



County of Santa Cruz

PLANNING DEPARTMENT

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 ALVIN D. JAMES, DIRECTOR

July 26, 1999

Agenda: August 10, 1999

Board of Supervisors
 County of Santa Cruz
 701 Ocean Street
 Santa Cruz, California 95060

SUBJECT: REFER A REQUEST FOR A PLANNING COMMISSION POLICY DETERMINATION RELATING TO DENSITY AND PARCEL SIZE FOR LAND DIVISIONS ON LANDS WITH A GENERAL PLAN DESIGNATION OF NON-COMMERCIAL AGRICULTURE TO THE AGRICULTURAL POLICY ADVISORY COMMISSION (APAC) FOR THEIR REVIEW AND COMMENT, AS REQUESTED BY THE PLANNING COMMISSION.

Members of the Board,

On July 14, 1999, the Planning Commission heard a request for a policy determination relating to density and parcel size for land divisions of parcels with more than one General Plan designation, when one designation is non-commercial agriculture. The Planning Commission requested that the Agricultural Policy Advisory Commission review the information presented to the Planning Commission and provide comment on the issue. Per County Code Section 2.82.050, the responsibilities of the Agricultural Policy Advisory Commission (APAC) include advising and assisting the Board of Supervisors and reviewing proposed development projects having the potential to affect agricultural lands, as designated on the County's Agricultural Resources Map. Because non-commercial agriculture lands are not designated on the Agricultural Resources Map, these lands generally do not fall within the purview of APAC. Your Board can, however, specifically request their advice and assistance.

The Planning Commission has requested that your Board direct APAC to review the information submitted regarding density and parcel size on lands designated non-commercial agriculture and that their review and comments be included when this issue is returned to the Planning Commission for a policy determination.

It is, therefore, RECOMMENDED that your Board take the following action:

1. Direct that the Agricultural Policy Advisory Commission (APAC) review the information submitted to the Planning Commission, at their public hearing of July 14, 1999, relating to the density and parcel size for land divisions on lands with a General Plan designation of non-commercial agriculture, and

- 2. Direct APAC to provide comments directly to the Planning Commission.

Sincerely,

Alvin James Dhee
 Alvin D. James
 Planning Director

RECOMMENDED

Susan A. Mauriello

 SUSAN A. MAURIELLO,
 County Administrative Officer

Attachments:

- 1. Draft Minutes of the Planning Commission public hearing of July 14, 1999

cc: Stephen Graves and Associates

COMMISSIONER SHEPHERD: Asked about the haul route.

CATHLEEN CARR: Love Creek Road is the primary route.

COMMISSIONER SHEPHERD: Will reluctantly support this project.

MOTION

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

VOICE VOTE

MOTION CARRIED AND SO ORDERED. PASSED 5-0.

ITEM H-4

PUBLIC HEARING TO CONSIDER A REQUEST FOR A PLANNING COMMISSION POLICY
DETERMINATION RELATING TO LAND DIVISIONS AND APPROPRIATE DENSITY ON
LANDS DESIGNATED IN THE GENERAL PLAN FOR NON-COMMERCIAL AGRICULTURE.
PROJECT PLANNER: CATHY GRAVES, 454-3 141

CATHY GRAVES: Gave staff presentation including the details of the application that brought about this question. This is not a parcel specific determination but would affect properties in similar circumstances throughout the County. Noted apparent inconsistencies in the General Plan and implementing ordinances. Described alternatives to interpreting the specific policies. Gave recommendation for action.

COMMISSIONER HOLBERT: Has this gone to APAC? Would like this to go to APAC for their review. Would be helpful to us in making a decision.

CATHY GRAVES: No, has not gone to APAC.

COMMISSIONER SKILLICORN: Agrees, should be reviewed by APAC. Some of the General Plan polices, who were developed by people who have never farmed, are unrealistic.

COMMISSIONER HOLBERT: Maybe the General Plan designation should be changed on this parcel.

COMMISSIONER SHEPHERD: We should hear from APAC. Some small parcels are very viable. The basis that a larger parcel is necessary may not be correct.

COMMISSIONER HOLBERT: Generally agree with the direction of staff report.

OPEN HEARING

STEVE GRAVES: Described his background in the involvement of the application under consideration. Spoke to other senior planning staff in the department about this issue. Thought he had a clear understanding of the policy. General Plan policy can be confusing. Reviewed, word-for-word, General Plan policy 5.12.14. This should be an overall density establishing issue.

COMMISSIONER HOLBERT: Did you try to make one parcel that would contain all the agricultural land?

STEVE GRAVES: Noted physical qualities of the property. Makes for unusually shaped parcels. Matrix would allow for 5 acre parcels.

COMMISSIONER SKILLICORN: Basically support project, but it's not before us today. We need to deal with the project later because it's not before us today.

STEVE GRAVES: Thought it would be helpful to clarify the issue. Should be clear what you're asking from APAC.

COMMISSIONER SHEPHERD: We just want their opinion.

STEVE GRAVES: Read his interpretation of the policy and provided copies to the Commissioners. Should be done on a case-by-case basis.

FRED LATTANZIO: Lots of effort put into this application. Wants to get this moved along. Thinks retaining large parcels discourages residential-agricultural uses. Read from letter by Sam Eamshaw.

COMMISSIONER HOLBERT: Sure we should not proceed with this project given the testimony.

F LATTANZIO: Noted the benefits of smaller parcels.

COMMISSIONER SHEPHERD: Not convinced, still need APAC input.

RON TYLER: Provided copies of the soils survey. Helped bring about creation of APAC. This is not commercial agricultural land. Soils are highly erodible. Land has been used from grazing. Land could not be cultivated in the past.

NANCY ABRAMSON: Read letter to the Commissioners. Support the division of land but

does not want her land rezoned. Supports preservation of agricultural land.

LAURA MARINI: Expressed opposition to the proposed division of land. Agrees with planning staffs recommendation on this policy. Doesn't seem that confusing to me.

COMMISSIONER HOLBERT: Just a reminder: This project is not before us today. Should hold your comments until the public hearing on this project is held.

LAURA MARINI: If project goes back to APAC, Mr. Earnshaw should excuse himself.

TOM MARINI: Applicant is asking for an interpretation to allow the project. This can be confusing.

COMMISSIONER SHEPHERD: Large number of constraints and hurdles for this project.

TOM MARINI: If interpretation goes against him, can he go ahead with the project?

COMMISSIONER HOLBERT: We don't know, he may or may not.

DONALD WILSON: Need consistency in applying this policy. Other land divisions have been approved in the valley.

CATHY GRAVES: One previous land division was approved under the 1980 General Plan and the other land division has all of the agriculture on one parcel.

STEVE GRAVES: Suggest that staff get to APAC as soon as possible.

RAHN GARCIA: APAC powers and duties do not provide for this review. Could send to APAC as a request or to the Board. Recommend your Commission refer to the Board and ask them refer it to APAC for a review.

CLOSED HEARING

MOTION

COMMISSIONER HOLBERT MOVED TO REFER TO THE BOARD OF SUPERVISORS AND ASK THAT THE BOARD REFER ITEM TO APAC FOR CONSIDERATION.

VOICE VOTE

MOTION CARRIED AND SO ORDERED. 5-0

PLEASE NOTE: THESE MINUTES HAVE NOT BEEN APPROVED BY THE PLANNING COMMISSION AS OF JULY 28, 1999.

PATRICIA GAONA
PLANNING DEPARTMENT