



# County of Monterey

Item No.

## Board Report

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

Legistar File Number: RES 25-023

February 25, 2025

Introduced: 2/5/2025

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Resolution

PLN220336 - SEASTARS LLC

Public Hearing to consider:

1. An Addendum together with the adopted Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15164;
2. Approving an amendment to a previously approved Combined Development Permit (PLN980149), as amended and extended by PLN030071, PLN040015, PLN070540, PLN120329, PLN150541, and PLN180383, that allowed construction of a 4,127 square foot single family dwelling with 1,810 square feet of covered patios and overhangs, a 1,238 square foot attached subterranean garage, and associated site improvements. This amendment allows construction of a 513 square foot guesthouse with 425 square feet of livable space, a new 1,041 square foot pool and associated site improvements including a 2,038 square foot driveway, 5,330 square feet of patios, walkways and paths, 334 square feet of site walls, 672 square feet of solar panels and grading of approximately 275 cubic yards of cut and 120 cubic yards of fill;
3. Accepting the Amended Conservation and Scenic Easement Map for the Seastars LLC property; and
4. Directing the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to the County Recorder for recordation with all applicable recorded fees paid by the applicant.

**Project Location:** 3600 Red Wolf Drive, Carmel, CA 93923

**Proposed CEQA Action:** Consider an Addendum together with the adopted Mitigated Negative Declaration and Addendum pursuant to CEQA Guidelines section 15164

### RECOMMENDATIONS

It is recommended that the Board of Supervisors:

- a. Consider an Addendum together with the adopted Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15164;
- b. Approve an amendment to a previously approved Combined Development Permit (PLN980149), as amended and extended by PLN030071, PLN040015, PLN070540, PLN120329, PLN150541, and PLN180383 that allowed construction of a 4,127 square foot single family dwelling with 1,810 square feet of covered patios and overhangs, a 1,238 square foot attached subterranean garage, and associated site improvements. This amendment consists of a 513 square foot guesthouse with 425 square feet of livable space; a new 1,041 square foot pool and associated site improvements including a 2,038 square foot driveway, 5,330 square feet of patios, walkways and paths, 334 square feet of site walls, 672 square feet of solar panels and grading of approximately 275 cubic yards of cut and 120 cubic yards of fill;
- c. Accept the Amended Conservation and Scenic Easement Map for the Seastars LLC property; and
- d. Direct the Clerk of the Board to submit the Amended Conservation and Scenic Easement Deed to

the County Recorder for recordation with all applicable recorded fees paid by the applicant.

The draft resolution, including findings and evidence, is attached for consideration (**Attachment A**). Staff recommends approval subject to 21 conditions of approval.

#### PROJECT INFORMATION

**Agent:** Tai Tang, Studio Schicketanz

**Property Owner:** SEASTARS LLC

**APN:** 416-011-017-000

**Parcel Size:** 40 acres

**Zoning:** Watershed and Scenic Conservation Residential with a density of 80 acres per unit and Design Control Overlay in the Coastal Zone or “WSC/80-D(CZ)”

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** Yes

**Project Planner:** Christina Vu, Assistant Planner  
(831) 755-5139 or [vuc@countyofmonterey.gov](mailto:vuc@countyofmonterey.gov)

#### SUMMARY

Over 1.5 miles east of HWY 1, the property is located at 3600 Red Wolf Road, Carmel, within the Carmel Area Land Use Plan. The project site is currently under construction and with an 4,313 square foot single family dwelling with 1,810 square feet of covered patios and overhangs and an attached subterranean 1,229 square foot garage and associated site improvements. The property owner requests to amend the prior approvals to allow the construction of a 513 square foot guesthouse with 425 square feet of livable space, a new 1,041 square foot pool, and 672 square foot solar panels installed above and adjacent to the subterranean garage.

There is a history of permitting on this site that included approvals for a 11,600 square foot single family dwelling, pool, garage, and other structures. The prior permits have been amended to reduce the size of the structures overtime and to extend those prior approvals. This site is 80-acres with a limited buildable area and a recorded Conservation and Scenic Easement Deed (CSED) over the entirety of the property excluding the existing development footprint. Previously approved amendments changed the configuration of the driveway in a manner the conflicts with the recorded CSED. The proposed project now involves an amendment to this CSED boundary to correct the alignment to match up with an established driveway. The reconfiguration of the CSED involves a 1:1 replacement of the easement area and it would be equal or more effective in protecting the habitat and openspace on the property. As proposed, and with the CSED amendment included, the proposed amendment conforms to the applicable policies and regulations for development on this site and in the Carmel Land use Plan area .

The proposed CSED amendment requires the Planning Commission to act as the recommending body to the Board of Supervisors as the Board is the appropriate authority to consider said amendment. This amendment is necessary prior to, or concurrent with, approval of the permit amendment development and therefore the Board of Supervisors is the appropriate authority for the proposed amendment and CSED amendment. On October 9, 2024, the County of Monterey Planning Commission adopted a resolution recommending the Board of Supervisors approve the project as

proposed (Resolution No. 24-034; **Attachment B**).

### DISCUSSION

On March 17, 2023, the applicant submitted an application to HCD-Planning for an amendment to existing entitlements in order to allow the construction of a 513 square foot guesthouse with 425 square feet of livable space, a new 1,041 square foot pool, 672 square feet of solar panels, and associated site improvements. Associated grading would involve approximately 275 cubic yards of cut and 120 cubic yards of fill. The project would also involve an amendment to a Conservation and Scenic Easement Deed.

#### *Permit History*

The previously approved Combined Development Permit (HCD-Planning File No. PLN980149, Board of Supervisors' Resolution No. 00-024) allowed a 11,617 square-foot single family dwelling, a 425 square-foot guesthouse, swimming pool, septic system, water tank, and grading. Subsequent litigation resulted in a settlement agreement that modified the design by reducing the living area and footprint to approximately 8,000 square feet and clarified several conditions. These changes were incorporated as a Minor and Trivial Amendment to the approved project.

In 2004, the Planning Commission approved an amendment (HCD-Planning File No. PLN030071, Resolution No. 04-032) allowing relocation of the development approximately 45 feet uphill from the previously approved location, redesign and reduction of the size of the structure (7,985 square foot single family residence with a 1,017 square foot attached garage, 425 square foot poolhouse, 160 square foot pump shed, pool, spa and retaining walls) and realignment of the driveway.

In 2008, the Planning Commission approved an amendment (HCD-Planning File No. PLN070540, Resolution No. 08-019) further reducing the dwelling to 5,363 square feet, increasing the garage to 1,785 square feet, and adding photovoltaic cells.

In 2019, a revision was approved by staff through an Administrative Design Approval, PLN190205, further reducing the dwelling to 4,127 square feet and the garage to 1,238 square feet. This approval also allowed the relocation of the driveway. During review of this amendment (PLN220336), HCD-Planning and California Coastal Commission staff determined that the driveway relocation was incorrectly approved through a Design Approval. Instead, memorialing of the changes should have been processed through an amendment. Further, the approved driveway was relocated to a different part of the conservation area.

In addition to the amendments above, the entitlements were extended periodically through approvals of Permit Extensions: PLN040015, PLN120329, PLN150541, and PLN180383.

#### *Conservation and Scenic Easement Deed*

In 2007, a Conservation and Scenic Easement (CSED) was established with County of Monterey to protect the natural beauty and habitat on the property, covering approximately 39 acres and identifying an approved development area delineated as the "Residence Exclusion Area" (see **Attachment E**). Recordation of the CSED was required by implementation of Condition of Approval No. 2 of Planning Commission Resolution No. 04-032. As discussed above, this permit has been revised

several times, with the 2019 revision resulting in alteration of the driveway and relocating it outside the original exclusion area, inconsistent with the CSED restrictions. Although the 2,038 square foot driveway has been constructed, this amendment formally recognizes the realignment through the proper entitlement and ensures site conditions are consistent with the CSED. To address this, the proposed CSED amendment would adjust the exclusion area boundaries to include the new driveway alignment and accommodate the revised site plan, including a detached guesthouse and pool. However, it would maintain the total conservation area without reducing its size (see **Attachment F**). Since the CSED amendment is intended to revert existing disturbed areas back into a natural state, the applicant submitted a Revegetation and Restoration Plan (see **Attachment G**) identifying actions that once implemented, demonstrate full restoration of the disturbed areas. This plan would also be consistent with implementation of Mitigation Measure Nos. 1 (restoration and replanting plan), 5 (planting of Hooker's manzanita), and 9 (maritime chaparral habitat restoration).

#### ENVIRONMENTAL REVIEW

An Addendum (see **Attachment D**) to the previously adopted Mitigated Negative Declaration (MND) for the Bliss project (PLN030071) has been prepared to address minor changes in the project without necessitating major revisions to the original MND (**Attachment C**). This Addendum, in compliance with CEQA Guidelines Section 15164, was required to reflect the updated project description, which involves a small adjustment to the restoration plan to mitigate for an additional 0.012 acres of Hooker's Manzanita. The original MND, adopted on July 28, 2004, and subsequently amended on May 14, 2008, addressed the environmental impacts of the project. The draft Addendum confirms that no new significant impacts or substantial changes have emerged that would necessitate a major revision of the MND. The project scope remains consistent with the previous analysis, and the mitigation measures carried over to the last extension (PLN180383) have been maintained, with no new measures required. Seven mitigation measures have been brought forward and incorporated as conditions of approval for this amendment.

Mitigation Measure No. 1 (Condition 14) requires approval and installation of landscaping consistent with the restoration and replanting plan outlined in the 1998 and 1999 biological reports as well as utilizing and locating plant materials which screen the structures from common public viewing areas. Mitigation Measure No. 3 (Condition 15) requires exterior structures be made of non-reflective or painted earth tones. Mitigation Measure No. 4 (Condition 16) requires approval and installation of an exterior lighting plan. Together, implementation of these mitigations would reduce potential adverse visual impacts by minimizing the visibility structures, potential glare and lighting.

Mitigation Measure No. 5 (Condition 17) requires incorporating Hooker's manzanita plants within landscaping. Mitigation Measure No. 6 (Condition 18) requires implementation of a weed control program. Mitigation Measure No. 19 (Condition 19) requires restoration of disturbed areas with maritime chaparral habitat. Mitigation Measure No. 11 (Condition 20) requires only the use of pervious materials for patio areas. Together, implementation of these mitigations, including Mitigation Measure No. 1, would reduce potential adverse biological impacts by replanting and restoring native sensitive plant habitat, ensuring maintenance of that habitat and controlling run-off.

Overall, the draft Addendum adheres to CEQA Guidelines section, which allows for minor adjustments to a project without necessitating a full environmental review, provided no significant new impacts or changes in circumstances are identified. The project file includes comprehensive documentation of all related approvals and amendments.

#### OTHER AGENCY INVOLVEMENT

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

Environmental Health Bureau  
Carmel Highlands Fire Protection District  
California Coastal Commission  
Office of the County Counsel

#### LAND USE ADVISORY COMMITTEE

Staff referred the project to the Carmel Highlands Land Use Advisory Committee (LUAC) for review on July 15, 2024 (**Attachment H**). The LUAC reviewed the proposed project and voted 5 - 0, with 2 members absent, to support the project as proposed. There were no public comments made at this meeting and none have been received by the County regarding this project.

#### FINANCING:

Funding for staff time associated with this project is included in the FY2024-25 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

#### BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

☒ Administration  
☐ Economic Development  
☐ Health & Human Services  
☐ Infrastructure  
☐ Public Safety

Prepared by: Christina Vu, Assistant Planner, x5139

Reviewed and Approved by: Craig W. Spencer, Director of Housing and Community

The following attachments are on file with the Clerk of the Board:

Attachment A - Draft Resolution including:

- Recommended Conditions of Approval
- Project Plans and Colors & Materials

Attachment B - Planning Commission Resolution No. 24-034

Attachment C - Adopted Mitigated Negative Declaration for PLN030071/Bliss and Addendum

Attachment D - Addendum to the Previously Adopted Mitigated Negative Declaration and

Addendum

Attachment E - 2007 Conservation and Scenic Easement Deed No. 2007006597

Attachment F - Amended Conservation and Scenic Easement Map

Attachment G - Revegetation and Plan Including Memorandum Dated September 23, 2024

Attachment H - Carmel Highlands LUAC Minutes for July 15, 2024

Attachment I - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Carmel Highlands Fire Protection District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Christina Vu, Planner; Fionna Jensen, Acting Principal Planner; Seastar LLC, Property Owners; Tai Tang, Agent; The Open Monterey Project; LandWatch (Executive Director); Laborers International Union of North America (Lozeau Drury LLP); Planning File PLN220336