



Monterey County Zoning Administrator

Agenda Item No. 3

Legistar File Number: ZA 18-055

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

August 30, 2018

Introduced: 8/17/2018

Version: 1

Current Status: Agenda Ready

Matter Type: ZA

PLN170822 - SABA AHMED

Public hearing to consider the construction of a 3,632 square foot single family dwelling with an attached 864 square foot garage and 420 square foot detached guesthouse within 100 feet of environmentally sensitive habitat (ESHA).

Project Location: 5 Hillcrest Road, Royal Oaks, North County Land Use Plan

Proposed CEQA Action: Categorically exempt per Section 15303(a) of the CEQA Guidelines

RECOMMENDATION:

Staff recommends the Zoning Administrator:

- a. Find the project is construction of the first single family residence on a legal lot of record in a residential zone 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 of the CEQA guidelines; and
- b. Approve a Combined Development Permit consisting of:
 - 1) A Coastal Administrative Permit to allow construction of a 3,632 square foot single family dwelling, and 864 square foot attached garage;
 - 2) Coastal Administrative Permit to allow construction of a 420 square foot detached guesthouse; and
 - 3) Coastal Development Permit to allow development within 100 feet of ESHA.

The attached resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends that the Zoning Administrator adopt the resolution approving PLN170822 subject to twenty-three (23) conditions of approval.

PROJECT INFORMATION:

Property Owner: SABA AHMED

Agent: Mark L. Couper

APN: 117-081-013-000

Parcel Size: 1.41 acres

Zoning: "MDR/4(CZ)" (Medium Density Residential with maximum gross density of 4 units per acre in the Coastal Zone)

Plan Area: North County Land Use Plan

Flagged and Staked: yes

SUMMARY:

The subject application is for construction of the first single-family dwelling with an attached garage on a vacant 1.41 acre parcel on Hillcrest Road in Royal Oaks. The parcel is bound by Hillcrest Road

along the western edge, Salinas Road along the northern edge, a developed parcel zoned coastal general commercial along the eastern edge, and a developed residential parcel along the southern edge. Development on the commercial parcel to the east is nearly 300 feet from the proposed development on the subject property. The residence to the south is 65 feet from the proposed development on the subject parcel. A new driveway is proposed on Hillcrest Road. The property to the east shares Riparian Woodland contiguous with that identified on the subject parcel. Although the proposed development is within 100 feet of environmentally sensitive habitat (ESHA), implementation and operation of the new single family residence, as proposed and conditioned, would not have adverse environmental impacts.

DISCUSSION:

Back-to-back Corner Lot

The subject parcel sits on the corner of Hillcrest Avenue and Salinas Road, back-to-back with the lot on the corner of Hillcrest Avenue and Colonial Circle. Therefore, the project qualifies for the setback exceptions set forth in Section 20.62.040.Q of Title 20 for back-to-back lots. A corner lot that is not back-to-back with another corner lot is subject to front setbacks from both streets abutting the lot (Section 20.62.040.M). However, under the exception, the 20 foot front setback requirement applies only on Hillcrest Avenue and the setback along Salinas Road is reduced to 5 feet. Staff confirmed project plans conform to the setback requirements for a back-to-back corner lot.

ESHA

The Wetlands and Biological Assessment prepared by Coast Range Biological (LIB180156) identifies Riparian Woodland, Seasonal Wetland and a potential wildlife movement corridor on the property. The report finds that neither implementation nor operation of the residence would adversely affect a potential wildlife movement corridor or California red-legged frog (CRLF). There are no adverse environmental impacts anticipated due to the following:

- Riparian Woodland - Policy 2.3.3.B.1 of the NCLUP requires a minimum 50 foot setback from the Riparian Woodland dripline to the proposed development. The project development is proposed at 90 feet from the nearest Riparian Woodland dripline on the parcel.
- Seasonal Wetland - Policy 2.3.3.B.4 of the NCLUP requires a minimum 100 foot setback from the vegetated landward edge of a coastal wetland to the proposed development. The project development is proposed at 130 feet from the vegetated landward edge of the nearest coastal wetland on the parcel.
- Not a Potential Wildlife Corridor - The presence of residential development immediately to the east and south of the project site, and agricultural development to the north and west isolates the Riparian Woodland and Seasonal Wetland habitats from providing a movement corridor for native wildlife.
- Not CRLF Habitat - The CRLF requires still or slow-moving ponds during the breeding season, generally December to April, and the intermittent Wetland was dry during the March 2018 assessment.

Condition No. 8 requires a conservation easement dedication over ESHA as a condition of approval for any development on a parcel containing ESHA in accordance with Section 20.144.040.B.6 of the North County Coastal Implementation Plan (CIP).

The proposed project includes development of a principally permitted residential use of the property, an application that is normally considered by the Chief of RMA-Planning. However, due to development within 100 feet of ESHA, a public hearing of the project is required. The RMA Chief of Planning designates that the Zoning Administrator is the appropriate hearing body to consider this application pursuant to Section 20.04.030.F.

Utilities

The applicant has received a can and will serve letter for connection to the existing Pajaro/Sunny Mesa Community Services District (PSMCSD) for residential water service. The County confirms that public sewer service to this residence is provided by Pajaro (Bay Farms) District.

Design:

The project meets all height and setback restrictions pursuant to the Monterey County Code Title 20 for MDR/4(CZ) zoning code. Colors and materials proposed are consistent with the rural character of the surroundings.

Development Standards for MDR

Proposal Meets Requirements:

Front Setback (main structure): 20 ft (minimum)	141 feet
Front Setback (garage): 50 ft (minimum)	109 feet
Front Setback (guesthouse): 50 ft (minimum)	110 feet
Side Setback (main structure): 5 ft (minimum)	20 feet
Side Setback (garage): 6 ft on front ½, 1 ft on rear	27.5 feet
Side Setback (guesthouse): 6 ft (minimum)	35.5
Rear Setback (main structure): 20 ft (minimum)	140 feet
Rear Setback (garage): 1 ft (minimum)	165.5 feet
Rear Setback (guesthouse): 6 ft (minimum)	140 feet
Maximum Height (main structure): 30 ft	22.17 feet
Maximum Height (garage): 15 ft	15 feet
Maximum Height (guesthouse): 15 ft	14.25 feet
Building Site Coverage: 15% maximum	9.5%

LUAC:

The project was not referred to the North County Land Use Advisory Committee (LUAC) for review because the project is categorically exempt from CEQA, does not involve variances or design approval subject to a public hearing, or conflict with a lot line adjustment.

CEQA:

Pursuant to §15303(a) of CEQA Guidelines, new construction of the first single-family residence on a legal lot of record is exempt from environmental review. None of the exceptions to a categorical exemption contained in 15300.2 of the CEQA Guidelines apply.

OTHER AGENCY INVOLVEMENT:

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

Bureau of Environmental Health
RMA-Public Works & Facilities
Water Resources Agency
RMA-Environmental Services
North County Fire Protection Department

Prepared by: Jaime Scott Guthrie, Associate Planner, ext. 6414 
Reviewed by: Brandon Swanson, RMA Planning Services Manager
Approved by: John M. Dugan, FAICP, Deputy Director of RMA Land Use and Community Development, Planning Department. 

The following attachments are on file with the RMA:

Exhibit A Project Data Sheet

Exhibit B Draft Resolution, including:

- B-1 Plans; and
- B-2 Conditions of Approval

Exhibit C Vicinity Map

Exhibit D Reports, including:

- D-1 Geotechnical Report, Geronimo Martin Daliva (LIB180248)
- D-2 Wetlands and Biological Assessment, Coast Range Biological (LIB180156)

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Chief of Planning, Mark Couper, Agent; Ahmed Saba, Applicant; The Open Monterey Project (Molly Erickson); Land Watch (Executive Director); Project File PLN170822.