

## STAFF REPORT TO THE ZONING ADMINISTRATOR

**APPLICATION NO.:** 03-0504

**APN:** 107-481-28

**APPLICANT:** Janet Dows

**OWNERS:** Anthony & Carrie Salady

**PROJECT DESCRIPTION:** Proposal to ~~construct~~ a one-story addition (749 square feet) to an existing single-family dwelling. Requires a Variance to reduce the required 40-foot front setback to about 28 feet, ~~an~~ Agricultural Buffer Determination to reduce the required 200-foot setback to about 160 feet, and ~~an~~ Archaeological Site Review.

**LOCATION:** Property located on the east side of the north branch of Las Colinas Drive (145 Las Colinas Drive), at approximately ¼ mile east from Eureka Canyon Road in Corralitos.

**PERMITS REQUIRED:** Variance, Agricultural ~~Buffer~~ Determination

**ENVIRONMENTAL DETERMINATION:** Categorically Exempt - Class 3

**COASTAL ZONE:** \_\_ Yes X No

### PARCEL INFORMATION

**PARCEL SIZE:** 3 acres

**EXISTING LAND USE:**

**PARCEL:** Single-family residential

**SURROUNDING:** Single-family residential

**PROJECT ACCESS:** Eureka Canyon Road

**PLANNING AREA:** Eureka Canyon

**LAND USE DESIGNATION:** R-R (Rural Residential)

**ZONING DISTRICT:** R-A (Residential Agriculture)

**SUPERVISORIAL DISTRICT:** Second (Pirie)

### ENVIRONMENTAL INFORMATION

- |                      |  |
|----------------------|--|
| a. Geologic Hazards  | b. Not mapped/no physical evidence on site |
| b. soils             | Lompico-Felton complex                     |
| c. Fire Hazard       | c. Mapped constraint                       |
| d. Slopes            | d. 30-50 percent                           |
| e. Env. Sen. Habitat | e. Not mapped/no physical evidence on site |
| f. Grading           | f. No grading proposed                     |
| g. Tree Removal      | g. No <i>trees</i> proposed to be removed  |
| h. Scenic            | h. Not a mapped resource                   |
| i. Drainage          | i. Existing drainage adequate              |
| j. Traffic           | j. No significant impact                   |
| k. Roads             | k. Existing roads adequate                 |

- |                       |  |
|-----------------------|--|
| l. Parks              | l. Existing park facilities adequate   |
| m. Sewer Availability | m. No                                  |
| n. Water Availability | n. Yes                                 |
| o. Archeology         | o. Mapped/no physical evidence on site |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: \_\_\_Yes XNo

Water Supply: Pajaro Valley Water Management Agency  
Sewage Disposal: CSA#12, private septic system  
Fire District: Pajaro Valley Fire Protection District  
Drainage District: Zone 7 Flood Control/Water Conservation District

### **HISTORY**

This application was received by the Planning Department on November 18, 2003 and deemed complete on December 17, 2003. The project was reviewed by the Santa Cruz County Agricultural Policy Advisory Commission (APAC) on January 15, 2004, and a reduced agricultural buffer of 160 feet from adjacent CA zoned land ~~was~~ approved.

### **ANALYSIS AND DISCUSSION**

The subject property is a 3-acre parcel, located in the RA (Residential Agriculture) zone district, a designation that allows residential uses. The proposed residential addition is a principal permitted use within the zone district and the project **is** consistent with the site's (R-R) Rural Residential General Plan designation. The proposed residential addition is in conformance with the County's General Plan in that the structure is 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. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The existing 1,632 square foot, 2-bedroom single-family dwelling was constructed in 1976. The proposed addition of 749 square feet would add two bedrooms and a bathroom to the one-story structure.

~~The~~ applicant is requesting a variance to the RA site development standards to allow for a reduced setback of 28 feet from the Las Colinas Drive right-of-way where a 40-foot front setback applies. No other variances are required for the proposed development. The special circumstances applicable to the property are the irregular, triangular shape of the lot, the location of the existing residence and septic leach field, the steep slopes in excess of 30 percent slope at the rear of the parcel, and the required agricultural buffer setback from commercial agricultural land at the rear of the lot. The existing mature vegetation on the lot shall be maintained to mitigate the visual impact of the proposed room addition.

The Agricultural Policy Advisory Commission reviewed the project on January 15, 2004. A reduced buffer of 160 feet from adjacent CA zoned land was approved based on maintenance of the existing vegetative buffer and recordation of ~~an~~ Agricultural Statement of Acknowledgement.

The project site is a mapped archaeological site. The archaeological reconnaissance survey completed for the project on December 11, 2003 indicated that pre-historical cultural resources were not evident at the site (Exhibit E).

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.

## RECOMMENDATION

Staff recommends:

1. **APPROVAL** of Application ~~Number~~ **03-0504**, based on the attached findings and conditions.
2. Certification that the proposal is exempt from ~~further~~ Environmental Review under the California Environmental Quality Act.

## EXHIBITS

- A. Project plans
- B. Findings
- C. Conditions
- D. Categorical Exemption (CEQA determination)
- E. **APAC** staff report dated 1/15/04 and approved minutes
- F. Site photographs

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Joan **Van** der Hoeven  
Santa Cruz County Planning Department  
701 Ocean Street, ~~4th~~ Floor  
Santa Cruz CA 95060  
Phone Number: (831) ~~454-5174~~ (or, [pln140@co.santa-cruz.ca.us](mailto:pln140@co.santa-cruz.ca.us) )

### **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.

The location of the proposed residential addition 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 in that the project is located in an area designated for residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the Uniform Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed residential addition will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to light, air, and open space in the neighborhood.

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.

The project site **is** located in the RA (Residential Agriculture) zone district. The proposed location of the residential addition and the conditions under which it would be operated or maintained **will** be consistent with all pertinent County ordinances and the purpose of the RA zone district in that the primary use of the property remains residential and, subject to the front setback variance approval, will meet all current site standards for the zone district.

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**.

The project is located in the Rural Residential (R-R) land use designation. The continued residential use is consistent with the General Plan in that it meets the density requirements specified in General Plan Objective (Rural Residential).

The proposed residential addition will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties, and subject to the front setback variance approval, 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 residential addition will not adversely shade adjacent properties, and will meet current setbacks for the zone district that

ensure access to light, air, and open space in the neighborhood.

The proposed residential addition will not be improperly proportioned to the parcel size or 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 residential addition and accessory use will comply with the site standards for the R-A zone district (including ~~all~~ setbacks subject to approval of ~~the~~ reduced front setback variance), 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.

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.

The proposed use will not overload utilities or generate more than the acceptable level of traffic on the streets in the vicinity in that it is a residential addition to an existing developed 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 and intersections in the surrounding area of Eureka Canyon Road.

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.

The proposed residential addition 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 in the vicinity, in that the proposed structure is one story, in a *mixed* neighborhood of one and two story homes and the proposed residential addition is consistent with the land use intensity and density of the neighborhood.

## VARIANCE FINDINGS:

1. THAT BECAUSE OF SPECIAL CIRCUMSTANCES APPLICABLE TO THE PROPERTY, INCLUDING SIZE, SHAPE, TOPOGRAPHY, LOCATION, AND SURROUNDING EXISTING STRUCTURES, THE STRICT APPLICATION OF THE ZONING ORDINANCE DEPRIVES SUCH PROPERTY OF PRIVILEGES ENJOYED BY OTHER PROPERTY IN THE VICINITY AND UNDER IDENTICAL ZONING CLASSIFICATION.

The special circumstances applicable to the property are the sloping topography of the lot downwards from the project frontage to slopes greater than 30 percent at the rear of the lot, the location of the existing development on the parcel, including septic leach fields, the irregular, triangular shape of the lot, and the location of the project site upslope and immediately adjacent to commercial agriculture. The project site slopes from about 100 feet above sea level at the street frontage to about 50 feet at the rear of the lot. The house is built into the slope following the natural contour of the land. Given the location of the existing single-family residence on the site, it would not be possible to locate the addition any further away from the front setback due to slopes in excess of 30 percent to the rear of the lot.

Additional landscaping at the rear of the parcel is not recommended as the site is a mapped fire hazard area and existing mature landscaping in the front yard serves to mitigate the visual impact of the proposed addition to the structure. The project is upslope from actively farmed commercial agriculture, CA zoned property, APN 107-541-01, and maintains an approximately 160-foot setback for the residence.

The strict application of the zoning ordinance would deprive the property of privileges enjoyed by other property in the vicinity and under identical zoning classification. The adjacent residential development is also clustered toward the street and away from the slopes to the rear of the parcels, so this proposal is typical of surrounding existing structures in the neighborhood.

2. THAT THE GRANTING OF A VARIANCE IS IN *HARMONY* WITH THE GENERAL INTENT AND PURPOSE OF ZONING OBJECTIVES AND WILL NOT BE MATERIALLY DETRIMENTAL TO PUBLIC HEALTH, SAFETY, OR WELFARE OR INJURIOUS TO PROPERTY OR IMPROVEMENTS IN THE VICINITY.

The granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity in that the proposed variance will address a reduced front setback from 40 feet to 28 feet from the Las Colinas right-of-way. The structure is built to follow the natural contours of the land and avoids construction in the steep slopes at the rear of the parcel. The addition will not compromise sight distance for traffic along Las Colinas Drive. The use of the parcel remains residential and development on adjacent parcels will not be affected by the proposal. Views would not be significantly diminished, and access to light, solar access, and air are not materially compromised.

The proposed construction does not substantially vary in design or scale from the other residential development in the surrounding neighborhood. The proposed addition is not materially detrimental to public health, safety or welfare, or injurious to property or improvements in the vicinity. The construction follows the natural contours of the land and is consistent with adjacent development in size and scale. The residential use of the property is consistent with the objectives of the Residential Agriculture zone district in that the land use is residential, consistent with surrounding development.

3. THAT THE GRANTING OF SUCH VARIANCES SHALL NOT CONSTITUTE A GRANT OF SPECIAL PRIVILEGES INCONSISTENT WITH THE LIMITATIONS UPON OTHER PROPERTIES IN THE VICINITY AND ZONE IN WHICH SUCH IS SITUATED.

The granting of a variance to construct a room addition with a reduced front setback will not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated in that other properties in the vicinity and RA zone district with similar parcel configurations and existing development would be given similar consideration. Construction shall be consistent with the required building permit. Furthermore, no further departures from applicable development standards, e.g. a variance to the required on-site parking which would negatively impact the surrounding neighborhood, is necessary or ~~has~~ been proposed.

## **CONDITIONS OF APPROVAL**

Exhibit A: Plans by Janet Dows, Architect, dated 11/18/03, 3 sheets.

- I. This permit authorizes the construction of a residential addition of **749** square feet. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall
  - A. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
  - B. Comply with all requirements of the approved **Agricultural** Buffer Determination.
  - C. Submit Final Architectural Plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. The final plans shall include the following additional information:
    1. Identify finish of exterior materials and color of roof covering for Planning Department approval. Any color boards must be in **8.5" x 11"** format.
    2. Grading, drainage, and erosion control plans.
    3. Details showing compliance with fire department requirements.
  - D. Meet all requirements of and pay Zone **7** drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
  - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
  - F. Meet all requirements and pay any applicable plan check fee of the Pajaro Valley Fire Protection District.
  - G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer if required.
  - H. Pay the current fees for Parks and Child Care mitigation for two bedrooms.



Currently, these fees are, respectively, \$578 and \$109 per bedroom.

- I. Provide required off-street parking for 3 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.
  - J. Submit a written statement signed by an authorized representative of ~~the~~ school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- 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 inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - C. **The** project must comply with all recommendations of the approved soils reports.
  - D. Pursuant to Sections 16.40.040 and 16.42.100 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 16.42.100. 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.

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**Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.**

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE  
DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS  
AND COMMENCE CONSTRUCTION.**

Approval Date: 3/05/04

Effective Date: 3/19/04

Expiration Date: 3/19/06

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Don Bussey  
**Deputy** Zoning Administrator

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Joan Van der Hoeven  
Project Planner

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

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

The Santa ~~Cruz~~ County Planning Department ~~has~~ reviewed the project described below and ~~has~~ determined that it is exempt from the provisions of CEQA ~~as~~ specified in Sections 15061 - 15332 of CEQA for the reason(s) which have been specified in this document.

Application Number: 03-0504

Assessor Parcel Number: 107-481-28

Project Location: 145 Las Colinas Drive, Watsonville

**Project Description: Proposal to construct a residential addition to an existing residence.**

**Person or Agency Proposing Project: Janet Dows**

**Contact Phone Number: (831) 724-2282**

- A. ☐ The proposed activity is not a project under CEQA Guidelines Section 15378.  
B. ☐ The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060(c).  
C. ☐ **Ministerial Project** involving only the use of fixed standards or objective measurements without personal judgment.  
D. ☐ **Statutory Exemption** other than a Ministerial Project (CEQA Guidelines Section 15260 to 15285).

Specify type:

E. ☒ **Categorical Exemption**

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

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

Construction of a residential addition in an area appropriate for residential development.

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

Joan Van der Hoeven  
Joan Van der Hoeven, Project Planner

Date: March 5, 2004

**EXHIBIT D**

**STAFF REPORT TO THE AGRICULTURAL POLICY ADVISORY  
COMMISSION**

**APPLICATION NO.:** 03-0504

**APN:** 107-481-28

**APPLICANT:** Janet Dows, Architect

**OWNERS:** Anthony & Came Salady

**PROJECT DESCRIPTION:** Proposal to construct a one-story addition (749 square feet) to an existing single-family dwelling. Requires a Variance to reduce the required 40-foot front setback to about 28 feet, an Agricultural Buffer Determination to reduce the required 200-foot setback to about 160 feet, and an archaeological site review.

**LOCATION:** Property located on the east side of the north branch of Las Colinas Drive (145 Las Colinas Drive) at approximately ¼ mile east from Eureka Canyon Road in Corralitos.

**PERMITS REQUIRED:** Agricultural Buffer Setback Reduction

**ENVIRONMENTAL DETERMINATION:** Exempt - Category 1

**COASTAL ZONE:** —Yes X No

**PARCEL INFORMATION**

**PARCEL SIZE:** 3 acres

**EXISTING LAND USE:**

**PARCEL:** Single-family dwelling

**SURROUNDING:** Single-family dwellings

**PROJECT ACCESS:** Eureka Canyon Road

**PLANNING AREA:** Eureka Canyon

**LAND USE DESIGNATION:** RR (Rural Residential )

**ZONING DISTRICT:** RA (Residential Agriculture)

**SUPERVISORIAL DISTRICT:** Second (Pirie)

**ENVIRONMENTAL INFORMATION**

- |                       |  |
|-----------------------|--|
| a. Geologic Hazards   | a. Not mappedino physical evidence on site |
| b. Soils              | b. Lompico-Felton complex                  |
| c. Fire Hazard        | c. Mapped constraint                       |
| d. Slopes             | d. 30-50 percent slopes                    |
| e. Env. Sen. Habitat  | e. Not mappedino physical evidence on site |
| f. Grading            | f. No grading proposed                     |
| g. Tree Removal       | g. No trees to be removed                  |
| h. Scenic             | h. Not a mapped resource                   |
| i. Drainage           | i. Existing drainage adequate              |
| j. Traffic            | j. No significant impact                   |
| k. Roads              | k. Existing roads adequate                 |
| l. Parks              | l. Existing park facilities adequate       |
| m. Sewer Availability | m. No                                      |

**EXHIBIT E**

- |                          |  |
|--------------------------|--|
| n. Water Availability    | n. Yes                                 |
| o. Archeology            | o. Mapped/no physical evidence on site |
| p. Agricultural Resource | p. Not a mapped resource               |

### **SERVICES INFORMATION**

Inside Urban/Rural Services Line: \_\_\_ Yes X No

Water Supply: Pajaro Valley Water Management Agency  
Sewage Disposal: CSA#12 private septic system  
Fire District: Pajaro Valley Fire Protection District  
Drainage District: Zone 7 Flood Control/Water Conservation District

### **ANALYSIS AND DISCUSSION**

The proposed project is to construct a 749 square foot room addition to an existing one story single-family dwelling of approximately 1,605 square feet on a 3-acre parcel. The project is located at 145 Las Colinas Drive in Watsonville. The building site is within 200 feet of Commercial Agricultural land to the east. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to about 160 feet from APN 107-541-01.

The subject property is characterized by very steep topography and is designated as a fire hazard area. The parcel is not located within the Urban Services Line and may be characterized as a rural neighborhood. The parcel carries a Rural Residential (RR) General Plan designation and the implementing zoning is (RA) Residential Agriculture. Commercial Agriculture zoned land is situated within 200 feet at the east side of the parcel at Assessor's Parcel Number 107-541-01, the 102-acre MacDonald orchard.

A reduced agricultural buffer is recommended due to the fact that the sloping topography with a 50-foot difference in elevation between the subject property and the adjacent CA land, and the width of the lot would not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. No additional buffering is recommended due to the existence of a natural buffer of native vegetation and the fire hazard in addition to the considerable difference in elevation from the adjacent agricultural land. The applicant shall be required to record a Statement of Acknowledgement regarding the issuance of a county building permit in **an** area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts.

### **RECOMMENDATION**

Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about about 160 feet feet to the single-family dwelling from the adjacent CA zoned property known as APN 107-541-01, proposed under Application # 03-0504, based on the attached findings and recommended conditions.

### **EXHIBITS**

- A. Project plans by Janet Dows, Architect, dated 11/18/03

**EXHIBIT E**

- B. Findings
- C. Conditions
- D. Assessor's parcel map/~~Location~~ Map
- E. Zoning map/~~General~~ Plan
- F. Comments & Correspondence
- G. Site photographs

SUPPLEMENTARY REPORTS AND INFORMATION REFERRED TO IN THIS REPORT ARE ON FILE AND AVAILABLE FOR VIEWING AT THE SANTA CRUZ COUNTY PLANNING DEPARTMENT, AND ARE HEREBY MADE A PART OF THE ADMINISTRATIVE RECORD FOR THE PROPOSED PROJECT.

Report Prepared By: Joan Van der Hoeven  
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Report Reviewed By: 

Principal Planner  
Development Review

**REQUIRED FINDINGS FOR AGRICULTURAL BUFFER SETBACK REDUCTION**  
**COUNTY CODE SECTION 16.50.095(b)**

1. SIGNIFICANT TOPOGRAPHICAL DIFFERENCES EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT SETBACK; OR

Significant topographical differences exist between the subject parcel and the adjacent CA zoned parcel, APN 107-541-01, to allow for a reduction in the required 200-foot setback to about 160 feet. The proposed building site is approximately 50 feet above the elevation of the adjacent Commercial Agriculture zoned parcel, so additional landscaping and solid fences have not been required.

2. PERMANENT SUBSTANTIAL VEGETATION OR OTHER PHYSICAL BARRIERS EXIST BETWEEN THE AGRICULTURAL AND NON-AGRICULTURAL USES WHICH ELIMINATE THE NEED FOR A 200 FOOT BUFFER SETBACK; OR A LESSER SETBACK DISTANCE IS FOUND TO BE ADEQUATE TO PREVENT CONFLICTS BETWEEN THE NON-AGRICULTURAL DEVELOPMENT AND THE ADJACENT AGRICULTURAL USES, BASED ON THE ESTABLISHMENT OF A PHYSICAL BARRIER, UNLESS IT IS DETERMINED THAT THE INSTALLATION OF A BARRIER WILL HINDER THE AFFECTED AGRICULTURAL USE MORE THAN IT WOULD HELP IT, OR WOULD CREATE A SERIOUS TRAFFIC HAZARD ON A PUBLIC OR PRIVATE RIGHT-OF-WAY, AND/OR SOME OTHER FACTOR WHICH EFFECTIVELY SUPPLANTS THE 200 FOOT BUFFERING DISTANCE TO THE GREATEST DEGREE POSSIBLE; OR
3. THE IMPOSITION OF A 200 FOOT AGRICULTURAL BUFFER SETBACK WOULD PRECLUDE BUILDING ON A PARCEL OF RECORD AS OF THE EFFECTIVE DATE OF THIS CHAPTER, IN WHICH CASE A LESSER BUFFER SETBACK DISTANCE MAY BE PERMITTED, PROVIDED THAT THE MAXIMUM POSSIBLE SETBACK DISTANCE IS REQUIRED, COUPLED WITH A REQUIREMENT FOR A PHYSICAL BARRIER, OR VEGETATIVE SCREENING OR OTHER TECHNIQUES TO PROVIDE THE MAXIMUM BUFFERING POSSIBLE, CONSISTENT WITH THE OBJECTIVE OF PERMITTING BUILDING ON A PARCEL OF RECORD.

## **CONDITIONS OF APPROVAL**

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (107-541-01). Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicandowner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with Exhibit A on file with the Planning Department. The final plans shall include the following additional information:
    1. A development setback of a minimum of about 160 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 107-541-01.
  - 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 applicandowner must meet the following conditions:
  - A. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
  - B. The existing native vegetation shall be maintained at the eastern property line adjacent to CA zoned lands and consistent with Fire Department requirements.
  - C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.
- IV. Operational Conditions
  - A. The vegetative barrier shall be permanently maintained.



- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose 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.

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**Minor Variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.**

**PLEASE NOTE: THIS PERMIT EXPIRES TWO YEARS FROM THE EFFECTIVE DATE UNLESS YOU OBTAIN THE REQUIRED PERMITS AND COMMENCE CONSTRUCTION.**

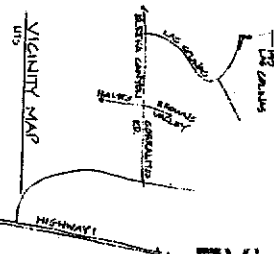
Approval Date: 1/15/04

Effective Date: 1/29/04

Expiration Date: 1/29/06

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Appeals: Any property owner, or other person aggrieved, ~~or~~ any other person whose interests are adversely affected by any act or determination of the Agricultural Policy Advisory Commission under the provisions of County Code Chapter 16.50, may appeal the act or determination to the Board of Supervisors in accordance with chapter 18.10 of the Santa Cruz County Code.



**JANET DOWS, ARCHITECT**  
LIC#408 C-3412  
115 SEABRIGHT AVENUE, SANTA CRUZ, CA 95061  
408-437-1346

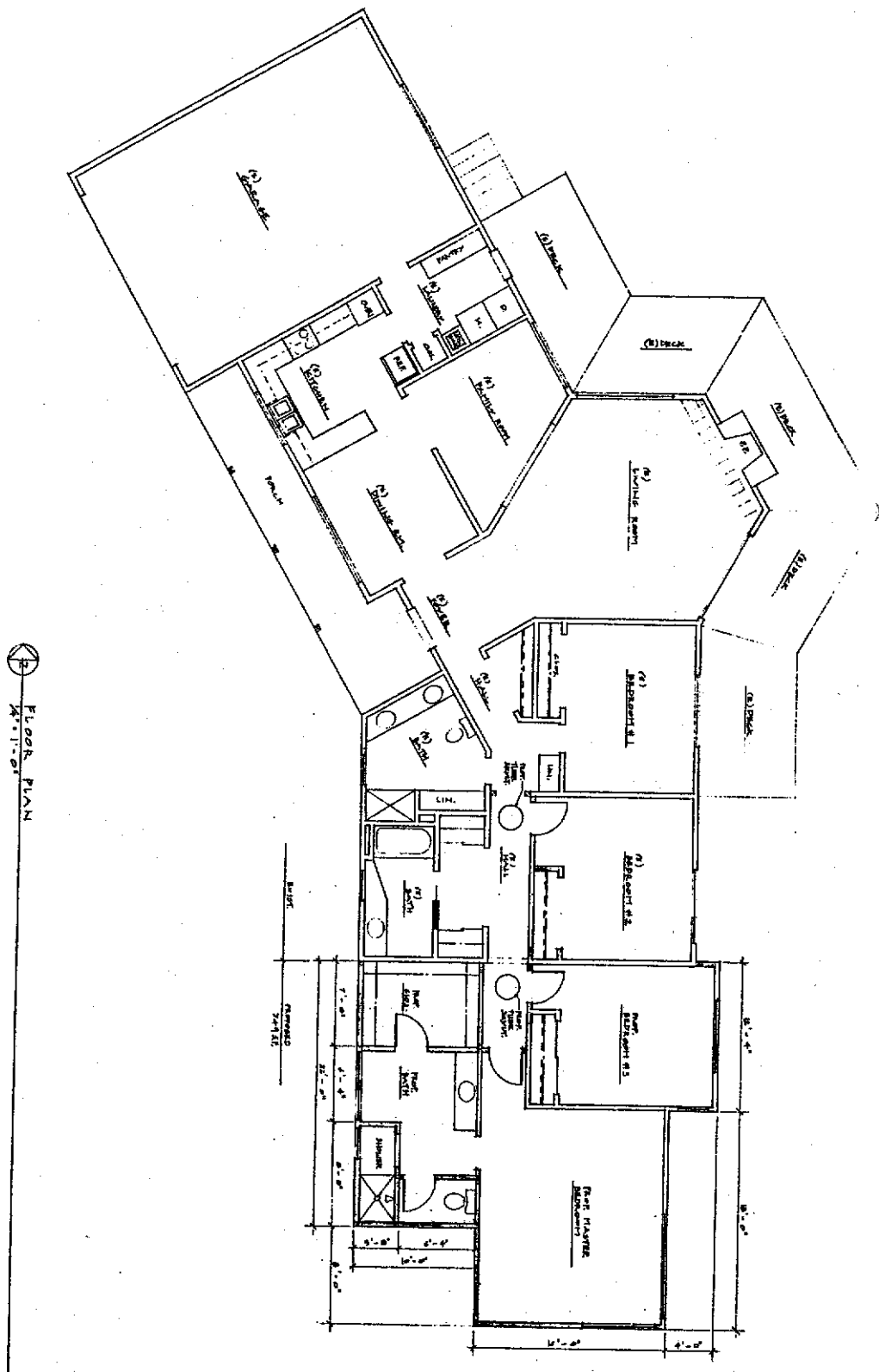
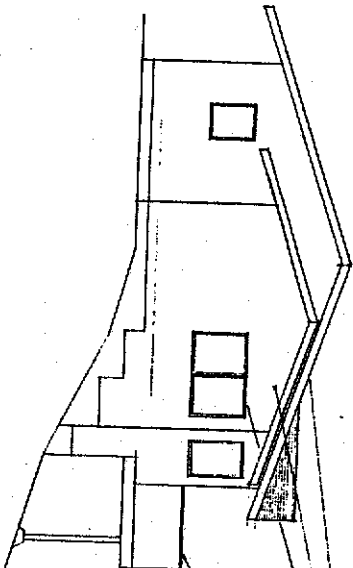


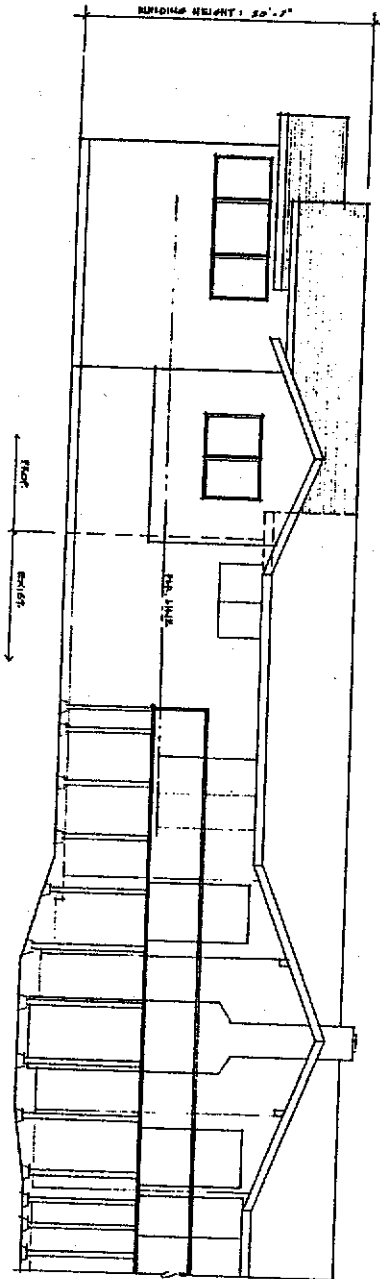
EXHIBIT A

<div style="border: 1px solid black; padding: 5px; text-align: center;"> <div style="font-size: 2em; margin: 0;">2</div> <div style="font-size: 0.8em; margin: 0;">DWG. 3</div> </div>	ADDITION TO <b>ANTHONY &amp; CARRIE SALADY RESIDENCE</b>		<b>JANET DOWS, ARCHITECT</b> <small>EXCISE C. 9412</small> 145 HARBOR AVENUE, SANTA CRUZ, CA 95062 (408) 427-0346
	145 LAS COLINAS DRIVE, COUNTY OF S.C.		
	A.P.S. 107-401-20		

RIGHT SIDE ELEVATION (SOUTH)



REAR ELEVATION (EAST)



FRONT ELEVATION (WEST)

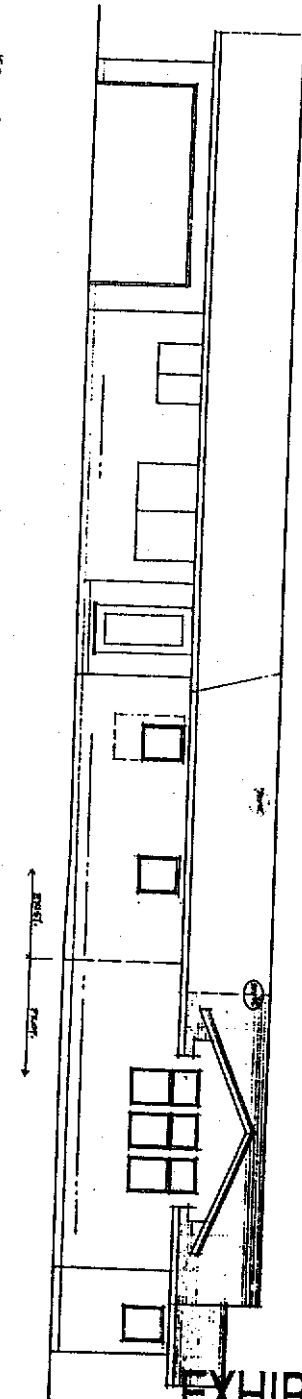


EXHIBIT A



ADDITION TO	
ANTHONY & CARRIE SALADY RESIDENCE	
145 LAS COLINAS DR., COUNTY OF S.C.	
11-18-05	A.P.N.: 107-481-28

JANET DOWS, ARCHITECT	
LICENSED 1412	
430 REARLIGHT AVENUE, SANTA CRUZ, CA 95062	
531-887-1246	

107-48

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

34PM74  
2/19/80

⑤

15PM7

11PM7A

Ⓔ

N  
1' = 200'

CA Land  
107-541-01

## PROJECT LOCATION

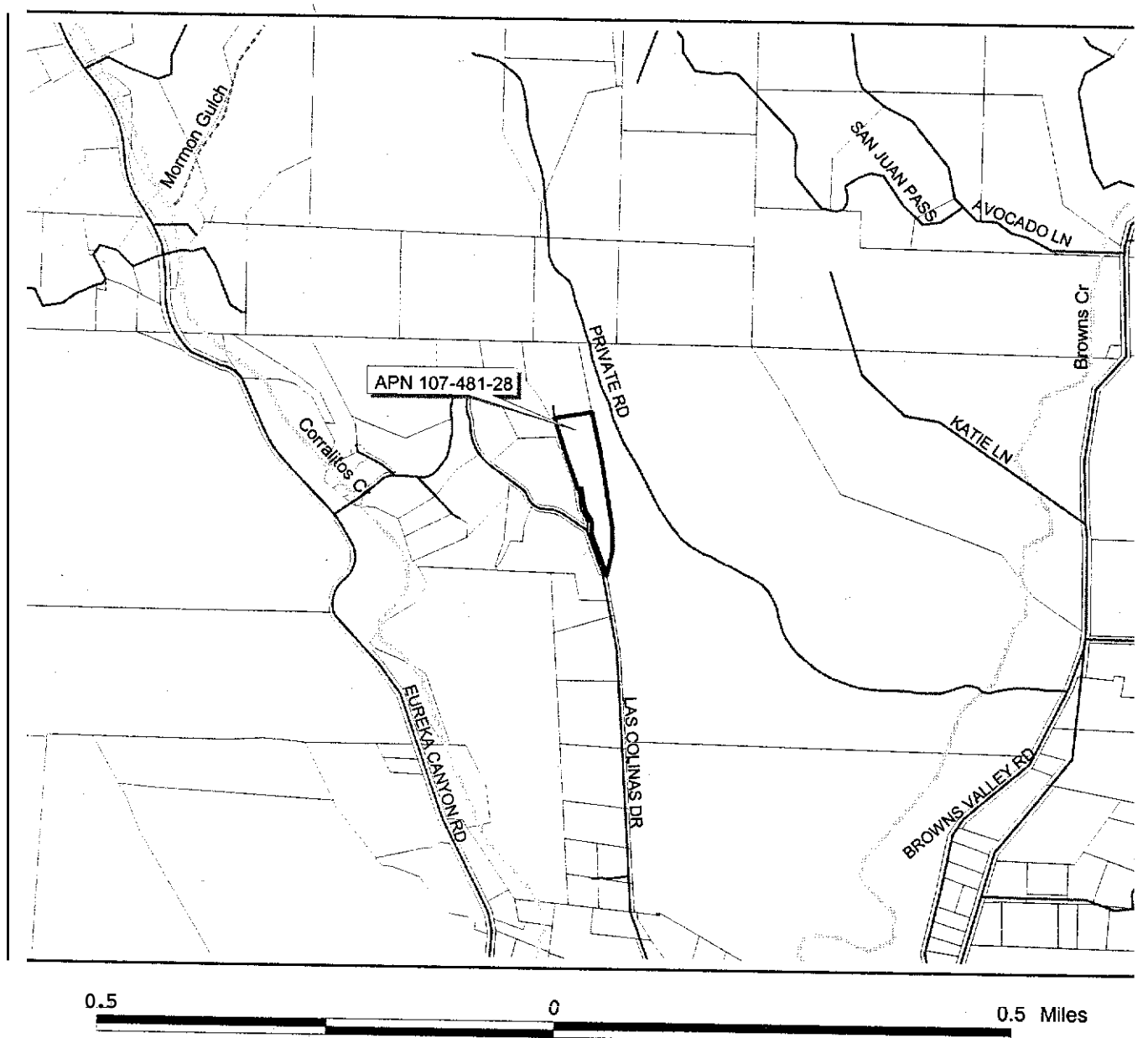
Assessor's Map No. 107-48  
County of Santa Cruz, Calif

Note Assessor's Parcel & Block Numbers Shown in Circle --

Electronically drawn 1/21/98 KSA  
Rev 4/9/98 CB (Tax Consolidation)  
Rev 10/9/02 NW (changed page refs.)

EXHIBIT D

# Location Map

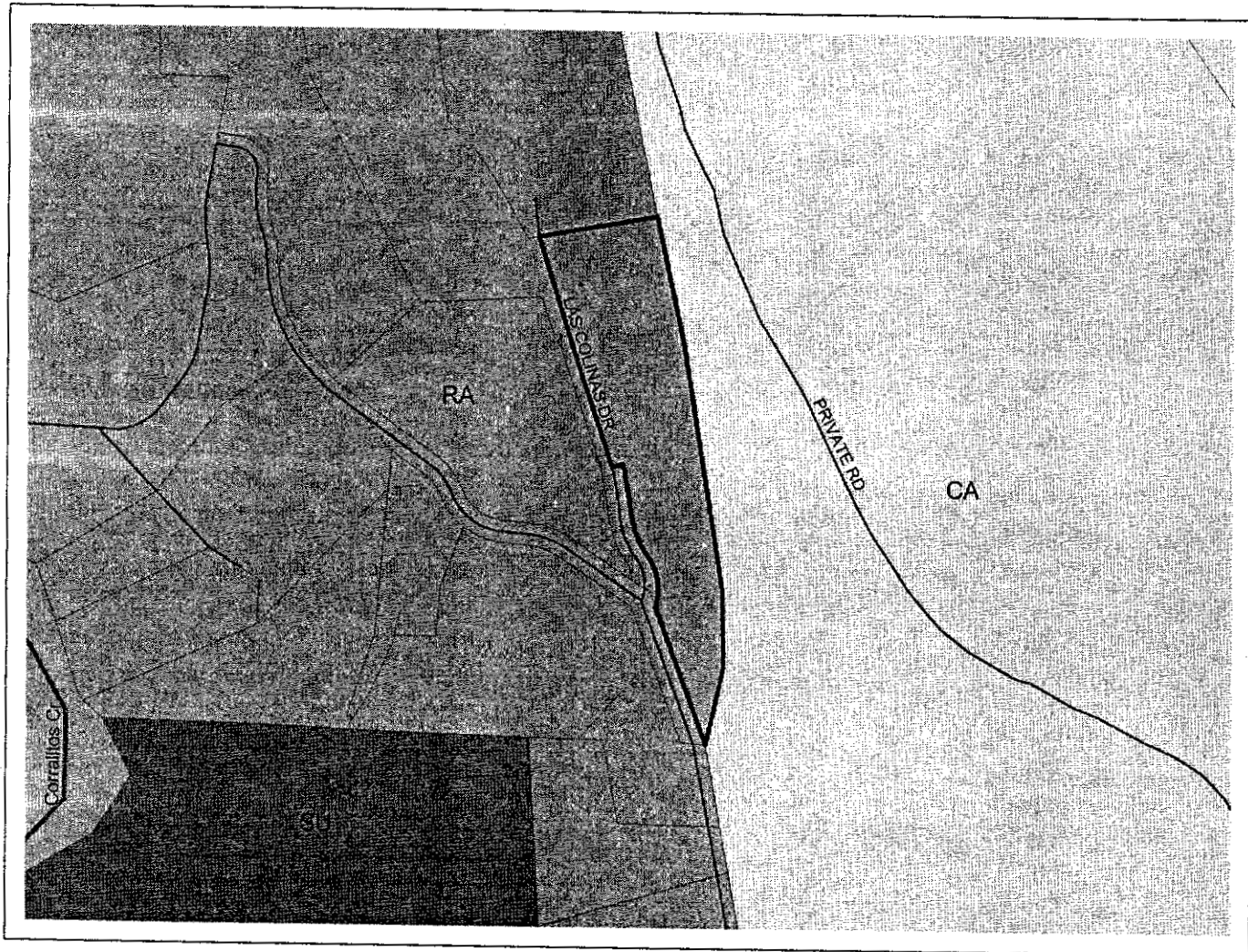


Map created by Santa Cruz County'  
Planning Department:  
November 2003



EXHIBIT D

# Zoning Map



## Legend

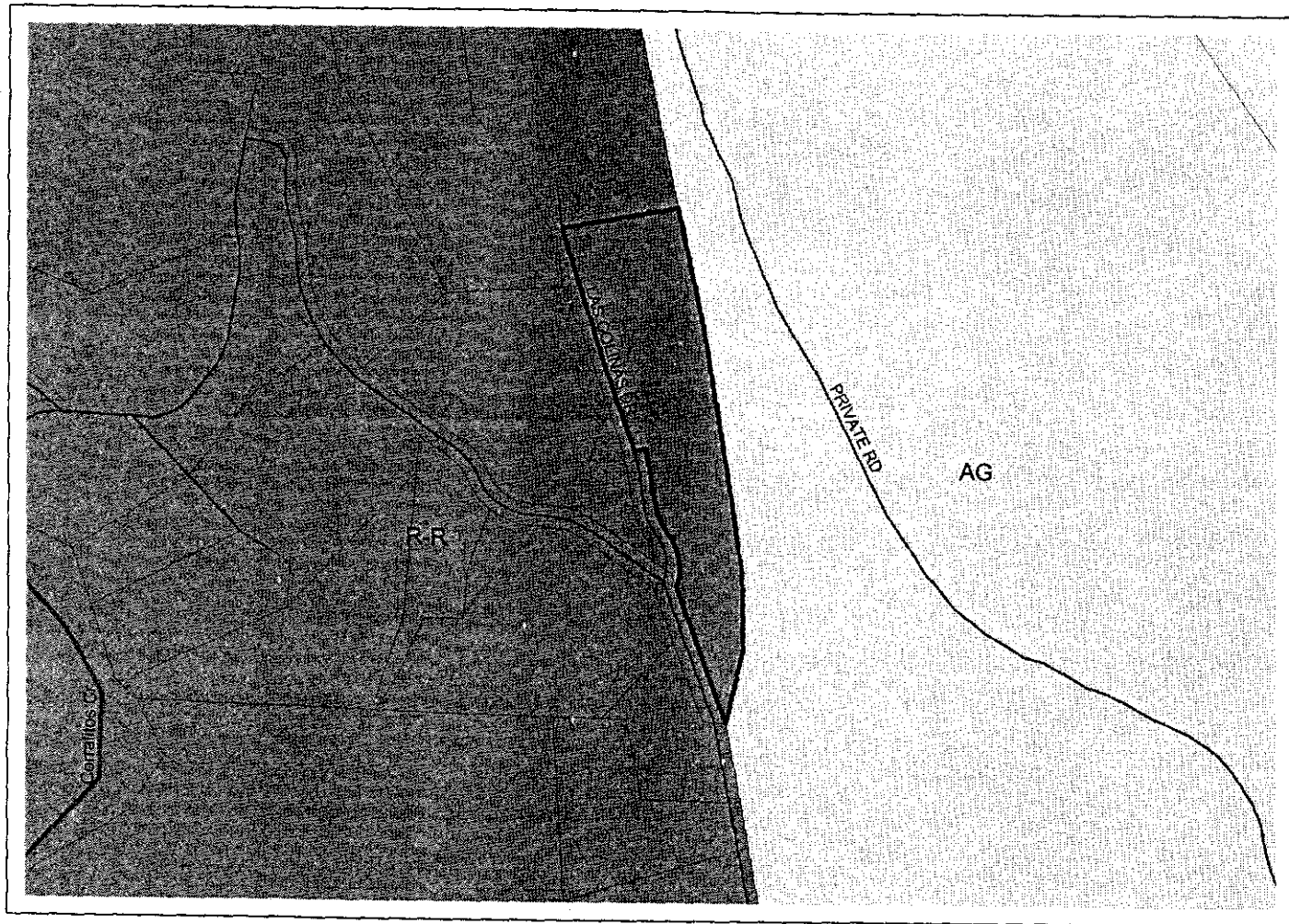
	APN 107-481-28
	Parcel boundaries
	Streets
	Perennial Stream
	CA
	RA
	SU



Map created by Santa Cruz County  
Planning Department:  
November 2003

EXHIBIT E

# General Plan Map



500 0 500 1000 Feet

## Legend

	APN 107-481-28
	Parcel boundaries
	Streets
	Perennial Stream
	Agriculture
	Rural Residential



Map created by Santa Cruz County  
Planning Department:  
November 2003

EXHIBIT E



C O U N T Y O F S A N T A C R U Z  
D I S C R E T I O N A R Y A P P L I C A T I O N C O M M E N T S

Project Planner: Joan Van Der Hoeven  
Application No.: 03-0504  
APN: 107-481-28

Date: December 8, 2003  
Time: 11:11:32  
Page: 1

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Dpw Drainage Completeness Comments

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

----- REVIEW ON DECEMBER 1, 2003 BY CARISA REGALADO -----

No offsite adverse impacts apparent. Plans accepted as submitted. (Additional notes in Miscellaneous Comments.)

Dpw Drainage Miscellaneous Comments

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

----- REVIEW ON DECEMBER 1, 2003 BY CARISA REGALADO -----

Since proposed development is greater than 500 sf and in a Groundwater Recharge Zone, runoff from impervious areas must remain on-site. For the building application stage, please confirm on the plans that this will be done. Also, please clarify **if** the downspouts from the proposed addition are being routed into the existing 1000 sf trench.

If needed, further drainage plan guidance may be obtained from the County of Santa Cruz Planning website: <http://sccounty01.co.santa-cruz.ca.us/planning/brochures/drain.htm>

Please call or visit the Dept. of Public Works, Stormwater Management Division, from 8:00 am to 12:00 pm if you have any questions.

Environmental Health Completeness Comments

===== REVIEW ON DECEMBER 4, 2003 BY JIM G SAFRANEK =====  
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON DECEMBER 4, 2003 BY JIM G SAFRANEK =====

The proposed project requires that septic system be upgraded to meet current standards. Applicant must obtain an approved sewage disposal permit to relocate septic tank. Contact the EHS Land Use staff of Environmental Health at 454-2751, Ruben Sanchez.

Cal Dept of Forestry/County Fire Completeness Comm

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

===== REVIEW ON NOVEMBER 24, 2003 BY COLLEEN L BAXTER =====  
----- UP-DATED ON NOVEMBER 24, 2003 BY COLLEEN L BAXTER -----  
DEPARTMENT NAME: CDF/COUNTY FIRE All Fire Department building requirements and fees will be addressed in the Building Permit phase. Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction. 72 hour minimum notice is required prior to any inspection and/or test. Note: As a condition of submittal of these plans, the submitter, designer and installer certify

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EXHIBIT F

**Discretionary** Comments - Continued

Project Planner: Joan Van Der Hoeven  
Application No.: 03-0504  
APN: 107-481-28

Date: December 8, 2003  
Time: 11:11:32  
Page: 2

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that these plans and details comply with the applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewing agency.

Cal Dept of Forestry/County Fire Miscellaneous Com

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

===== REVIEW ON NOVEMBER 24, 2003 BY COLLEEN L BAXTER =====

EXHIBIT F

**JANET DOWS, ARCHITECT-**  
1425 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
LICENSE C-24412  
831-457-1346

---

November 18, 2003

To: County Planning **Staff**

Subject: Salady residence, 145 Las Colinas Drive:  
Variance application

The Salady's home was built in about 1975. It is situated at the edge of the flat area on a parcel which is mostly sloped.

It was originally built with a 35 foot front setback; we haven't been able to find a record of any variance.

We are proposing an expansion ~~at~~ the bedroom end of the house. We have chosen to propose extending the home toward the south, even though it requires a variance to the front yard setback, because the land is quite steep behind the residence.

We believe this proposal meets the necessary findings for granting a variance:

1. Topography: The land slopes at a 30% slope or more on most of the property. The flattest area is in the front setback. The house is currently facing the flat area with about a 25% slope at the rear. We don't feel it would be prudent to add on to the house at the rear, where the slope increases. I spoke on the phone with Bob Loveland in June, after sending him photos of the site. He preferred to see an addition to the side, sitting similarly to the existing home.
2. This is one of 3 homes at the end of the road. The addition as proposed will be screened by large ~~fr~~ trees. It will not "feel" close to the front property line, and the neighbors are supportive.
3. Another home in the immediate vicinity, at 141 Las Colinas, has received a variance to the front setback. It appears to be based on the difficult topography of the lot.

Thank you, and please contact me or the Saladys with any questions or concerns.

*Janet Dows*

EXHIBIT F

Bert and Carrie Salady  
145 Las Colinas Drive  
Watsonville, CA 95076

November 17, 2003

Dear Bert and Carrie,

Mateo and I have reviewed the sketches of the proposed addition to your home at 145 Las Colinas Drive. We have no problem with your plans and wish you the best of luck with your project.

Sincerely,

A handwritten signature in cursive script that reads "Marcel Lettunich". The signature is written in dark ink and is positioned below the word "Sincerely,".

Marcel Lettunich

153 Las Colinas Drive  
Watsonville, CA 95076

EXHIBIT F

**David and Gabriella Shani**  
**149 Las Colinas Drive**  
**Corralitos, CA 95076**

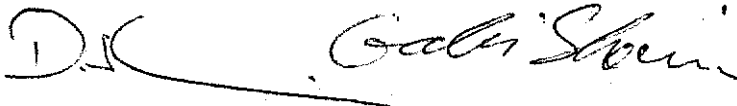
**November 16, 2003**

**Bert and Carrie Salady**  
**145 Las Colinas Drive**  
**Corralitos, Ca 95076**

**Dear Bert and Carrie,**

**Thank you for showing us your house plans. They look great and we are looking forward to seeing the final outcome. Keep us posted of your progress.**

**Sincerely,**

A handwritten signature in cursive script, appearing to read "David and Gabriella Shani", written over a horizontal line.

**David and Qabriella**

**EXHIBIT F**

From: David Sunoo and Beth Truso  
141 Las Colinas Drive  
Corralitos, Ca 95076

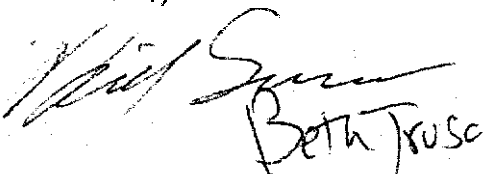
To: Bert and Carrie Salady  
145 Las Colinas Drive  
Corralitos, Ca 95076

November 15, 2003

Thanks for sharing the your plans to add bedrooms and a bathroom to your home.  
The plans look great and we are excited for you.

We hope the addition goes as smoothly as possible

Sincerely,

A handwritten signature in cursive script, appearing to read "Beth Truso", written over a printed name.

Dave and Beth

EXHIBIT F





SLOPING SITE TOPOGRAPHY

EXHIBIT G





EXISTING NATURAL  
VEGETATIVE BARRIER  
AT REAR OF PARCEL  
ADJACENT TO CA LAND

EXHIBIT G

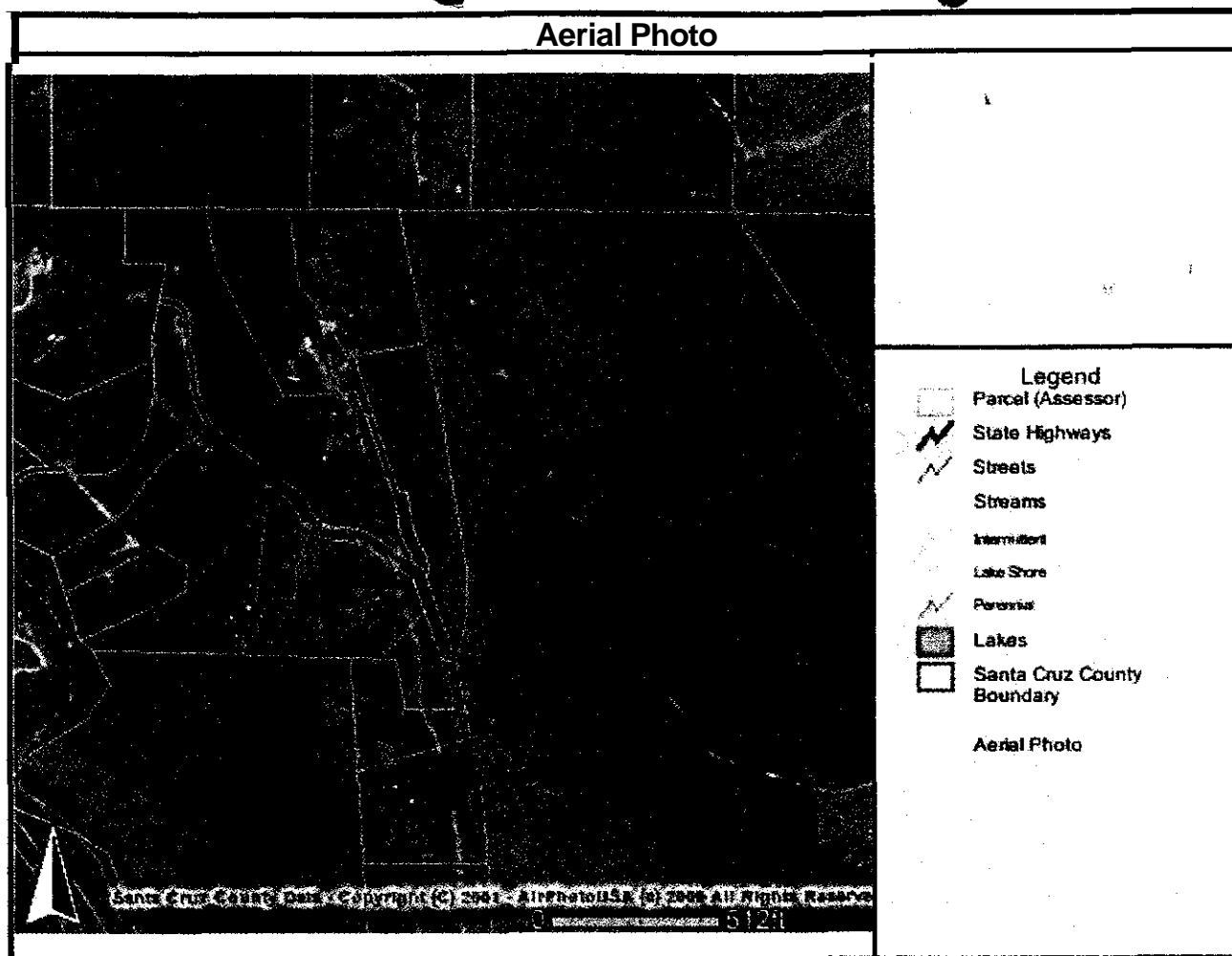


EXHIBIT G



AGRICULTURAL POLICY ADVISORY COMMISSION  
**County of Santa Cruz**

---

**BRUCE DAU, Chairperson**  
**DAVE MOELLER, Executive Secretary**

SANTA CRUZ COUNTY AGRICULTURAL POLICY  
ADVISORY COMMISSION  
REGULAR MEETING

MINUTES -January 15,2004

**Members Present**

Bruce Dau  
Ken Kimes  
Mike Manfre  
Sam Earnshaw  
Frank "Lud" McCrary  
Dave Moeller (ex officio)

**Staff Present**

Joan Van der Hoeven  
Karen Pursell  
Lisa LeCoup

**Others Present**

Lupe Serna  
Anthony Salady  
Bud Mann  
Michael Tansy  
Angelo Pimentel  
James Pimentel  
Laura Gray  
Jose Trinidad Ramirez  
Ron Gordon

1. The meeting was called to order by Chairperson Bruce Dau at 1:32 p.m.
2. (a) Approval of September 18,2003 Minutes:  
  
M/S/P to approve the minutes of September 18,2003.  
  
(b) Additions/corrections to Agenda:  
  
None
3. Review of APAC's Correspondence:
  - (a) Board of Supervisors Agenda Item No. 67 Agricultural Land Preservation and Protection Ordinance, dated November 4, 2003
  - (b) Agricultural Issues Center – Agntourism Brief
  - (c) Letter of Lupe Seina, Independent Living Specialist CCCIL, 11/21/03

## 4. Commissioner's Presentations:

- (a) County Agricultural Commissioner, Dave Moeller - Right to Farm Ordinance. Commissioner Moeller reported that the Board of Supervisors has adopted the revisions to Chapter 16.50 of the County Code - the Agricultural Land Preservation and Protection Ordinance, which incorporates language recommended by the Farm Bureau and APAC. The ordinance goes to the Coastal Commission for review. The most important elements of the ordinance are 1) Provides for annual notification on the property tax bill 2) Discloses to the lessee or buyer of the property in the unincorporated areas using the same language that will appear on the tax bill 3) Requires a buyer of property within 200 feet of agricultural land to sign a letter of acknowledgment.

## 5. Oral Communications:

1. Lupe Serna, Independent Living Specialist, Central Coast Center for Independent Living. Addressed the Commission in **order** to inform them **of** a new department in State Department of Health, the department of the Managed Care, which is the watchdog department for HMOs and PPOs. There is a crisis in healthcare and a need for healthcare in the community, and the government is trying to address this through this department.

## CONSENT AGENDA:

## 6. Notice of Pending Action pursuant to County Code Section 16.50.095(g)

Proposal to construct a one-story addition (749 square feet) to an existing single-family dwelling. Requires a Variance to reduce the required 40 foot front yard to **28** feet, an Agricultural Buffer Determination to reduce the required 200-foot buffer setback to 160 feet, and an Archaeological site review. Property located on the east side of the north branch of Las Colinas Drive, about ¼ mile east from Eureka Canyon Road, at 145 Las Colinas Drive in Corralitos.

Applicant: Janet Dows, Architect

Owners: Anthony & Came Salady

APN 107-481-28

Application: #03-0504

Planner: Joan Van der Hoeven, 454-5174

Joan Van der Hoeven gave the staff report. **Staff** is recommending approval of this proposal. No communication was received from the public on this proposal.

M/S/P to accept the consent agenda

REGULAR AGENDA:

7. Proposal to construct a two-story single-family dwelling. Requires a Coastal Development Permit and an Agricultural Buffer Determination. Property located on the east side of Crest Drive (between 65 and 77 Crest Drive) at approximately ¼ mile south from San Andreas Road in Watsonville.

Applicant: Michael Tansy

Owner: Timothy Tansy

APN 046-251-06

Application: #01-0476

Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. A reduced agricultural buffer is recommended because the buffer would not allow sufficient building area if the 200 foot setback were required due to the width of the property. The occupant is proposing an evergreen hedge of English laurel to reduce the impact of agricultural activity. Staff is recommending approval of this proposal with the addition of the hedge and did not add a requirement for a solid board fence. Staff has received three phone calls and a letter from a neighbor, Deborah Roisman, concerning the proposal.

The proposal was discussed by the Commissioners, including the possibility of farming the adjacent sites, and the possible requirement of a fence.

Michael Tansy, the applicant, made comments on the proposal and stated that he had no objection to the hedge, but preferred not to install a fence.

M/S/P to approve the staff's recommendations.

8. Proposal to recognize the conversion of an existing habitable structure (sleeping room) and part of a non-habitable detached garage and workshop to a Second Dwelling Unit. Requires an Agricultural Buffer Determination. Property located on the northeast side of Buena Vista Drive at approximately 175 feet east of Miller Avenue at 54 Buena Vista Drive in Freedom.

Applicant: Ron Gordon.

Owners: Antonio & Donna L. Sabatino

APN 049-461-17

Application: #03-0421

Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. Staff is recommending a reduced agricultural buffer due to the fact the required buffer would not allow sufficient building area.. The applicant is proposing a solid 6 foot wood board fence and a hedge. No communication was received from the public on this proposal.

The proposal was discussed by the Commissioners. M/S/P to approve the staff's recommendations.

9. Proposal to construct a Second Unit. Requires an Agricultural Buffer Determination. Property located on the east side of Green Valley Road approximately 1 mile north of Vami Road at 1500 Green Valley Road in Watsonville.  
Applicants: Angelo and Marie P. Pimentel  
Owners: Angelo and Marie P. Pimentel  
APN: 109-061-15  
Application: #03-0464  
Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. The applicant is proposing an evergreen hedge, without the addition of a fence, to reduce the impact to agricultural land. Staff is recommending approval of this proposal. No communication was received from the public on this proposal.

The proposal was discussed by the Commissioners. Commissioner Kimes proposed amending staff's recommendation by eliminating the vegetative barrier. M/S/P to approve the staff's recommendations, as amended.

10. Proposal to construct a single-family dwelling. Requires a Coastal Development Permit and an Agricultural Buffer Determination. Property located on the west side of an unnamed right-of-way extending approximately 620 feet east/south of its intersection with San Andreas Road (between 222 and 244 San Andreas Road) approximately  $\frac{3}{4}$  mile northwest of the intersection of San Andreas Road and West Beach Street in Watsonville.  
Applicant: Laura Gray  
Owner: Jose Trinidad Ramirez  
APN: 052-201-10  
Application: #03-0487  
Planner: Joan Van der Hoeven, phone 454-5174

Joan Van der Hoeven gave the staff report. Staff is recommending a reduced agricultural buffer due to the size of the property with an addition of a fence and a hedge. The applicants are proposing an extension of the existing hedge. The proposal is also subject to approval of the Coastal Commission. Staff has received one phone call from the strawberry grower farming concerned about his right to farm.

The proposal was discussed by the Commissioners. Consideration was given to the slope of the property, the location of agricultural fields in the area, the coastal location of the property, and drainage of the property. M/S/P to approve the staffs recommendations.

ORAL COMMUNICATIONS

None.

There being no further business, the meeting was adjourned at 3:10 p.m.

Respectfully submitted.

A handwritten signature in black ink, appearing to read 'David W. Moeller', is written over a large, loopy circular flourish.

David W. Moeller  
Executive Secretary

DWM:ll

SALADY 145 LAS COLINAS FRONT



EXHIBIT F



SALADY 145 LAS COLINAS FRONT (right end)



EXHIBIT F

SALADY  
145 LAS COLINAS  
RIGHT SIDE  
Cone shows front corner  
of proposed addition



EXHIBIT F