



## Staff Report to the Zoning Administrator

Application Number: **10-0009**

**Applicant:** Betty Cost Planning & Permit  
Services

**Agenda Date:**

**Owner:** Nelson Family Properties, LLC

**Agenda Item #:** 5

**APN:** 051-101-79

**Time:** After 10:00 a.m.

**Project Description:** Proposal to recognize two existing 1920 square foot shade structures located within the required 20 foot side yard setback. Requires a Variance to reduce the 20 foot side yard setback to 10 feet in the location of the shade structure and an Amendment to Commercial Development Permit 87-0078 (as amended by 87-0789 and 89-1022).

**Location:** Property located on the east side of Green Valley Road, about 1420 feet north of Airport Boulevard (342 Green Valley Road).

**Supervisory District:** Fourth District (District Supervisor: Tony Campos)

**Permits Required:** Variance, Amendment to Commercial Development Permit 87-0078

### Staff Recommendation:

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 10-0009, based on the attached findings and conditions.

### Exhibits

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

### Parcel Information

Parcel Size:	13.95 acres (607,770 sq.ft.)
Existing Land Use - Parcel:	Wholesale nursery and research facility
Existing Land Use - Surrounding:	Commercial Agriculture to the north, east, and south; Single family residences and elementary school to the west across Green Valley Road.

Project Access: Via Green Valley Road  
Planning Area: Pajaro Valley  
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 a mapped constraint  
Soils: Elder Sandy Loam  
Fire Hazard: Not a mapped constraint  
Slopes: Flat parcel; slopes gently downward to the east  
Env. Sen. Habitat: Not a mapped constraint  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Existing disturbed site, no foundation proposed.

### Services Information

Urban/Rural Services Line: ☐ Inside ☒ Outside  
Water Supply: Pajaro Valley Water District  
Sewage Disposal: Septic  
Fire District: Pajaro Valley Fire Service Area  
Drainage District: Zone 7

### History

Between 1987 and 1999, the subject parcel obtained discretionary permits to construct 12 greenhouses, 8 screenhouses, a packaging shed, a growing building, and an office building (87-0073, 87-0789, 89-1022 & 98-0186). It appears that four greenhouse structures were constructed under building permit 85465 and that the two detached greenhouses were constructed under building permit 105042; however, the permit designated one of the greenhouses as a "headhouse". As per the current plans, the two southernmost greenhouses are now being used as offices and the packaging shed that was approved under building permit 92203 is now being used as an office. A tractor shed is also now being shown on the plans.

A condition of approval would require the property owner to apply for a Special Inspection permit in order to determine the number and type of structures currently on site to ensure that all required building permit requirements have been met.

The two subject shade structures were approved under the discretionary permits referenced above and the original location met the required 20 foot side yard setback. It appears that the previously approved location may have conflicted with the location of future approved greenhouses.

In 2006, the property owner obtained approval of a Lot Line Adjustment to correct a code violation for an existing storage building located within the west side yard setback.

In 2009, the property owner obtained permits to construct the existing two story office building on site.

### **Project Setting**

The subject parcel is approximately 14 acres and is located on the east side of Green Valley Road in Watsonville. Approximately 9.5 acres of the rear (east) portion of the property is planted and approximately 4.5 acres at the front of the property is currently developed with a two story office building, greenhouses, screenhouses, storage sheds/buildings and offices and is improved for access and parking.

The parcel is zoned CA (Commercial Agriculture) with a General Plan designation of A (Agriculture) and a designated 1A Agricultural Resource Type (prime soils). Adjacent parcels to the north, east, and south share the same zoning and General Plan designation with the exception of the southwest adjacent parcel which is zoned Public Facilities (PF) and is developed with a church. Properties across Green Valley Road to the west are zoned Single Family Residential and are developed with single family residences. Further west is Amesti Elementary School. All of the surrounding adjacent CA zoned parcels are actively planted or utilized for commercial agriculture.

### **Screenhouses**

The proposal is to recognize two shade structures that encroach 10 feet into the required 20 foot side yard setback at the south property line. Both screenhouses are 96' long by 20' wide and are a maximum of 8' in height, measured to the tallest point. The construction of the screenhouses is similar to the of a shade and hoop structure where the frame is constructed of bent metal poles that are pounded into the ground and covered with screening material. There is no foundation for the structure. The screenhouses are used to cultivate berry starts, which are planted in trays and elevated on tables, and although the crops are not planted in the ground, the soil remains undisturbed and is covered with gravel to maintain the integrity of the prime soil type. A landscape strip has been planted along the south property line at the location of the screenhouses. The south adjacent parcel, which would bear the greatest impact from a setback reduction, is currently leased by the subject property owner and is actively planted.

### **Zoning & General Plan Consistency**

The subject property is located in the CA (Commercial Agriculture) zone district, a designation which allows and encourages commercial agriculture uses. The screenhouses are consistent with the site's (A) Agriculture General Plan designation and Type 1A Agricultural Resource designation.

### **Variance**

Staff was able to make the Variance findings listed under County Code Section 13.10.230 to

support the proposal to reduce the required 20 foot side yard setback to 10 feet in the location of the subject screenhouses in that the structures are agricultural structures that are consistent with the intended use of the parcel and that maintain the integrity of the prime soils identified on the property. In addition, the south adjacent parcel is also zoned CA (Commercial Agriculture) and is planted with agriculture in the vicinity of the screenhouses; therefore, the structure will not block light or sun or impact the privacy of adjacent uses.

### **Conclusion**

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

### **Staff Recommendation**

- Certification that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **10-0009**, based on the attached findings and conditions.

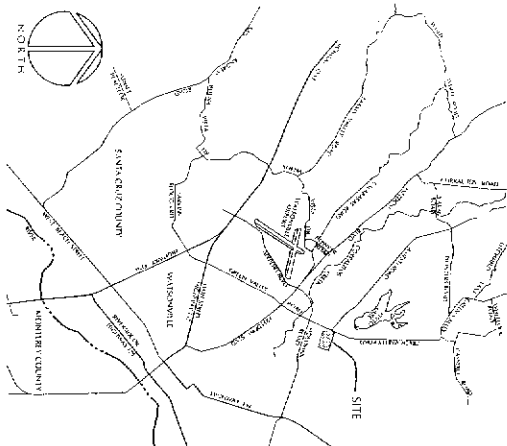
**Supplementary reports and information referred to in this report are on file and available for viewing at the Santa Cruz County Planning Department, and are hereby made a part of the administrative record for the proposed project.**

**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

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# SHADE STRUCTURE VARIANCE FOR: PLANT SCIENCES, INC. 342 GREEN VALLEY ROAD, WATSONVILLE, CALIFORNIA

## VICINITY MAP



## PROJECT DATA

**OWNER:** PLANT SCIENCES, INC.  
342 GREEN VALLEY ROAD  
WATSONVILLE, CA 95076  
831.728-7771

**CONTACT:** BELLY COSI, AICP  
PLANNING & PRELIM SERVICES, LLC  
PO BOX 315  
WATSONVILLE, CA 95076  
831.724-4159

**PROJECT SITE:** 342 GREEN VALLEY ROAD  
WATSONVILLE, CA 95076  
051-101-79

**ASSESSORS PARCEL NUMBER:** 051-101-79

**LOT AREA:** 4.14 ACRES

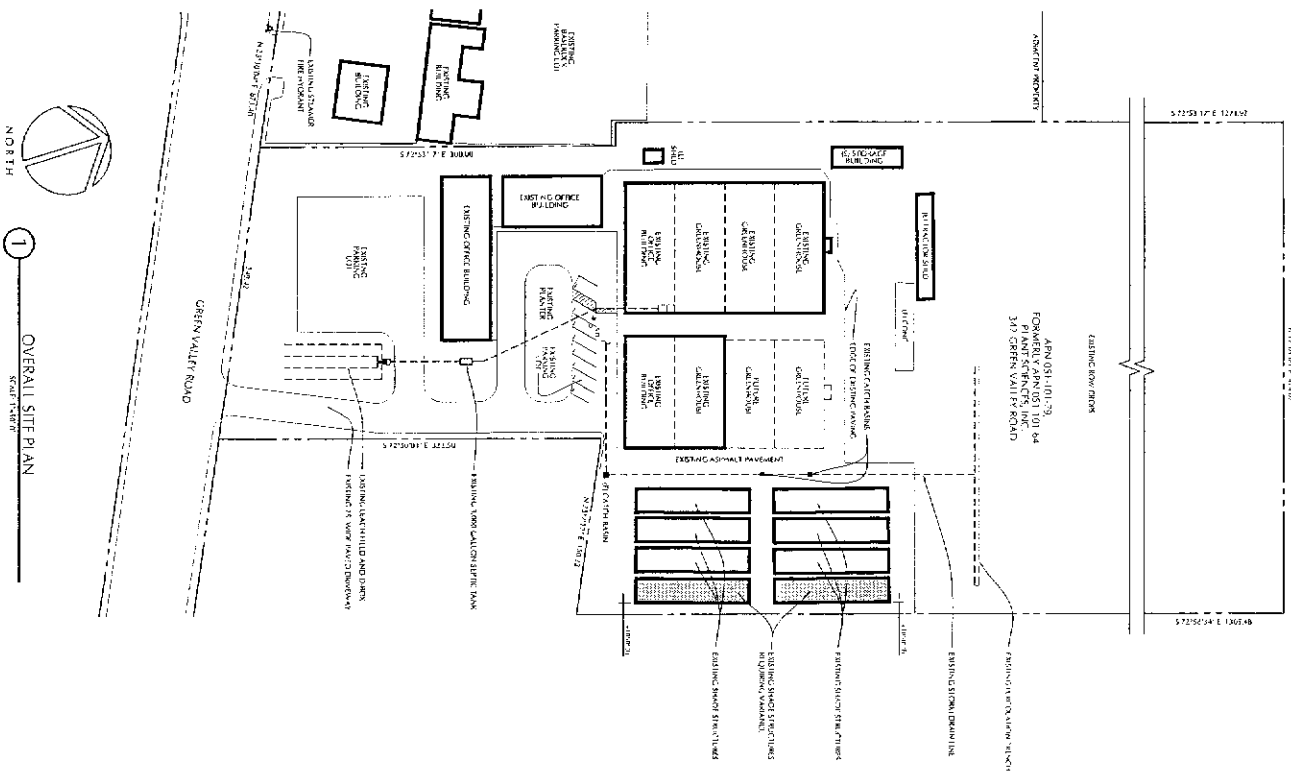
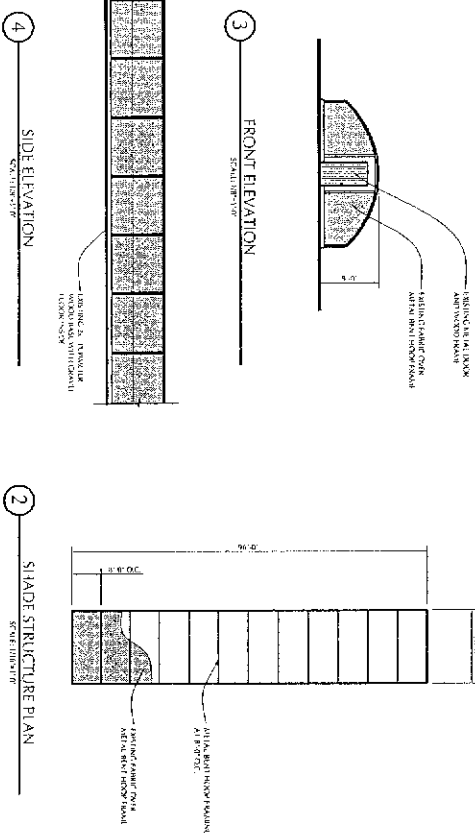
**OCCUPANCY TYPE:** S-1

**CONSTRUCTION TYPE:** TYPE V-A

**FIRE STRIKES:** NONE

**PROJECT DESCRIPTION:** VARIANCE REQUEST TO REDUCE SIDE YARD SETBACK TO ALLOW EXISTING SHADE STRUCTURE TO REMAIN. REQUEST FORWARD IS 20' REQUEST FOR REDUCTION TO 10'

## ENLARGED PLAN AND ELEVATIONS



**WILLIAM C. KENNY**  
ARCHITECT  
1111 Green Valley Road  
Watsonville, CA 95076  
www.williamcenny.com

SHADE STRUCTURE VARIANCE FOR:  
**PLANT SCIENCES, INC.**  
342 GREEN VALLEY ROAD, WATSONVILLE, CALIFORNIA  
VICINITY MAP, PROJECT DATA, SITE PLAN

**DATE:** 11/11/2010  
**PROJECT:** SHADE STRUCTURE VARIANCE  
**FILE NAME:** 1111 GREEN VALLEY ROAD  
**PROJECT NO:** 1111 GREEN VALLEY ROAD

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	11/11/2010
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

**DATE:** 11/11/2010  
**PROJECT:** SHADE STRUCTURE VARIANCE  
**FILE NAME:** 1111 GREEN VALLEY ROAD  
**PROJECT NO:** 1111 GREEN VALLEY ROAD

**A1.1**

## Variance Findings

1. That because of special circumstances applicable to the property, including size, shape, topography, location, and surrounding existing structures, the strict application of the Zoning Ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.

This finding can be made, in that the use of the property is a commercial agriculture research facility that cultivates the rear portion of the property and is therefore confined to the front portion of the property for all related operational structures including storage buildings, offices, greenhouses, screenhouses, and parking and access improvements, which are necessary for the successful operation of the facility. The existing location of the screenhouses within the side yard setback does not conflict with future locations of other approved structures or with access roads and is an ideal location for efficient operation of the facility in that it does not reduce already limited developable area. The surrounding adjacent lands are actively planted agricultural fields, which is consistent with the use of the subject screenhouses.

2. That the granting of the variance will be in harmony with the general intent and purpose of zoning objectives and will not be materially detrimental to public health, safety, or welfare or injurious to property or improvements in the vicinity.

This finding can be made, in that the screenhouses are agricultural structures used for plant starts and the location within the side yard setback is adjacent to actively planted agricultural fields and is not along a street or adjacent to a residence; therefore, the location of the structure within the setback area will not be materially detrimental to public health, safety or welfare, or injurious to property or improvements in the vicinity.

3. That the granting of such variances shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such is situated.

This finding can be made, in that shade structures are specifically exempt from the requirements for a building permit in the County Building Code, the subject screenhouses are considered to be similar to a shade and hoop structure or other small scale agricultural feature, and the screenhouses are located adjacent to actively planted agricultural fields; therefore, a reduction to the side yard setback from 20 feet to 10 feet is a reduction that would be approved for a similar agricultural structure with similar surroundings and limitations.

## **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 agricultural uses and is not encumbered by physical constraints to development. The screenhouses will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structures are only 8 feet tall and are located adjacent to agricultural fields.

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 locations of the screenhouses and the conditions under which they 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 screenhouses are used for plant cultivation; therefore, the primary use of the property will continue be a commercial agriculture facility that meets the intent of 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 agricultural use is consistent with the use and density requirements specified for the Agriculture (A) land use designation in the County General Plan.

The screenhouses do not adversely impact the light, solar opportunities, air, and/or open space available to other structures or properties in that the structures are only 8 feet tall and are located adjacent to agricultural fields.

The screenhouses are 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) and the structures are consistent with a design that could be approved on any similarly sized lot with similar surrounding uses, 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 screenhouses are located on a lot that is currently developed with a commercial agricultural facility and a screenhouse is not expected to generate additional traffic.

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APN: 051-101-79  
Owner: Nelson Family Properties, LLC

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 screenhouses are only 8 feet tall and are of similar design to a small greenhouse or shade and hoop structure which is consistent with the commercial agricultural uses on the surrounding parcels.

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 project is not subject to County Code Chapter 13.11.



## Conditions of Approval

Exhibit A: Project Plans, 1 sheet, prepared by William Kempf Architect, dated 1/11/10.

- I. This permit authorizes the location of two screenhouses within 10 feet of the side property line. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Apply for and complete a Special Inspection with the County Building Department to determine if the existing uses on the property have been converted without the benefit of permits.
  - C. Apply for and obtain all necessary permits to recognize existing unpermitted structures and/or uses on site, if required as a result of the Special Inspection.
- II. 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.
- 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.

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

**Please note: This permit expires three years from the effective date listed below unless the conditions of approval are complied with and the use commences before the expiration date.**

Approval Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Steven Guiney  
Deputy Zoning Administrator

\_\_\_\_\_  
Samantha Haschert  
Project Planner

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

# CALIFORNIA ENVIRONMENTAL QUALITY ACT

## NOTICE OF EXEMPTION

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

Application Number: 10-0009

Assessor Parcel Number: 051-101-79

Project Location: 342 Green Valley Road, Watsonville

**Project Description: Proposal to recognize two screenhouses placed within the required 20 foot side yard setback.**

**Person or Agency Proposing Project: Betty Cost Planning and Permit Services**

**Contact Phone Number: (831) 724-4597**

- 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 11 - Accessory Structures (Section 15311)

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

Construction of an agricultural shade and hoop facility at an existing agricultural research facility.

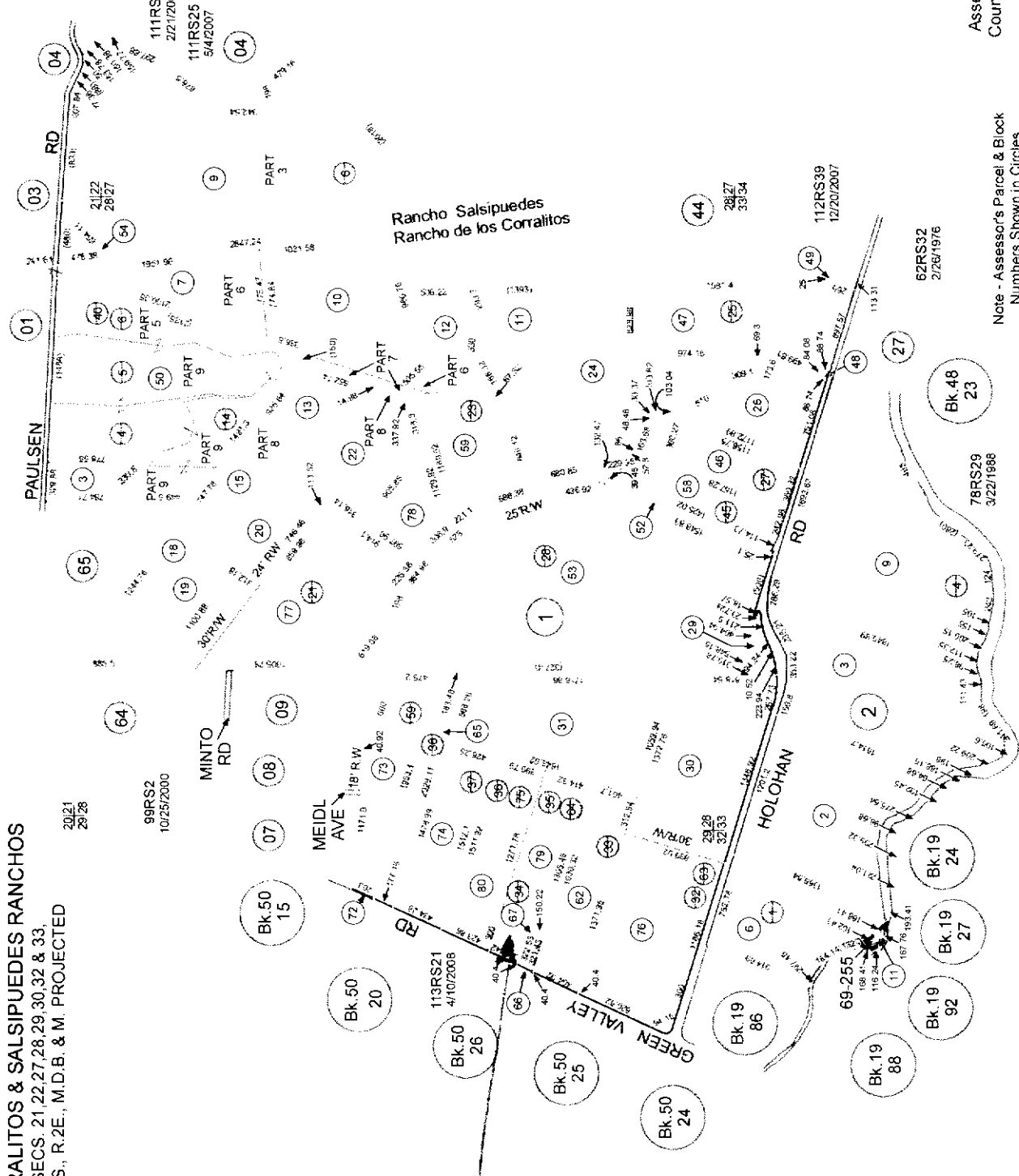
In addition, none of the conditions described in Section 15300.2 apply to this project.

\_\_\_\_\_  
Samantha Haschert, Project Planner

Date: \_\_\_\_\_

POR. CORRALITOS & SALSIPUEDES RANCHOS  
SECS. 21, 22, 27, 28, 29, 30, 32 & 33,  
T. 11S., R. 2E., M.D.B. & M. PROJECTED

Tax Area Code  
69-255 69-258

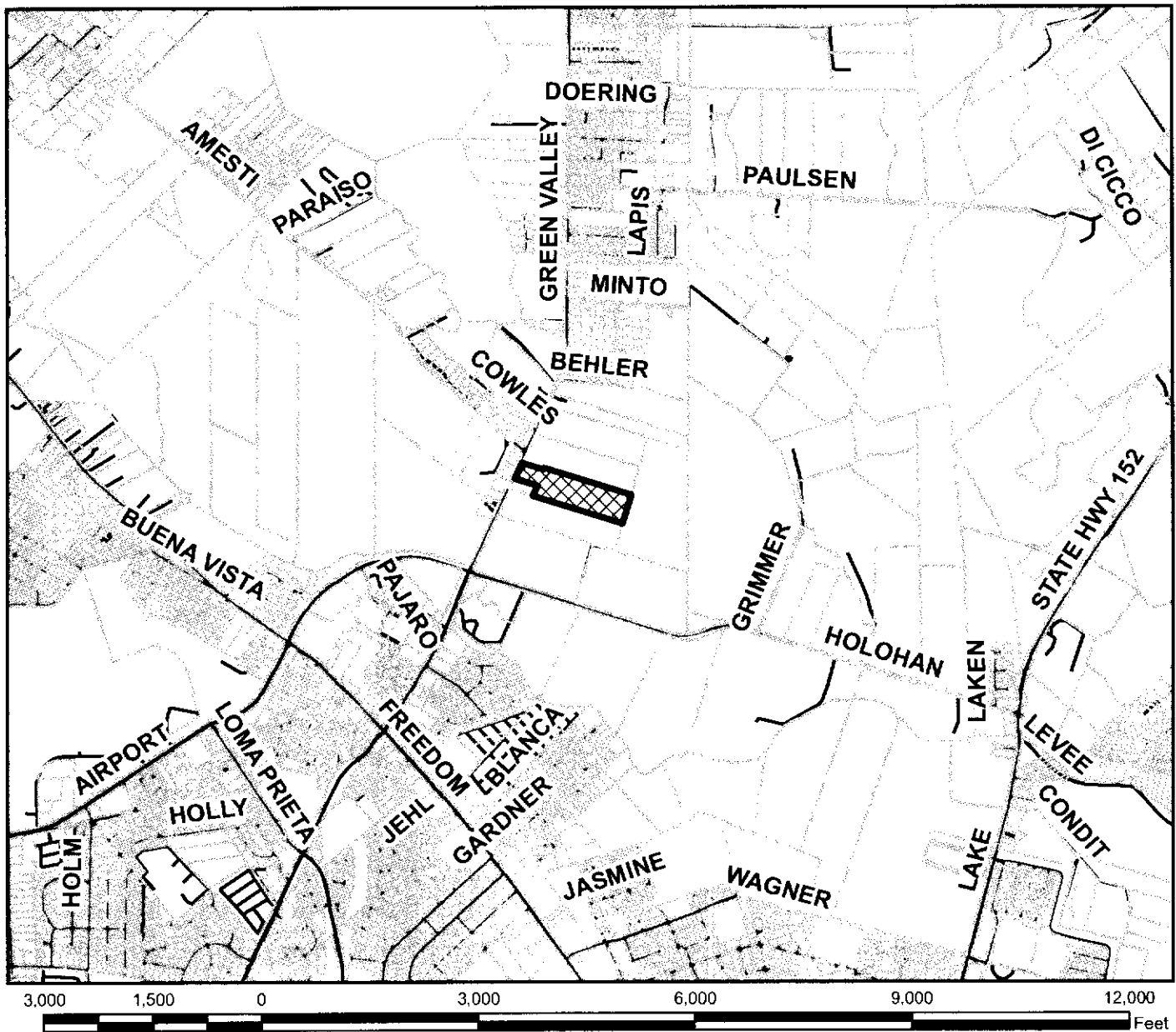


FOR TAX PURPOSES ONLY





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

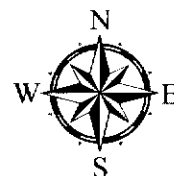


# Location Map



## LEGEND

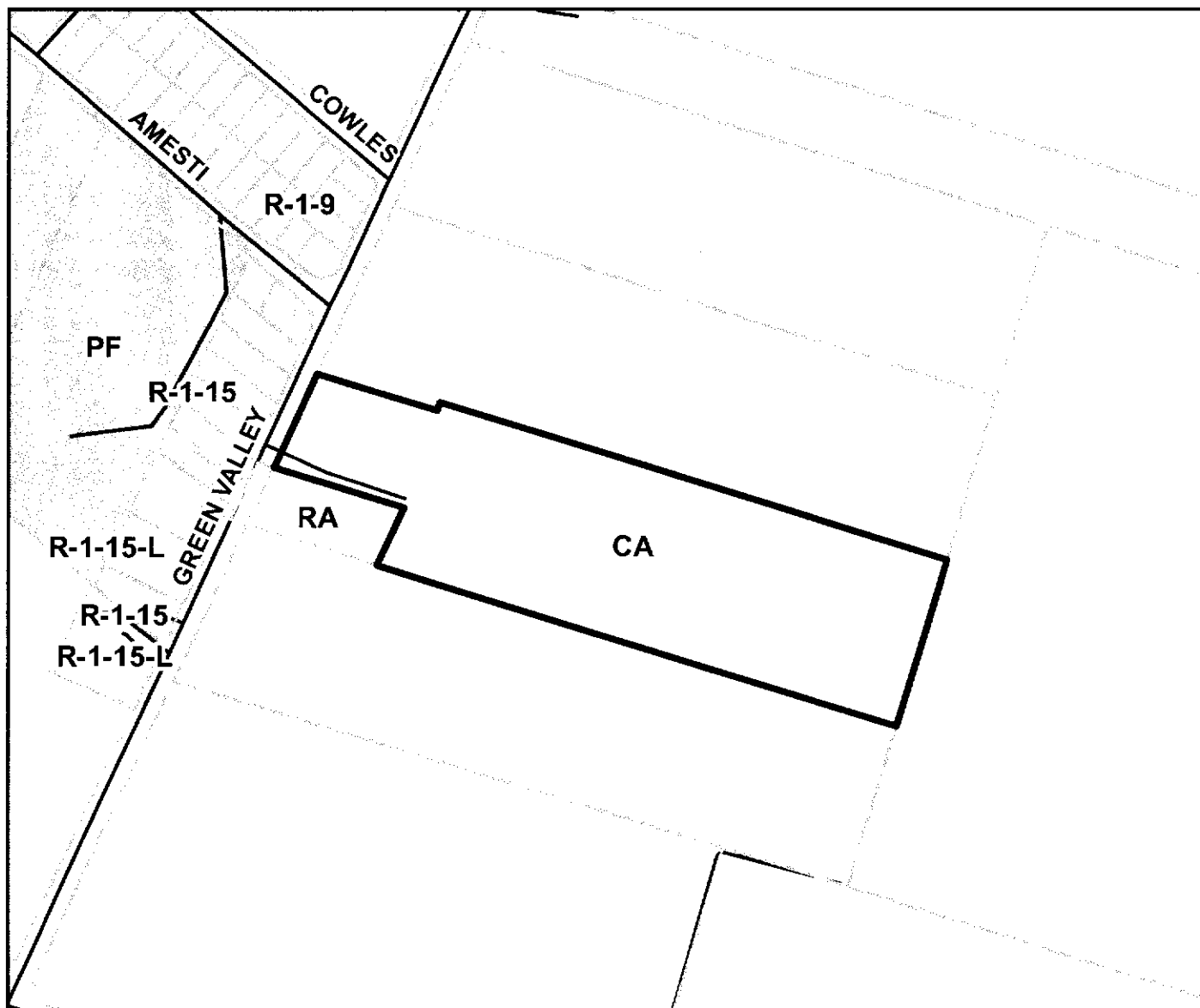
-  APN: 051-101-79
-  Assessors Parcels
-  Streets
-  State Highways



Map Created by  
County of Santa Cruz  
Planning Department  
July 2010



# Zoning Map



## LEGEND



APN: 051-101-79



Assessor's Parcels



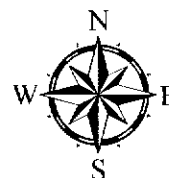
Streets

AGRICULTURE COMMERCIAL

AGRICULTURE RESIDENTIAL

RESIDENTIAL-SINGLE FAMILY

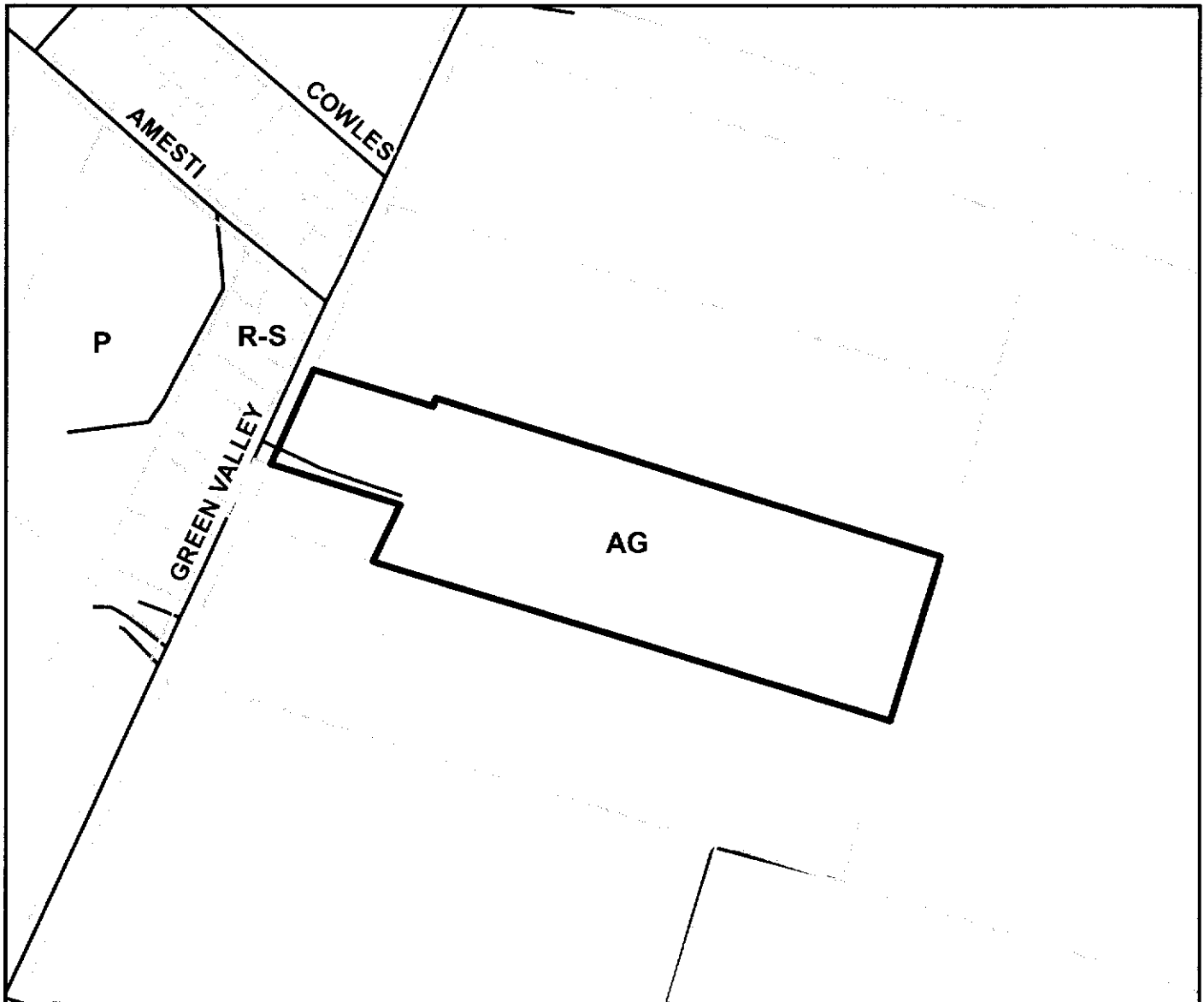
PUBLIC FACILITY



Map Created by  
County of Santa Cruz  
Planning Department  
July 2010



# General Plan Designation Map



## LEGEND



APN: 051-101-79

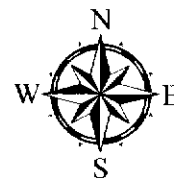
Assessors Parcels

Streets

Agriculture

Residential-Mountain

Public Facilities



Map Created by  
County of Santa Cruz  
Planning Department  
July 2010

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

**Project Planner:** Samantha Haschert  
**Application No.:** 10-0009  
**APN:** 051-101-79

**Date:** July 8, 2010  
**Time:** 17:31:34  
**Page:** 1

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**Pajaro Valley Fire District Completeness Comments**

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

===== REVIEW ON JANUARY 21, 2010 BY COLLEEN L BAXTER =====

NO COMMENT

DEPARTMENT NAME:PAJARO VALLEY FIRE/NO REVIEW REQUIRED ON SHADE STRUCTURE

**Pajaro Valley Fire District Miscellaneous Comments**

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

===== REVIEW ON JANUARY 21, 2010 BY COLLEEN L BAXTER =====