



## Staff Report & Development Permit Level 5 – Lot Line Adjustment (APAC)

Application Number: 10-0036  
Applicant: **Dee Murray**  
Site Address: 151 Silliman Road

APN: 110-141-06, 07, 08;  
Owner: **Berkshire Investments, LLC**  
**Item 8**

### Proposal & Location

Proposal to transfer 1.66 acres from APN 110-141-06 to APN 110-141-08 and 6.13 acres from APN 110-141-07 to APN 110-141-08 to result in a 66.44 acre parcel (-06), a 20.12 acre parcel (07), and a 9.85 acre parcel (-08). Requires a Lot Line Adjustment.

Property located on Silliman Road in Watsonville, approximately 2200 feet from Highway 129.

### Exhibits

- |                  |  |
|------------------|--|
| A. Project plans | D. Assessor's, Location, Zoning, and General Plan maps |
| B. Findings      | E. CEQA Notice of Exemption                            |
| C. Conditions    | F. Comments & Correspondence                           |

### Analysis

The three subject parcels are zoned Commercial Agriculture (CA) and are designated Agriculture (AG) in the County General Plan. The proposed lot line adjustment will effectively simplify the boundaries of the existing parcels, relocate a vehicular right of way, and will separate existing developed and agricultural areas.

The transfer of 1.66 acres from APN 110-141-06 to APN 110-141-08 conveys a sliver of land that was likely maintained for parcel access. The existing vehicular right of way which provides access to parcels -07 and -08, was recently reconfigured to align with the existing roadway. In order to "clean-up" the parcels boundaries, the property owner is proposing to convey the access portion of parcel -06 (1.66 acres) to the adjacent parcel -08.

Additionally, the rear portion of APN 110-141-08 and the front portion of APN 110-141-07 are developed as a research campus for Driscoll's and include laboratories, greenhouses, offices, storage buildings and plant propagation areas. The remaining 20 acres at the rear of parcel -07 are utilized as farmland. Therefore, the proposed lot line adjustment would also move the adjoining -07 and -08 parcel boundary about 450 feet north to clearly separate the planted agriculture portion from the developed campus portion. The proposed lot line adjustment would reduce the

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size of parcel -07 by 6.25 acres.

The proposal can be supported by staff in that the 6.25 acres being conveyed from parcel -07 to -08 are currently utilized as a plant propagation area for the research campus; therefore, the use of all three parcels will remain a commercial agriculture use, which is consistent with the CA zone district and AG General Plan designation.

The transfer of this property will not increase the development potential on either property. No new building sites will be created as a result of this application. There are three parcels currently and there will be three parcels as a result of this permit. No new parcels will be created.

Findings are on file in the County Planning Department.

### **Recommendation**

- Staff recommends that your Commission **APPROVE** the Lot Line Adjustment proposed under Application # 10-0036, 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)**

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Report Reviewed By: Ken Hart  
Principal Planner  
Development Review

## **Lot Line Adjustment Findings**

1. The lot line adjustment will not result in a greater number of parcels than originally existed.

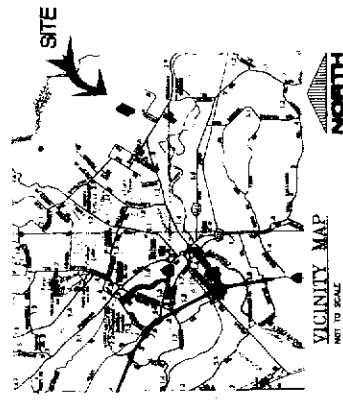
This finding can be made, in that there were three parcels prior to the adjustment and there will be three parcels subsequent to the adjustment.

2. The lot line adjustment conforms with the county zoning ordinance (including, without limitation, County Code section 13.10.673), and the county building ordinance (including, without limitation, County Code section 12.01.070).

This finding can be made, in that no additional building sites will be created by the transfer as all parcels are currently utilized as commercial agricultural uses including farmland and agricultural research. None of the parcels are zoned 'TP' or have a designated Timber Resource as shown on the General Plan maps and technical studies are not necessary as no additional development is proposed. The proposal complies with the AG (Agriculture) General Plan designation of the parcels per 13.10.673(e).

3. No affected parcel may be reduced or further reduced below the minimum parcel size required by the zoning designation, absent the grant of a variance pursuant to County Code section 13.10.230.

This finding can be made, in that none of the parcels included in the proposal will be reduced below a level required by the zone district as a result of this lot line adjustment.



VICINITY MAP  
NOT TO SCALE

LINETYPES USED

PROPOSED PROPERTY LINE  
EXISTING PROPERTY LINE  
EASEMENT OR EGRESS WAY

ELEVATION DATUM  
ASSUMED ELEVATION OF 1000.00 FEET ON  
THE DATUM OF THE STATE OF CALIFORNIA  
THE DATUM OF THE STATE OF CALIFORNIA  
IS USED FOR ALL ELEVATIONS

NOTES

1. FIELD SURVEY BY NADCO SURVEYING  
ON APRIL 10, 2006, DATED MAY 15, 2006  
SUPERSEDES PREVIOUS SURVEY BY  
NADCO SURVEYING, MARCH 2006
2. PROPOSED LOT LINE ADJUSTMENT WAS COMPLETED  
BY ROBERT L. DEWITT & ASSOCIATES, INC.
3. THREE DIMENSIONS ARE SHOWN IN INCHES AT  
CHIEF CORNER.
4. CONTOUR INTERVAL IS TWO FEET.
5. MAP PREPARED AT THE REQUEST OF:  
BERKSHIRE INVESTMENTS, LLC  
181 BULLHORN ROAD  
MILPITAS, CA 95034  
ATTN: JANE NELSON, ADMINISTRATIVE MANAGER  
TEL: 408-352-1100  
FAX: 408-352-1101
6. COUSERS:  
APN 110-141-08 & -09  
APN 110-141-10 & -11  
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APN 110-141-978 & -979  
APN 110-141-980 & -981  
APN 110-141-982 & -983  
APN 110-141-984 & -985  
APN 110-141-986 & -987  
APN 110-141-988 & -989  
APN 110-141-990 & -991  
APN 110-141-992 & -993  
APN 110-141-994 & -995  
APN 110-141-996 & -997  
APN 110-141-998 & -999  
APN 110-141-1000 & -1001  
APN 110-141-1002 & -1003  
APN 110-141-1004 & -1005  
APN 110-141-1006 & -1007  
APN 110-141-1008 & -1009  
APN 110-141-1010 & -1011  
APN 110-141-1012 & -1013  
APN 110-141-1014 & -1015  
APN 110-141-1016 & -1017  
APN 110-141-1018 & -1019  
APN 110-141-1020 & -1021  
APN 110-141-1022 & -1023  
APN 110-141-1024 & -1025  
APN 110-141-1026 & -1027  
APN 110-141-1028 & -1029  
APN 110-141-1030 & -1031  
APN 110-141-1032 & -1033  
APN 110-141-10

## Conditions of Approval

Exhibit A: Tentative Map, 1 sheet, prepared by Bob DeWitt, dated 8/12/10.

- I. No parcel map is required. File deed(s) of conveyance (which must result in parcel configurations that match the approved Exhibit "A" for this permit) with the County Recorder to exercise this approval. Parcels or portions of parcels to be combined must be in identical ownership. Please note that this approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property.
- II. The deed(s) of conveyance must contain the following statement after the description of the property(ies) or portion(s) of property to be transferred:
  - A. "The purpose of the deed is to adjust the boundary between Assessor's Parcel Numbers 110-141-06, 07, and 08 as approved by the County of Santa Cruz under Application 10-0036. This deed and approval of the related Lot Line Adjustment Number 10-0036 shall be deemed to extinguish and merge all underlying parcels existing prior to the approval of the lot line adjustment. This conveyance may not create a separate parcel, and is null and void unless the boundary is adjusted as stated."
- III. Return a conformed copy of the deed(s) to the Planning Department.
- IV. If a map is also to be recorded with the County Surveyor's office (which is not required to implement this approval), you must include a copy of these Conditions of Approval to the County Surveyor with the map to be recorded.
- V. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.
- VI. 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

**EXHIBIT C**

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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In accordance with Chapter 18.10 of the County Code, minor variations to this permit which do not affect the overall concept, intensity, or density may be approved by the Planning Director at the request of the applicant or staff.

**Please note: This permit expires three years from the effective date and is no longer valid if the boundary adjustment is not recorded prior to the expiration date listed below.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration date: \_\_\_\_\_

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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.

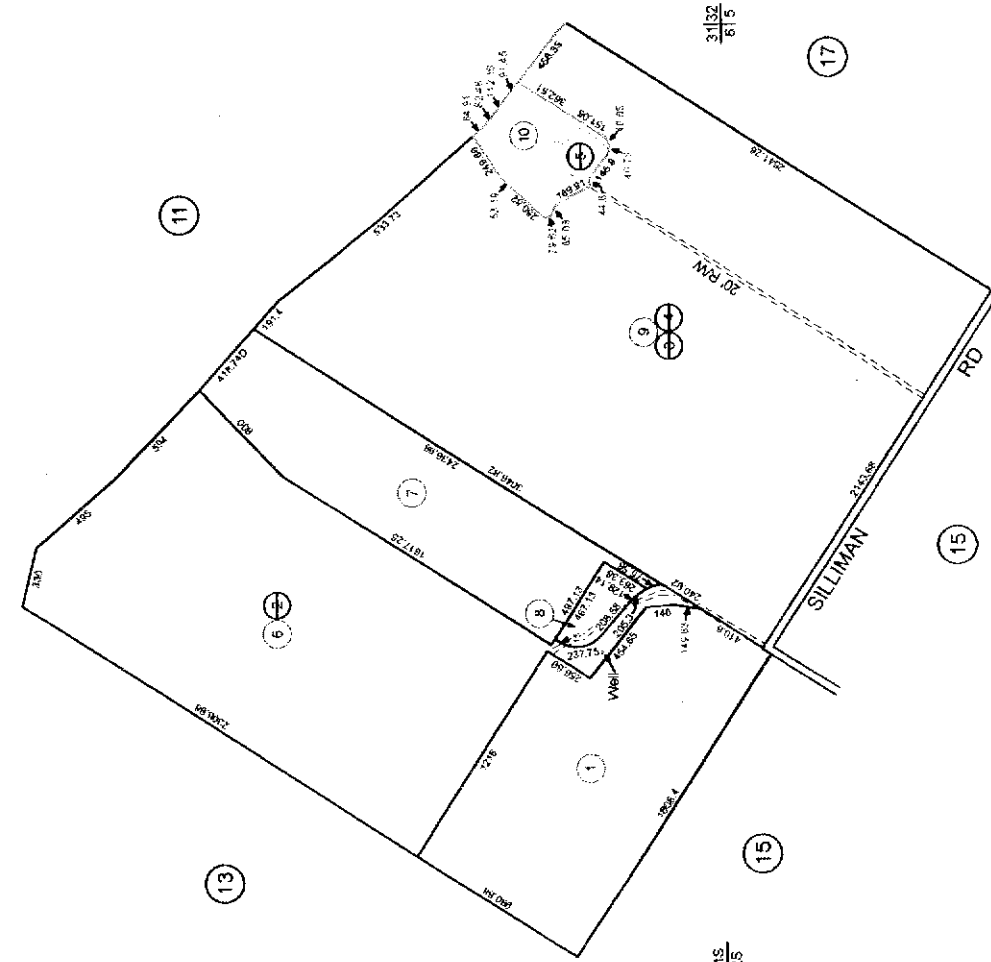
**FOR TAX PURPOSES ONLY**

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 1997

**SALSIPUEDES RANCHO**  
POR. SEC. 31, T.11S. & SEC. 6, T.12S., R.3E. M.D.B. & M.

**Tax Area Code**  
69-258

**110-14**



SEC. 31, T.11S.  
SEC. 6, T.12S.

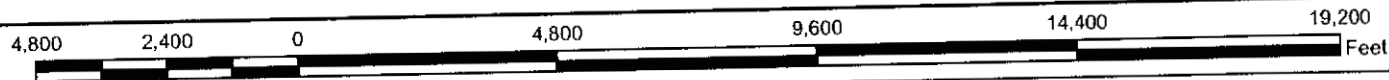
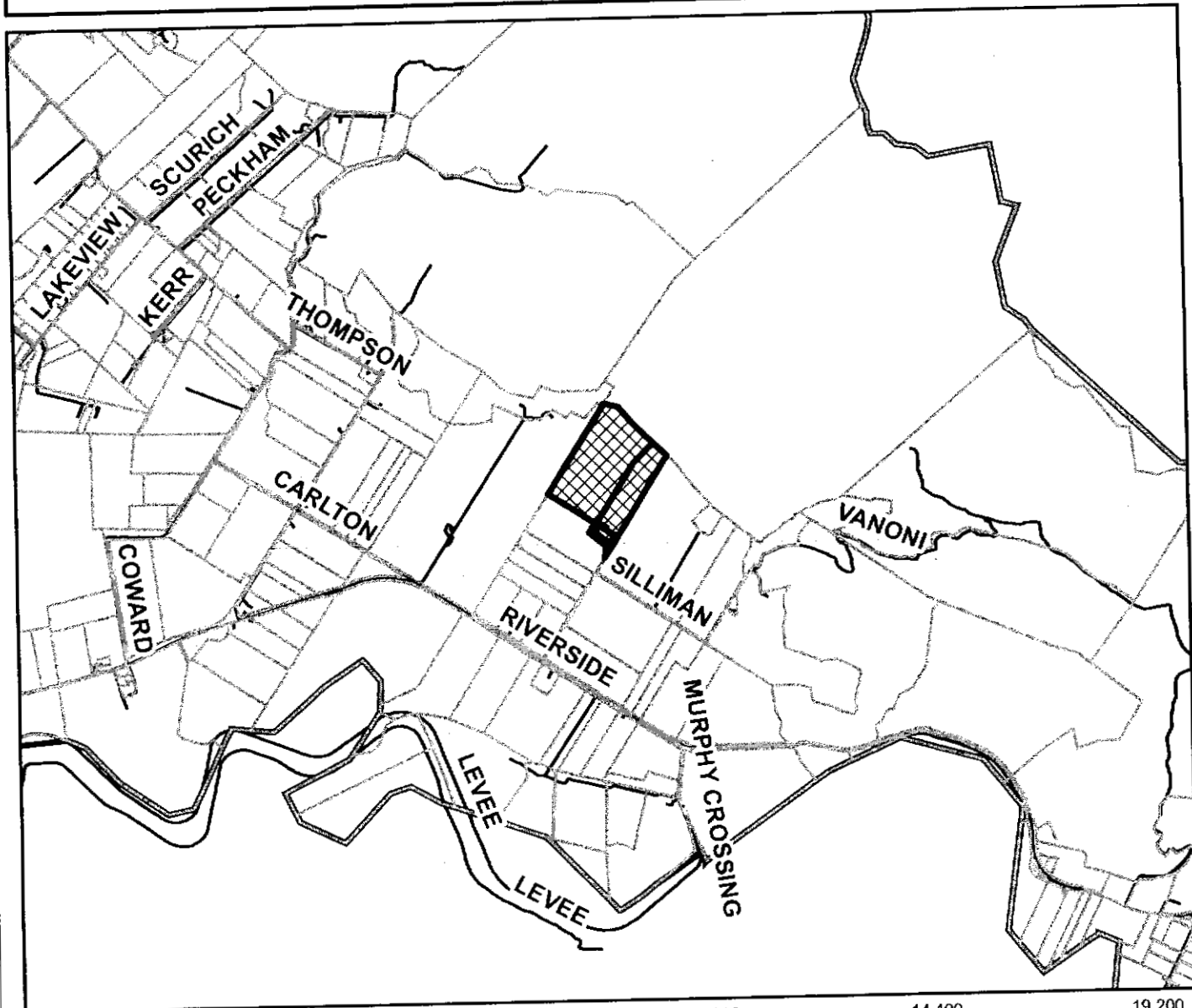
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.

Assessor's Map No. 110-14  
County of Santa Cruz, Calif.  
Sep. 1997







**EXHIBIT D**



# Location Map



## LEGEND

-  APN: 110-141-08
-  APN: 110-141-07
-  APN: 110-141-06
-  Assessors Parcels
-  Streets
-  County Boundary

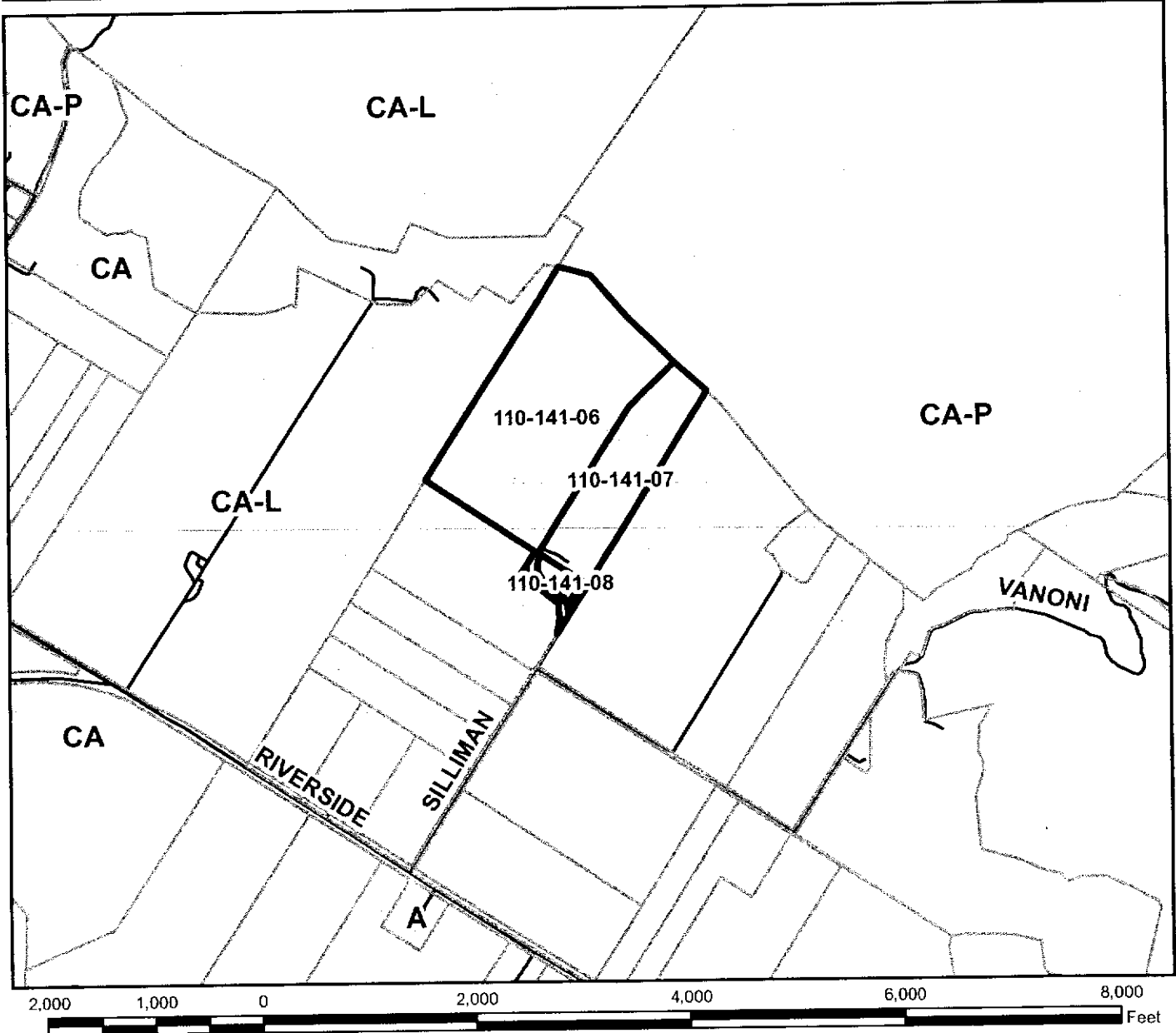


Map Created by  
County of Santa Cruz  
Planning Department  
November 2010





# Zoning Map



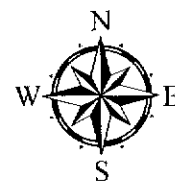
## LEGEND

- APN: 110-141-08
- APN: 110-141-07
- APN: 110-141-06
- Assessors Parcels

— Streets

AGRICULTURE

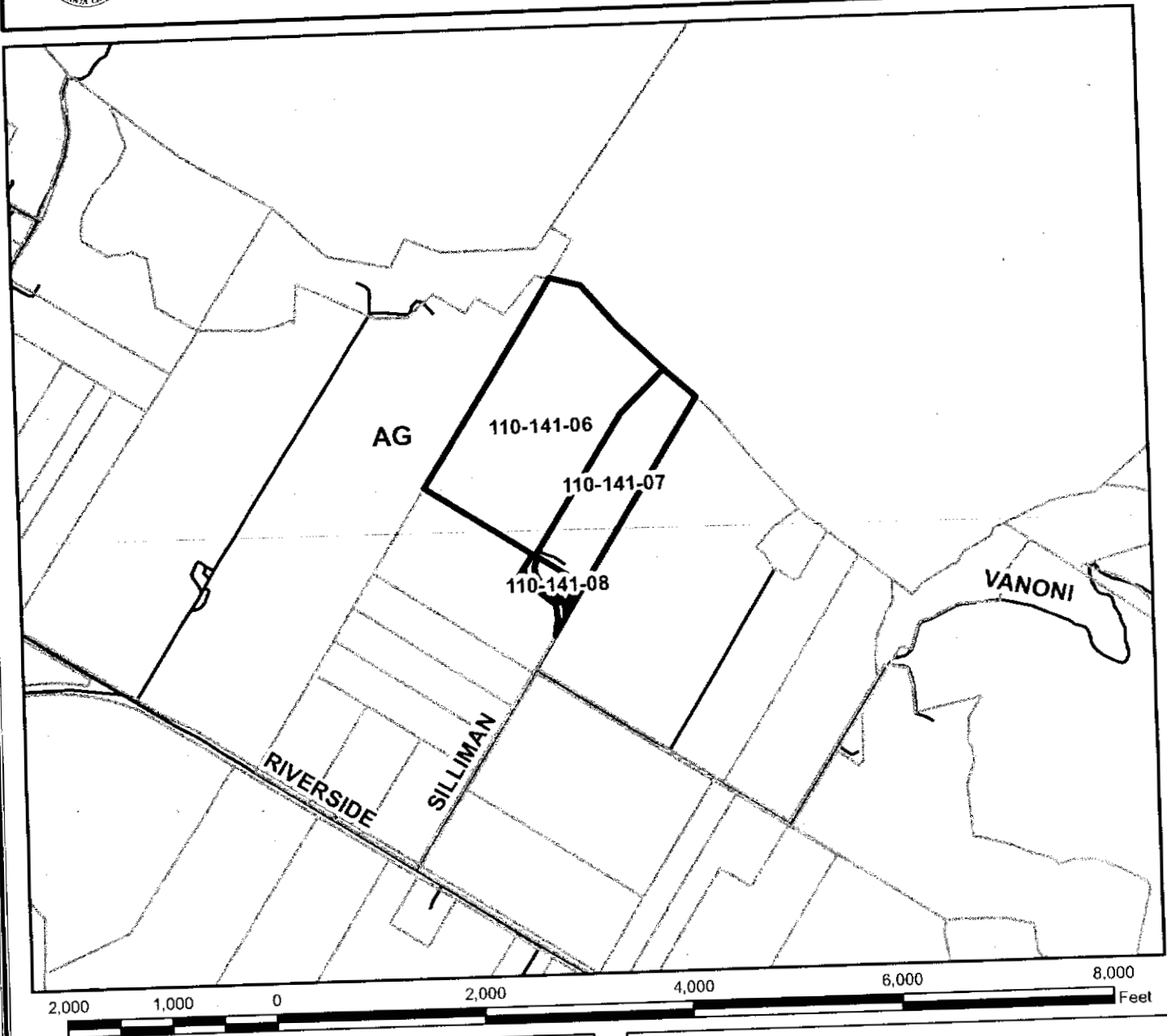
AGRICULTURE COMMERCIAL









Map Created by  
County of Santa Cruz  
Planning Department  
November 2010

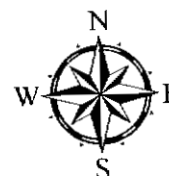


# General Plan Designation Map



## LEGEND

-  APN: 110-141-08
-  APN: 110-141-07
-  APN: 110-141-06
-  Assessors Parcels
-  Streets
-  Agriculture



Map Created by  
County of Santa Cruz  
Planning Department  
November 2010

# 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: 10-0036

Assessor Parcel Number: 110-141-06, 07, 08,

Project Location: 151 Silliman Road

**Project Description: Minor Lot Line Adjustment**

**Person or Agency Proposing Project: Dee Murray**

**Contact Phone Number: (831) 475-5334**

- 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:

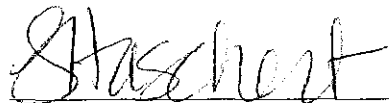
E.   X   **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

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

Minor Lot Line Adjustment, between 4 or fewer parcels, which does not result in the creation of additional building sites.

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



Samantha Haschert, Project Planner

Date: \_\_\_\_\_

11/1/10

C O U N T Y   O F   S A N T A   C R U Z  
Discretionary Application Comments

Project Planner: Samantha Haschert  
Application No.: 10-0036  
APN: 110-141-06

Date: November 1, 2010  
Time: 13:52:44  
Page: 1

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**Dpw Driveway/Encroachment Completeness Comments**

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

===== REVIEW ON FEBRUARY 23, 2010 BY DAVID GARIBOTTI =====  
Please show plan view and centerline profile of "AC Roadway" junction with Sillman Road. Note on plans "AC Roadway to conform to County of Santa Cruz Design Criteria."

**Dpw Driveway/Encroachment Miscellaneous Comments**

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

===== REVIEW ON FEBRUARY 23, 2010 BY DAVID GARIBOTTI =====  
Encroachment permit required for any work in the right-of-way. Please route plans to Road Engineering for review.

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON MARCH 9, 2010 BY RODOLFO N RIVAS =====  
NO COMMENT

**Dpw Road Engineering Miscellaneous Comments**

===== REVIEW ON MARCH 9, 2010 BY RODOLFO N RIVAS =====  
NO COMMENT

**Environmental Health Completeness Comments**

===== REVIEW ON FEBRUARY 18, 2010 BY JIM G SAFRANEK ===== Applicant's engineer must provide evidence that the existing irrigation well on -01 will still have a 50' setback from the proposed boundary.  
===== UPDATED ON APRIL 15, 2010 BY JIM G SAFRANEK ===== This project is now approved by EHS.

**Environmental Health Miscellaneous Comments**

===== REVIEW ON FEBRUARY 18, 2010 BY JIM G SAFRANEK =====  
NO COMMENT

**Pajaro Valley Fire District Completeness Comments**

===== REVIEW ON FEBRUARY 23, 2010 BY COLLEEN L BAXTER =====  
DEPARTMENT NAME: PAJARO VALLEY FIRE DISTRICT  
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.  
72 hour minimum notice is required prior to any inspection and/or test.  
Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifica-

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EXHIBIT F

Project Planner: Samantha Haschert  
Application No.: 10-0036  
APN: 110-141-06

Date: November 1, 2010  
Time: 13:52:44  
Page: 2

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tions, 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 reviewing agency.

**Pajaro Valley Fire District Miscellaneous Comments**

===== REVIEW ON FEBRUARY 23, 2010 BY COLLEEN L BAXTER =====