



County of Monterey Zoning Administrator

Item No.4

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

Agenda Item No. 4

Legistar File Number: ZA 24-047

October 31, 2024

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PLN230226 - FAY LAURA J

Public hearing to consider allowing the demolition of an existing 1,958 square foot two-story single family residence and a 330 square foot detached non-habitable accessory structure; and construction of an approximately 2,904 square foot two-story residence inclusive of an attached underground two-car garage and storage room, an approximately 179 square foot attached guesthouse, allow one parking space within the front setback, and associated site improvements. Grading consisting of approximately 507 cubic yards of cut.

Project Location: 24723 Guadalupe Street, Carmel

Proposed CEQA action: Find the project Categorical Exemption pursuant to CEQA Guidelines section 15302.

RECOMMENDATIONS

It is recommended that the Zoning Administrator adopt a resolution:

- a. Finding that the project qualifies for a Class 2 Categorical Exemption pursuant to CEQA Guidelines Section 15302 and none of the exceptions to the exemptions under 15300.2 can be made;
- b. Approving a Coastal Administrative Permit and Design Approval to allow the demolition of an existing 1,958 square foot two-story single family residence and a 330 square foot detached non-habitable accessory structure and construction of an approximately 2,904 square foot two-story residence inclusive of an attached underground two-car garage and storage room;
- c. Approving a Coastal Administrative Permit and Design Approval to allow the construction of a 179 square foot attached guesthouse; and
- d. Approving a Coastal Administrative Permit to allow one parking space within the front setback.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 11 conditions of approval.

PROJECT INFORMATION

Agent: Tom Sloan

Property Owner: Fay Laura J & Matt Abelson

APN: 009-141-022-000

Parcel Size: 4,340 square feet

Zoning: Medium Density Residential, 2 units per acre, with a Design Control overlay in the Coastal Zone or "MDR/2-D(CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Yes

SUMMARY

The project is located on 24723 Guadalupe Street, Carmel, within an established residential neighborhood and adjacent to Carmel Beach. The proposed project includes the demolition of an existing 1,958 square foot two-story single family residence and a 330 square foot detached non-habitable accessory structure; and construction of an approximately 2,904 square foot two-story residence inclusive of an attached underground two-car garage and storage room, an approximately 179 square foot attached guesthouse, allow one parking space within the front setback, and associated site improvements. This project is consistent with applicable regulations and policies of Title 20, the Monterey County Coastal Implementation Plan (Part 4), and Carmel Area Land Use Plan. Necessary public facilities are currently and will continue to be provided. Domestic water service is provided by California American Water and sewer service is provided by Carmel Area Wastewater District.

On August 21, 2024 an administrative decision was scheduled to be made by the Chief of Planning on the proposed application. However, comments from the public were made objecting to the height of the dwelling, existing on-street parking conditions and the development's proximity to a large oak tree. As demonstrated in the LUAC discussion below, the height of the structure is within the requirement and potential impacts to the oak tree has been properly assessed. The project meets the parking requirements for the main dwelling but is seeking an exception to allow parking within the front setback to meet the guesthouse parking requirements (see **Exhibit B**, Finding 1 Evidence "h"). As proposed, no off-site parking is needed to meet County minimum parking requirements. Based on these comments and additional comments received at the LUAC, the project is being referred to the Zoning Administrator for a public hearing.

DISCUSSION:

Land Use & Development Standards

The project is consistent with the development standards of the MDR zoning district, which are identified in Title 20 section 20.12.060. Structures within MDR are limited to setbacks of 20 feet for the front setback, 5 feet for the side setback, and 10 feet for the rear setback. As proposed, the structure is sited with a front setback of approximately 35 feet 4 inches, side setbacks of approximately 5 feet, and a rear setback of approximately 10 feet. The maximum allowed height for main structures in this MDR district is 30 feet above average natural grade. As proposed, the single-family dwelling is approximately 28 feet 2 inches above average natural grade.

The total building site coverage for the proposed project is 33%, which is below the allowable limit of 35%. The total floor area ratio for the proposed project is 45%, which is within the allowable limit. Pursuant to Title 20 section 20.62.040.K, any accessory structure structurally attached to the main structure shall be subject to the same setback and height requirements as the main structure. Therefore, the proposed guesthouse is subject to the development standards required of the main structure in MDR. As proposed, the guesthouse is situated within the setback and height of the main structure. The project size, height, and setbacks are all within the allowed limits of the development standards of the MDR zoning district. Therefore, as proposed, the project meets all required

development standards of Title 20 section 20.12.060.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15302 of the CEQA Guidelines, "Replacement or Reconstruction". This exemption applies to the replacement or reconstruction of an existing structure where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. This project qualifies for a Class 2 exemption because involves the demolition and replacement of a single-family dwelling on a residentially zoned parcel within a developed neighborhood. The use of the structure will not change. All of the necessary reports have been obtained and have determined that it is unlikely there will any impacts to historic significance, archaeological resources, or biological resources. There are no exceptions pursuant to Section 15300.2.

OTHER AGENCY INVOLVEMENT:

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

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- Cypress Fire Protection District

LUAC:

The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review at a duly noticed public meeting on September 16, 2024 (see **Exhibit C**). The neighboring property owner had concerns regarding the height of the proposed building, which after clarification, understood the height was within the County regulation. Another member of the public was concern about a 50 year old oak tree whose roots crossed property lines and potentially be compromised during the construction of a retention wall. The applicant dug a trench to expose potential roots and hired an arborist to assess the ongoing longevity of the tree should it be impacted by proposed construction. Both neighbors agreed on the importance of the tree's viability. The applicant produced an arborists report indicating that there were three tree roots which would be impacted by proposed construction but would not adversely impact the longevity of the tree. The LUAC expressed concerns regarding drainage, access safety at the driveway, in addition to the large oak. Drainage will be addressed through compliance with County regulations. The applicant explained that the location and height of the wall as it approaches the driveway will allow sufficient visibility up and down the street.

Prepared by: Marlene Garcia, Assistant Planner, Ext. 5114

Christina Vu, Assistant Planner, Ext. 5139

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

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

Exhibit C - Carmel Highlands LUAC Minutes

Exhibit D - Vicinity Map

cc: Front Counter Copy; Zoning Administrator, Cypress Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Marlene Garcia, Planner; Anna Ginette Quenga, AICP, Principal Planner; Fay Laura J & Matt Abelson, Property Owners; Tom Sloan, Agent; The Open Monterey Project; LandWatch (Executive Director); Laborers International Union of North America (Lozeau Drury LLP); Planning File PLN230226