

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> January 8, 2015	<b>Agenda Item No.:</b> 4
<b>Project Description:</b> Consider a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage.	
<b>Project Location:</b> 5 Bayview Road, Castroville	<b>APN:</b> 131-101-055-000
<b>Planning File Number:</b> PLN140143	<b>Owner:</b> Grant & Amelia Howerton
<b>Planning Area:</b> North County Land Use Plan, Coastal Zone	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> "LDR/2.5 (CZ) [Low Density Residential, 2.5 acres per unit (Coastal Zone)]"	
<b>CEQA Action:</b> Categorically Exempt per Section 15303(a) of the CEQA Guidelines	
<b>Department:</b> RMA-Planning	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Find the project exempt from CEQA per Section 15303(a) of the CEQA Guidelines; and
- 2) Approve PLN140143, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**)

### PROJECT DISCUSSION:

The subject property is zoned Low Density Residential. This zoning designation is designed for residential development including the construction of accessory structures. The construction of a residence including the attached garage is a use allowed under the zoning designation subject to securing a Coastal Administrative Permit. In addition, the project includes removal of two 20 inch Monterey pine trees, and the removal of one 32 inch eucalyptus tree.

The proposed residence and attached garage is located in an area which complies with all applicable site development standards [Section 20.14.060 (Site Development Standards)] of the Monterey County Zoning Ordinance (Title 20). Additionally, on March 25, 2004, the Zoning Administrator granted a Coastal Administrative Permit (Resolution No. 020147) to allow for the construction of a two-story residence with an attached garage in the same general area where the Howerton residence is proposed followed by the issuance of a grading (GP050052) and building (BP040801) permits.

The property was assessed by Meg Clovis, Cultural Affairs Manager (Monterey County Parks Department) for potential of historical significance of the site and the existing structures that are proposed for demolition. The Phase One Historical Assessment (LIB140386) concludes that due to the lack of landscape characteristics the property does not meet the integrity thresholds for setting, design, materials, workmanship, feeling or association. In short, this application was not referred to the Historic Resources Review Board (HRRB) for lack of historical integrity.

Originally, the application was scheduled as an Administrative Hearing before the RMA – Director of Planning; however, on November 24, 2014 a group of concerned neighbors submitted a signed letter to the RMA – Director of Planning requesting a public hearing. The RMA – Director of Planning has referred this application to the Zoning Administrator for further consideration to address several concerns as follows:

**Concern No. 1:** *From records accessible on line it appears only water quality test was performed. We request the following information be made available, or if not previously required, that these conditions also be considered:*

*Water System for Fire Protection  
Building Fire Protection Systems  
Adequate Water Supply System Assessment*

*Any conditions applicable to the applicant's intent to create a gray water system.*

**Staff's response to concern No. 1:** The North County Fire Protection District was not available to comment after receipt of the neighbors' letter November 20, 2014 in regards to the water system for fire protection and building fire protection systems. Environmental Health Bureau has determined that drinking water is delivered to the parcel by an existing 4-connection water system. The water system is currently permitted and serves the existing house that is proposed to be replaced by another single family dwelling as part of this project. Since this is not an expansion (i.e. adding another connection) of the existing water system, Environmental Health has recommended approval of the project. Since no expansion is being proposed, any ongoing maintenance of the water system's infrastructure or increased drinking water storage needs is the responsibility of the shareholders of the water system. Environmental Health is following up on the concerns expressed and will work with the water system to address those issues.

**Concern No. 2:** *The site doesn't show the typical flagging and staking we're accustomed seeing in our area. The current flagging and stakes don't adequately portray the proposed building dimensions, height and roof-lines. We request the staking and flagging clearly indicate the visual impact of the proposed project and that it include the netting seen at other local sites.*

**Staff's response to concern No. 2:** Pursuant to the Staking and Flagging Criteria (Resolution No. 09-360), delineation of structures may be accomplished by various types of staking and flagging. In this case, staff requested that the applicant install stakes and flags minimum of 2-foot by 2-foot square located at the highest point of the structure.

**Concern No. 3:** *A new building has been constructed on the property since the County site visit on 6/11/14. Pictures from the property owner's publicly accessible internet site shows intended residential use including a wood stove and toilet. See: <http://www.quonsethouse.com/tiny-house-planning-and-design/> and additional entries for the "tiny house."*

*It doesn't appear this building meets the requirements of either:*

20.64.070      *REGULATIONS FOR TEMPORARY RESIDENCES DURING THE  
CONSTRUCTION OF A DWELLING OR*

20.64.080      *REGULATIONS FOR TEMPORARY CONSTRUCTION OFFICES OR  
EMERGENCY FACILITIES FOR PUBLIC UTILITIES*

**Staff's response to concern No. 3:** The applicant is not requesting temporary residences or temporary offices during construction activities. Ordinance 5230 adopted by the Board of Supervisors on January 7, 2014 exempts one-story detached structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two hundred forty (240) square feet and the structure does not contain any electrical, plumbing or mechanical work and is not used to store hazardous materials or vehicles.

**Concern No. 4:** *We question why a kit built or prefab home (descriptions from the SteelMaster Site) does not have similar requirements as those that apply to a manufactured home. Specifically,*

20.64.040      *REGULATIONS FOR MANUFACTURED DWELLING UNITS INSTALLED ON A PERMANENT FOUNDATION...*

C.      *Regulations:...*

- ... 2.      *That the manufactured dwelling unit shall have a siding materials of, or having the appearance of wood, stucco, brick, stone or other material similar to other residences in the immediate area.*
3.      *That the manufactured dwelling unit shall have a roofing material of wooden, fiberglass or composition shingle, tile, slate or other roofing material similar to homes in the immediate area.*

**Staff's response to concern No. 4:** The contention correctly states the criteria contained in the Zoning Ordinance. While this is not a conventional style of house it is also not the typical manufactured house that the ordinance intends to regulate. The design of the home is unique and does not comply with the criteria in this section, but the proposed home is also not a Manufactured home in the sense that the regulations intend to address.

**Concern No. 5:** *We contest the finding of None for Visual Sensitivity and ask that the project be referred to the North County-Coastal Advisory Committee (LUAC) or other appropriate committee for review. Amongst several concerns are the planned expanse of "reflective," "bright" (descriptions from the SteelMaster site) aluminum coating of both the roofs and the sides of each of the house, garage and breezeway structures, their sitting on the property and the proposed landscape plan.*

*The grassy hillside, sloping to meet the wetlands then Elkhorn Slough, upon which our little residential undeveloped area sits is widely viewable. You see it from stretches of Highway 1, from the Moss Landing Middle School property, from Dolan and Elkhorn Roads, from several vantage points while kayaking on the Slough and while hiking on the trails of Elkhorn Slough Reserve. The Bayview Road right-of-way immediately above the applicant property is a well known and popular spot to park and enjoy the expansive vistas to the coastline and ocean. The proposed bright reflective roofs and buildings, especially on the planned building site will be plainly, albeit distantly, noticeable on the hill to the unaided eye from Highway 1 and will be clearly visible from Elkhorn Slough and the surrounding area. The planned structures and landscaping including the proposed trees towering over the local Oaks will most certainly have a visible impact and not be in conformance with a number of policies, regulations and intents contained in various Monterey County and North County-Coastal planning documents.*

**Staff's response to concern No. 5:** The project was referred to the North County LUAC and as reflected below, the LUAC was split on the design. Half thought the Quonset hut design was not appropriate while half voted in favor of it. This is not a Design Control area, and it is not an area identified as being in the Critical Viewshed. The consideration of the project should focus on whether it is contrary to any identified policy related to design or visual sensitivity. Staff has not identified any such policy language.

**Concern No. 6:** *Due to the age of the house to be demolished it is highly likely to contain lead paint and asbestos. By our recall from a previous planned build it was already determined the exterior siding was positive for asbestos. As the applicants are currently dismantling interior features and have already re-used components, we have concern for their health and safety. We ask that there be*

*an evaluation of the house for possible contaminants and if positive, appropriate safety measures be required and monitored.*

**Staff's response to concern No. 6:** On December 18, 2014, staff communicated with Monterey Bay Unified Air Pollution Control District (MBUAPCD) for comments in relation to potential asbestos for the demolition of the existing residence. It was determined that the single family residence planned for demolition is the only residence on the parcel and is not part of a larger project. As such it is exempt from the Federal Asbestos NESHAP and our local Rule 424. So MBUAPCD does not have jurisdiction over the demolition. However, all demolitions should be inspected for potentially hazardous substances so the work can be done by trained personnel with proper protection (OSHA regulations), and the debris taken to the proper landfill (DTSC regulations). In addition, see condition no. 21.

#### Environmental Review

California Environmental Quality Act (CEQA) Guidelines Section 15303(a), Class 3, categorically exempts one single-family residence in a residential zone. The project consists of the demolition of an existing residence and the construction of a two-story residence with an attached garage which results in the first residence on the property, the construction of a wastewater treatment system, a 12 foot wide driveway, and related drainage improvements in a residentially zone district. Therefore, the project is consistent with the parameters of the Class 3 categorical exemption.

#### Recommendation

Staff recommends that the Zoning Administrator find the project categorically exempt from California Environmental Quality Act (CEQA) Guidelines, Section 15303(a) and approve the Coastal Administrative Permit to allow the demolition of an existing one-story residence and allow the construction of a two-story residence on the subject property.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

- RMA-Public Works Department
- √ RMA-Environmental Services
- √ Environmental Health Bureau
- Water Resources Agency
- North County Fire Protection District
- Parks Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA – Environmental Services, and Environmental Health Bureau have been incorporated into the Condition Compliance attached to the draft resolution (**Exhibit B**).

On December 16, 2014 the North County-Coastal LUAC could not make a recommendation and noted such in the minutes. Four members were present and 1 member absent: two recommended denial and two recommended approval of the project. There was general consensus amongst all four members that landscaping restriction shall be applied to minimize impacts on the views from the road and neighboring lots including the relocation of the residence down the slope from where the residence is proposed. The disagreement was over the Quonset design within the neighborhood. Two members felt that the residence is out of character and the other two supports the design.

Note: The decision on this project is appealable to the Board of Supervisors.

/s/ Maria Lopez

Maria Lopez, Permit Technician II

(831) 755-5239 [lopezmd@co.monterey.ca.us](mailto:lopezmd@co.monterey.ca.us)

December 16, 2014

cc: Front Counter Copy; Zoning Administrator; North County Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Parks Department; Environmental Health Bureau; Water Resources Agency; Laura Lawrence, RMA Services Manager; Maria Lopez, Permit Technician II; Grant & Amelia Howerton, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Planning File PLN140143.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including:
		• Conditions of Approval
		• Site Plan, Floor Plan and Elevations,
	Exhibit C	Vicinity Map
	Exhibit D	Advisory Committee Minutes
	Exhibit E	Project Correspondence
	Exhibit F	Technical Reports

This report was reviewed by John Ford, RMA – Planning Services Manager

## EXHIBIT A

### Project Information for PLN140143

<b>Application Name:</b>	Howerton Grant & Amelia	
<b>Location:</b>	5 Bayview Rd, Castroville	
<b>Applicable Plan:</b>	North County LCP	<b>Primary APN:</b> 131-101-055-000
<b>Advisory Committee:</b>	North County-Coastal Advisory Committee	<b>Coastal Zone:</b> Yes
<b>Permit Type:</b>	Coastal Administrative Permit	<b>Final Action Deadline (884):</b> 12/27/2014
<b>Environmental Status:</b>	Categorical Exemption	
<b>Zoning:</b>	LDR/2.5(CZ)	<b>Land Use Designation:</b> Residential - Low Density

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#### Project Site Data:

<b>Lot Size:</b>	4.0547291	<b>Coverage Allowed:</b>	15%
<b>Existing Structures (sf):</b>	1016	<b>Coverage Proposed:</b>	1.8%
<b>Proposed Structures (sf):</b>	3216	<b>Height Allowed:</b>	30 ft
<b>Total Sq. Ft.:</b>	4232	<b>Height Proposed:</b>	<30 ft
<b>Special Setbacks on Parcel:</b>	N	<b>FAR Allowed:</b>	n/a
		<b>FAR Proposed:</b>	n/a

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#### Resource Zones and Reports:

<b>Seismic Hazard Zone:</b>	IV	<b>Soils Report #:</b>	n/a
<b>Erosion Hazard Zone:</b>	High	<b>Biological Report #:</b>	n/a
<b>Fire Hazard Zone:</b>	Moderate	<b>Forest Management Rpt. #:</b>	n/a
<b>Flood Hazard Zone:</b>	X (unshaded)	<b>Geologic Report #:</b>	n/a
<b>Archaeological Sensitivity:</b>	low	<b>Archaeological Report #:</b>	n/a
<b>Visual Sensitivity:</b>	None	<b>Traffic Report #:</b>	n/a

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#### Other Information:

<b>Water Source:</b>	Well	<b>Grading (cubic yds.):</b>	3937
<b>Water Purveyor:</b>	Bayview Road Water System	<b>Sewage Disposal (method):</b>	Septic System
<b>Fire District:</b>	North County FPD	<b>Sewer District Name:</b>	n/a
<b>Tree Removal:</b>	3		

**EXHIBIT B**  
**DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**Grant & Amelia Howerton (PLN140143)**

**RESOLUTION NO. ----**

Resolution by the Monterey County Hearing Body:

- 1) Finding the project exempt from CEQA per Section 15303(a) of the CEQA Guidelines;  
and
- 2) Approving a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage.

[PLN140143, Grant & Amelia Howerton, 5 Bayview Road, Castroville, North County Land Use Plan, Coastal Zone (APN: 131-101-055-000)]

**The Howerton application (PLN140143) came on for public hearing before the Monterey County Zoning Administrator on January 8, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1.       **FINDING:**       **PROJECT DESCRIPTION** – The proposed project is a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage.  
  
          **EVIDENCE:**       The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140143.
  
2.       **FINDING:**       **CONSISTENCY** – The proposed project and/or use, as conditioned, is consistent with the policies of the Local Coastal Program (LCP) and other County health, safety, and welfare ordinances related to land use development. The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
  - North County Land Use Plan;
  - Monterey County Coastal Implementation Plan, and
  - Monterey County Zoning Ordinance (Title 20)

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 5 Bayview Road, Castroville, (Assessor's Parcel Number 131-101-055-000), North County Land Use Plan. The parcel is zoned "LDR/2.5 (CZ) [Low Density Residential, 2.5 acres per unit (Coastal Zone)]", which allows the construction of a residence and accessory structure on the property subject to a Coastal Administrative Permit. Therefore, the project is an allowed land use for this site.
- c) The project planner conducted a site inspection on June 11, 2014 to verify that the project on the subject parcel conforms to the plans listed above.
- d) On November 24, 2014, a letter dated November 20, 2014 was received from concerned neighbors requesting a public hearing regarding the existing water system. The request for a public hearing was during the course of review of the project. A copy of the letter is attached as Exhibit E.
- e) The project was referred to the North County-Coastal Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because in the opinion of the RMA – Director of Planning neighbors concerns raised issues that necessitate review prior to a public hearing.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140143.

3. **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, North County Fire Protection District, Parks, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, 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) A Phase One Historical Assessment prepared by Meg Clovis, Cultural Affairs Manager (Monterey County Parks Department), Salinas, CA October 20, 2014 (LIB140386), concludes that the existing residence and foundations of two buildings are not considered of historical significance. (See Exhibit F).
- c) Staff conducted a site inspection on June 11, 2014 to verify that the site is suitable for this use.



- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN140143.
4. **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) The project was reviewed by the RMA - Planning, North County Fire Protection District, Parks, RMA - Public Works, Environmental Health Bureau, RMA – Environmental Services, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities will be provided. The Environmental Health Bureau determined that the parcel will be served by Bayview Road Water System, an existing water system. An existing septic system will be demolished, and the parcel will be served by the construction of a new septic system with location, design, layout, and size specifications approved by Environmental Health Bureau (Condition Nos. 15 & 16).
  - c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN140143.
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.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on June 11, 2014 to verify that the site has no violations.
  - c) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN140143.
6. **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 the construction of one single-family residence in a residential zone.
  - b) The subject parcel is zoned LDR or Low Density Residential of which the construction of a residence and accessory structure is an allowed use for the property subject to a Coastal Administrative Permit.

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on June 11, 2014.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140143.

7. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resource Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

**EVIDENCE:**

- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.144.150 of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program required public access (Figure 6 in the North County Land Use Plan).
- c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN140143.

The project planner conducted a site inspection on June 11, 2014.

8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and not the California Coastal Commission

**EVIDENCE:**

- a) Section 20.86.030.A of the Monterey County Zoning Ordinance (Title 20).
- b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Title 20), the construction of a residence is considered a principal use allowed.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

1. Find the project exempt from CEQA per Section 15303(a) of the CEQA Guidelines; and
2. Approve a Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage,, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and

**PASSED AND ADOPTED** this 8<sup>th</sup> day of January, 2015 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_

(Coastal Projects)

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 5-14-2014

# Monterey County RMA Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140143

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Coastal Administrative Permit (PLN140143) allows the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage. The property is located at 5 Bayview Road, Castroville (Assessor's Parcel Number 131-101-055-000), North County Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 RMA - Planning. 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)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

### 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Coastal Administrative Permit (Resolution Number \*\*\*) was approved by the Zoning Administrator for Assessor's Parcel Number 131-101-055-000 on January 8, 2015. The permit was granted subject to 20 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

### 3. PD002(A) - ATTACH RESOLUTION TO CONSTRUCTION PLANS

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** A copy of the Resolution of Approval (Resolution No. \*\*\*) for the Coastal Administrative Permit (Planning File No.: PLN140143) shall be incorporated onto the construction plans for the project prior to the issuance of a grading or building permit. The Contractor/Owner/Applicant shall be responsible for compliance with all conditions of approval. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any grading or construction activities, the Owner/Applicant shall submit evidence to RMA-Planning for review and approval, that the Resolution of Approval, for the project, has been incorporated onto the construction plans for the project/approved development.

Ongoing throughout construction and until all Conditions of Approval and/or Mitigation Measures have been complied with, the Contractor/Owner/Applicant shall provide evidence of compliance with Conditions of Approval to the Responsible Land Use Department as specified in the "Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan."

### 4. PD004 - INDEMNIFICATION AGREEMENT

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

#### 5. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

#### 6. PD007- GRADING WINTER RESTRICTION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** 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. (RMA - Planning and RMA - Building Services)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

#### 7. PD012(H) - LANDSCAPING PLAN (NO. COUNTY NATIVE)

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The site shall be landscaped. The use of native species consistent with and found in the project area shall be required in all landscaping plans as a condition of project approval. A list of appropriate native plant species identified in Attachment #2 and #3 in the North County Implementation Plan Development Regulations is available in brochure form (Suggested Native Species Landscaping List - North County Coastal Zone) from RMA - Planning. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

#### 8. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** 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 lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (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 RMA - Planning, prior to the issuance of building permits.  
(RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

#### 9. PD032(A) - PERMIT EXPIRATION

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on November 26, 2017 unless use of the property or actual construction has begun within this period.  
(RMA-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

#### 10. PD035 - UTILITIES UNDERGROUND

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA- Public Works)

**Compliance or Monitoring Action to be Performed:** On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.



#### 11. PD050 - RAPTOR/MIGRATORY BIRD NESTING

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

#### 12. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

#### 13. INSPECTION-PRIOR TO LAND DISTURBANCE (DURING THE RAINY SEASON)

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County stormwater regulations. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any land disturbance during the rainy season (October 15 – April 15), the owner/applicant shall schedule an inspection with RMA-Environmental Services.

#### 14. STORMWATER CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Stormwater Control Plan prepared by a registered professional engineer, along with supporting calculations, addressing the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a Stormwater Control Plan with supporting calculations, to RMA-Environmental Services for review and approval.

#### 15. EHSP01 - DEMOLISH EXISTING ONSITE WASTEWATER TREATMENT SYSTEM (NON-STANDARD)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Submit a plot plan to the Division of Environmental Health showing the location of the existing onsite wastewater treatment system (OWTS) on the property. Demolish the OWTS under permit by EHB. (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, the applicant shall submit plans for demolition to the Environmental Health Bureau for review and approval. Septic contractor shall obtain a demolition permit. EHB must witness demolition or approve submitted evidence of demolition.

#### 16. EHSP02 - ONSITE WASTEWATER TREATMENT SYSTEM DESIGN (NON-STANDARD)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** Environmental Health has determined that adequate area exists for an onsite wastewater treatment system for the proposed development. Submit onsite wastewater treatment system plans for review and approval indicating the location, design layout and size specifications that meets standards found in Monterey County Code 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board. (Environmental Health)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, the applicant shall submit onsite wastewater treatment system design plans for review and approval by the Environmental Health Bureau. Applicant shall obtain a permit to install the onsite wastewater treatment system from Environmental Health.

#### 17. EROSION CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit an Erosion Control Plan identifying the proposed methods to control runoff and erosion. The plan shall include the location and details for all selected erosion control measures. The Erosion Control Plan may be incorporated into other required plans provided it is clearly identified. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit an Erosion Control Plan to RMA-Environmental Services for review and approval.

#### 18. GEOTECHNICAL CERTIFICATION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall provide certification from a licensed Geotechnical Engineer that all development has been constructed in accordance with the recommendations in the project Geotechnical Report. (RMA- Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall submit a letter to RMA-Environmental Services for review and approval.

## 19. GRADING PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a grading plan incorporating the recommendations from the project Geotechnical Report. The Grading Plan shall be stamped by a licensed Geotechnical Engineer. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a Grading Plan to RMA-Environmental Services for review and approval.

## 20. INSPECTION-DURING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services, during active construction, to review the maintenance and effectiveness of BMPs installed, as well as, to verify that pollutants of concern are not discharged into receiving water bodies. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

## 21. PD047 - DEMOLITION/DECONSTRUCTION (MBUAPCD RULE 439)

**Responsible Department:** RMA-Planning

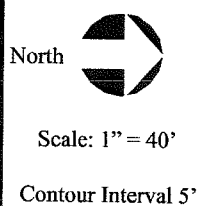
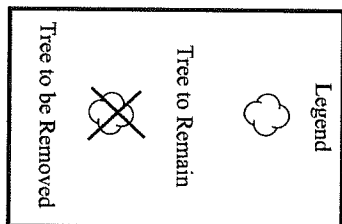
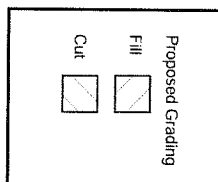
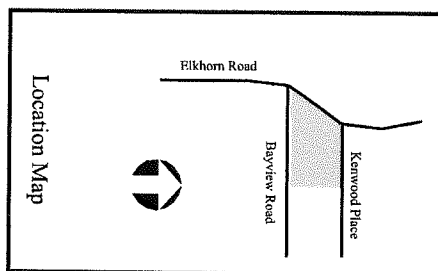
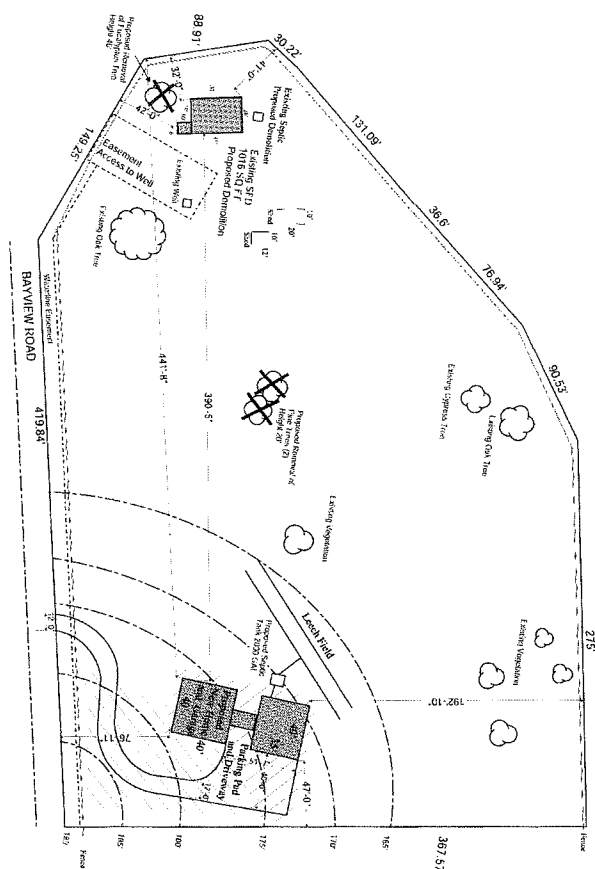
**Condition/Mitigation Monitoring Measure:** In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:

1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;
  2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;
  3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.
- All Air District standards shall be enforced by the Air District.  
(RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of a demolition permit, if applicable, the Owner/Applicant/Contractor shall incorporate a "Demolition/Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.

During demolition, the Owner/Applicant/Contractor shall obtain any required Air District permits and the Air District shall conduct all deconstruction or demolition activities as required by the Air District.

Average Natural Grade = 9%



559-360-2043 CaptainHowerton@gmail.com

# Fire Department Notes:

Reviewed and approved by:

Water System Plan  
(see to note)

Water Tank

The applicant has provided a fire department note indicating that the property is not a fire hazard and that the property is not a fire hazard. The applicant has provided a fire department note indicating that the property is not a fire hazard and that the property is not a fire hazard.

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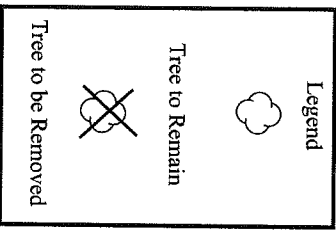
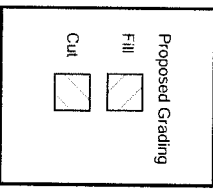
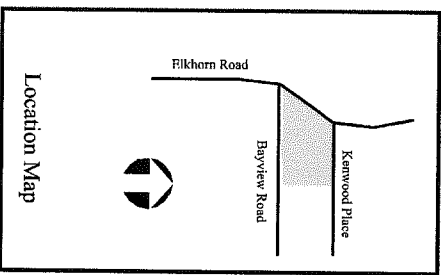
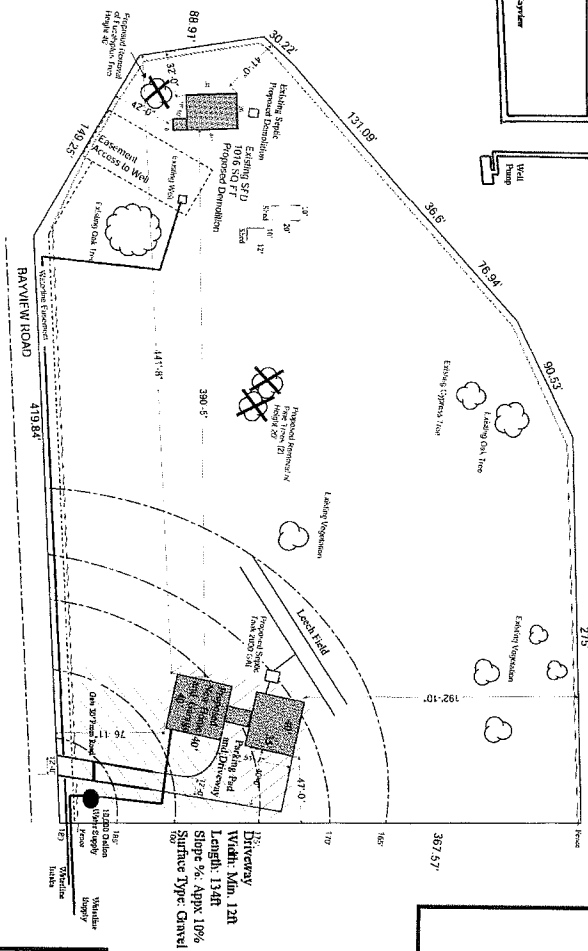
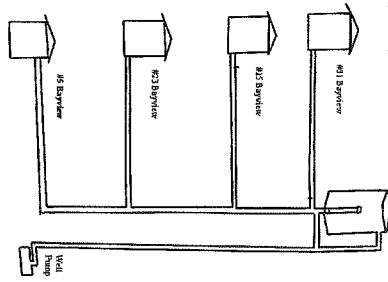
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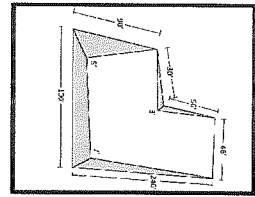
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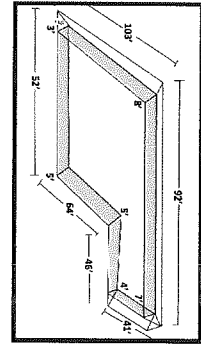


<p>North</p> <p>Scale: 1" = 40'</p> <p>Contour Interval 5'</p>	<p>PLN 140143</p> <p>Demolition of Old Home and Construction of New Home</p>	<p>APN 131-101-055</p> <p>Grant and Amelia Howerton</p> <p>5 Bayview Road Castroville, CA 95012</p> <p>559-360-2043 CaptainHowerton@gmail.com</p>
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# Grading Plan



Cut Estimate



Fill Estimate

Ultimate purpose of grading is to create level area for new single family dwelling.

## Grading

Estimated Maximum Cut:

61,093 Cubic Feet ( 2,263 Cubic Yards)

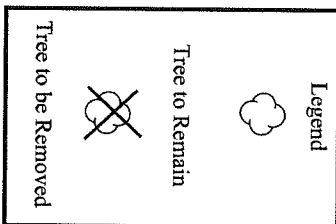
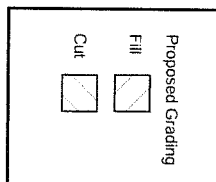
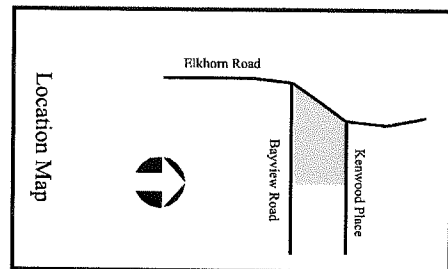
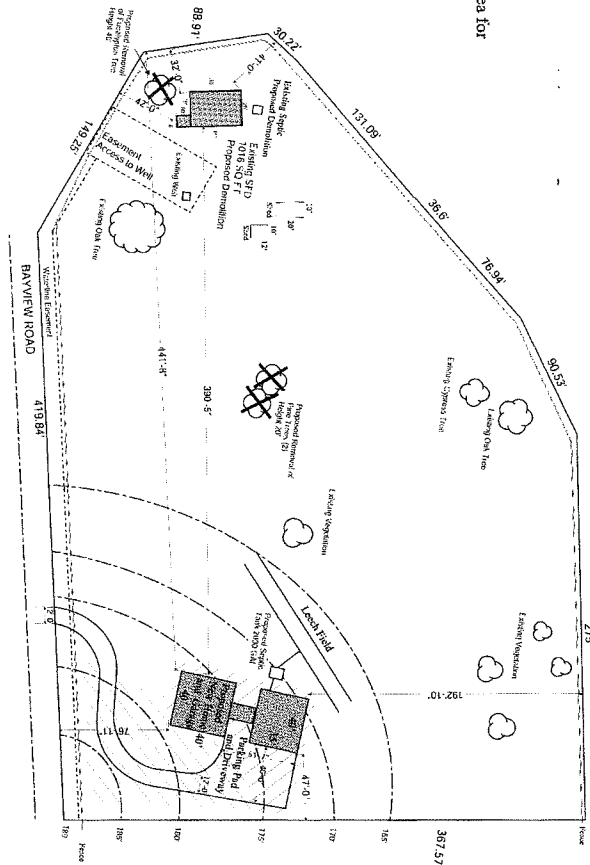
Estimated Fill:

45,209 Cubic Feet ( 1,674 Cubic Yards )

## Erosion Control:

Erosion will be controlled through growth of natural vegetation.

Land with 25%+ Slope: 0 sqft



Scale: 1" = 40'

Contour Interval 5'

PLN 140143

Demolition of Old Home and Construction of New Home

APN 131-101-055

Grant and Amelia Howerton

5 Bayview Road Castroville, CA 95012

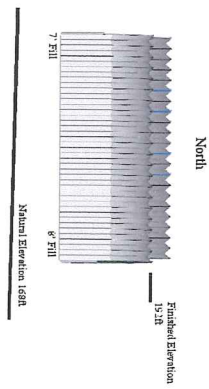
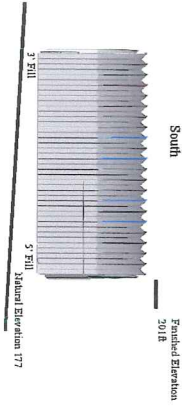
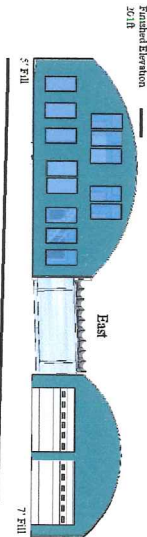
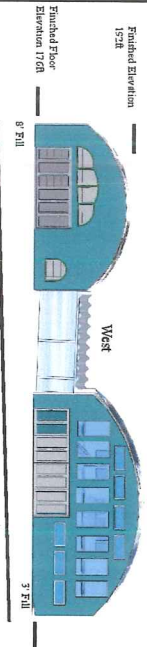
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## Proposed Demolition Structure



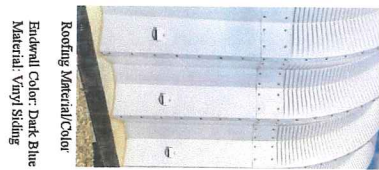
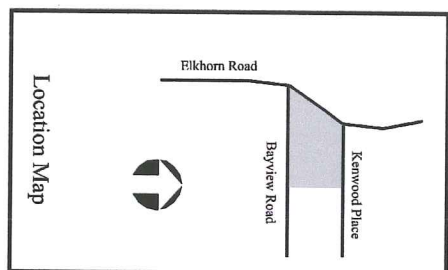
559-360-2043 CaptainHowerton@gmail.com

# Elevations



Scale 1"=10'

## Scaled Satellite Renderings



Roofing Material/Color  
Endwall Color: Dark Blue  
Material: Vinyl Siding



PLN 140143

Demolition of Old Home and  
Construction of New Home

APN 131-101-055

Grant and Amelia Howerton

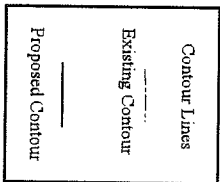
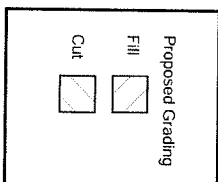
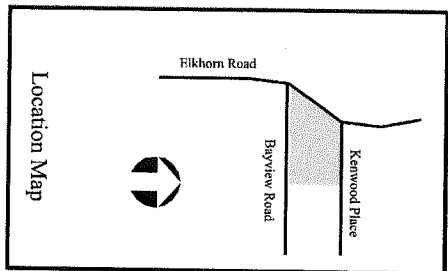
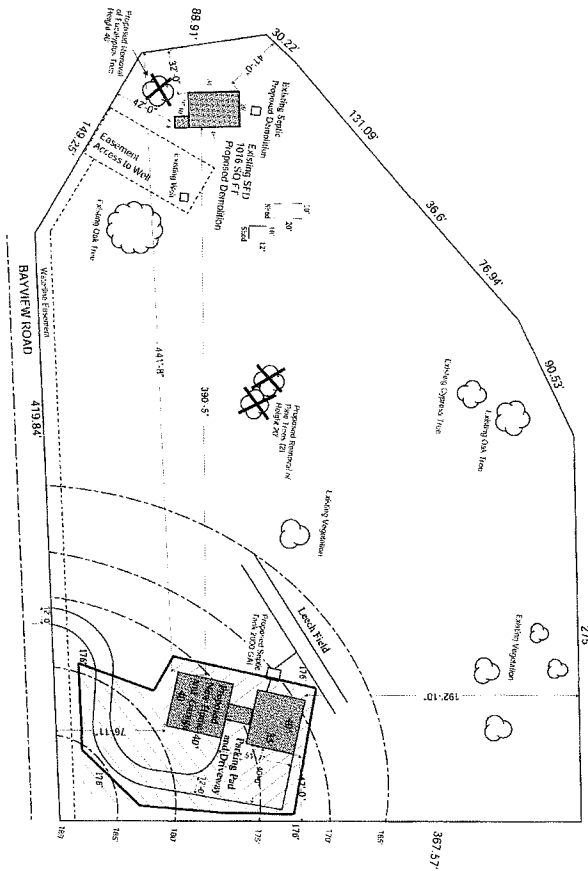
5 Bayview Road Castroville, CA 95012

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# Drainage Plan

Due to the small amount of impervious surface on project, measures are necessary to manage the impact of impervious surface on stormwater runoff.  
No slopes over 25%.  
No stormwater runoff is to be directed to any waterway.  
No stormwater runoff is to be directed to any waterway.  
No stormwater runoff is to be directed to any waterway.  
No stormwater runoff is to be directed to any waterway.



Drainage Plan showing 12' contour lines and 5' contour interval.



Scale: 1" = 40'

Contour Interval 5'

PLN 140143

Demolition of Old Home and Construction of New Home

APN 131-101-055

Grant and Amelia Howerton

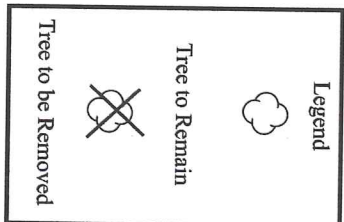
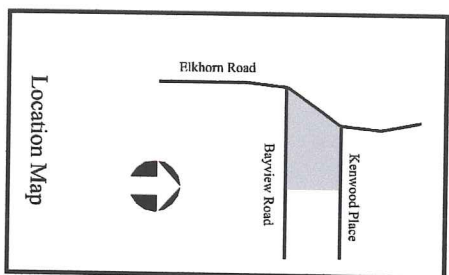
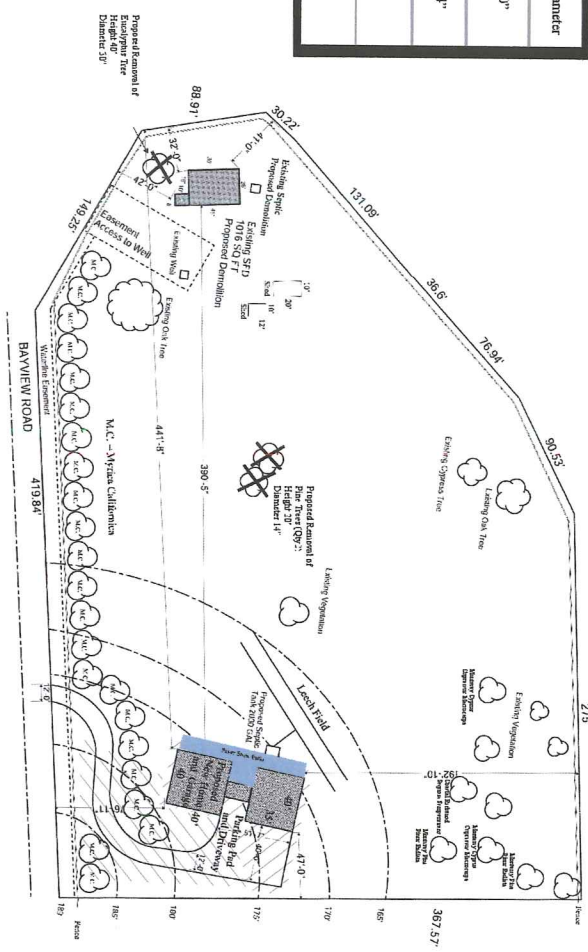
5 Bayview Road Castroville, CA 95012

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Plant Name	Quantity	Size
Sequoia Serravittensis	1	300ft
Cupressus Macrocarpa	2	120ft
Pinus Radiata	2	98ft
Myrica Californica	23	10-30ft

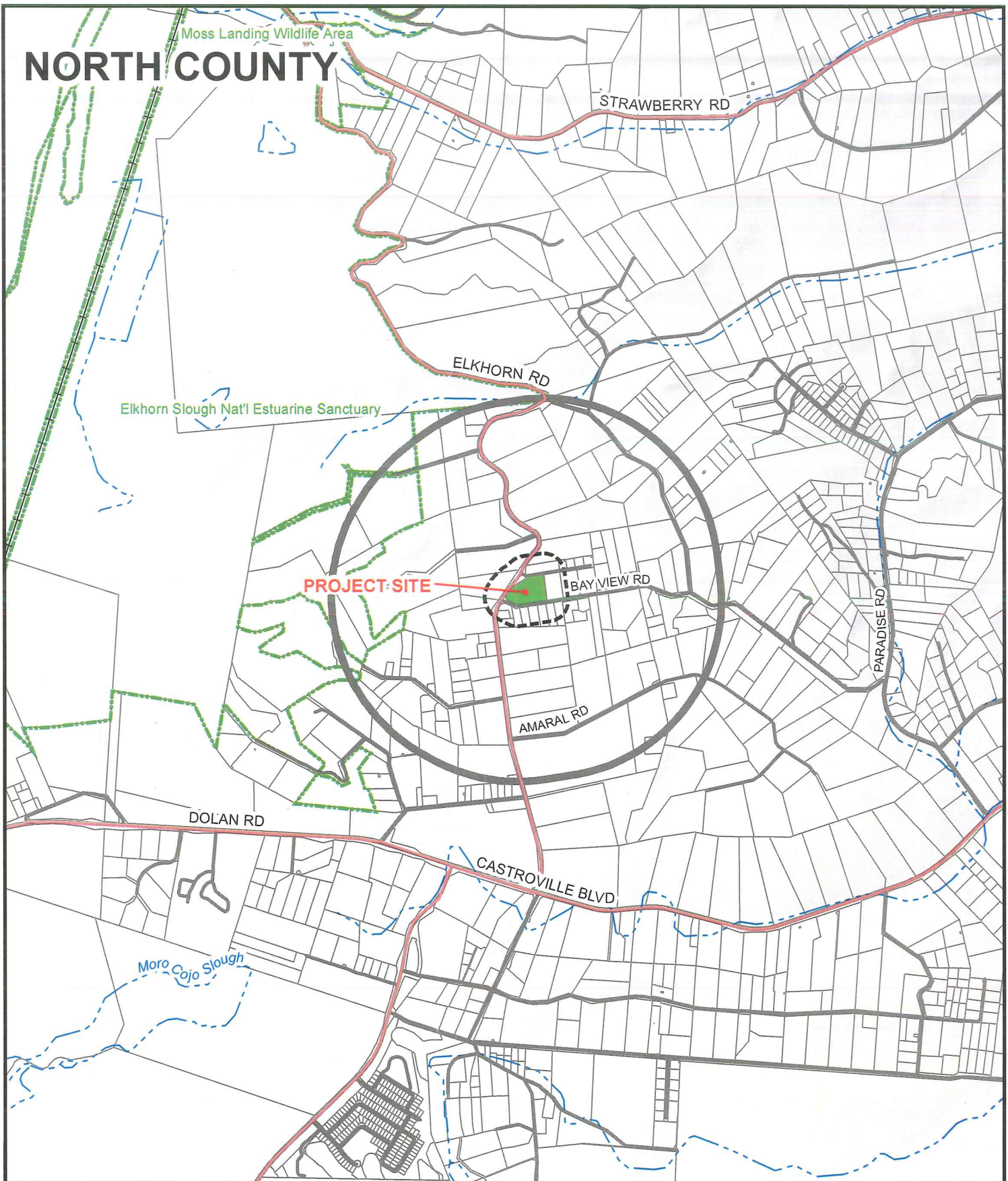
<p>Estimated Water Use: 8 Gallons Weekly X 52 Weeks = 416 Gallons Yearly</p> <p>Temporary Watering Scheme For Native Plants: Hand water weekly until plants are established.</p>
--

Tree Removal	Height	Diameter
Eucalyptus	40'	30"
Pine	20'	14"



<p>North</p> <p>Scale: 1" = 40'</p> <p>Contour Interval 5'</p>	PLN 140143	APN 131-101-055
	Demolition of Old Home and Construction of New Home	Grant and Amelia Howerton
		5 Bayview Road Castroville, CA 95012
		559-360-2043 CaptainHowerton@gmail.com

# NORTH COUNTY

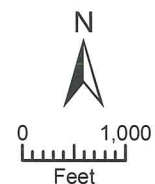


APPLICANT: HOWERTON

APN: 131-101-055-000

FILE # PLN140143

2500' Limit 300' Limit Water



PLANNER: LOPEZ

**MINUTES**  
**North County Coastal Land Use Advisory Committee**  
**Tuesday, December 16, 2014**

1. Meeting called to order by David Evans at 9:00 am

2. **Roll Call**

Members Present: David Evans, Robert McDonald, Warren Church, Margie Kay (4)

Members Absent: Ed Centeno (1) – unexcused absence

3. **Approval of Minutes:**

A. December 2, 2014 minutes

Motion: Warren Church (LUAC Member's Name)

Second: Robert McDonald (LUAC Member's Name)

Ayes: David Evans, Robert McDonald, Warren Church, Margie Kay (4)

Noes: 0

Absent: Ed Centeno (1)

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair. - None

5. **Scheduled Item(s)**

6. **Other Items:**

A) Formation of Subcommittee to Oversee Development of Local Coastal Program, Part I  
(General Provisions) **Robert McDonald and Margie Kay volunteered to represent NCCLUAC**

B) Consider establishing a Land Use Advisory Committee (LUAC) for the Castroville Community Plan Area and merging the two North County Land Use Advisory Committees (Board of Supervisors Referral No. 2014.06) - **No NCCLUAC member supports the merging of the 2 committees. New members need to be added to both committees.**

C) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects – None

D) Announcements - None

7. **Meeting Adjourned:** 12:19 pm

**Minutes taken by:** Margie Kay, secretary to LUAC

Minutes received via email December 18, 2014

# Action by Land Use Advisory Committee

## Project Referral Sheet

Monterey County Planning Department  
168 W Alisal St 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee: **North County Coastal**

Please submit your recommendations for this application by: **December 16, 2014**

**Project Title:** HOWERTON GRANT & AMELIA

**File Number:** PLN140143

**File Type:** ZA

**Planner:** LOPEZ

**Location:** 5 BAYVIEW RD CASTROVILLE

**Project Description:**

Coastal Administrative Permit to allow the demolition of an existing 1,016 square foot single family dwelling and the construction of a 2,230 square foot two-story single family dwelling with an attached 986 square foot garage. The property is located at 5 Bayview Road, Castroville (Assessor's Parcel Number 131-101-055-000), North County Land Use Plan, Coastal Zone.

**Was the Owner/Applicant/Representative Present at Meeting?** Yes   X   No           

Grant & Amelia Howerton

**Was a County Staff/Representative present at meeting?**   Craig Spencer & Steve Mason   (Name)

Both county planners were very helpful to be able to answer questions from the public that committee would not be able to answer as policy for staking and flagging and who to contact to get information about domestic wells.

**PUBLIC COMMENT:**

A sign in sheet was sent around the room to get the names of those present

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Leticia Rayburn	X		New home site proposed will block her family's view. Requests homesite move down slope. Requests home design look more like neighborhood.
Terry Bernard	X		Staking & flagging not sufficient. Concern for trees or bushes proposed for landscaping that will block view besides house location. Does not like industrial design for home.



<b>PUBLIC COMMENT CONTINUED:</b>  Melissa McFadden	<b>X</b>		Concern for view obstruction for herself and neighbors. Does not like large expansive metal structure that is not compatible with neighborhood. Concern for water supply. County planner Steve Mason gave the Environmental Health contact info to ask for more information. Concern for property values of existing houses that have always had the view. Asks home site be located down slope so existing houses do not lose view of Bay. Asked if home "kits" have same requirements as manufactured homes. Provided copy of Title 20 Ordinance 20.64.040 REGULATIONS FOR MANUFACTURED DWELLING UNITS INSTALLED ON A PERMANENT FOUNDATION.
Larry Steffen	<b>X</b>		Bayview Road is a valuable public resource allowing anyone to enjoy the view of Monterey Bay and objects to the location proposed of home. Do not grant a "Fort Ord" design in this neighborhood. Requests redesign & relocation of home. Also concern for water supply.
Gary Rust	<b>X</b>		Lives across the street and wants to be a good neighbor but cannot support the design of proposed home. Prefers traditional country design and does not like the corrugated aluminum design. Requests homesite be moved down slope so not to block views. Said proposed landscaping would be a "barricade" and requests landscaping along roadway be permitted for nothing over 5' to not block view. Presented a petition from neighbors.
Cathy Shue	<b>X</b>		Has concern because her water system does not supply enough water. Objects to view being blocked & industrial style of proposed home that will look like an automotive garage.
Marleen Simonsen	<b>X</b>		Same concerns as the other neighbors: Industrial look of proposed home. Requests no Quonset hut style home and prefers "ranch style" home design instead. Concern of lower property values for herself & neighbors. No water hydrants in area and has concern for fire suppression supply.

## LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
How will lead paint be handled on old house to be demolished?		
Has driveway location be changed from Fire District comments in county letter dated September 25 <sup>th</sup> to applicants?		
Landscaping should include 100' scenic easement from roadway and house should be relocated downhill and be a conventional design.		
The name of the street is Bay View and it has always been a community resource to view the Monterey Bay and 1 property should not be allowed to block neighbors' view when the almost 4 acre property does allow other sites for a home.		Relocate home downslope.

## ADDITIONAL LUAC COMMENTS:

First motion by Warren Church and seconded by Margie Kay:  
Deny application.

Vote in favor of motion: Warren Church, Margie Kay (2)

Vote against motion: David Evans, Robert McDonald (2)

2<sup>nd</sup> motion by Robert McDonald and seconded by David Evans:

For better staking and flagging of proposed home.

Possible relocation of proposed home.

Requests landscaping design to 5' height.

Vote in favor of motion: Robert McDonald , David Evans (2)

Vote against motion: Warren Church, Margie Kay (2)

Because both motions were a tie, no recommendation can be made.

Monterey County Resource Management Agency  
Planning Department  
168 Westminster Alisal St.  
2nd Floor  
Salinas, CA 93901

November 20, 2014



re: PLN140143  
5 Bayview Rd Castroville  
APN 131-101-055-000  
Coastal Administrative Permit

We, the undersigned, respectfully request the application above be scheduled for public hearing.  
This letter serves to meet the requirement that this request be submitted in writing.

Keith Rayburn 23 Bayview Road Castroville

Leticia Rayburn 23 Bayview Road Castroville

Melissa McFaddin 25 Bayview Road Castroville

Claire Steffen 31 Bayview Road Castroville

Larry Steffen 31 Bayview Road Castroville

Terry Barnard, non-voting adviser, 7765 DeCarli Salinas  
CA Certified Water Distribution Systems Operator

As members of the Bayview Water System serving 5 Bayview we've made several attempts to meet with the property owners, that they have declined, to discuss where and how the new house will tie into our water system, whether additional connections other than the house are planned, whether a current problematic (frequently leaking), capped off line might be dismantled and what changes might be required due to their building, especially to support fire suppression requirements.

Of note, only one of the two storage tanks is operable. The water system has been serving the needs of three, not four, families for over a decade. Neighbors (an adjacent four family system) are in process of drilling a new well due to failure of their existing well to provide adequate supply.

Our goal in asking to meet was to discuss the current status of our water system and where it needs to be to support the new home, the logistics and potential costs. With their refusal to meet with us, we feel we must exercise our option to request a public hearing on the Administrative Permit. A public hearing for a previous planned build on the same property was valuable and educated us as neighbors.



Additionally, we would like to address the following:

1. From records accessible on line it appears only a water quality test was performed. We request the following information be made available, or if not previously required, that these conditions also be considered:

Water System for Fire Protection  
Building Fire Protection Systems  
Adequate Water Supply System Assessment

Any conditions applicable to the applicants intent to create a gray water system.

2. The site doesn't show the typical flagging and staking we're accustomed to seeing in our area. The current flagging and stakes don't adequately portray the proposed building dimensions, height and roof-lines. We request the staking and flagging clearly indicate the visual impact of the proposed project and that it include the netting seen at other local sites.
3. A new building has been constructed on the property since the County site visit on 6/11/14. Pictures from the property owner's publicly accessible internet site shows intended residential use including a wood stove and toilet. See:  
<http://www.quonsethouse.com/tiny-house-planning-and-design/>  
and additional entries for the "tiny house."

It doesn't appear this building meets the requirements of either:

20.64.070 REGULATIONS FOR TEMPORARY RESIDENCES DURING THE  
CONSTRUCTION OF A DWELLING or

20.6.080 REGULATIONS FOR TEMPORARY CONSTRUCTION OFFICES OR  
EMERGENCY FACILITIES FOR PUBLIC UTILITIES

4. We question why a kit built or prefab home (descriptions from the SteelMaster site) does not have similar requirements as those that apply to a manufactured home. Specifically,  
20.64.040 REGULATIONS FOR MANUFACTURED DWELLING UNITS INSTALLED ON  
A PERMANENT FOUNDATION...  
C. Regulations:...  
... 2. That the manufactured dwelling unit shall have a siding material of, or having the appearance of wood, stucco, brick, stone or other material similar to other residences in the immediate area.  
3. That the manufactured dwelling unit shall have a roofing material of wooden, fiberglass or composition shingle, tile, slate or other roofing material similar to homes in the immediate area.
5. We contest the finding of None for Visual Sensitivity and ask that the project be referred to the North County-Coastal Advisory Committee (LUAC) or other appropriate committee for review. Amongst several concerns are the planned expanse of "reflective," "bright" (descriptions from the SteelMaster site) aluminum coating of both the roofs and the sides of each of the house, garage and breezeway structures, their siting on the property and the proposed landscape plan.

The grassy hillside, sloping to meet the wetlands then Elkhorn Slough, upon which our little residential undeveloped area sits is widely viewable. You see it from stretches of Highway 1, from the Moss Landing Middle School property, from Dolan and Elkhorn Roads, from several vantage points while kayaking on the Slough and while hiking the trails of the Elkhorn Slough Reserve. The Bayview Road right-of-way immediately above the applicant property is a well known and popular spot to park and enjoy the expansive vistas to the coastline and ocean. The proposed bright reflective roofs and buildings, especially on the planned building site will be plainly, albeit distantly, noticeable on the hill to the unaided eye from Highway 1 and will be clearly visible from Elkhorn Slough and the surrounding area. The planned structures and landscaping including the proposed trees towering over the local Oaks will most certainly have a visible impact and not be in conformance with a number of policies, regulations and intents contained in various Monterey County and North County-Coastal planning documents.

6. Due to the age of the house to be demolished it is highly likely to contain lead paint and asbestos. By our recall from a previously planned build it was already determined the exterior siding was positive for asbestos. As the applicants are currently dismantling interior features and have already re-used components, we have concern for their health and safety. We ask that there be an evaluation of the house for possible contaminants and if positive, appropriate safety measures be required and monitored.

In addition to discussion of the above we would appreciate the opportunity to bring forward any additional concerns and questions at the public hearing.



October 20, 2014

**To:** Maria Lopez

**From:** Meg Clovis, Cultural Affairs Manager

**Subject:** Phase One Historical Assessment for 5 Bayview Rd., Castroville, CA.

In response to your recent request, I have completed an evaluation of the historical significance of the building located at 5 Bayview Rd. in Castroville. After a site visit and review of archival materials related to the building, it is apparent that the property once functioned as a small dairy operation and later as a truck farm. As a former agricultural property, the context statement entitled, *Agricultural Resources Evaluation Handbook, Monterey County* (AREH) can be used to evaluate the structure on the property for historical significance.

Per the AREH, the former uses of the property are consistent with the theme of Intensive Agriculture and as such, structures located on the property should be evaluated as a part of a rural historic landscape. To be eligible for listing in the National Register of Historic Places, the California Register of Historic Resources or the Monterey County Register of Historic Resources "rural historic landscapes and must possess a substantial number of landscape characteristics to qualify for registration." These characteristics include:

- Land Uses & Activities
- Patterns of Spatial Organization
- Response to the Natural Environment
- Cultural Traditions
- Circulation Networks
- Boundary Demarcations
- Vegetation Related to land Use
- Buildings, Structures & Objects
- Clusters
- Small Scale Elements

In the case of 5 Bayview Rd., very few of these landscape characteristics are still present save for the original 1924 farmhouse and the foundations of two outbuildings. Due to the lack of landscape characteristics the property does not meet the integrity thresholds for setting, design, materials, workmanship, feeling or association. Since the building at 5 Bayview Rd. does not have integrity it cannot be considered a significant historic resource.