



# County of Monterey

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

## Legislation Details (With Board Report)

<b>File #:</b>	ZA 19-112	<b>Name:</b>	PLN190200-Carson & Tucker
<b>Type:</b>	Zoning Administrator	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/25/2019	<b>In control:</b>	Monterey County Zoning Administrator
<b>On agenda:</b>	7/11/2019	<b>Final action:</b>	
<b>Title:</b>	PLN190200 - CARSON HOWARD MICHAEL & TUCKER MICHAEL KELLY Public hearing to consider a 1,370 square foot addition to an existing 1,498 square foot one-story single family including a new 590 square foot attached two-car garage and removal of three protected trees. Project Location: 24713 Upper Trail, Carmel, Carmel Land Use Plan, Coastal Zone. Proposed CEQA action: Categorically Exempt Per Sections 15301 (e) and 15303 (e) of the CEQA Guidelines		
<b>Sponsors:</b>	Planning / RMA		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Historic Assessment LIB180391, 6. Exhibit E - Tree Assessment LIB1900135, 7. RESza_19-022_PLN190200_071119		

Date	Ver.	Action By	Action	Result
7/11/2019	1	Monterey County Zoning Administrator		

### **PLN190200 - CARSON HOWARD MICHAEL & TUCKER MICHAEL KELLY**

Public hearing to consider a 1,370 square foot addition to an existing 1,498 square foot one-story single family including a new 590 square foot attached two-car garage and removal of three protected trees.

**Project Location:** 24713 Upper Trail, Carmel, Carmel Land Use Plan, Coastal Zone.

**Proposed CEQA action:** Categorically Exempt Per Sections 15301 (e) and 15303 (e) of the CEQA Guidelines

#### **RECOMMENDATION:**

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

1. Find that the project involves an addition to an existing single-family dwelling and construction of an accessory structure, which qualify as a Class 1 and Class 3 Categorical Exemption pursuant to Sections 15301 (e) and 15303 (e) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2;
2. Approve a Design Approval to allow a 1,370 square foot addition to an existing 1,498 square foot one-story single family including a new 590 square foot attached two-car garage; and
3. Approve a Coastal Development Permit to allow the removal of two Coast Live Oak trees and one Monterey Pine tree.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to eight (8) conditions of approval.

#### **PROJECT INFORMATION:**

**Agent:** Michael Kelly Tucker and Howard Michael Carson

**Owner:** Jeff Crocket

**APN:** 009-071-008-000

**Zoning:** Medium Density Residential with a maximum density of 2 units per acre and Design Control

Overlay or “MDR/2-D (CZ)”

**Parcel Size:** 0.5 acres

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** Yes

#### SUMMARY:

The subject property is located within the La Loma Terrance subdivision in the Carmel Woods area of Carmel, approximately 590 feet west of Highway 1 and 340 feet north of the incorporated city of Carmel-by-the-Sea. The subject property is south of the intersection of Lower and Upper Trail. The project involves the construction of an approximately 775 square foot addition and an approximately 590 square foot attached two-car garage which will be added to an existing 1,498 square foot one-story single family. Two Pine trees and one oak tree are proposed for removal to accommodate the proposed additions.

The project has been evaluated for consistency with the 1982 General Plan (General Plan), Carmel Area Land Use Plan (CAR LUP), Carmel Area Coastal Implementation Plan (CAR CIP) and the Monterey County Coastal Zoning Ordinance (Title 20). Per to Title 20 Section 20.70.120.A, additions to existing single-family dwellings and the establishment of non-habitable accessory structures are exempt from a Coastal Development Permit; however, properties with a Design Control Overlay, as outlined in Section 20.44.030.A, require a Design Approval. The project is also subject to a Coastal Development Permit for the removal of trees as defined in CAR CIP Section 20.146.060. The criteria to grant the Design Approval and the Coastal Development have been met in this case. Colors and materials for the proposed addition and garage are appropriate for the area and the design is in keeping with the character of the site and surrounding neighborhood and the tree removal is the minimum required under the circumstances of this case.

#### DISCUSSION:

The applicant proposes to construct an addition to an existing 1,498 square foot one-story square foot single family dwelling. The existing single-family dwelling is sited in the center of the parcel, extending southeast. There is an existing 506 square foot one-car detached garage/carport located in the southwest corner of the parcel, near Upper Trail. The addition would be on the southeastern and northwestern portions of the single-family dwelling. The new two-car garage would be attached to the northwest portion of the addition. There is an existing asphalt driveway within that area of the property that the applicant proposes to repair and replace as a part of this application. The project would result in grading of approximately 90 cubic yards of cut, which would be hauled off-site. Further, the project includes the removal of two (2) Oak trees and one (1) Monterey Pine tree.

#### **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 existing single-family dwelling is a California Ranch architectural style that was built in 1948. The project includes exterior changes such as installing a 130 linear foot retaining wall, stone walls with gates and a 6 foot wooden fence, and changes to the colors and materials. Proposed colors and materials consist of: taupe stucco siding with burgundy wood trim, carmel stone accents and gray composition roof. The neighborhood consists of mainly California Ranch Style homes with similar sizes in mass. The proposed colors and materials would blend with the surrounding environment. The materials, location and nature of the project are consistent with the overall 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. The proposed single-family dwelling addition and garage are within an established residential neighborhood of

Carmel. Consistent with the policies and regulations for the area, the colors and materials, as described above, would be subordinate to the surrounding environment and blend with the neighborhood character. Therefore, the project would not create any substantial visual impacts.

The subject parcel is zoned Medium Density Residential with a maximum density of 2 units per acre, Design Control Overlay within the Coastal Zone, or “MDR/2-D (CZ).” Per Title 20 Sections 20.70.120.A and CAR CIP Section 20.146.060, the addition to an existing single-family dwelling, construction of an attached two-car garage and the removal of three (3) trees are allowed uses subject to a Design Approval and Coastal Development Permit, respectively. Required and proposed setbacks for the proposed development are summarized below:

***Main Structure Setbacks and Height:***

Required:

Front: 20 feet min.  
Side: 5 feet min.  
Rear: 10 feet min.  
Height: 30 feet max.

Proposed:

Front: 40 feet  
Side: 17 feet north/11-6 feet south  
Rear: 48 feet  
Height: 16 feet

***Building Site Coverage***

Required:

Coverage: 35%, 7,750 s.f.

Proposed:

Coverage: 15%, 3,367 s.f.

***Floor Area Ratio (FAR)***

Required:

Coverage: 45%, 9,977 s.f.

Proposed:

Coverage: 15%, 3,367 s.f.

As summarized above, the proposed project complies with the development standards for the LDR zoning district(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) Oak trees and one

(1) Monterey Pine Tree; 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 tree is 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, such as Oak and Monterey Pine trees. The property is located within an established residential neighborhood that has trees surrounding residences. The proposed addition to the home would not impact the forest character on the site or in the area.

CAR 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. In accordance with tree policies, a Tree Assessment/Forest Management Plan (LIB190135) was prepared for the property by Frank Ono, Urban Forester. The tree assessment identifies the site forested with Coast Live Oak and Monterey Pine trees, generally in fair condition.

There are two (2) Oak trees proposed to be removed, both of which are 8” in diameter. One is located within the proposed driveway and is in a poor condition. The roots are already exposed and would more than likely not survive the repairing and replacing of the driveway. The other Oak tree is within the proposed addition and is in a fair health condition. The remaining tree is an 18” Monterey Pine in fair health condition within the driveway expansion for accessibility to the new attached garage. The project has been analyzed to determine the best

siting and location that would meet the minimum tree removal and given the existing siting of the single-family dwelling and the existing patio and driveway, the proposed tree removal is the minimum in this case.

The Forest Management Plan listed several recommendations such as tree replanting with a 1:1 ratio with (3) five gallon Monterey Pine or Oak trees in the greatest opening to allow for minimum competition and maximum sunlight. The remaining recommendations have been incorporated as conditions of approval (See **Exhibit B**).

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project is categorically exempt from environmental review pursuant to Sections 15301 (e) and 15303 (e). These exemptions apply to additions of existing structures and the construction of a new accessory structure. The construction of an approximately 775 square foot addition and an approximately 590 square foot attached two-car garage to an existing 1,498 square foot one-story single family is 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 historic resource (**Exhibit D**), 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.

LAND USE ADVISORY COMMITTEE (LUAC):

Based on the LUAC guidelines adopted by the Board of Supervisors, the project was referred to the Carmel Unincorporated/Highlands LUAC for review on July 1, 2019. The LUAC continued the item due to the staking and flagging not being erected and a request to review the exterior lighting. The project has been conditioned for an exterior lighting plan to be provided to ensure the exterior lighting is harmonious and unobtrusive. The Staking and Flagging Criteria (Monterey County Board of Supervisors, Resolution No. 09-360) states that staking and flagging may be exempted when the project planner determines that no visual analysis is required for the project. Staff found that staking and flagging was not necessary in this case because the project is not in a visually sensitive area and does not involve a variance to height.

Prepared by: Jacquelyn M. Nickerson, Assistant Planner, Ext. 5240

Reviewed by: Craig Spencer, Interim RMA Planning Services Manager

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 - Historic Assessment LIB180391

Exhibit E - Forest Management Plan LIB190135

cc: Front Counter Copy; Zoning Administrator; Brandon Swanson, Interim Chief of Planning, Craig Spencer, Interim RMA Services Manager; Jeff Crocket, Agent; Michael Kelly Tucker and Howard Michael Carson, Property Owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190200