

Staff Report to the Agricultural Policy Advisory Commission

Application Number: 06-0272

Applicant: Robin Brownfield Owner: Tony Teman APN: 050-401-08 Date: August 17,2006 Agenda Item : #7 Time: 1:30 p.m.

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

Location: Property located on the northwest side of the intersection **of** Rancho Corralitos Road and Amesti Road, at 105 Rancho Corralitos Road in Watsonville.

Permits Required: Agricultural Buffer Setback Determination, Level V Residential Development Permit for a conforming addition to a significantly nonconforming structure

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0272, based on the attached findings and conditions.

Exhibits

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

Parcel Information

Parcel Size:	18,691.2 square feet
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	Commercial Agriculture, single-family residential
Project Access:	Amesti Road
Planning Area:	Pajaro Valley
Land Use Designation:	R-S (Suburban Residential)
Zone District:	RA (Residential Agriculture)
Supervisorial District:	Second (District Supervisor: Pirie)

County of Santa Cruz Planning Department 701 Ocean Street, 4th Floor, Santa Cruz CA 95060

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Application # 06-0272 APN: 050-401-08 Owner: Tony Teman		
Within Coastal Zone:	Inside <u>X</u> Outside	
Environmental Inform	nation	
Geologic Hazards:	Not mapped/no physical evidence on site	
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	

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Services Information

Archaeology:

Yes X No
Private well
CSA#12, private septic system
CDF Fire Protection District
Zone 7 Flood Control/Water Conservation District

Mapped/no physical evidence on site

Analysis and Discussion

The proposed project is to construct a two- story room addition of approximately 1,222 square feet to an existing one-story, three bedroom, single-family dwelling of approximately 1,372 square feet on a 18,619 square foot parcel. The project is located at 105 Rancho Corralitos Road in Watsonville. The building site is within 200 feet of Commercial Agricultural land across Amesti Road to the west. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 100 feet from APN 050-181-01.

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 agricultural neighborhood. The parcel carries a Suburban Residential (R-S) General Plan designation and the implementing zoning is (RA) Residential Agriculture. Commercial Agriculture zoned land is situated within 200 feet at the west side of the parcel at Assessor's Parcel Number 050-181-01, the 29-acre Mann berry farm,

A reduced agricultural buffer is recommended due to the fact that the narrow width of the lot (110 feet wide by 169 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 of plantings 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-Residentialuse conflicts.

The site plan shows that the front yard **has** more than 50 percent of the area paved and utilized for parking. This is prohibited by County Ordinance 13.10.554.d.However, the use is a nonconforming, pre-existing use as the ordinance came into effect in 1986, after the use was established, **as** evidenced by aerial photographs of 1979 and statement of the property owner.

A Variance is required to address the issue of the existing residence being a significantly nonconforming structure, as defined in County Code Section 13.10.265.j, in that the structure is within 5 feet of the Rancho Corralitos Road vehicular right-of-way.

Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 100 feet to the single-familydwelling from the adjacent CA zoned property known as APN 050-181-01, proposed under Application # 06-0272, based on the attached findings and recommended conditions.

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.

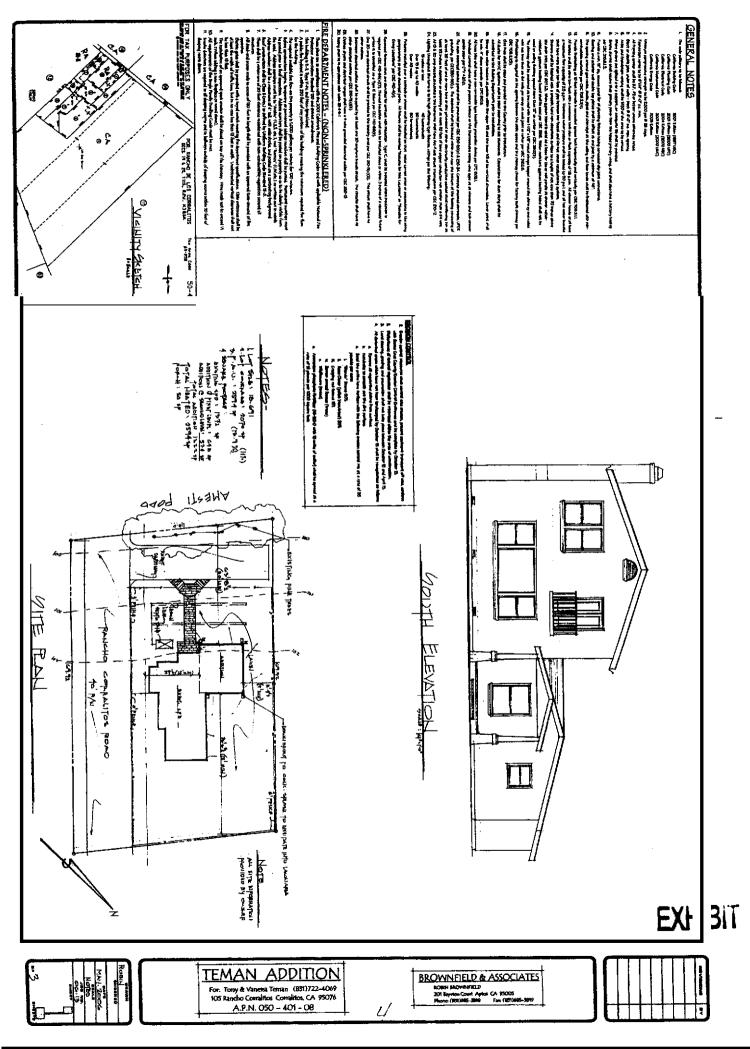
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

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

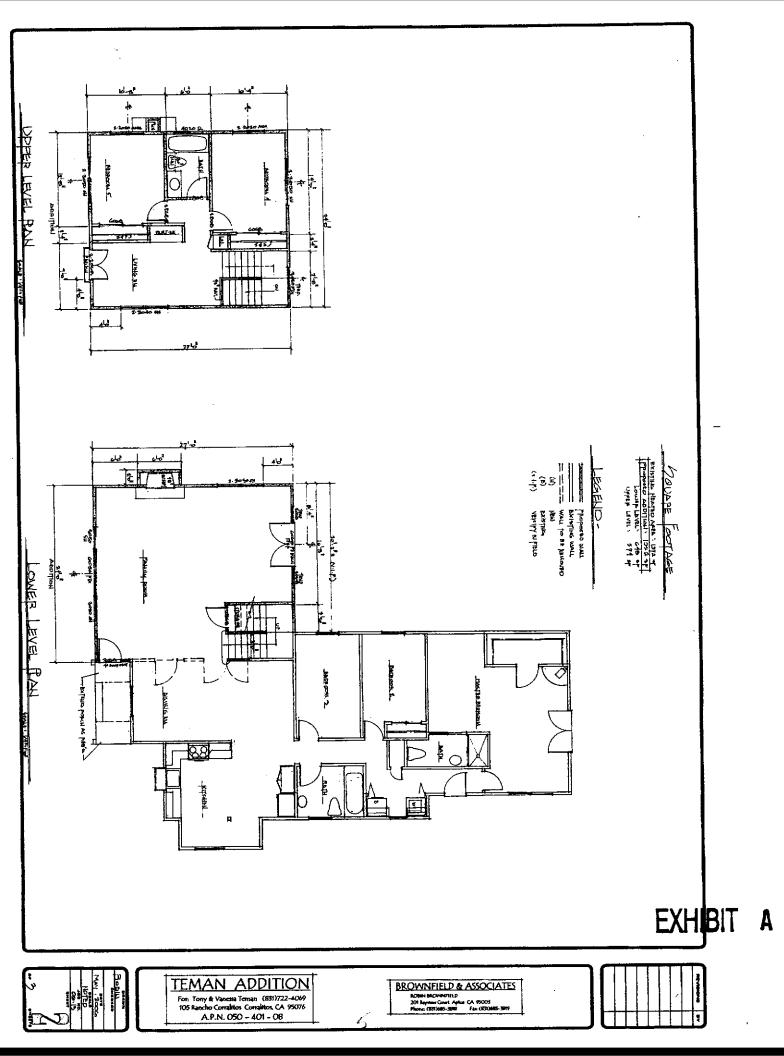
Report Reviewed By:

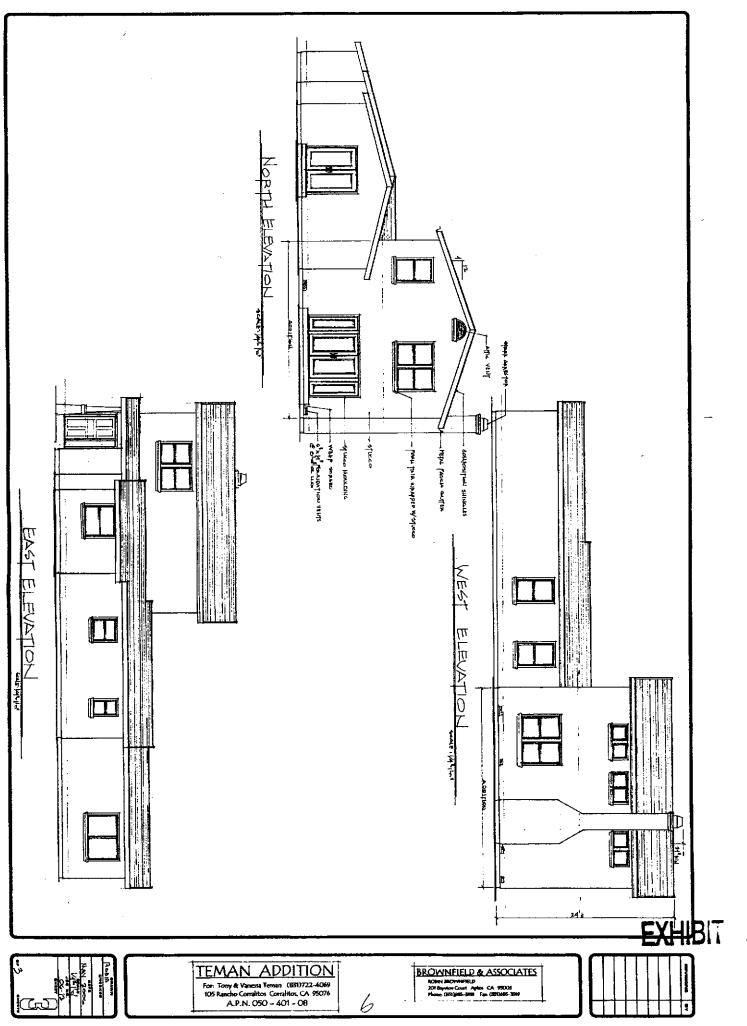
Don Bussey

Deputy Zoning Administrator Santa Cruz County Planning Department



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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 100 feet from the adjacent Commercial Agriculture zoned land. With the 40- foot width of the Amesti Road right-of-way, the effective agricultural setback would be proposed to be 100 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 050-181-01. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic along Amesti 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 by Robin Brownfield, 3 Sheets, dated June 13,2006

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (050-181-01). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicantlownershall:
 - 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 100 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 050-181-01.
 - 2. Final plans shall show the location of the vegetative buffering barrier, 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.** Comply with all Department of Public Works Drainage Division requirements. Pay Zone 7A **fees** for any increase in impervious area. This fee is currently \$0.90 per square foot, but is subject to change.
 - D. The foundation shall be designed to account for expansive soils.
 - E. Comply with all Environmental Health Service requirements for the septic system.

- F. Comply with all CDF/County Fire requirements.
- *G.* Pay Pajaro Valley Planning Area Park Dedication fees for two bedrooms. The fees are currently \$\$1,000 per bedroom but are subject to change.
- H. Pay Child Care fees for two bedrooms. The fee is currently \$109 per bedroom but is subject to change.
- I. Pay Public Works Roadside Improvement fees for the Pajaro Valley planning area for two bedrooms. The fee is currently **\$333** per bedroom but is subject to change.
- J. Pay Public Works Transportation Improvement fees for two bedrooms. The fee is currently \$1,000 per bedroom but is subject to change.
- 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 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 noncompliance 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 ("DevelopmentApproval 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, it 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'sfees and costs; and
 - 2. COUNTY defends the action in good faith.
- **C.** <u>Settlement</u>. 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. <u>Successors Bound</u>. "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 on the expiration date listed below unless you obtain the required permits and commence construction.

Approval Date:	8-17-06
Effective Date:	8-3 1-06
Expiration Date:	8-31-08

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: 06-0272 Assessor Parcel Number: 050-401-08 Project Location: 105 Rancho Corralitos Road, Watsonville CA 95076

Project Description: Agricultural Buffer Setback Determination

Person or Agency Proposing Project: Robin Brownfield

Contact Phone Number: (831) 685-3818

- A. ____ The proposed activity is not a project under CEQA Guidelines Section 15378.
- B. _____ The proposed activity is not subject to CEOA as specified under CEOA 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 15260to 15285).

Specifytype:

E. <u>x</u> **Categorical Exemption**

Specifytype: Class 1 - Existing Facilities (Section 15301)

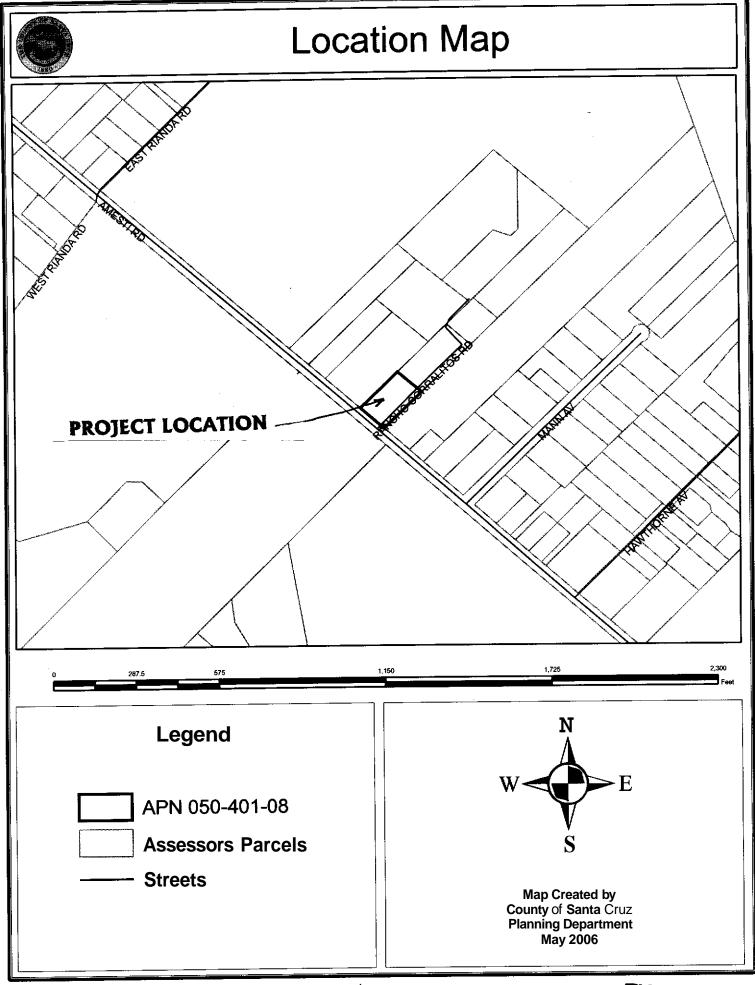
F. **Reasons why the project is exempt:**

Addition to existing small structure

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

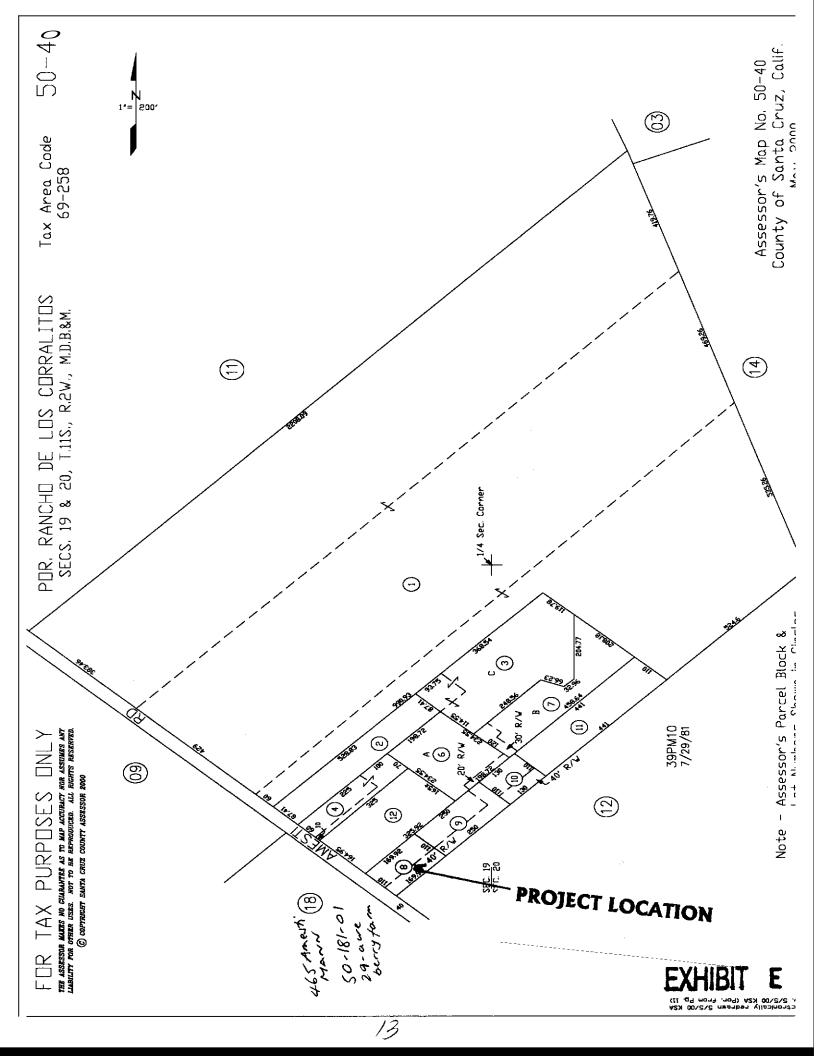
Joan Van der Hoeven, Project Planner

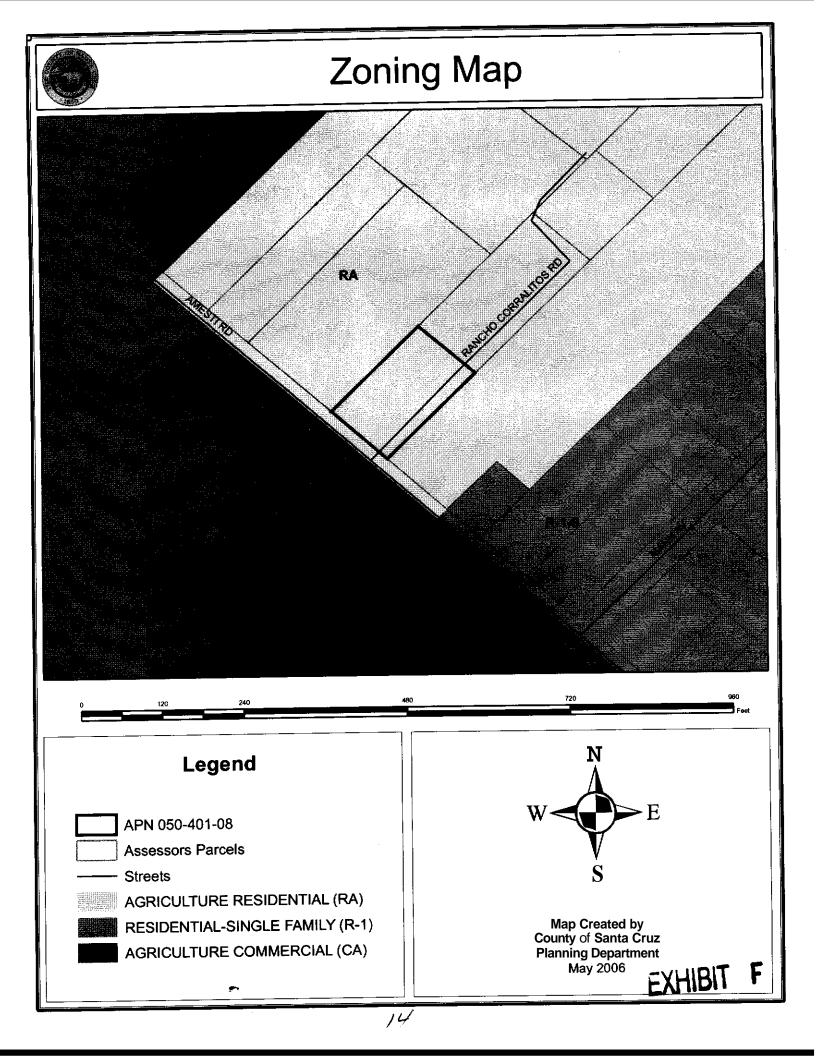
Date: August 17, 2006

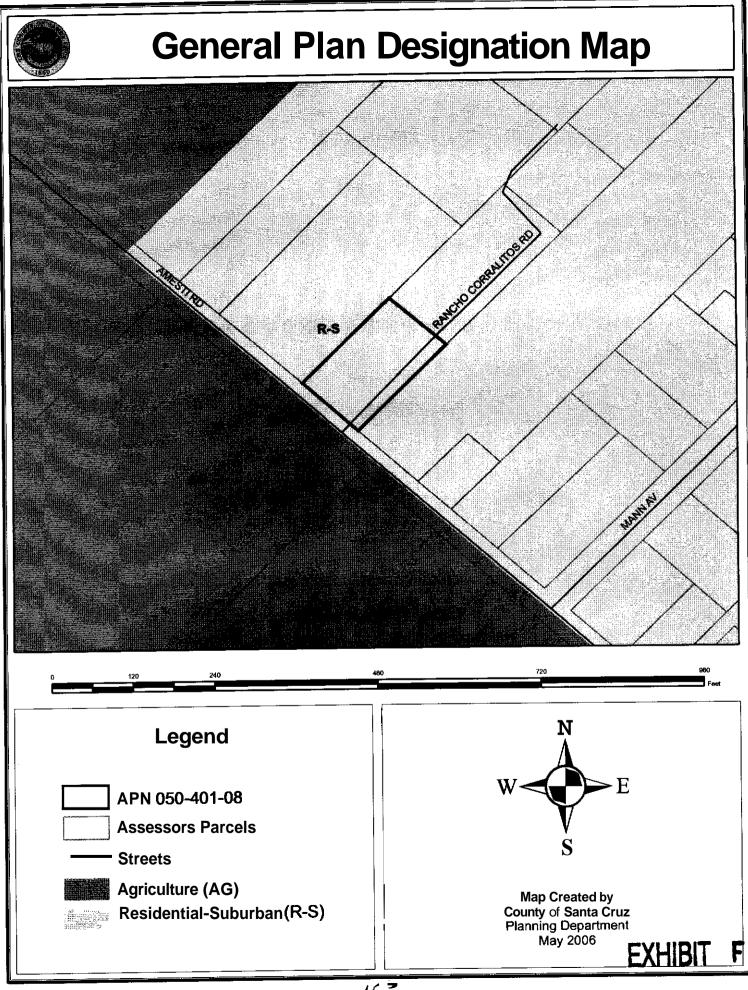


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EXHIBIT E









COUNTY OF SANTA CRUZ

PLANNING DEPARTMENT 701 Ocean Street, 4[™] Floor, Santa Cruz, Ca 95060 (831)454-2580 Fax: (831)454-2131 TDD: (831)454-2123 TOM BURNS, PLANNING DIRECTOR

July 14, 2006

Robin Brownfield 201 Bayview Ct Aptos, CA 95003

SUWECT: Archaeological Reconnaissance Survey for APN 050-401-08

To Whom It May Concern,

The County's archaeological survey team has completed the Phase 1 archaeological reconnaissance for the parcel referenced above. The research has concluded that cultural resources were not evident at the site. A copy of the review documentation is attached for your records. No further archaeological review will be required for the proposed development.

Please contact me at 831-454-3207 if you have any questions regarding this review.

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Sincerely,

abuth

Antonella Gentile Planning Technician

Enclosure CC Project Planner, File



J. VderH

Santa Cruz County Survey Project

Exhibit B

Santa Cruz Archaeological Society 1305 East Cliff Drive, Santa Cruz, California **95062**

> Preliminary Cultural Resources Reconnaissance Report

Parcel APN 050-401-08	SCAS Project number SE- <u>06-105</u> 4
Development Permit Application No <u>06-02</u> 7	2- Parcel Size_19645.6 Sq. feet
Applicant: Robin Brownfield	

Nearest Recorded Cultural Resource >1/2 NES ISOLATES found < 1/2 NW

On b-30-0b (date) 4 2 (#) members of the Santa Cruz Archaeological Society spent a total of 0.2 (bours on the above described parcel for the purpose of ascertaining the presence or absence of cultural resources on the surface Though the parcel was traversed on foot at regular intervals and dilignetly examined, the Society cannot guarantee the surface absence of cultural resources where soil was obscured by grass, underbrush, or other obstacles No core samples, test pits or any subsurface analysis was made. A standard field form indicating survey methods, type of terrain, soil visibility, closest freshwater source, and presence or absence of prehistoric and/or historic cultural evidence was completed and filed with this report at the Santa *Cruz* County Planning Department

The preliminary field reconnaissance did not reveal any evidence of cultural resources on the parcel. The proposed project would therefore, have no direct impact on cultural resources If subsurface evidence of such resources should be uncovered during construction the County Planning Department should be notified

Further details regarding this reconnaissance are available from the Santa Cruz County Planning Department or from Rob Edwards, Director, Cabrillo College Archaeological Technology Program, 6500 **Soquel** Drive, Aptos, CA 95003, (**83** 1) 479-6294, or email redwards@cabrillo.edu

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EXHIBIT

G

SCAS/CCATP Field Forms

COUNTY OF SANTA CRUZ DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven Application No.: 06-0272 APN: 050-401-08 Date: July 17, 2006 Time: 10:12:40 Page: 1

Environmental Planning Completeness Comnents

Environmental Planning Miscellaneous Comments

1. Recommend the foundation be designed to account for expansive soils

Project Review Completeness Comments

Project Review Miscellaneous Comments

Record an Agricultural Statement of Acknowledgement.

Dpw Drainage Completeness Comments

This application is for development in the Zone 7A Flood Control District; therefore, for increases in impervious area, a drainage fee will be assessed. The fees are currently \$0.90 per square foot.

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.

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Dpw Drainage Miscellaneous Comments

Dpw Road Engineering Completeness Comnents

----- REVIEW ON JUNE 9. 2006 BY GREG J MARTIN

Dpw Road Engineering Miscellaneous Comments

======= REVIEW ON JUNE 9. 2006 BY GREG J MARTIN -----

Environmental Health Completeness Comnents

EXHIBIT G

Project Planner: Joan Van Der Hoeven Application No.: 06-0272 APN: 050-401-08 Date: July 17, 2006 Time: 10:12:40 Page: 2

Environmental Health Miscellaneous Comments

NO COMMENT

Cal Dept of Forestry/County Fire Completeness Comm

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

Add the appropriate NOTES and DETAILS showing this information on your plans and RESUBMIT, with an annotated copy of this letter:

Note on the plans that these plans are in compliance with California Building and Fire Codes (2001) as amended by the authority having jurisdiction.

Each APN (lot) shall have separate 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 on the plans that a 100 foot clearance will be maintained with non-combustible vegetation around all structures or to the property line (whichever is a shorter distance). Single specimens of trees. ornamental shrubbery or similar plants used as ground covers, provided they do not form a means of rapidly transmitting fire from native growth to any structure are exempt.

The access road shall be 12 feet minimum width and maximum twenty percent slope. SHOW on the plans, DETAILS of compliance with the driveway requirements. The driveway shall be 12 feet minimum width and maximum twenty percent slope. The driveway shall be in place to the following standards prior to any framing construction, or construction will be stopped:

- The driveway surface shall be "all weather". a minimum 6" of compacted aggregate base rock, Class 2 or equivalent certified by a licensed engineer to 95% compaction and shall be maintained. - ALL WEATHER SURFACE: shall be a minimum of 6" of compacted Class II base rock for grades up to and including 5%, oil and screened for grades up to and including 15% and asphaltic concrete for grades exceeding 15%. but in no case exceeding 20%. - The maximum grade of the driveway shall not exceed 20%, with grades of 15% not permitted for distances of more than 200 feet at a time. -The driveway shall have an overhead clearance of 14 feet vertical distance for its entire width. - A turn-around area which meets the requirements of the fire department shall be provided for access roads and driveways in excess of 150 feet in length. - Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures. - All private access roads, driveways, turn-arounds and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times. - The driveway shall be thereafter maintained to these standards at all



Project Planner: Joan Van Der Hoeven Application No.: 06-0272 APN: 050-401-08 Date: July 17, 2006 Time: 10:12:40 Page: 3

times.

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 minimm 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, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

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Cal Dept of Forestry/County Fire Miscellaneous Con

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

======= REVIEW ON JUNE 5. 2006 BY COLLEEN L BAXTER ========

EXHIBIT G

Santa Cruz County Environmental Health Services 701 Ocean Street, Room 312, Santa Cruz, CA 95060 (831) 454-2022 Application Fee: Paid Waived None C ENVIRONMENTAL FIEALTH CLEARANCE TO APPLY FOR BUILDING PERMIT FOR RURAL PROPERTIES *THIS IS NOT A PERMIT* TO BE COMPLETED BY APPLICANT: Date Assessor's Parcel Number Construction Site Location Herein Applicant's Name Owner's Name
Application Fee: Paid I Waived None C ENVIRONMENTAL FIEALTH CLEARANCE TO APPLY FOR BUILDING PERMIT FOR RURAL PROPERTIES THIS IS NOT A PERMIT TO BE COMPLETED BY APPLICANT: Date Assessor's Parcel Number Construction Site Location THE STATES
THIS IS NOT A PERMIT TO BE COMPLETED BY APPLICANT: Date Assessor's Parcel Number Construction Site Location To y-4994
Date Location Site Location
Date Assessor's Parcel Number Construction Site Location
Applicant's Name Owner's Name Applicant's Phone Number
b-s Baurholawalita
Mailing Address
PROPOSED PROJECT
New Residence
Affordable Second Dwelling Accessory Habitable Structure/Guest House (NoKitchen) 3,(4),5 3,(4),5
Replacement of Structure 3,(4),5
(Provide documentation of catastrophe)
Remodel Increasing Number of Bedrooms and/or an addition of more than 500 sq. ft. of floor area. Proposed Total Bedrooms 3,(4),5
Remodel with a one-time addition of 500 square feet or less with no bedroom increase 33, 34, 175 (0)
other
Simple foundation replacement with no change in footprint, wiring, plumbing, roofing, interior remodeling with no increase in begrooms, and/or exterior remodeling with no change in footprint
Applicant's Signature 72.
TO BE COMPLETED BY ENVIRONMENTAL HEALTH STAFF: ADDITIONAL FEE REQUIRED \$
ENVIRONMENTAL HEALTH REOUIREMENTS
MAXIMUM NUMBER OF BEDROOMS ALLOWED — Permit # Approved: Denied
1 Individual Sewage Disposal Permit — New
2a Individual Water System Permit
2b Connection to Existing Water System:
4_Individual Sewage Disposal Permit-Repair/Upgrade
5 No construction over septic system or in expansion area.
ADDITIONAL CONDITIONS OR REMARKS: NELL upgrade to soptic sucrem
Permit approval ba for bailing for approval
This Clearance is granted subject to the conditions specified above and in approved Environmental Health permits.
Building plans submitted with the building permit application must be in compliance with those conditions and with the above project description. Applications not in compliance will be denied by Environmental Health.
Clearance to Apply for Puilding Dermit Approved - Application Paview and Clearance Valid Until
Clearance to Apply for Building Permit Approved - Application Review and Clearance Valid Until
Environmental Health Clearance not required per Section 7.38.080B(6).
Compliance with Environmental Health requirements not yet determined-owner applies for Bldg. Permit at own ris
By <u>Date: 7/19/66</u> Environmental Health Staff -21

*White-EHS File *Yellow-Applicant(Attach to Building Application) *Pink-Applicant *Goldenrod-Fiscal Control [HSA-639 (REV 11/99)]

