



Legislation Details (With Board Report)

File #: ZA 17-044 **Name:** PLN170513 - MESSIAH
Type: Zoning Administrator **Status:** Agenda Ready
File created: 8/11/2017 **In control:** County of Monterey Zoning Administrator
On agenda: 8/31/2017 **Final action:**
Title: PLN170513 - MESSIAH
Public hearing to consider changing the color of a house from a previously approved off-white/grey to a beige color (Behr paint color "Carving Party" M220-3);
Project Location: 26425 Via Petra
Proposed CEQA action: Categorically Exempt per Section 15303(a) of the CEQA Guidelines

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Carmel Valley LUAC Minutes, 4. Exhibit C - Draft Resolution, 5. Exhibit D - Proposed Color, 6. Exhibit E - Site Visit Photos, 7. Exhibit F - Vicinity Map, 8. Hearing Submittal

Date	Ver.	Action By	Action	Result
8/31/2017	1	County of Monterey Zoning Administrator		

PLN170513 - MESSIAH

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Project Location: 26425 Via Petra

Proposed CEQA action: Categorically Exempt per Section 15303(a) of the CEQA Guidelines

RECOMMENDATION:

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

- a. Find the project Categorically Exempt per Section 15303(a) of the CEQA Guidelines;
- b. Approve a Design Approval to change the color of a house from a previously approved off-white/grey to a light orange coral.

The attached draft resolution includes findings and evidence for consideration (Exhibit A). Staff recommends that the Zoning Administrator adopt the resolution approving PLN170513

PROJECT INFORMATION:

Agent: N/A

Property Owner: Samir Messiah and Sawsan Al Nimri

APN: 015-271-016-000

Zoning: LDR 2.5-D-S

Plan Area: Carmel Valley Master Plan

Flagged and Staked: no

Project Planner: Cheryl Ku

SUMMARY/DISCUSSION:

The project is located at 26425 Via Petra Rd in Carmel Valley. The parcel is zoned Low Density Residential/2.5acres with Design and Site Plan overlays (LDR2.5-D-S). Approval of the Design Approval

would allow the subject house to be painted the Behr paint color "Carving Party" M220-3 instead of the previously approved off-white/grey colors.

In August of 2016 a Design Approval (PLN160393) to allow a remodel and addition to an existing home Carmel Valley was administratively approved pursuant to section 21.45.040(C) of the Zoning Ordinance. Section 21.45.040(C) allows the allows the Director of Planning to approve small projects such as minor structural additions or decks in the D district without the benefit of an administrative permit. The improvements consisted of: a 138 square foot entry, 830 square foot bedroom addition, 1,033 square foot main level deck, and 248 square feet of second floor balconies. A public hearing was requested by a neighboring property owner, so pursuant to Section 21.45.040(C) the project was scheduled for Zoning Administrator hearing and was referred to the Carmel Valley Land Use Advisory Committee (LUAC). The LUAC recommended reducing the size of the additions and adding landscaping; however, after further review staff concluded that the proposed design was consistent with applicable County policies and standards. This original project was approved as proposed by the Zoning Administrator on January 12, 2017.

Consistent with requirements for the "D" district, the approved resolution (Resolution No. 17-001) specified that the colors and materials would match the existing colors and materials of the house prior to the remodel/additions: off-white stucco, white/grey exterior vinyl and wood sidings, and roofing to match the exiting ash grey roofing. In spring of 2017 RMA-Planning received a phone call about the color of the house, which had been partially painted in an orange hue that was inconsistent with the approved resolution. Staff spoke to the applicant and the project architect, who explained that a request to change the proposed color of the home had been submitted prior to the original approval. Staff was unable to verify this and explained that the only approved colors were those specified in the resolution.

To rectify the situation, staff recommended that the applicant apply for a new Design Approval with a color more consistent with the neighborhood. The applicant took staff's recommendation and has chosen to make a Design Approval application to paint the house the Behr paint color "Carving Party" M220-3. Due to the past evidence of public controversy or opposition, staff has referred this new Design Approval to the Zoning Administrator for public hearing per section 21.70.060 MCC.

While reviewing the new Design Approval application, staff conducted a site visit on May 26, 2017 to view samples of possible paint colors as shown in Exhibit E and to assess the color for consistency with other homes on Via Petra. The Homes on Via Petra express a wide variety of pastel and earth tone colors, including green, yellow, beige, and grey. Staff feels that the proposed color is consistent with this color range found in the neighborhood.

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) on July 3, 2017. The LUAC minutes shown in Exhibit B note comments from the public that the proposed color was inaccurately described as "beige", that the existing orange color is too intense, and that the proposed color is too intense. The LUAC committee determined by a vote of 6 to 1 that the color is not consistent with the neighborhood.

Staff is recommending approval of the proposed color shown in Exhibit D. Based on staff's site visit and review of the area, staff feels the proposed color is consistent with the range of colors in the neighborhood (Exhibit E). In addition, staff feels that the softer hue is consistent with the rural character of Carmel Valley.

OTHER AGENCY INVOLVEMENT:

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

RMA Planning

Prepared by: Cheryl Ku, Associate Planner, 796-6049
Reviewed by: Brandon Swanson, RMA Services Manager
Approved by: Carl Holm, AICP, RMA Director
The following attachments are on file with the RMA:

- Exhibit A - Project Data Sheet
- Exhibit B - Carmel Valley LUAC Minutes
- Exhibit C - Draft Resolution
 - Site Plans
- Exhibit D - Proposed Color
- Exhibit E - Site Visit Photos
- Exhibit F - Vicinity Map

cc: Front Counter Copy; Zoning Administrator, Brandon Swanson, RMA Services Manager; Samir Messiah, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN170531.