



County of Monterey Planning Commission

Item No.4

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

Agenda Item No. 4

April 10, 2024

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PLN200251 - MCATA LLC

Public hearing to consider allowing construction of a 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a driveway, hot tub, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill. The project would include 4,907 square feet of development on slopes exceeding 30 percent, development within 750 feet of known archaeological resources, and removal of 22 protected trees (17 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 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a driveway, hot tub, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill;
 - b. Coastal Development Permit to allow 4,907 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 22 trees (17 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees).

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 17 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

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SUMMARY:

The property is a 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. Due to the steeply sloped nature of the site, and tree cover on the property, the applicants are also proposing removal of 22 trees, 17 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 (DMF LUP), and their accompanying regulations in the Monterey County Coastal Implementation Plan (CIP).

This project was previously considered at the February 14, 2024 Planning Commission meeting, where the Planning Commission continued the hearing on the project to a date certain of April 10, 2024. Commissioners expressed concern regarding the development on slopes in excess of 30 percent for the pool and pool deck, and had a few other comments and clarifying questions:

- The conditions of approval should clearly indicate their intended purpose and outcomes. This was particularly relevant to the scenic easement condition and landscaping condition.
- Given the quantity of glazing in this visually sensitive area, it would be appropriate to include a requirement that a non-glare exterior glass be used.
- Why tribal monitoring wasn't included as a recommended condition of approval for the project.
- The driveway that runs between the site and property immediately north of it, which is development with a single-family residence, and whether it would be appropriate to have an access easement for it.

To address the first two bullets above, staff have updated the draft language for:

- The landscaping Condition No. 6 to clarify the purpose of the landscaping plan to screen development from the visually sensitive corridor of 17-Mile Drive;
- The scenic easement Condition No. 11 to clarify the purpose of the easement is to provide a natural open space buffer between 17-Mile Drive and the proposed development in accordance with DMF LUP Policy 84 (The DMF LUP requires that easements be conveyed to the Del Monte Forest Conservancy, so the exact language of the easement would be subject to their review and approval as well as the Board of Supervisors, who would have to accept the easement as an added beneficiary); and
- The exterior lighting plan Condition No. 7 to include a requirement for glare resistant glass for the exterior façade to prevent glare along the visually sensitive corridor of 17-Mile Drive.

Regarding a tribal monitor, as the archaeological report did not identify any potential archaeological resources onsite, requiring this would exceed archaeological resource protection policies in the DMF LUP and their implementing regulations in the CIP. However, while no evidence of resources was identified, the archaeological report did recommend a construction worker awareness training on cultural resource be conducted by a qualified archaeologist prior to commencement of work. The full text of archaeological reports are kept confidential, however the conclusion and recommendations of the archaeological report have been extracted and attached as **Exhibit G**. Staff are recommending Condition No. 13, which would require that a qualified archaeologist provide this training prior to ground disturbing activities. Should any unanticipated be uncovered, recommended Condition No. 3 would require that work be halted immediately within 50 meters (165 feet) and that the archaeologist and planner be contacted to evaluate the find and develop appropriate measures for avoidance or recovery.

Staff are not recommending that an easement for the driveway shared between the property and Riata Road be applied because:

- Monterey County Code Chapter 16.80 addresses the use and maintenance of private roadways, and specifically exempts the first single-family residence on a legal lot of record.
- Both properties have existing direct driveway access to the road network that is not dependent on the shared driveway, so even if it were removed or it's use restricted, it would not impact either property's ability to access the road network.
- The way County zoning ordinance measures front setbacks is based on the edge of any public or private right of way, including shared driveways. When a property is bounded by multiple rights of way, the front setback is taken from each right of way, so if an easement were recorded it would render the proposed residence non-conforming to front setback requirements.

DISCUSSION:

Discussion of Visual Resources, Forest Resources (tree removal), and development on slopes in excess of 30 percent is detailed in **Exhibit A** discussion.

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 this 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/DEPARTMENT INVOLVEMENT:

The following County agencies or departments reviewed this project:

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

Recommended conditions have been included in the draft conditions of approval attached to **Exhibit B**.

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 D**).

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 - Discussion

Exhibit B - Draft Resolution, including:

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

Exhibit C - Tree Assessment (LIB210052) including Addendum and Additional Correspondence

Exhibit D - Del Monte Forest LUAC Meeting Minutes

Exhibit E - Vicinity Map

Exhibit F - Site Photos

Exhibit G - Archaeological Report Recommendations (LIB210051)

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; Paul D. Gullion, Del Monte Forest Conservancy; Bill Vaughan, Del Monte Forest Conservancy; Project File PLN200251.

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