



Legislation Details (With Board Report)

File #:	ZA 20-029	Name:	PLN190217 - ANGTO
Type:	Zoning Administrator	Status:	Agenda Ready
File created:	7/13/2020	In control:	Monterey County Zoning Administrator
On agenda:	7/30/2020	Final action:	
Title:	PLN190217 - ANGTO SAIFU ET AL Public hearing to consider the construction of a 5,005 square foot single-family dwelling with attached and detached garages; conversion of a test well to a permanent domestic well; construction of a 425 square foot guesthouse above the detached garage; development on slope exceeding 30 percent; and removal of 5 Coast Live Oak trees. Project Location: 25498 Hatton Road, Carmel, Carmel Area Land Use Plan, Coastal Zone Proposed CEQA action: Categorically Exempt per Section 15303 of the CEQA Guidelines		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A – Draft Resolution, 3. Exhibit B – Vicinity Map, 4. Exhibit C – Carmel Highlands LUAC Minutes, 5. RESza_20-028_PLN190217_073020

Date	Ver.	Action By	Action	Result
7/30/2020	1	Monterey County Zoning Administrator		

PLN190217 - ANGTO SAIFU ET AL

Public hearing to consider the construction of a 5,005 square foot single-family dwelling with attached and detached garages; conversion of a test well to a permanent domestic well; construction of a 425 square foot guesthouse above the detached garage; development on slope exceeding 30 percent; and removal of 5 Coast Live Oak trees.

Project Location: 25498 Hatton Road, Carmel, Carmel Area Land Use Plan, Coastal Zone

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

RECOMMENDATION:

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

1. Find that the project involves the construction of a single-family dwelling and accessory structures, which qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approve a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit and Design Approval to allow the construction of a 5,005 square foot two-story single-family dwelling with a 300 square foot attached garage and a 568 square foot detached garage, and conversion of a test well to a permanent domestic well;
 - b. Coastal Development Permit and Design Approval to allow construction of a 425 square foot guesthouse above the detached garage;
 - c. Coastal Development Permit to allow development on slopes exceeding 30 percent; and
 - d. Coastal Development Permit to allow removal of five (5) trees (Coast Live oak).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to eighteen (18) conditions of approval.

PROJECT INFORMATION:

Owner: Angto Saifu et al

APN: 009-192-005-000

Zoning: Medium Density Residential, 2 units per acre, with a Design Control Overlay (Coastal Zone) [MDR/2-D (CZ)]

Parcel Size: 0.65 acres (28,176 square feet)

Plan Area: Carmel Area Land Use Plan

Flagged and Staked: Yes

SUMMARY:

The project site is located on Hatton Road within an established residential neighborhood between State Route 1 and Carmel-by-the-Sea. The proposed project involves the construction of a two-story single family dwelling with an attached garage and large deck area, as well as a detached garage and guesthouse. The project also involves approximately 450 square feet of development on slopes exceeding 30 percent, removal of 5 native trees (Coast Live oak), and conversion of a test well to a permanent domestic well that will provide potable water to the habitable structures. The proposed structures would have a style of development that is consistent with the surrounding residential development which includes moderate to large custom homes. As designed and conditioned, there are no major project issues and there would be no impacts to the public viewshed.

DISCUSSION:

Land Use

The property is zoned for medium density residential use, which allows development of single-family dwellings and habitable/non-habitable accessory structures as allowed uses pursuant to MCC Sections 20.14.040.A and F. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development. Based on staff review of the planning application materials, the property complies with all rules and regulations pertaining to zoning uses and other applicable provisions of the 1982 Monterey County General Plan, Carmel Area Land Use Plan, and applicable sections of the Monterey County Coastal zoning ordinance (Title 20).

As proposed, the structures conform to all required setbacks, and the single-family dwelling would be approximately 27.6 feet above average natural grade or 2.4 feet below the maximum allowed main structure height of 30 feet. The maximum height for detached accessory structures is 15 feet, and 12 feet for one-story detached guesthouses; however, in this case and pursuant to MCC Section 20.64.020.C.11, the applicant has applied for a coastal development permit to allow a second-story guesthouse over the detached garage. As proposed, the total height of the two-story garage and guesthouse would be 24 feet, and would provide for architectural consistency and compatibility with the main residence. The property is approximately 0.65 acres (28,176 square feet), which would allow structural site coverage of 35 percent (9,862 square feet) and floor area of 45 percent (12,679 square feet). As proposed, the project would result in building coverage of 5,142 square feet (18.25 percent) and floor area of 6,298 square feet (22.35 percent).

Previously-Approved Structural Development

On January 29, 2009, the Monterey County Zoning Administrator approved a Combined Development Permit (Resolution No. 070268) on this same parcel (Assessor's Parcel Number 009-192-005-000 located at 25498 Hatton Road, Carmel) to allow construction of a 2,600 square foot single-family dwelling with an attached 408 square foot garage. The permit also included development on slopes exceeding 30 percent, the removal of four (4) Coast Live oak trees, and conversion of the test well to a permanent domestic well. Per the date/timeframe indicated in the resolution, this previously-approved Combined Development Permit expired on January 29,

2013, prior to initiation of construction or use, meaning it was never vested.

Public Viewshed and Design Review

As proposed and conditioned, the structures are consistent with the size and scale of surrounding residences, and the proposed bulk and mass would not contrast with the neighborhood character. The structures are sited in a manner that allows for maximum avoidance of steep slopes. The detached garage is in close proximity to the main residence, allowing for a shared driveway and parking area. The proposed structures would also conform to all applicable development standards. Also, per Carmel LUP Policy 2.2.3.6, the proposed structures would be subordinate to and blend into the environment, using appropriate exterior materials and earth tone colors that give the general appearance of natural materials. The primary exterior colors and materials proposed for the residence structures include dark beige and brown stucco siding with white trim and doors, and composite shingle roofing. The proposed structures would also be screened by existing topography, vegetation, and trees, and would consist of materials and colors that blend well with the surrounding natural environment and neighborhood character. Staff finds that the proposed development will not adversely impact the public viewshed or scenic character in the project vicinity, and that the design and siting of the proposed development will not increase the visual impacts over the existing baseline. As proposed, the project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

Conversion of the Test Well

The on-site private well will provide potable water service for the single-family dwelling and guesthouse, which would both be served under the same connection. The County entitled the existing test well under RMA-Planning File No. PLN050397, approved on September 28, 2005 (Resolution No. 050397). The well was constructed on June 26, 2006, and all conditions have been cleared for PLN050397. The Monterey Peninsula Water Management District has also issued a Water Distribution System Permit (No. S07-08-L2; recorded May 31, 2007; Document No. 2007043742) to allow a single connection with a maximum annual capacity of 0.655 acre-foot.

The subject property sits over the top of a fractured rock aquifer. Wells in these areas have a greater than normal potential for declines in productivity over their life. Placing a well in these areas is allowed; however, to ensure future potential future owners are aware, the Monterey County Environmental Health Bureau has reviewed the project and recommended a condition of approval to require the owner to record a deed restriction stating: “Well yields in fractured rock or non-alluvial aquifer systems have been shown to decline significantly over time due to their meager ability to store and transmit water. Therefore, with the intrinsic uncertainties regarding the long-term sustainability of an on-site well proposed to provide a source of domestic potable water on this parcel, the present and any future owners of this property are hereby given notice that additional water sources may be required in the future” (Condition No. 12). RMA-Planning staff also recommends a non-standard condition of approval to require a dual plumbing system for separate and independent operation of the well for potable water service and the future sprinkler system for fire suppression (Condition No. 18).

Tree Removal/Forest Management

The project includes application for the removal of five (5) Coast Live oak trees. A Forest Management Plan (FMP; LIB070598; Matt Horowitz, Forest City Consulting) prepared for the site pursuant to CIP Section 20.146.060 identified the removal of five (5) Coast Live oak within the proposed development footprint. The FMP confirmed that the trees identified for removal are the minimum necessary for the proposed development, and the FMP determined that the proposed development would not adversely impact the long-term health of the forest habitat on the property.

The 5 native trees proposed for removal will be replanted per the recommendation of the arborist (Condition No. 10) and Carmel Area CIP Section 20.146.060.D.6, which directs the replacement of native trees on the site

in accordance with the recommendations of the arborist, except where it is demonstrated that replacement of trees would result in an overcrowded, unhealthy environment. The project has been sited and designed to minimize tree removal, and no other protected trees would be removed due to the proposed development. Per the Tree Assessment prepared for the project, the tree removal has been limited to that required for the overall health and long-term maintenance of the forest resources on the property.

In addition to recommendations associated with the removal of the five trees, the FMP also includes recommendations for overall improvement of forest health and reduce fire fuel loads. Large dead trees will generally be left in place because of their great value for wildlife habitat (particularly as nesting sites for insect-eating birds). Smaller dead trees will be removed in order to reduce fire hazard. Any tree on site which is found to be dead due to a disease or infestation that can spread will be removed and properly disposed of immediately. Trees less than 12" DBH, not requiring a permit, may also be thinned to promote the growth of neighboring trees. In addition to any measures required by local fire district or California Department of Forestry, the owner must also break up and/or clear away any dense accumulations of dead or dying underbrush or plant litter. Brush clearing will be accomplished through methods which will not materially disturb the ground surface such as hand grubbing, crushing and mowing. Also, invasive species including Pampas Grass, Jubata Grass, French Broom, and Scotch Broom must be eradicated to the greatest extent feasible. Recommendations for forest management from the FMP, including fuel management and removal of invasive species are incorporated as part of the landscaping Condition of Approval for the project (Condition No. 6).

Development on Slope Exceeding 30 Percent

The project includes approximately 450 square feet of development on slopes exceeding 30 percent, including construction of approximately 80 linear feet of 2-foot to 3.5-foot high retaining walls, to allow driveway access to the site from Hatton Road. The property boundary topography along Hatton Road slopes steeply from the road to a large and relatively gently-sloped building area. There is no direct access to the site from Hatton Road without encroaching into slope exceeding 30 percent. County staff has reviewed the project plans and visited the site to analyze possible development alternatives. Based on site topography, there is no feasible alternative to allow direct access from Hatton Road. The proposed project also adheres to required development standards, and better meets the goals and objectives of the Carmel Area LUP. Two separate geotechnical reports prepared for the project site (LIB070592 and LIB190268) by Soils Surveys, Inc. and Wayne Ting & Associates, Inc., identify that the site is suitable for the proposed development. Also, staff has recommended conditions of approval to assure compliance with MCC Section 20.64.230.E.2 and to assure stability of the development.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines. This exemption applies to the construction and location of limited numbers of new, small facilities or structures, such as a single-family dwelling and accessory structures. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.

LUAC:

County staff referred the project to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project at a duly-noticed public meeting on October 21, 2019, at which all persons had the opportunity to be heard, and voted 5 - 0 to support the project with recommended changes. At the LUAC meeting, LUAC members and interested members of the public expressed concerns related to the visibility of the well pump, tree removal, color finishes, construction debris, and a proposed fire pit. The applicant agreed to screen the well pump, install debris fencing during construction, and remove the fire pit. The applicant submitted a revised plan sheet no longer showing the fire pit, and also submitted revised, muted color finishes for the structures. Regarding tree removal, Condition No. 10 will require replacement of

removed oak trees as recommended by the Forest Management Plan.

Prepared by: Joseph Sidor, Associate Planner, Ext. 5262

Reviewed by: Brandon Swanson, 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 - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, Elevations, Color/Material Finishes

Exhibit B - Vicinity Map

Exhibit C - Carmel Highlands LUAC Minutes

cc: Front Counter Copy; Zoning Administrator; Cypress Fire Protection District; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Brandon Swanson, RMA Planning Services Manager, Craig Spencer, RMA Planning Services Manager; Angto Saifu et al, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190217