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## Staff Report to the Agricultural Policy Advisory Commission

Application Number: **06-0413**

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**Applicant:** Carey Casey

**Date:** 10-19-06

**Owner:** Javier Paredez

**Agenda Item #:** 10

**APN:** 049-201-41

**Time:** 1:30 p.m.

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

**Location:** Property located at the end of Barbara Way, 700 feet northeast from Calabasas Road at 276 Barbara Way in Watsonville.

**Permits Required:** Agricultural Buffer Setback Determination, Variance for lot coverage if 30% lot coverage is exceeded

**Staff Recommendation:**

- Approval of Application 06-0413, based on the attached findings and conditions.

**Exhibits**

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

**Parcel Information**

|                                  |   |
|----------------------------------|---|
| Parcel Size:                     | 7,106.71 square feet per subdivision map                                    |
| Existing Land Use - Parcel:      | Single-family residential   |
| Existing Land Use - Surrounding: | Single-family residential, commercial agriculture                           |
| Project Access:                  | Calabasas Road to Barbara Way   |
| Planning Area:                   | Pajaro Valley   |
| Land Use Designation:            | R-UL (Residential Urban Low)  |
| Zone District:                   | R-1-6 (Single-family Residential/6,000 square foot minimum parcel size)     |
| Supervisory District:            | Second (District Supervisor: Pirie)   |
| Within Coastal Zone:             | <input type="checkbox"/> Inside <input checked="" type="checkbox"/> Outside |

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### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: Pinto loam  
Fire Hazard: Not a mapped constraint  
Slopes: 2 – 9 percent  
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  
Archaeology: Mapped/no physical evidence on site (Exhibit F)

### Services Information

Inside Urban/Rural Services Line:  Yes  No  
Water Supply: City of Watsonville  
Sewage Disposal: Freedom County Sanitation District  
Fire District: Pajaro Valley Fire Protection District  
Drainage District: Zone 7

### Analysis and Discussion

The proposed project is to construct a two-story addition of 550 square feet to an existing one story single-family dwelling of approximately 1,220 square feet on a 7,106.71 square foot parcel. The project is located at 276 Barbara Way in Watsonville. The building site is within 200 feet of Commercial Agriculture land to the west. The applicant is requesting a reduction in the 200 foot agricultural buffer setback to 10 feet from APN 049-181-19.

The subject property is characterized by gently sloping topography. The parcel is located within the Urban Services Line and may be characterized as a residential neighborhood. The parcel carries a Residential Urban Low (R-UL) General Plan designation and the implementing zoning is (R-1-6) Single-family Residential with a 6,000 square foot minimum parcel size. Commercial Agriculture zoned land is situated within 200 feet at the west side of the parcel at Assessor's Parcel Number 049-181-19, the 19-acre Krisdich apple orchard.

A reduced agricultural buffer is recommended due to the fact that the small size of the lot would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. Staff is recommending a six foot tall solid wood board fence at the west side of the parcel with an evergreen hedge of plantings to reduce the impact of agricultural activities on the proposed residential use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel. 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.

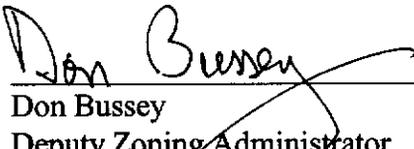
Recommendation

- Staff recommends that your Commission APPROVE the Agricultural Buffer Reduction from 200 feet to about 10 feet to the single-family dwelling from the adjacent CA zoned property known as APN 049-181-19, proposed under Application # 06-0413, based on the attached findings and recommended conditions.

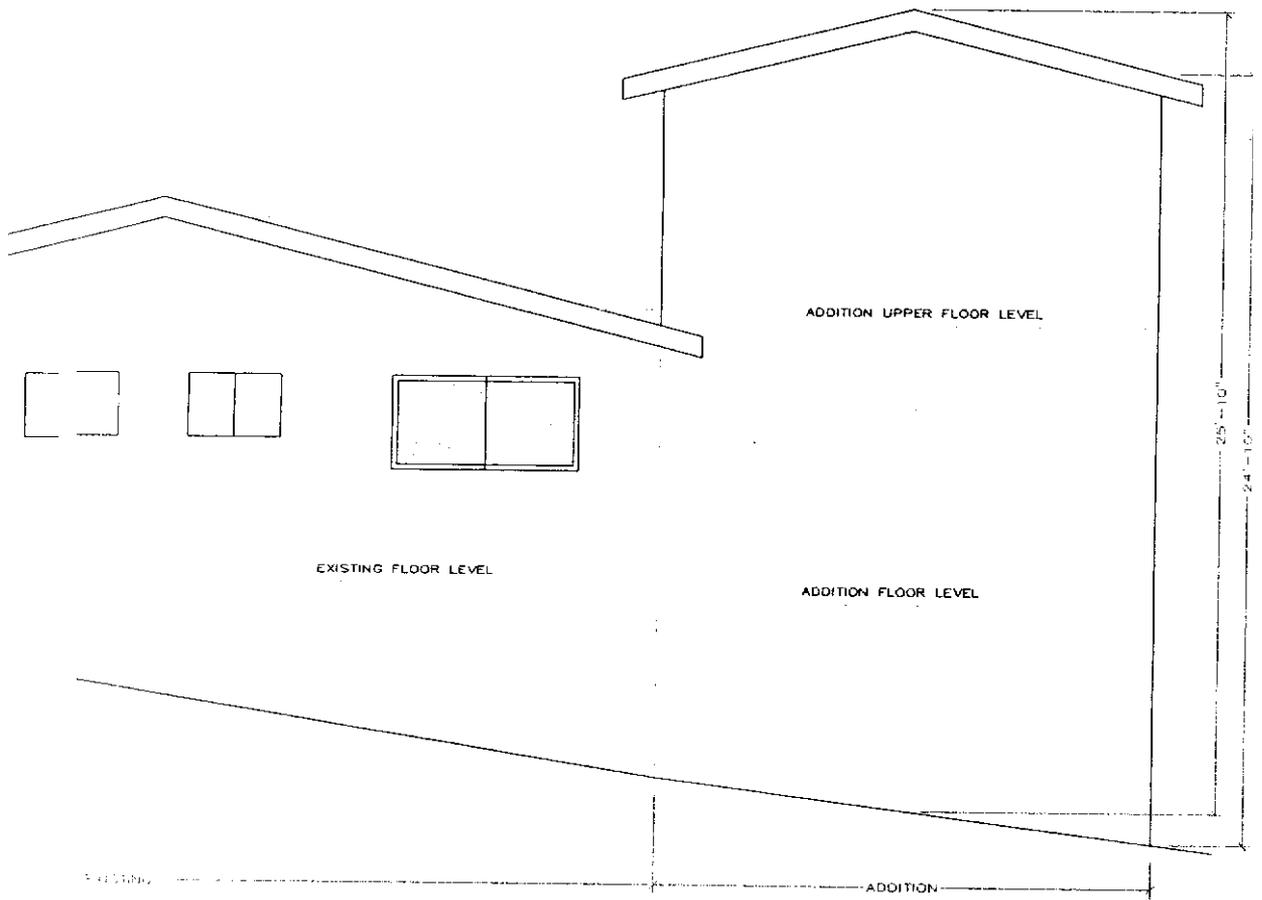
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa **Cruz County** Planning Department, and are hereby made a part of the administrative record for the proposed project.

The **County** Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)

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  
E-mail: [pln140@co.santa-cruz.ca.us](mailto:pln140@co.santa-cruz.ca.us)

Report Reviewed By:   
\_\_\_\_\_  
Don Bussey  
Deputy Zoning Administrator  
Santa Cruz **County** Planning Department

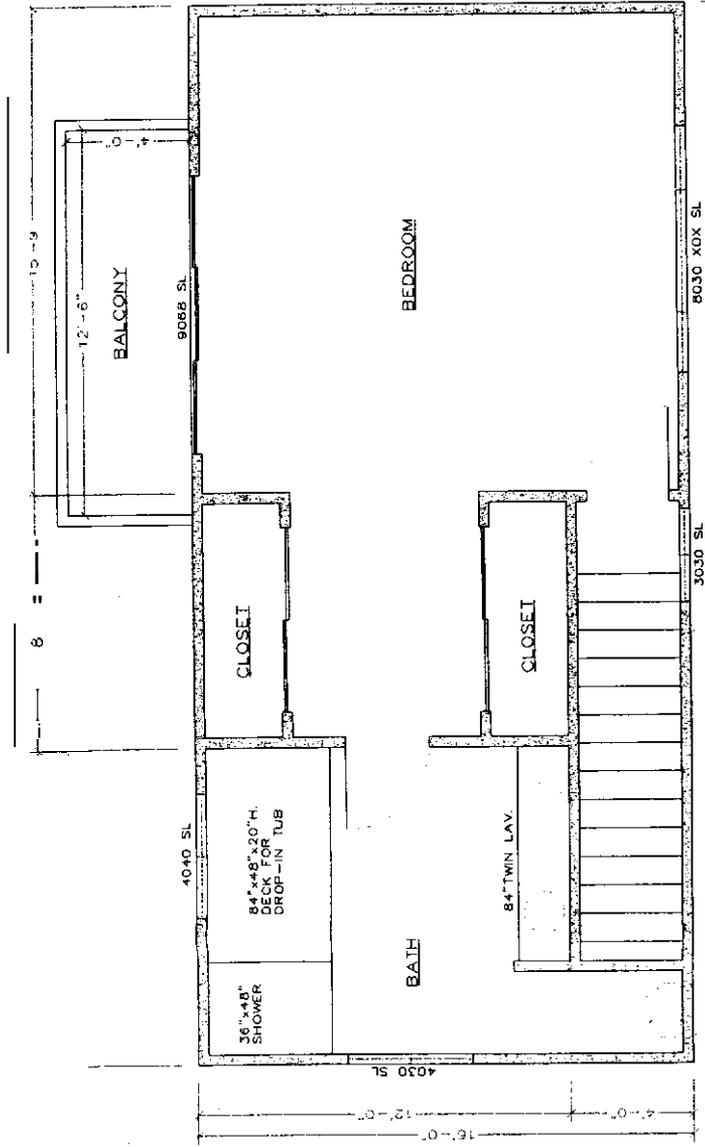
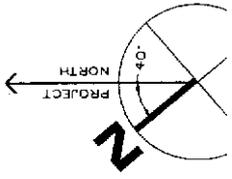




**RIGHT (East) ELEVATION**

1/4" = 1'

**EXHIBIT A**



FLOOR PLAN (UPPER)

**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
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 parcel is 7,106.71 square feet in area with dimensions of 63 feet wide by about 112 feet deep so it would not be possible to meet the required 200-foot buffer setback consistent with the objective of permitting building on a parcel of record. A lesser distance has been utilized for the existing residence, constructed in 1973. The proposed addition is no closer to the agricultural property.

## Conditions of Approval

Exhibit A: Project plans by Casey Consulting, 3 sheets dated 7-31-2006

- I. This permit authorizes an Agricultural Buffer Setback reduction **from** the proposed residential use to APN (049-181-19). 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.
  - C. Plans shall be revised to show that lot coverage may not exceed 30 percent as per County Code Section 13.10.323.
11. 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 10 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 049-181-19.
    2. Final plans shall show the location of the vegetative buffering barrier (and any fences/walls 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.
  - C. Submit a Soils Report (3 copies) completed by a California licensed geotechnical engineer for review.

- D. Submit a detailed grading and drainage plan for review.
  - E. Submit a detailed erosion control plan for review. Identify what type of erosion/sediment control practices are to be utilized (straw rolls/bales, silt fencing etc.). Show where they are to be installed and provide construction details for each practice selected.
  - F. Meet all requirements of Public Works Drainage Division.
  - G. Pay Capital Improvement fees for the Pajaro Valley Planning Area for one bedroom as follows:  
\$109 per bedroom for Child Care, **\$1,000** per bedroom for park dedication fees, Roadside Improvement fees - **\$346** per bedroom; and Transportation Improvement fees - **\$1,040** per bedroom.
- 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 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 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.

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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 on the expiration date listed below unless you obtain the required permits and commence construction.**

Approval Date:            10-19-06

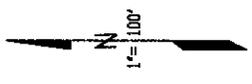
Effective Date:           11-02-06

Expiration Date:         11-02-08

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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.

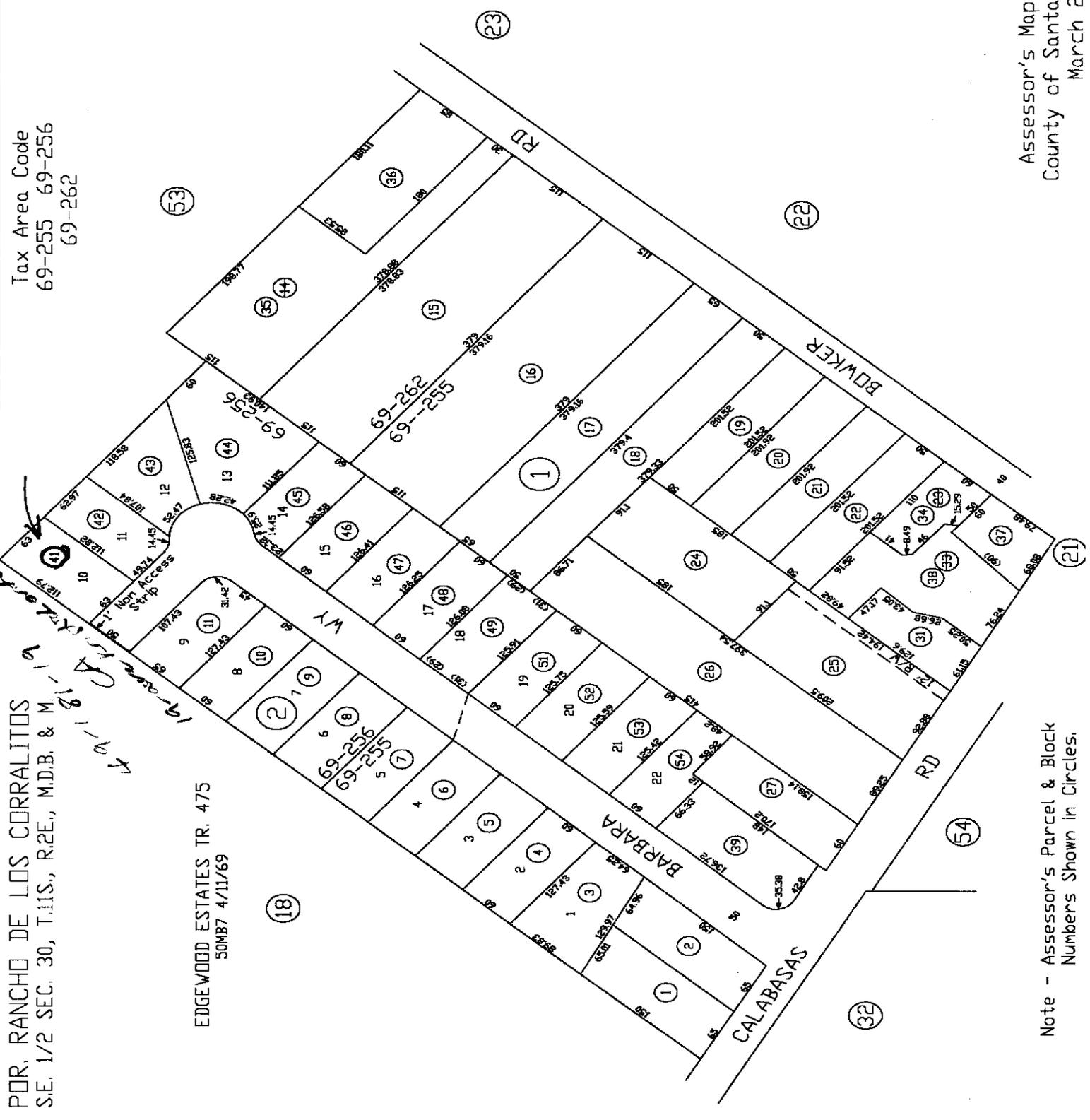
Tax Area Code  
69-255 69-256  
69-262



POR. RANCHO DE LOS CORRALITOS  
S.E. 1/2 SEC. 30, T.11S., R.2E., M.D.B. & M.

EDGEWOOD ESTATES TR. 475  
50MB7 4/11/69

FOR TAX PURPOSES ONLY  
THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000



Assessor's Map No. 49-20  
County of Santa Cruz, Calif.  
March 2000

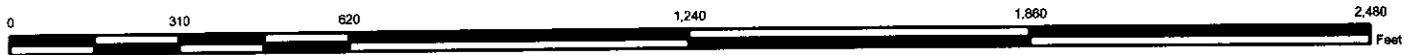
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.

# EXHIBIT D

Electronically prepared 3/24/00 KSA  
Rev. 3/24/00 KSA (from: Pg. 53)  
Rev. 6/4/01 NCM (changed page refs)  
Rev. 1/4/02 NCM (TCM)

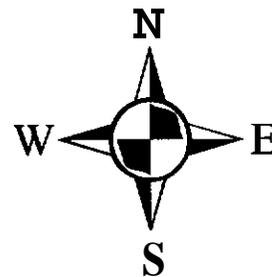


# Location Map



## Legend

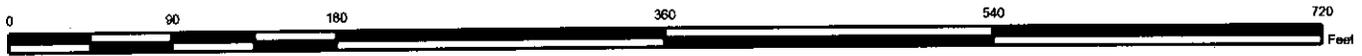
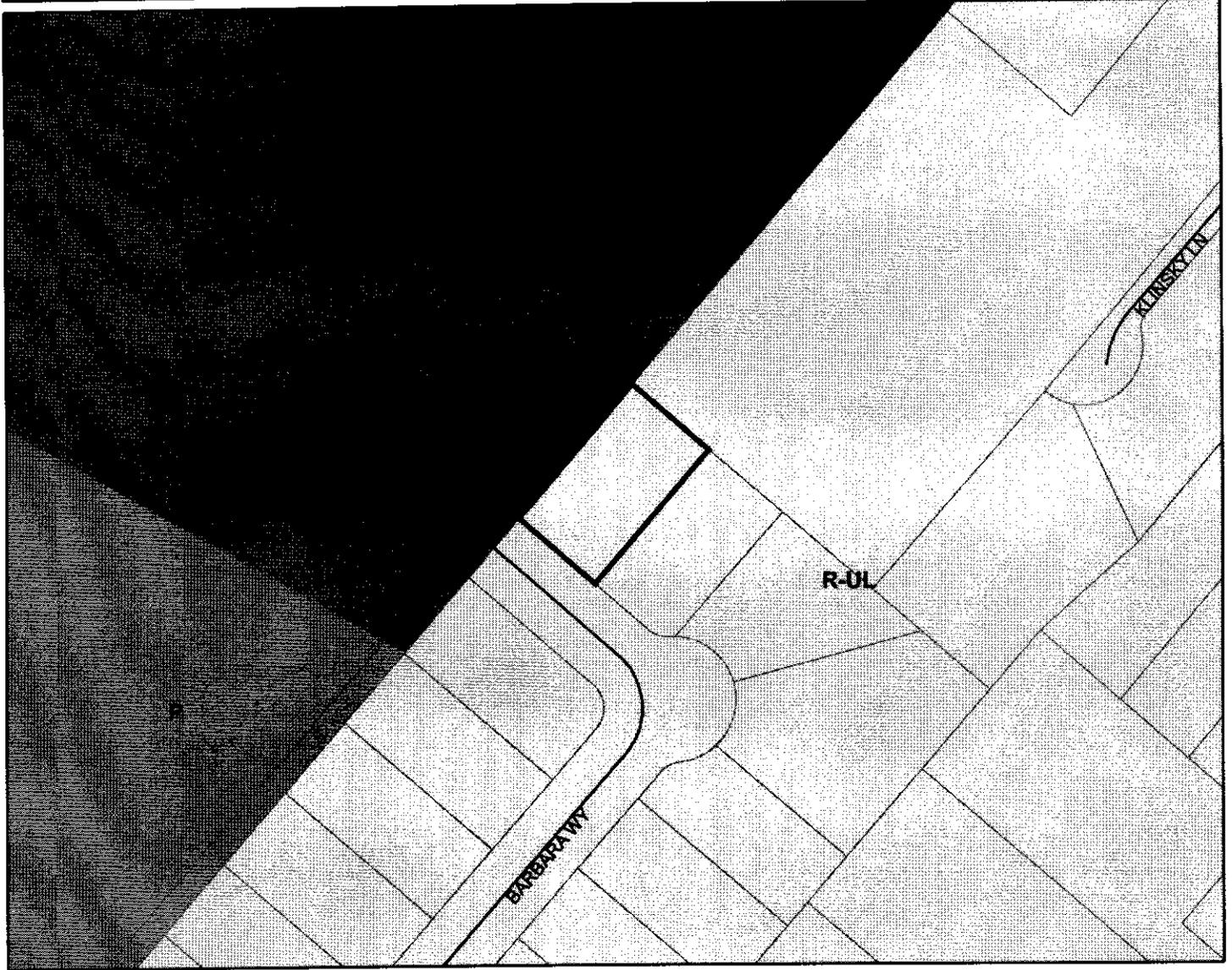
-  APN 049-201-41
-  Assessors Parcels
-  Streets



Map Created by  
County of Santa Cruz  
Planning Department  
August 2006

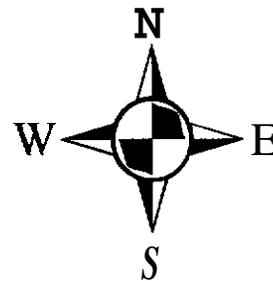


# General Plan Designation Map



## Legend

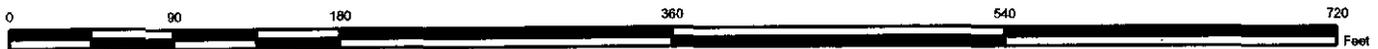
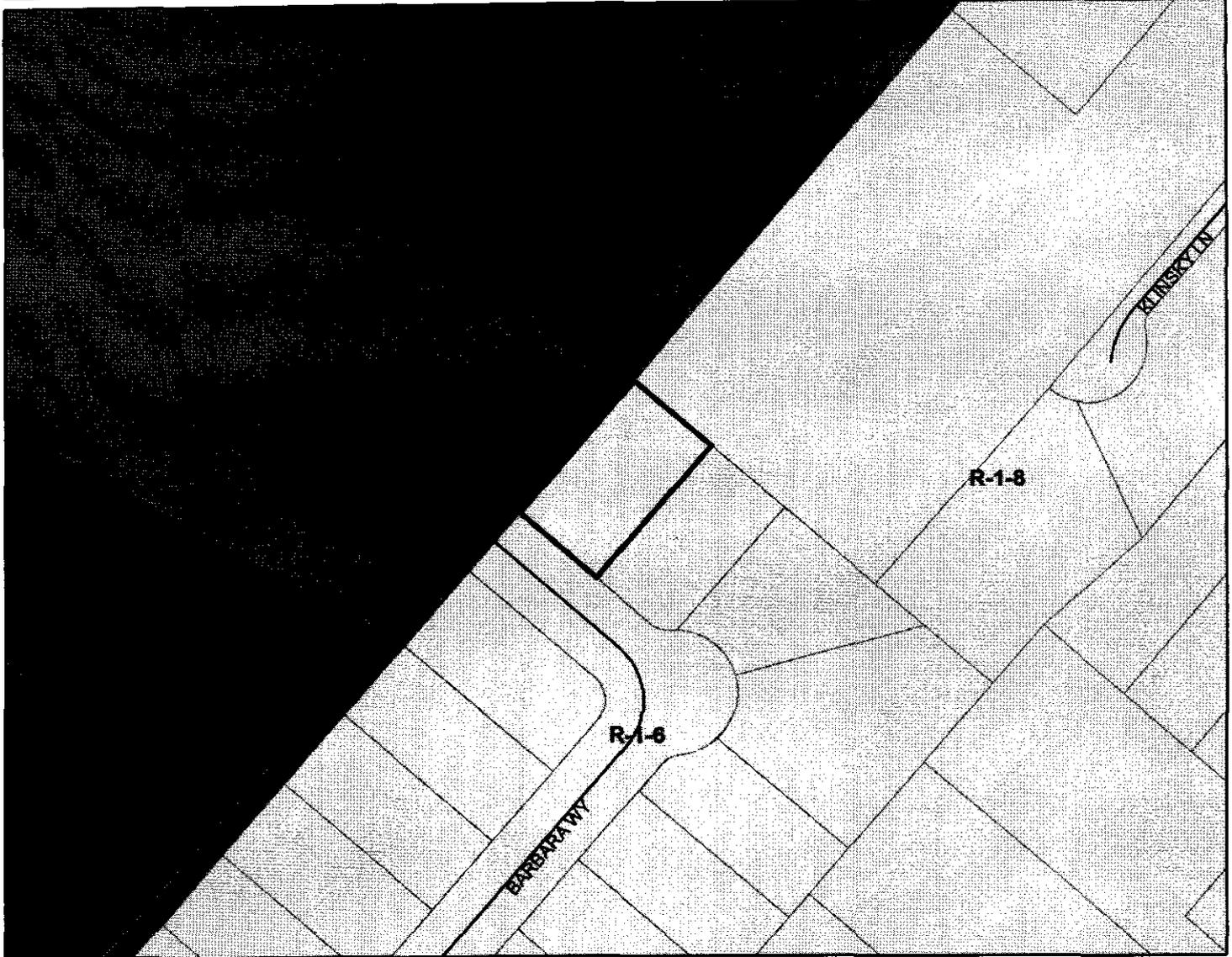
-  APN 049-201-41
-  Assessors Parcels
-  Streets
-  Residential - Urban Low Density (R-UL)
-  Public Facilities (P)
-  Agriculture (AG)



Map Created by  
County of Santa Cruz  
Planning Department  
August 2006

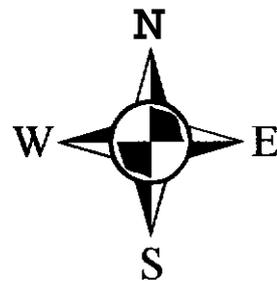


# Zoning Map



## Legend

-  APN 049-201-41
-  Assessors Parcels
-  Streets
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  AGRICULTURE COMMERCIAL (CA)
-  PUBLIC FACILITY (PF)



Map Created by  
County of Santa Cruz  
Planning Department  
August 2006

# COUNTY OF SANTA CRUZ

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## PLANNING DEPARTMENT

701 OCEAN STREET 4<sup>TH</sup> FLOOR, SANTA CRUZ, CA 95060  
(831) 454-2580 FAX (831) 454-2131 TDD (831) 454-2123  
**TOM BURNS, PLANNING DIRECTOR**

October 4, 2006

Casey Carey  
PO Box 4  
Capitola, CA 95010

**SUBJECT:** Archaeological Reconnaissance Survey for APN **049-201-41**

Dear Mr. Carey,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel referenced above. The research has concluded that cultural resources were not evident at the site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development.

Please contact me at 831-454-3207 if you have any questions regarding this review.

Sincerely,

Antonella Gentile  
Planning Technician

Enclosure  
CC Project Planner, File

**EXHIBIT F**

Santa Cruz County Survey Project

Exhibit B

Santa CNZ Archaeological Society  
1305 East Cliff Drive, Santa Cruz, California 95062

Preliminary Cultural Resources  
Reconnaissance Report

Parcel APN 049-201-41 SCAS Project number SE-06-1065

Development Permit Application No 06-0413 Parcel Size 7405.2 sq. ft.

Applicant Casey Carey

Nearest Recorded Cultural Resource: 1/2 mile N; 1/2 mile S; 1/2 mile W; 1/2 mile E

On 9/27/06 (date) 3 (#) members of the Santa Cruz Archaeological Society spent a total of 1/2 hours on the above described parcel for the purpose of ascertaining the presence *or* absence of cultural resources on the surface. Though the parcel was traversed on foot at regular intervals and diligently examined, the Society cannot guarantee the surface absence of cultural resources where **soil** was obscured by grass, underbrush, **or** other obstacles. No core samples, test pits or any subsurface analysis was made. A standard field form indicating survey methods, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa Cruz County Planning Department.

The preliminary field reconnaissance did not reveal any evidence of cultural resources on the parcel. The proposed project would therefore, have no direct impact on cultural resources. If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified.

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Cabrillo College Archaeological Technology Program, 6500 Soquel Drive, Aptos, CA 95003, (831) 479-6294, *or* email [redwards@cabrillo.edu](mailto:redwards@cabrillo.edu).



**PAJARO VALLEY FIRE DISTRICT**  
**OFFICE OF THE FIRE MARSHAL**  
6059 HIGHWAY 9, P.O. DRAWER F-2, FELTON, CA 95018, (831) 335-6748

JOHN FERREIRA  
FIRE CHIEF

August 25, 2006

Casey Carey  
P.O. Box 4  
Capitola, CA 95010

Dear Mr. Carey,  
The plans have been reviewed under the **discretionary** process for 276 Barbara Way. Please add the following notes or make the following changes in addition to the notes that are construction permits:

1. **NOTE** on the plans that these plans are in **compliance** with California Building and Fire Codes (2001) as amended by the Authority Having Jurisdiction.
2. The **job** copies of the building and fire systems plans and permits must be on-site during inspections.
3. The FIRE FLOW requirement for ~~the~~ subject **property** is 1000 gallons per minute for 120 minutes. **NOTE** on the plans the **REQUIRED** and **AVAILABLE FIRE FLOW**. The **AVAILABLE FIRE FLOW** information can be obtained from the **water** company.
4. **SHOW** on ~~the~~ plans a public fire hydrant, meeting the minimum required fire flow for the building, within 250 feet of any portion of the building.
5. If the existing building is equipped with an automatic fire sprinkler system, the addition must be equipped with an automatic fire sprinkler system.. **NOTE** that the **designer/installer** shall **submit three (3) sets of** plans and calculations for the underground and overhead Residential Automatic Sprinkler System to this agency for approval. Installation shall follow our guide sheet.
6. **SHOW** where address numbers will **be** posted and maintained, plainly visible from the street. Numbers shall be a minimum of four (4) inches in height and **of** a color contrasting to their background.
7. **NOTE** on ~~the~~ plans the **installation of** an approved spark arrestor on the top of the chimney. Wire mesh not to exceed  $\frac{1}{2}$  inch.
8. **NOTE** on the plans that the roof coverings to be no less than **Class "B"** rated roof.
9. **SHOW** smoke detectors on the plans in locations as required in CBC 310.9.  
If you have any questions, you may contact me at 831 728-5484.

Sincerely,

Skip Ratsep  
Deputy Fire Marshal

**EXHIBIT F**

**C O U N T Y   O F   S A N T A   C R U Z**  
**DISCRETIONARY APPLICATION COMMENTS**

**Project Planner:** Joan Van Der Hoeven  
**Application No. :** 06-0413  
**APN:** 049-201-41

**Date:** October 5, 2006  
**Time:** 14:29:03  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON AUGUST 25, 2006 BY ROBERT S LOVELAND =====  
NO COMMENT

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON AUGUST 25, 2006 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Submit a soils report (3 copies) completed by a California licensed geotechnical engineer for review.
2. Submit a detailed grading and drainage plan for review.
3. Submit a detailed erosion control plan for review. Identify what type of erosion/sediment control practice(s) are to be utilized (Straw rolls/bales, silt fencing, etc.), show where they are to be installed and provide construction details for each practice selected.

**Project Review Completeness Comments**

===== REVIEW ON SEPTEMBER 5, 2006 BY JOAN VAN DER HOEVEN =====  
NO COMMENT

**Project Review Miscellaneous Comments**

===== REVIEW ON SEPTEMBER 5, 2006 BY JOAN VAN DER HOEVEN =====  
Record an Agricultural Statement of Acknowledgement.

**Dpw Drainage Completeness Comments**

===== REVIEW ON AUGUST 25, 2006 BY JOHN G LUMICAO ===== Discretionary application is complete with regards to Storm drainage application. See miscellaneous comments to be addressed in the building application.

**Dpw Drainage Miscellaneous Comments**

===== REVIEW ON AUGUST 25, 2006 BY JOHN G LUMICAO ===== Depict on the plans the overflow path of the storm runoff generated by the new development. Show conclusively that runoff will be retained onsite and not adversely affecting downstream properties.

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application NO. : 06-0413  
APN: 049-201-41

Date: October 5, 2006  
Time: 14:29:03  
Page: 2

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Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 22, 2006 BY GREG J MARTIN =====  
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 22, 2006 BY GREG J MARTIN =====

Environmental Health Completeness Comments

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

===== REVIEW ON AUGUST 17, 2006 BY JIM G SAFRANEK ===== Site is served by  
sewer (Freedom). EHS fee to be refunded.

Environmental Health Miscellaneous Comments

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

===== REVIEW ON AUGUST 17, 2006 BY JIM G SAFRANEK =====  
NO COMMENT

Pajaro Valley Fire District Completeness Comments

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

===== REVIEW ON AUGUST 31, 2006 BY SKIP RATSEP =====

DEPARTMENT NAME:

Note on the plans that these plans are in compliance with California Building and Fire Codes (1997) as amended by the authority having jurisdiction.

NOTE on the plans that these plans are in compliance with California Building and Fire Codes (1997) and District Amendment.

The job copies of the building and fire systems plans and permits must be onsite during inspections.

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

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

If the existing building is equipped with an automatic fire sprinkler system. . .

NOTE on the plans that all buildings shall be protected by an approved automatic fire sprinkler system complying with the currently adopted edition of NFPA 13d \_\_\_\_\_ and Chapter 35 of the California Building Code and adopted standards of the authority having jurisdiction.

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.

Building numbers shall be provided. Numbers shall be a minimum of 4 inches in height on a contrasting background and visible from the street, additional numbers

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EXHIBIT F

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No. : 06-0413  
APN: 049-201-41

Date: October 5, 2006  
Time: 14:29:03  
Page: 3

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shall be installed on a directional sign at the property driveway and street.  
NOTE on the plans the installation of an approved spark arrester on the top of the chimney. The wire mesh shall be 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 100\_\_ foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees, 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 are exempt.

**Pajaro Valley Fire District Miscellaneous Comments**

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

===== REVIEW ON AUGUST 31, 2006 BY SKIP RATSEP =====

===== UPDATED ON AUGUST 31, 2006 BY SKIP RATSEP =====

**EXHIBIT E**



EXHIBIT G