



## Board Report

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**File #:** ZA 18-037, **Version:** 1

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### **PLN170144 - WECKER**

Public hearing to consider the construction of an accessory dwelling unit with an attached garage, and associated tree removal (1 oak, and 6 Monterey Pine) and development on slope exceeding 25 percent.

**Project Location:** 600 and 610 Viejo Road, Carmel, Greater Monterey Peninsula Area Plan

**Proposed CEQA Action:** Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines.

#### RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Find that the project is an accessory dwelling unit with an attached non-habitable accessory structure, which qualify as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- b. Approve a Combined Development Permit, consisting of the following:
  1. Use Permit to allow development on slope exceeding 25 percent;
  2. Use Permit to allow removal of six (6) Monterey pine and one (1) oak; and
  3. Administrative Permit and Design Approval to allow construction of a 1,200 square foot accessory dwelling unit with a 528 square foot attached garage.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to eighteen (18) conditions.

#### PROJECT INFORMATION:

**Project Owners:** Terry and Angela Wecker (Applicants) and Kathleen A. Jeal TR

**APNs:** 103-011-004/012-000

**Zoning:** Rural Density Residential, 5.1 acres per unit; with Urban Reserve, Design Control, and Site Plan Review Overlays (RDR/5.1-UR-D-S)

**Parcel Size:** 4.98 acres (216,746 square feet)

**Flagged and Staked:** Yes

#### SUMMARY/DISCUSSION:

The Applicant proposes to construct an accessory dwelling unit with an attached garage. The project will also involve tree removal within the building site, and development on slopes exceeding 25 percent to accommodate construction of an access driveway. The building site is located behind and above the existing single-family dwelling on the parcel, and access to the building site crosses an adjacent parcel, for which the owner has a recorded easement for the necessary driveway access.

The property is zoned for rural residential use, which allows development of habitable and non-habitable accessory structures as allowed uses pursuant to MCC Sections 21.16.030.E and S. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development. Furthermore, the proposed accessory dwelling unit is in conformance with 2010 General Plan Policy LU-2.10, which allows development of accessory dwelling units provided the area does not have resource constraints. The property is not within an area of the County that limits development to the first single-family dwelling. The property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of the 2010 Monterey County General Plan, Greater Monterey Peninsula Area Plan, and zoning ordinance (Title 21).

The development standards for the RDR zoning district are identified in MCC Section 21.16.060. Required setbacks in the RDR district for habitable accessory structures are 50 feet (front), 6 feet (rear), and 6 feet (sides). The proposed attached garage would be required to meet the same structural setbacks. The corresponding maximum structure height is 15 feet. The proposed setbacks and height for the accessory dwelling unit and attached garage are approximately 220 feet (front), 92.18 feet and 164.32 feet (sides), 400 feet (rear), and 12.25 feet (height).

The allowed site coverage maximum in the RDR zoning district is 25 percent. The property is 4.98 acres or 216,746 square feet, which would allow a site coverage maximum of approximately 54,187 square feet. The existing structural coverage (i.e., single-family dwelling with an attached garage) is 3,168 square feet or 1.5 percent. The addition of the accessory dwelling unit and garage would raise the structural coverage by 1,728 square feet, resulting in a total site coverage of 4,896 square feet or 2.26 percent. Based on the information above, as proposed, the project meets all required development standards.

The proposed exterior colors and materials are consistent with the rural residential setting. The primary colors and materials include tan vinyl roofing, light brown stucco and medium brown wood siding, and dark bronze aluminum windows and doors. The proposed exterior finishes would blend with the surrounding environment, are consistent with the surrounding rural residential neighborhood character, and are consistent with other dwellings in the neighborhood.

The project site is within an area of high visual sensitivity, as designated on Figure 14 (Greater Monterey Peninsula Scenic Highway Corridors & Visual Sensitivity Map) of the 2010 Monterey County General Plan, due to the potential for impacts to the viewshed along Highway 1. However, the property and building site are over 300 and 500 feet, respectively, from Highway 1. The property and building site are also not visible from Highway 1. Existing distance, trees, vegetation, and topography effectively screen the proposed development from the highway viewshed. As proposed, the project would not result in any visual impacts, and the project is consistent with the applicable scenic resource policies of the 2010 General Plan and the Greater Monterey Peninsula Area Plan.

As proposed, the project involves the removal of six (6) Monterey pine and one (1) oak. Based on an arborist report prepared for the project, the proposed tree removal is the minimum necessary to accommodate the proposed structure. As described in the report, alternative building locations would result in removal of more trees and additional impact to slope exceeding 25 percent. The report further identifies that all of the Monterey pine scheduled for removal are nearing the end of their life span, and removal would not fracture the overall canopy of the surrounding stand or forest.

As proposed, the access driveway would traverse slopes exceeding 25 percent. Due to the topography of the parcels, it's not possible to provide access to the building site and avoid slopes exceeding 25 percent. As proposed, the driveway is the minimum necessary to accommodate access for emergency response vehicles to the building site, and there is no feasible alternative which would allow development to occur on slopes less than 25 percent. Therefore, the project is consistent with applicable policies and regulations regarding development on slopes exceeding 25 percent. RMA-Environmental services has recommended conditions to assure compliance with applicable policies and Monterey County Code (MCC) Section 21.64.230.E.2 regarding soil conditions, stability of the development, and erosion control (Condition Nos. 12, 13, 14, 15, 16, and 17 - Erosion Control Plan, Grading Plan, Inspections, and Geotechnical Certification).

#### ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the construction of new, small facilities or structures, including structures accessory to a single-family dwelling or

residential use. The project involves the construction of an accessory dwelling unit with an attached garage, as well as tree removal and site improvements for utilities and access. Therefore, the proposed development is consistent with the parameters of this Class 3 exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

**OTHER AGENCY INVOLVEMENT:**

The following agencies have reviewed the project:

City of Monterey Community Development Department  
RMA-Public Works  
RMA-Environmental Services  
Environmental Health Bureau  
Water Resources Agency  
Cypress Fire Protection District

The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on October 18, 2017, voted 3 - 0 to support the project with a recommended change to require 1:1 tree replacement. Condition of Approval No. 18 has been added to require replacement of each tree removed as part of the project at a 1:1 ratio.

Prepared by: Joe Sidor, Associate Planner, x5262

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: John M. Dugan, FAICP, RMA Deputy Director for Land Use and Community Development

The following attachments are on file with the RMA:

Exhibit A Draft Resolution, including:

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

Exhibit B Greater Monterey Peninsula LUAC Minutes (October 18, 2017)

Exhibit C Vicinity Map

cc: Front Counter Copy; City of Monterey (Community Development Department); Cypress Fire Protection District; RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Joseph Sidor, Associate Planner; Brandon Swanson, RMA Services Manager; Terry and Angela Wecker, Property Owners; Steve Mickel, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN170144