



Monterey County Zoning Administrator

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Agenda Item #7

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March 23, 2017

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Current Status: Agenda Ready

Matter Type: ZA

PLN160839 - PEBBLE BEACH COMPANY (ON BEHALF OF ALLEN)

Public hearing to consider an after-the-fact permit for unpermitted removal of 12 Monterey pine trees by Charles and Dorothy Allen on Pebble Beach Company property (Code Enforcement case: 16CE00350)

Project Location: Aguajito Road at Highway 1, Carmel, Greater Monterey Peninsula Area Plan

Proposed CEQA Action: Categorically Exempt per Section 15307 of the CEQA Guidelines

PROJECT INFORMATION:

Applicant: Charles and Dorothy Allen

Owner: Pebble Beach Company

APN: 008-151-002-000 (PBC), 103-121-007-000 (Allen)

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: No

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a Resolution:

- a. Finding the project exempt from CEQA per CEQA Guidelines Section 15307; and
- b. Approving an after-the-fact Use Permit to permit the removal of 12 Monterey Pine trees, subject to a Remediation Plan including a habitat restoration and weed eradication program

A draft resolution includes findings and evidence for consideration (**Exhibit A**).

Staff recommends approval subject to 3 conditions, including adoption of a Remediation Plan to clear Code Enforcement case (16CE00350).

SUMMARY:

The parcel, containing the violation being cleared by the Remediation Plan, is an undeveloped Monterey Pine forest habitat parcel located between Aguajito Road, the High Meadow subdivision, and the Highway 1 corridor. The owner of record is the Pebble Beach Company; however, the applicants and violators are Charles and Dorothy Allen. Mr. & Mrs. Allen who reside at 3733 Raymond Way, a parcel that abuts the subject Pebble Beach Company parcel. Mr. & Mrs. Allen are the applicants for the remediation plan, because they are responsible for the violation on Pebble Beach Company property. The Pebble Beach Company has given the applicants authorization to apply for the Remediation Plan on the parcel to clear the violation.

DISCUSSION:

On August 24, 2016, an Administrative Citation was issued for removal of approximately 12 Monterey pine trees without proper permits (use permit) and for the accumulation of debris

from tree removal which created a fire hazard. Trees were removed and slash was piled at the forest margin adjacent to the property located at 3733 Raymond Way in the High Meadow subdivision, which is Pebble Beach Company property. An application has been submitted by the owners of the property located at 3733 Raymond Way, including a remediation plan and an ecological assessment to clear the violation on Pebble Beach Company property.

Restoration is typically required when there is a violation of the Monterey County Zoning Ordinance (Title 21) for grading and/or vegetation removal. The fundamental goal of any restoration plan is the re-vegetation of native plants and the reconstruction of natural land features which have been altered in violation of County Code. In this case, instead of a 1:1 tree replacement, a Plan has been drafted, in consultation with staff and PBC, that addresses fire clearance/safety objectives and habitat enhancement with weed eradication equivalent to full restoration. The Zoning Administrator is being asked to consider if this Plan would be considered full restoration, or if something more should be required.

An on-site inspection of the project area was attended by Pebble Beach Company, Cal-Fire Captain, Mr. & Mrs. Allen and the Consulting Ecologist. All in attendance concurred on an ecologically defensible alternative restoration strategy for the subject parcel. The proposed alternative restoration strategy includes habitat enhancement and maintaining fire clearance, without full restoration. As required by the Fire District, the existing forest needed thinning to protect structures on parcels abutting the forest and reduce fire hazard.

Upon approval of the Remediation Plan, there will be no further unresolved issues with either parcel.

OTHER AGENCY INVOLVEMENT:

As this is a remediation project, only the RMA Planning Department has recommended conditions.

FINANCING:

Funding for staff time associated with this project is included in the FY2016-2017 Adopted Budget for RMA-Planning.

Prepared by: Elizabeth Gonzales, Associate Planner, ext. 5102

Reviewed by: Brandon Swanson, RMA Services Manager
Jacqueline Onciano, Interim Chief of Planning,

Approved by: Carl P. Holm, AICP, Director of RMA

Attachments:

Exhibit A - Resolution

- A1 Conditions of Approval

Exhibit B - Biological Assessment and Restoration Plan

cc: Front Counter Copy; Brandon Swanson, RMA Services Manager; Pebble Beach Company, Owner; Charles and Dorothy Allen, Applicants; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN160839