



# County of Monterey Zoning Administrator

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 2 Legistar File Number: ZA 23-004

February 09, 2023

**Introduced:** 2/2/2023

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### PLN210102 - SEA LA VIE CARMEL LLC

Public hearing to consider allowing a remodel and 556 square foot addition to an existing single-family home, construction of a 250 square foot shed, and removal of three Monterey cypress trees. The project is located within 100 feet of environmentally sensitive habitat (coastal bluff scrub), 750 feet of known archaeological resources, and within 50 feet of a coastal bluff.

**Project Location:** 30590 Aurora Del Mar, Carmel

**Proposed CEQA action:** Find the project qualifies for a Class 1 Categorical Exemption pursuant to CEQA guidelines section 15301

It is recommended that the Zoning Administrator adopt a Resolution:

- 1) Finding that project, which is an addition to an existing single-family dwelling, qualifies for a Class 1 Categorical Exemption pursuant to CEQA Guidelines section 15301, and none of the exceptions from section 15300.2 apply; and
- 2) Approving a Combined Development Permit consisting of:
  - a) a Coastal Administrative Permit and Design Approval to allow a 556 square foot addition to an existing single family home, replacement of an existing 125 square foot shed with a 250 square foot shed, and associated site improvements including replacements of existing decks and stairs;
  - b) a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat area (coastal bluff scrub);
  - c) a Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - d) a Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  - e) a Coastal Development permit to allow removal of 3 Monterey cypress trees, and 2 landmark size Eucalyptus trees.

### PROJECT INFORMATION:

**Agent:** Terence Latasa

**Property Owner:** Charles Moldow

**APN:** 243-331-004-000

**Parcel Size:** 1.1 Acres

**Zoning:** Rural Density Residential, 40 Acres per Unit with a Design Control overlay in the Coastal Zone, or "RDR/40-D(CZ)"

**Plan Area:** Big Sur Coast Land Use Plan

**Flagged and Staked:** Yes

SUMMARY:

The project proposes a remodel and small addition to an existing single-family home on a residential lot in the Otter Cove; and associated site improvements including constructing a detached shed and replacing an existing deck and stairs. The home is within 50 feet of a bluff, and is within a highly visually sensitive area off of Highway 1. However, the new additions and shed are sited further than the 75-year bluff setback recommended by the project geologist, and development is consistent with the Big Sur Coast Land Use Plan Scenic Resources policies.

Tree removal is proposed consisting of 3 Monterey cypress trees and a grove of 14 Eucalyptus trees. Removal of the cypress is the minimum number under the circumstances. Removal of the Eucalyptus does include two tree stems above 24 inches in diameter, which would define them as “landmark” trees, however, it abates an exotic/invasive species, which is encouraged by the Big Sur Coast Land Use Plan.

The Otter Cove area is also highly sensitive to archaeological resources, and sensitive habitats. However, the project is not anticipated to impact any of these resources.

DISCUSSION:

See **Exhibit B** for a detailed discussion.

CEQA:

The project qualifies for a Class 1 categorical exemption from environmental review and no unusual circumstances were identified to exist for the proposed project. California Environmental Quality Act (CEQA) Guidelines Section 15301 categorically exempts minor alterations to existing structures and facilities, including additions less than 2,500 square feet or 50% of floor area (approximately 2,000 square feet), whichever is less. The project proposes a 312 square foot addition to the home, a 244 square foot addition to the garage, and a 250 square foot shed (replacing a 125 square foot shed), totaling 681 square feet in new floor area, consistent with the Class 1 exemption.

None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project:

- Class 1 exemptions are not qualified by their location;
- Successive projects of the same type and in the same place (additions to existing structures within the allowable development standards which do not have significant impacts) would not contribute to a significant cumulative impact;
- There are no unusual circumstances related to the project would create the reasonable possibility of a significant effect;
- The project would not result to damage to scenic resources within view of State Scenic Highway. The project is in view of Highway 1 and does propose tree removal, however, the removal of the 3 Cypress trees will not impact the viewshed from the Highway, and the 14 Eucalyptus trees are not considered a scenic resource. Their removal would make the existing residence potentially more viewable from the highway; however, this is addressed by the standard landscaping plan condition No. 7, which implements Monterey County Coastal Implementation Plan sections 20.145.030.B.7.c and 20.145.030.C.2.d, and will ensure that the home is screened and won't

impact the viewshed;

- The project is not located on a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government code; and
- The project would not damage any historical resources.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments recommended conditions and/or reviewed this project:

- The Environmental Health Bureau (EHB)
- HCD-Engineering Services
- Carmel Highlands (FPD)
- HCD-Environmental Services

LUAC:

The project was referred the Big Sur Land Use Advisory Committee. At a public meeting on December 13, 2022, they voted to recommend approval of the project as proposed 4 - 0 with 1 absent. No members of the public were present or commented on the project (see **Exhibit F**).

The LUAC suggested replacing the Monterey cypress with trees native to the Big Sur area, such as Toyon's. While Monterey cypress are native to the County, their indigenous range does not include Big Sur. In Big Sur, the Monterey County Coastal Implementation Plan section 20.145.060.D.6 requires that native trees (which includes Monterey cypress by the definitions in the plan) 12 inches or more in diameter be replaced at a rate of one tree of the same variety, *"except where demonstrated in the Forest Management Plan or Amended Plan that this would result in an over-crowded, unhealthy forest environment."* Staff are recommending that the tree replacement Condition No. 10 allow the replacement trees to be an alterative tree native to Big Sur if recommended by the project forester that this would increase the health and biodiversity of the forest environment.

The LUAC also expressed some concern regarding outdoor lighting illuminating the ocean. Staff are recommending that the Big Sur outdoor lighting plan Condition No. 8, be incorporated, which will require all lighting to be downlit and unobtrusive.

Prepared by: Phil Angelo, Associate Planner x5731  
Reviewed by: Anna Quenga, AICP, Principal Planner  
Approved by: Craig Spencer, HCD Chief of Planning

The following attachments are on file with the HCD:

- Exhibit A - Project Data Sheet
- Exhibit B - Discussion
- Exhibit C - Draft Resolution, including:
  - Recommended Conditions of Approval
  - Colors and Materials
  - Project Plans
- Exhibit D - Forest Management Plan
- Exhibit E - Vicinity Map

Exhibit F - Big Sur LUAC Minutes, December 13, 2022

cc: Front Counter Copy; Zoning Administrator; California Coastal Commission; Carmel Highlands FPD; HCD-Engineering Services; HCD-Environmental Services; Anna Quenga, AICP, Principal Planner; Charles Moldow, Applicant; Terence Latasa, Agent; Joel Panzer, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN210102