

MONTEREY COUNTY PLANNING COMMISSION

Meeting: September 14, 2005	9:35am	Agenda Item: 3
Project Description: (PLN040427) Use Permit to allow the construction of a third dwelling unit (manufactured home) consisting of 1,440 sq. ft. with a detached 120 sq. ft. covered carport on an 9.24 acre parcel.		
Project Location: 34735 Metz Rd, Soledad (Assessor’s Parcel Number 257-121-019-000)		
Plan Area: Central Salinas Valley Area Plan	Flagged and staked: No	
Zoning Designation: LDR/2.5 (Low Density Residential with a Maximum Gross Density of 2.5 Acres Per Unit)	CEQA Action: No Action Required. (Section 15303(a) of the CEQA Guidelines)	
Department: Planning and Building Inspection		

RECOMMENDATION:

Approve the project based on Findings and Evidence (**Exhibit “A”**) and subject to proposed conditions (**Exhibit “B”**).

OVERVIEW OF PROPOSED ACTION:

The applicant is seeking a Use Permit to establish a third dwelling unit consisting of a 1,440 sq. ft. manufactured home with a detached 120 sq. ft. carport on a 9.24 acre parcel. This is allowed with a Use Permit per Section 21.14.050 A of Title 21 (Inland Zoning), which states: “Additional residential units to a maximum of 4 on any lot and not exceeding the zoning density of the property”.

The 9.24 acre parcel currently has one (1) existing main dwelling unit located at the entrance of the property. A mobile home caretaker’s unit is situated at the end of the property. This mobile home unit was permitted as a caretaker’s unit by Monterey County Planning & Building Inspection Department on April 18, 1980, under file number ZA4014. Since the existing caretaker’s mobile home unit is exempt from density requirements per Section 21.64.030 C.4 of Title 21 (Monterey County Zoning Ordinance), this unit cannot be counted towards the number of total allowed units under the zoning designation (LDR/2.5).

On August 10, 2005, the Director of Monterey County Planning and Building Inspection Department approved an Administrative Permit for second unit on this property through file number PLN040503.

The following table is a summary of the existing and proposed units on this property:

<i>UNITS</i>	<i>EXEMPT FROM DENSITY REQUIREMENTS</i>
Dwelling unit #1- (Existing) Located at entrance of property.	No
Caretakers Mobile Home- (Existing) Located at the rear of the property.	Yes (per section 21.64.030 C.4 (Title 21))
Dwelling unit #2- (Approved under PLN040503 and not yet constructed) To be located to the rear of the property.	No
Dwelling unit #3- (Proposed through this application (PLN040427))- To be located in the middle of the property.	No

Since the property is 9.24 acres and zoned LDR/2.5, the proposed third dwelling unit will not exceed the density requirements of the zoning. Therefore, this third dwelling unit is allowed, subject to the approval of a Use Permit.

Under the circumstances of the proposed addition and as conditioned the application meets the intent of the Zoning Ordinance.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Mission Soledad Rural Fire Department
- ✓ Parks Department

All of the above have either reviewed or provided consultation regarding this project.

Nadia Amador, Assistant Planner
(831) 755-5114

Staff report reviewed and approved by: _____

cc: Planning Commission (10); Water Resources Agency; Environmental Health Division; Public Works Department; Parks Department; Mission Soledad Fire Department; Lynne Mounday; Nadia Amador; Property Owner; Applicant; and File

Attachments: Exhibit "A" Recommended Findings and Evidence
Exhibit "B" Conditions of Approval
Exhibit "C" Vicinity Map
Exhibit "D" Project Plans

EXHIBIT “A”

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** - The Project, as conditioned, is consistent with applicable plans and policies, the Monterey County General Plan, the Central Salinas Area Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development. Specifically, the proposed addition complies with all applicable requirements of Section 21.14 (Low Density Residential Zoning District).
EVIDENCE: (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency and conformity with the Monterey County General Plan, the Central Salinas Area Plan and the Monterey County Zoning Ordinance (Title 21) and have determined that the project is consistent, and conforms with, said plans and ordinance. Staff notes are provided in Project File PLN040427.
(b) Project planner conducted an on-site to verify that the project on the subject parcel conforms to the plans listed above.
(c) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN040427.
(d) The existing parcel is 9.24 acres and the LDR zoning designation allows for one unit per every 2.5 acres. This third dwelling unit proposed meets this density requirement.
2. **FINDING: SITE SUITABILITY** - The site is suitable for the use proposed.
EVIDENCE: (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Environmental Health, Water Resources, Parks Department, and the Mission Soledad Fire Department. Conditions recommended have been incorporated.
(b) Staff conducted an on-site visit to verify that the site is suitable for this use.
(c) Necessary public facilities are available and will be provided.
3. **FINDING: CEQA** - The project is exempt from environmental review.
EVIDENCE: (a) CEQA Guidelines Section 15303 Class (a) categorically exempts a third dwelling unit in urbanized areas.
(b) No adverse environmental effects were identified during staff review of the development application or during a site visit.
(c) Development is largely contained in an already disturbed area of the property. There are no unusual circumstances related to the project or property.
4. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will, under the circumstances of this particular case, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of

persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) Preceding findings and supporting evidence.

5. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement cost, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

EVIDENCE: (a) Monterey County Zoning Ordinance Title 21, Chapter 21.80.