



# County of Monterey Planning Commission

**Item No.5**

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

## Agenda Item No. 5

Legistar File Number: PC 24-015

February 14, 2024

**Introduced:** 2/1/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

### **PLN200251 - MCATA LLC**

Public hearing to consider allowing construction of a 7,442 square foot single family dwelling, inclusive of a 598 square foot garage and 518 square feet basement, and associated site improvements including a driveway, pool, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill. The project would include 6,152 square feet of development on slopes exceeding 30 percent, development within 750 feet of known archaeological resources, and removal of 25 protected trees (20 Coast live oak and 5 Monterey pine, 2 of which are landmark trees).

**Project Location:** 3347 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone

**Proposed CEQA action:** Find that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303, and none of the exceptions from section 15300.2 apply to the project.

### RECOMMENDATION:

It is recommended that the Monterey County Planning Commission adopt a resolution:

- 1) Finding that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303 and that none of the exceptions from section 15300.2 apply to the project; and
- 2) Approving a Combined Development Permit consisting of a:
  - a. Coastal Administrative Permit to allow construction of a 7,442 square foot single family dwelling, inclusive of a 598 square foot garage and 518 square feet basement, and associated site improvements including a driveway, pool, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill;
  - b. Coastal Development Permit to allow 6,152 square feet of development on slopes exceeding 30 percent;
  - c. Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
  - d. Coastal Development Permit to allow removal of 25 trees (20 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 14 conditions of approval.

**PROJECT INFORMATION:**

**Owner:** Mcata LLC

**Agent:** Carla Hashimoto, Eric Miller Architects, Inc.

**APN:** 008-351-047-000

**Zoning:** Low Density Residential, 1.5 acres per unit, with a Design Control Overlay, Coastal Zone [LDR/1.5-D(CZ)]

**Parcel Size:** Approximately 1.026 acres (44,678 square feet)

**Plan Area:** Del Monte Forest Land Use Plan

**Flagged and Staked:** Yes

**Planner:** Phil Angelo, Associate Planner

(831) 784-5731 or AngeloP@co.monterey.ca.us

**SUMMARY:**

The property is vacant site, with the exception of an existing driveway that connects directly to 17-Mile Drive and continues northeast to the adjoining property at 1540 Riata Road, and a wood gate and fence parallel to the front property line. On June 3, 2020 the County issued an Unconditional Certificate of Compliance which recognized the property as a legal lot of record (Document No. 2020026453, HCD-Planning File No. CC200004).

The applicants are proposing to develop the site with a single-family residence and associated site improvements, including connecting to the existing driveway and constructing a pool and pool deck. Due to the steeply sloped nature of the site, and tree cover on the property, the applicants are also proposing removal of 25 trees, 20 of which are Coast live oak and 5 are Monterey pine, and development on slopes in excess of 30%. The property is also within 750 feet of known archaeological resources, however the archaeological report prepared for the project did not identify any evidence of archaeological resources onsite.

The project is consistent with the development standards of the base Low Density Residential zoning district, and appears consistent with the relevant resource protection policies of the Del Monte Forest Land use Plan, and their accompanying regulations in the Monterey County Coastal Implementation Plan (CIP). Discussion of Visual Resources, Forest Resources (tree removal), and development on slopes in excess of 30% are detailed below.

**DISCUSSION:**

**Visual Resources and Design**

The property is subject to the Del Monte Forest Land Use Plan policies protecting visual resources, as well as their implementing regulations in Monterey County Coastal Implementation Plan Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area (CIP); and the design review requirements of the Design Control “D” overlay zoning district. The residence has been sited and designed in accordance with these policies and regulations.

The surrounding character of the area is a pattern of low density residential development with large lots and single-family residences, heavily screened by vegetation, including oak and pine trees. The topography slopes moderately to steeply upwards from the coast further inland. An eclectic mixture of residential architecture is present in Pebble Beach; between 1919 and 1945 the Del Monte Properties

Company instituted design controls requiring Mediterranean and Spanish revival styles, while the post World War Two period relaxed these controls and resulted in several styles in post war development, including ranch, colonial revival, and mid century modern.

The Design Control overlay district requires structures be compatible with the surrounding neighborhood character, and CIP section 20.147.070.B.3 requires that structures within visually prominent settings be designed to subordinate and blend into the environment, including appropriate construction and materials to achieve that effect. The architectural form of the residence is modern, with rectilinear features, large windows, and a flat overhanging roof. The proposed colors palette features tan smooth and split faced stone veneers, frameless glass, and an exterior soffit with a medium bronze band with a teak wood insert, and a mahogany ceiling. The modern architecture fits within the variety of styles in Pebble Beach, while the natural materials subordinate the residence to its surrounding environment in accordance with the CIP section 20.147.070.B.3. The site design preserves the slopes south, west, and north of the residence, giving the appearance that the structure is built into the landscape, further subordinating it to the environment.

The property is mapped as being potentially viewable from 17-Mile Drive and Point Lobos based on the Del Monte Forest Land Use Plan Figure 3, Visual Resources. The new development was flagged in accordance with the County's staking and flagging criteria. As viewed during the planner's site inspection on October 12, 2023, the property fronts on 17-Mile Drive so the development will be visible from 17-Mile drive. Due to distance, topography, and intervening development and vegetation, at the planner's site visit the project and site could not be seen from Point Lobos. CIP section 20.147.070.B.10. requires a minimum 50 foot front setback for structures from visually prominent settings, such as 17-Mile Drive. The proposed setback is 73 feet and 11 inches, consistent with this requirement CIP section.

In order to maintain an appropriate open space and visual separation from development and the 17-Mile Drive corridor, Del Monte Forest Land Use Plan Policy 84, implemented through CIP section 20.147.070.B.13, requires a minimum setback of 100 feet from the centerline of 17-Mile drive for new development. The decision making body may allow an exception to this policy provided that the new development is screened from view of travelers by existing vegetation or terrain and this screening is required to be maintained or enhanced in perpetuity. CIP section 20.147.070.B.13 further requires that the area of this setback be placed in a Conservation and Scenic Easement.

All buildings are located greater than this 100 foot setback, with the residence being 101 feet and 1 inch from the centerline of 17-Mile Drive. However, site improvements, including a pool, deck, planter retaining walls and landing for an exterior stair are within the 100 foot setback. These improvements are low to the ground, minimizing their visual obtrusion. In this case, due to their low profile and the large volume of existing oak and pine tree vegetation, the development is sufficiently visually screened to allow an exception to this policy. The area between this setback and the roadway is heavily forested with oak and pine trees, with approximately 52 trees, some of which are multi-stem clusters. Condition No. 6 has been applied, which would require the applicant to submit a landscaping plan prior to issuance of building permits and prior to final, have the landscaping installed, and maintained in perpetuity. Condition No. 8 would require planting of 29 replacement trees to compensate for the loss of trees removed due to construction, which would be incorporated into the landscape plan and further

screen the development. Finally, in accordance with CIP section 20.147.070.B.13, a conservation and scenic easement (Condition No. 13) will be required for the 100 foot setback area with the exception of existing/approved development, to ensure that this area is maintained as an open space buffer between 17-Mile Drive and the development.

Forest Resources

The project is subject to the Del Monte Forest Land Use Plan policies protecting forest resources, and their implementing regulations in the Monterey County Coastal Implementation Plan, Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area (CIP). CIP section requires a Coastal Development Permit to allow removal of sensitive tree species or landmark trees. In this case, the project proposes removal of 25 trees, 20 of which are Coast live oak and 5 of which are Monterey pine (including 2 landmark size Monterey pine).

A pre-construction tree impact assessment (LIB210052) was prepared by Rob Thompson, Thompson Wildland Management in accordance with CIP section 20.147.050.B on September 14, 2020. The site plan was subsequently revised, and a revised assessment was prepared April 3, 2023. The tree impact assessment described the forested character of the site and surrounding area: “On this particular property, as with the other nearby lots, mid canopy Coast Live Oak is the most dominant and common specie (refer to Figures 1-8), with upper canopy Monterey Pine occurring to a lesser extent.”

CIP section 20.147.050.C.5 requires that development, including driveways and parking areas, be sited and designed to minimize removal of trees, especially trees that significantly contribute to the visual character of the public viewshed, such as along 17-Mile Drive, and that screen development from public view. In this case 25 trees minimizes the number of trees being removed. The originally submitted plan would have required the removal of 35 trees, 28 Coast live oak and 7 Monterey pine. The applicants submitted a revised proposal re-siting the residence south, which reduced the number of trees proposed to be removed to 25, 20 Coast live oak and 5 Monterey pine. Of these, 24 are within the construction footprint. The only tree proposed for removal outside of the construction footprint is tree #17, a multi-trunk (6 inch diameter to 17 inch diameter) Monterey pine that is in poor health and the forester recommended removal due to construction impacts from adjacent grading activities and potential long term hazard concerns. The design also preserves the forested area between 17-Mile drive and the home, which acts as screening of the development from 17-Mile Drive.

CIP section 20.147.050.C.6 requires that where removal of native trees is allowed for development, such removal be mitigated through replanting, or forest preservation either on- or offsite. In this case, the forester recommended replacement of the 25 trees (20 Coast live oak and 5 Monterey pine, two of which are landmark trees) with 29 trees onsite, 23 Coast live oak and 6 Monterey pine, in order to mitigate for tree removal impacts and maintain forest health. While the forester’s recommendation of 29 trees exceeds the 1:1 tree replacement ratio specified in CIP section 20.147.050.C.6, staff are recommending the foresters replacement ratio be adhered to, which is incorporated as Condition No. 8.

Per CIP section 20.147.050.C.4, retained trees close to construction shall be protected from damage through exclusionary fencing, bridging or tunneling under roots, and other appropriate measures. The tree assessment provided recommendations to install exclusionary fencing to protect the critical root zones of trees, install appropriate sediment control to prevent erosion, install trunk and stem protection where grading or construction would be within three feet of a tree, best management practices for when roots are identified, avoid storing materials and equipment in critical root zones, avoid altering natural grade where possible within critical root zones, best management practices for tree pruning, and regularly conduct construction site inspections. Condition No. 8 is recommended, which would require the applicant to install tree protection measures prior to the issuance of grading or building permits and incorporate the forester's tree protection recommendations. This condition also requires that after construction the applicant submit photos verifying whether tree protection has been successful, or if follow-up remediation measures or additional permits are required.

Development on Slopes

The project includes approximately 6,152 square feet of development on slopes in excess of 30 percent, 3,560 square feet of this is for the building footprint, while another 2,592 square feet is for associated hardscape, including the driveway, pool, and pool deck.

Title 20 section 20.64.230 prohibits development on slopes in excess of 30 percent unless a finding can be made that either there is no feasible alternative which would allow development to occur on slopes of less than 30 percent; or the proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives.

The entire property is moderately to steeply sloped as you move from 17-Mile Drive north and north-east, with the majority of the property having slopes in excess of 25 and 30 percent. The only contiguous portions of the property that doesn't have slopes in excess of 30 percent is the existing driveway, which is being used as access for the site and adjacent 1540 Riata Road. Due to the steeply sloped nature of the site, neither re-siting the home in any direction or reducing the development footprint would avoid development on slopes, making slope development unavoidable.

CEQA:

California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts the construction and location of a limited number of new small structures, including one single-family residence, and utility extensions of reasonable length to serve such construction. None of the exceptions to exemptions from Section 15300.2 apply to the project:

- The project is not located in an area where an environmental resource of hazardous or critical concern has been designated and precisely mapped by a federal, state, or local agency.
- The project, as the construction of a single-family residence on a property zoned to allow such uses, and where the application of the policies and regulations applicable in the Del Monte Forest Land Use Plan ensures that there would be no significant environmental effects, would not contribute to a significant cumulative environmental impact.
- There are no unusual circumstances in the undertaking of the project that would result in a potentially significant effect.

- The project is not viewable from an officially designated state scenic highway. The nearest scenic highway is Highway 1, which is approximately 1.57 miles east of the site. Due to forest cover, topography, and intervening development, the project would not be viewable from this highway.
- The project is not on a hazardous waste site list compiled pursuant to Government Code section 65962.5.
- The site is vacant property with no known historical resources; therefore, the project would not impact any historical resources.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

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

LUAC REVIEW AND PUBLIC COMMENT:

The project was referred to the Del Monte Forest Land Use Advisory Committee, who reviewed the project at their April 15, 2021 meeting. No members of the public commented, the LUAC had no areas of concern, and the LUAC voted 8-0 to recommend approval as proposed. (**Exhibit C**).

Prepared by: Phil Angelo, Associate Planner x5731  
Reviewed by: Anna Ginette Quenga, AICP, Principal Planner  
Approved by: Melanie Beretti, AICP, Acting Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution, including:

- Recommended Condition of Approval
- Site Plans, Floor Plans, Elevations, and Colors and Materials

Exhibit B - Tree Assessment including Addendum  
Exhibit C - Del Monte Forest LUAC Meeting Minutes  
Exhibit D - Vicinity Map  
Exhibit E - Site Photos

cc: Front Counter Copy; Pebble Beach CSD; HCD-Engineering Services, HCD-Planning; HCD-Environmental Services; Environmental Health Bureau; Phil Angelo, Associate Planner; Anna Ginette Quenga, AICP, Principal Planner; Mcata LLC, owner/applicant; Carla Hashimoto, Eric Miller Architects, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Lozeau Drury LLP; Project File PLN200251.