



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **05-0080**

Applicant: Gregory Heitzler
Owner: Jesus and Christina Escobar
APN: 058-065-02

Date: May 19, 2005
Agenda Item # **6**
Time: 1:30 p.m.

Project Description: Proposal to construct a 748 sq. ft. addition to an existing 1088 sq. ft. single family dwelling and construct a new 740 sq. ft. detached nonhabitable accessory structure (garage and storage).

Location: 14 Third Avenue, Davenport

Permits Required: Agricultural ~~Buffer~~ Setback Reduction

Staff Recommendation:

- Approval of Application 05-0080, 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 | E. Location map |
| B. Findings | F. General Plan map |
| C. Conditions | G. Zoning map |
| D. Categorical Exemption (CEQA determination) | |

Parcel Information

Parcel Size:	7. 87 sq. ft.
Existing Land Use - Parcel:	Single family residential
Existing Land Use - Surrounding:	Single family residential
Project Access:	Third Avenue
Planning Area:	North Coast
Land Use Designation:	SC-DAV (Residential Low Density)
Zone District:	R-1-6 (6,000 sq. ft. min. parcel size)
Supervisory District:	Third (District Supervisor: Mardi Wormhoudt)

Within Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: NIA
Fire Hazard: Not a mapped constraint
Slopes: flat
Env. Sen. Habitat: Mapped/developed site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Davenport Special Community
Drainage: Existing drainage adequate
Traffic: NIA
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Mapped/developed site

Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No
Water Supply: Public system
Sewage Disposal: Davenport Sanitary
Fire District: California Department of Forestry/County Fire
Drainage District: NIA

Analysis and Discussion

The proposed project is to construct a second story to an existing single-family dwelling for a total of approximately 1,306 square feet on a 7,187 square feet parcel. The project is located at 14 Third Avenue, Davenport. The building site is within 100 feet of Commercial Agricultural land to the North. The applicant is requesting a reduction in the 200 foot agricultural buffer setback to 0 feet (from APN 058-022-11).

The subject property is characterized by flat topography. The parcel is located within the Urban Services Line and may be characterized as a residential neighborhood. The parcel carries a SC-DAV (Residential Low Density) General Plan designation and the implementing zoning is R-1-6 (6,000 sq. ft. min. parcel size). Commercial Agriculture zoned land is situated within 200 feet at the northwest and northeast sides of the parcel at Assessor's Parcel Number 058-022-11.

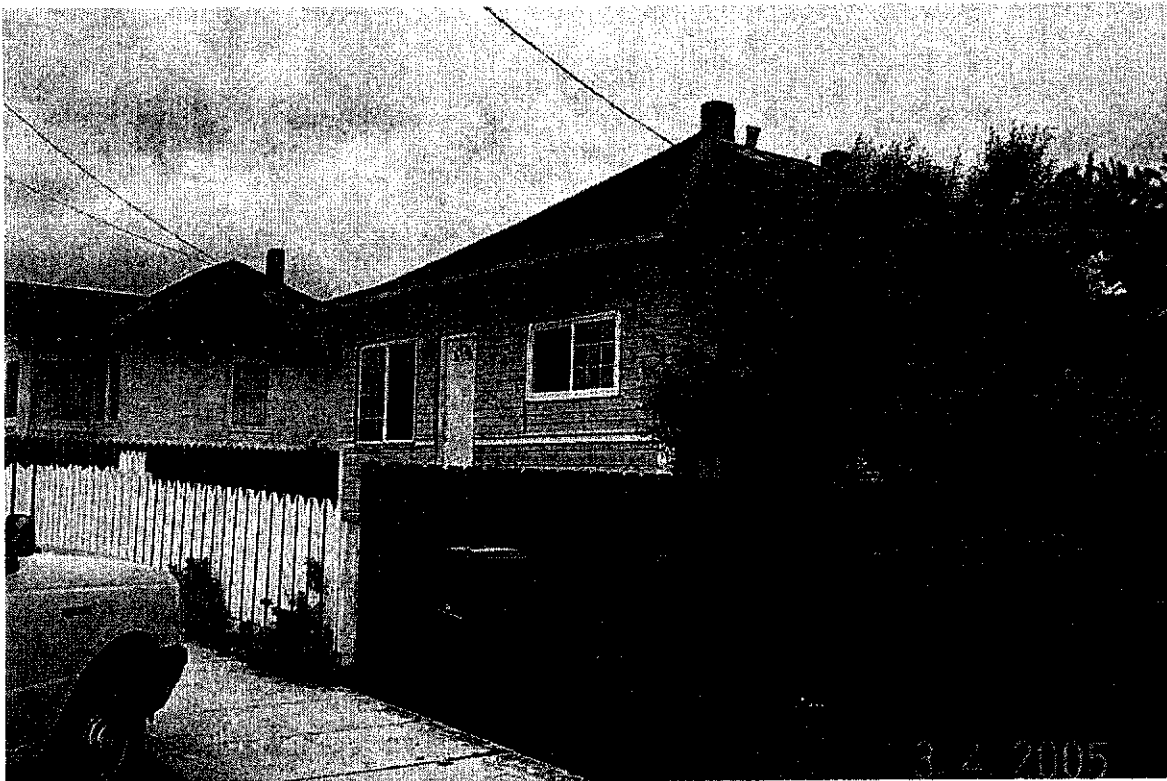


Figure 1. Existing residence looking East

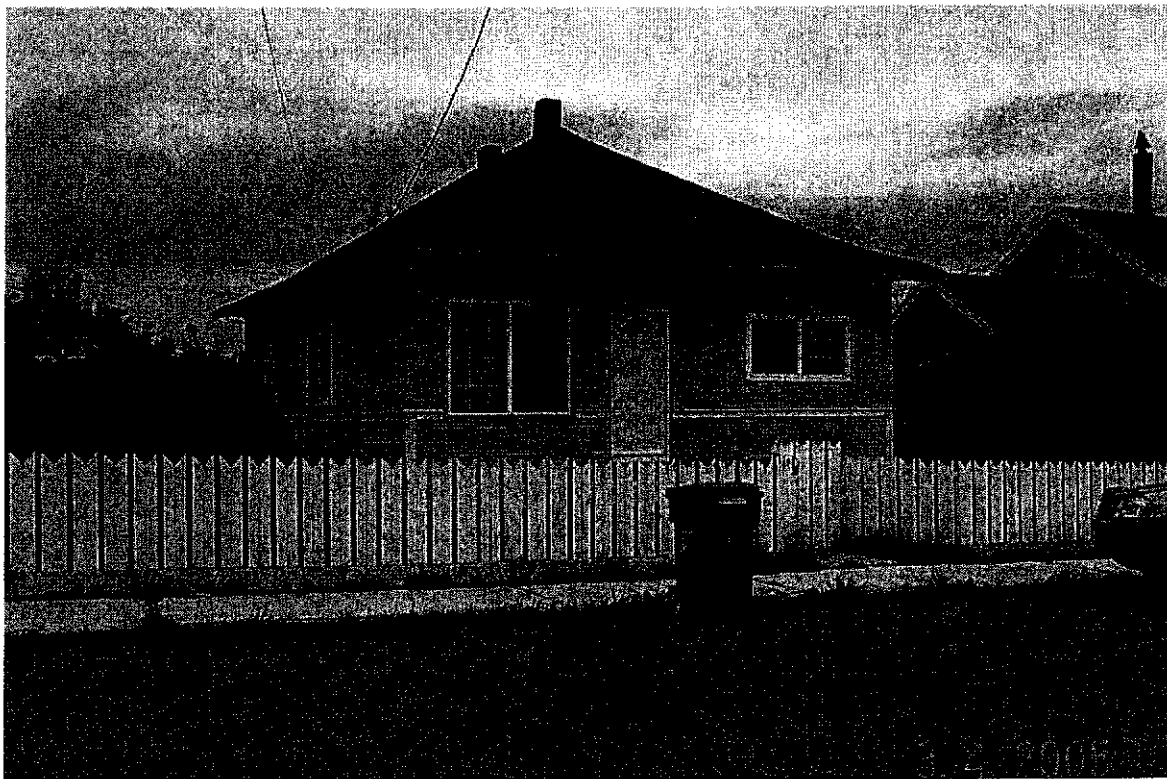


Figure 2. Existing residence looking South

The site is separated from the Commercial Agricultural use by two developed lots. Staff does not feel that additional buffering is required.

The applicant shall 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 100 feet (from APN 058-065-02) feet to the single-family dwelling from the adjacent CA zoned property known as APN 058-022-11, proposed under Application # 05-0080, based on the attached findings and recommended conditions.
- 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

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Report Reviewed By: Joan **Van** der Hoeven
Staff Planner
Agricultural Policy Advisory Committee

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.

This finding does not apply.

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.

This finding does not apply.

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.

This finding applies in that there are two other residences between this parcel and the CA zoned property.

4. Required findings for non-agricultural development on commercial agricultural land, County Code section 16.50.095(e).

This finding does not apply.

The subject parcel is zoned R-1-6 (6,000 sq. ft. min. parcel size) and carries a **SA-DAV** (Urban Low Residential) General Plan designation. The parcel is not designated for agricultural production. The parcel is **within** 200 feet of Commercial Agriculture zoned land, but is not zoned Commercial Agriculture or Agricultural Preserve.

Conditions of Approval

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (058-022-11). 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.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. 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.

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: _____

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.

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: 05-0080

Assessor Parcel Number: 058-065-02

Project Location: 14 Third Avenue, Davenport

Project Description: Agricultural Buffer Setback Reduction

Person or Agency Proposing Project: Gregory Heitzler

Contact Phone Number: (831) 421-9594

- 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: no construction or planting proposed.

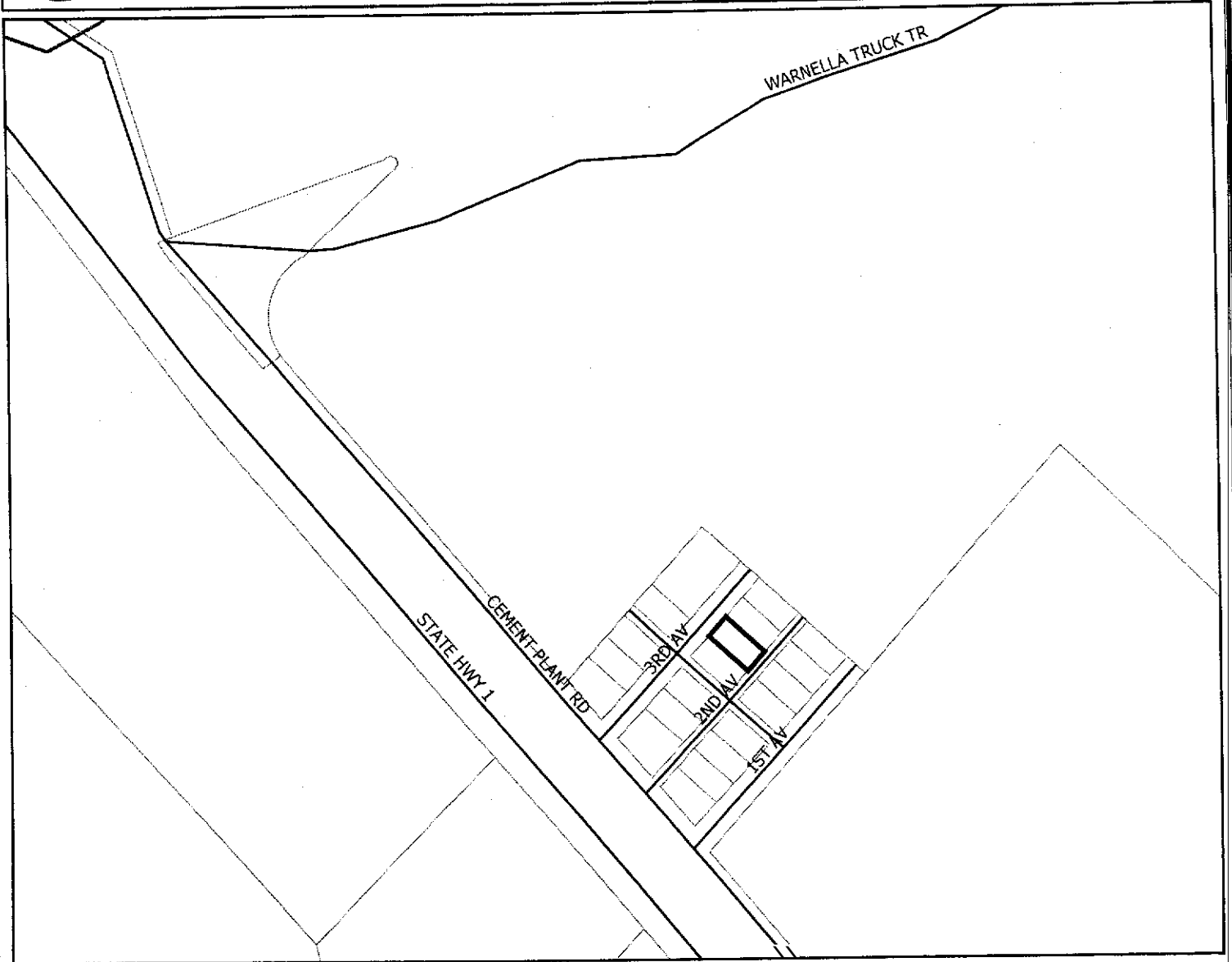
In addition, none of the conditions described in Section 15300.2 apply to this project.

Lawrence Kasparowitz, Project Planner



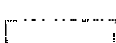
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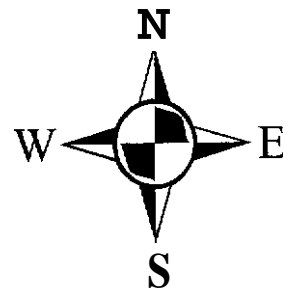


Location Map



Legend

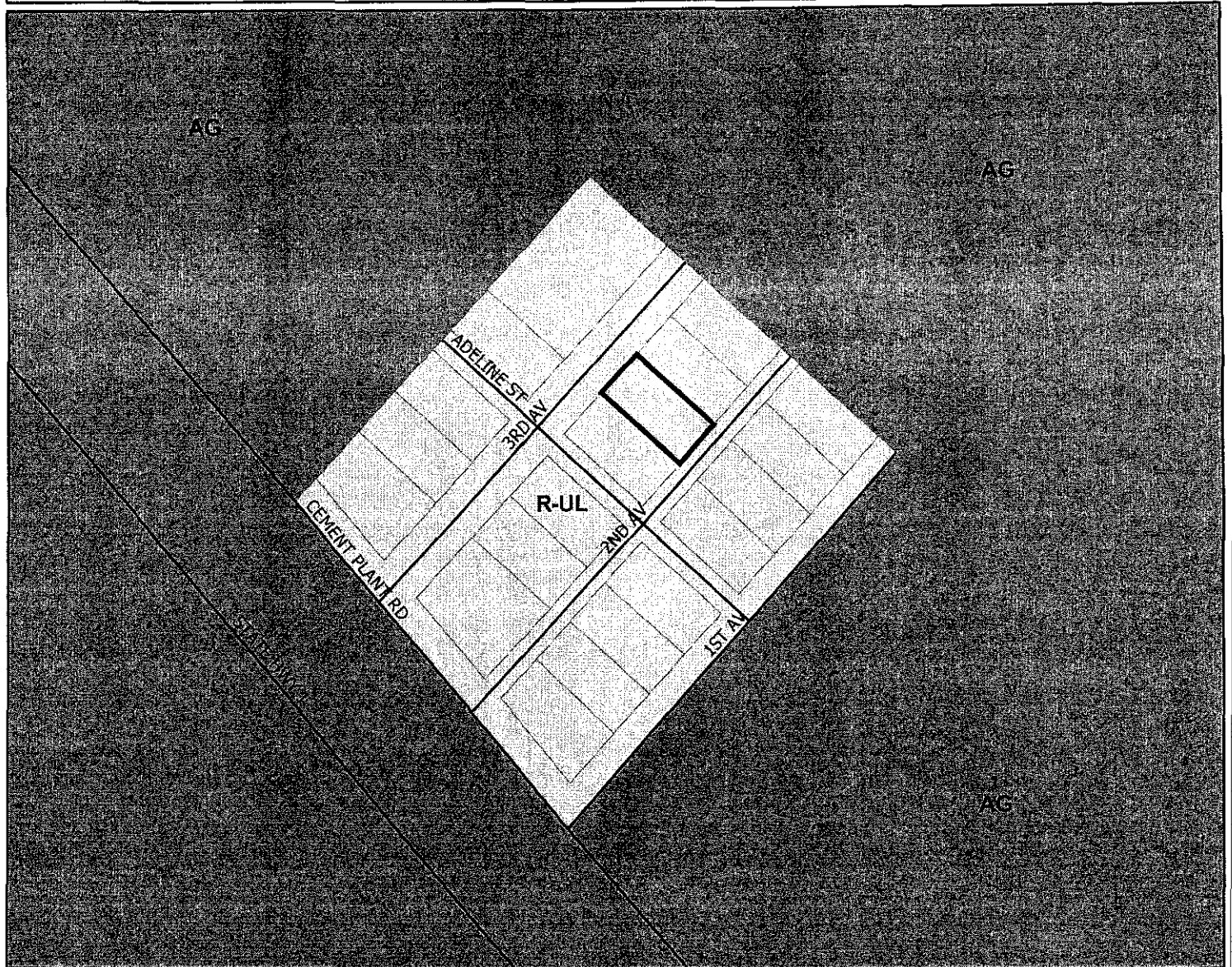
-  APN 058-065-02
-  Streets
-  Assessors Parcels



Map Created by
County of Santa Cruz
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February 2005








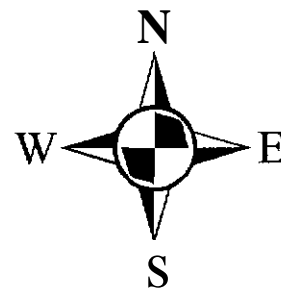
General Plan Designation Map



640 320 0 640 Feet

Legend

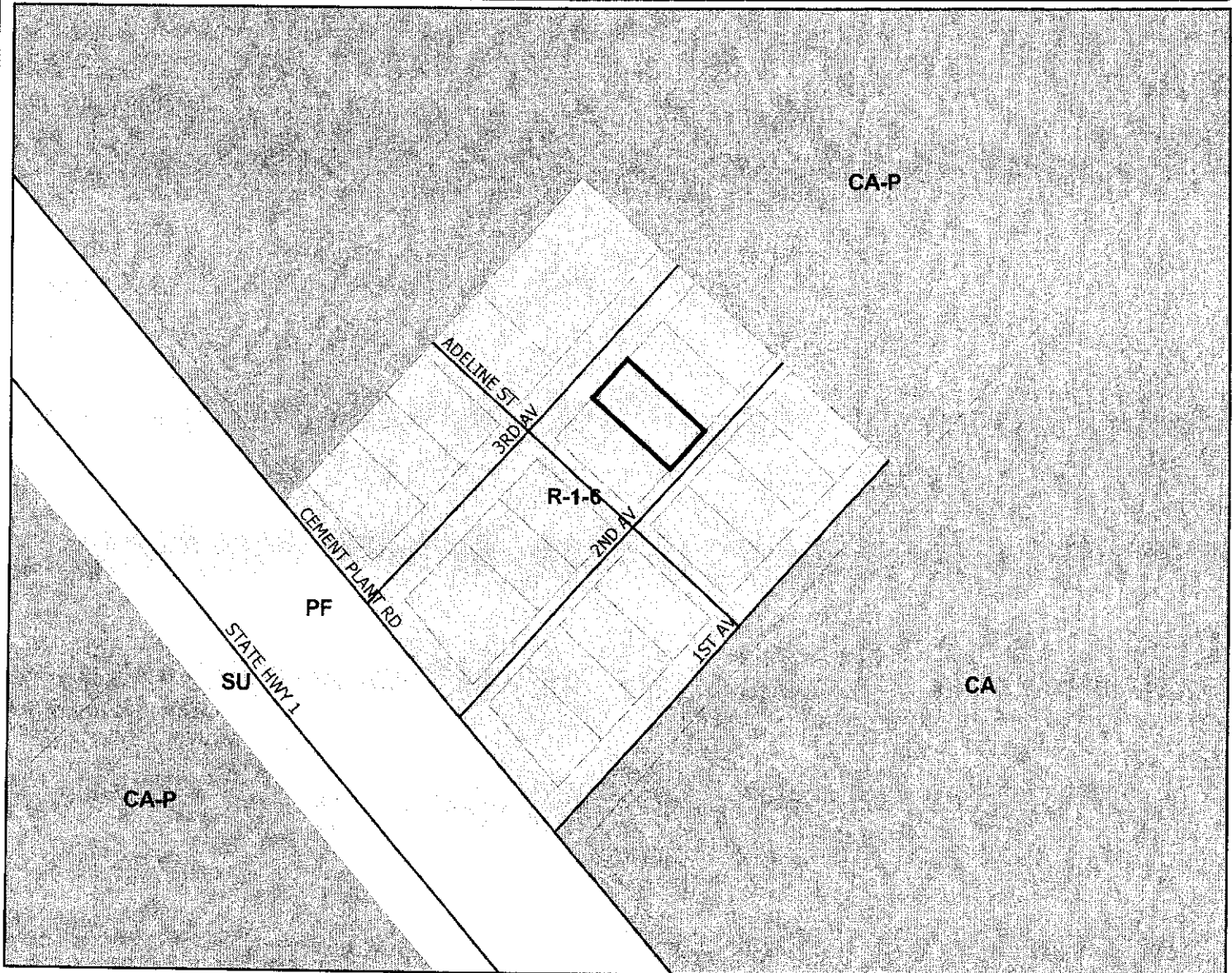
-  APN 058-065-02
-  Streets
-  Assessors Parcels
-  Agriculture (AG)
-  Residential - Urban Low Density (R-UL)









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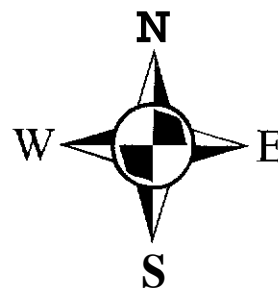


Zoning Map



Legend

-  APN 058-065-02
-  Streets
-  Assessors Parcels
-  AGRICULTURE COMMERCIAL (CA)
-  PUBLIC FACILITY (PF)
-  RESIDENTIAL-SINGLE FAMILY (R-1)



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