



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **151050**

Applicant: Rosa and Lucino Escutia

Date: 4/26/2015

Owner: Ricky Joe Lopez

Agenda Item #: 8

APN: 110-261-04

Time: 1:30 p.m.

Project Description: Proposal to construct a 4,121 square foot two story single family dwelling located within 200 feet of Type 2D Agricultural Resource land (121 feet east of APN 110-261-03, 163 feet east of APN 110-261-10, and 100 feet Northwest of APN 110-063-15). Requires an Agricultural Buffer Reduction Determination by the Agricultural Policy Advisory Commission.

Location: Property located on the northwest side of Webb Road, approximately 150 feet northeast from Casserly Road, within the Salispuedes Planning area.

Permits Required: Agricultural Buffer Setback Reduction

Staff Recommendation:

- Approval of Application 151050, based on the attached findings and conditions.

Exhibits

- | | |
|------------------|--------------------------------------|
| A. Project plans | D. Assessor's, Location, Zoning, and |
| B. Findings | General Plan maps |
| C. Conditions | |

Parcel Information

Parcel Size:	1.85 acres
Existing Land Use - Parcel:	Vacant, unplanted
Existing Land Use - Surrounding:	Residential Ranchettes
Project Access:	Webb Road
Planning Area:	Salispuedes
Land Use Designation:	A (Agriculture)
Zone District:	RA (Residential Agriculture)
Supervisory District:	4 (District Supervisor: Greg Caput)
Within Coastal Zone:	☐ Inside ☒ Outside
Appealable to Calif. Coastal Comm.	☐ Yes ☒ No

Services Information

Inside Urban/Rural Services Line: Yes x No
Water Supply: Pajaro Valley Water Management Agency
Sewage Disposal: Septic
Fire District: Pajaro Valley Fire Protection District
Drainage District: Zone 7

Analysis and Discussion

The Applicant proposes to construct a 4,121 square foot two story single-family dwelling with an approximately 1,862 square foot first floor and a 1,050 square foot, second story on a 1.85 acre parcel. The project is located on the northwest side of Webb road, approximately 150 feet to the northeast from Casserly Road. The building site is within 200 feet of Type 2D Agricultural Resource land to the east and northwest. The applicant is requesting a reduction in the 200 foot agricultural buffer setback to 121 feet from APN 110-263-03 and 163 feet from APN 110-261-010 and 100 feet from APN 110-063-15.

The subject property is zoned Residential Agriculture and designated Agriculture by the General Plan. The property is characterized by generally flat topography and located outside the urban service line within a residential agricultural ranchette style neighborhood.

This site is located within a large pocket of smaller residentially developed properties, mostly zoned Residential Agriculture and surrounded by larger Agriculture and Commercial Agriculture zoned properties in the distance. A number of the surrounding properties are designated as Type 2 D agricultural resource land, defined as "Limited Agricultural Lands Experiencing Use Conflicts" pursuant to County Code Section 16.50. This is explained by the location of the property in the foothills of Watsonville and evidenced by variable and undulating topography, small size properties, and residential development. These characteristics challenge the development of agricultural uses.

The properties immediately surrounding the property (affected by the proposed 200 foot agriculture reduction) that contain an agricultural resource designation are zoned Residential Agriculture and Agriculture. Properties containing the Type 1-3 agriculture resource are required by the County Code 16.50 to be mapped as Commercial Agriculture. That these properties are not so zoned appears to have been a mapping error. Regardless, a 200 foot agriculture buffer setback is required for lands designated as agriculture resource. Long range planning staff has been informed that these parcels are inconsistently designated, which may result in a more detailed review to determine if rezoning or re-designation of the agriculture resource is warranted here.

Notwithstanding, a reduced agricultural buffer is recommended due to the fact that two of the affected properties (APN 110-261-03 and -10) located to the west, approximately 1 acre and 2.6 acres in size, contain residential uses only with little to no area for commercial agriculture and are zoned residential agriculture, which allows small commercial agriculture uses only. The property located to the southeast of the subject property is approximately 1.6 acres and is vacant and unfarmed. This is the most viable site for agricultural use. There is an approximately 6 foot tall stucco wall along the front property line across the street from APN 110-063-15.

Given these unusual circumstances, staff is not recommending fencing for the subject property along the western property line as it is not necessary to protect these adjoining properties due to extremely limited agricultural potential, existing residential use, and Residential Agriculture zoning. However, plans include agricultural buffer vegetation consistent with the plant list along the property line and to the rear of the house. An existing stucco wall along the front property line provides adequate separation between the subject property and most viable agricultural property (APN 110-063-15) located to the southeast. The applicant is required by the code to record a Statement of Acknowledgement regarding the issuance of a building permit in an area determined by the County of Santa Cruz to be subject to potential Agricultural-Residential use conflicts.

Recommendation

- Staff recommends that your Commission **DETERMINE** that the proposed agricultural buffer reduction from 200 feet to about 121 from APN 110-261-03, 163 feet from APN 110-261-10, and 100 feet from APN 110-063-15 proposed under Application # 151050, meets the special circumstances of County Code 16.50.095(D) based on the attached findings and recommended conditions; and
- **DETERMINE** that the recommended agricultural site fencing along the front property line and proposed vegetative buffering is adequate for the agricultural buffer reduction, as shown on the plans (Exhibit A) pursuant to the attached findings and conditions.

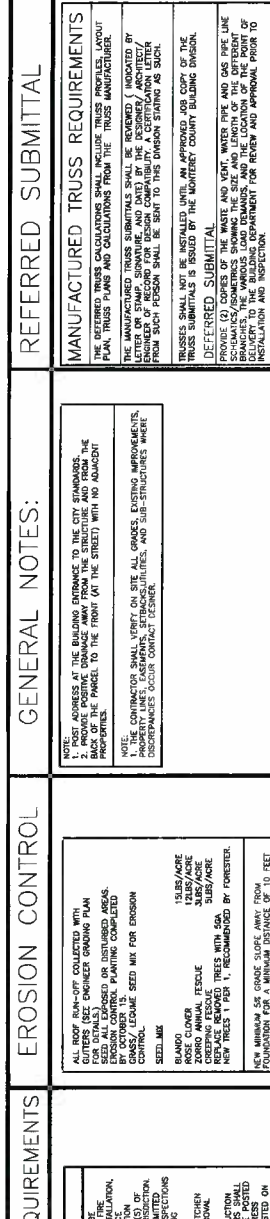
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

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

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Report Reviewed By: Steven Guiney, AICP
Principal Planner
Development Review

WEBB RD, WATSONVILLE. CA 95076

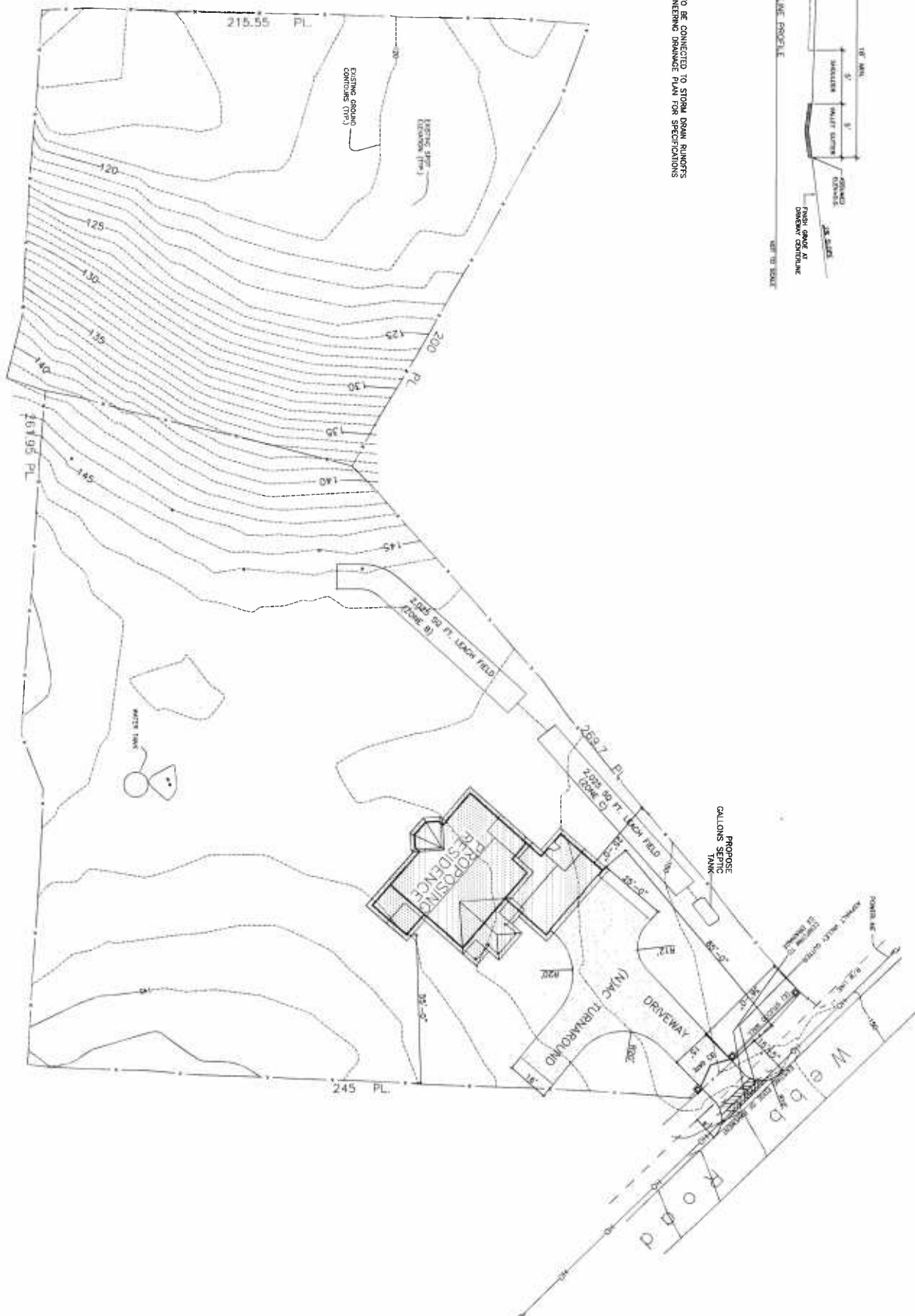


REQUIREMENTS	EROSION CONTROL	GENERAL NOTES:	REFERRED SUBMITTAL
1. EROSION CONTROL PLAN SHALL BE SUBMITTED WITH THE PERMIT APPLICATION. 2. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION. 3. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. 4. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION. 5. EROSION CONTROL MEASURES SHALL BE REINSTALLED IF DAMAGED OR REMOVED. 6. EROSION CONTROL MEASURES SHALL BE DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER. 7. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE. 8. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT SEDIMENTATION OF ADJACENT AREAS. 9. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT POLLUTION OF ADJACENT AREAS. 10. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT DAMAGE TO ADJACENT AREAS.	ALL SOIL RUN-OFF COLLECTED WITHIN THE EROSION CONTROL AREA SHALL BE STORED IN A DRAINAGE BASIN OR POND FOR FURTHER TREATMENT. 1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION. 2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION. 3. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF CONSTRUCTION. 4. EROSION CONTROL MEASURES SHALL BE REINSTALLED IF DAMAGED OR REMOVED. 5. EROSION CONTROL MEASURES SHALL BE DESIGNED BY A REGISTERED PROFESSIONAL ENGINEER. 6. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE. 7. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT SEDIMENTATION OF ADJACENT AREAS. 8. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT POLLUTION OF ADJACENT AREAS. 9. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT DAMAGE TO ADJACENT AREAS. 10. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT EROSION OF THE SOIL SURFACE.	NOTE: 1. POST ADDRESS AT THE BUILDING ENTRANCE TO THE CITY STANDARDS. THE BACK OF THE PARCEL TO THE FRONT OF THE STREET WITH NO ADJACENT PROPERTIES. NOTE: 2. THE CONTRACTOR SHALL VERIFY ON SITE ALL GRASSES, EXISTING IMPROVEMENTS, PROPERTY LINES, EASEMENTS, ETC. BEFORE BEGINNING CONSTRUCTION. DISCREPANCIES OCCUR CONTACT DESIGNER.	THE REFERRED TRUSS CALCULATIONS SHALL INCLUDE TRUSS PROFILES, LAYOUT PLAN, TRUSS JOINTS AND CALCULATIONS FROM THE TRUSS MANUFACTURER. THE MANUFACTURED TRUSS SUBMITTALS SHALL BE REVIEWED (INDICATED BY THE TRUSS MANUFACTURER) AND APPROVED BY A CERTIFIED PROFESSIONAL ENGINEER OF RECORD FOR EROSION CONTROL. A CERTIFICATE OF REVIEW FROM SUCH PERSON SHALL BE SENT TO THIS DIVISION STATING AS SUCH. TRUSSES SHALL NOT BE INSTALLED UNTIL AN APPROVED JOB COPY OF THE TRUSS SUBMITTALS IS ISSUED BY THE MONTEREY COUNTY BUILDING DIVISION. DEFERRED SUBMITTAL PROVIDE (2) COPIES OF THE WASTE AND VENT, WATER PIPE AND GAS PIPE LINE BRANCHES, THE WAREHOUSE LOAD DEMANDS, AND THE LOCATION OF THE POINT OF BRANCHES TO THE BUILDING. THE SUBMITTALS SHALL BE FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION AND INSPECTION.

CODE COMPLIANCE: ALL CONSTRUCTION SHALL CONFORM WITH FOLLOWING: 2013 CALIFORNIA ELECTRICAL CODE 2013 CALIFORNIA ENERGY CODE 2013 CALIFORNIA FIRE CODE 2013 CALIFORNIA PLUMBING CODE 2013 CALIFORNIA FIRE CODE (SAC) 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE (CGRB) CONFORMING WITH ANY OTHER LOCAL AND STATE LAWS AND REGULATIONS.		DESIGNER: JOE RUZ 10000 LUSTIN RD. SALINAS, CA 93907 TEL (831) 425-1004	
SCOPE OF WORK CONSTRUCT AL-1, S.D. SF NEW RESIDENCE CONSISTING OF TWO BEDROOMS, TWO BATH, KITCHEN, OFFICE, DINING ROOM, LIVING AND BALCONIES, MASTER BEDROOM AND MASTER BATH.		OWNER: BROD JOE LOPEZ WATSONVILLE, CA 95076 (831)	
PROJECT DATA: APR 1 110-281-04 ZONE: UNCLASSIFIED TYPE OF CONSTRUCTION: V-N STORIES: 2 PARKING: 3 COVERED		ENGINEER: JAMIE P. ABRAHAM, SE 3329 SAN LUCES WAY TEL (831) 588-9689 FAX (831) 588-9689 WATSONVILLE, CA 95076	
RESIDENCE FIRST FLOOR: 1,869 S.F. SECOND FLOOR: 1,050 S.F. FRONT PORCH: 872 S.F. BALCONY #1: 211 S.F. BALCONY #2: 158 S.F. HOUSE HEIGHT: 17'0" S.F. TOTAL BUILDING (HABITABLE): 2,917 S.F. TOTAL BUILDING W/ GARAGE: 30,000 S.F. LOT AREA: 3,999 ± S.F.		LANDSCAPE ARCHITECT GREORY LOUIS 736 PARK WAY SANTA CRUZ, CA 95065 TEL (831) 425-1447	
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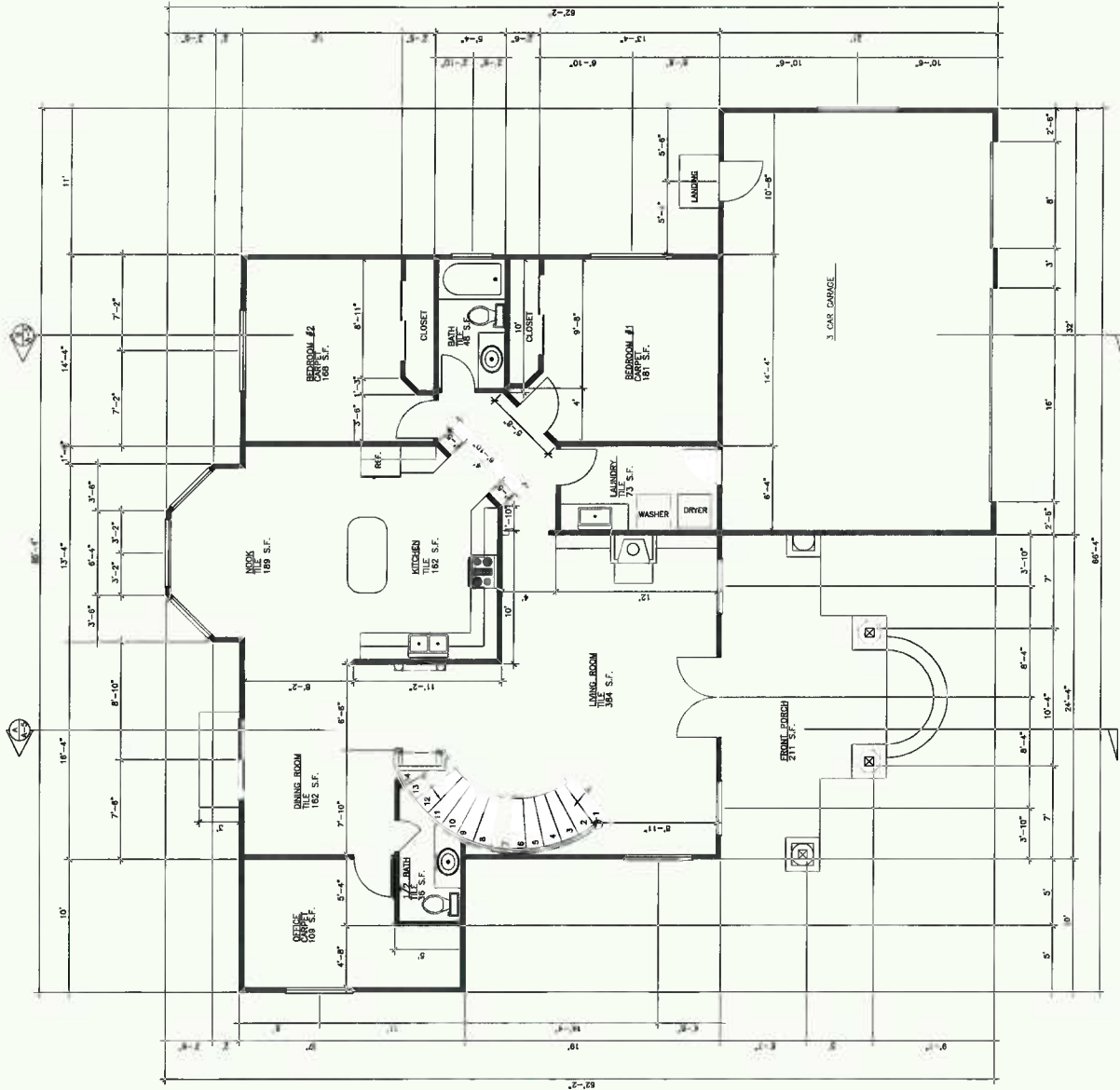
SITE PLAN



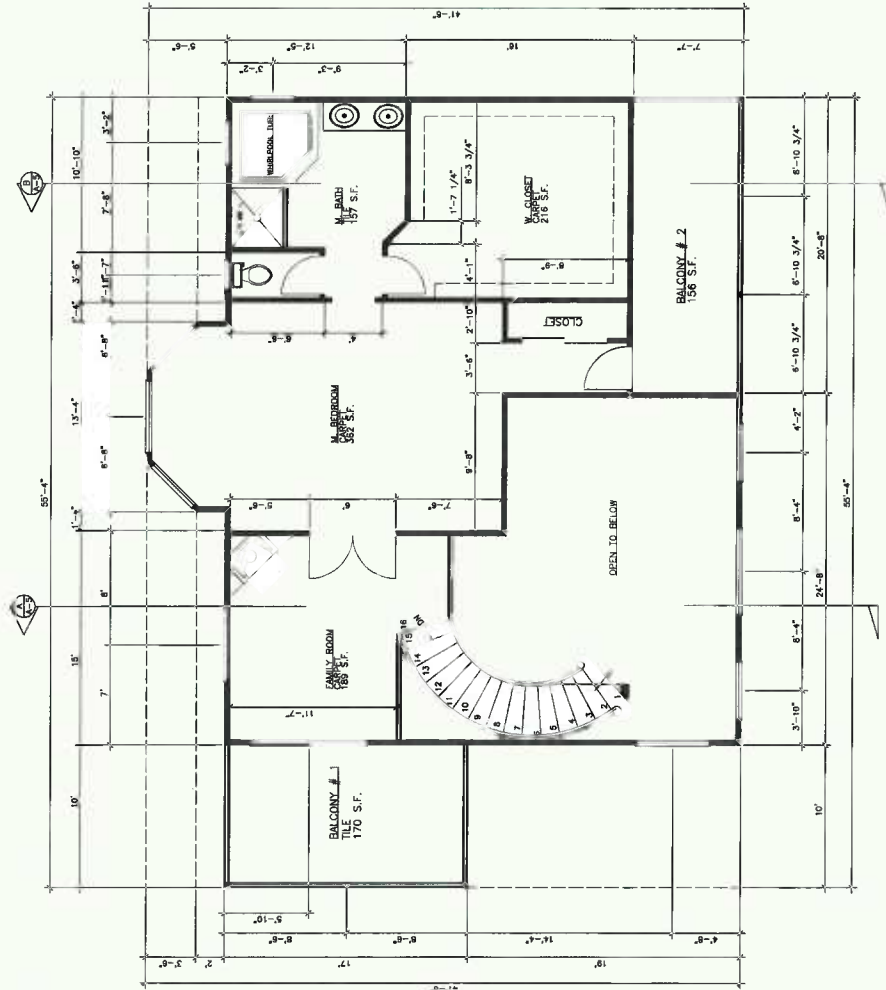
SCALE: 1/16"=1'-0"

REVISIONS	DESIGNER: JOSE RUIZ 10000 N. 10TH RD. SUITE 200 SANTA ANA, CA 92707 TEL: (949) 663-0667	OWNER: NICHOL J. LOPEZ 775 PARKWAY WATSONVILLE, CA 95070	ENGINEER: JAMES P. ADAMS, SE 3226 SAN LUCAS WAY UNION CITY, CA 94587 TEL: (910) 386-0889 FAX: (910) 429-1430 CREATING LANDSCAPE ARCHITECT	PROJECT: LOPEZ RESIDENCE WEBB RD. WATSONVILLE, CA. 95076	SHEET TITLE: SITE PLAN	DATE: 07-19-15	BY: J. ADAMS	AS SHOWN	RESIDENCE
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REVISIONS	PROJECT:	LOPEZ RESIDENCE	WEBB RD. WATSONVILLE, CA. 95076
DESIGNER:	SHEET TITLE:	FIRST FLOOR	
JOSE RUIZ, SR. ARCHITECT 3000 N. HIGHWAY 101 SAN JOSE, CA. 95131 TEL: (408) 663-8844	DATE: 02-19-15	JOSE RUIZ	
OWNER:	As Shown	RESIDENCE	A - 2 of - Sheet(s)
ENGINEER:			
JAMIE P. ADAMS, SE 1000 S. HIGHWAY 101 UNION CITY, CA. 94587 TEL: (910) 386-5899 FAX: (910) 423-1430			
LANDSCAPE ARCHITECT			
GREGORY TOWS 1000 S. HIGHWAY 101 SAN JOSE, CA. 95131 TEL: (408) 663-8844			



FIRST FLOOR PLAN

[illegible]

DESIGNER:

JOSE RUIZ
1800 S. 10TH AVE.
SANTA ANA, CA 92707
TEL: (949) 663-4864

OWNER:

RAMON GARZA
1700 CASSIDY ROAD
WATSONVILLE, CA 95076

ENGINEER:

JAMIE P. ARFELDES, PE
1000 S. 10TH AVE.
SANTA ANA, CA 92707
TEL: (949) 390-5899
jpa@jprinc.com

PROJECT:

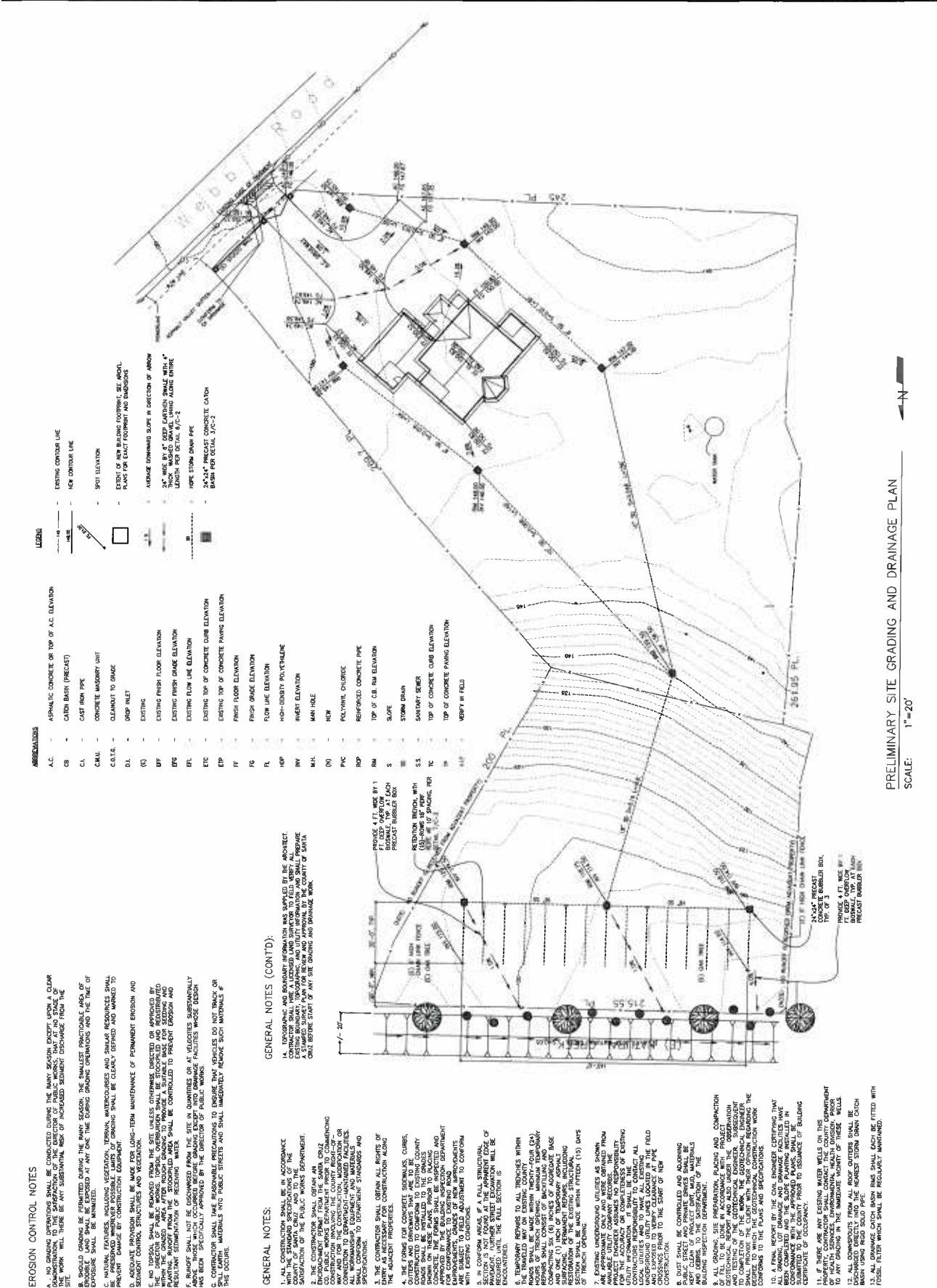
WEBB RD, WATSONVILLE, CA 95076

REVISED05-08-15

BY: JPA

SCALE: AS NOTED

C-1



EROSION CONTROL NOTES

NO GRADING OR TRENCHING SHALL BE CONDUCTED DURING THE RAINY SEASON EXCEPT UPON A CLEAR AND DRY SURFACE. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY GRADING OR TRENCHING. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF THE PROJECT. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO THE START OF ANY GRADING OR TRENCHING. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD. EROSION CONTROL MEASURES SHALL BE REMOVED UPON COMPLETION OF THE PROJECT.

GENERAL NOTES (CONT'D):

1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

2. THE CONTRACTOR SHALL OBTAIN ALL RIGHTS OF WAY AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

3. THE CONTRACTOR SHALL OBTAIN ALL RIGHTS OF WAY AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

4. THE FORMS FOR CONCRETE SPALLS, CURBS, OTHERS AND DIMENSIONS SHALL BE TO BE SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION. THE FORMS SHALL BE SUBMITTED TO THE ARCHITECT FOR REVIEW AND APPROVAL PRIOR TO CONSTRUCTION.

5. IN CONFORMANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

6. TEMPORARY REPAIRS TO ALL TRENCHES WITHIN THE TRAVELED WAY OF EXISTING COUNTY HIGHWAYS SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

7. EXISTING UNDERGROUND UTILITIES AS SHOWN ON THE PLANS SHALL BE MAINTAINED AND PROTECTED THROUGHOUT THE CONSTRUCTION PERIOD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

8. DIRT SHALL BE CONTROLLED AND ADJACENT AREAS SHALL BE PROTECTED FROM DIRT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

9. ALL GRADING, SITE PREPARATION, PLACING AND COMPACTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

10. A FINAL REPORT BY THE CIVIL ENGINEER CERTIFYING THAT THE PROJECT HAS BEEN CONSTRUCTED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

11. IF THERE ARE ANY EXISTING WELLS ON THIS PROJECT, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

12. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

13. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

14. ALL CONSTRUCTION SHALL BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION, LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, AND THE LATEST EDITIONS OF THE CALIFORNIA STANDARD SPECIFICATIONS FOR HIGHWAY STRUCTURES.

EXHIBIT A

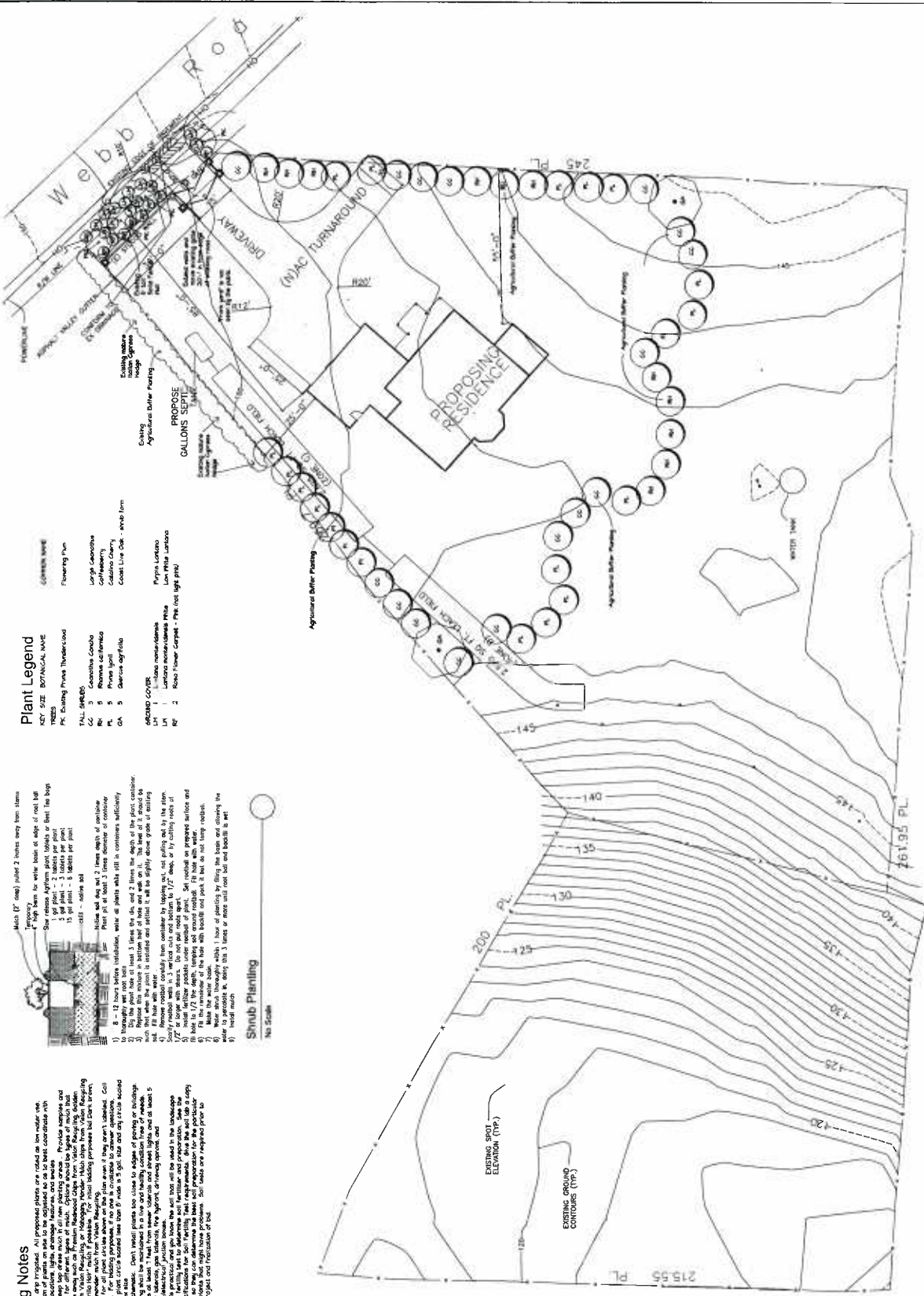
Planting Notes

- [illegible]

Shrub Planting

- [illegible]

Plant Legend

[illegible]

**Required Findings for Agricultural Buffer Setback Reduction
County Code Section 16.50.095(D)**

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a two hundred (200) foot agricultural buffer setback; or
3. A lesser setback is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, 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) or the existence of some other factor which effectively supplants the need for a two hundred (200) foot agricultural buffer setback; or

The subject property is approximately 1.8 acres in size and situated in an area of smaller residential agriculture zoned and agriculture resource designated properties that are really non-commercially viable parcels due to the small parcel size and/or development with single family residences. The proposed setbacks for the proposed structure comply with the site standards established for residential zoned parcels based on site size in accordance to 13.10.323.

Furthermore, the habitable structure is proposed to be set back 121 feet east, 163 feet east, and 100 feet northwest from the adjacent Agricultural Resource designated land (110-261-03, 110-261-10, 110-063-15). All three of the affected properties are zoned Residential Agriculture and designated Type 2D agricultural resource lands. Two of these properties (1 acre and 2.6 acres) are developed with residential uses and otherwise are too small to be developed with agriculture and are further restricted from Commercial Agriculture due to site zoning. The other property is located to the southeast of the subject property and is approximately 1.6 acres and is vacant and unfarmed. This is the most viable site for agricultural use. There is an approximately 6 foot tall stucco wall along the front property line across the street from this parcel

The existing stucco wall along the front property line will provide an adequate physical separation between the subject property and most viable agriculturally zoned property located to the southeast, should this parcel be farmed in the future. Plans provide vegetative buffering around the entire dwelling, consistent with the Recommended Agriculture Buffer Plant List. No fencing is recommended along the west property line as the two agricultural resource parcels within two hundred feet are developed with residential uses, zoned residential agriculture and otherwise not large enough to develop commercial agriculture or permitted to develop commercial agriculture.

4. The imposition of a two hundred (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 (e.g. solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

Conditions of Approval

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (110-261-03, 110-261-10, 110-063-15). This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- 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 from the single family dwelling of a minimum of approximately 121 feet west, 163 feet west, and 100 feet southeast feet to the adjacent Agricultural Resource land parcel on APN 110-261-03, 110-261-10, and 110-063-15, as shown on Exhibit A.
 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 physical barrier and vegetative buffering 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 three years from the effective date listed below or if additional discretionary permits are required for the above permitted project, this permit shall expire on the same date as any subsequent approved discretionary permit(s) unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.
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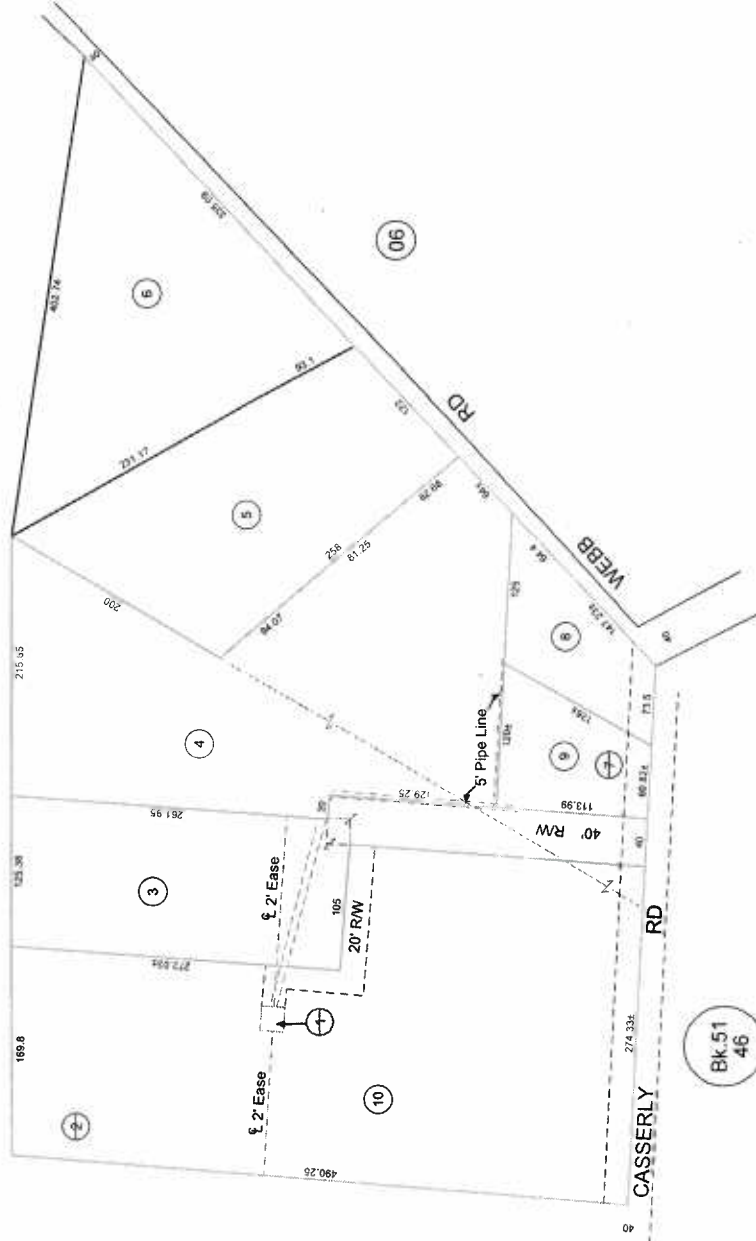
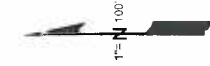
SALSIPUEDES RANCHO

POR. SEC. 22, T. 11S., R. 2E., M.D.B. & M.

Tax Area Code

69-258

110-26



Assessor's Map No. 110-26
County of Santa Cruz, Calif.
Sept. 1997

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

Electronically drawn 9/26/97 KSA
Rev 10/16/01 mwm (changed page refs.)
Rev 11/14/03 CB (Cor to 1-03 inwork)
Rev 6/2/05 CB (Removed Well Ease R/W from 1-05 as per 3479/165, 3484/155 & 5305/135)
Rev 11/17/10 CB (Cor inwork & dims on 1-04, 05 & 06 as per deeds)

EXHIBIT D

Location Map

April 7, 2015

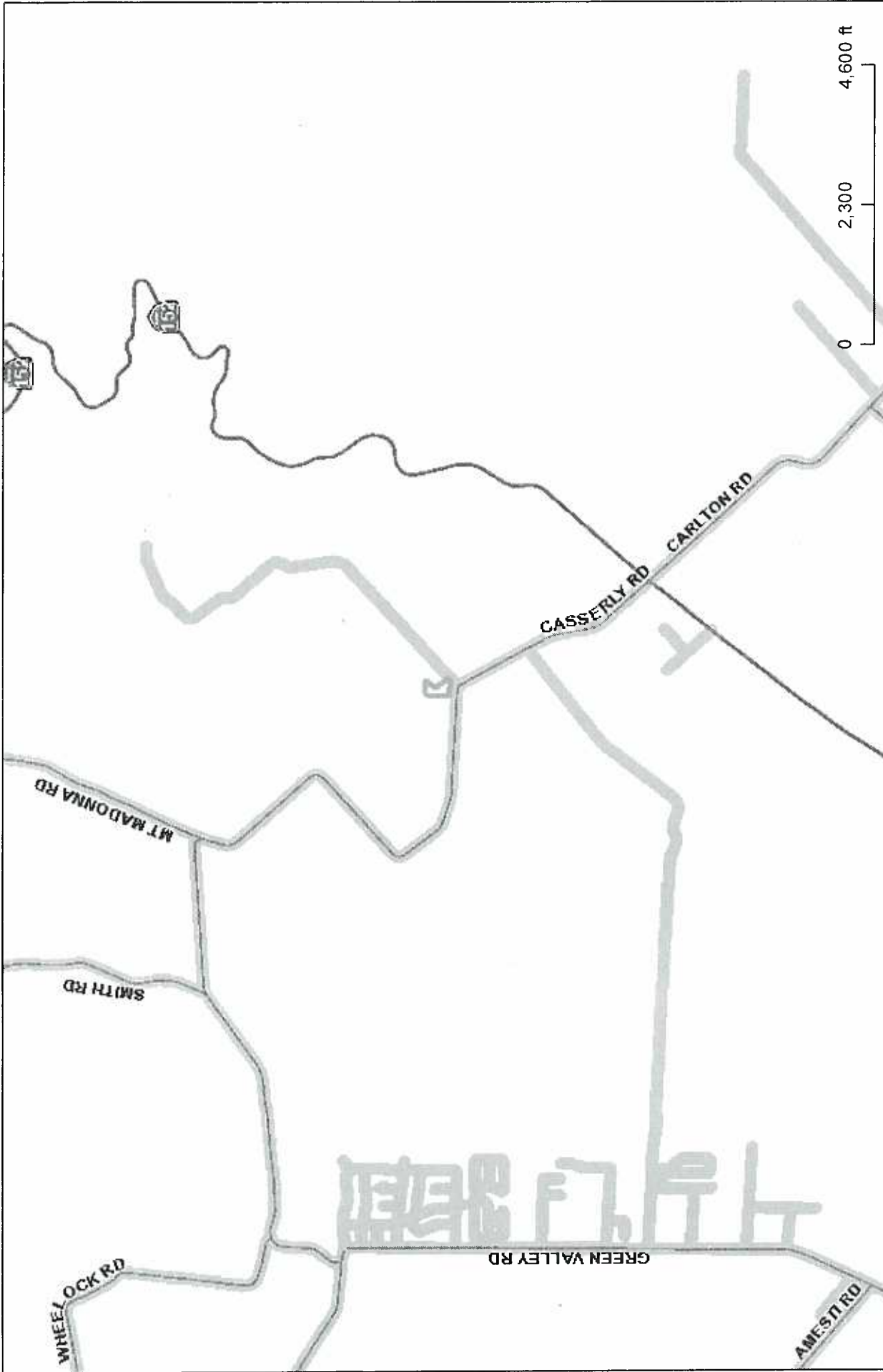
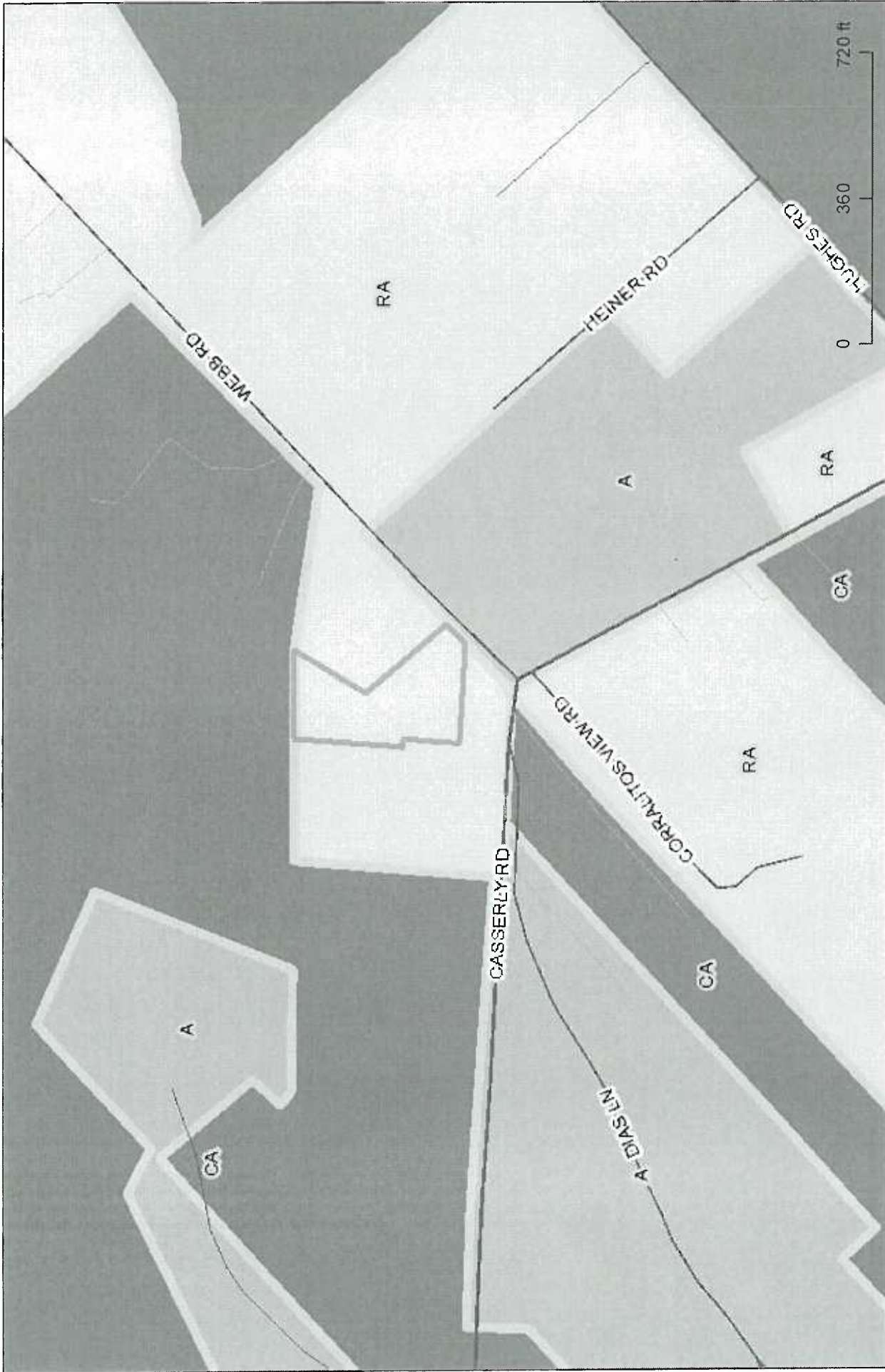


EXHIBIT D

Zoning

April 7, 2015



General Plan

April 7, 2015

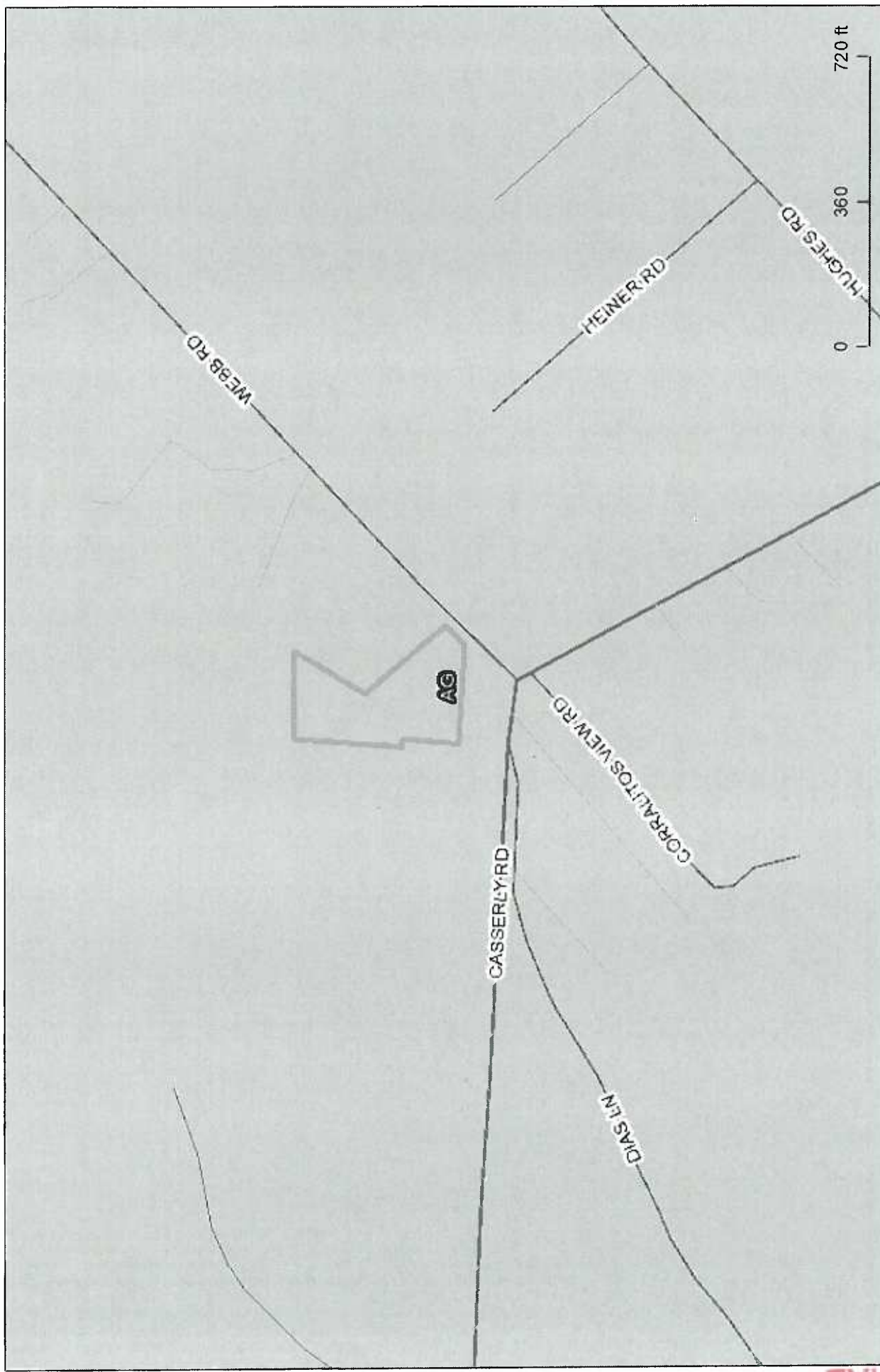


EXHIBIT D