



Monterey County

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Board Report

Legistar File Number: 17-0144

February 14, 2017

Introduced: 2/3/2017

Version: 1

Current Status: Agenda Ready

Matter Type: General Agenda Item

Public hearing to:

- a. Consider the appeal by Johannes and Kristi Van Greunen from the Planning Commission's denial of an application by Johannes and Kristi Van Greunen for a Coastal Development Permit to allow a Lot Line Adjustment between three existing conforming parcels (13.5 acres, 7.4 acres, and 19.1 acres) resulting in three reconfigured parcels of 2.9 acres (Parcel 1), 3.6 acres (Parcel 2), and 33.5 acres (Parcel 3); and
- b. Provide direction to staff regarding the preferred course of action on the appeal and project; and
- c. Adopt a motion of intent reflecting the Board's direction; and
- d. Continue the hearing to a date certain for Board action.

(Coastal Development Permit/Lot Line Adjustment - PLN150489/Van Greunen, 6820 Long Valley Spur, Castroville, North County Coastal Land Use Plan)

Proposed CEQA Action: Categorical exemption per CEQA Guidelines section 15305 or, in case of denial, Statutory exemption per CEQA Guidelines section 15270.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Consider the appeal by Johannes and Kristi Van Greunen from the Planning Commission's denial of an application by Johannes and Kristi Van Greunen for a Coastal Development Permit to allow a Lot Line Adjustment between three existing conforming parcels (13.5 acres, 7.4 acres, and 19.1 acres) resulting in three reconfigured parcels of 2.9 acres (Parcel 1), 3.6 acres (Parcel 2), and 33.5 acres (Parcel 3); and
- b. Provide direction to staff regarding the preferred course of action on the appeal and project; and
- c. Adopt a motion of intent reflecting the Board's direction; and
- d. Continue the hearing to date certain for Board action.

PROJECT INFORMATION:

Planning File Number: PLN150489

Owner: Johannes and Kristi Van Greunen

Project Location: 6820 Long Valley Spur, Castroville

APN: 129-201-052-000, 129-201-006-000 (one APN covers two lots)

Agent: Lombardo and Associates (Dale Ellis)

Plan Area: North County Coastal Land Use Plan

Parcel Size(s): 13.5 acres, 7.4 acres, 19.1 acres

Zoning: RDR/10 (CZ)

Flagged and Staked: Yes

SUMMARY:

On October 19, 2015, Johannes & Kristi Van Greunen filed an application for a Coastal Development Permit to allow a Lot Line Adjustment between three existing conforming parcels (13.5 acres, 7.4 acres, and 19.1 acres) resulting in three reconfigured parcels of 2.9 acres (Parcel 1), 3.6 acres (Parcel 2), and 33.5 acres (Parcel 3). The minimum building site in the Rural Density Residential (RDR) zone is five acres unless approved as a clustered residential development. The existing configuration would allow development of one unit on each lot (three total), based on the one unit per 10 acre density. Therefore, staff analyzed this project proposal as a “clustered” lot line development application with specific focus on reducing development on slopes over 25% and/or impact to environmentally sensitive habitat area (ESHA). As part of the review process, staff evaluated possible viewshed impacts and effects on highly erodible soils. The proposed configuration would allow up to three units on Parcel 3 (five units total) unless restrictions are applied. Staff recommended the addition of a building site overlay (B-6) to restrict additional development and prohibit subdivision of new Parcel 3. Opponents of the project contend that the configuration would not further protect sensitive resources and is not “clustered development.”

The Planning Commission determined that the project did not constitute “clustering.” If the configuration does not constitute clustering, the project is not consistent with minimum lot sizes (5 acres) required, and therefore, the Commission denied the Lot Line Adjustment. The applicants filed an appeal requesting that the Board of Supervisors approve the Coastal Development Permit/Lot Line Adjustment application. The Appellant contends the findings and decision is not supported by the evidence, and the decision was contrary to law.

Staff is seeking direction from the Board of Supervisors regarding whether the proposed lot line adjustment and lot configuration are considered to be “clustered” development. If the Board does not deem the project to be “clustered”, then staff requests a motion of intent to deny the appeal and deny the application. However, if the Board finds that the reconfigured lot line map can be considered “clustered” development, then Staff requests that the Board consider the merits of the project (resource preservation of erodible soils and maritime chaparral) and adopt a motion of intent to grant the appeal and approve the application. In either case, the Board should continue the hearing to a date certain for staff to bring back a resolution with findings and evidence in support of the motion of intent.

In the event of denial, CEQA review is not required. (CEQA Guidelines section 15270.) In the event of project approval, staff would recommend that the Board find the project categorically exempt under CEQA as a minor lot line adjustment. (CEQA Guidelines section 15305.)

DISCUSSION:

The Planning Commission determined that the project did not constitute “clustering” and that the project was therefore not consistent with minimum lot sizes (5 acres) required under the zoning designation (Finding 1.e), and denied the Coastal Development Permit/Lot Line Adjustment request by an 8-0 vote (2 members absent). (Attachment B.)

Further discussion on the proposed project and potential issues is contained within Attachment

A of this Board report.

OTHER AGENCY INVOLVEMENT:

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

- √ Environmental Health Bureau
- √ RMA-Public Works
- √ RMA-Environmental Services
- √ Water Resources Agency

This application was not scheduled with the North County LUAC because during the normal time for consideration, the LUAC was not meeting.

FINANCING:

Funding for staff time associated with this project is included in the FY16-17 Adopted Budget for RMA-Planning.

Prepared by: David J. R. Mack, AICP, Senior Planner ext. 5096
Reviewed by: Jacqueline R. Onciano, Interim Chief of Planning
Approved by: Carl Holm, AICP, Director Resource Management Agency

Attachments:

- Attachment A - Project Discussion
- Attachment B - Planning Commission Resolution No. 15-025
- Attachment C - Notice of Appeal, dated December 19, 2016.
- Attachment D - Planning Commission Staff Report, dated November 9, 2016

cc: Front Counter Copy; Board of Supervisors; David J. R. Mack, AICP, Senior Planner; County Counsel (Wendy Strimling); California Coastal Commission; Brandon Swanson, RMA Services Manager; Johannes and Kristi Van Greunen, Applicant/Owner; Lombardo and Associates (Dale Ellis), Agent; Monique Foundation, Interested Party; Debra Louison-Lavoy, Interested Party; Chris Charon, Interested Party; Brian and Jasmine Ensley, Interested Party; Al Stuckey, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN150489