



Zoning Administrator

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August 15, 2024

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Current Status: Agenda Ready

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Matter Type: Zoning Administrator

PLN230134 - W & SMITH CA INC

Continued from the May 1, 2024 Administrative hearing and consider the remodel and addition (approximately 444 square feet) to an existing 9,547 square foot single-family dwelling, and construction of a new 1,151 square foot attached garage; resulting in a 11,181 square foot single-family dwelling. The project includes conversion of an existing attached garage and a portion of conditioned space into a 1,178 attached accessory dwelling unit and conversion of a portion of the single-family dwelling into a 369 square foot attached guesthouse and a 215 square foot art studio. Site improvements include re-aligning the driveway from Cortez Road to Oleada Road.

Project Location: 3180 Cortez Rd, Pebble Beach CA 93953

Proposed CEQA action: Find the project Categorically Exempt pursuant to Section 15301 of the CEQA Guidelines.

RECOMMENDATION

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

- 1) Find the project qualifies for a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines and that 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 the remodel of an existing 9,547 square foot single-family dwelling, construction of a 444 square foot first floor addition and a new 1,151 square foot attached garage resulting in a 11,181 square foot single-family dwelling. Associated site improvements include re-aligning the driveway from Cortez Road to Oleada Road;
 - b) Approve a Coastal Administrative Permit to allow the conversion of an existing attached garage and a portion of conditioned space into a 1,178 attached accessory dwelling unit;
 - c) Approve a Coastal Administrative Permit to allow the conversion of a portion of the single family dwelling into a 369 square foot attached guesthouse; and
 - d) Approve a Coastal Administrative Permit to allow the conversion of a portion of the single family dwelling into a 215 square foot art studio.

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

PROJECT INFORMATION

Agent: Amy Denney, IDG

Property Owner: W & Smith CA, Inc.

APN: 008-233-010-000

Parcel Size: 88,383 square feet (2.029 acres)

Zoning: Low Density Residential, 1.5 acres per unit with Design Control Overlay District, Coastal Zone, or “LDR/1.5-D(CZ)”

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Yes

SUMMARY/DISCUSSION

The proposed project includes the remodel, addition and partial conversion of a single-family on a developed residential lot in the Del Monte Forest, including the remodel of the 9,547 square foot two-story single-family residence with a lower level partially below grade; conversion of the existing garage and a portion of the house into an attached accessory dwelling unit (ADU); conversion of a bedroom area into a 369 square foot attached guesthouse with separate exterior access; conversion of a bedroom area into a 215 square foot art studio with separate exterior entrance; construction an attached 1,151 square foot garage and a 444 square foot first floor addition; and realignment of the driveway from Cortez Road to Oleada Road.

Land Use & Development Standards

Development on the property is subject to the 1982 Monterey County General Plan, Del Monte Forest Land Use Plan, Monterey County Coastal Implementation Plan, Part 5, and Monterey County Zoning Ordinance (Title 20). The property is zoned Low Density Residential, 1.5 acres per unit, with Design Control overlay zoning district within the Coastal Zone or “LDR/1.5-D(CZ)”. The LDR zoning allows a single-family dwelling and accessory structures as principally allowed uses. The project is consistent with the applicable LDR development standards, which in the Del Monte Forest Land Use Plan, are subject to a 15% maximum lot coverage and 17.5% Floor Area Ratio (FAR). The proposed lot coverage is 8,796 square feet, or 9.9%, within the requirement. The proposed FAR is 11,159 square feet, or 12.62%, also within the requirement. The required setback for main structures are 30 feet (front), 20 feet (side), and 20 feet (rear). The existing single-family dwelling, as modified, is proposed within the required setbacks on all sides.

The proposed driveway curves to the west to avoid tree removal and to be able to follow the topography of the land. A more direct route would require both tree removal and fill. The proposed development would provide a safer approach from Oleada Road than the current approach on Cortez Road, which is steep and has a sharp curve that poses a health and safety risk. The proposed development would allow for better sighting in both directions.

Biological Resources

The site was surveyed by Jeffrey Froke, biologist (see **Exhibit D**), who confirmed that evidence of native flora and fauna were found such as a mix of Monterey pine and Coast live oak trees, Gray Fox, Brush Rabbit, Great Horned Owl, several winter warblers, Western Fence Lizard, Pacific Gopher Snake, and Santa Lucia Mountains Slender Salamander at the project site within the woodland and shrubbery areas of the parcel. However, no endangered species were identified. The project does not pose a risk of diminishing or adversely affecting sensitive habitat, nor would it reduce or harm sensitive plant or animal species. The proposed development on the southeast corner of the lot and the displacement and replacement of the landscape with help to diversity the parcel with both planting and wildlife opportunities. The County’s standard condition for landscape plan will be applied

to this project, which shall include recommendations from the Biological Report.

Cultural Resources

An archaeological report was prepared to analyze the potential of the project to impact archaeological resources. The assessment included a records search and a field reconnaissance, producing negative results for both and therefore should not have any impacts to cultural resources due to the proposed development.

Tree Protection

There are several trees identified as Monterey pine and Coast live oak throughout the parcel. An arborist report was provided by Thompson Wildlife Management (see **Exhibit C**) providing measures for protecting trees throughout the duration of the proposed development in order to minimize impact on existing trees. The following recommendations would be implemented through the County's standard notice of report: the installation of resource protection measures, exclusionary fencing along the outer perimeter and around trees that will be retained and protected and silt fencing, control and eradication measures for invasive species, installation of plantings that are native to pine and oak woodland habitat, and a pre-construction nesting survey.

LUAC REVIEW AND PUBLIC COMMENT:

The project was scheduled for a duly noticed Administrative Review on May 1, 2024, however a public comment was received on April 29th requesting for a public hearing due to concerns regarding the proposed relocation of the driveway from Cortez Road to Oleada Road. The Applicant reached out to the neighbors and were unable to resolve their differences. The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) and a duly noticed LUAC meeting was scheduled for June 6, 2024; however, a request was received by a neighbor to continue the project to a date uncertain to accommodate their schedule, to which the applicant agreed. The project was then rescheduled for the July 18, 2024 LUAC meeting.

The LUAC reviewed the project on July 18, 2024 at a duly noticed public meeting. Public comment was received during the meeting addressing concerns for the driveway relocation, stating that the proposed location on Oleada Road poses a safety concern for the neighbors within the community and requesting consideration for the driveway to remain at its current location off Cortez Road. Comments were acknowledged and considered by County staff, and HCD-Engineering Services reviewed the Site Distance Review (see **Exhibit E**) prepared by Hexagon Transportation Consultants, Inc., and did not find any evidence to support that the proposed driveway poses a public safety concern. The LUAC voted 5-0 to support the project as proposed and recommended for the neighbors to contact Hexagon Transportation Consultants, Inc., to discuss their concerns.

OTHER AGENCY INVOLVEMENT

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

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- Pebble Beach Community Services District

Prepared by: Hya Honorato, Assistant Planner, x5173
Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner
The following attachments are on file with HCD:

Attachments

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, Elevations, Colors and Materials

Exhibit C - Arborist Report (LIB230305)

Exhibit D - Biology Report (LIB230306)

Exhibit E - Site Distance Review (LIB230307)

Exhibit F - Del Monte Forest LUAC Minutes 06/06/2024

Exhibit G - Del Monte Forest LUAC Minutes 07/18/2024

Exhibit H - Vicinity Map

cc: Front Counter Copy; PebbleBeach Community Services District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Hya Honorato, Assistant Planner; Anna Ginette Quenga, AICP, Principal Planner; W & Smith, Inc., Property Owner; Amy Denney (IDG, Inc.), Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN230134