



# County of Monterey Planning Commission

## Item No.7

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

### Agenda Item No.7

Legistar File Number: PC 24-088

August 14, 2024

**Introduced:** 8/7/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

#### **PLN220214 - DUBLIN F2, INC.**

Public hearing to consider the construction of a two-story single family dwelling with an attached garage (approximately 8,864 square feet) and a detached Accessory Dwelling Unit (1,200 square feet) within the Visual Sensitivity district. The project includes the removal of 35 Coast live oak trees, including one landmark tree, and development on slopes in excess of 25 percent (7,000 square feet).

**Project Location:** 27155 Upper Forty Dr., Carmel, Greater Monterey Peninsula Area Plan

**Proposed CEQA action:** Find the project Categorically Exempt per Section 15303(a) of the CEQA Guidelines and none of the exceptions under section 15300.2 can be made.

#### RECOMMENDATION:

It is recommended the Planning Commission adopt a resolution to:

- a. Find that the project is construction of a single-family dwelling and accessory dwelling unit qualifies as a Class 3 Categorical Exemption per Section 15303 (a) of the CEQA Guidelines and none of the exceptions under Section 15300.2 apply; and
- b. Approve a Combined Development Permit consisting of a:
  - 1) Administrative Permit and Design Approval to allow the construction of a two story single family dwelling with attached garage (8,864 square feet) and a detached Accessory Dwelling Unit (1,200 square feet);
  - 2) Use Permit to allow the removal of 35 oak trees, including one landmark tree 34 inches in diameter; and
  - 3) Use Permit to allow 7,000 square feet of development on slopes greater than 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 16 conditions of approval.

#### PROJECT INFORMATION:

**Agent:** Peter Rosado

**Property Owners:** Dublin F2, Inc.

**APN:** 416-082-040-000

**Parcel Size:** 10 acres

**Zoning:** Resource Conservation zoning district, 10 acres per unit density with a Visual Sensitivity overlay district and 20 foot height restriction (RC/10-VS[20'])

**Plan Area:** Greater Monterey Peninsula Area Plan

**Flagged and Staked:** Yes

SUMMARY:

The applicant, Dublin F2, Inc., submitted plans to develop a vacant lot in the Upper Forty Subdivision, less than a mile from Laureles Grade approximately half a mile south of the Hidden Hills subdivision. Plans include an 8,864 square foot, two-story, single family home with attached garage and a 1,200 square foot Accessory Dwelling Unit (ADU) on a vacant 10 acre parcel. The first story of the main dwelling is a 4,450 square foot collector's car garage and the second floor comprises 4,414 square feet of habitable living area. The residence and ADU are proposed in modern design architectural style with traditional Japanese aesthetic influences. Colors and materials are gray board form concrete, blackened metal siding, stucco with black paint, and clear anodized glazed glass. Doors, window frames, fascia and railings are black metal. The dark-colored architecture is designed to recess the structures into the forest. Siting and design of the residential structure would not detract from the character of the neighborhood or adversely affect views in the area.

The subject parcel is within an area of high visual sensitivity, as designated on Figure 14 (Greater Monterey Peninsula Scenic Highway Corridors & Visual Sensitivity Map) of the 2010 General Plan. Staff finds that the project is consistent with the 2010 General Plan, the Greater Monterey Peninsula Area Plan (GMPAP) and Title 21 of the Monterey County Code. The proposed single family dwelling with the attached garage is located in the eastern half of the irregularly shaped property. An existing scenic easement covers most of the western portion of the parcel (approximately 4 acres), another scenic easement covers 0.54 acre to the east of the proposed project site. The purpose of the scenic easements is to protect in natural state the most visible portions of the property as viewed from scenic highways. A 40-foot-wide powerline easement to Pacific Gas & Electric cuts north to south through the middle of the mid-eastern parcel, further limiting the available location for a homestead to be developed. The proposed development meets all yard regulations for the Resource Conservation zoning district, 10 acres per unit density with a Visual Sensitivity overlay district and a 20 foot height restricted (RC/10 VS[20]) and Accessory Dwelling Units in the Inland area (Title 21 section 21.24.030.E).

The site location is sloped and populated with native oak woodland. Development has generally been sited to minimize impacts; however, this project will require the removal of 35 Coast live oak (CLO) trees (6 to 35 inches in diameter) in varied state of health. The Arborist Report/FMP and addenda (see **Exhibit D**) concluded that removal of 35 trees would not cause adverse impact to the health of the surrounding oak woodland. A condition of approval has been incorporated requiring implementation of a replanting plan resulting in replanting 36 CLO, one to one ratio replacement for 34 trees removed and two-to-one replacement for the one landmark CLO removed, as a result of construction of the project. Four years of monitoring is required to ensure the replanted trees have full success to restore the oak woodland and ensure the viewshed protection through long term project screening. (Note that the Plans show 36 trees removed; the second addendum Arborist Report clarified that one of those is a toyon shrub, which is not a protected tree.)

Due to the topography of the parcel, it is not possible to develop the first dwelling and associated improvements without impacts to slope exceeding 25 percent grade. As designed, development will occur on about 7,000 square feet of slopes exceeding 25 percent grade. These impacts are

minimized by reuse of previously graded areas under and exceeding 25 percent grade slope. Alternative building locations were staked and flagged during the application submittal reviews (2023-2024). Siting other than the proposed would result in impacts to public viewshed, removal of more trees and additional impact to slope exceeding 25 percent.

One correspondence (**Exhibit E**) was received from a neighbor on August 6th in response to the public hearing notice. The correspondence is addressed in the attached Discussion.

DISCUSSION:

Detailed discussion is provided in **Exhibit A**.

CEQA:

This project is categorically exempt from CEQA review pursuant to Section 15303(a), Class 3 for limited new development. The project consists of the first single family home with an attached garage and detached accessory dwelling unit. None of the circumstances in Section 15300.2 disqualifying the project from a Class 3 Categorical exemption apply. Tree removal and location within a visually sensitive corridor are addressed through careful siting and conditions of approval, and as viewshed is protected by established scenic easements on portions of the existing lot. The proposed construction site is not located in a particularly sensitive environment. The subject lot is surrounded on all sides by similar residential development on large lots and/or roadways. Views from Laureles Grade (a scenic highway/route) are protected, and the potential impact is reduced through project colors and materials and forest management to maintain screening. There are no significant cumulative effects of residential development on residentially zoned lands with VS zoning district overlay through the compliance with the codes, there are no historical resources and no hazardous waste sites involved. The project will not have a significant effect on the environment and qualifies for a Categorical exemption as one residential home and accessory structure (ADU) on a residential lot.

OTHER AGENCY INVOLVEMENT:

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

- HCD - Engineering Services
- HCD - Environmental Services
- Environmental Health Bureau
- Monterey County Regional FPD

LUAC:

Staff attempted to bring the project before the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on three attempts, and there was no quorum. Therefore, the project was not heard for recommendation to the Planning Commission by a LUAC.

Prepared by: Mary Israel, Supervising Planner, x.5183

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Detailed Discussion

Exhibit B - Resolution

- Conditions
- Plans, Elevations, Colors and Materials, Key Civil Sheets

Exhibit C - Vicinity Map

Exhibit D - Tree Assessments and Forest Management Plan

- First report by Frank Ono, August 3, 2022
- First Addendum by Rob Thompson, October 17, 2023
- Second Addendum by Rob Thompson, June 10, 2024

Exhibit E - Public Correspondence Received

cc: Front Counter Copy; Planning Commission; Anna Ginette Quenga, AICP, Principal Planner, Mary Israel, Project Planner; Dublin F2, Inc., property owners; Peter Rosado, Agent; Tony Singer, Interested Party; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Laborers International Union of North America (Lozeau Drury LLP; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Janet Brennan, interested party; Project File PLN220214.