



County of Monterey

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

Board Report

File #: PC 19-056, **Version:** 1

PLN190014 - CLS SAN LLC (HUBBARD)

Public hearing to consider construction of an approximately 3,200 square foot two-story single family dwelling which includes an attached two-car garage on slopes in excess of 25%.

Project Location: 24790 Outlook Drive, Carmel, Carmel Valley Master Plan

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

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

1. Find that the project involves the construction of a new single family dwelling, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2;
2. Approve a Design Approval to allow the construction of an approximately 3,200 square foot two-story single family dwelling which includes an attached two-car garage; and
3. Approve a Use Permit to allow the development on slopes in excess of 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval of the project subject to six (6) conditions of approval.

PROJECT INFORMATION:

Agent: Safwat Malek

Owner: CLS SAN LLC

APN: 015-032-004-000

Zoning: LDR/B-6-D-S-RAZ

Parcel Size: 23,219 square feet

Plan Area: Carmel Valley Master Plan

Flagged and Staked: Yes

SUMMARY:

The subject property is located within the Carmel Valley Master Plan area, approximately $\frac{3}{4}$ of a mile east of Highway 1 and northwest of the intersection of Outlook Court and Outlook Drive. The property is a vacant, half acre residential lot in the Carmel Views neighborhood that slopes steeply away from Outlook Drive. The project includes the construction of an approximately 3,200 two-story single family dwelling with an attached two-car garage on slopes in excess of 25%.

The proposed project has been evaluated for consistency with the 2010 General Plan (General Plan), Carmel Valley Master Plan (CVMP) and the Monterey County Inland Zoning Ordinance (Title 21). A Design Approval and Use Permit for development of a single family dwelling located on slopes in excess of 25% is required for the project. The project includes a residential use on a residential lot, meets all of the site development standards for the zoning district in which it is located. Findings to grant a Use Permit for development on slopes have been met in this case because there is no feasible alternative to development of the lot on slopes of less than 25%.

DISCUSSION:

The applicant proposes to construct an approximately 3,200 square foot two-story single family dwelling with an attached two-car garage on a vacant lot within the Carmel Valley area. The main floor would be approximately 1,600 square feet, and the lower level would be approximately 1,200 square feet. The attached two-car garage would be approximately 400 square feet. Development of the project would occur on slopes in excess of 25%.

Slopes

General Plan Policy OS-3.5 states that development on slopes in excess of 25% shall be prohibited, except where there is no feasible alternative or the proposed development better achieves the goals and policies of the General Plan and Area Plan. Development on slopes in excess of 25% is subject to a Use Permit as outlined in Title 21 Section 21.64.230 of the zoning ordinance which implements the General Plan policy. A Use Permit has been applied for and the findings to grant the Use Permit can be made in this case because there is no feasible alternative design or location that would allow development of a single family dwelling on slopes of less than 25%.

The subject property is a vacant lot, approximately 0.5 acres, that was created through the Carmel Views Subdivision No. 4. Many of the lots within this subdivision contain slopes, including the lot that is the subject of this report. The subject property slopes steeply down and away from Outlook Drive which would be the primary access road to the site. In recognition of the sloped character of the area, lots within this subdivision, including the lot on which the development is proposed, were granted a Variance (Monterey County Planning File No. ZA-2057), approved on December 13, 1974 by the Monterey County Zoning Administrator. The Variance reduced the required front yard setback from 20 feet to 15 feet, due to the topography and shape of the lots (**Exhibit G**). The Monterey County Geographic Informational System (GIS) and site plans provided by the applicant indicate the subject property constrained with slopes in excess of 25% (**Exhibit B and F**).

The proposed dwelling has been appropriately sited and designed given the circumstances. The proposed development is set 15 feet from the road to eliminate construction within the hillside, the driveway will be elevated to create direct garage access without a steep driveway, and the home steps down the hillside with pier and post foundation supports rather than the typical perimeter footings. This is also consistent with CVMP Policy CV-3.4 which states that alternations of hillsides and natural landforms caused by cutting, filling, grading, or vegetation removal shall be minimized through sensitive siting and design of all improvements and maximum feasible restoration. Further, the proposed development, in this case, has no feasible alternative than to develop the single family dwelling on slopes in excess of 25% due to the entire subject property containing slopes in excess of 25%.

Design Review and Visual Analysis

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 would have a modern architectural style with colors and materials consisting of: brown wood siding with dark brown lattice accents, bronze aluminum windows and weathered wood shingle roofing. The neighborhood consists of homes similar in architectural style with a variation in size. Properties with similar site constraints have existing single family dwellings that are either sited into the hill on leveled ground or set back a few feet away from the road to avoid site constraints. The placement of the proposed development is proposed 15 feet away from the road to avoid cutting into the hillside. This results in a more prominent view of the single family dwelling from Outlook Drive (**Figures 1, 2, 3 and 4 of Exhibit E**).

CVMP Policy 1-20 states that areas with a “D” and site control “S” overlay district designations shall consider

the visual compatibility with the character of the valley and surrounding areas, the materials, colors, height and bulk of the development, minimizing disruption of views from existing homes, and minimizing erosion and grading through the use of step or pole foundations. The proposed development is sited and constructed in manner to be consistent with this policy in regard to erosion and grading. The proposed single family dwelling would be placed on pier and post foundations to limit the amount of grading necessary. Due to the location of the subject property, the proposed development appears to have a height and mass that will be highly visible within the neighborhood particularly, when viewed from Outlook Drive (**Figures 5, 6 and 7 of Exhibit E**). Although there are existing homes within the neighborhood that have portions of the home with similar foundations, the siting and location is not as visual as the proposed development (**Figures 8 and 9 of Exhibit E**).

The applicant submitted revised plans to try to achieve the design policy of the CVMP while still taking into consideration the slope regulations of Title 21. Plans were reviewed to reduce the plate height of the roof by a few feet and to add architectural accents such as lattices, and vegetation screening to the rear of the house to reduce the appearance of the mass and height of the proposed single family dwelling, which could appear much larger when viewed from neighboring properties down slope from the subject property (**Figures 10, 11 and 12 of Exhibit E**). These revisions are reflected within the plans of the Draft Resolution (**Exhibit B**). The revisions and proposed screening better achieves the CVMP Policy 1-20 by reducing the height and adding architectural features to reduce the mass appearance. Proposed colors and materials would be subordinate to the surrounding environment and minimize erosion and grading. The proposed project is not visible from Highway 68 or any common public viewing area such as Carmel Valley Road. Therefore, the project, as proposed and conditioned, would not create any visual impacts on scenic road corridors.

The subject parcel is zoned Low Density Residential with a Building Site 6, Design Control, Site Plan and Residential Allocation Zoning Overlays or “LDR/B-6-D-S-RAZ.” Title 21 Section 21.14.030.A allows for the development of the first single family dwelling per lot. Therefore, the project is an allowed use. Title 21 Section 21.14.060 identifies site development standards for the property but since the zoning is combined with B-6 Overlay, the setbacks within Title 21 Section 21.42.030 would be applicable. Further, the subject property was granted a Variance as described above that allowed for a special front setback. Required and proposed setbacks for the proposed development are summarized below:

Main Structure Setback and Height:

Required:

Front: 15 feet min.
Side: 15 feet min.
Rear: 20 feet min.
Height: 30 feet max.

Proposed:

Front: 15 feet
Side: 23 feet east/24 feet west
Rear: 95 feet
Height: 28 feet

Building Site Coverage

Allowed:

Coverage: 25%, 5,805 square feet

Proposed:

Coverage: 12.1%, 2,815 square feet

The proposed project complies with the Variance granted and the development standards listed within the LDR zoning district per Title 21, Section 21.14.060 and within the B-6 zoning district per Title 21 Section 21.42.030.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project is categorically exempt from environmental review pursuant to Section 15303 (a) of the CEQA Guidelines. This exemption applies to the construction of new single family dwellings in residential zones. The construction of a 3,200 square foot two-story single family dwelling with an attached two-car garage is consistent with this exemption. 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.

LAND USE ADVISORY COMMITTEE (LUAC):

Based on the Land Use Advisory Committee (LUAC) procedure guidelines adopted by the Monterey County Board of Supervisors, the project was referred to the Carmel Valley LUAC for review on May 6, 2019. The LUAC recommended approval of the project with recommendations to provide more parking and to give consideration to siting the single family dwelling lower onto the property (**Exhibit D**). The proposed development includes the construction of a two-car garage, which meets the parking regulations specified for residential development as outlined in Title 21, Section 21.58.040. The driveway has the ability to accommodate 3-4 parking spaces for guests in the event that additional parking is needed. Further, since this meeting, the applicant has submitted revised plans to reduce the plate height of the roof by a few feet and to add architectural accents as discussed above to the appearance of the mass. The proposed development has been sited and designed to minimize grading and erosion.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project:

- Environmental Health Bureau
- Cypress Fire Protection District
- RMA-Environmental Services
- RMA-Public Works

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 of approval
- Site plans
- Colors and materials

Exhibit C - Vicinity Map

Exhibit D - Carmel Valley LUAC Minutes

Exhibit E - Site Photos

Exhibit F - Monterey County GIS

Exhibit G - Variance ZA-2057

cc: Front Counter Copy; Planning Commission; California Coastal Commission; Brandon Swanson, Interim

Chief of Planning; Craig Spencer, Interim RMA Planning Manager; Safwat Malek, Agent; CLS SAN LLC, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190014