

Attachment A

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ATTACHMENT A

PROJECT DISCUSSION
HEVRDEJS – PLN170535

Project Description and Setting

The Applicant proposes to demolish a 6,510 square foot single-family dwelling (demolition previously approved on June 9, 2016, under RMA-Planning File No. PLN160178; Zoning Administrator Resolution No. 16-019), and construct a single-family dwelling, attached and detached accessory structures, and an accessory dwelling unit. The Applicant also proposes to convert 13,506 square feet of impervious surface coverage, resulting in a net reduction of 8,463 square feet of overall site coverage on the subject property.

Project Analysis

Public Viewshed and Design.

The property is located in an area where the Local Coastal Program may require visual public access (Figure 3, Visual Resources, Del Monte Forest Land Use Plan). Based on review of the project location on the east (i.e., inland) side of 17-Mile Drive, the development proposal will not interfere with visual access along 17-Mile Drive because the property is not visible from 17-Mile Drive due to topography and existing tree screening. The proposed development is consistent with Del Monte Forest Land Use Plan Policies 123 and 137, and will not block significant public views toward the ocean and will not adversely impact the public viewshed or scenic character in the project vicinity. The design and siting of the proposed single-family dwelling does not increase the bulk and mass of the existing dwelling, and would not increase the visual impacts over the existing baseline. The proposed residence would be constructed within the same approximate development footprint and visual alignment as the existing residence. The proposed structures would not intensify visual impacts over the existing residential use of the site, and would be visually compatible with other structures in the site vicinity. As proposed, the project would not result in any visual impacts, and the project is consistent with the applicable visual resource and public access policies of the Del Monte Forest Land Use Plan.

Pursuant to MCC Chapter 20.44, the proposed project site and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The proposed exterior colors and materials are consistent with the residential setting and other dwelling units in the immediate vicinity. The primary colors and materials include a dark gray metal roof, gray aluminum window frames, beige stucco exterior walls, glass railing, and Carmel stone-faced columns. The proposed exterior finishes would blend with the surrounding environment, are consistent with the surrounding residential neighborhood character, and are consistent with other dwellings in the neighborhood. As proposed, the project assures protection of the public viewshed, and is consistent with neighborhood character.

Applicable Zoning Development Standards.

Pursuant to the development standards for the LDR zoning district, identified in MCC Section 20.14.060, and as proposed, the structures meet or exceed all required setbacks, and are also within the corresponding maximum structure heights. Required setbacks in the LDR district for

main dwelling units are 30 feet (front), 20 feet (rear), and 20 feet (sides). Required setbacks in the LDR district for habitable accessory structures are 50 feet (front), 6 feet (rear), and 6 feet (sides). Required setbacks in the LDR district for detached non-habitable accessory structures are 50 feet (front), 1 foot (rear), and 1 foot on rear one-half of property (sides). As proposed, the structures meet or exceed all required setbacks.

Corresponding maximum structure heights are 30 feet, 15 feet, and 15 feet, respectively. The proposed heights for the single-family dwelling, accessory dwelling unit, and detached garage/workshop are 29.0 feet, 15.0 feet, and 11.5 feet, respectively.

The allowed site coverage maximum in the LDR/1.5 zoning district is 15 percent, and the allowed floor area ratio maximum in the LDR/1.5 zoning district is 17.5 percent. The property is 2.12 acres or 92,410 square feet, which would allow site coverage of 13,862 square feet and floor area of 16,172 square feet. As proposed, the project would result in site coverage of 11,294 square feet or 12.2 percent, and floor area of 12,574 square feet or 13.6 percent.

Accessory Dwelling Unit.

The proposed development includes construction of an 810 square foot Accessory Dwelling Unit (ADU) on a level area of the parcel below the residence. As proposed, the ADU would be less than the maximum allowed square footage of 1,200 square feet. County staff reviewed the project application materials and County records to verify that the proposed project on the subject parcel conforms to applicable plans and MCC, including the requirements of MCC Section 20.64.030, Regulations for Accessory Dwelling Units. As designed, the ADU would be visually consistent and compatible with the principal residence on-site and other residences in the area. Additionally, the proposed unit conforms with Del Monte Forest Land Use Plan Policy 76, which encourages the use of accessory dwelling units as a means of providing affordable housing within the Del Monte Forest community for caretakers and employees.

Development on Slopes Exceeding 30 Percent.

The project includes application for approximately 300 square feet of development on slopes exceeding 30 percent to allow adjustments to the access driveway and turnaround area for fire response vehicles to meet current fire code requirements. Pursuant to Policy 78 of the Del Monte Forest Land Use Plan, development on slopes that exceed 30 percent is prohibited unless the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable land use plan than other development alternatives. The existing main residence was built on slopes exceeding 30 percent, and the topography of the parcel significantly limits available building area without encroaching into slope exceeding 30 percent. The proposed main dwelling unit would be located on the same approximate hardscape and landscape footprint as the current structure, an area previously disturbed by structural development, retaining walls, terraces, landscaping, driveway, and other miscellaneous site improvements. The proposed development would impact only man-made slopes from the construction of the existing residence.

County staff has reviewed the project plans and visited the site to analyze possible development alternatives. The project planner conducted a site inspection on July 6, 2017, to verify the subject project minimizes development on slopes exceeding 30 percent in accordance with the applicable goals and policies of the applicable land use plan and zoning codes. Based on site topography and existing development/disturbed areas, the proposed project better meets the goals and objectives of the Del Monte Forest Land Use Plan. Also, as proposed, the project adheres to required development standards.

Conditions of approval and changes in the development are required as deemed necessary to assure compliance with Monterey County Code Section 21.64.230.E.2 and to assure stability of the development; therefore, the following conditions have been applied: Condition Nos. 5, 9, 10, 11, 12, 13, and 14 – Winter Grading Restriction, Erosion Control Plan, Grading Plan, Inspections, and Geotechnical Certification.

Variance from Watershed Coverage Limitations.

Policy 77 of the Del Monte Forest Land Use Plan limits development of parcels within the applicable watersheds to a maximum site coverage of 9,000 square feet, including both structural and impervious surface coverages. The intent of this policy is to reduce runoff into the waters of the Pacific Ocean surrounding the Del Monte Forest, specifically the Carmel Bay Area of Special Biological Significance (ASBS).

The existing site coverage total is 27,829 square feet, which includes 6,251 square feet of structural coverage and 21,578 square feet of impervious surface coverage (driveway and terrace areas). The existing site development was completed prior to the adoption of the Del Monte Forest Land Use Plan. Therefore, the existing development is legal, non-conforming with regard to applicable watershed coverage limitations.

The LDR zoning classification allows building site coverage of 15 percent, and does not specifically restrict impervious surface coverage. The subject property is 92,410 square feet (2.12 acres), which would allow building site coverage of 13,862 square feet under regular zoning district development standards. Pursuant to Policy 77 of the DMF LUP, the property is restricted beyond the limits imposed by the Monterey County Zoning Ordinance (Title 20) on other properties with the same zoning classification.

The project will convert 13,506 square feet of impervious surface coverage to 5,043 square feet of structural coverage, resulting in a net reduction of 8,463 square feet of overall site coverage. The resulting totals would be 11,294 square feet of structural coverage and 8,072 square feet of impervious surface coverage, for a proposed overall total of 19,366 square feet. Therefore, the project would result in a net reduction of structural and impervious surface coverage and reduce runoff into the Carmel Bay ASBS, and meet the intent of Policy 77.

In addition, Monterey County Water Resources Agency and RMA-Environmental Services reviewed the submitted application materials, and applied conditions as necessary to ensure drainage or runoff design measures are implemented (Erosion Control Plan, Grading Plan, inspections, geotechnical certification, Drainage Plan, and completion certification - Condition Nos. 9, 10, 11, 12, 13, 14, 16, and 17). Implementation of these conditions would ensure compliance with the stormwater policies of the Del Monte Forest Land Use Plan to provide on-site retention to prevent off-site discharge from storms.

The Variance would not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated. Other property owners in the vicinity and under identical zoning classification have been afforded the same privilege sought by the property owner of this application. The Steakley project (PC93167) established the precedence to allow a Variance for a developed parcel to exceed the 9,000 square foot combined coverage limitation where a net reduction in the existing combined coverage will occur. Within the general vicinity, numerous residential projects have been granted similar variances. Examples include, but are not limited to, PC94216 (Moore), PLN980384 (Rachleff), PLN980540 (Schwab), PLN000454 (Gambord), PLN020361 (Griggs), PLN070577 (Pepe), PLN090061 (Rachleff), and PLN120663 (Bardis). Based on past practice and policy, the County has approved Variances to exceed the structural and impervious coverage limitations, and HEVRDEJS (PLN170535)

allowed an increase to structural coverage based on a reduction in impervious surface coverage and an overall net reduction in total coverage.

In addition, consistent with the required findings, the proposed Variance is for an authorized use or activity under the applicable zoning district, and special circumstances warrant the conversion of impervious surface coverage to structural coverage. The restriction of Policy 77 of the DMF LUP, the topography of the property, and the existing locations of disturbed areas present significant limitations to development of the site.

Prior Project Recommendations and Decisions

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review (**Attachment F**). Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because the project involves a Variance and a Design Approval subject to review by the Zoning Administrator. The LUAC reviewed the project at a duly-noticed public meeting on July 6, 2017, at which all persons had the opportunity to be heard, and voted 6 – 0 – 1 (6 ayes and 1 abstention) to support the project as proposed. The LUAC noted comments made by a neighbor, but chose to not recommend any changes to the project.

The Zoning Administrator, at a duly-noticed public hearing on February 8, 2018, found the project categorically exempt and approved a Combined Development Permit to allow the proposed development (Monterey County Zoning Administrator Resolution No. 18-006; **Attachment D**).