



Legislation Details (With Board Report)

File #: ZA 22-044 **Name:** PLN210195 - ANDERSON
Type: Zoning Administrator **Status:** Agenda Ready
File created: 8/29/2022 **In control:** County of Monterey Zoning Administrator
On agenda: 9/8/2022 **Final action:**
Title: PLN210195 - ANDERSON
Public hearing to consider construction of a new access roadway in a “VS” District and on slopes in excess of 25%.
Project Location: 28865 Underwood Rd, Toro
Proposed CEQA action: Find the project Categorically Exempt per Section 15301 of the CEQA Guidelines.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A – Project Data Sheet, 3. Exhibit B – Draft Resolution, 4. Exhibit C – Vicinity Map

Date	Ver.	Action By	Action	Result
9/8/2022	1	County of Monterey Zoning Administrator		

PLN210195 - ANDERSON

Public hearing to consider construction of a new access roadway in a “VS” District and on slopes in excess of 25%.

Project Location: 28865 Underwood Rd, Toro

Proposed CEQA action: Find the project Categorically Exempt per Section 15301 of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Monterey County Zoning Administrator adopt a resolution to:

1. Finding that the project qualifies as a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approving a Combined Development Permit consisting of a:
 - a. Administrative Permit for construction of a new access roadway in a “VS” District;
 - b. Use Permit to allow grading on slopes in excess of 25%; and
 - c. A Tree Removal Permit to allow the removal to two protected trees.

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

PROJECT INFORMATION:

Owner: Gary Anderson

APN: 416-451-034-000

Zoning: Permanent Grazing, 40 acres per unit, with a Visual Sensitivity overlay (PG/40-VS) and Resource Conservation, 40 acres per unit, with a visual sensitivity overlay (RC/40-VS)

Parcel Size: 20.89 acres

Plan Area: Toro Area Plan

Flagged and Staked: No

SUMMARY/ DISCUSSION:

The property is located on Underwood Road within a rural area of Toro, approximately 5-miles southeast of Scenic Highway 68. The proposed project involves the construction of a roadway improvement which will allow access to a currently vacant parcel. Any future development will have to be assessed and permitted as applicable.

As designed and conditioned, the proposed project does not impact the public viewshed. Staff reviewed the application and found the project, as proposed, consistent with the Toro Area Plan, with the incorporation of recommended conditions of approval.

Development on slope:

Development on slopes that exceed 25% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 25%, or the proposed development better achieves the goals, policies, and objectives of the Monterey County General Plan and applicable land use plan than other development alternatives. The project as proposed involves the construction of an access roadway which will require grading in the amount of approximately 610 cubic yards of cut and 110 cubic yards of fill. Since the parcel is located on top of a hill, a roadway to access future development is required. Potential alternatives to the proposed project would require development on slopes in excess of 25%, require clearing of trees, brush, and vegetation, and be more visible than the currently existing substandard access roadway. Therefore, grading on slope is unavoidable and this is the most feasible and least invasive alternative.

Visual Impact:

The project site is well insulated from public viewing by both existing brush and tree canopy and thus is hardly visible to the naked eye. Therefore, the development of an access roadway for potential residential development will not have a substantial visual effect on the public viewshed.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines. This exemption applies to the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The project involves an access road. Therefore, the proposed development is consistent with the parameters of this Class 1 exemption. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects were identified during staff review of the development application.

Prepared by: Craig Patton, Associate Planner
Reviewed by: Anna Quenga, AICP, Principal Planner
Approved by: Craig Spencer, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Recommended Conditions of Approval
- Plans

Exhibit C - Vicinity Map

cc: Front Counter Copy; Cypress Fire District; HCD-Development Services, HCD-Planning; HCD-

Environmental Services; Environmental Health Bureau; Craig Patton, Associate Planner; Anna Quenga, AICP, Principal Planner; Gary Anderson, Property Owner, The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN210195.