



# County of Monterey

## Zoning Administrator

Legistar File Number: ZA 24-008

February 29, 2024

**Introduced:** 2/22/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN230129 - COOPER DAVID TREVOR**

Consider the construction of a 2,283 square foot single family dwelling with a 624 square foot attached garage, 68 square foot front porch, a 294 square foot wood deck, and associated site improvements.

**Project Location:** 26135 Laureles Grade, Carmel Valley

**Proposed CEQA action:** Find the project categorically exempt pursuant to Section 15303, New Structures, of the CEQA Guidelines and that none of the exceptions to the exemptions listed in Section 15300.2 can be made.

### RECOMMENDATIONS

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

- a. Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303 and that none of the exceptions to the exemptions listed in Section 15300.2 can be made; and
- b. Approve an Administrative Permit and Design approval to allow the construction of 2,283 square foot single family dwelling with a 624 square foot attached garage, 68 square foot front porch, 294 square foot wood deck, and associated site improvements.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 8 conditions of approval.

### PROJECT INFORMATION

**Agent:** Darren Davis

**Property Owner:** David Cooper

**APN:** 416-051-016-000

**Parcel Size:** 44,562 square feet (1.02 acres)

**Zoning:** Rural Density Residential with Building Site - 6 and Visually Sensity overlay districts or "RDR/ B-6-VS"

**Plan Area:** Toro Area Plan

**Flagged and Staked:** Yes

### SUMMARY

The proposed project is includes construction of a 2,283 square foot single family dwelling with an attached 624 square foot garage, and associated site improvements on the parcel located at 26135 Laureles Grade (Accessor's Parcel Number 416-051-016-000) in the Toro Area of unincorporated Monterey County. The parcel sits approximately 260 feet and slightly downhill from Laureles Grade.

Site improvements include a new septic system and new driveway with a small portion of both occurring on slopes in excess of 25%; however, the square footage is below the 500 square foot threshold and is exempt from a discretionary permit. There is no proposed tree removal for this project.

## DISCUSSION

### Land Use & Development Standards

Development on the property is subject to the 2010 Monterey County General Plan, Toro Area Plan (TAP) and Monterey County Zoning Ordinance (Title 21). The Property is zoned as Rural Density Residential with Building Site-6 and Visual Sensitivity zoning overlay districts or “RDR/B-6-VS”. The RDR zoning allows a single family dwelling as a use allowed. The project is consistent with the applicable development standards. RDR zoned lots within the Toro Area Plan are subject to a 25% maximum building site coverage. The proposed site coverage is 7% (3,201 square feet). The required setbacks for main structures are 30 feet from the edge of a right of way easement, 20 feet from the rear property line, 10% of the average lot width (22 feet). The proposed setbacks include a 34 foot front setback, a 50 foot setback on the closest side (west), and a 20 foot rear setback. The proposed main structure meets the required 30 foot height maximum with a proposed height of 24 feet and 4 inches from the average natural grade.

### Visual Resources and Design Review

The site is subject to the regulations of the Visual Sensitivity or “VS” zoning overlay district, which is intended to regulate development that could potentially create adverse visual impacts when viewed from a common public viewing area. Staff conducted a site visit on September 1, 2023 and confirmed that the staking and flagging was not be visible from Highway 68, Laureles Grade, or any other common public viewing area without aided vision due to distance, topography, and existing mature vegetation. The trees along Laureles Grade are taller than the proposed residence, therefore the development will not silhouette against the sky. The proposed residence sits approximately 25 feet lower than the Laureles Grade street level. Therefore, in accordance with Title 21 Section 21.46.030.D.2, an Administrative Permit is required for the construction of main structures.

The proposed design is consistent with the neighboring development. Colors and materials consist of Hardie plank lapped siding in beige with an off-white trim, white vinyl windows and Class “A” composition shingle roofing in a dark-brown mix. The landscape plan and exterior lighting shall be approved by HCD Planning prior to the issuance of building permit(s) through the County’s standard conditions pursuant to Title 21 Section 21.16.060 and Section 21.63.020 respectively.

### Development on Slopes

The proposed project includes development on slopes in excess of 25%; however, pursuant to the 2010 Monterey County General Plan Policy OS-3.5.1.c, if the development impacting slopes in excess of 25% does not exceed 10%, or 500 square feet of the total development footprint (whichever is less), a discretionary permit is not required. In this case, the proposed development in slopes in excess of 25% is approximately 335 square feet at the driveway and leach field, and is therefore exempt from a discretionary permit.

CEQA:

The project qualifies as categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, "New Construction". This exemption applies to the construction of new structures including new single family dwellings in residential zones. This project qualifies for a Class 3 exemption because it is the construction of a single family dwelling and will not likely have any adverse impacts to the environment. All the necessary reports have been obtained and have determined that it is unlikely there will any impacts to archaeological resources or visual impacts. There are no there are no exceptions pursuant to Section 15300.2.

LUAC REVIEW AND PUBLIC COMMENT:

The project was scheduled for a duly noticed Administrative Review on December 6, 2023, however, a public comment was received on December 5th requesting for a public hearing.

The Toro Land Use Advisory Committee (LUAC) reviewed the project on January 22, 2024 at a duly noticed meeting (see **Exhibit E**). The neighbors who submitted the public comment were in attendance and expressed the following concerns: 1) their private views might be compromised, 2) the design is too similar between the two proposed houses on Lot A and Lot B and they would like to see more variation, and 3) they requested to restrict usage of chemicals in the landscaping. It was expressed during the meeting that the County protects public viewsheds, in particular from Laureles Grade and Highway 68, but the concerns were only focused on private views. The LUAC discussed planting 20 additional trees for screening along Laureles Grade, but this would apply to Lot A only. The County also expressed that a final landscape plan approval is a standard condition for most projects and is included with this project, but the County's primary focus will be on native plantings and water usage. It was encouraged by the LUAC to have the neighbors discuss their landscaping concerns with the Applicant. As for the design similarities, the Agent expressed concerns that the layout of the houses cannot be changed due to a utility easement on Lot A and the slope on Lot B. Lot B's garage is on the south elevation and Lot A's garage is on the west elevation. The single-story house is consistent with other houses within the immediate neighborhood and the TAP Section T-3.1. The colors and materials were changed for both buildings prior to the LUAC meeting and the LUAC agreed to these changes. The applicant and the County were at this meeting and addressed these comments to the public.

The LUAC members unanimously voted to recommend approval of the project with changes, however the recommendation for tree screening would only apply to Lot A and although the siting and design of the dwellings on Lot A and B are similar, the siting, design, colors and materials of the proposed project are consistent with the rural character of the area.

Staff is recommending approval of an Administrative Permit and Design Approval subject to the findings and evidence in the attached Resolution (see **Exhibit B**), and subject to the conditions of approval attached to the Resolution.

OTHER AGENCY INVOLVEMENT

The following agencies have reviewed the 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 and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution including:

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

Exhibit C - Geotechnical Report (LIB230227)

Exhibit D - Onsite Waste Management System Feasibility Report (LIB230228)

Exhibit E - Toro LUAC Minutes

Exhibit F - Public Comment

Exhibit G - Vicinity Map

cc: Front Counter Copy; Monterey County Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Hya Honorato, Planner; Anna Quenga, AICP, Principal Planner; David Cooper, Property Owner; Darren Davis, Agent; The Open Monterey Project; LandWatch (Executive Director); Laborers International Union of North America (Lozeau Drury LLP); Planning File PLN230129