered during review of the proposed project

- D. **The special signage, as designed and conditioned, is necessary and appropriate for the subject commercial site, in order to allow the site and the businesses located within it to be competitive with other businesses of a similar nature located elsewhere, and/or to be competitive with industry standards governing sale of the merchandise offered at the site.**

The allowance of three wall signs is necessary for the auto dealership site. The wall signs comply with the maximum allowed square footage but separate the signage to complement the architecture. The adjacent Toyota dealership has multiple wall signs as well.

- E. **The special signage, as designed and conditioned, will not have a significant adverse effect on the character and integrity of the surrounding area.**

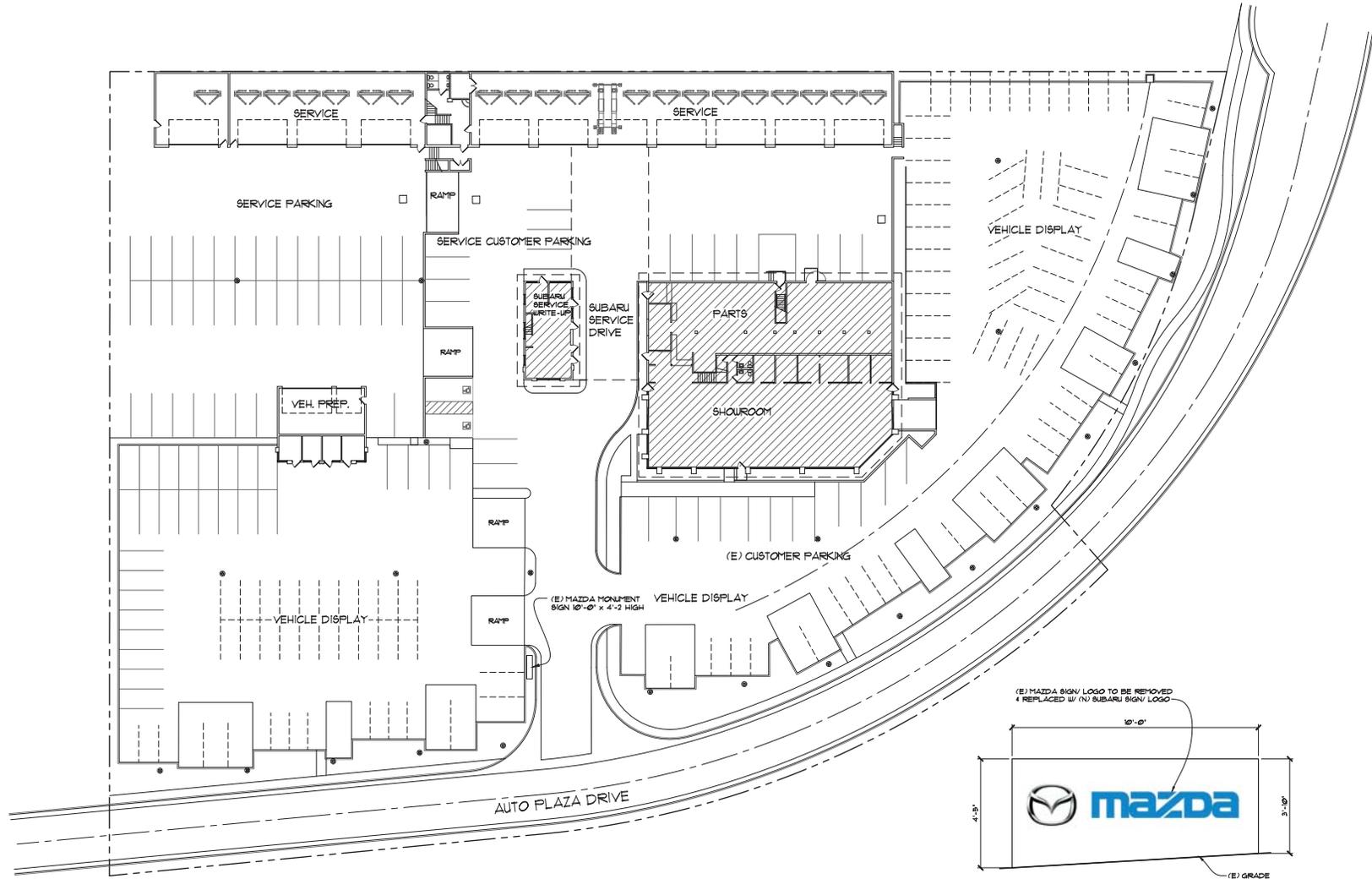
The special signage will complement the character and integrity of Auto Plaza Drive.

**ATTACHMENTS:**

1. 4100 Auto Plaza Drive Plans.
2. 4100 Auto Plaza Drive Sign Plans

Prepared By: Katie Cattan  
Senior Planner





EXISTING SITE PLAN

SCALE: 1" = 20'-0"



DATE

04/27/16

JOB

#412

REVISIONS

PRELIMINARY

SUBMITTAL

07/27/16

PRELIMINARY

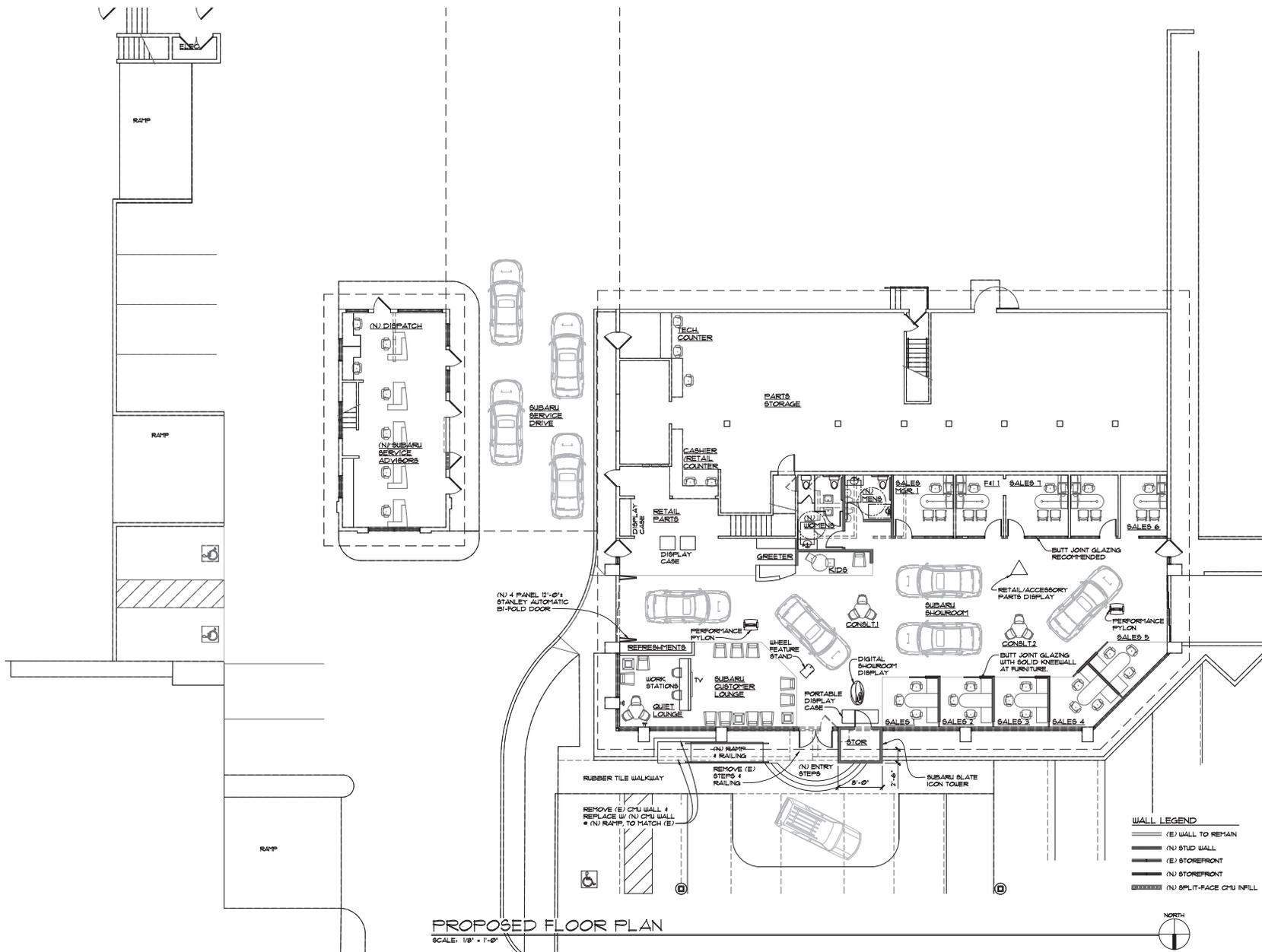
SUBMITTAL

08/15/16

SHEET

OF

A12



PROPOSED FLOOR PLAN  
SCALE: 1/8" = 1'-0"

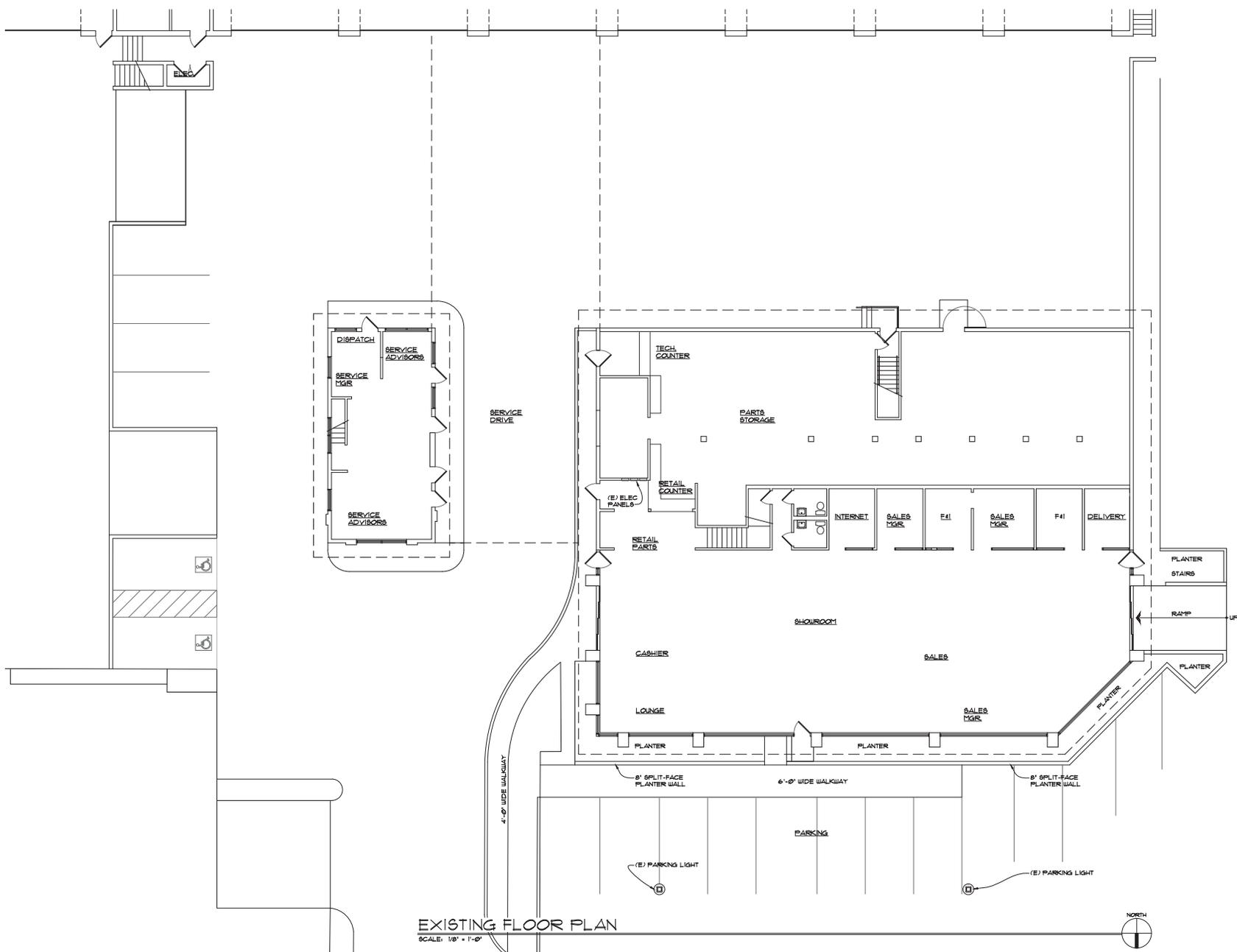
**WILLIAM S. BAGNALL ARCHITECTS INC.**  
AMERICAN INSTITUTE OF ARCHITECTS  
ARCHITECTURE & PLANNING  
125 Mission Street, Santa Cruz, California (831) 428-4977

RENOVATION  
**SANTA CRUZ SUBARU**  
4100 AUTO PLAZA DRIVE SANTA CRUZ, CALIFORNIA

DATE: 04/27/16  
JOB: #412

REVISIONS  
PRELIMINARY SUBMITTAL 07/27/16  
PRELIMINARY SUBMITTAL 08/15/16

SHEET  
**A2.1**  
OF



EXISTING FLOOR PLAN

SCALE: 1/8" = 1'-0"

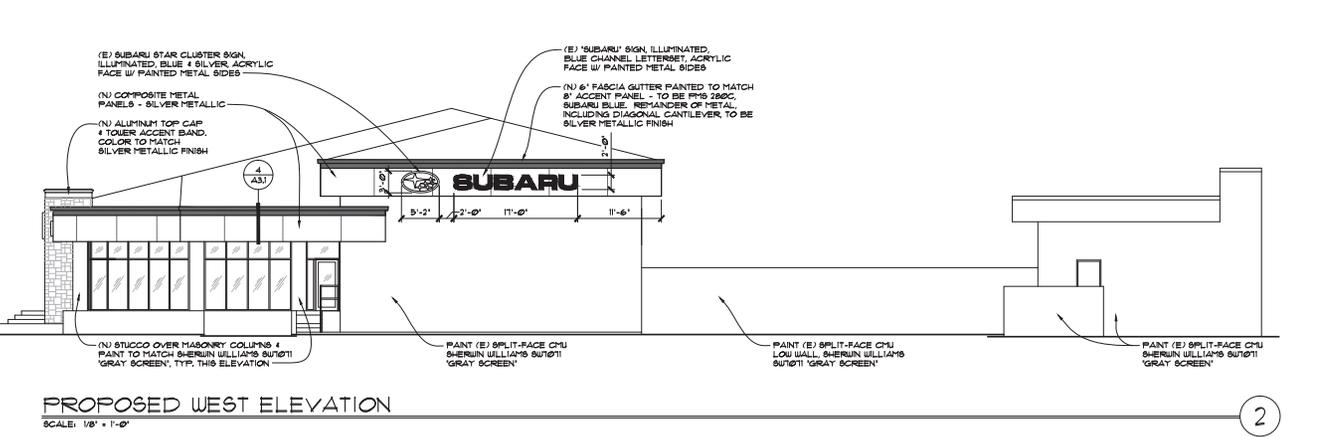
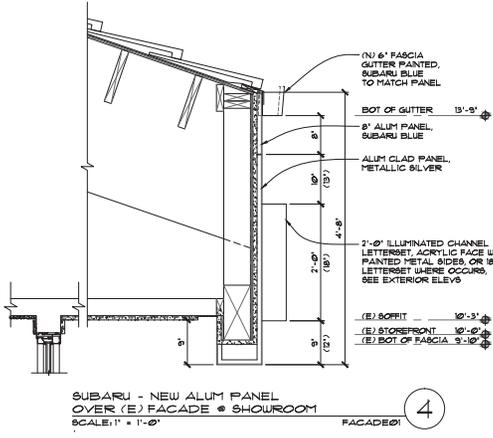
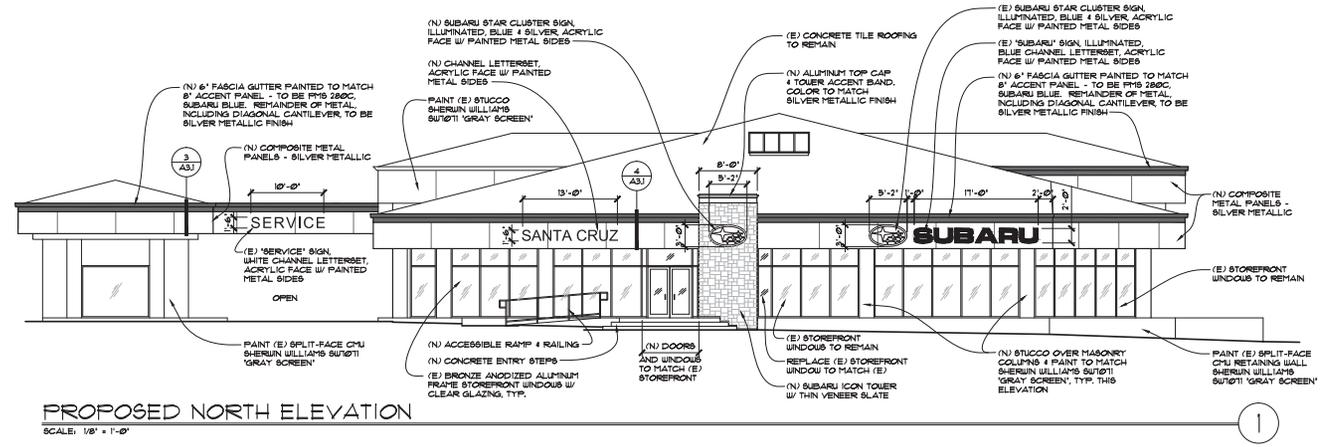
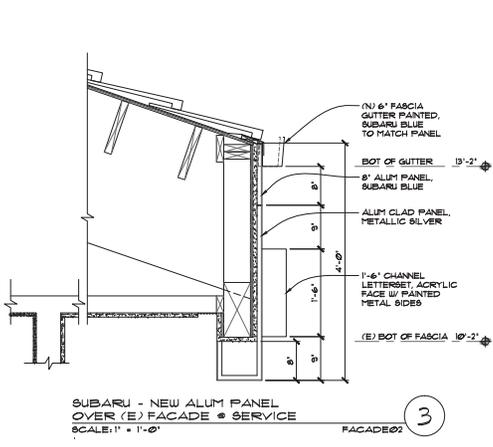
**WILLIAM S. BAGNALL ARCHITECTS INC.**  
 AMERICAN INSTITUTE OF ARCHITECTS  
 ARCHITECTURE & PLANNING  
 125 Mission Street, Santa Cruz, California (831) 428-4977

RENOVATION  
**SANTA CRUZ SUBARU**  
 4100 AUTO PLAZA DRIVE - SANTA CRUZ, CALIFORNIA  
 EXISTING FLOOR PLAN

DATE: 02/27/16  
 JOB: #1412

REVISIONS  
 PRELIMINARY SUBMITTAL #1 07/27/16  
 PRELIMINARY SUBMITTAL #2 08/15/16

SHEET  
**A2.2**  
 OF



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**SANTA CRUZ SUBARU**  
4100 AUTO PLAZA DRIVE SANTA CRUZ, CALIFORNIA

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REVISION  
PROPOSED EXTERIOR ELEVATIONS

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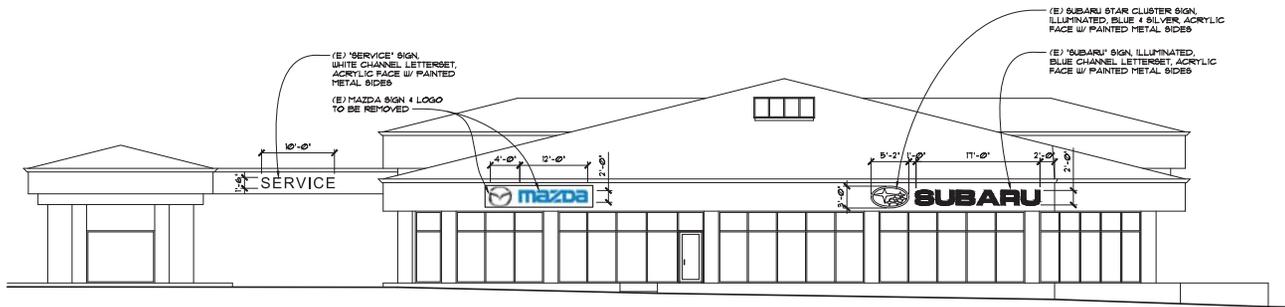
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JOB: #412

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REVISIONS  
PRELIMINARY SUBMITTAL 07/27/16  
PRELIMINARY SUBMITTAL 08/15/16

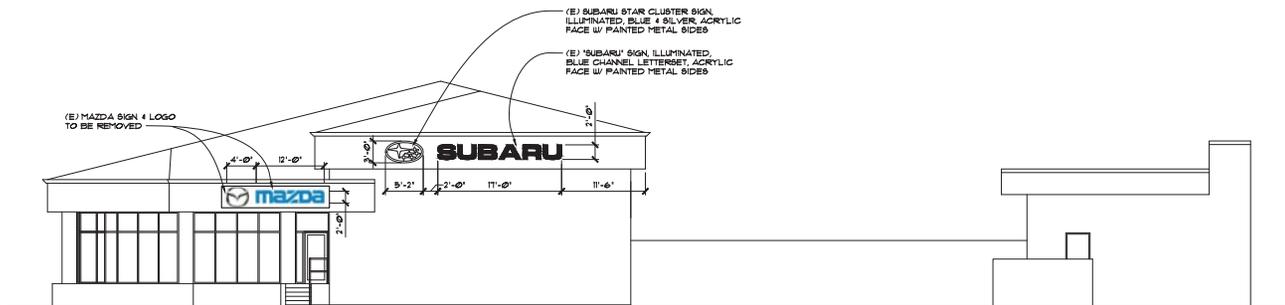
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SHEET: A3.1  
OF



EXISTING NORTH ELEVATION  
SCALE: 1/8" = 1'-0"

1



EXISTING WEST ELEVATION  
SCALE: 1/8" = 1'-0"

2

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RENOVATION  
SANTA CRUZ SUBARU  
4100 AUTO PLAZA DRIVE - SANTA CRUZ, CALIFORNIA  
EXISTING ELEVATIONS

DATE  
04/27/16  
JOB  
#412

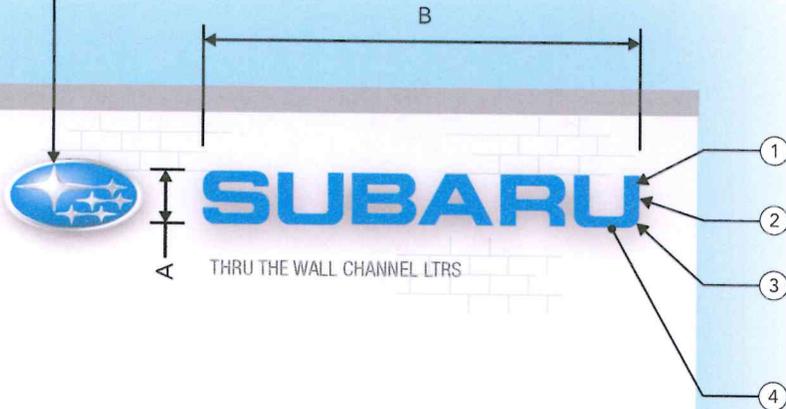
REVISIONS  
PRELIMINARY SUBMITTAL  
07/27/16  
PRELIMINARY SUBMITTAL  
08/15/16

SHEET  
A3.2  
OF

CHANNEL LETTERS

Attachment: 4100 Auto Plaza Drive Sign Plans (1581 : 4100 Auto Plaza Drive)

NOTE: LOGO & LETTERS MUST BE DISPLAYED TOGETHER



DAY/ NIGHT "SUBARU" CHANNEL LETTERS

ILLUMINATED REMOTE (T/W) CHANNEL LETTERS SCHEDULE

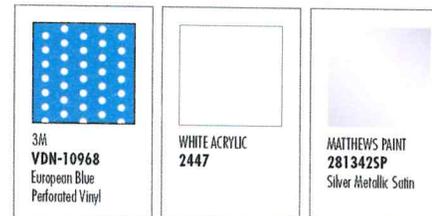
SIGNTYPE	A	B	SQ. FT	LOGO PAIRING
CLB.14_SUB	14"	9' 11-3/4"	11.64	LOGO.CHR.20_SUB - 20" LOGO
CLB.18_SUB	18"	12' 10"	19.25	LOGO.CHR.24_SUB - 24" LOGO
CLB.24_SUB	24"	17' 1-1/4"	34.21	LOGO.CHR.36_SUB - 36" LOGO
CLB.36_SUB	36"	25' 7-3/4"	76.94	LOGO.CHR.53_SUB - 53" LOGO

ILLUMINATED CHANNEL LETTER DETAILS

- ① #2447 WHITE ACRYLIC W/PERFORATED 3M VINYL VDN-10968 3630-137 EUROPEAN BLUE/210 WHITE VINYL DUAL COLOR FILM LAMINATED TO FACE
- ② WHITE PRECOAT RETURNS PAINTED MATTHEWS 281342SP BRUSHED ALUMINUM
- ③ 1" WIDE CHROME JEWELITE TRIM CAP
- ④ INTERNALLY ILLUMINATED WITH WHITE LEDs

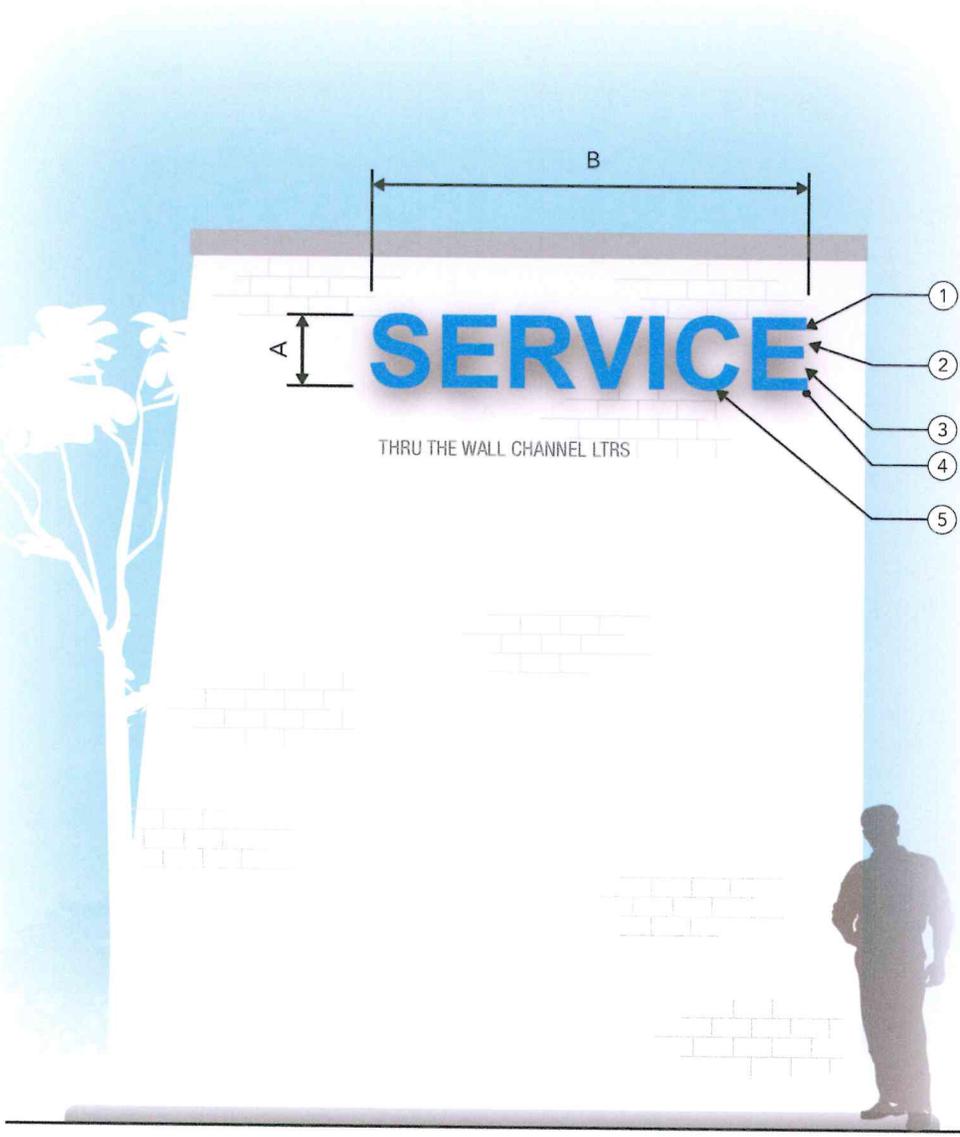
\*NOTE: LETTERS ARE BLUE DURING THE DAY AND ILLUMINATE WHITE AT NIGHT

COLOR SCHEDULE



“SERVICE” CHANNEL LETTERS

Attachment: 4100 Auto Plaza Drive Sign Plans (1581 : 4100 Auto Plaza Drive)



DAY/ NIGHT “SERVICE” CHANNEL LETTERS

~~ILLUMINATED~~ REMOTE (T/W) CHANNEL LETTERS SCHEDULE

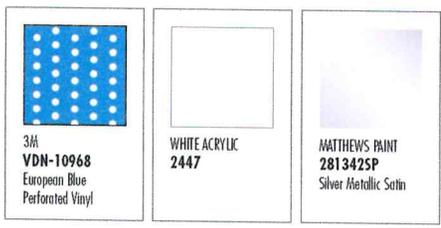
SIGNTYPE	A	B	SQ. FT
CLB.SERV.12_SUB_LED	12"	7' 1"	7.1
→ CLB.SERV.18_SUB_LED	18"	10' 4"	15.5
CLB.SERV.24_SUB_LED	24"	13' 9-3/8"	27.56

~~ILLUMINATED~~ CHANNEL LETTER DETAILS

- ① #2447 WHITE ACRYLIC W/PERFORATED 3M VINYL VDN-10968 3630-137 EUROPEAN BLUE/210 WHITE VINYL DUAL COLOR FILM LAMINATED TO FACE
- ② WHITE PRECOAT RETURNS PAINTED MATTHEWS 281342SP BRUSHED ALUMINUM
- ③ 1" WIDE CHROME JEWELITE TRIM CAP
- ~~④ INTERNALLY ILLUMINATED WITH WHITE LEDS~~
- ⑤ SERVICE FONT FACE IS ARIAL BOLD

**\*NOTE: LETTERS ARE BLUE DURING THE DAY AND ~~ILLUMINATE~~ WHITE AT NIGHT**

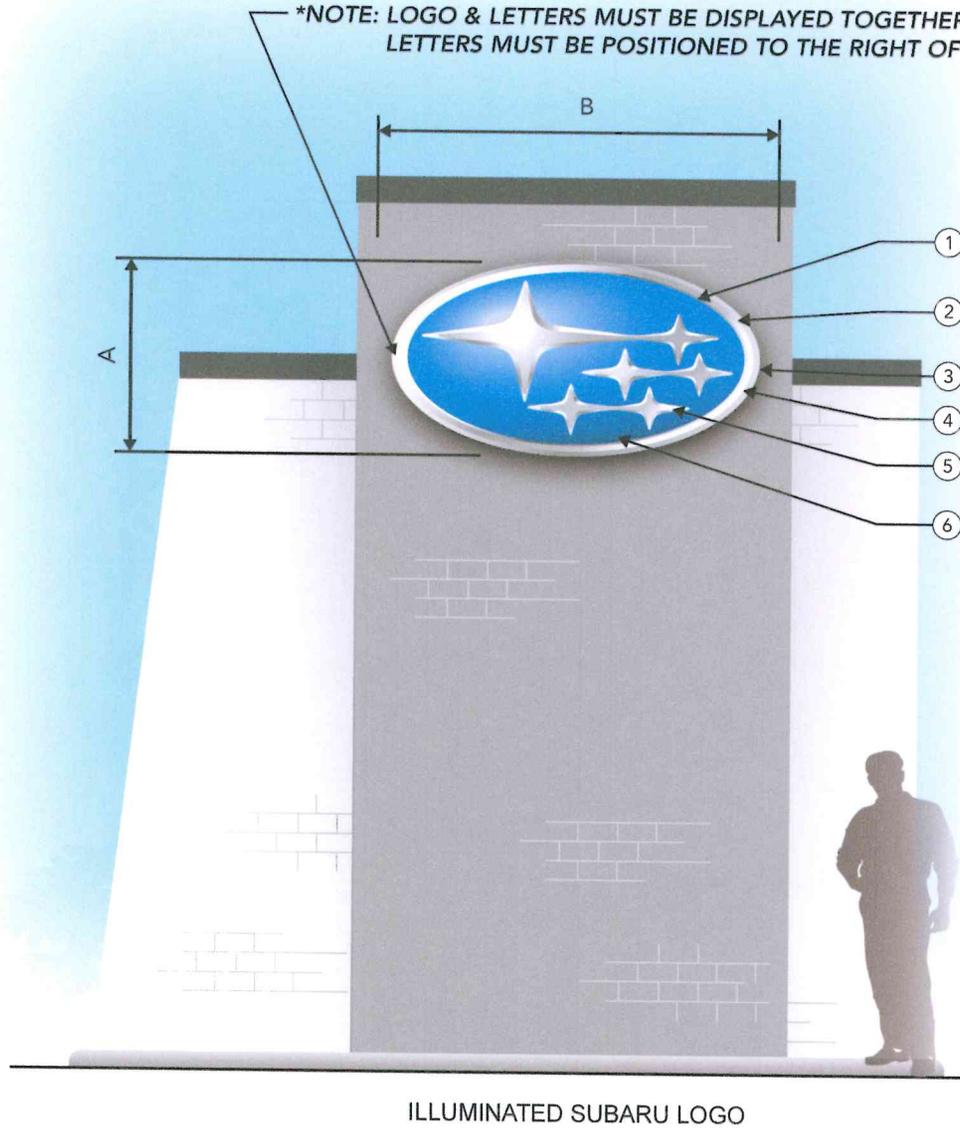
COLOR SCHEDULE



CHROME SUBARU LOGO

Attachment: 4100 Auto Plaza Drive Sign Plans (1581 : 4100 Auto Plaza Drive)

\*NOTE: LOGO & LETTERS MUST BE DISPLAYED TOGETHER  
LETTERS MUST BE POSITIONED TO THE RIGHT OF THE LOGO



ILLUMINATED LOGO SCHEDULE

SIGNTYPE	A	B	SQ FT	LETTER PAIRING
LOGO.CHR.20_SUB	20"	36-1/4"	5.03	CLB.14_SUB - 14"LTRS
LOGO.CHR.24_SUB	24"	41-1/2"	6.92	CLB.18_SUB - 18" LTRS
LOGO.CHR.36_SUB	36"	62-1/4"	15.56	CLB.24_SUB - 24" LTRS
LOGO.CHR.53_SUB	53"	96"	35.33	CLB.36_SUB - 36" LTRS

ILLUMINATED LOGO DETAILS

- ① 1/8" ROUTED CLEAR POLYCARBONATE WITH 3635-70 DIFFUSER FILM ON BACK HELD BY 1" WIDE CHROME SILVATRIM.
- ② 3" DEEP EMBOSSED OVAL FACE TO SLIDE UNDER SILVATRIM AND TRAPPED 1/8" CLEAR POLYCARBONATE DIFFUSER.
- ③ RETURN IS BRUSHED ALUMINUM PAINTED MATTHEWS 281342SP SILVER (SATIN FINISH).
- ④ 15/16" DEEP CHROME EMBOSSED RING.
- ⑤ 3/4" DEEP CHROME EMBOSSED STARS.
- ⑥ 3" DEEP EMBOSSED OVAL.

COLOR SCHEDULE

