



County of Monterey Zoning Administrator

Item No. 1

Agenda Item No. 1

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PLN210269 - 12 RONNOCO LLC

Public hearing to consider construction of a 700 square foot detached garage, a 750 square foot secondary garage with a 325 square foot coverage porch, after-the-fact approval of a 1,000 square foot non-habitable, associated site improvements including a 2,275 square foot private sports court, and development within the Carmel Valley Floodplain.

Project Location: 12 Ronnoco Road, Carmel Valley, Carmel Valley Master Plan.

Proposed CEQA Action: Find the project Categorically Exemption pursuant to CEQA Guidelines section 15303.

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution:

- 1) Finding the project qualifies as a Class 1 and Class 3 Categorical Exemption pursuant to CEQA Guidelines sections 15303 and 15301 and no exceptions pursuant to Section 15300.2 of the CEQA guidelines can be made; and
- 2) Approving a Combined Development Permit consisting of:
 - a. Use Permit to allow development within the Carmel Valley Floodplain;
 - b. After-the-fact Administrative Permit and Design Approval to allow construction of a 1,000 square foot non-habitable structure; and
 - c. Administrative Permit and Design Approval to allow construction of a 750 square foot detached garage, 700 square foot detached garage with an attached 325 square foot covered porch, and associated site improvements including a 2,275 square foot sports court, pool and spa, outdoor fireplace and patios.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**). Staff recommends approval subject to nine conditions.

PROJECT INFORMATION:

Project Owner: 12 Ronnoco LLC

Agent: Gail Hatter, Lombardo & Associates

APNs: 185-021-026-000

Zoning: Low Density Residential, 2.5 acres per unit, with a Design Control, Site Plan Review, Residential Allocated Zoning overlay or "LDR/2.5-D-S-RAZ"

Parcel Size: 2.5 acres

Flagged and Staked: Yes

Project Planner: Fionna Jensen, Senior Planner

(831) 796-6407 or jensenfl@co.monterey.ca.us

SUMMARY:

The subject parcel is located in a residential neighborhood along Ronnoco Road in Carmel Valley and is situated approximately 365 feet from Carmel Valley Road. The site is currently developed with a 3,486 single-family residence and a detached un-permitted 1,000 square foot habitable structure. The proposed project includes an after-the-fact approval of the 1,000 square foot structure and an interior remodel to re-categorize the structure as non-habitable storage space. Additionally, the applicant proposes to construct a 750 square foot detached garage, 700 square foot detached garage with an attached 325 square foot covered porch, and associated site improvements including a 2,275 square foot sports court, a pool and hot tub, and 192 linear feet of retaining walls. New outdoor space includes a fireplace and patio areas. The proposed improvements require approximately 488 cubic yards of cut to be hauled off-site. The property is served potable water by California American Water and has an existing on-site 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, Carmel Valley Master Plan, Zoning Ordinance (Title 21), and Monterey County Floodplain Regulations (Chapter 16.16).

DISCUSSION:

Development Standards

The subject property is zoned for low density residential use, which allows development of structures accessory to any principal use, subject to the granting of an Administrative Permit in each case. The development standards for the LDR zoning district are identified in Title 21 section 21.14.060. Required setbacks for accessory non-habitable structures are 50 feet (front), 6 feet on the front one half of the property and 1 foot on the rear one-half of the property (sides), and 1 foot (rear). The proposed garages have front setbacks greater than 150 feet (measured from Ronnoco Road right of way), side setbacks greater than 14 feet, and rear setbacks greater than 200 feet. The existing 1,000 square foot building also meets the required setbacks. The maximum allowed height in the LDR districts for accessory non-habitable structures is 15 feet. The maximum heights of the proposed garages are 14 feet 10 inches while the existing habitable structure (to be converted to storage space) has a height of 13 feet. Therefore, as proposed, the project meets all required development standards.

Design Review

Staff conducted a site visit on June 12, 2023 to determine visibility of the proposed development. The proposed accessory structures will be sited approximately 450 feet from Carmel Valley Road. Existing mature vegetation between the subject property and Carmel Valley Road heavily screened the staking and flagging and resulting in partial visibility for less than a second. The proposed garages will have colors and materials consistent with the existing residence, which include vertical wood siding, gray stone wainscot, and dark bronze metal roofing. These colors and materials are consistent with the rural character of Carmel Valley and are compatible and appropriate for the immediate surrounding residential area. The project, as designed and sited, assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

Development within the Carmel Valley Floodplain

None of the proposed development is located within the Carmel River regulatory floodway. However, a majority of the property is located within the floodplain (Zone AE) and as such, the proposed garages, sports court and other site improvements are subject to the County's Carmel Valley Floodplain Regulations (Chapter 16.16 of County Code). The property's base flood elevation (BFE) is 155.8 feet above mean sea level (FAMSL), which is 2 to 3 feet below the property's top bank. All proposed improvements will have finish floor elevations of approximately 154 to 154.5 FAMSL and are thus below the BFE. Monterey County Code section 16.16.050.C requires elevating all new construction at least one foot above the BFE, however, because proposed structures are non-habitable, these structures only need to allow pass through of water, be floodproofed to a minimum of one foot above BFE, and have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy (MCC section 16.16.050.C(3)). The proposed structures have been designed to meet the flood proofing and hydrostatic and hydrodynamic load requirements. The proposed development and associated building and grading materials will increase the property's on-site materials volume by approximately 11,587 cubic feet. Per the project engineer, to off-set this increased volume, the project has been designed to balance or increase the floodplain storage volume by excavating and hauling off-site approximately 429 cubic yards of dirt. Additionally, all development is sufficiently setback from the top of bank. As a result, all improvements are not subject to erosion and will not reduce the capacity of the river by either increasing stream velocities or diverting the flow. Therefore, as proposed, the project, as designed, meets the requirements of Title 21 section 21.64.130 and Title 16 section 16.16.050.J. See **Exhibit B**.

Violations

Staff has reviewed historical Google Earth Imagery, FEMA lidar mapping, and HCD -Planning and Building Services Department records and concluded that although the structure appears in its current configuration prior to 2016, it also appears that the 1,000 detached habitable structure was demolished or re-built in approximately 2018. The structure is located within the Carmel River Floodplain and would have required the issuance of an Administrative Permit, Design Approval, and Use Permit. However, HCD records indicate that the Applicant/Owner never obtained a discretionary permit or construction permit. The structure is currently classified as a habitable structure (two bedrooms, a kitchen, and bathroom). However, the structure is not elevated one foot above the BFE and is in conflict with the requirements of Monterey County Code Chapter 16.16. Therefore, the Applicant/Owner is proposing to convert the structure back into storage (non-habitable). The Applicant/Owner submitted photographic evidence demonstrating that the detached structure had the same natural fading of the wood exterior as the main residence and thus argued that the structure was developed at the same time as the residence. Additionally, a neighbor submitted written correspondence indicating that the structure has been in place since they moved to Ronnoco Road in 1986. There is no evidence indicating that the detached structure was considered concurrently with the main residence, which was constructed in approximately 1978. Further, the submitted photos show the detached structure as a garage or workshop, not a habitable structure as it currently exists. To clean up the record and rectify the land use violation, HCD-Planning staff recommended that the Applicant/Owner seek after-the-fact approval of the structure. As such, the project includes an after-the-fact Administrative Permit and Design Approval to allow construction of a 1,000 non-habitable structure. Issuance of the proposed entitlements will partially bring this property into conformance. The Applicant/Owner will need to obtain a construction permit to allow the necessary internal remodel. No other active code violations exist on the property.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts accessory structures and conversion of small structures. The project includes construction of a 750 square foot detached garage, 700 square foot detached garage with an attached 325 square foot covered porch, and associated site improvements including a 2,275 square foot sports court, a pool and hot tub, 192 linear feet of retaining walls, and conversion of an existing 1,000 square foot habitable structure into non-habitable space. No evidence of significant adverse environmental effects were identified during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

Housing and Community Development - Environmental Services
Housing and Community Development - Engineering Services
Environmental Health Bureau
Monterey County Regional Fire Protection District

LUAC:

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on May 15, 2023 considered the proposed project and continued the item to the June 20, 2023 meeting to allow time for staff to address raised concerns relating to past code violations and potential impacts to Ronnoco Road. On June 20, 2023, the LUAC voted 5 to 0, with one members absent, to support the project as proposed. No additional concerns were raised during this meeting. See **Exhibit C**.

Prepared by: Fionna Jensen, Senior Planner, x6407

Reviewed and Approved by: Anna Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution, including:

- Conditions of Approval
- Site Plan, Floor Plans, and Elevations

Exhibit B - Floodplain letter

Exhibit C - Carmel Valley LUAC Minutes (May 15, 2023 and June 20, 2023)

Exhibit D - Vicinity Map

cc: Front Counter Copy; Monterey County Regional Fire Protection District;
HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau;
Fionna Jensen, Senior Planner; Anna Quenga, AICP, Principal Planner; 12 Ronnoco LLC,
Property Owner; Gail Hatter, Agent; The Open Monterey Project (Molly Erickson);
LandWatch; Laborers International Union of North America (Lozeau Drury LLP) Project File
PLN210269