

iii. A detached 460 sq. ft. garage

2. Use Permit for development within the Carmel River Floodway;

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit B**).

Staff recommends approval subject to 12 conditions.

PROJECT INFORMATION:

Project Owner: Craig & Valerie Suhl

APN: 015-192-006

Zoning: Low Density Residential, two - ½ units per acre, Design Control Overlay, Sight Plan Review, Residential Allocation Zone [LDR/2.5-D-S-RAZ]

Parcel Size: 0.959 acres (41,174 square feet)

Flagged and Staked: Yes

SUMMARY:

The project site is located in Carmel Valley, approximately two and one-half miles (2-1/2) east of Highway 1 in an area developed with single-family residences on parcels of approximately one (1) acre developed in the late 1950s and throughout the 1960s. The site is flat and is characterized by mature and in some cases overgrown ornamental landscaping with some native trees, notably a 29-inch diameter oak tree located approximately five (5) feet from the front of the existing house. This oak tree would be removed as part of the proposed project. The tree is in compromised health suffering from structural issues and presents a safety hazard to the existing and proposed home. The entirety of the project site is located within the Carmel River Floodway. Compliance with Federal flood standards requires the base of the residence be at least one (1) foot above the 100-year flood plain. To help meet this standard, the project would import approximately 239 cubic yards of soil to achieve this elevation and construction techniques would make the structures compliant with FEMA regulations.

The property is zoned for low-density residential uses, which allows development of single-family dwellings and guesthouses as allowed uses. Based on staff review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable provisions of the 2010 Monterey County General Plan, Carmel Valley Master Plan, and applicable sections of the Monterey County zoning ordinance.

DISCUSSION:

Design Review

Pursuant to MCC Chapter 21.44, the proposed project site and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The primary colors and materials are wood siding in a white color with window trim and roof trim in white. The detached guesthouse and associated detached one-car garage reflect the architectural stylings, materials, and colors of the main residence. The proposed architectural styling and colors are complimentary to the neighborhood which includes a varying architectural style, materials, and colors. The scale of the proposed development is compatible with the neighborhood scale.

The applicant prepared a historical study in compliance with CEQA guidelines. The study noted that the house was built in 1959 and alterations to the residence in 1993 included conversion of a portion of the garage to habitable space and an addition to the residence that have led to substantial loss of any historical integrity and concluded that the dwelling lacks historical merit.

Archaeological and Tribal Resources

The project site is located in an area that County GIS records indicate a high archaeological sensitivity. An archaeological study and reconnaissance was conducted for the property; there were no cultural artifacts observed during the course of the reconnaissance and the report concluded that it would be unlikely that any artifacts would be discovered during the implementation of the project. A standard condition of approval has been placed on the project requiring work to stop if resources are found during ground disturbance.

Development Standards

Pursuant to the development standards for the LDR zoning district, identified in MCC Section 21.14.060, and as proposed, the structures meet or exceed all required setbacks, and are also within the corresponding maximum structure heights.

Required Setbacks (minimum)

<u>Main Structures</u>		<u>Accessory Structures</u>
Front	30 ft.	50 ft.
Side	10 ft.	6 ft
Rear	20 ft.	6 ft/

Proposed Setbacks

<u>Main Structure</u>		<u>Guest House</u>	<u>Garage</u>
Front	70 ft.	> 100 ft	> 100 ft.
Side	26 ft.	45 ft.	10 ft.
Rear	77 ft. 11 inches	40 ft.	20 ft.

Height Standards:

<u>Main Structure</u>		<u>Accessory Structures</u>	
Allowed	30 ft.	15 ft.	
Proposed	27 ft. 3 inches	13 ft. 7 inches	14 ft. *

(from existing natural grade. Building elevation approximately 2 ft. over natural grade)
*Detached garage sited at natural grade

Pursuant to the development standards for the LDR zoning district, identified in MCC Section 21.14.060, and as proposed, the dwelling and attached garage exceed all required setbacks. The detached accessory structures exceed all minimum setback requirements. All aspects of the structural development are within the corresponding maximum structure height allowances. The property is 0.959 acres or 41,174 square feet. The maximum site coverage allowed is 25 percent, or 10,293.5 sq. ft; The proposed site coverage is 19.5 percent, or 8,027 square feet. Floor Area Ratio (FAR) is not applicable in those parts of the inland planning areas of Monterey County zoned LDR.

Site Plan Review District (S)

The ‘S’ overlay is associated with those properties that have the potential to adversely affect or be adversely affected by natural resources or site constraints. The project site is located within the Carmel River Floodway and is subject to special development standards that would protect the development from potential 100-year flood levels. Federal development standards require that new development be constructed to at least one (1) foot above the 100-year flood elevation. In this instance, the project proposal includes the importation of approximately 239 cubic yards of soil to raise the base elevation of the attached garage to one foot 6 inches above the flood level. The main residence would be constructed such that the finished floor would be at an elevation of 67 ft 2 inches, 1 ft 7 inches above the flood elevation. The existing finished grade on the property is approximately 64 ft 3 inches. The flood elevation is 65 ft. 6 inches. The project is conditioned such that a deed notice shall be recorded stating that the parcel is located within a floodplain (Condition 7). Three other conditions of approval have been placed on the project to ensure verification of various elevations relevant to

FEMA requirements, and to ensure that foundations are constructed in a manner that will allow any floodwaters to pass through the site.

Residential Allocation Zoning District (RAZ)

The property is located in an area that is subject to policies or ordinances which specify limitations on the number of lots or housing units which may be created in a given period of time, pursuant to Carmel Valley Master Plan CV-1.6. The project proposal does not include the creation of any new lots and does not create any new housing units. The project proposal is for the demolition of an existing single-family dwelling and the subsequent construction of a replacement single-family dwelling. The project also includes construction of a detached guesthouse that is not considered a housing unit. Therefore, the proposed development is not subject to RAZ standards or policies.

Tree Removal

The project includes the removal of one (1) oak tree with a trunk diameter of approximately 29 inches. The tree is considered a *Landmark Tree* under the Carmel Valley Master Plan and Title 21, Monterey County zoning ordinance. MCC Section 21.64.260.D.5(c) allows for removal of a landmark tree if the tree injured or in danger of falling near an existing or proposed structure. The oak tree is located approximately five (5) feet from the existing dwelling's front elevation. An arborist's report was prepared that assessed the tree's health (Gates LIB200072). The report noted that the tree canopy was in advanced decline with a live crown ratio of approximately 15 percent. Much of the crown is comprised of dead wood. The arborist noted that the tree is currently a hazard for the existing dwelling and would be a hazard to future development of the parcel. If no project was proposed, the tree would need to be removed to protect the current structure. If the project is approved, demolition of the existing house and foundation, along with disturbance from sitework for the new house in the same general area would likely prevent the tree from surviving. Even if the tree did survive, it would remain a safety risk to the new dwelling. MCC Section 21.64.260.D.4 mandates that removed oak trees shall be replaced in a 2:1 ratio. The project is conditioned such that replacement oak trees, 5-gallon specimens, shall be planted on the parcel and monitored for successful growth.

LUAC

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review (**Exhibit C**). The LUAC, at a duly-noticed public meeting on February 18, 2020, voted unanimously, 5 - 0, with one (1) absence, to support the project but commented that the roof height should be lowered, the oak tree should be preserved (see discussion above), and that the development should reflect a rural character. The applicant did not alter or lower the roof element of the main residence. The proposed design features gabled dormers in the roof; lowering the roof height could present proportionality issues between the dormers and the roof height/pitch. The project is located in a built-out neighborhood developed as single-family dwellings on lots approximating one acre. The scale is such that the individual lots with single-family dwellings have ample yard space that create a spatial separation from neighboring homes. The architecture found in the area shows individuality in terms of materials and colors. The proposed development subject to this permit does reflect a rural character in scale and design. The proposed development retains the ample yard space typical of the neighborhood. The gabled roof with the gabled dormers is reminiscent of Dutch colonial architecture found in the early farming settlements of New York and New Jersey.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Section 15303, Class 3, categorically exempts new construction or conversion of small structures, including construction of a new single-family dwelling and accessory structures. The proposed project involves the demolition of a 3,500 square foot single family dwelling and construction of a 5,040 square foot single family dwelling and attached 1,000 square foot three-car garage, and a detached 600 square foot guest house with a 120 square foot covered porch and 460 square

foot garage. Therefore, the project qualifies as and is consistent with the parameters of Class 3 categorical exemption. No evidence of significant adverse environmental effects was identified pursuant to Section 15300.2 of the Guidelines during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

RMA-Public Works
RMA-Environmental Services
Environmental Health Bureau
Monterey County Regional FPD (Fire Protection District)

Prepared by: R. Craig Smith, Associate Planner, x6408
Reviewed by: Brandon Swanson, RMA Planning Manager
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Community Development

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, Elevations, and Color/Material Finishes

Exhibit C - Carmel Valley LUAC Minutes

Exhibit D - Arborist's Report - LIB200072

Exhibit E - Historical Assessment LIB200013

Exhibit F - Soils Investigation LIB200014

Exhibit G - Vicinity Map

cc: Front Counter Copy; Monterey County Regional FPD (Fire Protection District); RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; R. Craig Smith, Associate Planner; Brandon Swanson, RMA Services Manager; Craig & Valerie Suhl, property owner; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN190370