



## Zoning Administrator

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April 30, 2026

**Introduced:** 4/21/2026

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN240046 - NOORANI JONATHAN**

Public Hearing to consider action on the construction of a 2,734 square foot single-family dwelling and 767 square foot detached three-car garage with associated site improvements, including the removal of three Oak trees and development on slopes in excess of 25%.

**Project Location:** 26141 Rinconada Drive, Carmel Valley

**Proposed CEQA action:** Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 and that none of the exceptions set forth in CEQA Guidelines section 15300.2 apply.

### RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a resolution to:

- 1) Find the Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 and that none of the exceptions to the exemptions listed in Section 15300.2 can be made; and
- 2) Approve a Combined Development Permit consisting of:
  - a. Administrative Permit and Design Approval to allow the construction of a 2,734 square foot single-family dwelling and 767 square foot detached three-car garage with associated site improvements including the removal of three Oak trees; and
  - b. Use Permit for development on slopes in excess of 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 14 conditions of approval.

### PROJECT INFORMATION

**Property Owner:** Jonathan Noorani

**APN:** 416-051-026-000

**Parcel Size:** 249,690 square feet (5.74 acres)

**Zoning:** Split-zoned Rural Density Residential with Building Site-8 and Visual Sensitivity overlay districts, as well as Rural Density Residential with a maximum gross density of 5.1 acres/unit, or "RDR/5.1-VS| RDR/B-8-VS"

**Plan Area:** Toro Area Plan

**Flagged and Staked:** Yes

**Project Planner:** Jordan Evans-Polockow, Assistant Planner

Evans-PolockowJ@countyofmonterey.gov, (831) 783-7065

SUMMARY/DISCUSSION:

The subject property is located east of Laureles Grade on 26141 Rinconada Drive (Accessor's Parcel Number 416-051-026-000) in the Toro Area of unincorporated Monterey County. The proposed project includes construction of a 2,734 square foot single-family dwelling with an attached 767 square foot three-car garage, and associated site improvements, including the removal of three Oak trees and development on slopes in excess of 25% on the parcel located at. The site plans (**Exhibit B**) included in this project illustrate a proposed approximately 400 square foot Accessory Dwelling Unit (ADU). Pursuant to Title 21 section 21.64.030 and Government Section Code 65852.2, construction of an ADU shall be processed ministerially. Although a planning entitlement is not required and approval for the construction of ADU is not a part of this application, the ADU is dependent and accessory to a single-family dwelling. Therefore, the proposed ADU remains in the plans. Associated site improvements include a new septic system, landscape improvements, and grading of approximately 170 cubic yards of cut and 270 cubic yards of fill. To construct the proposed development, the project proposes the removal of three Oak trees, and approximately 4,798 square feet of development on slopes in excess of 25%. Water service will be provided by California American Water (Cal-Am), a private water system. As proposed, the project will be served by an onsite wastewater treatment system (OWTS).

Based on staff analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan (General Plan), Toro Area Plan (TAP), and Zoning Ordinance (Title 21).

*Land Use & Development Standards*

The subject property has a Split-zoned Rural Density Residential with Building Site-8 and Visual Sensitivity overlay districts, as well as Rural Density Residential with a maximum gross density of 5.1 acres/unit, or "RDR/5.1-VS| RDR/B-8-VS". Only a small portion of the parcel, towards the northwest corner off of Rinconada Drive is zoned as "RDR/5.1-VS", in which does contain any existing or proposed development. The application would occur entirely on the portion of the property zoned as "RDR/B-8-VS."

The RDR zoning allows a single-family dwelling and a non-habitable accessory structure as principally allowed uses pursuant to Title 21 sections 21.16.030.A and 21.16.030.E; however, pursuant to Title 21 section 21.46.030.A, the proposed development is subject to an Administrative Permit and Design Approval as the property includes a VS zoning overlay but is not visible from any common public viewing areas. The project is consistent with the applicable development standards. RDR zoned lots within the Toro Area Plan are subject to a 25% maximum building site coverage. The proposed site coverage is 6.6% (16,476 square feet). Title 21 section 21.42.030 outline setbacks for properties within a building site or "B" overlay. The required setbacks for main structures are 30 feet from the front property line, 20 feet from the rear, and 10% of the average lot width (25 feet). The proposed setbacks include a 325 foot front setback, a 25 foot setback on the closest side (south), 200 foot side setback to the north, and a 515 foot rear setback. The proposed main structure meets the required 30 foot height maximum with a proposed height of 25 feet from the average natural grade. Therefore, as proposed, the project is consistent with the development standards outlined in Title 21 sections 21.16.060 and 21.42.030.

The B-8 overlay was established within the Toro Area Plan due to known water supply constraints and intended to restrict development or land use intensification that would adversely affect the water supply. Pursuant to Title 21 section 21.42.030.H.1, the construction of the first single-family dwelling and accessory structures are exempt from these restrictions. As noted above, the property will be served by the Cal-Am, which indicated that there is an adequate water supply to serve the proposed development.

*Visual Resources and Design Review*

Toro Area Plan (TAP) Policy T-3.3 indicates that new development within areas designated as “visually sensitive”, as illustrated on the Toro Area Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), may be permitted if the development is located and designed (building design, exterior lighting, and siting) in such a manner that will enhance the scenic value of the area. Architectural design consistent with the rural nature of the TAP shall be encouraged. According to Figure 16, the subject property is not designated as being visually “sensitive” or “highly sensitive”; however, the subject property does have a VS overlay but is not visible from a common public viewing area. Title 21 section 21.46.030 outlines regulations for subject properties with a VS overlay, which is intended to regulate development that could potentially create adverse visual impacts when viewed from a common public viewing area. Staff conducted a site visit on May 9, 2025 and confirmed that the staking and flagging was not visible from Highway 68, Laureles Grade, or any other common public viewing area without aided vision due to distance, topography, and existing mature vegetation. The trees along Laureles Grade are taller than the proposed residence, therefore the development will not silhouette against the sky. The proposed residence sits approximately 510 feet away and downhill from Laureles Grade street level. Therefore, the proposed project does not have the potential to create an adverse visual impact when viewed from a common public viewing area and is subject to an Administrative Permit and Design Approval in accordance with Title 21 Section 21.46.030.D.2.

The proposed design is consistent with the surrounding neighboring character. Colors and materials consist of smooth beige cement plaster walls with brown eaves; dark bronze doorway; Class “A” concrete tile roofing in a Valencia brown color. The landscape plan and exterior lighting shall be approved by HCD-Planning prior to the issuance of building permit(s) through the County’s standard conditions pursuant to Title 21 Section 21.16.060 and Section 21.63.020 respectively.

*Biological Resources*

Policy OS-5.16 of the 2010 Monterey County General Plan and Title 21, section 21.66.020 requires a biological study to be performed for any development that has the potential to impact or reduce the habitat of a fish or wildlife species. A Biological Survey (LIB250074) was prepared to assess the property for any potential impacts from proposed development on potentially Environmentally Sensitive Habitats on site or on neighboring properties. No sensitive plant species were identified within the biologists survey, but the nests and evidence of a Monterey dusky-footed woodrat were observed within their site visit on January 3, 2025. Due to the species being classified as a state species of special concern, as well as the subject property holding the potential of serving as the habitat for two listed species of amphibians, the biologist recommended a Spring Survey to be conducted, which led to the continuance of this project from the Zoning Administrator Hearing of July 10, 2025, to a date uncertain. The Spring Survey (LIB250074) was conducted March 23, 2026, in

which disclosed no additional special status or protected plant or wildlife species were observed (Exhibit D). The biologist did not see the any sightings of Monterey dusky-footed woodrat. The nests were observed at this survey but they were not within or close to the proposed areas of development. The biologist recommended a preconstruction survey 14 days prior to construction to ensure no new Monterey dusky-footed woodrat nests or nests of migratory birds and raptors will be impacted by the proposed development. The project has been conditioned to ensure this preconstruction survey occurs (Condition No. 11).

#### *Tree Removal*

The project includes application for the removal of 3 protected trees. In accordance with the applicable policies of the Monterey County Zoning Ordinance (Title 21), a Use Permit is not required. Title 21 section 21.64.260.D.2 states removal of 3 or less protected trees can be approved by the Director of Planning in any one year given period. An Arborist report (County of Monterey Library No. LIB250073) was prepared to evaluate the health, structure, and preservation suitability for each tree within or adjacent to the proposed development. Three Coast live oaks trees would be proposed to be removed with implementation of this project. The Arborist report identified the three trees to range in a poor and fair health condition. Of the three oaks proposed for removal, two are directly within the building footprint. One, 18-inches diameter at breast height (DBH), exhibits bark bleeding and branch breakage but is rated of fair health. The other, 14-inches and 18-inches dual-stem DBH, has poor architecture and is rated fair-to-poor. The third tree that is not located within the proposed footprint is 18-inches DBH and likely to be impacted by grading, where greater than 50% of their critical root zones will be impacted and are therefore recommended for removal. It is recommended for removal due to its poor condition and expected deterioration from grading impacts.

Additionally, the subject property has an existing conservation and scenic easement, which further limits the developable area. The development is on the flattest and clearest portion of the property. Should the development be further sited back towards the rear of the property, it would result in additional development on slopes greater than 25%. The remaining site that is heavily forested would further be protected through the implementation of Condition No. 5. In addition to being impacted by grading activities, the removal of these trees within close proximity to the development also helps to reduce fuel loads near the proposed residential development, consistent with State fuel management guidelines. Therefore, staff believe that the proposed tree removal is the minimum required under the circumstances of this case.

In accordance to Title 21 section 21.64.260.D.4, the arborist recommends the replanting of three Oak trees with the minimum planting size to be 5-gallon containers per tree. Replanting only seventeen trees also ensures the property's fuel loads can be adequately managed. Accordingly, Condition No. 10 requires the applicant to replant three 5-gallon coast live oak trees.

#### *Development on Slopes*

Monterey County Geographic Informational Systems (GIS) identifies the subject property containing slopes in excess of 25%. General Plan Policy OS-3.5, implemented by Title 21 section 21.64.230.E, states that development on slopes that exceed 25% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 25%, or the proposed development better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable

land use plan than other development alternatives. In this case, the location of the proposed development better achieves the goals, policies and objectives of County policies as alternative locations on the property for this proposed development would result in more tree removal with the potential to be visible from Laureles Grade. Additionally, the 5.11 acre property contains a scenic easement north of the proposed development as illustrated in the attached plans (**Exhibit B**) and a dedicated septic envelope. The subject property is located on a hillside with the flattest portion located towards the back half of the property. The proposed development is most suitable in this location considering the topography and existing vegetation. The project includes approximately 4,798 square feet of development on slopes in excess of 25% to construct the detached garage and driveway courtyard. The courtyard is proposed to be constructed in a manner to comply with the Monterey County Fire regulations to ensure clearance for a turnaround area. Should the proposed single family dwelling, detached garage and driveway courtyard be located towards the front half of the property (towards Rinconada drive), the development may require the removal of more Coast Live Oak trees and potentially be seen from Laureles Grade as the existing vegetation that currently screens the property would potentially be removed. Therefore, as proposed, the project meets the required findings to grant a Use Permit as identified in the 2010 General Plan and Title 21 section 21.64.230, and better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable land use plan than other development alternatives.

CEQA:

The applicants propose a single-family dwelling, detached garage and an ADU. However, under Title 21 section 21.64.030 and Government Code section 65852.2, the ADU is being processed ministerially. CEQA Guidelines section 15268(d) declares that “[w]here a project involves an approval that contains elements of both a ministerial action and a discretionary action, the project will be deemed to be discretionary and will be subject to the requirements of CEQA.” In such cases, while the whole project becomes subject to CEQA, it is only those discretionary components of the project - those parts which the reviewing agency (here, the County) has authority to shape, influence, approve, or deny (CEQA Guidelines section 15040; Public Resources Code section 21004). Accordingly, while the Zoning Administrator’s discretionary authority is limited to consideration of the proposed residence, the proposed residence and the ADU are subject to CEQA.

California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts new construction, inclusive of single-family dwellings and accessory structures. As proposed, the project involves the construction of the first single-family dwelling with a detached garage and detached ADU. The project, as proposed, will not create impacts on an environmental or historical resource. The project will not create any cumulative or significant impact, and this site is not a hazardous waste site. The proposed development will not have an adverse visual impact on the scenic highway due to siting, distance, and design. Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15303. No evidence of significant adverse environmental effects was identified during the staff’s review of the development application.

LUAC REVIEW AND PUBLIC COMMENT:

The proposed project was reviewed by the Carmel Highlands Land Use Advisory Committee on June 22, 2025. The LUAC recommended approval of the project by a vote of 5-0 in support of the project with recommendations of an earth tone color for the house, for the ADU to match the house in

roofline and color, and planting 10 1 gallon Oak trees. (**Exhibit C**).

OTHER AGENCY INVOLVEMENT

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

HCD-Engineering Services  
Environmental Health Bureau  
HCD-Environmental Services  
Monterey County Regional Fire Protection District

Prepared by: Jordan Evans-Pollockow, Assistant Planner, x7065

Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

- Conditions of Approval
- Site Plans, Floor Plans & Elevations

Exhibit C - Vicinity Map

Exhibit D - Arborist Report (LIB250073)

Exhibit E - Biological and Spring Survey (LIB250074)

Exhibit F - Toro LUAC Minutes

cc: Front Counter Copy; Monterey County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Jordan Evans-Pollockow, Planner; Jacquelyn M. Nickerson, Principal Planner; Jonathan Noorani, Property Owner; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Toro Land Use Advisory Committee; Planning File PLN240046