



## Staff Report to the Zoning Administrator

Application Number: **141202**

**Applicant:** Daryl Woods  
**Owner:** Andrew and Susan Di Girolamo  
**APN:** 046-241-21

**Agenda Date:** 5/15/2015  
**Agenda Item #:** 4  
**Time:** After 9:00 a.m.

**Project Description:** Proposal to construct a two story 1,026 square foot structure, including a 576 square foot garage at the lower floor and a 450 square foot habitable room above with a half bathroom (toilet and basin only), grading of approximately 287 cubic yards. Requires an amendment to Coastal Development Permit and Residential Development Permit 101065 for a habitable accessory structure that exceeds one story and 17 feet in height and includes a half bath, a Preliminary Grading Approval, and an Agricultural Buffer reduction from 200 feet to APN 046-241-08 to 16 feet.

**Location:** North side of Lindero Drive, east of Crest Drive within the San Andreas Planning area.

**Supervisory District:** 2nd District (District Supervisor: Friend)

**Permits Required:** Coastal Development Permit Amendment, Preliminary Grading Approval  
**Technical Reviews:** None

### Staff Recommendation:

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 141202, based on the attached findings and conditions.

### Exhibits

- |   |   |
|---|---|
| A. Categorical Exemption (CEQA determination) | F. General Plan Maps                      |
| B. Findings                                   | F. Agricultural Policy Advisory           |
| C. Conditions                                 | Commission Staff Report, dated 11/20/2015 |
| D. Project plans                              | G. Comments & Correspondence              |
| E. Assessor's, Location, Zoning and           |   |

### Parcel Information

Parcel Size: 15,507 square feet  
Existing Land Use - Parcel: Residential  
Existing Land Use - Surrounding: Residential to the east and west, unfarmed agriculture to

Project Access: north and south of subject property  
Lindero Drive (25 foot right-of-way)  
Planning Area: San Andreas  
Land Use Designation: AG (Agriculture)  
Zone District: RA (Residential Agriculture)  
Supervisory District: 2 (District Supervisor: Zach Friend)  
Within Coastal Zone: ☒ Inside ☐ Outside  
Appealable to Calif. Coastal ☒ Yes ☐ No  
Comm.

### Environmental Information

Geologic Hazards: Not mapped/no physical evidence on site  
Soils: N/A  
Fire Hazard: Not a mapped constraint  
Slopes: 15 to 30 percent slope at rear of the site in area of proposed development  
Env. Sen. Habitat: Not mapped/no physical evidence on site  
Grading: No grading proposed  
Tree Removal: No trees proposed to be removed  
Scenic: Not a mapped resource  
Drainage: Existing drainage adequate  
Archeology: Not mapped/no physical evidence on site

### Services Information\

Inside Urban/Rural Services Line: ☐ Yes ☒ No  
Water Supply: Pajaro Valley Water Management Agency  
Sewage Disposal: Septic  
Fire District: Aptos La Selva Fire Protection District  
Drainage District: Flood Zone 4

### History

The property owner obtained Permit 101065 to demolish an existing unpermitted addition, convert an existing garage to habitable space, and to construct a single story addition to an existing single family dwelling (Coastal Development Permit and Residential Development Permit for a conforming addition to an existing non-conforming single family dwelling -southern portion of structure extends about 4 feet into 10 foot side yard setback). This resulted in a 1-story 2,708 square foot single family dwelling with 3 bedrooms, 3 baths, living room, family room, dining room, nook, laundry, foyer and covered porch. This project also included approval of an Agricultural Buffer Determination (to reduce the required 200 foot setback from CA land to about 42 feet in the rear and to about 88 feet in the front.

A stop work order was given to the subject property on January 13, 2014 for grading and construction of a concrete slab foundation without a building permit.

The applicant is proposing to construct a two story accessory structure to the rear of the existing

dwelling with a bedroom and half bath (toilet) on the second story within 16 feet of the property line. This requires an amendment to Coastal Development Permit and Residential Development Permit 101065 for a habitable accessory structure that exceeds one story and 17 feet in height and includes a toilet, a Preliminary Grading Approval, and an Agricultural Buffer reduction from 200 feet to APN 046-241-08 to 16 feet. Issuance of a building permit will allow construction of the building and resolution of the stop work order.

The proposed project was reviewed by the Agricultural Policy Advisory Commission (APAC) on 11/20/2014. APAC recommends that the Zoning Administrator approve the Agricultural Buffer Reduction from 200 feet to about 16 feet to the single-family dwelling from the adjacent CA zoned property known as APN 046-241-08, based on the attached findings and recommended conditions in Staff Report (Exhibit F).

### Zoning & General Plan Consistency

The subject property is a parcel of approximately 15,507 square feet, located in the RA (Residential Agriculture) zone district, a designation which allows residential uses. The proposed accessory structure is a principal permitted use within the zone district and the zoning is consistent with the site's (AG) Agriculture General Plan designation.

The subject property is characterized by flat topography with exception of steep topography at the rear portion of the property where the accessory structure is proposed. The parcel is located outside the Urban Services Line within the San Andreas planning area and can be characterized as a mixed rural agriculture and rural residential neighborhood.

Site Standards Setback Table			
	Front	Side	Rear
Required Setbacks	20'	10'	15'
Existing Home Setbacks	88'	5'	42'
<b>Proposed Accessory Structure Setbacks</b>	<b>20+ (N/A)</b>	<b>10'</b>	<b>16'</b>
Existing Agricultural Buffer Setback	88'	N/A	42'
<b>Proposed Agricultural Buffer Setback</b>	N/A	N/A	<b>16'</b>
	Allowed		Proposed
Lot Coverage	40%		29%
Floor Area Ratio	50%		25%
Parking	<u>4 Spaces Required</u> SFD (3 bdrms) = 3 spaces HAC (1 bdrm) = 1 space		<u>4 Spaces Provided</u> 2 spaces in garage 2 spaces in driveway

A residential development permit is required for a habitable accessory structure exceeding one story and 17 feet in height by County Code 13.10.611, subject to Zoning Administrator approval. The intent of these standards is to ensure that the proposed bedroom does not create privacy issues on adjoining residential uses and to ensure that the design of the improvements are

compatible with the residential neighborhood. In this regard, the proposed structure is situated behind the existing residential structure and suits the character of the existing dwelling. Proposed materials and colors are consistent with the existing dwelling. Other properties in the vicinity contain accessory structures. Furthermore, existing mature landscaping is located along the east and west property lines, which screen the proposed two story structure from adjoining residential uses on either side. Privacy issues are not anticipated as a result. The structure is proposed closest to the property to the east. Although a window is proposed on the east side, it is located within a stairway and will not impact privacy of the adjoining residence.

County Code Section 13.10.611 allows a toilet within a habitable accessory structure when an administrative approval is granted. While the structure is close to the dwelling, a toilet within the structure would not require house guests to access the dwelling during the evening hours when it is more inconvenient to access the facilities. A declaration of restriction is required to be recorded to restrict the structure from containing a kitchen or from being rented, let or leased as a separate, independent dwelling unit as defined in County Code Section 13.10.700-D. This is the standard applied by the County Code to ensure compliance.

### **Local Coastal Program Consistency**

The proposed accessory structure 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. Developed parcels in the area contain single family dwellings and detached accessory structures. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles. 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.

### **Environmental Review**

A preliminary determination has been made that the project is exempt from the California Environmental Quality Act and a notice of exemption has been attached as Exhibit A.

### **Conclusion**

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

### **Staff Recommendation**

- **Determine** that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- **APPROVAL** of Application Number **141202**, 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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## **Coastal Development Permit Findings**

1. That the project is a use allowed in one of the basic zone districts 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 RA (Residential Agriculture), a designation which allows residential uses. The proposed accessory structure is a principal permitted use within the zone district, and the zoning is consistent with the site's (AG) Agriculture General Plan designation.

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

This finding can be made, in that no such easements or restrictions are known to encumber the project site.

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; the site is surrounded by lots developed to an urban density with some containing detached accessory structures; the colors and materials will be complementary to the existing dwelling; and the development site is not on a prominent ridge, beach, or bluff top.

4. That the project conforms with the public access, recreation, and visitor-serving policies, standards and maps of the 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 accessory structure will not interfere with public access to the beach, ocean, or any nearby body of water. Further, the project site is not identified as a priority acquisition site in the County Local Coastal Program.

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, and integrated with the character of the surrounding neighborhood. Additionally, residential uses, including habitable accessory structures, are allowed uses in the RA (Residential Agriculture) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings and some contain detached accessory structures. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles and consistent with the design, colors and materials of the existing dwelling.

## **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 residential uses and is not encumbered by physical constraints to development. Construction will comply with prevailing building technology, the California Building Code, and the County Building ordinance to insure the optimum in safety and the conservation of energy and resources. The proposed accessory structure will not deprive adjacent properties or the neighborhood of light, air, or open space, in that the structure meets all current setbacks that ensure access to these amenities.

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 accessory structure and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the RA (Residential Agriculture) zone district as the primary use of the property will be one accessory structure 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 is consistent with the use and density requirements specified for the Agriculture (AG) land use designation in the County General Plan.

The proposed accessory structure 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 accessory structure will not adversely shade adjacent properties, and will meet current setbacks for the zone district. Specifically, existing landscaping located along the side property lines provide screening of the proposed unit.

The proposed accessory structure will be properly proportioned to the parcel size and the character of the neighborhood as specified in General Plan Policy 8.6.1 (Maintaining a Relationship Between Structure and Parcel Sizes), in that the proposed accessory structure will comply with the site standards for the RA 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. With approval by the Zoning Administrator, the proposed habitable accessory structure is permitted to exceed one story and 17 feet in height, as proposed.

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 accessory structure is to be constructed on an existing developed lot. The expected level of traffic generated by the proposed project is not anticipated to generate additional traffic as there is no change in the single family use by additional square footage.

5. That the proposed project will complement and harmonize with the existing and proposed land uses in the vicinity and will be compatible with the physical design aspects, land use intensities, and dwelling unit densities of the neighborhood.

This finding can be made, in that the proposed structure is located in a mixed neighborhood containing a variety of architectural styles, and the proposed accessory structure is consistent with the land use intensity and density of the neighborhood.

6. The proposed development project is consistent with the Design Standards and Guidelines (sections 13.11.070 through 13.11.076), and any other applicable requirements of this chapter.

This finding can be made, in that the proposed accessory structure 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. Existing site landscaping provides screening from the adjoining property.



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

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a two hundred (200) foot agricultural buffer setback; or
3. A lesser setback is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, based on the establishment of a physical barrier (unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right of way) or the existence of some other factor which effectively supplants the need for a two hundred (200) foot agricultural buffer setback; or
4. The imposition of a two hundred (200) foot agricultural buffer setback would preclude building on a parcel of record as of the effective date of this chapter, in which case a lesser buffer setback distance may be permitted, provided that the maximum possible setback distance is required, coupled with a requirement for a physical barrier (e.g. solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

The subject property is approximately 15,000 square feet in size, zoned Residential Agriculture, and located between two small, non-commercially viable agriculturally zoned parcels due to the small parcel size and/or development with single family residences. The proposed setbacks for the proposed structure comply with the site standards established for residentially zoned parcels based on site size in accordance to 13.10.323. The construction of a solid board fence and vegetative buffering barrier along the north property line will provide an adequate physical separation between the subject property and agriculturally zoned property to the north should that parcel be farmed in the future.

## Conditions of Approval

Exhibit D: Project Plans, prepared by Daryl Woods, Architect, dated 12/22/2015

- I. This permit authorizes construction of a two story 1,026 square foot structure, including a 576 square foot garage at the lower floor and a 450 square foot habitable room above with a half bathroom (toilet and basin only), grading of approximately 287 cubic yards. This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Building Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
  - C. Obtain a Grading Permit from the Santa Cruz County Building Official.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "D" on file with the Planning Department. Any changes from the approved Exhibit "D" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. One elevation shall indicate materials and colors as they were approved by this Discretionary Application. If specific materials and colors have not been approved with this Discretionary Application, in addition to showing the materials and colors on the elevation, the applicant shall supply a color and material board in 8 1/2" x 11" format for Planning Department review and approval.
    2. Grading, drainage, and erosion control plans.
    3. A development setback of a minimum of 16 feet from the garage-habitable structure to the adjacent Commercial Agriculture zoned parcel APN 046-241-08.

4. Final plans shall show the location of a 6 foot solid board fence along the rear property line and a vegetative buffering barrier along the existing rear yard fence which shall be composed of drought tolerant shrubbery consistent with the recommended agricultural buffer plant list. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
5. Details showing compliance with fire department requirements. If the proposed structure(s) are located within the State Responsibility Area (SRA) the requirements of the Wildland-Urban Interface code (WUI), California Building Code Chapter 7A, shall apply.
- B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.
- C. Submit four copies of the approved Discretionary Permit with the Conditions of Approval attached. The Conditions of Approval shall be recorded prior to submittal, if applicable.
- D. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management. Drainage fees will be assessed on the net increase in impervious area.
- E. Obtain an Environmental Health Clearance for this project from the County Department of Environmental Health Services.
- F. Meet all requirements and pay any applicable plan check fee of the Aptos/La Selva Fire Protection District.
- G. Submit 3 copies of a soils report prepared and stamped by a licensed Geotechnical Engineer.
- H. Pay the current fees for Parks and Child Care mitigation for 1 bedroom(s). Currently, these fees are, respectively, \$109.00 and \$109 per bedroom.
- I. Provide required off-street parking for 4 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- J. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- K. Complete and record a Declaration of Restriction to construct a 576 square foot

non-habitable accessory structure (garage) and a 450 square foot habitable accessory structure above with a half bathroom (toilet and basin only). **You may not alter the wording of this declaration.** Follow the instructions to record and return the form to the Planning Department.

- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
- A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
  - C. The required solid board fencing and vegetative and/or physical barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required barrier (vegetative and/or other) has been completed.
  - D. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official.
  - E. The project must comply with all recommendations of the approved soils reports.
  - F. Pursuant to Sections 16.40.040 and 16.42.080 of the County Code, if at any time during site preparation, excavation, or other ground disturbance associated with this development, any artifact or other evidence of an historic archaeological resource or a Native American cultural site is discovered, the responsible persons shall immediately cease and desist from all further site excavation and notify the Sheriff-Coroner if the discovery contains human remains, or the Planning Director if the discovery contains no human remains. The procedures established in Sections 16.40.040 and 16.42.080, shall be observed.

IV. Operational Conditions

- A. The solid board fencing and vegetative and physical barrier shall be permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose noncompliance with any Conditions of this approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, including any follow-up inspections and/or necessary enforcement actions, up to and including permit revocation.

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

Application #: 141202  
APN: 046-241-21  
Owner: Andrew and Susan Di Girolamo

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

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

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

\_\_\_\_\_  
Wanda Williams  
Deputy Zoning Administrator

\_\_\_\_\_  
Sheila McDaniel  
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: 141202

Assessor Parcel Number: 046-241-21

Project Location: 223 Lindero Drive

**Project Description:** Proposal to construct a two story 1,026 square foot structure, including a 576 square foot garage at the lower floor and a 450 square foot habitable room above with a half bathroom (toilet and basin only), grading of approximately 287 cubic yards. Requires an amendment to Coastal Development Permit and Residential Development Permit 101065 for a habitable accessory structure that exceeds one story and 17 feet in height and includes a half bath, a Preliminary Grading Approval, and an Agricultural Buffer reduction from 200 feet to APN 046-241-08 to 16 feet.

**Person or Agency Proposing Project:** Daryl Woods

**Contact Phone Number:** (831) 234-9853

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

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

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

Construction of a residential addition in an area designated for residential uses.

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

\_\_\_\_\_  
Sheila McDaniel, Project Planner

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

**TRANSMITTAL - LEVEL 5, 6 & 7**

DATE: \_\_\_\_\_

TO: Support Staff

FROM: Sheila McDaniel

RE: Application # 141202

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**PLEASE COMPLETE THE ITEMS CHECKED BELOW:**

Return all original documents to the planner, unless checked ⇒ ☐ Use original documents for distribution

☐ Make \_\_\_\_\_ copies of the attached documents; distribute as follows:

☐ Mail copies to: ☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ Send a copy to District Supervisor \_\_\_\_\_ (via Inter-office mail)

☐ Send copies to: ☐ DPW Surveyor (Plans & Conditions – all land divisions)  
☐ Housing (Conditions – projects with affordable housing reqts.)  
☐ \_\_\_\_\_

☐ Extra copy to planner

☐ Mail a copy to the California Coastal Commission: ☐ Certified Mail ☐ Send attached plans

☐ Mail copy of Coastal Exclusion to Coastal Commission with any attached documents/exhibits.

☐ Mail copy of permit conditions to: \_\_\_\_\_ (Local Fire District)

☐ Attach permit conditions to application (Hansen only)

☐ Send copy of CEQA notice to the Clerk of the Board:

☐ Notice of Exemption (include copy of application form indicating COB fee payment)

☐ Notice of Determination/Negative Declaration

☐ Certificate of Fee Exemption

☐ Special instructions:

☐ Send attached exhibit(s) to:

☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ Send attached recordable documents to:

☐ Applicant ☐ Owner ☐ Applicant/Owner (if same)

☐ \_\_\_\_\_

☐ \_\_\_\_\_

Completed by: \_\_\_\_\_

(support staff)

(date)



<b>PROJECT OWNER:</b> Address and Name: Digirolo Residence 2013 San Jose Avenue La Jolla, CA 92037 Contact: Tom Digirolo Phone: 619.450.1234 Email: tom@digirolo.com	
<b>PROJECT DESCRIPTION:</b> Construction of a new 2-story residence with a detached garage and pool. The project is located on a 0.25-acre lot in the San Jose Valley. The owner is seeking a modern, sustainable design that integrates with the surrounding landscape.	
<b>DATE:</b> 04/10/2018	<b>SCALE:</b> 1/8" = 1'-0"
<b>PROJECT:</b> 2013 San Jose Avenue	<b>PROJECT:</b> 2013 San Jose Avenue
<b>CONTRACTOR:</b> [Name]	<b>CONTRACTOR:</b> [Name]
<b>ARCHITECT:</b> [Name]	<b>ARCHITECT:</b> [Name]
<b>CITY:</b> San Jose, CA	<b>CITY:</b> San Jose, CA
<b>STATE:</b> CA	<b>STATE:</b> CA
<b>DESIGNER:</b> [Name]	<b>DESIGNER:</b> [Name]

### GENERAL NOTES

- The owner is responsible for obtaining all necessary permits and approvals from the local authorities. The architect is responsible for coordinating with the owner and the local authorities to ensure that all requirements are met.
- The owner is responsible for providing all necessary information and documents to the architect. The architect is responsible for reviewing and interpreting this information and providing recommendations to the owner.
- The owner is responsible for providing all necessary funding for the project. The architect is responsible for providing a detailed budget and schedule to the owner.
- The owner is responsible for providing all necessary access to the project site. The architect is responsible for coordinating with the owner and the local authorities to ensure that all requirements are met.
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### EXISTING GARAGE AREA PLAN

### GENERAL NOTES

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### SITE PLAN

### GENERAL NOTES

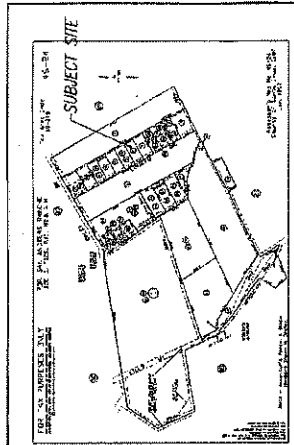
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### EXISTING GARAGE AREA PLAN

**DIGIROLO RESIDENCE T1**  
 APN: 046-241-21

**SITE PLAN**  
**EROSION NOTES**

**MIKE VAN HORN, INC., RCB 35615**  
REGISTERED CIVIL ENGINEER  
101 FORREST AVE., SANTA CRUZ, CA  
TEL. (831) 429-9364 / FAX (831) 429-9822

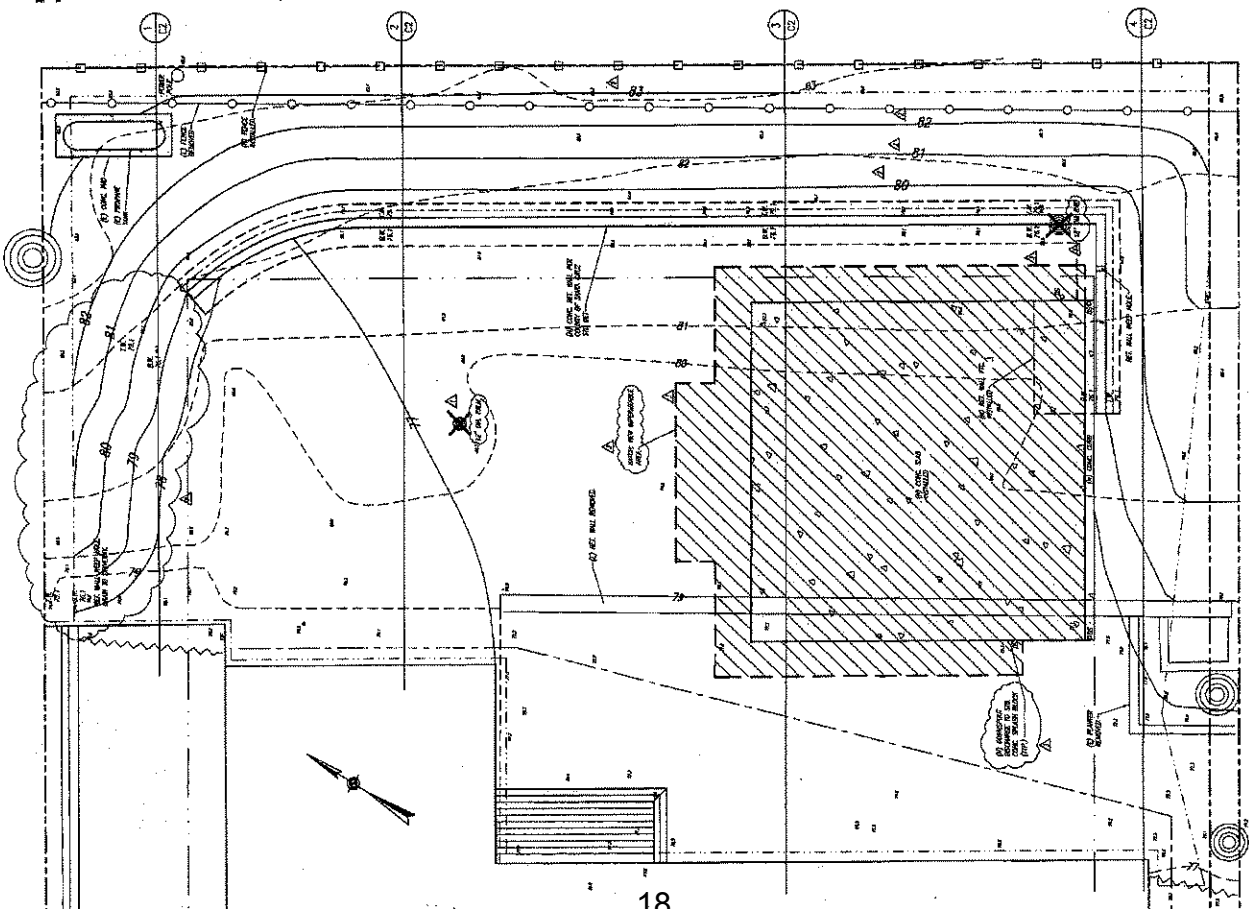
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**EARTHWORK QUANTITIES**

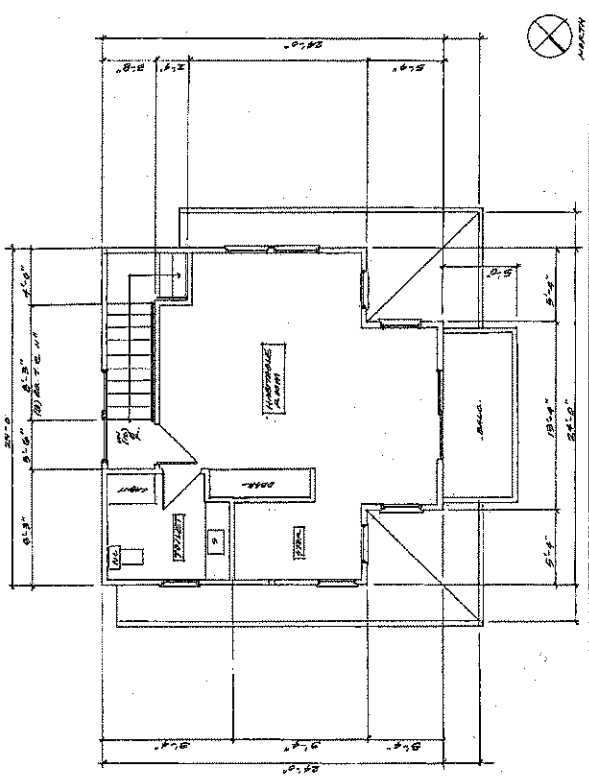
CU YD	287 CU YD	10
CU YD	287 CU YD	10
CU YD	287 CU YD	10

1. CONTRACTOR IS RESPONSIBLE FOR ESTIMATING EARTH QUANTITIES FOR HIS BIDDING PURPOSES.

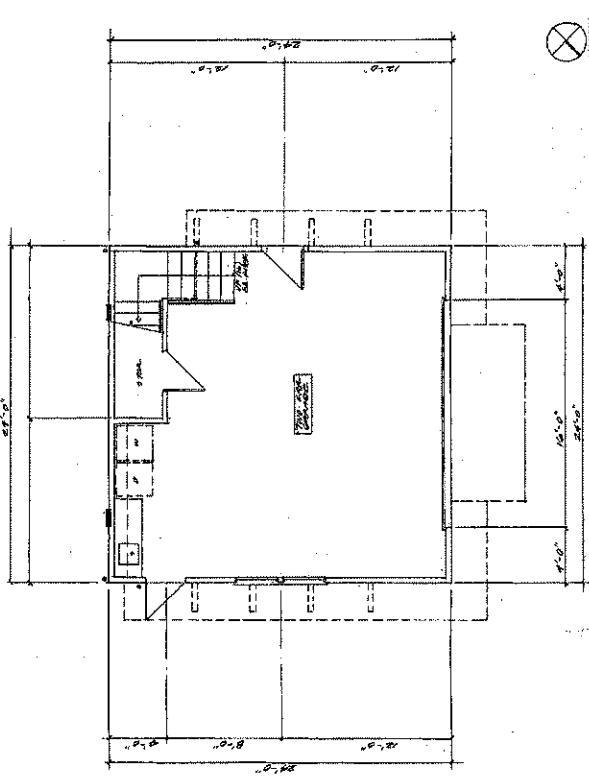
2. EXCESS SOIL SHALL BE REMOVED FROM SITE OR PLACED ON-SITE AT LOCATIONS APPROVED BY TOWNSHIRE.

[illegible][illegible]

1. The applicant shall submit a copy of the California Building Code (CBC) 2013 edition and the applicable amendments to the jurisdiction.
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20. The applicant shall submit a copy of the California Building Code (CBC) 2013 edition and the applicable amendments to the jurisdiction.



SECOND FLOOR PLAN



BASMENT FLOOR PLAN

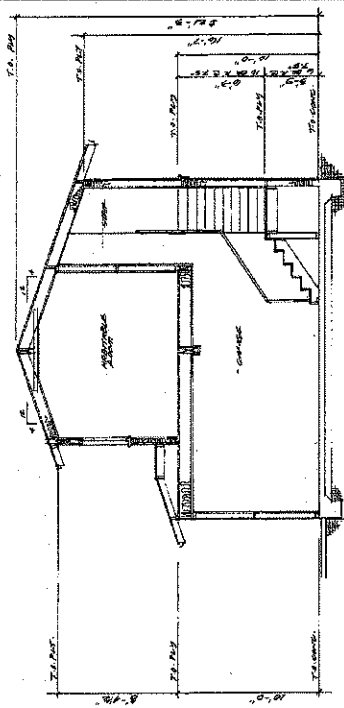
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1.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
2.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
3.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
4.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
5.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
6.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
7.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
8.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
9.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
10.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
11.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
12.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
13.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
14.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
15.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
16.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
17.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
18.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
19.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00
20.	FOUNDATION	SQ. FT.	1,200	\$10.00	\$12,000.00

APPROVED	DATE
APPROVED	DATE
APPROVED	DATE

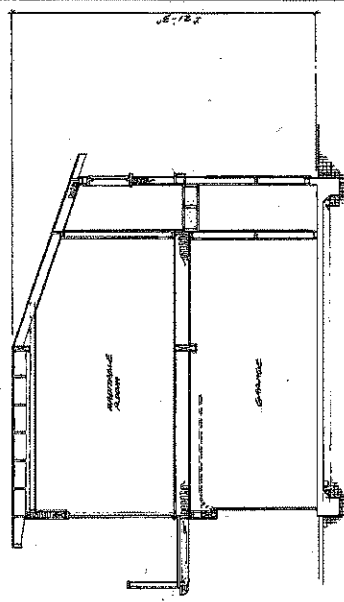
DIGIROLAMO RESIDENCE A1  
APN: 046-241-21

SUPPLEMENTAL APPLICATION REQUIREMENTS

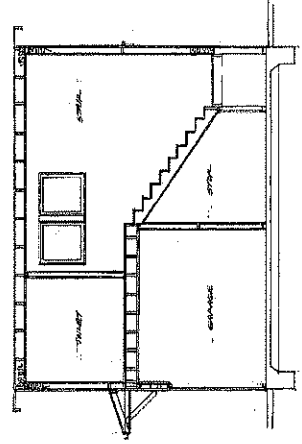




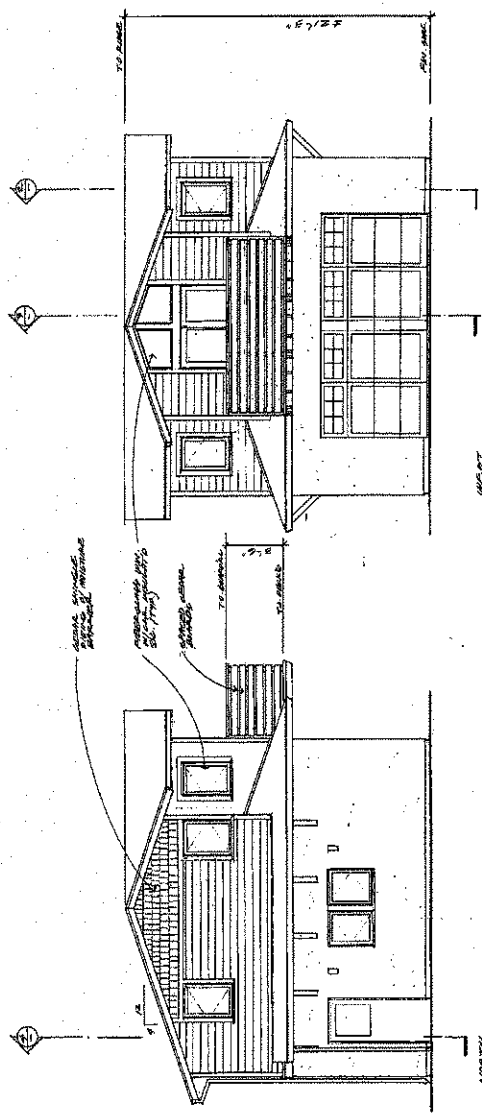
CROSS SECTION



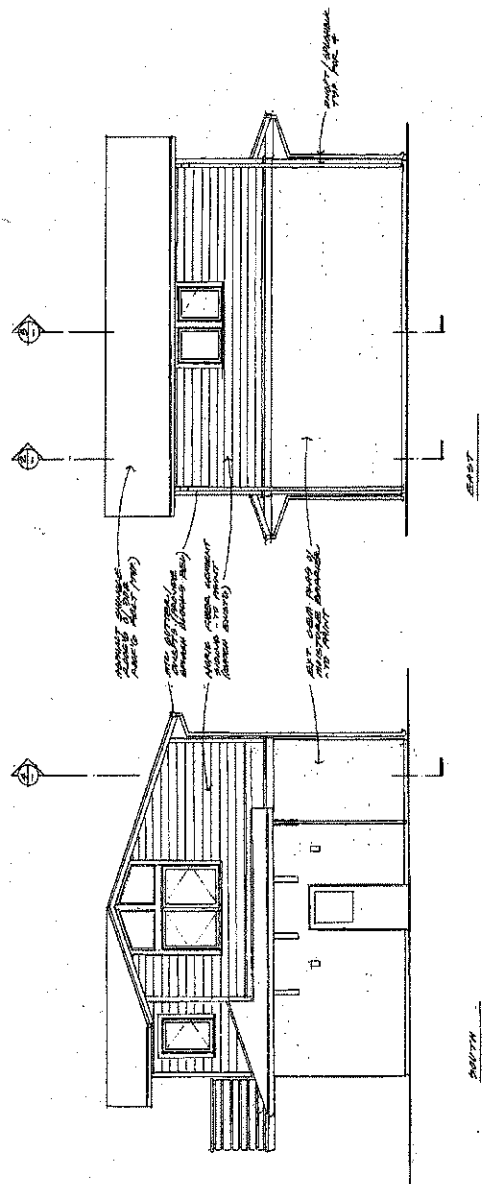
CROSS SECTION



CROSS SECTION



WEST



EAST

EXTERIOR ELEVATIONS

NAME	DATE
PAUL HENRY	8 28 80

311 N. Main  
La Brea Town  
Calif. 900  
311 N. Main  
311 N. Main

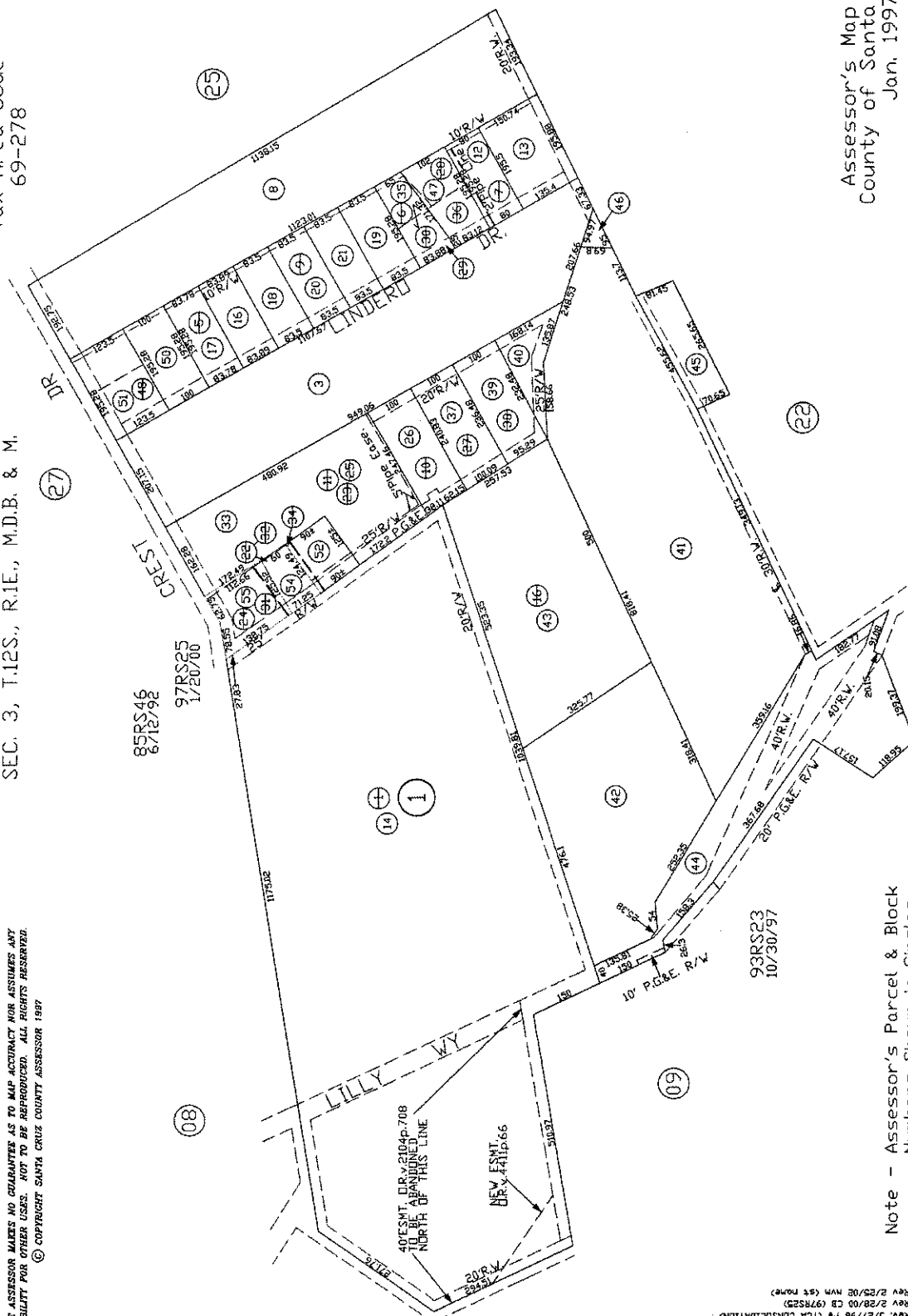
DIGIROLAMO RESIDENCE A2  
APR 046-241-21

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.  
 © COPYRIGHT SANTA CRUZ COUNTY ASSESSOR 1997

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

Tax Area Code  
 69-278

46-24



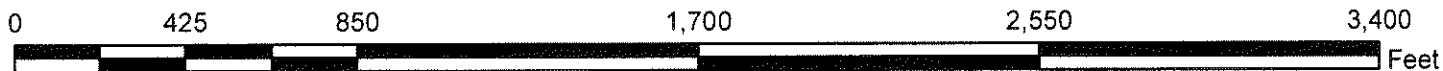
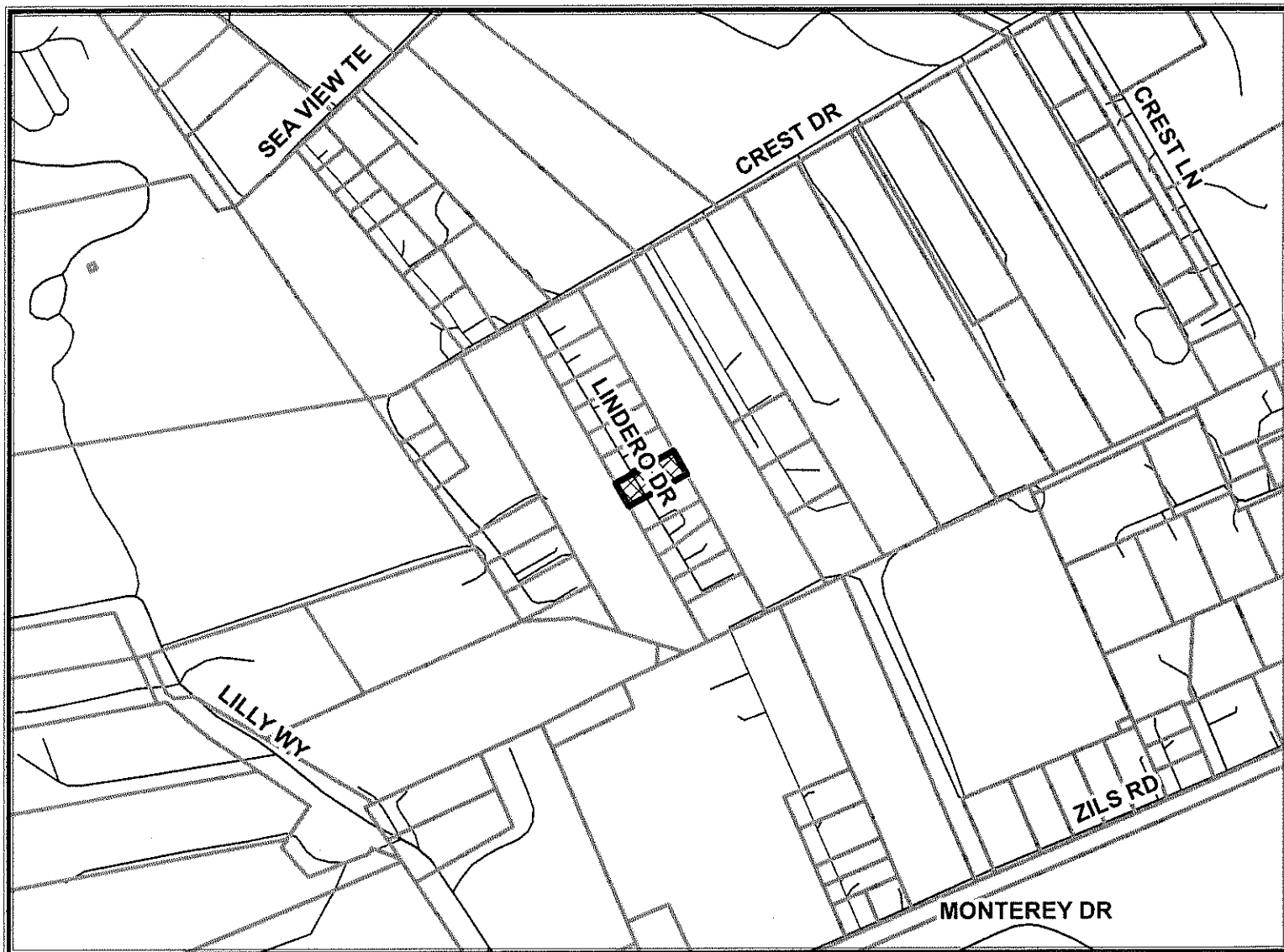
Note - Assessor's Parcel & Block  
 Numbers Shown in Circles.

Assessor's Map No. 46-24  
 County of Santa Cruz, Calif.  
 Jan. 1997

Revised 2/25/02 NWM (ST HOME)  
 Rev 2/28/00 CB (97RS23)  
 Rev 5/27/98 RW (TCA CONSOLIDATION)  
 Rev 11/20/97 RW (93RS23)  
 Rev 5/12/97 CB (0012335 & 6, LBA 1-54 & 55)  
 Encountered Problem 1/22/97



# Location Map



## LEGEND



APN: 046-241-21



Assessors Parcels

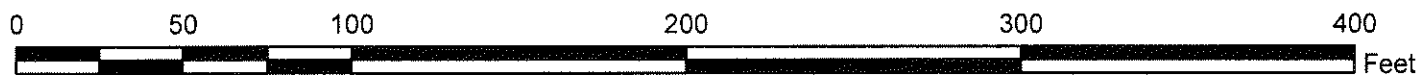
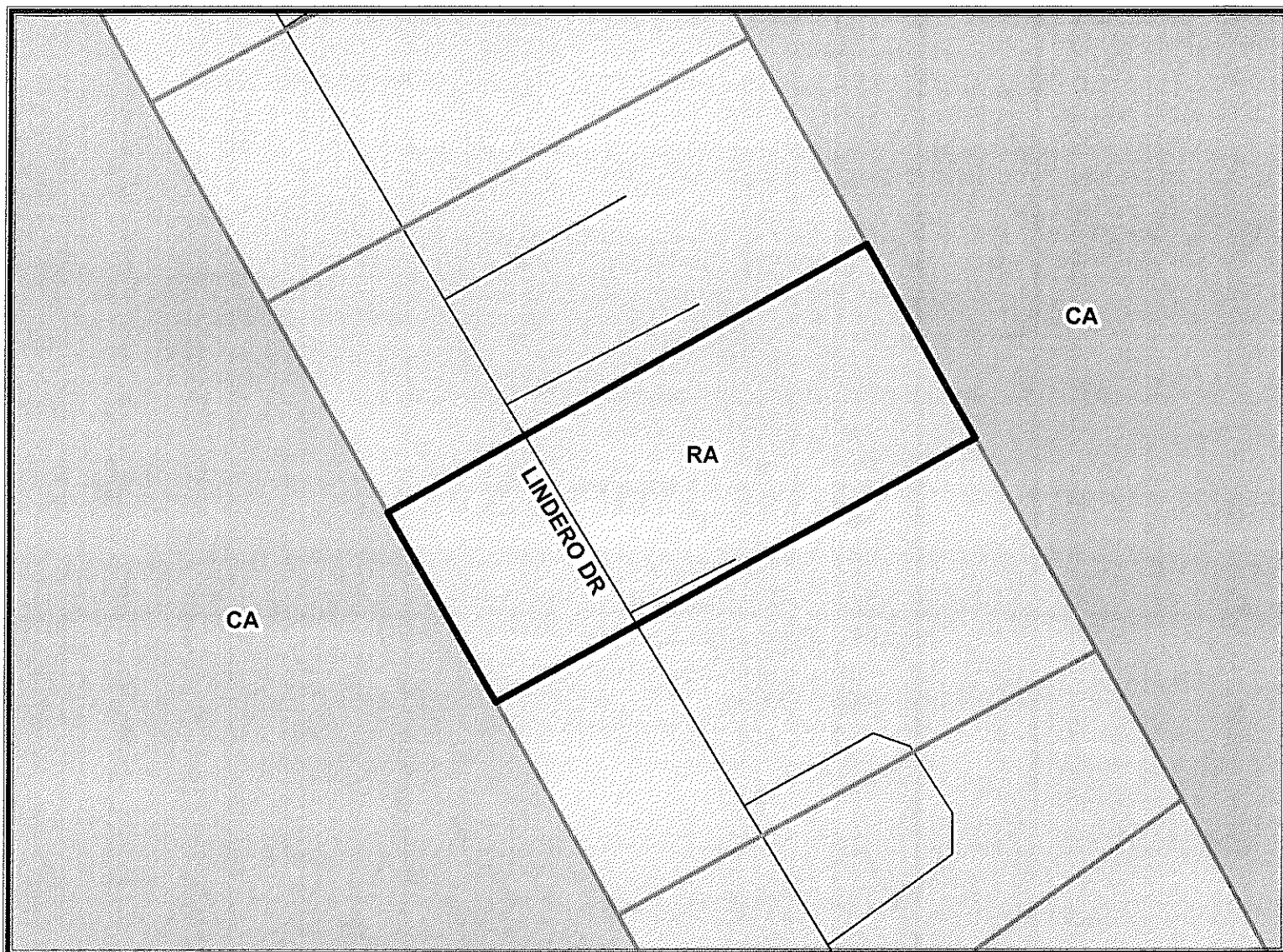
— Street



Map Created by  
County of Santa Cruz  
Planning Department  
October 2014



# Zoning Map



## LEGEND



APN: 046-241-21



Assessors Parcels



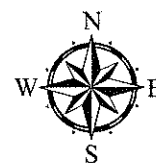
Street



AGRICULTURE RESIDENTIAL



AGRICULTURE COMMERCIAL

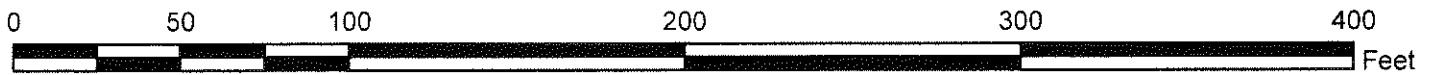
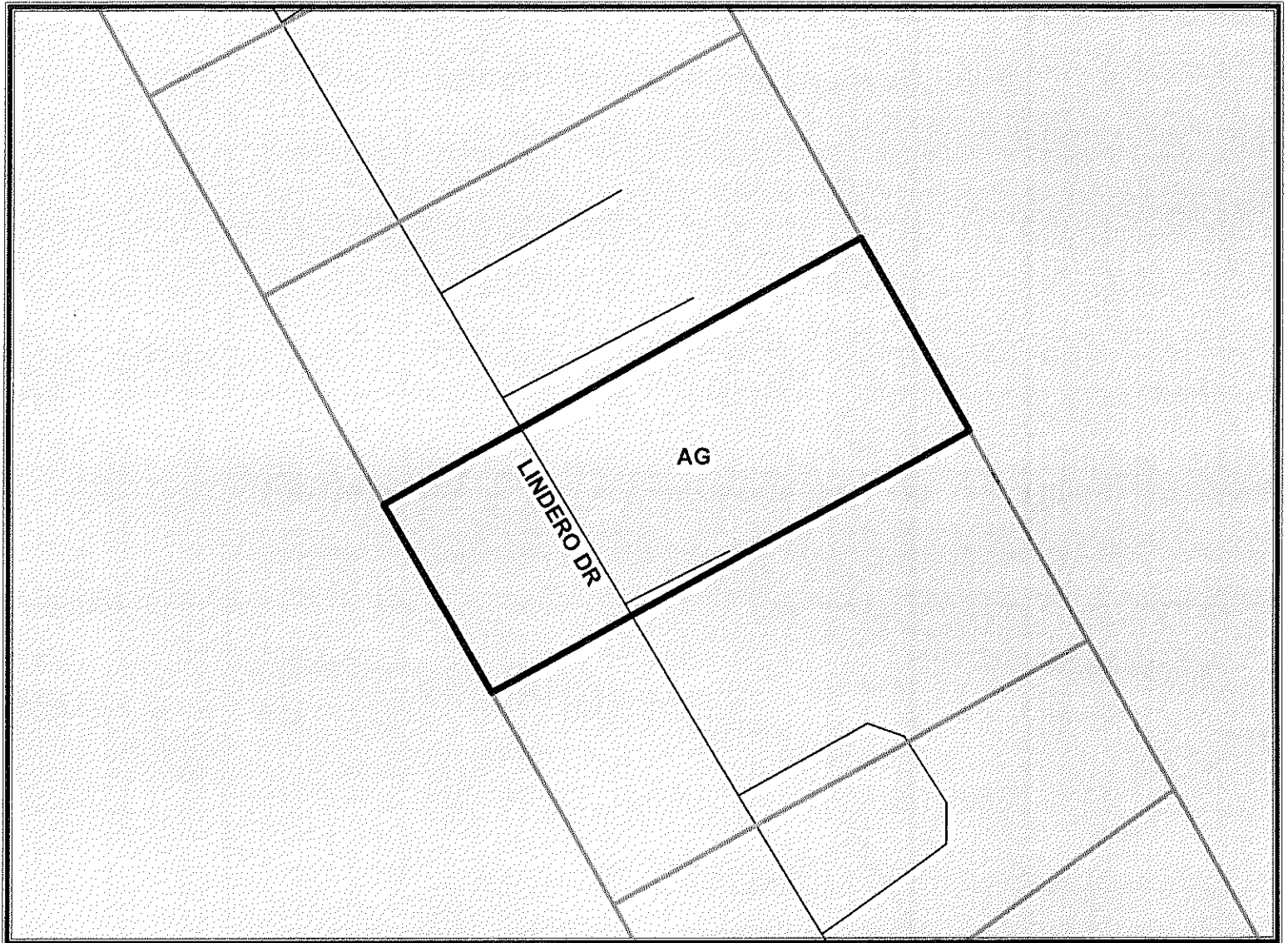


Map Created by  
County of Santa Cruz  
Planning Department  
October 2014







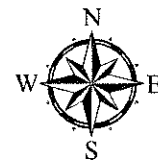


# General Plan Designation Map



## LEGEND

-  APN: 046-241-21
-  Assessors Parcels
-  Street
-  Agriculture



Map Created by  
County of Santa Cruz  
Planning Department  
October 2014



## Staff Report to the Agricultural Policy Advisory Commission

Application Number: **141202**

**Applicant:** Daryl Woods  
**Owner:** Andrew and Susan Di Girolamo  
**APN:** 046-241-21

**Date:** 11/20/2014  
**Agenda Item #:** 7  
**Time:** 1:30 p.m.

**Project Description:** Proposal to construct a two story 1,026 square foot structure, including a 576 square foot garage at the lower floor and a 450 square foot habitable room above with a half bathroom (toilet and basin only), grading of approximately 287 cubic yards. Requires an Agricultural Buffer Reduction from 200 feet to APN 046-241-08 to 16 feet.

**Location:** North side of Lindero Drive, east of Crest Drive within the San Andreas Planning area.

**Permits Required:** Agricultural Buffer Setback Reduction

### Staff Recommendation:

- Approval of Application 141202, based on the attached findings and conditions.

### Exhibits

- |                  |                                      |
|------------------|--------------------------------------|
| A. Project plans | D. Assessor's, Location, Zoning, and |
| B. Findings      | General Plan maps                    |
| C. Conditions    | E. Comments & Correspondence         |

### Parcel Information

Parcel Size:	15,507 square feet
Existing Land Use - Parcel:	Residential
Existing Land Use - Surrounding:	Residential to the east and west, unfarmed agriculture to north and south of subject property
Project Access:	Lindero Drive (25 foot right-of-way)
Planning Area:	San Andreas
Land Use Designation:	AG (Agriculture)
Zone District:	RA (Residential Agriculture)
Supervisory District:	2 (District Supervisor: Zach Friend)
Within Coastal Zone:	<input checked="" type="checkbox"/> Inside <input type="checkbox"/> Outside
Appealable to Calif. Coastal Comm.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

## Services Information

Inside Urban/Rural Services Line: ☐ Yes ☒ No  
Water Supply: Pajaro Valley Water Management Agency  
Sewage Disposal: Septic  
Fire District: Aptos La Selva Fire Protection District  
Drainage District: Flood Zone 4

## Analysis and Discussion

The property contains an existing dwelling with a previously approved agriculture buffer reduction (Application 101065) to reduce the required 200 foot setback from CA land to about 42 feet to the rear (north) and to about 88 feet in the front (south) for the dwelling. The applicant is now proposing to construct a two story accessory structure with a bedroom on the second story within 16 feet of the CA zoned property to the rear. This requires an agriculture buffer reduction.

The subject property is characterized by flat topography with exception of steep topography at the rear portion of the property. The parcel is located outside the Urban Services Line within the San Andreas planning area and can be characterized as a mixed rural agriculture and rural residential neighborhood. The parcel is located within the Agriculture (AG) General Plan designation and the implementing zone district is (RA) Residential Agriculture. Commercial Agriculture zoned land is situated within 200 feet at the north side of the parcel at Assessor's Parcel Number APN 046-241-08.

A reduced agricultural buffer is recommended due to the fact that the subject property does not allow sufficient building area if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property for an allowed use on the property. The property contains an existing 6 foot solid board fence along the north property line. The project is conditioned to provide a 6 foot vegetative hedge of plantings to reduce the impact of agricultural activities on the proposed residential use, and to therefore protect the agricultural interests on the Commercial Agriculture zoned parcel(s). The applicant will also be required to record a Statement of Acknowledgement regarding the issuance of a building permit in an area determined by the County of Santa Cruz to be subject to Agricultural-Residential use conflicts. Fire agency comments also require a turnaround meeting turnaround standards. This can be provided toward the front of the site and will be addressed prior to issuance of a building permit.

## Recommendation

- Staff recommends that your Commission **APPROVE** the Agricultural Buffer Reduction from 200 feet to about 16 feet to the single-family dwelling from the adjacent CA zoned property known as APN APN 046-241-08, proposed under Application # 141202, based on the attached findings and recommended conditions.

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

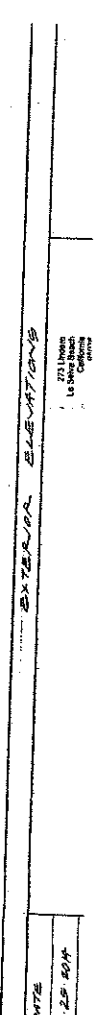
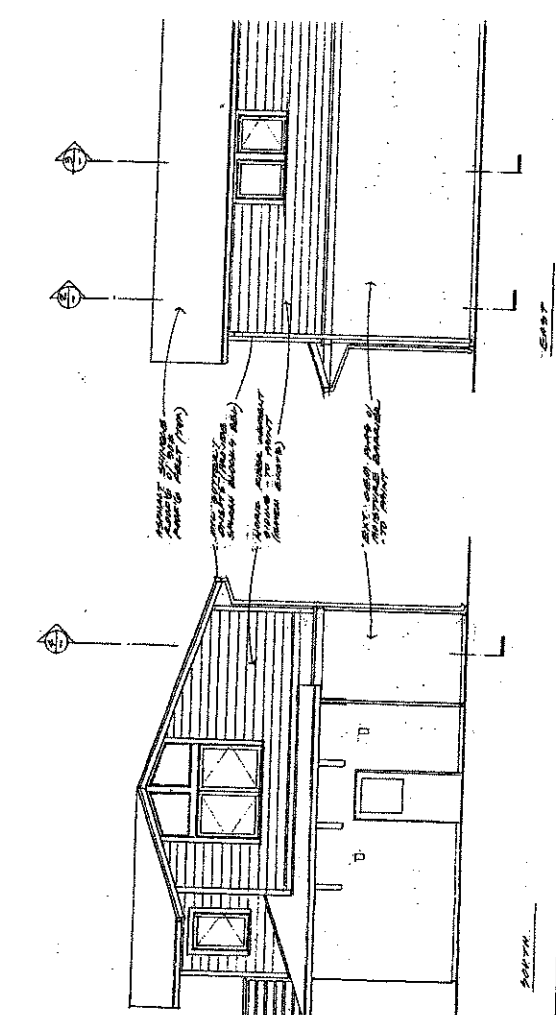
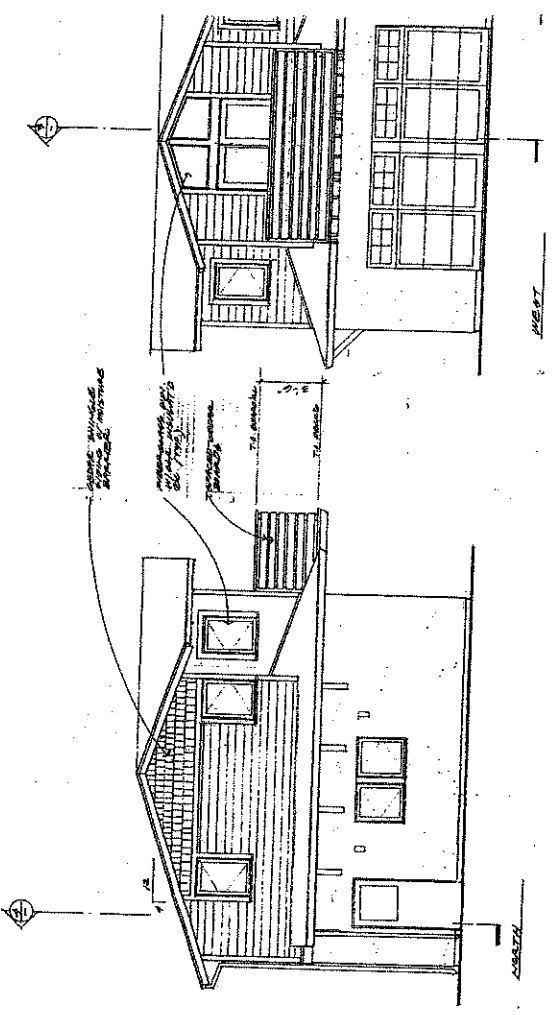
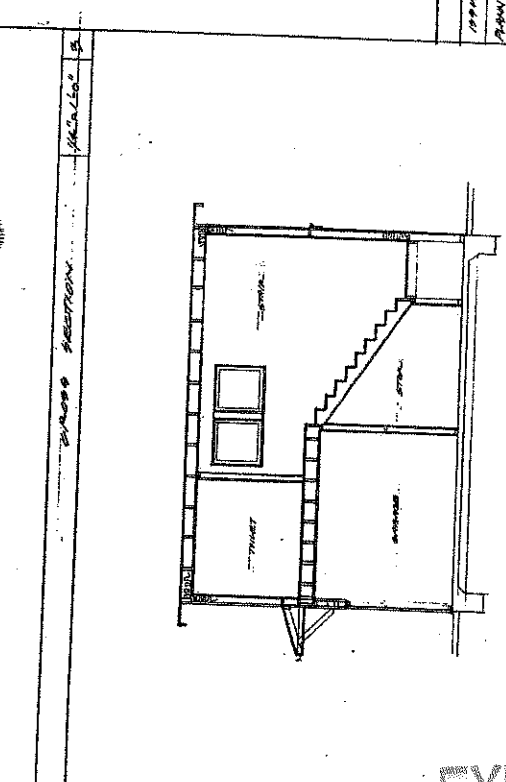
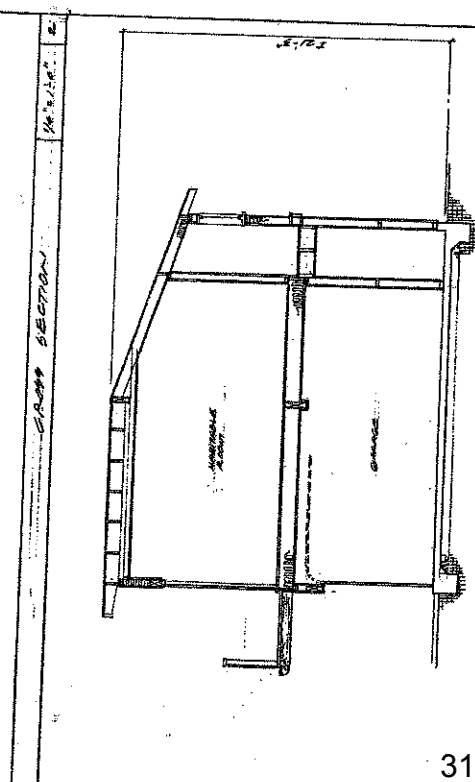
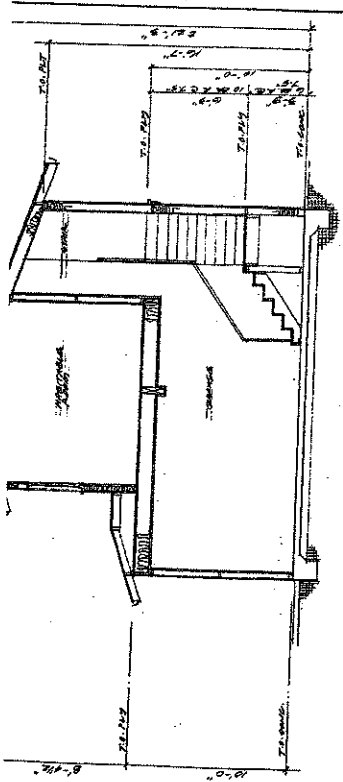
**The County Code and General Plan, as well as hearing agendas and additional information are available online at: [www.co.santa-cruz.ca.us](http://www.co.santa-cruz.ca.us)**

Report Prepared By: Sheila McDaniel  
Santa Cruz County Planning Department  
701 Ocean Street, 4th Floor  
Santa Cruz CA 95060  
Phone Number: (831) 454-2255  
E-mail: [sheila.mcdaniel@co.santa-cruz.ca.us](mailto:sheila.mcdaniel@co.santa-cruz.ca.us)

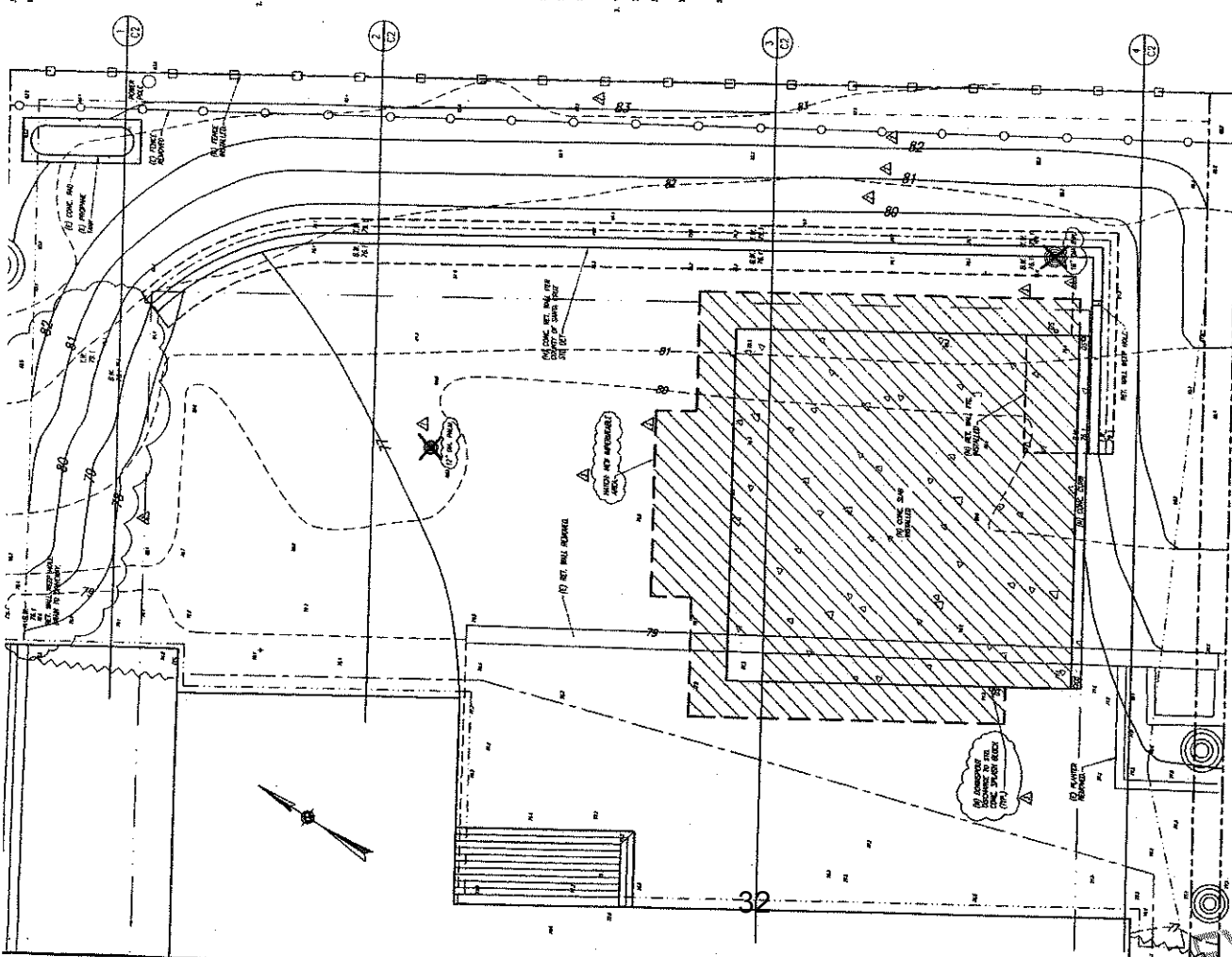
Report Reviewed By: Steven Guiney, AICP  
Principal Planner  
Development Review







DATE	DATE
9-25-2014	



1. SPECIAL NOTES
- THE CONTRACTOR SHALL VERIFY ALL PROJECT DATA AND INFORMATION PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
  - THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. ANY OBSTRUCTIONS TO ACCESS SHALL BE REMOVED IMMEDIATELY UPON NOTIFICATION.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE SYSTEMS THROUGHOUT THE CONSTRUCTION PROCESS. ANY CHANGES TO THE DRAINAGE SYSTEM SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE EROSION CONTROL MEASURES TO PREVENT SOIL EROSION AND SEDIMENTATION. ANY CHANGES TO THE EROSION CONTROL MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE SLOPE PROTECTION MEASURES TO PREVENT SLOPE FAILURE. ANY CHANGES TO THE SLOPE PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE FILL PROTECTION MEASURES TO PREVENT FILL FAILURE. ANY CHANGES TO THE FILL PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE EMBANKMENT PROTECTION MEASURES TO PREVENT EMBANKMENT FAILURE. ANY CHANGES TO THE EMBANKMENT PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE CUT PROTECTION MEASURES TO PREVENT CUT FAILURE. ANY CHANGES TO THE CUT PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE EXCAVATION PROTECTION MEASURES TO PREVENT EXCAVATION FAILURE. ANY CHANGES TO THE EXCAVATION PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE SHIELDING PROTECTION MEASURES TO PREVENT SHIELDING FAILURE. ANY CHANGES TO THE SHIELDING PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE RETENTION PROTECTION MEASURES TO PREVENT RETENTION FAILURE. ANY CHANGES TO THE RETENTION PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE BRACING PROTECTION MEASURES TO PREVENT BRACING FAILURE. ANY CHANGES TO THE BRACING PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.
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  - THE CONTRACTOR SHALL MAINTAIN ADEQUATE BRACING PROTECTION MEASURES TO PREVENT BRACING FAILURE. ANY CHANGES TO THE BRACING PROTECTION MEASURES SHALL BE APPROVED BY THE ENGINEER.

NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL
1	CONSTRUCTION MATERIALS	100	CU YD	10.00	1000.00
2	CONSTRUCTION LABOR	100	HR	10.00	1000.00
3	CONSTRUCTION EQUIPMENT	100	HR	10.00	1000.00
4	CONSTRUCTION PERMITS	1	SET	10.00	10.00
5	CONSTRUCTION INSURANCE	1	YEAR	10.00	10.00
6	CONSTRUCTION TAXES	1	YEAR	10.00	10.00
7	CONSTRUCTION FEES	1	YEAR	10.00	10.00
8	CONSTRUCTION BONDS	1	YEAR	10.00	10.00
9	CONSTRUCTION CONTINGENCY	1	YEAR	10.00	10.00
10	CONSTRUCTION TOTAL				1020.00

**EROSION CONTROL PLAN**

DESIGNED BY: [Firm Name]  
 CHECKED BY: [Firm Name]  
 DATE: [Date]

**DRAINAGE AREA CALCULATIONS**

AREA	AREA (AC)	COEFFICIENT	RAINFALL (IN)	DRAINAGE AREA (AC)
1	10.00	0.50	1.00	5.00
2	10.00	0.50	1.00	5.00
3	10.00	0.50	1.00	5.00
4	10.00	0.50	1.00	5.00
5	10.00	0.50	1.00	5.00
6	10.00	0.50	1.00	5.00
7	10.00	0.50	1.00	5.00
8	10.00	0.50	1.00	5.00
9	10.00	0.50	1.00	5.00
10	10.00	0.50	1.00	5.00
TOTAL	100.00			50.00

**LEGEND**

- EXISTING DRIVE
- PROPOSED DRIVE
- PROPOSED SIDEWALK
- PROPOSED BUILDING
- PROPOSED CONSTRUCTION AREA
- PROPOSED EROSION CONTROL MEASURES
- PROPOSED SLOPE PROTECTION MEASURES
- PROPOSED FILL PROTECTION MEASURES
- PROPOSED EXCAVATION PROTECTION MEASURES
- PROPOSED SHIELDING PROTECTION MEASURES
- PROPOSED RETENTION PROTECTION MEASURES
- PROPOSED BRACING PROTECTION MEASURES

**EXHIBIT A**



SECTION  
Scale: 1/4" = 1'-0"

SECTION  
C2 Scale: 1/4" = 1'-0"

SECTION  
Scale: 1/4" = 1'-0"

SECTION  
Scale: 1/4" = 1'-0"

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

1. Significant topographical differences exist between the agricultural and non-agricultural uses which eliminates or minimizes the need for a 200 foot agricultural buffer setback; or
2. Permanent substantial vegetation (such as a Riparian Corridor or Woodland protected by the County's Riparian Corridor or Sensitive Habitat Ordinances) or other physical barriers exist between the agricultural and non-agricultural uses which eliminate or minimize the need for a two hundred (200) foot agricultural buffer setback; or
3. A lesser setback is found to be adequate to prevent conflicts between the non-agricultural development and the adjacent agricultural development and the adjacent agricultural land, based on the establishment of a physical barrier (unless it is determined that the installation of a barrier will hinder the affected agricultural use more than it would help it, or would create a serious traffic hazard on a public or private right of way) or the existence of some other factor which effectively supplants the need for a two hundred (200) foot agricultural buffer setback; or
4. The imposition of a two hundred (200) foot agricultural buffer setback would preclude building on a parcel of record as of the effective date of this chapter, in which case a lesser buffer setback distance may be permitted, provided that the maximum possible setback distance is required, coupled with a requirement for a physical barrier (e.g. solid fencing and/or vegetative screening) to provide the maximum buffering possible, consistent with the objective of permitting building on a parcel of record.

The subject property is approximately 15,000 square feet in size and situated in an area of small, non-commercially viable agriculturally zoned parcels due to the small parcel size and/or development with single family residences. The proposed setbacks for the proposed structure comply with the site standards established for residential zoned parcels based on site size in accordance to 13.10.323. The construction of a solid board fence and vegetative buffering barrier along the north property line will provide an adequate physical separation between the subject property and agriculturally zoned property to the north should this parcel be farmed in the future.

## Conditions of Approval

- I. This permit authorizes an Agricultural Buffer Setback reduction from 200 feet to 16 feet to APN (046-241-08). This approval does not confer legal status on any existing structure(s) or existing use(s) on the subject property that are not specifically authorized by this permit. Prior to exercising any rights granted by this permit, including, without limitation, any construction or site disturbance, the applicant/owner shall:
  - A. Sign, date, and return to the Planning Department one copy of the approval to indicate acceptance and agreement with the conditions thereof.
  - B. Obtain a Coastal Development Permit, Residential Development Permit, and a Preliminary Grading Approval.
  - C. Obtain a Building Permit and Grading Permit from the Santa Cruz County Building Official.
    1. Any outstanding balance due to the Planning Department must be paid prior to making a Building Permit application. Applications for Building Permits will not be accepted or processed while there is an outstanding balance due.
- II. Prior to issuance of a Building Permit the applicant/owner shall:
  - A. Submit final architectural plans for review and approval by the Planning Department. The final plans shall be in substantial compliance with the plans marked Exhibit "A" on file with the Planning Department. Any changes from the approved Exhibit "A" for this development permit on the plans submitted for the Building Permit must be clearly called out and labeled by standard architectural methods to indicate such changes. Any changes that are not properly called out and labeled will not be authorized by any Building Permit that is issued for the proposed development. The final plans shall include the following additional information:
    1. A development setback of a minimum of 16 feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 046-241-08.
    2. Final plans shall show the location of a vegetative buffering barrier along the existing rear yard fence which shall be composed of drought tolerant shrubbery. The shrubs utilized shall attain a minimum height of six feet upon maturity. Species type, plant sizes and spacing shall be indicated on the final plans for review and approval by Planning Department staff.
  - B. The owner shall record a Statement of Acknowledgement, as prepared by the Planning Department, and submit proof of recordation to the Planning Department. The statement of Acknowledgement acknowledges the adjacent agricultural land use and the agricultural buffer setbacks.

III. All construction shall be performed according to the approved plans for the building permit. Prior to final building inspection, the applicant/owner must meet the following conditions:

- A. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
- B. The required vegetative and/or physical barrier shall be installed. The applicant/owner shall contact the Planning Department's Agricultural Planner, a minimum of three working days in advance to schedule an inspection to verify that the required barrier (vegetative and/or other) has been completed.
- C. All inspections required by the building permit shall be completed to the satisfaction of the County Building Official and/or the County Senior Civil Engineer.

IV. Operational Conditions

- A. The vegetative and physical barrier shall be permanently maintained.
- B. All required Agricultural Buffer Setbacks shall be maintained.
- C. In the event that future County inspections of the subject property disclose non-compliance with any Conditions of this Approval or any violation of the County Code, the owner shall pay to the County the full cost of such County inspections, up to and including permit revocation.

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

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

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

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

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



Your x plans have been sent to several agencies for review. The comments that were received are printed below. Please read each comment, noting who the reviewer is and which of the three categories (Completeness, Policy Considerations/Compliance, and Permit Conditions/Additional Information) the comment is in.

**Completeness:** A comment in this section indicates that your application is lacking certain information that is necessary for your plans to be reviewed and your project to proceed.

**Policy Considerations/Compliance:** Comments in this section indicate that there are conflicts or possible conflicts between your project and the County General Plan, County Code, and/or Design Criteria. We recommend that you address these issues with the project planner and the reviewer before investing in revising your plans in any particular direction.

**Permit Conditions/Additional Information:** These comments are for your information. No action is required at this time. You may contact the project planner or the reviewer for clarification if needed.

### **Coastal Commission Review**

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**Routing No: 1 | Review Date: 10/28/2014**

SHEILA MCDANIEL (SMCDANIEL) : Complete

### **Coastal Commission Review**

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**Routing No: 2 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Not Required

### **Environmental Health Review**

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**Routing No: 1 | Review Date: 10/10/2014**

JIM SAFRANEK (JSafranek) : Complete

Project is complete. Applicant will need to upgrade the existing onsite sewage disposal system under EHD septic permit prior to approval of the BP. An EHD Building Clearance (with site plan illustrating complete, approved septic system) is also required at the BP phase. EHD onsite septic inspector for consultation: Angela Gray, 454-2705, 8-9:30 AM.

### **Environmental Health Review**

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**Routing No: 2 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Not Required



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## Environmental Planning

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**Routing No: 1 | Review Date: 10/15/2014**

ROBERT LOVELAND (RLOVELAND) : Complete

**Conditions of Approval:**

1. Submit a soils report (3 original signed/stamped versions) completed by a California licensed geotechnical engineer for review.
2. Submit a detailed grading/drainage plan completed by a licensed civil engineer for review.

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## Environmental Planning

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**Routing No: 2 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Not Required

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## Fire Review

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**Routing No: 1 | Review Date: 10/20/2014**

ERIN COLLINS (ECOLLINS) : Incomplete

The Aptos/La Selva Fire Department has reviewed the plans for the above cited project, **APPROVAL IS DENIED**. We require the additional information listed below in order to complete our review.

Please add the appropriate NOTES, DETAILS and INFORMATION on your plans and **RESUBMIT with an annotated copy of this letter. All changes to drawings will require "clouding of the change".**

**SHOW** on the plans, **DETAILS** of compliance with the access road requirements. The access road shall be 12 feet minimum unobstructed width and maximum twenty percent slope. The access road fronting the project property corner to property corner shall conform to the minimum width standard.

### **ACCESS ROAD / DRIVEWAY REQUIREMENTS**

The access road / driveway shall be an "all weather" surface. "All Weather Surface" is defined as a minimum 6" of compacted aggregate base rock, Class II or equivalent, and certified in writing by a licensed engineer to 95% compaction for grades up to and including 5%. For grades in excess of 5% but not exceeding 15%, oil and screeds shall be applied to a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95% compaction. For grades exceeding 15%, 2" of asphaltic concrete shall be applied over a minimum 6" of compacted aggregate base rock, Class II or equivalent, certified in writing by a licensed engineer to 95%.

The maximum grade of the access road shall not exceed 20%, with grades greater than 15% not permitted for distances of more than 200 feet at a time.

The access road shall have a vertical clearance of 13'-6" for its entire width and length, including turnouts.

An approved turn-a-round shall be provided for access roads and driveways in excess of 150



## Discretionary Application Comments 141202

APN 046-241-21

feet in length.

Drainage details for the road or driveway shall conform to current engineering practices, including erosion control measures.

All private access roads, driveways, turn-around and bridges are the responsibility of the owner(s) of record and shall be maintained to ensure the fire department safe and expedient passage at all times.

The driveway shall be thereafter maintained to these standards at all times.

**SHOW** on the plans **DETAILS** of the Fire Department Turn-a-round in compliance with District Standard." Include dimensions. (See attached).

**NOTE** on the plans "the driveway / access road shall be in place prior to any framing construction, or construction will be stopped."

### Fire Review

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**Routing No: 2 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Complete

### Fire Review

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**Routing No: 3 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Not Required

### Project Review

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**Routing No: 1 | Review Date: 10/28/2014**

SHEILA MCDANIEL (SMCDANIEL) : Incomplete

see incompleteness letter

### Project Review

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**Routing No: 2 | Review Date: 04/15/2015**

SHEILA MCDANIEL (SMCDANIEL) : Complete

### Project Review

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**Routing No: 3 | Review Date: 04/15/2015**





County of Santa Cruz, PLANNING DEPARTMENT

## **Discretionary Application Comments 141202**

**APN 046-241-21**

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SHEILA MCDANIEL (SMCDANIEL) : Not Required