



Staff Report to the Zoning Administrator

Application Number: **04-0629**

Applicants: Mark Carr ,Mary Margaret Perez **Agenda Date:** March 18,2005
Owner: Lawrence DeLaney **Agenda Item #:** 3
APN: 046-361-04 **Time:** After 10:00 a.m.

Project Description: Proposal to construct a single-family dwelling, detached barn, well, and water tanks, and to install a temporary caretaker's quarters for use during construction.

Location: Property located along a private right-of-way, adjacent to 520 Peaceful Valley Road, about 1,500 feet east from San Andreas Road In Watsonville.

Supervisory District: Second District (District Supervisor: Pirie)

Permits Required: Coastal Development Permit, Agricultural Buffer Determination, Preliminary Grading Approval, Geotechnical Report Review, Biotic Pre-Site Review, Design Review.

Staff Recommendation:

- Approval of Application 04-0629, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | | | |
|----|-----------------------------|----|---------------------------|
| A. | Project plans | | determination) |
| B. | Findings | E. | APAC staff report 2/17/05 |
| C. | Conditions | F. | Comments & Correspondence |
| D. | Categorical Exemption (CEQA | | |

Parcel Information

Parcel Size:	22 acres
Existing Land Use - Parcel:	Agriculture
Existing Land Use - Surrounding:	Agriculture, State/Fed Preserves – Ellicott Slough
Project Access:	San Andreas Road to Peaceful Valley Road
Planning Area:	san Andreas
Land Use Designation:	A (Agriculture)

Zone District: CA (Commercial Agriculture)
Coastal Zone: ☒ Inside ☐ Outside
Appealable to Calif. Coastal Comm. ☒ Yes ☐ No

Environmental Information

Geologic Hazards: Not mappedho physical evidence on site
Soils: Baywood loamy sand, Elder sandy loam
Fire Hazard: Not a mapped constraint
Slopes: 0 – 50 percent slopes
Env. Sen. Habitat: Mapped SC Long Toed Salamander, CA Red Legged Frog, CA Tiger Salamander, San Andreas Live Oak Woodland, Maritime Chaparral
Grading: Grading proposed to be balanced on the site
Tree Removal: No trees proposed to be removed
scenic: Mapped resource – San Andreas Road
Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate, private driveway construction
Parks: Existing park facilities adequate
Archeology: Not mappedho physical evidence on site

Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside
Water Supply: Private well
Sewage Disposal: CSA#12, private septic system
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Non-zone

History

The project was received by the Santa Cruz County Planning Department on 12/13/04 and deemed complete on 2/15/04. The Agricultural Buffer Determination portion of the project was reviewed and approved by the County Agricultural Policy Advisory Commission on 2/17/04.

Project Setting

The project site is located on Peaceful Valley Road, off San Andreas Road and north of Buena Vista Drive in Watsonville. The proposed building site is located on a small knoll about 50 feet above commercial agricultural production on the site. The immediate neighborhood may be characterized by commercial agricultural production with Federal and State natural preserves associated with the Ellicott Slough nearby.

Zoning & General Plan Consistency

The subject property is a 22-acre parcel, located in the CA (Commercial Agriculture) zone district, a designation allowing residential uses. The proposed single-family residence, with accessory

detached barn, well, and water tanks, is a permitted use within the CA zone district and the project is consistent with the site's (A) Agriculture General Plan designation. The proposal is consistent with all development regulations of the CA zone district with the exception of meeting the required 200-foot agricultural buffer, as per County Code Section 16.50.095. The Agricultural Policy Advisory Commission, at a noticed public hearing on February 17, 2005, determined that a 70-foot setback with an approved buffer would be sufficient to protect the agricultural interests of the adjacent CA land (Exhibit E). Topographic conditions and an existing stand of mature evergreen vegetation exist at the location to minimize the amount of land that would be removed from active production, consistent with General Plan Policy 5.13.27. The applicant has recorded an Agricultural Statement of Acknowledgement consistent with County Code Section 16.50.090, acknowledging that Santa Cruz County has established agriculture as a priority use on productive agricultural lands, and that residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary farm operations.

The property owner is in the process of converting existing agriculture methods to organic production of blackberries and row crops, which would minimize potential adverse impacts to the nature preserves associated with Ellicott Slough in the vicinity.

The proposed temporary caretaker's quarters shall be used by the property owners during construction of the single-family residence as per County Code Section 13.10.683. The installation permit shall not be issued until the applicant has obtained a building permit for the single-family residence, and any permits required for an approved water and sewage system. In addition, a security deposit must be posted with the Planning Department to ensure compliance with all conditions of the permit.

Local Coastal Program Consistency

The proposed single-family residence and accessory detached barn, well, and water tanks is in conformance with the County's certified Local Coastal Program, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character of the surrounding neighborhood, and removing as little land as possible from production by locating at the perimeter of the project site on a knoll. Very low density single family dwellings exist in the area that are associated with farming operations. Size and architectural styles vary widely in the area, and the design submitted is not inconsistent with the existing range. The project site is not located between the shoreline and the first public road and 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. Public coastal access is available at Palm and Sunset State Beaches in the project vicinity.

Design Review

The proposed single-family residence with accessory detached barn, well and water tanks complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as natural materials and colors to reduce the visual impact of the proposed development on surrounding land uses and the natural landscape and the San Andreas Road scenic corridor. Landscaping incorporates retention of existing mature vegetation to screen the project from view and native, drought tolerant species.

Environmental Review

Environmental review has not been required for the proposed project per the requirements of the California Environmental Quality Act (CEQA). The project as proposed qualifies for an exemption to CEQA under Section 15303, New Construction of Small Structures. Conditions of project approval will reduce potential impacts from the proposed development.

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

- APPROVAL of Application Number **04-0629**, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

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

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

Coastal Development Permit Findings

1. That the project is a use allowed in one of the basic zone districts, other than the Special Use (SU) district, listed in section 13.10.170(d) as consistent with the General Plan and Local Coastal Program LUP designation.

This finding **can** be made, in that the property is zoned CA (Commercial Agriculture), a designation which allows residential uses. The proposed single-family residence with the accessory detached barn, well, and water **tanks** is a principal permitted use within the zone district, 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 the proposal does not conflict with any existing easement or development restriction such as public access, utility, or open space easements in that no such easements or restrictions are known to encumber the project site. Public **coastal** access is available at Palm and Sunset State Beaches in the project vicinity.

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

This finding can be made, in that the development is consistent with the surrounding neighborhood in terms of architectural style, use **of** natural materials, and maintenance of native, drought tolerant landscaping. Colors shall be natural in appearance and complementary to the site; 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 General Plan and Local Coastal Program land use plan, specifically Chapter 2: figure 2.5 and Chapter 7, and, **as** to any development between and nearest public road and the sea or the shoreline of any body of water located within the coastal zone, such development is in conformity with the public access and public recreation policies **of** Chapter 3 of the Coastal Act commencing with section 30200.

This finding can be made, in that the project site is not located between the shoreline and the first public road. Consequently, the proposed single-family residence, detached barn, well, water tanks and temporary caretaker's quarters will not interfere with public access to the beach, ocean, or any nearby body **of** water. Public coastal access is available at Sunset and Palm State Beaches in the project vicinity. **Further**, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

5. That the proposed development is in conformity with the certified local coastal program.

This finding **can** be made, in that the structure is sited and designed to be visually compatible, in scale with, and integrated with the character **of** the surrounding neighborhood. Additionally, residential uses are allowed uses in the CA (Commercial Agriculture) zone district of the area, as

well as the General Plan and Local Coastal Program land use designation. 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 primary use of the parcel remains agriculture, with production phasing into organic production. The proposed residence will be sited to remove as little land as possible from production, consistent with General Plan Policy 5.13.27.

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 that allows residential uses accessory to the primary function of agricultural production on the site, and the proposal 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 single-family residence, detached barn, well, water tank will *not* deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks, subject to approval of a reduced agricultural buffer setback of 70 feet from APN 046-111-03, that ensure access to light, air, and open space in the neighborhood.

A temporary caretaker's quarters is proposed to be located on the parcel for use during construction of the single-family dwelling (Sheet A1.O, Exhibit A). The project is conditioned to be consistent with County Code Section 13.10.683. The installation permit shall not be issued until the applicant has obtained a building permit for the single-family residence, and any permits required for an approved water and sewage system. In addition, a security deposit must be posted with the Planning Department to ensure compliance with all conditions of the permit.

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 residence, detached barn, well, water tank 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 in that the primary use of the property remains agricultural production with one single-family residence for the farmer and accessory detached barn, well, water tanks that meets 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.

This finding can be made, in that the proposed residential use on 22 acres, accessory to an existing farm operation, is consistent with the use and density requirements specified for the Agriculture (A) land use designation in the County General Plan.

The proposed single-family residence, detached barn, well, water tank 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 residence, detached barn, well, water tank 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 residence with accessory detached barn, well, water tank 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 Single-family residence, detached barn, well, water tank 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. 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 residence with accessory detached barn, well and water tank, is to be constructed on an existing parcel under agricultural production. The expected level of traffic generated by the proposed project is anticipated to be only 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 San Andreas 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.

This finding can be made, in that the proposed structure on 22 acres is located in a low density residential neighborhood containing a variety of architectural styles, and the proposed residence is consistent with the land use intensity and density of the farming 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.

This finding can be made, in that the proposed Single-family residence, detached barn, well, water tank 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.

Conditions of Approval

Exhibit A: Project Plans by Christina Perez, Architect, 8 sheets dated 11/01/04 revised 1/20/05. Landscape Plan, 1 Sheet dated 11/01/04.
Driveway, Grading Plan by Roper Engineering, 3 sheets dated Nov 2004.

- I. This permit authorizes the construction of a single-family residence, detached barn, well, water tanks and installation of a temporary caretaker's quarters for use during construction of the single-family dwelling. 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.
 - C. Obtain a Grading Permit from the Santa Cruz County Building Official. Grading for this project must take place between April 15th and October 1st.
 - D. Obtain an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - E. The owner/applicant shall authorize continuance of a Time Certificate of Deposit (or similar transaction) for a minimum period of five years payable to the County of Santa Cruz, or equivalent security approved by County Counsel in the amount of \$500 for **one** unit to guarantee compliance with the conditions of the permit and applicable law within the time permitted or any extension thereof for the temporary installation of the caretaker's quarters. The term of the deposit shall begin with the issuance of the permit and shall remain in effect until the conditions of the permit have been fulfilled to the satisfaction of the Planning Department. If the permittee fails to comply with all of the conditions of the permit, the Department shall take appropriate measures to obtain compliance. **Any** unused portion of the deposit shall be refunded to the permittee upon compliance with the conditions **of** the permit.
- 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. 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. The erosion control plan must be implemented prior to October 15th. Identify what type of erosion control practices will be utilized on site and show where they will be installed and provide construction details for each practice selected. Winter grading approval will not be granted for this project. The drainage plan must show how runoff from all proposed impervious areas will be handled. The drainage plan should include measures for retaining all proposed runoff on site *so* that the post project runoff rate is limited to pre-project levels. The project should minimize proposed impervious areas.
 3. For any structure proposed to be within 2 feet **of** the maximum height limit for the zone district, 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.
 4. Details showing compliance with fire department requirements.
- C. Meet all requirements of and pay any required drainage fees to the County Department of Public Works, Drainage. Drainage fees will be assessed on the net increase in impervious area.
- D. Obtain an Environmental Health Clearance for **this** project from the County Department of Environmental Health Services.
- E.** Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- F. Submit **3** copies of a soils report prepared and stamped by a licensed Geotechnical Engineer. Submit a "plan review" letter from the project Geotechnical Engineer.
- G. Pay the current fees for **Parks** and Child Care mitigation for four (4) bedrooms. Currently, these fees are, respectively, \$800 and \$109 per bedroom.
- H. Provide required off-street parking for three **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.
- I. 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.
 - B. The temporary Caretaker's Unit shall be located **as** per the approved site plan on file with the County Planning Department (Exhibit A).
 - C. The applicant shall continue to meet all the requirements of the Environmental Health Service with regard to domestic water supply, septic system functioning, and refuse disposal for the temporary caretaker's unit.
 - D. Install the skirting if the unit is a mobile home.
 - E. Comply with all fire protection requirements specified by the Aptos/La Selva Fire Protection District.
 - F. Within fifteen (15) days of the final inspection clearance of the permanent single-family dwelling, the permittee shall cease use of the temporary caretaker's

quarters, disconnect it from the water and other utility services, and, if the unit is a mobile home, the permittee shall remove it from the property.

- G.** Aggregate base rock may be used in lieu of asphalt concrete for the intersection of Peaceful Valley Road on San Andreas Road due to environmental considerations. Potholes along Peaceful Valley Road shall be repaired with aggregate base so that the road meets driveway standards acceptable to Public Works Road Engineering.

~~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: March 18.2005

Effective Date: April 01,2005

Expiration Date: April 01.2007

Don Bussey
Deputy Zoning Administrator

Joan Van der Hoeven, AICP
Project Planner

Appeals: Any property owner, or other person aggrieved, or any other person whose ~~interests~~ are adversely affected by any act or determination of the 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: 04-0629

Assessor Parcel Number: 046-361-04

Project Location: Peaceful Valley Road, Watsonville

Project Description: Proposal to construct a single-family dwelling, detached barn and well and install a water tank and a temporary caretaker's ~~quarters~~ for use during construction of the single-family dwelling.

Person or Agency Proposing Project: Mark Carr & ~~Mary~~ Margaret Perez

Contact Phone Number: (831) 345-8866

- 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 small structure

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

Joan Van der Hoeven
Joan Van der Hoeven, AICP Project Planner

Date: March 18, 2005

EXHIBIT D



Staff Report to the Agricultural Policy Advisory Commission

Application Number: **04-0629**

Applicants: Mark Carr, **Mary** Margaret Perez Date: February **17,2005**
Owner: Lawrence DeLaney Agenda Item #: **7**
APN: 046-361-04 Time: 1:30 p.m.

Project Description: Proposal to construct a single-family dwelling, detached barn, well and water tanks and install a temporary caretaker's quarters for use during construction.

Location: Property located along a private right-of-way, adjacent to **520 Peaceful Valley Road**, about **1.500** feet east from San Andreas Road in Watsonville.

Permits Required Agricultural Buffer Setback Reduction, Coastal Development Permit, Preliminary Grading Approval, Geotechnical Report Review, Biotic Pre-site Review.

Staff Recommendation:

- Approval of Application 04-0629, based on the attached findings and conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Exhibits

- | | |
|---|---------------------------------------|
| A. Project plans | G. Comments & Correspondence |
| B. Findings | H. Project submittal narrative/photos |
| C. Conditions | I. Agricultural Preserve Contract |
| D. Categorical Exemption (CEQA determination) | J. Title Report – access easement |
| E. Assessor's parcel map, Location map | K. Ag Statement of Acknowledgement |
| F. Zoning map, General Plan map | |

Parcel Information

Parcel Size:	22 acres
Existing Land Use - Parcel:	Agriculture – blackberries, beans, peas
Existing Land Use - Surrounding:	Agriculture, State/Federal Preserves, Ellicott Slough
Project Access:	San Andreas Road to Peaceful Valley Road
Planning Area:	San Andreas

Land Use Designation: A (Agriculture)
Zone District: CA-P (Commercial Agriculture - Agricultural Preserve)
Supervisory District: Second (District Supervisor: Pine)
Within Coastal Zone: X Inside Outside
Appealable to Calif. Coastal Comm. X Yes No

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: Baywood loamy sand, Elder sandy loam
Fire Hazard: Not a mapped constraint
Slopes: 0 – 50 percent slopes
Env. Sen. Habitat: Mapped SC Long Toed Salamander, CA Red Legged Frog, CA Tiger Salamander, San Andreas Live Oak Woodland, Maritime Chaparral
Grading: Grading proposed to be balanced on the site
Tree Removal: No trees proposed to be removed
Scenic: Mapped resource – San Andreas Road
Drainage: Existing drainage adequate
Traffic: No significant impact
Roads: Existing roads adequate, private driveway construction
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Inside Urban/Rural Services Line: Yes X No
Water Supply: Private well
Sewage Disposal: CSA#12, private septic system
Fire District: Aptos/La Selva Fire Protection District
Drainage District: Non-zone

Analysis and Discussion

The proposed project is to construct a one story single-family dwelling of approximately 3,200 square feet and a detached barn of approximately 1,300 square feet, a well and two water tanks on a 22-acre parcel. The property owners propose an organic farming operation on the site, producing blackberries and row crops (Exhibit H). This would have minimal impact of the adjacent nature preserves. The project is located on Peaceful Valley Road off San Andreas Road and north of Buena Vista Drive in Watsonville. The building site is within 200 feet of Commercial Agricultural land to the north. The applicant is requesting a reduction in the 200-foot agricultural buffer setback to about ~~70~~ feet from APN 046-111-03.

The subject property is characterized by sloping topography with the proposed building site located on a small knoll about 50 feet above the farmland. The parcel is not located within the

EXHIBIT E

Urban Services Line and may be characterized as a neighborhood of commercial agriculture farm operations and Federal and State nature preserves of Ellicott Slough. The parcel carries an Agriculture (A) General Plan designation and the implementing zoning is (CA-P) Commercial Agriculture - Agricultural Preserve. Commercial Agriculture zoned land is situated within 200 feet of the proposed building site at the north side of the parcel at Assessor's Parcel Number 046-111-03, the 5-acre Delaney homesite.

A reduced agricultural buffer is recommended due to the fact that the proposed building site is located toward the perimeter of the subject property, on topographically sloping land, not currently in production, and in the vicinity of development on the adjacent CA parcel. This is consistent with General Plan policy 5.13.27, which requires that structures be located in such a manner as to remove as little land as possible from production. The applicant is proposing an evergreen agricultural buffer (Exhibit A, Landscape Plan L1.1) to reduce the impact of the proposed residence on adjacent agricultural activities, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel. The applicant has recorded a Statement of Acknowledgement regarding the issuance of a county building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts (Exhibit K).

Recommendation

- Staff recommends that your Commission ⁷⁰**APPROVE** the Agricultural Buffer Reduction from 200 feet to about ~~about 48 feet~~ ^{feet} to the single-family dwelling from the adjacent CA zoned property known as APN 046-111-03, proposed under Application # 04-0629, based on the attached findings and recommended conditions.
- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.

Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.

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

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

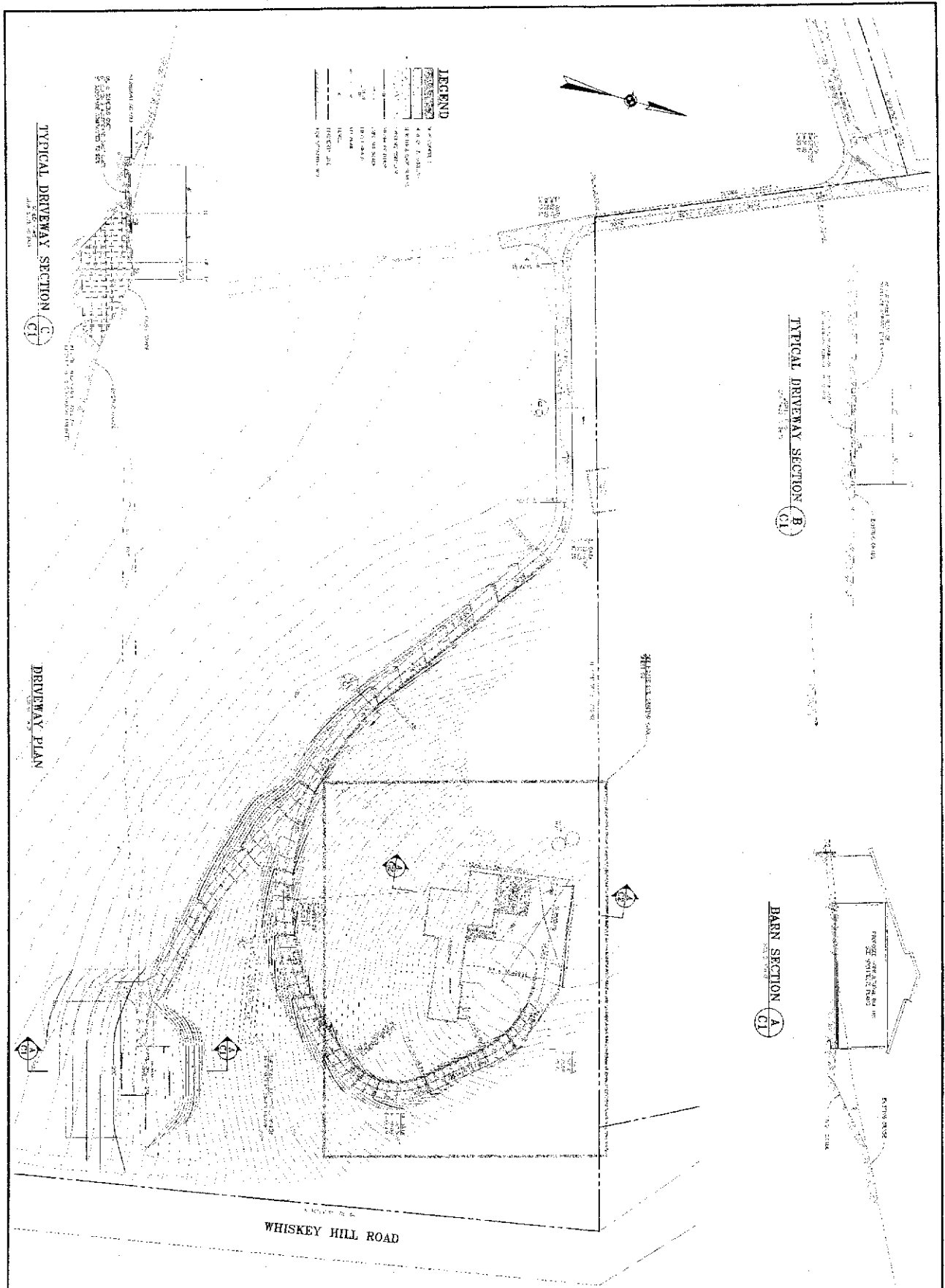
Report Reviewed By: _____
Don Bussey
Deputy Zoning Administrator
Development Review

PEREZ-CARR RESIDENCE AND AGRICULTURAL IMPROVEMENTS

5XX PEACEFUL VALLEY ROAD WATSONVILLE, CALIFORNIA

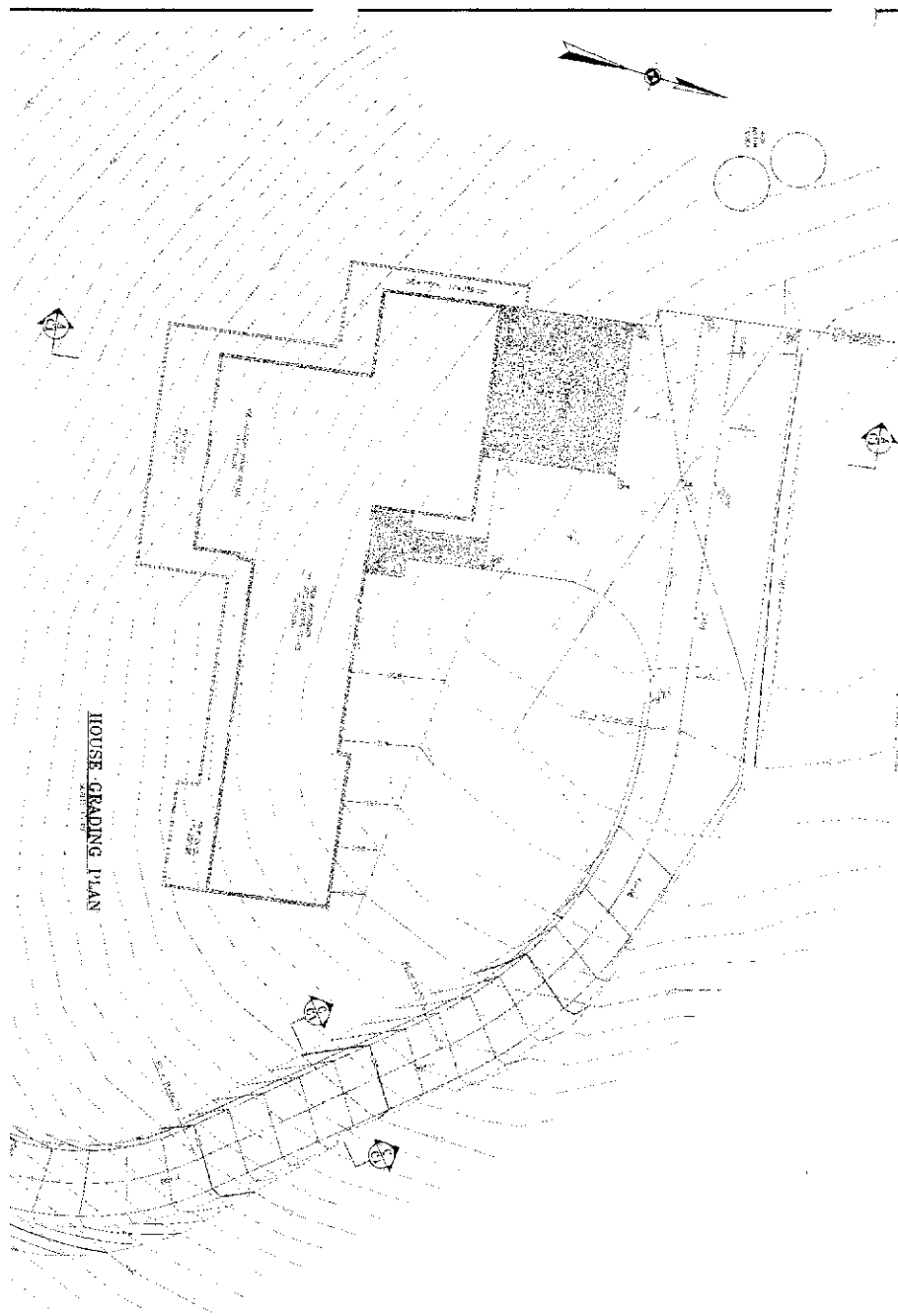
SYMBOLS		PROJECT DATA		INDEX OF DRAWINGS		REGULATORY AGENCY REQUIREMENTS		REVISION	
<p>SYMBOLS</p> <p>EXISTING GRADE PROPOSED GRADE EXISTING LOT PROPOSED LOT EXISTING DRIVE PROPOSED DRIVE EXISTING FENCE PROPOSED FENCE EXISTING WALL PROPOSED WALL EXISTING POOL PROPOSED POOL EXISTING PATIO PROPOSED PATIO EXISTING PORCH PROPOSED PORCH EXISTING STAIRS PROPOSED STAIRS EXISTING WALKWAY PROPOSED WALKWAY EXISTING DRIVEWAY PROPOSED DRIVEWAY EXISTING GARAGE PROPOSED GARAGE EXISTING SHED PROPOSED SHED EXISTING BARN PROPOSED BARN EXISTING FENCE PROPOSED FENCE EXISTING WALL PROPOSED WALL EXISTING POOL PROPOSED POOL EXISTING PATIO PROPOSED PATIO EXISTING PORCH PROPOSED PORCH EXISTING STAIRS PROPOSED STAIRS EXISTING WALKWAY PROPOSED WALKWAY EXISTING DRIVEWAY PROPOSED DRIVEWAY EXISTING GARAGE PROPOSED GARAGE EXISTING SHED PROPOSED SHED EXISTING BARN PROPOSED BARN</p>		<p>PROJECT DATA</p> <p>PROJECT NAME: PEREZ-CARR RESIDENCE AND AGRICULTURAL IMPROVEMENTS PROJECT ADDRESS: 5XX PEACEFUL VALLEY ROAD, WATSONVILLE, CA 95070 PROJECT OWNER: PEREZ-CARR, L. & M. PROJECT ARCHITECT: PEREZ-CARR, L. & M. PROJECT ENGINEER: PEREZ-CARR, L. & M. PROJECT DATE: 11/20/2004 PROJECT SHEET: 1 OF 1</p>		<p>INDEX OF DRAWINGS</p> <p>NO. 1. SITE PLAN 2. FLOOR PLAN 3. ELEVATION 4. SECTION 5. DETAIL 6. LANDSCAPE 7. ARCHITECTURAL 8. MECHANICAL 9. ELECTRICAL 10. PLUMBING 11. PAINT 12. FINISHES 13. FURNITURE 14. LIGHTING 15. AUDIO/VISUAL 16. SECURITY 17. SPECIALTIES 18. OTHER</p>		<p>REGULATORY AGENCY REQUIREMENTS</p> <p>1. PERMITS: BUILDING, FIRE, PLUMBING, ELECTRICAL, MECHANICAL, PAINT, FINISHES, FURNITURE, LIGHTING, AUDIO/VISUAL, SECURITY, SPECIALTIES, OTHER. 2. INSPECTIONS: FOUNDATION, FRAMING, ROOF, MECHANICAL, ELECTRICAL, PLUMBING, PAINT, FINISHES, FURNITURE, LIGHTING, AUDIO/VISUAL, SECURITY, SPECIALTIES, OTHER. 3. RECORD SET: 10% SUBMITTAL, 30% PERMITS, 60% CONSTRUCTION, 90% COMPLETION.</p>		<p>REVISION</p> <p>NO. 1. SITE PLAN 2. FLOOR PLAN 3. ELEVATION 4. SECTION 5. DETAIL 6. LANDSCAPE 7. ARCHITECTURAL 8. MECHANICAL 9. ELECTRICAL 10. PLUMBING 11. PAINT 12. FINISHES 13. FURNITURE 14. LIGHTING 15. AUDIO/VISUAL 16. SECURITY 17. SPECIALTIES 18. OTHER</p>	
<p>ABBREVIATIONS</p> <p>1. 1/4" = 1'-0" 2. 1/8" = 1'-0" 3. 1/16" = 1'-0" 4. 1/32" = 1'-0" 5. 1/64" = 1'-0" 6. 1/128" = 1'-0" 7. 1/256" = 1'-0" 8. 1/512" = 1'-0" 9. 1/1024" = 1'-0" 10. 1/2048" = 1'-0" 11. 1/4096" = 1'-0" 12. 1/8192" = 1'-0" 13. 1/16384" = 1'-0" 14. 1/32768" = 1'-0" 15. 1/65536" = 1'-0" 16. 1/131072" = 1'-0" 17. 1/262144" = 1'-0" 18. 1/524288" = 1'-0" 19. 1/1048576" = 1'-0" 20. 1/2097152" = 1'-0"</p>		<p>NEIGHBORHOOD MAP</p> <p>1. 1/4" = 1'-0" 2. 1/8" = 1'-0" 3. 1/16" = 1'-0" 4. 1/32" = 1'-0" 5. 1/64" = 1'-0" 6. 1/128" = 1'-0" 7. 1/256" = 1'-0" 8. 1/512" = 1'-0" 9. 1/1024" = 1'-0" 10. 1/2048" = 1'-0" 11. 1/4096" = 1'-0" 12. 1/8192" = 1'-0" 13. 1/16384" = 1'-0" 14. 1/32768" = 1'-0" 15. 1/65536" = 1'-0" 16. 1/131072" = 1'-0" 17. 1/262144" = 1'-0" 18. 1/524288" = 1'-0" 19. 1/1048576" = 1'-0" 20. 1/2097152" = 1'-0"</p>		<p>APPLICABLE CODES</p> <p>1. CALIFORNIA BUILDING CODE (CBC) 2. CALIFORNIA FIRE CODE (CFC) 3. CALIFORNIA PLUMBING CODE (CPC) 4. CALIFORNIA ELECTRICAL CODE (CEC) 5. CALIFORNIA MECHANICAL CODE (CMC) 6. CALIFORNIA PAINT AND FINISHES CODE (CPFC) 7. CALIFORNIA FURNITURE CODE (CFC) 8. CALIFORNIA LIGHTING CODE (CLC) 9. CALIFORNIA AUDIO/VISUAL CODE (CAVC) 10. CALIFORNIA SECURITY CODE (CSC) 11. CALIFORNIA SPECIALTIES CODE (CSCS) 12. CALIFORNIA OTHER CODE (COC)</p>		<p>TITLE SHEET</p> <p>PROJECT NAME: PEREZ-CARR RESIDENCE AND AGRICULTURAL IMPROVEMENTS PROJECT ADDRESS: 5XX PEACEFUL VALLEY ROAD, WATSONVILLE, CA 95070 PROJECT OWNER: PEREZ-CARR, L. & M. PROJECT ARCHITECT: PEREZ-CARR, L. & M. PROJECT ENGINEER: PEREZ-CARR, L. & M. PROJECT DATE: 11/20/2004 PROJECT SHEET: 1 OF 1</p>			

EXHIBIT
EXHIBIT

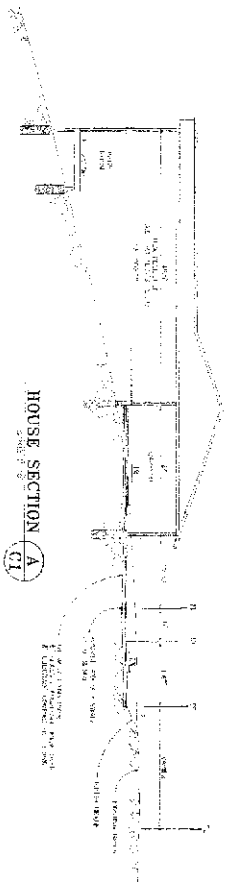


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HOUSE GRADING PLAN



HOUSE SECTION A-A
PROPOSED GRADING

EROSION CONTROL NOTES

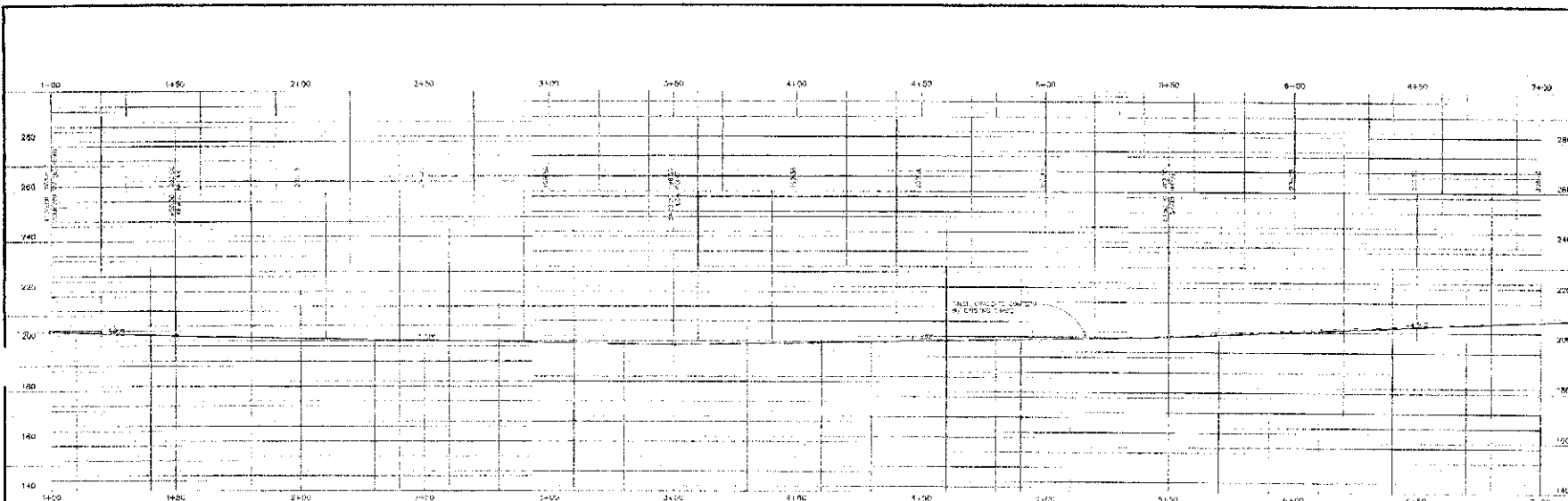
1. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY MAINTAINED AFTER COMPLETION OF THE PROJECT.
2. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT SOIL EROSION AND TO STABILIZE EXPOSED SOILS.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED BEFORE ANY EXCAVATION OR GRADING WORK BEGINS.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY MAINTAINED AFTER COMPLETION OF THE PROJECT.
5. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT SOIL EROSION AND TO STABILIZE EXPOSED SOILS.
6. EROSION CONTROL MEASURES SHALL BE INSTALLED BEFORE ANY EXCAVATION OR GRADING WORK BEGINS.
7. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY MAINTAINED AFTER COMPLETION OF THE PROJECT.
8. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT SOIL EROSION AND TO STABILIZE EXPOSED SOILS.
9. EROSION CONTROL MEASURES SHALL BE INSTALLED BEFORE ANY EXCAVATION OR GRADING WORK BEGINS.
10. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY MAINTAINED AFTER COMPLETION OF THE PROJECT.

GRADING NOTES

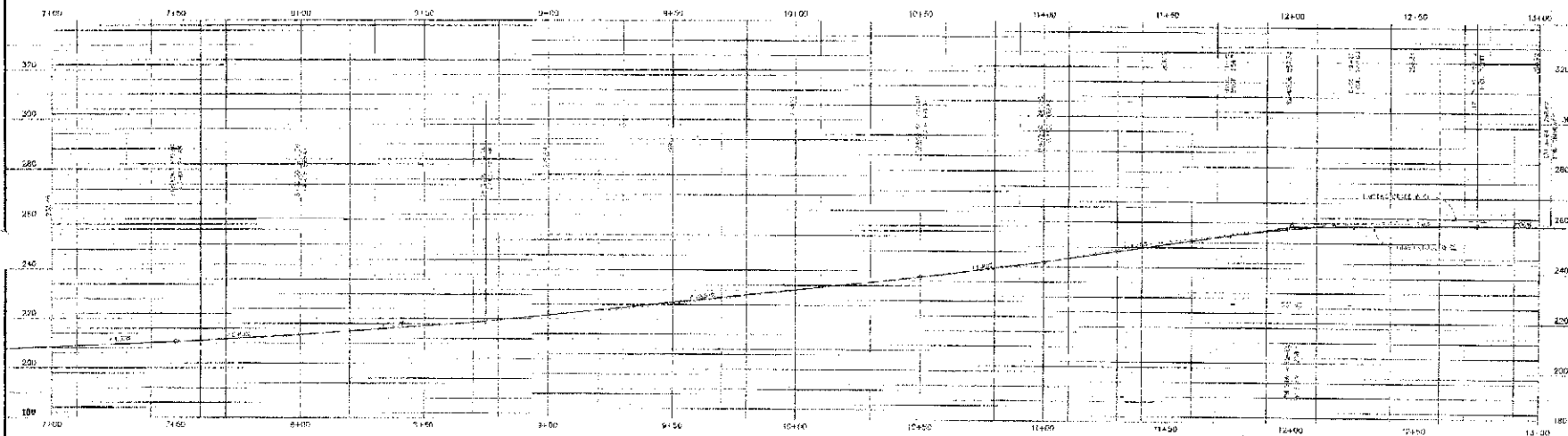
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2. GRADING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
3. GRADING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
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8. GRADING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
9. GRADING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:
10. GRADING SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING NOTES:

<p>NEW RESIDENCE FOR MARY PEREZ & MARK CARR SAN ANDREAS ROAD APN 046-35-04</p>	<p>ROPER ENGINEERING CIVIL ENGINEERING & LAND SURVEYING 444 AIRPORT BLVD, SUITE 206, WATSONVILLE, CA 95076 (831) 724-5300 PHONE (831) 724-5509 FAX jeff@roperengineering.com</p>	
<p>HOUSE GRADING PLAN</p>	<p>DATE: 08/11/2004 BY: J. ROPER CHECKED: J. ROPER SCALE: AS SHOWN</p>	<p>02</p>

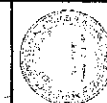
EXHIBIT E
EXHIBIT A



DRIVEWAY PROFILE



DRIVEWAY PROFILE



ROPER ENGINEERING
 CIVIL ENGINEERING & LAND SURVEYING
 444 AIRPORT BLVD. SUITE 208, WATSONVILLE, CA 95076
 (831) 724-5500 PHONE, (831) 724-5509 FAX, info@roperengineering.com

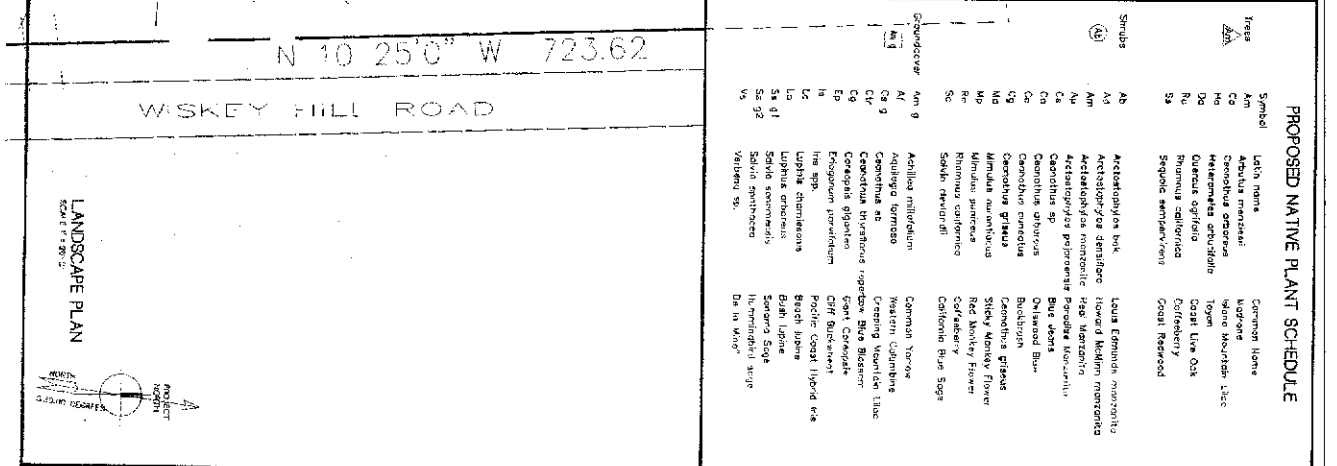


NEW RESIDENCE FOR
MARY PEREZ & MARK CARR
 SAN ANDREAS ROAD AEN 046-351-04
 DRIVEWAY PROFILE

DATE	NOV 1, 2004
BY	CAD/IC
CHECKED	
SCALE	
PROJECT	
SHEET	3

C3

EXHIBIT E
 EXHIBIT A

[illegible]LANDSCAPE PLAN
SCALE 1" = 20' (1")

PRODUCT NAME	PERRE - CARR RESIDENCE
OWNER	615 ALABAMA, SUITE 300 HOUSTON, TEXAS 77002
MARK MARKETING FIRM - MARK CARL	ATTN: SALES/RENTAL P.O. BOX 2000 HOUSTON, TEXAS 77250
DEPT FIRM	
LANDSCAPE PLAN	
DATE NOTED/REVISED, 1, 2004	
DATE	DATE
JOB NO.	THE NO.
SHEET 5 OF	SHEET 1

PROJECT 101

PEREZ-CARR
RESIDENCE

500 PLACERIL VALLEY RD
WATSONVILLE CA

NAME
LAST FIRST MIDDLE
MARTIN KENNETH PRINCE - MARK CARL

SECRET

LANDSCAPE: J. J. ALN

NOVEMBER 1, 2004

461	0401
-----	------

11.1

CHRISTINA PEREZ
ARCHITECT
P.O. BOX 1588
INDIANOLA, IA 50650
PHONE (515) 637-9000
FAX (515) 581-8099

CANCEL TAHTS

REGISTERED ARCHITECT
CHRISTINA PEREZ
NOV 1998
IOWA

EXHIBIT E

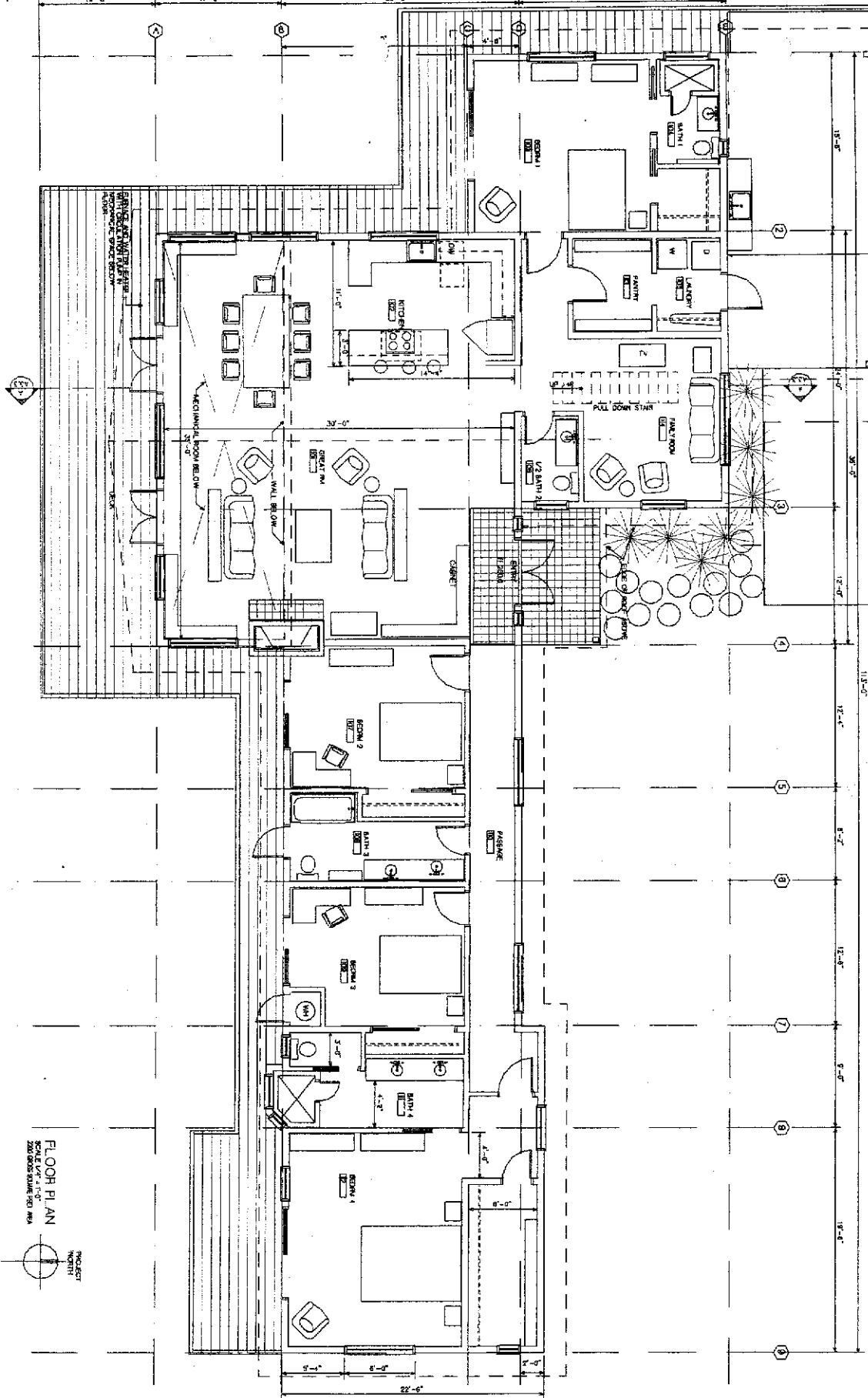


EXHIBIT
EXHIBIT

CHRISTINA FREEZE
ARCHITECT
P.O. BOX 88884
HOUSTON, TX 77288
TX (713) 637-8099



REVISION

PROJECT FILE

PEREZ-CARR
RESIDENCE
PUEBLO, CO. 81404-364-01
435 FRANKLIN, VALLEY RD
MADISONVILLE, LA

ORIGIN
MARY HAZELBAST PINEAL - MARY CARR
P.O. BOX 2102
ARROYO CALIFORNIA
92001

3-6-77 11111.

FLOOR PLAN

DATE NOVEMBER 1, 2004

17346

A2.1

AD B 1214



EXHIBIT E

[illegible]

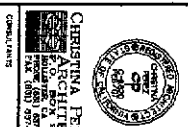
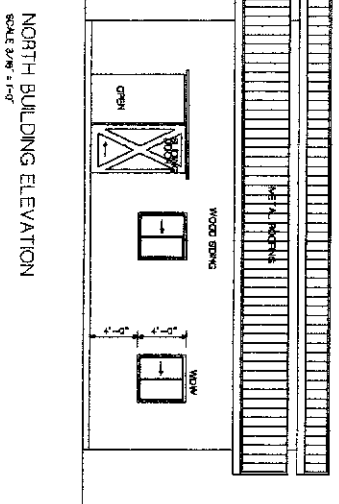
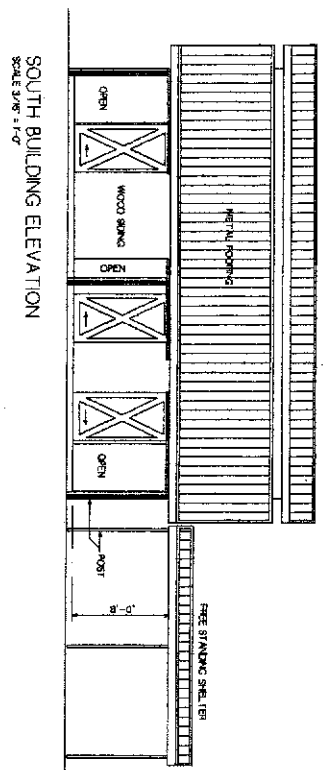
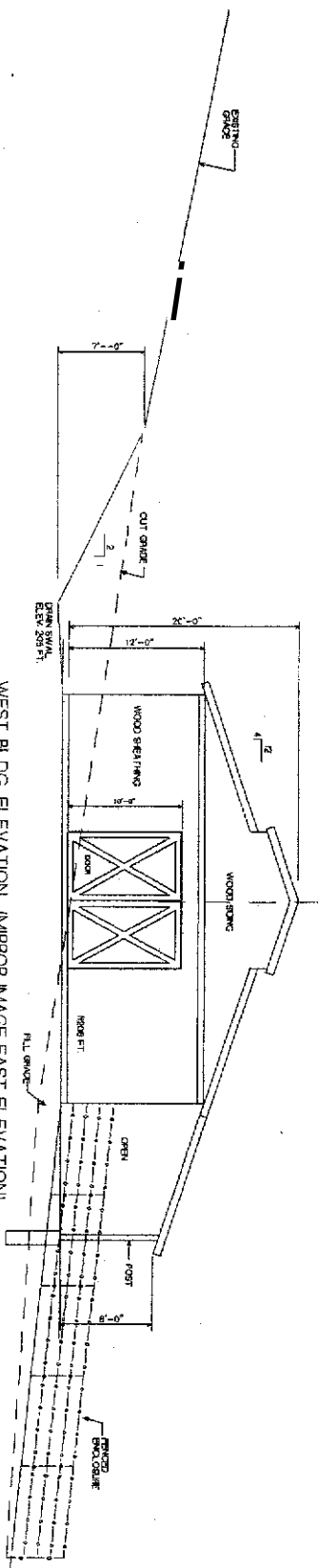
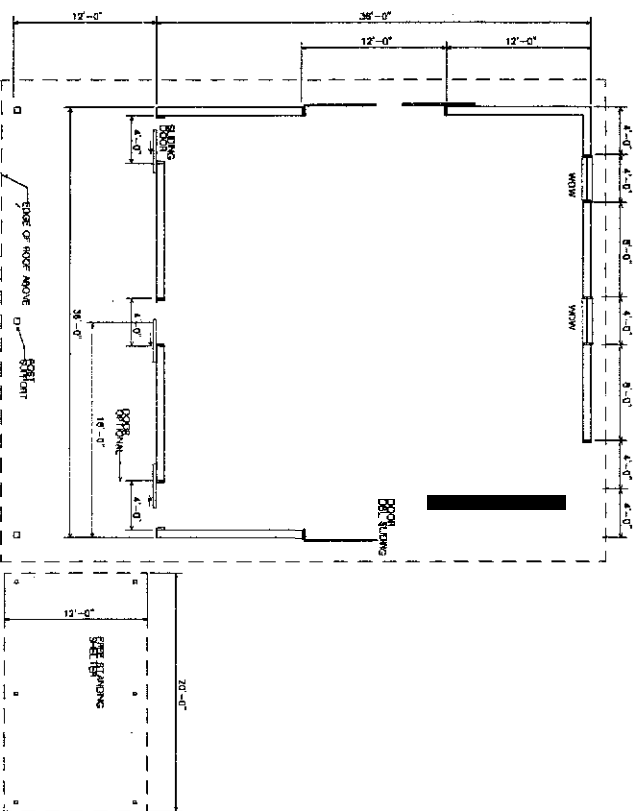


EXHIBIT E

PROJECT INC.

**PEREZ-CARR
RESIDENCE**
PARCEL NO. 944-391-01
SEX PEACOCK VALLEY RD
WATSONVILLE, CA

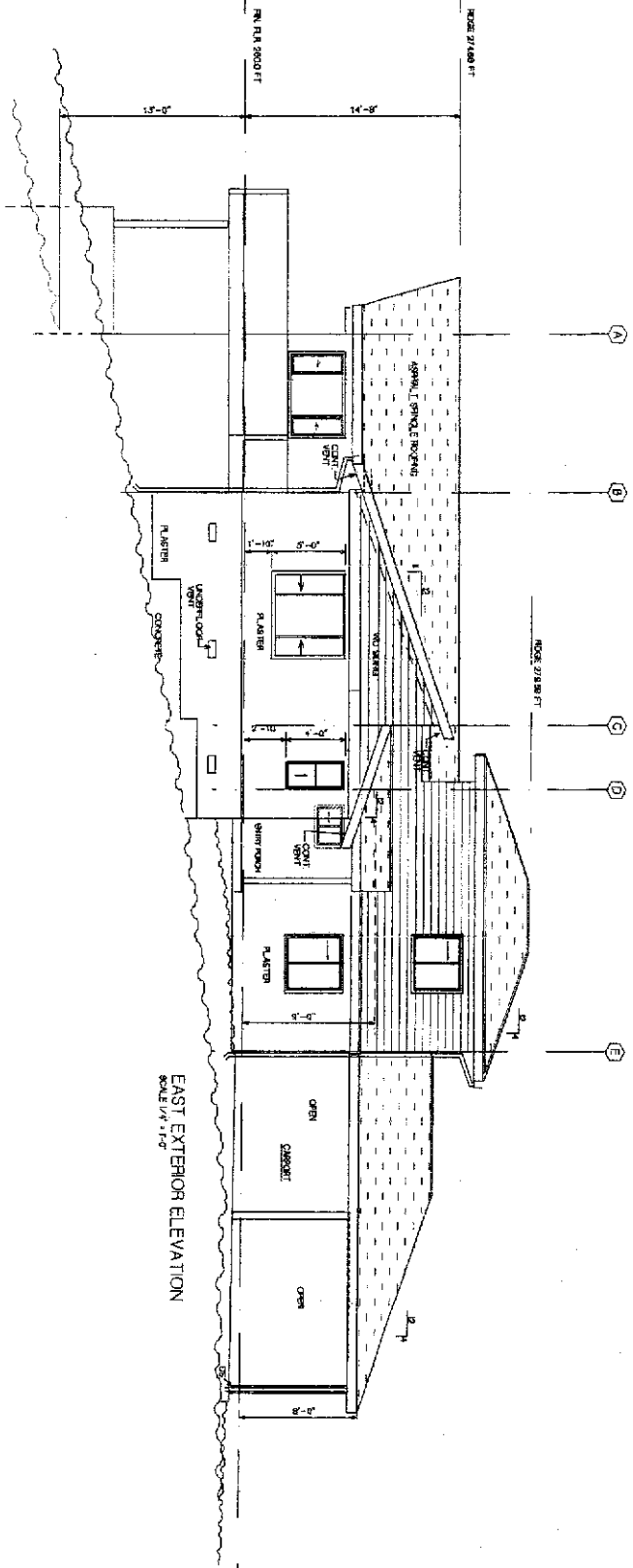
EAST HARBOR POST - MAIN CAMP
 P.O. BOX 2020
 ARROYO CALIFORNIA
 92001

SHEET NINE

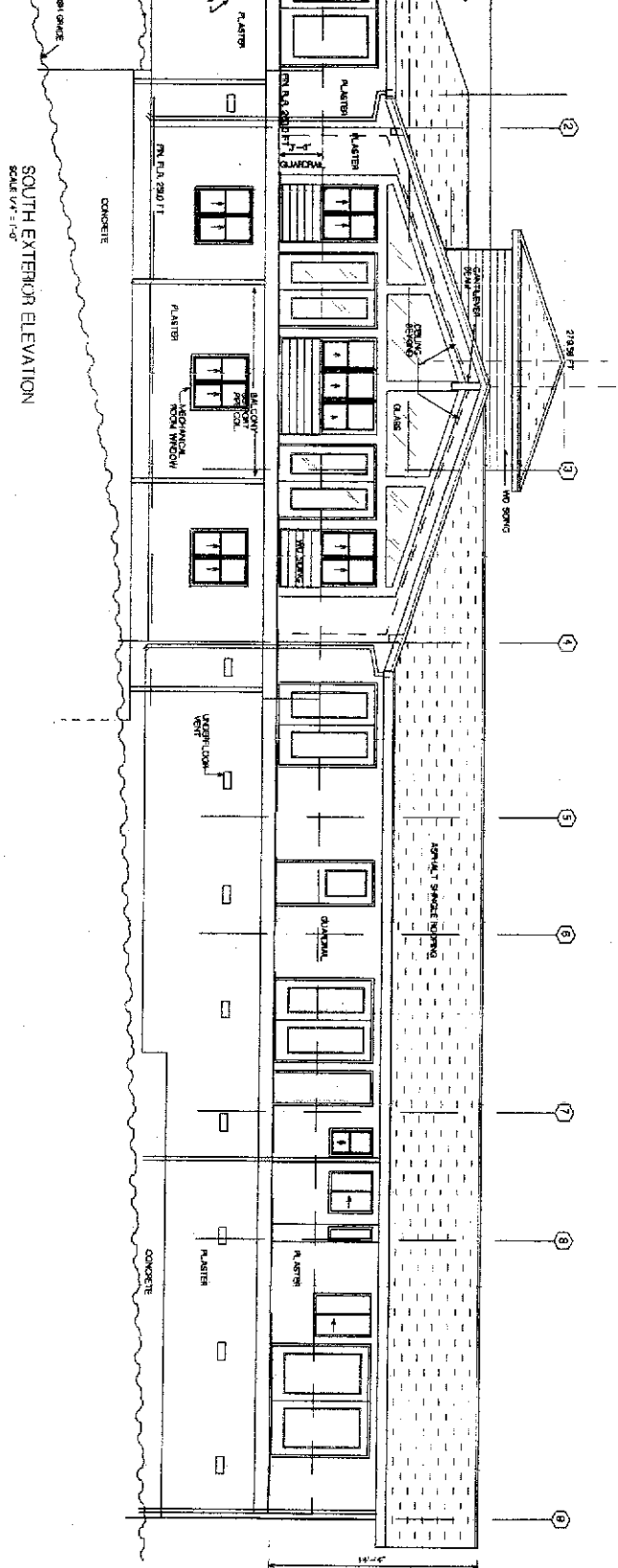
AGRICULTURAL BLDG. PLANS
AND EXTERIOR ELEVATIONS

A2.4

SHIRAZ



EAST EXTERIOR ELEVATION
SCALE 1/4" = 1'-0"



SOUTH EXTERIOR ELEVATION
SCALE 1/4" = 1'-0"



CONTRACT NO.

REVISION
SUA REVIEW CORRECTIONS
JANUARY 18, 2015

PROJECT TITLE

PEREZ-CARR
RESIDENCE
PARCEL NO. 04-26-01
435 FERNBURY AVENUE
NORWALK, CA

OWNER
MR. PEREZ - MR. & MRS. CARR
10000 FERNBURY AVENUE
NORWALK, CA

DATE

EXTENSION BUILDING
ELEVATIONS

DATE REVISIONS 1, 2004

DATE NO.
REVISION
DATE

REVISION

A3.1

SHEET 12 OF 17

EXHIBIT E



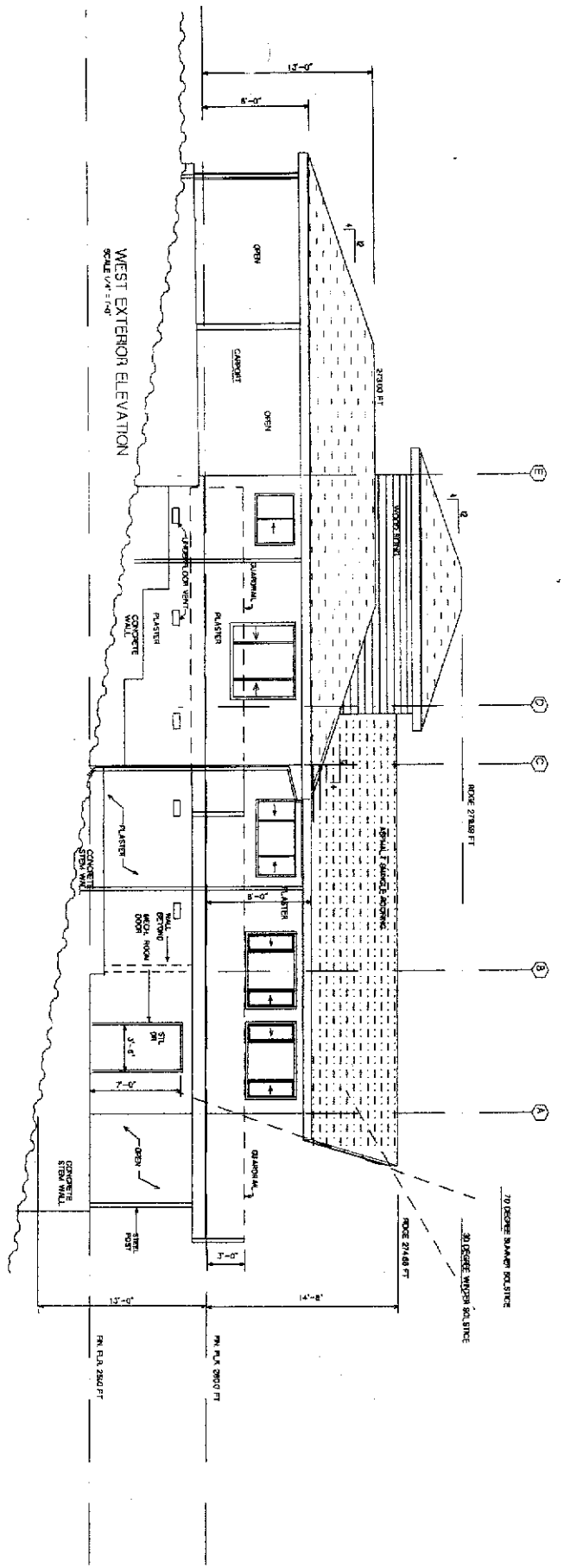
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EXHIBIT A

REVISION
SA REVIEW CORRECTIONS
JANUARY 15, 2015

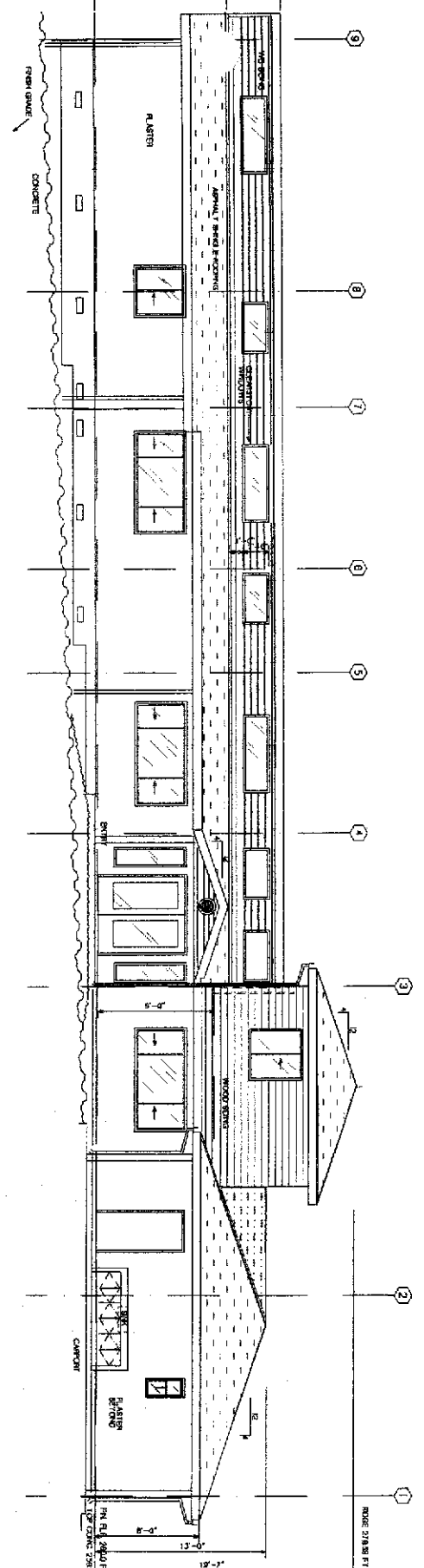
PROJECT NAME
PEREZ-CARR
RESIDENCE
FAMILY IN CARE
10000
SAN ANTONIO, CA
OWNER
MR. PEREZ-CARR, ALBA CARR
10000
SAN ANTONIO, CA

SHEET NAME
EXTERIOR BUILDING
ELEVATIONS
DATE
NOVEMBER 1, 2014
DESIGNED BY
L. L. GARCIA
DRAWN BY
L. L. GARCIA

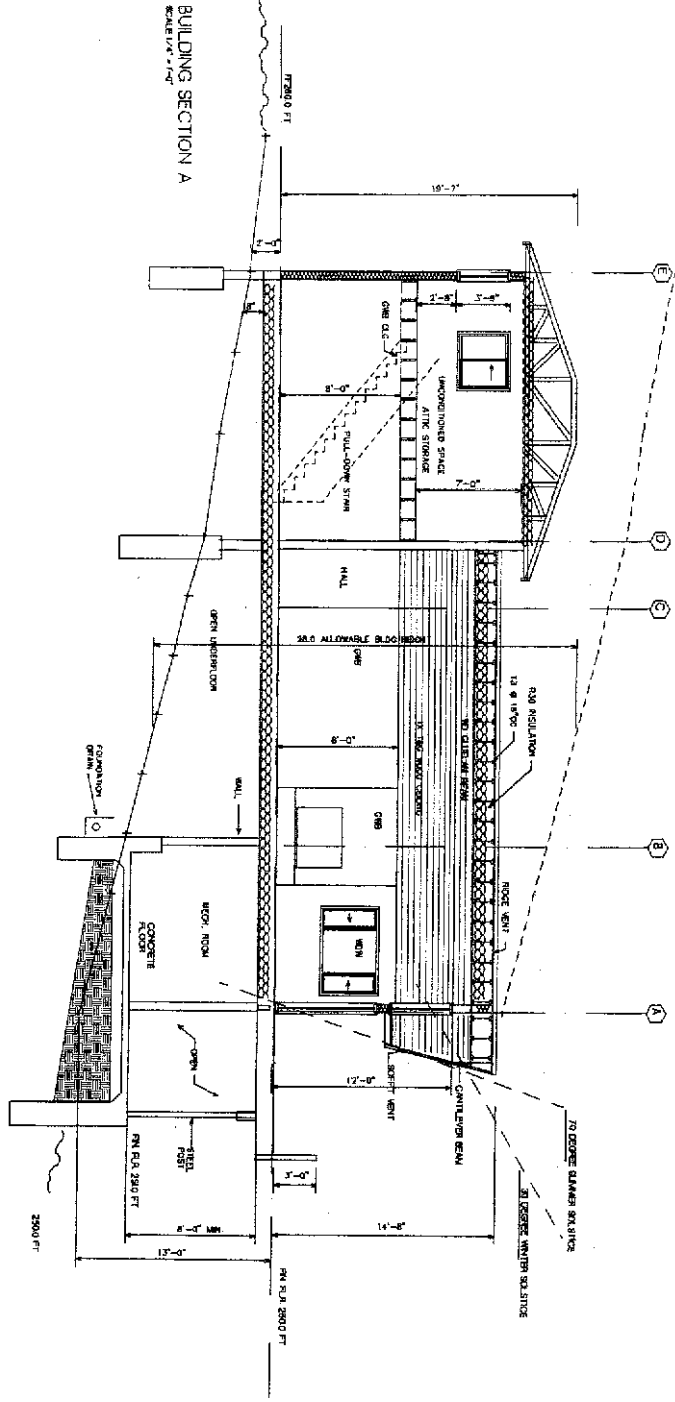
A3.2



WEST EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



NORTH EXTERIOR ELEVATION
SCALE 1/8" = 1'-0"



BUILDING SECTION A
SCALE: 1/8\"/>



NO COPY
S&B ARCHITECTS
JANUARY 18, 2005

PROJECT FILE

PEREZ-CARR
RESIDENCE
FAMILY, 9000 20th St
SAN FRANCISCO, CALIF 94114

OWNER
MARTIN PEREZ-CARR
1000 20th St
SAN FRANCISCO, CA 94114

SHEET FILE

REVISIONS

DATE: FEBRUARY 1, 2004

BY: [Signature]

PROJECT

A3.3

SHEET 14 OF 14

EXHIBIT A

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

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminate the need for a 200 foot setback; or
2. Permanent substantial vegetation or other physical barriers exist between the agricultural and non-agricultural uses which eliminate the need for a 200 foot buffer setback; or a lesser setback distance is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural uses, based on the establishment of a physical barrier, unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right-of-way; and/or some other factor which effectively supplants the 200 foot buffering distance to the greatest degree possible; or

The habitable structure is proposed to be set back about ~~70 feet~~ feet from the adjacent Commercial Agriculture **zoned** land. An effective barrier consisting of a landscape buffer of existing mature vegetation and evergreen shrubs would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 046-111-03. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic.

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.
4. Required findings for non-agricultural development on commercial agricultural land, County Code section 16.50.095(e).

Any non-agricultural development proposed to be located on type 1, type 2 or type 3 agricultural land shall be sited so as to minimize possible conflicts between agriculture in the area and non-agricultural uses, and where structures are to be located on agricultural parcels, such structures shall be located so as to remove as little land as possible from production or potential production.

The subject parcel is **zoned** CA-P (Commercial Agriculture - Agricultural Preserve) and carries an Agriculture (A) General Plan designation. The proposed development is located on the north perimeter of the parcel on sloping topography, which is not used for agricultural production. The parcel is within 200 feet of Commercial Agriculture zoned land, but the proposed vegetative barrier will minimize potential conflicts between agriculture in the area. The proposed residence will be utilized by the on-site producers of organic blackberry and row crops on the 22-acre parcel.

EXHIBIT E
EXHIBIT B

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.

The establishment of the single-family residence will support continued agricultural operations on the parcel, and will not adversely impact agricultural operations in the area. The owners are proposing to transition the land to organic blackberries, maintaining and enhancing the existing blackberry plants. Non-native exotic pampas grass and other invasive species on the parcel shall be removed. Continued row crop production will be undertaken with crops such as English peas and Blue Lake green beans and soybean/corn rotations to improve soil productivity. In addition seasonal organic fruits and vegetables will be produced for local direct marketing (Exhibit H).

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 proposed residence and barn will accommodate the agricultural producers so that the residential use is ancillary to the proposed continued and enhanced agricultural operations on the site. The proposed development is on the perimeter of the parcel and does not remove land from existing crop production due to the topography.

3. The use consists of an interim public use which does not impair long-term agricultural viability; and
4. 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.

The proposed single-family residential use will be sited to minimize potential conflicts with agriculture in the area, consistent with General Plan policy 5.13.27. The proposed structures are sited at the perimeter of the parcel to remove as little land as possible from production. A vegetative agricultural buffer will be established in the vicinity of the proposed residence to separate the proposed residential use from the adjacent CA zoned parcel.

5. 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.

The proposed residential use will not remove land from production in that it would be located on a small knoll about 50 feet above the farmland at the perimeter of the property.

**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

The 22-acre parcel is large enough to constitute a minimum economic farm unit in that the land is proposed to be converted to an organic farming operation. The owner is proposing to remove invasive non-native plants from the site to increase the amount of land available for production (Exhibit H). Existing Triple Crown blackberry planting shall be maintained and enhanced. Seasonal production of row crops such as English peas and Blue Lake green beans will be rotated with soybeans and corn to improve soil productivity. Seasonal fruits and vegetables will be grown for direct local marketing.

- (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.

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

The residential use will be consistent with the requirements of the County Agricultural Buffer ordinance in that a substantial vegetative buffer is proposed at the north property boundary adjacent to the housing site (Exhibit A, Landscape Plan LI-1). The evergreen buffer is required to be maintained.

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.

The applicant has recorded an Agricultural Statement of Acknowledgement consistent with General Plan Policy 5.12.32 on January 06, 2005 as Document 2005-0001194 (Exhibit K).

EXHIBIT E
EXHIBIT B

Conditions of Approval

Exhibit A: Project Plans, 14 sheets by Christina Perez, dated 11/01/04, revised 1/20/05.

- I. This permit authorizes an Agricultural Buffer Setback reduction from the proposed residential use to APN (046-111-03). 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 and Grading 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 ~~70~~ ⁷⁵ feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-111-03.
 2. Final plans shall show the location of the vegetative buffering barrier used for the purpose of buffering adjacent agricultural land, which shall be composed of drought tolerant, native species. The plants utilized shall be consistent with Exhibit A. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
- 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 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 has been completed.
 - C. All inspections required by the building permit shall be completed to the

EXHIBIT E
EXHIBIT C

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. The temporary trailer used during construction shall be removed from the project site within 15 days of final inspection clearance of the permanent home as per County Code Section 13.10.683.e.3.
- 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.

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: 2/17/05

Effective Date: 3/03/05

Expiration Date: 3/03/07

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.

EXHIBIT E
EXHIBIT C

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: 04-0629

Assessor Parcel Number: 046-361-04

Project Location: Peaceful Valley Road, Watsonville

Project Description: Agricultural Buffer Setback Reduction

Person or Agency Proposing Project: Mark Carr & Mary Margaret Perez

Contact Phone Number: (831) 688-3594

- 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 of small structures (Section 15303)

F. Reasons why the project is exempt:

New construction of small structure - one single-family dwelling

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

Joan Van der Hoeven
Joan Van der Hoeven, AICP, Project Planner

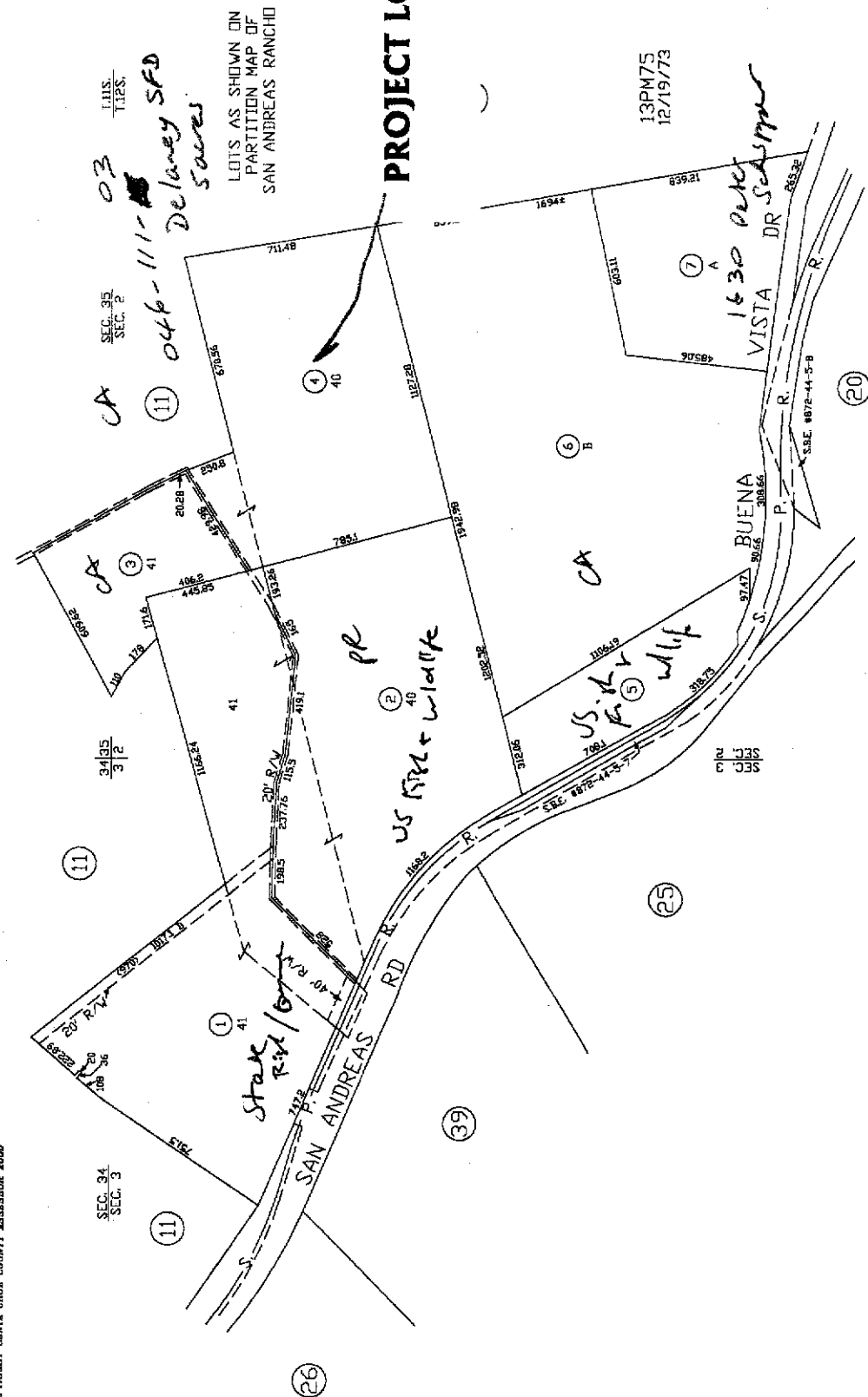
Date: February 17, 2005

EXHIBIT E
EXHIBIT D

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 2000

Tax Area Code
69-282

46-36



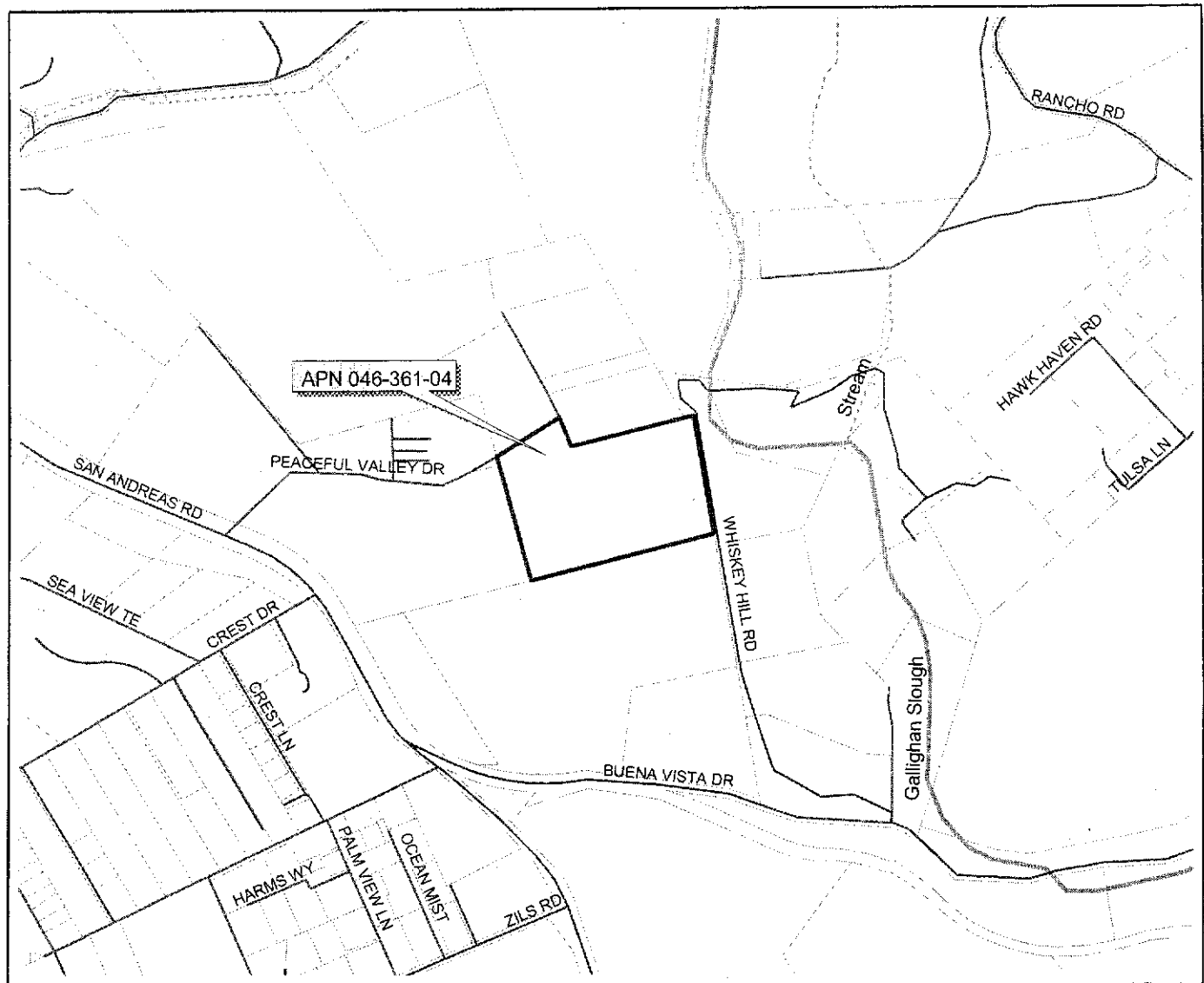
Note - Assessor's Parcel & Block Numbers Shown in Circles.

Assessor's Map No. 46-36
County of Santa Cruz, Calif.
Jan. 2000

EXHIBIT E
EXHIBIT E

Electronically redacted 1/20/00 KSA
Rev. 1/20/00 KSA (Par. from Pg. 11)
Rev. 5/31/01 nwn (removed page refs.)

Location Map



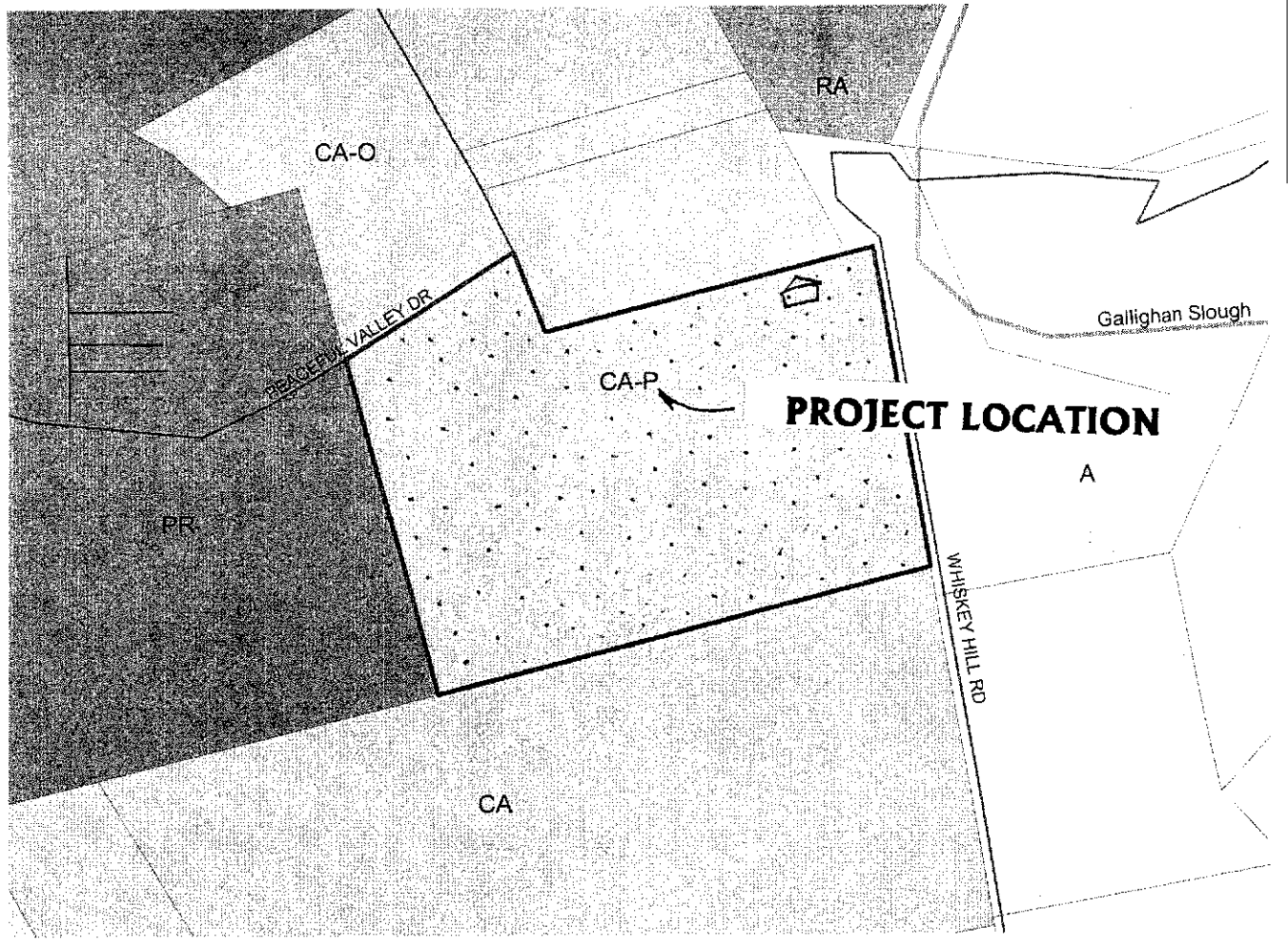
0.25 0 0.25 0.5 0.75 Miles

Map created by Santa Cruz County
Planning Department:
December 2004



EXHIBIT E
EXHIBIT E

Zoning Map



500 0 500 1000 1500 2000 Feet

Legend

- APN 046-361-04
- Parcel boundaries
- Streets
- Perennial Stream
- Agriculture (A)
- Commercial Agriculture (CA)
- Residential Agriculture (RA)
- Parks, Recreation, and Open Space (PR)

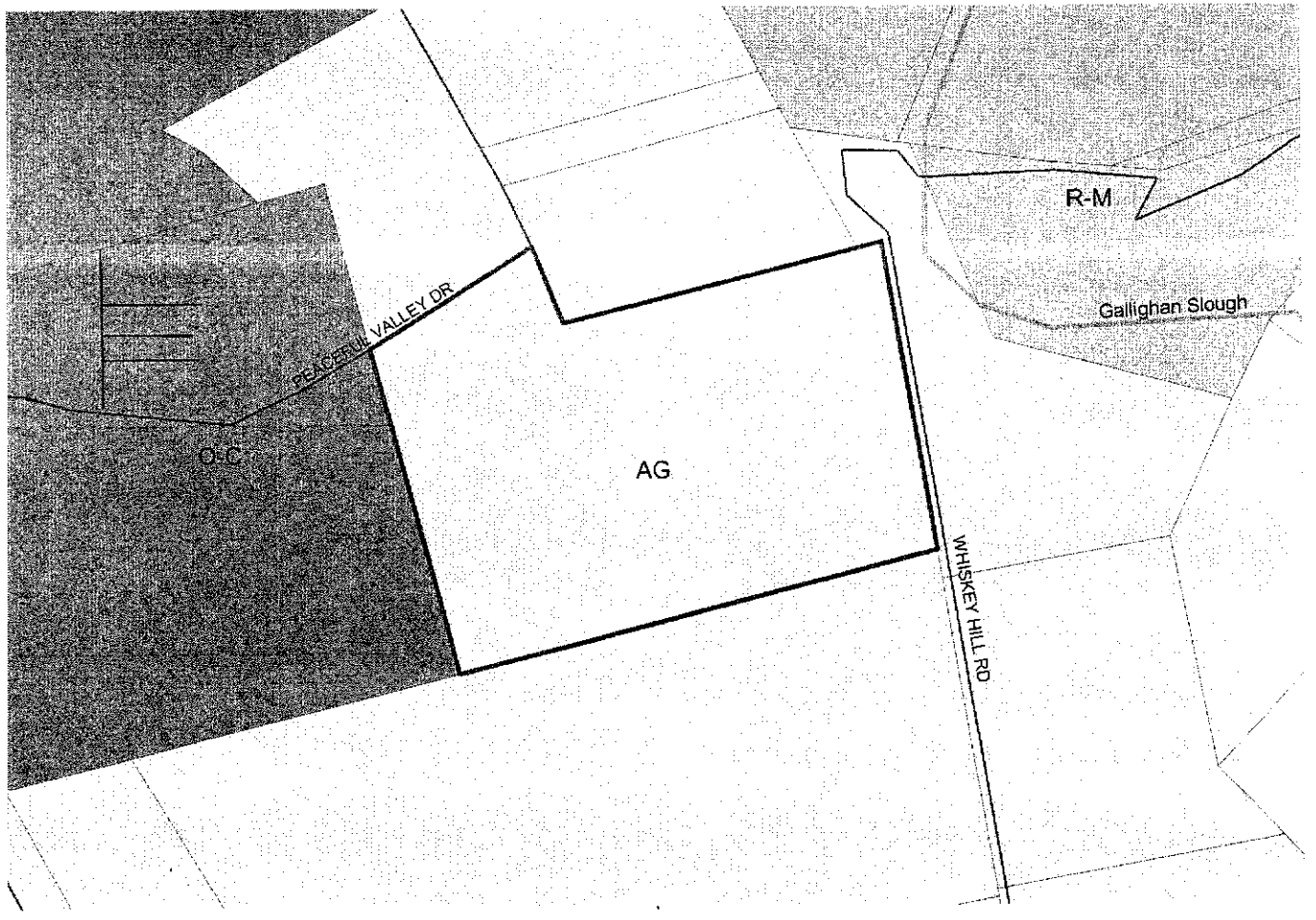


Map created by Santa Cruz County
Planning Department:
December 2004

EXHIBIT E







EXHIBIT E

General Plan Map



500 0 500 1000 1500 2000 Feet

Legend

-  APN 046-361-04
Parcel boundaries
-  Streets
-  Perennial Stream
-  Agriculture (AG)
-  Mountain Residential (R-M)
-  Resource Conservation (O-C)



Map created by Santa Cruz County
Planning Department:

December 2004

EXHIBIT
EXHIBIT F

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: January 6, 2005
Time: 15:58:30
Page: 1

Environmental Planning Completeness Comments

The engineering aspects of the grading plan are adequate for completeness. =====
REVIEW ON JANUARY 6, 2005 BY JOSEPH L HANNA =====

Environmental Planning Miscellaneous Comments

The home is located on a secondary ridgeline and **it** maybe appropriate to evaluate
alternative locations to reduce visual impact or reduce amount of grading. =====
REVIEW ON JANUARY 6, 2005 BY JOSEPH L HANNA =====

Dpw Drainage Completeness Comments

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

===== REVIEW ON DECEMBER 28, 2004 BY ALYSON B TOM ===== Application with
civil plans dated 11/1/04 has been received. Please address the following:

1) Please submit a drainage plan that describes how runoff from all proposed imper-
vious and semi impervious surfaces will be handled. This site is located within a
groundwater recharge zone. Accordingly, all added runoff due to impervious and semi
impervious development should be retained on site so that the post project runoff
rate is maintained at pre project levels. Describe how roof runoff (from the home
and barn) will be handled, and how runoff from the driveway and upper parking area
will drain. Retention design should be based on site specific information (soil
type, expected rainfall, slope, surface cover, etc.) and should include provisions
for safe overflow, maintenance and longevity. Describe the basis of the retention
design.

2) The original application drainage review fee assessed was incorrect. Since this
project will result in more than 4500 square feet of additional impervious area.
review is for a significant single family dwelling (\$630). Please submit an addi-
tional \$140 to make up the difference.

Additional site specific details ~~may~~ be required at the building permit stage.

For questions regarding this review Public Works storm water management staff is
available from 8-12 Monday through Friday.

All submittals for this project should be made through the Planning Department.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON DECEMBER 28, 2004 BY ALYSON B TOM ===== See completeness
comments.

Dpw Driveway/Encroachment Completeness Comments

EXHIBIT E

EXHIBIT G

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: January 6, 2005
Time: 15:58:30
Page: 2

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No comment.

Environmental Health Completeness Comments

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

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK ===== Applicant received approval for a 4 bedrm septic system. If temporary mobile home is approved by Planning, septic system must be installed and receive EHS sign off.

Environmental Health Miscellaneous Comments

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

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK =====
NO COMMENT

EXHIBIT
EXHIBIT G

Mark H. Carr & Mary Margaret Perez
PO Box 2020 • Aptos, CA 95001
Phone: 831-662-8312 • Fax: 831-688-3594

To the Members of the Agricultural Commission, Office of the Zoning Administrator, and the Office of the Planning Department:

The purpose of this letter is to accompany an application for an Agricultural Buffer Reduction, Coastal Development Permit, and Design Review for a single-family residence for a family of five (Photos 1 through 9)(Civil Engineering plans C1-C3, Landscape plan L1.1, and Architectural plans A1.O-A3.3).

We are in the process (i.e. escrow) of purchasing 22 acres of Commercial Agriculture Preserve located at 1022C San Andreas Rd., Watsonville, California (AFN 046-361-04)(Photo1). Our intent is to maintain the agricultural use of the property in accordance with its Agricultural Preserve designation, and to transition the parcel from currently practiced methods to organic farming methods. The parcel is somewhat unique in its location adjacent to a federal wildlife preserve (Ellicott Slough). We are very much interested in seeing that future use of the property enhances both its spectacular agricultural and environmental qualities. However, we ~~can~~ only afford and realize these hopes if we can also construct our residence on ~~the~~ site. Identifying the least obtrusive building site has been key to our objectives.

A Preliminary Development and Site Review (PDSR 04-0088) was prepared in May 2004, by Mr. Robert Loveland of the Santa Cruz County Planning Department. The report indicated that an Agricultural Buffer Reduction (ABR) would be required for the location we proposed for construction of a 3,200 sq. A. single-family residence. In addition, the report identified the need for a geotechnical report, an erosion control plan, a drainage control plan and a detailed topographic map to be constructed.

We have hired professional geologists and engineers to complete the detailed studies. Pacific Crest Engineering took cores on-site, performed tests, and wrote the geotechnical report. This same firm will monitor the site during any grading and foundation construction. Bridgette Land Surveying mapped the boundaries of the parcel and the location of the proposed single-family residence, driveway, and agricultural support building. Roper Engineering designed the driveway, erosion control and drainage control plans. Chris Perez, Architect, coordinated the efforts of these engineering firms and has completed the preliminary house plans.

Water currently used on the parcel has been available through a well located on a parcel to be retained by the current owner (Mr. Lawrence Delaney; AFN 046-111-03). He has entered into a water use agreement with us for domestic water use. We have applied to construct an agricultural well for farming use. Altogether, our proposed development of the site includes the (1) well, (2) residence, (3) road from the adjacent access road to the proposed residence, (4) septic system, and (5) an agriculture support building (i.e. bam). Our proposed land uses and residence are summarized below.

Proposed Agricultural Use

1. Maintain and enhance existing blackberry plants. Transition berry culture to organic methods.
2. Remove pampas grass and other non-native invasive plants from western portion of property. This action would support commercial agricultural activities on this parcel as well as reduce invasion of non-native plants onto adjacent Federal Reserve land and farmland.
3. Continue seasonal production of row crops (English peas and Blue Lake green beans) and institute new crop rotation plan to build up productivity of the soil. Alternative proposed use is corn/soybean rotation.

EXHIBIT E
EXHIBIT H

4. Raise seasonal vegetables and fruit for local direct marketing

Proposed Single Family Dwelling

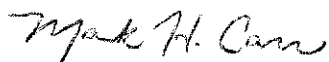
1. Site home on hilltop beyond area of prime commercial agricultural use (Photo 2). This proposed residence site removes the least amount of land from commercial agricultural production. The slope of the hill is not conducive to farming efforts due to potentially erosive effects of farming in the sandy soil. This location is in the northeast portion of the parcel. The proposed house site is approximately 77 feet from the neighboring parcel to the north (hence the ABR request). also owned by Mr. Delaney The adjacent site is not, and has not been, used for agriculture. it currently supports a mixed eucalyptus and San Andreas oak woodland, most of which exists on steep hillsides (Photo 5).
2. An engineered driveway of 6" crushed rock aggregate base with oiled screens over an 8" sub grade compacted to 95% would provide access to the proposed residence. This is to minimize influence to agricultural land, and minimize erosive effects.
3. Provide mobile home site for use during house construction.
4. Construct Agricultural/Residential use well.
5. Place two 4,800-gallon water tanks on hill to provide water for domestic use and firefighting use.
6. Install engineered septic system to serve proposed single-family residence
7. Construct agricultural building of approximately 1,300 sq. ft. at base of hill adjacent to agriculture fields (Photo 7).

Because the property is in the Coastal Zone, we have been advised that a Coastal Permit will be required to construct improvements on this parcel. We hope that the proposed use of the property will meet the requirements in order to receive a discretionary permit.

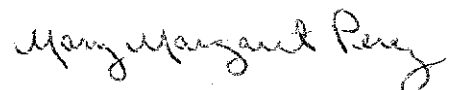
1. Our use will enhance the continued commercial agricultural use on this parcel, and it will not adversely affect other commercial agricultural operations in the area
2. Our proposed residential use is accessory to the principal agricultural use of the parcel.
3. Our proposed residential use will be sited to minimize impacts, and all other uses will not conflict with agricultural activities.
4. The residential use will be sited to remove as little land as possible from production

We will work hard to protect both the agricultural and environmental integrity of this small farm through conscientious planning and water usage.

Sincerely,



Mark H. Carr



Mary Margaret Perez

EXHIBIT E
EXHIBIT H

adjacent to a 5-acre commercial agricultural parcel that contains a single residence. The proposed house site (hidden from view) is sheltered from impacts on the adjacent parcel by a dense grove of eucalyptus and oak trees that are visible in the far left of the photo below. The proposed house site was chosen on the east hillside so as to minimize the impact on the productive land. The slope of the hill is not conducive to row crops. The goal of the applicants is to build a home in which they can live and work as small family organic farmers.

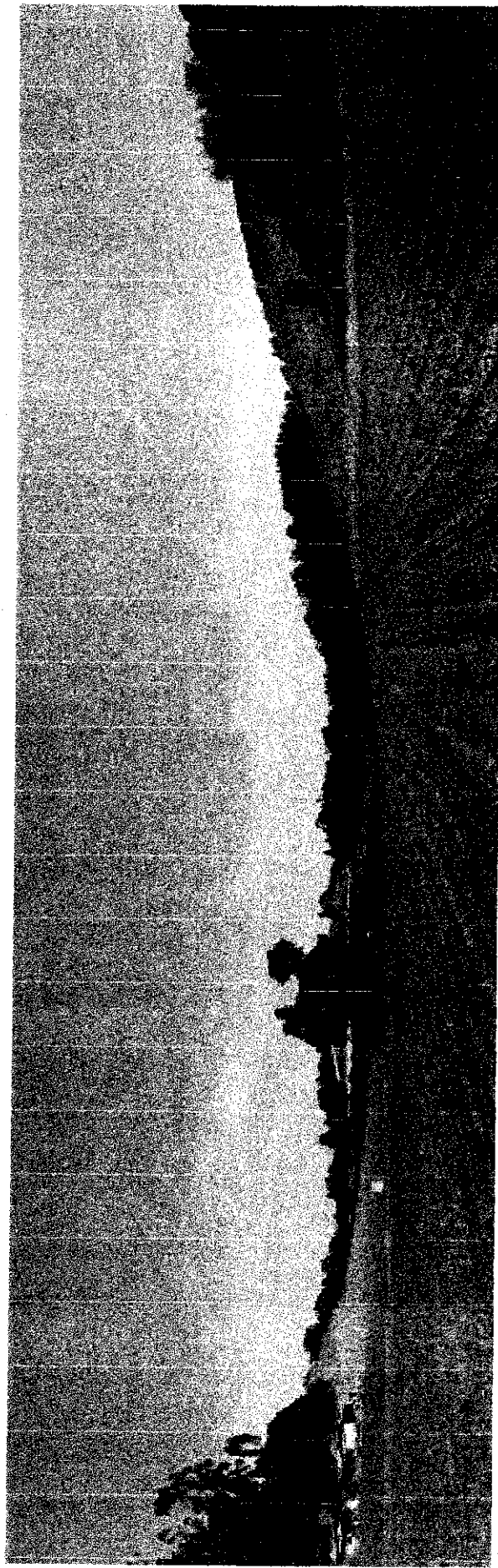


Photo 4. View to the neighboring parcel in the south. The owners of this parcel would like to transition their farm to a certified organic farm, as would the applicants in this report.



Photo 5. View into the eucalyptus and *oak* tree grove at the northern boundary of the parcel behind the proposed house site. The trees serve as a natural buffer between the two parcels. Further landscaping with drought resistant California native plants will augment the existing trees. This action is meant to support the request for an Agricultural Buffer reduction from 200 feet to the proposed 77 feet.



EXHIBIT E
EXHIBIT H

Photo 6. View towards the adjacent residential agricultural parcel from the proposed house site. The proposed house would not be visible from the house on this adjacent parcel. The eastern boundary of the parcel is Whiskey Hill Rd, which is just visible in the lower right of the photo.



Photo 7. View south from the proposed house site. The proposed agricultural building would be below the house site at the base of the hill (lower left corner of photo).

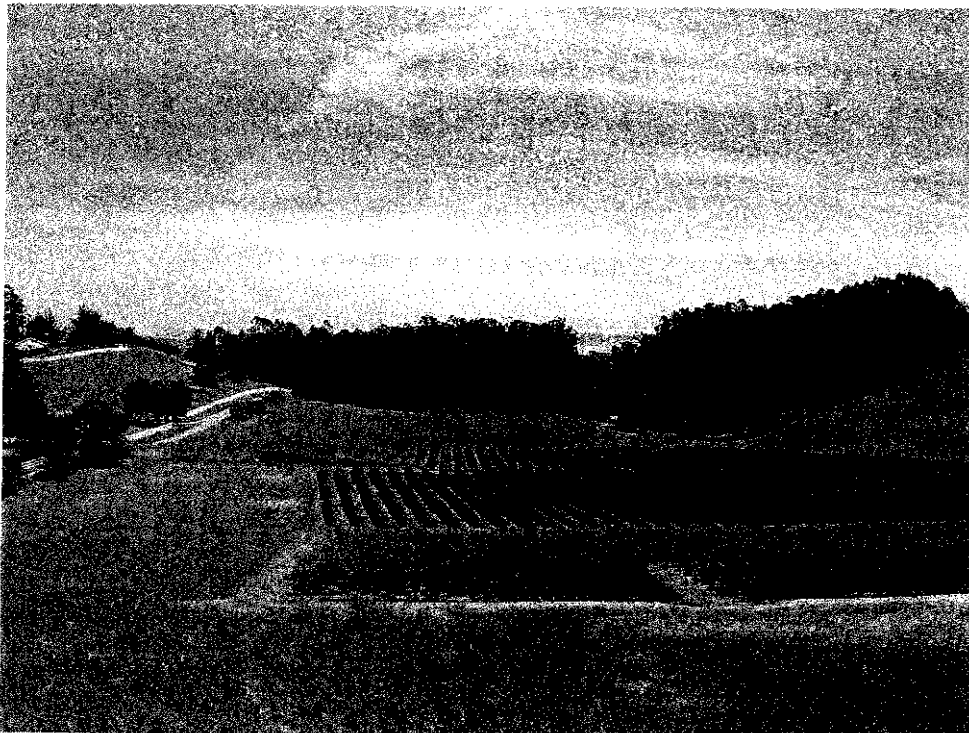


Photo 8. View to the western hillside from the proposed house site. The dense vegetation on at the top of the hill is on the neighboring federal reserve.



Photo 9. View of the western boundary of the parcel adjacent federal reserve property.



EXHIBIT
EXHIBIT H

THIS CONTRACT, made and entered into this 27th day of
February, 1976, by and between ETHEL A. DELANEY

_____, hereinafter referred to as
"Owner," and the COUNTY OF SANTA CRUZ, a Political Subdivision of
the State of California, hereinafter referred to as "County,"

W I T N E S S E T H:

WHEREAS, Owner is the owner of certain real property in the
County of Santa Cruz, which property is presently devoted to
agricultural use and is described in Exhibit "A" attached hereto; and

WHEREAS, said property is located in an agricultural preserve
heretofore established by County; and

WHEREAS, both Owner and County desire to limit the use of
said property to agricultural uses and those compatible uses allowed
in the A (Agricultural) District and the P (Agricultural Preserve)
Combining District in order to discourage premature and unnecessary
conversion of such land to urban use, recognizing that such land has
substantial public value as open space, and that the preservation
of such land in agricultural production constitutes an important
physical, social, esthetic, and economic asset to County; and

WHEREAS, the parties have determined that the highest and
best use of such land during the life of this contract, or any re-
newal thereof, is for agricultural purposes:

NOW, THEREFORE, the parties, in consideration of the mutual
covenants and conditions set forth herein and the substantial public
benefits to be derived therefrom do hereby agree as follows:

1. The within contract is made and entered into pursuant
to the California Land Conservation Act of 1965.

2. During the term of this contract the above-described
land shall be used for the commercial production of agricultural
commodities and/or those compatible uses allowed in the A (Agricul-
tural) and the P (Agricultural Preserve) Combining District of the
County Zoning Ordinance. No structures shall be erected upon said
land except such structures as may be incidental to and compatible
with such uses.

EXHIBIT E

EXHIBIT

3. In consideration of the execution hereof by Owner and the execution of similar contracts by other property owners within the same agricultural preserve, County agrees not to authorize any uses, other than those permitted by the County Zoning Ordinance in the A (Agricultural District) and the P (Agricultural Preserve) Combining District, during the term of this contract or any renewal thereof. Nothing herein shall prohibit a change of boundaries of said Agricultural Preserve to omit lands not subject to a contract or to include additional lands.

4. In consideration of the execution hereof by County, Owner agrees to restrict his property to those uses authorized in the A (Agricultural) District and the P (Agricultural Preserve) Combining District. Owner further agrees that he will not convey any part of the above-described property unless any parcel proposed to be conveyed complies in all respects with the provisions of the A (Agricultural) District and the P (Agricultural Preserve) Combining District.

5. In the event that an action in eminent domain for the condemnation of any land described herein is hereafter filed by any public agency, or when such land is acquired in lieu of eminent domain for a public improvement, this contract shall be deemed null and void as of the date the action is filed or the land is so acquired, provided that the condemnation or acquisition is of the fee title or other interest less than the fee which would prevent the land from being used for agricultural or compatible uses and provided that the contract shall be null and void only as to land actually so condemned or acquired or as to such land and a remaining portion that is rendered unsuitable for agricultural or compatible uses.

day of February, 1976, and shall remain in effect for a period of ten (10) years therefrom.

This contract shall be automatically renewed at the end of each year for an additional one (1) year period, thus maintaining the term of the contract at ten (10) years, unless notice of non-renewal is given as provided below.

7. Either party hereto may cause this contract to expire at the end of nine (9) years from the next renewal date by serving a written notice of non-renewal on the other party at least ninety (90) days prior to such renewal date, if Owner is serving notice, and sixty (60) days prior to such renewal date if the County is serving notice.

8. Owner shall not receive any payment from County in consideration of the obligations imposed hereunder, it being recognized and agreed that the consideration for the execution of this contract is the substantial public benefit to be derived therefrom and the advantage which will accrue to Owner in the event of any reduction in the assessed value of said property due to the imposition of the limitations on its use contained herein.

9. The within contract shall run with the land described herein and shall be binding upon the heirs, successors, and assignees of the parties hereto.

10. This contract may not be cancelled except upon a petition by the Owner to the Board of Supervisors of County and provided that such board, after a public hearing held in accordance with the provisions of Section 51284 of the Government Code, finds:

- (a) That the cancellation is not inconsistent with the purposes of the California Land Conservation Act of 1965; and
- (b) That cancellation is in the public interest.

The existence of an opportunity for another use of the land shall not be sufficient reason for cancellation. A potential alternative use of the land may be considered only if there is no proximate

land not subject to a Land Conservation Act contract or agreement suitable for the use to which it is proposed the subject land be put. The uneconomic character of an existing agricultural use shall not be sufficient reason for cancellation. The uneconomic character of the existing use may be considered only if there is no other reason or comparable agricultural use to which the land may be put.

Upon any such cancellation, the landowner shall pay to County an amount equal to fifty percent (50%) of the full market value of the land when relieved of the restriction, as found by the assessor, multiplied by the latest County assessment ratio published pursuant to Section 401 of the Revenue and Taxation Code when the contract was initially entered into.

The Board of Supervisors of County may waive or defer such payment or any portion thereof provided the Board finds:

- (a) It is in the public interest and the best interests of the program to conserve agricultural land that such payment be waived or deferred, and
- (b) The reason for the cancellation is an involuntary transfer or involuntary change in the use of the land and the land is not suitable and will not be immediately used for a purpose which produces a greater economic return to the Owner.

The Board of Supervisors of the County may make any such waiver or deferral of payment contingent upon the future use made of the land and its economic return to the landowner for a period not to exceed the unexpired period of the contract, had it not been canceled, and a lien shall be on the subject land to secure the performance of the act or acts upon which the waiver or deferral is made contingent.

IN WITNESS WHEREOF, the parties hereto have executed the within contract the day and year first above written.

COUNTY OF SANTA CRUZ, a Political
Subdivision of the State of California

E. A. Delaney
OWNER

By [Signature]
Chairman, Board of Supervisors
COUNTY

BENEFICIARY: SAN JOSE PRODUCTION CREDIT ASSOCIATION, a California corporation

By: [Signature]
Mike R. Palla, Asst. Treasurer

Date: February 20, 1976

EXHIBIT E
EXHIBIT I



- ☐ 201 River Street, Santa Cruz, CA 95060 (831) 426-9090 / FAX (831) 426-8511
 - ☐ 830 Bay Avenue, #A, Capitola, CA 95010 (831) 479-9229 / FAX (831) 479-3641
 - ☒ 1955 41st Avenue, #A-5, Capitola, CA 95010 (831) 476-5000 / FAX (831) 476-1647
 - ☐ 4340 Scotts Valley Dr. #A, Scotts Valley, CA 95066 (831) 438-4200 / FAX (831) 438-5369
 - ☐ 9055 Soquel Drive, Aptos, CA 95003 (831) 688-9566 / FAX (831) 688-8625
 - ☐ 1820 Main Street, Watsonville, CA 95076 (831) 724-8804 / FAX (831) 724-2633
 - ☐ 1541 Pacific Avenue, #D, Santa Cruz, CA 95060 (831) 426-1711 / FAX (831) 427-3217
- 1st Amended

February 24, 2004
Santa Cruz Title Company

REPORT

WHEN REPLYING REFER TO

ATTENTION: Jennifer Cornell Campbell
Escrow Officer

YOUR NO.:

PROPERTY: Unimproved

In response to the above referenced application for a Policy of Title Insurance, Santa Cruz Title Company hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a Policy or Policies of Title Insurance, describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien, or encumbrance not shown or referred to as an Exception below or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations of said policy forms.

The printed Exceptions and Exclusion from coverage of said Policy or Policies are set forth in Exhibit A attached. Copies of the Policy forms should be read. They are available from the office which issued this Report.

PLEASE REMEMBER THE EXCEPTIONS SHOWN OR REFERRED TO BELOW AND THE EXCEPTIONS AND EXCLUSIONS SET FORTH IN EXHIBIT A OF THIS REPORT CAREFULLY, THE EXCEPTIONS AND EXCLUSIONS ARE MEANT TO PROVIDE YOU WITH NOTICE OF MATTERS WHICH ARE NOT COVERED UNDER THE TERMS OF THE TITLE INSURANCE POLICY AND SHOULD BE CAREFULLY CONSIDERED.

IT IS IMPORTANT TO NOTE THAT THIS PRELIMINARY REPORT IS NOT A WRITTEN REPRESENTATION AS TO THE CONDITIONS OF TITLE AND MAY NOT LIST ALL LIENS, DEFECTS, AND ENCUMBRANCES AFFECTING TITLE TO THE LAND.

This report (and any supplements or amendments thereto) is issued solely for the purpose of facilitating the issuance of a Policy of Title Insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a Policy of Title Insurance, a Binder or Commitment should be requested.

Dated as of February 18, 2004 at 7:30 a.m.

Harold Wishard, Title Officer

The form of Policy of Title Insurance contemplated by this Report is:

CLTA Standard Coverage Policy - 1991

The estate or interest in the land hereinafter described or referred to covered by this Report is:

A FEE AS TO PARCEL ONE; AN EASEMENT AS TO PARCEL TWO

Title to said estate or interest at the date hereof is vested in

Lawrence W. Delaney and Sharon L. Hager, in equal shares

At the date hereof exceptions to coverage in addition to the printed exceptions and exclusions contained in said policy form would be as follows: See Exceptions Page One.

EXHIBIT E
EXHIBIT

1. GENERAL AND SPECIAL COUNTY (AND CITY) TAXES, A LIEN NOT YET DUE OR PAYABLE, FOR THE
FISCAL YEAR : 2004-2005
PARCEL NO. : 046-361-04
2. GENERAL AND .SPECIAL COUNTY (AND CITY) TAXES, INCLUDING PERSONAL PROPERTY TAX, IF ANY FOR THE
FISCAL YEAR : 2003-2004
LAND VALUATION : \$89,684.00
IMPROVEMENT VALUATION : \$4,101.00
PERSONAL PROPERTIES : \$-0-
EXEMPTIONS : \$-0-
CODE AREA NO. : 69-282
PARCEL NO. : 046-361-04
1ST INSTALLMENT : \$580.29 PAID
2ND INSTALLMENT : \$580.29 PAYABLE BUT NOT YET DUE
3. THE LIEN OF SUPPLEMENTAL TAXES, IF ANY, ASSESSED PURSUANT TO THE PROVISIONS OF CHAPTER 3.5 (COMMENCING WITH SECTION 75) OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA.
4. RIGHTS OF WAY CREATED IN THE DECREE OF PARTITION OF THE SAN ANDREAS RANCHO
ENTITLED : "EDWARD BRIODY. PLAINTIFF, VS. TITUS HALE, ET AL, DEFENDANTS
ENTERED : AUGUST 18, 1873 IN BOOK 150 F DEEDS, PAGE 686, SANTA CRUZ COUNTY RECORDS
5. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : PETER LEONARD AND JAMES J. C. LEONARD
TO : PAJARO MINING COMPANY
FOR : THE RIGHT TO ENTER BY WAY OF TUNNELS FOR THE EXCAVATION OF MINERALS
RECORDED : NOVEMBER 16, 1892, IN BOOK 90 OF DEEDS, PAGE 65, SANTA CRUZ COUNTY RECORDS
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

SAID INSTRUMENT CONTAINS, AMONG OTHER THINGS, THE FOLLOWING:

"ALSO THE RIGHT, TITLE AND INTEREST OF SAID GRANTORS IN AND TO THE WATERS OF A SLOUGH WHICH RUNS THROUGH SAID TWO LAST MENTIONED AND DESCRIBED TRACT OF LAND."

Exceptions

EXHIBIT E
EXHIBIT J

- 6 THE GRANT OF RIGHTS OF WAY AND WATER RIGHTS AS CONTAINED IN THE DEED
EXECUTED BY : FRANK FLAMMANG, ET UX.
IN FAVOR : CEDRIC E. INGRAM, ET UX.

"TOGETHER WITH AN UNDIVIDED ONE-FOURTH INTEREST IN THE SPRINGS WHICH FURNISH WATER TO SAID TRACT, AND WHICH SPRINGS ARE ON THE RIGHT OF INGRESS AND EGRESS FROM SAID SPRINGS AND THE RIGHT OF WAY FOR A PIPE LINE FROM SAID SPRINGS TO THE LAND HEREBY CONVEYED, AND THE RIGHT TO MAINTAIN A WINDMILL OR WINDMILLS OR SMALL PUMPING PLANT AT SAID SPRINGS. ALSO THE AIRMOTOR WINDMILL AND WINDMILL TOWER AND THE PIPE LEADING FROM SAID WINDMILL ON SAID LOT 41 OF SAID SAN ANDREAS RANCHO TO THE PROPERTY HEREINABOVE DESCRIBED, BEING CONVEYED BY SAID FIRST PARTIES TO SAID SECOND PARTIES, WHICH WINDMILL, WINDMILL TOWER AND PIPE ARE HEREBY GRANTED TO SAID SECOND PARTY."

RECORDED

MAY 19, 1924, IN BOOK 29, PAGE 169
OFFICIAL RECORDS OF SANTA CRUZ COUNTY

7. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : FRED JOHNSON, ET UX.
TO : JOSEPH L. DELANEY, ET UX.
FOR : A RIGHT OF WAY 20 FEET IN WIDTH
RECORDED : MAY 6, 1938 IN BOOK 342, PAGE 317
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO. : 3293
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

8. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
FROM : FRED W. JOHNSON, ET UX.
TO : MILO N. DAVIDSON, ET UX.
FOR : RIGHTS OF WAY
RECORDED : MAY 5, 1945 IN BOOK 499, PAGE 439
OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO. : 5145
AFFECTS : THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

- 9 AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
- | | | |
|----------------|---|--|
| FROM | : | ANNA M .JOHNSON |
| TO | : | COAST COUNTIES GAS AND ELECTRIC COMPANY, A CORPORATION |
| FOR | : | A RIGHT OF WAY FOR A SINGLE LINE OF POLES |
| RECORDED | : | OCTOBER 22, 1946 IN BOOK 686, PAGE 298 |
| | | OFFICIAL RECORDS OF SANTA CRUZ COUNTY |
| INSTRUMENT NO. | | 18540 |
| AFFECTS | : | THE ROUTE OF SAID EASEMENT IS NOT DESCRIBED THEREIN |

NO ASSURANCE IS MADE HEREUNDER AS TO THE PRESENT OWNERSHIP OF SAID EASEMENT

10. AN EASEMENT AFFECTING THE PORTION OF SAID PROPERTY AND FOR THE PURPOSE STATED HEREIN, AND INCIDENTAL PURPOSES, AS GRANTED IN THE DEED
- | | | |
|----------------|---|--|
| FROM | : | ETHEL A. DELANEY |
| TO | : | COUNTY OF SANTA CRUZ |
| FOR | : | AN OPENS PACE EASEMENT |
| RECORDED | : | FEBRUARY 27, 1976, IN BOOK 2589, PAGE 593 |
| | | OFFICIAL RECORDS OF SANTA CRUZ COUNTY |
| INSTRUMENT NO. | : | 7982 |
| AFFECTS | : | AGRICULTURAL LAND USAGE; REFERENCE TO SAID INSTRUMENT IS HEREBY MADE FOR FURTHER PARTICULARS |

NO ASSURANCE IS MADE HEREUNDER ~~AS TO~~ THE PRESENT OWNERSHIP OF SAID EASEMENT

NOTES

- A. NO TRANSFER OR AGREEMENTS TO TRANSFER THE PROPERTY DESCRIBED HEREIN APPEAR OF RECORD WITHIN TWENTY-FOUR MONTHS OF THE DATE OF THIS REPORT.

TITLE OF THE VESTEE HEREIN WAS ACQUIRED BY

INSTRUMENT	:	DECREE SETTling REPORT OF EXECUTOR, ALLOWING COMPENSATION FOR ORDINARY SERVICES TO ATTORNEYS, AND DISTRIBUTING ESTATE
FROM	:	ESTATE OF ETHEL A. DELANEY, DECEASED
TO	:	LAWRENCE W. DELANEY AND SHARON L. HAGER, IN EQUAL SHARES
RECORDED	:	JULY 30, 1997
		OFFICIAL RECORDS OF SANTA CRUZ COUNTY
INSTRUMENT NO.	:	1997-0034280

- B. LAST INSURED DATE : NOT APPLICABLE

- C THE POLICY OR POLICIES OF TITLE INSURANCE CAUSED TO BE ISSUED IN THIS TRANSACTION WILL BE ISSUED BY ONE OF OUR AUTHORIZED UNDERWRITERS
- D NOTE THE ALTA HOMEOWNERS POLICY OF TITLE INSURANCE (10-17-98) CONTAINS SPECIFIC DEDUCTIBLE AMOUNTS AND SPECIFIC LIABILITY MAXIMUMS FOR COVERED RISK NUMBERS 14, 15, 16 AND 18 OF SAID POLICY THAT HAVE BEEN FILED AND APPROVED BY THE VARIOUS DEPARTMENTS OF INSURANCE WHERE THE FORMS HAVE BEEN FILED PLEASE CONSULT WITH YOUR ESCROW OR TITLE OFFICER IF YOU HAVE QUESTIONS REGARDING THE POLICY

DRF:sb sa

EXHIBIT "A"

The land referred to herein is described as follows:

SITUATE IN THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA AND DESCRIBED AS FOLLOWS:

PARCEL ONE:

A PART OF THE SAN ANDREAS RANCHO AND A PORTION OF THE LANDS CONVEYED BY FRED W. JOHNSON ET UX TO ETHEL A DELANEY, BY DEED RECORDED OCTOBER 18, 1957 IN VOLUME 1154, PAGE 69, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND ALL OF THE LANDS CONVEYED BY FRED JOHNSON ET UX TO JOSEPH I. DELANEY ET UX BY DEED RECORDED MAY 6, 1938 IN VOLUME 342, PAGE 317, OFFICIAL RECORDS OF SANTA CRUZ COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FENCE CORNER POST AT THE NORTHEAST CORNER OF PARCEL B AS SHOWN ON THE PARCEL MAP OF THE LANDS OF J.W. EDWARDS ET UX FILED FOR RECORD DECEMBER 19, 1973 IN VOLUME 13 OF PARCEL MAPS, PAGE 75, SANTA CRUZ COUNTY RECORDS, BEING THE SOUTHEASTERN CORNER OF SAID LANDS OF ETHEL A. DELANEY; THENCE FROM SAID POINT OF BEGINNING ALONG THE COMMON BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY AND SAID PARCEL B SOUTH 73 DEGREES 45' WEST 1127.28 FEET TO THE SOUTHEAST CORNER OF PARCEL ONE OF THE LANDS CONVEYED BY SANTA CRUZ TITLE LAND COMPANY, A CORPORATION TO ROBERT O. FORSON ET AL BY DEED RECORDED DECEMBER 20, 1972 IN VOLUME 2269, PAGE 248, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, BEING ALSO THE SOUTHWEST CORNER OF SAID LANDS OF DELANEY; THENCE ALONG THE EASTERN BOUNDARY OF SAID LANDS OF FORSON, BEING THE WEST BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY NORTH 16 DEGREES 15' WEST 785.10 FEET TO THE MOST SOUTHERN CORNER OF THE LANDS CONVEYED BY FLOYD M. LITTLE ET UX TO FLOYD M. LITTLE ET UX BY DEED RECORDED APRIL 11, 1973 IN VOLUME 2301, PAGE 528, OFFICIAL RECORDS OF SANTA CRUZ COUNTY; THENCE ALONG THE SOUTHEASTERN BOUNDARY OF SAID LANDS OF LITTLE NORTH 56 DEGREES 51' EAST 429.98 FEET TO AN ANGLE POINT THEREIN; THENCE ALONG THE NORTHEASTERN BOUNDARY THEREOF NORTH 23 DEGREES 28' WEST 20.28 FEET TO AN ANGLE POINT THEREIN AND NORTH 30 DEGREES 40' WEST 107.58 FEET TO THE NORTHWEST CORNER OF SAID LANDS OF JOSEPH I. DELANEY ET UX THENCE ALONG THE NORTH BOUNDARY OF SAID LANDS OF JOSEPH I. DELANEY ET UX NORTH 73 DEGREES 45' EAST 656.04 FEET TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EASTERLY BOUNDARY OF SAID LANDS SOUTH 28 DEGREES EAST 361.02 FEET TO A POINT ON THE NORTHERN BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY; THENCE ALONG SAID NORTH BOUNDARY NORTH 73 DEGREES 45' EAST 70 FEET, MORE OR LESS, TO THE NORTHEAST CORNER THEREOF; THENCE ALONG THE EAST BOUNDARY OF SAID LANDS OF ETHEL A. DELANEY SOUTH 10 DEGREES 25' EAST 726.00 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL:

BEING A PART OF THE RANCHO SAN ANDREAS AND BEGINNING AT A STATION FROM WHICH THE SOUTHEASTERN PORTION OF THAT CERTAIN 155 ACRE TRACT OF LAND CONVEYED BY FRANK FLAMMANG ET UX TO FRED JOHNSON BY DEED DATED JULY 2, 1927 AND RECORDED IN VOLUME 121, PAGE 205, OFFICIAL RECORDS OF SANTA CRUZ COUNTY BEARS THE FOLLOWING TWO COURSES AND DISTANCES: SOUTH 28 DEGREES EAST 3.00 CHAINS AND SOUTH 10 DEGREES 25' EAST 7.43 CHAINS; AND RUNNING THENCE FROM SAID POINT OF BEGINNING NORTH 28 DEGREES WEST 5.47 CHAINS; THENCE SOUTH 73 DEGREES 45' WEST 9.94 CHAINS TO THE MIDDLE OF A PROPOSED 40 FOOT ROAD; THENCE ALONG THE CENTERLINE OF SAID ROAD SOUTH 30 DEGREES 40' EAST 1.63 CHAINS;

EXHIBIT E
EXHIBIT J

EXHIBIT "A" (Continued)

THENCE SOUTH 23 DEGREES 28' EAST 3.80 CHAINS; THENCE LEAVING ROAD, NORTH 73 DEGREES 45' EAST 10.16 CHAINS TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM THAT PORTION AS LIES WITHIN LOT 65 OF THE PARTITION OF THE SAN ANDREAS RANCHO AS SAID LOT IS DESCRIBED IN THE PARTITION DEED RECORDED SEPTEMBER 11, 1873 IN BOOK 15 OF DEEDS, PAGE 686.

PARCEL TWO:

A NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS OVER A PARCEL OF LAND 20 FEET WIDE DESCRIBED BY THE CENTERLINE AS FOLLOWS:

BEGINNING IN THE SAN ANDREAS ROAD AT AN IRON PIPE FROM WHICH THE NORTHWESTERN CORNER OF THAT CERTAIN TRACT OF LAND CONVEYED BY FRANK FLAMMANG AND JOSEPHINE FLAMMANG, HIS WIFE TO CEDRIC E. INGRAM AND NEVA D. INGRAM, HIS WIFE BY DEED RECORDED MAY 19, 1924 IN VOLUME 29, PAGE 169, OFFICIAL RECORDS OF SANTA CRUZ COUNTY, CALIFORNIA BEARS NORTH 67" WEST 2.88 CHAINS DISTANT, AND RUNNING THENCE NORTH 45° EAST 8.00 CHAINS; SOUTH 89° 24' EAST 6.61 CHAINS; SOUTH 76" 15' EAST 1.75 CHAINS; SOUTH 85° 40' EAST 6.35 CHAINS; NORTH 61" 57' EAST 2.50 CHAINS AND NORTH 57° 40' EAST 3.00 CHAINS TO THE EASTERN BOUNOARY OF THE TRACT OF LAND CONVEYED TO CEDRICK E. INGRAM, ET UX, AND FROM WHICH POINT THE NORTHEASTERN CORNER OF SAID TRACT OF LAND CONVEYED BY FRANK FLAMMANG, ET UX TO CEDRIC E. INGRAM, ET UX, BEARS NORTH 16° 15' WEST 6.00 CHAINS DISTANT.

APN: 046-361-04

EXHIBIT E
EXHIBIT J

July 1, 2001

SANTA CRUZ TITLE COMPANY recognizes and respects the privacy expectations of today's consumers and the requirements of applicable federal and state privacy laws. SANTA CRUZ TITLE COMPANY believes that making you aware of how this company uses your non-public personal information ("Personal Information"), and to whom it is disclosed, will form the basis for a relationship of trust between SANTA CRUZ TITLE COMPANY and the public that this company serves. This Privacy Statement provides that explanation. SANTA CRUZ TITLE COMPANY reserves the right to change this Privacy Statement from time to time consistent with applicable privacy laws.

In the course of our business, SANTA CRUZ TITLE COMPANY may collect Personal Information about you from the following sources:

- From applications or other forms this company receives from you or your authorized representative;
- From your transactions with, or from the services being performed by, us, our affiliates, or others;
- From this company's internet web sites;
- From the public records maintained by governmental entities that Santa Cruz Title Company may either obtain directly from those entities, or from this company's affiliates or others; and
- From consumer or other reporting agencies, lenders or real estate agents and their representatives.

Our Policies Regarding the Protection of the Confidentiality and Security of Your Personal Information:

SANTA CRUZ TITLE COMPANY maintains physical, electronic and procedural safeguards to protect your Personal Information from unauthorized access or intrusion. SANTA CRUZ TITLE COMPANY limits access to such Personal Information only to those employees who need such access in connection with providing products or services to you or for other legitimate business purposes.

Our Policies and Practices Regarding the Sharing of Your Personal Information :

SANTA CRUZ TITLE COMPANY may share your Personal Information with this company's affiliates, which includes, but is not limited to, Chicago Title Insurance Company, Fidelity National Title Insurance Company, Stewart Title Guaranty Company, United Independent Title Insurance Company, and which also includes other companies, such as insurance companies, agents, and other real estate settlement service providers. SANTA CRUZ TITLE COMPANY also may disclose your Personal Information:

- To agents, brokers or representatives to provide you with services you have requested;
- To third-party contractors or service providers who provide services or perform marketing or other functions on this company's behalf, and

To others with whom this company enters into joint marketing agreements for products or services that this company believes you may find of interest.

In addition, SANTA CRUZ TITLE COMPANY will disclose your Personal Information when you direct or give this company permission, when SANTA CRUZ TITLE COMPANY is required by law to do so, or when this company suspects fraudulent or criminal activities. SANTA CRUZ TITLE COMPANY also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce this company's rights arising out of any agreement, transaction or relationship with you.

One of the important responsibilities of this company, and of some of our affiliated companies, is to record documents in the public domain. Such documents may contain your Personal Information.

SANTA CRUZ TITLE COMPANY DOES NOT DISCLOSE ANY NON-PUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

Right to Access Your Personal Information and Ability To Correct Errors Or Request Changes Or Deletion :

Certain states afford you the right to access your Personal Information and, under certain circumstances, to find out to whom your Personal Information has been disclosed. Also, certain states afford you the right to request correction, amendment or deletion of your Personal Information. SANTA CRUZ TITLE COMPANY reserves the right, where permitted by law, to charge a reasonable fee to cover the costs incurred in responding to such requests.

All requests must be made in writing to the following address:

Privacy Compliance Officer
Santa Cruz Title Company
201 River Street
Santa Cruz, CA 95060

Multiple Products or Services

If SANTA CRUZ TITLE COMPANY provides you with more than one financial product or service, you may receive more than one privacy notice from this company. SANTA CRUZ TITLE COMPANY apologizes for any inconvenience this may cause you.

This Notice is intended to comply with Title V of the Gramm-Leach-Bliley Act ("GLBA") which generally prohibits any financial institution, directly or through its affiliates, from sharing non-public personal information about you with a nonaffiliated third party unless the institution provides you with notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. This Notice is meant to comply with the GLBA, and notifies you of the privacy policies and practices of SANTA CRUZ TITLE COMPANY, and its related affiliates, as may be applicable.

THIS PRIVACY NOTICE IS PROVIDED TO YOU FOR INFORMATIONAL PURPOSES ONLY. YOU DO NOT NEED TO CALL OR TAKE ANY ACTION IN RESPONSE TO THIS NOTICE. SANTA CRUZ TITLE COMPANY RECOMMENDS THAT YOU READ AND RETAIN THIS NOTICE FOR YOUR RECORDS.

EXHIBIT - E

NOTICE I

"CALIFORNIA REVENUE AND TAXATION CODE SECTION 18662, EFFECTIVE JANUARY 1, 1994 AND BY AMENDMENT EFFECTIVE JANUARY 1, 2003. PROVIDES THAT THE BUYER IN ALL SALES OF CALIFORNIA REAL ESTATE MAY BE REQUIRED TO WITHHOLD 3 AND 1/3 PERCENT OF THE TOTAL SALES PRICE **AS** CALIFORNIA STATE INCOME TAX, **SUBJECT** TO THE VARIOUS PROVISIONS OF THE LAW AS THEREIN CONTAINED. FAILURE TO WITHHOLD, MAY SUBJECT THE BUYER TO VARIOUS PENALTIES, INCLUDING A PENALTY IN AN AMOUNT EQUAL TO THE GREATER OF 10 PERCENT OF THE AMOUNT REQUIRED TO BE ~~WITHHELD~~ OR FIVE HUNDRED DOLLARS (\$500), WHICHEVER IS GREATER."

FOR ADDITIONAL INFORMATION CONCERNING THE WITHHOLDING PROVISIONS REFERENCED ABOVE, PLEASE CONTACT THE:

FRANCHISE TAX BOARD
WITHHOLD AT SOURCE UNIT
(916) 8451900

WEBSITE: www.ftb.ca.gov

NOTICE II

THE SANTA CRUZ COUNTY RECORDER ("COUNTY RECORDER") HAS NOTIFIED SANTA CRUZ TITLE COMPANY ("SANTA CRUZ TITLE") THAT THE COUNTY RECORDER WILL NOT ACCEPT FOR RECORDING DOCUMENTS WHICH:

1. CONTAIN ANY DOT MATRIX PRINT
2. CONTAIN ANY REDUCED OR TINY PRINT
3. HAVE FAINT OR INCOMPLETE OR SMOOGED NOTARY SEAL(S)
4. HAVE NOTARY SEAL(S) WHICH IS/ARE STAMPED OVER ANY LINES. PRINT OR WRITING

THE FINAL DECISION ON THE RECORDABILITY OF A DOCUMENT RESTS ENTIRELY WITH THE COUNTY RECORDER, BASED UPON THE FOREGOING, AND IS A MATTER OVER WHICH SANTA CRUZ TITLE HAS ABSOLUTELY NO CONTROL. SANTA CRUZ TITLE IS UNABLE TO DETERMINE WITH CERTAINTY WHICH DOCUMENTS MAY, OR MAY NOT BE, ACCEPTABLE BY THE COUNTY RECORDER FOR RECORDING AND THEREFROM SANTA CRUZ TITLE ASSUMES NO LIABILITY FOR ANY DELAY IN THE RECORDING AND THEREFORE SANTA CRUZ TITLE ASSUMES NO LIABILITY FOR ANY DELAY IN THE RECORDING OF A DOCUMENT, OR THE CONSEQUENCES THEREOF, BASED UPON THE FOREGOING. SHOULD THERE BE ANY CONCERN OR QUESTION AS THE ACCEPTABILITY FOR RECORDING OF ANY DOCUMENT, YOU **ARE** OBLIGATED TO NOTIFY SANTA CRUZ TITLE FAR ENOUGH IN ADVANCE TO ALLOW A REASONABLE TIME FOR THE COUNTY RECORDER TO REVIEW THE DOCUMENT(S) IN QUESTION.

NOTICE III

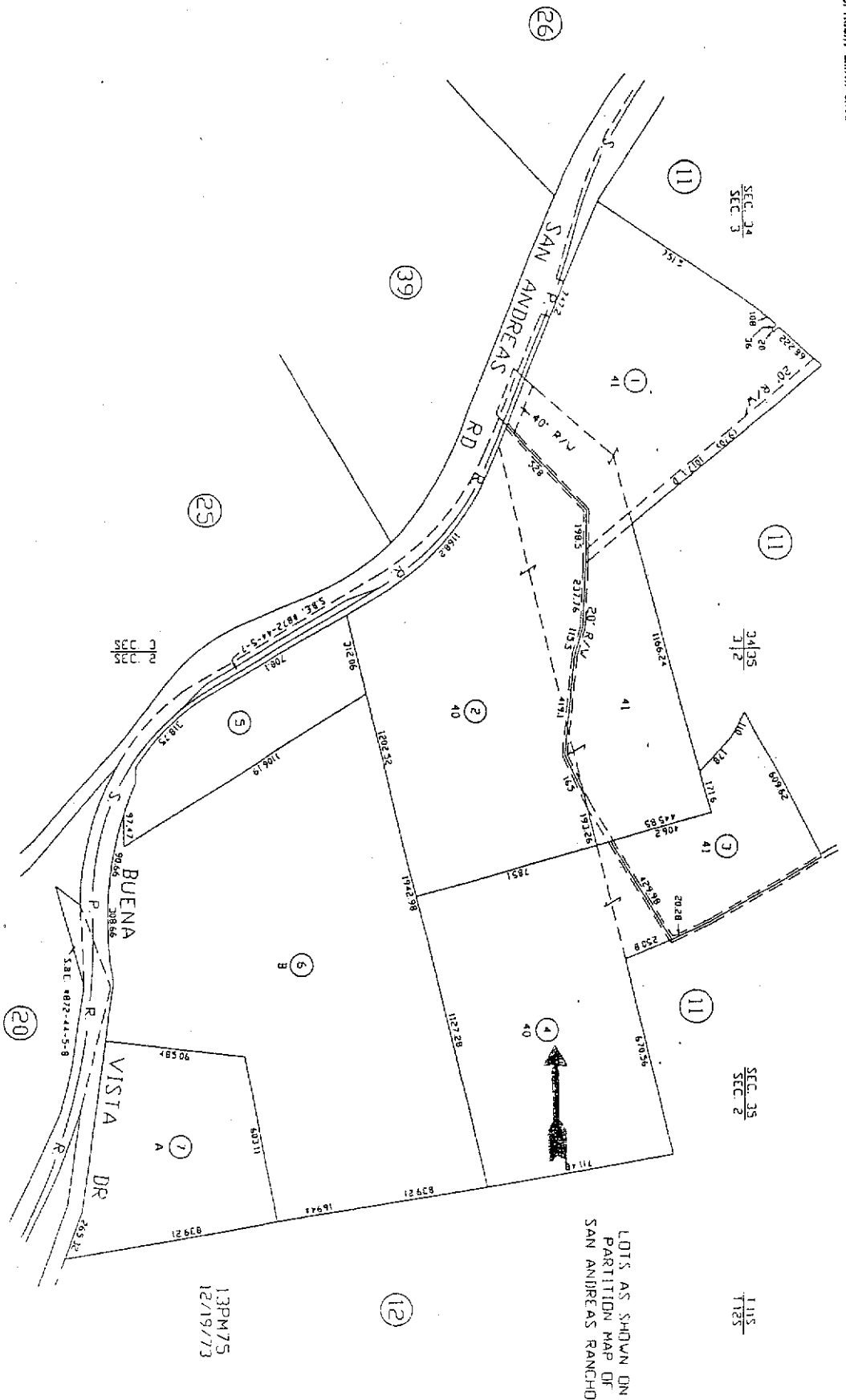
ON AND AFTER JULY 1, 1985, THE COUNTY RECORDER'S OFFICE WILL CHARGE, IN ADDITION TO THE **REGULAR** RECORDING CHARGES, AN EXTRA \$20.00 RECORDING FEE, UNLESS A DOCUMENT EVIDENCING A CHANGE OF OWNERSHIP IS ACCOMPANIED BY A PRELIMINARY CHANGE OF OWNERSHIP REPORT, IN LIEU OF SAID REPORT, SIGNED BY THE TRANSFEREE, THE RECORDER WILL ACCEPT AN AFFIDAVIT THAT THE TRANSFEREE IS NOT A RESIDENT OF CALIFORNIA, TITLE BILLINGS WILL BE ADJUSTED TO REFLECT SUCH ADDITIONAL FEES WHEN APPLICABLE.

NOTICE IV

CHAPTER 598, CALIFORNIA STATUTES OF 1989 BECAME EFFECTIVE JANUARY 1, 1990. THIS LEGISLATION DEAL WITH THE DISBURSEMENT OF FUNDS DEPOSITED WITH ANY TITLE ENTITY ACTING IN AN ESCROW OR SUBESCROW CAPACITY. THE LAW REQUIRES THAT ALL FUNDS BE DEPOSITED AND COLLECTED BY THE TITLE ENTITY'S ESCROW AND/OR SUBESCROW ACCOUNT PRIOR TO DISBURSEMENT ~~OF~~ ANY FUNDS, SOME METHODS OF FUNDING MAY SUBJECT FUNDS TO A HOLDING PERIOD WHICH MUST EXPIRE BEFORE ANY FUNDS MAY BE DISBURSED. IN ORDER TO AVOID ANY SUCH DELAYS, ALL FUNDINGS SHOULD BE DONE THROUGH WIRE TRANSFER.

EXHIBIT
EXHIBIT J

ASSESSOR MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
LIT FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
© COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 2000



FOR REFERENCE ONLY / THIS IS NOT A SURVEY
THIS PLAT IS PROVIDED SOLELY FOR YOUR AID IN
LOCATING THE LAND IN GENERAL RESPECT TO STREETS
AND OTHER PARCELS. NO LIABILITY IS ASSUMED FOR
ANY LOSS OCCURRING BY REASON OF RELIANCE HEREON

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

Assessor's Map No. 46-36
County of Santa Cruz, Calif
Jan 2000

Return recorded form to:

Planning Department
County of Santa Cruz

Attention: Joan Van der Hoeven
Application #: 04-0629



2005-0001194

Recorded	REC FEE	13.00
Official Records	CC CONF	1.00
County Of	OR COP	5.25
SANTA CRUZ		
GARY E. HAZELTON		
Recorder		
CAROL D. SUTHERLAND		
Assistant	JRS	
11:12AM 06-Jan-2005	Page 1 of 3	

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

The undersigned Lawrence Delaney (does) (do) hereby certify to be *the owner(s)* of *the* real property located in the County of Santa Cruz, State of California, commonly known as Peaceful Valley Drive, Watsonville CA 95076; legally described in that certain deed recorded in 1997-0034280 of the official records of Santa Cruz County Recorder on 7/30/1997; Assessor's Parcel Number: 046-361-04

And (I)(we) do hereby acknowledge that the property described herein is adjacent to land utilized for commercial agricultural purposes and residents of this property may be subject to inconvenience or discomfort arising from *the* use of agricultural chemicals, including herbicides, pesticides, and fertilizers; and from the pursuit of agricultural operations including plowing, spraying, pruning and harvesting which occasionally generate dust, smoke, noise and odor. And (I)(we) acknowledge that the County has established **an** agricultural setback on the herein described property to separate agricultural parcels and non-agricultural uses involving habitable spaces to help mitigate these conflicts. Any development on this property must provide a buffer and setback as specified in County Code. And (I) (we) further acknowledge the agricultural buffer setbacks and barriers required by Permit 04-0629 .

And (I) (we) **further** acknowledge that Santa Cruz County has established agriculture **as** a priority use on productive agricultural lands, and that residents of adjacent property should be prepared to accept such inconvenience or discomfort from normal, necessary **farm** operations.

This Statement of Acknowledgment shall be recorded and shall be binding upon the undersigned, any future owners, encumbrances, their successors, heirs or assignees. The statements contained in this Statement of Acknowledgment are required to be disclosed to prospective purchasers of the property described herein, and required to be included in any deposit receipt for the purchase of the property, and in any deed conveying the property.

ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC. IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL BE ATTACHED

Executed on January 3rd, 2005

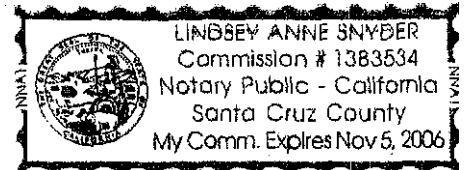
Owner: Mark J. Carr
Owner: Janet Carr
Owner: _____

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL
BE ATTACHED.**

STATE OF CALIFORNIA COUNTY OF Santa Cruz

On January 3rd 2005 before me Lindsey Anne Snyder personally
appeared Mary Perez and Mark Carr personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.
Signature Lindsey Anne Snyder
(Notary Public in and for said County and State)



This **form** must be reviewed and approved by a County Planning Department staff person after
notarization and prior to recordation.

Dated: 01/05/05

COUNTY OF SANTA CRUZ

By: Heather Sells
Planning Department Staff

Executed on 1/5, 2005

Owner: Lawrence W Delaney

Owner: Sharon L. Hager

**ALL SIGNATURES ARE TO BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.
IF A CORPORATION, THE CORPORATE FORM OF ACKNOWLEDGMENT SHALL
BE ATTACHED.**

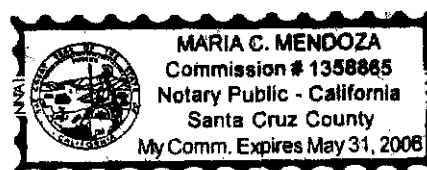
STATE OF CALIFORNIA COUNTY OF Santa Cruz

January 5, 2005 before me, Maria C. Mendoza personally
appeared Lawrence W Delaney & Sharon L Hager personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or
the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Signature

[Signature]
(Notary Public in and for said County and State)



This form must be reviewed and approved by a County Planning Department staff person after notarization and prior to recordation.

Dated: 01/05/05

COUNTY OF SANTA CRUZ

By: [Signature]
Planning Department Staff

EXHIBIT K

C O U N T Y O F S A N T A C R U Z
DISCRETIONARY APPLICATION COMMENTS

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: February 15, 2005
Time: 08:42:54
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Environmental Planning Completeness Comments

The engineering aspects of the grading plan are adequate for completeness. =====

REVIEW ON JANUARY 6, 2005 BY JOSEPH L HANNA =====

===== UPDATED ON JANUARY 12, 2005 BY ROBERT S LOVELAND =====

1. Two building sites were evaluated under application 04-0088 (PDSR). The site selected (Building Site A) for this application does not require any further biotic review. NOTE: Should a pool be proposed for this location a biotic report would be required and consultation with U.S. Fish & Wildlife and California Department of Fish & Game would also be required. ===== UPDATED ON FEBRUARY 1, 2005 BY JOSEPH L HANNA =====

At the request of environmental planning staff I have again reviewed site plans with ref. to biotic. Condition project for grading plan / permit with building permit.

Environmental Planning Miscellaneous Comments

The home is located on a secondary ridgeline and it maybe appropriate to evaluate alternative locations to reduce visual impact or reduce amount of grading. =====

REVIEW ON JANUARY 6, 2005 BY JOSEPH L HANNA =====

UPDATED ON JANUARY 12, 2005 BY ROBERT S LOVELAND =====

Conditions of Approval :

1. Submit a "Plan Review" letter from the project geotechnical engineer.
2. Clarify the grading work to be completed near the agricultural building. Sheet C1 by Roper Engineering shows one layout and Sheet A1.1 by Christina Perez shows a different layout. If the layout on Sheet A1.1 is correct, please include the additional work to the earthwork quantities.
3. Grading work for this project must take place between April 15th and October 1st. The erosion control plan shall be implemented by October 15th. Winter grading approval will not be granted for this project.
4. A detailed erosion control plan shall be submitted for review. Please identify what type of erosion control practice(s) (bio-logs, straw bales, etc.) will be utilized on site. show where they will be installed and provide construction details for each practice selected.

Project Review Completeness Comments

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

===== REVIEW ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====

Building height shall not exceed 28 feet.

===== UPDATED ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====

Project Review Miscellaneous Comments

EXHIBIT F

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
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Date: February 15. 2005
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LATEST COMMENTS HAVE **NOT YET** BEEN SENT TO **PLANNER** FOR THIS AGENCY

===== REVIEW ON JANUARY 10. 2005 BY JOAN VAN DER HOEVEN =====
Applicant has recorded the Agricultural Statement of Acknowledgement.
===== UPDATED ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====
Temporary caretaker's quarters during construction to be shown on plan.
===== UPDATED ON JANUARY 10, 2005 BY JOAN VAN DER HOEVEN =====
NO COMMENT

Dpw Drainage Completeness Comments

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

===== REVIEW ON DECEMBER 28. 2004 BY ALYSON B TOM ===== Application with civil plans dated 11/1/04 has been received. Please address the following:

- 1) Please submit a drainage plan that describes how runoff from all proposed impervious and semi impervious surfaces will be handled. This site is located within a groundwater recharge zone. Accordingly, all added runoff due to impervious and semi-impervious development should be retained on site so that the post project runoff rate is maintained at pre project levels. Describe how roof runoff (from the home and barn) will be handled, and how runoff from the driveway and upper parking area will drain. Retention design should be based on site specific information (soil type, expected rainfall, slope, surface cover, etc.) and should include provisions for safe overflow. maintenance and longevity. Describe the basis of the retention design.
- 2) The original application drainage review fee assessed was incorrect. Since this project will result in more than 4500 square feet of additional impervious area, review is for a significant single family dwelling (\$630). Please submit an additional \$140 to make up the difference.

Additional site specific details may be required at the building permit stage.

For questions regarding this review Public Works storm water management staff is available from 8-12 Monday through Friday.

All submittals for this project should be made through the Planning Department.

===== UPDATED ON FEBRUARY 4, 2005 BY ALYSON B TOM ===== Plans revised on 1/20/05 and letter from project engineer dated 1/22/05 has been recieved. This application is acceptable for discretionary completeness given the plan for retaining all additional storm water runoff on site. See miscellaneous comments for issues to be addressed prior to building permit issuance.

Dpw Drainage Miscellaneous Comments

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

===== REVIEW ON DECEMBER 28. 2004 BY ALYSON B TOM ===== See completeness comments.
===== UPDATED ON FEBRUARY 4, 2005 BY ALYSON B TOM ===== Prior to building

EXHIBIT F

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
APN: 046-361-04

Date: February 15, 2005
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permit issuance a complete, detailed drainage plan that describes how runoff from all proposed impervious areas will be handled. The drainage plan should include measures for retaining all proposed runoff on site so that the post project runoff rate is limited to pre project levels. The project should limit proposed impervious areas. Additional site specific comments may be required during the building permit stage.

Dpw Driveway/Encroachment Completeness Comments

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No Comment, project adjacent to a non-County maintained road.
===== UPDATED ON JANUARY 26, 2005 BY RUTH L ZADESKY =====
No Comment, project adjacent to a non-County maintained road.

Dpw Driveway/Encroachment Miscellaneous Comments

===== REVIEW ON DECEMBER 28, 2004 BY RUTH L ZADESKY =====
No comment.
===== UPDATED ON JANUARY 26, 2005 BY RUTH L ZADESKY =====
No comment.

Dpw Road Engineering Completeness Comments

===== REVIEW ON JANUARY 10, 2005 BY GREG J MARTIN =====
Plans showing the intersections of Peaceful Valley Road and San Andre Road are required. Both intersections are recommended to be paved for the first feet from San Andreas Road.

If you have any questions please contact Greg Martin at 831-454-2811. ===== UP-
DATED ON JANUARY 27, 2005 BY GREG J MARTIN =====
Aggregate base may be used in lieu of asphalt concrete for the intersections of Peaceful Valley Road on San Andreas road due to environmental considerations. We also recommend that potholes along Peaceful Valley Road from the project to San Andreas Road be repaired with aggregate base so that the road meets driveway standards.

Dpw Road Engineering Miscellaneous Comments

===== REVIEW ON JANUARY 10, 2005 BY GREG J MARTIN =====
===== UPDATED ON JANUARY 27, 2005 BY GREG J MARTIN =====

Environmental Health Completeness Comments

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

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK ===== Applicant received approval for a 4 bedrm septic system. If temporary mobile home is approved by Planning, septic system must be installed and receive EHS sign off.
===== UPDATED ON JANUARY 18, 2005 BY JIM G SAFRANEK ===== Upon further review EHS has determined that these comments belong under misc. and not completeness.

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
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Environmental Health Miscellaneous Comments

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

===== REVIEW ON JANUARY 3, 2005 BY JIM G SAFRANEK =====
NO COMMENT

Cal Dept of Forestry/County Fire Completeness Comm

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

===== REVIEW ON JANUARY 10, 2005 BY COLLEEN L BAXTER ===== DEPARTMENT
NAME:CDF/COUNTY FIRE Note on the plans that these plans are in compliance with
California Building and Fire Codes (2001) as amended by the authority having juris-
diction. Each APN (lot) shall have separate submittals for building and sprinkler
system plans. The job copies of the building and fire systems plans and permits must
be onsite during inspections. A minimum fire flow 200 GPM is required from 1 hydrant
located within 150 feet. NOTE that the designer/installer shall submit three (3)
sets of plans and calculations for the underground and overhead Residential
Automatic Fire Sprinkler System to this agency for approval. Installation shall fol-
low our guide sheet.

NOTE on the plans that an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be
prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE
PROTECTION SYSTEM INSTALLATION POLICY HANDOUT. Building numbers shall be provided.
Numbers shall be a minimum of 4 inches in height on a contrasting background and
visible from the street. additional numbers shall be installed on a directional sign
at the property driveway and street. NOTE on the plans the installation of an ap-
proved spark arrester on the top of the chimney. The wire mesh shall be 1/2 inch.
NOTE on the plans that a 100 foot clearance will be maintained with non-combustible
vegetation around all structures or to the property line (whichever is a shorter
distance). Single specimens of trees, ornamental shrubbery or similar plants used as
ground covers, provided they do not form a means of rapidly transmitting fire from
native growth to any structure are exempt.

All bridges, culverts and crossings shall be certified by a registered engineer.
Minimum capacity of 25 tons. Cal-Trans H-20 loading standard. 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 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.

A FIRE CLEARANCE MUST BE GRANTED BY CDF/COUNTY FIRE PRIOR TO YOUR SUBMITTAL TO THE
BUILDING COUNTER FOR A PERMIT. AN URBAN WILDLAND INTERMIX CODE FORM MAY BE OBTAINED
FROM THIS AGENCY. ===== UPDATED ON JANUARY 10, 2005 BY COLLEEN L BAXTER

===== UPDATED ON FEBRUARY 2, 2005 BY COLLEEN L BAXTER =====
NO NEW FIRE NOTES.

EXHIBIT F

Discretionary Comments - Continued

Project Planner: Joan Van Der Hoeven
Application No. : 04-0629
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Cal Dept of Forestry/County Fire Miscellaneous Con

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

===== REVIEW ON JANUARY 10, 2005 BY COLLEEN L BAXTER =====

===== UPDATED ON FEBRUARY 2, 2005 BY COLLEEN L BAXTER =====

EXHIBIT F

Perez Carr Residence 046-361-04
Water tank placement and size

