



Monterey County Zoning Administrator

Agenda Item No. 2

Legistar File Number: ZA 18-058

168 West Alisal Street,
1st Floor
Salinas, CA 93901
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September 13, 2018

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Version: 1

Current Status: Agenda Ready

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PLN180169 - TANG

Public hearing to consider the addition of a 603-square foot, two-level garage on slopes exceeding 30 percent.

Project Location: 3284 San Luis Avenue, Carmel-by-the-Sea, Carmel Area Land Use Plan

Proposed CEQA action: Categorically Exempt per Section 15301(e) of the CEQA Guidelines

RECOMMENDATION:

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

- a. Find the project is an addition to a single-family dwelling which qualifies as a Class 1 Categorical Exemption per Section 15301(e) of the CEQA Guidelines, and there are no exceptions per Section 15300.2; and
- b. Approve a Combined Development Permit consisting of:
 - 1) Coastal Administrative Permit and Design Approval to allow the construction of a 603-square foot, two-level garage; and
 - 2) Coastal Development Permit for development on slopes in excess of 30%. The project would include the removal of two trees.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 18 conditions of approval.

PROJECT INFORMATION:

Agent: Erik Dyar

Property Owners: Wee Kit Tang

APN: 009-041-003-000

Parcel Size: 0.37 acres

Zoning: Medium Density Residential, 2 Units per Acre, Design Control District, Coastal Zone or "MDR/2-D (CZ)"

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Yes

SUMMARY:

The project site is located at 3284 San Luis Avenue in the unincorporated area of Carmel, on the west side of Highway 1 and is zoned Medium Density Residential, 2 units per acre, Design Control district, Coastal Zone [MDR/2-D (CZ)]. The project proposal would add a 603-square foot, two story garage to an existing 3,449-square foot single family dwelling. The addition of the proposed garage would require the removal of two trees (Monterey pine and Coast Live Oak) that were determined to be in poor condition by a certified arborist. Colors and materials are proposed to match the existing structures.

Design Review:

This Carmel neighborhood can be characterized as eclectic residential design in a wooded area, subject to changes in the topography. Single story and two-story homes of varying ages, styles and sizes are present with some garages sited at a higher elevation than the main house. Street trees are planted at regular intervals which gives the look of a unified streetscape. The subject site is on a sloping residential property with only the roof of the existing house being visible from San Luis Avenue. The gated entrance to the subject property fronts San Luis Avenue and is approximately 10-12 feet to the west of a utility pole. As discussed below, the proposed garage is located close to the traveled right-of-way. In accordance with County regulations, the project has been conditioned requiring the owner/applicant to submit an exterior lighting plan for review and approval. Compliance with this condition will ensure new lighting fixtures in the area are unobtrusive, down-lit, and harmonious with the neighborhood.

Site Development Standards

The applicant proposes to structurally connect the new two-car garage to the main residence via a covered walkway utilizing colors and materials that would match the existing structures (e.g. concrete tile roof, white cement plaster, cedar fence, horizontal grain Douglas Fir clad garage door). Due to the topography of the site, the proposed garage would be at a higher elevation than the house (finished surface 107 feet, 6 inches to 120 feet, 3 inches and finished surface 100 feet to 113 feet respectively), but would not exceed the height allowed for main structures (30 feet). However, this location would require development on slopes over 30 percent and a reduced front yard setback. Pursuant to Section 20.62.040 in Monterey County Zoning Ordinance Title 20, a private garage (attached or detached), may encroach into the front yard setback requirement up to 5 feet, if the front half of the lot, at a point 50 feet from the centerline of the traveled roadway, is 7 feet above or below the grade of said centerline. For garage doors that face the right-of-way, an electric garage door opener is required. In order to make the new garage level with the street, the garage would have a lower level. The lower level is designed to accommodate an existing generator and would not be fully enclosed. The upper level (car garage) would be accessed by a stairwell and is shown to have two windows on the south face and one window on the west. But for the proposed reduced front-yard setback, staff finds that the proposed project meets all of the development standards (height, setbacks, coverage, etc.) for this area:

Main Structure Setback and Height Requirements:

- Front Setback: 20 feet (minimum)
- Side Setback: 5 feet (minimum)
- Rear Setback: 10 feet (minimum)
- Height: 30 feet (maximum)

The proposed project meets all standards as detailed below:

- Front Setback: 5 feet, 2 inches
- Side Setback: 10 feet, 6 inches
- Rear Setback: >30 feet
- Height: 25.6 feet (120 feet 3 inches - 94.65 feet)

Parking

Pursuant to Chapter 20.58 (Regulations for Parking) under Monterey County Zoning Ordinance Title 20, all residential developments shall have at least 1 covered parking space; covered parking shall count toward the two (2) required parking spaces. The project proposes to add an additional two-car garage, providing a total of four covered parking spaces. Therefore, this project meets the parking requirements listed under Residential Use.

Tree Removal

A certified arborist was retained to assess the condition of existing trees and make tree protection and/or replacement recommendations. The removal of one (1) 11” Monterey pine tree, located in the right-of-way, is being proposed to accommodate the second driveway entrance to the subject property; this work would require an encroachment permit from Monterey County Public Works. Staff conducted a site visit on May 25, 2018 and observed the staking and flagging among a heavily vegetated area and concluded that the removal of said tree would not result in an adverse visual effect. Staff also supports removal of the tree, as it is reported to be in declining health, with, according to the arborist, a progressed Red Turpentine beetle infestation at the base of the trunk. Three Coast live oak trees were noted to be within the footprint of the proposed accessory structure; however, only one (1) Coast live oak tree is being proposed for removal. The retained arborist prepared a report assessing the trees and vegetation in the development area (below street level) and found a single 11-inch Coast live oak eligible for removal because it has fully developed in a horizontal manner and would encroach into the garage structure; the tree is noted to be in poor health with poor structure. The arborist is not recommending replacement because of the existing dense suppressive environment. In other words, additional trees would not thrive in this environment. Two Coast live oak trees (one 10 inch and one multi-trunk 16 inch and 18 inch) located near the footprint of the garage will be retained. Consistent with the recommendations of the arborist and County regulations, the project has been conditioned requiring the installation and maintenance of tree protection measures during construction activities.

CEQA

This project includes the addition of a two-car garage, accessory to the primary residential use of the property. Additions to an existing structure are categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(e) of the CEQA guidelines. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Staff finds that there is adequate evidence to support finding that there are no unique circumstances for potential impact in this case.

OTHER AGENCY INVOLVEMENT:

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

- RMA-Public Works
- RMA-Environmental Services
- Environmental Health Bureau
- Water Resources Agency
- Cypress Fire Protection District
- Carmel Highlands Land Use Advisory Committee

The proposed project was reviewed by the Carmel Highlands LUAC on August 6, 2018. The project was approved in a 3 to 0 vote (1 absent). Staff did receive a few of emails and calls from concerned neighbors- all of their comments were forwarded to the Committee and made part of the discussion and review process (**Exhibit E**). There were no outstanding or pending issues after the LUAC meeting.

Prepared by: Maira Blanco, Associate Planner, x5052
Reviewed by: Brandon Swanson, RMA Services Manager
Approved by: John M. Dugan, FAICP, Deputy Director of Land Use and Development Services

The following attachments are on file with the RMA:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution including:
 - Conditions of Approval
 - Plan Set
 - Colors and Materials
- Exhibit C - Vicinity Map
- Exhibit D - Arborist Report
- Exhibit E - Carmel Highlands LUAC Minutes

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, RMA Services Manager; Maira Blanco, Project Planner; Wee Kit Tang, property owner; Erik Dyar, project agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN180169.