



Staff Report to the Agricultural Policy Advisory Commission

Application Number: 05-0689

Applicant: Ana Ramirez
Owner: Ana M. Ramirez
APN: 109-232-43

Date: February 16, 2006
Agenda Item #: 8
Time: 1:30 p.m.

Project Description: Proposal to construct a room addition to an existing single-family dwelling.

Location: Property located on the north side of the intersection of Green Valley Road and Pioneer Road, at 970 Green Valley Road in Watsonville.

Permits Required: Agricultural Buffer Setback Determination

Staff Recommendation:

- Approval of Application 05-0689, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|--|----|-------------------------------------|
| A. | Project plans | E. | Assessor's parcel map, Location map |
| B. | Findings | F. | Zoning map, General Plan map |
| C. | Conditions | G. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA determination) | H. | Site photographs |

Parcel Information

Parcel Size:	17,162.6 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family Residential, Commercial Agriculture
Project Access:	Green Valley Road
Planning Area:	Eureka Canyon
Land Use Designation:	R-S (Suburban Residential)
Zone District:	R-1-15 (Single-family Residential with a 15,000 square foot minimum parcel size)

Supervisory District: Fourth (District Supervisor: Campos)
Within Coastal Zone: Inside X Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Pinto loam
Fire Hazard: Not a mapped constraint
Slopes: 0 – 15 percent slopes
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Archeology: Not mapped/no physical evidence on site

Services Information

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

Analysis and Discussion

The proposed project is to construct an addition of approximately 484 square feet on ~~an~~ existing, single-family dwelling of approximately 1,447 square feet on a 17,162 square foot parcel. The project is located at 970 Green Valley Road in Watsonville. The building site is within 200 feet of Commercial Agriculture land to the north and the south. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 62 ~~and~~ 85 feet from APN's 109-232-36(north), and 050-031-07 (South).

The subject property is characterized by sloping topography *to* the north. The parcel is not located within the Urban Services Line and may be characterized ~~as~~ a low density, rural farm neighborhood. The parcel carries a Suburban Residential (R-S) General Plan designation and the implementing zoning is (R-1-15) Single-family Residential with a 15,000 square foot minimum parcel size. Commercial Agriculture zoned land ~~is~~ situated within 200 feet at the north side of the parcel at Assessor's Parcel Number 109-232-36, the 88-acre Leonardich farm and at the south at APN 050-031-07, the 60-acre Dffenbaugh Veggie farm.

A reduced agricultural buffer is recommended due to the fact that the small size of the parcel, 100-feet wide by 190 feet deep, would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. Staff recommends additional agricultural buffer of an evergreen hedge of plantings to reduce the impact of residential activities on the existing agricultural use, and to therefore protect the agricultural interests on the 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

- e Staff recommends that your Commission APPROVE the Agricultural Buffer Reduction from 200 feet to about 62 and 85 feet to the single-family dwelling from the adjacent CA zoned properties known as APN's 109-232-36 and 050-031-07, proposed under Application # 05-0689, based on the attached findings and recommended conditions.
- e Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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.

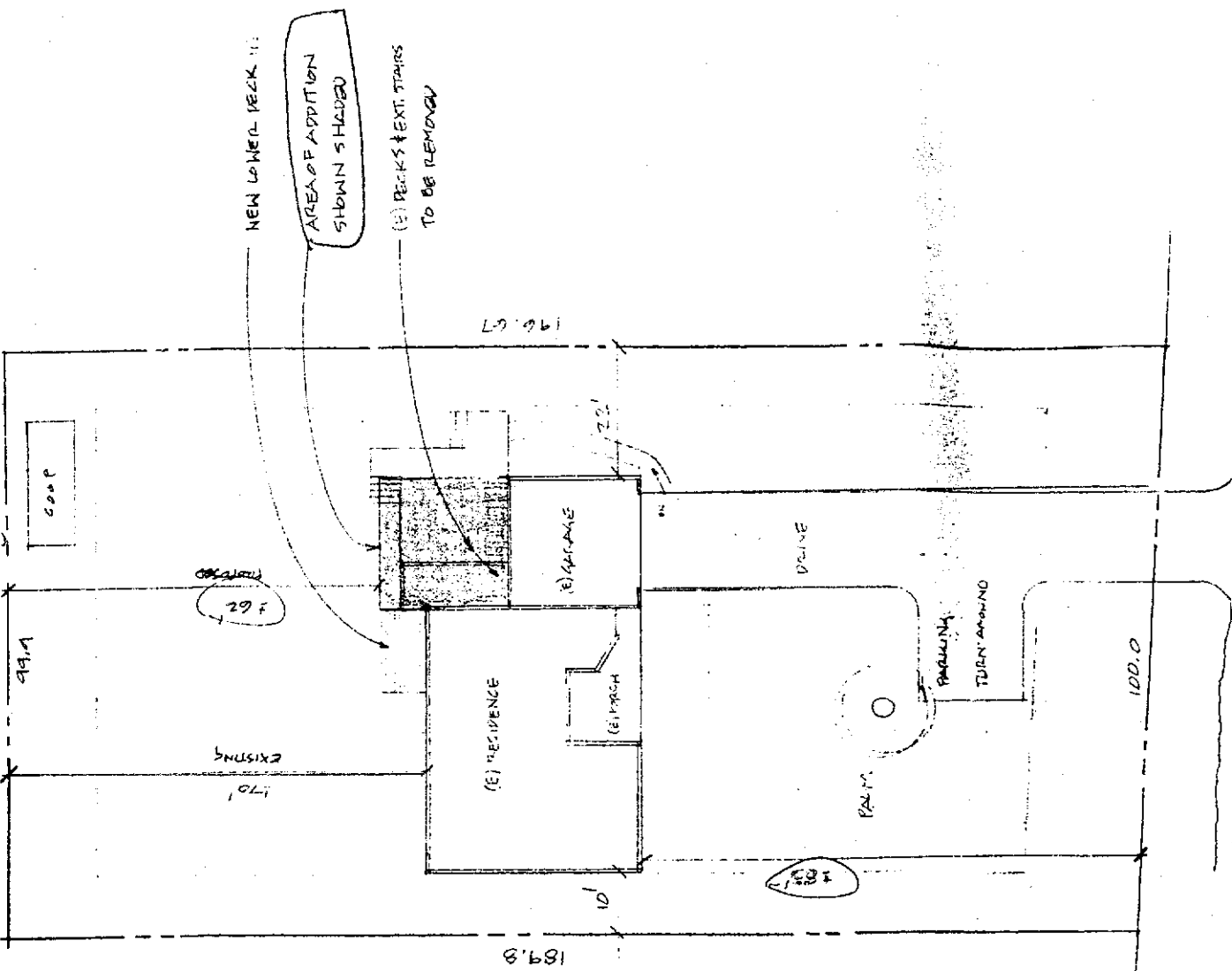
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: Joan Van der Hoeven, AICP
Santa Cruz County Planning Department
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Santa Cruz CA 95060
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Report Reviewed By:



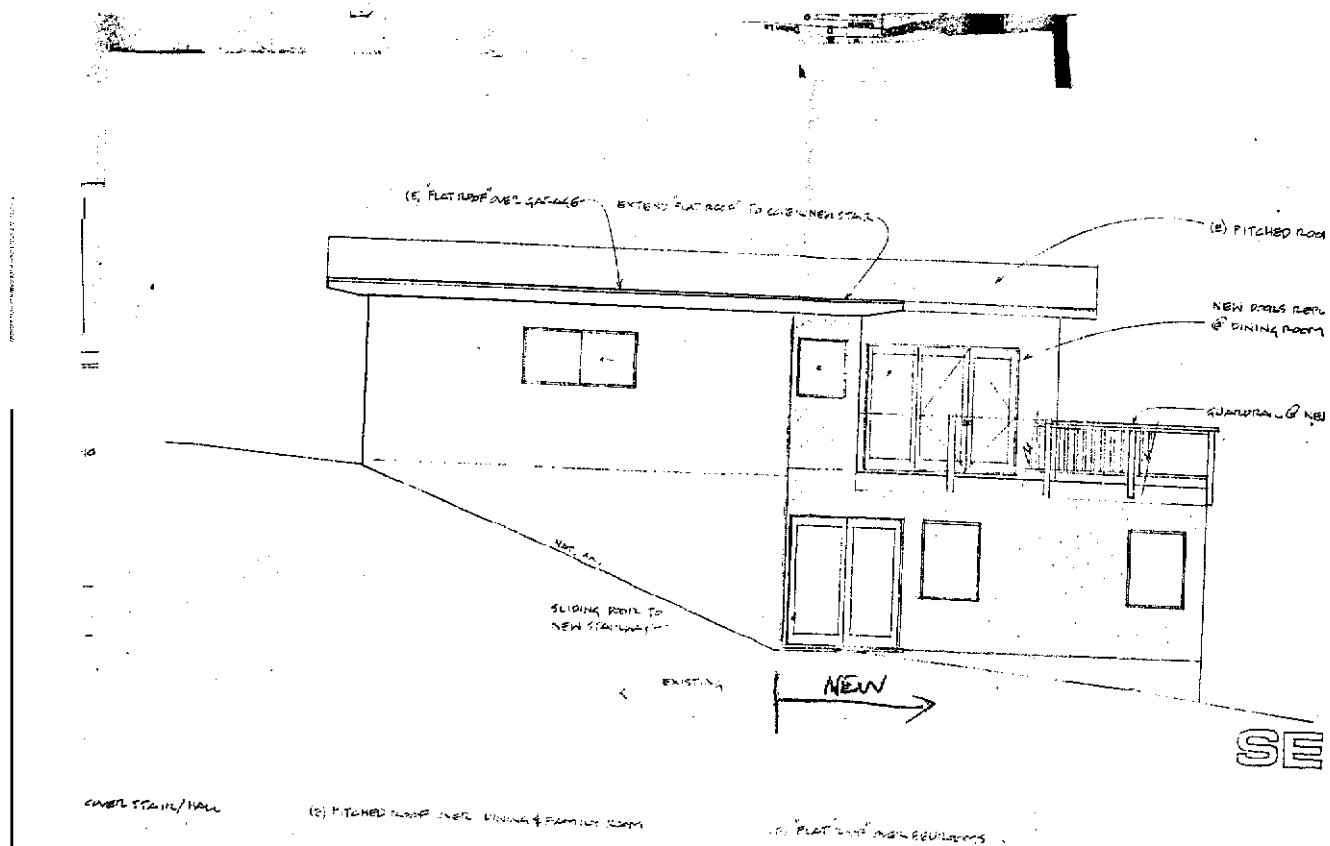
Don Bussev
Deputy Zoning Administrator
Santa Cruz County Planning Department



SITE PLAN

GREEN VALLEY ROAD

CA 80 ... 031,07



ELEVATION

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

Significant topographical differences exist between the subject parcel and **APN** 109-232-36, the 88-acre Leonardich farm to the north, to allow for a reduction in the required 200 foot setback to about **62** feet. The proposed building site is above the elevation of the adjacent Commercial Agriculture zoned parcel, so additional landscaping and solid fences have not been required.

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 and **85** feet from the adjacent Commercial Agriculture zoned land. With the 40- foot width of the Green Valley **Road** right-of-way, the effective agricultural setback would be proposed to be 85 feet where 200 feet are required. An effective barrier consisting of evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of **APN** 050-031-07. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic along Green Valley Road.

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.

Conditions of Approval

Exhibit A: Project Plans, 4 sheets by Dana Jones Design, dated 10-19-05

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN's (109-232-36 and 050-031-07). 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.
- 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 final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. A development setback of a minimum of 62 and 85 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcels APN 109-232-36 and 050-031-07.
 2. Final plans shall show the location of the vegetative buffering barrier 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.
 3. Pay Child Care and Park Dedication fees for one additional bedroom in the Eureka Canyon Planning Area. These fees are \$109 and \$578 respectively, but are subject to change.
 4. Submit a passing septic pumper's report to the Environmental Health Service and obtain EHS clearance.
 - 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. The required vegetative 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 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 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 non-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.

V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.

- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the

defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.

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: 2-16-06

Effective Date: 3-02-06

Expiration Date: 3-02-08

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: 05-0689

Assessor Parcel Number: 109-232-43

Project Location: 970 Green Valley Road, Watsonville CA 95076

Project Description: Agricultural Buffer Setback Determination

Person or Agency Proposing Project: Ana Ramirez

Contact Phone Number: (831) 786-0256

- 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:

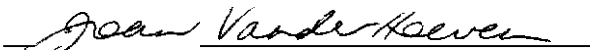
- E. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing structure (Section 15301)

F. Reasons why the project is exempt:

Room addition to an existing small structure

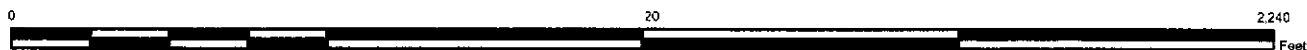
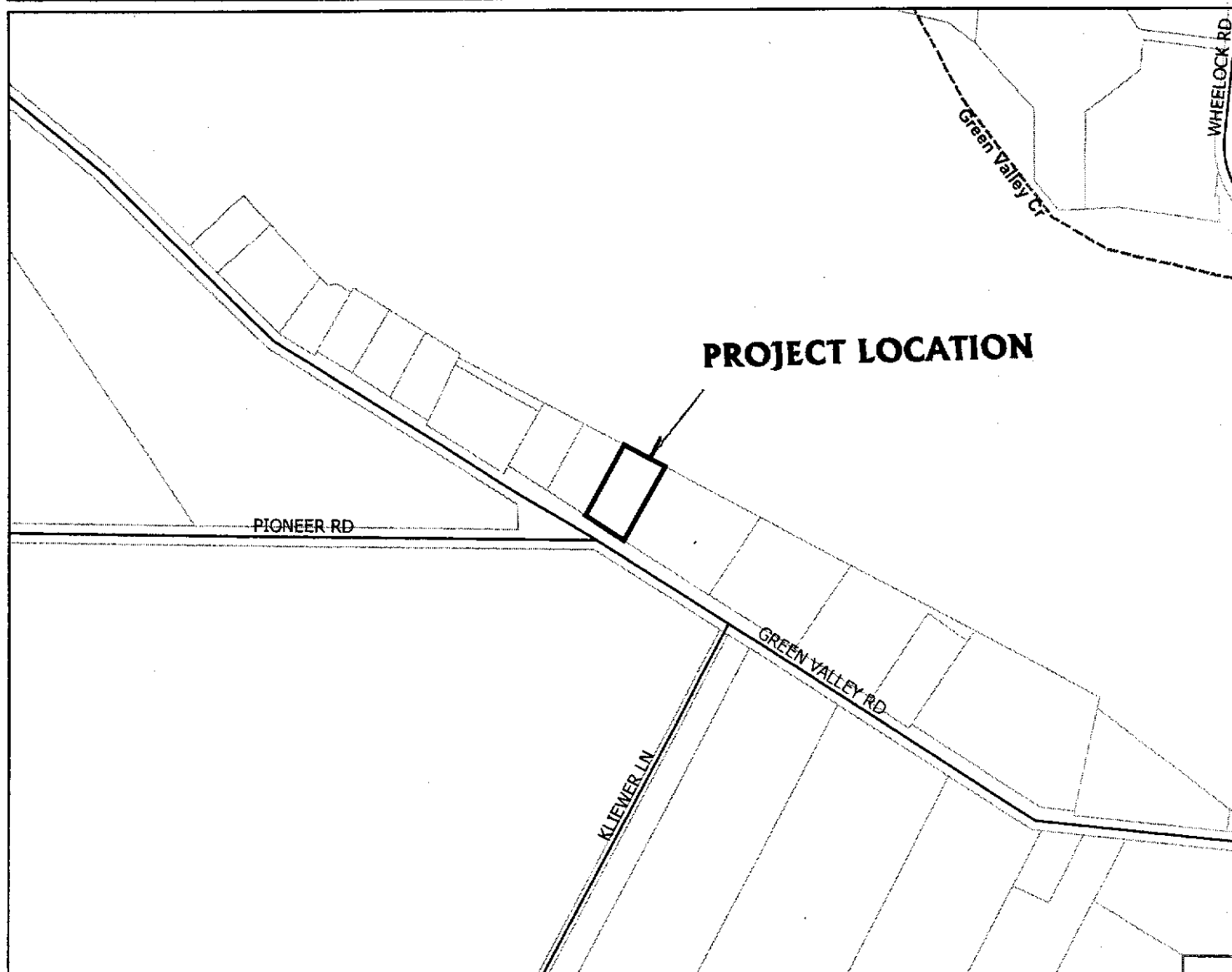
In addition, none of the conditions described in Section 15300.2 apply to this project.


Joan Van der Hoeven, AICP, Project Planner





Date: 2-16-2006

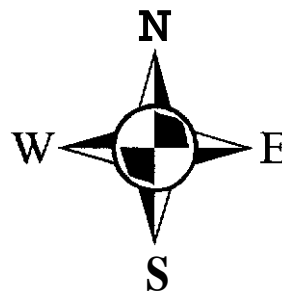


Location Map



Legend

-  APN 109-232-43
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM



Map Created by
County of Santa Cruz
Planning Department
October 2005

EXHIBIT E

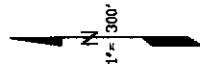
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RANCHO DE LOS CORRALITOS
POR. SEC. 17, T.11S., R.2E., M.D.B. & M.

Tax Area Code
69-258

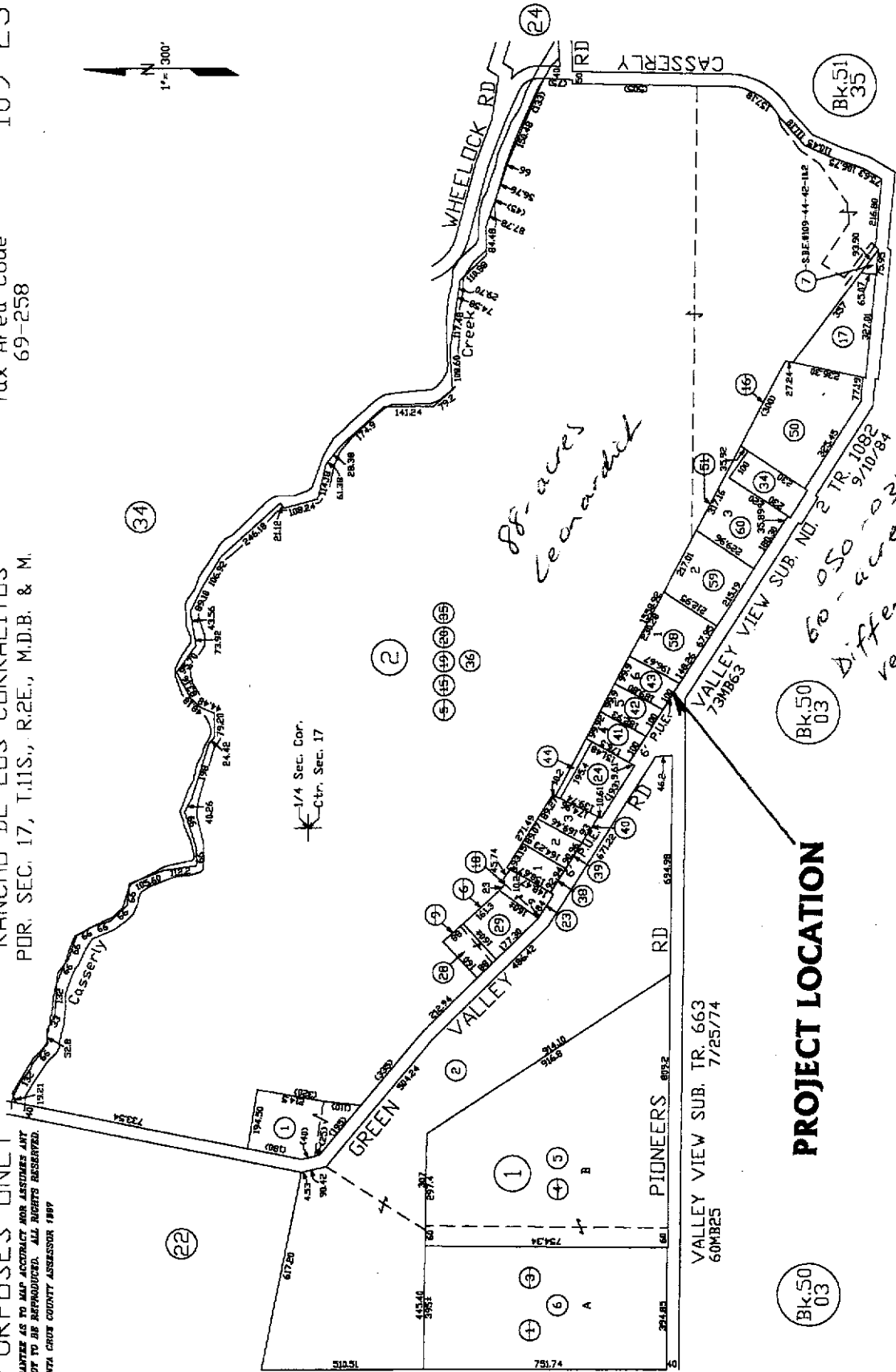
109-23



1/4 Sec. Line

10PM47
4/9/73

1/4 Sec. Cor.
C-tr. Sec. 17



PROJECT LOCATION

Assessor's Map No. 109-23
County of Santa Cruz, Calif.
Oct. 1997

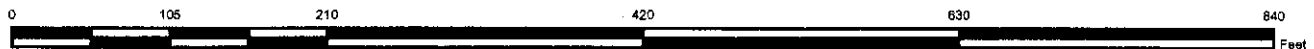
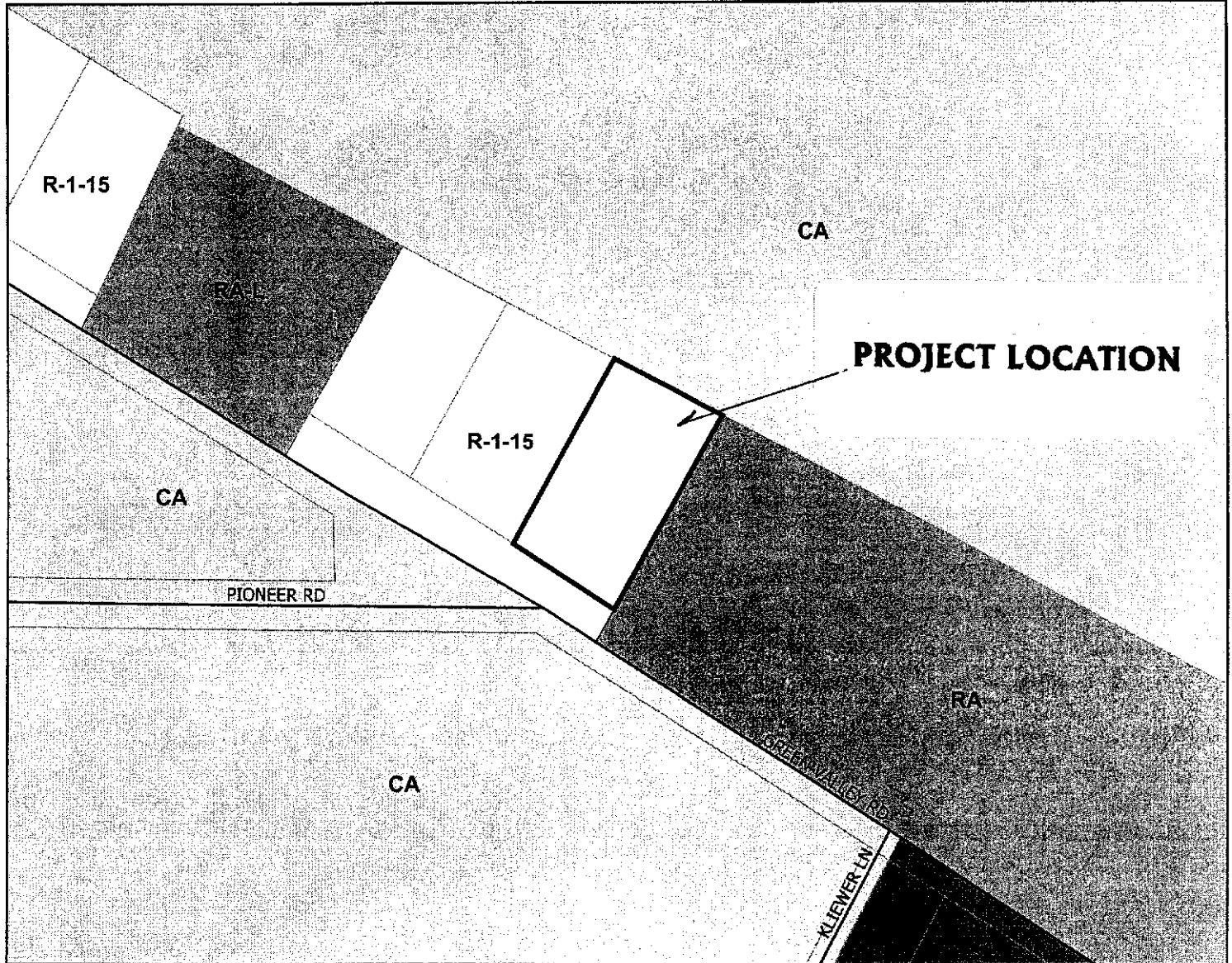
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

EXHIBIT E



Electronically drawn 10/21/97 KSA
Rev 10/21/97 KSA (Per to Pg. 23)
Rev 10/21/97 KSA (Per to Pg. 23)
Rev 10/21/97 KSA (Per to Pg. 23)
Rev 10/21/97 KSA (Per to Pg. 23)

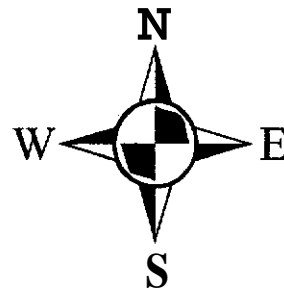


Zoning Map



Legend

-  APN 109-232-43
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  AGRICULTURE COMMERCIAL (CA)
-  AGRICULTURE RESIDENTIAL (RA)
-  AGRICULTURE (A)

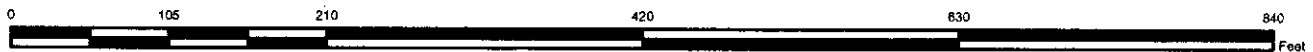
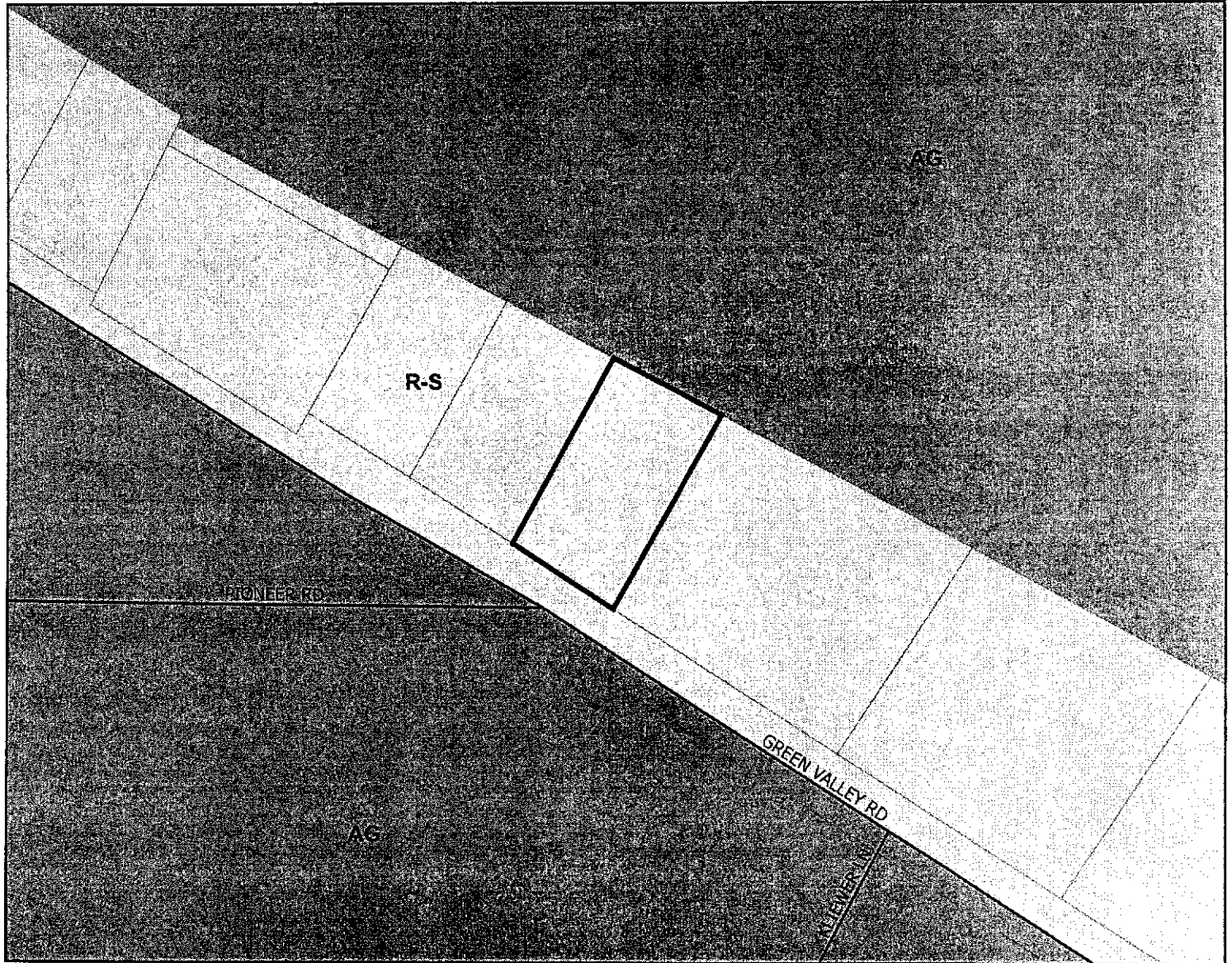


Map Created by
County of Santa Cruz
Plannina Department
October 2005






EXHIBIT F

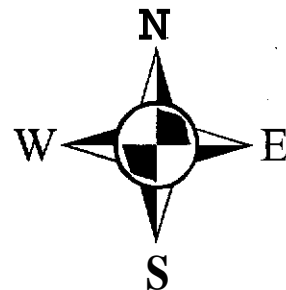


General Plan Designation Map



Legend

-  APN 109-232-43
-  Assessors Parcels
-  Streets
-  Agriculture (AG)
-  Residential-Suburban (R-S)



Map Created by
County of Santa Cruz
Planning Department
October 2005

C O U N T Y O F S A N T A C R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven
Application No.: 05-0689
APN: 109-232-43

Date: January 31, 2006
Time: 10:36:09
Page: 1

Project Review Completeness Comments

===== REVIEW ON NOVEMBER 18, 2005 BY JOAN VAN DER HOEVEN =====
NO COMMENT

Project Review Miscellaneous Comments

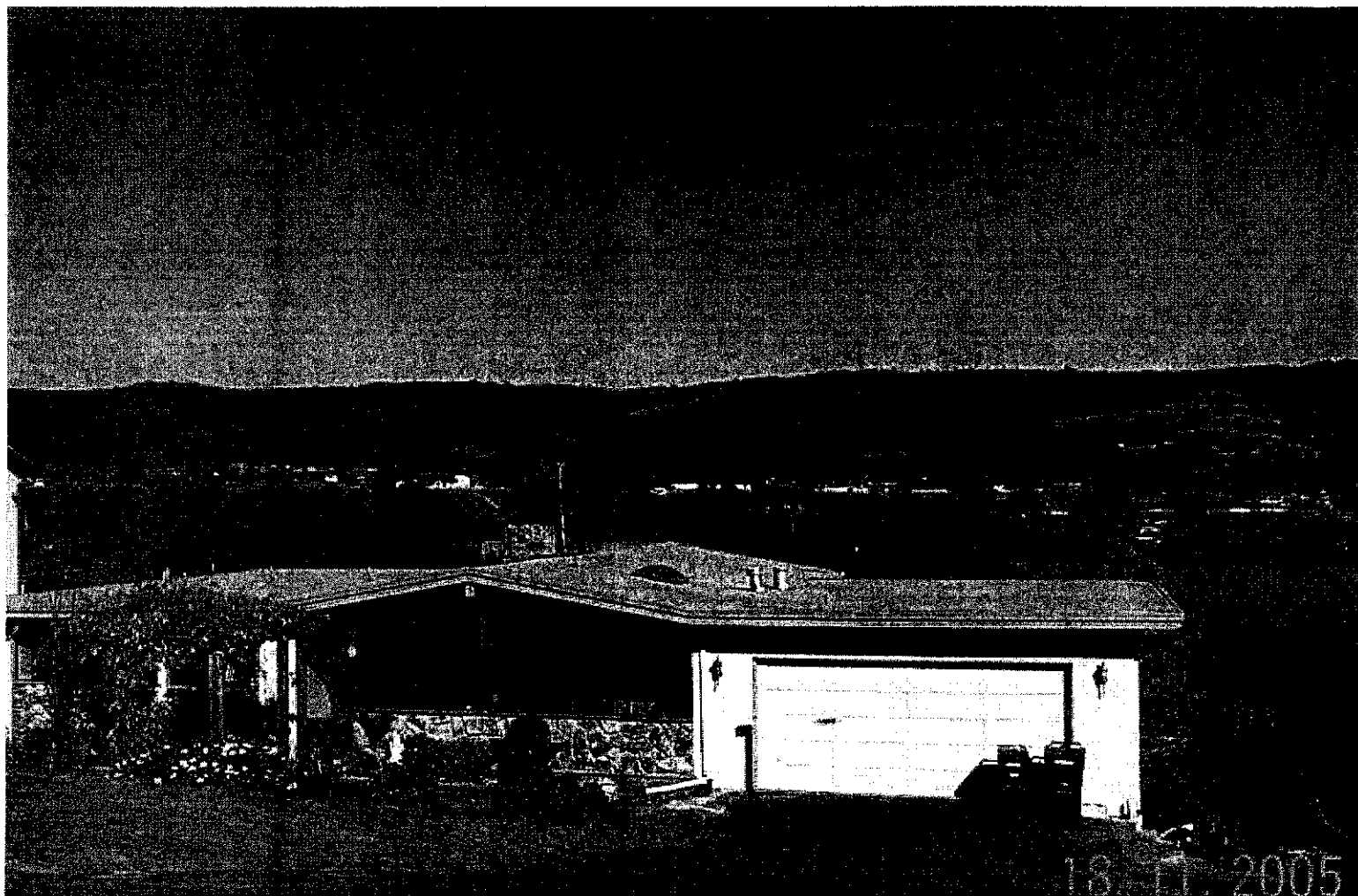
===== REVIEW ON NOVEMBER 18, 2005 BY JOAN VAN DER HOEVEN =====
Record an agricultural statement of acknowledgement

Environmental Health Completeness Comments

===== REVIEW ON DECEMBER 6, 2005 BY JIM G SAFRANEK =====
===== UPDATED ON DECEMBER 6, 2005 BY JIM G SAFRANEK =====
===== UPDATED ON DECEMBER 6, 2005 BY JIM G SAFRANEK =====
NO COMMENT

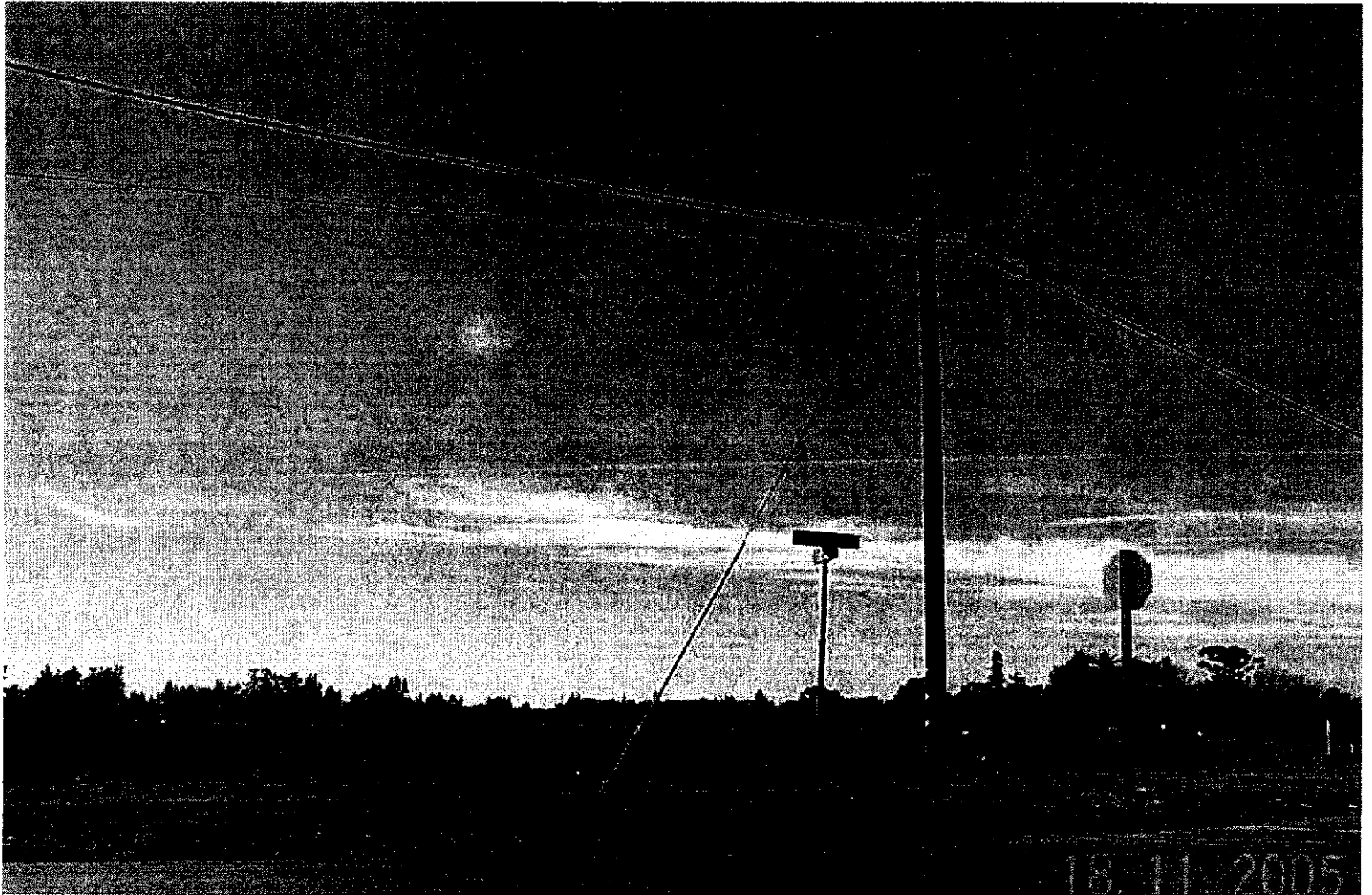
Environmental Health Miscellaneous Comments

===== REVIEW ON DECEMBER 6, 2005 BY JIM G SAFRANEK ===== Prior to building
permit appl. approval, applicant must submit a passing septic pumper's report to EHS
and obtain EHS clearance.



05-0689

CA land at rear (north) - 88-acre Leonardick farm
109-232-36



05- 0689

CA land across Green Valley Rd - 60-acre Dittenbaugh
veggie farm
APN 050-031-07