

# **Staff Report to the Zoning Administrator**

Application Number: 151083

Applicant: Greg Heitzler

Agenda Date: 11/6/2015

Owner: Josiah Adams and Kristy Kroeker

Agenda Item #: 12

**APN:** 058-101-05

Time: After 9:00 a.m.

**Project Description**: Proposal to construct a 2,202 square foot, two story single family dwelling within the R-1-6 zone district (single family residential-6000 square foot minimum). The project is located within 200 feet of land designated Type 3 Agriculture resource. Requires a Coastal Development Permit, Agricultural Buffer Reduction to 20 feet southeast of APN 058-122-12, and a Preliminary Grading Approval.

**Location**: The property is located on the northwest side of Church Street, approximately 250 feet northeast of Marine View Avenue within the Town of Davenport.

Supervisorial District: 3rd District (District Supervisor: Coonerty)

Permits Required: Coastal Development Permit, Agricultural Buffer Reduction

Technical Reviews: Archaeological Report Review

#### **Staff Recommendation:**

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- Approval of Application 151083, based on the attached findings and conditions.

#### **Exhibits**

A. Categorical Exemption (CEQA General Plan Maps determination) F. Archaeological Report

B. Findings G. APAC Report

C. Conditions H. Comments & Correspondence

D. Project plans

E. Assessor's, Location, Zoning and

#### **Parcel Information**

Parcel Size: 10,774 square feet (per site survey)

Existing Land Use - Parcel: Vacant

Single family residential

Existing Land Use - Surrounding:

Single family residential

Project Access:

Church Street, 40 foot right-of-way developed to 18-20

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

Owner: Josiah Adams and Kristy Kroeker

feet

Planning Area: North Coast

Land Use Designation: R-UL (Residential Urban Low)
Zone District: R-1-6 (6000 square feet per unit)

Supervisorial District:

3 (District Supervisor: Coonerty)
Within Coastal Zone:

x Inside Outside

Within Coastal Zone: x Inside Outside
Appealable to Calif. Coastal Yes x No

Comm.

## **Environmental Information**

Geologic Hazards: Not mapped/no physical evidence on site

Soils: Soils report required prior to issuance of the building permit

Fire Hazard: Critical Fire Hazard area, project plans subject to fire suppression

requirements prior to issuance of a building permit.

Slopes: 15-30 percent

Env. Sen. Habitat: Site is mapped for coastal grassland biotic resources, but staff did not

identify the presence of mapped grassland; therefore no further study

required

Grading: 452 cubic yards cut, 65 cubic fill

Tree Removal: No trees proposed to be removed, willow shrubs removed from site

Scenic: Yes, the site is not visible from Highway One.

Drainage: Preliminary drainage approved by Public Works

Archeology: Archaeological report confirmed the absence of archaeological

resources (see Exhibit F)

## **Services Information**

Inside Urban/Rural Services Line: x Yes No

Water Supply: Davenport County Sanitation
Sewage Disposal: Davenport County Sanitation

Fire District: County Fire Drainage District: Zone 4

#### **Project Setting**

The subject property is approximately 10,774 square feet in size and characterized by steep topography between 15 to 30 percent slopes from the northwest to the southeast. The property fronts Church Street, an approximately 40 foot right-of-way developed to 18-20 feet. The roadway has no formal drainage system and drainage sheet flows across and along the roadway.

The parcel is located within the Rural Services Line and is located within a fully developed residential neighborhood within the Town of Davenport.

The proposed project is situated 20 feet southeast of commercial agricultural zoned property on APN 058-122-12 designated a Type 3 agricultural resource subject to a Williamson Act contract. Per County Code Section 16.50.095, Type 3 Coastal Zone Prime Agricultural Land includes prime farmland soils, prime rangeland soils, and unique farmland of statewide importance. The

Owner: Josiah Adams and Kristy Kroeker

property is located east of the former CEMEX plant and west of San Vicente Street and appears to be unfarmed land used for rangeland.

The site is mapped for grassland biotic resources and archaeological resources. The site contains scrub willow shrubs that have more recently been cleared by the property owner.

## **Detailed Project Description**

Due to the 15 to 30 percent slope of the subject property, the applicant proposes to construct a 432 square foot detached garage at the front of the site, approximately 20 feet from the front property line, with a turnaround area adjacent to the garage to the east. A two story home is proposed behind the garage and turnaround area. The proposed dwelling is set back approximately 29 feet from the front property line. The proposed dwelling is approximately 2,202 square feet, with an approximately 752 square foot lower floor set into the hill and day-lighting toward the front of the dwelling above grade. A 1,450 second story is proposed above and behind the first story element. The dwelling appears as a mixed one and two story dwelling from the front view and a one story dwelling from the rear and side due to the steep slope of the property.

The project requires approximately 452 cubic yards of cut and 65 cubic yards of fill, primarily for the dwelling to be situated into the steep hillside, allowing the lower floor to be set under the second story.

## **Project Resource Background**

Existing shrubs on the subject property were not identified as grassland resources by Environmental Planning staff. Therefore, a biotic report was not required for the proposed project. The applicant has since removed vegetation in preparation for development, which is not subject to sensitive habitat protection.

An archaeological report (Exhibit F) confirmed the absence of archaeological resources on the subject property. The report was accepted by Environmental Planning staff. Notwithstanding, conditions of approval include a standard condition requiring compliance with sections 16.40.040 and 16.42.080 and that work stop should resources be identified during grading activities.

The proposed project was subject to review by the Agricultural Policy Advisory Commission (APAC) on August 20, 2015 for consideration of the proposed Agricultural Buffer Reduction. The APAC recommended that the Zoning Administrator approve the proposed setback reduction, subject to the attached revised findings and revised conditions. These conditions are incorporated into the project conditions. The report is attached as Exhibit G. Revised conditions require final plans to show a 6 foot solid board fence and a six foot tall vegetative buffer along the entire rear property line. The vegetative barrier 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.

Owner: Josiah Adams and Kristy Kroeker

## **Zoning & General Plan Consistency**

The parcel is located within the Residential Urban Low (R-UL) General Plan designation and the implementing zone district is (R-1-6) 6000 square feet per unit. The proposed residence is a principal permitted use within the R-1-6 zone district and the zoning is consistent with the site's R-UL (Urban Low Density Residential) General Plan designation.

	Site S	Standards Table				
Setbacks						
	Front	Side	Rear			
Required	20'	5' & 8'	15'			
Proposed	20' to garage; 49' to house	5' to west side of garage; 43' to east side of garage; 9' to west side of house; 10' to east side of house,	15' to patio deck, 29' to dwelling			
		Parking				
3 bedre	pom= 3 spaces required	and more than sufficient parking	proposed			
	I	ot Coverage				
40%	allowed, 28 % propose	d (includes front deck over 3' in	height)			
	Floor	Area Ratio (FAR)				
proposed garage		432 square feet				
proposed first floor		752 square feet				
covered porch		122 square feet				
subtotal	first floor area	1306 square fee	t			
proposed second floor		1,450 square fee	t			
gross square footage		2756 square fee				
allowed FAR garage credit		-225 square fee				
Total floor area (FAR)		2,531 square feet/10,774 net lo 50 percent allowed	ot size = 23.5% FAR,			

The structure is designed to incorporate solar design throughout the entire dwelling, intended to reduce heating and cooling energy requirements, including a solar oriented and pitched roof and solar panels. The floor plan is designed to allow solar access into rooms typically used in the morning hours and allowing for winter heating when the sun angle is lowest.

The dwelling has been carefully designed to minimize grading, provide privacy to the adjacent dwellings, and allowance of views across the top of the improvements by the adjoining dwellings.

Owner: Josiah Adams and Kristy Kroeker

## Drainage

Given the steep slope of the subject property, compliance with the drainage standards of the Public Works Department and the Regional Water Quality Control Board required that all existing water from the slope above the site be addressed and the project incorporate best management practices to minimize generation, transport and discharge of pollutants, prevent excess of pre-development conditions, and maintain pre-development groundwater recharge. The project includes a variety of design measures such as living roof (vegetated) over the proposed garage, a combination of semi-pervious driveway area, impervious surface areas, and a drainage retention system on the southwest corner of the property to ensure that site runoff maintains the predevelopment runoff rate so it does not affect the capacity of the drainage system or affect down-slope properties, or result in runoff of pollutants.

The project design has been determined to meet the drainage standards and obtained preliminary approval by the Public Works Drainage Division. The project is conditioned to comply with all requirements of the Public Works Department including a recorded maintenance agreement to assure proper functioning of the proposed drainage system.

#### **Local Coastal Program Consistency**

The proposed residence 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. 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.

The proposed dwelling is located within the Davenport special community. The home incorporates design criteria of 13.20.143 (features of older homes in the community) in that the structure is designed with one and two story elements, incorporation of a porch, wood construction, roof pitch, and setbacks similar to homes around it. The garage is set at the front of the site meeting the required setbacks, but only because the site is extremely steep and would not be feasible otherwise.

The property is located within the Highway One Scenic Corridor, but is not visible from the Highway. All residential homes on the northerly side Church Street are separated by structures located between Highway One and Church Street that block views of the these northernmost residences, including the proposed development. Therefore, impacts from the proposed development are not anticipated to be visible from Highway One.

#### **Design Review**

The proposed single family dwelling complies with the requirements of the County Design Review Ordinance, in that the proposed project will incorporate site and architectural design features such as setbacks similar to adjacent homes on the street, one and two story elements that reduce the massing of the dwelling, and a one story garage that allows views across the top of the

Owner: Josiah Adams and Kristy Kroeker

structure. All of these design features reduce the visual impact of the proposed development on surrounding residential land uses and the natural landscape.

#### **Environmental Review**

A preliminary determination has been made that the project is exempt from the California Environmental Quality Act (CEQA) and a notice of exemption has been attached as Exhibit A. CEQA provides an exemption for construction of one to four residential units as enumerated in Class 3. Section 15303 (New Construction or Conversion of Small Structures). In addition, none of the exemption exception conditions described in Section 15300.2 apply to this project.

#### 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

- Determine that the proposal is exempt from further Environmental Review under the California Environmental Quality Act.
- APPROVAL of Application Number 151083, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

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@santacruzcounty.us

## 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.

Assessor Parc	umber: 151083 el Number: 058-101-05 on: No Situs Address			
Project Desci	ription: Proposal to construct a 2,202 square foot, two story single family dwelling with an approximately 752 square foot first floor, 1,450 square foot second floor, 122 square foot entry porch, 644 square feet of decking, and a 432 square foot detached garage.			
Person or Agency Proposing Project: Greg Heitzler  Contact Phone Number: (831) 421-9594  A The proposed activity is not a project under CEQA Guidelines Section 15378.  The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).				
Contact Phon	ne Number: (831) 421-9594			
A B C D	The proposed activity is not subject to CEQA as specified under CEQA Guidelines Section 15060 (c).			
E. <u>X</u>	Categorical Exemption			
Specify type:	Class 3 - New Construction or Conversion of Small Structures (Section 15303)			
F. Reaso	ns why the project is exempt:			
Construction	of one single Family dwelling			
In addition, no	one of the conditions described in Section 15300.2 apply to this project.			
	Date:			
Sheila McDar	niel, Project Planner			

## **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 R-1-6 (Single family residential - 6,000 square feet minimum), a designation which allows residential uses. The proposed residence is a principal permitted use within the zone district, and the zoning is consistent with the site's R-UL (Urban Low Density Residential) 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 and Section 13.20.140 et seq.

County Code Section 13.20.130-140 requires that new development "be sited, designed and landscaped to be visually compatible and integrated with the character of surrounding neighborhoods or areas; grading, earth moving, and removal of major vegetation shall be minimized; Hilltop and hillside development shall be integrated into the silhouette of the existing backdrop such as the terrain, landscaping, natural vegetation, and other structures; ridgeline protection shall be ensured by restricting the height and placement of buildings and landscape species and by providing landscape screening in order to prevent projections above the ridgeline that are visible from public roads or other public areas.

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 a suburban density; grading for the foundation of the dwelling and roadway has been provided to allow the development so that the improvements are integrated into the steep hillside and grading has been determined to be minimized by Environmental Planning; no significant trees (>20 inch dba) protected by the ordinance, have been proposed to be removed (no trees present on the site, only willow shrubs); the colors will be natural in appearance and complementary to the site; and the development site is not on a prominent ridge, beach, or bluff top.

The proposed dwelling is located within the Davenport special community. The home incorporates design criteria of 13.20.143 (features of older homes in the community) in that the structure is designed with one and two story elements, incorporation of a porch, wood construction, roof pitch, and setbacks similar to homes around it. The garage is set at the front of the site meeting the required setbacks, but only because the site is extremely steep and would not be feasible otherwise.

The property is located within the Highway One Scenic Corridor, but is not visible from the Highway. All residential homes on the northerly extent of Church Street are screened by

Owner: Josiah Adams and Kristy Kroeker

structures located between Highway One and Church Street that block views of the these northernmost residences. Therefore, the proposed development is not anticipated to be visible from Highway One.

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 the nearest through 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 residence 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 are allowed uses in the R-1-6 (Single family residential - 6,000 square feet minimum) zone district, as well as the General Plan and Local Coastal Program land use designation. Developed parcels in the area contain single family dwellings. Size and architectural styles vary widely in the area, and the design submitted is consistent with the existing range of styles.

The property is located within the Highway One Scenic Corridor, but is not visible from the Highway. All residential homes on the northerly extent of Church Street are screened by structures located between Highway One and Church Street that block views of the these northernmost residences. Therefore, the proposed development is not anticipated to be visible from Highway One.

See finding 3 above also.

Owner: Josiah Adams and Kristy Kroeker

## **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 residence 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 residence and the conditions under which it would be operated or maintained will be consistent with all pertinent County ordinances and the purpose of the R-1-6 (Single family residential - 6,000 square feet minimum) zone district as the primary use of the property will be one residence and a detached garage that meet all current site standards for the zone district.

3. That the proposed use is consistent with all elements of the County General Plan and with any specific plan which has been adopted for the area.

This finding can be made, in that the proposed residential use is consistent with the use and density requirements specified for the R-UL (Urban Low Density Residential) land use designation in the County General Plan.

The proposed residence 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 residence will not adversely shade adjacent properties, and will meet current setbacks for the zone district.

The proposed residence 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 residence will comply with the site standards for the R-1-6 zone district (including setbacks, lot coverage, floor area ratio, height, and number of stories) and will result in a structure consistent with a design that could be approved on any similarly sized lot in the vicinity.

A specific plan has not been adopted for this portion of the County.

Owner: Josiah Adams and Kristy Kroeker

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 residence is to be constructed on an existing undeveloped lot. The expected level of traffic generated by the proposed project is anticipated to be only 1 peak trip per day (1 peak trip per dwelling unit), such an increase will not adversely impact existing roads or intersections in the surrounding area.

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 residence 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 residence will be of an appropriate scale and type of design that will enhance the aesthetic qualities of the surrounding residentially developed properties and will not reduce or visually impact available open space in the surrounding area. The project has been designed to comply with the site standards for the zone district, maximize setback of the dwelling from the front property line, similar to adjacent homes on the street and the home includes one and two story elements that reduce the massing of the dwelling from the street and side view, and a one story garage that allows views across the top of the structure by the adjacent properties. This is a difficult site to develop given the 15 to 30 percent slopes, and has required careful grading of the slope to step the structure down the hill and into the slope, thereby reducing the overall massing of the structure. In addition, the home has been designed to maximize solar orientation on the parcel to maximize solar heating and cooling, intended to reduce the energy demand. This includes photovoltaic panels on the roof and a floor plan designed to allow the natural light and heating throughout the day within the kitchen, family and living rooms. All of these design features reduce the visual impact of the proposed development on surrounding residential land uses and the natural landscape and maximize the livability of the home, if you will.

## 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

Significant topographical differences exist between the subject parcel and APN 058-122-12, to allow for a reduction in the required 200 foot setback to about 20 feet feet. The proposed building site is 60 feet below the elevation of the adjacent Commercial Agriculture zoned parcel activity.

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

The habitable structure is proposed to be set back 20 feet feet from the adjacent Commercial Agriculture zoned land. Existing vegetation, comprised of scrub willow, located within the 15 foot setback is required to be retained where it meets the height of the required buffer. An effective barrier consisting of a six foot tall solid fence and evergreen shrubs providing the required 6 foot height, would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 058-122-12. An effective barrier consisting of a six foot tall solid fence and evergreen shrubs, in areas that do not provide vegetation providing the required 6 foot height, would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 058-122-12. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic. (Revised by APAC 8/20/2015)

- 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 imposition of a two hundred foot agricultural buffer setback would preclude building on the subject property given the small parcel size. Furthermore, the parcel meets the

Owner: Josiah Adams and Kristy Kroeker

required rear yard setback established for the R-1-6 zone district, consistent with adjacent residential properties in the vicinity that are adjacent to the commercial agricultural parcel. The reduced setback is required to be coupled with a 6 foot solid board fence located on the property line and a evergreen buffer planted to separate the use from agricultural activities on the commercial agricultural property, as required by the agricultural buffer reduction ordinance.

## **Conditions of Approval**

Exhibit D: Project Plans, dated 9/9/2015

- I. This permit authorizes the construction of a 2,202 square foot, two story single family dwelling with an approximately 752 square foot first floor, 1,450 square foot second floor, 122 square foot entry porch, 644 square feet of decking, and a 432 square foot detached garage within the R-1-6 zone district. 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.
  - D. Obtain an Encroachment Permit from the Department of Public Works for all offsite work performed in the County road right-of-way.

The applicant shall submit payment for the Archaeological Report Review.

- 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. A copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
    - 2. 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 sheet in 8 1/2" x 11" format for Planning Department review and approval.

- 3. Grading, drainage, and erosion control plans.
- 4. A development setback of a minimum of 20 feet feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 058-122-12.
- 5. Final plans shall show a 6 foot solid board fence and a six foot tall vegetative buffer along the entire rear property line. Vegetative barrier 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.
- 6. 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. Submit three soils reports for review and approval prior to building permit issuance.
- C. 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.
- D. Meet all requirements of and pay drainage fees to the County Department of Public Works, Stormwater Management comments dated September 25, 2015. Drainage fees will be assessed on the net increase in impervious area.
- E. Meet all requirements of the Public Works Encroachment Division project comments dated April 7, 2015.
- F. Meet all requirements of the Davenport Sanitation District.
- G. Meet all requirements and pay any applicable plan check fee of County Fire Department comments dated April 2, 2015.
- H. Meet all requirements for the Public Works Road Engineering Division comments dated April 8, 2015.
- I. Pay the current fees for Parks and Child Care mitigation for 3 bedroom(s).

Currently, these fees are, respectively, \$327.00 and \$109 per bedroom.

- J. Provide required off-street parking for 3 cars. Parking spaces must be 8.5 feet wide by 18 feet long and must be located entirely outside vehicular rights-of way. Parking must be clearly designated on the plot plan.
- K. Submit a written statement signed by an authorized representative of the school district in which the project is located confirming payment in full of all applicable developer fees and other requirements lawfully imposed by the school district.
- III. All construction shall be performed according to the approved plans for the Building Permit. Prior to final building inspection, the applicant/owner must meet the following conditions:
  - A. All site improvements shown on the final approved Building Permit plans shall be installed.
  - B. The agricultural buffer setbacks shall be met as verified by the County Building Inspector.
  - C. 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.
  - 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. 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.

Owner: Josiah Adams and Kristy Kroeker

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, it 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. <u>Settlement</u>. 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. <u>Successors Bound</u>. "Development Approval Holder" shall include the applicant and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

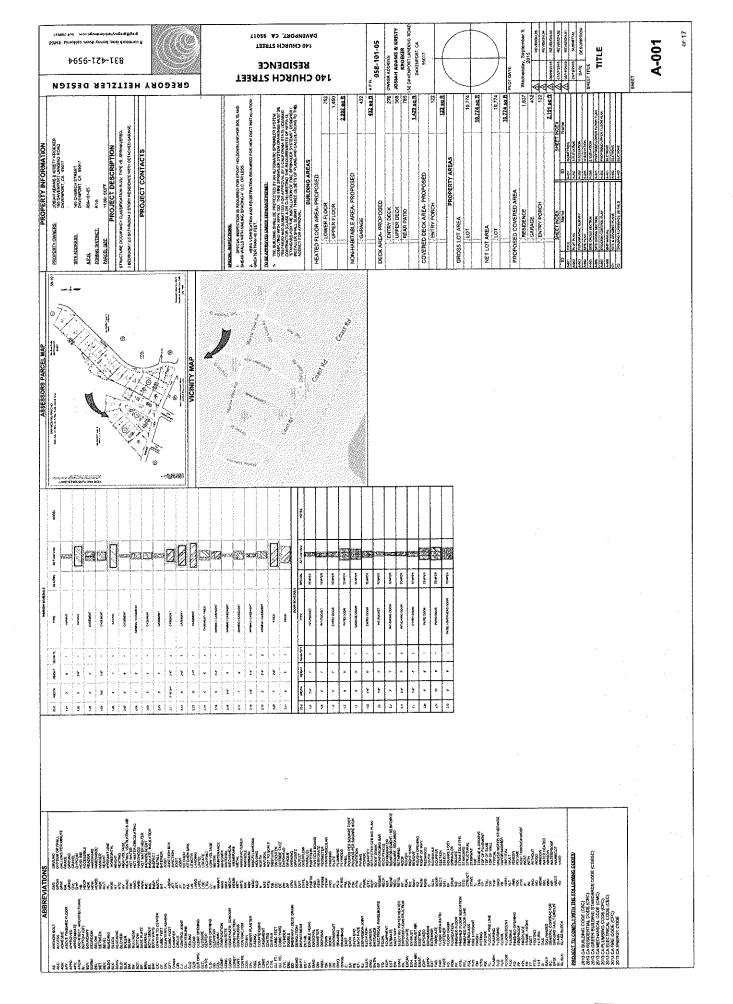
Minor variations to this permit which do not affect the overall concept or density may be approved by the Planning Director at the request of the applicant or staff in accordance with Chapter 18.10 of the County Code.

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.

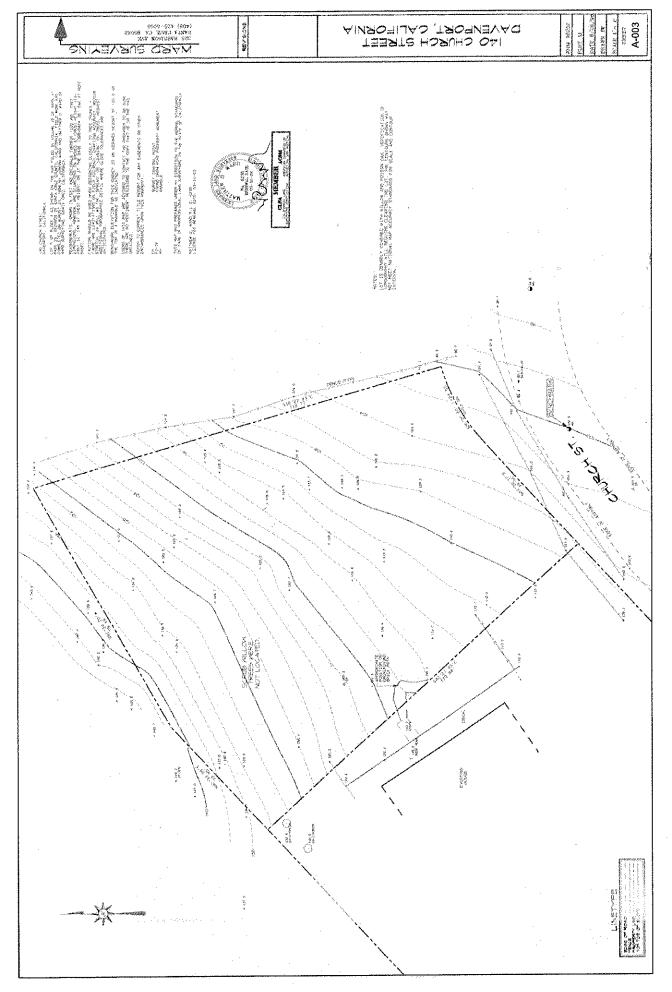
Owner: Josiah Adams and Kristy Kroeker

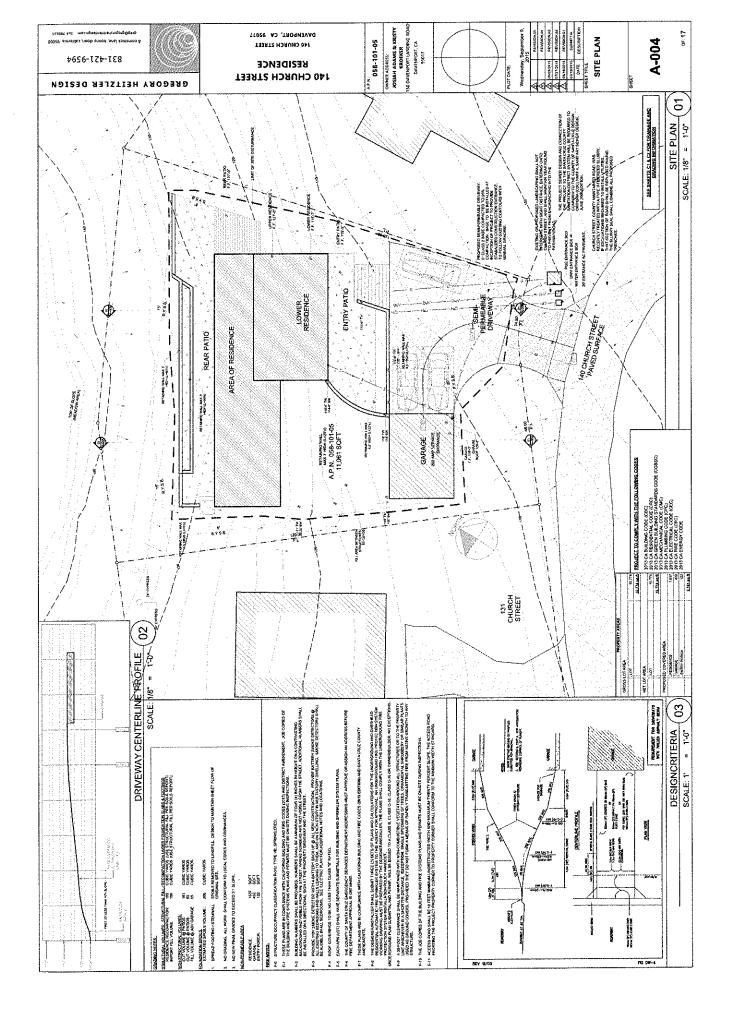
Approval Date:		
Effective Date:		
Expiration Date:	·	

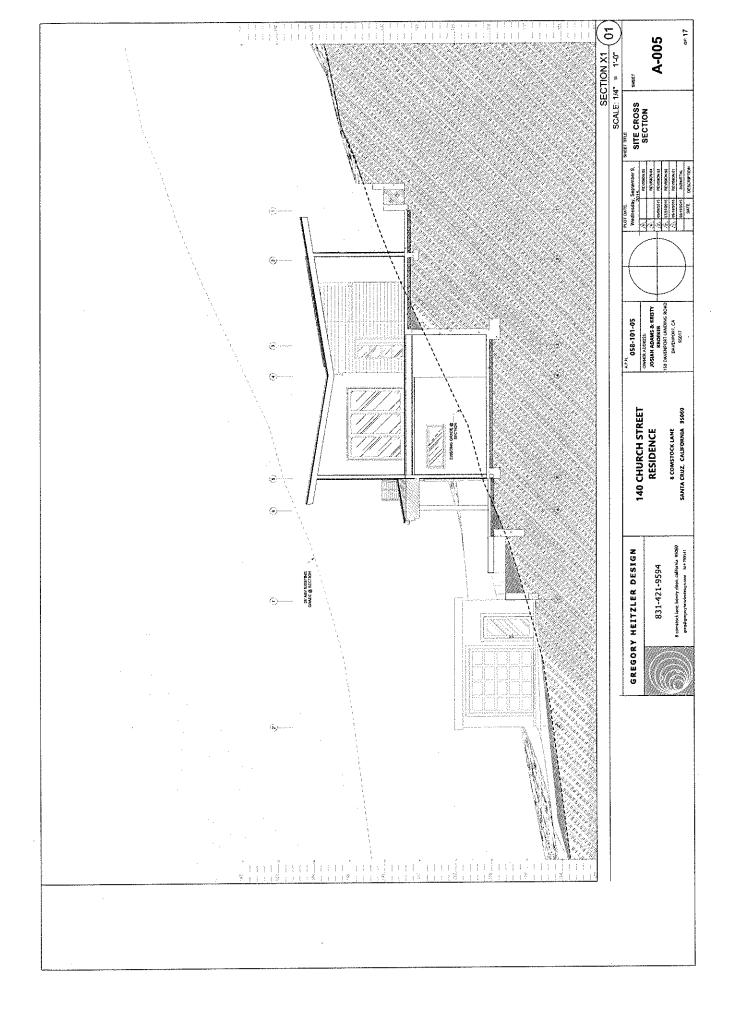
Appeals: Any property owner, or other person aggrieved, or any other person whose interests are adversely affected by any act or determination of the Zoning Administrator, may appeal the act or determination to the Planning Commission in accordance with chapter 18.10 of the Santa Cruz County Code.

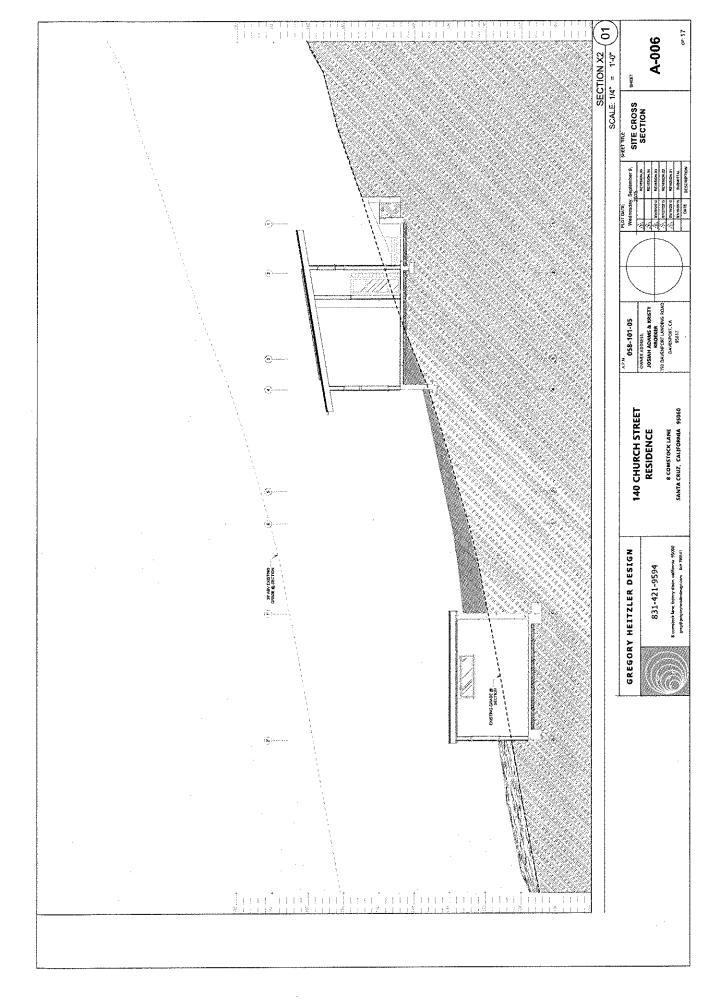


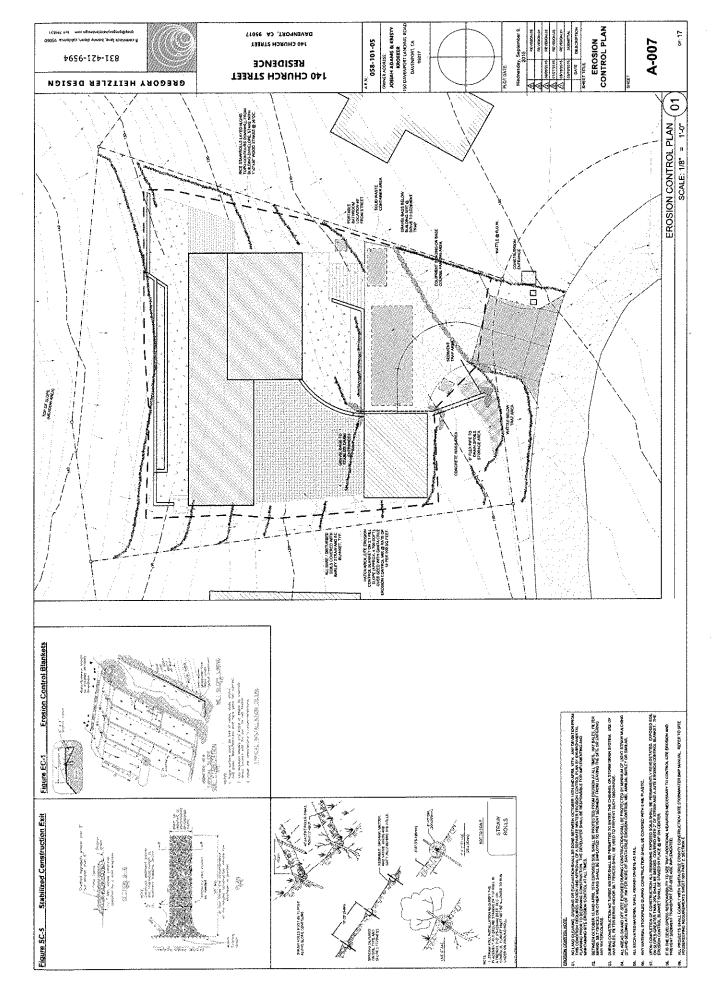




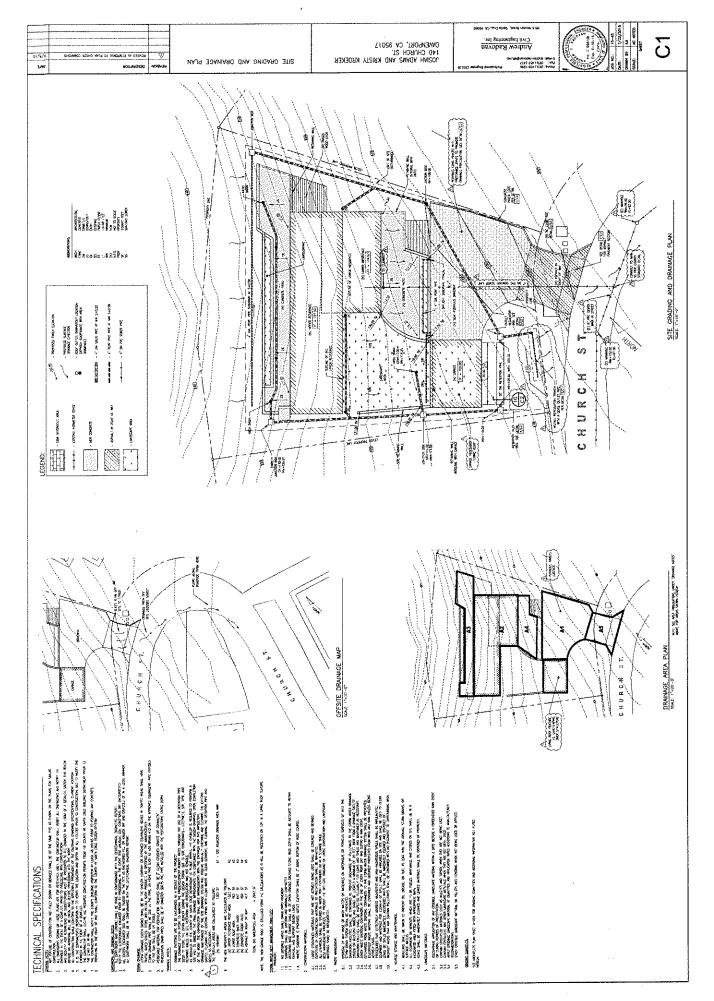


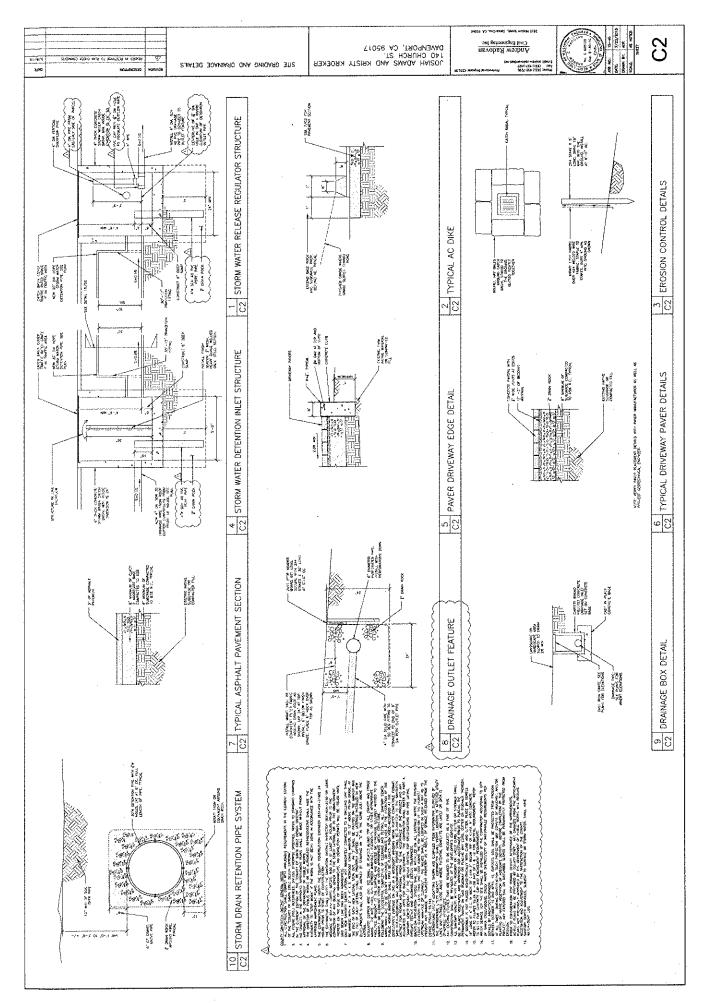


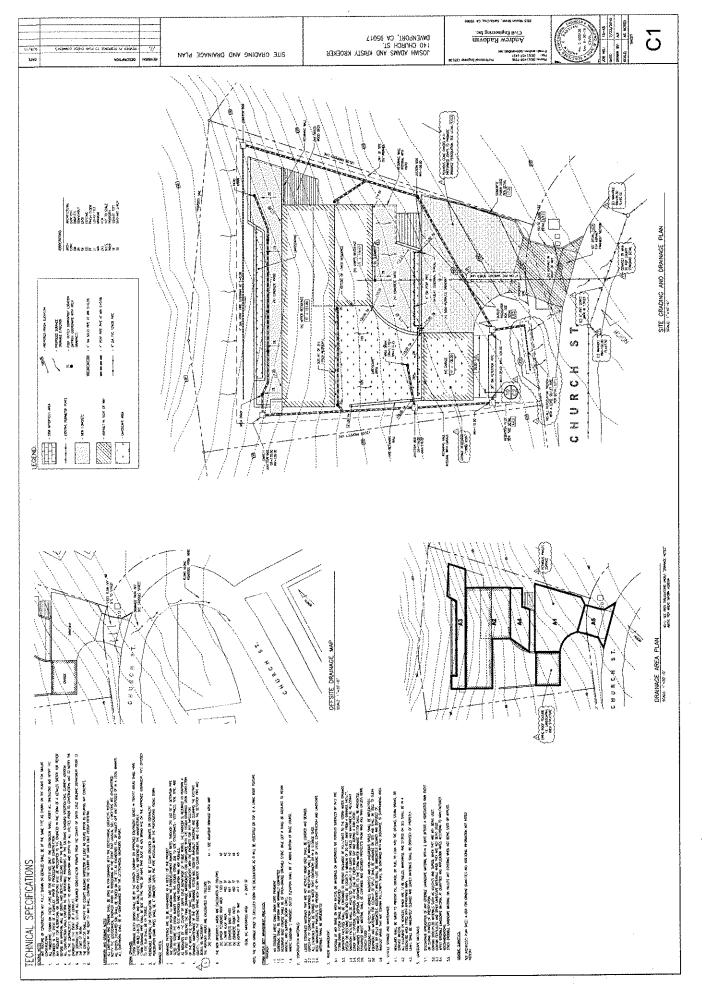


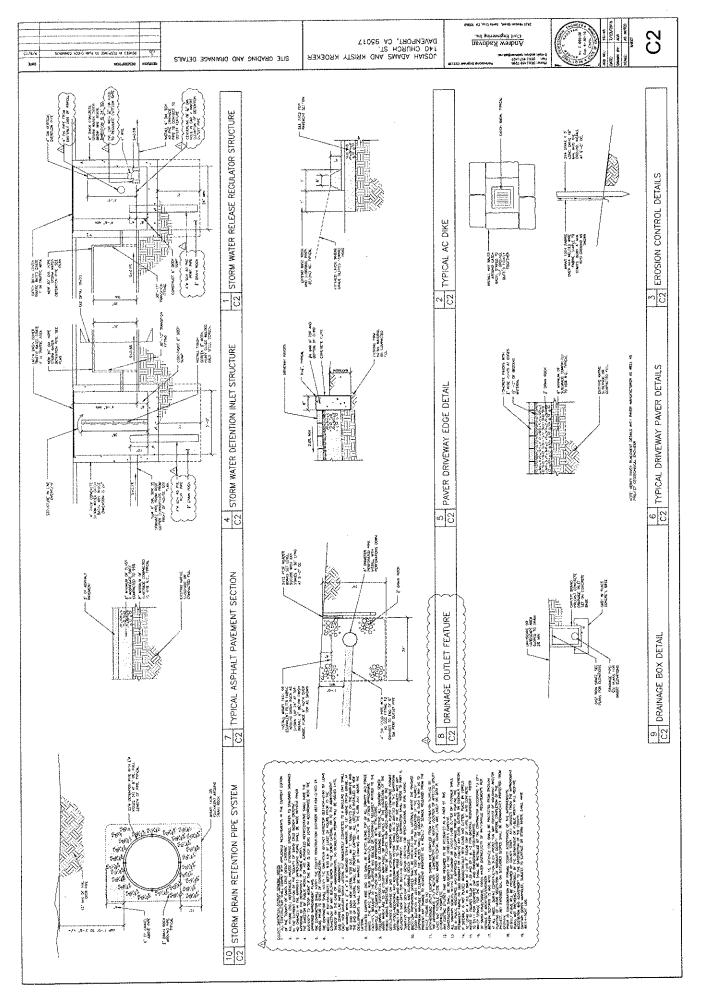


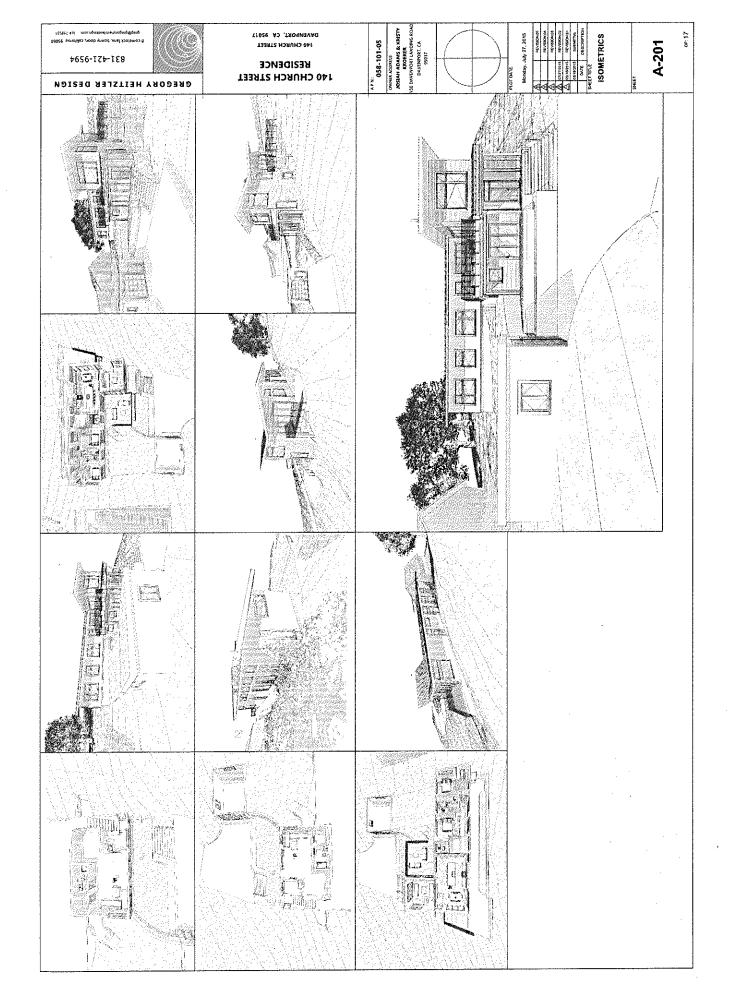
Proposed on Institute State of	140 CHURCH STREET RESIDENCE 140 CHURCH STREET DAVENPORT, CA. 95017	058-101-05 OWNER ADDRESS COUNTER ADDRESS COUNT	Wednesden, September 9. Wednesden, September 9. A S	A-008
		1012	4444411	12
Another period is record and through an electric part electric part in the first part of the period	- Program to the referring best backed as the advantage of the bit is a format of the program and results of council of the program and results of the council of the program and results of the council of the program and results of the p			
The each interest lowersh and interest developes the entering that all these should be just the each of a few which is present developes to the each of a few which is present developes to the each of a few which is present developes to the each of a few which is present developes to the each of a few which is present developes to the each of a few which is present developes to the each of a few which is the each of a few which is the each of the each of a few which is the each of the each of a few which is the each of a few which is the each of the each of a few which is the each of a few in a few in a few which is the each of a few in a few i	to the control of the	The control of the co	respectives, in all and profession and experient resources, or centre contents because of the wavelet and by progress fractions and profession and and an advantage of the centre contents of the centre conte	and a seal has the reason produce in 1000 bits for the produce in 1000 bit
PART STORNWATER POLICIPON CONTROL PLAN  REQUIREMENTS  The General security is required on the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated and the normalized publishes control from  It was dominated to the normalized publishes to the normalized and th	we consider the facility of the considered with a first the beautions of the considered with the considered with the considered with a first the considered with the c	Minimizing qualities.  Minimizing qualities with the property before the property of the prope	The control of the co	Fifther city are used as seable as come) instruction, the plans must include Tipmer SC(1).  SC(2) and it is used by particular committing what it is planed intow mean a subsequence of the first include the burning committed when the committed committed and in present the committed committed of the com
Similar Lifetinas:  Similar Lifetinas:  Similar Lifetinas:  Similar Lifetinas:  Similar Simila	And the tree (content and a present a pres	To compare the state of the sta		
COUNTY OF SANTA CRUZ  CONSTRUCTION SITE STORMWATER POLLUTION CONTROL BMP MANUAL	OUTDINGTON COUNTY (COUNTY OF THE COUNTY OF T	of the figures whoses as on the shore, but is the factor Code.  Note of the figures whoses a set of control code of co		

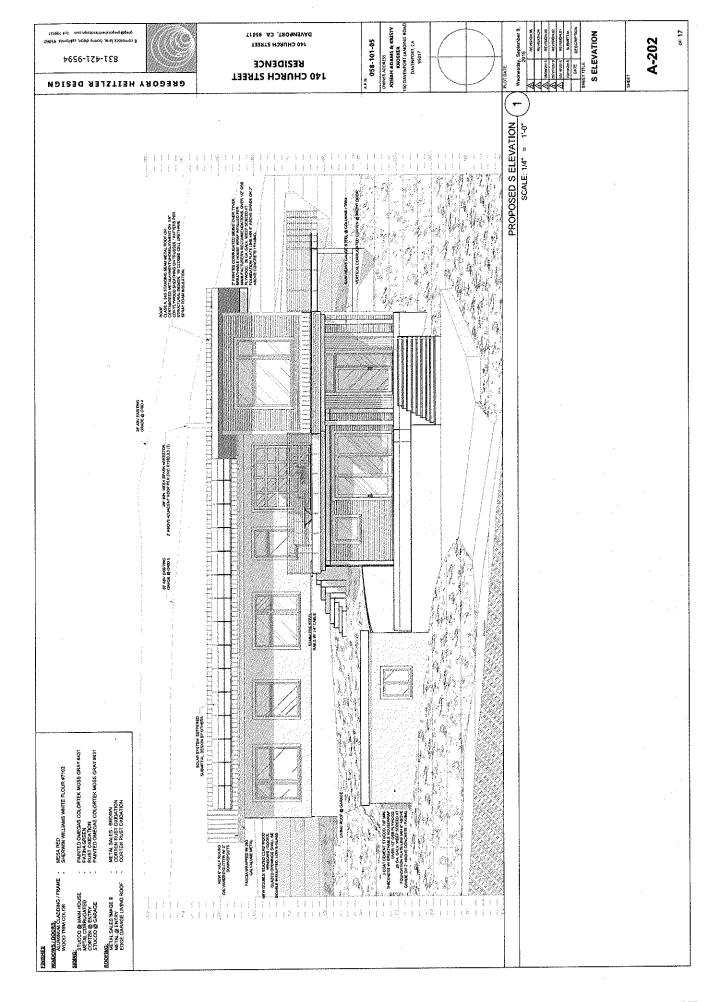


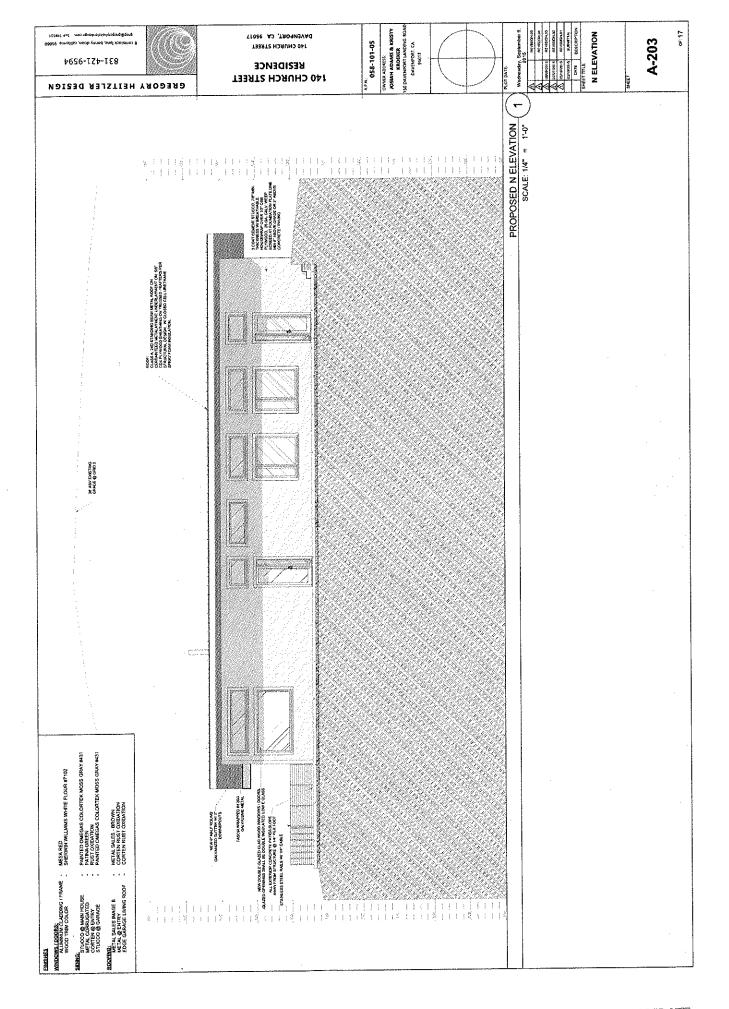


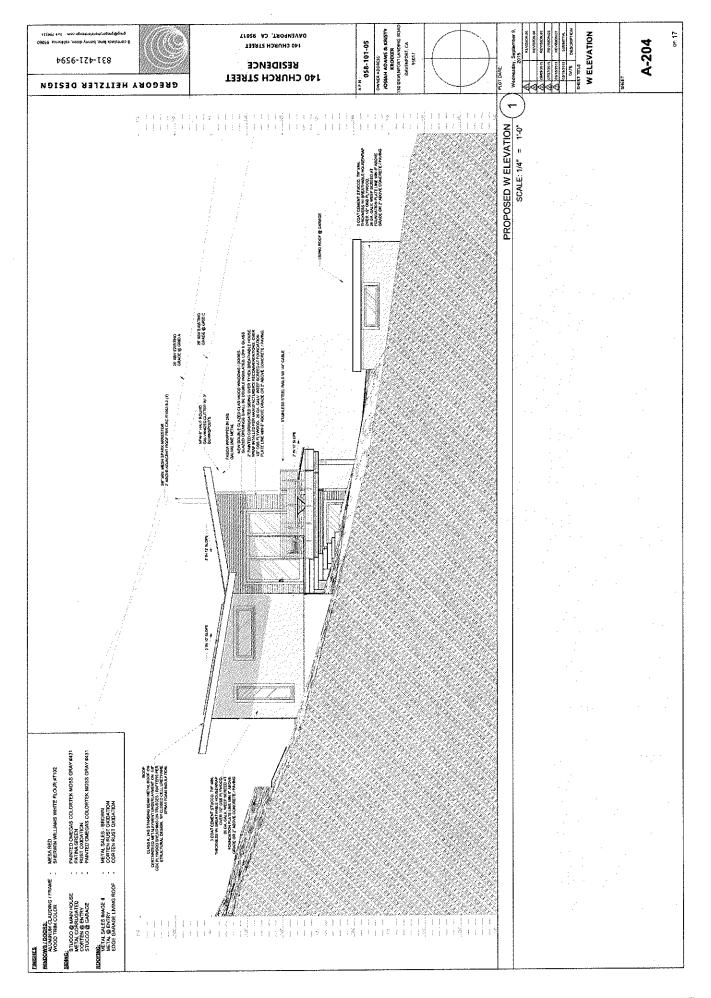


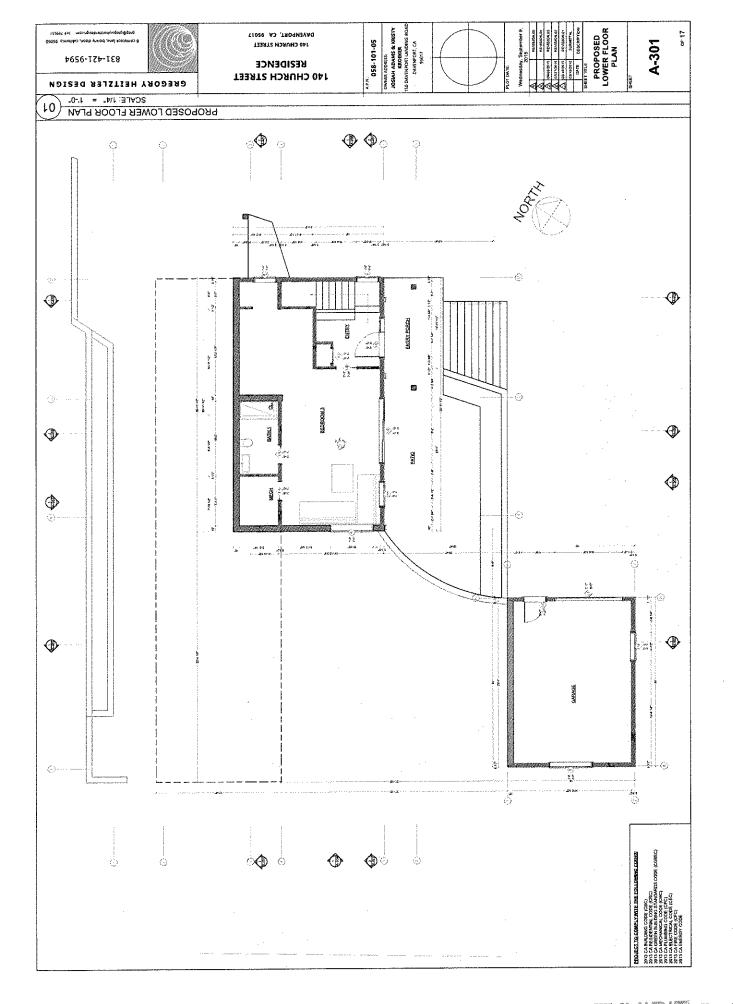


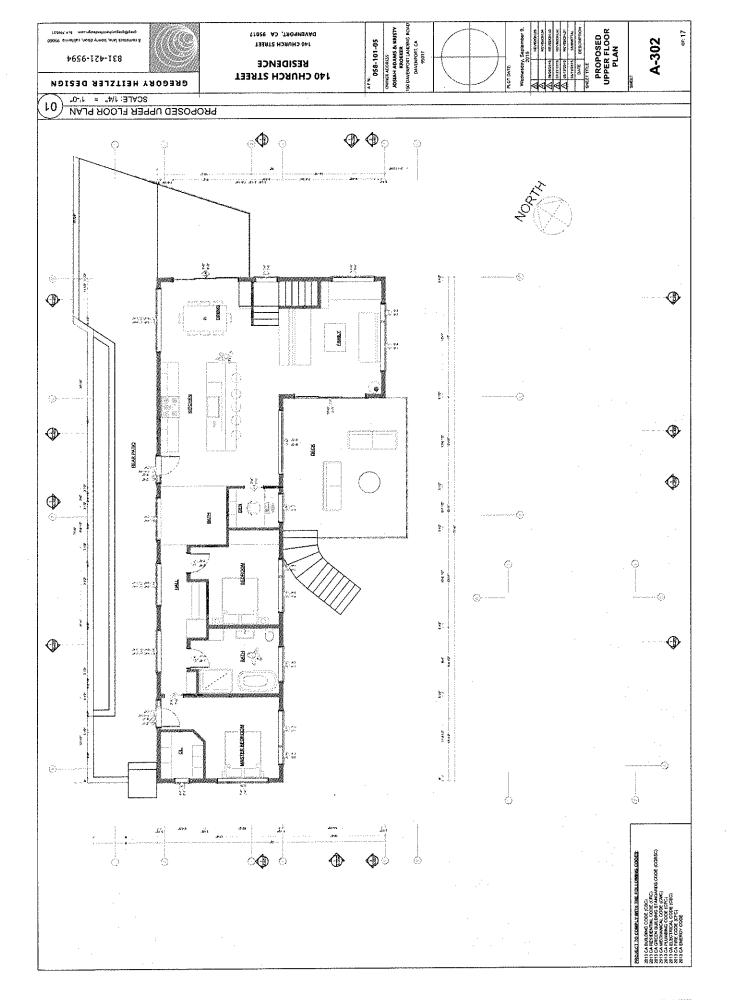


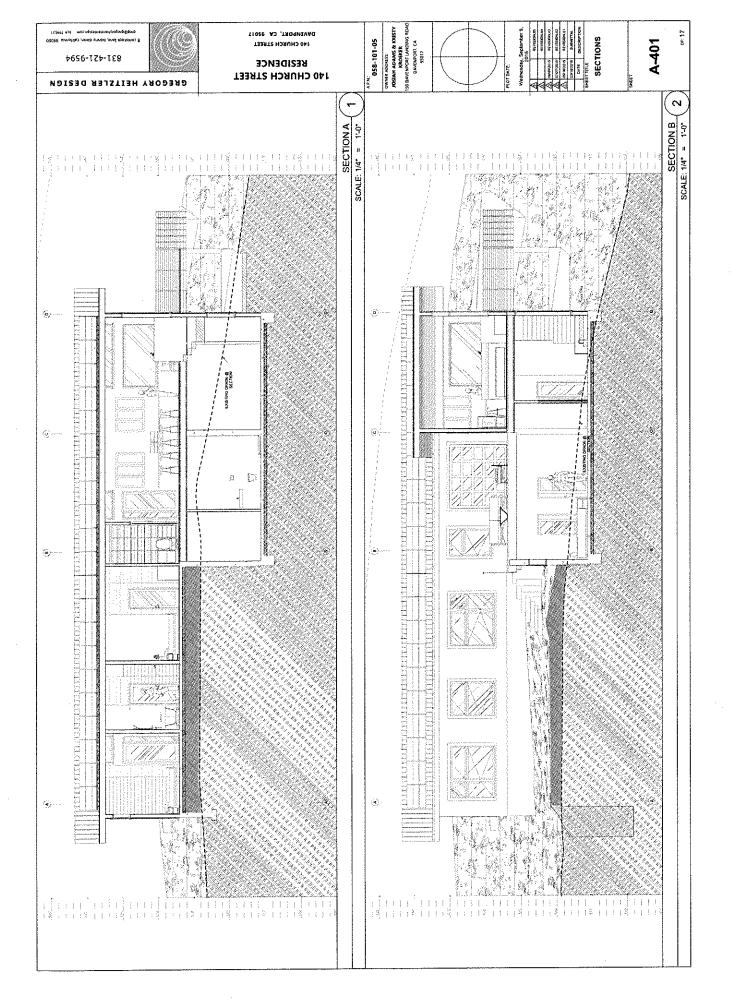


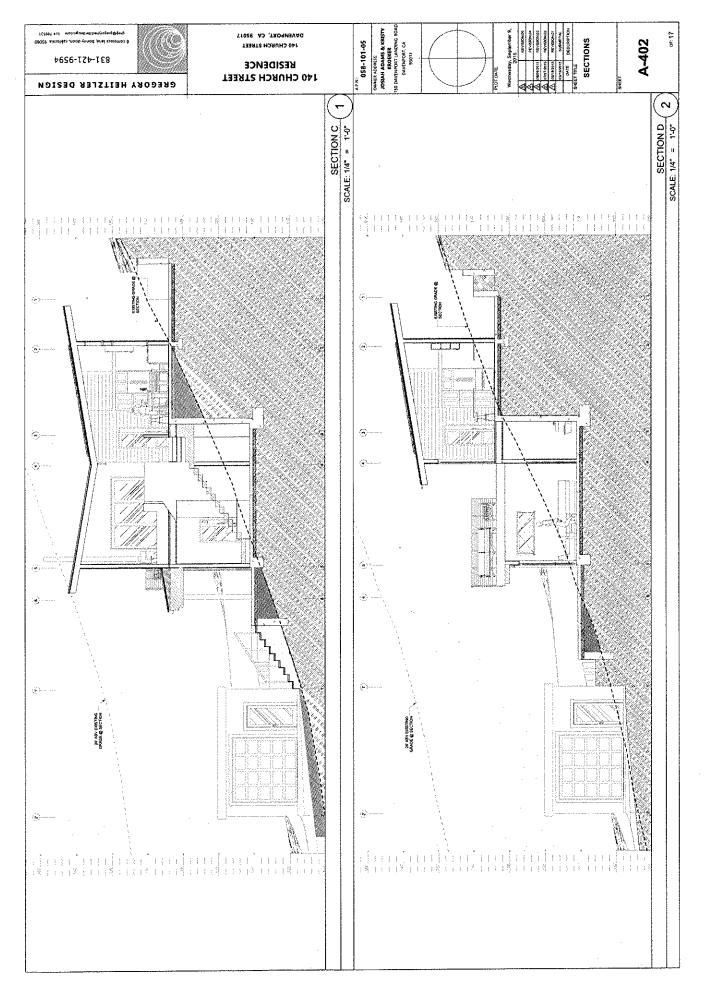


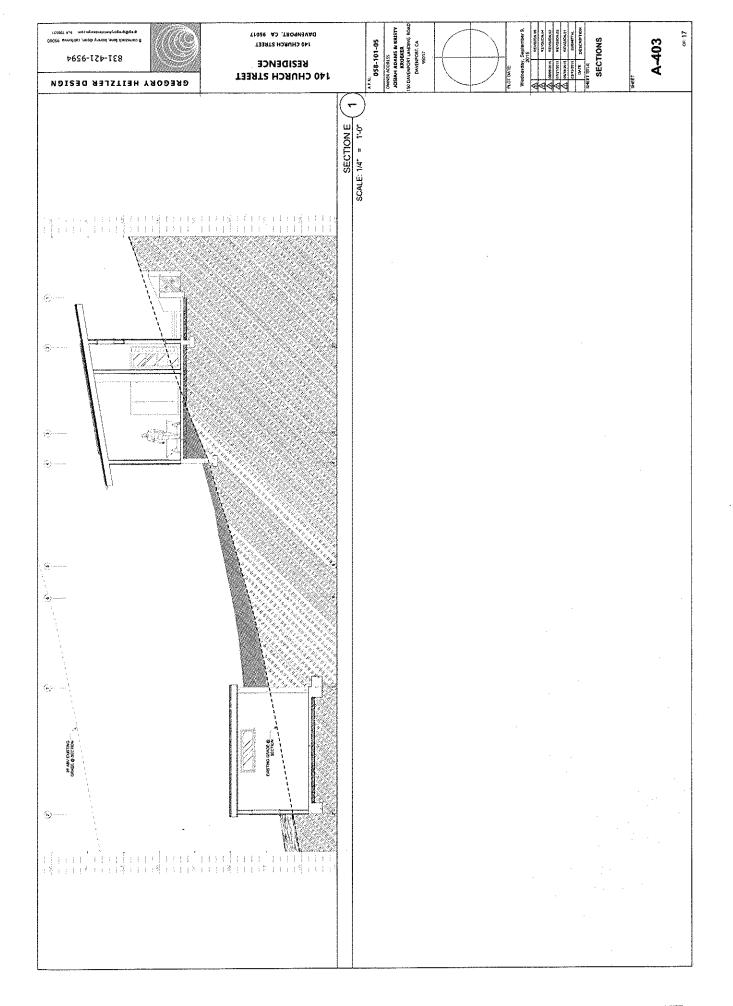






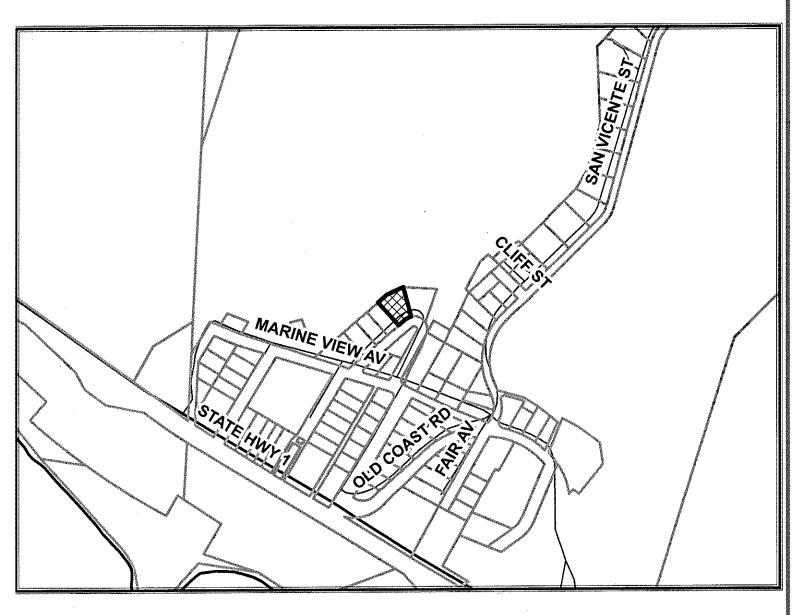








# Location Map



0 337.5 675 1,350 2,025 2,700 Feet

APN: 058-101-05

Assessors Parcels

Street

State Highways

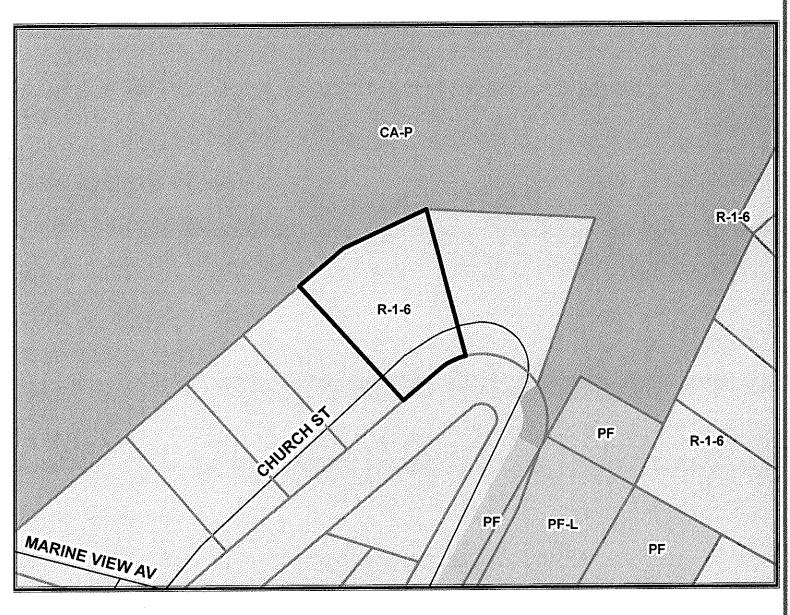
County Boundary



Map Created by County of Santa Cruz Planning Department April 2015



# Zoning Map



0 65 130 260 390 520 Feet

LEGEND

APN: 058-101-05

Assessors Parcels

Street

RESIDENTIAL-SINGLE FAMILY

PUBLIC FACILITY

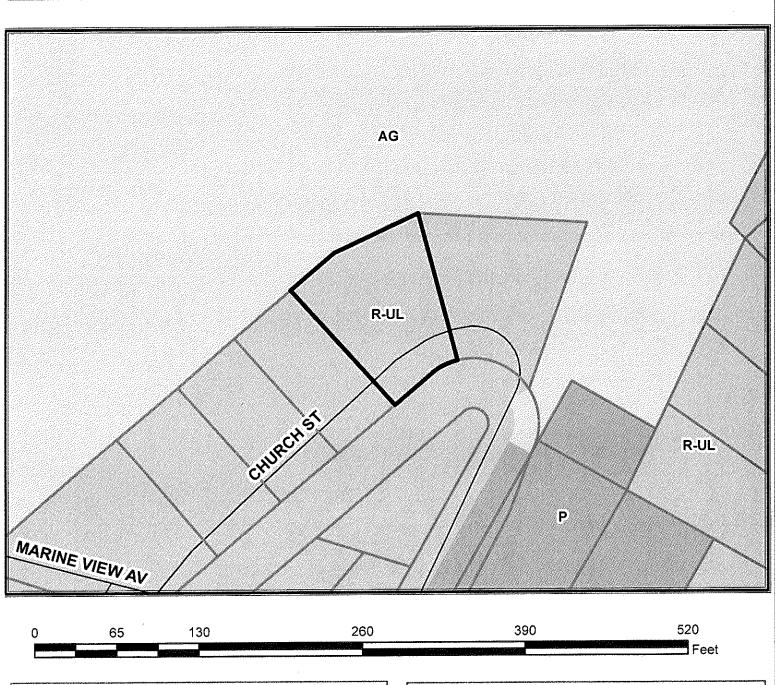
AGRICULTURE COMMERCIAL

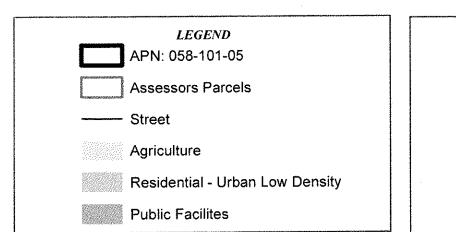


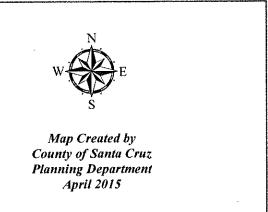
Map Created by County of Santa Cruz Planning Department April 2015



# General Plan Designation Map







# PRELIMINARY ARCHAEOLOGICAL RECONNAISSANCE OF PARCEL (APN 058-101-05), 140 CHURCH STREET, DAVENPORT, CA 95017



May 5, 2015

Prepared For

Josiah Adams, 150 Davenport Landing Road Davenport CA, 95017

Ву

Patricia Paramoure, A.S., B.A., M.A., RPA Principal and Consulting Archaeologist

Patricia Paramoure Archaeological Consulting
5439 Soquel Drive
Soquel, CA 95073
(408) 891-9678
patparamourearcheconsult@gmail.com

Sites: Negative

Acreage: ca. 0.25 Acres

UTM Approximate Center of Parcel: Zone 10 S, 0571790 mE / 4096610 mN

Quad Map: DAVENPORT, CA 7.5' USGS Quad

Key Words: Negative Project No: PPAC 15-05-1

#### MANAGEMENT SUMMARY

The archival research and the surface reconnaissance do not indicate the presence of an archaeological site in the proposed project area (within the subject parcel). No archaeological impact is predicted and the proposed construction should not be held up on the basis of archaeological concerns.

#### INTRODUCTION

Patricia Paramoure Archaeological Consulting (PPAC) was contracted by Josiah Adams, Property Owner, 150 Davenport Landing Road, Davenport CA 95017 to perform an Archaeological Review required by the County of Santa Cruz Planning Department prior to issuance of a permit to construct a single-family home on APN 058-101-05, located at 140 Church Street, Davenport, CA 95017. The Archaeological Review consisted of: 1) archival research both at the Northwest Information Center of the California Historical Resources Information System, in Rohnert Park, California, and within the files of PPAC 2) performing a surface field survey on the parcel, 3) evaluation of the field findings, and 4) management recommendations.

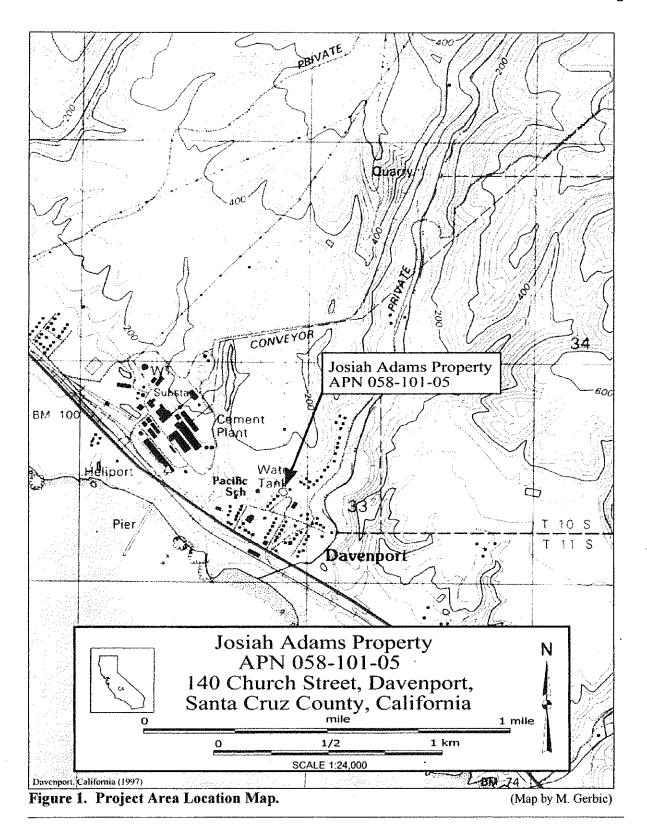
#### LOCATION

The subject parcel can be found on the DAVENPORT 7.5' USGS quadrangle map within the unsectioned lands of the San Vicente Mexican Land Grant, at 140 Church Street, in the northern portion of the primary central area of the community of Davenport, CA. The UTM location for the approximate center of the parcel is Zone 10 S, 0571790 mE / 4096610 mN. The property is located northeast of California State Route 1, approximately 12 miles northwest of downtown Santa Cruz, in the unincorporated lands of the County of Santa Cruz. The parcel is reached by paved county roads. (See Figure 1, Project Area Location Map, Page 2.)

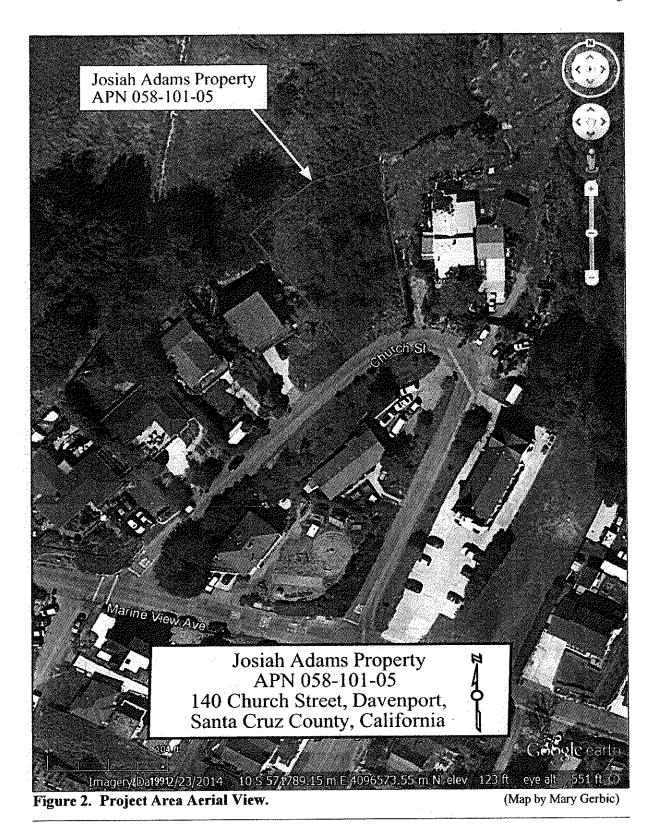
#### NATURAL SETTING

The climate in Santa Cruz County consists of a dry season and a wet season. The dry season extends from May to October, and the wet season extends from November to April. The precipitation rate is lowest along the coast and highest in the inland mountains. Annual average

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA



Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA



Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

rainfall ranges from twenty to fifty inches. The winter winds blow from north to south. The summer winds blow from the west and northwest to the east, and bring in fog that usually dissipates during the day (Gordon 1977). As Davenport is approximately 12 miles northwest of Santa Cruz and immediately adjacent to the coast, it is exposed to more extreme weather conditions from winter storms than the Santa Cruz area and other coastal areas that are more sheltered within Monterey Bay, or inland areas of the county, and Davenport also experiences more impacts from the affects of coastal marine layer precipitation and fogs than other coastal or inland areas.

Soils in this region, when intact, consist of the Watsonville-Elkhorn-Pinto complex, comprised of very deep, nearly level to moderately steep, well-drained to somewhat poorly drained loams and sandy loams on marine terraces and old alluvial fans and plains, that cut through primarily northwest striking, folded marine and non-marine sedimentary rocks from the late Eocene to the Pleistocene. The primary rock types in the study area are sandstone and mudstone. Erosion due to farming and logging activities during the late 19<sup>th</sup> and early 20<sup>th</sup> centuries has contributed to the siltation of streams and seasonal drainages. The modern overdraft of the underwater aquifers in the general region has contributed to a significant drop in the flow of streams and springs in recent years, as has a general drop in rainfall over approximately the past 100 years (USDA 2011; USDA 1980).

The property is situated in the Coastal Rangeland vegetation zone, within marine terraces and gently rolling, open grasslands sloping southwest toward Monterey Bay, at the interface with the grass-covered foothills of the nearby Santa Cruz Mountains. The vegetation is characterized by Küchler (1977) as a Coastal prairie-scrub mosaic (*Baccharis-Danthonia-Festuca*) composed of grasslands interspersed with small stands of hardwoods such as live oak (*Quercus agrfolia*) and bay-laurel (*Umbellularia californica*). Historically, the foothills included the interface between the coastal rangeland and the Redwood Forest. Major logging operations took place in the Santa Cruz Mountains after smaller stands along the low terraces and foothills were first cut (Welch 1992:19). Significant numbers of coastal trees were felled to provide fuel for domestic and industrial use, including lime manufacture and whale blubber processing, which were both done in this area during historic times.

The native vegetation has been altered throughout the historic period. These areas were cultivated and grazed after settlement by European descendants, when farms and ranches occupied the area, and many of the trees were cut down for human use during this same time. Additionally many introduced foreign species of vegetation including grasses, trees, and flowering plants, both planted and incidental, have contributed to the changes in plant communities over time. Other factors include farming and logging, mentioned above (Gordon 1977).

Around this area a great number of animal species can be found. About 330 species occur including 250 species of birds, 56 mammals, 8 reptiles, and 13 amphibians, excluding all marine species (Roper 1993: 23). Species that are no longer present in this area are the grizzly bear, wolves, tule elk, pronghorn antelope, Guadalupe für seals, and jaguars. Species that were almost

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

hunted to extinction but that are now making a comeback include gray whales, sea otters, elephant seals, and mountain lions. Some species that were present in aboriginal times have become more numerous, including black-tailed deer, sea lions, cottontail rabbit, coyote, raccoon, meadow-mice, and ground squirrels. Other species that have been introduced to this area are the common mouse, Norway rat, Virginia opossum, gray squirrel, Russian boar, muskrat, and golden beaver (Gordon 1977).

#### HISTORY

# Pre-contact History of the Davenport Area

By Rob Edwards

The first signs of human occupation in this region appear to be approximately 8,500 - 10,000 years ago in Scotts Valley. Evidence of dense occupation of the Santa Cruz County area, at least as has been documented to date, does not appear until about 6,000 BP.

Living in an area of considerable ecological diversity allowed the early inhabitants of the north Monterey Bay region to have a hugely varied diet. They relied most heavily on foods collected in the inter-tidal region. The local archaeological middens contain shell from California mussel, black turban, limpet, barnacle, olivella, brachiopods, dogwinkles and other rocky shore mollusk species (Hylkema 1991). However, they also traveled inland for plant foods like acorns, grass, and flower seeds, buckeye, roots and berries. They hunted terrestrial animals such as elk, deer, rabbit, gopher, marine resources, and fished freshwater streams.

Due to the highly mobile lifestyles of both foragers and collectors, it is to be expected that they would not burden themselves with heavy non-portable possessions. This observation is borne out by the artifacts found at local village sites of both earlier and later periods (Hylkema 1991: 7). The earlier inhabitants of the Santa Cruz coast relied on stones, shells, animal bones, and plants for materials for their tools and equipment.

Baskets were made to serve a wide variety of purposes: cooking vessels, storage containers, water carriers and seed-gathering devices. Before about 4,000 B.C., they made arrowheads and other tools from animal bone and antler, from the local Monterey chert, from Franciscan chert received in trade from the Santa Clara Valley (Hylkema 2003: 270), and from obsidian quarried in Casa Diablo and the Bodie Hills on the east side of the Sierra Nevada, and from Napa and Clear Lake north of the San Francisco Bay (Roper 1993: 321).

Using the concepts developed by Binford in 1980, two basic subsistence strategies were practiced in this region. During the earlier phase (5800 BP to 1000 to 2000 BP), the residents were foragers who lived in small groups and moved from site to site throughout the inland and coastal ecosystems within their territories in order to take advantage of food resources as they became available. They would then settle into a camp or village where they would process and eat the harvests, as well as carry on all the other activities of daily life. Some camps or temporary villages would be revisited time and time again, resulting in a build-up of refuse consisting of

Archaeological Reconnaissance Report

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA many types of artifacts, including food debris, lithic debris from tool-making, trade items, and burials (Hylkema 1991:15).

It has further been proposed that at least by 2000 years ago, a new group of people entered the area that followed a somewhat different collector subsistence strategy. This correlates in time to a rise in oak pollens found in sediment cores taken from Elkhorn Slough, indicating that oak trees became more prevalent in the coastal region between 1700 and 2000 years ago, attracting communities who relied mostly on acorns as a staple food (Roper 1993: 308). While both foragers and collectors were quite mobile, collectors tended to establish more long-term villages as bases to maintain acorn storage facilities. The communities became more sedentary and grew in population (Hylkema, personal communication). Members of the community traveled from more permanent sites to seasonal task-specific camps to harvest other resources as they became available, but would then return to the village once the harvest was complete to process the food. The seasonal camps might be revisited year after year, but would be expected to contain debris only from particular seasonal activities, rather than the full complement of artifacts generated by daily village life in a permanent site (Hylkema 1991: 21).

As proposed by Gary Breschini in 1981, it appears that the early foragers may have been members of Hokan speaking groups who are thought to have occupied the area until the entry of Penutian speaking collectors. Whether the change indicates the replacement of one people by another, or the adoption of new technologies by the same people, is still under discussion (Hylkema, personal communication 2008). Recent DNA studies of archaeological materials seem to support replacement (Breschini, personal communication 2014).

Whatever the mechanism for the change, in the northern portion of the Monterey Bay coastal area where fewer oak trees were present, foraging continued to be the optimal subsistence strategy at least until 1000 A.D., and may have persisted in isolated pockets until after the arrival of the Spanish in the 1770s (Hylkema 1991:25). The growing separation of the coastal cultures and the inland acorn-based cultures was evidenced by the decreasing amount of imported materials and the increasing reliance on local materials for tools, until about 1000 A.D., after which no new Franciscan chert is found (Hylkema, personal communication 2008).

#### Ethnography

At the time of European contact, the Santa Cruz County area was within the traditional territory of the native Costanoan peoples. The term Costanoan is derived from the Spanish word for the local inhabitants, *Costeños*, meaning people of the coast. The aboriginal peoples collectively labeled Costanoan by ethnographers were actually several distinct sociopolitical groups who spoke between eight and twelve separate languages belonging to the Utian family of the Penutian language stock and lived in a contiguous geographic area. The language spoken in the Santa Cruz area was documented in Mission records as *Awaswas*. The nearest linguistic relatives of the Costanoan languages were those of the Miwok to the north and northeast (Levy 1978:485–486; Margolin 1978:1). The Costanoan peoples occupied the region surrounding the San Francisco Bay, with the southern coastal extent of their territory including the Monterey Bay region south to the area

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

around Point Sur (Kroeber 1925:462). Since the 1970s, some descendant groups in these areas have preferred to use the term Ohlone to refer to themselves (Levy 1978:487; Margolin 1978:1).

The primary sociopolitical unit was the tribelet. Each tribelet was made up of one or more permanent villages with multiple seasonal villages and camps within their territory, defined by physiographic landscape features. Chiefs served primarily in an advisory capacity and the office was passed on patrilineally, with a daughter succeeding if there was no male heir (Levy 1978: 485–487; Milliken 1995:1).

The Native Americans of the Santa Cruz County area employed a subsistence strategy that exploited both land and ocean resources through hunting, fishing, and gathering. They managed their landscapes through controlled burning to promote the growth of seed-producing annual plants. Acorns were likely the most important dietary plant. Additional vegetative foods included seeds, shoots, bulbs, and tubers. Meat protein came from large and small terrestrial and sea mammals, along with birds, fish, reptiles, insects, and shellfish. Their technology included tule balsa rafts, bows and arrows, flaked stone tools, pigments, cordage, woven skins and pelts, mortars and pestles, and basketry. Warfare between tribelets and with outside groups was common, with trespassing being a prevalent cause of conflict (Levy 1978: 487–493; Margolin 1978:13–16). Although evidence shows the local Native Americans used portions of the Santa Cruz Mountains, they changed the landscape only in small subtle ways, in contrast to historic use of the mountain resources, which changed the area significantly.

After European contact, missionization, disease, and displacement due to population collapse caused the breakdown of social organization that severely disrupted the lifeways of the Ohlone peoples. Mission-based interaction with other groups from disparate geographical, linguistic, and cultural backgrounds also contributed to significant culture changes. When the newly independent Mexican government secularized the missions during the 1830s, the natives experienced further critical changes to their way of life. Many natives voluntarily left or were evicted from Mission holdings and became laborers at Californio-owned *ranchos* (ranches) or in the developing *pueblos* (towns). Multicultural Native American hamlets formed from these displaced populations were established within and just outside many new towns and ranches. The appropriation of California by Anglo-Americans further worsened the plight of the natives, as they became third class citizens in their own homeland (Levy 1978:487; Bean 1994:xxii).

There are no known remnants of Native American sites within or adjacent to the project area. Evidence of Native American sites includes dark midden soil with eroded marine shell fragments, fire-altered rock, isolated ground stone, and/or points or flakes of chert or obsidian. None of these were seen during the pedestrian survey of the project area.

#### The Study Area During the Spanish and Mexican Eras

The Davenport area was first traversed by Europeans in 1769 when Captain Gaspar de Portolá y de Rovira led an expedition totaling 64 people, and comprised of soldiers, priests, and Mexican Indians, from Loreto, Baja California, to Monterey, Alta California, by way of San Diego. Their

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA



aim was to relocate Monterey Bay, so much praised by Vizcaíno in 1602 as a potential harbor for Manila Galleons returning to Mexico by way of the California coast (Clark 2008: 249; Welch 1992:10). They missed Monterey Bay due to heavy summer fogs and continued north, along the coast, traversing the Santa Cruz County area, including the Davenport coastline, continued on, and discovered San Francisco Bay. On October 18, 1769, diarist Fr. Juan Crespi documented that their exploration party camped at what is now called, Majors Creek, which forms part of the western boundary of Wilder Ranch State Park. The following day, October 19, 1769, the expedition continued along the coast, passing through what is today the Davenport area, before camping that night on Scott Creek (Bolton 1927).

The Portolá expedition included the founding of a presidio and mission at Monterey. In 1771, due to problems between the Indians and the soldiers, this mission was moved south and became known as Mission San Carlos de Borromeo de Carmelo. Eventually, two more missions were established in the area, Mission Santa Cruz, in 1791, and Mission San Juan Bautista, in 1797. These three missions baptized thousands of Native Americans from the Monterey Bay region, with Missions Santa Cruz and San Francisco (1776) recording the majority of converts from the northern Santa Cruz County area (Milliken 1988).

The Quiroste tribe of Ohlone Indians were from the Año Nuevo region and the mountains to the east, at the northern edge of Monterey Bay, and the Native Americans from Davenport may have been allied with this group centered a little less than 10 miles up the coast to the northwest. The Quiroste were likely the largest and most powerful coastal tribe between Monterey Bay and the Golden Gate due to their control of the Monterey banded chert source at Año Nuevo, widely traded throughout the area for use in stone tool manufacture. This tribelet was responsible for what was likely the only direct assault on a mission building in the central California area. On December 14, 1793, they attacked and partially burned two buildings at Mission Santa Cruz, under the leadership of Charquin, who was later captured and imprisoned at the Santa Barbara Presidio (Milliken 1991).

Until the 1830s the northwestern portions of today's Santa Cruz County were primarily used as pasture for livestock belonging to first, Mission Santa Cruz, founded in 1791 on the west side of the San Lorenzo River, and later, to the Villa de Branciforte, the pueblo (town) founded on the east side of the same river and settled in 1797. Both were located approximately 12 miles to the southeast (Rowland 1980:167).

After both Mexico declared its independence in 1822, and the missions were secularized in 1833, the extensive lands previously belonging to the church were open for private ownership. By 1844, lands in the Davenport area had all been claimed. Ranching and cattle grazing became the prominent land use patterns and the hide and tallow trade dominated the economy. The Indians settled on the edges of developing towns, working as low-level laborers, or dispersed into the countryside to work on the ranchos. Some returned to their home territories while others formed villages, living on the fringes of Californio society (Welch 1992: 12-13).

The study area for this project is within the unsectioned lands of the Rancho San Vicente Mexican Land Grant. This rancho was named for Arroyo San Vicente, today called San Vicente Creek, and was confirmed at 10,802.6 acres. Fronting on the Pacific Ocean, it encompassed the lands between Rancho Agua Puerca y las Trancas, with the border at Agua Puerca Creek near Davenport Landing, and Rancho Arroyo de la Laguna, with the border at San Vicente Creek near Davenport, and extended to the ridge of Ben Lomond Mountain. The rancho was originally granted to Antonio Rodriquez in 1839, but was re-granted to Blas A. Escamilla, a native Californian, and his wife, Vicenta Rodriguez, in 1845 (Clark 2008: 272).

#### The Study Area During the American Period

The Rancho San Vicente was sold to Peter Tracy, the first Santa Cruz County Clerk, in 1853 (Clark 2008: 272). Described as a "bright and efficient young attorney", Tracy served both in this capacity and as the County Auditor / Controller from 1850-1855 (Bates 1912: 411).

The town of Davenport was established in 1868 and was originally located near El Jarro Point, at the mouth of Agua Puerca Creek, about two miles to the northwest of the modern community of Davenport. What came to be called Davenport('s) Landing was founded by Captain John Pope Davenport of Tiverton, Rhode Island, who was a sea captain, and from 1845 to 1850 he commanded a whaling ship operating out of California ports. In 1852, he married Ellen Smith, who did not like him spending so much time at sea, so he began shore whaling. They moved to Monterey, then to Moss Landing, then to Soquel Landing (modern Capitola) before building a house of the bluff next to the cove at Agua Puerca Creek. Here, the last 3 of their 10 children were born. In 1867, Captain Davenport, along with partner, John King, built a four hundred foot wharf and set up vats and other equipment to continue on-shore whaling operations. At its peak, the town was comprised of a post office, two hotels, two general stores, a blacksmith and butcher shop, a ship yard, and homes. The wharf shipped lumber and cordwood in addition to whaling products. The operations were abandoned in 1880 due to the reduced volume and high cost of operations. Captain and Mrs. Davenport then moved into Santa Cruz where he sold real estate and acted as a Justice of the Peace. Davenport died in San Francisco at the age of 74, in 1892, but his widow lived into the 20th century and is buried at the I.O.O.F. Cemetery in Soquel. Unfortunately, most of the early town of Davenport('s) Landing was destroyed by fire in 1915 (Clark 2008: 84-85; Orlando 1995: 1-2; Rowland 1980: 185).

In 1905, William J. Dingee, a cement investor from the east, bought the lime kilns and began development of the Santa Cruz Lime Company at the small settlement of San Vicente, located on the Coast Road at San Vicente Creek, 2 miles southeast of Davenport('s) Landing. He briefly used the still operable wharf at Davenport('s) Landing to ship his product. The next year, the Santa Cruz Portland Cement Company (Dingeee was an officer), took over operations and built a large cement plant. The town that grew up around the plant was developed by the Coast Dairies and Land Company to house cement workers, and was called Davenport, after the nearby older community. In 1909, the company extended the town to the north of the plant by building company housing for the workers. This area became known as New Davenport, New Town, or

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA



Newtown. Most of the old buildings from the original settlement of Davenport have been destroyed by fires, except the old jail, built in 1914, and the St. Vincent de Paul Catholic Church, built in 1915, a beautiful cement building constructed in the mission revival style (Clark 2008: 84-85; Orlando 1995: 1-2; Rowland 1980: 185).

Originally built to supply cement for the Panama Canal and Pearl Harbor, the plant also supplied cement for many well known California landmarks including, the Golden Gate Bridge, the San Francisco-Oakland Bay bridge, Candlestick Park, the Transamerica Pyramid building, San Francisco International Airport, the Oakland Coliseum, all in the San Francisco Bay area, and the California Aqueduct in Owens Valley. Trains transporting cement from the plant to Watsonville kept this branch of the Union Pacific open for many years. Environmental problems including heavy dust, mercury, and chromium 6 created problems with the local residents and the government.

Owner, Cemex, of Monterey, Mexico, closed the plant in 2010 but the buildings remain. Today the unincorporated town of Davenport functions as a tourist stop along California's scenic Pacific Coast Highway, and as a bedroom community for commuters working in nearby Santa Cruz.

There are no records of buildings or structures from the Spanish, Mexican, or early American periods within the project area, and there are no known remnants of these time periods within or near the project area. Evidence of early historic activities includes roof tile (teja) fragments, adobe melt soils, stone foundations, irregular split wood posthole soil stains, saw-cut bone, cut nails, and early glass and ceramic fragments. None of these types of artifacts were seen during the pedestrian survey of the project area.

#### RESEARCH METHODS

#### Archival Research

Archaeological research began with the extensive files of the Northwest Information Center (NWIC) at Sonoma State University, in Rohnert Park, CA. A literature search was performed at the NWIC on April 27, 2015, by Archival Specialist, Charles Mikulik (IC File Number 14-1463). The study parcel had not been previously surveyed. The NWIC search included a review of previously recorded cultural resources within a study area of approximately one half mile surrounding the project site, and previously conducted archaeological investigations within approximately one quarter mile surrounding the project site.

Multiple precontact and historic sites have been recorded within the study area, and multiple studies have been done, including those pertaining to these sites and those with negative findings. Many documents concern one specific site, CA-SCR-18. In 1950, University of California Berkeley recorded P-44-000018 (CA-SCR-18) as a shell midden on the bank of San Vicente Creek (University of California, Berkeley 1950). Rob Edwards, Environmental Advisor in Archaeology, performed a reconnaissance within the boundaries of CA-SCR-18 for a

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

proposed housing rehabilitation project in 1976, and concluded that at that time three or four structures were already situated on the site. In a letter to the County of Santa Cruz, he recommended that any rehabilitation of those buildings include an archaeological review and recommended mitigation measures (Edwards 1976). In 1977, William Roop of Archaeological Resource Service submitted an Archaeological Evaluation to the County of Santa Cruz concerning the Bodewitz Property. The parcel included part of site CA-SCR-18. This report included estimated costs to process archaeological material that would be disturbed during a proposed house reconstruction (Roop 1977). Jean Stafford, with Cabrillo College, in 1978, recorded a lithic scatter likely associated with CA-SCR-18. However, it was recorded as a separate site and given a separate number, P-44-000169 (CA-SCR-169) (Stafford 1978b). An extensive report was done describing the results of an analysis of precontact archaeological materials performed by a Laboratory and Field Archaeology Class at the University of California, Santa Cruz, in 1978. This study was the result of the destruction of a portion of CA-SCR-18, when a property owner performed an unauthorized excavation for a house basement (Anthropology 178:1978). Finally, in 2012, Albion Environmental of Santa Cruz did an archaeological evaluation, for a proposed building rehabilitation project for a residence that would impact a portion of CA-SCR-18. Recommendations included the determination of appropriate mitigation measures concerning this important site (D'Oro 2012).

Archaeological sites and historic buildings recorded in and around Davenport, California also include many others. Jean Stafford with Cabrillo College recorded P-44-000196 (CA-SCR-194H), comprised of concrete foundations likely related to the Davenport whaling operations, in 1978 (Stafford 1978a). Far Western Anthropological Research Group (FWARG) recorded multiple sites during 1999 as part of an extensive study of District 5 rural highways in Santa Cruz County, including Highway 1, that passes through the study area (Mikkelsen et al. 2001). Three segments of the old highway (P-44-000406) were recorded (FWARG 1999a), the Cement Company Plant (P-44-000376) was recorded (FWARG 1999b), a lithic scatter (P-44-000229 / CA-SCR-227) site record was updated (FWARG 1999c), the town of Davenport (P-44-000379) was recorded (FWARG 1999d), and a plank-covered poured-concrete water diversion culvert (P-44-000380) was recorded (FWARG 1999e). Finally, Engle and Duval, with Dill Design Group, recorded the original powerhouse for the cement plant (P-44-000467) (Engle and Duval 2001). Some of these resources were not assigned trinomials. Five studies with no findings within the study area will not be detailed due to their negative results, and constraints of time. As can be seen from the large number of sites recorded, the Davenport area is rich in cultural resources and is therefore very sensitive for these types of resources.

#### Field Research

Field reconnaissance was done by Patricia Paramoure, M.A., RPA, Principal Archaeologist, on Thursday, April 30, 2015. The approximately 0.25 acre (11,000 square foot), roughly trapezoid-shaped parcel is accessed off Church Street, at the southern end of the property. The majority of the terrain on the parcel, especially the northern portion, is steeply sloped. However, in the southern area of the property, adjacent to the street, it is relatively flat (See Figure 2, Project Area Aerial View, Page 3.)

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

A general surface reconnaissance of the property was performed. The field archaeologist walked approximately 10 foot transects oriented roughly east / west on the parcel, scraping through the ground cover with a mason's trowel roughly every 15 feet, when needed, to view the ground surface and soils just beneath the vegetation. Close attention was paid to gopher and ground squirrel back dirt piles that can be an excellent means of detecting sub-surface archaeological deposits. According to the property owner, there has never been a structure on this parcel (Josiah Adams, personal communication 2015).

Visibility in the lower areas of the parcel ranged from fair to poor, and from approximately 30 % close to the road where vegetation was mostly low, to 0% on the upper portion of the property where the steep terrain, high grasses, thistles, and abundant poison oak made survey impossible. However, such steep topography precluded habitation during the precontact and historic periods, and survey in these areas was not necessary. The majority of the parcel is covered with weeds, forbs, and high grasses, and a large stand of bamboo obscured the southeast corner of the property. Scattered small piles of brush also contributed to poor visibility in some areas. Native plants such as poison oak and wild blackberry were present, and introduced ornamental plants, including, sunflower, iris, and aloe, were also noted, especially in the southwest area of the parcel, near Church Street, where they had likely spread from an adjoining parcel. Soils are comprised of medium to dark brown silty loam on the west side and medium brown sandy loam on the east side of the lower portions of the property. The middle elevations of the parcel contained brownish gray to grayish brown very silty loam. Small to medium sized cobbles of Santa Cruz mudstone were scattered on the surface throughout the parcel. This native rock is quite abundant in this area of the county

The lower areas of this property contained a random scatter of historic-era and modern trash and debris, and a historic-era laundry pole with attached pulley was located about half way back on the property. Modern container glass, a turn of the 20<sup>th</sup> century whiteware fragment, and pane glass were noted in the lower area of the property, close to the street. A large piece of an aqua melamine bowl and a large fragment of an enamel-coated iron pot were observed in the middle are of the property. However, these artifacts were all isolates and do not appear to be indicative of any type of archaeological deposit or feature.

#### REPORT OF FINDINGS

The goal of the archaeological and historical records search and field inventory was to identify recorded or potentially significant cultural properties in the proposed project area. No recorded or significant precontact, historic, or architectural resources have been identified within or adjacent to the project area as part of the research conducted for this report. Additionally, no surface or subsurface evidence of precontact, significant historic sites, or architectural features was observed during the field reconnaissance of the parcel.

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA

#### MANAGEMENT RECOMMENDATIONS

Based upon the archival research and the field reconnaissance, I conclude that there is no surface evidence of potentially significant archaeological or architectural resources on or adjacent to the project area. No indicators of either surface or subsurface archaeological sites were observed during the site survey and no subsurface testing is recommended at this time.

If any significant cultural materials are exposed or discovered during either site clearing or during subsurface construction, operations shall stop within 150 feet of the find, and a qualified professional archaeologist shall be contacted for further review and recommendations. If a find is determined to be significant, appropriate mitigations measures shall be formulated and implemented.

Patricia Paramoure Archaeological Consulting Archaeological Reconnaissance of Parcel APN 058-101-05 140 Church Street, Davenport, CA



#### References Cited

#### Anthropology 178

1978 Report on the Assemblage from 4-Scr-18, Lundberg Foundation Salvage, Davenport, California. University of California at Santa Cruz. On file at the Northwest Information Center, Rohnert Park, CA, S-3970.

#### Bates, Joseph Clement

1912 History of the Bench and Bar of California. Bench and Bar Publishing Company, San Francisco, California.

#### Bean, Lowell John

1994 Introduction. In *The Ohlone Past and Present: Native Americans of the San Francisco Bay Region*, edited by Lowell John Bean, pp. xxi–xxxii. Baleena Press, Menlo Park, California.

#### Bolton, Herbert Eugene

1927 Fray Juan Crespi, Missionary Explorer on the Pacific Coast, 1769 – 1774. University of California Press, Berkeley, California.

#### Clark, Donald Thomas

2008 Santa Cruz County Place Names: A Geographical Dictionary. Kestrel Press, Scotts Valley, California.

#### D'Oro, Stella

2012 Archaeological Evaluation of Proposed Construction at 121 Old Coast Road, Davenport, California. On file at the Northwest Information Center, Rohnert Park, CA, S-38899.

#### Edwards, Rob

1976 Proposed Housing Rehabilitation in Davenport. County of Santa Cruz Inter-Office Correspondence. On file at the Northwest Information Center, Rohnert Park, CA, S- 3777.

#### Engle, A., and C. Duval

2001 Archaeological Site Record for P-44-000467. Dill Design Group. On file at the Northwest Information Center, Rohnert Park, California.

#### Far Western Anthropological Research Group

1999a Archaeological Site Record for P-44-000406 (CA-SCR-334H). On file at the Northwest Information Center, Rohnert Park, California.

1999b Archaeological Site Record for P-44-000376. On file at the Northwest Information Center, Rohnert Park, California.

- 1999c Archaeological Site Record for P-44-000229 (CA-SCR-227). On file at the Northwest Information Center, Rohnert Park, California.
- 1999d Archaeological Site Record for P-44-000379. On file at the Northwest Information Center, Rohnert Park, California.
- 1999e Archaeological Site Record for P-44-000380. On file at the Northwest Information Center, Rohnert Park, California.

#### Gordon, Burton L.

1977 Monterey Bay Area: Natural History and Cultural Imprints, 2<sup>nd</sup> Edition. Boxwood Press, Pacific Grove, California.

#### Hylkema, Mark G.

- 2003 Tidal Marsh, Oak Woodlands, and Cultural Florescence in the Southern San Francisco Bay Region. Journal of California and Great Basin of Anthropology.
- 1991 Prehistoric Native American Adaptations along the Central California Coast of San Mateo and Santa Cruz Counties. Unpublished M.A. Thesis, San Jose State University.

#### Kroeber, Alfred L.

1925 Handbook of the Indians of California. Dover Publications, Inc., New York, New York.

#### Küchler, A.W.

1977 The Map of the Natural Vegetation of California. In *Terrestrial Vegetation of California*, edited by M. Barbour and J. Majors, pp. 909–938. John Wiley and Sons, New York.

#### Levy, Richard

1978 Costanoans. In *California*, edited by Robert F. Heizer, pp. 485–495. Handbook of North American Indians, Vol. 8. Smithsonian Institution, Washington, D.C.

#### Margolin, Malcolm

- 1978 The Ohlone Way: Indian Life in the San Francisco-Monterey Bay Area. Heyday Books, Berkeley, California.
- Mikkelsen, Patricia, Laura Leach-Palm, Jennifer Hatch, Elizabeth Kallenback, and Jerome King 2001 Cultural Resources Inventory of Caltrans District 5 rural Highways, Santa Cruz County, California. Highways 1, 9, 17, 35, 129, 152, and 236. Volume 1. Far Western Anthropological Research Group. On file at the Northwest Information Center, Rohnert Park, CA, S-38430.



#### Milliken, Randall

- 1995 A Time of Little Choice: The Disintegration of Tribal Culture in the San Francisco Bay Area 1769–1810. Baleena Press, Menlo Park, California.
- An Ethnohistory of the Indian People of the San Francisco Bay Area from 1770 to 1810. Unpublished Ph.D. dissertation, University of California, Berkeley.
- 1988 Ethnographic Context. In Archaeological Investigations at Elkhorn Slough: CA-MNT 229, A Middle Period Site on the Central California Coast. Papers in Northern California Anthropology, Number 3, Berkeley, California.

#### Orlando, Alverda

1995 Early History of Davenport. Electronic document, <a href="http://scplweb.santacruzpl.org/history/places/daven.shtml">http://scplweb.santacruzpl.org/history/places/daven.shtml</a>, accessed May 5, 2015.

#### Roop, William

1977 Archaeological Evaluation, Bodewitz Property, Davenport. On file at the Northwest Information Center at Sonoma State University, Rohnert Park, CA, S-3910.

#### Roper, C. Kristina

1993 Archaeological Data Recovery Excavation at CA-SCR-38 /123, Wilder Ranch, Santa Cruz, California. On file at the Northwest Information Center at Sonoma State University, Rohnert Park, CA.

#### Rowland, Leon

1980 Santa Cruz, The Early Years. Paper Vision Press, Santa Cruz, California.

#### Stafford, Jean

- 1978a Archaeological Site Record for P-44-000196 (CA-SCR-194H). Cabrillo College. On file at the Northwest Information Center, Rohnert Park, California.
- 1978b Archaeological Site Record for P-44-000169 (CA-SCR-169). Cabrillo College. On file at the Northwest Information Center, Rohnert Park, California.

#### United States Department of Agriculture (USDA)

- 2011 Soil Survey. USDA Natural Resources Conservation Service. Available online at <a href="http://websoilsurvey.sc.egov.usda.gov/App/">http://websoilsurvey.sc.egov.usda.gov/App/</a> accessed April 22, 2015.
- 1980 Soil Survey of Santa Cruz County, California. United States Government Printing Office, Washington, D.C.

#### United States Geological Survey (USGS)

1997 DAVENPORT, CALIF. 7.5-minute quadrangle.

May 2015

University of California, Berkeley

1950 Archaeological Site Record for P-44-000018 (CA-SCR-18). On file at the Northwest Information Center, Rohnert Park, California.

#### Welch, Pat

1992 Cultural Resources Overview for the Pajaro Valley Water Augmentation Study, Bureau of Reclamation, Mid-Pacific Region, Sacramento, California. On file at the Northwest Information Center, Rohnert Park, CA, S-14289.



# Staff Report to the **Agricultural Policy Advisory Commission**

Application Number: 151083

Applicant: Greg Heitzler

Date: 8/20/2015

Owner: Josiah and Kristy Adams and Kroeker Agenda Item #: 7

**APN**: 058-101-05

Time: 1:30 p.m.

Project Description: Proposal to construct a 2,202 square foot, two story single family dwelling with an approximately 752 square foot first floor, 1,450 square foot second floor, 122 square foot entry porch, 644 square feet of decking, and a 432 square foot detached garage. The project is located within 200 feet of land designated Type 3 agriculture resource. Requires an Agricultural Buffer Reduction to 20 feet southeast of APN 058-122-12.

Location: The property is located on the northwest side of Church Street, approximately 250 feet northeast of Marine View Avenue within the Town of Davenport.

Permits Required: Agricultural Buffer Setback Reduction

#### Staff Recommendation:

Recommend that the Planning Department Approve Application 151083, based on the attached findings and conditions.

#### **Exhibits**

A. Project plans

Assessor's, Location, Zoning, and D.

В. Findings

Conditions C.

General Plan maps

#### Parcel Information

Parcel Size:

10,774 square feet

Existing Land Use - Parcel:

Vacant

Existing Land Use - Surrounding:

Single family residential

Project Access:

Church Street, 40 foot right-of-way developed to 18-20

Planning Area:

North Coast

Land Use Designation:

R-UL (Residential Urban Low)

Zone District:

R-1-6 (6000 square feet per unit) 3 (District Supervisor: Coonerty)

Supervisorial District:

Within Coastal Zone:

x Inside \_\_ Outside

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

Owner: Josiah and Kristy Adams and Kroeker

Appealable to Calif. Coastal

Yes

x No

**Services Information** 

Inside Urban/Rural Services Line:

No x Yes

Water Supply:

Comm.

**Davenport County Sanitation** 

Sewage Disposal:

**Davenport County Sanitation** 

Fire District:

County Fire

Drainage District:

Zone 4

#### **Analysis and Discussion**

The proposed project is to construct a 2,541 square foot, two story single family dwelling with approximately 1,370 square feet of decking on a 10,774 square foot (.25 acre) parcel. The project is located on the northwest side of Church Street (150 Church Street) within the Town of Davenport. The building site is within 20 feet of Commercial Agricultural land to the northwest. The applicant is requesting a reduction in the 200 foot agricultural buffer setback to 20 feet feet from APN 058-122-12.

The subject property is characterized by steep topography sloping from the northwest to the southeast. The parcel is located within the Rural Services Line and can be characterized as located within a suburban neighborhood of Davenport. The parcel is located within the Residential Urban Low (R-UL) General Plan designation and the implementing zone district is (R-1-6) 6000 square feet per unit. The proposed project is situated within 20 feet of commercial agricultural zoned property containing a Type 3 agricultural resource designation and a Williamson Act contract, under Assessor's Parcel Number 058-122-12. Type 3 Coastal Zone Prime Agricultural Land includes prime farmland soils, prime rangeland soils, and unique farmland of Statewide importance. The property is located east of the former Cemex plant and west of San Vicente Street and appears to be unfarmed land used for rangeland.

A reduced agricultural buffer is recommended due to the fact that the requirement to maintain a 200 foot setback would not allow sufficient building area for residential development if the required 200 foot setbacks were maintained from the adjacent Commercial Agriculture zoned property. Furthermore, the proposed development is located within a similar distance as other properties located in proximity to this Commercial Agriculture zoned property. There is also a significant topographic change between the building site and the commercial agricultural resource land.

The project is conditioned to require a 6 foot solid board fence along the rear property line as well as an evergreen 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 project is conditioned to retain existing native vegetation meeting the minimum 6 foot height standard where appropriate to minimize further removal of native willow scrub vegetation. 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.

Owner: Josiah and Kristy Adams and Kroeker

#### Recommendation

• Staff recommends that your Commission APPROVE the Agricultural Buffer Reduction from 200 feet to about 20 feet feet to the single-family dwelling from the adjacent CA zoned property known as APN 058-122-12, proposed under Application # 151083, 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: <a href="https://www.co.santa-cruz.ca.us">www.co.santa-cruz.ca.us</a>

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

Report Reviewed By: Steven Guiney, AICP

Principal Planner Development Review Owner: Josiah and Kristy Adams and Kroeker

## 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

Significant topographical differences exist between the subject parcel and APN 058-122-12, to allow for a reduction in the required 200 foot setback to about 20 feet feet. The proposed building site is 60 feet below the elevation of the adjacent Commercial Agriculture zoned parcel activity.

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

The habitable structure is proposed to be set back 20 feet feet from the adjacent Commercial Agriculture zoned land. Existing vegetation, comprised of scrub willow, located within the 15 foot setback is required to be retained where it meets the height of the required buffer. An effective barrier consisting of a six foot tall solid fence and evergreen shrubs providing the required 6 foot height, would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 058-122-12. An effective barrier consisting of a six foot tall solid fence and evergreen shrubs, in areas that do not provide vegetation providing the required 6 foot height, would be adequate to prevent conflicts between the non-agricultural development and the adjacent Commercial Agriculture zoned land of APN 058-122-12. This barrier, as proposed, shall not create a hazard in terms of the vehicular sight distance necessary for safe passage of traffic. (Revised by APAC 8/20/2015)

- 3. A lesser setback is found to be adequate to prevent conflicts between the non-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 imposition of a two hundred foot agricultural buffer setback would preclude building on the subject property given the small parcel size. Furthermore, the parcel meets the required rear yard setback established for the R-1-6 zone district, consistent with adjacent residential properties in the vicinity that are adjacent to the commercial agricultural parcel. The reduced setback is required to be coupled with a 6 foot solid board fence



Owner: Josiah and Kristy Adams and Kroeker

located on the property line and a evergreen buffer planted to separate the use from agricultural activities on the commercial agricultural property, as required by the agricultural buffer reduction ordinance.



Owner: Josiah and Kristy Adams and Kroeker

# **Conditions of Approval**

- I. This permit authorizes an Agricultural Buffer Setback reduction from 200 feet to 20 feet from the proposed residential use to APN (058-122-12). 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 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 copy of the text of these conditions of approval incorporated into the full size sheets of the architectural plan set.
    - 2. A development setback of a minimum of 20 feet feet from the single-family dwelling to the adjacent Commercial Agriculture zoned parcel APN 058-122-12.
    - Final plans shall show a 6 foot solid board fence along the entire rear property line and retention of existing willow scrub as agricultural buffering vegetation (where meeting the required 6 foot height) and location of a supplemental 6 foot tall vegetative buffering along the entire rear property line, 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. Final

**EXHIBIT C** 



Owner: Josiah and Kristy Adams and Kroeker

plans shall show a 6 foot solid board fence and a six foot tall vegetative buffer along the entire rear property line. Vegetative barrier 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. (Revised by APAC 8/20/2015)

- 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 fence 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, it 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.



Owner: Josiah and Kristy Adams and Kroeker

- 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.
- Nothing contained herein shall prohibit the COUNTY from participating in the В. defense of any claim, action, or proceeding if both of the following occur:
  - 1. COUNTY bears its own attorney's fees and costs; and
  - COUNTY defends the action in good faith. 2.
- Settlement. The Development Approval Holder shall not be required to pay or C. 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.
- Successors Bound. "Development Approval Holder" shall include the applicant D. and the successor'(s) in interest, transferee(s), and assign(s) of the applicant.

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:	

EXMISIT G

Owner: Josiah and Kristy Adams and Kroeker

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.





# Discretionary Application Comments 151083 APN 058-101-05

Your 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.

<u>Completeness</u>: 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.

<u>Policy Considerations/Compliance</u>: 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.

<u>Permit Conditions/Additional Information:</u> 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**

Routing No: 1 Review Date: 04/17/2015

SHEILA MCDANIEL (SMCDANIEL): No Response

# Drainage Review

Routing No: 4 Review Date: 09/25/2015

GERARDO VARGAS (GVARGAS): Complete

Application No.: 151083

 $G_V$ 

9/252015

**Completeness Comments:** 

Application has been approved for the discretionary stage in regards to drainage.

Compliance issues:

N/A

Permit Conditions:

Upon approval of the project, a drainage "Hold" will be placed on the permit and will be cleared once the construction is complete and the stormwater management improvements are constructed per the approved plans: In order to clear the Hold, one of these options has to be exercised:

1. The civil engineer must inspect the drainage improvements on the parcel and provide public works with a letter confirming that the work was completed per the plans. The civil engineer's letter shall be specific as to what got inspected whether invert elevations, pipe sizing, the size of the mitigation features and all the relevant design features. Notes of "general conformance to plans" are not sufficient.

rint Date Page: 1 10/22/2015



# **Discretionary Application Comments** 151083 APN 058-101-05

# Drainage Review

Routing No: 4 Review Date: 09/25/2015

GERARDO VARGAS (GVARGAS): Complete

- 2. As-built plans stamped by the civil engineer may be submitted in lieu of the letter. The as-built stamp shall be placed on each sheet of the plans where stormwater management improvements were shown.
- 3. The civil engineer may review as-built plans completed by the contractor and provide the county with an approval letter of those plans, in lieu of the above two options. The contractor installing the drainage improvements will provide the civil engineer as-built drawings of the drainage system, including construction materials, invert elevations, pipe sizing and any modifications to the horizontal or vertical alignment of the system. The as-built drawings, for each sheet showing drainage improvements and/or their construction details, must be identified with the stamp (or label affixed to the plan) stating the contractor's name, address, license and phone number. The civil engineer will review the as-built plans for conformance with the design drawings. Upon satisfaction of the civil engineer that the as-built plans meet the design intent and are adequate in detail, the civil engineer shall submit the as-built plans and a review letter, stamped by the civil engineer to the County Public Works Department for review to process the clearance of the drainage Hold, if the submittal is satisfactory.

Site plans shall specify required maintenance procedures to assure proper functioning of the proposed drainage system. A recorded maintenance agreement will be required for the proposed detention system and culverts onsite. Please contact the Countyof Santa Cruz Recorder's office for appropriate recording procedure. The maintenance agreement form can be picked up from the Public Works office or can be found online at:

http://www.dpw.co.santa-cruz.ca.us/Storm Water/FigureSWM25A.pdf

The recorded maintenance agreement needs to specify the following:

- 1. What needs to be maintained?
- 2. How often each drainage improvement needs to be maintained?
- 3. What to look for indicating maintenance is required?
- 4. What the maintenance procedures are for each specific drainage improvement?

The applicant is encouraged to discuss the above comments with the reviewer, Travis Rieber, to avoid unnecessary additional routings. A \$330.00 additional review fee shall be applied to all re-submittals starting with the third routing.

Please call the Dept. of Public Works, Storm Water Management Section, from 8:00 am to 12:00 noon if you have questions.

Print Date: 10/22/2015 Page: 2

# Discretionary Application Comments 151083 APN 058-101-05

# **Drainage Review**

Routing No: 4 Review Date: 09/25/2015

GERARDO VARGAS (GVARGAS): Complete

# **Driveway/Encroachment Review**

Routing No: 1 Review Date: 04/07/2015

DEBRA LOCATELLI (DLOCATELLI): Complete

Discretionary review is complete. The following will be required at the time of the building permit review:

- 1. Drainage from driveway shall be addressed to prevent drainage runoff from leaving the property and flowing across the street, which creates a potentially hazardous condition for motorists.
- 2. Driveway shall meet current County of Santa Cruz Design Criteria requirements, details shall be provided on plans.
- 3. Church Street, county maintained road, was recently treated with a Type II Fiberized Slurry. If excavation is required to install utilities, that section of road shall be replaced in-kind. The slurry seal shall combine all proposed trenches.
- 4. A note shall be placed on the building plans that existing or proposed landscaping shall not interfere with sight distance, entering onto Church Street, and shall maintain year round to prevent from encroaching into the pathway/road.

Additional comments may be made at the time of the building permit application review.

# **Environmental Planning**

Routing No: 2 Review Date: 06/24/2015 JESSICA DUKTIG (JDUKTIG): Complete

Misc. Comments:

Archaeological report concludes that no surface or subsurface evidence of precontact, significant historic sites or architectural resources have been identified within or adjacent to the project area. No surface evidence of potentially significant archaeological or architectural resources on or adjacent to the project area.

#### Fire Review

Routing No: 1 Review Date: 04/02/2015

COLLEEN BAXTER (CBAXTER): Complete

Print Date: 40/22/2015 Page: 3

#### Fire Review

Routing No: 1 Review Date: 04/02/2015

COLLEEN BAXTER (CBAXTER): Complete

# OFFICE OF THE FIRE MARSHAL

SANTA CRUZ COUNTY FIRE DEPARTMENT/ CALFIRE

# CAL FIRE SAN MATEO-SANTA CRUZ UNIT

6059 HIGHWAY 9 P.O. DRAWER F-2 FELTON, CA 95018 Phone (831) 335-6748 Fax # (831) 335-4053 SCOTT JALBERT FIRE CHIEF

Date: 4/2/15

Planning Department County of Santa Cruz Attention: SHEILA MCDANIEL 701 Ocean Street Santa Cruz, CA 95060

Subject:

APN: 058-101-05 / Appl # 151083

Address: NO SITUS

#### Dear SHEILA:

The Santa Cruz County Fire Marshals Office has reviewed the plans for the above cited project and has no objections as presented.

- Any other requirements will be addressed in the Building Permit phase.
- Plan check is based upon plans submitted to this office. Any changes or alterations shall be re-submitted for review prior to construction.

Print Date: 10/22/2015



# Discretionary Application Comments 151083 APN 058-101-05

#### Fire Review

Routing No: 1 Review Date: 04/02/2015

COLLEEN BAXTER (CBAXTER): Complete

In order to obtain building application approval, recommend you have the DESIGNER add appropriate NOTES and DETAILS showing the following information on the plans that are submitted for **BUILDING PERMIT**.

Each APN (lot) shall have separate submittals for building and sprinkler system plans.

The County of Santa Cruz Emergency Services Department/Addressing must approve or assign an address before Fire Department approval is obtained.

NOTE on the plans "these plans are in compliance with California Building and Fire Codes (2013 edition) and Santa Cruz County Amendments".

SHOW on the plans a public fire hydrant within 600 feet of any portion of the building meeting the minimum required fire flow for the building. Hydrant shall be on a fire apparatus access road, as measured by an approved drivable route around the exterior of the facility or building.

If the public fire hydrant is further than 600 feet from any portion of the building, a new fire hydrant will be required. Note on the plans "the new hydrant shall be installed and made serviceable prior to and during the time of construction except when approved alternative methods of protection are provided".

NOTE on the plans "the designer/installer shall submit three (3) sets of plans and calculations for the underground and overhead Residential Automatic Fire Sprinkler System to this agency for approval."

NOTE on the plans "an UNDERGROUND FIRE PROTECTION SYSTEM WORKING DRAWING must be prepared by the designer/installer. The plans shall comply with the UNDERGROUND FIRE PROTECTION SYSTEM INSTALLATION POLICY HANDOUT. Underground plan submittal and permit, will be issued to a Class B, Class C-16, Class C-36 or owner/builder. No exceptions."

75

Print Date: 10/22/2

Page: 5



# Discretionary Application Comments 151083 APN 058-101-05

#### Fire Review

Routing No: 1 Review Date: 04/02/2015

COLLEEN BAXTER (CBAXTER): Complete

**NOTE** on the plans "building numbers shall be provided. Numbers shall be a minimum of four (4) inches in height on a contrasting background and visible from the street. Where numbers are not visible from the street, additional numbers shall be installed on a directional sign at the property driveway and the street."

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

**NOTE** on the plans "a 30-foot clearance shall be maintained with non-combustible vegetation around all structures or to the property line whichever is a shorter distance.

**EXCEPTION:** Single specimens of trees, ornamental shrubbery or similar plants used as ground covers, pro-vided they do not form a means of rapidly trans-mitting fire from native growth to any structure."

**NOTE** on the plans "the job copies of the building and fire systems plans and permits must be on-site during inspections."

Note: As a condition of submittal of these plans, the submitter, designer and installer certify that these plans and details comply with applicable Specifications, Standards, Codes and Ordinances, agree that they are solely responsible for compliance with applicable Specifications, Standards, Codes and Ordinances, and further agree to correct any deficiencies noted by this review, subsequent review, inspection or other source, and, to hold harmless and without prejudice, the reviewer and reviewing agency.

Should you have any additional concerns, you may contact our office at (831) 335-6748.

Print Date: 10/22/2015

Page: 6

# Discretionary Application Comments 151083 APN 058-101-05

#### Fire Review

Routing No: 1 Review Date: 04/02/2015

COLLEEN BAXTER (CBAXTER): Complete

## **Project Review**

Routing No: 1 Review Date: 04/17/2015

SHEILA MCDANIEL (SMCDANIEL): Incomplete

see incompleteness letter

# **Road Engineering Review**

Routing No: 1 Review Date: 04/08/2015 RODOLFO RIVAS (RRIVAS): Complete

**Completeness Comments:** 

#### Permit Conditions and Additional Information:

Plans with the building permit application will need to include a driveway centerline profile.

## Sanitation Review

Routing No: 4 Review Date: 09/14/2015

BOB HAMBELTON (BHAMBELTON): Complete

Print Date: 10/22/2015

Page: 7 🛶 🛴 🔭