



## Administrative Permit

Legistar File Number: AP 24-005

February 07, 2024

**Introduced:** 1/30/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Administrative Permit

### **PLN030379-AMD1 - SEAL HOUSE LLC**

Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN030379) that allowed the subdivision of a 49 acre property into two parcels containing 40 acres and 9 acres; construction of a 2,729 square foot single family dwelling with a 300 square foot garage, and associated site improvements including perimeter fence, septic system, removal of two protected trees; development within the Critical Viewshed, within 100 feet of Environmentally Sensitive and on slopes in excess of 30 percent; and transfer of a development credit. This Amendment would clear Code Enforcement violation (22CE00104) to allow construction of a replacement 5-foot-tall open-style redwood fence with a 6-foot-tall entrance gate within the Critical Viewshed.

**Project Location:** 56700 Highway 1, Big Sur, Big Sur Coast Land Use Plan

**Proposed CEQA action:** Find the project Categorically Exempt per Section 15302 of the CEQA Guidelines.

### RECOMMENDATIONS:

It is recommended that the HCD Chief of Planning adopt a resolution to:

- 1) Finding the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- 2) Approving a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN030379) that allowed the subdivision of a 49 acre property into two parcels containing 40 acres and 9 acres; construction of a 2,729 square foot single family dwelling with a 300 square foot garage, and associated site improvements including perimeter fence, septic system, removal of two protected trees; development within the Critical Viewshed, within 100 feet of Environmentally Sensitive and on slopes in excess of 30 percent; and transfer of a development credit. This Amendment would clear Code Enforcement violation (22CE00104) to allow construction of a replacement 5-foot-tall open-style redwood fence with a 6-foot-tall entrance gate within the Critical Viewshed.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval of the Minor and Trivial Amendment, subject to 3 conditions of approval. All conditions of approval adopted with Planning Commission Resolution No. 13-004 remain effective for Combined Development Permit No. PLN030379.

### PROJECT INFORMATION:

**Agent:** Laura Lawrence, Law Office of Aengus L. Jeffers

**Property Owner:** Seal House LLC

**APN:** 421-011-034-000

**Parcel Size:** 9 acres

**Zoning:** Watershed and Scenic Conservation, 40 acres per unit, Design Control, Coastal Zone, or “WCS/40-D (CZ)”

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

**Flagged and Staked:** No

SUMMARY:

Staff is recommending approval of a Minor and Trivial Amendment subject to the findings and evidence in the attached Resolution (see **Exhibit A**), and subject to the conditions of approval attached to the Resolution. Please read these carefully and contact the planner if you have any questions. Unless otherwise noted in the conditions, the applicant will be required to satisfy all permit conditions prior to the issuance of a building/grading permits and/or commencement of the approved use.

On February 7, 2024, an administrative decision will be made. A public notice has been distributed for this project. The deadline for submittal of written comments in opposition to the project, its findings, or conditions, based on a substantive issue, is 5:00 p.m. on Tuesday, February 6, 2024. The permit will be administratively approved the following day if we do not receive any written comments by the deadline. You will receive a copy of your approved permit in the mail. We will notify you as soon as possible in the event that we receive correspondence in opposition to your project or if the application is referred to a public hearing.

Note: This project will be referred to the Monterey County Zoning Administrator if a public hearing is necessary. The decision on this project is appealable to the Board of Supervisors.

OTHER AGENCY INVOLVEMENT:

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

HCD-Engineering Services  
Environmental Health Bureau  
HCD-Environmental Services  
CalFire (Big Sur)

Prepared by: Fionna Jensen, Senior Planner x6407

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Site Plans, Elevations, Colors and Materials

Exhibit B - Planning Commission Resolution No. 13-004

Exhibit C - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; CalFire; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Fionna Jensen, Planner; Anna Ginette Quenga, AICP, Principal Planner; Seal House LL, Property Owners; Laura Lawrence, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury

LLP; Christina McGinnis, Keep Big Sur Wild; Planning File PLN030379-AMD1.