Date: June 17,2004 Agenda Item: # 7 Time: 1:30 p.m.

# STAFF REPORT TO THE AGRICULTURAL POLICY ADVISORY COMMISSION

**APN**: 051-231-11

APPLICATION NO.: 04-0221 APPLICANT: Dee Murray OWNERS: Thomas & Virginia Rosewall

**PROJECT DESCRIPTION:** Proposal to construct a second story room addition and remodel and construct additions to an existing single-family dwelling. Requires an Agricultural Buffer Determination to reduce the required 200-foot setback from adjacent Commercial Agriculture (CA) zoned properties.

**LOCATION:** Property located on the south side of Riverside Road east of Salsipuedes Creek at *36* Riverside Road in Watsonville.

**PERMITS REQUIRED:** Agricultural Buffer Setback Reduction **ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 1 COASTAL ZONE: —Yes X\_No

# PARCEL INFORMATION

**PARCEL SIZE:** 12,371 square feet **EXISTING LAND USE: PARCEL:** Single-family residential Commercial agriculture, Single-familyresidential, SURROUNDING: small, light industrial **Riverside Road PROJECT ACCESS:** Salsipuedes **PLANNING AREA:** LAND USE DESIGNATION: A (Agriculture) CA (Commercial Agriculture) **ZONING DISTRICT:** SUPERVISORIAL DISTRICT: Fourth (Campos)

a.

# **ENVIRONMENTAL INFORMATION**

- a. Geologic Hazards
- b. Soils
- c. Fire Hazard
- d. Slopes
- e. Env. Sen. Habitat
- f. Grading
- g. Tree Removal
- h. Scenic
- i. Drainage
- j. Traffic
- k. Roads
- 1. Parks

- Floodplain, Flood zone A
- b. 120, Conejo loam
- C Not a mapped constraint
- d. 0-2 percent slopes
- e. Not mapped/no physical evidence on site
- f. No grading proposed
- g. No trees to be removed
- h. Not a mapped resource
- 1. Existing drainage adequate
- j. State Highway 129 corridor to 101
- k. Existing roads adequate
- l. Existing park facilities adequate

m. Sewer Availability	m.	No
n. Water Availability	n.	No
o. Archeology	о.	Not mapped/no physical evidence on site
p. Agricultural Resource	p.	Type 1-A

# **SERVICES INFORMATION**

Inside Urban/Rural Services Line: Yes X No				
Water Supply:	Private well, Pajaro Valley Water Management Agency			
Sewage Disposal:	CSA#12,k private septic system			
Fire District:	Pajaro Valley Fire Protection District			
Drainage District:	Zone 7 Conservation/Flood Control District			

# ANALYSIS AND DISCUSSION

The proposed project is to construct a second story addition and remodel the existing single-family dwelling of approximately 1,964 square feet on a 12,371 square foot (0.284-acre) parcel. The project is located at 36 Riverside Drive in Watsonville. The building site is within 200 feet of Commercial Agricultural land in all directions. The applicant is requesting a reduction in the 200- foot agricultural buffer setback to 15 feet **6** inches (West), 102 feet (North), 19 feet **6** inches and 128 feet (East) and 34 feet and 161 feet (South) from APN's 051-231-01,051-231-10,051-231-13,051-221-02.

The subject property is characterized by flat topography and is located in the area between the Pajaro River and Salsipuedes Creek. The parcel is not located within the Urban Services Line and may be characterized as amixed neighborhood with commercial agriculture, historic farm houses, and small, light industry in the immediate vicinity. The parcel carries an Agriculture (A) Type 1-A General Plan designation and the implementing zoning is (CA) Commercial Agriculture. Commercial Agriculture zoned land is situated within 200 feet on all sides of the parcel at Assessor's Parcel Numbers 051-231-01, 051-231-10,051-231-13, 051-221-02.

A reduced agricultural buffer is recommended due to the fact that the 103 feet width by 119.8 feet depth of the parcel would not allow sufficient building area if the required 200-foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. The applicant has maintained a solid six-foot fence at the east and west sides of the parcel with an evergreen hedge of plantings on all sides to reduce the impact of agricultural activities on the continued residential use, and to therefore protect the agricultural interests on the adjacent Commercial Agriculture zoned parcels. The applicant shall further be required to record a Statement of Acknowledgement regarding the issuance of a county building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts.

# RECOMMENDATION

Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 15 feet **6** inches (West), 102 feet (North), 19 feet **6** inches and 128 feet (East) and 34 feet and 161 feet (South) feet to the single-family dwelling from the adjacent CA zoned property known as APN 051-231-01, 051-231-10, 051-231-13, 051-221-02, proposed under

Application # 04-0221, based on the attached findings and recommended conditions.

# **EXHIBITS**

- A. Project plans, **5** Sheets by Tracy Johnson dated May 12,2004.
- B. Findings
- C. Conditions
- D. Assessor's parcel map, Location map
- E. Zoning map, General Plan map
- F. Comments & Correspondence
- G. Historic Inventory listing for Thomas Rosewall House

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Joan Van der Hoeven Santa Cruz County Planning Department 701 Ocean Street, 4th Floor Santa Cruz CA 95060 Phone Number: (831) 454-5174 (or, pln140@co.santa-cruz.ca.us)

MAU Report Reviewed By: Don Bussey Deputy Zoning Administrato Development Review

### <u>REOUIRED FINDINGS FOR AGRICULTURAL BUFFER SETBACK REDUCTION</u> <u>COUNTY CODE SECTION 16.50.095(b)</u>

- 1. SIGNIFICANT TOPOGRAPHICAL DIFFERENCES EXIST BEWTEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT SETBACK, OR
- 2. PERMANENT SUBSTANTIAL VEGETATION OR OTHER PHYSICAL BARRIERS EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT BUFFER SETBACK, OR A LESSER SETBACK DISTANCE IS FOUND TO BE ADEQUATE TO PREVENT CONFLICTS BETWEEN THE NON-AGRICULTURAL DEVELOPMENT AND THE ADJACENT AGRICULTURAL USES, BASED ON THE ESTABLISHMENT OF A PHYSICAL BARRIER, UNLESS IT IS DETERMINED THAT THE INSTALLATION OF A BARRIER WILL HINDER THE AFFECTED AGRICULTURAL USE MORE THAN IT WOULD HELP IT, OR WOULD CREATE A SERIOUS TRAFFIC HAZARD ON A PUBLIC OR PRIVATE RIGHT-OF-WAY; AND/OR SOME OTHER FACTOR WHICH EFFECTIVELY SUPPLANTS THE 200 FOOT BUFFERING DISTANCE TO THE GREATEST DEGREE POSSSIBLE; OR
- 3. THE IMPOSITION OF A 200 FOOT AGRICULTURAL BUFFER SETBACK WOULD PRECLUDE BUILDING ON A PARCEL OF RECORD AS OF THE EFFECTIVE DATE OF THIS CHAPTER, IN WHICH CASE A LESSER BUFFER SETBACK DISTANCE MAY BE PERMITTED, PROVIDED THAT THE MAXIMUM POSSIBLE SETBACK DISTANCE IS REQUIRED, COUPLED WITH A REQUIREMENT FOR A PHYSICAL BARRIER, OR VEGETATIVE SCREENING OR OTHER TECHNIQUES TO PROVIDE THE MAXIMUM BUFFERING POSSIBLE, CONSISTENT WITH THE OBJECTIVE OF PERMITTING BUILDING ON A PARCEL OF RECORD.

The proposed second story addition and remodel of the lower floor is proposed to be set back 15 feet **6** inches (West), 102 feet (North), 19 feet **6** inches and 128 feet (East) and **34** feet and 161 feet (South) feet from the adjacent Commercial Agriculture zoned land. The addition does not change the 15-foot 6-inch setback, which has existed since 1950 from APN 051-231-01 to the west, the Farris property (See Exhibit A). The proposed remodel of the kitchen would add approximately 126 square feet of floor area to maintain a south setback of approximately 34-feet from APN 051-231-10, Rosewall property, and 161 feet from APN 051-231-13, the Halward property. Theproposal would maintain a 19-foot6-inch and 128-foot setback from these two same properties to the east. A 102-foot setback across Highway 129 would be maintained from APN 051-221-02, the Kesovia orchard. An effective barrier consisting of a **six** foot tall solid wood fence enhanced with evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned lands of APN's 051-231-01,051-231-10, and 051-231-13. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic.

EXHIBIT 8

# **4.** REQUIRED FINDINGS FOR NON-AGRICULTURAL DEVELOPMENT ON COMMERCIAL AGRICULTURAL LAND, COUNTY CODE SECTION 16.50.095(e).

ANY NON-AGRICULTURAL DEVELOPMENT PROPOSED TO BE LOCATED ON TYPE 1, TYPE 2 OR TYPE 3 AGRICULTURAL LAND SHALL BE SITED SO AT TO MINIMIZE POSSIBLE CONFLICTS BETWEEN AGRICULTURE IN THE AREA AND NON-AGRICULTURAL USES, AND WHERE STRUCTURES ARE TO BE LOCATED ON AGRICULTURAL PARCELS, SUCH STRUCTURES SHALL BE LOCATED SO AS TO REMOVE AS LITTLE LAND AS POSSIBLE FROM PRODUCTION OR POTENTIAL PRODUCTION.

The subject parcel is zoned CA (Commercial Agriculture) and carries an Agriculture (A) General Plan designation. The parcel is within 200 feet of Commercial Agriculture zoned land, but is not utilized for Commercial Agriculture due to the small 12,371 square foot (0.248 acre) size of the parcel and the residential use which Assessor's records document has existed on the property since 1950.

1. THE ESTABLISHMEN OR ENA OF THIS USE WILL ENHANCE OR S PORT THE ON OPERATION OF COMMERCIAL AGRICULTURE ON THE PARCEL AND WILL NOT REDUCE, RESTRICT OR ADVERSELY AFFECT AGRICULTURAL 'ES, OR THE ECONOMIC VIABILITY OF COMMERCIAL AGRICULTURAL OF ERATIONS, OF THE AREA.

The maintenance of the existing residential use will not reduce, t or adversely :t agricultural resources, or the economic bili of al agricultural or ti fth area in in a small cluster of historic farm houses (Exhibit G) which have been the house is t surrounded y crop production. The d is in the vicinity of the I ij and has Ri fertile soils The small size of the parcel has limited its potential for commercial production and the has been a home site since 1950. The subject property owner shall be required to d an prop Statement of Acknowledgement to confirm acceptance of normal farming operations on З the adjacent CA zoned perties.

2 FHE USE OR STRUCTURE IS ANCILLARY, INCIDENTAL OR ACCESSORY TO THE PRINCIPAL AGRICULTURAL USE THE PARCEL OR NO OTHER AGRICULTURAL USE OF THE PARCEL IS FEASIBLE FOR HE PARCEL; OR

Although the 12,371 square foot property carries an Agriculture, Type 1A General Plan designation, the property has not been used for commercial agricultural production since the house was constructed on the site in 1950. Due to the small size **of** the parcel and existing development on the parcel, no other commercial agricultural use is feasible.

- 3. THE USE CONSISTS OF AN INTERIM PUBLIC USE WHICH DOES NOT IMPAIR LONG-TERM AGRICULTURAL VIABILITY; AND
- **4.** SINGLE FAMILY RESIDENTIAL USES WILL BE SITED TO MINIMIZE CONFLICTS, AND THAT ALL OTHER USES WILL NOT CONFLICT WITH COMMERCIAL AGRICULTURAL ACTIVITIES ON SITE, WHERE APPLICABLE, OR IN THE AREA.

The existing home is located in a small cluster of homes, one of which is designated **an** historic landmark, *so* that it minimizes potential conflicts with adjacent commercial agricultural activities.

5. THE USE WILL BE SITED TO REMOVE NO LAND FROM PRODUCTION (OR POTENTIAL PRODUCTION) IF ANY NON-FARMABLE POTENTIAL BUILDING SITE IS AVAILABLE, OR IF THIS IS NOT POSSIBLE, TO REMOVE AS LITTLE LAND AS POSSIBLE FROM PRODUCTION.

The bulk of the proposed remodel/addition is located on a new second story, thereby reducing the amount of land that would be potentially removed from production.

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# **CONDITIONS OF APPROVAL**

Exhibit A: Project Plans, 5 Sheets by Tracy Johnson dated 5/12/04.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN's (051-231-01,051-231-10,051-231-13,051-221-02). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicantlowner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
- **11.** Prior to issuance of a Building Permit the applicantlowner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with Exhibit **A** on file with the Planning Department. The final plans shall include the following additional information:
    - 1. A development setback of a minimum of 15 feet *6* inches (West), 102 feet (North), 19 feet *6* inches and 128 feet (East) and 34 feet and 161 feet (South) feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcels APN's 051-23I-01,051-231-10, 051-231-13, 051-221-02.
    - 2. Final plans shall show the location of the vegetative buffering barrier (and any fences used for the purpose of buffering adjacent agricultural land) which shall be composed of drought tolerant shrubbery. The shrubs utilized shall attain a minimum height of **six** feet **upon** maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
  - B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
- III. All construction shall be performed according to the approved plans for the building permit. Prior **to** final building inspection, the applicant/owner must meet the following conditions:
  - **A.** The agricultural buffer setbacks shall be met as verified by the County Building Inspector.

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- B. The required vegetative and/or physical barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection **to verify** that the required barrier (vegetative and/or other) has been completed.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.
- IV. Operational Conditions
  - A. The vegetative and physical barrier shall be permanently maintained
  - B. All required Agricultural Buffer Setbacks shall be maintained.
  - C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, up to and including permit revocation.

Minor Variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

# PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.

Approval Date:	6/17/04	

EffectiveDate: 7/01/04

Expiration Date: <u>7/01/06</u>

Appeals: Any property owner, or other person aggrieved or any other person whose interests **are** adversely affected by any act or determination of the Agricultural Policy Advisory Commission under the provisions of County Code Chapter 16.50, may appeal **the** act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.

# **CALIFORNIA ENVIRONMENTAL QUALITY ACT NOTICE OF EXEMPTION**

The Santa Cruz County Planning Department has reviewed the project described below and has determined that it is exempt from the provisions of CEQA as specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 04-0221 Assessor Parcel Number: 051-231-11 Project Location: 36 Riverside Road, Watsonville

# **Project Description: Agricultural Buffer Setback Reduction**

# Person or Agency Proposing Project: Dee Murray

# Contact Phone Number: (831)475-5336

- A. \_\_\_\_\_ The proposed activity is not a project under CEQA Guidelines Section 15378.
- **B**. The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).
- C. \_\_\_\_\_ Ministerial Project involving only the use of fixed standards or objective measurements without personal judgment.
- D. \_\_\_\_\_ Statutory Exemption other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

#### E. <u>X</u> **Categorical Exemation**

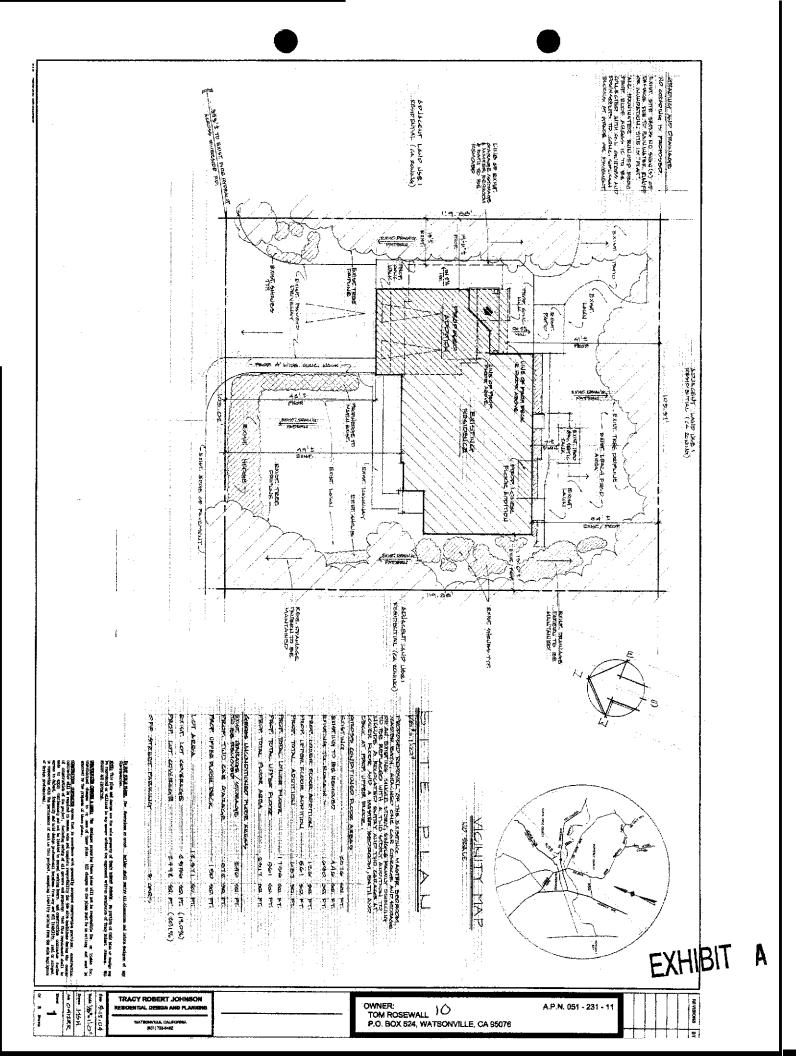
Specifytype: Class 1 - Existing Facilities (Section 15301)

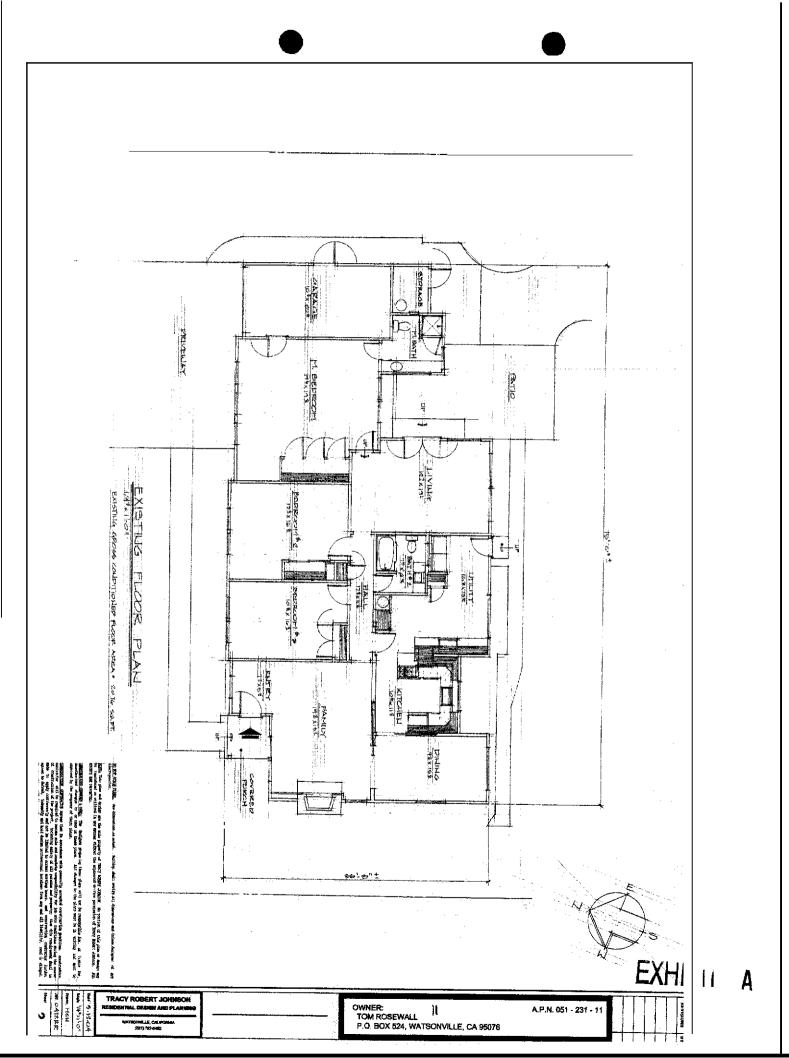
#### F. **Reasons why the project is exempt:**

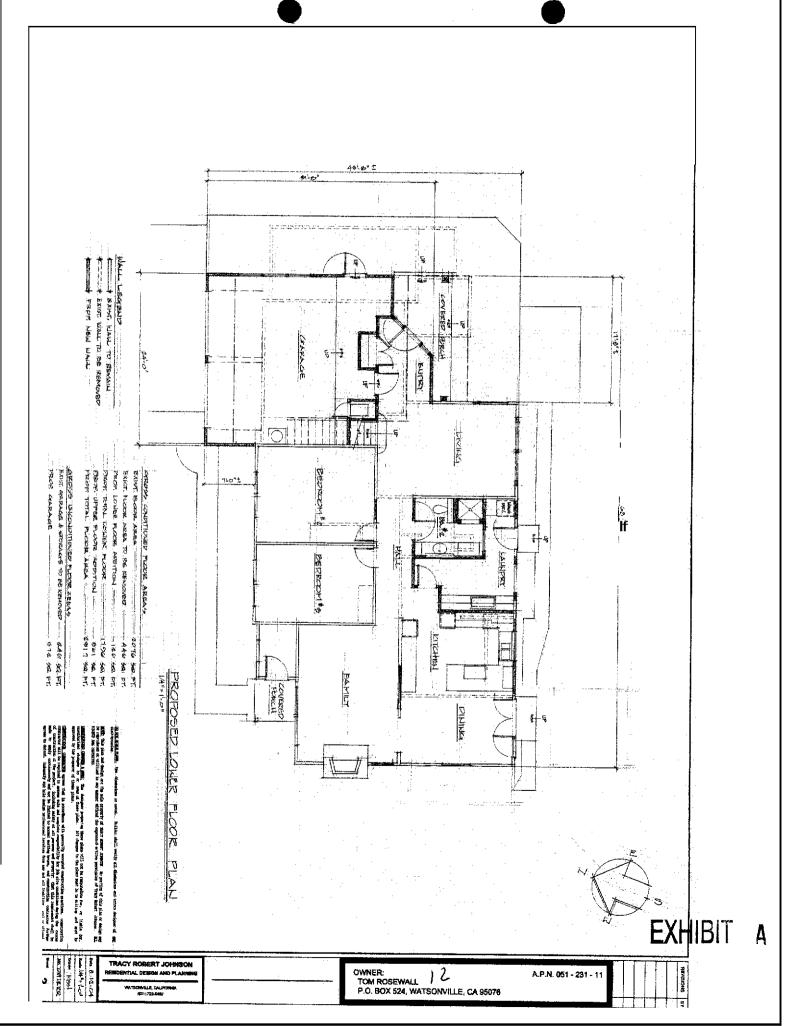
minor addition to an existing single-family dwelling

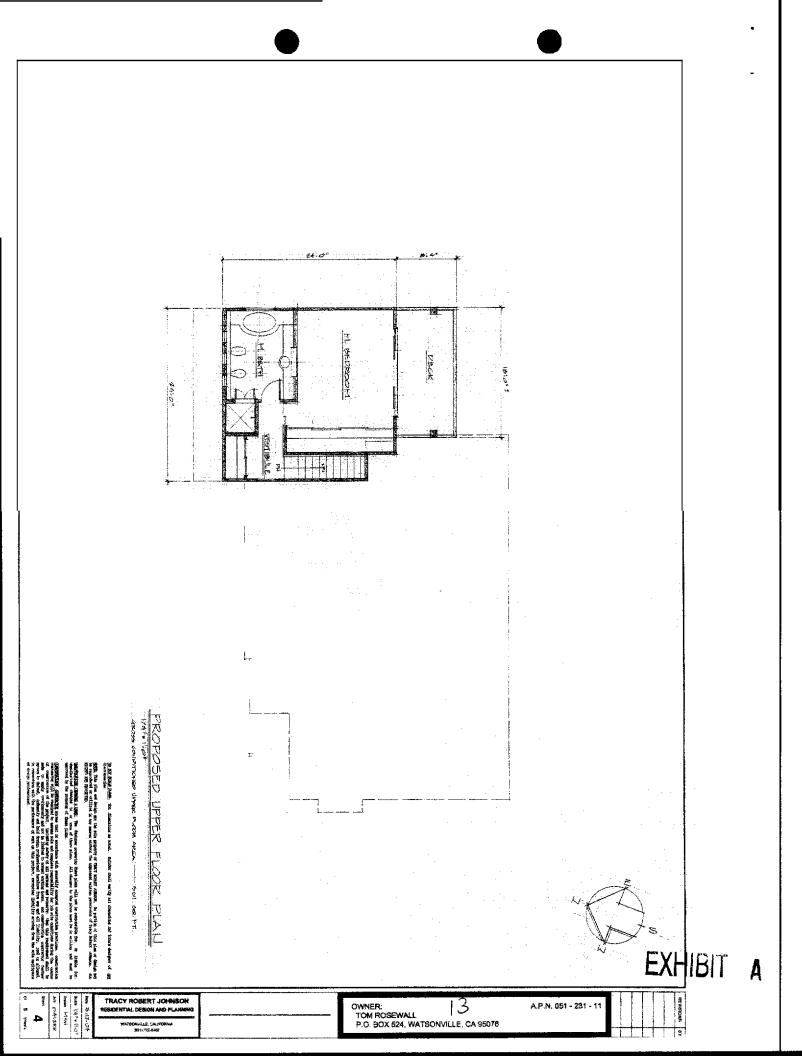
In addition, none of the conditions described in Section 15300.2 apply to this project.

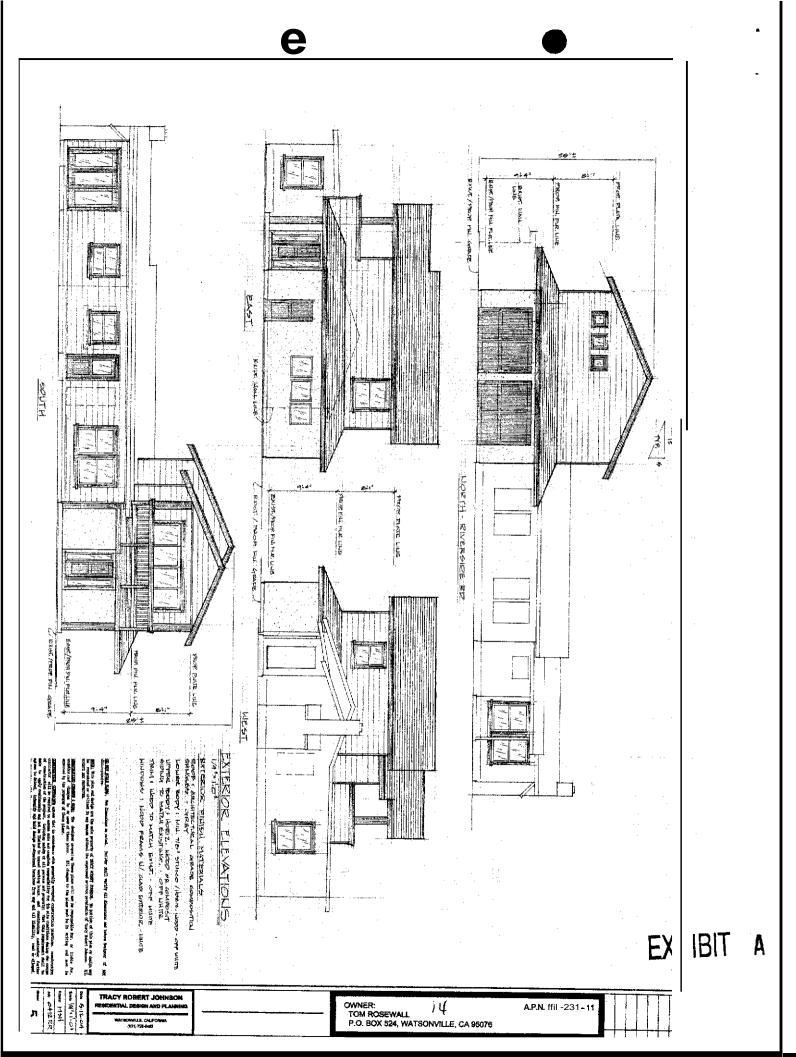
Joan Vander Hoeven, Project Planner Date: June 17,2004

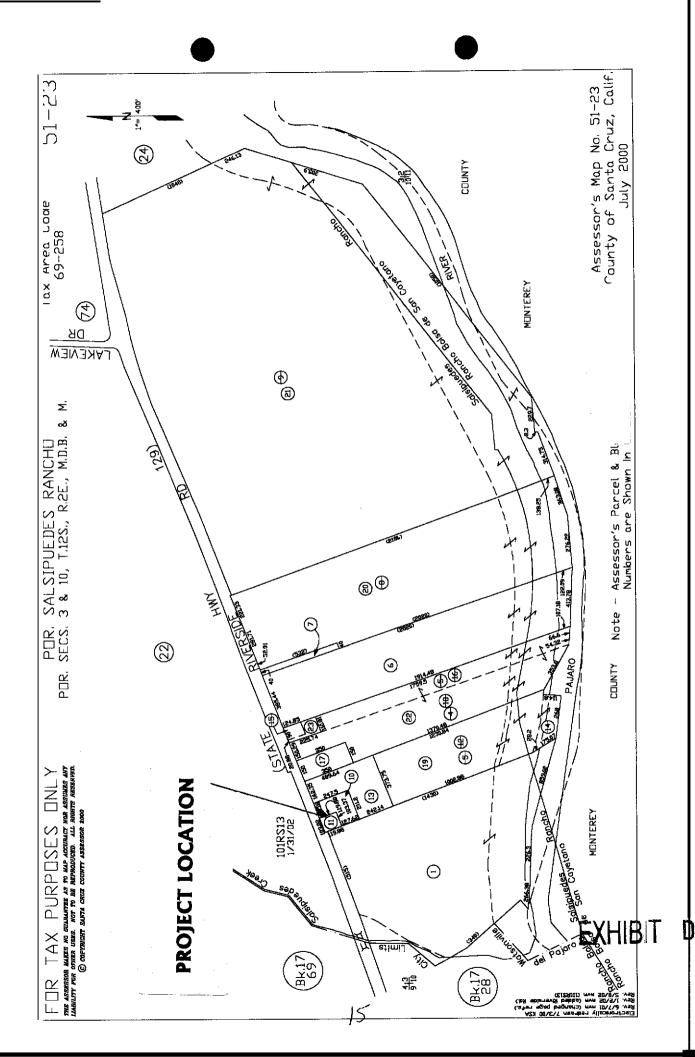




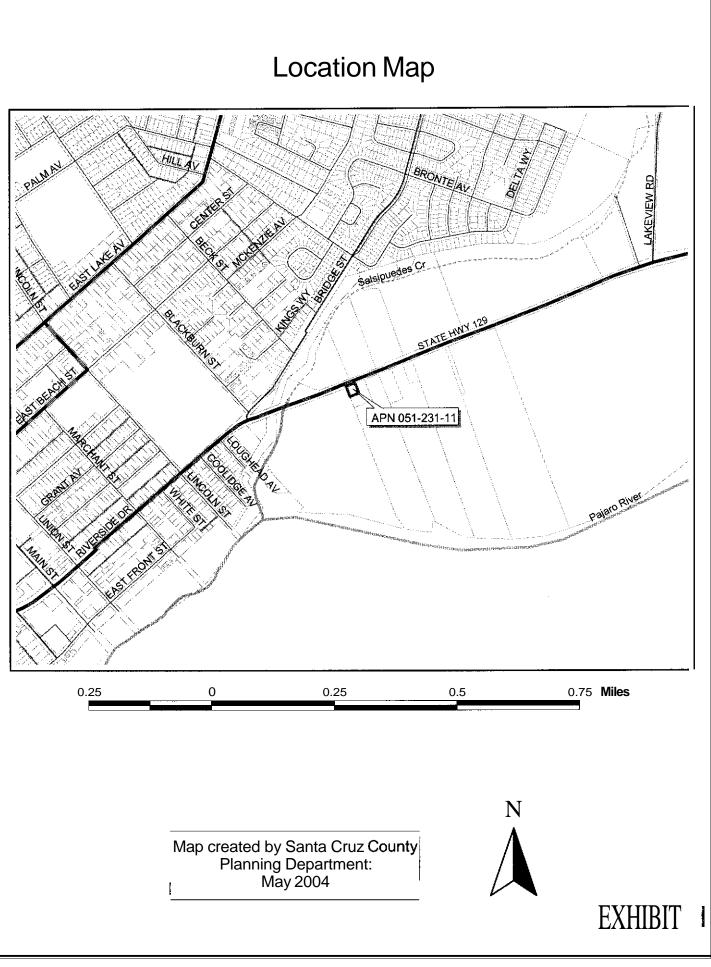


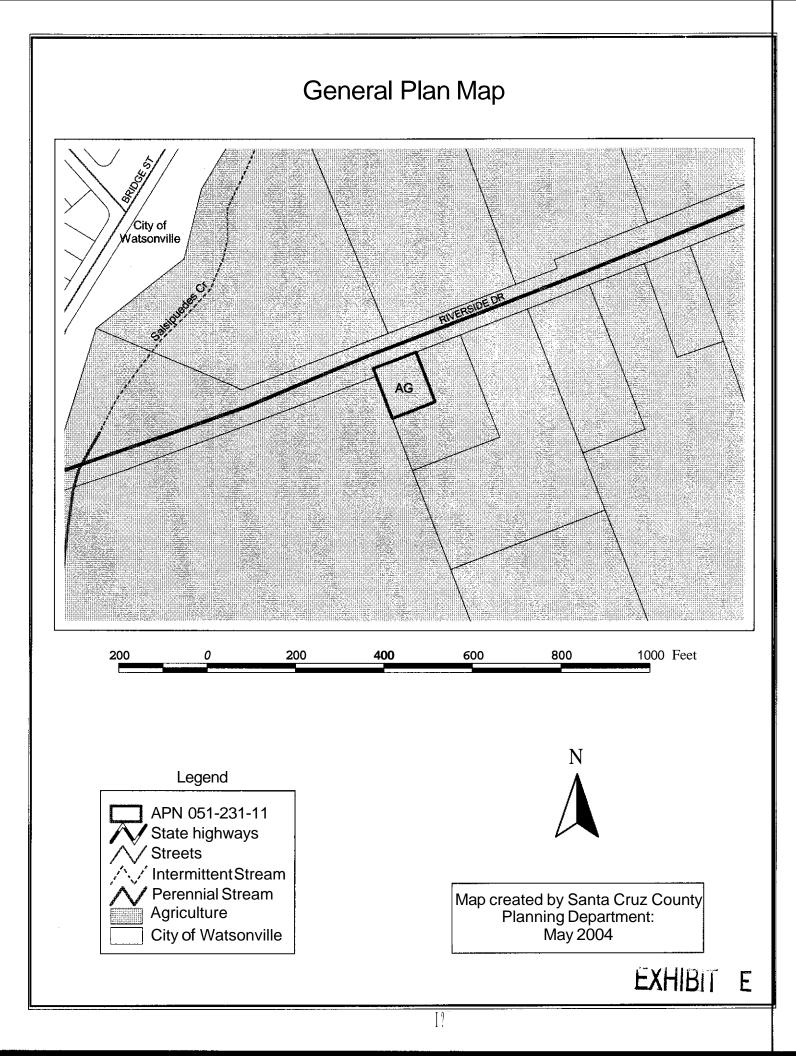


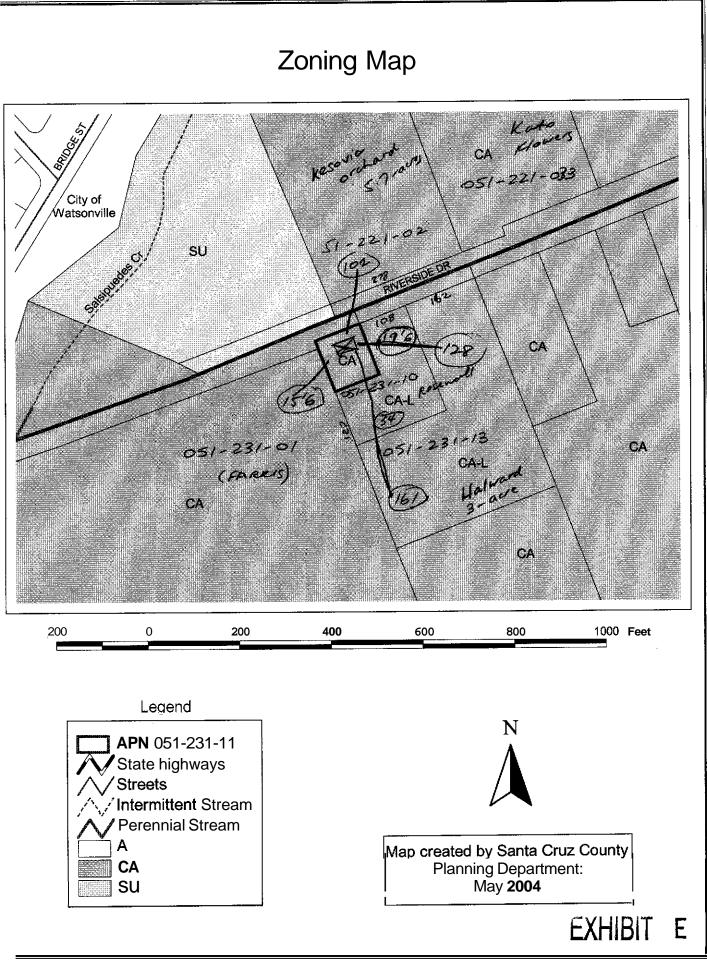




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I State of California – The Resources Agency DEPARTMENT OF PARKS AND RECREATION						
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IDENTIFICATION Thomas H. Rosewall Hour	ise					
2. Historic name: Thomas Leland House	2. Historic name: Thomas Leland House					
3. Street or rural address: 42 Riverside Dr.	Salsipuedes Area					
CityWatsonvi 11 eZip 950	076 County Santa Cruz					
4. Parcel number: 05123110						
5. Present Owner: Rosewall , Thomas &	Virginia Address: P.O. Box 524 -					
City_Watsonville CA Zip 95076	_Ownership is: Public Private					
6. Present Use: residence Orig	inal use: residence					
<ul> <li>DESCRIPTION</li> <li>7a. Architectural style: Greek Revival physical appearance</li> <li>7b. Briefly describe the present of the site or structure and describe any major alterations from its original condition:</li> <li>This house is an excellent example of Greek Revival architecture. The main part of the house is a two story structure with a cross gable roof and a "T" plan. A single story projection extends from the central wing of the "T", and another more recent single story addition has been added on to the first. The street facade exposes a projecting gable end and a long side of the central wing of the main, two story part of the structure. A wrap porch helps fill the gap between the two wings of the house.</li> <li>The gable facade is composed of a projecting rectangular bay on the first level, and a tall double hung window centered above it. A raking cornice and frieze board, and deep eaves finish the shingle roof. The long wing of the house is largely obscured by the wrap porch, except for a projecting pediment dormer, whose tall narrow window sets on the roof porch, and breaks through the frieze board cornice to create a dormer.</li> </ul>						
	<ul> <li>8. Construction date: Estimated 1865 Factual</li> <li>9. Architect <u>unknown</u></li> <li>10. Builder <u>Thomas Letand</u></li> <li>11. Approx. property size (in feet) Frontage Depth <u>1</u> or approx. acreage</li> <li>12. Date(s) of portesed obstrograph(s)</li> <li>EXHIBIT 10-</li> </ul>					

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13.	Condition: Excellent Cood Fair Deteriorated No longer in existence
14.	Alterations: <u>modifications appera to be very early and have not detracted from the quality</u> the architecture
15.	Surroundings: (Check more than one if necessary) Open land — Scattered buildings Densely built-up Residential Industrial Commercial Other:
16.	Threats to site: None known — Private development Zoning Vandalism Public Works project Other to ad widening
17.	Is the Structure: On its original site? X Moved? Unknown?
18.	Related features Gardens at both Sides of house

### SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)

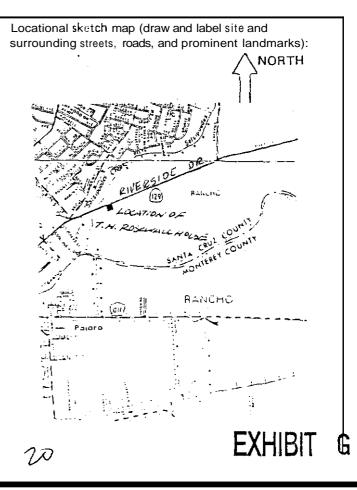
Built circa the 1860s, this handsome Greek Revival structure features some distinctive ornamentation. The carved porch decorations and the square quoins at the corners are significant of the skill and taste of early Watson-ville carpenters. The home was originally occupied by the Thomas Leland family, who came to Watsonville between 1862 and 1867. Thomas Leland's son, George Leland, was the brother-in-law of the prominent Thomas Albright, who was elected Chief of Police of Watsonville in 1907.

This house is architecturally significant representing one of the best examples of Greek Revival design in the South County.

20.	Main theme of the historic resource: (Ifmore than one is checked, number in order of importance.)		
	Architecture <u>1</u> Arts & Leisure		
	EconomicIIndustrialExploration/Settlement		
	Government Military		
	Religion Social/Education		

- 21. Sources (List books, documents, surveys, personal interviews and their dater). Interview of Owners
  - A Field Guide to American Houses, McAlister

22.	Date form prepared <u>April 1986</u>	
	By (name) The Firm of	
	Organizati&ONNIE   BAMBURG	
	Address: <u>247</u> N. Third Street	
	City San Jose. CA <u>95112</u> jp	
	Phone: (408) 971-1421	



42 Riverside Road, Thomas H. Rosewall House

7B - Description Continued

Characteristic of the style, classical molding is applied to all available candidates. The bay has a deep cornice supported by paired brackets and dentils. The porch supports are squared posts with simple bases and capitals. It also has a deep cornice and square brackets. A touch of gingerbread has been added below the frieze, and ornate scrolled console brackets appear above the capitals. The upper story dormer has a full pediment, and all other windows have simple cornices. All the corners of the building, save the most recent addition are molded with shiplap quoins. The front door is a double door with beveled glass panels, flanked by pilasters with console brackets and crowned with a large cornice.

Two interior brick chimneys protrude from the peak of the gable roof, and another exterior brick chimney is located at the end of the first single story projection. The structure is covered with shiplap. Overall, this structure exhibits the restrained regularity that characteriies Greek Revival architecture.

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