



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **221072**

Applicant: R Roddick Pool Construction

Owner: Arthur Taylor

APN: 110-011-04

Address: 250 Casserly Road, Watsonville

Date: May 19, 2022

Agenda Item #: 09

Time: 1:30 p.m.

Project Description: Proposal to construct an in-ground swimming pool on a site with an existing single-family dwelling. Requires an Agricultural Buffer Setback Reduction to reduce the required 200-foot agricultural buffer setback to about 30 and 50 feet to adjacent CA zoned properties on the west and east side of the property.

Location: Property located on the north side of Casserly Road, approximately 1,100 feet west of the intersection of Casserly Road and Webb Road (250 Casserly Road)

Permits Required: Agricultural Buffer Setback Reduction

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 221072, based on the attached findings and conditions.

Analysis and Discussion

The subject property is an approximately 3.15-acre parcel with CA (Commercial Agricultural) zoning and AG (Agricultural) General Plan Designation. The site is located on the north side of Casserly Road, approximately 1,100 feet west of the intersection of Casserly Road and Webb Road. Uses on the property are split; the northern half of the property is developed with an approximately 1,300 square foot single-family dwelling (constructed in 1978) while the southern half is undeveloped and used as a horse pasture and dog training area. The two halves of the property are divided by solid wood-panel fencing and a row of trees. No commercial-scale agriculture or agricultural operation exists on-site. The proposed project is for the construction of a 12'x40' in-ground swimming pool located between the residence and the fence line separating the residential portion of the property from the horse pasture.

Parcels in the area are developed to a similar extent as the subject property. The property to the west, APN 110-011-05, is developed with an approximately 2.25-acre orchard and a residence. The property to the east, APN 110-011-37 was used historically as an orchard but little no

agriculture appears to have occurred on the parcel since the home was constructed in 2007.

Since both the subject parcel as well as both adjacent parcels are Type 2D commercial agricultural land, the proposal requires an Agricultural Buffer Setback reduction. The proposed setback to the property to the west (APN 110-011-05) would be approximately 32-feet and the setback to the property to east (APN 110-011-37) would be approximately 55-feet. The pool would be sited about 40-feet from the horse pasture on the subject parcel.

A setback reduction is supported due to the fact that the proposed location of the swimming pool would be on a portion of the site already used for residential purposes. Further, the entirety of the project site is located within the 200-foot agricultural setback for adjacent properties; an alternative location anywhere else on the site would require a commensurate reduction in setbacks as what is being proposed. To buffer the pool from the adjacent commercial agricultural land to the east and west of the property, the project proposal includes the construction of a solid, wood-paneled fencing around the perimeter of the pool area. As a condition of approval for the project, the applicant will be required to record a Statement of Acknowledgment on the property title which acknowledges the potential for conflicts between the agricultural and non-agricultural uses.

Recommendation

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200-feet to 32-feet from APN 110-011-05 and 54-feet from APN 110-011-37 to allow the construction of a swimming pool, proposed under Application #221072, 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.sccoplanning.com

Report Prepared By: Evan Ditmars
Santa Cruz County Planning Department
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Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: evan.ditmars@santacruzcounty.us

Report Reviewed By: _____
Jocelyn Drake
Principal Planner
Development Review

Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information

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: 221072

Assessor Parcel Number: 110-011-04

Project Location: 250 Casserly Road, Watsonville

Project Description: Agricultural Buffer Setback Reduction to allow for construction of a swimming pool at a site developed with a single family dwelling

Person or Agency Proposing Project: R. Roddick Pool Construction

Contact Phone Number: (831) 426-1866

- 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).
E. ☒ **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Construction of a swimming pool on a site developed with a single-family dwelling.

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

Evan Ditmars, Project Planner

Date: _____

EXHIBIT A

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 proposed project would include the construction of a solid wood paneled fence surrounding the proposed pool area. Existing wood paneled fencing and vegetation already exists between the undeveloped (southern) portion of the subject property, which could be used to future agricultural uses, and the developed residential (northern) portion of the property. Construction of fencing would provide a physical barrier between existing and future agricultural operations and the proposed swimming pool.

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 as indicated on the approved Exhibit "D" for this permit. 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 and Grading 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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 copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 - 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. 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. All required Agricultural Buffer Setbacks shall be maintained.
- B. 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. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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.

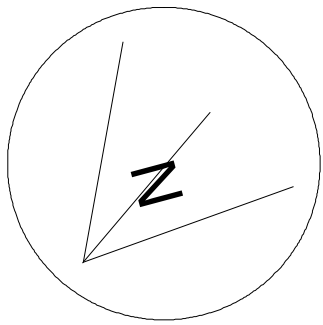
Please note: This permit expires three years from the effective date listed below or if additional discretionary permits are required for the above permitted project, this permit shall expire on the same date as any subsequent approved discretionary permit(s) unless a building permit (or permits) is 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.

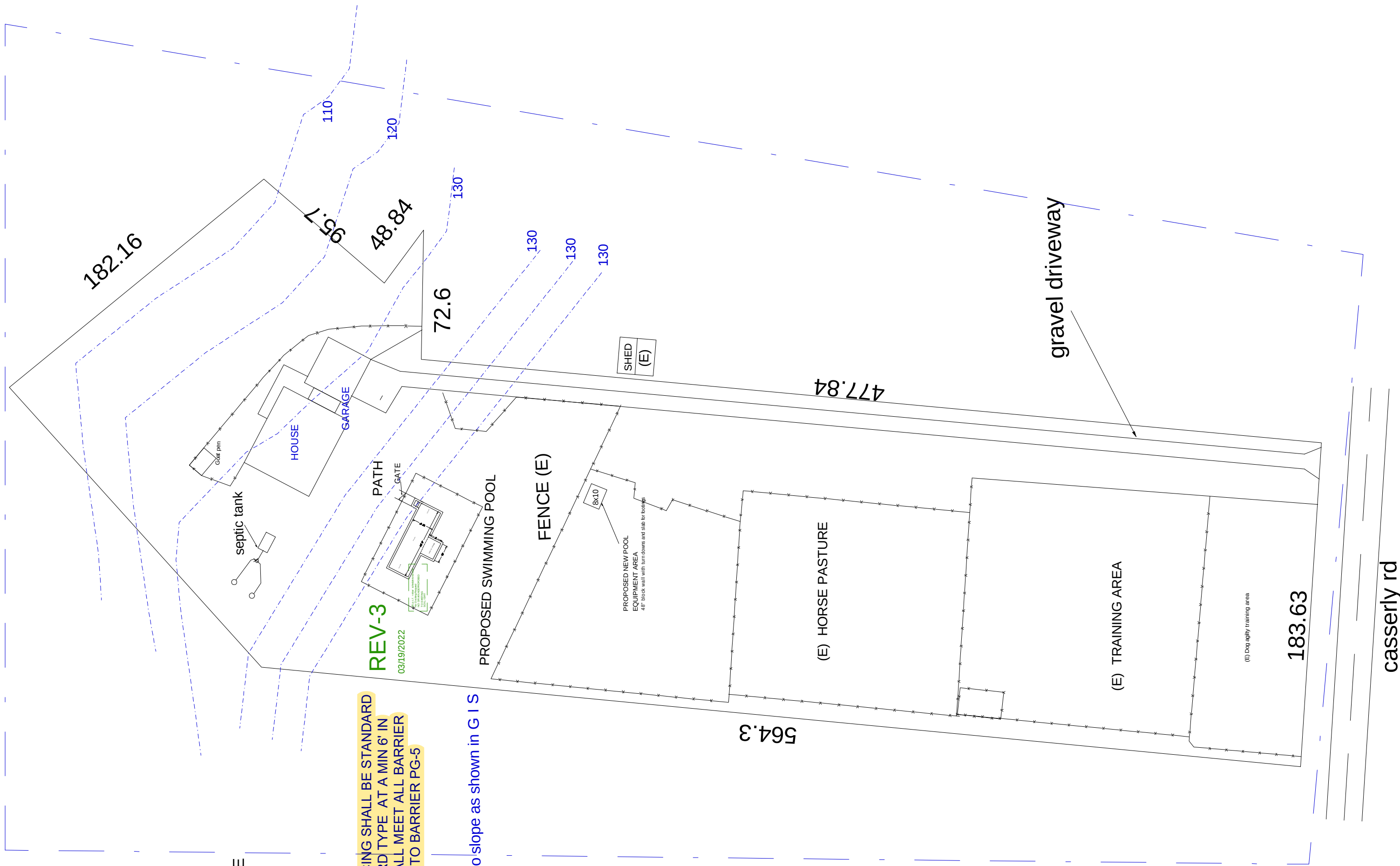


All work indicated on the plans shall comply with the following codes
2019 CBC,CRC,CMC,CPC,CA ELECT CODE , CAL GREEN, CAL ENERGYCODE
AND SMC TITLE 18

NOTE: when it is needed to drain the pool all water shall be pumped
to the existing sewer system / No Pool water shall be pumped to
storm water drains .

NEW POOL FENCING SHALL BE STANDARD
BOARD ON BOARD TYPE AT A MIN 6' IN
HEIGHT AND SHALL MEET ALL BARRIER
CODES . REFER TO BARRIER PG-5

No slope as shown in G I S



CONSTRUCTION SITE STORMWATER
POLLUTION CONTROL BMP NOTES:

- Section E - Site Housekeeping Requirements. All projects shall include the following minimum housekeeping notes on the stormwater pollution control plan.
Construction Materials. All loose stockpiled construction materials that are not actively being used (i.e. soil, spalls, aggregate, fly-ash, stucco, hydrated lime, etc.) shall be covered and bermed.
All chemicals shall be stored in watertight containers (with appropriate secondary containment to prevent any spillage or leakage) or in a storage shed (completely enclosed).
Exposure of construction materials to precipitation shall be minimized. This does not include materials and equipment that are designed to be outdoors and exposed to environmental conditions (i.e. poles, equipment pads, cabinets, conductors, insulators, trucks, etc.).
Best Management Practices to prevent the off-site tracking of loose construction and landscape materials shall be implemented. This includes covering materials with tarpaulins or plastic sheeting or wash waters or materials on impervious or previous site surfaces or into the storm drain system shall be prevented.
Sanitation facilities shall be contained (e.g., portable toilets) to prevent discharges of pollutants to the storm water drainage system or receiving water, and shall be located a minimum of 20 feet away from an inlet, street or driveway, stream, riparian area or other drainage facility.
Sanitation facilities shall be inspected regularly for leaks and spills and cleaned or replaced as necessary. Cover waste disposal areas with a tarpaulin or plastic sheeting and prevent rain during a rain event. Discharges from waste disposal containers to the storm water drainage system or receiving water shall be prevented.
Stockpiled waste material shall be contained and securely protected from wind and rain at all times unless actively being used.
Procedures that effectively address hazardous and non-hazardous spills shall be implemented.
Equipment and materials for cleanup of spills shall be available on site and that spills and leaks shall be cleaned up immediately and disposed of properly, and Containers without labels shall be clearly marked and labeled with the name of the pollutants shall be contained so there is no discharge into the underlying soil and onto the surrounding areas.
Vehicle Storage and Maintenance Measures shall be taken to prevent oil, greases, or fuel to leak in to the ground, storm drains or surface waters.
All equipment or vehicles, which are to be fueled, maintained and stored onsite shall be in a designated area fitted with appropriate BMPs. Leaks shall be immediately cleaned and leaked materials shall be disposed of properly.
Landscape Materials. Contain stockpiled materials such as mulches and topsoil when they are not actively being used. Contain fertilizers and other landscape materials when they are not actively being used.
Discontinue the application of any erodible landscape material within 2 days before a forecasted rain event or during periods of precipitation.
Apply erodible landscape material at quantities and application rates according to manufacture recommendations or based on written specifications by knowledgeable and experienced field personnel. Do not apply mulch or other landscape material for covering or storing such materials, when not being used or applied.

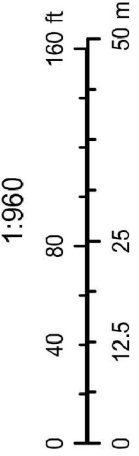
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PG-5 BARRIER
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CUT SHEETS2
EQUIPMENT SLAB

Total Lot sq ft 139,392
Equipment slab 80 sq ft
Proposed Pool Equipment area 8 x 10 = 80 sq ft sloped 1/4" per ft slab with block wall construction NO ROOF Proposed
REV-3
03/19/2022
NO PROPOSED CONCRETE POOL DECKING

Per Title 24 / ca energy standards out door pools & spas will require
a cover ., installed and approved at final inspection (ca energy standards110.4)

NOTE: Prior to final approval of swimming pool & spa a permanently installed
CPR sign no smaller then 12" x 10" and readily visible from all areas of the pool and
spa (SCCC 12.10.216(G))

NOTE: Smoke detectors and co alarms shall be installed in each sleeping room
and on each floor level and out side of each sleeping room on each floor. Combination alarms are permitted
[crr: r314.3] [crr: r315.2]



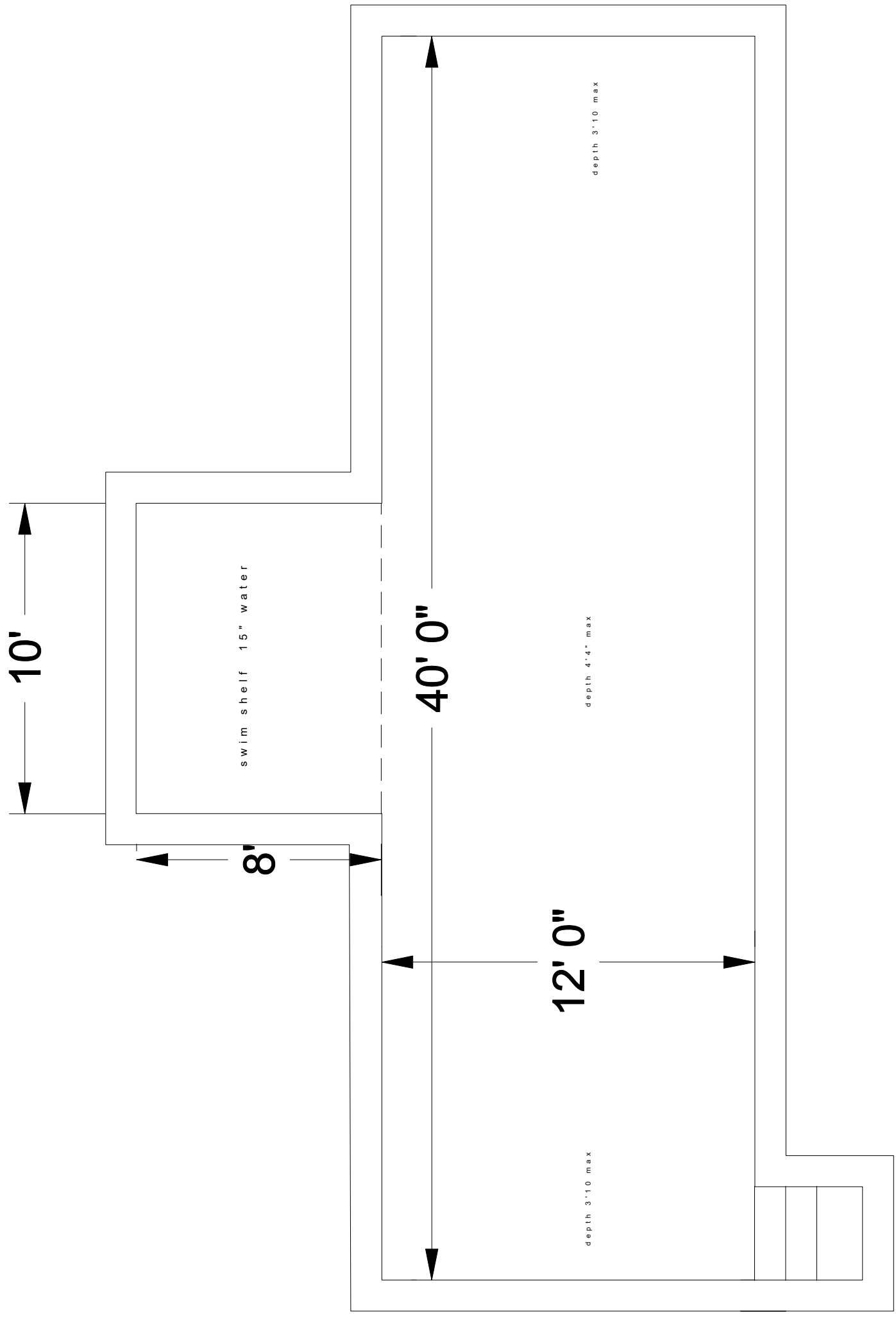
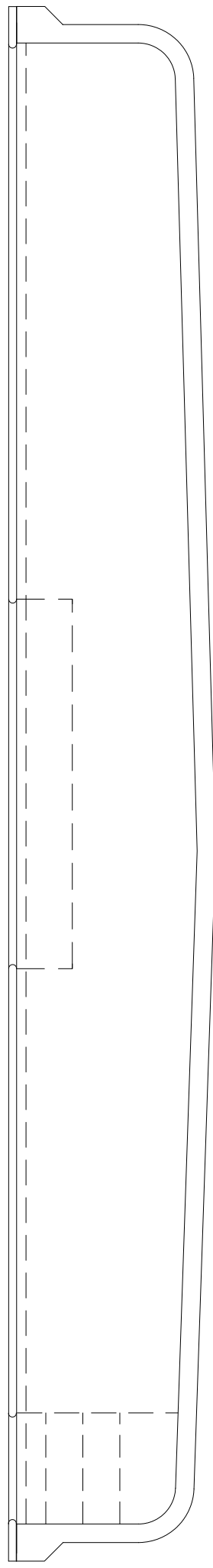
County of Santa Cruz

1/4"=1'

designer 03/19/2022

Exhibit D

pool details



Owner: M&MRS TAYLOR watsonville, ca. 95078
Site Address 250 Casserly rd

Apn# 110-01-104

Builder: R. Roddick Pool Construction
P.O. box 426 Soquel, Ca. 95073

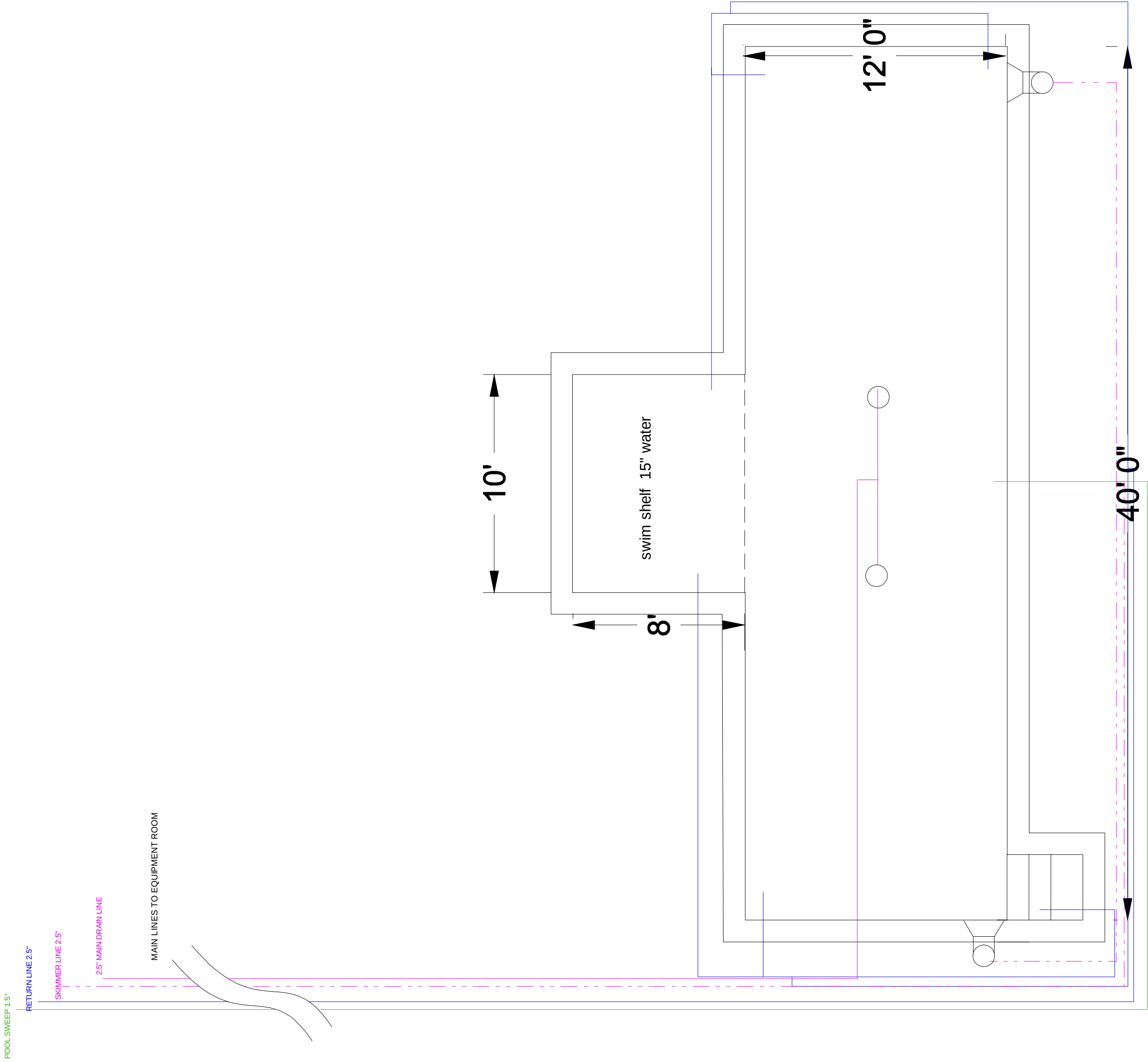
designer 03/09/2022

Exhibit D

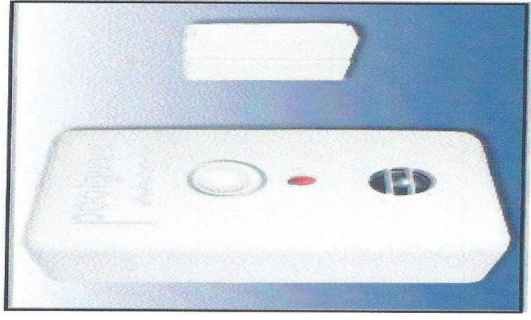
All suction lines shall have a min of two circulation drains per pump and shall be hydro. Balanced and symmetrically plumbed through one or more Tee fittings with a minimum of 36" seperation between vgba rated covers [SCCC 1.10.216(G)(1)(a)]

Suction outlets that are less then 12 inches across shall be covered with an ant entrapment cover as per asme/ansi standard A 112. 19.8. that can not be removed except with the use of tools . slots or openings in the grates or similar protective devices shall be of a shape , area,and arrangement that would prevent physical entrapment and would not pose any suction hazard

rev-2



Poolguard Door Alarm
1 Year Warranty



- The Door Alarm will sound if 7 seconds when a child opens the door and the alarm will continue to sound until an adult comes to the door and resets the alarm.
- Poolguard Door Alarm will sound if 7 seconds even if a child goes through the door and closes it behind them.
- The Door Alarm is always on and will automatically reset under all circumstances.
- Poolguard Door Alarm is equipped with an adult pass through feature that will allow adults to go through the door without the alarm sounding.
- Optional wireless door kits can be purchased for the alarm, this kit allows the alarm to be placed up to 100 feet away from the alarm unit.
- Poolguard Door Alarm uses two 3V batteries (not included) with a battery life of approximately 1 year.
- Poolguard Door Alarm is equipped with a low battery indicator that will alert you when your battery is getting low.
- Poolguard is the only door alarm that is U.S. listed code UL 2017 for water hazard entrance alarm equipment.



Poolguard Alarms:

- Pool Alarm - Model DAPF1
- Door Alarm - Model DAPF2
- Gate Alarm - Model DAPF3

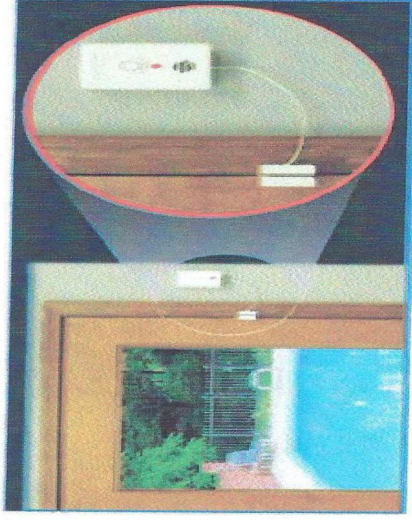
Door Alarms - NEW

- Door Alarm - DAPF2
- Door Alarm - DAPF2-RT (Remote Reset)
- Door Alarm - DAPF2-RT (Remote Reset)

Other Information:

- Contact Us
- About Us
- Poolguard
- Poolguard
- Poolguard

Door Alarm - Model DAPF2



POOLGUARD® INDUSTRIES, INC. - U.S. Listed to UL 2017
Poolguard Door Alarm is a pool safety device that will sound if a child opens the door and the alarm will continue to sound until an adult comes to the door and resets the alarm. Poolguard Door Alarm will sound if 7 seconds even if a child goes through the door and closes it behind them. The Door Alarm is always on and will automatically reset under all circumstances. Poolguard Door Alarm is equipped with an adult pass through feature that will allow adults to go through the door without the alarm sounding. Optional wireless door kits can be purchased for the alarm, this kit allows the alarm to be placed up to 100 feet away from the alarm unit. Poolguard Door Alarm uses two 3V batteries (not included) with a battery life of approximately 1 year. Poolguard Door Alarm is equipped with a low battery indicator that will alert you when your battery is getting low. Poolguard is the only door alarm that is U.S. listed code UL 2017 for water hazard entrance alarm equipment.



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
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

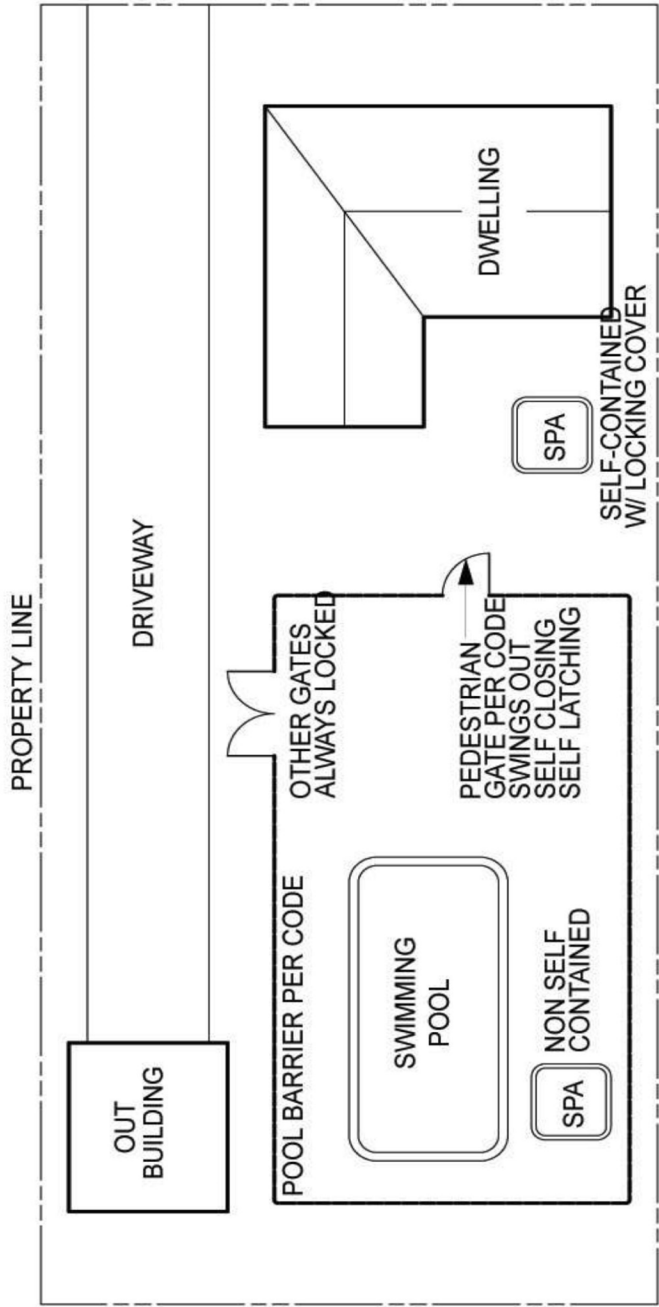
RESIDENTIAL POOL BARRIER

THIS DRAWING IS FOR INFORMATION PURPOSES ONLY AND NOT TO BE USED FOR WORKING DRAWINGS OR DOCUMENTS

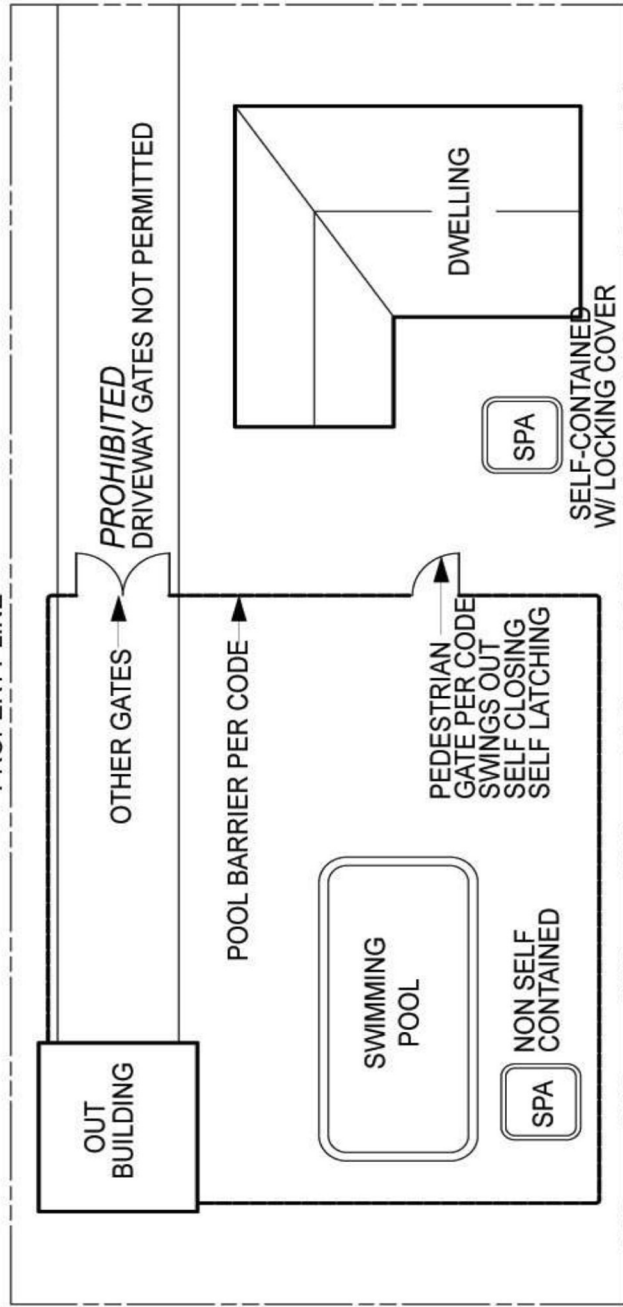
AN OUTDOOR SWIMMING POOL SHALL BE PROVIDED WITH A COMPLIANT BARRIER THAT SHALL BE INSTALLED, INSPECTED AND APPROVED PRIOR TO PLASTERING OR FILLING WITH WATER.

REFER TO THE SANTA CRUZ COUNTY CODE SECTION 12.10.216 - SWIMMING POOL ENCLOSURE AMENDMENT, FOR ALL CODE REQUIREMENTS. EFF: 1/1/08

SITE PLANS A & B



PLAN "A" - ACCEPTABLE LAYOUT



PLAN "B" - PROHIBITED LAYOUT

revised 2/9/09



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
KATHLEEN MOLLOY PREVISICH, PLANNING DIRECTOR

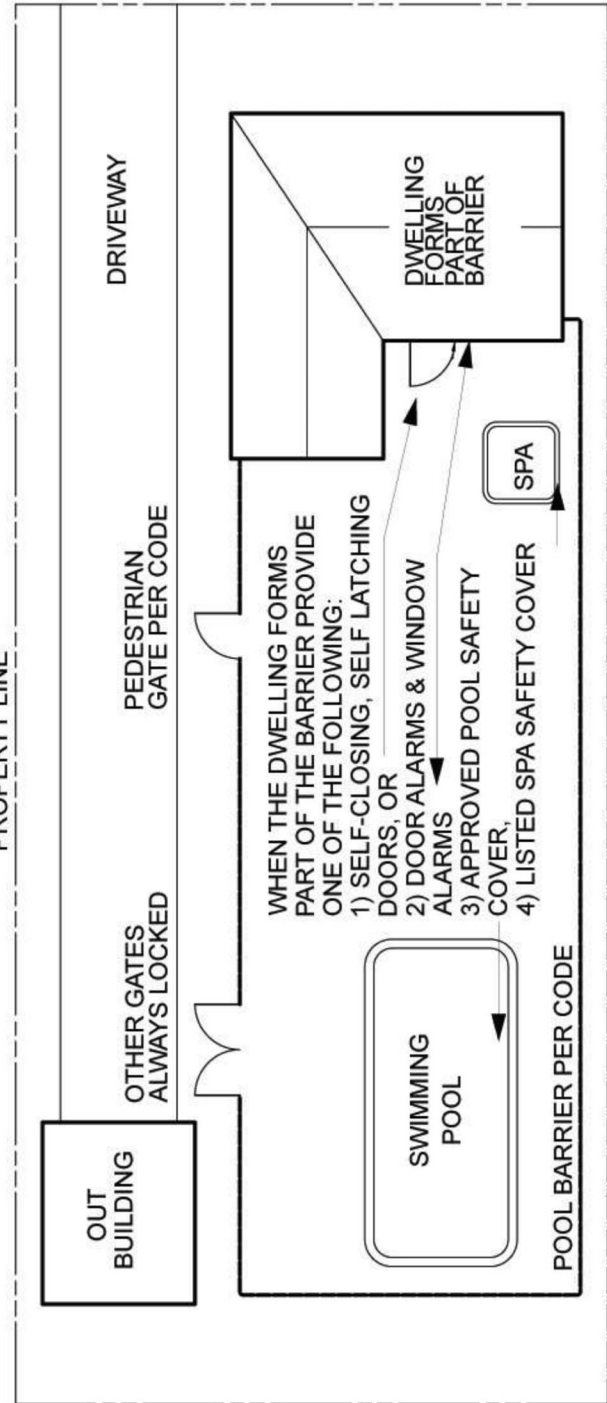
RESIDENTIAL POOL BARRIER

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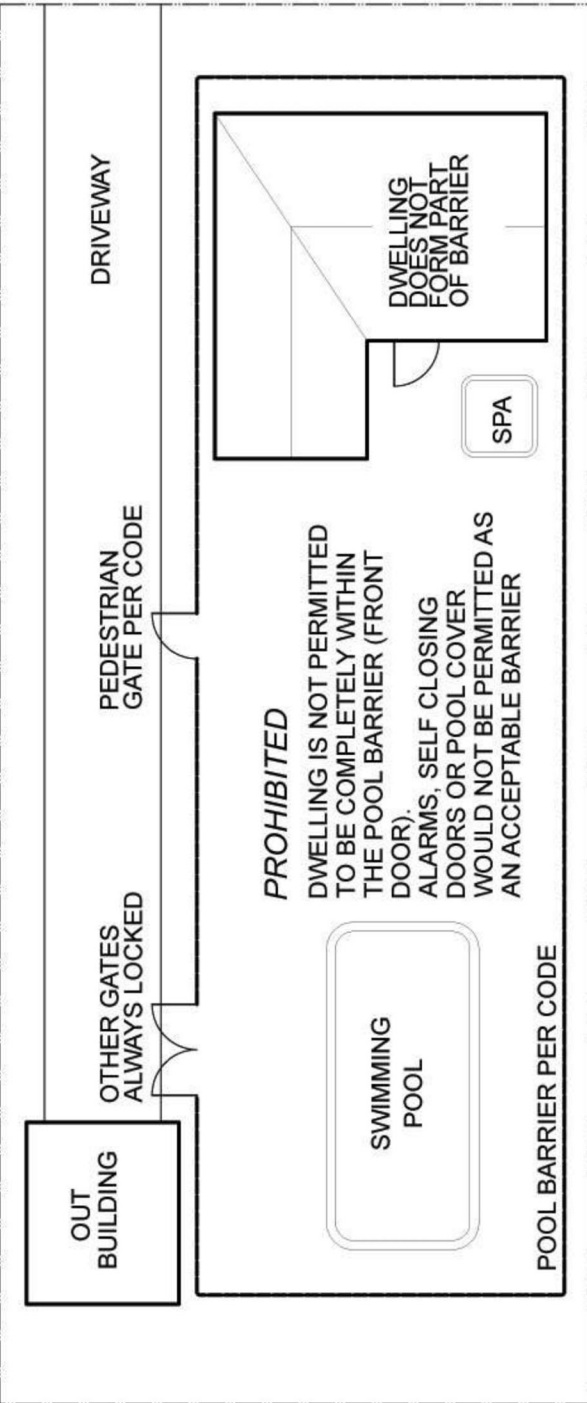
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REFER TO THE SANTA CRUZ COUNTY CODE SECTION 12.10.216 - SWIMMING POOL ENCLOSURE AMENDMENT, EFF: 1/1/08.

SITE PLANS C & D



PLAN "C" - ACCEPTABLE LAYOUT



PLAN "D" - PROHIBITED LAYOUT

revised 2/9/09

Exhibit D

Builder: R.Roddick Pool Construction
p.o.box 426 Soquel, Ca.95073
ca lic c/53 - c/46 # 592190

Owner: Mr & Mrs Taylor
Site Address : 250 cassetry rd watsonville . Ca.
APN# 110-011-04

Equipment room slab

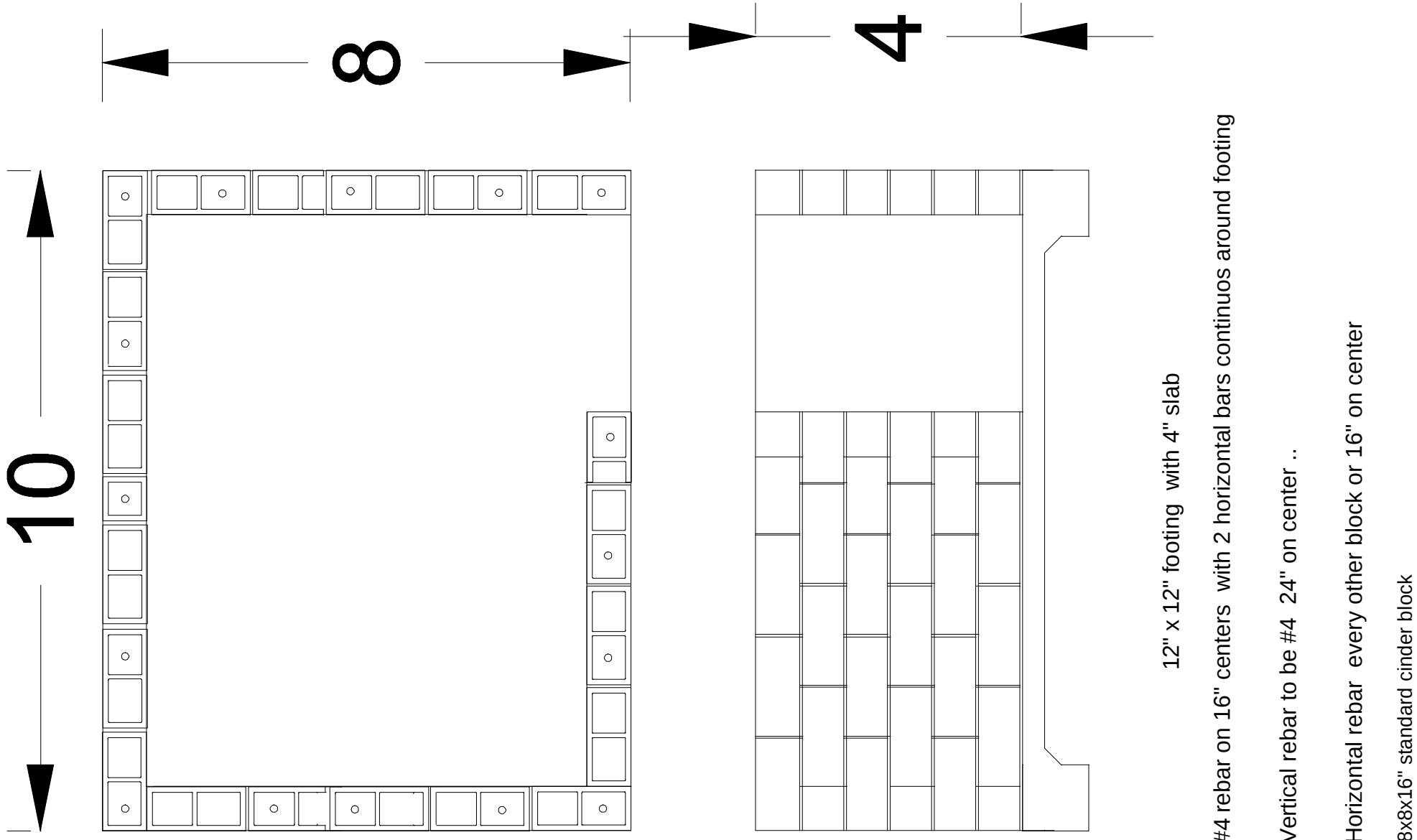
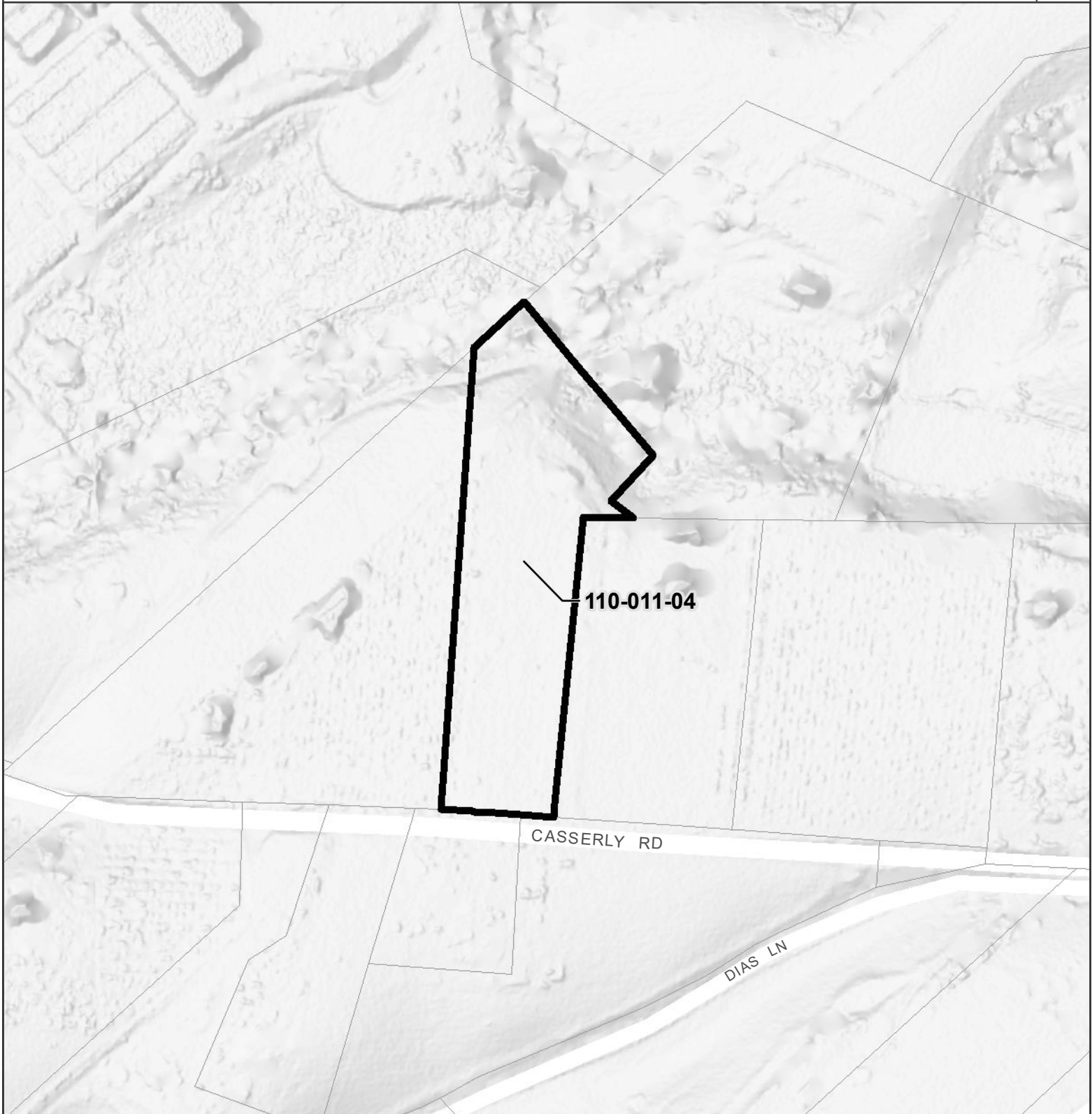


Exhibit D

scale = 1/2" = 1 ft



Parcel Location Map



Parcel: 11001104

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 12 May, 2022

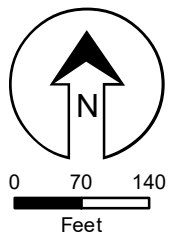
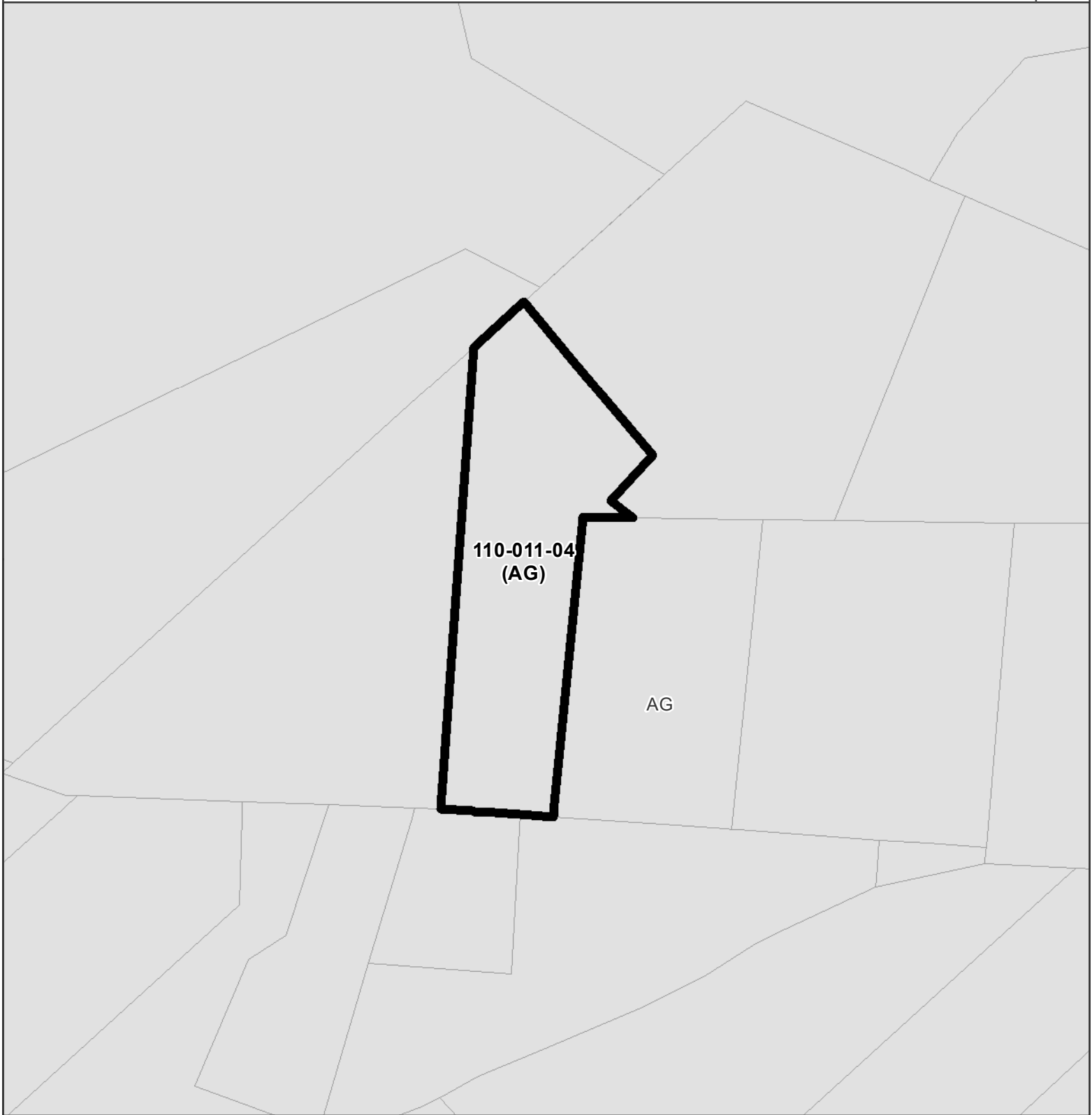


Exhibit E



Parcel General Plan Map



AG Agricultural

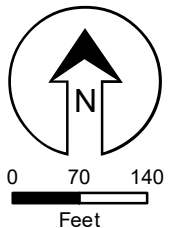
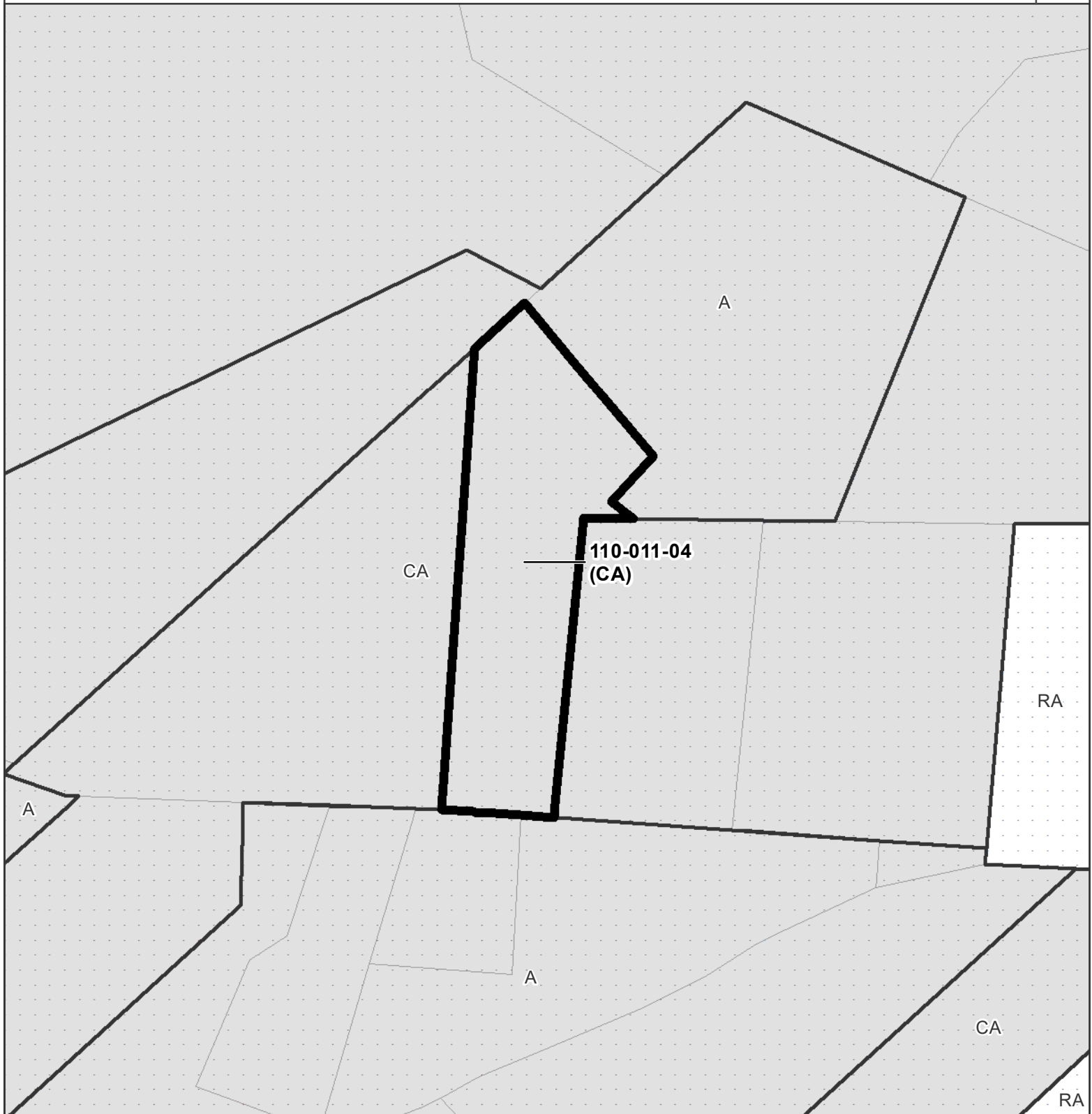


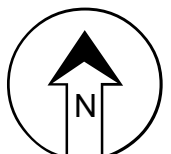
Exhibit E



Parcel Zoning Map



-  A Agriculture
-  CA Commercial Agriculture
-  RA Residential Agricultural



0 70 140
Feet

Exhibit E

Parcel Information

Services Information

Urban/Rural Services Line:	☐ Inside	☒ Outside
Water Supply:	Private	
Sewage Disposal:	Septic	
Fire District:	Pajaro Valley Fire Protection District	
Drainage District:	Zone 7 Flood Control District	

Parcel Information

Parcel Size:	3.15 acres
Existing Land Use - Parcel:	Single-family dwelling
Existing Land Use - Surrounding:	Commercial agricultural/agricultural zoning with residential uses
Project Access:	Casserly Road
Planning Area:	Salsipuedes
Land Use Designation:	AG (Agricultural)
Zone District:	CA (Commercial Agricultural)
Coastal Zone:	☐ Inside ☒ Outside

Environmental Information

Geologic Hazards:	Not mapped/no physical evidence on site
Fire Hazard:	Not a mapped constraint
Slopes:	None
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	Excavation of 12' x 40' swimming pool
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Mapped potential for archaeological resources