



# Staff Report to the Agricultural Policy Advisory Commission

Application Number: **231475**

**Applicant:** Kellee Dankiewicz

**Owner:** Kathleen Nakfoor

**APN:** 046-261-20

**Address:** 480 Sea View Terrace, Watsonville  
95076

**Date:** August 15, 2024

**Agenda Item #:** 11

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

**Project Description:** Proposal to reduce the required agricultural buffer setback from 200-feet to 56-feet of agricultural resource type land to allow construction of an Accessory Dwelling Unit (ADU) on a Commercial Agricultural (CA) zoned parcel. Requires an Agricultural Buffer Reduction Determination.

**Location:** The property is located on the northwestern side of Sea View Terrace (480 Seaview Terrace), approximately 0.5 miles west from the intersection of Sea View Terrace and Crest Drive in Watsonville.

**Permits Required:** Agricultural Buffer Setback Reduction

## Staff Recommendation:

- Approval of Application 231475, based on the attached findings and conditions.

## Analysis and Discussion

The project is located at 480 Sea View Terrace in Watsonville. The proposed project is to construct an Accessory Dwelling Unit of approximately 1,160 square feet on a 5.41-acre parcel within 100 feet of the main single-family dwelling. The building site is within 200 feet of Commercial Agricultural land to the northeast and southwest. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 57-feet from APN 046-261-23, located southwest of the proposed ADU.

The subject property is characterized by flat, agricultural land with residential development in the northwest corner. The parcel is located outside of the Urban and Rural Services Line and can be characterized as an agricultural neighborhood with residential units on site. The parcel is located within the AG (Agriculture) General Plan designation and the implementing zone district is CA (Commercial Agriculture). Commercial Agriculture zoned land is situated within 200 feet at the north and south side of the parcel at Assessor's Parcel Number 046-261-15 and 046-261-23.

The proposed Accessory Dwelling Unit will be located approximately 87 feet from the existing residential dwelling unit on site. The nonagricultural development on site is clustered in the northwestern portion of the parcel and is sited in an area where agricultural activities do not

currently take place. Additionally, the existing driveway separates the nonagricultural development from the agricultural resources on site. The agriculturally viable portion of the parcel, which is approximately 3.5 acres in size, will remain undeveloped.

In order to minimize potential land use conflicts, habitable accessory structures that are located on land adjacent to a parcel in the Commercial Agriculture zone districts are required to provide a 200-foot buffer setback to the property line of the adjacent commercial agricultural parcel, unless a reduction in the setback is approved by the Agricultural Policy Advisory Commission.

A reduced agricultural buffer is recommended because the subject parcel's width of 249 feet would not allow sufficient building area if the required 200-foot setback was maintained from the adjacent Commercial Agriculture zoned property to the north and south. Santa Cruz County Code 16.10.095 requires proposed reductions to agricultural buffers to incorporate vegetative or other physical barriers to minimize potential land use conflicts. The applicant is proposing a solid board six-foot fence at the southwestern side of the parcel to reduce the impact of adjacent agricultural activities on the proposed residential use. An existing stucco wall along the northwestern property line will provide additional protection from the Commercial Agriculture zoned parcel to the north. A vegetative barrier in conjunction with the fence was not proposed with this application; however, the property owner is willing to comply with the requirements set forth by the Agricultural Policy Advisory Commission. The applicant will also be required 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 Agricultural-Residential use conflicts.

## **Recommendation**

- **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 57-feet feet to the accessory dwelling unit from the adjacent CA zoned property known as APN 046-261-23, proposed under Application 231475, 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 Division, 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](http://www.sccoplanning.com)**

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Report Reviewed By: Sheila McDaniel  
Principal Planner  
Development Review

## **Exhibits**

- A. Findings
- B. Conditions
- C. Project plans
- D. Assessor's, Location, Zoning and General Plan Maps
- E. Parcel information
- F. Comments & Correspondence

**Required Findings for Agricultural Buffer Setback Reduction**  
**SCCC 16.50.095(D)(1)**

- (a) Significant topographic differences exist between the agricultural and nonagricultural uses that eliminate or minimize the need for a 200-foot agricultural buffer setback; or
- (b) 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 nonagricultural uses that eliminate or minimize the need for a 200-foot agricultural buffer setback; or
- (c) A lesser setback distance is found to be adequate to prevent conflicts between the nonagricultural 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 that effectively supplants the need for a 200-foot agricultural buffer setback; or

This finding can be made in that the proposed Accessory Dwelling Unit will utilize a 6-foot-tall solid board fence to prevent conflicts between the non-agricultural development and the adjacent agricultural land. A vegetative barrier in conjunction with the fence was not proposed with this application; however, the property owner is willing to comply with the requirements set forth by the Agricultural Policy Advisory Commission.

- (d) The imposition of a 200-foot agricultural buffer setback would preclude building on a parcel of record 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.

This finding can be made, in that the subject property is approximately 240 feet wide. The imposition of a 200-foot setback would preclude additional building on this parcel, as properties to the north and south contain agricultural resource type land. Additionally, the existing residential development is located within the 200-foot agricultural buffer setback from APN 046-261-23 and APN 046-261-15. The proposed development will utilize a physical barrier in the form of a 6-foot-tall solid board fence to minimize potential land use conflicts. The proposed Accessory Dwelling Unit will be located within 100 feet of the existing residential dwelling unit on site and the nonagricultural development on site is clustered in the northwestern portion of the parcel. The development will be sited in an area where agricultural activities do not currently take place.

**Required Finding for Agricultural Buffer Setback Reduction on Commercial Agriculture (CA) Zoned Land - SCCC 16.50.095(D)(3)**

- (3) Minimize land use conflicts. In the event that an agricultural buffer setback reduction is proposed and the proposed nonagricultural development is located on Type 1, Type 2 or Type 3 commercial agricultural land, the nonagricultural development shall be sited so as to minimize possible conflicts between the agricultural land use located on the subject parcel, and the nonagricultural development shall be located so as to remove as little land as possible from production or potential production.

This finding can be made in that the proposed Accessory Dwelling Unit will be located within 100 feet of the existing residential dwelling unit on site. The nonagricultural development on site is clustered in the northwestern portion of the parcel and will be sited in an area where agricultural activities do not currently take place. Additionally, the existing driveway separates the nonagricultural development from the agricultural resources on site. The agriculturally viable portion of the parcel, which is approximately 3.5 acres in size, will remain undeveloped.

**Required Findings for Residential Development on Land Zoned Commercial Agriculture - SCCC 13.10.314(B)**

- (1) That the use will be sited to minimize conflicts with commercial agricultural activities onsite, where applicable, or in the area;

This finding can be made in that the proposed location of the Accessory Dwelling Unit will be located within 100 feet of the existing residential dwelling unit on site. The proposed location of the structure is separated and clustered away from the areas where agricultural activities could occur on site.

- (2) That the use is sited on the property to avoid removing land from production and to preserve agricultural resource soils. If avoidance and preservation is not possible, remove as little land as possible from agricultural production and future production;

This finding can be made in that the residential uses on site are clustered and sited away from the agricultural production area. The remaining farmable portion of the parcel is large enough to support future agricultural production and the proposed Accessory Dwelling Unit will remove as little land as possible from production.

- (3) That the owners of the parcel have executed binding hold harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to issuance of the use permit;

This finding can be made in that the project has been conditioned accordingly to execute hold harmless covenants with the owners and agricultural operators of adjacent agricultural parcels.

- (4) For the establishment of a single-family dwelling or ADU on a CA parcel in the Coastal Zone, the following additional finding applies: That the parcel is less than one acre in size; or that the parcel has physical constraints (such as adverse topographic, geologic, hydrologic, or vegetative conditions) other than size that preclude commercial agricultural

use; or that the residential use will be ancillary to commercial agricultural use of the parcel based on the fact that either:

- (a) The farmable portion of the parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops, other than greenhouses, suited to the soils, topography and climate of the area; or
- (b) The owners of the subject parcel have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel, such as an agricultural easement.

This finding can be made in that the farmable portion of the parcel, exclusive of the building site, is approximately 3.5 acres in size. This area is large enough to support future agricultural development and is separated from the residential uses on site by an existing driveway. The residential use will remain ancillary to the commercial agricultural use of the parcel and will not remove viable agricultural land from the area suitable for agricultural activities.

## 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 Santa Cruz County Planning 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 Santa Cruz County Planning 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 Santa Cruz County Planning. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with Santa Cruz County Planning. 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.
    2. A development setback of a minimum of 57-feet feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-261-23.
    3. 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 Santa Cruz County Planning staff.
  - B. The owner shall record a Statement of Acknowledgement, as prepared by Santa Cruz County Planning, and submit proof of recordation to Santa Cruz County Planning. 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 physical barrier shall be installed. The applicant/owner shall contact Santa Cruz County Planning'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 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. 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.

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Minor Variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

**Please note: This permit expires 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: \_\_\_\_\_

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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.



# NAKFOOR RESIDENCE

# KEY REAL ESTATE The key to YOUR Dreams

APN # 046-261-20  
480 Sea View Ter,  
Watsonville CA 95076  
New ADU 1160 Sq Ft.  
3-hd 2-ba

# DRAFTING and PERMIT FACILITATING

DRAFTSMAN

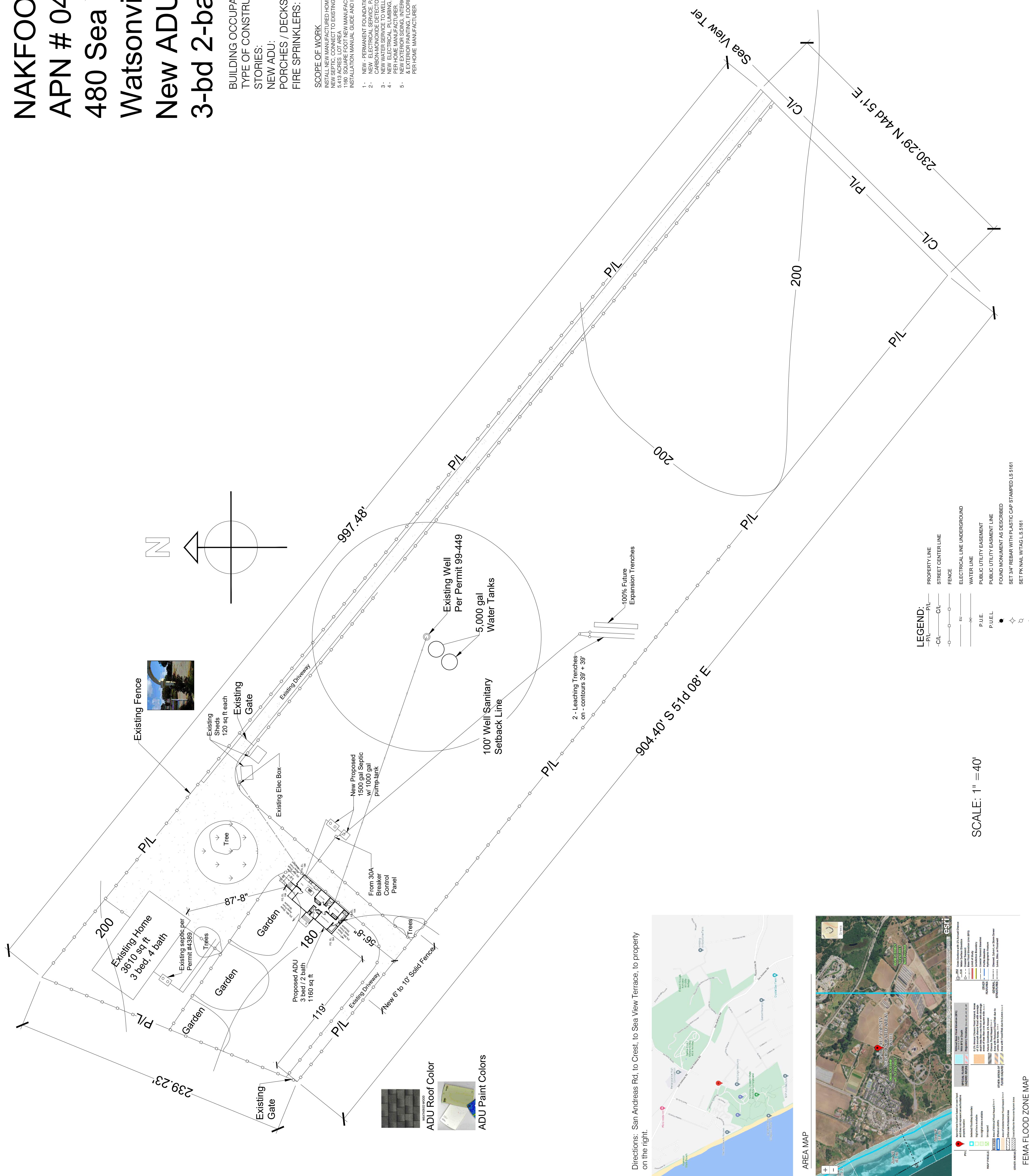
Key Real Estate  
Kellee Dankiewicz  
(209) 679-3448

## SHEET INDEX

SITE PLAN	SHT - T1
SITE PLAN DETAIL	SHT - T1b
ELEVATIONS	SHT - A1
FLOOR,FOUNDATION	SHT - AA1
DETAILS,	SHTs - S1a, S1b
CMH FOUNDATION	SHTs - A-1, D-1, F-1

# SITE PLAN

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DRAFTING and  
PERMIT  
FACILITATING

D R A F T S M A N

Key Real Estate  
Kaitlin Dankiewicz  
(209) 679-3448  
keyrealestateca@gmail.com

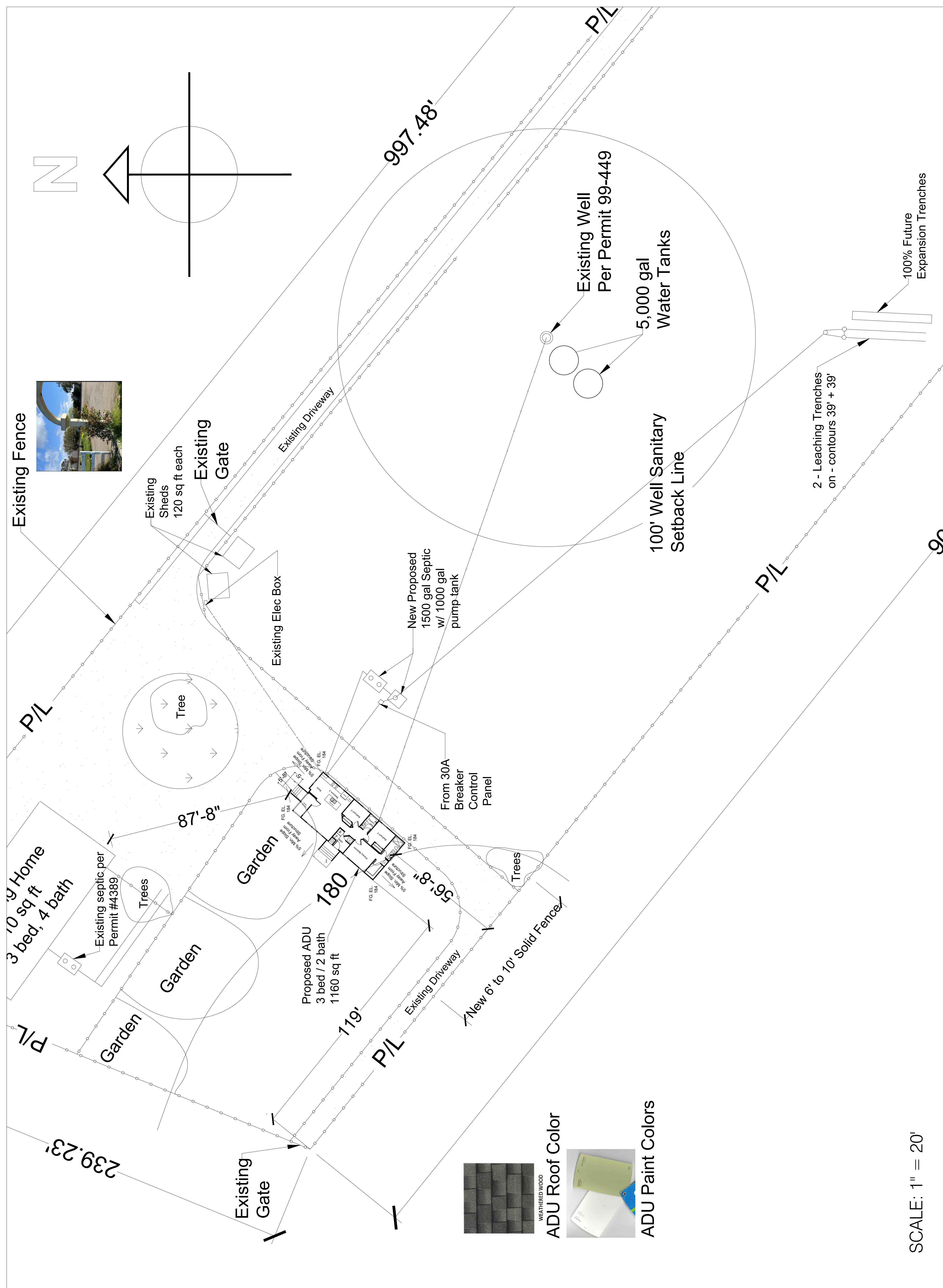
SITE PLAN	SHT - T1
SITE PLAN DETAIL	SHT - T1b
ELEVATIONS	SHT - A1
FLOOR FOUNDATION	SHT - AA1
DETAILS	SHT - S1a
CMH FOUNDATION	SHTs - A-a, D-1, F-1
Manufactured Home Installation Manual	
Naftor Residence:	
APN: 046-261-20	
480 Sea View Ter, Watsonville CA 95076	

REVISION ISSUE	DATE
1	4/22/24

S I T E P L A N

S H E E T

T1b











REVISIONS	DATE
ADDED DRAIN	11/18/13
ADD S-WIDE	04/13/15
2016 CRC	03/13/17
2022 CRC	02/13/23



9998 OLD PLACERVILLE RD.  
SACRAMENTO, CA 95827  
(916) 363-2681

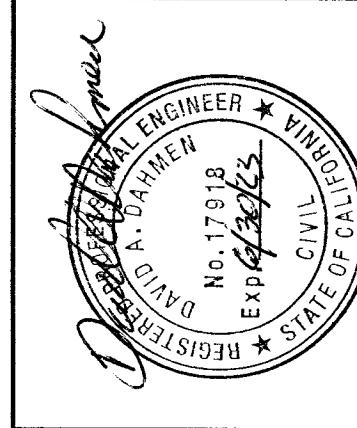
## PERMANENT FOUNDATION SYSTEM

### SHEET

### DRAWING TITLE

- |     |                                       |
|-----|---------------------------------------|
| A-1 | TITLE SHEET                           |
| D-1 | TYPICAL FOUNDATION/SUPPORT DETAILS    |
|     | & GENERAL NOTES                       |
| F-1 | TYPICAL DOUBLE WIDE FOUNDATION        |
| F-2 | TYPICAL TRIPLE WIDE FOUNDATION        |
| F-3 | TYPICAL TAG UNIT FOUNDATION (ADENDUM) |
| F-4 | TYPICAL SINGLE WIDE FOUNDATION        |

9998 OLD PLACERVILLE ROAD  
Sacramento, CA. 95827  
Phone: (916) 363-2681; Fax: (916) 363-4537



Pacific Consulting Engineers  
9730 North Vato Drive  
Kingman, AZ 86401  
DRAWN: I. KUZMENKO  
DATE: 3-10-04  
SCALE: NTS  
JOB #: 1

A—1  
1 OF 6 SHEETS  
*10724p*  
*3/3/25*

MANUFACTURED HOME/MOBILE HOME  
FOUNDATION SYSTEM  
HEALTH AND SAFETY CODE, SECTION 1851  
APPROVED  
APPROVAL DOES NOT AUTHORIZE OR APPROVE ANY  
QUESTIONS OR DETAIL FROM REQUIREMENTS OF  
APPLICABLE STATE LAWS AND REGULATIONS  
State of California  
Department of Housing and Community Development  
PERMISSION OF CODES AND STANDARDS  
BY *I. Kuzmenko* DATE *3/1/04*  
SPA NO *10724p* EXP. *3/3/25*  
This Plan Approval Expires *3/3/25*

NOTE: THE FOLLOWING DRAWINGS APPLY ONLY TO HOMES MANUFACTURED BY CLAYTON OF SACRAMENTO



REVISIONS	DATE
ADDED DRAIN	11/18/13
ROOF PITCH	03/18/21



SACRAMENTO, CA. 95827  
9998 OLD PLACERVILLE ROAD  
OF SACRAMENTO  
SACRAMENTO: (916) 363-4537  
Phone: (916) 363-2681; Fax: (916) 363-4537

A circular stamp with the following text:  
OHIO STATE ENGINEER  
DAVID A. DAHMAN  
REGISTRATION NO. 17918  
EXPIRED 6/30/23  
CIVIL STATE

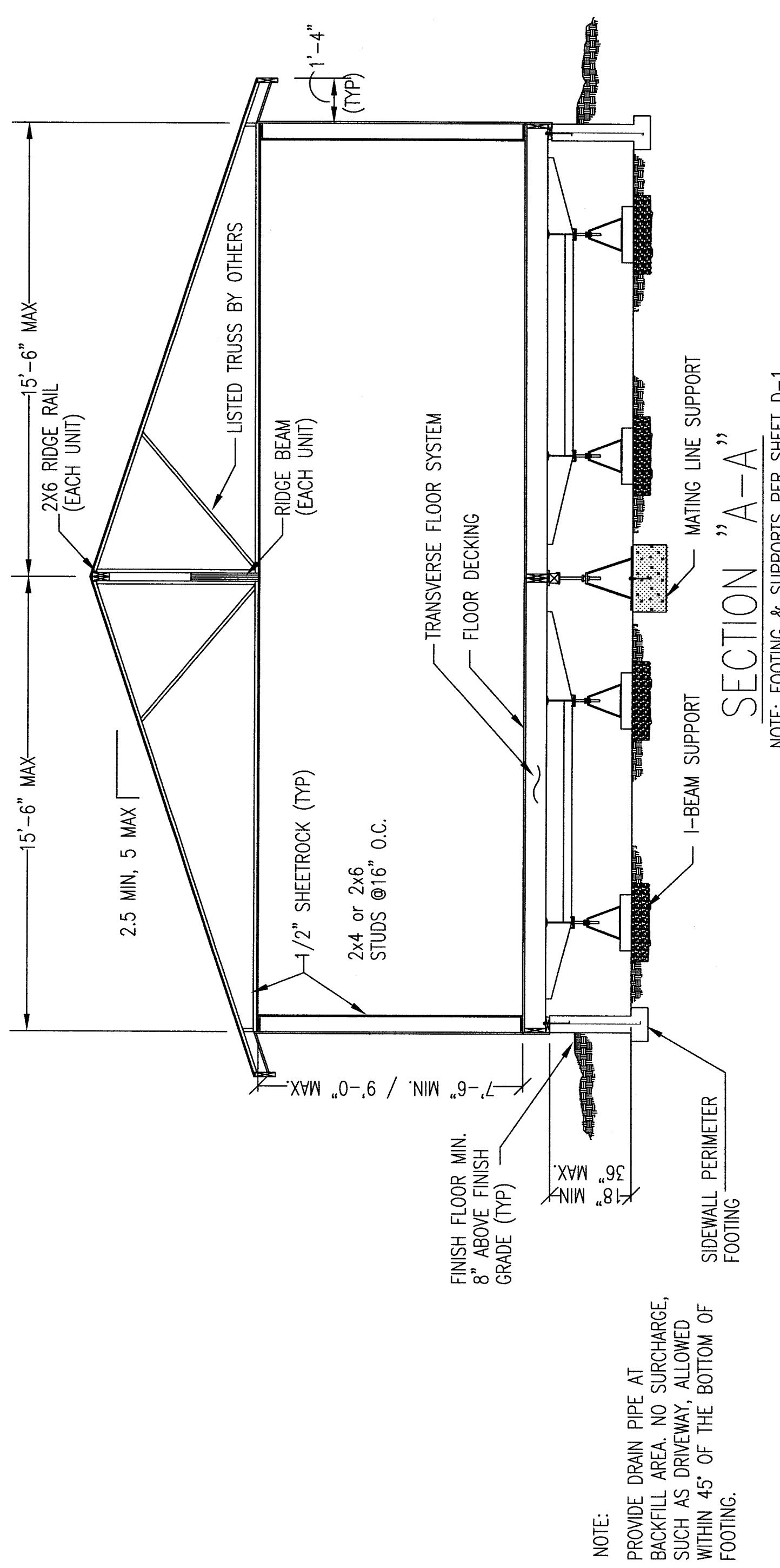
Pacific Consulting Engineers	DRAWN: I. KUZMENKO
9739 North Vista Drive	DATE: 3-10-04
Kingman, AZ 86401	SCALE: NTS
	JOB #: 10B

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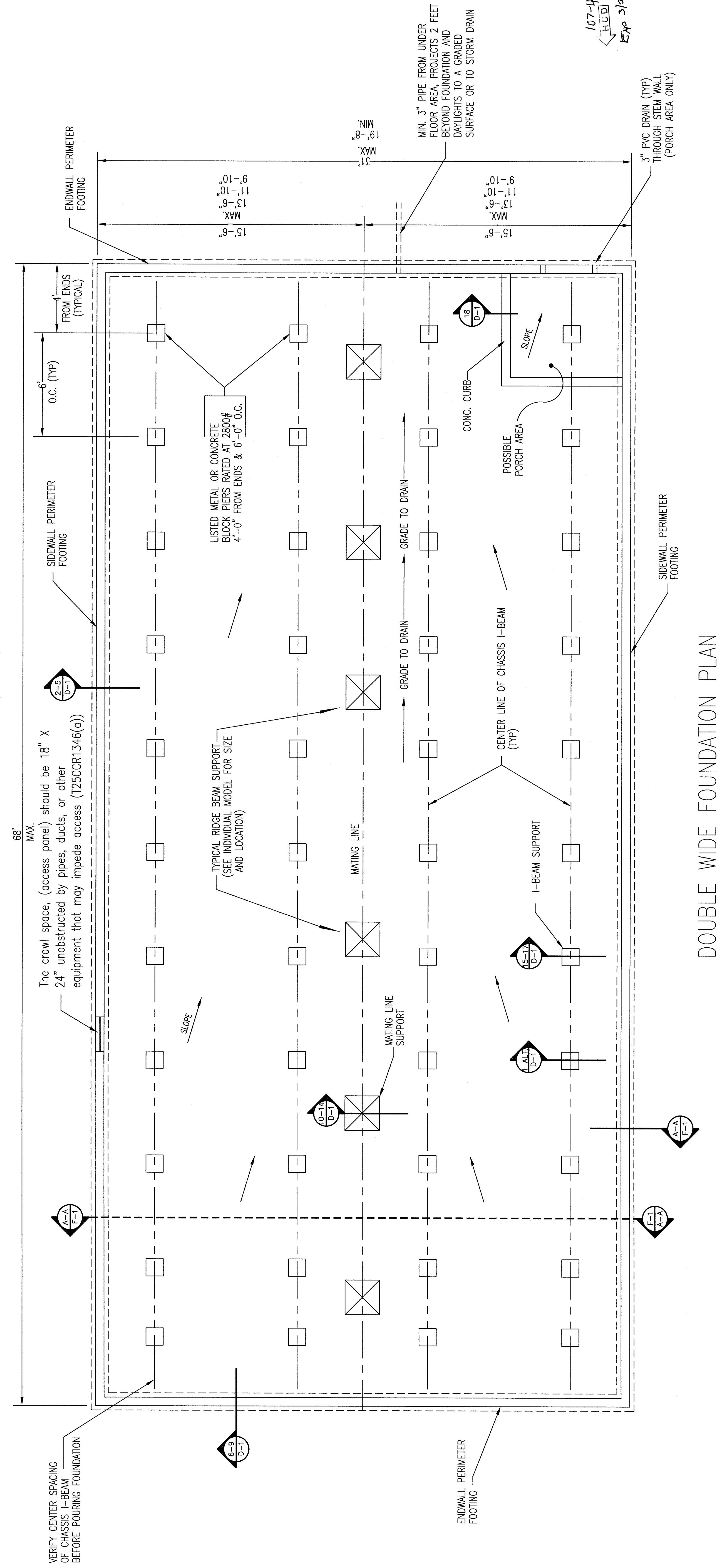
3 OF 6 SHEETS

## Notice to the Contractor

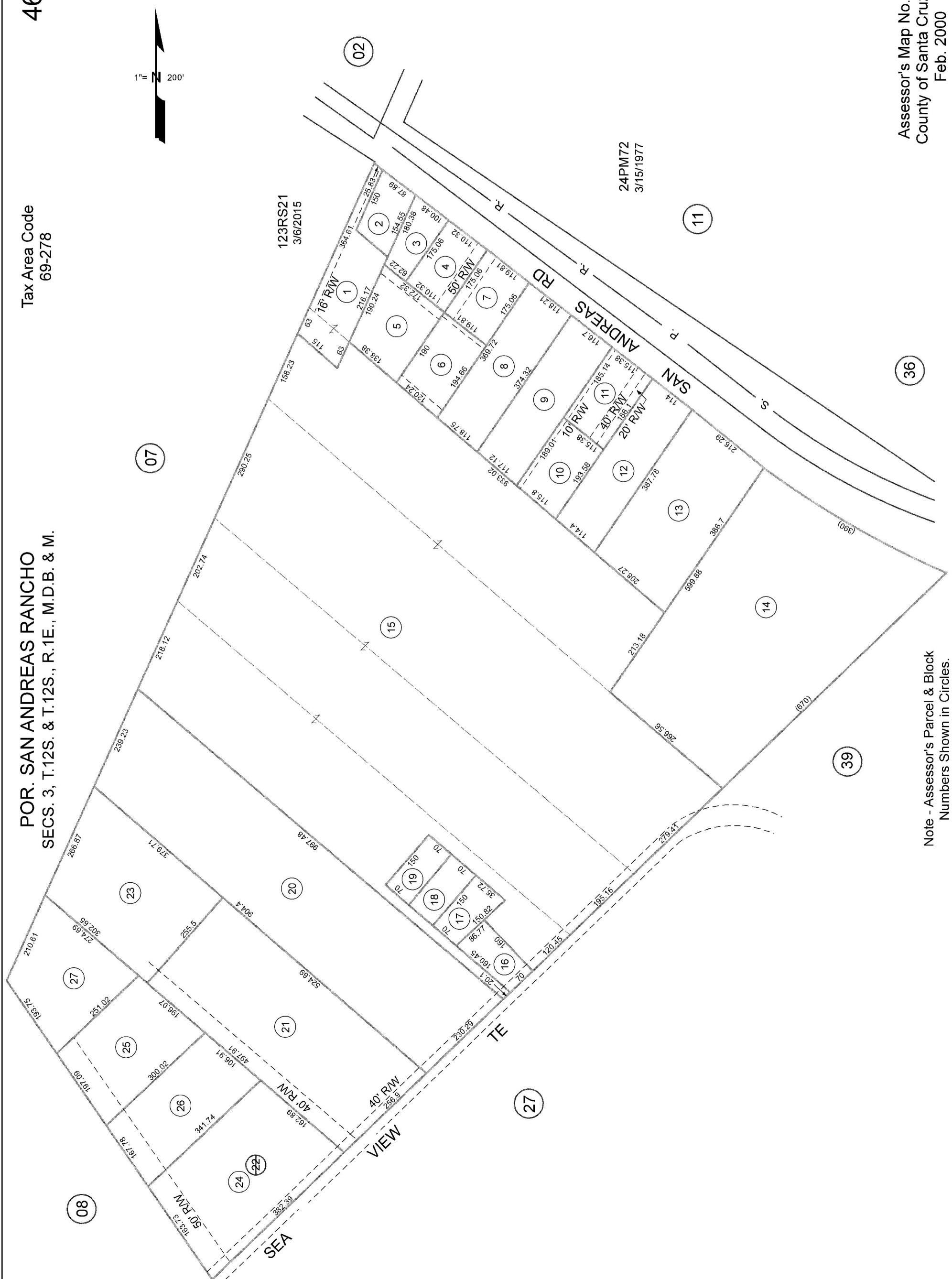
The Perimeter Foundation layout Shown Hereon Is Illustrational Only. Actual Perimeter Foundation Shall Be Constructed in Accordance With The Dimensioned Floor Plan Supplied By The Karsten Company of CMH.



**NOTE:** PROVIDE DRAIN PIPE AT BACKFILL AREA. NO SURCHARGE, SUCH AS DRIVEWAY, ALLOWED WITHIN 45° OF THE BOTTOM OF FOOTING.



# DOUBLE WIDE FOUNDATION PLAN

Tax Area Code  
69-278POR. SAN ANDREAS RANCHO  
SECS. 3, T.12S. & T.12S., R.1E., M.D.B. & M.

Assessor's Map No. 46-26  
County of Santa Cruz, Calif.  
Feb. 2000

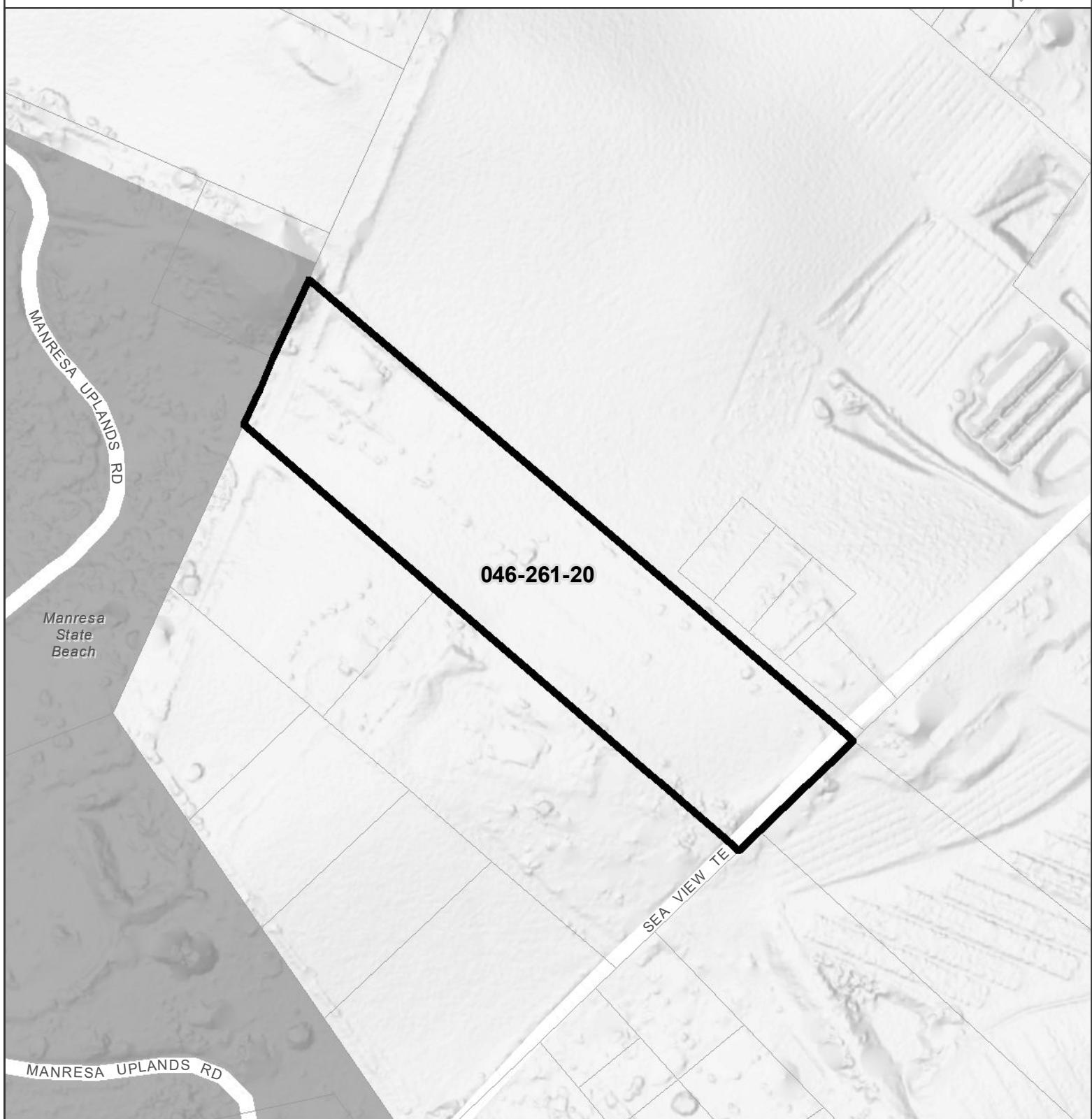
Note - Assessor's Parcel & Block  
Numbers Shown in Circles.



SANTA CRUZ COUNTY PLANNING DEPARTMENT

Mapped Area

## Parcel Location Map



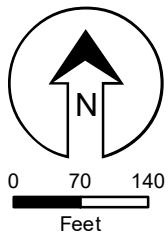
**Parcel: 04626120**

- Study Parcel
- Assessor Parcel Boundary
- Existing Park

Map printed: 26 Jul. 2024

**20**

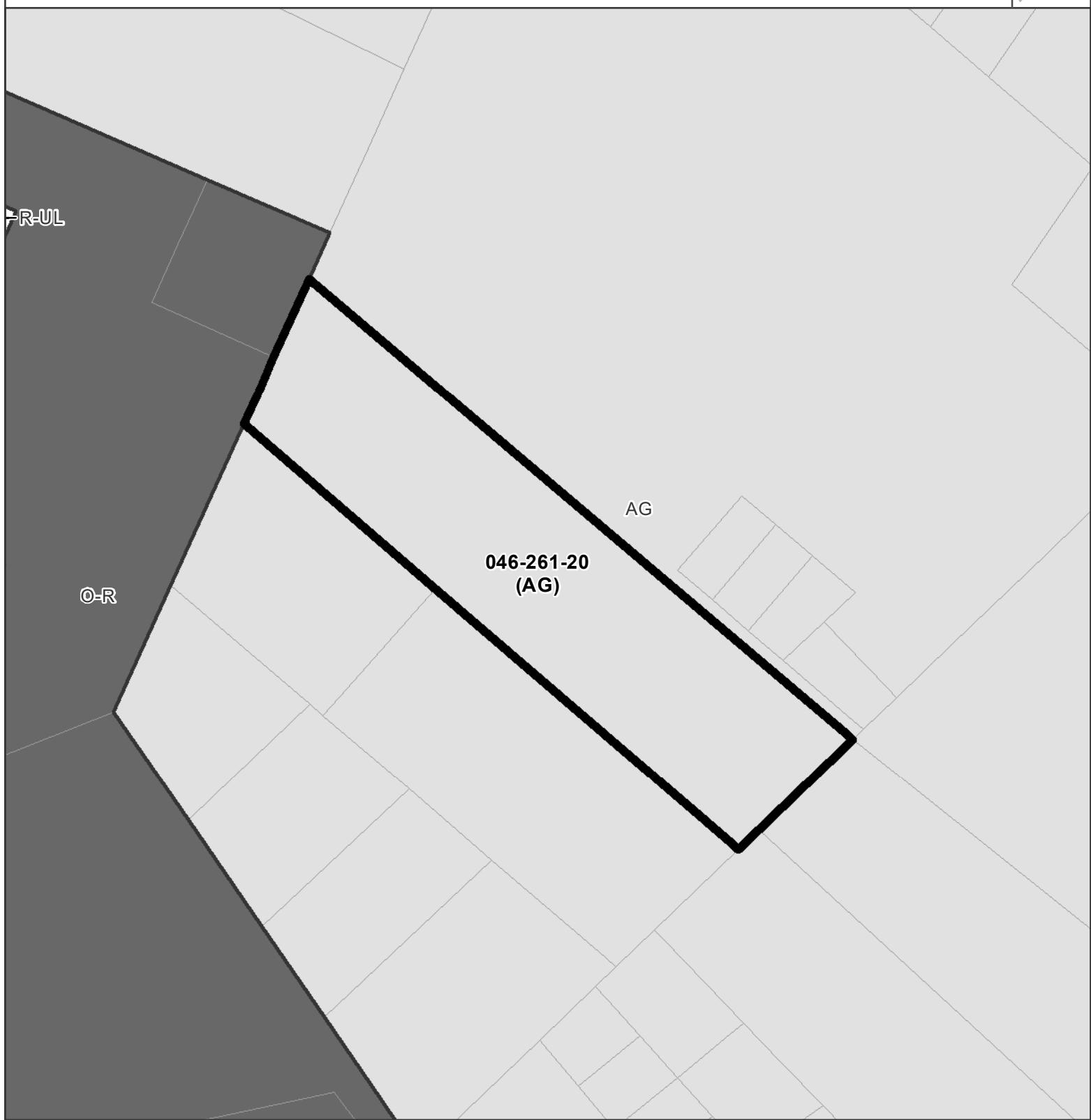
**EXHIBIT D**



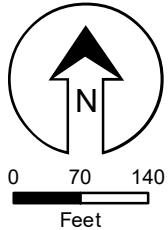


SANTA CRUZ COUNTY PLANNING DEPARTMENT

## Parcel General Plan Map



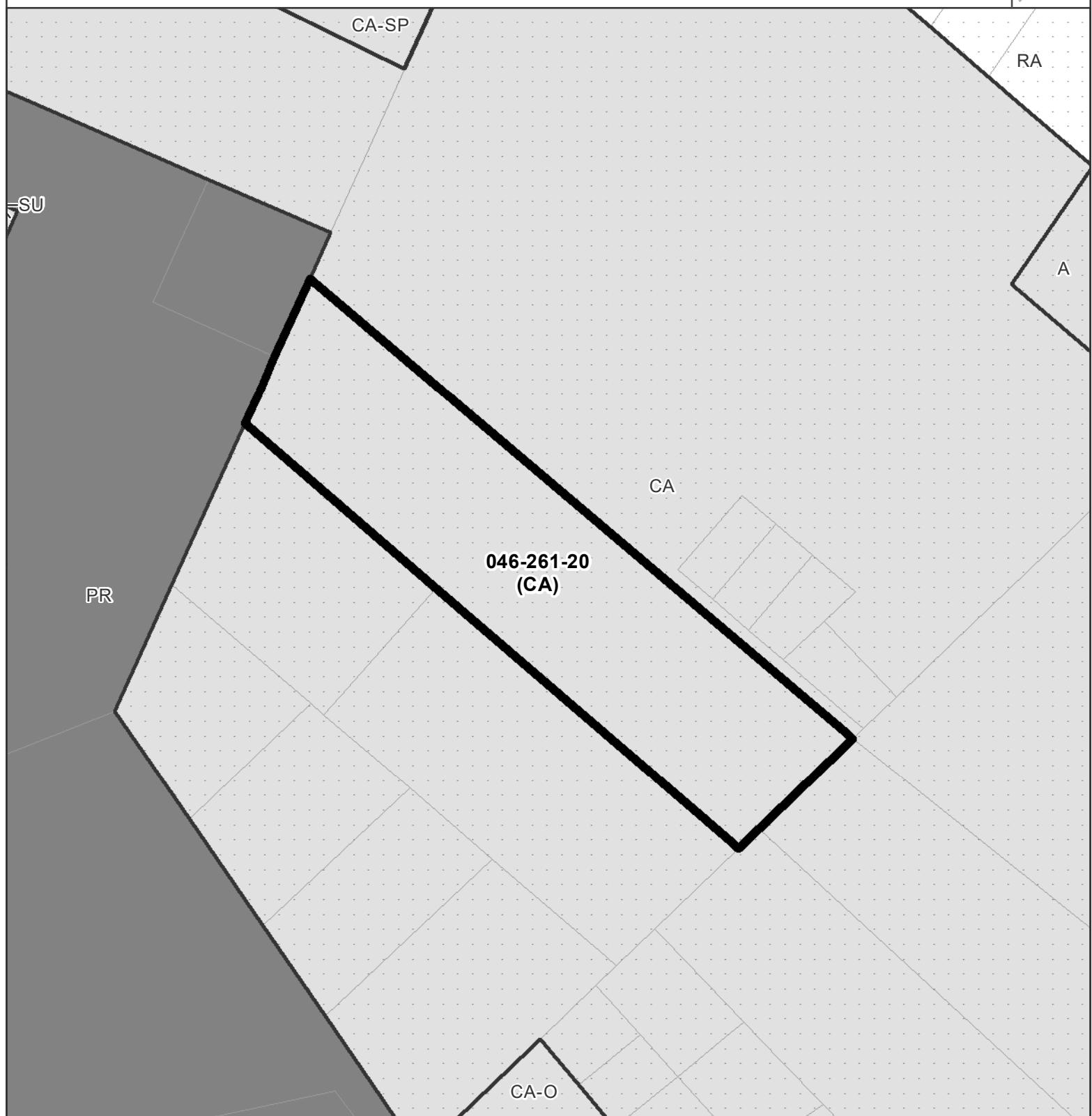
- AG Agricultural
- O-R Parks, Recreation & Open Space
- R-UL Res. Urban Low Density



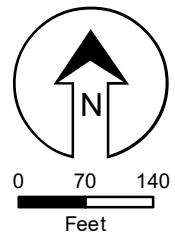


## SANTA CRUZ COUNTY PLANNING DEPARTMENT

# Parcel Zoning Map



- A Agriculture
- CA Commercial Agriculture
- RA Residential Agricultural
- PR Parks, Recreation, & Open Space
- SU Special Use



## Parcel Information

### Services Information

Urban/Rural Services Line:	<input type="checkbox"/> Inside	<input checked="" type="checkbox"/> Outside
Water Supply:	San Andreas MWC	
Sewage Disposal:	Septic	
Fire District:	Central FPD	
Drainage District:	N/A	

### Parcel Information

Parcel Size:	5.41 Acres	
Existing Land Use - Parcel:	Commercial Agriculture	
Existing Land Use - Surrounding:	Commercial Agriculture	
Project Access:	Sea View Terrace	
Planning Area:	San Andreas	
Land Use Designation:	AG (Agriculture)	
Zone District:	CA (Commercial Agriculture)	
Coastal Zone:	<input type="checkbox"/> Inside	<input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Environmental Information

Geologic Hazards:	Not mapped
Fire Hazard:	Not a mapped constraint
Slopes:	0-15%
Env. Sen. Habitat:	Mapped constraint, no physical evidence on site
Grading:	No grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Archeology:	Not mapped