



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** ZA 18-030 **Name:**  
**Type:** Zoning Administrator **Status:** Agenda Ready  
**File created:** 5/22/2018 **In control:** Monterey County Zoning Administrator  
**On agenda:** 5/31/2018 **Final action:**  
**Title:** PLN170092 - WAYLAND  
Public hearing to consider an Administrative Permit and Design Approval to allow construction of a 4,647 square foot one-story single family residence with attached 774 square foot garage, a 496 square foot guest house with attached 662 square foot garage, and a 92 square foot pool house.  
Project Location: 25015 Boots Road  
Proposed CEQA Action: Find the project is a single-family residence and accessory structures in a residential zone, which qualifies for a class 3 exemption under Section 15303 of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Letter Requesting Public Hearing, 6. Exhibit E - Lot Line Adjustment PLN150624, 7. Exhibit F - Well Completion Report, 8. Exhibit G - Plans from Grading Permit 17CP00954, 9. RESza\_18-031\_PLN170092\_053118, 10. RESza\_18-031\_PLN170092\_053118\_REVISED\_062118

Date	Ver.	Action By	Action	Result
5/31/2018	1	Monterey County Zoning Administrator		

### PLN170092 - WAYLAND

Public hearing to consider an Administrative Permit and Design Approval to allow construction of a 4,647 square foot one-story single family residence with attached 774 square foot garage, a 496 square foot guest house with attached 662 square foot garage, and a 92 square foot pool house.

**Project Location:** 25015 Boots Road

**Proposed CEQA Action:** Find the project is a single-family residence and accessory structures in a residential zone, which qualifies for a class 3 exemption under Section 15303 of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2

### PROJECT INFORMATION:

**Agent:** Holdren and Lietzke Architecture

**Owner:** Warren and Margie Wayland

**APN:** 173-062-011-000 and 173-062-007-000

**Zoning:** RDR/5.1-VS(20')

**Parcel Size:** 14.19 acres (173-062-007-000) and 4.64 acres (173-062-007) = 18.83 acres total

**Plan Area:** Greater Monterey Peninsula

**Flagged and Staked:** Yes

### RECOMMENDATION:

It is recommended that the Zoning Administrator:

- Find the project is a single-family residence and accessory structures in a residential zone, which qualifies for a Class 3 exemption under Section 15303 of the CEQA Guidelines; and there are no

exceptions pursuant to Section 15300.2; and

- b. Approve an Administrative Permit and Design Approval to allow construction of a 4,647 foot single family residence with attached 774 square foot garage, a 496 square foot guest house with attached 622 square foot garage, and a 92 square foot pool house.

#### **SUMMARY:**

The subject property is located off of Boots Road and partially borders Highway 68. The building site is over 700 feet from Highway 68 and is screened from view by existing residential development and landscaping. Access to the property is provided via a driveway off Boots Road. The proposed project is a one-story single family residence on a Rural Density Residential Parcel with attached garage, a guesthouse with an attached garage, and a pool house.

This item was originally scheduled for administrative approval on April 18, 2018. Staff received a request for public hearing on April 13, 2018 and referred the item to the Greater Monterey Peninsula Land Use Advisory Committee and scheduled it for hearing before the Zoning Administrator. This staff report addresses the proposed project as well as additional questions received in the request for public hearing pertaining to the water supply and history of this parcel.

#### **DISCUSSION:**

##### **Parcel History:**

A Lot Line Adjustment (PLN150624) processed in 2015 created the parcel in its current configuration. The legal lot of record contains two Assessor Parcel Numbers (APNs): 173-062-011-000 and 173-062-007-000. As shown in Exhibit E, the Lot Line adjustment combined a portion of a 37.84 acre parcel with a 4.64 acre parcel to form the current legal lot.

##### **Visibility from Highway 68 and Design Review:**

Due to proximity to Highway 68, the parcel includes a Visual Sensitivity “VS(20)” overlay and is subject to Greater Monterey Peninsula Area Plan Policy GMP-3.3, which designates highly sensitive areas generally visible from designated Scenic Highways. The proposed house and accessory structures have been sited in the most appropriate location in an existing clearing and will be screened on three sides by existing nearby trees. Siting the home in this location avoids any tree removal and avoids any development on slopes. At a site visit conducted on March 15, 2017 the project planner determined that the proposed structures would not be visible from Highway 68 due to the distance from Highway 68 and the existing residential structures and landscaping located between the highway and the proposed building site. In accordance with the requirements of the VS(20) zoning designation, which limits height to 20 feet, the house will be 19 feet 11 inches at its highest point. The proposed guesthouse will be the maximum allowable height at 15 feet. A Condition of Approval (Condition No. 6) requires height verification to ensure the structures do not exceed these height limitations.

The project far exceeds setback and coverage requirements for the Rural Density Residential zoning designation. The required setbacks for main structures are 30 feet (front), 20 feet (side), and 20 feet (rear). The proposed setbacks for the main house will be 366 feet (front), 290 feet (side), and 385 feet (rear). The required setbacks for accessory structures are 50 feet (front), 6 feet (side), and 6 feet (rear). The proposed setbacks for the detached guesthouse and garage are 246 feet (front), 268 feet (side), and 558 feet (rear). Maximum building site coverage for this property is 25%. Total coverage for the project will be .07%. The proposed colors and materials, including brown, grey, beige, and stone, have been selected to minimize visual disturbance through blending with the surrounding landscape while also blending with the other homes in the area.

##### **Water Supply:**

Water for the proposed residence will be from an onsite well. A copy of the Well Completion Report is included

as Exhibit F. The request for public hearing expressed concern that the well was issued for APN 173-062-008-000, but now will serve the proposed development located on APN 173-063-011-000. Although the Well Completion Report was completed after the Lot Line Adjustment took place, the Assessor Parcel Numbers presumably had not yet been updated. The map included with the Well Completion Report shows the adjusted lot line and shows that the well is located on the same property as the proposed development, which is now APN 173-063-011.

The letter requesting a public hearing also expressed concern over the water quality of the onsite well. The Environmental Health Bureau (EHB) reviewed the water supply for the proposed development and recommended a retest for Arsenic as it is approaching the Maximum Contaminate Level. Because arsenic fluctuates over time, EHB advised that the owner monitor Arsenic regularly and install treatment when necessary. Since the detected arsenic level was approaching but did not exceed the threshold for acceptable limits, there is no basis for further requirements. Additionally, in accordance with Monterey County Code Chapter 15.04 (Domestic Water Systems) the well is proposed to serve only one single family dwelling, so it will not be regulated by EHB as a water system and further testing/reporting is not required.

### **Unpermitted Grading**

The letter requesting public hearing also requested clarification on a Code Enforcement violation that existed on the subject property. In November 2016, a citation was issued under Code Enforcement Case 16CE00463 for active grading of a new road without permits. The parcel owners obtained a grading permit (17CP00954) to legalize the grading on November 14, 2017. RMA-Planning reviewed the project and determined that no Planning entitlement was required since the project was an improvement to an existing ranch road and did not involve grading on slopes over 25%. To date, Phase 1 of the grading permit has been completed and received final inspection. The code enforcement case has been cleared for APNs 173-062-007-000 and 173-063-011-000. The grading permit 17CP00954 remains active for the parcels that contain Phase 2 and Phase 3 of the proposed driveway, and no entitlements can be issued on these parcels until final inspection has been obtained. Per Environmental Services standard practices, the property owner can continue making progress and successfully completing inspections in order to keep the grading permit active. However, as of the writing of this staff report the property owner has decided to restore the remaining sections of the driveway in order to close the Code Enforcement Case to allow the adjacent parcels to be sold.

### **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
- North County Fire Protection District
- North County Coastal Land Use Advisory Committee

### **LUAC - NO QUORUM**

The project was not originally referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review when it was scheduled for an administrative approval. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC because the proposed project does not require CEQA review (i.e. did not require an initial study); the project does not involve a lot line adjustment with conflicts; the project did not include a variance; and the project is not solely a Design Approval subject to the review of the Zoning Administrator or Planning Commission. However, after the project was elevated to a public hearing, it was sent to LUAC for review.

The Greater Monterey Peninsula LUAC was scheduled to review this project on May 16<sup>th</sup>. On May 14<sup>th</sup>, staff was informed that all but two LUAC members would not be able to attend. Although staff attempted to coordinate, a quorum was not reached and the May 16<sup>th</sup> meeting was cancelled and this project was continued. Pursuant to the Board Approved LUAC Guidelines, projects cannot be continued more than twice at the LUAC. So, this project could be referred back to the LUAC one more time, on June 6<sup>th</sup>, for a recommendation. If a quorum was not reached for a second time on June 6<sup>th</sup>, then the project would proceed to the Appropriate Authority without being able to obtain a LUAC recommendation.

Prepared by: Cheryl Ku, Senior Planner, 796-6049

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: John M. Dugan, AICP, RMA Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

- |           |                                      |
|-----------|--------------------------------------|
| Exhibit A | Project Data Sheet                   |
| Exhibit B | Resolution                           |
|           | • Recommended Conditions of Approval |
|           | • Site Plan, Floor Plans, Elevations |
| Exhibit C | Vicinity Map                         |
| Exhibit D | Letter Requesting Public Hearing     |
| Exhibit E | Lot Line Adjustment PLN150624        |
| Exhibit F | Well Completion Report               |
| Exhibit G | Plans from Grading Permit 17CP00954  |

cc: Front Counter Copy; Brandon Swanson, RMA Services Manager; Warren and Margie Wayland, Owner; Craig Holdren, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); John H. Farrow; Janet Brennan; Project File PLN170598