

**Objective City of Santa Cruz Standards
Applicable to the 831 Water Street Project**

Government Code Section 65913.4 SB 35 Eligibility Requirements	Requirement Satisfied?
<p>1. Is the project a multifamily housing development with 2 or more units? Subd. (a)(1).</p> <p>Response: The project is mixed-use with ground floor commercial and 145 multi-family residential units.</p>	Yes
<p>2. Is the project located in an area designated by the U.S. Census Bureau as an urbanized area? Subd. (a)(2)(A).</p> <p>Response: The project is located inside an urbanized area in the City of Santa Cruz.</p>	Yes
<p>3. Is more than 75% of the project site’s perimeter developed with urban uses? Subds. (a)(2)(B), (h)(8).</p> <p>Response: SB 35 defines “urban uses” as “any current or former residential, commercial, public institutional, transit or transportation passenger facility, or retail use, or any combination of those uses.” Based on these standards, the entirety of the Project site’s perimeter is developed with urban uses including current residential and commercial uses.</p>	Yes
<p>4. Does the site have either a zoning or a general plan designation that allows for residential use or residential mixed-use development, with at least two-thirds of the square footage designated for residential use? Subd. (a)(2)(C).</p>	Yes

<p>Response: The General Plan land use designation for the site is “MXHD – Mixed High Density” within the Lower Eastside neighborhood. The General Plan designation states that “These mixed-use designations support the General Plan’s goals and policies by encouraging new housing in places well served by transit”. The zoning district, “C-C Community Commercial”, seeks to “encourage a harmonious mixture of a wide variety of commercial and residential activities”. The zoning district allows for residential and mixed-use residential, and would allow for two-thirds of the square footage to be designated for residential use.</p>	
<p>5. Has the Department of Housing and Community Development (HCD) determined that the local jurisdiction is subject to SB 35? Gov’t Code Sec. 65913.4(a)(4)(A).</p> <p>Response: In June, 2020, HCD issued a revised determination regarding which jurisdictions throughout the State are subject to streamlined housing development under SB 35. The City of Santa Cruz is subject to SB 35 because of its insufficient progress towards providing very low-income housing. Therefore, projects are eligible for streamlining under SB 35 for proposed developments with at least 50% affordable units.</p>	Yes
<p>6. Will the project include the required percentage of below market rate housing units? Subd. (a)(3) and (a)(4)(B)</p> <p>Response: The proposed breakdown of the below market rate housing has not been provided. Therefore it cannot be determined if the required percentage of below market rate housing units will be provided.</p>	Yes
<p>7. Is the project consistent with “objective zoning standards” and “objective design review standards?” Subd. (a)(5)</p> <p>Response: At this time the project is not consistent with all of the objective standards.</p>	No
<p>8. Is the project located outside of all types of areas exempted from SB 35? Subd.</p>	Yes

(a)(6-7), (10).

Subd.(a)(6) exempt areas:

- Coastal zone
- Prime farmland or farmland of statewide importance
- Wetlands
- High or very high fire hazard severity zones
- Hazardous waste sites
- Earthquake fault zone (unless the development complies with applicable seismic protection building code standards)
- Floodplain or floodway designated by FEMA
- Lands identified for conservation in an adopted natural community conservation plan or habitat conservation plan
- Habitat for a state or federally protected species
- Land under a conservation easement

Response: The project site is not located on any of the above areas.

Subd. (a)(7) exempt areas:

A development that would require the demolition of housing that:

- Is subject to recorded rent restrictions
- Is subject to rent or price control
- Was occupied by tenants within the last 10 years
- A site that previously contained housing occupied by tenants within past 10 years
- A development that would require the demolition of a historic structure on a national, state, or local register
- The property contains housing units that are occupied by tenants, and units at the property are/were offered for sale to the general public by the subdivider or subsequent owner of the property.

<p>Response: There have been no dwelling units on the property at any point during the last ten years.</p> <p>The site is within an archaeologically sensitive area and an archaeological report must be prepared.</p> <p>Subd. (a)(10) exempt areas:</p> <ul style="list-style-type: none"> - Land governed under the Mobilehome Residency Law - Land governed by the Recreational Vehicle Park Occupancy Law - Land governed by the Mobilehome Parks Act - Land governed by the Special Occupancy Parks Act <p>Response: The project site is not located within an exempt area on land governed by any of the above laws.</p>	
<p>9. If the Project is not a public work, has the proponent certified that all construction workers employed in the development project be paid prevailing wages? Subd. (a)(8)(A).</p> <p>Response: The applicant will have to certify that all construction workers employed in the execution of the development will be paid at least the general prevailing rate of per diem wages.</p>	<p>Yes – This will be a condition of approval</p>
<p>10. Has the applicant made the required “skilled and trained workforce” certification, to the extent applicable? Subd. (a)(8)(B).</p> <p>Response: The “skilled and trained workforce” certification requirement is inapplicable if the Project proposes fewer than 75 units. If the project proposes more than 75 units then the labor requirement applies. Gov. Code §65913.4(a)(8)(B)(i)(I).</p>	<p>Yes – This will be a condition of approval</p>

The project will have to provide a skilled and trained workforce.	
<p>11. If the project involves a subdivision, are the criteria in subd. (a)(9) satisfied?</p> <p>Response: A Tentative Map has not been submitted. Therefore it cannot be determined whether the proposed subdivision will meet the objective standard in the subdivision ordinance.</p>	No

Municipal Code	City Analysis of Compliance with Standards
Chapter 24.04 Administration	
<p>24.04.040 ENVIRONMENTAL REVIEW.</p> <p>The California Environmental Quality Act of 1970 (CEQA) and City Guidelines, as amended, require environmental review of all projects which must obtain discretionary approval from the city. The intent of the review process is to evaluate and make publicly known the possible impacts of proposed projects on the environment and to mitigate significant adverse impacts. Each project is evaluated by planning department staff according to CEQA guidelines and a determination made whether additional environmental review is required.</p>	<p>This requirement is not applicable.</p> <p>Projects that comply with SB35 are not subject to CEQA.</p>
<p>24.04.050 PERMIT APPLICATION, SUBMITTAL AND PROCESSING.</p> <p>Application for any permit shall be made by the property owner, or his/her authorized agent, to the zoning administrator on forms prescribed for the purpose. Alternatively, where a property developer</p>	<p>The project conflicts with this objective standard.</p> <p>The plans provided do not provide all of the necessary submittal requirements listed on the Planning Department application form including the following:</p> <ul style="list-style-type: none"> - Complete Site Plan

has entered into an owner participation agreement or a disposition and development agreement with the redevelopment agency of the city of Santa Cruz for development of property for which the developer has yet to secure site control, the redevelopment agency may make the permit application if the subject agreement provides for the redevelopment agency's acquisition of the property on the developer's behalf. The application shall include information as may be necessary for adequate review of the application. A list of such information is set forth on the application form.

- Improvement Plans
- Elevations
- Landscape Plans
- Context Plans (streetscape/renderings)
- Demolition Plan
- Stormwater and LID Assessment Checklist
- Preliminary Grading Plan
- Shadow Study
- Details of Exterior Architectural Elements
- Storm Water Control Plan
- Acoustical Study
- Archaeological Report

24.04.051 REQUIREMENTS FOR PREPARERS.

Where required by state law, plans and specifications submitted for any development project permit application shall contain certification that the preparer is licensed to prepare such plans under Chapter 3 of Division 3 of the California Business and Professions Code. The following projects are exempt from this requirement:

1. Single-family dwellings of wood-frame construction not more than two stories and basement in height.
2. Multiple-family dwellings containing not more than four dwelling units of wood-frame construction not more than two stories and basement in height. However, this paragraph shall not be construed as allowing an unlicensed person to design multiple clusters of up to four dwelling units each to form apartment or condominium complexes where the total exceeds four units on any lawfully divided lot.
3. Garages or other structures appurtenant to buildings described under subsections (1) and (2), of wood-frame construction not more than two stories and basement in height.

The application is consistent with this requirement.

Plans have been prepared by a licensed architect.

<p>4. Agricultural and ranch buildings of wood-frame construction, unless the building official having jurisdiction deems that an undue risk to the public health, safety, or welfare is involved.</p>	
<p>24.04.052 COMPLETENESS OF APPLICATION.</p> <p>1. Staff shall determine whether an application for a development project is complete within thirty days of submittal and shall notify the applicant in writing when additional information is required. The notification shall set forth what is necessary to complete the application.</p> <p>2. When the applicant submits additional information, a new thirty-day period is established. Within that time staff shall determine whether the application is complete. The applicant shall be advised in writing when the application remains incomplete and how to complete the application.</p> <p>3. Failure to supply written notice of incompleteness within the time specified shall result in an application being deemed complete, if the applicant includes a statement that it is an application for a development permit.</p> <p>4. An applicant and staff may mutually agree, in writing, to extend any of the time limits relative to determination of completeness of a permit application for a development project.</p> <p>5. An applicant may appeal the determination of incompleteness described in Section 24.04.052(2) to the zoning board. No public hearing shall be required for an appeal under this subsection.</p> <p>6. If an application is not accepted by the city as complete within one hundred eighty (180) days of submission, it shall be automatically denied without prejudice on that day. No application shall be processed if it is deemed incomplete.</p>	<p>This requirement is not applicable.</p> <p>SB35 projects are a ministerial project and are therefore exempt from this section.</p>

<p>7. In cases where a criminal complaint has been filed to enforce compliance with the provisions of this chapter, the time line for filing a complete application shall be at the discretion of the city and may be less than one hundred eighty days, but must be a minimum of thirty days.</p>	
<p>24.04.090 PUBLIC HEARING REQUIREMENT.</p> <p>A public hearing shall be required for the following:</p> <ol style="list-style-type: none"> 1. Appeals; 2. Coastal permit except for an accessory dwelling unit; 3. Conditional fence permit when required by Section 24.08.620; 4. Design permit: <ol style="list-style-type: none"> a. When accompanying another permit requiring a public hearing or upon a zoning administrator determination that a public hearing is required; b. For new two-story structures and/or second-story additions on substandard residential lots; c. For large homes in R-1 Districts per Section 24.08.450; 5. Demolitions: residential, except for a single-family residence, and historical buildings; 6. Historic building survey: building designation, deletion; 7. Historic landmark alteration permit; 8. Historic landmark designation; 9. Mobile home park conversion; 10. Planned development permit; 11. Relocation of structures; 12. Revocation of permits; 13. Use permits: <ol style="list-style-type: none"> a. Administrative use permit, except when the proposed use is temporary, as defined in this title; for variations to parking 	<p>This requirement is not applicable.</p> <p>SB35 projects are a ministerial project and are therefore exempt from this section.</p>

<p>design requirements and number of spaces; and half baths in accessory structures;</p> <p>b. Special use permit (including historic district/historic landmark use permit);</p> <p>14. Variance;</p> <p>15. Watercourse variance;</p> <p>16. Project modifications, pursuant to Section 24.04.160(4)(c);</p> <p>17. Zoning Ordinance and General Plan text and map amendments.</p>	
<p>24.04.120 FINDINGS REQUIRED.</p> <p>Prior to action on any permit application, the hearing body shall make findings with respect to the manner in which the proposed project conforms to the appropriate requirements, as outlined in this title.</p>	<p>This requirement is not applicable.</p> <p>SB35 projects are a ministerial project and are therefore exempt from this section.</p>
<p>Chapter 24.10 Land Use Districts</p>	
<p>24.10.110 HEIGHT LIMIT.</p> <p>No structure, or part thereof, shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building is located.</p>	<p>The project conflicts with this objective standard.</p> <p>The project proposes to exceed the maximum height of 3 stories and 40 feet as required in the C-C zone district as a density bonus waiver; however, it is unclear if the project is eligible for a density bonus waiver. The project includes primarily one bedroom and studio units which are exempt from the density range in the MXHD general plan designation. For projects where a maximum density range is not provided by the zoning ordinance or general plan, Section 24.16.255(6) of the Municipal Code requires the submittal of base density plans that conform to all applicable development standards in order to establish the density upon which to base a density bonus. The applicant must first establish a base density consistent with the requirements of section 24.16.255(6) and demonstrate that the project provides a percentage of</p>

	<p>the base housing units as affordable in order to be eligible for density bonus incentives/concessions and waivers.</p> <p>6. For the purposes of calculating the number of density bonus units in areas where a maximum density range is not provided in the zone district or general plan, an implicit residential density shall be calculated based on a project put forward by the applicant that meets all applicable development standards. Objective development standards such as setbacks, floor area ratio, and height limitations, while not defining the maximum density range per se, can be utilized to determine the implicit residential density allowed. In this approach, a project defines the applicable residential density for itself based on meeting applicable objective development standards. The average size of the units presented in the base density project must be equal to or greater than the average size of the units presented in the density bonus project.</p>
<p>24.10.120 YARD, BUILDING SITE AREA, BUILDING LOCATION.</p> <p>Except as provided in Part 2, Chapter 24.12 (General Site Design Standards), no structure, or part thereof, shall be erected nor shall any existing building be altered, enlarged, or rebuilt, or moved into any district, nor shall any required open space be encroached upon or reduced in any manner, except in conformity with the yard, building site area, and building location regulations hereinafter designated for the district in which such building or open space is located. However, departure from strict application of district regulations may be</p>	<p>The project conflicts with this objective standard.</p> <p>The project proposes to provide less than the required 14,900 square feet of open space as a Density Bonus Waiver.</p> <p>See discussion above regarding Density Bonus eligibility.</p>

<p>allowed through an approved variance or planned development permit.</p>	
<p>24.10.130 YARD OR OPEN SPACE LIMITATIONS.</p> <p>No yard or other open space provided about any building for the purpose of complying with provisions of this title shall be considered as providing a yard or open space for any other building; and no yard or other open space on one building site shall be considered as providing a yard or open space for a building on any other building site.</p>	<p>The application is consistent with this requirement.</p> <p>None of the required yards or open space areas are proposed to be shared with another building on another building site.</p>
<p>24.10.150 DEVELOPMENT ON KNOWN ARCHAEOLOGICAL SITES.</p> <p>No permit for any earth-disturbing activity shall be issued on parcels identified by resolution of the city council as containing known cultural or archaeological resources, without the owner first obtaining an administrative use permit. The administrative use permit shall be conditioned with appropriate archaeological survey and mitigation procedures such as those prescribed in the Cultural Resources Element of the General Plan and the Local Coastal Implementation Plan.</p>	<p>The application is consistent with this requirement.</p> <p>The project site has not been identified by resolution of the City Council as containing known cultural or archaeological resources.</p>
<p>Part 8: C-C COMMUNITY COMMERCIAL DISTRICT</p>	
<p>24.10.700 PURPOSE.</p> <p>To provide locations throughout the community for a variety of commercial and service uses for residents of the city and the region which promote the policies of the General Plan; to encourage a harmonious mixture of a wide variety of commercial and residential</p>	<p>This is not an objective standard.</p>

activities including limited industrial uses, if they are compatible and nuisance free. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Also refer to Part 43, Sections [24.10.4300](#) et seq. for properties within the Mission Street Urban Design Overlay District.

24.10.730 USE PERMIT REQUIREMENT.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 100 to 155 shall be limited to operations that occupy less than five thousand square feet of floor area and shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

p. Mixed residential and commercial/office developments, with ten or more multiple dwellings or condominiums, either above commercial uses or units on the same lot (840);

This requirement is not applicable.

SB35 projects are a ministerial project and are therefore exempt from this section.

24.10.750 APPLICABLE SITE DEVELOPMENT STANDARDS (C-C Zone District/ MXHD General Plan Designation)

	Required	Proposed	Complies?
East Front Yard	0'	0'	Yes
South Exterior Side Yard	0'	20'	Yes
North Interior Side Yard (Adjacent to rear yard of parcels in R-1-5 district)	20' (RY of adjacent parcels)	20'	Yes

West Rear Yard	0'	5'	Yes
Distance Between Building on same lot	10'	10'	Yes
Height	3 stories 40 feet	Bldg A 5 stories ~59' to parapet Bldg B 4 stories ~48'	The project conflicts with this objective standard. <ul style="list-style-type: none"> The project proposes to exceed the maximum height of 3 stories and 40 feet as required in the C-C zone district. This requirement can be requested as a density bonus waiver; however, it is unclear if the project is eligible for a density bonus waiver. The building heights should be called out on the plans for all elements, including railings and rooftop equipment.
Open Space per unit	Private (100 sq.ft./unit) Common (150 sq.ft./unit)	Bldg A – 74 X 100 = 7,400 Bldg A provided - Not shown Bldg B – 71 X 100 = 7,100 Bldg B provided – Not shown Bldg A – 74 X 150 = 11,100 Bldg A provided – Not shown Bldg B – 71 X 150 = 10,650	The project conflicts with this objective standard. <ul style="list-style-type: none"> The proposed project does not provide the required private open space and common open space as required in the C-C zone district. This requirement can be requested as a density bonus waiver; however, it is unclear if the project is eligible for a density bonus waiver. The private and open spaces calculations should be shown on the plans.

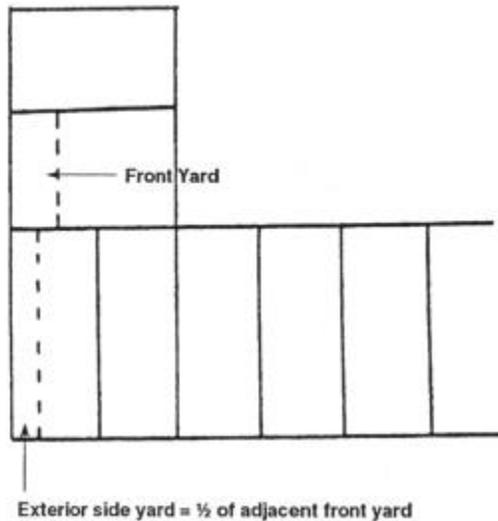
		Bldg B provided – Not shown	
Net Lot Area	8000 sq. ft.	Total lot area = 39,607 sq. ft. No tentative map shown.	The project conflicts with this objective standard. <ul style="list-style-type: none"> • It is unclear what the proposed lot sizes are for the project. • Submit a Tentative Map to verify the proposed lot sizes.
FAR	1.0-2.75	2.28	Yes
Density	10-55 du/ac or none if studios/one- bedroom units	Studios and 1 bedrooms = no density (15) 2-bedrooms + (3) 3-bedrooms = 18/.9 = 20 du/ac	Yes

*1. Except where yard abuts an R-District, then not less than the minimum yard required for the adjacent yard in the said R-District.	The application is consistent with this requirement. The rear yard abuts an R-district which requires a 20' rear setback. The project proposes a 20' rear setback to meet the minimum yard required for the adjacent yard in the R-district.
*2. Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section 24.12.115 for affected street.	This requirement is not applicable. Water Street and N. Branciforte are not listed in Section 24.12.115.

<p>2. Additional Setback Requirement. In any C-C District directly across a street or thoroughfare, not including a freeway, from any R-District, parking and loading facilities shall be at least ten feet distant from the property line and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.</p>	<p>The application is consistent with this requirement.</p> <p>The subject site is not directly across a street or thoroughfare from any R-district.</p>
<p>3a. All uses shall be conducted wholly within a completely enclosed building, except for service stations and parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator.</p>	<p>The application is consistent with this requirement.</p> <p>All uses proposed as part of the project are within the building.</p>
<p>3b. Other regulations which may be applicable to site design and this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.</p>	<p>See below.</p>
<p>Chapter 24.12 Community Design</p>	
<p>24.12.100 MINIMUM BUILDING SITE.</p> <p>Each building site in each zoning district shall be planned and arranged so as to occupy only that portion of a lot not otherwise required as a yard, setback, easement, right-of-way, or other legally established open space; except, that where all other provisions of this title are met, a building site may be established in airspace when created through an approval of a community housing project.</p> <p>1. Lot Area Measurement.</p> <p>a. For purposes of measuring and calculating lot size and area, public and private easements contained within the lot lines, other than street or alley easements, may be included.</p>	<p>The application is consistent with this requirement.</p> <p>The development does not encroach into setback areas or rights-of-way. There are no legally established areas of open space on the property.</p> <p>The project encroaches into an existing fire access easement which is proposed to be relocated on the site.</p> <p>None of the parcels at the project site are mapped with greater than 30% slopes, none are within a F-P zone, and there are no mapped riparian corridors.</p> <p>Parcels have access to sanitary sewer.</p>

b. For purposes of determining net lot area, only contiguous land with less than a thirty-percent slope and not within a Floodplain (F-P) District or within a riparian corridor, as defined in Section [24.08.2110\(2\)\(g\)](#), shall be considered.

c. In any zoning district where no public sanitary sewer is accessible, no lot shall have an area less than that prescribed by the Santa Cruz County health department.



2. Frontage Requirement. The construction, erection, conversion, establishment, alteration, or enlargement of any structure on any real property is hereby prohibited and declared unlawful, unless the said real property shall have a frontage upon a street improved to the standards of the city of Santa Cruz; or upon a publicly owned parking facility, plaza, mall, or wharf; or upon such other public access facility

Parcels have frontage on improved public streets.- Water St. and N. Branciforte Ave.

<p>as may be provided in connection with an approved development plan.</p>	
<p>24.12.110 SETBACK REQUIREMENTS MODIFICATIONS.</p> <p>1. Front Yards.</p> <p>a. Where twenty-five percent or more of the lots fronting on any block in the same zone (exclusive of the frontage along the side of a corner lot) have been improved with buildings permitted in said zone and the depth of the front yards on such lots varies not more than ten feet, then the front yard depth required on any lot in said block shall be not less than the median depth of the front yards on the lots on which are located such existing buildings; or</p> <p>b. In any district where the two adjacent lots on either side of a parcel, neither of which is a corner lot and each of which is in the same zone as the center lot, are already improved with uses permitted in the zone, and the average of the front yards of such adjoining lots is less than that required for the zone, then the required front yard depth for the center lot shall not be less than half the sum of the front yard setbacks of the two adjoining lots.</p> <p>2. Corner Lot Yards.</p> <p>a. Where, on a corner lot, an exterior side yard abuts a front yard of an adjoining lot in an R- District, the corner lot exterior</p>	<p>The application is consistent with this requirement.</p> <p>1a. Not applicable</p> <p>1b. Not applicable</p> <p>2a. Not applicable</p>

side yard shall have a width of not less than one-half of the required depth of such adjacent front yard.

b. Each corner lot should have one front yard, two side yards, and one rear yard of the depth required by this title. Normally the front yard shall be across the narrow dimension of the lot and the rear yard opposite this; in unusual cases, however, the location and the relationship of such yards to abutting streets and to each other may be determined by the zoning administrator.

c. In any zoning district in which a minimum front yard is established, no obstruction to view between three and one-half feet, and eight feet above grade shall be placed within the clear corner triangle as defined in this title.

3. Double-Frontage Yards. The width of required interior side yard or required rear yard may be reduced or waived when such interior side yard or rear yard abuts an alley or a street (e.g., double-frontage lot), freeway, stream, public utility right-of-way, coastline or other similar feature which precludes or inhibits construction on or development of the property.

4. Lots of Record – Required Yards. In any district for which a minimum lot area is established, a lot of record, as defined in this title, having less than the required area and/or width and/or depth may be used for a use permitted in the district, except as provided in Section [24.10.351](#).

a. In any district or for any use where side yards are required, the minimum side yard width shall be four feet or ten percent of

2b. The eastern property along N. Branciforte Ave. is considered the front based on this section.

2c. No minimum front yard is required in the CC district.

3. Not applicable as this is not a double frontage lot.

4. Not applicable as the lot meets minimum size standards for the CC zone district.

<p>the lot width, whichever is greater, for the first story only. Beyond the first story, the standard side yard setback established in the specific district regulations shall apply.</p> <p>b. In any district or for any use where a rear yard is required, the depth of the rear yard of any such lot shall be ten feet or twenty percent of the depth of the lot, whichever is greater.</p> <p>c. A single-family dwelling may be constructed on any lot of record, subject to Section 24.10.351. For residential districts other than single-family, the district requirements for minimum lot and land area per dwelling unit shall apply, except as modified by the density bonus provisions of this title.</p>	
<p>24.12.115 SPECIAL STREET SETBACK REQUIREMENTS FOR DESIGNATED STREETS.</p> <p>1. General, buildings or other structures erected or located within the city of Santa Cruz shall be set back from a uniform baseline, which is hereby established for each of the principal street classifications of the city of Santa Cruz, in order to serve the public interest, convenience and safety. Setback requirements of each zoning district shall be in addition to special street setbacks.</p> <p>2. Unlawful Erection of Buildings in Setback Zones. No building permit shall be issued for the construction or erection of any building or structure within special street setbacks or any required setback except as set forth in this title.</p>	<p>The application is consistent with this requirement.</p> <p>The project site is not located along a designated street.</p>

3. Uses Subject to Special Review. Greater setbacks than those set forth herein may be required where special conditions exist.

4. Secondary Streets. A secondary street is any public street with a fifty-two-foot right-of-way and twenty-six-foot baseline. The baseline for measuring the required setback for all buildings, structures, or improvements as required in each zoning district shall be a line parallel to and twenty-six feet from the centerline of the following designated streets:

Bay Drive:

From the southerly line of High Street to the southerly line of Escalona Drive.

Bay Street:

From the southerly line of Escalona Drive to the easterly line of California Street;

From the easterly line of California Street to the westerly line of West Cliff Drive.

Chestnut Street:

From the southerly line of Locust Street to the northerly line of Laurel Street.

Delaware Avenue:

From the westerly line of Laguna Street to the westerly extremity of Delaware Avenue.

Elk Street:

From the northerly line of Goss Street to the northerly line of Rooney Street.

Goss Street:

From the easterly line of Market Street to the westerly line of Elk Street.

Graham Hill Road:

From the easterly line of Ocean Street to the northerly city limits line.

High Street:

From the easterly line of Bay Street to the easterly line of Highland Avenue.

From the easterly line of Bay Street to the western city limits line.

Laguna Street:

From the northerly line of Santa Cruz Street to the southerly line of Bay Street.

Laurel Street:

From the southerly line of Mission Street to the westerly line of Front Street.

Laurent Street:

From the southerly line of High Street to the westerly line of Escalona Drive.

Meder Street:

From the westerly line of Bay Street to the westerly extremity of Meder Street.

Mission Street:

From the easterly line of Chestnut Street Extension to the westerly line of Pacific Avenue.

Murray Street:

From the easterly line of East Cliff Drive to the westerly line of Seabright Avenue.

Pine Street:

From the southerly line of Soquel Avenue to the northerly line of Buena Vista Avenue.

Prospect Heights:

From the easterly line of Park Way to the westerly line of Brookwood Drive.

San Lorenzo Boulevard, 3202:

From the southerly line of Barson Street to the westerly line of Bixby Street.

Seabright Avenue:

From the southerly line of Soquel Avenue to the northerly line of Murray Street.

Walnut Avenue:

From the easterly line of Mission Street to the westerly end of Lincoln Street.

Washington Street:

From the southerly line of Laurel Street to the westerly line of Front Street.

5. Major Streets. A major street is a public street with an eighty-four-foot right-of-way and forty-two-foot baseline. The base line for measuring the required setback from all buildings, structures, or improvements as required in each zoning district shall be a line

parallel to and forty-two feet from the centerline of the following designated streets:

Ocean Street:

From the northerly line of Pryce Street to the northerly line of Graham Hill Road;

From the southerly line of Soquel Avenue to the northerly line of East Cliff Drive.

River Street:

From the northerly city limits line to the westerly line of North Pacific Avenue.

6. Industrial Streets. An industrial street is a public street with a sixty-foot right-of-way and thirty-foot baseline. The baseline for measuring the required setback for all buildings, structures, or improvements as required in each zoning district shall be a line parallel to and thirty feet from the centerline of the following designated streets:

Coral Street:

From the westerly line of River Street to the northerly line of Evergreen Street.

Encinal Street:

<p>From the Southern Pacific Railroad right-of-way to the westerly line of Dubois Street.</p> <p>Evergreen Street:</p> <p>From the easterly line of Coral Street to the easterly line of Harvey West Park.</p> <p>Mission Street:</p> <p>From a point nine hundred eighty feet east of the easterly line of Natural Bridges to the westerly extremity of Mission Street.</p>	
<p>24.12.120 PROJECTIONS INTO REQUIRED YARD AREAS, SETBACKS AND EASEMENTS.</p> <p>1. Projections Into Required Yard Areas. The following are permitted projections into required yard areas. Projections shall not be permitted in yards that are less than the minimum established by district regulations except as provided for in subsection (2).</p> <p>a. Architectural features such as cornices, canopies, eaves and sills shall be permitted to project into front, rear and side yards two and one-half feet;</p> <p>b. Steps serving the first floor, and bay windows, chimneys, decks, and porches serving the first floor and above may extend into front, rear and exterior side yards one-half of the required yard or six feet, whichever results in a greater setback. For</p>	<p>The application is consistent with this requirement.</p> <p>No projections are proposed into the required yard areas.</p>

interior side yards, maximum projection is one foot, eight inches unless the projection meets the requirements of subsection (1)(c). Bay window, deck, porch and step projections are permissible in interior side yards on the first floor only. In all cases, no projection or aggregate of projections listed in this subsection shall be more than one-third of the building wall along which it is located;

c. Unroofed decks, porches, patios and steps of pervious materials twenty inches or less above finished grade may extend into conforming interior side yards without restriction;

d. Guardrails on decks and porches and handrails on stairs projecting into required yards on the first floor shall be considered fences and shall be governed by Section [24.12.160](#), with the exception of guardrails and/or handrails required for access to the first floor for the physically challenged;

e. Rain retention systems attached to the main residence may extend into side and rear yards one-half the required yard or six feet, whichever results in the greater setback. For interior side yards, the minimum setback shall be three feet. Such encroachment shall be no higher than six feet from finished grade.

2. Any structure necessary to provide access to the first floor for the physically challenged.

3. Projections into Special Street Setbacks. The following uses are permitted within the special street setbacks established in Section [24.12.115](#) herein.

a. Streetlights, traffic signs and signals and appurtenances necessary to the conduct or operation of a public utility, facility, or purpose;

b. Fences, walks, hedges, landscaping, outdoor merchandise display, platforms, landings, steps and signs, when constructed or installed so as to have a maximum height of two and one-half feet above curb grade, except as provided for in Section [24.12.120](#), subsection (3)(d);

c. Unenclosed porches, cornices, canopies, eaves, and similar architectural features and signs when constructed so that the clearance from curb grade to the lowest portion thereof, except supporting members, is at least eight feet; and further provided that no supporting member shall have a cross-section of greater than eight inches, nor be located closer than six feet to another supporting member within the setback area;

d. Any structure necessary to provide access to the first floor for the physically challenged.

4. Projections into Easements. No structure or projection thereof may extend into a public utility easement.

24.12.125 LANDSCAPING REQUIREMENT.

In all districts where yards are required, all portions of each front and exterior side yard, except where improved for pedestrian or vehicular access, or a porch or a patio, shall be landscaped and permanently maintained.

The application is consistent with this requirement.

The CC district does not require yards area (setbacks) for the front and exterior side yard. Therefore this requirement does not apply in this case.

24.12.130 EXTENDED STORAGE OR PARKING IN YARD AREAS.

1. General. The extended parking or storage of vehicles, trailers, airplanes, boats, building materials or the like within the front and exterior side yard creates a fire hazard; constitutes a nuisance per se; constitutes an attractive nuisance to children; may create a traffic hazard by obscuring vision of cross traffic at corners; may cut off light and air from adjacent buildings; and detracts from the attractiveness of the city and lowers property values therein, defeats the purposes of this title and does not conform with the intent and purpose of the General Plan.

2. Parking and Storage Prohibited. No motor vehicle, mobilehome, trailer, airplane, boat, parts of any of the foregoing, or the like or building materials or discarded or salvaged materials shall be parked

The application is consistent with this requirement.

No parking is proposed in the front or exterior side yards.

or stored in any front or exterior side yard for more than forty-eight consecutive hours. This regulation shall not apply to:

- (i) Building materials for use on the premises and stored therein during the time a valid building permit is in effect for construction on the premises; nor to
- (ii) Motor vehicles that are registered for operation and are in fully assembled condition when parked on a paved surface.

Chapter 24.12 Community Design

24.12.140 ACCESSORY BUILDINGS.

Accessory buildings are subject to the regulations and permit requirements of the zoning district in which they are located. Accessory buildings are separate and distinct from accessory dwelling units, which are subject to the regulations in Part 2 of Chapter [24.16](#).

1. No setback shall be required for an accessory building except as otherwise provided.
2. No accessory building shall be located in a front or exterior side yard. The vehicle entry side of a garage or other covered parking may not be located closer than twenty feet from front or exterior side yard lot lines; except that the vehicle entry side of a garage or other covered parking may be built to the front and exterior side yard lot lines where the slope of the front half of the lot is greater than one foot rise or fall in a distance of seven feet from the established street

The project conflicts with this objective standard.

An accessory building to store bikes is proposed along the north property line. Other than the location shown on the site plans, additional details regarding the accessory structures are required to determine that the buildings meet the height requirements.

elevation at the property line, or where the elevation of the lot at the street line is five feet or more above or below the established street elevation.

3. Accessory buildings that are less than one hundred twenty square feet in floor area are not required to conform to the distance-between-buildings requirement set forth in the district regulations, Chapter [24.10](#); however, such structures are subject to all other standards, regulations, and requirements of this title and other state and local requirements including Title [18](#) and the California Building Standards Code.

4. Accessory buildings that are less than one hundred twenty square feet in floor area and less than fifteen feet in height are not subject to design permit approval when constructed on substandard lots or when constructed on lots within a residential zone district that requires design permit approval for new structures; however, such structures are subject to all other standards, regulations, and requirements of this title and other state and local requirements including Title [18](#) and the California Building Standards Code.

5. Habitable accessory buildings shall not be located within the front yard nor closer than six feet to the nearest point of the principal building and shall conform to principal building rear and side yard requirements of the district in which they are located. No habitable accessory building shall be used as a separate dwelling unit except accessory dwelling units as described in Part 2 of Chapter [24.16](#). Guesthouses for nonpaying guests are allowed only if permitted in the zoning district in which they are located.

6. Accessory buildings may not cover an area in excess of thirty percent of any required yard area. The footprint of accessory dwelling units shall count toward the maximum allowable lot coverage by other accessory structures; however, the maximum allowable lot coverage does not apply to the accessory dwelling unit itself.

7. An accessory building attached to a main building by a breezeway is not part of the main building.

8. An accessory building may have one sink and/or a clothes washer installed in it if a building permit is obtained. A property with multiple accessory buildings may have a sink in only one accessory building without approval of an administrative use permit. Any additional plumbing fixtures would require an administrative use permit subject to findings listed in subsection (9) and a building permit for the approved improvements.

9. Except for accessory dwelling units, accessory buildings may contain a full bathroom only when an administrative use permit is approved in accordance with district regulations and all of the following findings are made:

- a. The structure and use are subordinate to the principal use; and
- b. The purpose of the use is incidental to the principal use; and
- c. The use is customarily or reasonably appurtenant to the permitted use; and

<p>d. The structure will not be used as a dwelling unit except as set forth in Chapter 24.16, Part 2, Accessory Dwelling Units; and</p> <p>e. A deed restriction will be recorded limiting the use of the structure to that approved under the permit unless otherwise authorized by the city.</p>	
<p>24.12.145 FOOD PREPARATION FACILITY (SPECIAL PURPOSE).</p> <p>1. A special purpose food preparation facility may be permitted with an administrative use permit upon the following findings:</p> <p>a. The applicant has demonstrated a need for a special purpose food preparation facility. Such need cannot be adequately served by the domestic food preparation facility.</p> <p>b. The design of the facility, in its relationship to the internal floor plan of the dwelling, will not lead to the establishment of a separate dwelling unit.</p> <p>c. The facility will be removed when the special purpose is no longer required.</p> <p>d. The applicant has agreed to record a deed restriction limiting the use of the food preparation facility to a special purpose.</p>	<p>The application is consistent with this requirement.</p> <p>No special food preparation facilities are proposed as part of this project.</p>
<p>24.12.150 HEIGHT LIMITS MODIFICATIONS.</p>	<p>The application is consistent with this requirement.</p>

1. The height limitations specified in this title shall not apply to the following uses:

- a. Church spires, belfries, domes;
- b. Water, fire observation, and lifeguard towers, chimneys, aids to navigation;
- c. Buildings and structures intended for agricultural purposes;
- d. Fire walls, not extending more than four feet above the height of the building;
- e. Cupolas, scenery lofts, or other roof structures for the housing of elevators, stairways, tanks, ventilating fans, air conditioning, or similar equipment used solely to operate and maintain a building.

2. The height limitations specified in this title may be exceeded for the following uses, subject to a special use permit:

- a. Smokestacks, monuments, flagpoles;
- b. Mechanical contrivances for amusement purposes, such as Ferris wheels, and roller coasters;
- c. Antennas for radio broadcast and receiving, electric power transmission and distribution lines, poles and towers;
- d. Wireless telecommunications facilities;

While the height will be modified pursuant to the proposed Density Bonus to accommodate additional units, roof structures for the housing of elevators or similar equipment used to operate and maintain the building are shown on the plans.

<p>e. Places of public assembly such as churches, schools, and other permitted public and semipublic buildings, the principal activities of which are conducted on the ground floor of such buildings; provided, that for each foot by which the height of such buildings exceed the maximum height permitted, the depth or width of the required side and rear yards shall be increased by one foot.</p>	
<p>24.12.160 FENCING AND SCREENING.</p> <p>1. Fencing. Regulations governing the installation, construction and placement of fences and structures in the nature of fences which exceed height limitations contained herein are set forth in Chapter 24.08, Part 7, Conditional Fence Permit.</p> <p>a. Height Limitations. No person shall erect upon any private property in the city any fence, or structure in the nature of a fence, exceeding the following height limitations:</p> <p>(1) Within the required front and exterior side yard setback areas established by this title, Chapter 18.04 or other ordinances of the city, fences shall not exceed a height of three feet, six inches from finished grade, except as provided in Chapter 24.08, Part 7;</p> <p>(2) On any portion of the property outside of the required front and exterior side yard setbacks, fences shall not exceed a height of six feet from finished grade, except as provided in Chapter 24.08, Part 7;</p>	<p>The application is consistent with this requirement.</p> <p>No new fencing is proposed on the plans.</p>

(3) Any fence along a property line adjacent to a street, or in the adjacent required setback, except in the clear corner triangle, may include a gate, trellis or other entry feature exceeding the height limit stated in subsections (1)(a)(1) and (2). Such gate, trellis or entry feature shall be limited to ten feet in width and ten feet in height. Only one such gate, trellis or entry feature shall be permitted per street frontage except as provided in Chapter [24.08](#), Part 7.

b. Fire Hazard. The erection of any fence which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, or which will interfere with access in case of fire, by the fire department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians shall not be permitted.

c. Temporary Fences – Exceptions. Nothing contained in this title shall be deemed to interfere with the erection of temporary fences around construction works, erected or maintained pursuant to Chapter [18.04](#) and other ordinances of the city.

d. Barbed-Wire Fencing. No barbed-wire fences may be constructed, electrified or otherwise, without a conditional fence permit.

e. Hedges. Hedges or dense planting in the nature of a hedge in excess of three feet, six inches in height shall not be grown or maintained within the required front or exterior side yard setbacks of the zoning district in which the property is located.

<p>f. Clear Corner Triangles and Clear Vision Areas. Fences or hedges shall not be greater than, nor allowed to exceed, three feet, six inches in height in the clear corner triangle and the clear vision area as defined in Section 24.22.202.</p> <p>g. Fences within Watercourse Setback Areas. Fencing within a designated riparian corridor or development setback area of a watercourse shall be consistent with requirements of the watercourse development permit, Section 24.08.2150.</p> <p>2. Screening.</p> <p>a. In any nonresidential district adjacent to any R- District, screening between districts shall be provided.</p> <p>b. All areas of outdoor storage in any commercial or industrial district shall be permanently screened from view from any adjacent street, public way or adjacent private property.</p>	
<p>24.12.170 OVERHEAD TRANSMISSION LINES.</p> <p>The routes of proposed electric overhead transmission lines of sixty kV or greater capacity shall be submitted to the planning commission for review and approval or conditional approval prior to the acquisition of the rights-of-way therefor.</p>	<p>This requirement is not applicable.</p> <p>There are no overhead transmission lines routed over the subject property.</p>
<p>24.12.180 COMMUNITY HOUSING PROJECT REQUIREMENTS.</p>	<p>This requirement is not applicable.</p>

<p>1. Separate Utilities. A community housing project shall provide for independent services of water, sewer, gas and electricity to each dwelling unit. Separate meters are not required.</p> <p>2. Off-Street Parking. A community housing project shall provide off-street parking as required by Part 3 of this chapter.</p> <p>In addition, a community housing project shall provide one additional parking space for each four dwelling units within the project.</p> <p>3. Private Open Space. A community housing project shall provide a minimum of one hundred square feet of private open space for each dwelling unit located in such a manner as to be immediately accessible to each dwelling unit.</p> <p>4. Storage Area. A community housing project shall provide a minimum of two hundred cubic feet of enclosed storage space within the project capable of being secured by lock or other means for each unit, in addition to kitchen cupboards, clothes and linen closets.</p>	<p>Project is not subject to these requirements because although the buildings are separately mapped, the units will be apartments.</p>
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<p>24.12.190 OUTDOOR STORAGE, DISPLAY, OR SALE OF MERCHANDISE.</p> <p>All merchandise storage, display, or sales areas shall be wholly within a completely enclosed building or structure or shall be screened so as not to be visible from an adjacent public street or publicly operated parking lot, except that the area within a completely roofed street alcove or entryway may be utilized for merchandise display; provided,</p>	<p>This requirement is not applicable.</p> <p>No outdoor storage, display or sales are proposed as part of the project.</p>
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that such merchandise is displayed inside the line of the building face and does not present a hazard to pedestrians or encroach on a required building exit.

1. Exceptions. The following outdoor sales and commercial activities shall not be subject to the provisions of this section:

- a. Automobiles, boat, trailer, camper, motorcycle, and motor-driven vehicle sales and rentals;
- b. Building material and supplies areas in the I-G District;
- c. Fish markets and beach, surfing, and fishing equipment in the C-B and OF-R Districts;
- d. Fruit and vegetable stands;
- e. Horticultural nurseries;
- f. Vending machines, when located in service stations, motels and other drive-in businesses;
- g. Gasoline pumps, oil racks and accessory items when located on pump islands;
- h. Vending carts and stands;
- i. Parking lot sales not to exceed three days during any six-month period;

- | | |
|---|--|
| <ul style="list-style-type: none">j. Sidewalk sales, when sponsored by business or civic organizations, not to exceed three days during any six-month period;k. Garage sales when conducted on residentially used property, for a period not to exceed three days during any six-month period;l. Sidewalk cafes on private property, subject to approval of an administrative use permit;m. Outdoor extension areas for commercial uses, including outdoor sidewalk cafes or retail areas on public property, subject to approval of an administrative use permit and a revocable license per Section 24.12.192;n. Temporary circus or carnival activities, subject to approval of an administrative use permit;o. Cut flowers;p. Activities similar to the above, as determined by the zoning administrator. | |
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24.12.192 OUTDOOR EXTENSION AREAS.

The purpose of outdoor extension areas is to enhance streetscape on the city's corridors by introducing uses attractive to pedestrians into the pedestrian environment, configured and arranged in ways which activate and enliven the public street. These uses include outdoor eating areas, retail areas and landscaping. In this section the term "adjacent business" shall apply to the business using the extension area. If the sidewalk width allows it, the adjacent business may be separated from the extension area by the public walkway. This section is applicable citywide, except for areas within the Downtown Recovery Plan which are subject to Section [24.10.2340](#).

1. Administrative Use Permit and Revocable License. No person shall use an extension area unless an administrative use permit and revocable license are obtained pursuant to this section.
2. Outdoor Extension Area Application. Application for an outdoor extension area shall be made jointly by the property owner and the business operator of the business located on the property adjacent to the extension area, and shall be filed with the planning department on the appropriate application form, accompanied with the following information:
 - a. Name and address of the property owner and business operator. Both parties and/or their authorized representatives shall sign the application.
 - b. The expiration date of the business license of the business intending to operate the extension area.

The application is consistent with this requirement.

No extension areas are proposed. If future business owners would like to establish one, then they would need to apply separately.

c. A drawing showing the extension area in its relationship to the building, sidewalk and street, for the extension area and thirty feet along the sidewalk in either direction. The drawing shall show dimensions of the extension area, locating doorways and access points, show width of sidewalk (distance from curb to building face and property line), existing and projected pedestrian traffic movements, location of utilities that might affect or be affected by the application proposal, parking meters, bus stops, benches, trees, landscaping, trash receptacles and other street furniture, or any other potential sidewalk obstruction. The drawing of the extension area shall show its intended use, any furniture or display stands, fixtures, signs, canopies and other overhead appurtenances, landscaping and planters, trash receptacles, and any other matter to be placed in the area.

3. Location and Design Requirements.

a. The extension area may extend no more than ten feet from the property line into the public right-of-way, and in no cases shall an extension area result in an unobstructed walkway of less than six feet.

b. The elevation of the extension area shall be the same as the public sidewalk, and shall meet ADA accessibility standards outlined below.

c. No permanent structures will be allowed within the public right-of-way, with the exception of ADA complying barriers.

d. If a separation between the cafe and the public walkway is desired, this shall be achieved through low planters or fencing; the maximum height of such planters (including the planting) shall be no more than four feet in order to maintain the public view of the extension area. Wind block types of clear fencing can exceed four feet.

e. A canvas awning will be permitted to extend over the full depth of the cafe extension area; no columns or supporting poles will be permitted within the public right-of-way.

f. The use of removable umbrellas within sidewalk extension areas is also encouraged; provided, that seven feet of clearance is provided from the sidewalk.

g. Removable wind screens that are of a transparent material and that are an integral part of the planter may be permitted to extend the seasonal use of the cafe area. Such screens shall not exceed a height of six feet and shall be separated from the awning to provide for air movement.

h. Extension areas that include a “take-out” or service window shall submit a management plan that includes specifics on outdoor trash collection and disposal, security and customer queuing. The management plan will include designated staffing and will be designed to ensure that the site is kept clean, trash is managed, that the outdoor area is attractive and that customer queuing does not impede access to the sidewalk.

4. Conditions of Approval. The administrative use permit and revocable license may be conditioned to achieve the purpose of this

part. In addition to any other appropriate conditions, standard conditions shall include:

- a. The approval for this use shall be issued to the operator of the adjacent business, and shall not be transferable.
- b. The extension area shall be permitted only in conjunction with the establishment which is operating in the adjacent building and to which the extension area is appurtenant.
- c. The applicant shall notify the planning department and police department at least three working days in advance of the date work is to begin to establish the outdoor use.
- d. The applicant shall take actions to assure that the use of the extension area in no way interferes with pedestrians or limits their free and unobstructed passage.
- e. The extension area and all its contents shall at all times be maintained in a clean and attractive condition; all landscaping and planting shall be maintained in a presentable and healthy condition.
- f. The extension area shall be operated in conformance with the hours specified in the approval.
- g. The extension area shall be operated in conformance with any applicable city, county or state laws.
- h. Use of the extension area is approved for an indefinite term, except as it may be limited as a condition of the approval, but

shall be subject to termination at any time on thirty days' prior written notice upon a determination by the city that the public interest requires vacating the extension area, or as provided in Section [24.10.2340\(4\)\(g\)](#).

i. The licensee shall meet the liability and insurance requirements of the city's risk manager. A certificate of insurance shall be furnished to the city prior to the use of an extension area.

5. Denial, Revocation or Suspension of License. The zoning administrator may deny, revoke, or suspend a license for use of an extension area if it is found:

a. That the provisions of this part or conditions of approval have been violated; or

b. Any necessary health permit has been suspended, revoked or canceled; or

c. The licensee does not meet the insurance requirements of the license; or

d. The city determines that the public interest requires vacating the extension area.

24.12.195 LIVE ENTERTAINMENT.

1. Live entertainment is considered incidental to the primary use where the indoor stage/performance area does not exceed eighty square feet and customer dancing does not occur. Incidental live entertainment is a permitted use with the following uses:
 - a. Eating and drinking establishments (including fast food restaurant) (280).
 - b. Specialty retail stores such as coffee houses, music and book stores (290E and 290G).
 - c. Any other commercial use determined by the Zoning Administrator as not impacting adjacent properties.
2. Incidental live entertainment shall be reviewed and approved by the Police Department through an Entertainment Permit prior to commencement.
3. If incidental live entertainment violates any provision of this title or Chapter [5.44](#), the Zoning Administrator may order that the said entertainment immediately be stopped as per Section [24.04.221](#).
4. Where the indoor stage/performance area exceeds eighty square feet and/or customer dancing is provided the primary use shall be classified as a nightclub/music hall (630).
5. Any outdoor live entertainment on private property not exceeding three consecutive days or five days a year may be allowed by the Police Department through the sound permit requirements of the Municipal Code. Any outdoor live entertainment exceeding the above

The application is consistent with this requirement.

No live entertainment is proposed as part of this project. If a future business owner wanted to establish such a use, they would be required to go through the approval process.

<p>days shall be reviewed through an administrative use permit except where otherwise stated.</p> <p>6. All live entertainment shall comply with the noise requirements of Section 24.14.260 and all applicable building and fire regulations.</p> <p>Part 3: OFF-STREET PARKING AND LOADING FACILITIES</p>	
<p>24.12.230 GENERAL REQUIREMENTS.</p> <p>A design permit is required for a new facility or an existing facility proposed for modification, containing five or more spaces.</p>	<p>This requirement is not applicable.</p> <p>SB35 projects are a ministerial project and are therefore exempt from this section.</p>
<p>24.12.240 NUMBER OF PARKING SPACES REQUIRED.</p>	<p>This requirement is not applicable.</p> <p>Pursuant to SB35 (65913.4(e)(1)), local governments cannot impose automobile parking standards for a streamlined development that is located within one-half mile of public transit. Pursuant to HCD SB 35 Guidelines 102(t) "Public transit" means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge a set fare, run on fixed routes, and are available to the public.</p>
<p>24.12.241 ELECTRIC VEHICLE CHARGING STATION REQUIREMENTS.</p> <p>1. Definitions.</p>	<p>The project conflicts with this objective standard.</p> <p>Based on 141 spaces provided on site, seven (7) EV spaces are required to be provided. Six (6) are shown to be provided on the plans. Twelve (12) EV spaces are</p>

a. "Electric vehicle" means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on board for motive purposes.

b. Electric Vehicle Supply Equipment (EVSE) Installed. "EVSE installed" shall mean an installed Level 2 or higher EVSE, as defined by the California Green Building Standards Code (CAL Green) of California Building Standards regulations, et seq.

2. Required Spaces Are Rounded. When determination of the number of required electric vehicle parking stalls by this title results in a requirement of a fractional space, any fraction of less than one-half may be disregarded, while a fraction of one-half or more shall be counted as one parking space.

3. Electric Vehicle Charging Stations.

a. Electric Vehicle (EV) Charging for Multifamily Residential Structures. New multifamily dwellings on a single site with five or more units shall provide twelve percent of total parking, but no fewer than one, as electric vehicle parking space with EVSE installed. Multifamily projects requiring an EV van accessible parking space shall receive a credit of one parking space.

b. Electric Vehicle (EV) Charging for Nonresidential Structures. New nonresidential structures shall provide parking spaces with EVSE installed in accordance with the following table:

called out on the Parking & Bike Calculation sheet. So this will need to be clarified.

Total Number of Actual Parking Spaces	Total Number of Actual or Required EVSE Spaces, Whichever Is Greater		
0 – 9	0		
10 – 25	1		
26 – 50	2		
51 – 75	4		
76 – 100	5		
101 – 150	7		
151 – 200	10		
201 and over	6 percent of total		

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24.12.252 SHOWER FACILITY REQUIREMENTS.	The application is consistent with this requirement.
24.12.280 DESIGN REQUIREMENTS. 1. Driveway Design Standards. a. Parking facilities hereafter established and which are located adjacent to a required front yard in an adjoining A-District or R-District shall be provided with a clear vision area and parking facilities which are located adjacent to two intersecting streets shall include a clear corner triangle as defined in this title. These	The project conflicts with this objective standard.

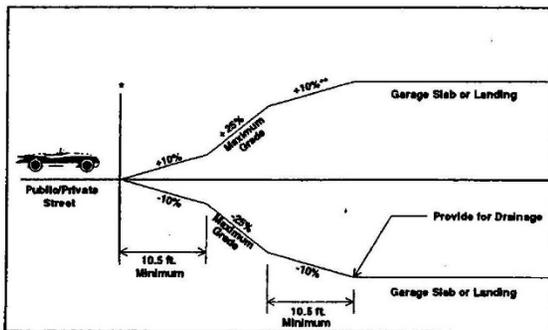
areas shall be maintained in conformance with Section [13.30.110](#).

b. The total clear space to accommodate a vehicle in driveways and private parking areas used as private parking facilities for single-family residential uses shall not be smaller than the dimensions of required on-site parking spaces.

c. Driveways shall be designed to conform with existing contours to the maximum extent feasible.

d. Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight in clear vision areas and clear corner triangles.

e. Driveways shall have a maximum grade of twenty-five percent as illustrated in the following diagram:



* Back edge of standard city driveway.

** All percentages are measured from the edge of standard city driveway.

f. Driveways and approaches shall comply with the applicable standards set forth in Chapter [15.20](#).

2. Parking Facility Layout. The diagrams entitled "Sample Parking Designs and Standards," included at the end of this chapter, shall be used for dimensions in the development and arrangement of parking spaces and parking areas. Layout and traffic flow is illustrative only and these standards may be varied with supportive documentation of acceptable circulation by a California-licensed civil engineer.

a. Each standard-size parking space shall be not less than nineteen feet in length by eight and one-half feet in width. Each compact parking space shall be not less than sixteen feet in length by seven and one-half feet in width.

3. Access to Spaces or Facilities.

a. Access to parking facilities shall not be less than twenty feet in width; except as follows:

(1) Access to parking facilities containing five or fewer parking spaces shall be not less than ten feet in width, except as provided in subsection (1), Driveway Design Standards, for private facilities for single-family homes.

(2) Access to parking facilities containing between six and twenty parking spaces shall be not less than twelve feet in width.

(3) Where separate one-way drive aisles are proposed, each shall be not less than ten feet in width.

(4) The zoning administrator shall determine the width of driveways serving parking facilities in the GB-O District based on the following findings:

i. That the width is necessary to preserve the open-space character of the area;

ii. That the width contributes to the compatible use of open-space lands.

(5) The public works department, planning and community development department, and/or the fire department may approve designs that vary from the above standards based on the individual circumstances of a parcel or use.

b. Backing Out.

(1) General. Driveways and aisles in a parking facility shall be designed so that vehicles do not back out into a street other than a residential alley.

(2) Exceptions. Parking facilities for single-family dwellings and duplexes not located on a highway or major or minor

It appears that the at-grade parking facility to the north of the proposed buildings does not provide sufficient turnaround space for garbage and delivery trucks to turn around and exit in a forward manner on to N. Branciforte Ave. Redesign the parking facility or provide maneuvering diagrams that demonstrate that trucks can turn around or otherwise maneuver on site.

arterial, as shown on the General Plan Land Use Map, may provide for backing into the street. Parking facilities for three-family dwelling or triplex or four-family dwelling or fourplex may be designed to back out onto a street only if the street is not an arterial or collector street.

(3) Dimensions. Public and private parking facilities shall provide at least twenty-four feet of clear area behind parking spaces for backing-out and turning movements when ninety-degree parking spaces are used, at least fifteen feet when forty-five-degree parking is used, and at least eighteen feet when sixty degree parking is used. In unique situations, a California-licensed civil engineer may demonstrate with a turning diagram that this dimension can be reduced and still provide adequate on-site circulation for standard sized vehicles. Reductions in back-out area are subject to review and approval by the planning director or designee in consultation with the director of public works or designee.

4. Tandem Spaces.

a. Required parking spaces for residential uses may be provided in a tandem arrangement no more than three parking spaces deep. No parking space may be in tandem with a parking space for a separate dwelling unit except as allowed for accessory dwelling units.

5. Border Barricades. Every parking facility containing angled or ninety-degree parking spaces adjacent to a street right-of-way shall, except at entrance and exit drives, be developed with a solid curb or

barrier along such street right-of-way line; or shall be provided with a suitable concrete barrier at least six inches in height and located not less than two feet from such street right-of-way line. Such wall, fence, curb, or barrier shall be securely installed and maintained.

6. Surfacing. All off-street parking facilities shall be surfaced with a minimum of five inches of concrete, or one and one-half inches of asphalt overlying four inches of base rock; except:

- a. Temporary off-street parking facilities, which may be surfaced by placement of a single bituminous surface treatment upon an aggregate base, which bituminous treatment and base shall be subject to the approval of the director of public works;
- b. Driveways and parking pads for single-family residences may be surfaced with four inches of concrete or other approved material;
- c. Parking facilities approved by the zoning administrator or planning commission for a different parking surface;
- d. All off-street parking facilities shall be so graded and drained as to dispose of all surface water from within the area; in no case shall such drainage be allowed to cross sidewalks.

7. Marking. Parking spaces within a facility shall be clearly marked and delineated. For nonresidential uses, wheel stops or curbing may be required.

8. Lighting. Lighting shall be directed onto the subject property only and shielded so that the light source is not visible from adjacent properties or streets.

9. Landscaping and Screening.

a. General Requirements. Landscaping shall be provided in conjunction with the development or modification of any parking space or facility. Landscaping is employed to diminish the visibility and impact of parked cars by screening and visually separating them from surrounding uses and the street; to provide shade and relief from paved areas; to channel the flow of traffic and generally contribute to good site design.

(1) Every commercial parking facility abutting property either located in R-Districts or in residential uses shall be separated from such property or use by a permanently maintained evergreen hedge, view-obscuring wall or fence, raised planter, planted berm or the like. Such screening devices shall be of sufficient height to diminish the visibility and impact of parked cars and visually separate them from the adjacent residential zone or use. Screening devices may not exceed the standards set forth in Section [13.30.110](#).

(2) Except for parking facilities for single-family lot development, landscaped areas shall be separated from paved parking areas by a six-inch continuous concrete curbing, or other permanent landscape feature including fencing, gravel, or rigid landscape edging. Parking facilities that incorporate landscaped storm water treatment or retention areas in conformance with adopted city best

Provide a landscaping plan that demonstrates that a maintained evergreen hedge, view-obscuring wall or fence, raised planter, planted berm or the like is being provided along the northern property line.

<p>management practices for low impact development shall be exempt from this requirement adjacent to those areas used for treatment or retention.</p> <p>b. Standards for Multifamily, Over Five Units, Commercial and Industrial Developments. Every parking facility shall include a minimum of ten percent of area devoted to parking in permanent landscaping. Landscaping shall be installed in areas used to channel the flow of traffic within parking rows, at the entry to aisles, and at other locations specified by the approving body. Required landscaping shall include appropriate vegetation including trees which shall be provided in sufficient size and quality to adequately screen and soften the effect of the parking area, within the first year.</p>	<p>Provide a landscape plan that demonstrates that a minimum of ten percent of the parking facility area is permanent landscaping.</p>
<p>24.12.290 VARIATIONS TO REQUIREMENTS.</p>	<p>This requirement is not applicable.</p>
<p>24.12.295 OFF-STREET LOADING FACILITIES.</p> <p>1. Purpose. To reduce street congestion and traffic hazards and to add to the safety and convenience of the community, adequate, attractively designed, and functional facilities for off-street loading shall be incorporated as necessary in conjunction with new uses of land.</p> <p>2. General Provisions. For every building hereafter erected, which is to be occupied by manufacturing, storage, warehouse, retail and/or wholesale store, market, hotel, hospital, mortuary, motel, laundry, dry</p>	<p>The application is consistent with this requirement.</p>

cleaning, or other similar uses requiring the receipt or distribution by vehicles of material and merchandise, off-street loading areas shall be provided in accordance with the requirements herein.

3. Requirements.

a.

Gross Floor Area	Required Loading Spaces
10,000 to 24,999 square feet	1
25,000 to 49,000 square feet	2
For each additional 50,000 square feet or fraction thereof	1

b. Each loading space shall be not less than ten feet in width, thirty feet in length, and with an overhead clearance of fourteen feet.

c. Such space shall not occupy all or any part of any required front or exterior yard area or court space, and shall not be located closer than fifty feet to any lot in an R- District, unless inside a structure or separated from such district by a wall not less than eight feet in height, provided a conditional fence permit is approved.

d. Sufficient room for maneuvering vehicles shall be provided on site.

With 2,727 square feet of retail proposed, no off-street loading spaces are required.

- e. Each loading berth shall be accessible from a street or alley.
- f. Entrances and exits shall be provided at locations approved by the public works director.
- g. The loading area, aisles and access drives shall be paved with a durable, dustless surface, and shall be so graded and drained so as to disperse surface water.
- h. Wheel stops and bumper rails shall be provided where needed for safety or to protect property.
- i. If the loading area is illuminated, lighting shall be directed away from any abutting residential sites and adjacent streets.
- j. No repair work or servicing of vehicles shall be conducted in a loading area.
- k. Trucks with trailers or detached trailers shall not be stored on-site.
- l. Loading areas shall be maintained in good condition and kept free of trash, debris, and display or advertising uses. No changes shall be made in the number of loading spaces designated on the parking plan without review by the zoning administrator.
- m. Required off-street loading facilities shall be located on the same site as the use for which the berths are required.

<p>Part 4: ADVERTISING DEVICES, SIGNS AND BILLBOARDS</p>	<p>This requirement is not applicable.</p> <p>There are no signs included in the proposal. The applicants will be required to apply for sign permits prior to tenancy.</p>
<p>Part 5: HISTORIC PRESERVATION</p>	<p>This requirement is not applicable.</p> <p>The property is not listed on the City's Historic Building Survey.</p>
<p>24.12.430 PROTECTION OF ARCHAEOLOGICAL RESOURCES.</p> <p>1. Policy and Purpose. Existing in Santa Cruz are certain deposits and sites of cultural significance believed to have been left by Native Americans and other early inhabitants. These deposits and sites are unique and irreplaceable phenomena of significance in the history of the city and the understanding of the cultural heritage of our land and of all humankind. Such sites have a deep, spiritual significance to Native Americans, especially the native peoples of the state of California, and constitute a precious archaeological and historical heritage which is fast disappearing as a result of public and private land development. Uncontrolled excavation or modification of these resources would destroy their cultural integrity. This loss would affect future generations and must be prevented in the public interest. Such cultural resources should be preserved in an undisturbed state wherever possible for future generations who should be more skilled and have access to better methods of study. In order to promote the public welfare, it is necessary to provide regulations for the protection, enhancement, and perpetuation of such sites. This section, therefore, is intended to provide a procedure for preserving the</p>	<p>The application is consistent with this requirement.</p> <ol style="list-style-type: none"> 1. Consultation with the Indian Canyon Mutsun Band of Costanoan Ohlone has taken place and an enforceable agreement with the City of Santa Cruz has been completed. A condition of approval will be included that requires the applicant to comply with all requirements of the Enforceable Agreement.

valuable cultural resources in the city of Santa Cruz. It should be noted that California Public Resources Code Section [5097.9](#) and Health and Safety Code Section [7050.5](#) protect archaeological and paleontological resources and supersede any local regulations.

2. Archaeological reconnaissance is required on sites proposed for development within areas identified as “highly sensitive” or “sensitive” on the general plan maps labeled “areas of archaeological sensitivity” and “historical archaeology sensitivity” prior to the issue of building or development permits. For development on sites that have “known resources” see subsection (12).

3. An archaeological reconnaissance shall include archival research, site surveys and necessary supplemental testing as may be required and shall be conducted by a qualified archaeologist. The significance of identified resources shall be ascertained in accordance with CEQA definitions. If significant impacts are identified, impacts and mitigation measures outlined could include but are not limited to avoidance, project redesign, deposit capping, resource recovery options and/or on-site monitoring by an archaeologist during excavation activities. A written report describing the archaeological findings of the research or survey shall be provided to the city.

4. Exemptions for minor development are allowed within “sensitive” areas only. “Minor development” is defined for this purpose as development that involves spot excavation to a depth of twelve inches or less below existing grade or uses that have virtually no potential of resulting in significant impacts to archaeological deposits. Exempt projects may include: building additions, outdoor decks, or excavation in soil that can be documented as previously disturbed.

2. Portions of the three parcels mapped as “highly sensitive” or “sensitive”. An archaeological reconnaissance report is required.

3. The archaeological reconnaissance report must meet these standards.

4. This project does not qualify as a minor development.

5. Developer's Action on Discovery of Artifacts or Remains During Excavation or Development. Any person exercising a development permit or building permit who, at any time in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource, shall:

- a. Immediately cease all further excavation, disturbance, and work on the project site;
- b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
- c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
- d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

6. Coroner's Action on Discovery of Remains. If human remains are discovered, the sheriff-coroner or his/her representative shall promptly inspect the remains to determine the age and ethnic character of the remains and shall promptly, after making such

5. These requirements are included in the Enforceable Agreement and are to be exercised as part of the building permit.

6. These requirements are included in the Enforceable Agreement and are to be exercised as part of the building permit.

determinations, notify the planning director. If the remains are found to be Native American in origin, the sheriff-coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission will identify the Native American most likely descendant who will provide recommendations for the proper treatment of the remains and associated artifacts per California State Resources Code Section 5079.9.

7. Planning Director's Action on Discovery of Artifacts. If any artifacts are discovered, the planning director shall cause an on-site inspection of the property to be made. The purpose of the inspection shall be to determine whether the discovery is of an archaeological resource or cultural resource. In making a determination, the planning director may also consult with Native American groups, qualified archaeologists, or others with the necessary expertise.

8. Discovery Not an Archaeological/Cultural Resource. Upon determining that the discovery is not of an archaeological/cultural resource, the planning director shall notify the property owner of such determination and shall authorize the resumption of work.

9. Discovery an Archaeological/Cultural Resource. Upon determining that the discovery is of an archaeological/cultural resource, the planning director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other measures have been approved by the director for the protection of the site.

10. Mitigation Plan. The property owner or his/her agent shall prepare any required mitigation plan. The mitigation plan shall include conditions necessary or appropriate for the protection of the resource

7. These requirements are included in the Enforceable Agreement and are to be exercised as part of the building permit.

8. Requirement to be followed. The requirements listed in 24.12.430(8) will be enforced if a discovery is encountered.

9. These requirements are included in the Enforceable Agreement and are to be exercised as part of the building permit.

10. Requirement to be followed. The requirements listed in 24.12.430(10) will be enforced if a discovery is encountered.

including, but not limited to, conditions on the resumption of work, redesign of the project, or other conditions deemed appropriate by the planning director. The director shall review the mitigation plan and may consult with Native Americans, archaeologists, or other interested persons to ensure proper protection of the resource. When the director is satisfied that the mitigation plan is adequate, the director shall authorize the resumption of work in conformance with the mitigation plan.

11. Referral to Historic Preservation Commission. The planning director may refer to the historic preservation commission the decision whether the discovery is of an archaeological/cultural resource and the decision whether the mitigation plan is adequate to protect the resource. If the director refers the matter to the historic preservation commission, a public hearing shall be held in conformity with the requirements of this title relating to public hearings.

12. Development on Known Archaeological Sites. No building permit for any earth-disturbing activity shall be issued on parcels identified by resolution of the city council as containing known cultural or archaeological resources without the owner first obtaining an administrative use permit. The administrative use permit shall be conditioned with appropriate archaeological survey and mitigation procedures such as those prescribed in the Historic Preservation Element and the Local Coastal Land Use Plan.

11. Requirement to be followed.

12. The subject site is not a known archaeological site as identified by council resolution.

All of the above will be included as conditions of approval.

24.12.431 PROTECTION OF PALEONTOLOGICAL RESOURCES.

The application is consistent with this requirement.

<p>1. The city shall notify applicants with development projects within sensitive paleontological areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the city will require the treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.</p>	<p>The subject site is not a known paleontological site. The requirements listed in 24.12.431 will be enforced if paleontological resources are encountered.</p>
<p>Part 8: UNDERGROUND UTILITIES</p> <p>24.12.700 GENERAL.</p> <p>All facilities and wires for the extension of facilities for the supplying and distribution of electrical energy and service, including communication service, shall be placed underground; and further, there exists a need for regulation of certain modifications of existing utility pole lines, all in order to promote and preserve the health, safety, and general welfare of the public, and to assure the orderly development of the city of Santa Cruz.</p>	<p>The project conflicts with this objective standard.</p> <p>Plans must show undergrounding of utilities or indicate if eligible for an exception.</p>
<p>Chapter 24.12 Community Design</p> <p>24.12.710 PROVISIONS.</p> <p>1. All new extensions of electrical and communications distribution and service facilities, equipment, and lines carrying less than thirty-four thousand five hundred volts hereafter constructed or installed in the city of Santa Cruz shall be placed underground, unless special</p>	<p>The project conflicts with this objective standard.</p> <p>Plans must show undergrounding of utilities or indicate if eligible for an exception.</p>

<p>permission to construct said facilities above ground is granted, as hereinafter provided.</p> <p>2. All reallocations of existing overhead electrical and communications distribution and service poles supporting lines carrying less than thirty-four thousand five hundred volts required to be relocated by reason of change of grade or alignment or the widening of the street within which such overhead facilities exist shall, upon relocation, be placed underground, unless special permission to reconstruct said facilities above ground is granted, as hereinafter provided. This provision shall apply only to those streets within an area of the city declared by the city council to be an underground utility district.</p> <p>3. Overhead electrical and communications distribution and service poles supporting lines carrying less than thirty-four thousand five hundred volts shall not be installed to support overhead facilities where such installation would duplicate an existing pole line within an entire city block.</p> <p>4. Electric and communication service wires or cables to any new building or structure shall be placed underground. Where this requirement would be impractical or unreasonable, the director of public works, upon application of the property owner, may permit overhead services.</p>	
<p>24.12.720 EXCEPTIONS.</p> <p>The provisions of Section 24.12.710 shall not apply to:</p>	<p>The application is consistent with this requirement.</p>

1. Poles used exclusively for police and fire alarm boxes or any similar municipal equipment installed under the supervision of, and to the satisfaction of, the city engineer.
2. Poles or electroliers used exclusively for street lighting.
3. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extended from one location on the building to another location on the same building or to an adjacent building on the same lot or parcel without crossing any street.
4. Radio antennas, their associated equipment and supporting structures used by a utility for furnishing communication services.
5. Equipment appurtenant to underground facilities, such as surface-mounted transformers, pedestal-mounted transformers, pedestal-mounted terminal boxes, and meter cabinets and concealed ducts.

24.12.730 IN-LIEU FEE.

The city council shall, by resolution, establish an underground utility in-lieu fee to be paid where the enforcement of the provisions of Section [24.12.710](#) are not feasible at the time of construction or would more easily be installed at a later date for the immediate neighborhood. Application for the in-lieu fee option is applicable to single-family and multifamily residential up to four units, and accessory dwelling units and shall be made in the following manner:

This requirement is not applicable.

1. Written application shall be filed with the zoning administrator, with copy to the director of public works, for approval to pay an in-lieu fee rather than undergrounding the utilities. The in-lieu fee option must be approved prior to the issuance of a building permit for the project.

2. Such application shall include all information necessary to properly apprise the zoning administrator and the director of public works of the circumstances existing which require such exception.

3. The zoning administrator shall consider said application and the purpose to be attained by this part and shall, within thirty days after the filing of said application, administratively grant or deny the request to pay an in-lieu fee rather than undergrounding the utilities. The decision of the zoning administrator is appealable in accordance with the appeal provisions contained in Section [24.04.180](#).

4. In approving an application to pay an in-lieu fee rather than meeting the regulations of this part, at least one of the following findings shall be made:

a. The cost to underground the utility is highly disproportionate to the cost of the improvement; or

b. The immediate neighborhood has aboveground utility and/or communications extensions and the city plans to install underground utilities for the entire area at one time; or

<p>c. The utility company installing the connecting line has said it is physically impossible to make such a connection underground at this time; or</p> <p>d. The circumstances are similar in nature to those listed above, as determined by the zoning administrator.</p> <p>5. The in-lieu fee option does not apply to the installation of streetlights as may be required by the conditions of approval for a project.</p>	
<p>Part 12: ALCOHOLIC BEVERAGE SALES</p>	<p>The application is consistent with this requirement.</p> <p>Conformance and permit required prior to any tenancy that includes alcoholic beverage sales.</p>
<p>Chapter 24.14 ENVIRONMENTAL RESOURCE MANAGEMENT</p>	
<p>24.14.010 PURPOSE.</p> <p>The purpose and intent of the conservation regulations is to protect the public health, safety and community welfare; and to otherwise preserve the natural environmental resources of the city of Santa Cruz in areas having significant and critical environmental characteristics. The conservation regulations have been developed in general accord with the policies and principles of the General Plan, as specified in the Environmental Quality Element, the Safety Element of the General Plan, and the Local Coastal Program, and any adopted area or specific plans. It is furthermore intended that the conservation regulations accomplish the following:</p>	<p>These are not objective standards.</p>

1. Minimize cut, fill, earthmoving, grading operations, and other such man-made effects on the natural terrain;
2. Minimize water runoff and soil erosion caused by human modifications to the natural terrain;
3. Minimize fire hazard and risks associated with landslides and unstable slopes by regulating development in areas of steep canyons and arroyos and known landslide deposits;
4. Preserve riparian areas and other natural habitat by controlling development near the edge of ponds, streams, or rivers;
5. Encourage developments which use the desirable, existing features of land such as natural vegetation, climatic characteristics, viewsheds, possible geologic and archaeological features, and other features which preserve a land's identity;
6. Maintain and improve to the extent feasible existing water quality by regulating the quantity and quality of runoff entering local watercourses;
7. Maintain and improve to the extent feasible existing air quality by achieving or exceeding state air quality guidelines;
8. Serve as part of the Local Coastal Implementation Plan of the Local Coastal Program.

24.14.020 GENERAL PROVISIONS.

The application is consistent with this requirement.

1. Applicability. The conservation regulations in this part apply to every zoning district within the city of Santa Cruz, except as specifically provided herein. Where conflict in regulations occurs, the regulations set forth in this part shall apply.

2. Relationship to Minor Land Divisions and Subdivisions. No minor land division or subdivision shall create lots which would necessitate exceptions to these regulations.

Areas where construction shall not occur because of environmental constraints may be specified on parcel and tentative maps so that maximum feasible conformance with this part can be attained. Where such areas are designated, they shall prevail over setbacks set forth in this title.

3. Relationship to Environmental Impact Reports (EIRs) and Negative Declarations. Appropriate measures recommended in EIRs and negative declarations to mitigate identified significant environmental impacts shall be incorporated in project design, unless appropriate findings, as required by CEQA, are made.

4. Setback Requirements – General. In its review of a development proposal, the zoning board may require building setbacks greater than those required by the zoning district in which a project is located, if it determines that the additional setback is necessary to achieve the purposes set forth in Section [24.14.010](#) of Part 1, Conservation Regulations.

5. In the Coastal Zone all development that involves alteration of or discharge into wetlands or streams and riparian vegetation shall be subject to review by the Department of Fish and Game

1. Applicable to project in CC zone district.

2. The subject parcels are not identified as located within a sensitive habitat nor constrained by environmental resources.

3. Projects that comply with SB35 are not subject to CEQA.

4. The setback requirements listed here refer to a SCMC 24.14.010 that includes subjective development standards. Only objective standards can be applied to projects that qualify for SB 35 ministerial approval.

<p>whose requirements shall be incorporated into development plans prior to approval of the coastal development permit. However, standards of the certified LUP which are more protective of resources shall prevail over Department of Fish and Game requirements.</p>	<p>5. The subject property is not located in the Coastal Zone.</p>
<p>24.14.030 SLOPE REGULATIONS.</p> <p>1. Applicability and Purpose. The following regulations are enacted to minimize the risks associated with project development in areas characterized by combustible vegetation and steep and/or unstable slopes. Such areas include canyons, arroyos, slopes over thirty percent (see Maps EQ-6 and EQ-7 in the General Plan). Minor sculpted landforms, such as berms or swales, shall be exempt from the following regulations. A further purpose is to avoid excessive height, bulk and mass normally associated with building on slopes.</p> <ul style="list-style-type: none"> a. Building permit applications for new structures on slopes of ten percent or greater shall include an accurate topographic map. The map shall contain contours of two-foot intervals for slopes of twenty percent grade. b. Slopes thirty percent or greater shall not be considered in the density determination of a property. c. Parcels with a portion of the area in slopes of thirty percent or greater shall require the minimum lot area of the applicable zoning district in slopes of less than thirty percent. The area in slopes of less than thirty percent must be contiguous to the proposed building site. 	<p>The application is consistent with this requirement.</p> <ul style="list-style-type: none"> 1. The subject site is not located in an area characterized by combustible vegetation or steep and/or unstable slopes. <ul style="list-style-type: none"> a. The project site is not located on slopes of ten percent or greater. b. The project site is not located on slopes of thirty percent or greater. c. The project site is not located on slopes of thirty percent or greater.

d. No building shall be located on a slope of thirty to fifty percent, or within twenty feet of a thirty to fifty percent slope, unless an exception is granted pursuant to Section [24.14.040](#) or a variance is granted pursuant to Section [24.08.810](#).

e. No structure shall be located on a slope greater than fifty percent.

f. Proposed buildings on parcels within or adjacent to fire hazard areas as designated in the Safety Element of the General Plan (Map S-11) shall maintain separation from combustible vegetation as required by the city fire department. Removal of combustible vegetation may also be required as part of project approval.

g. No development except minor development on parcels of one-half acre or less, such as walkways, fences, retaining walls less than three feet high above existing grade, planter boxes and similar features, will be allowed to encroach on thirty-percent slopes without an exception listed in Section [24.14.040](#).

h. No new lot shall be created which will require the house to be sited within twenty feet of a thirty-percent slope.

i. For all development within one hundred feet of a coastal bluff, a site-specific geologic investigation prepared

d. The project site is not located on slopes of thirty percent or greater.

e. The project site is not located on slopes of fifty percent or greater.

f. The project site is not in an area mapped as high fire hazard.

g. The project site is not located on slopes of thirty percent or greater.

h. The project site is not located on slopes of thirty percent or greater.

i. The project site is not located within one hundred feet of a coastal bluff.

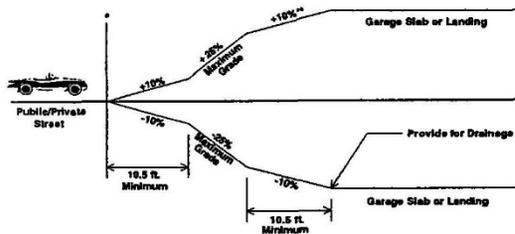
by a qualified professional consistent with the California Division of Mines and Geology guidelines shall be prepared.

2. Driveway Design Standards.

a. Driveways shall be designed with existing contours to the maximum extent feasible.

b. Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight.

c. Driveways shall have a maximum grade of twenty-five percent as illustrated in the following diagram:



* Back edge of standard city driveway.

** All percentages are measured from the edge of standard city driveway.

d. Driveways within slopes that are thirty percent or greater shall require an exception listed in Section [24.14.040](#).

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval.

The project will be required to provide adequate decision sight distances to all driveways to ensure safe and efficient arterial operations.

Design Speed is 30 MPH, avoidance maneuver E requires 620-feet for adequate sight distance, or as required pursuant to the AASHTO *A Policy on Geometric Design*.

Provide detailed improvement plans prepared by a licensed California Civil Engineer.

d. The project site is not located on slopes of thirty percent or greater.

<p>24.14.040 EXCEPTION.</p> <p>The zoning administrator may, through slope modification permit procedures, grant exception to Section 24.14.030, subsection (1)(d) when the exception is no less than 10 feet from the top edge of the slope and to Section 24.14.030 subsection (1)(g) when the exception is not a building, where strict compliance with that subsection creates a particular physical hardship and there are no reasonable alternatives to the exception, and when the applicable conditions in Section 24.08.820 are found.</p>	<p>This requirement is not applicable.</p>
<p>24.14.050 DRAINAGE CONTROL.</p> <p>1. General Provisions.</p> <p style="padding-left: 40px;">a. Applicability. A drainage plan shall be provided for all large and small projects, as defined below, when existing drainage patterns would be altered by new construction. All drainage plans for properties adjacent to watercourses and wetlands shall be in conformance with requirements of Section 24.08.2100 (Watercourse Development Permit) and with the policies of the City-wide Creeks and Wetlands Management Plan. Drainage plans shall be submitted and reviewed as part of project approval.</p> <p style="padding-left: 40px;">b. Roof Drainage. All roof drains shall be discharged so as to minimize erosion.</p> <p style="padding-left: 40px;">c. Disposition of Stormwaters. Where storm drainage from the project is to be discharged into natural</p>	<p>The project conflicts with this objective standard.</p> <p>Provide a drainage plan that meets the requirements for a larger drainage project (24.14.050(3)).</p>

watercourses, the drainage plan shall include methods to safeguard or enhance existing water quality.

d. Stormwater Runoff. Storm drainage runoff resulting from project development should be minimized. To that end, devices such as detention basins, percolation ponds, or sediment traps may be required, where appropriate or as specified in an adopted area plan or wetlands management plan.

e. Surface Water. All surface water shall be directed to a public or private street, driveway, public right-of-way, drainage easement, or watercourse.

2. Small Project Drainage Plan.

a. Requirement. A drainage plan, pursuant to Section [24.14.050](#), subsection (2)(b), prepared by a licensed civil engineer or other qualified licensed professional, shall be required of projects which involve:

(1) Residential, commercial, public or quasi-public or industrial development or additions thereto, constructed on slopes of less than ten percent and parking lots of five or fewer spaces;

(2) Minor land divisions involving lands with slopes of ten percent or greater.

b. Contents. Drainage plans for small projects as defined above shall indicate the direction of water flow and the

ultimate disposition of surface water. This plan shall be reviewed as part of project approval.

3. Large Project Drainage Plan.

a. Requirements. A drainage plan, pursuant to Section [24.14.050](#), subsection (3)(b), prepared by a licensed civil engineer or other qualified licensed professional, shall be required of projects which involve:

- (1) Residential subdivisions or cluster developments when development potential exceeds four units;
- (2) Residential, commercial, public or quasi-public or industrial development or additions thereto, if constructed on lands with slope in excess of ten percent and parking lots of more than five spaces;
- (3) Any development adjacent to an environmental constraint area identified in the Environmental Quality and Safety Elements of the General Plan or the Local Coastal Program;
- (4) Projects for which the planning director determines that such a plan is warranted by existing site conditions.

b. Contents. Drainage plans for large projects shall be prepared by a qualified professional and shall contain at least the following:

- (1) A site plan indicating existing and proposed contours;

<p>(2) The direction of water flow;</p> <p>(3) Details on drainage control facilities such as size and location of all culverts, pipe drains, drain inlets, berms, ditches, interceptor drains or swales, and energy dissipaters where necessary;</p> <p>(4) Erosion control methods as outlined in Section 24.14.060.</p>	
<p>City Storm Water Management Program-Mandatory Best Management Practices Best Management Practices for Development Projects (Chapter 6B)</p> <p>The project shall demonstrate compliance with Chapter 6B of the Best Management Practices Manual for the City’s Storm Water Management Program, Development and Remodeling Projects (Chapter 6B Storm Water BMPs for Development Projects). (e.g. on plan set and related documents)</p> <p>Per Chapter 6B Storm Water BMPs for Development projects, the project shall submit: Appendix A Worksheet: The Storm Water and Low-Impact Development BMP Requirement Worksheet (Appendix A Worksheet) is available in Chapter 6B of the City's Best Management Practices Manual Storm Water BMPs for Private and Public Development Projects (please see www.cityofsantacruz.com/LID).</p> <p>Storm Water Control Plan (SWCP) Report: applies to projects subject to PCR Tiers 2-4. A SWCP report shall be submitted demonstrating that the project meets the requirements in Chapter 6B of the City's Best Management Practices Manual- Storm Water BMPs for Private and Public Development Projects.</p> <p>Operations and Maintenance Plan (O&M Plan) and Maintenance Agreement: The O&M Plan must include at a minimum:</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>

- a) A site map identifying all structural SCMs requiring O&M practices to function as designed.
- b) O&M procedures for each SCM including, but not limited to, LID facilities, retention/detention basins, and proprietorship devices.
- c) O&M procedures for source control BMPs.
- d) Short-and long-term maintenance requirements, recommended frequency of maintenance, and estimated cost for maintenance.
- e) A statement signed by the property owner accepting responsibility for the on-going maintenance of SCMs until such responsibility is legally transferred to another entity when the property is sold (Maintenance Agreement). See Appendix C for a Maintenance Agreement template.

5.1 State Construction Storm Water General Permit

Please be aware that the State of California requires that construction activity resulting in land disturbance of one acre or more, or less than one acre but part of a larger common plan of development or sale obtain coverage under the state's Construction Activities Storm Water General Permit. Construction activity includes clearing, grading, excavation, stockpiling, and reconstruction of existing facilities involving removal and replacement. The landowner is responsible for filing a Notice of Intent (NOI) with the State Regional Water Quality Control Board (RWQCB) and for developing a Storm Water Pollution Prevention Plan (SWPPP) prior to commencement of any soil disturbing activities. For more information about the Construction Activities Storm Water General Permit, please refer to the State Water Quality Control Board website at:

<http://www.swrcb.ca.gov/stormwtr/construction.html>.

In order to obtain a construction or building permit from the City for a construction site that falls into this category, an applicant must provide the City with proof of coverage under the state's Construction Activities Storm Water General Permit. Proof of coverage shall include a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the State Water Quality Control Board (SWQCB) that acknowledges the property owner's submittal of a complete Notice of Intent (NOI) package. Therefore,

please allow sufficient time for the RWQCB/SWQCB to process your NOI package prior to applying for a construction or building permit from the City.

5.2 Storm Water Source Control BMP Requirements: Additional source control measures are required if the project will include any of the following site conditions: commercial/industrial facilities, material storage areas, vehicle fueling/maintenance/wash areas, equipment and accessory wash areas, parking garages, outdoor parking areas, pools/spas/water features, trash storage areas, and food service or food processing facilities.

City Storm Water Management Program-Mandatory Best Management Practices

Best Management Practices for Construction Work (Chapter 4)

The project shall demonstrate compliance with Chapter 4 of the Best Management Practices Manual for the City's Storm Water Management Program, Construction Work

1.1 Site Planning to Minimize Project Impacts

Conduct grading operations in phases in order to reduce the amount of disturbed areas and exposed soil at any one time. Unless specifically approved on the project's Erosion Control Plan, no clearing, excavation, or grading shall be conducted during rainy weather. All rainy season grading must be in accordance with Section 18.45.040 of Title 18 of the City's Municipal Code. An exception may be granted by the Building Official for minor soil disturbance that does not present a hazard.

1.1. Erosion Control Plan Requirements (check numbering – see site planning above)

Site grading and construction activities shall be implemented in accordance with an approved erosion control plan. Before designing an Erosion Control Plan, gather project background information, including soil type, drainage, topography, and surrounding site conditions. This information will help determine appropriate Construction BMPs. Erosion Control Plans shall be submitted with all building permit applications involving ground disturbance and shall include at a minimum:

- Site topography

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

- Nearby watercourses within 200 feet of the project area
- Proposed grading contours
- Locations of existing utilities, including sewer, storm drain, curb and gutter, as applicable
- Location of proposed erosion control measures and installation details (see section 2.1 for requirements)
- Location of proposed sediment control measures and installation details (see section 2.2 for requirements)
- Location of proposed construction waste control measures (see section 3.4 for requirements)
- Stockpile and equipment staging areas
- Total area of disturbance (in acres)
- List of other required permits associated with the grading activity, such as State Construction General Permit, U.S. Army Corps of Engineers 404 permit, State Water Board 401 Water Quality Certification, California Department of Fish and Wildlife 1600 Agreement, as applicable.

Per Chapter 4 Storm Water BMPs for Construction Work, the project shall submit/comply as follows:

2. EROSION AND SEDIMENT CONTROL REQUIREMENTS

Erosion and sediment control BMPs shall be in place and implemented, as appropriate, prior to commencing grading or vegetation removal. These measures shall be maintained on all disturbed areas in order to minimize the release of sediment in a site's storm water discharge.

2.1. Erosion Control

Any project that involves ground disturbance shall include the following minimum erosion control measures on the erosion control plan. Note erosion control measures on the plan and provide installation details.

- Protect and preserve topsoil to minimize erosion and retain infiltration capacity.
- Minimize land disturbance such as cuts and fills. Stabilize slopes and all disturbed areas as soon as grading is finished or cut-and-fills are made.

- Cover bare soils and slopes as soon as possible. Use one or more of the following to reduce the erosion potential from bare, exposed, or disturbed soil: rolled erosion control products (e.g. filter fabric, erosion control blankets, geotextiles), hydraulic mulch or hydroseeding, straw or wood mulch, seeding, vegetation planting, or other appropriate cover material.
- Do not use seeding or loose mulch on slopes greater than 3:1 (H:V) without additional erosion protection such as geotextiles or hydroseeding. If vegetative cover is used, establish a uniform vegetative cover with a minimum of 70 percent coverage.
- Protect vegetated buffer zones and riparian corridors by using silt fences, that are properly staked in (on flat land or moderate slopes), or use other appropriate sediment controls.
- Properly install and maintain all on-site erosion control measures and structural devices, both temporary and permanent. Promptly repair or reinstall any erosion control measures and structural devices that were damaged during construction and maintain them so that they do not become nuisances with stagnant water, odors, insect breeding, heavy algae growth, debris, and/or safety hazards.
- A qualified person should conduct inspections of all on-site BMPs during each rainstorm, if possible, and after a storm is over to ensure that the BMPs are functioning properly. For sites greater than one-acre, on-site inspections are required in accordance with the State Water Quality Control Board Construction Activities Storm Water General Permit.

2.2. Sediment Control

Any project that involves ground disturbance shall include the following minimum sediment control measures on the erosion control plan. Note sediment control measures on the plan and provide installation details. Installation standard details can be downloaded from the California Department of Transportation (Caltrans) website at <http://www.dot.ca.gov/hq/construc/stormwater/details.htm> or on the California Stormwater Quality Association (CASQA) website.

- Perimeter control. Use one or more sediment control measures, such as fiber rolls and silt fences, to prevent sediment from leaving the site during the winter season. The measure(s) used will depend upon site conditions and topography.

Fiber rolls can be used around the perimeter of the soil disturbance area on flat sites to prevent or limit sediment from leaving the site. In urban areas or sites directly adjacent to streets, place fiber rolls at the back of the curb or sidewalk. Fiber rolls are also appropriate in combination with erosion control cover on slopes to shorten slope length and spread runoff as sheet flow.

Silt fences can be used for perimeter control and/or as interior controls down-slope of disturbed areas on sites where slopes do not exceed 4:1 (H:V). Silt fences are not appropriate in concentrated runoff flow areas, in areas where flooding is a concern, or along slopes.

Silt fences must be properly staked in to be effective. Install silt fences so that the drainage around each fence does not create erosion and rills down-slope of the fence. Turn the ends of the silt fence uphill to prevent storm water from flowing around the fence. If not installed at the same elevation throughout, silt fences will create erosion.

- Storm Drain Inlet Protection. Projects that include storm drain inlets or projects that drain into storm drains shall include measures on the Erosion Control Plan to protect the inlets so silt and other pollutants do not enter the storm drain system. Effective methods to protect storm drain inlets include rock/sand bag barriers, fiber rolls, heavy rubber mats to cover and seal the inlet, and geotextile blankets inserted into the catch basin.

Do not use sand bags or straw wattles around storm drain inlets exposed to vehicular traffic in streets or parking lots.

Train employees and contractors to not drive over or park on sand bags, fiber rolls or berms protecting storm drain inlets. If protective barriers are broken or damaged, cleanup and remove any particles entering the storm drain inlet, and replace them immediately.

<ul style="list-style-type: none"> • Stabilized construction access/exit. All projects that include ground disturbance must include a stabilized construction access/exit, unless construction vehicles and equipment will remain on paved surfaces at all times during construction. Show the location of the stabilized construction access/exit on the Erosion Control Plan as well as construction details and notes. • Sediment Control on Slopes. Additional measures will be required to reduce runoff velocity and to trap sediments on slopes. The following measures may be applied individually or in combination: erosion control blankets, fiber rolls, terracing, check dams and energy dissipaters, and/or diversion structures to reduce runoff velocity and trap sediments. • Long-term sediment control. Measures are required to ensure that erosion and sedimentation do not become an issue once the project is completed. The following measures can be effective for long term sediment control once the plantings and roots have grown to sufficient size: <ul style="list-style-type: none"> o Seeding slopes by hydro-seeding or with seeded blankets; preferably using native seeds o Landscaping with plant species that grow rapidly and have root systems that are effective at “holding” soil 	
<p>Per Chapter 4 Storm Water BMPs for Construction Work, the project shall submit/comply as follows:</p> <p>3.3 Dewatering Operations</p> <ul style="list-style-type: none"> • Apply for a wastewater discharge permit from the City’s Wastewater Treatment Facility before connecting to the sanitary sewer. Contact an Environmental Compliance Inspector, at 420-6050 to request a permit. 	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>STATE WATER RESOURCES CONTROL BOARD WATER QUALITY ORDER NO. 2013-0001-DWQ, NPDES GENERAL PERMIT NO. CAS000004, WASTE DISCHARGE REQUIREMENTS (WDRs) FOR</p>	

<p>STORM WATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s) (GENERAL PERMIT)</p>	
<p>A.1. POST CONSTRUCTION STORM WATER MANAGEMENT PROGRAM</p> <p>E.12.a. Post-Construction Measures</p> <p>Permittees shall regulate development to comply with the following Sections:</p> <ul style="list-style-type: none"> • E.12.b Site Design Measures • E.12.c. Regulated Projects • E.12.d. Source Control Measures • E.12.e. Low Impact Development (LID) Design Standards • E.12.f. Hydromodification Measures • E.12.g. Enforceable Mechanisms • E.12.h. Operation and Maintenance of Storm Water Control Measures • E.12.i. Post-Construction Best Management Practice Condition Assessment • E.12.j. Planning and Development Review Process • E.12.k. Post-Construction Storm Water Management Requirements Based on Assessment and Maintenance of Watershed Processes • E.12.l. Alternative Post-Construction Storm Water Management Program <p>*E.12.k: Regulated development to comply with the Post-Construction standards developed by the Central Coast Regional Water Quality Control Board in place of E.12b.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the State Water Resources Control Board Rules and Regulations.</p>

<p>thru @.12.i. . See Central Coast Regional Water Quality Control Board Post-Construction standards, Resolution No. R3-2013-032</p>	
<p>E.10.a. Construction Plan Review and Approval Procedures</p> <p>(i) Implementation Level – The review procedures shall meet the following minimum requirements:</p> <p>(a) Prior to issuing a grading or building permit, the Permittee shall require each operator of a construction activity within its jurisdiction to prepare and submit an erosion and sediment control plan for the Permittee’s review and written approval. The Permittee shall not approve any erosion and sediment control plan unless it contains appropriate site-specific construction site BMPs that meet the minimum requirements of the Permittee’s construction site storm water runoff control ordinance. If the erosion and sediment control plan is revised, the Permittee shall review and approve those revisions.</p> <p>(b) Require that the erosion and sediment control plan include the rationale used for selecting BMPs including supporting soil loss calculations, if necessary.</p> <p>(c) Require that the erosion and sediment control plan list applicable permits directly associated with the grading activity, including, but not limited to the State Water Board’s CGP, State Water Board 401 Water Quality Certification, U.S. Army Corps 404 permit, and California Department of Fish and Game 1600 Agreement. Include as a condition of the grading permit that the operator submit evidence to the MS4 that all permits directly associated with the grading activity have been obtained prior to commencing the soil disturbing activities authorized by the grading permit.</p> <p>(d) Conduct and document review of each erosion and sediment control plan using a checklist or similar process.</p> <p>(e) The SWPPP developed pursuant to the CGP may substitute for the erosion and sediment control plan for projects where a SWPPP is developed. The Permittee is</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the State Water Resources Control Board Rules and Regulations.</p>

<p>responsible for reviewing applicable portions of the SWPPP for construction with the Permittee's construction site storm water runoff control ordinance and this Order.</p>	
<p>Construction Dewatering Operations: There are several options for construction dewatering discharges that can't be managed on site. One potential option is discharge under a permit from the State Water Board/Regional Water Quality Control Board (e.g. Low-Threat Discharge Permits, Highly Treated Groundwater Discharge Permit, etc.). Please contact the Central Coast Regional Water Quality Control Board for more information at 805-549-3147 or refer to their website at: http://www.waterboards.ca.gov/centralcoast/</p> <p>Another option is discharge to the sanitary sewer system under a permit from the City. For more information about this permit, including the application process, requirements and fees, please contact a City Public Works Environmental Compliance Inspector at 831-420-5160.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the State Water Resources Control Board Rules and Regulations.</p>
<p>State Construction General Permit: If the project will disturb one acre or more of soil (or is less than one acre but part of a larger development), a Notice of Intent (NOI) must be filed with the State Water Resource Control Board (SWRCB) to obtain coverage under the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit) prior to commencing work. The applicant is responsible for filing a Notice of Intent and for developing a Storm Water Pollution Prevention Plan (SWPPP).</p> <p>Prior to issuance of a building permit, the applicant shall provide the City with proof of coverage under the State Construction General Permit, including a copy of the letter of receipt and Waste Discharger Identification (WDID) number issued by the SWRCB that acknowledges the property owner's submittal of a complete Notice of Intent (NOI) package. For information on the Construction General Permit (currently Order 2009-0009-DWQ), please see the State Water Board website:</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the State Water Resources Control Board Rules and Regulations.</p>

http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml

24.14.060 EROSION HAZARD AREAS.

1. Applicability. An erosion control plan shall be required for all projects located within, or adjacent to, erosion hazard areas as designated in Maps EQ-6 and EQ-7 in the Environmental Quality Element of the General Plan. An erosion control plan, as defined in subsection (3), of this section, shall also be required for development proposals on slopes in excess of ten percent for all major development proposals and for all development adjacent to streams and wetland areas. When required, an erosion control plan shall be prepared in accordance with subsection (4) of this section.

2. General Provisions.

- a. Measures shall be employed during construction phases to protect exposed soils from erosion.
- b. Site development shall be fitted to the topography and soil so as to create the least potential for erosion.
- c. Vegetation removal shall be limited to that amount necessary and as indicated on approved erosion control plans.
- d. As the permanent vegetation cover is maturing, temporary vegetation, sufficient to stabilize the soil, shall be established on all disturbed areas as needed and as each stage of grading is completed. New planting shall be protected by using jute netting, mulching, fertilizing, and irrigation.

This requirement is not applicable.

The subject site is not located within or adjacent to an erosion hazard area, does not have slopes in excess of ten percent, and is not adjacent to a stream or wetland area.

e. The applicant shall replace destroyed vegetation and trees planned and approved for retention. Protection of tree crowns and root zones shall be required for all trees planned for retention.

f. Land shall be developed in increments of workable size which can be completed in a single construction season. Erosion and sediment control measures shall be coordinated with a sequence of grading, development, and construction operations. Erosion control measures shall be put into effect prior to the commencement of the next increment period.

g. All on-site erosion-control facilities, both temporary and permanent, shall be properly maintained by the owners so that they do not become nuisances with stagnant water, odors, insect breeding, heavy algae growth, debris, and/or safety hazards.

h. Prior to final planning department clearance for occupancy of the development project, all approved permanent erosion control measures shall be installed.

i. In the Coastal Zone grading periods shall be consistent with LUP Policy EQ 3.1.2.1. (page 64).

3. Erosion Control Plan. For major development proposals as defined below, the erosion control plan shall be prepared by a registered civil engineer, professional forester, qualified soil scientist or other qualified erosion control specialist. Major proposals include, but are not limited to:

a. Residential development with four or more units;

b. Grading in excess of one thousand cubic yards;

c. Nonresidential development with floor area greater than ten thousand square feet, when constructed on slopes in excess of ten percent; or

d. Additions to residential, commercial, or industrial developments when constructed on slopes in excess of ten percent;

e. Any development within an erosion hazard area as identified in Map EQ-6 of the Environmental Quality Element or the Local Coastal Program.

4. Contents and Preparation. Two sets of erosion-control plans shall be submitted for each application. The plans shall be drawn to scale and shall be of sufficient clarity to indicate the nature and extent of the work proposed. Erosion control plans shall include the following information:

a. Location and assessor's parcel number of the proposed site.

b. North arrow, scale, and the name and location of the nearest public road intersection.

c. Existing contours of the site, as well as finished contours to be achieved by grading. Contours shall be at two-foot intervals for ground slope areas of twenty percent or less; and/or at five-foot intervals for ground slope areas of more than twenty percent. Such contours shall relate to the bench mark system established by the city engineer.

d. Detailed plans of all surface and subsurface drainage devices, dams, and other erosion control measures to be constructed with, or as a part of, the proposed work.

e. Delineation of areas to be cleared during development activities.

<p>f. Vegetation proposed for all surfaces exposed or expected to be exposed during development activities, including cut-and-fill slopes.</p> <p>g. Approximate location and drip line of existing trees or tree stands with an eight-inch or greater trunk caliper. Any trees proposed to be removed shall be so designated.</p> <p>h. Name and address of owner.</p> <p>i. Name, address, professional status, license number, if applicable, and phone number of the person who prepared the plan.</p> <p>5. Exceptions. Applications for activities where no land disturbance is anticipated may be accompanied by a statement to that effect, for planning director approval, in lieu of an erosion control plan. Such activities may include, but are not limited to:</p> <p>a. Change of use where there would be no expansion of land-disturbing activities.</p> <p>b. Construction within an existing structure.</p>	
<p>24.14.070 SEISMIC HAZARDS.</p> <p>1. Applicability. This section shall apply to project sites within areas identified as having potential for liquefaction as designated in the Safety Element of the General Plan (Map S-6).</p> <p>2. Requirements. A site-specific investigation prepared by a qualified professional shall be conducted for new residential developments of more than four units, new commercial, industrial, public, and quasi-public structures proposed for construction in areas defined in subsection (1) herein. This investigation shall assess</p>	<p>This requirement is not applicable.</p> <p>The subject site is not located within area identified as having potential for liquefaction.</p>

<p>the degree of potential for liquefaction and/or seismic disturbance and shall suggest mitigation measures.</p> <p>In addition, in the Coastal Zone seismic hazard areas a site-specific investigation shall be prepared for all habitable structures.</p> <p>3. Action. When reviewing projects located in designated liquefaction areas, the zoning administrator or board shall find that appropriate mitigation measures from the required site investigation report have been incorporated into the design of the project. Further, if the zoning administrator or board finds that proposed mitigation measures, including engineering techniques, cannot reduce identified hazards to acceptable risk levels, then the location of the proposed project shall be modified and/or the project disapproved.</p>	
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<p>24.14.080 WILDLIFE HABITATS AND PLANT COMMUNITIES.</p> <p>1. Applicability. The provisions of this section shall apply to Wildlife Habitat Areas and Plant Communities identified in Maps EQ-8 and EQ-9 of the Environmental Quality Element of the General Plan and Coastal Land Use Plan or as designated as part of an environmental review process.</p> <p>2. Precise Boundaries of Designated Areas. Except for areas defined by the City-wide Creeks and Wetlands Management Plan, the precise boundary of areas identified in subsection (1), above shall be determined on a case-by-case basis by a biologist with relevant academic training and experience in instances of uncertainty.</p>	<p>This requirement is not applicable.</p> <p>The subject site is not located within a Wildlife Habitat Area or Plant Community identified in the General Plan.</p>
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3. Wildlife Habitats and Plant Communities. Construction, grading or removal of vegetation shall be permitted within wildlife habitats and plant communities where:

- a. The development or project is in conformance with Section [24.08.2100](#) and with the policies of the City-wide Creeks and Management Plan.
- b. Existing vegetation is preserved to the maximum extent possible;
- c. The integrity of the area as a habitat is not compromised;
- d. Landscaping is designed to provide a natural buffer and provide native food-bearing plant species to the greatest extent feasible;
- e. Protected species under the federal Endangered Species Act, the California Endangered Species Act, and the California Native Plant Protection Act are not present or jurisdictional permits from the appropriate state or federal agency have been received for their removal.

4. Preservation of Vegetation. In conjunction with any of the above-listed uses, the following shall apply with regard to the preservation of existing vegetation:

<p>a. Removal or planting of vegetation shall be in conformance with Section 24.08.2100 and with the policies of the City-wide Creeks and Wetlands Management Plan.</p> <p>b. Existing vegetation shall be preserved to the maximum extent possible.</p> <p>c. Existing trees or tree stands located on a site for which a discretionary permit is required shall not be removed until such a permit is approved by the decision-making body.</p> <p>d. Trees subject to the Heritage Tree Ordinance and other trees designated for protection by a development proposal shall be protected through the use of barricades or other appropriate methods during the construction phases.</p> <p>e. Landscaping, grading and building design shall ensure ongoing viability of remaining vegetation.</p> <p>f. Wherever removal of vegetation is necessitated by any of the above uses, replacement vegetation of an equivalent kind, quality and quantity shall be provided.</p>	
<p>24.14.090 GROUNDWATER RECHARGE AREAS.</p> <p>Development within groundwater recharge areas identified by Map EQ-2 in the Environmental Quality Element of the General Plan shall be planned to minimize adverse environmental impacts. Structures and other impervious surfaces constructed in the R-1, R-L, and R-M</p>	<p>This requirement is not applicable.</p> <p>The subject site is not located within a groundwater recharge area.</p>

Zoning Districts shall not cover more than fifty-five percent of the project site.	
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Part 2: PERFORMANCE STANDARDS	
24.14.220 GENERAL PROVISIONS.	
No land or building in any district shall be used or occupied in any manner so as to constitute any dangerous, injurious, noxious, or otherwise objectionable public nuisance; or fire, explosive, or other hazard; or to create noise or vibration; smoke, dust, odor, or any other form of air pollution; glare, heat, cold, dampness; electrical or other disturbance; radioactivity; liquid or solid refuse and wastes, or any form of water or soil pollution; or other substance, condition, or element in such a manner or in an amount as to adversely affect the surrounding area or adjoining premises.	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would result in the nuisance factors listed with the exception of temporary construction.</p>
24.14.225 PROHIBITED USES.	
Basic industrial processing of extracted or raw materials, processes utilizing flammable or explosive materials (i.e., materials which ignite easily under normal manufacturing conditions), and processes which create hazardous or commonly recognized offensive conditions are prohibited. This includes any use which produces or uses asbestos in any manufacturing process.	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that are prohibited.</p>
24.14.262 VIBRATION.	
No vibration (other than from transportation facilities or temporary construction work) shall be permitted which is discernible without instruments at the points of measurement specified in this part.	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would result in vibration impacts, except for temporary construction.</p>
24.14.264 ODORS.	
No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable when diluted in the ratio of one volume of odorous air to four volumes of clean air, at	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would result in odorous gases or other odorous matter.</p>

<p>the points of measurement specified in this part, or at the point of greatest concentration.</p>	
<p>24.14.266 GLARE. No direct or sky-reflected glare, whether from floodlights or from high-temperature processes, such as combustion or welding, so as to be visible at the points of measurement specified in this part, shall be permitted. This restriction shall not apply to signs or lighting of buildings or grounds for advertising or protection otherwise permitted by the provisions of this title.</p>	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would result in direct or sky-reflected glare from high-temperature processes.</p>
<p>24.14.268 FIRE AND EXPLOSION HAZARDS. All storage of, and all activities involving inflammable and explosive materials shall be provided at any point with adequate safety devices against, the hazards of fire and explosion, as well as with adequate firefighting and fire-suppression equipment and devices standard in the industry. Burning of waste materials in open fires is prohibited at any point.</p>	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that involve flammable or explosive materials.</p>
<p>24.14.270 RADIOACTIVITY OR ELECTRIC DISTURBANCE. No activities shall be permitted which emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation at the point of measurement of any equipment other than that of the creator of such disturbance.</p>	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would emit dangerous radioactivity or electrical disturbances.</p>
<p>24.14.272 SMOKE, FLY ASH, DUST, FUMES, VAPORS, GASES, AND OTHER FORMS OF AIR POLLUTANTS OR CONTAMINANTS. No emission shall be permitted from any source which shall exceed the permissible amounts or limits established for such emissions by the Rules and Regulations of the Monterey-Santa Cruz Counties Unified Air Pollution Control District.</p>	<p>The application is consistent with this requirement.</p> <p>The project does not propose any uses that would have a source that would emit pollutants or contaminants.</p>
<p>24.14.274 SOLID OR LIQUID WASTES. No discharge of any materials of such nature or temperature as may contaminate any water supply, interfere with bacterial processes in</p>	<p>The application is consistent with this requirement.</p>

<p>sewage treatment, or otherwise cause the emission of dangerous or objectionable elements, shall be permitted at any point into public or private sewage systems, or streams, or onto or into the ground, except in conformance with the standards and limitations established by the State Department of Health, the Central Coastal Regional Water Quality Control Board, or the applicable sections of the Santa Cruz Municipal Code. No material or wastes shall be deposited on any property in such form or manner that they may be transferred off the property by natural causes or forces. Any wastes which might be attractive to rodents or insects shall be stored outdoors only in closed containers.</p>	<p>The project does not propose any uses that would contaminate water supply.</p>
<p>24.14.290 DRIVE-THROUGH USES. No drive-through use shall be located adjacent to a residential district. No drive-through use shall be located within one-quarter mile of any other drive-through use. No drive-through use shall be located on a parcel, any part of which is within three hundred feet of the nearest point of a signalized intersection.</p>	<p>The application is consistent with this requirement.</p> <p>The proposed project does not include any drive-through type uses.</p>
<p>Part 3: ENVIRONMENTAL REVIEW REGULATIONS</p>	
<p>24.14.300 GENERAL APPLICATION. All projects shall be subject to environmental review in accordance with the California Environmental Quality Act (CEQA) and Procedures for Implementing the California Environmental Quality Act of 1970, City of Santa Cruz, as periodically approved and amended by the city council.</p>	<p>This requirement is not applicable.</p> <p>Projects that comply with SB35 are not subject to CEQA.</p>
<p>Part 4: FLOODPLAIN MANAGEMENT</p>	
<p>24.14.430 LANDS TO WHICH THIS ORDINANCE APPLIES. The floodplain management regulations in this part shall apply to the Floodplain District (FP) and Floodplain Overlay District (FP-O) and</p>	<p>This requirement is not applicable.</p> <p>The project site is not mapped as within FP or FP-O.</p>

<p>Small Craft Harbor District (SC-H) and all areas of special flood hazards within the jurisdiction of the city of Santa Cruz. Where a conflict in regulations occurs, the regulations set forth in this part apply.</p>	
<p>Chapter 24.15 GREEN BUILDING REGULATIONS</p>	
<p>24.15.030 STANDARDS FOR COMPLIANCE. Persons constructing a new building, adding to or remodeling a building in the city of Santa Cruz shall participate in the Santa Cruz green building program. In order to obtain a building permit for any new building, addition or remodel in excess of those exempted in Section 24.15.040, each project must include elements from the program checklist equal to or exceeding the following compliance standards:</p>	<p>The application is consistent with this requirement.</p> <p>The project is subject to the Green Building Standards which are reviewed during the building plan check stage.</p>
<p>ORDINANCE NO. 2020-06- natural gas</p>	
<p>6.100.020 Applicability. A. The requirements of this Chapter apply to Design Permit applications submitted on or after the effective date of the Chapter for all Newly Constructed Buildings as defined in the ordinance, proposed to be located in whole or in part within the City. The prohibition of Natural Gas Infrastructure shall apply in perpetuity, unless a separate exemption applies pursuant to the provisions of the Chapter. B. The requirements of the Chapter also apply to all Building Permit applications for Newly Constructed Buildings not requiring a Design Permit when such Building Permit application is submitted 120 or more days following the effective date of this Chapter for all Newly Constructed Buildings proposed to be located in whole or in part within the City. Said applications must be deemed Natural Gas-Free Confirmed at submission with a declaration on the architectural drawings cover sheet: "Natural Gas-Free Design". The prohibition of</p>	<p>The project conflicts with this objective standard.</p> <p>Project plans must include a cover sheet declaration: "Natural Gas-Free Design As Required By [SCMC 6.100.020.B]". Energy Compliance Documents for 2019 CA Energy Code and kitchen / laundry floorplans must specify no natural gas appliances required at Building Permit application.</p>

<p>Natural Gas Infrastructure shall apply in perpetuity, unless a separate exemption applies pursuant to the provisions of the Chapter.</p>	
<p>Chapter 24.16 AFFORDABLE HOUSING PROVISIONS</p>	
<p>SCMC 24.16.010: Purpose</p>	
<p>The purpose of the inclusionary housing requirements is to enhance the public welfare by adopting policies to utilize remaining developable land in the city in a manner consistent with state and local housing policies and needs, meet the city’s share of regional housing needs, implement the housing element’s goals and objectives, improve the feasibility of rental housing development, assure compatibility between market rate units and inclusionary units, and make housing available for households of all income levels.</p>	<p>The project complies with this objective standard.</p> <p>This is governing language pertaining to the entire Inclusionary Ordinance, by complying with the inclusionary requirement for this project, the project complies with the purpose section of the inclusionary ordinance.</p>
<p>24.16.020 BASIC ON-SITE INCLUSIONARY HOUSING REQUIREMENTS.</p>	
<p>1. Applicability.</p>	
<p>a. The inclusionary housing requirements defined in this chapter are applicable to all residential developments that create two or more new and/or additional dwelling units or SRO units at one location by construction or alteration of structures, except for exempt residential developments under subsection (2).</p>	<p>The project conflicts with this objective standard.</p> <p>The base plans submitted do not reflect a fully conforming project as required per 24.16.255(6). The 20% inclusionary housing requirement is applied to the number of base units of a conforming project per 24.16.250(5). Provide a base plan analysis that reflects a fully conforming development project in the CC zone district.</p>
<p>5. Rental Residential Developments with Five or More Dwelling Units. For rental residential developments that would create five or more new or additional dwelling units and/or live/work units at one location, the applicant shall provide inclusionary units as follows:</p>	
<p>a. Rental residential developments that would create five or more new or additional dwelling units or live/work units at one location shall provide twenty percent of the dwelling units as inclusionary units, which shall be made available for rent to low income households at an affordable rent.</p>	
<p>b. SRO Developments. In a rental residential development comprised of SRO units, twenty percent of the single-room occupancy</p>	<p>This requirement is not applicable.</p>

<p>units shall be made available for rent to very low income households at an affordable rent.</p>	<p>The proposed project is not an SRO development.</p>
<p>c. Fractional Affordable Housing Requirement for Rental Residential Developments with More Than Five Dwelling Units. If the number of dwelling units required results in a fractional requirement of 0.7 or less, then there will be no inclusionary requirement for the fractional unit. If the number of dwelling units required results in a fractional requirement of greater than 0.7, then the applicant shall make one inclusionary unit available at an affordable rent. This subsection (5)(c) applies to the fractional unit only, and whole units shall be provided as required by subsections (5)(a) and (b).</p>	<p>The project conflicts with this objective standard.</p> <p>The base plans submitted do not reflect a fully conforming project as required per 24.16.255(6). The 20% inclusionary housing requirement is applied to the number of base units of a conforming project per 24.16.250(5). Provide a base plan analysis that reflects a fully conforming development project in the CC zone district.</p>
<p>8. For purposes of calculating the number of inclusionary units required by this section, any dwelling units authorized as a density bonus pursuant to Part 3 of this chapter shall not be counted as part of the residential development. However, if a developer receives a city rental housing bonus as authorized by Section 24.16.035(4), then all of the dwelling units in the project, including the dwelling units authorized as a density bonus, shall be counted as part of the residential development for purposes of calculating the inclusionary units required by this section.</p>	<p>The project conflicts with this objective standard.</p> <p>The base plans submitted do not reflect a fully conforming project as required per 24.16.255(6). The 20% inclusionary housing requirement is applied to the number of base units of a conforming project per 24.16.250(5). Provide a base plan analysis that reflects a fully conforming development project in the CC zone district.</p>
<p>9. Rental to Tenant-Based Subsidy Holders.</p>	
<p>a. Owners of rental residential developments or single-room occupancy unit (SRO) developments may elect to use the following procedures to offer inclusionary units comprising up to five percent of the total units in the development as payment standard units available to tenant-based subsidy holders (subsidy holders). The developer affordable housing agreement, as defined in Section 24.16.040, shall require that fifteen percent of the total units in the development will be restricted to low income households at an affordable rent, and that five percent of the total units in the project</p>	<p>The project conflicts with this objective standard.</p> <p>The application shall indicate if any of the proposed affordable will be Section 8.</p>

<p>will be payment standard units restricted to moderate income households at an affordable rent as defined in Section 24.16.015(2)(b) or rented to subsidy holders, so long as the development complies with the procedures described in subsections (b) through (e) to offer the five percent payment standard units in the development to subsidy holders. Both the low income units and the payment standard units shall remain affordable in perpetuity as per Section 24.16.025(1).</p>	
<p>SCMC 24.16.025: Standards for Inclusionary Units</p>	
<p>1. All inclusionary units shall remain affordable in perpetuity.</p>	<p>The project complies with this objective standard.</p> <p>The project will be conditioned to record an Affordable Housing Agreement prior to building permit issuance.</p>
<p>2. Inclusionary units shall be dispersed throughout the residential development to prevent the creation of a concentration of affordable units within the residential development.</p>	<p>The project complies with this objective standard.</p> <p>Per the SB35 streamlined ministerial approval process, affordable units shall be distributed throughout the development, unless otherwise necessary for state or local funding programs. The project proposal locates all affordable units together in a single building due to financing requirements for State affordable housing tax credits.</p>
<p>3. Inclusionary units shall be compatible with the design of market rate units in terms of exterior appearance, materials, and finished quality. Interior finishes, features, and amenities may differ from those provided in the market rate units, so as long as the finishes, features, and amenities are durable, of good quality, compatible with the market rate units, and consistent with contemporary standards for new housing.</p>	<p>The project conflicts with this objective standard.</p> <p>Provide elevations showing exterior materials and a condition of approval will be included to show that the interior material requirements will be met.</p>
<p>4. The applicant may reduce square footage of inclusionary units as compared to the market rate units, provided all units conform to all</p>	<p>The project complies with this objective standard.</p>

<p>requirements of Titles 18 and 19 and meet the minimum square footage requirement that affordable units are at least seventy-five percent of the average size of all market rate units in the development with the same bedroom count. For the purpose of this subsection, the “average size” of a unit with a certain bedroom count equals the total square footage of all market rate units with that bedroom count in the development divided by the total number of market rate units with the same bedroom count in the development.</p>	<p>Applicant has not indicated that the affordable units will be reduced square footage. There are some different square footages listed for the different unit types, however the difference is less than 25%.</p>
<p>5. For developments with multiple market rate unit types containing differing numbers of bedrooms, inclusionary units shall be representative of the market rate unit mix.</p>	<p>The project complies with this objective standard.</p> <p>The project proposal locates all affordable units together in a single building with a unit mix breakdown that meets financing requirements for State affordable housing tax credits.</p>
<p>6. All building permits for inclusionary units in a phase of a residential development shall be issued concurrently with, or prior to, issuance of building permits for the market rate units, and the inclusionary units shall be constructed concurrently with, or prior to, construction of the market rate units. Occupancy permits and final inspections for inclusionary units in a phase of a residential development shall be approved concurrently with, or prior to, approval of occupancy permits and final inspections for the market rate units. When alternative methods of compliance are proposed pursuant to Section 24.16.030, the planning and community development director and the economic development director may jointly approve alternative phasing of market rate and inclusionary units if it finds that the proposal provides adequate security to ensure construction of the inclusionary units. Phases of construction shall be defined as a part of the first approval.</p>	<p>The project complies with this objective standard.</p> <p>The project will be conditioned to construct the affordable units concurrently with, or prior to, construction of the market rate units and documented in an executed and recorded Affordable Housing Agreement.</p>
<p>7. Rental to Tenant-Based Subsidy Holders. Owners of rental residential developments or SRO developments shall accept tenant-</p>	<p>The project complies with this objective standard.</p>

<p>based subsidy holders (subsidy holders) as tenants of the inclusionary units, on the same basis as all other prospective tenants. The owner shall not apply selection criteria to subsidy holders that are more burdensome than the criteria applied to all other prospective tenants, nor shall the owner apply or permit the application of management policies or lease provisions which have the effect of precluding occupancy of the inclusionary units by subsidy holders.</p>	<p>Project already has a conditional commitment for 54 Project-based subsidy vouchers from the Housing Authority of the County of Santa Cruz.</p> <p>NOTE: Developer is not required to rent to Tenant-Based Subsidy Holders, but must apply the same selection criteria to subsidy holders as to non-subsidy holder applicants.</p>
<p>24.16.040 DEVELOPER AFFORDABLE HOUSING AGREEMENT.</p>	
<p>1. Developers subject to the inclusionary housing requirements of this part shall agree to enter into a developer affordable housing agreement with the city. A developer affordable housing agreement shall be a condition of approval for all residential developments subject to this chapter and shall be recorded as a restriction on any residential development in which the inclusionary units will be constructed.</p>	<p>The project complies with this objective standard.</p> <p>The project will conform when Affordable Housing Agreement is executed and recorded.</p>
<p>2. The developer affordable housing agreement shall be recorded prior to or concurrently with final parcel map or final subdivision map approval, or, where the residential development does not include a map, prior to issuance of a building permit for any structure in the residential development. The developer affordable housing agreement shall run with the land and bind all future owners and successors in interest.</p>	<p>The project complies with this objective standard.</p> <p>The project will conform when Affordable Housing Agreement is executed and recorded.</p>
<p>24.16.045 CONTINUED AFFORDABILITY AND INITIAL OCCUPANCY.</p>	
<p>PART 3: DENSITY BONUS PROVISIONS FOR RESIDENTIAL UNITS</p>	
<p>Density Bonus parking reductions</p>	
<p>(2) (A) Notwithstanding paragraph (1), if a development includes at least 20 percent low-income units for housing developments meeting the criteria of subparagraph (A) of paragraph (1) of subdivision (b) or at least 11 percent very low income units for housing developments</p>	<p>The project complies with this objective standard.</p>

<p>meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), is located within one-half mile of a major transit stop, and there is unobstructed access to the major transit stop from the development, then, upon the request of the developer, a city, county, or city and county shall not impose a vehicular parking ratio, inclusive of parking for persons with a disability and guests, that exceeds 0.5 spaces per unit.</p>	<p>Under SB 35 project is not required to provide parking because its location is within one half mile of public transit. Applicant has proposed 141 parking spaces.</p>
<p>TITLE 23 Subdivision Ordinance</p>	
<p>23.04 General Provisions</p>	
<p>23.04.050.1 SUBDIVISION PRINCIPLES – GENERAL.</p>	
<p>The necessity for tentative parcel maps and tentative subdivision maps, parcel maps, and final maps shall be governed by the provisions of the Map Act and this title. A tentative and final map shall be required for all subdivisions creating five or more parcels, including community housing projects, except where expressly excluded by the Map Act. The city council shall have final jurisdiction in the approval of tentative and final subdivision maps. A tentative parcel map and a final parcel map shall be required for all subdivisions referred to herein as minor land divisions, including community housing projects creating four or fewer parcels. The zoning administrator shall have final jurisdiction in the approval of such minor land divisions. A tentative subdivision map and a final map shall be required for all other subdivisions of land or other procedures provided in the Map Act, and the city council shall have final jurisdiction in the approval of such maps. Each subdivision or minor land division shall conform to the standards and principles set forth, or referred to, in this title unless modified for good cause by the city council, the zoning board, or the zoning administrator.</p>	<p>The project conflicts with this objective standard.</p> <p>The current submittal does not propose a condo land division, however, the 7-1-21 submittal indicated a condo land division for the two proposed buildings. If this is still part of the project, then a Tentative Map is required to be submitted and conditions of approval will require recordation of a Parcel Map.</p> <p>Eligible for Streamline Ministerial approval under HCD Guidelines Section 401(d)(1)(B) The development is subject to the requirement that prevailing wages be paid and a skilled and trained workforce used.</p>
<p>23.04.050.3 SUBDIVISION PRINCIPLES – BUILDABLE LOTS. All lots created by a subdivision shall be developable for the intended use. No subdivision shall include lots which are impractical to improve</p>	<p>The project conflicts with this objective standard.</p>

for the intended use because of slope of terrain, watercourse locations, sewerage problems, excessive driveway grades, easements, or other physical conditions.	A Tentative Map is required to make this determination. Submit a Tentative Map.
Chapter 23.12 Maps Required	
23.12.030 DIVISION OF LAND – FEWER THAN FIVE PARCELS.	
23.12.030.1 DIVISION OF LAND – FEWER THAN FIVE PARCELS – MAPS REQUIRED.	
A tentative parcel map and a parcel map shall be required for all divisions of land which create fewer than five parcels, except for:	The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.
Chapter 23.20 MINOR LAND DIVISIONS (FOUR OR FEWER PARCELS)	
23.20.010.1 GENERAL PROVISIONS – APPLICABILITY. All applicable provisions of the State Subdivision Map Act and of this title, with the exception of the usable open space dedication requirements in Chapter <u>23.28</u> , et seq., herein, shall apply to minor land divisions.	The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.
23.20.020.1 MAPS REQUIRED – TENTATIVE PARCEL MAP. The form, content, submittal, and approval of the tentative parcel map shall conform to the provisions of this title. The tentative parcel map shall be prepared by a registered civil engineer or a licensed land surveyor.	The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.
23.20.020.2 MAPS REQUIRED – FORM. The tentative parcel map shall be clearly and legibly drawn on one sheet. The scale shall be as approved by the city engineer and all lettering shall be a minimum of one-eighth inch in height. The final form shall be as approved by the city engineer.	The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.
23.20.020.3 MAPS REQUIRED – CONTENT.	The project conflicts with this objective standard.

The tentative parcel map shall show the following information:

- (1) Title.
- (2) Name and address of the legal owner, of the subdivider, and the name and registration number of the person preparing the map.
- (3) Date prepared, north arrow, scale, and contour interval.
- (4) Assessor's parcel number.
- (5) Existing and proposed land use.
- (6) Vicinity map, sufficient to show the relation to the community.
- (7) Existing topography of the site and at least one hundred feet from its boundary including, but not limited to:
 - (A) Existing contours at two-foot intervals if the existing ground slope is less than ten percent, and not less than five-foot intervals for existing ground slopes greater than or equal to ten percent. Existing contours shall be represented by screened or dashed lines.
 - (B) Type, circumference, and drip line of existing trees with an eight-inch or greater trunk caliper. Any trees proposed to be removed shall be so indicated.
 - (C) The approximate location and outline of existing structures identified by type. Structures to be removed shall be so marked.
 - (D) Location, width and direction of flow of each watercourse.
 - (E) The location, pavement, right-of-way width, grade, and name of existing streets, highways, or other public ways in and near the subdivision.
 - (F) Location and type of street improvements.
 - (G) Location, width, and identity of existing easements.
 - (H) Location, size, and slope of existing storm drains.
- (8) Any improvements proposed by the owner shall be shown, including:
 - (A) Number of lots.
 - (B) Proposed lot layout and lot areas.

A Tentative Map is required to make this determination.
Submit a Tentative Map.

<p>(C) If the site is to be graded, the proposed contours shall be shown or an approved grading plan shall be submitted.</p> <p>(D) Proposed easements or rights-of-way.</p> <p>(9) The source and date of existing contours.</p> <p>(10) A subdivision title report showing the current vested owner.</p> <p>(11) A soils and/or engineering geology report may be required by the director of planning.</p> <p>(12) The names and addresses of all property owners within three hundred feet of the parcel in question.</p> <p>(13) The director of planning may waive the foregoing requirements upon finding that the location or nature of the proposed minor subdivision is such as not to necessitate compliance with these requirements; or he may require additional information as deemed necessary.</p>	
<p>23.20.020.4 MAPS REQUIRED – SUBMITTAL OF MAP.</p> <p>The subdivider shall submit four copies of a tentative map of the proposed minor land division, drawn to scale and fully dimensioned. At the time of the filing of the tentative map, the subdivider shall pay a filing fee, as established by resolution of the city council.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.20.020.9 MAPS REQUIRED – CONDITIONS OF APPROVAL.</p> <p>(a) Authority. The zoning administrator shall have the authority to impose such conditions as are necessary to assure compliance with the provisions of this title and of city policy, as well as those it deems necessary to protect the best interests of surrounding properties or the neighborhood. In approving the tentative parcel map, the committee may impose any or all of, but shall not be limited to, the following requirements:</p> <p>(1) Frontage improvements.</p> <p>(2) On-site improvements.</p> <p>(3) Off-site improvements.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>(4) Dedications.</p> <p>(5) Applicable fees.</p> <p>(6) A soils and/or engineering geology report.</p> <p>(7) As a condition of final approval of a minor land division, the subdivider shall make the necessary assessment segregations.</p> <p>(8) The zoning administrator may waive any requirements relating to improvements and design that it shall deem reasonable.</p> <p>(b) Conformance. The foregoing requirements shall be in accordance with the provisions of this title. The subdivider shall be notified in writing of all the conditions of approval imposed.</p> <p>(c) Completion. Except as otherwise provided, completion of all improvements will not be required until such time as a permit or other grant of approval for the development of any parcel within the resubdivision is applied for. Improvements shall be completed prior to issuance of building permits for any unit within the subdivision.</p> <p>(1) The completion of improvements may be required prior to the filing of the parcel map or by any date specified by the city when completion of such improvements is found to be necessary for the public health or safety or for the orderly development of the surrounding area. Such specified date shall be stated in the conditions of approval. This finding shall be made by the zoning administrator.</p>	
<p>23.20.030.1 EXPIRATIONS AND EXTENSIONS – EXPIRATION.</p> <p>The approval or conditional approval of a tentative parcel map shall expire twenty-four months from the date of approval. The expiration of the approved or conditionally approved tentative parcel map shall terminate all proceedings, and no parcel map of all or any portion of the real property included within such tentative parcel map shall be filed without first processing a new tentative parcel map.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.20.040.2 PARCEL MAPS – SURVEY REQUIRED.</p> <p>An accurate and complete survey of the land to be subdivided shall be made by a registered civil engineer or a licensed land surveyor. All</p>	<p>The project conflicts with this objective standard.</p>

<p>monuments, property lines, centerlines of streets, alleys, and easements adjoining or within the subdivision shall be tied into the survey. The allowable error of closure on any portion of the parcel map shall not exceed 1/10,000.</p>	<p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.20.040.3 PARCEL MAPS – FORM. The form of the parcel map shall conform to final map form requirements as specified in Section 23.16.070.3.</p>	<p>The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.16.070.3 FINAL MAPS – FORM. The form of the final map shall conform to the Subdivision Map Act and as provided herein. The final form of the final map shall be approved by the city engineer.</p> <p>(1) The final map shall be legibly drawn, printed or reproduced by a process guaranteeing a permanent record in black, on tracing cloth or polyester base film. Certificates, affidavits, and acknowledgments may be legibly stamped or printed upon the map with opaque ink. If ink is used on polyester base film, the ink surface shall be coated with a suitable substance to assure permanent legibility. The map shall be so made and shall be in such condition, when filed, that good legible prints and negatives can be made therefrom.</p> <p>(2) The size of each sheet shall be eighteen inches by twenty-six inches. A margin line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The number of each sheet and the total number of sheets comprising the map shall be indicated on each of the sheets. The relationship of each sheet to the other shall be clearly shown on a small key map on each sheet. Each sheet of the map shall show the date of the survey, north point, and written and graphic scale.</p> <p>(3) The map shall be drawn at an engineer’s scale between one inch equals one hundred feet and one inch equals forty feet.</p>	<p>The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>(4) All printing or lettering on the map shall be of one-eighth inch minimum height and of such shape and weight as to be readily legible on prints and other reproductions made from the original drawings.</p>	
<p>23.20.040.4 PARCEL MAPS – CONTENT. The contents of the parcel map shall conform to final map content requirements specified in Section 23.16.070.4 and as modified herein. Lots shall be designated by letters commencing with “A.”</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.16.070.4 FINAL MAPS – CONTENTS. The contents of the final map shall conform to the Subdivision Map Act and as provided herein.</p> <p>(1) Boundary. An accurate and complete boundary survey shall be made of the land to be subdivided. A traverse of the exterior boundaries of the tract, and of each block, when computed from field measurements on the ground, must close within a limit of one to ten thousand feet of perimeter. The boundary of the subdivision shall be indicated on the final map. All areas shown on the map which do not constitute a part of the subdivision shall be labeled “Not part of this subdivision.” All lines delineating such areas shall be dashed.</p> <p>(2) Title. Unless allowed elsewhere by the city engineer, the title block of each sheet of the final map shall contain the approved name, unit number, and tract number of the subdivision. The title shall be conspicuously placed on the lower right-hand corner of the sheet and shall be followed by the words “City of Santa Cruz.” Maps filed for the purpose of showing as acreage land which has been previously subdivided shall be conspicuously designated with an appropriate and approved title.</p> <p>(3) Certificates. The certificates of the following persons or agencies shall appear only once on the cover sheet:</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

(A) Owner. A certificate, signed and acknowledged by all parties having record title interest in the land subdivided, excepting those parties having rights-of-way, easements, or other interests which cannot ripen into a fee, or exceptions provided by the Map Act, offering for dedication to the public certain specified parcels of land.

(B) Engineer. A certificate by the engineer or the surveyor responsible for the survey and final map shall appear on the map. The certificate shall give the date of the survey. It shall state that the survey and the final map were made by, or under the direction of, the engineer or the surveyor, and that the survey is true and complete as shown. And it shall state that the map complies to the Subdivision Map Act and the provisions of this title.

The certificate by the engineer or the surveyor shall also state that all the monuments are of the character, and occupy the positions, indicated; or that they will be set in such positions on or before a specified later date. The certificate shall also state that the monuments are, or will be, sufficient to enable the survey to be retraced.

(C) City Engineer. A certificate by the city engineer stating that the map has been examined, that it is in accord with the tentative map and any approved alterations thereof, that it complies with the Subdivision Map Act and the provisions of this title, and that it is technically correct.

(D) City Clerk. A certificate for execution by the city clerk stating the date and number of the resolution adopted by the city council approving the final map and stating that the city council accepted, accepted subject to improvement, rejected, or did not accept or reject, on behalf of the public, any real property offered for dedication for public use in conformity with the terms of the offer of dedication.

(E) Geologic and Soils. A certificate of soils report or geologic report or soils and geologic reports. If said report or reports have been

required for the subdivision, such fact shall be noted on the final map together with the date of such report or reports. The name of the engineer making the soils report or of the geologist making the geologic report shall be noted on the final map, also the location where the reports are on file with the city.

(F) County Recorder. A certificate to be executed by the county recorder stating that the map has been accepted for filing, that the map has been examined, and that it complies with the provisions of state laws and local ordinances governing the filing of final maps. The certificate shall show who requested the filing of the map, the time and date when the map was filed, and the book and page number where the map was filed.

(G) County Auditor. A certificate to be executed by the county auditor stating that all taxes due have been paid or that a tax bond assuring the payment of all taxes which are a lien, but not yet payable, has been filed with the county.

(H) Director of Planning. A signed and acknowledged dedication certificate of all land parcels shown on the final map and intended for any public use. This shall not include parcels intended for the exclusive use of the owners of the subdivision lots, their licensees, visitors, tenants, and employees.

(4) Scale, North Point, and Bearings. There must appear on each map sheet the scale, the north point, and the basis of bearings. Wherever the city engineer has established a system of coordinates, the survey shall be tied into such system.

(5) Dimensions, Bearings, Curve Data. The final map shall show all survey, mathematical, and other data necessary to locate all monuments, and to locate and retrace all interior and exterior boundary lines appearing thereon, including bearings and distances of straight lines, and complete curve data for all curves.

(6) Monuments. The engineer or the surveyor preparing the final map shall be responsible for the setting of sufficient monuments to allow another engineer or surveyor to retrace the survey. The final map shall show the following:

(A) Stakes, monuments or other evidence determining the boundaries of the subdivision where found on the ground. Adjoining subdivisions, or portions thereof, shall be shown by lot and block numbers, subdivision names, numbers, and the place of record; by section, township and range; or by other proper designation.

(B) All monuments placed in making the survey. If any points were reset by ties, that fact shall be stated.

(C) Concrete monuments, set in accordance with the standard specifications. Such monuments shall be set at intersections of street centerline tangents, or offsets therefrom, as directed by the city engineer.

(D) Permanent monuments, each not less substantial than a two-inch galvanized pipe, thirty inches long, shall be set at all corners of the exterior boundary of the subdivision, at all block corners, and at the beginning and the ending of all curves.

However, a one-half-inch galvanized pipe, thirty inches long, may be substituted for the one and one-half-inch pipe at the corners of blocks and at the beginning and the ending of all curves within the subdivision, provided that centerline concrete monuments are set opposite all such points.

(E) Permanent monuments, each not less substantial than a one-half-inch galvanized pipe, thirty inches long, shall be set at all lot corners.

(7) Lots and Blocks. Sufficient line, angle, and curve data shall be shown so that the bearing and the length of the boundary lines of every block, lot, and parcel may be readily determined.

- (A) Wherever practicable, lots, blocks, and parcels shall be shown in their entirety on one sheet. When shown on two or more sheets, sufficient data shall be shown on each sheet so that the bearing and the length of the boundary lines may be readily determined.
- (B) No “ditto” lines shall be used for lot dimensions.
- (C) Lot numbers shall begin with the numeral “1” and shall continue consecutively throughout the tract, with no omissions or duplications.
- (8) Adjoining Properties. Adjoining subdivisions, or portions thereof, shall be shown by lot and block numbers, subdivision names, numbers, and the place of record; by section, township and range; or by other proper designation.
- (9) City Boundaries. City boundaries which cross or join the subdivision shall be clearly designated.
- (10) Streets. The map shall show the right-of-way lines, names, widths, and location of all existing and proposed streets within, and immediately adjacent to, the property being subdivided. Wherever the centerline of a street has been previously established or recorded, the recording data shall be shown on the final map.
- (11) Easements. Easements for roads or streets, paths, stormwater drainage, sanitary sewers, or other public use as may be required shall be offered for dedication to the public for acceptance by the city or other public agency, and the use shall be specified on the map. If at the time the final map is approved, any streets, paths, alleys, or storm drainage easements are not accepted by the city council, the offer of dedication shall remain open and the city council may, by resolution at any later date, accept and open the streets, paths, alleys, or storm drainage easements for public use, which acceptance shall be recorded in the office of the county recorder.
- (A) All easements of record shall be shown on the map, together with the name of the grantee and sufficient recording data to identify

<p>the conveyance, e.g., county recorder’s serial number and date, or book and page number of official records.</p> <p>(B) Easements not disclosed by the records in the office of the county recorder and found by the surveyor or the engineer to be existing shall be specifically designated on the map, identifying the apparent dominant tenements for which the easement was created.</p> <p>(C) The sidelines of all easements of record shall be shown by dashed lines on the final map with the widths, lengths, and bearings of record. The width and the location of all easements shall be approved by the city engineer.</p> <p>(12) Inundation Area. The map shall show by a fine, continuous identified line, the inundation area of any body of water within, or adjacent to, the subdivision as well as of any area subject to inundation.</p>	
<p>23.20.040.5 PARCEL MAPS – CERTIFICATES.</p> <p>Certificates shall be in accordance with the provisions of Section 66449 of the Government Code. The city clerk certificate shall not be required.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.20.040.6 PARCEL MAPS – PRELIMINARY SUBMITTAL.</p> <p>The subdivider shall submit two sets of prints of the parcel map to the city engineer for checking. The preliminary prints shall be accompanied by two copies of the data, plans, reports, and documents as required for final maps by Section 23.16.080.1 of this title, and as modified herein.</p> <p>(1) The city engineer may waive any of the requirements upon finding that the location and nature of the proposed subdivision is such as not to necessitate compliance with the requirements of Section 23.16.080.1 of this title. Any additional information or documents required shall be as specified with the conditions of approval of the tentative parcel map.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>23.20.040.10 PARCEL MAPS – IMPROVEMENT AGREEMENT. The subdivider shall enter into an agreement with the city council requiring the improvement of streets, easements, or other dedications in accordance with the standards established herein; unless such streets, easements, and other dedications have already been improved.</p>	<p>The project conflicts with this objective standard. An Improvement Agreement will be required.</p>
<p>23.20.040.11 PARCEL MAPS – ACCEPTANCE OF OFFER OF DEDICATION. The city engineer may accept or reject offers of dedication that are made by certificate on the parcel map in accordance with the conditions of approval of the parcel map.</p>	<p>This is not an objective standard.</p>
<p>23.24.010 GENERAL. The subdivider shall construct all required improvements, both on- and off-site, according to approved standards, or approved modifications. No final map shall be presented for approval to the city council or parcel map to the city engineer until the subdivider either completes the required improvements, or enters into an agreement with the city agreeing to do such work.</p>	<p>The project conflicts with this objective standard. Subdivision improvements required. We are requiring these to be constructed with project and not requiring an improvement agreement.</p>
<p>23.24.010.1 GENERAL – ACCEPTANCE OF DEDICATION AND IMPROVEMENT AGREEMENT. At the time of the approval of the final map, the city council shall also accept, subject to improvement, or shall reject any or all offers of dedication. As a condition precedent to acceptance of such dedications, the city council shall enter into an agreement with the subdivider requiring that s/he shall improve the streets, easements, and other dedications in accordance with the standards established herein; unless such streets, easements, and other dedications have already been improved. The improvement agreement shall include but will not necessarily be limited to:</p>	<p>The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>(1) Mutually agreeable terms to improve said dedications at the expense of the subdivider.</p> <p>(2) A statement indicating the period of time, satisfactory to the city engineer, within which the subdivider shall complete all improvement work.</p> <p>(3) A provision that, if the subdivider fails to complete the work within the period of time, the city may complete the improvement work and recover the full cost and expense thereof from the subdivider or surety.</p> <p>(4) Provisions for the repair and replacement of defective material and workmanship of said improvements by the subdivider, for a period of twelve months after the city council’s improvement-acceptance date.</p> <p>(5) Provisions for the inspection of all improvements of the subdivision by the city engineer, for a period of twelve months after the city council’s improvement-acceptance date.</p> <p>(6) Said agreement may also provide for:</p> <p>(A) Construction of the improvements by units;</p> <p>(B) Extension of time under the conditions herein specified;</p> <p>(C) Release or partial release of improvement security to the subdivider for improvements installed. The total of any partial progress payments shall not exceed ninety percent of the value of the work installed.</p>	
<p>23.24.010.6 GENERAL – COMPLETION.</p> <p>The subdivider shall prepare a complete set of “as built” improvement plans by revising the original copies of the improvement plans filed with the city engineer; and he shall refile the revised plans with the city engineer upon completion of the “as built” revisions. The city engineer shall not recommend formal acceptance of the subdivision improvements by the city council until receipt and acceptance of the “as built” improvement plans.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>23.24.010.7 GENERAL – BENCH MARKS. Elevations for all standard city monuments in the subdivision, based on the Santa Cruz City datum plane, shall be shown on the “as built” improvement plans.</p>	
<p>23.24.020.1 IMPROVEMENTS REQUIRED – GENERAL. All improvements as may be required as conditions of approval of the tentative map or by city ordinances shall be required of all subdivisions together with, but not limited to, the following: (1) Requirements for construction of on-site and off-site improvements for subdivisions of four or fewer parcels shall be noted on the parcel map, or waiver of parcel map or of the subdivision improvement agreement recorded prior to, or concurrent with, the parcel map; (2) Completion of improvements shall be in accordance with Section <u>23.24.030</u> of this title.</p>	<p>The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.020.2 IMPROVEMENTS REQUIRED – MINIMUM REQUIREMENTS. The subdivider shall improve or agree to improve all streets, public and private, thoroughfares, public ways, or easements in, or adjacent to the subdivision as needed to meet the requirements of this chapter. No permanent improvement work shall be commenced until one complete set of construction plans and specifications has been submitted to, and approved by, the city engineer. Improvements shall be installed to final line and grade satisfactory to the city engineer and in accordance with the current standard specifications. Standard inspection fees shall be paid where private streets are inspected by city personnel. The minimum improvements which the subdivider shall make, or agree to make, prior to acceptance and approval of the final map by the city are:</p>	<p>The project conflicts with this objective standard. A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

<p>(a) Curbs, gutters, sidewalks, paving, grading, drainage, and the structures necessary for the proper use and drainage of streets, highways, and other public ways.</p> <p>(b) Site grading and drainage, taking into consideration the drainage requirements of adjacent improved and unimproved properties, and treating appropriate upstream areas as fully improved land.</p> <p>(c) A water system of mains, outlets, fire hydrants, and other facilities required to serve and protect the subdivision adequately.</p> <p>(d) Sanitary sewer facilities and connections for each lot, with the exception that parcels zoned for residential development on the western side of the eastern branch of Moore Creek north of Highway 1 and containing at least one acre of land area shall only be allowed to be serviced by new septic systems that meet county environmental health department standards.</p> <p>(e) Street name and traffic-control signs and devices.</p> <p>(f) Gas, electric, and communication facilities.</p> <p>(g) Street lighting facilities.</p> <p>(h) Street trees.</p> <p>(i) Survey monuments.</p> <p>(j) Railroad crossings as required to provide access to, or circulation within, the proposed subdivision. The crossings shall comply with the requirements of the California State Public Utilities Commission.</p> <p>(k) Emergency access shall in all cases provide for a clear travelway twenty feet wide. This applies also in cases where one-way streets are proposed. Access roadway shall be extended to within one hundred and fifty feet of all portions of the exterior walls of the first story of any building.</p>	
<p>23.24.020.3 IMPROVEMENTS REQUIRED – STREET TREES AND LANDSCAPING.</p>	<p>The project conflicts with this objective standard.</p>

<p>A street tree and landscaping plan shall be prepared for the entire subdivision. The plan shall include a statement describing plant species, planting, installation, location, maintenance, and other pertinent information. Street trees and landscaping shall be selected, installed, and maintained in accordance with the approved street tree and landscaping plan for the entire subdivision.</p> <p>(a) Where new street trees, landscaped medians, traffic diverters, chokers, or buffers are proposed and dedicated to the city, a maintenance impact report shall be prepared.</p> <p>(b) Provision shall be made by the subdivider for the maintenance and the replacement of such plants for a period of ninety days from city council improvement acceptance date.</p> <p>(c) All new street trees, landscaped medians, traffic diverters, chokers, or buffers shall be installed in accordance with the principles and policies of the Street Tree Ordinance and the parks and recreation department's park maintenance study. All such improvements in the public right-of-way shall be maintained in accordance with these same policies and principles.</p> <p>(d) Where the city accepts an offer of dedication of new street trees, medians, traffic diverters, chokers and buffers, the city shall provide maintenance of same. Where such improvements are not in the public right-of-way, maintenance shall be the responsibility of the homeowners' association.</p>	<p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.020.4 IMPROVEMENTS REQUIRED – UNDERGROUND UTILITIES. All utility distribution and transmission lines carrying less than fifty thousand volts (50 kv), equipment, and facilities shall be placed underground and located in conformance with the requirements of the city engineer.</p> <p>(a) Waiver. This requirement may be waived for appurtenant equipment such as transformers, terminal boxes, etc., when the city</p>	<p>The project conflicts with this objective standard.</p> <p>Underground utilities required.</p>

<p>engineer determines that topography, soils, or other conditions make underground installation unreasonable or impracticable.</p> <p>(b) This requirement shall not apply to meters, meter cabinets, or to standards, conduits, or ducts located upon, or immediately adjacent to, buildings or structures to which utility service is being provided.</p> <p>(c) This section shall not be used to prohibit the erection of poles, without overhead wires, which support street luminaires, fire alarm boxes, and other municipal equipment.</p>	
<p>23.24.020.5 IMPROVEMENTS REQUIRED – INSTALLATION OF UTILITY FACILITIES.</p> <p>Services from public utilities and from sanitary sewers shall be made available to each lot of the subdivision, in such a manner as will obviate the necessity of disturbing the street pavement, gutter, culvert, and curb when service connections are made, unless the city engineer deems such requirements to be impractical or unnecessary.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.030.2 IMPROVEMENT STANDARDS – EASEMENTS.</p> <p>Unless otherwise approved by the city engineer, utility easements shall be not less than ten feet in width and shall be provided by the subdivider.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.030.3 IMPROVEMENT STANDARDS – EXISTING TREES.</p> <p>The subdivision shall be designed to preserve the greatest amount of existing vegetation, including trees with a trunk caliper of eight inches or greater. Native or ornamental trees required to be preserved, as shown on the tentative map, shall not be damaged. Trees damaged, destroyed, or removed without prior authorization of the director of planning shall be replaced by the subdivider. The size and species of the replacement trees shall be determined by the director of planning.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map. Plans shall show the preservation of existing vegetation.</p>
<p>23.24.030.5 IMPROVEMENT STANDARDS – ACCESS TO STREETS.</p> <p>(a) All lots created by a subdivision shall abut an improved street which is developed to the standards hereinafter required.</p>	<p>The project conflicts with this objective standard.</p>

<p>(b) Driveway aprons shall be either a minimum of twenty feet deep to provide a parking space or shall be sufficiently short so that they do not represent an invitation for parking in the driveway, thus impeding traffic from the travel lane or pedestrian traffic from a sidewalk; driveway aprons must be at least twelve feet wide.</p>	<p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.030.6 IMPROVEMENT STANDARDS – LOT STANDARDS. The size, shape, and orientation of lots shall be appropriate to the proposed subdivision location, and to the type of development contemplated. The following principles and standards shall be observed:</p> <p>(a) The minimum area and dimensions of all lots shall conform to the requirements of the zoning ordinance for the district in which the subdivision is located. Further, they shall be in keeping with the size and arrangement of existing lots in the immediate area, even though this may require a lot size that is greater than the minimum. Exceptions may be considered where physical constraints make cluster developments more appropriate, or in conjunction with specific area plan requirements, or in conjunction with townhouse dwelling developments.</p> <p>(b) The side lines of lots shall generally be parallel to each other when located along straight streets or approximately radial to the centerline of curved streets. Side lines of lots located on the turnaround for a cul-de-sac shall be approximately radial to the adjacent right-of-way line of the turnaround.</p> <p>(c) No lot shall have a street frontage of less than thirty-five feet except as may be approved for flag lots and in planned communities, planned developments, condominiums, townhouse dwellings and cluster housing developments.</p> <p>(d) Corner lots for residential use shall be platted wider than interior lots in order to permit conformance with the required street side yard requirements of the zoning ordinance.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>

- (e) No residential lot shall have an average depth of less than ninety-five feet, except where unusual topographical conditions prevail. Where the rear of a lot is adjacent to a playground, shopping center, industrial tract, or other nonresidential use, or to the right-of-way of a freeway, railroad, or thoroughfare, the lot shall have a minimum lot depth of one hundred and twenty-five feet.
- (f) A lot depth greater than twice the lot width shall be avoided wherever possible.
- (g) No lot shall be divided by a city-limits line.
- (h) No property remnant which does not conform to the requirements of this title shall be allowed in a subdivision, unless it is required for a public utility or facility.
- (i) A flag lot may be allowed where warranted by physical conditions of land form, existing lot pattern, or unusual size and shape of parcels. The narrow strip of land connecting the main portion of a flag lot to the street shall be not less than twenty feet wide at any point and shall provide practical vehicular access; but it shall not be used to help satisfy the minimum lot area requirement of the zoning district.
- (j) The design of double-frontage lots and lots with excessive street frontage shall be discouraged.
- (k) The proposed subdivision should be designed to optimize the use of natural elements, such as solar radiation, wind, and landscaping for heating, cooling, and ventilation both within the subdivision and on adjacent properties.
- (1) Examples of passive or natural heating opportunities in subdivision design include design of the size and configuration of lots to permit orientation of a structure in an east-west alignment for southern exposure.
- (2) Examples of passive or natural cooling opportunities in subdivision design include design of the size and configuration of lots

<p>to permit orientation of a structure to take advantage of shade or prevailing breezes.</p> <p>(3) In providing for future passive or natural heating or cooling opportunities in the design of a subdivision, consideration shall be given to contour and configuration of the parcel to be divided, to local climate, and to other design and improvement requirements. Such provision shall not result in reducing allowable densities or the percentage of a lot which may be occupied by a building or structure under applicable planning and zoning ordinances.</p> <p>(4) The requirements of this section do not apply to condominium projects which consist of the subdivision of airspace in an existing building, when no new structures are added.</p> <p>(5) For the purposes of this section, the term “feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.</p>	
<p>23.24.030.10 IMPROVEMENT STANDARDS – DESIGN ADJACENT TO THOROUGHFARES.</p> <p>The design of subdivisions adjacent to thoroughfares shall be as recommended by the General Plan and as determined by the zoning board. The following principles and standards shall be observed:</p> <p>(1) Street and lot layouts in residential subdivisions shall be designed to minimize the effect of the adjacent thoroughfare traffic.</p> <p>(2) The number of streets intersecting thoroughfares shall be held to a minimum. Wherever practicable, such intersections shall be spaced not less than one thousand feet apart.</p> <p>(3) Frontage roads, where required, shall conform to the standards specified herein. Such roads shall enter thoroughfares by means of “bulb” type intersections capable of storing at least two cars between the frontage road and the thoroughfares.</p>	<p>This is not an objective standard.</p>

<p>(4) Frontage roads shall be separated from thoroughfares by a permanently landscaped strip, not less than ten feet in width. The subdivider shall plant such parkways with low-maintenance landscaping and shall provide automatic irrigation systems to water all plantings effectively. The subdivider shall maintain all plantings and shall replace any dead or diseased planting material for a period of ninety days from the city council improvement-acceptance date.</p> <p>(5) Where frontage roads are not required, residential lots abutting a thoroughfare will normally be required to be served by a street paralleling the thoroughfare, at a minimum lot depth of one hundred and twenty-five feet therefrom, or by a series of cul-de-sacs. In such case, a wall or fence or landscaping strip, or a combination thereof, as approved by the director of planning, shall be required at the property lines adjacent to the thoroughfare.</p> <p>(6) When any lot abuts two streets, one of which is a thoroughfare, the subdivider may be required to execute and deliver to the city an instrument, deemed sufficient by the city attorney, waiving access rights from the lot to the thoroughfare.</p>	
<p>23.24.030.11 IMPROVEMENT STANDARDS – GRADES, CURVES, SIGHT DISTANCES.</p> <p>Grades, curves, and sight distances shall be in accordance with the standard specifications and shall be subject to the approval of the city engineer.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map is required to make this determination. Submit a Tentative Map.</p>
<p>23.24.030.12 IMPROVEMENT STANDARDS – CURBS, SIDEWALKS, PEDESTRIAN AND BICYCLE ACCESS, AND BUS STOPS.</p> <p>The following principles and standards shall apply to the design and the installation of curbs, sidewalks, and pedestrian ways.</p> <p>(a) Vertical-type curbs and gutters shall be required in all subdivisions.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map and Improvement Plans are required to make this determination.</p>

<p>(b) Sidewalks shall normally be required on both sides of the street in any subdivision and shall normally be located within the street right-of-way, except as otherwise provided herein.</p> <p>(c) A paved, or otherwise improved, pedestrian way, not less than ten feet wide may be required, through unusually long blocks or when necessary to provide access to schools, shopping centers, transportation, or other community facilities.</p> <p>(d) All proposed bikeways shall conform to the design and construction standards contained in the city of Santa Cruz bikeway study. When not located in the public right-of-way, bikeways shall be maintained by the homeowners' association.</p> <p>(e) Should the subdivision be on an existing or planned transit route, a bus stop pullout may be required; if so, it shall be designed according to Santa Cruz Metropolitan Transit District specifications. Bicycle-locking facilities shall also be provided at these locations.</p>	
<p>Santa Cruz Bikeway Study requirements:</p> <ul style="list-style-type: none"> - Active Transportation Plan is update of 1980 and 2008 Bikeway studies - Pg 47 – Visions, Goals, Policies <p>As projects advance and/or are developed, these goals, objectives, and policies should be referenced to guide both private development and public projects to ensure that plans and projects in Santa Cruz implement the full measures and intention of the Plan elements.</p> <p>1.3. Require new development to implement the planned bicycle and pedestrian network.</p> <p>2.7 Sidewalks shall have the appropriate width for their use. Commercial districts require wider sidewalks designed as part of the public space and foreground for the buildings.</p>	
<p>23.28.010 DEDICATION.</p>	<p>The project conflicts with this objective standard.</p>

<p>As a condition of approval of a final map or parcel map, the subdivider shall dedicate or make an irrevocable offer of dedication of all parcels of land within the subdivision that are needed for streets, alleys, and including access rights and abutters' rights, drainage, public greenways, scenic easements, public utility easements, coastal access easement or dedicator, and other public easements or rights-of-way. In addition, the subdivider shall improve or agree to improve all streets and alleys, including access rights and abutters' rights, drainage, public utility easements, and other public easements. Improvements shall be in accordance with Chapter 23.24 of this title.</p>	<p>A Tentative Map and Improvement Plans are required to make this determination.</p>
<p>23.28.020.1 PARK LAND AND OPEN SPACE DEDICATION – REQUIREMENTS.</p> <p>As a condition of approval of a final subdivision map or parcel map, the subdivider shall dedicate land, pay a fee in lieu thereof, or both, at the option of the city, for park or recreational purposes, at the time and according to the standards and formula contained in this title. The land, fees, or combinations thereof, are to be used only for the purpose of providing park or recreational facilities to serve the subdivision. Usable open space shall be composed of land that offers natural advantages for the type of facilities to serve the subdivision. Usable open space shall be composed of land that offers natural advantages for the type of facilities proposed to serve the area. Except in the case of condominium conversions, which shall be exempt from dedication requirements, the subdivider shall provide one of the following:</p> <ul style="list-style-type: none"> (a) Dedication of all lands to be provided for usable open space. (b) The dedication of any portion of proposed usable open space lying within the boundaries of the subdivision, plus a fee to fulfill the requirements of this title as herein described. 	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map and Improvement Plans are required to make this determination.</p>

<p>(c) A fee in lieu of such dedication shall be required, when no portion of the proposed usable open space is planned to be located within the limits of the subdivision.</p> <p>(d) Only the payment of a fee may be required in the case of a subdivision of fifty or fewer parcels.</p> <p>(e) The reservation of permanently maintained private usable open spaces which meet the requirements of this title.</p>	
<p>23.28.025 INCLUSIONARY REQUIREMENT.</p> <p>1. Every proposed subdivision in which the development potential of the site is two or more new parcels shall provide housing units for lower and/or median-income households, and/or dedicate lots and/or provide payment of an in-lieu fee to the city for the benefit of the lower median-income housing program as required in Part 1, Inclusionary Housing Requirements, of Chapter 24.16 of the Municipal Code and the affordable housing guidelines adopted by council resolution.</p> <p>2. If an existing dwelling unit is retained on one of the parcels resulting from a subdivision, then that parcel would not be counted as a new parcel for the purposes of this section.</p> <p>3. The city council, in its sole discretion, may defer the inclusionary requirement of this section until such time as the housing development application for the newly created parcel or parcels is submitted to the city for consideration, at which time inclusionary housing requirements in accordance with Chapter 24.16 of the Municipal Code will be imposed as a condition of application approval.</p>	<p>The project conflicts with this objective standard.</p> <p>A Tentative Map and Improvement Plans are required to make this determination.</p>
<p>General Plan 2030 – project consistent with many goals in the GP but not many objective standards here...</p>	
<p>HA1.2.2 Require preparation of archaeological investigations on sites proposed for development within areas identified as “Highly Sensitive” or “Sensitive” on the “Areas of Archaeological Sensitivity” and “Historical Archaeology Sensitivity” maps, except for exempt uses</p>	<p>The project conflicts with this objective standard.</p>

<p>within “Sensitive” areas as described below, prior to approval of development permits. The investigation shall include archival research, site surveys and necessary supplemental testing as may be required, conducted by a qualified archaeologist. The significance of identified resources shall be ascertained in accordance with CEQA definitions, and impacts and mitigation measures outlined if significant impacts are identified, including, but not limited to recovery options and onsite monitoring by an archaeologist during excavation activities. A written report describing the archeological findings of the research or survey shall be provided to the City. Allow minor projects with little excavation to be exempt from this requirement for preparation of an archaeological assessment within the “High Sensitivity” areas. Minor projects generally involve spot excavation to a depth of 12 inches or less below existing grade, or uses that have virtually no potential of resulting in significant impacts to archeological deposits. Exempt projects may include: building additions, outdoor decks, or excavation in soil that can be documented as previously disturbed.</p>	<p>Portions of the three parcels mapped as “highly sensitive” or “sensitive”. An archaeological reconnaissance report is required.</p>
<p>HA1.2.3 The City shall notify applicants within paleontological sensitive areas of the potential for encountering such resources during construction and condition approvals that work will be halted and resources examined in the event of encountering paleontological resources during construction. If the find is significant, the City should require the treatment of the find in accordance with the recommendations of the evaluating paleontologist. Treatment may include, but is not limited to, specimen recovery and curation or thorough documentation.</p>	<p>This requirement is not applicable.</p> <p>Not shown on map CR-2 as sensitive for paleontological resources.</p>
<p>CD4.2.1 Where possible, site buildings at the street frontage and place parking areas away from street corners and to the rear of buildings.</p>	<p>This requirement is not applicable.</p>
<p>CD4.2.3 Underground utilities when major road improvement or reconstruction is proposed, if possible.</p>	<p>This requirement is not applicable.</p>

<p>CD4.3.3 Protect existing significant vegetation and landscaping that provides scenic value along with wildlife habitat and forage.</p>	<p>This requirement is not applicable.</p> <p>No significant vegetation or landscaping to protect on the site.</p>
<p>LU1.2.1 Environmental review for specific projects shall be accompanied by sufficient technical data and reviewed by appropriate departments.</p>	<p>This requirement is not applicable.</p> <p>Projects that comply with SB35 are not subject to CEQA.</p>
<p>LU3.7.1 Allow and encourage development that meets the high end of the General Plan Land Use designation density unless constraints associated with site characteristics and zoning development standards require a lower density.</p>	<p>This is not an objective standard.</p>
<p>M1.1.2 Connect activity centers with pedestrian and bicycle paths.</p>	<p>This is not an objective standard.</p>
<p>M1.1.3 Implement pedestrian and bicycle improvements that support transit ridership.</p>	<p>This is not an objective standard.</p>
<p>M1.4.1 Assure that right-of-way acquisition and street design will support pedestrian and bike improvements and transit.</p>	<p>This is not an objective standard.</p>
<p>M2.1.3 Implement pedestrian, bike, mass transit, and road system improvements through the Capital Improvements Program</p>	<p>The project conflicts with this objective standard.</p> <p>Provide improvement plans. Plans must show all off-site and public improvements required.</p>
<p>M4.1.5 Where there are proposed or existing plan lines, require developments to dedicate land for rights-of-way, and require that sidewalks be added or repaired within, and in the area adjacent to, new developments.</p>	<p>The project conflicts with this objective standard.</p> <p>Provide improvement plans. Plans must show all off-site and public improvements required.</p>
<p>M4.1.8 Remove or reduce obstructions and sidewalk tripping hazards, ensure accessibility to the physically disabled and elderly, and improve amenities along existing and potential pedestrian paths and walkways.</p>	<p>The project conflicts with this objective standard.</p> <p>Provide improvement plans. Plans must show all off-site and public improvements required.</p>

<p>M4.1.9 Require landscaping in the development, replacement, and repair of sidewalks, including the placement of trees on private property and/or in tree wells on sidewalks.</p>	<p>The project conflicts with this objective standard.</p> <p>Provide improvement plans. Plans must show all off-site and public improvements required, including sidewalks and street trees.</p>
<p>HZ3.1.6 Require evaluation of noise mitigation measures for projects that would substantially increase noise</p>	<p>This is not an objective standard.</p>
<p>HZ3.1.9 Limit truck traffic in residential and commercial areas to designated truck routes.</p>	<p>This is not an objective standard.</p>
<p>HZ3.2.1 Apply noise and land use compatibility table and standards to all new residential, commercial, and mixed-use proposals, including condominium conversions in accordance with standards set forth in the Land Use-Noise Compatibility Standards Figure 2.</p>	<p>The project conflicts with this objective standard.</p> <p>Submit a noise study to confirm compliance with noise requirements.</p>
<p>HZ3.2.2 Establish Ldn noise level targets of 65 dBA for outdoor activity areas in new multifamily residential developments.</p>	<p>The project conflicts with this objective standard.</p> <p>Submit a noise study to confirm compliance with noise requirements.</p>
<p>HZ3.2.3 Require that interior noise in all new multifamily housing not exceed an Ldn of 45 dBA with the windows and doors closed (State of California Noise Insulation Standards) and extend the requirement to single-family homes</p>	<p>The project conflicts with this objective standard.</p> <p>Submit a noise study to confirm compliance with noise requirements.</p>
<p>HZ6.2.1 Require engineering geology reports when, in the opinion of the City’s planning director, excavation and grading have the potential for exposure to slope instability or the potential to create unstable slope or soil conditions.</p>	<p>This is not an objective standard.</p>
<p>HZ6.3.1 Adopt new State-approved California Building Codes (CBC) and require that all new construction conform with the latest edition of the CBC</p>	<p>This requirement is not applicable.</p>
<p>HZ6.3.6 Require site specific geologic investigation(s) by qualified professionals for proposed development in potential liquefaction areas shown on the Liquefaction Hazard Map to assess potential</p>	<p>This requirement is not applicable.</p>

liquefaction hazards, and require developments to incorporate the design and other mitigation measures recommended by the investigation(s).	
NRC7.1.4 Require new development to provide for passive and natural heating and cooling opportunities, including beneficial site orientation and dedication of solar easements.	The project conflicts with this objective standard. Plans must show how project provides for passive and natural heating and cooling opportunities.
Chapter 4: Land Use – Residential Densities Residential uses are encouraged as part of mixed-use developments in commercial districts. The residential density for these projects is controlled by the commercial district development standards in the Zoning Ordinance and Building Code.	The project conflicts with this objective standard. The base plans submitted do not reflect a CC zone district fully conforming project. Provide a base plan analysis that reflects a fully conforming development project in the CC zone district.

Eastside Business Area Improvement Plan	
Chapter III - Water Street Entry Zone	
Goal: To create an entry to the Eastside Business District that preserves the natural attributes of the zone.	This is not an objective standard.
Guidelines: Appropriate uses would include high density residential, restaurants, and medical or garden office (office complexes characterized by landscaped terraces, common courtyards, etc.). Avoid uses with high parking requirements.	This is not an objective standard.
Encourage uses which benefit and enhance the creek.	This is not an objective standard.

Encourage architectural styles that are harmonious with the residential and natural character of the setting.	This is not an objective standard.
Locate parking areas to the rear of parcels to retain the scale and character of the area.	This is not an objective standard.
Protect the sense of existing natural vegetation, creek, and cliff.	This is not an objective standard.
The Pedestrian Live/Work Zone incorporates four of the eight Urban Design Character Zones, including the Triangle Zone, the Main Street Zone (Water Street), the Main Street Zone (Soquel West) and the Central Zone. The key characteristic of these zones is that they feature storefront development of a pedestrian scale. The greatest strengths of the Pedestrian Live/Work Zone are its human scale, intimate neighborhood character, and variety of businesses and architectural styles. The architectural recommendations have been developed to support these strengths.	This is not an objective standard.
Promote a continuous, zero setback, building facade line, which reinforces the overall pedestrian character of these areas;	This is not an objective standard.
Encourage mixed-use architecture with residential and artist studios above street level commercial/retail spaces;	This is not an objective standard.
Preserve, restore and maintain historic (fig. 6-2) and landmark buildings (Rio Theater) and facades;	This requirement is not applicable. The property is not listed on the City's Historic Building Survey.
Design architectural elements that provide human scale and design interest at the pedestrian level;	This is not an objective standard.

<p>Locate parking at the rear of the site, combine individual parking areas, and create city parking lots;</p>	<p>The application is consistent with this requirement.</p> <p>The majority of parking is located underground out of view, with minimal at-grade parking located at the rear of the site.</p>
<p>Create walkways and private outdoor pedestrian spaces between building clusters, which promote a safe area for neighborhood life and identity.</p>	<p>The application is consistent with this requirement/ This is not an objective standard.</p> <p>Creating walkways and private outdoor pedestrian spaces between building cluster is an objective standard that is being met.</p> <p>Promoting a safe area for neighborhood life and identity is not an objective standard.</p>
<p>Encourage recessed entries (<i>flgs.6-3AB</i>),interesting building bases or wainscots, attached planter boxes (<i>fig. 6-4</i>), awnings (<i>fig. 6-5</i>)</p>	<p>This is not an objective standard.</p>
<p>Foster diversity in building heights, character, roof lines and details, while encouraging a consistent horizontal edge at display windows, awnings and doorways; (<i>fig. 6-6</i>);</p>	<p>This is not an objective standard.</p>
<p>Define a distinct rhythm of storefronts by breaking long continuous facades into smaller regular intervals, which can be achieved through the addition of a variety of elements (Ie awnings, pilasters, reveal lines, paint color etc.;</p>	<p>This is not an objective standard.</p>
<p>Integrate signage into the architectural building elements (ie. on awnings, projecting signs or banner signs (<i>figs. 6-7,6-8</i>), or part of a building architectural detail and make them of an appropriate scale for the building facade (<i>fig. 6-9</i>);</p>	<p>The project conflicts with this objective standard.</p> <p>The project plans do not provide elevations drawings nor sign plans, so it cannot be determined if this objective standard is being met.</p>
<p>Discourage multiple signs on a single business which are repetitive in nature (<i>fig 6-10</i>), confusing signs which are difficult to read and/or too small in scale for auto traffic (<i>fig. 6-11</i>), and limit temporary signs</p>	<p>This is not an objective standard.</p>

indicating sales and promotions (fig. 6-12), in particular large temporary signs which are used to attract motorists (fig. 6-13);	
Promote signage on both facades of corner buildings which face the street when it does not negatively impact the adjacent residence. (fig. 6-14);	This is not an objective standard.
Fabricate and install signs of appropriate scaled letters and signage cabinets, also all street addresses should be easily seen by motorists (fig. 6-15):	This is not an objective standard.
Encourage removal of abandoned or non-conforming signage, especially upon change of occupancy;	This requirement is not applicable.
Discourage pole signs, roof signs, animated or moving signs (including flashing, rotating etc.), billboards or oversized signs, inflated signage or balloons, signs with luminescent paint, freestanding sandwich boards (particularly in public right of way (fig. 6-16), and plastic flags;	This is not an objective standard.
Encourage expansive and attractive display windows which will remain lit in the evening to create interest, warmth, safety and night time window shopping (Fig. 6-17):	This is not an objective standard.
Use construction materials at the building base, which are consistent with the facade design, and adjacent facades and which do not detract from the existing details of the building (tile is particularly encouraged);	This is not an objective standard.
Promote facade downlight and/or sconce light which will add texture and detail to facades at night (fig. 6-18);	This is not an objective standard.
Encourage a variety of colors for individual facades and to accentuate building details when appropriate to the architectural style of the facade;	This is not an objective standard.
Encourage the use of high quality, graffiti- resistant paints;	This is not an objective standard.

Design and create specific areas for trash and service which are hidden from public view wherever possible, and avoid location in view of adjacent residential properties;	This is not an objective standard.
Follow appropriate laws, codes and ordinances when improving any building and include the necessary elements and details to insure barrier-free design (call the City of Santa Cruz Building Department for information).	The application is consistent with this requirement. The project will be required to meet appropriate laws, codes, and ordinances as part of the building plan check process.

Municipal Code	City Analysis of Compliance with Standards
SCMC 24.16 Part 1: Inclusionary Housing Requirements	
State Density Bonus – Affordable Housing Provisions	
Government Code – GOV	
Title 7. Planning and Land Use [65000-66499.58]	
Division 1. Planning and Zoning [65000-66301]	
Chapter 4.3 Density Bonuses and Other Incentives [65915-65918]	
65915	
(b) (1) A city, county, or city and county shall grant one density bonus, the amount of which shall be as specified in subdivision (f), and, if requested by the applicant and consistent with the applicable requirements of this section, incentives or concessions, as described in subdivision (d), waivers or reductions of development standards, as described in subdivision (e), and parking ratios, as described in subdivision (p), when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this section, that will contain at least any one of the following:	The project complies with this objective standard. This is guiding language related to the applicant selecting one of the six specified housing types (affordable, senior, foster youth, etc) in order to qualify for a State Density Bonus. Applicant has chosen Very Low Income (B).
(A) Ten percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code.	This requirement is not applicable. Applicant has opted to provide units at Very Low Income.

<p>(B) Five percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code.</p>	<p>The project complies with this objective standard per the State affordable housing tax credit application that was submitted to the City.</p> <p>Applicant will provide more than 5% of the total units in the housing development for Very Low Income households. Project already has a conditional commitment for 54 Project-based subsidy vouchers from the Housing Authority of the County of Santa Cruz.</p>
<p>(C) A senior citizen housing development, as defined in Sections 51.3 and 51.12 of the Civil Code, or a mobilehome park that limits residency based on age requirements for housing for older persons pursuant to Section 798.76 or 799.5 of the Civil Code.</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income.</p>
<p>(D) Ten percent of the total dwelling units in a common interest development, as defined in Section 4100 of the Civil Code, for persons and families of moderate income, as defined in Section 50093 of the Health and Safety Code, provided that all units in the development are offered to the public for purchase.</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income.</p>
<p>(E) Ten percent of the total units of a housing development for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11301 et seq.). The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years and shall be provided at the same affordability level as very low income units.</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income.</p>
<p>(F) (i) Twenty percent of the total units for lower income students in a student housing development that meets the following requirements: (I) All units in the student housing development will be used exclusively for undergraduate, graduate, or professional</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income.</p>

students enrolled full time at an institution of higher education accredited by the Western Association of Schools and Colleges or the Accrediting Commission for Community and Junior Colleges. In order to be eligible under this subclause, the developer shall, as a condition of receiving a certificate of occupancy, provide evidence to the city, county, or city and county that the developer has entered into an operating agreement or master lease with one or more institutions of higher education for the institution or institutions to occupy all units of the student housing development with students from that institution or institutions. An operating agreement or master lease entered into pursuant to this subclause is not violated or breached if, in any subsequent year, there are not sufficient students enrolled in an institution of higher education to fill all units in the student housing development.

(II) The applicable 20-percent units will be used for lower income students. For purposes of this clause, "lower income students" means students who have a household income and asset level that does not exceed the level for Cal Grant A or Cal Grant B award recipients as set forth in paragraph (1) of subdivision (k) of Section 69432.7 of the Education Code. The eligibility of a student under this clause shall be verified by an affidavit, award letter, or letter of eligibility provided by the institution of higher education that the student is enrolled in, as described in subclause (I), or by the California Student Aid Commission that the student receives or is eligible for financial aid, including an institutional grant or fee waiver, from the college or university, the California Student Aid Commission, or the federal government shall be sufficient to satisfy this subclause.

(III) The rent provided in the applicable units of the development for lower income students shall be calculated

<p>at 30 percent of 65 percent of the area median income for a single-room occupancy unit type.</p> <p>(IV) The development will provide priority for the applicable affordable units for lower income students experiencing homelessness. A homeless service provider, as defined in paragraph (3) of subdivision (e) of Section 103577 of the Health and Safety Code, or institution of higher education that has knowledge of a person's homeless status may verify a person's status as homeless for purposes of this subclause.</p> <p>(ii) For purposes of calculating a density bonus granted pursuant to this subparagraph, the term "unit" as used in this section means one rental bed and its pro rata share of associated common area facilities. The units described in this subparagraph shall be subject to a recorded affordability restriction of 55 years.</p>	
<p>(G) One hundred percent of all units in the development, including total units and density bonus units, but exclusive of a manager's unit or units, are for lower income households, as defined by Section 50079.5 of the Health and Safety Code, except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income, and is not pursuing a 100% Affordable Housing project.</p>
<p>(b)(2) For purposes of calculating the amount of the density bonus pursuant to subdivision (f), an applicant who requests a density bonus pursuant to this subdivision shall elect whether the bonus shall be awarded on the basis of subparagraph (A), (B), (C), (D), (E), (F), or (G) of paragraph (1).</p>	<p>The application is consistent with this requirement.</p> <p>Applicant has indicated that the project shall provide affordable units as per subparagraph B (Very Low Income).</p>
<p>(b)(3) For the purposes of this section, "total units," "total dwelling units," or "total rental beds" does not include units added by a density bonus awarded pursuant to this section or any local law granting a greater density bonus.</p>	<p>The application is consistent with this requirement.</p> <p>The calculation for required affordable units in this project does not include the bonus units granted through State Density Bonus.</p>

<p>(c) (1) (A) An applicant shall agree to, and the city, county, or city and county shall ensure, the continued affordability of all very low and low-income rental units that qualified the applicant for the award of the density bonus for 55 years or a longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.</p>	<p>The application is consistent with this requirement.</p> <p>An Affordable Housing Agreement will be executed with the City and recorded to document these requirements.</p>
<p>(c) (B) (i) Except as otherwise provided in clause (ii), rents for the lower income density bonus units shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code.</p>	<p>The application is consistent with this requirement.</p> <p>An Affordable Housing Agreement will be executed with the City and recorded to document these requirements.</p>
<p>(ii) For housing developments meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b), rents for all units in the development, including both base density and density bonus units, shall be as follows: (I) The rent for at least 20 percent of the units in the development shall be set at an affordable rent, as defined in Section 50053 of the Health and Safety Code. (II) The rent for the remaining units in the development shall be set at an amount consistent with the maximum rent levels for a housing development that receives an allocation of state or federal low-income housing tax credits from the California Tax Credit Allocation Committee.</p>	<p>This requirement is not applicable.</p> <p>Applicant has opted to provide units at Very Low Income, and is not pursuing a 100% Affordable Housing project.</p>
<p>(2) An applicant shall agree to, and the city, county, or city and county shall ensure that, the initial occupant of all for-sale units that qualified the applicant for the award of the density bonus are persons and families of very low, low, or moderate income, as required, and that the units are offered at an affordable housing cost, as that cost is defined in Section 50052.5 of the Health and Safety Code. The local government shall enforce an equity sharing agreement, unless it is in conflict with the requirements of another public funding source or law.</p>	<p>This requirement is not applicable.</p> <p>This project is a rental residential project.</p>

(f) For the purposes of this chapter, “density bonus” means a density increase over the otherwise maximum allowable gross residential density as of the date of application by the applicant to the city, county, or city and county, or, if elected by the applicant, a lesser percentage of density increase, including, but not limited to, no increase in density. The amount of density increase to which the applicant is entitled shall vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in subdivision (b).

The application is consistent with this requirement.
 Applicant has indicated that the project shall provide affordable units as per subparagraph B (Very Low Income).

(f) (2) For housing developments meeting the criteria of subparagraph (B) of paragraph (1) of subdivision (b), the density bonus shall be calculated as follows:

Percentage Very Low Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35
12	38.75
13	42.5
14	46.25
15	50

The project conflicts with this objective standard.
 Applicant must submit revised base density unit plans to conform to base density unit standards and density bonus provisions. Then the base density can be used to confirm compliance with this section.

(f)(5) All density calculations resulting in fractional units shall be rounded up to the next whole number. The granting of a density bonus shall not require, or be interpreted, in and of itself, to

The project conflicts with this objective standard.

require a general plan amendment, local coastal plan amendment, zoning change, or other discretionary approval.	Applicant must submit revised base density unit plans to conform to base density unit standards and density bonus provisions. Then the base density can be used to confirm compliance with this section.
Case Law	
2013 – Latinos Unidos del Valle de Napa y Solano v. County of Napa	
Summary – Legal Case which held that Inclusionary units qualify as affordable units for purposes of the Density Bonus Law. The case confirmed that the density bonus is a financial tool available to help developers achieve city and county inclusionary housing requirements. (source: https://www.meyersnave.com/wp-content/uploads/California-Density-Bonus-Law_2021.pdf)	The application is consistent with this requirement. The project proposal locates all affordable units together in a single building due to financing requirements for State affordable housing tax credits.

**Objective City of Santa Cruz Standards
Applicable to the 831 Water Street Project
Public Works**

Municipal Code	City Analysis of Compliance with Standards
Title 15: Streets and Sidewalks	
15.04.010 OFFICIAL GRADES.	The project conflicts with this objective standard.
For the purpose of establishing grades and determining comparative elevations within the city, all such grades and elevations shall be hereafter referred to the datum plane used by the United States Coast and Geodetic Survey, and bench marks established by said Coast	The project will be required to meet this standard as a condition of approval prior to building permit issuance.

<p>and Geodetic Survey within the city boundaries shall be considered official bench marks of the city.</p>	
<p>15.04.020 POINT OF GRADE ESTABLISHED.</p> <p>Unless otherwise expressly provided, the grade established by any ordinance or resolution now in force and effect, or which may be hereafter passed and adopted, as the curb grade of any street or as the grade of the middle line of any street in this city, shall be on a straight line from one point of grade fixed by such ordinance or resolution to the next point of grade fixed thereby. This rule shall apply to each consecutive point of grade fixed by any such ordinance or resolution.</p> <p>The term “point of grade” means the station at which a grade elevation is designated in any such ordinance or resolution.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>15.08.030 PERMIT – REQUIRED.</p> <p>No person shall commence work on the construction, alteration, repair or removal of any curb, gutter, sidewalk, driveway or disabled access ramp on any street, alley or lane in the city unless a written permit therefore shall have been first obtained from the director of public works. All permits for construction, alteration, repair or removal of any driveway shall be posted conspicuously on the work where practical.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>15.08.040 PERMIT – RULES ON APPLICATION.</p> <p>(a) Any person requesting a permit for the construction shall first file a written application therefore with the director of public works. Such application shall be made in quadruplicate on a standard city form provided for that purpose, and shall include:</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>

<p>(1) The name of the contractor proposing to do the work;</p> <p>(2) The name and address of the owner of the property abutting the street where the work is proposed;</p> <p>(3) The exact location of the proposed work, giving the street address or legal description of the property involved;</p> <p>(4) A detailed plan showing the exact dimensions of the abutting property and the exact dimensions and location of all existing or proposed driveways and other pertinent features within the limits of the frontage of said property and the abutting properties where, in the judgment of the director of public works, such plan is necessary;</p> <p>(5) The plan shall also show the location of buildings, loading platforms or off-street parking facilities being served or to be served by such driveway approach.</p> <p>(b) The director of public works may require, at his or her discretion, the filing of any other information when, in his or her opinion, such information is necessary to properly enforce the provisions of this chapter;</p> <p>(c) No plan shall be approved nor permit issued where it appears that the proposed work, or any part thereof, conflicts with the provisions of this title or any other section of this code; nor shall the issuance of a permit be construed as a waiver of the zoning section of this code and shall conform to the Official Master Plan of the city;</p> <p>(d) Pursuant to Government Code Section 53080.5, the city of Santa Cruz is hereby authorized to require any applicant for a permit to file with the city a certificate of insurance evidencing coverage for bodily injury or property damage liability as a condition to issuance of the permit.</p>	
<p>15.12.010 DECLARATION OF POLICY.</p>	<p>The project conflicts with this objective standard.</p>

<p>It is declared to be the policy of the city of Santa Cruz that the improvement and development of property adjacent to a city street which is substandard, and which does not meet the standards of street improvements adopted by the city, is contrary to the best interest of the city of Santa Cruz and its inhabitants for the preservation of public health, welfare and safety, and that the city council has found that the improvement of such substandard city streets, to the standard of street improvement adopted by the city, as a condition precedent to the improvement or development of property abutting thereon, is an effective measure to provide for the safety and welfare of the inhabitants of the city.</p>	<p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>15.12.020 PURPOSE AND SCOPE.</p> <p>In enacting the provisions of Sections 15.08.050 through 15.08.070 and Chapters 15.12, and 15.24, the city council hereby finds that this city has experienced, and will continue to experience, great increases in population, area growth, and land development for high activity purposes, the direct result of which is and will be to rapidly render the previously existing streets and highways inadequate in width and development to provide minimum acceptable safety to the users, and service capacity to the lands being developed, and therefore the public's being denied streets and highways of minimum standards for safe and convenient vehicular and pedestrian access and travel.</p> <p>Therefore, the provisions hereof are intended officially to define the requirements, policies and procedures for the acquisition of public rights-of-way and for the construction of public improvements in connection with the improvement and development of property, in order to:</p> <p>(1) Supplement and insure conformity to the zoning ordinance, the Subdivision Map Act, and other improvement ordinances of the city, and to extend the basic requirements thereunder, to apply to land development in which no subdivision is involved;</p> <p>(2) Protect the vested interest of the public in the pre-existing capacity of city streets and highways, and to provide for private participation by those specially benefiting therefrom</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>

<p>in the widening and improvement of streets and highways, and to provide for private participation by those specially benefiting therefrom in the construction of the necessary utilities and the widening and improving of streets and highways when the same become necessary by reason of development of abutting property;</p> <p>(3) Protect the public health, public safety and general welfare of the general public.</p>	
<p>15.12.050 ESTABLISHMENT OF STREET STANDARDS.</p> <p>The standard and requirements hereinafter set forth are hereby established as the street improvement standards of the city of Santa Cruz, and shall apply to each existing street in the city and to each new street hereafter constructed within the city.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>15.12.060 ENUMERATION OF STANDARD IMPROVEMENTS – APPROVAL REQUIRED.</p> <p>The standard improvements required for each of the streets in the city shall consist of street paving, concrete curbs, gutters and sidewalks, access ramps, sanitary sewers and connections thereto necessary to serve adjacent property, storm drains and catch basins, water mains and service connections necessary to serve adjacent property, fire hydrants, street lighting standards, and such other specific improvements as may be required to meet the conditions created by any particular development. All of such improvements shall be constructed and installed in accordance with the city of Santa Cruz standard specifications and design, subject to the inspection of and to the satisfaction of the director of public works of the city.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>

<p>15.12.070 DEDICATIONS TO PROVIDE REQUIRED RIGHT-OF-WAY WIDTHS.</p> <p>Whenever a building, structure, or improvement for which a permit is sought falls within the provisions of Section 15.12.030, and must meet the requirements of Sections 15.08.050 through 15.08.070 and Chapters 15.12, and 15.24, and the parcel of property upon which such building, structure, or improvement is located, or is to be located does not front upon a public street with sufficient right-of-way to construct improvements required by Sections 15.08.050 through 15.08.070 and Chapters 15.12, and 15.24, prior to the issuance of such building permit the owner of said property shall dedicate a portion of the property front necessary to provide the required right-of-way width to construct said improvements.</p>	<p>The project conflicts with this objective standard.</p> <p>The project plans must include a dedicated right turn lane required by the General Plan (see Chapter 10.85 in table below)</p>
<p>15.20.010 STANDARD PLANS FOR SIDEWALKS AND DRIVEWAY APPROACHES.</p> <p>All sidewalks and driveway approaches in the sidewalk area shall be constructed in accordance with the standard plans and specifications and subsequent amendments thereto on file in the office of the director of public works, reference to which is hereby made for further particulars. The director of public works, or his/her authorized representative, shall specify in the permit or written approval to be issued under Chapters 15.04, 15.08, 15.20, 15.28, 15.32, 15.34 and 15.48, which particular standard plan shall be used on each sidewalk and driveway to be constructed and such construction shall conform to the standard plans, as specified by the director of public works in the said permit to be issued, and said sidewalk and driveway shall be so maintained in strict compliance therewith.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>15.20.030 SPECIFICATIONS ON FILE.</p> <p>All the work shall be done according to specifications for sidewalks and driveway approach construction on file in the office of the director of public works, reference to which is hereby made for further particulars.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of</p>

	<p>approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>15.20.040 RULES AND REGULATIONS – LIABILITY OF LANDOWNERS TO PUBLIC.</p> <p>Every driveway hereafter constructed, altered or repaired in the sidewalk area shall conform to the regulations set forth in Sections 15.20.050 through 15.20.090, 15.20.210 and 15.20.220. Additionally, all existing driveways and abandoned driveway approaches in the sidewalk area are subject to the terms of Sections 15.20.070, 15.20.210 and 15.20.220.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>15.20.050 LOCATION.</p> <p>(a) No driveway shall be so located as to create a hazard to pedestrians or motorists, or invite or compel illegal or unsafe traffic movements.</p> <p>(b) Unless otherwise approved by the director of public works, all driveways, including the wings or returns, shall be confined within lines perpendicular to the curblines and extend to the property lines.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval.</p> <p>The project will be required to provide adequate decision sight distances to all driveways to ensure</p>

(c) No driveway shall be constructed in such manner as to be a hazard to any existing street lighting standard, utility pole, traffic regulating device, or fire hydrant. The cost of relocating any such street structure set forth above, when necessary to do so, shall be performed only through the person holding authority for the particular structure involved and at the expense of the person requesting the change.

24.14.030 SLOPE REGULATIONS

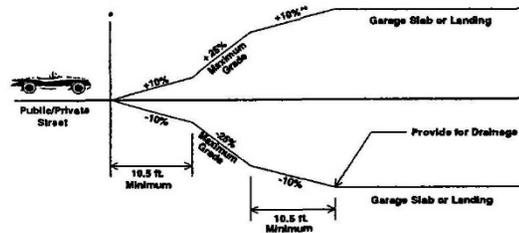
a. Building permit applications for new structures on slopes of ten percent or greater shall include an accurate topographic map. The map shall contain contours of two-foot intervals for slopes of twenty percent grade.

2. Driveway Design Standards.

a. Driveways shall be designed with existing contours to the maximum extent feasible.

b. Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight.

c. Driveways shall have a maximum grade of twenty-five percent as illustrated in the



following diagram:

* Back edge of standard city driveway.

safe and efficient arterial operations.

Design Speed is 30 MPH, avoidance maneuver E requires 620-feet for adequate sight distance, or as required pursuant to the AASHTO A *Policy on Geometric Design*.

Provide detailed improvement plans prepared by a licensed California Civil Engineer.

** All percentages are measured from the edge of standard city driveway.

d. Driveways within slopes that are thirty percent or greater shall require an exception listed in Section [24.14.040](#).

M3.2.2 Ensure safe and efficient arterial operations.

AASHTO Decision Sight Distance Table:

Design speed (km/h)	Metric					Design speed (mph)	US Customary				
	Decision sight distance (m)						Decision sight distance (ft)				
	Avoidance maneuver						Avoidance maneuver				
	A	B	C	D	E	A	B	C	D	E	
50	70	155	145	170	195	30	220	490	450	535	620
60	95	195	170	205	235	35	275	590	525	625	720
70	115	235	200	235	275	40	330	690	600	715	825
80	140	280	230	270	315	45	395	800	675	800	930
90	170	325	270	315	360	50	465	910	750	890	1030
100	200	370	315	355	400	55	535	1030	865	980	1135
110	235	420	330	380	430	60	610	1150	990	1125	1280
120	265	470	360	415	470	65	695	1275	1050	1220	1365
130	305	525	390	450	510	70	780	1410	1105	1275	1445
						75	875	1545	1180	1365	1545
						80	970	1685	1260	1455	1650

Avoidance Maneuver A: Stop on rural road— $t = 3.0$ s
 Avoidance Maneuver B: Stop on urban road— $t = 9.1$ s
 Avoidance Maneuver C: Speed/path/direction change on rural road— t varies between 10.2 and 11.2 s
 Avoidance Maneuver D: Speed/path/direction change on suburban road— t varies between 12.1 and 12.9 s
 Avoidance Maneuver E: Speed/path/direction change on urban road— t varies between 14.0 and 14.5 s

Exhibit 3-3. Decision Sight Distance

(d) Every driveway must provide access to something definite on private property, requiring the entrance of vehicles, except as otherwise specifically provided elsewhere in this code.

<p>(e) No driveway shall be constructed to any lot, the building or improvements of which are so constructed as to prevent the passage of vehicles from such driveway to such lot.</p>	
<p>15.20.060 SIZE AND NUMBER.</p> <p>(a) Except as otherwise provided herein, the total width of any driveway, or driveways, constructed to any parcel of land from any public street shall not exceed thirty feet, including the wings or returns, the measurement being made at the curblines.</p> <p>(b) Except as may otherwise be required by the Americans With Disabilities Act or similar statutes, the total width of all driveways, including wings or returns, for any one ownership on any one street in any commercial or any industrial zone shall not exceed fifty percent of the frontage of the ownership along that street measured at the curblines of the street.</p> <p>(c) Except as may otherwise be required by the Americans With Disabilities Act or similar statutes, the total width of all driveways, including wings or returns, for any one ownership on any one street in any residential zone shall not exceed forty percent of the frontage of the ownership along that street measured at the curblines of the street.</p>	<p>Consistent with the objective standards.</p>
<p>15.20.070 ABANDONMENT OR ALTERATION.</p> <p>(a) Any driveway approach which has become abandoned, discontinued or unused through a change of the conditions for which it was originally intended, or which, for any reason, has become unnecessary, shall be closed and the owner or the successor in interest of such owner shall be obligated to restore said driveway approach and such additional area as may be designated by the director of public works at the property owner's expense with a standard curb, gutter and sidewalk section to be constructed according to the city's specifications.</p> <p>An abandoned driveway approach which is not restored as required in this chapter is hereby deemed to be not in compliance with Section 15.20.210 of this code. Where a driveway is not in compliance with Section 15.20.210, the owner of the land abutting the</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>

subject driveway approach shall be personally liable for injuries incurred by members of the public pursuant to Section 15.20.220 of this code.

In order to assure reconstruction of driveway approaches under this chapter, all relevant provisions and procedures described in Section 15.20.210 of this code and Chapter 22 of Division 7, Part 3, of the Streets and Highways Code and related provisions may be enforced by the city

Any action taken by the director of public works pursuant to this section or any other section of this code to restore an abandoned driveway approach is discretionary. Neither this section nor any other section of this code shall be construed as creating a duty or obligation on behalf of the city to restore abandoned driveway approaches. The city shall not incur any liability, either to the adjacent landowner or to the public, arising out of its alleged failure to restore, or failure to properly restore, abandoned driveway approaches.

(b) Whenever the total width of driveways on a single street exceeds the limits specified in subsections (b) and (c) of Section 15.20.060, said driveways shall be made to conform to the provisions of this chapter in the event of any of the following changes:

- (1) Any alteration or repair of such existing driveways;
- (2) Any construction of additional driveways or the alteration or repair of any driveways in the ownership when the ownership has frontage on two or more streets,
- (3) Any “change of use” of the ownership, as defined in Section 15.08.010.

Upon the application for a permit to alter or repair any one or more of the driveways, as aforesaid, the director of public works may require such changes in any or all of the

driveways of that ownership as he may deem necessary for the better movement of traffic or to provide better protection to pedestrians.

Where a single ownership is developed into more than one unit of operation, each sufficient in itself to meet the requirements of off-street parking and loading, as required by the zoning ordinance, and where the director of public works determines that the safety of pedestrians or vehicular traffic is not endangered, the requirements outlined above shall be construed to apply to each separate unit of operation rather than to the entire ownership.

There shall be not more than two driveways on one street for any one ownership except where a single ownership is developed into more than one unit of operation, each sufficient in itself to meet the requirements of off-street parking and loading as required by the zoning ordinance, and where the necessity for separate access to the street is evident. In such cases, there shall be not more than two driveways on one street for any one unit of operation.

15.20.080 PROVISIONS BASED ON EXISTING CONDITIONS.

Where standard curbs and gutters of portland cement concrete are existing or are to be constructed in conjunction with driveways, the following provisions shall apply to the driveway construction:

(1) When portland cement concrete sidewalks are existing, driveways shall be placed from the curblines to the existing sidewalk line, and shall be constructed of portland cement concrete. When that section of sidewalk in line with the proposed driveway is in poor condition and determined by the director of public works to be unsafe, the driveway section shall be constructed of portland cement concrete through the sidewalk section to the property line. Any portion of the remaining sidewalk which is in poor condition shall be repaired or replaced. In either case, driveways shall be extended to the property line with portland cement concrete.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

**City Standard Details & City Standard Specifications attached:
Exhibit PW-A
Exhibit PW-B**

(2) Whenever any driveway is constructed to cross an existing sidewalk which has been determined by the director of public works to differ in grade from the existing sidewalk grade, the driveway shall nevertheless be placed at the established grade, and shall be constructed of portland cement concrete through the sidewalk sections to the property line. If the existing sidewalk is below or above the established grade, an approved temporary concrete sidewalk patch shall be installed on each side of the driveway approach. The length and width of the temporary patch to be constructed shall be specified by the director of public works, and the remaining frontage shall be improved by the construction of a monolithic concrete curb and gutter section.

(3) When driveways are constructed, the following improvements shall be required in connection with such driveway approach construction:

Where the existing roadway is at the established grade line or if it is practical to establish the gutter grade, the construction of standard curbs and gutters of portland cement concrete along the ultimate edge of the pavement, as determined by the director of public works, shall be continuous between any two driveways for one ownership. Standard curbs and gutters of portland cement concrete shall also be continuous between the driveways and lines extended from the property corners perpendicular to the curbline. Where a single ownership is developed into more than one unit of operation each sufficient in itself to meet the requirements of off-street parking and loading as required by the zoning ordinance, the requirements for curbs and gutters as outlined above shall be construed to apply to each separate unit of operation rather than to the entire ownership. Construction of the driveways shall be as outlined in subsection (1) of this section.

15.20.100 DRAINAGE OF SURFACE WATER.

Building permit applications for commercial and multifamily residential development shall include detailed drainage plans for the review and approval of the director of public works.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of

<p>In addition to the information required under Section 15.08.040 for application for a permit, the plot plan shall show the details of grading, drainage and surfacing, including the surfacing material to be used. Such plan shall be in compliance with the provisions of Chapter 16.19 and all other applicable provisions of the Municipal Code.</p> <p>All such paved or hard surfaced areas shall be provided with approved catch basins or drainage so as to dispose of all water that may fall upon such areas. Under no circumstances shall concentrations of water be allowed to run across a sidewalk area. All drainage provisions shall be of such design as to carry surface water to the nearest practical storm sewer or other means of disposal approved by the director of public works.</p> <p>No person shall construct or alter any such storm drainage structure without having first obtained a written authorization therefore from the director of public works.</p> <p>No permit shall be issued until the proposal has been approved by the director of public works and, where necessary, by the director of planning and community development or the director's designee.</p>	<p>approval prior to building permit issuance.</p> <p>The project must meet the California Water Board Rules and Regulations.</p>
<p>15.20.130 BARRIERS.</p> <p>Whenever any area on private property is used for the purpose of parking automobiles, trucks or other vehicles, whether for the sale of such vehicles, public parking, or for other reasons, adequate barriers shall be provided to prevent the parking of vehicles in such a manner that they overhang the property line. Such barrier shall be constructed as directed by the director of public works.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>15.24.010 CONDITIONS OF BUILDING PERMIT.</p> <p>No building permit shall be issued, and no person shall be entitled to the issuance of a building permit, for the construction of a new building, structure, used or intended to be used for a one-family or two family or other than a one-family or a two-family dwelling, or for additions to, alteration or remodeling of a building or structure on such property which</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of</p>

<p>will alone, or in combination with any prior addition, remodeling or alteration within the immediately preceding year, either increase the conditioned floor space by fifty-percent for a one-family or two family or increase the area of conditioned floor space by 500 square feet or more, or increase the area of conditioned floor space of a building other than one family or two family dwelling by twenty-five percent or more, unless plans for street and utility improvements meeting the requirements of Sections 15.08.050 through 15.08.070 and Chapters 15.12, and 15.24 are filed with and approved by the director of public works.</p> <p>Whenever the owner, lessee, agent or other person applies for a building permit for the construction of, or improvement to, a one-family or a two-family dwelling or commercial building upon any parcel of property situated within the city, and adjacent to a substandard public street, and the building or improvement for which a permit is sought falls within the provisions of Section 15.12.030 and must therefore meet the requirements of Sections 15.08.050 through 15.08.070 and Chapters 15.12, 15.16 and 15.24, upon otherwise being qualified to construct the building or improvement upon the lot, piece or parcel of real property, the owner thereof shall provide for the construction of concrete curbs, gutters, sidewalks and disabled access ramps along and upon the frontage or frontages of all city streets adjacent to the boundaries of the lot, piece or parcel of real property upon which the improvements are to be made.</p>	<p>approval prior to building permit issuance.</p>
<p>15.24.020 COMPLIANCE WITH CONDITIONS.</p> <p>It shall be deemed that the owner has adequately complied with the requirements for such concrete curbs, gutters and sidewalks by any of the following methods.</p> <p>(1) Actual construction of concrete curbs, gutters, sidewalks and disabled access ramps by a duly licensed contractor, prior to the issuance certificate of occupancy or completion all building permit inspections;</p> <p>(2) Meet the requirements set forth in Section 15.24.030.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>

<p>15.24.040 MATCHING PAVING REQUIRED.</p> <p>The owner, lessee, or agent obtaining a building permit conditioned upon the installation of concrete curbs and gutters in accordance with this chapter shall also install such paving as may be necessary to match the elevation and grade of the concrete gutter so installed with the existing street. The work shall be performed to the satisfaction of the director of public works, by a contractor duly licensed to perform such paving, and the paving required shall consist of not less than six inches of approved crusher-run base material and two inches of plant-mix surfacing.</p> <p>Should the director of public works determine in any particular case that it would be in the public interest, and that it would be in furtherance of the public convenience, safety and welfare that such matching paving be deferred due to unusual conditions of topography or for other good cause, the director of public works may require, as an alternative to the requirement of installation of matching paving, that the owner of the property execute an agreement with city, prior to the issuance of a building permit, which agreement shall be on the terms and conditions, and in substantially the form of the agreement set forth in Section 15.16.030 and which shall provide that such paving work will be deferred on the terms set forth in the agreement.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>15.24.070 ALLEYS.</p> <p>Where it is shown on the building plans, submitted as part of a building permit application that the garage and driveway are accessible to a public alley, the applicant shall provide for the asphalt concrete paving of the alley to the satisfaction of the city engineer, along the frontage of the public alley adjacent to the lot or parcel of real property upon which the building or improvements are to be made. In addition, if, in the opinion of the city engineer, a plan is necessary for the orderly improvement of the alley, the applicant shall provide an alley improvement plan for the entire length of the alley, to the nearest intersecting street, to the satisfaction of the director of public works.</p>	<p>This objective standard does not apply.</p>
<p>15.28.010 STREET CUTTING – PERMIT REQUIRED.</p>	<p>The project conflicts with this objective standard.</p>

<p>No person shall open, excavate or dig any trench, or opening in any public street in the city, without first obtaining the written permission of the director of public works to do so.</p>	<p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>15.28.020 APPLICATION AND FEES.</p> <p>Any person desiring to open, excavate, or dig any trench or opening as aforesaid shall, before obtaining permission from the director of public works as aforesaid, sign a written application therefore and shall pay to the city of Santa Cruz in advance a permit fee as determined by city council resolution.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>Exhibit PW-C RESOLUTION NO. NS-29,484</p>
<p>15.28.040 TECHNICAL PROVISIONS OF THE STANDARD SPECIFICATIONS AND STANDARD PLANS.</p> <p>Construction of utilities, excavating and backfilling streets and replacing pavement surfacing within public streets shall be performed in accordance with the technical provisions of the Standard Specifications and Standard Plans of the City of Santa Cruz.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>City Standard Details & City Standard Specifications attached: Exhibit PW-A Exhibit PW-B</p>
<p>16.08.020 DISCHARGE TO SANITARY SEWER.</p> <p>All wastewater shall be discharged to public sewers except as provided in this chapter, in Chapter 6.20, and in Chapter 16A of the California Plumbing Code, as adopted by reference</p>	<p>The project conflicts with this objective standard.</p>

<p>in Title 18. Septic tanks and cesspools are not allowed within city boundaries except as specified in Chapter 6.20.</p>	<p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>16.08.030 DISCHARGE OF STORM WATER.</p> <p>No user shall discharge or cause to be discharged any storm waters, surface waters, roof runoff, subsurface drainage, or groundwater to any sanitary sewer except as specifically allowed by the director.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>16.08.040 DISCHARGE INTO THE STORM DRAIN SYSTEM.</p> <p>No user shall cause the discharge of non-storm water runoff to enter the storm drain system except in accordance with Chapter 16.19, Storm Water and Urban Runoff Pollution Control.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>16.08.050 DISCHARGE OF SWIMMING POOL/HOT TUB WATER.</p> <p>Swimming pool and hot tub water shall be discharged into the sanitary sewer system. Water quality and discharge rate must meet all requirements of this chapter.</p>	<p>This objective standard will apply if a swimming pool or hot tub is proposed.</p>
<p>16.08.140 INTERCEPTORS.</p> <p>(1) The director may require a commercial discharger of wastewater to install an interceptor. Required interceptors shall be of a type and capacity approved by the director.</p> <p>(a) Installation. The interceptor shall be installed as required by the California Plumbing Code and by the city. The interceptor shall be installed so that it is at all times easily accessible for inspection, sampling, cleaning, and removal of intercepted wastes. The director may require that interceptors have a sampling box installed. The sampling box</p>	<p>This objective standard will apply if a restaurant use is proposed.</p>

shall be located so that it is at all times easily accessible for inspection and sampling. The interceptor and sample box shall be constructed in such a manner as to exclude the entrance of surface water and storm water. The interceptor shall be situated on the user's premises unless the director approves installation in the public street or sidewalk area.

(b) Cleaning and Repairs.

(i) The interceptor shall be cleaned, maintained, and repaired by the owner or operator at his/her own expense. Cleaning shall require that the entire contents of an interceptor be pumped out and disposed of at a facility designed to handle such waste. Pumped interceptor contents shall never be discharged into any drainage piping, public or private sewer. A record of interceptor cleaning and maintenance or copies of interceptor pumping receipts must be maintained on site for a twelve-month period and made available for inspection upon request by the city's representative.

(ii) Prior written approval from the director must be obtained prior to the use of chemicals, bacteria or other agents to dissolve grease or otherwise clean or treat grease interceptors.

(iii) When it is determined that repairs to either the interceptor itself or to the external plumbing are necessary, such repairs shall be completed within thirty days of notification or sooner if the director determines that delay may result in interference with the POTW.

(c) Building Remodels. Buildings remodeled for uses requiring interceptors shall be subject to the aforementioned regulations. Abandoned interceptors shall be emptied and filled as required for abandoned septic tanks, according to the California Plumbing Code and the city.

16.08.190 FOOD SERVICE FACILITIES.

(1) Grease Interceptors.

This objective standard will apply if a food service facility is proposed.

<p>(a) Food service facilities meeting the requirements of this subsection shall be exempt from the animal and vegetable oil and grease limit of Section 16.08.110.</p> <p>(b) Food service facilities shall have an interceptor if oil or grease may, in the opinion of the director, be discharged to the sanitary sewer. The interceptor type and capacity shall be approved by the director.</p> <p>(c) Interceptors shall be installed, cleaned, maintained, and repaired in accordance with this chapter and as required by the director.</p> <p>(d) A dishwasher shall not be connected to an interceptor unless approved by the director.</p> <p>(e) New and existing businesses or facilities and building remodels shall comply with this chapter. A completed grease trap/interceptor questionnaire form must be submitted to the director prior to commencing construction of new facilities or remodeling.</p> <p>(2) Garbage grinders shall not be connected to the sanitary sewer.</p> <p>(3) New and remodeled food service facilities, that use or will use kitchen floor mats, shall provide an enclosed area for washing mats. Such an enclosure shall drain to the sanitary sewer. The enclosure shall have drain screens to retain particles larger than one-half inch, which shall not be discharged to the sanitary sewer. The enclosure shall be constructed so that storm water may not flow into the area and that wastewater may not flow out. The director may require such enclosures to be connected to an interceptor.</p>	
<p>16.12.120 SEWAGE SYSTEM EXTENSION AND CONNECTION CHARGES AND FEES.</p> <p>Sewer service connections may be made only by or under the authority of the city, and under the supervision and to the satisfaction of the director of public works. Such connections shall be made only upon the filing of an application or a request therefor with</p>	<p>This objective standard does not apply to this project.</p>

the department of public works, the payment of the prescribed charges, and subject to the following conditions:

- (a) The engineering, design and construction shall be in accord with the standard specifications of the city of Santa Cruz department of public works.
- (b) The construction work shall be performed by a licensed and bonded contractor selected by the property owner or by the authorized agent of the property owner, and approved by the department of public works.
- (c) The construction work shall be subject to inspection and supervision of the department of public works.
- (d) The cost of design, engineering, surveys, construction, inspection, installation, maintenance and repair shall be borne by the property owner. Charges and fees for the extension of sewer lines, and for connections to the city sewerage system, shall be established by the city council by resolution.

16.12.130 SEWER MAIN EXTENSIONS CONSTRUCTED AND PAID FOR BY PROPERTY OWNERS.

When for any reason the city does not extend sewer mains to serve property located within the city, the owner of such property, or an agent authorized by the owner, may apply to the director of public works for permission to construct such sewer main extensions as may be necessary to serve the property. Permission may be granted by the director if he finds that the public convenience and necessity will be served by the proposed sewer main extension, but such permission shall be subject to the following conditions:

- (a) The engineering, design and construction work shall be in accord with the standard specifications of the city of Santa Cruz department of public works

This objective standard does not apply to this project.

<p>(b) The construction work shall be performed by a licensed contractor selected by the property owner or by the authorized agent of the property owner, and approved by the department of public works.</p> <p>(c) The construction work shall be performed pursuant to a sewer main extension agreement between the city, the property owner and the licensed contractor. The form of the agreement must be approved by resolution of the city council; and an agreement between specific parties shall not become effective until approved and signed by the city manager.</p> <p>(d) The construction work shall be subject to inspection and supervision by the city engineer.</p> <p>(e) The cost of design, engineering, surveys, construction, inspection, and necessary environmental documents shall be borne by the property owner. The sewer main extension agreement may provide for reimbursement of actual approved costs to the property owner from sewer connection charges paid to the city by those who subsequently connect with the sewer main extension paid for by the property owner.</p> <p>(f) The sewer main extension, when completed, and approved by the department of public works, shall become the property of the city of Santa Cruz.</p>	
<p>16.19.030 ILLICIT DISCHARGES PROHIBITED.</p> <p>No person shall install, maintain or use any connection to the storm drain system which is used to discharge to the storm drain system in violation of this code. All connections to the storm drain system that provide for a discharge from inside any building are prohibited.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>16.19.100 PROHIBITED DISCHARGES FROM INDUSTRIAL OR COMMERCIAL ACTIVITY</p> <p>(a) The following list of discharges from industrial/commercial activities shall be considered prohibited unless permitted under a separate NPDES permit or as allowed by</p>	<p>The project conflicts with this objective standard.</p>

BMPs published or approved by the city public works department. This list is based on Section 16.19.030 but is not an exhaustive list of prohibited discharges to the storm drain system:

- (1) Water from the cleaning of gas stations, vehicle service garages, or other types of vehicle service facilities;
- (2) Water, cleansers, or solvents from the cleaning of vehicles, machinery or equipment, and other such commercial and industrial operations;
- (3) Water from the washing or rinsing of vehicles containing soap, detergents, solvents, or other cleaners;
- (4) Water from the washing or rinsing of vehicles, with or without soap, from auto body repair shops;
- (5) Water from the cleaning or rinsing of vehicle engine, undercarriage, or auto parts cleaning;
- (6) Vehicle fluids;
- (7) Mat wash water from food service facilities;
- (8) Food and kitchen cleaning water from food service facilities;
- (9) Leakage from dumpsters or trash containers;
- (10) Water from the cleaning or rinsing of garbage dumpster areas and areas where garbage is stored or contained;

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

<p>(11) Water from pressure washing, steam cleaning, and hand scrubbing of sidewalks, gutters, plazas, alleyways, outdoor eating areas, steps, building exteriors, walls, driveways, and other outdoor surfaces;</p> <p>(12) Wastewater or cleaning fluids from carpet cleaning;</p> <p>(13) Swimming pool and spa water;</p> <p>(14) Wash out from concrete trucks;</p> <p>(15) Runoff from areas where hazardous substances, including diesel fuel, gasoline and motor oil are stored, except as allowed by Chapter 6.50 of this code;</p> <p>(16) Super-chlorinated water normally associated with the disinfection of potable water systems.</p>	
<p>16.19.110 INDUSTRIAL/COMMERCIAL SOURCES REQUIRED TO OBTAIN AN NPDES PERMIT.</p> <p>(a) Any industrial/commercial facility that is required to have a NPDES permit shall retain the following documents on-site and make them immediately available to the director:</p> <p>(1) A copy of a permit or notice of intent to comply with a general permit to discharge storm water associated with industrial activity as submitted to the State Board or report of waste discharge as submitted to a Regional Board of jurisdiction.</p> <p>(2) A waste discharge identification number issued by the State Board or copy of the NPDES permit issued by a Regional Board.</p> <p>(3) A SWPPP monitoring program plan or group monitoring plan.</p> <p>(4) Storm water quality data.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>

<p>(5) Evidence of facility self-inspection as required by the NPDES permit.</p>	
<p>16.19.130 MANDATORY BEST MANAGEMENT PRACTICES.</p> <p>Any owner, occupant, or user of any property, or any person conducting activities within the city shall comply with any mandatory BMPs listed in the latest BMP manual published by the public works department and the following mandatory BMPs:</p> <p>(a) If water is used to remove paint or graffiti for building exteriors, walls, steps, signs, and other surfaces, the wastewater and paint particles may not be discharged to the street or storm drain system. If blasting or sanding is used to remove paint or graffiti, the paint particles, blasting material, sand, or dust may not be allowed to reach the storm drain system.</p> <p>(b) Paintbrushes, paint spray guns, paint trays or containers, and paint cans may not be cleaned or rinsed into the street or storm drain system.</p> <p>(c) Objects including, but not limited to, motor vehicles, motor vehicle parts, machinery, and equipment that contain grease, oil, or hazardous substances shall be placed in a confined area in order to contain leakage, spillage and discharges, or stored in such condition so that grease, oil or hazardous substances do not contact urban runoff.</p> <p>(d) Areas susceptible to runoff shall have debris removed by sweeping or another equally effective measure on a regular basis.</p> <p>(e) Waste not contained in receptacles shall be covered and located so as to prevent contact with urban runoff.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>16.19.140 BEST MANAGEMENT PRACTICES FOR CONSTRUCTION ACTIVITY.</p> <p>Any construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18, and 24 of this code, shall implement best management practices (BMPs) including the city’s mandatory BMPs as detailed in the latest BMP manual published</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of</p>

<p>by the city’s public works department. BMPs shall be maintained in full force and effect during the duration of the project.</p>	<p>approval prior to building permit issuance.</p> <p>The project must meet the California Water Board Rules and Regulations.</p>
<p>16.19.150 BEST MANAGEMENT PRACTICES FOR INDUSTRIAL/COMMERCIAL ACTIVITIES.</p> <p>Any construction project, including those undertaken under any permit or approval granted pursuant to Titles 15, 18, and 24 of this code, shall implement best management practices (BMPs) including the city’s mandatory BMPs as detailed in the latest BMP manual published by the city’s public works department. BMPs shall be maintained in full force and effect during the duration of the project.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the California Water Board Rules and Regulations.</p>
<p>16.19.160 BEST MANAGEMENT PRACTICES FOR BUSINESSES NOT COVERED BY STATE PERMIT.</p> <p>All business activities shall implement mandatory BMPs as detailed in the latest BMP manual published by the city’s public works department.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project must meet the California Water Board Rules and Regulations.</p>

18.45.015 CONSTRUCTION SITE MANAGEMENT.

(1) - (15)

(1) The city's mandatory Best Management Practices (BMP's), as published by the city's public works department and/or planning department, shall be maintained in full force and effect for the duration of any permitted grading project.

(2) Erosion and sediment control BMP's shall be in place and implemented, as appropriate under Section 18.45.110, prior to commencing grading or vegetation removal. Such measures shall be maintained on all disturbed areas in order to prevent a net increase of sediment load in a site's storm water discharge relative to pre-construction levels.

(3) During the rainy season, erosion control measures must also be located at all appropriate locations along the site's perimeter and at all inlets to the storm drain system. Effective methods to protect storm drain inlets include sand bag barriers, heavy rubber mats to cover and seal the inlet, and approved sediment traps or basins.

(4) All on-site erosion control measures and structural devices, both temporary and permanent, shall be properly installed and maintained. If damaged during construction, they shall be promptly repaired or reinstalled.

(5) Unless granted a specific exemption grading operations shall be conducted in phases in order to reduce the amount of disturbed areas and exposed soil at any one time. Unless specifically approved on the project's Erosion Control Plan, clearing, excavation, and grading shall not be conducted during rainy weather. All rainy season grading must be in accordance with Section 18.45.040 of this chapter. An exception may be granted for minor clearing or grading that does not present a hazard and is approved by the building official.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

(6) Clearing limits, easements, setbacks, sensitive or critical areas, trees, drainage courses, and buffer zones must be delineated to prevent excessive or unnecessary disturbances and exposure prior to construction.

(7) Use one or more of the following to reduce the erosion potential from bare, exposed, or disturbed soil: filter fabric, erosion control blankets, geo-textiles, mulching, seeding, vegetation planting, or other appropriate cover material. If vegetative cover is used, a uniform vegetative cover with a minimum of seventy percent coverage must be established.

(8) Access roads and entrances must be constructed to minimize the tracking of soil, mud, or hazardous materials into the roadway or into storm drains. Shaker roads and/or wash down facilities for construction vehicles must be installed on any site greater than one acre and on a case-by-case basis for smaller sites. Shaker road design and maintenance must be approved by either city public works or inspection services staff prior to installation. Mud, dirt, gravel, sand and other materials tracked or dropped on city streets must be cleaned up to prevent washing into storm drains. Heavy equipment that is not rubber wheeled or smooth-tracked, must be off-loaded on the construction site, not in the street.

(9) Cleared vegetation may not be disposed of in a creek, gully or waterway.

(10) Sediment or pollutant laden water may not be discharged into the storm drain system. De-watering operations must be pre-approved by the city public works department (and county environmental health department if containing hazardous contaminants).

(11) Leaks, spills and drips of hazardous materials and chemicals must be contained and cleaned up as quickly as possible to minimize run off or soak in. This includes fuel and motor oil, hydraulic fluid, and glycol based anti-freeze from vehicles. Encountered abandoned fuel/oil tanks (and their contents) must be removed in a manner consistent with methodology approved by both the city of Santa Cruz and county environmental health department.

<p>(12) Paint and paint thinner may never be discharged into the storm drain system. Paint brushes, paint spray guns, paint trays or containers, and paint cans may not be cleaned or rinsed into the street or storm drain system.</p> <p>(13) Concrete, cement, and masonry products may never be discharged into the storm drain system. Concrete, cement, and masonry mixing containers and tools may not be washed or rinsed into the street or storm drain system. If a concrete transit mixer is used, a suitable washout box, excavation or self-washing mixer able to contain the waste material shall be provided on-site.</p> <p>(14) Store materials, including stockpiles and excavation spoils, under cover and protected from wind, rain, and runoff. Stockpiles may never be stored on a street or alley. Paints, chemicals, solvents, and other hazardous materials must be stored inside or within a shed with double containment.</p> <p>(15) Discarded building materials and demolition wastes must never be left in a street, gully, or waterway. Dispose of all wastes properly including leftover paint and chemicals. When the job is completed, collect and properly dispose of all unused or waste materials. Never leave or abandon materials or excavation spoils onsite. Usable leftover materials should be recycled or donated as appropriate and appropriately separated from unusable/non-recyclable garbage and debris. Ensure that nothing has “drifted” towards the street, gutter, or catch basin.</p>	
<p>18.45.030 GENERAL GRADING PERMIT REQUIREMENTS.</p> <p>No person shall do any excavation, filling, clearing and/or erosion control work without first having obtained a permit from the city, except as exempted in subsection (1)(a) through (i), below. Cumulative grading as defined in Section 18.45.020 shall be taken into account when considering which type of grading permit (regular or engineering) to issue or if an exemption is appropriate. A separate grading permit shall be obtained for each site and may cover both excavations and fills.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>

18.45.035 SPECIFIC APPLICATION REQUIREMENTS.

(1) - (3)

Grading in excess of five thousand cubic yards shall be performed in accordance with the approved plan of an erosion control specialist and shall be designated as “engineered grading.” Grading involving less than five thousand cubic yards shall be designated as “regular grading,” unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist, in which case grading shall conform to the requirements for engineered grading.

(1) Engineered Grading Requirements. Application for a grading permit shall be accompanied by a minimum of three sets of plans, two sets of specifications, and supporting data consisting of an engineering soils report and engineering geology report. Log borings shall be as specified by the engineer. The building official may require additional borings in questionable soils. The plans and specifications shall be prepared and signed by an individual licensed by the state of California to prepare such plans or specifications.

Specifications shall contain information covering construction and material requirements. Log borings may be cross-referenced to scale plans as to actual site location; however, a detail of each boring taken shall be contained in the report.

Plans shall be drawn to scale in either blueprint or photocopy form and shall be suitable for the purpose intended, sufficient in clarity to indicate the nature and extent of the work proposed, and show in detail that they will conform to the provisions of this chapter and all relevant laws, ordinances, rules and regulations. The first sheet of each set of plans shall give the location of the work, the name and address of the owner, and the person by whom they were prepared, as indicated by their affixed registration seal and original (wet) signature.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The plans shall include the following information:

(a) General vicinity of the proposed work site;

(b) Property limits, delineated by length and bearing, accurate contours of existing ground, and details of terrain and area drainage. Properties within one thousand feet of a riparian corridor and draining thereto shall indicate the presence of such corridor in relation to the property;

(c) Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed drainage channels and related construction. Such details shall be clearly distinguishable from existing contour indications. Contours shall be normally detailed in two-foot increments, except for very large areas, which may use five-foot major contours. (Only the five-foot lines need be labeled if intermediate contour lines are also used.) Smaller details, such as building pads, roadways and driveways, shall be contoured as necessary using one-foot increments. In all cases, topography shall be indicated at least twenty feet from any proposed structure, even if such contours appear on an adjoining parcel.

Elevations shall be detailed in actual feet above sea level. A basis of bearings and elevations shall accompany each plan set;

(d) Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protective devices to be constructed with, or as a part of, the proposed work, together with a map showing the drainage area and the estimated runoff of the area served by any drains;

(e) Location of any buildings or structures on the property where the work is to be performed, and the location of any buildings or structures on land of adjacent owners which are within fifteen feet of the property or which may be affected by the proposed grading operations;

(f) Recommendations included in the soils engineering report and/or the engineering geology report shall be incorporated in the grading plans or specifications. When approved by the building official, specific recommendations contained in the soils engineering report and the engineering geology report, which are applicable to grading, may be included by reference;

(g) The dates of the soils engineering and engineering geology reports, together with the names, addresses and phone numbers of the firms or individuals who prepared the reports.

(2) Soils Engineering and Engineering Geology Report. The soils engineering report required by subsection (1) shall include data regarding the nature, distribution and strength of existing soils, conclusions and recommendations for grading procedures, and design criteria for corrective measures, including buttress fills, when necessary, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by soils engineering factors, including the stability of slopes.

The engineering geology report required by subsection (1)(g) shall include an adequate description of the geology of the site, conclusions and recommendations regarding the effect of geologic conditions on the proposed development, and an opinion on the adequacy for the intended use of sites to be developed by the proposed grading as affected by geologic factors.

(3) Regular Grading Requirements. Each application for a grading permit shall be accompanied by a plan in sufficient clarity to indicate the nature and extent of the work. The plans shall give the location of the work, the name of the owner and the name of the person who prepared the plan. The plan shall include the following information:

(a) General vicinity of the proposed site;

(b) Limiting dimensions and depth of cut and fill;

<p>(c) Location of any buildings or structures where work is to be performed and the location of any buildings or structures within fifteen feet of the proposed grading;</p> <p>(d) Location of construction best management practices (BMPs) as required by the city's mandatory storm water BMP manual, as published by the city's public works department.</p> <p>The provisions of Section 303 of the Uniform Building Code are applicable to grading permits. The building official may require that grading operations and project designs be modified if delays occur which incur weather-generated problems not considered at the time the permit was issued.</p> <p>The building official may require professional inspection and testing by an approved special inspector. When the building official has reason to believe that geologic factors may be involved, the grading will be required to conform to engineered grading standards.</p>	
<p>18.45.040 WINTER (RAINY SEASON) GRADING RESTRICTIONS.</p> <p>(1) - (4)</p> <p>The rainy season shall be generally considered to occur between October 15th and April 1st of each year in the city of Santa Cruz.</p> <p>(1) Grading shall not occur during the rainy season on or within ten feet of any slope greater than thirty percent.</p> <p>(2) Grading on slopes between ten percent and thirty percent may be approved throughout the rainy season provided an erosion control system approved by an erosion-control specialist is in place and the project does not present a hazard. No such grading may take place if precluded by the conditions of any discretionary zoning permit.</p> <p>(3) Grading may be allowed on slopes of less than ten percent during winter months, provided positive erosion-control methods are placed to prevent off-site movement of materials.</p> <p>(4) All grading or other land disturbance, regardless of the time of year or weather conditions, shall employ best management practices (BMP's) as prescribed in this chapter.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>18.45.080 CUTS AND FILLS.</p>	<p>The project conflicts with this objective standard.</p>

(1) General. Unless otherwise recommended in the approved soils engineering or engineering geology report, cuts and fills shall conform to the provisions of this section.

Minor cuts and fills not intended to support structures or other surcharges may be approved in the absence of an approved soils report or have additional provisions waived by the building official on a case-by-case basis.

(2) Cut Slopes. The slope of cut surfaces shall be no steeper than is safe for the intended use and shall be no steeper than two horizontal to one vertical, unless the permittee furnishes a soils engineer or an engineering geology report, or both, stating the site has been investigated and giving an opinion that a cut at a steeper slope will be stable and not create a hazard to public or private property.

(3) Retained Cuts. As provided in Section 301(b)5 of the Uniform Building Code, retaining walls not over four feet in height measured from the bottom of the footing to the top of the wall are exempt from permit requirements. If such a wall is subjected to a surcharge, such as a structure or vehicle load, sufficient engineering shall be provided to demonstrate the adequacy of such a retaining wall to perform the function as designed and either an inclusive grading permit or building permit must be obtained depending upon the amount and depth of soil moved.

Cuts, regardless of height, which tend to alter the natural drainage of property and accelerate erosion, concentrate runoff, or otherwise create a hazardous condition, shall be reviewed by an engineer and permits obtained as provided for in this chapter.

(4) Fill Slopes. Fill slopes shall not be constructed on natural slopes steeper than 2 to 1. The ground surface shall be prepared to receive fill by removing vegetation, noncomplying fill, topsoil and other unsuitable materials, scarifying to provide a bond with the new fill and, where slopes are steeper than 2 to 1 and the height is greater than five feet, by benching into sound bedrock or other competent material as determined by the soils engineer. The bench under the toe of a fill on a slope steeper than 5 to 1 shall be at least ten feet wide. The area beyond the toe of the fill shall be sloped for sheet overflow or a

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The project must meet the California Building Code.

paved drain shall be provided. Such drains shall be constructed with energy dissipaters and shall discharge into an approved area. When fill is to be placed over a cut, the bench under the toe of fill shall be at least ten feet wide, but the cut shall be made before placing the fill and acceptance by the soils engineer or engineering geologist or both as a suitable foundation for fill.

(5) Fill Material. Detrimental amounts of organic material shall not be permitted in fills. Except as permitted by the building official, no rock, broken concrete, asphalt, or similar irreducible materials with a maximum dimension greater than twelve inches shall be buried or placed in fills. In areas where leaching of oil may be detrimental to the quality of the water table, permission shall first be obtained from the water department before placing any asphaltic materials. No soils containing hazardous or toxic material of any kind may be used as fill within the city limits.

Exception. The building official may permit placement of larger rock when the soils engineer devises a method of placement and continuously inspects its placement and approves the fill stability. The following shall also apply:

(a) Prior to issuance of a grading permit, provisions shall be made to separate organic materials, such as tree stumps and brush, as well as large rocks. An area for stockpiling shall be delineated on the grading plans as well as provisions for their disposition.

(b) Rock greater than twelve inches in size may be placed a minimum of ten feet under the surface of the finish grade. Soils shall be compacted in short lifts around such materials to assure adequate filling around the large rock and preventing voids.

(6) Compaction. All fills shall be compacted to a minimum relative density of 90%. The top eighteen inches may be excepted when no load is expected, and the slope does not exceed 2 horizontal to 1 vertical.

(7) Slope. The maximum slope of fill surfaces shall not exceed 2 horizontal to 1 vertical or steeper than is safe, whatever occurs first. Batter walls using only large aggregate may be accepted with proper engineering.

18.45.100 DRAINAGE AND TERRACING.

Drainage plans shall be prepared as provided in Section 24.14.050 of this code.

(1) – (5)

(1) Terraces. Terraces at least six feet in width shall be established at not more than thirty-foot intervals on all cut or fill slopes to control surface drainage and debris, except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than sixty feet and up to one hundred and twenty feet in vertical height, one terrace at approximately mid-height shall be twelve feet in width. Terrace widths and spacing for cut-and-fill slopes greater than one hundred and twenty feet in height shall be designated by the civil engineer and approved by the building official. Suitable access shall be provided to permit proper cleaning and maintenance.

Swales or ditches on terraces shall have a minimum gradient of 5% and must be paved with reinforced concrete not less than three inches in thickness or an approved equal paving. They shall have a minimum depth at the deepest point of one foot and a minimum paved area of five feet.

A single run of swale or ditch shall not collect runoff from a tributary area exceeding thirteen thousand five hundred square feet (projected horizontally) without discharging into a down drain.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

(2) Subsurface Drainage. Cut-and-fill slopes shall be provided with subsurface drainage as necessary for stability.

(3) Disposal of Drainage. All drainage facilities shall be designed to carry waters to the nearest practicable drainage way approved by the appropriate jurisdiction as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of nonerosive down drains and other devices.

Building pads shall have a drainage gradient of 2% minimum toward approved drainage facilities unless waived by the building official.

Exception. The gradient from the building pad may be 1% if all of the following conditions exist throughout the permit boundary area:

- (a) No proposed fill area greater than ten feet in maximum depth;
- (b) No proposed finish cut or fill slope faces have a vertical height in excess of ten feet;
- (c) No existing slope faces, which have a slope face steeper than 10 horizontal to 1 vertical have a vertical height in excess of ten feet.

(4) Interceptor Drains. Paved interceptor drains shall be installed along the top of all cut slopes where the tributary drainage area above the slopes toward the cut has a drainage path greater than forty feet measured horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or gunite and reinforced. They shall have a minimum depth of twelve inches and a minimum paved width of thirty inches, measured horizontally across the drain. The slope of drain shall be approved by the building official.

(5) Oil Separators. Interceptor drains receiving runoff from paved areas likely to be fouled with motor oil or grease shall be equipped with approved-type oil separators prior to discharge into any waterway.

<p>18.45.110 EROSION CONTROL.</p> <p>In addition to the erosion control requirements outlined in Section 24.14.060 (Erosion hazard areas), the following shall apply to all cut-and-fill slopes:</p> <p>The faces of cut-and-fill slopes shall be prepared and maintained to control against erosion. This control may consist of effective planting, use of armor rock, terracing, water breaks, check dams, cribbing, rip rap, or combinations thereof. The protection for the slopes shall be installed as soon as practicable and prior to calling for final inspection. During the approach of the rainy season, the contractor performing the work shall be prepared to install temporary measures as required to protect exposed areas until permanent measures can be taken. Where cut slopes are not subject to erosion, due to the erosion resistant character of the materials, such protection may be omitted with the permission of the building official.</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p>
<p>Resolution NS 29,484 – RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING RESOLUTION NO. NS-29-231 PERTAINING TO THE MASTER FEE SCHEDULE.</p> <p>Public Works Inspection Fees</p> <p>City of Santa Cruz Unified Master Fee Schedule.</p> <p>RESOLUTION NO. NS-29,484</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>Exhibit PW-C RESOLUTION NO. NS-29,484</p>
<p>10.16.010 AUTHORITY TO INSTALL TRAFFIC-CONTROL DEVICES</p> <p>(a) The city traffic engineer is hereby authorized to install, maintain, and remove any traffic-control device necessary to regulate, guide or warn traffic, and make effective the provisions of this title (Chapters 10.04 through 10.80) or the California Vehicle Code. These</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to provide adequate transportation</p>

installations or removals shall be based on sound traffic engineering principles and practices. Traffic-control devices shall be installed or removed in accordance with standards, limitations, and rules as set forth in this title (Chapters 10.04 through 10.80), or by city council ordinance or resolution, or any applicable provision set forth in the California Vehicle Code.

10.85.020 INTENT AND PURPOSE

(a) The city council of the city of Santa Cruz declares that:

(1) Adequate capital transportation improvements and facilities are needed to protect and advance the health, safety, and general welfare of the city's citizens;

10.08.060 CITY TRAFFIC ENGINEER

The office of city traffic engineer is hereby established The director of public works shall serve as city traffic engineer, and he shall exercise the powers and duties as provided in this title and in the traffic ordinances of this city Whenever the city traffic engineer is required or authorized to place or maintain official traffic-control devices or signals, he may cause such devices or signals to be placed or maintained.

10.08.070 POWERS AND DUTIES OF CITY TRAFFIC ENGINEER – DELEGATION

It is the general duty of the city traffic engineer to determine the installation and proper timing and maintenance of traffic-control devices and signals, to conduct engineering analyses of traffic accidents and to devise remedial measures, to conduct engineering and traffic investigations of traffic conditions and to cooperate with other city officials in the development of ways and means to improve traffic conditions, and to carry out the additional powers and duties imposed by ordinances of this city. Whenever, by the provisions of Chapters 10.08 through 10.60 a power is granted to the city traffic engineer or

improvements based on a city initiated traffic study.

<p>a duty imposed upon him, the power may be exercised or the duty performed by his deputy or by a person authorized in writing by him.</p>	
<p>10.16.040 INSTALLATION OF TRAFFIC SIGNALS</p> <p>(a) The city traffic engineer is hereby directed to install and maintain official traffic signals at those intersections and other places where traffic conditions are such as to require that the flow of traffic be alternately interrupted and released in order to prevent or relieve traffic congestion or to protect life or property from exceptional hazard.</p> <p>(b) The city traffic engineer shall ascertain and determine the locations where such signals are required by field investigation, traffic counts and other traffic information as may be pertinent and his determination therefrom shall be made in accordance with those traffic engineering and safety standards and instructions set forth in the California Maintenance Manual issued by the Division of Highways of the State Department of Public Works.</p> <p>(c) Whenever the city traffic engineer installs and maintains an official traffic signal at any intersection, he shall likewise erect and maintain at such intersection street name signs clearly visible to traffic approaching from all directions unless such street name signs have previously been placed and are maintained at any said intersection.</p> <p>CA MUTCD table with minimum sight distance:</p>	<p>The project conflicts with this objective standard.</p> <p>The project will be required to meet this standard as a condition of approval prior to building permit issuance.</p> <p>The project will be required to provide a minimum of 215 feet of sight distance to all traffic signals and devices pursuant to Table 4D-2 of the CA MUTCD.</p>

Table 4D-2. Minimum Sight Distance for Signal Visibility

85th-Percentile Speed	Minimum Sight Distance
20 mph	175 feet
25 mph	215 feet
30 mph	270 feet
35 mph	325 feet
40 mph	390 feet
45 mph	460 feet
50 mph	540 feet
55 mph	625 feet
60 mph	715 feet

Note: Distances in this table are derived from stopping sight distance plus an assumed queue length for shorter cycle lengths (60 to 75 seconds).

10.28.030 EMERGING FROM ALLEY, DRIVEWAY, OR BUILDING

The driver of a vehicle emerging from an alley, driveway or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or driveway.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The project will be required to provide adequate stop controls to ensure vehicles emerging from driveways stop prior to driving onto a sidewalk. At a minimum, stop sign and stop bar.

10.46.090 COMPLIANCE MEASURES FOR RESIDENTIAL DEVELOPMENTS OF TWENTY-FIVE OR MORE UNITS IN A SINGLE APPLICATION

Applications for residential developments in which twenty-five or more housing units are proposed shall meet the following criteria:

(4) Provide bus pull-outs, transit stops, shelters and amenities as part of the site plan;

M2.4.11 Provide safe and secure links to transit

M2.4.12 In coordination with the transit district, require development along arterial streets to provide adequate and accessible bus shelters, with curb cuts leading to the shelter and to destination and loading platforms. Cf. PR1.6.3.

Santa Cruz Metro Design Standards:

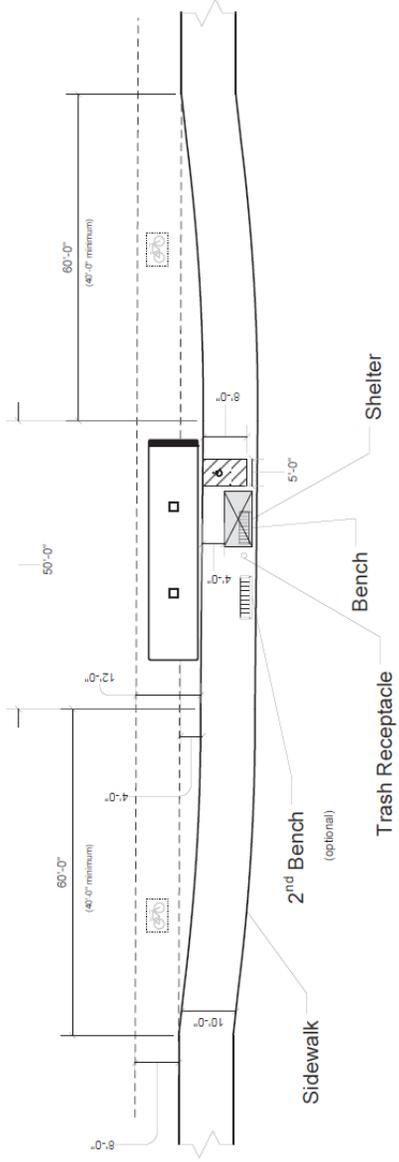
The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The project will be required to provide ADA compliant bus shelter and bus bay for the high quality transit corridor.

Typical Bus Stop Layout Attachment A With Shelter – Bus Bay and Bicycle Lane

Appendix C-8

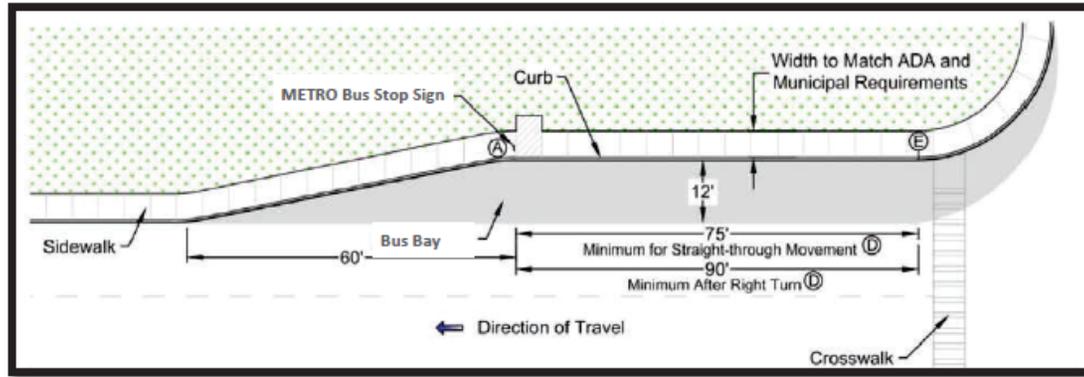


12A.49

Scale: 1/2"=1'-0"



Far Side Bus Bay:



Chapter 10.85 TRAFFIC IMPACT FEES FOR CAPITAL PROJECTS

10.85.010 AUTHORITY

The ordinance codified in this chapter is enacted pursuant to the Mitigation Fee Act, California Government Code Section [66000](#) et seq., and to the Charter City authority provided by the Constitution of the State of California.

10.85.020 INTENT AND PURPOSE

(a) The city council of the city of Santa Cruz declares that:

(1) Adequate capital transportation improvements and facilities are needed to protect and advance the health, safety, and general welfare of the city's citizens;

(2) The city of Santa Cruz provides transportation improvements, facilities and services for residents, businesses, visitors, and employees within the city;

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The project will be required to dedicate right-of-way and construct the southbound right turn lane on North Branciforte as included in the City adopted resolution NS-28,574. Existing, dedicated southbound bike lane shall remain in place.

They can be attached. But as a reminder, the most important thing the TIF requires here is that the

(3) New development within the city will create an additional burden on the existing transportation system;

(4) In order to implement the goals and objectives of the Santa Cruz general plan, to mitigate the impacts caused by new and anticipated development identified in the general plan, and maintain acceptable levels of traffic service within the city, traffic mitigation projects contemplated by and described in the general plan must be constructed;

(5) The city council has determined that a traffic impact fee is needed in order to finance these capital improvements and to pay for new development's fair share of the acquisition and improvement construction costs and other costs necessary or convenient to insure conformity to or implementation of the general plan;

(6) In establishing the fee described in the following sections, the city council has found the fee to be consistent with the general plan.

(b) This chapter applies to fees charged as a condition of development approval to defray the cost of certain transportation improvements required to serve new development within designated areas of the city of Santa Cruz. This chapter does not replace normal subdivision map exactions or other measures required to mitigate site specific impacts of a development project including, but not limited to, mitigations imposed pursuant to the California Environmental Quality Act; regulatory and processing fees; fees required pursuant to a development agreement; funds collected pursuant to a reimbursement agreement that exceed the developer's share of public improvement costs; or assessment district proceedings, benefit assessments, or taxes.

(c) Fees collected pursuant to this chapter are not intended to replace or limit requirements to provide mitigation of traffic impacts not mitigated by the traffic impact fee, created by a specific project, and imposed as conditions of approval upon development projects as part of the development review process.

developer must provide the southbound right turn lane on North Branciforte. The TIF resolution clearly states it as a mitigation measure.

Exhibit PW-D resolution NS-28,574

10.85.040 TRAFFIC IMPACT FEE

(a) A traffic impact fee is hereby established to be assessed in connection with the issuance of any development permit for development in areas of the city designated by city council resolution. In accordance with the general plan, the fee shall be used to pay costs associated with the mitigation of traffic impacts attributable to the development that is the subject of the permit. The city council shall, in a city council resolution, set forth the specific amount of the fee, describe the benefit and impact areas on which the traffic impact fee is imposed, list the specific capital improvements to be financed, describe the estimated cost of these facilities, describe the reasonable relationship between this fee and the various types of new developments, and set forth time for payment.

(b) To the extent that the traffic impact fee includes components for financing projects already included in fees collected under other city ordinances, such other fees, when paid, shall be a credit against the appropriate components of the traffic impact fee. To the extent that some or all of the project financing or to be financed by the traffic impact fee are financed through a community facilities district, special assessment district or other financing mechanism, participation in such other financing mechanism shall be a credit against the appropriate component of the traffic impact fee.

(c) As described in the fee resolution, this traffic impact fee shall be paid by each developer either prior to issuance of a building permit or prior to issuance of a certificate of occupancy of the commercial or industrial project or the respective dwelling units in a residential project, or at such earlier time permitted by law, as set forth in, if applicable, Government Code Section [66007](#) or successor legislation.

From Resolution NS-28,574:

Resolution No. NS-28,574

Intersection	Control	Cumulative Delay	Cumulative Mitigation	Mitigated LOS	Mitigated Delay	Estimated Cost
#2930 Pacific/Water-Mission	Signal	24.8				
#2931 River/Water	Signal	49.4				
#2932 Ocean/Washburn-Keenan	Signal	13.3				
#2933 Ocean/Water	Signal	172.7	Ebnd 2l, 2t, 1r, wbnd 1l, 2t, 1r, nbnd 1l, 2t, 1r, sbnd 2l, 2t, 1r	F	135.1	\$ 4,000,000
#2934 Market/Water	Signal	34.2				
#2935 N. Branciforte/Water	Signal	76.1	Add ebnd l, nbnd r & sbnd r	E	57.2	\$ 2,000,000
#2936 Seabright/Water	Stop	OVER	Extend TWLTL & add nbnd r	E	40.4	\$ 100,000
#2937 Morrissey/Soquel/Water	Signal	43.2				
#2938 Frederck/Soquel	Signal	55.7	Add nbnd r overlap	D	38.5	\$ 250,000
#2939 Hagemann-Trevethan/Soquel	Signal	11.4				
#2940 Park/Soquel	Signal	20.6				
#2941 Capitola Rd/Soquel Av	Signal	25.4				
#2942 La Fonda Av/Soquel Av	Signal	10.8				
#2943 California Ave/Bay	3-way stop	188.5	Allow nbnd t free	E	38.3	\$ 250,000
#2944 California St/Bay	3-way stop	OVER	Allow sbnd t free	B	13.9	\$ 250,000
#2945 California St/Laurel St	Signal	33.5				
#2946 Chestnut/Laurel	Signal	31.9				
#2947 Center/Laurel	Signal	25.3				
#2948 Cedar/Laurel	2-way stop	27.3				
#2949 Pacific/Laurel	Signal	46				
#2950 Front/Laurel	Signal	41.8				
#2951 Front/Metro Center	Signal	2.6				
#2952 Front/Cathcart	Signal	9				
#2953 Front/Soquel	Signal	33.3				
#2954 Front/Cooper	Signal	9.7				
#2955 River St/Soquel	Signal	19.1				
#2956 Riverside-Dakota/Soquel	Signal	7.5				
#2957 Ocean St/Soquel Av	Signal	51.3				
#2958 Branciforte/Soquel	Signal	67	Esbnd 1 l, 1t, 1 r, wsbnd 1l, 1r no split phase	C	24.8	\$ 250,000
#2959 Seabright/Soquel	Signal	42.4				
#2960 San Lorenzo Blvd/Broadway(Laur)	Signal	19.2				
#2961 Ocean St/Broadway	Signal	95.1	Prohibit lfts from Ocean	D	38.2	\$ 50,000
#2962 S Branciforte/Broadway	Signal	18.2				
#2963 Seabright/Broadway	Signal	29.7				

24.12.250 BIKE PARKING REQUIREMENTS

1. Bicycle parking facilities shall be provided for any new building, addition or enlargement of an existing building, or for any change in the occupancy, except when the project property is located within the Parking District Number 1.

2. Bike Spaces and Type Required. Bicycle parking facilities’ quantity and type shall be provided in accordance with the following schedule, with fractional quantity requirements for bike parking over one-half to be rounded up. Each bicycle parking space shall be no less than six feet long by two feet wide and shall have a bicycle rack system in compliance with the bike rack classifications listed in subsection (3). Fractional amounts of the type of parking facilities may be shifted as desired:

		Number of Bicycle Parking Spaces Required	Classification
a.	Commercial, industrial, office, retail, service		20% Class 1 80% Class 2
	Number of auto parking spaces	2 + 15% of auto parking requirement	
b.	Multifamily residential (3 or more units)	1 space per unit	100% Class 1 garages or secure accessible indoor areas count One space per four units Class 2
c.	Public or commercial recreation	35% of auto parking	10% Class 1 90% Class 2

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

The project will be required to have adequate bike parking spaces and types.

24.12.250 part 2(a)- If using Gov Code § 65913.4 to prohibit the application of parking requirements, project requires two Class 2 bicycle parking spaces for the commercial component. These are not currently shown on the plans.

24.12.250 part 2(b)- the project requires one Class 1 parking space per multifamily unit and one Class 2 bicycle parking space per four units for multifamily projects. For this 145 unit project, that results in 145 Class 1 bicycle parking spaces and 36 Class 2 bicycle parking spaces. Currently, the plan set shows 108 bicycles in “bike shacks” on page B1.1

d.	Schools	1 space per 3 students	100% Class 2 secured, covered
e.	Park-and-ride lots and transit centers	35% of auto parking	80% Class 1 20% Class 2
f.	Lodging	1 space per 5 units	10% Class 1 90% Class 2

3. Classification of Facilities.

- a. “Class 1 bicycle facility” means a locker, individually locked enclosure or supervised area within a building providing protection for each bicycle therein from theft, vandalism and weather.
- b. “Class 2 bicycle facility” means a stand or other device constructed so as to enable the user to secure by locking the frame and one wheel of each bicycle parked therein. Racks must be easily usable with both U-locks and cable locks. Racks should support the bikes in a stable upright position so that a bike, if bumped, will not fall or roll down. Racks that support a bike primarily by a wheel, such as standard “wire racks,” are damaging to wheels and thus are not acceptable. (See Bikes are Good Business design guidelines.)

4. Location and Design of Facilities.

- a. Bicycle parking should be located in close proximity to the building’s entrance and clustered in lots not to exceed sixteen spaces each.
- b. Bicycle parking facilities shall support bicycles in a stable position without damage to wheels, frame or other components.
- c. Bicycle parking facilities should be located in highly visible, well-lighted areas to minimize theft and vandalism.

The calculations on Sheet B0.2 are incorrect and should be updated to reflect the accurate requirements.

Sheet B1.1 shows two adjacent “bike shacks” that accommodate 108 bicycles. There are no details included on how these “shacks” meet the requirements of Class 1 bike parking to be either a “locker, individually locked enclosure or supervised area within a building providing protection therein from theft, vandalism, and weather” as set forth in SCMC 24.12.250 part 3(a).

None of the required Class 2 bicycle parking spaces for the multifamily component are currently shown on the plan set. These 36 spaces shall comply with SCMC 24.12.250 part 4 and be clustered in groups of no more than 16 bicycle parking spaces, be located in highly

- d. Bicycle parking facilities shall be securely anchored to the lot surface so they cannot be easily removed and shall be of sufficient strength to resist vandalism and theft.
- e. Bicycle parking facilities shall not impede pedestrian or vehicular circulation, and should be harmonious with their environment both in color and design. Parking facilities should be incorporated whenever possible into building design or street furniture.
- f. Racks must not be placed close enough to a wall or other obstruction so as to make use difficult. There must be sufficient space (at least twenty-four inches) beside each parked bike that allows access. This access may be shared by adjacent bicycles. An aisle or other space shall be provided to bicycles to enter and leave the facility. This aisle shall have a width of at least six feet to the front or rear of a bike parked in the facility.
- g. Paving is not required, but the outside ground surface shall be finished or planted in a way that avoids mud and dust.
- h. Bike parking facilities within auto parking areas shall be separated by a physical barrier to protect bicycles from damage by cars, such as curbs, wheel stops, poles or other similar features.

5. Variation to Requirements.

- a. Substitution of Car Parking with Bike Parking. New and preexisting developments may reduce up to ten percent of their parking requirement with the provision of unrequired additional bike parking, as long as the spaces are conveniently located near the entrance. This parking reduction must yield at least six bike parking spaces per converted auto space.
- b. Where the provision of bike parking is physically not feasible the requirements may be waived or reduced to a feasible level by the zoning administrator in accordance with city bike parking standards for existing buildings.

visible and well lit areas, be securely anchored, have a minimum of 24" beside each bicycle and aisles of at least 6'. Any bicycle parking within auto parking areas shall be separated from autos by a physical barrier. All bike parking shall not impede pedestrian circulation.

6.12.050 STORAGE OF RECEPTACLES.

Containers or receptacles must be stored in a manner which facilitates a safe and sanitary condition and which does not impose a barrier to efficient and physically safe collection by city collection crews as determined by the director of public works. All receptacles or containers shall be stored in a manner as to prevent their contents from being scattered or carried by wind or water in a fashion which causes the accumulation of litter or an unsightly, unsafe or unsanitary condition to exist.

All containers or receptacles containing acceptable wastes or recyclables produced by any commercial or industrial establishment shall be placed for collection at a convenient and accessible place on the premises of the producer, unless special permission is obtained from the director of public works to place the containers or receptacles on public property.

Development permit applications for all industrial, institutional, commercial, professional office and residential developments having more than two units in each structure shall be reviewed by the director of public works to assure that sufficient space is provided in accordance with this section.

In all cases of dispute or complaints concerning the place where refuse or receptacles shall be placed while awaiting the removal of their contents and the same is not specifically fixed by this chapter, the director of public works shall forthwith designate the place and such decision shall be final.

The project conflicts with this objective standard.

The project will be required to meet this standard as a condition of approval prior to building permit issuance.

**City Standard Details & City Standard Specifications attached:
Exhibit PW-E**