



County of Monterey

Item No.64

Board Report

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

Legistar File Number: RES 24-140

August 13, 2024

Introduced: 7/23/2024

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: BoS Resolution

PLN150372 - RIVER VIEW AT LAS PALMAS LLC

- a. Certify the Final Subsequent Environmental Impact Report (FSEIR), as augmented September 2023;
- b. Adopt a Statement of Overriding Considerations finding that the benefits of the project outweigh the significant and unavoidable traffic impacts;
- c. A Mitigation Monitoring and Reporting Plan;
- d. Adopt an amendment to the text of the Las Palmas Ranch Specific Plan (LPRSP) to:
 1. Increase the unit cap from 1,031 to 1,060, to allow for an additional 27 residential lots, including two lots proposed to be developed with a duplex, on Parcel Q;
 2. Add a new Policy 12 in Chapter II, Section C, specifying that Parcel Q shall require 2 lots/units affordable to moderate income households and 2 lots containing 4 units affordable to low income households; and
 3. Update Figures E and H to recognize Parcel Q;
- e. Approve a Vesting Tentative Map to create 27 residential lots, including four low income units and two moderate income units onsite, and an open space parcel; and
- f. Approve a Use Permit to allow development on slopes in excess of 25%.

Project Location: 15.64-acre lot within Las Palmas Subdivision #1, south of River Road and west of Country Park Road, within the Las Palmas Ranch Specific Plan area in the Toro Area Plan approximately 1.25 miles west of Spreckels and 0.5 miles east of State Highway 68.

Proposed CEQA action: Certify the Final Subsequent Environmental Impact Report, adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Plan.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Certify the Final Subsequent Environmental Impact Report (FSEIR), as augmented September 2023;
- b. Adopt a Statement of Overriding Considerations finding that the benefits of the project outweigh the significant unavoidable impacts to traffic;
- c. Adopt a Mitigation Monitoring and Reporting Plan;
- d. Adopt a resolution to amend the text of the Las Palmas Ranch Specific Plan (LPRSP) to:
 1. increase the unit cap from 1,031 to 1,060, to allow for an additional 27 residential lots consisting of 29 units on Parcel Q;
 2. Add a new Policy 12 in Chapter II, Section C, specifying that Parcel Q shall require 2 dwelling units affordable to moderate income households and 2 lots containing 4 dwelling units affordable to low income households; and

3. Update Figures E and H to recognize Parcel Q; and
- e. Adopt a resolution to approve a Combined Development Permit consisting of:
 1. A Vesting Tentative Map to subdivide a 15.64-acre parcel into 27 residential lots, including four low income units and two moderate income units onsite, and an open space parcel; and
 2. Use Permit to allow development on slopes exceeding 25%.

Staff recommends approval of the project subject to 45 conditions, including 18 mitigation measures, which are fully set forth in **Attachment D - Exhibit 1**.

PROJECT INFORMATION:

Owner: River View at Las Palmas LLC

Agent: Dale Ellis, Anthony Lombardo & Associates

APN: 139-211-035-000

Zoning: Medium Density Residential, 2.61 units per acre with a Design Control District or “MDR/2.61-D”

Parcel Size: 15.64 acres

Plan Area: Toro Area Plan

Flagged and Staked: Yes

Project Planner: Zoe Zepp, Assistant Planner

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PROJECT SUMMARY:

This project came before the Board of Supervisors (BOS) on June 4, 2024 for consideration. At the hearing, the Board stated their desire for onsite low income housing and the applicants agreed to revise the project from 27 units with four onsite moderate income units and an in-lieu fee of \$401,525 to 29 units with four onsite low income units to be continued within two duplexes and two onsite moderate single family dwellings with an in-lieu fee of \$80,305. The BOS made a motion of intent to approve the project with these changes. Staff has updated the resolutions and conditions of approval for the project to reflect these changes (Attachment B).

Additionally, due to the increase of onsite affordable housing, the applicants are now entitled to two development incentives. The applicants have requested the waiving of all construction fees for the final map improvements and six inclusionary onsite units as well as expedited permitting for the inclusionary units. These incentives will be granted to assist in the development of the inclusionary housing units.

ENVIRONMENTAL REVIEW:

A Draft Subsequent Environmental Impact Report (DSEIR) (**Attachment G**) was prepared and circulated for public review in 2018. A Final SEIR (**Attachment H**) was prepared in 2019.

Since the Board did not act on the project in 2021, the FSEIR was not certified. Both the DSEIR and FSEIR analyzed the senior care facility and provided an alternatives analysis pursuant to CEQA Guidelines section 15126.6. The alternatives considered included:

Alternative 1 - no project/no development; Alternative 2 - no project/minimum use; Alternative 3 - no project/existing zoning; and Alternative 4 - reduced project. Alternative 3 assumed that based on the site's land use designation, Residential - Medium Density 2.61 units per acre, and

accompanying zoning, it would be reasonable that up to 40 dwelling units could be approved on the site.

Augmentation to the River View FSEIR

After the 2021 Board direction and the applicant's revision to the project scope, the River View FSEIR was updated (see Augmentation to the FSEIR, **Attachment I**). This augmentation updated the Project Objectives, and Alternative 3b - reduced no project/existing zoning which would allow up to a 30-lot residential subdivision. The proposed 27 lot subdivision with 29 units is consistent with Alternative 3b analyzed in the Augmented FSEIR for the project.

Proposed Project - Residential Subdivision with up to 30 Lots: Alternative 3b

The current project scope, the creation of 27 residential lots and an open space parcel, meets the FSEIR's Project Objectives. The augmentation analyzed this project scope as Alternative 3b. Compared to the senior living facility, this alternative would have reduced impacts for aesthetics (including the State Route 68 viewshed), air quality, traffic, biological resources, water supply and would have less greenhouse gas emissions, compared to the original proposal.

Recirculation

The FSEIR, including the September 2023 augmentation, did not warrant recirculation because the augmentation did not include significant new information, would not result in a substantial increase in the severity of potential environmental impacts, project alternatives or mitigation measures that are considerably different from those previously reviewed. As discussed above, Alternative 3b (an up to 30 lot subdivision) is a reduced version of Alternative 3, a 40-lot residential subdivision, which was included in the FSEIR and evaluated therein prior to the augmentation. The augmentation was prepared to amplify the analysis of the residential development alternative since this the revised project description is now reflective of the residential alternative.

OTHER AGENCY INVOLVEMENT:

The following agencies or departments have reviewed the project:

- Monterey County Regional Fire District
- CalFire
- Monterey County Sheriff's Office
- Monterey County Water Resources Agency
- Monterey County Environmental Health Bureau
- Monterey County Housing Office

LAND USE ADVISORY COMMITTEE:

The residential project was referred to the Toro Land Use Advisory Committee (LUAC) for review on October 23, 2023. As demonstrated in Finding 1, Evidence "s" of the attached draft resolution for the Combined Development Permit (**Attachment D**), the LUAC recommended approval of the project and concerns from the public have been addressed. Minutes of the meeting are provided in **Attachment F**.

FINANCING SECTION:

Funding was provided by the applicant for the partially revised Subsequent Environmental Impact Report and review by staff. Staff time to prepare this report including processing the final map and associated permits for the onsite affordable housing are included in the FY2024-25 Adopted Budget for HCD Appropriation Unit HCD002, Unit 8543. Fees waived as a concession for providing low-income housing onsite total approximately \$60,000.

Prepared by: Zoe Zepp, Assistant Planner

Reviewed by: Anna Ginette Quenga, AICP, HCD Principal Planner

Approved by: Craig Spencer, HCD Director **CS**

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

Attachment A - Draft CEQA Resolution

Attachment B - Draft Las Palmas Ranch Specific Plan Amendment Resolution

- Exhibit 1 - Draft Text of Las Palmas Ranch Specific Plan Amendment

Attachment C - Draft Combined Development Permit Resolution

- Exhibit 1 - Draft Conditions of Approval
- Exhibit 2 - Vesting Tentative Map

Attachment D - Las Palmas Ranch Specific Plan (adopted September 1983)

Attachment E - Toro Land Use Advisory Committee Minutes (October 23, 2023)

Attachment F - Draft Subsequent Environmental Impact Report

Attachment G - Final Subsequent Environmental Impact Report

Attachment H - Augmentation to the Final Subsequent Environmental Impact Report

- Exhibit 1 - Traffic Analysis
- Exhibit 2 - Twenty-Seven Lot Narrative

Attachment I - Vicinity Map

Attachment J - Comment Letters

Attachment K - Planning Commission Resolution No. 24-005

cc: Front Counter Copy; Board of Supervisors; Craig Spencer, HCD Director; Anna Quenga, HCD-Principal Planner; Zoe Zepp, Project Planner; HCD - Engineering Services; Environmental Health Bureau; HCD Environmental Services; Monterey County Regional Fire Protection District; CalFire; River View at Las Palmas LLC, Applicant/Owner; Dale Ellis, Anthony Lombardo and Associates, Agent; The Open Monterey Project; LandWatch; Christine Kemp, Attorney representing the Las Palmas Ranch Master Association No. 1; Pam Silkwood, Attorney representing residents of the Las Palmas subdivision; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN150372