



COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT

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

TOM BURNS, PLANNING DIRECTOR

May 1, 2007

Date: May 17, 2007

Agenda Item #: 6

Time: 1:30 p.m.

Agricultural Policy Advisory Commission
701 Ocean Street, 4th Floor
Santa Cruz, CA 95060

Subject: Request to extend the expiration date of an Agricultural Buffer Determination for application **05-0308**, a Commercial Development Permit to construct a 3,200 square foot feed store, a 3,200 square foot hay ~~barn~~, and a **3** bedroom single-family dwelling. Property located at the intersection of Freedom Blvd. and Corralitos Road (at 2901 Freedom Blvd.).

Members of the Commission:

On August 18, 2005, your Commission approved a reduction in the agricultural buffer setback for ~~this~~ project from adjacent Commercial Agriculture (CA) zoned land. Specifically, your Commission approved a reduction of the 200-foot agriculture buffer setback to 10 feet from parcels 049-081-16 and 049-081-15, to 170 feet from parcel 049-081-14, and 60 feet from parcel 050-051-21. The expiration date for this determination is September 1, 2007.

The processing of Commercial Development Permit portion of this application was delayed due to issues pertaining to access, drainage, and accessibility. These issues have since been resolved and the project ~~was~~ deemed complete for further processing on April 12, 2007. However, as the owner is unlikely to obtain a building permit and commence construction prior to September 1, 2007, staff is requesting ~~an~~ extension of the expiration date to September 1, 2009.

The scope of the project and surrounding conditions remain substantially the same ~~as~~ those during the previous Agricultural Buffer Determination. Therefore, the findings and conditions adopted by your Commission on August 18, 2005 still apply (Attachment 1).

Conclusion

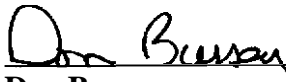
Staff recommends that your Commission:

- **Extend** the expiration date for the Agricultural Buffer Reduction for application **05-0308**, from September 1, 2007 to September 1, 2009.

Sincerely,


David Keyon

Project Planner
Development Review

Reviewed By: 
Don Bussey
Deputy Zoning Administrator
Santa Cruz County Planning Department

Attachment:

1) Staff Report to the Agricultural Policy Advisory Commission and Agricultural Buffer Reduction Permit, dated August 18, 2005.



County of Santa Cruz

Planning Department

AGRICULTURAL BUFFER DETERMINATION PERMIT

Owner: RICHARD HANSEN
Address: 2901 FREEDOM BLVD., WATSONVILLE

Permit Number: 05-0308
Parcel Number: 049-081-12

PROJECT DESCRIPTION AND LOCATION:

Permit to demolish an existing single-family residence and temporary structure used as a feed store, and to construct a **3,200** square foot retail feed store, a **3,200** square foot hay barn, and a single-family dwelling. Requires an Agricultural Buffer Determination. Property located at the intersection of Freedom Boulevard and Corralitos Road, at **2901** Freedom Boulevard in Watsonville.

SUBJECT TO ATTACHED CONDITIONS

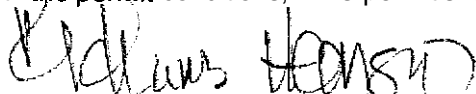
Approval Date: 8/18/05 Effective Date: 9/01/05
Exp. Date (if not exercised): 9/01/07 Coastal Appeal Exp. Date: N/A

- This project requires a Coastal Development Permit, which is not appealable to the California Coastal Commission. It may be appealed to the Planning Commission or the Board of Supervisors. The appeal must be filed within 10 calendar days of the action by the decision making body.
- This project requires a Coastal Development Permit, the approval of which is appealable to the California Coastal Commission. (Grounds for appeal are listed in the County Code Section 13.20.110.) The appeal must be filed with the Coastal Commission within 10 business days of receipt by the Coastal Commission of notice of local action.

This permit cannot be exercised until after the Coastal Commission appeal period. That appeal period ends on the above-indicated date. Permittee **is** to contact Coastal staff **at the** end of the above appeal period prior to, commencing any work

THIS IS NOT A BUILDING PERMIT. A building Permit must be obtained (if required) and construction must be initiated prior to the expiration date in order to exercise this permit.

By signing this permit below, the owner agrees to accept the terms and conditions of this permit and to accept responsibility for payment of the County's cost for inspections and all other actions related to noncompliance with the permit conditions. This permit shall be null and void in the absence of the owner's signature below.



Signature of Owner/Agent

8/18/05

Date



Staff Planner

8-18-05

Date

Distribution: Applicant, File, and Clerical



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **05-0308**

Applicant: Wayne Miller
Owner: Richard Hansen
APN: 049-081-12

Date: August **18, 2005**
Agenda Item: # **14**
Time: 1:30 p.m.

Project Description: Proposal to demolish an existing single-family residence and temporary structure used as a feed store, and to construct a 3,200 square foot structure for use as a feed store, a 3,200 square foot hay barn, and a replacement single-family dwelling.

Location: Property located at the intersection of Freedom Boulevard and Corralitos Road, at 2901 Freedom Boulevard in Watsonville.

Permits Required: Agricultural Buffer Setback Determination

Staff Recommendation:

- Approval of Application OS-0308, based on the attached findings and conditions

Exhibits

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

Parcel Information

Parcel Size:	0.5 acres
Existing Land Use - Parcel:	Single-family residence, feed store
Existing Land Use - Surrounding:	Commercial nursery, neighborhood commercial, commercial agriculture, single-family residences
Project Access:	Freedom Boulevard
Planning Area:	Aptos Hills
Land Use Designation:	C-S (Service Commercial)
Zone District:	C-4 (Service Commercial)
Supervisory District:	Second (District Supervisor: Pine)
Within Coastal Zone:	— Inside <u>X</u> Outside

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Soils:	Elder sandy loam, Soquel loam
Fire Hazard:	Not a mapped constraint
Slopes:	0 – 2 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
Traffic:	No significant impact
Roads:	Existing roads adequate
Parks:	Existing park facilities adequate
Archeology:	Mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line:	<u> </u> Yes <u> X </u> No
Water Supply:	City of Watsonville
Sewage Disposal:	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 a two story single-family dwelling of approximately 1,592 square feet, and a barn and feed store of 3,200 square feet each, on a half-acre parcel (Exhibit A). The project is located at 2901 Freedom Boulevard in Watsonville. The building site is within 200 feet of Commercial Agricultural land to the east and southwest. The applicant is requesting a reduction in the 200- foot agricultural buffer setback to 10 feet from APN's 049-081-16 and -15, approximately 170 feet from APN 049-081-14, and 60 feet from APN 050-051-21.

The subject property is characterized by flat topography. The parcel is not located within the Urban Services Line and may be characterized as a mixed-use neighborhood with commercial agriculture, neighborhood commercial businesses, and residential land uses in the immediate vicinity. The parcel carries a Service Commercial (C-S) General Plan designation and the implementing zoning is (C-4) Service Commercial (Exhibit E). Feed and farm supply stores and residential uses up to 50 percent of the floor area of the development are allowed uses in the C-4 zone district as per County Code Section 13.10.332.b. The feed store use has existed in the vicinity for more than 30 years and serves the immediate rural Corralitos community with farm supplies, including feed and baby chicks and ducks. Commercial Agriculture zoned land is situated within 200 feet at the south and west sides of the parcel at Assessor's Parcel Numbers 049-081-16, -14 and -15 and to the east, across Freedom Boulevard at 050-051-21.

A reduced agricultural buffer is recommended due to the fact that the small size of the parcel (100 foot frontage by 180 foot lot depth) would not allow sufficient building area if the required 200 foot

setbacks were maintained from the adjacent Commercial Agriculture zoned property. **An** existing commercial nursery operation (Aladdin Nursery) borders the site to the north, with existing fencing, which is in need of repair. The common fence to the west with this property is fenced with a six-foot cyclone fence and existing evergreen landscaping which would adequately buffer the barn (**Ex F**). Six foot solid wood board fencing is required on the south property line adjacent to the proposed single-family residence to buffer the adjacent CA land at APN 049-081-15. The other CA zoned parcel within 200 feet of the project site is the 12-acre Barr property at 2896 Freedom Boulevard, AFN 050-501-21. The subject property is separated from this site by the 60-foot width of Freedom Boulevard, and in addition, the Barr single-family residence is located at the corner, closest to the project site, minimizing the need for a buffer to protect the CA agricultural land at APN 050-501-21.

The applicant is proposing a solid six-foot fence at the south 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, APN 049-081-15. 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 from the adjacent CA zoned property known as APN 049-081-14, -15, and -16, 170 feet from APN 049-501-14, and 60 feet from APN 050-501-21, proposed under Application # 05-0308, 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

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: pln140@co.santa-cruz.ca.us

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

Conditions of Approval

Exhibit A: Project Plans by Wayne Miller dated 5-15-05

- I. This permit authorizes ~~an~~ Agricultural Buffer Setback reduction from the proposed residential and service commercial use to APN's 049-081-14, -15, -16 and 050-051-21. 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 Commercial Development Permit, and 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 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 10 feet from APN 049-081-15 and -16, 170 feet from APN 049-081-14, and 60 feet from APN 050-051-21 from the proposed development to the adjacent Commercial Agriculture zoned land.
 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.
- 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.

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 1E 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: 8-18-05

Effective Date: 9-01-05

Expiration Date: 9-01-07

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.

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 10 feet from APN 049-081-15 and -16, about 170 feet from APN 049-081-14, and 60 feet from APN 050-051-21, the adjacent Commercial Agriculture zoned land. With the 60-foot width of the Freedom Boulevard right-of-way, the effective agricultural setback would be proposed to be 60 feet from APN 050-051-21 where 200 feet are required. An effective barrier consisting of a six-foot tall solid wood board fence enhanced with evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 049-081-16 (next to the Aladdin nursery) and 049-081-15 (next to the proposed single-family residence). 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 subject parcel, an irregular shaped lot with dimensions of 100 foot frontage by 156 and 180 feet sides or depth of the lot, and a rear dimension of 184 feet, it would not be possible to build on the parcel and maintain the required 200 foot agricultural buffer setbacks. Solid wood board fencing and vegetative screening are recommended to protect the agricultural interests of adjacent CA zoned properties.

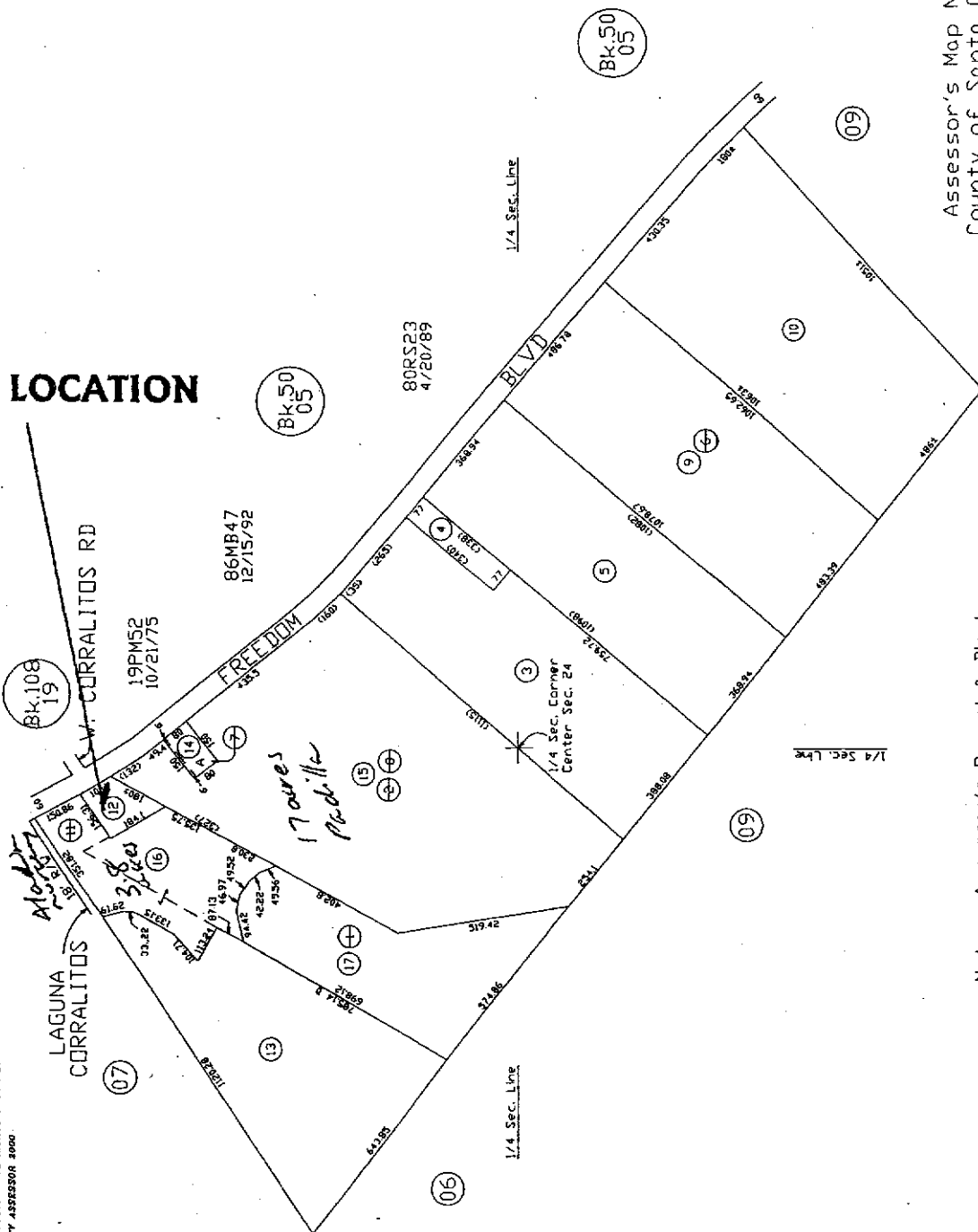
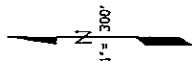
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RANCHO DE LOS CORRALITOS
 SEC. 24, T11S., R1E., M.D.B. & M.

Tax Area Code
 69-010

49-08

PROJECT LOCATION



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

Assessor's Map No. 49-08
 County of Santa Cruz, Calif.
 April 2000

EXHIBIT D

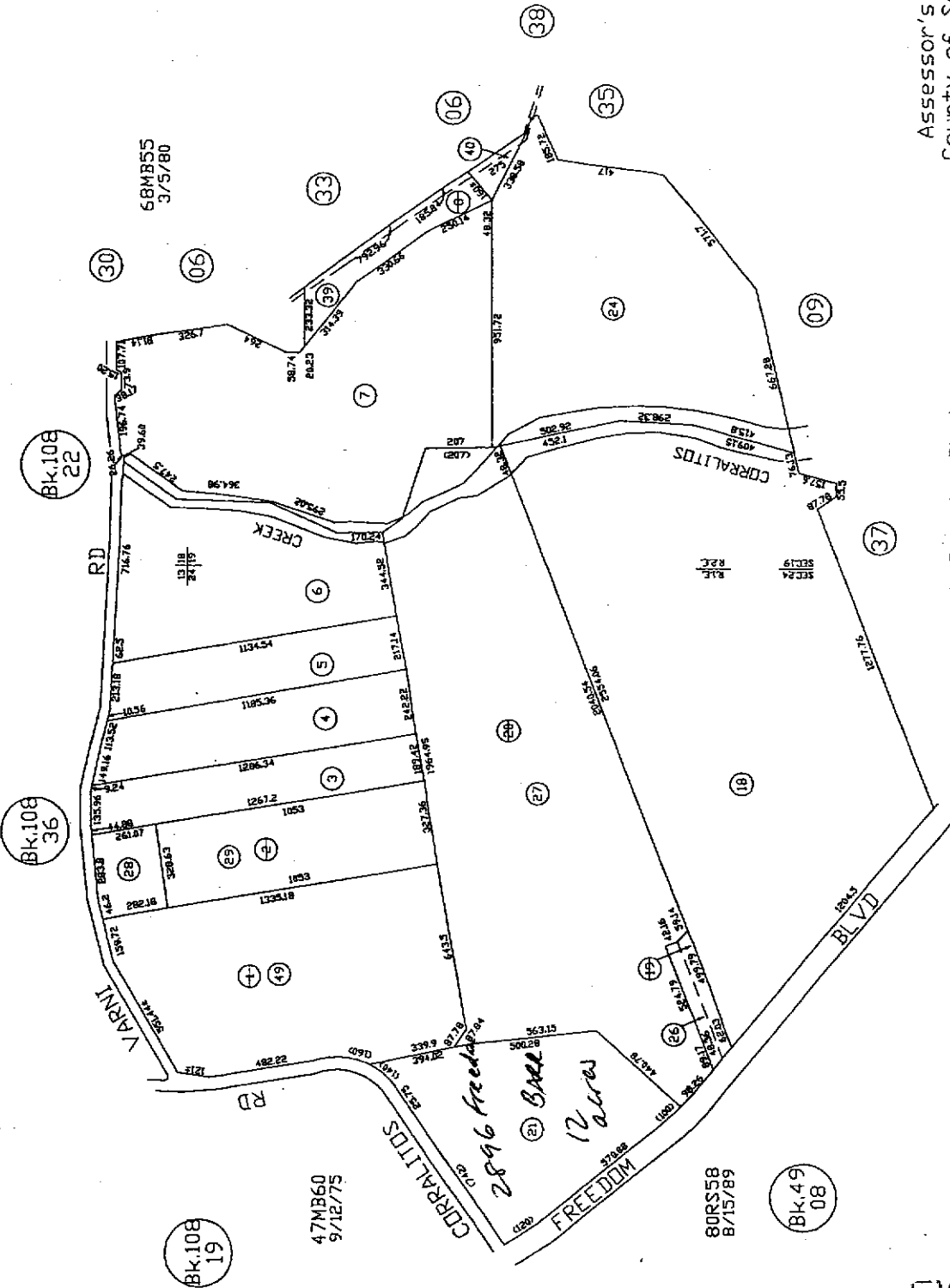
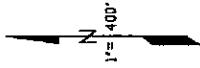
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PUR: RANCHO DE LOS LUKKALTIUS
 SECS. 13 & 24, T.11S., R.1E &
 SECS. 18 & 19, T.11S., R.2E., M.D.B. & M. PROJECTED

Tax Area Code
 69-258

DU-UD



Assessor's Map No. 50-05
 County of Santa Cruz, Calif.
 Oct. 1951

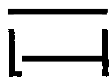



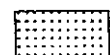
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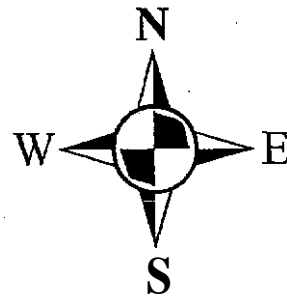


Location Map



Legend

-  APN 049-081-12
-  Streets
-  Assessors Parcels
-  INTERMITTENT STREAM
-  Lakes

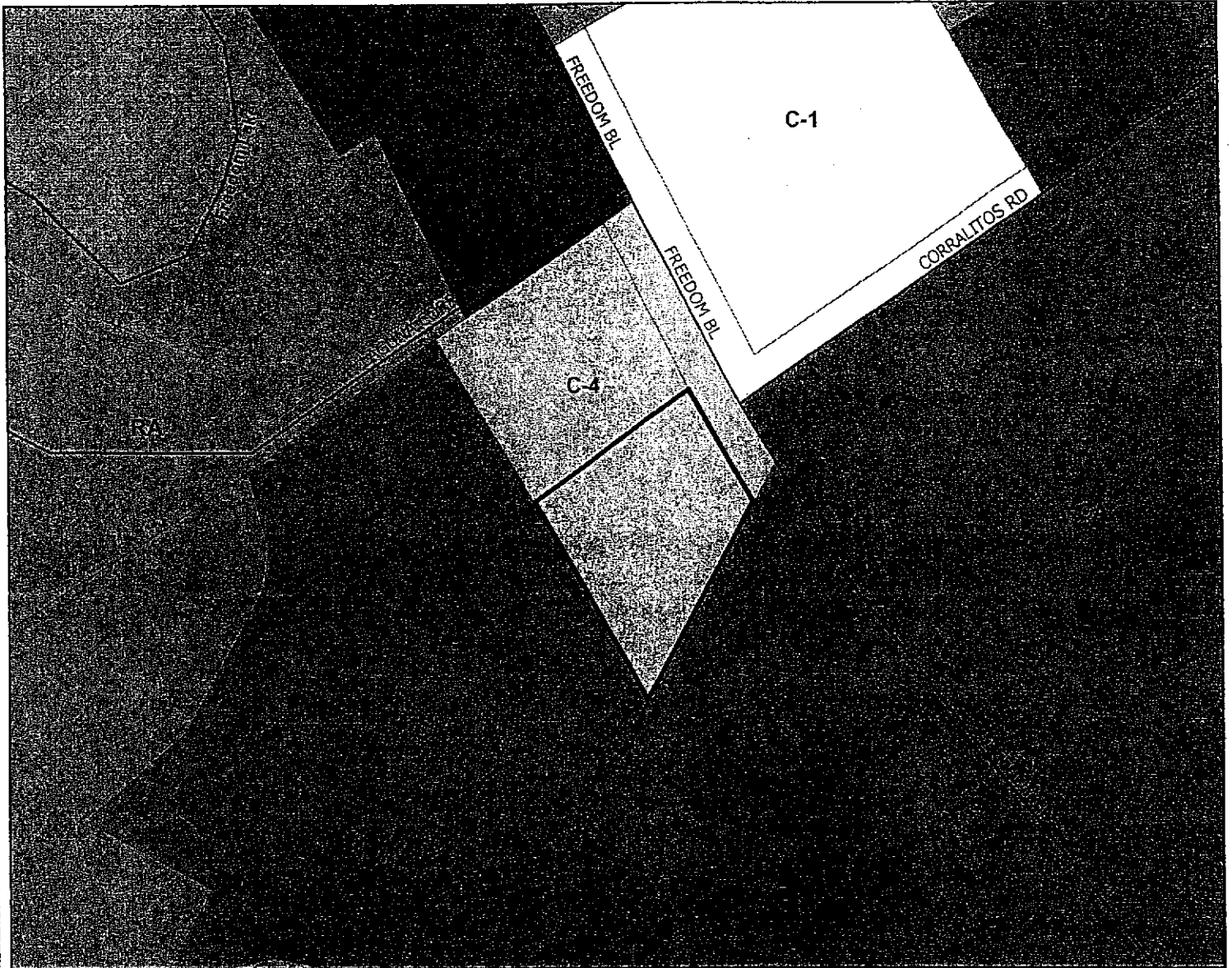


Map Created by
County of Santa Cruz
Planning Department
May 2005

EXHIBIT

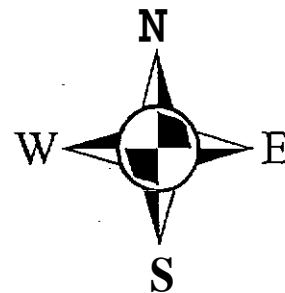


Zoning Map



Legend

- APN 049-081-12
- Streets
- Assessors Parcels
- Lakes
- AGRICULTURE COMMERCIAL (CA)
- AGRICULTURE RESIDENTIAL (RA)
- COMMERCIAL-NEIGHBORHOOD (C-1)
- COMMERCIAL SERVICE (C-4)
- SPECIAL USE (SU)

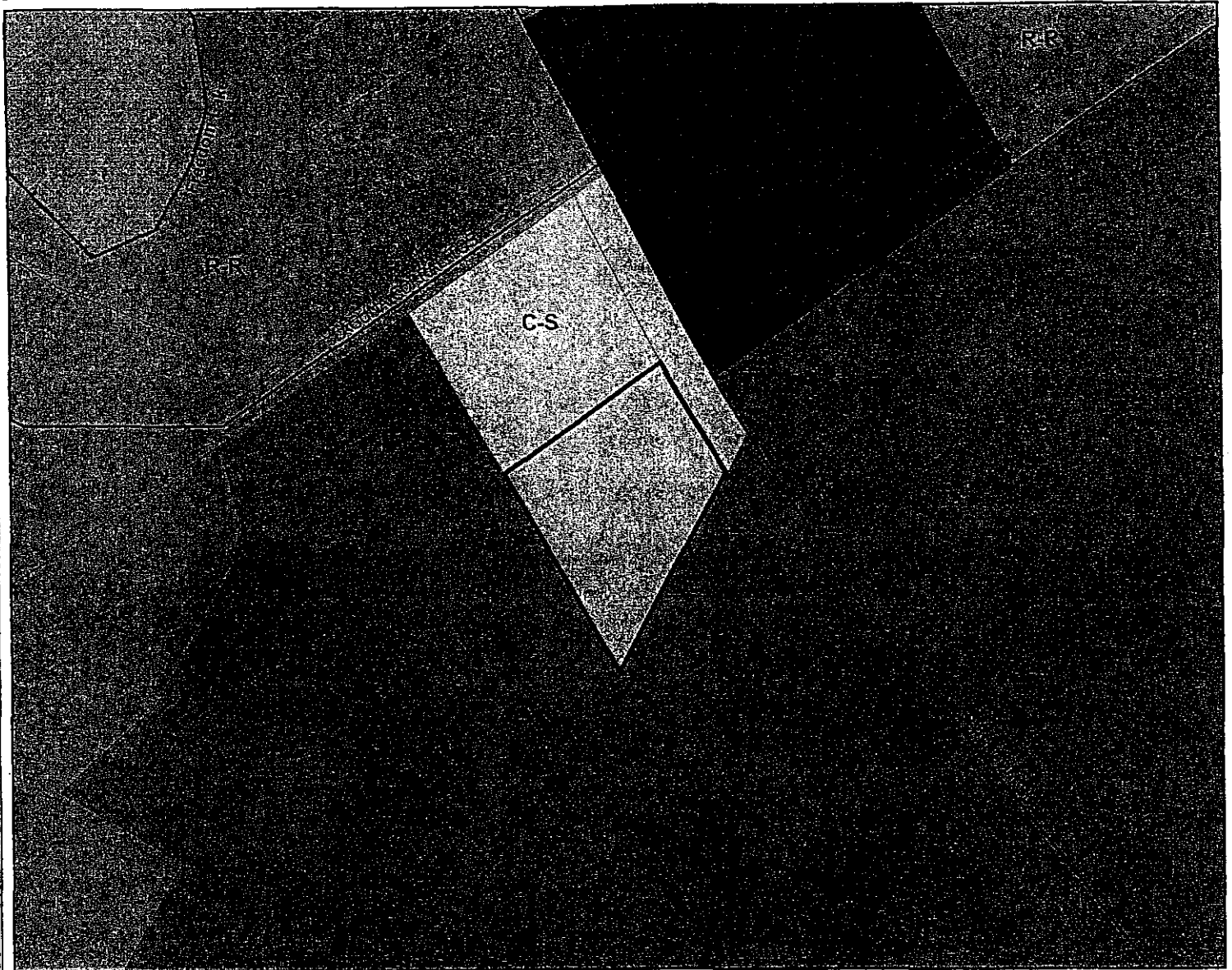


Map Created by
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Planning Department
May 2005

EXHIBIT E

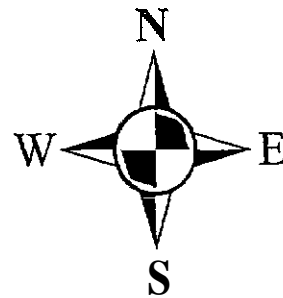


General Plan Designation Map



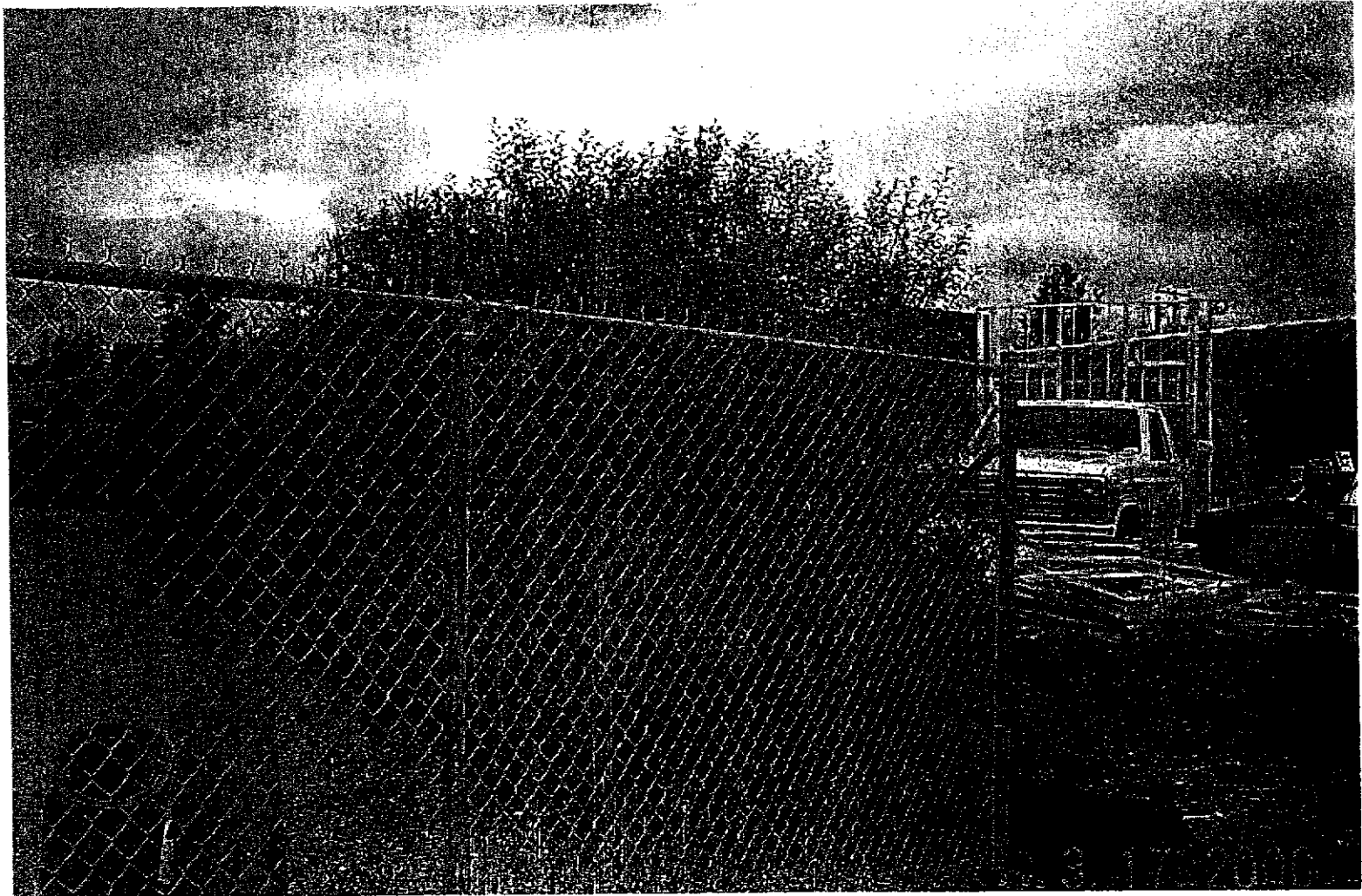
Legend

-  APN 049-081-12
-  Streets
-  Assessors Parcels
-  Lakes
-  Agriculture (AG)
-  Commercial-Neighborhood (C-N)
-  Commercial-Service (C-S)
-  Residential-Rural (R-R)

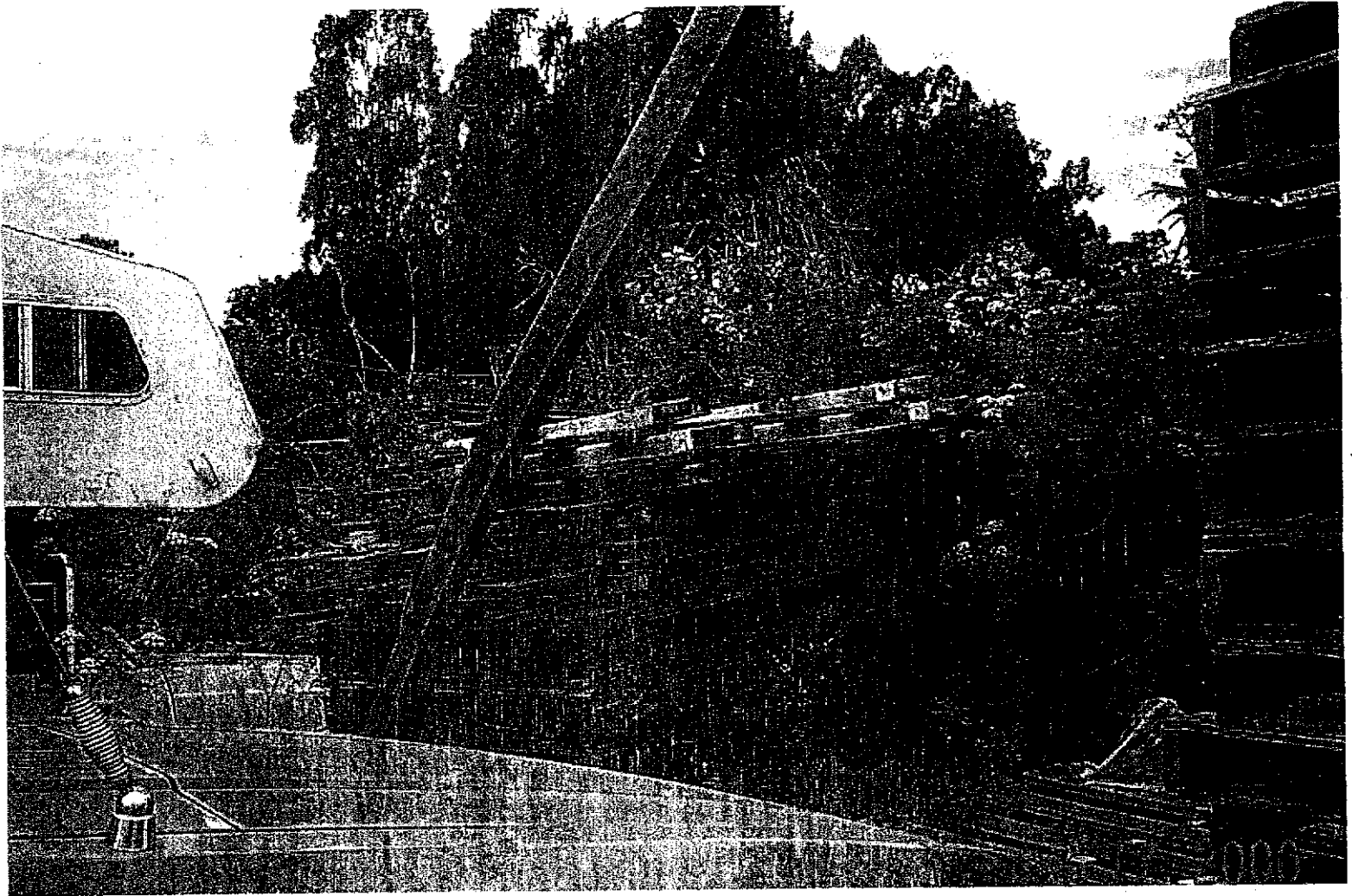


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Planning Department
May 2005

EXHIBIT E

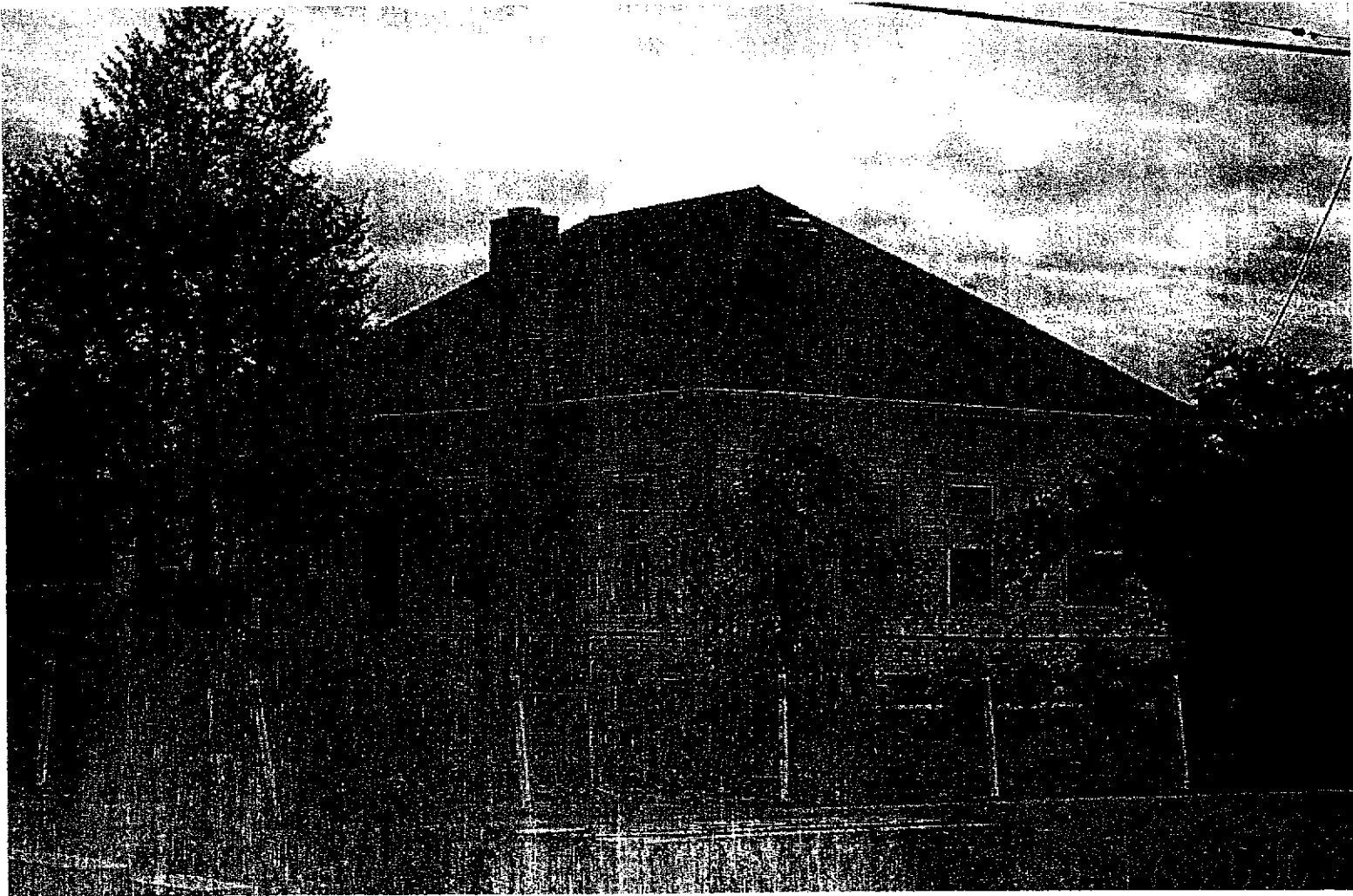


APN 049-081-16
EXISTING CHAIN LINK FENCE
& VEGETATIVE BARRIER TO
BE MAINTAINED.



APN 049-081-16
ALADDIN NURSERY COMMON
BOUNDARY - FENCE TO BE
REPAIRED/REPLACED
6 FT SOLID WOOD BOARD

EXHIBIT F



APN 050-501-21

CA - ZONED BARR SFD 4

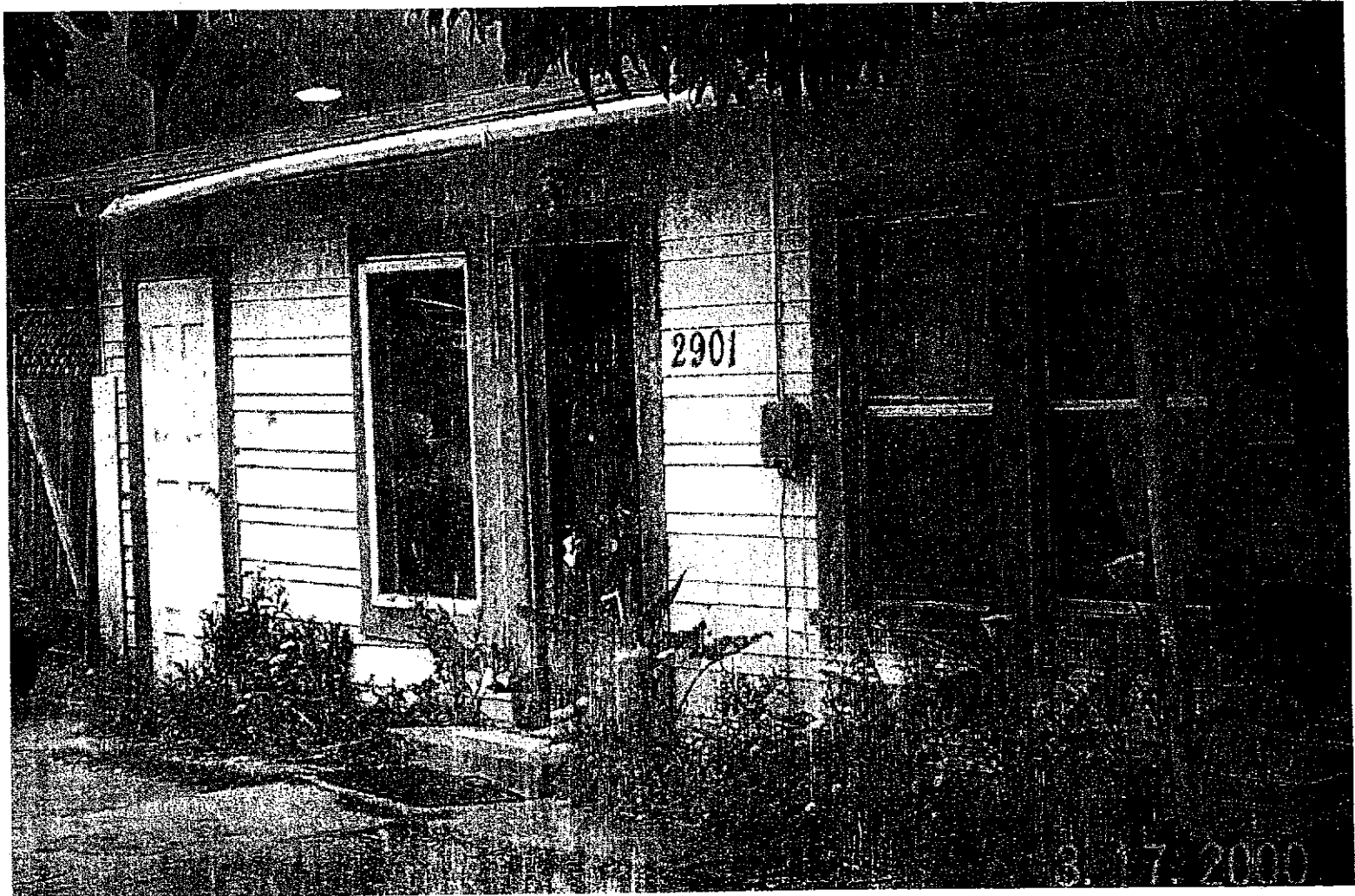
12 ACRES AGRICULTURE

ACROSS FREEDOM BLVD

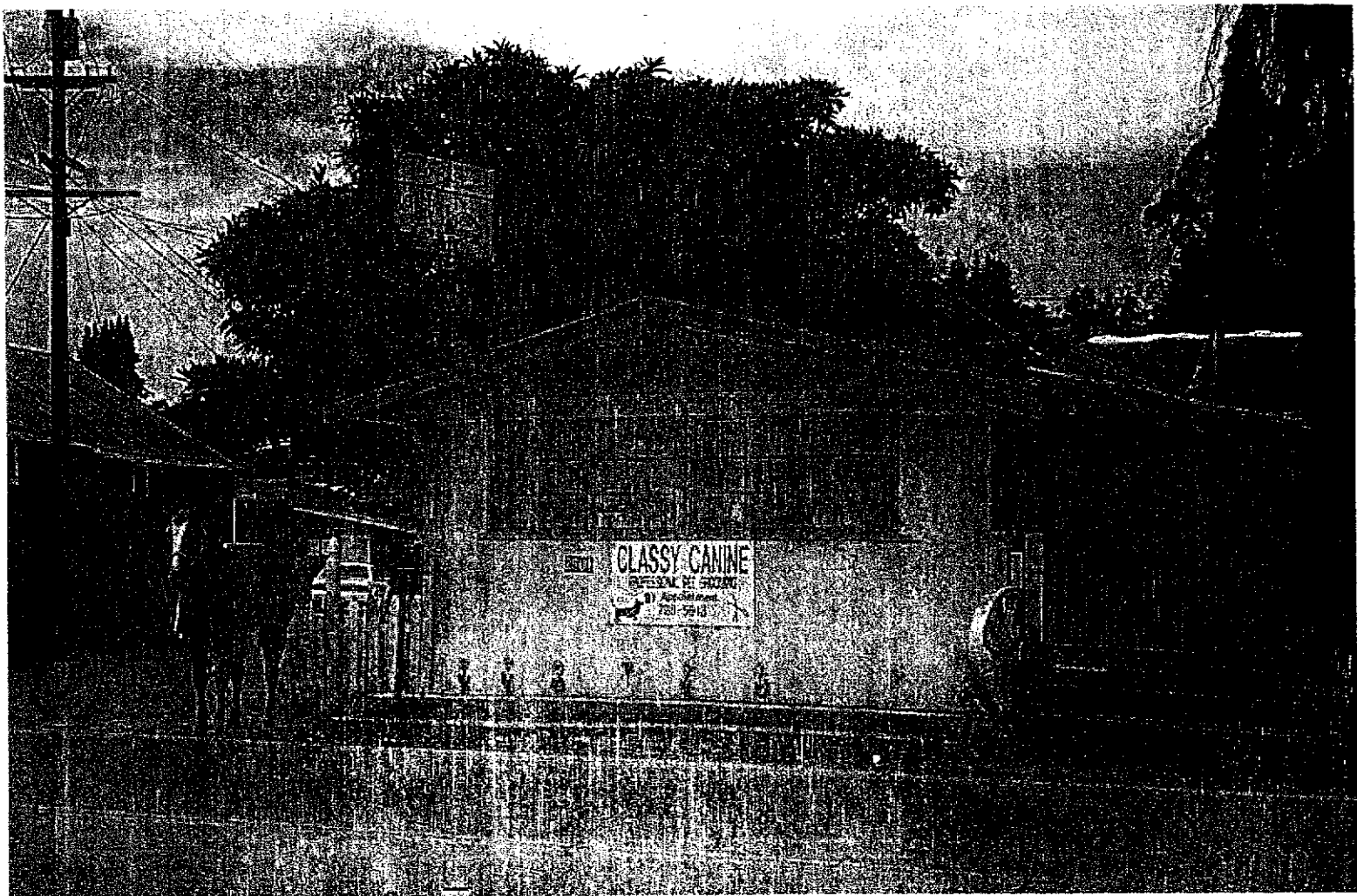
EXHIBIT F



ADJACENT CA LAND
APN 049-081-15
PADILLA 17-ACRES



APN 049-081-12
EXISTING SFD TO BE
DEMOLISHED



SITE FRONTAGE
APN 049-081-12

EXHIBIT F



HANSEN GORILLA

-19-2005

To whom it may concern:

I Luis Padilla is writing this letter concerning application #05-0308

My parcel # is 04908115. My concern ~~is~~ the single unit dwelling that **exists**, about eight to ten **feet** into my property line, which I recently had a survey of the **said** parcel to determine the precise location of the property **line** to avoid confrontation. As a **property** owner and resident of Santa Cruz County there **has not been** a legal document that states to be given **permission** to the single unit dwelling to exist on my property. As this application is being considered. I would like for the **County** of Santa Cruz to adjust lines of determination in where the new building can **be** constructed, leaving the **property lines** adjusted not to cross each others property. As for both **property** owners to use **their own** entrance for each others **business**.

Sincerely,

Luis Padilla Sr.

Luis Padilla



ATT: JOAN VAN DER HOEVEN

Tuesday, July 19, 2005 America Online: BtoGJ

-23-0

EXHIBIT G

ATTACHMENT 1