

# COUNTY OF SANTA CRUZ PLANNING COMMISSION MINUTES

**DATE:** FEBRUARY 24, 1999

**PLACE:** Board of Supervisors Chambers, Room 525  
County Government Center, 701 Ocean Street, Santa Cruz, CA

**COMMISSIONERS PRESENT:** ROBERT BREMNER, DENISE HOLBERT, LEO RUTH, ,  
DALE SKILLICORN, RENEE SHEPHERD(CHAIRPERSON).

**STAFF MEMBERS PRESENT:** DIANE EVANS(ENVIRONMENTAL HEALTH SERVICES),  
ROBERT STAKEM, CATHY GRAVES, JACKIE YOUNG,  
CATHLEEN CARR

**COUNTY COUNSEL PRESENT:** RAHN GARCIA

All legal requirements for items set for public hearing on the Santa Cruz County Planning Commission agenda for this meeting have been **fulfilled** before the hearing including publication, mailing and posting as applicable.

- A. ROLL CALL:**  
Commissioners Bremner, Holbert, Ruth, Shepherd and Skillicorn present at 9:00 a.m.
- B. PLANNING DIRECTOR'S REPORT:** None.
- C. COUNTY COUNSEL'S REPORT:** None.
- D. ADDITIONS AND CORRECTIONS TO THE AGENDA:** None.
- E. ORAL COMMUNICATIONS:** None.
- F. CONSENT ITEMS:** None.

**H. SCHEDULED ITEMS:**

**ITEM H-1**

Proposed amendments to the Water Well Ordinance.

PROJECT PLANNER: DIANE EVANS/JOHN RICKER

**DIANE EVANS:** Gave staff presentation describing ordinances details, history of ordinance, impact from water districts, and gave recommendation for action,

**DALE SKILLICORN:** Asked about licensed well drillers.

**DIANE EVANS:** Department maintains a list of 10- 12 licensed well drillers.

**COMMISSIONER SHEPHERD:** Noted letter from Soquel Creek Water District.

**DIANE EVANS:** Agreed with comments from district.

**PUBLIC HEARING OPENED**

**PUBLIC HEARING CLOSED**

**MOTION**

COMMISSIONER HOLBERT MOVED TO APPROVE STAFF RECOMMENDATION.  
SECONDED BY COMMISSIONER RUTH.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

**ITEM H-2**

Appeal of the zoning Administrator's approval to recognize an existing detached accessory structure and remodel and construct an addition to it thereby creating a Second Dwelling; construct a two-story addition to an existing single-family dwelling; remove a shed, carport, and garage; and to construct a garage. Requires a Coastal Zone Permit, a Second Dwelling Unit Permit and an Agricultural Buffer Setback Determination. Property located on the south side of Bonny Doon Road, about 1/4 mile west from Pine Flat Road in Bonny Doon.

OWNER : FAMBRINI JOHN MU/M

APPLICANT: PETER BAGNALL

SUPERVISORIAL DIST: 3

PROJECT PLANNER: ROBERT STAKEM, 454-3190

**COMMISSIONER HOLBERT:** History shows an error in the permit conditions.  
Understands withdrawal of appeal. Wants to refer item to the Zoning Administrator for consideration.

**COM MISSIONER SKILLICORN:** Agreed.

COMMISSIONER RUTH: Also agreed to refer to Zoning Administrator.

631

PUBLIC HEARING OPENED

PUBLIC HEARING CLOSED

MOTION

COMMISSIONER HOLBERT MOVED TO REFER ITEM TO ZONING ADMINISTRATOR.  
SECONDED BY COMMISSIONER SKILLICORN.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0

ITEM H-3

Proposal to create 3, single-family residential parcels. Requires a Minor Land Division. Property located on the west side of Branciforte Drive, just south of Mystery Spot Road.

OWNER: MC CRAY VADEN & GRACE TRUSTEES  
APPLICANT: PACIFIC RIM PLANNING GROUP, ATTN JIM WEAVER  
SUPERVISORIAL DIST: 1  
PROJECT PLANNER: CATHY GRAVES, 454-3141

CATHY GRAVES: Gave staff presentation including density discussion, consistency with the General Plan, showed project slides, and gave recommendation for action.

PUBLIC HEARING OPENED

JIM WEAVER: Thanked staff for assistance, able to comply with all conditions.

PUBLIC HEARING CLOSED

COMMISSIONER BREMNER: Did not believe there is riparian vegetation at driveway.  
Asked about it's widening. Area has been disturbed.

CATHY GRAVES: Did not think an additional loss of vegetation would occur.

MOTION

COMMISSIONER BREMNER MOVED TO APPROVE APPLICATION WITH ONE

AMENDMENT TO CONDITION REGARDING RIPARIAN AT THE CULVERT. SECONDED BY COMMISSIONER RUTH. 632

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

**ITEM H-4**

Proposal to create four single-family residential lots and a remainder lot. Requires a Minor Land Division and Roadway/Roadside Exception. Property located on the north side of Harper Street (at 132 1 Harper Street), about 300 feet east of El Dorado Avenue.

OWNER: DAVID AVILA CONSTRUCTION  
 APPLICANT: DAVID AVILA CONSTRUCTION  
 SUPERVISORIAL DIST: 1  
 PROJECT PLANNER: JACKIE YOUNG, 454-3181

**JACKIE YOUNG:** Gave staff presentation, showed slides, provided additional copies of comments from the Department of Public Works, described project improvements both on- and - off the site, discussed consistency with General Plan and zoning ordinance, and gave recommendation for action. Noted increased rear setbacks and landscaping.

**LEO RUTH:** Asked about Department of Public Works memo regarding full improvements,

**JACKIE YOUNG:** Acknowledged memo but based on staff analysis, the roadside exception is appropriate given improvements in the area. Sidewalks would not connect to any other improvements.

**OPEN HEARING**

**ALVIN JAMES:** Noted recent Board action on Design Review. Board did not allow staff much flexibility.

**COMMISSIONER HOLBERT:** Does not want to consider any change to the details proposed.

**COMMISSIONER BREMNER:** Supports detailed condition on design,

**JOHN SWIFT:** Each house would water landscaping on their frontage. Wants to avoid separate water meter. Also concerned about hours of construction.

**ROBERT PASCE:** Wants new street named after his mother and father: XXXX Court.

**CHRISTY CONROY:** Curious about set back from her condo. Concerned about privacy and

density.

**JOHN SWIFT:** Houses will be set-back between 25-30 feet from rear property line.

**CHRISTY CONROY:** Front view from my condo will look at project.

**GIVEN FLENNER:** Lives in adjacent condos; concern for setbacks and landscaping. Wants to make sure landscaping is installed before construction begins. Wants more than 15 foot setback.

**JENIFER CARTWRIGHT:** Had difficulties with owners of property in the past. They have not mowed grass or removed demolished buildings. Concerned that trees won't be planted. Also wants noise of construction restricted.

**DAVE ANILA:** Lots were too wet to now mow. Try to work with neighbors.

**DOUG GARY:** Construction noise is a big concern. Drainage is a problem in the neighborhood.

**JOHN SWIFT:** Had not proposed landscaping in back yards. Drainage has been carefully analyzed. Capacity of pipes is adequate.

#### CLOSED HEARING

**COMMISSIONER BREMNER:** Asked about separate water meter.

**JACKIE YOUNG:** Home owners maintaining landscaping is appropriate.

**COMMISSIONER BREMNER:** Well throughout project with increased setbacks; fits well into area. Should improve property values. Construction times should stay in place. Will support roadway exception based on safety concerns. Wants a revised finding, however for exception. Add a condition to change street name.

**JACKIE YOUNG:** Read various changes to the staff report into the record.

**COMMISSIONER RUTH:** Wants to know if TIA credit is available.

**JACKIE YOUNG:** Yes.

**COMMISSIONER SHEPHERD:** Support loosening design standards including colors and door styles. Don't want to discourage innovation design.

**JENIFER CARTWRIGHT:** Wants earth tone colors noting fuchsia colored house in slide.

**COMMISSIONER SHEPHERD:** Well designed project and an asset to neighborhood; will support project.

**MOTION**

COMMISSIONER BREMNER MOVED TO APPROVE AS PROPOSED WITH REVISED FINDINGS AND CONDITIONS AS NOTED IN THE DISCUSSION ABOVE. SECONDED BY COMMISSIONER RUTH.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

**BREAK 10:45-11:00**

**ITEM H-5**

Proposal to create four single-family residential parcels and maintain a second dwelling unit on Lot 1. Requires a Minor Land Division, a Residential Development Permit, and a Roadway/Roadside Exception. Property located on the east side of El Dorado Avenue (at 1566 El Dorado Avenue), about 500 feet south from Capitola Road.

OWNER: DAVIS GAIL M TRUSTEE

APPLICANT: HAMILTON SWIFT LAND USE CONSULTANTS

SUPERVISORIAL DIST: 1

PROJECT PLANNER: JACKIE YOUNG, 454-3181

**JACKIE YOUNG:** Gave staff presentation, noted consistency with General Plan and zoning ordinance, described access to lots, proposed drainage improvements, the issues surrounding the second unit, noted project conditions, and gave recommendation for action.

**OPEN PUBLIC HEARING**

**JOHN SWIFT:** Wants same condition changes requested in previous permit on materials, doors, and colors. Also wants clarity in second unit condition.

**CLOSED PUBLIC HEARING**

**MOTION**

COMMISSIONER BREMNER MOVED TO APPROVE AS PROPOSED WITH REVISED CONDITIONS AS AMENDED WITH NO FLAT FRONT DOOR, 800 SQUARE FEET SECOND UNITS, AND ALLOW 2 BODY COLORS. SECONDED BY COMMISSIONER RUTH.

~~VOICE VOTE~~

635

~~MOTION CARRIED AND SO ORDERED. PASSED 5-0.~~**ITEM H-6**

Proposal to rezone an approximately 45 acre parcel from the Agriculture zone district to the Timber Production zone district. Requires a Rezoning, Located on the east side of Branciforte Drive (at 100 Bernita Drive), approximately 2 miles north from the intersection of Branciforte Drive and Happy Valley Road.

OWNER: LAM HUY Q U/M JT ETAL  
 APPLICANT: JOE CULVER - WEBSTER & ASSOCIATES  
 SUPERVISORIAL DIST: 1  
 PROJECT PLANNER: CATHLEEN CARR, 454-3225

**CATHLEEN CARR:** Showed slides of project site, discussed timber issues, previous harvests. Public comments and gave recommendation for action.

**OPEN PUBLIC HEARING**

**JOE CULVER:** Agree with staff analysis. Harvest plan would be prepared for future timber harvesting. Available for questions.

**BILL NEARLY:** Lives next to property. Operates organic farm on property. Not sure what the rezoning means. Logging on property will affect road. Rezoning takes control out of local hands. Logging will result in siltation of Branciforte Creek and harm to the fishery. View shed would be altered by timber harvest. Negative impact on wildlife. Reduced biodiversity from logging. In compatible with surrounding residential land uses. Opposed to the rezoning.

**COMMISSIONER RUTH:** How long have you been farming?

**BOB NEARLY:** About 25 years. Noted different fruit crops and uses of property; about 230 acres. Previous harvest had emotional effect on him.

**DALE THURSTON:** Access from Branciforte through subject property. Slides on the property due to slopes. Harvest next to road should be evaluated to reduce the impacts. Road was a former stagecoach road for logging to occur, access would cross his property. Winter springs also cause slides. Damage caused by logging trucks should be repaired by harvester.

**JOE CULVER:** Road on to Branciforte way require a flag man or pilot car. Harvest has occurred in the past. Rezoning is the only way to harvest again.

**CLOSED PUBLIC HEARING**

**COMMISSIONER HOLBERT:** This is not an appropriate location for timber harvesting. Property is steep and erosion hazard is extreme. Branciforte Drive is dangerous for logging trucks. Private road will be trashed by logging trucks.

**COMMISSIONER SKILLICORN:** Concern for rezoning but feels hands are tied. Will support rezoning. Existing agriculture use did not always exist.

**CATHLEEN CARR:** No vertical slopes on property. Slopes range from 30% not extreme erosion hazard based on average.

**COMMISSIONER SHEPHERD:** Road concerns are legitimate. Would like logging operator to repair road if damaged.

**COMMISSIONER HOLBERT:** Opposed to rezoning; harvest is out of our hands.

**CATHLEEN CARR:** Resources Planners review Timber Harvest Plans and comment to Department of Forestry.

**COMMISSIONER SHEPHERD:** Timber is a designated resource.

**COMMISSIONER BREMNER:** Board has encouraged these applications.

### **MOTION**

COMMISSIONER BREMNER MOVED TO APPROVE STAFF RECOMMENDATION.  
SECONDED BY COMMISSIONER SKILLICORN.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 4-1 WITH COMMISSIONER HOLBERT VOTING NO.

### **ITEM H-7**

Proposal to rezone an approximately 4 1.6 acre parcel from the "SU", Special Use Zone District to the "TP" Timber Production Zone District. Requires a Rezoning. Property located at the north end of Harley Road about 0.7 miles west of Roberts Road, approximately one mile up Roberts Road from the intersection of Roberts Road and Love Creek Road.

OWNER: AALFS CHARLES D & REBECCA H/W CP

APPLICANT: JOHN FINLAY

SUPERVISORTAL DIST: 5

PROJECT PLANNER: CATHLEEN CARR, 454-3225



SUPERVISORIAL DIST: 5  
PROJECT PLANNER: CATHLEEN CARR, 454-3225

**CATHLEEN CARR:** Showed slides of property, discussed timber harvest issues, noted recommended conditions of the rezoned, commented on public input received, and gave recommendation for action.

**COMMISSIONER SHEPHERB:** Asked about public comment on the application.

**CATHLEEN CARR:** Five property owners have raised concerns over road access.

**COMMISSIONER HOLBERT:** Commented on Boards' desire to limit logging on steep slopes.

### OPEN PUBLIC HEARING

**JOE CULVER:** Haul road has a slide on it. A year ago property could be logged without rezoning, Following current County guidelines. Concerns will be addressed at timber harvest. No new roads or skid trails will be built.

### CLOSED PUBLIC HEARING

**COMMISSIONER HOLBERT:** Not going to support rezoning due to quality of road, too steep, and high erosion.

**COMMISSIONER SKILLICORN:** Same comments from previous application.

**COMMISSIONER SHEPHERB:** Not going to support; not appropriate to log in this area,

**COMMISSIONER RUTH:** Reasonable plan could help improve the road.

**COMMISSIONER BREMNER:** Not going to support rezoning.

### MOTION

**COMMISSIONER SHEPHERD** MOVED TO DIRECT STAFF TO RETURN ON MARCH 24, 1999 WITH FINDINGS FOR DENIAL. SECONDED BY COMMISSIONER HOLBERT.

VOICE NOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

PLEASE NOTE: THESE MINUTES HAVE NOT BEEN APPROVED BY THE PLANNING COMMISSION AS OF MARCH 15, 1999.

---

PATRICIA GAONA  
PLANNING DEPARTMENT