

# Staff Report to the Agricultural Policy Advisory Commission

Application Number: 05-0235

Zoning map, General Plan map

Comments & Correspondence

Applicant: Terri L.N. Fisher, Architect Owners: Mr. & Mrs. Ronald & Mary Jordan APN: 045-142-22 Date: May 19,2005 Agenda Item #: 12 Time: 1:30 p.m.

**Project Description:** Proposal to recognize the demolition of an existing 2-bedroom, one-story single-familydwelling and garage and to construct a replacement two-story single-family dwelling with an attached garage.

**Location:** Property located on the west side of Altivo Avenue, about 400 feet east from San Andreas Road, at **29** Altivo Avenue in La Selva Beach. Building Permit 139115 in process.

**Permits Required** Agricultural **Buffer** Setback Determination, Coastal Development Permit, Variance.

## **Staff Recommendation:**

• Approval of Application 05-0235, based on the attached findings and conditions

E.

F.

# Exhibits

- A. Project plans
- B. Findings
- C. Conditions
- D. Assessor's parcel map, Location map

# **Parcel Information**

Parcel Size:	5,009 square feet		
Existing Land Use - Parcel:	Single-family dwelling		
Existing Land Use - Surrounding:	Single-family dwellings, commercia igriculture, beach		
Project Access:	San Andreas Road to Altivo Avenue		
Planning Area:	San Andreas		
Land Use Designation:	R-UL (Urban Low Residential)		
Zone District:	R-1-6 (Single-familyResidential/6,000 sq ft min lot)		
Supervisorial District:	Second (District Supervisor: Pirie)		
Within Coastal Zone:	<b>_X</b> _ Inside Outside		
Appealable to Calif. Coastal Comm.	<u>Yes</u> <u>X</u> No		

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060 A reduced agricultural buffer is recommended due to the fact that the 56 foot wide by 90 feet deep lot dimensions would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. The project site is separated from adjacent CA land by a row of existing single-family residences and the 40-foot wide Altivo Avenue right-of-way. A six-foot tall barrier in the front yard would not be consistent with the existing neighborhood so no additional barriers are recommended. The existing residential use on the parcel was established with the construction of the original house in 1976 and the existing barrier of the intervening houses and road right of way has protected the agricultural interests on the Commercial Agriculture zoned parcel. The applicant shall 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 60 feet to the single-familydwelling from the adjacent CA zoned property known as APN 046-021-05, proposed under Application # 05-0235, based on the attached findings and recommended conditions.

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.

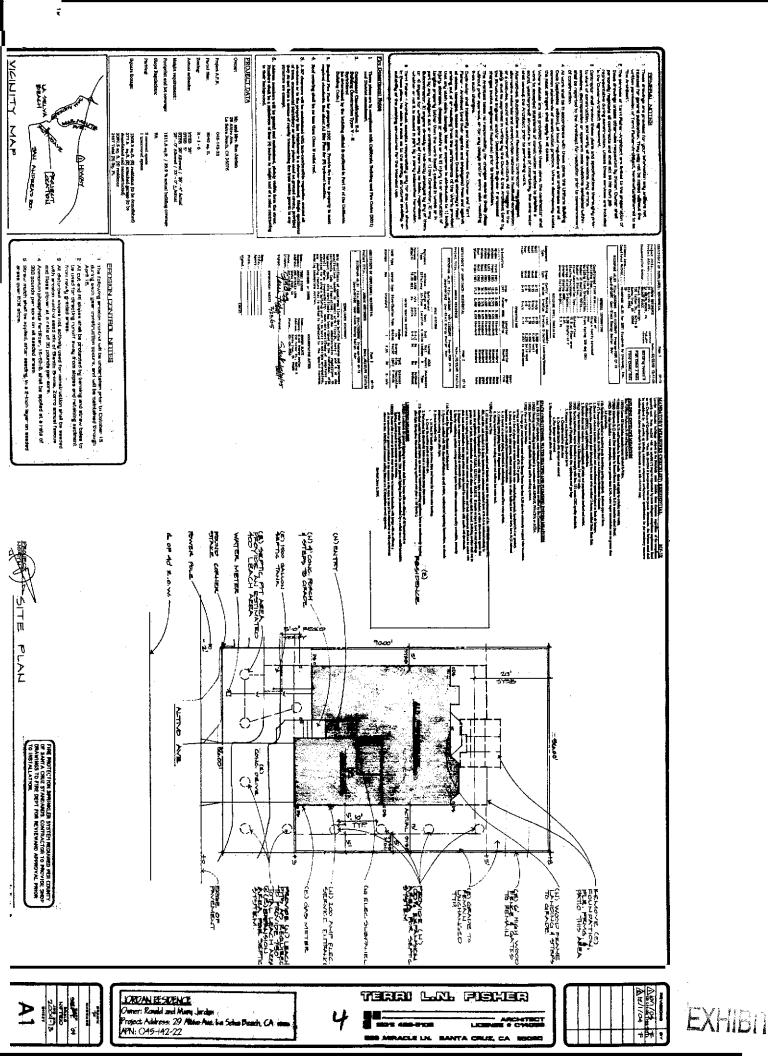
The County Code and General Plan, as well as hearing agendas and additional information are available online at: <a href="http://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

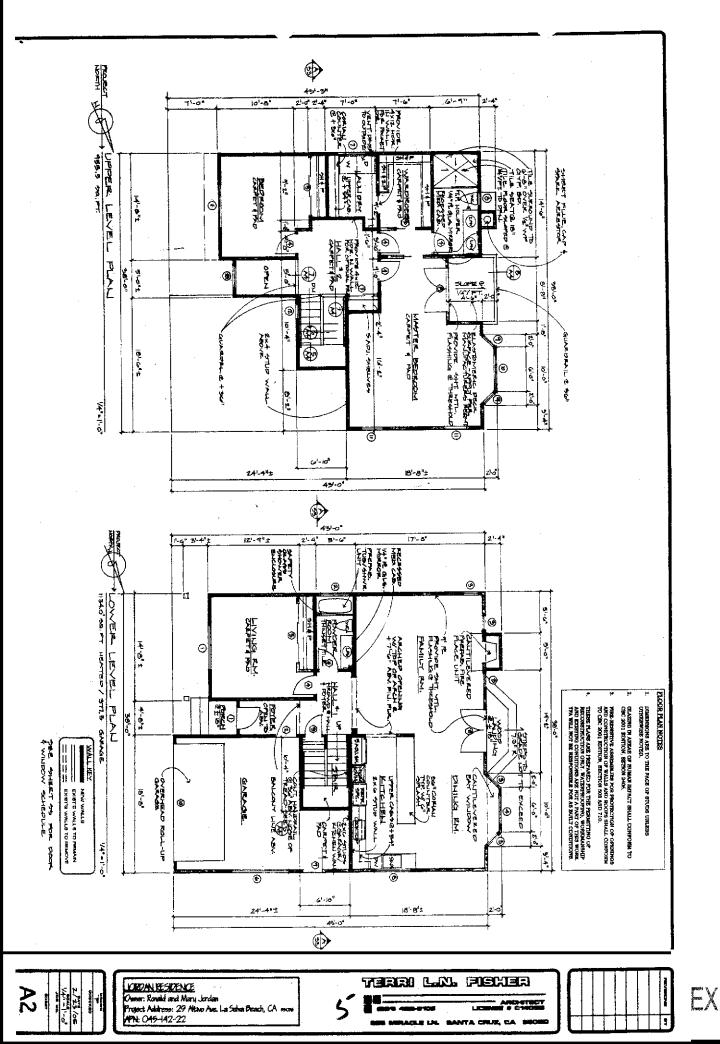
Report Prepared By: Joan Van der Hoeven, AICP

Santa Cruz County Planning Department 701 Ocean Street, 4th Floor Santa Cruz CA 95060 Phone Number: (831) 454-5174 E-mail: <u>pln140@co.santa-cruz.ca.us</u>

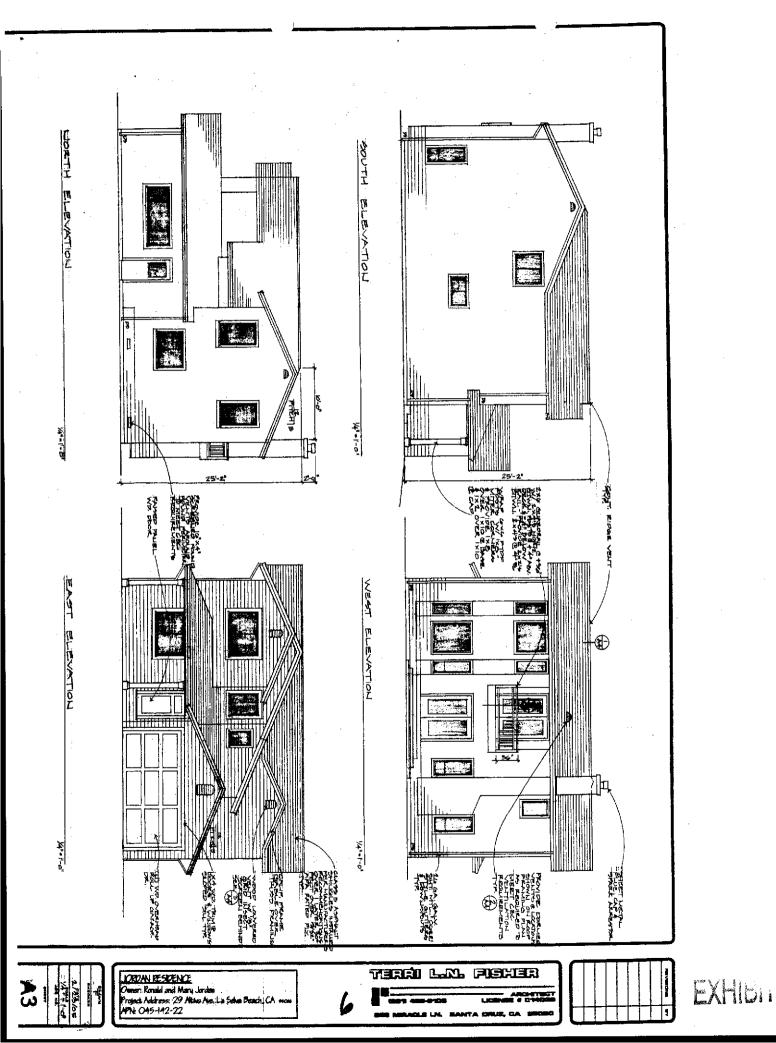
Report Reviewed By:

Don Bussey Deputy Zoning Administrator Santa Cruz County Planning Department

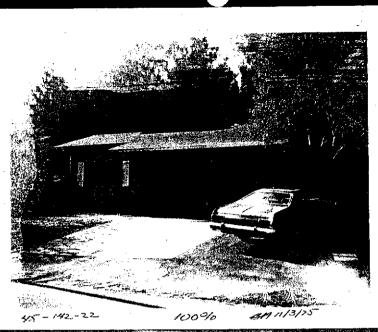




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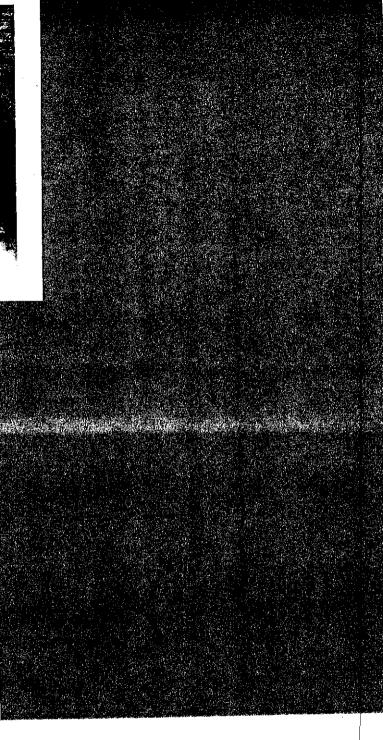


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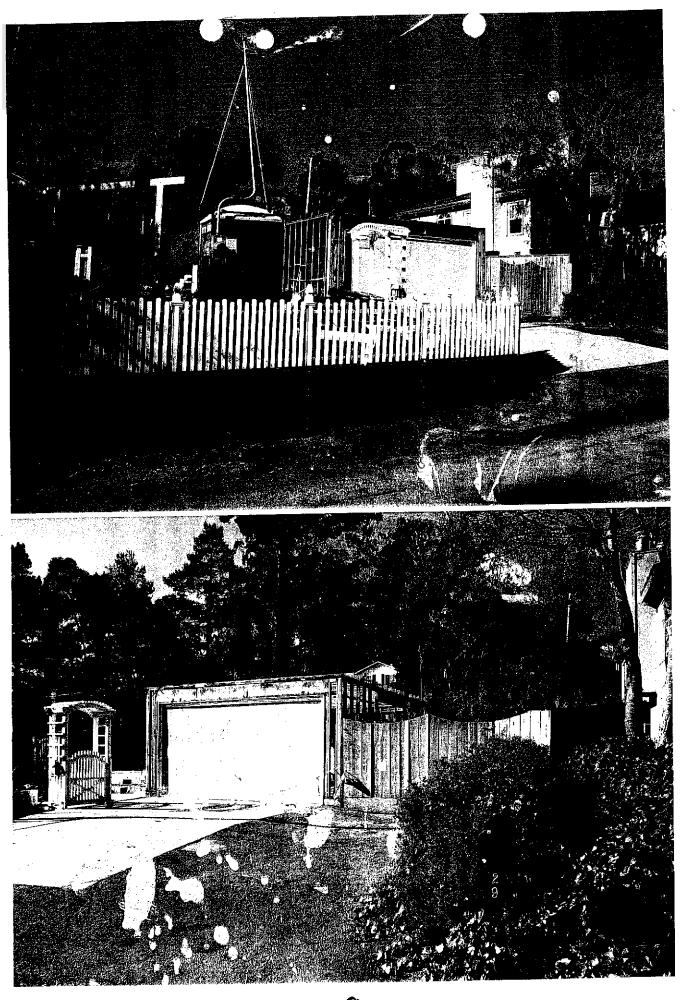


EXHIBIT





EXHIBIT A



# Required Findings for Agricultural Buffer Setback Reduction County Code Section 16.50.095(b)

- 1. Significant topographical differences exist between 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 possible; or

The habitable structure is proposed to be set back 60 feet from the adjacent Commercial Agriculture zoned land. With the 40-foot width of the Altivo Avenue right-of-way, the effective agricultural setback would be proposed to be 60 feet where 200 feet are required. An effective barrier consisting of a row of intervening houses and existing evergreen shrubs and trees would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 046-021-05. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic.

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.

Due to the small size of the parcel (56 feet wide by 90 feet deep), it would not be possible to establish a 200-foot setback. This replacement construction would not bring the habitable structure any closer to CA land than the original structure. An existing barrier of the intervening Altivo Avenue right of way and a row of houses provides buffering and is consistent with the objective of allowing building on an existing parcel of record.

# **Conditions of Approval**

Exhibit A: project Plans by Terri L.N. Fisher, Architect, **3** sheets dated Sept 2004, revised 2/23/05.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (046-021-05). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner 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, that incorporates all changes from the original remodel proposal.
- II. Prior to issuance of **a** Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The findplans 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 60 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-021-05.
  - 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.
  - B. *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. In the event that future County inspections of the subject property disclose non-

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#### compliance 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:	5-19-05	
Effective Date:	6-02-05	
Expiration Date:	6-02-07	

Appeals: Any properly 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.

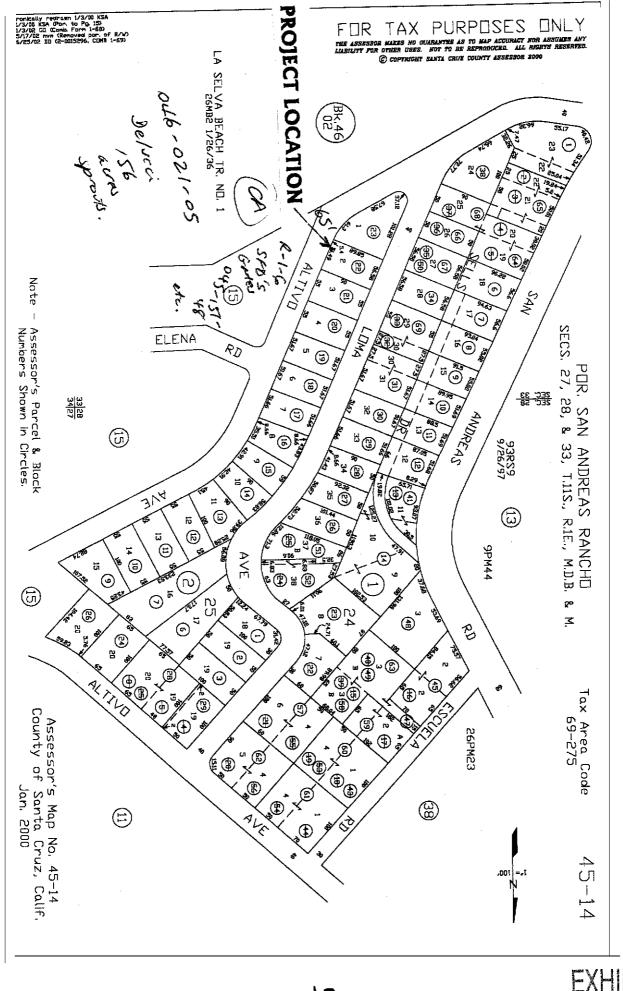
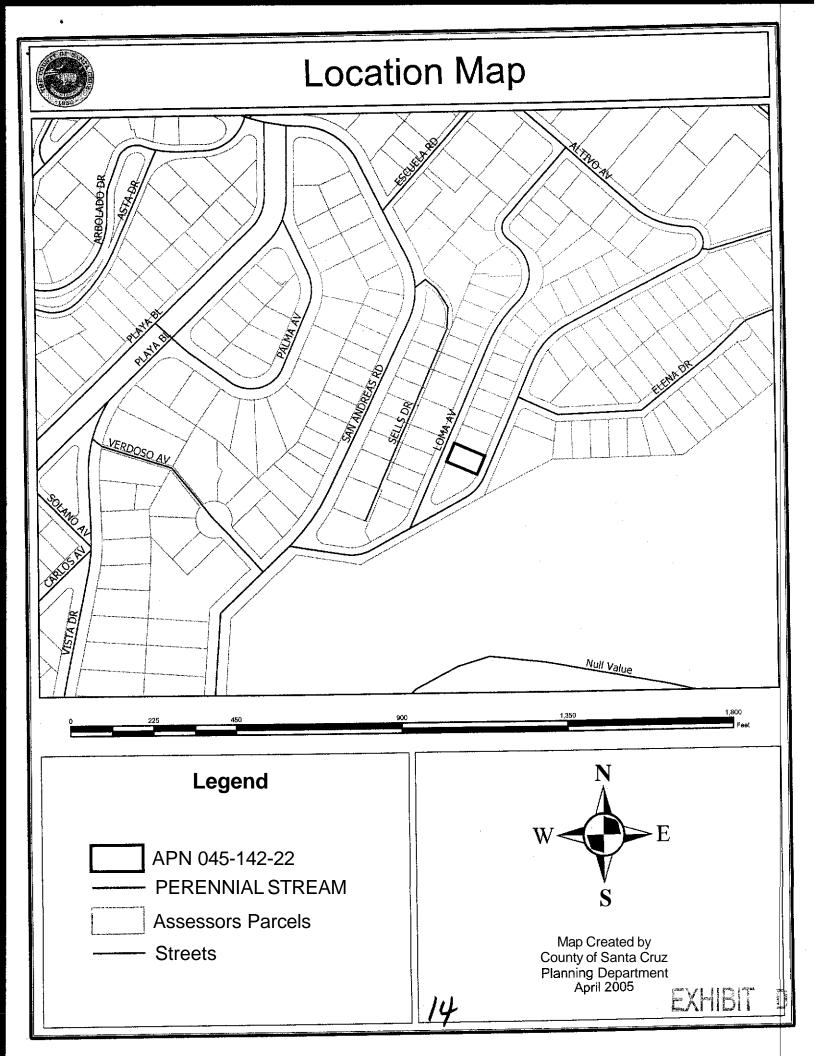
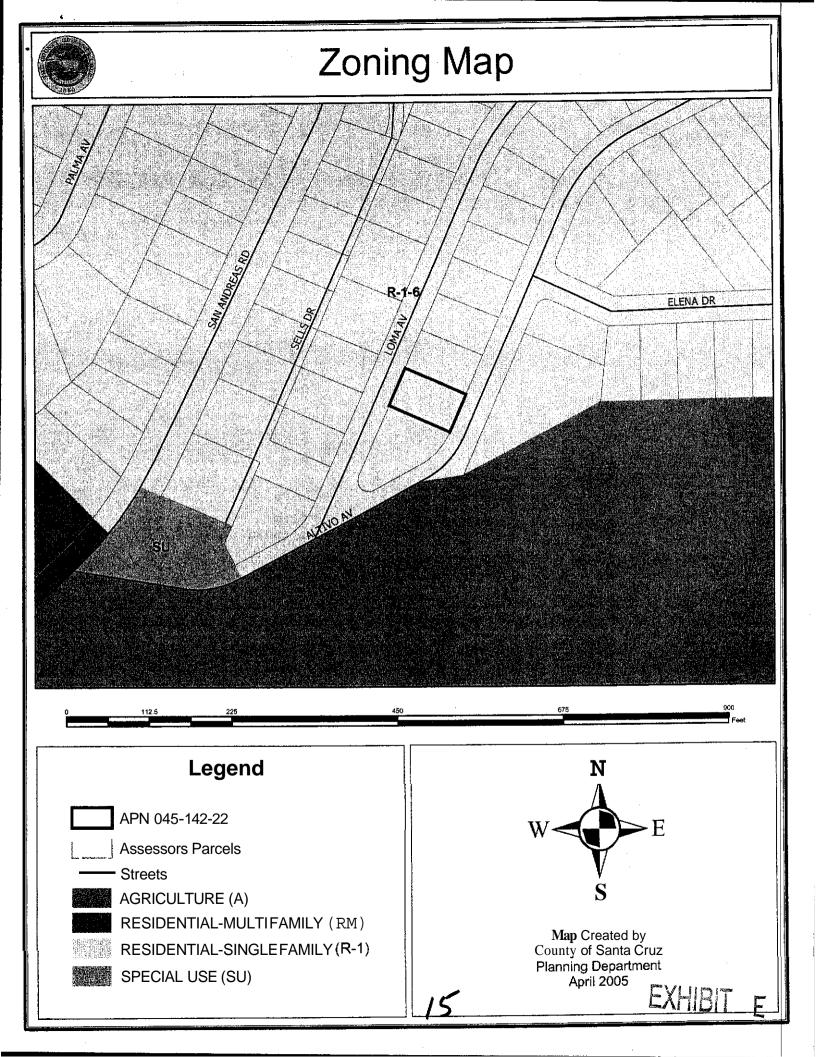
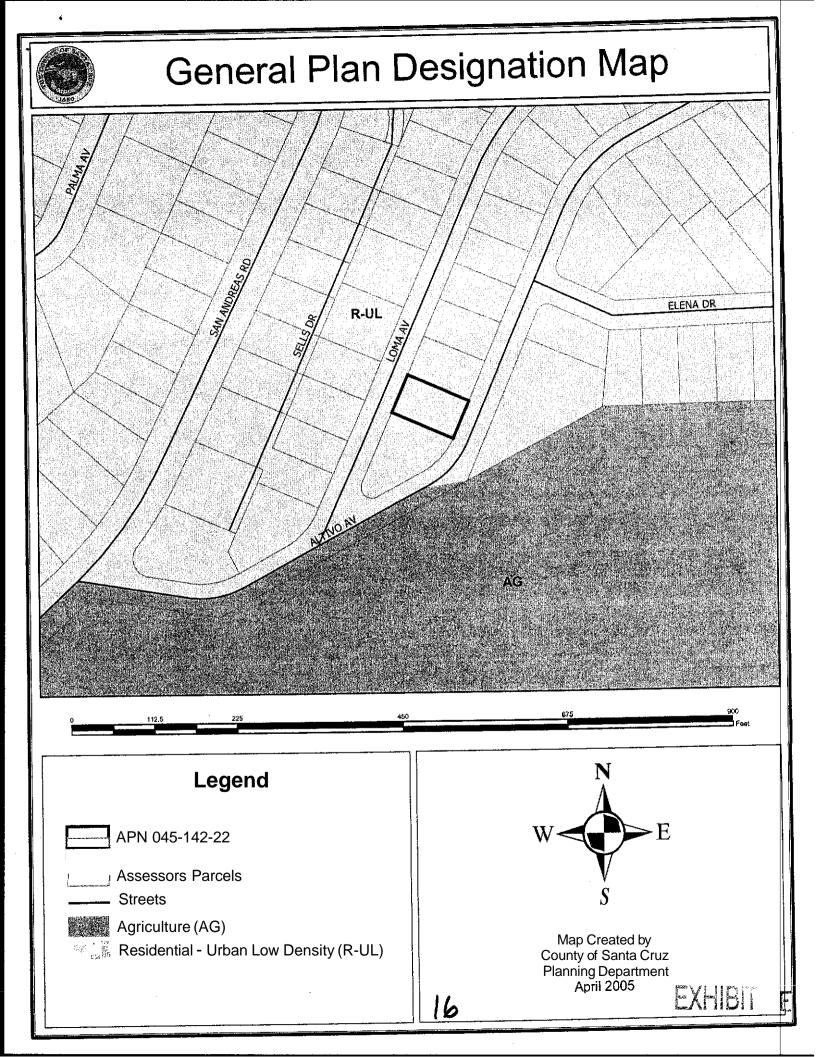


EXHIBIT D









Aptos/La Selva Fire Protection District 6934 SoquelDrive Aptos, CA 95003 Phone # 831-685-6690 Fax # 831-685-6699

April 29,2005

Planning Department county of santa Cruz Attention: Joan **Van** der Hoeven 701 Ocean Street Santa Cruz, CA 95060

Subject: APN: 45-142-22/ Appl #05-0235 29 Altivo Avenue

Dear Ms. Van der Hoeven:

Aptos/La Selva Fire Department has reviewed the plans for the above cited project and has **no** objections as presented.

- **Any** other requirements will **be** addressed in the Building Permit phase.
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

In order to obtain building application approval, recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information on the plans that are submitted for <u>BUILDING PERMIT</u>.

**NOTE** on the plans that these plans are in compliance with **California** Building and Fire Codes (2001) and **District** Amendment.

**NOTE** on the plans the OCCUPANCY CLASSIFICATION, BUILDING CONSTRUCTION TYPE / FIRE RATING , and SPRINKLERED or NON-SPRINKLERED as determined by building official and outlined in Part IV of the **California** Building Code.

(e.g. R-3, Type V-N, Sprinklered)

FXHIBI

### **APN: 045-042-22** APPL. # 05-0235 **PAGE 2 of 3**

**SHOW** on the plans a public fire hydrant within 250 feet of any portion of the building meeting the minimum required fire flow for the building. This information *can* be obtained from the water company.

FIRE FLOW requirements for the subject property are 1000 gallons. NOTE on the plans the REQUIRED and AVAILABLE FIRE FLOW. The AVAILABLE FIRE FLOW information can be obtained from the water company.

**NOTE** on the plans that the building shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA **13D** and adopted standards of the Aptos/La Selva Fire Protection District.

**NOTE** that the designer/installer shall submit three (3)sets **of** plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation **shall** follow our guide sheet.

NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.

**SHOW** on the plans where smoke detectors are to be installed according to the following locations and approved by **this** agency as a minimum requirement.

- One detector adjacent to each sleeping area (hall, foyer, balcony, or etc.)
- One detector in each sleepingroom.
- One at the top of each stairway of 24<sup>n</sup> rise or greater and in an accessible location by a ladder.
- There **must** be at least one smoke detector on each floor level regardless of area usage.
- There must be a minimum of one smoke detector in every basement area.

**NOTE** on the plans, building numbers shall be provided. Numbers shall be a **minimum** of four(4) inches in height **on** a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be **installed** on a directional sign at the property driveway and the street.

**NOTE** on the plans the installation of **an** approved spark arrester on the top of the chimney. The wire mesh not to exceed 1/2 inch.

**NOTE** on the plans that the roof covering shall be no less than Class "B" rated roof.

**NOTE** on the plans that a 30 foot clearance will be maintained with non-combustible vegetation around **all** structures or to the property line whichever is a shorter distance.

EXHIBIT F

APN: 045-042-22 APPL. # 05-0235 PAGE **3** of **3** 

**EXCEPTION** Single specimens of bees, ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire *from* native growth to any structure.

**NOTE** on the plans the job copies of the building and fire systems plans and permits must be on-site during inspections.

Note: **As** a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Sincerely

Jim/Dias, Fire Marshal Fife Prevention Division Aptos/La Selva Fire Protection District

- Cc: Ronald & Mary Jordan 29 Altivo Avenue L a Selva Beach, CA 95075
- *CC:* Terri Fisher, Architect 285 Miracle Lane Santa Cruz. CA 95060

« COUNTY OF SANTA CRUZ D∎SCRET∎ONARY APPLICATION COMMENTS
Project Planner: Joan Van Der HoevenDate: May 9, 2005Application No.: 05-0235Time: 10:41:54APN: 045-142-22Page: 1
Environmental Planning Completeness Comments
REVIEW ON MAY 2, 2005 BY ROBERT S LOVELAND
Environmental Planning Miscellaneous Comments
======================================
Mapped biotic resource is not present at this site and will not be negatively im pacted. Condition of Approval:
1. Submit a detailed erosion control plan for review. Identify what type of erosion control practice is to be utilized (straw rollsIbales, silt fencing. etc.). show where the practice(s) are to be installed and provide construction details for each practice selected.
Project Review Completeness Comments
NO COMMENT
Project Review Miscellaneous Comments
REVIEW ON MAY 2, 2005 BY JOAN VAN DER HOEVEN Record an Agricultural statement <i>of</i> acknowledgement.
Code Compliance Completeness Comments
LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY
NO COMMENT
Code Compliance Miscellaneous Comments
LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY
NO COMMENT
Dpw Driveway/Encroachment Completeness Comments
LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY
Show driveway plan view and centerline profile. Show existing ground and driveway elevations on profile. Show existing roadside improvements, ie. curb and gutter or valley gutter or"

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EXHIBIT !

Project Planner: Joan Van Der Hoeven Application No.: 05-0235 APN: 045-142-22

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Date: May 9, 2005 Time: 10:41:54 Page: 2

EXHIBIT

#### Dpw Driveway/Encroachment Miscellaneous Comments

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

----- REVIEW ON APRIL 26. 2005 BY RUTH L ZADESKY ------Driveway to conform to County Design Criteria Standards. Encroachment permit required for all off-site work in the County road right-of-way

Dpw Road Engineering Completeness Comments

**1.** The driveway must meet County of Santa Cruz standards. Please provide the following information for the driveway: The structural section, a centerline profile. and a typical cross section.

2. Show on plans if there is existing curb, gutter, and sidewalk

Dpw Road Engineering Miscellaneous Comments

NO COMMENT

#### Environmental Health Completeness Comments

Plied for septic system upgrade as per the notes stating their intent on sheet A-1 of the plan. ContactRuben Sanchez of EHS at 454-2751. Also note that proposed septic pit layout may intercept deep sewage trench approved by EHS in 1975. See as built septic system plan in EHS file.

Environmental Health Miscellaneous Comments

NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

EVIEW ON APRIL 29, 2005 BY ERIN K STOW EVICENCE DEPARTMENT NAME: Aptos/La Selva Fire Dept. APPROVED All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

LATEST COMMENTS HAVE NOT YET BEEN SENT TO PLANNER FOR THIS AGENCY

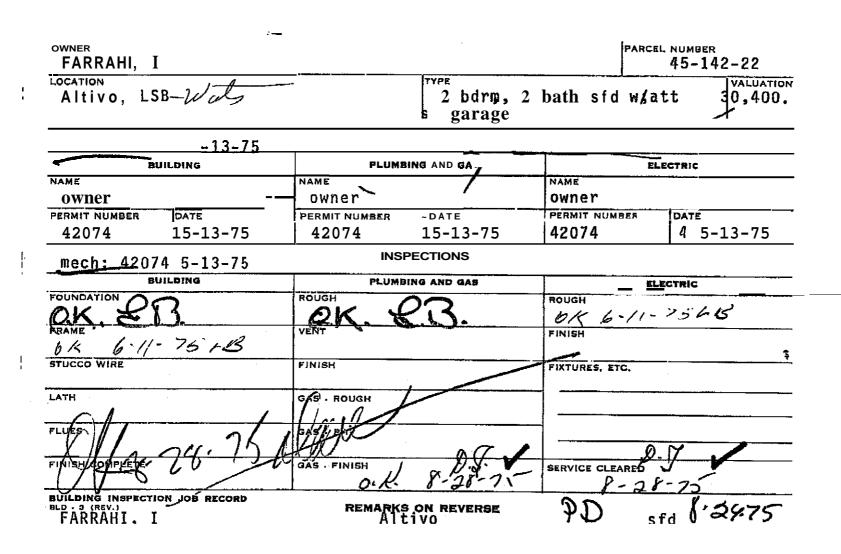
Discretionary	Comments	-	Continued
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Project Planner: Joan Van Der Hoeven Application No.: 05-0235 APN: 045-142-22 Date: May 9, 2005 Time: 10:41:54 Page: 3

EXHIBIT F

NO COMMENT

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09:40:34 Mon May 09, 2005 05/09/05 COUNTY OF SANTA CRUZ VIAPNPO14LI 09:39:33 CHARACTERISTIC INQUIRY SCREEN VIAPNS014LI PARCEL NO.....: 045 142 22 ASSESSEE NAME ... ; JORDAN RONALD WALTER & MARY B H/W JT SITUS...... 29 ALTIVO AVE WATSONVILLE MAILING ADDRESS: 29 ALTIVO AVE CA 95076 LA SBLVA BEACH USE CODE.. ....: SINGLE RESIDENCE STRUCTURE DATA MAIN BUILDING...SQFT: 1385 NO. UNITS....: 1 POOL... NO YEAR BUILT (EST) ....: 1976 HEAT..... CENTRAL SPA..... NO TOTAL ROOM COUNT.... 5 CONCRETE, SQFT: DECKS....SQFT: GARAGE ... SQFT: 456 NO. BEDROOMS..... 2 NO. FIREPLACES: 1 NO. BATHROOMS (F/H) . .: 2 / 0 CARPORT ... SQFT : ROOF ..... : COMP. MISC OTHER BUILDINGS: LAND DATA WATER ..... : PUBLIC SANITATION....: SEPTIC 5009.400 PARCEL NO.....: 045 142 22 NO LIABILITY IS ASSUMED FOR TEE ACCURACY OF THIS DATA. KEY NEW PARCEL NUMBER AND HIT ENTER, OR PA2 TO EXIT. PF1=BASE INFO PF7=VALUE