



County of Monterey Planning Commission

Item No.9

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

Agenda Item No.9

Legistar File Number: PC 24-126

December 11, 2024

Introduced: 12/4/2024

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN240128 - GOLDEN GATE ASSETS LIMITED PARTNERSHIP

Public hearing to consider demolition of an existing 2,507 square foot single family home and construction of a 2,306 square foot single family home with an attached 318 square foot garage, and an attached 790 square foot non-habitable office/game room, the removal of one (1) protected Coast Live Oak tree, and a merger between two legal lots of record consisting of Parcel A (0.099 acres) and Parcel B (0.099 acres), resulting in one parcel containing 0.198 acres (Adjusted Parcel).

Project Location: 24656 Guadalupe Street, Carmel, Carmel Land Use Plan

Proposed CEQA action: Categorically Exempt pursuant to CEQA Guidelines sections 15302 and 15305, and there are no exceptions pursuant to section 15300.2.

RECOMMENDATION:

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

- 1) Find that the project qualifies as a Class 2 and Class 5 Categorical Exemption pursuant to CEQA Guidelines sections 15302 and 15305, 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 demolition of an existing 2,507 square foot single family home and construction of a 2,306 square foot single family home with an attached 318 square foot garage and an attached 790 square foot non-habitable office/game room;
 - b. A Coastal Development Permit to allow for the removal of one protected Coast live oak tree; and
 - c. A Coastal Development Permit to allow a merger of two legal lots of record consisting of Parcel A (0.099 acres) and Parcel B (0.099 acres), resulting in one parcel containing 0.198 acres (Adjusted Parcel)

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval/denial subject to 9 conditions of approval.

PROJECT INFORMATION:

Agent: Samuel Pitnick

Property Owner: Golden Gate Assets LP

APN: 009-082-004-000

Parcel Size: Parcel A (.099 acres) and Parcel B (.099 acres)

Zoning: Medium Density Residential, 2 units per acre, with a Design Control overlay in the Coastal Zone or "MDR/2-D (CZ)"

Plan Area: Carmel Area Land Use Plan, Coastal Zone

Flagged and Staked: Yes

Planner: Joseph Alameda, Assistant Planner

alamedaj@countyofmonterey.gov, (831)783-7079

SUMMARY/DISCUSSION:

The subject properties are located within the Carmel Woods residential subdivision and are surrounded by residences on all sides. Currently, the subject lots are developed with one single-family dwelling, which straddles the adjoining lot line and thus does not meet the required side setback requirements. The applicant proposes to demolish the majority of the existing 2,507 square foot single-family dwelling and construct a replacement 2,306 square foot single-family dwelling with an attached 318 square foot garage. The 790 square foot portion of the existing residence that is not slated for demolition will be converted from habitable space into an attached non-habitable office/game room. However, pursuant to Title 18 section 18.11.030, the project is described as a demolition and rebuild because the project involves the removal of more than 50% of the exterior walls. Additionally, the project involves the removal of one protected Coast live oak tree and a merger between two legal lots of record consisting of Parcel A (0.099 acres) and Parcel B (0.099 acres), resulting in one parcel containing 0.198 acres (Adjusted Parcel). The proposed merger will address the existing non-conforming setback issue. The subject property will continue to be served potable water by California American Water (Cal Am) and sewer service by the Carmel Wastewater District.

Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, Carmel Area Land Use Plan (Carmel Area LUP), Monterey County Coastal Implementation Plan (CIP; Part 4), Zoning Ordinance (Title 20) and Subdivision Ordinance (Title 19).

Development Standards

The properties are zoned Medium Density Residential, 2 units per acre, with a Design Control overlay in the Coastal Zone or “MDR/2-D (CZ)” which allows the development of the first single-family dwelling as a principally allowed use subject to the granting of a Coastal Administrative Permit. The required minimum setbacks for main structures in the MDR zoning district are 20 feet (front), 5 feet (side), and 10 feet (rear). The allowed maximum height for main structures is 30 feet. Pursuant to Title 20 sections 20.62.030.D and 20.62.040.K, accessory structures structurally attached to the main structure are subject to the same height and setback standards of the main structure.

The existing single-family dwelling straddles the property line of the existing legal lots of record and is non-conforming to the development standards of those lots. The proposed lot merger will create a lot of record that will allow the proposed single-family dwelling to conform to the MDR development standards. The proposed single-family dwelling will have setbacks of 20 feet (front), 5 feet (side), and 10 feet (rear), with a height of 15 feet 11 inches. Additionally, the portion of the existing residence that will be retained and converted into an office/game room will be structurally attached to the single-family dwelling via a wooden pergola and will continue to meet all setback and height requirements. The resulting lot from the proposed merger will be 8,640 square feet, which allows a site coverage of 3,024 square feet (35%) and a floor area ratio of 3,888 square feet (45%). The proposed site coverage and floor area ratio will be 3,024 square feet (35%) and 3,414 square feet

(35%), respectively. Therefore, as proposed, the project meets all required development standards.

Design Review

The Design Control zoning overlay requires the granting of a Design Approval for the proposed development. The proposed development maintains the cottage/traditional architectural styles of the surrounding residences. The single-family dwelling with an attached garage and office/game room will have colors and materials consisting of a dark brown shingle roof, cream-colored stucco siding, tan-colored wood siding, and a dark gray wood garage door. Block 157 of the Carmel Woods residential neighborhood consists of 19 parcels. The majority of these parcels range between 0.07 and 0.11 acres. However, three of these parcels are larger than average, and range between 0.198 acres and 0.27 acres. The subject parcel (0.198 acres) is the smaller of the three larger properties within the block. The three larger parcels consist of at least two lots in their legal descriptions, whereas the smaller parcels only describe one lot in their legal descriptions. For example, the subject property is described as Lots 14 and 16 of Block 157 of Carmel Woods Addition 1. Similarly, another property within this block is described as Lots 3, 5, and 7 and is approximately 0.27 acres. On the contrary, an adjacent property (APN: 009-082-003-000) is 0.08 acres and is described as just Lot 18 of Block 157 of Carmel Woods Addition 1. All of the parcels within Block 157 are developed with one single-family dwelling, regardless of whether the parcel contains multiple lots or not.

With an acreage almost double the average lot within this block, the existing 2,507 square-foot two-story single-family dwelling is larger than the surrounding residential development, which range between 1,400 and 1,700 square feet. However, the existing residence's size is similar to the residences built on the other two parcels that contain multiple lots (APNs: 009-082-015-000 and 009-082-012-000). Although the subject properties have been historically considered and developed as one lot, the proposed project seeks to formalize this by merging the lots. The proposed replacement single-family dwelling will only be one story and approximately 2,306 square feet. Accordingly, the proposed bulk and mass will be comparable to the surrounding neighborhood, which consists of primarily single-story residences and a limited number of two-story residences. Though the proposed size of the residence will be slightly larger than the average residence within this block, the additional square footage is appropriate given the property's unique circumstance of containing multiple lots. Further, the additional size will not result in a bulk or mass that is incompatible with the neighbor character. The proposed reduction in height and size will result in a residential structure that is more in keeping with the character of the neighborhood than the existing residence. The existing and replacement residence will not be visible from any scenic viewing corridor (e.g., Highway 1, Scenic Road, Spindrift Road, Yankee Point Drive) or from major public viewpoints. The project, as designed, sited, and conditioned, assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

Tree Removal

A Tree Assessment was prepared by Rob Thompson on May 27, 2024 (LIB240175), which evaluated the health, structure, and preservation suitability of each native tree proposed for removal. The project involves removal of 13 trees, four of which are native Coast live oaks. However, only one Coast live oak proposed for removal is over 12 inches in diameter and is therefore protected by the Carmel Area LUP and Coastal Implementation Plan (CIP; section 20.146.060.D.6). The siting of the

proposed development avoids removal of two of the three protected trees on the property including a 31-inch landmark Oak that will be retained through the re-siting of the driveway to the southern portion of the property. Protection and retention of the landmark oak better meet the forest resource policies of the Carmel Area CIP, which prohibits the removal of landmark trees unless specific findings are made. While the 16-inch Oak proposed for removal could be potentially saved by reducing the size of the proposed development, the Applicant/Owner has made efforts to reduce the overall removal of protected trees to only that necessary to construct the proposed residence (one protected Coast live oak). Although the project is required to only replant one Coast live oak, the Applicant/Owner proposes to replant all four Coast live oaks being removed, including the three undersized trees. Thus, the proposed tree removal is limited to that which is necessary for the proposed development and will not have an adverse impact on the surrounding forest resources.

Lot Line Merger

The project involves a merger between two legal lots of record Parcel A (.099 acres) and Parcel B (.099 acres), resulting in one lot of record containing .198 acres (Adjusted Parcel). The two existing lots have been historically sold together and are currently developed with one single-family dwelling, which straddles over both lots. The MDR zoning district has a required minimum lot size of 6,000 square feet; currently, each lot is .099 acres or 4,312 square feet. Although the lots were legally created through the Carmel Woods Addition 1 Subdivision, the existing lots do not conform to the current zoning district's minimum lot size requirement. The resulting lot of the proposed merger will have a building site of .198 acres, or 8,624 square feet, which will be consistent with the requirements of the zoning district. Additionally, the existing single-family dwelling straddles over the existing legal lots and is therefore non-conforming as to the setback requirements for the MDR zoning district. The proposed lot merger will result in one legal lot of record which will allow the proposed single-family dwelling to conform to the required setbacks. As proposed, the resulting lot would remain conforming as to minimum lot size, maximum density, structural coverage, and setbacks.

OTHER AGENCY INVOLVEMENT:

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

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

LUAC:

The proposed project was reviewed by the Carmel Highlands LUAC on October 7, 2024. The LUAC recommended approval of the project by a vote of four to zero with two members being absent (**Exhibit B**). The LUAC members did not review the lot line merger aspect of the project as the project was referred to the LUAC prior to staff's lot legality determination which revealed that the subject parcel consisted of two separate legal lots of record. While a lot line adjustment in the Coastal Zone does require referral to the relevant LUAC, staff determined that the LUAC did not need to re-consider the project in this case because the proposed merger does not greatly alter the project scope reviewed by the LUAC - construction of a residence on a legal lot of record.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts the reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. CEQA Guidelines section 15305 categorically exempts minor lot line adjustments not resulting in the creation of any new parcel. The proposed project involves the demolition of an existing 2,507 square foot single family home and the construction of a 2,306 square foot single family home with an attached 318 square foot garage, and an attached 790 square foot non-habitable office/game room. Therefore, this portion of the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15302. Additionally, the project includes a merger between two legal lots of record consisting of Parcel A (0.099 acres) and Parcel B (0.099 acres), resulting in one parcel containing 0.198 acres (Adjusted Parcel). No new lots will be created by the merger and therefore this portion of the project is consistent with CEQA Guidelines section 15305 and Title 19 section 19.09.005.C. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects were identified during staff's review of the development application.

Prepared by: Joseph Alameda, Assistant Planner, x7079

Reviewed by: Fiona Jensen, Senior Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit B - Carmel Highlands LUAC Minutes

Exhibit C - Tree Assessment

Exhibit D - Vicinity Map

cc: Front Counter Copy; California Coastal Commission, Cypress Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Joseph Alameda, Project Planner; Anna Ginette Quenga, AICP, Principal Planner; Golden Gate Assets, Property Owner; Samuel Pitnick, Agent/Architect; The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN240128.

This page intentionally left blank