



County of Monterey

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

Legislation Details (With Board Report)

File #: ZA 17-045 **Name:** PLN170042 - WALSH
Type: Zoning Administrator **Status:** Agenda Ready
File created: 8/11/2017 **In control:** Monterey County Zoning Administrator
On agenda: 8/31/2017 **Final action:**
Title: PLN170042 - WALSH
Public hearing to consider construction of a single-family dwelling, guesthouse, pool house, and accessory dwelling unit and removal of two oak trees.
Project Location: 4 Vuelo De Las Palomas, Carmel (APN: 239-041-014-000)
Proposed CEQA action: Addendum to EIR No. 94-005 (Santa Lucia Preserve Project)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Project Data Sheet, 2. Exhibit B - Draft Resolution, 3. Exhibit C - Addendum to EIR No. 94-005, 4. Exhibit D - Vicinity Map, 5. Exhibit E - Santa Lucia Preserve DRB Letter

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

PLN170042 - WALSH

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Project Location: 4 Vuelo De Las Palomas, Carmel (APN: 239-041-014-000)

Proposed CEQA action: Addendum to EIR No. 94-005 (Santa Lucia Preserve Project)

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- 1) Consider the Addendum with the Santa Lucia Preserve Project EIR No. 94-005 pursuant to Section 15164 of the CEQA Guidelines; and
- 2) Approve a Combined Development Permit consisting of:
 - a) An Administrative Permit and Design Approval to allow construction of a 4,100 square foot single family dwelling with a 600 square foot attached garage, a 600 square foot detached guesthouse, and a 170 square foot detached pool house;
 - b) An Administrative Permit and Design Approval to allow construction of a 1,000 square foot detached accessory dwelling unit; and
 - c) A Tree Removal Permit to allow removal of one (1) 9-inch and one (1) 22-inch oak tree.

The attached resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends that the Zoning Administrator adopt the resolution approving PLN170042 subject to 14 conditions of approval.

PROJECT INFORMATION:

Agent: Sandra Dimas, Maureen Wruck Planning Consultants, LLC

Property Owner: Walsh Geoffrey P & Susan St. Sure Trs.

APN: 239-041-014-000

Parcel Size: 6.370 acres

Zoning: "RC/40-D-S" or Resource Conservation, 40 acres per unit, Design Control and Site Plan Review District

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Yes

SUMMARY/DISCUSSION:

The subject property is Lot 143 found in Phase A of the Santa Lucia Preserve subdivision and is approximately 14-miles from the intersection of Carmel Valley Road and Laureles Grade. Vuelo De Las Palomas, a private road, traverses through the southern portion of the lot. Existing development consists of a 50-linear foot improved driveway apron. The 6.370-acre parcel contains a homeland boundary area of approximately 1.5-acres where development is allowed. Zoning for the property is Resource Conservation, 40-acres per unit, with Design Control and Site Plan Review overlay districts (RC/40-D-S). Vegetation on the site is comprised of grasses, shrubs, and trees (black oaks, valley oaks, coast live oaks, and madrones). The subject property is surrounded by residential lots of comparable size and similar vegetation that are developed with single family dwellings that range in size between 5,000 to 13,000 square feet.

The applicant requests to establish a residential use on the site, which is an allowed use in the RC zoning district, and proposes to construct a 4,100 square foot single family dwelling with a 600 square foot attached garage. Approximately 16-feet to the west of the dwelling, the applicant proposes to construct a 600 square foot guesthouse with a bedroom, full bathroom, living room, and exterior deck. Approximately 57-feet southeast of the dwelling, the applicant proposes to construct a 1,000 square foot accessory dwelling unit with two bedrooms, a bathroom, kitchen/living room, and exterior deck. Approximately 45-feet to the north of the dwelling, the applicant proposes to construct an inground swimming pool with an attached deck and 170 square foot pool house containing a bathroom and changing area. In accordance with regulations contained in the RC and Site Plan review district and provisions for the establishment an accessory dwelling unit, the project requires approval of two Administrative Permits.

The subject property is located within a Design Control district which requires design review to assure protection of the public viewshed, neighborhood character, and visual integrity. The subject property is not located within the public viewshed, thus protection measures for scenic resources do not apply. Therefore, the proposed development location, structures, colors, and materials have been reviewed. The proposed structures are located at the top of a knoll, containing the least amount of vegetated area and void of any slopes in excess of 30%. The architectural style, which is consistent throughout the structures, is contemporary with a low profile, shallow pitched roof, and large roof overhangs. Exterior materials include a mix of colors and textures consisting of: off-white standing seam metal roof and facias, dark brown aluminum doors and windows, grey stained douglas fir soffits and decking, grey-stained cedar shiplap horizontal siding, and mixed-grey horizontal ledge-stacked stone walls. The exterior lighting plan is consistent with County regulations and includes fixtures that are downlit and shielded. The landscape plans are consistent with the native environment and includes planting of Coast live oaks, native grasses, and shrubs. Overall, staff has found the design, location, colors, and materials to be appropriate for and consistent with the area. As additional supporting evidence, the Santa Lucia Preserve Design Review Board (DRB) has approved the project (**Exhibit E**) with no comments or required modifications. The goal of the DRB is to ensure developments are subordinate to the land and sensitive to building traditions of the area. Through this process, site development (grading, changing landforms, driveway access, structure location, tree removal, landscaping, etc.) is considered as well as the architectural style of the home (mass, height, building forms, doors, windows, colors, etc.). This review and approval process has similarities with the County's review; however, it is a much more substantial evaluation.

Site improvements will require the removal of one 9-inch coast live oak located at the northern portion of the dwelling and a 4-inch madrone at the southern end of the accessory dwelling unit. Two dead black oaks, 13-inch and 26-inch, are in the area of the pool location and will also be removed. The pool deck is proposed to surround a 22-inch coast live oak. The project arborist, Maureen Hamb-WCISA Certified Arborist, has

evaluated potential construction impacts and concludes that construction will not encroach into the critical root zone of the tree, which should have not impact. However, pruning of limbs may be required to provide clearance and improve views. Although the applicant proposes to retain this oak, staff has considered the project to include its removal in order to provide a “worst case scenario” analysis. Monterey County regulations state that no person shall cut down or trim more than one-third of the green foliage of, poison or otherwise kill or destroy protected trees until a tree removal permit for the project has first been obtained and Section 21.64.260.C.4 of the Monterey County Zoning Ordinance states that no oak tree, 6-inches or greater, may be removed in the Resource Conservation zoning district without approval of permits. Therefore, the project includes a Tree Removal Permit for removal of the 9-inch and 22-inch coast live oak. In order to approve this permit, the hearing body needs to find that the proposed removal is the minimum required under the circumstances of the case and that removal will not involve a risk of adverse environmental impacts. The project arborist concludes that even with careful siting of the structures, the tree removal cannot be avoided with the number of structures proposed. Structures have been sited to require a minimum amount of tree removal. Staff finds that proposed replacement will mitigate any potential direct or cumulative environmental impact.

Santa Lucia Preserve subdivision included a Use Permit to allow the removal of trees based on subdivision improvements and residential development (Planning File No. PC94067, Resolution No. 96-060). A Forest Management Plan (FMP) for the project, prepared by Ralph Osterling dated February 18, 1994, included an estimated amount of tree removal (considering trees measuring 6-inches or more at breast-height). Staff interprets that this is not a maximum cap, and tree sizes have changed since that evaluation in February 1994. Based on the estimated tree removal, mitigation measures were developed to reduce impacts caused by soil erosion, water quality degradation, and noise pollution and ecological impacts upon biological or ecological systems, air movement, or wildlife habitat. These mitigations were adopted as conditions and require tree replacement (Condition No. 24 of PC94067) and compliance with the tree removal protection and maintenance (Condition No. 135 of PC94067) contained in the FMP. During analysis of the overall SLP Use Permit, it was estimated that development of the subject property could result in no tree removal. Again, conditions have changed since the 1990's, and the amount of trees identified for removal in the FMP was not intended to be inclusive. Staff finds that subsequent development projects that exceed the allotted amount of tree removal, would be consistent with what was analyzed in the FMP if it could be demonstrated that the project complies with the aforementioned mitigations/conditions to minimize tree removal and include replacement so there is no net loss. Landscape plans submitted as part of the application show planting of 10 replacement oak trees. Condition No. 5 has been incorporated to ensure replanting occurs. This is consistent with PC94067 Condition No. 24. Furthermore, Condition No. 6 requires tree protection measures, in accordance with the Tree Preservation Specifications outlined in the Construction Impact Analysis, to be in place prior to construction or tree removal, consistent with Condition No. 135 of PC94067.

Section 15164 of the California Environmental Quality Act Guidelines states that the lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but do not result in an increase or new impacts and/or mitigation measures are considerably different than previously analyzed. The proposed project involves a change to the project description as it includes additional tree removal on the site. However, the project has been conditioned to comply with the tree removal mitigation for the Environmental Impact Report certified for the subdivision (EIR No. 94-005). No additional impacts or mitigation measures have been identified. Therefore, an Addendum to EIR No. 94-005 (**Exhibit C**) is appropriate.

Staff finds that the project described above meets the site development standards of the RC zoning district, meets the regulations for the establishment of a guesthouse and accessory dwelling unit, and meets the required finding for tree removal. Staff recommends the Zoning Administrator consider the Addendum to EIR No. 94-005 (**Exhibit C**) and approve the Combined Development permit based on the findings and evidence,

conditions of approval, and project plans contained in **Exhibit B**.

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 County Regional Fire Protection District
Santa Lucia Preserve Design Review Board

The proposed project was not reviewed by a Land Use Advisory Committee (LUAC) because there is no LUAC assigned to the project area. However, on May 18, 2017, the project was reviewed and supported by the Santa Lucia Preserve Design Review Board.

FINANCING:

Funding for staff time associated with this project is included in the FY16-17/17-18 Adopted Budgets for RMA -Planning.

Prepared by: Anna V. Quenga, Associate Planner, x5175

Reviewed by: Brandon Swanson, RMA Planning 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	Draft Resolution including: <ul style="list-style-type: none">• Conditions of Approval• Project Plans
Exhibit C	Addendum to EIR No. 94-005
Exhibit D	Vicinity Map
Exhibit E	Santa Lucia Preserve DRB Letter

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, RMA Services Manager; Sandra Dimas, Maureen Wruck Planning Consultants LLC, Agent; Walsh Geoffrey P & Susan St. Sure Trs., Owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN170042.