



Staff Report to the Zoning Administrator

Application Number: **221109**

Applicant: Pacific Rim Planning Group

Agenda Date: June 16, 2023

Owner: Crossen

Agenda Item #: 1

APN: 046-221-52

Time: After 9:00 a.m.

Site Address: (No Situs) Zils Road, Watsonville

Project Description: Proposal to construct a single family dwelling, accessory dwelling unit, and detached barn.

Location: Property is located on the west side of Zils Road in Watsonville. (Accessed via private driveway between 144 Zils Road and 156 Zils Road).

Permits Required: Coastal Development Permit, Residential Development Permit, Agricultural Buffer Setback Reduction

Supervisory District: 4th District (District Supervisor: Hernandez)

Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 221109, based on the attached findings and conditions.

Project Description & Setting

The proposed project is to construct a two story single-family dwelling, a detached Accessory Dwelling Unit (ADU), and a non-habitable accessory structure on a 3.9 acre parcel. The project is proposed on a vacant parcel located off Zils Road in La Selva Beach and accessed via a private driveway located between 144 Zils Road and 156 Zils Road. The proposed building sites for the single family dwelling and ADU are each located within 200 feet of Commercial Agriculture zoned land, which borders the property to the west, north, and east.

The subject property is moderately sloped and has vehicular access rights of way on the north, west, and south sides of the property. The proposed single family dwelling would be located on the north side of the parcel and the proposed ADU would be located on the south side of the parcel at more than 100 feet from the proposed primary dwelling. A detached non-habitable accessory structure is proposed at the south side of the property to assist in the proposed farming operations. The pattern of development in the immediate vicinity could be characterized as a rural residential neighborhood.

A Coastal Development Permit is required because the project is located within the appeals jurisdiction of the coastal zone and involves new construction on a vacant parcel.

A Residential Development Permit is required for a non-habitable accessory structure over 1,000 square feet in floor area.

An Agricultural Buffer Setback Reduction is required due to the presence of CA (Commercial Agriculture) zoning and agricultural resource soils located on all sides of the subject property.

Zoning & General Plan Consistency

The subject property is approximately 3.9 acres in size, located in the CA (Commercial Agriculture) zone district, a designation which allows residential uses when compatible with ongoing agricultural operations or otherwise not adversely affecting agriculture in the project area. In this case, the agricultural resource evaluation submitted for the project determined that the property was viable for small scale commercial agricultural production in combination with the proposed residential use.

The proposed single family dwelling, ADU, and accessory structure are allowed within the zone district and the zoning is consistent with the site's A (Agriculture) General Plan designation.

Agricultural Buffer Setback Reduction

The parcel is located within the AG (Agriculture) General Plan designation and the implementing zone district is CA (Commercial Agriculture). Commercial Agriculture zoned land is situated within 200 feet at the west, north, and east sides of the parcel.

The applicant is requesting the following reductions in the 200 foot agricultural buffer setback:

- APN 046-221-38 (located to the west): reduced setback of approximately 94 feet to the proposed residence and 62 feet to the proposed Accessory Dwelling Unit.
- APNs 046-251-02, -16 (located to the north): reduced setback of approximately 71 feet to the proposed residence and 65 feet to the proposed attached garage.
- APNs 046-221-53 (located to the east): reduced setback of approximately 21 feet to the proposed residence, and 112 feet to the proposed ADU.

A reduced agricultural buffer is recommended due to the fact that the small parcel size and narrow lot width (of approximately 208 feet wide) would not allow sufficient building area if the required 200 foot setback was maintained from the adjacent Commercial Agriculture zoned properties.

Comments received prior to the Zoning Administrator's hearing for the adjacent property (APN 046-221-53) which was reviewed and approved by the Zoning Administrator in January 2023, led Planning staff to recommend the installation of a solid board fence along the entire length of the northern property line. Given the similar circumstances and concerns, and in order to adequately protect agricultural resources, Planning staff recommends extending the proposed agricultural buffer barrier (landscaping and solid fencing) along the entire northern property line.

This proposal was evaluated by the Agricultural Policy Advisory Commission (APAC) on April 20, 2023 at a noticed public hearing. APAC recommended that the project be approved (Exhibit G) with the reduced setbacks indicated on the project plans with fencing and landscape as a buffer barrier along the entire northern property line, as recommended by staff.

Accessory Dwelling Unit - Location

The proposed development includes an ADU that would be located at over 100 feet from the primary dwelling. County Code requires ADUs to be located within 100 feet of the primary dwelling on agriculturally designated properties unless an alternate location is approved by the Agricultural Policy Advisory Commission (APAC). In this case, the ADU would be located off of the side access road, in proximity to existing residential development to the south of the property. The agricultural resource evaluation states that the location of the proposed ADU would be located adjacent to existing residential homesites and would not impact the proposed farming operations.

This proposal was evaluated by APAC on April 20, 2023 at a noticed public hearing. APAC recommended that the project be approved (Exhibit G) with an exception to allow the ADU to be further than 100 feet from the primary dwelling for this particular property and circumstance.

Residential Development Permit - Accessory Structure

This proposal includes a non-habitable accessory structure (barn) which is over 1,000 square feet in floor area. A Residential Development Permit is required for a non-habitable accessory structure over 1,000 square feet in floor area which is part of a residential development even when located on a CA zoned parcel. In this case, the barn appears to be for agricultural purposes, however a Residential Development Permit is recommended as the structure is being proposed and constructed in tandem with proposed residential uses on the subject property. The total proposed size of the barn would be approximately 1,150 square feet in floor area. The proposed height, bulk, and location of the non-habitable accessory structure would not result in visual impacts or otherwise be detrimental to the rural residential character of the surrounding neighborhood.

Design Review

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as articulated wall and roof planes for the primary dwelling and quality exterior materials to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape.

Local Coastal Program Consistency

The proposed single family dwelling, accessory structures, and agricultural uses are in conformance with the County's certified Local Coastal Program, in that the structures are sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood. Developed parcels in the area contain single family dwellings in a rural residential pattern of development. Size and architectural styles vary in the area, and the design submitted is consistent with the existing range of styles. The project is located between the shoreline and the first public through road, with public beach access available nearby at Manresa

Uplands and Sunset State Beaches. The property is not identified as a priority acquisition site in the County's Local Coastal Program. Consequently, the proposed project will not interfere with public access to the beach, ocean, or other nearby body of water.

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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **221109**, 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 Division, 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.sccoplanning.com

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Exhibits

- A. Categorical Exemption (CEQA determination)
- B. Findings
- C. Conditions
- D. Project plans
- E. Assessor's, Location, Zoning and General Plan Maps
- F. Parcel information
- G. APAC Minutes - 4/20/23 hearing
- H. APAC Staff report - 4/20/23 hearing

CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

The Santa Cruz County Planning Division 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: 221109

Assessor Parcel Number: 046-221-52

Project Location: (No Situs) Zils Road, Watsonville

Project Description: Proposal to construct a single family dwelling, detached accessory dwelling unit, and detached barn.

Person or Agency Proposing Project: Pacific Rim Planning Group

Contact Phone Number: 831-457-2033

- 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).
E. X **Categorical Exemption**

Specify type: Class 3 - New Construction or Conversion of Small Structures (Section 15303)

F. Reasons why the project is exempt:

Construction of a single family dwelling and accessory dwelling unit in an area where residential uses are allowed.

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

Randall Adams, Project Planner

Date:_____

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts that are listed in LCP Section 13.10.170(D) as consistent with the LCP Land Use Plan designation of the site.

This finding can be made, in that the property is zoned CA (Commercial Agriculture), a designation which allows residential uses. The proposed single family dwelling and accessory structures are an allowed use within the zone district, and the zoning is consistent with the site's A (Agriculture) General Plan designation.

2. That the project does not conflict with any existing easement or development restrictions such as public access, utility, or open space easements.

This finding can be made, in that no such easements or restrictions are known to encumber the project site other than the existing rights of way that cross the property. The proposal would not conflict with the existing private right of way access at the north, west, and south sides of the property.

3. That the project is consistent with the design criteria and special use standards and conditions of this chapter pursuant to SCCC 13.20.130 and 13.20.140 et seq.

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style; the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the LCP Land Use Plan, including Chapter 2: Section 2.5 and Chapter 7.

This finding can be made, in that the project site is not identified as a priority acquisition site in the County Local Coastal Program and public beach access is nearby at Manresa Uplands and Sunset State Beaches.

5. That the project conforms to all other applicable standards of the certified LCP.

This finding can be made, in that the structures are sited and designed to be visually compatible and integrated with the character of the surrounding neighborhood. Additionally, residential uses are allowed uses in the CA (Commercial Agriculture) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain a mix of rural dwellings and agricultural facilities. Size and architectural styles vary in the area, and the design submitted is consistent with the pattern of development within the surrounding neighborhood.

6. If the project is located between the nearest through public road and the sea or the shoreline of any body of water located within the Coastal Zone, that the project conforms to the public access and public recreation policies of Chapter 3 of the Coastal Act.

This finding can be made, in that the project site is located between the shoreline and the first

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public road with public beach access available nearby at Manresa Uplands and Sunset State Beaches. Consequently, the single family dwelling and accessory structures will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

Development Permit Findings

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 where residential uses are allowed. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to ensure 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, in that the proposed location of the single family dwelling and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the CA (Commercial Agriculture) zone district as the agricultural resources evaluation has determined that the property is not suitable for commercial agricultural use and the primary use of the property will be one single family dwelling and accessory dwelling unit that meet all current site standards for the zone district.

The proposed residential development is consistent with the requirements of County Code section 13.10.314(A) & (B), in that the proposed residential development would be ancillary to the small scale farming operation which is also proposed on the 3.9 acre parcel. The applicant has provided an agricultural resources evaluation which concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the agricultural use of the subject parcel. For these reasons, the proposed residential development will not preclude commercial agricultural use of the subject property.

The proposed location of the ADU is consistent with the requirements of County Code section 13.10.681(D)(7)(a)(ii)(D), in that the proposed residential development would be located on the edges of the parcel, adjacent to neighboring parcels, and would not conflict with the proposed small scale farming operation on the subject property. The Agricultural Policy Advisory Commission reviewed and recommended approval of the locations of the proposed residence and ADU at a noticed public hearing on October 20, 2022.

The proposed non-habitable accessory structure (barn) is consistent with the requirements of County Code section 13.10.313(A)(1) & 13.10.611, in that the proposed height, bulk, and location of the non-habitable accessory structure which is over 1,000 square feet in floor area would not result in visual impacts or otherwise be detrimental to the rural residential character of the surrounding neighborhood.

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 A (Agriculture) land use designation in the County General Plan.

The proposed single family dwelling and accessory structures will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and meets all current site and development standards for the zone district as specified in Policy 8.1.3 (Residential Site and Development Standards Ordinance), in that the single family dwelling and accessory structures will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed single family dwelling and accessory structures will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed single family dwelling and accessory structures will comply with the site standards for the CA zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

The proposed residential development would not reduce, restrict, or adversely affect agricultural resources on the subject property because the characteristics of the property will support small scale commercial agricultural production in conjunction with the proposed residential development. General Plan policy 5.13.28 notes that residential development is required to be ancillary to commercial agricultural use and the agricultural resource evaluation report concludes that the proposed residential development would be located on the edges of the parcel, adjacent to neighboring parcels, and would not conflict with the proposed small scale farming operation on the subject property.

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 single family dwelling and accessory structures are to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only one peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or intersections in the surrounding area.

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 structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed single family dwelling and accessory structures are consistent with the land use intensity and density of the neighborhood.

6. 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.

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This finding can be made, in that the proposed single family dwelling and accessory structures will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding properties and will not reduce or visually impact available open space in the surrounding area.

**Required Findings for Agricultural Buffer Setback Reduction
County Code Section 16.50.095(D)**

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a two hundred (200) foot agricultural buffer setback; or
3. A lesser setback is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, 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) or the existence of some other factor which effectively supplants the need for a two hundred (200) foot agricultural buffer setback; or

This finding can be made, in that the applicant proposes to install agricultural buffer barriers between the proposed residential development and the adjacent parcels to the west, north, and east containing agricultural resource soils.

4. The imposition of a two hundred (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 (e.g. solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

This finding can be made, in that the subject property is approximately 208 feet in width and is bounded by properties that contain agricultural resource soils on both sides. Application of a 200 foot agricultural buffer setback would preclude development on an existing parcel of record.

Required Finding for Agricultural Buffer Setback Reduction on Commercial Agriculture (CA) Zoned Land County Code Section 16.50.095(E)

1. In the event that an agricultural buffer setback reduction is proposed and the proposed non-agricultural development is located on Type 1, Type 2, or Type 3 commercial agricultural land, the non-agricultural development shall be sited so as to minimize possible conflicts between the agricultural use on the subject parcel; and the non-agricultural development shall be located so as to remove as little land as possible from production or potential production.

This finding can be made, in that the applicant is proposing a small scale farming operation in conjunction with the residential development on the 3.9 acre parcel and has provided an agricultural resources evaluation report which concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the agricultural use of the subject parcel.

Required Findings for Development on Land Zoned Commercial Agriculture or Agricultural Preserve County Code Section 13.10.314(A)

1. The establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.

This finding can be made that the subject property is not currently, and has not been historically, under commercial agricultural production; and

The proposed residential development would not reduce, restrict, or adversely affect agricultural resources on the subject property because the residential development would be ancillary to the small scale farming operation that is also proposed on the property. The agricultural resource evaluation report concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the proposed agricultural use of the subject parcel. Agricultural buffer barriers are proposed at the perimeter of the property and the proposed development would not reduce, restrict, or adversely affect agricultural resources or commercial agricultural operations in the area.

2. The use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or no other agricultural use of the parcel is feasible for the parcel; or the use consists of an interim public use which does not impair long-term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of Section 13.10.635; or

This finding can be made, in that the proposed residential development would be ancillary (covering approximately 4% of the land area) to the small scale farming operation that is also proposed on the property.

3. Single family residential uses will be sited to minimize conflicts, and that all other uses

will not conflict with commercial agricultural activities on site, where applicable, or in the area.

This finding can be made, in that the proposed residential development would be located on the edges of the parcel, adjacent to neighboring parcels, and would not conflict with the proposed small scale farming operation on the subject property.

4. The use will be sited to remove no land from production (or potential production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

This finding can be made, in that the proposed residential development would be located at the edges of the parcel, in areas identified by the agricultural resources evaluation to be less suitable for agricultural production (due to slope, soil characteristics, and proximity to neighboring residences). The total area for residential development would be approximately 4% of the total area of the subject property and the remainder of the parcel would remain available for agricultural production.

**Required Findings for Residential Development on Land Zoned Commercial Agriculture
or Agricultural Preserve In The Coastal Zone
County Code Section 13.10.314(B)**

1. The parcel is less than one acre in size; or the parcel has physical constraints (such as adverse topographic, geologic, hydrologic, or vegetative conditions) other than size which preclude commercial agricultural use; or that the residential use will be ancillary to commercial agricultural use of the parcel based upon the fact that either:
 - (i) The farmable portion of the parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops, other than greenhouses, suited to the soils, topography, and climate of the area; or
 - (ii) The owners of the subject parcel have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel, such as an agricultural easement.

This finding can be made, in that the proposed residential development would be ancillary to the small scale farming operation which is also proposed on the 3.9 acre parcel. The applicant has provided an agricultural resources evaluation which concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the agricultural use of the subject parcel. For these reasons, the proposed residential development will not preclude commercial agricultural use of the subject property.

2. The residential use will meet all the requirements of section 16.50.095 pertaining to agricultural buffer setbacks.

This finding can be made, in that the proposed development includes a request for an agricultural buffer setback reduction per County Code section 16.50.095(D).

3. The owners of the subject parcel have executed binding hold-harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to the issuance of the permit for the proposed development.

This finding can be made, in that the project is conditioned to require recordation of a statement of acknowledgment regarding agricultural resources prior to issuance of a building permit.

Conditions of Approval

Exhibit D: Project plans, prepared by Miguel Podolsky Architect, revised 6/10/22.

- I. This permit authorizes the construction of a single family dwelling, accessory dwelling unit, and accessory structure (barn) as indicated on the approved Exhibit "D" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
- 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 "D" on file with the Planning Department. Any changes from the approved Exhibit "D" 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 copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 2. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material sheet in 8 1/2" x 11" format for Planning Department review and approval.
 3. Grading, drainage, and erosion control plans.

4. The building plans must include a roof plan and a surveyed contour map of the ground surface, superimposed and extended to allow height measurement of all features. Spot elevations shall be provided at points on the structure that have the greatest difference between ground surface and the highest portion of the structure above. This requirement is in addition to the standard requirement of detailed elevations and cross-sections and the topography of the project site which clearly depict the total height of the proposed structure. Maximum height is 28 feet.
5. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
6. A Water Efficient Landscape Plan prepared in accordance with the requirements of the Water Efficient Landscape Ordinance (County Code Chapter 13.13) by a certified/licensed landscape architect, landscape contractor, civil engineer, landscape irrigation designer, landscape irrigation auditor, or water manager. WELO-exempt projects, residential projects of up to two units, or landscapes where at least 30% of the water use is provided by graywater, recycled water or captured rainwater may provide either a signed Water Efficient Landscape Checklist or a Water Efficient Landscape Plan.
 - a. Any landscape plan submitted to comply with SCCC Ch. 13.13 shall include a Water Efficient Landscape Plan Submittal Compliance Statement.
- B. Meet all requirements of the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- C. Meet all requirements of the San Andreas Mutual Water District. Proof of water service availability is required prior to application for a Building Permit.
- D. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- E. Meet all requirements of the Environmental Planning section of the Planning Department.
- F. Meet all requirements and pay any applicable plan check fee of the Central Fire Protection District (formerly Aptos/La Selva Fire Protection District).
- G. Submit 3 copies of plan review letters prepared and stamped by the project Geotechnical Engineer.
- H. Pay the current fees for Parks mitigation. Currently, these fees are \$4.51 per square foot for single family dwellings.

- I. Pay the current fees Child Care mitigation. Currently, these fees are \$0.74 per square foot for single family dwellings.
 - J. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for a dwelling ranging in size from 3,001 to 4,000 square feet is \$10 per square foot.
 - K. Pay the current Affordable Housing Impact Fee. The fees are based on unit size and the current fee for an accessory dwelling unit is \$2 per square foot.
 - L. Provide required off-street parking for 5 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
 - M. 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.
 - N. Complete and record a Declaration of Restriction to construct a non-habitable accessory structure (barn). **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.
- 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. All site improvements shown on the final approved Building Permit plans shall be installed.
 - B. All requirements of the Agricultural Policy Advisory Commission (APAC), as noted in the APAC staff report from the April 20, 2023 staff report and hearing minutes, shall be installed and permanently maintained.
 - 1. An Agricultural Buffer Barrier consisting of a 6 foot tall tight wood board fence shall be installed along the north property line along with additional agricultural buffer plantings in the form of a tall evergreen hedge on the north side of the existing access roadway.
 - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
 - D. The project must comply with all recommendations of the approved soils reports.
 - E. A Landscape Installation Certificate prepared in accordance with the Water Efficient Landscape Ordinance (County Code Chapter 13.13) shall be provided.
 - F. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time

during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. 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.

V. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any

Application #: 221109
APN: 046-221-52
Owner: Crossen

settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The “applicant/owner” shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

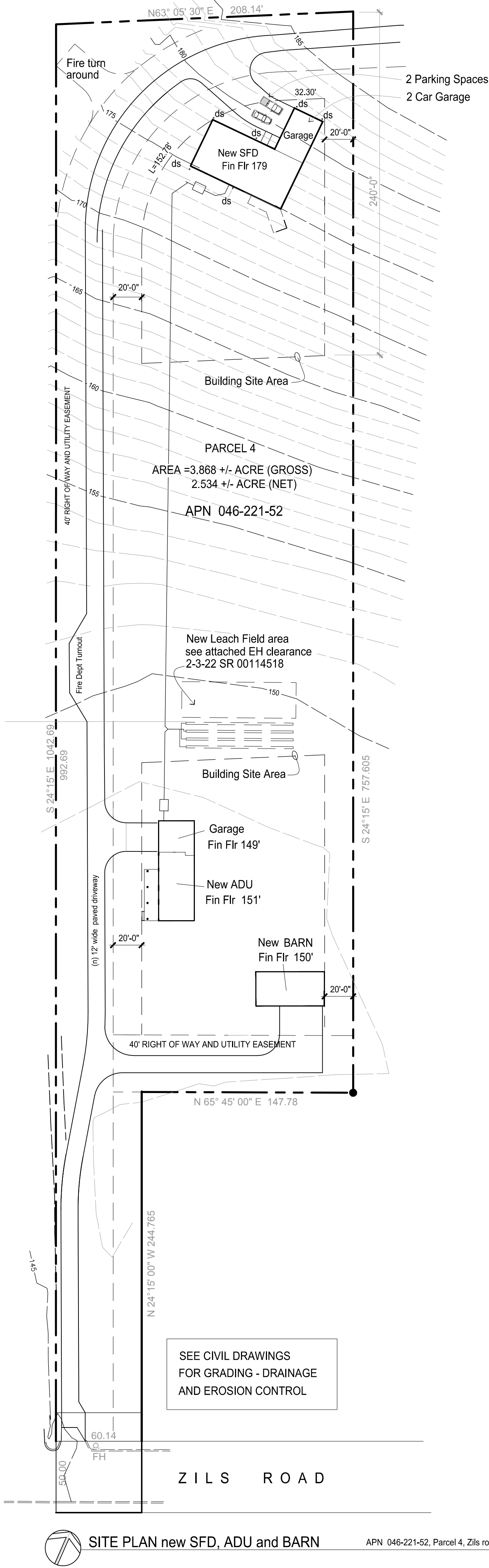
Approval Date: _____

Effective Date: _____

Expiration Date: _____

Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

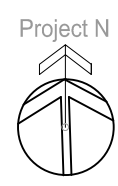
CROSSEN RESIDENCE



PARKING FOR SFD 4 BEDRMS
REQUIRED: 3 SPACES
PROVIDED: 4 SPACES
2 COVERED - 2 UNCOVERED

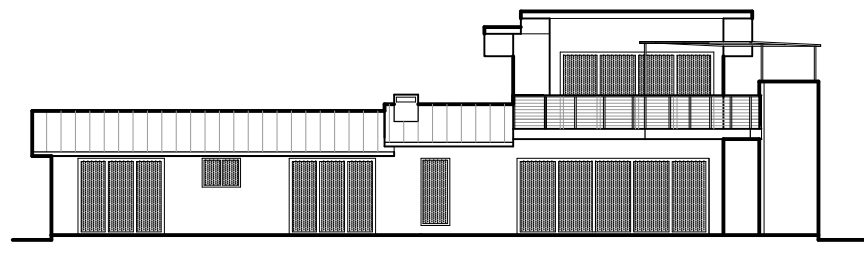
SEE SHEET A2 FOR PROPOSED
SINGLE FAMILY DWELLING
DETAILED INFORMATION

SFD Floor Area	
First	2,520 sqft
Second	670 sqft
Conditioned	3,190 sqft
Garage	704 sqft

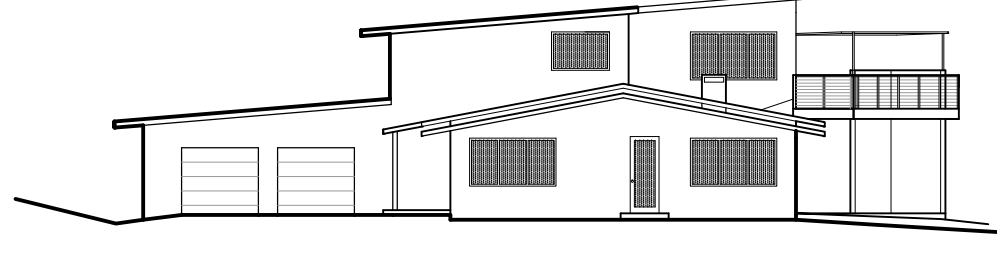


SFD FIRST FLOOR PLAN

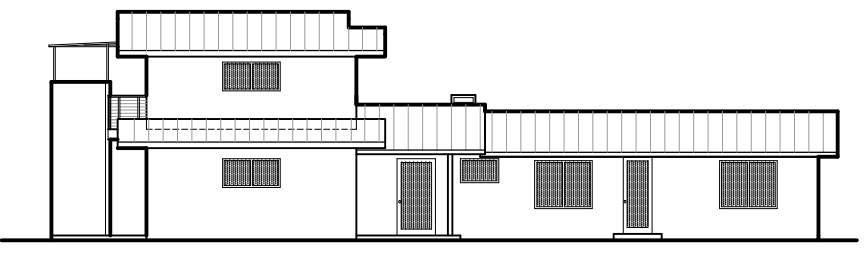
SFD SECOND FLOOR PLAN



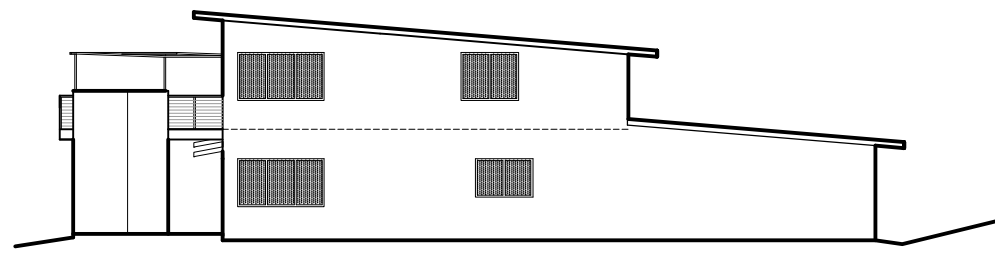
SOUTH ELEVATION



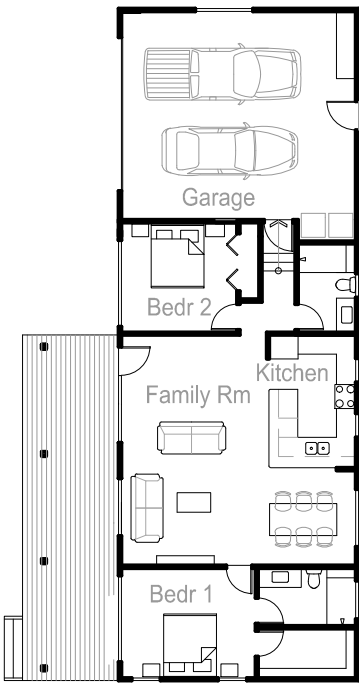
WEST ELEVATION



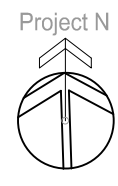
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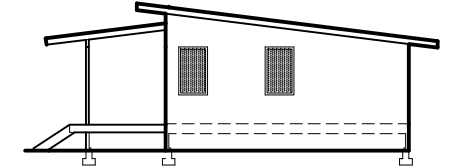
EAST ELEVATION



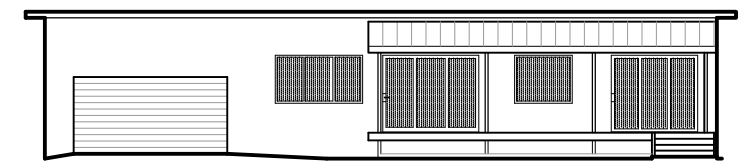
ADU Floor Area	
Conditioned	1,200 sqft
Garage	600 sqft



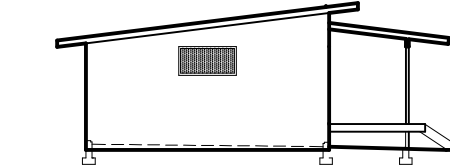
ADU FLOOR PLAN



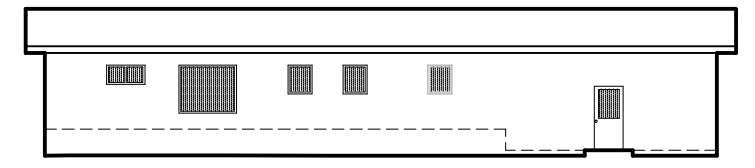
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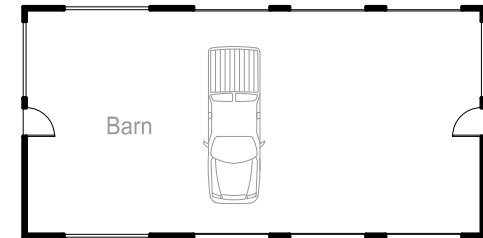
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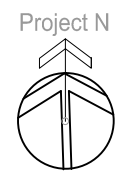
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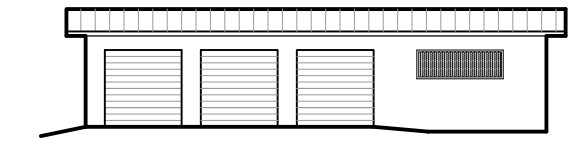
EAST ELEVATION



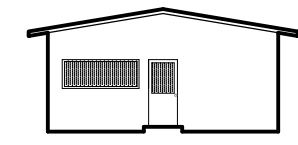
Barn Floor Area	
Barn	1,152 sqft



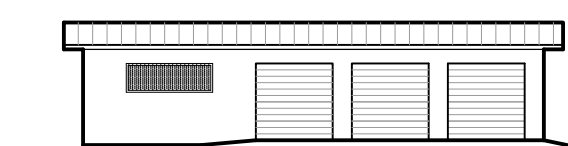
BARN FLOOR PLAN



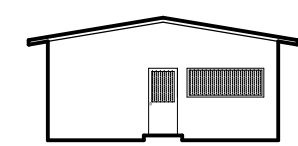
NORTH ELEVATION



WEST ELEVATION

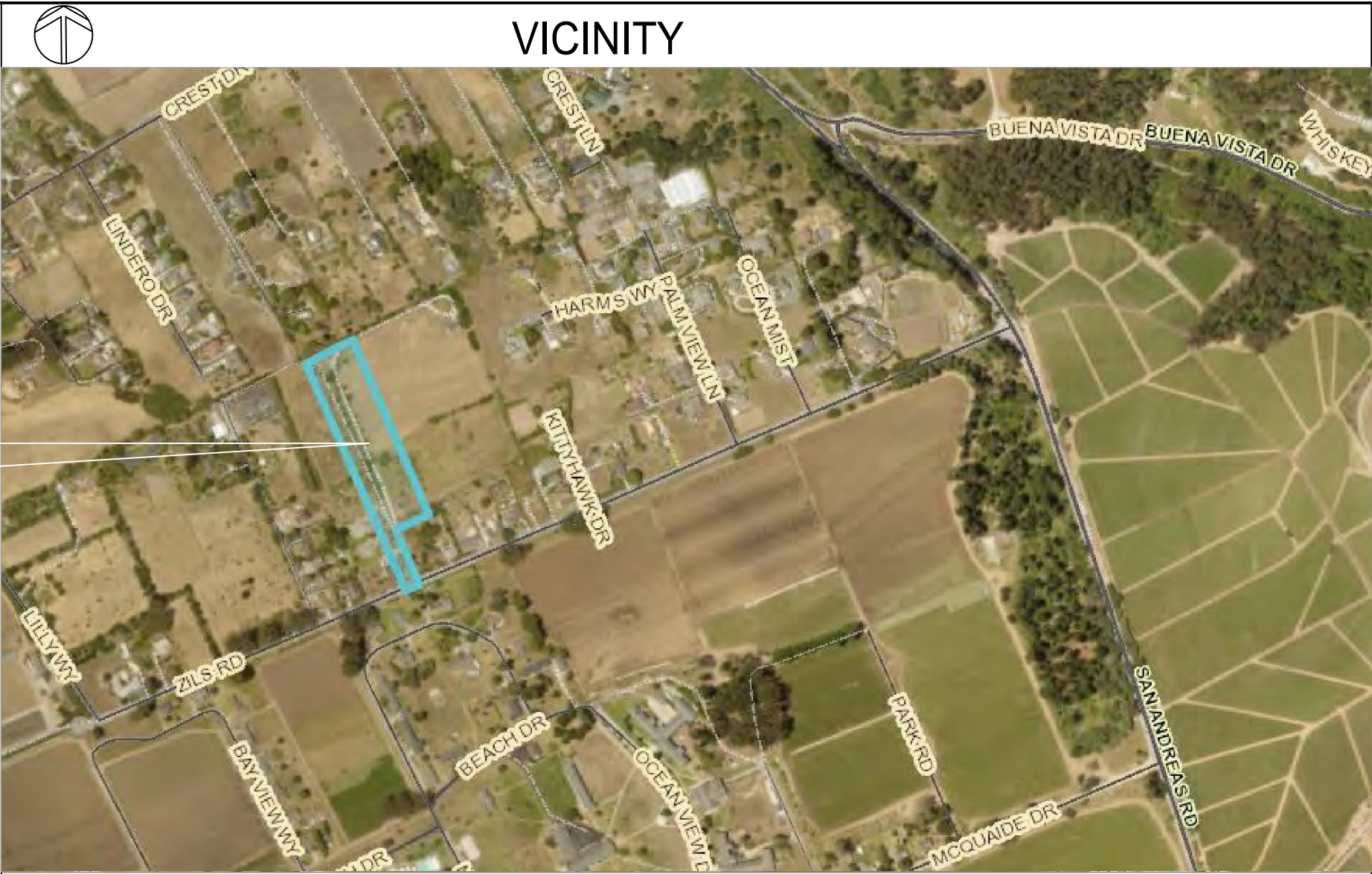


SOUTH ELEVATION



EAST ELEVATION

Site
ZILS ROAD
APN 046 221 52



PROJECT DATA

PROJECT DESCRIPTION Development application:
Proposed new Single Family Residence, Additional Dwelling Unit and Barn

ASSESSOR PARCEL NUMBER: 046 221 52

ZONING: CA

TOTAL AREA:
3.868 Acres (gross)
2.534 Acres (net)

PROJECT ADDRESS:
152 ZILS ROAD
SANTA CRUZ, CA 95076

OWNER OF RECORD:
JOSEPH S. CROSSEN
and JACQUELYN K. MARKWARDT
530 Bayview, Aptos CA 95003
jscrossen@yahoo.com
phone: (831) 539-6412

LAND CONSULTANT/ APPLICANT:
Contact - Jim Weaver
206 Morrisey Boulevard, Santa Cruz, CA 95062
pacrimplangr@gmail.com
phone: (831) 457-2033

ARCHITECT:
Contact - Miguel Podolsky
86 Lilly Way, La Selva Beach, CA 95076
miguelp@mparchitecture.com
phone: (831) 818-1294

CIVIL ENGINEER:
Contact - Jeff Roper
48 Mann Ave, Watsonville, CA 95076
info@roperengineering.com
Phone: (831) 724-5300

LANDSCAPE ARCHITECT:
Contact - Gregory Lewis
736 Park Way, Santa Cruz, CA 95065
lewislandscape@sbcglobal.net
Phone: (831) 359-0960

DRAWING INDEX

- A1 SITE PLAN - VICINITY - DATA - DRAWING INDEX
- A2 SINGLE FAMILY RESIDENCE - FLOOR PLAN - ROOF PLAN - ELEVATIONS - SECTIONS
COLOR PLATE - MATERIALS
- A3 ADDITIONAL DWELLING UNIT - FLOOR PLAN - ROOF PLAN - ELEVATIONS - SECTION
BARN - FLOOR PLAN - ROOF PLAN - ELEVATIONS
- C1 DRIVEWAY PLAN - IMPERVIOUS SURFACES
- C2 RESIDENCE PRELIMINARY GRADING PLAN
- C3 ADU AND BARN PRELIMINARY GRADING PLAN
- AS1 AGRICULTURAL SETBACKS
- L1 LANDSCAPE PLAN - PLANTS
- L2 LANDSCAPE PLANS

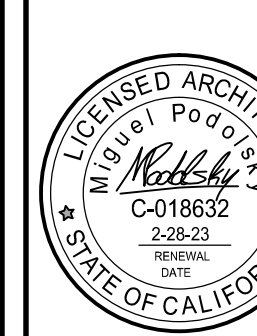
EXHIBIT D

Rev 6-10-22
per
5-31-22 planning
by R. Randall

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MIGUEL PODOLSKY
ARCHITECT

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La Selva Beach
CA 95076
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miguelp@mparchitecture.com



FILE: LATEST

DATE: 3-1-22

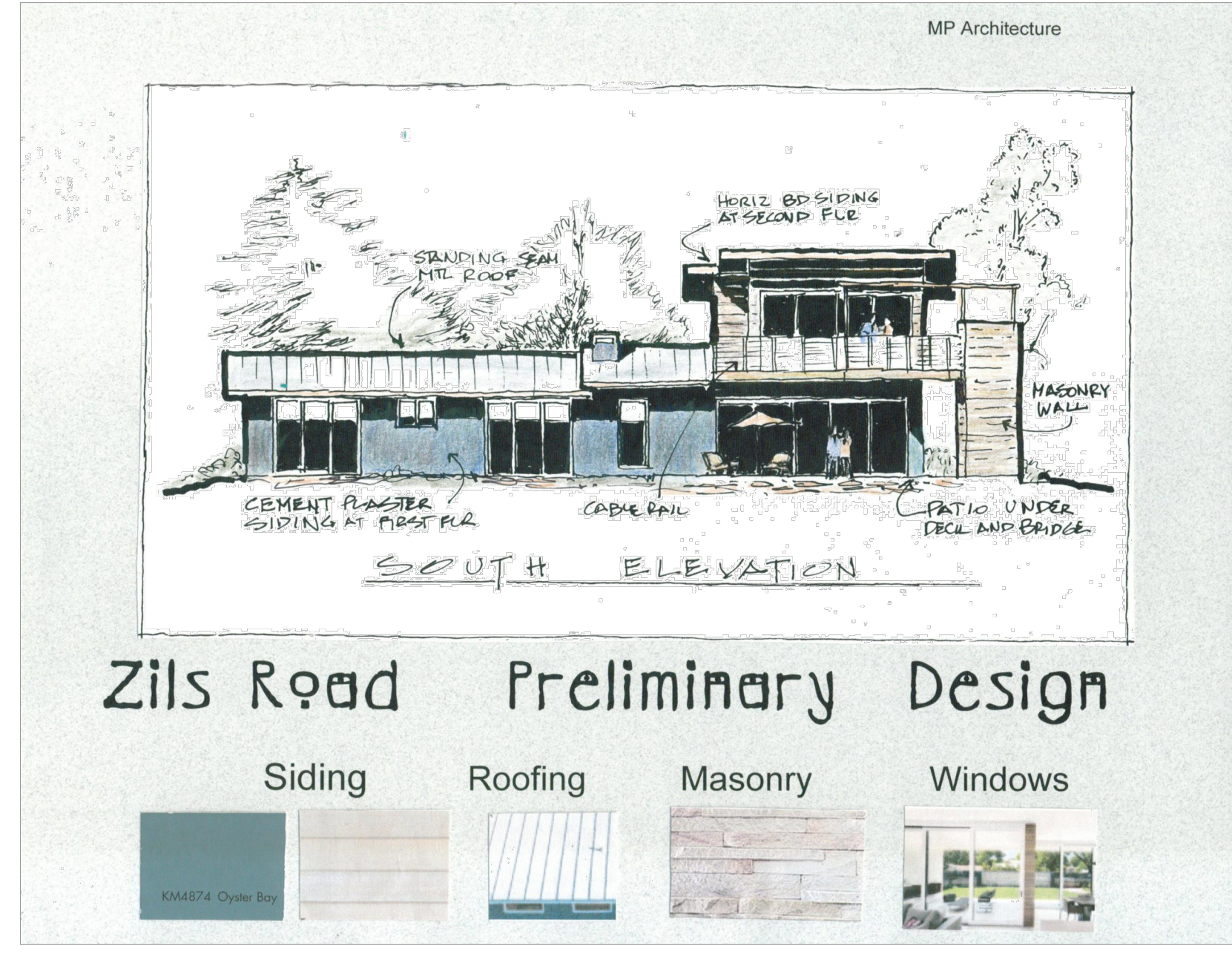
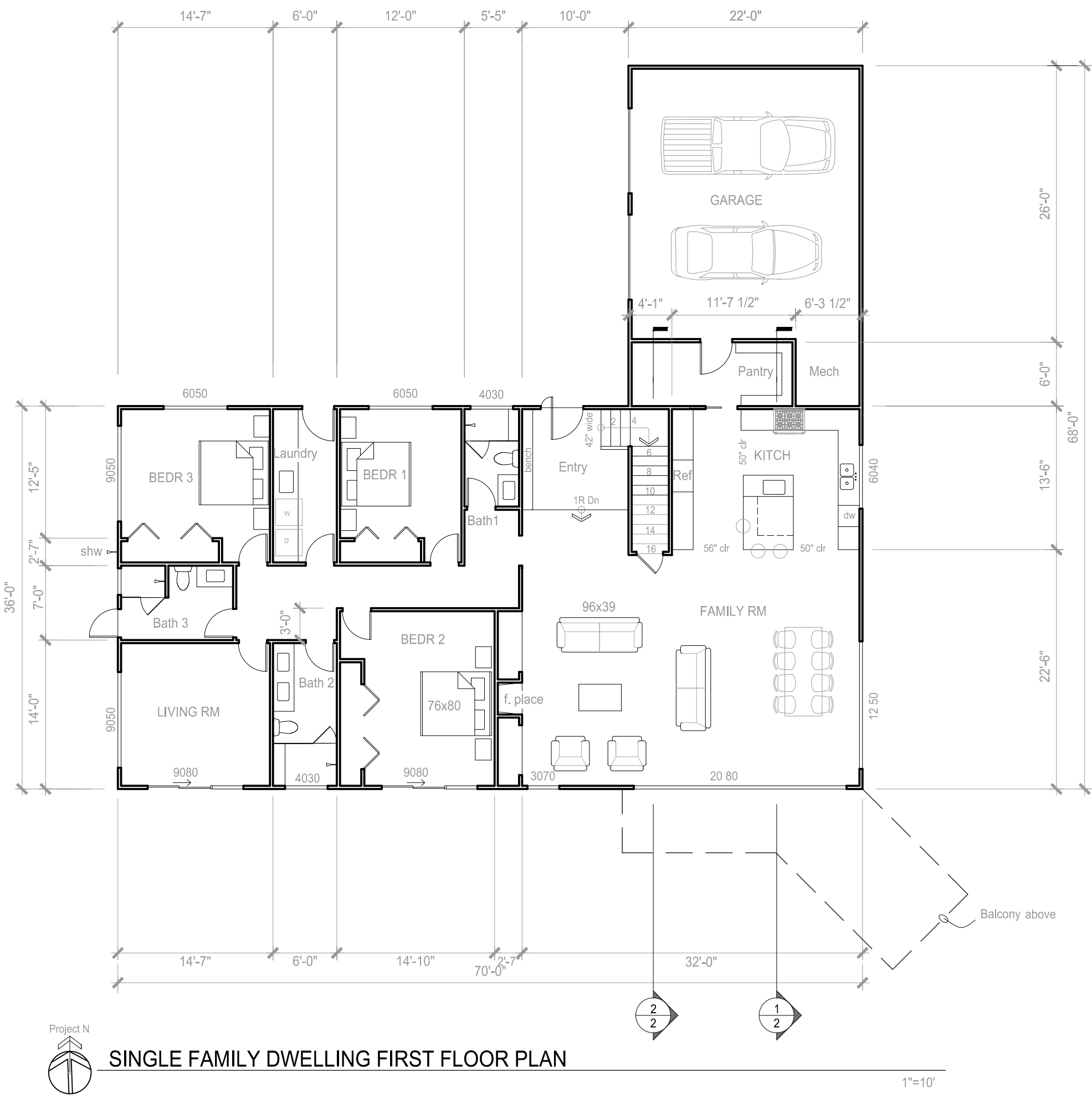
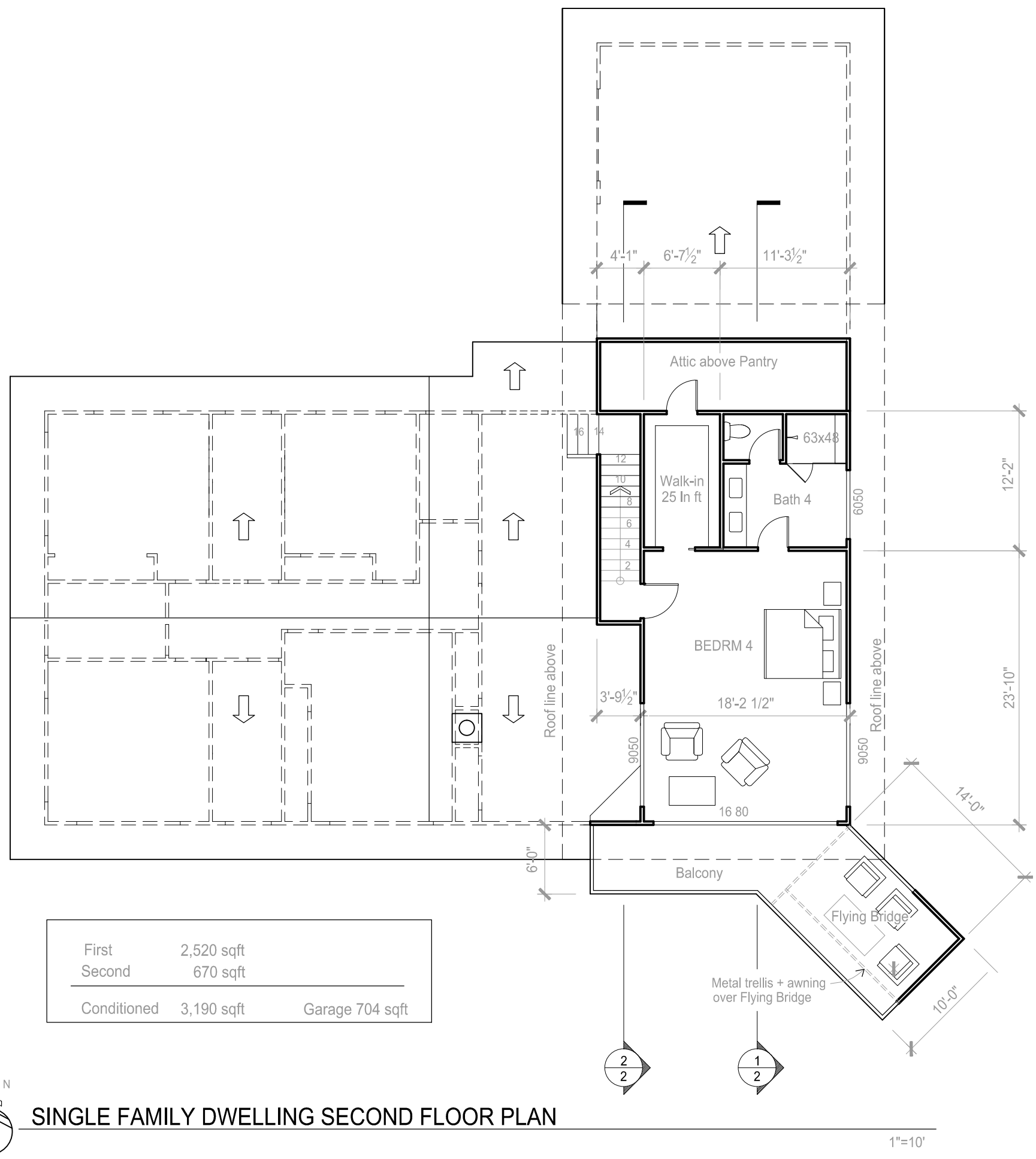
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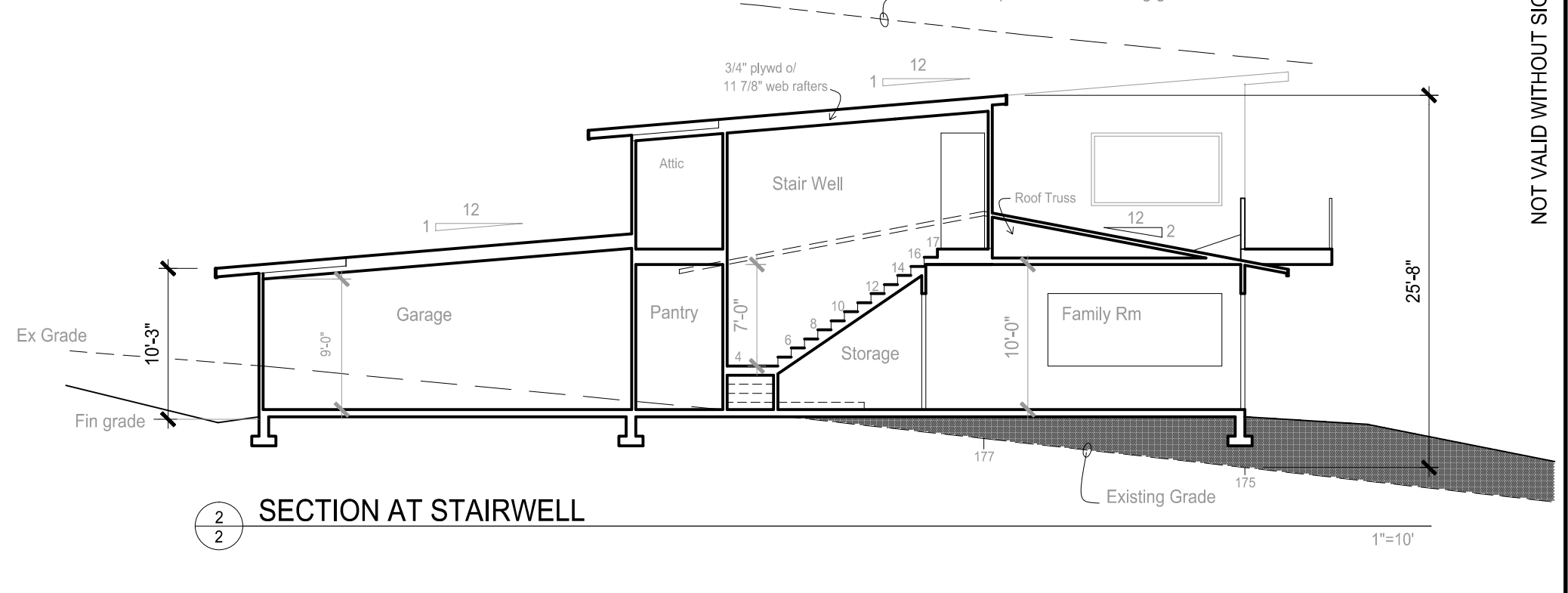
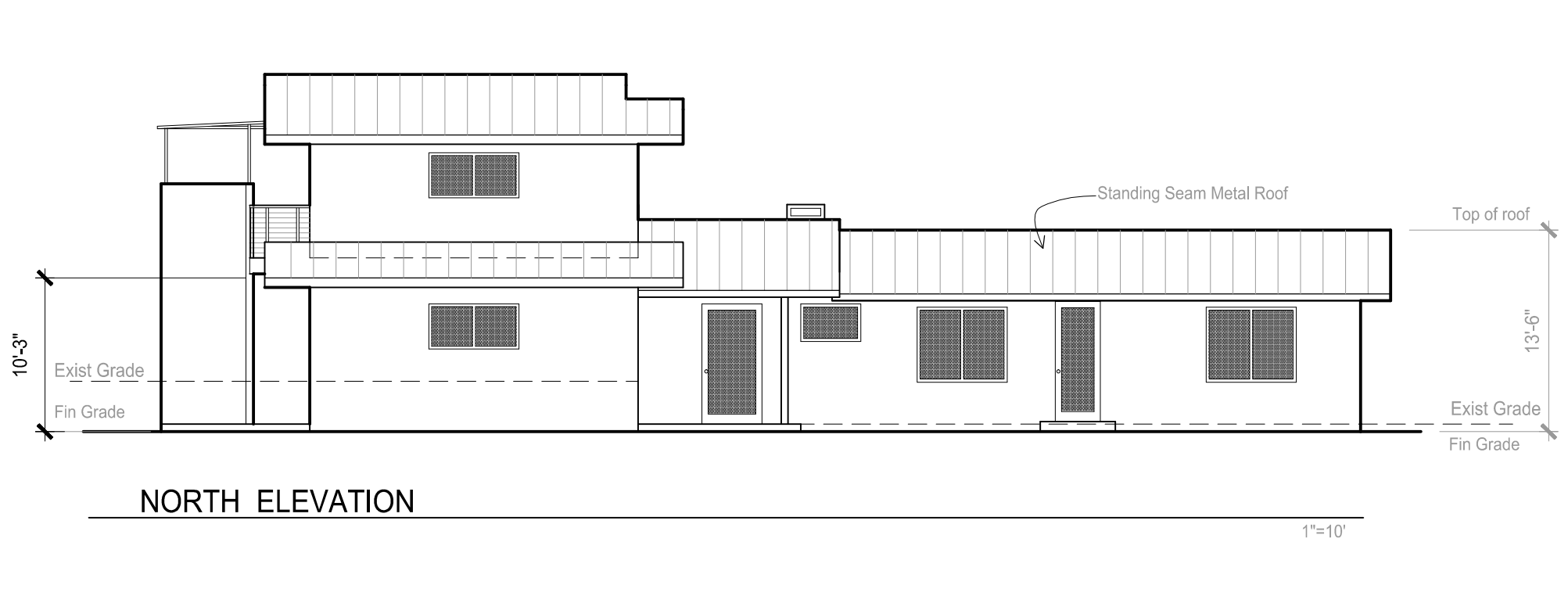
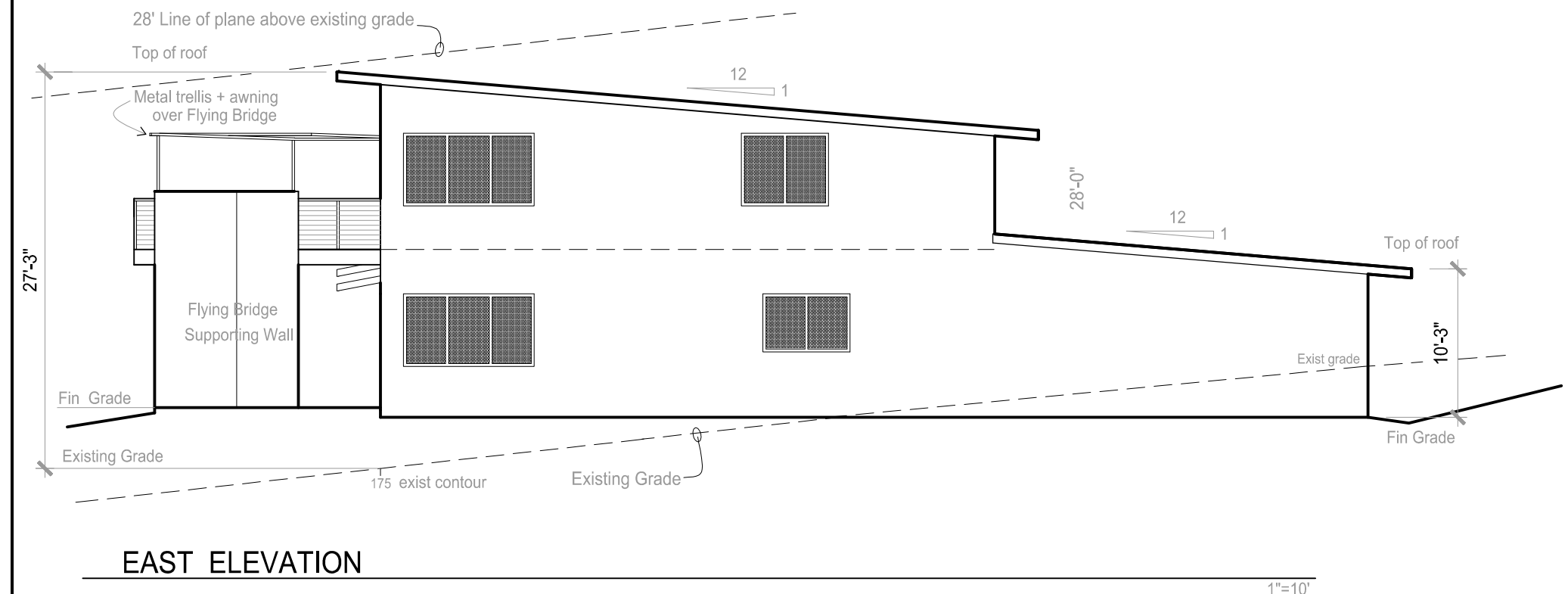
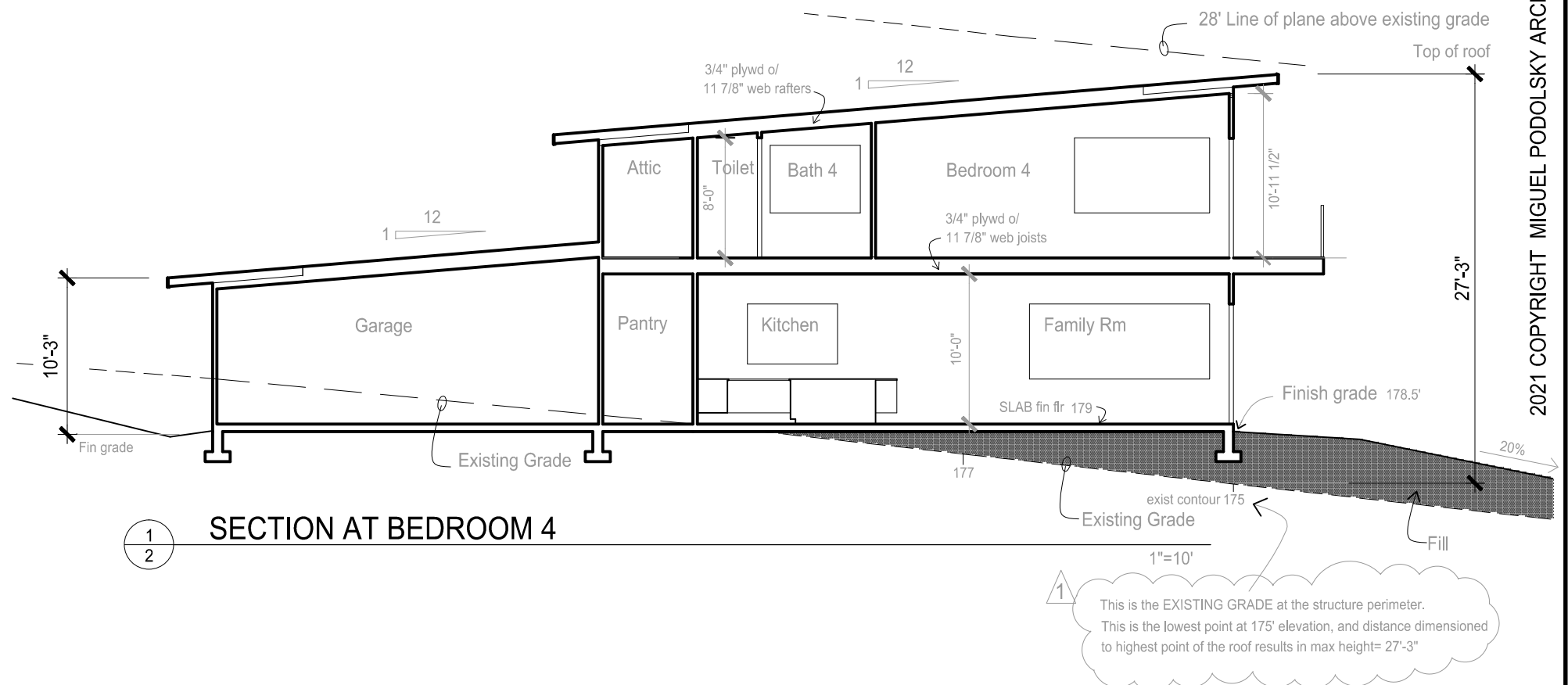
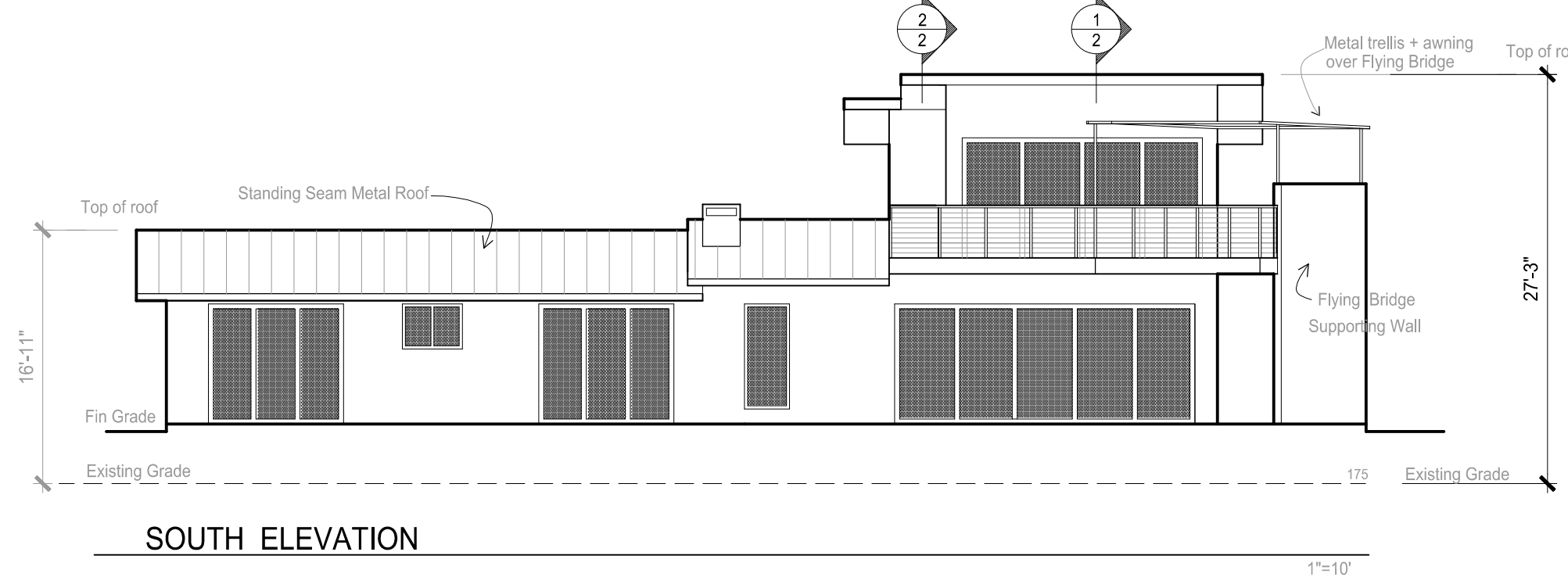
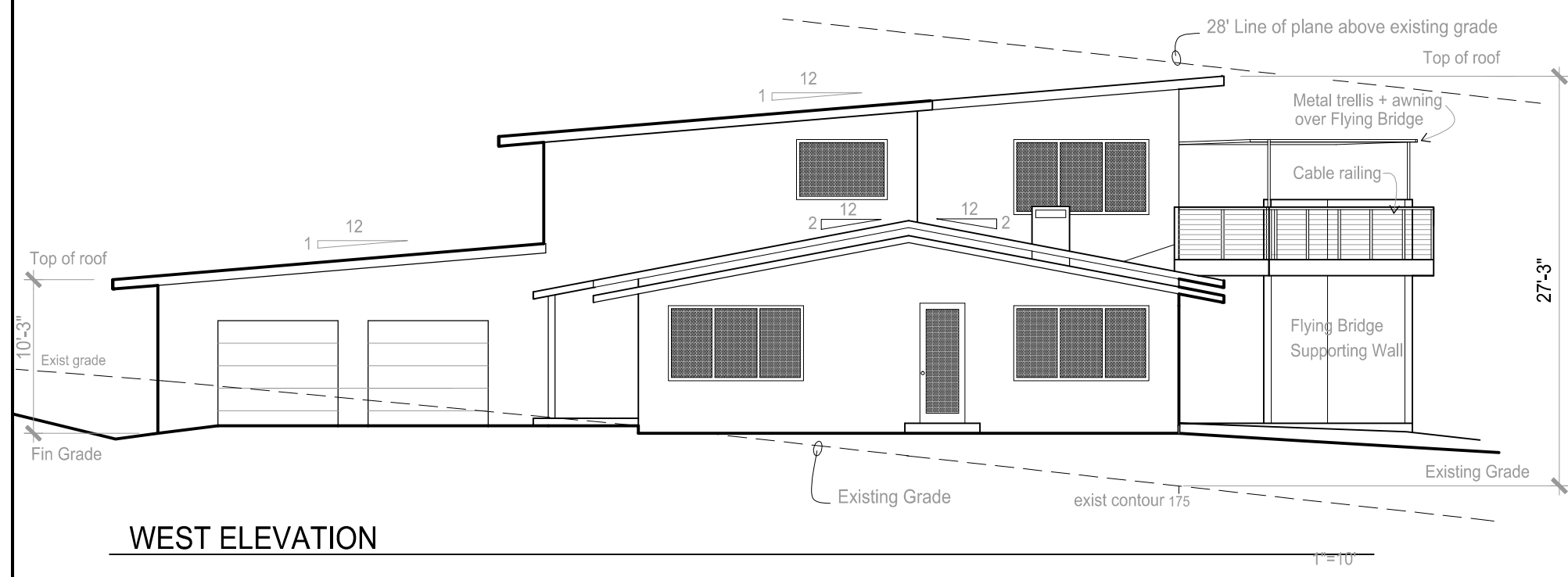
JOB: 2105 CROSSEN

SHEET

A1

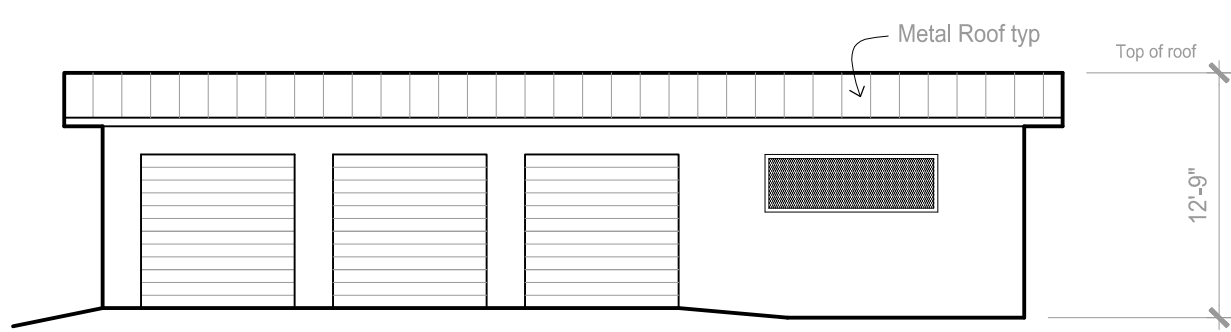


COLOR PLATE AND MATERIALS

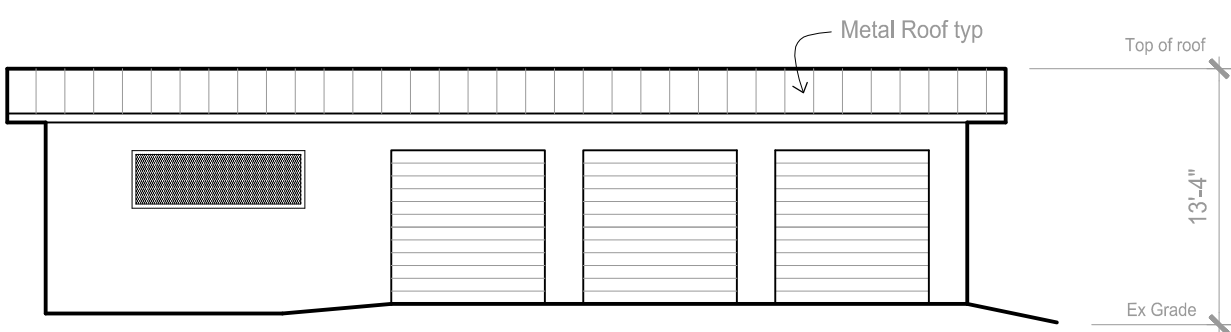




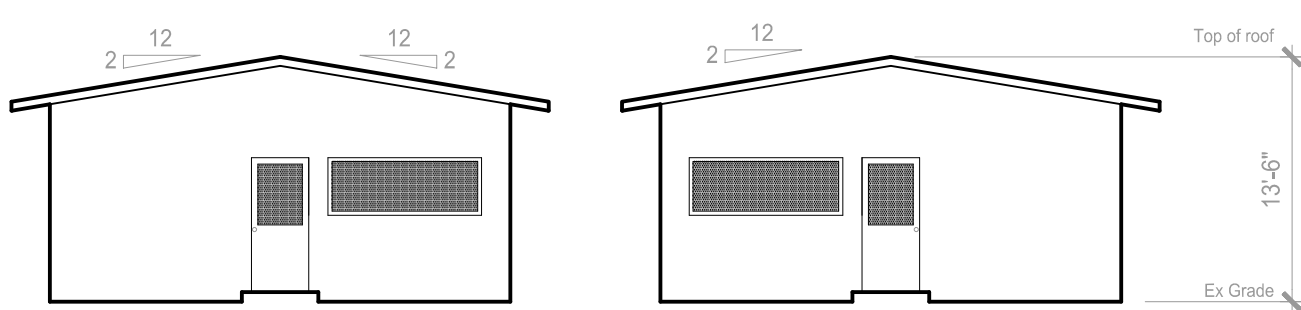
Project N
BARN PLAN
1,152 sqft
1"=10'



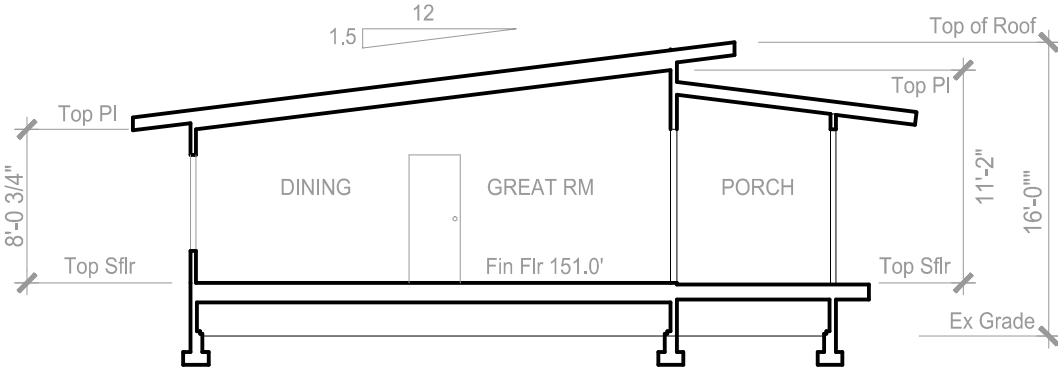
SOUTH
1"=10'



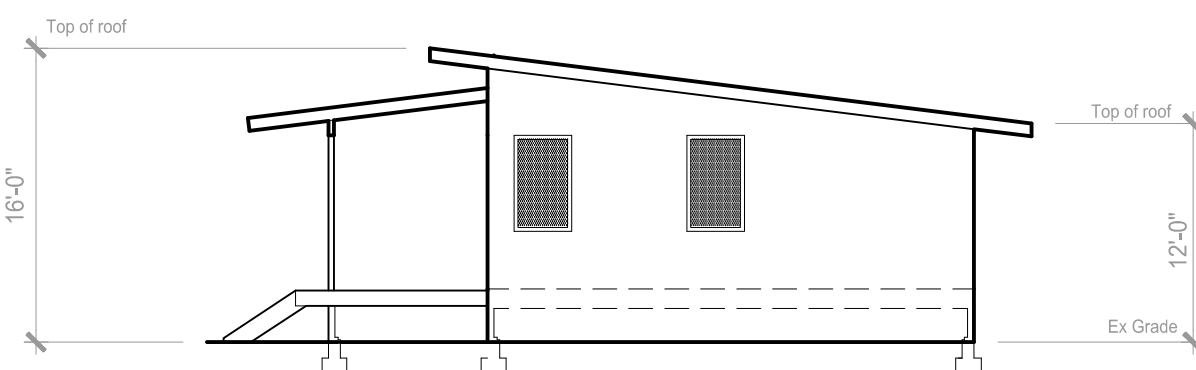
NORTH
1"=10'



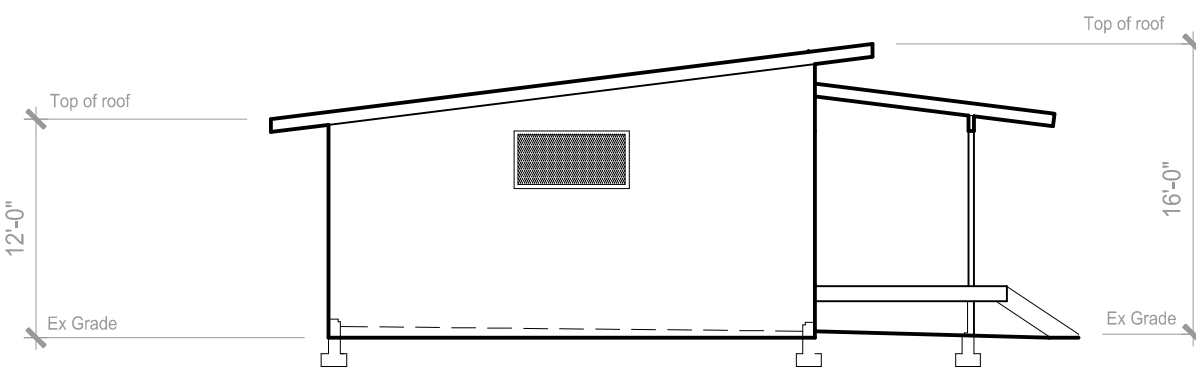
WEST **EAST**
1"=10'



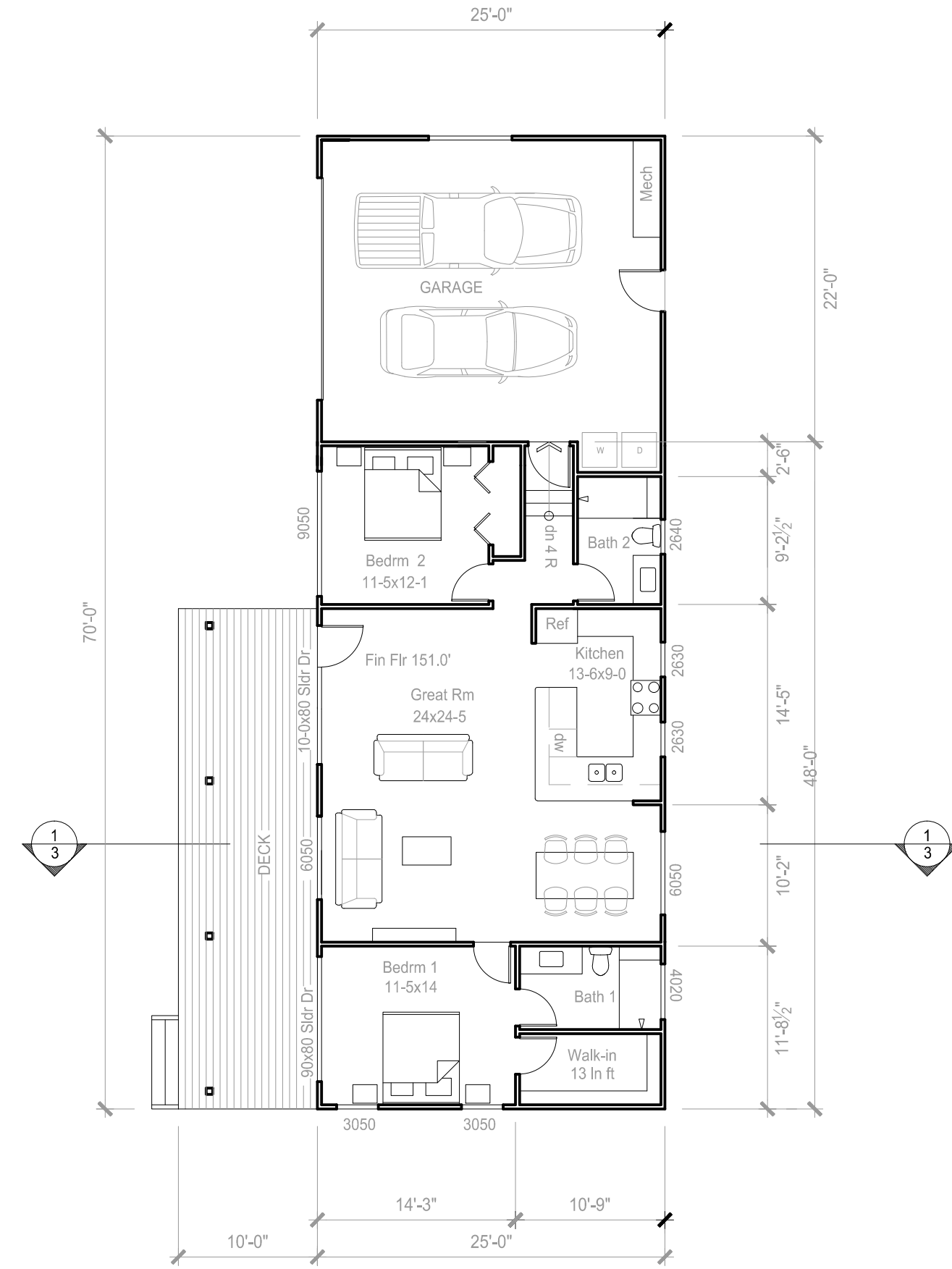
SECTION
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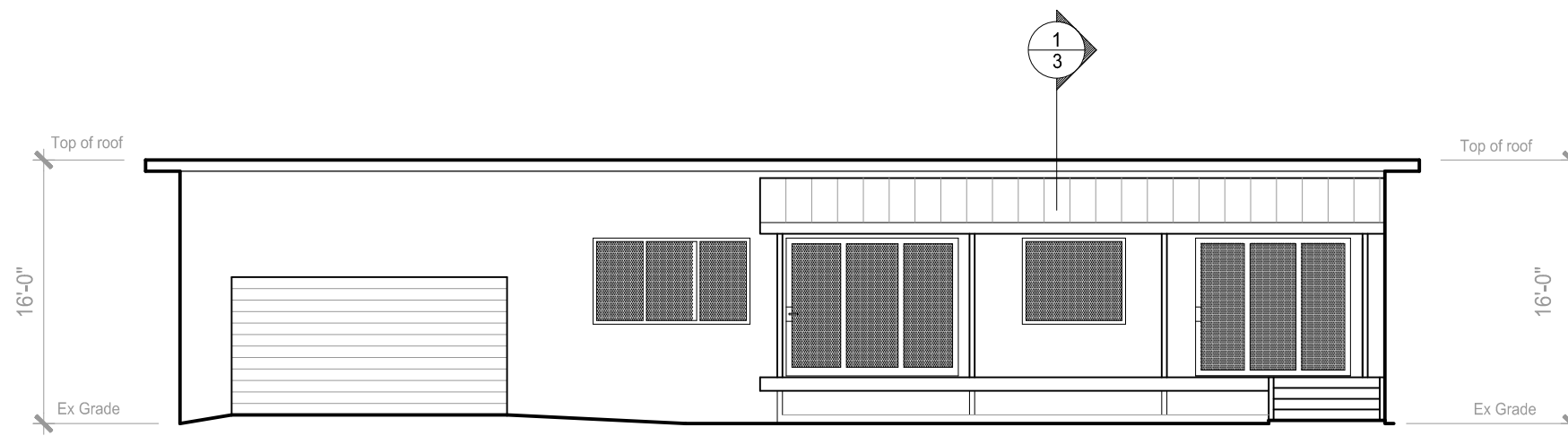
SOUTH ELEVATION
1"=10'



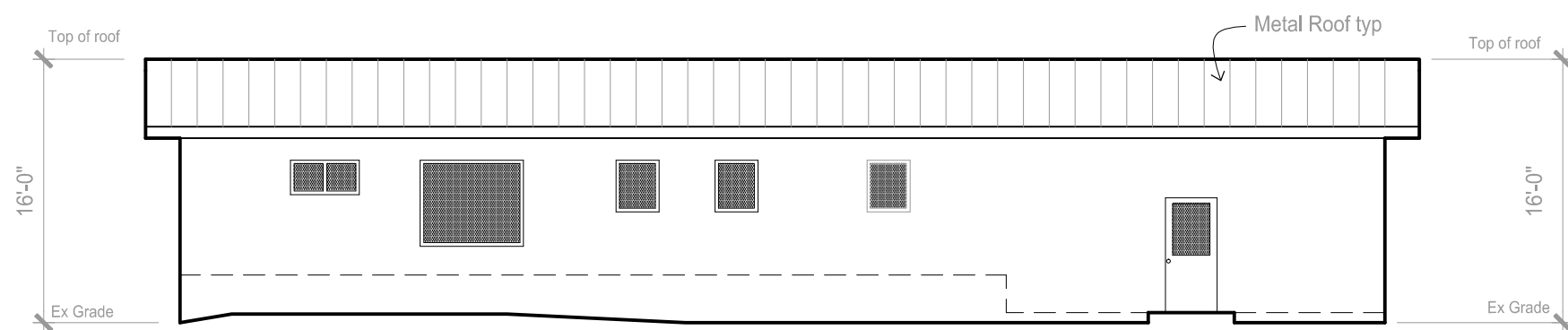
NORTH ELEVATION
1"=10'



Project N
ADDITIONAL DWELLING UNIT FLOOR PLAN
Conditioned 1,200 sqft Garage 600 sqft
1"=10'



WEST ELEVATION
1"=10'



EAST ELEVATION
1"=10'

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NOT VALID WITHOUT SIGNATURE

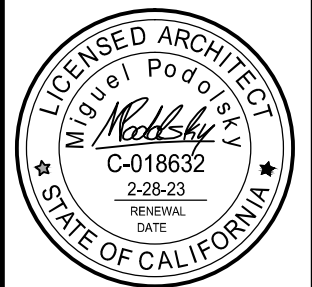
Rev 6-10-22
per
5-31-22 planning
by R. Randall

152 ZILS ROAD, SANTA CRUZ , CA 95076

APN 046-221-52

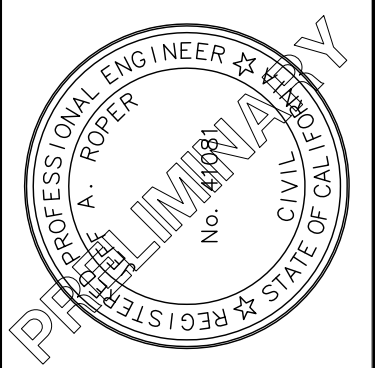
MP
MIGUEL PODOLSKY
ARCHITECT

86 Lilly Way
La Selva Beach
CA 95076
ph (831) 818 1294
miguel@mparchitecture.com



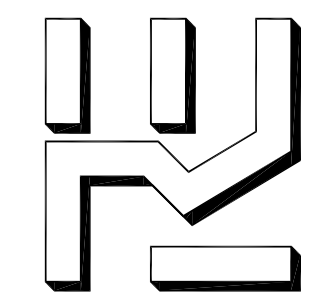
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DATE: 3-1-22
SCALE: AS NOTED
DRAWN: MP
JOB: 2105 CROSSEN
SHEET

A3



UNLESS SIGNED BY THE ENGINEER, THIS
PLAN IS FOR REFERENCE ONLY. THE
SIGNED PLAN IS THE ONLY PLAN TO BE
USED FOR CONSTRUCTION.

ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
48 MANN AVENUE CORRALITOS, CA 95076
(831) 724-5300 jeff@operengineering.com



**NEW RESIDENCE, BARN & ADU FOR
JOSEPH SCOTT CROSSEN
ZILLS ROAD LA SELVA BEACH APN 046-221-52
DRIVEWAY PLAN**

DRIVEWAY PLAN

SCALE: AS NOTED

DESIGNED BY: JR

DRAWN BY: JR

DATE: MAR. 1, 2022

REVISÉ: JUNE 10, 2021

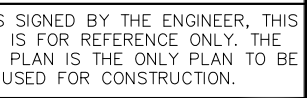
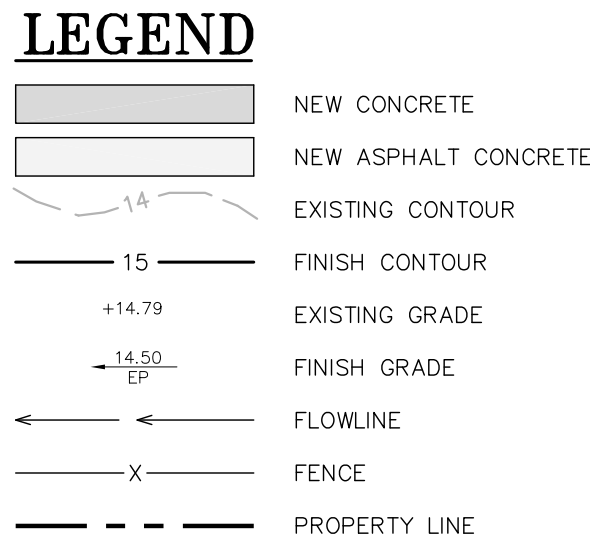
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SHEET

C1

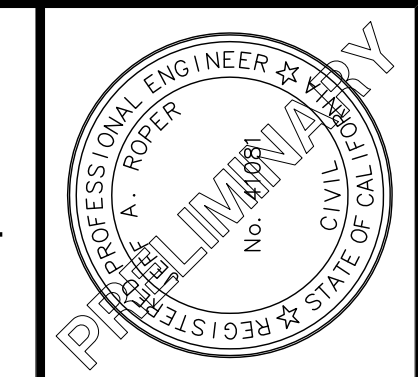
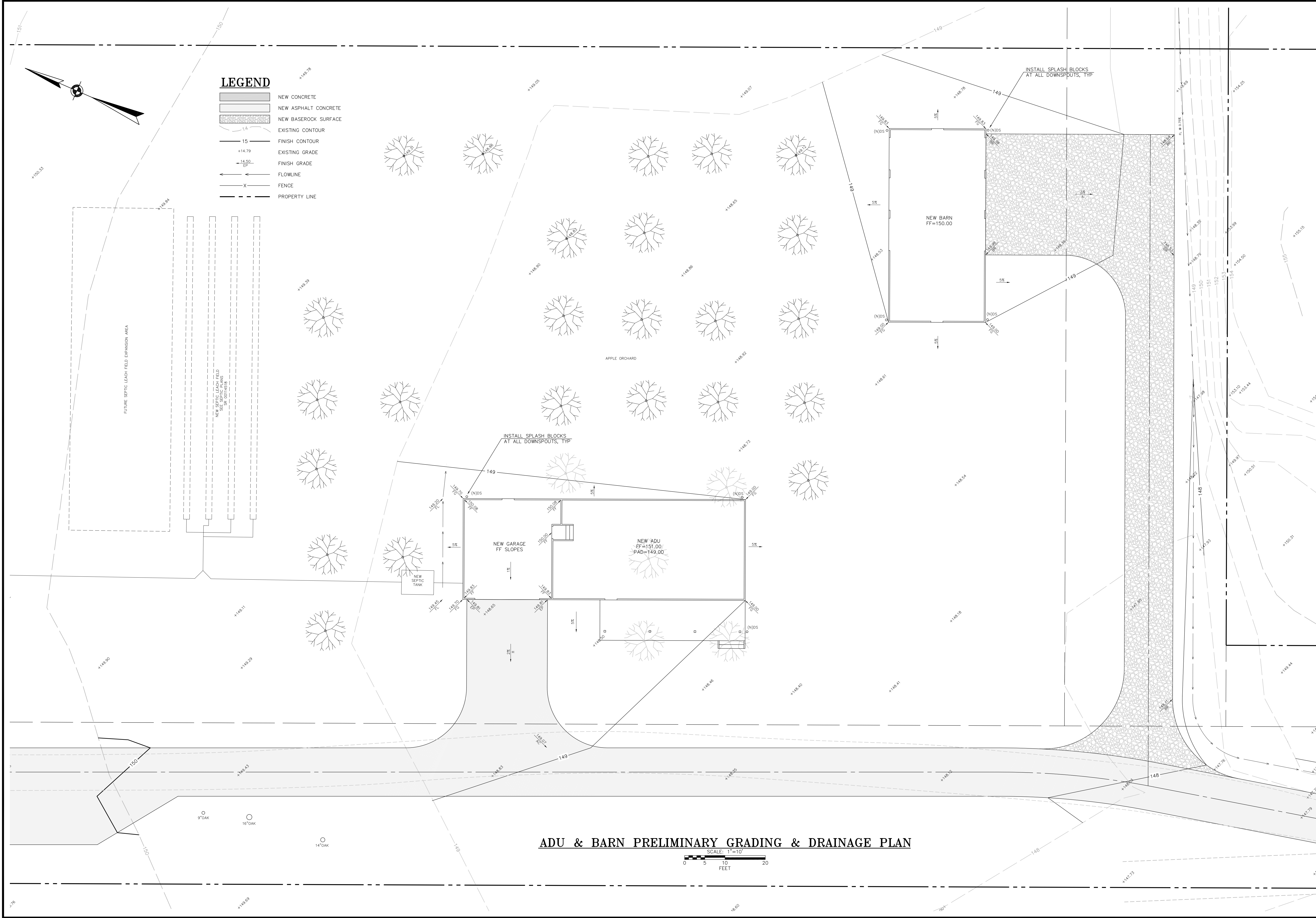
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OF 4 SHEETS



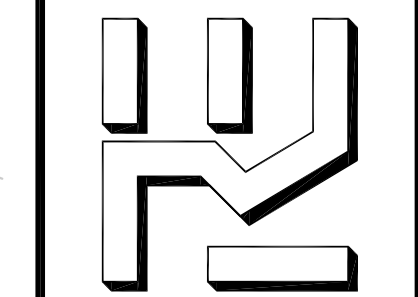
JOSEPH SCOTT CROSSEN
ZILS ROAD LA SELVA BEACH APN 046-221-52
PRELIMINARY GRADING & DRAINAGE PLAN

C2



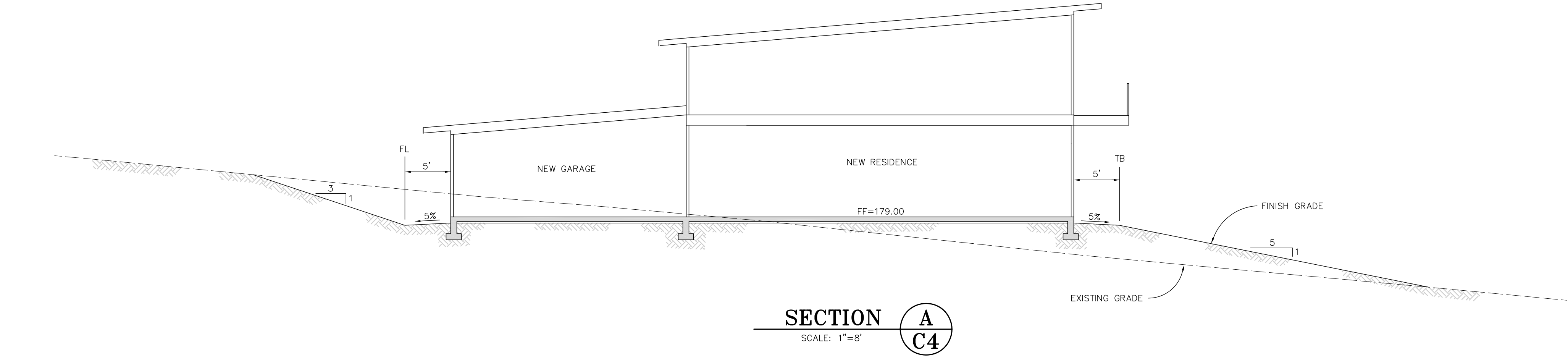
UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

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CIVIL ENGINEERING & LAND SURVEYING
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**NEW RESIDENCE, BARN & ADU FOR
JOSEPH SCOTT CROSSEN**
ZILS ROAD LA SELVA BEACH APN 046-221-52
PRELIMINARY GRADING & DRAINAGE PLAN

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	MAR. 1, 2022
REVISED:	
JOB NO.:	21047
SHEET	
C3	
OF	4 SHEETS

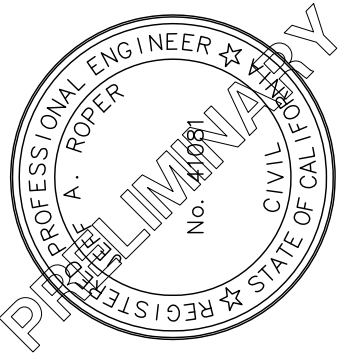
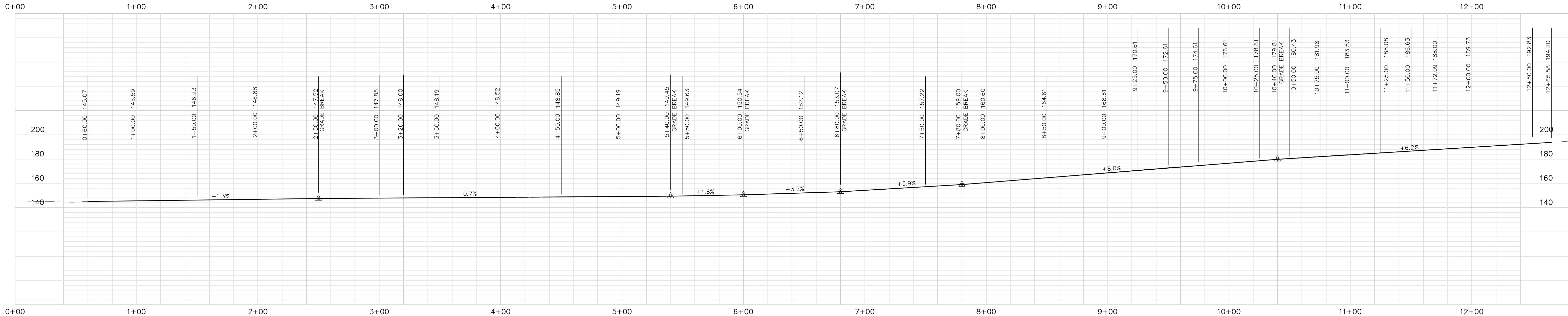


GRADING NOTES

1. UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE, VERIFICATION IS THE RESPONSIBILITY OF THE CONTRACTOR. PRIOR TO EXCAVATION, CONTRACTOR SHALL LOCATE ALL EXISTING UNDERGROUND UTILITIES. CALL 811 TO HAVE UTILITIES LOCATED AND MARKED.
2. VEGETATION, ROOTS AND DELETERIOUS MATERIALS SHALL BE REMOVED FROM AREA TO BE GRADED PRIOR TO GRADING.
3. CUT SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL IN NATIVE MATERIAL AS DETERMINED BY THE ENGINEER.
4. FILL SLOPES SHALL BE NO STEEPER THAN 2 HORIZONTAL TO 1 VERTICAL.
5. FILL SHALL BE COMPACTED TO 90% RELATIVE COMPACTION UNLESS OTHERWISE NOTED. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
6. AFTER GRADING, SPREAD TOPSOIL FROM STRIPPINGS ON SLOPES AND LANDSCAPED AREAS 3" TO 6" DEEP.
7. BETWEEN OCTOBER 15 AND APRIL 15, EXPOSED SOIL SHALL BE PROTECTED FROM EROSION AT ALL TIMES. DURING CONSTRUCTION SUCH PROTECTION MAY CONSIST OF MULCHING AND/OR PLANTING OF NATIVE VEGETATION OF ADEQUATE DENSITY. BEFORE COMPLETION OF THE PROJECT, ANY EXPOSED SOIL ON DISTURBED SLOPES SHALL BE PERMANENTLY PROTECTED FROM EROSION.
8. CUT AND FILL SLOPES SHALL BE PLANTED WITH ANNUAL RYE GRASS (40 LBS/ACRE) AND MULCHED WITH COMPOST.
9. CONCRETE IN DRIVEWAYS SHALL HAVE A COMPRESSIVE STRENGTH OF 2500 PSI @ 28 DAYS.
10. THE UPPER 6 INCHES OF SUBGRADE IN DRIVEWAY AREAS SHALL BE COMPACTED TO 95% RELATIVE COMPACTION. SEE GEOTECHNICAL INVESTIGATION FOR FURTHER SPECIFICATIONS.
11. AGGREGATE BASE SHALL BE CLASS 2 IN CONFORMANCE WITH SECTION 26 OF THE STATE OF CALIFORNIA STANDARD SPECIFICATIONS.
12. ASPHALT CONCRETE SHALL BE TYPE B AND SHALL CONFORM TO THE PROVISIONS IN SECTION 39 OF CALTRANS STANDARD SPECIFICATIONS. THE AGGREGATE SHALL CONFORM TO THE GRADING SPECIFIED IN SECTION 39-2.02 OF CALTRANS STANDARD SPECIFICATIONS FOR THE 1/2" MAXIMUM MEDIUM GRADATION.
13. CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, AND THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS.
14. THE GEOTECHNICAL INVESTIGATION PREPARED BY DEES AND ASSOCIATES FOR SCOTT CROSSEN DATED NOVEMBER 2021 PROJECT NO. SCR-1694 SHALL BE STRICTLY ADHERED TO DURING THE GRADING AND CONSTRUCTION OF THIS PROJECT.

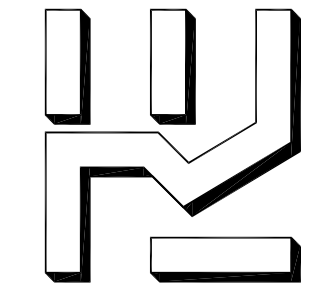
STORM WATER POLLUTION CONTROL NOTES

1. CONSTRUCTION CONTRACTOR SHALL BE RESPONSIBLE TO MAINTAIN EROSION CONTROL MEASURES BETWEEN OCTOBER 15 AND APRIL 15. DURING AND AFTER MAJOR STORMS, EROSION CONTROL DEVICES SHALL BE INSPECTED AND MODIFIED AS REQUIRED TO PREVENT EROSION ON PROJECT SITE AND SILT FROM FLOWING INTO THE ROAD OR DRAINAGE COURSE.
2. BETWEEN OCTOBER 15TH AND APRIL 15TH EXPOSED SOIL SHALL BE PROTECTED FORM EROSION AT ALL TIMES. HAY BALES, FILTER BERM, SILT FENCES OR OTHER MEANS SHALL BE EMPLOYED TO PREVENT SEDIMENT FROM LEAVING THE SITE OR ENTERING ANY WATERCOURSE.
3. DURING CONSTRUCTION, NO TURBID WATER SHALL BE PERMITTED TO ENTER A DRAINAGE CHANNEL OR STORM DRAIN SYSTEM. USE OF SILT AND GREASE TRAPS, FILTER BERMS, HAY BALES OR SILT FENCES SHALL BE USED TP PREVENT SUCH DISCHARGE.
4. ALL AREAS ON AND OFF SITE EXPOSED DURING CONSTRUCTION ACTIVITIES, IF NOT PERMANENTLY LANDSCAPED PER PLAN, SHALL BE PROTECTED BY MULCHING AND/OR PLANTING OF ANNUAL RYE GRASS AT A RATE OF 40 LBS PER ACRE.
5. ANY MATERIAL STOCKPILED ON-SITE SHALL BE COVERED WITH PLASTIC, ESPECIALLY DURING THE WINTER MONTHS OR DURING PERIODS OF RAIN.
6. EXPOSED SOIL ON SLOPES GREATER THAN 20% SHALL BE SEEDDED, COVERED WITH 2 INCHES OF STRAW, AND AN EROSION CONTROL BLANKET. THE EROSION CONTROL BLANKET SHALL BE STAKED IN PLACE.
7. IT IS THE DEVELOPER'S RESPONSIBILITY TO SEE THAT ADDITIONAL MEASURES, NECESSARY TO CONTROL SITE EROSION AND PREVENT SEDIMENT TRANSPORT OFF-SITE ARE IMPLEMENTED.
8. EROSION AND SEDIMENT CONTROL MEASURES MUST REMAIN FUNCTIONAL AND BE MAINTAINED THROUGHOUT THE WINTER SEASON. FAILURE TO ADEQUATELY MAINTAIN EROSION AND SEDIMENT CONTROL MEASURES CONSTITUTE A VIOLATION OF THE ISSUED BUILDING OR OTHER PERMIT. MAINTAIN POSITIVE DRAINAGE AWAY FROM ALL STRUCTURES. COVER ALL DISTURBED SOIL AS NOTED ABOVE.



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

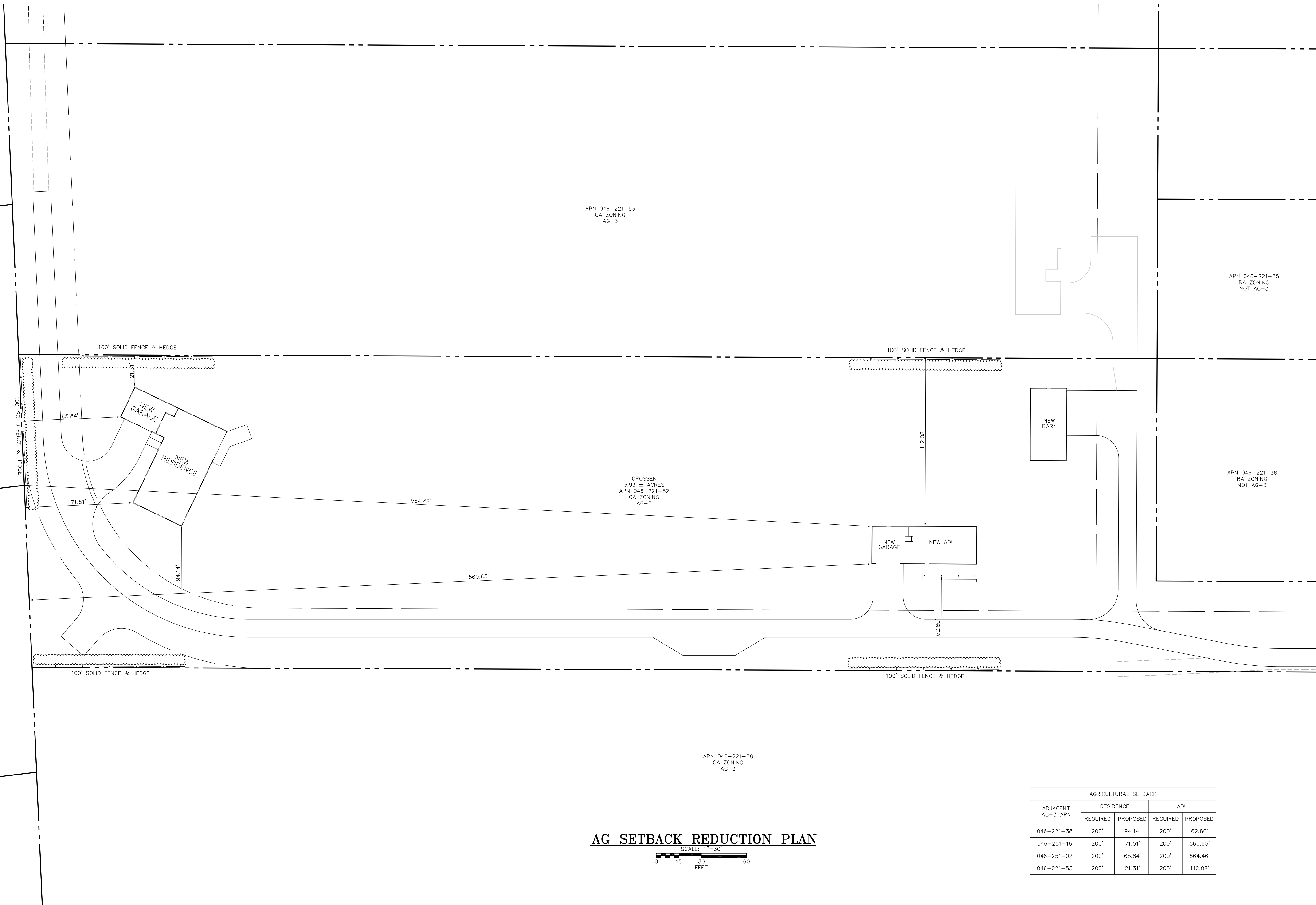
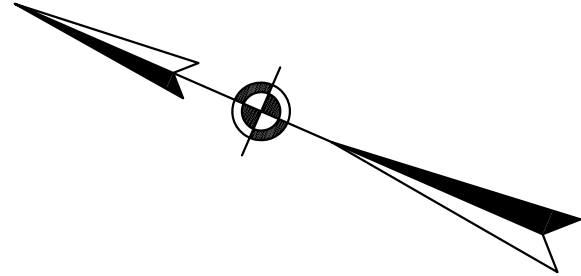
ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
48 MANN AVENUE CORRALITOS, CA 95076
(831) 724-5300 jef@roperengineering.com



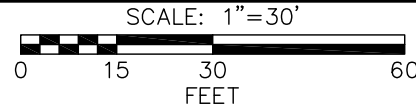
NEW RESIDENCE, BARN & ADU FOR JOSEPH SCOTT CROSSEN
ZILS ROAD LA SELVA BEACH APN 046-221-52
DRIVEWAY PROFILE & SECTIONS

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	MAR. 1, 2022
REVISED:	
JOB NO.:	21047
SHEET	

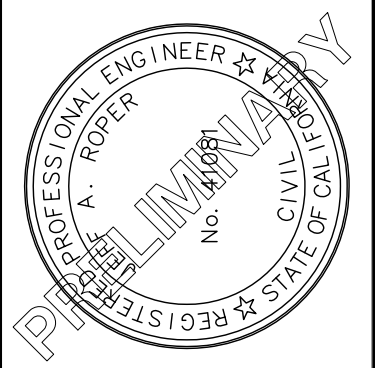
C4



AG SETBACK REDUCTION PLAN

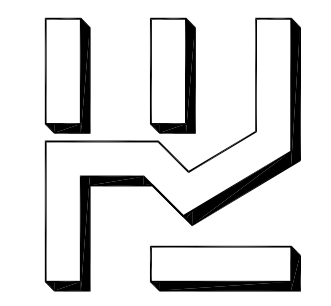


ADJACENT AG-3 APN	AGRICULTURAL SETBACK			
	RESIDENCE		ADU	
	REQUIRED	PROPOSED	REQUIRED	PROPOSED
046-221-38	200'	94.14'	200'	62.80'
046-251-16	200'	71.51'	200'	560.65'
046-251-02	200'	65.84'	200'	564.46'
046-221-53	200'	21.31'	200'	112.08'



UNLESS SIGNED BY THE ENGINEER, THIS PLAN IS FOR REFERENCE ONLY. THE SIGNED PLAN IS THE ONLY PLAN TO BE USED FOR CONSTRUCTION.

ROPER ENGINEERING
CIVIL ENGINEERING & LAND SURVEYING
48 MANN AVENUE CORRALITOS, CA 95076
(831) 724-5300 jeff@roperengineering.com



**NEW RESIDENCE, BARN & ADU FOR
JOSEPH SCOTT CROSSEN**
ZILS ROAD LA SELVA BEACH APN 046-221-52
AG SETBACK REDUCTION PLAN

SCALE:	AS NOTED
DESIGNED BY:	JR
DRAWN BY:	JR
DATE:	MAR. 1, 2022
REVISED:	JUNE 10, 2022
JOB NO.:	21047

SHEET
AS1
OF 1 SHEETS



West Property Line Ag Buffer Existing



West Property Line Ag Buffer Existing



South Property Line Ag Buffer Existing



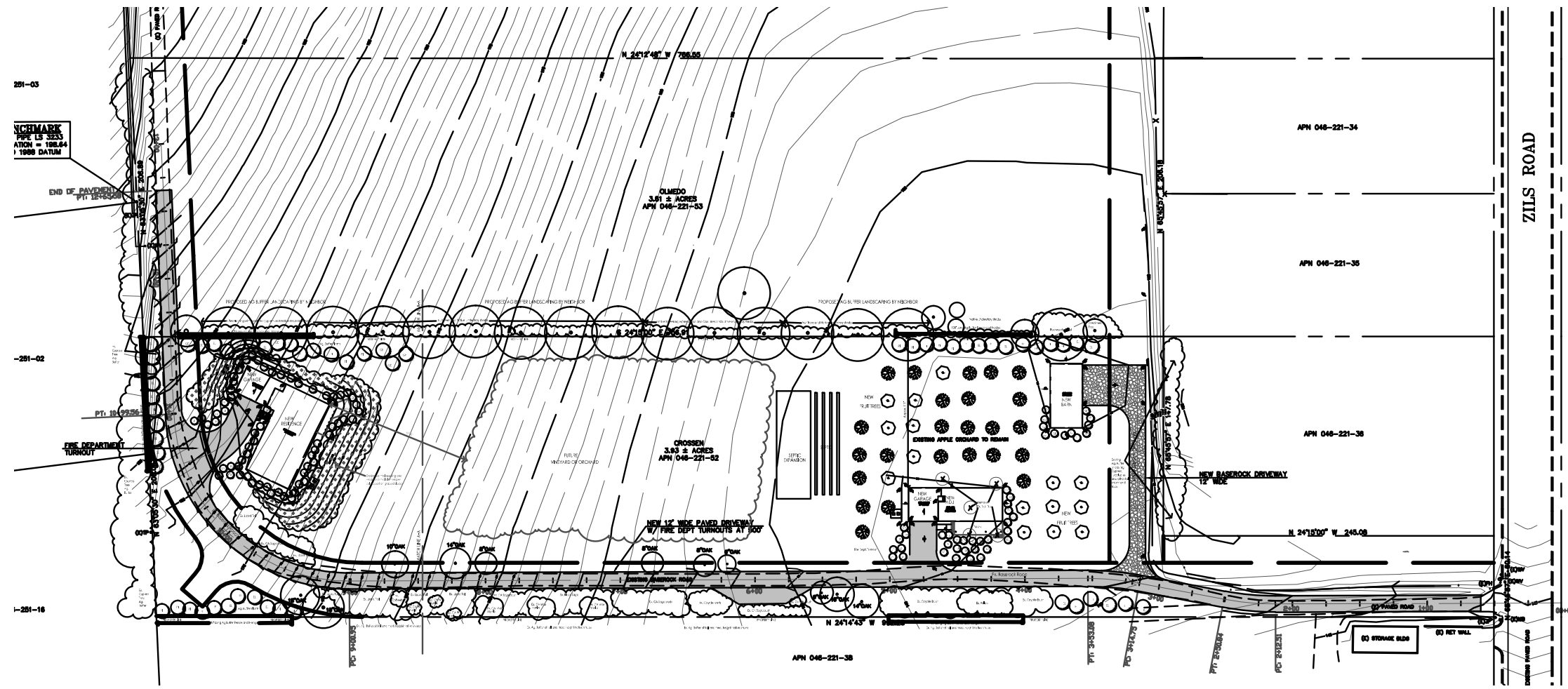
Elaeagnus Fruitlandi Silverberry Ag Buffer Plant



Prunus illicifolia - Holly Leaf Cherry Ag Buffer Plant

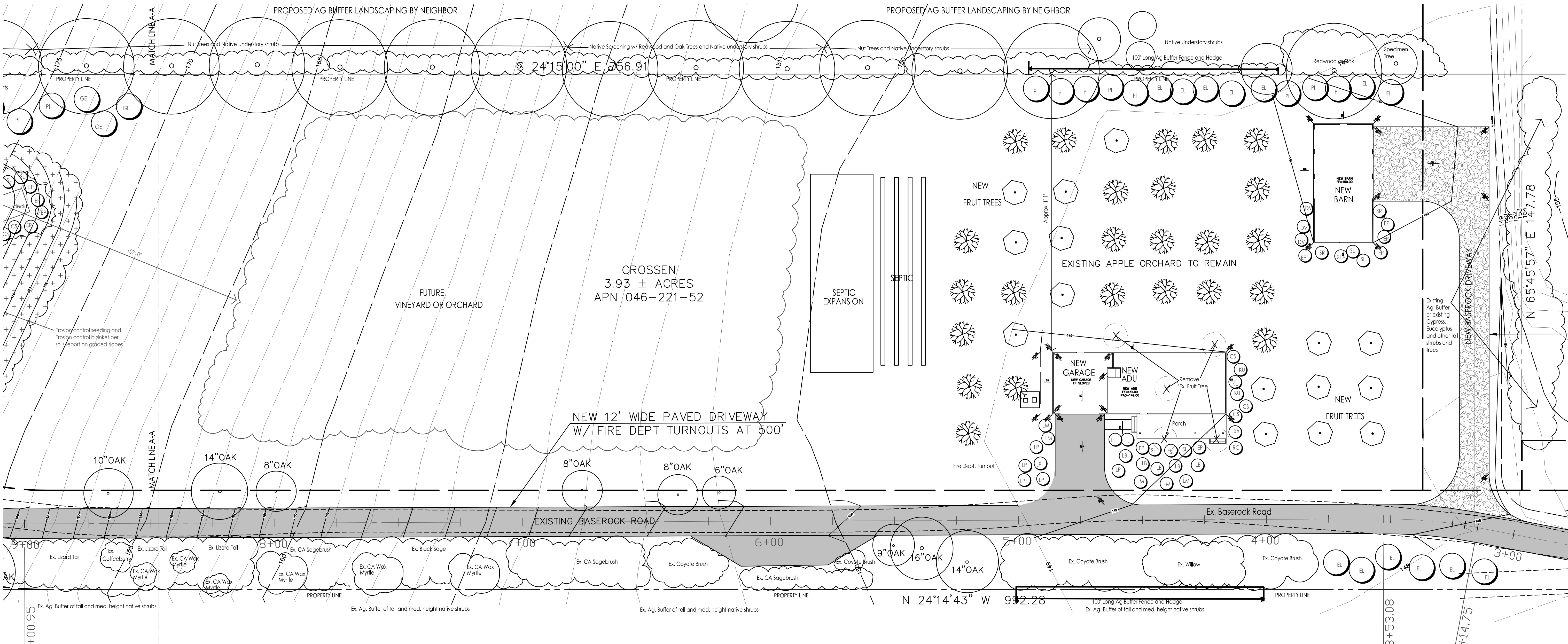
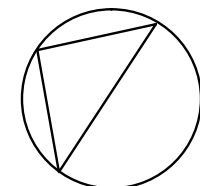


Garrya elliptica - Silk Tassel Bush Ag Buffer Plant



Site Overview

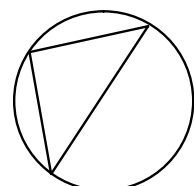
1"=100'-0"



Landscape Plan

1"=20'-0"

0' 10' 20' 40'



FOR TAX PURPOSES ONLY

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POR. SAN ANDREAS RANCHO
SEC. 3, T.12S., R.1E., M.D.B. & M.

Tax Area Code
69-278

46-22



Electronically redrawn 2/7/00 KSA
Rev. 1/17/18 jg (2017-0016002 & 03, LBA 1-52 to 54)
Rev. 1/17/18 jg (2018-0006308 & 09, LBA 1-55 & 56)

22PM46
9/2/1976

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

9PM1
11/17/1972

76RS16
12/5/1986

EXHIBIT E
Assessor's Map No. 46-22
County of Santa Cruz, Calif.
Feb. 2000



SANTA CRUZ COUNTY PLANNING DEPARTMENT



Parcel Location Map



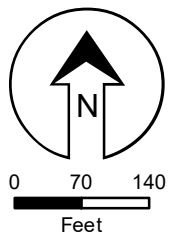
Mapped
Area



Parcel: 04622152

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 16 Feb. 2023



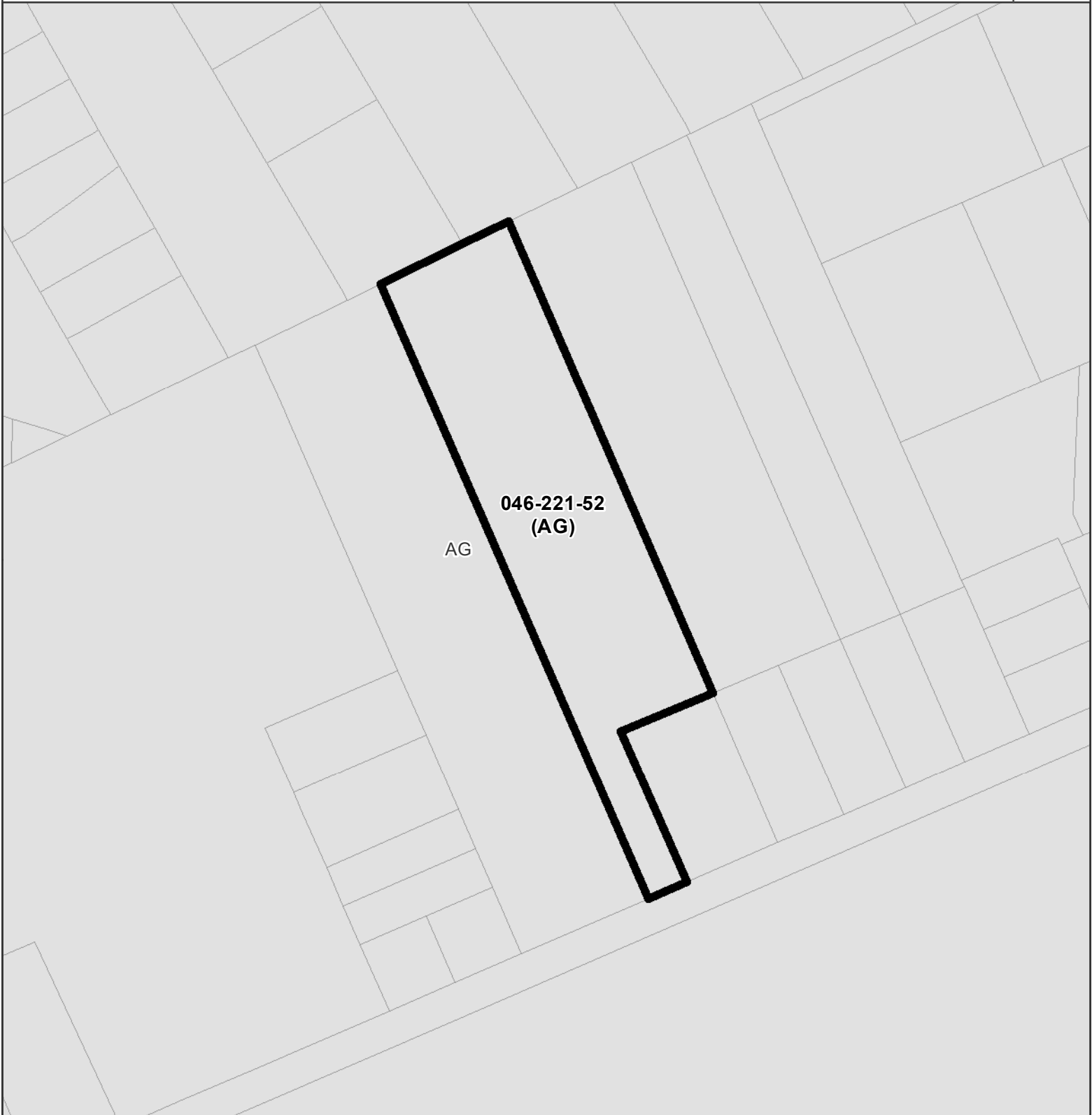


SANTA CRUZ COUNTY PLANNING DEPARTMENT

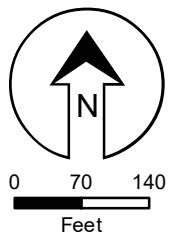
Parcel General Plan Map



Mapped
Area



AG Agricultural



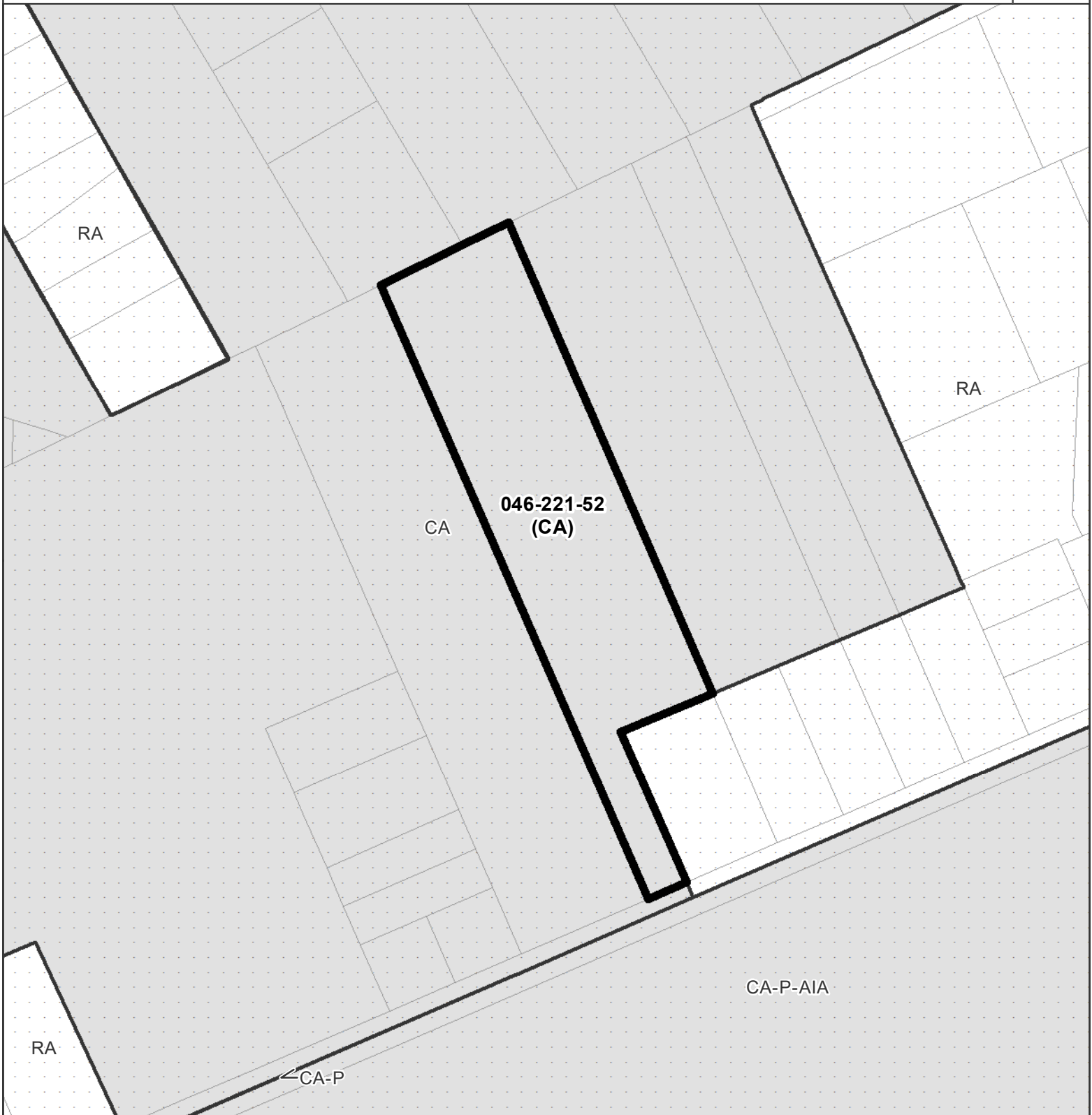


SANTA CRUZ COUNTY PLANNING DEPARTMENT

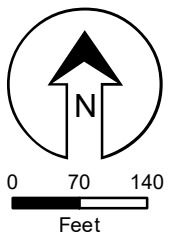
Parcel Zoning Map



Mapped
Area



- CA Commercial Agriculture
- RA Residential Agricultural



Parcel Information

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: San Andreas Mutual Water Company
Sewage Disposal: Septic
Fire District: Central (Aptos/La Selva) Fire Protection District
Drainage District: None

Parcel Information

Parcel Size: 3.9 acres (per applicant)
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Vacant, rural residential
Project Access: Private driveway off Zils Road
Planning Area: San Andreas
Land Use Designation: AG (Agriculture)
Zone District: CA (Commercial Agriculture)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm.: ☒ Yes ☐ No

Technical Reviews: Soils Report Review (REV221112)

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: 3-15%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: 900 cubic yards (cut/fill)
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Archeology: Not mapped/no physical evidence on site



County of Santa Cruz

BRUCE DAU, Chairperson
KEN KIMES, Vice Chairperson
DAVID SANFORD, Executive Secretary

MINUTES OF REGULAR MEETING

April 20, 2023

1:30 PM

Agricultural Extension Auditorium
1432 Freedom Boulevard
Watsonville, California

Present: Bruce Dau, Ellen Rinde, Mike Manfre

Absent: Ken Kimes

Others: Sheila McDaniel, Randall Adams, Carmen Zamora, Terry Schmitt, Miguel Podolsky, Randall Adams, Walter Mayeda

1. The meeting was called to order at 1:40 p.m.

2. Approval of Minutes and Modifications

(a) Additions/Corrections to Agenda: Attachments, including minutes, correspondence, and the APAC calendar were emailed to APAC members and hard copies were provided at the meeting.

(b) Approved minutes from the October 20, 2022 hearing.

MOTION/SECONDED: Rinde/Manfre

AYES: Dau, Rinde, Manfre

NOES: None

ABSTAIN: None

ABSENT: None

(c) Accept items of APAC correspondence:

(1) 2022 Board of Supervisors APAC Biennial Report

(2) Supervisorial District Commissioner Appointments

MOTION/SECONDED: Manfre/Rinde

AYES: Dau, Rinde, Manfre

NOES: None

ABSTAIN: None

ABSENT: None

3. Declaration of Ex Parte Communications: None

4. Oral Communication: None

5. APAC Commissioner Presentations: None

6. Updates from the Agricultural Commissioner's Office: January and March storms and floods caused significant damage to ag fields; the latest estimates were 1,500-2,000 acres of affected cropland and approximately \$47,000,000 in damage. Juan Hidalgo has departed as the Santa Cruz County Agricultural Commissioner; David Sanford is the acting interim Agricultural Commissioner. No permanent appointment has been made at this time.

7. Updates from the Staff Planner: The governor has vacated Covid protocols for remote meetings as of February 28, 2023. The CAO has issued a directive that meetings shall resume in-person. Item 10 provides discussion regarding this matter. APAC calendar for 2023 was presented. There is currently no plan to meet in May of 2023.

8. Project: **221109. APN: 046-221-52**

Approve staff recommendation for project 221109.

MOTION/SECONDED: Manfre/Rinde

AYES: Manfre, Dau, Rinde

NOES: None

ABSTAIN: None

ABSENT: None

9. Project: **28338. APN: 104-041-19**

Approve staff recommendation for project 28338.

MOTION/SECONDED: Manfre/Rinde

AYES: Manfre, Dau, Rinde

NOES: None

ABSTAIN: None

ABSENT: None

10. Discussion of County Administrative Office directive for in-person Boards and Commission meetings and consideration of a change in venue to provide continuation of the public call-in component: Continue meetings at 1432 Freedom Boulevard until unavailable. Direct staff to find location south of Park Avenue, preferably with an audio setup, to relocate to when current location becomes unavailable. Future meetings will exclude call-in component.

MOTION/SECONDED: Rinde/Manfre

AYES: Dau, Rinde, Manfre

NOES: None

ABSTAIN: None

ABSENT: None

The meeting was adjourned at 2:55 p.m



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **221109**

Applicant: Pacific Rim Planning Group
Owner: Crossen
APN: 046-221-52
Address: (No Situs) Zils Road, Watsonville

Date: March 16, 2023
Agenda Item #:
Time: 1:30 p.m.

Project Description: Proposal to construct a single family dwelling, accessory dwelling unit, and detached barn.

Location: Property is located on the west side of Zils Road in Watsonville. (Accessed via private driveway between 144 Zils Road and 156 Zils Road).

Permits Required: Agricultural Buffer Setback Reduction (Coastal Development Permit and Residential Development Permit to be considered by the Zoning Administrator)

Staff Recommendation:

- Staff recommends that your Commission **RECOMMEND APPROVAL** of the Agricultural Buffer Setback Reduction proposed under Application 221109, to the Zoning Administrator, based on the attached findings and recommended conditions.

Analysis and Discussion

The proposed project is to construct a two story single-family dwelling, a detached Accessory Dwelling Unit (ADU), and a non-habitable accessory structure on a 3.9 acre parcel. The project is proposed on a vacant parcel located off Zils Road in La Selva Beach and accessed via a private driveway located between 144 Zils Road and 156 Zils Road. The proposed building sites for the single family dwelling and ADU are each located within 200 feet of Commercial Agriculture zoned land, which borders the property to the west, north, and east.

The subject property is moderately sloped and has vehicular access rights of way on the north, west, and south sides of the property. The proposed single family dwelling would be located on the north side of the parcel and the proposed ADU would be located on the south side of the parcel at more than 100 feet from the proposed primary dwelling. A detached non-habitable accessory structure is proposed at the south side of the property to assist in the proposed farming operations.

The surrounding CA zoned parcels located to the west, north, and east of the subject property, vary in size from one to five acres. The pattern of development in the immediate vicinity could be characterized as a rural residential neighborhood.

Agricultural Buffer Setback Reduction

The parcel is located within the AG (Agriculture) General Plan designation and the implementing zone district is CA (Commercial Agriculture). Commercial Agriculture zoned land is situated within 200 feet at the west, north, and east sides of the parcel.

The applicant is requesting the following reductions in the 200 foot agricultural buffer setback:

- APN 046-221-38 (located to the west): reduced setback of approximately 94 feet to the proposed residence and 62 feet to the proposed Accessory Dwelling Unit.
- APNs 046-251-02, -16 (located to the north): reduced setback of approximately 71 feet to the proposed residence and 65 feet to the proposed attached garage.
- APNs 046-221-53 (located to the east): reduced setback of approximately 21 feet to the proposed residence, and 112 feet to the proposed ADU.

A reduced agricultural buffer is recommended due to the fact that the small parcel size and narrow lot width (of approximately 208 feet wide) would not allow sufficient building area if the required 200 foot setback was maintained from the adjacent Commercial Agriculture zoned properties.

The applicant is proposing landscaping with solid fencing as agricultural buffer barriers at the west, north and east sides of the parcel with an evergreen hedge of landscape plantings and solid board fencing to reduce the impact of future agricultural activities on the proposed residential use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel(s). The applicant will also be required to record a Statement of Acknowledgement regarding the issuance of a building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts.

Comments received prior to the Zoning Administrator's hearing for the adjacent property (APN 046-221-53) which was reviewed by your Commission in October 2022, led Planning staff to recommend the installation of a solid board fence along the entire length of the northern property line. Given the similar circumstances and concerns, and in order to adequately protect agricultural resources, Planning staff recommends extending the proposed agricultural buffer barrier (landscaping and solid fencing) along the entire northern property line.

Agricultural Resources Evaluation

The applicant has submitted an agricultural resource evaluation prepared by Rush and Associates (Exhibit F) which indicates that the 3.9 acre property is suitable for small scale farming, as proposed by the applicant, if proper erosion control practices are followed. Additionally, the report indicated that the locations of the proposed residential structures would not impact the proposed farming operations, in that they would only cover approximately 3% of the available land area and would be located at the edges of the property closer to neighboring residences.

Accessory Dwelling Unit

The proposed development includes an Accessory Dwelling Unit (ADU) that is located at over 100 feet from the primary dwelling. County Code requires ADUs to be located within 100 feet of the primary dwelling on agriculturally designated properties unless an alternate location is approved by the Agricultural Policy Advisory Commission. In this case, the ADU would be located off of the existing access road, adjacent to existing residential development to the south of the property. The agricultural resource evaluation states that the location of the proposed ADU would be located adjacent to existing residential homesites and would not impact the proposed farming operations.

Recommendation

- Staff recommends that your Commission **RECOMMEND APPROVAL** of the Agricultural Buffer Setback Reduction proposed under Application 221109, to the Zoning Administrator, 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 Division, 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.sccoplanning.com

Report Prepared By: Randall Adams
Santa Cruz County Planning
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-3218
E-mail: randall.adams@santacruzcounty.us

Report Reviewed By: Jocelyn Drake
Principal Planner
Development Review

Exhibit

- A. Findings
- B. Conditions
- C. Project plans
- D. Assessor's, Location, Zoning and General Plan Maps
- E. Parcel information
- F. Comments & Correspondence

**Required Findings for Agricultural Buffer Setback Reduction
County Code Section 16.50.095(D)**

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a two hundred (200) foot agricultural buffer setback; or
3. A lesser setback is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, 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) or the existence of some other factor which effectively supplants the need for a two hundred (200) foot agricultural buffer setback; or

This finding can be made, in that the applicant proposes to install agricultural buffer barriers between the proposed residential development and the adjacent parcels to the west, north, and east containing agricultural resource soils.

4. The imposition of a two hundred (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 (e.g. solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

This finding can be made, in that the subject property is approximately 208 feet in width and is bounded by properties that contain agricultural resource soils on both sides. Application of a 200 foot agricultural buffer setback would preclude development on an existing parcel of record.

**Required Finding for Agricultural Buffer Setback Reduction on Commercial Agriculture
(CA) Zoned Land County Code Section 16.50.095(E)**

1. In the event that an agricultural buffer setback reduction is proposed and the proposed non-agricultural development is located on Type 1, Type 2, or Type 3 commercial agricultural land, the non-agricultural development shall be sited so as to minimize possible conflicts between the agricultural use on the subject parcel; and the non-agricultural development shall be located so as to remove as little land as possible from production or potential production.

This finding can be made, in that the applicant is proposing a small scale farming operation in conjunction with the residential development on the 3.9 acre parcel and has provided an agricultural resources evaluation report which concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the agricultural use of the subject parcel.

**Required Findings for Development on Land Zoned Commercial Agriculture or
Agricultural Preserve County Code Section 13.10.314(A)**

1. The establishment or maintenance of this use will enhance or support the continued operation of commercial agriculture on the parcel and will not reduce, restrict or adversely affect agricultural resources, or the economic viability of commercial agricultural operations, of the area.

This finding can be made that the subject property is not currently, and has not been historically, under commercial agricultural production; and

The proposed residential development would not reduce, restrict, or adversely affect agricultural resources on the subject property because the residential development would be ancillary to the small scale farming operation that is also proposed on the property. The agricultural resource evaluation report concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the proposed agricultural use of the subject parcel. Agricultural buffer barriers are proposed at the perimeter of the property and the proposed development would not reduce, restrict, or adversely affect agricultural resources or commercial agricultural operations in the area.

2. The use or structure is ancillary, incidental or accessory to the principal agricultural use of the parcel or no other agricultural use of the parcel is feasible for the parcel; or the use consists of an interim public use which does not impair long-term agricultural viability, or consists of a permanent public use that will result in the production of recycled wastewater solely for agricultural irrigation and that limits and mitigates the impacts of facility construction on agriculture consistent with the requirements of Section 13.10.635; or

This finding can be made, in that the proposed residential development would be ancillary (covering approximately 3% of the land area) to the small scale farming operation that is also proposed on the property.

3. Single family residential uses will be sited to minimize conflicts, and that all other uses will not conflict with commercial agricultural activities on site, where applicable, or in the area.

This finding can be made, in that the proposed residential development would be located on the edges of the parcel, adjacent to neighboring parcels, and would not conflict with the proposed small scale farming operation on the subject property.

4. The use will be sited to remove no land from production (or potential production) if any non-farmable potential building site is available, or if this is not possible, to remove as little land as possible from production.

This finding can be made, in that the proposed residential development would be located at the edges of the parcel, in areas identified by the agricultural resources evaluation to be less suitable for agricultural production (due to slope, soil characteristics, and proximity to neighboring residences). The total area for residential development would be approximately 3% of the total area of the subject property and the remainder of the parcel would remain available for agricultural production.

**Required Findings for Residential Development on Land Zoned Commercial Agriculture
or Agricultural Preserve In The Coastal Zone
County Code Section 13.10.314(B)**

1. The parcel is less than one acre in size; or the parcel has physical constraints (such as adverse topographic, geologic, hydrologic, or vegetative conditions) other than size which preclude commercial agricultural use; or that the residential use will be ancillary to commercial agricultural use of the parcel based upon the fact that either:
 - (i) The farmable portion of the parcel, exclusive of the building site, is large enough in itself to constitute a minimum economic farm unit for three crops, other than greenhouses, suited to the soils, topography, and climate of the area; or
 - (ii) The owners of the subject parcel have a long-term binding arrangement for commercial agricultural use of the remainder of the parcel, such as an agricultural easement.

This finding can be made, in that the proposed residential development would be ancillary to the small scale farming operation which is also proposed on the 3.9 acre parcel. The applicant has provided an agricultural resources evaluation which concludes that the property would be suitable for small scale farming operations and that the locations of the proposed residence and ADU would not be in conflict with the agricultural use of the subject parcel. For these reasons, the proposed residential development will not preclude commercial agricultural use of the subject property.

2. The residential use will meet all the requirements of section 16.50.095 pertaining to agricultural buffer setbacks.

This finding can be made, in that the proposed development includes a request for an agricultural buffer setback reduction per County Code section 16.50.095(D).

3. The owners of the subject parcel have executed binding hold-harmless covenants with the owners and agricultural operators of adjacent agricultural parcels. Such covenants shall run with the land and shall be recorded prior to the issuance of the permit for the proposed development.

This finding can be made, in that the project is conditioned to require recordation of a statement of acknowledgment regarding agricultural resources prior to issuance of a building permit.

Conditions of Approval

- I. This permit authorizes an Agricultural Buffer Setback as indicated on the approved Exhibit "C" for this permit. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. 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 all required development permits for development of the site.
 - C. Obtain a Building Permit and Grading Permit from the Santa Cruz County Building Official.
 1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- 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 "C" on file with the Planning Department. Any changes from the approved Exhibit "C" 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 copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
 2. Maintain development setbacks from the single-family dwelling, Accessory Dwelling Unit, and outdoor activity areas, to the adjacent Commercial Agriculture zoned parcels, as indicated on the approved plans (Exhibit "C") for this permit.
 3. 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.
 - a. In addition to the proposed agricultural buffer barriers, a solid board

fence and vegetative buffer plantings shall be installed along the entire length of the northern property line.

4. A Water Efficient Landscape Plan prepared in accordance with the requirements of the Water Efficient Landscape Ordinance (County Code Chapter 13.13) by a certified/licensed landscape architect, landscape contractor, civil engineer, landscape irrigation designer, landscape irrigation auditor, or water manager. WELO-exempt projects, residential projects of up to two units, or landscapes where at least 30% of the water use is provided by graywater, recycled water or captured rainwater may provide either a signed Water Efficient Landscape Checklist or a Water Efficient Landscape Plan.
 - a. Any landscape plan submitted to comply with SCCC Ch. 13.13 shall include a Water Efficient Landscape Plan Submittal Compliance Statement.
- 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.
- 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. A Landscape Installation Certificate prepared in accordance with the Water Efficient Landscape Ordinance (County Code Chapter 13.13) shall be provided.

- D. 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. Indemnification

The applicant/owner shall indemnify, defend with counsel approved by the COUNTY, and hold harmless the COUNTY, its officers, employees, and agents from and against any claim (including reasonable attorney's fees, expert fees, and all other costs and fees of litigation), against the COUNTY, its officers, employees, and agents arising out of or in connection to this development approval or any subsequent amendment of this development approval which is requested by the applicant/owner, regardless of the COUNTY's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the COUNTY. Should the COUNTY in its sole discretion find the applicant's/owner's legal counsel unacceptable, then the applicant/owner shall reimburse the COUNTY its costs of defense, including without limitation reasonable attorney's fees, expert fees, and all other costs and fees of litigation. The applicant/owner shall promptly pay any final judgment rendered against the COUNTY (and its officers, employees, and agents) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this development approval.

- A. The COUNTY shall promptly notify the applicant/owner of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. The COUNTY shall cooperate fully in such defense.
- 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 applicant/owner shall not be required to pay or perform any settlement unless such applicant/owner has approved the settlement. When representing the COUNTY, the applicant/owner 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. The "applicant/owner" shall include the applicant and/or the owner and the successor(s) in interest, transferee(s), and assign(s) of the applicant and/or the owner.

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 or if additional discretionary permits are required for the above permitted project, this permit shall expire on the same date as any subsequent approved discretionary permit(s) unless a building permit (or permits) is obtained for the primary structure described in the development permit (does not include demolition, temporary power pole or other site preparation permits, or accessory structures unless these are the primary subject of the development permit). Failure to exercise the building permit and to complete all of the construction under the building permit, resulting in the expiration of the building permit, will void the development permit, unless there are special circumstances as determined by the Planning Director.

Approval Date: _____

Effective Date: _____

Expiration Date: _____

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.

Project Plans

(Please review project plans under Exhibit D of the Zoning Administrator staff report)

Application Number 221109

FOR TAX PURPOSES ONLY

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POR. SAN ANDREAS RANCHO
SEC. 3, T.12S., R.1E., M.D.B. & M.

Tax Area Code
69-278

46-22



Electronically redrawn 2/7/00 KSA
Rev. 1/17/18 lg (2017-0016002 & 03, LBA 1-52 to 54)
Rev. 1/17/18 lg (2018-0006308 & 09, LBA 1-55 & 56)

22PM46
9/2/1976

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

9PM1
11/17/1972

76RS16
12/5/1986

EXHIBIT D

Assessor's Map No. 46-22
County of Santa Cruz, Calif.
Feb. 2000

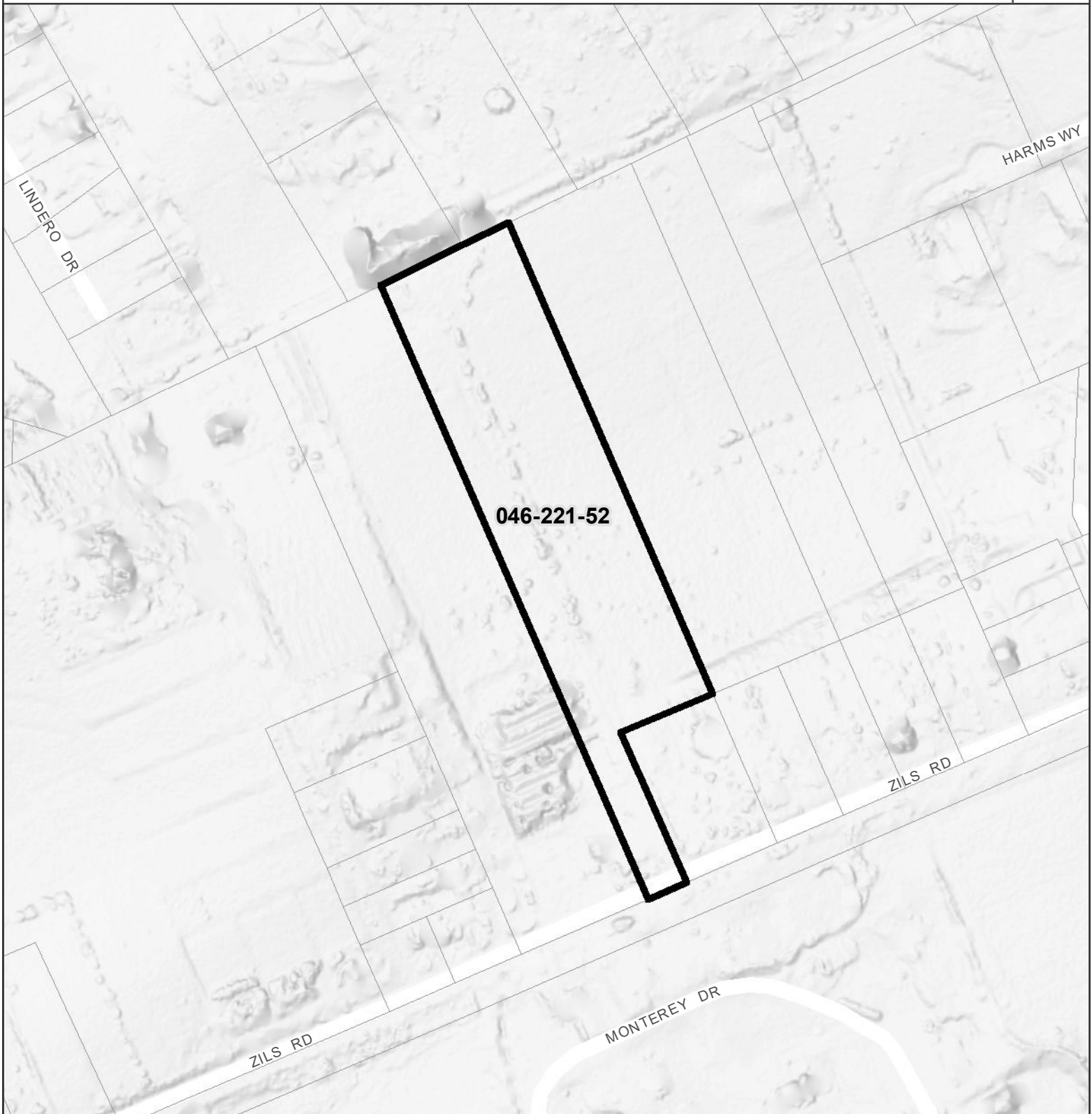


SANTA CRUZ COUNTY PLANNING DEPARTMENT



Parcel Location Map



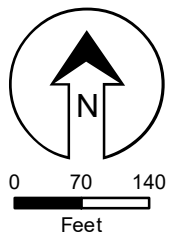
Mapped
Area



Parcel: 04622152

-  Study Parcel
-  Assessor Parcel Boundary

Map printed: 16 Feb. 2023





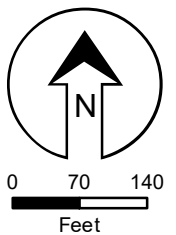
Parcel General Plan Map



Mapped
Area



AG Agricultural





SANTA CRUZ COUNTY PLANNING DEPARTMENT

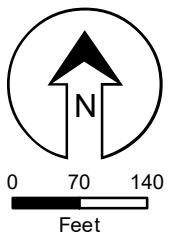
Parcel Zoning Map



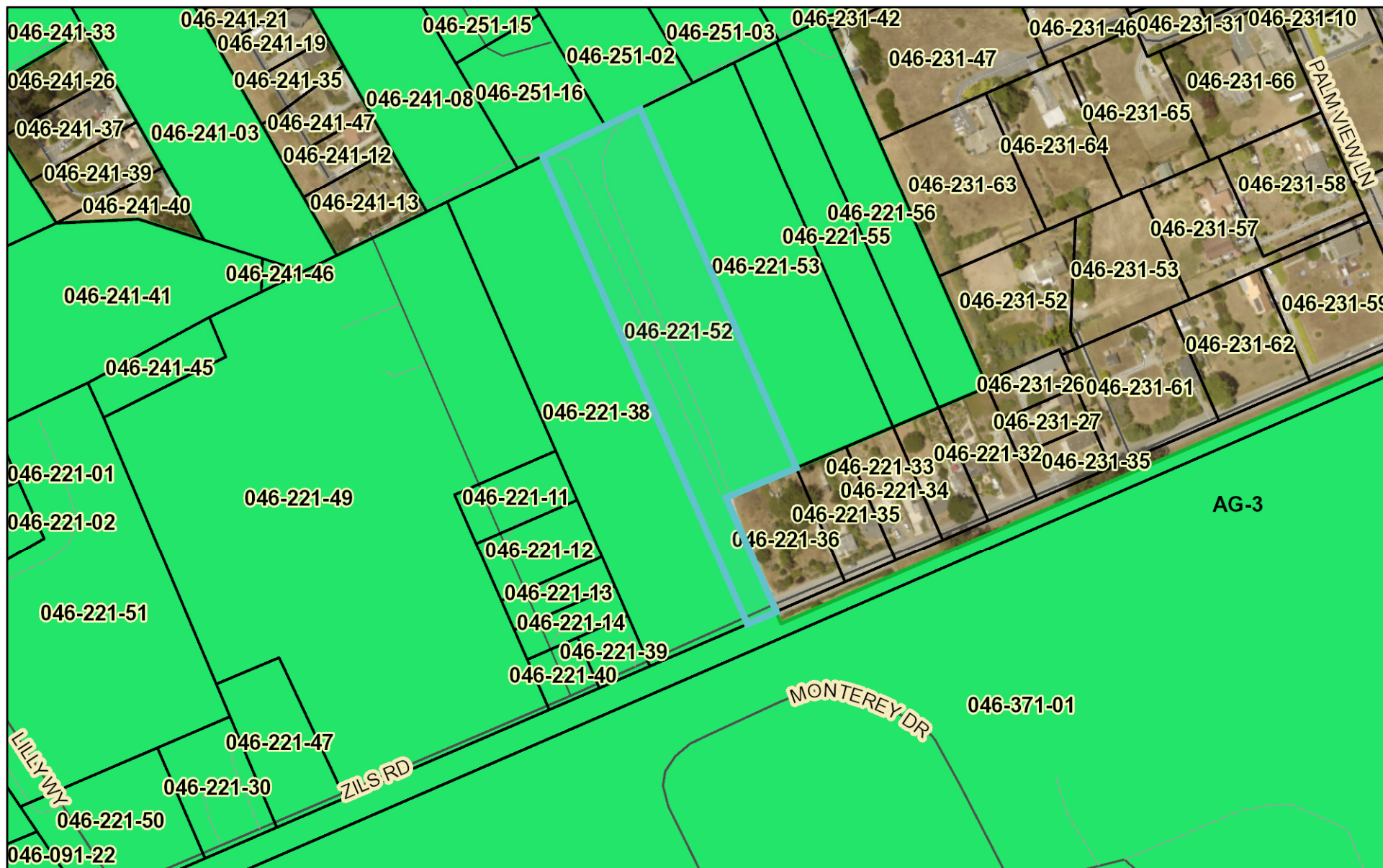
Mapped
Area



- CA Commercial Agriculture
- RA Residential Agricultural



Agricultural Resources



February 16, 2023

Parcel APN labels

Parcel APN labels

Parcels

Parcels

Ag Resource Area

AG-1A

AG-1B

AG-2A

AG-2B

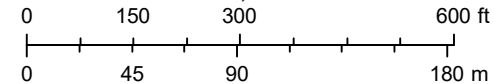
AG-2C

AG-2D

AG-3

AG-PRES

1:3,240



County of Santa Cruz

Parcel Information

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: San Andreas Mutual Water Company
Sewage Disposal: Septic
Fire District: Aptos/La Selva Fire Protection District
Drainage District: None

Parcel Information

Parcel Size: 3.9 acres (per applicant)
Existing Land Use - Parcel: Vacant
Existing Land Use - Surrounding: Vacant, rural residential
Project Access: Private driveway off Zils Road
Planning Area: San Andreas
Land Use Designation: AG (Agriculture)
Zone District: CA (Commercial Agriculture)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm.: ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Fire Hazard: Not a mapped constraint
Slopes: 3-15%
Env. Sen. Habitat: Not mapped/no physical evidence on site
Grading: 900 cubic yards (cut/fill)
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Archeology: Not mapped/no physical evidence on site

Anthony Duttie, MS, MBA
Steven Morrison, Ph.D.
Gary W. Osteen, CPAg
Dale W. Rush, Ph.D.
Albert A. Stoddard III, Ph.D.

RUSH & DUTTIE CONSULTING

AN ASSOCIATION OF AGRICULTURAL CONSULTANTS

California Location
28951 Falcon Ridge Road
Salinas, California 93908
Office: (831) 484-4834
Email: ADuttie@ymail.com

October 12, 2022

File No. 22041.01

Mr. Joseph Crossen
530 Bayview Drive
Aptos, California 95003

Re: Review of the agricultural potential of land within APN 046 221 52, currently identified as the Crossen property, approximate address 148 Zils Road, Watsonville CA.

At the request of Mr. Joseph Crossen, (land owner), and in accordance of requirements of the Santa Cruz County administrative codes, an Agricultural Viability Assessment of the condition, and status of land within APN 046-221-52 was undertaken. The area within which the subject parcel lies is designated as "Commercial Agriculture (CA)", located generally west of San Andreas Road and west of the City of Watsonville, CA (Exhibit 1). This report will review the soils, historic uses, topography, current status, and appropriateness of the subject APN, for "Commercial Agriculture" use, considering the proposed addition of a residence (SFD), an Additional Dwelling Unit (ADU), barn and various farm operations to include fruit trees, grape vines and associated service structures, as generally illustrated in Exhibit 2.

Qualifications

Dale W. Rush

I am an agricultural consultant and have resided in Monterey County since 1994. As a part of my normal work, I evaluate agriculture-related issues including losses or damage to crops, and/or associated property, and changes in land use. In addition, I have evaluated properties in the region including Monterey and Santa Cruz Counties with respect to agricultural land suitability studies and comparative land uses, where agricultural, commercial, residential and other alternate uses were considered under requests to local planning commissions, departments and review boards, and submitted analyses on behalf of various clients. I also provide expert witness services in hearings and litigation. I have a Bachelor's degree in Environmental Biology, a Master's degree in Soil Science, a Doctorate degree in Soil Science from the University of California, more than 40 years of national, regional and local professional and field experience. I am a nationally and regionally certified Professional Agronomist, Soil Scientist, and Crop Advisor (ARCPACS combined certification No. 04904), and California licensed Pest Control Adviser.

Anthony E. Duttie

I am an agricultural consultant and have resided in Monterey County for several years, where I currently reside. As a part of my normal work, I evaluate agriculture-related issues including losses or damage to crops, and/or associated property, and changes in land use. In addition, my firm evaluates properties in the region including Monterey and Santa Cruz Counties with respect to agricultural land suitability studies and comparative land uses, where agricultural, commercial, residential and other alternate uses are considered under requests to local planning commissions, departments review boards, and submitted analyses on behalf of various clients. I also provide expert witness services in hearings and litigation. I have a Bachelor's degree in Agricultural

Biology, a Master's of Science degree in Agricultural Biology, a Masters of Business Administration from the University of California, and more than 30 years of national, regional, local, professional and field experience. I am a nationally and regionally Certified Crop Advisor, and California licensed Pest Control Adviser.

Background

The subject parcel is located generally north of Zils Road with permanent easement access, but no public road frontage within a fairly large, approximately 230 acre "pocket" of scattered residences (Ref. Exhibit 1). The immediate area is most accurately described as residences developed within and consistent with the Santa Cruz County Planning Department description: Zone District "RA" Residential Agriculture, with allowed uses to include: ***"One single-family dwelling, one second dwelling unit, home occupations, small-scale agriculture, greenhouses, wineries, private stables and paddocks, schools, community facilities open space and recreational uses."*** (Exhibit 3).

The surrounding regional land uses include traditional row and truck crops to the southeast and southwest, greenhouses to the west, variably sized small open blocks of land, and clustered residences to the immediate south, east, west, and northwest. There are wildlife refuges approximately ½ mile to the northeast and a state park and campground approximately ½ mile to the northwest (Ref. Exhibit 1). Surrounding area residential lots vary in size from less than an acre to a few acres, often in fairly long and narrow rectangular property boundaries (Ref. Exhibit 1).

The proposed Crossen farm lot is reported as a rectangle of approximately 3.9 acres, with the (generally) north-south boundaries about 3 times longer than the east-west width (Ref. Exhibits 1 & 2), and is the western-most of three contiguous parcels of separate ownerships. The lay of the land is such that the upper portion or about 60% of the total length slopes down toward the south border, with the remaining about 40% being generally level regarding the north-south slope (Exhibit 4). There is currently a permanent access road located on the west side of the property from Zils Road to the northern border where it turns east to the neighboring property. There is no water well reported or observed on the parcel, but there is potential access from a local mutual water system.

The subject parcel is bordered to the north and south by various-sized residential parcels from less than an acre to a few acres, often in long and narrow rectangular property boundaries. (Ref. Exhibit 3 and to the east and west). These parcels include residential properties of which some include various small-scale agriculture, livestock, and garden vegetable and fruit production (ref. Exhibit 1). Historical images revealed that an adjacent parcel to the west once contained what appeared to be a small commercial greenhouse and approximately ½ acre of fruit trees. The greenhouse was removed in 2020 and the fruit trees do not appear to be maintained for commercial production (Exhibit 5). Properties to the immediate east and west of the subject parcel contain mostly native vegetation, but there are no indications of active agricultural ventures.

The subject parcel includes the remnants of a half-acre apple orchard that was planted during or before 2003, and still contains several trees. While those trees appeared to have been recently pruned, and at one time were dripline irrigated with water provided from an adjoining parcel, there was no evidence of being irrigated or otherwise managed in the recent past. It is the reported desire

of the owner to replant missing trees as well as wine grapes on the slope between the orchard and the proposed residence.

Domestic water for the property can be provided from the local water company (San Andreas Mutual Water Company (SAMWAC)). It is noted that SAMWAC's principal charter is to provide a domestic water supply to their shareholders. Per the SAMWAC charter (Exhibit 7), they can provide a limited amount of water for agricultural uses for each shareholder, per year with the provisions and limitations for its use, as long as such use does not diminish the cooperative's ability to meet its primary objective of providing domestic water service in perpetuity. It is noted that agricultural uses of SAMWAC water are limited in volume, not guaranteed annually, and are secondary to domestic needs.

Soils Report

The USDA NRCS Soil Survey Report provides relevant information on the subject parcel (Exhibit 8). The survey revealed the middle and lower portion of the parcel (86.6%) is listed as Elder sandy loam with 2-15% slopes. The northeast corner of the parcel (7.0%) is Elder sandy loam with 9-15% slopes. The northwest corner of the parcel (6.5%) was Baywood loamy sand with 2-15% slopes. The California Modified Storie Index for 93.6% of the parcel is Grade 1 (Excellent), with respect to soil texture, structure, chemical properties, depth, and drainage, while 6.5% of the parcel has a California Modified Storie Index of Grade 2 (Good).

While these soils are Storie index-rated as good to excellent, the parcel has a Land Capability Classification rating (if irrigated) of 2e for 86.6% of the parcel and 3e for the remaining 13.5%. The "e" subclass rating indicates that erosion potential is elevated as the significant issue for the entire parcel. Class 2 soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices. The degree of slope, which is mostly two dimensional (north to south), necessitates the use of tillage and drainage management to be across and perpendicular to the slopes rather than down slope. Such topographical aspects are common and adequately managed by farming operations throughout the region.

From a soil perspective, if properly managed to control erosion, the subject parcel is suitable for various agricultural pursuits including animal husbandry, hoop/greenhouse culture, the growing of annual and permanent crops such as fruit and vegetables, trees, vines, bush/cane berries, and ornamentals, but on a much-reduced scale as compared with nearby and regional, large, conventional-sized farms.

Residence structures

The proposal as understood, is to construct a primary residence (SFD) within the upper northwest portion of the property and occupying an estimated 3,224 sq. ft. or 1.9% of the total parcel area. Locating the residence on the upper (northern) sloped portion of the property would presumably resolve potential erosion issues that might hinder or complicate normal practices of husbandry, while minimizing the project footprint in the most agriculturally desirable portion of the parcel.

There is also a proposal to establish a small worker's quarters (ADU) and barn at the lower (south) end of the property. Locating the ADU at the south end of the property and occupying 2,118 sq. ft. would result in about a 1.2% reduction in the size of land available for agricultural uses within

the subject parcel. Furthermore, locating the ADU on the southwestern portion of the parcel would provide additional buffer from agricultural activities on the parcel to neighboring residences to the south and west.

The proposed barn is necessary to adequately produce, process, and shelter proposed crops and animals. The size of the parcel and the further restriction of agricultural setbacks on the usable farming area limits the scale of potential agricultural ventures on the parcel. As agricultural production volumes are limited due to the size of the property, the potential value-added benefits of on-site processing represent a substantial profit potential that cannot be realized by producing only raw agricultural products. Thus, the tradeoff of open land for processing and personnel is reasonable.

The access path paralleling the southern portion of the property would be a common access and is necessary regardless of the presence of the proposed barn. The path is required to facilitate access to the proposed barn and ADU on the southern portion of the adjoining property to the east. This would also provide an opportunity to use border areas that would otherwise be potentially unusable for farming due to agricultural proximity setbacks with neighboring residences to the south and west.

Summary and opinions

The subject and adjacent parcels have not been productively farmed for at least several decades. The subject property is literally surrounded by variably small, mostly residential lots that are not necessarily compatible with traditional large commercial farming operations, although many of the surrounding parcels contain gardens, greenhouses, animal paddocks, etc. that are completely compatible and consistent with the residential and small-scale farming operations proposed by Mr. Crossen. The proposed value-added processing of farm products from small-scale local producers is a desirable and potentially profitable enterprise. The proposed development of the subject property is preferable and superior to the alternative of perpetually unproductive, idled erodible land, and can provide benefits to both the owners and the community.



Anthony Duttie, MS, MBA, CCA, PCA



Dale W. Rush, PhD, CPAg/SSc, CCA, PCA, QAL

Attachments: Exhibits 1-6