



# County of Santa Cruz

## PLANNING DEPARTMENT

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ALVIN D. JAMES, DIRECTOR

**Agenda Date: December 8, 1998**

November 30, 1998

Board of Supervisors  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz CA 95060

**SUBJECT:** Public hearing to consider the demolition of 43-farm labor housing units and to construct 43 replacement farm labor housing units, including the demolition of incidental laundry/storage multipurpose meeting rooms to be replaced with a new community building with office and managers quarters, construction of a 36 foot high water storage tank, encroachment into the agricultural buffer, and continuation of an encroachment into a riparian woodland. Property located on southwest side of San Andreas Road (295 San Andreas Road), about 1 mile northwest of Beach Drive.

Members of the Board:

### **BACKGROUND**

On October 6, 1998, your Board considered a report from our Department regarding the San Andreas Labor Camp Housing replacement project (Attachment 4). At that time your Board:

1. Directed the Planning Department to expedite the permit process for the project;
2. Directed all County Departments involved in the project review to give priority attention to this application;
3. Set a public hearing for December 8, 1998 beginning at 1:30 p.m. to consider the application; and,
4. Requested the Planning Commission to schedule a special public hearing to provide your Board with any recommendations regarding the proposal and exercise its discretion and refer the project to your Board for final action.

Planning staff has also met with Coastal Commission staff early in the process since the project is in the appealable area of the Coastal Zone. Coastal staff did not express any substantial concerns about the project.

As your Board may be aware, there is a longstanding history of serious health and safety

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violations at the San Andreas Labor Camp. For several years, the Planning Department, Environmental Health Services, County Counsel’s Office, and the District Attorney’s Office have worked in close cooperation with representatives of the local Fire District and the State Department of Housing and Community Development to resolve the numerous violations at the site. The violations include fire hazards; illegal electrical, plumbing, and other serious building code violations; lack of adequate ventilation; repeated septic failures; overcrowding; and drainage problems. The lack of responsible corrective action by the property owner led to the Superior Court’s appointment of a Receiver in 1996 to operate the camp. The Court initially ordered the camp to be closed by December 1, 1998, but has extended that deadline to March 1, 1998.

The owner has since filed for bankruptcy. Mid-Peninsula Housing Coalition is in the process of purchasing the site, and as the agent for the Court-appointed receiver, has submitted this application to reconstruct the 43-units of farm labor housing on the parcel.

The application is being processed in accordance with Section 13.10.631(c)4. of the County Code. This ordinance provides for and sets forth the regulations to rehabilitate farm worker housing . An approval to allow such a rehabilitation must comply with the following criteria:

1. The number of dwelling units nor the maximum number of allowed occupants is increased beyond the legal limit,
2. Occupancy is limited to very, very low income occupants, and
3. Reasonable conditions may be imposed including a provision for on-site management, specifications for the location of structures, prohibition on the removal of agricultural land from production, and compliance to the maximum extent possible with agricultural protection policies.

**ANALYSIS & DISCUSSION**

In accordance with the California Environmental Quality Act Guidelines (Section 15302 of the California Code of Regulations). “Replacement and Reconstruction” is exempt from the requirement to undergo Environmental Review. The exemption applies to the replacement or reconstruction where the buildings will be located on the same site and the replacement buildings maintain the same capacity as the existing units. The project design plans submitted by Mid-Peninsula are consistent with this criteria.

Project Setting and Surroundings

The land uses in the vicinity of the property are predominately commercial agriculture. The site fronts on County-maintained San Andreas Road. The subject property is a gently sloped, 4.8 acre parcel, with riparian vegetation outside of the existing development on the front portion of the site. This riparian area is not associated with a stream or drainage way and may result from a clay lens or soil conditions which hold moisture necessary to support willows.

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Currently, the property is developed with 43 farm worker housing units dispersed in a total of 11 buildings. All associated uses including recreation, water service, septic system, and parking, are located on the property.

Property Permit History

Residential use of the property dates back to 1945. On May 17, 1965, the County issued Use Permit 2342-U, that recognized the San Andreas Labor Camp and included the construction of a new kitchen and dining room. On March 19, 1996, the Planning Department received Application No. 96-0151 which proposed the demolition and reconstruction of 43 farm worker housing units on the subject site. The application was deemed incomplete due to a variety of unresolved issues including County Code violations, lack of grading and drainage plans, inadequate sewage disposal plans, and approval of a new water supply and wastewater disposal systems. These issues were never resolved and, as noted, the property owner has since tiled for bankruptcy. Under the subject application, these issues have been fully resolved as discussed in "Project Description," below.

Project Description

This new proposal is to reconstruct 43-units of farm worker housing. All existing structures on-site will be demolished, the site graded (excluding the riparian area), and four, two-story detached multi-residential buildings constructed. New construction includes two, lo-unit and two, 1 l-unit apartment buildings, a detached community building with a second floor managers living unit, a 68,000 gallon water tank for both domestic use and fire protection, a 109 vehicle parking and circulation area, and a storage and maintenance shed.

As noted above, this proposal includes an Amendment to Use Permit No. 2342-U, a Coastal Development Permit, a Level V Use Approval (Residential Development Permit), and preliminary Grading approval. Major project issues include:

- 1. Relocation of existing farm workers and families:
  - \* Mid-Peninsula Housing Coalition and Families in Transition are currently facilitating a moving assistance program for the existing residents of the camp. This includes payments to fund relocation into existing housing. Existing resident farm workers and families are given first priority in moving back to the new units. Tenant Selection Criteria has been established and is currently being implemented.
  
- 2. Grading, Drainage and Erosion Control:
  - \* Once all structures are demolished, the site will be cleared and the present gentle

rolling terrain will be graded to provide new building pads, parking and circulation areas, installation of a wastewater treatment system, and placement of a new storm drain system. Preliminary improvement plans submitted specify grading of approximately 2,500 cubic yards of earth material. The storm drain system for the proposal is designed to carry all runoff from impervious surfacing (roofs and pavement), to catch basins within the parking lot and conveyed to an outfall located in the riparian corridor on-site and ultimately off-site along the San Andreas Road drainage channel. Final engineered drainage plans will be reviewed and approved by the County Public Works Department. Final grades for buildings create stepped finish floor elevations for buildings 1, 2, and 3 to provide positive runoff to the catch basins. Retaining walls, that reflect building pad elevations, do not exceed 2-foot in height.

3. Building Design:

- \* The 43 new units are divided into two, IO-unit and two, 11-unit apartment buildings with one managers unit attached to a community building. The architectural character of the building is intended to reflect an agricultural theme and includes two-story wood frame construction with pitched roof and board and batt exterior siding. The four apartment buildings are u-shaped and provide area for private and group open space in the form of court yards and porches.

4. Riparian Woodland:

- \* About 40,000 square feet of riparian woodland exists on the front portion of the property. While the proposed apartment buildings do not encroach into the woodland, removal of about 750 square feet of riparian vegetation (willow trees), is necessary for the placement of a sand filter system (part of the waste water system design), and the construction of a storm drain and outfall. To meet the intent of the County's "Riparian Corridor and Wetlands Protection Ordinance," loss of riparian vegetation will be replaced in-kind and located on-site along the same protected area along the San Andreas Road frontage. The project includes removal of existing debris within the riparian corridor and construction of a split rail fence around the riparian edge.

5. Visual Impact:

- \* The project is visible from a County-designated Scenic Road (San Andreas Road). However, the project site is lower in elevation than most of the adjacent agricultural land and not along a ridge top. The proposed buildings are standard two-story height (maximum, 28-feet), and the water storage tank is about 36-feet high at its peak and about 21-feet in diameter. All structures are extensively screened by the existing

riparian vegetation located on the front portion of the parcel. However, portions of the structures are visible from two locations traveling south on San Andreas Road (Exhibit G). The building heights do not extend above the horizon and exterior building finish harmonizes with the agricultural landscape. New vegetative buffers and the architecture of the buildings will mitigate the impacts of this project.

7. Significant Tree removal:

- \* Section 16.34.090 of the County Code, "Significant Tree Protection, Exemptions," authorizes tree removal in conjunction with an approved Discretionary Permit. The project includes the removal of seven significant trees: 5 Monterey cypress, a poplar, and a redwood. The trees are centrally located on the site. Due to project grading and building placement, removal of these trees is necessary. In addition, an Arborist's report was prepared on October 26, 1998, and concluded that all the trees fit into one of four categories: poor structure, poor health, adverse growing conditions, or large limb failure. Replacement of these trees with native species at a minimum 2-1 ratio is included with the project.

8. Sewage Disposal System:

- \* The current septic system at the camp is failing and must be replaced. An application for Wastewater Treatment and Disposal System has been submitted to Environmental Health Services. The new system design includes a new septic and re-circulation tank, a sand filter with distribution boxes, and leach fields. Conceptual approval for this engineered system has been granted by Environmental Health.

9. Water Resource and Fire Safety:

- \* Current water source for the camp is an on-site well. The project includes the construction of a 68,000 gallon water storage tank serving both the drinking water and fire and life safety needs of the residents as determined by Environmental Health and the California Department of Forestry, respectively. Fire hydrants and automatic sprinkler systems are included within the project design.

10. County's Affordable Housing Ordinance:

- \* The County's Farm Worker Housing Ordinance (Section 13.10.631) requires dwelling units be enforceably restricted to rental by households having annual income of 50% or less, of the County's median household incomes. County Code Section 17.10 "Affordable Housing Ordinance" defines the above income ranges to be in the very low to very, very low income range. The proposed dwelling units will be rented to households with 35% - 50% median income levels. Section 13.10.631 also

requires an on-site manager of the farm worker facility. The proposal includes a manager with the legal duty to certify household qualifications to comply with the affordability requirement. The manager's unit is located on the second floor of the community building.

11. Agricultural Preservation Policies:

- \* Commercial agricultural use of the property is non-existent due to the current residential use. The proposed replacement housing will continue this situation. The project meets the intent of County Code Section 16.50 "Agricultural Land Preservation and Protection," and more specifically "Agricultural Buffer Setbacks" (16.50.095), in that no commercially viable agricultural land is removed from production, agricultural buffer barriers will be constructed (currently none exist), and evergreen vegetation will be planted along the property lines. Barriers include a 6 foot high solid board fencing (south and west sides), and chain link fencing with board slats (north side). Vegetation barriers will consist of evergreen hedge, vines, and trees along the fence lines. Buffer setbacks for structures will increase beyond the current 15 foot building setback for certain existing buildings to a minimum of 20 feet (west and south side) and 25 to 45 feet (north side).

12. Parking Program:

- \* The proposed site improvements for parking and circulation include 106 parking spaces (standard, compact, and handicap), with a reserve parking area that could be improved to provide an additional 27 spaces. The County's parking ordinance would require 136 parking spaces. Mid-Peninsula Housing (MPHC) submitted a parking and management program. Improved parking spaces designated for the residents equal about 2.3 spaces per unit. Visitors are required to have a guest parking card with a 72-hour limit on parking. Min-Peninsula Housing Management Corporation, a non-profit affiliate of MPHC will manage the San Andreas site. Other recently approved parking programs for multi-residential projects include the Farm and Murphy's Crossing, where it has been demonstrated that a reduction in required parking has not resulted in operational problems.

13. Income Restriction

- \* Section 13.10.631(e) of the County Code specifies that occupancy of each dwelling is limited to families whose household earn at least 50% of their income from an agricultural operation. This restriction does not apply to the required on-site managers unit and Section 13.10.63 l(c) allows exceptions to these provisions for existing tenants.

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General Plan and Zoning Consistency

The project site is located in the "CA" zone district. Farm worker housing is a conditionally permitted use in this zone district. The proposed new structures are consistent with the "Development Standards" of the "CA" district by providing the required 20-foot setbacks from all sides and limiting the height of the residential structures to 28-feet. The proposed parking and circulation areas are designed in accordance with County standards in terms of parking dimensions, circulation areas, and variety (standard, compact, and handicap spaces), and more specifically "Variations to Requirements" through the use of a County approved Parking Plan.

The project conforms with the County's "Site, Architectural, Design Review Ordinance" in that the proposal is compatible to the character of its surroundings, and adequate light, air, and useable open space for the residents is provided. The building and site plans propose security lighting, adequate trash and recycling facilities, and increased driveway improvements for two-way access and circulation. Further, a landscaping plan proposes a minimum of 65 native species trees, lawn areas, irrigation management, and screening from adjacent agricultural land uses. Retention of the existing riparian vegetation is proposed.

The project site has a General Plan land use designation of Agriculture and has an Agricultural Resource overlay. The current farm worker housing utilizes the entire 4.8 acre parcel (excluding the riparian woodland). Commercial Agricultural land on adjacent properties is not adversely affected by the housing replacement and related construction of site improvements or utilities placement. Agricultural buffer barriers proposed include fencing, evergreen hedge, and evergreen species trees. Thus, the project complies with the intent of the "Commercial Agricultural Land Objective 5.13" of the General Plan. Finally, this development will furnish protection and enhancement of the riparian woodland, have an Environmental Health Services approved waste water treatment and disposal system, provide a sufficient source of water for domestic use and fire safety, and will meet the intent of Objective 8.8 "Site and Circulation Design".

**ISSUES AT THE PLANNING COMMISSION**

Pursuant to your request, the Planning Commission did refer this application to your Board at the conclusion of their public hearing held on November 12, 1998 (Attachments 5 and 6). In addition, the Commission directed planning staff to include a discussion of issues raised at the hearing.

1. Moving Assistance

The tenants of the San Andreas Labor Camp are receiving moving and relocation assistance funding from Mid-Peninsula Housing Coalition. By order of the Superior Court, the site will be vacant by March 1, 1999. Funds available for relocation range up to \$3,000 per household with the precise amount determined by the date tenants choose to relocate.

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2. Number of Dwelling Units and Population

The Superior Court in 1995, in the case of *County of Santa Cruz vs. Richard Maddy and San Andreas Labor Camp*, determined that a total of 288 legally resided at the property. The Court concluded that this population was equivalent to 43 dwelling units. At this time, the tenant population is considerably less due to the Court order and residents leaving the camp. Mid-Peninsula, who will own and manage the project, states that the total resident population will not exceed 258.

3. Training Program

Mid-Peninsula is proposing to develop and operate a training program for future tenants of the property. This program will include working with the State Department of Food and Agriculture regarding pesticide use and establishment of buffer zones to reduce impacts on residents from exposure to pesticides and fumigants. Training services will also include after-school educational programs and counseling.

4. Riparian Corridor

A riparian woodland measuring approximately 40,000 square feet exists on the subject property. The application proposes to remove roughly 750 square feet of woodland area to accommodate the installation of a portion of the septic disposal system and a stormwater outfall.

According to testimony at the Planning Commission hearing, over the years the riparian woodland has been a haven for serious crime, trash deposits, and a mosquito breeding ground. There does appear to be a need for removal of trash and non-native invasive species and further thinning of the woodland canopy to reduce or eliminate the misuse of this area. The applicant will be required to submit a riparian management plan to deal with these issues. Plans for any additional changes to the woodland area that may be considered necessary in the future will be processed as a separate application.

5. Septic System and Water Source

County Environmental Health Services has conceptually approved the design of the proposed waste water treatment and disposal system. The design includes new septic tanks, re-circulation tanks, a sand filter system, and new leach fields. In addition, an on-site well will provide water for domestic use by the future residents,

6. Fencing

The project includes fencing to act as a buffer between the residents and the adjacent agricultural lands currently under cultivation. Evergreen vines and trees will also be planted to provide

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additional buffering and to reduce the visual impact of project from San Andreas Road which is a designated Scenic Road in the County General Plan

7. Potential Land Use Conflicts

Farm worker housing is a conditionally permitted use in the "CA," Commercial Agricultural zone district where the project is located. Adjacent property owners expressed concern over liability from farming operations on their properties. Section 16.50.095 of the County Code requires that buffer barriers be constructed (which are proposed), and a Statement of Acknowledgment be recorded for properties adjacent to "CA" zone land. The recorded Statement requires the owner to permanently maintain the buffer barrier and to notify owners and residents of their proximity to commercial agricultural property and farming operations.

8. occupancy

In accordance with Section 13.10.631(e) of the County Code, new residents of the San Andreas Labor Camp are required to demonstrate that 50% of the household's income is earned from an agricultural operation. This requirement is also specified by the recommended conditions of approval.

**SUMMARY AND RECOMMENDATION**

This project addresses a longstanding problem at the San Andreas Labor Camp and will provide much needed replacement housing. The project is consistent with County land use regulations and will be managed by an agency with a strong track record for responsible administration.

It is therefore, RECOMMENDED, that your Board:

1. Approve the determination that the project is Categorically Exempt from the California Environmental Quality Act (Attachment 3), and
2. Approve Application No. 98-0722 based on the Findings (Attachment 1) and subject to the attached Conditions of Approval (Attachment 2).

Sincerely,

*Alvin James Hlee*  
 Alvin D. James  
 Planning Director

RECOMMENDED:

*Susan A. Mauriello*  
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 SUSAN A. MAURIELLO  
 County Administrative Officer

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Attachments:

1. Findings
2. Conditions of Approval
3. Environmental Determination
4. Letter to the Board of Supervisors from the Planning Director dated October 6, 1998
5. Staff Report to the Planning Commission dated November 12, 1998
6. Planning Commission Minutes of November 12, 1998
7. Project Plans

cc: Susan Russell, Mid-Peninsula Housing Coalition

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