



# COUNTY OF SANTA CRUZ

## PLANNING DEPARTMENT

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TOM BURNS, PLANNING DIRECTOR

November 27, 2007

Agricultural Policy Advisory Commission  
County of Santa Cruz  
701 Ocean Street, Room 400  
Santa Cruz, CA 95060

**Subject: Revisions to the ordinance amending Chapter 16.50 of the County Code to streamline the review process for minor residential additions in agricultural buffers**

Dear Commissioners:

At the APAC hearing on October 18, planning staff presented an ordinance amendment that would streamline the review process for minor residential habitable structures, additions and private recreational facilities (less than 1,000 square feet) to existing residential development within agricultural buffers, by eliminating the requirement for discretionary approval and noticing for such projects. The amendment would further require the installation of a physical barrier as a standard condition of approval for such projects, in order to continue to protect commercial agricultural land use. At the hearing, your Commission recommended that the proposed ordinance be revised to require the installation of a physical barrier for all existing and proposed development, rather than just for the proposed development. You also recommended that the proposed language be revised to require a physical and/or vegetative barrier, rather than a physical or vegetative barrier. Your Commission recommended that the Board of Supervisors approve the proposed amendment, with the revisions you recommended.

As requested by your Commission, staff is providing a copy of the revised language. Exhibit B contains the sections of the ordinance amending the review process for minor residential additions in agricultural buffers, with the underlined text representing language to be added to the County Code. Staff is recommending that your Commission accept the ordinance revised in accordance with your recommendations, and adopt the attached resolution recommending approval of the revised ordinance to the Board of Supervisors (Exhibit A).

Please do not hesitate me should you have any questions regarding the proposed ordinance amendment.

Sincerely,

Annie Murphy  
Planner II

Exhibits: A. Resolution  
B. Ordinance

BEFORE THE AGRICULTURAL POLICY ADVISORY COMMISSION  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Commissioner  
duly seconded by Commissioner  
the following Resolution is adopted:

**AGRICULTURAL POLICY ADVISORY COMMISSION RESOLUTION  
REGARDING PROPOSED AMENDMENTS TO COUNTY CODE CHAPTER  
16.50 TO ELIMINATE THE REQUIREMENT FOR DISCRETIONARY  
APPROVAL FOR RESIDENTIAL ADDITIONS, ACCESSORY STRUCTURES  
AND PRIVATE RECREATIONAL FACILITIES LESS THAN 1,000 SQUARE  
FEET THAT EXTEND NO FURTHER INTO THE AGRICULTURAL BUFFER  
THAN THE EXISTING RESIDENTIAL STRUCTURES.**

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WHEREAS, County Code Chapter 16.50, the Agricultural Land Preservation and Protection Ordinance, requires a buffer between commercial agricultural land and residential land uses to minimize conflicts between such land uses in order to protect agricultural land; and

WHEREAS, County Code Chapter 16.50 allows for residential additions and habitable accessory structures within the buffer area, subject to Level IV discretionary review and the installation of an appropriate physical barrier between the proposed residential development and adjacent commercial agricultural land; and

WHEREAS, for new residential additions, habitable accessory structures, and private recreational facilities less than 1,000 square feet that extend no further into the agricultural buffer than the existing residential structures, the installation of an appropriate physical barrier can be required as a standard condition of approval to a building permit without requiring discretionary review.

NOW, THEREFORE, BE IT RESOLVED, that the Agricultural Policy Advisory Commission recommends that the amendments to County Code Chapter 16.50, attached hereto as Exhibit B, be approved by the Board of Supervisors.

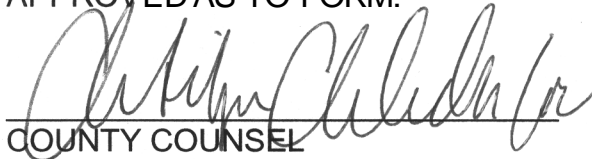
PASSED AND ADOPTED by the Agricultural Policy Advisory Commission  
of the County of Santa Cruz, State of California, this \_\_\_\_\_ day of  
\_\_\_\_\_, 2007 by the following vote:

AYES: COMMISSIONERS  
NOES: COMMISSIONERS  
ABSENT: COMMISSIONERS  
ABSTAIN: COMMISSIONERS

\_\_\_\_\_  
Chairperson

ATTEST: \_\_\_\_\_  
Steven Guiney, Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
COUNTY COUNSEL

cc: County Counsel  
Planning Department

## SECTION XXX

Subsection (b) 1 of Section 16.50.095 of the Santa Cruz County Code is hereby amended to read as follows:

1) Provide and maintain a two hundred (200) foot buffer setback between Type 1, Type 2 or Type 3 commercial agricultural land and non-agricultural uses involving habitable spaces including dwellings, habitable accessory structures and additions thereto; and commercial, industrial, recreational, or institutional structures, and their outdoor areas designed for public parking and intensive human use, except that if an existing legal dwelling already encroaches within the two hundred (200) foot buffer setback, proposed additions thereto, habitable accessory structures or private recreational facilities--none exceeding 1,000 square feet in size--shall be exempt from this subsection so long as they encroach no further than the existing dwelling into the buffer setback and an appropriate vegetative and/or other physical barrier for all existing and proposed development, as determined necessary, either exists or is provided and maintained. For the purposes of this Section, outdoor areas designed for intensive human use shall be defined as surfaced ground areas or uncovered structures designed for a level of human use similar to that of a habitable structure. Examples are dining patios adjacent to restaurant buildings and private swimming pools. The two hundred (200) foot agricultural buffer setback shall incorporate vegetative or other physical barriers as determined necessary to minimize potential land use conflicts.


## SECTION XXXI

The first paragraph of Subsection (g) of Section 16.50.095 of the Santa Cruz County Code is hereby amended to read as follows:

(g) Proposals to reduce the required two hundred (200) foot agricultural buffer setback for additions to existing residential construction (dwellings, habitable accessory and private recreational facilities not otherwise exempted by Section 16.50.095(b)1) and for the placement of agricultural caretakers' mobile homes on agricultural parcels shall be processed as a Level 4 application by Planning Department staff as specified in Chapter 18.10 of the County Code with the exception that:

## MEMORANDUM

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Date: October 29, 2007  
To: APAC Commissioners  
From: Steve Guiney   
Re: Discussion Items for November 15, 2007 APAC meeting

1. Pajaro Valley Water Management Agency and salt water intrusion
2. Light Brown Apple Moth Issues
3. Agricultural Fencing

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The November 15, 2007, APAC meeting will be devoted to discussion of the three items listed above. Material pertaining to items 1 and 2 has been sent to you earlier under separate cover. Please bring that material with you to the November 15 meeting. Included with this memo is material pertaining to item 3.