



County of Monterey Planning Commission

Item No.3

Agenda Item No. 3

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

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PLN210276 - FEATHER CYPRESS LLC

Public hearing to consider allowing demolition of an existing 17,992 square foot single-family home with an attached two-car garage and detached 3,797 square foot gymnasium, construction of a 7,767 square foot single-family home inclusive of an attached two-car garage, 882 square foot basement, 712 square foot pool house, and associated site improvements, including a 1,433 square foot pool and spa, and an amendment to a previously approved permit (PLN200068) to delete Condition No. 8 that required recordation of a Conservation and Scenic Easement on the Property in favor of a new condition applied to this permit that incorporates and expands on the required easement. This property is located within 750 feet of a known archaeological site, within 100 feet of environmentally sensitive habitat area, and within 50 feet of a coastal bluff.

Project Location: 3256 17 Mile Drive, Pebble Beach

Proposed CEQA action: Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines

RECOMMENDATION:

It is recommended that the Monterey County Planning Commission:

1. Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines;
and
2. Approve a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit and Design Approval to allow the demolition of an existing 17,992 square foot single-family dwelling with an attached two-car garage, a detached 3,797 square foot gym, a 972 square foot covered walkway, and sheds totaling 433 square feet; and the construction of a 7,767 square foot single-family dwelling with an attached two-car garage, 882 square foot basement, 712 square foot pool house, 1,114 square foot pool, and a 319 square foot spa;
 - b. Coastal Development Permit to allow development within 750 feet of known archaeological resources;
 - c. Coastal Development Permit to allow development within an environmentally sensitive habitat area (indigenous Monterey cypress habitat and coastal bluff scrub);
 - d. Coastal Development Permit to allow development within 50 feet of a coastal bluff;
and
 - e. An amendment to a previously approved permit (PLN200068, Zoning Administrator Resolution No. 21-008), to delete Condition 8 requiring recordation of a Conservation and Scenic Easement; and
3. Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

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

PROJECT INFORMATION:

Owner: Feather Cypress LLC

Agent: The Law Offices of Aengus L Jeffers (Represented by Laura Lawrence and Aengus Jeffers)

APN: 008-462-008-000

Zoning: Low Density Residential, 2 acres per unit, with a Design Control overlay (Coastal Zone) [LDR/2-D (CZ)]

Parcel Size: 2.8 acres (121,968 square feet)

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: No

SUMMARY:

The project proposes demolition of an existing single-family house and construction of a new one, which would be smaller in scale and entirely within the existing development footprint. This site is located on a coastal bluff, within the native Cypress habitat in Del Monte Forest, in a visually sensitive area along 17 Mile Drive, and there are known archaeological resources in the vicinity. Due to the sensitive nature of the site, an Initial Study has been prepared for the project. Potential impacts to environmental resources were identified but mitigation measures have been agreed to by the applicant that reduce the impacts to a less than significant level resulting in a Mitigated Negative Declaration.

Development within 50 feet of a bluff - The project is located near a coastal bluff and is subject to wave erosion and bluff recession. A Geotechnical and Geologic study was submitted that concludes that the proposed development is sited and designed in a manner that accounts for 75 years of bluff retreat.

Sensitive Habitat - The site is within native cypress and coastal bluff scrub habitats. Mitigation measures have been incorporated requiring protection of these habitats during construction, and the project includes restoration of approximately 33,600 square feet of habitat area. No trees are proposed for removal.

Visual Resources - The site is on the ocean side of 17-Mile Drive. 17-Mile Drive is a designated scenic road pursuant to the Del Monte Forest Land Use Plan. In this case, the naturalistic colors and materials, reduced height and massing of the new home, and incorporation of open viewshed fencing ensure protection of the public viewshed and increase ocean views from 17-Mile Drive.

Historic Resources - The existing home proposed for demolition was constructed in the 1920's and designed by noted architect George Washington Smith. Numerous alterations have materially impacted the homes integrity such that it does not retain its original historic fabric. This matter was referred to the Historic Resources Review Board (HRRB) for a recommendation. The HRRB reviewed the project and agreed with the conclusion that the structure does not retain its historic integrity and therefore does not qualify as a historic resource.

Archaeological and Tribal Cultural Resources - A portion of a known archaeological site, a midden

deposit CA-MNT-2202/P-27-002777, is located nearby. A field survey revealed sparse marine shell and animal bone fragments while subsurface tests in locations of proposed developed only uncovered sparse abalone shell fragments and one burnt mammal bone fragment. To minimize potential impacts to archaeological and tribal cultural resources, mitigation measures have been incorporated as conditions of approval requiring archaeological and tribal monitoring during ground disturbing construction activities.

Permit Amendment/Easement Condition - A separate entitlement (PLN200068) was approved by the Zoning Administrator in 2021 for the partial demolition and re-construction of an accessory dwelling unit on the property. (Zoning Administrator Resolution No. 21-008, **Exhibit F**). Condition 8 of that approval required recordation of a conservation and scenic easement on a portion of the property. This permit would delete the conservation and scenic easement condition from the 2021 project (PLN200068) and add a new condition increasing the size of the easement to encompass the habitat areas being restored as part of this project and incorporating the areas previously proposed for conservation.

In all, the project includes demolishing a large non-conforming home and replacing it with a smaller home that conforms to current regulations. Potential environmental impacts have been addressed consistent with the Del Monte Forest Land Use Plan requirements and mitigations have been incorporated that avoid or minimize impacts on resources.

DISCUSSION:

See **Exhibit A** for a detailed discussion of the project scope, development standards, coastal hazards, environmental sensitive habitat areas, visual resources, and cultural resources.

CEQA:

Pursuant to Public Resources Code Section 21083 and CEQA Guidelines Sections 15063(a) and 15063(b)(2), Monterey County as Lead Agency completed environmental review to determine if the project may have a significant effect on the environment. The County prepared a draft Initial Study resulting in a Mitigated Negative Declaration (IS/MND) for this project (**Exhibit C**). The MND was filed with the County Clerk on August 2, 2022, and circulated for public review and comment from November 21, 2022 to December 21, 2022 (SCH No. 2022110478). No comments on the Initial Study were received during the circulation period.

The initial study identified potentially significant impacts to Biological Resources, Cultural Resources, and Tribal Cultural Resources. All other subject areas were analyzed to have a less than significant impact or no impact. Staff is recommending 6 mitigation measures.

Mitigation Measures No 1 through 4 reduce impacts to Biological Resources to a less than significant level by:

- Requiring best management practices to protect Monterey cypress be followed, including a pre-construction training, establishment of protective fencing, monitoring by a qualified arborist or forester, and monitoring during construction; and
- Requiring protective fencing and sediment control to protect Seacliff Buckwheat and Bluff Scrub habitat during construction and requiring coordination between a qualified biologist and

the invasive species removal contractor to ensure site work doesn't harm this habitat;

- Requiring removal of invasive species on the site; and
- Requiring a restoration plan and five years of monitoring by a qualified biologist for the onsite restoration activities.

Mitigation Measures No 5 and 6 reduce impacts to Cultural and Tribal Cultural Resources to a less than significant level by:

- Requiring cultural awareness training for construction personnel, establishment of a protective fence along the south of the property, and archaeological monitoring during grading and excavation; and
- Requiring that a tribal monitor approved by the appropriate tribal authority traditionally and culturally affiliated with the area be onsite to observe all project related grading and excavation. The monitor shall have the authority to temporarily halt work to examine any potentially significant cultural materials or features.

OTHER AGENCY INVOLVEMENT:

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

- The Environmental Health Bureau (EHB)
- HCD-Engineering Services
- Pebble Beach Community Services District (CSD)
- HCD-Environmental Services

LUAC REVIEW:

County staff referred the project to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project on February 17, 2022 and voted 6-0 with 1 absent and 1 abstention to recommend approval of the project contingent on review and concurrence from the Historic Resources Review Board (HRRB) that the property was not historical.

HRRB REVIEW:

The project was referred to the Historic Resources Review Board (HRRB) for review and a recommendation. At their March 3, 2022 meeting, the HRRB voted 6-0 with 1 absent to adopt a resolution recommending approval of the project as proposed, finding that the home was not eligible for listing on the Monterey County Register of Historic Resources. While the home onsite would be potentially significant, it lacks integrity, which is required for a structure or feature to be considered a historical resource.

Prepared by: Phil Angelo, Associate Planner
Reviewed by: Craig Spencer, Chief of Planning
Approved by: Erik Lundquist, AICP, HCD Director

The following attachments are on file with the HCD:

Exhibit A - Discussion

Exhibit B - Draft Resolution, including:

- Recommended Mitigation Measure and Condition of Approval Monitoring and Reporting Plan

- Site Plans, Floor Plans, Elevations, and Colors and Materials
- Exhibit C - Initial Study and Mitigated Negative Declaration
Exhibit D - Del Monte Forest LUAC Minutes
Exhibit E - HRRB Resolution No. 22-001
Exhibit F - Zoning Administrator Resolution No. 21-008
Exhibit G - Vicinity Map
Exhibit H - Del Monte Forest Land Use Plan Policy 20
Exhibit I - Monterey County Coastal Implementation Plan section 20.147.040.D.2.

cc: Front Counter Copy; Pebble Beach CSD; HCD-Engineering Services, HCD-Planning; HCD-Environmental Services; Environmental Health Bureau; Phil Angelo, Associate Planner; Anna Quenga, AICP, Principal Planner; Feather Cypress LLC, Property Owner; Laura Lawrence, Applicant's Agent; and Aengus Jeffers, Applicant's Agent; Tom Brice, Interested Party; Dale Skeen, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch; Project File.