



# Monterey County Zoning Administrator

## Agenda Item No. 3

Legistar File Number: ZA 18-045

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
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July 12, 2018

Introduced: 7/2/2018

Current Status: Agenda Ready

Version: 1

Matter Type: ZA

### PLN170936 - STIVER JARED

Public hearing to consider the demolition of an existing one-story single family dwelling and garage and rebuild of a two-story single family dwelling and garage in the Carmel Area of Special Biological Significance (ASBS).

**Project Location:** 2777 Pradera Road, Carmel, Carmel Area Land Use Plan

**Proposed CEQA Action:** Categorically exempt per Section 15302 of the CEQA Guidelines

#### RECOMMENDATION:

Staff recommends the Zoning Administrator adopt a Resolution to:

- 1) Find the project is a replacement of an existing structure, located on the same site with the same intensity of residential use as the replaced residence, which qualifies as a Class 2 Categorical Exemption pursuant to Section 15302 of the CEQA Guidelines; and there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines; and
- 2) Approve a Combined Development Permit consisting of:
  - a) Coastal Administrative Permit and Design Approval to allow the demolition of a one-story 2,090 square foot single family dwelling and 441 square foot attached garage and the rebuild of a two-story 3,388 square foot dwelling and 605 square foot attached garage with 115 cubic yards of associated grading;
  - b) Coastal Administrative Permit to allow development within 750 feet of a known archaeological resource.

The attached resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends that the Zoning Administrator adopt the resolution approving PLN170936 subject to 21 conditions of approval.

#### PROJECT INFORMATION:

**Agent:** John Moore

**Property Owner:** STIVER JARED

**APN:** 243-032-013-000

**Parcel Size:** 0.22 acre

**Zoning:** "MDR/2-D(18)(CZ)" (Medium Density Residential with maximum gross density of 2 acres per unit and maximum 18 feet height with a Design Control Overlay in the Coastal Zone)

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** yes

#### SUMMARY

The subject parcel is located on a corner lot in a developed residential neighborhood west of Highway 1, between Palo Corona Regional Park to the north and Monastery Beach to the South, and with the

Pacific Ocean about 600 feet to the southwest. The existing home is a single story California Ranch style structure with hipped roofs, beveled wood siding, and a Carmel-Stone Chimney along the south side. Although the home was built in 1957, there is no evidence of historic significance. The existing asphalt driveway off Pradera Road will remain as the entrance to the residence. The proposed demo and rebuild will replace an existing one-story 2,090 square foot dwelling and 441 square foot garage with a two-story 3,388 square foot dwelling and a 605 square foot garage. The property is within the Carmel Area of Special Biological Significance (ASBS). Therefore, conditions have been applied to the project for protection and maintenance of this natural resource.

#### **DISCUSSION:**

##### *Project Proposal*

The applicant has requested a permit to allow demolition and rebuild of the existing 2,090 square foot one-story residence and 441 square foot attached garage, resulting in a 3,388 square foot two-story single family dwelling and 605 square foot attached garage. Associated grading includes 100 cubic yards of cut, 15 cubic yards of fill, and total off-haul of 85 cubic yards. The project is increasing the number of bedrooms from two to four and bathrooms from two to three and a half. The subject application is for a Combined Development Permit. Therefore, the Zoning Administrator (ZA) is the appropriate authority to hear an application for a Combined Development permit pursuant to 20.82.030.A.

##### *Archaeological Report*

The subject parcel is within 750 feet of a known archaeological resource and is High status for archaeological sensitivity. Rebuild of the single family dwelling includes ground disturbance outside the existing building footprint. In order to ensure the project would be consistent with the Carmel Area LUP Chapter 2.8 for the maintenance and protection of archaeological resources, an Archaeological Assessment was required pursuant to Policy 2.8.3.2 of the Carmel LUP. The assessment prepared by Archaeological Consulting (File No. LIB180128) for the proposed development concludes there is no evidence of historical resources. Therefore, no cultural resources would be affected by implementation of the proposed demolition and rebuild.

##### *Historic Report*

The residence is more than fifty years old, which is the age for which the County requires a Phase One Historic Assessment. This assessment was prepared by Past Consultants LLC (Exhibit E-2) and concluded the structure does not meet any criteria for historical significance. Staff finds that no further historic assessment is required.

##### *Back-to-back Corner Lot*

The subject parcel sits on the corner of Pradera Road and Meadow Way, back-to-back with the lot on the corner of Meadow Way and Ribera Road. Therefore, the project qualifies for the setback exceptions set forth in Section 20.62.040.Q of Title 20. A corner lot that is not back-to-back with another corner lot is required to comply with Section 20.62.040.M that applies front setbacks to both streets abutting the lot. Instead of a 20 foot front setback requirement, a side setback of 5 feet applies along Pradera Road. Staff confirmed project plans conform to the setback requirements for a back-to-back corner lot.

*Carmel Area of Special Biological Significance (ASBS)*

The Carmel Area of Special Biological Significance (ASBS) is a valuable marine resource susceptible to pollution from upstream human activities related to development that degrades stream flow water quality to the ocean. The subject parcel is in a residential area that drains to the Carmel ASBS. The project was reviewed by EHB and WRA, neither of which agencies gave any indication that implementation of this project would cause injury or detriment to the Carmel ASBS. Residential water is procured from Cal-Am and the public sewer service is the Carmel Area Wastewater District (CAWD). Therefore, the Carmel ASBS is not at risk from an onsite wastewater treatment system (OWTS) on this property. Conditions for controlling erosion, stormwater runoff, and discharge of contaminants have been applied to the project. The project, as proposed and conditioned, would not have an adverse effect on the Carmel ASBS.

Design Review:

The two-story rebuild is appropriate in this neighborhood of one- and two-story homes and the project will remain out of the public viewshed. The colors and materials of the rebuild are consistent with those of other one-story and two-story homes in the neighborhood: silver-black metal standing seam roof, linen white exterior paint, wood clad double pane windows with linen white trim, and stainless steel cable rails. Staff confirmed with the flagging and staking that bulk and mass of the home integrate with the neighborhood character of this small coastal residential suburb. Staff finds the project is appropriate in size, configuration, materials, and colors to maintain neighborhood character and visual integrity. Staff finds the proposed project meets all of the development standards (height, setbacks, coverage, etc.) for this area:

Development Standards for MDR/2(18)

Front Setback: 20 feet (minimum)  
Side Setback: 5 feet (minimum)  
Rear Setback: 10 feet (minimum)  
Maximum Height: 18 feet  
Building Site Coverage: 35% maximum

Proposal Meets Requirements as follows:

20 feet-1 inch  
5 feet-8 inches 11 feet-1/2 inch  
10 feet-3 inches  
18 feet  
34.75%

CEQA:

Pursuant to §15302 of CEQA Guidelines, the project is exempt from environmental review because the structure would replace an existing structure, located on the same site with the same intensity of residential use as the replaced residence.

OTHER AGENCY INVOLVEMENT:

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

Bureau of Environmental Health  
RMA-Public Works  
Water Resources Agency  
RMA-Environmental Services  
Carmel Highlands Land Use Advisory Committee

LUAC:

The Carmel Area Land Use Advisory Committee reviewed the project on 2 April 2018 and recommended approval of the project with a 5-0 vote. Comments are as follows:

- 1) *Construction noise should be limited to reasonable hours, not at odd hours such as nighttime or on Sundays. As pointed out in a follow up comment at the LUAC meeting, Ordinance 5250 amends Chapter 10.60 of the County Code with a Nighttime Noise Ordinance (10.60.40). Construction Management Plan should provide guidance on hours of construction.*
  - Chapter 10.60 - Noise Control: Prohibits noise exceeding eighty-five (85) dBA measured fifty (50) feet therefrom, at any time of the day. Maximum level dBA for nighttime hours 10pm to 7am is sixty-five (65) dBA. The ordinance has no provision for Sunday noise levels.
  - Response by Erin Stiver, the applicant: Applicant would ask their general contractor to be sensitive to neighborhood noise concerns.
- 2) *Lighting was not sufficiently detailed in the project plans.*
  - Condition No. 16 requires submittal of an Exterior Lighting Plan that specifies fixtures that are unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture.

Prepared by: Jaime Scott Guthrie, AICP Candidate, Associate Planner, ext. 6414

Reviewed by: Brandon Swanson, Planning Services Manager 

Approved by: John M. Dugan, FAICP, Deputy Director of RMA Land Use and Development Services 

The following attachments are on file with the RMA:

Exhibit A Project Data Sheet

Exhibit B Draft Resolution, including:

    B-1 Plans; and

    B-2 Draft Conditions of Approval

Exhibit C Vicinity Map

Exhibit D Carmel Highlands LUAC Minutes

Exhibit E Reports:

    E-1 Soil Engineering Investigation, LandSet Engineers Inc., February 2018  
    (LIB180129)

    E-2 Phase One Historic Assessment, Seth A. Bergstein, 10 October 2017  
    (LIB180130)

Exhibit F Colors and Materials

cc: Front Counter Copy; Jacqueline R. Onciano, Chief of RMA-Planning; John Moore c/o Moore Design, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN170936.