



Monterey County Zoning Administrator

Agenda Item No. 3

Legistar File Number: ZA 17-062

168 West Alisal Street,
1st Floor
Salinas, CA 93901
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December 14, 2017

Introduced: 12/4/2017

Version: 1

Current Status: Agenda Ready

Matter Type: ZA

PLN160654 - GONZALEZ

Public hearing to consider an after-the-fact Administrative Permit to allow a second residential unit (manufactured home) and retaining walls. Related to Code Enforcement File No. CE090016.

Project Location: 900 Lewis Road, Royal Oaks, North County Area Plan

Proposed CEQA Action: Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Find that the project is a second residential unit, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- b. Approve an after-the-fact Administrative Permit to:
 1. Install a 1,288-square foot second residential unit (manufactured home more than 10 years old) per Section 21.64.040 (Title 21), and
 2. Replace a 56-linear foot by 5-foot high wood retaining wall with a cement retaining wall.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to 4 conditions.

PROJECT INFORMATION:

Owner/Applicant: Gonzalez

APN: 412-012-017-000

Zoning: Rural Density Residential, 5.1 acres per unit (RDR/5.1)

Parcel Size: approximately 37.4 acres

Plan Area: North County Area Plan

Flagged and Staked: Not required

SUMMARY/DISCUSSION:

The area surrounding the approximately 35-acre parcel is comprised of forest, farmland, a landfill, and rural residential uses. Access to the project site is from Lewis Road via an existing driveway. The proposed site is heavily screened by trees and vegetation, and the nearest residence is 350 feet to the north, across Lewis Road.

The proposed project involves permitting after-the-fact, the installation of a one-story, 1,288 square foot manufactured home (single-family dwelling) on a permanent foundation as the second residential unit on the property. The proposed project cures an existing violation regarding installation of a

manufactured home or single-family dwelling without the required permits. When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violation (Code Enforcement File No. CE090016). In addition, the issuance of building permits, to legalize the single-family dwelling entitled by this after-the-fact Administrative Permit (RMA-Planning File No. PLN160654), will be required prior to the issuance of building permits for a wireless communications facility under RMA-Planning File No. PLN140559.

The development standards for the RDR zoning district are identified in MCC Section 21.16.060. Required setbacks in the RDR district are 30 feet (front), 20 feet (rear), and 20 feet (sides). The proposed single-family dwelling would have a front setback of over 140 feet, a rear setback of over 1,000 feet, and side setbacks of over 320 feet. The maximum allowed height in the RDR district is 30 feet. The height of the proposed one-story structure is 14 feet. The site coverage maximum in the RDR district is 25 percent. The building site lot is 34.7 acres (approximately 1,511,532 square feet), which would allow site coverage of approximately 377,883 square feet. The existing and proposed single-family dwellings would result in site coverage of approximately 1,932 square feet or 0.0013 percent. Therefore, the project meets all required development standards. In addition to development standards, staff analyzed the siting and placement of the second residential unit to ensure the project would have been supportable had the applicant submitted an application for an administrative permit prior to placing the home. The parcel is a large L-shaped lot, with the first residential unit placed close to Lewis Rd. The second unit was placed in the same portion of the "L", which did not require additional road grading to access the home via an existing driveway. This placement also keeps the two septic systems within the same general vicinity, allowing for ease of maintenance when needed. The portion of the site that both homes are placed on is free of vegetation and flat, so it was and is the ideal location for placement of the homes. The majority of the rest of the site is either heavily vegetated, farmed, or sloped so that extensive grading may have been needed to place the residence on another portion of the parcel. For all these reasons, staff's opinion is that a recommendation of approval would have been reached for this project if an application was submitted prior to the construction/installation.

The proposed exterior colors and materials include earth-tone (grey) wood siding and composite sheet roofing. The proposed exterior finishes blend with the surrounding environment, and are not oppositional to the surrounding rural character. Homes in this area range in distance between 100-600 feet from each other, and are generally separated by trees and hills. Due to this, there is not necessarily a consistent neighborhood character. However, the colors and materials of this unit are consistent with other homes that can be seen in and around the area. Additionally, the unit meets the regulations set forth in section 21.64.040 of the Monterey County Code regarding the placement of manufactured dwelling on permanent foundations. These regulations are set forth to ensure manufactured units meet the test of compatibility with areas of residential use. The colors, materials, and similarity to other residences in the immediate area all conform to subsection C of 21.64.040. As proposed, the project assures protection of the public viewshed, is consistent with the rural character, and assures visual integrity. Also, the subject property is not described as visually sensitive or an area where the 2010 General Plan requires public or visual access (Figure 15 - North County Visual Sensitivity Map), and the area surrounding the site is heavily forested which will substantially screen the dwelling from Lewis Road.

The proposed project does not conflict with applicable Monterey County Code (MCC), and the County did not receive any communications during the course of review of the project indicating any inconsistencies with the text, policies, and/or regulations of the MCC. RDR zoning allows second residential units not exceeding the zoning density of the property subject to the granting of an Administrative Permit. As proposed, the project would allow a second main dwelling unit on the approximately 35-acre parcel, and would not exceed the allowed zoning density (RDR/5.1). Therefore, the project is an allowed land use for this site.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Sections 15303 categorically exempts the construction of limited numbers of new, small facilities or structures. The proposed project involves the installation of a second residential unit (mobile home) on a residentially-zoned parcel within the allowed density requirements. Therefore, the proposed development is consistent with the parameters of this Class 3 exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

The project was not referred to the North County Land Use Advisory Committee (LUAC) for review

Prepared by: Joe Sidor, Associate Planner, x5262

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

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| Exhibit A | Draft Resolution, including: |
| | <ul style="list-style-type: none">• Recommended Conditions of Approval• Site Plan, Floor Plan, and Elevations |
| Exhibit B | Vicinity Map |

cc: Front Counter Copy; North County Fire Protection District; RMA-Public Works;
RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency;
Joseph Sidor, Associate Planner; Brandon Swanson, RMA Services Manager; Alvaro
Gonzalez, Property Owner; The Open Monterey Project (Molly Erickson); LandWatch;
Project File PLN160654