



Legislation Details (With Board Report)

File #: ZA 18-062 **Name:**

Type: Zoning Administrator **Status:** Agenda Ready

File created: 9/19/2018 **In control:** County of Monterey Zoning Administrator

On agenda: 9/27/2018 **Final action:**

Title: PLN180167 - MENDOZA
Public hearing to consider the construction of a two-story single family dwelling with attached two-car garage (Approx. 4,039 sq. ft.), and removal of two (2) Oak trees.
Project Location: 17090 Wallace Court, North County Land Use Plan
Proposed CEQA Action: Categorical Exemption pursuant to Section 15303(a) 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 - North County LUAC Minutes 4-10-18, 5. Exhibit D - Vicinity Map, 6. Exhibit E - Arborist Report 3-3-17, 7. Exhibit F - Arborist Report 9-6-2016, 8. RESza_18-057_PLN180167_092718

Date	Ver.	Action By	Action	Result
9/27/2018	1	County of Monterey Zoning Administrator		

PLN180167 - MENDOZA

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Project Location: 17090 Wallace Court, North County Land Use 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 new single-family residential structure and attached garage with associated tree removal, which qualify as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- b. Approve a Combined Development Permit consisting of:
 - 1. Coastal Administrative Permit to allow the construction of an approximately 2,939-square foot two-story single family dwelling with attached approximately 1,100 square foot garage;
 - 2. Coastal Development Permit to allow the removal of two (2) Coast Live Oak tree.

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

Staff recommends approval subject to sixteen (16) conditions.

PROJECT INFORMATION:

Project Owner: Francisco Mendoza

APN: 181-171-047-000

Zoning: Rural Density Residential, 5 acres per unit (Coastal Zone) [RDR-5 (CZ)]

Plan Area: North County Land Use Plan - Coastal Zone

Parcel Size: 28.32 acres (1,233,619 square feet).

Flagged and Staked: No

SUMMARY:

The project involves construction of a two (2) story single-family residence of approximately 2,940 square feet and attached 1,100 square foot garage, and removal of two (2) Coast Live Oak trees. The property, located in the southwestern reaches of the Aromas area, in the vicinity of San Juan Road and Tarpey Road, is characterized by terrain slopping away in a northwesterly direction in the western portion of the property with a terrace in the southeastern portions of the property. The site includes fragmented stands of oak trees with shrub understory dominated by poison oak. The specific building site is located on the terrace portion of the property. The property is currently vacant and has never been developed. The project also includes a new On-Site Waste Treatment System (OWTS) and removal of two (2) oak trees. Based on staff review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable provisions of the 1982 Monterey County General Plan, North County Land Use Plan, and applicable sections of the Monterey County coastal zoning ordinance (Title 20).

DISCUSSION:

The property is zoned for low density residential use, which allows development of single-family dwellings and non-habitable accessory structures as allowed uses pursuant to MCC Sections 20.16.040.A. The property is not located in an area where the Local Coastal Program requires visual public access (Chapter 6.1, Public Access, North County Land Use Plan). The property is located approximately five (5) miles Northeast of the eastern reaches of the Elkhorn Slough and approximately eight (8) miles east of the Pacific Ocean shoreline. Furthermore, the project site is not located adjacent to any existing or proposed trails, thus does not conflict with access or trails (Chapter 6.1.4.D).

Tree Removal

A tree assessment was prepared by licensed arborists, Albert Weisfuss (Arborist's Report LIB140097) and Frank Ono (LIB180120). The report describes a site with a fragmented forest canopy and dense understory dominated by poison oak and non-native grasses. The site does, however, contain clusters of dense oak forest canopy. The over-all condition of the oak forestation on site is fair to good with all trees exhibiting drought-related stress.

Two oak trees would be removed to accommodate the development, approximately 22" and 17" in diameter, respectfully. The proposed development is sited in such a way as to minimize the removal of trees; the building site is located in a partial clearing on fairly level ground, thus avoiding slopes and the denser oak forestation on site. The two (2) trees subject to removal are within the proposed building envelope and exhibit structural and/or health problems (Ono). There would be no adverse environmental damage to the site with the removal of two (2) Coast live oak trees. The applicant will plant two (2) trees for each tree removed, in this case, four (4) five-gallon oak trees. The project has been conditioned to ensure that for each tree removed, the two (2) trees shall be planted in the vicinity of the removed tree (Condition No. 7).

Development Standards

Pursuant to the development standards for the RDR zoning district, identified in MCC Section 20.16.060, and as proposed, the structures conform to all required setbacks, and are also within the corresponding maximum structure heights.

Main Structure (non-habitable) Setback and Height Requirements:

- Front Setback: 30 feet (minimum)
- Side Setback: 20 feet
- Rear Setback: 20 foot (minimum)

Maximum Height: 30 feet (maximum)

Proposed Setback and Height:

Front setback:	332 feet
Side Setback:	80 feet
Rear Setback:	greater than 20 feet
Maximum Height:	29 feet 3 inches (as measured from average natural grade)

The allowed site coverage maximum in the RDR/5 zoning district is 25 percent. The property is approximately 28.32 acres or 1,233,619 square feet, which would allow site coverage of 308,405 square feet. As proposed, the project would result in site coverage of 3,696 square feet or 0.3 percent.

Design Review

The project site is located in an area characterized by rural residential development consisting of single-family residences on large parcels. The specific development proposal is a two-story single-family dwelling with an attached 3-car garage that contains a hobbyist's shop area. The front elevation has various elements that break up the vertical plane; the second story accounts for approximately 42 percent of the structural development, thus the massing of the structure is broken up and the appearance of bulk mitigated. The roof elements reflect the structural space below, resulting in a broken roof mass that helps reduce the appearance of bulk. Materials include a smooth grey-colored stucco exterior with mission-style clay tile roof; the roof elements are gabled. Wood railings and timber columns define loggias on the front and rear elevations that also break up the mass of the structure. Wood components and window trims are painted white. The overall square footage of the development, approximately 4,000 square feet, is commensurate in scale and use with a rural residential setting.

Water

Water is provided by a private well on the site delivered to a mutual water company, the San Juan Road Water System #17, and then would be delivered to the proposed residence. Water tests were conducted and The Environmental Health Bureau has determined that the water meets County standards for quality and quantity and is thus acceptable.

LUAC

The project was referred to the North County Land Use Advisory Committee (LUAC) for review (**Exhibit C**). The LUAC reviewed the project at a duly-noticed public meeting on April 18, 2018, at which all persons had the opportunity to be heard, and voted 8 - 0 (8 ayes) to support the project as proposed. There was no public comment or concerns expressed at the LUAC presentation.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15303, Class 3, categorically exempts new construction of small structures. The proposed project involves the construction of one (1) new single-family residence on a residentially-zoned parcel located in a rural part of the county. As proposed, the residential structure would be constructed on gently sloping land and avoiding slopes of 25 percent or greater. Therefore, the project qualifies as and is consistent with the parameters of the Class 3 categorical exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:
RMA-Public Works

RMA-Environmental Services
Environmental Health Bureau
Monterey County Fire District (Fire Protection District)
Water Resources Agency

Prepared by: R. Craig Smith, Associate Planner, x6408
Reviewed by: Brandon Swanson, RMA Planning Services Manager
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Development Engineering

The following attachments are on file with the RMA:

Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:

- B-1 Recommended Conditions of Approval
- B-2 Site Plan, Floor Plans, Elevations, and Color/Material Finishes

Exhibit C North County LUAC Minutes (April 10, 2018)
Exhibit D Vicinity Map
Exhibit E Arborist report (March 3, 2017)
Exhibit F Tree Resource Assessment (September 6, 2016)

cc: Front Counter Copy; Cal Fire Coastal (Fire Protection District); RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; R. Craig Smith, Associate Planner; Brandon Swanson, RMA Services Manager; Francisco Mendez, Property Owner; Geronimo Daliva, agent/applicant; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN180167.