



## Staff Report to the Agricultural Policy Advisory Commission

Application Number: **06-0580**

**Applicant:** Brett Brenkwitz, Architect

**Owner:** Nigel Michael Peacock

**APN:** 049-161-18

**Date:** January 18, 2007

**Agenda Item #:** 6

**Time:** 1:30 p.m.

**Project Description:** Proposal to construct an addition of approximately **462** square feet to an existing single-family dwelling.

**Location:** Property located on the north side of Larkin Valley Road, west from Buena Vista Drive at 486 Larkin Valley Road in Watsonville.

**Permits Required:** Agricultural Buffer Setback Determination, Geologic Hazards Assessment.

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 06-0580, based on the attached findings and conditions.

### 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 photograph                     |

### Parcel Information

Parcel Size:	1.28 acres
Existing Land Use - Parcel:	Single-family residential
Existing Land Use - Surrounding:	<b>Low</b> density single-family residential, agriculture
Project Access:	Larkin Valley Road
Planning Area:	Aptos Hills
Land Use Designation:	A (Agriculture)
Zone District:	RA (Residential Agriculture)
Supervisory District:	Second (District Supervisor: Pirie)
Within Coastal Zone:	Inside <input checked="" type="checkbox"/> Outside

## Environmental Information

Geologic Hazards:	Mapped/no physical evidence on site
Soils:	Diablo clay, Elkhorn-Pfeiffer complex
Fire Hazard:	Not a mapped constraint
Slopes:	15 – 30 percent slopes
Env. Sen. Habitat:	Not mapped/no physical evidence on site
Grading:	75 cubic yards of grading proposed
Tree Removal:	No trees proposed to be removed
Scenic:	Not a mapped resource
Drainage:	Existing drainage adequate
Archaeology:	Not mapped/no physical evidence on site

## Services Information

Inside Urban/Rural Services Line:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Water Supply:	Private well	
Sewage Disposal:	CSA#12, private septic system	
Fire District:	Pajaro Valley Fire Service Area	
Drainage District:	Non-zone	

## Analysis and Discussion

The proposed project is to construct a 462 square foot addition to an existing one story single-family dwelling of approximately 920 square feet on a 1.28-acre parcel. The project is located at 486 Larkin Valley Road in Watsonville. The building site is within 200 feet of Commercial Agricultural land to the west. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to 60 feet from APN 049-441-02.

The subject property is characterized by sloping topography down towards Larkin Valley Road. The parcel is not located within the Urban Services Line and may be characterized as a low-density residential neighborhood. The parcel carries an Agriculture (A) 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 049-441-02, the 8.9-acre Goudarzi property, in pasture. This area of Larkin Valley Road is commonly used as horse property.

A reduced agricultural buffer is recommended due to the fact that the 200-foot buffer setback would not allow sufficient building area if the required setbacks were maintained from the adjacent Commercial Agriculture zoned property. The parcel is only 158 feet wide by 99.59 feet deep and the existing residence was constructed at its present location in 1946, predating the agricultural buffer requirement. The applicant is proposing a solid wood board, six-foot fence at the west side of the parcel with an evergreen hedge of plantings to reduce the impact of residential activities on the agricultural interests of the Commercial Agriculture zoned parcel next door. The applicant has recorded 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 as Document 2006-0070431 on 6-Dec-2006.

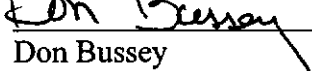
## Recommendation

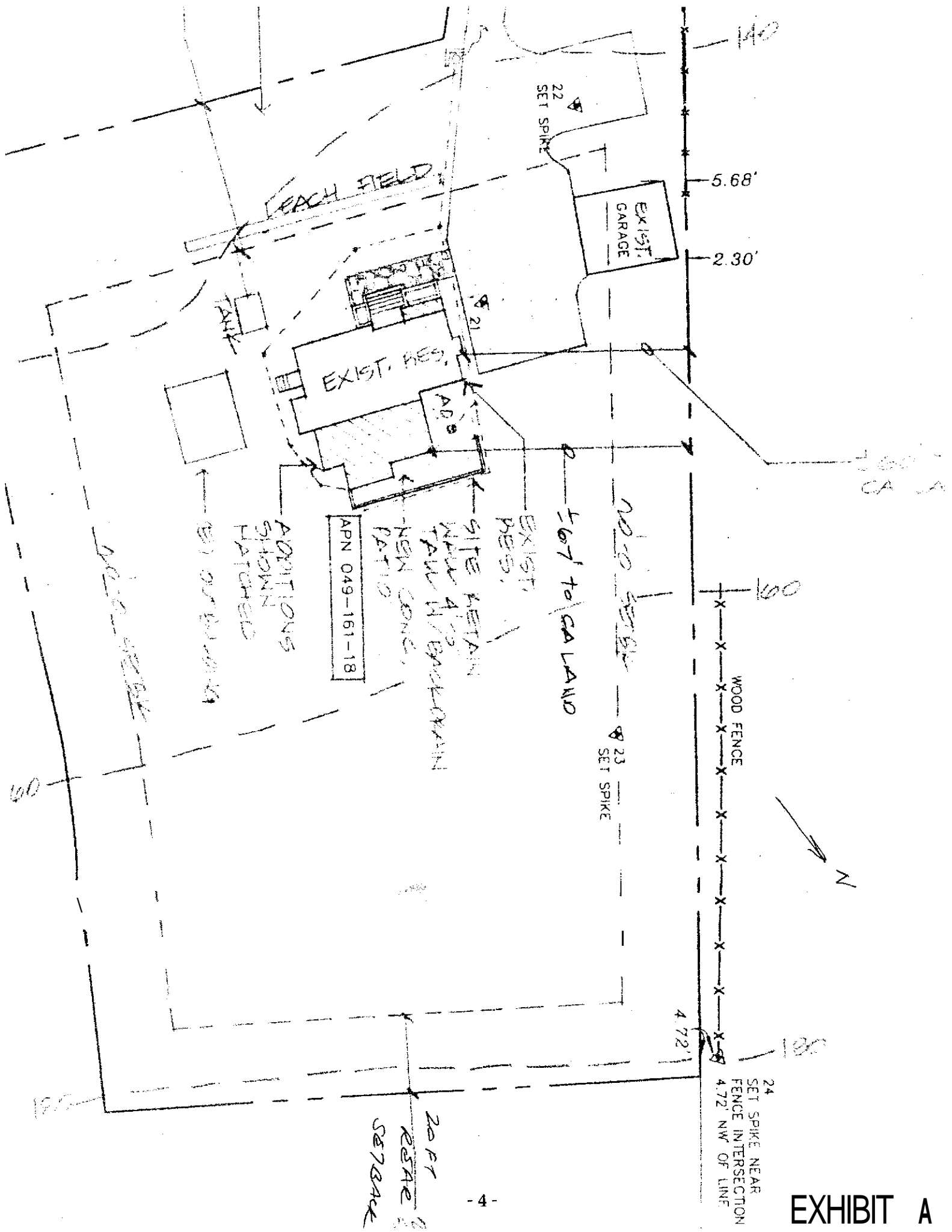
- Certification that the proposal is exempt **from** further Environmental Review under the California Environmental Quality Act.
- Staff recommends that your Commission APPROVE the Agricultural Buffer Reduction from 200 feet to about 60 feet to the single-family dwelling from the adjacent CA zoned property known as APN 049-441-02, proposed under Application # 06-0580, 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 bearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)

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Report Reviewed By:   
Don Bussey  
Deputy 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
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
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 subject parcel is 158 feet wide and 99.59 feet deep, accessed by a long and narrow driveway from Larkin Valley Road. Given these property dimensions, it would not be possible to maintain a 200-foot setback from the adjacent CA-zoned land. The adjacent parcel is used for pasture, and with an approved physical barrier of a six-foot tall solid wood board fence and vegetative screening, in addition to the existing barrier of the detached garage, the proposed 60-foot separation is sufficient to buffer the proposed addition from the adjacent agricultural property. The existing house was constructed in that location in 1946, predating required agricultural buffer setbacks.

## Conditions of Approval

Exhibit A: Project plans, 5 Sheets by Brett Brenkwitz, Architect, dated 9-29-2006

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (049-441-02). 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 60 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 049-441-02.
    2. Final plans shall show the location of the vegetative buffering barrier (and any fences/walls 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. Pay required Capital Improvement fees for the Aptos Hills Planning Area for one bedroom. These fees are currently \$109 per bedroom for child care fees and \$578 per bedroom for park dedication fees, but are subject to change. At such time as the room labeled "dining room" is converted to a bedroom as indicated as a future event on the plans, capital improvement fees will **be** due.
  - C. Submit an erosion control plan for review and approval by Environmental Planning staff.
  - D. Submit a detailed grading plan for review and approval **by** Environmental

Planning ~~staff~~.

- E. Comply with all requirements of the Geological Hazards Assessment.
- 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.
- 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.
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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: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

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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: 06-0580

Assessor Parcel Number: 049-161-18

Project Location: 486 Larkin Valley Road, Watsonville CA 95076

**Project Description: Room addition to an existing single-family dwelling**

**Person or Agency Proposing Project: Brett Brenkwitz, Architect**

**Contact Phone Number: 831-662-8800**

- 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 small Structure - Section 15301

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

Room addition to ~~an~~ existing small structure Lot line adjustment

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

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

Date: January 18, 2007

FOR TAX PURPOSES ONLY  
 THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY  
 LIABILITY FOR OTHER USERS. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.  
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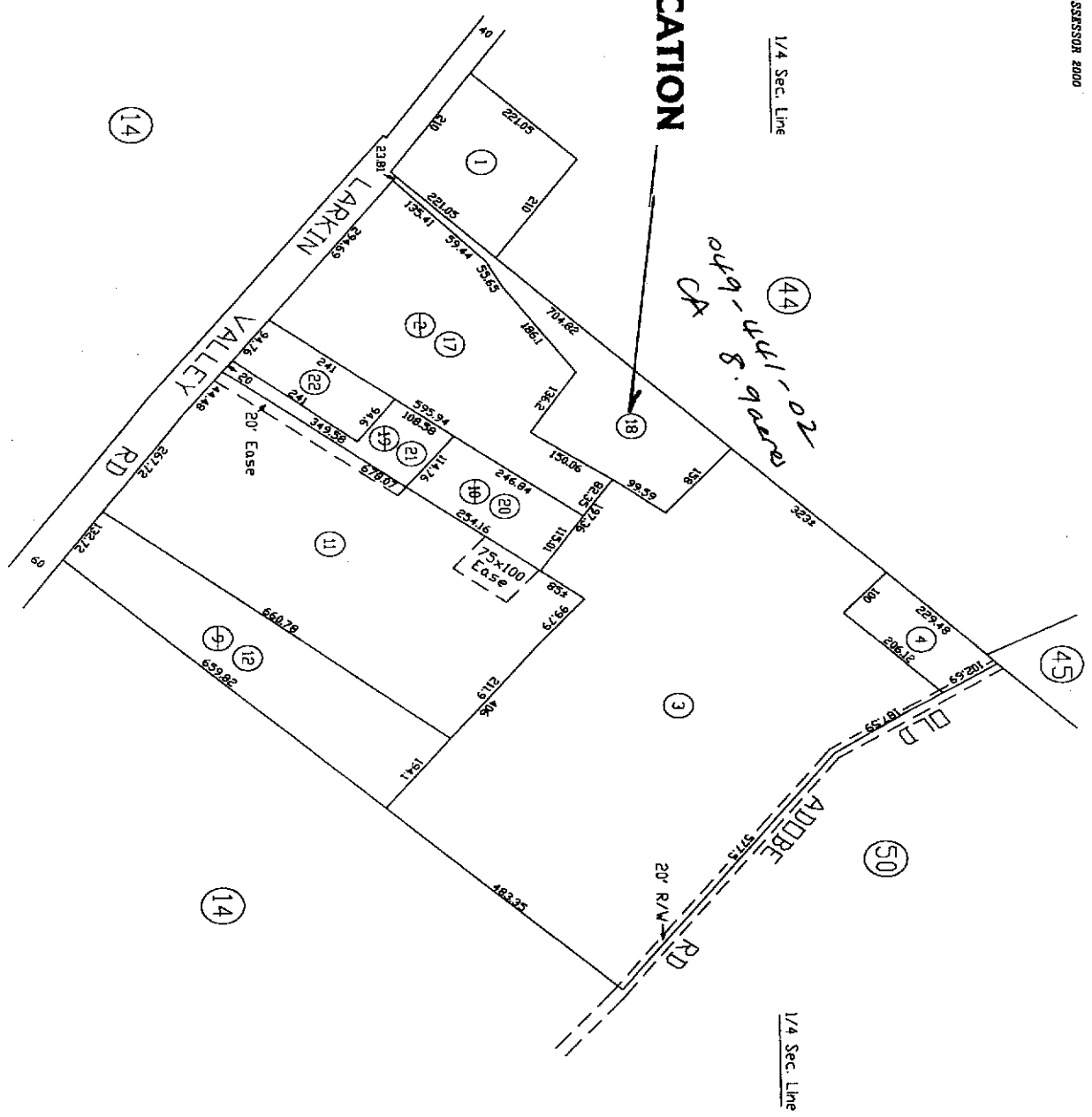
PDR. SAN ANDREAS RANCHO  
 SEC. 25, T.11S, R.1E., M.D.B. & M.

Tax Area Code  
 69-264

49-16

EXHIBIT

PROJECT LOCATION

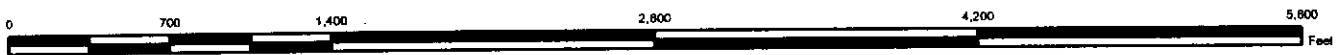


Note - Assessor's Parcel Block &  
 Lot Numbers Shown in Circles.

Assessor's Map No. 49-16  
 County of Santa Cruz, Calif.  
 Jan. 2000

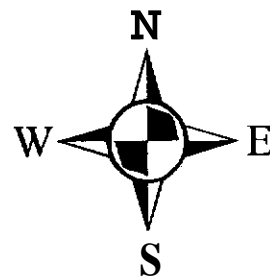


# Location Map



## Legend

-  APN 044161-18
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM

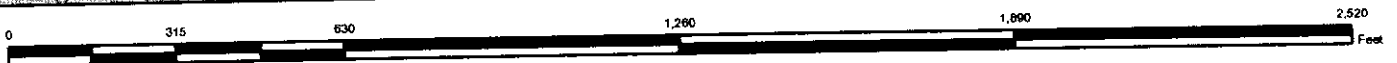
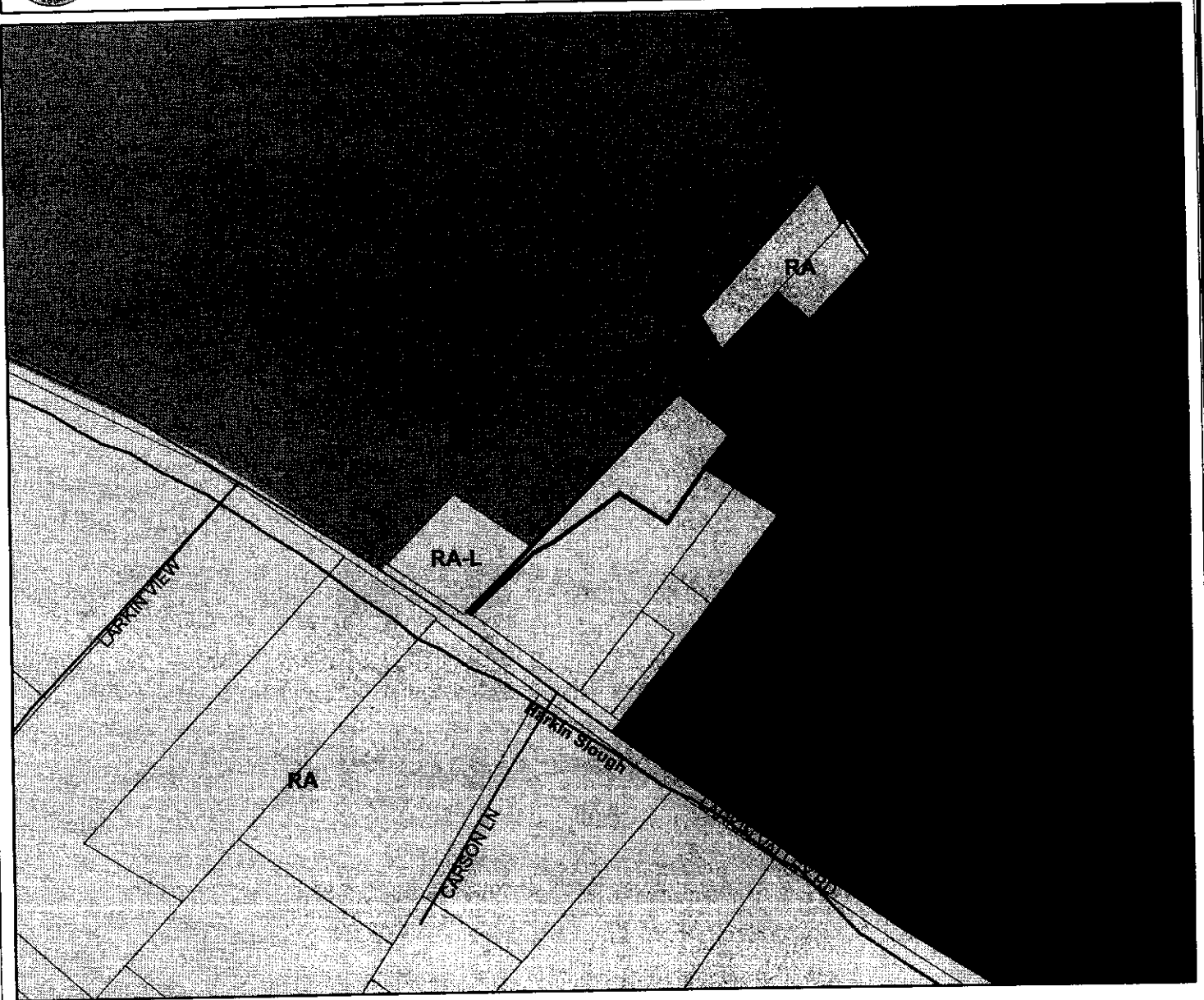


Map Created by  
County of Santa Cruz  
Planning Department  
November 2006



**EXHIBIT E**

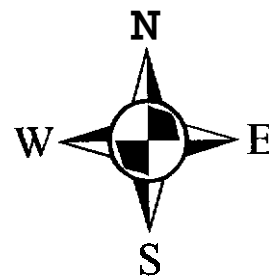


# Zoning Map



## Legend

-  APN 049-161-18
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM
-  AGRICULTURE RESIDENTIAL(RA)
-  AGRICULTURE COMMERCIAL (CA)
-  AGRICULTURE (A)

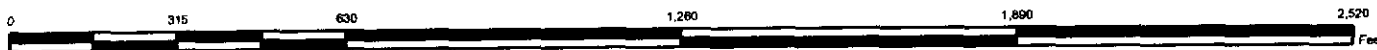
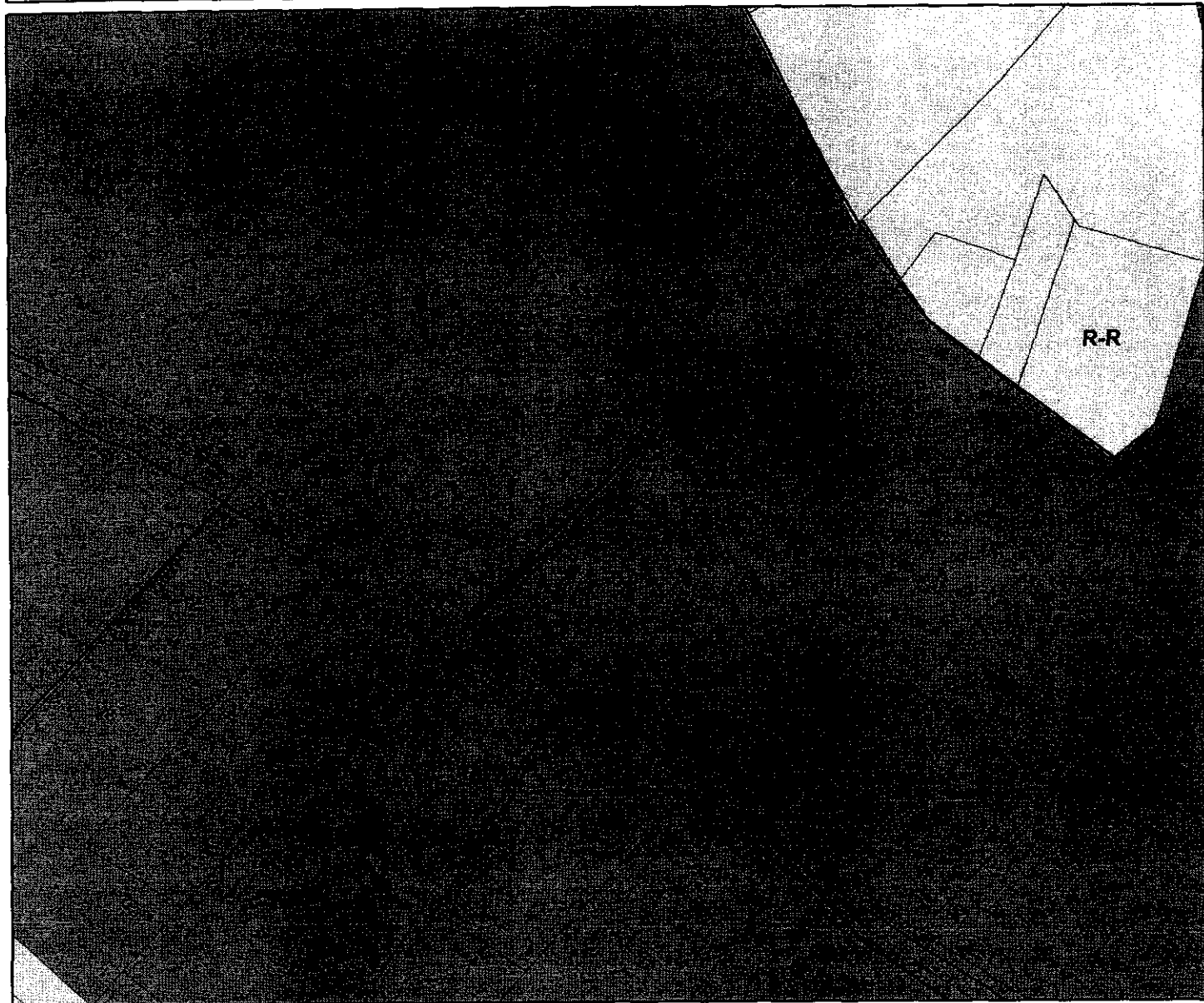


Map Created by  
County of Santa Cruz  
Planning Department  
November 2006







**EXHIBIT F**

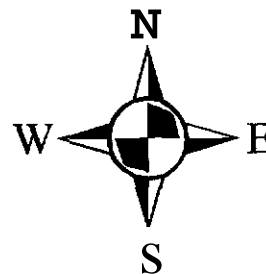


# General Plan Designation Map



## Legend

-  APN 049-161-18
-  Assessors Parcels
-  Streets
-  INTERMITTENT STREAM
-  Agriculture (AG)
-  Residential-Rural (R-R)



Map Created by  
County of Santa Cruz  
Planning Department  
November 2006

**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:** Joan Van Der Hoeven  
**Application No.:** 06-0580  
**APN:** 049-161-18

**Date:** December 20, 2006  
**Time:** 14:42:23  
**Page:** 1

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**Environmental Planning Completeness Comments**

===== REVIEW ON NOVEMBER 8, 2006 BY ROBERT S LOVELAND =====

1. The GHA is still in process. NOTE: Recommendations from the completed GHA may result in further comments.

**Environmental Planning Miscellaneous Comments**

===== REVIEW ON NOVEMBER 8, 2006 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Submit an erosion control plan for review and approval.
2. Submit a detailed grading plan for review and approval.

**Project Review Completeness Comments**

===== REVIEW ON NOVEMBER 8, 2006 BY JOAN VAN DER HOEVEN =====  
NO COMMENT

**Project Review Miscellaneous Comments**

===== REVIEW ON NOVEMBER 8, 2006 BY JOAN VAN DER HOEVEN =====  
Record an Agricultural Statement of acknowledgement

**Dpw Drainage Completeness Comments**

===== REVIEW ON NOVEMBER 2, 2006 BY JOHN G LUMICAO =====  
NO COMMENT

**Dpw Drainage Miscellaneous Comments**

===== REVIEW ON NOVEMBER 2, 2006 BY JOHN G LUMICAO =====  
Label all storm drainage features.

**Dpw Road Engineering Completeness Comments**

===== REVIEW ON NOVEMBER 2, 2006 BY GREG J MARTIN =====  
NO COMMENT

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Discretionary Comments - Continued

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Page: 2

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Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON NOVEMBER 2. 2006 BY GREG J MARTIN =====

