



COUNTY OF SANTA CRUZ 0123

PLANNING DEPARTMENT

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ALVIN JAMES, DIRECTOR

September 14, 2001

AGENDA: October 2, 2001

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

SUBJECT: CONSIDERATION OF THE PLANNING COMMISSION'S
RECOMMENDATION REGARDING REZONING OF A PORTION OF ASSESSOR'S
PARCEL NUMBER 110-071-12 FROM COMMERCIAL AGRICULTURE "CA" TO
NEIGHBORHOOD COMMERCIAL "C-1" TO BE CONSISTENT WITH THE
NEIGHBORHOOD COMMERCIAL "C-N" GENERAL PLAN DESIGNATION.

APN: 110-071-12
Owners: Dawla and M.S. Mohssen
Applicant: Ron Gordon

Members of the Board:

Background

On August 22nd the Santa Cruz County Planning Commission unanimously approved Application #00-0473, a rezoning of a portion of Assessor's Parcel Number 110-071-12 from Commercial Agriculture (CA) to Neighborhood Commercial (C-1). (See attached Planning Commission Resolution 14-01 and Minutes, Attachments 2 and 3). The project had previously been reviewed and approved by the County Agricultural Policy Advisory Commission (Attachment 4, Exhibits E & F).

Project Setting and Surroundings

The project site is located in the Salsipuedes planning area and measures 11.173 acres in area. The commercial use has existed in that location since 1951 and Assessor's records indicate taxable structures on the site since 1953. The neighborhood store has served the community continuously since that date. Brother's Market is the only gas station and mini mart between Casserly Road and Gilroy along Highway 152, approximately 18 miles, and serves the local farm community with fuel for farm equipment and a market for produce grown on the site. A single-family residence on the site provides housing for farm workers.

Environmental Review

The project has received a Categorical Exemption per CEQA Section 1801 (Attachment 4).

General Plan and Zoning Consistency

The project site has a General Plan land use designation of Neighborhood Commercial (C-N) for the corner portion of the parcel with the bulk of the parcel designated as Agriculture (A). The property has had a split General Plan designation since the 1980 General Plan update, with the southern corner of the parcel designated as Neighborhood Commercial and the majority of the farmland designated as Agriculture. The implementing zoning has been Commercial Agriculture for the entire parcel. County Code Section 13.10.130(a) requires that zoning regulations be consistent with the adopted General Plan. County Code Section 13.01.060(c) states that when a General Plan amendment affects the land use designation of specific properties, those properties shall be concurrently rezoned to a zone district as necessary to maintain consistency with the General Plan. The zoning for this corner portion of the parcel should be changed to Neighborhood Commercial (C-1) to maintain consistency with the Neighborhood Commercial General Plan designation.

The Neighborhood Commercial designation provides compact, conveniently located, and well designed shopping and service uses to meet the needs of individual neighborhoods, rural communities and visitors. The project is consistent with General Plan policy 2.13.1, which designates areas existing as small-scale neighborhood and visitor serving businesses within walking distance of urban neighborhoods, visitor attractions, or centrally located to serve rural communities. Highway 152 is a designated scenic corridor. General Plan policy 5.10.11 requires new discretionary development to be sited out of public view, obscured by natural landforms and/or existing vegetation. The existing convenience market and produce stand are a transition from adjacent commercial residential development and the agricultural surroundings of adjacent farmland. Design of the commercial business utilizes a low profile, plywood exterior, consistent with traditional local design. The project site is landscaped with low growing ornamentals at the frontage to preserve sight distance at access points, and mature apricot, fig and avocado trees at the perimeter of the commercial area adjacent to the bush berry farm. Adherence to sign, landscaping and lighting requirements of Section 5.10 of the General Plan is required.

The project was reviewed at a noticed public hearing before the County Agricultural Policy Advisory Commission on October 19, 2000. The Commission voted unanimously to approve the recommended rezoning (Attachment 4, Exhibit E), finding that the existing commercial development did not adversely affect the agricultural viability of the subject parcel in that the commercial/residential development is located on the perimeter of good agricultural soils, consistent with General Plan policy 5.13.8. The mixed commercial/residential use on the corner of the site is accessory to the principal agricultural use of the parcel in that it provides housing for farm workers, fuel for farm equipment, and a market for the sale of produce grown on the site. The project is consistent with the objectives of the General Plan.

The project is located in the "Commercial Agriculture" (C-A) zone district. The purpose of the "C-A" zone district is to preserve the commercial agricultural lands within Santa Cruz County

which are a limited and irreplaceable natural resource, to maintain the economic integrity of the economic farm units comprising the commercial agricultural areas of the County, to implement the agricultural preservation policy of Section 16.50.010 of the Santa Cruz County Code, and to maintain and enhance the general welfare of the county as a whole by preserving and protecting agriculture, one of the County's major industries. Within the CA zone district, commercial agriculture shall be encouraged to the exclusion of other land uses, which may conflict with it. Retention of the existing bush berry production farm is consistent with the CA zoning.

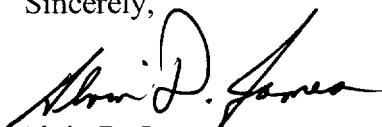
Existing commercial and residential development is consistent with the proposed rezoning to Neighborhood Commercial (C-1). The purpose of C-1 zoning is to provide compact and conveniently located shopping and service uses to meet the limited needs within walking distance of individual urban neighborhoods or centrally located to serve rural communities. Neighborhood Commercial uses and facilities are intended to be of a small scale, with a demonstrated local need or market, appropriate to neighborhood service areas, and to have minimal adverse impact on adjacent residential areas. Visitor serving uses allowed in this zone district include primarily food services, auto fueling without service bays or repair services, and related accessory uses as per County Code Section 13.10.331. The project is consistent with this designation in that the retail and residential functions on the site are in compliance with County Code Section 13.10.332.

The project is consistent with all required development regulations of the Commercial Zone District and Design Review regulations including the provision of 15 parking spaces on site, less than 35 foot building height, required landscaping, compliance with signage regulations, and setbacks consistent with the agricultural buffer determination.

It is, therefore, RECOMMENDED that your Board:

1. Adopt the Ordinance Amending Chapter 13.10 of the Santa Cruz County Code by rezoning a portion of Assessor's Parcel Number 110-071-12 from Commercial Agriculture (CA) to Neighborhood Commercial (C-1) to maintain consistency with the Neighborhood Commercial (N-C) General Plan designation of this portion of the site; and
2. Certify the Notice of Exemption as complying with the requirements of the California Environmental Quality Act.

Sincerely,


Alvin D. James
Planning Director

RECOMMENDED: _____


Susan A. Mauriello
County Administrative Officer

Attachments:

1. Ordinance rezoning APN 110-071-12 from "CA" to "C-1"
2. Planning Commission Resolution 14-01
3. Planning Commission Minutes 8/22/01
4. Planning Commission staff report dated 8/22/01

cc: M.S. & Dawla Mohssen, 12 Maher Rd., Watsonville CA 95076
Ron Gordon, 812 Delaware Avenue, Watsonville CA 95076