

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: July 31, 2008	Time: 1:30 P.M.	Agenda Item No.: 1
Project Description: Administrative Permit to allow the installation of a 1,229 square foot manufactured home which was manufactured more than 10 years ago, the construction of a new 36 inch high, 34 linear foot retaining wall surrounding the water tank pad and grading for the new residence, driveway and to level existing irrigation pond (cut: 2,200 cubic yards/fill: 2,200 cubic yards).		
Project Location: 1534 River Road, Gonzales		APN: 216-033-015-000
Planning File Number: CMB080001		Name: Lucia Highlands Vineyard, Inc, Property Owner/Dennis Diego, Agent
Plan Area: Central Salinas Area Plan		Flagged and staked: Yes
Zoning Designation: : “F/40” (Farmlands, 40 acres per unit)		
CEQA Action: Categorically Exempt per Section 15303 (a)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Administrative Permit based on the Findings and Evidence (**Exhibit B**) and subject to the recommended Conditions (**Exhibit C**).

PROJECT OVERVIEW:

The applicant proposes to install a manufactured home to be used as an employee residence for an existing vineyard. The subject property is a 58.6 acre agricultural parcel which is located easterly of River Road, about one mile north of the intersection of River Road and Gonzales River Road. The parcel slopes gently upward from River Road toward the foothills, with more than 90% of the parcel currently in vineyard. The proposed residence will be located on the northwest corner of the parcel, approximately 3,600 feet from River Road. Although the upper portion of this parcel is designated as “visually sensitive” in the Central Salinas Valley Area Plan, this small, single story residence will not be visible from the public road below because of the distance from the road, the existing vegetation on site and the topography.

This Administrative Permit has been referred to the Zoning Administrator for public hearing pursuant to Section 21.70.060.5 of the Monterey County Zoning Ordinance, at the request of a neighboring property owner who expressed concern about the potential for traffic noise and adverse visual impacts from the installation of an older manufactured home. Staff conducted a site visit and determined that the location of the driveway for the proposed residence is on the opposite side of the parcel from existing residences on River Road and that the path of travel to the proposed manufactured home will not result in traffic behind any of the existing residences on River Road; therefore, the potential for unusual traffic noise is minimal. The location of the proposed residence is approximately ¾ mile from the nearest existing residence on River Road and will be screened from view by existing vegetation on site and the topography. The manufactured home conforms to the standards of Section 21.64.040 in that the siding has the appearance of wood and the roofing material is composition shingle. When installed, the manufactured home will be refurbished and will have the appearance of a conventionally built residence.

OTHER AGENCY INVOLVEMENT:

- ✓ Gonzales Rural Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. No conditions were recommended by any of the reviewing agencies. **(Exhibit C)**.

The project was not referred to a Land Use Advisory Committee (LUAC) for review because there is no Land Use Advisory Committee for this area.

Note: The decision on this project is appealable to the Planning Commission

Delinda Robinson, Senior Planner
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July 22, 2008

cc: Front Counter Copy; Zoning Administrator; Gonzales Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Wanda Hickman, Building Services Manager; Delinda Robinson, Planner; Carol Allen; Lucia Highlands Vineyards Inc., Applicants; Dennis Diego, Agent; Dan and Lori McNiel; Planning File CMB080001

Attachments: Exhibit A Project Data Sheet
 Exhibit B Recommended Findings and Evidence
 Exhibit C Recommended Conditions of Approval
 Exhibit D Vicinity Map
 Exhibit E Site Plan, Floor Plan and Elevations
 Exhibit F Project Correspondence

EXHIBIT B

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Central Salinas Valley Area Plan and Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development. Specifically, the proposed manufactured home complies with all applicable requirements of Section 21.64.040.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - (b) The property is located at 1534 River Road, Gonzales (Assessor's Parcel Number 216-033-015-000), Central Salinas Valley Area. The parcel is zoned "F/40" (Farmlands, 40 acres per unit) which allows up to three single family residences, accessory to the agricultural use of the property for an owner, operator or employee employed on site. The project is in compliance with Site Development Standards for a Farmlands District in accordance with Section 21.30.060. Therefore, the property is suitable for the proposed development.
 - (c) The project planner conducted a site inspection on July 9, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
 - (d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File CMB080001.
 - (e) The manufactured home will have siding material which has the appearance of wood and roofing material of composition shingles. When installed, the manufactured home will have the appearance of a conventionally built home.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Gonzales Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Technical reports by geotechnical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - i. "Geotechnical and Septic System Investigation" prepared by Soil Surveys Inc., Salinas, CA, September 18, 1996 and update letter prepared July 13, 2007.
 - (c) Staff conducted a site inspection July 9, 2008 to verify that the site is suitable for this use.
 - (d) Materials in Project File CMB080001.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts one single family residence.
(b) No adverse environmental effects were identified during staff review of the development application during a site visit on July 9, 2008.
(c) Development is contained in an already disturbed area of the property. There are no unusual circumstances related to the project or property.
(d) See preceding findings and following evidence.
4. **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 costs, if any, have been paid.
- EVIDENCE:** (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
5. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case 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) See preceding findings and following evidence.
6. **FINDING: REFERRAL TO PUBLIC HEARING** – This Administrative Permit is referred to the Zoning Administrator for consideration at a public hearing pursuant to Section 21.70.060.5.
- EVIDENCE:** (a) Letter received from Dan and Lori McNiel (**Exhibit F**) requesting public hearing based on concerns about noise and potential adverse aesthetic impacts.
7. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Monterey County Planning Commission.
- EVIDENCE:** Section 21.80.404.B of the Monterey County Zoning Ordinance (Title 21).

EXHIBIT C Monterey County Resource Management Agency Planning Department Condition Compliance Plan	Project Name: Lucia Highlands Vineyard, Inc. File No: CMB080001 APNs: 216-033-015-000 Approved by: Zoning Administrator Date: July 31, 2008
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<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
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1.		<p>PD001 - SPECIFIC USES ONLY</p> <p>This Administrative Permit (CMB080001) allows the installation of a 1,229 square foot manufactured home which was manufactured more than 10 years ago, the construction of a new 36 inch high, 34 linear foot retaining wall surrounding the water tank pad and grading for the new residence, driveway and to level existing irrigation pond (cut: 2,200 cubic yards/fill: 2,200 cubic yards). The property is located at 1534 River Road, Gonzales (Assessor's Parcel Number 216-033-015-000), Central Salinas Valley Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 216-033-015-000 on July 31, 2008. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
4		PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	

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		irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
5		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	