



Staff Report to the Planning Commission

Application Number: **09-0266**

Applicant: Jesse & Courtney Trask
Owner: Jesse & Courtney Trask
APN: 099-11-12

Agenda Date: 10/28/09
Agenda Item #: 7
Time: After 9:00 a.m.

Project Description: Proposal to modify the building envelope for Parcel C approved under Minor Land Division 04-0232, to allow habitable structures in the approved building envelope to within 66 feet the adjacent parcel to the east.

Location: Property is located on the east side of Soquel-San Jose Road about 650 feet south of Hoover Road in the Summit planning area. (5389 Soquel-San Jose Rd)

Supervisory District: 1st District (District Supervisor: John Leopold)

Permits Required: Amendment to Minor Land Division 04-0232

Technical Reviews:

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 09-0266, based on the attached findings and conditions.

Exhibits

- | | | | |
|----|---|----|----------------------------------|
| A. | Project plans | E. | Assessor's, Location, Zoning and |
| B. | Findings (from MLD 04-0232) | | General Plan Maps |
| C. | Conditions | F. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA
determination) | | |

Parcel Information

Parcel Size:	5.39 acres
Existing Land Use - Parcel:	Vacant
Existing Land Use - Surrounding:	Rural residential neighborhood, Webb Ranch
Project Access:	Private driveway from Soquel-San Jose Road
Planning Area:	Summit
Land Use Designation:	R-R (Rural Residential)

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

Zone District: SU (Special Use)
Coastal Zone: ☐ Inside ☒ Outside

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private Well
Sewage Disposal: Septic
Fire District: Central Fire Protection District
Drainage District: None

Project Setting

The project site is a vacant 5.39 acre parcel and is located on the east side of Soquel-San Jose Road on a hillside above Soquel Creek. The subject property is accessed via a private driveway from Soquel-San Jose Road. The property is covered with dense stands of oak woodland with some patches of open grasses and some isolated areas of willows on the southern portion of the property.

History

The subject property (Parcel C) was created through Minor Land Division (MLD) 04-0232 which divided a 24.69 acre parcel into three parcels. Building envelopes were selected based on a number of factors, including the location of oak woodlands, riparian resources, slopes, and adjacent agricultural development.

Parcel C is located to the south of existing agriculturally zoned property. In order to ensure the protection of agricultural resources, application 04-0232 was heard (on 8/18/05 and 9/15/05) by the Agricultural Policy Advisory Commission (APAC) to allow a reduced agricultural buffer setback. The standard setback for new development from agriculturally zoned parcels is 200 feet. The required agricultural buffer setback was reduced from 200 feet to 66 feet by APAC on 9/15/05. As a component of this action, APAC allowed non-habitable structures to within 46 feet of the adjacent agricultural parcel to the east. APAC approved the setback reduction due to the limited size and shape of the building envelope, as well as the topographical difference with the adjacent parcel and the separation from ongoing agricultural activities.

After the decision by APAC, the item was heard by the Environmental Coordinator on 11/15/05. The Environmental Coordinator evaluated the project and generated mitigations based on existing geotechnical and biotic concerns. No concerns regarding a reduced agricultural buffer setback of 66 feet were included as a component of the Environmental Coordinator's review.

Minor Land Division 04-0232 was heard by your Commission on 3/8/06 at a noticed public hearing. Your Commission discussed the project and approved the application with amended findings and conditions. In order to protect agricultural resources, your Commission decided to increase the required agricultural buffer setback from 66 feet to 150 feet. At the conclusion of the hearing a statement was made that the increased setback could be later modified (at the request of a future purchaser of the property) if it resulted in an insufficient building site.

Building Envelope Modification

The current application is a proposal to modify the building envelope on Parcel C to reduce the agricultural buffer setback to 66 feet (as approved by APAC on 9/15/05). No modification to the boundaries of the approved building envelope are proposed, only a relocation of the habitable structure limit line from 150 feet to 66 feet within the existing approved building envelope.

(The previously approved 150 foot setback is shown on the Non-Title Sheet of the recorded Parcel Map, which is the first sheet of Exhibit A. The proposed 66 foot configuration is depicted on Sheet 2 of the Tentative Map, which is the third sheet of Exhibit A.)

The current owners of the property have explored the possibilities of developing a family compound with a single family residence, detached garage, and second unit and have found that they are unable to fit these structures within the existing approved building envelope. Although it is possible to fit a single family residence within the exiting building envelope, the owners hope to build a family compound to reduce overall expenses and to be able to enjoy the rural property they purchased with this intent in 2008. The owners have prepared a letter (Exhibit F) which details the reasons for their request.

The request of the current property owners is considered as a reasonable, given the limited size and shape of the building envelope on a 5.39 acre parcel and the previous approval by APAC for a reduced agricultural buffer setback of 66 feet. Reducing the agricultural buffer setback will not result in an impact to agricultural resources or any other protected resources located in the project vicinity.

Conclusion

As proposed and conditioned, the project is consistent with all applicable codes and policies of the Zoning Ordinance and General Plan/LCP. Please see Exhibit "B" ("Findings") for a complete listing of findings and evidence related to the above discussion.

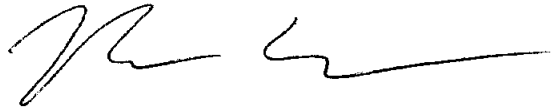
Staff Recommendation

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **09-0266**, based on the attached findings and 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.

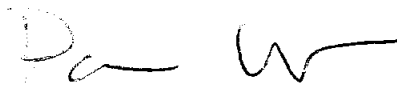
The County Code and General Plan, as well as hearing agendas and additional information are available online at: www.co.santa-cruz.ca.us

Report Prepared By: _____

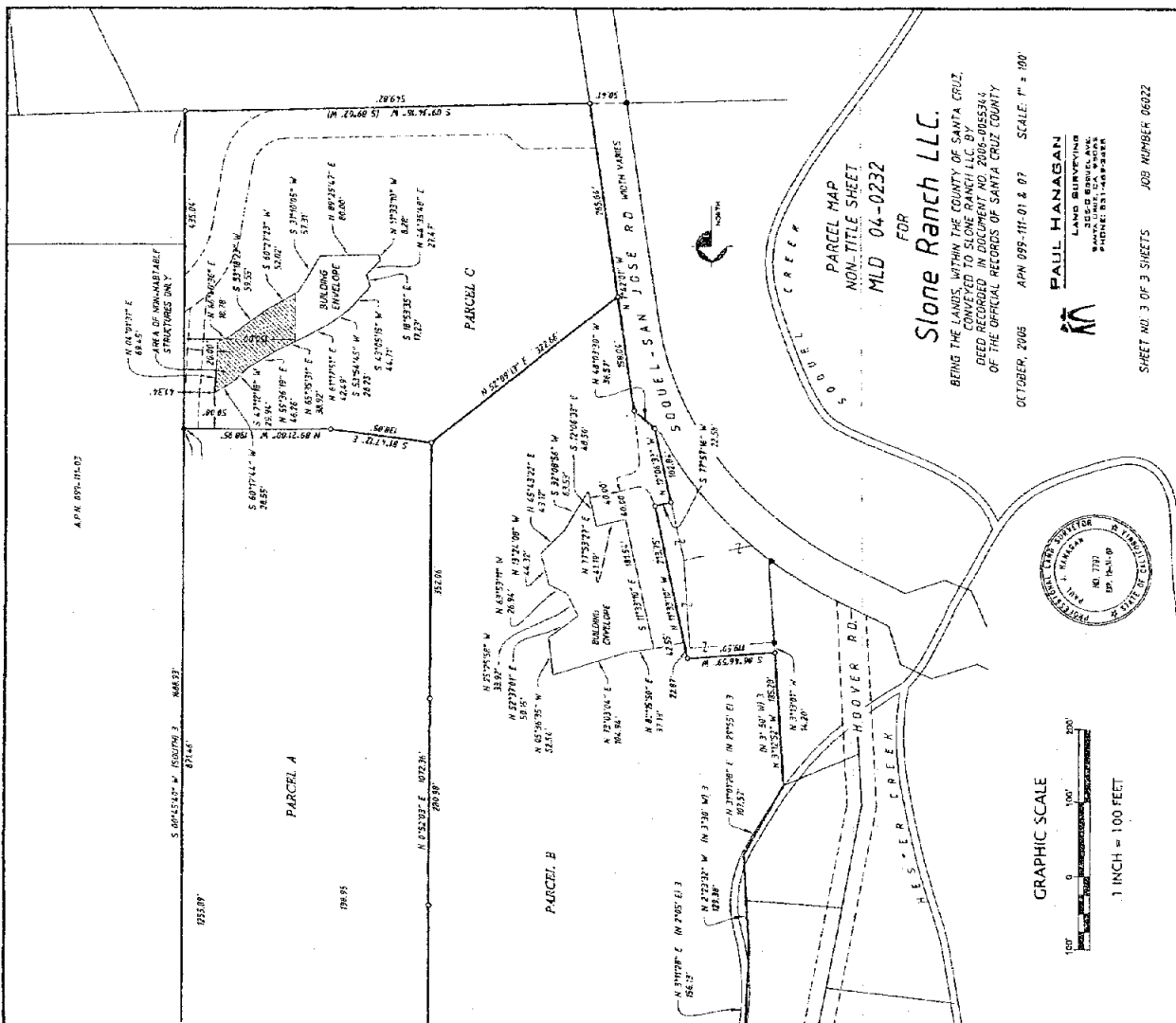


Randall Adams
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@co.santa-cruz.ca.us

Report Reviewed By: _____



Paia Levine
Principal Planner
Santa Cruz County Planning Department



PAUL HANAGAN
LAND SURVEYING
2008 BROADWAY
SUITE 101
SAN JOSE, CA 95131
PHONE: 408-438-8888

OCTOBER, 2005 APN 095-111-01 & 07 SCALE: 1" = 100'

SHEET NO. 3 OF 3 SHEETS JOB NUMBER 06022

Notes

1. The following requirements shall be completed prior to obtaining a building or grading permit on lots created by this land division.
 - a. The existing private well, and any new proposed wells, shall be reviewed by the County Department of Environmental Health Services.
 - b. The proposed septic system(s) serving the new parcel(s) shall be reviewed by the County Department of Environmental Health Services.
 - c. Access roads and driveways shall be resurfaced with all weather materials and shall meet the following requirements:
 - i. All new access roads must be widened per the requirements of the Department of Public Works.
 - ii. In addition to the above requirement, roads shall be widened to a minimum of 18 feet in width for any shared access roadway that serves more than one parcel.
 - d. Riparian Resources: In order to minimize impacts to the riparian corridor and for the project to comply with the Riparian Corridor and Wetland Protection Ordinance and Santa Cruz County General Plan.
 - e. Access to Parcel C shall be from below the building envelope across the meadow sedimentation of creeks, prior to the issuance of a grading approval for the earthwork in the vicinity of Old San Jose Road.
 - f. Erosion Control: The applicant shall provide information on the receiving site(s) for the proposed fill material. The applicant shall either provide valid grading permits for each receiving site or demonstrate that the fill will be taken to the municipal landfill.
 - g. A vegetative buffer including oak trees and under-story plants shall be planted between the building envelope on Parcel C and the adjacent parcel (APN 095-111-03) to the east. This vegetative buffer shall be located along the driveway access to Parcel A from the oak woodland to half way through the building envelope. (Amended at PC 3/8/06)
 - h. Submit 3 copies of a plan review letter prepared and stamped by a licensed geologist.
 - i. Submit 3 copies of a plan review letter prepared and stamped by a licensed geotechnical engineer.
 - j. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district in which the project is located.
 - k. Prior to any building permit issuance or ground disturbance, a detailed grading and erosion control plan shall be reviewed and approved by the Planning Department. The erosion control plan shall identify the type of erosion control practices to be used and shall include the following:
 - a. An effective sediment barrier placed along the perimeter of the disturbance and maintenance of the barrier.
 - b. Soils management that prevents loss of material from clearing, excavation, and other activities from entering any drainage channel.
 - c. Any changes between the Parcel Map and the approved Tentative Map must be submitted for review and approval by the Planning Department.
 - l. The owner shall record a Statement of Acknowledgment on Parcel C, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The Statement of Acknowledgment acknowledges the agricultural land use adjacent to the residential use. (Added at PC 3/8/06)

Additional Notes

1. All structures shall be located within the designated building envelopes. On Parcel C no habitable structures will be allowed within 150 feet of the adjacent parcel to the east, APN 095-111-03. (Amended at PC 3/8/06)
2. Additional information was recorded concurrently with this map in the Official Records of Santa Cruz County.
3. Access to the building envelopes on parcel C shall be from the south-west. The riparian access shall include the building driveway in the vicinity of station 3+50 to 5+50. The driveway access to parcel C owned by the applicant at station 3+22.89 satisfies this requirement.
4. Access to parcel A shall be from the existing driveway. Limited maintenance activities on parcel C accessed from the driveway to parcel A will be allowed. (Amended at PC 03-08-2006)

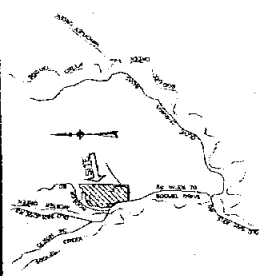


MID COAST ENGINEERS
CIVIL ENGINEERS AND LAND SURVEYORS
70 PENNY LANE, SUITE A WATSONVILLE, CA 95076 - (408) 724-2580



TENTATIVE MAP FOR
HENGESOLD
APN 099-111-01, 06
LOTLINE ADJUSTMENT

DATE	1-1-80
DESIGNED BY	CEH
DRAWN BY	CEH
CHECKED BY	CEH
DATE	APRIL 10, 2005
REVISION	JAN 17, 2006
APN NO.	099-111-01, 06
SHEET	1

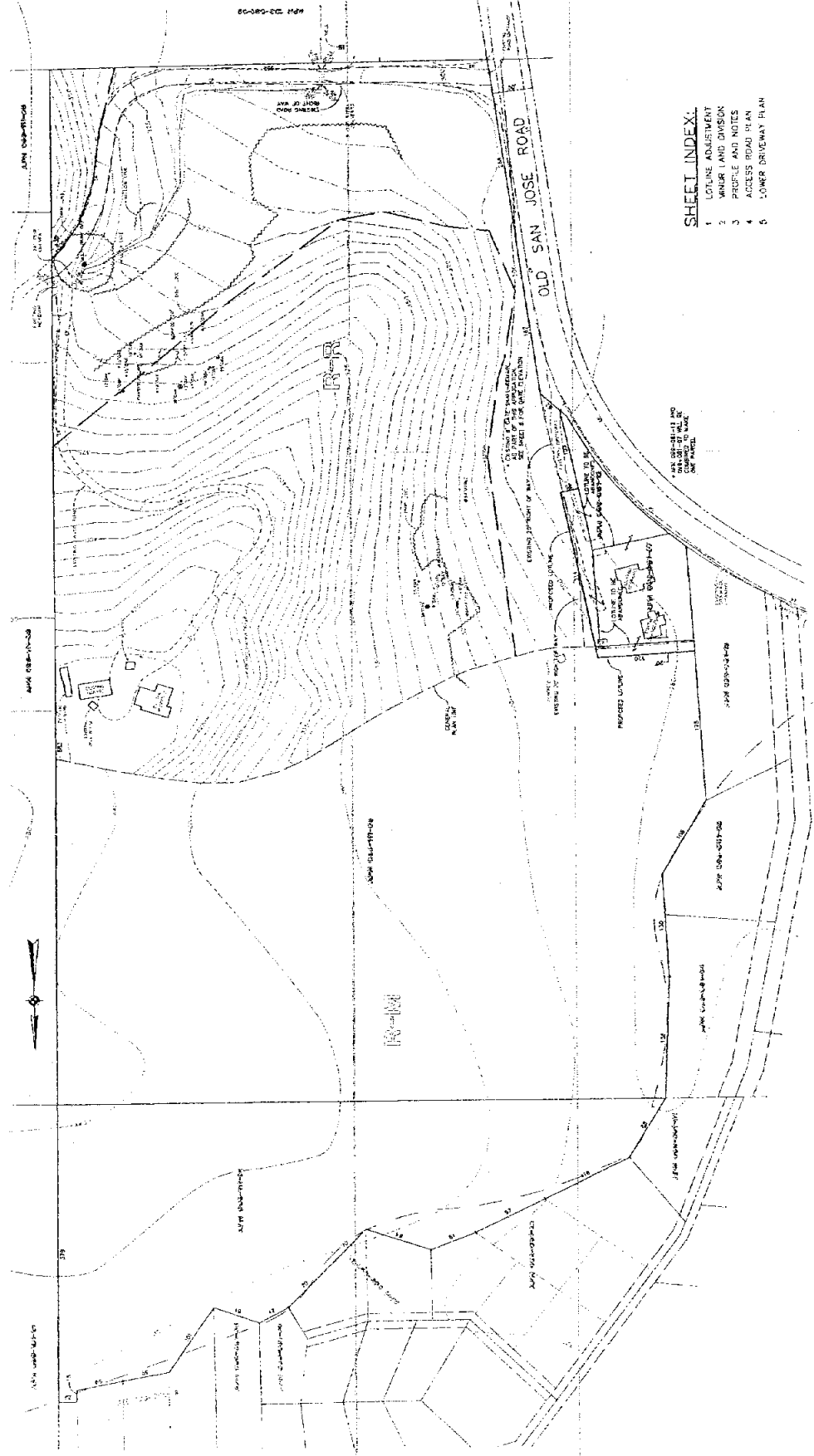


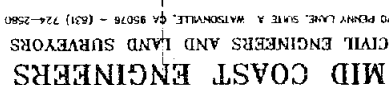
VICINITY MAP
SCALE 1"=2000'

- SHEET INDEX:
- 1 LOTLINE ADJUSTMENT
 - 2 MINOR LAND DIVISION
 - 3 PROFILE AND NOTES
 - 4 ACCESS ROAD PLAN
 - 5 LOWER DRIVEWAY PLAN

LOTLINE ADJUSTMENT TABLE

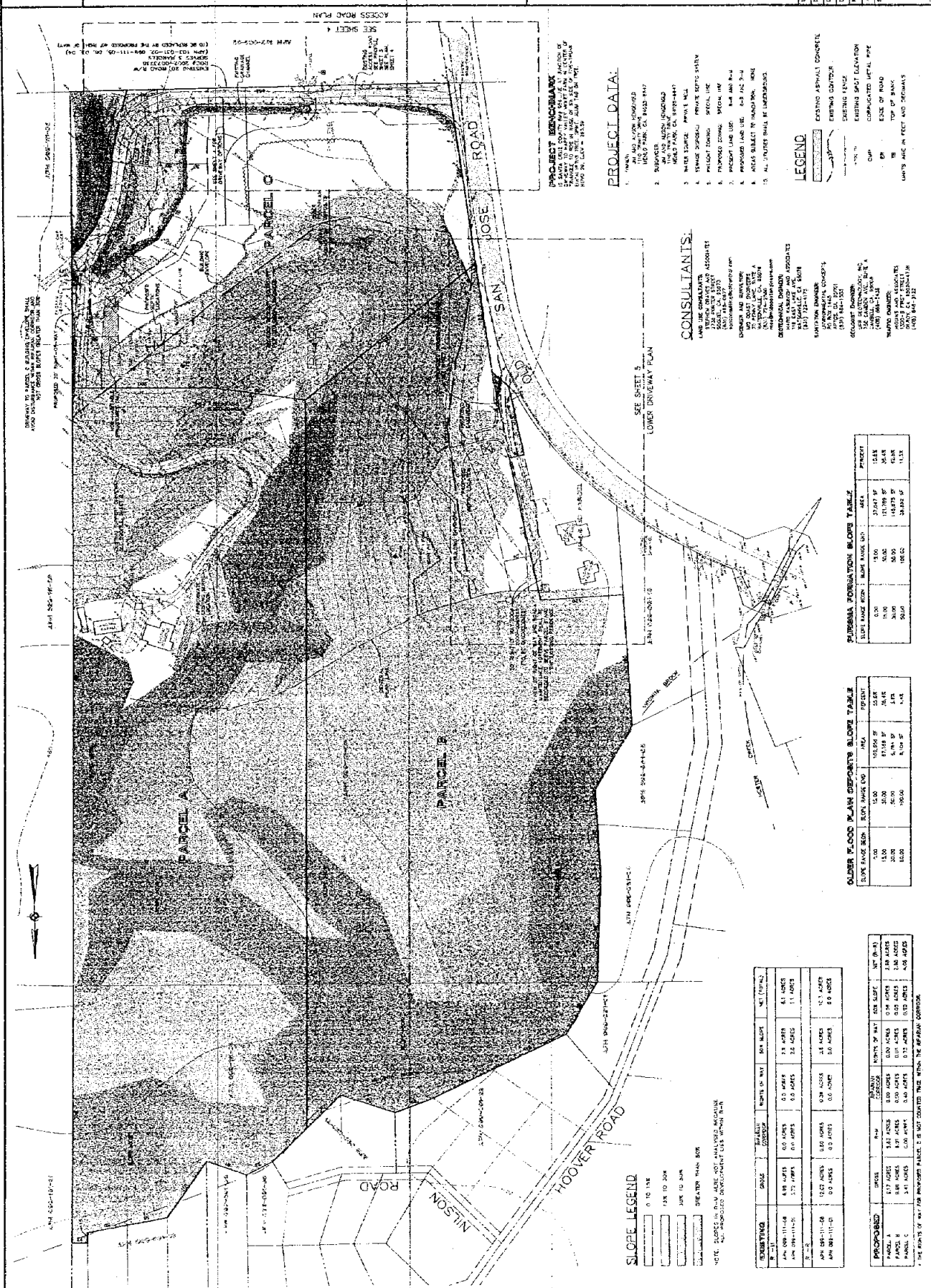
EXISTING	PROPOSED	DIFFERENCE
APN 099-111-06	25.37 ACRES	-5.14 ACRES
APN 099-286-07	2.17 ACRES	+0.14 ACRES
APN 099-091-12	0.18 ACRES	+0.14 ACRES





TENTATIVE MAP FOR
HENGGEHOLD
APN 099-111-01, 06
MINOR LAND DIVISION

SCALE:	1"=60'
DESIGNED BY:	DKN
CHECKED BY:	
DATE:	APRIL 26, 2005
REVIEWED:	JAN 17, 2005
DRAWING NO.:	03252
SHEET:	2



Subdivision Findings (from MLD 04-0232)

1. That the proposed subdivision meets all requirements or conditions of the Subdivision Ordinance and the State Subdivision Map Act.

This finding can be made, in that the project meets all of the technical requirements of the Subdivision Ordinance and is consistent with the County General Plan and the Zoning Ordinance as set forth in the findings below.

2. That the proposed subdivision, its design, and its improvements, are consistent with the General Plan, and the area General Plan or Specific Plan, if any.

This finding can be made, in that this project creates three parcels with a minimum of 2.5 net developable acres each and is located in the Rural Residential (R-R) General Plan land use designation. The division of land on parcels with a Rural Residential (R-R) General Plan designation is allowed at densities determined by the Rural Residential Density Matrix. This proposal complies with the requirements of the Rural Residential Density Matrix, which authorizes a density of development of one dwelling unit per 2.5 acres of net developable land area, in that each of the parcels to be created will contain a minimum of 2.5 acres of net developable land area.

The project is consistent with the General Plan in that the necessary infrastructure is available to the site including private water, septic waste treatment, and nearby recreational opportunities. The land division is located off of a public street that provides satisfactory access. The proposed land division is similar to the pattern and density of the surrounding rural residential development in the project vicinity.

The proposed land division is not located in a hazardous or environmentally sensitive area and protects natural resources by expanding in an area designated for residential development at the proposed density.

3. That the proposed subdivision complies with Zoning Ordinance provisions as to uses of land, lot sizes and dimensions and any other applicable regulations.

This finding can be made, in that the use of the property will be residential in nature which is an allowed use in the SU (Special Use) zone district, where the project is located, a designation which allows residential uses when implementing the site's (R-R) Rural Residential General Plan designation. The proposed parcel configuration meets the minimum dimensional standards and setbacks for the zone district.

4. That the site of the proposed subdivision is physically suitable for the type and density of development.

This finding can be made, in that no challenging topography affects the building site, geological and geotechnical reports prepared for the property conclude that the site is suitable for residential development, and the proposed parcels are properly configured to allow development in compliance with the required site standards. No environmental constraints exist which would be

adversely impacted by the proposed development.

5. That the design of the proposed subdivision or type of improvements will not cause substantial environmental damage nor substantially and avoidably injure fish or wildlife or their habitat.

This finding can be made, in that no mapped or observed sensitive habitats or threatened species impede development of the site and the project has received a mitigated Negative Declaration pursuant to the California Environmental Quality Act and the County Environmental Review Guidelines.

6. That the proposed subdivision or type of improvements will not cause serious public health problems.

This finding can be made, in that in that a private well and on site septic are available to serve the proposed development.

7. That the design of the proposed subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of property within the proposed subdivision.

This finding can be made, in that the development will be located at a safe distance from existing vehicular easements and improvements to the access roadways will provide a benefit to public safety.

8. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This finding can be made, in that the resulting parcels are oriented to the fullest extent possible in a manner to take advantage of solar opportunities.

9. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed minor land division is not subject to the design review ordinance.

Development Permit Findings (from MLD 04-0232)

1. That the proposed location of the project and the conditions under which it would be operated or maintained will not be detrimental to the health, safety, or welfare of persons residing or working in the neighborhood or the general public, and will not result in inefficient or wasteful use of energy, and will not be materially injurious to properties or improvements in the vicinity.

This finding can be made, in that the project is located in an area designated for residential uses. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources.

2. That the proposed location of the project and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the zone district in which the site is located.

This finding can be made for the entry gate and fence on the property to be transferred in the boundary adjustment, in that the proposed location of the structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the SU (Special Use) zone district in that the primary use of the property will be residential.

This finding can be made for the creation of a new vehicular right of way that is less than 40 feet in width, in that limited maintenance activities may be necessary for the upper portion of Parcel C and the 20 foot wide right of way will only provide primary access to Parcel A.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-R (Rural Residential) land use designation in the County General Plan.

A specific plan has not been adopted for this portion of the County.

4. That the proposed use will not overload utilities and will not generate more than the acceptable level of traffic on the streets in the vicinity.

This finding can be made, in that the proposed entry gate and fence is to be constructed on an existing residential parcel. This structure is accessory to the primary residential use and will not generate traffic or overload the existing utilities infrastructure.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed improvements are consistent with the surrounding pattern of development and the land use intensity and density of the neighborhood.

Conditions of Approval

Exhibit A: Parcel Map "Non-Title Sheet" for MLD 04-0232, prepared by Paul Hannigan Land Surveying, dated 10/06; Tentative Map "Hengehold" for MLD 04-0232, prepared by Mid Coast Engineers, dated 1/17/06.

- I. This permit authorizes the modification of the approved building envelope for Parcel C from Minor Land Division 04-0232. All required conditions of approval for Minor Land Division 04-0232 are hereby incorporated into these conditions of approval by reference with the following exceptions:
 - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
 - B. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder) within 30 days from the effective date of this permit.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
 - A. Submit a Certificate of Correction for review and approval by the County Surveyor. The certificate shall be prepared, wet-stamped, and signed by a licensed surveyor or civil engineer qualified to prepare the certificate. The certificate shall include the following modification to the approved building envelope:
 1. The line defining the non-habitable area of the building envelope shall be moved to 66 feet from the adjacent agricultural parcel to the east, as approved by the Agricultural Policy Advisory Commission on 9/15/05 and as indicated on Sheet 2 of the Tentative Map for Minor Land Division 04-0232.
 2. No changes to the exterior boundary of the building envelope (approved under Minor Land Division 04-0232) are allowed as a component of this approval.
- III. Operational Conditions
 - A. Only non habitable structures shall be located in the portion of the approved building envelope that is within 66 feet of the adjacent agricultural parcel to the east of the subject property.
 - B. No structures shall be located outside of the approved building envelope.
 - 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, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

- IV. 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 three years from the effective date listed below unless the conditions of approval are complied with and the Certificate of Correction is filed with the County Surveyor before the expiration date.

Application #: 09-0266
APN: 099-11-12
Owner: Jesse & Courtney Trask

Approval Date: _____

Effective Date: _____

Expiration Date: _____

Paia Levine
Principal Planner

Randall Adams
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Planning Commission, 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: 09-0266

Assessor Parcel Number: 099-11-12

Project Location: 5389 Soquel-San Jose Road

Project Description: Modification to an approved building envelope.

Person or Agency Proposing Project: Jesse & Courtney Trask

Contact Phone Number: (831) 438-3777

- 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 5 - Minor Alterations in Land Use Limitations (Section 15305)

F. Reasons why the project is exempt:

Minor change to an existing approved building envelope.

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

Randall Adams, Project Planner

Date: _____

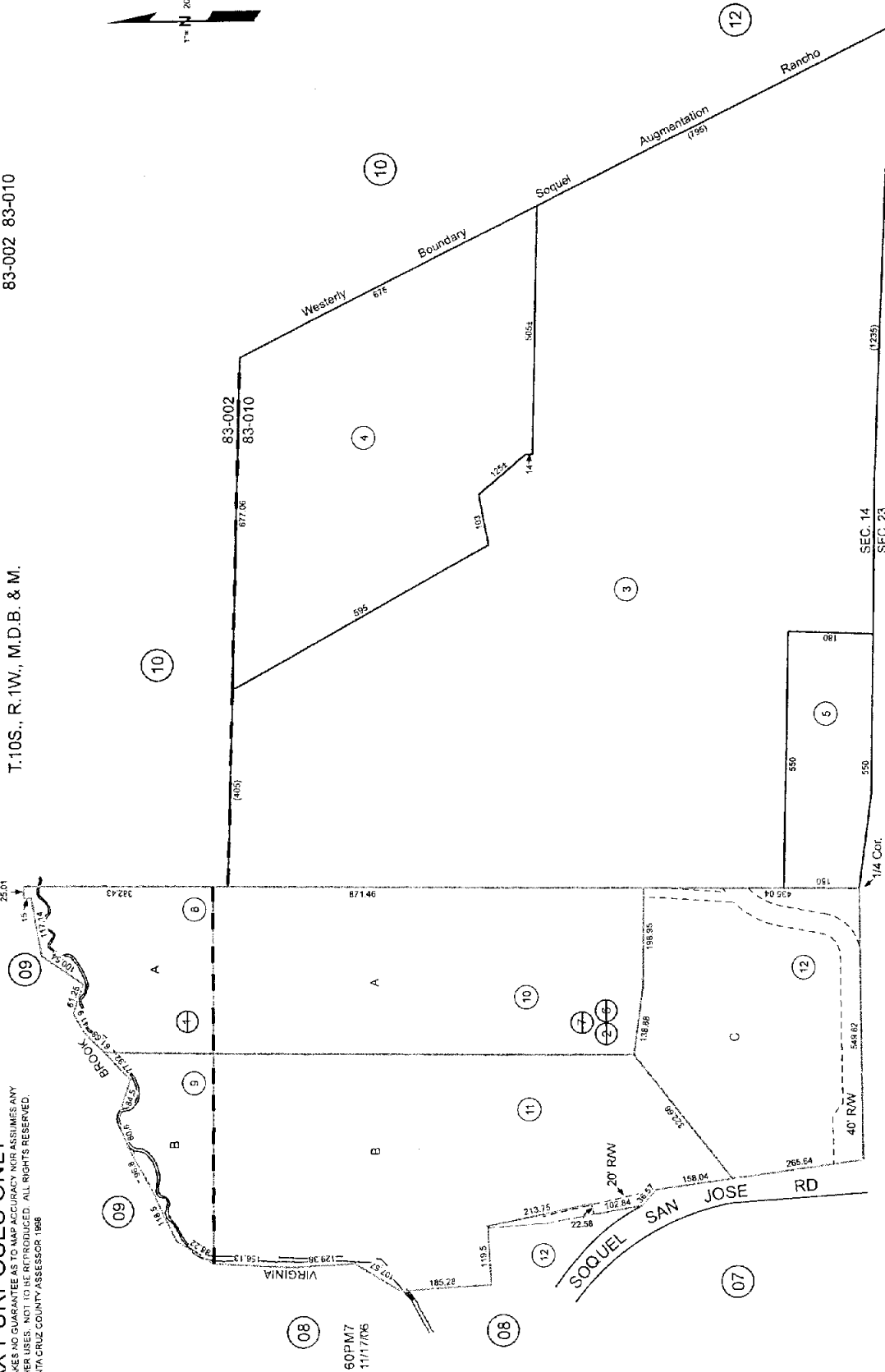
FOR TAX PURPOSES ONLY

THE ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR, 1998

POR. S. 1/2 SEC. 14,
T.10S., R.1W., M.D.B. & M.

Tax Area Code
83-002 83-010

99-11



Bk.103
22

Bk.103
03

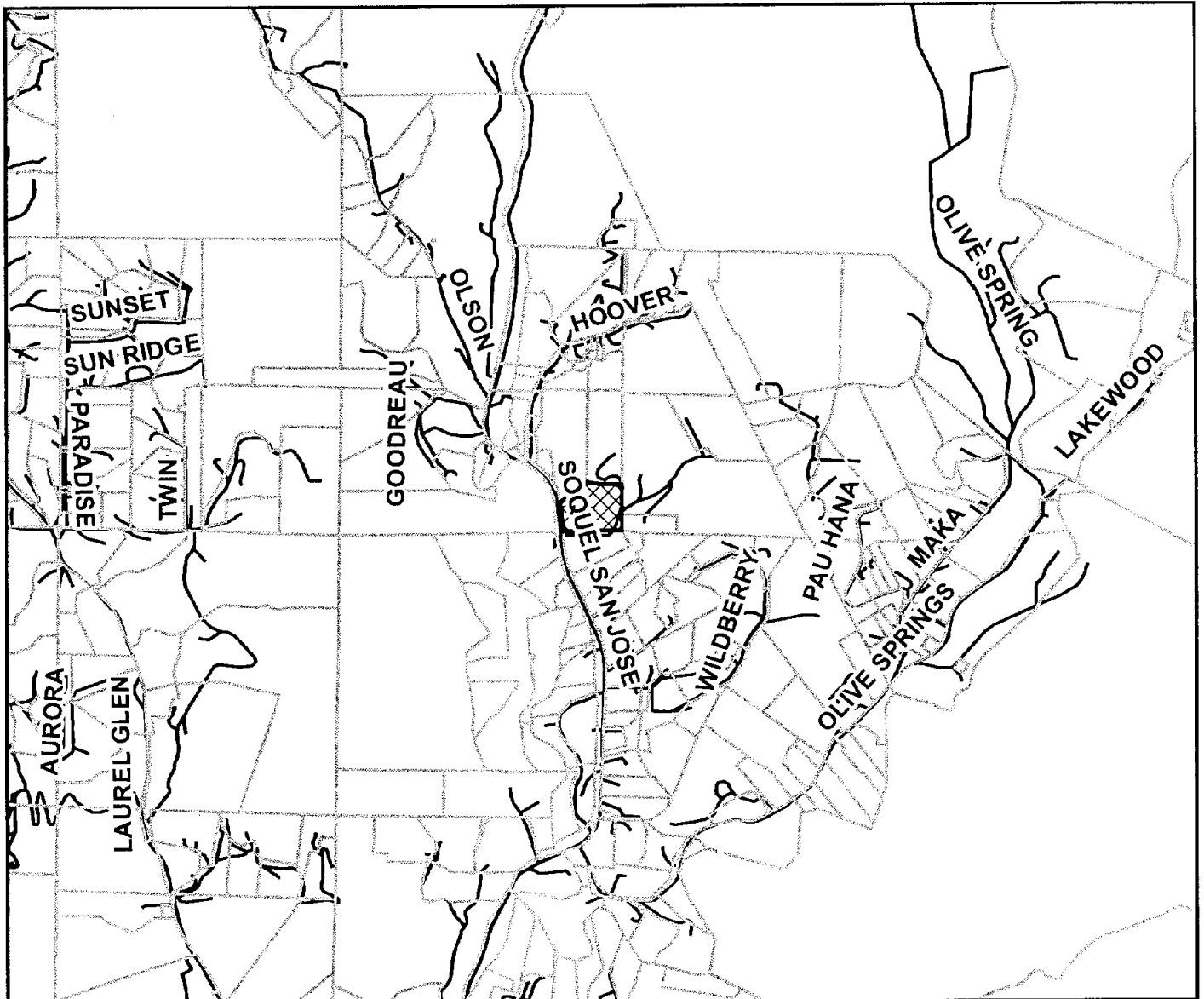
Note - Assessor's Parcel & Block
Numbers Shown in Circles.

Assessor's Map No. 99-11
County of Santa Cruz, Calif.
Nov. 1998




Electronically redrawn: 11/24/98 KSA
Rev 9/24/01 (mwm) (changed page 18-1)
Rev 8/25/05 (mwm) (500x300) (L&A 1-071)
Rev 2/21/07 CB (6CPV7, Sp 1-38 to 12)

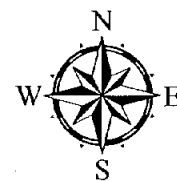


Location Map



LEGEND

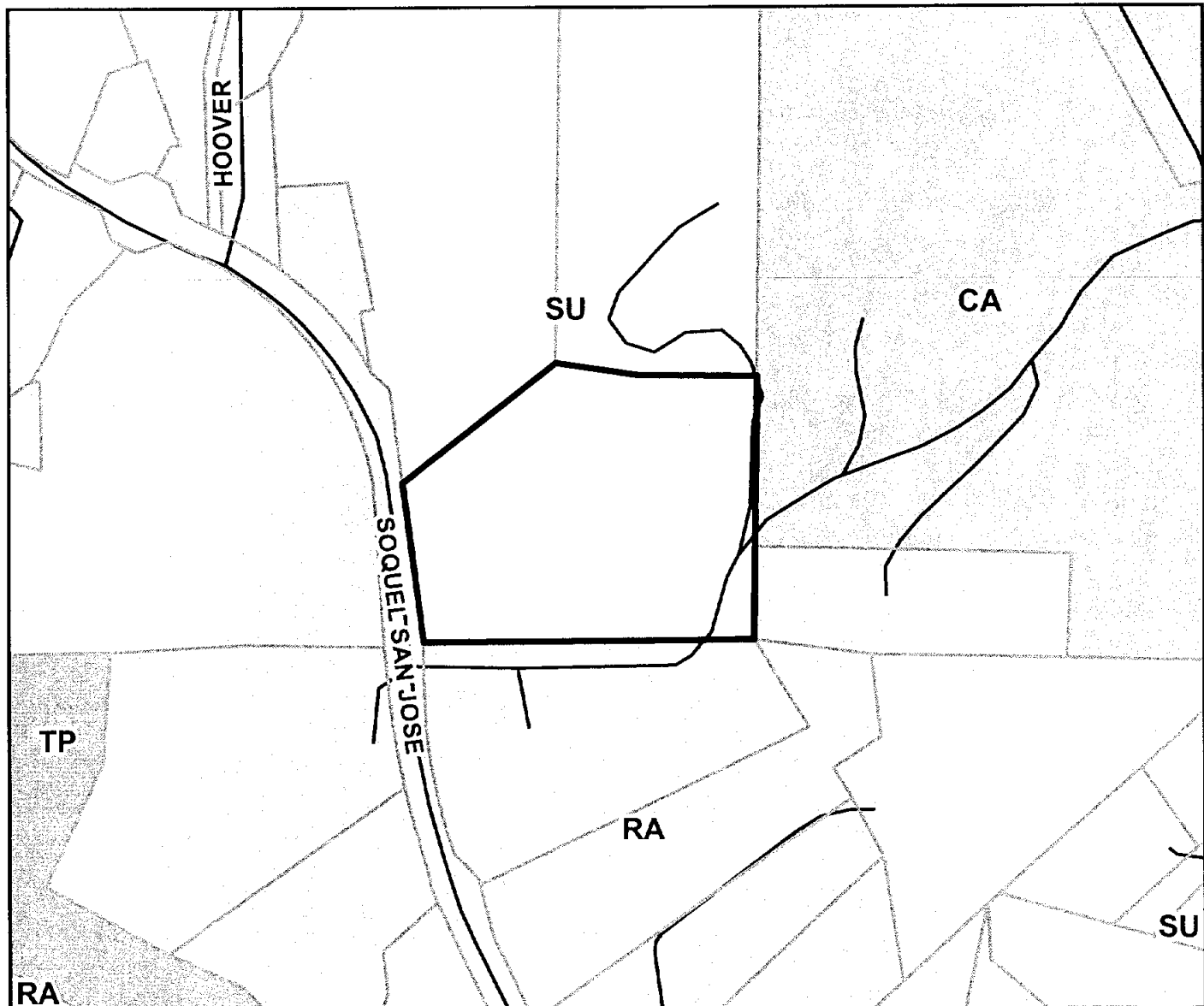
-  APN: 099-111-12
-  Assessors Parcels
-  Streets










Map Created by
County of Santa Cruz
Planning Department
September 2009

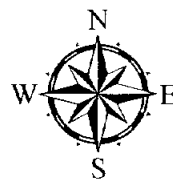


Zoning Map



LEGEND

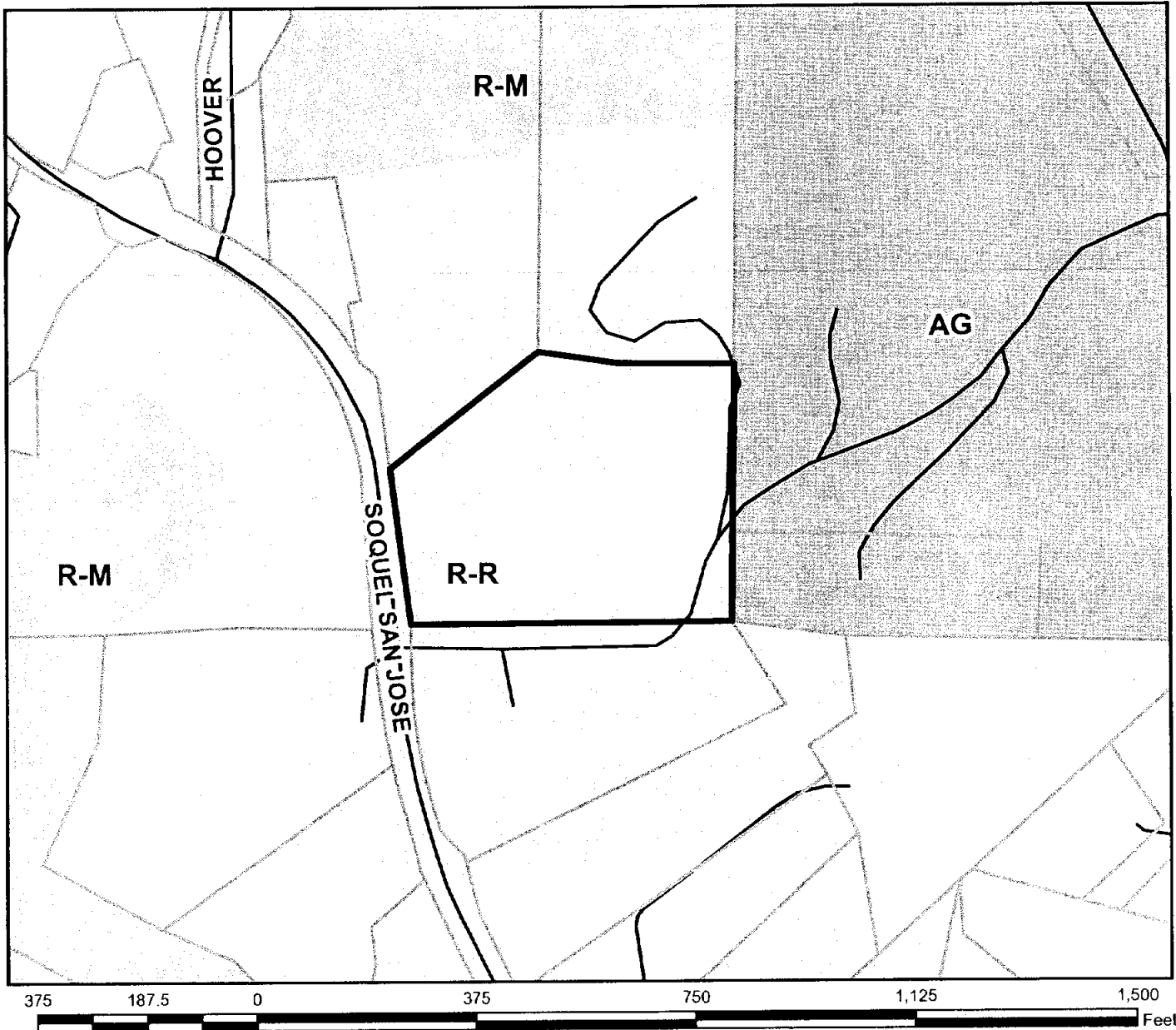
-  APN: 099-111-12
-  Assessors Parcels
-  Streets
-  SPECIAL USE
-  AGRICULTURE COMMERCIAL
-  AGRICULTURE RESIDENTIAL
-  TIMBER PRODUCTION



Map Created by
County of Santa Cruz
Planning Department
September 2009



General Plan Designation Map



LEGEND

APN: 099-111-12

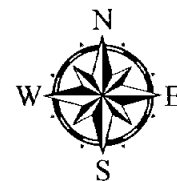
Assessors Parcels

Streets

Residential-Rural

Residential-Mountain

Agriculture



Map Created by
County of Santa Cruz
Planning Department
September 2009

Santa Cruz County Planning Commission
County of Santa Cruz Planning Department
701 Ocean Street
Santa Cruz, CA 95060

August 6, 2009

Re: Parcel# 99-111-12


Dear Commission Members:

This letter is in regards to the recorded building envelope for the above referenced parcel, referred to as parcel C in the land division (SCCO application# 04-0232). The recorded map for the parcel shows a one hundred fifty foot buffer to the agricultural property to the east and a two hundred foot setback to the residential property on the south. The one hundred fifty foot set back was chosen during the Planning Commission meeting on March 8, 2006 however; the project presented to the Commission proposed a sixty-six foot buffer to the east. The Agricultural Policy Advisory Commission approved the sixty-six foot buffer on September 16, 2005 contingent on the installation of a vegetative buffer along the property line, which is currently in place.

We purchased the 5 acre parcel in May 2008 with the dream of developing a family property. This property would give us the opportunity to afford to live in Santa Cruz County where we grew up. We began developing plans for a nineteen hundred square foot main unit and a twelve hundred square foot second unit. During the design process we have worked to minimize the footprint of each structure in order to work within the current envelope of 0.2 acres and we have been unsuccessful. In order to comply with the thirty-foot riparian buffer along the seasonal stream and provide the minimum separation between the units we will need to push the homes to the limits of the current building envelope. The concern with this design is our ability to meet the thirty-foot defensible space requirements set by Cal Fire for residential development. The property has a beautiful oak grove lining the west side of the building envelope and if we push the homes to the extents of the envelope it will be necessary to remove multiple oak trees to provide the extremely important defensible space. We have determined the best structure layout to fit into the narrow grasslands of the property will be to detach the garage space from each home into a separate unit. We were hoping to attach the garage space to each home but a detached garage reduces the footprint of each residential unit allowing us to fit in the narrow envelope. We have discussed eliminating the garage space but with children the space will be necessary for storage. To proceed with this efficient design, which will negate the need to remove trees, the current building envelope will need to be adjusted.

We believe our request to restore the building envelope to a sixty-six foot setback to east, the location originally recommended by the Planning Department and approved by the Agricultural Policy Advisory Commission is reasonable. We have listened to the original Planning Commission meeting concerning this issue and we hoping you will reconsider your previous decision given this new information.

Respectfully,


Courtney Trask
Property Owner