

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

**W17a**

May 22, 2003

TO: Commissioners and Interested Persons

FROM: Charles Lester, Deputy Director
Diane Landry, District Manager
Susan Craig, Coastal Planner

RECORD PACKET COPY

SUBJECT: **CITY OF SANTA CRUZ: LOCAL COASTAL PROGRAM MAJOR AMENDMENT NO. 1-02 (Part B).** For public hearing and Commission action at its meeting of June 11, 2003, to be held in Long Beach at the Queen Mary, 1126 Queens Highway, Long Beach, CA 90802.

SYNOPSIS

The City of Santa Cruz is proposing to amend the Implementation Plan (Zoning Ordinance) of the Local Coastal Program to: 1) create a West Cliff Drive Overlay District to establish development standards and Design Permit requirements for structures in this overlay district; 2) clarify the requirements for the development of Single Room Occupancy (SRO) residential units; 3) amend the Downtown Recovery Plan to establish development standards and design guidelines for the Central Business District, and; 4) create an Administrative Historic Alteration Permit for minor alterations to historic structures.

This amendment constitutes the majority of a larger amendment submittal. The Planning Commission and the City Council held noticed public hearings regarding the amendment components. The Commission approved part A of the amendment submittal, regarding nonconforming uses and solar panels, at the May 2003 hearing.

SUMMARY OF STAFF RECOMMENDATION

Staff has reviewed the proposed amendments to the Zoning Ordinance for consistency with the certified Land Use Plan. Issues raised by the proposed amendments include protection of public views and parking requirements. As discussed in detail below, Staff recommends **approval** of Zoning Ordinance Major Amendment No. 1-02 (Part B), with modifications.

ANALYSIS CRITERIA

The relationship between the Coastal Act and a local government's Local Coastal Program (LCP) can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The Land Use Plan (LUP) portion of the LCP incorporates and refines Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The Implementation Plan (IP), or zoning portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to proceed on a

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particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. The LUP must be consistent with the Coastal Act.

In this case, the proposed LCP amendment affects only the IP (Zoning Ordinance) component of the City of Santa Cruz LCP. Thus the standard of review for the amendment is consistency with the policies of the LUP.

ADDITIONAL INFORMATION

Further information on the submittal may be obtained from Susan Craig at the Central Coast District Office of the Coastal Commission at 725 Front Street, Suite 300, Santa Cruz, CA 95060, (831) 427-4863.

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I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS

Staff recommends adoption of the following resolution:

Resolution I. (Resolution to approve City of Santa Cruz Implementation Plan Major Amendment No. 1-02 (Part B) as submitted)

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in rejection of the Implementation Plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion. I move that the Commission reject Major Amendment #1-02(Part B) to the City of Santa Cruz Local Coastal Program Implementation Plan as submitted.

Resolution to reject. The Commission hereby rejects certification of Major Amendment #1-02 (Part B) to the Implementation Plan of the City of Santa Cruz Local Coastal Program, as submitted, and adopts the findings set forth below on grounds that the Implementation Plan, as submitted, is not in conformity with the certified Land Use Plan. Certification of the Implementation Plan amendment would not meet the requirements of the California



Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan amendment as submitted.

Resolution II. (Resolution to approve City of Santa Cruz Implementation Plan Major Amendment No. 1-02 (Part B), if modified)

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in certification of the Implementation Plan amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion.** I move that the Commission **certify** Major Amendment #1-02(Part B) to the City of Santa Cruz Local Coastal Program Implementation Plan if modified as suggested by modifications #1-2 in this staff report.*

***Resolution to certify.** The Commission hereby certifies Major Amendment No. 1-02 (Part B) to the Implementation Plan of the City of Santa Cruz Local Coastal Program, as modified by suggested modifications #1-2, and adopts the findings set forth below on grounds that the Implementation Plan amendment with the suggested modifications will be in conformity with and adequate to carry out the certified land use plan. Certification of the Implementation Plan amendment, if modified as suggested, complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.*

II. SUGGESTED MODIFICATIONS

The Commission hereby suggests the following changes to the proposed Local Coastal Program amendments, which are necessary to make the requisite findings. If the local government accepts the suggested modifications within six months of Commission action, by formal resolution of the City Council, the corresponding amendment portion will become effective upon Commission concurrence with the Executive Director finding that this has been properly accomplished.

***Note:** The Commission-suggested modifications are shown by deleting existing text with strikethrough and adding text with underline.*

Modification #1

Amend Zoning Ordinance Section 24.22.438 (Historic Alteration Project, Minor) as follows:

A small project involving an historic building located on the city's Historic Building Survey or within an historic district but not including a landmark building. Such projects include, but are not limited to, ~~re-roofing, gutter and downspout replacement, and window replacement projects~~ the replacement, addition or deletion of windows and doors and minor additions/alterations to the



rear of the property, as approved or amended by resolution of the historic preservation commission.

Modification #2

Add Historic Preservation Commission (HPC) Resolution No. 02-001, regarding policy direction for minor historic alteration projects which may be approved under administrative historic alteration permit regulations, to the LCP. See Exhibit 7 for full text of HPC Resolution 02-001.

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. West Cliff Drive Overlay District & Design Guidelines

The following City of Santa Cruz LCP policies provide for the protection of important public views and require design standards for development in visually important areas:

Community Design Policy 2.1.3: *Protect the Monterey Bay National Marine Sanctuary and the shoreline and views to and along the ocean, recognizing their value as natural and recreational resources.*

Community Design Policy 2.2: *Preserve important public views and viewsheds by ensuring that the scale, bulk, and setback of new development does not impede or disrupt them.*

Community Design Policy 2.2.1: *Develop siting, scale, landscaping and other design guidelines to protect visually sensitive areas and ensure that development is compatible with the character of the area. Areas to be protected include: ...scenic coastal areas...*

Community Design Policy 2.2.2: *Identify important vistas and view corridors of community-wide value to be preserved and require development to provide visual and physical breaks to allow access to these areas.*

Community Design Policy 3.6: *In pedestrian areas, require building design to be responsive to the pedestrian environment. These areas include but are not limited to ... the... shoreline...*

Land Use Policy 1.6: *Minimize, when practical, obstruction of important views and viewsheds by new development. In the Coastal Zone, development shall be sited and designed to and along the ocean and in scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and to restore visual quality in visually degraded areas.*

Land Use Policy 3.5.1: *Protect coastal bluffs and beaches from intrusion by non-recreational structures and incompatible uses and along the shoreline require new development or remodeling to be sited and designed so as to avoid a "wall" of buildings.*



Parks and Recreation Policy 1.7.6: *Develop and implement an integrated design, land use, recreation, cliff stabilization, and landscaping plan for West Cliff and East Cliff Drives to enhance public access, safety, and recreational enjoyment in these areas.*

The City of Santa Cruz is proposing to amend the certified Zoning Ordinance to add a West Cliff Drive Overlay District that applies to properties in the R-1-5 zoning district on West Cliff Drive between Bay Street and Swanton Blvd., as well as properties on intersecting streets generally within 100 feet of West Cliff Drive (see Exhibit 1 for map). The amendment would establish development standards (height limitations, setbacks, floor area ratio limitations, building envelopes) and require a design permit for structures in this overlay district (see Exhibit 2 for full text of the amendment). The standards are intended to control the bulk, massing, and configuration of homes on West Cliff Drive in order to preserve public views, including streetscape views and views of the ocean and the sky from West Cliff Drive and streets that intersect West Cliff Drive. The City applies design standards and design permit requirements to other specific areas of the City including Beach Hill, Beach Flats, and the Beach Commercial and South of Laurel areas.

The 2.5-mile stretch of West Cliff Drive is a highly scenic route that is popular for residents and visitors alike. The City's LCP recognizes the importance of West Cliff Drive and its streetscape as an important part of the public viewshed. LCP Community Design Map 3 defines West Cliff Drive as a scenic drive. In recent years, there have been a number of proposals to build very large homes along West Cliff Drive. The residential development along the inland side of West Cliff Drive has the potential to negatively impact public views through the development of a continuous "wall of buildings" constructed to the current zoning limits, which would be detrimental to the West Cliff Drive experience. The provisions in the amendment will set specific standards for development along West Cliff Drive, including a building envelope from the front and rear of the lot with an overall maximum height in the middle of the lot, specific building setback requirements, a floor area ratio to relate the amount of building developed on a lot to the lot size, a maximum building height of two stories and 30 feet, off-street parking requirements to minimize the visual impacts of automobiles, and front yard landscaping and paving requirements (see Exhibit 2 pp. 6-10 for specific West Cliff Drive Overlay regulations). These standards in the amendment will allow development that is reasonable in size and scale to the lots along scenic West Cliff Drive, and positive to the surrounding public area.

The Community Design and Land Use policies of the City of Santa Cruz LCP call for the protection of important public views and viewsheds to and along the ocean and also allow for development of design guidelines and other standards to ensure that development is visually compatible with the character and scenic value of the surrounding area. The proposed amendment provides development standards adequate to implement the land use policies. Staff recommends approval of the amendment as submitted.

B. Single Room Occupancy Units

The following City of Santa Cruz LCP policies encourage creative infill development that provides incentives for alternative transportation:

Housing Policy 5.3.3: *Reduce parking and other requirements for developments that reduce living cost by emphasizing shared facilities and alternative transportation. Examine the needs for*



deed restrictions and permit parking in such developments to ensure that parking does not become a problem.

Community Design Policy 1.1: *Infill and intensify land uses consistent with existing neighborhood or commercial district patterns in developed areas currently served by municipal services.*

Community Design Policy 1.1.1: *Focus development in the Central Core, and along arterial and mass transit corridors.*

Community Design Policy 1.1.2: *Develop design criteria to ensure compatibility of infill development with existing neighborhoods and proposed development patterns (including intensities and land uses).*

Land use Policy 2.6.4.3: *Allow and encourage residential development in non-residential districts and develop appropriate design guidelines and incentives for this type of development.*

Land Use Policy 2.9.1: *Identify areas where mixed-use development opportunities exist and develop appropriate guidelines and incentives to encourage that type of development.*

Land Use Policy 5.3: *Provide for high-density development and mixed uses, where appropriate, as well as transit- and pedestrian-oriented land use patterns to reduce dependence on the automobile and support the use of mass transit and other alternative transportation modes.*

Circulation Policy 1.7.1: *Reduce automobile parking requirements for developments/land uses that provide effective incentives for alternative transportation (mixed-use/neighborhood commercial areas, bus passes, subsidies, preferential carpool parking and shuttle services) and investigate ways to mitigate potential impacts on neighborhoods, possibly through residential parking permit programs.*

The City of Santa Cruz is proposing to amend the certified Zoning Ordinance to clarify the requirements for the development of Single Room Occupancy (SRO) residential units. SROs are residential units of a smaller size than normally found in multiple dwellings, in which sanitary facilities and kitchen/cooking facilities may be provided within the unit or may be shared among units. The amendment addresses development standards including unit size, common area requirements, parking, and unit amenities. The amendment eliminates SROs as an allowable use in three zoning districts: R-H (Multiple Residence/High Density), R-T(B) (Motel/Residential), and C-B (Beach Commercial). Additional criteria are established for SRO's in the I-G (General Industrial) zoning district. See Exhibit 3 for full text of the amendment.

The City wishes to amend the existing zoning standards for SROs to fully address impacts such as density, neighborhood compatibility, and parking. The existing ordinance requires 0.5 parking spaces per SRO unit. Given that automobile ownership in SRO developments is typically higher than this (e.g., 2/3 of the residents of the Saint George, an SRO residential building in Santa Cruz, own automobiles), the amendment would increase the parking requirement to 1.0 space for units 220 square feet or larger, and to 0.75 spaces for units smaller than 220 square feet. The amendment would allow these parking



requirements to be reduced by 0.25 spaces per unit to reflect location factors affecting automobile ownership, such as proximity to public transportation or availability of alternative parking facilities. This is consistent with certified Housing Policy 5.3.3 and Circulation Policy 1.71, which allow for reduced parking requirements for developments that emphasize shared facilities and alternative transportation.

SROs would continue to be an allowable use in the C-C (Community Commercial) and CBD (Central Business District) zoning districts. These zoning districts are located in the central core of the City, along major arterial and mass transit corridors and near grocery stores and other amenities. The amendment, however, would eliminate SRO developments in the R-H (Multiple Residence/High Density), R-T(B) (Motel/Residential), and C-B (Beach Commercial) zoning districts of the City. These zoning districts tend *not* to be within easy walking distance of amenities such as full service grocery stores, which are desired to support successful SRO use. In addition, efficiency apartments, which have a minimum of 220 square feet, already provide for smaller unit sizes in the R-H zoning district. Disallowing SROs in these zoning districts is consistent with the City's Community Design policies, which call for infill and focused development in the central core of the City and along arterial and mass transit corridors. Under the amendment, SROs would continue to be an allowable use in I-G zoning district subject to certain conditions, including that the site is located within one-quarter mile of a grocery store and is part of a mixed-use development, consistent with Land Use policy 2.9.1.

The Housing, Community Design, Land Use, and Circulation policies of the City of Santa Cruz LCP provide for infill development in the City's core and along major transportation corridors and allow for a reduction in automobile parking requirements for mixed-use developments and those that provide for alternative transportation. The proposed amendment provides standards for Single Room Occupancy units that are adequate to implement the land use policies. Staff recommends approval of the amendment as submitted.

C. Downtown Recovery Plan

Applicable City of Santa Cruz LCP design and development policies regarding the City's Downtown include:

Community Design Policy 1.1: *Infill and intensity land uses consistent with existing neighborhood or commercial district patterns in developed areas currently served by municipal services.*

Community Design Policy 1.1.1: *Focus development in the Central Core, and along arterial and mass transit corridors.*

Community Design Policy 2.2: *Preserve important public views and viewsheds by ensuring that the scale, bulk, and setback of new development does not impede or disrupt them.*

Community Design Policy 3.4: *Develop and maintain physical and visual linkages between key areas in the City.*

- *Downtown – South of Laurel – Wharf – Beach*



Community Design Policy 3.6: *In pedestrian areas, require building design to be responsive to the pedestrian environment. These areas include, but are not limited to, Downtown...*

Community Design Policy 3.7: *Require development to incorporate features to promote pedestrian use including new linkages to the pedestrian system.*

Land Use Policy 2.6.3: *Prioritize development of high-density mixed residential and commercial development in the City's Downtown Central Business District...*

Land Use Policy 2.6.3.1: *Use the high-density residential (overlay) district in areas of the North River Street... and...Downtown [areas which have] sufficient services.*

Land Use Policy 2.9.1: *Identify areas where mixed-use development opportunities exist and develop appropriate guidelines and incentives to encourage that type of development.*

Land Use Policy 5.3: *Provide for high-density development and mixed uses, where appropriate, as well as transit- and pedestrian-oriented land use patterns to reduce dependence on the automobile and support the use of mass transit and other alternative transportation modes.*

The City of Santa Cruz is proposing to amend Chapter 4 of its Downtown Recovery Plan, which is incorporated into the Zoning Ordinance by reference. The Downtown Recovery Plan was developed after the 1989 Loma Prieta earthquake, which virtually decimated the City's Central Business District. The purpose of the Downtown Recovery Plan was to provide a coherent framework for public and private actions related to the rebuilding of downtown Santa Cruz after the earthquake and to establish policies, standards, and guidelines to direct the recovery process toward the rebuilding of downtown that would meet multiple community objectives. A small portion of the Downtown Recovery Plan area is in the coastal zone (see Exhibit 4 for map).

Since the Downtown Recovery Plan was adopted in 1991, the downtown area has been redeveloped into a healthy and attractive mixed-use neighborhood that reflects an appropriate scale and density, features streetscape amenities that are pedestrian-friendly while accommodating vehicular and bicycle parking, and provides a diverse set of shopping/entertainment and public gathering experiences. To make the downtown area fully functional for all aspects of the Santa Cruz community, the amendment provides for development of a greater mix of businesses to make the downtown an efficient, self-sufficient shopping district for those who live and work in the City, as well as those within the region who come to downtown for entertainment or as a gathering place. In addition, the amendment refines the height, bulk, and streetscape requirements in the downtown area and provides revised development and design standards for gateways into the downtown area to create a welcoming visual environment into downtown Santa Cruz. Please see Exhibit 5 for the full text of the amendment.

The Community Design and Land Use policies of the City of Santa Cruz LCP provide for the development of high-density mixed residential and commercial development in the City's Downtown Central Business District. These policies also require that development incorporate features to promote pedestrian use, and require the development and maintenance of physical and visual linkages between key areas in the City. The proposed amendment provides design and development standards for the



downtown area that are adequate to implement the land use policies. Staff recommends approval of the amendment as submitted.

D. Administrative Historic Alteration Permit

The following City of Santa Cruz LCP policies provide for the protection and rehabilitation of historic buildings in the City of Santa Cruz:

Cultural Resources Policy 2.1: *Protect and encourage restoration and rehabilitation of historic and architecturally significant buildings and landmarks.*

Cultural Resources Policy 2.3: *Ensure that City administrative and review procedures effectively recognize and protect historic and architectural resources and coordinate preservation activities with local, State, and federal agencies.*

Community Design Policy 3.5: *New or renovated development shall add to, not detract from City-identified landmarks, historic areas and buildings, and established architectural character worthy of preservation.*

The City of Santa Cruz is proposing to amend the certified Zoning Ordinance to create an Administrative Historic Alteration Permit for the review and approval of minor alterations to historic buildings (see Exhibit 6 for amendment text). Currently, modifications to historic buildings in the City require a public hearing (except for re-roofing and gutter and downspout replacement, which are evaluated under a building permit), even if the proposed modification is minor in nature. Under the Administrative Historic Alteration Permit, the Zoning Administrator would approve minor modifications (such as window and door replacement) to historic buildings without a public hearing. Such approval would be appealable to the Historic Preservation Commission and to the City Council. The Administrative Historic Alteration Permit would streamline the permitting process for minor alterations to historic structures and would be consistent with the design permit process for similar-sized projects on non-historic buildings.

The amended definition regarding what constitutes a minor historic alteration project includes re-roofing and gutter and downspout replacement (see Exhibit 6, pg. 4). Since this definition was approved by the City Council, the Historic Preservation Commission (HPC) has amended its policy direction regarding which types of minor historic alterations may be approved under the administrative historic alteration permit (see Exhibit 7). Thus, the submitted definition is no longer accurate. Modification #1 amends the minor historic alteration definition to be consistent with the HPC's current policy direction, which includes replacement of windows and doors and minor additions/alterations to the rear of the property. In addition, **Modification #2** incorporates the HPC's current policy direction regarding what constitutes a minor historic alteration project into the LCP. In the future, if the HPC further amends its policy direction regarding minor historic alteration projects, the City will need to apply for an LCP amendment. With these modifications, the proposed Zoning Ordinance amendment is consistent with the City of Santa Cruz LCP policies provide protection for historic buildings.



IV. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

The Coastal Commission's review and development process for Local Coastal Programs and amendments to them has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis on LCP amendments, although the Commission can and does utilize any environmental information that the local government has developed. Approval of the amendments, as modified, will not have significant environmental effects, consistent with the California Environmental Quality Act.





West Cliff Drive Overlay District

10/13/2000

■ Parcels Located in Overlay

STC-MAJ-1-02 (Part B)

ZONING HEARING REQUIREMENTS SUMMARY - Table 24.04.130

	Public Hearing Requirement and Decisionmaking Body Which Can Approve an Application			
Permits/Actions****	No Public Hearing	Public Hearing		Appeal Bodies (In order)
	Action	Recommendation	Action	
Coastal Permit			ZA*	ZB/CC/CCC*
Administrative Use Permit			ZA	ZB/CC
Conditional Fence Permit	ZA		ZA	ZB/CC
Slope Regulations Modifications (Variance)			ZB	CC
Slope Regulations Modifications (Design Permit)	ZA			ZB/CC
Design Permit – Substandard lots: new two-story structures and second-story additions Large homes per Section 24.08.450 Signs Over 30 Sq. Ft.	ZA ZA		ZA ZA	ZB/CC ZB/CC ZB/CC ZB/CC
New structures or improvements to existing structures in the WCD Overlay which are Exempt or Excluded from Coastal Permit requirements	<u>ZA</u>			<u>ZB/CC</u>
New structures or improvements to existing structures in the WCD Overlay which require a Coastal Permit			<u>ZA</u>	<u>ZB/CC</u>
Demolition Permit 1. Single-family residential 2. Multifamily residential 3. Historic demolition permit	ZA		ZB HPC	ZB/CC CC CC
General Plan Text and Map Amendments		CPC	CC/CCC***	
Historic Alteration Permit			HPC	CC
Administrative Alteration Permit	<u>ZA</u>			<u>HPC/CC</u>
Historic Building Survey: Building designation, deletion		HPC	CC	
Historic District Designation		HPC/CPC	CC	
Historic Landmark Designation		HPC	CC	
Mobile Homes (Certificate of Compatibility)	ZA			ZB/CC
Mobile Home Park Conversion			ZB	CC
Planned Development Permit		ZB	CC	
Project (Major) Modification	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Project (Minor) Modification	ZA			ZB/CC
Relocation of Structures Permit	ZA			ZB/CC
Revocation of Permit	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Special Use Permit			ZB	CC
Variance			ZA	ZB/CC
Zoning Ordinance Text and Map Amendments Amendments recommended by CPC Amendments not recommended by CPC		CPC CPC	CC/CCC***	CC/CCC***

CCC = California Coastal Commission	CC = City Council	ZB = Zoning Board
CPC = City Planning Commission	HPC = Historic Preservation Commission	ZA = Zoning Administrator

* For projects seaward of the mean high tide line, and in the case of appealable actions, the California Coastal Commission shall be the decision-making body which can finally approve an application.

*** California Coastal Commission in case of CLUP policy, CLIP elements.

**** At a regularly scheduled meeting, a majority of the council may take an action to direct any project or amendment to be called from a lower hearing body prior to a final action or during an appeal period in accordance with Section 24.04.175.2.

1. Part 5: DESIGN PERMIT. Section 24.08.410. General Provisions.

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing three or more dwelling units;

2. New structures intended for commercial use;

3. New structures intended for industrial use;

4. Commercial or industrial uses of land not involving a building;

5. Accessory structures and uses except those accessory uses of structures associated with a single-family dwelling;

6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;

7. Any exterior remodeling and/or site alteration of either \$50,000.00 or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Downtown Recovery Plan (DRP) area within which a Design Permit shall be required for any exterior alteration or remodeling, including signage, for which the construction costs of such work exceeds \$10,000---the design of such exterior improvements shall provide an attractive, visually-interesting, and pedestrian-scale facade treatment;

Downtown
Recovery
Plan
Amendment

8. All signs except the following;

a. Any permanent freestanding sign or signs five feet in height or lower as measured from grade and containing an aggregate area of thirty square feet or less;

b. Real estate signs of six square feet or less in area, placed on a property and advertising that property for sale, lease or rent;

c. Signs placed within windows;

d. Any sign required by law or placed to protect health and safety;

e. Public art;

f. Construction project signs conforming to other requirements of Part 6 of this chapter.

9. Short-term signs;

10. Banners;

11. Any project where the applicant is a public agency over which the city may exercise land use controls;

12. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;

13. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;

14. Parking lots with capacity for five or more spaces;

15. Any project which requires a planned development permit;

16. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts.

17. Any structures in the West Cliff Drive Overlay District

West Cliff Dr.
Amendment

Section 3. Section 24.08.430 of Chapter 24.08, Land Use Permits & Findings, of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.08.430 Findings Required - General.

All applications for design permits shall be reviewed in relation to established criteria for design review. Applications for design review shall be approved if proposed buildings, structures, streets, landscaping, parking, open space, natural areas and other components of the site plan conform with the following criteria, as applicable.

1. The site plan shall be consistent with physical development policies of the General Plan, any required or optional element of the General Plan, any area plan or specific plan or other city policy for physical development. If located in the Coastal Zone, a site plan shall also be consistent with policies of the Local Coastal Program.

2. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.

3. Design of the site plan shall respect design principles in terms of maintaining a balance of scale, form and proportion, using design components which are harmonious, materials and colors which blend with elements of the site plan and surrounding areas. Location of structures should take into account maintenance of view; rooftop mechanical equipment shall be incorporated into roof design or screened from adjacent properties. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters shall be accessible and screened.

4. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.

5. The orientation and location of buildings, structures, open spaces and other features of the site plan shall be such as to maintain natural resources including significant trees and shrubs to the extent feasible, maintain a compatible relationship to and preserve solar access of adjacent properties, and minimize alteration of natural land forms, building profiles, location, and orientation must relate to natural land forms.

6. The site plan shall be situated and designed to protect views along the ocean and of scenic coastal areas. Where appropriate and feasible, the site plan shall restore and enhance visual quality of visually degraded areas.

7. The site plan shall minimize the effect of traffic conditions on abutting streets through careful layout of the site with respect to location, dimensions of vehicular and pedestrian entrances, exit drives and walkways; through the adequate provision of off-street parking and loading facilities; through an adequate circulation pattern within the boundaries of the development; and through the surfacing and lighting of off-street parking facilities.

8. The site plan shall encourage alternatives to travel by automobile where appropriate, through the provision of facilities for pedestrians and bicyclists, including covered parking for bicycles and motorcycles where appropriate. Public transit stops and facilities shall be accommodated as appropriate, and other incentive provisions considered which encourage nonauto travel.

9. The site shall provide open space and landscaping which complement buildings and structures. Open space should be useful to residents, employees, or other visitors to the site.

STC-MAJ-1-02 (Part B)

Exhibit 2
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ORDINANCE NO.

Landscaping shall be used to separate and/or screen service and storage areas, separate and/or screen parking areas from other areas, break up expanses of paved area, and define open space for usability and privacy.

10. The site plan shall reasonably protect against external and internal noise, vibration and other factors which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.

11. Signs shall complement the site plan and avoid dominating the site and/or existing buildings on the site or overwhelming the buildings or structures to which they are attached. Multiple signs on a given site should be of a consistent theme.

12. Building and structures shall be so designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling and ventilation.

13. The site plan shall incorporate water-conservation features where possible, including in the design of types of landscaping and in the design of water-using fixtures. In addition, water restricting shower heads and faucets shall be used, as well as water-saving toilets utilizing less than three gallons per flush.

14. In all projects in Industrial (I) Zones, building design shall include measures for reusing heat generated by machinery, computers and artificial lighting.

15. In all projects in Industrial (I) Zones, all buildings and structures shall be so designed and oriented to make use of natural lighting wherever possible.

16. Heating systems for hot tubs and swimming pools shall be solar when possible but in all cases energy efficient.

17. Enhance the West Cliff Drive streetscape with appropriate building mass, modulation, articulation, coloring and landscaping that is compatible with and would not diminish the visual prominence of the public open space.

(Ord. 85-05 § 1 (part), 1985).

Section 4. Section 24.10.010 of Chapter 24.10 – Land Use Districts of the Santa Cruz Municipal Code is hereby amended to read as follows:

Part 1: ESTABLISHMENT AND DESIGNATION OF DISTRICTS

24.10.010 General.

The districts hereby established, and into which the city of Santa Cruz is or may be divided, are designated as follows:

- R-1 Single-Family Residence District
- R-L Multiple Residence - Low Rise District
- R-M Multiple Residence - Medium Rise District
- R-S Residential Suburban
- R-T Tourist Residential District
- C-C Community Commercial District
- C-T Thoroughfare Commercial District
- C-N Neighborhood Commercial District
- C-B Beach Commercial District
- CBD Central Business District
- SC-H Small Craft Harbor District
- C-D/R Coastal Dependent/Related District
- P-A Professional and Administrative Office District

STC-MAJ-1-02 (Part B)

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ORDINANCE NO.

I-G General Industrial District
PF Public Facilities District
PK Parks District
E-A Exclusive Agricultural District
OF-R Ocean Front (Recreational) District
F-P Floodplain District
FP-O Floodplain Overlay District
H-O Historic Overlay District
GB-O Greenbelt Overlay District
HD-O High-Density Overlay District
SP-O Shoreline Protection Overlay District
CZ-O Coastal Zone Overlay District
SOL South of Laurel Interim Overlay District.
WCD West Cliff Drive Overlay District.
(Ord. 94-33 § 26, 1994; Ord. 85-05 § 1 (part), 1985).

Section 5. Section 24.10.300 of Chapter 24.10 – Land Use Districts of the Santa Cruz Municipal Code is hereby amended to read as follows:

Part 4: R-1 SINGLE-FAMILY RESIDENCE DISTRICT

24.10.300 Purpose.

To stabilize and protect the residential characteristics of the district, and to promote and encourage a suitable environment for family life and single persons; and intended for single-family detached dwellings and the services appurtenant thereto. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Please also see Part 32, Sections 24.10.3200 et al for properties within the West Cliff Drive Overlay District. Please also see Section 24.08.440 for substandard lots and Section 24.08.450 for Large Home developments.

Section 6. Chapter 24.10, Part 32 – Land Use Districts of the Santa Cruz Municipal Code is hereby added to the Santa Cruz Municipal Code to read as follows:

Part 32: WEST CLIFF DRIVE OVERLAY DISTRICT

24.10.3200 PURPOSE.

The purpose of the West Cliff Drive Overlay District is to promote quality residential development on and adjacent to West Cliff Drive that positively enhances the public space or realm along West Cliff Drive. The West Cliff Drive Overlay District will preserve, protect and enhance West Cliff Drive as an important social and environmental City and community space; reinforce the residential neighborhood character of the north side of West Cliff Drive; preserve the public view toward the ocean from streets which intersect with West Cliff Drive; and enhance the streetscape by requiring landscaping and modulation of building forms on buildings facing West Cliff Drive. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Please also see Part 25, Sections 24.10.2400 et al for properties lying within the Shoreline Protection Overlay District.

STC-MAJ-1-02 (Part B)

Exhibit 2
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24.10.3210 APPLICABILITY.

The West Cliff Drive Overlay District regulations shall apply to the areas so designated on the official zoning map of the city (attached hereto) and shall be combined with the underlying zone for such area. This district generally includes all properties with frontage along West Cliff Drive from Bay Street to Swanton Road and properties on intersecting streets lying within 100 feet of the northerly West Cliff Drive right-of way line.

24.10.3220 PERMIT REQUIREMENTS.

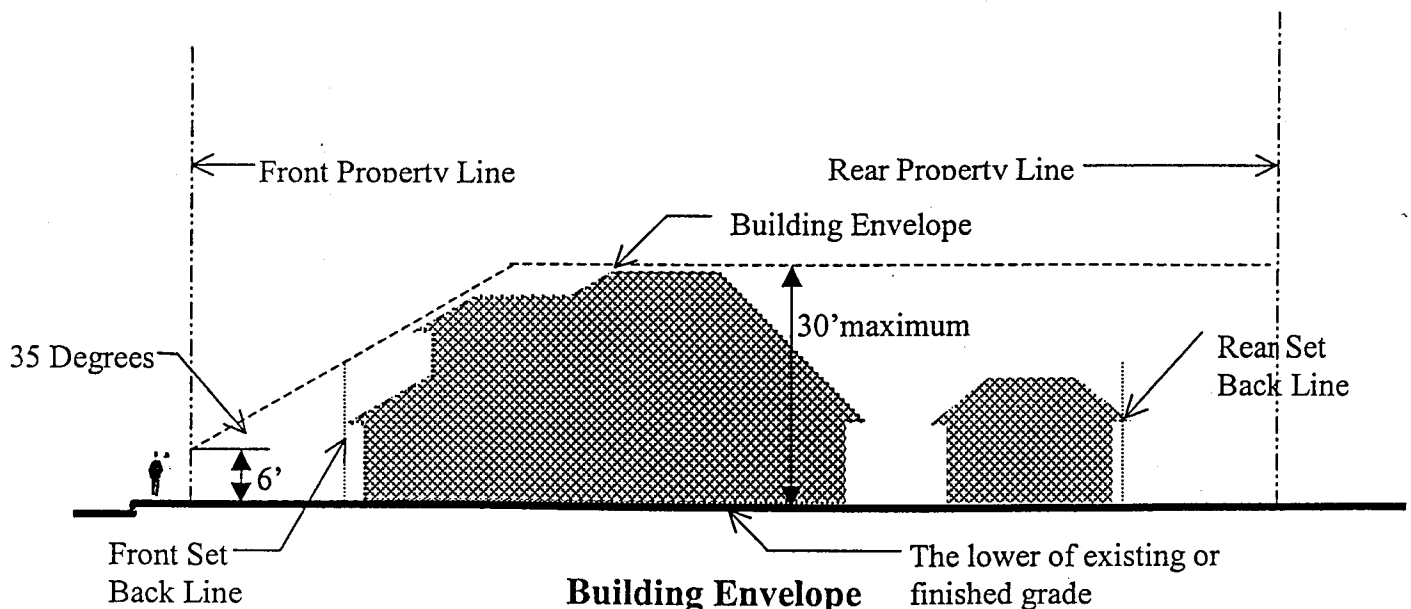
All principal permitted and use permit required uses shall be those of the underlying zone.

24.10.3230 DISTRICT REGULATIONS.

1. Development standards shall be those of the underlying zone, except as modified by this section.

2. Building Height. The maximum permitted height for the principal building shall be two stories and 30 feet. The maximum height for an accessory structure shall be one story and 15 feet. The height shall be measured from the top of the structure to the existing or created finished grade, whichever is lower.

3. Building Envelope. In addition to meeting the building height requirements, no portion of the principal or accessory buildings, with the exception of chimneys not more than six square feet in horizontal dimension, shall encroach in a building envelope plane defined by a line beginning at a point six feet above the lowest point along the front property line and extending over the property at an angle of 35 degrees from the horizontal plane. Architectural elements such as bell towers, spires, turrets, widow walks, cupolas, flag poles, etc. may extend 10 feet above the height limitation, subject to Design Permit review (see diagram).



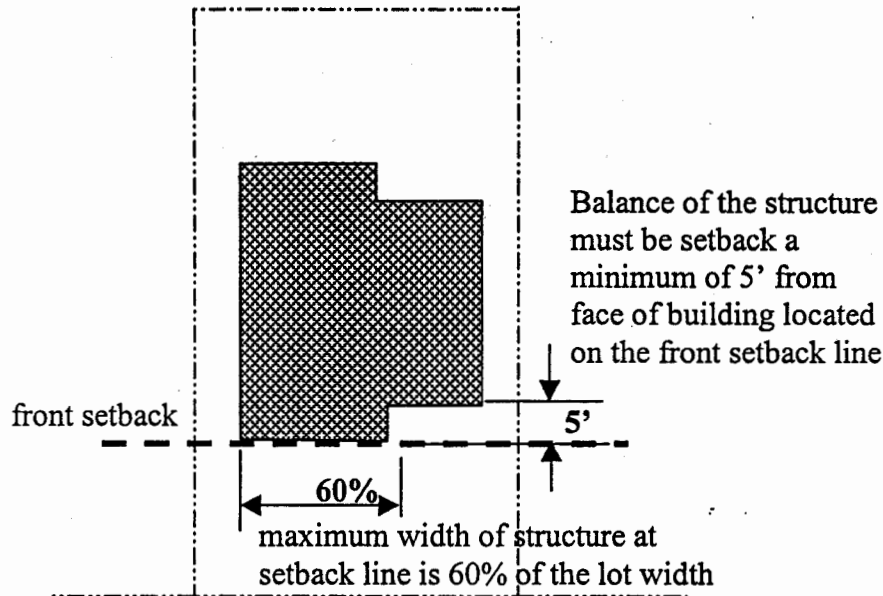
Building Envelope
Not to Scale
STC-MAJ-1-02 (Part B)

Exhibit 2
Pg 6 of 10

4. Building Setbacks.

a. Front Yard Setback.

(1) 20 foot minimum front yard setback with no more than 60 percent of the width of the lot at the setback line occupied by the building. The remaining portions of the building must be setback a minimum of five feet from the front setback line (see diagram).



(2) If a garage is provided within the front portion of the property, the face of the garage shall be setback a minimum of ten feet behind the closest front facade of the residential building toward the street.

b. Side Yard Setbacks.

(1) Lots 100 feet or less in width:

(i) The combined width of the first floor side setbacks shall be a minimum of 20 percent of the lot width. The minimum interior side yard setback shall be five feet and minimum exterior side yard shall be eight feet;

(ii) The second floor and above, the combined width of the sideyards shall be a minimum of 30 percent of the lot width. The minimum interior side yard setback at seven and a half (7.5) feet and minimum exterior side yard shall be 10 feet.

(iii) The setbacks for accessory buildings shall be the same as the principal building.

(2) Lots with more than 100 feet width:

(i) The combined width of the first floor side setbacks shall be a minimum of 30 percent of the lot width. The minimum interior side yard setback shall be ten feet and exterior side yard shall be 20 feet;

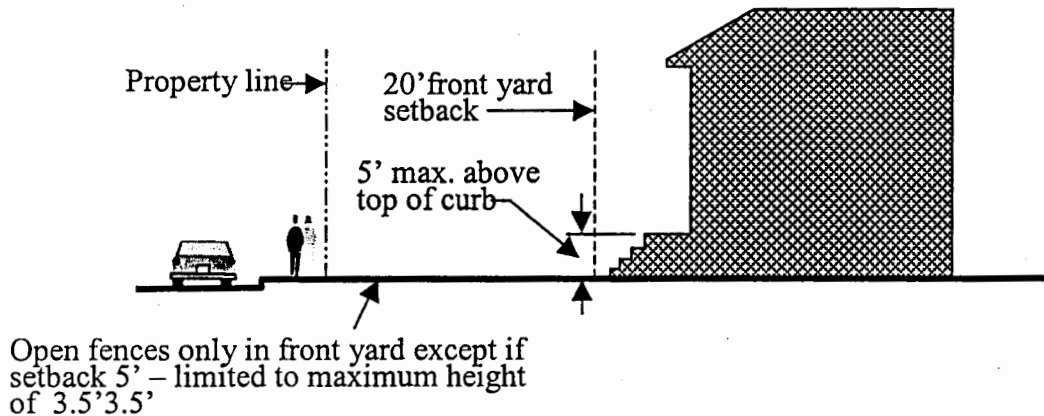
(ii) The second floor and above, the combined width of the side yards shall be a minimum of 35 percent of the lot width. The minimum interior side yard setback at 15 feet and the minimum exterior side yard shall be 25 feet.

(iii) The setbacks for accessory buildings shall be the same as the principal building.

c. Rear Yard Setbacks.

(1) 20 feet minimum rear setback for the principal building.

5. Height of First Floor or Grade. The height of the first floor of any structure shall not be greater than five feet above the average elevation of the top of the curb parallel to the front yard property line. (see diagram)



6. Floor Area Ratio.

a. The gross floor area ratio for lots 12,500 square feet and less located in the West Cliff Drive Overlay District shall be as follows:

$$.50 - (A \times .02)/1000 = B$$

A is the amount of square footage over 5,000 square feet

B is the gross floor area ratio

b. The gross floor area ratio for lots greater than 12,500 square feet shall be FAR .35.

c. Garages located in the rear 50 percent of the lot shall be granted floor area ratio credit up to 500 square feet.

7. Off-Street Parking.

a. Not more than 25 percent of the lot width can be devoted to driveway access within the front yard setback and in no case may the driveway access be less than 10 feet in width nor exceed 18 feet in width.

b. All driveways shall lead to covered parking equipped with garage doors.

c. No carports are permitted that are visible from the public right-of-way.

8. Landscaping. All unpaved portions of the front and exterior side yards shall be improved and maintained with appropriate landscaping materials. Not more than 35 percent of the front and exterior side yard setback area may paved or developed in non-plant materials.

9. Fencing. The maximum height of a fence located within the front setback is three and one-half feet. All fencing within the front yard shall be visually open such as a picket or wrought iron style fence. No opaque walls are permitted unless the fence or wall is setback from the front property line (or exterior side yard) a minimum of six feet (6') and the property between the wall and the property line is fully landscaped.

10. Nonconforming Structures. A reconstruction permit shall not be required to repair or reconstruct a nonconforming structure except if the proposed reconstruction varies in any way in exterior design from the previous building being repaired or replaced.

24.10.3240 DESIGN REGULATIONS.

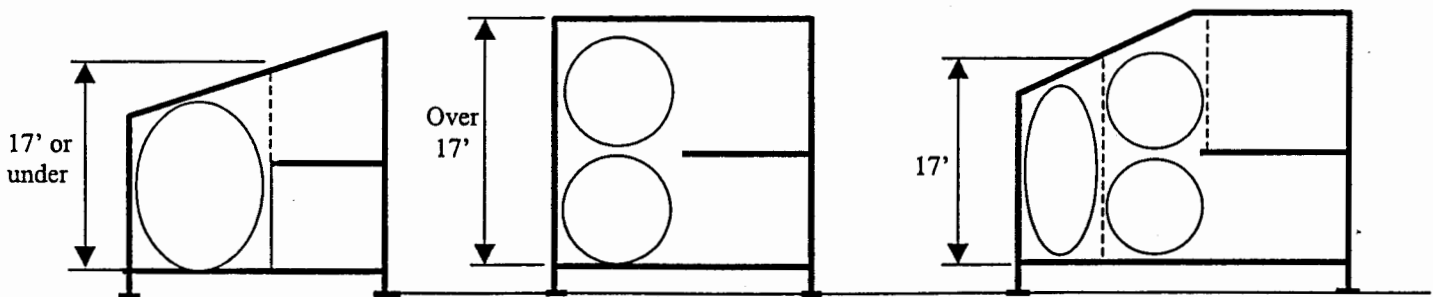
1. All projects involving exterior construction or remodeling resulting in any increase of the floor area developed under this part will require a design permit pursuant to Chapter 24.08 Part 5.

Section 7. Chapter 24.22 – Definitions of the Santa Cruz Municipal Code is hereby amended to read as follows:

24.22.366 Floor Area.

The sum of the gross horizontal real floor area within the perimeter of the outside walls of all buildings, including accessory buildings and accessory dwelling units, on a lot as measured from the exterior surface of the exterior walls, with no deduction for hallways, stairs, closets, wall thickness ~~(or~~. The area includes covered residential parking) and is the total of all stories. ~~each story, where~~ Stairways shall count only once for floor area, however, any portions of buildings, including stairwells, over 17 feet in interior height, are counted twice for the purposes of computing floor area. Uncovered courtyards or atriums which are open to the sky above enclosed by three sides and with the space open to the street above the first floor do not count as floor area. Unenclosed porches, balconies, decks, patios, roof overhangs and similar architectural features and non-habitable basements that are fully subterranean below finished grade do not count as floor area.

(Ord. 93-19 § 11, 1993; Ord. 85-05 § 1 (part), 1985).



Example 1

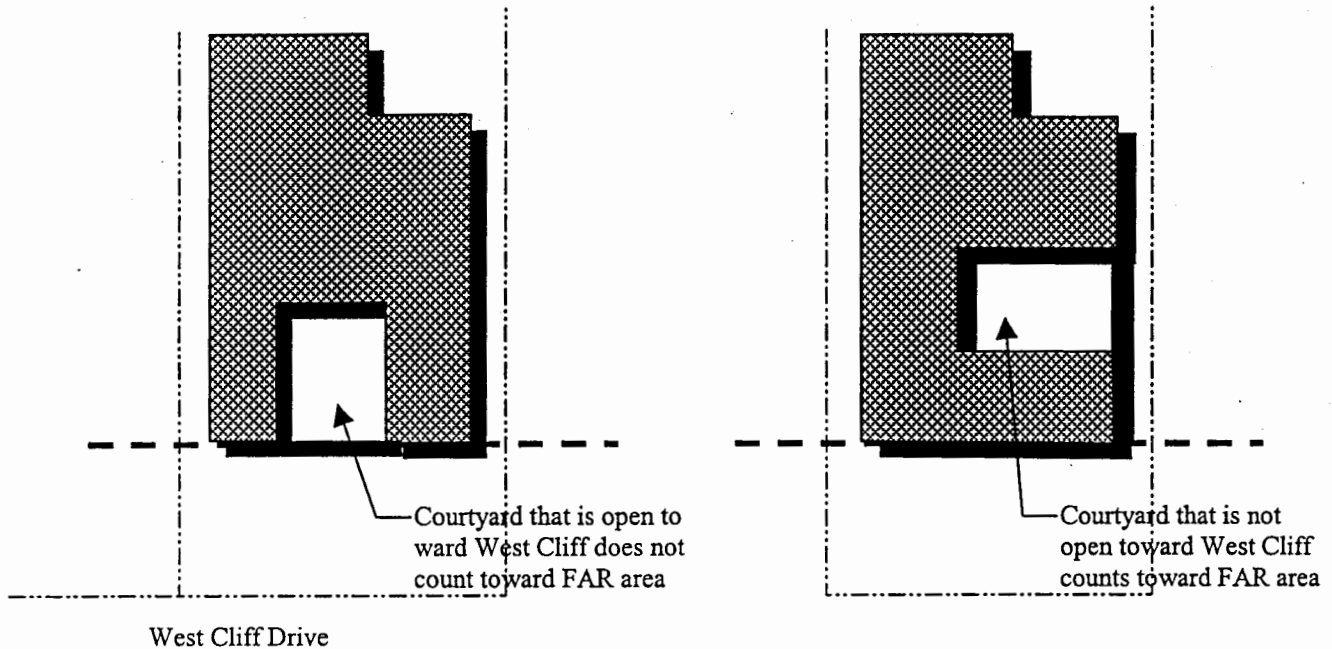
If the height of a space is 17' or less the area is counted once

Example 2

If the height of a space is over 17', the area is counted twice

Example 3

If the height of a part of a space is over 17' the area over 17' is counted twice



Example 4

Example 5

Section 8. This ordinance shall apply to applications submitted on or after November 28, 2000.

Section 9. This ordinance shall be in force and take effect thirty (30) days after its final adoption.

PASSED FOR PUBLICATION this _____ day of _____, 2000, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

DISQUALIFIED: Councilmembers:

APPROVED: _____
Mayor

ATTEST: _____
City Clerk

REDLINED VERSION PROPOSED TITLE 24 ZONING ORDINANCE AMENDMENTS

24.10 LAND USE DISTRICTS

Part 6A: R-H MULTIPLE RESIDENCE – HIGH DENSITY DISTRICT

24.10.575 Use Permit Requirement.

1. The following uses are subject to approval of an Administrative Use Permit and a Design Permit in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.):

- a. Expansion of any existing single-family dwelling; (800)
- b. Two-family dwelling if the lot area allows only two. New single-family development is not permitted; (810)
- c. Temporary structures and uses;
- d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- ~~e. Single-room occupancy (SRO) housing, fifteen units or fewer. (860)~~

2. The following uses are subject to approval of a Special Use Permit and a Design Permit in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.):

- a. Bed-and-breakfast inns subject to requirements contained in Part 9, Chapter 24.12; (300c)
- b. Community care facilities including daycare, foster homes, nursing and retirement homes for seven or more persons; (850e)
- c. Health facilities for in-patient and out-patient psychiatric care and treatment; (410b)
- d. Off-street parking facilities accessory and incidental to a contiguous commercial property with said parking not to exceed one hundred feet from the boundary of the site it is intended to serve; (930)
- e. Public and private noncommercial recreation areas, buildings, and facilities such as parks; (710)
- f. Public and quasi-public buildings and uses including recreational, educational, religious, cultural, public utility or public service uses; but not including corporation yards, storage or repair yards, and warehouses; (500, 510, 530, 540)

g. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit; (570)

~~h. Single room occupancy (SRO) housing, sixteen units or more. (860)~~

(Ord. 2000-18 § 6 (part), 2000: Ord. 96-36 § 1 (part), 1996).

Part 7B: R-T(B) SUBDISTRICT B - MOTEL RESIDENTIAL

24.10.612 Use Permit Requirements.

1. The following uses are subject to approval of an Administrative Use Permit and a Design Permit and other requirements of the Municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Multiple dwellings, townhouses, townhouse and dwelling groups, and condominiums, nine units or fewer (830).

b. Single-family and duplex dwellings (800, 810).

~~c. Single room occupancy (SRO) housing, fifteen units or fewer (860).~~

~~dc.~~ Storage and equipment structures.

ed. Temporary structures and uses.

ef. The providing of board and room for not more than two paying guests per dwelling unit, when located within principal building.

fg. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

2. The following uses are subject to approval of a Special Use Permit and a Design Permit and other requirements of the Municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Coffee shops. (280g)

b. Large community care facilities. (850e)

c. Large family daycare facilities. (510a)

d. Motel, hotel and bed-and-breakfast inn uses subject to annual business license review. (300)

e. Multiple dwellings, townhouses, townhouse and dwelling groups, and condominiums, ten units or more. (840)

f. Public and private commercial parking. (940, 950)

g. Public and private noncommercial recreation areas, buildings and facilities such as parks. (710)

h. Public and quasi-public buildings and uses of an administrative, recreational religious, cultural or public utility or service nature; but not including corporation yards, storage or repair yards, and warehouses. (500, 510, 530, 540, 570)

i. Retirement homes or centers. (850b)

~~j. Single room occupancy (SRO) housing sixteen units or more. (860)~~

(Ord. 2000-18 § 5 (part), 2000: Ord. 96-39 § 8, 1996: Ord. 93-21 § 1, 1993; Ord. 88-60 § 11, 1988; Ord. 88-25 § 6, 1988; Ord. 85-66 § 10, 1985: Ord. 85-05 § 1 (part), 1985).

Part 12: C-B BEACH COMMERCIAL DISTRICT

24.10.1130 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;

b. Community organizations, associations, clubs and meeting halls (570);

c. Convenience store, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);

d. Churches (500);

e. Educational facilities (public/private) (510);

f. Financial services (320);

g. Fish/seafood/wholesale (200F);

h. Government and public agencies (530);

i. Home furnishings (270B);

j. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;

k. Mixed residential and commercial development involving permitted or administrative uses on the ground floor and from three to nine dwellings above the first floor, subject to the minimum land area (net) per dwelling unit of the R-M District (830);

l. Multifamily, three to nine units, subject to the minimum land area (net) per dwelling unit of the R-M District (830);

m. Parks and open spaces (700);

n. Repairs, alterations, maintenance services for household items (340);

~~o. Single room occupancy (SRO) housing, fifteen units or fewer (860);~~

~~po.~~ Temporary structures and uses;

~~pq.~~ Thrift stores (290m);

~~rq.~~ Professional offices associated with a visitor-serving use.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

a. Bars/taverns, subject to alcohol regulations in Part 12 of Chapter 24.12;

b. Large family daycare facilities;

- c. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290 and subject to alcohol regulations in Part 12 of Chapter 24.12 (280H);
- d. Group quarters (850);
- e. Mixed residential and commercial developments with ten or more dwellings, either above the first floor or on the same parcel, subject to the minimum land area (net) per dwelling unit of the R-M District (840);
- f. Multifamily, ten+ units subject to the minimum land area (net) per dwelling unit of the R-M District (840);
- g. Nightclubs/dance halls (live amplified music), subject to alcohol regulations in Part 12 of Chapter 24.12 (630);
- h. Off-site public/private parking facilities, five or more spaces (930);
- i. Refreshment stands and vehicles, when located on private property, in locations clearly incidental and adjacent to beach, park, campgrounds, or other major recreational and tourist facilities or activities;
- ~~j. Single room occupancy housing (SRO), sixteen units or more (860).~~

(Ord. 2000-23 § 1, 2000: Ord. 2000-18 § 11 (part), 2000: Ord. 97-17 § 6, 1997: Ord. 96-39 § 19, 1996: Ord. 95-04 § 7, 1995: Ord. 93-21 § 7, 1993; Ord. 89-21 § 5, 1989; Ord. 88-60 § 23, 1988; Ord. 88-26 § 11, 1988; Ord. 87-22 § 6, 1987; Ord. 86-12 § 3, 1986; Ord. 85-05 § 1 (part), 1985).

Part 16: I-G GENERAL INDUSTRIAL DISTRICT

24.10.1510 Use Permit Requirement.

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Agriculture (000);
- b. Auto services and repairs, including trucks, heavy equipment and auto towing, subject to performance standards in Section 24.12.900 (350);
- c. Boat repairs (340D);
- d. Churches (500);
- e. Communication and information services (550);
- f. Community organizations, associations, clubs and meeting halls (570);
- g. Eating and drinking establishments, subject to alcohol regulations in Part 12 of Chapter 24.12 (280);
- h. Educational facilities (public/private) (510);
- i. Fabricated metal products (150);
- j. Food and beverage stores (except liquor and convenience stores) (240);
- k. Forestry services (010);
- l. Government and public agencies (530);
- m. Leather tanning (110);

- n. Off-site public/private parking facilities, five or more spaces (930);
- o. Other manufacturing and processing industries (except bulk petroleum, scrap and waste materials) (155);
- p. Parks (700);
- ~~q. Single room occupancy (SRO) housing, fifteen units or fewer (860);~~
- rq. Stone, clay, glass products (140);
- ~~sr. Temporary structures;~~
- ~~ts. Transportation facilities (560);~~
- ut. Utilities and resources (540).

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 125 to 145 shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

- a. Chemicals and allied products, subject to performance standards (130);
- b. Large family daycare;
- c. Group quarters (850);
- d. All multifamily dwellings subject to R-M district regulations (840);
- e. Nightclubs/music halls (amplified live music), subject to alcohol regulations in Part 12 of Chapter 24.12 (630);
- f. Paper and allied products subject to performance standards (125);
- g. Parks and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- h. Primary metals and material subject to performance standards (145);
- i. Rubber, plastic, miscellaneous materials and products subject to performance standards (135);
- ~~j. Single room occupancy (SRO) housing, sixteen units or more (860).~~
- j. Single room occupancy (SRO) housing (860) under the following conditions:
 - (1) The site is located within one-quarter mile, (1,320 feet), of a grocery store.
 - (2) The lot size is less than 6,000 square feet.
 - (3) The SRO is part of a mixed use project, sharing the site and/or building with a use that is allowed under Section 24.10.1505, Principal Permitted Uses, is in conformance with Section 24.10.1540.2, and complies with the following requirements:
 - (a) The SRO development and the mixed use business are under one ownership.
 - (b) The amount of building space occupied by the non-residential use is either equal to the SRO or residential use or the non-residential use occupies the entire ground floor of the development.
 - (4) Ambient interior noise levels can be mitigated below 45 decibels.
 - (5) Air quality on and around the site, including odors resulting from adjacent land uses, is not considered a potential health hazard and/or objectionable to residential use.

(Ord. 2000-12 § 4, 2000: Ord. 96-39 § 23, 1996: Ord. 95-04 § 8, 1995: Ord. 93-21 § 10, 1993: Ord. 89-37 § 2, 1989; Ord. 88-26 § 14, 1988; Ord. 87-22 § 8, 1987: Ord. 85-05 § 1 (part), 1985).

Part 3: OFF-STREET PARKING AND LOADING FACILITIES

24.12.240 Number of Parking Spaces Required.

Where the computation of required parking spaces produces a fractional result, fractions of one-half or greater shall require one full parking space.

Use		Spaces Required
a.	Automobile or machinery sales and service garages	1 for each 400 square feet floor area
b.	Banks without automatic teller machines	1 for each 400 square feet floor area
c.	Banks with automatic teller machines	1 for each 400 square feet floor area; plus 1.5 for each machine
d.	Business and professional offices, excluding medical and dental offices	1 for each 300 square feet floor area
e.	Billiard parlors	1.5 for each table.
f.	Boarding homes for the aged	1 for each 5 beds, plus 1 for each employee
g.	Children's homes	1 for each 5 beds, plus 1 for each employee
h.	Houses of worship	1 for each 3.5 seats in the sanctuary
i.	Dancehalls and assembly halls without fixed seats, exhibition halls, except church assembly rooms in conjunction with auditoriums	1 for each 3 persons of design occupancy load
j.	Family daycare and foster family homes	1 for every 5 guests, plus 1 for the resident owner or manager
k.	Funeral homes, mortuaries	1 for each 5 seats of the aggregate number of seats provided in all assembly rooms
l.	Furniture and appliance stores, household equipment	1 for each 800 square feet of sales floor area
m.	Community care residential facilities	1 for each 5 guests, plus 1 for the manager, plus 1 for each employee on the shift with the maximum number of personnel
n.	Hospitals	1 for each bed, plus 1 for each employee on the shift with the maximum number of personnel
o.	Hotels, motels	1 for each unit intended for separate occupancy, plus 1 for the resident owner or manager
p.	Institutions for the aged	1 for every 5 guests, plus 1 for each employee on the shift with the maximum number of personnel

q.	Manufacturing plants, bottling plants, processing plants, packaging plants, furniture repair	1 for each 500 square feet of floor area				
r.	Medical and dental clinics and offices	1 for each 200 square feet of floor area				
s.	Medical (or convalescent) hospitals	1 for each 5 beds, plus 1 for each employee on the shift with the maximum number of personnel				
t.	Nursing homes	1 for every 5 guests, plus 1 for the resident manager, plus 1 for each employee on the shift with the maximum number of personnel				
u.	Physical fitness facilities Multi-program: Single-program: <ul style="list-style-type: none">aerobics:basketball; volleyballlap pool:weightlifting Physical fitness facilities with more than 15,000 square feet of floor area shall provide an additional 10 percent of the total number of required parking spaces	1 space for each 100 square feet of floor area 1 space for each 50 square feet of floor area 1 space for each 3 persons of occupancy 2 spaces per lane plus 1 space for each 300 square feet of non-pool floor area 1 space for each 250 feet of floor area				
v.	Physical therapy	1 space per 200 square feet of floor area. In addition, 1 space per 50 square feet of pool (water) area				
w.	Residential Uses					
Number of Bedrooms						
	Type	Efficiency	1	2	3	4 or more
	Single-family *(including townhouses)	1.0	1.0	2.0	2.0	3 + 1 for ea. addl. bedroom
	Houseboat, duplex, triplex, multiple mobilehome.	1.0	1.5	2.0	2.0	3 + .5 for ea. addl. bedroom
	Lodging, rooming houses and bed-and-breakfast inns		2 spaces, plus 1 for each bedroom			
	Residence halls, dormitories		.75 space for each guest or occupant			
	Senior housing development		1 for each 3 dwelling units or rooms intended for separate occupancy, plus an area of land equal to the required off-street parking for apartments, not including required open space, which could be converted to parking should the retirement center change to a multifamily residential use.			

Single-room occupancy living dwelling unit, less than 300 square feet.**		.75 for each living dwelling unit	
Single-room occupancy dwelling unit, 300 square feet or more.**		1 for each dwelling unit	
Accessory dwelling unit		1 parking space, covered or uncovered shall be provided on site for each bedroom in addition to the required parking for the primary residence.	
Community housing projects.		In addition to meeting above residential parking requirements, 1 additional parking space for each 4 dwelling units shall be provided.	
Covered Parking. At least 1 of the required parking spaces for each dwelling unit shall be covered, within a carport or a garage. Each standard-size parking space required to be located in a garage or carport for a residential unit shall be not less than nineteen feet in length by eight and one-half feet in width (19 ft. x 8½ ft.)			
Covered Parking Exception. Exceptions to parking requirements may be granted to publicly subsidized units where such requirements are in conflict with state or federal regulations or funding policies.			
* Tandem parking may be utilized for the required uncovered parking spaces pursuant to Section 24.12.280, subsection (4).			
** 1. SRO Parking requirements may be reduced by .25 spaces for each dwelling unit at the discretion of the approving authority if the project is either located: <ul style="list-style-type: none"> a) within one quarter (1/4) mile or 1320 feet of an alternative parking facility and spaces are available and can be committed to residents; or b) within one quarter (1/4) mile or 1320 feet of access to public transportation such as a bus stop and a grocery store. 2. Parking requirements may be further reduced by .25 spaces if the project allows only senior residents except in an I-G District. 3. Parking requirements for mixed use developments in the I-G District, as permitted under Section 24.10.1510.2.1 (3), may be reduced by a maximum of .4 spaces for each dwelling unit at the discretion of the approving authority as a part of an on site shared parking plan.			
Use		Spaces Required	
x.	Restaurants and other establishments selling food and beverages on the premises (including bars and nightclubs without live entertainment)	1 for each 120 square feet of floor area	
y.	Restaurants with counter and/or take-out service or drive-in facilities	1 for each 120 square feet of floor area, plus 1 for each 50 square feet of floor area devoted to counter/take-out service	
z.	Research and development facilities	1 for each 325 square feet of floor area, or 1 for every 2 employees (maximum shift), whichever is greater	

aa.	Retail stores, shops, service establishments, including shopping centers other than furniture and appliance stores	1 for each 250 square feet of floor area
ab.	Schools: <ul style="list-style-type: none"> • Elementary and junior high • High schools 	1 for each employee 1 for each employee, plus 1 for each 10 students
ac.	Colleges (business, beauty, etc.) and universities	1 for each employee, plus 1 for each 3 students
ad.	Self-service laundry and dry cleaning establishments	1 for each 200 square feet of floor area
ae.	Service stations	3 for each lubrication or service bay, plus 1 for each employee on the day shift
af.	Sports arenas, auditoriums, assembly halls, and meeting rooms	1 for each 3.5 seats of maximum seating capacity
ag.	Theaters	1 for each 3.5 seats for the first 350 seats; plus 1 for each 5 additional seats
ah.	Wholesale establishments, warehouses, service and maintenance center, communications equipment buildings	1 for each 1,000 square feet of floor area
ai.	Recycling collection facilities <ul style="list-style-type: none"> • Independent • In conjunction with other uses that provide required parking 	2 spaces 0 spaces
aj.	Unspecified uses of buildings structures, or premises	Where the parking requirement for a particular use is not specifically established in this section, the parking requirements for each use shall be determined by the zoning administrator, and such determination shall be based upon the requirements for similar uses. Public uses not specifically established in this section shall meet the parking requirement as established by the zoning board. The board shall take into account the proposed use and parking availability in the vicinity of the use

(Ord. 91-14 § 5, 1991; Ord. 90-38 § 1, 1990; Ord. 89-38 § 1, 1989; Ord. 87-22 § 10, 1987; Ord. 85-46 § 1 (part), 1985).

24.12.290 Variations to Requirements.

The off-street parking requirements of this part may be satisfied or modified in alternate ways:

1. If the property being occupied is in a parking district and the decision-making body finds that the parking district is capable of providing adequate parking for the new use and existing uses in the vicinity and the district; the downtown commission shall advise the decision-making body on the required finding.

2. Off-Site Parking. Required parking spaces may be provided within three hundred feet of the principal entrance of a use. A permanent maintenance and management plan including signage at the parking facility and at the use indicating the useful functioning of such parking must be approved by the hearing body. No more than sixty percent of the required parking may be provided off-site.

3. Parking Plan. An approved specific plan or an approved parking management plan for a project within an R-T District may supersede those parking standards contained in this part, if the purpose of this part is met and the required number of spaces is met. A parking management plan must be found consistent with the following standards:

a. It must provide the same overall number of parking spaces as is required under Section 24.12.240 for the proposed use.

b. It must be able to properly function, allowing for convenient maneuvering, and compatible relationship to adjacent uses.

c. All parking stalls shall be marked.

d. The parking arrangement shall not create safety problems for persons parking or walking within the parking area.

e. Any valet parking program must operate full-time during established business or operating hours.

f. Any off-site parking program.

e. Any off-site parking program located beyond a quarter-mile radius from the subject site shall include a permanent and effective means of transporting employees or patrons from the parking parcel(s) to the subject site.

4. Cooperative Parking Facilities. The parking requirements for two or more uses of the same or different types on the same parcel may be reduced by the zoning board as part of a special use permit procedure if it can be demonstrated that the nature of the uses of the facility will result in multipurpose trips being made to the site or trips being made to individual uses at different times of the day or week. The zoning board may permit no more than a ten percent reduction of the total number of spaces than would be required if each use was assessed independently.

5. Shared Parking Facilities. Off-site parking facilities may be shared by two or more commercial uses if their entrances are located within three hundred feet of the parking facility and if their hours of operation do not coincide, provided they:

a. Receive special use and design permits so that design criteria are met and conditions of use may be established along with periodic review;

b. Submit a written document guaranteeing maintenance, hours of operation and specifying length of agreement;

c. Submit a signage program to notify users at all location(s) of shared parking facilities;

d. Demonstrate how the shared parking arrangement will fulfill the intent of this part.

e. The use permit upon which the shared parking proposal depends shall terminate upon lapse of written agreement specified in subsection (5)(b) above unless otherwise modified by the zoning board.

6. **Parking Requirements for Nonconforming Structures or Uses.** In the case of structures in any district, which are reconstructed, enlarged, structurally altered, changed in occupancy to a more intensive use category, or otherwise increased in capacity, off-street parking shall be required only for that portion of structures or use constituting the increase in capacity; except that no additional parking need be provided for nonresidential uses, if the increased capacity results in an increase of four or fewer parking space requirements.

7. **Reduction in Parking Requirements for Nonautomobile Use Programs.** The zoning administrator or zoning board may allow up to a ten-percent reduction in parking requirements for commercial or industrial developments if such developments include measures such as staggered work hours, provision of employee bus passes, provision of van/car pool programs or the like and provide enforceable permanent agreements to carry out the program.

8. **Parking Requirements on Lots of Less than Fifty Feet.** The zoning administrator or zoning board may permit one required uncovered off-street parking space to be located in a required front yard of single lots less than fifty feet wide if it is determined that the proposal otherwise meets Section 24.08.440 pertaining to substandard residential lot development standards, is consistent with the existing pattern of the neighborhoods, and where landscaping is provided, to minimize visual impacts.

9. ~~Reduction of Parking Required for SRO Living Unit Developments.~~ The zoning board may allow up to a twenty percent reduction in parking requirements for ~~SRO living unit developments if such developments include a parking management plan which includes measures such as provision of tenant bus passes or provision of tenant shuttle service or similar measures and enforceable permanent agreements to carry out the program.~~

109. **Reduction of Parking Requirements for Historic Building Survey Buildings and Landmarks.** The normal parking requirement for (a) use(s) in a building that is listed on the Historic Building Survey, or a landmark, may be modified in order to maintain the value of the listing or designation. Prior to modifying the requirement, the approving body shall find that the modification is necessary in order to allow appropriate findings per Section 24.08.930, findings for historic alteration permit, and that such modification will not significantly adversely affect traffic and parking on adjacent and nearby streets and properties.

~~110. Reduction of Parking Requirements for Dwelling Units Within the Downtown Recovery Plan area of the Central Business District. (a) The parking requirement for multiple unit developments within the area subject to the Downtown Recovery Plan within the Central Business District (CBD), in addition to the one space required for a studio or one bedroom unit, shall be reduced to 1.5 spaces for each unit~~

SRO Amendment

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with two or more bedrooms, provided that one enclosed, secured bicycle parking space is provided on-site for each bedroom within the dwelling unit.

(Ord. 2000-20 § 3, 2000; Ord. 90-34 § 1, 1990; Ord. 90-22 § 1, 1990; Ord. 89-38 § 2, 1989; Ord. 88-41 § 7, 1988; Ord. 88-22 § 1, 1988; Ord. 85-46 § 1 (part), 1985).

24.12 COMMUNITY DESIGN

Part 11: SINGLE-ROOM OCCUPANCY HOUSING

24.12.1000 Purpose.

The purpose of these regulations is to allow the development of reduced-size living dwelling units, defined as single-room occupancy (SRO) units, with limited parking requirements to provide additional options for affordable housing opportunities. (Ord. 93-21 § 11 (part), 1993).

24.12.1010 Regulations.

~~Single-room occupancy units (SRO) are a cluster of residential units in which sanitary facilities may be provided within the unit and/or shared, and kitchen or cooking facilities may be provided within the unit and/or shared within the housing project.~~
(Ord. 93-21 § 11 (part), 1993).

24.12.10201010 Unit Size.

~~1. The net area of a SRO unit may range from a minimum of one hundred fifty square feet to a maximum of three hundred twenty-five square feet, with the average unit size being no greater than three hundred forty-five square feet.~~

~~2. Units between one hundred fifty square feet and two hundred nineteen square feet may not have both a full kitchen and a full bathroom.~~
(Ord. 93-21 § 11 (part), 1993).

24.12.10221020 Partial Kitchen Private Facilities.

- ~~1. SRO Units of 220 square feet or more are required to have a kitchen and a full bathroom.~~
- ~~2. Partial kitchens are limited to single-room occupancies (SRO) units that are less than two hundred nineteen square feet in area. Partial kitchens must have at least two of the three appliances required for food preparation facilities (kitchens) (see definition in Section 24.22.372). In SRO occupancies, individual units may make use of community shared facilities such as refrigerators, ovens, etc. Any area that may be used for food preparation must be defined in building plans and meet the requirements of the State of California Health and Safety Code.~~
(Ord. 93-21 § 11 (part), 1993).

24.12.1024 Bathroom.

1.3. ~~Full.~~ A full bathroom shall contain at least a toilet, sink and bathtub, shower or bath/shower combination.

2.4. ~~Partial.~~ A partial (or half) bathroom shall have at least a toilet and sink. ~~In single-room occupancy (SRO) units, a communal bathing facility may be employed provided they are either single-occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women.~~

5. All SRO units must have a closet.

(Ord. 93-21 § 11 (part), 1993).

24.12.1030 ~~Open Space~~ **Common Facilities.**

1. SRO projects shall have at least ten square feet of common usable open space per unit however no SRO project shall provide less than two hundred square feet of common outdoor open space and two hundred square feet of common indoor open space. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than eight feet wide shall not be included as outdoor common space.

2. Common Open Spaces shall be designed to accommodate appropriate furnishings and shall be furnished for use by residents. Appropriate furnishings for indoor spaces may include such items as lounge chair(s) and/or couch(es), table(s) with chairs, writing desk(s), and television(s). Outdoor furnishings may include such items as outdoor bench(es), table(s) with chairs, barbecue(s), and shade umbrella(s).

3. Laundry facilities that have a minimum of two washers and two dryers must be provided in a separate room. Additional washers and dryers must be provided for any development that has more than twenty units at the ratio of one washer and one dryer for every additional twenty units

4. Common bathrooms must be located on any floor with units that do not have full bathrooms. Common bathrooms shall be either single occupant use with provisions for privacy or multi-occupant use with separate provisions for men and women. Common bathrooms shall have shower or bathtub facilities at a ratio of one for every seven units or fraction thereof. Each shared shower or bathtub facility shall be provided with an interior lockable door.

5. Complete common cooking facilities/kitchens must be provided if any unit within the project does not have a kitchen. One complete cooking facility/kitchen shall be provided within the project for every twenty units or portion thereof or have one kitchen on any floor where units without kitchens are located.

6. All SRO units must have access to a separate usable storage space within the project.

7. With the exception of projects that allow only senior residents, projects that have less than one automobile parking space per unit shall provide one (1) easily accessible space for storing and locking a bicycle space per unit. For projects that provide one parking space per unit, at least one (1) bicycle storage space for every two units shall be provided.

(Ord. 93-21 § 11 (part), 1993).

24.12.1040 **Management.**

1. An SRO project with sixteen-twelve or more units shall provide twenty-four-hour on-site management, and include a dwelling unit designated for the manager.
 2. All SRO projects must have a management plan approved by the City of Santa Cruz Director of Planning and Community Development. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.
- (Ord. 93-21 § 11 (part), 1993).

24.22 DEFINITIONS

24.22.747 Single Room Occupancy Units (SRO).

A cluster of residential units of a smaller size than normally found in multiple dwellings within a residential hotel, motel, or facility providing sleeping or living facilities in which sanitary facilities may be provided within the unit and/or shared, and kitchen or cooking facilities may be provided within the unit or shared within the housing project. The net size of a SRO unit shall be a minimum of one hundred fifty square feet and a maximum of three hundred twenty-five square feet.

Units between one hundred fifty square feet and two hundred nineteen square feet may not have both a full kitchen (food preparation facility) and a full bathroom.

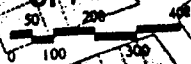
(Ord. 93-21 § 12, 1993; Ord. 89-47 § 1, 1989; Ord. 89-38 § 3, 1989).

DOWNTOWN BLOCK STRUCTURE



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regulations in the proposed ordinance do not substantially change the Downtown Recovery Plan project. Furthermore, there have been no substantial changes in the environmental circumstances under which the Downtown Recovery Plan was adopted and which the Downtown Recovery Plan Program Environmental Impact Report analyzed that would require further environmental review for the regulations set forth in the proposed ordinance. Finally, there is not new information of substantial importance which was not known, or could not have been known, as the time the Downtown Recovery Plan Program Environmental Impact Report was certified that would require further environmental review for the regulations set forth in the proposed ordinance. Accordingly, no further environmental review over and above the review which was conducted in the certified Downtown Recovery Plan Program Environmental Impact Report is required as a prerequisite to adoption of the ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City of Santa Cruz as follows:

Section 1. Amending Chapter 4 of the Downtown Recovery Plan as follows:

Please note: Additions are noted by double underlined text and deletions are noted by ~~strike-through~~ text. Please further note that some strike through text has not been deleted but moved to other locations in the ordinance.

Development Standards and Design Guidelines 4

Much of the character of downtown Santa Cruz has come from its incremental development and the individual stylistic expressions that have occurred over an extended period of time. As a result of the earthquake, much of downtown will be rebuilt in a single generation. This puts a particular burden on the Recovery Plan to guide private development in a way that maintains and promotes the unique townscape character of the downtown.

In the year 2000, the Downtown functions as a central social and cultural gathering place for City residents and workers and is an important entertainment destination and shopping district for visitors to the City. Together, the local and visitor "foot traffic" creates a critical mass of consumers for the district that sustains an impressive array of local, independent retailers which convey a spirit and character that reflects a unique "Santa Cruz" identity. Eleven years after the Loma Prieta earthquake and nine years after the adoption of the Recovery Plan, there remain some vacant parcels that can accommodate new development and there remain some land uses that are needed in the district to foster greater economic vitality. The regulations, incentives, standards and guidelines presented herein are designed to protect and nurture the "character defining" elements that make the Downtown an inviting, attractive, dynamic and diverse gathering place. In addition to these standards and guidelines, the City has adopted a Downtown Retail Strategic Plan which describes a four-prong strategy for revitalizing the Downtown; these elements include (1) land use and design controls, many of which are contained herein; (2) parking, financing and permit processing incentives for identified, targeted business activities; (3) proactive recruitment of targeted businesses as well as various marketing activities for the Downtown; and (4) an on-going coordinated management and maintenance program for the Downtown.

The principal mechanism for guiding the design of private buildings and open space in the downtown is through design and development standards and urban design guidelines. Design and development standards are mandatory; they confirm or modify the existing zoning ordinance, and govern allowable and conditional ground-level and upper-level uses, height, setbacks, stepbacks, architectural design, landscaping, parking and service area requirements. Design guidelines, on the other hand, are intended as strongly urged recommendations for the architectural treatment and configuration of buildings and private open space, and are intended as the basic criteria to be utilized by the Zoning Administrator, Zoning Board and Planning Commission in the design review process and, when applicable, by the City Council in determining the public benefits of allowing large ground floor retail users or taller buildings within the Downtown.

The intent of the guidelines is to encourage high quality design that is in keeping with the character of the downtown; the intent is also to encourage creative and innovative solutions. To this end, the guidelines should be viewed as a flexible framework within which a diversity of expressions can occur. Guidelines in themselves cannot ensure good design. Good design will result rather from the creative application of the guidelines. During the design review process, reviewers should evaluate submittals not only for their conformance with specific guidelines but also for their overall application and the resulting quality of the entire design. For instance, creative solutions that depart from some of the specific provisions but that maintain the spirit and intent of the guidelines should be evaluated seriously. In some cases, these solutions may be preferable to submittals that achieve total conformance.

The design guidelines call for buildings that respect the incremental pattern of development in the downtown and that are reflective of the charm and lifestyle of Santa Cruz. The "character defining" elements of the Downtown include: Buildings that are built to the front property line and engage the pedestrian visually, through transparent windows, pedestrian-oriented displays and signage, plantings, building material textures and complementary colors; buildings that have a unique rhythm and variation created by elements including balconies, loggias, and bay windows; buildings and storefronts that reinforce and extend the landscape quality of Pacific Avenue with planting beds, flower boxes and trellises; buildings that enrich the public realm with public courtyards, minor setbacks, extension areas and passages; and buildings that are not hermetically sealed but reflect an open and energy-efficient approach. Although, the Plan does not recommend a single architectural style as a predominant theme, but rather emphasizes a humanistic scale and warmth as the common architectural vocabulary, the Plan strongly asserts that the district maintain and nurture a unique Santa Cruz identity and authenticity with a preponderance of local tenants. The City is entitled to regulate facade treatments, such as signage or colors, to assure that they meet the design and development standards and guidelines of the Downtown Recovery Plan (DRP).

Design and development standards and design guidelines are provided for the four subareas described in the previous chapter (Pacific Avenue Retail District, Front Street/Riverfront Corridor, Cedar Street Village District, and North Pacific Area). The general approach of this chapter parallels Zoning Ordinance procedures. Reference to conditional uses shall mean administrative use permit uses or special use permit uses. In addition, accessory uses and use determinations (made by Zoning Administrator) shall be provided for.

A. Land Uses

1. Prohibited Uses

The uses described in subsection (a) below, are deemed inconsistent with the goals, policies and objectives of the Downtown Recovery Plan and are, therefore, prohibited within the Downtown Recovery Plan (DRP) portion of the Central Business District as either a stand-alone use or an accessory or temporary use. Such uses that lawfully existed within the DRP area prior to the adoption of this provision are deemed non-conforming and may continue only at the same location at the same intensity or less for a period of no more than 20 years from the effective date of this Zoning Ordinance amendment (month, day, 2000), after which time the use shall be completely removed or converted to a conforming use. The uses described in subsection (b) below shall be deemed a public nuisance and shall be immediately abated according to the provisions of the Zoning Ordinance or other applicable City Codes or Ordinances.

Uses that are prohibited within any of the Downtown Recovery Plan subdistricts.

(a) Uses not permitted include, but are not limited to, the following: Tattoo parlors; rent, sales or service of automobiles, trucks, recreational vehicles, motorcycles or trailers; sale of firearms; general advertising signs; sale of alcoholic beverages for off-site consumption requiring ABC liquor license Numbers 20 or 21 (liquor stores); drive-up facility; or drive-through facility.

Nuisance Activities

(b) No use, even though listed as a permitted use or otherwise allowed, shall be permitted which, by reason of its nature or manner of operation, is deemed by the Zoning Administrator to be creating a condition that is hazardous, noxious, or offensive through the emission of odor, fumes, smoke, cinder, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise. Such use shall be subject to violation abatement procedures which may result in revocation of the use permit.

2. Accessory Uses

In addition, a Accessory uses, as defined in Section 24.22.013 of the Zoning Ordinance, shall be limited to the use of no more than one quarter (1/4) of the total floor area occupied by the permitted use, and use determinations (made by Zoning Administrator) shall be provided for.

3. Temporary Uses

Temporary uses, as defined in Section 24.22.879 of the Zoning Ordinance, shall be limited to the following activities and standards: (a) The following activities if they are sponsored by a government entity or an organized group of businesses, property owners or residents of the CBD: (1) Neighborhood, District or Citywide-oriented carnival, circus, street fair, exhibition, celebration or festival; (2) booth for educational, charitable, patriotic or welfare purposes; (3) open air sale of agricultural products, including seasonal decorations; (4) open air sporting event; (5) arts or crafts sale or artistic performance event; or (6) surface parking open to the public. (b) The following activities if they secure the proper permits, if applicable, from City agencies: Parades, civic events, and advertised citizen gatherings.

B. Pacific Avenue Retail District Development Standards

1. Ground-Level Principally Permitted Uses
(Pacific Avenue and East-West Streets)

Principal permitted uses for the ground level of development along Pacific Avenue and the side streets to the mid-block are limited to relatively high volume pedestrian-oriented uses that reinforce the Pacific Avenue Retail District as an active public place. It is critical that ground-level uses provide a continuity of activity and interest along the entire length of Pacific Avenue and the side streets. Office use and medical offices and clinics are not permitted along Pacific Avenue or east-west street "frontage" spaces. "Frontage" spaces shall be defined as the area within 75 feet perpendicular to Pacific Avenue frontage property line and within 40 feet perpendicular to the east-west street property line. Personal service space is not permitted along Pacific Avenue frontage from Water to Cathcart Streets and is permitted only on a very limited basis along Pacific Avenue frontage from the southside of Cathcart Street to Laurel Street or along the frontage of the east-west streets. To this end, principal ground-level permitted uses shall be limited to the following:

- a. Retail uses including stores, shops, general retail establishments, department stores and specialty shops, not including thrift stores or pawn shops drive up or drive in services;
- b. Eating establishments, not including drive up or drive in services; service of alcoholic beverages must be clearly ancillary to food service and must meet the provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets). When applicable, all fast food and/or beverage establishments (defined in Section 24.22.661 of the Zoning Ordinance) shall be conducted in accordance with the following conditions: (i) Sufficient trash receptacles for customers shall be provided and shall be regularly maintained; (ii) all debris boxes shall be screened and kept in designated or approved locations on the premises; (iii) the operator shall be responsible for cleaning the sidewalk within fifty (50) feet horizontal distance from the premises during the hours of operation to maintain the sidewalk free of paper, spillage or other litter; and (iv) noise, glare and odors shall be contained within the premises so as not to be a nuisance to neighbors. Under no circumstance shall the ventilation outlets or motors cause emission of objectionable odors or noise toward neighbors;
- c. Art galleries or museums that are oriented and open to the public;
- d. Theaters and cinemas.

Any of the above uses in space greater than 16,000 gross square feet per single-tenant/establishment requires Special Use Permit authorization by the City Council.

Entry lobbies to upper-level uses shall be permitted, but should be situated to the maximum extent practicable on the east-west streets; if situated on Pacific Avenue, frontage devoted to such use shall not exceed 15 feet; if situated on a side street, frontage shall be permitted to 25 feet.

2. Ground-Level Administrative Conditional Uses
(Pacific Avenue and East-West Streets)

The following ground level uses require an Administrative Use Permit and will be allowed on a conditional basis, if they can sufficiently demonstrate that they will generate people-oriented activity and streetside interest compatible with the desired pedestrian environment for Pacific Avenue, and if they are in compliance with the criteria listed below. Ground floor space greater than 16,000 gross square feet per single-tenant/establishment requires Special Use Permit authorization by the City Council.

- a. Personal service enterprises such as barber shops, laundry and clothes cleaning establishments; administrative, executive and financial services; telecommunications and computer-related offices; professional, editorial, real estate, insurance and other general business offices including space for non-profit organizations of less than 16,000 gross square feet per application; medical and dental offices; and medical, optical and dental clinics will be considered for the ground level, if it can be demonstrated that:
 - i. Such establishments are not located along Pacific Avenue frontage or along east-west street frontage from Water Street to the northside of Cathcart Street and are, therefore, limited to the interior ground floor space; or Such establishments will not create a significant break (i.e., more than 50 feet) in pedestrian activity and storefront continuity along the street;
 - ii. Such establishments are located along east-west street frontage from the south side of Cathcart Street to Laurel Street; and
 - iii. Such establishments are compatible with existing and planned ground-level and upper-level permitted uses; and
 - iii-iv. Such establishments are in compliance with the storefront and building facade guidelines and standards described below, and capable of being transformed into retail use in the future.
- b. Banks will be considered for the ground level of this district if (1) they meet the above criteria, (2) they meet the design standards and guidelines of the DRP, and (3) if there is no other existing bank within the same contiguous block.
- c. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service will be considered for the ground level of this district, subject to the following operating conditions: (1) acoustical studies indicating that such uses can achieve the City's existing noise abatement standards; (2) the provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets) are met; (3) the establishments shall be conducted in accordance with the following "good neighbor operating procedures": (i) Sufficient trash and recycling receptacles shall be provided and shall be regularly maintained; (ii) all debris boxes shall be screened and kept on the premises in a designated or approved location; (iii) the operator shall be responsible for cleaning the sidewalk within fifty (50) feet horizontal distance from the premises during the hours of operation to maintain the sidewalk free of paper, spillage or other litter; and (iv) noise, glare and odors shall be contained within the premises. STC-MAJ-1-02 (Part B) Exhibit 5

under no circumstance shall the ventilation outlets or motors cause emission of objectionable odors or noise directed toward neighbors; (4) the storefront adjacent to the street is designed in compliance with the storefront and building façade standards and guidelines below and includes active people-oriented activities of visual interest to the pedestrian (e.g., restaurant seating or retail frontage food service seating, queuing areas or art work) and in no case shall the storefront occupy more than 50 linear feet of street frontage, combined, if the space fronts on a corner lot; (5) such establishments are compatible with adjacent residential uses; and (6) such space is capable of being transformed into retail use in the future.

- d. Indoor recreational uses (e.g., health club, bowling alley) will be considered for ground-level use, provided that (1) the storefront adjacent to the street is designed in compliance with the storefront and building façade standards and guidelines below and active people-oriented uses are located adjacent to the street (e.g., retailing component) ; (2) in no case shall the storefront occupy more than 50 linear feet street frontage, combined, if the space fronts on a corner lot; (3) such establishments are compatible with adjacent residential uses; and (4) such space is capable of being transformed into retail use in the future.
- e. Business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance provided that such establishments are not located along Pacific Avenue frontage or east-west street frontage, provided that the storefront adjacent to the street is designed in compliance with the guidelines below, and that people-oriented uses of visual interest to the pedestrian are located adjacent to the street.

3. Ground Level Special Uses.

The following conditional uses shall require a Special Use Permit:

- (a) Personal service enterprises such as barber shops, laundry and clothes cleaning establishments, photocopying services and computer software consulting and internet services to the general public; business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance (1) when located along Pacific Avenue frontage between the southside of Cathcart Street to Laurel Street or (2) if located along east-west street frontage from Water Street to the northside of Cathcart Street, provided the following conditions are met:
- (i) Any such establishment, combined if more than one, will not occupy more than 50 linear feet of frontage space, combined if on a corner lot;
 - (ii) Such establishment is compatible with nearby residential uses;
 - (iii) Such space is in compliance with the storefront and façade design and development standards described below; and
 - (iv) Such space is capable of being converted into retail use in the future. [See also subsection (c) below, if applicable.]
- (b) Thrift stores or pawn shops provided the following conditions are met:
- 1. The thrift store or pawn shop is located south of Cathcart Street or along east-west side streets from Water to Laurel Streets; and
 - 2. Such space is in compliance with the storefront and façade design and development standards described below [See also subsection (c) below, if applicable].

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(c) Ground-level use exceeding sixteen thousand (16,000) gross square feet. The Special Use Permit provided for in this subsection shall be issued or denied by the City Council after review and recommendation by the Zoning Board. In addition to the findings for Special Use Permit issuance required under Section 24.08.050, a Special Use Permit required by this subsection shall not be issued unless the following additional criteria, findings and conditions are made by the City Council. The proposed Application would provide a public benefit by demonstrating how it would:

- (1) Add a desired, "targeted" business to the Downtown, which would serve to diversify the Downtown Recovery Plan area ground-level business base;
- (2) The application shall provide a public benefit by demonstrating how it would contribute to an appropriate balance of local or non-local businesses. For the purposes of this finding, it shall be presumed that local businesses serve to sustain the authenticity and unique retail character of the DRP business mix. However, non-local businesses may add to retail draw and contribute to overall Downtown vitality in certain circumstances;
- (3) Contribute to an appropriate balance of small, medium and large-sized businesses in the DRP area to diversify the DRP's ground-level business mix; to insure the "Santa Cruz" identity, unique character and authenticity; to seek to reduce economic "leakage" of profits out of the City and County; and to induce local investment and employment to the DRP area;
- (4) The design of the façade of the proposed use meets the design standards and guidelines of the DRP and is not restricted by corporate standardized or trademarked exterior design, signage, materials, color or other visual treatments;
- (5) The proposed use would be a good neighbor and contribute to the community life of the Downtown by participating in such community activities as: (i) Membership in Downtown merchant, resident, neighborhood improvement organizations and/or assessment districts; (ii) to the greatest extent feasible, hiring local residents; and (iii) hosting or participating in Downtown festivals, fairs, benefit events and similar neighborhood activities; and
- (6) If applicable, all food and/or beverage service activities shall be conducted in accordance with the "good neighbor operating procedures" for such uses described above.

4. Principally Permitted Upper-Floor Uses

New commercial buildings shall be required to submit a Retail Tenant Recruitment Plan with the Design Permit application for the construction of the new building. The Plan shall describe the good faith measures proposed by the Applicant to secure quality ground floor tenants in a timely manner. The Plan shall outline the proposed types of tenants that will be sought, the methods that will be used to secure the tenants, the procedures to be used to cooperate and coordinate with the City in meeting the mission of the Downtown Retail Strategic Plan and the Downtown Recovery Plan, and shall identify the milestones and reporting measures that will allow the City to monitor the retail leasing and implementation progress, including City review of advertising and offer letters and any rejection letters from prospective tenants.

Principally permitted upper-level uses include the following:

- a. Residential and hotel development up to 60 units in size. Care shall be taken to incorporate sound attenuation measures and construction materials.

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methods such that noise from nearby commercial activities do not unduly disturb occupants of new dwelling units or hotel rooms;

- b. Retail uses including stores, shops, general retail establishments, department stores and specialty shops, not including ~~drive-up or drive-in services~~ thrift shops or pawn shops;
- c. Eating establishments; service of alcoholic beverages must be clearly ancillary to food service and must meet the provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets). When applicable, all fast food and/or beverage establishments (defined in Section 24.22.661 of the Zoning Ordinance) shall be conducted in accordance with the previously described "good neighbor operating procedures";
- d. Art galleries or museums;
- e. Theaters and cinemas;
- f. Personal service enterprises such as barber shops, laundry and clothes cleaning establishments, administrative, executive and financial services; telecommunications and computer-related office uses; professional, editorial, real estate, insurance and other general business offices; medical and dental offices; and medical, optical and dental clinics;
- g. Banks when meeting the design standards and guidelines of the DRP;
- h. Business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance

Conditional Upper-Floor Uses

5. Upper Level Administrative Uses

The following uses require an Administrative Use Permit:

Conditional uses for all levels of development above the ground floor include the following:

- a. Residential development exceeding 60 units will be considered for upper-level uses, if it can be demonstrated that such a development includes a mixture of unit types (e.g., variety of unit sizes) that will be attractive to a wide range of potential residents. Care shall be taken to incorporate sound attenuation space planning designs and construction materials and methods such that noise from nearby commercial activities do not unduly disturb occupants of new dwelling units or hotel rooms;
- b. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service subject to the following operating conditions: (1) acoustical studies indicating that such uses can achieve the City's existing noise abatement standards; (2) the provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets) are met; (3) all such establishments are conducted in accordance with the previously

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described "good neighbor operating procedures"; and (4) such establishments are compatible with nearby residential;

c. Indoor recreation uses provided such establishments are compatible with nearby residential uses-;

d. Space greater than 16,000 square feet per application to be occupied by administrative services and direct-services delivery to the public provided by non-tax-paying entities provided that the Applicant provides a fiscal impact analysis which would identify to what extent the proposed use, individually, and combined with the amount of existing non-tax-paying entities within the CBD, would have an adverse impact on the City's and/or Redevelopment Agency's ability to service existing CBD Redevelopment debt and/or to incur additional indebtedness deemed necessary by the City Council for revitalization efforts within the CBD.

6. Upper Level Special Uses.

The following uses shall require a Special Use Permit:

(a) Thrift stores or pawn shops.

C. Pacific Avenue Retail District Height and Stepback Requirements.

1. Building Height

The following height and stepback standards shall apply to all development within the Pacific Avenue Retail District, including frontage along Pacific Avenue and the east-west streets within the subarea. All buildings must conform to the Base Height requirements, except for provisions for additional height within the "Additional Height Zone A" or "Additional Height Zone B". Requests for building heights above the Base Height limit are discretionary and require a Design Permit with the for recommendation of the Planning Director to the City Council for approval. No additional height bonuses will be considered beyond the maximum allowable heights described in this section. The intent of the standards is not to create a five-story downtown, but rather to preserve the overall character and scale of the historic core while allowing some intensification and increased height on larger parcels where it can best transition to the predominantly two to three-story structures. ~~No additional height bonuses will be considered beyond the maximum allowable heights described in this section.~~

a. Building Base Heights

The following are the requirements relating to the Base Height of buildings in the Pacific Avenue Retail District.

1. a. No new building shall be less than two stories in height. The second story shall be at least 50 percent of the first floor area and shall be located toward the street frontage. An exception may be made, and a one-story building may be constructed, in an area along a property line where otherwise a fence or wall would be used to separate the principal use of a parcel from an adjacent public street. The depth of such a building shall not exceed 15 feet.

2. b. The first floor uses must have a minimum floor-to-floor height of 18 feet, and must meet all applicable accessibility standards below. Any mezzanine shall be at least 10 feet high.

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set back at least 30 feet from the building line on the street and shall occupy no more than one-third of the area of the first floor.

3. e. No new development shall exceed a Base Height of 50 feet (measured to the top of parapet or eaves) except as provided for in the "Additional Height Zone A or B". Within this Base Height, no more than 2 3 stories of commercial uses (including ground-level retail) shall be permitted above the ground floor retail use; if upper-level residential or hotel uses are included, a maximum of 3 floors of such uses above the ground-level retail use will be permitted within the maximum 50 feet Base Height of 50 feet.
4. d. Uninhabitable mechanical penthouses will be permitted above the Base Height to a maximum height of 55 feet, provided that such penthouses are set back from the face of buildings by a minimum of 20 feet from any exposed face of the buildings and are to be out of the pedestrian's view.
5. e. Sloping roofs shall be permitted up to a maximum height of 55 feet (5 feet above the Base Height), provided that they do not penetrate a 42 degree angle measured back from the 50-foot Base Height eaves line. (The 42 degree angle has been established to achieve solar access objectives for Pacific Avenue and is applied equally to both the east and west sides of the street, as well as to all side streets.)
6. Any site that is located where the east-west street does not cross Pacific Avenue (sites with frontage on Locust, Church, Walnut, Lincoln, Soquel, Elm and Maple Streets) must prepare a visual impact study to determine how the proposed building would be viewed from the east-west street.

b. Additional Height Zones f.

Properties on Pacific Avenue and within 150 feet of Pacific Avenue (as measured perpendicular from the property line along the street) between Water and Elm Street and the Metro Center shall be considered within the an "Additional Height Zone A" or "Additional Height Zone B-". within which buildings meeting certain criteria may request additional height above the 50 feet Base Height limit. It is not the intent of the standards to create a higher density or taller downtown, but, rather, to preserve the overall character and scale of the historic core while allowing a discretionary intensification of use and an increased height. The Additional Height Zones have been established to concentrate the highest-density development along Pacific Avenue with the intention of creating a compact urban core that transitions down in scale to the east and west and the north and south. The granting of building height above the 50 foot Base Height limit is discretionary and requires a Design Permit with the recommendation of the Director of Planning to the City Council who must approve the additional height. To achieve approval, the applicant must demonstrate that the proposed project meets the criteria described below. Development within the Additional Height Zones may request additional height as indicated below, if one of the following conditions is met: This zone has been established to concentrate the highest-density development along Pacific Avenue with the intention of creating a compact urban core that transitions down in scale to the east and west. Development within this area shall be permitted to a maximum height of 75 feet (as measured to the parapet), if one of the following conditions is met:

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1. The parcel is greater in size than 20,000 square feet;
2. The frontage along Pacific Avenue is greater than 150 feet, or 100 feet with 150 feet frontage along an east-west street; or
3. The parcel is located between adjacent structures of four or more floors in height.

i. Additional Height Zone A.

Within the "Additional Height Zone A" located from Water to Cathcart Streets and including Parcels 005-152-19, 005-152-20 and 005-152-21 located south of Cathcart Street east of Pacific Avenue, the maximum building height limit for eligible properties is 75 feet. Development eligible for height above 50 feet Base Height limit is discretionary and subject to the approval of the City Council. Proposals for additional height above 50 feet must prepare a detailed visual analysis of the proposed building to determine the visual impact of the development. The visual impact analysis must consider the views from key locations within the City, the views from Pacific Avenue and from the east-west streets. Building height above 60 feet requires the recommendation of the Director of Planning to the City Council, with the finding that the proposed building provides an extraordinary contribution to the aesthetic goals of the Downtown Recovery Plan. In addition to the finding of extraordinary design, further consideration for the additional building height may be given for public benefit attributed to the project. Public benefit may include the provision of housing.

Within the Additional Height Zone A, no more than 4 stories of commercial uses above the ground-level retail space shall be permitted; or, no more than 5 stories of residential or hotel uses shall be permitted above the ground level retail space.

ii. Additional Height Zone B.

The Additional Height Zone B includes certain properties located within the area from the south side of Cathcart Street to Elm Street or, on the east side of Pacific Avenue, from the south side of Cathcart Street to the Metro Center. These properties are identified by parcel numbers 005-152-01 and 005-152-30 on the east side of Pacific Avenue and parcel numbers 005-142-01, 005-142-04, 005-142-05, 005-142-06, 005-142-07, 005-142-13 and a portion of 005-142-11. The additional building height limit for such properties, if they meet the eligibility criteria stated above, is 60 feet. Proposals for additional height above 50 feet must prepare a detailed visual analysis of the proposed building to determine the visual impact of the development. The visual impact analysis must consider the views from key locations within the City, the views from Pacific Avenue and from the east-west streets. Building height above 60 feet requires the recommendation of the Director of Planning to the City Council, with the finding that the proposed building provides an extraordinary contribution to the aesthetic goals of the Downtown Recovery Plan. In addition to the finding of extraordinary design, further consideration for the additional building height may be given for public benefit attributed to the project. Public benefit may include the provision of housing.

Within the Additional Height Zone B from Cathcart Street to Elm Street (or Metro Center on the east-side of the street), no more than 3 stories of commercial uses above ground-level retail space shall be permitted; if upper-level residential or hotel uses are included, a maximum of 4 floors of such uses above the ground-level retail use will be permitted.

D. Building Massing, Step Backs, Setbacks & Encroachments

1. Building Massing & Step Backs

Development eligible for additional height must comply with the stepback provisions described in (i.) below.

~~Within the maximum additional height of 75 feet, no more than 5 stories of commercial uses (including ground level retail) shall be permitted; if upper level residential or hotel uses are included, a maximum of 5 floors of such uses above the ground level retail use will be permitted within the maximum additional height of 75 feet.~~

~~b. Uninhabitable mechanical penthouses will be permitted above the 75-foot height limit to a maximum height of 80 feet, provided that such penthouses are set back from the face of buildings by a minimum of 20 feet to be out of the pedestrian's view.~~

i. All development within the Pacific Avenue Retail District shall be subject to the following massing controls; ~~and stepback standards~~:

a. i—A cornice or parapet line shall be established no more than 5 feet above the parapet line of an adjoining building of architectural or historic value (see Buildings of Historical/Architectural Value map), or at 50 feet, whichever is lower.

b. ii—Step backs from this cornice line shall be made so that no more than 30 percent of additional height is visible from the opposite sidewalk (assuming eye level at 5'-6" and the reference point 15 feet from the property line as indicated in the attached diagram). From this viewpoint, the visible portion of the additional height should include distinctive roof treatment (e.g., sloping roof, cornice detailing) that creates a well-proportioned top to the building, and an attractive silhouette against the sky.

c. iii—Step backs should ensure that solar access on December 21 between 11:00 a.m. and 1:00 p.m. results in a minimum of 20 feet of sun on the surface of the west-facing sidewalks along Pacific Avenue to promote the comfort of pedestrians and the diversity of activities along the street. To achieve this, all buildings along the west side of Pacific Avenue eligible for additional height must step back in a way that does not penetrate a 42 degree plane projected back from the established cornice line (see attached diagram).

d. iv—Step backs should also facilitate maintaining the visual impression of a two to three-story street wall along the east-west streets, and ensure that solar access on March 21 results in a minimum of 20 feet of sun on the surface of south-facing sidewalks. To achieve this, all buildings along east-west streets shall step back from the established parapet line in a way that does not penetrate a 52 degree plane projected back from the established cornice line (see attached diagram).

e. Step backs shall maintain the visual impression of a two- to three-story wall along the north-south alleys or in locations where the rear wall of a building abuts a north-south property line. All buildings backing to an alley (or north-south property line) and eligible for additional height must step back in a way

that does not penetrate a 42 degree plane projected back from the established cornice line (see attached diagram).

f. In accordance with the Downtown Recovery Plan, uninhabitable mechanical penthouses will be permitted above the 50 foot Base Height to a maximum of 55 feet, provided that such penthouses are set back a minimum of 25 feet from any perimeter façade of the upper story of the building.

g. Due to Santa Cruz's varying topography in the vicinity of the Downtown, the design of roof tops is an important aesthetic consideration. The arrangement of roof top equipment, elevator penthouses, mechanical penthouses and enclosures, safety rails, inside faces of parapets, roofing surfaces, architectural elements, and other mechanical or electrical equipment, including telecommunications equipment, shall be designed, installed and painted to be visually in-obtrusive and to create a unified, coherent whole.

INSERT Pacific Avenue Additional Height Standards Diagram

INSERT East-West Streets Additional Height Diagram

h. ~~vi.~~ All other building facades not subject to the above provisions but exceeding the Base Height shall step back by a minimum of 10 feet above the Base Height of 50 feet. ~~vi.~~ Sidewalls for additional floors above the Base Height shall have windows and be architecturally treated in a similar manner as the front-facing facade.

i. Within the above height and step back requirements, certain exceptions may be considered where the resulting design would add significantly to achieving the Downtown Recovery Plan design goals as part of the design review process.

2. ~~*Flatiron Building.* The Flatiron Building may exceed the otherwise established height limit of 3 commercial stories by one story. The project shall be designed in ways which enhance its landmark and focal point location. The fourth story shall be massed at the northern end of the building, and the building shall transition from a four story to a three at its southern end, in order to create appropriate transition to the St. George. Building materials and building detailing shall reflect the importance of the site. Building materials and details shall be approved specifically in connection with approval of development.~~

~~Ground floor uses shall be of the type which encourage pedestrian passage through the building, or which are conducive to expansion outside of the building on extension areas adjacent to the building.~~

~~The additional floor is granted in part as an incentive towards early construction, in order to facilitate downtown recovery and streetscape completion. In approving the design permit, the City Council may specify a time for exercising the permit.~~

2. Build-to Lines and Setbacks

To ensure that Pacific Avenue and the east-west streets are spatially well defined, all development must be built to the property line of the street. The following exceptions to this condition are noted:

- a. Setbacks of up to 12 feet in depth are permitted along the northern property line of Cathcart Street, if such setbacks are intended to provide active outdoor uses (e.g., outdoor dining or public seating) oriented to the street.

~~A setback at the location of the former Cooper House (southeast corner of Pacific and Cooper) to create an outdoor cafe area of at least 800 square feet in size. This setback shall be oriented to the corner of Pacific and Cooper in a way that reinforces the intersection as a major activity node, and that ensures maximum solar access.~~

- ~~b. A setback at the location of the former Ford's Department Store (northwest corner of Pacific and Cathcart) is strongly encouraged to create an outdoor cafe area of at least 800 square feet in size. This setback should be oriented to the corner of Pacific and Cathcart in a way that reinforces the intersection as a major activity node and gateway, and that ensures maximum solar access.~~

- ~~c. Setbacks of up to 12 feet in depth are permitted along the northern property line of Cathcart Street, if such setbacks are aimed at providing active outdoor uses (e.g., outdoor dining or public seating) oriented to the street.~~

- b.d. Minor ground-level storefront setbacks are permitted within the provisions of the storefront and building facade standards and guidelines discussed below. Recessed storefronts up to six feet in depth and twenty-five feet in length may occur where a designated outdoor use, such as an outdoor cafe, is an integral part of the retail business.

3. Permanent Projections into the Public Right-of-Way

It is not the intent of the Plan to create a hard edge between the public and private realms. Rather, building facades and storefronts that are varied and that promote activity and interest are encouraged. Projections into the right-of-way are allowed within the guidelines described below.

4. Retail Extension Zones

Pacific Avenue and some of the east-west streets (e.g., Church Street, Walnut Avenue, Cathcart Street) will include opportunities for the extension of retail and restaurant activities into the public right-of-way. These extension areas will be managed by the City and its designated agent through revocable licenses. [See Section 24.10.2340 of the Zoning Ordinance] The following guidelines shall govern the physical design of these extension areas:

a. Types of Uses. Designated extension areas shall be confined to uses that add activity and color to the street; permitted uses shall be limited to outdoor cafes, food kiosks or carts, or the selling of flowers, produce, and newspapers/magazines, unless otherwise approved by the City Council or its designated agent.

b. Outdoor Cafes. The extension area for cafes shall project no more than 12 feet from the property line into the public right-of-way, and in no case shall a cafe extension area result in a public walk way of promenade (i.e., the dimension between the curb and the cafe) less than 12 feet. The elevation of the extension area shall be the same as the public sidewalk, and shall meet ADA accessibility standards outlined below. No permanent structures will be allowed within the public right-of-way, with the exception of ADA-complying barriers. If a separation between the cafe and the promenade is desired, this shall be achieved through low planters that could contain colorful flowers or a low hedge not permanently affixed to the sidewalk; the maximum height of such planters (including the planting) shall be no more than four feet. Planters shall consist of high quality durable materials of a weight and mass that will discourage theft, vandalism or easy movement. A canvas awning will be permitted to extend over the full depth of the cafe extension area; no columns or supporting poles will be permitted within the public right-of-way. Awnings shall comply with the design and height guidelines prescribed below. The use of removable umbrellas within sidewalk extension areas is also encouraged, provided that seven feet of clearance is provided from the sidewalk. Removable wind screens that are of a transparent material and that are an integral part of the planter will be permitted to extend the seasonal use of the cafe area. Such screens shall not exceed a height of six feet and shall be separated from the awning to provide for air movement.

c. Retailing Uses. Retailing uses within extension zones shall be limited to the sale of newspapers and magazines, flowers and produce, unless otherwise approved by City Council or its designated agent. Such extension areas should not exceed 6 feet in depth, unless it is determined that such depth is necessary to achieve the desired pedestrian objectives for the street, and in no case shall an extension area result in a public promenade that is less than 12 feet in depth. Merchandise shall be displayed against the shopfront and be oriented toward the street on tables or stands that do not exceed four feet in height. No separation (e.g., planters or low walls) between the merchandise and the street shall be permitted.

d. Furniture. All furniture (e.g., tables, chairs, retailing stands) shall be durable, well-maintained, and of a high quality, suitable for outdoor use; such furniture should be light, not heavy or massive in nature, to ensure that it does not visually dominate the street. All furniture shall be approved by City Council or its designated agent.

e. Design Materials. The design materials and colors used for chairs, tables, display stands, lighting, and other fixtures (including umbrellas and awnings) shall be generally consistent with both the architectural style and colors used on the building facade and the quality of fixtures along Pacific Avenue.

f. Lighting. Lighting shall be incorporated into the facade of the building and shall complement the style of the building. Lights on buildings shall not be glaring to pedestrians and should illuminate only the extension area and the activities within. General illumination should be at 5 footcandles, with a maximum of 10 footcandles. Table lamps or candles are encouraged in cafe areas. Wired electrical fixtures will be allowed outside the face of the building, if contained within the semi-permanent barrier allowed for cafe extension areas and if installed by a licensed electrician. A lighting plan must be approved by the City Council or its designated agent.

g. Sidewalk Cleaning. The sidewalk area within the Retail Extension Zone shall be cleaned and maintained by the licensee. The area shall be cleaned, at a minimum, daily and shall be steam cleaned as needed and appropriate to maintain a clean, sanitary and attractive environment.

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5. Distinctive Architectural Elements.

Towers, cupolas, chimneys, dormers, spires, flag poles and other architectural elements will be allowed on a conditional basis, if they can meet the following criteria:

- a. Such elements occur at significant locations within the downtown (e.g. key corners, street termini, downtown gateways), and provide landmarks that will reinforce the overall sense of place;
- b. Such elements have been architecturally integrated within the building design and contribute positively to the overall harmony, composition and articulation of the facade and building mass;
- c. Such elements do not significantly affect solar access objectives for the west-facing sidewalk of Pacific Avenue or the south-facing sidewalks of east-west streets; and
- d. Such elements do not add habitable space above the prescribed height limits set forth above.

E. Building Façade Guidelines

1. Building Façade Guidelines. The intent of the urban design guidelines for the Pacific Avenue Retail District is to reinforce the unique townscape qualities of the downtown, to introduce diversity and variety that will enhance the visual interest and comfort of the pedestrian, and to extend the landscape qualities of the streetscape into the private realm. The building facades of the downtown have a significant effect on the public identity and character of the downtown and, as such, need to be carefully considered.

Building facades should respond to the character and composition of historic commercial buildings along Pacific Avenue. More specifically, facades should be composed with 3 clearly distinct zones: the storefront, up to 18 feet in height; the upper two to three stories of the facade to the established parapet height (e.g., 50 feet); and the roof and cornice treatment, which includes the visible portions of any additional height permitted above the Base Height of 50 feet. This compositional approach is consistent with the historic building facades along Pacific Avenue, as well as the desire to reinforce the pedestrian realm and avoid the creation of monolithic vertical walls along the street edge. A separation of treatment should be clearly established between the ground-level storefront and the upper building levels, utilizing a strong belt course or architectural line, and through the specific storefront treatment described below. Similarly, a strong cornice line or roof treatment is encouraged to promote variety and a distinctive silhouette along the street.

The composition of building facades should also be considered in relation to adjacent buildings of historic or architectural value. While it is not the intent to maintain a consistent treatment along the street edge, the composition of new development should seek to be harmonious and compatible with elements of adjacent structures, such as window proportions, the design of horizontal belt courses and cornice treatments, building materials and architectural elements.

Upper-level facades (i.e., the two to three levels of building wall up to the 50-foot Base Height) should provide a counterpoint to the storefronts below, and provide a visually interesting and varied edge to the public space of the street. In general, the upper-level façade should be built to the property line and consist of carefully composed "punctured openings" within a richly detailed wall. A variety of treatments should be introduced to both the horizontal and vertical planes.

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planes, including balconies, bay windows, flower boxes, awnings, cornice and belt courses, etc. To create a visually interesting "streetwall" with a rhythm and cadence that is reflective of the historic and incremental pattern of development along Pacific Avenue, building facades should introduce variation in fenestration, architectural elements, building materials, and/or building planes at general intervals of 25 to 50 feet. Large uninterrupted expanses of horizontal or vertical wall surface should be avoided. Regardless of property lines, the appearance should be of a street with varying architectural treatments at intervals of no more than 50 to 75 feet.

2. *Cornices and Belt Courses.* Overhead horizontal projections (providing at least eight feet of clearance above grade) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses are encouraged, provided that they do not project more than:

a. At roof level, three feet into the public right-of-way or a designated setback area;

b. At every other level, one foot into the public right-of-way or designated setback area.

3. *Windows.* Building walls should be punctured by well-proportioned openings that provide relief, detail, and variation on the facade. Variation in rhythm should be provided both horizontally and vertically. Large expanses of glass on the upper levels should be considered only where activities of interest to the pedestrian can be highlighted, and in such cases, the design of these openings should be carefully integrated within the overall facade composition. Windows should be inset generously from the building wall to create shade and shadow detail. The use of high-quality window products that contribute to the richness and detail of the facade is encouraged. Bay or projecting windows are also encouraged, within the standards described above. Windows should be predominantly operable, to promote a strong connection between inside and outside and to avoid the creation of hermetically-sealed buildings. Window moldings and/or shutters with projections up to six inches are encouraged to provide detail, shade and articulation to building facades.

4. *Bay Windows and Balconies.* Bay or projecting windows and balconies may be permitted on upper levels of buildings, provided that a minimum of 10 feet of clearance is provided to grade and that the following provisions are met:

a. The projection into the public right-of-way or designated setback area is no more than 3 feet; where sidewalks are less than 10 feet in depth, this projection shall be limited to 2 feet; along alleys, no projection shall be closer than 8 feet to the centerline of any alley.

b. The glass area of the bay window, and the open portions of each balcony, shall not be less than 50 percent of the total area of the vertical surfaces of the projection.

c. Bay windows and balconies should "punctuate" rather than dominate the facade; to this end, it is recommended that the maximum length of bay windows be 15 feet at the property line or setback line; this width should be reduced to a maximum width of 9 feet at the full projection of 3 feet, by means of 45 degree angles at the sides of all projecting bay windows. Perpendicular bay windows and balconies (or projections at a different angle) may be permitted, provided that they remain within the outside dimensions described above. Unless balconies are used as a means of

distinguishing the storefront area from the upper-level facades, they should be generally 15 feet in width or less.

- d. The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies shall be three feet as measured from the face of the building wall along the property line or setback line. A bay window or balcony shall not occur within two feet of the building edge. The intent of this guideline is to ensure that bay windows and balconies do not dominate the building wall.

5. Roofs. Special attention should be paid to the articulation of the top portion of buildings, through the introduction of horizontal bands, cornices and/or decorative parapets. Rooflines should be broken at intervals no greater than 50 to 60 feet by roof elements or step backs to reinforce the predominant building increment along Pacific Avenue. Interesting and varied roof forms are encouraged. Rooftop equipment shall be completely concealed from view and integrated within the architectural vocabulary of the building. The use of landscaped roof terraces and gardens is also recommended, particularly on buildings that are required to step back from the street.

6. Building Materials. To extend the character of the existing downtown, building materials should evoke honesty and solidity. Stone, brick and stucco, richly detailed to provide visual interest and variation, are encouraged as the predominant building materials. While wood and metal are desirable materials for window casings and trim, large expanses of wood or metal siding are discouraged as the predominant building materials. Such materials are considered appropriate for ornamental elements on the facade. Applied brick tiles that attempt to give the appearance of genuine masonry are also discouraged as the predominant building material. Decorative ceramic tiles are encouraged, however, as accent features. Reflective glass is prohibited.

7. Colors. Materials should be relatively light in color. To create a lively visual environment, earthtones, terra-cotta, pastels or whites, accented with dark or bright colors, are recommended. Roofing materials and accenting features such as canopies, cornices, tile accents, etc. should also offer color variation.

8. Landscaping. To promote a unique image and identity of downtown in its lush coastal setting, it is recommended that buildings incorporate provisions for planting, including flower boxes, topiary planting, and climbing vines. Trellis structures are encouraged, particularly on upper portions of the building that are stepped back from the street.

Flower boxes may be permitted to project into the public right-of-way up to 18 inches. Flower boxes also may be permitted to project from bay windows and balconies by 18 inches. Flower boxes shall provide internal and concealed drains connected to roof drains, to avoid overflow to the street; they should also be designed with high quality durable materials that are compatible and integral with the building facade. Trellis structures above 8 feet in height may be permitted to project into the right-of-way by 18 inches.

9. Rear Service Alleys. Upper-level facade treatments adjacent to the rear service lanes shall be consistent in quality and design with treatments adjacent to public streets and rights-of-way. The use of planting (e.g., flower boxes, trellises, topiary) on building facades adjacent to the service lanes is particularly encouraged to enhance the visual and pedestrian character of the alley.

F. Building Façade Standards

All new buildings in the Pacific Avenue Retail District are required to conform to the following design standards:

1. Cornices and Belt Cornices - Decorative architectural belt-cornices, cornices and eaves that project from the building shall define the building elements (base, middle and top) and create three-dimensional interest in the façade.
2. Façade Rhythms - Building facades shall incorporate multiple rhythms or cadences (rather than a single repetitive rhythm) that is reflective of the pattern found in the historic and traditional buildings along Pacific Avenue. The multiple rhythms should be created through the careful design of building elements and three-dimensional articulation of building elements sufficient to mitigate the presence of long, blank walls along Pacific Avenue, the east-west streets, and the alleys. Elements that make up the rhythmic variation may include, but are not limited to: Recessed windows; projecting windows; bay windows; structural elements; textures, patterns and colors; trim elements; balconies; belt-cornices; cornices; awnings and shutters; and landscape elements. The design intent is to incorporate sufficient offsets in the building façade and to use other architectural elements and devices that will create a façade that is in scale with the traditional pattern of small buildings on Pacific Avenue. Regardless of the property lines, the building should contribute to the creation of a streetscape with varying architectural treatments or building segments at intervals of no more than 50 to 75 feet.
3. Windows - Building walls shall be punctured by well-proportioned window openings that provide three dimensional relief, detail, interest and rhythmic variation in the wall. Windows shall be recessed a minimum of six inches from the face of the wall to emphasize the thickness of the wall consistent with the historical and traditional buildings on Pacific Avenue; or windows may project from the wall six inches maximum into the public right-of-way or three feet into the public right-of-way for bay windows. Windows shall be of high quality and shall be operable at the upper level and composed of elements that emulate the size and detail of the windows in the traditional or historical buildings on Pacific Avenue.
4. Exterior Lighting - Buildings shall provide warm (color temperature equal to incandescent), low-level lighting from sundown to 10:00 PM nightly as an integral part of the façade design to add to the nighttime ambient light level in the Downtown and to add nighttime visual interest to the buildings. Accent lighting, using warm low-level incandescent light sources, is encouraged as an integral part of the facade design.
5. Property Line Walls - Where a building shares a property line with an adjacent property or building, mitigate the potential for large blank walls as follows:
 - a. Where the adjacent building is lower than the proposed building, the property line wall shall be set back from the property line sufficient to allow windows in the new wall; or

- b. The applicant shall seek an easement from the adjacent property owner to allow windows (subject to the future redevelopment of the adjacent property). Mitigation measures should be incorporated to allow windows under the Building Code.
 - c. This provision may be modified by the Planning Director, subject to the preparation of a visual computer simulation of the building in context of the building viewed from key points down Pacific Avenue and key intersecting streets.
6. Landscape Provisions - At least two of the following landscape concepts shall be incorporated into each storefront design (or 30 feet of retail frontage). In general, the landscape should aggregately cover a minimum of 25 percent of the length of the storefront:
- a. landscape setbacks up to 18 inches in depth;
 - b. landscape planters recessed into Pacific Avenue sidewalk, up to 18 inches into the public right-of-way;
 - c. flower boxes (limited to 24 inches above the sidewalk) that may project up to 18 inches into the public right-of-way;
 - d. hanging flower pots that may project up to 18 inches into the public right-of-way;
 - e. trellis structures supporting climbing vines that may project up to six inches into the public right-of-way or, where more than eight feet above the sidewalk, may project up to 18 inches into the public right-of-way. Plant materials within the planters, planting beds, flower boxes and flower pots should provide color and variety throughout the year. The use of artificial plants shall not be permitted.
7. Colors - The color scheme for the building shall be compatible in color and value with the adjacent structures and shall be compatible with and sympathetic to the overall color palette of the buildings in the block and the downtown.

G. Storefront Guidelines

The intention of the storefront guidelines is to promote variety and individuality along the street while complementing the scale and design character of the streetscape, reinforce the pedestrian environment, and allow for the landscape character of the downtown to extend into the private realm. The storefront guidelines encourage both setbacks from, and encroachments into, the public right-of-way, where such measures will serve to enrich the visual diversity and life of the street.

- 1. Storefront Projections and Setbacks - In addition to landscape elements, storefronts are encouraged to introduce architectural variation at the pedestrian level in order to create a diverse building edge between the public and private realms. More specifically:
 - a. Storefront bay windows may project up to 12 inches into the public right-of-way, if such windows maintain glazing on all projecting faces, and if the windows do not exceed 15 feet in width. A clearance of at least 12 inches between the bottom of the projecting bay and the sidewalk is recommended.
 - b. Entry porticos may project up to 12 inches into the public right-of-way.
 - c. Entry setbacks may be per ~~STC-MAJ-1432 (Part B)~~ on the property line.

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- d. Permanent marquis structures or canopies that project from the buildings are encouraged, but should be confined to entry lobbies leading to upper-level residential or office uses, or to public-oriented passages that provide for pedestrian access through the block. They should be designed as an attractive and integral part of the overall facade design; they should project no more than 6 feet from the face of the building, take up no more than 10 feet of frontage, and maintain a clearance of at least 8 feet above the sidewalk surface. No column supports shall be permitted within the public right-of-way.
 - e. Projecting signs are encouraged on storefronts up to a height of 14 feet, with a maximum projection of 4 feet from the face of the building. Clearance of at least 8 feet must be maintained to the sidewalk. The overall size of the sign shall not exceed 10 square feet. (Note: All other sign requirements must comply with the existing Zoning Ordinance and the guidelines set forth in the original Pacific Avenue Design Plan.)
 - f. Awnings overhanging the sidewalk are also encouraged to further enhance the life and variety of the street. The preferred material for awnings is canvas, but other materials will be considered if they are light in character and can be architecturally integrated with the building facade. Awnings should be maintained at least eight feet above the sidewalk surface, and shall be carefully designed to complement the overall facade design. Under standard conditions (e.g., not within retail extension zones), storefront awnings shall not project more than 6 feet into the public right-of-way, and generally should not be higher than 14 feet above the sidewalk. Awnings above 14 feet in height should not project more than 3 feet into the public right-of-way. (Specific provisions for extension zones are discussed above.)
2. Storefront Variation and Craftsmanship - The visual experience of moving along the street should be enjoyable and varied. Changes in treatment (e.g., the use of porticos, setbacks, architectural elements, landscape treatments, etc.), within the standards and guidelines outlined above and below. Particular attention should be given to the craftsmanship and detailing within the pedestrian's range of touch and view. The use of special materials (e.g., stone, brass, bronze, terra cotta, ceramic, wood) for storefront ornamentation is strongly encouraged, particularly around windows and entries and at the base of building walls.
 3. Retractable Storefronts - Where appropriate, the use of retractable storefronts is encouraged to create a direct relationship between sidewalk activity and the commercial establishment; this treatment is particularly encouraged for restaurants where outdoor seating is proposed, or for retail establishments that include an extension area within the public right-of-way.
 4. Storefront Landscape Elements - The introduction of plant materials on the building face and storefront is strongly encouraged to reinforce and extend the landscape identity of Pacific Avenue and the downtown. More specifically:
 - a. Storefront setbacks of up to 18 inches may be permitted for the introduction of low planters of up to 12 inches in height below storefront windows.
 - b. The sidewalk paving along Pacific Avenue may be designed to allow for planting beds at sidewalk level to encroach into the public right-of-way up to 18 inches.

Such planting beds shall include durable curbing (up to 3 inches in height) to provide a clear visual separation.

- c. Flower boxes may be allowed to project into the public right-of-way up to 18 inches, with a maximum height of 24 inches above the sidewalk level. It is recommended that flower boxes maintain a clearance of 12 inches above the sidewalk, not including decorative support braces. Flower boxes should be designed as a compatible and integral extension of the storefront window casing; materials shall be durable and of high quality. Flower boxes shall also provide for internal drainage connecting to roof drain lines.
- d. Hanging flower pots may project into the public right-of-way up to 12 inches.
- e. Trellis structures supporting climbing vines are encouraged against blank building walls, both at the storefront and upper levels. At the storefront level, trellises shall be allowed to project into the public right-of-way up to 6 inches; above 8 feet in height, overhanging arbor or trellis structures will be allowed to project up to 18 inches into the right-of-way.
- f. Plant materials within planters, planting beds, flower boxes and flower pots should provide color and variety throughout the year. The use of non-flowering shrubs or plant materials is discouraged, unless they are part of a planned pattern of landscape to that creates interest on the street.

H. Storefront Standards

All storefronts in a new building or re-developed building shall conform to the following storefront design standards. All storefront improvements with an improvement cost of more than \$10,000 require a Design Permit:

- 1. All buildings with frontage along Pacific Avenue shall have a primary entrance on Pacific Avenue.
- 2. All buildings with frontage on Pacific Avenue or the East-West streets shall not have blank walls exceeding ten (10) feet in length. Blank walls shall be mitigated with trellises and/or climbing plants, or other architectural or landscape elements.
- 3. Establishments with frontage along Pacific Avenue shall provide door entries no further distant than 50 feet along the Pacific Avenue frontage.
- 4. Establishments with frontage along east-west streets shall provide door entries no further distant than 50 feet along the frontage.
- 5. Street front entries shall remain unlocked and unblocked and shall remain in use during store hours.
- 6. The ground floor frontage along Pacific Avenue shall be modulated, articulated, textured, colored and given such other architectural treatment to provide a visually differentiated store "front" every twenty-five (25) feet.
- 7. Storefronts shall incorporate at least two of the following design concepts into the storefront designs.

- a. Provide bay windows up to 12' in length that may project up to 12" into the public ROW - where the bay window has glazing on all projecting faces.
 - b. Provide porticos around the entry door that may project up to 12" into the public ROW.
 - c. Provide awnings that may overhang the sidewalk (awnings to be below 14' in height and project a maximum of 6' into the public ROW).
 - d. Provide permanent marquis structures or canopies that project from the building at entries (maximum 10' in length, minimum height 8' above the sidewalk and maximum projection of 6' into the ROW).
 - e. Provide decorative signs that project into the ROW (Minimum height of 14' and maximum projection of 4'.
8. The use of reflective or tinted glass in ground level show windows is prohibited.
 9. Roll-down gates on storefronts shall not be permitted, whether solid or not.
 10. Store displays shall be configured in such a way as to allow pedestrians to see into the store from the sidewalk. Goods, posters, photos or other visual images shall be placed a sufficient distance from the store windows to enable pedestrians to see clearly into the store.

I. Other Conditions

1. Special Conditions Guidelines

New buildings are encouraged to respond to special conditions that may occur on individual sites in a way that will reinforce the structural clarity and townscape characteristics of the downtown. More specifically:

- a. *Pedestrian Passages* - While sideyard spaces are discouraged in favor of contiguous building facades, public-oriented passages that provide pedestrian access through a development parcel to parking facilities, interior courtyards, and/or other developments are encouraged. These passages should comply with Uniform Building Code dimensional requirements, and include provision of natural (as well as electrical) light and active uses along their length. To the maximum extent practicable, adjacent development should establish a relationship to these passages with entries and storefronts, to promote a secure and interesting environment.
- b. *Interior Courtyards* - Santa Cruz has a tradition of interior courtyards and gardens that provide attractive places to sit and relax, and a spatial counterpoint to the street experience. If provided, courtyards or interior gardens should be designed to include: direct public-oriented linkages to Pacific Avenue and/or to other public streets or lanes; activities that do not reduce the principal objective of activating Pacific Avenue; and generous solar access throughout the year.
- c. *Intersection Treatment* - High activity-generating uses are especially encouraged at the Pacific Avenue intersections. Minor corner setbacks in conjunction with storefront entries are also encouraged at these locations. Entries to elevator lobbies should not be located at intersections.

- d. Corner Treatment - Corner parcels are encouraged to incorporate special features such as rounded or cut corners, articulated corner entrances, display windows, corner roof features, etc.
- e. "T" Intersections - New development that occurs at the "T" intersections along Pacific Avenue (Cooper-Church-Locust; Soquel-Walnut-Lincoln; Elm-Maple-Pacific) are encouraged to accentuate the unique spatial characteristics of this condition, through corner treatments as described above, and through special facade treatments at the visual terminus of the east-west streets (e.g., towers, distinctive change in fenestration, roof profile, building material, etc.). Buildings located at the "T" intersections are required to prepare a visual impact analysis to determine the visual impact from the east-west street.

Ground Level Treatment Along Rear Parking Lots and Service Lanes - Rear alleys are envisioned as attractive pedestrian places as well as service spaces. Where development is adjacent to a public alley or surface parking lot, the ground level should be designed to include architectural interest and detail. To the maximum extent practicable, views into the retailing activity should be provided, and a usable and operable entrance provided.

2. Accessibility

The Recovery Plan recognizes that accessibility permeates all elements of urban design, and requires that access be aesthetically integrated within all public and private development in the downtown. The *Americans with Disability Act*, passed by Congress in 1990, confirms that accessibility is a civil right and not a luxury or option. The Recovery Plan endorses this position, and requires that new development strive to achieve an "optimum state" of accessibility, beginning with compliance with both the State of California's *Title 24 Accessibility Requirements* and the *Uniform Federal Accessibility Standards (UFAS)*. This requirement shall govern all subdistricts within the downtown.

3. Parking

The Pacific Avenue Retail District subarea is within the downtown Parking District, and as such shall comply with all parking requirements set forth within that district. On-site parking will not be permitted unless it meets one or more of the following conditions:

- a. Parking is provided completely below grade, and access driveways to the parking facility do not conflict with the movement of pedestrians or vehicles within the area. No driveways shall be permitted along Pacific Avenue.
- b. Surface or above-grade structured parking can be provided, if the parking is visually screened and separated from Pacific Avenue and east-west streets by retail development, and if such parking can be accessed from an east-west street or rear service lane.

Service Access

Parcels adjacent to rear alleys must maintain service access from the rear and provide attractive rear entrances. Trash storage areas shall be internal to the building or completely enclosed and screened from view, as required by City ordinance. Trash or loading areas shall, to the maximum extent practicable, not be located adjacent to Pacific Avenue.

Required grease trap interceptors shall be maintained within the property. On a conditional basis, the City will consider their location within public alleys or within the street right-of-way, if there is no feasible alternative within the property.

Pacific Avenue Retail District Design Guidelines

~~The intent of the urban design guidelines for the Pacific Avenue Retail District is to reinforce the unique townscape qualities of the downtown, to introduce diversity and variety that will enhance the visual interest and comfort of the pedestrian, and to extend the landscape qualities of the streetscape into the private realm. The building facades of the downtown have a significant effect on the public identity and character of the downtown and, as such, need to be carefully considered.~~

Facade Composition

~~Building facades should respond to the character and composition of historic commercial buildings along Pacific Avenue. More specifically, facades should be composed with 3 clearly distinct zones: the storefront, up to 18 feet in height; the upper two to three stories of the facade to the established parapet height (e.g., 50 feet); and the roof and cornice treatment, which includes the visible portions of any additional height permitted above the base height of 50 feet. This compositional approach is consistent with the historic building facades along Pacific Avenue, as well as the desire to reinforce the pedestrian realm and avoid the creation of monolithic vertical walls along the street edge. A separation of treatment should be clearly established between the ground level storefront and the upper building levels, utilizing a strong belt course or architectural line, and through the specific storefront treatment described below. Similarly, a strong cornice line or roof treatment is encouraged to promote variety and a distinctive silhouette along the street.~~

~~The composition of building facades should also be considered in relation to adjacent buildings of historic or architectural value. While it is not the intent to maintain a consistent treatment along the street edge, the composition of new development should seek to be harmonious and compatible with elements of adjacent structures, such as window proportions, the design of horizontal belt courses and cornice treatments, building materials and architectural elements.~~

Storefront Guidelines Treatment

~~The intention of the storefront guidelines is to promote variety and individuality along the street while complementing the scale and design character of the streetscape, reinforce the pedestrian environment, and to allow for the landscape character of the downtown to extend into the private realm. The storefront guidelines encourage both setbacks from, and encroachments into, the public right-of-way, where such measures will serve to enrich the visual diversity and life of the street.~~

Landscape Elements. The introduction of plant materials on the building face and storefront is strongly encouraged to reinforce and extend the landscape identity of Pacific Avenue and the downtown. More specifically:

- ~~a. Storefront setbacks of up to 18 inches will be permitted for the introduction of low planters of up to 12 inches in height below storefront windows.~~
- ~~b. The sidewalk paving along Pacific Avenue will be designed to allow for planting beds at sidewalk level to encroach into the public right of way up to 18 inches. Such planting beds shall include durable curbing (up to 3 inches in height) to provide a clear visual separation.~~
- ~~c. Flower boxes will be allowed to project into the public right of way up to 12 inches, with a maximum height of 24 inches above the sidewalk level. It is recommended that flower boxes maintain a clearance of 12 inches above the sidewalk, not including decorative support braces. Flower boxes should be designed as a compatible and integral extension of the storefront window casing; materials shall be durable and of high quality. Flower boxes shall also provide for internal drainage connecting to roof drain lines.~~
- ~~d. Hanging flower pots shall also be allowed to project into the public right of way up to 12 inches.~~
- ~~e. Trellis structures supporting climbing vines are encouraged against blank building walls, both at the storefront and upper levels. At the storefront level, trellises shall be allowed to project into the public right of way up to 6 inches; above 8 feet in height, overhanging arbor or trellis structures will be allowed to project up to 18 inches into the right of way.~~
- ~~f. Plant materials within planters, planting beds, flower boxes and flower pots should provide color and variety throughout the year. The use of nonflowering shrubs or plant materials is discouraged.~~

Architectural Projections and Setbacks. In addition to landscape elements, storefronts will be encouraged to introduce architectural variation at the pedestrian level in order to create a diverse building edge between the public and private realms. More specifically:

- ~~a. Storefront bay windows will be allowed to project up to 12 inches into the public right of way, if such windows maintain glazing on all projecting faces, and if the windows do not exceed 15 feet in width. A clearance of at least 12 inches between the bottom of the projecting bay and the sidewalk is recommended.~~
- ~~b. Entry porticos will be allowed to project up to 12 inches into the public right of way.~~
- ~~c. Entry setbacks will also be permitted up to 48 inches from the property line.~~
- ~~d. Permanent marquis structures or canopies that project from the buildings are allowed but should be confined to entry lobbies leading to upper level residential or office uses, or to public-oriented spaces that provide for pedestrian access through the building.~~

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block. They should be designed as an attractive and integral part of the overall facade design; they should project no more than 6 feet from the face of the building, take up no more than 10 feet of frontage, and maintain a clearance of at least 8 feet above the sidewalk surface. No column supports shall be permitted within the public right-of-way.

- ~~e. Projecting signs are encouraged on storefronts up to a height of 14 feet, with a maximum projection of 4 feet from the face of the building. Clearance of at least 8 feet must be maintained to the sidewalk. The overall size of the sign shall not exceed 10 square feet. (Note: All other sign requirements must comply with the existing Zoning Ordinance and the guidelines set forth in the original Pacific Avenue Design Plan.)~~
- ~~f. Awnings overhanging the sidewalk are also encouraged to further enhance the life and variety of the street. The preferred material for awnings is canvas, but other materials will be considered if they are light in character and can be architecturally integrated with the building facade. Awnings should be maintained at least eight feet above the sidewalk surface, and shall be carefully designed to complement the overall facade design. Under standard conditions (e.g., not within retail extension zones), storefront awnings shall not project more than 6 feet into the public right-of-way, and generally should not be higher than 14 feet above the sidewalk. Awnings above 14 feet in height should not project more than 3 feet into the public right-of-way. (Specific provisions for extension zones are discussed above.)~~

~~**Storefront Entries.** All establishments must provide primary access directly to the street. Long expanses of inactive building frontage should be avoided by placing usable and operable street doors at intervals generally no greater than 50 feet.~~

~~**Storefront Transparency.** Blank walls should not exceed 10 feet in frontage along the street and, as discussed above, should be mitigated with trellises and climbing plants to extend the landscape character of the street. Storefront windows should be no more than 30 inches above the sidewalk level, subject to Federal Emergency Management Agency (FEMA) standards, and should be of a size that promotes high levels of visibility between the street and the interior activities. Transom windows above the awning level or storefront windows that extend to the full height of the ground level space are encouraged to provide variation along the street.~~

~~**Storefront Variation and Craftsmanship.** The visual experience of moving along the street should be enjoyable and varied. Changes in treatment (e.g., the use of porticos, setbacks, architectural elements, landscape treatments, etc.), within the guidelines outlined above, are encouraged at intervals of at least 25 feet. Particular attention should be given to the craftsmanship and detailing within the pedestrian's range of touch and view. The use of special materials (e.g., stone, brass, bronze, terra cotta, ceramic, wood) for storefront ornamentation is strongly encouraged, particularly around windows and entries and at the base of building walls.~~

~~**Retractable Storefronts.** Where appropriate, the use of retractable storefronts is encouraged to create a direct relationship between sidewalk activity and the commercial establishment; this treatment is particularly encouraged for restaurants where outdoor seating is proposed, or for retail establishments that include an extension area within the public right-of-way.~~

Upper Level Facade and Roof Treatment

Upper level facades (i.e., the two to three levels of building wall up to the 50 foot base height) should provide a counterpoint to the storefronts below, and provide a visually interesting and varied edge to the public space of the street. In general, the upper level facade should be built to the property line and consist of carefully composed "punctured openings" within a richly detailed wall. A variety of treatments should be introduced to create this richness in both the horizontal and vertical planes, including balconies, bay windows, flower boxes, awnings, cornice and belt courses, etc., within the guidelines described below.

Bay Windows and Balconies. Bay or projecting windows and balconies shall be permitted on upper levels of buildings, provided that a minimum of 10 feet of clearance is provided to grade and that the following provisions are met:

- a. The projection into the public right of way or designated setback area is no more than 3 feet; where sidewalks are less than 10 feet in depth, this projection shall be limited to 2 feet; along alleys, no projection shall be closer than 8 feet to the centerline of any alley.
- b. The glass area of the bay window, and the open portions of each balcony, shall not be less than 50 percent of the total area of the vertical surfaces of the projection.
- c. Bay windows and balconies should "punctuate" rather than dominate the facade; to this end, it is recommended that the maximum length of bay windows be 15 feet at the property line or setback line; this width should be reduced to a maximum width of 9 feet at the full projection of 3 feet, by means of 45 degree angles at the sides of all projecting bay windows. Perpendicular bay windows and balconies (or projections at a different angle) are permitted, provided that they remain within the outside dimensions described above. Unless balconies are used as a means of distinguishing the storefront area from the upper level facades, they should be generally 15 feet in width or less.
- d. The minimum horizontal separation between bay windows, between balconies, and between bay windows and balconies shall be three feet as measured from the face of the building wall along the property line or setback line. A bay window or balcony shall not occur within two feet of the building edge. The intent of this guideline is to ensure that bay windows and balconies do not dominate the building wall.

Cornices and Belt Courses. Overhead horizontal projections (providing at least eight feet of clearance above grade) of a purely architectural or decorative character such as cornices, eaves, sills and belt courses are encouraged, provided that they do not project more than:

- a. At roof level, three feet into the public right of way or a designated setback area;
- b. At every other level, one foot into the public right of way or designated setback area.

Window Moldings. Window moldings and/or shutters with projections up to six inches are encouraged to provide detail, shade and a ~~STC MAJ-102 (Part B)~~ **Exhibit 5**
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Landscaping/Flower Boxes. Flower boxes shall be permitted to project into the public right-of-way up to 12 inches. Flower boxes will also be permitted to project from bay windows and balconies by 12 inches. Flower boxes shall provide internal and concealed drains connected to roof drains, to avoid overflow to the street; they should also be designed with high quality durable materials that are compatible and integral with the building facade. Trellis structures above 8 feet in height will be permitted to project into the right-of-way by 18 inches.

Building Rhythm. To create a visually interesting "streetwall" with a rhythm and cadence that is reflective of the historic and incremental pattern of development along Pacific Avenue, building facades should introduce variation in fenestration, architectural elements, building materials, and/or building planes at general intervals of 25 to 50 feet. Large uninterrupted expanses of horizontal or vertical wall surface should be avoided. Regardless of property lines, the appearance should be of a street with varying architectural treatments at intervals of no more than 100 feet.

Windows. Building walls should be punctured by well-proportioned openings that provide relief, detail, and variation on the facade. Variation in rhythm should be provided both horizontally and vertically. Large expanses of glass on the upper levels should be considered only where activities of interest to the pedestrian can be highlighted, and in such cases, the design of these openings should be carefully integrated within the overall facade composition. Windows should be inset generously from the building wall to create shade and shadow detail. The use of high quality window products that contribute to the richness and detail of the facade is encouraged. Bay or projecting windows are also encouraged, within the standards described above. Windows should be predominantly operable, to promote a strong connection between inside and outside and to avoid the creation of hermetically sealed buildings.

Roof Treatment. Special attention should be paid to the articulation of the top portion of buildings, through the introduction of horizontal bands, cornices and/or decorative parapets. Roof lines should be broken at intervals no greater than 50 feet by loggias or stepbacks to reinforce the predominant building increment of 25 to 50 feet along Pacific Avenue. Interesting and varied roof forms are encouraged. Rooftop equipment shall be completely concealed from view and integrated within the architectural vocabulary of the building. The use of landscaped roof terraces and gardens is also recommended, particularly on buildings that are required to step back from the street.

Building Materials. To extend the character of the existing downtown, building materials should evoke honesty and solidity. Stone, brick and stucco, richly detailed to provide visual interest and variation, are encouraged as the predominant building materials. While wood and metal are desirable materials for window casings and trim, large expanses of wood or metal siding are discouraged as the predominant building materials. Such materials are considered appropriate for ornamental elements on the facade. Applied brick tiles that attempt to give the appearance of genuine masonry are also discouraged as the predominant building material. Decorative ceramic tiles are encouraged, however, as accent features. Reflective glass is also considered an undesirable material because of its tendency to create uncomfortable glare conditions.

Colors. Materials should be relatively light in color. To create a lively visual environment, earthtones, terra cotta, pastels or whites, accented with dark or bright colors, are recommended. Roofing materials and accenting features such as canopies, cornices, tile accents, etc. should also offer color variation.

~~*Flowers and Planting.* To promote a unique image and identity of downtown in its lush coastal setting, it is recommended that buildings incorporate provisions for planting, including flower boxes, topiary planting, and climbing vines. Trellis structures are encouraged, particularly on upper portions of the building that are stepped back from the street.~~

~~*Facade Lighting.* Accent lighting, using warm low level incandescent light sources, is encouraged as an integral part of the facade design.~~

~~*Rear Service Alleys.* Upper level facade treatments adjacent to the rear service lanes shall be consistent in quality and design with treatments adjacent to public streets and rights of way. The use of planting (e.g., flower boxes, trellises, topiary) on building facades adjacent to the service lanes is particularly encouraged to enhance their visual and pedestrian character.~~

Special Conditions

New buildings are encouraged to respond to special conditions that may occur on individual sites in a way that will reinforce the structural clarity and townscape characteristics of the downtown. More specifically:

~~*Pedestrian Passages.* While sideyard spaces are discouraged in favor of contiguous building facades, public-oriented passages that provide pedestrian access through a development parcel to parking facilities, interior courtyards, and/or other developments are encouraged. These passages should comply with Uniform Building Code dimensional requirements, and include provision of natural (as well as electrical) light and active uses along their length. To the maximum extent practicable, adjacent development should establish a relationship to these passages with entries and storefronts, to promote a secure and interesting environment.~~

~~*Interior Courtyards.* Santa Cruz has a tradition of interior courtyards and gardens that provide attractive places to sit and relax, and a spatial counterpoint to the street experience. If provided, courtyards or interior gardens should be designed to include: direct public-oriented linkages to Pacific Avenue and/or to other public streets or lanes; activities that do not reduce the principal objective of activating Pacific Avenue; and generous solar access throughout the year.~~

~~*Intersection Treatment.* High activity-generating uses are especially encouraged at the Pacific Avenue intersections. Minor corner setbacks in conjunction with storefront entries are also encouraged at these locations. Entries to elevator lobbies should not be located at intersections.~~

~~*Corner Treatment.* Corner parcels are encouraged to incorporate special features such as rounded or cut corners, articulated corner entrances, display windows, corner roof features, etc.~~

~~*"T" Intersections.* New development that occurs at the "T" intersections along Pacific Avenue (Cooper Church Locust; Soquel Walnut Lincoln; Elm Maple Pacific) should be designed to accentuate the unique spatial characteristics of this condition, through corner treatments as described above, and through special facade treatments at the visual terminus of the east-west streets (e.g., towers, distinctive change in fenestration, roof profile, building material, etc.).~~

~~*Ground-Level Treatment Along Rear Parking Lots and Service Lanes.* Rear alleys are envisioned as attractive pedestrian places as well as service spaces. Where development is adjacent to a public alley or surface parking lot, the ground level should be designed to include architectural interest.~~

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~~retail. To the maximum extent practicable, views into the retailing activity should be provided, and a usable and operable entrance provided.~~

Front Street Riverfront Corridor Development Standards

Ground-Level Principally Permitted Uses (Front, River, Water Streets and East-West Streets)

Principal permitted uses for the ground level of development along the Front Street Corridor, River Street, and the side streets to the mid-block are limited to the following:

- a. All ground-level principally permitted uses allowed in the Pacific Avenue Retail District as described above; and
- b. Personal service enterprises such as barber shops, laundry and clothes cleaning establishments; administrative, executive and financial services; banks; professional, editorial, real estate, insurance and other general business offices; medical and dental offices; and medical, optical and dental clinics provided they do not exceed 16,000 gross square feet per application;
- c. Hotels, motels, and bed and breakfast inns not exceeding 16,000 gross square feet per application;
- d. Indoor recreational uses not exceeding 16,000 gross square feet per application (e.g., health clubs, bowling alleys;
- e. Business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance, provided that (1) such uses do not exceed 16,000 gross square feet per application; and (2) the storefront adjacent to the street is designed in compliance with the guidelines below, and (3) that people-oriented uses of visual interest to the pedestrian are located adjacent to the street.

Ground-Level Permitted Uses (Riverfront Levee: Soquel Avenue to Laurel Street)

Properties that abut the San Lorenzo River levee will have the rear of the property approximately ten feet, or one level, below the top of the levee pathway or promenade. As such, land uses at the ground floor of levee-facing properties will most likely be parking or some building mechanical service use. The second floor of the levee-facing properties would be highly visible to levee passers-by. In the spirit of the San Lorenzo Riverfront Plan, uses facing the levee promenade should provide people-oriented activities that will maintain and reinforce the public nature of the river, including:

- a. Retail uses not exceeding 16,000 square feet per application, including stores, shops, general retail establishments and specialty shops;
- b. Eating establishments not exceeding 16,000 square feet per application; service of alcoholic beverages must be clearly ancillary to food service;

c. Art galleries or museums not exceeding 16,000 square feet per application that are oriented and open to the public;

d. Business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance, provided that (1) such use does not exceed 16,000 square feet per application and (2) the storefront adjacent to the levee is designed in a way that promotes visual transparency and pedestrian interest.

Beyond these levee-level uses, residential uses shall be the only other permitted ground-level use adjacent to the riverfront levee between Laurel Street and Soquel Avenue, with the exception of frontage within 75 feet of Laurel and Soquel, which could include residential and all of the principal permitted uses described for the ground level of the Front Street Corridor above. It is further recommended that a few opportunity sites for appropriate public-serving commercial uses be developed in connection with public access points and park space; in which case the levee-facing commercial use may physically connect with the public space of the levee.

If development occurs prior to the completion of riverfront levee improvements, the design should allow for these active river-oriented uses to be incorporated and connected to the promenade upon completion. On an interim basis (i.e., prior to the completion of the riverfront improvements), levee-level uses could include: cinemas, administrative, executive and financial offices; medical and dental offices; professional, editorial, real estate, insurance and other general business offices. Development occurring prior to the completion of the riverfront improvements will be permitted subject to the condition that compliance with the permitted ground-level uses be achieved within five years of the completion of riverfront improvements.

Ground-Level Conditional Uses
(Front, River, Water Streets and East-West Streets)

Ground Level Administrative Uses.

The following uses require an Administrative Use Permit.

Conditional uses for the ground level of development along Front Street and the side streets to mid-block include:

- a. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service not exceeding 16,000 gross square feet per application will be considered for the ground level of this district, subject to acoustical studies indicating that such uses can achieve the City's existing noise abatement standards, and if the storefront adjacent to the street is designed in compliance with the guidelines below and to include active people-oriented activities of visual interest to the pedestrian (e.g., restaurant seating or retail frontage).

Ground Level Special Uses.

The following uses require a Special Use Permit:

Any ground floor space greater than 16,000 gross square feet per single-tenant space shall require a Special Use Permit (SUP). The SUP provided for in this subsection shall be issued or denied by the City Council after review and recommendation by the Zoning Board. In addition to the findings for SUP issuance required by Section 24.050, a SUP required by this

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subsection shall not be authorized unless the following additional criteria, findings and conditions are made by the City Council demonstrating how the proposed application would provide a public benefit to the City and Downtown Recovery Plan (DRP) area. The proposed use would:

- (1) Add a desired, "targeted" business to the Downtown which would serve to diversify the DRP's ground-level business base;
- (2) The application shall provide a public benefit by demonstrating how it would contribute to an appropriate balance of local or non-local businesses. For the purposes of this finding, it shall be presumed that local businesses serve to sustain the authenticity and unique retail character of the DRP business mix. However, non-local businesses may add to retail draw and contribute to overall Downtown vitality in certain circumstances;
- (3) Contribute to an appropriate balance of small, medium and large-sized businesses in the DRP to diversify the DRP's ground-level business mix, to insure the "Santa Cruz" identity, character and authenticity, to seek to reduce economic "leakage" of profits out of the City and County, and to induce local investment and employment in the DRP area;
- (4) The design of the façade of the proposed use would meet the design standards and guidelines of the DRP and would not be restricted by corporate-required standardized exterior design, signage, materials, color or other visual treatments;
- (5) The proposed use would be a good neighbor and contribute to the community life of the Downtown by participating in such community activities as: (i) Membership in Downtown merchant, resident, neighborhood improvement organizations and/or assessment districts; (ii) to the greatest extent feasible, hiring local residents; and (iii) hosting or participating in Downtown festivals, fairs, benefit events and similar neighborhood activities; and
- (6) If applicable, all food and/or beverage service activities shall be conducted in accordance with the following conditions: (i) Sufficient trash and recycling receptacles shall be provided and shall be regularly maintained; (ii) all debris boxes shall be screened and kept at a designated or approved location on the premises; (iii) the operator shall be responsible for cleaning the sidewalk within fifty (50) feet horizontal distance from the premises during the hours of operation to maintain the sidewalk free of paper, spillage or other litter; and (iv) noise, glare and odors shall be contained within the premises so as not to be a nuisance to neighbors. Under no circumstance shall the ventilation outlets or motors cause emission of objectionable odors or noise toward neighbors.

Principally Permitted Upper-Floor Uses

All of the above permitted ground floor uses are allowed on the upper levels within this district. In addition, residential and hotel uses are also permitted.

Upper-level residential shall be a required use to be included within mixed-use building prototypes between Laurel Street and Soquel Avenue east of Front Street and the Long's-Zanotto's property north of Soquel; portions of this area within 75 feet of Laurel and Soquel are exempt from this requirement and can include all of the permitted upper-floor uses. Sixty percent of development square footage within the area requiring upper-level residential shall be provided in residential use.

Ground-Level Permitted Uses

(Riverfront Levee: Laurel to Soquel)

In the spirit of the San Lorenzo Riverfront Plan, ground-level uses facing the levee promenade should provide people-oriented activities that will maintain and reinforce the public nature of the river, including:

- ~~a. Retail uses including stores, shops, general retail establishments and specialty shops, not including drive-up or drive-in services;~~
- ~~b. Eating establishments, not including drive-up or drive-in services; service of alcoholic beverages must be clearly ancillary to food service~~
- ~~c. Art galleries or museums that are oriented and open to the public;~~
- ~~d. Business and technical schools; child care facilities; schools and studios for arts and crafts, photography, music and dance, provided that (the storefront adjacent to the levee is designed in a way that promotes visual transparency and pedestrian interest.~~

~~Beyond these levee-level uses, residential uses shall be the only other permitted ground-level use adjacent to the riverfront levee between Laurel Street and Soquel Avenue, with the exception of frontage within 75 feet of Laurel and Soquel, which could include residential and all of the permitted uses described for the Front Street Corridor above. It is further recommended that a few opportunity sites for appropriate public-serving commercial uses be developed in connection with public access points and park space.~~

~~If development occurs prior to the completion of riverfront levee improvements, the design should allow for these active river-oriented uses to be incorporated and connected to the promenade upon completion. On an interim basis (i.e., prior to the completion of the riverfront improvements), levee-level uses could include: administrative, executive and financial offices; medical and dental offices; professional, editorial, real estate, insurance and other general business offices. Development occurring prior to the completion of the riverfront improvements will be permitted subject to the condition that compliance with the permitted ground-level uses be achieved within five years of the completion of riverfront improvements.~~

Ground-Level Conditional Uses

(Front, River, Water Streets and East-West Streets)

~~Conditional uses for the ground-level of development along Front Street and the side streets to mid-block include:~~

- ~~a. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service will be considered for the ground level of this district, subject to acoustical studies indicating that such uses can achieve the City's existing noise abatement standards and if the storefront adjacent to the street is designed in compliance with the guidelines below and to include active people-oriented activities of visual interest to the pedestrian (e.g., restaurant seating or retail frontage).~~

Permitted Upper-Floor Uses

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All of the above permitted ground floor uses are allowed on the upper levels within this district. In addition, residential and hotel uses are also permitted.

~~Upper level residential shall be a required use to be included within mixed use building prototypes between Laurel Street and Soquel Avenue east of Front Street and the Long's Zanotto's property north of Soquel; portions of this area within 75 feet of Laurel and Soquel are exempt from this requirement and can include all of the permitted upper floor uses. Sixty percent of development square footage within the area requiring upper level residential shall be provided in residential use.~~

Height and Stepback Requirements

The following height and stepback standards shall apply to all development within the Front Street/Riverfront Corridor:

- a. No new development shall exceed a base height of 50 feet (measured to the top of parapet or eaves on the highest floor). Within this base height, no more than 3 stories of commercial uses (including ground-level retail) shall be permitted; if upper-level residential or hotel uses are included, a maximum of 3 floors of such uses above the ground-level retail use will be permitted within the maximum base height of 50 feet.
- b. Uninhabitable mechanical penthouses and sloping roofs will be permitted above the base height to a maximum height of 55 feet, provided that such penthouses are set back from the face of buildings by a minimum of 20 feet to be out of the pedestrian's view and that sloping roofs meet the provisions of c. below.
- c. In order to promote solar access to the street, and to create a visual transition in scale, development above 35 feet in height will be required to step back from Front Street, River Street and the east-west streets by at least 10 feet at an angle not to exceed 42 degrees (see attached diagram).
- d. Along the riverfront levee, development shall be required to step back from one story, to create a transition to the river and to provide solar access to the surface of the levee promenade on December 21 at 1:00 p.m. To achieve this, all development above the first story shall be stepped back so as not to penetrate a 42 degree solar plane projected back from the first story parapet (see attached diagram).
- e. In order to avoid the creation of a consistent wall of development along the riverfront between Soquel and Front Street, a sideyard stepback of 10 feet shall be required for all development above the first floor.

Build-to Lines and Setbacks

In order to promote well-defined streets, development shall generally be required to build to the property line adjacent to public streets. The following exceptions to this condition are noted:

- a. In locations where the sidewalk is less than 12 feet, development shall be set back from the property line to create a 12-foot sidewalk.

- b. Within this subarea, new development along Water Street (south side) and Laurel Street shall be set back from the street by 10 feet to allow for generous gateway landscaping treatment. On Soquel Avenue the setback shall be 7 feet.
- c. Development along the riverfront promenade shall not encroach beyond the property line of the parcel, except in cases where levee-facing "people oriented" commercial activities incorporate public access points to the levee. Structured and encapsulated parking will be permitted to be built to the property line adjacent to the levee, provided that it is completely screened from view, and that the top of the deck is below the level of the promenade.

Parking

The Front Street/Riverfront Corridor subarea is within the downtown Parking District and, as such, shall comply with all parking requirements set forth within that district. All residential parking shall be provided on site within the parking standards of the zoning ordinance.

Public and private parking facilities shall comply with the following conditions:

- a. Above-grade structured parking should be visually separated at the ground level from all public sidewalks and streets by means of active storefront uses as described above. Such parking should be accessed, to the maximum extent possible, from east-west streets or rear service lanes. Access driveways along Front Street should be avoided.
- b. Existing and/or expanded surface parking lots within the Front Street/Riverfront Corridor should be well landscaped. In addition to the landscaped area requirements for surface parking provided in the zoning ordinance, surface lots shall provide at least one tree for every four parking spaces, distributed throughout the lot. Surface lots shall be screened from the public sidewalk with low walls, planters, or hedges.

Service Access

Parcels adjacent to rear alleys must maintain service access from the rear and provide attractive rear entrances. Trash storage areas shall be internal to the building or completely enclosed and screened from view, as required by City ordinance. To the maximum extent practicable, no trash or loading areas shall be permitted adjacent to Front Street. New access driveways along Front Street shall be strongly discouraged.

Front Street Riverfront Corridor Design Guidelines

Storefront Treatment. While it is recognized that the Front Street/Riverfront Corridor subarea is less pedestrian intensive than the Pacific Avenue District, the ground-level treatment of commercial buildings and parking structures within the area should generally comply with those for the Pacific Avenue retail subarea, in terms of: storefront access, transparency and variation; and the use of awnings and canopies. Special attention should be given to the treatment of intersections, to reinforce their gateway role to Pacific Avenue and to create a high level of interest and activity along the street.

Riverfront Promenade. Residential or commercial uses adjacent to the levee promenade shall be no closer than 10 feet from the western edge of the promenade, except where "people-oriented" commercial uses incorporate public access points to the levee. This setback area along the western slope of the levee (which will include both public and private property) should be filled in to create a level condition between the levee promenade and the adjacent ground-level use. In the case of commercial development, the setback area should be designed to accommodate outdoor eating or public seating, and should be generally at the same level as the promenade. In the case of residential development, the setback should be designed as a visually accessible garden space that provides a transition to the public promenade. All conditions shall be in compliance with the accessibility requirements described above (Pacific Avenue Retail District Development Standards). If development occurs prior to the completion of the riverfront improvements, the design should allow for the ultimate condition described above to take place in the future. Entries, either to individual residential units or common entrances, or to commercial establishments, should be provided along the riverfront promenade at intervals no greater than 75 feet.

Riverfront Access. Between Soquel and Laurel Streets along Front Street, new development shall provide pedestrian access between the levee promenade and the Front Street sidewalk. Such access shall be open to the public during daylight hours, and shall comply with accessibility standards described above.

Upper-Level Facade Treatment. The treatment of upper-level facades should generally comply with the guidelines for the Pacific Avenue Retail District in terms of building rhythm, corner treatment, windows, roof treatment, building materials, colors and planting, and rear service lanes. The following exceptions and special conditions are noted:

Gateway Treatments. New development that occurs at key gateway intersections to the downtown (e.g., River-Water; Pacific-Front; Cooper-Front; Soquel-Front; Cathcart-Front; Laurel-Front) should be articulated to accentuate this condition. Treatments could include corner towers or turrets, setbacks, distinctive changes in fenestration and materials, etc.

Riverfront Residential. Residential development occurring along the Front Street Corridor, or future residential development that may occur as part of a mixed-use development within the Long's-Zanotto's site, should be highly articulated and expressive of the individual units within the complex. The use of sloping roofs, recessed loggias and balconies, bay windows, dormers and chimneys should be carefully composed to create an intricate composition that expresses individual unit modules to the maximum extent practicable. Clapboard wood siding is encouraged, in addition to the building materials recommended for the Pacific Avenue district above (e.g., stucco, brick, stone). To avoid the creation of a "wall" of development along the riverfront between Soquel and Laurel Streets, development should be highly articulated with variation in height. The required 10-foot sideyard setbacks shall also serve to break up the mass of development along this important edge.

Public Parking Structures. Parking structure facades should be designed as compatible visual extensions of other multi-story buildings. Sloping floor elevations should not occur adjacent to public streets. Where parcel depth permits, the face of the parking structure should be set back from ground floor commercial uses. Openings should be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the facade should be provided to create visual interest and to reduce the mass of the parking structure. Decorative

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trellis elements of durable high quality materials are also encouraged to provide variation and interest on the facade. Special attention should also be given to the design of parking structure facades adjacent to rear service lanes, to reinforce their attractiveness for pedestrian use. The use of integrated trellis structures and planters along the service lanes is recommended. Entryways and stairways should be located along the street edge; they should be well lit and visible from the street to promote security and a feeling of comfort.

Cedar Street Village Corridor Development Standards

Ground-Level Principally Permitted Uses

Principal permitted uses for the ground level of development within the Cedar Street area (including side streets and the east side of Center Street) shall include the following:

- a. All ground-level principal permitted uses allowed in the Front Street Riverfront Corridor as described above; and
- b. Residential uses along the east-west streets and Center Street only.

Ground-Level Conditional Uses

Ground Level Administrative Uses.

The following uses require an Administrative Use Permit:

Conditional uses for the ground level of development within the Cedar Street Corridor:

- a. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service, provided the space is less than 16,000 square feet per application, will be considered for the ground level of this district subject to acoustical studies indicating that such uses can achieve the City's existing noise abatement standards, and if the storefront adjacent to the street is designed ~~in compliance with the guidelines below~~ and to include active people-oriented activities of visual interest to the pedestrian (e.g., restaurant seating or retail frontage).

Ground Level Special Uses.

The following uses shall require a Special Use Permit:

- (a) For any ground-level permitted or conditional use exceeding sixteen thousand (16,000) gross square feet per single-tenant space, the Special Use Permit provided for in this subsection shall be issued or denied by the City Council after review and recommendation by the Zoning Board. In addition to the findings for SUP issuance required under Section 24.08.050, a SUP required by this subsection shall not issue unless the following additional criteria, findings and conditions are made by the City Council. The Proposed Application would provide a public benefit by demonstrating how it would:

- (1) Add a desired, "targeted" business to the Downtown which would serve to diversify the Downtown ~~STC-MAJ-02 (Part B) DRP's ground-level~~ Exhibit 5

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- base:
- (2) The application shall provide a public benefit by demonstrating how it would contribute to an appropriate balance of local or non-local businesses. For the purposes of this finding, it shall be presumed that local businesses serve to sustain the authenticity and unique retail character of the DRP business mix. However, non-local businesses may add to retail draw and contribute to overall Downtown vitality in certain circumstances;
 - (3) Contribute to an appropriate balance of small, medium and large-sized businesses in the DRP to diversify the DRP's ground-level business mix, to insure the "Santa Cruz" identity, character and authenticity, to seek to reduce economic "leakage" of profits out of the City and County, and to induce local investment and employment in the DRP area;
 - (4) The design of the façade of the proposed use would meet the design standards and guidelines of the DRP and would not be restricted by corporate-required standardized exterior design, signage, materials, color or other visual treatments;
 - (5) The proposed use would be a good neighbor and contribute to the community life of the Downtown by participating in such community activities as: (i) Membership in Downtown merchant, resident, neighborhood improvement organizations and/or assessment districts; (ii) to the greatest extent feasible, hiring local residents; and (iii) hosting or participating in Downtown festivals, fairs, benefit events and similar neighborhood activities; and
 - (6) If applicable, all food and/or beverage service activities shall be conducted in accordance with the following conditions: (i) Sufficient trash receptacles for customers shall be provided regularly maintained; (ii) all debris boxes shall be kept on the premises; (iii) the operator shall be responsible for cleaning the sidewalk within fifty (50) feet horizontal distance from the premises during the hours of operation to maintain the sidewalk free of paper, spillage or other litter; and (iv) noise, glare and odors shall be contained within the premises so as not to be a nuisance to neighbors. Under no circumstance shall the ventilation outlets or motors cause emission of objectionable odors or noise toward neighbors.

b. Surface parking lots or parking structures.

Permitted Upper-Floor Uses

Permitted upper-level uses include all permitted ground-level uses listed above. In addition, upper-level residential is permitted throughout the subarea.

Height and Stepback Requirements

The following height and stepback standards shall apply to all development within the Cedar Street Village Corridor:

- a. The maximum height of development east of Cedar Street shall be 50 feet (3 floors of commercial, or 1 floor of commercial with 3 floors of residential, or 5 levels of parking). In order to promote solar access to the street and to create a visual transition in scale, all development above 35 feet shall step back from street faces in a way that does not penetrate a 42 degree plane projected back from the 35-foot parapet or eaves.
- b. The maximum height of development throughout the rest of this subarea shall be 35 feet (two floors of commercial; one floor of commercial and two floors of residential; or three floors of residential). Provision for sloping roofs and mechanical penthouses will be allowed to a maximum height of 40 feet, provided that penthouses are set back at least 20 feet out of sight from pedestrian view, and that sloping roofs comply with the stepback angles described in a. above.

Build-to Lines and Setbacks

New development should be set back from the property line to create a sidewalk depth of at least 12 feet. Additional setbacks are permitted to provide landscaped or paved extensions of the sidewalk area, gardens, outdoor seating, or cafes.

Parking

The Cedar Street Village Corridor subarea is within the downtown Parking District and, as such, shall comply with all parking requirements set forth within that district. Public and private parking facilities shall comply with the following conditions:

- a. Above-grade structured parking should be visually separated at the ground level from all public sidewalks and streets by means of active storefront uses, as described above under ground-level permitted uses. Such parking should be accessed, to the maximum extent possible, from east-west streets or rear service lanes. New access driveways along Cedar Street should be avoided.
- b. Existing and/or expanded surface parking lots within the Cedar Street Village Corridor should be well landscaped, with at least one tree for every four parking spaces, and screened from the public sidewalk with low walls, planters, or hedges.

Service Access

Parcels adjacent to rear alleys must maintain service access from the rear and provide attractive rear entrances. Trash storage areas shall be internal to the building or completely enclosed and screened from view, as required by City ordinance. To the maximum extent practicable, no trash or loading areas shall be permitted adjacent to Cedar Street.

Cedar Street Village Corridor Design Guidelines

Storefront Treatment. The ground-level treatment of buildings and parking structures within the Cedar Street subarea should generally comply with guidelines for the Pacific Avenue retail subarea, in terms of: storefront access, transparency and variation; and the use of landscaping, awnings and canopies. However, it is recognized that the informal character of the area is a key element of its character.

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Avenue and, as such, more variation of ground-level treatment is envisioned and encouraged. The use of porches and terraced gardens as an intermediate space between the ground floor use and the sidewalk is permitted, as long as the finished floor elevation of the ground floor use is no more than four feet above or below the sidewalk level, and accessibility requirements are met.

Ground-Level Residential. Within the Cedar Street subarea, ground-level residential uses are permitted on the side streets west of Cedar Street and along Center Street. Direct access between individual townhouse units and the street are strongly encouraged through the use of porches and front "stoops."

Upper-Level Facade Treatment. The treatment of upper-level facades should generally comply with the guidelines for the Pacific Avenue Retail District in terms of building rhythm, corner treatment, windows, roof treatment, building materials, colors and planting. In recognition, however, of the area's village character, several special conditions are noted:

Architectural Elements. The use of architectural elements that promote the village character of the street is encouraged. Such elements could include sloping roofs, chimneys, bay windows, dormers, recessed loggias, balconies, and porches.

Articulation. Facades should be highly articulated and varied; the introduction of moldings and trims, and changes in horizontal and vertical planes are strongly encouraged to create visual interest and variation in light and shadow. Residential development should be highly articulated and expressive of the individual units within the complex.

Wood. Building materials can be more diverse and residential in character than those recommended for the Pacific Avenue Retail District. The use of wood as a siding material is encouraged.

Flowers and Planting. The use of planters, trellises and topiary treatment of buildings is encouraged to further enliven the area and to promote its unique village qualities.

Public Parking Structures. Parking structure facades should be designed as compatible visual extensions of other multi-story buildings. Sloping floor elevations should not occur adjacent to public streets. Where parcel depth permits, the face of the parking structure should be set back from ground floor commercial uses. Openings should be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the facade should be provided to create visual interest and to reduce the massiveness of the parking structure. Decorative screen and trellis elements of durable high-quality materials are also encouraged to provide variation and interest on the facade. Special attention should also be given to the design of parking structure facades adjacent to rear service lanes, to reinforce their attractiveness for pedestrian use. The use of integrated trellis structures and planters along the service lanes is recommended. Entries and stairwells within parking structures should be located adjacent to public streets and designed to be visually open, to promote a feeling of security and comfort.

North Pacific Area Development Standards

1. Ground-Level Principally Permitted Uses

Principal permitted uses for the ground level of development along all streets within this subarea include the following:

- a. All principally permitted ground-level uses allowed in the Front Street/Riverfront Corridor as described above, with the exception that the ground floor is limited (1) retail space or personal service-type retail space along the frontage along North Pacific Avenue, River Street and Water Street, the minimum depth of which shall have a perpendicular depth of forty (40) feet; however, such use may vary in depth along these streets provided that each street maintains an average retail depth of 30 feet; and (2) office, parking or building service uses may be provided at the ground-level along Bulkhead and/or Knight Streets.

Ground-Level Conditional Uses

2. Ground Level Administrative Uses.

The following uses require an Administrative Use Permit:

Conditional uses for the ground level of development within this subarea include:

- a. Nightclubs, establishments providing entertainment or permitting dancing, and establishments serving alcoholic beverages not ancillary to food service will be considered for the ground level of this district, subject to acoustical studies indicating that such uses can achieve the City's existing noise abatement standards, and if the storefront adjacent to the street is designed to include active people-oriented activities of visual interest to the pedestrian (e.g., restaurant seating or retail frontage). provided the space is less than 16,000 square feet per application, will be considered for the ground level of this district subject to the following operating procedures: (1) acoustical studies indicating that such uses can achieve the City's existing noise abatement standards; (2) the provisions Part 12 of the Zoning Ordinance (for High Risk or Low Risk Alcohol Outlets); (3) all such establishments shall be conducted in accordance with the "good neighbor operating procedures" described in the Pacific Avenue Retail District section; and (4) if the storefront adjacent to the street is designed in compliance with the guidelines below and to include active people-oriented activities of visual interest to the pedestrian (e.g., food-service seating, queuing areas or art work).
- a. Residential dwellings.
- c. Surface parking lots or parking structures.

3. Ground Level Special Uses.

The following uses require a Special Use Permit:

Any ground-level principally permitted or conditional non-residential use exceeding sixteen thousand (16,000) gross square feet per single-tenant space. The Special Use Permit (SUP) provided for in this subsection shall be issued or denied by the City

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Council after review and recommendation by the Zoning Board. In addition to the findings for SUP issuance required under Section 24.08.050, a SUP required by this subsection shall not issue unless the additional criteria, findings and conditions for large retail uses described in the Pacific Avenue Retail District section are made by the City Council

4. Principally Permitted Upper-Floor Uses

Principally permitted upper-level uses include all permitted uses listed above. In addition, residential, office and parking uses are also permitted.

5. Height and Stepback Requirements

a. Building Height

The following height and stepback standards shall apply to all development within the North Pacific area.

- 1.a. The maximum height of all development within the North Pacific subarea shall be 35 feet (2 floors of commercial, or 1 floor of commercial and 2 floors of residential). However, within this 35 foot Base Height, east of North Pacific Avenue, development may will be allowed on a discretionary basis to a maximum height of 50 feet (3 floors of commercial, or 1 floor of commercial and 3 floors of residential) on a conditional basis, subject to the following criteria:
 - a. The granting of additional height above thirty-five (35) feet is discretionary and requires a Design Permit with the recommendation of the Director of Planning to the City Council who must approve the additional height;
2. Proposed development above 35 feet, up to 45 feet, must prepare a detailed visual analysis of the building to determine the visual impact. The visual impact analysis must consider the views from the mid-point of the Water Street Bridge looking toward the Mission Hill, from Mission Hill and other key locations within the City. The additional building height shall not obstruct views of the profile of the top of the grade of Mission Hill as viewed from the crest of the Water Street Bridge; A visual analysis (utilizing accurate three-dimensional computer simulation techniques) must be undertaken to demonstrate that the additional building height is not obstructing views to, and the character of, the Mission Hill escarpment as viewed from the crest of the Water Street bridge.
3. Additional height above 45 feet, up to a maximum of 50 feet, must demonstrate that the building creates a superior gateway entrance to Pacific Avenue and the Downtown; and
4. The building height above 35 feet shall be stepped back a minimum of ten (10) feet from the 35 foot Base Height, the additional height shall be highly articulated and the upper level shall gently transition to surrounding development.
5. The first floor uses must have a minimum floor-to-floor height of 14 feet.

- ii ~~The additional height is highly articulated to create an interesting and varied silhouette, stepped back from the property line by at least 10 feet (above the 35-foot or 2-story height), and that the overall massing is one that transitions gently to surrounding development, which is predominantly 2 stories in height~~

b. Build-to Lines and Setbacks

~~In order to~~ To promote well-defined streets, development shall generally be required to build to the property line adjacent to public streets. The following exceptions to this condition are noted:

- 1.a. In locations where the sidewalk is less than 12 feet, development shall be set back from the property line to create a 12-foot sidewalk.
- 2.b. Within this subarea, new development along Water Street (north side) and River Street (south side) shall be set back from the street by 10 feet to allow for generous gateway landscaping treatment. Buildings along River Street may project into this setback with approval of a landscape plan provided that the average setback along that street remains 10 feet
3. Along Pacific Avenue and Water Street, ground level uses shall not be located more than one foot above the elevation of the adjacent curb.
4. Along River Street, the first occupied floor level shall not be higher than five feet above the adjacent curb. For each one foot above the adjacent curb, an additional 1.0 feet of landscape setback shall be required

6. Parking

The North Pacific subarea is not within the downtown Parking District, and therefore new development must comply with the City's general standards related to parking. On-site parking, when authorized, must meet the following conditions:

- 1-a. Above-grade structured parking facing River Street, Water Street or North Pacific Avenue should be visually separated ~~at the ground level~~ from all public sidewalks and streets at the ground level by means of active ground-level uses as described above. ~~(This pertains to River Street, Water Street, and North Pacific Avenue.)~~ Such parking should be accessed, to the maximum extent possible, from east-west streets (i.e., Bulkhead Street). New access driveways along North Pacific Avenue, River and Water Streets should be avoided.
- 2-b. Existing and/or expanded surface parking lots within the North Pacific area should be well landscaped, with at least one tree for every four parking spaces, and screened from the public sidewalk with low walls, planters or hedges.

7. Service Access

To the maximum extent possible, new development should achieve service and garbage access from the rear or, if applicable, from Bulkhead Street, and provide attractive rear entrances. Trash storage areas shall be internal to the building or completely enclosed and screened from view, as required

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by City ordinance. To the maximum extent practicable, no trash or loading areas shall be permitted adjacent to North Pacific Avenue, River or Water Streets.

8. North Pacific Area Design Guidelines Standards

A. Design Standards

1. Building Facades. The treatment of upper-level facades should generally comply with the guidelines and standards for the Pacific Avenue Retail District in terms of building rhythm, articulation, corner treatment, windows, roof treatment, building materials, colors and planting.

2. Ground-Level Storefronts. ~~North Pacific and Water.~~ The design of the ground-level treatment of buildings facing North Pacific Avenue, River Street and Water Streets should generally follow the guidelines and standards described for the Pacific Avenue Retail District to the south (e.g., access and transparency, storefront variation and treatment, awnings, canopies).

3. Town Clock Park/Scope Park. New development occurring adjacent to Town Clock Park (Knight Street right-of-way) or Scope Park should have a strong ground-level orientation to these public open spaces. Buildings along Knight Street should be built to the property line to maintain the spatial quality of Town Clock Park and to reinforce the civic importance of the Water-Pacific-Front intersection. Ground-level uses should be pedestrian-oriented, and the treatment of storefront facades should correspond with the guidelines described for the Pacific Avenue Retail District.

4. River Street. The 10-foot setback area described above for River Street should include a well-designed landscaped frontage adjacent to the building, concept to enhance the gateway role and appearance of River Street and to create a transition between private development and the street. This landscaped area should be broken at intervals to provide entrances to adjacent ground-level uses.

5. Gateway Intersections. The intersections of Water and River Streets, and River Street and North Pacific Avenue, are important gateways to the downtown. New development that occurs at these key gateway intersections should be designed to accentuate this condition. Treatments should include corner towers or turrets, setbacks, distinctive changes in fenestration and materials. The design of the ground level of the buildings at these intersections should be articulated to reinforce the gateway significance utilizing corner setbacks, small plazas, large display windows, distinctive entrance features and canopies. The treatment of the ground floor at this intersection should be articulated to reinforce its gateway significance. Large display windows, distinctive entrance features, and corner setbacks are potential ways of treating these key corners.

Upper-Level Facade Treatment. The treatment of upper-level facades should generally comply with the guidelines for the Pacific Avenue Retail District in terms of building rhythm, corner treatment, windows, roof treatment, building materials, colors and planting, and rear service lanes. The following exceptions and special conditions are noted:

Gateway Treatments. New development that occurs at key gateway intersections to the downtown (e.g., River Water, River North Pacific) should be articulated to accentuate this condition. Treatments could include corner towers or turrets, setbacks, distinctive changes in fenestration and materials, etc.

6. ***River Street Residential.*** If residential development occurs along the River Street Corridor, it should be highly articulated and expressive of the individual units within the complex. The use of sloping roofs, recessed loggias and balconies, bay windows, dormers, and chimneys should be carefully composed to create an intricate and pleasing composition. Clapboard wood siding is encouraged, in addition to the building materials recommended for the Pacific Avenue district above (e.g., stucco, brick, stone).

7. ***Parking Structures.*** Parking structures in the North Pacific Area should be an integral part of the development that it serves, either in below-grade structures or above-grade structures that are sensitively encapsulated within the overall building form. Exposed parking structures should be limited to the interior of the block or to Bulkhead Street. Where parking is exposed as a facade, such facades should be designed as an integral extension of the overall building facade. Sloping floor elevations should not occur adjacent to public streets. Openings should be carefully composed within the building wall to appear as well-proportioned windows, rather than continuous strips; variation in the dimension and proportion of openings and in the horizontal and vertical planes of the facade should be provided to create visual interest and to reduce the massiveness of the parking structure. Decorative screen and trellis elements of durable high-quality materials are also encouraged to provide variation and interest on the facade.

1. Part 5: DESIGN PERMIT. Section 24.08.410. General Provisions.
A design permit shall be required for the following types of projects:
1. Multiple dwellings and dwelling groups containing three or more dwelling units;
 2. New structures intended for commercial use;
 3. New structures intended for industrial use;
 4. Commercial or industrial uses of land not involving a building;
 5. Accessory structures and uses except those accessory uses of structures associated with a single-family dwelling;
 6. Any structure on, or use of, a substandard residential lot, except for structures which provide access to the first floor for the physically challenged;
 7. Any exterior remodeling and/or site alteration of either \$50,000.00 or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Downtown Recovery Plan (DRP) area within which a Design Permit shall be required for any exterior alteration or remodeling, including signage, for which the construction costs of such work exceeds \$10,000---the design of such exterior improvements shall provide an attractive, visually-interesting, and pedestrian- scale facade treatment;
 8. All signs except the following:
 - a. Any permanent freestanding sign or signs five feet in height or lower as measured from grade and containing an aggregate area of thirty square feet or less;
 - b. Real estate signs of six square feet or less in area, placed on a property and advertising that property for sale, lease or rent;
 - c. Signs placed within windows;
 - d. Any sign required by law or placed to protect health and safety;
 - e. Public art;
 - f. Construction project signs conforming to other requirements of Part 6 of this chapter.
 9. Short-term signs;
 10. Banners;
 11. Any project where the applicant is a public agency over which the city may exercise land use controls;
 12. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;
 13. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;
 14. Parking lots with capacity for five or more spaces;
 15. Any project which requires a planned development permit;
 16. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts.
 17. Any structures in the West Cliff Drive Overlay District

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West Cliff Dr.
Amendment

Section 3. Section 24.12.290. VARIATIONS TO REQUIREMENTS.

The off-street parking requirements of this part may be satisfied or modified in alternate ways:

1. If the property being occupied is in a parking district and the decision-making body finds that the parking district is capable of providing adequate parking for the new use and existing uses in the vicinity and the district; the downtown commission shall advise the decision-making body on the required finding.

2. Off-Site Parking. Required parking spaces may be provided within three hundred feet of the principal entrance of a use. A permanent maintenance and management plan including signage at the parking facility and at the use indicating the useful functioning of such parking must be approved by the hearing body. No more than sixty percent of the required parking may be provided off-site.

3. Parking Plan. An approved specific plan or an approved parking management plan for a project within an R-T District may supersede those parking standards contained in this part, if the purpose of this part is met and the required number of spaces is met. A parking management plan must be found consistent with the following standards:

a. It must provide the same overall number of parking spaces as is required under Section 24.12.240 for the proposed use.

b. It must be able to properly function, allowing for convenient maneuvering, and compatible relationship to adjacent uses.

c. All parking stalls shall be marked.

d. The parking arrangement shall not create safety problems for persons parking or walking within the parking area.

e. Any valet parking program must operate full-time during established business or operating hours.

f. Any off-site parking program.

e. Any off-site parking program located beyond a quarter-mile radius from the subject site shall include a permanent and effective means of transporting employees or patrons from the parking parcel(s) to the subject site.

4. Cooperative Parking Facilities. The parking requirements for two or more uses of the same or different types on the same parcel may be reduced by the zoning board as part of a special use permit procedure if it can be demonstrated that the nature of the uses of the facility will result in multipurpose trips being made to the site or trips being made to individual uses at different times of the day or week. The zoning board may permit no more than a ten percent reduction of the total number of spaces than would be required if each use was assessed independently.

5. Shared Parking Facilities. Off-site parking facilities may be shared by two or more commercial uses if their entrances are located within three hundred feet of the parking facility and if their hours of operation do not coincide, provided they:

a. Receive special use and design permits so that design criteria are met and conditions of use may be established along with periodic review;

b. Submit a written document guaranteeing maintenance, hours of operation and specifying length of agreement;

c. Submit a signage program to notify users at all location(s) of shared parking facilities;

d. Demonstrate how the shared parking arrangement will fulfill the intent of this part.

e. The use permit upon which the shared parking proposal depends shall terminate upon lapse of written agreement specified in subsection (5)(b) above unless otherwise modified by the zoning board.

6. Parking Requirements for Nonconforming Structures or Uses. In the case of structures in any district, which are reconstructed, enlarged, structurally altered, changed in occupancy to a more intensive use category, or otherwise increased in capacity, off-street parking shall be required only for that portion of structures or use constituting the increase in

capacity; except that no additional parking need be provided for nonresidential uses, if the increased capacity results in an increase of four or fewer parking space requirements.

7. Reduction in Parking Requirements for Nonautomobile Use Programs. The zoning administrator or zoning board may allow up to a ten-percent reduction in parking requirements for commercial or industrial developments if such developments include measures such as staggered work hours, provision of employee bus passes, provision of van/car pool programs or the like and provide enforceable permanent agreements to carry out the program.

8. Parking Requirements on Lots of Less than Fifty Feet. The zoning administrator or zoning board may permit one required uncovered off-street parking space to be located in a required front yard of single lots less than fifty feet wide if it is determined that the proposal otherwise meets Section 24.08.440 pertaining to substandard residential lot development standards, is consistent with the existing pattern of the neighborhoods, and where landscaping is provided, to minimize visual impacts.

~~9. Reduction of Parking Required for SRO Living Unit Developments. The zoning board may allow up to a twenty-percent reduction in parking requirements for SRO living unit developments if such developments include a parking management plan which includes measures such as provision of tenant bus passes or provision of tenant shuttle service or similar measures and enforceable permanent agreements to carry out the program.~~

SRO
Amendment

10. ⁹ Reduction of Parking Requirements for Historic Building Survey Buildings and Landmarks. The normal parking requirement for (a) use(s) in a building that is listed on the Historic Building Survey, or a landmark, may be modified in order to maintain the value of the listing or designation. Prior to modifying the requirement, the approving body shall find that the modification is necessary in order to allow appropriate findings per Section 24.08.930, findings for historic alteration permit, and that such modification will not significantly adversely affect traffic and parking on adjacent and nearby streets and properties.

11. 10. Reduction of Parking Requirements for Dwelling Units Within the Downtown Recovery Plan area of the Central Business District. (a) The parking requirement for multiple unit developments within the area subject to the Downtown Recovery Plan within the Central Business District (CBD), in addition to the one space required for a studio or one bedroom unit, shall be reduced to 1.5 spaces for each unit with two or more bedrooms, provided that one enclosed, secured bicycle parking space is provided on-site for each bedroom within the dwelling unit.

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Section 4. This ordinance shall be in force and take effect thirty (30) days after its final adoption.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SANTA CRUZ AMENDING CHAPTERS 24.04, 24.08, AND 24.22 BY AMENDING SECTIONS 24.04.030, 24.04.130, 24.08.900, 24.08.910, 24.08.920, 24.08.930, AND 24.22.438 OF THE SANTA CRUZ MUNICIPAL CODE, THE ZONING ORDINANCE, PERTAINING TO ADMINISTRATIVE HISTORIC ALTERATION PERMITS

BE IT ORDAINED, by the City of Santa Cruz as follows:

Section 1. Section 24.04.030 shall be amended to read as follows:

CHAPTER 24.04 - ADMINISTRATION

24.04.30 Types of Permits and other Actions Authorized by the Ordinance

9. Historic Alteration Permit;
- 9a. Administrative Historic Alteration Permit

Section 2. Section 24.04.130 shall be amended to read as follows:

24.04.130 Decision-Making Body With Final Authority on Application Approval

The following table indicates the decision-making body who can approve, deny or conditionally approve an application, whether or not a public hearing is required and the bodies to which appeals can be made:

1. The Zoning Board and City Council may refer certain aspects of any application to the Zoning Administrator for final action.
2. The Zoning Administrator may refer any of the matters on which he/she is authorized to act to the Zoning Board or Historic Preservation Commission.
3. Recommendations for approval on General Plan matters and Zoning Ordinance text and map amendments shall require a majority vote of the planning commission; all other actions shall require a majority of the hearing body present at the meeting.
(Ord. 94-34 § 2, 1994; Ord. 94-33 § 5, 1994; Ord. 91-14 § 1, 1991; Ord. 90-09 § 1, 1990; Ord. 86-12 § 1, 1986; Ord. 85-05 § 1 (part), 1985)

Table 24.04.130, City of Santa Cruz Zoning Hearing Requirement Summary, would be amended to add such a permit, indicate it could be approved by the Zoning Administrator (or Deputy Zoning Administrators) without a public hearing, and indicate such approval could be appealed to the Historic Preservation Commission and City Council.

See revised table, attached as Exhibit A.

ZONING HEARING REQUIREMENTS SUMMARY – Table 24.04.130

	Public Hearing Requirement and Decisionmaking Body Which Can Approve an Application			
Permits/Actions****	No Public Hearing	Public Hearing		Appeal Bodies (In order)
	Action	Recommendation	Action	
Coastal Permit			ZA*	ZB/CC/CCC*
Administrative Use Permit			ZA	ZB/CC
Conditional Fence Permit	ZA		ZA	ZB/CC
Slope Regulations Modifications (Variance)			ZB	CC
Slope Regulations Modifications (Design Permit)	ZA			ZB/CC
Design Permit –	ZA			ZB/CC
Substandard lots: new two-story structures and second-story additions			ZA	ZB/CC
Large homes per Section 24.08.450			ZA	ZB/CC
Signs Over 30 Sq. Ft.	ZA			ZB/CC
New structures or improvements to existing structures in the WCD Overlay which are Exempt or Excluded from Coastal Permit requirements	<u>ZA</u>			<u>ZB/CC</u>
New structures or improvements to existing structures in the WCD Overlay which require a Coastal Permit			<u>ZA</u>	<u>ZB/CC</u>
Demolition Permit				
1. Single-family residential	ZA			ZB/CC
2. Multifamily residential			ZB	CC
3. Historic demolition permit			HPC	CC
General Plan Text and Map Amendments		CPC	CC/CCC***	
Historic Alteration Permit			HPC	CC
Historic Administrative Alteration Permit	<u>ZA</u>			<u>HPC/CC</u>
Historic Building Survey:				
Building designation, deletion		HPC	CC	
Historic District Designation		HPC/CPC	CC	
Historic Landmark Designation		HPC	CC	
Mobile Homes (Certificate of Compatibility)	ZA			ZB/CC
Mobile Home Park Conversion			ZB	CC
Planned Development Permit		ZB	CC	
Project (Major) Modification	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Project (Minor) Modification	ZA			ZB/CC
Relocation of Structures Permit	ZA			ZB/CC
Revocation of Permit	Hearing by ZA or body approving application			Appeal to next highest body(ies)
Special Use Permit			ZB	CC
Variance			ZA	ZB/CC
Zoning Ordinance Text and Map Amendments				
Amendments recommended by CPC		CPC	CC/CCC***	
Amendments not recommended by CPC		CPC		CC/CCC***

CCC = California Coastal Commission	CC = City Council	ZB = Zoning Board
CPC = City Planning Commission	HPC = Historic Preservation Commission	ZA = Zoning Administrator

* For projects seaward of the mean high tide line, and in the case of appealable actions, the California Coastal Commission shall be the decision-making body which can finally approve an application.

*** California Coastal Commission in case of CLUP policy, CLIP elements.

**** At a regularly scheduled meeting, a majority of the council may take an action to direct any project or amendment to be called from a lower hearing body prior to a final action or during an appeal period in accordance with Section 24.04.175.2.

Section 3. Section 24.08.900 shall be amended to read as follows:

CHAPTER 24.08 - LAND USE PERMITS AND FINDINGS

Part 10: HISTORIC ALTERATION PERMIT

24.08.900 Purpose

The purpose of this permit is to ensure that no person shall carry out or cause to be carried out on a designated landmark, or on a building listed in the City of Santa Cruz Historic Building Survey, or on a structure in an historic overlay district, any material change in exterior appearance of any such structure through alteration, construction or relocation without approval of an historic alteration permit by the Historic Preservation Commission. For minor historic alteration projects, approval of an Administrative Historic Alteration Permit by the Zoning Administrator shall be required. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

(Ord. 94-33 § 21, 1994; Ord. 86-13 § 2 (part), 1986; Ord. 85-05 § 1 (part), 1985)

Section 4. Section 24.08.910 shall be amended to read as follows:

24.08.910 General Provisions

The Planning Department shall maintain a current record of designated landmarks, historic districts and buildings listed on the City's Historic Building Survey. When an application involving such landmark or building indicates a possible material change to the exterior appearance of a building, structure or portion thereof, a historic alteration permit shall be required. For minor historic alteration projects, approval of an Administrative Historic Alteration Permit shall be required.

(Ord. 86-13 § 2 (part), 1986; Ord. 85-05 § 1 (part), 1985)

Section 5. Section 24.08.920 shall be amended to read as follows:

24.08.920 Procedure

A public hearing shall be held by the Historic Preservation Commission, prior to final action on any application, except for Administrative Historic Alteration Permits.

(Ord. 86-13 § 2 (part), 1986; Ord. 85-05 § 1 (part), 1985)

Section 6. Section 24.08.930 shall be amended to read as follows:

24.08.930 Findings Required

Prior to approval or modified approval, the Historic Preservation Commission or Zoning Administrator shall find that:

ORDINANCE ADMENDMENT NO. ____

1. The action proposed is consistent with the purposes of historic preservation as set forth in Section 24.12.400 of this title and in the Cultural Resources Element of the General Plan; and

2. The action proposed retains the historic and/or architectural value and significance of the landmark, Historic Building Survey building or historic district and retains the texture and material of the building or structure in question or its appurtenant fixtures, including signs, fences, parking, site plan, landscaping and the relationship of such features to similar features of other buildings within an historic district; and either

~~3. The proposed project is compatible in its location of buildings or structures with the location of the street or public way and the location and arrangement of other buildings and structures in the neighborhood; or~~

3.4. The applicant has demonstrated that the action proposed is necessary to correct an unsafe or dangerous condition on the property pursuant to Section 24.08.940; or

4. 5. The applicant has demonstrated that denial of the application will result in immediate and substantial economic hardship.

(Ord. 94-33 § 22, 1994; Ord. 91-13 § 1, 1991; Ord. 86-13 § 2 (part), 1986; Ord. 85-05 § 1 (part), 1985).

Section 7. Section 24.22.438 shall be amended to read as follows:

CHAPTER 24.22 - DEFINITIONS

Section 24.22.438 Historic Alteration Project, Minor

A small project involving a historic building located on the City Historic Building Survey or within a historic district but not including a landmark building. Such projects include, but are not limited to, re-roofing, gutter and downspout replacement, and window replacement projects as approved or amended by resolution of the Historic Preservation Commission.

PASSED FOR PUBLICATION this day of , 1999, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

DISQUALIFIED: Councilmembers:

APPROVED: _____
Mayor

ATTEST: _____

STC-MAJ-1-02 (Part B)

EXHIBIT A
RESOLUTION NO. 02-001

HISTORIC PRESERVATION COMMISSION – RESOLUTION NO. 02-001
POLICY DIRECTION FOR MINOR HISTORIC ALTERATION PROJECTS
WHICH MAY BE APPROVED UNDER ADMINISTRATIVE HISTORIC
ALTERATION PERMIT REGULATIONS

Planning Department staff may approve Administrative Historic Alteration Permits for the following type of minor projects under the following conditions.

The project involves a building, which is listed on the Historic Building Survey or located within an historic district, but is not a designated City Landmark or rated Exceptional or Excellent in Volume I of the Survey, or a bay area shingle style or craftsman bungalow style building, which features sidewall shingles. The project does not involve alterations to unusual door, window or other character-defining details of a building.

ADDITION AND DELETION OF NEW WINDOWS AND DOORS

The alteration of windows and doors may be allowed through the Administrative Historic Alteration Permit process. Existing windows and doors may be altered. New windows and doors may be added or deleted. New windows and doors shall match another door or window already existing on the house. All new windows shall be true- or modern-divided light, primed, ready-to-paint wood windows. Vinyl, aluminum, steel or clad windows shall not be allowed with this process.

New doors shall be constructed of wood, with an appropriate stile and rail design. No slab doors or doors of metal, fiberglass or pressboard are allowed under the Administrative Historic Alteration process.

MINOR ADDITIONS/ALTERATIONS TO THE REAR OF THE PROPERTY

Additions, of 440 square feet or less, attached to the rear of the house that do not detract from the historic character of the building may be allowed through the Administrative Historic Alteration Permit process.

Additions and/or alterations to the rear three quarters of the structure (except on primary facades), including the addition of roof vents, solar panels, and skylights, that do not detract from nor diminish the historic integrity of the building may be allowed through the Administrative Historic Alteration Permit process.

The demolition and/or reconstruction of detached accessory structures located in the rear half of the property that are no larger than 440 square feet may be allowed through the Administrative Historic Alteration Permit process.

**EXHIBIT A
RESOLUTION NO. 02-001**

**HISTORIC PRESERVATION COMMISSION – RESOLUTION NO. 02-001
POLICY DIRECTION FOR MINOR HISTORIC ALTERATION PROJECTS
WHICH MAY BE APPROVED UNDER ADMINISTRATIVE HISTORIC
ALTERATION PERMIT REGULATIONS**

APPLICATION MATERIALS REQUIRED FOR SUCH PERMITS

Legible 4x6 color photographs of all relevant elevations of the house, and close-up photographs of gutter, window, door, and roof details, as appropriate.

Material brochures, which clearly indicate the proposed materials and their color.

Information and details regarding any required roof venting involved with the project, including a diagram and material brochure showing type, amount and location of the venting.

Detailed drawings of windows, and dimensions of existing and proposed replacement doors and windows. Such drawings shall include details at the head, jamb and sill, shall show exterior, trim and note sizes and finishes. Detailed floor plans and elevations of any proposed addition shall be submitted.

OTHER PERMIT REQUIREMENTS

Staff shall utilize and apply the Secretary of Interior's Standards and Guidelines for Historic Rehabilitation in the review of such projects.

Staff shall review all project sites in person prior to issuance of such permits and shall develop a checklist for use in such review.

Staff shall have the discretion to require a hearing before the Historic Preservation Commission if a project may benefit from Commission review.

The applicant shall be required to sign the following statement at the bottom of their permit conditions:

“I understand that the subject permit involves a building which is protected under the City's historic preservation regulations. I intend to perform or supervise the performance of the minor work allowed by this permit in a manner which does not remove, alter or demolish any of the historic materials on the building beyond what is approved.”

