

STAFF REPORT TO THE AGRICULTURAL POLICY ADVISORY COMMISSION

APPLICATION NO.: 04-0344

APN: 046-091-22

APPLICANT: Charles Franks, Architect

OWNERS: Yuet Ming & Miriam Chu

PROJECT DESCRIPTION: Proposal to demolish an existing 6-bedroom single-family dwelling and construct a replacement 6-bedroom single-family dwelling. Requires a Coastal Development Permit, an Agricultural Buffer Determination, Biotic pre-site review, and Geological Report Review.

LOCATION: Project located on the west side of Lilly Way and north side of Zils Road, at 15 Lilly Way in La Selva Beach.

PERMITS REQUIRED: Agricultural Buffer Setback Reduction

ENVIRONMENTAL DETERMINATION: Categorically Exempt - Class 1

COASTAL ZONE: ☒ Yes ☐ No

APPEALABLE TO CCC: ☒ Yes ☐ No

PARCEL INFORMATION

PARCEL SIZE: 10.06 acres

EXISTING LAND USE:

PARCEL: Commercial Agriculture

SURROUNDING: Commercial Agriculture, Residential, Private school, Slate beach

PROJECT ACCESS: Zils Road

PLANNING AREA: San Andreas

LAND USE DESIGNATION: A (Agriculture)

ZONING DISTRICT: CA (Commercial Agriculture)

SUPERVISORIAL DISTRICT: Second (Pine)

ENVIRONMENTAL INFORMATION

- | | |
|---------------------------------|--|
| a. Geologic Hazards | a. <i>Not mapped</i> /no physical evidence on site |
| b. Soils | b. Elder sandy loam |
| c. Fire Hazard | c. Not a mapped constraint |
| d. Slopes | d. 0 - 9 percent slopes |
| e. Env. Sen. Habitat | e. Mapped biotic/no physical evidence on site |
| f. Grading | f. No grading proposed |
| g. Tree Removal | g. No trees to be removed |
| h. Scenic | h. Mapped resource |
| i. Drainage | Existing drainage adequate |
| j. Traffic | j. No significant impact |
| k. Roads | k. Existing roads adequate |
| l. Parks | l. Existing park facilities adequate |
| m. Sewer Availability | m. No |

- | | |
|--------------------------|--|
| n. Water Availability | n. No |
| o. Archeology | o. Not mapped/no physical evidence on site |
| p. Agricultural Resource | p. Type 3, viable agricultural land coastal zone |

SERVICES INFORMATION

Inside Urban/Rural Services Line: Yes X No
Water Supply: San Andreas Mutual Water Company
Sewage Disposal: CSA#12, private septic system
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Non-zone

ANALYSIS AND DISCUSSION

The proposed project is to construct a replacement two story single-family dwelling of approximately 4,815 square feet on a 10.06-acre parcel. The original 6-bedroom home of 2,824 square feet was constructed in 1961 and is in a deteriorated condition. The project is located at 15 Lilly Way, off Zils Road in La Selva Beach. The building site is within 200 feet of Commercial Agricultural land to the north and south. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 60 feet from APN 046-091-21 and will maintain the required 200 foot setback from APN 046-371-01.

The subject property is characterized by relatively flat topography but is located on a coastal bluff. The parcel is not located within the Urban Services Line and may be characterized as a rural neighborhood. The parcel carries an Agriculture (A) General Plan designation and the implementing zoning is (CA) Commercial Agriculture. Commercial Agriculture zoned land is situated within 200 feet at the north side of the 10.2-acre parcel at Assessor's Parcel Number 046-091-21, the Sakae greenhouses, and at the south side at Assessor's Parcel Number 046-371-01, Monterey Bay Academy, a 369-acre Agricultural Preserve and private school. With the demolition of the existing residence, the 200-foot buffer will be maintained to the south.

A reduced agricultural buffer is recommended due to the fact that the commercial agricultural land on both north and south sides, would not allow sufficient building area if the required 200-foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. The parcel is approximately 378 feet wide. In addition, the property is constrained by a 42-foot change in topography to the ocean below with the required geologic setbacks from the coastal bluff to the west, and the existing greenhouses on the subject parcel to the east. The applicant is proposing a solid six-foot wood board fence at the north side of the parcel with an evergreen hedge of plantings, consistent with the recommended agricultural buffer planting list, to reduce the impact of residential activities on the existing adjacent agricultural greenhouse use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel. The applicant shall further be required to record a Statement of Acknowledgement regarding the issuance of a county building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts.

RECOMMENDATION

Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 60 feet to the single-family dwelling from the adjacent CA zoned property known as APN 046-091-21, proposed under Application # 04-0344, based on the attached findings and recommended conditions.


EXHIBITS

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

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.

Report Prepared By: Joan Van der Hoeven
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5174
E-Mail: pln140@co.santa-cruz.ca.us

Report Reviewed By:


Don Bussey
Deputy Zoning Administrator
Development Review

REQUIRED FINDINGS FOR AGRICULTURAL BUFFER SETBACK REDUCTION
COUNTY CODE SECTION 16.50.095(b)

1. SIGNIFICANT TOPOGRAPHICAL DIFFERENCES EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT SETBACK, OR
2. PERMANENT SUBSTANTIAL VEGETATION OR OTHER PHYSICAL BARRIERS EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT BUFFER SETBACK; OR A LESSER SETBACK DISTANCE IS FOUND TO BE ADEQUATE TO PREVENT CONFLICTS BETWEEN THE NON-AGRICULTURAL DEVELOPMENT AND THE ADJACENT AGRICULTURAL USES, BASED ON THE ESTABLISHMENT OF A PHYSICAL BARRIER, UNLESS IT IS DETERMINED THAT THE INSTALLATION OF A BARRIER WILL HINDER THE AFFECTED AGRICULTURAL USE MORE THAN IT WOULD HELP IT, OR WOULD CREATE A SERIOUS TRAFFIC HAZARD ON A PUBLIC OR PRIVATE RIGHT-OF-WAY; AND/OR SOME OTHER FACTOR WHICH EFFECTIVELY SUPPLANTS THE 200 FOOT BUFFERING DISTANCE TO THE GREATEST DEGREE POSSIBLE; OR

The proposed replacement habitable structure is proposed to be set back 60- feet from the adjacent greenhouses on the Commercial Agriculture zoned land. An effective barrier consisting of a six-foot tall solid wood board fence enhanced with evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 046-091-21. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic as it is set back at the end of the property, designed with turn-outs for safe passage of emergency vehicles.

3. THE IMPOSITION OF A 200 FOOT AGRICULTURAL BUFFER SETBACK WOULD PRECLUDE BUILDING ON A PARCEL OF RECORD AS OF THE EFFECTIVE DATE OF THIS CHAPTER, IN WHICH CASE A LESSER BUFFER SETBACK DISTANCE MAY BE PERMITTED, PROVIDED THAT THE MAXIMUM POSSIBLE SETBACK DISTANCE IS REQUIRED, COUPLED WITH A REQUIREMENT FOR A PHYSICAL BARRIER, OR VEGETATIVE SCREENING OR OTHER TECHNIQUES TO PROVIDE THE MAXIMUM BUFFERING POSSIBLE, CONSISTENT WITH THE OBJECTIVE OF PERMITTING BUILDING ON A PARCEL OF RECORD.
4. REQUIRED FINDINGS FOR NON-AGRICULTURAL DEVELOPMENT ON COMMERCIAL AGRICULTURAL LAND, COUNTY CODE SECTION 16.50.095(e).

ANY NON-AGRICULTURAL DEVELOPMENT PROPOSED TO BE LOCATED ON TYPE 1, TYPE 2 OR TYPE 3 AGRICULTURAL LAND SHALL BE SITED SO AS TO MINIMIZE POSSIBLE CONFLICTS BETWEEN AGRICULTURE IN THE AREA AND NON-AGRICULTURAL USES, AND WHERE STRUCTURES ARE TO BE LOCATED ON AGRICULTURAL PARCELS, SUCH STRUCTURES SHALL BE LOCATED SO AS TO REMOVE AS LITTLE LAND AS POSSIBLE FROM

PRODUCTION OR POTENTIAL PRODUCTION.

The subject parcel is zoned CA (Commercial Agriculture) and carries an Agriculture (A) General Plan designation. The parcel is utilized for agricultural production in existing greenhouses on the subject parcel. By locating the replacement single-family dwelling at the proposed location, none of the existing greenhouses to the east will be removed from production, and the adjacent commercial agricultural greenhouses to the north at Assessor's Parcel Number 046-091-21 will be buffered by the required solid wood board fencing and evergreen vegetative buffer. The project will comply with all required coastal bluff setback requirements to the west. The 200-foot buffer to the south shall be maintained from the adjacent Commercial Agricultural Preserve at Assessor's Parcel Number 046-371-01, Monterey Bay Academy.

**REQUIRED FINDINGS FOR DEVELOPMENT ON LAND ZONED COMMERCIAL
AGRICULTURE OR AGRICULTURAL PRESERVE
COUNTY CODE SECTION 13.10.314(a)**

1. THE ESTABLISHMENT OR MAINTENANCE OF THIS USE WILL ENHANCE OR SUPPORT THE CONTINUED OPERATION OF COMMERCIAL AGRICULTURE ON THE PARCEL AND WILL NOT REDUCE, RESTRICT OR ADVERSELY AFFECT AGRICULTURAL RESOURCES, OR THE ECONOMIC VIABILITY OF COMMERCIAL AGRICULTURAL OPERATIONS, OF THE AREA.

The maintenance of a single-family residential use by replacement of the deteriorated residence on the 10.06-acre parcel, will not reduce nor adversely affect agricultural resources on the parcel as the existing greenhouses on the property are located to the east of the proposed replacement residence and shall not be removed. The replacement single-family residence will not affect agricultural resources or the economic viability of commercial agricultural operations of the area in that the replacement single-family dwelling will not remove land from existing production and the greenhouse operation will not be diminished as a result of the proposal. The proposal requires the installation of an agricultural buffer from the adjacent commercial agricultural greenhouses on APN 046-091-22 and recordation of an Agricultural Statement of Acknowledgement. The proposed residence shall maintain the required 200-foot buffer from the adjacent Commercial Agricultural Preserve to the south at APN 046-371-01, which is currently encroached upon by the existing residence.

2. THE USE OR STRUCTURE IS ANCILLARY, INCIDENTAL OR ACCESSORY TO THE PRINCIPAL AGRICULTURAL USE OF THE PARCEL OR NO OTHER AGRICULTURAL USE OF THE PARCEL IS FEASIBLE FOR THE PARCEL; OR
3. THE USE CONSISTS OF AN INTERIM PUBLIC USE WHICH DOES NOT IMPAIR LONG-TERM AGRICULTURAL VIABILITY; AND
4. SINGLE FAMILY RESIDENTIAL USES WILL BE SITED TO MINIMIZE CONFLICTS, AND THAT ALL OTHER USES WILL NOT CONFLICT WITH COMMERCIAL AGRICULTURAL ACTIVITIES ON SITE, WHERE APPLICABLE, OR IN THE AREA.

The replacement single-family dwelling will not conflict with the existing commercial greenhouses on the site and maintains the required setback from the adjacent coastal bluff to the west and the adjacent Agricultural Preserve to the south. The required agricultural buffer to the north shall protect agricultural interests on that site.

5. THE USE WILL BE SITED TO REMOVE NO LAND FROM PRODUCTION (OR POTENTIAL PRODUCTION) IF ANY NON-FARMABLE POTENTIAL BUILDING SITE IS AVAILABLE, OR IF THIS IS NOT POSSIBLE, TO REMOVE AS LITTLE LAND AS POSSIBLE FROM PRODUCTION.

The location of the replacement single-family dwelling adjacent to the existing greenhouses on the site removes as little land as possible from production. Soil cultivation and irrigation on the coastal bluff would hasten erosion.

**REQUIRED FINDINGS FOR RESIDENTIAL DEVELOPMENT ON LAND ZONED
COMMERCIAL AGRICULTURE OR AGRICULTURAL PRESERVE IN THE
COASTAL ZONE
COUNTY CODE SECTION 13.10.314(b)**

1. THE PARCEL IS LESS THAN ONE ACRE IN SIZE; OR THE PARCEL HAS PHYSICAL CONSTRAINTS (SUCH AS ADVERSE TOPOGRAPHIC, GEOLOGIC, HYDROLOGIC, OR VEGETATIVE CONDITIONS) OTHER THAN SIZE WHICH PRECLUDE COMMERCIAL AGRICULTURAL USE; OR THAT THE RESIDENTIAL USE WILL BE ANCILLARY TO COMMERCIAL AGRICULTURAL USE OF THE PARCEL BASED UPON THE FACT THAT EITHER:

- (i) 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

The 10.06-acre farm unit ~~has~~ historically been engaged in greenhouse production, similar to the immediately adjacent parcel at APN 046-091-22. Three commercial crops that are produced are flowers, vegetables and herbs. The replacement single-family dwelling will be ancillary to the continued commercial agricultural use on the parcel.

- (ii) 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.

2. THE RESIDENTIAL USE WILL MEET ALL THE REQUIREMENTS OF SECTION 16.50.095 PERTAINING TO AGRICULTURAL BUFFER SETBACKS.

The applicant for the replacement single-family dwelling shall maintain the required 200-foot setback from the adjacent Agricultural Preserve at APN 046-0371-01 and shall maintain a reduced 60-foot agricultural buffer from the adjacent greenhouses at APN 046-091-21. The property owner is required to install a six-foot tall solid wood board fence and an evergreen vegetative screen to mitigate the impact of the replacement single-family residence upon the adjacent commercial agricultural greenhouses. All of the existing greenhouses on the subject **parcel** shall be retained in agricultural production, and the project complies with the required setbacks from the coastal bluff.

3. THE OWNERS OF THE SUBJECT 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 THE ISSUANCE OF THE PERMIT FOR THE PROPOSED DEVELOPMENT.

The property owners are required **to** record an Agricultural Statement of Acknowledgement, consistent with General Plan Policy 5.13.32. The purpose of the statement is to inform property owners about adjacent agricultural practices, and advise them to be prepared to accept such inconvenience or discomfort from normal farming operations.

CONDITIONS OF APPROVAL

Exhibit A: Project Plans, 11 Sheets by Franks/Brenkwitz Architects.
Recorded Survey by Michael Beautz dated July 2003.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN **(046-091-21)**. Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Demolition Permit and a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with Exhibit A on file with the Planning Department. The final plans shall include the following additional information:
 - I. A development setback of a minimum of **60** feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-**091-21**.
 2. Final plans shall show the location of the vegetative buffering barrier and 6-foot tall solid wood board fence 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 physical barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required barrier (vegetative and/or other) has been completed.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.

IV. Operational Conditions

- A. The vegetative and physical barrier shall be permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, up to and including permit revocation.

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

PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.

Approval Date: 9/16/04

Effective Date: 9/30/04

Expiration Date: 9/30/06

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.

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: 04-0344

Assessor Parcel Number: 046-091-22

Project Location: 15 Lilly Way, La Selva Beach

Project Description: Agricultural Buffer Setback Determination

Person or Agency Proposing Project: Charles Franks, Architect

Contact Phone Number: (831) 662-8800

- 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. ☒ **Categorical Exemption**

Specify type: Class 1 - Existing Facilities (Section 15301)

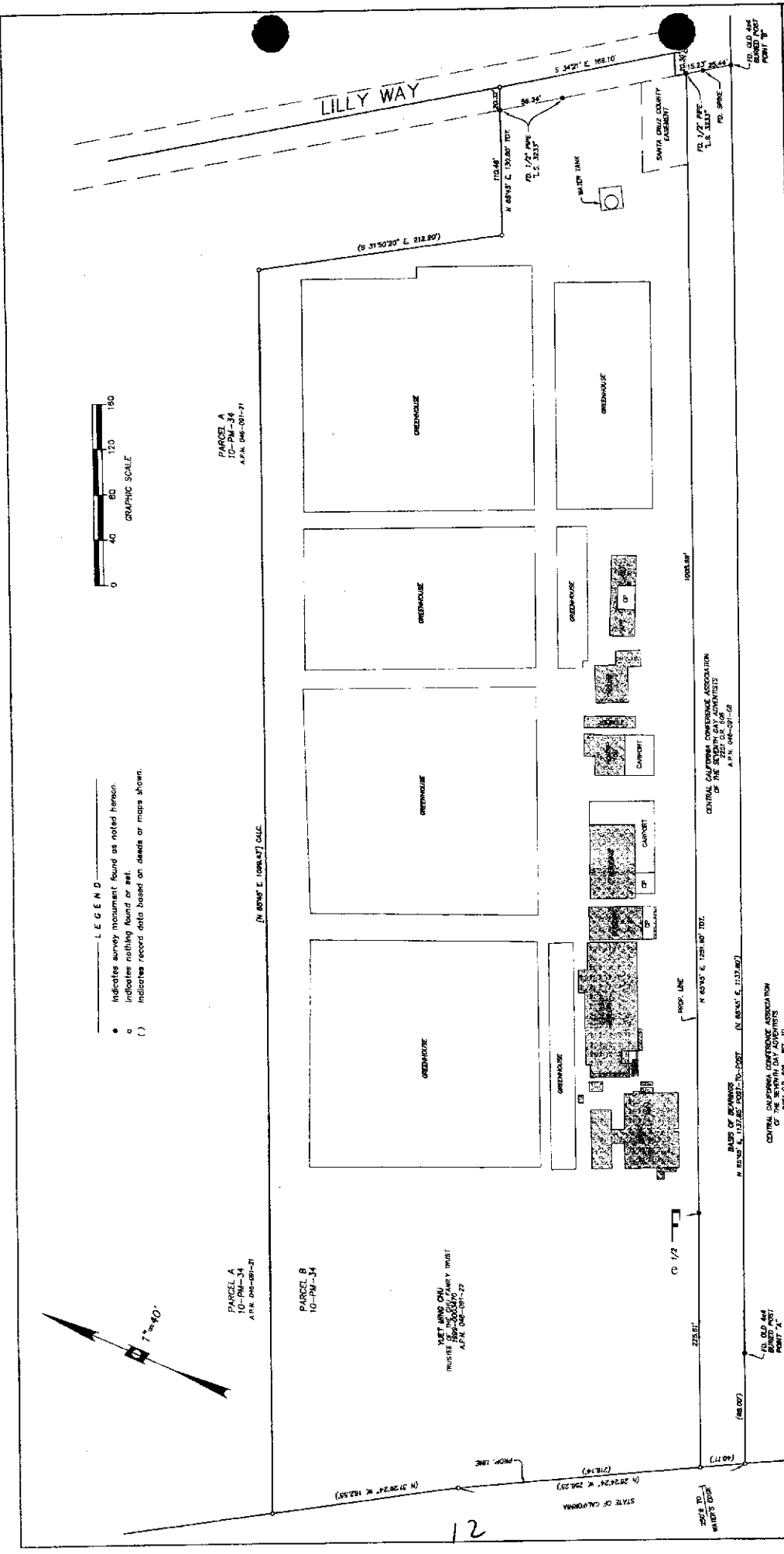
F. **Reasons why the project is exempt:**

Reconstruction of a small structure

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

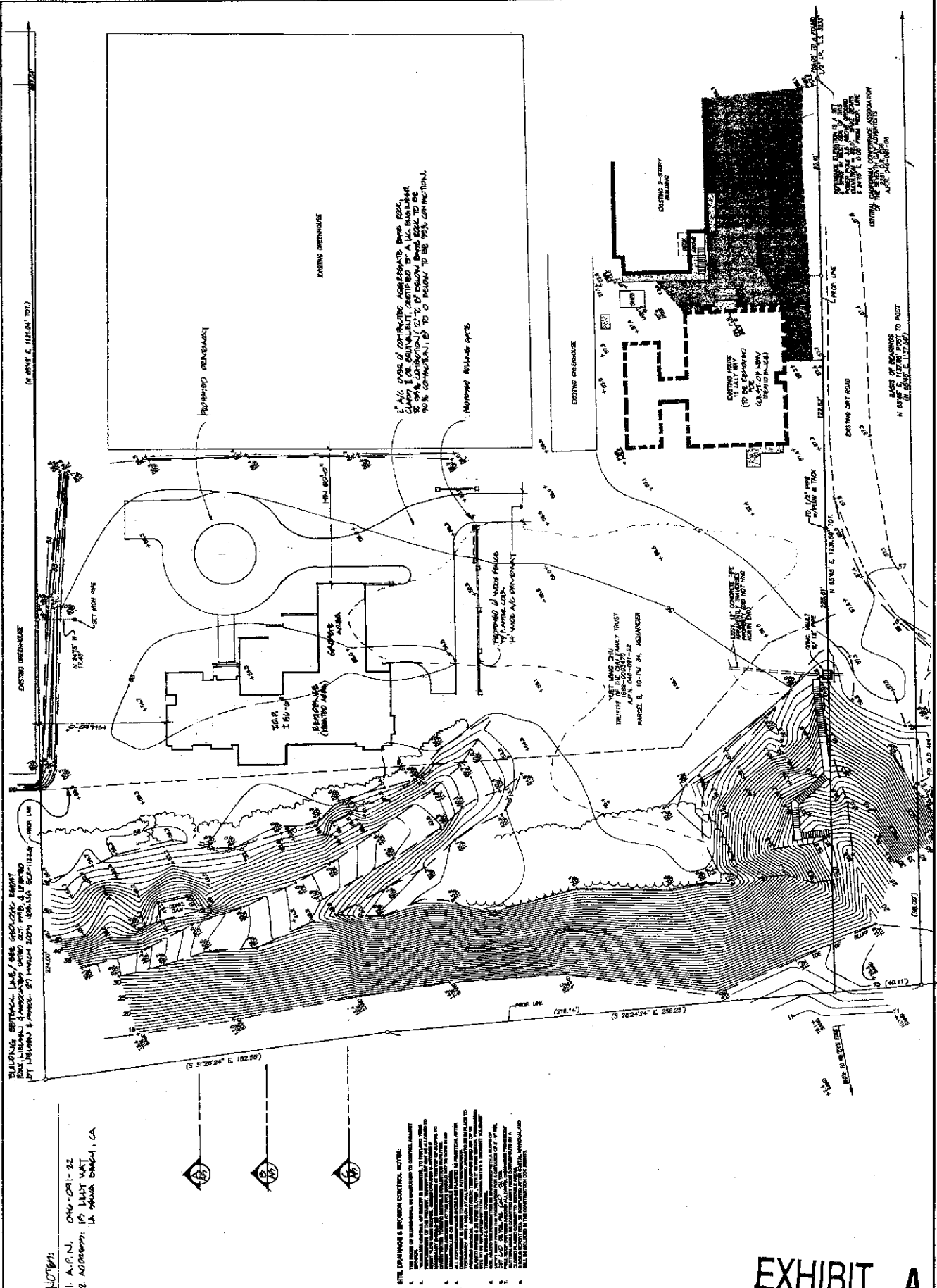
Joan Van der Hoeven, Project Planner

Date: 9/16/04

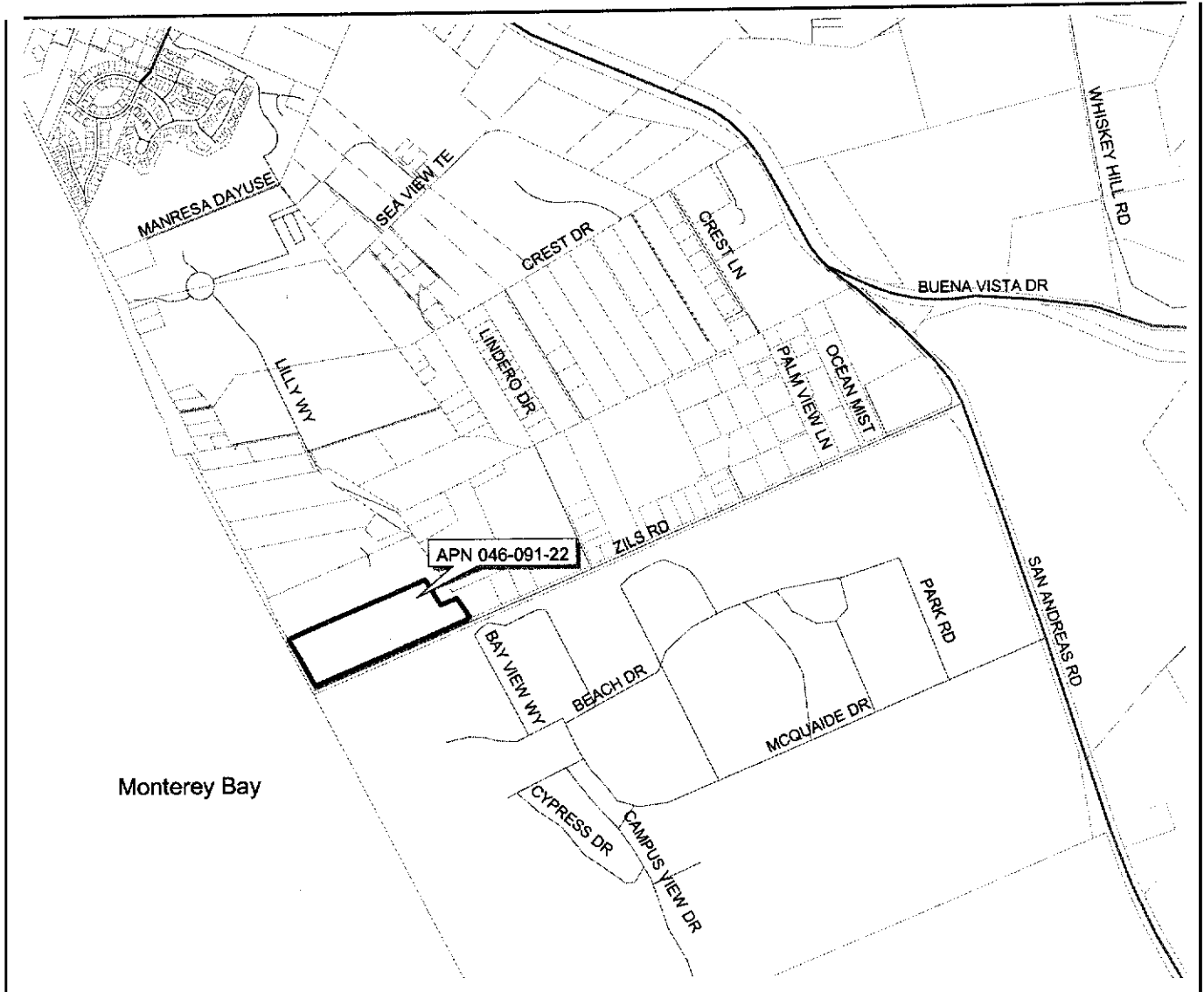


2 11'40' SURVEYOR'S MAP		FRANK BRENKWITZ & ASSOCIATES ARCHITECTURE / PLANNING PO BOX 907, ATWOOD, CA 94001-0097 (415) 892-8000	SHEET NO. A2 OF 11 SHEETS
PARCEL A 10-PM-34 A.P.N. 046-091-21		SURVEYOR'S MAP SHOWING THE LOCATION OF BUILDINGS AND GREENHOUSES ON THE LAND CONVEYED TO YUET MING CHU TRUSTEE OF THE CHU FAMILY TRUST BY RECORDER'S DOCUMENT NO. 1985-0003470 WITHIN THE SAN JUAN RIVER SUBDIVISION, SANTA CRUZ COUNTY, CALIFORNIA.	
PARCEL B 10-PM-34 A.P.N. 046-091-21		BY: MICHAEL F. BEAUTZ, C.E. A.P.N. 046-091-22 SHEET 1 OF 1	

EXHIBIT A



Location Map



Map created by Santa Cruz County
Planning Department:
July 2004

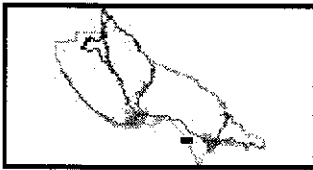


EXHIBIT D



PROJECT LOCATION

EXHIBIT D



PROJECT LOCATION

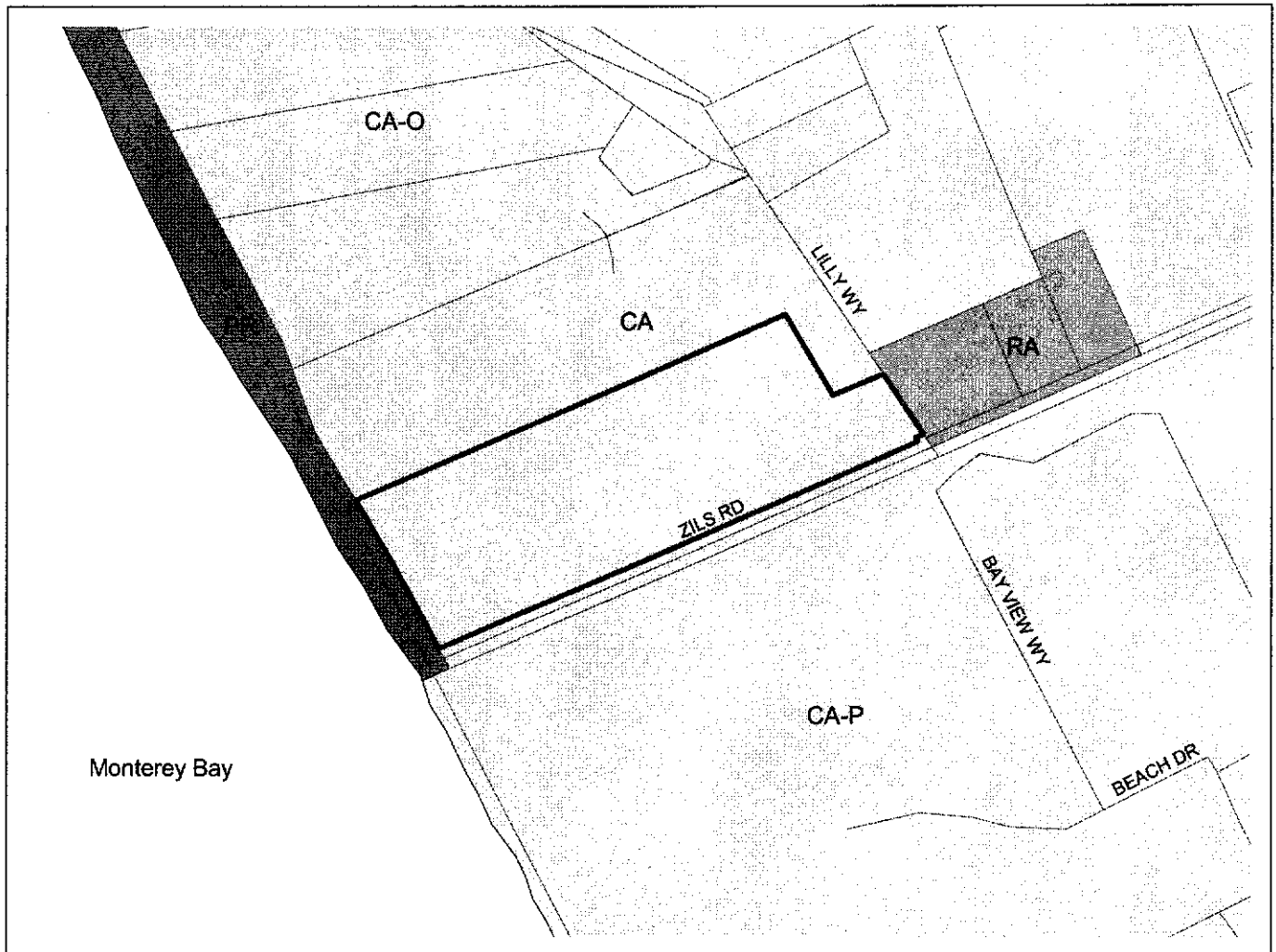


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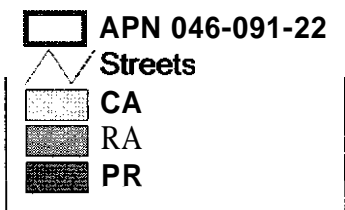


Zoning Map



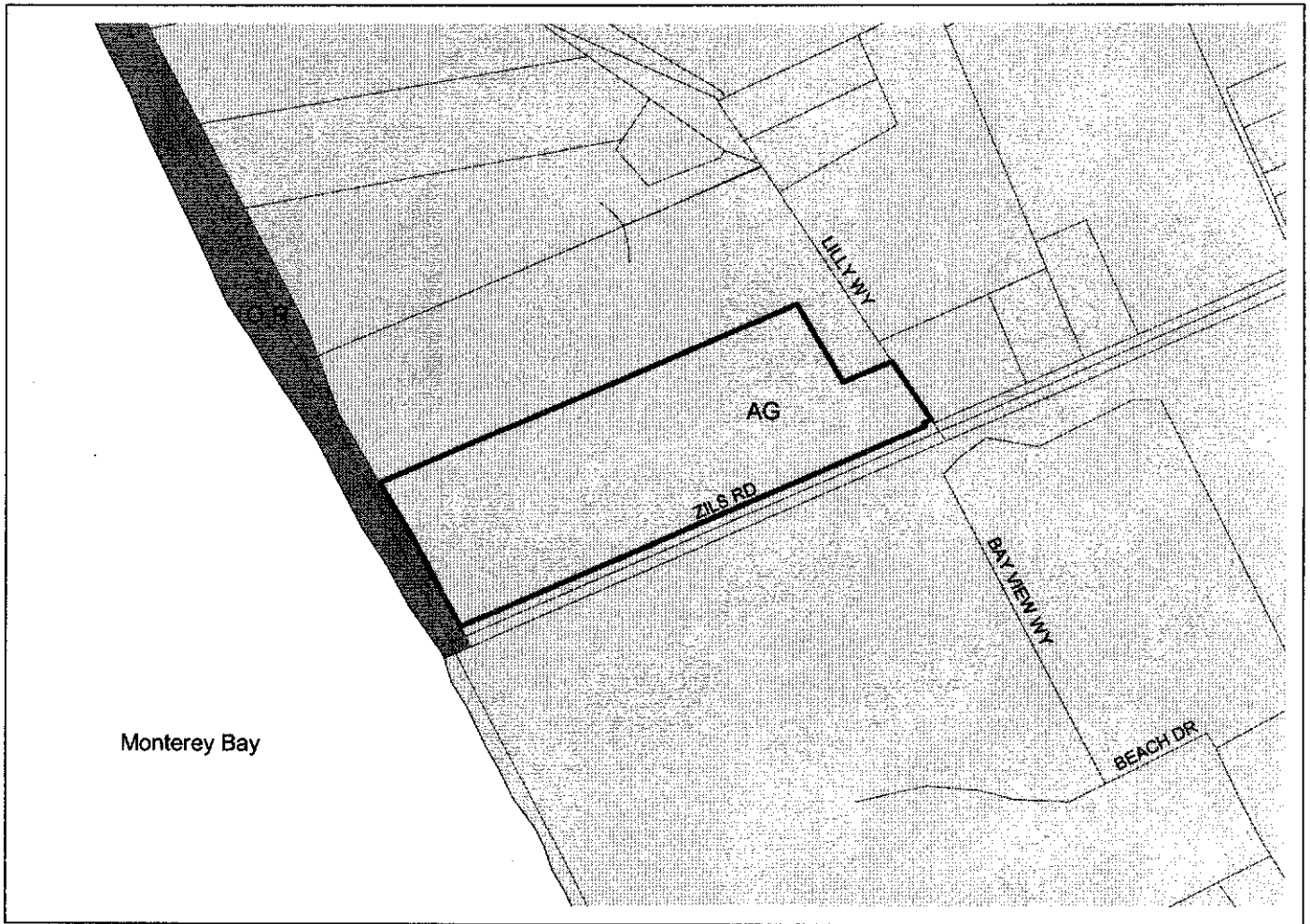
500 0 500 1000 1500 Feet

Legend



Map created by Santa Cruz County
Planning Department:
July 2004

General Plan Map



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Legend



Map created by Santa Cruz County
Planning Department:
July 2004

C O U N T Y O F S A N T A R U Z
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven
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Environmental Planning Completeness Comments

===== REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND =====

1. Please submit 2 copies of the completed soils report to the County Geologist. The soils report will be reviewed with the geologic report. NOTE: The geologic report will not be formally reviewed until the soils report is submitted.

2. According to sheet A3 (Geology Information) there was a large gully that was filled back in the 1960's. The project geotechnical engineer, working in conjunction with the geologist, needs to submit a letter explaining how this area is to be handled. Does the area need to be excavated/recompacted before the road can be placed? If so, delineate "limits of grading" and provide earthwork calculations. Or, is the fill area okay and drainage will be handled to avoid any concentrated flows in this area?

3. No biotic issues identified within the area of proposed development.

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 13, 2004 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Submit a detailed erosion control plan for review,
2. Submit "Plan Review" letters from both the project geologist and geotechnical engineer.
3. Identify the 100-year geologic setback from the coastal bluff.
4. Submit a detailed landscaping plan for review
5. Obtain a grading permit if required.

Project Review Completeness Comments

===== REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

A more substantial agricultural buffer shall be provided on the side adjacent to the greenhouses at APN 046-091-21. In addition, a solid 6-foot tall solid wood board fence is required as an agricultural buffer. The Recommended Agricultural Buffer Plant List is attached for your review and action.

Project Review Miscellaneous Comments

===== REVIEW ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

Non selective glazing shall be required on upper floor windows to minimize structural visibility from the beach (in addition to the proposed natural materials and

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
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----- UPDATED ON AUGUST 20, 2004 BY JOAN VAN DER HOEVEN =====

Dpw Drainage Completeness Comments

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

===== REVIEW ON AUGUST 17, 2004 BY CARISA REGALADO =====

This application is complete for the discretionary stage based on the following clarifying items per a phone discussion between the applicant, Charles Franks, and myself (County Stormwater Management Division) on 8/17/04:

- 1) Project area is flat and suitable for maintaining increases in runoff on-site.
- 2) No runoff will be allowed to flow over the bluff.
- 3) Increases in runoff from new impervious surfaces will not be directed offsite; therefore, no offsite impacts are anticipated.

Please see Miscellaneous Comments for additional notes

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON AUGUST 17, 2004 BY CARISA REGALADO =====

For the building application stage, please address the following items:

- 1) Show proposed on-site drainage system. It must be clear that the increase in runoff will be maintained on-site and that there will be no adverse impacts to the bluff or surrounding areas as indicated by the applicant
- 2) A letter of approval on the proposed drainage system for the development from the project Geotechnical Engineer must be submitted

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

All subsequent submittals for this application must be done through the Planning Department. Submittals made directly to Public Works will result in delays.

Please call or visit the Dept. of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====

No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

Discrionary Coments - Continued

Project Planner: Joan Van Der Hoeven
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===== REVIEW ON JULY 28, 2004 BY RUTH L ZADESKY =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====
NO COMMENT

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON AUGUST 16, 2004 BY TIM N NYUGEN =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====
If the applicant intends to utilize the existing septic system for this proposed project then: Applicant must provide an Environmental Health Clearance for this project. Provide a satisfactory septic tank pumper's report to demonstrate that ALL septic systems are functioning. Contact Land Use staff of Environmental Health at 454-2749. Applicant must draw to scale all septic systems on a revised site plan.
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK ===== Applicant paid \$280 EHS review fee as of 7-1-04 is \$462. Remainder is due.
===== UPDATED ON AUGUST 3, 2004 BY JIM G SAFRANEK =====

Environmental Health Miscellaneous Comments

===== REVIEW ON AUGUST 3, 2004 BY JIM G SAFRANEK =====
NO COMMENT

Aptos-La Selva Beach Fire Prot Dist Completeness C

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

===== REVIEW ON AUGUST 20, 2004 BY ERIN K STOW =====
DEPARTMENT NAME: Aptos/La Selva Fire Dept.
The new hydrant shall be in and charged prior to commencement of structural framing.
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.

Aptos-La Selva Beach Fire Prot Dist Miscellaneous

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

===== REVIEW ON AUGUST 20, 2004 BY ERIN K STOW =====
NO COMMENT

INT

MEMO

Application No: 04-0344

Date: August 13, 2004

To: Joan Van der Hoeven, Project Planner

From: Lany Kasparowitz, Urban Designer

Re: Design Review for a new residence at 15 Lilly Way, La Selva Beach

GENERAL PLAN / ZONING CODE ISSUES**Design Review Authority**

13.20.130 The Coastal Zone Design Criteria are applicable to any development requiring a Coastal Zone Approval.

Design Review Standards

13.20.130 Design criteria for coastal zone developments

Evaluation Criteria	Meets criteria In code (✓)	Does not meet criteria (✓)	Urban Designer's Evaluation
Visual Compatibility			
All new development shall be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas	✓		
major vegetation shall be minimized.	✓		
Developers shall be encouraged to maintain all mature trees over 6 inches in diameter except where circumstances require their removal, such as obstruction of the building site, dead or diseased trees , or nuisance species.	✓		
Special landscape features (rock outcroppings, prominent natural landforms, tree groupings) shall be retained.	✓		

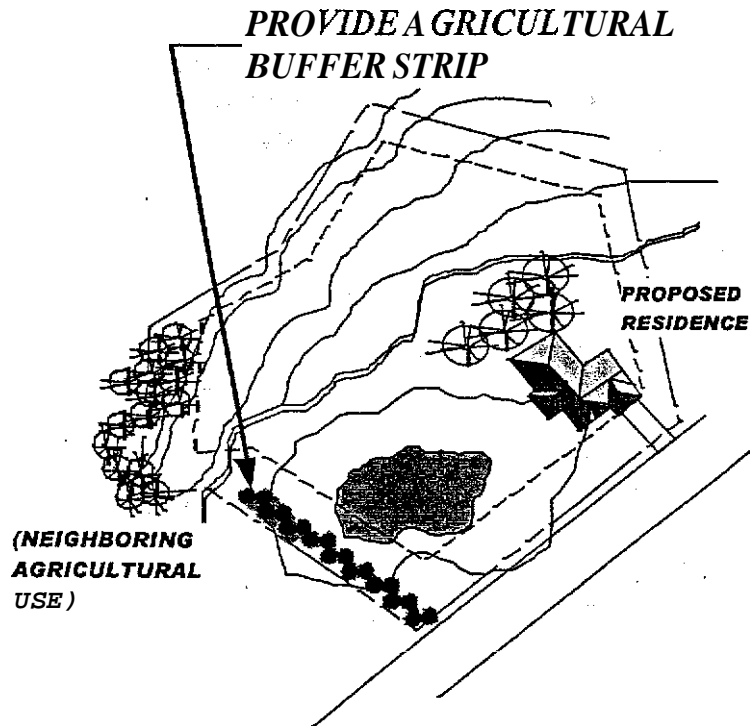
Ridgeline Development			
Structures located near ridges shall be sited and designed not to project above the ridgeline or tree canopy at the ridgeline	✓		
Land divisions which would create parcels whose only building site would be exposed on a ridgetop shall not be permitted	✓		
Landscaping			
New or replacement vegetation shall be compatible with surrounding vegetation and shall be suitable to the climate, soil, and ecological characteristics of the area	✓		
Rural Scenic Resources			
Location of development			
Development shall be located, if possible, on parts of the site not visible or least visible from the public view.	✓		
Development shall not block views of the shoreline from scenic road turnouts, rest stops or vista points	✓		
Site Planning			
Development shall be sited and designed to fit the physical setting carefully so that its presence is subordinate to the natural character of the site, maintaining the natural features (streams, major drainage, mature trees, dominant vegetative communities)	✓		
Screening and landscaping suitable to the site shall be used to soften the visual impact of development in the viewshed	✓		
Building design			
Structures shall be designed to fit the topography of the site with minimal cutting, grading, or filling for construction	✓		
Pitched, rather than flat roofs, which are surfaced with non-reflective materials except for solar energy devices shall be encouraged	✓		

Natural materials and colors which blend with the vegetative cover of the site shall be used, or if the structure is located in an existing cluster of buildings, colors and materials shall repeat or harmonize with those in the cluster	✓		
Large agricultural structures			
The visual impact of large agricultural structures shall be minimized by locating the structure within or near an existing group of buildings		N/A	
The visual impact of large agricultural structures shall be minimized by using materials and colors which blend with the building cluster or the natural vegetative cover of the site (except for greenhouses).		N/A	
The visual impact of large agricultural structures shall be minimized by using landscaping to screen or soften the appearance of the structure		N/A	
Restoration			
Feasible elimination or mitigation of unsightly, visually disruptive or degrading elements such as junk heaps, unnatural obstructions, grading scars, or structures incompatible with the area shall be included in site development		N/A	
The requirement for restoration of visually blighted areas shall be in scale with the size of the proposed project		N/A	
Signs			
Materials, scale, location and orientation of signs shall harmonize with surrounding elements		N/A	
Directly lighted, brightly colored, rotating, reflective, blinking, flashing or moving signs are prohibited		N/A	
Illumination of signs shall be permitted only for state and county directional and informational signs, except in designated commercial and visitor serving zone districts		N/A	

In the Highway 1 viewshed, except within the Davenport commercial area, only CALTRANS standard signs and public parks, or parking lot identification signs, shall be permitted to be visible from the highway. These signs shall be of natural unobtrusive materials and colors		N/A	
Beach Viewsheds			
Blufftop development and landscaping (e.g., decks, patios, structures, trees, shrubs, etc.) in rural areas shall be set back from the bluff edge a sufficient distance to be out of sight from the shoreline, or if infeasible, not visually intrusive	✓		
NO new permanent structures on open beaches shall be allowed, except where permitted pursuant to Chapter 16.10 (Geologic Hazards) or Chapter 16.20 (Grading Regulations)	✓		
The design of permitted structures shall minimize visual intrusion, and shall incorporate materials and finishes which harmonize with the character of the area. Natural materials are preferred	✓		<i>Colors should be evaluated to blend into the landscape as seen from the beach</i>

Planning Department County of Santa Cruz

RECOMMENDED AGRICULTURAL BUFFER PLANTING LIST



COMMON NAME

Coyote Brush³
Lemon Bottlebrush^{1,2}
California Lilac
Pineapple Guava^{1,2}
Flannel Bush
Silktassel Tree
Pacific Wax Myrtle
Hollyleaf Cherry
Catalina Cherry¹
Coast Live Oak
Italian Buckthorn²
Coffeeberry

BOTANICAL NAME

Baccharis pilularis
Callistemon citrinus
Ceanothus varieties
Feijoa sellowiana
Fremontodendron californicum
Garrya elliptica
Myrica californica
Prunus ilicifolia
Prunus lyonii
Quercus agrifolia
Rhamnus alaternus
Rhamnus californica

NOTES:

1. Attractive to birds because of their fruit.
2. Non-native plant.
3. Not for range-land use.

Rug 27 04 11:02a
Aug 27 04 09:45a
Aug 27 04 10:06a

Charles Franks
HLC
Charles Franks

831-4 3-5922
494-7.3
831-426-5922

P. 1
P. 2

August 23, 2004

Planning Department
County of Santa Cruz
Attention: Joan Van der Hoeven
701 Ocean Street
Santa Cruz, CA 95060

Subject APN: 46-091-22 / Appl #04-0344
15 Lilly Way

Dear Ms. Van der Hoeven:

Thank you for reviewing our application for APAC review and a Coastal Development Permit. We will respond as quickly as we can regarding any questions and comments regarding concerns on our application.

Our intention regarding use of the land is to keep it the current zoning. CA We have several green houses on the site and we intent to keep the green houses and there use they provide.

We wish to build our future home on the site and retire in the home, for ourselves and our family.

Please, if you have any further questions or concerns you can reach us at 650-493-2133. Thank you again.

Sincerely,

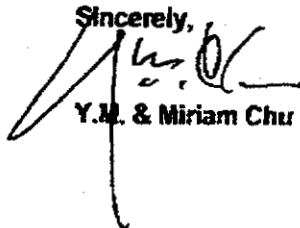
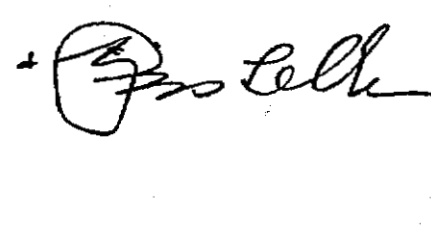
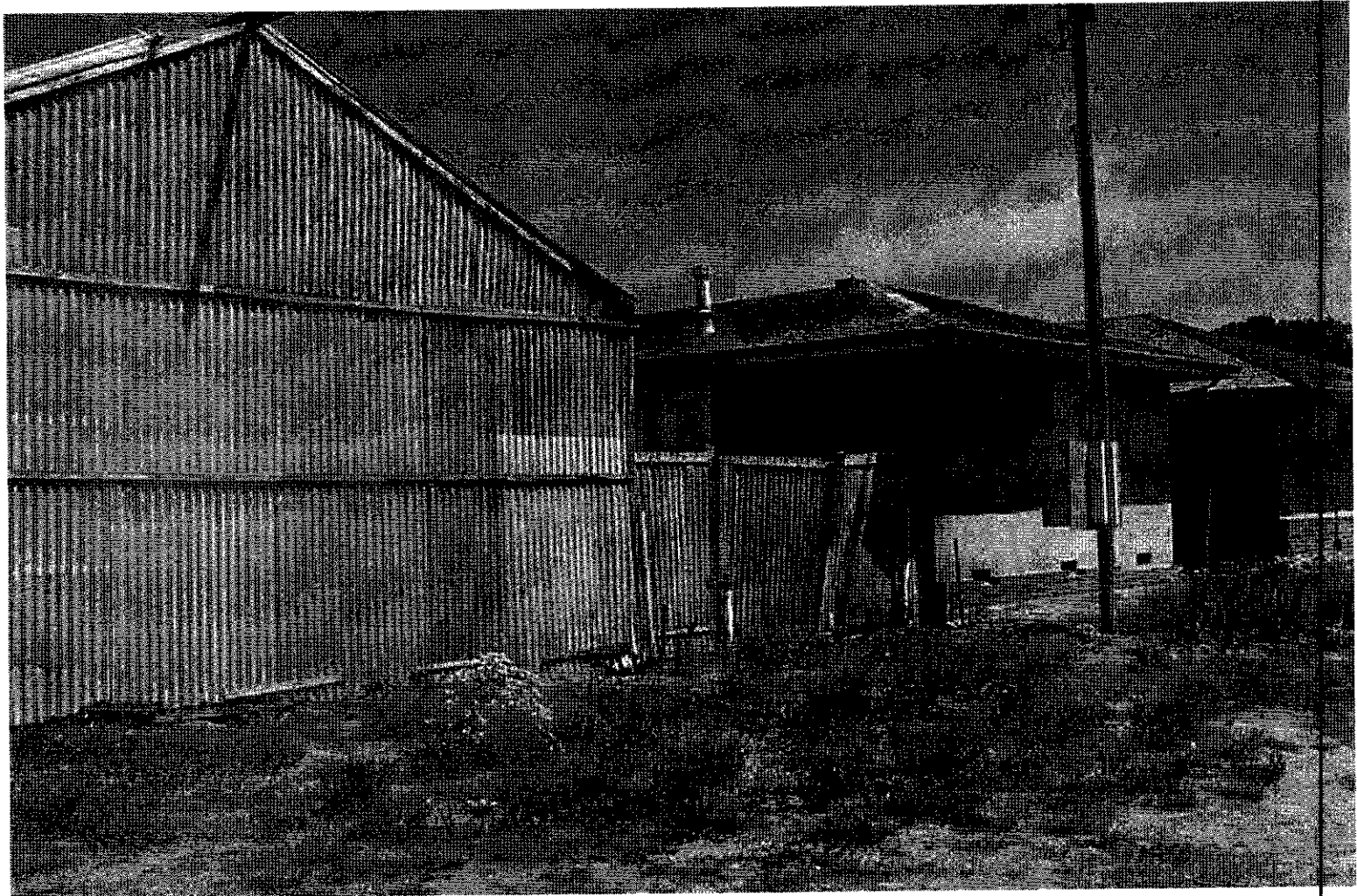
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Y.M. & Miriam Chu

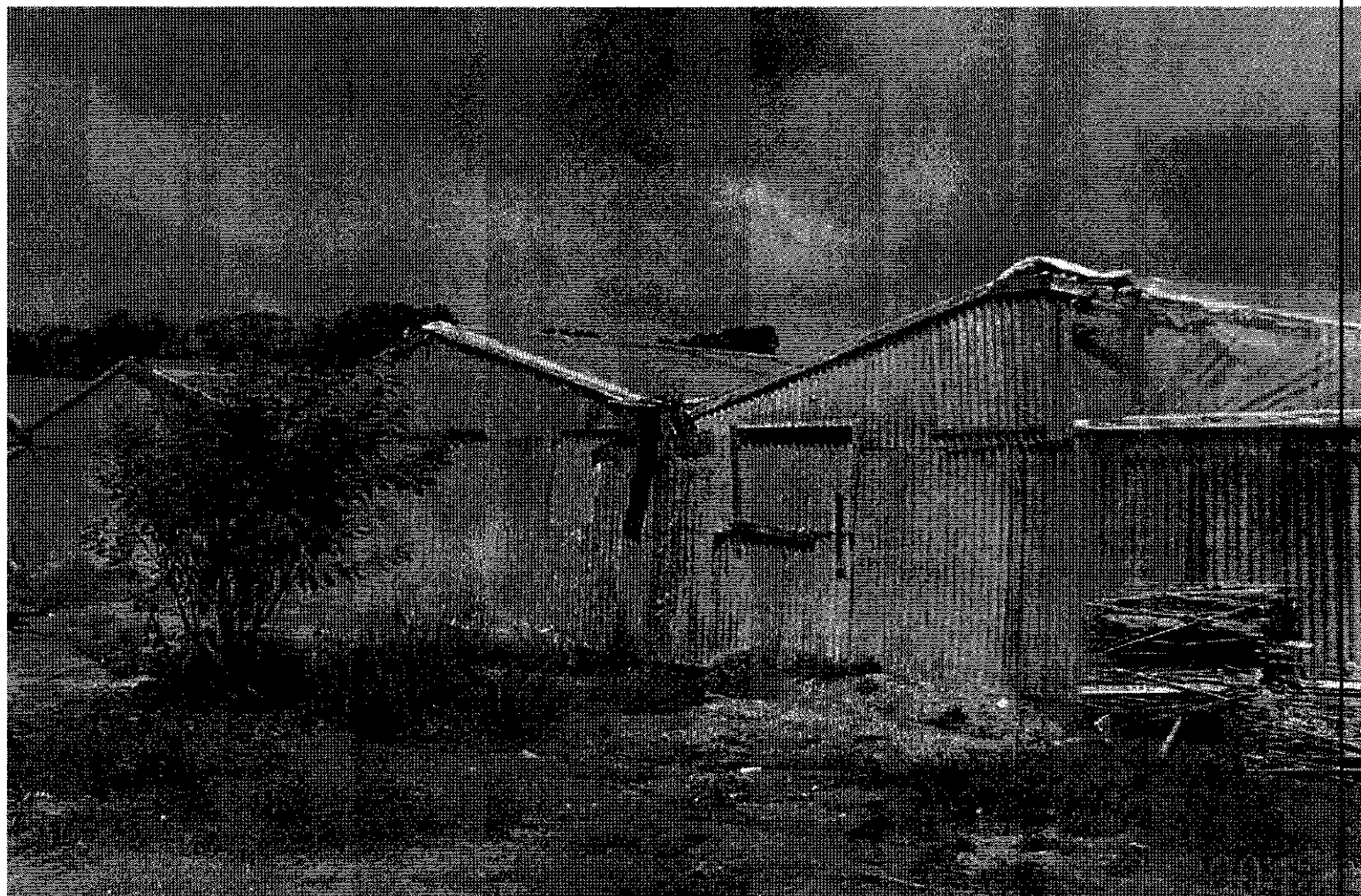
EXHIBIT F



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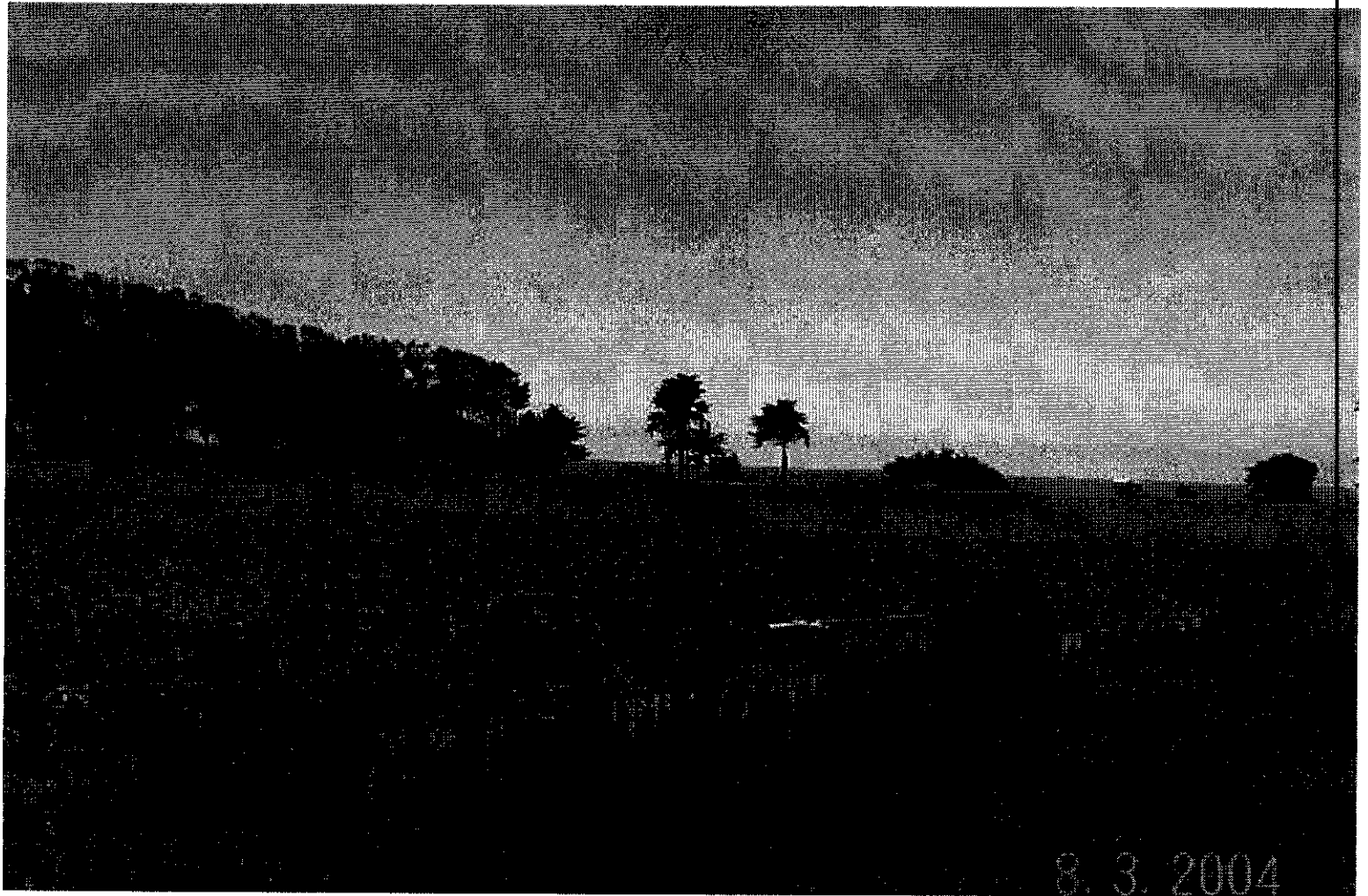
EXISTING GREENHOUSES
& SINGLE FAMILY
JWELLING ON
APN 046-091-22
EXHIBIT G



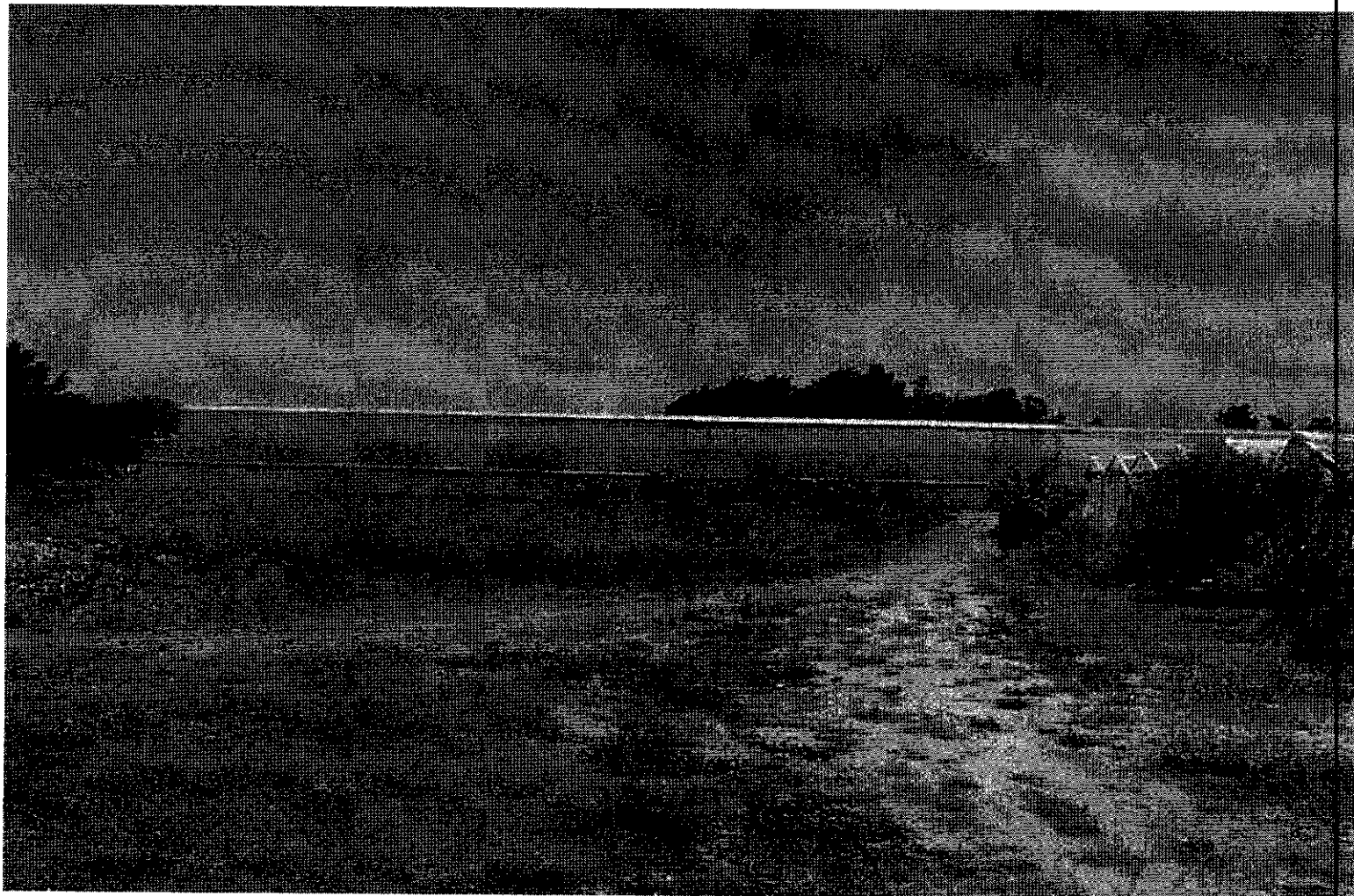


MONTEREY BAY ACADEMY
AG FIELDS

APN 046-371-01



ADJACENT MONTEREY BAY
ACADEMY AG FIELDS
APN 046-371-01



ADJACENT CA-20NE
SAKAE GREENHOUSES
APN 046-091-21



SAKAE 21 LILLY WAY
ADJACENT GREEN HOUSES
046-091-21