

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

Th13a



Prepared December 20, 2007 (for January 10, 2008 hearing)

To: Commissioners and Interested Persons

From: Dan Carl, District Manager
Mike Watson, Coastal Program Analyst

Subject: **City of Carmel-by-the-Sea Local Coastal Program Major Amendment Number 1-06 (Forest Cottages Specific Plan).** For public hearing and action at the California Coastal Commission's January 10, 2008 meeting.

Summary

The City of Carmel-by-the-Sea proposes to amend its certified Local Coastal Program (LCP) Implementation Plan (IP) to establish a Community Plan District and a Specific Plan (known as the "Forest Cottages Specific Plan") on four contiguous lots sandwiched between Torres Street, Mountain View Avenue, and Ocean Avenue near the entrance to the main village area as one drops into Carmel from Highway One. The proposed Specific Plan identifies specific uses, standards, and guidelines that would be applied to future development of the site. The Forest Cottages Specific Plan would be inserted into the LCP as a component of IP Chapter 17.22.

The Forest Cottages Specific Plan generally reflects the LCP's single family residential (R-1) provisions in terms of land use issues (i.e., type of uses, development standards, etc.), the multi-family residential (R-4) standards for parking requirements, and the residential design guidelines for design related issues. The Plan also requires lot merger, and provides for four new residential condominium units, preservation and restoration of an existing historic residence to be used to house two affordable housing units, an eight-space underground parking garage, and roughly 2,000 square feet of open space at the corner of Mountain View Avenue and Ocean Avenue.

The Forest Cottages Specific Plan generally addresses coastal resource issues regarding residential development in Carmel, including establishing use, density, and intensity standards that are compatible with the surrounding neighborhood and Carmel's built environment. However, the Specific Plan is not detailed enough to hone in on what might be expected to follow in terms of siting, design, and landscaping. As such, the Specific Plan is not detailed enough to ensure that a future project approved under the Plan would be consistent with maintaining Carmel's community character, including in relation to the protection of natural and historic resources. As such, the Plan cannot be found consistent with the provisions of the certified Land Use Plan (LUP), the standard of review for IP amendments.

The City has, however, already taken an action on a fairly detailed project for the site meant to follow the Specific Plan. For the most part, this City approved project fills in the details missing from the Specific Plan itself in away that mostly addresses the LUP concerns. It doesn't completely track the landscaping (both for character and screening along Ocean Avenue) and water quality requirements of the LUP, but the approved project does in large measure provide a foundation for what would be an approvable project here.



California Coastal Commission

January 2008 Meeting

Staff: Mike Watson Approved by:

Th13a-1-2008

Accordingly, and in order to ensure that LUP consistency is achieved, staff recommends that the IP amendment be approved only if the Specific Plan is modified to tether it explicitly to the City-approved project, and to require that more detailed landscaping and water quality parameters consistent with the LUP are made part of any final action here (i.e., the City would still need to take a final coastal permit action if the Specific Plan is certified by the Commission). These changes are necessary to ensure that the City’s character and resources are protected at this important gateway site relative to the City’s village core.

With the suggested modifications, staff recommends that the Commission find that the proposed Implementation Plan amendment is consistent with, and adequate to carry out the provisions of the certified Land Use Plan.

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I. Staff Recommendation – Motions & Resolutions

Staff recommends that the Commission, after public hearing, certify the proposed amendment only if modified. Two motions (and take two votes) are required in order to act on this recommendation.

A. Denial of Implementation Plan Amendment as Submitted

Motion. I move that the Commission reject Major Amendment Number 1-06 to the City of Carmel-by-the-Sea Local Coastal Program Implementation Plan as submitted by the City.

Staff Recommends Rejection. Staff recommends a **YES** vote. Passage of this motion will result in rejection of the amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Denial Resolution. The Commission hereby **denies** certification of Major Amendment Number 1-06 to the City of Carmel-by-the-Sea Local Coastal Program Implementation Plan as submitted by the City and adopts the findings set forth below on the grounds that the Implementation Plan Amendment as submitted does not conform with, and is inadequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan amendment would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Plan as submitted.

B. Approval of Implementation Plan Amendment if Modified

Motion. I move that the Commission **certify** Major Amendment Number 1-06 to the City of Carmel-by-the-Sea Local Coastal Program Implementation Plan if it is modified as suggested in this staff report.

Staff Recommendation. Staff recommends a **YES** vote. Passage of this motion will result in certification of the Implementation Plan amendment with suggested modifications and adoption of the following resolution and findings. The motion passes only upon an affirmative vote of a majority of the Commissioners present.

Certification Resolution. The Commission hereby **certifies** Major Amendment Number 1-06 to the City of Carmel-by-the-Sea Local Coastal Program Implementation Plan if modified as suggested and adopts the findings set forth below on the grounds that, as modified, the Implementation Plan amendment conforms with, and is adequate to carry out, the provisions of the certified Land Use Plan. Certification of the Implementation Plan amendment if modified as suggested complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts which the Implementation Plan amendment may have on the



environment.

II. Suggested Modifications

The Commission suggests the following modifications to the proposed LCP amendment, which are necessary to make the requisite consistency findings. If the City accepts and agrees to each of the suggested modifications within six months of Commission action (i.e., by July 10, 2008), by formal action of the City Council, the LCP amendment will become effective upon Commission concurrence with the Executive Director's finding that this acceptance has been properly accomplished. Where applicable, text in ~~cross-out~~ format denotes text to be deleted and text in underline format denotes text to be added. All changes apply within LCP IP Chapter 17.22 (Community Plan Districts/Specific Plans) under Article 1: Forest Cottages Specific Plan

1. Landscape and Tree Screening Plan Requirement. Add the following new text after the section on Parking requirements as follows:

Landscaping:

A Landscape Plan shall be submitted to the City Forester for review and approval and shall include an appropriate mix of upper and lower canopy vegetation that will ensure the project site is adequately screened from public roadways along Ocean Avenue, Mountain View Avenue, and Torres Street for the life of the project. Upper canopy trees (i.e., Monterey pine and cypress) as well as lower canopy trees (i.e., coast live oak) shall be planted within the required open space area and along the Ocean Avenue, Mountain view Avenue, and Torres Street road rights of way in a manner that approximates a natural woodland and to screen the development from the roadways at plant maturity. All existing vegetation along the Ocean Avenue and Mountain View Avenue public rights-of-way, as well as new landscaping required on-site, including trees, shrubs, and plants shall be maintained in a healthy growing condition for the life of the project. The Landscape Plan shall include performance criteria that upon maturity, a continuous tree canopy and understory will as described above, obscure Ocean Avenue views of the project site, and be maintained thereafter over the life of the development, including explicit remediation requirements to replace dead or poorly performing trees and vegetation as necessary to maintain the visual screen required. All replacement trees and vegetation shall be comprised of native species indigenous to Carmel (i.e., from local stock).

All existing non-native, invasive species shall be removed and shall be kept from the entire site in perpetuity. The Landscape Plan shall assure that no plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California are used or allowed to persist on the site. The plan shall also ensure that no plant species listed as a noxious weed by the State of California or the U.S. Federal Government are used.

2. Ensure Consistency With Project Plans. Revise the "New Structures" section to ensure that future



development conforms to the project plans submitted to the Commission with the LCP amendment package (see Exhibit E) as follows:

New Structures:

This Development of the Forest Cottages Specific Plan site shall be carried out approved in conjunction accordance with design approvals DR 05-7/UP 05-5 issued by the Planning Commission on December 7, 2005 for the construction of four new residential units, modification of the existing historic structure for two affordable housing units, a subterranean garage, and site circulation, drainage, and landscaping. All development shall be substantially in conformance with the project plans titled Forest Cottages approved under DR 05-7 and UP 05-5. All future proposals for new construction or alterations shall require approval of all requisite permits, including coastal development permits, by the Planning Commission, and shall be preceded by an amendment to the Forest Cottages Specific Plan (i.e., an LCP Implementation Plan amendment). In considering such applications, the Planning Commission shall address the following: ...

3. Historic Structures and Tree Protection. Revise the “Alterations to Vegetation or Existing Structures” section as follows:

Alterations to Vegetation or Existing Structures:

The following regulations shall apply to the existing historic structure and vegetation within the Specific Plan area.

- A. Historic Structure. The existing historic structure on lot B shall be protected, preserved, and enhanced. All proposals for additions or alterations shall be subject to Historic Review in accordance with CMC (Implementation Plan) Section 17.32.14 and Design Review in accordance with CMC (Implementation Plan) Section 17.58.
- B. No tree as determined by the City Forester to be significant shall be removed with out approval of the Forest and Beach Commission. Applications for tree removal, pruning, or alteration shall be carried out in accordance with CMC (Implementation Plan) Section 17.48. Significant trees that have been removed shall be replaced in accordance with the provisions of CMC (Implementation Plan) Sections 17.48.8 and 17.48.10. All vegetation alterations shall be consistent with the Landscaping provisions required by this specific plan.

4. Drainage Plan Requirement. Add the following new text after the section on Development Regulations as follows:

Drainage Plan:

A drainage plan shall be submitted to the City of Carmel-by-the-Sea Community Planning and Building Department for review and approval. The plan shall be in substantial conformance with the July 6, 2006 plans prepared by Neill Engineers Corp. and approved under DR 05-7 and UP 05-5, which shall be



revised and supplemented to comply with the following requirements:

The drainage plan shall identify the specific type, design, and location of all drainage infrastructure and Best Management Practices (BMPs) necessary to ensure that post construction drainage from the project, including runoff from the residences, paths, parking areas, and other impervious surfaces, does not result in erosion, sedimentation, or the degradation of coastal water quality. Such plan shall clearly identify a drainage system designed to collect, filter, and treat all runoff prior to its discharge from the site and to remove vehicular contaminants and other typical urban runoff pollutants more efficiently than standard silt and grease traps. The drainage system shall be designed to filter and treat (i.e., a physical and/or chemical reduction of pollutants achieved through active filtration and treatment) the volume of runoff produced from each and every storm event up to and including the 85th percentile 24-hour runoff event for volume-based BMPs and/or the 85th percentile, 1-hour runoff event (with an appropriate safety factor) for flow-based BMPs prior to its use for on-site infiltration, landscape irrigation, and/or discharge. The drainage system may include natural biologic filtration components such as vegetated filter strips, percolation pits, and grassy swales provided that they are populated with native plant species capable of active filtration and treatment (e.g., rushes). If grades require, natural check-dams may be used in such biologic filters. The applicant shall be responsible for implementing and maintaining drainage, erosion, and sedimentation control measures and facilities for the life of the project. This shall include performing annual inspections, and conducting all necessary clean-outs, immediately prior to the rainy season (beginning October 15), and as otherwise necessary to maintain the proper functioning of the approved system.

III. Findings and Declarations

The Commission finds and declares as follows:

A. Overview of Implementation Plan Amendment

1. Location, Background, Description

Location

The proposed Implementation Plan (IP) amendment would apply to four contiguous lots sandwiched between Torres Street, Mountain View Avenue, and Ocean Avenue (Block 79, Lots 1 – 4; APNs 010-085-003, 004, and 005) on the eastern edge of the village (see Exhibit A). Ocean Avenue extends from its intersection at Highway One through the center of the town's commercial core, to its terminus at Carmel Beach and Carmel Bay. The subject site is situated at a five-way corner at the gateway to the commercial district and the main village area where Ocean Avenue meets Junipero Avenue. The subject lots are currently designated by the LCP for single family residential use and development, and the four lots together constitute an entire, albeit small (about 13,000 square feet total), triangular-shaped city block. An existing residence, designated as a historic structure, is located on the southeastern portion of the property on one of the lots. The site is surrounded by a variety of land uses: to the east properties are also residential, to the west is the main commercial core of the City, to the north is a residential-



commercial transition area, and across the five-way intersection at Junipero Avenue and 6th Street is a public park.

LCP Background

The City of Carmel-by-the-Sea LCP LUP was certified by the Commission on June 19, 2003. The City's LCP IP was certified on October 14, 2004, and the City has assumed coastal permitting authority under the LCP from that time forward. The certified LCP allows for the establishment of Community Plan Districts/Specific Plans as components of the LCP IP (IP Chapter 17.22 (CP/SP)). In general, the purpose of the CP/SP overlay is to provide for coordinated infill development and affordable housing subject to thorough and detailed planning and review procedures that will result in compatible designs and preservation of Carmel's natural, cultural, and historic resources. On June 13, 2007, the Commission certified an amendment to IP Chapter 17.22 that provided additional clarification of procedural requirements for the review, approval, and certification of Community Plan Districts/Specific Plans, and to eliminate then-existing size restrictions for potential Community Plan Districts/Specific Plans. As is the case in this application, each individual Community Plan District/Specific Plan proposal would be part of the IP, thus requiring approval and certification of an amendment to Carmel's certified LCP.

LCP Amendment Description

The City of Carmel-by-the-Sea proposes to establish a Community Plan District and a corresponding Specific Plan for the subject site. The "Forest Cottages Specific Plan" would apply solely to the four lots described above and would identify the uses, standards, and guidelines to be applied to the triangular shaped site. The Plan generally reflects the LCP's single family residential provisions in terms of land use issues (i.e., type of uses, development standards, intensity, etc.), the multi-family residential standards for parking requirements, and the residential design guidelines for design related issues. The Plan also would require a lot merger, and would allow for construction of up to four residential condominium units, restoration of the existing historic residence to be used as two affordable housing units, subterranean parking, and preservation of roughly 2,000 square feet of open space near the corner of Mountain View Avenue and Ocean Avenue. The existing four lots would be required to be merged into two lots: Lot A would be 9,892 square feet, and Lot B would be 3,019 square feet (see Exhibit E for an illustration of this required merger). The allowed use of Lot A would be for the four residential condominium units. The two affordable housing units in the existing historic structure would be on Lot B, and would be required to be permanently provided and dedicated via deed restriction as affordable units.

With respect to Lot A, the maximum allowed floor area for each new residence would range between 1,522 square feet and 1,781 square feet. Site coverage would be limited to 1,833 square feet (18.5%) and all site coverage not located directly above the underground garage would be either permeable or semi-permeable. All first floor elements would be setback a minimum of five feet from any property line adjacent to a City street. All second story elements would be located a minimum of 15 feet from any property line adjacent to a City street. Maximum height of each new structure would be limited to 24



feet from existing or finished grade, whichever is more restrictive.

Lot B regulations are specific to the existing historic structure present there, and would include retaining and restoring the existing historic residence for use as the two affordable units. All exterior alteration requests would be approved by the City's Historic Preservation Board and would have to be consistent with the Secretary of the Interior Standards for the Treatment of Historic Resources pursuant to Title 17.32 of the Implementation Plan. The existing height of the structure (28 feet) would not be increased. Site coverage would be limited to 550 square feet (18%) and a minimum of 50% of all site coverage would be required to be permeable or semi-permeable. Setbacks would be unchanged at 0 feet for Torres Street and 6 feet for Mountain View Street. The north property line setback would be reduced (via lot line adjustment/merger) to 2 feet.

Ten total parking spaces would be required on-site to address parking requirements. The associated plans for the project show that eight of these parking spaces would be provided in a subterranean garage that would be accessed via a single driveway from Mountain View Street, and two spaces would be provided above ground for the units on Lot B, accessed via a single driveway off Torres Street.

Finally, the Specific Plan provides for a 2,040 square foot area on the northwest corner of the site to be set aside as undeveloped open-space. The area is required to be landscaped pursuant to a landscape plan approved by the City Forester. With the exception of park benches and 4-foot wide footpaths, no further developed would be permitted in this area by the Specific Plan.

In sum, the proposed Specific Plan is fairly detailed, and its parameters have generally been based on a site plan and a proposed development for the site that would follow it (see project plans in Exhibit E). The Specific Plan would put in place the necessary LCP requirements, and then a project would follow by virtue of a coastal development permit. In that sense, although the permit for the development itself is not technically before the Commission at this time, the expected project is developed to a level of detail, including through actual proposed plans, that allows the Commission to understand clearly the type of development that might be expected to follow this LCP amendment change.

2. Procedure/Standard of Review for LCP Amendments

The relationship between the Coastal Act and the local government's LCP can be described as a three-tiered hierarchy with the Coastal Act setting generally broad statewide policies. The LUP portion of the LCP incorporates and refines Coastal Act policies for the local jurisdiction, giving local guidance as to the kinds, locations, and intensities of coastal development. The IP (or zoning) portion of an LCP typically sets forth zone districts and site regulations which are the final refinement specifying how coastal development is to be implemented on a particular parcel. The IP must be consistent with, and adequate to carry out, the policies of the LUP. In this case, the proposed amendment includes a Specific Plan that would be added to the IP component of the Carmel-by-the-Sea certified LCP. Thus, the standard of review for the amendment is consistency with the certified LUP.

B. Consistency Analysis

The LUP generally requires new development to preserve and maintain the residential and natural



character of the village, including the ‘village in the trees’ marriage of the built and natural environment that Carmel is famous for, and to maintain a balance of land uses compatible with the established pattern of development and the natural environment. To accomplish these objectives, the LUP contains a variety of policies to encourage innovative site design and a range of architectural expression, to prohibit oversized and massive development, to protect historic resources, to preserve and enhance the City’s unique forest resources, to ensure adequate off-street parking, and to maintain/enhance coastal water quality.

1. Community Character

A. Applicable Policies¹

LUP Policy G1-2 Preserve the residential village character and perpetuate a balance of land uses compatible with local resources and the environment.

LUP Policy P1-38 Each site shall contribute to neighborhood character including the type of forest resources present, the character of the street, the response to local topography and the treatment of open space resources such as setbacks and landscaping. It is intended by this policy that diversity in architecture be encouraged while preserving the broader elements of community design that characterize the streetscape within each neighborhood.

LUP Policy G1-4 Promote the identification and preservation of historic resources including buildings, structures, objects, sites, districts, and archaeological resources that represent the unique architectural, cultural, and historic and pre-historic identity of Carmel-by-the-Sea...

LUP Policy G1-5 Protect and enhance historic resources.

LUP Policy P5-58 Maintain, restore and enhance a predominantly indigenous forest of native Monterey pines and coast live oak.

LUP Policy P5-60 Review all projects involving an increase in lot coverage or tree removal and apply the adopted tree density policy as appropriate to each neighborhood and site conditions....

LUP Policy P1-40 Residential designs shall maintain Carmel’s enduring principles of modesty and simplicity and preserve the City’s tradition of simple homes set amidst a forest landscape. Buildings shall not present excess visual mass or bulk to public view or to adjoining properties....

LUP Policy P1-121 Use appropriate vegetation for all public rights-of-ways. Require drought-tolerant plants for at least 75% of the commercial and residential landscaping on each development site. Require the use of native plants and/or non-invasive drought-tolerant plants adapted to the Central Coast environment in all landscape plans for new development.

¹ Given the large number of policies that apply, the policies listed here are a subset of the most relevant LUP policies. A more complete listing can be found in Exhibit F.



LUP Policy PI-50 Establish landscaping standards to preserve the urban forest of Monterey pine, Monterey Cypress, Redwoods, and Coast Live Oaks, and encourage informal gardens using native vegetation to maintain the natural character of open spaces in the residential areas.

B. Analysis of the Forest Cottages Specific Plan Proposal

A significant part of the City of Carmel's LCP planning exercise that culminated in LCP certification in 2004 was dedicated to the identification of the many elements (natural, cultural, and historical) that together comprise the unique character of Carmel-by-the-Sea. In large measure it was determined to be the synthesis of the town's predominantly residential neighborhoods, varied and distinct architectural styles, small-scale design, urban forest environment, storied historic residences and structures, natural topography, and informal streetscapes that defined its character. These features, in addition to the town's exceptional location on the Monterey peninsula, framed in by the Del Monte Forest upcoast, and the gateway to the Big Sur coast downcoast, its fabulous white sand beach, and its outstanding coastal vistas, create a "community character" that attracts thousands of visitors annually.

Land Use Type and Intensity

The proposed Forest Cottages Specific Plan would protect and enhance the character of the community by maintaining and facilitating a residential use as designated for the LUP for this location consistent with the established pattern of development to the south and east of the site. The subject lots are located in the 1910 subdivision otherwise known as the "80 Acres." This area is almost entirely designated by the LUP for single-family residential uses and development, and is developed at a moderate intensity with small-scale single-family residences. The proposed plan would rezone the site from R-1 to R-1/CP, and continue to designate this location for residential development compatible with the neighborhood.

In terms of residential density, the LCP generally allows single-family residential development densities ranging from two to eleven units per acre. Above ground building intensity may not exceed 45 percent floor area ratio, and all development requires at least 45 percent of open space. In addition, even though not technically the standard of review for specific plans, the CPD/SP overlay standards are explicit in limiting density to the maximum allowed by the City in any district. The City's maximum density is 44 units per acre when affordable housing is part of a project, and 33 units per acre when no affordable housing is proposed. Within the R-1 zone district, one single-family dwelling unit is allowed per lot, for a total of 11 units per acre for a typical 4,000 square foot lot.

There are four existing lots on the Forest Cottages Specific Plan site. As proposed, the plan allows for four residential condominium units plus restoration of a historic residence with two low-income, affordable units. As such, the proposed specific plan would allow for a similar residential density/intensity at this location as would be allowed without the Specific Plan, albeit slightly higher in terms of units per lot. The additional density would account for the two affordable units, one of the objectives of using the specific plan process in the City. Given the existing lot configuration (see Exhibit xxx) however, the existing allowed density could be perceived as more intense than (or at least as intense as) that proposed because of both the condominium nature of the units allowed by the Specific Plan, and also because the existing lot configuration would site residential development near the highly publicly visible corner where Ocean Avenue meets Junipero Avenue. The Specific Plan would readjust



lot lines and require the corner of the property that is most visible in public views at the corner to be maintained permanently in open space, thus ensuring that subsequent development has the least possible impact on public views and character at this important gateway location.

The proposed Specific Plan land use type and density can be found consistent with the LUP.

Design and Style

As noted above, the proposed Specific Plan defines the general parameters for development of the site including establishing the maximum floor area, minimum yard setbacks, overall height limits, second-story offsets, etc. These standards are meant to minimize mass and bulk and ensure project compatibility with the pattern of residential development in the vicinity. However, although detailed project plans have been developed for the site, these plans are not technically part of the Specific Plan, and the Plan otherwise does not delve into the specifics of architectural style or site design, nor does it address the use of exterior materials as would be normally required of a residential development proposal. Given the importance of detailed development parameters to understanding the effects of any particular project on the character of Carmel, and given the subject site is not in an area where coastal development permit decisions are appealable to the Commission, this lack of detail in the Specific Plan itself is problematic.

That said, a proposed project for the site that would follow the Specific Plan has been developed, and this aspect of the proposal has been reviewed and approved under separate application to the City's Planning Commission (see Exhibit E: Site Plans and Elevations, DR 05-7 and UP 05-5).² The approved residential dwelling units would be consistent with the provisions of the allowed uses and development standards identified in the Specific Plan (i.e., FAR, height, setbacks, etc.), and they also include a variety of exterior siding materials and treatments to ensure Carmel's character is not adversely affected (including the use of Carmel stone, board and batten, shingles, and horizontal ship-lap siding that customary for residential dwellings in this location). In other words, the City's approval authorizes a very precise project, including specific design parameters compatible with the character of the residential neighborhood, the existing historic dwelling, and the surrounding natural environment, but these specific provisions are not reflected in the Specific Plan before the Commission.

Thus, as proposed, the Specific Plan falls short of identifying all necessary components of appropriate site design and architectural expression to ensure neighborhood compatibility and protection of community character overall as required by the certified LUP. In order to address the requirements of the LUP, more detailed standards are needed that require development of the subject site be carried out in accordance with the City's design approvals, and to ensure appropriate landscaping and screening along Ocean Avenue (see Suggested Modifications 1, 2, and 3). These modifications ensure that the future coastal permit project would protect and enhance the built and natural environment at this location consistent with maintaining the special community character of the City of Carmel, including at this important gateway site. Any subsequent changes would require an amendment to Forest Cottages

² The City's action in this respect cannot be considered a final coastal permit action inasmuch as the LCP has not yet been amended by the Specific Plan and thus a coastal development permit pursuant to the Plan cannot yet be finally approved by the City. The City would need to change the Specific Plan pursuant to the Commission's suggested modifications, and the Commission would need to certify the City's action as legally adequate in that respect before the City could take such a final coastal permit action. In that sense, the City's prior approval can be likened to a conceptual approval of the project.



Specific Plan.

Forest Resources and Landscaping

The certified LUP requires the preservation and enhancement of the City's urban forest resources including the indigenous stands of native Monterey pine and coast live oak. LUP policies further require each new development to contribute to the character of the street and neighborhood through the establishment and treatment of open space and landscaping, application of adopted tree density standards, and minimization of visual mass and bulk from public vantages.

As with the previous finding, the Specific Plan suffers from the same problem whereby the details of the project approved by the City are not explicitly reflected in the Plan. For example, although the Specific Plan references certain landscaping goals for certain areas, it does not provide adequate detail on the specific requirements associated with landscaping that would be required. In addition, landscape aspects of the City approved project are not completely responsive to this point either. Thus, the Specific Plan and the City approval are inadequate to protect community character, including the forest and other natural resources inherent to such character, and particularly along significant public view corridors like Ocean Avenue, as required by the LUP. For example, the LUP requires new development to be screened from the public view (including the entire length of Ocean Avenue, as well as Torres Street and Mountain View Avenue), prohibits the use of non-native invasive plant species, and requires sites to maintain the appropriate balance of upper and lower canopy trees and vegetation, but neither the proposed Specific Plan nor the City's approval adequately capture all these requirements. Accordingly, the Specific Plan is inadequate to carry out the certified LUP and modifications are needed to bring the Plan into conformance. Suggested Modification 1 requires the submittal of a landscape plan that provides for an appropriate mix of native upper and lower canopy trees to ensure adequate screening from all public vantages for the life of the project. Additionally, the new standard requires maintenance and monitoring of all new and existing vegetation, a prohibition on the use of non-native invasive species, as well as performance criteria and explicit remediation for under-performing and/or dead vegetation.

Historic Resources

Pursuant to Sections G1-4 and G1-5 of the certified LUP, historic resources shall be protected, preserved, and enhanced. The Forest Cottages Specific Plan contemplates the conversion of the existing historic structure on Lot B into two affordable units as a means to achieve consistency with the LUP. The Plan requires the historic resource to be maintained, enhanced, and permanently dedicated via deed restriction to providing housing for low-income or very low-income households as defined by State statutes. The Plan also prohibits demolition of the historic resource and provides general development guidelines for the enhancement of the dwelling. Although these Plan guidelines are acceptable to carry out the intent of the LUP, the Plan does not adequately reflect the City design approvals (again, see Exhibit E; DR 05-7/UP 05-5). Modifications are included to better tether the Specific Plan to the details of the project that would be expected to follow (see Suggested Modifications 2 and 3).



Parking

The certified LUP requires new development to provide sufficient off-street parking to alleviate congested streets and avoid adverse visual impacts. The Forest Cottages Specific Plan requires eight parking spaces be provided for the four new residential units on Lot A and allows the parking to be placed in a subterranean parking garage with a single driveway access off of Mountain View Avenue. In addition, the Plan requires two parking spaces, one each for the affordable units on Lot B, with a single driveway access from Torres Street. To the extent this occurs, the Specific Plan can be found consistent with the LUP in this respect. That said, and as with previous issues discussed, the subterranean parking garage details, a component that is critical to ensuring the site isn't covered with cars in a way that would detract from community character, are not explicitly reflected in the Specific Plan. Suggested Modification 2 requires the construction of the subterranean garage be carried out in conformance with the City's design approvals (DR 05-7/UP 05-5) (see Exhibit E).

C. Community Character Conclusion

Modifications are necessary for the Commission to be able to find the proposed IP amendment consistent with the policies of the certified LUP designed to protect the community character of Carmel. The primary way in which this is accomplished is to ensure that the more detailed parameters approved by the City in its action on the project that would follow the Specific Plan are clearly referenced in the Specific Plan itself. In this way, the Commission can be assured that the more detailed project parameters (see Exhibit E) are actually what would follow the Specific Plan, and can be assured in that way that some other project that is not so clearly protective of Carmel's character doesn't instead follow. In addition, the suggested modifications ensure that the proposed development of the site is adequately screened from public roadways via native landscaping, they ensure that the new residential structures are compatible with the character of the City's built and natural environment, and they ensure protection and enhancement of the existing historic resource by requiring the conversion be carried out in accordance with the LUP. In conclusion, the Commission finds that the Implementation Plan amendment, if modified as described above, is consistent with and adequate to carry out the certified Land Use Plan with respect to community character.

2. Water Quality

The City of Carmel lies within the Carmel River and Pescadero Creek watersheds. Numerous coastal creeks drain from these watersheds into the Pacific Ocean and Carmel Bay, where popular public recreation areas exist. The California Ocean Plan designates Carmel Bay as an Area of Special Biological Significance (ASBS) from Pescadero Point to Granite Point. Carmel Bay is also designated by the state as a State Marine Conservation Area (SMCA), and as a Water Quality Protection Area (WQPA). The Bay was also historically recognized as a state Ecological Preserve, but the Ecological Preserve designation was replaced by the SMCA designation. Carmel Bay is also part of the largest marine sanctuary in the nation, the Monterey Bay National Marine Sanctuary (MBNMS). In sum, Carmel Bay is recognized by a series of overlapping state designations that reflect its rich biological resources and overall value.

The Carmel Bay ASBS/SMCA/WQPA designations, and the MBNMS designation, heighten the



concern that water quality issues be comprehensively addressed with new development, including requirements that water quality be maintained. Maintaining and restoring water quality throughout City of Carmel watersheds is necessary to protect these sensitive coastal resources.

A. Applicable Policies³

LUP Policy G5-7 ... minimize storm runoff.

LUP Policy O5-22 Maximize retention of surface water on each site through site design and use of best management practices.

LUP Policy P5-194 Integrate storm water quality protection into construction and post-construction activities at all development sites. Evaluate the ability of each site to detain storm water runoff and require incorporation of detention facilities or other controls as appropriate.

...

LUP Policy P5-199 Consistent with section 30231 of the Coastal Act, development shall not result in the degradation of coastal waters caused by the introduction of pollutants, or by changes to the landscape that adversely impact the quality, quantity and flow dynamics of coastal waters. Runoff shall not be discharged in a manner that adversely impacts the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and protect of human health.

LUP Policy P5-201 BMPs [Best Management Practices] shall be incorporated into the project design in the following progression:

Site Design BMPs: Any project design feature that reduces the generation of pollutants or reduces the alteration of the natural drainage features, such as minimizing impervious surfaces or minimizing grading;

Source Control BMPs: Practices that prevent release of pollutants into areas where they may be carried by runoff, such as covering work areas and trash receptacles, practicing good housekeeping, and minimizing use of irrigation and garden chemicals;

Treatment Control BMPs: Any system designed to remove pollutants from runoff including the use of gravity settling, filtration biological uptake, media adsorption, or any other physical, biological, or chemical process.

Site design and source control BMPs shall be included in all new developments. Where the development poses a threat to water quality due to its size, type of land use or proximity to coastal waters (or proximity to creek, channel or storm drain system that leads to coastal waters) and the combination of site design and source control BMPs is not sufficient to protect water quality as required by P5-199, treatment control BMPs shall be implemented.

³ Id. See also Exhibit F.



B. Water Quality Analysis

The certified LUP requires that all be done to reduce stormwater runoff and pollutant loads into Carmel Bay and area streams and creeks. The LUP is specific in terms of required site design and use of best management practices to maximize water retention on-site in all new development proposals. Where necessary, the LUP requires the construction of detention basins and/or treatment controls to reduce the volume and pollutants from runoff prior to conveyance off-site.

The Forest Cottages Specific Plan attempts to address water quality concerns through restrictions on site coverage for Lots A and B, as well as requirements for permeable or semi-permeable materials. Nevertheless, site coverage of this roughly 13,000 square foot site will more than double from current conditions and likely exacerbate both runoff and pollutant loads without the incorporation of storm water quality protection measures. Furthermore, the required underground parking structure will require a significant amount of grading that will alter drainage patterns on the site that could again, without proper controls, lead to an increase in the volume of water and pollutants leaving the site. In addition, runoff within the garage will be expected to include vehicular contaminants that if not appropriately filtered and treated may find their way into coastal water bodies to the degradation of resources present there and ultimately to the Carmel Bay and MBNMS. The Specific Plan, and even the City's approval to date, do not adequately address such water quality concerns consistent with the LUP provisions above.

In order to bring the Specific Plan into conformance with the LUP, Suggested Modification 4 requires the submittal of a detailed drainage plan. As recommended, the drainage plan is required to identify the type, design, and location of all drainage infrastructure and BMPs necessary to ensure post-construction runoff from all impervious surfaces does not result in erosion, sedimentation, or degradation of coastal water quality. The drainage system must be capable of filtering and treating the volume of water produced from each storm event up and including the 85% percentile, 24-hour runoff event for volume-based BMPs and/or the 85th percentile, 1-hour runoff event (with an appropriate safety factor) for flow-based BMPs prior to its use for on-site infiltration, landscape irrigation, and/or discharge off-site. Drainage systems using natural biologic filtration components (such as percolation pits, vegetated swales, etc.) are preferred. The City approved project was based on a drainage plan prepared by Neill Engineers, and the recommended modification above provides for this plan to be supplemented to comply with the above requirements.

In conclusion, the Commission finds that the Implementation Plan amendment, if modified as described above, is consistent with and adequate to carry out the certified Land Use Plan's water quality provisions.

C. California Environmental Quality Act (CEQA)

The Coastal Commission's review process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA Section 21080.5. Therefore, local governments are not required to undertake environmental analysis of LCP amendments (CEQA Section 21080.9), although the Commission can and does use any environmental information that the local government has developed. CEQA requires that alternatives to the proposed action be reviewed and considered for their potential impact on the environment and that



the least damaging feasible alternative be chosen as the alternative to undertake.

In this case, the City acting as the lead agency approved a Negative Declaration for the change in land use and development allowed by the LCP amendment. The Commission has used this information in its analysis of the proposed IP amendment, and has identified additional measures that need to be incorporated into the amendment in order to avoid adverse environmental impacts. These measures are embodied in the suggested modifications to the City's proposed amendment.

As such, this staff report has discussed the relevant coastal resource issues with the proposal, and has recommended appropriate suggested modifications to avoid and/or lessen any potential for adverse impacts to said resources. All public comments received to date have been addressed in the findings above, which are incorporated herein in their entirety by reference. There are no additional feasible alternatives, nor feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment, as modified, would have on the environment within the meaning of CEQA. Thus, if so modified, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).



Exhibit A: Location Maps

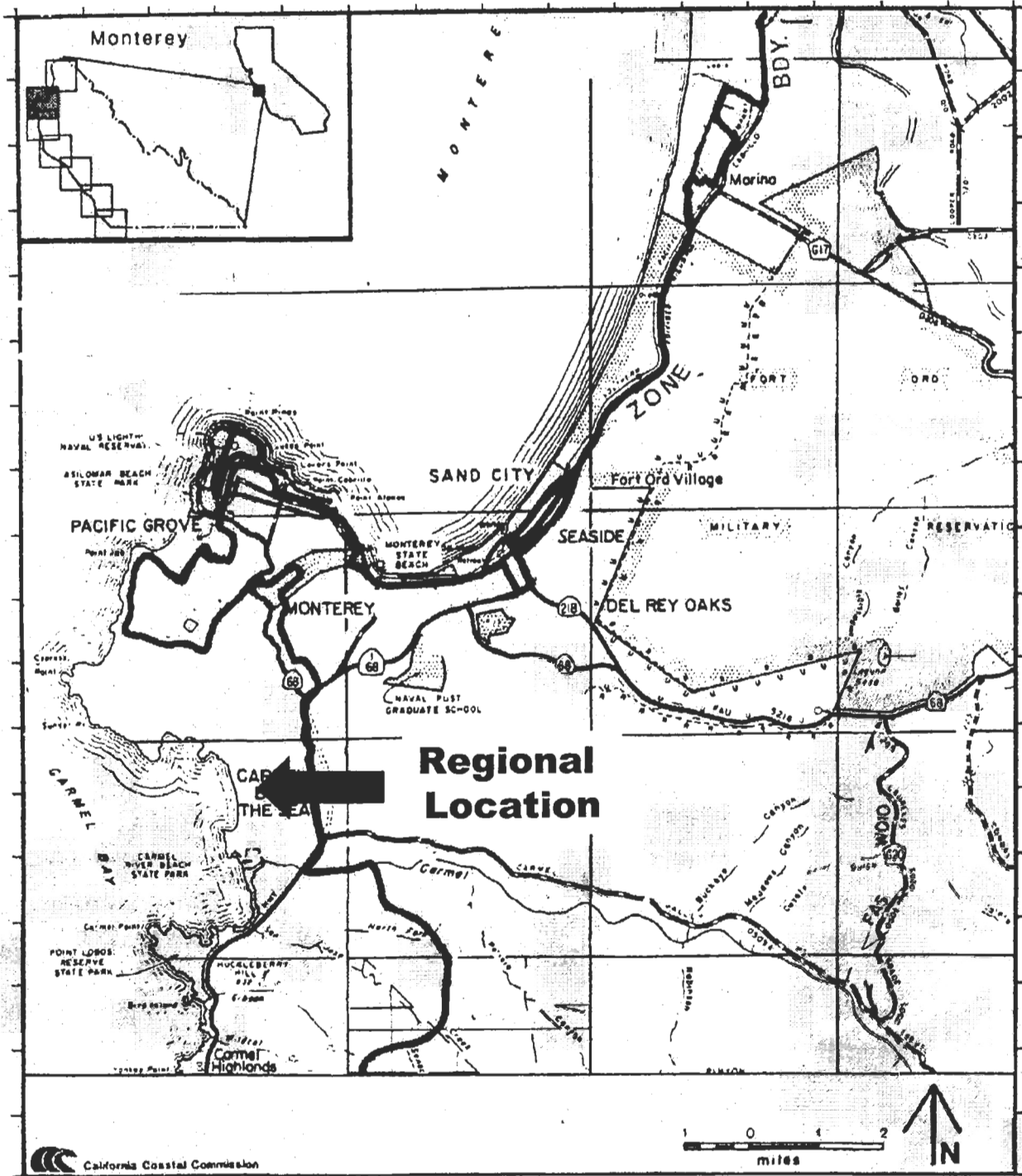
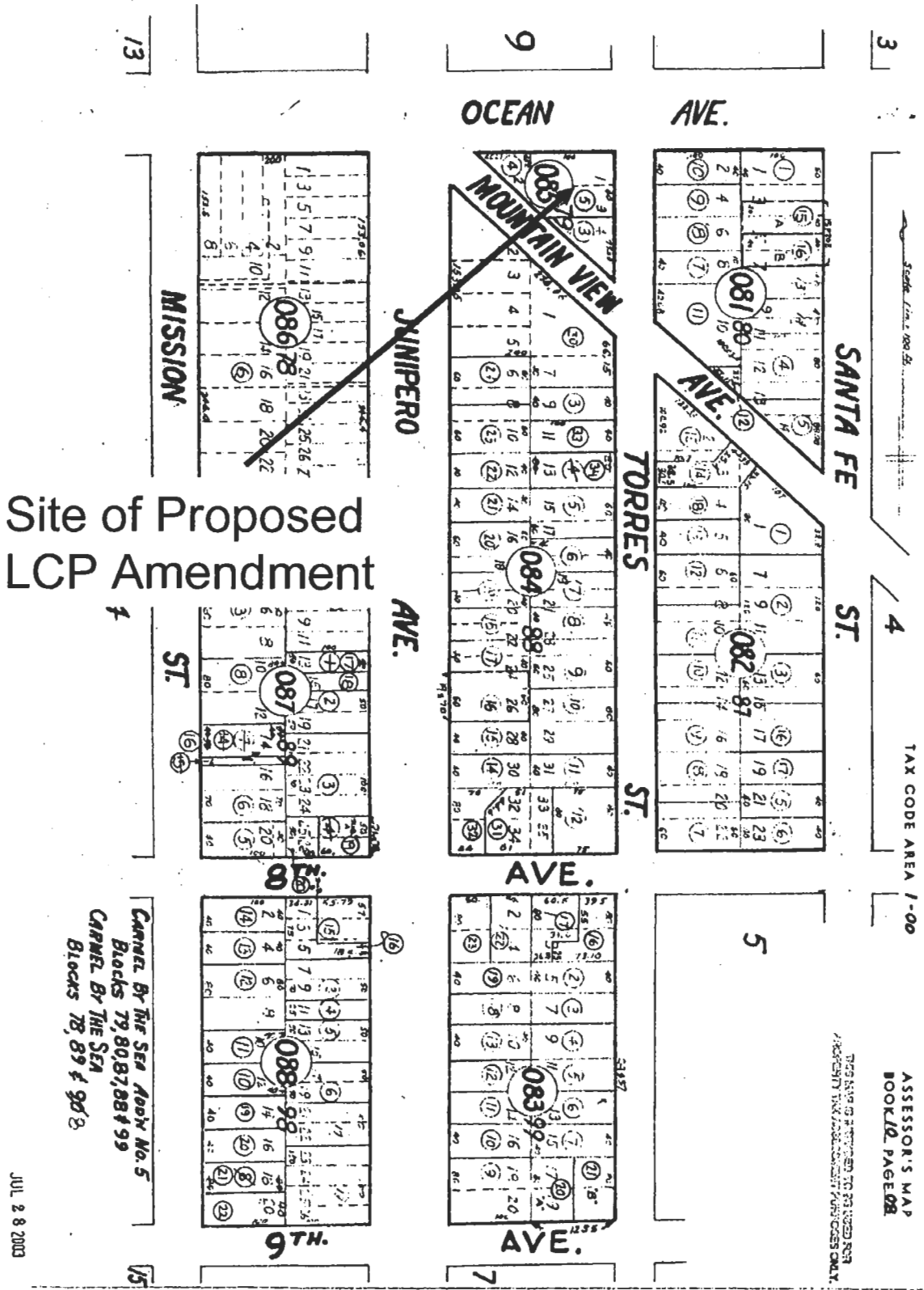


Exhibit A: Location Maps



Site of Proposed LCP Amendment

CARNEL BY THE SEA ADOBY No. 5
 Blocks 79, 80, 87, 88 & 99
 CARNEL BY THE SEA
 Blocks 78, 89 & 90 &

JUL 28 2003

Exhibit B: Forest Cottages Specific Plan

EXHIBIT "B"

Forest Cottages Specific Plan

Designated:

The provisions set forth in this Specific Plan shall apply only to Block 79 between Mt View Avenue, Ocean Avenue and Torres Street.

Goals:

- A. Provide an efficient plan for the development of a uniquely located parcel;
- B. Maintain and enhance an existing historic structure;
- C. Provide two units of low income housing;
- D. Design structures that maintain a residential character consistent with the Residential Design Guidelines through a variety in size, style, materials, configuration, trim color and roof pitch;
- E. Develop a site plan that presents one-story building elements to the street with second story building elements being stepped back away from the street;
- F. Develop a site plan that maintains open-space and existing trees;
- G. Provide on-site parking in a subterranean structure which meets the parking needs of the site and is designed to be in scale with surrounding development.
- H. Provide adequate landscape screening from Ocean Avenue.

Applicability of regulations:

If an issue or condition occurs that is not sufficiently addressed by this Specific Plan, those regulations of the Municipal Code that are most applicable to the issue or condition shall apply, as determined by the Planning Commission. Land use issues shall be governed by provisions of the R-1 District. Design issues not specifically addressed in this Plan shall be governed by the Residential Design Guidelines. Parking Design and use issues shall be governed by regulations for parking applicable to the R-4 District.

Permitted and Required Uses:

The following uses are permitted in this Specific Plan:

Lot A: Four single-family residential housing units.

Lot B: Two multi-family residential units shall be permanently dedicated and used to provide housing for low-income or very low-income households as defined by State statutes. A deed restriction shall be recorded establishing this requirement prior to issuance of the first building permit within the Specific Plan.

Lot Sizes:

A. The Specific Plan requires the merger of the existing four lots into two lots in accordance with Figure 2 located at the end of this article. A complete condominium subdivision map showing all parcels and meeting the standards of such maps as specified by the Subdivision Map Act of the State of California shall be filed with the County Recorder.

Exhibit B: Forest Cottages Specific Plan

Forest Cottages Specific Plan
7 March 2006
Page 2

B. The size of the two lots contained within the Specific Plan area shall be as follows:

Lot A: 9,892
Lot B: 3,019

Subdivisions:

No further subdivision of the specific plan area shall be permitted if that subdivision would result in additional building sites. Lot line adjustments shall be reviewed and approved in the manner set forth in Title 17 of the CMC.

Alterations to Vegetation or Existing Structures:

The following regulations shall apply to the existing historic structure and vegetation within the Specific Plan area.

A. Historic Structure. The existing historic structure on lot B shall be preserved. All proposals for additions or alterations shall be subject to Historic Review in accordance CMC 17.32 and Design Review in accordance with CMC 17.58.

B. No tree as determined by the City Forester to be significant shall be removed without approval of the Forest and Beach Commission in accordance with CMC 17.48.

New Structures:

This Specific Plan shall be approved in conjunction with design approvals for the construction of four new residential units and a subterranean garage. All future proposals for new construction or alterations shall require approval by the Planning Commission. In considering such applications, the Planning Commission shall address the following:

- A. Consistency of the proposed construction with the goals, objectives and policies of the General Plan/Coastal Land Use Plan and the provisions of this Specific Plan;
- B. Preservation of vegetation and significant trees;
- C. Compatibility with the existing historic resource located on lot B.
- D. Consistency with the Residential Design Guidelines.
- E. Compatibility with the adjacent neighborhood.

Development Regulations:

Development regulations for lot A shall be as follows:

- A. The maximum height of any new structure shall not exceed 24 feet from existing or finished grade, whichever is more restrictive.
- B. Site coverage shall not exceed 1833 square feet (18.5%) and all site coverage not located directly above the subterranean garage shall be permeable or semipermeable, with the exception of stoops or stairs.
- C. All one-story building elements shall be set back a minimum of five feet from

Exhibit B: Forest Cottages Specific Plan

Forest Cottages Specific Plan
7 March 2006
Page 3

any property line adjacent to a City street. All two-story building elements shall be located a minimum of 15 feet from any property line adjacent to a City street. There shall be no required setback from the interior south property line.

- D. The floor area ratio for lot A shall not exceed 69%. The floor area ratio for both lot A and lot B combined shall not exceed 63%. The definitions for floor area ratio shall be as established in the R-1 District.
- E. The maximum floor area for each new residential unit on lot A shall be as follows:

- Unit 1 = 1,522 sq. ft.
- Unit 2 = 1,740 sq. ft.
- Unit 3 = 1,781 sq. ft.
- Unit 4 = 1,740 sq. ft.

Development regulations for lot B shall be as follows:

- A. The existing structure is an historic resource and shall not be demolished. All requests for exterior alterations shall be consistent with CMC 17.32 and with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- B. The height of the existing structure (28') shall not be increased.
- C. Site coverage shall not exceed 550 square feet (18%) and at least 50% of all site coverage shall be permeable or semipermeable.
- D. Minimum Setbacks shall be as follows:
 - Torres Street = 0 ft.
 - Mt. View Street = 6 ft.
 - North property line = 2 ft.
- E. The floor area for the site shall not exceed 45%.

Parking:

A subterranean garage for the structures on lot A shall provide eight parking spaces measuring at least 8 ½ feet by 16 feet. Access shall be provided by one driveway off of Mt. View Street. Two parking spaces measuring at least 8 ½ feet by 16 feet shall be provided for the structure on lot B. Access shall be provided by one driveway off of Torres Street.

Open Space:

A 2,040 square foot area of the site located at the northwest corner of the site, as indicated in figure 3, shall remain as undeveloped open-space. This area shall be landscaped according to the standards of CMC 17.34 as part of a landscape plan approved by the City Forester. This area shall remain undeveloped except for the following:

- A) Two pathways not to exceed four feet in width.
- B) Not to exceed two park benches.

Exhibit B: Forest Cottages Specific Plan

Forest Cottages Specific Plan

7 March 2006

Page 4

Violation – Penalty:

Any person, firm or corporation, whether as principal or agent, employee or otherwise violating or causing or permitting the violation of the provisions of this article is guilty of an infraction. Any part of any building erected contrary to the provisions of this article is declared to be unlawful and a public nuisance and the City Attorney shall, upon order of the City Council, immediately commence action for the abatement or removal thereof.

Should any person, firm or corporation violate the terms of this article and any action is authorized by the City Council or the City Attorney, or is in fact filed for said violations, no other actions shall be taken on any application filed by or on behalf of said person, firm or corporation until the litigation has been resolved.

Exhibit B: Forest Cottages Specific Plan

Figure 1 - Existing Conditions

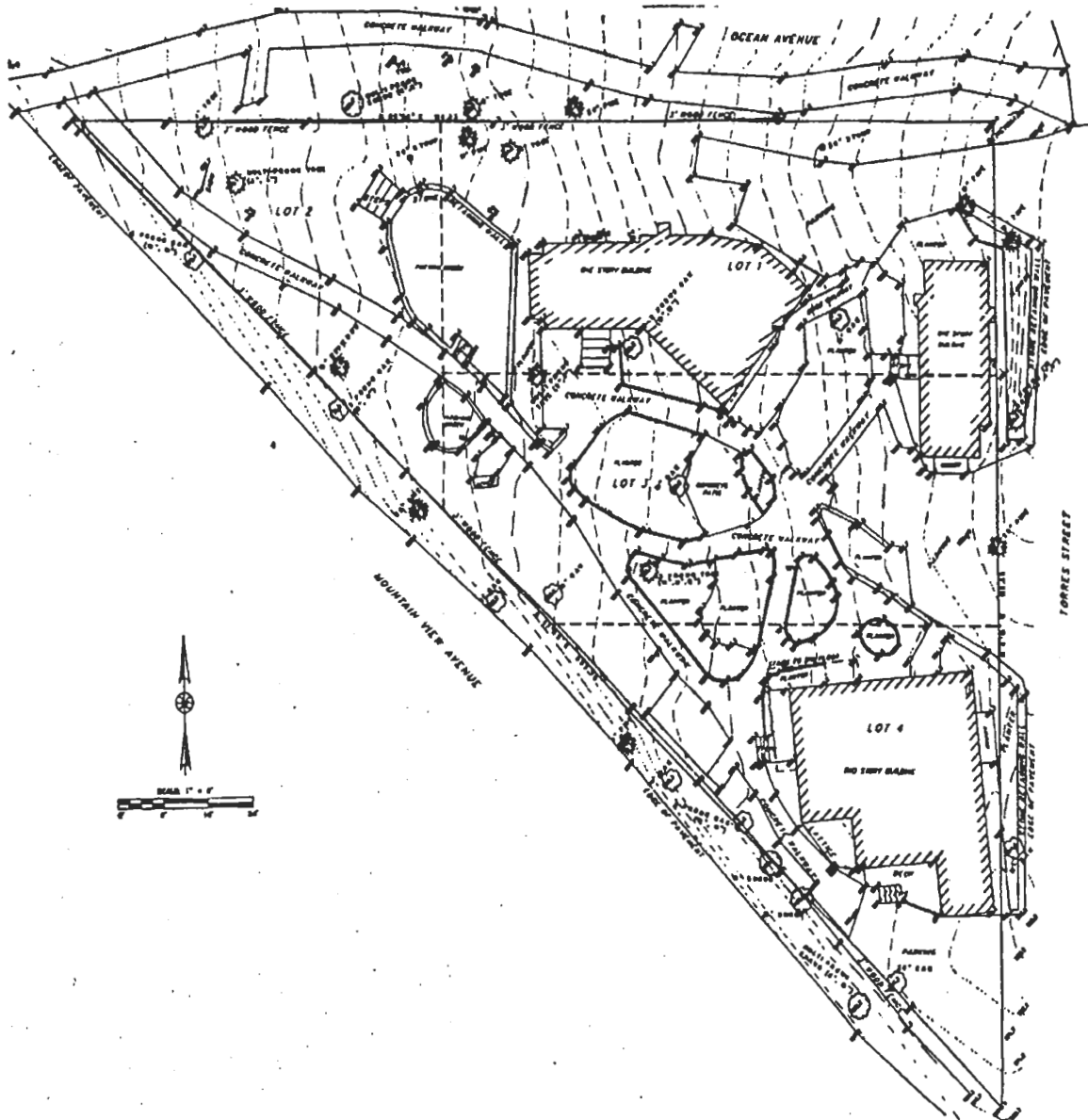


Exhibit B: Forest Cottages Specific Plan

Figure 2 – Proposed Lot Line Adjustment

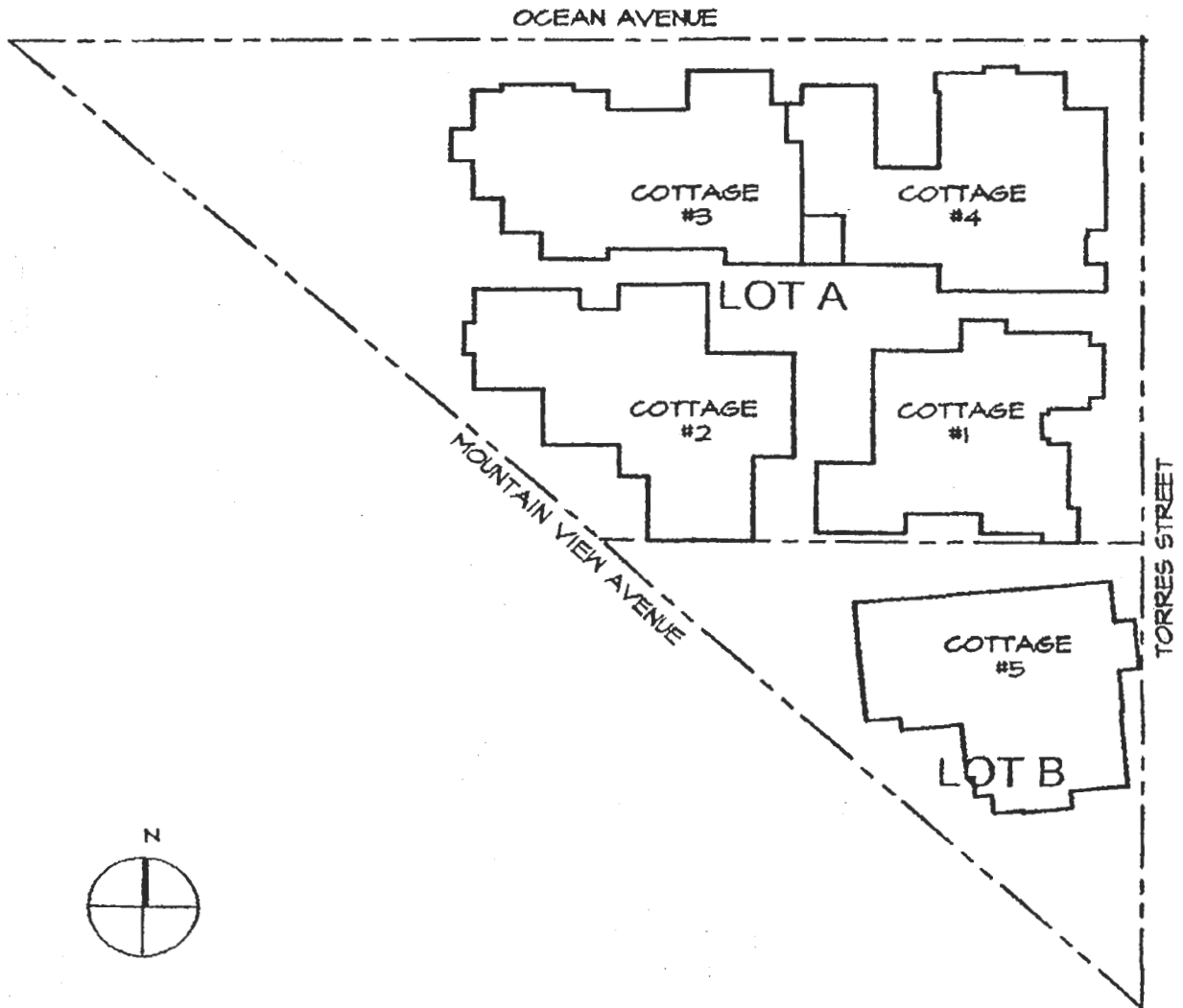
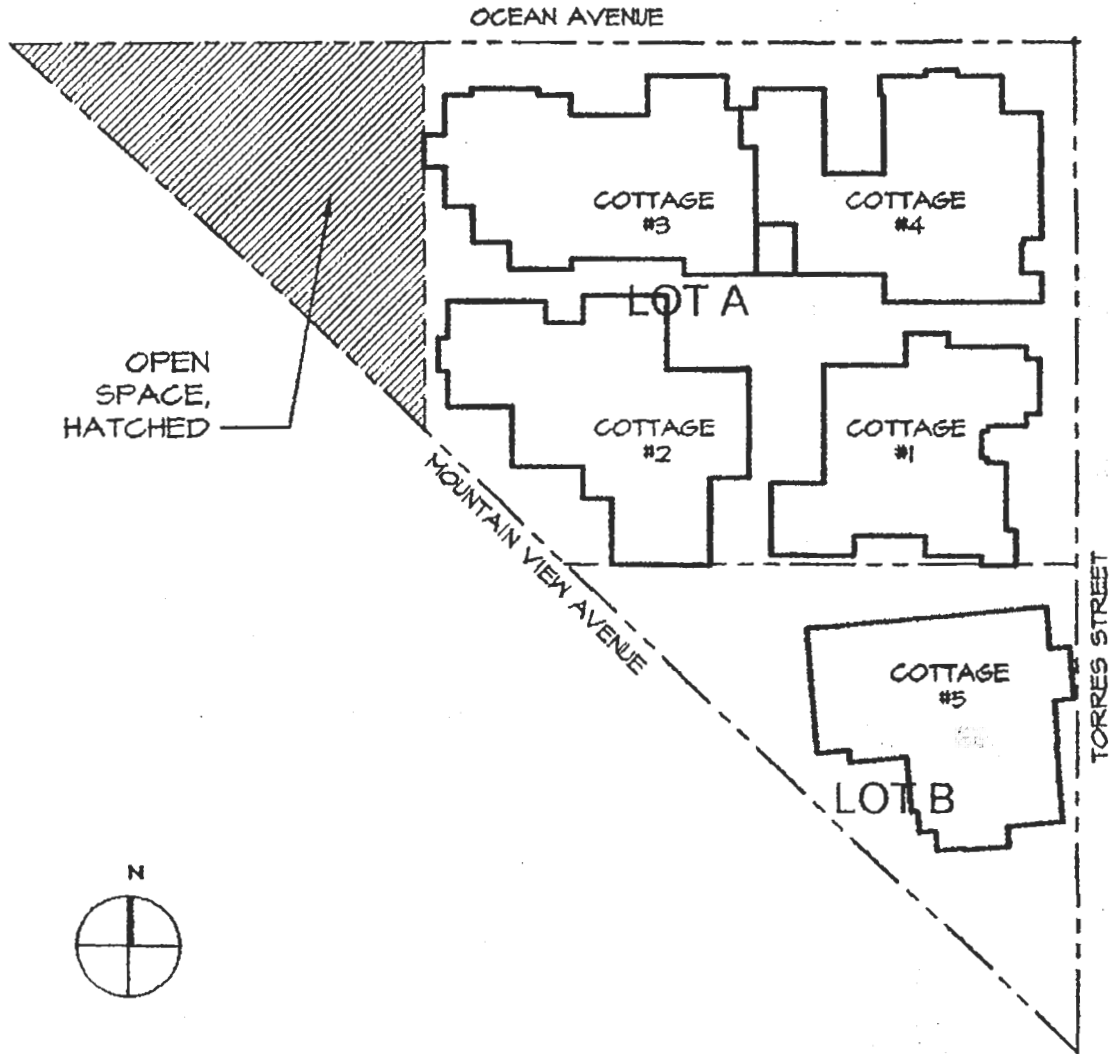


Exhibit B: Forest Cottages Specific Plan

Figure 3 – Designated Open-Space



RECEIVED

CITY OF CARMEL-BY-THE-SEA

JUL 31 2006

CITY COUNCIL

**CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA**

ORDINANCE NO. 2006-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AMENDING THE LOCAL COASTAL PROGRAM TO IDENTIFY A NEW COMMUNITY PLAN DISTRICT

WHEREAS, The City of Carmel-by-the-Sea is a unique community that prides itself on its residential character; and

WHEREAS, the City has adopted a General Plan and Municipal Code that strive to protect the village character through clear policies and regulations that guide property owners in the protection of the residential character; and

WHEREAS, on 18 August 2004 a request was made to the Planning Commission to create a Specific Plan to address the unique site characteristics of Block 79, Lots 1-4; and

WHEREAS, on 7 December 2005 the Planning Commission adopted a resolution recommending approval of a Specific Plan to the City Council that would allow the construction of four new condominium units and the creation of two affordable housing units in an existing historic resource;

WHEREAS, on 7 March 2006 the City Council approved the First Reading of an Ordinance identifying the subject property as Community Plan District.

NOW, THEREFORE, the City Council of the City of Carmel-by-the-Sea does hereby ordain as follows:

Block 79, Lots 1 through 4 (see exhibit "A") is hereby classified as a Community Plan District.

SEVERABILITY

If any part of this ordinance, even as small as a word or phrase, is found to be unenforceable such finding shall not affect the enforceability of any other part.

EFFECTIVE TIME PERIOD

This ordinance shall become effective thirty (30) days after final passage and adoption, or upon certification by the California Coastal Commission, which ever occurs last.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of April 2006 by the following roll call vote:

AYES: COUNCIL MEMBERS: BETHEL, CUNNINGHAM, HAZDOVAC, & McCLOUD

Exhibit C: City Council Resolutions Nos. 2006-01 and 2006-16

NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE
ABSTAIN: COUNCIL MEMBERS: ROSE

SIGNED,


SUE McCLOUD, MAYOR

ATTEST:


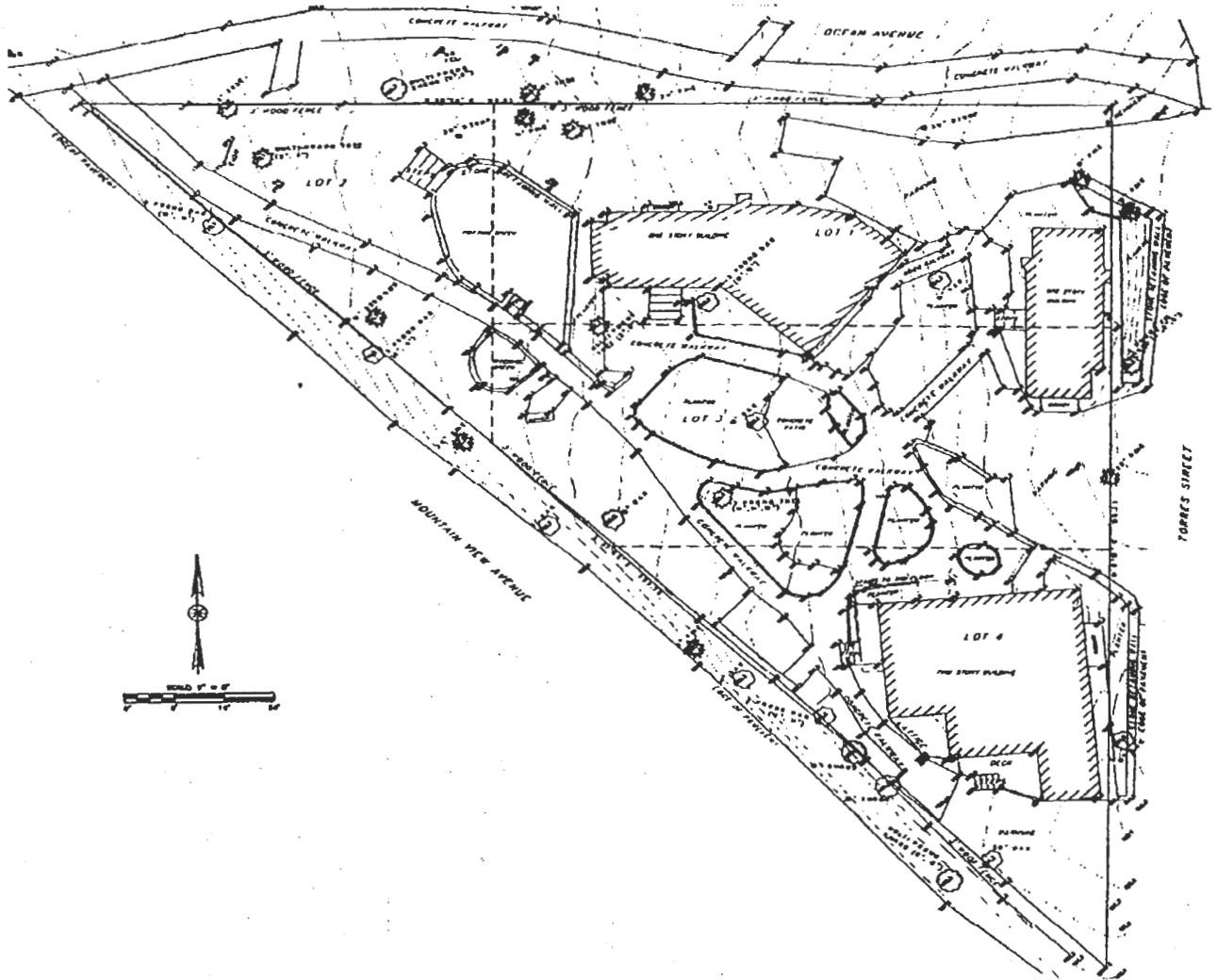

Heidi Burch, City Clerk

Exhibit C: City Council Resolutions Nos. 2006-01 and 2006-16

EXHIBIT "A"

Block 79, Lots 1-4

APN: 010-085-003, 004 & 005



RECEIVED

CITY OF CARMEL-BY-THE-SEA

JUL 31 2006

CITY COUNCIL

**CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA**

RESOLUTION NO. 2006-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA ADOPTING THE LANGUAGE FOR THE FOREST COTTAGES SPECIFIC PLAN AND APPROVING A NEGATIVE DECLARATION

WHEREAS, The City of Carmel-by-the-Sea is a unique community that prides itself on its residential character; and

WHEREAS, the City has adopted a General Plan and Municipal Code that strive to protect the village character through clear policies and regulations that guide property owners in the protection of the residential character; and

WHEREAS, the Specific Plan will enhance the potential for superior community design in comparison with the development under the base district regulations that would apply if the plan were not approved; and

WHEREAS, the deviations from the existing district regulations are justified by compensating benefits of the Specific Plan; and

WHEREAS, on 18 August 2004, a request was made to the Planning Commission to create a Specific Plan to address the unique site characteristics of Block 79, Lots 1-4; and

WHEREAS, on 7 December 2005, the Planning Commission adopted a Resolution recommending approval of a Specific Plan and adoption of a Negative Declaration to the City Council with the findings listed in Exhibit "A" that would allow the construction of four new condominium units and the creation of two affordable housing units in an existing historic resource.

NOW, THEREFORE, the City Council of the City of Carmel-by-the-Sea does hereby resolve as follows:

1. To adopt the attached Forest Cottages Specific Plan (Exhibit "B"); and
2. To approve a Negative Declaration (Exhibit "C").

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 7th day of March 2006 by the following roll call vote:

AYES: COUNCIL MEMBERS: CUNNINGHAM, HAZDOVAC & McCLOUD

NOES: COUNCIL MEMBERS: NONE

Exhibit C: City Council Resolutions Nos. 2006-01 and 2006-16

ABSENT: COUNCIL MEMBERS: BETHEL

ABSTAIN: COUNCIL MEMBERS: ROSE

SIGNED,



SUE McCLOUD, MAYOR

ATTEST:


Heidi Burch, City Clerk

EXHIBIT "A"

CITY OF CARMEL-BY-THE-SEA

FINDINGS FOR DECISION

ZC 04-2
Forest Cottages
S/s Ocean bet. Torres & Mountain View
Blk 79, Lots All

CONSIDERATION:

Consideration of a Resolution establishing the Forest Cottages Specific Plan for a site located on the south side of Ocean Avenue between Mt. View Avenue and Torres Street (Blk 79, Lots 1-4) and the adoption of a Negative Declaration.

FINDINGS:

1. The project site is located on the south side of Ocean Avenue between Torres Street and Mountain View Avenue in the Single-Family Residential (R-1) District.
2. The project site is a 12,912 square foot triangular shaped site comprised of all four lots of block 79.
3. The property is currently developed with three structures that are being used as the Forest Lodge Motel, consisting of four units (6 bedrooms) with a total of 3,114 square feet.
4. The two-story structure located on lot 4 is considered an historic resource and is listed on the City's Inventory of Historic Resources.
5. The intent of the property owner is to demolish the two non-historic structures and construct four new residential condominium units. The existing historic resource will be maintained and used for two low-income housing units.
6. The Forest and Beach Commission approved the removal of 5 non-significant trees and the relocation of two significant trees on the site on 2 June 2005.
7. The Historic Resources Board issued a Determination of Consistency with the Secretary of the Interior's Standards for this project on 20 June 2005.

Exhibit C: City Council Resolutions Nos. 2006-01 and 2006-16

8. A Specific Plan is appropriate for this site due to its unique triangular configuration, being surrounded on three sides by City streets, and its adjacent, non-residential land uses.
9. The Specific Plan is consistent with the following goals, objectives and policies of the General Plan:

Land Use:

G1-1: Continue to preserve and maintain the predominance of the residential character in Carmel through appropriate zoning and land development regulations in all districts.

G1-2: Preserve the residential village character and perpetuate a balance of land uses compatible with local resources and the environment.

P1-5: Preserve the development pattern established in the commercial area surrounded by less intensive buffer area of residential, motels, offices and other uses.

G1-5: Protect and enhance historic resources.

O1-17: Incorporate historic preservation principles into the City's project review processes.

Circulation:

O2-3: It is desirable to remove parking off congested streets and provide, where practical, alternate parking where it could be removed from public view and in a scale appropriate to Carmel.

O2-4: Require that all new development provide sufficient off-street parking facilities.

Housing:

G3-1: Preserve the existing single-family residential housing stock and provide adequate sites for an increase in the number of housing units.

G3-3: Provide adequate sites for the development of a wide range of housing types for all citizens.

G3-5: Preserve and increase housing stock available for low and moderate-income households.

10. The proposed project will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection and fire protection.

Exhibit C: City Council Resolutions Nos. 2006-01 and 2006-16

11. Upon approval of a Coastal Plan amendment the project will conform to the certified Local Coastal Program of the City of Carmel-by-the-Sea.
12. The project is not located between the first public road and the sea and no review is required for potential public access.

Exhibit D: Zoning Map Change

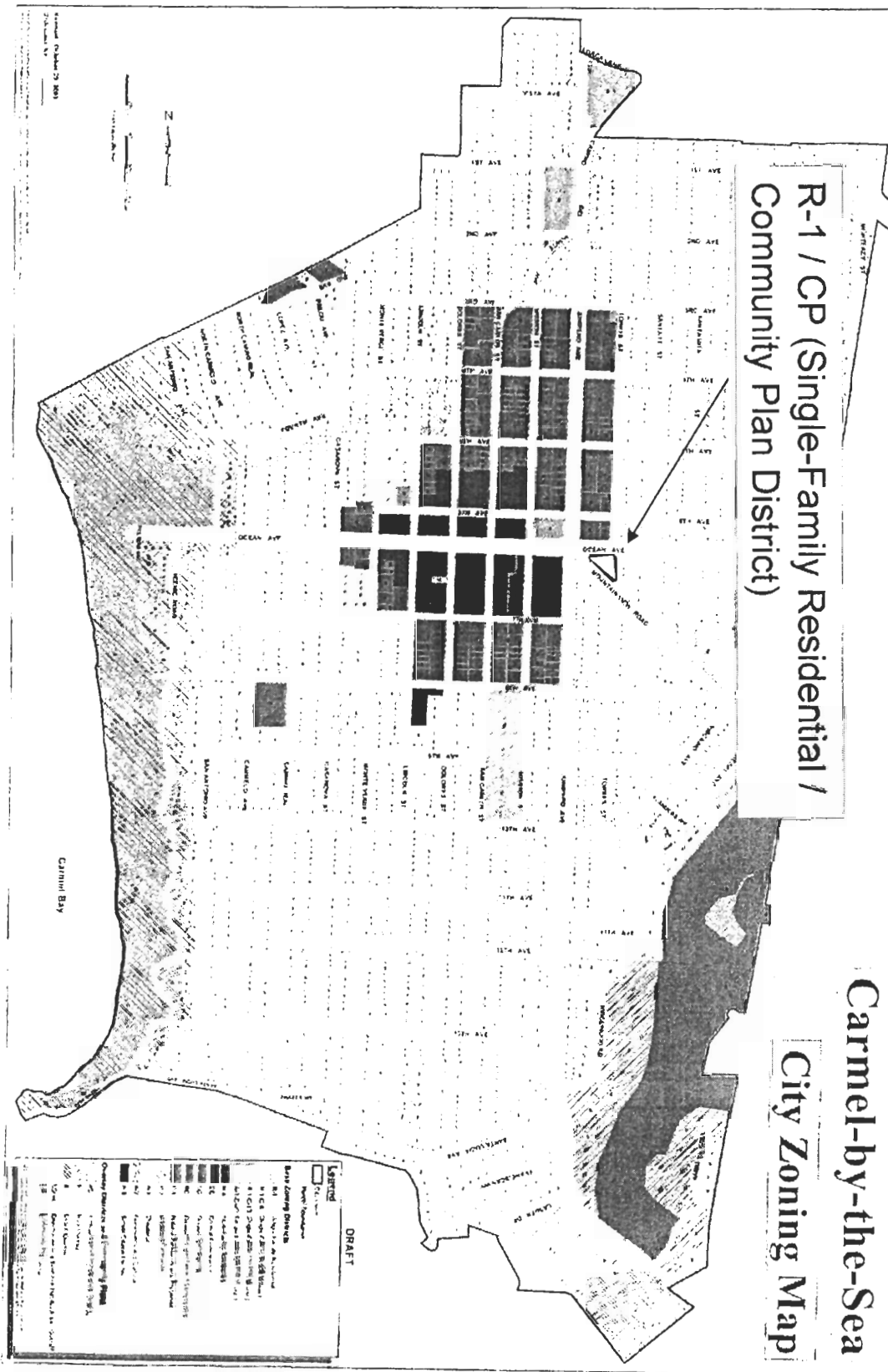


Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

**CITY OF CARMEL-BY-THE-SEA
COMMUNITY PLANNING AND BUILDING
STAFF REPORT Adopted & Approved on 12/7/05**

APPLICATION: DR 05-7, UP 05-5, ZC 04-2
BLOCK: 79
LOCATION: S/s Ocean bet. Torres & Junipero

APPLICANT: Dennis Levett
LOT: All

REQUEST:

Consideration of a Design Review, Use Permit and Coastal Development Permit application for the construction of four new condominium units and the creation of two low-income units in an existing historic structure for a site located in the Forest Cottages Specific Plan Area.

BACKGROUND:

This project involves a 12,912 square foot site, triangular in shape, located on Torres Street between Ocean and Mountain View Avenues in the Residential (R-1) District. The Forest Lodge Cottages, consisting of four units (6 bedrooms) with a total of 3,114 square feet is presently operated on the site. The structure on the southeast portion of the site has been determined to be an historic resource as part of the City's on-going survey of historic properties.

The Planning Commission has reviewed this application and provided guidance several times beginning in August 2004 in conjunction with the creation of a Specific Plan. On 9 November 2005 the Planning Commission reviewed proposed design changes. The Commission requested that the plans be revised so that no structure from lot A encroaches into lot B. The Commission also allowed an increase in site coverage.

PROJECT DESCRIPTION:

The applicant is requesting approval of permits creating four new condominium units, two new low-income apartments to be located in an existing historic resource, and a subterranean garage. These permits are consistent with the provisions of allowed uses in the Forest Cottages Specific Plan area. The applicant is also requesting a water allocation in the amount of .109 acre-feet to accommodate the low-income units.

The new residential structures will have a variety of siding materials including stone, board and batten, shingles and horizontal ship-lap siding. All four structures will have both one and two-story elements. The subterranean parking garage will include eight parking spaces and an elevator. Access to the garage is proposed along the Mountain View street frontage. A triangular shaped portion of the site located near the corner of Ocean and Mt. View Avenues is proposed to remain as open-space.

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

COMPARISON OF STANDARDS FOR A 12,912 SQ. FT. SITE:			
	RC	Proposed Project	R-1
Density	9 units	6 units	3 units
Floor Area	10,329 sq ft (80%)	8,034 sq ft* (62%)	3,350 sq ft (32.4%)
Height	24**/26 ft.	24 ft. max	24 ft.
Parking	1.5 spaces per unit	10 spaces	1 space per unit
Front Setback	7 ½ ft.	5 ft.	15 ft.
Side Street Setback	5 ft. ***	5 ft.	5 ft.
<p>*Includes 1,251 square feet for existing historic structure and does not include underground parking.</p> <p>**For sites facing any property in the R-1 District.</p> <p>***For this triangular property, staff has used Torres St. as the front and all other property lines as sides.</p>			

EVALUATION:

Water: Existing water on the site will accommodate the proposed four condominium units. However, the applicant is requesting a water allocation for the two proposed low-income units in the amount of .109 acre-feet. As discussed in a previous item on this agenda, additional water has become available and is recommended for allocation to a category for low-income housing. The City encourages the creation of low-income housing and this request for water is consistent with the General Plan and Local Coastal Program.

Design Review: The applicant has not yet submitted design changes indicating that no part of the structures from Lot A will encroach into Lot B. These changes are minor and staff has added a special condition of approval to address this issue. The Planning Commission should discuss if any further design changes should be made.

RECOMMENDATION:

Approve the Design Review, Use Permit, and Coastal Development Permit with the attached findings and special conditions.

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

FINDINGS REQUIRED FOR CONCEPT AND FINAL DESIGN STUDY APPROVAL (CMC 17.64.8 and LUP Policy P1-45)		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Design Review Board decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits, variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	
8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.	✓	
9. The proposed exterior materials and their application rely on natural materials and the overall design will as to the variety and diversity along the streetscape.	✓	

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.B.1):

1. The project, upon approval of an amendment by the Coastal Commission, will conform with the certified Local Coastal Program of the City of Carmel by the Sea.
2. The project is not located between the first public road and the sea and no review is required for potential public access.

SPECIAL CONDITIONS:

1. This permit constitutes a land use entitlement for the construction of four new condominium units, a subterranean garage and the creation of two low-income housing units in an existing historic resource. Any activity undertaken pursuant to this permit shall conform to all conditions of this permit.
2. This project approval is contingent upon approval of the Forest Cottages Specific Plan by the City Council and a Local Coastal Program amendment approved by the California Coastal Commission. If either the City Council or the Coastal Commission denies the Specific Plan application, the Design Review, Use Permit and Coastal Development Permit application will become void.
3. Prior to issuance of building permits, the applicant shall submit a condominium subdivision map meeting all requirements of the California Subdivision Map Act and the City Engineer. The map shall show each unit, assignment of parking spaces and all common areas. Notations on the map shall include the following:
 - a. No condominium unit shall be occupied on a Transient Rental basis. Any unit rented, leased or offered for occupancy to any party for any form of remuneration shall be for a period of not less than 30 calendar days.
 - b. No condominium unit shall be used or occupied by any Commercial Use.
 - c. No condominium unit shall be further subdivided into any additional unit or units.
 - d. No condominium unit shall be sold, leased, rented, used or occupied on any form of Timeshare or interval basis.
4. Prior to recordation of the map, the applicant shall submit a draft Covenants, Conditions and Restrictions (CC&R's) document for City review and approval. This document shall include provisions alerting future owners of the units to the notes on the map and also shall alert owners to the need for Design Review approval from the City for any future

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

change to the site or building design. Each of these provisions shall be permanent provisions of the CC&R's and shall not be amended by the Homeowners Association or any other party without the express, written approval of the City of Carmel-by-the-Sea. The CC&R's shall state this limitation.

5. The underground parking garage shall be limited to parking of vehicles, noncommercial storage, and mechanical equipment serving the building site.
6. Two rental units located in the existing historic resource shall be restricted to occupancy by occupants meeting the standards of Low-Income or Very Low-Income as defined by the Municipal Code.
7. A building permit authorizing the demolition of the non-historic structures on the site shall be obtained prior to the initiation of any demolition work along with approval from the Monterey Bay Unified Air Pollution Control District.
8. Any grading on site and any disposal of excavated materials from the site shall conform to a plan approved by the City's Building Official.
9. All utility meters, including water meters, shall be provided on-site and shall be screened from public view by landscaping or other means. The permittee shall be responsible for the placement and construction of all utilities to serve the project including the construction of off-site improvements as necessary to connect to existing utility facilities. All utilities shall be installed underground.
10. No portion of the proposed condominium units on Lot A shall encroach into Lot B.
11. The project shall be constructed in conformance with all requirements of the Specific Plan ordinance. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes shall require separate approval by the Planning Commission.
12. This approval shall expire on 1 August 2007 unless an active building permit has been issued and maintained for the proposed construction. The permit approvals can be extended for one additional year if the Coastal Commission has not had at least one hearing on the Draft Specific Plan.
13. All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

or the Planning Commission.

14. Trees on the site shall only be removed upon the approval of the Forest and Beach Commission; and all remaining trees shall be protected during construction by methods approved by the City Forester.
15. All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.
16. Exterior lighting shall be limited to 25 watts or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts or less per fixture and shall not exceed 18 inches above the ground.
17. The Carmel stone facade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10 square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.
18. The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions and transoms separating the glass panes. Any window pane dividers which are snap-in, or otherwise superficially applied, are not permitted.
19. The applicant agrees, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.
20. The driveway material shall extend beyond the property line into the public right of way s needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

21. All encroachments into the public right-of-way shall ~~be approved with~~ require an Encroachment Permit by the City's Building Official.
22. This project approval shall include a water debit from the City's Low-Income Housing allocation in the amount not to exceed .109 acre-feet. This water debit shall be effective only if an affordable housing allocation category is created by the City Council in the City's Water Management Plan during the valid life of this permit. If this project is withdrawn the water allocation would return to the City's Low-Income Housing allocation category.
23. The slope of the proposed driveway on Lot A shall be completely contained on private property.

FOREST COTTAGES

Carmel, California

Corner Lot of Ocean Avenue, Torres Street, and Mountain View Avenue

VICINITY MAP



PROJECT DATA

SITE COVERAGE IN SQUARE FEET

LOT A	3,200	80.7%
BUILDING FOOTPRINT	1,350	42.2%
LANDSCAPE AREA	2,850	89.1%
LOT B	4,943	100.0%
BUILDING FOOTPRINT	1,044	21.1%
LANDSCAPE AREA	3,899	78.9%
LOT SIZE	8,143	100.0%

COTTAGE SIZES IN SQUARE FEET

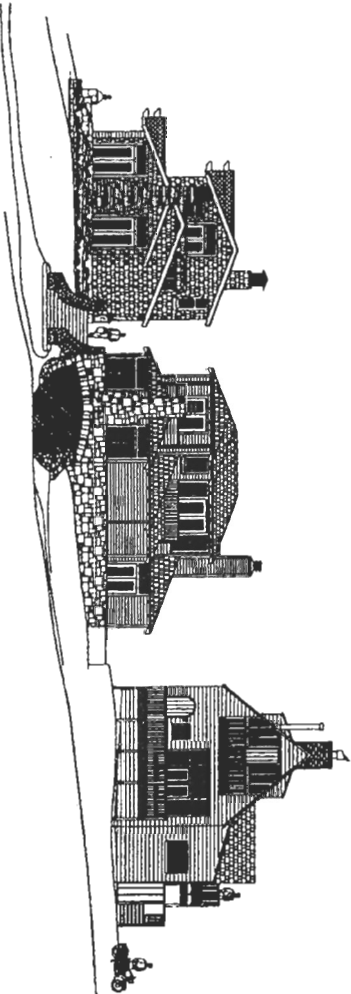
Cottage #	Area	Rooms	Bedrooms	Bathrooms	Garage
COTTAGE 1	1,000	2	1	1	1
COTTAGE 2	1,200	2	1	1	1
COTTAGE 3	1,300	2	1	1	1
COTTAGE 4	1,400	2	1	1	1
COTTAGE 5	1,500	2	1	1	1
COTTAGE 6	1,600	2	1	1	1
COTTAGE 7	1,700	2	1	1	1
COTTAGE 8	1,800	2	1	1	1
COTTAGE 9	1,900	2	1	1	1
COTTAGE 10	2,000	2	1	1	1
COTTAGE 11	2,100	2	1	1	1
COTTAGE 12	2,200	2	1	1	1
COTTAGE 13	2,300	2	1	1	1
COTTAGE 14	2,400	2	1	1	1
COTTAGE 15	2,500	2	1	1	1
COTTAGE 16	2,600	2	1	1	1
COTTAGE 17	2,700	2	1	1	1
COTTAGE 18	2,800	2	1	1	1
COTTAGE 19	2,900	2	1	1	1
COTTAGE 20	3,000	2	1	1	1
COTTAGE 21	3,100	2	1	1	1
COTTAGE 22	3,200	2	1	1	1
COTTAGE 23	3,300	2	1	1	1
COTTAGE 24	3,400	2	1	1	1
COTTAGE 25	3,500	2	1	1	1
COTTAGE 26	3,600	2	1	1	1
COTTAGE 27	3,700	2	1	1	1
COTTAGE 28	3,800	2	1	1	1
COTTAGE 29	3,900	2	1	1	1
COTTAGE 30	4,000	2	1	1	1
COTTAGE 31	4,100	2	1	1	1
COTTAGE 32	4,200	2	1	1	1
COTTAGE 33	4,300	2	1	1	1
COTTAGE 34	4,400	2	1	1	1
COTTAGE 35	4,500	2	1	1	1
COTTAGE 36	4,600	2	1	1	1
COTTAGE 37	4,700	2	1	1	1
COTTAGE 38	4,800	2	1	1	1
COTTAGE 39	4,900	2	1	1	1
COTTAGE 40	5,000	2	1	1	1

SHEET INDEX

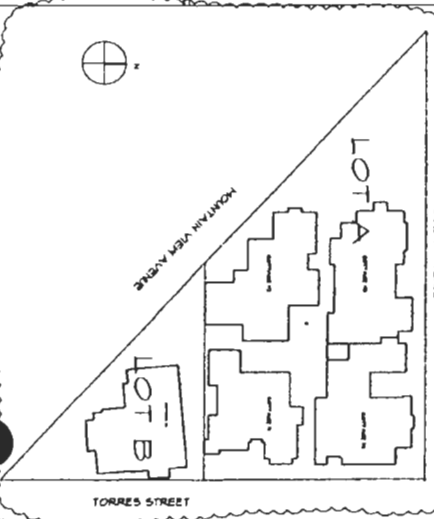
PROJECT DIRECTORY

- A-1 TITLE SHEET
- A-2 TOPOGRAPHIC MAP
- A-3 SITE DEVELOPMENT PLAN
- A-4 1ST FLOOR PLAN
- A-5 2ND FLOOR PLAN
- A-6 3RD FLOOR PLAN
- A-7 4TH FLOOR PLAN
- A-8 EXTERIOR / STREET ELEVATIONS
- A-9 EXTERIOR / STREET ELEVATIONS
- A-10 EXTERIOR / STREET ELEVATIONS

TORRES STREET ELEVATION



SITE



TITLE SHEET
 JOB NO. 106
FOREST COTTAGES
 CARMEL, CALIFORNIA
 CORNER LOT OF OCEAN AVE.

ARCHITECT
ERIC MILLER ARCHITECTS, INC.
 157 GRAND AVENUE, SUITE 100, CARMEL, CALIFORNIA 95006
 PHONE (831) 923-1100 FAX (831) 923-1101
 WWW.ERICMILLERARCHITECTS.COM

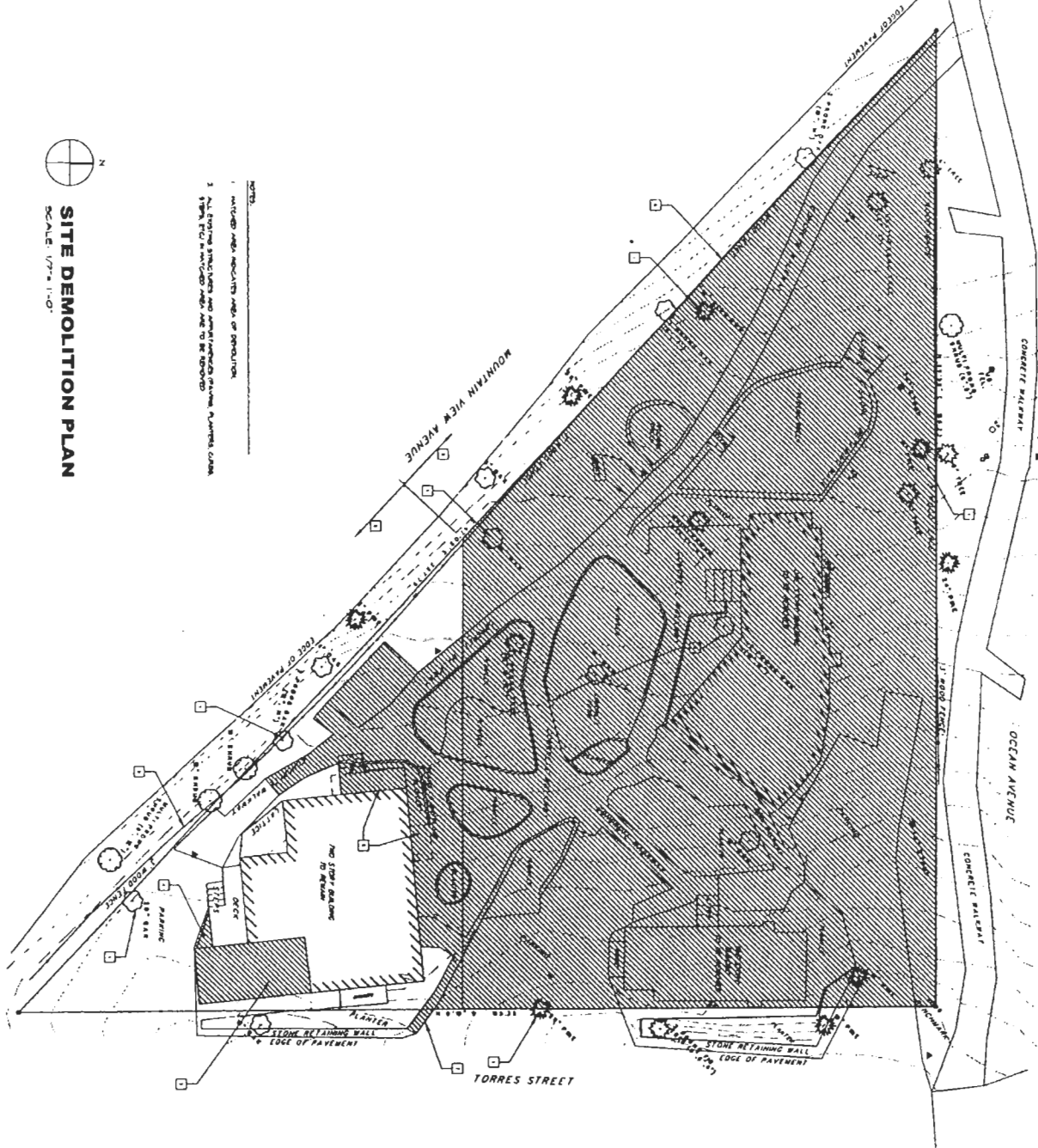
CONSULTANT:
 RYAN
 4/28/09
 4/28/09

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



SITE DEMOLITION PLAN
SCALE: 1/8" = 1'-0"

- NOTES:
1. EXISTING AND PROPOSED AREAS OF DEMOLITION.
 2. ALL EXISTING STRUCTURES AND UTILITIES SHALL BE DEMOLISHED UNLESS OTHERWISE NOTED.
 3. STREETS, UTILITIES AND AREAS TO BE DEMOLISHED.



AREA OF DEMOLITION

LEGEND

- KEYED NOTES**
1. SIGNIFICANT TREE TO BE PRESERVED
 2. SIGNIFICANT TREE TO BE RELOCATED
 3. DEMO GARAGE
 4. DEMO PART OR (R) DECK
 5. DEMO STAIRS & LANDING'S (BALCONIES)
 6. DEMO WOOD FENCE
 7. DEMO STONE WALL
 8. WOOD FENCE TO REMAIN

N.T.S. on 8.5 x 11

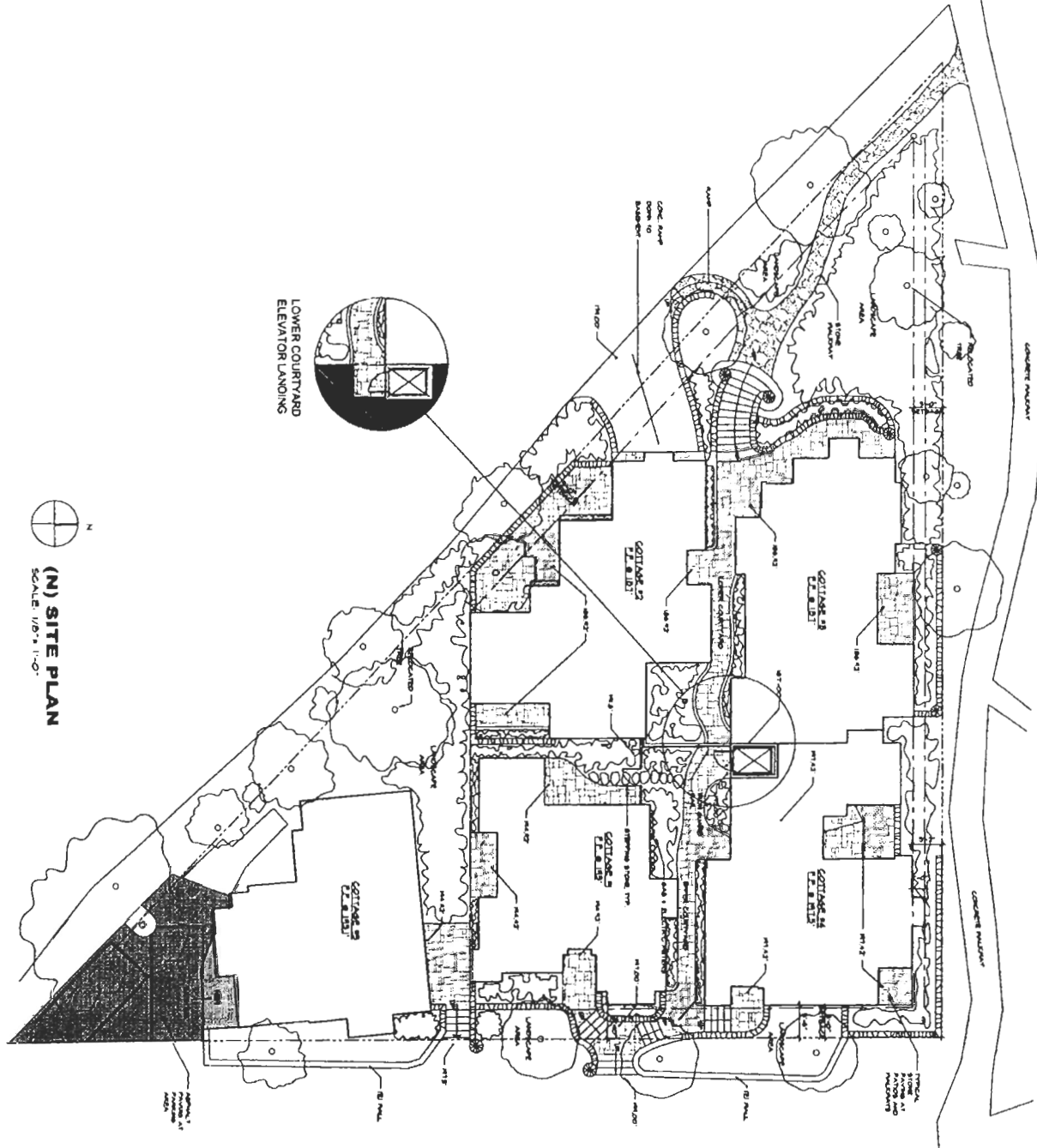
A-2

SITE DEMOLITION PLAN
JOB NAME:
FOREST COTTAGES
CARMEL, CALIFORNIA
CORNER LOT OF OCEAN AVE.
TORRES ST. AND MOUNTAIN VIEW AVE.

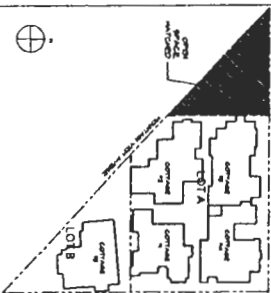
ARCHITECT
ERIC MILLER ARCHITECTS, INC.
157 GRAND AVE. SUITE 108 PACIFIC GROVE, CA 93950
PHONE (831) 379-0418 • FAX (831) 379-7348 • WEB: www.ericmiller.com

CONSULTANT:
REVISED:
DATE:
BY:
CHECKED:
DATE:
BY:
SCALE:
JOB NUMBER:
SHEET NUMBER:
TOTAL SHEETS:
DATE PLOTTED:
PLOTTER:
SCALE:
JOB NUMBER:
SHEET NUMBER:
TOTAL SHEETS:
DATE PLOTTED:
PLOTTER:

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



(N) SITE PLAN
SCALE 1/8" = 1'-0"



KEY PLAN

	(N) SITE PLAN
	JOB NAME: FOREST COTTAGES GARNIEL, CALIFORNIA CORNER LOT OF OCEAN AVE., TORRES ST., AND MOUNTAIN VIEW AVE.

ARCHITECT ERIC MILLER ARCHITECTS, INC. 157 GRAND AVE. 106 PACIFIC GROVE, CA 93950 PHONE (831) 372-6110 • FAX (831) 372-7549 • WEB: www.ericmiller.com	
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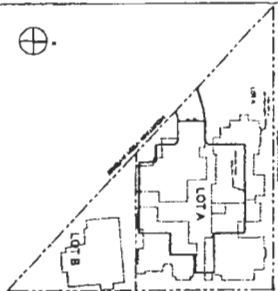
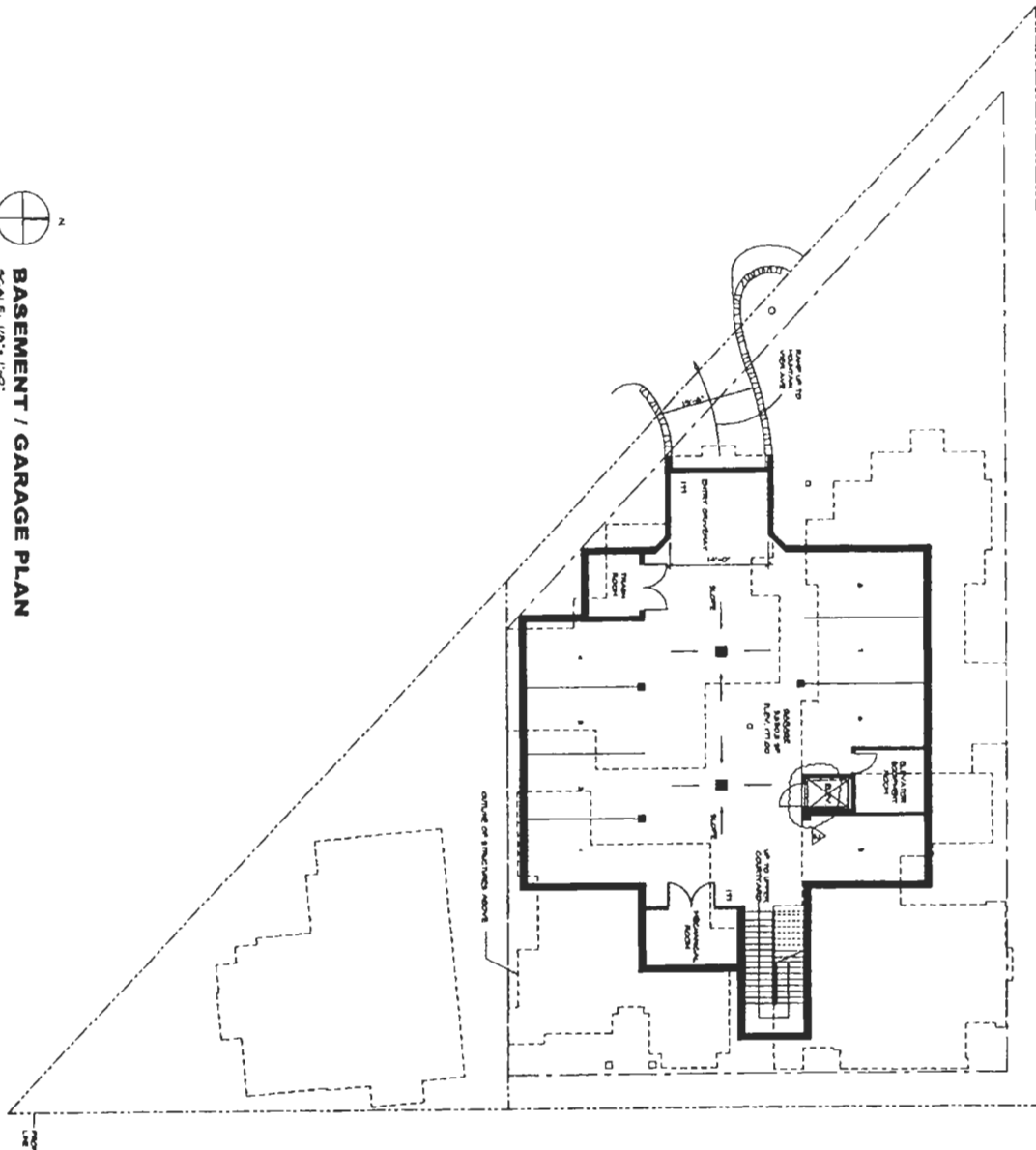
CONSULTANT: 	REVISION 4/23/05 4/27/05 A
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N.T.S. ON 8.5 X 11

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



BASEMENT / GARAGE PLAN
SCALE: 1/8" = 1'-0"



KEY PLAN

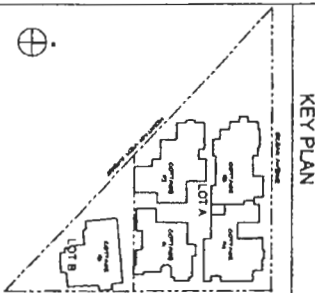
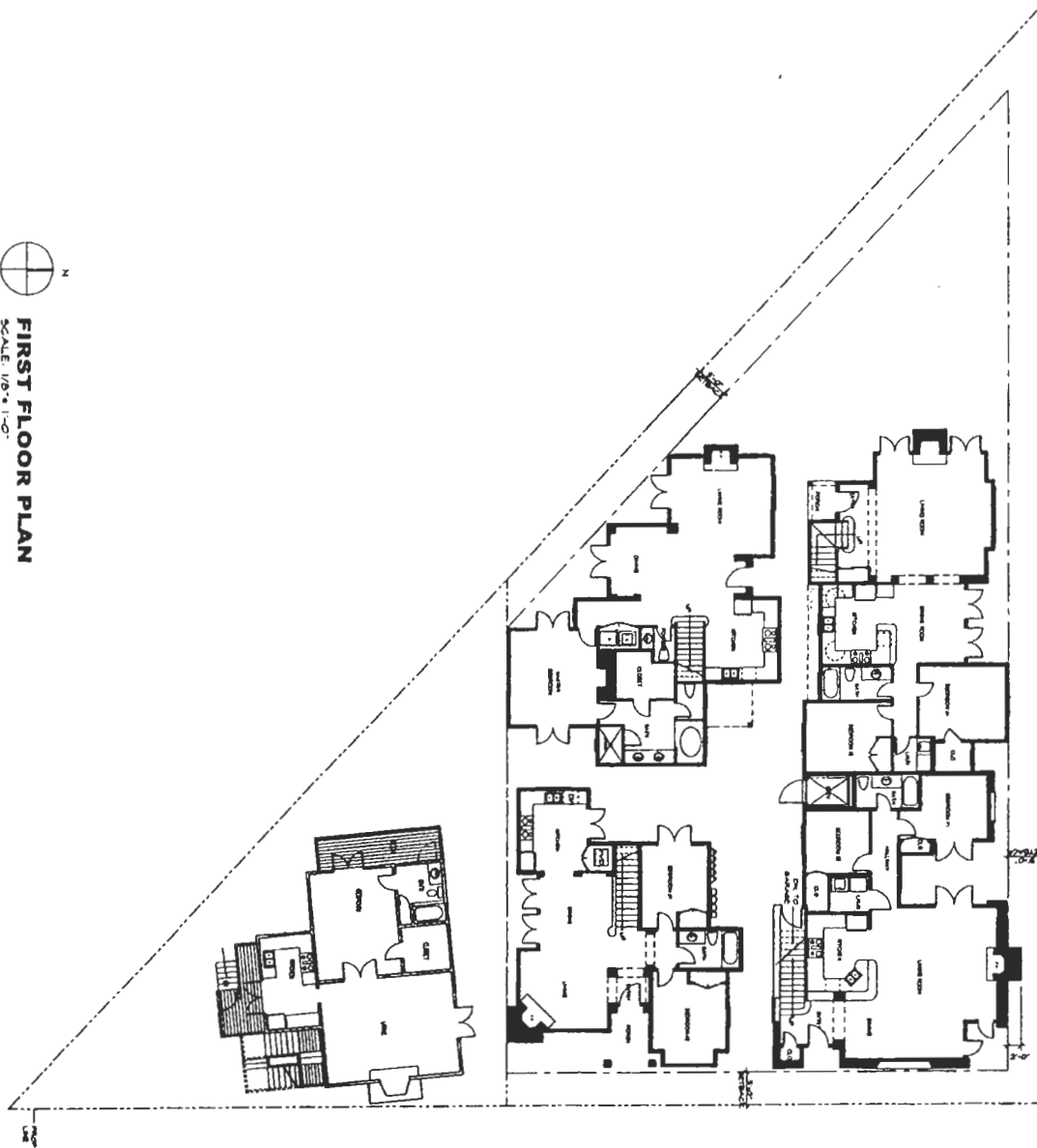
N.T.S. ON 8.5 X 11

<p>A-4</p>	<p>BASEMENT/GARAGE PLAN</p>	<p>ARCHITECT</p> <p>ERIC MILLER ARCHITECTS, INC.</p> <p>157 GRAND AVE. #105 PACIFIC GROVE, CA 93950 PHONE (805) 372-0410 • FAX (805) 372-7040 • WEB: www.ericmiller.com</p>	<p>CONSULTANT:</p>	<p>REVISION</p> <p>NO.</p>
	<p>DATE: 04/10/06</p> <p>SCALE: AS NOTED</p> <p>BY: [Signature]</p> <p>IN CHARGE: [Signature]</p>	<p>JOB NAME:</p> <p>FOREST COTTAGES</p> <p>CARMEL CALIFORNIA</p> <p>CORNER LOT OF OCEAN AVE, TORRES ST., AND MOUNTAIN VIEW AVE.</p>	<p>DATE: 04/10/06</p> <p>SCALE: AS NOTED</p> <p>BY: [Signature]</p> <p>IN CHARGE: [Signature]</p>	<p>NO.</p> <p>DATE</p> <p>BY</p>

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"

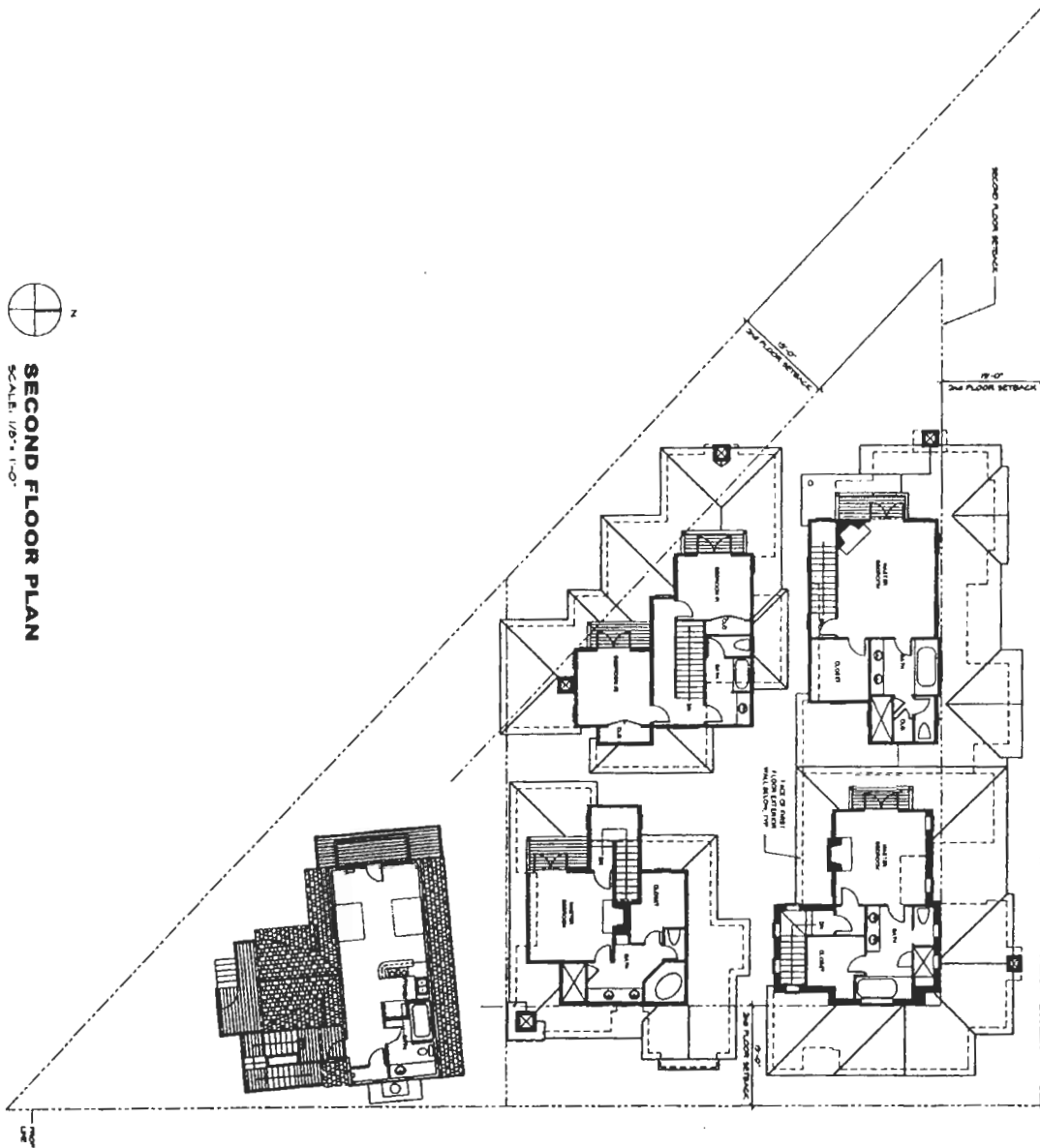


KEY PLAN

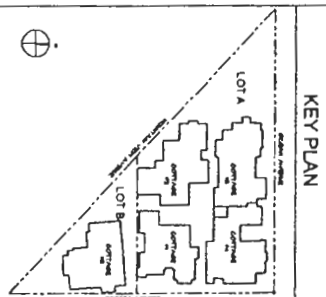
N.T.S. ON 8.5 X 11

A-5 SHEET 5	1st FLOOR PLAN	ARCHITECT	CONSULTANT:	DATE	BY	CHECKED	APPROVED
	JOB NO.: FOREST COTTAGES CARMEL, CALIFORNIA CORNER LOT OF OCEAN AVE., TORRES ST., AND MOUNTAIN VIEW AVE.	ERIC MILLER ARCHITECTS, INC. 157 GRAND AVE. #108 PACIFIC GROVE, CA 93950 PHONE (805) 375-0418 • FAX (805) 375-7860 • WEB: www.ericmiller.com					

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



KEY PLAN

A-6	2nd FLOOR PLAN	
	JOB NAME: FOREST COTTAGES CARMEL, CALIFORNIA CORNER LOT OF OCEAN AVE. TORRES ST. AND MOUNTAIN VIEW AVE.	

ARCHITECT
ERIC MILLER ARCHITECTS, INC.
 157 GRAND BLVD #108 PACIFIC GROVE, CA 93950
 PHONE (831) 372-8418 • FAX (831) 373-7349 • WEB www.ericmiller.com

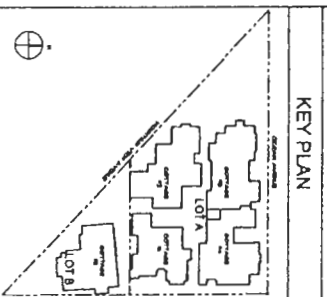
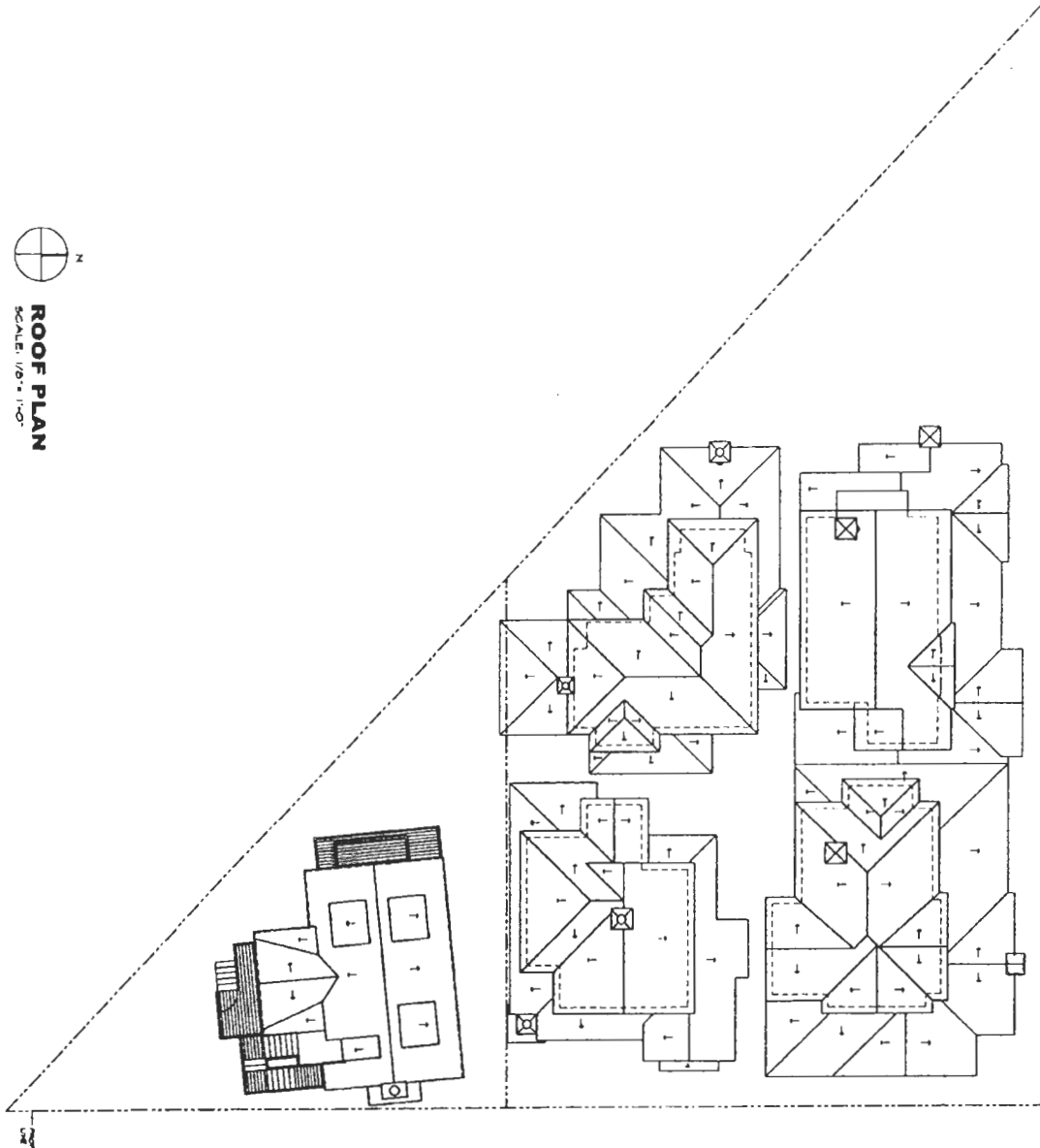
REVISION	DATE	BY

N.T.S. ON 8.5 x 11

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations



ROOF PLAN
SCALE: 1/8" = 1'-0"



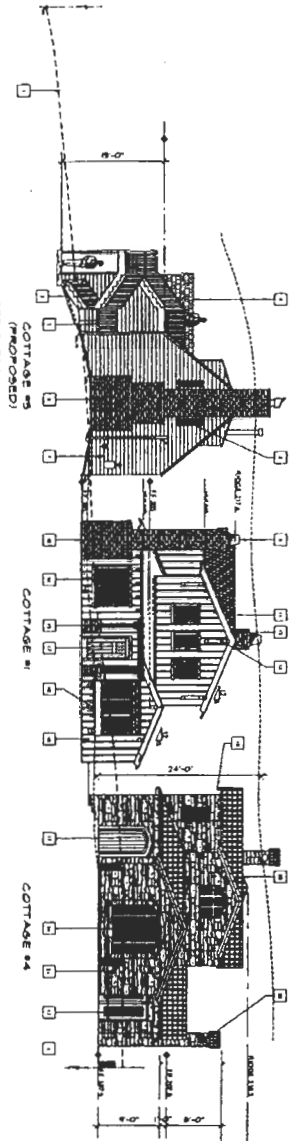
KEY PLAN

N.T.S. on 8.5x11

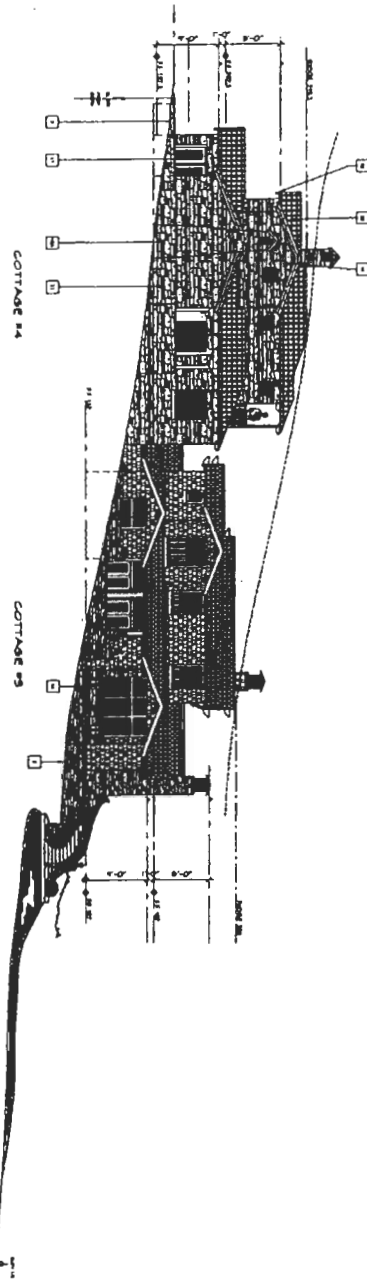
<p>A-7 SHT. 2</p>	<p>DATE: JANUARY 2008</p>	<p>ARCHITECT ERIC MILLER ARCHITECTS, INC. 157 GRAND AVENUE, SUITE 108, PACIFIC GROVE, CA 93950 PHONE (831) 372-0410 • FAX (831) 372-7948 • WEB: www.ericmiller.com</p>	<p>CONSULTANT:</p>	<p>REVISED</p>
	<p>SCALE: AS NOTED</p>			<p>DATE: 4/2/08</p>

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

TORRES STREET / EAST ELEVATION
SCALE: 1/8" = 1'-0"



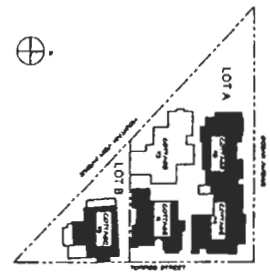
OCEAN AVENUE / NORTH ELEVATION
SCALE: 1/8" = 1'-0"



KEYED NOTES

- | | |
|--|--|
| <ul style="list-style-type: none"> <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN <input type="checkbox"/> RT BALCONY & STAIRS SHOWN ON PLAN | <ul style="list-style-type: none"> <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE <input type="checkbox"/> ROOF FINISHED ON CONCRETE |
|--|--|

KEY PLAN



<p>EXTERIOR/STREET ELEV'S</p> <p>FOREST COTTAGES CARMEL, CALIFORNIA CORNER LOT OF OCEAN AVE, TORRES ST., AND MOUNTAIN VIEW AVE</p> <p><small>DATE: 04/10/2008</small></p> <p><small>SCALE: 1/8" = 1'-0"</small></p> <p>A-8</p>	<p><small>REVISION</small></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">NO.</td> <td style="width: 80%;">DESCRIPTION</td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	NO.	DESCRIPTION				
NO.	DESCRIPTION						

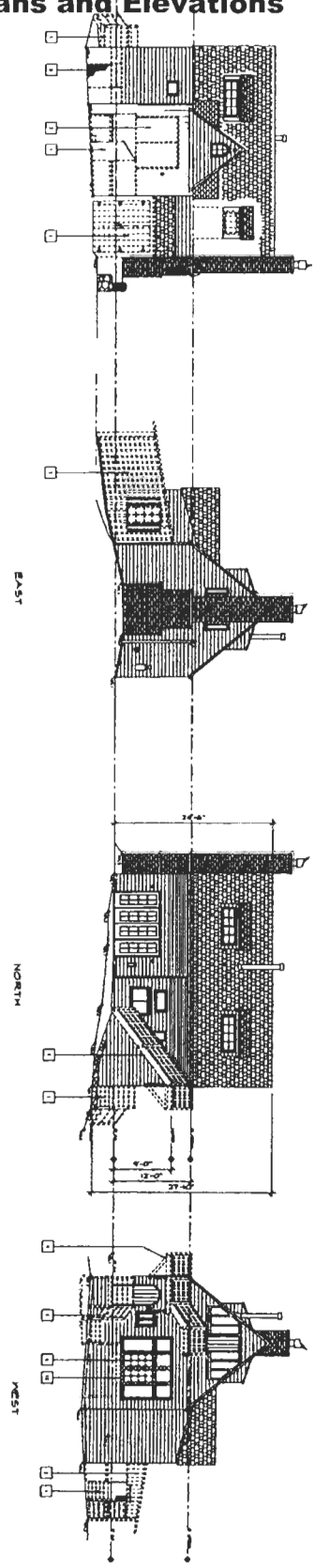
ARCHITECT
ERIC MILLER ARCHITECTS, INC.
157 GRAND ST. #108 PACIFIC GROVE, CA 93950
PHONE (831) 372-0410 • FAX (831) 372-7948 • WEB www.ericmillerarchitects.com

CONSULTANT:

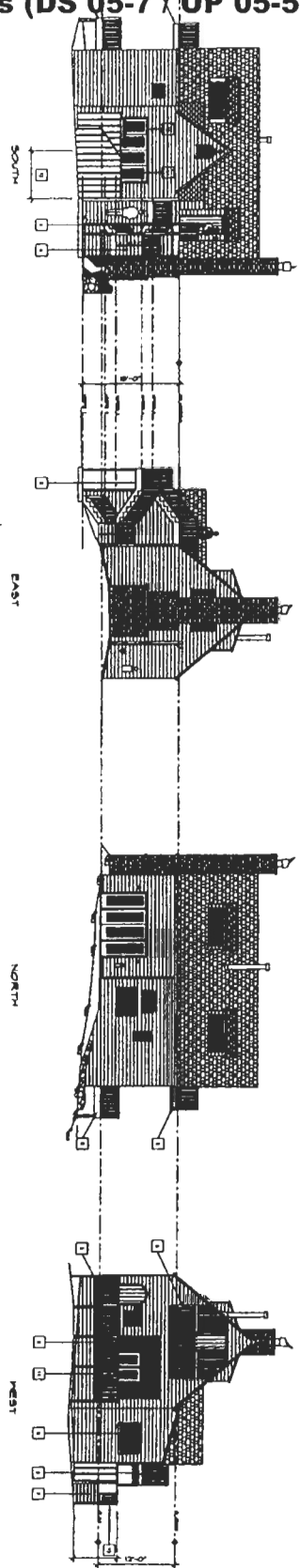
N.T.S. ON 8.5x11"

Exhibit E: Local Approvals (DS 05-7 / UP 05-5) Site Plans and Elevations

(E) / DEMO COTTAGE #5 ELEVATIONS
SCALE: 1/8" = 1'-0"



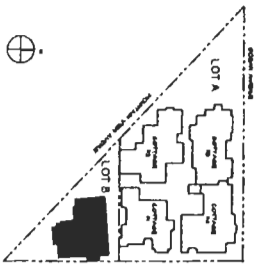
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SCALE: 1/8" = 1'-0"



KEYED NOTES

- REPORT SIGN AND PRINT
- REPORT EXISTING STRUCTURE
- REPORT BUILDING CODES
- REPORT MATERIAL
- REPORT FINISH
- REPORT FOUNDATION
- REPORT ROOF AND TRUSS
- REPORT STRIP AND LAMINA STRUCTURE
- REPORT STEEL DECK
- REPORT FLOOR
- REPORT WALL FOR NO ROOM
- REPORT WALL, 1 PARTIAL, 1 PARTIAL AS A WALL

KEY PLAN



(E) COTTAGE EXT. ELEVS
 JOB NAME: FOREST COTTAGES
 CARMEL, CALIFORNIA
 CORNER LOT OF OCEAN AVE., TORRES ST., AND MOUNTAIN VIEW AVE.

ARCHITECT: **ERIC MILLER ARCHITECTS, INC.**
 157 GRAND AVE. #108 PACIFIC GROVE, CA 93950
 PHONE (805) 272-6110 • FAX (805) 272-7610 • WEB: www.ericmiller.com

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SCALE	
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N.T.S. ON 8.5X11

Exhibit F: LUP Policies, Goals, and Objectives



- P1-30 Prohibit any further subdivision and/or creation of new building sites west of San Antonio Avenue and within any block fronting on North San Antonio Avenue or Scenic Road. (LUP)
- P1-31 Discourage any future subdivision of land or lot-line adjustment unless it can be demonstrated that the character of the block and neighborhood will be maintained. (LUP)
- P1-32 Preserve significant areas of vegetation and open space when approving subdivisions and lot line adjustments through the appropriate siting of buildings and other allowed improvements. (LUP)
- P1-33 Evaluate and minimize the impacts of proposed lot line adjustments and subdivisions on traffic, access, trees, topography, utilities and public services through the approval process. (LUP)
- P1-34 Inventory all building sites that contain portions of lots or lot fragments left over from previous subdivisions. Consolidate all lots or portions of lots with adjoining lands within the same building site through the filing of lot merger or lot line adjustment documents when additional development is proposed. (LUP)
- P1-35 Establish criteria for evaluating lot line adjustments and subdivisions that will protect environmental resources, and ensure that proposed lots will be consistent with the pattern of existing parcel sizes within the surrounding neighborhood. (LUP)
- P1-36 Avoid the creation of land use and design nonconformities through approvals of lot line adjustments, subdivisions and the creation of building sites.

Residential Development

- O1-8 Preserve the traditional characteristics of scale, good site design and sensitivity to neighboring sites in the single-family residential district through the design approval of new homes, additions and exterior remodeling. Encourage the construction of residences that are diverse and innovative in design yet compatible with the forest setting, site design and materials established by other structures within the neighborhood and adopted Residential Design Guidelines. (LUP)



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- P1-37** Require design review for new homes and second story additions in the residential district. Require design review for exterior remodeling that significantly affects the character or appearance of structures and sites in the R-1 District. Ensure that approved designs do not disrupt the existing neighborhood character by introducing inconsistent design elements.
- P1-38** Each site shall contribute to neighborhood character including the type of forest resources present, the character of the street, the response to local topography and the treatment of open space resources such as setbacks and landscaping. It is intended by this policy that diversity in architecture be encouraged while preserving the broader elements of community design that characterize the streetscape within each neighborhood. (LUP)
- P1-39** Site improvements shall be compatible with, and sensitive to, the natural features and built environment of the site and of the surrounding area. Design solutions should relate to and take advantage of site topography, vegetation and slope. Designs shall recognize the limitations of the land and work with these limitations rather than ignoring them or trying to override them. (LUP)
- P1-40** Residential designs shall maintain Carmel's enduring principles of modesty and simplicity and preserve the City's tradition of simple homes set amidst a forest landscape. Buildings shall not present excess visual mass or bulk to public view or to adjoining properties. Buildings shall relate to a human scale in their forms, elements and in the detailing of doors, windows, roofs, and walkways. Oversized design elements make structures appear dominating and monumental. This out-of-scale character represents a poor fit to the human form, vitiates the more intimate, rural charm and village character of Carmel-by-the-Sea and should be avoided. (LUP)
- P1-41** The design of structures shall be coordinated with open space to enhance the park-like environment of the City. Open space should be distributed around buildings to provide visual relief from structural bulk and a distinct separation from buildings on adjacent sites. Designs shall coordinate structural elements with landscaping to achieve a pleasing overall site design. (LUP)

Exhibit F: LUP Policies, Goals, and Objectives



- P1-42** Prior to submittal of design plans for new development that will alter the building footprint, add a second story or involve excavation, a site plan shall be prepared by a qualified professional to document topography, drainage features, existing trees and structures, street edge, and existing conditions on adjacent properties. Using this site plan, the City's planning staff and City Forester shall prepare a preliminary site assessment that includes an evaluation of the design character, streetscape attributes, potential historic resources, and forest resources of the block and neighborhood as well as the resource constraints of the site. Submittal of a Forest Enhancement and Maintenance Plan shall be required from project applicants in response to the site assessment. The Plan shall address the impacts of the proposed development on the existing forest conditions of the site. Site Plan designs shall recognize the constraints of the land and work within these limitations. Minimize the extent of excavation and fill on a site to avoid adverse impacts on trees and ensure that new development follows the natural contours of the site. (LUP)
- P1-43** Maintain and enhance the informal, vegetated, open space character of the City's rights-of-way. Trees in the rights-of-way shall not be removed to provide parking. With the exception of driveways, installation of new paving in the rights-of-way by private property owners is prohibited. (LUP)
- P1-44** Prohibit the removal of significant trees (as determined by the City Forester) unless it would prevent a reasonable economic use of the site or pose a threat to health and safety. Locate buildings and other site structures to avoid removal and pruning and otherwise minimize damage to existing significant trees. Avoid impacts to trees by avoiding/minimizing impacts to the root protection zone identified by the City Forester during the preliminary site assessment. Establish continuity of landscape elements throughout each neighborhood. Replace trees removed for construction with appropriate trees of the urbanized forest. Require that they be nurtured until well established. (LUP)
- P1-45** All demolitions, rebuilds, remodels, and substantial alterations shall be consistent with the following findings:

Exhibit F: LUP Policies, Goals, and Objectives



- The design uses simple/modest building forms and a limited number of roof planes, and a restrained employment of offsets and appendages consistent with the City's Design Objectives.
 - Mass of the building relates to the context of other homes in the vicinity.
 - The development is similar in size, scale, and form to buildings on the immediate block and neighborhood.
 - The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings and structures will be setback a minimum of 6 feet from significant trees. (LUP)
- P1-46** Require design review of proposed developments in the residential districts that are near designated parkland or that involve severe slopes, large structures or unusual design, to protect the character of individual neighborhoods and avoid inharmonious or out-of-scale development. (LUP)
- P1-47** Apply the City's Residential Design Guidelines that explain the qualities that are characteristic of the community to assist in the preparation and approval of plans for residential development through the design review process. Include provisions for scale, mass, bulk, height, setbacks, open space, landscaping, exterior materials, lighting and community character. Establish procedures for using the guidelines that will allow flexibility and creativity in architectural expression yet maintain continuity in the design character of the residential district. (LUP)
- P1-48** Establish maximum limits on site coverage and floor area in order to preserve open space and avoid excessive mass and bulk. Establish provisions for a smaller ratio of allowable coverage and floor area on larger sites and on sites constrained by environmental factors to preserve open space, vegetation, natural landforms and the character of surrounding neighborhoods. (LUP)

Exhibit F: LUP Policies, Goals, and Objectives



- P1-49 Limit above-grade floor area on 4,000 square foot lots to a maximum of 1,800 square feet. Projects with less above-grade square footage shall be preferred. Structural coverage shall not exceed 45% of the site. Total site coverage (structural and other impermeable coverage) on 4,000 square foot lots shall not exceed 55% of the site. Locate open space so that it visually links with adjacent properties. (LUP)
- P1-50 Establish landscaping standards to preserve the urban forest of Monterey Pines, Monterey Cypress, Redwoods and Coast Live Oaks, and encourage informal gardens using native vegetation to maintain the natural character of open spaces in the residential areas. (LUP)
- P1-51 Consider the effect of proposed residential construction on the privacy, solar access and private views of neighbors when evaluating design review applications. Avoid designs that are insensitive to the designs of neighboring buildings. Attempt to achieve an equitable balance of these design amenities among all properties affected by design review decisions. (LUP)
- P1-52 Establish and enforce permit standards for properties fronting on and to the west of North San Antonio and Scenic Road (the Beach District). The standards shall address identification and preservation of possible prescriptive rights of access, securing continuous lateral access and protection of public viewsheds to and along the coast. Limit the height of buildings in this area to 18 feet. (LUP)
- P1-53 Promote the undergrounding of utilities where feasible and with minimum detriment to the root systems of trees. (LUP)
- P1-54 Limit exterior lighting to prevent glare and preserve the traditional low levels of illumination during hours of darkness.
- O1-9 Recognize the contribution of existing public and quasi-public land uses in the R-1 district that serve local needs. Allow these existing uses to continue, but limit their expansion and minimize impacts on surrounding R-1 neighborhoods. (LUP)

Exhibit F: LUP Policies, Goals, and Objectives



- P1-98** Ensure, through the City's development review processes, that new and altered buildings, whether historic resources or not, are consistent with review standards and zoning ordinances. (LUP)
- P1-99** Implement guidelines for the commercial and residential areas that reflect the design context established by historic patterns of development and explain, illustrate, and establish standards to perpetuate the City's design context, setting, and community character consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties and Guidelines for Preserving, Rehabilitating and Restoring Historic Buildings (Secretary of the Interior's Standards and Guidelines). (LUP)
- P1-100** Implement guidelines for civic design to preserve unique community character resources (e.g. public structures, street signs, landscape features and materials, etc.). Incorporate the concept of cultural landscapes (e.g. streets and other non-building open space features) in future revisions to the Historic Context Statement and develop guidelines for their preservation. (LUP)
- P1-101** Use the State Historical Building Code for historic buildings and properties. Foster a greater understanding of this Code among architects and building professionals. (LUP)
- P1-102** Minimize adverse impacts to historic resources from natural disasters by promoting seismic safety, flood protection, and other building safety programs. Ensure the preservation of historic resources identified in the Carmel Inventory through the development and implementation of an effective emergency response plan. (LUP)
- G1-5** **Protect and enhance historic resources. Ensure that City ordinances, development review processes and administrative policies support, facilitate and coordinate with preservation activities. Provide incentives for property owners to preserve and rehabilitate historic resources. (LUP)**
- O1-16** Pursue and support the use of appropriate Federal, State, local, and private grants, loans, tax credits, and tax relief. Develop or assist financial, technical, and legal assistance programs to encourage or assist with rehabilitation and maintenance. Participate in the State and Federal preservation process and programs. Make application to the State for



Exhibit F: LUP Policies, Goals, and Objectives

General Plan/Coastal Land Use Plan

Land Use & Community Character Element

becoming a Certified Local Government (CLG), which enables the City to receive technical training. (LUP)

O1-17 Incorporate historic preservation principles into the City's project review processes. Avoid and minimize potential impacts on historic resources when developing and enforcing land use, design review, zoning, building code, fire code, environmental review, and other City regulations. (LUP)

P1-103 Use the Secretary of the Interior's Standards and Guidelines as the standard of review for development projects affecting historic resources. The City shall retain qualified professionals to evaluate and present to the Historic Preservation Board for review proposed exterior changes to historic resources to determine whether they are consistent with the Secretary of Interior's Standards and Guidelines. (LUP)

P1-104 Prohibit the demolition of all historic resources and prohibit changes to historic resources that are inconsistent with the Secretary of Interior's Standards and Guidelines unless it is determined through environmental review that alternatives consistent with the Secretary of Interior Standards are not feasible. When completing environmental review of any project affecting an historic resource, require exploration of one or more alternative designs that would be consistent with the Secretary of the Interior's Standards and Guidelines Standards. (LUP)

P1-105 Apply the Design Review Guidelines to ensure preservation, protection, enhancement, rehabilitation, reconstruction, and perpetuation of existing structures of historic significance in a manner consistent with the character of the village. Such criteria shall include, but not be limited to, architectural design, size, scale, height, spatial relationships, window, dormers, appurtenances, proportion and placement of improvements on the parcel, and landscaping, including planting or removal of vegetation. (LUP)

P1-106 Recognize existing architectural features and styles when reviewing alterations to historic resources. Strive to achieve compatibility between these historic elements and proposed changes. Allow historic resources included in the Carmel Inventory to retain existing land use and/or design nonconformities when proposed rehabilitation or repairs are found to be consistent with



Urban Forests, Parks and Open Spaces

- G5-3 Protect, conserve and enhance the unique natural beauty and irreplaceable natural resources of Carmel and its Sphere of Influence, including its biological resources, water resources, and scenic routes and corridors. (LUP)**
- O5-8 Protect, conserve and enhance designated open space, the urban Monterey pine forest, beach and shoreline, the sensitive habitats and the hillside areas, and acquire additional open space as deemed appropriate. (LUP)**
- P5-43 Maintain and preserve the shoreline in a manner that will ensure its availability for public use and enjoyment and preserve the natural condition in conformance with the adopted Carmel Shoreline Management Plan. (LUP)**
- P5-44 Maintain a Park Overlay District to ensure that development of private property adjacent to parks and open spaces is compatible with their continued enjoyment. (LUP)**
- P5-45 Maintain a Beach Overlay District for the purpose of providing a method of review and control for private property that is adjacent to public beach lands. Ensure that the development of private property is compatible with public enjoyment of the beach as a coastal resource. (LUP)**
- P5-46 Preserve and protect areas within the City's jurisdiction, which due to their outstanding aesthetic quality, historical value, wildlife habitats or scenic viewsheds, should be maintained in permanent open space to enhance the quality of life. Such acquired areas would be left in a natural state or restored for aesthetic and/or wildlife purposes. (LUP)**
- P5-47 Continue Carmel's tree preservation program and encourage the use of indigenous or native plants. (LUP)**
- P5-48 New development shall protect areas of unique scenic quality (e.g. Scenic Road, Junipero Ave, Torres & 3rd, etc.). Development in these areas shall be sited to protect public views to and along the coast, minimize impacts via landform alteration, and be visually compatible with the character of surrounding areas. (LUP)**
- G5-4 Preserve and enhance the City's legacy of an urbanized forest of predominantly Monterey pine, coast live oak and Monterey Cypress. (LUP)**
- O5-9 Maintain a Forest and Beach Commission and a Forest, Parks and Beach Department that have specific responsibility and jurisdiction for the health and well-being of the forest, parks and beach. (LUP)**

Exhibit F: LUP Policies, Goals, and Objectives



- P5-49 Review periodically all existing tree-related ordinances and policies in the Forest Management Plan/LCP. Propose changes to bring them into alignment with new advances in urbanized forest management practice. (LUP)
- P5-50 Conduct the forest program in accordance with a coherent body of laws, goals, policies and guidelines. (LUP)
- P5-51 Coordinate all functions of the urban forest program through the City Forester. (LUP)
- P5-52 Commit resources necessary to support the forest, parks and beach programs. (LUP)
- O5-10 Maintain a Citywide map and database of trees and landscaped areas to support tree planting and maintenance programs. (LUP)
- P5-53 Complete a Citywide survey and database update every four years. Compile the data by size of tree and species in an electronic format. Also survey replacement trees required by permit conditions of approval. Report survey information and the status of replacement trees to the Forest and Beach Commission and Planning Commission at the conclusion of each yearly survey. Continue to monitor replacement trees for at least one survey cycle (i.e., 4 years). (LUP)
- P5-54 Require more open space on sites with significant forest resources based on site conditions as warranted to preserve the integrity of the urbanized forest. (LUP)
- O5-11 Maintain, restore and enhance the upper and lower tree canopy of Carmel's urbanized forest. (LUP)
- P5-55 Implement adopted tree density policies for private and public property as appropriate to each site taking into consideration neighborhood characteristics and site constraints. (LUP)
- P5-56 Establish and implement tree canopy policies for the commercial district. (LUP)
- P5-57 Maintain a list of tree species that could qualify as indigenous upper and lower canopy trees, for the purposes of meeting tree density and replacement policies. (LUP)



Exhibit F: LUP Policies, Goals, and Objectives

- P5-58 Maintain, restore and enhance a predominantly indigenous forest of native Monterey pines and coast live oaks. (LUP)
- P5-59 Avoid encroachment within the root protection zone of significant trees. Removal of significant live Monterey pine trees to facilitate residential development is prohibited unless necessary to provide a viable economic use or protect public health and safety. (LUP)
- P5-60 Review all projects involving an increase in lot coverage or tree removal and apply the adopted tree density policy as appropriate to each neighborhood and site conditions. Preserve upper and lower canopy trees classified as significant when planning and implementing residential and commercial development. (LUP)
- P5-61 Promote natural regeneration of the forest and retention of seedlings by maintaining natural ground surfaces. (LUP)
- P5-62 Use tree species and sizes well adapted for each planting site. (LUP)
- P5-63 Manage the tree-planting program to achieve an uneven-aged, healthy forest with particular emphasis on native Monterey pines and coast live oaks. (LUP)
- P5-64 New development shall be sited and designed to avoid or minimize significant adverse effects to the forest. Avoid projects that significantly increase building footprint to the detriment of trees. No grading, compaction of soils, construction of building walls or placement of impermeable surfaces within six feet of trees classified as significant shall be permitted. (LUP)
- O5-12 Implement policies, standards and procedures to regulate removal, pruning, and replacement of trees on private property. (LUP)
- P5-65 Permit the City Forester to act on requests for the removal and pruning of all trees growing on public and private property. (LUP)
- P5-66 Report sites that are non-conforming with standards for permeable surface lot coverage when applications for tree removal or pruning permits are filed. (LUP)
- P5-67 Permit the City Forester to apply special procedures for tree removal and pruning during emergencies. (LUP)