



County of Monterey Planning Commission

Item No.5

Monterey Room
168 W. Alisal St., 2nd
Floor Salinas, CA 93901

Agenda Item No. 5

Legistar File Number: PC 24-059

May 29, 2024

Introduced: 5/21/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN230285 - 42 YPD LLC & 44 YPD LLC

Public hearing to consider a Coastal Development Permit to allow a Lot Line Adjustment between two (2) legal lots of record, consisting of: Lot 23 containing 0.97 acres (Assessor's Parcel Number 243-141-014-000) and Lot 22 containing 1.09 acres (Assessor's Parcel Number 243-141-013).

The adjustment will result in an even exchange.

Project Location: 42 & 44 Yankee Point Drive, Carmel

Proposed CEQA action: Find the project categorically exempt from CEQA pursuant to CEQA Guidelines section 15305 and find that none of the exceptions to these exemptions set forth in CEQA Guidelines section 15300.2 applies.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution to:

- a. Find that the Lot Line Adjustment qualifies for a Class 5 Categorical Exemption pursuant to CEQA Guidelines section 15305, and find that none of the exceptions to these exemptions set forth in CEQA Guidelines section 15300.2 apply; and
- b. Approve a Coastal Development Permit to allow an equal exchange Lot Line Adjustment between two (2) legal lots of record consisting of: Lot 23 containing 0.97 acres (Assessor's Parcel Number 243-141-014-000 and Lot 22 1.09 acres (Assessor's Parcel Number 243-141-013-000), resulting in a new configuration with no change in parcel sizes.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 6 conditions of approval.

PROJECT INFORMATION

Agent: Patrick LeMaster

Property Owner: 42 YPD LLC & 44 YPD LLC

APNs: 243-141-013-000 (Lot 22) and 243-141-014-000 (Lot 23)

Parcel Sizes: Lot 22 (1.09 acres) and Lot 23 (0.97 acres)

Zoning: Low Density Residential, 1 acre per unit, with a height restriction of 20 feet, and a Design Control Overlay (Coastal Zone) [LDR/1-D(20)(CZ)]

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Not required because the proposed lot line adjustment does not involve any structural development.

Planner: Hya Honorato HonoratoH@countyofmonterey.gov (831) 755-5173

SUMMARY/DISCUSSION

The Applicant proposes a Lot Line Adjustment (LLA) between two contiguous lots in the unincorporated area of Carmel Highlands. This area of the County consists primarily of residential lots with corresponding residential development. The LLA involved two legal lots totaling 2.06 acres. Existing Lot 23 containing 0.97 acres (Assessor's Parcel Number 243-141-014-000) and Lot 22 containing 1.09 acres (Assessor's Parcel Number 243-141-013-000) are currently developed with single family dwellings. The Applicant proposes to adjust the configuration of the two lots but the lot sizes will remain the same. The purpose of the LLA is to provide sufficient area for the future development of an attached garage on Lot 23.

Site Development Standards

The two parcels are zoned as Low Density Residential in the Coastal Zone [LDR/1(CZ)] which allows a maximum density of 1 acre per unit. The LLA would not create new lots (i.e., would not subdivide of the existing parcels), and would not intensify the combined level of development allowed on the parcels. No other development is proposed as part of this application. Per the zoning district, the minimum lot size is one acre. As proposed, Adjusted Lot 22 will continue to meet the minimum building site with an acreage of 1.09. The granting of this Coastal Development Permit will retain the non-conformity of Lot 23 (existing acreage of 0.97 acres to remain the same) pursuant to the Carmel Area Land Use Plan Policy 4.4.3.11, which allows for the existing parcel to remain as less than the minimum parcel size and shall be considered a legal parcel. Lot 23 is consistent with the Coastal Implementation Plan section 20.146.120.B.4.d & f due to the current septic system's ability to dispose of waste without contamination or creating hazards to public health, as is demonstrated through meeting the requirements of the resource protection policies and consistency with the land use plan designation.

Both parcels are currently consistent with the maximum site coverage and required setbacks for LDR zoning. There are no impacts to environmentally sensitive habitats or visual impacts due to the LLA. The purpose of this LLA is to facilitate the future development of a new attached garage on Lot 23. The proposed configuration would allow for the proposed future garage to meet setback requirements on Lot 23 while also maintaining setback requirements on Lot 22.

No demolition, construction, or other type of structural development is proposed. There are no identified impacts to environmental resources. At this time, staff only recommends the granting of the Coastal Development Permit to allow the LLA. Future development on the adjusted parcels would be required to conform to the Monterey County Code requirements in effect at the time and obtain all necessary permits.

OTHER AGENCY INVOLVEMENT

The following County agencies or departments reviewed this project:

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- Carmel Highlands Fire Protection District

LAND USE ADVISORY COMMITTEE

On March 18, 2024, the Carmel Highlands Land Use Advisory Committee reviewed the project and voted 5-0 to support the project as proposed (**Exhibit B**). No concerns or comments were raised by the LUAC or members of the public.

CEQA

California Environmental Quality Act (CEQA) Guidelines Section 15305(a) categorically exempts minor lot line adjustments not resulting in the creation of any new parcel. The applicant proposes a minor equal exchange lot line adjustment between two legal lots of record consisting of Lot 22 (1.09 acres) and Lot 23 (0.97 acres), resulting in a new configuration with no change in the parcel sizes. No new lots will be created by the lot line adjustment. No demolition, construction, or other type of development is proposed under this entitlement. The lot line adjustment would not intensify the level of development allowed on the parcels. Any future permitting of an additional development on the resulting two lots is currently limited until proper potable water credits and discretionary permits are obtained.

Prepared by: Hya Honorato, Assistant Planner, x5173
Reviewed: Anna Ginette Quenga, AICP, Principal Planner
Approved by: Melanie Beretti, AICP, Acting HCD-Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Lot Line Adjustment Plan

Exhibit B - Carmel Highlands LUAC Minutes (March 18, 2024)

Exhibit C - Vicinity Map

cc: Front Counter Copy; Planning Commission; California Coastal Commission; Carmel Highlands Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Hya Honorato, Assistant Planner; Anna Ginette Quenga, AICP, Principal Planner; 42/44 YPD LLC, Property Owners; Patrick LeMaster, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN230285

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