



Zoning Administrator

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PLN240104 - NAGAFUJI MAY KITAYAMA

Public hearing to consider construction of a 1,200 square foot Accessory Dwelling Unit, and the removal of one (1) Coast Live Oak.

Project Location: 25745 Hatton Rd, Carmel

Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15303 and no exceptions pursuant to section 15300.2 can be made.

RECOMMENDATIONS

It is recommended that the County of Monterey Zoning Administrator adopt a resolution to:

- a) Find the project for an Accessory Dwelling Unit qualifies for a Class 3 Categorical Exempt pursuant to CEQA Guidelines section 15303, New Structures, and no exceptions pursuant to section 15300.2 can be made; and
- b) Approve a Coastal Administrative Permit and Design Approval to allow construction of a 1,200 square foot accessory dwelling unit.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to eight (8) conditions of approval.

PROJECT INFORMATION

Agent: Glenn Warner

Property Owner: Nagafuji May Kitayama

APN: 009-251-010-000

Parcel Size: 33,435 square feet (0.77 acre)

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

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Yes

Project Planner: Joseph Alameda, Associate Planner

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SUMMARY/DISCUSSION:

The project is located at 25745 Hatton Rd, Carmel, (APN: 009-251-010-000) within the Carmel Area Land Use Plan. The proposed project includes the construction of a 1,200 square foot Accessory Dwelling Unit (ADU) and the removal of one (1) Coast live oak tree. The property is already developed with a single-family dwelling. The ADU has been sited behind the existing residence in a small clearing between trees (**Exhibit A**). The original project scope (construction of an ADU, no

tree removal) was previously scheduled for the Chief of Planning's consideration on January 15, 2025. However, prior to this hearing, a neighbor submitted public comment raising concerns regarding potential impacts to nearby native trees and requested a public hearing. Staff considered the request and found substantial reasoning to escalate the project to the Zoning Administrator pursuant to Title 20 section 20.76.060. Upon obtaining a project-specific arborist report (**Exhibit F**), it was determined that one Coast live oak tree would need to be removed due to its poor health and potential impacts from the proposed development. Accordingly, the project before the Zoning Administrator includes construction of an ADU.

Based on staff's review, the project is consistent with applicable goals and policies in the 1982 General Plan, policies in the Carmel Area Land Use Plan (Carmel Area LUP), and regulations and development standards contained in the Carmel Area Coastal Implementation Plan (Carmel Area CIP) and Title 20 Zoning Ordinance.

Land Use & Development Standards

The parcel is zoned Medium Density Residential, 2 units per acre with a Design Control overlay district in the Coastal Zone or "MDR/2-D(CZ)". This zoning allows for the construction of one ADU on a legal lot of record pursuant to discretionary planning permits as outlined in Title 20 section 20.12.040. The proposed project is consistent with the applicable development standards for MDR zoning. The maximum allowed building site coverage in the MDR/2 zoning district is 35% (11,702 square feet). The proposed site coverage is 15.5% (5,168 square feet). The MDR/2 zoning district establishes a maximum floor area ratio of 45% (15,045 square feet). The proposed ADU will bring the property's total FAR to 15.5% (5,168 square feet). The proposed development will be within all required setbacks. The ADU will be located 10 feet from the rear property line, over 30 feet from the north and south side property lines, and 24 feet from the existing single-family dwelling. Consistent with the maximum allowed height, the ADU will be under 16 feet from the average natural grade.

The property receives services via public utilities. Potable water is currently provided by California American Water (CalAm). The applicant submitted a Can and Will serve letter from CalAM, demonstrating its ability to provide potable water to the proposed ADU. The property also receives sewer service from the Carmel Area Wastewater District (CAWD). A Can and Will serve letter was also received from CAWD, demonstrating its ability to support the proposed ADU.

Design Review

The proposed development is subject to the regulations of the Design Control "D" zoning district outlined in Title 20 section 20.44.060, which establishes design review requirements to assure protection of the public viewshed and neighborhood character. The development's design, size, and placement are consistent with the goals and policies of the Carmel Area LUP and the surrounding neighborhood character. The proposed colors and materials are consistent and compatible with the surrounding neighborhood character. The ADU is sited behind the existing residence on the property and will not be visible from public viewing areas. The proposed colors and materials include beige plaster exterior siding, dark brown metal roofing, and dark brown aluminum window and door frames. The proposed development will not block views of the ocean or be visible from any scenic highways. Carmel Area LUP Specific Policy 2.2.2 and Carmel Area CIP section 20.146.030.C.1.d requires that all exterior lighting for any new development be adequately shielded or shall be designed at

near-ground level and directed downwards to reduce its long-range visibility. Condition No. 5 has been included in the project which requires that an exterior lighting plan be provided and approved before the issuance of building permits; this condition ensures compliance with the Carmel Area LUP, Carmel Area CIP, and Title 20. Therefore, the project, as designed and sited, is consistent with neighborhood character, and assures visual integrity.

Tree Removal

As described above, prior to the administrative hearing on January 15th, a neighbor requested a public hearing and submitted an arborist report prepared by Bryan Bradford (**Exhibit B**) that analyzed potential impacts to trees that are near the proposed project footprint. However, Mr. Bradford was not able to access the site and inspect the trees up close, and therefore, his recommendations and observations were based on off-site visual examination. Based on this assessment, Mr. Bradford determined that construction of the ADU may impact the estimated critical root zone of five nearby Redwoods. The neighbor claimed that the potential impact on these trees would pose a hazard to their residence. The neighbor suggested that the proposed ADU be re-sited, closer to the existing residence.

Following receipt of this arborist report, the applicant submitted three project-specific arborist reports (**Exhibit D**; County of Monterey Library Nos. LIB250169, LIB250170, and LIB250171). The project arborists analyzed the proposed building site and an alternative building site, and conducted on-site inspections of the subject property. One arborist dug three test sites to determine whether critical roots of the adjacent Redwood trees would be impacted. Based on these results, the project arborists found that the proposed ADU location was the “most suitable for long-term maintenance of tree resources” and would minimize tree removal (one Coast live oak). The alternative ADU location was found to impact 13 Coast live oaks and potentially one Landmark Monterey pine. Sixteen Coast live oaks, five Coast redwoods, and one Monterey pine were identified near the proposed ADU. All of these trees were found to be in fair to good condition, with little to no defects, except for one Coast live oak tree (dual-stemmed, 10” & 7” DBH). This Coast live oak was observed to be in poor condition, with poor structural health (branch failures and decay). Additionally, the leaning branch of this tree would be impacted by the proposed project; removal of this branch would leave insufficient tree canopy and impact the overall health of the Oak. Therefore, the removal of this Coast live oak tree was recommended by the project arborist. Subsequent to this determination, a Tree Hazard Evaluation Form was submitted to HCD-Planning identifying this tree as being in a hazardous condition due to existing decay. HCD reviewed this hazardous tree removal request and authorized removal under TRM250183. Therefore, no protected trees are proposed for removal with implementation of this project.

The arborists observed “non-woody” Redwood roots that were less than one inch in diameter in the three hand-dug test sites (2 feet x 2 feet wide, 2 feet deep). These roots, also known as feeder roots, have the primary purpose of absorbing water and nutrients in the upper layers of the soil, and do not serve any support for the tree. No woody roots, which provide the primary structural foundation while also facilitating water and nutrient uptake, were identified. Based on these observations, the project arborist determined that no impacts on Redwoods would occur with the implementation of the project and that these trees did not pose a hazard to nearby structures. Further, as recommended by the project-specific arborist report, an arborist will monitor all excavation within 10 feet of the proposed

structure (Condition No. 4). All trees retained on-site will be protected throughout construction with exclusionary fencing (Condition No. 4).

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, "New construction". This exemption applies to construction of small structures that would not result in any adverse impacts to the surrounding environmental resources as defined in the CEQA Guidelines. This project qualifies for a Class 3 exemption because it includes the construction of a 1,200 square foot ADU. The proposed project will not result in any environmental impacts. All of the necessary reports have been obtained and have determined that it is unlikely there will any impacts to archaeological resources, historical resources, or soil resources. There are no there are no exceptions pursuant to Section 15300.2.

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
- Cypress Fire Protection District

Prepared by: Joseph Alameda, Associate Planner
Reviewed by: Fionna Jensen, Principal Planner
Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:

Attachments

Exhibit A - Draft Resolution

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

Exhibit B - Public Comment

Exhibit C - LUAC Minutes

Exhibit D - Project Specific Arborist Reports

Exhibit E - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Cypress Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Joseph Alameda, Associate Planner; Fionna Jensen, Senior Planner; Jacquelyn M. Nickerson, Principal Planner; Nagafuji May Kitayama, Property Owners; Glenn Warner, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN240104