County of Monterey
Planning Commission

Agenda Item No.3

Legistar File Number: PC 25-045

Item No.3

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

May 14, 2025

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PLN240222 - HETHERINGTON ROY & MARIA TRUST
Public hearing to consider construction of a 7,811 square foot single family residence with an attached three-car garage, a detached 1,199 square foot Accessory Dwelling Unit above a 742 square foot two-car garage, a detached 3,120 square foot barn and associated site improvements including the removal of 10 Oak trees and development on slopes in excess of 25%.
Project Location: 8125 Carina, Carmel, Greater Monterey Peninsula Area Plan
Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to section 15300.2.

RECOMMENDATIONS

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

1. Find that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303, and that none of the exceptions set forth in Section 15300.2 apply; and
2. Approving a Combined Development Permit consisting of:
    a. Design Approval to allow construction of a 7,811 square foot single family residence with an attached three-car garage, a detached 1,199 square foot accessory dwelling unit over a 742 square foot two-car garage, a detached 3,120 square foot barn, and associated site improvements;
    b. Use Permit to allow the removal of 10 Coast live oak trees; and
    c. Use Permit to allow development on slopes in excess of 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 13 conditions of approval.

PROJECT INFORMATION

Agent: Carla Hashimoto, Eric Miller Architects Inc.
Property Owner: Hetherington Roy & Maria Trust
APN: 259-092-020-000
Parcel Size: 12.45
Zoning: Rural Density Residential, maximum gross density of 10 acres per unit, with Urban Reserve and Design Control zoning district overlays or "RDR/10-UR-D."
Plan Area: Greater Monterey Peninsula Area Plan
Flagged and Staked: Yes
Project Planner: Hya Honorato, Assistant Planner
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SUMMARY/DISCUSSION:
The project site is located south of Highway 68 within the Tehama Subdivision, Monterey County, California. The proposal involves the construction of a 7,811 square foot single family dwelling inclusive of an 885 square foot attached garage, a 1,199 square foot accessory dwelling unit with a lower level 742 square foot garage, a 3,120 square foot barn, and associated site improvements. The project also involves the removal of 10 Coast live oak tree and development on slopes in excess of 25%. Grading consists of 3,080 cubic yards of cut and 730 cubic yards of fill. Water service will be provided by Canada Woods Water Company. As proposed, the project will be served by an onsite wastewater treatment system.

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 2010 Monterey County General Plan, Greater Monterey Peninsula Area Plan (GMPAP), and Zoning Ordinance (Title 21).

Land Use & Development Standards
The project complies with the development standards of the Rural Density Residential ("RDR") zoning district. The subject 12.43 acre property, Lot #80 of the Tehama Subdivision, contains two building envelopes per Tract No. 1336 of the Canada Woods North, Phase I Final Map. The primary building envelope area is 1.95 acres, while the second building envelope area is 0.31 acres. According to Title 21 section 21.16.060, structures must be located within the designated building envelope. As proposed, the structures utilize both building envelope areas; the single-family dwelling and barn are entirely within the primary building envelope, and the ADU is entirely within the secondary building envelope. Hardscape, primarily driveways and an auto court, are located outside of these building envelope areas.

The RDR zoning district allows a maximum height of 30 feet for main structures and barns. The proposed main structure is 28 feet 7.5 inches tall, and the proposed barn's height is 26 feet 8 inches, both within the allowed limit. The proposed ADU is designed at 15 feet 9 inches, which is below the 16-foot height limit set by Title 21 section 21.64.030. The total building site coverage is 2%, well below the 25% limit. Overall, the project meets all height, size, and setback requirements set forth in the development standards of the RDR zoning district.

Design
The proposed exterior colors and materials are consistent with the area's setting and surrounding residences. As proposed, the colors and materials of the structures include off white stucco walls, off white stone veneer walls, metal frame glass doors and windows with minimal frame, iron rail stair and railing, clay tile roofing, timber-framed covered patios, and stone pavers. Development within the subject subdivision includes large custom homes. The proposed project will have a comparatively similar layout, bulk, and mass to other residences in the vicinity. The proposed project will not be visible from Highway 68 or other common public viewing areas due to distance and topography.

Tree Removal
Tree removal is subject to the regulations contained in Title 21 section 21.64.260, which requires a Use Permit for the removal of more than three protected trees in a one year period.

To grant a Use Permit to allow tree removal, the appropriate authority must find that the tree removal is the minimum required under the circumstances of the case and that the removal will not involve a risk of adverse environmental impacts.

The subject property is heavily forested with trees and is established with two building envelopes. These building envelopes have limited continuous areas not encumbered by protected trees. The unforested, steeply sloped southern portion of the property is outside of the building envelopes and thus cannot be developed. As part of this permit, the applicant submitted a Tree Assessment, prepared by Michael Tope, dated December 6, 2024 (Monterey County Document No. LIB240327; **Exhibit C**). This Assessment determined that the implementation of the proposed project would involve the removal of 10 Coast live oak trees. The tree removal is required to accommodate the development, with some trees being structurally compromised or located within the construction zones of the main structure, barn, and driveway. Six trees are directly in the proposed structural footprint of the residence; these trees are in fair to poor conditions, with one tree demonstrating signs of fungal disease and another tree being structurally unsound due to trunk decay. Three trees are within the proposed driveway; these trees are in fair and poor conditions, with one tree showing signs of significant trunk decay, which increases its risk of failure. One tree, in fair condition, is located within the proposed barn footprint and thus slated for removal. Finally, pursuant to Title 21 section 21.64.260.C.5, no landmark Oak trees are proposed for removal, only pruning.

The driveway's configuration and pathway were designed to minimize impacts to trees. The driveway location avoids impacting a large grouping of trees directly to the north and south, as well as landmark trees, as it travels through the parcel. The auto court does not impact any trees and is located within previously disturbed areas due to grading work related to previous grading work that was done to prepare the site for the proposed driveway and building pad. While the barn placement affects one tree, two landmark trees to the south and southeast of the barn will be protected and preserved. Re-siting the main dwelling would not reduce the impact on trees, but would most likely increase the number of trees impacted, including landmark trees, as well as increase development on slopes in excess of 25%. The proposed design reflects the minimum necessary tree removal for the project, and replacement at a one-to-one ratio is proposed. The project, as conditioned, also includes measures for tree protection during construction.

Development on Slopes

Pursuant to General Plan Policy OS-3.5, development on slopes that exceed 25% is prohibited unless a Use Permit is obtained and the appropriate authority finds that there is no feasible alternative that would allow development to occur on slopes less than 25%, or the proposed development better achieves the goals, policies, and objectives of the Monterey County General Plan and applicable land use plan than other development alternatives.

The proposed project involves approximately 2,823 square feet of development on slopes in excess of 25%. In this case, there is no viable alternative that balances the resource protection policies of the General Plan, specifically tree removal. The 12.45-acre property is situated on a knoll, surrounded by moderate to steep slopes to the north and south, leaving minimal opportunity for development outside of the designated building envelopes without also increasing the number of trees impacted. The project is confined to two specific building envelopes (0.31 and 1.95 acres) and, as proposed, is entirely within these boundaries (except for

driveways). Furthermore, the proposed ADU is positioned in the most open area within the building envelope; however, a portion of the ADU and the southern edge of the adjacent auto court are on slopes in excess of 25% due to the irregular, steeper topography on this portion of the parcel.

Shifting this development would result in substantial impacts to protected trees, including the removal of landmark trees. Similarly, the proposed single family dwelling's driveway is also located on steeper slopes. Reconfiguring the driveway to avoid slopes would also require relocating the main residence, which would impact additional protected trees, including landmark Oaks. The proposed design and siting of the ADU, single-family dwelling, and driveways/auto courts are consistent with the Greater Monterey Peninsula Area Plan Policy 3.5, which discourages the removal of healthy native oaks in the Greater Monterey Peninsula Planning Area. Reducing the size of the main residence and ADU could potentially minimize development on steeper slopes, however, it would not be avoidable, and additional trees would still be impacted. In addition to minimizing impacts to trees, a portion of the property's steeper slopes are man-made as they were created as a result of previous grading work that was done to prepare the site for the proposed driveway and building pad. The proposed driveways and structure are within the footprint of previously disturbed areas. Therefore, the proposed development is the most feasible location, minimizes development on slopes in excess of 25%, and better measures the resource protection goals and policies of the 2010 General Plan and Greater Monterey Peninsula Plan.

CEQA:
California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts the construction and location of limited numbers of new, small facilities or structures, including one single-family residence, and accessory structures within residential zoned areas in a residential zone. The proposed project involves the construction of a 7,811 square foot single family dwelling, inclusive of an attached 885 square foot garage, 1,119 square foot accessory dwelling unit with an attached lower level 742 square foot garage, a 3,120 square foot barn, and associated site improvements. Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15303. 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.

LUAC:
On March 3, 2025, the Greater Monterey Peninsula Land Use Advisory Committee reviewed the project at a duly noticed meeting and voted unanimously to support the project as proposed (**Exhibit B**).

OTHER AGENCY INVOLVEMENT
The following County agencies have reviewed this project, have comments, and/or have recommended conditions:

HCD-Engineering Services
Environmental Health Bureau
HCD-Environmental Services
Monterey County Regional Fire Protection District

Prepared by: Hya Honorato, Assistant Planner, x5173
Reviewed by: Fionna Jensen, Principal 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, Floor Plans, Elevations, Colors and Materials

Exhibit B - Greater Monterey Peninsula LUAC Minutes
Exhibit C - Arborist Report
Exhibit D - Vicinity Map

cc: Front Counter Copy; Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Hya Honorato, Planner; Hetherington Roy & Maria Trust, Property Owners; Carla Hashimoto, Agent; The Open Monterey Project; LandWatch (Executive Director); Laborers International Union of North America (Lozeau Drury LLP); Planning File PLN240222.

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