



# Monterey County Planning Commission

## Agenda Item No. 2

Legistar File Number: PC 17-055

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August 09, 2017

**Introduced:** 8/1/2017

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** Planning Item

### **PLN160695 - CRUZ**

Public hearing to consider action on a Lot Line Adjustment between two legal lots of record: Assessor's Parcel Number 181-061-035-000 (Parcel A, 3.42 acres) and Assessor's Parcel Number 181-061-036-000 (Parcel B, 21.82 acres) resulting in Lot 1 (13.78 acres) and Lot 2 (11.46 acres) respectively.

Proposed Location: 1084 B, F, H & 1084 J San Miguel Canyon Road, Royal Oaks

**Proposed CEQA Action:** Categorically Exempt per Section 15305(a) of the CEQA Guidelines  
1084 B, F, H & 1084 J San Miguel Canyon Road, Royal Oaks

### PROJECT INFORMATION:

**Planning File Number:** PLN160695

**Owner:** Tomas and Charmidivina Cruz

**Project Location:** 1084 B, F, H & 1084 J San Miguel Canyon Road, Royal Oaks

**APN:** 181-061-035-000 & 181-061-036-000

**Agent:** Jeff Nielsen-Mid Coast Engineers

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

**Flagged and Staked:** No

**CEQA Action:** Exempt per Section 15305(a) of CEQA Guidelines

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution to:

- 1) Find the project Categorically Exempt per Section 15305(a) of CEQA Guidelines; and
- 2) Approve a Coastal Development Permit to allow a Lot Line Adjustment between two legal lots of record: Assessor's Parcel Number 181-061-035-000 (Parcel A, 3.42 acres) and Assessor's Parcel Number 181-061-036-000 (Parcel B, 21.82 acres) resulting in Lot 1 (13.78 acres) and Lot 2 (11.46 acres) respectively.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends the Commission adopt the resolution approving PLN160695 subject to 5 conditions.

### DISCUSSION:

Tomas and Charmidivina Cruz own two adjacent legal lots of records and request to adjust the boundaries between them. Both properties are zoned "RDR/20 (CZ)," Rural Density Residential, 20 acres per unit. Parcel A, a 3.42 acre parcel, has an 2,448 sq. ft. manufactured single family dwelling (Unit 1084-J) with a detached 400 sq. ft. two car garage and paved parking area. The parcel is accessed from San Miguel Canyon Road by a 30-foot-wide recorded Right of Way (Vol. 7 Par Maps pg. 45). Parcel B, has a 1,081 sq. ft. house (Unit 1084-B), a 1,200 sq. ft. accessory dwelling (Unit 1084-), a 1,400 sq. ft. mobile home (Unit 1084-F) and a

350 sq. ft. shop (Resolution 84-34, Permit 3009). Permit 3009 approved the third dwelling on the parcel B on January 25th, 1984 (**Exhibit E**). The map attached to the resolution identifies the three structures, which is currently referred to as (1084 B, H & F). The purpose of the lot line adjustment is to evenly distribute the acreage and residential structures. Each parcel will end with two (2) structures after the lot line adjustment rather than the current configuration of one (1) structure on Parcel A and three (3) structures on Parcel B.

The minimum building site for parcels zoned RDR/20 is five acres with a development density of one unit per 20 acres. Parcel B, 21.82 acres, currently meets the minimum lot size for this zoning district, but exceeds the allowable unit density (3 units). Parcel A, 3.42 acres, does not meet the minimum building site area. The proposed lot line adjustment would modify the configuration such that both lots meet the minimum building site standards of the RDR zoning district of five acres; however, both sites would have two units, which exceeds the development density. Although, Parcel A does not meet the development density of 1 unit per 20 acres, the lot line of Parcel B with the three existing structures (legally permitted Resolution 84-34, Permit 3009) would be in greater conformance with the 5 acres minimum building site. Furthermore, there is no proposed potential development that would intensify water use since the existing structures on these parcels are at their maximum site building allowances. The lot line adjustments reallocate acreage between the two parcels for the inheritance of the two children. The proposed lot line adjustment would result in one 13.78 acre lot (Lot 1) and one 11.46 acre lot (Lot 2), consistent with minimum building site requirement. Furthermore, the structures on the resulting lots are consistent with the Rural Density Residential zoning district site development standards, per Section 20.16.060 and conform with the zoning requirements for setback, density, height, and lot coverage.

Staff evaluated the lot line adjustment for consistency with standards contained in the North County Land Use Plan, the Monterey County Coastal Implementation Plan, Part 2 (Chapter 20.144), Title 20 (Coastal Zoning Ordinance), and the Monterey County Subdivision Ordinance (Coastal). Staff determined that the proposed project is consistent and recommends the Planning Commission approve the Coastal Development Permit and Lot Line Adjustment based on the draft resolution and subject to the proposed conditions of approval. The lot line adjustment will not create a greater number of parcels of record than what is currently existing nor will it result in additional residential development. This lot line adjustment, as proposed, would provide a more uniform interface between the existing structures on both lots and brings the structures into conformance with the minimum building site of 5 acres. There are no identified impacts to environmental resources.

Section 15305(a) of CEQA Guidelines exempts minor alterations in land use limitations, including minor lot line adjustments (no new parcels), in areas with an average slope less than 20%, and which does not result in any change in land use or density. No demolition, construction, or other type of development is proposed under this entitlement. As such, there is no intensification of use (e.g. water) and no additional development potential would be created by this adjustment. The average slope of these parcels is 15%.

**OTHER AGENCY INVOLVEMENT:**

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

Environmental Health Bureau  
RMA-Public Works  
Water Resources Agency  
North County Fire Protection District  
North County Land Use Advisory Committee  
California Coastal Committee CCC

The proposed project was reviewed by the North County Land Use Advisory Committee (LUAC) on July 7th, 2017. The LUAC recommended approval of the project by a vote of 8 to 0, with 1 member absent (**Exhibit D**) stating that the project was a simple lot line adjustment within two properties and no impacts to the neighborhood area were identified.

The lot line application was forward for review to the California Coastal Commission on May 23, 2017. Coastal Commission staff agreed with the lot line adjustment as it reallocated the acreage and development evenly between the two lots and will not otherwise intensify water use or create new building sites or the potential future development.

Prepared by: Son Pham-Gallardo, Assistant Planner, x5226  
Reviewed by: Jacqueline R. Onciano, RMA Chief of Planning  
Approved by: Carl P. Holm, AICP, Director of RMA

The following attachments are on file with the RMA:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution, including:
  - Conditions of Approval
  - Preliminary Lot Line Adjustment Map
- Exhibit C - Vicinity Map
- Exhibit D - North County LUAC Minutes
- Exhibit E - Reso 84-34 Permit 3009

cc: Front Counter Copy; California Coastal Commission; Jacqueline R. Onciano, RMA Chief of Planning, Jeff Nielsen, Applicant; Tomas and Charmidivina Cruz, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan File PLN160695.