



0361

County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123

ALVIN D. JAMES, DIRECTOR

August 9, 2002

Agenda: August 27, 2002

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

**SUBJECT: PUBLIC HEARING TO CONSIDER THE PLANNING COMMISSION
RECOMMENDATION TO AMEND COUNTY CODE SECTION
13.10.361(e)1 REGARDING THE DEFINITION OF "FARM WORKER."**

Members of the Board:

On January 29, 2002, your Board accepted a report by the Redevelopment Agency on Farmworker Housing Issues (see Attachment 5, Exhibit 5), including a proposed amendment to the definition of farmworker found in Section 13.10.631(e)1 as it applies to farmworker housing projects and referred the item to the Planning Department for formal processing.

On June 26, 2002, the Planning Commission considered the proposed amendment and recommended its approval by your Board.

According to the report from the Redevelopment Agency, it is often the case that farmworker housing funding sources

have their own way of defining eligible farmworkers, sometimes at odds with the County's Zoning Ordinance definition. In particular, our Ordinance requires farmworkers to be employed in farm activities ten months of the year. In many instances, farmworkers may not be working ten months due to a variety of circumstances – the most common is extended wet weather periods. Other minor changes have been suggested to clarify ambiguous language.

The Redevelopment Agency has proposed several changes to the language of Section 13.10.631(e)1

as shown in Attachment 5, Exhibit 4. The proposed changes are as follows, with new language shown underlined:

1. The current wording states that the occupancy of a farm worker dwelling “shall be limited to farm workers employed, in part, within the County of Santa **Cruz** . . .” The proposed revision would state that the dwelling “shall be limited to farm workers employed, in whole or in part, within Santa Cruz County. . . .” This simply clarifies that the farmworker’s place of employment may be entirely within the County.
2. It would change the income standards by changing who must earn income from agriculture and whether the income must be counted as part of a household’s income or the individual farm worker’s income. Currently, subsection 13.10.631(e)1 states in part that “[e]ach farm worker household. . . must earn at least 50% of the household’s income from an agricultural operation. . . .” As proposed to be revised, subsection 13.10.631(e)1 would state in part that “[t]he qualifying adult farm worker. . . must earn at least 50% of his/her income from an agricultural operation. . . .” This provides more specificity by identifying an individual, rather than “the household,” who must earn at least half of his or her income from an agricultural operation.
3. It would change the current language that says that the agricultural operation includes harvesting, packing, and loading of crops “at the field where grown and driving them from the field to next point of handling” by deleting the words “at the field where grown” and “from the field.” This recognizes that packing and loading of crops may take place other than at the field where grown and that agricultural operations include many steps that may involve driving crops from some point other than the field where grown. This also necessarily follows from deleting “at the field where grown.”
4. Under the current wording, if a farm worker’s agricultural employment is interrupted by a “temporary layoff of less than 90 days for lack of work” that layoff “shall not be considered a cessation of employment” for purposes of being classified as a farm worker eligible for farm worker housing. The proposed new wording would delete “90 days” and replace it with “150 days”. This change recognizes that it is not unusual for a farmworker to be temporarily laid off for a period longer than three months and preserves their farmworker status regarding housing.

The proposed changes will enable the County to maintain eligibility for various sources of funding for farmworker housing.

Attachment 3 is the complete text of the proposed revision. The Planning Department has reviewed the proposed amendment and does not anticipate any policy conflicts or other problems with it. General Plan Policy 5.13.30, Farm Labor Housing, applies to the location of farm labor housing and does not contain any wording about occupancy of farm worker housing. The Housing Element has references to and some discussion of farm worker housing, but nothing that appears to conflict with the proposed revisions to subsection 13.10.631(e)1.

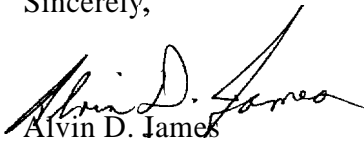
RECOMMENDATION

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Therefore, it is RECOMMENDED that your Board take the following actions:

1. Adopt the Resolution (Attachment 1) and the Ordinance (Attachment 2) to amend County Code Section 13.10.631(e)1; and
2. Certify the environmental determination that the proposed amendment is exempt from further review under the California Environmental Quality Act (Attachment 4); and
3. Direct the Planning Department to submit the amendment to the California Coastal Commission for review and approval.

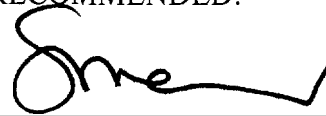
Sincerely,



Alvin D. James

Planning Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

- Attachments:
1. Resolution
 2. Ordinance
 3. Proposed amendment to Section 13.10.631(e)1
 4. Notice of Exemption from the California Environmental Quality Act
 5. Planning Commission staff report with exhibits
Exhibits:
 1. Proposed amendment to Section 13.10.631(e)1
 2. Notice of Exemption from the California Environmental Quality Act
 3. Resolution
 4. Planning Department Board letter for Agenda of May 7,2002
 5. Redevelopment Agency Board letter for Agenda of January 29, 2002
 6. Board of Supervisors Minutes – 05/07/02
 6. Planning Commission minutes – 07/24/02

cc: County Counsel
Agricultural Policy Advisory Commission
Santa Cruz Farm Bureau
Agricultural Commissioner
Redevelopment Agency

BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0364

RESOLUTION NO. _____

On the motion of Supervisor
duly seconded by Supervisor
the following Resolution is adopted:

BOARD OF SUPERVISORS RESOLUTION AMENDING THE GENERAL
PLAN/LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN, COUNTY CODE
SECTION 13.10.631(e)1, REGULATIONS FOR FARM WORKERS QUARTERS,
REGARDING THE DEFINITION OF 'FARM WORKER' AS THAT TERM APPLIES
TO FARM WORKER HOUSING, TO BETTER ALIGN THE DEFINITION WITH
THAT OF VARIOUS FARM WORKER HOUSING FUNDING SOURCES

WHEREAS, the Board of Supervisors, on May 24, 1994, adopted the County General Plan/Local Coastal Program Land Use Plan (GP/LCP) which designated certain properties as future County park sites and on December 19, 1994, the County General Plan/Local Coastal Program was certified by the California Coastal Commission; and

WHEREAS, on January 29, 2002, the Board of Supervisors accepted a report by the Redevelopment Agency on Farmworker Housing Issues, including a proposed amendment to the definition of farm worker as found in County Code Section 13.10.631(e)1 and approved the proposed amendment in concept and referred it to the Planning Department for formal processing; and

WHEREAS, on May 7, 2002, the Board of Supervisors accepted a report from the Planning Department regarding the proposed amendment and directed the Planning Department to continue processing the proposed amendment; and

WHEREAS, County Code Section 13.10.631(e)1, for the purposes of determining eligibility for occupancy of farm workers quarters, defines the term "farm worker" in terms of employment in and income derived from certain agricultural operations and sets forth certain time periods regarding temporary layoffs, cessation of agricultural employment, and relocation from farm worker housing if agricultural employment ceases; and

WHEREAS, farm worker housing projects require a variety of funding sources to be viable and typically those finding sources have their own definitions of eligible farm workers that sometimes are at odds with the definition of farm worker contained in Section 13.10.631(e)1; and

WHEREAS, the County desires to ensure that funding for future farm worker housing projects will not be jeopardized by inconsistent definitions; and

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WHEREAS, on July 24,2002, the Planning Commission held a duly noticed public hearing to consider an amendment to County Code Section 13.10.631(e)1 to better align the County's definition of farm worker with that of various funding sources; and

WHEREAS, the Planning Commission finds that the proposed amendment to County Code Section 13.10.631(e)1 is consistent with the policies of the General Plan and Local Coastal Program; and

WHEREAS, the proposed amendment to County Code Section 13.10.631(e)1 has been found not to be a project under Sections 1928 and 501 of the County's CEQA Guidelines and Section 15377(a) of the State CEQA Guidelines.

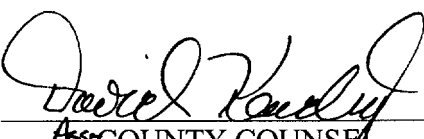
NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors approves the amendment to the Local Coastal Program Implementation Plan as set forth in Attachment 2, and the CEQA Notice of Exemption, incorporated herein by reference, and authorizes their submittal to the California Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz, State of California, this _____ day of _____,2002 by the following vote:

- AYES: SUPERVISORS
- NOES: SUPERVISORS
- ABSENT: SUPERVISORS
- ABSTAIN: SUPERVISORS

Chairperson of the Board of Supervisors

ATTEST: _____
Clerk of the Board of Supervisors

APPROVED AS TO FORM: 

County Counsel

cc: County Counsel
Planning Department

ORDINANCE AMENDING SECTION 13.10.631(e)1 OF THE SANTA CRUZ COUNTY
CODE COUNTY CODE, REGULATIONS FOR FARM WORKERS QUARTERS,
REGARDING THE DEFINITION OF "FARM WORKER" AS THAT TERM APPLIES TO
FARM WORKER HOUSING, TO BETTER ALIGN THE DEFINITION WITH THAT OF
VARIOUS FARM WORKER HOUSING FUNDING SOURCES

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Board of Supervisors finds that the public convenience, necessity, and general welfare require the amendment of the County Zoning Ordinance Permit and Approval Procedures to implement the policies of the County General Plan and Local Coastal Program Land Use Plan regarding the definition of "farm worker" as that term applies to farm worker housing, to better align the definition with that of various farm worker housing funding sources listed below in Section III; finds that the proposed amendment herein is consistent with all elements of the Santa Cruz County General Plan and the Local Coastal Program; and finds and certifies that the proposed action is not a project under Sections 1928 and 501 of the County's CEQA Guidelines and Section 15377(a) of the State CEQA Guidelines.

SECTION II

The Board of Supervisors hereby adopts the recommendations of the Planning Commission for the amendment as described in Section III, and adopts their findings in support thereof without modification as set forth below:

1. The County of Santa Cruz supports and encourages continued commercial agricultural operations in the county and recognizes the need for farm worker housing as ancillary to commercial agricultural use of farm land.
2. County Code Section 13.10.631(e)1, for the purposes of determining eligibility for occupancy of farm workers quarters, defines the term "farm worker" in terms of employment in and income derived from certain agricultural operations and sets forth certain time periods regarding temporary layoffs, cessation of agricultural employment, and relocation from farm worker housing if agricultural employment ceases.
3. Farm worker housing projects require a variety of funding sources to be viable and typically those funding sources have their own definitions of eligible farm workers that sometimes are at odds with the definition of farm worker contained in Section 13.10.631(e)1.
4. The County desires to ensure that funding for future farm worker housing projects will not be jeopardized by inconsistent definitions. The proposed modified language will ensure that funding for future farm worker housing projects will not be jeopardized by inconsistent definitions between funding sources and the County Code.

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SECTION III

The County Zoning Ordinance Section 13.10.631(e)1 is hereby amended to read as follows:

13.10.631(e)1

The occupancy of each dwelling, with the exception of a required, on-site managers unit, shall be limited to farm workers employed, in whole or in part, within the County of Santa Cruz and their families ("farm worker households"). The qualifying adult farmworker, during tenancy in the farm worker housing, must earn at least 50% of his/her income from an agricultural operation defined as employment by production agriculture (the art or science of cultivating the ground, including harvesting of crops, packing and loading the crops and driving them to next point of handling, rearing and management of livestock, tillage, husbandry, farming, horticulture, fishing, and timber harvesting). There shall be a 30 day grace period for tenants to find other housing if employment ceases. A temporary layoff of less than 150 days for lack of work shall not be considered a cessation of employment.

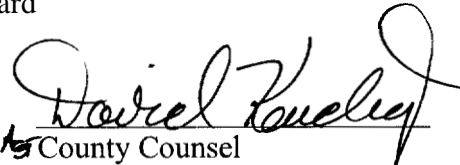
This ordinance shall take effect immediately upon certification by the California Coastal Commission.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Cruz this _____ day of _____, 2002, by the following vote:

- AYES: SUPERVISORS
- NOES: SUPERVISORS
- ABSENT: SUPERVISORS
- ABSTAIN: SUPERVISORS

CHAIRPERSON, BOARD OF SUPERVISORS

ATTEST: _____
Clerk of the Board

APPROVED AS TO FORM: 
County Counsel

Copies to: Planning
County Counsel

0368

PROPOSED AMENDMENT OT SANTA CRUZ COUNTY CODE SECTION 13.10.631(E)1
 (New text shown underlined, deleted text shown ~~struckthrough~~)

The occupancy of each dwelling, with the exception of a required, on-site managers unit, shall be limited to farm workers employed, in whole or in part, within the County of Santa Cruz and their families (“farm worker households”). ~~Each~~ The qualifying adult farmworker household, during tenancy in the farm worker housing, must earn at least 50% of the ~~household’s~~ his/her income from an agricultural operation defined as employment by production agriculture (the art or science of cultivating the ground, including harvesting of crops, packing and loading the crops ~~at the field where grown~~ and driving them ~~from the field~~ to next point of handling, rearing and management of livestock, tillage, husbandry, farming, horticulture, fishing, and timber harvesting). There shall be a 30 day grace period for tenants to find other housing if employment ceases. ~~A~~ A temporary layoff of less than ~~90~~ 150 days for lack of work shall not be considered a cessation of employment.

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NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

APPLICATION NO.: N/A
ASSESSOR PARCEL NO.: N/A
PROJECT LOCATION: County-wide

PROJECT DESCRIPTION: Amend the definition of farmworker found in County Code Section 13.10.631(e) 1 as it applies to farmworker housing projects, as follows (new language underlined.):

- 1. The current wording states that the occupancy of a farm worker dwelling "shall be limited to farm workers employed, in part, within the County of Santa Cruz..." The proposed revision would state that the dwelling "shall be limited to farm workers employed, in whole or in part, within Santa Cruz County. ..."
2. The amendment would change the income standards by changing who must earn income from agriculture and whether the income must be counted as part of a household's income or the individual farm worker's income. Currently, subsection 13.10.631(e)1 states in part that "[e]ach farm worker household. . . must earn at least 50% of the household's income from an agricultural operation. . . ." As proposed to be revised, subsection 13.10.631(e)1 would state in part that "[t]he qualifying adult farm worker, . . . must earn at least 50% of his/her income from an agricultural operation. . . ."
3. The amendment would change the current language that says that the agricultural operation includes harvesting, packing, and loading of crops "at the field where grown and driving them from the field to next point of handling" by deleting the words "at the field where grown" and "from the field."
4. Under the current wording, if a farm worker's agricultural employment is interrupted by a "temporary layoff of less than 90 days for lack of work" that layoff "shall not be considered a cessation of employment" for purposes of being classified as a farm worker eligible for farm worker housing. The proposed new wording would delete "90 days" and replace it with "150 days".

APPLICANT: County of Santa Cruz

- A. [XX] The proposed activity is not a project under County CEQA Guidelines, Sections 1928 and 501; and State CEQA Guidelines, Section 15377(a).
B. [] Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment:
C. [] Statutory Exemption other than a Ministerial Project.
Specify type: _____

D. Categorical Exemption

- [] 1. Existing Facility
[] 2. Replacement or Reconstruction
[] 3. New Construction of Small Structure
[] 4. Minor Alterations to Land
[] 5. Alterations in Land Use Limitations
[] 6. Information Collection
[] 17. Open Space Contracts or Easements
[] 18. Designation of Wilderness Areas
[] 19. Annexation of Existing Facilities/Lots for Exempt Facilities
[] 20. Changes in Organization of Local Agencies
[] 21. Enforcement Actions by Regulatory Agencies

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| <ul style="list-style-type: none"> ___ 7. Actions by Regulatory Agencies for Protection of the Environment ___ 8. Actions by Regulatory Agencies for Protection of Nat. Resources ___ 9. Inspection ___ 10. Loans ___ 11. Accessory Structures ___ 12. Surplus Govt. Property Sales ___ 13. Acquisition of Land for Wild-Life Conservation Purposes ___ 14. Minor Additions to Schools ___ 15. Minor Land Divisions ___ 16. Transfer of Ownership of Land to Create Parks | <ul style="list-style-type: none"> ___ 22. Educational Programs ___ 23. Normal Operations of Facilities for Public Gatherings ___ 24. Regulation of Working Conditions ___ 25. Transfers of Ownership of Interests in Land to Preserve Open Space ___ 26. Acquisition of Housing for Housing Assistance Programs ___ 27. Leasing New Facilities ___ 28. Small Hydroelectric Projects at Existing Facilities ___ 29. Cogeneration Projects at Existing Facilities |
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E. ___ Lead Agency Other Than County: _____

STAFF PLANNER: Steven Guiney DATE: 07-09-02



County of Santa Cruz

0371

PLANNING DEPARTMENT

701 OCEAN STREET - 4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

June 26, 2002

Agenda: July 24, 2002

Planning Commission
County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

**SUBJECT: AMENDMENT TO COUNTY CODE SECTION 13.10.361(e)1,
REGULATIONS FOR FARM WORKERS QUARTERS**

Commissioners:

This report concerns an amendment to Section 13.10.631(e)1 of the County Code regarding the definition of farmworker as that word applies to farmworker housing projects.

DEFINITION OF FARMWORKER AS IT APPLIES TO FARMWORKER HOUSING

On January 29, 2002, the Board of Supervisors accepted a report by the Redevelopment Agency on Farmworker Housing Issues (see Exhibit 5), including a proposed amendment to the definition of farmworker found in Section 13.10.631(e)1 as it applies to farmworker housing projects and referred the item to the Planning Department for formal processing.

According to the report from the Redevelopment Agency, farmworker housing funding sources often

have their own way of defining eligible farmworkers, sometimes at odds with the County's Zoning Ordinance definition. In particular, our Ordinance requires farmworkers to be employed in farm activities ten months of the year. In many instances, farmworkers may not be working ten months due to a variety of circumstances – the most common is extended wet weather periods. Other minor changes have been suggested to clarify ambiguous language.

The Redevelopment Agency has proposed several changes to the language of Section 13.10.631(e)1, as shown in Exhibit 4. The proposed changes are as follows, with new language shown underlined:

1. The current wording states that the occupancy of a farm worker dwelling “shall be limited to farm workers employed, in part, within the County of Santa Cruz. . .” The proposed revision would state that the dwelling “shall be limited to farm workers employed, in whole or in part, within Santa Cruz County. . .” This simply clarifies that the farmworker’s place of employment may be entirely within the County.
2. It would change the income standards by changing who must earn income from agriculture and whether the income must be counted as part of a household’s income or the individual farm worker’s income. Currently, subsection 13.10.631(e)1 states in part that “[e]ach farm worker household. . .must earn at least 50% of the household’s income from an agricultural operation. . .” As proposed to be revised, subsection 13.10.631(e)1 would state in part that “[t]he qualifying adult farm worker. . .must earn at least 50% of his/her income from an agricultural operation. . .” This provides more specificity by identifying an individual, rather than “the household,” who must earn at least half of his or her income from an agricultural operation.
3. It would change the current language that says that the agricultural operation includes harvesting, packing, and loading of crops “at the field where grown and driving them from the field to next point of handling” by deleting the words “at the field where grown” and “from the field.” This recognizes that packing and loading of crops may take place other than at the field where grown and that agricultural operations include many steps that may involve driving crops from some point other than the field where grown. This also necessarily follows from deleting “at the field where grown.”
4. Under the current wording, if a farm worker’s agricultural employment is interrupted by a “temporary layoff of less than 90 days for lack of work” that layoff “shall not be considered a cessation of employment” for purposes of being classified as a farm worker eligible for farm worker housing. The proposed new wording would delete “90 days” and replace it with “150 days”. This change recognizes that it is not unusual for a farmworker to be temporarily laid off for a period longer than three months and preserves their farmworker status regarding housing.

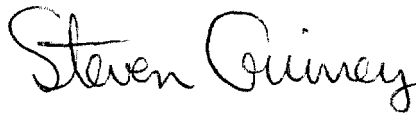
Exhibit 1 is the complete text of the proposed revision. Planning Department staff has reviewed the proposed amendment and do not anticipate any policy conflicts or other problems with it. General Plan Policy 5.13.30, Farm Labor Housing, applies to the location of farm labor housing and does not contain any wording about occupancy of farm worker housing. The Housing Element has references to and some discussion of farm worker housing, but nothing that appears to conflict with the proposed revisions to subsection 13.10.631(e)1.

RECOMMENDATION

Therefore, it is RECOMMENDED that your Commission take the following action:

Recommend adoption of the attached amendment to County Code Section 13.10.631(e) 1 and approval of the environmental determination to the Board of Supervisors.

Sincerely,



Steven Guiney
Planner IV
Advanced Planning

- Exhibits:
1. Proposed amendment to Section 13.10.631(e)1
 2. Notice of Exemption from the California Environmental Quality Act
 3. Resolution
 4. Planning Department Board letter for Agenda of May 7,2002
 5. Redevelopment Agency Board letter for Agenda of January 29,2002
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cc: County Counsel
Agricultural Policy Advisory Commission
Santa Cruz Farm Bureau
Agricultural Commissioner
Redevelopment Agency

PROPOSED AMENDMENT OT SANTA CRUZ COUNTY CODE SECTION 13.10.631(E)1
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NOTICE OF EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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The County of Santa Cruz has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15329 of CEQA for the reason(s) which have been checked on this document.

APPLICATION NO.: N/A
ASSESSOR PARCEL NO.: N/A
PROJECT LOCATION: County-wide

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APPLICANT: County of Santa Cruz

- A. XX The proposed activity is not a project under County CEQA Guidelines, Sections 1928 and 501; and State CEQA Guidelines, Section 15377(a).
- B. _____ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- C. _____ Statutory Exemption other than a Ministerial Project.
 Specify type: _____

D. Categorical Exemption

- | | |
|---|--|
| <input type="checkbox"/> 1. Existing Facility | <input type="checkbox"/> 17. Open Space Contracts or Easements |
| <input type="checkbox"/> 2. Replacement or Reconstruction | <input type="checkbox"/> 18. Designation of Wilderness Areas |
| <input type="checkbox"/> 3. New Construction of Small Structure | <input type="checkbox"/> 19. Annexation of Existing Facilities] Lots for Exempt Facilities |
| <input type="checkbox"/> 4. Minor Alterations to Land | <input type="checkbox"/> 20. Changes in Organization of Local Agencies |
| <input type="checkbox"/> 5. Alterations in Land Use Limitations | <input type="checkbox"/> 21. Enforcement Actions by Regulatory Agencies |
| <input type="checkbox"/> 6. Information Collection | |

- ___ 7. Actions by Regulatory Agencies for Protection of the Environment
- ___ 8. Actions by Regulatory Agencies for Protection of Nat. Resources
- ___ 9. Inspection
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- ___ 13. Acquisition of Land for Wild-Life Conservation Purposes
- ___ 14. Minor Additions to Schools
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- ___ 23. Normal Operations of Facilities for Public Gatherings
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- ___ 25. Transfers of Ownership of Interests in Land to Preserve Open Space
- ___ 26. Acquisition of Housing for Housing Assistance Programs
- ___ 27. Leasing New Facilities
- ___ 28. Small Hydroelectric Projects at Existing Facilities
- ___ 29. Cogeneration Projects at Existing Facilities

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E. ___ Lead Agency Other Than County: _____

STAFF PLANNER: Steven Guiney DATE: 07-09-02

BEFORE THE PLANNING COMMISSION
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

0377

RESOLUTION NO. 11-02

On the motion Of Commissioner Messer
duly seconded by Commissioner Durkee
the following Resolution is adopted:

PLANNING COMMISSION RESOLUTION REGARDING PROPOSED
AMENDMENT TO COUNTY CODE SECTION 13.10.631(E)1, REGULATIONS
FOR FARM WORKERS QUARTERS, REGARDING THE DEFINITION OF
“FARM WORKER” AS THAT TERM APPLIES TO FARM WORKER HOUSING,
TO BETTER ALIGN THE DEFINITION WITH THAT OF VARIOUS FARM
WORKER HOUSING FUNDING SOURCES.

WHEREAS, the County of Santa Cruz supports and encourages continued commercial agricultural operations in the county and recognizes the need for farm worker housing as ancillary to commercial agricultural use of farm land; and

WHEREAS, County Code Section 13.10.631(e)1, for the purposes of determining eligibility for occupancy of farm workers quarters, defines the term “farm worker” in terms of employment in and income derived from certain agricultural operations and sets forth certain time periods regarding temporary layoffs, cessation of agricultural employment, and relocation from farm worker housing if agricultural employment ceases; and

WHEREAS, farm worker housing projects require a variety of funding sources to be viable and typically those funding sources have their own definitions of eligible farm workers that sometimes are at odds with the definition of farm worker contained in Section 13.10.631(e)1; and

WHEREAS, the County desires to ensure that funding for future farm worker housing projects will not be jeopardized by inconsistent definitions; and

WHEREAS, on July 24, 2002, the Planning Commission held a duly noticed public hearing to consider an amendment to County Code Section 13.10.631(e)1 to better align the County’s definition of farm worker with that of various funding sources; and

WHEREAS, the Planning Commission finds that the proposed amendment to County Code Section 13.10.631(e)1 is consistent with the policies of the General Plan and Local Coastal Program; and

WHEREAS, the proposed amendment to County Code Section 13.10.631(e)1 has been found not to be a project under Sections 1928 and 501 of the County's CEQA Guidelines and Section 15377(a) of the State CEQA Guidelines; and


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WHEREAS, the Planning Commission finds that the proposed amendment is consistent with the California Coastal Act.

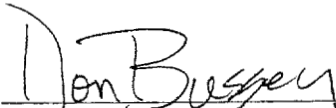
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission recommends that the amendment to County Code Section 13.10.631(e)1 be approved by the Board of Supervisors and submitted to the Coastal Commission as part of the Local Coastal Program Update.

PASSED AND ADOPTED by the Planning Commission of the County of Santa Cruz, State of California, this 24th day of July, 2002 by the following vote:

AYES:	COMMISSIONERS	Messer, Durkee, Hummel, and Osmer.
NOES:	COMMISSIONERS	None
ABSENT:	COMMISSIONERS	Shepherd
ABSTAIN:	COMMISSIONERS	None




Chairperson

ATTEST: 

Cathy Graves, Secretary
Don Bussey

APPROVED AS TO FORM:



COUNTY COUNSEL

cc: County Counsel
Planning Department



County of Santa Cruz

PLANNING DEPARTMENT

701 OCEAN STREET-4TH FLOOR, SANTA CRUZ, CA 95060
(831) 454-2580 FAX: (831) 454-2131 TDD: (831) 454-2123
ALVIN D. JAMES, DIRECTOR

April 19, 2002

Agenda: May 7, 2002

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

SUBJECT: REPORT ON 1) AN AMENDMENT TO COUNTY CODE CHAPTER 16.50 TO COMBINE RELEVANT ASPECTS OF A MODEL RIGHT-TO-FARM ORDINANCE WITH THE AGRICULTURAL LAND PRESERVATION AND PROTECTION ORDINANCE (CHAPT. 16.50), AND 2) AN AMENDMENT TO COUNTY CODE SECTION 13.10.361(e), REGULATIONS FOR FARM WORKERS QUARTERS

**SEE SECTION II
ON PAGE 3 of 5**

Members of the Board:

Two proposed amendments to the County Code that deal with agriculture are addressed in this report. The first involves amendments to Chapter 16.50 of the County Code regarding protection of agricultural land. The second involves an amendment to Section 13.10.631(e) 1 of the County Code regarding the definition of farmworker as that word applies to farmworker housing projects.

~~I. AGRICULTURAL LAND PROTECTION AND PRESERVATION ORDINANCE~~

~~Agriculture is an important part of the economy and lifestyle of Santa Cruz County as recognized by the General Plan and by County Code Chapter 16.50, the Agricultural Land Preservation and Protection Ordinance. Your Board has considered amendments to Chapter 16.50 that would provide more specific and comprehensive notification and information to owners of property adjacent to agricultural land regarding agricultural operations.~~

A. Background

On December 15, 1998, your Board continued consideration of a recommendation of the Agricultural Policy Advisory Commission (APAC) and reports from County Counsel and the Planning Department about a proposed Right-to-Farm ordinance. Your Board directed the Planning Department "to return with a proposal to combine the relevant aspects of the model Right-to-Farm ordinance with the Agricultural Land Preservation Ordinance." The minute order further states "that the definitions of nuisance contained in the model ordinance be made consistent with State law; and that an analysis be done of any inconsistencies with the General Plan or zoning ordinance that would need to be dealt with in some way."

B. Current Status

Attachment 1 is a draft proposed combination of the relevant aspects of the model Right-to-Farm ordinance with the Agricultural Land Preservation Ordinance (County Code Chapter 16.50). This includes a definition of nuisance that is consistent with State law.

The following existing General Plan policy and Zoning Ordinance section would be inconsistent with the proposed amendments to the Agricultural Land Preservation Ordinance and would need to be revised as part of the amendment process.

1. General Plan Policy 5.13.32: Agricultural Statement of Acknowledgment

The full text of this policy can be found at Attachment 2. This policy currently requires that before building permits are issued for parcels within 200 feet of commercial agricultural land a statement acknowledging agricultural practices on adjacent parcels be recorded, or evidence provided that such a statement has already been recorded on the deed. The existing language of this policy would need revisions to maintain consistency with the proposed amendment to Chapter 16.50. Specifically, language would have to be added requiring 1) a real estate transfer disclosure statement for all real estate transfers involving land within 200 feet of agricultural land and 2) notification on the annual tax bill to all owners of property within 200 feet of agricultural land that legitimate agricultural operations may cause inconveniences and discomforts and will not be considered a nuisance by the County.

2. Zoning Ordinance Section 14.01.407.5: Agricultural notification

The full text of this section can be found at Attachment 2. This section applies to newly subdivided parcels and requires that notification of adjacent agricultural activities be included on the Final Map or Parcel Map and on the deed for each newly created lot. Minor wording revisions are necessary to maintain consistency with the proposed amendment to Chapter 16.50.

C. Further Processing

Further processing of the proposed amendment would involve Environmental Review and review by the Planning Commission prior to coming back to your Board for final approval. A

~~tentative schedule for further processing, based on acceptance of this report by your Board today, would be:~~

Environmental Review	May 20, 2002
Planning Commission	June 26, 2002 (and August 14, 2002 if needed)
Board of Supervisors	August 6, 2002 (September 10, 2002)



II. DEFINITION OF FARMWORKER AS IT APPLIES TO FARMWORKER HOUSING

On January 29, 2002, your Board accepted a report by the Redevelopment Agency regarding an amendment to the definition of farmworker found in Section 13.10.631(e)1 as it applies to farmworker housing projects and referred the item to the Planning Department for formal processing.

According to the report from the Redevelopment Agency, farmworker housing funding sources often

have their own way of defining eligible farmworkers, sometimes at odds with the County's Zoning Ordinance definition. In particular, our Ordinance requires farmworkers to be employed in farm activities ten months of the year. In many instances, farmworkers may not be working ten months due to a variety of circumstances - the most common is extended wet weather periods. Other minor changes have been suggested to clarify ambiguous language.

The Redevelopment Agency's proposed language has several changes.

1. The current wording states that the occupancy of a farm worker dwelling "shall be limited to farm workers employed, in part, within the County of Santa Cruz. . ." The proposed revision would state that the dwelling "shall be limited to farm workers employed, in whole or in part, within Santa Cruz County. . ."
2. It would change the income standards by changing who must earn income from agriculture and whether the income must be counted as part of a household's income or the individual farm worker's income. Currently, subsection 13.10.631(e)1 states in part that "[e]ach farm worker household. . . must earn at least 50% of the household's income from an agricultural operation. . . ." As proposed to be revised, subsection 13.10.631(e) 1 would state in part that "[t]he qualifying adult farm worker. . . must earn at least 50% of his/her income from an agricultural operation. . . ."
3. It would change the current language that says that the agricultural operation includes harvesting, packing, and loading of crops "at the field where grown and driving them from the field to next point of handling" by deleting the words "at the field where grown" and "from the field."
4. Under the current wording, if a farm worker's agricultural employment is interrupted by a "temporary layoff of less than 90 days for lack of work" that layoff "shall not be considered a cessation of employment" for purposes of being classified as a farm worker

eligible for farm worker housing. The proposed new wording would delete "90 days" and replace it with "150 days".

Attachment 3 is the complete text of the proposed revision. Planning Department staff have reviewed the proposed amendment and do not anticipate any policy conflicts or other problems with it. General Plan Policy 5.13.30, Farm Labor Housing, applies to the location of farm labor housing and does not contain any wording about occupancy of farm worker housing. The Housing Element has references to and some discussion of farm worker housing, but nothing that appears to conflict with the proposed revisions to subsection 13.10.631(e) I.

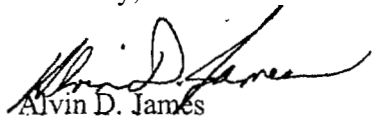
If your Board so directs, the Planning Department will formally process the proposed amendment. This will include Environmental Review and Planning Commission review before returning to your Board for final review and action. This further processing will most likely follow the tentative timeline given above for the amendments to Chapter 16.50.

11. RECOMMENDATION

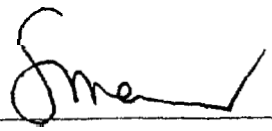
Therefore, it is RECOMMENDED that your Board take the following actions:

1. Accept and file this report; and
2. Direct the Planning Department to continue processing the amendment to Chapter 16.50 as proposed in Attachment 1, along with related policies and ordinance sections, through Environmental Review and the Planning Commission; and
3. Direct the Planning Department to process the amendment to Section 13.10.631(e)1 as proposed in Attachment 3.

Sincerely,


Alvin D. James

Planning Director

RECOMMENDED 
Susan A. Mauriello
County Administrative Officer

- Attachments:
1. Draft proposed combination of the relevant aspects of the model Right-to-Farm ordinance with the Agricultural Land Preservation Ordinance (County Code Chapter 16.50).
 2. Text of General Plan Policy 5.13.32 and County Code Section 14.01.407.5
 3. Proposed amendment to Section 13.10.631(e)1

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cc: County Counsel
Agricultural Policy Advisory Commission
Santa Cruz Farm Bureau
Agricultural Commissioner
Redevelopment Agency



County of Santa Cruz ~~0285~~

REDEVELOPMENT AGENCY

701 OCEAN STREET, ROOM 510, SANTA CRUZ, CA 950604000
(831)454-2280 FAX: (831)454-3420 TDD: (831)454-2123
TOM BURNS, AGENCY ADMINISTRATOR

January 18, 2002

Agenda: January 29, 2002

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

Farmworker Housing Issues

Dear Members of the Board:

On October 2, 2001, your Board held an affordable housing workshop which focused on the impact of rising housing costs on the County's workforce and residents. Also on that date your Board was presented with the findings of the Farmworker Housing and Health Assessment Study. On November 6, 2001 your Board directed staff to explore various alternatives to create more affordable housing opportunities in the County. One alternative your Board directed staff to explore was the use of the State Employee Housing Act to construct more housing for farm workers. In addition, there are a number of other issues related to farmworker housing that require further Board action. The purpose of this letter, therefore, is to update the Board on the following farmworker housing issues:

- ▶ the status of efforts to finance a pilot farmworker housing rehabilitation program focused on existing farmworker housing units on the former Coast Land and Dairies Property;
- ▶ the recommended framework for a new program to assist in financing farmworker housing on agricultural lands, through the State's Employee Housing Act;
- ▶ the need to update the County's definition of farmworker contained in the Zoning Ordinance to bring it into conformance with various farmworker financing sources; and
- the opportunity to provide units specifically at rent levels affordable to farmworker families within the apartment phase of the Pajaro Lane affordable housing project.

~~Status of North Coast Farmworker Housing Rehabilitation Program~~

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On August 28, 2001 Supervisor Wormhoudt presented to the Board a proposal to rehabilitate farmworker housing units in North Coast area on agricultural land formerly owned by Coast Dairies. In response, your Board conceptually approved the expenditure of \$125,000 to develop a pilot program and directed RDA staff to work with Supervisor Wormhoudt and the land owners to develop a rehabilitation agreement. Staff was directed to report back at this time with a report on the status of those discussions.

Since our last report staff has had continued dialogue with the current and future landowners, namely the Trust For Public Land and the State Parks Department, respectively, to develop a farmworker housing rehabilitation agreement with the Agency. However before any in-depth discussions can be completed, it will be necessary for a number of key issues to be resolved relative to the Long Term Management Plan for the property. Because these issues need to be resolved first, the Trust For Public Land is, at this time, unable to address specific issues related to the Agency agreement on farmworker housing rehabilitation and financing. As a result, it is necessary to defer further implementation of this pilot program until such time as the Long Term Management Plan for the property proceeds to a further stage. We will inform the Board when favorable developments occur which allow the Agency to continue discussions on this matter.

~~State Employee Housing Program for Farmworkers~~

Attachment 1 provides a detailed discussion of the need for farmworker housing, the State's Employee Housing Act, potential financing sources, and an overview of a pilot program to implement a project under this program.

In brief, the State Employee Housing Act allows for the construction of units with 5-12 beds for individual farmworkers or 5-12 units for farmworker families without needing to meet local zoning regulations. While these units are exempt from local zoning restrictions, they are still subject to local building permit and Environmental Health regulations. It's important to note that, to the degree that the Redevelopment Agency provides financing for such housing units, they would be subject to a regulatory agreement with the Agency.

While these units can be traditionally constructed structures, the attached report suggests that the best approach for this program is to use specially designed manufactured housing units. Manufactured housing is particularly suited to this unique housing need, especially when accounting for the potential for these units to move from site to site as the identity or needs of farmers operating on a particular site changes over time.

Preliminary analysis of a potential project for barracks-style housing for 12 individual male farmworkers indicates that total project costs for installing two modular units, including kitchens, bathrooms and rudimentary furnishings, would be approximately \$230,000. It appears that half that cost could be covered through a State grant source — the Joe Serra

Board of Supervisors
January 18, 2002
Page 3

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Farmworker Housing Grant Program. The balance of the funds would need to be provided by the farmer and the County or Redevelopment Agency's housing funds. It appears that, in order to finance adequate property management and retain affordability levels, the farmer most likely will need to provide the land lease and on-site utilities free of charge.

Staff believes that further program details cannot be resolved out of the context of a specific proposal for a particular site. Therefore, the next logical step would be to solicit proposals from individual farmers to operate a pilot program for farmworker housing under the State's Employee Housing Act. Ideally, we would package up to three sites to investigate actual development costs, rent levels and ongoing operating and maintenance costs. At that stage, we propose to bring a proposal to the Board for consideration or before September 17, 2002.

Impact Fees for Farmworker Housing Projects

Your Board has previously gone on record waiving County-imposed developer impact fees on projects for replacement of housing units. The attached report on the Employee Housing Act further discusses this issue. Based on the same principal used by the Board in waiving other impact fees for replacement housing projects -- namely that they do not result in an increased burden on local services -- it would be appropriate to extend this reasoning to school impact fees. As well, we do not believe that it is appropriate to change school impact fees to housing projects that are deed-restricted to adult farmworkers based on the same reasoning.

It would be appropriate and consistent with your Board's efforts to protect, improve and expand farmworker housing opportunities in the community, to take a position that school impact fees should only be charged where there is a demonstrable impact from such projects. We are therefore recommending that your Board adopt a policy to clarify the County's policy in this regard.

Farmworker Definition in County's Zoning Ordinance

The County's Zoning Ordinance contains a definition of "farmworker" which is applied to specific farmworker housing projects that are approved through the County's permit process. Projects most recently approved and constructed under that definition include the Jardines del Valle (formerly Murphy's Crossings) and the San Andreas Farm Labor Camp.

Such projects require a variety of funding sources to be viable and typically those funding

Board of Supervisors
January, 18, 2002
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sources have their own way of defining eligible farmworkers, sometimes at odds with the County's Zoning Ordinance definition. In particular, our Ordinance requires farmworkers to be employed in farm activities ten months of the year. In many instances, farmworkers may not be working ten months due to a variety of circumstances — the most common is extended wet weather periods. Other minor changes have been suggested to clarify ambiguous language.

We have therefore developed draft language to amend the current Zoning Ordinance language to address these two issues (Attachment 2). We have reviewed the proposed language with the Planning Department staff, who see no policy problems with the language. It is therefore suggested that your Board approve the proposed ordinance revisions in concept and refer the amendment to the Planning Department for formal processing.

Farmworker Housing Opportunity at Pajaro Lane Project

In June of 2001 your Board approved a development permit for a 99 unit affordable housing project, including 64 units of low and very low income apartments and 35 for-sale townhomes affordable to moderate income families. At the time that the project was considered and approved by the Board, questions were raised about whether it would be possible to set aside a percentage of the apartment units at a rent level affordable for farmworker families. Over the past few months Redevelopment Agency and South County Housing staffs have explored the range of options available and have concluded that, depending on receipt of outside funding, it would be possible to earmark 25-50% of the apartment units (16-32 units) for farmworker families. The additional subsidy to reduce the rent levels of those units would require an additional local subsidy to the project of approximately \$100,000.

Staff believes that providing identified farmworker units as part of the apartment complex would be warranted and is asking your Board to approve in this direction at this time to focus the pursuit of financing sources for the project.

Conclusion/Recommendation

The lack of affordable housing has become a significant issue in our community. The resulting problems are most extreme, in terms of overcrowding and dilapidated housing conditions, with farmworker households. As a result, this report recommends a number of specific actions to address the unique housing needs of individual farmworkers and farmworker families.

Board of Supervisors
January; 18,2002
Page 5

It is therefore RECOMMENDED that your Board take the following actions:

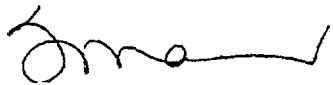
1. **Accept** and file the report on the status of the North Coast Farmworker Rehabilitation Program and direct staff to report back to the Board once the Long Term Management Plan for the former Coast Land and Dairies Property has evolved to a point where issues related to farmworker housing can be addressed;
2. Approve with proceeding with pilot projects under the State's Employee Housing Act as described in this report and direct the RDA Administrator to return with specific proposals for Board consideration on or before September 17,2002;
3. Clarify that it ~~is~~ a policy of the County to not support the imposition of school impact fees on replacement housing projects or for new housing projects which are restricted for single adult farmworkers and direct the Planning Department to release building permits without the payment of such fees to the local school districts;
4. Approve the attached revision to the definition of "farmworker" contained in the County's Zoning Ordinance and refer it to the Planning Department for formal consideration; and
5. Approve the inclusion of 16-32 *units* of farmworker housing within the Pajaro Lane Housing Project and direct Redevelopment Agency staff to work with South County Housing to pursue outside financing sources to implement that goal.

Very truly yours,



Tom Burns
Redevelopment Agency Administrator

RECOMMENDED:



Susan A. Mauriello
County Administrative Officer

Board of Supervisors
January 18, 2002
Page 6

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Attachments:

1. Employee Housing Act Report
2. Proposed revision to farmworker definition

cc. **RDA**
Housing Advisory Commission
Planning Department
Mid Peninsula Housing
South County Housing

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ATTACHMENT **5** Ex 5

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Attachment 2

PROPOSED AMENDMENT TO SANTA CRUZ COUNTY CODE SECTION 13.10.631(e)1

“The occupancy of each dwelling, with the exception of a required, on-site managers units, shall be limited to farm workers employed, in whole or in part, within the County of Santa Cruz and their families (“farm worker households”). ~~Each~~ **The qualifying adult** farm worker household, during tenancy in the farm worker housing, must earn at least 50% of the household’s his/her income from an agricultural operation defined as employment by production agriculture (the art or science of cultivating the ground, including harvesting of crops, packing and loading the crops at the field where grown, and driving them from the field to next point of handling, rearing and management of livestock, tillage, husbandry, farming, horticulture, fishing, and timber harvesting), There shall be a 30 day grace period for tenants to find other housing if employment ceases. ~~A~~ **A** temporary layoff of less than ~~90~~ **150** days for ~~lack~~ of work shall not be considered a cessation of employment.”

Board of Supervisors Minutes - 05/07/02

0391

PROCEEDINGS OF THE
SANTA CRUZ COUNTY
BOARD OF SUPERVISORS

VOLUME 2002, NUMBER 13
MAY 7, 2002

ACTION SUMMARY MINUTES

VOTING KEY: A = Almquist, B = Beautz, C = Campos;
P = Pirie, W = Wormhoudt; first initial indicates maker
of motion, second initial indicates the "second"; upper
case letter = "yes" vote; lower case letter = "no" vote;
() = abstain; // = absent

1. All Supervisors present
Moment of Silence and Pledge of Allegiance
2. Consideration of Late Additions to the Agenda
3. Additions and Deletions to Consent Agenda, See Item
Nos. 64.1, 64.2, 64.3, 64.4 and deleted Item No. 62
4. ORAL COMMUNICATIONS - six people addressed the Board
5. Additions and Deletions to Regular Agenda, deleted
Item No. 72

CONSENT AGENDA .
WAPCB

6. APPROVED claims as submitted by the Auditor-Controller
7. APPROVED the minutes of April 16, 2002 and April 23,
2002, as recommended by the Clerk of the Board
8. ACCEPTED AND FILED notification of continuing
contracts received during the period of April 18, 2002
through May 1, 2002 and approved upon adoption of the
2001/02 continuing agreements list to comply with
Section 300 of the County's Procedures Manual, Title
1, as recommended by the Clerk of the Board
9. APPROVED the reading by Title of all ordinances
considered for adoption that may appear on this
agenda, and further waived a detailed reading of said
ordinances, as recommended by County Counsel
10. SEE ITEM NO. 76.2, REGULAR AGENDA
11. REJECTED the claim of Connie Banegas, No. 102-113 and

thereof;

- (4) ADOPTED RESOLUTION NO. 155-2002 authorizing the Sheriff-Coroner to apply and accept funds during fiscal year 2002/03 for the Marijuana Suppression Program Grant and Cannabis Eradication Program Grant;
- (5) with an additional direction that the Sheriff return to the Board in December 2002 with a report on marijuana enforcement activities and the effects of a possible replacement of the prosecution component of the marijuana program with a marijuana education program for high school students, operated by Health Services Agency, and include information from OCJP on the use of funds for education purposes

0392

CPwAB

- 71. CONSIDERED ordinance amending Section 10.04.100 to allow off-leash dogs in special areas of parks and Section 10.04.120 to update "seeing-eye dogs" to "service animals for persons with disabilities"; approved "in concept" ordinance Amending Sections 10.04.100 and 10.04.120 of the Santa Cruz County Code to return on May 21, 2002 for final adoption

PAWCB

- 72. ITEM DELETED
- 73. RECEIVED bids regarding Brommer Park Play Area and Path Renovation and referred to the General Services Department to return on or before June 4, 2002 with a recommendation on awarding of bid

APWCB

- 74. RECEIVED bids regarding Quail Hollow Ranch House Heating System and referred to the General Services Department to return on or before June 4, 2002 with a recommendation on awarding of bid

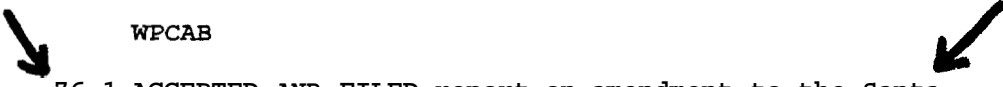
APWCB

- 75. RECEIVED bids regarding Courts Area Re-carpeting, 701 Ocean Street, Santa Cruz and referred to the General Services Department to return on or before June 4, 2002 with a recommendation on awarding of bid

APWCB

- 76. RECEIVED bids regarding Brommer Street Improvements, Seventh Avenue to Seventeenth Avenue and referred to the Public Works Department to return on or before May 21, 2002 with a recommendation on awarding of bid

WPCAB



- 76.1 ACCEPTED AND FILED report on amendment to the Santa Cruz County Code, Chapter 16.50 to combine relevant aspects of a model Right-to-Farm Ordinance with the Agricultural Land Preservation and Protection Ordinance; and an amendment to Section 13.10.631(e)1,

Regulations for Farm Workers Quarters, to maintain consistency with various farmworker housing funding sources; with an additional direction to add, to
 Attachment 1, Chapter 16.50.090 (a)(1), a coma after the word "County" and the section shall read as follows: "The County of Santa Cruz permits operation of properly conducted agricultural operations within the County, including the application by spraying or otherwise of chemical fertilizers, soil amendments, and pesticides" and "Such discomfort or inconveniences may include, but are not limited to: noise, odors, fumes, dust, smoke, insects, operation of machinery (including aircraft) during any 24 hour period, storage and disposal of manure"

0393

WBpca

PLANNING COMMISSION MINUTES- 7/24/02

Proceedings of the Santa **Cruz** County
 Planning Commission

Volume 2002, Number 13
July 24, 2002

LOCATTON: Board of Supervisors, County Government Center,
 701 Ocean Street, Room 525, Santa Cruz, CA 95060

ACTION SUMMARY MINUTES

VOTING KEY

Commissioners: Holbert, Shepherd, Chair: Durkee,

Alternate Commissioners: Hancock, Hummel, Quintanilla, Messer, DeAlba

Commissioners present were Hummel, Shepherd, Durkee, Messer, and Osmer

F. CONSENT AGENDA

F-1. APPROVAL OF MINUTES

To approve the minutes of the July 10, 2002 Planning Commission meeting as submitted by the Planning Department.

Approved. Durkee made the motion and Shepherd seconded. Voice Vote, carried 3-0, with ayes from Chair: Osmer, Durkee and Shepherd. Messer and Hummel abstained.

G. CONTINUED ITEMS

There were no continued items on this agenda.

H. SCHEDULED ITEMS

H-1. **01-0551 2000 PLEASANT VALLEY DR. APTOS APN(S): 107-111-74**

Proposal to amend Minor Land Division 99-0840 to revise the building envelope on Parcel D and to modify the property boundary between Parcel D and Parcel A to include the access road currently on Parcel A in Parcel D and modify the right-of-way location, and a proposal to recognize the conversion of a non-habitable structure to a second unit on a parcel where a main dwelling unit is proposed (Parcel D). Requires an Amendment to Minor Land Division 99-0840 and a Second Unit Permit. Property is located on the north side of Pleasant Valley Road (2000 Pleasant Valley Road), at approximately 2/3 mile northwest from Hames Road.

OWNER: LESTER DANIEL E & PATRICIA E CO-TRUSTEES

APPLICANT: LESTER DANIEL E & PATRICIA E CO-TRUST

SUPERVISORIAL DIST: 2

PROJECT PLANNER: CATHLEEN CARR, 454-3225

Approved per revised wording by staff per conditions III C 4 and N A . Durkee made the motion and Shepherd seconded Voice Vote, carried 5-0, with ayes from Messer, Durkee, Hummel, Osmer and Shepherd.

- H-2. 00-0742 (**)** **311 BONITA DR** **APTOS** **APN(S): 044-023-04 & 044-023-05**
Proposal to construct a structure-mounted wireless communications facility on the rooftop of an existing office building to include the installation of two antennas, camouflaged within an artificial chimney on the north side of the building, extending a 6'4" above the 27'3" high roofline to a height of 33'7", and a 220 square foot fenced-in enclosure with 5 equipment cabinets to be located in the parking lot. Requires a Coastal Development Permit and a Commercial Development Permit. Property located on the northwest side (left) of Bonita Drive (311 Bonita Drive) at about 500' northeast of Clubhouse Drive and Rio Del Mar Blvd.
OWNER: RUMMONDS JAMES S & SUE C H/W JT
APPLICANT: FRANKLIN OROZCO FOR WHALEN CO.
SUPERVISORIAL DIST: 2
PROJECT PLANNER: RANDY ADAMS, 454-3218

Continue to September 11, 2002 and direct staff to prepare findings for denial, to be brought back at next meeting for final action. Osmer made the motion and Shepherd seconded Voice Vote, carried 5-0, with ayes from Messer, Durkee, Hummel, Osmer and Shepherd.

- H-3.** Proposal to amend County Code Section 13.10.631(e)1, Regulations for Farm Workers Quarters, regarding the definition of "farm worker" as that term applies to farm worker housing to better align the definition with that of various farm worker housing funding sources.
PROJECT PLANNER: STEVE GUINEY, 454-3172

Approved per staff recommendation. Messer made the motion and Durkee seconded. Voice Vote, carried 4-0, with ayes from Messer, Durkee, Hummel and Osmer. Shepherd was no longer present for the vote.