

SUMMARY:

The applicant proposes construction of a 4,715 two story single-family dwelling with an attached 1,072 square foot garage. The project proposal is located within the Monterra Subdivision, approximately 0.25 miles from Monterey-Salinas Highway (Hwy 68). The application was originally scheduled for administrative approval on March 21, 2018, but pursuant to Section 21.70.060, the application was pulled from this administrative approval agenda and referred to the Zoning Administrator due to public controversy surrounding the proposed development.

DISCUSSION:

On March 21, 2018, staff received a letter of public concern regarding this project (**Exhibit I**). The letter requested a public hearing, and objected to the project based on the following concerns:

- 1. Concern: “This lot has a designated Building Envelope with surrounding dedicated Scenic Easement. However, the building plans submitted don’t make these very clear. Where is the designated scenic easement?”**

County Response: The Scenic Easement (S.E.) is shown on the first page of the Plan set on the Assessor’s Parcel Map (**Exhibit B**). The map verified that the proposed project will be constructed within the building envelope avoiding the S.E. This was further verified by staff during a site visit to view staking and flagging that was erected on site.

- 2. Concern: “Plans call for 835 cubic yard cut, 635 cubic yard fill, but where is it being cut from and filled to, not sure. An average natural grade on the building elevations cannot be found although the building height is listed above sea level. 406.40 Max Height minus 379.50 Main Floor is 26.9 feet. Plans call for 30 ft. height.”**

County Response: The grading plans submitted for review are preliminary, a Condition of Approval (Condition No. 12) has been applied to the project from Environmental Services requiring more detailed information prior to grading. The grading sheet currently shows work is taking place within the footprint of the house and driveway. Furthermore, the average natural grade of 376.40 is indicated on page A6.2 of the exterior elevation.

- 3. Concern: “The lot is highly visual sensitive and the report says it is subject to regulations in a Design Control District “D”. The “D” design Control should trigger a referral of the plans to the Greater Monterey Peninsula LUAC for review. Although photos from the project were not visible from Hwy 68, at ground level, the photos show Ryan Ranch Road as well as South Boundary Road from the project site. This is another reason a referral to the GMP LUAC. There was also concern the project is part of the York Highlands Subdivision.”**

County Response:

- a. The project was not originally referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review because it did not require CEQA review, a lot line adjustment, a variance, or a design approval for a project subject to review by the Zoning Administrator or Planning Commission. This determination was made pursuant to LUAC Guidelines for Referral from Board Resolution 15-043 No. 7 (**Exhibit J**). Due to the fact that this project has now come on for a public hearing, it has subsequently been referred to the LUAC. This is discussed further in the LUAC section of this report.
- b. Site visits were done on December 5, 2017 and April 19, 2018, and the staking & flagging was observed by staff. The property is tucked inside the Monterra subdivision surrounded by vegetation, trees and tucked slightly below an elevated topography. The site is not visible from Hwy 68/Scenic Corridor, which is the closest public road to the project. Nor is it visible from Ryan Ranch Road and South Boundary Road. The purpose of a VS District is to provide district regulations for the review of development in those areas of the County of Monterey in which

such development could potentially create adverse visual impacts when viewed from a common public viewing area. Pursuant to Section 21.46.030 D, staff has the discretion to determine whether the proposed development will create a substantial adverse visual impact when viewed from a common public viewing area. Staff determined that the proposed development does not pose an adverse visual impact and therefore, is recommending the project be approved with an Administrative Permit instead of a Use Permit.

- c. Per the Monterra Ranch Phase Map (**Exhibit D**), the project is clearly in Phase 6 of the Monterra Ranch Subdivision and not York Highlands Subdivision.

4. Concern: “The submitted materials show no reference to the location of the easements for public hiking trails on Monterra Ranch nor does the staff report analyze compatibility with ongoing Conditions and Mitigations for the Monterra Ranch. A previous approval of a SFD in Monterra allowed, a driveway to cross a public hiking trail easement on Lot #75.”

County Response: There is no dedicated public trail easement. It is not shown on the Subdivision Detail map (**Exhibit E**). Per applicant’s surveyor, there is a public utility easement between the subdivisions of Tehama and Monterra and this project is nowhere near the proposed project boundary. Furthermore, in comparison to the Trail Dedication Map (**Exhibit H**) and the location of the proposed lot; the trail is not within the proposed lot. In addition, this trail dedication map was accepted by the County of Monterey, but was never enacted because it had expired in 2015 and an extension was never processed. Therefore, no trail(s) were implemented for this area.

Development Standards

The applicable development standards include special regulations for the RDR zoning district in the Monterra Ranch Subdivision as identified in MCC Section 21.62. These standards, require setbacks for the main dwelling unit of: 30 feet (front), 20 feet (rear), and 20 feet (sides). The proposed dwelling has a 70’9” feet (front), 48’2” feet (rear), and 20’6” feet (sides).

Maximum allowed structure height is 30 feet. The proposed max height for the single-family dwelling is 30’. The allowed maximum site coverage in the RDR district is 25 percent. The property is 52,664 square feet, which would allow site coverage of approximately 13,166 square feet. The proposed single-family dwelling unit and garage would result in site coverage of approximately 6,660 square feet or 12.7 percent. Furthermore, the Monterra Ranch Subdivision has also established a building envelope for these lots. Therefore, as proposed, the project meets all required development standards.

The proposed residence is compatible with the surrounding neighborhood character in terms of size, color, location and mass. The neighborhood consists of one and two-story dwellings ranging from 6,600 - 8,500 square feet within five a mile radius. The architecture style of the neighborhood is comprised of mixed designs ranging from modern to Mediterranean. The proposed dwelling incorporates architectural aesthetics of a modern twist on old world Tuscan style. The proposed exterior colors and materials are consistent with the residential setting. The primary colors and materials include natural slate shingles roofing, stone veneer, and dark bronze clad windows & doors.

Staff conducted site visits on December 5, 2017 and April 19, 2018. The project was staked and flagged and staff determined the proposed structure was appropriately sited for the lot. The project will not have a substantial adverse visual impact from Hwy 68/Scenic Corridor or any other public roads. No tree removal has been proposed, slopes in excess of 25% are avoided, and the development will not adversely affect resources at the site or be adversely affected by those resources.

Based on the above analysis, staff concludes that the proposed project is consistent with the 2010 Monterey

County General Plan, the Greater Monterey Peninsula Area Plan, and the Zoning Code (Title 21) and the site is suitable for proposed dwelling.

ENVIRONMENTAL REVIEW:

The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project. California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts a single-family residence and accessory structures including garages within residentially zoned areas. The proposed project involves the construction of a single-family residence and attached garage, both located within a residential zone.

OTHER AGENCY INVOLVEMENT:

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

- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Water Resources Agency
- Monterey Regional Fire Protection District

LUAC - NO QUORUM

The project was not originally referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review when it was scheduled for an administrative approval. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC because the proposed project does not require CEQA review (i.e. did not require an initial study); the project does not involve a lot line adjustment with conflicts; the project did not include a variance; and the project is not solely a Design Approval subject to the review of the Zoning Administrator or Planning Commission. However, after the project was elevated to a public hearing, it was sent to LUAC for review.

The Greater Monterey Peninsula LUAC was scheduled to review this project on May 16th. On May 14th, staff was informed that all but two LUAC members would not be able to attend. Although staff attempted to coordinate, a quorum was not reached and the May 16th meeting was cancelled and this project was continued. Pursuant to the Board Approved LUAC Guidelines, projects cannot be continued more than twice at the LUAC. So, this project could be referred back to the LUAC one more time, on June 6th, for a recommendation. If a quorum was not reached for a second time on June 6th, then the project would proceed to the Appropriate Authority without being able to obtain a LUAC recommendation.

FINANCING:

Funding for staff time associated with this project is included in the FY17-18 Adopted Budgets for RMA-Planning.

Prepared by: Son Pham-Gallardo, Assistant Planner, x5226
Reviewed by: Brandon Swanson, RMA Planning Services 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 Resolution
 - Recommended Conditions of Approval
 - Site Plan, Floor Plans, and Elevations

- Exhibit C Vicinity Map
- Exhibit D Monterra Ranch Phase Map
- Exhibit E Recorded Map Phase 6 Monterra Ranch
- Exhibit F Recorded Map Lot 145
- Exhibit G Trail York Road
- Exhibit H Trail Dedication Map
- Exhibit I Opposition Letter
- Exhibit J LUAC Guidelines for Referral
- Exhibit K Colors & Materials

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, RMA Services Manager; Hiss, Property Owner; Cindi Scarlett-Ramsey; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Interested Party List in Accela (Michael Weaver); Project Files PLN170817.