



Legislation Details (With Board Report)

File #: ZA 19-100 **Name:**
Type: Zoning Administrator **Status:** Scheduled AM
File created: 4/29/2019 **In control:** Monterey County Zoning Administrator
On agenda: 5/9/2019 **Final action:**
Title: PLN180369 - MORRIS CAROLYN P TR
Public hearing to consider construction of a one-story single family dwelling with an attached two-car garage (Approx. 3,000 sq. ft.), and removal of two (2) Monterey Pine trees within 750 feet of a known archaeological site.
Project Location: 3616 Lazarro Drive, Carmel, Carmel Area Land Use Plan, Coastal Zone
Proposed CEQA action: Categorically Exempt Per Sections 15303 (a) of the CEQA Guidelines
Sponsors: Planning / RMA

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Tree Assessment (LIB180366), 6. RESza_19-013_PLN180369_050919

Date	Ver.	Action By	Action	Result
5/9/2019	1	Monterey County Zoning Administrator		

PLN180369 - MORRIS CAROLYN P TR

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RECOMMENDATION:

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

- Find that the project involves the construction of a new single family dwelling, which qualifies as a Class 3 Categorical Exemption pursuant to Sections 15303 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- Approve a Combined Development Permit consisting of a:
 - Coastal Administrative Permit and Design Approval for an approximately 3,000 square foot one-story single family dwelling with an attached garage and an approximately 500 square foot deck;
 - Coastal Development Permit to allow the removal of two (2) Monterey Pine trees; and
 - Coastal Administrative Permit to allow development within 750 feet of a known archaeological site.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 19 conditions of approval.

PROJECT INFORMATION:

Agent: Alan Turpen

Owner: Carolyn Morris

APN: 009-281-011-000

Zoning: Medium Density Residential, Maximum of 2 units per acre, Design Control Overlay within the Coastal Zone, or “MDR/2-D (CZ)”

Parcel Size: 0.44 acres (19,054 square feet)

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Yes

SUMMARY:

The subject property is located on Lazarro Drive within an established residential neighborhood, east of the intersection of Atherton Place and Lazarro Drive, approximately ½ a mile from the incorporated area of Carmel-by-the-Sea. The property is less than ½ mile west of Highway 1. The project involves the construction of an approximately 3,000 square foot one-story single family dwelling with an attached two-car garage and removal of two (2) Monterey Pine trees within 750 feet of a known archaeological site.

The proposed project has been evaluated for consistency with the 1982 General Plan, Carmel Area Land Use Plan (CAR LUP), Carmel Area Coastal Implementation Plan, Part 4 (CIP) and the Coastal Zoning Ordinance, Title 20. A Combined Development Permit is required for the proposed single-family dwelling and the removal of trees within 750 a known archaeological site. The criteria to grant the Combined Development Permit has been met in this case. Colors and materials for the proposed dwelling are appropriate for the area and the design is in keeping with the character of the site and surrounding neighborhood.

DISCUSSION:

The applicant proposes to construct a 3,000 square foot one-story single family dwelling with an attached two-car garage and remove two (2) Monterey Pine tree within 750 feet a known archaeological site. The subject property is a vacant lot vegetated with Monterey Pine and Coast Live Oak trees. The development has been sited in the middle of the lot, 33 feet from the front property line, to avoid slopes in excess of 30% along the rear of the lot. The one-story single family dwelling will be approximately 2,367 square feet with an approximately 633 square foot attached two-car garage.

The project site is mapped as a high archaeological sensitive area. Pursuant to Title 20 Section 20.146.090 and County’s interpretation of development within 750 feet of a known archaeological site, a Coastal Administrative Permit is required. An archaeological report (Monterey County RMA-Planning Library No. LIB090385) was prepared and provided to the County that concluded that the project site is located approximately 600 feet southeast from the closest prehistoric site; however, the archaeological report concluded there were no significant archaeological resources identified on the subject property. No further mitigation measures or recommendations were needed as stated by the archaeologist. The project includes approximately 25 cubic yards of grading that will be balanced on site. The siting and design of the proposed project would not have any potential impacts to known archaeological resources.

Design Review

The project is subject to the Design Control Zoning District (“D” zoning overlay), which is intended to regulate the location, size, materials and colors of the structures to assure protection of the public viewshed and neighborhood character. The single family dwelling and attached garage will have a California Ranch architectural style with colors and materials consisting of: tan stucco siding with white wood trim and a dark brown asphalt shingle roof. The neighborhood has a majority of ranch architectural styles. The proposed colors and materials would blend with the surrounding environment. The materials, location and nature of the project

are consistent with the overall diversity of neighborhood character and will not detract the visual integrity of the site.

CAR LUP Map A does not identify the subject property as being located within the public viewshed; however, the development would be visible from Highway 1, and a common public viewing area, such as, The Crossroads Shopping Center. CAR LUP Chapter 2.2 for Visual Resources states that development within the public viewshed shall be sited within the portion of the parcel that is least visible and structures shall be subordinate and blended into the environment. CIP Section 20.146.030.C.1.c states structures located in the public viewshed shall be designed to minimize visibility and blend into the site and site surroundings. The proposed single family dwelling is within an established residential neighborhood of Carmel. Consistent with the policies and regulations for the area, the colors and materials, as described above, proposed would be subordinate to the surrounding environment and blend with the neighborhood character. The single family dwelling would be sited towards the center the parcel around existing vegetation. Pushing the development towards the front of the parcel, least visible from a common public viewing area, would possibly cause more trees to be removed. The project has been sited and designed to cause the least visual impact.

The subject parcel is zoned Medium Density Residential with a maximum of 2 units per acre, Design Control Overlay within the Coastal Zone, or “MDR/2-D (CZ)” Per Title 20 Sections 20.12.040.A and CIP Section 20.146.060, both the single family dwelling with an attached garage and the removal of two Monterey Pine trees are allowed uses subject to a Coastal Administrative Permit and Coastal Development Permit, respectively. Required and proposed setbacks for the proposed development are summarized below:

Main Structure Setback and Height:

<u>Required:</u>	<u>Proposed:</u>
Front: 20 feet min.	Front: 33 feet
Side: 5 feet min.	Side: 7 feet
Rear: 10 feet min.	Rear: 84 feet
Height: 30 feet max.	Height: 18 feet

Building Site Coverage/Floor Area Ratio (FAR)

<u>Required:</u>	<u>Proposed:</u>
Coverage: 35%, 6,669 s.f.	Coverage: 18%, 3,502 s.f.
FAR: 45%, 8,574 s.f.	FAR: 15%, 3,000 s.f.

As summarized above, the proposed project conforms to the development standards listed within this zoning district per Title 20 Section 20.12.060.

Tree Removal

CAR LUP Key Policy 2.3.2 identifies specific Monterey Pine Forest areas to be considered environmentally sensitive habitat. The project includes the removal of two (2) Monterey Pine trees; however, according to CAR LUP Map B, the subject property is not within the area that is considered to be significant strands of Monterey Pine. Therefore, in this case, the Monterey Pine trees are not considered to be part of environmentally sensitive habitat. CAR LUP Policy 2.5 states that the Carmel Coast contains unique plant life and supports the diversity of forest resources, one of which are Monterey Pine trees. CIP Section 20.146.060 provides regulations for the protection and maintenance of such resources and provides development standards for removal of trees or other major vegetation. As such, a Tree Assessment/Forest Management Plan (LIB180366) was prepared for the property by Frank Ono, Urban Forester. The tree assessment identifies the site containing Coast Live Oak and Monterey Pine trees, generally in fair health condition. The Monterey Pine trees proposed to be removed are within the development footprint of the single family dwelling. One of the trees proposed to be removed is 18”

in diameter Pine tree that is in poor condition. The other tree is considered a landmark tree, measuring 36" in diameter.

CIP Section 20.146.060.D.1 states that all landmark trees shall not be removed unless there are no feasible alternatives for development. The project has been analyzed to determine the best siting and location that would meet these criteria and minimize tree removal. However, moving the development would not only cause the single family dwelling to not comply with the west side yard setback but would also push the development towards an area of the parcel that consists of slopes excess of 30%, dropping into a cliff. The proposed development is a modest size home when compared to the other development within the neighborhood. The FAR is proposed at 15% of the total lot area, which is well within the maximum 45% FAR allowed in the zoning district. The building coverage is 18%, which also less than the maximum 35% building coverage. Further, as stated above, the subject property is not within the general public viewshed but is visible from Highway 1 and a common public viewing area, such as, Rio Road and The Crossroads Shopping Center. The single family dwelling would not introduce a new substantial visual impact when compared to what currently exists, as the development is surrounded by an established residential neighborhood. Relocating the development towards the rear of the parcel would cause the home to be more visible from these viewing areas. The applicant is willing, as a condition of approval, to plant additional trees, such as, Monterey Cypress in lieu of the landmark tree removal. This has been incorporated into the project. In this case, the siting, location, size and design of the proposed development, as conditioned, best suits the parcel and minimizes tree removal.

The Forest Management Plan recommended replanting with a 1:1 ratio with (3) five gallon trees in the greatest opening to allow for minimum competition and maximum sunlight. The project has been conditioned to ensure recommendations of the arborists are implemented (See **Exhibit B**).

CEQA:

The project is categorically exempt from environmental review pursuant to Sections 15303 (a) of the CEQA Guidelines. This exemption applies to the construction of new single family dwellings in residential zones. The construction of a 3,000 square foot one-story single family dwelling and attached garage are consistent with these exemptions. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project is not located on a hazardous waste site, near a scenic highway, is not likely to effect cultural resources and will not have a significant effect on the environment. Therefore, the project is categorically exempt.

OTHER AGENCY INVOLVEMENT:

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

- RMA-Public Works
- Environmental Health Bureau
- RMA-Environmental Services
- Cypress FPD

LUAC:

Based on the LUAC procedure guidelines adopted by the Monterey County Board of Supervisors, the project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review on April 2, 2019. The LUAC unanimously recommended approval of the project as proposed.

Prepared by: Jacquelyn M. Nickerson, Assistant Planner, Ext. 5240
Reviewed by: Brandon Swanson, Interim RMA Chief of Planning
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Development Services

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Conditions
- Site Plans
- Colors and Materials

Exhibit C - Vicinity Map

Exhibit D - Tree Assessment (LIB180366)

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, Interim Chief of Planning, Craig Spencer, Interim RMA Services Manager; Alan Turpen, Agent; Carolyn Morris, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN180369