



# County of Monterey

Item No.1

## Zoning Administrator

Legistar File Number: ZA 24-052

November 14, 2024

**Introduced:** 11/8/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN210270 - LARA EDWARD & VIDAL ROSA G HERNANDEZ**

Public hearing to consider the conversion of an existing detached structure into a 425 square foot guesthouse and a 775 square foot attached workshop and to allow the guesthouse to exceed 12 feet in height.

**Project Location:** 49 Hillcrest Road, Royal Oaks, North County Land Use Plan

**Proposed CEQA action:** Find the project Categorical Exempt per Section 15303 of the CEQA Guidelines and that none of the exceptions under CEQA Guidelines Section 15300.2 apply.

#### RECOMMENDATION:

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

1. Find the Finding the project qualifies for a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA guidelines, and that there are no exceptions pursuant to Section 15300.2 of the CEQA guidelines; and
2. Approve a Combined Development Permit consisting of:
  - a. Coastal Administrative Permit to allow conversion of an existing detached structure into a 425 square foot guesthouse and a 775 square foot attached workshop; and
  - b. Coastal Development Permit to allow guesthouse to exceed 12 feet in height.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**).

Staff recommends approval subject to 5 conditions of approval.

#### PROJECT INFORMATION:

**Agent:** Eli De Los Santos

**Property Owner:** Eduardo Lara

**APN:** 117-081-017-000

**Parcel Size:** 28,314 square feet

**Zoning:** Medium Density Residential with a maximum gross density of four units per acre in the Coastal Zone or "MDR/4(CZ)

**Plan Area:** North County Land Use Plan

**Flagged and Staked:** No

#### SUMMARY/DISCUSSION:

The subject parcel is located in a residential neighborhood and is currently developed with a 1,674 square foot single family home and a 1,200 square foot workshop. The applicant proposes to convert a 425 square foot portion of the existing 1,200 square foot shop into a guesthouse that exceeds 12 feet in height.

*Development Standard Review*

The subject property is zoned for medium density residential use, which allows the development of guesthouses meeting the development standards of Title 20 Section 20.64.020, subject to the granting of a Coastal Administrative Permit. The development standards for Medium Density Residential or “MDR” zoning are identified in Title 20, Section 20.12.060. The required minimum setbacks for accessory habitable structures are 50 feet (front), 6 feet (side), 6 feet (rear), and a distance of 6 feet between accessory and main structures. MDR zoning allows a height of 15 feet for accessory habitable structures, however Title 20 Section 20.64.020.C.11 establishes a maximum height of 12 feet for guesthouses which may be exceeded subject to the granting of a Coastal Development Permit to be considered by the Zoning Administrator. The proposed project involves the conversion of an existing structure into a guesthouse which will have setbacks of 117 feet (front), 8 feet 5 inches (side), 140 feet (rear), and will be 56 feet 6 inches from the existing main structure. The proposed guesthouse has a height of 17 feet 10 inches, and thus requires the granting of a Coastal Development Permit. In this case, staff recommends approval to allow exceedance of the guesthouse height as the project involves utilization of an existing structure. This scope reduces the amount of development within undisturbed areas of the property.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the conversion of existing small structures from one use to another. The project includes the conversion of an existing small workshop into a guesthouse, which meets this exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application. The subject property is not located in an area visible from a scenic highway, does not contain historic resources and is not listed as a hazardous waste site. County of Monterey GIS data does not indicate that the site supports biological or archaeological resources. Conversion of the structure limits development on the site and would therefore not present a cumulative impact. Overall, there are no unusual circumstances relative to the subject property and the project would result in a significant environmental impact.

OTHER AGENCY INVOLVEMENT:

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

- Environmental Health Bureau
- HCD-Engineering Services
- HCD-Environmental Services
- North County Fire Protection District

Prepared by: Joseph Alameda, Assistant Planner x7079  
Reviewed by: Anna Ginette Quenga, AICP, Principal Planner  
Approved by: Melanie Beretti, AICP, HCD Chief of Planning

The following attachments are on file with the HCD:

Attachments:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution including:  
Recommended Conditions of Approval

Project Plans  
Exhibit C - Vicinity Map

cc: Front Counter Copy; Zoning Administrator; Joseph Alameda, Assistant Planner; Anna Ginette Quenga, AICP, Principal Planner; Eli De Los Santos, Agent; Eduardo Lara, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN210270.