



County of Monterey Planning Commission

Item No. 5

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

Agenda Item No. 5
Legistar File Number: PC 22-091

October 26, 2022

Introduced: 10/20/2022

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN210170 - BRUCE EDWIN G & SUSAN L

Public hearing to consider construction of a 2,720 square foot single family residence, a 1,200 square foot accessory dwelling unit 3 1-car garages totaling 720 square feet, a variance to reduce the front setback by 16 feet, and a variance to reduce the side setback by 10 feet. Project would include development on slopes on excess of 25%, consisting of removing and recompacting approximately 700 square feet of sloped area, and development on a ridgeline.

Project Location: 10995 Saddle Rd, Monterey, 93940

Proposed CEQA action: Find that the project qualifies for a Class 3 Categorical Exemption Pursuant to CEQA Guidelines Section 15303

RECOMMENDATIONS:

It is recommended that the Planning Commission adopt a resolution:

- 1) Finding the project, as the construction of a single-family dwelling and associated site improvements, qualifies for a Class 3 Categorical Exemption Pursuant to 15303 of the CEQA Guidelines; and
- 2) Approving a Combined Development Permit consisting of an:
 - a. Administrative Permit and Design Approval to allow construction of a 2,720 square foot single family residence, a 1,200 square foot accessory dwelling unit 3 1-car garages totaling 720 square feet;
 - b. Variance to reduce front setback from 30 to 14 feet;
 - c. Variance to reduce the side setback from 20 to 10 feet; and
 - d. Use permit to allow approximately 700 square feet of development on slopes in excess of 25%; and
 - e. Use Permit to allow ridgeline development.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 12 conditions of approval.

PROJECT INFORMATION:

Agent: Edwin Bruce

Property Owner: Edwin G & Susan L Bruce

APN: 416-191-013-000

Parcel Size: 2.88 Acres (125,452 square feet)

Zoning: RDR.5.1-D-S

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Yes

SUMMARY:

The project consists of constructing a new single-family dwelling and attached accessory dwelling unit on an undeveloped lot along Saddle Road in the Greater Monterey Peninsula. The property and the other adjacent residences along Saddle Road are not within a subdivision but are just west of Hidden Hills Estates.

Necessary public facilities are available to serve the development. The property would receive potable water service from the California American Water Company (Cal Am) through the Hidden Hills system, and would require a new domestic connection; and would utilize an onsite wastewater treatment system (septic). The applicant submitted a can and will serve letter from Cal Am verifying their ability to serve the development, and the Hidden Hills system is not subject to the Cal Am moratorium on new connections, therefore, water available to serve the development. This project includes development of the first single family dwelling and an accessory dwelling unit on the lot. The applicant would be required to secure a water permit from the Monterey Peninsula Water Management District (MPWMD) after planning approval.

The applicant requests two setback variances, one to reduce the front setback from 30 feet to 14 feet and another to reduce the east side setback from 20 feet to 10 feet. The project would also utilize an exception for side setbacks from State Planning and Zoning Law to reduce the west side setback from 20 feet to 16 feet 4 inches. There are unique circumstances applicable to this site including, its steep slopes and narrow width that warrant Variances in this case. Additional details on the Variances is discussed in (**Exhibit A**). The applicants variance justification is also attached as (**Exhibit D**).

The application would includes development on slopes in excess of 25%, consisting of removing and re-compacting approximately 700 square feet of slopes to prevent differential settlement of the structure. There is no feasible alternative which would allow development to occur without impacting slopes as the slope stabilization would necessarily involve grading on the hillside. The development on slopes is necessary to incorporate site specific recommendations to address geologic hazards and the proposed work not materially alter the topography or appearance of the hillside. The application also has the potential to be visible on the ridgeline above Highway 68. Staking and flagging has been erected and staff has visited the site and surrounding area to determine if the project would be visible on the ridgeline from common public viewing areas. Staff did not see any direct visibility of the staking and flagging from Highway 68 but there are other structures visible on the same ridgeline when viewed from Highway 68. The ridgeline is distant from public viewing areas and the nature of the viewshed already contains structures and development. Staff has included a Use Permit because the property is located on the crest of the ridge and could potentially be visible if trees and vegetation were removed. Even if it were visible, staff concluded that the proposed structure would not cause an adverse visual impact due to the distance and nature development in the area.

DISCUSSION:

See Exhibit "A" for a detailed discussion.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, "New Construction or Conversion of Small Structures". This exemption applies to

the construction and location of limited numbers of new, small facilities or structures, including one single-family dwelling in a residential zone. The project consists of construction of a single-family dwelling, attached accessory dwelling unit, attached garages, and associated site improvements on a property zoned for low density residential use.

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

- The project is not in an area where a mapped environmental resource of hazardous or critical concern has been mapped;
- The project consists of a single-family home and accessory structures on a property zoned to allow such uses and would not result in any potentially significant environmental affects, and would therefore not contribute to a potentially significant cumulative impact;
- There are no unusual circumstances that would create a reasonable possibility the project would have a significant effect;
- the project, as construction of a single-family home on a vacant lot, would not damage any scenic resources such as trees, rock outcroppings or historical structures, within view of a State Scenic Highway;
- The project is not located on a hazardous waste site compiled pursuant to 65962.5 of the Government Code; and
- the project does not involve any identified historical resources.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

HCD-Engineering Services
Environmental Health Bureau
HCD-Environmental Services
Monterey County Regional Fire Protection District

LUAC REVIEW:

The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project at a duly noticed public meeting on August 22, 2022 and voted to recommend approval of it as proposed. The LUAC did express a concern regarding whether the neighbor to the west of the property had been contacted regarding the proposed development and reduced side setback. Responsive to this, after the meeting the applicant provided a verified return receipt indicating that they reached out by mail, and indicated via email that they had a phone conversation with the property owner to the west regarding the project.

Prepared by: Phil Angelo, Associate Planner, x5731

Reviewed and Approved by: Craig Spencer, Chief of Planning

The following attachments are on file with HCD:

- Exhibit A - Discussion
- Exhibit B - Draft Resolution including:
 - Recommended Conditions of Approval
 - Site Plans, Floor Plans, & Elevations

- Colors and Materials

Exhibit C - August 22, 2022 GMP LUAC Meeting Minutes

Exhibit D - Variance Justification Letter

Exhibit E - Vicinity Map

cc: Front Counter Copy; Monterey County Regional Fire Protection District;
HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Phil
Angelo, Planner; Anna Quenga, ACIP, Principal Planner; Craig Spencer, Chief of Planning;
Edwin G & Susan L Bruce, Applicants; The Open Monterey Project; LandWatch (Executive
Director); Planning File PLN210170