



---

## Staff Report to the Agricultural Policy Advisory Commission

Application Number: **04-0311**

---

**Applicant:** Mr. & Mrs. David & Teni Craig      **Date:** November 18, 2004  
**Owner:** Mr. & Mrs. David & Teni Craig      **Agenda Item #:** 7  
**APN:** 045-151-29      **Time:** 1:30 p.m.

**Project Description:** Proposal to construct a two-story room addition to an existing single-family dwelling.

**Location:** Property located on the south side of Elena Road, about 500 feet east from Altivo Avenue at 22 Elena Road in La Selva Beach.

**Permits Required:** Agricultural Buffer Setback Reduction.

### Staff Recommendation:

- Approval of Application 04-03 11, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

### Exhibits

- |   |                                      |
|---|--------------------------------------|
| A. Project plans                              | F. Zoning map, General Plan map      |
| B. Findings                                   | G. Comments & Correspondence         |
| C. Conditions                                 | H. Site photographs                  |
| D. Categorical Exemption (CEQA determination) | I. Agricultural Buffer Planting List |
| E. Assessor's parcel map                      |                                      |

### Parcel Information

Parcel Size:	7,405 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Commercial Agriculture, single-family residential, beach
Project Access:	San Andreas Road to Altivo and Elena
Planning Area:	La Selva Beach
Land Use Designation:	R-UL (Urban Low Residential)
Zone District:	R-1-6 (Single-family Residential/ 6,000 sq ft min lot)

---

Supervisory District: Second (District Supervisor: Pirie)  
 Within Coastal Zone:  Inside  Outside  
 Appealable to Calif. Coastal Comm.  Yes  No

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
 Soils: **135**, Elkhorn sandy loam  
 Fire Hazard: Not a mapped constraint  
 Slopes: 15 – 30 percent slopes  
 Env. Sen. Habitat: Not mapped/no physical evidence on site  
 Grading: No grading proposed  
 Tree Removal: No trees proposed to be removed  
 Scenic: Not a mapped resource  
 Drainage: Existing drainage adequate  
 Traffic: No significant impact  
 Roads: Existing roads adequate  
 Parks: Existing park facilities adequate  
 Archeology: Not mapped/no physical evidence on site

### Services Information

Inside Urban/Rural Services Line:  Yes  No  
 Water Supply: Soquel Creek Water District  
 Sewage Disposal: Private septic system, CSA #12  
 Fire District: Aptos/La Selva Fire Protection District  
 Drainage District: Non-zone

### Analysis and Discussion

The proposed project is to construct an **825** square foot, two-story addition to an existing 1,500 square foot, two story single-family dwelling on a 7,405 square foot parcel. The project would result in a four bedroom single-family dwelling with a basement storage area. The existing home has 3 bedrooms and was constructed in 1948. The project is located at 22 Elena Drive in La Selva Beach. The building site is within 200 feet of Commercial Agricultural land to the rear of the lot (south). The applicant is requesting a reduction in the 200 foot agricultural buffer setback to about 55 feet from APN **046-021-05**.

The subject property is characterized by sloping topography down towards the rear of the lot. The parcel is not located within the Urban Services Line and may be characterized as a residential neighborhood immediately adjacent to commercial agricultural land. The parcel carries an Urban Low Residential (R-UL) General Plan designation and the implementing zoning is (R-1-6) Single-family Residential with a 6,000 square foot minimum lot size. Commercial Agriculture zoned land is situated within 200 feet at the south side of the parcel at Assessor's Parcel Number 046-021-05, the 156-acre Delucci farm.

A reduced agricultural buffer is recommended due to the fact that the 145-foot depth of the lot would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. Environmental Planning staff determined that a Riparian Exception was not required for the project (Exhibit G). Sloping topography of the lot and an established evergreen vegetative buffer serve to separate the residential and agricultural uses. Staff is recommending that the applicant install a solid six-foot fence at the south side of the parcel with an evergreen hedge of plantings to reduce the impact of residential activities, including trespassing, on the existing, adjacent 156-acre Delucci farm, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel to the rear. The applicant is 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

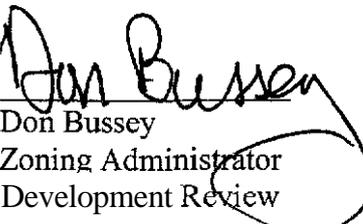
- a Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about **55** feet to the single-family dwelling from the adjacent CA zoned property known as APN 046-021-05, proposed under Application # 04-0311, based on the attached findings and recommended conditions.
- a Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

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

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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](mailto:pln140@co.santa-cruz.ca.us)

Report Reviewed By:

  
 Don Bussey  
 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

Significant topographical differences exist between the subject parcel and APN 046-021-05, to allow for a reduction in the required 200-foot setback to about 55 feet. The proposed building site is above the elevation of the adjacent Commercial Agriculture zoned parcel. Evergreen landscaping and a solid wood board, six feet tall fence is required.

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 addition to the existing single-family dwelling is proposed to be set back 55 feet from the adjacent Commercial Agriculture zoned land. **An** effective barrier consisting of a six-foot tall solid wood hoard 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 046-021-05. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic as it located in the rear yard and not adjacent to Elena Drive.

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.

The existing residential lot is approximately 145-feet deep by 50-feet wide so that it would not be possible to maintain the minimum 200 foot distance from the adjacent commercial agricultural parcel. A reduced agricultural buffer setback of 55 feet is recommended to allow the addition to an existing single-family dwelling building which was constructed in 1948, providing that a physical banier consisting of a solid wood hoard fence, six feet in height be installed along the rear property line. Vegetative screening consisting of plants selected from the Recommended Agricultural Buffer planting list (Exhibit I) be installed on the interior side of the fence.

## Conditions of Approval

### Exhibit A: Project plans, 5 sheets

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (046-021-05). 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. Complete requirements for obtaining Building Permit #53036G 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:
    1. A development setback of a minimum of 55 feet from the single-family dwelling to the adjacent CA zoned parcel APN 046-021-05.
    2. Final plans shall show the location of the vegetative buffering barrier and solid wood board, **six** foot tall, 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.
  - C. The applicant shall record a Declaration to Maintain the Structure as a 4-bedroom single-family dwelling with an underfloor non-habitable basement.
  - D. Pay capital improvement fees for one additional bedroom for parks and child care, currently \$800 and \$109 per bedroom respectively in the San Andreas Planning Area, but subject to change.
  - E. Comply with all requirements of the Aptos/La Selva Fire Protection District (Exhibit G).

- 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 fence) 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 required vegetative and physical barriers 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:            11/18/04

Effective Date:            12/02/04

Expiration Date:           12/02/06

---

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: 04-0311

Assessor Parcel Number: 045-151-29

Project Location: 22 Elena Road, La Selva Beach

Project Description: Agricultural Buffer Setback Reduction

Person or Agency Proposing Project: Mr. & Mrs. David & Terri Craig

Contact Phone Number: (831) 685-2449

- 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

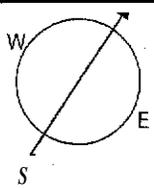
Specify type: Class 1 - Existing Facilities (Section 15301)

- F. Reasons why the project is exempt: Addition to existing residential structure

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

\_\_\_\_\_  
Joan Van der Hoeven, AICP Project Planner

Date: November 18, 2004



ELENA ROAD

22 Elena  
La Jolla Beach  
APN 045-151-29  
PROPOSED ADDITION for  
David and Terri Craig

PLOT PLAN

SCALE 1" = 10' \*

\* REDUCED TO  
8 1/2" X 11" FORMAT

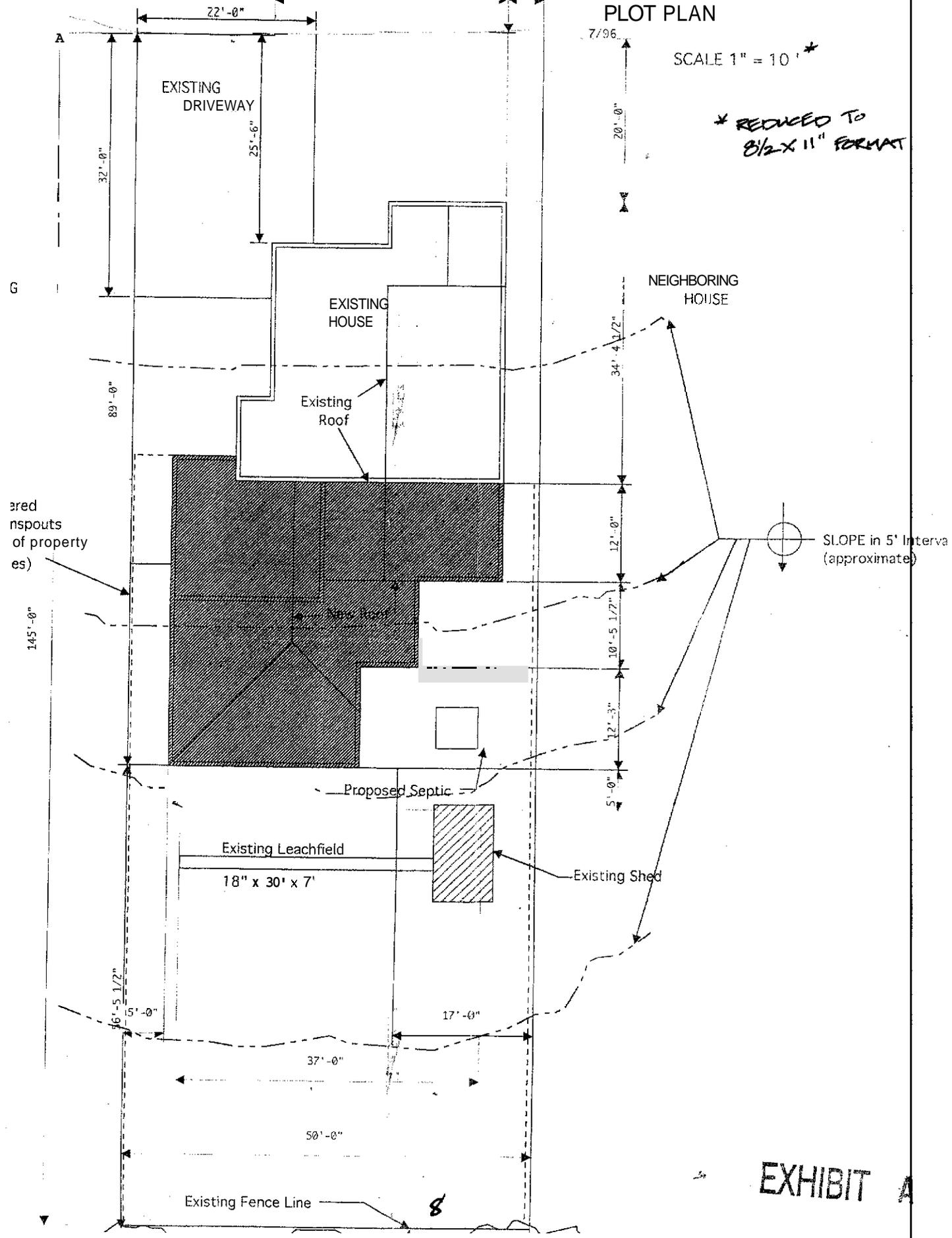


EXHIBIT A

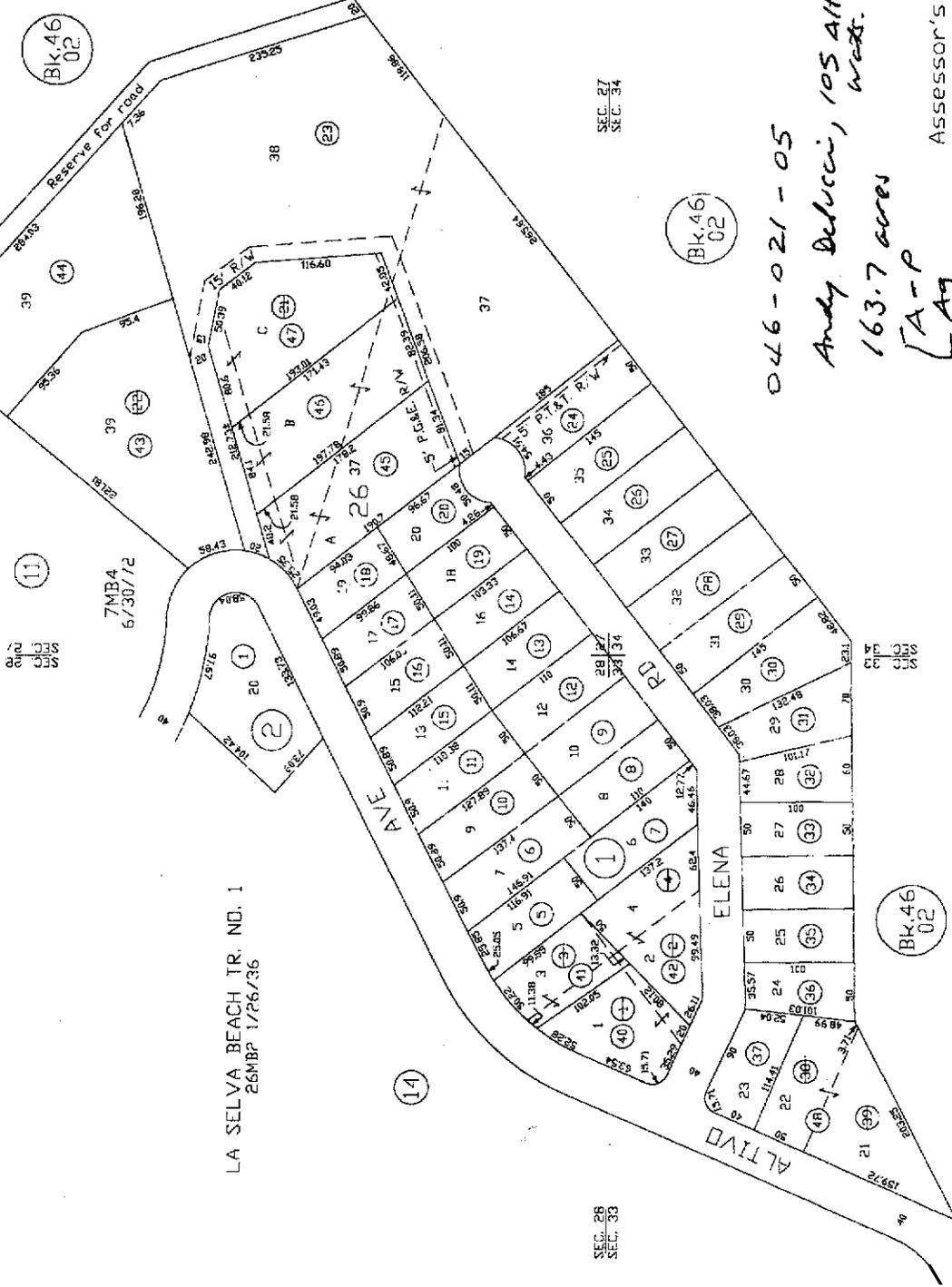
**FOR TAX PURPOSES ONLY**

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. FIGS TO BE REPRODUCED. ALL RIGHTS RESERVED.  
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000

**POR. SAN ANDREAS RANCHO**

SECS. 27, 28, 33 & 34, T.11S., R.1E., M.D.B. & M.

Tax Area Code  
69-275



LA SELVA BEACH TR. NO. 1  
26MBP 1/26/36

7MB4  
6/30/12

Electronically prepared 1/4/00 KSA  
Rev. 1/4/00 KSA (from form pg. 14)  
Rev. 5/30/01 MVR (change page refs)

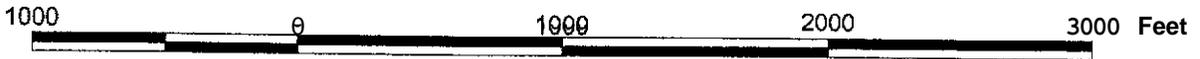
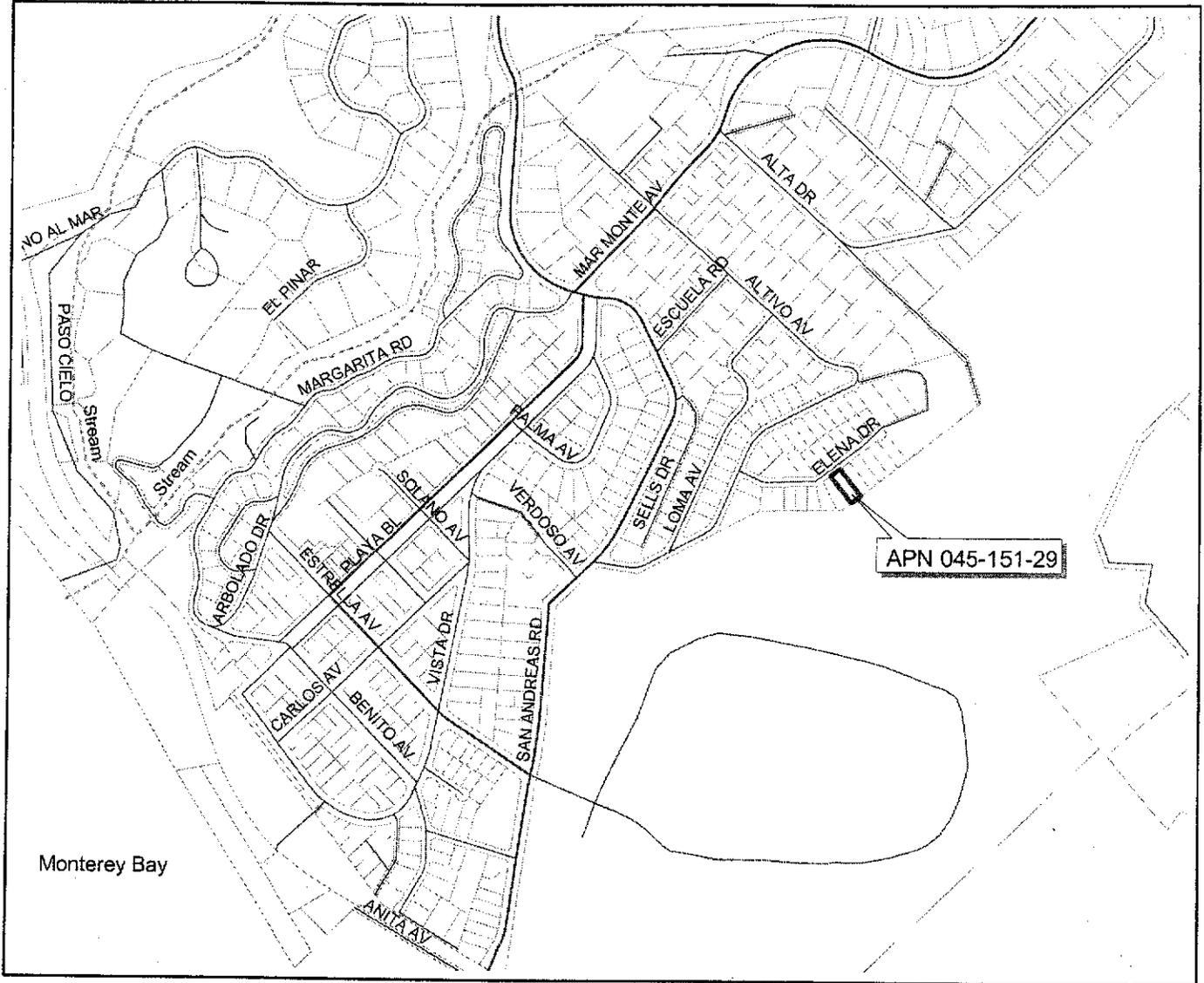
046-021-05  
Andy Delucci, 105 Alito Dr  
West. 95076  
[A-P  
[Ag

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

Assessor's Map No. 45-15  
County of Santa Cruz, Calif.  
100 2000

**EXHIBIT**

# Location Map

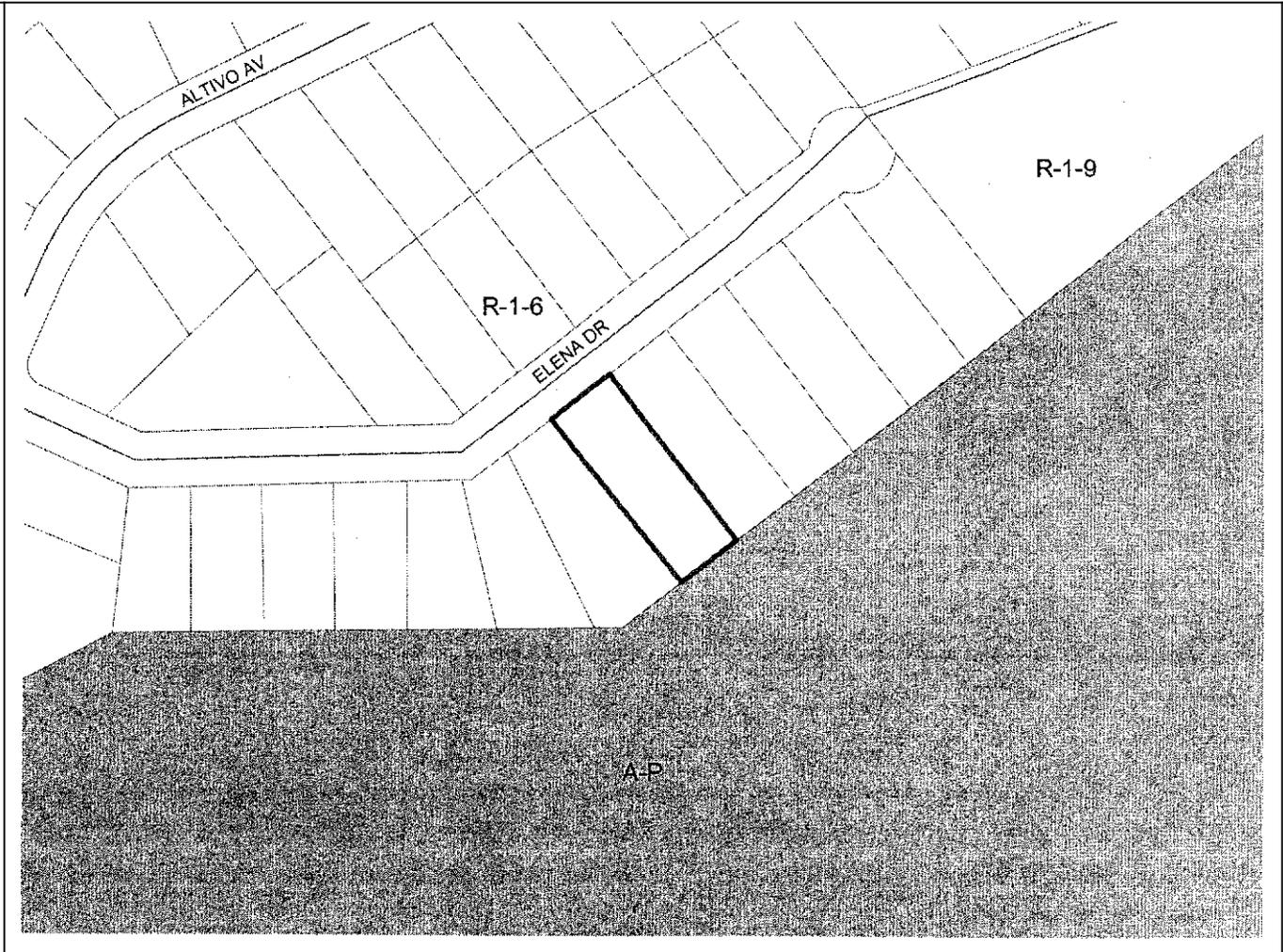


Map created by Santa Cruz County  
Planning Department:  
July 2004



EXHIBIT F

# Zoning Map



250 0 250 500 Feet

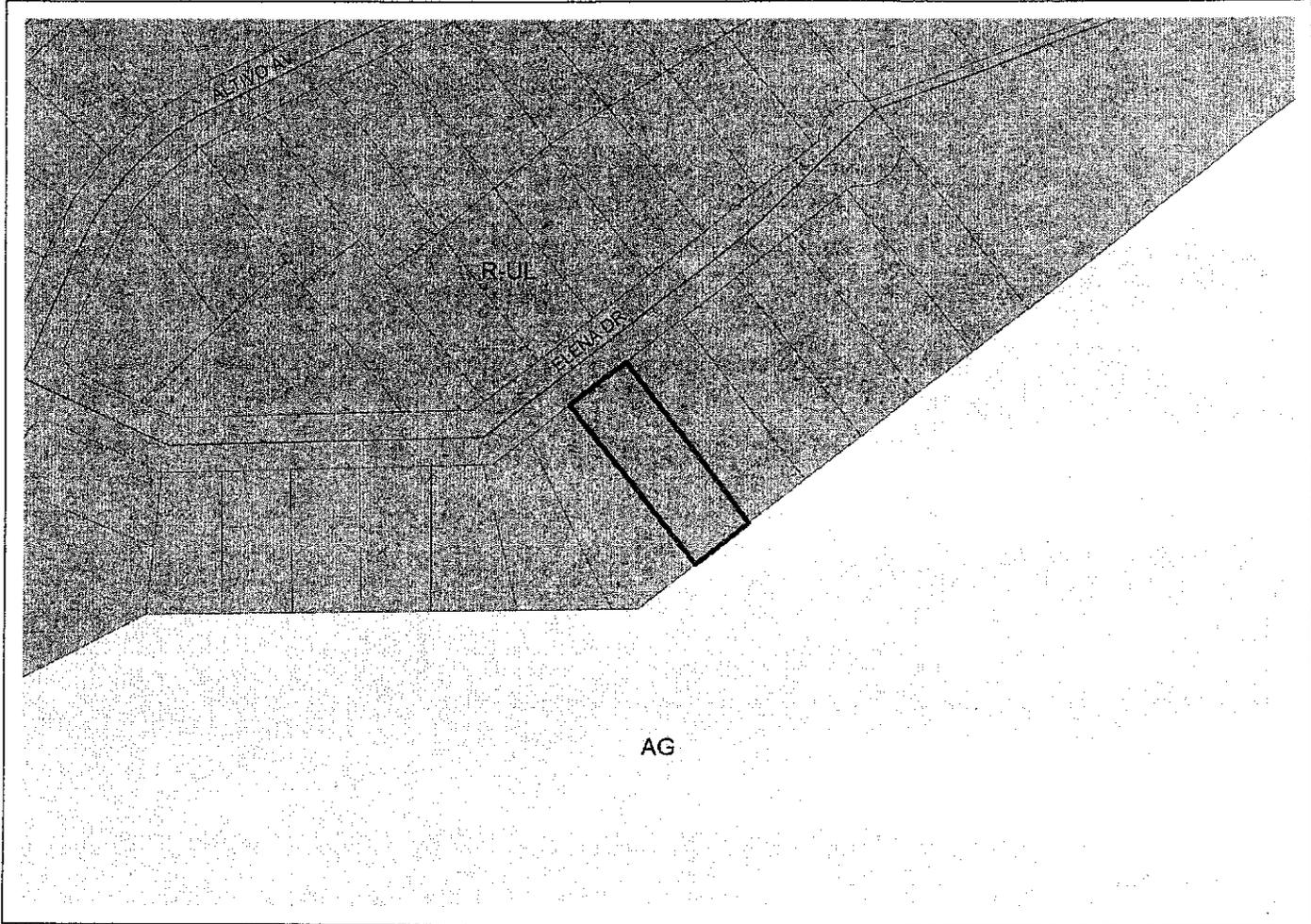
## Legend

	APN 045-151-29
	Streets
	A
	R-1-X



Map created by Santa Cruz County  
Planning Department:  
July 2004

# General Plan Map



### Legend

-  APN 045-151-29
-  Streets
-  Agriculture
-  Residential - Urban Low Density

Map created by Santa Cruz County  
Planning Department:  
July 2004

EXHIBIT F

C O U N T Y O F S A N T A C R U Z  
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0311  
APN: 045-151-29

Date: November 1, 2004  
Time: 08:35:33  
Page: 1

Environmental Planning Completeness Comments

===== REVIEW ON AUGUST 11, 2004 BY ROBERT S LOVELAND =====

1. A riparian exception is not required for this project.

Environmental Planning Miscellaneous Comments

===== REVIEW ON AUGUST 11, 2004 BY ROBERT S LOVELAND =====

Conditions of Approval:

1. Submit a detailed drainage and erosion control plan for review.

Project Review Completeness Comments

===== REVIEW ON JULY 30, 2004 BY JOAN VAN DER HOEVEN =====

Project exceeds the maximum 30 percent lot coverage set by the R-1-6 zone district  
Please provide a reduced size 8.5 x 11 inch copy of the revised plans.

===== UPDATED ON NOVEMBER 1, 2004 BY JOAN VAN DER HOEVEN =====

Record a notarized agricultural statement of acknowledgement - form sent.

Project Review Miscellaneous Comments

===== REVIEW ON JULY 30, 2004 BY JOAN VAN DER HOEVEN =====

Project is within the Coastal Residential Exclusion zone.

Dpw Drainage Completeness Comments

===== REVIEW ON JULY 22, 2004 BY JOHN G LUMICAO ===== 1. The applicant has NOT provided sufficient detail to constitute a complete a drainage plan. The applicant should provide drainage information to a level addressed on the guidelines for single family dwelling provided by the Planning Department. The drainage requirement may be obtained online at <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/Resbpreq.htm>

===== UPDATED ON SEPTEMBER 16, 2004 BY JOHN G LUMICAO =====  
NO COMMENT

Dpw Drainage Miscellaneous Comments

===== REVIEW ON JULY 22, 2004 BY JOHN G LUMICAO ===== No comment

===== UPDATED ON SEPTEMBER 16, 2004 BY JOHN G LUMICAO =====  
NO COMMENT

Dpw Road Engineering Completeness Comments

===== REVIEW ON JULY 20, 2004 BY TIM N NYUGEN =====

1. The driveway must meet County of Santa Cruz standards. Please provide the follow-

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0311  
APN: 045-151-29

Date: November 1, 2004  
Time: 08:35:33  
Page: 2

ing information for the driveway: The structural section, a centerline profile, and a typical cross section.

2. Indicate on plans how the driveway will connect to Elena Road and if there is existing curb, gutter, and sidewalk.

3. If existing sidewalk is present, As per County of Santa Cruz Design Criteria a 3 ADA wheelchair pathway behind the driveway depression is required for this project(see fig.Dw-1). ===== UPDATED ON SEPTEMBER 20, 2004 BY TIM N NYUGEN =====

NO COMMENT

**Dpw Road Engineering Miscellaneous Comments**

===== REVIEW ON JULY 20, 2004 BY TIM N NYUGEN ===== A 3' ADA wheelchair ramp will be required only if existing curb, gutter, and sidewalk is present. =====  
UPDATED ON SEPTEMBER 20, 2004 BY TIM N NYUGEN =====  
NO COMMENT

**Environmental Health Completeness Comments**

----- REVIEW ON AUGUST 4, 2004 BY JIM G SAFRANEK ===== Applicant has approved septic application.

**Environmental Health Miscellaneous Comments**

===== REVIEW ON AUGUST 4, 2004 BY JIM G SAFRANEK ===== EHS review fee was never collected. Total due to Planning for EHS: \$462.

**Aptos-La Selva Beach Fire Prot Dist Completeness C**

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

===== REVIEW ON AUGUST 4, 2004 BY ERIN K STOW =====  
DEPARTMENT NAME:Aptos/La Selva Fire Dept. APPROVEDWITH THE FOLLOWING CONDITIONS:  
A minimum of 1,000 GPM is required from one hydrant located within 250 feet of the site.  
The required fire flow from a fire hydrant within 250 feet of the site is not available. To mitigate the lack of the required fire flow, the entire structure shall be protected by automatic fire sprinkler system through all portions of the structure, complying with the currently adopted NFPA 13D and adopted standards of the Aptos/La Selva Fire Protection District or a new fire hydrant is to be installed.  
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

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No.: 04-0311  
APN: 045-151-29

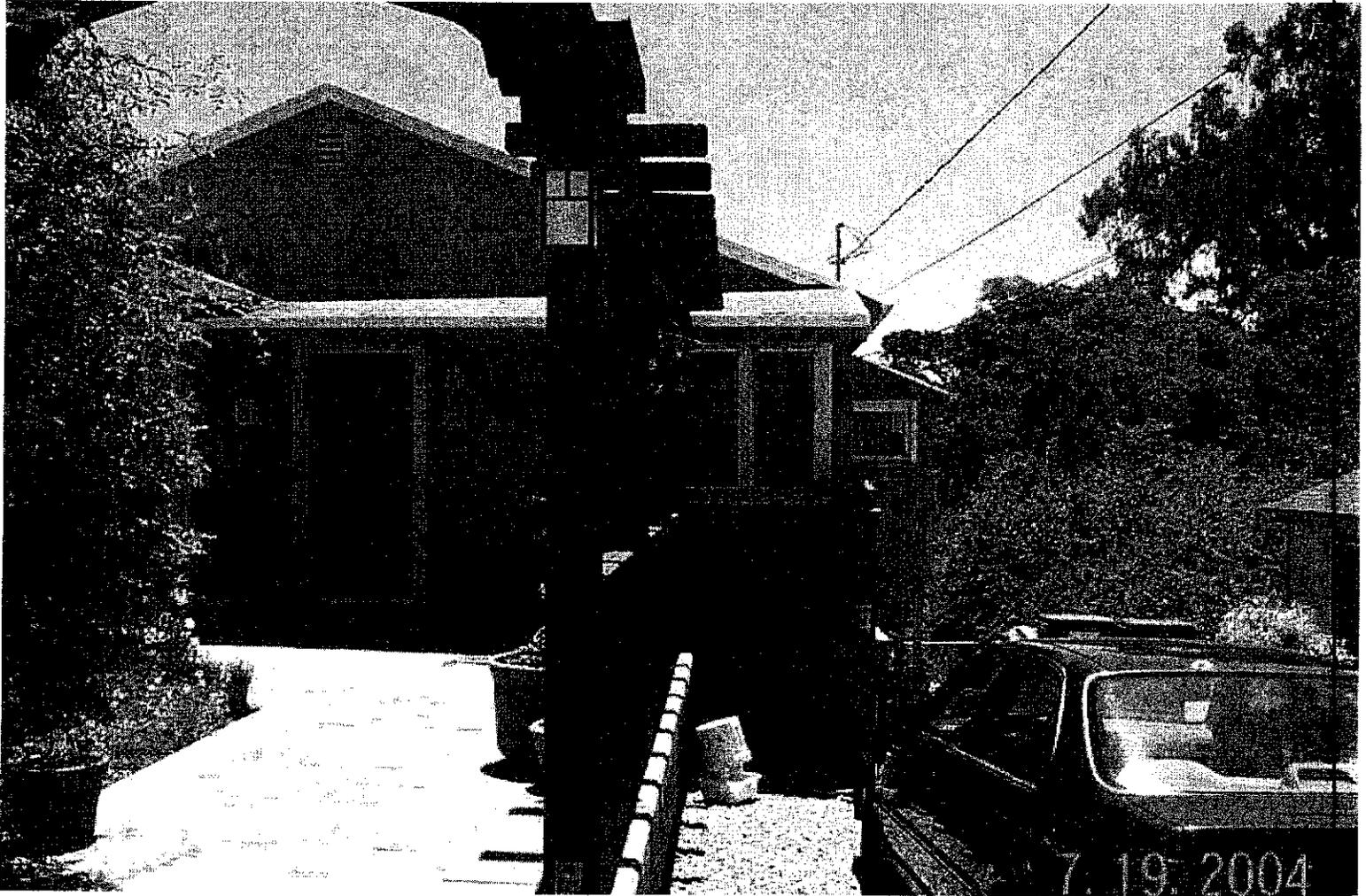
Date: November 1, 2004  
Time: 08:35:33  
Page: 3

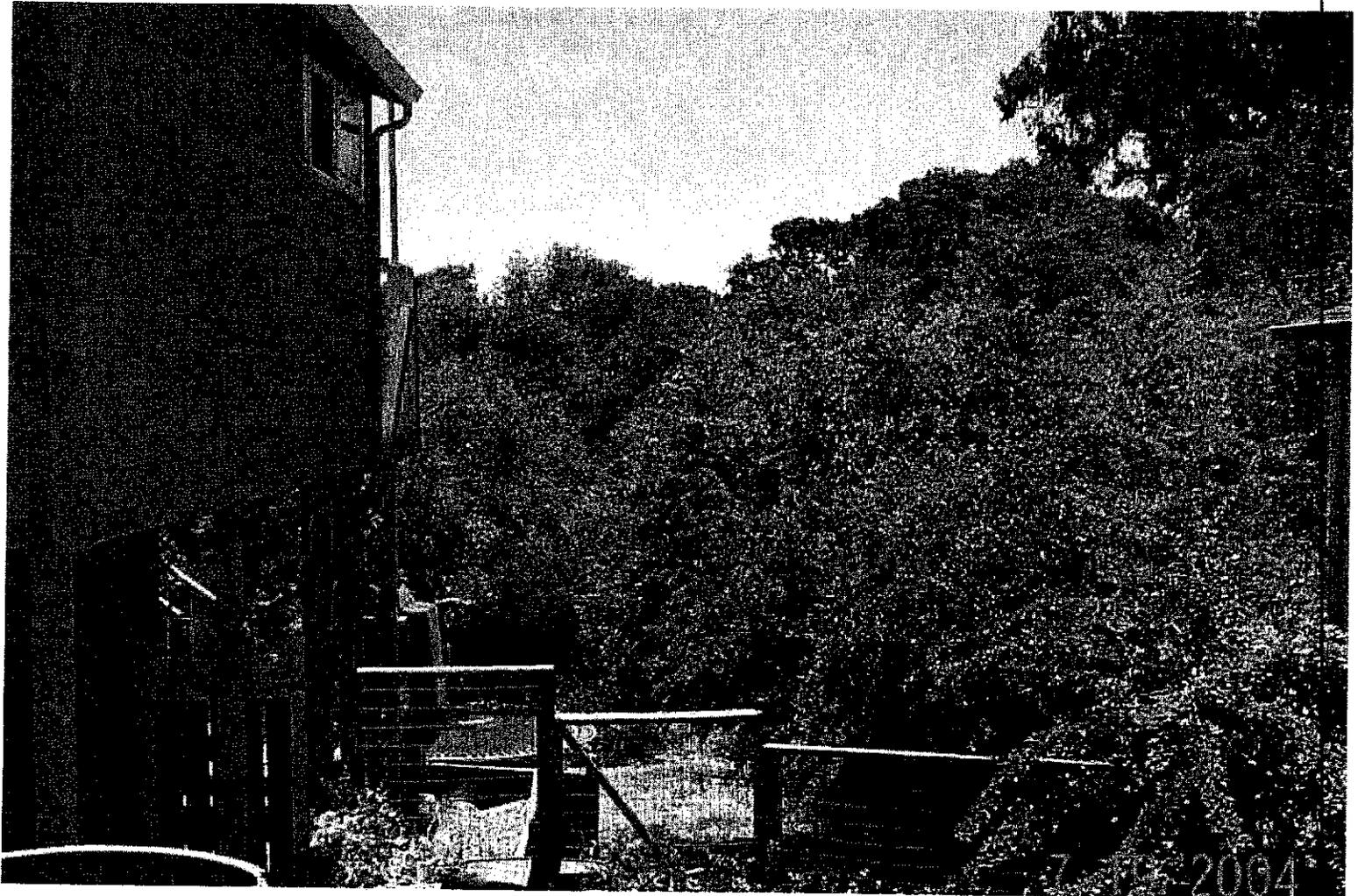
---

===== REVIEW ON AUGUST 4, 2004 BY ERIN K STOW =====  
NO COMMENT

15

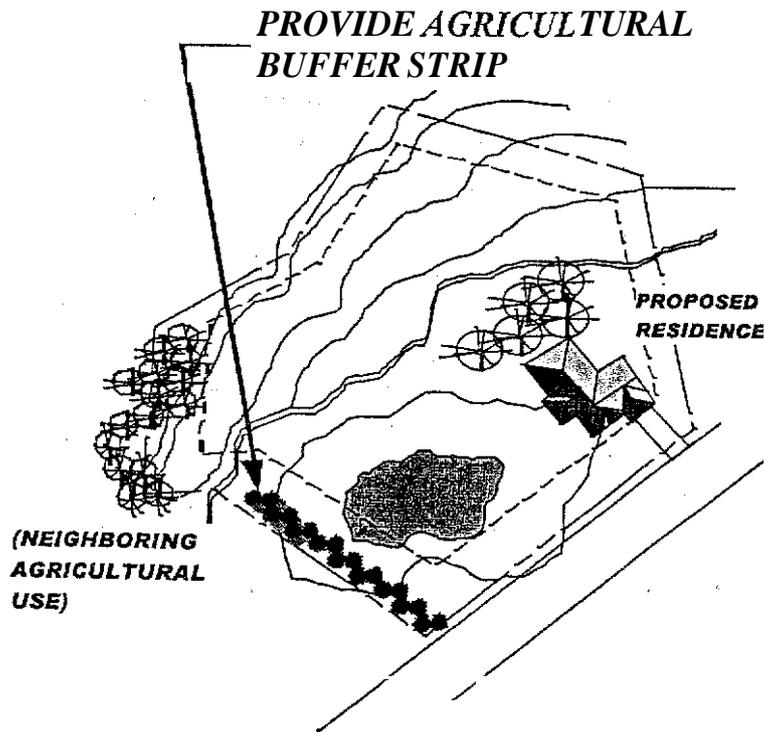
EXHIBIT G





# Planning Department County of Santa Cruz

## RECOMMENDED AGRICULTURAL BUFFER PLANTING LIST



### COMMON NAME

Coyote Brush<sup>3</sup>  
Lemon Bottlebrush<sup>1,2</sup>  
California Lilac  
Pitieapple Guava<sup>1,2</sup>  
Flannel Bush  
Silktassel Tree  
Pacific Wax Myrtle  
Hollyleaf Cherry  
Catalina Cherry<sup>1</sup>  
Coast Live Oak  
Italian Buckthorn<sup>2</sup>  
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.

**APPROVED BY THE AGRICULTURAL POLICY ADVISORY COMMITTEE**  
**September 2003**

---

**ACTIVITY ANNOUNCEMENT**

The County of Santa Cruz Planning Department does not discriminate on the basis of a disability, **and** no person shall, by reason of a disability, be denied the benefits of its services, programs or activities. The Planning Department is located in an accessible facility. If you wish to participate in any Planning program or activity, or wish to receive any Planning service, and you require special assistance, please call the number below at least five days in advance in order to make arrangements.

**831-454-3055**