



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

**File #:** PC 23-009 **Name:** PLN220213 - BLISS BETSY W TR  
**Type:** Planning Item **Status:** Agenda Ready  
**File created:** 1/31/2023 **In control:** Monterey County Planning Commission  
**On agenda:** 2/8/2023 **Final action:**  
**Title:** PLN220213 - BLISS BETSY W TR  
Public hearing to consider allowing the construction of a single-family dwelling (Approx. 5,876 sq. ft.), a detached Accessory Dwelling Unit (Approx. 1,200 sq. ft.) and removal of 7 protected oak trees.  
Project Location: 9 Mesa Trail, Carmel Valley, Carmel Valley Master Plan, (APN: 239-101-022-000)  
Proposed CEQA action: Finding the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Article 19 Section 15303

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Staff Report, 2. Exhibit A - Draft Resolution, 3. Exhibit B - Arborist Report, 4. Exhibit C - Vicinity Map, 5. RESpc\_23-006\_PLN220213\_020823, 6. RESpc\_23-006\_PLN220213\_020823\_CORRECTED

Date	Ver.	Action By	Action	Result
2/8/2023	1	Monterey County Planning Commission		

### PLN220213 - BLISS BETSY W TR

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### RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution:

1. Finding the project qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approving a Combined Development Permit consisting of:
  - a. An Administrative Permit and Design Approval to allow construction of a 5,876 square foot single family dwelling with an 846 square foot attached garage, a 1,200 square foot detached accessory dwelling unit & associated site improvements; and
  - b. A Use Permit to allow removal of seven (7) Oak trees.

### PROJECT INFORMATION:

**Agent:** Andrew Matt

**Property Owner:** Bliss Betsy W Tr

**APN:** 239-101-022-000

**Parcel Size:** 842,015 Square Feet (19.33 Acres)

**Zoning:** Rural Grazing, 1 unit per 10 acres, it has overlay zones including a Design Control, a Site Plan Review and a Residential Allocation Zoning District overlay (RG/10-D-S-RAZ)

**Plan Area:** Carmel Valley Master Plan

**Flagged and Staked: Yes**

**SUMMARY:**

The project is located at 9 Mesa Trail, Carmel Valley in the Santa Lucia Preserve. This parcel is subject to the policies of the Carmel Valley Master Plan. The proposed project includes construction of a 5,876 square foot single family dwelling, a 1,200 square foot detached accessory dwelling unit (ADU) removal of seven Oak trees.

The proposed structures are one story and would be constructed with colors and materials that fit the rural and rustic character of the Santa Lucia Preserve and Carmel Valley areas. The project is consistent with applicable development standards for Rural Grazing Zoning and with the regulations and policies in the Carmel Valley Master Plan. The project will receive potable water service from the Santa Lucia Preserve Community Services District and has proposed a septic system to support the future development.

The proposed tree removal does not appear to be the minimum required for development of a home on the lot; however, there are circumstances that make the proposed location more desirable for construction despite impacts to trees. This lot has a grassy open area where trees can be avoided. It is the desire of the applicant to preserve this grassy area for its aesthetic value including the annual appearance of lupin. Additionally the home is proposed on a knoll where there is oak tree coverage but less topographic relief than the gently sloping grassy area below. The project could be located on the sloping grassy area where tree removal would reduced or avoided. In the location where the home is proposed, the home has been designed to minimize tree removal to the extent feasible.

Staff has weighed the owners desires, the aesthetic value of the grassy area, and slope conditions and suggests that findings can be made that circumstances support the proposed structure locations. In this location, the design of the home minimizes tree removal. No landmark trees are proposed for removal and replacement oaks will be planted on the property.

Finally, this site is located within a high fire hazard area. The home will be constructed of fire resistant materials and include sprinklers. Landscape plans submitted with the application show the 30 foot green zone around the house and notes are provided that require vegetation management up to 100 feet around the proposed home.

**DISCUSSION:**

**Land Use & Development Standards**

The property is zoned Rural Grazing, 10 acres per unit, with Design Control, Site Plan Review, and Residential Allocation Zoning Overlays (RG/10-D-S-RAZ). This zoning allows a single-family dwelling (21.32.010), and an accessory dwelling unit (21.64.030) with Design and Site Plan approvals. Removal of protected oak trees requires a Use Permit (21.64.260). Therefore, the proposed project is an allowed use with the appropriate entitlements. The development standards for the RG zoning district are identified in Title 21, Section 21.32.060, and the proposed project is consistent with the applicable development standards. The height maximum for a main structure is 30 feet, the proposed main dwelling will have a height of 21 feet. The proposed single-family dwelling is contained within the homeland boundary; therefore, it meets all the required setbacks from the property lines. The setback between the proposed main structure and the ADU far exceeds the minimum 6-foot distance. The proposed ADU has a height of 16 feet and square footage of 1,200 square feet, consistent with the development standards for ADUs described in section 21.64.030. The property is 19.33 acres (842,015 square feet), the maximum allowed site coverage for a lot zoned RG/10 is 5% (42,100 square feet). The proposed site coverage is 0.96% (8,093 square feet).

### Health and Safety

The property receives water via public utilities, and has an onsite wastewater system:

- The applicant provided a can and will serve letter from the Santa Lucia Preserve Community Services District detailing their ability and willingness to provide the proposed project with potable water.
- The proposal includes a new septic system with onsite leach fields, the Environmental Health Bureau has reviewed the plans for the Onsite Wastewater Treatment System and has deemed the design adequate to support the proposed development.

### Visual Resources and Design Review

The site is subject to the policies of the Design Control “D” zoning district, which establishes design review requirements to assure protection of the public viewshed and neighborhood character. Staff finds the project is consistent with the goals and policies of the Carmel Valley Master Plan, the Monterey County General Plan and the surrounding neighborhood character:

- The proposed structure is consistent with the development standards of the zoning district and is in character with the height and massing of other houses in the neighborhood.
- The colors and materials consist of Ivory Board and Batten siding, Cedar plank garage doors, Brushed Cedar window frames and Light Grey class “A” metal seam roofing. Additionally, the property has many large oak trees that will shield the majority of the development from Mesa Trail and the neighboring lots. The proposed landscaping includes California native plant species and the replacement of 7 oak trees that are proposed for removal with 21 Coast live oak trees.
- Condition No. 5 requires an exterior lighting plan be provided and approved before the issuance of building permits; this condition shall ensure compliance with Monterey County’s Design Guidelines for Exterior Lighting.
- Additionally, the Santa Lucia Preserve Design Review Board approved the design of the proposed development.

### Tree Removal

Seven protected oak trees are proposed for removal; therefore, a Use Permit has been applied to this project Pursuant to 21.64.260.D.3. This lot is in Phase D of the Santa Lucia Preserve subdivision; it is considered a Historic Lot of Old Rancho San Carlos. Unlike the other Phases reviewed under the 1994 Forest Management Plan prepared by Ralph Osterling, Phase D does not have any trees allotted for removal. Phase D lots must comply with the County regulations, pursuant to Chapter 21.64.260 of the Monterey County Zoning Ordinance, Title 21 which includes finding that the tree removal is the minimum required under the circumstances and the tree removal will not result in the risk of adverse environmental impacts.

An Arborist Report (LIB220267) was prepared for this project to assess the health of the forest and any potential impacts due to the proposed development. The arborist report identifies seven trees that must be removed to allow the proposed construction, none of which are a landmark trees. These seven trees consist of a 17” DBH (diameter at breast height), a 20” DBH, a 14” DBH and four 18” DBH Coast live oak trees. The trees vary from good to poor condition. The arborist identified 13 trees that may potentially be impacted by the development, these trees vary from 9” DBH to 48” DBH; they also vary from good to poor condition. The report states the potential impacts are unlikely to be significant. The potential impacts were identified because of the trees’ proximity to proposed grading and construction operations. Along with tree removal and protection best management practices, the arborist recommended a replacement ratio of 3:1, 21 Coast live oak trees will be planted to compensate for the 7 proposed for removal. Overall, the removal of the 7 oak trees will not have an adverse impact on the nearby environment.

### CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA

Guidelines, “New Construction”. This exemption applies to the construction of new structures including single family dwellings and accessory dwelling units. This project qualifies for a Class 3 exemption because it is construction of a single-family dwelling an accessory dwelling unit, this project does not pose an adverse impact to the surrounding environment or other protected resources.

None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project:

- The location of a project site is not considered for Class 2 exemptions.
- Successive projects of the same type and in the same place (demolition of a single-family dwelling and construction of a new single-family dwelling in substantially the same footprint) would not contribute to a significant cumulative impact.
- There are no unusual circumstances regarding this project that would cause a significant effect to the environment (See Findings 1, 2, 5 and 6).
- The project site is not visible from any scenic highways, and the proposed development would not result in damages to scenic resources.
- The project site is not located on or near any hazardous waste sites listed in Section 65962.5 of the Government Code.

**OTHER AGENCY INVOLVEMENT:**

The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, the Environmental Health Bureau, and Monterey County Regional FPD. 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.

Prepared by: Zoe Zepp, Assistant Planner

Reviewed by: Anna Quenga, AICP, Principal Planner

Approved by: Craig Spencer, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, Elevations & Colors and Materials

Exhibit B - Arborist Report

Exhibit C - Vicinity Map

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Zoe Zepp, Planner, Anna Quenga, AICP, Principal Planner; Bliss Betsy W Trs Property Owner; Andrew Matt, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN220213