



County of Monterey

Item No. 2

Zoning Administrator

Legistar File Number: ZA 23-029

December 14, 2023

Introduced: 11/22/2023

Current Status: Agenda Ready

Version: 2

Matter Type: Zoning Administrator

PLN220271 - SCOTT LINDA SUE & TAGG TERRY M TRUST

Public hearing to consider allowing the construction of a 1,485 square foot detached garage and associated site improvements. The project includes the removal of one Coast live oak tree and development on slopes in excess of 25%. Grading consisting of 940 cu. yds. of cut and 25 cu. yds. of fill.

Project Location: 6 Oak Meadow Lane, Carmel Valley, Carmel Valley Master Plan

Proposed CEQA action: Find that the project qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines

RECOMMENDATIONS

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

1. Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303; and
2. Approving a Combined Development Permit consisting of:
 - a. Administrative Permit and Design Approval to allow construction of a 1,514 square foot detached garage and associated site improvements including the removal of one Coast live oak tree; and
 - b. Use Permit to allow development on slopes in excess of 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 7 conditions of approval.

PROJECT INFORMATION

Agent: Cristo Staedler, Eric Miller Architects Inc.

Property Owner: Scott Linda Sue & Tagg Terry M Trust

APN: 187-031-027-000

Parcel Size: 3.028

Zoning: Low Density Residential with a Building Site 6, Design Control, Site Plan Review, and Residential Allocation zoning district overlays or "LDR/B-6-D-S-RAZ."

Plan Area: Carmel Valley Master Plan

Flagged and Staked: Yes

SUMMARY/DISCUSSION:

The project is located 0.25 miles away from Laureles Grade, on Oak Meadow Lane, within an established gated residential neighborhood off of Carmel Valley Road. The proposal involves the construction of a 1,514 square foot detached garage and associated site improvements including the removal of 1 Coast live oak tree including development on slopes in excess of

25%. This project is consistent with applicable regulations and policies of Title 21 and Carmel Valley Master Plan.

Land Use & Development Standards

The parcel is zoned Low Density Residential with a Building Site 6, Design Control, Site Plan Review, and Residential Allocation zoning district overlays or “LDR/B-6-D-S-RAZ.” The project is consistent with the development standards of LDR. Pursuant to Title 21 section 21.14.060, the LDR zoning district establishes non-habitable accessory structure setbacks of 50 feet for the front, two side setbacks that include 6 feet for the front one-half of the property and 1 foot for the rear one-half of the property, and a 6 foot setback for the rear. As proposed, the detached garage is sited so that it is set back approximately 69 feet 7 inches from the front, 11 feet 10 inches from the side, and over 180 feet from the rear. LDR zoning district establishes a 15 foot height limit for non-habitable accessory structures. As proposed, the height of the detached garage is 6 feet 8.5 inches from the average natural grade.

The total building site coverage for the proposed project is 6%, which is below the limit of 25%. The project size, height, and setbacks are all within the allowed limits of the development standards of LDR zoning district. Therefore, as proposed, the project meets all required development standards of Title 21 section 21.14.060.

Tree Removal

Tree removal is subject to the regulations contained in Title 21 section 21.64.260, which requires an administrative permit for the removal of less than 3 protected trees in a one year period. As well as making a finding that the tree removal is the minimum required under the circumstances of the case and that the removal will not involve a risk of adverse environmental impacts. As part of this permit, the applicant submitted an Tree Assessment/Forest Management Plan, prepared by Justin Ono, dated March 26, 2023 (Monterey County Document No. LIB230126).

The proposed tree removal is a Coast live oak tree with a diameter at breast height of 15 inches. The tree is in fair condition and is proposed for removal because it is located within the proposed building footprint. The proposed tree removal is the minimum required under the circumstances. The one tree being removed is within the building footprint of the attached accessory structure. The existing condition of the subject parcel is on a hillside with terraced flats. More than half of the property includes slopes in excess of 25%. As proposed, the siting of the detached garage is in an area that minimizes development. Relocating the proposed detached garage would involve more development for access resulting in more tree removal.

Development on Slopes

Development on slopes that exceed 25% is prohibited unless there is no feasible alternative that would allow development to occur on slopes less than 25%, or 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. In this case, there is no feasible alternative. The 3 acre property is located on a hillside with existing structures on the terraced flat. There are slopes in excess of 25% on the western and eastern portions of the parcel, limiting potential development opportunities in areas with slopes less than 25%. The owner is a local artist who wanted to build a fire-resistant structure away from the main dwelling to store their paintings.

Moving the proposed structure will either involve being entirely on slopes in excess of 25% or locating it behind the house which would require a new driveway on slopes in excess of 25% with a new fire truck turnaround, and removing more trees.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, "New Construction or Conversion of Small Structures". This exemption applies to new construction of one single family residence, second dwelling unit, and accessory structures within residential zoned areas. This project qualifies for a Class 3 exemption because involves the construction of a detached garage within a residential zoned area. All of the necessary reports have been obtained and have determined that it is unlikely there will any impacts to archaeological 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
Environmental Health Bureau
HCD-Environmental Services
Monterey County Regional Fire Protection District

Prepared by: Christina Vu, Assistant Planner, x5139

Reviewed by: Anna Ginette Quenga, AICP, Principal Planner

Approved by: Melanie Beretti, Acting Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit C - Arborist Report

Exhibit D - Carmel Valley LUAC Minutes

Exhibit E - Vicinity Map

cc: Front Counter Copy; Monterey County Regional Fire Protection District;
HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau;
Christina Vu, Planner; Anna Ginette Quenga, AICP, Principal Planner; Scott Linda Sue & Tagg
Terry M Trust, Property Owners; Cristo Staedler, Agent; The Open Monterey Project;
LandWatch (Executive Director); Laborers International Union of North America (Lozeau
Drury LLP); Planning File PLN220271