

# STAFF REPORT

## PROJECT INFORMATION:

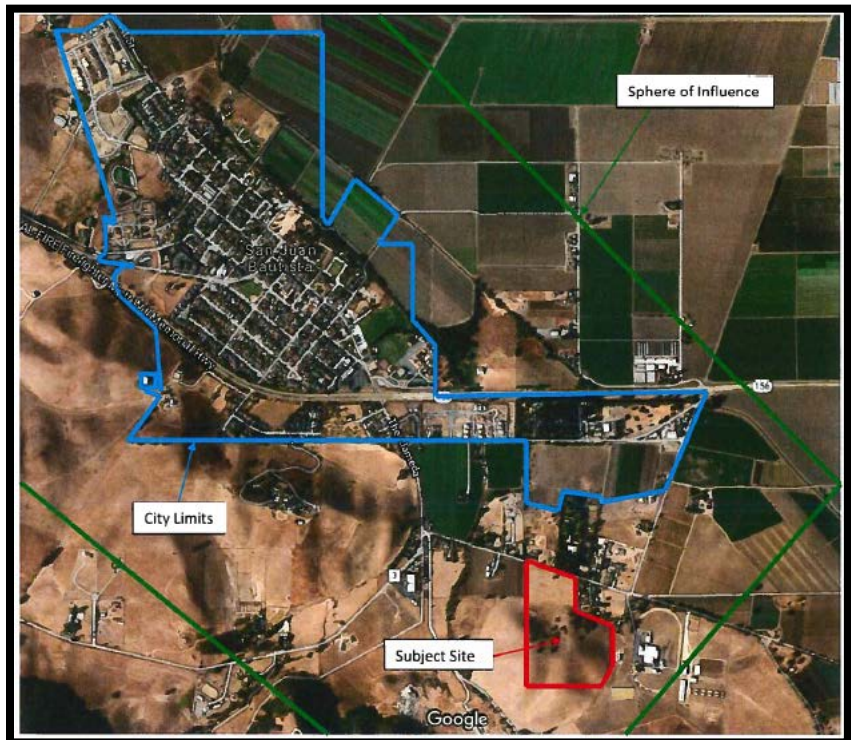
Application: Tentative Subdivision Map and Zone Change PLN190035  
Public Hearing: November 18, 2020  
Owner/Applicant: James P. and Kathleen C. Dassel  
Location: 333 Mission Vineyard Road, near San Juan Bautista  
APN: 012-190-041 and 012-190-042  
Zoning: Agricultural Productive (AP)  
General Plan: Agriculture (A)  
Planner: Arielle Goodspeed

## PROJECT DESCRIPTION:

The proposed project is located at 333 Mission Vineyard Road and would include the subdivision of Accessor Parcel Numbers 012-190-041 & 012-190-042 consisting of 30.656 acres in total. The development of the property will include the creation of five (5) one-acre single-family residential lots, and one (1) twenty-five (25) acre lot with a 24-acre open space easement to preserve the hillside. The five one-acre lots will be clustered in the flat areas adjacent to Mission Vineyard Road and each will include a building site for a 2,000 to 4,000 square foot single family house. The twenty-five-acre lot will encompass the remainder of the project area. The 24-acre open space easement will allow for the construction of a single-family residence and accessory structures over a portion of the property not to exceed one acre.

Driveways to the residences will be off Mission Vineyard Road and grouped so that there are three driveways total (1 shared by Lots 1 & 2, 1 shared by Lots 3&4, and 1 shared by Lots 5&6). The driveways will be constructed as required by County Code. The project will also include the widening of the southerly half of Mission Vineyard Road to the width required by County Code together with the re-grading of the existing roadside ditch and storm water runoff mitigation according to the requirements of County Code and the Central Coast Regional Water Quality Control Board.

Water service to the new lots will be provided by the City of San Juan Bautista which currently serves the site and new services will be provided as required by the City as defined in the August 23, 2018 and June 24, 2020 letter provided by the City. Each Lot will have an on-site septic system and will also be conditioned to connect to the City of San Juan Bautista sewer system within six months of the City's completion of a sewer main in front of these properties to meet General Plan policy. Electric and Communication service to the new lots will be undergrounded from the existing overhead lines that run along the north side of Mission Vineyard Road.



The applicant proposes the rezoning of the 30.6-acre Assessor Parcel Numbers 012-190-041 & 012-190-042 from Agricultural productive (AP) zoning to combining district of Agricultural Productive/Planned Unit Development (AP/PUD). If it chooses to see this project approved, the Planning Commission would act by recommending the zone change and tentative map to the Board of Supervisors for approval.

### Figure 1. Project Site within Broader Region

#### SITE DESCRIPTION

The property consists primarily of undeveloped ranchland that has historically been used for farming on the flat area along Mission Vineyard Road and grazing along the hillside. The property had an existing house, and agricultural accessory outbuildings, but these were removed in 2016. The site contains mostly non-native grassland and an existing cattle pond and dirt road on the proposed Lot 6. The site consists of hills with slopes varying from flat to less than 30 percent. There is a single valley oak that is 16 inches in diameter located near the east side of the Lot 3 building envelope. This tree is shown on the tentative map to be preserved. There are no other trees in the recommended building envelopes on the six lots. There are approximately 50 trees on hillside areas of Lot 6 consisting of a mix of mature valley oak, coast live oak, and California buckeye, all of which are to remain undisturbed and within the proposed open space easement

Regional access to the project site is provided from Highway 156 and its interchange with Mission Vineyard Road. The new sites would be accessed by Mission Vineyard Road and the new driveways would be originating at Mission Vineyard Road. The surrounding area is primarily agricultural and rural residential in character. Properties to the east of the project site are four (4), one-acre residential lots in the flat area, and a 37-acre agricultural facility west of the hillside area. To the north of the project are agricultural lots used for residences and uses consistent with the Agricultural Productive (AP) zoning. West of the project the parcels are used for row-crop in the flat area and grazing on the hillsides and the property to the south is used for hillside grazing.

**Legal Lot of Record:** County Official Records recorded Lot Line Adjustment PLN170010 ON February 2, 2018 as instrument number 2018-0000956

**Minimum Building Site Allowed:** Five acres.

**Land Use:** Five 1-acre residential parcels plus 1-25-acre parcel with 1-acre building site and 24-acre open space easement.

**Sewage Disposal:** Septic disposal systems, and future City of San Juan Bautista sewer.

**Water:** Connection to City of San Juan Bautista water service.

**Land Conservation Act (Williamson Act):** Not a preserve.

**Soils:** Not within Grade-1 soils.

**Seismic:** Not within an Alquist–Priolo Earthquake Fault Zone.

**FEMA Flood Zone:** The property lies almost entirely within Flood Zone X, or areas determined to be outside the 0.2% annual chance floodplain, according to FEMA Flood Insurance Rate Map 06069C0150D, effective April 16, 2009 with a small portion of the ditch along Mission Vineyard Road being in flood Zone AO (depth 2”).

**Fire Severity:** High (State responsibility area).

**Archaeological sensitivity:** High Sensitivity

#### PLANNING AND ZONING

The site is under the Agriculture (A) designation in the County 2035 General Plan and under the Agricultural Productive<sup>1</sup> (AP) zoning designation. The General Plan’s Agricultural designation allows for very low-density residential development of one dwelling per five acres is stated as the maximum residential density.

The Planned Unit Development<sup>2</sup> (PUD) combining district, proposed for this project as an overlay onto the site’s existing AP zoning. The underlying Zoning District (AP - Agricultural Productive) and General Plan designation Agriculture (A) required a minimum building site area of 5 acres. The existing 30.6-acre project property could support a density of six dwellings. By including 24 acres of open space easement on Lot 6, the project qualifies as a PUD, which allows the cluster of development on small parcel sizes, while maintaining the density allowed

<sup>1</sup> County Code §25.07 *et seq.*

<sup>2</sup> County Code Chapter 25.19.

by the General Plan. In addition, the cluster development fulfills General Plan Land Use goals LU-4.6 Clustered Residential Program and LU-4.8 Conservation Easements Related to Clustered Residential Development to encourage clustered residential uses and promote preservation of agricultural land and open space areas. Furthermore, it promotes General Plan goals NCR-1.1 Maintenance of Open Space, NCR-1.2 Conservation Easements, and NCR-1.3 Open Space Overlay District to support valuable natural resources.

### **ENVIRONMENTAL EVALUATION:**

An initial study resulting in a proposed mitigated negative declaration that was prepared for this project under CEQA<sup>3</sup> by the consulting firm Metropolitan Planning Group, under contract with the County. The study identifies mitigatable impacts that would potentially occur as a result of the proposed development and proposes measures to mitigate potentially significant environmental impacts identified in the review; these measures have been incorporated into the recommended conditions of approval for this project.

The consultant and planning staff circulated the draft study for comment during a public review period from June 29 to July 28, 2020, extended from the original closing date of July 20. Upon receiving comments on the study, the consultant and the County prepared a final study document in response. The final study added further specificity to mitigation measures on cultural and tribal resources in response to comments on the tribal analysis from the Amah Mutsun Tribal Band, and the modified mitigation is found in recommended conditions of approval. In addition, the final study added further specificity to mitigation measures on biological resources in response to comments on the biology analysis from the California Department of Fish and Wildlife, and the modified mitigation is found in recommended conditions of approval. The draft and final initial study documents, including these comments and revised recommended mitigation measures, are enclosed as attachments.

The portion of the project involving a zoning map amendment, the overlay of the PUD zone, would enable only the lot lines on paper and no further physical change. The project would not take place in an extraordinary place or situation that would involve the CEQA Guidelines § 15300.2 exceptions from exemption by affecting resources of critical concern, contributing to an arguably significant or cumulative impact, or meeting other criteria found in the code section.

### **STAFF ANALYSIS**

The subdivision as proposed would resemble its neighbors along Mission Vineyard Road, with one-acre residential parcels. The pattern of lot sizes reflects the General Plan's description of land use designation for this site, Agricultural Productive (AP), where residential use of this density of six dwellings on 30.656 acres and layout is considered appropriate to cluster development, while preserving agriculture, open space and natural resources.

In general, any issues of this subdivision have been addressed through design, through the environmental review process, and through recommended conditions of approval. Mitigation measures would reduce issues of potential significant environmental impact to levels less than significant; biological resources and cultural and tribal resources are the main concern; these are addressed by MM BIO1-MM BIO-18 and MM CUL-1- MM CUL-7 mitigation measures. In response to the environmental review, main concern was raised over utilizing better mitigation measures for identified species and identified cultural and tribal resources.

The County General Plan also favors the PUD approach to some degree. The variation allowed by the PUD district helps implement Policies LU-4, HOU-2I, and HOU-2L, encouraging a variety of housing types. Policy LU-4.5 encourages "innovative site planning techniques," endorsing the use of creative approaches to land use that could include the non-standard lots of this proposal.

---

<sup>3</sup> California Environmental Quality Act.

**STAFF RECOMMENDATION:**

Staff recommends that the Planning Commission review the staff report, hold a public hearing, and hear any proponents and opponents of the proposed project. Staff further recommends that the Planning Commission adopt the attached resolution to recommend to the Board of Supervisors approval of PLN190035 subject to the findings and conditions of approval included within the resolution.

**Exhibits and Attachments**

Exhibit A. Tentative Subdivision Map

Exhibit B. Resolution for approval, with conditions of approval, and with attachments:

Attachment 1. MMRP

Attachment 2. Board of Supervisors Ordinance Resolution

Attachment 3. To the ordinance Legal Description

Attachment 4. City of San Juan Bautista Utility Extension Resolution

Attachment 5. City of San Juan Bautista Utility Extension Agreement

Attachment 6. City of San Juan Bautista General Engineering Conditions

Exhibit C. Notice of Decision (NOD) and the Initial Study and Proposed Mitigated Negative Declaration

Exhibit D. Public Comments Received PLN190035 - None received

**Exhibit A. Tentative Map (sheet 1). The six building sites are shown along with their access drives, which connect to Mission Vineyard Road.**

