



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **05-0109**

Applicant: Bryan Martin
Owner: Holly Ann Norman
APN: 059-051-03

Date: May 19, 2005
Agenda Item #: 7
Time: 1:30 p.m.

Project Description: Proposal to remodel an existing one-story single-family dwelling and to construct an addition which includes a second story, and to construct a new, detached garage.

Location: Property located on the north side of Highview Drive, about 300 feet west from the junction of Highview Drive and Highview Court, at 216 Highview Drive in Santa Cruz.

Permits Required: Agricultural Buffer Setback Determination, Coastal Development Permit, Variance for the detached garage.

Staff Recommendation:

- Approval of Application 05-0145, 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. APN maps, Location map |
| B. Findings | F. Zoning map, General Plan map |
| C. Conditions | G. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | H. Site photographs |

Parcel Information

Parcel Size:	12,066 Square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family residential, grazing/pasture land UCSC
Project Access:	Empire Grade to Highview Drive
Planning Area:	Bonny Doon
Land Use Designation:	RS (Suburban Residential)
Zone District:	RR (Rural Residential)

Supervisory District: Third (District Supervisor: 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: 133 Elkhorn sandy loam
Fire Hazard: Not a mapped constraint
Slopes: 2 to 9 percent slopes
Env. Sen. Habitat: Mapped bitoic/no physical evidence on site
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Mapped resource
Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No
Water Supply: City of Santa Cruz
Sewage Disposal: Private septic system
Fire District: CDF
Drainage District: Non-zone

Analysis and Discussion

The proposed project is to construct an addition and remodel of an existing single-family dwelling to result in a two story single-family dwelling of approximately 2,106 square feet with a new detached garage of 440 square feet on a 12,066 square foot parcel. The project is located at 216 Highview Drive in Santa Cruz. The building site is within 200 feet of Commercial Agricultural land to the north. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 40 feet from APN 059-041-29.

The subject property is characterized by gently sloping topography. The parcel is not located within the Urban Services Line and may be characterized as a rural neighborhood. The parcel carries a Suburban Residential (RS) General Plan designation and the implementing zoning is (RR) Rural Residential. Commercial Agriculture zoned land is situated within 200 feet at the north side of the parcel at Assessor's Parcel Number 059-041-29. This parcel is an 88-acre parcel belonging to UC Santa Cruz which is utilized for grazing.

A reduced agricultural buffer is recommended due to the fact that the 53 foot wide by 212 feet deep lot would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. The applicant is proposing a six foot tall, solid wood board fence at the north (rear side of the parcel) to reduce the impact of proposed residential activities on the existing agricultural use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcels. 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 40 feet to the single-family dwelling from the adjacent CA zoned property known as APN 059-041-29, proposed under Application # 05-0109, based on the attached findings and recommended conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

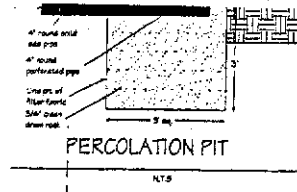
Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

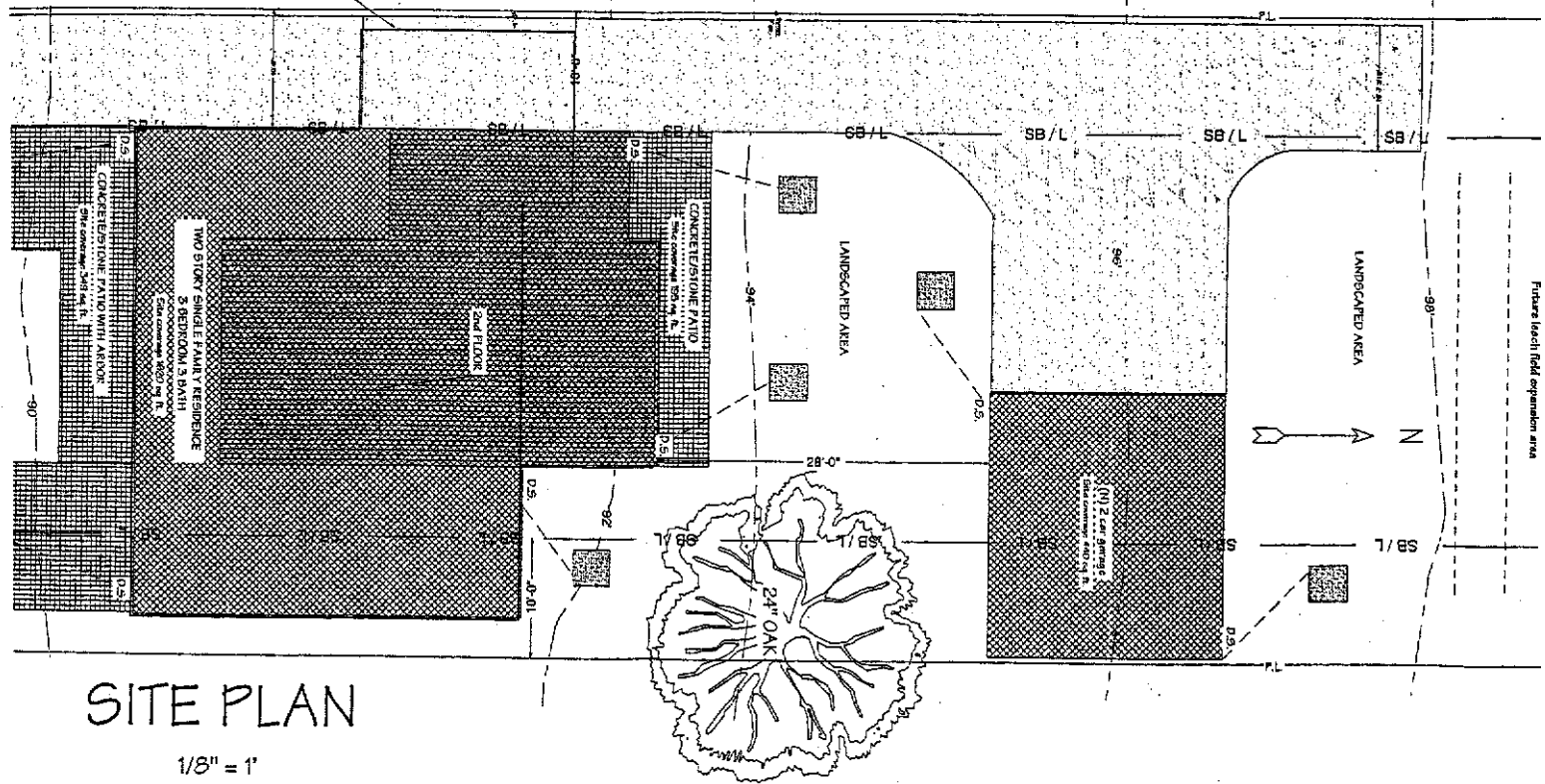
Report Prepared By: Joan **Van** der Hoeven, AICP
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5174
E-mail: pln140@co.santa-cruz.ca.us

Report Reviewed By: 
Don Bussey
Deputy Zoning Administrator
Santa Cruz County Planning Department

Underground fire sprinkler system to the California Department of Forestry/County Fire Department for approval. Installation shall follow our guide sheet. An underground fire protection system working drawing must be prepared by the designer/installer. The plans shall comply with the this underground fire protection system installation policy handout. The sprinkler system shall be based on a 4 head calculation, rather than 2 head.



Heavy lines represent existing structures.



**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 habitable structure is proposed to be set back 40 feet from the adjacent Commercial Agriculture zoned land where 200 feet are required. **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 059-041-29. 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 in the rear yard of the property.

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.

Due to the relatively small size of the residential parcel of 12,066 square feet, with parcel dimensions of **53** feet wide by **212** feet long, it would not be possible to meet the required 200 foot setbacks from adjacent CA zoned land. A lesser buffer setback is recommended with utilization of an effective barrier consisting of a solid wood board fence of six feet in height.

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

The subject parcel is zoned RR (Rural Residential) and carries a Suburban Residential (RS) 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

Exhibit A: Project Plans by Bryan Martin, 5 Sheets dated 1-10-05.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (059-041-29). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner shall:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Obtain a Building Permit 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 40 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 059-041-29.
 2. Final plans shall show the location of the vegetative buffering barrier and the required six foot tall solid wood board fence used for the purpose of buffering adjacent agricultural land to the north, 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/or 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: 5-19-05

Effective Date: 6-02-05

Expiration Date: 6-02-07

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: 05-0109

Assessor Parcel Number: 059-051-03

Project Location: 216 Highview Drive, Santa Cruz CA 95060

Project Description: Remodel and room addition to an existing single-family dwelling and construction of a new detached garage

Person or Agency Proposing Project: Bryan Martin

Contact Phone Number: (831) 469-4551

- 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:**

Existing small structure

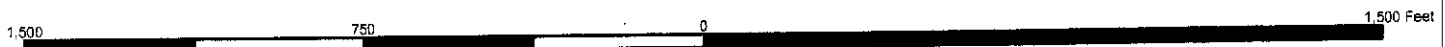
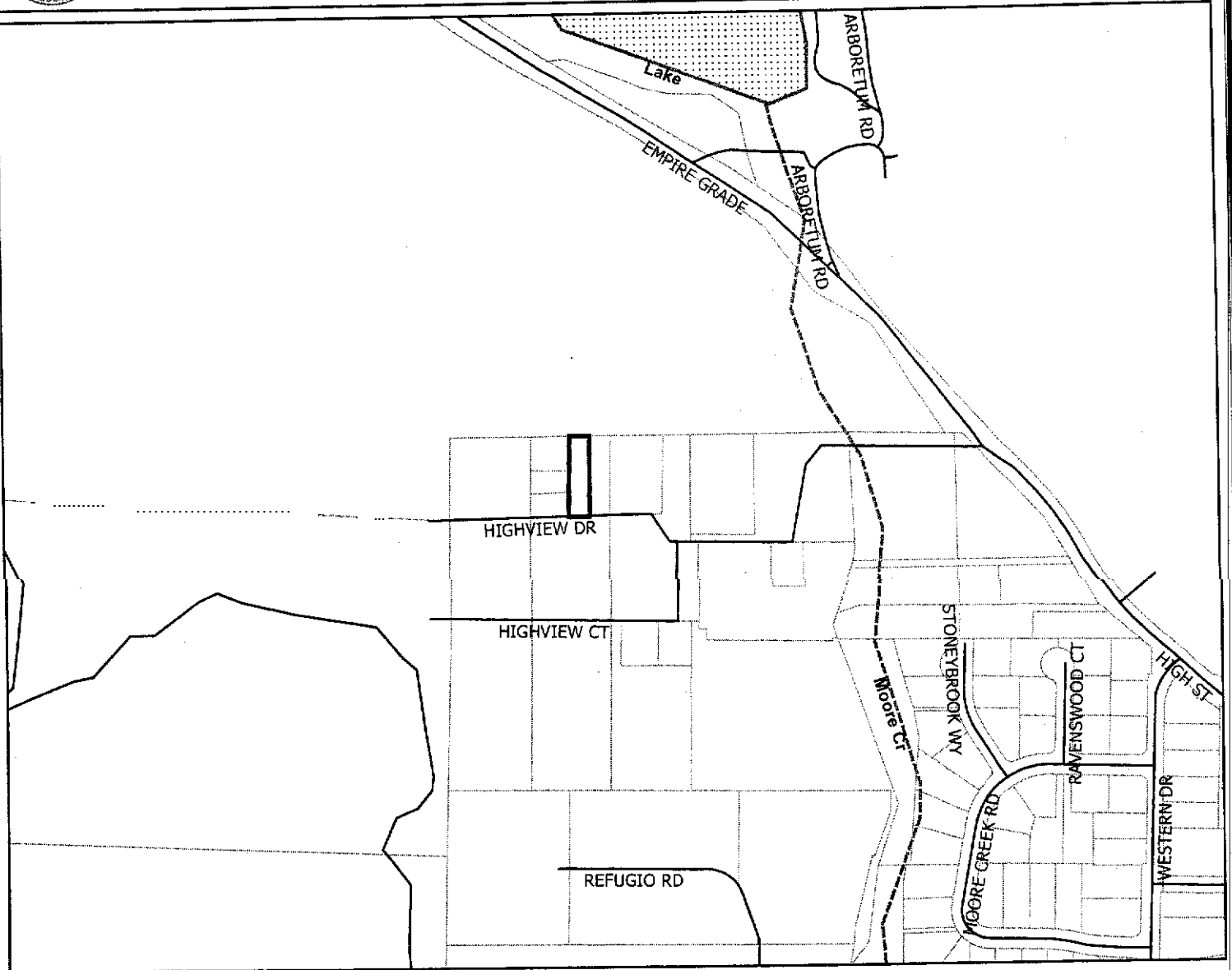
In addition, none of the conditions described in Section 15300.2 apply to this project.

Date:





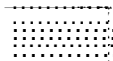
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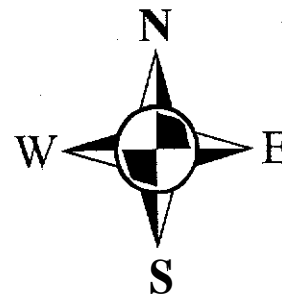


Location Map



Legend

-  APN 059-051-03
-  Streets
-  Assessors Parcels
-  INTERMITTENT STREAM
-  Lakes



Map Created by
County of Santa Cruz
Planning Department
February 2005

FOR TAX PURPOSES ONLY

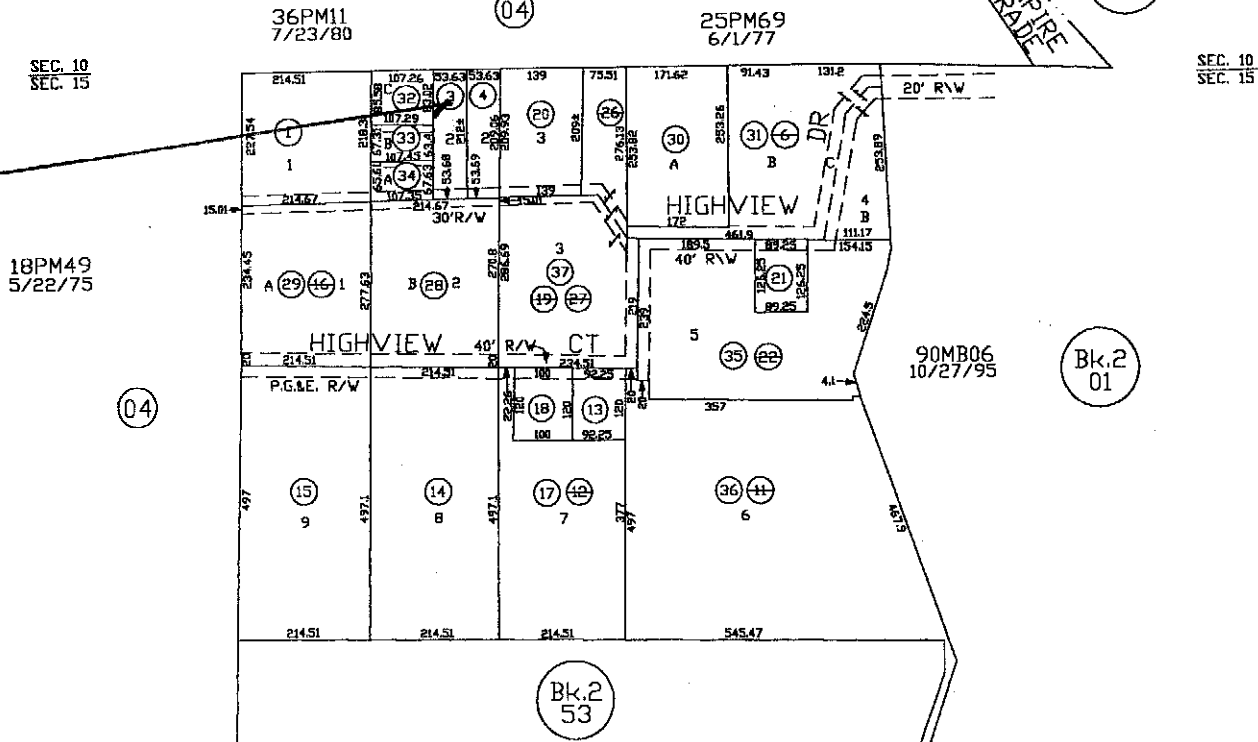
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REFUGIO RANCHO
POR. SECS., 10 & 15, T.11S., R.2W., M.D.B. & M.

Tax Area Code
92-004

59-05

PROJECT LOCATION



REFEREES SUB. OF THE ESTATE OF MARY COON
268\418 1\12\16

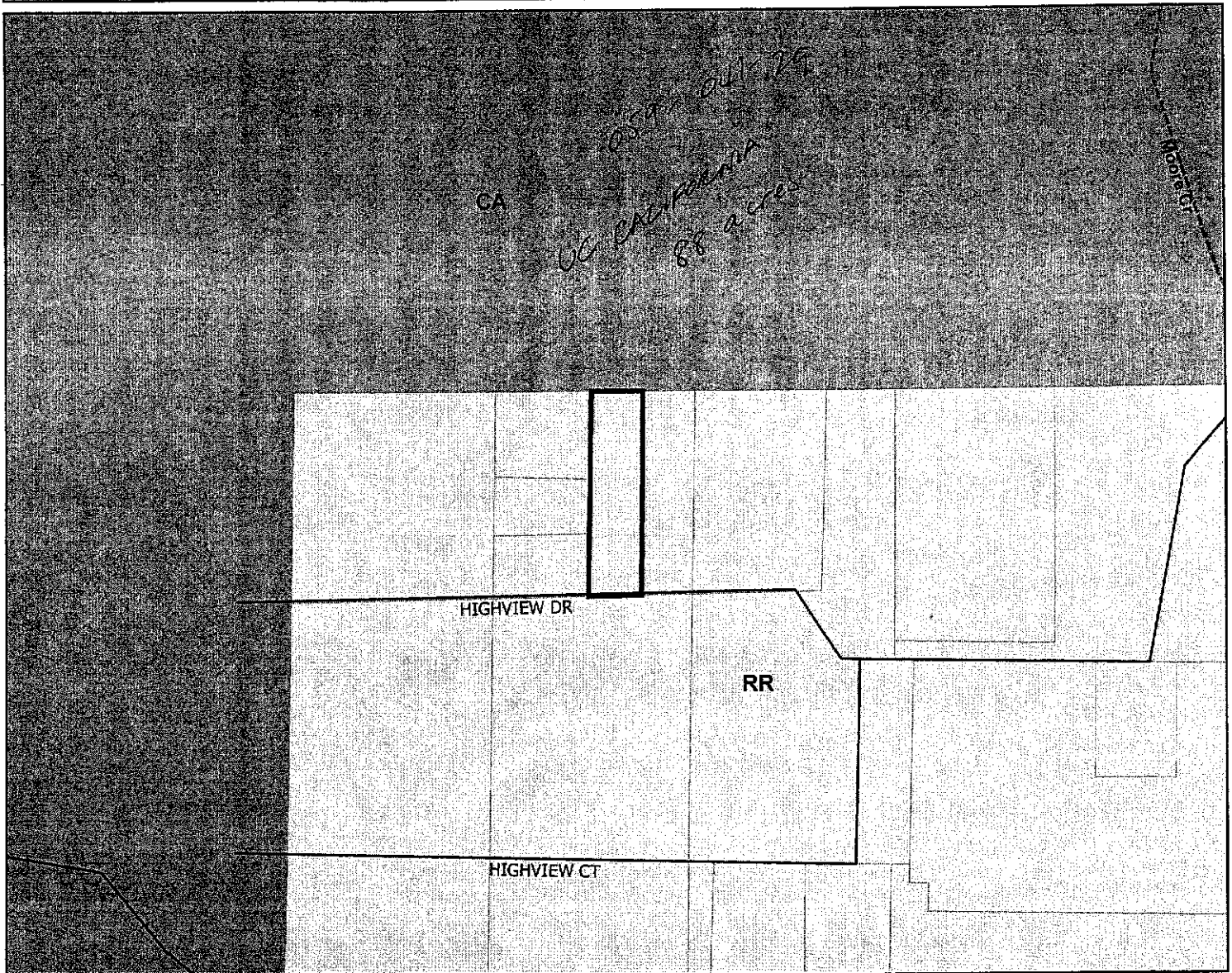
Note - Assessor's Parcel & Block
Numbers are Shown in Circles.

Assessor's Map No. 59-05
County of Santa Cruz, Calif
Jan. 2002











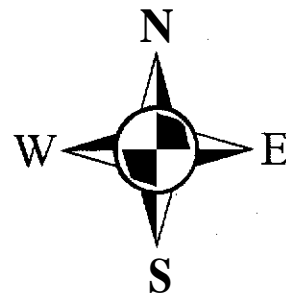
Zoning Map



590 295 0 590 Feet

Legend

-  APN 059-051-03
-  Streets
-  Assessors Parcels
-  INTERMITTENT STREAM
-  AGRICULTURE COMMERCIAL (CA)
-  RESIDENTIAL-RURAL (RR)



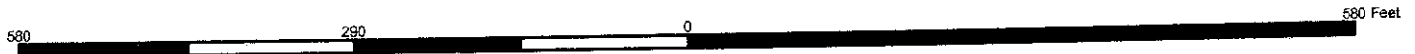
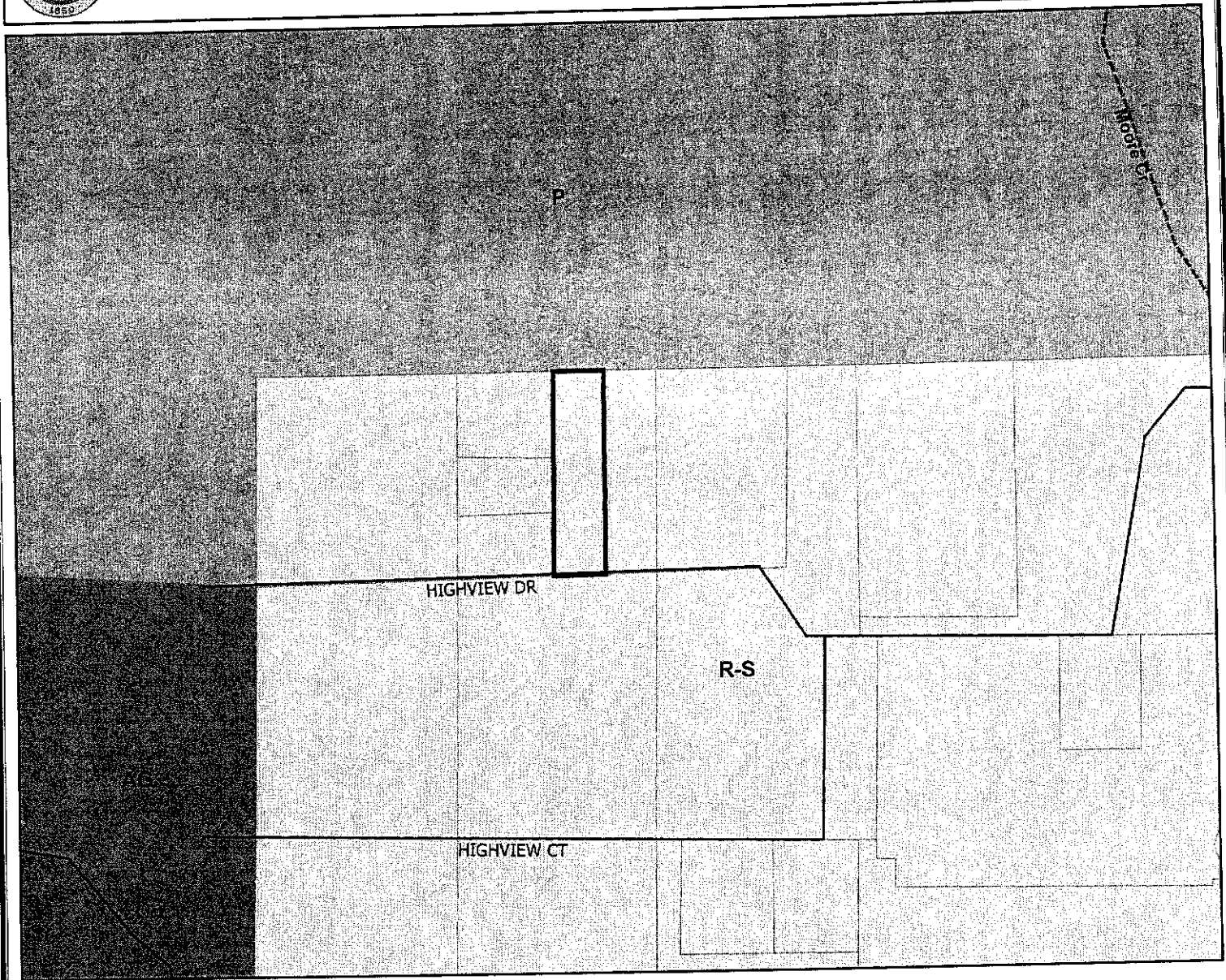
Map Created by
County of Santa Cruz
Planning Department
February 2005

EXHIBIT F








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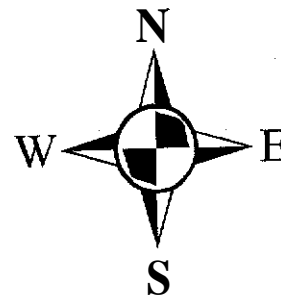


General Plan Designation Map



Legend

-  APN 059-051-03
-  Streets
-  Assessors Parcels
-  INTERMITTENT STREAM
-  Agriculture (AG)
-  Public Facilities(P)
-  Residential-Suburban(R-S)



Map Created by
County of Santa Cruz
Planning Department
February 2005

EXHIBIT F

C O U N T Y O F S A N T A C 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: Jack Nelson
Application No. : 05-0109
APN: 059-051-03

Date: May 3, 2005
Time: 08:33:11
Page: 1

Project Review Completeness Comments

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

===== REVIEW ON MAY 3, 2005 BY JOAN VAN DER HOEVEN =====
NO COMMENT

Project Review Miscellaneous Comments

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

===== REVIEW ON MAY 3, 2005 BY JOAN VAN DER HOEVEN =====
Agricultural buffer required - six foot solid wood board fence at rear property line. Record an Agricultural Statement of Acknowledgement.

Dpw Drainage Completeness Comments

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

===== REVIEW ON MARCH 17, 2005 BY JOHN G LUMICAO ===== Percolation pits may not be required **if it** can be shown that the runoff from the proposed impervious areas will be retained onsite long enough to allow for sufficient percolation of the runoff back into the water table before reaching the property line.

Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON MARCH 17, 2005 BY JOHN G LUMICAO =====
NO COMMENT

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON MARCH 9, 2005 BY DEBBIE F LOCATELLI =====
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON MARCH 9, 2005 BY DEBBIE F LOCATELLI =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON MARCH 15, 2005 BY TIM N NYUGEN =====

Discretionary Comments - Continued

Project Planner: Jack Nelson
Application no.: 05-0109
APN: 059-051-03

Date: May 3, 2005
Time: 08:33:11
Page: 2

1. The driveway must meet County of Santa Cruz standards. Please provide the following information for the driveway: The structural section, a centerline profile. and a typical cross section.
2. The driveway needs to meet fire department requirements. Therefore. show on project plans how the driveway will meet access standards required by the General Plan Policy Description of turnarounds and turnouts required.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON MARCH 15, 2005 BY TIM N NYUGEN =====
NO COMMENT

Environmental Health Completeness Comments

===== REVIEW ON MARCH 10, 2005 BY JIM G SAFRANEK ===== Septic is sized for up to 3 bedrooms. A passing septic pumper's report is required.
----- UPDATED ON MARCH 14, 2005 BY JIM G SAFRANEK ----- The existing leach-field is 910 sq. ft. From the site plan it appears that adequate expansion field on the east side of the property exists for a 4 bedroom septic system. With a passing septic pumper's report, this project can be approved without a leachfield upgrade.

Environmental Health Miscellaneous Comments

===== REVIEW ON MARCH 10, 2005 BY JIM G SAFRANEK =====
NO COMMENT

Cal Dept of Forestry/County Fire Completeness Comm

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

===== REVIEW ON MARCH 17, 2005 BY COLLEEN L BAXTER =====
===== UPDATED ON MARCH 17, 2005 BY COLLEEN L BAXTER =====
DEPARTMENT NAME: CDF/COUNTY FIRE Each APN (lot) shall have searate submittals for building and sprinkler system plans. The job copies of the building and fire systems plans and permits **must** be onsite during inspections. NOTE that the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval. Installation shall follow our guide sheet, NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING **must** be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT.
All bridges, culverts and crossings shall be certified by a registered engineer. Minimum capacity of 25 tons. Cal-Trans H-20 loading standard. 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. 72 hour minimum notice is required prior to any inspection and/or test. Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with the applicable Specifications, Standards. Codes and Ordinances. agree that they are solely responsible for compliance with applicable Specifications,

EXHIBIT G