



Staff Report to the Zoning Administrator

Application Number: **05-0597**

Applicant: Michael Bethke

Owner: James Walters & Shea Stewart

APN: 071-081-37

Agenda Date: April 7, 2006

Agenda Item #: **9**

Time: After 11:00 a.m.

Project Description: To recognize the creation of paddocks within the front half of the parcel

Location: Project located approximately 7/8 mile southeast of the intersection of Hihn Road and Glen Arbor Rd.

Supervisory District: 5th District (District Supervisor: Mark Stone)

Permits Required: Residential Development Permit

Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 05-0597, based on the attached findings and conditions.

Exhibits

- | | |
|---|------------------------------|
| A. Project plans | E. Assessor's parcel map |
| B. Findings | F. Zoning map |
| C. Conditions | G. Comments & Correspondence |
| D. Categorical Exemption (CEQA determination) | |

Parcel Information

Parcel Size:	Approximately 17 acres
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential
Project Access:	Hihn Road
Planning Area:	San Lorenzo Valley
Land Use Designation:	R-M (Mountain Residential)
Zone District:	SU (Special Use)

Coastal Zone: Inside X Outside

Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site
Soils: N/A
Fire Hazard: Not a mapped constraint
Slopes: Majority of site contains slopes of >50%
Env. Sen. Habitat: Sandhills habitat; site reviewed by Environmental Planning staff, no
 resources
Grading: No grading proposed
Tree Removal: No trees proposed to be removed
Scenic: Not a mapped resource
Drainage: Existing drainage adequate
Traffic: N/A
Roads: Existing roads adequate
Parks: Existing park facilities adequate
Archeology: Not mapped/no physical evidence on site

Services Information

Urban/Rural Services Line: Inside X Outside
Water Supply: N/A
Sewage Disposal: Septic System
Fire District: Zayante Fire Protection District
Drainage District: Zone 8

History

The subject parcel was issued a Notice of Violation for keeping horses in paddocks within the front portion of the property. The current owner purchased the property in 2000, at which time the paddocks were already in use. The lot has historically been developed with barns and used for animal keeping. In 2004, the property owner obtained a building permit to resolve several additional violations attributable to the property's former owners. This application would resolve the remaining code violation regarding the location of the paddocks.

Project **Setting**

The project site is approximately 17 acres in size and is located on Hihn Road in the San Lorenzo Valley Planning Area. The site is developed with an existing single-family dwelling, a detached garage, a corral, warm-up arena and several small outbuildings. The parcel has an unusual configuration in that the rear (western) portion contains slopes of 20-35%. The steep portion comprises about 80% of the total lot area. Given the steep topography at the rear of the parcel, the flatter portion of the front of the lot is the only feasible area in which to locate the paddocks. Parcels to the north, east and south are residentially developed, while the parcel to the west is zoned for Timber Production.

Zoning & General Plan Consistency

The subject property is approximately 17 acres in area and is located in the SU (Special Use) zone district, a designation that allows residential uses. The SU zone district is subject to Residential Agriculture (RA) site standards. The proposed paddocks are a principal permitted use within the zone district and the project is consistent with the site's (R-M) Mountain Residential General Plan designation.

Animal Keeping

Per County Code Section 13.10.643, the subject 17-acre parcel can keep up to 34 horses. Currently 26-28 horses are being kept on the parcel. No additional horses are proposed on site. There are no riding lessons, training events or other commercial operations being held on the property. Community workshops have been held on site twice-yearly in the past. Conditions of Approval for this permit will prohibit any future commercial-type operations on the site .

A manure management plan, prepared in collaboration with the Resource Conservation District and Ecology Action, has been submitted and approved by the Department of Environmental Health Services.

Code Compliance

The subject parcel has been the subject of past and current investigations regarding animal boarding. Neighbor complaints have focused primarily on objectionable smell, erosion and negative visual impacts. In an effort to mitigate these and future impacts to surrounding residential properties, a detailed erosion control plan has been required and vegetative screening will be required between the paddocks and Hihn Road. A Condition of Approval will require the vegetative buffer to be maintained in perpetuity. The Manure Management Plan must also be implemented throughout the life of the horse care and boarding operation.

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 **05-0597**, based on the attached findings and conditions.
- a 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:** **Robin** Bolster-Grant
Santa Cruz County Planning Department
701 Ocean Street, 4th Floor
Santa Cruz CA 95060
Phone Number: (831) 454-5357
E-mail: robin.bolster@co.santa-cruz.ca.us

Residential 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 designated for rural residential uses and is not encumbered by physical constraints to the proposed paddock operation in the front portion of the property. 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 recognition of paddocks within the front yard will not deprive adjacent properties or the neighborhood of light, air, or open space, in that no structures are proposed in the paddock area, an approved manure management plan will be in effect, and vegetation will be planted between the paddocks and the street, screening the area from neighboring properties. The paddocks will be located more than 100 feet from the nearest residence (east), continuing the historical paddock use in a location that has been in existence for more than 10 years.

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 paddocks and the conditions under which they would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the SU (Special Use) zone. Two horses per acre are allowed in the zone district. County Code Section 13.10.641(a)(3) allows paddocks to be located in areas other than the rear half of the lot with Zoning Administrator approval. The particular geographical circumstance of the subject property justifies such approval. The rear half of the parcel is steeply sloped and unsuited for safe horse keeping. The existing moderately sized paddock avoids the steeper sloped portions of the property by fitting into the gently sloped front portion of the lot. This configuration will help reduce the deleterious effects of soil erosion and reduces watershed impacts to surface water quality.

The location of the paddock within the front half of the lot is also in keeping with the historic use of this parcel. The proposed recognition of the paddocks will resolve the code violation that currently exists on the property.

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 location of the paddocks is consistent with the use and density requirements specified for the Mountain Residential (R-M) land use designation in the County General Plan. The proposed location of paddocks within the front half of the lot will not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties in that no structures are proposed. The operation of the paddocks within the front half of the property is consistent with General Plan Policy 5.5.9 (Development Activities Within Water Supply and Least Disturbed Watersheds) and General Plan Policy 5.7.4 (Control Surface Runoff) in that utilizing the more moderately- sloped portion of the parcel will reduce the likelihood of erosion and negative water quality impacts. A detailed erosion control plan and manure management plan have also been required for this project and must be maintained in the future as a Condition of Approval.

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 location of paddocks is to be constructed on **an** existing developed lot. There is no expected increase in traffic generated by this use, as there are no lessons or special events occurring or proposed onsite. Additionally, the project is conditioned to restrict any future commercial uses on the site that would contribute to increased trip generation.

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 paddocks are consistent with the surrounding rural character of the neighborhood. The lot has historically been used to keep horses and the location of the paddocks within the front half of the lot will be screened from the surrounding residences by planting appropriately dense vegetation. The number of horses to be kept on the property will be consistent with the 2 horse per acre ratio provided in County Code Section 13.10.643(a)(1) for the Residential Agricultural (RA) Zone District. The Special Use and Residential Agriculture zone districts can be treated equally for the purposes of allowed uses, per Section 13.10.382.

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 paddock location 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. Vegetative screening will be required to shield the paddocks from the adjacent residential properties.

Conditions of Approval

Exhibit A: Sheets A.01, A.02, and A.04 dated 9/06/05, Sheet A.03 dated 1/12/06, all plan sheets prepared by Drafting on the Run.

- I. This permit authorizes the recognition of paddocks located within the front half of the subject property. 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 an Encroachment Permit from the Department of Public Works for all off-site work performed in the County road right-of-way.
 - C. The applicant/owner shall contact the Project Planner to arrange a site inspection, prior to October 1st in order to ensure that all required erosion control measures have been properly implemented.
 - D. Submit proof that these conditions have been recorded in the official records of the County of Santa Cruz (Office of the County Recorder).
 - E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
 - F. Meet all requirements and pay any applicable plan check fee of the Zayante Fire Protection District.
- II. Operational Conditions
 - A. Training, riding lessons, special events, or other commercial-type activity will not be allowed on this site without an Amendment to this Use Permit, which shall be processed as a Level V Change of Use and require a public hearing.
 - B. All provisions of the approved Manure Management Plan shall remain in effect for the duration of any and all horse-keeping operations on this parcel.
 - C. The approved erosion control plan must remain in effect for the duration of any and all horse-keeping operations on the parcel.
 - D. 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.

- III. As a condition of this development approval, the holder of this development approval ("Development Approval Holder"), is required to defend, indemnify, and hold harmless the COUNTY, its officers, employees, and agents, from and against any claim (including attorneys' fees), against the COUNTY, its officers, employees, and agents to attack, set aside, void, or annul this development approval of the COUNTY or any subsequent amendment of this development approval which is requested by the Development Approval Holder.
- A. COUNTY shall promptly notify the Development Approval Holder of any claim, action, or proceeding against which the COUNTY seeks to be defended, indemnified, or held harmless. COUNTY shall cooperate fully in such defense. If COUNTY fails to notify the Development Approval Holder within sixty (60) days of any such claim, action, or proceeding, or fails to cooperate fully in the defense thereof, the Development Approval Holder shall not thereafter be responsible to defend, indemnify, or hold harmless the COUNTY if such failure to notify or cooperate was significantly prejudicial to the Development Approval Holder.
- B. Nothing contained herein shall prohibit the COUNTY from participating in the defense of any claim, action, or proceeding if both of the following occur:
1. COUNTY bears its own attorney's fees and costs; and
 2. COUNTY defends the action in good faith.
- C. Settlement. The Development Approval Holder shall not be required to pay or perform any settlement unless such Development Approval Holder has approved the settlement. When representing the County, the Development Approval Holder shall not enter into any stipulation or settlement modifying or affecting the interpretation or validity of any of the terms or conditions of the development approval without the prior written consent of the County.
- D. Successors Bound. "Development Approval Holder" shall include the applicant and the successor(s) in interest, transferee(s), and assign(s) of the applicant.
-

Application #: 05-0597
APN: 071-081-37
Owner: James Walters & Shea Stewart

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: _____

Effective Date: _____

Expiration Date: _____

Don Bussey
Deputy Zoning Administrator

Robin Bolster-Grant
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: 05-0597

Assessor Parcel Number: 071-081-37

Project Location: 8001 Hihn Road, Ben Lomond

Project Description: Recognize the creation of paddocks within the front half of the parcel

Person or Agency Proposing Project: Michael Bethke

Contact Phone Number: (831) 425-5425

- 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. X **Categorical Exemption**

Specify type: Class 5 - Minor Alterations in Land Use Limitations (Section 15305)

F. Reasons why the project is exempt:

Recognition of paddocks does not result in any changes in land use or density

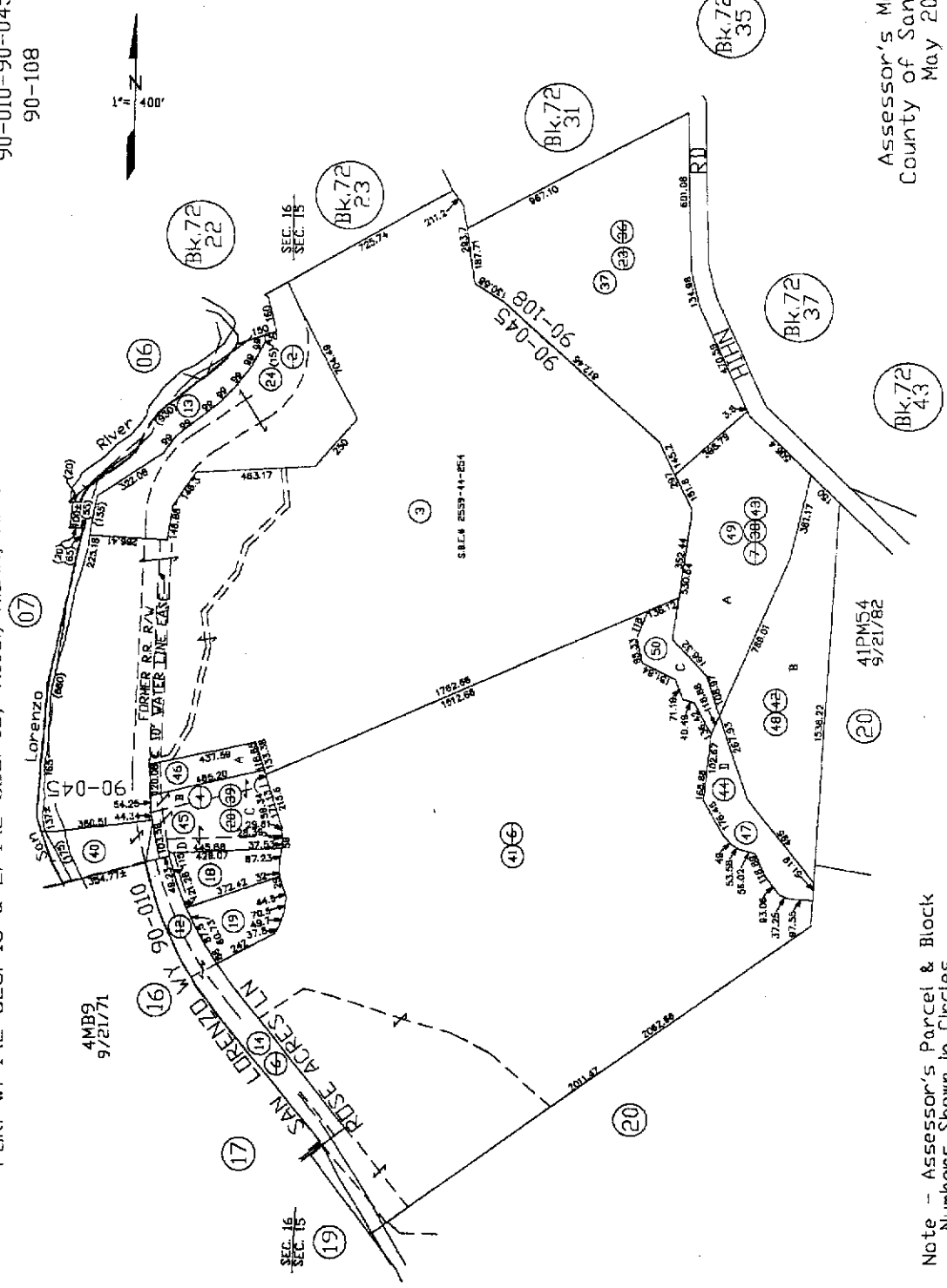
In addition, none of the conditions described in Section 15300.2 apply to this project.

Robin Bolster-Grant, Project Planner

Date: _____

ZAYANTE RANCHO
POR. W. 1/2 SEC. 15 & E. 1/2 SEC. 16, T.10S., R.2W., M.D.B. & M.
Tax Area Code 71-08
90-010-90-045
90-108

FOR TAX PURPOSES ONLY
THE ASSessor MAKES NO GUARANTEE AS TO MAP ACCURACY NOR ASSUMES ANY
LIABILITY FOR OTHER USES. NOT TO BE REPRODUCED. ALL RIGHTS RESERVED.
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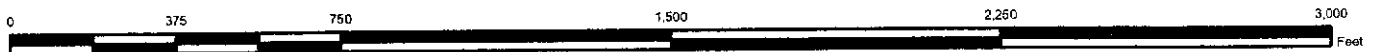
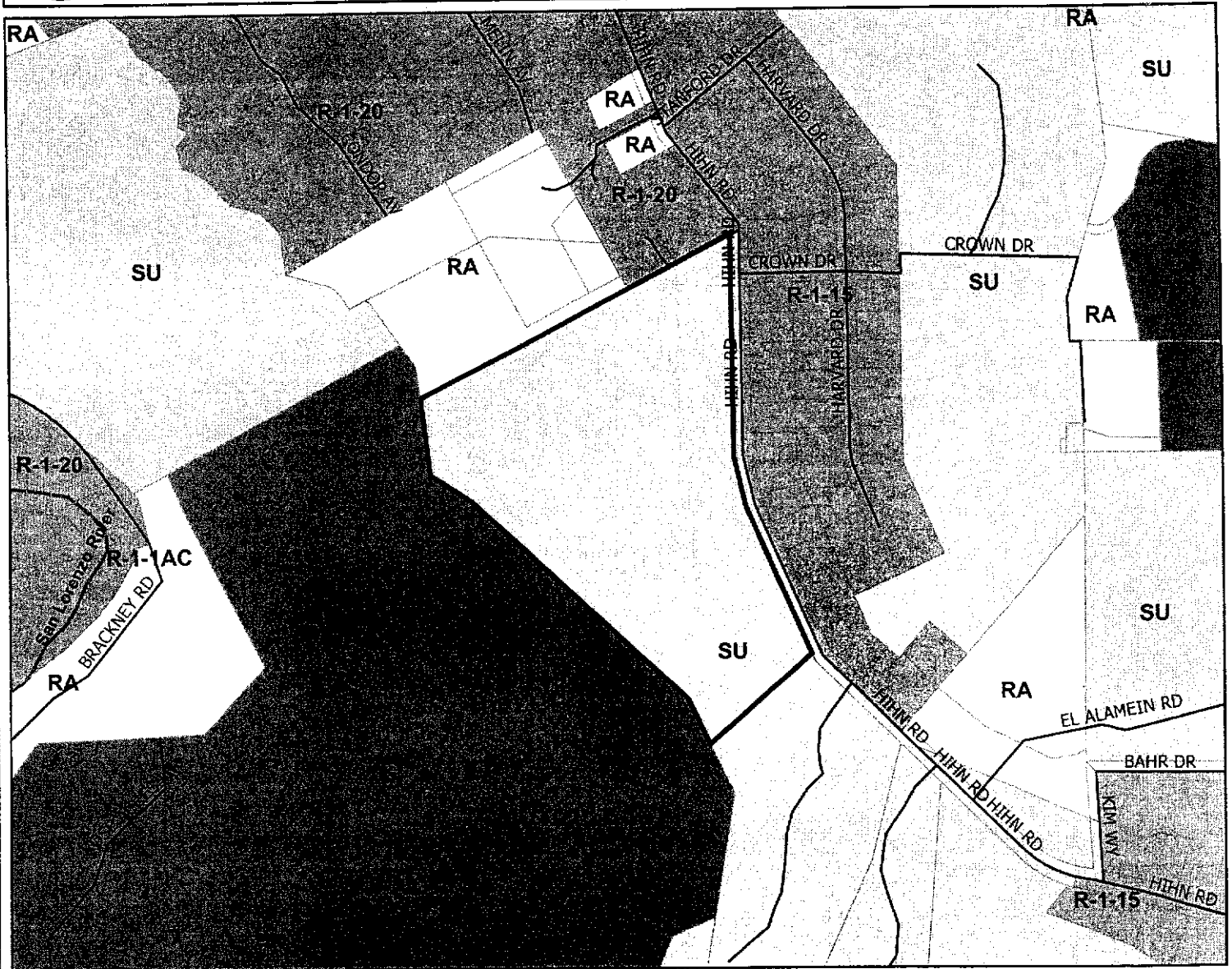
Assessor's Map No. 71-08
County of Santa Cruz, Calif.
May 2000

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

Electronically Redrawn 5/11/00 jbs

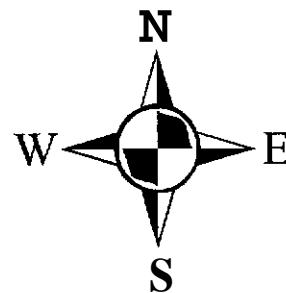


Zoning Map



Legend

- APN 071-081-37
- Streets
- Assessors Parcels
- PERENNIALSTREAM
- AGRICULTURE (A)
- AGRICULTURE RESIDENTIAL (RA)
- RESIDENTIAL-SINGLE FAMILY (R-1)
- SPECIAL USE (SU)
- TIMBER PRODUCTION (TP)



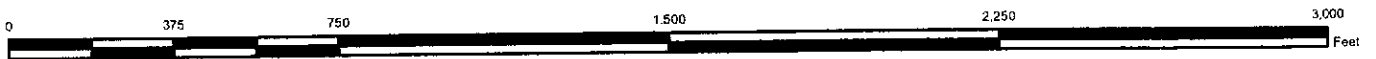
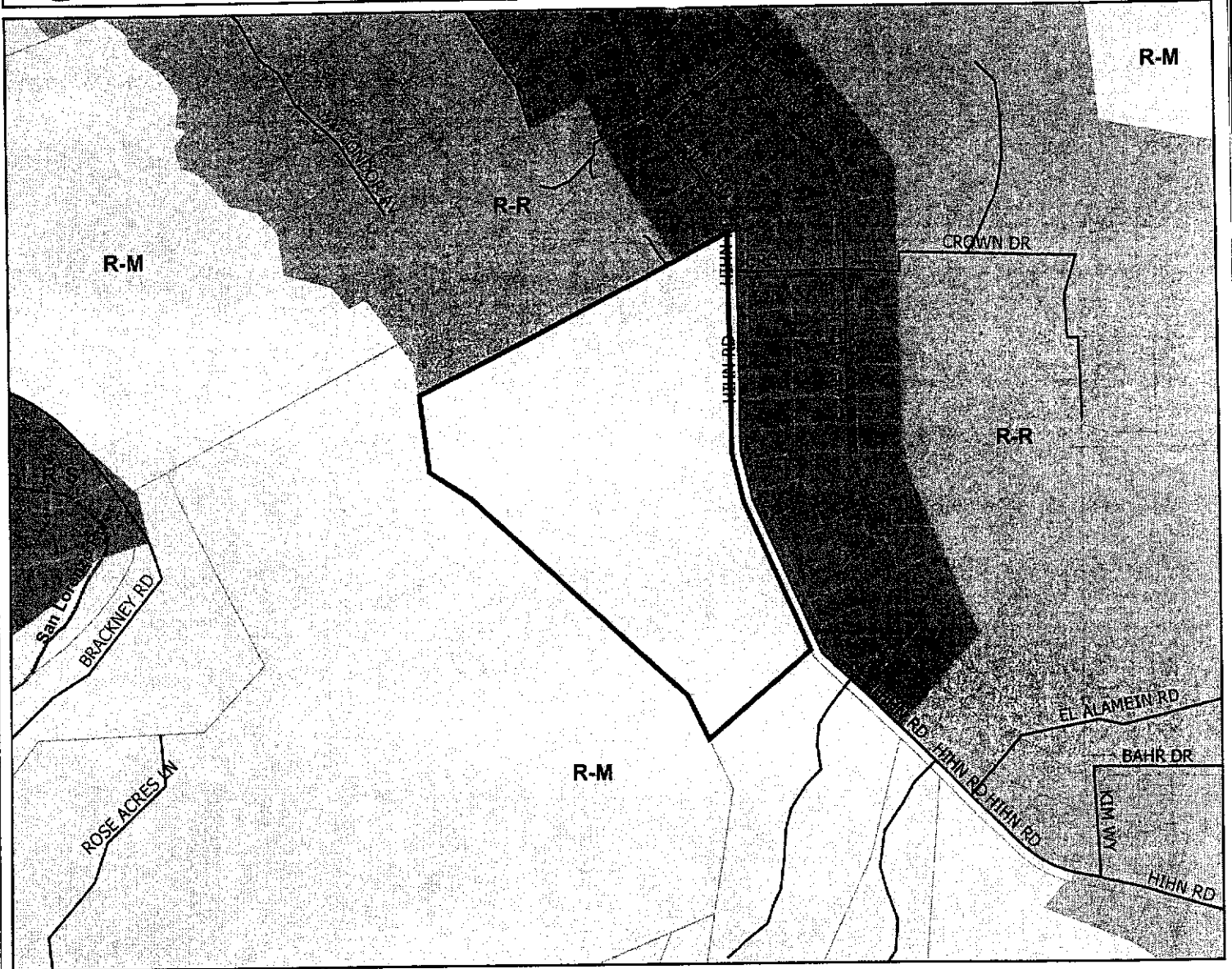
Map Created by
County of Santa Cruz
Plannina Department
September 2005

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EXHIBIT F I



General Plan Designation Map



Legend



APN 071-081-37



Streets



Assessors Parcels



PERENNIAL STREAM



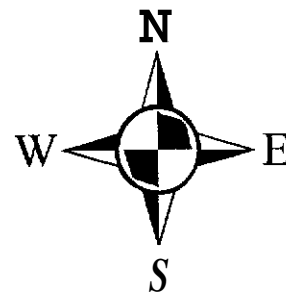
Residential-Mountain (R-M)



Residential-Rural (R-R)



Residential-Suburban (R-S)



Map Created by
County of Santa Cruz
Planning Department
September 2005

J3

EXHIBIT F-1

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

Project Planner: Robin Bolster
Application No.: 05-0597
APN: 071-081-37

Date: March 7, 2006
Time: 10:21:34
Page: 1

Code Compliance Completeness Comments

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

===== REVIEW ON SEPTEMBER 26, 2005 BY RICHARD W NIEUWSTAD =====
the site plan appears to be accurate

Code Compliance Miscellaneous Comments

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

===== REVIEW ON SEPTEMBER 26, 2005 BY RICHARD W NIEUWSTAD =====
building permits will be required for all covered paddocks greater than 120 sq ft
and if less than 50' separation.

Environmental Health Completeness Comments

===== REVIEW ON SEPTEMBER 23, 2005 BY JIM G SAFRANEK =====
===== UPDATED ON OCTOBER 4, 2005 BY JIM G SAFRANEK =====
NO COMMENT

Environmental Health Miscellaneous Comments

===== REVIEW ON OCTOBER 4, 2005 BY JIM G SAFRANEK ===== Show complete septic
system location on Building plans. Remove "Recognized as Demo Site by SC COUNTY EHS"
from plan sheet.



Ben Lomond Fire Protection District

Post Office Box 27, Ben Lomond, California 95005

Telephone: 831-336-5495 Fax: 831-336-0300

October 17, 2005

To Whom It May Concern:

The purpose of this letter is to commend Stewart Ranch located at 8005 Hihn Road in Ben Lomond. I have been a neighbor for 16 years.

I would like to commend the owners of the horse ranch for the clean operation and lack of problems normally associated with an operation of that type.

There is very little noise associated with the operation. The owners have gone to great lengths to run a safe and clean horse ranch. I have occasion to visit the property every few months to obtain organic matter for my garden.

It is my observation that they haul the waste matter away on a regular basis and the Stewart Ranch is a great example of a well-managed business that is serving a need in our community.

Feel free to contact me with any questions concerning this letter. I am available during normal business hours by dialing 831-336-5495.

Kind Regards,

John T. Charcho
Fire Chief

September 23, 2005

To Whom It May Concern:

We have lived at 7950 Harvard Drive, for 2 years. We are located 1 street up from Hihn Road, and directly across from Stewart Ranch.

We have a view of the ranch and can hear many things that happen there. We have never encountered any problems or noise from the ranch, as a matter of fact; we have enjoyed many of the sounds that come from living in the country. We are sorry to hear that not everyone in the neighborhood feels that way.

The owners take great pride in owning and operating their horse facility. The grounds are clean and orderly. We have lived in many parts of California, and this is not always the case. We walk up and down Hihn Road on a daily basis and we have enjoyed having the ranch in our neighborhood.

I hope that Stewart Ranch stays in our neighborhood for many years to come. There are not enough small ranch facilities left in California, not to have this one open and operating on Hihn Road would be a shame.

Regards,
Steve and Laura Hill

September 4, 2005

Kathleen & Dennis Kiyabu
7550 Hihn Road
Ben Lomond, CA 95005

Re: Stewart Ranch located at 8005 Hihn Road

To Whom It May Concern:

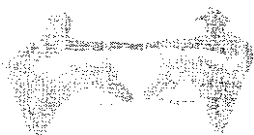
We live in proximity to the above mentioned ranch and want it known how much we appreciate having the horses and the ranch in our area. We moved to a rural area specifically to be near such facilities and feel very fortunate that we are able to keep our horse within walking distance from our home.

Facilities such as Stewart Ranch are what attracts people to rural areas, and why we live here. We have lived in the area for over 6 years and can say that the management of the Stewart Ranch property has steadily improved over the years since Shea Stewart took over the property from the previous owners. The facility is much cleaner and the manure management practices such that there are no standing manure piles for flies to breed, which cuts down immensely on the number of flies.

We are grateful to people like Shea Stewart who operate such facilities for us to enjoy,

Sincerely,

Kathleen & Dennis Kiyabu



SANTA CRUZ COUNTY HORSEMEN'S ASSOCIATION

1145 Graham Hill Road Santa Cruz, CA 95060
831-458-3198 www.SantaCruzHorsemen.org

November 9, 2005

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

Ms. Bolster

I have been aware of the difficulties facing Shea Stewart and *Stewart Ranch* for many months. Having occasionally visited the grounds of this horse facility for years, both before and after Shea took ownership, and having worked closely with her during the watershed conservation efforts headed by Santa Cruz County Resource Conservation District (SCCRCD) and Ecology Action, I have a great deal of insight into this situation.

When Shea Stewart purchased the facility at 8005 Hihn Road in Ben Lomond, she immediately reduced the number of horses housed there to improve the condition of the facility and habitation of the animals. In my opinion, the prior owners had too many horses and the size and/or condition of some of the stalls, walkways and the arena were substandard. The first time I visited the facility after it became *Stewart Ranch*, I was greatly impressed to see the much improved conditions. The number of horses were about halved, all the smaller, substandard stalls were removed, and a great deal of effort was given to cleaning and beautifying the entire facility.

As I got to know Shea, I came to realize how important proper management of her facility was to her, and could see how dedicated and hardworking she was towards maintaining and improving it. When SCCRCD and Ecology Action approached the Santa Cruz County Horsemen's Association to become involved in their livestock management programs, Shea was the first to get involved. This program provided funds for materials to be used chiefly to make property modifications to fortify prevention of erosion and water pollution. The funds were surely a great help, but it took hundreds of hours of owner labor to build these modifications, and Shea and co-owner Jim Walters, spent months decreasing rain run-off by adding drains, re-grading, and applying new cover materials to the soil. The results were very successful and *Stewart Ranch* became a demonstration site where other horse owners could learn how to do the same.

I find it disheartening that this facility has been the object of so much red-tape by the planning department over the last year. Inspectors who not long ago signed off on improvements have returned to bring forth costly new paperwork that will produce nothing, but cost a great deal. Rather than being able to continue improvements to this property, the owners are being forced to funnel revenue into lawyers and County permit fees. For whatever reason this action began, for the sake of fairness to Shea Stewart and Jim Walters, I wholeheartedly urge a review of these circumstances. This is truly a case where hardworking, honest, good and kind people are having to wind their way through unreasonable and unnecessary legal wrangling.

Sincerely,

Claudia Goodman, President Santa Cruz County Horsemen's Association

October 16,2005

Dear Jim and Cynthia Brown,

In response to your letter dated on September 5,2005, I would like to address some of your concerns. Before I do that however, I would like for you to know some of our history.

We purchased this property 5 years ago. This property has had horses on it for at least 35 Pears. We are zoned SU/RA. The zoning for our property is defined as: one single family dwelling, one second dwelling unit, **home occupations**, small-scale agriculture, greenhouses, wineries, **private stables and paddocks**, schools, **community facilities**, open space and **recreational use**. We have not operated anything beyond our zoning ordinances. When I bought this property, I was well aware of the problems. There were numerous red tags, numerous complaints from neighbors, and it was basically a junk pile. There were over 60 horses on this property when I acquired it. The first thing I did was **downsize** the amount of horses and activity on this property. We have less then half the number of horses that were here over 5 years ago. And I have less then half of the activity here then there was 5 years ago. We have also spent a lot of time and money to clean up the property. We have worked with numerous Santa Cruz County, and Federal Agencies to implement good horse keeping and land management practices. We are recognized by the Santa Cruz County Ecology Action, The Resource Consenation District, The USDA, and The Santa Cruz County Environmental Health Department, as a demonstration site for healthy horse keeping and good land management practices with less impact on the environment. We host workshops that are sponsored by these agencies for land and livestock owners to come and learn how they can implement good horse keeping and land management. We offer this as part of a community service. We have many neighbors who have supported us and who have recognized our efforts to make **our** horse property neighborhood friendly.

We do appreciate you writing to us at this point. I would also like to personally address your complaints in hopes of clearing up these issues for you:

1. Noise Level: I do not use a tractor to feed and clean the horses. I use a small utility vehicle called a John Deer Gator. Our agriculture zoning excludes us from certain noises during quiet time, including tractor noise and other work related vehicle noises.

Regarding loud speaker use, this noise does not come from our property. We do not use loud speakers nor do we host horse shows. In the five years that I have been at this property, we have never hosted a horse show. There are specific groups and organizadons for that purpose. I am not sure of the activities that went on here prior to five years ago as I am aware that there was more activity here then what I currently have.

I have had weekend community workshops here. I host maybe **two** workshops per year which are open to the community. However I do not use loud speakers for these workshops. One workshop that I had here on Saturday, June 24,2001, (over four years ago) we used a small speaker. We did receive a call from one of our neighbors inquiring about the speaker noise. The next day, we turned the speaker to face the other way, and then the neighbor said that they could not hear it. We have never used one since then. if you currently hear these activities and loud speaker noises, they are not coming from **us**.

common problem as they are a part of the environment in the woods. I have not seen signs on my property that we have a rat infestation. Nor have I ever had a rat problem in my house or amc. I do admit that it seemed like an excess of rats lived here when we first bought the property, but that was 5 years ago and I have eliminated the source of what was attracting them. Since then, I have not seen a rat problem on my property. I know rats live in the woods in our area, just like deer, opossums, squirrels, raccoons, fox, and other little critters. Once again, if you wish to write to me and point out exactly where you might see rats, we are happy to call an exterminator. Rats seem to be attracted to trash, wood piles, and food sources. We go above and beyond to keep our property clean of these things. I invite you write to me and explain where this rat problem is occurring that is affecting your property. I am unaware of this problem and do not immediately see an issue.

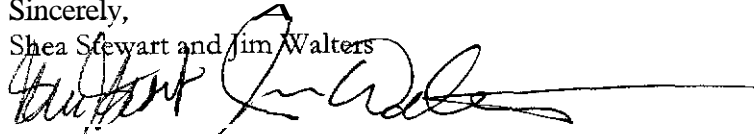
5. Flies: Once again, as part of our RCD and Watershed Grant, and as part of our demonstration site program, we host workshops to teach people how to not attract horse flies. It takes a regular fly 3-5 days to hatch from it's larvae stage. The horse manure is hauled off the property every 2-3 days, before a fly has a chance to hatch if they are in the horse manure. I also order fly parasites every 3 weeks during summer seasons. These are teeny tiny wasps that lay their eggs in fly pupae, so the fly never gets a chance to hatch. We go above and beyond our duties as to what the County requires of us to make sure that horse flies are not being produced here or are attracted to here because of the horses. And the fly predators that we release will travel up to 1000 feet so I am sure that they get to the flies that breed in the decay that is natural in our wooded environment. We do not have a problem with horse flies. I have neighbors who come over on a regular basis and they do tell me that our place has less flies then their back yard. Flies are bred in and attracted to all sorts of things in the mountains. Especially dog waste and chickens. We have one dog and we regularly clean up her yard as well. There are lots of dogs and chickens in this neighborhood, and horses too. We have also been recognized for this effort and the lack of flies have been noted in the Santa Cruz County Code Compliance department. Just because you have a fly problem, does not mean that they are flying over to your house from mine. Or that they come from horses.
6. Parking: We do not have horse trailers parking on Hihn rd as it would be a hazard to the horse to load or unload there. We have a special parking place for people and horse trailers. This area is well inside our property lines and is noted with the Santa Cruz County Planning Dept. Recently, on July 27th 2005, we hosted a livestock and land management workshop for our community. This workshop was sponsored by the Resource Conservation District and we had authorities from other Federal Agencies, and Santa Cruz County attend so they could to learn how to implement good horse keeping and land management practices. Some also wanted to see what we have done to improve our property since they have known the problems that we have been faced with. We work to help educate our County and our local community on what works for properties zoned for livestock keeping. Some of the people here were from Santa Cruz County Code Compliance, Regional Watershed District, RCD, Ecology Action, and many of our neighbors and local community livestock owners attended. If we had known that you were questioning our horse keeping practices, we would have invited you as well so you could take a tour of our site and see how these specific problems have been addressed.

writing and please use **the mail** for delivery, if you feel the need to respond further or have any more questions or concerns.

We are committed in keeping our property neighborhood friendly, and will continue to make positive changes.

Sincerely,

Shea Stewart and Jim Walters

Handwritten signatures of Shea Stewart and Jim Walters. The signature of Shea Stewart is on the left, and the signature of Jim Walters is on the right, with a long horizontal line extending from the end of his signature.

Cc: Mark Stone, County Supervisor

Robin Bolster-Grant, Project Planner

Richard Nieuwstad, Code Enforcement Officer