



County of Monterey

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

Legislation Details (With Board Report)

File #:	RES 17-090	Name:	PLN160348/BLACK CROW APPEAL
Type:	BoS Resolution	Status:	Scheduled PM
File created:	6/16/2017	In control:	Advance Reports Over 50 Pages
On agenda:	6/16/2017	Final action:	
Title:	PLN160348/BLACK CROW LLC (MOORE) Public hearing to consider action on an appeal by Courtney Meyers from the April 27, 2017, decision of the Zoning Administrator to categorically exempt and approve a Coastal Administrative Permit and Design Approval to allow the demolition of a one-story single-family dwelling and the construction of a one-story single-family dwelling with an attached two-car garage. Proposed CEQA Action: Categorically Exempt per Section 15302 of the CEQA Guidelines. Project Location: 2874 Pradera Road, Carmel Meadows, Carmel Area Land Use Plan, Coastal Zone		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A- Project Discussion, 3. Attachment B - Draft Board Resolution w/Exhibits, 4. Attachment C - Notice of Appeal, 5. Attachment D - ZA Resolution No. 17-026, 6. Attachment E - Vicinity Map, 7. Attachment F - Carmel Unincorporated/Highlands LUAC Minutes

Date	Ver.	Action By	Action	Result
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PLN160348/BLACK CROW LLC (MOORE)

Public hearing to consider action on an appeal by Courtney Meyers from the April 27, 2017, decision of the Zoning Administrator to categorically exempt and approve a Coastal Administrative Permit and Design Approval to allow the demolition of a one-story single-family dwelling and the construction of a one-story single-family dwelling with an attached two-car garage.

Proposed CEQA Action: Categorically Exempt per Section 15302 of the CEQA Guidelines.

Project Location: 2874 Pradera Road, Carmel Meadows, Carmel Area Land Use Plan, Coastal Zone

RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- Deny the appeal of Courtney Meyers from the decision of the April 27, 2017 Zoning Administrator decision approving an application (PLN160348) for a Coastal Administrative Permit and Design Approval to allow for the demolition of a one-story single-family dwelling and the construction of a one-story single-family dwelling with an attached two-car garage;
- Find the project categorically exempt per Section 15302 of the CEQA Guidelines and that there are no unusual circumstances; and
- Approve a:
 - Coastal Administrative Permit to demolish a 1,836 square foot one-story single-family dwelling and a 563 square foot attached two-car garage; and
 - Coastal Administrative Permit and Design Approval to construct a 2,464 square foot one-story single-family dwelling with an attached 390 square foot two-car garage.

A draft resolution with findings and evidence supporting this recommendation is attached for consideration (**Attachment B**). Staff recommends approval subject to 15 conditions.

PROJECT INFORMATION:

Owner: Black Crow LLC (Gary and Michelle Moore)
APN: 243-053-005-000
Zoning: MDR/2-D(18)(CZ) [Medium Density Residential]
Parcel Size: approximately 8,160 square feet
Plan Area: Carmel Area Land Use Plan
Flagged and Staked: Yes

SUMMARY:

The Applicant, Black Crow LLC, proposes to demolish and re-build a one-story single family dwelling in the Carmel Meadows area of Carmel. The County originally scheduled the project for administrative review on March 15, 2017; however, the County received two requests for public hearing after noticing the project for administrative approval. On April 17, 2017, the Carmel Unincorporated/Highlands LUAC recommended that the Zoning Administrator (ZA) conditionally approve the project. The ZA considered and conditionally approved the project on April 27, 2017.

The Appellant, Courtney Meyers, filed a timely appeal which raised three specific contentions:

- 1) The LUAC was improperly noticed, and the LUAC was not listed as a reviewing agency in the staff report prepared for the ZA public hearing on April 27, 2017;
- 2) the development was improperly staked and flagged to show that a proposed exterior stairway encroaches into the side setback, and the front south corner of the proposed building extends to the property boundary; and
- 3) LUAC comments and recommendations were not included in the staff report prepared for the ZA public hearing on April 27, 2017, so the ZA heard them for the first time on the day of the public hearing.

Staff has provided responses to each of these contentions in the project discussion and draft resolution. In staff's analysis, these contentions are without merit for the reasons stated in the draft resolution.

The hearing on the project at the Board is de novo. Staff has prepared a draft resolution denying the appeal, and categorically exempting and approving the project. If the Board desires to take a different action, the Board could adopt a motion of intent and continue the hearing to a date certain for the staff to prepare a resolution with modified findings.

See **Attachment A** for a detailed project description and discussion, including project analysis and responses to the Appellant's contentions.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project:

RMA-Public Works
RMA-Environmental Services
Environmental Health Bureau
Water Resources Agency
Carmel Highlands Fire Protection District

Based on the requests for public hearing after noticing for administrative review, the project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the proposed project at a duly-noticed public meeting on April 17, 2017, and voted 3 - 0 to recommend

approval with the following changes and comments: 1) Correct the eave overhang on the southeast corner; 2) thoroughly investigate the drainage; and 3) consider use of railing and/or transparent material instead of a solid wall for the roof deck and stairs leading to the deck. In response to the LUAC's recommendations and comments, the Applicant submitted revised plans to reduce the eave overhang on the southeast corner to comply with setback requirements. Regarding site drainage, Condition No. 10 requires the Applicant to submit a detailed stormwater control plan, which the County will review and approve prior to issuance of grading or building permits. Regarding the use of transparent material, the Applicant has chosen to retain the proposed design for the deck and stairs, which includes a solid wall around the deck area and metal stairs with steel stringer and treads.

FINANCING:

Funding for staff time associated with this project is included in the FY2016-17 Adopted Budget within RMA-Planning's General Fund 001, Appropriation Unit RMA001.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our RMA customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

☐ Economic Development
☒ Administration
☐ Health & Human Services
☐ Infrastructure
☐ Public Safety

Prepared by: Joe Sidor, Associate Planner, x5262

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

Attachment A	Project Discussion
Attachment B	Draft Board Resolution, including: Exhibit 1 Recommended Conditions of Approval Exhibit 2 Site Plan, Floor Plans, Elevations, and Color/Material Finishes
Attachment C	Notice of Appeal
Attachment D	Zoning Administrator Resolution No. 17-026 (April 27, 2017)
Attachment E	Vicinity Map
Attachment F	Carmel Unincorporated/Highlands Land Use Advisory Committee Minutes (April 17, 2017)

The staff report and all exhibits are also available for review on the RMA-Planning public website at the following link:
<http://www.co.monterey.ca.us/government/departments-i-z/resource-management-agency-rma/-planning>

cc: Front Counter Copy; California Coastal Commission; Carmel Highlands FPD; RMA Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Joseph Sidor, Planner; Brandon Swanson, RMA Services Manager; Black Crow LLC (Gary and Michelle Moore), Property Owner; Richard Rhodes, Agent; Courtney Meyer, Appellant; John Bridges, Representative for Appellant; Pat and Jay Sinclair, Interested Party; Mitchell and Loredana Casey, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN160348