



# Monterey County Zoning Administrator

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

## Agenda Item No. 2 Legistar File Number: ZA 22-040

August 25, 2022

**Introduced:** 8/16/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Zoning Administrator

### **PLN210072 - WOOD LAWRENCE E & SHARON P TRS**

Public hearing to consider a approving a test well within 750 feet of known archaeological resources.

**Project Location:** 232 Lower Walden Road, Carmel, Coastal Zone

**Proposed CEQA action:** Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303

### RECOMMENDATIONS:

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

1. Find that proposed test well qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, and there are no exceptions pursuant to Section 15300.2; and
2. Approve the Combined Development Permit consisting of a:
  - a. Coastal Administrative Permit to allow a test well; and
  - b. Coastal Development Permit to allow development within 750 feet of known archaeological resources.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 11 conditions of approval.

### PROJECT INFORMATION

**Agent:** N/A

**Property Owner:** Larry Wood

**APN:** 241-241-005-000

**Parcel Size:** 2.12 acres (92,686 square feet)

**Zoning:** Low Density Residential, one unit per acre with a Design Control overlay, Coastal Zone or "LDR/1-D(CZ)"

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** No

### SUMMARY

The Wood property is a 2.12-acre lot located at 232 Lower Walden Road in the Carmel Highlands. The site is vacant and the Wood's desire to construct a home on the property in the future. A potable water supply sufficient enough to serve future development must first be secured so construction of a test well on the site is proposed at this time. However, once the test well is installed and adequate water is available, the owners intend to submit an application to convert the test well into a domestic well and construct a single family dwelling.

The project would not require tree removal or pruning of trees to accommodate access into the well site for construction of the test well or staging of well drilling equipment. The construction management plan indicates all drilling fluids and spoils would remain on-site and allowed to drain downslope towards the western property line.

The test well would be located approximately 48 feet from the edge of Lower Walden Road within the front setback. This location is needed to maintain the required 100 foot radius from existing septic systems in the area as well as the future system to serve the proposed residence. Conceptual building and septic locations on the property have been provided to demonstrate that the property can be developed for residential use while meeting required setbacks from the proposed well. Proposed locations for development avoid impacts to slopes along the west property line. Future residential development of the property will be subject to separate permitting.

Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, Carmel Area Land Use Plan, Monterey County Coastal Implementation Plan, Part 4, and Zoning Ordinance (Title 20).

## DISCUSSION

### *Development Standards*

The subject parcel is zoned Low Density Residential with one unit per acre with a Design Control Overlay in the Coastal Zone or “LDR/1-D(CZ).” The proposed test well is not required to meet setbacks and height restrictions unless a structure is proposed to be constructed over the well head.

### *Health and Safety*

The parcel is currently undeveloped and there are currently no small water systems or public water systems that provide service in the Lower Walden Road area. This permit will allow drilling of a test well on the property since this is the only means to provide a water source for future development. Water quality and quantity produced by the well will be tested to ensure safe drinking water standards. If adequate water quality and quantity can be demonstrated, it is likely that the test well will be converted to a one connection (one single family dwelling) water well. If the test well does not meet standards, it will be destroyed in accordance with Environmental Health standards. Future development of the subject property is required to show evidence of adequate areas for on-site wastewater treatment. The Environmental Health Bureau (EHB) reviewed the project site plan for placement of the future building and conceptual OWTS location. EHB concurred that the site could be developed in compliance with well and septic setbacks standards identified in Title 15 of the Monterey County Code.

### *Cultural Resources*

County records identify that the project site is within an area of high sensitivity for cultural resources, and the project includes a Coastal Development Permit to allow development within 750 feet of known archaeological resources, including areas of known archaeological resources. The Carmel Land Use Plan requires that impacts to archaeological resources be avoided or minimized to the extent feasible. On October 22, 2021, archaeologists Susan Morley and Brenna Wheeler conducted inspections and auger testing at the site in areas that would be impacted by construction of the test well

and future single family dwelling. Phase II auger testing consisted of three bores within the footprint of the single family dwelling and one in the area of the well site. According to the archaeological report (LIB220050), bedrock was found at 43 centimeters with densely compacted soil. In the area of the future residence, auger testing found that the area had been filled with topsoil to accommodate a garden decades ago, and therefore was previously disturbed. Results of the testing found no evidence of potentially significant impacts to archaeological resources for the test well. However, the nearest positive archaeological site is 450 feet east of the project parcel. The report recommended archaeological monitoring and cultural resource training during construction of the future residence. On April 5, 2022, staff received a follow up letter clarifying results of the testing performed in October 2021. The letter stated that the probability of the proposed project creating adverse impacts to cultural resources is considered low. The future residence will undergo environmental review under a separate permit. A standard condition of approval has been incorporated into this project to assure construction work would be halted if archaeological resources are accidentally uncovered.

#### *Environmental Review*

California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts new construction of small new facilities. The proposed project is to allow a test well for the purpose of determining if a sufficient water supply exists on site to support future development of a single family dwelling. Therefore, the project qualifies for a Class 3 categorical exemption. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.

#### OTHER AGENCY INVOLVEMENT

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

- HCD-Development Services
- Environmental Health Bureau
- HCD-Environmental Services
- Carmel Highlands Fire Protection District
- California Coastal Commission

#### LAND USE ADVISORY COMMITTEE (LUAC)

Based on the Land Use Advisory Committee (LUAC) procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application does not meet any of the criteria in the guidelines requiring LUAC review because the project is for a test well and does not propose to build any new structures at this time.

Prepared by: Kayla Nelson, Assistant Planner, x6408  
Reviewed by: Anna Quenga, AICP, Principal Planner, x5175  
Approved by: Craig Spencer, HCD Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan and Construction Management Plan

Exhibit C - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Carmel Highlands FPD (Fire Protection District); HCD-Public Works; HCD-Environmental Services; Environmental Health Bureau; Kayla Nelson, Project Planner; Anna Quenga, Principal Planner; Larry Wood, Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN210072