

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION**

PLANNING COMMISSION RESOLUTION NO. 2020-XX-PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA
APPROVING TRACK 1 DESIGN STUDY REFERRAL FOR THE INSTALLATION OF A NEW LOW
GLOSS DARK BRONZE STANDING SEAM METAL ROOF ON AN EXISTING RESIDENCE LOCATED
ON DOLORES STREET, 3 NE OF 11TH AVENUE IN THE SINGLE-FAMILY RESIDENTIAL (R-1)
ZONING DISTRICT; APN: 010-155-012.**

WHEREAS, Janet Heredia (“Applicant”) submitted an application requesting the approval of a Design Study “DS 20-259” described herein (“Application”); and

WHEREAS, project site is a comprised of a 4,000 square-foot lot of record located on Dolores 3 NE 11th; and

WHEREAS, the site is developed with an existing single family residence; and

WHEREAS, the applicant is seeking approval of a Design Study application for the installation of a new standing seam metal roof; and

WHEREAS, this application has been referred to the Planning Commission as staff maintain concerns regarding the initial proposal regarding the installation of a proposed copper roof; and

WHEREAS, the item was initially heard at the October 14, 2020 Planning Commission hearing and the item was continued with direction to the applicant to resubmit with a different roof material other than copper citing environmental concerns, potential impacts to neighbors, and the attractiveness of the artificial patina as areas of concern; and

WHEREAS, the applicant submitted a revised proposal for the installation of a 24 gauge Dark Bronze standing seam metal roof; and

WHEREAS, a Coastal Development Permit is not required in accordance with CMC 17.52.100; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the “CEQA Guidelines”) and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, pursuant to CEQA regulations, the Application is categorically exempt under Section 15301 (Existing Facilities); and

WHEREAS, notice of the public hearing was published in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each property

owner within a 100-foot radius of the project site indicating the date and time of all public hearings for the Application; and

WHEREAS, on November 10, 2020, the Planning Commission held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Planning Commission by City staff and public testimony on the Design Study Track 1 Referral of the project in accordance with CMC 17.58.040; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Commission at its November 10, 2020 hearing including, without limitation, the staff report submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission did hear and consider all said reports, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the Design Study:

FINDINGS REQUIRED FOR DESIGN STUDY APPROVAL (CMC 17.64.80 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 Planning Commission 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 and/or 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. As conditioned, 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 unless otherwise agreed upon by the City Forester.	✓	
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 add to the variety and diversity along the streetscape.	✓	
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.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

BE IT FURTHER RESOLVED, that the Planning Commission of the City of Carmel-by-the-Sea does hereby approve a Design Study (DS 20-259, Jackson), the installation of a new standing seam metal roof to a residence located on Dolores 3 NE 11th (APN: 010-155-012) subject to the Conditions of Approval below:

CONDITIONS OF APPROVAL		
No.	Standard Conditions	
1.	Authorization. This approval authorizes a re-roof of an existing residence. The new roof shall be a 24 gauge standing seam Dark Bronze CoolR by Sheffield Metal consistent with the material sample submitted for review by the Planning Commission. No changes to the roof form are authorized under this approval.	✓
2.	Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R-1 zoning district. 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 may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	Permit Validity. This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓

4.	Roofing Permit. The applicant shall obtain a roofing permit from the building department prior to commencing work after competition of the applicable 10-day appeal period.	✓
6.	Tree Protection. During construction, no dirt or construction materials or equipment may be placed within 6 feet of the base of any tree.	✓
7.	Indemnification. The applicant agrees, at the applicant's 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.	✓

*Acknowledgement and acceptance of conditions of approval.

 Property Owner Signature

 Printed Name

 Date

Once signed, please return to the Community Planning & Building Department.

**PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA
 this 10th day of November, 2020, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

 Michael LePage
 Chair

 Margi Perotti
 Planning Commission Secretary