



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **05-0655**

Applicant: Susan Bushman
Owner: James C. Rendon
APN: 051-301-03

Date: February **16,2006**
Agenda Item #: **6**
Time: 1:30 p.m.

Project Description: Proposal to convert a bedroom to a bathroom and to construct a 266 square foot bedroom and bath enlargement on an existing single-family dwelling.

Location: Property located on the west side of Lakeview Drive, about 130 feet north from Crestwood Drive, at 247 Lakeview Road in Watsonville.

Permits Required: Agricultural Buffer Setback Determination

Staff Recommendation:

- Approval of Application 05-0655, 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. | Assessor's parcel map, 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:	8,102 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Single-family residential, Commercial Agriculture
Project Access:	Lakeview Road
Planning Area:	Pajaro Valley
Land Use Designation:	R-UL (Urban Low Residential)
Zone District:	R-1-6 (Single-family Residential with a 6,000 square foot minimum parcel size)

Supervisory District: Fourth (District Supervisor: Campos)
Within Coastal Zone: Inside X Outside

Environmental Information

Geologic Hazards: Mapped floodplain
Soils: Watsonville loam
Fire Hazard: Not a mapped constraint
Slopes: 2 – 15 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
Archaeology: Mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line: X Yes NO
Water Supply: City of Watsonville
Sewage Disposal: Salsipuedes Sanitation District
Fire District: Pajaro Valley Fire Protection District
Drainage District: Zone 7 Flood Control/Water Conservation District

Analysis and Discussion

The proposed project is to construct a 266 square foot addition to an existing one story single-family dwelling of approximately 1,522 square feet on a 8,102 square foot parcel. The project is located at 247 Lakeview Road in Watsonville. The building site is within 200 feet of Commercial Agriculture land to the east. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 20 feet from APN 051-741-07.

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 adjacent to commercial agriculture. 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 parcel size. Commercial Agriculture zoned land is situated within 200 feet at the east side of the parcel at Assessor's Parcel Number 051-741-07, the 84-acre Repass veggie farm.

A reduced agricultural buffer is recommended due to the fact that the small parcel size, 75 feet wide by 85 feet deep, 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 an evergreen hedge to reduce the impact of residential activities on the existing agricultural 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

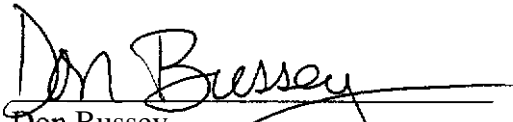
- Staff recommends that your Commission APPROVE the Agricultural Buffer Reduction from 200 feet to about 20 feet to the single-family dwelling from the adjacent CA zoned property known as APN 051-741-07, proposed under Application # 05-0655, based on the attached findings and recommended conditions.
- 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 Bussev
Deputy Zoning Administrator
Santa Cruz County Planning Department

GENERAL NOTES

1. OWNER:

Shirley A. Brown, Developer
P.O. Box 291
Fremont, CA 94539-0291

2. ARCHITECT:

Shirley A. Brown, Architect
297 Lafayette Road
Fremont, CA 94539
(925) 728-2440
Fax: (925) 728-2441
e-mail: shirleybrown@earthlink.net

3. A.P.N.:

987 - 001 - 00

4. ZONING:

R1-8

5. LOT AREA:

5,177.9 sq. ft.

6. LOT COVERAGE:

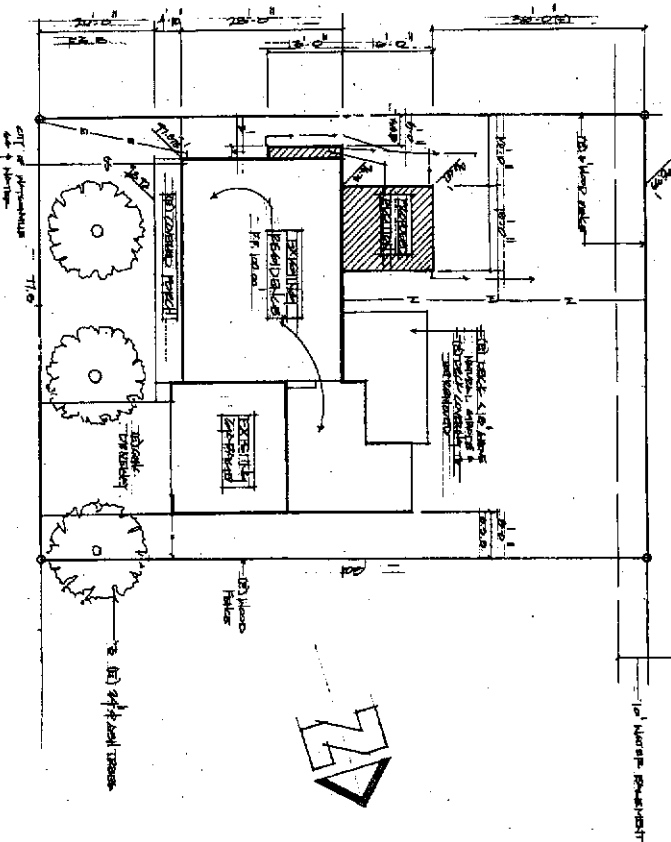
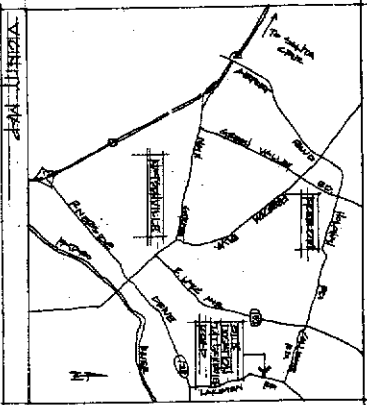
28.1%

STRUCTURE NOTES

EXISTING	PROPOSED	LOT COVERAGE
Residence	1,522 sq. ft.	28.8 sq. ft.
Garage	188 sq. ft.	0.0
Pool	321 sq. ft.	0.0
Deck	480 sq. ft.	0.0
Total Lot Coverage	2,491 sq. ft.	28.8%

Challenge Structural Features

1. The structure shall be designed to meet the requirements of the building code.
2. The structure shall be designed to meet the requirements of the building code.
3. The structure shall be designed to meet the requirements of the building code.
4. The structure shall be designed to meet the requirements of the building code.



SITE PLAN

EXHIBIT A

DATE: 08/01/00	BY: [Signature]
CHECKED: [Signature]	DATE: 08/01/00

REVISION ADDITION

REF: [Reference]

SITE PLAN

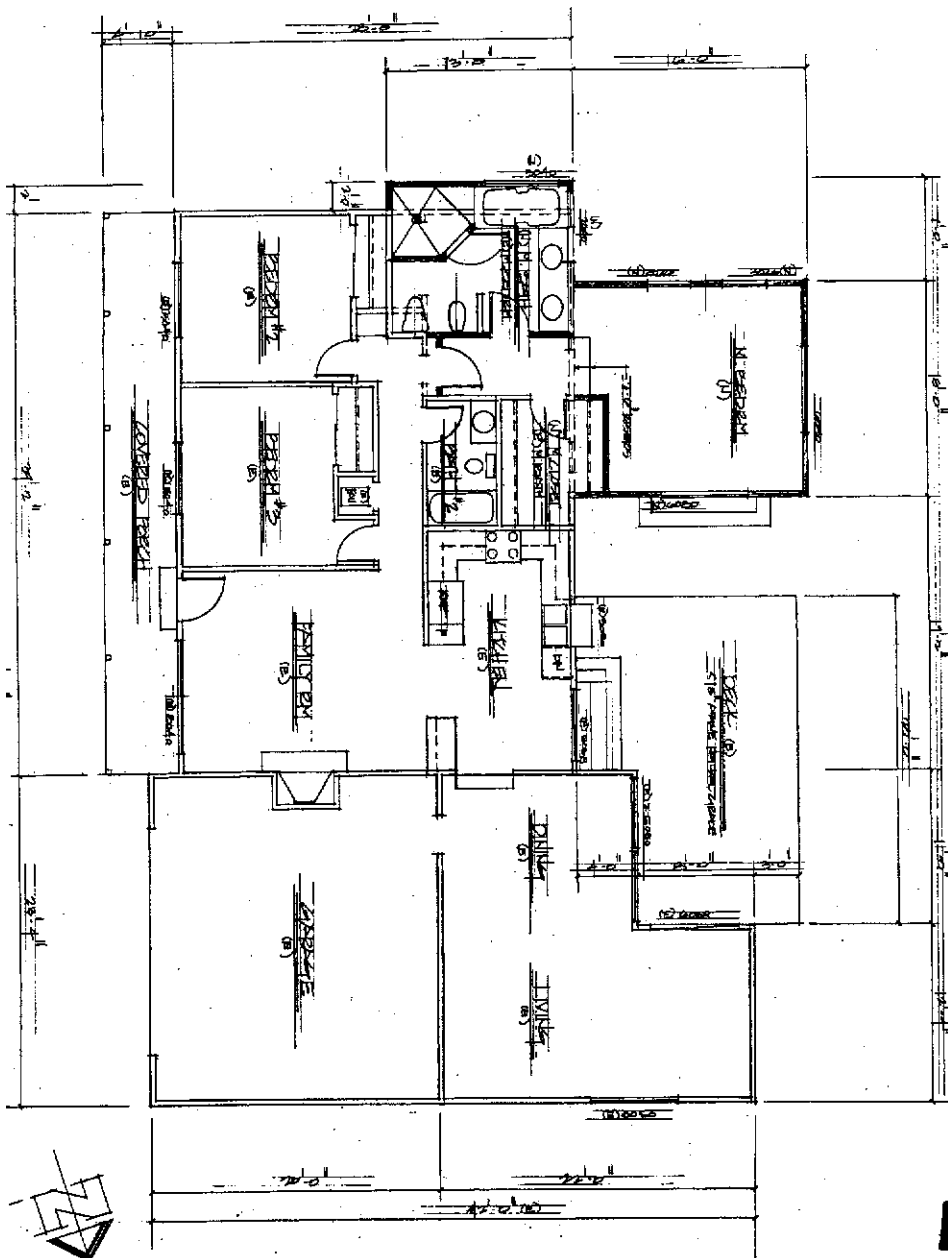
DATE: 08/01/00

APPROVED: [Signature]

DATE: 08/01/00

NO.	DATE	DESCRIPTION
1	08/01/00	Initial Design
2	08/01/00	Final Design

FLOOR PLAN



EXHIB.

3 2	PENDON ADDITION FOR MR. & MRS. JAMES R. PENDING 21, LAWRENCE RD., BRIMMONT, CO. 80426		(SAL) 728-4466 (SAL) 514-2047	(SAL) 728-4466 (SAL) 514-2047
	FLOOR PLAN		APR. 28, 1968	(SAL) 728-4466 (SAL) 514-2047
	1. 12'-0" x 10'-0" 2. 12'-0" x 10'-0" 3. 12'-0" x 10'-0"		1. 12'-0" x 10'-0" 2. 12'-0" x 10'-0" 3. 12'-0" x 10'-0"	1. 12'-0" x 10'-0" 2. 12'-0" x 10'-0" 3. 12'-0" x 10'-0"
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**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 20 feet from the adjacent Commercial Agriculture zoned land. With the 45- foot width of the Lakeview Road right-of-way, the effective agricultural setback would be proposed to be 65 feet where 200 feet are required. **An** effective barrier consisting of evergreen shrubs would be adequate to prevent conflicts between **the** non-agricultural development and the adjacent Commercial Agriculture zoned land of **APN** 051-741-07. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic along Lakeview Road.

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.

Conditions of Approval

Exhibit A: Project Plans, 3 Sheets by Susan Bushman, dated September 2005

- I. This permit authorizes an Agricultural Buffer Setback reduction ~~from~~ the proposed residential use to APN (051-741-07). 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 the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
 1. A development setback of a minimum of 20 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 051-741-07.
 2. Final plans shall show the location of the vegetative buffering barrier 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 project shall comply with all requirements of Public Works Drainage Division. Plans shall include dispersal and spreading of runoff from the proposed addition as part of the final site plan in order to mitigate for the additional impervious area associated with ~~this~~ project. Zone 7 fees will be assessed on the net increase in impervious area due to this project.

- 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 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) 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 barrier shall be permanently maintained.
 - B. All required Agricultural Buffer Setbacks shall be maintained.
 - C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, up to and including permit revocation.
- V. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
 - B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:

1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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: February 16, 2006

Effective Date: March 02, 2006

Expiration Date: March 02, 2008

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: 05-0655

Assessor Parcel Number: 051-301-03

Project Location: 247 Lakeview Road, Watsonville CA 95076

Project Description: Agricultural Buffer Setback Determination

Person or Agency Proposing Project: Susan Bushman

Contact Phone Number: (831) 726-2445

- 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:

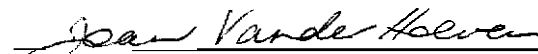
- E. ☒ **Categorical Exemption**

Specify type: Class 1 - Addition to small structure (Section 15301)

F. Reasons why the project is exempt:

Residential addition to an existing small structure

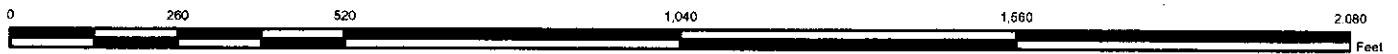
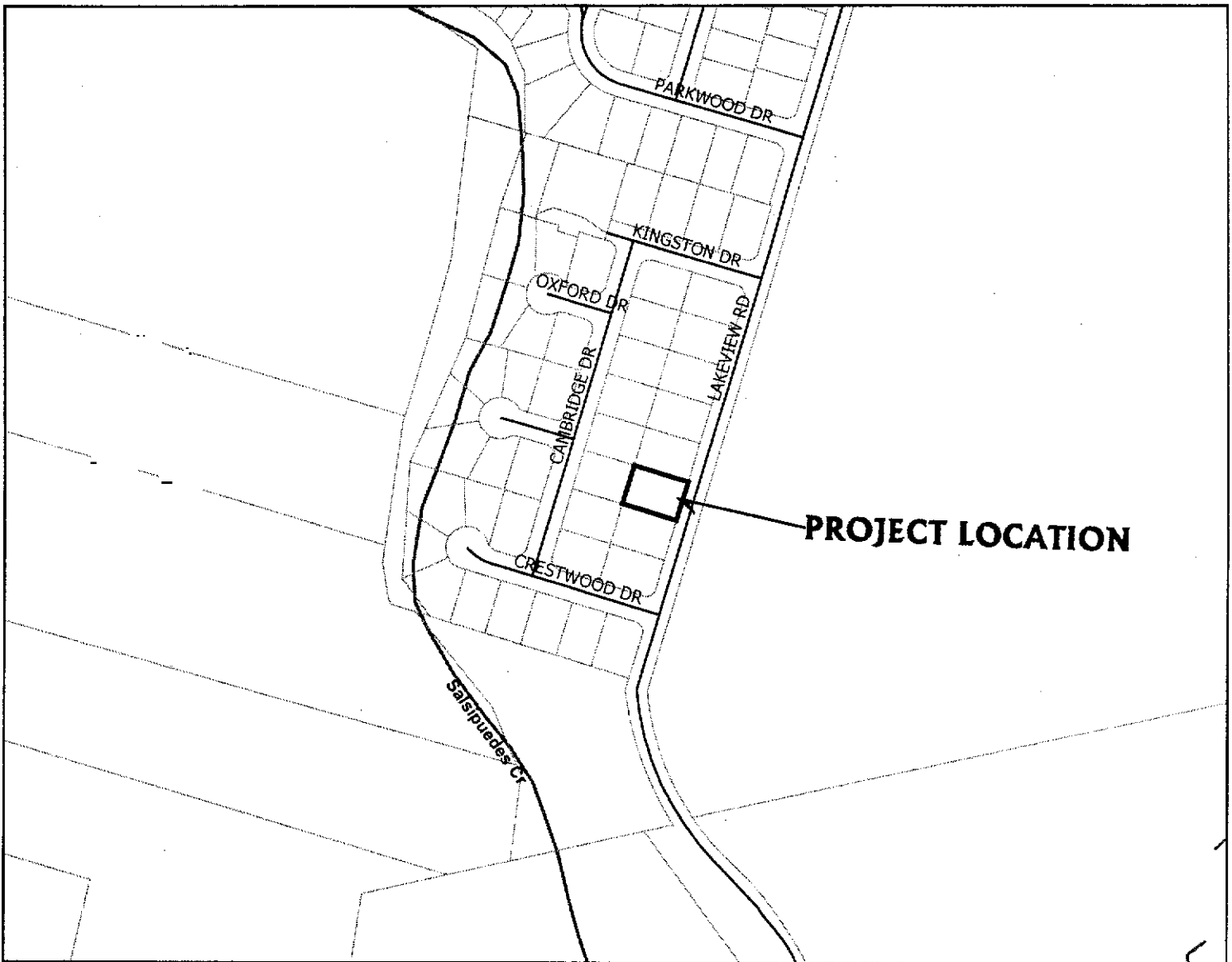
In addition, none of the conditions described in Section 15300.2 apply to this project


Joan Van der Hoeven, AICP, Project Planner

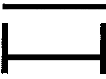



Date: February 16, 2006

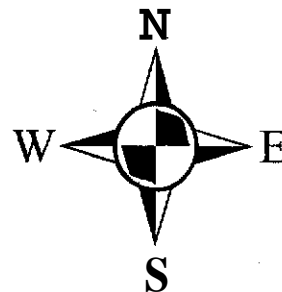


Location Map



Legend

-  APN 051-301-03
-  Streets
-  Assessors Parcels
-  PERENNIAL STREAM



Map Created by
County of Santa Cruz
Planning Department
October 2005

EXHIBIT E

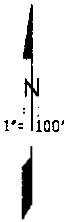
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POR. SALISPUQUES RANCHO
 SEC. 34, T.11S., R.2E., M.D.B. & M.

Tax Area Code
 69-253 69-254

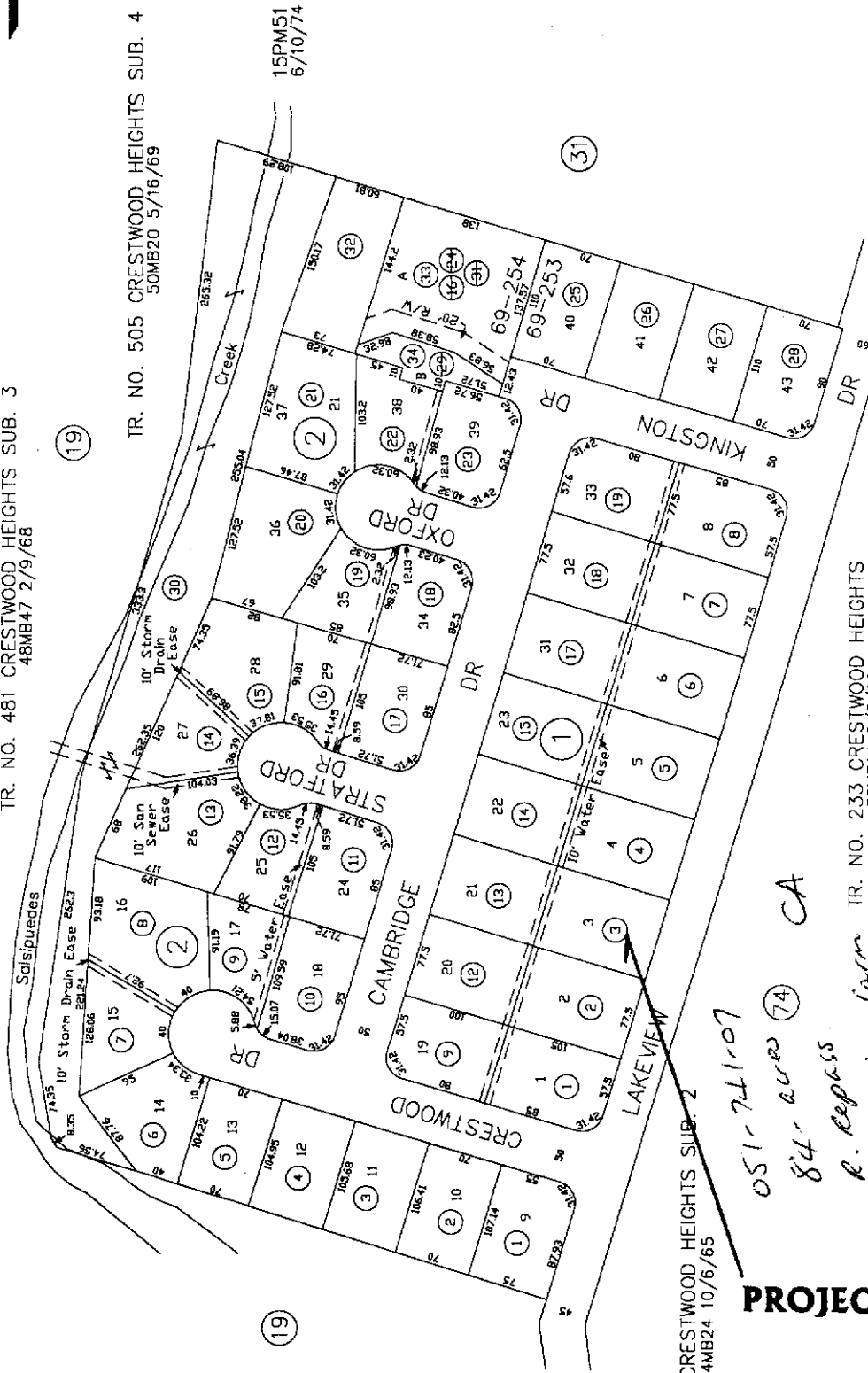
51-30



TR. NO. 481 CRESTWOOD HEIGHTS SUB. 3
 48MB47 2/9/68

TR. NO. 505 CRESTWOOD HEIGHTS SUB. 4
 50MB20 5/16/69

15PM51
 6/10/74



TR. NO. 448 CRESTWOOD HEIGHTS SUB. 2
 44MB24 10/6/65

TR. NO. 233 CRESTWOOD HEIGHTS
 36MB14 6/3/60

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

Assessor's Map No. 51-30
 County of Santa Cruz, Calif.
 July 2000

PROJECT LOCATION

EXHIBIT E

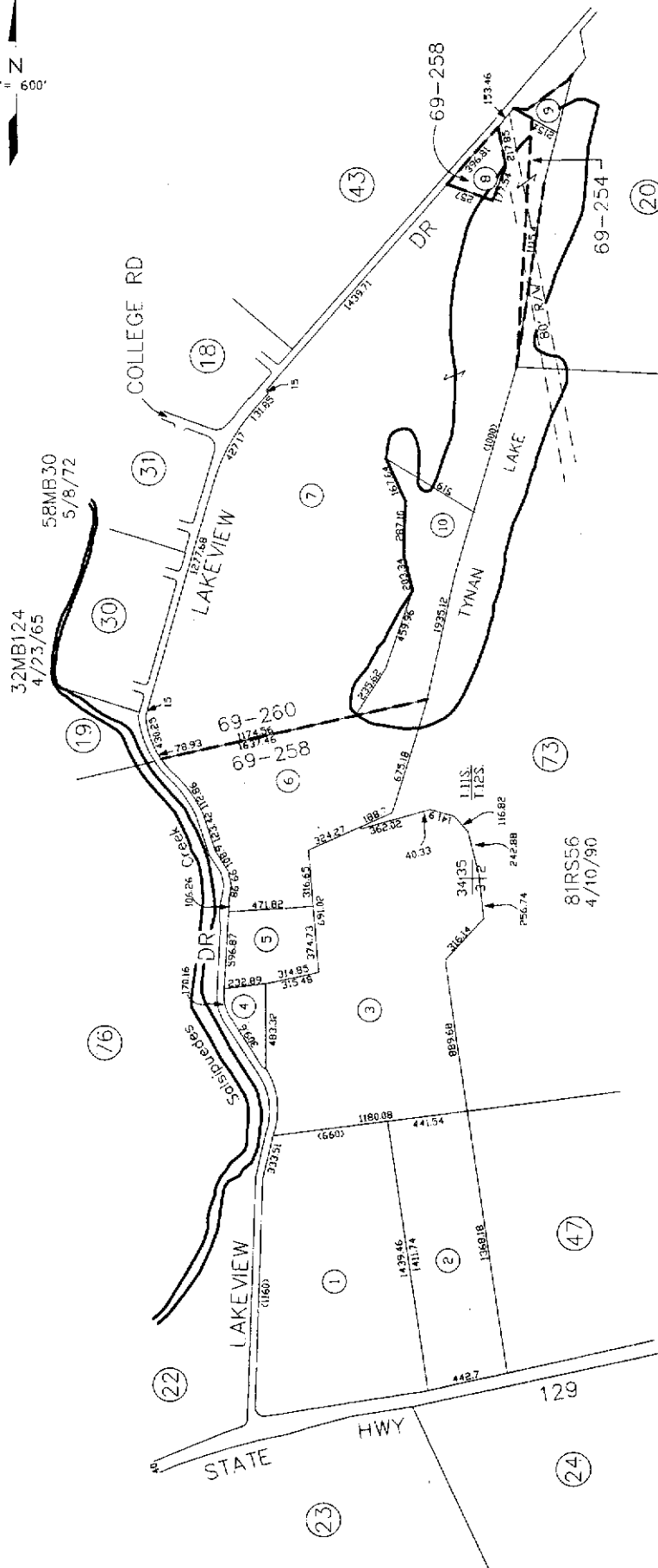
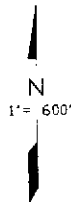
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POR. SALSIPUEDES RANCHO
POR. SECS. 34 & 35 T.11S., &
POR. SECS. 2 & 3, T.12., R.2F., M.D.B. & M.

Tax Area Code
69-254 69-258
69-260

51-74



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

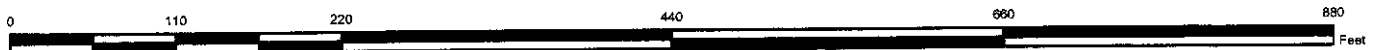
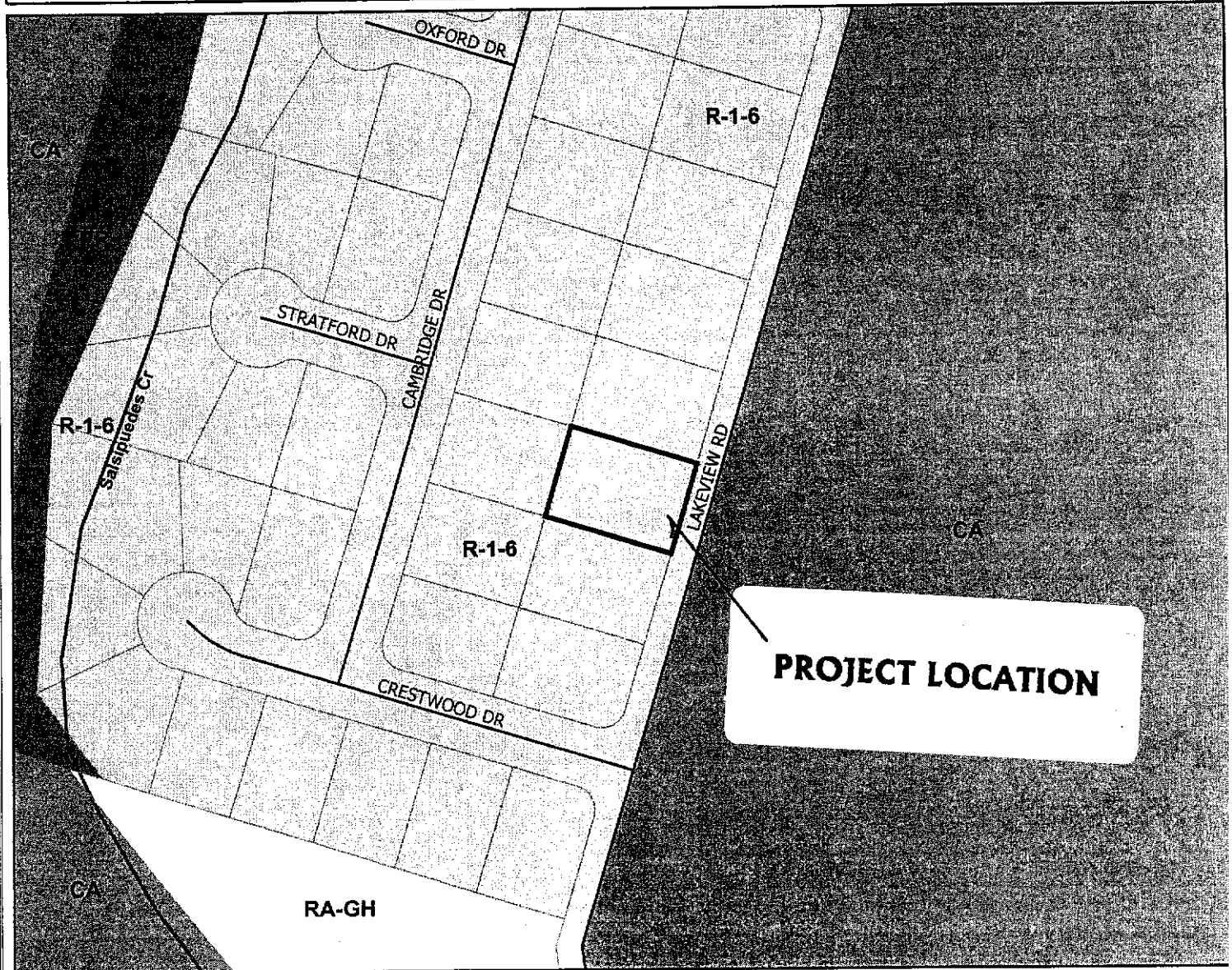
Assessor's Map No. 51-74
County of Santa Cruz, Calif.
June 2000

EXHIBIT E









Electrically drawn 6/23/00 KSA
Rev 11/20/02 DB (com body, beta 1-07 & 1-10)
Rev 6/23/00 KSA (Rev 1-07 & 1-10)
Rev 3/15/04 DB (com to body of 1-03, 04, 05 & 06)

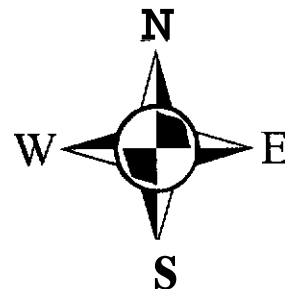


Zoning Map



Legend

-  APN 051-301-03
-  Streets
-  Assessors Parcels
-  PERENNIAL STREAM
-  RESIDENTIAL-SINGLE FAMILY (R-1)
-  PARK (PR)
-  AGRICULTURE COMMERCIAL (CA)
-  AGRICULTURE RESIDENTIAL (RA)



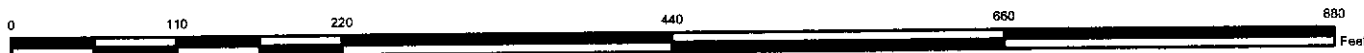
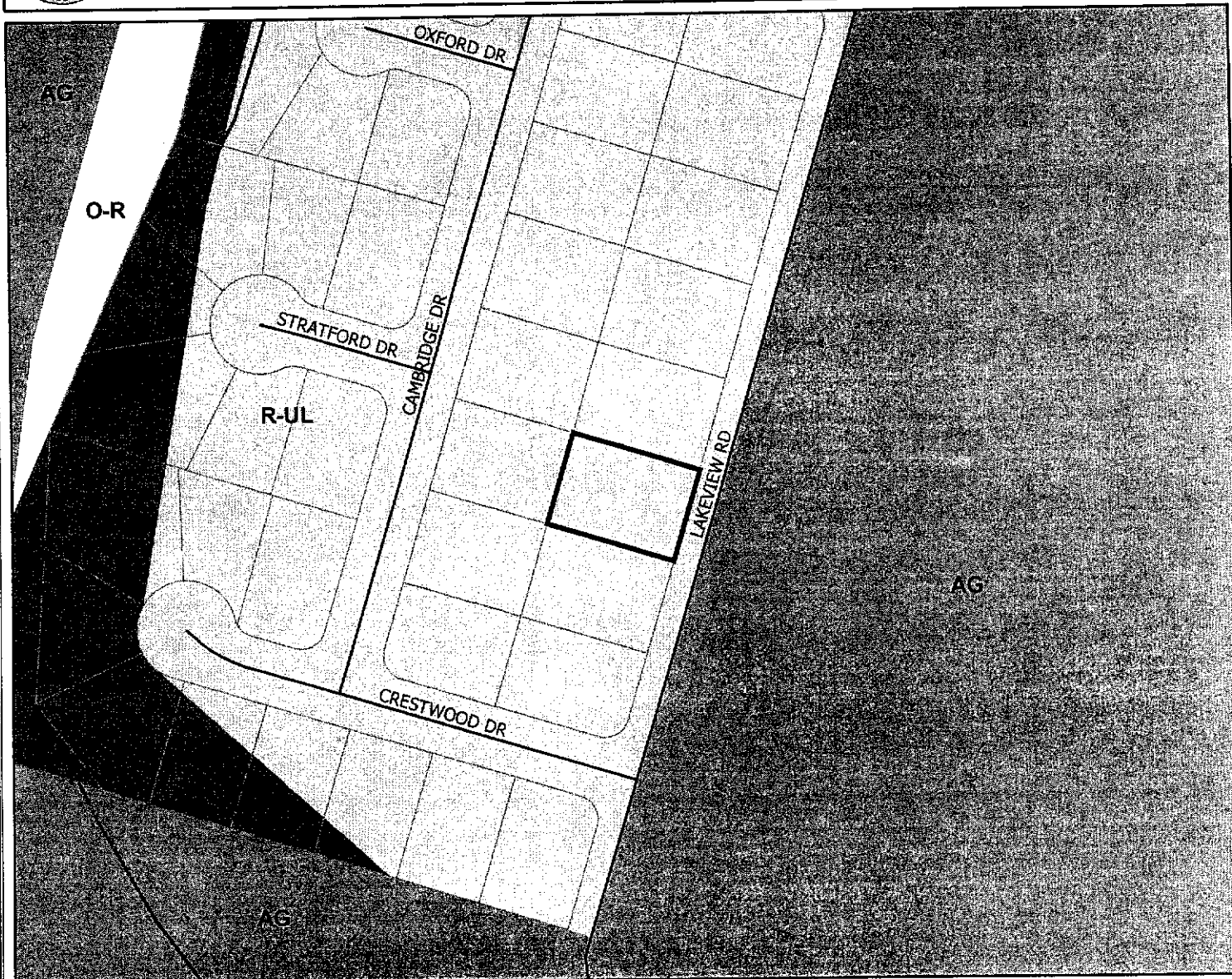
Map Created by
County of Santa Cruz
Planning Department
October 2005

EXHIBIT F









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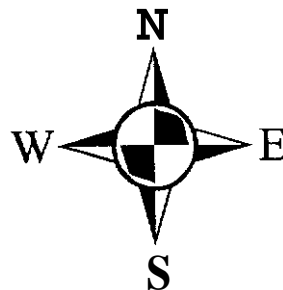


General Plan Designation Map



Legend

-  APN 051-301-03
-  Streets
-  Assessors Parcels
-  PERENNIAL STREAM
-  Residential - Urban Low Density (R-UL)
-  Agriculture (AG)
-  Parks and Recreation (O-R)
-  Urban Open Space (O-U)



Map Created by
County of Santa Cruz
Planning Department
October 2005

16

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. : 05-0655
APN: 051-301-03

Date: January 31, 2006
Time: 15:27:23
Page: 1

Project Review Completeness Comments

===== REVIEW ON NOVEMBER 7, 2005 BY JOAN VAN DER HOEVEN =====
NO COMMENT

Project Review Miscellaneous Comments

===== REVIEW ON NOVEMBER 7, 2005 BY JOAN VAN DER HOEVEN =====
Record an Agricultural Statement of Acknowledgement.

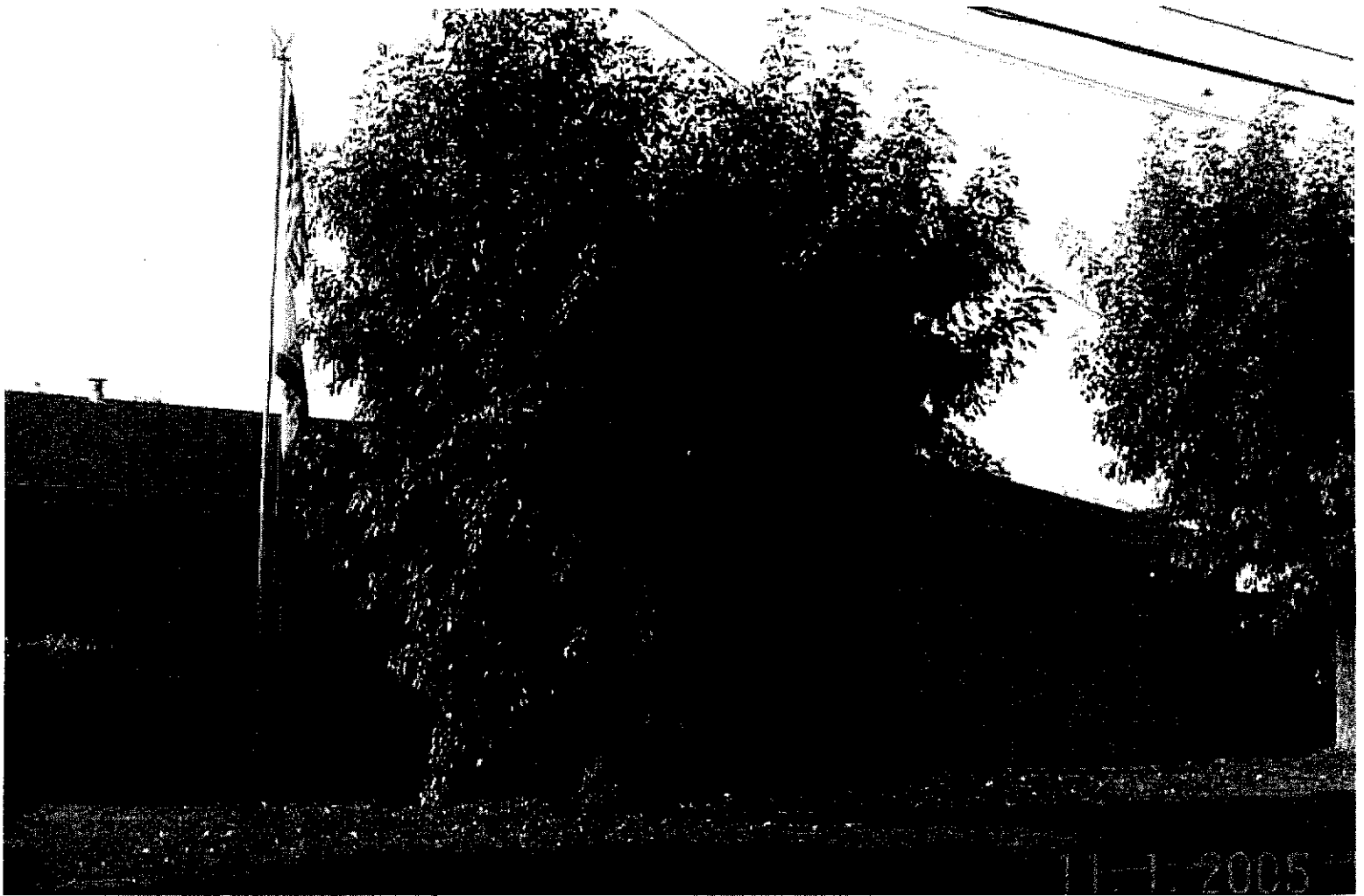
Dpw Drainage Completeness Comments

===== REVIEW ON OCTOBER 24, 2005 BY ALYSON B TOM ===== Application with plans dated September 2005 have been received. This application is complete with regards to storm water management for the discretionary stage. On-site mitigation of runoff due to the added impervious area appears feasible and should be included with in the final project. Please see miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

~~=====~~ REVIEW ON OCTOBER 24, 2005 BY ALYSON B TOM ===== The following items should be addressed prior to building permit issuance:

- 1) Please include dispersal and spreading of runoff from the proposed addition as part of the final site plan in order to mitigate for the additional impervious area associated with this project. Runoff dispersion should occur as far away from the property boundaries as possible. It appears that the proposed 36 foot rear yard should be adequate for this mitigation. Describe how runoff from the addition will be spread (splashblocks, dissipators, etc.). Runoff should not be hard piped off site.
- 2) Zone 7 fees will be assessed on the net increase in impervious area due to this project. There was a note that the covering to the existing deck will be removed. Is the existing deck and covering permitted? Please describe what is meant by covering and removal? It may be possible for this project to receive impervious area credit for this removal



05-0655
APN 051-301-03



Lakeview Dr project frontage
45' R/W



CA LAND 051-741-07
84-acres Repass veggie farm