



AGENDA

CAPITOLA PLANNING COMMISSION

Thursday, August 20, 2020 – 7:00 PM

Chairperson Ed Newman
Commissioners Courtney Christiansen
Mick Routh
TJ Welch
Peter Wilk

NOTICE OF REMOTE ACCESS ONLY:

In accordance with the current Order from Santa Cruz County Health Services and Executive Order regarding social distancing, the Planning Commission meeting will not be physically open to the public and in person attendance cannot be accommodated.

To watch:

1. Online <http://capitolaca.ig2.com/Citizens/Default.aspx>
2. Spectrum Cable Television channel 8
3. Zoom Meeting (link and phone numbers below)

To participate remotely and make public comment:

1. Send email:
 - a. As always, send additional materials to the Planning Commission via planningcommission@ci.capitola.ca.us by 5 p.m. the Wednesday before the meeting and they will be distributed to agenda recipients.
 - b. During the meeting, send comments via email to publiccomment@ci.capitola.ca.us
 - Identify the item you wish to comment on in your email's subject line. Emailed comments will be accepted during the Public Comments meeting item and for General Government / Public Hearing items.
 - Emailed comments on each General Government/ Public Hearing item will be accepted after the start of the meeting until the Chairman announces that public comment for that item is closed.
 - Emailed comments should be a maximum of 450 words, which corresponds to approximately 3 minutes of speaking time.
 - Each emailed comment will be read aloud for up to three minutes and/or displayed on a screen.
 - Emails received by publiccomment@ci.capitola.ca.us outside of the comment period outlined above will not be included in the record.
2. Zoom Meeting (Via Computer or Phone)
 - a. Please click the link below to join the meeting:
 - <https://us02web.zoom.us/j/88908973394?pwd=NzdkZ21MYnZYV3d0WlhaWU5SYit1dz09> (link is external)
 - If prompted for a password, enter 694466
 - Use participant option to "raise hand" during the public comment period for the item you wish to speak on. Once unmuted, you will have up to 3 minutes to speak

- b. Dial in with phone:
- Before the start of the item you wish to comment on, call any of the numbers below. If one is busy, try the next one
 - **1 669 900 6833**
 - **1 408 638 0968**
 - **1 346 248 7799**
 - **1 253 215 8782**
 - **1 301 715 8592**
 - **1 312 626 6799**
 - **1 646 876 9923**
 - Enter the meeting ID number: **889 0897 3394**
 - When prompted for a Participant ID, press #
 - Press *6 on your phone to “raise your hand” when the Chairman calls for public comment. It will be your turn to speak when the Chairman unmutes you. You will hear an announcement that you have been unmuted. The timer will then be set to 3 minutes.

REGULAR MEETING OF THE PLANNING COMMISSION - 7 PM

All correspondences received prior to 5:00 p.m. on the Wednesday preceding a Planning Commission Meeting will be distributed to Commissioners to review prior to the meeting. Information submitted after 5 p.m. on that Wednesday may not have time to reach Commissioners, nor be read by them prior to consideration of an item.

All matters listed on the Regular Meeting of the Capitola Planning Commission Agenda shall be considered as Public Hearings.

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 16, 2020 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. 514 Escalona Drive

#20-0212

APN: 036-121-20

Design Permit for first- and second-story additions to an existing nonconforming single-family residence located within 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: Phil Collyer & Susan Marfise

Representative: John Craycroft, Filed: 06.10.2020

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.

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 Design Permit 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 five hundred dollar (\$500) 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 1st Thursday of each month at 7 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. 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.



**DRAFT MINUTES
CAPITOLA PLANNING COMMISSION MEETING
THURSDAY, JULY 16, 2020
7 P.M. – CAPITOLA CITY COUNCIL CHAMBERS**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

Commissioners Christiansen, Routh, Welch, Wilk, and Chair Newman were present.

2. ORAL COMMUNICATIONS

A. Additions and Deletions to Agenda

B. Public Comments

C. Commission Comments

D. Staff Comments

3. APPROVAL OF MINUTES

A. Planning Commission - Regular Meeting - Jun 4, 2020 7:00 PM

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Wilk
SECONDER:	Courtney Christiansen
AYES:	Newman, Welch, Wilk, Routh, Christiansen

4. CONSENT CALENDAR

A. 111 Saxon Avenue

#20-0098

APN: 036-131-03

Design Permit for the conversion of an attached garage to living space and a new detached carport for an existing, two-story, single-family residence located within 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

Owner: Christine Herberg

Representative: Daniel Silvernail, Architect, Filed: 03.06.2020

MOTION: Approve the Design Permit with the following conditions and findings.

CONDITIONS:

1. The project approval consists of the conversion of an attached garage to living space and a new detached carport and a full interior and exterior remodel. 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 54% with a total of 2,160 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on July 16, 2020, except as modified through conditions imposed by the Planning Commission during the hearing.

Minutes Acceptance: Minutes of Jul 16, 2020 7:00 PM (Approval of Minutes)

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 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.
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, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #20-0098 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees 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.

FINDINGS:

A. The project, 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 proposed conversion of an attached garage to living space and a new detached carport and a full interior and exterior remodel complies with the development standards of the R-1 (Single-Family Residential) District. The project secures the purpose of the Zoning Ordinance, General Plan, and Local Coastal Plan

B. The project 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 application for the conversion of an attached garage to living space and a new detached carport and a full interior and exterior remodel. The design of the home with stucco siding on the first story and board and batten siding on the second story, will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of 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.

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition. The proposed project, even with the addition of the new 209-square-foot carport, reduces the total floor area on the lot. No adverse environmental impacts were discovered during review of the proposed project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	TJ Welch
SECONDER:	Mick Routh
AYES:	Newman, Welch, Wilk, Routh, Christiansen

5. DIRECTOR'S REPORT

Assistant Planner Sesanto gave the Director's report.

Restaurants have been closed to indoor dining, however, all restaurants are eligible for free outdoor dining permits.

The two Queen Palms at 4199 Clares Street will be preserved and relocated to the rear yard of the adjacent property at 4191 Clares Street.

6. COMMISSION COMMUNICATIONS

Commissioner Wilk said a lot of people like the Queen Palms so he was pleased they will be preserved.

Chair Newman commented on the Corona Virus cases in Santa Cruz County and inquired about how the City of Capitola could be more proactive to protect the community.

7. ADJOURNMENT

The meeting was adjourned at 7:18 p.m. to the next regular meeting of the Planning Commission on August 20, 2020.

Liz Nichols, Clerk to the Commission



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 20, 2020
 SUBJECT: **514 Escalona Drive #20-0212 APN: 036-121-20**

Design Permit for first- and second-story additions to an existing nonconforming single-family residence located within 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: Phil Collyer & Susan Marfise

Representative: John Craycroft, Filed: 06.10.2020

APPLICANT PROPOSAL

The applicant is proposing to enclose a portion of an existing second-story rear deck and extend the first-story covered front porch on an existing nonconforming single-family residence located at 514 Escalona Drive within the R-1 (Single-Family Residential) zoning district. The proposed project complies with all development standards of the R-1 zoning district.

BACKGROUND

The Architectural and Site Review Committee reviewed the application on July 8, 2020, and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: informed the applicant that the building plans should include a standard best management practices (BMP) sheet, recommended that the building plans include some type of site erosion protection to be installed prior to project construction, and requested that the applicant be conscious of general site housekeeping BMPs during the project construction. Mrs. Uharriet also provided several standard conditions for inclusion with the conditions of approval.

Building Official, Robin Woodman: informed the applicant that there were no immediate concerns and that any issues could be addressed during the building permit phase.

Local Architect, Frank Phanton: informed the applicant that he approved of the design.

Associate Planner, Matt Orbach: had no comments.

ZONING SUMMARY

The following table outlines the zoning code requirements for development in the R-1 Zoning District.

R-1 (Single Family Residential) Zoning District

Development Standards				
Building Height				
R-1 Regulation	Existing		Proposed	
25 ft.	23 ft. 4 in.		23 ft. 4 in.	
Floor Area Ratio (FAR)				
	Existing		Proposed	
Lot Size	4,000 sq. ft.		4,000 sq. ft.	
Maximum Floor Area Ratio	54% (Max 2,160 sq. ft.)		54% (Max 2,160 sq. ft.)	
First Story Floor Area	1,776 sq. ft.		1,776 sq. ft.	
Second Story Floor Area	306 sq. ft.		333 sq. ft.	
Deck/Covered Open Space	163 sq. ft.		187 sq. ft.	
Deck Exception	-150 sq. ft.		-150 sq. ft.	
TOTAL FAR	52.4% (2,095 sq. ft.)		53.7% (2,146 sq. ft.)	
Yards (setbacks are measured from the edge of the public right-of-way)				
	R-1 Regulation	Existing	Proposed	
Front Yard 1st Story	15 ft.	25 ft. 6 in.	21 ft. 4 in.	
Front Yard 2nd Story & Garage	20 ft.	3 ft. (Garage) Existing Nonconforming	3 ft. (Garage) Existing Nonconforming	
Side Yard 1st Story	10% lot width	Lot width: 40 ft. 4 ft. min.	4 ft. (West) 4 ft 5 in. (East)	4 ft. (South) 4 ft 5 in. (North)
Side Yard 2nd Story	15% of width	Lot width: 40 ft. 6 ft. min	6 ft. (West) 16 ft 5 in. (East)	6 ft. (West) 16 ft 5 in. (East)
Rear Yard 1st Story	20% of lot depth	Lot depth:100 ft. 20 ft. min.	22 ft. 3 in.	22 ft. 3 in.
Rear Yard 2nd Story	20% of lot depth	Lot depth:100 ft. 20 ft. min.	25 ft. 3 in.	25 ft. 3 in.
Encroachments (list all)	Garage (front setback)			
Parking				
	Required	Existing	Proposed	
Residential (from <u>2,001</u> up to <u>2,600</u> sq. ft.)	3 spaces total 1 covered 2 uncovered	1 spaces total 1 covered 0 uncovered Existing	1 spaces total 1 covered 0 uncovered Existing	

		Nonconforming	Nonconforming
Garage and Accessory Bldg.	Complies with Standards?		List non-compliance
Garage	No		Front Setback
Underground Utilities: required with 25% increase in area			Not Required

DISCUSSION

The existing structure at 514 Escalona Drive is a nonconforming two-story single-family residence. The applicant is proposing to enclose 27 square feet of an existing second-story rear deck and extend the first-story covered front porch by four feet. The extended front porch will have a new gabled roof with composition shingle roof and horizontal siding matching the existing residence and will add a total of 50 square feet of floor area. The lot is surrounded by one- and two-story single-family homes.

Nonconforming Structure

The existing structure is located within the first-story front yard setback and therefore is a legal non-conforming structure. Pursuant to code section 17.72.070, an existing non-conforming structure that will be improved beyond 80% of the present fair market value of the structure may not be made unless the structure is brought into compliance with the current zoning regulations. The applicant has submitted a construction cost breakdown demonstrating that the new addition is 2% of the present fair market value of the structure (Attachment 2), so the alterations can be made.

Parking

514 Escalona Drive currently only provides one on-site parking space in the attached garage. The code requires three spaces total, one covered and two uncovered. Additions of more than ten percent of the existing floor area require parking to be brought into compliance. The proposed additions add 77 square feet (3.6%) to the floor area, so the nonconforming parking does not need to be brought into compliance.

CEQA

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 77 square feet (3.6%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission review the application and approve project #20-0212 based on the following Conditions of Approval and Findings.

CONDITIONS OF APPROVAL

1. The project approval consists of the enclosure of a portion of an existing second-story rear deck and extension of the first-story covered front porch. 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 53.7% with a total of 2,146 square feet, compliant with the maximum FAR within the zone. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 20, 2020, 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 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.
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, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #20-0212 shall be paid in full.
8. 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.
9. 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.
10. 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).
11. 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.
12. 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.
13. 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

14. 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.
15. 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.
16. 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.
17. 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.
18. Upon receipt of certificate of occupancy, garbage and recycling containers shall be placed out of public view on non-collection days.

DESIGN PERMIT FINDINGS

A. The project, 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 proposed enclosure of a portion of an existing second-story rear deck and extension of the first-story covered front porch comply with the development standards of the R-1 (Single-Family Residential) District.

B. The project 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 application for the enclosure of a portion of an existing second-story rear deck and extension of the first-story covered front porch. The design of the home with gabled roof over the extended-front porch will fit in nicely with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

A. 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.

Section 15301(e) of the CEQA Guidelines exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the

floor area of the structures before the addition, or 2,500 square feet, whichever is less. The proposed additions add 77 square feet (3.6%) of floor area, so this exemption applies. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 514 Escalona Drive - Full Plan Set - 07.23.2020
2. 514 Escalona Drive - Nonconforming Calculation - 07.23.2020

Prepared By: Matt Orbach
Associate Planner



Site Plan
WP-1

GRADING, DRAINAGE AND EROSION CONTROL NOTES:

- GRADING:**
 - NO GRADING IN EXCESS OF 100 CU. YARDS IS PROPOSED.
 - NO UNNECESSARY GRADING AND DISTURBING OF SOIL.
 - NO FILLS GREATER THAN 2 FEET IN DEPTH
 - NO FILLS PLACED ON SLOPES GREATER THAN 20%
 - NO CUT SLOPE GREATER THAN 5 FEET
 - NO STRUCTURE TO BE PLACED ON FILL SLOPES
- DRAINAGE:**
 - FINISH GRADING TO CREATE 5% SLOPES AWAY FROM IMPROVEMENTS
 - INSTALL GUTTERS AND DOWNSPOUTS @ ALL ROOF EAVES. DISCHARGE FROM RAIN GUTTERS TO BE DIRECTED TO PAVING OR SPLASHBLOCKS, SLOPING AWAY FROM FOUNDATION AND SPREADING INTO LANDSCAPING
 - SWALES AND IMPERVIOUS SURFACES SHALL BE SLOPED A MINIMUM OF 2 PERCENT TOWARDS AN APPROVED DRAINAGE INLET OR DISCHARGE POINT.
- EROSION CONTROL:**
 - THE DEVELOPER SHALL BE RESPONSIBLE FOR IMPLEMENTING AND MAINTAINING SITE EROSION CONTROL AT ALL TIMES.
 - BETWEEN NOVEMBER 1 AND APRIL 15TH NO GRADING WITHOUT WINTER GRADING PERMIT. ANY EXPOSED SOIL SHALL BE PROTECTED FROM EROSION DURING THIS PERIOD. HAY BALES, FILTER 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.
 - ALL AREAS EXPOSED DURING CONSTRUCTION ACTIVITIES AND NOT PERMANENTLY LANDSCAPED, SHALL BE PROTECTED BY MULCHING AND PLANTING WITH THE FOLLOWING SCS APPROVED EROSION CONTROL MIX AT A RATE OF 35 LBS PER ACRE.

BILANDIO BROMHE	50%
ROSE CLOVER	35%
CREeping RED FESCUE	15%
ZORRO ANNUAL FESCUE	TRACE
WILDLOWERS	TRACE
 - ALL EXCAVATED MATERIAL SHALL BE REMOVED TO AN APPROVED DISPOSAL SITE.
 - ANY MATERIAL STOCKPILED ON-SITE SHALL BE COVERED WITH PLASTIC DURING THE WINTER MONTHS OR DURING PERIODS OF RAIN.
 - UPON COMPLETION OF CONSTRUCTION, ALL REMAINING EXPOSED SOILS SHALL BE PERMANENTLY REVEGETATED.
 - EXPOSED SOIL ON SLOPES GREATER THAN 20% SHALL BE SEEDED, COVERED WITH 2 INCHES OF STRAW, AND AN EROSION CONTROL BLANKET 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.

FIRE PROTECTION NOTES:

- PLANS ARE IN COMPLIANCE WITH CALIFORNIA BUILDING AND FIRE CODES (2019) AND LOCAL FIRE PROTECTION DISTRICT AMENDMENTS.
- OCCUPANCY CLASSIFICATION IS GROUP R3U, WOOD FRAME, CONSTRUCTION TYPE VB, NON-SPRINKLERED
- ADDRESS NUMBERS SHALL BE PROVIDED AND MAINTAINED-MIN. 4" IN HEIGHT ON A CONTRASTING BACKGROUND ON THE HOUSE IN A PLACE VISIBLE FROM THE STREET. IF NOT VISIBLE FROM THE STREET PROVIDE ADDITIONAL DIRECTIONAL SIGNS AT THE PROPERTY DRIVEWAY AND THE STREET.
- AN APPROVED SPARK ARRESTER ON TOP OF CHIMNEY SHALL BE INSTALLED.THE WIRE MESH NOT TO EXCEED 1/2".
- ROOF COVERING SHALL BE NO LESS THAN CLASS "B" FIRE RATED
- SMOKE DETECTORS TO BE INSTALLED PER THE FOLLOWING REQUIREMENTS AND AS SHOWN ON PLANS AND TO BE INTERCONNECTED.
 - One detector adjacent to each sleeping area (hall, foyer, balcony, etc.)
 - One detector in each sleeping room.
 - One at the top of each stairway of 24" rise or greater and in a location accessible by a ladder.
 - There must be at least one smoke detector on each floor level regardless of area usage.
 - There must be a minimum of one smoke detector in every basement area.
- INSTALL CARBON MONOXIDE DETECTOR OUTSIDE THE SLEEPING ROOMS AND ON EACH LEVEL OF THE RESIDENCE.
- The job copies of the building and fire system plans and permits must be on site during inspections.

STORMWATER PROJECT INFORMATION

EXISTING IMPERVIOUS AREA

RESIDENCE	= 1485 SQ. FT.
GARAGE	= 197 SQ. FT.
COV. PORCH	= 122 SQ. FT.
ASPHALT PAVING	= 82 SQ. FT.
TOTAL	= 1886 SQ. FT.

TOTAL NEW IMPERV. AREA = 50 SQ. FT.

TOTAL EXISTING + PROPOSED = 1936 SQ. FT.

PROJECT DATA

Address: 514 Escalona Drive, Capitola, CA
 Parcel Number: 096-021-20
 Parcel Size: 4,000 sq. ft.
 Occupancy Classification Group: E0, U Wood Frame
 Construction Type: VB
 Fire Sprinkler System is not proposed nor required.
 Water Supply: Public
 Waste Water: Sewer

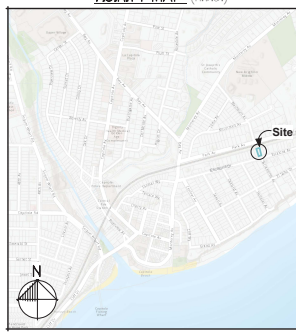
Lot Area	4000 sq. ft.
First Floor	3295 sq. ft.
Second Floor	3061 sq. ft.
Transect Total Heated	6356 sq. ft.
Garage	197 sq. ft.
General Porches	122 sq. ft.
Second Floor Deck	42 sq. ft.
Porch Deck	82 sq. ft.
Basement Total Area for FAR (FAR: 0.2544000)	224 sq. ft.
	0.061 (15% max)

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Transect Total Heated	6356 sq. ft.
Garage	197 sq. ft.
General Porches	122 sq. ft.
Second Floor Deck	42 sq. ft.
Porch Deck	82 sq. ft.
Basement Total Area for FAR (FAR: 0.2544000)	224 sq. ft.
	0.061 (15% max)

PROJECT DESCRIPTION

- Addition and Remodeling to an Existing Residence including:**
- 1st Floor:
 - Addition to Front Porch (50 sq. ft.)
 - 2nd Floor:
 - Convert existing covered portion of deck to heated area (27 sq.ft.)

VICINITY MAP (n.t.s.)



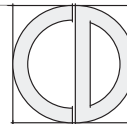
APPLICABLE CODES

- ALL CONSTRUCTION, REGARDLESS OF DETAILS ON PLANS, SHALL COMPLY WITH:
- 2019 CALIFORNIA RESIDENTIAL CODE
 - 2019 CALIFORNIA FIRE CODE & DIST. AMEND.
 - 2019 CALIFORNIA PLUMBING CODE
 - 2019 CALIFORNIA MECHANICAL CODE
 - 2019 CALIFORNIA ELECTRICAL CODE
 - 2019 CALIFORNIA ENERGY CODE
 - 2019 CALIFORNIA GREEN BUILDING STANDARDS

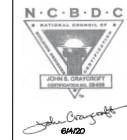
SHEET INDEX

A1.1	Cover Sheet & Site Plan
A1.2	Stormwater Measures
A2.1	Existing Floor Plans
A2.2	Existing Elevations
A3.1	Proposed Floor Plans
A3.2	Proposed Elevations
G1	Green Building Measures
S1.1	Survey

Attachment: 514 Escalona Drive - Full Plan Set - 07.23.2020 (514 Escalona Drive)



CRAYCROFT DESIGN
 455 Happy Valley Way
 Santa Cruz, CA 95065
 831-427-3048



SURVEYOR
 Olin Edmundson, PLS
 1512 Seabright Ave.
 Santa Cruz, CA 95062
 831-425-1966

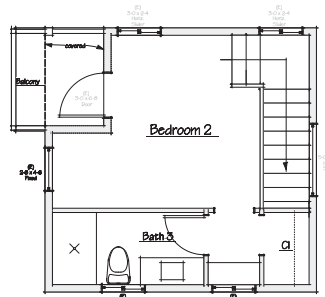
STRUCTURAL ENGINEER
 Leonard Willis, PE
 Redwood Engineering
 1535 Seabright Ave.
 Suite 200
 Santa Cruz, CA 95062
 (831) 426-8444

CLIENT
 Susan Marfise
 514 Escalona Drive
 Capitola, CA

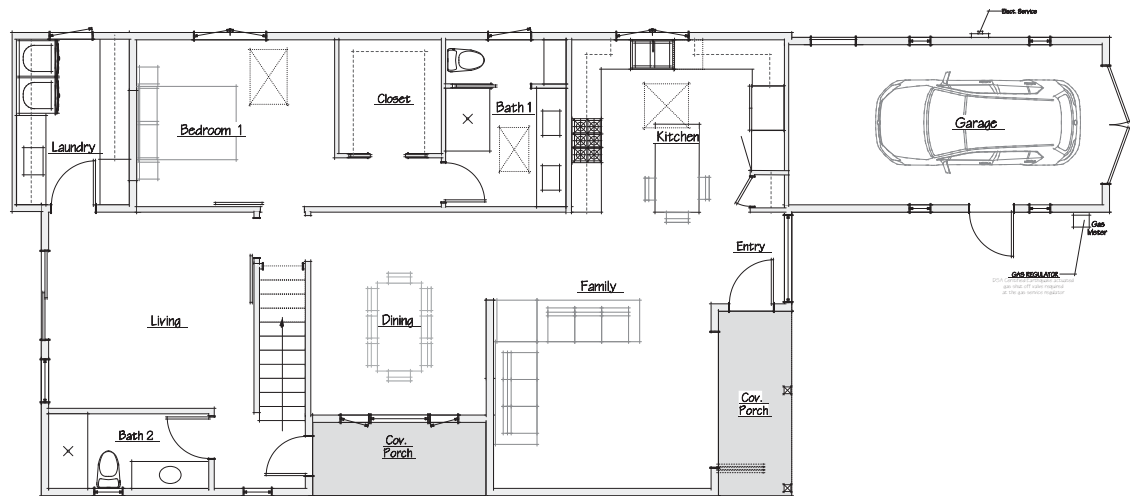
PROJECT
 514 Escalona Drive
 Capitola, CA
 APN : 036-121-20

VERSION	remarks
date	
6/4/20	Design Permit Submittal Set
7/23/20	correct discrepancy (AS2) public in front of town.

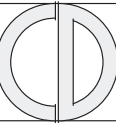
Site Plan
A1.1



2 Existing Second Floor Plan
Scale: 1/4" = 1'-0"



1 Existing First Floor Plan
Scale: 1/4" = 1'-0"



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CLIENT
Susan Marfise
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Capitola, CA

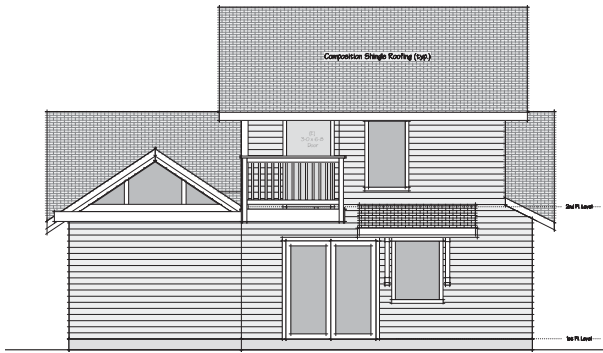
PROJECT
514 Escalona Drive
Capitola, CA
APN : 036-121-20

VERSION	
date	remarks
6/4/20	Design Permit Submittal Set

Existing
Floor Plans

A2.1

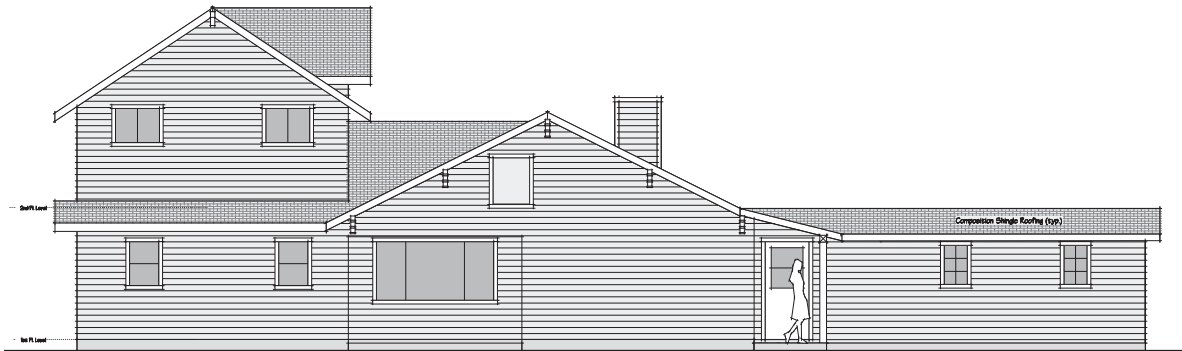
Attachment: 514 Escalona Drive - Full Plan Set - 07.23.2020 (514 Escalona Drive)



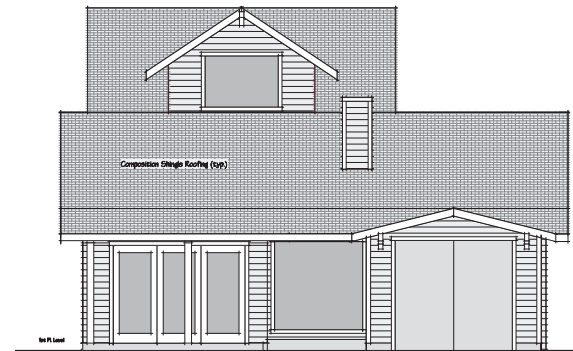
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Scale: 1/4" = 1'-0"



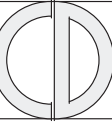
2 East Elevation
Scale: 1/4" = 1'-0"



3 West Elevation
Scale: 1/4" = 1'-0"



4 Front (South) Elevation
Scale: 1/4" = 1'-0"



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Attachment: 514 Escalona Drive - Full Plan Set - 07.23.2020 (514 Escalona Drive)

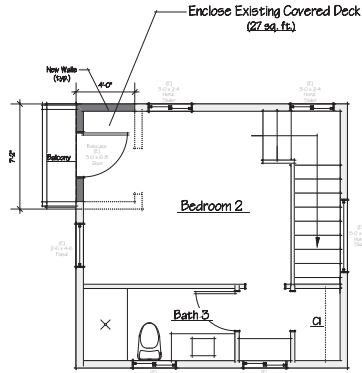
CLIENT
Susan Marfise
514 Escalona Drive
Capitola, CA

PROJECT
514 Escalona Drive
Capitola, CA
APN : 036-121-20

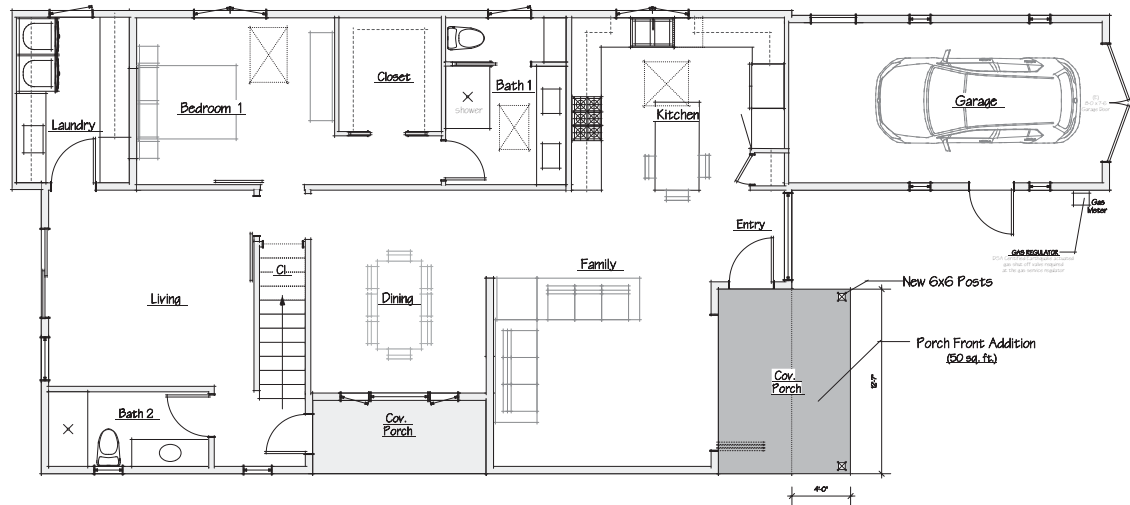
VERSION	remarks
date	
4/4/20	Design Permit Submittal Set

Existing Elevations

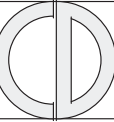
A2.2



2 Proposed Second Floor Plan
 Scale: 1/4" = 1'-0"
 EXISTING WALLS TO BE REMOVED
 EXISTING WALLS TO REMAIN
 NEW WALLS



1 Proposed First Floor Plan
 Scale: 1/4" = 1'-0"



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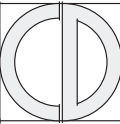
CLIENT
 Susan Marfise
 514 Escalona Drive
 Capitola, CA

PROJECT
 514 Escalona Drive
 Capitola, CA
 APN : 036-121-20

VERSION	
date	remarks
6/4/20	Design Permit Submittal Set
7/23/20	correct discrepancies before in front of permit

Proposed Floor Plans
A3.1

Attachment: 514 Escalona Drive - Full Plan Set - 07.23.2020 (514 Escalona Drive)



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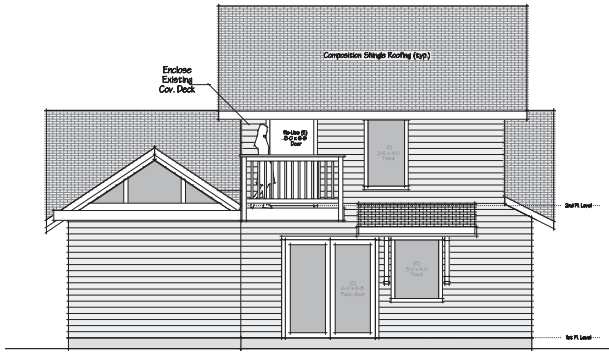
PROJECT
514 Escalona Drive
Capitola, CA
APN : 036-121-20

VERSION	date	remarks
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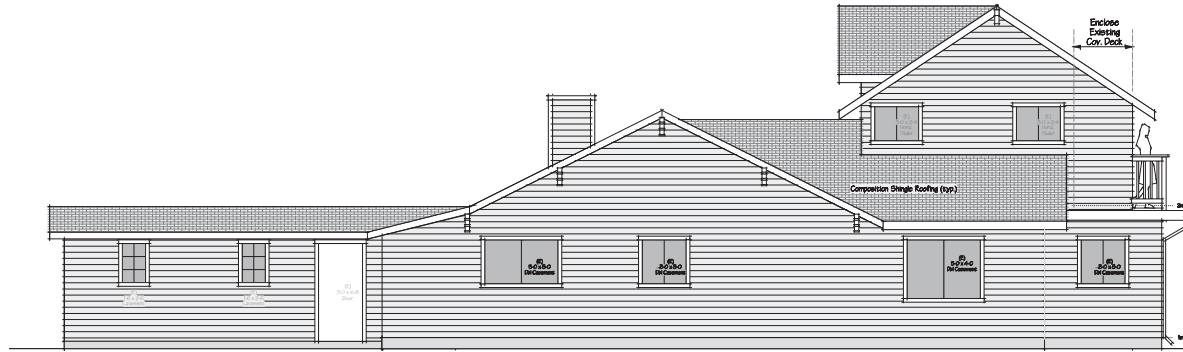
**Proposed
Elevations**

A3.2

Attachment: 514 Escalona Drive - Full Plan Set - 07.23.2020 (514 Escalona Drive)



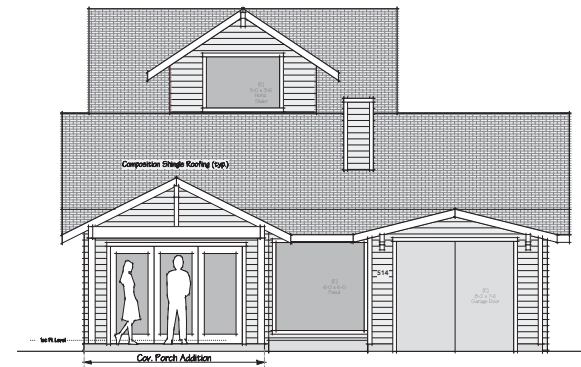
1 North Elevation
Scale: 1/4" = 1'-0"



2 East Elevation
Scale: 1/4" = 1'-0"



3 West Elevation
Scale: 1/4" = 1'-0"



4 Front (South) Elevation
Scale: 1/4" = 1'-0"

CONSTRUCTION COST BREAKDOWN PER Section 17.72.070

<u>Existing Building Costs:</u>	514 Escalona Drive		
Existing Residence:	1822 square feet	=	\$ 364,400.00
	\$ 200.00 square foot		
Existing Garage:	260 square feet	=	\$ 23,400.00
	\$ 90.00 square foot		
Existing Deck:	164 square feet	=	\$ 4,100.00
	\$ 25.00 square foot		
	<u>Total Existing Value:</u>		<u>\$ 391,900.00</u>
	80% of Total Existing Value		\$ 313,520.00
 <u>New Construction Costs:</u>			
New Conditioned Space:	27 square feet	=	\$ 5,400.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	50 square feet	=	\$ 1,250.00
	\$ 25.00 square foot		
	<u>Total New Construction Value:</u>		<u>\$ 6,650.00</u>
 <u>Remodel Costs: (50% of "new construction" costs)</u>			
Remodel Conditioned Space:	0 square feet	=	\$ -
	\$ 100.00 square foot		
Remodel Garage:	0 square feet	=	\$ -
	\$ 45.00 square foot		
Remodel Deck:	0 square feet	=	\$ -
	\$ 12.50 square foot		
	<u>Total Remodel Value:</u>		<u>\$ -</u>
	<u>Total Construction/Remodel Cost</u>		<u>\$ 6,650.00</u>
	% of Existing Value		2%

Attachment: 514 Escalona Drive - Nonconforming Calculation - 07.23.2020 (514 Escalona Drive)



STAFF REPORT

TO: PLANNING COMMISSION
 FROM: COMMUNITY DEVELOPMENT
 DATE: AUGUST 20, 2020
 SUBJECT: **212 Cherry Avenue #19-0737 APN: 035-161-09**

Design Permit for a remodel and third-story addition with a variance for the maximum height limit and to relocate nonconforming areas of the structure for a single-family residence located within the RM-LM (Multi-Family Residential Low-Medium Density) zoning district.

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

Environmental Determination: Categorical Exemption

Owner: Marti Formico

Representative: Dennis Norton, Filed: 12.16.2019

APPLICANT PROPOSAL

The applicant is seeking approval of a design permit for a remodel and third-story addition with a variance request to exceed the maximum height limit and to relocate nonconforming areas of the structure for a single-family residence located at 212 Cherry Avenue in the RM-LM (Multiple-Family Low-Medium Density) zoning district.

BACKGROUND

On July 17, 2020, the Architectural and Site Review Committee reviewed the application and provided the applicant with the following direction:

Public Works Representative, Danielle Uharriet: stated that the applicant should provide a detail of the drainage bioswale with the building permit submittal and additional information on detail #6 on sheet 9.

Building Department Representative, Robin Woodman: noted the new windows and siding along the property line would need to be fire rated. Ms. Woodman asked if the eaves overhang the sides and the applicant confirmed they did not.

Local Architect, Frank Phanton: noted that the home to the west of 212 Cherry Avenue appears to be about a story taller because of the slope difference. Mr. Phanton noted that the homeowner to the north may not approve of the structure's added height with respect to the neighbors' rear yard. Overall Mr. Phanton approved of the project and believed it would adequately meet findings for a variance, adding that the structure would remove the significant nonconformity which crosses the property line.

Assistant Planner, Sean Sesanto: informed the applicant that the roof deck may not be extended over the top of the second-story bay window on the south elevation. The plans should be modified to show a reduction of the bay window height and the new guardrail along the south edge of the rooftop deck restricting access to the area.

Following the Architecture and Site Review meeting, the applicant submitted revised plans that reduced the height of the bay window and incorporated a new guardrail along the south edge of the rooftop deck to prevent use of the bay window roof as a deck area.

Development Standards

The following table outlines the zoning code requirements for development in the RM-LM Zoning District. Development of single-family homes in the RM-LM Zoning District is governed by the process and standards contained in Chapter 17.15 "R-1 Single Family Residence District." The applicant is seeking a variance to the maximum height limit and to relocate nonconforming areas of the structure.

Development Standards						
Building Height						
R-1 Regulation	Existing		Proposed			
25 ft.	23 ft. 9 in.		27 ft. 6 in. (roof) 28 ft. 5 in. (arbor) Variance requested			
Floor Area Ratio (FAR)						
	Existing		Proposed			
Lot Size	2,265 sq. ft.		2,265 sq. ft.			
Maximum Floor Area Ratio	58% (Max 1,314 sq. ft.)		58% (Max 1,314 sq. ft.)			
First Story Floor Area	532 sq. ft.		532 sq. ft.			
Second Story Floor Area	978 sq. ft.		984 sq. ft.			
Third Story Floor Area	540 sq. ft.		540 sq. ft.			
<i>Decks, Covered Ext. Space</i>	488 sq. ft.		444 sq. ft.			
<i>Deck exception</i>	-150 sq. ft.		-150 sq. ft.			
TOTAL FAR	105.4% (2,388 sq. ft.)		103.7% (2,350 sq. ft.)			
Yards (setbacks are measured from the edge of the public right-of-way)						
	R-1 Regulation		Existing		Proposed	
Front Yard 1st Story	15 ft.		25 ft. 8 in.		25 ft. 8 in.	
Front Yard 2nd Story	20 ft.		24 ft.		24 ft.	
Front Yard 3rd Story	20 ft.		45 ft. 6 in.		44 ft. 6 in. 36 ft. 3 in. (with arbor)	
Side Yard 1st Story	10% lot width	Lot width 25 ft.	1 ft. 10 in. (West)		1 ft. 10 in. (West) Existing nonconforming	
		3 ft. min.	0 ft. 11 in. (East)		0 ft. 11 in. (East) Existing nonconforming	
Side Yard 2nd Story	15% of width	Lot width 25 ft.	1 ft. 10 in. (West)		1 ft. 10 in. (West) Existing nonconforming	
		3 ft. 9 in.	0 ft. 11 in.		0 ft. 11 in. (East)	

		min	(East)	Existing nonconforming
Side Yard 3rd Story	15% of width	Lot width 25 ft. 3 ft. 9 in. min	1 ft. 10 in. (West) 0 ft. (East) Encroaches into Adjacent lot	1 ft. 10 in. (West) Existing nonconforming 0 ft. 11 in. (East) Existing nonconforming
Rear Yard 1st Story	20% of lot depth	Lot depth 89.89 ft. 18 ft. min.	40 ft. 1 in.	40 ft. 1 in.
Rear Yard 2nd Story	20% of lot depth	Lot depth 89.89 ft. 18 ft. min	20 ft. 11 in.	20 ft. 11 in.
Rear Yard 3rd Story	20% of lot depth	Lot depth 89.89 ft. 18 ft. min	20 ft. 11 in.	20 ft. 11 in.
Encroachments (list all)				All floors encroach into side yard setbacks
Parking				
	Required	Existing	Proposed	
Residential (from 2,001 up to 2,600 sq. ft.)	3 spaces total 1 covered 2 uncovered	0 spaces total 0 covered 0 uncovered	0 spaces total 0 covered 0 uncovered	
Underground Utilities: required with 25% increase in area				Not required

DISCUSSION

The existing single-family residence is located on the north side of Cherry Avenue within the upper Capitola Village. The lot is surrounded by a variety of single- and multi-family homes which includes three-story homes which step up the Cherry Avenue-Fanmar Way hill.

The applicant is proposing to remodel the existing single-family residence. The applicant is proposing stucco siding on the first floor and tongue-and-groove siding on the two upper floors. The existing asymmetrical gable roof will be replaced with two flat roofs with several clerestory windows. A new nine-and-a-half-foot tall arbor is proposed on the deck. The remodel will increase total height by five-feet seven-inches.

There is an existing 49-square-foot cantilevered area of the living room on the east side of the third story that encroaches over the property line and into the adjacent lot. The applicant is proposing to remove the cantilevered area and add the equivalent area to the south elevation of the third story, enclosing 49 square feet of the existing third-story deck. This would remove the encroachment into the neighbor’s property. The project does not increase the total floor area ratio (FAR) of the structure.

Non-Conforming Structure

The existing structure is located within the first-, second-, and third-story side setbacks on the east and west sides. On the eastern side, the cantilevered section of the third story encroaches over the adjacent property. The structure also exceeds the maximum allowable floor area ratio

of the lot. The existing structure does not comply with the minimum setback and maximum FAR regulations of the zoning code and therefore is a legal non-conforming structure. Pursuant to code section 17.72.070, an existing non-complying structure that will be improved beyond 80% of the present fair market value of the structure may not be made unless the structure is brought into compliance with current zoning regulations. The applicant has submitted a construction cost breakdown demonstrating that the alterations are 28.6% of the present fair market value of the structure. The proposal includes removing the cantilevered area so that the structure is situated entirely within the property lines of 212 Cherry Avenue and within the existing building footprint. The proposed addition aligns with the second story exterior wall but does not conform to the required three-foot nine-inch side yard setbacks. The applicant is requesting a variance to allow the existing nonconforming floor area to be moved within the property and maintain the existing non-conforming 11-inch side yard setbacks.

Parking

Residential lots with a floor area between 2,001 square feet up to 2,600 square feet are required to provide three parking spaces, one of which must be covered. The lot currently provides no parking and therefore is considered nonconforming. Pursuant to CMC §17.51.135(B), no additional parking shall be required for reconstruction or structural alteration of an existing residential structure, so long as the floor area of the structure is not increased by more than ten percent of the existing gross floor area. The existing gross floor area of the structure will not increase, so the applicant is not required to provide any new parking.

VariANCES

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.*

Variance - Height

The applicant is seeking approval of a variance to exceed the 25-foot height limit. The clerestory windows and associated secondary roof element, a portion of the lower roof eave, and the entire upper section of the arbor exceed the 25-foot height limit.

In relation to variance finding A, there are special circumstances applicable to the subject lot's topography with a steep slope that increases 13 feet from the lowest to highest point of the structure's footprint. Currently the third floor is a split-level with a variation in height stepping from the front roof deck, interior space, and rear deck. The remodel would raise the interior floors to remove the split level. The proposed remodel includes a nine-and-a-half foot tall arbor, an expanded three-foot-tall clerestory and secondary roof element, and new eaves extending three feet from the main roof. The proposed arbor is 28 feet 5 inches above existing grade, and the roof element is 27 feet 6 inches above existing grade. The north side of Cherry Avenue consists of larger structures with massing that steps up the hill due to the steep slope of the lots. The application is comparable in height to the majority of residences to the west. With respect to elevation, the structure would remain visibly lower than those residences because 212 Cherry Avenue is on a lower portion of the hill. Due to lot topography, the strict application of the height

limitations would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

To analyze whether or not the approval of a variance would be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated (variance finding B), staff reviewed the characteristics of the residences on the north side of Cherry Avenue, consisting of eleven properties. At least five of the properties reviewed have three stories and appear to exceed the 25-foot height limit. Staff did not include 207 Terrace Way because it does not front Cherry Avenue, and did not include 202 Cherry Avenue, a large multi-family property. The grant of a variance would not constitute a grant of special privilege because approximately half the block exceeds the height limit.

Variance – Relocate Nonconforming Areas

The applicant is also requesting a variance to relocate existing nonconforming areas of the structure in relation to side setbacks. The proposal would remove the cantilevered portion of the third story which encroaches over the adjacent property to the east and construct a third-story addition equal to the removed floor area. The relocated area would follow the existing exterior walls which are within the property lines but encroach into both the eastern and western side setbacks by two-feet ten-inches and one-foot eleven-inches, respectively.

In relation to variance finding A, the subject property is narrow by Capitola standards (25 feet). The average property width on the north side of Cherry Avenue is approximately 35 feet, excluding 207 Terrace Way, which does not front Cherry Avenue, and 202 Cherry Avenue, which is a large multi-family property. The project would also correct a significant nonconformity by removing the cantilevered third-story portion of the home that encroaches six inches over the property line of the adjacent property. Due to the property width, the strict application of the development standards for setbacks and nonconformities would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

To analyze whether or not the approval of a variance would be a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated (variance finding B), staff visually surveyed the characteristics of the residences in relation to lot size and dimension along the north side of Cherry Avenue, consisting of eleven properties. At least nine of the properties appear to have encroachments into the required side setbacks. The eight properties to the west of 212 Cherry Avenue appear to be well in excess of any allowable floor area ratio for the zoning district. The grant of a variance would not constitute a grant of special privilege because the majority of properties exceed the maximum FAR and have nonconforming setbacks. It should also be noted that the proposed movement of the existing floor area will remove the encroachment within the neighboring property and will not increase the existing FAR.

CEQA

Section 15301 of the CEQA Guidelines exempts alterations to existing structures involving negligible or no expansion of use. This project involves interior and exterior modifications with no increase of floor area to an existing single-family residence subject to the R-1 (single-family residence) Zoning District. No adverse environmental impacts were discovered during review of the proposed project.

RECOMMENDATION

Staff recommends the Planning Commission approve project application #19-0737 based on the following Conditions and Findings for Approval.

CONDITIONS OF APPROVAL

1. The project approval consists of a remodel of an existing single-family residence with a variance to the maximum height limit and to relocate nonconforming areas of the structure within the required side yard setback. The maximum Floor Area Ratio for the 2,265 square foot property is 58% (1,314 square feet). The existing FAR of the structure is 105.4% with a total of 2,388 square feet. The proposed FAR of the project is 103.7% with a total of 2,350 square feet, which exceeds the maximum FAR within the zone but does not increase the existing floor area. The proposed project is approved as indicated on the final plans reviewed and approved by the Planning Commission on August 20, 2020, 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 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.
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, a landscape plan shall be submitted and approved by the Community Development Department. The landscape plan can be produced by the property owner, landscape professional, or landscape architect. Landscape plans shall reflect the Planning Commission approval and shall identify type, size, and location of species and details of any proposed (but not required) irrigation systems.
7. Prior to issuance of building permit, all Planning fees associated with permit #19-0737 shall be paid in full.
8. Prior to issuance of building permit, the developer shall pay Affordable housing in-lieu fees 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. Prior to issuance of building permits, the applicant shall include a complete detail of the bioswale proposed in the rear yard area planter area.

DESIGN PERMIT FINDINGS

- A. The project, 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. With a variance to the maximum height and to relocate a portion of nonconforming floor area, the proposed remodel of an existing single-family residence complies with the development standards of the R-1 (Single-Family Residence) Zoning District.

B. The project 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 application for the remodel of an existing single-family residence. The design of the home with stucco and tongue-and-groove siding, clerestory windows, and flat roof will fit in with the existing neighborhood. The project will maintain the character and integrity of the neighborhood.

VARIANCE FINDINGS - Height

A. 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 the steep rising slope beneath the majority of the structure. Due to the topography of the lot, the strict application of the height limitations would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

B. 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 has one of the narrowest widths on the north side of the Cherry Avenue block, consisting of eleven properties. Among those properties, only six of the observed eleven appear to comply with the 25-foot height limit. The grant of this variance would not constitute a special privilege because many Cherry Avenue properties do not comply with the 25-foot height limit.

VARIANCE FINDINGS – Relocate Nonconforming Areas

A. 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 lot is only 25 feet wide, below the City average width of 40 feet and the neighborhood average of 35 feet. The proposal will also correct a significant nonconformity by removing the portion of the home that encroaches six inches over the property line of the adjacent property. Due to the property width, the strict application of the side setback limitations would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

B. 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.

Nine of the eleven similar properties on the north side of the Cherry Avenue block appear to encroach into the required side setbacks. Eight of the eleven properties appear to be in excess of any allowable floor area ratio for the zoning district. The grant

of a variance would not constitute a grant of special privilege because the majority of properties in the vicinity and zone in which the subject property is situated exceed the maximum FAR and have nonconforming setbacks.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FINDINGS

A. 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.

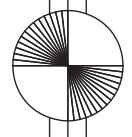
Section 15301 of the CEQA Guidelines exempts additions to existing structures involving negligible or no expansion of use. This project involves interior and exterior modifications to an existing single-family residence within the RM-LM (Multi-Family Residential Low-Medium) Zoning District. The project reduces the total floor area ratio. No adverse environmental impacts were discovered during review of the proposed project.

ATTACHMENTS:

1. 212 Cherry Avenue - Plan Set
2. 212 Cherry Avenue - Construction Cost Breakdown
3. 212 Cherry Avenue - Public Comments

Prepared By: Sean Sesanto

FORMICO RESIDENCE



GENERAL INFORMATION:		ZONE:
SITE AREA:		RM
EXISTING	633 SQ. FT.	
2ND FLOOR	802 SQ. FT.	
3RD FLOOR	1,273 SQ. FT.	
3RD FLOOR DECK	479 SQ. FT.	
ENCLOSED:		
2ND FLOOR	802 SQ. FT.	
3RD FLOOR	1,273 SQ. FT.	
3RD FLOOR DECK	479 SQ. FT.	
LOT COVERAGE:		
F.A.S. 2,279 S.F. MAX. = 1,300 S.F. MAX.		45%
F.Z.S. 673 S.F. PROPOSED		

DISCLAIMER:
 THE DESIGNER HAS CONDUCTED VISUAL ANALYSES AND HAS BEEN PREPARED IN COMPLIANCE WITH THE CALIFORNIA BUILDING AND FIRE CODES (C.B.F.C.)
 OCCUPANCY CLASSIFICATION: R-3(A)
 BUILDING CONSTRUCTION TYPE: V-B
 FIRE RATING: NON-SERIALIZED

THE DESIGNER MUST BE NOTIFIED OF ANY DISCREPANCIES IN THIS DOCUMENT AND/OR OTHERS FROM THESE DOCUMENTS. THIS MAY NOT BE USED OR REPRODUCED WITHOUT WRITTEN PERMISSION FROM THE DESIGNER. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR THE CONSTRUCTION DOCUMENTS.

PROJECT DESCRIPTION:
 RAISE WALL HEIGHT ON LEVEL 3.
 NEW WINDOWS & DOORS
 NEW ROOF TO LEVEL 3.
 REDUCTION TO LEVEL 3 DECK.

PAGE	TITLE
1	COVER SHEET, PROJECT INFO
2	GENERAL NOTES
3	SITE PLAN
4	EXISTING FLOOR PLAN
5	EXISTING ELEVATIONS
6	EXISTING RELATIONS
7	ROOF PLAN & SECTION
8	SITE PLANNING DETAILS
9	SCHEDULE FINISHES

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 717 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831-715-2816 FAX: 831-751-8516
 WEBSITE: www.dennisonortondesign.com

COVER SHEET
 LEGEND OF SHEETS

FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

DATE: 04/22/20
 JOB NO.: CHERRY
 DRAWN: GC
 CHECKED: [blank]
 SHEET 1 OF 1 SHEETS

REVISIONS:	BY:	DATE:
1	GC	04/22/20

OWNER:
MARTIN FORMICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

REVISIONS	DATE	BY

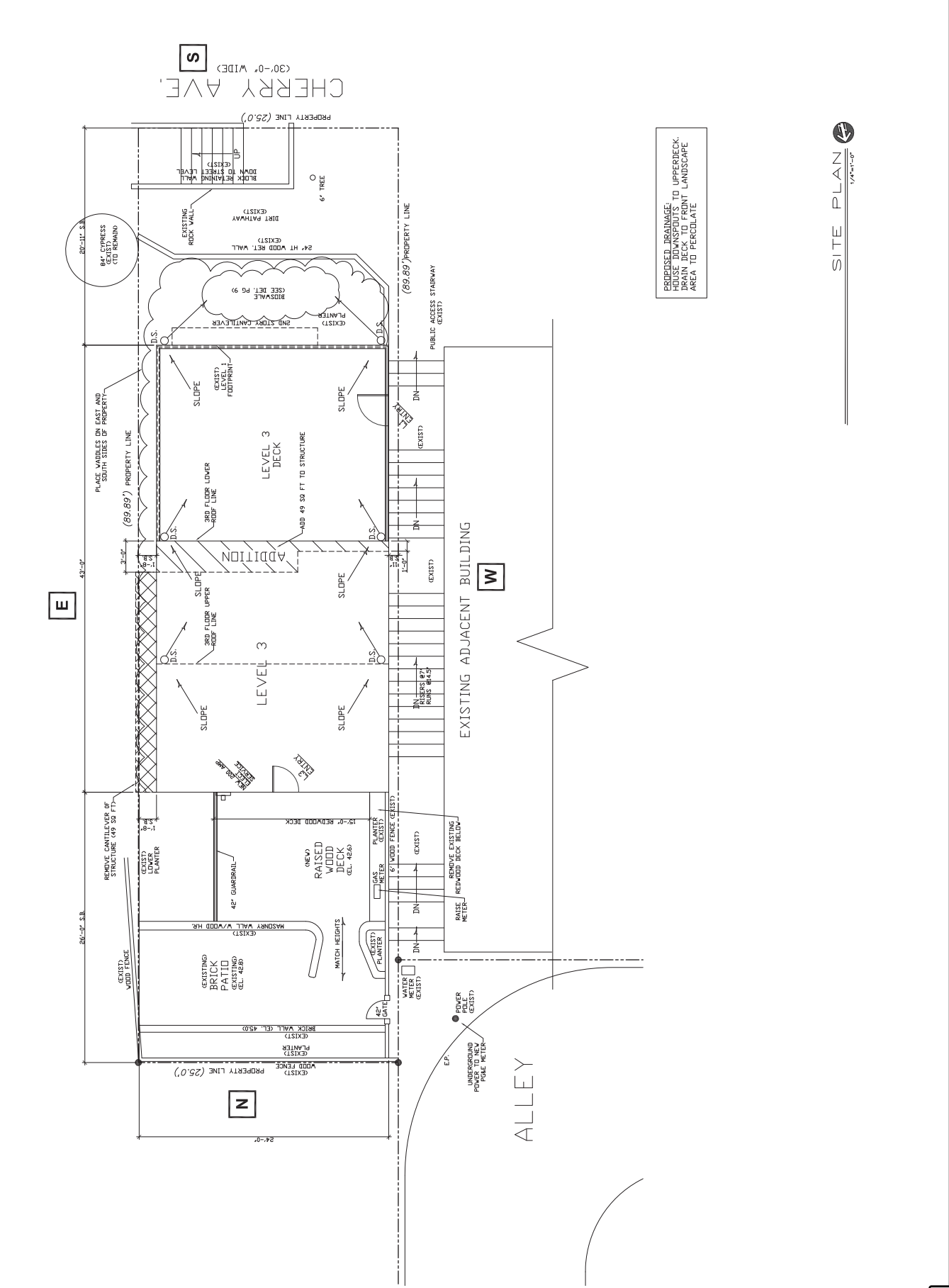
OWNER: FORMICO MARTINERICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831.741.2818 FAX: 831.741.2815
 WWW.DENNISNORTONDESIGN.COM

SITE PLAN

DRAWN: GC
SCALE: 1/4" = 1'-0"
JOB NO: CHERRY
DATE: 06/02/20
SHEET: 2
OF: 1 SHEETS



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

REVISIONS:	DATE:	BY:

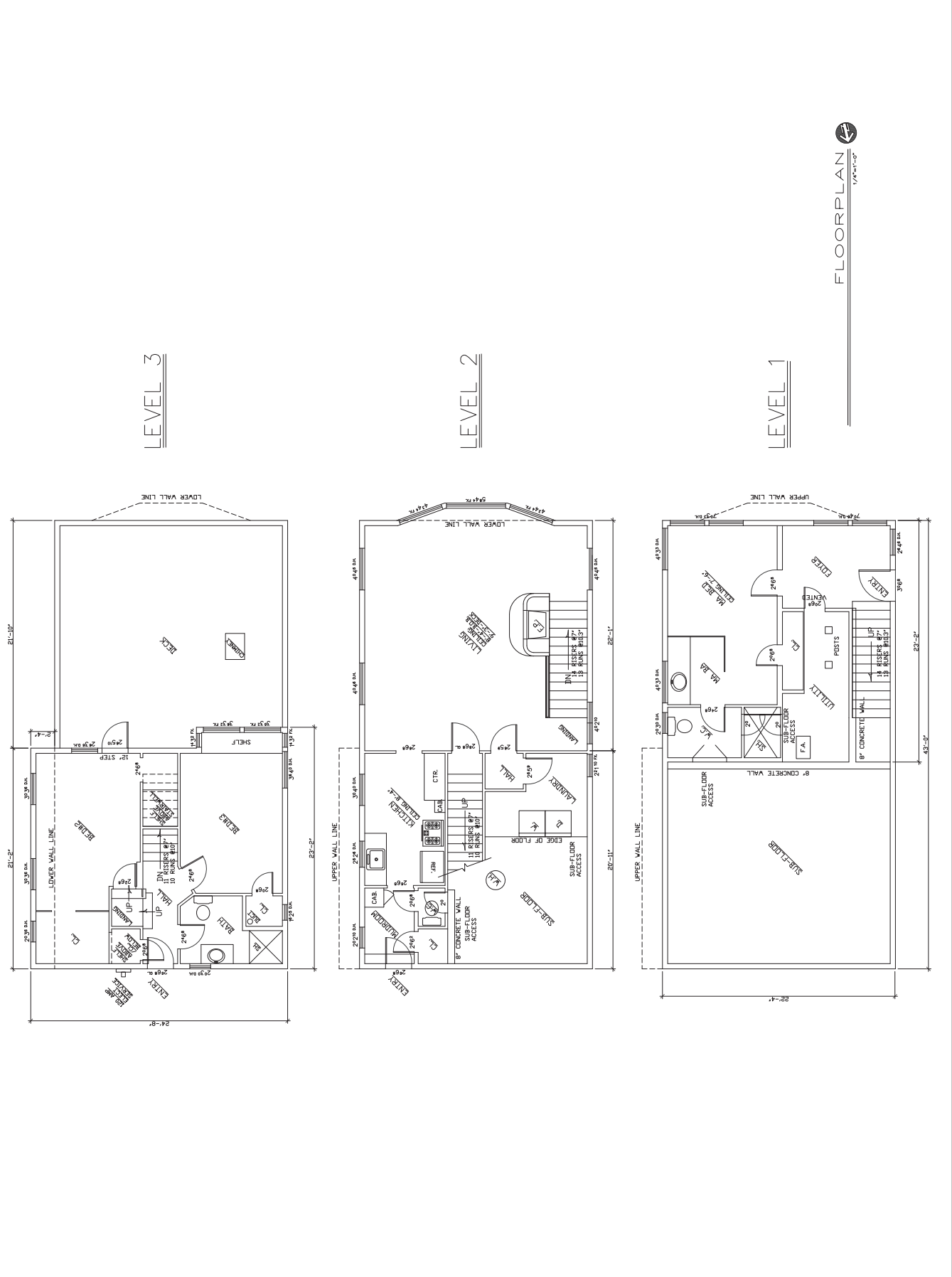
OWNER: MARCO FORMICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

HOME DESIGN AND PROJECT PLANNING
DENNIS NORTON
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831.428.2816 FAX: 831.428.2816
 WEBSITE: www.dennisonortondesign.com

EXISTING FLOORPLAN

DRAWN: GC	SHEETS: 1
SCALE: 1/4" = 1'-0"	OF: 1
JOB NO: CHERRY	
DATE: 11/19/13	
SHEET: 3	



FLOORPLAN
 1/4" = 1'-0"

REVISIONS:	
DATE	
BY	

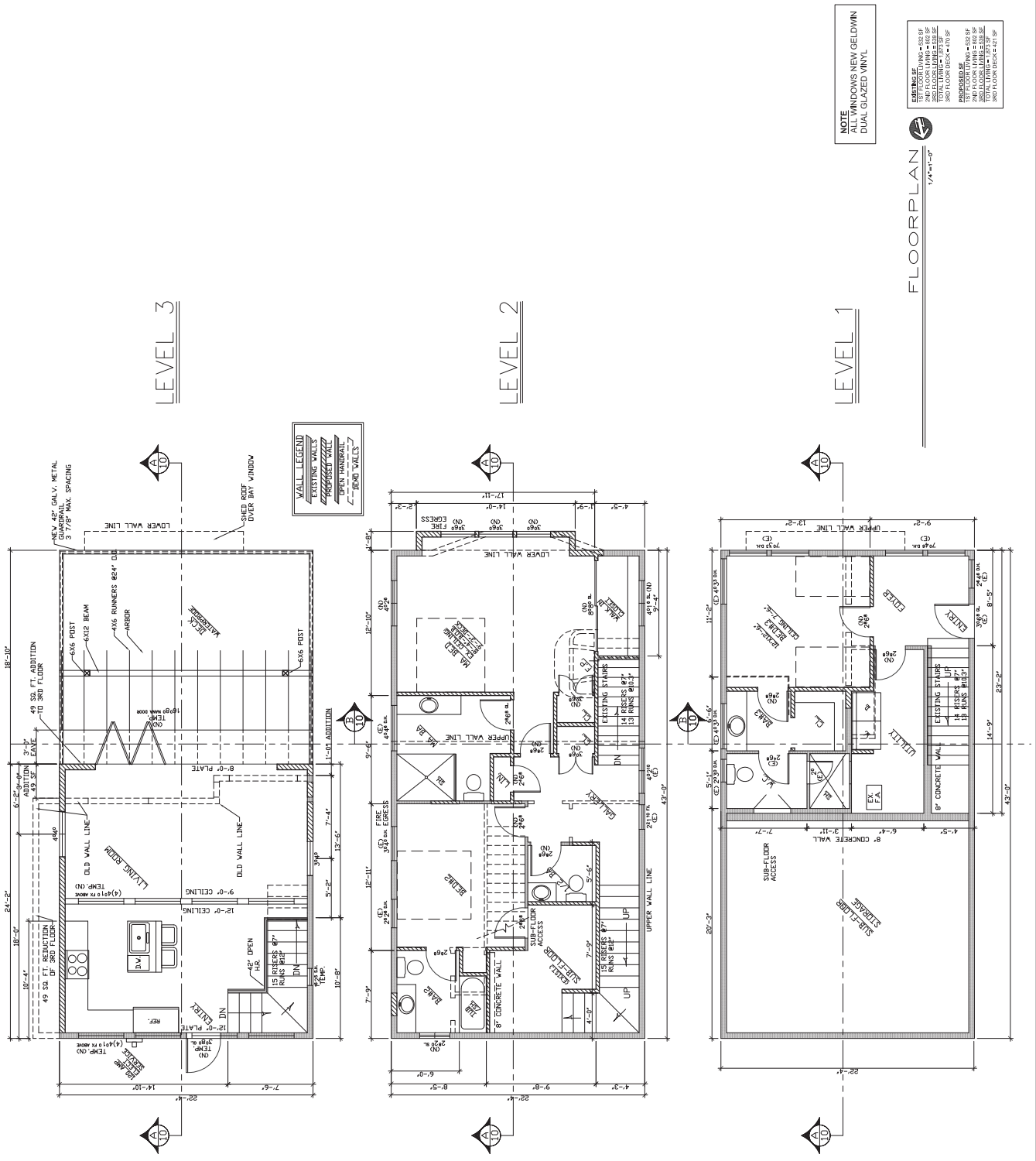
OWNER: FORMICO
 212 CHERRY AVE.
 CAPITOLA, CA 95010

FORMICO RESIDENCE
 212 CHERRY AVE.
 CAPITOLA, CA 95010
 APN 035-161-09

HOME DESIGN AND PROJECT PLANNING
 DENNIS NORTON
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831.238.8286 FAX: 831.425.2816
 WEBSITE: www.dennisonordesign.com

PROPOSED FLOORPLAN

GC	
SCALE	1/4" = 1'-0"
DRAWN	CHERRY
DATE	06/02/20
SHEET	4
OF	7



REV	DATE	BY	CHK

OWNERS: FORMICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

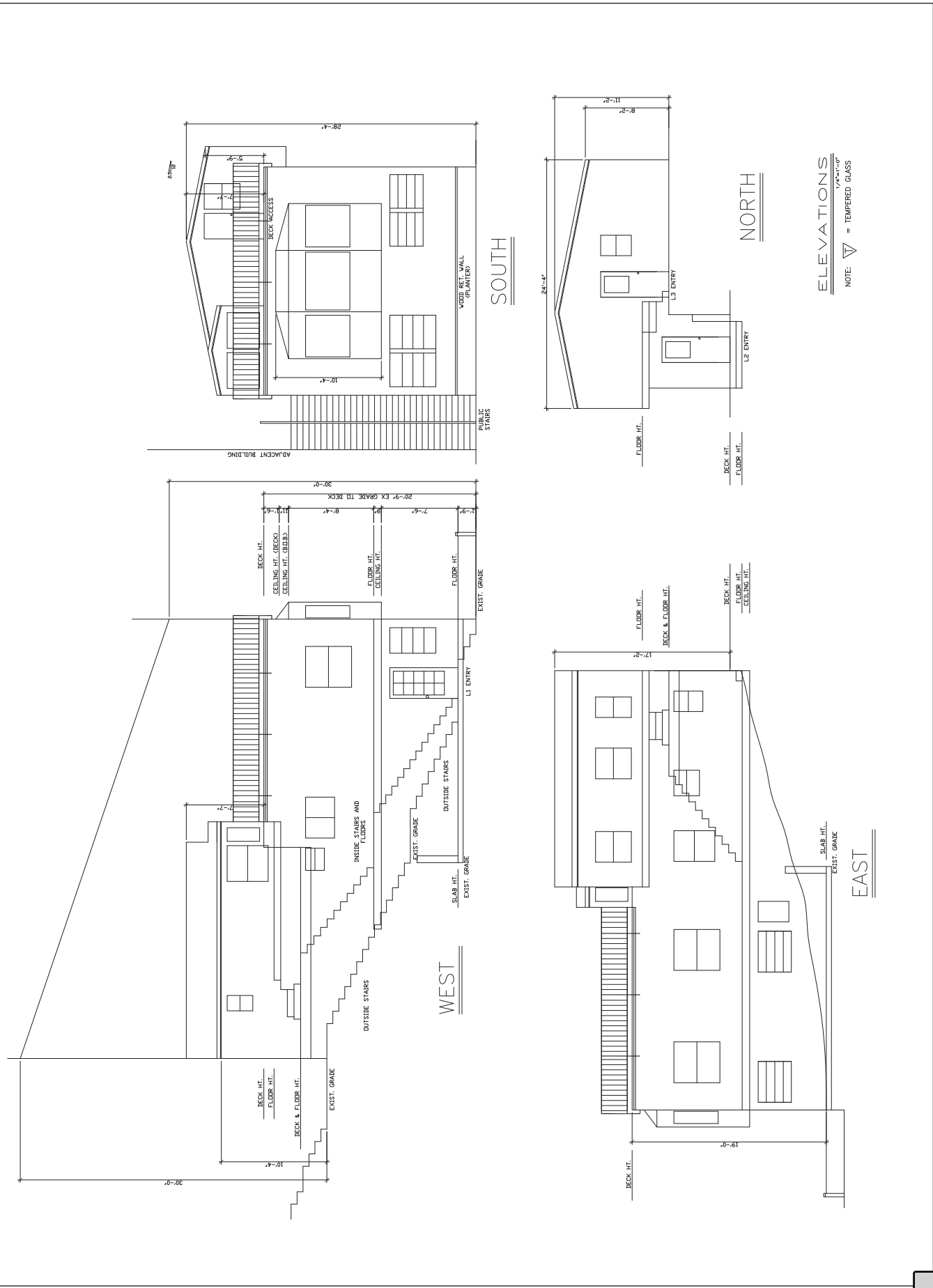
FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

DENNIS NORTON
 HOME DESIGN AND
 PROJECT PLANNING
 712 C CAPITOLA AV, CAPITOLA, CA 95010 • 831 476 2616
 FAX 476 2816

EXISTING ELEVATIONS

DRAWN:	GC
SCALE:	1/4" = 1'-0"
JOB:	CHERRY
DATE:	12/18/13
SHEET	5
OF	7
SHEETS	

NOTE: = TEMPERED GLASS



REVISED	
BY	
DATE	
APPROVED	
DATE	

OWNER: FORMICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

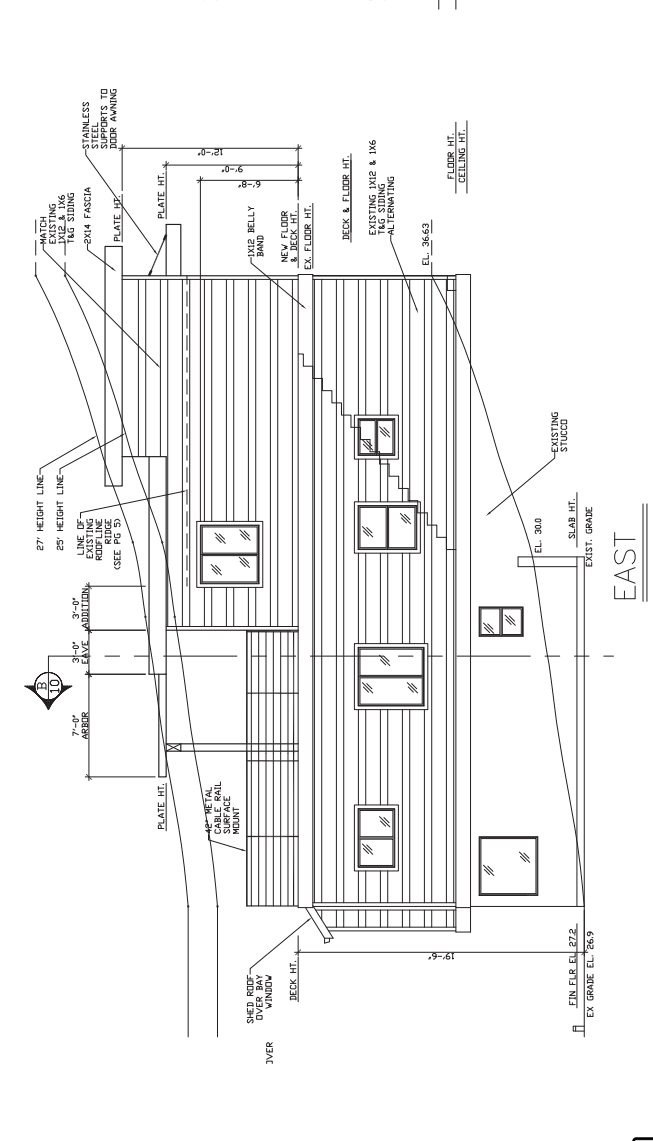
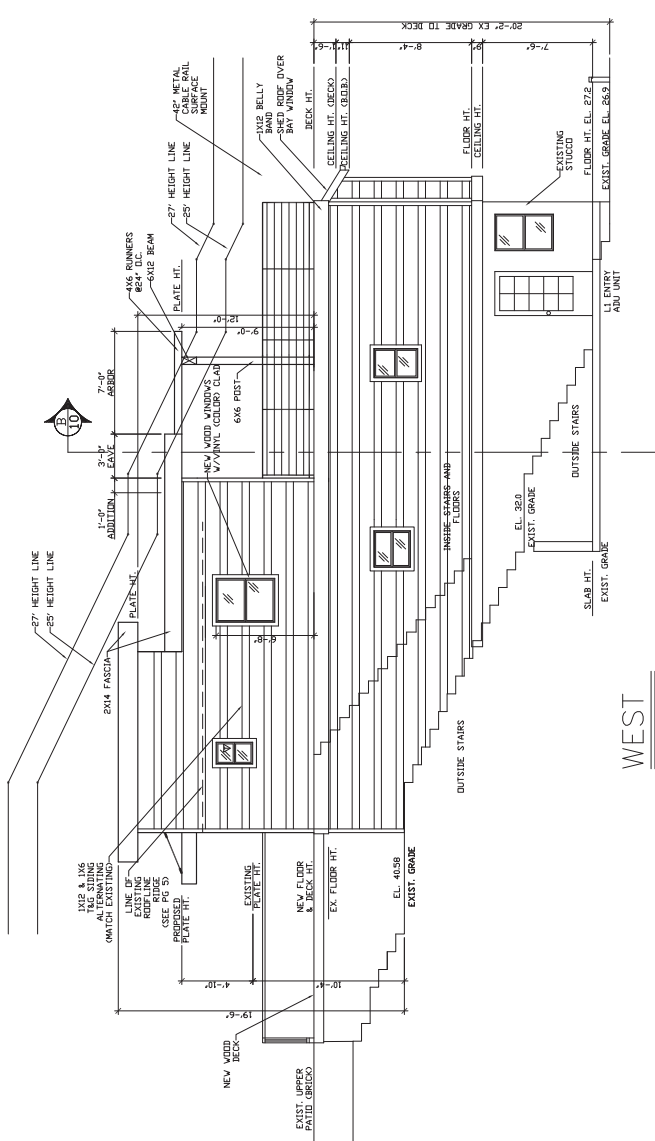
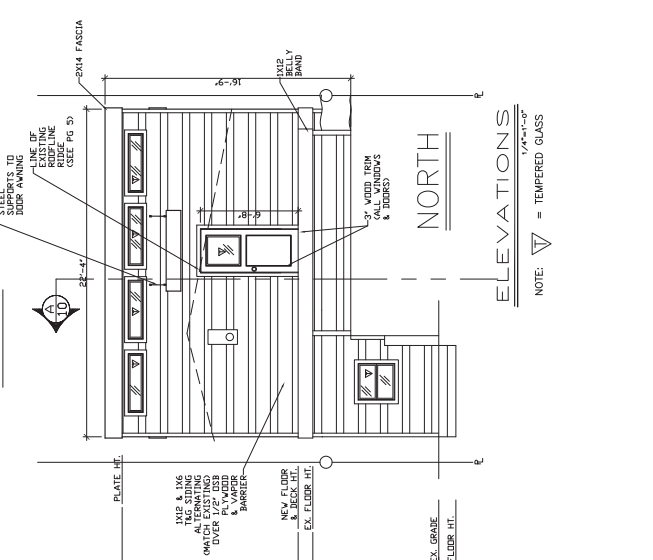
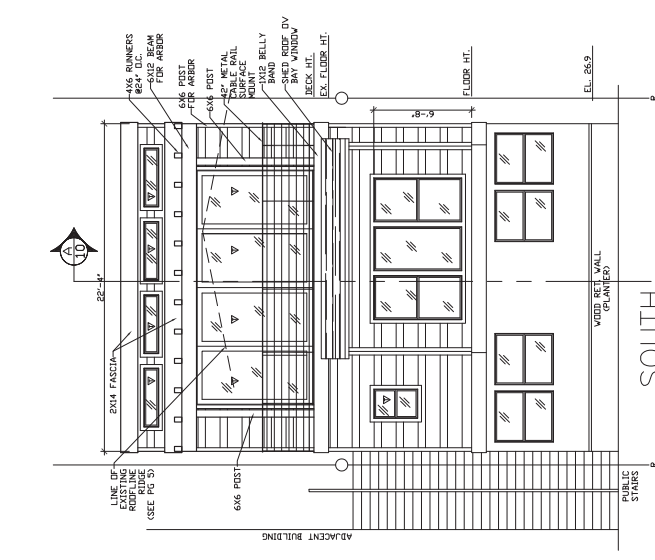
FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

HOME DESIGN AND PROJECT PLANNING
 DENNIS NORTON
 712 C CAPITOLA AVENUE, CAPITOLA, CALIFORNIA 95010
 PHONE: 831.224.2814 FAX: 831.224.2815
 WEBSITE: www.dennisnortonplanning.com

PROPOSED ELEVATIONS

DRAWN	GC
SCALE	1/4" = 1'-0"
JOB	CHERRY
DATE	06/02/20

9
 SHEET #



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

REVISIONS	DATE	BY	APP

OWNER: FORMICO
 212 CHERRY AVE
 CAPITOLA, CA 95010

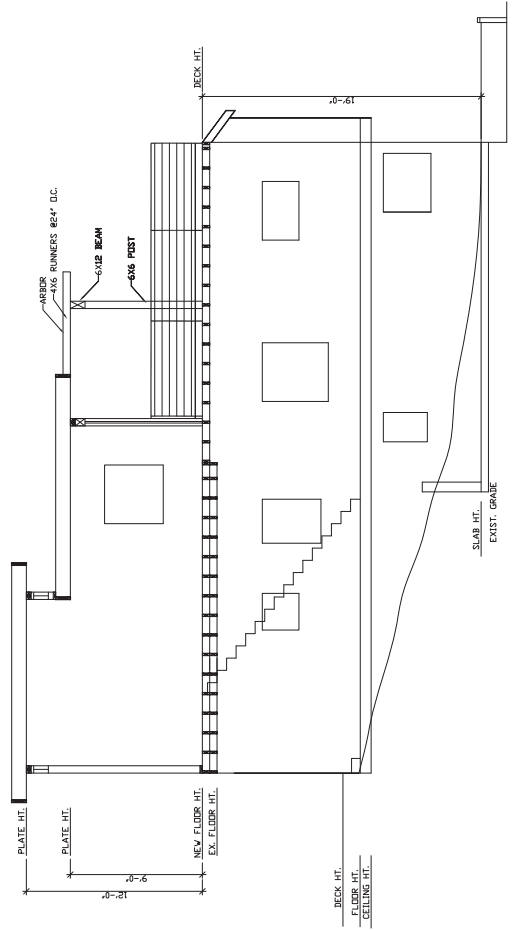
FORMICO RESIDENCE
 212 CHERRY AVE
 CAPITOLA, CA 95010
 APN 035-161-09

DENNIS NORTON
 HOME DESIGN AND PROJECT PLANNING
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 PHONE: 831.238.8415 FAX: 831.439.2815
 WEBSITE: www.dennisonordesign.com

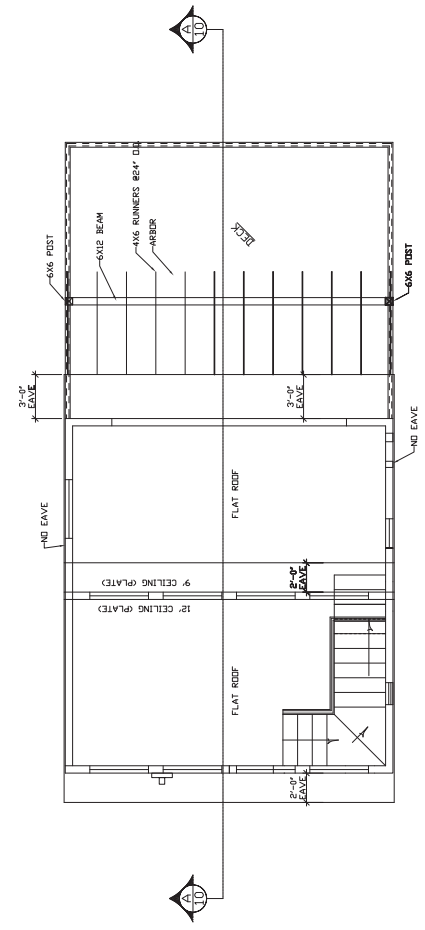
ROOF PLAN & SECTION

DRAWING: GC
 SCALE: 1/4" = 1'-0"
 JOB NO: CHERRY
 DATE: 01/30/20

SHEET 8 OF 7 SHEETS



SECTION "A"



PROPOSED ROOF PLAN



1 SEMI-PERMEABLE PAVERS (DRIVEWAY)

2.5" ASPHALT CONCRETE CHANNEL
 SOLID COURSE PAVERS GROUDED ON 5/8" SOFT SAND TOWARD WHEELS 1/2" DEEP
 PERVIOUS PAVEMENT PER PLAN OVER GRADED, BRICKING COURSE & ANTS
 BAG (1/2" MAX AGGREGATE SIZE)
 #3 BAR TOP & BOT.
 7" CLASS 3 AGGREGATE BASE (3/4" MAX AGGREGATE SIZE)
 #6-EN GRADED BASE OVER BROKENITE

2 SEMI-PERMEABLE PAVERS (PATIOS & WALKWAYS)

CONC. CURB - 6" WIDE X 12" DEEP
 PERVIOUS PAVEMENT PER PLAN OVER GRADED, BRICKING COURSE & ANTS
 OVER WRAFF HP-370
 #3 BAR TOP & BOT.
 FINISH GRADE

3 FIBER ROLL

Verify that fiber roll is measured along the face of the slope BFT and BFT. (1/2" MIN. SLOPE)

Notes: Fiber roll along a level contour.
 Fiber roll where slope where it transitions into a steeper slope

1/2" MIN. SLOPE

TYPICAL FIBER ROLL INSTALLATION N.T.S.

4 CONSTRUCTION ENTRANCE

Crushed aggregate greater than 3" but smaller than 6"
 Filter fabric
 12" Min. unless otherwise specified by a soils engineer

SECTION B-B

NOTE: 12" minimum sediment barrier and channelize runoff to sediment trapping device

Width of required to be 50' Min. of four times the circumference of the largest construction vehicle tire, whichever is greater

Temporary pipe culvert as needed

Width of required to be 50' Min. of four times the circumference of the largest construction vehicle tire, whichever is greater

EXISTING PAVED ROADWAY
 Marked Existing Curb

PLAN

5 TREE PROTECTION PLAN

1. Areas of construction activity in the area, including parking, temporary fencing shall be located at each site line. Fencing shall be located at least 10 feet from the edge of the tree and at least 12 feet from the trunk of the tree to allow for the placement of a 3" diameter protective pipe. The pipe shall be located at the base of the tree and shall be secured to the trunk of the tree. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe.

2. The tree protection fence shall be 4" high with the walls removable. The fence shall form a continuous barrier around each tree and each

3. Low hanging limbs of trees shall be pruned prior to grading. As any equipment near the trunk of a tree, the contractor shall be notified and the tree shall be protected. No site, tree, limb, branch, leaf, or other natural or man-made feature shall be removed or altered to the detriment of the tree or to the detriment of the tree. The tree shall be protected by a 3" diameter protective pipe. The pipe shall be located at the base of the tree and shall be secured to the trunk of the tree. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe.

4. This fence shall come as close as possible to the trunk of the tree as possible. No site, tree, limb, branch, leaf, or other natural or man-made feature shall be removed or altered to the detriment of the tree or to the detriment of the tree. The tree shall be protected by a 3" diameter protective pipe. The pipe shall be located at the base of the tree and shall be secured to the trunk of the tree. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe. The pipe shall be secured to the trunk of the tree by a 1/2" diameter pipe.

5. Construction vehicles and equipment shall be prohibited from entering the area of the tree and all of them until the project is complete.

6. A 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

7. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

8. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

9. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

10. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

11. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

12. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

13. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

14. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

15. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

16. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

17. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

18. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

19. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

20. The 3" diameter pipe shall be placed at the base of each tree within the perimeter of the fencing.

6 BIOSHADE

MAX. FOR LANDSCAPE CURB OVER 6" CLASS 3" STONE OPEN GRADED BASE

3'-0" MIN.

6'-0" MIN.

7 STORM DRAIN INLET PROTECTION

NOT USED

8 SITE HOUSEKEEPING REQUIREMENTS: CONSTRUCTION MATERIALS

ALL LOOSE EXPOSED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOILS, SPILLS, AGGREGATE, FILL, SAND, STUCCO, HYDRATED LIME, ETC.) SHALL BE COVERED AND BARRIERS SHALL BE PLACED AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY.

9 SITE HOUSEKEEPING REQUIREMENTS: WASTE MANAGEMENT

DISPOSAL OF WASTE OR WASH MATERIALS ON SURFACES OR PREVIOUS SITE SURFACES OR INTO THE STORM DRAIN SYSTEM SHALL BE PROHIBITED. WASTE FACILITIES SHALL BE COVERED (E.G. PORTABLE TOILETS) TO PREVENT SPILLS AND WASH MATERIALS FROM REACHING THE STORM DRAIN SYSTEM. WASTE FACILITIES SHALL BE COVERED (E.G. PORTABLE TOILETS) TO PREVENT SPILLS AND WASH MATERIALS FROM REACHING THE STORM DRAIN SYSTEM. WASTE FACILITIES SHALL BE COVERED (E.G. PORTABLE TOILETS) TO PREVENT SPILLS AND WASH MATERIALS FROM REACHING THE STORM DRAIN SYSTEM.

10 SITE HOUSEKEEPING REQUIREMENTS: VEHICLE STORAGE & MAINTENANCE AND LANDSCAPE MATERIALS

MEASURES SHALL BE TAKEN TO PREVENT OIL, GREASE, OR FUEL TO LEAK TO THE GROUND, INTO THE STORM DRAIN SYSTEM, OR INTO ANY OTHER BODY OF WATER. ALL EQUIPMENT OR VEHICLES WHICH ARE TO BE FUELED, MAINTAINED AND STORED ON-SITE SHALL BE IN A DESIGNATED AREA FITTED WITH APPROPRIATE BMPs. LEAKS SHALL BE IMMEDIATELY CLEANED AND LEAKED MATERIALS SHALL BE DISPOSED OF PROPERLY. CONTAIN STORAGED MATERIALS SUCH AS MULCHES AND TOPSOIL WHEN THEY ARE NOT BEING USED. FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHICH ARE NOT ACTIVELY BEING USED SHALL BE STORED IN A DESIGNATED AREA FITTED WITH APPROPRIATE BMPs. BEFORE A FORECASTED RAIN EVENT OR DURING PERIODS OF PRECIPITATION, APPLY ERODIBLE LANDSCAPE MATERIALS AT QUANTITIES AND APPLICATION RATES ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS. BEFORE A FORECASTED RAIN EVENT OR DURING PERIODS OF PRECIPITATION, APPLY ERODIBLE LANDSCAPE MATERIALS AT QUANTITIES AND APPLICATION RATES ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS. BEFORE A FORECASTED RAIN EVENT OR DURING PERIODS OF PRECIPITATION, APPLY ERODIBLE LANDSCAPE MATERIALS AT QUANTITIES AND APPLICATION RATES ACCORDING TO THE MANUFACTURER'S RECOMMENDATIONS.

11 TYPICAL DRIVEWAY

NOT USED

9 PROTECTIVE FENCING FOR EXISTING TREES

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

EXISTING TREE LEGEND
 ex. tree to remain (typ.)
 ex. tree to be removed (typ.)

1. ALL NEWLY PLANTED TREES TO BE DOUBLE SPACED USING RUBBER TREE TIES.

2. ALL EXISTING PROTECTED TREES SHALL BE PLACED AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY.

3. ALL EXISTING PROTECTED TREES SHALL BE PLACED AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY.

4. ALL EXISTING PROTECTED TREES SHALL BE PLACED AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY.

10 SITE HOUSEKEEPING REQUIREMENTS: SITE CLEANUP

ALL LOOSE EXPOSED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOILS, SPILLS, AGGREGATE, FILL, SAND, STUCCO, HYDRATED LIME, ETC.) SHALL BE COVERED AND BARRIERS SHALL BE PLACED AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY. EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE IMMEDIATELY AND DISPOSED OF PROPERLY.

11 TYPICAL DRIVEWAY

NOT USED

12 TYPICAL DRIVEWAY


NOT USED

Concrete, Cement, & Masonry Products

- 1. Avoid mixing excess amount of fresh concrete or cement mortar on-site.
- 2. Store masonry products, instrument or pollutant laden water shall never be discharged into or allowed to reach the storm drain system.
- 3. Concrete, cement, and masonry mixing containers may not be washed or rinsed into the street or storm drain system. If a wash or rinse is necessary, the water must be cleaned up and disposed of properly.
- 4. Concrete, cement, and masonry mixing containers may not be washed or rinsed into the street or storm drain system. If a wash or rinse is necessary, the water must be cleaned up and disposed of properly.
- 5. If contacting sidewalk work, material accumulations must be removed and cleaned up by the end of each day. Sweep or collect material from sidewalks, and keep it in the gutter, street, storm drain, curb, drainage ditch, or water body.
- 6. Unused materials and debris that remain on pavement and dispose of properly.
- 7. Ensure that nothing has been left on the street, gutter or catch basin.

Site Clean Up

- 1. Clean up by sweeping instead of hosing down whenever possible. Dispose of silt and debris in the gutter.
- 2. Never hose down any pavement or impermeable surfaces where fuels have spilled. Use dry cleanup methods (absorbent pads, dry cleanup materials, etc.) to clean up any spills.
- 3. Sweep up spilled dry materials immediately. Never attempt to wash them away with water or bury them.
- 4. Dispose of hazardous materials in accordance with local, state, and federal regulations.
- 5. Call 911 for significant spills. If a spill poses a significant hazard to human health and safety, you must also report it to the State Office of Emergency Services.

NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-5
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

Painting, Varnish, & Application of Solvents & Adhesives

- 1. Keep paint, varnish, solvents and adhesive products away from the gutter, street and storm drains. Washwater from cleaning brushes, rollers, and other tools should be collected in a bucket or can and disposed of as garbage.
- 2. Never dispose of paint, varnish, solvents, or adhesives in the gutter, street, or storm drain.
- 3. Never use paint, varnish, solvents, or adhesives on the gutter, street, or storm drain.
- 4. Never use paint, varnish, solvents, or adhesives on the gutter, street, or storm drain.
- 5. Never use paint, varnish, solvents, or adhesives on the gutter, street, or storm drain.

Removal of Surface Coatings

- 1. Chemical paint or varnish stripping residues, chips and dust from dry stripping and sand blasting may be swept or collected in plastic drop cloths.
- 2. Chemical paint or varnish stripping residues, chips and dust from masonry parks or windows, or paints containing lead, mercury, or asbestos must be cleaned up and disposed of as hazardous waste.
- 3. Contractor paint may be tested for lead by taking paint scrapings to a local, state-certified laboratory.
- 4. When sanding or cleaning buildings exterior with high-pressure water, block storm drains to prevent low to creeps and the water from entering the storm drain system.
- 5. When water from painted buildings constructed prior to 1970 can contain high amounts of lead even if paint chips are not visible, the water should be tested for lead. If the test results show lead, the water should be treated with water under high pressure, test part for lead by using paint scrapings to a local, state-certified laboratory.

Clean Up of Surface Coatings

- 1. Never clean brushes or roller paint or varnish containers into a gutter, street, storm drain, French drain or creek.
- 2. Never clean brushes or roller paint or varnish containers into a gutter, street, storm drain, French drain or creek.
- 3. Never clean brushes or roller paint or varnish containers into a gutter, street, storm drain, French drain or creek.
- 4. Never clean brushes or roller paint or varnish containers into a gutter, street, storm drain, French drain or creek.

Disposal of Surface Coatings

- 1. Hazardous waste, varnish, thinners, solvents, glues and cleaning fluids must be disposed of as hazardous waste.
- 2. Non-hazardous waste, varnish, thinners, solvents, glues and cleaning fluids may be recycled or disposed of as garbage.
- 3. When thoroughly dry, empty paint cans, used brushes, rags and drop cloths may be disposed of as garbage.

Roadwork & Paving

- 1. Protect nearby storm drain inlets and adjacent water bodies prior to breaking up asphalt or concrete.
- 2. Protect nearby storm drain inlets and adjacent water bodies prior to breaking up asphalt or concrete.
- 3. Protect nearby storm drain inlets and adjacent water bodies prior to breaking up asphalt or concrete.
- 4. Protect nearby storm drain inlets and adjacent water bodies prior to breaking up asphalt or concrete.

NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-3
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

Stormwater Pollution Prevention and Protection for Construction Projects

In the City of Capitola, paved streets, sidewalks, and other storm drains flow directly to local creeks and Monterey Bay without any treatment. In addition, cement, paint, concrete, and other harmful pollutants from construction sites and home construction projects get washed into the street or storm drain they can damage sensitive creeks, habitats and the air by polluting our bay and ocean.

In order to reduce the amount of pollutants reaching local storm drains and waterways, the City has developed "Best Management Practices" (BMPs) for construction workers. These BMPs are designed to prevent pollutants from entering the storm drain system.

In addition to the following mandatory BMPs, the Central Coast Regional Water Quality Control Board (Regional Water Board) under the State Water Resources Control Board (State Water Board) requires coverage under and adherence to the National Pollution Discharge Elimination Act (NPDES) permit. This permit requires construction projects to have a Stormwater Pollution Prevention Plan (SWPPP) developed and implemented (operations, tracking) associated with the NPDES permit. The SWPPP must be approved by the Regional Water Board and the State Water Board. The SWPPP must be approved by the Regional Water Board and the State Water Board. The SWPPP must be approved by the Regional Water Board and the State Water Board.

General Construction & Site Supervision


- 1. The City of Capitola requires the following BMPs to be implemented on all construction sites. The City of Capitola requires the following BMPs to be implemented on all construction sites. The City of Capitola requires the following BMPs to be implemented on all construction sites.
- 2. The City of Capitola requires the following BMPs to be implemented on all construction sites. The City of Capitola requires the following BMPs to be implemented on all construction sites. The City of Capitola requires the following BMPs to be implemented on all construction sites.

General Principles

- 1. Cover materials when they are not in use.
- 2. Ensure that control water does not leave the site or discharge to storm drains.
- 3. Maintain sediment basins and silt fences and ensure that they are properly maintained.
- 4. Refer to the following approved references for BMP selection, implementation, and on-site management (most recent first):
 - Erosion & Sediment Control Field Manual, California Regional Water Quality Control Board (San Francisco Bay Region).
 - Construction Best Management Practices (BMP) Handbook, California Stormwater Quality Association (CSQA).
 - Construction Best Management Practices (BMP) Manual, Storm Water Quality Handbook, Caltrans.

Checklist

- 1. Equipment one side of the site located away from storm drains, drainage swales, and creeks for auto parking and heavy equipment use.
- 2. Equipment one side of the site located away from storm drains, drainage swales, and creeks for auto parking and heavy equipment use.
- 3. Equipment one side of the site located away from storm drains, drainage swales, and creeks for auto parking and heavy equipment use.
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NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-1
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

Landscaping, Gardening & Ponds/Fountains/PoolSpa Maintenance

- 1. Project soil erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.
- 2. Project soil erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.
- 3. Project soil erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.
- 4. Project soil erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.

Landscaping & Garden Maintenance

- 1. Project soil erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.
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Ponds/Fountains/PoolSpa Maintenance

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NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-2
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			


Prevention Water & Sediment Runoff

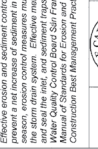
- 1. Effective erosion and sediment control measures must be implemented on all disturbed areas in order to prevent soil erosion and sediment from entering the storm drain system.
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Prevention Water & Sediment Runoff

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NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-4
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-6
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

NOT TO SCALE	DRAWN BY: M.P.	CHECKED BY: S.E.J.	DRAWING NO.: BMP-STRM-7
STANDARD DRAWINGS FOR STORMWATER POLLUTION PREVENTION AND PROTECTION			
			

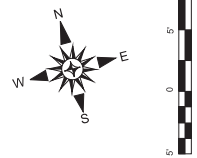
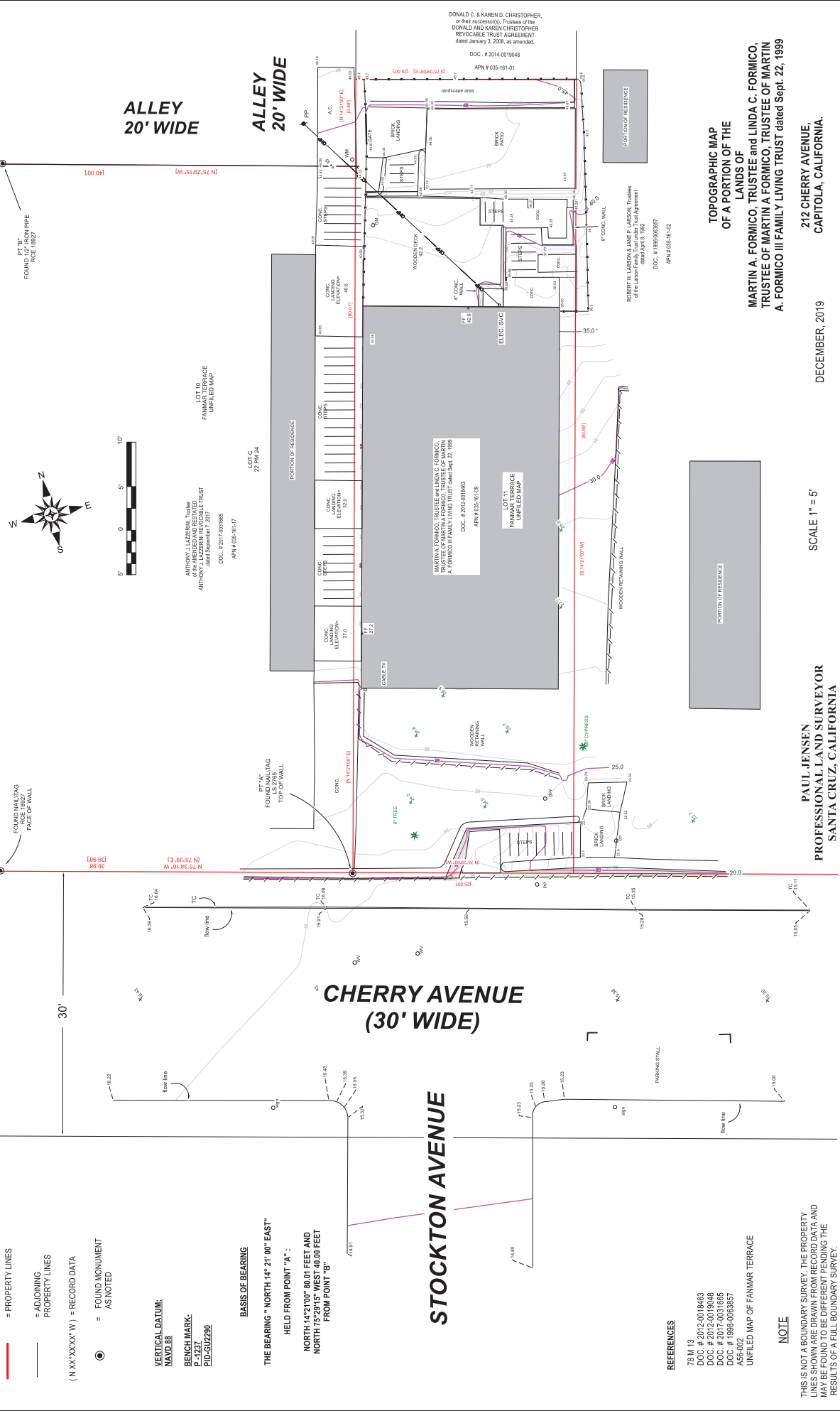
- LEGEND**
- = PROPERTY LINES
 - = ADJACENT PROPERTY LINES
 - = FOUND MONUMENT AS NOTED
- (N XX°XXX'W) = RECORD DATA

VERTICAL DATUM:
NAVD 88

BENCHMARK:
C 227
EID502280

BASIS OF BEARING

THE BEARING "NORTH 14° 21' 00" EAST"
HELD FROM POINT "A":
NORTH 14° 21' 00" 80.01 FEET AND
NORTH 75° 25' 15" WEST 40.00 FEET
FROM POINT "B"



ANTHONY J. LAZZERINI, TRUSTEE
ANTHONY J. LAZZERINI, TRUSTEE
ANTHONY J. LAZZERINI, TRUSTEE
UNFILED MAP
DOC. # 2017-0031665
APN # 035-01-17

LOT 24
22 PM 24

LOT 25
PANAMA TERRACE
UNFILED MAP
DOC. # 2014-0019048
APN # 035-161-01

LOT 26
PANAMA TERRACE
UNFILED MAP
DOC. # 2012-0018463
APN # 035-01-09

ROBERT W. LASSON & JANE F. LASSON, TRUSTEES
OF THE LASSON FAMILY Trust under Trust Agreement
dated April 8, 1992
DOC. # 1998-0008187
APN # 035-01-02

REFERENCES

78 M 13
DOC. # 2012-0018463
DOC. # 2012-0019048
DOC. # 2017-0031665
DOC. # 1998-0008187
UNFILED MAP OF PANAMA TERRACE

NOTE

THIS IS NOT A BOUNDARY SURVEY. THE PROPERTY LINES SHOWN ARE DRAWN FROM RECORD DATA AND MAY BE FOUND TO BE DIFFERENT FROM THE RESULTS OF A FULL BOUNDARY SURVEY.

**TOPOGRAPHIC MAP
OF A PORTION OF THE
LANDS OF
MARTIN A. FORMICO, TRUSTEE and LINDA C. FORMICO,
TRUSTEE OF MARTIN A FORMICO, TRUSTEE OF MARTIN
A. FORMICO III FAMILY LIVING TRUST dated Sept. 22, 1999**

212 CHERRY AVENUE,
CAPITOLA, CALIFORNIA.

DECEMBER, 2019

SCALE 1" = 5'

PAUL JENSEN
PROFESSIONAL LAND SURVEYOR
SANTA CRUZ, CALIFORNIA

CONSTRUCTION COST BREAKDOWN PER Section 17.72.070

Existing Building Costs:

Existing Residence:	1873 square feet	=	\$ 374,600.00
	\$ 200.00 square foot		
Existing Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
Existing Deck:	470 square feet	=	\$ 11,750.00
	\$ 25.00 square foot		
<u>Total Existing Value:</u>			<u>\$ 386,350.00</u>
80% of Total Existing Value			\$ 309,080.00

New Construction Costs:

New Conditioned Space:	50 square feet	=	\$ 10,000.00
	\$ 200.00 square foot		
New Garage:	0 square feet	=	\$ -
	\$ 90.00 square foot		
New deck/porch:	100 square feet	=	\$ 2,500.00
	\$ 25.00 square foot		
<u>Total New Construction Value:</u>			<u>\$ 12,500.00</u>

Remodel Costs: (50% of "new construction" costs)

Remodel Conditioned Space:	970 square feet	=	\$ 97,000.00
	\$ 100.00 square foot		
Remodel Garage:	0 square feet	=	\$ -
	\$ 45.00 square foot		
Remodel Deck:	80 square feet	=	\$ 1,000.00
	\$ 12.50 square foot		
<u>Total Remodel Value:</u>			<u>\$ 98,000.00</u>
<u>Total Construction/Remodel Cost</u>			<u>\$ 110,500.00</u>
% of Existing Value			28.6%

Attachment: 212 Cherry Avenue - Construction Cost Breakdown (212 Cherry Avenue)

Sesanto, Sean

From: Dennis Norton <dennis@dennisonortondesign.com>
Sent: Tuesday, August 11, 2020 4:26 PM
To: Sesanto, Sean
Subject: Fwd: 212 Cherry remodel

For the record
212 Cherry

----- Forwarded message -----

From: Cheryl Wightman <cherwight@sbcglobal.net>
Date: Tue, Aug 11, 2020 at 3:29 PM
Subject: 212 Cherry remodel
To: dennis@dennisonortondesign.com <dennis@dennisonortondesign.com>

We are neighbors of Marte and Linda Formico living at 212 Cherry in Capitola Village and understand that he is requesting a variance for his remodel project which we would like to support. The remodel he is proposing requires two variances to be approved to transfer square footage to the deck area and add an arbor that extends from the top floor. These changes would not impact us at 217 Stockton Ave., or any of his neighbors that we are aware of and would greatly enhance the usability of his deck. Please take action to approve this remodel project.

George and Cheryl Wightman

Attachment: 212 Cherry Avenue - Public Comments (212 Cherry Avenue)

Sesanto, Sean

From: Dennis Norton <dennis@dennisondesign.com>
Sent: Wednesday, August 12, 2020 9:57 AM
To: Sesanto, Sean
Subject: Fwd: 212 Cherry

Sean
 Another letter from neighbor at 212 Cherry
 Thanks Dennis

----- Forwarded message -----

From: Jennifer Willoughby <jentwillo@gmail.com>
Date: Wed, Aug 12, 2020 at 9:39 AM
Subject: 212 Cherry
To: <dennis@dennisondesign.com>

To: City of Capitola Planning

I am the neighbor (208 Cherry) next door and would like to support Marte and Linda Formico's remodel project at 212 Cherry.
 I understand that they would like 2 variances approved to transfer square footage to the deck area and add an arbor that extends from the top floor. I hope they can make this happen.
 Thanks!
 Jennifer Willoughby

--
 Jen:)

Attachment: 212 Cherry Avenue - Public Comments (212 Cherry Avenue)

Sesanto, Sean

From: Dennis Norton <dennis@dennisonortondesign.com>
Sent: Tuesday, August 11, 2020 9:33 AM
To: Sesanto, Sean
Subject: Fwd: Support neighbors remodel 212 cherry

----- Forwarded message -----

From: **Tony Lazzerini** <tonylazz1@gmail.com>
Date: Tue, Aug 11, 2020 at 9:32 AM
Subject: Support neighbors remodel 212 cherry
To: <dennis@dennisonortondesign.com>

Dennis, I'm the neighbor, Big White House next door to Marte and Linda Formico. I understand they would like 2 variances approved to transfer square footage to the deck area and add an arbor that extends from the top floor. I would like to support there plan.

Sincerely, Tony Lazzerini. 302 Cherry. Cell 707-372-7220
Sent from my iPad

Attachment: 212 Cherry Avenue - Public Comments (212 Cherry Avenue)