



Legislation Details (With Board Report)

**File #:** AP 22-022      **Name:** PLN210137 – MERCADO ALEXIS FERNANDEZ & CORTEZ ROSA

**Type:** Administrative Permit      **Status:** Agenda Ready

**File created:** 8/29/2022      **In control:** Administrative Permit

**On agenda:** 9/7/2022      **Final action:**

**Title:** PLN210137 - MERCADO ALEXIS FERNANDEZ & CORTEZ ROSA  
Consider a Restoration Permit to clear Code Enforcement violation (19CE00460) for alteration to an intermittent stream, including tree and vegetation removal.

Project Location: 2441 San Juan Road, Aromas, CA 95004  
Proposed CEQA action: Categorically Exempt per CEQA Guidelines Section 15333

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Draft Resolution, 3. Exhibit B - Biological Assessment and Restoration Assessment, 4. Exhibit C - Vicinity Map, 5. Exhibit D - CDFW Letter on Streambed Alteration

Date	Ver.	Action By	Action	Result
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**PLN210137 - MERCADO ALEXIS FERNANDEZ & CORTEZ ROSA**

Consider a Restoration Permit to clear Code Enforcement violation (19CE00460) for alteration to an intermittent stream, including tree and vegetation removal.

**Project Location:** 2441 San Juan Road, Aromas, CA 95004

**Proposed CEQA action:** Categorically Exempt per CEQA Guidelines Section 15333

RECOMMENDATIONS

It is recommended that the HCD Chief of Planning adopt a resolution to:

- a. Find the Restoration Plan project qualifies for a Class 33 exemption from CEQA pursuant to CEQA Guidelines Section 15333; and
- b. Approve a Restoration Permit to partially clear a Code Enforcement violation (19CE00460) consisting of re-vegetation and tree planting to restore an approximately 0.23-acre area which includes an intermittent stream.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION

**Agent:** N/A

**Property Owner:** Alexis Fernandez Mercado and Rosa Cortez Mercado

**APN:** 181-171-010-000

**Parcel Size:** 2.52 acres

**Zoning:** Rural Density Residential with maximum density of five acres per unit, Coastal Zone or “RDR/5 (CZ)”

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** N/A

SUMMARY

Staff is recommending approval of a Restoration Permit subject to the findings and evidence in the attached Resolution (see **Exhibit A**), and subject to the conditions of approval attached to the Resolution. Please read these carefully and contact the planner if you have any questions. Unless otherwise noted in the conditions, the applicant will be required to satisfy all permit conditions prior to the issuance of a building/grading permits and/or commencement of the approved use.

On **September 7, 2022**, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions, based on a substantive issue, is 5:00 p.m. on Tuesday, **September 6, 2022**. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors.

OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- HCD-Engineering Services
- Environmental Health Bureau
- HCD-Environmental Services
- North County Fire Protection District

Prepared by: Mary Israel, Senior Planner, x5183

Reviewed and Approved by: Anna Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Attachment 1 - Recommended Conditions of Approval
- Attachment 2 - Restoration Plan

Exhibit B - Biological Assessment and Restoration Reassessments

Exhibit C - Vicinity Map

Exhibit D - CDFW Letter on Streambed Alteration

cc: Front Counter Copy; North County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Mary Israel, Planner; Anna Quenga, AICP, Principal Planner; Alexis Fernandez Mercado and Rosa Cortez Mercado, Property Owners; Julie Vance, California Department of Fish and Wildlife; The Open Monterey Project; LandWatch (Executive Director); Planning File PLN210137