
SAND CITY DESIGN REVIEW COMMITTEE

AGENDA

MEETING DATE

Friday, November 20, 2020
12:00 Noon

LOCATION

Sand City Council Chambers
1 Pendergrass Way
Sand City, CA 93955

THIS MEETING WILL BE HELD VIRTUALLY AND IS COMPLIANT WITH THE GOVERNOR'S EXECUTIVE ORDER N-29-20 ALLOWING FOR A DEVIATION OF TELECONFERENCE RULES REQUIRED BY THE BROWN ACT.

TO PARTICIPATE IN THE ZOOM DESIGN REVIEW COMMITTEE MEETING LIVE:

<https://us02web.zoom.us/j/87430970097>

Meeting ID: 874 3097 0097

To participate telephonically by calling the number below:

+1 669 900 6833

Meeting ID: 874 3097 0097

If prompted to enter a participant ID, Press #

How to submit written Public Comments:

If any member of the public would like to provide written comments at the meeting, please do as set forth below.

Written: All comments received before 8:00 a.m. the day of the meeting will be posted on the City's website as "Correspondence" under the relevant agenda item and provided to the Design Review Committee members at the meeting. Please email your comments to chuck@sandcityca.org. If you want the comment read aloud, prominently write "Read Aloud at Meeting" at the top of the email and your comments will be read into the record (not to exceed three minutes at staff's cadence).

DURING EACH MEETING, members of the public may participate by calling and speaking live during the designated time(s), subject to time limits that may be imposed pursuant to the Brown Act at the number provided above.

- 1. CALL TO ORDER / ROLL CALL**
Committee Member Greg Hawthorne
Committee Member Elizabeth Sofer
Committee Member John Lewis

Committee Member Chris Barlow
Committee Member Paul Davis (Chairman)

2. COMMUNICATIONS FROM THE FLOOR

NOTE: Under Communications, any member of the public may address the Committee for a period not to exceed three minutes on an item not on the agenda that is within the Committee's jurisdiction.

A. Oral & Written Communications

3. CONSENT CALENDAR

A. Receipt and approval of August 9, 2019 Action Minutes.

4. PUBLIC HEARINGS

A. Discussion and consideration of architectural design, materials, and features for Luke Kilpatrick's residential deck project at 1875 Ocean View Avenue.

B. Discussion and consideration of architectural design, materials, and features for Bill Taormina's Live Work development project at 445 Orange Avenue.

5. NEW BUSINESS

A. Comments by Design Review Committee Members and Items of Interest to Sand City.

6. ADJOURNMENT

This is intended to be a draft agenda. The City reserves the right to add or delete to this agenda as required.

A member of the public may address the Committee on any scheduled agenda item as that item comes up during the meeting. Copies of Sand City agendas and background reports are available at the City Hall, City of Sand City.

AGENDA ITEM 3A

SAND CITY DESIGN REVIEW COMMITTEE

ACTION MINUTES

MEETING DATE

August 9, 2019
Friday
12:00 Noon

LOCATION

Sand City Council Chambers
1 Pendergrass Way
Sand City, CA 93955

1. CALL TO ORDER / ROLL CALL

Meeting Commenced at 12:00 Noon.

Committee Member Greg Hawthorne	Present
Committee Member Elizabeth Sofer	Present
Committee Member Don Davis	Absent
Committee Member (vacant position)	
Committee Member Paul Davis (Chairman)	Present

Staff: Charles Pooler - City Planner

2. COMMUNICATIONS FROM THE FLOOR

NOTE: Under Communications, any member of the public may address the Committee for a period not to exceed three minutes on an item not on the agenda that is within the Committee's jurisdiction.

A. Written comments - None. Oral Comments - None.

3. CONSENT CALENDAR

A. Receipt and approval of March 8, 2019 Action Minutes.

Motion to approve minutes of March 8, 2019 was made by Committee Member Hawthorne, seconded by Committee Member Sofer. **AYES:** Committee Member Hawthorne, Sofer, and P. Davis. **NOES:** None. **ABSENT:** D. Davis. **ABSTAIN:** None. Motion carried.

4. PUBLIC HEARINGS

A. Discussion and consideration of Design Permit 19-01 for exterior architectural modifications to an existing commercial restaurant at 990 Playa Avenue in the Sand Dollar Shopping Center.

Staff summarized key points of the project and staff report.

Floor Opened 12:07 p.m.

Mr. Craig Blume from Core States Group, representing the McDonald's project addressed the Committee. Mr. Blume summarized the proposal of the project and addressed various questions of the Committee.

There were no other public comments.

Floor Closed 12:14 p.m.

DRC members asked several questions for clarification on a few details. The DRC found the use of materials, colors, and the overall design acceptable.

Motion to approve the design with modifications to the roof materials/colors and forward Committee comments to the City Council was made by Committee Member Hawthorne, seconded by Committee Member Sofer. **AYES:** Committee Member Hawthorne, Sofer, P. Davis. **NOES:** None. **ABSENT:** D. Davis. **ABSTAIN:** None. Motion carried.

5. NEW BUSINESS

- A. Discussion of candidates for City Council consideration in filling the vacant DRC member position.

Staff summarized outreach through American Institute of Architects Monterey Bay chapter with two respondents of interest. It was the consensus of the DRC that both candidates have the qualifications to serve and positively contribute to the Committee. Mr. Barlow can contribute his professional architectural experience and Mr. Lewis can contribute his construction trade knowledge.

- B. Comments by Design Review Committee Members and Items of Interest to Sand City.

No Discussion.

6. ADJOURNMENT

Motion to adjourn by Committee Member Hawthorne, seconded by Committee Member Sofer. **AYES:** Committee Members Hawthorne, Sofer, P. Davis. **NOES:** None. **ABSENT:** Committee Member D.Davis **ABSTAIN:** None. Motion carried.

Meeting Adjourned 12:32 p.m.

Charles Pooler, City Planner

Date of DRC approval

AGENDA ITEM 4A

CITY OF SAND CITY

STAFF REPORT

OCTOBER 16, 2020
(For DRC Consideration on November 20, 2020)

TO: Design Review Committee (DRC) Members

FROM: Charles Pooler, City Planner

SUBJECT: Architectural & Site Plan Review and Recommendations for a residential deck at 1875 Ocean View Ave.

BACKGROUND

An application was submitted by Luke Kilpatrick (the "Applicant"), as the property owner and occupying resident, for entitlement permit approval(s) to construct an elevated 2nd level deck at the north corner and along the northwest rear and southwest side of an existing single-family residence (the "Project") located at 1875 Ocean View Avenue (APN 011-131-017) in Sand City (the "Subject Property"). The Subject Property has a Medium-Density Residential Planned Unit Development (R2-PUD) zoning designation that was adopted and implemented in 2006 (City Ordinance 06-02). The Project requires architectural and site plan review. The Project's architecture and site design is subject to review by the City's Design Review Committee (the "DRC") in making recommendations to the City Council who will then act to issue a conditional use permit as a combined design and site plan review and approval as allowed under Sand City Municipal Code (SCMC) section 18.72.030(B). The Project also requires an amendment of the setback standards of the Subject Property's site specific R2-PUD zoning to allow the reduced setbacks of the proposed deck and deck walkway. The Project at the Subject Property qualifies as a categorical exemption, under State CEQA (California Environmental Quality Act) Guidelines, section 15303(e).

Site Description:

The Subject Property is 3,750 square feet (50-feet wide & 75-feet deep) fronting the corner intersection of Fell Street and Ocean View Avenue. There are neighboring residential units to the side and rear, with new housing currently under construction across Fell Street. The site facilitates a 2-story single-family dwelling of 2,284 square feet (includes 520 sq.ft. garage) that underwent improvements in the late 2000's within the purview of Site Plan Permit 06-05 (SP 06-05) and Design Permit 06-05 (DP 06-05). Those improvements included plastering and painting the chimney and applying a board-n-baton facade treatment to the exterior. That permit also authorized a new 10'x12' deck at the rear and a new building addition for a modified entry; however, those improvements were never built. Currently, the building has an exterior stairway along the Fell Street building elevation to the upper level entry. The Applicant proposes to rebuild this stairway at the same location and to extend a deck walkway around the side and back of the house to

connect with the newly proposed rear deck. The structure currently sits on two legal lots (lots 1 & 3 of Block 7) on one assessor parcel (APN 011-131-017); where those two lots should be merged into one (1) lot as a condition of Project approval. Existing utilities (i.e. gas, electricity, sewer, water, phone, etc) are all currently provided to the Subject Property. There are currently no curbs, gutters, or sidewalks along either the Fell Street or Ocean View Avenue property frontages.

DISCUSSION

Project Description:

The Applicant proposes to construct an elevated 2nd level deck at the rear of his existing single family dwelling to include a hot tub. The main deck area will measure 13'-7" by 25'-9", with a 5'-0" side setback to the northeast and a 4'-8.5" rear setback to the northwest. The deck would then extend as a 4'-8" wide walkway (with exception to a 3'-0" width at the chimney) along the remainder of the rear elevation to the west corner and wrap around and continue to the existing stairway (to be rebuilt as part of the Project) on the southwest elevation facing Fell Street. The proposed new decking would encompass a total of 481 square feet.

The proposed deck at the rear will consist of wood frame construction with a board-n-baton facade siding along the deck railing that will match the existing facade treatment of the house. A tempered glass windscreen will sit atop the railing with copper cap. The deck's walkway along the rear and side will have 2"x2" pickets with a 42-inch high railing. These design elements are consistent with the "Seaside" style architecture encouraged for the East Dunes. The deck posts will have visible cross bracing on the support posts below the deck in accordance with engineering specifications. No modification of the existing residential building's facade, footprint, height, or roof style or pitch are proposed with this Project. A plan check review by the City's building department and issuance of a building permit will be required prior to commencing construction of the Project.

Land Use: The Subject Property has a non-coastal zoning designation of Medium Density Planned Unit Development (R2-PUD) that was adopted in 2006 to address setback issues the existing building had with its previous High-Density Residential (R-3) zoning. The R2-PUD Zoning for the Subject Property specifies a maximum of one (1) primary residential dwelling unit on a minimum lot area of 3,750 square feet. The existing structure and residential occupancy thereof is consistent and compliant with this requirement. The proposed Project augments, and is accessory to, the existing and permitted residential use of the Subject Property, and is therefore consistent with the residential use and density requirements specified by this R2-PUD.

Setbacks: The R2-PUD zoning for the Subject Property identifies setback requirements for the building. As this deck will become an integral part of the building, those setback requirements are applicable to the Project. The R2-PUD zoning specifies a right-side (north) setback of 9-feet and a rear (west) setback of 10.5-feet that reflects the existing building, but conflicts with the Project's 5'-0" side setback and 4'-8.5" rear setback. The proposed reduced setback at the rear is necessary to provide a minimum 3'-0" width of the walkway around the existing rear chimney.

Northeastern Side Setback: A side setback of 5-feet is a common design standard for single family residential development. The property abutting the Subject Property has a 3'-0" side setback. When combined with a reduced 5'-0" setback for the Project, a total 8'-0" separation would be provided between the neighboring structures. Staff finds this acceptable in this circumstance as the Project is for an open deck, not an enclosed expansion of the primary structure. The house will maintain its current 9'-0" side setback to the northeast.

Rear Setback: For the East Dunes Planning District, staff has traditionally applied a site design methodology (based on the draft East Dunes Specific Plan drafted in the 1990's but not formally adopted) where the front and rear setbacks cumulatively would be a total of sixteen feet (16'), with a minimum 1-foot front setback for living space (not garage). This site design method is intended to encourage variation and shifting of front and rear setbacks of side-by-side properties to provide greater site design flexibility and avoid structures from having the same front and rear setbacks. It is also intended to bring living areas forward and recess garages back from the front. The front setback of the Subject Property is 27'-0" from the house to the Ocean View property line and 17'-0" feet from the existing front deck to the same front property line. Providing a 4'-8" rear setback for the rear deck in addition to the 17'-0" front setback of the existing deck provides a combined distance of 21'-8" feet, which satisfies the draft East Dunes Specific Plan methodology of a minimum combined front+rear 16'-0" setback. Furthermore, such reductions in setbacks for the Project do not impede or reduce existing on-site parking availability, and is consistent with minimum building and fire code requirements. The house will maintain its current 10'-0" rear setback to the northwest with the exception of the chimney that legally encroaches in accordance with Municipal Code section 18.78.050(B).

In order to proceed, the Project would need either a variance to, or an amendment of, the R2-PUD zoning, subject to City Council approval. As there is no hardship created by unique physical characteristics of the Subject Property, there is not a sufficient finding for granting a variance for the Project. However, amendment of the R2-PUD to adjust the setbacks to accommodate the Project can be justified in that a PUD zoning typically allows for more flexible site specific zoning specifications as compared to standard area-wide code requirements. Staff supports amending the R2-PUD zoning standards of the Subject Property to establish reduced setbacks for the elevated open deck that decreases the side setback to five feet (5'-0") and to decrease the rear setback to four-feet eight-inches (4'-8") for only the open deck and deck walkway while maintaining the existing setback requirements for the primary structure (see Attachment 2 of this report). Furthermore, the conditional use permit (with combined design permit and site plan permit) should be conditioned as to not be in effect unless and until an ordinance is adopted by the City Council to amend the Subject Property's R2-PUD Zoning that allows the reduced setbacks for the Project. Amendment of Ordinance 06-02 qualifies for a categorical exemption in accordance with CEQA Guideline section 15305.

Parking: The Subject Property currently provides two (2) off-street parking spaces, one within an enclosed garage and one on the 27-foot deep driveway fronting Ocean View Avenue; which satisfies the minimum off-street parking requirement of the Subject Property's PUD zoning. The Project to build a deck does not require any additional off-street parking to be provided, nor will it impact or reduce existing on-site parking.

Architecture & Site Design: The Project's proposed architectural treatments of board-n-batten siding for the primary deck area railing with glass windscreen panels atop and the 2"x2" pickets with a 42-inch high railing for the deck walkway and stairway are all consistent and compatible with both the structure's current architectural elements and with a "Seaside" architectural style encouraged for the East Dunes. The support posts for the primary deck area at the north rear corner of the Subject Property will have exposed cross bracing in accordance with engineering specifications. As the posts and cross bracing for the primary deck are at the north corner of the site that will not be plainly visible from public rights-of-way, staff is not recommending visual screening. There are no windows or doors on the rear elevation that would otherwise be impacted by the deck's support structure. Posts for the elevated deck walkway along the Fell Street frontage will be visible, but integrates into the design of the primary dwelling structure. The Project does not propose any modification of the building's current footprint, height, facade treatments, floor plan, parking layout, or roof style or pitch.

Parcel/Lot Merger:

The Subject Property consists of two (2) lots (Lots 1 & 3 of Block 7) within one (1) assessor's parcel (APN 011-131-017) (see Exhibit A). To reflect both the existing single family dwelling and the Project, all existing lots of the Subject Property should be merged into a single lot within the parcel as a condition of permit approval (see draft permit Condition No. I-1). The methodology (i.e., lot line adjustment, lot merger, etc.) by which these lots are merged and then recorded should be subject to the City Engineer. The documents for the lot merger shall be subject to the City's Planning and Engineering Departments' review and approval prior to final recording with the Monterey County Recorder. The Applicant would be responsible for paying all expenses and fees associated with either review and final recording of the merger documents.

Water:

The Applicant proposes to install a hot tub in the new deck area. Staff contacted the Monterey Peninsula Water Management District (MPWMD) to verify water requirements for a hot tub. According to MPWMD staff, a hot tub is exempt and does not require an allocation of water. Furthermore, no other water fixtures are proposed with this Project. Therefore, no allocation of water from the City's water entitlement (desalination facility) is necessary. The permit should contain the standard condition stating that approval of a permit for the Project does not automatically or arbitrarily grant the Applicant and/or property owner to any right or privilege for an allocation of water from the City and/or any other agency/entity.

Stormwater Control:

The Project is for the construction of a deck on a residential property. The elevated deck and walkway area will encompass 481 square feet, which does not trigger storm water

management requirements for residential properties as it is below the 2,500 square foot threshold. The existing structure and pavement on the Subject Property will remain unchanged. Therefore, storm water control regulations do not apply to this application and no storm water control improvements are required. However, Better Management Practices (BMPs) will be required during Project construction, which will be subject to plan check review by the City prior to issuance of a building permit.

CEQA Review:

The Project at the Subject Property qualifies as a categorical exemption, under State CEQA (California Environmental Quality Act) Guidelines, section 15303(e). The Project is the construction of a 481 square foot exterior deck attached to the existing residential building. The deck area is not more than 50% of the existing building's floor area, nor exceed 2,500 square feet. Therefore, the Project qualifies for the exemption under this criteria.

Covid-19 Epidemic:

Issuance of entitlement permits for the Project do not override any Federal, State, or County orders that may impact the Project in terms of construction or use during a pandemic. The entitlement permit(s) for the Project outlines the authorized development and the conditions and restrictions upon the Applicant for the Project during normal circumstances. The Applicant will be subject to the Monterey County Health Department as to determine the conditions and restrictions that would impact and/or limit construction/use of the Project during the current pandemic.

City Council: The City Council is scheduled to hold a public hearing on Tuesday, December 1, 2020, at 5:30 p.m. to consider the overall Project, the recommendations of City staff and the Design Review Committee, and take action on the Project. Under the zoning regulations intended to streamline the permitting process (SCMC section 18.72.030(B), the Design Permit and Site Plan Permit requirements, based on recommendations of the Design Review Committee, will be incorporated into a single conditional use permit (CUP) for City Council action. A draft of that permit is attached for DRC reference and comment.

Advisory Agencies:

Information on the Project was circulated to the City's advisory agencies. The Seaside County Sanitation District expressed no concern with the Project. The Fire Department commented that if the existing residence currently has fire sprinklers, then they will need to be updated for egress under the new deck per NFPA 13. The Building Department commented that the plans look good from a code perspective and they expect few if any corrections for the Project design. No other comments were received at the time of preparing this report.

RECOMMENDATION

Staff intends to recommend the City Council **APPROVE** the following:

1. Conditional Use Permit (combined Design Permit and Site Plan Permit) for the Project, with the conditions/restrictions proposed by staff and the DRC.
2. Ordinance (for 1st reading) to amend the Subject Property's medium density residential

Planned Unit Development (R2-PUD) to add reduced setback standards for open decks attached to the building.

Findings for Approval:

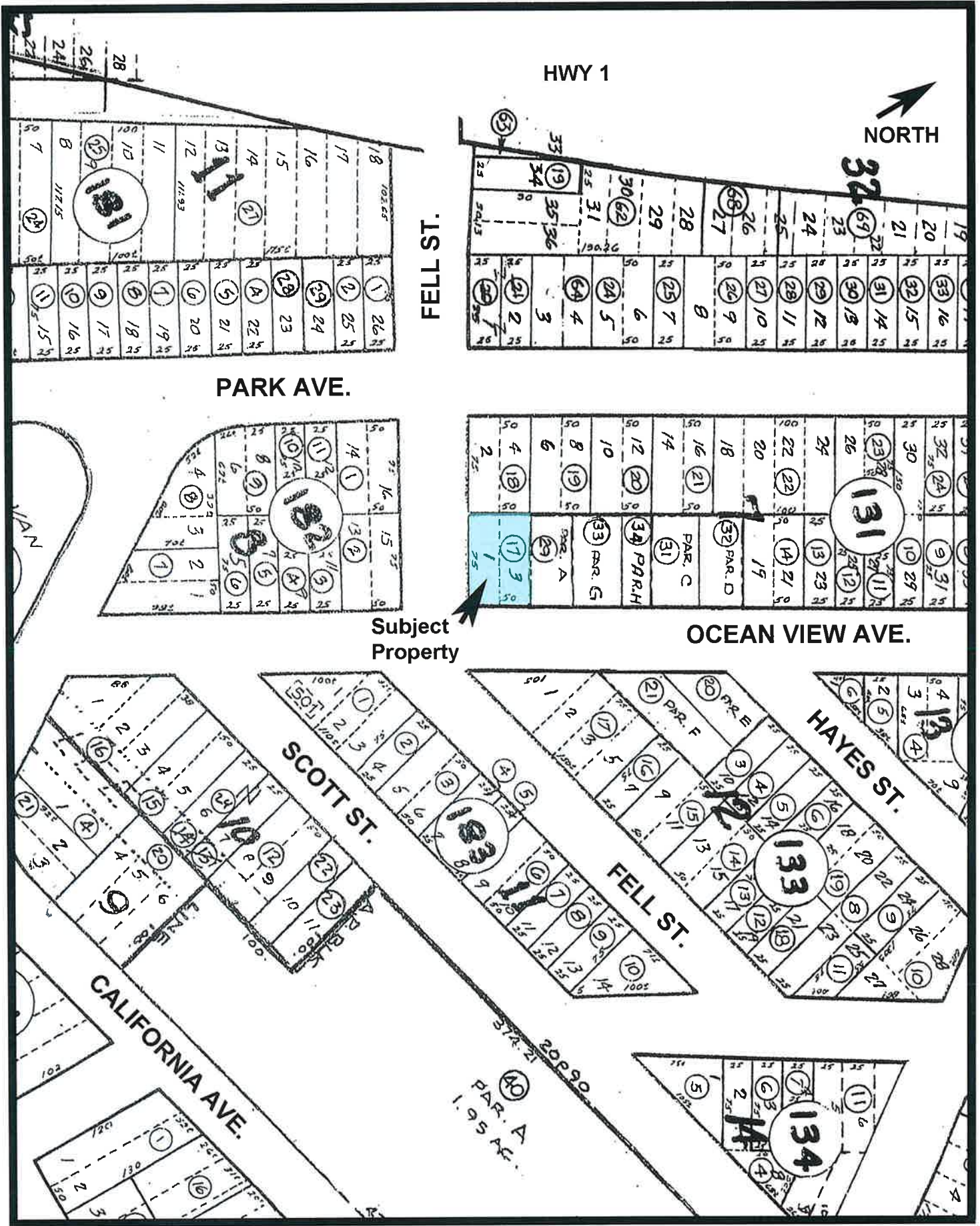
1. The Project is compatible with the residential use of the Subject Property and the residential uses of neighboring properties.
2. The Project's proposed architectural treatments of board-n-batten siding for the deck railing, glass windscreen panels atop railing, and 2"x2" pickets with a 42-inch high railing for the deck walkway are all consistent and compatible with both the structure's current architectural facade elements and with a "Seaside" architectural style encouraged for the East Dunes Planning District.
3. The Project will not alter the existing building's footprint, height, facade treatments, floor plan, parking layout, or roof; nor does it change the residential use or density of the Subject Property.
4. The merger of the Subject Property's two lots (Lots 1 & 3 of Block 7) within Assessor Parcel 011-131-017 is necessary to properly reflect the existing residential dwelling and the proposed Project and bring the Subject Property into greater consistency with contemporary site design standards.
5. The intended setbacks for the Project's deck, deck walkway, and exterior stairway are relatively consistent/compatible with elevated decks of abutting and neighboring residential properties.
6. The amendment(s) of the Subject Property's PUD zoning will be in harmony with deck setbacks and residential uses of adjoining residential properties, nor will such amendment(s) create traffic or a need for additional off-street parking.
7. The added 481 square feet of the Project does not trigger requirements for on-site storm water control infrastructure; however, appropriate Better Management Practices will still be required in accordance with Federal, State, and local requirements during construction.
8. In accordance with the information provided by the Monterey Peninsula Water Management District (MPWMD), the proposed open deck and hot tub do not require a water allocation, and thus existing on-site water credit is sufficient to accommodate the Project.
9. The Project at the Subject Property qualifies as a categorical exemption, under State CEQA (California Environmental Quality Act) Guidelines, section 15303(e) and amending the PUD zoning of the Subject Property is also exempt per CEQA Guideline section 15305.

Exhibits:

- A. Location Map
- B. Aerial Site Map (via Google Earth)
- C. Site Photograph (via Google Earth)
- D. Site Plan (submitted by Applicant)
- E. Applicant's Letter of Intent
- F. Submitted Plans (11"x17")

Attachments:

1. Draft Resolution to be considered by City Council to approve a Conditional Use Permit for the Project



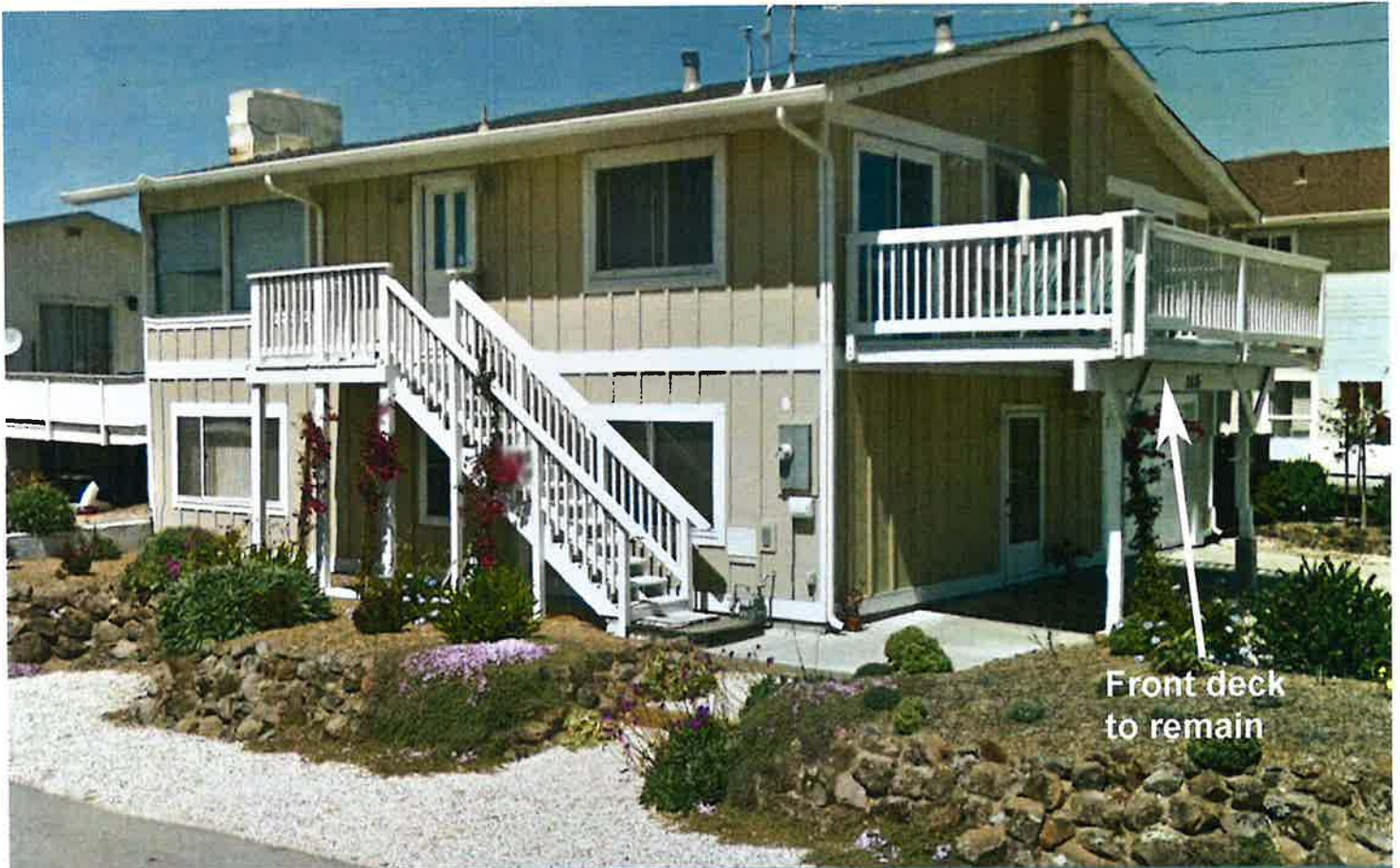
Location Map

EXHIBIT A



Aerial Map (via Google Earth)

EXHIBIT B



Front deck to remain



Primary deck area at rear

Railing to be extended around corner to back.

Views from Fell Street

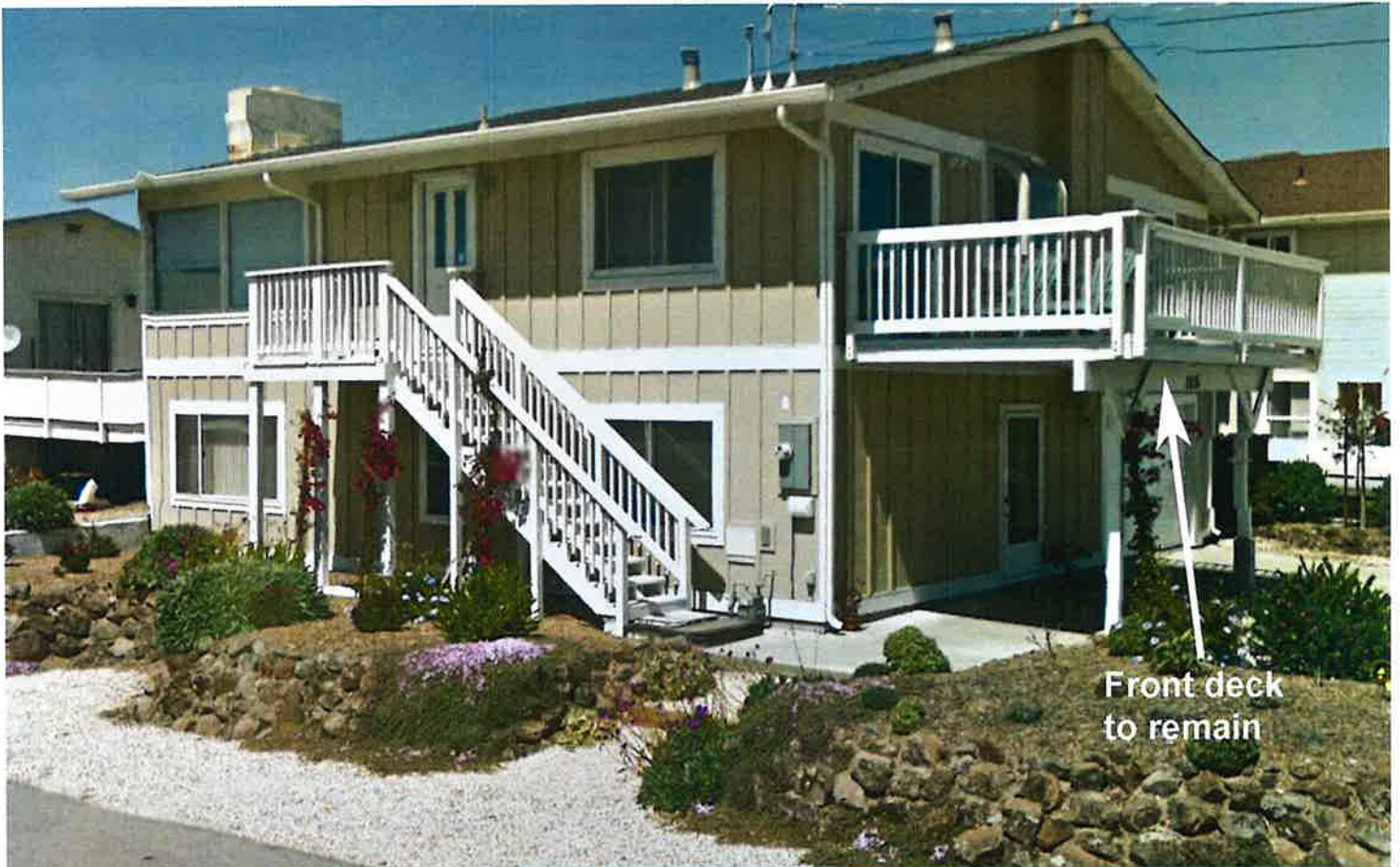
Google

Site Photos (via Google Earth)



Front Elevation facing Ocean View Avenue

Site Photos (via Google Earth)



Front deck to remain



Primary deck area at rear

Railing to be extended around corner to back.

Views from Fell Street

Google



Front Elevation facing Ocean View Avenue

Luke Kilpatrick

1875 Ocean View Ave
Sand City, CA 93955
(650)-745-5302
luke@lukek.ca

6th October 2020

Sand City Design Review Committee

1 Pendergrass Way
Sand City, CA 93955
(831) 394-3054

Dear Design Review Committee,

Thank you for reviewing my plans and application for my deck project. Due to the deterioration of the current deck structure on the Fell st side of my property a replacement stair way and walk way is needed. While replacing this walk way, my intent is to extend it around the rear of the house and add usable space in the back yard which currently does not have a good use due to its size and surrounding buildings on other properties. By adding this deck that will be painted white to match the other decks in the neighbourhood it will bring my home more into more architectural similarity to the more recently built properties.

This deck will take approximately two weeks to construct and should not create any traffic issues. The number of employees, vehicles and frequency will be determined by the contractor who I have not yet hired. This should have no impact on the neighborhood. I do not anticipate any work being done outside of standard business hours. The materials should be sourced from local businesses and will be brought onsite in a just in time manner or stored within the footprint of the deck being constructed. The deck will be made of wood, metal and composites as determined by the contractor and current california code.

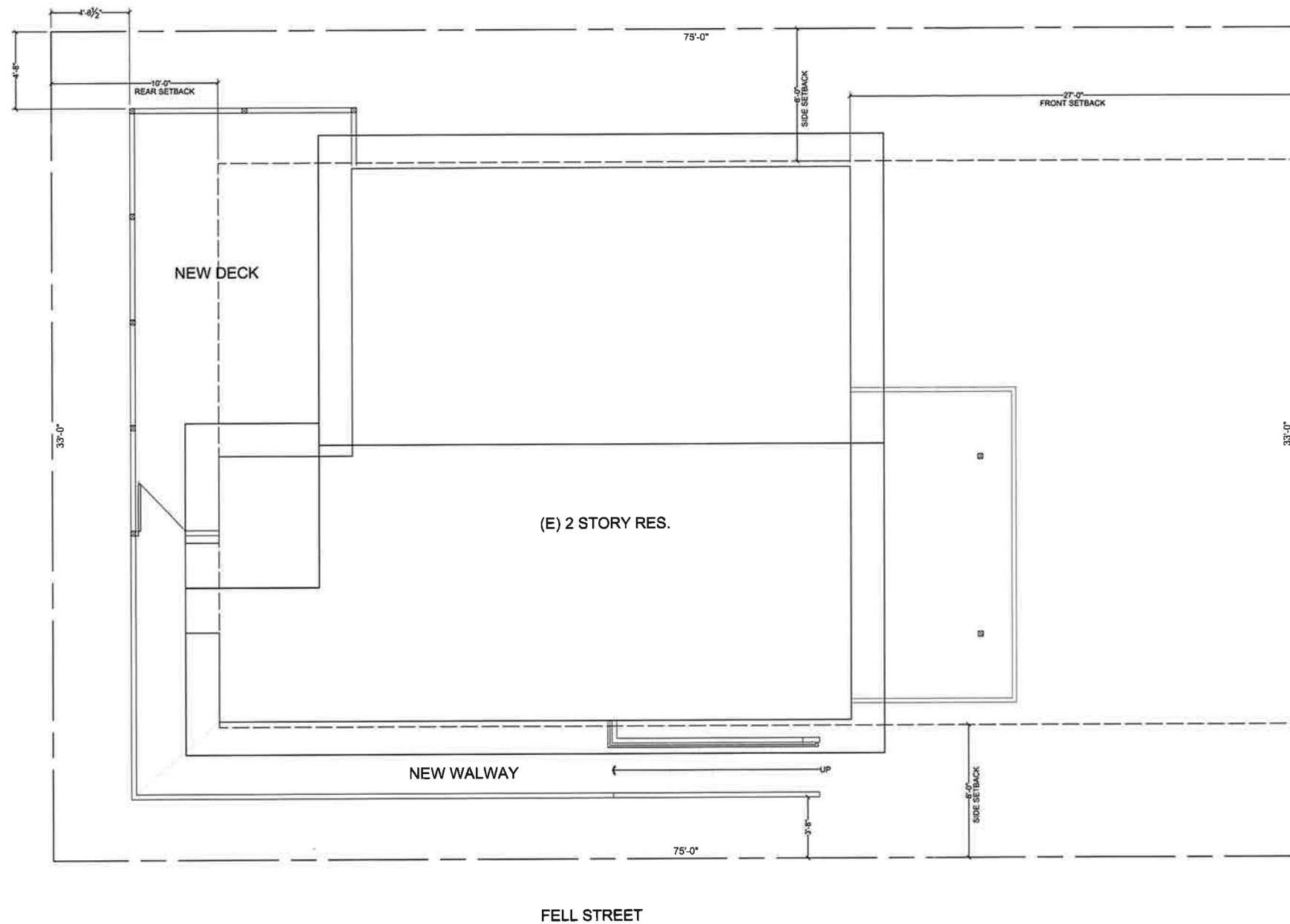
Please see my attached plans and you may contact me with any questions,

Sincerely



Luke Kilpatrick

EXHIBIT E



OCEAN VIEW AVE

VICINITY MAP: NTS

PROJECT SCOPE:

LOT SIZE:	3,750' sq'
(E) Living Area:	1,783'
1st floor:	615'
2nd floor:	1,144'
Garage:	520'
(E) Entry stairs (to demo):	41'
(N) Entry stairs, walkway & Met. deck:	481'
(E) Front deck (no change):	190'

SCOPE OF WORK:

1. Remove and replace existing entry stairs & landing, replace to match existing
2. New 175 sq' walkway & 306 sq' deck at Master Bedroom
3. Remove (e) Master Bedroom window, add new sliding door

COMPLIANCE:

THIS PROJECT TO COMPLY WITH THE FOLLOWING CODES:

- 2019 California Residential Code
- 2019 California Plumbing Code
- 2019 California Electrical Code
- 2019 California Mechanical Code
- 2019 California Fire Code
- 2019 California Green Building Code
- 2019 California Energy Code

GRADING:

GRADING: NONE

NO GRADING FOR THIS PROJECT

TREE REMOVAL:

NO TREE REMOVAL FOR THIS PROJECT

BUILDING CODE DATA:

OCCUPANCY:	R-3
DESCRIPTION OF USE:	RESIDENTIAL SINGLE FAMILY DWELLING
TYPE OF CONST:	V-S
FIRE SPRINKLERS:	NO
STORIES:	1
APN:	016-115-028

DEFERRED SUBMITTALS:

NONE

SPECIAL INSPECTIONS:

NONE

CONSULTANTS:

CLIENT	DESIGN	ENGINEER
Luke Kirkpatrick 1475 Ocean View Sand City, Ca 93955	Roesner Building & Design 535 Ramona Ave Monterey, Ca 831 241 1381	Jeffrey Keller, Keller Engineering PLLC PO Box 25624 Fresno, Ca 559 492 7189
PROJECT ADDRESS: 1475 Ocean View Sand City, Ca	KITCHEN & BATH DESIGNER: N/A	TITLE 24: N/A
APN: Sand City, Ca	OLD ENGINEER: N/A	

SHEET INDEX:

- A-1.0 TITLE PAGE
- A-1.1 FLOOR PLANS
- A-2.0 ELEVATIONS
- S-1.0 FOUNDATION & FRAMING PLAN
- S-1.1 FRAMING PLANS
- S-1.2 STRUCTURAL DETAILS

REVISION	BY

ROESNER BUILDING & DESIGN
831 241 1381
michael@roesnerbuilding.com
www.roesnerbuilding.com

THE USE OF THESE PLANS AND SPECIFICATIONS IS RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND PUBLICATIONS THEREOF ARE EXPRESSLY LIMITED TO SUCH USE. RE-USE, REPRODUCTION, OR TRANSMISSION OF THESE PLANS AND SPECIFICATIONS IN ANY MANNER WITHOUT THE WRITTEN AND SPECIFIC PERMISSION OF THE DESIGNER, AND VISUAL CONTACT WITH THEM CONSTITUTES PRIMA FACIE EVIDENCE OF THE VIOLATION OF THESE RESTRICTIONS.

New Deck for:
Kilpatrick Residence
1875 Ocean View Ave
Sand City, Ca.

DATE	7/20/2020
SCALE	As Noted
DRAWN	
JOB	
SHEET	A-1.0
OF SHEETS	

CONSTRUCTION NOTES:

1. General Contractor shall verify all conditions and dimensions at job site.
2. All construction work must conform to current local codes, building & health authorities.
3. Additional on site fire protection during construction to be provided as required by Fire Inspector or Department.
4. General Contractor to provide larger stud walls as required for installation of plumbing, electrical, and/or structural items.
5. Existing materials on demising or partition walls shall be removed by General Contractor to allow installation of new work.
6. Each trade shall be responsible for wall or roof penetrations pertaining to the installation of their own equipment, vents, conduit, etc.
7. Contractor shall protect all existing site conditions not scheduled for removal or modification during construction.
8. Verify all site conditions, dimensions, and grades prior to start of work.
9. The drawings, details, schematics and notes contained in the plans are intended to describe the project sufficiently, by reference or implication, and do not represent to show or include every specific item which may be necessary to complete this project.

GENERAL NOTES:

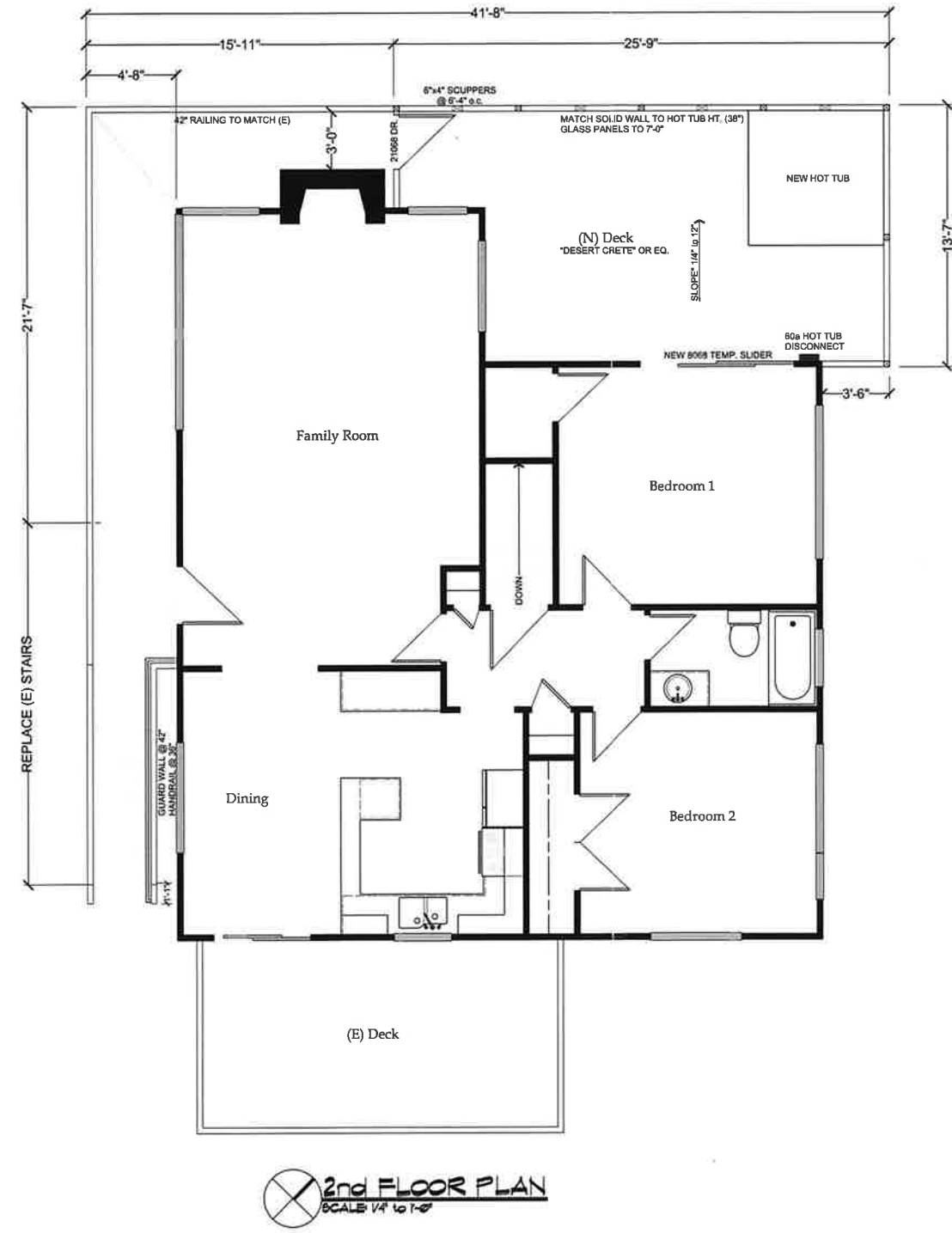
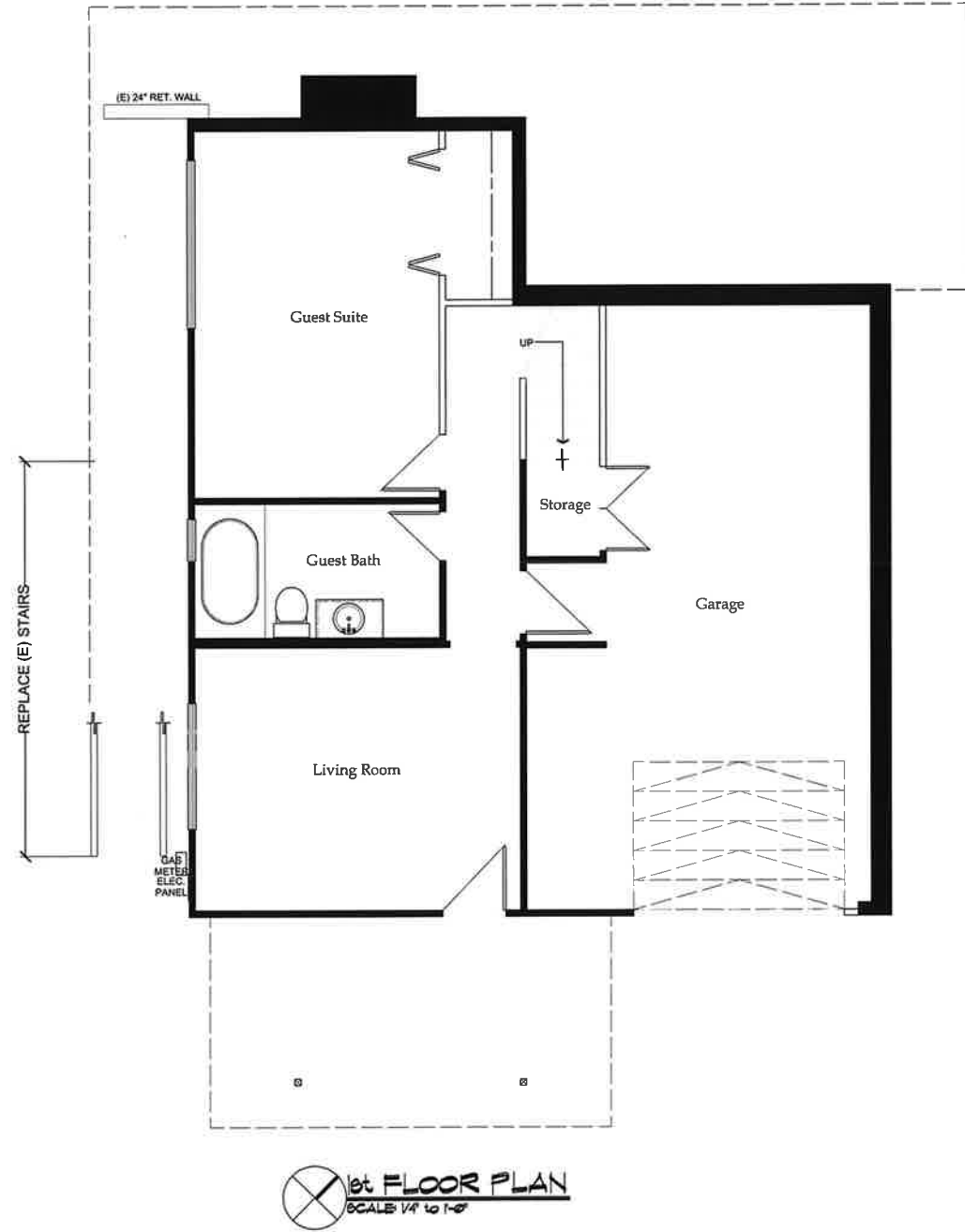
13. IN ALL NEW CONSTRUCTION (INCLUDING ADDITIONS AND REMODELS) Water Closets, either flush tank, flushometer tank, or flushometer valve operated, shall have an average consumption of not more than 1.28 gpf. Shower heads to have a max. flow of 2.0 gpm. Lavatory faucets 1.5 gpm, and kitchen faucets 1.8 gpm. ALL HOT WATER FAUCETS THAT HAVE MORE THAN TEN FEET OF PIPE BETWEEN THE FAUCET AND THE HOT WATER HEATER SERVING SUCH FAUCET SHALL BE EQUIPPED WITH A HOT WATER RECIRCULATING SYSTEM. (SECTION 810, ORD. 3522).
14. THE USE OF PLUMBING PIPELINES AS AN ELECTRICAL GROUND IS PROHIBITED. (SB 164)
15. PROVIDE AN ACCESS PANEL (MIN. 12"x12") OR UTILITY SPACE FOR ALL PLUMBING PICTURES HAVING SLIP JOINT CONNECTIONS. (CPC 408.2)
16. GAS LINE SIZING PLANS TO BE PROVIDED BY THE CONTRACTOR PRIOR TO INSPECTION.
17. Construction Waste Management: Recycle and/or salvage for re-use a minimum of 65% of the non-hazardous construction and demolition waste in accordance with the California Green Building Standards, Section 4.406.1.
18. In accordance with the California Green Building Standards, Section 4.504.2, the following pollutant control measures shall be implemented:
 - a) Paint, stains and other coatings shall be compliant with VOC limits.
 - b) Aerosol paints and coatings shall be compliant with product weighted MIR limits for VOC and other toxic compounds. Documentation shall be provided to verify compliant VOC limit finish materials have been used.
 - c) Carpet and carpet systems shall be compliant with VOC limits.
 - d) 50% of the floor area receiving resilient floorings shall comply with the VOC emission limits defined in the Collaborative for High Performance Schools (CHPS) low-emitting materials list or be certified under the Resilient Floor Covering Institute (RFCI) FloorScore program.
 - e) Particleboard, Medium density fiberboard (MDF) and hardwood plywood used in interior finish systems shall comply with low formaldehyde emission standards.

ABBREVIATIONS:

Ø AT	FIN. FINISH	PT. POINT
Ø DIAMETER	FLR. FLOOR	PTDR. PRESSURE TREATED DOUGLAS FIR
# POUND OR NUMBER	FLASH. FLASHING	RAD. RADIUS
A.B. ANCHOR BOLT	FLUOR. FLUORESCENT	REF. REFERENCE OR REFRIGERATOR
A.C. ASPHALT CONCRETE	F.O.C. FACE OF CONCRETE	REINF. REINFORCED
ACOUS. ACOUSTICAL	F.O.F. FACE OF FINISH	REQ. REQUIRED
ADJ. ADJUSTABLE	F.O.S. FACE OF STUD	RESIL. RESILIENT
AGG. AGGREGATE	FT. FOOT OR FEET	RET. RETAINING
APPROX. APPROXIMATE	FTQ. FOOTING	RM. ROOM
ARCH. ARCHITECTURAL	FURR. FURRING	R.O. ROUGH OPENING
A.S. ASPHALT SURFACE	GA. GAUGE	RWD. REDWOOD
BD. BOARD	GALV. GALVANIZED	S. SOUTH
BLDG. BUILDING	G.B. GRAB BAR	S.B. SOLID BLOCKING
BLK. BLOCK	GI. GROUND FAULT INTERRUPTER	SC. SOLID CORE
BLOCK'D. BLOCKING	GL. GLASS	SCHED. SCHEDULE
BM. BEAM	GLB. GLUE LAMINATED BEAM	SECT. SECTION
CEM. CEMENT	GR. GRADE	SHT. SHEET
CLG. CEILING	GYP. GYPSUM	SPEC. SPECIFICATION
CL. CLOSET	H.S. HOSE BIB	SO. SOLIUM
CLR. CLEAR	HC. HOLLOW CORE	STD. STANDARD
C.O. CLEAN OUT	HIC. HANDICAPPED	STL. STEEL
COL. COLUMN	HOR. HEADER	STOR. STORAGE
CONC. CONCRETE	H.M. HOLLOW METAL	STR. STRUCTURAL
CTR. CENTER	HORIZ. HORIZONTAL	SUSP. SUSPENDED
d PENNY	HTR. HEATER	T & G TONGUE AND GROOVE
DBL. DOUBLE	HT. HEIGHT	T.O.C. TOP OF CONCRETE
DET. DETAIL	INSUL. INSULATION	T.O.F. TOP OF FOOTING
D.F. DOUGLAS FIR	INT. INTERIOR	T.O.P. TOP OF PAVEMENT
DIA. DIAMETER	J.H. JOIST HANGER	T.O.W. TOP OF WALL
DN. DOWN	MAX. MAXIMUM	TRYP. TYPICAL
DR. DOOR	MECH. MECHANICAL	U.O.N. UNLESS OTHERWISE NOTED
DWG. DRAWING	MIN. MINIMUM	VERT. VERTICAL
(E) EXISTING	MISC. MISCELLANEOUS	W. WEST
E. EAST	MTD. MOUNTED	W/ WITH
EA. EACH	N. NORTH	W/ IN WITHIN
ELEC. ELECTRICAL	N.C. NOT IN CONTRACT	W.C. WATER CLOSET
E.N. EDGE NAILING	N.T.S. NOT TO SCALE	WD. WOOD
EQ. EQUAL	O. OVER	WDW. WINDOW
EQUIP. EQUIPMENT	O.C. ON CENTER	W/D WITHOUT
EXT. EXTERIOR	OPP. OPPOSITE	WP. WATERPROOF
FDN. FOUNDATION	PLAS. PLASTER	WT. WEIGHT
F.G. FINISH GRADE	PLYWD. PLYWOOD	W.W.M. WELDED WIRE MESH

Project Plans

EXHIBIT F



REVISION	BY

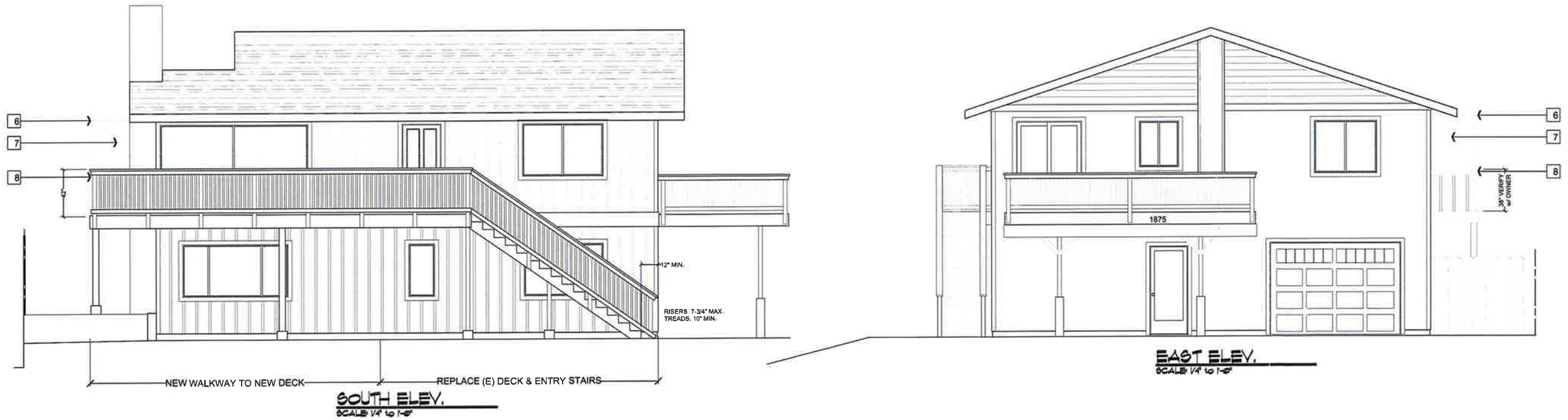
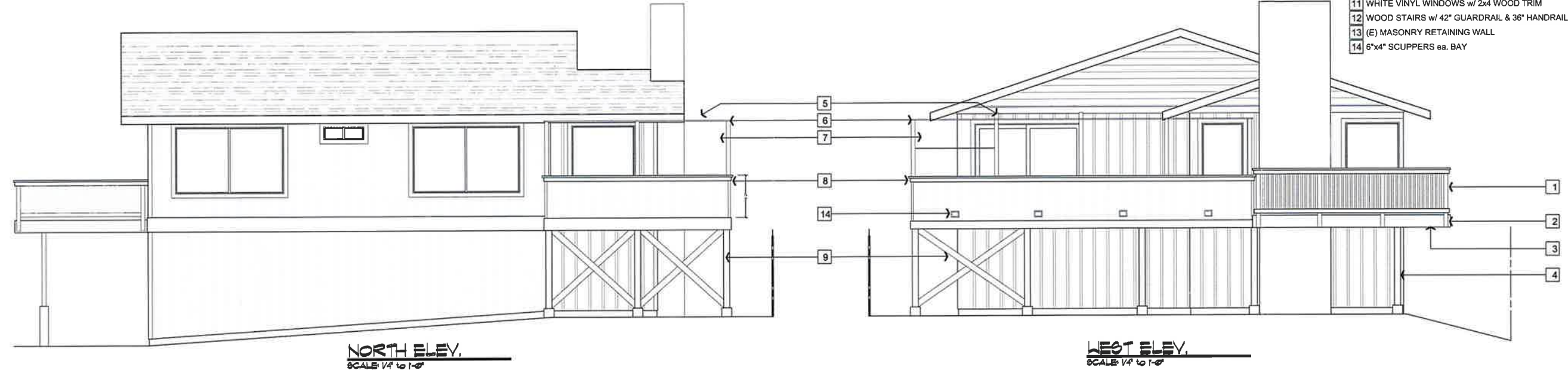
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New Deck for:
Kilpatrick Residence
 1875 Ocean View Ave
 Sand City, Ca.

DATE	7/20/2020
SCALE	As Noted
DRAWN	
JOB	
SHEET	A-1.1
OF SHEETS	

- EXTERIOR FINISH NOTES**
- 1 NEW 42" RAILING WITH 2x2 PICKETS
 - 2 NEW WATERPROOF DECK, "DESERT CRETE" OR EQ.
 - 3 5/8" T1-11 PLAIN SOFFIT w/ CONT. SOFFIT VENTS
 - 4 PT POSTS & CONCRETE PEDESTAL
 - 5 WOOD PURLIN
 - 6 WOOD TOP RAIL w/ COPPER/ S.S. CAP
 - 7 TEMP. GLASS WIND SCREEN, ALT. WINDOWS
 - 8 38" WOOD GUARD WALL, MATCH HOUSE FINISHES
 - 9 CROSS BRACING PER STRUCTURAL ENG.
 - 10 RAISED CONCRETE LANDING w/ 42" GUARD WALL
 - 11 WHITE VINYL WINDOWS w/ 2x4 WOOD TRIM
 - 12 WOOD STAIRS w/ 42" GUARDRAIL & 38" HANDRAIL
 - 13 (E) MASONRY RETAINING WALL
 - 14 6"x4" SCUPPERS ea. BAY



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New Deck for:
Kilpatrick Residence
 1875 Ocean View Ave
 Sand City, Ca.

FLOOR FRAMING NOTES:

- FLOOR SHEATHING:** Floor sheathing shall be 3/4" CDX plywood, T. & G. Nail with 8d at 6" o.c. all supported edges and 8d at 10" o.c. all intermediate bearing. P.I. 32/16. Keep minimum 1/16" clear between all panel edges. All sheathing shall be glued to framing with subfloor adhesive. Nail floor sheathing to all blocking, rim joists, etc. with 8d at 3" o.c. at all shear walls U.O.N. on plans or details.
- FLOOR FRAMING:** Floor framing shall be 14" T.J.I. 360 joists at 16" o.c. Block all joists at all bearing. CONTRACTOR shall install and brace trusses as recommended by joist manufacturer.
- WALLS:** All walls shall be 2 x 4 studs at 16" o.c. U.O.N. on plans. Studs at exterior walls and bearing walls shall be D. F. No. 2 or better. Balloon-Frame all walls and block all studs at maximum 10' o.c. All plumbing walls that are bearing walls or shear walls shall be 2 x 6 walls. CONTRACTOR shall coordinate layout of plumbing walls with plumbing contractor prior to the start of framing for location of plumbing walls. CONTRACTOR shall obtain ENGINEER'S permission for drilling or notching studs or double to plate of any shear or bearing wall more than 1/2 of width of wall.
- SHEAR WALLS:** See framing plans for location and type of shear wall. All EXTERIOR WALLS shall be sheathed with TYPE P/I shear wall sheathing, U.O.N. on plans. Shear wall sheathing shall be continuous the entire wall length from sill plate to floor sheathing, unless otherwise detailed or specified.
- HEADERS:** All headers at bearing walls shall be 4 x 10 at 2 x 4 walls and 6 x 6 at 2 x 6 walls, U.O.N. on plans. Provide 1 - 2 x - trimmer and 1 - 2 x - king stud at all shear walls and bearing walls. CONTRACTOR shall verify that existing headers are as specified.
- POSTS:** All beams shall bear on posts width to match width of beam and depth to match depth of wall, U.O.N. on plans. Posts shall be continuous to foundation or beam below. Block solid between posts at floor framing. Fasten all beams to posts with PC post caps, use EPC caps at ends of beams. These connections are typical, unless otherwise detailed on plans.
- HANGERS:** Use HUTF [16 gauge] hangers for all sawn lumber beams. Use GB hangers for GLB's and GLTV hangers for PARALLAM beams. Use U series hangers for sawn lumber floor joists. Use IUT or ITT hangers for T.J.I. joists. These hangers are typical, U.O.N. on plans or details.
- TOP PLATES:** All double top plates shall be spliced with 14 - 16d, unless otherwise detailed or specified on plans. All plates shall be D. F. No. 2 or better. Notify ENGINEER of any double top plates or studs which are notched more than 1/3 the width of the plates at any shear walls or bearing wall.
- LUMBER:** All lumber shall conform to the rules of a recognized grading agency and Tables 23-IV-V-1 through 23-IV-V-2 of the C.B.C. Joists shall be D.F. Larch No. 1 or better. Beams shall be D.F. Larch No. 1 or better. GLB's shall have a combination symbol of 24F-V4 DF/DF. Parallam beams shall be 2.0E Parallam PSL. Microllam beams shall be 1.9E Microllam LVL. Rim Joists shall be minimum 1-1/4" 1.7E TimberStrand LSL. Headers and posts shall be D.F. Larch No. 2 or better. For studs - See Note 3. All lumber in contact with concrete, within 6" of earth or exposed to the weather (Deck Framing) shall be pressure-treated (P.T.).
- HOLDOWN:** Location shown of holdowns is approximate. Align holdowns with ends of shear walls. See dimensioned floor plans and details to determine exact location of holdowns. Provide minimum 2 - 2 x - studs or trimmers or 4 x - post for holdown, see holdown schedule for post size. Provide shear wall edge nailing into each stud and two rows E.N. into 4 x - post which is bolted to holddown. Block solid between posts at floors.
- ROOF POSTS:** CONTRACTOR shall install post to align with and match size of post above. Block solid between posts at floor. See next level framing plan to determine size and location.
- STRONG WALLS:** See framing plans for type, size and location of all "Strong Walls". See plans and details to determine size of A.B.'s. Install all "Strong Walls" as specified by manufacturer. CONTRACTOR shall determine height of walls, footings and beams that "Strong Walls" are bolted to and height of wall headers, beams and double top plates that "Strong Walls" are attached to. CONTRACTOR shall determine and order height of "Strong Wall" required to accommodate specified framing. Notify ENGINEER of any discrepancies prior to ordering panels.
- DECK FRAMING:** Waterproof deck shall be framed with 2 x 12 joists at 16" o.c. Slope joists a minimum of 1/4" per foot for drainage. CONTRACTOR shall install flashing and waterproof surface as specified by manufacturer. NOTE TO OWNER: Waterproof surfaces require periodic maintenance and replacement. It shall be OWNER'S responsibility to maintain deck and waterproofing as required.

FOUNDATION NOTES:

- FOUNDATION:** Foundation design is based on an assumed bearing capacity of 1500 pcf. Soil Type 4, Table 18-1-A of the C.B.C. All footings shall bear on firm native, undisturbed, sandy soil and adhere to the following table:

STORIES	WIDTH	THICKNESS	DEPTH BELOW GRADE
1	12"	10"	12"
1	15"	10"	18"

CONTRACTOR shall verify that existing soil conditions are as assumed. Notify ENGINEER if existing soil conditions are not as assumed prior to laying any reinforcing or pouring any concrete.

EXISTING CONDITIONS: CONTRACTOR shall verify that existing conditions and grades are as shown. Notify DESIGNER of any discrepancies prior to proceeding with work.

- CONCRETE STRENGTH:** All concrete shall develop an ultimate compressive strength at age 28 days as follows:

FOOTINGS	2500 psi
SLAB ON GRADE	2500 psi

- REINFORCING:** All reinforcing shall conform to A.S.T.M. Grade 40.
- BOLTS:** All bolts shall conform to A.S.T.M. A307. The threaded portion of the bolt bearing on wood shall be kept to a minimum. Do not use All-Thread rods for bolts which bear on wood.

All fasteners embedded on concrete shall be attached to or hooked around reinforcing steel.

- SILL PLATES:** All sill plates shall be bolted to foundation with 5/8" o x 10" A.B.s at 48" o.c. Embed bolts minimum of 7" into concrete or grout. This spacing is typical U.O.N. on Foundation Plan or details. Provide 2" x 2" x 3/16" washers at all A. B.'s. Install washers parallel and perpendicular to sill plates. Provide minimum of two bolts per plate and one bolt within 4" to 12" from the end of all plates. All sill plates shall be 2 x - P.T. D.F. No. 2 or better U.O.N. or detailed on plans.

All steel as A.B.'s washers and nails and framing hardware such as hangers, post caps and post bases, in contact with pressure-treated lumber shall be stainless steel or HOT DIP GALVANIZED with minimum coating of G90, 0.90 oz./sq. ft.

- HOLDOWNS:** Location of holdowns shown is approximate. See plans and details to determine exact location of holddown anchor bolt. Provide minimum 2 - 2 x - studs or 4 x - post at the end of each shear wall for bolting holdown to shear wall unless otherwise specified on plans. Provide shear wall edge nailing into each stud bolted to holddown and two rows edge nailing into 4 x - posts.

Holddown devices shall be secured in place prior to foundation inspection. Holddown devices shall be re-tightened just prior to covering the wall framing.

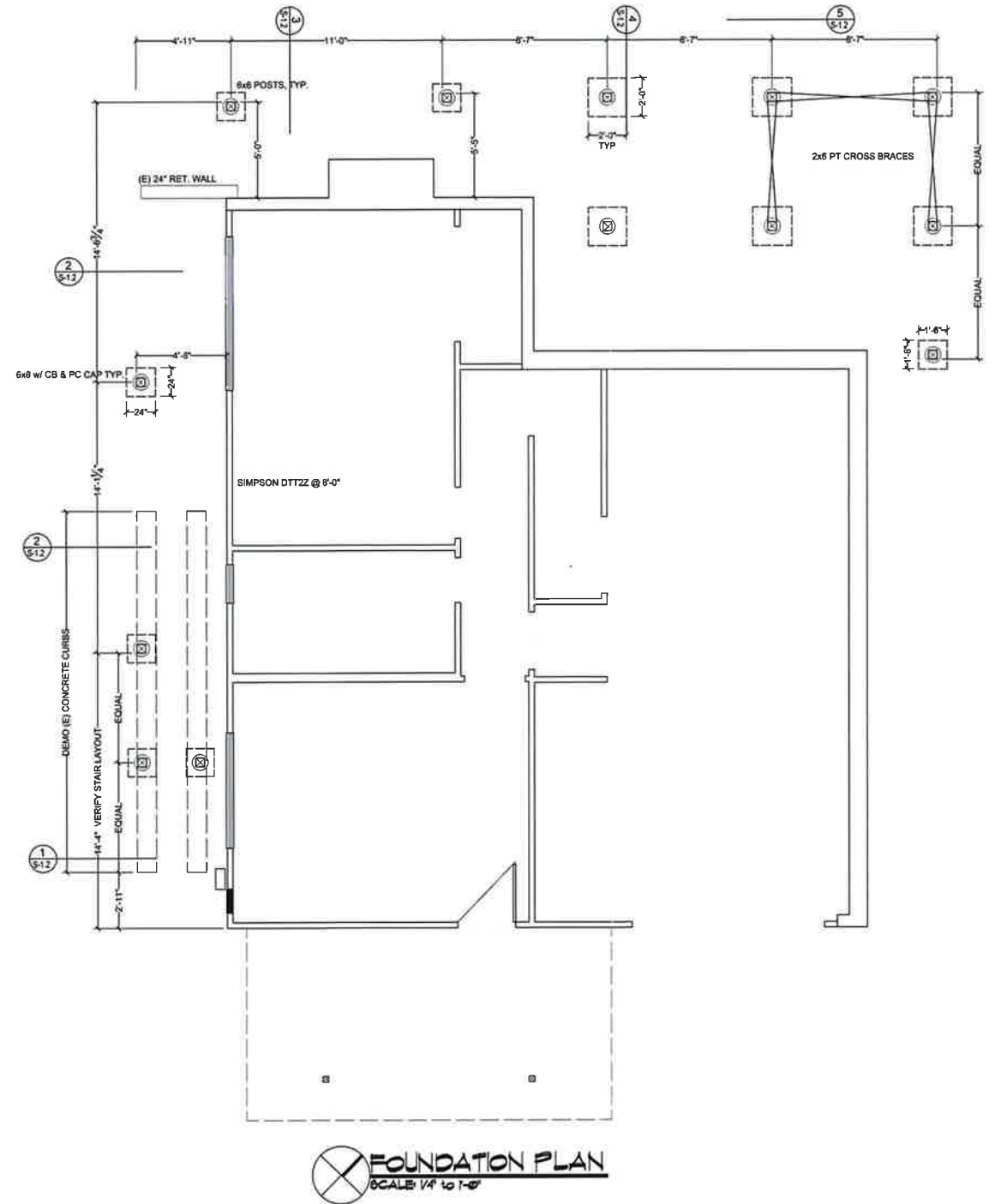
- CONCRETE SLAB ON GRADE:** Concrete slab on grade shall be minimum 5" thick, over 2" sand, over vapor barrier, over 4" gravel base. Vapor barrier shall be minimum 10 mil Moistop by "Fortifiber Corporation" or equal. Reinforce slab with #3 bars at 18" o.c. each way placed at center of slab.

- CONTROL JOINTS:** CONTRACTOR shall space control joints evenly, 15' o.c. maximum each way. Provide extra control joints at all building corners and offsets or discontinuities.

- FLOOR FRAMING:** Floor framing shall be 14" T.J.I. 360 joists @ 16" o.c. Block all joists at all bearings. CONTRACTOR shall install and brace joists as recommended by manufacturer.

- FLOOR SHEATHING:** Floor sheathing shall be 3/4" CDX plywood T. & G. Nail with 8d at 6" o.c. all supported edges and 8d at o.c. field nailing. Keep minimum 1/8" clear between panel edges unless otherwise specified by manufacturer. All sheathing shall be glued to framing with subfloor adhesive.

- UNDERFLOOR ACCESS:** Contractor shall provide minimum 18" clear underfloor joists and 12" under all girders. Access shall not be obstructed by any plumbing, mechanical ducts or any other framing. CONTRACTOR shall coordinate layout of ducts with heating contractor and provide clearances as required.



REVISION	BY

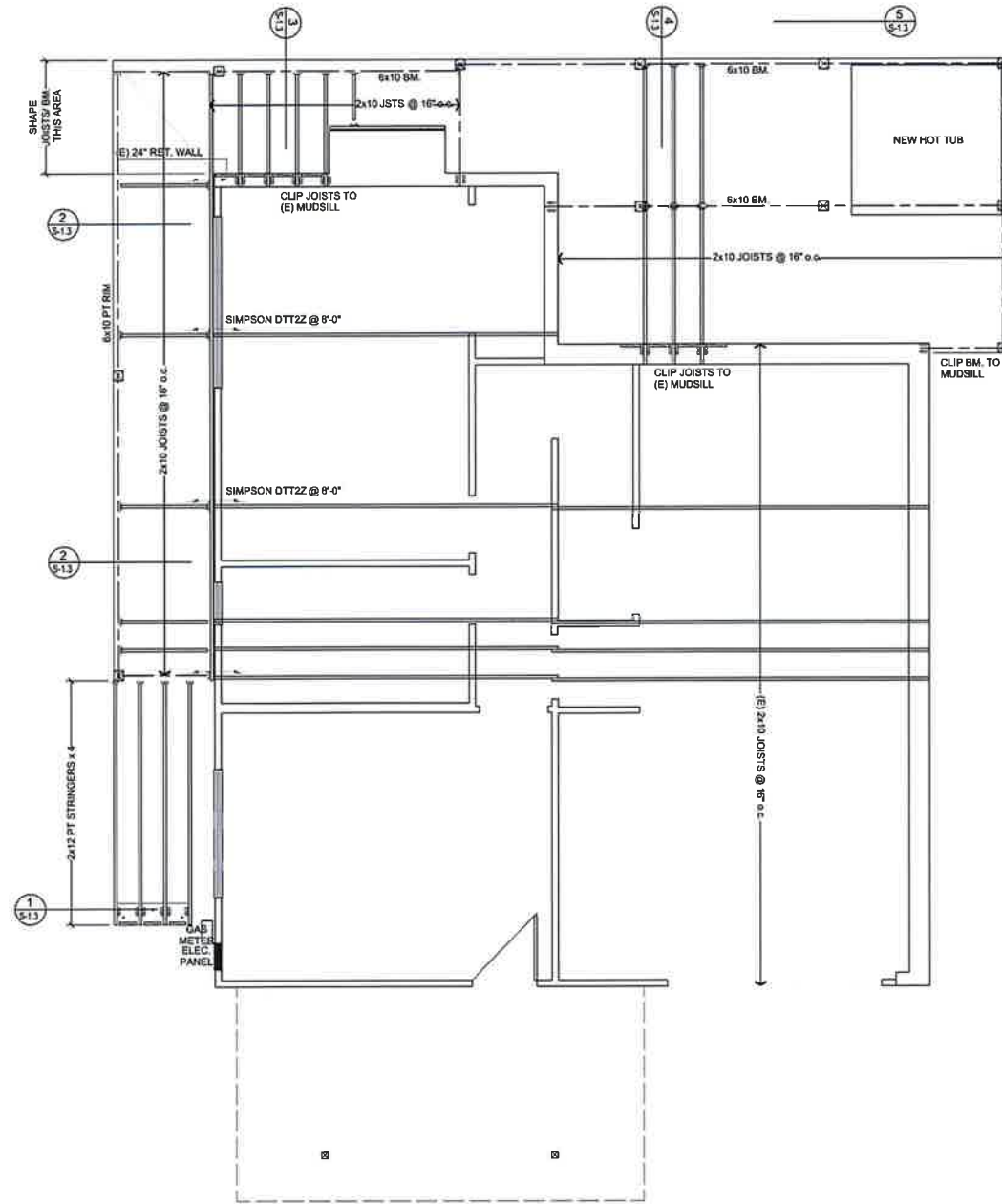
ROESNER BUILDING DESIGN
 831 241 1381
 Michael F. Roesner
 www.roesnerbuilding.com
 michael@roesnerbuilding.com
 761229

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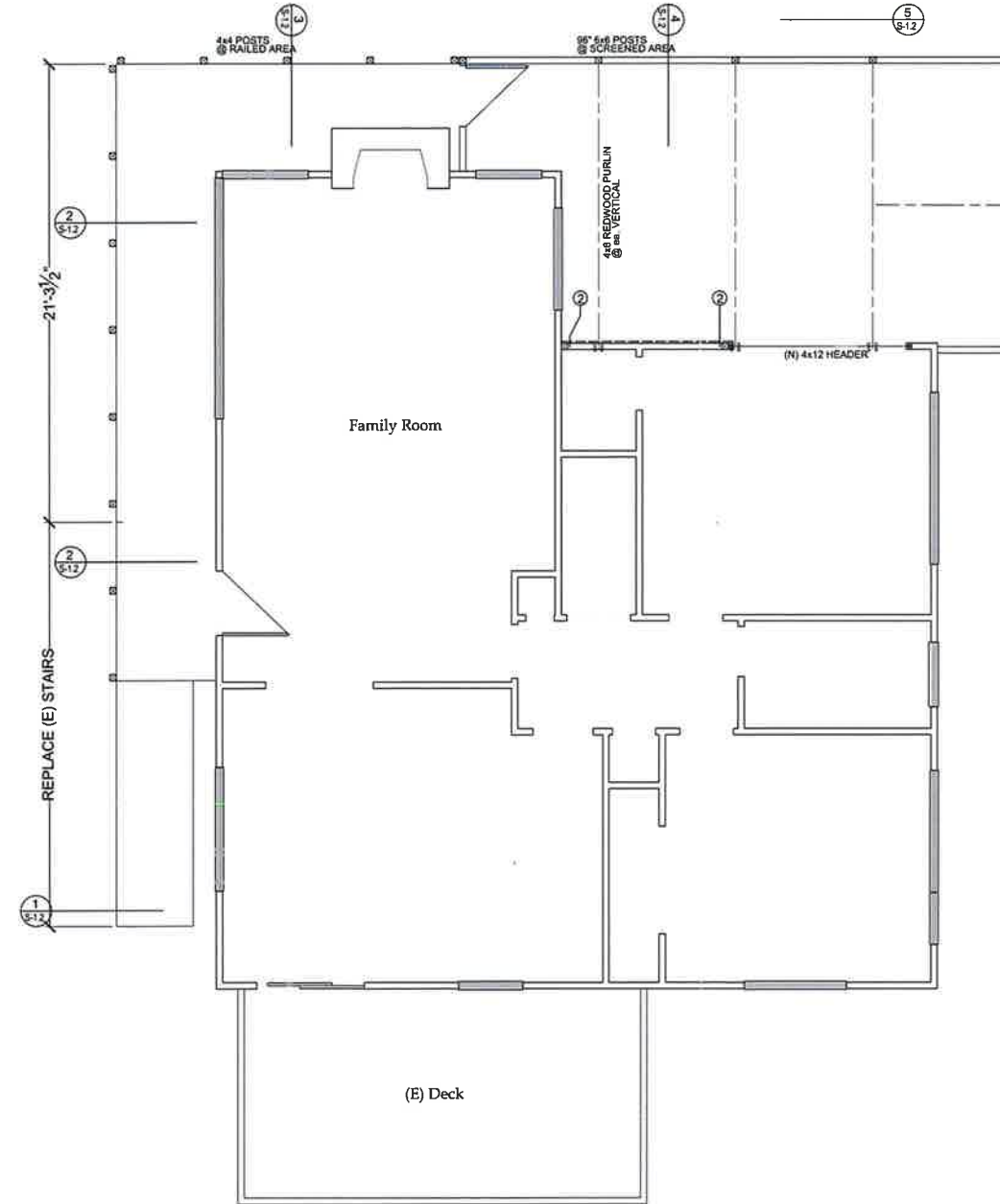
New Deck for:
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DATE	7/20/2020
SCALE	As Noted
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JOB	
SHEET	S-1.0
OF SHEETS	





DECK FRAMING PLAN
SCALE: 1/4" = 1'-0"



PROPOSED UPPER FRAMING PLAN
SCALE: 1/4" = 1'-0"

REVISION	BY

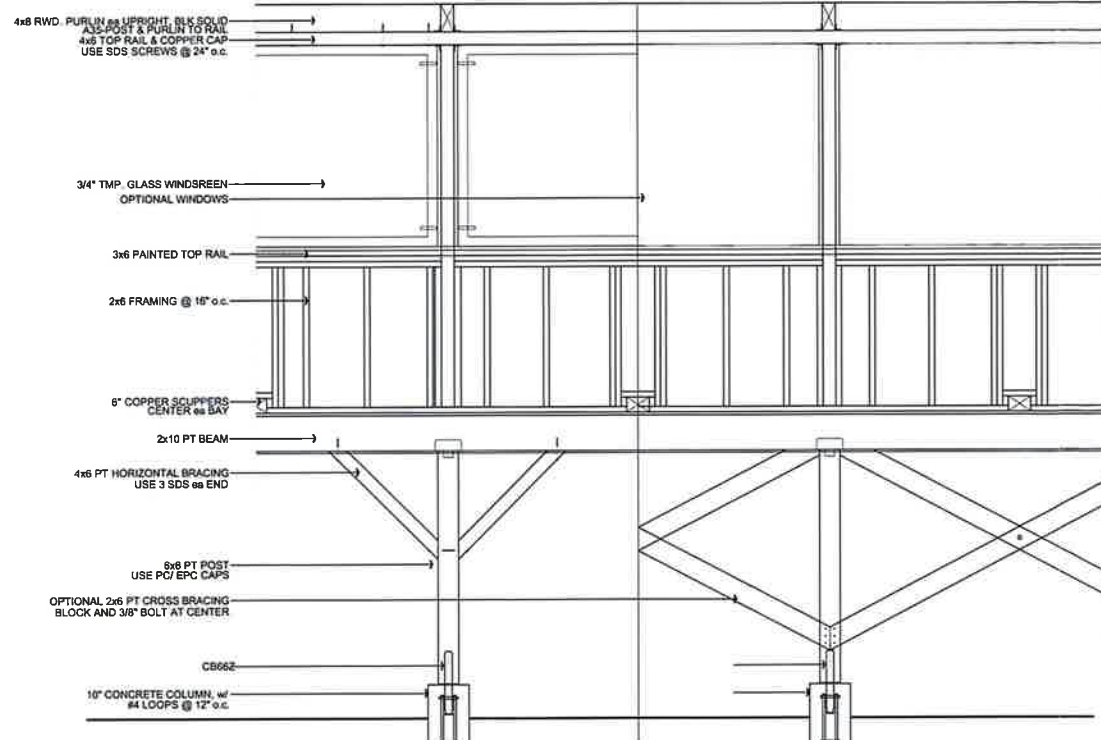
ROESNER BUILDING DESIGN
831 241 1381 michael@roesnerbuilding.com www.roesnerbuilding.com
Michael F. Roegner

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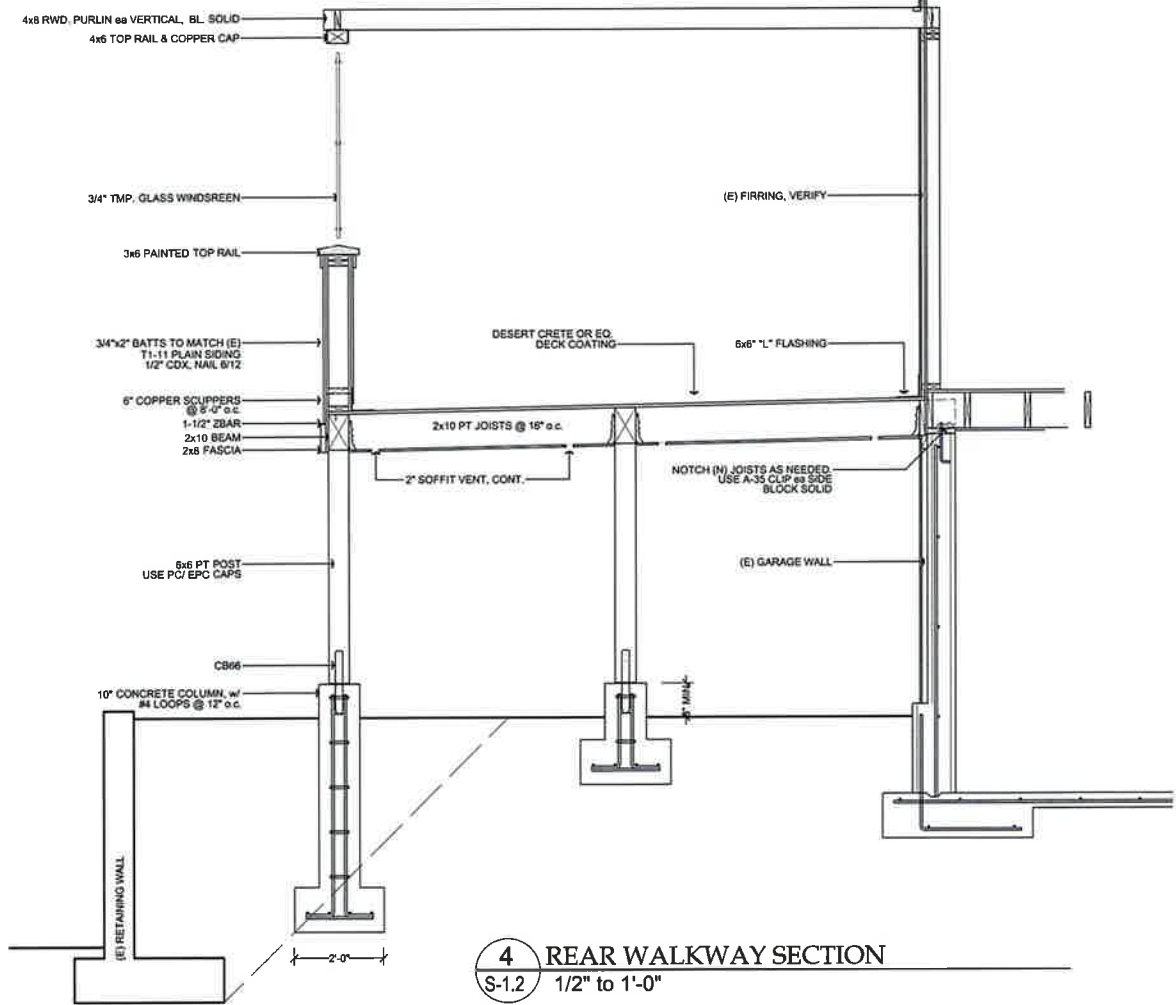
New Deck for:
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DATE 7/20/2020
SCALE As Noted
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OF SHEETS

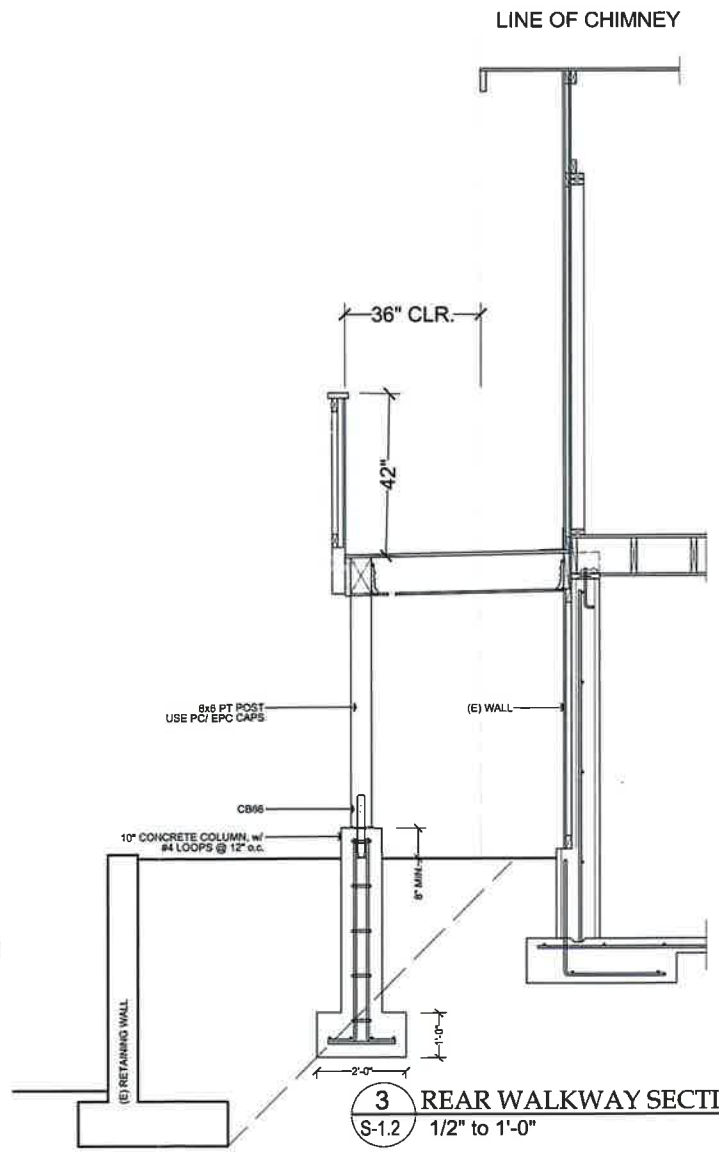




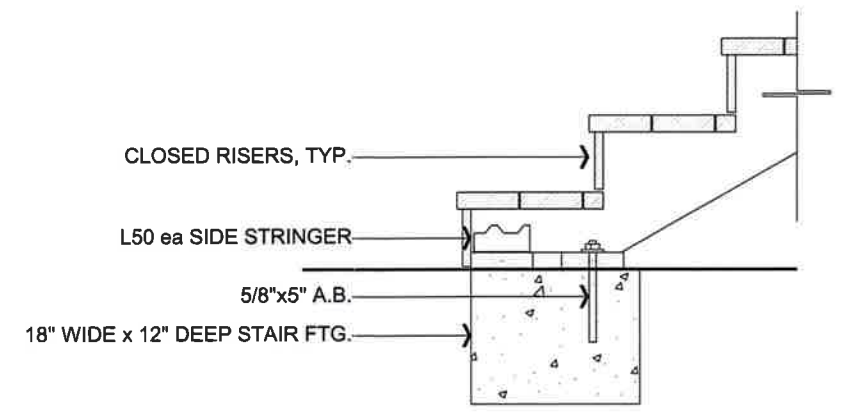
5 REAR DECK BRACING
S-1.2 1/2" to 1'-0"



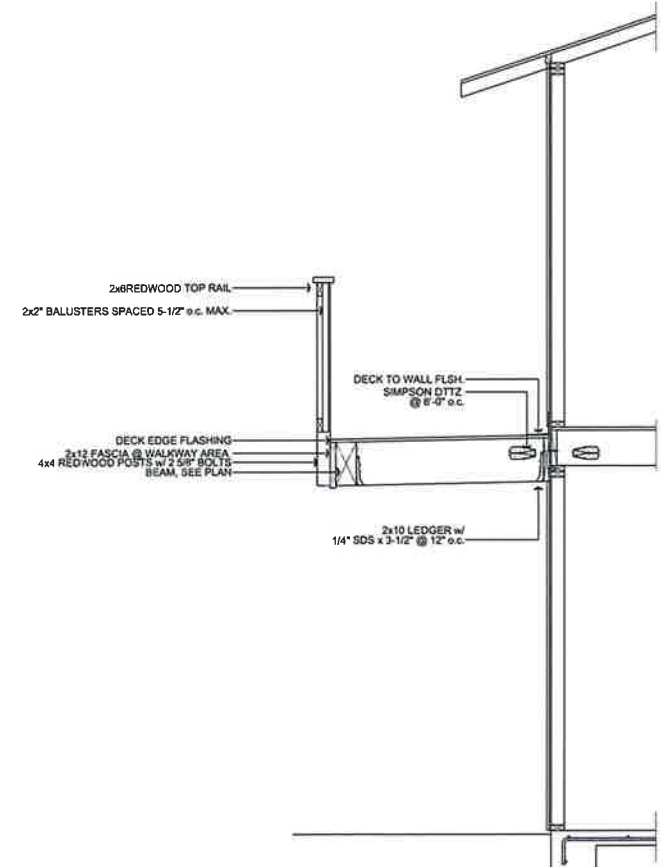
4 REAR WALKWAY SECTION
S-1.2 1/2" to 1'-0"



3 REAR WALKWAY SECTION
S-1.2 1/2" to 1'-0"



1 STAIR SECTION
S-1.2 1/2" to 1'-0"



2 SIDE WALKWAY SECTION
S-1.2 1/2" to 1'-0"

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New Deck for:
Kilpatrick Residence
1875 Ocean View Ave
Sand City, Ca.



CITY OF SAND CITY

ORDINANCE NO. 06-02, 2006

AN ORDINANCE OF THE CITY OF SAND CITY AMENDING
TITLE 18 OF THE MUNICIPAL CODE TO RECLASSIFY
CERTAIN PROPERTY FROM HIGH DENSITY RESIDENTIAL (R-3) TO
MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT (R-2/PUD)

WHEREAS, the Medium Density Residential Planned Unit Development (R-2/PUD) zoning district regulations attached to this ordinance and incorporated herein as Exhibit B, are intended to provide for and regulate the use and rehabilitation of a single family dwelling on the specific property identified at 1875 Oceanview Avenue, Assessor Parcel Number 011-131-017, and as illustrated on the attached Exhibit A incorporated herein by reference; and

WHEREAS, the resultant development envisioned by this PUD will be lower in intensity of use than that allowed by the existing R-3 zoning designation; and

WHEREAS, the proposed project is consistent with the City's General Plan update, and Policy D, Program 8 of the City's current Housing Element; and

WHEREAS, the proposed re-zoning of property will lower the allowable density of the property, thus reducing existing potential impacts, and therefore qualifies as a Categorical Exemption, under State CEQA (California Environmental Quality Act) Guidelines, Section 15305.

NOW, THEREFORE, the City Council of the City of Sand City does hereby ordain as follows:

SECTION 1.0 AMENDMENT: The zoning map for the City of Sand City is amended to change the zoning designation for the site shown on Exhibit A to "Medium Density Residential - Planned Unit Development" (R-2/PUD), and the site shall accordingly be regulated by the requirements contained in Exhibit B; attached hereto and incorporated herein by this reference.

SECTION 2.0 DISCLAIMER: Approval/implementation of this Ordinance does not secure, authorize nor grant any rights and/or privileges to the owner (present and future) of the subject property to any water credit allocation or increase of water credit allocation.


SECTION 3.0 EFFECTIVE DATE: This ordinance shall become effective 30 days following its second reading.

PASSED AND ADOPTED by the City Council of the City of Sand City this 1st day of August, 2006, by the following vote:

EXHIBIT G

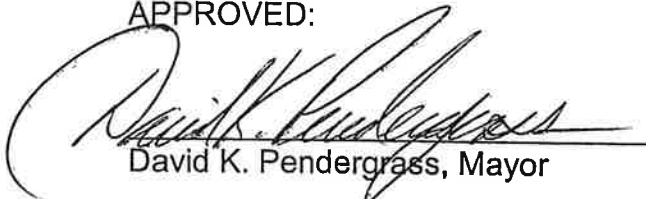
AYES: Council Members Blackwelder, Hubler, Morris, Pendergrass
NOES: None
ABSENT: None
ABSTAIN: Council Member Carbone

ATTEST:



Linda Scholink, City Clerk

APPROVED:



David K. Pendergrass, Mayor

I certify, under oath, that the above is a true and correct copy of official records on file at City Hall.

ATTEST:

City Clerk

Date

ORDINANCE EXHIBIT B

DESIGN STANDARDS, PROCESSING PROCEDURES, AND LAND USE R-2 / PUD (Medium Density Residential Planned Unit Development)

DESIGN STANDARDS:

Density & Unit Type

- a) A maximum of one (1) primary residential dwelling unit may be constructed within the project site and boundary of this PUD zoning district. The minimum lot area shall be no less than 3,750 square feet per dwelling. An accessory dwelling may also be allowed subject to the applicable California Government Code requirements as may be amended from time to time.

Building Height

- a) The maximum building height, as measured from finished floor, shall not exceed 35-feet. The location, roof style, and roof pitches shall be at the discretion of the Design Review Committee in the issuance of Design Permits.
- b) Structures within this PUD zoning district shall be a maximum of two stories. The addition of a cupola above this height limit shall be at the discretion of the City Council.

Off-street Parking & On-site Circulation

- a) A minimum of two (2) off-street parking spaces shall be provided for each dwelling unit, one within an enclosed garage, and one on the driveway.
- b) Driveway widths shall be no less than twelve (12) feet, and driveway depths shall be no less than twenty (20) feet. These dimensions may include any street encroachment granted at the discretion of the City Council.

Building Setbacks

- a) Building setbacks for this property shall be consistent with site plan approval by the Design Review Committee, and/or City Council. Building setbacks for the project shall be no less than as described in the chart below:

FRONT (east)	LEFT SIDE (south)	RIGHT SIDE (north)	REAR (west)
8-Feet	3-Feet	9-feet	10.5-feet

Architecture

- a) The architectural design of each dwelling unit shall be subject to discretionary review and approval by the City's Design Review Committee (DRC). Construction plans shall be consistent with the plans and elevations approved by the City's Design Review Committee, and/or City Council in the issuance of a Design Permit.
- b) There shall be no exterior modification of any structure within this Planned Unit Development without prior approval by the Design Review Committee and/or City

Council, and issuance of pertinent City permits. Minor design modifications may be granted at the discretion of the Community Development Director.

- c) Development within this PUD District shall have and maintain a "seaside" style architecture utilizing hipped and/or gable roofs; horizontal, shingle, or board and batten siding; porches and/or open decks; and trim and sills for windows and doors.

Grading & Drainage

- a) All grading, retaining walls, drainage, and street improvements associated with this development shall be reviewed and approved by the City Engineer prior to the issuance of a building permit for the structures.
- b) Retaining walls shall incorporate decorative materials such as split-face block or painted plaster; and shall avoid standard block or flat concrete surfaces. Landscaping shall be used to screen the retaining walls from public view. The level of screening shall be subject Design Review Committee and/or City Council approval.

Landscaping

- a) The property shall provide and maintain landscaping on-site. The location and design of the landscaping is at the discretion of the Design Review Committee and/or City Council in review and approval of a site plan. Landscaping shall incorporate drought tolerant trees, shrubs, and ground cover species appropriate to the site and soil conditions. The use of turf is discouraged. Final approval of specific tree/plant species is at the discretion of Planning Department staff. Trees shall be a minimum of fifteen (15) gallon in size. Drip irrigation and other appropriate water conservation irrigation methods shall be implemented.

PROCESSING PROCEDURES & LAND USE REQUIREMENTS

Design Permit and Site Plan Approval

Prior to the issuance of a Building Permit in this PUD, a Design Permit and Site Plan shall be approved by the City. The City's Design Review Committee (DRC) shall review and approve the architectural design, building materials & colors, site plan, and conceptual landscape layout, prior to issuance of a Design Permit or Site Plan Permit.

Improvement Plan

Prior to the issuance of a Building Permit within this PUD, improvement plans for any utilities, and/or street improvements shall be reviewed and approved by the City Engineer. Any construction work within the public right-of-way shall require an encroachment permit.

Land Uses: Permitted and Discretionary Permit Approval

Permitted Uses:

- a) Single family residential occupancy. A maximum of one primary dwelling unit per legal 3,750 square foot lot.
- b) Home occupation type uses. Approval by Planning Department staff is

contingent, but not limited to, the following criteria:

1. The resident/occupant of the dwelling unit shall be the only employee.
2. There shall be no solicitation of public visitation to the residence.

Home occupation permit approvals are further subject to the requirements of the City of Sand City.

CITY OF SAND CITY**RESOLUTION SC _____, 2020****RESOLUTION OF THE CITY COUNCIL OF SAND CITY
APPROVING CONDITIONAL USE PERMIT 645 REGARDING THE
ADDITION OF A 2ND LEVEL DECK TO AN EXISTING RESIDENTIAL
DWELLING AT 1875 OCEAN VIEW AVENUE**

WHEREAS, Mr. Luke Kilpatrick (the "Applicant") submitted an application to the City of Sand City (the "City"), as property owner and resident, for a home improvement project to construct an elevated 2nd level deck at the rear of his existing single family dwelling that will measure 13'-7" by 25'-9" and then extend as a 4'-8" wide walkway (with exception to a 3'-0" width at the chimney) along the remainder of the rear elevation to the west corner and wrap around said corner to continue to the stairway to be rebuilt on the southwest elevation facing Fell Street, encompassing a total of 481 square feet (hereinafter the "Project"), located at 1875 Ocean View Avenue (APN 011-131-017) (the "Subject Property"); and

WHEREAS, The Project's proposed architectural treatments of board-n-batten siding for the deck railing, glass windscreen panels atop railing, and 2"x2" pickets with a 42-inch high railing for the deck walkway are all consistent and compatible with both the structure's current architectural facade elements and with the "Seaside" architectural style encouraged for the East Dunes; and

WHEREAS, the Project will not alter the existing building's footprint, height, facade treatments, floor plan, parking layout, or roof; nor does it change the residential use or density of the Subject Property; and

WHEREAS, the Project will be contingent upon the City Council's approval of an amendment to the Subject Property's Medium Density Residential Planned Unit Development (R2-PUD) zoning to address and accommodate the Project's proposed deck setbacks; and

WHEREAS, according to the Monterey Peninsula Water Management District (the "MPWMD") the Applicant's inclusion of a hot tub on the proposed deck as part of the Project is exempt from water requirements, and therefore the Project does not require a water allocation; and

WHEREAS, merger of the Subject Property's two lots (Lots 1 & 3 of Block 7) within Assessor Parcel 011-131-017 is necessary to properly reflect the existing residential dwelling and the proposed Project and bring the Subject Property into greater consistency with contemporary site design standards; and

WHEREAS, in accordance with Municipal Code Section 18.72.030, the Site Plan and Architectural/Design review approvals are combined into this single Conditional Use Permit for the Project; and

WHEREAS, the Project qualifies for a categorical exemption under State CEQA (California Environmental Quality Act) Guidelines, Section 15303(e); and

WHEREAS, the City Council of the City of Sand City, on _____, 2020, has found and determined that the deck addition, as conditioned, will not adversely affect the character of the surrounding neighborhood, nor be injurious or detrimental to adjoining properties or the rights of the owners therein, and that conditional use permit 645 (hereinafter "CUP 645") shall be granted upon the conditions hereinafter set forth; and

WHEREAS, the City Council of Sand City has accepted the findings for approving a Conditional Use Permit for the Project, as outlined in the City Staff Report, dated November 23, 2020.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sand City hereby grants and issues Conditional Use Permit 645, upon the following terms and conditions:

A. Permit Effectiveness/Time Limits:

1. CUP 645 is not valid, and the Project's construction on the Subject Property shall not commence, until two (2) copies of this Resolution/Permit, signed by the Applicant and Property Owner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. The City shall not issue a building permit for the Project unless and until CUP 645 has been signed by all aforementioned parties in acceptance of the terms and conditions of CUP 645. Failure of the Applicant to return the two (2) original signatory copies of the Resolution/Permit, with the Applicant's and Property Owner's signatures of acceptance, shall be sufficient cause for the City Council to revoke CUP 645.
2. Purpose: CUP 645 is for the express purpose of authorizing the construction of an elevated 2nd level deck at the rear of his existing single family dwelling that will measure 13'-7" by 25'-9" with a 5'-0" side setback to the northeast and a 4'-8.5" rear setback to the northwest and then extend as a 4'-8" wide walkway (with exception to a 3'-0" width at the chimney) along the remainder of the northeast rear elevation to the building's west corner and wrap around and continue to the existing stairway on the southwest elevation facing Fell Street encompassing a total of 481 square feet. As part of the Project, the existing side stairway may be rebuilt to incorporate and match the approved design and materials used for the Project. The Project authorized by CUP 645 shall be in accordance with the terms and conditions specified by CUP 645. There shall be no occupancy/use of the proposed deck area until a certificate of occupancy/completion is issued by the City for the Project.
3. Zoning Amendment: CUP 645 shall not go into effect, nor a building permit issued by the City for the Project unless and until the City Council approves an amendment of the Subject Property's PUD zoning to address setback compliance for the Project. If an amendment to the Subject Property's PUD zoning is not approved by

the City to accommodate the Project's setbacks, then CUP 645 shall be subject to termination by the City.

B. Site Plan:

1. Setbacks: This Project's proposed deck at the north corner of the Subject Property shall measure 13'-7" by 25'-9" with a 5'-0" side setback to the northeast and a 4'-8.5" rear setback to the northwest and then extend as a 4'-8" wide walkway (with exception to a 3'-0" width at the chimney) along the remainder of the northwest rear elevation and wrap around the building's west corner and continue to the existing stairway on the southwest elevation facing Fell Street encompassing a total of 481 square feet. Any modification to the setbacks for this Project shall be subject to Planning Department approval, but must still conform to the Subject Property's PUD zoning specifications in place at time of building permit issuance.
2. Existing Residential Structure: The Project shall not change the existing residential structure's footprint, height, facade treatments, floor plan, parking layout, or roof design.
3. On-Site Parking: The Project shall maintain the existing two (2) off-street parking spaces, one (1) within an enclosed garage and one (1) on the 27-foot deep driveway fronting Ocean View Avenue in satisfying the minimum off-street parking requirement of the property's R2-PUD zoning.
4. Retaining Walls: Where the finished grade of the Subject Property is in excess of six inches (6") higher or lower than an abutting property or adjacent lot(s) that are not already addressed by an existing retaining wall, then a new retaining wall or other suitable solution acceptable to the City Engineer shall be required. Retaining walls shall be structurally engineered if over four feet (4') in height from bottom of footing to top of wall, and shall require a building permit. Any retaining walls necessary for the Project shall be shown on the construction drawings for the Project.

C. Landscaping:

1. Landscaping: If the Project is to incorporate new or replace existing landscaping on the Subject Property, then a landscape plan shall be submitted to the City's Planning Department for review and approval prior to landscape installation. This landscape plan shall provide complete information regarding ground covers, plants, shrubs, and trees in regards to species, sizes, placement, and numbers. The landscape design must include an irrigation plan with details. If new landscaping is to include trees, then a tree planting and staking detail/section must also be included on the landscape plan illustrating a minimum of double staking with 2-inch diameter wood poles per tree. All landscaping and irrigation shall be installed and operational in conformance with the City approved landscape plan.

D. Architecture:

1. Materials/Design: The main deck area of the Project shall utilize board-n-batten siding for the deck railing with glass windscreen panels atop the railing. The deck

walkway and exterior stairway shall use 2"x2" pickets with an approximate 42-inch high railing. Any variation of the approved materials and/or design shall be subject to City Planning Department review and discretionary approval prior to implementation.

2. Colors: Final colors for the deck, deck walkway, and stairway of the Project shall be consistent with those colors of the main residential structure with contrasting colors between wall surface and trim treatments. The support structure below the deck may be natural material color and need not be painted to match colors of the existing house.
3. Lighting Plan: Prior to issuance of a building permit for the Project, the Applicant shall submit a detailed lighting plan to the Planning Department for review and approval regarding any new light fixtures to be installed as part of the Project. The lighting plan shall identify all exterior light fixtures, their watt capacity, filament housing, and illumination dispersal (photometric). All new exterior lighting shall be shielded and designed to direct light down and not horizontally out to prevent excessive glare and light from intruding onto adjacent properties and street rights-of-way.
4. Utility Meters / Equipment: Any utility equipment and meters, fire suppression equipment, and the like that may be installed to facilitate the Project are either to be contained within the building or otherwise screened or incorporated into the Project's architecture using those physical architectural elements consistent or compatible with the approved building facade treatments to the satisfaction of the City Planner that effectively obstructs the view of these items from public rights-of-way.
5. Quality Control: The City shall retain the right to evaluate materials used in this Project for perseverance and resistance to Sand City's coastal climate conditions; and if those materials are deemed inadequate through signs of rust, rot, or other deteriorating condition, the City may then require higher quality materials during construction as an enforcement of the Project's architectural approval.

E. Land Use Terms and Conditions:

1. Land Use: The Project is intended as an accessory use and structure to the existing residential dwelling and shall not alter or impede the residential use and density of the Subject Property, where the Subject Property shall maintain a maximum of one (1) primary residential dwelling unit on the 3,750 square foot lot area of the Subject Property except as otherwise allowed under State law.

F. Stormwater Management and Control:

1. Best Management Practices (BMPs): During all phases of construction and/or land disturbance activities related to the Project, the Project's construction contractors and sub-contractors shall implement site-specific temporary Best Management Practices (BMPs) to protect water quality and prevent storm water pollution, as required by City's municipal Storm Water Permit, Municipal Code Title 13.05 Storm

Water Management, and the California Construction General Permit, as applicable. BMPs shall include, but are not limited to, erosion and sediment control, prevention of non-storm water discharges, good housekeeping and waste management practices. The Applicant shall submit an Erosion and Sediment Control Plan (ESCP) or Storm Water Pollution Prevention Plan (SWPPP), as applicable, for review and approval by the City' Engineer and Planning and Building Departments prior to the issuance of any grading and/or building permit(s) or the commencement of any construction activities on the Subject Property. The ESCP or SWPPP shall indicate the appropriate site-specific BMPs to be implemented during all phases of construction. The Applicant shall complete a Storm Water Compliance Tracking form for the Project.

G. Plans and Agency Compliance:

1. Plans Examination: Construction plans/documents for the Project shall be reviewed and approved by applicable City departments prior to City issuance of a building permit for the Project and prior to commencement of any grading and construction for the Project. Any and all requirements specified by Sand City during the plan review phase prior to issuance of a building permit, or during construction inspections, shall be implemented to the satisfaction of the inspectors/representatives of each City Department.
2. Agency/Department Compliance: All requirements of the City's contracted Building and Fire Departments, as well as the Seaside County Sanitation District, and Monterey County Health Department, shall be implemented to the satisfaction of the inspectors of each department/agency. All necessary permits from the Monterey One Water and/or the Seaside County Sanitation District shall be acquired by the Applicant prior to City issuance of building permits for the Project. All requirements of each aforementioned Department/Agency shall be met to their satisfaction prior to City issuance of a certificate of occupancy for the Project.
3. Soil / Geotechnical Report: The Applicant shall submit a final soil engineering and/or geotechnical evaluation report (the "Soil Report") prepared by a California certified geologist or geotechnical engineer with all Project plan submissions. The Soil Report shall ensure the Project is designed in accordance with the most current and applicable standards of the City's Building Code. The Soil Report shall include 1) standard penetration tests and bore holes to evaluate potential of seismic hazards, and 2) geotechnical evaluation for all necessary aspects of the Project.
4. Grading and Drainage Plan: The final construction plans for the Project shall include a final grading and drainage plan subject to City review and approval prior to issuance of a building permit for the Project. Grading and drainage designs for the Project shall meet City specifications.
5. Sewer and Water: The Project is subject to the regulations and requirements of the Monterey Peninsula Water Management District (MPWMD), California American Water (Cal-Am), the Monterey One Water, and the Seaside County Sanitation District (SCSD). All sewer and water utilities required for the Project shall be

designed and constructed in accordance with the standards and specifications of the SCSD and Cal-Am to the satisfaction of the City.

6. Fire Sprinklers: Installation of fire sprinklers for the Project shall be at the discretion of, and in accordance with, the requirements of the City's Fire Department and the City's Municipal Code. If a fire suppression system is required for the Project, then a fire sprinkler/suppression plan shall be submitted to the City's plans examiner and/or Fire Department for review and approval and installed prior to City issuance of a certificate of occupancy/completion for the Project. Any standpipe for a fire suppression system shall be integrated into the building's architectural elements where it will not be visible from the building's exterior. Construction plans need to indicate how and where all fire suppression equipment (if required for the Project) will be installed and how it will be integrated into the building. Exterior equipment related to said suppression system shall abide by the screening requirements of CUP 645 to the satisfaction of the Planning Department prior to issuance of a certificate of occupancy/completion for the Project.

H. Construction:

1. Street Access: Construction activities shall not impede vehicular traffic on public streets. Any temporary closures of streets and/or sidewalks to accommodate construction shall be coordinated with, and subject to, the direction of the City's Chief of Police and/or Public Works Department prior to implementing any temporary street closures. Adjacent properties impacted by said closures shall be given notice no less than one (1) week prior of such closure.
2. Material/Equipment: Materials and/or equipment necessary to construct the Project shall not be stored and/or parked within any public right-of-way within the City unless otherwise authorized by the City's Planning Department and/or Chief of Police. Security/construction fencing shall be implemented if deemed necessary by the Building Inspector and/or other City Department inspector. In no instance shall material and equipment that may cause pollution to storm water be permitted to enter or discharge to the City storm drain system. Security/construction fencing shall be implemented if deemed necessary by the Building Inspector and/or other City Department inspector. Best Management Practice (BMPs) for proper control of materials and equipment and to prevent storm water pollution, are required in accordance with the City's NPDES (National Pollutant Discharge Elimination System) storm water permit and City Code Section 13.05 regarding Storm water Management to the satisfaction of the City Engineer.
3. Construction Hours: Construction activities performed by all contractors and sub-contractors on the Subject Property shall only occur between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturdays. There shall be no construction activity for this Project on Sundays unless otherwise authorized in writing by the City Manager. These periods of construction activity may be further limited if determined necessary by the City to address public nuisance issues that may arise.

4. Construction/Demolition Debris: Debris/material from construction/demolition activities shall be stored and contained away from general public access, and hauled away and disposed of in a timely and legal manner. The Project's general contractor shall implement material recovery and recycling when feasible. Construction/Demolition debris (the "C&D Materials") shall either be hauled/removed from the site by the general contractor to the Monterey Regional Waste Management District facility or by the City's franchised waste hauler. No other outside hauler is permitted in accordance with City Municipal Code sections 13.04.060 and 13.04.090. It shall be the Property Owner's and/or the Project's general contractor's responsibility to coordinate with the City's franchised waste hauler and/or maintain weight tickets for self-hauled C&D Materials. Weight tickets shall be provided to the City's Planning Department on an ongoing basis during construction and as requested by the City. In no instance shall debris from construction activities be permitted to enter or discharge to the City's storm drain system. Best Management Practices (BMPs) for proper control of debris and to prevent storm water pollution are required to the satisfaction of the City Engineer.
5. Disturbance Coordinator: The Applicant and/or the general contractor for this Project shall designate a "disturbance coordinator" responsible for responding to complaints regarding construction activities. The City shall be provided the name and contact information of the assigned disturbance coordinator. This disturbance coordinator shall determine the cause of complaints and require and implement reasonable measures that correct those complaint issues to the satisfaction of the City.
6. Construction Signs: Construction signs may be placed on the Subject Property only during Project construction, and shall be removed upon Project completion. Such signs may be placed on perimeter construction fencing or on posts, but shall not be elevated whereby the top of sign exceeds eight (8) feet in height.
7. Contractor(s) Business License: All Project contractors and sub-contractors shall obtain a City business license for the duration of Project construction. Failure of said parties to obtain a business license may impede City issuance of a certificate of occupancy/completion for the Project.

I. General Requirements:

1. Lot & Parcel Merger: Lots 1 and 3, of Block 7, within Assessor Parcel Number 011-131-017 shall be merged into a single 3,750 square foot lot and parcel, measuring 50-feet wide and 75-feet deep. This merger shall be recorded with the Monterey County Recorder's Office, and documentation confirming this recording shall be provided to the City's Planning Department prior to City issuance of a certificate of occupancy/completion for the Project. The lot/parcel merger documents, prior to final recording with the Monterey County Recorder, shall be subject to the City's Planning and Engineering Departments review and approval. The Applicant shall be responsible for paying all expenses and fees associated with the preparation, City review, and recording of the merger documents. The methodology (i.e., lot line

adjustment, lot merger, etc.) by which these lots/parcels are merged and then recorded, shall be subject to the City Engineer.

2. Water Runoff: Construction activity and final use of the Project shall not create or allow water run-off in excess of existing conditions in accordance with Chapter 13.05 of the Sand City Municipal Code regarding Storm Water Management. The method of on-site drainage control, for both construction work and the final Project, shall be in accordance with City Code Chapter 13.05.
3. Water Allocation: Approval of CUP 645 does not grant the Applicant and/or Property Owner any right and/or privilege to any allocation of water by the City of Sand City or other agency/entity. Any allocation of water to the Project from the City's Water Entitlement (desalination facility) shall be at the discretion of the Sand City City Council.
4. Violation: If the City determines any term or condition of CUP 645 has been violated, written notice shall be issued to the Property Owner, that if such violation is not corrected and/or removed within a specified time, a 'cease and desist' or 'stop order' may be issued, followed by a potential public hearing, where the City Council may consider amending or revoking CUP 645 and may then order said Permit amended or revoked. If CUP 645 is revoked prior to completion of construction, then all Project construction installed shall be removed from the Subject Property.
5. Interpretation: Any questions of intent or interpretation regarding any condition of CUP 645 shall be resolved by the Sand City Planning Department.
6. Indemnity: To the extent permitted by law, the Applicant and Property Owner shall indemnify and hold harmless the City, its City Council, its officers, employees, consultants, and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties, the Applicant, and/or Property Owner to attack, set aside, or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
7. The issuance of CUP 645 shall not supersede or override any applicable requirements of any other City, County, State, or Federal agency.

PASSED AND ADOPTED, Conditional Use Permit 645, inclusive of all conditions/requirements for the Project's site plan and architecture, is hereby approved by the City Council of Sand City, this ___ day of December, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

APPROVED:

ATTEST:

Mary Ann Carbone, Mayor

Connie Horca, Acting City Clerk

This is to certify that the Conditional Use Permit (CUP) 645 contains the conditions specified by the City Council in approving said Permit.

Charles Pooler, City Planner

APPLICANT ACCEPTANCE (CUP 645)

The Conditional Use Permit is hereby accepted upon the express terms and conditions hereof, and the undersigned agrees to strictly conform to and comply with each and all of the said terms and conditions therein.

DATED: _____

BY: _____

Applicant

CONSENT OF OWNER (CUP 646)

Consent is hereby granted to the permittee to carry out the terms and conditions of the Conditional Use Permit.

DATED: _____

BY: _____

Property Owner

CITY OF SAND CITY**ORDINANCE NO. _____, 2020****ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAND CITY
AMENDING ORDINANCE 06-02 THAT ESTABLISHED THE R2-PUD
ZONING DESIGNATION AND REQUIREMENTS FOR THAT RESIDENTIAL
PROPERTY AT 1875 OCEAN VIEW AVENUE (APN 011-131-017) TO
MODIFY BUILDING SETBACKS IN ALLOWING AN OPEN DECK ADDITION**

WHEREAS, the Medium Density Residential Planned Unit Development Zoning (hereinafter "R2-PUD") for 1875 Ocean View Avenue (APN 011-131-017) (hereinafter the "Subject Property") was adopted in 2006 by Ordinance 06-02, in addition to approval of Site Plan Permit 06-05 (hereinafter "SP 06-05") and Design Permit 06-05 (hereinafter "DP 06-05"), allowing and authorizing specific building modifications and improvements to an existing 2-story residential dwelling on the Subject Property; and

WHEREAS, Exhibit B of Ordinance 06-02 established the design standards, processing procedures, and land use for the Subject Property, which included building setbacks of 8-feet for the front facing Ocean View Avenue, 3-feet for the side facing Fell Street, 9-feet for the northeast side abutting private property, and 10.5-feet for the northwest rear abutting private property; and

WHEREAS, certain building modifications allowed by the Subject Property's R2-PUD zoning and authorized by SP 06-05 and DP 06-05 were completed, which included resurfacing the facades with board-n-baton siding and plastering the chimney; however, other authorized improvements, such as a small rear deck and front building entry addition, were never constructed; and

WHEREAS, the current property owner, Mr. Luke Kilpatrick (hereinafter the "Applicant") has submitted an application to the City of Sand City (hereinafter "City") for a home improvement project to construct an elevated 2nd level deck at the rear of his existing single family dwelling that will measure 13'-7" by 25'-9" with a 5'-0" side setback to the northeast and a 4'-8.5" rear setback to the northwest and then extend as a 4'-8" wide walkway (with exception to a 3'-0" width at the chimney) along the remainder of the rear elevation to the west corner and wrap around and continue to the existing stairway on the southwest elevation facing Fell Street encompassing a total of 481 square feet (hereinafter the "Project"); and

WHEREAS, since the intended open deck will become an integral part of the primary residential structure, an amendment to modify the Subject Property's R2-PUD setback standards is necessary in order for the Applicant's proposed Project to proceed; and

WHEREAS, the reduction of the R2-PUD's northeast side setback requirement from 9'-0" to 5'-0" for an open deck attached to the primary building is consistent with both contemporary single family residential development side setbacks and applicable building

and fire codes, where adequate space and access will be maintained between the Subject Property's building with the Project and the building on the abutting neighboring northeast side property; and

WHEREAS, reduction of the R2-PUD's northwest rear setback from 10'-06" to 4'-8" is not consistent with contemporary single family residential development setback standards; however, the amendment to reduce this rear setback is intended only to facilitate an elevated second level open deck and walkway where the primary structure's footprint and PUD specified setbacks will remain unchanged; and

WHEREAS, allowing the reduced setback of 4'-8" for the rear deck and deck walkway is necessary to provide a minimum 3'-0" width for the deck's walkway around the existing chimney on the rear northwest elevation; and

WHEREAS, the setback modifications to allow an open deck attached to the primary structure, as proposed by the Applicant, will not impact nor impede access and/or use of abutting properties; and

WHEREAS, the Project, for which the R2-PUD zoning setback modifications are necessary, will improve emergency egress from the upper level of the structure, thus improve public safety for the resident/occupant of the primary structure on the Subject Property; and

WHEREAS, modification of the R2-PUD setback specifications to allow an attached open deck, as proposed by the Applicant, will not change the Subject Property's R2-PUD's requirements and specifications regarding land use, residential density or type, building height, parking, or architectural style; and

WHEREAS, modification of the R2-PUD setback specifications, to add reduced setback requirements applicable only for open deck areas, will maintain the existing building setback specifications applicable to the primary enclosed residential structure that were adopted in 2016; and

WHEREAS, the action to modify setback requirements of the R2-PUD to accommodate the addition of an open deck on the Subject Property, as proposed by the Applicant, does not require a water allocation in accordance with the current regulations of the Monterey Peninsula Water Management District (the "MPWMD"); and

WHEREAS, the amendment to modify setbacks for the R2-PUD zoning of the Subject Property, as authorized by this Ordinance, will not increase unit density, will not impact/impede existing public views, will not create a demand for increased utilities/services, nor will it impact potentially sensitive species and/or habitat; and therefore, qualifies for a categorical exemption under CEQA (California Environmental Quality Act) guidelines, section 15305.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Sand City the following:

SECTION 1: **Amendment:** Ordinance 06-02, as adopted August 1, 2006, is hereby amended to modify building setbacks standards for the Subject Property to be as follows:

“a) Building setbacks for this property shall be consistent with site plan approval by the Design Review Committee and/or City Council. Setbacks for the enclosed living area of the primary structure shall be no less than as described in the chart below:

FRONT (southeast)	LEFT SIDE (southwest)	RIGHT SIDE (northeast)	REAR (northwest)
8-Feet	3-Feet	9-feet	10.5-feet

b) Setbacks for open decks attached to the primary structure shall be no less than as described in the chart below.

FRONT (southeast)	LEFT SIDE (southwest)	RIGHT SIDE (northeast)	REAR (northwest)
8-Feet	3-Feet	5-feet	4.75-feet

SECTION 2: **Disclaimer:** Approval and implementation of this Ordinance to amend the R2-PUD zoning setback specifications regarding open decks for the Subject Property does not secure, guarantee, or grant any rights and/or privileges to the owner of the Subject Property (present and future) to any water allocation by the City and/or other entity.

SECTION 2: **Severability.**
All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: **Effective Date**
This Ordinance shall become effective thirty (30) days following the second reading of this Ordinance.

PASSED AND ADOPTED BY THE CITY COUNCIL OF SAND CITY, this ___ day of ___
_, 2020 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

ATTEST:

Connie Horca, Acting City Clerk

Mary Ann Carbone, Mayor

AGENDA ITEM 4B

CITY OF SAND CITY

STAFF REPORT

NOVEMBER 2, 2020
(For DRC Consideration on November 20, 2020)

TO: Mayor and City Council Members

FROM: Charles Pooler, City Planner

SUBJECT: New Live-Work Development by Bill Taormina at 445 Orange Avenue

BACKGROUND

An application was submitted by Anatoly Ostretsov of AO Architectural Design (the "Applicant") representing Taormina Family Property LLC (the "Property Owner") for site plan and architectural review in the development of an approximate 2,722 square foot 3-story single unit live-work development on a 1,950 square foot parcel (the "Project") at 445 Orange Avenue (APN 011-238-021) in Sand City (the "Subject Property"). The Subject Property has a non-coastal Planned Mixed-Use (MU-P) zoning designation with a General Plan land use designation of MU-D. The Project's architecture and site design is subject to review by the City's Design Review Committee (the "DRC") in making recommendations to the City Council who will then act to issue a conditional use permit as a combined design and site plan review and approval as allowed under Sand City Municipal Code (SCMC) section 18.72.030(B). Construction is subject to plan check review and building permit issuance. The Project at the Subject Property qualifies as a categorical exemption, under State CEQA (California Environmental Quality Act) Guidelines, sections 15303 for new construction and 15332 for in-fill development.

Site Description:

The Subject Property is 26-feet wide and 75 feet deep for a total area of 1,950 square feet, which once facilitated a residential mobile home trailer that was removed in 2016. The site has since been enclosed by a perimeter wood fence and left vacant. The Property Owner also owns commercially developed property abutting to the rear (north). The Subject Property has a 26-foot wide frontage along Orange Avenue, consisting of a 20+ foot wide driveway apron and 4-foot curb with a power pole in the sidewalk. Street pavement is existing, and in fair condition. Utilities (gas, elect., water, sewer, etc.) are available to serve the Subject Property.

DISCUSSION

Project Description:

The Applicant proposes to develop an approximate 2,722 square foot 3-story single unit live-work building consisting of two bedrooms, a kitchen, a dining area, a living area, a laundry closet, a loft, and open decks on the second and third levels, with the ground level

designated for resident parking and potential commercial work area. There will be three (3) full baths, one on each level of the building. The garage provides roll-up doors at both the front and rear. A spiral stairway inside the building connects all three levels, while the residential space will have access via an open front stairway leading from the driveway up to the 2nd level balcony/deck and entry door. The building height is proposed at thirty-three feet (33') as measured from final pavement at the front garage door.

Land Uses & Zoning: The Subject Project has a non-coastal zoning designation of Planned Mixed-Use (MU-P) with a General Plan land use designation of MU-D (Mixed-Use Development). Section 18.13.040.O of the Zoning Code specifies residential “*development at a density no greater than 1 unit / 1,875 square feet of lot area*” is allowed, pending City Council’s discretionary issuance of a conditional use permit. The Subject Property is 1,950 square feet (26' x 75'), which allows a maximum of one (1) dwelling unit. The Project is a single residential unit laid out as a live-work structure; whereby the ground level garage can function as a commercial work area. This is consistent with the land use density limits of the MU-P zoning for the Subject Property.

The Project provides a spiral staircase physically connecting the garage/work area directly into the dwelling’s living area. This reduces the potential of this structure from being subdivided into separate units; however, that potential remains. In order to inform potential future property owners, and prevent future subdividing of the building unit into multiple units for which the property cannot provide ample zoning code compliant parking, a deed restriction should be recorded stating that the entire building shall remain a single unit that cannot be subdivided or subleased as multiple units therein.

Site Plan: Site coverage is maximized by the building footprint and parking pavement. Minimal landscaping is provided along the driveway sides. The building’s ground level will have a twenty foot (20') front (south) setback, zero foot (0') side (east & west) setbacks, and six foot (6') rear (north) setback. The second level terrace on the front (south) elevation extends and overhangs the front (south) setback by no more than two feet (2'). The second level rear (north) setback, from balcony edge to property line, is proposed to be no less than two feet (2'), and the third level rear (north) setback, from edge of rooftop deck to property line, is proposed to be no less than three feet (3'). The Project results in an approximate 70% building footprint (includes front stairway) coverage of the site. In the MU-P zoning district, all setbacks are subject to discretionary review and approval on a case-by-case and project-by-project basis (SCMC section 18.13.050(B)(C)).

Parking: The Project provides sufficient space for three (3) code compliant parking spaces inside the garage and another two (2) code compliant parking spaces in the driveway for a total of five (5) parking spaces. However, if a portion of the garage area is converted to commercial use for the resident above, then those parking spaces could be lost. For the purposes of analyzing parking requirements for this live/work Project, the Zoning Code’s definition of “single-family” (Section 18.04.220.A) is best applicable to the Project, and is used for analysis and determining parking requirements for the Project.

- a) *Number of Parking Spaces* - Section 18.64.050.F of the zoning code requires two (2) parking spaces per “single-family” dwelling unit, of which one of those spaces is to be covered. The Project provides covered parking space inside the garage and the front 20-foot driveway setback can provide 2 side-by-side uncovered parking spaces. As a condition of approval, the permit should require that a minimum of two (2) on-site parking spaces be provided, one inside the garage and one on the driveway. This is so the project satisfies minimum parking requirements of the municipal code for the residential use.
- b) *Deed Restriction for Garage Parking* - This is a “live-work” development of only one (1) dwelling unit; where the residential occupant will also be the occupant of the potential commercial “work area” on the ground level. A deed restriction or equivalent legal mechanism, subject to City Attorney review and approval, should be required by the permit and recorded on the Subject Property with the Monterey County Recorder’s Office, identifying the entire building as one (1) unit and prohibiting the physical separation of and/or leasing/sub-leasing of the ground level floor area separate and independent from this building’s residential dwelling and to also mandate that storage or other commercial activities within the garage shall not impede the parking of at least one (1) standard sized motor vehicle (i.e. automobile, pick-up truck, or the like) within that space. In this way, future property owners are informed and aware of the specific parking requirements for the Subject Property.

Loading/Unloading Areas: Loading/unloading activities might occur at the Subject Property for potential future commercial uses on the ground floor of the Project. Such activities can be accommodated on-site in the open driveway parking area for pick-up trucks; however, box trucks or larger would be limited to using the Orange Avenue right-of-way. Future commercial activity of this live-work property will be subject to future land use entitlement (i.e. conditional use permit) review and approval whereby shipments/deliveries and loading/unloading activities will be evaluated and mitigated at that time.

Trash Enclosure: There is not sufficient area on the Subject Property to provide a trash enclosure outside the building without impacting exterior parking. The Project does provide a small enclosed utility closet area beneath the front open stairway, but if this area is utilized for meters and utility connections, then there may be insufficient space for trash carts/bins. Trash bins and dumpsters can be maintained within the building’s garage on the ground level. This should be a condition of permit approval. Any future zoning permits for commercial activities on the Subject Property should also prohibit outside unscreened refuse bin/dumpster storage unless a City approved trash enclosure can be provided.

Landscaping: The site design provides small landscape planting areas along both sides of the driveway; the one on the east side is approximately 18-inches wide and the west side being approximately 2.33-feet wide, together encompassing approximately 99 square feet or 5% of the total site. These narrow planting areas are insufficient for most trees, but fast-growing evergreen shrubbery is recommended. Landscaping should consist of drought tolerant species suitable for coastal climate and sandy soil.

If any trees are installed on the Subject Property, they should consist of *Arbutus unedo* (strawberry tree), *Metrosideros excelsus* (New Zealand Christmas tree), or other species deemed appropriate by the Planning Department. Any tree should have double staking with 2" diameter wood poles. Wind screening for trees on the front (south) side of the property is unnecessary as the building would act as a wind barrier from strong coastal breezes. Landscaping should be subject to Planning Department review and approval of a landscape plan as part of the construction documents prior to issuance of a building permit for the Project.

Architectural Design: The overall building design is modern contemporary in both form and materials. This is consistent with the "industrial chic" architectural style promoted for the West End district.

- a) *Materials:* The front (south) and side (east & west) elevations for the 2nd and 3rd levels of the building consist of 1"x6" tongue and groove (T&G) horizontal siding stained with a cedar finish except for small areas of cement plaster (stucco) between windows and doors and wood fascia topping each level. The ground level of the front (south) and side (east & west) elevations and the entire rear elevation of all three levels consist of cement plaster (stucco); but staff recommends the permit allow additional use of the same T&G material as the 2nd and 3rd levels in place of plaster or exposed cement block at the Applicant's discretion. Those wall areas of the side elevations (east & west) abutting, and visually screened by, neighboring buildings will consist of an exposed concrete masonry block without additional material application. A permit for the project should require that the materials on the front elevation wrap around both sides of the buildings for those wall surfaces that are not screened by abutting neighboring buildings on the adjacent east and west properties. Exterior decks, balconies, and stairways are proposed with stainless steel cable railing systems. The lower unit garage consists of a single 16-foot wide roll-up door with glass panels at the front (south) elevation and a single 10-foot wide roll-up door with glass panels at the rear (north) elevation.
- b) *Building Height:* The main building will be three (3) stories at an approximate height of thirty-three feet (33') from finished grade at the front garage door. This height is within the allowable height limit for the MU-P zoning. Though the lot width is narrow (only 26-feet wide), the overall Project design and vertical window treatments, visually balance the width to height massing, which staff finds acceptable in this circumstance.
- c) *Doors & Windows:* The windows and doors will be vertically elongated from floor plate to floor header on the second and third levels. All windows and doors are horizontally and vertically aligned along the same relative axis, which staff supports. Windows and doors on the front (south) and rear (north) elevations will consist of metal clad wood material.
- d) *Roof:* The roof will consist of a built up flat roof with an approximate quarter inch (1/4") per foot slope for drainage or as otherwise required to satisfy building code requirements.

- e) *Colors:* The primary color for the exterior horizontal wall siding will be a stained cedar color. The cement plaster (stucco) walls will have an 'eggshell white' color or similar. The metal clad door and windows, along with the fascias and trims, gutters, and down spouts will have a dark brown color. The cable railing will be a stainless steel color.
- f) *Bollards:* No bollards were identified on the submitted plans. If, in the course of plan check review for a building permit, bollards become required for building code and utility provider compliance, then bollards should be required to be of a decorative design and not utilize exposed plain steel poles.
- g) *Exterior Lighting:* The submitted plans did not provide information as to the specific exterior light fixtures that will be used. All exterior fixtures need to direct light only onto the building and property and avoid projecting light into the street or onto neighboring properties. Fixtures should not create excessive ambient light or glare. As a condition of Permit approval, all exterior light fixtures should be reviewed and approved by the City's Planning Department prior to issuance of a building permit. Fixture specifications and photometric information should be included on the construction drawings.
- h) *On-Site Utility Meters & Equipment:* Utility meters and equipment (i.e. gas, electricity) should be screened from public view, while maintaining service/maintenance accessibility. Screening should utilize architectural elements/materials consistent with the approved building design. Utilities, meters, and equipment should also be discouraged from occupying landscape areas. The permit should contain the standard language specifying that all utility meters and equipment be either incorporated into the structure or screened using elements of the building's architecture. Landscaping is not considered an effective screening method. The site plan identifies a utility closet located below the front stairway along the driveway that should satisfy this requirement. Based on the plans provided, staff presumes this closet will be where the gas, electric, and other utility equipment/meters will be located. Furthermore, the Project should install underground lateral utility conduits/lines from the building to the street right-of-way for future connection for when currently overhead utilities (i.e. electricity, phone, cable, etc.) are placed underground. The stand pipe for the fire suppression system should be integrated into the site design to screen its visibility. Too often, this is a design "after thought" that places this equipment unscreened within the landscaping; an occurrence that should be avoided.

Signs: The Applicant indicated that no commercial signs will be installed on the building. If, at some future date a commercial sign is proposed, then Design Review Committee review and approval is required in the issuance of a sign permit prior to the establishment of any commercial sign on the property. This should be a condition of Project approval (see draft permit Condition No. H-1). As the Project is only for a single unit, a uniform sign program is not warranted.

Street Improvements:

The Subject Property has a 26-foot wide frontage along Orange Avenue, consisting of a 20+ foot wide driveway apron and 4-foot curb with a power pole in the sidewalk. Street pavement is existing and in fair condition. The Applicant identified that the Project will utilize the existing driveway apron, sidewalk, and curb/gutter. Any street improvement work requires City Engineer approval of civil improvement plans prior to issuance of a building permit, along with issuance of an encroachment permit. Any such work must be completed prior to City issuance of a certificate of occupancy for the Project. This should be a condition of permit approval (see Permit Condition I-1 to I-5).

Overhead / Underground Utility Connection: The Subject Property is fronted with a power/utility pole in the public sidewalk right-of-way that will not impede the existing/proposed driveway access. Considering that the Subject Property only fronts 6% of the entire 400 block of Orange Avenue, it is not reasonable to require this Project to place overhead utilities underground for such a short distance. The placement of overhead utilities underground for the entire street block should be completed at a single time. However, the Project should install underground lateral utility lines from the building to the public right-of-way for future connection for when currently overhead utilities (i.e. electricity, phone, cable, etc.) are eventually placed underground.

Street Pole Lights: For the West End District, the City typically has not required a project to install light poles, with exception for the Ortiz frontage of The Independent. Currently, the cobra-head lights on poles and power poles are maintained and paid for by PG&E. When any other light pole/fixture is installed on public streets, PG&E then will not maintain or cover power costs; thus becoming a financial burden upon the City. If the City Council wishes to pursue more decorative pole lights in the West End District, staff recommends using a concrete poles and LED fixtures consistent with that used for the Bungalows project in the East Dunes, though the poles might have to be higher to minimize the number of poles along streets. Additionally, a master plan should be prepared that pre-determines where pole lights should be placed. The current draft of the land use entitlement permit (CUP) for consideration on this Project does not include any such requirement for street lights. Considering the Project fronts only 6% of the linear length of the block and the City does not have a comprehensive street light program/design, staff is not recommending this Project install a street light.

Water:

The Project proposes one (1) kitchen with a vegetable sink, a laundry machine, and three full bathrooms (1 on each level); which requires 0.164 acre-feet per year (af/y), taking into account that the toilets, dishwasher, and washing machines will all have to be high efficiency fixtures (see Exhibit F.1). The landscaping will require another 0.002 af/y per the water efficient landscape worksheet (see Exhibit F.2). This totals 0.166 af/y needed for the Project in accordance with Monterey Peninsula Water Management District ("MPWMD") regulations. The on-site water credit of 0.088 af/y for the Subject Property is based upon the previous 1-bathroom mobile home trailer that once stood on the site that was removed in 2016. That credit will remain until 2021, five years after removal of the trailer unless the Property Owner requests the MPWMD for an extension for another five (5) years, which

is allowed in accordance with the regulations of the MPWMD. The City Council approved Resolution SC 16-76 (2016) on September 20, 2016 authorizing an allocation of 0.081 acre-feet of water to the Subject Property from the City's water entitlement (desalination project) to supplement the existing on-site water credit in accommodating the Applicant's previous live-work project that was not built. That water dedicated by Resolution SC 16-76 was not recorded on the property as the previous project's construction drawings never reached final approval for a building permit. The previously allocated water in addition to on-site credit, based on current information and City staff's calculations, is sufficient to accommodate the Project now proposed by the Applicant. These Project calculations by City staff are subject to the MPWMD's final determination prior to issuance of a water permit by the MPWMD and a building permit by the City for the Project.

Stormwater Control:

The discharge of storm water within the City of Sand City is regulated by the State Water Resources Control Board (SWRCP) Order No. 2013-0001-DWQ National Pollutant Discharge Elimination System Phase II General Permit for Storm water Discharges from Small Municipal Separate Storm Sewer Systems (the 'General Permit'), the Central Coast Regional Water Quality Control Board (RWQCB) Resolution No. R3-2013-0032 Post-Construction Storm water Management Requirements for Development Projects in the Central Coast Region (the 'PCRs'), and Sand City Municipal Code (SCMC) Chapter 13.05 regarding Storm water Management. The PCR's apply to all development projects that require discretionary approvals from the local jurisdiction and create or replace 2,500 square feet or more of impervious surface; and mandates development projects to implement Low Impact Development (LID) infrastructure to detain, retain, and treat runoff. Storm water Control Measures (SCM) are features designed into a project that emphasizes the protection of water sheds through physical and design control measures. Low Impact Development is a strategy that strives to mimic pre-development hydrologic processes.

The Subject Property is 1,950 square feet (26-ft wide and 75-feet deep). The ground floor will cover 1,241 square feet, the rear concrete apron/patio will cover 129 square feet, the stair/railing and storage will cover 84 square feet, and the concrete driveway will cover 397 square feet; for a total impervious site coverage of 1,851. Landscaping will provide 99 square feet of pervious surface area (approximately 5% of the site). The proposed impervious site coverage is less than the 2,500 square foot threshold for implementing storm water control measures; and therefore, the Applicant is not automatically required to implement SCM and LID features. The proposed landscaping on both sides of the driveway will provide some on-site drainage provided they are flush with the abutting pavement to allow water drainage and do not incorporate raised curbs; which should be a condition of Project approval. Any development/construction activities on the Subject Property will be required to enact all Better Management Practices to the satisfaction of the City Engineer.

Parcel / Lot Merger:

The Subject Property consists of a single lot (Lot 24 of Block 25) within one (1) assessor's parcel (APN 011-238-021) (see Exhibit A). The Property Owner also owns property abutting to the rear (north). Staff typically recommends the merging of contagious lots under the

same ownership as a condition of permit approval. However, a merger in this circumstance is not warranted as the properties are back to back for only a 26-foot wide width that would not improve development standards for either property. Furthermore, the Project does not incorporate the use and/or development of the abutting property. Therefore, a lot/parcel merger is NOT recommended.

City Council: The City Council is scheduled to hold a public hearing on Tuesday, December 1, 2020, at 5:30 p.m. to consider the overall Project, the recommendations of staff and the Design Review Committee, and then take action on the Project. Under the new zoning regulations intended to streamline the permitting process, the Design Permit and site plan requirements, based on recommendations of the Design Review Committee, will be incorporated into a single conditional use permit for City Council action.

CEQA Review:
The Project qualifies for a Categorical Exemption under Sections 15303(a) and 15332 of CEQA (California Environmental Quality Act) Guidelines. Section 15303(a) exempts up to three new single-family residences within an urbanized area, and Section 15332 exempts “in-fill” development provided a project is consistent with the applicable General Plan designation. Sand City and the Subject Property can best be described as “urban in-fill”, the residential unit density is below the 3-dwelling threshold, and the Project is consistent with the General Plan’s mixed-use land designation. Therefore, the Project qualifies for exemptions under these definitions.

Covid-19 Epidemic:
Issuance of entitlement permits for the Project do not override any Federal, State, or County orders that may impact the Project in terms of construction or use during a pandemic. The entitlement permit(s) for the Project outlines the authorized development and the conditions and restrictions upon the Applicant for the Project during normal circumstances. The Applicant will be subject to the Monterey County Health Department as to determine the conditions and restrictions that would impact and/or limit construction/use of the Project during the current pandemic.

Advisory Agency Comments:
Information on the proposed Project was circulated to the City’s advisory agencies. The Fire Department commented that the project must meet all current California Fire Code and Amendments; and that fire sprinklers and possibly a new water meter are required; and that a fire alarm is required if the site is used for commercial purposes. The Seaside County Sanitation District had no concern, but stated that the Applicant must apply to Monterey One Water for sewer connection permit and pay applicable fees prior to issuance of a building permit. The Building and Fire Departments will further review the project during the construction plan check review process. No other comments were received at the time of preparing this report.

STAFF RECOMMENDATION

The Design Review Committee action is to provide comments and recommendations on the Project for City Council consideration and incorporation into the Project’s conditional

use permit that will be acted upon by the City Council. Staff intends to recommend **APPROVAL** of the project with the recommendations discussed in this report, subject to DRC comments.

Findings for Approval:

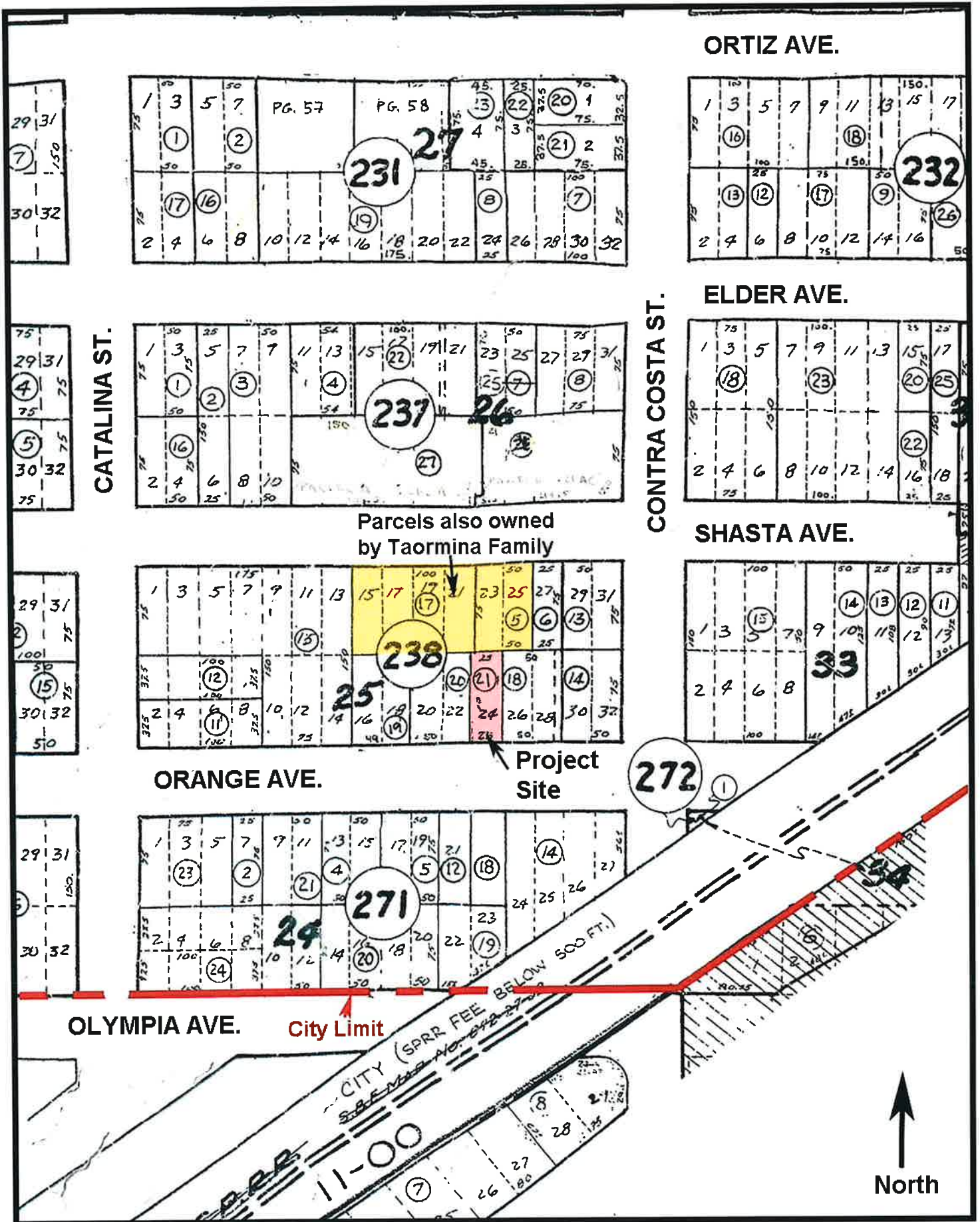
1. The Project, as conditioned, is consistent with the Planned Mixed-Use (MU-P) zoning (Municipal Code Chapter 18.13) and Land Use Element, Goal 2.1 and Policy 2.1.1, of the City's General Plan.
2. The Project, as a "live-work" development where the ground floor garage/workshop is utilized by the residential unit's occupant, provides sufficient on-site parking to satisfy Sand City Municipal Code Chapter 18.13.
3. The creation of one (1) residential dwelling unit on the 1,950 square foot Subject Property is compliant with residential density limits established by Zoning Code Section 18.13.040.
4. City Resolution SC 16-76 (2016) was approved by the City Council on September 20, 2016 authorizing an allocation of 0.081 acre-feet of water from the City's water entitlement (desalination project) to supplement existing on-site water credit for the Applicant's previous project on the Subject Property, which is sufficient with the on-site credit, based on current information and City staff's calculations, to accommodate the Project now proposed by the Applicant.
5. Utilities (electricity, gas, water, sewer, etc.) are sufficiently available to facilitate the proposed use at the Subject Property.
6. The Project qualifies for a Categorical Exemption under Sections 15303(a) and 15332 of CEQA (California Environmental Quality Act) Guidelines.

Exhibits:

- A. Location Map
- B. Aerial Map
- C. Site Plan
- D. Project Plan Statistics
- E. Applicant's submitted plan set (5 sheets)
- F. Water Calculations (2 sheets)

Attachments:

1. Draft Resolution for City Council consideration



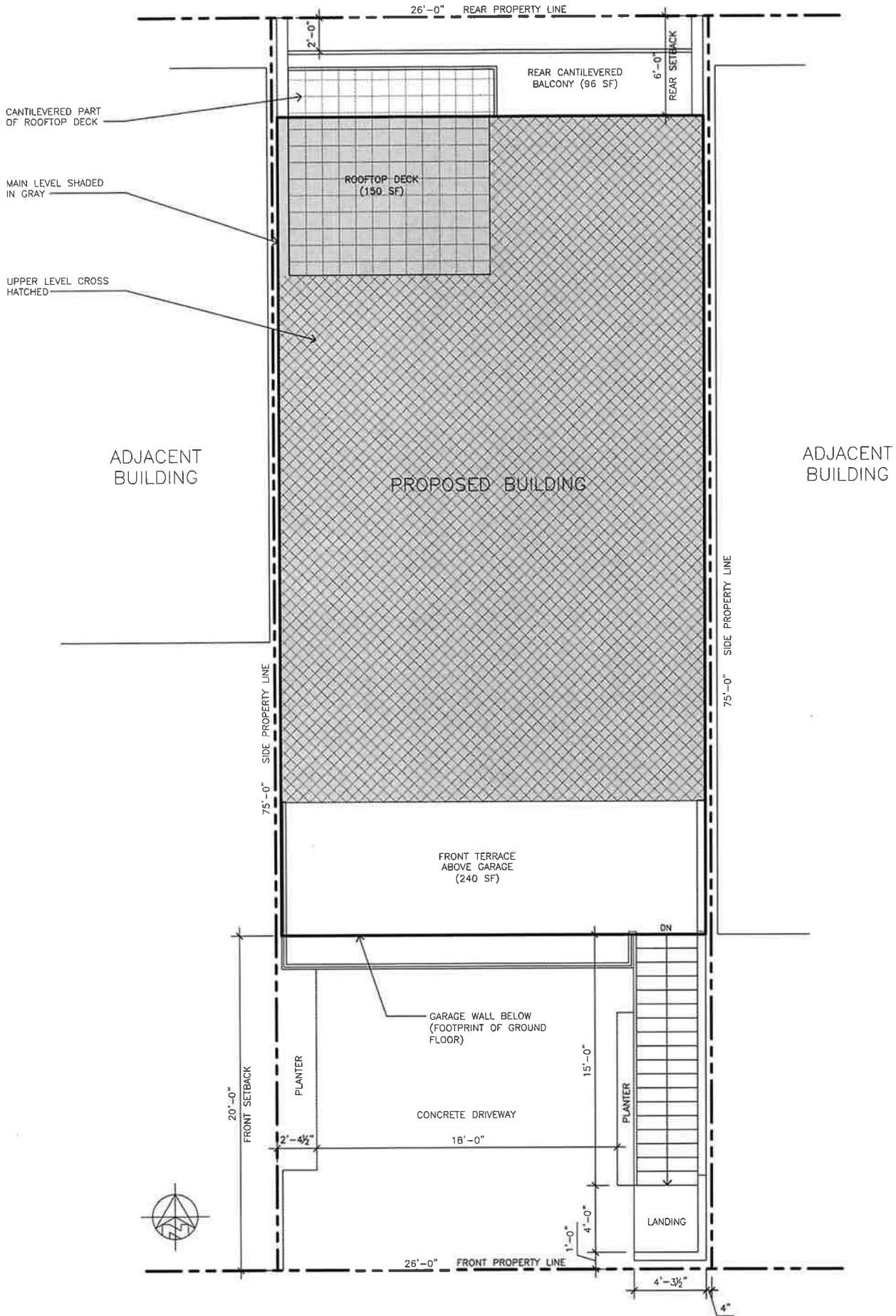
Location Map

EXHIBIT A



Aerial Map (via Google Earth)

EXHIBIT B



Site Plan

EXHIBIT C

PROJECT DATA

PROPERTY OWNER: MR. AND MRS. WILLIAM TAORMINA
611 EAST ADELE ST.,
ANAHEIM, CA 92805
TEL. (714) 308-0220

PROJECT ADDRESS: 445 ORANGE AVE.
SAND CITY, CA 93955

PROJECT DESCRIPTION: NEW 3--STORY SINGLE FAMILY RESIDENCE WITH A GARAGE AT
THE GROUND FLOOR AND LIVABLE SPACE AT THE MAIN AND
UPPER LEVELS

APN: 011-238-021
ZONING: MU-P
TYPE OF CONSTRUCTION: V-B
OCCUPANCY: R-3, U
STORIES: 3
HEIGHT LIMIT: 60'
HEIGHT PROPOSED: 33'
GRADING: CUT - 0 C.Y. FILL - 0 C.Y.
TREE REMOVAL: NONE
APPLICABLE CODES: 2019 CBC, 2019 CRC, 2019 CFC, 2019 CPC, 2019 CEC,
2019 CMC, 2019 CALIFORNIA ENERGY CODE, 2019 CALIFORNIA
GREEN BUILDING CODE

LOT AREA: 1,950 S.F.

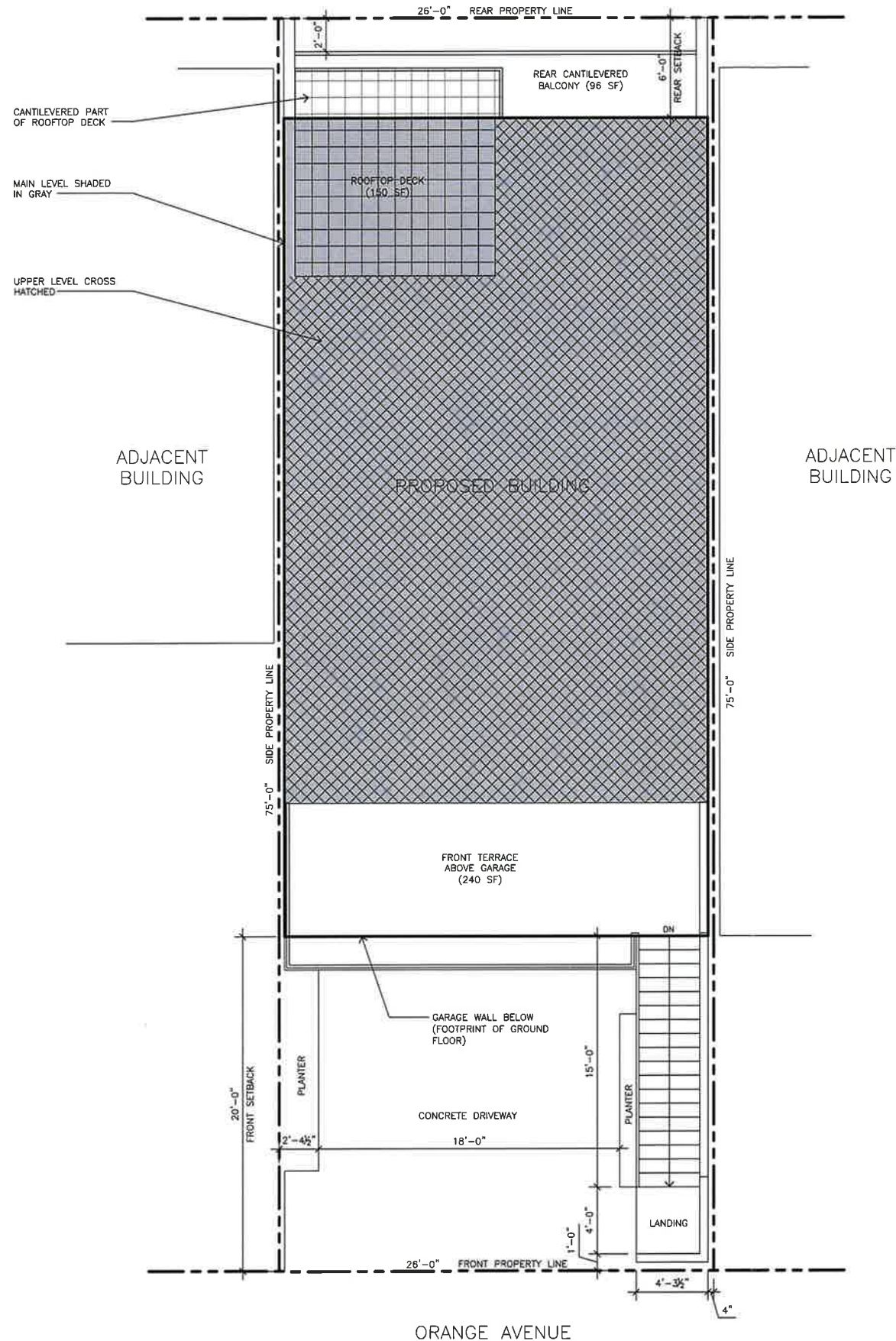
FLOOR AREA CALCULATIONS

	PROPOSED FLOOR AREA
HOUSE MAIN FLOOR	1,039 S.F.
HOUSE UPPER FLOOR	246 S.F.
HOUSE UPPER FLOOR LOFT	182 S.F.
GARAGE, BATHROOM & MECH.	1,241 S.F.
UTILITY ROOM (UNDER STAIR)	14 S.F.
TOTAL	2,722 S.F.

GROSS FLOOR AREA PROPOSED 2,722 S.F.

SITE COVERAGE CALCULATIONS

	PROPOSED	%
BUILDING COVERAGE	1,241 S.F.	64%
STAIR (INCLUDING UTILITY ROOM)	84 S.F.	4%
REAR CONCRETE APRON	129 S.F.	7%
CONCRETE DRIVEWAY	397 S.F.	20%
PLANTERS	99 S.F.	5%
	1,950 S.F.	100%



Applicant's Submitted Plan Set

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

PROJECT DATA

PROPERTY OWNER: MR. AND MRS. WILLIAM TAORMINA
611 EAST ADELE ST., ANAHEIM, CA 92805, TEL. (714) 308-0220

PROJECT ADDRESS: 445 ORANGE AVE. SAND CITY, CA 93955

PROJECT DESCRIPTION: NEW 3-STORY SINGLE FAMILY RESIDENCE WITH A GARAGE AT THE GROUND FLOOR AND LIVABLE SPACE AT THE MAIN AND UPPER LEVELS

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PLANTERS	99 S.F.	5%
TOTAL	1,950 S.F.	100%

PROJECT SITE



EXHIBIT E

VICINITY MAP



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THE RESIDENCE AT 445 ORANGE AVENUE

SAND CITY, CA 93955

APN: 006-042-001

445 ORANGE AVE.

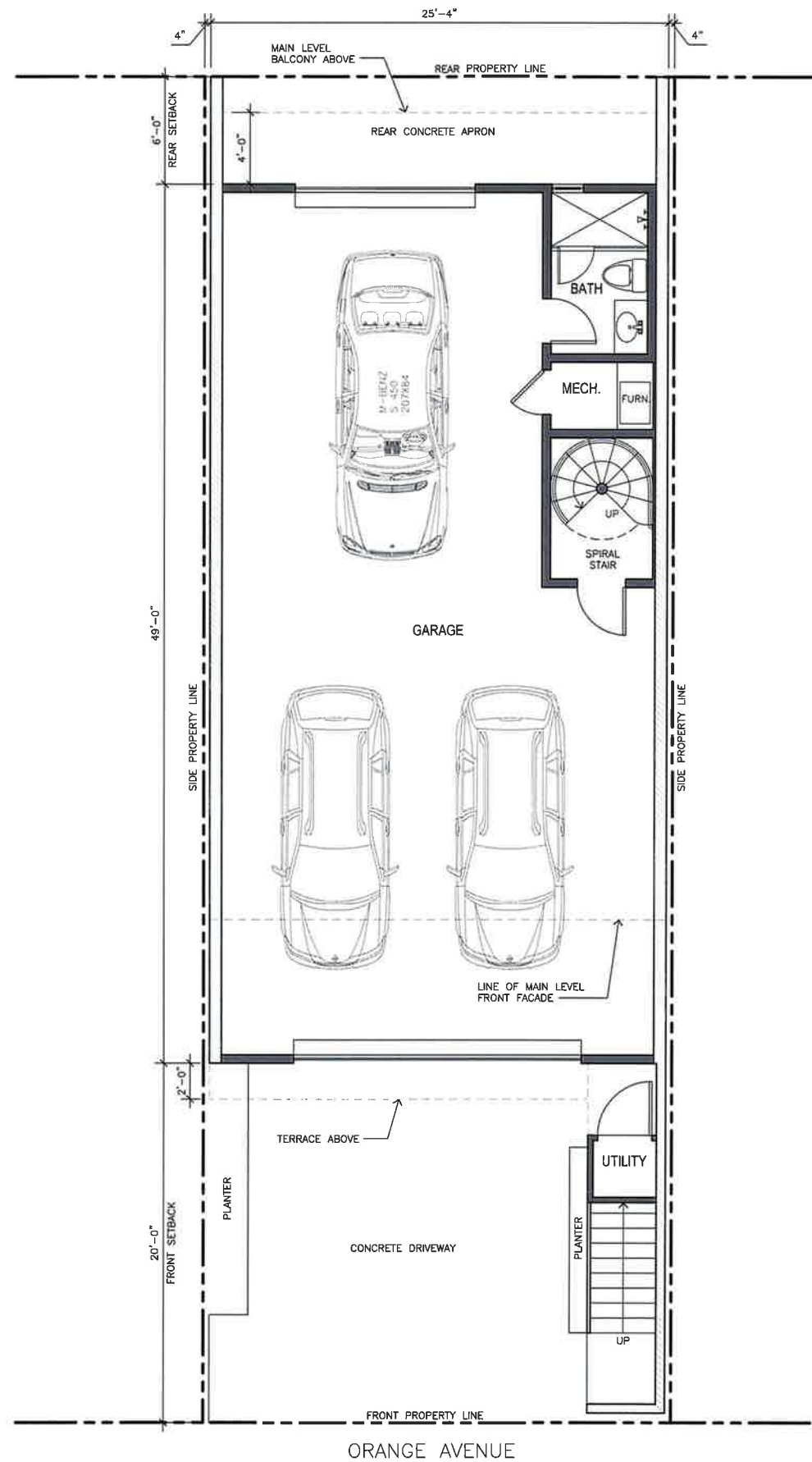
REVISIONS

SITE PLAN

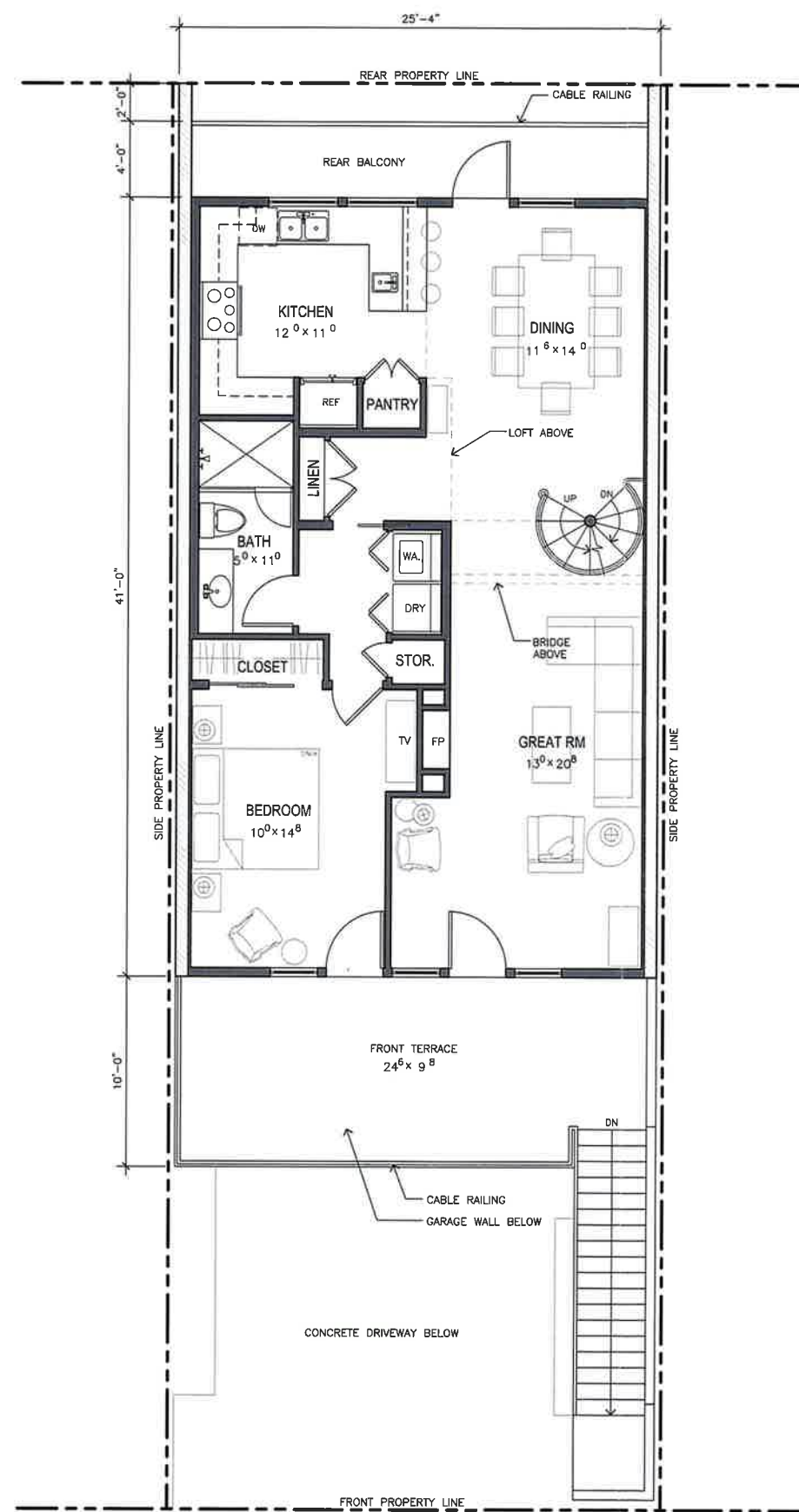
DATE: 07-27-2020
DESIGN APPROVAL

SHEET NO.
A1.0




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GROUND LEVEL FLOOR PLAN 1/4"=1'-0"



WALL LEGEND

-  2X6 EXTERIOR STUD FRAMED WALL
-  2X4 INTERIOR STUD FRAMED WALL
-  CMU WALL



MAIN LEVEL FLOOR PLAN 1/4"=1'-0"



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445 ORANGE AVE.

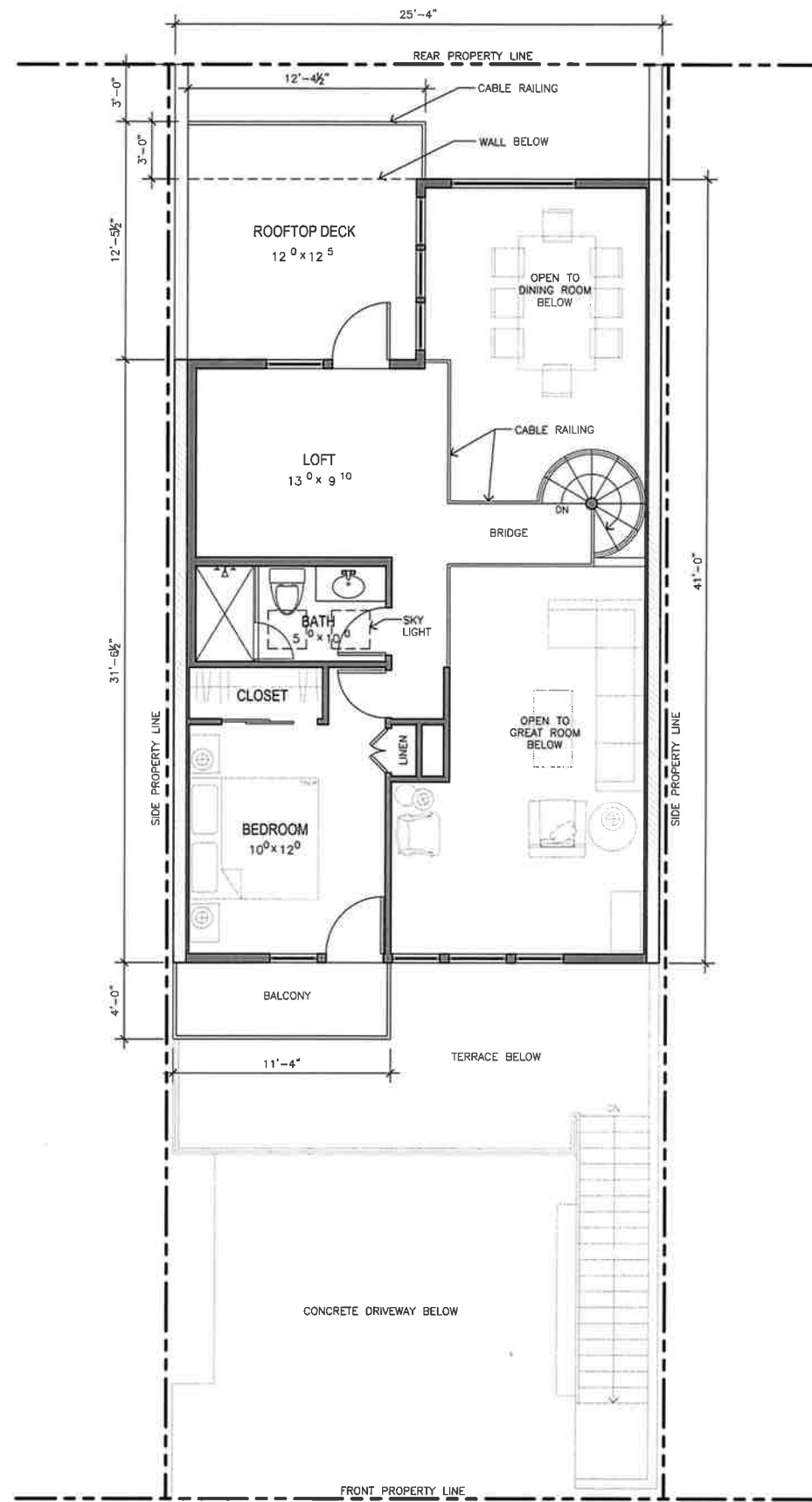
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FLOOR PLANS

DATE: 07-27-2020
 DESIGN APPROVAL

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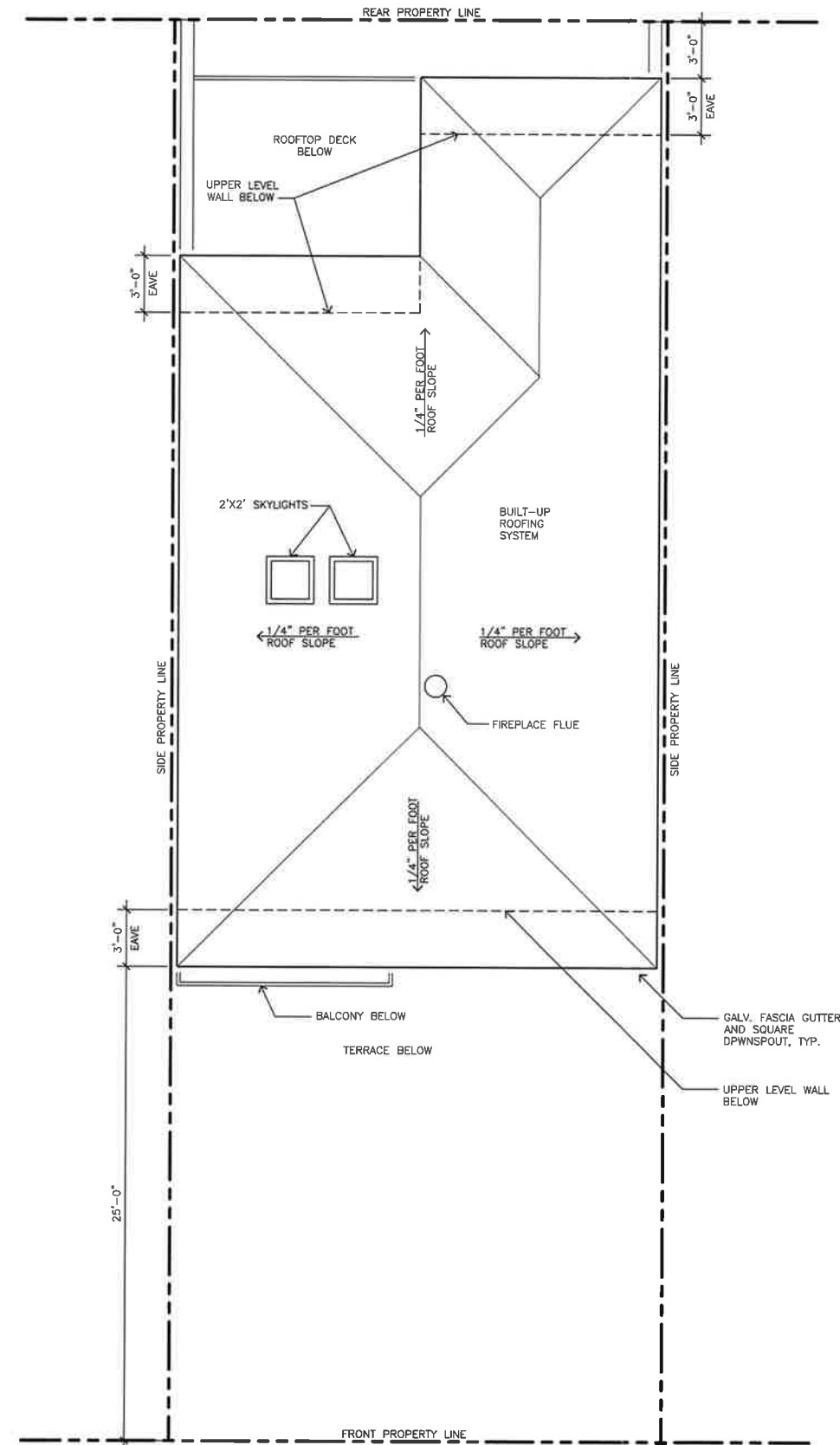


WALL LEGEND

- 2X6 EXTERIOR STUD FRAMED WALL
- 2X4 INTERIOR STUD FRAMED WALL
- CMU WALL

UPPER LEVEL FLOOR PLAN

1/4"=1'-0"



ROOF PLAN

1/4"=1'-0"



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THE RESIDENCE AT 445 ORANGE AVENUE

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445 ORANGE AVE.

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REVISIONS:

FLOOR PLAN
ROOF PLAN

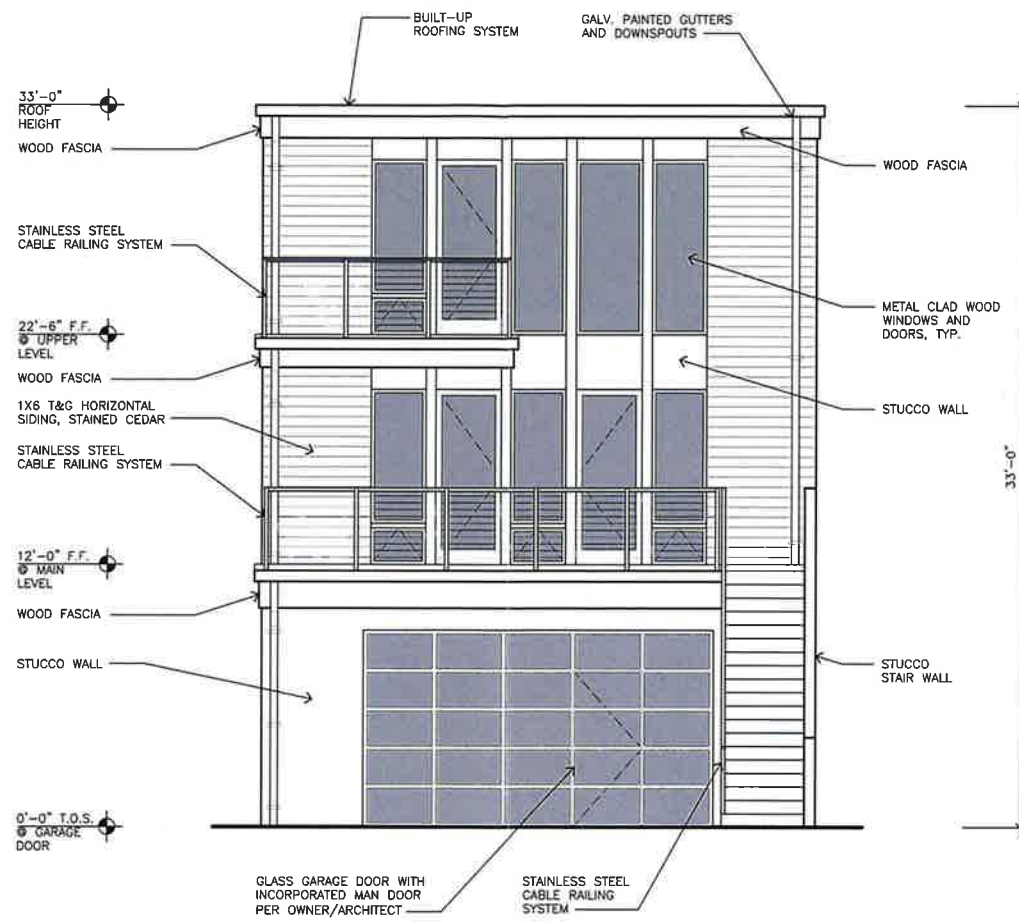
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DESIGN APPROVAL

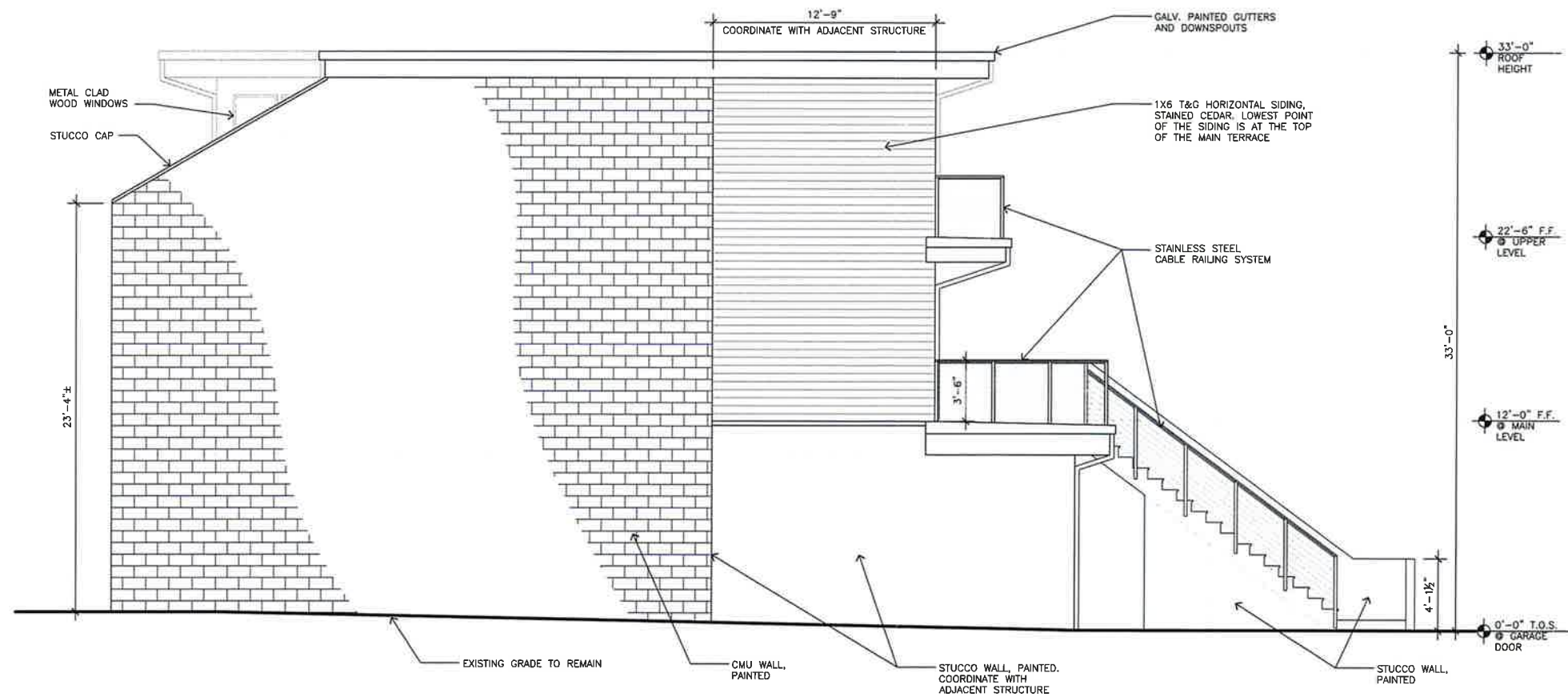
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PROPOSED SOUTH (FRONT) ELEVATION 1/4"=1'-0"



PROPOSED WEST ELEVATION 1/4"=1'-0"



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THE RESIDENCE AT 445 ORANGE AVENUE

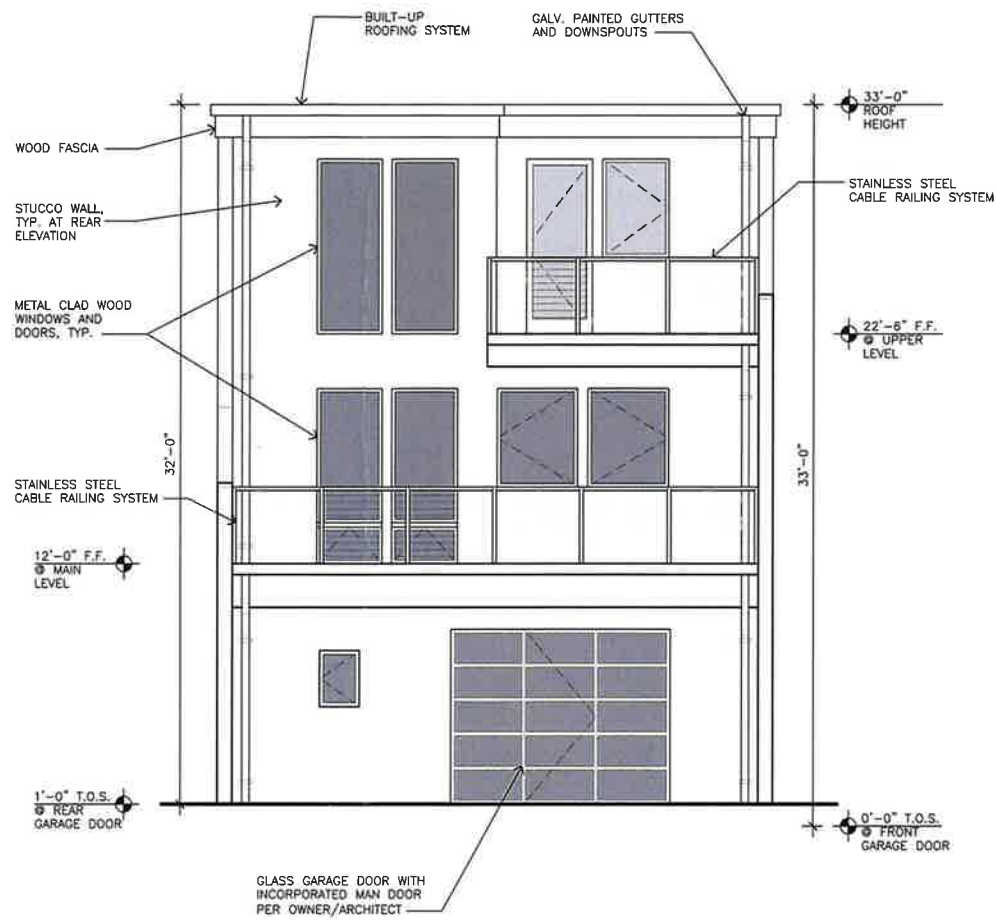
REVISIONS:

EXTERIOR ELEVATIONS

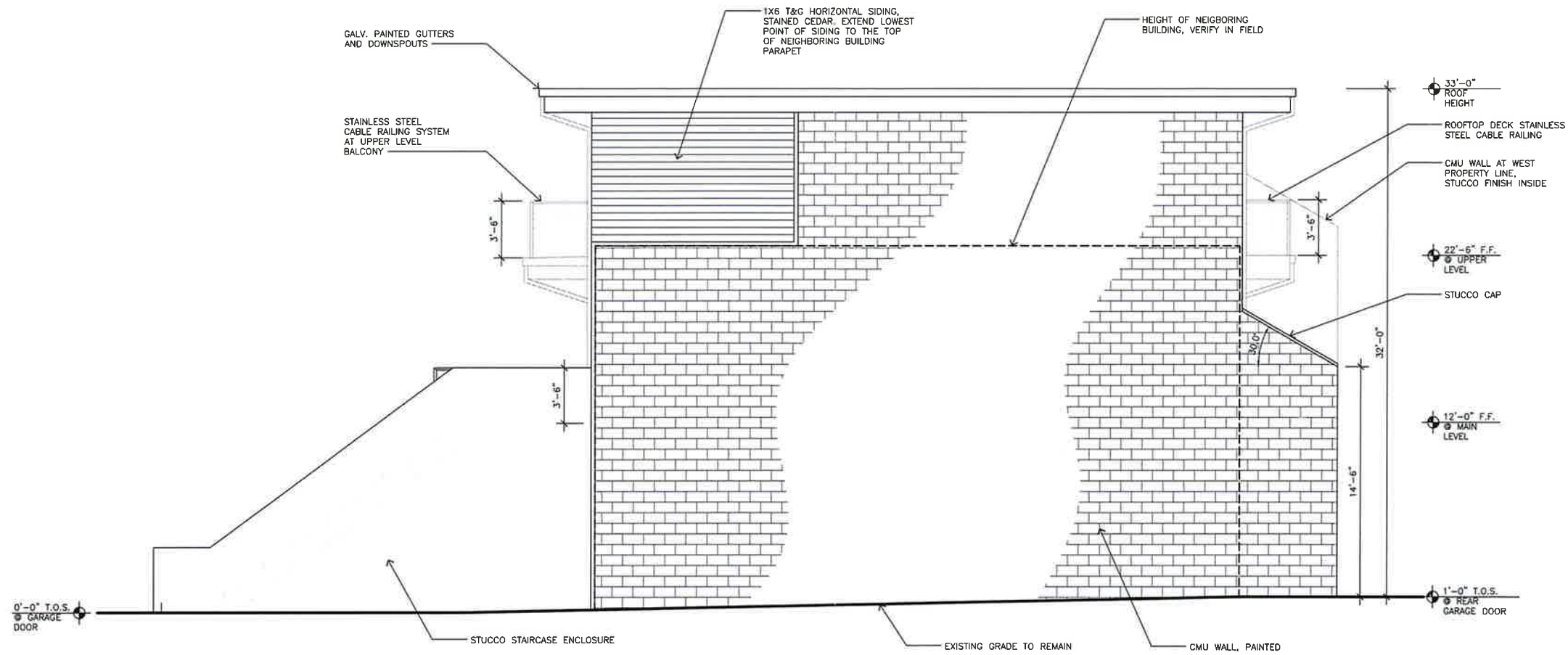
DATE: 07-27-2020
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PROPOSED NORTH (REAR) ELEVATION 1/4"=1'-0"



PROPOSED EAST ELEVATION 1/4"=1'-0"



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THE RESIDENCE AT 445 ORANGE AVENUE

SAND CITY, CA 93955

APN: 006-042-001

445 ORANGE AVE.

REVISIONS

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EXTERIOR ELEVATIONS

DATE 07-27-2020

DESIGN APPROVAL

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Use of these plans and specifications is restricted to the original site for which they were prepared and publication thereof is expressly limited to such use. Reuse or reproduction of publication by any means in whole or in part is prohibited. Title to plans and specifications remain with the architect, and their contact with them constitutes prima facie evidence of the acceptance of their restrictions.

Taormina Project Water Totals
445 Orange Avenue

CREDIT:	
Existing Residential On-Site Credit	0.088
Existing Commercial On-Site Credit	0.000
Total On-Site Credit	0.088

NEW DEMAND:	
New Commercial Water Demand	0.000
New Residential Water Demand	0.164
New Landscaping Water Demand	0.002
Total New Water Demand	0.166

Allocation needed for Project	0.078
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New Residential Water
Taormina @ 445 Orange Avenue

FIXTURE TYPE/DESCRIPTION	No. of Fixtures	Fixture Unit Value	Fixture Units	Acre-Feet	NOTES
SINKS (bathroom)					
Washbasin (lavatory sink), each	3	x 1	= 3	x 0.01 = 0.03	
Two Washbins in Master Bath		x 1	= 0	x 0.01 = 0	
TOILETS:					
Toilet, Ultra Low Flush (1.6 gallons/flush)	0	x 1.7	= 0	x 0.01 = 0	
Toilet, High Efficiency (HET) 1.3 gallons/flush	3	x 1.3	= 3.9	x 0.01 = 0.039	All new fixtures must be HET
URINALS:					
Urinal (1.0 gallon/flush)		x 1	= 0	x 0.01 = 0	
Urinal, High Efficiency (0.5 gallons/flush)		x 0.5	= 0	x 0.01 = 0	
Urinal, Zero Water Consumption		x 0	= 0	x 0.01 = 0	
BATHTUBS (w/ showers)					
Bathtub, Large (w/showerhead) & separate shower in master bath		x 3	= 0	x 0.01 = 0	
Bathtub, Large (may have showerhead)		x 3	= 0	x 0.01 = 0	
Bathtub, Standard (may have showerhead)		x 2	= 0	x 0.01 = 0	
SHOWERS (only)					
Shower, separate stall (one showerhead)	3	x 2	= 6	x 0.01 = 0.06	
Shower, each additional fixture		x 2	= 0	x 0.01 = 0	
Shower System, Rain Bars, or custom shower (varies per specifications)		x 2	= 0	x 0.01 = 0	
KITCHEN:					
Kitchen Sink (w/ optional dishwasher)		x 2	= 0	x 0.01 = 0	
Kitchen Sink (w/ adjacent High Efficiency Dishwasher (5.8 gallons max/cycle)	1	x 1.5	= 1.5	x 0.01 = 0.015	All new fixtures must be High Effic.

New Residential Water
Taormina @ 445 Orange Avenue

DISHWASHERS (only)	
Dishwasher, each additional (includes optional adjacent sink)	
Dishwasher, High Efficiency, each additional (including optional adjacent sink / 5.8 gallons max/cycle)	

x	2	=	0	x 0.01 =	0
x	1.5	=	0	x 0.01 =	0

UTILITY SINK:	
Laundry Sink/Utility Sink	

x	2	=	0	x 0.01 =	0
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WASHING MACHINES:	
Clothes Washer	
Clothes Washer, High Efficiency (HEW) (Water Factor of 5.0 or less)	

x	2	=	0	x 0.01 =	0
1	x	1	=	1	x 0.01 = 0.01

All new fixtures must be HEW

MISCELLANEOUS:	
Bidet	
Bar Sink	
Entertainment Sink	
Vegetable Sink	
Swimming Pool (each 100 sqft of pool surface)	

x	2	=	0	x 0.01 =	0
x	1	=	0	x 0.01 =	0
x	1	=	0	x 0.01 =	0
1	x	1	=	1	x 0.01 = 0.01
x	1	=	0	x 0.01 =	0

TOTAL (Building)	16.4 F.U.	x 0.01	0.164 Ac.Ft.
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LANDSCAPING:	
500 sq.ft. or less of landscaping	
501 or more square feet of landscaping	

How many square feet?	99	ETWU =	0.002
How many square feet?		ETWU =	

See Worksheet

TOTAL (Project)	0.166 Ac.Ft.
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Water Efficient Landscape Worksheet – Appendix B

This worksheet is filled out by the Project Applicant as a required element of the Landscape Documentation Package.

Reference Evapotranspiration (ET_o) Monterey Region: **36.00"**

Hydrozone #/Planting Description ^a	Plant Factor (PF) ^c	Irrigation Method ^b	Irrigation Efficiency (IE) ^c	Evaporation Adjustment Factor or ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Area	Estimated Total Water Use (ETWU) ^e
Regular Landscape Areas							
	.3	DRIP	.81	.370	99	36.6	817.6
				Totals	(A)	(B)	
Special Landscape Areas (SLA)							
					1		n/a
					1		
					1		
				Totals	(C)	(D)	
ETWU Total							817.6
Maximum Allowed Water Allowance (MAWA)^e							

^a **Hydrozone #/Planting Description**
 For example:
 1.) "front lawn"
 2.) "low water use plantings"
 3.) "medium water use plantings"

^b **Irrigation Method**
 overhead spray
 or drip

^c **Irrigation Efficiency**
 0.75 for spray head
 0.81 for drip

^d **ETWU (Annual Gallons Required) =**
 $Et_o \times 0.62 \times ETAF \times Area$
 where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year.

^e **MAWA (Annual Gallons Allowed) =** $(Et_o) (0.62) [(ETAF \times LA) + ((1-ETAF) \times SLA)]$
 where 0.62 is a conversion factor that converts acre-inches per acre per year to gallons per square foot per year, LA is the total landscape area in square feet, SLA is the total special landscape area in square feet, and ETAF is .55 for residential areas and 0.45 for non-residential areas.

$$36 \times 0.62 \times .370 \times 99 = 817.6$$

$$\frac{817.6 \text{ gal}}{325,851 \text{ gal/ac}} = .00251 \text{ AF}$$

ETAF Calculations

Regular Landscape Areas

Total ETAF x Area	(B)
Total Area	(A)
Average ETAF	B + A

Average ETAF for Regular Landscape Areas must be 0.55 or below for residential areas, and 0.45 or below for Non-Residential areas.

All Landscape Areas

Total ETAF x Area	(B+D)
Total Area	(A+C)
Sitewide ETAF	(B+D) + (A+C)

CITY OF SAND CITY**RESOLUTION SC _____, 2020****RESOLUTION OF THE CITY COUNCIL OF SAND CITY TO APPROVE
CONDITIONAL USE PERMIT 646 (INCLUSIVE OF SITE PLAN AND DESIGN
REVIEW) FOR THE DEVELOPMENT OF A LIVE-WORK PROJECT AT
445 ORANGE AVENUE**

WHEREAS, Anatoly Ostretsov of AO Architectural Design (the “Applicant”) representing Taormina Family Property LLC (the “Property Owner”) submitted applications to the City of Sand City (the “City”) for site plan and architectural review to approve the development of an approximate 2,722 square foot 3-story single unit live-work development on a 1,950 square foot parcel (the “Project”) at 445 Orange Avenue (APN 011-238-021) in Sand City (the “Subject Property”); and

WHEREAS, the Project, as conditioned, is consistent with the Planned Mixed-Use (MU-P) zoning (Municipal Code Chapter 18.13) and General Plan Land Use Element (2002 ed) Goal 2.1 and Policy 2.1.1; and

WHEREAS, the Project provides sufficient on-site parking to satisfy minimum parking requirements of Sand City Municipal Code Chapter 18.13 as the ground floor garage/workshop is utilized only by the residential unit’s occupant; and

WHEREAS, the creation of one (1) residential dwelling unit on the 1,950 square foot Subject Property is compliant with residential density limits established by Zoning Code Section 18.13.040.O; and

WHEREAS, the Project qualifies for a Categorical Exemption under Sections 15303(a) and 15332 of CEQA (California Environmental Quality Act) Guidelines; and

WHEREAS, City Resolution SC 16-76 (2016) was approved by the City Council on September 20, 2016 authorizing an allocation of 0.081 acre-feet of water from the City’s water entitlement (desalination project) to supplement existing on-site water credit for the Applicant’s previous project on the Subject Property, which is sufficient with the on-site credit, based on current information and City staff’s calculations, to accommodate the Project now proposed by the Applicant; and

WHEREAS, in accordance with Municipal Code Section 18.72.030, the Site Plan and Architectural/Design review approvals are combined into this single Conditional Use Permit for the Project; and

WHEREAS, the City Council of the City of Sand City, on _____, 2020, has found and determined that the proposed Project of one (1) live-work unit, as conditioned, will not adversely impact the character of the surrounding neighborhood, nor be injurious or detrimental to adjoining properties or the rights of the owners therein, and Conditional Use

Permit 646 (hereinafter "CUP 646") shall be granted upon the conditions hereinafter set forth; and

WHEREAS, the City Council of the City of Sand City has accepted the findings for approving CUP 646, as outlined in the City staff report, dated November 2, 2020.

NOW, THEREFORE, the City Council of the City of Sand City hereby grants and issues CUP 646 upon the following terms and conditions:

A. Permit Effectiveness/Time Limits:

1. CUP 646 is not valid and Project construction on the Subject Property shall not commence, unless and until two (2) copies of this Resolution/Permit, signed by the permittee and landowner, acknowledging receipt of the Resolution/Permit and acceptance of the terms and conditions, are returned to the City's Planning Department. The City shall not issue a building permit for the Project unless and until CUP 646 has been signed by all parties in acceptance of the terms and conditions of CUP 646. Failure of the Applicant to return the two (2) original signatory copies of the Resolution/Permit, with the Applicant's and Property Owner's signatures of acceptance shall be sufficient cause for the City Council to revoke CUP 646 unless good cause to grant an extension is found acceptable by the City's Planning Department. In addition, if the Applicant fails to obtain and maintain an active building permit from the City for the Project within two (2) years following the date of City Council approval of CUP 646, and/or construction of the Project does not proceed thereafter issuance of a building permit where that building permit expires, then CUP 646 shall be subject to City Council action to terminate CUP 646 thereafter at their discretion. The Permit shall remain in effect until acted upon by the City Council.

2. Purpose: CUP 646 is for the express purpose of authorizing the construction of an approximate 2,722 square foot 3-story single unit live-work building; to consist of two bedrooms, a kitchen, a dining area, a living area, a laundry closet, a loft, and open decks divided between the second and third levels, with the ground level designated for resident parking and potential commercial work area. The Project is limited to no more than three (3) full bathrooms, one on each floor of the building. Future commercial activity on the ground level by the occupant of the residential section of this Project may be subject to separate conditional use permit/zoning approval by the City, if such activity is not incorporated in CUP 646. All Project development and land use(s) shall be in accordance with the terms and conditions of CUP 646. Occupancy of the Project shall not commence until authorized construction is complete and a certificate of occupancy is issued by the City for the Project.

B. Site Plan:

1. Footprint, Setbacks, Coverage: The building's ground level shall have a twenty foot (20') front (south) setback, zero foot (0') side (east & west) setbacks, and six foot (6') rear (north) setback, excluding the exterior front stairway to the second level entry. The second level terrace on the front (south) elevation may extend and

overhang the front (south) setback by no more than two feet (2'). The second level rear (north) setback, from balcony edge to property line, shall be no less than two feet (2'). The third level rear (north) setback, from edge of rooftop deck to property line, shall be no less than three feet (3'). Where City adopted building and fire codes conflict with those setback requirements specified by CUP 646, those building and fire code setback requirements shall override CUP 646 and be enforceable upon the Project. The building's footprint shall have no more than 70% lot coverage.

2. **Parking**: The Project shall establish and maintain a minimum of two (2) parking spaces, of which one is to be covered, on the Subject Property for this single unit live-work structure. Parking stall dimensions shall be in accordance with Section 18.64.040 of the City's Zoning Code. Of these two spaces, a minimum of one (1) space shall be maintained within the building's ground level garage space for exclusive use by the residential unit's occupant. The other required parking space may be within the garage or on the driveway.
3. **Frontage Area**: The twenty foot (20') frontage setback area of the Project shall provide for paved on-site parking and landscaping in accordance with those requirements specified within CUP 646. This frontage setback area shall also provide the exterior stairway, with an enclosed utility/storage closet below, leading up to the 2nd level's frontage open deck.
4. **Pavement Material**: On-site exterior pavement shall consist of concrete, but may be substituted with a decorative stamped concrete or paver material subject to City Planning Department approval prior to installation.
5. **Trash Enclosure**: Occupants of this live-work structure shall utilize the garage space to store refuse bins/dumpsters except on scheduled collection days. Any future trash enclosures that may be proposed for the Subject Property shall be subject to City review and approval prior to establishment of said enclosure. Such enclosure shall not impede or occupy established and required on-site parking. Any special accommodations necessary to facilitate waste collection service for the Subject Property shall be the responsibility and expense of the Subject Property's owner.
6. **Retaining Walls**: In any circumstance where the finished grade of the Subject Property is in excess of six inches (6") higher or lower than abutting property or adjacent lots, a retaining wall or other suitable solution acceptable to the City Engineer, shall be required. Retaining walls shall be structurally engineered if over four feet (4') in height from bottom of footing to top of wall, and shall require a building permit. Any retaining walls necessary for the Project shall be shown on the Project's final Grading and Drainage Plan, Storm Water Control Plan, and site plan.

C. Landscaping:

1. **Landscaping**: The Project shall provide landscape planting areas on each side of the driveway at no less than eighteen inches (18") in width, encompassing an

approximate cumulative total of ninety-nine (99) square feet. These planting areas shall provide fast-growing evergreen shrubbery or other flora acceptable to the City in the approval of a landscape plan for this Project. All Project required landscaping shall be subject to City Planning Department review and approval of a landscape plan prior to issuance of a building permit for the Project.

2. Landscape Plan: A complete landscape plan for the Project shall be submitted to the City's Planning Department for review and approval prior to issuance of a building permit for the Project. This landscape plan shall provide complete information regarding ground covers, plants, shrubs, and trees in regards to species, sizes, placement, and numbers. The landscape design must include an irrigation plan with details. Tree planting and staking details must also be included. All landscaping and irrigation shall be installed in conformance with the City approved landscape plan and prior to final issuance of a certificate of occupancy for the Project.
3. Trees: If any trees are installed on the Subject Property, they shall consist of *Arbutus unedo* (strawberry tree), *Metrosideros excelsus* (New Zealand Christmas tree), or other species deemed appropriate by the Planning Department in the review of the Project's Landscape Plan. Tree species shall be 24-inch box size specimens unless otherwise approved by the Planning Department. Trees shall be drought resistant and tolerant of coastal sea winds and sandy soil. All trees shall be no less than double staked with 2-inch diameter wood poles.
4. Planters: All ground level planting areas shall NOT include raised curbs; rather, they are to be flush with adjacent pavement. Raised planter boxes may be used; however, they shall incorporate those materials and colors approved by the City for the Project's site and structure.
5. Irrigation: An irrigation system for all required landscaping shall be installed and connected to the Subject Property's water system. This irrigation shall be verified as operational prior to City issuance of a certificate of occupancy for the Project. Irrigation shall be installed per the approved landscape plan. Any on-site changes varying from the approved plans shall be subject to Planning Department approval prior to implementation.
6. Landscape Maintenance: All landscaping required of the Project, both on and off the Subject Property, shall be installed and maintained in accordance with the City approved landscape plan for this Project. The Subject Property's owner shall be responsible for irrigation and maintenance of this landscaping, including watering, pruning, and replacement of dead vegetation to the satisfaction of the City. Any alteration or modification of the approved landscape plan shall be subject to approval by the City's Planning Department.

D. Building Architecture:

1. Exterior Facades: The front (south) and side (east & west) elevations for the 2nd and 3rd levels of the building shall consist of 1"x6" tongue and groove (T&G)

horizontal siding stained with a cedar finish except for small areas of cement plaster (stucco) between windows and doors and wood fascia topping each level. The ground level of the front (south) and side (east & west) elevations and the entire rear elevation of all three levels may consist of cement plaster (stucco) or may utilize the same T&G material as the 2nd and 3rd levels. Those wall areas of the side elevations (east & west) that abut, and are visually screened by, neighboring buildings, may consist of an exposed concrete masonry block (CMU) without additional material application. Exterior decks, balconies, and stairways shall have stainless steel cable railing systems or other materials subject to City Planning Department approval. The lower unit garage shall consist of a single 16-foot wide glass panel roll-up door at the front (south) elevation and a single 10-foot wide glass panel roll-up door at the rear (north) elevation. Any alteration and/or variation of this requirement shall be subject to Planning Department review and approval.

2. Building Height: The main building shall be a maximum of three (3) stories/floors at an approximate height of thirty-three feet (33') from finished grade at the front garage door.
3. Doors & Windows: The windows and doors shall be vertically elongated from floor plate to header on the second and third levels. All windows and doors shall be horizontally and vertically aligned along the same relative axis. Windows and doors on the front (south) and rear (north) elevations shall consist of metal clad wood material. Any alteration and/or variation of this requirement shall be subject to Planning Department review and approval.
4. Roof: The roof shall consist of a built up flat roof with an approximate quarter inch (1/4") per foot slope for drainage or as otherwise required to satisfy building code requirements.
5. Colors: The primary color for the exterior horizontal wall siding shall be a stained cedar color. The cement plaster (stucco) walls shall have an 'eggshell white' color or similar. The metal clad door and windows, along with the fascias and trims, gutters, and down spouts shall have a dark brown color. The cable railing shall have a stainless steel color. Any variation from these colors shall be subject to Planning Department review and approval.
6. Bollards: Any new bollards installed on the Subject Property shall utilize decorative bollards and not plain exposed steel/metal poles, the design of these bollards shall be subject to final City Planning Department approval. Decorative bollards shall also be identified and illustrated on civil improvement construction plans/documents for this Project. Bollards that must satisfy specific utility provider specifications are exempt from this requirement.
7. Decorative screening, fences, gates, etc.: There shall be no chain-link fencing and no barbed or razor wire fencing installed on the Subject Property. Any fencing, screening, and gates on the Subject Property shall consist of a high quality decorative and durable material and design subject to final City Planning

Department review and approval. Temporary construction fencing, potentially consisting of chain-link, is allowed only during construction.

8. Quality Control: The City shall retain the right to evaluate materials used in this Project for their perseverance and resistance to Sand City's coastal climate conditions; and if those materials are deemed inadequate through signs of rust, rot, or other deteriorating condition, the City may then require higher quality materials during construction as an enforcement of the Project's architectural approval.

E. Light Fixtures:

1. Lighting Plan: Prior to issuance of a building permit, the Applicant shall submit a detailed lighting plan to the City's Planning Department for review and approval. The lighting plan shall identify all exterior light fixtures and their mounting, watt capacity, filament housing, and illumination dispersal (photometric) for the Project. All exterior lighting shall be shielded and designed to prevent excessive glare and light from intruding onto adjacent properties and/or street rights-of-way. The angle of light distribution from exterior light fixtures shall be subject to the City Planner and City Engineer final approval of Project construction plans.

F. Utilities, Equipment, & Meters:

1. Building Utility Meters & Boxes: All utility meters, boxes, conduit, and the like attached to the building on the Subject Property shall either be installed inside the building or otherwise integrated into, and screened with, that building's exterior architecture and/or screened from public view using the same materials/colors as approved for that building. Accessibility to meters and equipment shall be maintained in accordance with each utility company's requirements. Utility conduit laterals shall be installed underground from building to front (south) property line to accommodate any future utility underground endeavors along Orange Avenue regardless whether the building will initially be provided utilities overhead. The location of all utility meters and equipment shall be identified on the construction drawings and civil improvement plans, subject to Planning, Engineering, and Fire Department review and approval. Implementation of this requirement shall be subject to the satisfaction and final approval of the City's Planning, Building, Engineering, and Fire Departments. The methodology and location of meters/equipment shall be at the final discretion of the City Planner and City Engineer.
2. Fire Suppression System: The requirement for installing a fire suppression system shall be subject to the City's plans examiner and/or the City's Fire Department, and installed in accordance with City requirements. The stand pipe and riser for the fire suppression system shall not be attached to the building exterior unscreened or occupy landscape areas; rather said items shall be integrated into the Project's design, either inside the building or within the building walls to screen their visibility. Any fire code sprinkler specifications in conflict with this condition shall take precedence.

3. Rooftop Equipment: All rooftop equipment, including, but not limited to, ventilation, communication, satellite dishes, and/or roof access shall be screened from public view. Rooftop solar panels (if any) shall be attached and secured to the roof and shall not be ballasted to the satisfaction of the City's Building Department. Final screening design/methodologies for rooftop equipment, or exemptions thereof, shall be subject to City review and approval prior to issuance of a building permit for the Project.

G. Land Use Terms and Conditions:

1. Residential Unit: CUP 646 authorizes residential use and habitation of the Project, which consists of one (1) unit for the entire live-work building. There shall be no occupancy of the Project until construction is completed and the City issues a certificate of occupancy for the Project. The ground level workshop/garage space shall not be leased and/or sub-leased independently from the residential unit. Any commercial activity on the Subject Property shall only be performed by the residential unit's occupant, and shall be subject to an independent zoning permit approval by the City (See Permit Condition G-2).
2. Future Commercial Activities & Permits: The residential tenant(s) of the Subject Property that wish to utilize the workshop/garage space on the Subject Property for commercial purposes (i.e. artistry, manufacturing, services, etc.) shall be subject to obtaining a conditional use permit from the City prior to initiating any such activities. Such uses may be restricted by the City as to mitigate potential negative impacts upon a mixed-use (residential and commercial) neighborhood.
3. Deed Restriction: A deed restriction for the Subject Property, or equivalent legal mechanism, subject to City Attorney review and approval, shall be recorded with the Monterey County Recorder's Office, identifying the entire building as one (1) unit and prohibiting the physical separation of and/or leasing/sub-leasing of the ground level floor area separate and independent from this building's residential dwelling. This deed restriction shall also mandate that storage or other commercial activities within the garage shall not impede the parking of at least one (1) standard sized motor vehicle (i.e. automobile, pick-up truck, or the like) within that space. The recording of this deed restriction shall be completed, with evidence of recording provided to the City, prior to City issuance of a certificate of occupancy for the Project.
4. Building & Fire Code Occupancy Rating: Occupancy and/or activities for the Subject Property, including the ground level garage/workshop, shall not exceed or violate the building's allowable occupancy rating specified and regulated by the California Building Code and the City's Municipal Code, subject to the City's Building Official's interpretation.
5. Hours of Workshop Activities: Hours of workshop activity shall only occur between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 5:00 p.m. on weekends; unless otherwise specified by future land use entitlement permits for the Subject Property.

6. Impact Mitigation: Workshop activities shall implement all measures necessary to mitigate and control negative impacts (i.e. noise, dust, vibrations, fumes, etc.) generated by workshop activities on the Subject Property.
7. Storage: The owner of the Subject Property shall ensure that the tenants of this live-work building maintain their personal storage within the dwelling unit and garage; and not outside in the parking area, balconies, or other unscreened areas of the Subject Property that are visible to the general public. Residential tenant storage shall not clutter, obstruct use, or overhang any of the open decks nor obstruct the residential occupants ability to park one (1) standard sized automobile inside the garage.
8. Property Maintenance: The Subject Property shall be maintained in a clean, orderly, weed-free, and litter-free condition. There shall be no storage of waste material or debris on-site, except as allowed in Conditional Use Permit (CUP) 646. The owner of the Subject Property shall be responsible for maintenance and upkeep of the entire Subject Property.
9. Refuse storage & pickup: Trash, litter, boxes, crates, debris, or other used and/or discarded materials generated by the occupants of this live-work building shall be stored within the appropriate waste collection receptacle(s). Except on a designated trash collection day, said waste receptacle(s) shall be maintained within the garage and/or City approved enclosure as to be screened from public view. The Subject Property's owner shall be responsible for arranging and providing waste hauler access for standard pick-up services for the Subject Property.

H. Signs:

1. Any commercial sign(s) installed on the Subject Property shall be subject to review and approval by the City's Design Review Committee (DRC) in the issuance of a Sign Permit. Construction signs may be placed on the Subject Property without DRC approval, but are subject to the terms/conditions of CUP 646 (see permit condition L-7), erected only during Project construction, and shall be removed upon Project completion.

I. Street & Public Improvements:

1. Street / Public Improvements: The Applicant shall be responsible to repair/replace existing street and public improvements damaged, modified, altered, or removed as part of the Project or during construction activities; including, but not limited to, curb, gutter, sidewalk, driveway apron, street pavement, ADA ramps/access, and repair or patch with appropriate subsurface and surface material along the Subject Property's Orange Avenue frontage to the centerline and intersection of that street per City standards and specifications as required by the City Engineer. All street, utility, and public improvements required of the Project, according to the City Engineer approved Public Improvement Plan, shall be completed to the satisfaction of the City Engineer prior to issuance of a certificate of occupancy for the Project.

2. Public Improvement Plan: The Applicant shall submit a final Public Improvement Plan to the City for any/all Project construction within public rights-of-way. This plan shall be prepared by a California Registered Civil Engineer, subject to the City Engineer's review and approval prior to issuance of grading, encroachment(s), and/or building permits for the Project. This Public Improvement Plan, designed per City standards and specifications as required by the City Engineer, shall include all required public improvements for the Project; including, but not limited to curb, gutter, sidewalk, driveway apron, street pavement, ADA ramps/access, street lights, landscaping, utilities and utility meters, grading, and drainage improvements. Project required public improvements shall be in compliance with the American's with Disabilities Act (ADA) standards to the satisfaction of the City Engineer. This Public Improvement Plan shall be consistent with the Project's Infrastructure Plan. This Public Improvement Plan shall be submitted to all utility providers specified by the City Engineer; including, but not limited to, sewer, water, natural gas, electricity, telephone, television cable, and internet providers in Sand City.
3. Utility Infrastructure Plan & Utility Relocation(s): The Applicant shall submit to the City a final Utility Infrastructure Plan, subject to City Engineer review and approval prior to issuance of grading or building permits for the Project. This Utility Infrastructure Plan shall identify all utilities and utility connections required for the Project; including, but not limited to, storm drainage, sanitary sewer, water, electric, gas, telephone, cable, all onsite utilities and all required infrastructure. This Infrastructure Plan shall be consistent with the Project's Public Improvement Plan. Any trenching of street asphalt and/or concrete for utility connections shall be replaced per City requirements and City standards and specifications. Any utility relocation and the associated costs required as part of this Project shall be the responsibility of the Applicant and/or Subject Property's owner. The placement of utility connections and meters shall be to the satisfaction of the City Engineer and in accordance with the terms and conditions of CUP 646.
4. Encroachment Permits: Encroachment permits shall be required for, and issued prior to the commencement of, any construction performed within any public right of way and/or easement for the Project. The Applicant shall complete and submit an encroachment permit application to the City to include relevant improvement plans identifying the Project's intended public improvements. The Applicant shall pay all fees associated with the processing and review of the encroachment permit, to be determined per the City's fee schedule in effect at the time of application.
5. Street / Public Improvement Contractor & Schedule: The Applicant shall provide the City with the contact information and active State contractor's licence number for all contractors and sub-contractors performing City approved street and public improvements for the Project. Additionally, a construction schedule for Project required street and public improvements, consistent with the City approved Public Improvement Plan, shall be provided to the City Engineer.

J. Stormwater Management and Control:

1. Stormwater Control Measures and Low Impact Development: If it is determined by the City Engineer, at any time during the Project's construction plan review process towards the issuance of a grading, drainage and/or building permit(s), that the Project is not exempt from Post-Construction Stormwater Control Requirements (PCRs), then the Project must then provide Stormwater Control Measures (SCMs) and Low Impact Development (LID) strategies consistent with the City Engineer's interpretation of applicable requirements of the State Water Resources Control Board (SWRCP) Order No. 2013-0001-DWQ National Pollutant Discharge Elimination System Phase II General Permit for Storm water Discharges from Small Municipal Separate Storm Sewer Systems (the 'General Permit'), the Central Coast Regional Water Quality Control Board (RWQCB) Resolution No. R3-2013-0032 Post-Construction Storm water Management Requirements for Development Projects in the Central Coast Region (the 'PCRs'), and Sand City Municipal Code (SCMC) Chapter 13.05 regarding Storm water Management; where after, all grading and drainage requirements identified in the City approved Storm water Control Plan shall be satisfied prior to the issuance of grading, drainage, and/or building permit(s) for the Project.
2. Stormwater Management Non-Compliance: If for any reason the Project is not exempt from, and then cannot demonstrate compliance with, the State Water Resources Control Board's General Permit applicable to Sand City, the Central Coast Regional Water Quality Control Board's PCRs, or Title 13.05 of the City's Municipal Code, then grading, drainage, and/or building permits for the Project shall not be issued and CUP 646 shall then be subject to termination by the City.
3. Best Management Practices (BMPs): During all phases of construction and/or land disturbance activities related to the Project, the Project's construction contractor and sub-contractors shall implement site-specific temporary Best Management Practices (BMPs) to protect water quality and prevent storm water pollution, as required by City's municipal Storm Water Permit, Municipal Code Title 13.05 Storm Water Management, and the California Construction General Permit, as applicable. BMPs shall include, but are not limited to, erosion and sediment control, prevention of non-storm water discharges, good housekeeping and waste management practices. The Applicant shall submit an Erosion and Sediment Control Plan (ESCP) or Storm Water Pollution Prevention Plan (SWPPP), as applicable, for review and approval by the City Engineer and Planning and Building Departments prior to the issuance of any grading and/or building permit(s) or the commencement of any construction activities on the Subject Property. The ESCP or SWPPP shall indicate the appropriate site-specific BMPs to be implemented during all phases of construction. The Applicant shall complete a Stormwater Compliance Tracking form for the Project.

K. Plans and Agency Compliance:

1. Plans Examination: Construction plans/documents for the Project shall be reviewed and approved by the relevant City Departments of the City prior to City issuance of a building permits for the Project and prior to commencement of any grading or

construction on the Subject Property. Any and all requirements specified by Sand City during plan review prior to issuance of a building permit, or during construction inspections, shall be implemented to the satisfaction of the inspectors and representatives of each City Department. Construction plans/documents shall include all necessary mitigation to implement a City approved Storm water Control Plan (if required) for the Project.

2. Agency/Department Compliance: All requirements of the City's Building and Fire Departments, as well as the Seaside County Sanitation District, and Monterey County Health Department, shall be implemented to the satisfaction of the inspectors of each department/agency. All necessary permits from Monterey One Water (formerly the "Monterey Regional Water Pollution Control Agency") and/or the Seaside County Sanitation District shall be acquired by the Applicant prior to City issuance of building permits for the Project. All requirements of each aforementioned Department/Agency shall be met to the satisfaction of the City Engineer prior to issuing a certificate of occupancy for the Project.
3. Building Code: The Project shall comply with all applicable California Building Code, and City Amendments thereof, regulations in effect at time of building permit application submission to the City regarding "Live-Work Units" as adopted by the State of California and the City of Sand City.
4. Soil / Geotechnical Report: The Applicant shall submit a final soil engineering and/or geotechnical evaluation report (the "Soil Report") prepared by a California certified geologist or geotechnical engineer with all Project improvement plan submissions. The Soil Report shall ensure the Project is designed in accordance with the most current and applicable standards of the City's Building Code. The Soil Report shall include 1) standard penetration tests and bore holes to evaluate potential of seismic hazards, 2) a soils percolation test and report on percolation rates of the Subject Property to confirm that the proposed storm water infrastructure and water quality control measures will function as designed, and 3) geotechnical evaluation for all necessary aspects of the Project. Recommendations of said report shall be integrated into the Project's design at the discretion of the City Engineer.
5. Grading and Drainage Plan: The Applicant shall submit to the City a final Grading and Drainage Plan for the Project, prepared by a California Registered Civil Engineer, subject to City Engineer review and approval prior to issuance of grading and/or building permits for the Project. All grading and drainage designs for the Project shall meet City Engineer specifications, and shall be consistent with the City approved Civil and Public Improvement Plans, all City approved post-construction storm water management features, and the City approved Storm Water Control Plan (if required) for the Project.
6. Sewer and Water: The Project shall connect to existing water and sewer systems. The Project is subject to the regulations and requirements of the Monterey Peninsula Water Management District (MPWMD), California American Water (Cal-Am), Monterey One Water, and the Seaside County Sanitation District (SCSD). All

sewer and water utilities required for the Project shall be designed and constructed in accordance with the standards and specifications of the SCSD and Cal-Am to the satisfaction of the City Engineer. The Applicant shall provide approvals from both SCSD and Cal-Am for all sewer and water utilities, including the adjustment or relocation of any existing sewer clean-outs, manholes, or services and existing water valves, covers, fire hydrants, or services. The Applicant shall include a signature block for approval by SCSD and Cal-Am on the improvement plans where proposed sewer and water utilities are identified

7. Air District: Requirements of the Monterey Bay Unified Air Pollution Control Agency, that are applicable to the construction of the proposed Project, shall be implemented to that Agency's satisfaction.
8. Fire Sprinklers: Installation of fire sprinklers shall be at the discretion of, and in accordance with, the requirements of the City's Plans Examiner, Fire Department, and City Municipal Code. If a fire suppression system is required, then a fire sprinkler/suppression plan shall be submitted to the City for review and approval, and installed prior to City issuance of a certificate of occupancy for the Project. Exterior equipment related to said suppression system shall abide by the screening requirements of Condition F-2 of CUP 646 to the satisfaction of the Planning Department prior to issuance of a certificate of occupancy.
9. Cultural Resources: Construction, civil improvement, and grading plans shall include the following language:

"If archeological and/or paleontological resources (i.e. fossils) are discovered during construction, work shall be halted within fifty (50) feet of the find until a qualified professional archeologist/paleontologist can evaluate said find. The Sand City Planning Department shall be notified. If the find is determined to be significant, then appropriate mitigation measures shall be formulated and implemented."
10. Environmental Assessment Report: The Applicant shall provide the City Engineer a Phase I Environmental Assessment report with an assessment of potential hazardous materials that may be within the Subject Property. If the Phase I report identifies the presence of hazardous materials, then the Applicant shall then provide a Phase II Environmental Assessment Report to the City Engineer for review and approval; whereby the mitigation specified in the City Engineer approved Phase II Environmental Assessment shall be implemented by the Applicant prior to issuance of a certificate of occupancy for the Project.

L. Construction:

1. Construction Staging Management Plan: The Applicant shall prepare a Construction Staging Management Plan for approval by the City Planner and/or City Engineer, prior to issuance of grading or demolition permits for the Project.

2. Street Access: Construction activities shall not impede vehicular traffic on public streets. Any temporary closures of streets and/or sidewalks to accommodate construction shall be coordinated with, and subject to, the direction of the City's Chief of Police and/or Public Works Department prior to implementing any temporary street closures. Adjacent properties impacted by said closures shall be given notice no less than one (1) week prior of such closure.
3. Material/Equipment: Materials and/or equipment necessary to construct the approved Project shall not be stored and/or parked within any public right-of-way or on private property beyond the limits of Subject Property within the City unless otherwise authorized by the City's Planning Department and/or Chief of Police. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. Locate stationary noise-generating equipment as far as reasonably possible from sensitive noise receptors that adjoin or are near the construction area and/or provide an effective acoustical barrier or insulation. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers that are in good condition and appropriate for the equipment. Security/construction fencing shall be implemented if deemed necessary by the Building Inspector and/or other City Department inspector. In no instance shall material and equipment that may cause pollution to storm water be permitted to enter or discharge to the City storm drain system. Best Management Practice (BMPs) for proper control of materials and equipment and to prevent storm water pollution, are required in accordance with the City's NPDES (National Pollutant Discharge Elimination System) storm water permit and City Code Section 13.05 regarding Storm water Management to the satisfaction of the City Engineer.
4. Construction Hours: Construction activities performed by all contractors and sub-contractors on the Subject Property shall only occur between the hours of 7:00 a.m. to 6:00 p.m. Monday through Friday, and 10:00 a.m. to 6:00 p.m. on Saturdays. There shall be no construction activity for this Project on Sundays unless otherwise authorized in writing by the City Manager. These periods of construction activity may be further limited if determined necessary by the City to address public nuisance issues that may arise.
5. Construction/Demolition Debris: Debris/material from construction/demolition activities shall be stored and contained away from general public access, and hauled away and disposed of in a timely and legal manner. The Project's general contractor shall implement material recovery and recycling when feasible. Construction/Demolition debris (the "C&D Materials") shall either be hauled/removed from the site by the general contractor to the Monterey Regional Waste Management District facility or by the City's franchised waste hauler. No other outside hauler is permitted in accordance with City Municipal Code sections 13.04.060 and 13.04.090. It shall be the Property Owner's and/or the Project's general contractor's responsibility to coordinate with the City's franchised waste hauler and/or maintain weight tickets for self-hauled C&D Materials. Weight tickets shall be provided to the City's Planning Department on an ongoing basis during construction and as requested by the City. In no instance shall debris from

construction activities be permitted to enter or discharge to the City's storm drain system. Best Management Practices (BMPs) for proper control of debris and to prevent storm water pollution are required to the satisfaction of the City Engineer.

6. Disturbance Coordinator: The Applicant and/or the general contractor for this Project shall designate a "disturbance coordinator" responsible for responding to complaints regarding construction activities. The City shall be provided the name and contact information of the assigned disturbance coordinator. This disturbance coordinator shall determine the cause of complaints and require and implement reasonable measures that correct those complaint issues to the satisfaction of the City.
7. Construction Signs: Construction signs may be placed on the Subject Property only during project construction, and shall be removed upon Project completion. Such signs may be placed on perimeter construction fencing or on posts, but shall not be elevated whereby the top of sign exceeds eight (8) feet in height.
8. Contractor(s) Business License: All Project contractors and sub-contractors shall obtain a City business license for the duration of Project construction. Failure of said parties to obtain a business license may impede City issuance of a certificate of occupancy for the Project.
9. Stormwater Management Control and Pollution Prevention: During all phases of Project construction, the developer and/or contractor shall employ temporary construction best management practices (BMPs) for erosion and sediment control, prevention of non-storm water discharges, and implement good housekeeping and waste management practices to protect the storm drain system and water quality as required by the City's NPDES storm water permit and City Code Section 13.05 Storm water Management, and the State of California Construction General Permit, as applicable. Plans indicating proper storm water management, control, and BMP implementation during construction shall be submitted to the City with construction plans and shall be subject to review and approval of the City's Building Official and City Engineer prior to issuance of any grading and/or building permit for the Project.

M. General Requirements:

1. Water Runoff: Construction activity and final use of the Subject Property shall not create or allow water run-off in excess of existing conditions in accordance with Chapter 13.05 of the Sand City Municipal Code regarding Storm Water Management. The method of on-site drainage control, for both construction work and the final development project, shall be in accordance with City Code Chapter 13.05 and the approved Storm water Control Plan as approved by the City Engineer.
2. Water Allocation: Prior to City issuance of a building permit for the Project, the property owner and/or Applicant shall obtain the necessary water permit(s) from the Monterey Peninsula Water Management District (the "MPWMD") for the Project as authorized by CUP 646. Approval of CUP 646 does not grant the Applicant and/or

property owner any right and/or privilege to any allocation of water by the City of Sand City or other agency/entity. Any allocation of water to the Subject Property and Project from the City's Water Entitlement (desalination facility) shall be at the discretion of the City Council of Sand City. If the City takes action to deny an allocation of water necessary for the Project, in accordance with the determination and regulations of the MPWMD, then Conditional Use Permit 646 shall may be subject to termination by the City Council unless the Project is modified to utilize only that water credit, as recognized by MPWMD, available to the Subject Property.

3. Violation: If the City determines any term or condition of CUP 646 has been violated, written notice shall be issued to the developer and/or property owner, that if such violation is not corrected and/or removed within a specified time, a 'cease and desist' or 'stop order' may be issued, followed by a potential public hearing, where the City Council may consider amending or revoking CUP 646 and may then order said Permits amended or revoked.
4. Interpretation: Any questions of intent or interpretation regarding any condition of CUP 646 shall be resolved by the Sand City Planning Department.
5. Indemnity: To the extent permitted by law, the Applicant shall indemnify and hold harmless the City, its City Council, its officers, employees, consultants, and agents (the "indemnified parties") from and against any claim, action, or proceeding brought by a third party against the indemnified parties and the Applicant to attack, set aside, or void, any permit or approval authorized hereby for the Project, including (without limitation) reimbursing the City for its actual attorney's fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its own choice.
6. The issuance of CUP 646 shall not supersede or override any applicable requirements of any other City, County, State, or Federal agency.

PASSED AND ADOPTED, Conditional Use Permit 646, inclusive of all specified conditions/requirements for the Project's site plan and architecture within CUP 646, is hereby approved by the City Council of Sand City, this ___ day of December, 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

APPROVED:

Connie Horca, Acting City Clerk

Mary Ann Carbone, Mayor

Signatures continued on following page...

Signatures continued from previous page.

Signature by City Planner certifies that Conditional Use Permit 646 contains the conditions specified by the City Council in approving said Permit.

Charles Pooler, City Planner

APPLICANT ACCEPTANCE (CUP 646)

Conditional Use Permit 646 are hereby accepted upon the express terms and conditions hereof, and the undersigned agrees to strictly conform to and comply with each and all of the said terms and conditions.

DATED: _____

BY: _____
Applicant

CONSENT OF OWNER (CUP 646)

Consent is hereby granted to the permittee to proceed with the City approved Project, in accordance with the terms and conditions of Conditional Use Permit 646.

DATED: _____

BY: _____
Property Owner