

County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Agenda - Final

Wednesday, June 24, 2026

9:00 AM

Para interpretación en español, haga clic aquí:

<https://attend.wordly.ai/join/THCT-8529>

County of Monterey Planning Commission

For information on The Ralph M. Brown Act: Open Meetings please click on the link below:

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https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?division=2.&chapter=9.&part=1.&lawCode=GOV&title=5

FEE SCAM ALERT:

Be aware of a fake invoice scam, if you receive an unexpected invoice related to a county project, call the County Permit Center at 831-755-5025 to confirm its authentic.

ALERTA DE ESTAFA DE TARIFAS:

Tenga cuidado con las estafas de facturas falsas, si recibe una factura inesperada relacionada con un proyecto del condado, llame al Centro de Permisos del Condado al 831-755-5025 para confirmar su autenticidad.

INTERPRETATION SERVICES:

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Thank you for your cooperation and we look forward to your participation.

SERVICIOS DE INTERPRETACIÓN:

Para utilizar los servicios de interpretación durante las reuniones de la Comisión de Planificación, acceda a la reunión a través del siguiente enlace o utilice el código QR en nuestro sitio web. Una vez que haya iniciado sesión, seleccione su idioma preferido y haga clic en "Asistir" para unirse.

Gracias por su colaboración y esperamos contar con su participación.

<https://attend.wordly.ai/join/THCT-8529>

For optimal audio quality, please use a headset with your device. If you require assistance or do not have a device, reach out to the Clerk of the Planning Commission for support.

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The Recommended Action indicates the staff recommendation at the time the agenda was prepared. That recommendation does not limit the Planning Commission alternative actions on any matter before it.

In addition to attending in person, public participation will be available by ZOOM and/or telephonic means:

You may participate through ZOOM. For ZOOM participation please join by computer audio at: <https://montereycty.zoom.us/j/95316276581>

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- + 1 669 900 6833 US (San Jose)
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Enter this Meeting ID number 953 1627 6581 when prompted.

If you choose not to attend the Planning Commission meeting in person, but desire to make general public comment, or comment on a specific item on the agenda, you may do so in two ways:

- a. Submit your comment via email by 5:00 p.m. on the Tuesday prior to the Planning Commission meeting. Please submit your comment to the Clerk at phearingcomments@countyofmonterey.gov. In an effort to assist the Clerk in identifying the agenda item relating to your public comment please indicate in the Subject Line, the meeting body (i.e. Planning Commission Agenda) and item number (i.e. Item No. 10). Your comment will be placed into the record at the meeting.
- b. You may participate through ZOOM or telephonically. For ZOOM or telephonic participation please join by computer audio using the links above.

DOCUMENT DISTRIBUTION: Documents related to agenda items that are distributed to the Planning Commission less than 72 hours prior to the meeting shall be available for public inspection at the meeting the day of the Planning Commission meeting and in the Housing and Community Development Office located at 1441 Schilling Place, 2nd Floor, Salinas California. Documents submitted in-person at the meeting, will be distributed to the Planning Commission. All documents submitted by the public at the meeting the day of the Planning Commission must have no less than sixteen (16) copies. Comments received after the agenda item will be made part of the record if received prior to the end of the meeting.

ALTERNATIVE FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132) and the federal rules and regulations adopted in

implementation thereof. For information regarding how, to whom and when a person with a disability who requires a modification or accommodation in order to participate in the public meeting may make a request for disability-related modification or accommodation including auxiliary aids or services or if you have any questions about any of the items listed on this agenda, please call the Monterey County Housing and Community Development at (831) 755-5025.

La medida recomendada indica la recomendación del personal en el momento en que se preparó la agenda. Dicha recomendación no limita las acciones alternativas de la Comisión de Planificación sobre cualquier asunto que se le haya sometido.

Además de asistir en persona, la participación del público estará disponible por ZOOM y/o medios telefónicos:

Puede participar a través de ZOOM. Para la participación de ZOOM, únase por computadora en: <https://montereycty.zoom.us/j/95316276581>

O para participar por teléfono, llame a cualquiera de estos números a continuación:

- + 1 669 900 6833 US (San Jose)
- + 1 346 248 7799 US (Houston)
- + 1 312 626 6799 US (Chicago)
- + 1 929 205 6099 US (New York)
- + 1 253 215 8782 US
- + 1 301 715 8592 US

Presione el código de acceso de reunión: 953 1627 6581 cuando se le solicite.

Si decide no asistir a la reunión de la Comisión de Planificación en persona, pero desea hacer comentarios públicos generales o comentar sobre un tema específico de la agenda, puede hacerlo de dos maneras:

- a. Envíe su comentario por correo electrónico antes de las 5:00 p.m. del martes anterior a la reunión de la Comisión de Planificación. Por favor, envíe su comentario al asistente de la Comisión de Planificación a: phearingcomments@countyofmonterey.gov. En un esfuerzo por ayudar al asistente a identificar el tema de la agenda relacionado con su comentario público, indique en la Línea de Asunto, la audiencia de la reunión (ejemplo, la Junta de la Comisión de Planificación) y número de artículo (ejemplo, artículo n.º 10). Su comentario se incluirá en el registro de la reunión.
- b. Puede participar a través de ZOOM o telefónicamente. Para ZOOM o participación telefónica, únase por audio de computadora utilizando los enlaces anteriores.

DISTRIBUCIÓN DE DOCUMENTOS: Los documentos relacionados con los temas de la agenda que se distribuyan a la Comisión de Planificación menos de 72 horas antes de la reunión estarán disponibles para inspección pública en la reunión el día de la reunión de la Comisión de Planificación y en la Oficina de Vivienda y Desarrollo Comunitario ubicada en 1441 Schilling Place, 2nd Floor,

Salinas California. Los documentos presentados en persona en la reunión se distribuirán a la Comisión de Planificación. Todos los documentos presentados por el público en la reunión del día de la Comisión de Planificación deben tener no menos de dieciséis (16) copias. Las observaciones recibidas después del tema del programa pasarán a formar parte del acta si se reciben antes de que finalice la sesión.

FORMATOS ALTERNATIVOS: Si se solicita, la agenda se pondrá a disposición de las personas con discapacidad en formatos alternativos apropiados, según lo exige la Sección 202 de la Ley de Estadounidenses con Discapacidades de 1990 (42 USC Sec. 12132) y las reglas y regulaciones federales adoptadas en implementación de la misma. Para obtener información sobre cómo, a quién y cuándo una persona con una discapacidad que requiere una modificación o adaptación para participar en la reunión pública puede hacer una solicitud de modificación o adaptación relacionada con la discapacidad, incluidas las ayudas o servicios auxiliares, o si tiene alguna pregunta sobre cualquiera de los temas enumerados en esta agenda, llame al Departamento de Vivienda y Desarrollo Comunitario del Condado de Monterey al (831) 755-5025.

NOTA: Todos los títulos de la agenda relacionados con los puntos numerados de la agenda son enlaces web en vivo. Haga clic en el título para dirigirse al informe del personal correspondiente y los documentos asociados.

COMENTARIO PÚBLICO: Los miembros del público pueden dirigir comentarios a la Comisión de Planificación sobre cada punto del orden del día. El momento de los comentarios públicos será a discreción del presidente.

PUBLIC COMMENT: Members of the public may address comments to the Planning Commission concerning each agenda item. The timing of public comment shall be at the discretion of the Chair.

NOTE: All agenda titles related to numbered items are live web links. Click on the title to be directed to corresponding Staff Report.

9:00 A.M. - CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Paul C. Getzelman - Chair
Amy Roberts - Vice Chair
Ben Work
Francisco Javier Mendoza
Jessica Hartzell
Ernesto G. Gonzalez
Ramon Gomez
Etna Monsalve
Christine Shaw
Martha Diehl

PUBLIC COMMENTS

This is a time set aside for the public to comment on a matter that is not on the agenda.

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

The Commission Clerk will announce agenda corrections, deletions and proposed additions, which may be acted on by the Planning Commission as provided in Sections 54954.2 of the California Government Code.

COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

This is a time set aside for the Commissioners to comment, request, or refer a matter that is on or not on the agenda.

APPROVAL OF CONSENT CALENDAR

1. Approval of the June 10, 2026, Planning Commission Meeting Minutes.

Attachments: [Cover Page](#)
 [Exhibit A - PC_Draft Minutes_061026](#)

9:00 A.M. – SCHEDULED MATTERS

2. **REF250009 - IMPLEMENTATION ORDINANCE FOR THE AGRICULTURAL AND WINERY CORRIDOR PLAN (2010 MONTEREY COUNTY GENERAL PLAN CHAPTER 9.J)**

Public hearing to consider recommending the Board of Supervisors adopt an ordinance to amend Chapter 21.06 (Definitions), amend Chapter 21.08 (Establishment of Zoning Districts) to add a Agricultural and Winery Corridor Plan (AWCP) Zoning District and modify the Zoning Sectional District Maps to add the AWCP Combining District to associated properties, add Chapter 21.51 (Regulations for the Agricultural and Winery Corridor District), and add Chapter 21.71(Regulations for Zoning Clearances) to the Monterey County Code, to implement the Agricultural and Winery Corridor Plan.

Planning Area: Inland (non-coastal) unincorporated areas

Proposed CEQA action: Pursuant to Section 15162 of the California Environmental Quality Act Guidelines, no subsequent environmental review is required.

Attachments: [Staff Report](#)

3. PLN110257-AMD1 - BERLIN ANDREW T TR

Public hearing to consider replacing of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. The project is within the Critical Viewshed and within 750 feet of a known archaeological resource.

Project Location: 35986 Highway 1, Big Sur

Proposed California Environmental Quality Act (CEQA) action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply.

Attachments: [Staff Report](#)

[Exhibit A - Draft Resolution](#)

[Exhibit B – Notice of Appeal](#)

[Exhibit C – Zoning Administrator Resolution No. 26-024](#)

[Exhibit D – Vicinity Map](#)

4. PLN250066-DEP - MITCHELL TIMOTHY S & MEGHAN BARRETT TRS

Public hearing to consider a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

Project Location: 1451 Ondulado Road, Pebble Beach

Proposed CEQA Action: Find qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2

Attachments: [Staff Report](#)

[Exhibit A - Draft Resolution](#)

[Exhibit B - Vicinity Map](#)

[Exhibit C – Report of Seismic Findings](#)

[Exhibit D - Review of Seismic Findings](#)

[Exhibit E – Arborist Review](#)

REFERRALS

5. PLANNING COMMISSION REFERRALS

Attachments: [Cover Page](#)
 [Exhibit A - PC Referral Spreadsheet](#)

DEPARTMENT REPORT

ADJOURNMENT



County of Monterey

Item No.1

Board Report

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

Legistar File Number: PC 26-063

June 24, 2026

Introduced: 6/16/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

Approval of the June 10, 2026, Planning Commission Meeting Minutes.

Exhibit A - Draft PC Minutes 06-10-2026



**County of Monterey
Planning Commission**

Agenda Item No.1

Legistar File Number: PC 26-063

Item No.1

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

June 24, 2026

Introduced: 6/16/2026

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

Approval of the June 10, 2026, Planning Commission Meeting Minutes.

Exhibit A - Draft PC Minutes 06-10-2026

Exhibit A

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County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Minutes - Draft

Wednesday, June 10, 2026

9:00 AM

Para interpretación en español, haga clic aquí:

<https://attend.wordly.ai/join/THCT-8529>

County of Monterey Planning Commission

9:00 A.M. - CALL TO ORDER

The meeting was called to order by Chair Getzelman at 9:00AM.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Work.

ROLL CALL

Present:

- Paul C. Getzelman - Chair**
- Amy Roberts - Vice Chair - arrived at 9:07AM**
- Ernesto G. Gonzalez**
- Francisco Javier Mendoza**
- Martha Diehl**
- Etna Monsalve - Just Cause Appearance**
- Ben Work**
- Christine Shaw**
- Ramon Gomez**

Absent:

- Jessica Hartzell**

Secretary Wikle reviewed the Zoom participation instructions.

PUBLIC COMMENTS

None

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Clerk Navarro informed the Commission that additional correspondence was received for Agenda Item No.3 - PLN220125 - MONTEREY COUNTY SHERIFFS POSSE and Agenda Item No.4 - PLN220088 - THE RANCH CLUB INC.

COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Diehl commented on expected traffic congestion during the summer in the Big Sur area and on the Bixby Bridge, shared website regarding traffic updates.

APPROVAL OF CONSENT CALENDAR

1. Approval of the March 25, 2026, Special Joint Meeting of the Planning Commission and Land Use Advisory Committee Meeting Minutes, the April 29, 2026, and May 13, 2026, Planning Commission Meeting Minutes.

Public Comment:

None

It was moved to approved by Gomez Commissioner, seconded by

Commissioner Diehl, by the following vote:

AYES: Getzelman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

9:00 A.M. – SCHEDULED MATTERS

Agenda Item No.3 was heard before Item No. 2

3. PLN220125 - MONTEREY COUNTY SHERIFFS POSSE

Public hearing to consider allowing existing public and private recreational events, including concerts, equestrian and livestock events, and family gatherings at the Monterey County Sheriff's Posse grounds.

Project Location: 395 Old Natividad Road, Salinas.

Proposed CEQA Action: Find that the project qualifies for Class 1 and Class 23 Categorical Exemptions pursuant to CEQA Guidelines sections 15301 and 15323, and that no exceptions pursuant to section 15300.2 apply.

Taylor Price, Project Planner presented the item.

Applicant Representative:

Anthony Lombardo

Public Comment:

Jerry Skillet, No Name

It was moved to approve to continue the item to a date certain of August 12, 2026, by Commissioner Diehl, seconded by Commissioner Roberts, by the following vote:

AYES: Getzelman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

2. REF260014 - COUNTY OF MONTEREY CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FISCAL YEAR 2026/27

Consider the consistency of the County of Monterey Capital Improvement Program ("CIP") for Fiscal year 2026/27 with the 2010 General Plan (for noncoastal area) or the Local Coastal Program and the 1982 General Plan (for coastal zone) and report the findings to the County of Monterey Public Works, Facilities and Parks Department and the Board of Supervisors **Proposed CEQA Action:** The general plan consistency determination is not a project as defined in Section 15378 of the

California Environmental Quality Act (“CEQA”) Guidelines.

John Snively, Administrative Operations Manager, Public Works, Facilities, and Parks presented the item.

Diehl commended Public Works Staff on work well done.

Public Comment:

None

It was moved to approve by Commissioner Diehl, seconded by Commissioner Mendoza, by the following vote:

AYES: Getzelman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

4. PLN220088 - THE RANCH CLUB, INC.

Public hearing to consider an amendment to Santa Lucia Preserve Phase B Subdivision Final Map to redesignate Lot 98’s “Homeland” boundary to “Rancholand” and re-configure its “Openlands” boundary; 2) installation of a driveway on Lot 98; and 3) Amendment to a previously approved Use Permit (PLN990037) that allowed construction of Santa Lucia Preserve’s County Club and accessory structures, and the use of these structures for dining and social events. This Amendment would allow the use of a redwood grove adjacent to Lot 98 as an additional social event location.

Proposed Location: 14 Arroyo Sequoia, Carmel, Greater Monterey Peninsula Area Plan

Proposed CEQA action: Consider an Addendum to the Santa Lucia Preserve Final Environmental Impact Report (FEIR No. 94-005), as amended, and find that no additional environmental review is warranted pursuant to CEQA Guidelines section 15164.

McKenna Bowling, Project Planner presented the item.

Applicant Agent/Representative: Joel Panzer, Karen Baxter CEO - Santa Lucia Preserve, Donnel Daily – Ranch Club Manager

The meeting recessed at 10:18AM and reconvened at 10:34AM.

Public Comment:

None

It was moved to approve with changes to the resolution in Finding 2, Evidence L, Finding 4, Evidence B and D, Finding 7, Evidence C and changes to the Conditions of Approval, including removal of Condition of Approval No.4

(Lighting-Exterior Lighting Plan) and Condition of Approval No.6 (Operations Plan), reordering of the Conditions of Approval based on removal of these two conditions of approval, and addition of one condition of Approval (Indemnification) by Commissioner Diehl, seconded by Commissioner Gomez, by the following vote:

AYES: Getzleman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

5. PLN250169 - NUNNELEE MICHAEL J & LELA SAGHEB TRS

Public hearing to consider construction of a 3,430 square foot single-family dwelling, a 930 square foot attached garage, a 440 square foot detached garage, a 700 square foot Accessory Dwelling Unit, the removal of 21 trees, and associated site improvements.

Project Location: 3144 Spruance Road, Pebble Beach

Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

Jordan Evans-Pollockow, Project Planner presented the item.

Applicant Agent/Representative:

Grant and Amanda Nunnelee

Public Comment:

None

It was moved to approve with corrections to Finding 6, Evidence A to remove the word greater by Commissioner Diehl, seconded by Commissioner Gomez, by the following vote:

AYES: Getzleman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

6. PLN240111 - SALIB ANTHONY

Public hearing to consider construction of a 3,417 square foot two-story single-family dwelling with an attached 517 square foot three-car garage, and associated site improvements including development on slopes in excess of 25 percent and removal of one Monterey Pine.

Project Location: 25575 Chiquito Place, Carmel

Proposed CEQA action: Find the project Categorical Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to Section 15300.2.

McKenna Bowling, Project Planner presented the item.

Applicant Agent/Representative: Matt Hanner

Public Comment:

None

It was moved to approve by Commissioner Diehl, seconded by Commissioner Mendoza, by the following vote:

AYES: Getzelman, Mendoza, Gonzalez, Work, Diehl, Roberts, Monsalve, Gomez, Shaw

NOES: None

ABSENT: Hartzell

ABSTAIN: None

DEPARTMENT REPORT

Secretary Wikle informed the Commission:

- Supervisor Daniels referral made to the Board of Supervisors meeting on June 9, 2026, to enforce a Temporary Parking Band on Bixby Bridge. HCD approved Emergency Coastal Development Permit, and an ordinance was introduced at the Board of Supervisors meeting.**
- Water Allocation Policy approved at Board of Supervisors meeting of June 9, 2026.**
- Discussed that Draft Environmental Justice Element public review continues, staff is extending public comment period through the end of July to allow more public engagement.**
- Shared and talked about the County webpage updates regarding the Environmental Justice Element Page, mentioned Edgar Sanchez, Planner helped summarize public comments and concerns.**

ADJOURNMENT

The meeting was adjourned by Chair Getzelman at 11:16AM.



County of Monterey

Item No.2

Board Report

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

Legistar File Number: PC 26-066

June 24, 2026

Introduced: 6/18/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

REF250009 - IMPLEMENTATION ORDINANCE FOR THE AGRICULTURAL AND WINERY CORRIDOR PLAN (2010 MONTEREY COUNTY GENERAL PLAN CHAPTER 9.J)

Public hearing to consider recommending the Board of Supervisors adopt an ordinance to amend Chapter 21.06 (Definitions), amend Chapter 21.08 (Establishment of Zoning Districts) to add a Agricultural and Winery Corridor Plan (AWCP) Zoning District and modify the Zoning Sectional District Maps to add the AWCP Combining District to associated properties, add Chapter 21.51 (Regulations for the Agricultural and Winery Corridor District), and add Chapter 21.71 (Regulations for Zoning Clearances) to the Monterey County Code, to implement the Agricultural and Winery Corridor Plan.

Planning Area: Inland (non-coastal) unincorporated areas

Proposed CEQA action: Pursuant to Section 15162 of the California Environmental Quality Act Guidelines, no subsequent environmental review is required.

RECOMMENDATION:

It is recommended that the Planning Commission continue the item to a date certain of August 12, 2026.

SUMMARY:

Staff is recommending that the County of Monterey Planning Commission continue the hearing to a date certain of August, 12, 2026 to allow Staff more time to revise the draft ordinance.

Prepared by: Katie Scariot, Assistant Planner (831) 796-6083

Reviewed by: Sarah Wikle, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

cc: Katie Scariot, Assistant Planner; Sarah Wikle, Principal Planner; Melanie Beretti, AICP, Chief of Planning; Craig Spencer, HCD Director; Front Counter Copy; Land Use Advisory, Agricultural Commissioner Office; Agricultural Advisory Committee Interested Parties, AWCP Interested Parties List; Planning File **REF250009**.



**County of Monterey
Planning Commission**

Item No.2

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

Agenda Item No.2

Legistar File Number: PC 26-066

June 24, 2026

Introduced: 6/18/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

REF250009 - IMPLEMENTATION ORDINANCE FOR THE AGRICULTURAL AND WINERY CORRIDOR PLAN (2010 MONTEREY COUNTY GENERAL PLAN CHAPTER 9.J)

Public hearing to consider recommending the Board of Supervisors adopt an ordinance to amend Chapter 21.06 (Definitions), amend Chapter 21.08 (Establishment of Zoning Districts) to add a Agricultural and Winery Corridor Plan (AWCP) Zoning District and modify the Zoning Sectional District Maps to add the AWCP Combining District to associated properties, add Chapter 21.51 (Regulations for the Agricultural and Winery Corridor District), and add Chapter 21.71(Regulations for Zoning Clearances) to the Monterey County Code, to implement the Agricultural and Winery Corridor Plan.

Planning Area: Inland (non-coastal) unincorporated areas

Proposed CEQA action: Pursuant to Section 15162 of the California Environmental Quality Act Guidelines, no subsequent environmental review is required.

RECOMMENDATION:

It is recommended that the Planning Commission continue the item to a date certain of August 12, 2026.

SUMMARY:

Staff is recommending that the County of Monterey Planning Commission continue the hearing to a date certain of August, 12, 2026 to allow Staff more time to revise the draft ordinance.

Prepared by: Katie Scariot, Assistant Planner (831) 796-6083

Reviewed by: Sarah Wikle, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

cc: Katie Scariot, Assistant Planner; Sarah Wikle, Principal Planner; Melanie Beretti, AICP, Chief of Planning; Craig Spencer, HCD Director; Front Counter Copy; Land Use Advisory, Agricultural Commissioner Office; Agricultural Advisory Committee Interested Parties, AWCP Interested Parties List; Planning File **REF250009**.



County of Monterey

Item No.3

Board Report

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

Legistar File Number: PC 26-062

June 24, 2026

Introduced: 6/16/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN110257-AMD1 - BERLIN ANDREW T TR

Public hearing to consider replacing of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. The project is within the Critical Viewshed and within 750 feet of a known archaeological resource.

Project Location: 35986 Highway 1, Big Sur

Proposed California Environmental Quality Act (CEQA) action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution to:

- a. Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- b. Approve a Combined Development Permit consisting of:
 1. Coastal Development Permit to allow development within the Big Sur Critical Viewshed;
 2. Coastal Development Permit for development within 750 feet of an archaeological resource; and
 3. Design Approval to allow replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

The attached draft resolution includes findings and evidence for consideration (**Attachment A**). Staff recommends approval, subject to 4 conditions of approval.

PROJECT INFORMATION

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

Property Owner: Andrew Berlin Trust

APN: 243-231-027-000

Zoning: Rural Density Residential, 40 acres per unit, Design Control, 14-foot height limit, Coastal Zone, or "RDR/40-D (14')(CZ)"

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: No

Project Planner: Taylor Price, Senior Planner

PriceT1@countyofmonterey.gov, 831-784-2179

SUMMARY:

The proposed project includes the replacement of a portion of an existing fence along Highway 1 in Big Sur and the replacement of a gate at the driveway to a private property. The project before the Planning Commission (Commission) today is a consideration of a Combined Development Permit to allow the replacement fence and gate, development within the Critical Viewshed, and development within 750 feet of an archeological resource.

The action before the Commission today does not include consideration of the appeal of the County of Monterey Zoning Administrator's (ZA) decision, as the County of Monterey Board of Supervisors (Board) on June 9, 2026, remanded the Combined Development Permit to the Commission for its consideration. The Commission's decision today is appealable to the Board. The project's timeline is briefly summarized below:

- December 14, 2011 - The Commission approved the project's original Combined Development Permit, which included construction of a single-family dwelling and associated site improvements.
- August 18, 2025 - County of Monterey Housing and Community Development (HCD) received an application to replace a section of the applicant's existing fence and gate.
- November 20, 2025 - HCD received a public comment and request for a public hearing on the Minor and Trivial Amendment.
- December 3, 2025 - HCD Chief of Planning took no action on the Minor and Trivial amendment and referred the project to a public hearing.
- March 26, 2026 - The ZA heard the project and determined that it had been processed with procedural errors; the project should have been heard by the Commission instead of the ZA pursuant to the Design Control Overlay guidelines (Title 20 Chapter 20.44).
- April 9, 2026 - The ZA denied the project due to procedural errors.
- April 15, 2026 - The applicant filed a timely appeal for the project. The Board is the Appeal Authority for decisions in the Coastal Zone (Title 20 Chapter 20.86).
- April 28, 2026 - The applicant submitted revised plans in response to public comment.
- June 9, 2026 - The Board remanded the project to the Commission for its consideration and analysis.

As explained herein, staff recommends approval of the Combined Development Permit.

DISCUSSION:

Design/Critical Viewshed

The Critical Viewshed is defined as everything visible from Highway 1. Big Sur Coast Land Use Plan (BSC LUP) Policy 3.2.1 prohibits development visible from Highway 1 and major public viewing areas. The subject property is located along Highway 1 and, according to Policy 3.2.2 of the BSC LUP, is located within a Critical Viewshed. Pursuant to Title 20 section 20.16.030.B, development in the Big Sur Coast within the Critical Viewshed is required to obtain a Coastal Development Permit.

The property is located near the Abalone Cove turnoff, which is a popular public-viewing area within

Big Sur. BSC LUP Policy 3.2.5.F exempts “Existing vacant residential parcels in the critical viewshed between Highway 1 and the sea, from (and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek” from the Key Critical Viewshed Policy. The term “vacant” in Policy 3.2.5.F is not a qualifier of whether parcels are subject to this Policy, but a descriptor of the geographic area which is subject to this exemption. The phrase “(and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek” (emphasis added) confirms this interpretation as those existing developed parcels in this geographic area are also subject to the exemption from the Key Critical Viewshed Policy. The subject property is within this area and therefore qualifies for an exception pursuant to BSC LUP Policy 3.2.5.F.

Therefore, the proposed replacement gate and fence are exempt from the Critical Viewshed policies in the BSC LUP as the parcel is within the above-described area of Policy 3.2.5.F. Accordingly, although the project site is located along Highway 1 and thus within the Critical Viewshed, it is subject only to the standards of Policy 3.2.4 (Land Not in the Critical Viewshed). Furthermore, pursuant to BSC LUP Policy 3.2.5.C.2, private highway improvements such as fences and gates are exempt from BSC LUP Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

Additionally, while the project is included in the exceptions to the Critical Viewshed policies, as detailed above, staff also analyzed it for consistency with standards for replacement structures within the Critical Viewshed, given its location and project type. While development within the Critical Viewshed shall be prohibited, BSC LUP Policy 3.2.3.A.7 and section 20.145.030.A.2.f of the Coastal Implementation Plan allow replacement of existing structures on the original site, provided no other less visible portion of the site is acceptable to the property owner, and as long as the replacement does not increase the visibility of the structure.

The proposed gate and fence would be consistent with the rural setting and character of Big Sur through their use of natural, locally sourced stone and dark bronze materials that reflect the subdued colors and textures of the surrounding landscape. The natural, rough-cut, irregular, locally sourced stone (with varying beige and earthy tones) complements the geologic characteristics of the Big Sur coastline and Santa Lucia Mountains, while the dark bronze gate provides a muted, non-reflective earth tone that minimizes visual contrast with nearby vegetation. The proposed stone fence would mirror other stone fences along the Big Sur Coast, including those at nearby properties and at Sea Meadow at Rocky Point, providing visual consistency along Highway 1. The rustic character in the Big Sur area is maintained through minimizing the bulk and mass of the replacement gate and fence by maintaining visual access to the ocean (where applicable) and through the use of natural materials, earth-toned finishes, and visual compatibility with the surrounding landscape. The fence’s height would be nearly identical to the existing fence, and the perceived change in massing would be limited, given that only 53.5 feet of the front property line fence is being modified.

Based on the specific site, Highway 1 facilitates private highway improvements (BSC LUP Policy 3.2.5.C.2) and allowances of the BSC LUP for this geographic area (Policy 3.2.5.F), and the proposed design finds that the project assures the protection of the public viewshed, is consistent with the surrounding rural character, and assures public access and visual integrity. While the project satisfies two exceptions to the Critical Viewshed Key Policy, it also meets the requirements for replacement structures in the Critical Viewshed.

Cultural Resources

The project is within 750 feet of known archaeological resources. Section 20.145.120.A.1 of the Coastal Implementation Plan, Part 3, requires development within 750 feet of known archaeological resources to obtain a Coastal Development Permit. An Archaeological Assessment was prepared as part of the previous project (PLN110257), which found no evidence of cultural resources in the project area. As the current project is within the existing developed site and does not involve land clearing and minimal land disturbance, the project is eligible for an archaeological survey waiver pursuant to section 20.145.120.B.5 of the Coastal Implementation Plan, Part 3.

LAND USE ADVISORY COMMITTEE REVIEW (LUAC):

The project was not originally referred to the Big Sur LUAC. As a Minor and Trivial Amendment, it was determined that the project did not require LUAC review pursuant to the Board adopted LUAC Guidelines. However, after the project was remanded to the Planning Commission, the staff referred the project to the LUAC. The project was referred to the June 23, 2026 Big Sur LUAC, and staff will provide a verbal report during the Planning Commission hearing on June 24, 2026.

CEQA:

California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts replacement structures where the new structures will be located on the same site and have substantially the same purpose and capacity as the structure replaced. The project includes construction of a replacement fence and gate. The replacement fence and gate will be located in the same area as the existing fence and gate and serve the same purpose. Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15302. None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. The project does not involve alterations to a designated historical resource, a hazardous waste site, or development that would result in a cumulatively significant impact. Although the project is visible from Highway 1, the development is rural in design, compatible with the surrounding environment, and will not have an adverse impact on public or visual access. There are no unusual circumstances associated with undertaking the project that would create a reasonable possibility that the project would have a significant effect on the environment.

Prepared by: Taylor Price, Senior Planner, (831) 784-2179

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Project Plans, Colors, Materials

Exhibit B - Notice of Appeal

Exhibit C - Zoning Administrator Resolution No. 26-024

Exhibit D - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; CalFire; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Taylor Price, Senior Planner; Fiona Jensen, Principal Planner; Berline Andrew T Tr, Property Owners; Laura Lawrence, Agent; Trey Kropp, Interested Party; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Trey Kropp, Interested Party; Planning File PLN110257-AMD1.



County of Monterey Planning Commission

Item No.3

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

Agenda Item No.3

Legistar File Number: PC 26-062

June 24, 2026

Introduced: 6/16/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN110257-AMD1 - BERLIN ANDREW T TR

Public hearing to consider replacing of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. The project is within the Critical Viewshed and within 750 feet of a known archaeological resource.

Project Location: 35986 Highway 1, Big Sur

Proposed California Environmental Quality Act (CEQA) action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution to:

- a. Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- b. Approve a Combined Development Permit consisting of:
 1. Coastal Development Permit to allow development within the Big Sur Critical Viewshed;
 2. Coastal Development Permit for development within 750 feet of an archaeological resource; and
 3. Design Approval to allow replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

The attached draft resolution includes findings and evidence for consideration (**Attachment A**). Staff recommends approval, subject to 4 conditions of approval.

PROJECT INFORMATION

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

Property Owner: Andrew Berlin Trust

APN: 243-231-027-000

Zoning: Rural Density Residential, 40 acres per unit, Design Control, 14-foot height limit, Coastal Zone, or "RDR/40-D (14')(CZ)"

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: No

Project Planner: Taylor Price, Senior Planner

PriceT1@countyofmonterey.gov, 831-784-2179

SUMMARY:

The proposed project includes the replacement of a portion of an existing fence along Highway 1 in Big Sur and the replacement of a gate at the driveway to a private property. The project before the Planning Commission (Commission) today is a consideration of a Combined Development Permit to allow the replacement fence and gate, development within the Critical Viewshed, and development within 750 feet of an archeological resource.

The action before the Commission today does not include consideration of the appeal of the County of Monterey Zoning Administrator's (ZA) decision, as the County of Monterey Board of Supervisors (Board) on June 9, 2026, remanded the Combined Development Permit to the Commission for its consideration. The Commission's decision today is appealable to the Board. The project's timeline is briefly summarized below:

- December 14, 2011 - The Commission approved the project's original Combined Development Permit, which included construction of a single-family dwelling and associated site improvements.
- August 18, 2025 - County of Monterey Housing and Community Development (HCD) received an application to replace a section of the applicant's existing fence and gate.
- November 20, 2025 - HCD received a public comment and request for a public hearing on the Minor and Trivial Amendment.
- December 3, 2025 - HCD Chief of Planning took no action on the Minor and Trivial amendment and referred the project to a public hearing.
- March 26, 2026 - The ZA heard the project and determined that it had been processed with procedural errors; the project should have been heard by the Commission instead of the ZA pursuant to the Design Control Overlay guidelines (Title 20 Chapter 20.44).
- April 9, 2026 - The ZA denied the project due to procedural errors.
- April 15, 2026 - The applicant filed a timely appeal for the project. The Board is the Appeal Authority for decisions in the Coastal Zone (Title 20 Chapter 20.86).
- April 28, 2026 - The applicant submitted revised plans in response to public comment.
- June 9, 2026 - The Board remanded the project to the Commission for its consideration and analysis.

As explained herein, staff recommends approval of the Combined Development Permit.

DISCUSSION:

Design/Critical Viewshed

The Critical Viewshed is defined as everything visible from Highway 1. Big Sur Coast Land Use Plan (BSC LUP) Policy 3.2.1 prohibits development visible from Highway 1 and major public viewing areas. The subject property is located along Highway 1 and, according to Policy 3.2.2 of the BSC LUP, is located within a Critical Viewshed. Pursuant to Title 20 section 20.16.030.B, development in the Big Sur Coast within the Critical Viewshed is required to obtain a Coastal Development Permit.

The property is located near the Abalone Cove turnoff, which is a popular public-viewing area within

Big Sur. BSC LUP Policy 3.2.5.F exempts “Existing vacant residential parcels in the critical viewshed between Highway 1 and the sea, from (and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek” from the Key Critical Viewshed Policy. The term “vacant” in Policy 3.2.5.F is not a qualifier of whether parcels are subject to this Policy, but a descriptor of the geographic area which is subject to this exemption. The phrase “(and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek” (emphasis added) confirms this interpretation as those existing developed parcels in this geographic area are also subject to the exemption from the Key Critical Viewshed Policy. The subject property is within this area and therefore qualifies for an exception pursuant to BSC LUP Policy 3.2.5.F.

Therefore, the proposed replacement gate and fence are exempt from the Critical Viewshed policies in the BSC LUP as the parcel is within the above-described area of Policy 3.2.5.F. Accordingly, although the project site is located along Highway 1 and thus within the Critical Viewshed, it is subject only to the standards of Policy 3.2.4 (Land Not in the Critical Viewshed). Furthermore, pursuant to BSC LUP Policy 3.2.5.C.2, private highway improvements such as fences and gates are exempt from BSC LUP Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

Additionally, while the project is included in the exceptions to the Critical Viewshed policies, as detailed above, staff also analyzed it for consistency with standards for replacement structures within the Critical Viewshed, given its location and project type. While development within the Critical Viewshed shall be prohibited, BSC LUP Policy 3.2.3.A.7 and section 20.145.030.A.2.f of the Coastal Implementation Plan allow replacement of existing structures on the original site, provided no other less visible portion of the site is acceptable to the property owner, and as long as the replacement does not increase the visibility of the structure.

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Based on the specific site, Highway 1 facilitates private highway improvements (BSC LUP Policy 3.2.5.C.2) and allowances of the BSC LUP for this geographic area (Policy 3.2.5.F), and the proposed design finds that the project assures the protection of the public viewshed, is consistent with the surrounding rural character, and assures public access and visual integrity. While the project satisfies two exceptions to the Critical Viewshed Key Policy, it also meets the requirements for replacement structures in the Critical Viewshed.

Cultural Resources

The project is within 750 feet of known archaeological resources. Section 20.145.120.A.1 of the Coastal Implementation Plan, Part 3, requires development within 750 feet of known archaeological resources to obtain a Coastal Development Permit. An Archaeological Assessment was prepared as part of the previous project (PLN110257), which found no evidence of cultural resources in the project area. As the current project is within the existing developed site and does not involve land clearing and minimal land disturbance, the project is eligible for an archaeological survey waiver pursuant to section 20.145.120.B.5 of the Coastal Implementation Plan, Part 3.

LAND USE ADVISORY COMMITTEE REVIEW (LUAC):

The project was not originally referred to the Big Sur LUAC. As a Minor and Trivial Amendment, it was determined that the project did not require LUAC review pursuant to the Board adopted LUAC Guidelines. However, after the project was remanded to the Planning Commission, the staff referred the project to the LUAC. The project was referred to the June 23, 2026 Big Sur LUAC, and staff will provide a verbal report during the Planning Commission hearing on June 24, 2026.

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California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts replacement structures where the new structures will be located on the same site and have substantially the same purpose and capacity as the structure replaced. The project includes construction of a replacement fence and gate. The replacement fence and gate will be located in the same area as the existing fence and gate and serve the same purpose. Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15302. None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. The project does not involve alterations to a designated historical resource, a hazardous waste site, or development that would result in a cumulatively significant impact. Although the project is visible from Highway 1, the development is rural in design, compatible with the surrounding environment, and will not have an adverse impact on public or visual access. There are no unusual circumstances associated with undertaking the project that would create a reasonable possibility that the project would have a significant effect on the environment.

Prepared by: Taylor Price, Senior Planner, (831) 784-2179

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Recommended Conditions of Approval
- Project Plans, Colors, Materials

Exhibit B - Notice of Appeal

Exhibit C - Zoning Administrator Resolution No. 26-024

Exhibit D - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; CalFire; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Taylor Price, Senior Planner; Fiona Jensen, Principal Planner; Berline Andrew T Tr, Property Owners; Laura Lawrence, Agent; Trey Kropp, Interested Party; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Trey Kropp, Interested Party; Planning File PLN110257-AMD1.

Exhibit A

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DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

BERLIN ANDREW T TR (PLN110257-AMD1)

RESOLUTION NO. 26--

Resolution by the County of Monterey Planning
Commission:

- 1) Find the project Categorical Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- 2) Approve a Combined Development Permit consisting of:
 - a) Coastal Development Permit to allow development within the Big Sur Critical Viewshed;
 - b) Coastal Development Permit for development within 750 feet of an archaeological resource; and
 - c) Design Approval to allow replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

[BERLIN ANDREW T TR, 35986 HWY 1, Big Sur
Coast Land Use Plan, APN: 243-231-027-000].

The BERLIN ANDREW T TR application came for a public hearing before the County of Monterey Planning Commission on June 24, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, written and oral testimony, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS REQUIREMENTS** – The County received and processed a Minor and Trivial Amendment to previously approved Combined Development Permit (HCD Planning File No. PLN110257; Planning Commission Resolution No. 11-048). It was determined that this Minor and Trivial Amendment was processed with procedural errors and should have been processed as a Combined Development Permit. The application before the Planning Commission today corrects this error.
EVIDENCE:
 - a) On August 18, 2025, an application for a Minor and Trivial Amendment (PLN110257-AMD1) was submitted to HCD-Planning staff. This application was submitted in accordance with Title 20 section 20.76.115.
 - b) Background. On December 14, 2011, the County of Monterey Planning Commission approved PLN110257 for a Combined Development

Permit consisting of: 1) Coastal Administrative Permit to allow the demolition of an existing 1,960 square foot one-story single family dwelling and 66 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls, perimeter fencing, and associated grading (2,573 cubic yards cut, 2,573 cubic yards fill); 2) Coastal Development Permit for development within 750 feet of an archaeological resource; 3) Coastal Development Permit for development within 50 feet of a coastal bluff; 4) Coastal Development Permit for a Lot Line Adjustment to merge two parcels into one parcel; and 5) Design Approval. Approval of this permit included 31 conditions of approval.

On April 9, 2012, the previously approved Coastal Development Permit for a Lot Line Adjustment (HCD-Planning File No. PLN110257) was granted an Unconditional Certificate of Compliance (Document No. 2012021134) to reflect the Lot Line Adjustment to merge two parcels into one parcel.

On November 3, 2014, the associated Construction Permits (Building Permit No. 12CP00985) were granted for the project, and the project had undergone a final inspection.

On December 3, 2025, the project was scheduled to be heard for consideration by the Chief of Planning, pursuant to Title 20 section 20.76.115, as a Minor and Trivial Amendment to a Coastal Development Permit. However, on November 20, 2025 a member of the public raised concerns with the proposed design, potential impacts on nearby public vistas, and requested that the project be referred to a public hearing. The project was referred to the Zoning Administrator, pursuant to Title 20 section 20.76.060. The Chief of Planning took no action on the item as it was referred to the Zoning Administrator.

On March 26, 2026, the County of Monterey Zoning Administrator considered a revised scope of work, which included allowing the replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. On March 26, 2026, at a duly-noticed public hearing at which all persons had the opportunity to be heard, the Zoning Administrator determined that the proposed Minor and Trivial Amendment had procedural errors and should have been considered by the Planning Commission in accordance with Title 20 section 20.44.040.E. Therefore, the Zoning Administrator continued the item to a date certain (April 6, 2026) and directed staff to prepare a resolution with an intent to deny due to procedural inconsistencies.

On April 9, 2026, the County of Monterey Zoning Administrator considered a resolution denying the proposed project, which included allowing the replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. On April 9, 2026, at a duly-noticed public hearing at which all persons had

the opportunity to be heard, the Zoning Administrator denied the Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257).

On April 15, 2026, Andrew T. Berlin, Trustee of the Andrew T. Berlin Revocable Trust (The Law Office of Aengus L. Jeffers representing Appellant), timely appealed the April 9, 2026 decision of the Zoning Administrator, pursuant to Title 20 section 20.86.030.A. Appellant's contentions related to the Zoning Administrator's determination that the Planning Commission was the Appropriate Authority to consider the project due to the project's location within a scenic highway (Highway 1).

Pursuant to Title 20 sections 20.86.030.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority (i.e., Zoning Administrator Resolution No. 26-024) has been mailed to the Applicant. The County emailed the written notice of the decision on April 9, 2026, and said appeal was filed with the Clerk of the Board of Supervisors on April 15, 2026, within the 10-day timeframe prescribed by Title 20 section 20.86.030.C. The appeal hearing is de novo. A complete copy of the appeal is on file with the Clerk of the Board, and is attached to the June 9, 2026 staff report to the Board of Supervisors as **Attachment B**.

On April 28, 2026 the project applicant submitted revised plans that were responsive to some of the concerns raised by a community member during the Zoning Administrator hearing. The revised plans include rough cut rocks, rather than neatly arranged straight cut rocks. These rough-cut rocks, consisting of locally sourced natural stones, are more reflective of the rural setting of Big Sur and use natural materials consistent with materials found in the area, see discussion in Finding No. 4.

On June 9, 2026, the County of Monterey Board of Supervisors considered a resolution granting the appeal and approving a combined development permit, which included allowing the replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate. On June 9, 2026, at a duly notice public hearing at which all persons had the opportunity to be heard, the Board of Supervisors remanded the Combined Development Permit to the Planning Commission for their consideration and analysis, pursuant to Title 20 section 20.86.070.A.

- c) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed Combined Development Permit are found in project file PLN110257-AMD1.

2. FINDING: CONSISTENCY – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 1982 County of Monterey General Plan;
 - Big Sur Coast Land Use Plan (BSC LUP);
 - County of Monterey Coastal Implementation Plan – Part 3; and
 - County of Monterey Zoning Ordinance - Coastal (Title 20).

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents. The Zoning Administrator’s interpretation of the Code as applies to this project found that project was not processed in accordance with the requirements of Title 20 Chapter 20.44. A more thorough analysis of the zoning code as it applies to this project is provided in the findings and evidence that follows.

- b) Project. The Project includes demolishing 53.5 linear feet of the existing front property line fencing and gate and constructing a replacement stone wall (32 linear feet) and entrance gate (21.5 linear feet). The proposed stone wall would replace a portion of an existing louvered wood fence. The proposed dark bronze entrance gate would replace the existing wood entrance gate. A wood and metal side gate would be installed perpendicular to the entrance gate, but behind the proposed stone wall. The remainder of the property line would continue to be improved with the existing louvered wood fence, which would be repaired as needed.
- c) Allowed Use. The property is located at 35986 HWY 1, Big Sur Coast Land Use Plan, APN: 243-231-027-000. The parcel is zoned Rural Density Residential, 40 acres per unit, Design Control overlay, with a 14-foot height limit, in the Coastal Zone or “RDR/40-D(14’)(CZ)”, which allows for construction of accessory structures to any permitted use. The proposed project includes replacing 53.5 feet of an existing front property line fence and entrance gate.
- d) Lot Legality. The subject property (APN: 243-231-027-000) is recognized by the County of Monterey as a legal lot of record per recordation of a Certificate of Compliance (Document #2012021134).
- e) Critical Viewshed/Design. The project is consistent with the Big Sur Coast Land Use Plan (BSC LUP) policies protecting scenic resources and their implementing regulations in the related CIP, as detailed in Finding No. 4.
- f) Development Standards. The development standards for the RDR zoning district are identified in Title 20 section 20.16.060. As proposed, the project is designed below the allowable height for accessory structures (15 feet). The proposed fence and entry gate are located along the front property line. However, because the proposed development does not exceed 6 feet in height, it is not considered a structure and thus is not subject to setback requirements for accessory structures. Therefore, as proposed, the project conforms with the applicable development standards of the zoning district.
- g) Cultural Resources. According to County resources maps, the subject

property is located within 750 feet of a known archaeological resource. Therefore, the subject property is required to have archaeological report, pursuant to section 20.145.120.A.1 of the Coastal Implementation Plan (CIP), Part 3. However, pursuant to CIP section 20.145.120.B.1, an archaeological survey was previously prepared for the site. The report identified small quantities of shellfish and abalone found near the bluff, and a positive archaeological site located on an adjacent property. However, no evidence of cultural resources was found around the proposed construction site of the main residence and associated structures. The proposed development is located within the previously disturbed portions of the property. Minimal ground disturbance is required for the fence posts. As the project is within the development site, involves no land clearance or minimal land disturbance, and has an archaeological survey that was previously prepared, the proposed project is eligible for an archaeological survey waiver pursuant to CIP section 20.145.120.B.5.

The potential for inadvertent impacts on cultural resources is limited and will be further controlled by application of the County’s standard project condition (Condition No. 3), which requires the contractor to stop work if previously unidentified resources are discovered during construction. Thus, as proposed, designed, and conditioned, the proposed project minimizes and avoids potential impacts to archaeological resources.

- h) Public Comment. A member of the public submitted concerns regarding the proposed design and materials of the replacement fence, citing it being better suited for a subdivision or “upscale neighborhood”, conflicting with the BSCLUP’s rustic character requirement, and impacting the character of the scenic corridor (Highway 1). As proposed, the fence utilizes natural materials and colors, does not significantly alter the scenic corridor, and complies with the applicable Critical Viewshed policies of the BSCLUP. See Finding 4.
- i) Land Use Advisory Committee (LUAC) Review. The project was not referred to the Big Sur LUAC. As a Minor and Trivial Amendment, it was determined that the project did not require LUAC review pursuant to the Board adopted LUAC Guidelines. However, as the project is no longer a Minor and Trivial Amendment, the project was referred to the Big Sur LUAC on June 23, 2026, to ensure additional input on the proposed project could be received. Staff provided a verbal update of the LUAC’s recommendation at the Planning Commission hearing on June 24, 2026.
- j) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning are found in Project File PLN110257-AMD1.

3. FINDING: **SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. County staff reviewed the application

materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.

- b) The following technical reports were previously prepared for this property and are applicable to the proposed development:
 - Archaeological Analysis and Testing (LIB110286) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 16, 2011
 - Archaeological Analysis and Testing (LIB110287) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 21, 2010

Upon independent review, staff concurs with the conclusions of the report. There are no physical or environmental constraints that render the site unsuitable for the proposed project.

- c) Staff conducted a site inspection on November 12, 2025 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning are found in Project File PLN110257-AMD1.

4. FINDING: CRITICAL VIEWSHED AND DESIGN – The project preserves Big Sur’s scenic resources and minimizes impacts to the Critical Viewshed in accordance with the applicable goals and policies of the Big Sur Coast Land Use Plan (BSC LUP) and Coastal Implementation Plan (CIP). The project assures protection of the public viewshed and neighborhood character in accordance with the Design Control “D” Overlay Zoning District.

EVIDENCE: a) Relevant Policies. The property is subject to the Scenic Resources Policies of the BSC LUP for visual resources, as well as the implementing regulations in the CIP. The property is located along Highway 1, and pursuant to BSC LUP Policy 3.2.2, everything within sight of Highway 1 is considered within the Critical Viewshed.

The property is located near the Abalone Cove turnout, a popular public viewing area in Big Sur. Pursuant to BSC LUP Policy 3.2.5.F, development within the Rocky Point area is exempt from the BSC LUP’s strict Critical Viewshed (BSC LUP Policy 3.2.1 and 3.2.3), and is instead subject to BSC LUP Policy 3.2.4, “*Land Not in the Critical Viewshed*”. Further, BSC LUP Policy 3.2.5.C.2 exempts all “*Highway 1 Facilities – Private Highway Improvements*”, which include gates and roadside fences, from BSC LUP’s strict Critical Viewshed (BSC LUP Policy 3.2.1 and 3.2.3).

Policy 3.2.1 prohibits all public and private development in the Big Sur Critical Viewshed, which includes everything within sight of Highway 1. However, development at this location is exempt from BSC LUP Policy 3.2.1. New development in this area is required to comply with BSC LUP Policy 3.2.4, which requires it to be subordinate, blend in with the environment, and use materials and colors that facilitate

integration with the natural environment. To achieve this, BSC LUP Policy 3.2.4 encourages the design and siting of structures to ensure visual continuity and that structures do not detract from the natural environment by using materials and colors to achieve these outcomes. BSC LUP Policy 3.2.4 is implemented by the CIP sections 20.145.030.B.3.b, 20.145.030.B.6, and 20.145.030.C.2.

While the replacement fence and gate are, by virtue of their location and type of development, included in the exceptions to the Critical Viewshed policies, staff also analyzed the project pursuant to the requirements for replacement of existing structures in the Critical Viewshed. BSC LUP Policy 3.2.3.A.7 details the requirements for replacement of structures within the Critical Viewshed. While replacement structures in the Critical Viewshed are encouraged to comply with the LUP's strict Critical Viewshed policy, it is not required. In fact, replacement of structures in the Critical Viewshed is allowed, provided the development is at the original location and the redevelopment does not increase the structure's visibility. BSC LUP Policy 3.2.3.A.7 is implemented by CIP section 20.145.030.A.2.f.

- b) Setting. The project site is located between Highway 1 and the Pacific Ocean in the Rocky Point subdivision. Highway 1 in Big Sur was the first designated scenic highway in California, in recognition of its unique and picturesque setting. Along the subject portion of Highway 1, the visual character is views of Monterey Cypress trees, with limited views of the Pacific Ocean to the west and the Santa Lucia Mountains to the east. The viewshed is partially degraded by the presence of telephone poles and electricity lines east of Highway 1 and various types of development west of Highway 1, as well as a few single-family dwellings and associated site improvements, such as fences, driveway entrances, and mailboxes, which are visible when traveling along this portion of the highway. These existing, minimally visible structures are required to comply with BSC LUP Policy 3.2.3 and the underlying Design Control zoning district.
- c) Critical Viewshed Determination. The proposed replacement gate and fence are exempt from the Critical Viewshed policies in the BSC LUP as the parcel is between the BSC LUP Policy 3.2.5.F exempts "*Existing vacant residential parcels in the critical viewshed between Highway 1 and the sea, from (and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek*" from the Key Critical Viewshed Policy. The term "vacant" in Policy 3.2.5.F is not a qualifier of whether parcels are subject to this Policy, but a descriptor of the geographic area which is subject to this exemption. The phrase "*(and including) the southernmost existing residential parcel on Rocky Point, to the northernmost developed residential parcel on Kasler Point and from the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek*" (emphasis added) confirms this interpretation as those existing developed parcels in this geographic area

are also subject to the exemption from the Key Critical Viewshed Policy. The subject property is within this area and therefore qualifies for an exception pursuant to BSC LUP Policy 3.2.5.F. While the parcel is not vacant, Policy 3.2.5.F still applies as the text of this policy further clarifies that these parcels shall be “...permitted to be used for residential purposes subject to policies of Section 3.2.4 of this plan and the following standards...”, and past County of Monterey decisions by the Zoning Administrator, Planning Commission, and Board of Supervisors have applied Policy 3.2.5.F to all proposed and replacement development, regardless of whether the property is vacant or not.

Private highway improvements along Highway 1 are included in the exceptions to the BSC LUP Policy 3.2.1 (Key Policy). Policy 3.2.5.C.2 explicitly exempts “private driveway entrances, gates, roadside fences...”. The proposed project is a replacement of the private driveway gate and portion of the roadside fence, which provide access to Highway 1 and therefore qualify for the exception pursuant to BSC LUP Policy 3.2.5.C.2.

- d) BSC LUP Policy Criteria. BSC LUP Policy 3.2.5.F allows development to be permitted for residential purposes subject to the policies in BSC LUP Policy 3.2.4. BSC LUP Policy 3.2.5.C.2 exempts private highway improvements such as fences and gates from BSC LUP Key Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

The proposed fence is consistent with the rural setting and character of Big Sur through its use of natural stone and dark bronze materials that reflect the subdued colors and textures of the surrounding landscape. The natural stone (with varying beige and earthy tones) complements the geologic characteristics of the Big Sur coastline and the Santa Lucia Range by using rough-cut, locally sourced stones that mirror the natural Salinian Block Granitic and Metamorphic rocks. The gate is designed with dark earth-toned materials (dark bronze and natural stone) and continues the visual continuity of the fence by mirroring the pre-existing utility access gate on the property. The rustic character in the Big Sur area is maintained by minimizing the bulk and mass of structures allowed in the Critical Viewshed, maintaining visual access to the ocean (where applicable), and using natural materials, earth-toned finishes, and visual compatibility with the surrounding landscape. The fence’s height is nearly identical to the existing fence, and the perceived change in massing is limited, given that only 53.5 feet of the front property line fence is being modified. By utilizing natural materials and earth-toned finishes, the proposed fence is designed to visually recede into the landscape and remain subordinate to the surrounding scenery, making it complementary to the rural setting and character of Big Sur and consistent with the preference for natural materials identified in LUP Policy 3.2.5.C.2. The remainder of the front property line will continue to be developed with a louvered wood fence, which will be repaired as needed. The proposed fence will transition into the existing fenceline.

As proposed, the entire front property fenceline will consist of natural materials and be of a bulk and mass that does not detract from the scenic beauty of Highway 1 and will not block ocean views.

Finally, while the replacement fence and gate are exempt from BSC LUP Policy 3.2.1 and subject to BSC LUP Policy 3.2.4, staff has also reviewed the project in light of the criteria for replacement of structures in the Critical Viewshed pursuant to BSC LUP Policy 3.2.3.A.7, which require that the replacement structure be in the original location on the site, provided no other less visible portion of the site is acceptable to the property owner and the replacement does not increase the visibility of the structure. These requirements are ultimately to ensure that replacement structures conform to the BSC LUP Policy 3.2.1. The replacement fence and gate conform to those requirements by preserving the scenic resources of Big Sur and ensuring that the “*outstanding beauty*” of the Big Sur coast is preserved. The replacement gate and fence are sited slightly farther back from the property line and are designed with natural, muted materials that evoke and mirror the “*semi-wilderness character*”. As proposed, the project materials and design are natural and in keeping with the rural setting and character of Big Sur.

- e) CIP Criteria - Exceptions for Development in the Critical Viewshed. The CIP section 20.145.030 provides specific development criteria to ensure compliance with the BSC LUP Visual Resources Policies. The criteria for the gate and fence replacement require that gates and fences be designed to be “*complementary to the rural setting and character of Big Sur*”, and such structures shall be composed of natural materials, pursuant to CIP section 20.145.030.B.3.b. As previously described in Evidence “d,” the replacement fence and gate are composed of natural materials and dark earth-toned materials to complement the rural setting and character of Big Sur.

Pursuant to CIP section 20.145.030.B.6, the replacement fence and gate have been designed to reduce the visual impact of the development by using natural and dark earth-toned materials to reduce the visual impact of the gate and fence. Further, the replacement gate and fence will be set back further from Highway 1 than the existing gate and fence to further minimize visual impacts. The proposed replacement fence and gate will be of a bulk and mass that do not detract from the scenic beauty of Highway 1, block ocean views, or further degrade the existing scenic corridor. The proposed replacement fence and gate will not impact nearby vista points, such as Ablone Cove, and will not substantially change the Highway 1 scenic corridor.

Finally, development in the Rocky Point Area is required to comply with the development standards in CIP section 20.145.030.C.2. The replacement fence and gate have incorporated appropriate materials and colors to blend with and be subordinate to the surrounding environment. The proposed project is subordinate to the surrounding environment by using natural stone and dark colors, which ensures that the replacement

gate and fence provide visual consistency along the Highway 1 frontage of the property. Therefore, the project satisfies the CIP requirements for Exceptions for Development in the Critical Viewshed.

f) CIP Criteria – Replacement Structures in the Critical Viewshed.

Replacement structures within the Critical Viewshed that are not subject to exceptions to the Critical Viewshed policies are governed by BSC CIP section 20.145.030, which sets out the specific development criteria to ensure compliance with the BSC LUP Visual Resources Policies. BSC CIP section 20.145.030.A.2.f includes criteria for allowing replacement structures within the Critical Viewshed.

“Replacement...of existing structures... shall be permitted in the original location on the site...”. The proposed fence and gate are in a similar location to the existing fence and gate on the property and connect to the existing sections of fence. The fence and gate are shifted slightly deeper into the parcel and further away from the scenic highway (Highway 1). Shifting the fence and gate deeper into the property further minimizes their impact on the Critical Viewshed.

“Replacement...of existing structures... shall be permitted provided no other less visible portion of the site is acceptable to the property owner...”. The existing fence and gate are situated slightly deeper within the parcel, a location that is proposed to further minimize visual impacts. The property owner reviewed and accepted this deeper placement to reduce visibility of the replacement fence and gate.

“Replacement...of existing structures...shall be permitted provided the replacement does not increase the visibility of the structure.” The replacement fence and gate have been designed to reduce the visual impact of the development by using natural, dark earth-toned materials. The replacement gate and fence are of similar bulk and mass to the existing gate and fence, further minimizing visual impacts. The replacement fence and gate have been designed with appropriate materials and colors to blend with and be subordinate to the surrounding environment. The proposed gate and fence are subordinate to the surrounding environment through the use of natural stone and dark colors, ensuring that the replacement gate and fence provide visual consistency along the Highway 1 frontage of the property. See Evidence “d” for additional design discussion.

Therefore, as proposed, the replacement fence and gate satisfy the requirements for replacing structures within the Critical Viewshed.

g) Design Control. Pursuant to MCC Title 20 Chapter 20.44, the proposed project and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character.

The proposed replacement fence and gate will incorporate natural materials (stone) and natural, dark earth-tone materials (dark bronze and

natural stone), which are in keeping with the rural setting and character of Big Sur. Additionally, the proposed fence replacement project only modifies a limited portion of the front property fence line. The remainder of the front property line will continue to be developed with a louvered wood fence. As proposed, the entire front property fence line will consist of natural materials and have a bulk and mass that do not detract from the scenic beauty and public viewsheds of Highway 1. The project protects the public viewshed, is consistent with the surrounding rural character, and ensures public access and visual integrity.

Therefore, the design of the proposed project ensures the protection of the public viewshed, neighborhood character, and the visual integrity of the property and the surrounding environment.

- h) Staff conducted a site inspection on November 12, 2025 to verify that the site is suitable for this use.
- i) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning are found in Project File PLN110257-AMD1.

5. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD-Developmental Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary facilities are provided. This Combined Development Permit would not alter these facilities. The Environmental Health Bureau has reviewed the project and made no comments.
 - c) Staff conducted a site inspection on November 12, 2025 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning are found in Project File PLN110257-AMD1.

6. FINDING: NO VIOLATIONS – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any violations existing on the subject property.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning are found in Project File PLN110257-AMD1.

7. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) Figure 2 – Shoreline Access Plan, Northern Section, of the BSC LUP indicates that the subject property is in an area where public access is required (Priority 2 area). As detailed in the preceding Finding No. 2 and supporting evidence, BSC LUP Chapter 3.2 and CIP section 20.145.030.B.3.b allow for private highway improvements like fences. Big Sur Coast LUP Policy 6.1.5.F.1 states, “*Future land use planning shall be compatible to provide visual access. To this end, all new structures and ancillary facilities should be located outside of the public viewshed as defined in Chapter 3.*” Public Access policies (Chapter 6.1 of the Big Sur Coast LUP), specifically visual access policies, need to be taken into consideration when reviewing the proposed fence design. Visual Access is access for scenic viewing of the shoreline and/or ocean from either a vista point or public road, or trail. Section 20.145.150 of the Big Sur Coast CIP (Public Access Development Standards) states “[T]he protection of visual access should be emphasized ...[and] Visual access shall be maintained by directing all future development out of the viewshed.” The proposed replacement fence was designed to ensure existing ocean views (heavily filtered and screened by mature trees) will remain. See subsequent evidence “c”.
 - b) Figure 3 – Trails Plan, North Section, of the Big Sur Coast LUP indicates that the subject property neither contains an inland trail corridor, a through coastal access corridor, public trail, private trail, access to Ventana Wilderness, nor is identified as an area for future public acquisition or a proposed trail.
 - c) Although the subject property is shown in an area where the applicable Local Coastal Program requires public access (Figure 2), no evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property. Additionally, the proposed development allows for visual access and will not affect the processes of the shoreline. Consequently, no access is required as part of the project, as no substantial adverse impact on access, either individually or cumulatively, as described in section 20.146.130 of the County of Monterey Coastal Implementation Plan, can be demonstrated.
 - d) Staff conducted a site inspection November 12, 2025. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - e) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257-AMD1.

8. FINDING: CEQA (Exempt) – The project is categorically exempt from environmental review, and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts replacement structures where the new structures will be located on the same site and have substantially the same purpose and capacity as the structure replaced.
 - b) The project includes construction of a replacement fence and gate. The replacement fence and gate will be located in the same area as the existing fence and gate and serve the same purpose. Therefore, the project is consistent with the categorical exemption requirements of CEQA guidelines section 15302.
 - c) No adverse environmental effects were identified during staff review of the development application or during a site visit on November 12, 2025.
 - d) None of the exceptions under CEQA Guidelines section 15300.2 apply to this project. The project does not involve alterations to a designated historical resource, a hazardous waste site, nor development that would result in a cumulatively significant impact. Although the project is visible from Highway 1 and constitutes development within the Critical Viewshed, as demonstrated in Finding Nos. 4 supporting evidence, the development is rural in design, compatible with the surrounding environment, and will not have an adverse impact on public or visual access. There are no unusual circumstances associated with undertaking the project that would create a reasonable possibility that the project would have a significant effect on the environment.
 - e) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257-AMD1.

9. FINDING: **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Title 20, Section 20.86.030, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) California Coastal Commission. Pursuant to section 20.86.080.A of the County of Monterey Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the first public road and the sea.

DECISION

NOW, THEREFORE, based on the above findings and evidence, and the administrative record as a whole, the Planning Commission does hereby:

- 1) Find the project Categorical Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- 2) Approve a Combined Development Permit consisting of:
 - a) A Coastal Development Permit to allow development within the Big Sur Critical Viewshed;
 - b) A Coastal Development Permit for development within 750 feet of an archaeological resource; and
 - c) A Design Approval to allow replacement of 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

All in general conformance with the attached plans and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 24th day of June 2026.

Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. This permit does not authorize any development, land disturbance, or construction.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless use is started within this period.

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County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN110257-AMD1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This is a Combined Development Permit allows replacement of 53.5 feet of existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate within the Big Sur Critical Viewshed and within 750 feet of an archaeological resource. The project is located at 36000 Highway 1, Monterey (Assessor's Parcel Number 243-231-027-000), Big Sur Coast Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number 26-) was approved by the County of Monterey Planning Commission for Assessor's Parcel Number 243-231-027-000 on June 24, 2026. The permit was granted subject to 4 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

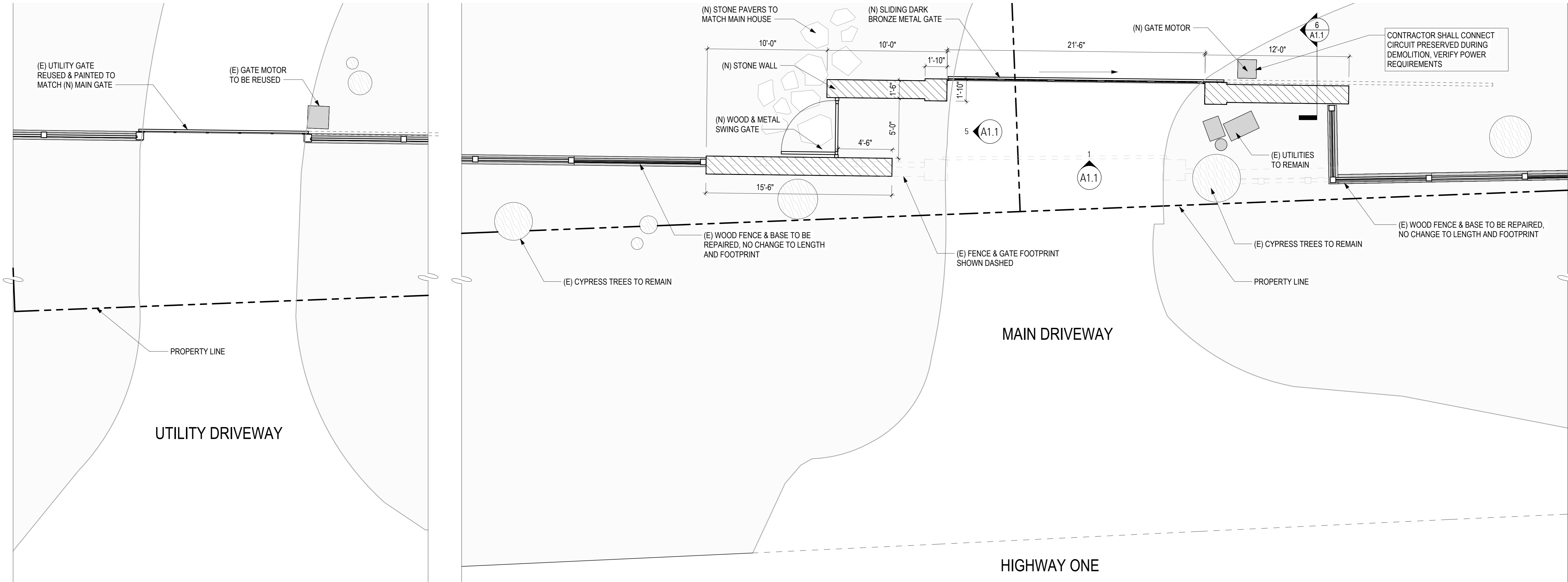
Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD - Planning for review and approval.

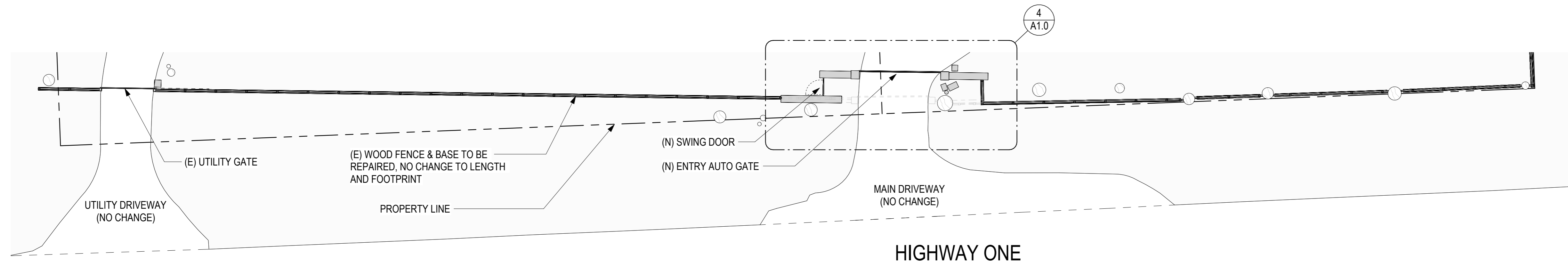
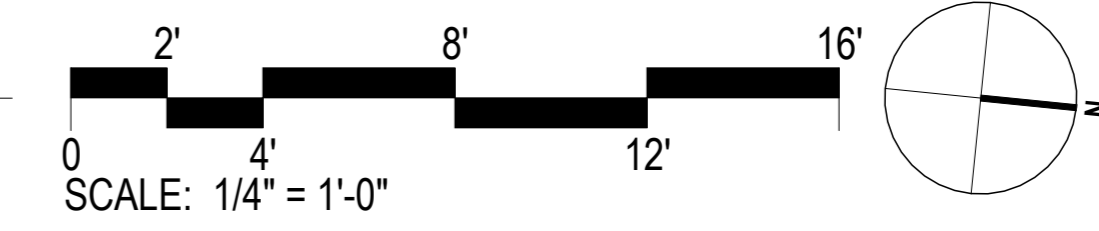
During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

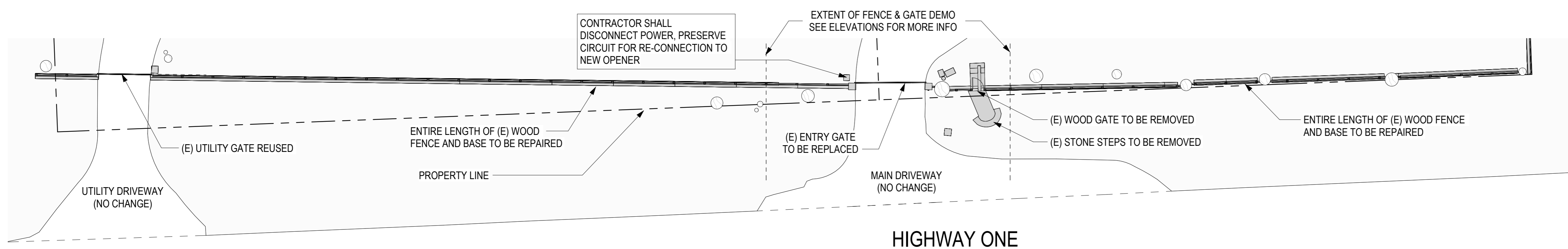
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4 ENTRY GATE & FENCE PLAN - PROPOSED
A1.0 1/4" = 1'-0"



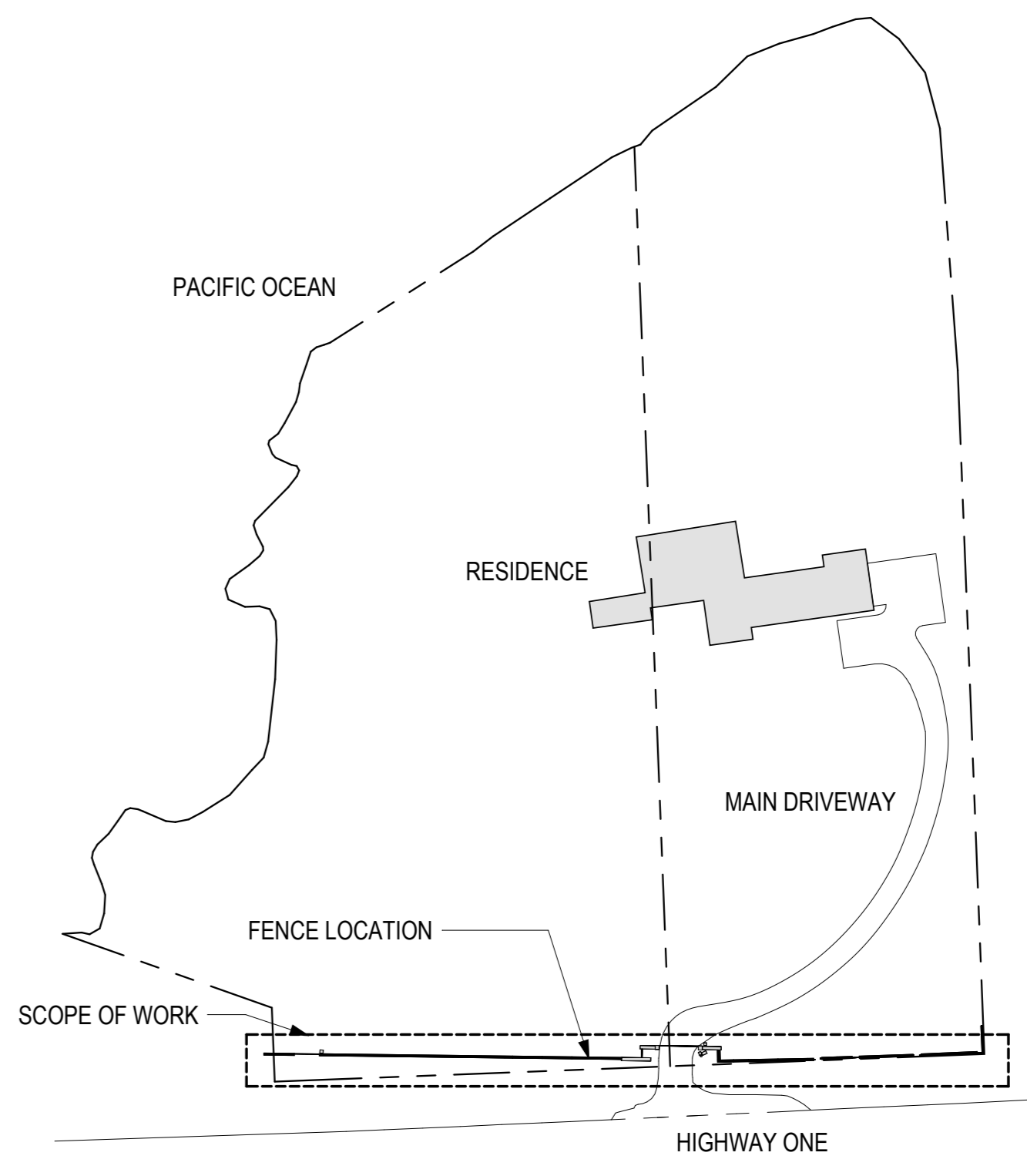
1 ENTRY GATE & FENCE PLAN - OVERALL PROPOSED
A1.0 1/16" = 1'-0"



3 ENTRY GATE & FENCE PLAN - OVERALL EXISTING/DEMO
A1.0 1/16" = 1'-0"

NOTES

- SCOPE OF WORK TO INCLUDE:
 - REPAIR AND REPLACEMENT OF (E) WOOD FENCE
 - REPLACEMENT OF (E) SLIDING METAL GATE AT MAIN ENTRY
 - ADDITION OF ASHLAR STONE WALLS TO EITHER SIDE OF (N) GATE
- NO TREE REMOVAL PROPOSED



2 CONTEXT PLAN
A1.0 1" = 80'-0"



ENLARGED PLANS & SITE PLAN

SCALE: As indicated
Project Status

EXISTING FENCE IMAGES



SECONDARY GATE



OVERALL FENCE



MAIN ENTRY GATE

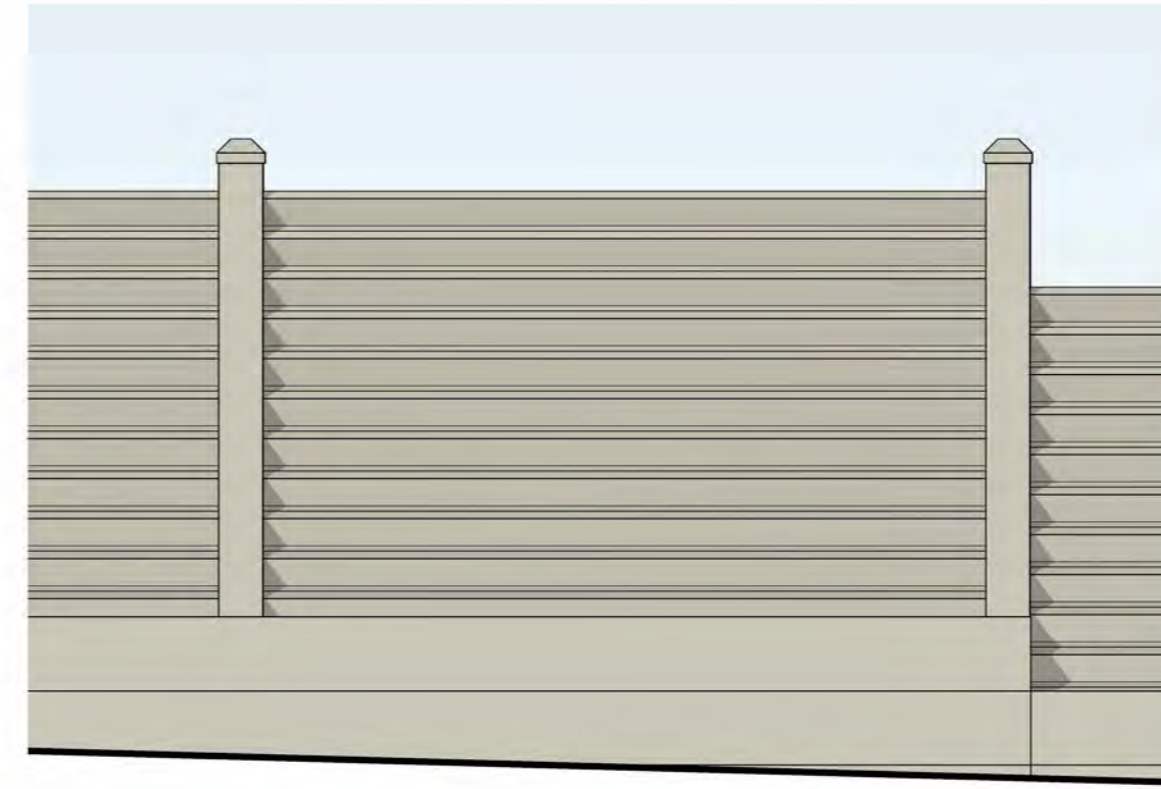


ACCESS DOOR AT MAIN ENTRY GATE

PROPOSED MATERIAL IMAGES



LOCALLY SOURCED, UNCOURSED RANDOM ASHLAR STONE WALLS



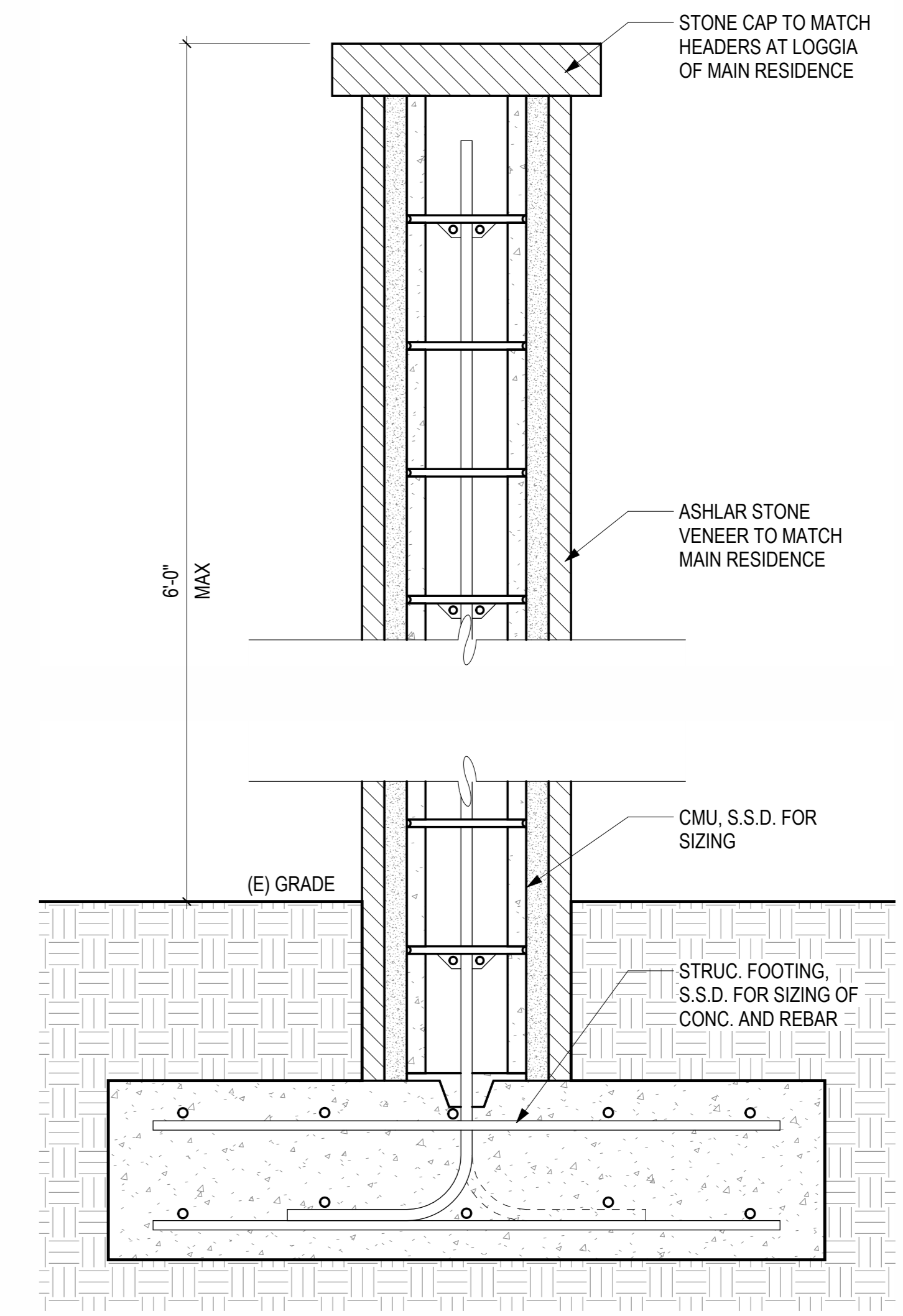
ALL WOOD STAINED AND ACID WASHED TO MATCH (E) FENCE



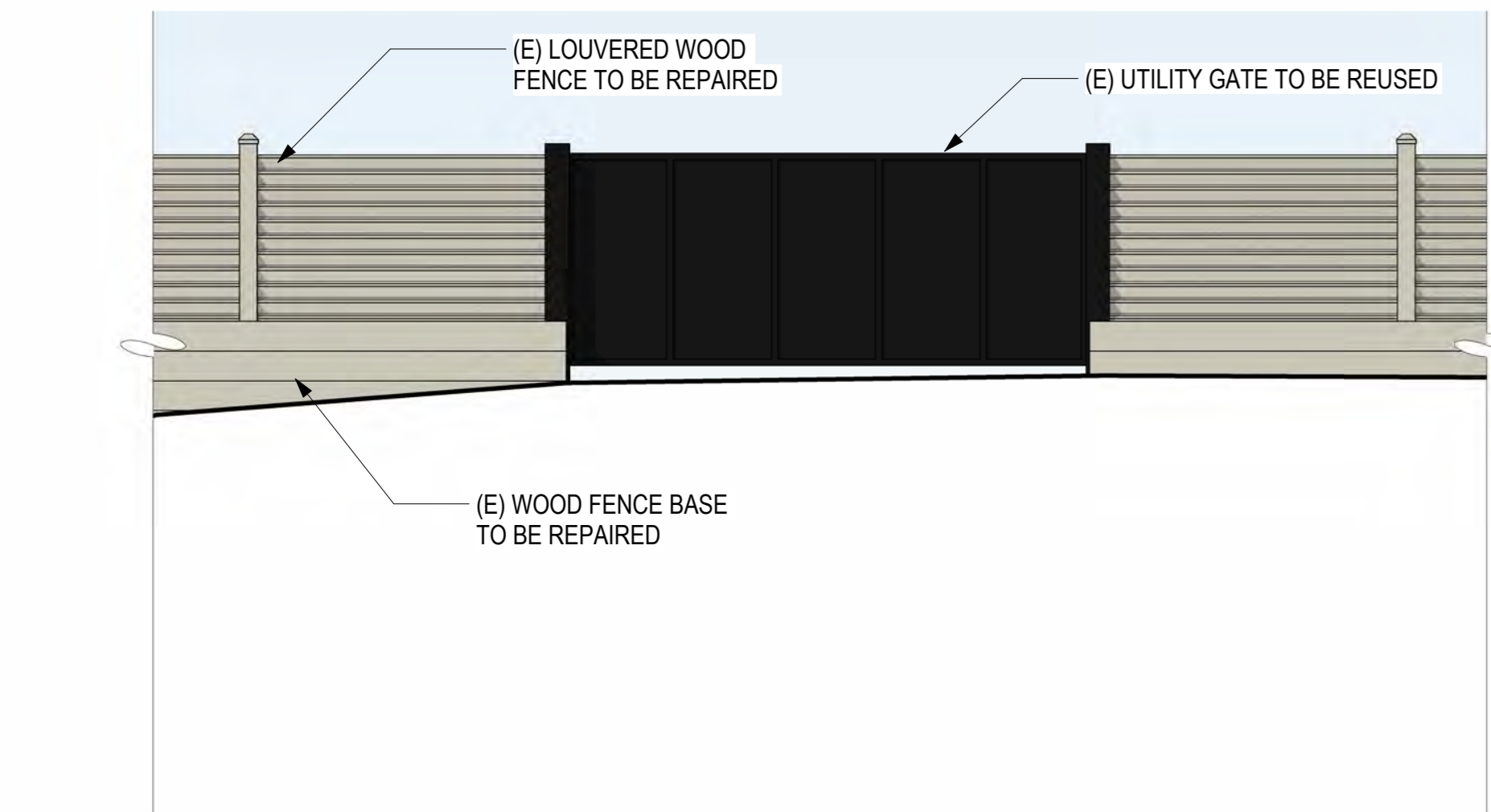
AGED BRONZE METAL TO MATCH DOORS & WINDOWS OF MAIN RESIDENCE



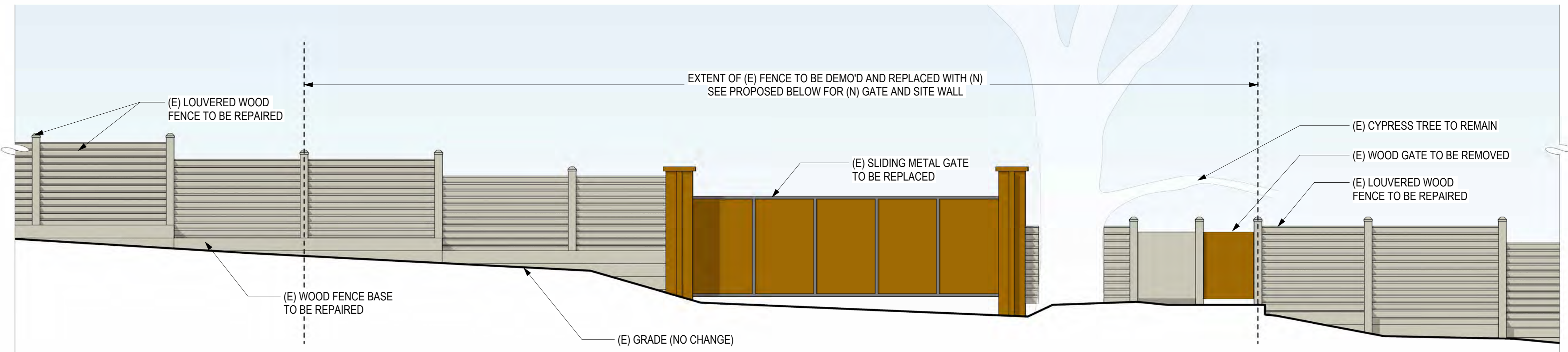
(E) WOOD FENCE



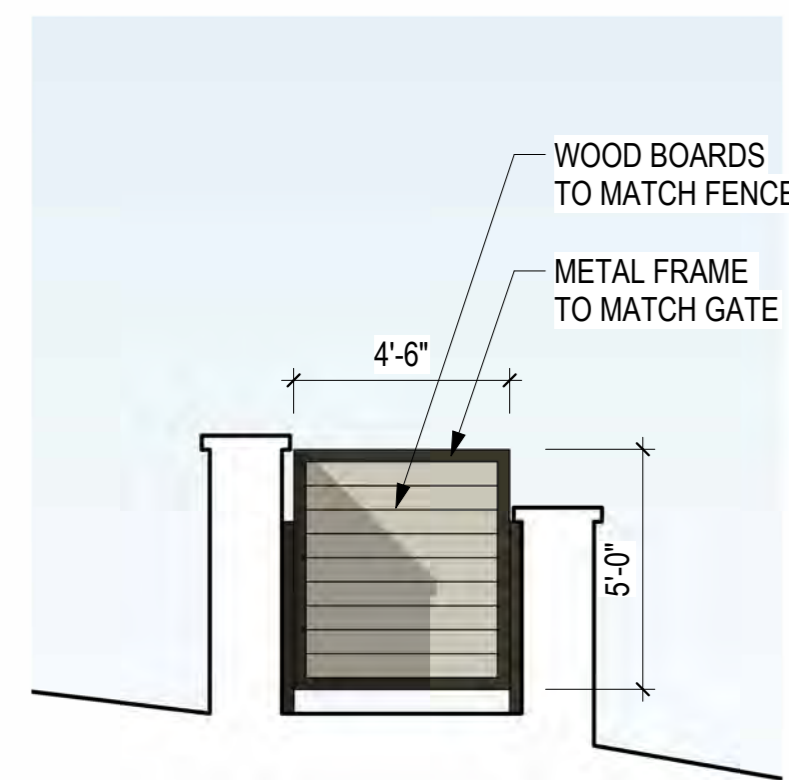
6 FENCE SECTION - PROPOSED
1 1/2" = 1'-0"



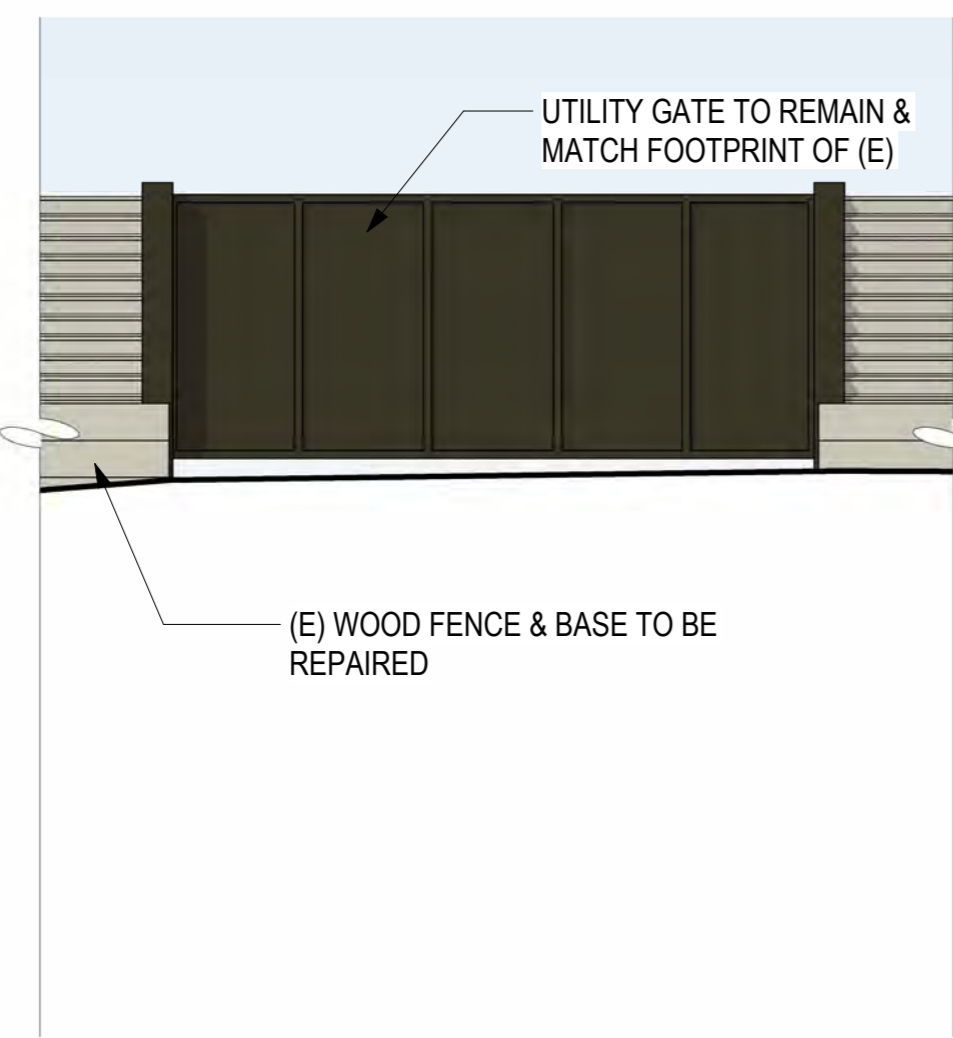
1 ENTRY GATE & FENCE ELEVATION - EXISTING / DEMO
1/4" = 1'-0"



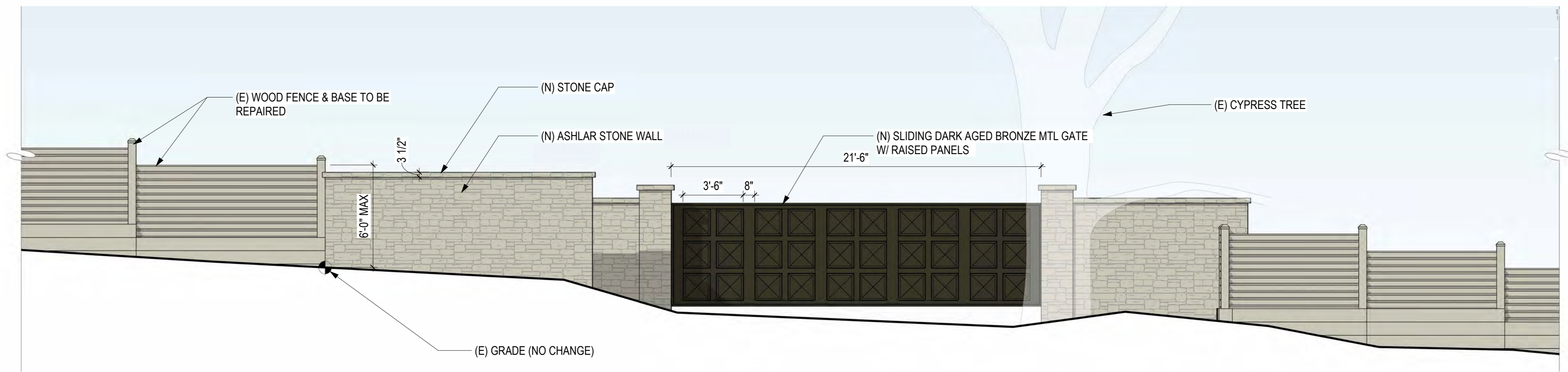
0 2' 4' 8' 12' 16'
SCALE: 1/4" = 1'-0"



5 SIDE DOOR - PROPOSED
1/4" = 1'-0"



2 ENTRY GATE & FENCE ELEVATION - PROPOSED
1/4" = 1'-0"



0 2' 4' 8' 12' 16'
SCALE: 1/4" = 1'-0"



Exhibit B

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- b) If you are appealing one or more conditions of approval, list the condition number and state the condition(s) you are appealing. (Attach extra sheet if necessary)

6. Place a check mark beside the reason(s) for your appeal:

There was a lack of fair or impartial hearing _____
 The findings or decision or conditions are not supported by the evidence X
 The decision was contrary to law X

7. Give a brief and specific statement in support of each of the reasons for your appeal checked above. The Board of Supervisors will not accept an application for an appeal that is stated in generalities, legal or otherwise. If you are appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary)

See attached.

8. As part of the application approval or denial process, findings were made by the decision-making body (Planning Commission, Zoning Administrator, or Chief of Planning). In order to file a valid appeal, you must give specific reasons why you disagree with the findings made. (Attach extra sheets if necessary)

See attached.

9. You must pay the required filing fee of \$3,716.10 (make check payable to "County of Monterey") at the time you file your appeal. (Please note that appeals of projects in the Coastal Zone are not subject to the filing fee.)

This project is in the Coastal Zone.

10. Your appeal is accepted when the Clerk to the Board accepts the appeal as complete and receives the required filing fee. Once the appeal has been accepted, the Clerk to the Board will set a date for the public hearing on the appeal before the Board of Supervisors.

The appeal and applicable filing fee must be delivered to the Clerk to the Board by the deadline. A mailed copy of the appeal and filing fee will be accepted only if it is received by Clerk of the Board by the deadline. The appeal and applicable filing fee should be mailed to PO Box 1728, Salinas CA 93902. A facsimile copy of the appeal will be accepted only if the hard copy of the appeal and applicable filing fee are mailed and received by Clerk of the Board by the deadline.

DocuSigned by:
 Andrew Berlin
 APPELLANT SIGNATURE _____ Date: 4/13/2026

RECEIVED SIGNATURE [Signature] _____ Date: 4/15/26

THE LAW OFFICE OF AENGUS L. JEFFERS

A Professional Corporation
215 West Franklin Street, Fifth Floor
Monterey, California 93940

Phone: (831) 649-6100
Fax: (831) 325-0150
Email: aengus@aengusljeffers.com

April 13, 2026

VIA ELECTRONIC SUBMITTAL

Monterey County Board of Supervisors
Attn: Clerk of the Board
168 West Alisal
P.O. Box 1728
Salinas, California 93902

Re: Appeal of April 9, 2026 Zoning Administrator Decision on PLN110257-AMD1

To Whom it May Concern:

At the request of our client, Andrew T. Berlin, Trustee of the Andrew T. Berlin Revocable Trust (“Applicant” and “Appellant”), I am submitting the attached materials comprising the appeal of the denial of the Minor and Trivial Amendment to a Combined Development Permit to construct a replacement fence and gate (“Project”) on the property located at 36000 Highway One (APN 243-231-027-000), Big Sur in the Big Sur Planning Area (the “Property”).

The enclosed application materials consist of the following:

- One (1) executed and completed Notice of Appeal;
- One (1) copy of Zoning Administrator Resolution No. 26-024

BASIS FOR THE APPEAL

The findings and decision are not supported by the evidence, and the decision is contrary to the law, including but not limited to, the evidence set forth below:

1. **Finding 2, Evidence (a):** The project was not processed in accordance with the requirements of the Zoning Ordinance, specifically Section 20.44.040.E, which requires that the Planning Commission is the Appropriate Authority to consider a Design Approval within a scenic corridor. The project could not have been approved by the Zoning Administrator.
 - a. Monterey County Code §20.44.040.E states that the Planning Commission shall be the Appropriate Authority to consider Design Approval applications for those structures which have the greatest potential to impact public views, such as structures along scenic highway or road corridors, in areas designated as critical viewshed, or which may be prominent from common public viewing areas. Because the proposed development does not exceed 6 feet in height, it is not considered a structure under Monterey County Code §20.06.1200. Therefore, the Zoning Administrator was the Appropriate authority to consider the Minor and Trivial Amendment Design Approval application under Monterey County Code §20.44.040.C.

2. **Finding 2, Evidence (b):** The Zoning Administrator determined that the proposed amendment was substantive due to the project's location within a scenic highway (Highway 1) and should have been considered by the Planning Commission. Therefore, the Zoning Administrator denied this application due to incorrect procedure.
- a. Monterey County Code §20.44.040.E states that the Planning Commission shall be the Appropriate Authority to consider Design Approval applications for those structures which have the greatest potential to impact public views, such as structures along scenic highway or road corridors, in areas designated as critical viewshed, or which may be prominent from common public viewing areas. Because the proposed development does not exceed 6 feet in height, it is not considered a structure under Monterey County Code §20.06.120. Therefore, the Zoning Administrator was the Appropriate authority to consider the Minor and Trivial Amendment Design Approval application under Monterey County Code §20.44.040.C.
 - b. Contrary to Finding 2, Evidence (e), while the project site is located along Highway 1, it is expressly exempt from Big Sur's Critical Viewshed as it is located within the Rocky Point Exception Area established pursuant to Big Sur LCP Policy 3.2.4 such that development on the Property is expressly subject to the standards of Big Sur LCP Policy 3.2.4 ("Procedures for Applying the General Scenic Resources Policies That Apply Outside the Critical Viewshed"). Therefore, the Zoning Administrator was the Appropriate authority to consider the Minor and Trivial Amendment Design Approval application under Monterey County Code §20.44.040.C.

While the Zoning Administrator's denial of the Project was based entirely on procedural grounds rather than the Project's merit and consistency with the Big Sur LCP, we do support Planning Staff's analysis from the Zoning Administrator hearing staff report recommending approval of the Project as consistent with the Big Sur LCP.

If you have any questions, please do not hesitate to contact me.

Sincerely,



Aengus L. Jeffers, Esq.

ALJ:lml

Enclosures

**Before the Zoning Administrator in and for
the County of Monterey, State of California**

In the matter of the application of:

BERLIN ANDREW T TR (PLN110257-AMD1)

RESOLUTION NO. 26-024

Resolution by the County of Monterey Zoning
Administrator:

- 1) Finding the project decision Statutorily Exempt pursuant to CEQA section 21080(b)(5); and
- 2) Denying a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. This Minor and Trivial Amendment would allow replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and a dark bronze entrance gate.

[BERLIN ANDREW T TR, 35986 HWY 1, Big Sur Coast Land Use Plan, APN: 243-231-027-000].

The BERLINE application (PLN110275-AMD1) came before the County of Monterey Zoning Administrator on March 26, 2026, and April 9, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS REQUIREMENTS** – The County has received and processed an amendment to previously approved Combined Development Permit (HCD Planning File No. PLN110257; Planning Commission Resolution No. 11-048).
EVIDNECE: a) On August 18, 2025, an application for a Minor and Trivial Amendment (PLN110257-AMD1) was submitted to HCD-Planning staff. The Minor and Trivial Amendment application includes Design Approval pursuant to Monterey County Code Chapter 20.44 as a component.
b) On December 14, 2011, the Monterey County Planning Commission approved PLN110257 for a Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow the demolition of an existing 1,960 square foot one-story single family dwelling and 66

square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls, perimeter fencing, and associated grading (2,573 cubic yards cut, 2,573 cubic yards fill); 2) Coastal Development Permit for development within 750 feet of an archaeological resource; 3) Coastal Development Permit for development within 50 feet of a coastal bluff; 4) Coastal Development Permit for a Lot Line Adjustment to merge two parcels into one parcel; and 5) Design Approval. Approval of this permit included 31 conditions of approval.

- c) All previously approved 31 conditions of approval are in a “Met” or “On-going” status. No Conditions of Approval from PLN110257 are being carried forward to this Amendment (PLN110257-AMD1) due to the minor project scope of this project.
- d) The findings and evidence from PLN110257 (Resolution No. 11-048) have been carried forward to this application, PLN110257-AMD1, by reference. PLN110257 remains as the operative permit. Denial of this Amendment does not alter the original approval.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in project file PLN110257 and PLN110257-AMD1.

2. FINDING: **CONSISTENCY** – The Project, as conditioned, is not consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 1982 Monterey County General Plan;
 - Big Sur Coast Land Use Plan;
 - Monterey County Coastal Implementation Plan – Part 3; and
 - Monterey County Zoning Ordinance - Coastal (Title 20).

The project was not processed in accordance with the requirements of the Zoning Ordinance, specifically Section 20.44.040.E, which requires that the Planning Commission is the Appropriate Authority to consider a Design Approval within a scenic corridor. The project could not have been approved by the Zoning Administrator.

- b) Project. The Project includes demolishing 53.5 linear feet of the existing front property line fencing and gate, and constructing a replacement stone wall (32 linear feet) and entrance gate (21.5 linear feet). The proposed stone wall would replace a portion of an existing louvered wood fence. The proposed dark bronze entrance gate will replace the existing wood entrance gate. A wood and metal side gate will be installed perpendicular to the entrance gate, but behind the proposed stone wall. The remainder of the property line will continue to be improved with the existing louvered wood fence, which will be repaired as needed. This project was scheduled for consideration by the Chief of Planning on December 3, 2025, but was referred to the Zoning Administrator due to public comment. The Zoning Administrator determined that the proposed amendment was substantive due to the

project's location within a scenic highway (Highway 1) and should have been considered by the Planning Commission. Therefore, the Zoning Administrator denied this application due to incorrect procedure. (see Finding 2, Evidence "a", above). The Zoning Administrator did not make a recommendation on the proposed design.

- c) Allowed Use. The property is located at 35986 Highway 1, Big Sur Coast Land Use Plan, APN: 243-231-027-000. The parcel is zoned Rural Density Residential, 40 acres per unit, Design Control overlay, with a 14-foot height limit, in the Coastal Zone or "RDR/40-D(14')(CZ)", which allows for construction of accessory structures to any permitted use. The proposed project includes replacing 53.5 feet of an existing front property line fence and entrance gate. The previously approved Combined Development Permit (PLN110237, Resolution No. 11-048) allowed construction of a single-family dwelling and other site improvements, including an entrance gate and perimeter fencing. Therefore, the project includes allowed uses accessory to the permitted residential use. All other project components of the previously approved Combined Development Permit (PLN110257) remain the same (see Finding No. 1, Evidence "b").
- d) Lot Legality. The subject property (APN: 243-231-027-000) is recognized by the County of Monterey as a legal lot of record per recordation of a Certificate of Compliance (Document #2012021134).
- e) Critical Viewshed/Design. According to Policy 3.2.2 of the Big Sur Coast Land Use Plan (BSCLUP), the property is located within a critical viewshed. The property is located near the Abalone Cove turnoff, which is a popular public-viewing area within Big Sur. Policy 3.2.4.F of the BSCLUP states, "the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek shall be permitted to be used for residential purposes, subject to policies of Policy 3.2.4 (Land Not in the Critical Viewshed) of this plan." Accordingly, while the project site is located along Highway 1 and thus within the Critical Viewshed, it is only subject to the standards of Policy 3.2.4 (Land Not in the Critical Viewshed). Furthermore, pursuant to LUP Policy 3.2.5.C.2, private highway improvements such as fences and gates are exempt from Key Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

The stone fence replacement is proposed to match the existing residence's stone exterior. No exterior lighting is proposed.

- f) Development Standards. The development standards for the RDR zoning district are identified in Title Section 20.16.060. As proposed, the project is designed below the allowable height for accessory structures (15 feet). The proposed fence and entry gate are located along the front property line. However, because the proposed development does not exceed 6 feet in height, it is not considered a structure and thus is not subject to setback requirements for accessory structures. This Amendment does not alter the site coverage approved with PLN110257.

Therefore, as proposed, the project conforms with the applicable development standards of the RDR zoning district.

- g) Cultural Resources. According to County resources maps, the subject property is located within 750 feet of a known archaeological resource. Pursuant to Section 20.145.120.B.1 of the Coastal Implementation Plan, Part 3, an archaeological survey was previously prepared for the site. The report identified small quantities of shellfish and abalone found near the bluff, and a positive archaeological site located on an adjacent property. However, no evidence of cultural resources was found around the proposed construction site of the main residence. The proposed development is located within previously disturbed portions of the property. With the project being denied through this resolution, no ground disturbance will occur.
- h) Public Comment. A member of the public submitted concerns regarding the proposed design and materials of the replacement fence, citing it being better suited for a subdivision or “upscale neighborhood,” conflicting with the Big Sur Coast LUP’s rustic character requirement, and impacting the character of the scenic corridor (Highway 1).
- i) Land Use Advisory Committee (LUAC) Review. Based on the Board of Supervisors Guidelines, the project was not referred to the Big Sur LUAC. As a Minor & Trivial Amendment, the project does not warrant LUAC review because the project does not involve the granting of a Design Approval at a public hearing, the preparation of an Initial Study or Environmental Impact Report, or a lot line adjustment in the Coastal Zone, or a Variance. The public commentor’s request for a public hearing does not independently warrant LUAC review.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

3. FINDING: **SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development.
 - b) The following technical reports were previously prepared for this property and are applicable to the proposed development:
 - Archaeological Analysis and Testing (LIB110286) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 16, 2011
 - Archaeological Analysis and Testing (LIB110287) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 21, 2010

Upon independent review, staff concurs with the conclusions of the report. There are no physical or environmental constraints that render the site physically unsuitable for the proposed project.

- c) Staff conducted a site inspection on November 12, 2025, to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

4. **FINDING:** **HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD-Development Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary facilities are provided. Denial of this Amendment would not alter these facilities. The Environmental Health Bureau has reviewed the project and made no comments.
 - c) Staff conducted a site inspection on November 12, 2025, to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

5. **FINDING:** **NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN110257 and PLN110257-AMD1.

6. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) Figure 2 – Shoreline Access Plan, Northern Section, of the Big Sur Coast LUP indicates that the subject property is in an area where public access is required (Priority 2 area). As detailed in the preceding Finding No. 2

and supporting evidence, Big Sur Coast LUP Chapter 3.2 and CIP section 20.145.030.B.3.b allow for private highway improvements like fences. Big Sur Coast LUP Policy 6.1.5.F.1 states, “Future land use planning shall be compatible to provide visual access. To this end, all new structures and ancillary facilities should be located outside of the public viewshed as defined in Chapter 3.” Public Access policies (Chapter 6.1 of the Big Sur Coast LUP), specifically visual access policies, need to be taken into consideration when reviewing the proposed fence design. Visual Access is access for scenic viewing of the shoreline and/or ocean from either a vista point or public road, or trail. Section 20.145.150 of the Big Sur Coast CIP (Public Access Development Standards) states “[T]he protection of visual access should be emphasized ...[and] Visual access shall be maintained by directing all future development out of the viewshed.” The proposed replacement fence was designed to ensure existing ocean views (heavily filtered and screened by mature trees) will remain. Denial of this Amendment will retain the originally designed fence and gate, as approved and constructed, ensuring no change to the public viewshed.

- b) Figure 3 – Trails Plan, North Section, of the Big Sur Coast LUP indicates that the subject property neither contains an inland trail corridor, a through coastal access corridor, public trail, private trail, access to Ventana Wilderness, nor is identified as an area for future public acquisition or a proposed trail.
- c) Although the subject property is shown in an area where the applicable Local Coastal Program requires public access (Figure 2), no evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property. Additionally, denial of the proposed development will not alter the visual access from Highway 1 or any local viewshed locations.
- d) Staff conducted a site inspection on November 12, 2025. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- e) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257 and PLN110257-AMD1.

7. FINDING: **CEQA (Exempt)** – The project is exempt from environmental review, and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) section 21080(b)(5) statutorily exempts projects that a public agency rejects or disapproves.
 - b) The project includes the construction of a replacement fence. The replacement fence was proposed to be in the same area as the existing fence and serve the same purpose. The Zoning Administrator disapproved this project.
 - c) No adverse environmental effects were identified during staff review of the development application or during a site visit on November 12, 2025.
 - d) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257 and PLN110257-AMD1.

8. **FINDING:** **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** a) **Board of Supervisors.** Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
- b) **California Coastal Commission.** Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the first public road and the sea.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the County of Monterey Zoning Administrator does hereby:

- 1) Find the decision to deny the project is subject to a Statutory Exemption pursuant to CEQA section 21080(b)(5); and
- 2) Deny a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. The Minor and Trivial Amendment, if approved, would have allowed replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and a dark bronze entrance gate.

All of which are in general conformance with the attached sketch, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 9th day of April, 2026.

DocuSigned by:

Mike Novo

8D45DC219AC247C

Mike Novo, AICP
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **4/10/26**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **4/20/26**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER

INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

Exhibit C

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**Before the Zoning Administrator in and for
the County of Monterey, State of California**

In the matter of the application of:

BERLIN ANDREW T TR (PLN110257-AMD1)

RESOLUTION NO. 26-024

Resolution by the County of Monterey Zoning Administrator:

- 1) Finding the project decision Statutorily Exempt pursuant to CEQA section 21080(b)(5); and
- 2) Denying a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. This Minor and Trivial Amendment would allow replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and a dark bronze entrance gate.

[BERLIN ANDREW T TR, 35986 HWY 1, Big Sur Coast Land Use Plan, APN: 243-231-027-000].

The BERLINE application (PLN110275-AMD1) came before the County of Monterey Zoning Administrator on March 26, 2026, and April 9, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS REQUIREMENTS** – The County has received and processed an amendment to previously approved Combined Development Permit (HCD Planning File No. PLN110257; Planning Commission Resolution No. 11-048).
EVIDNECE:
 - a) On August 18, 2025, an application for a Minor and Trivial Amendment (PLN110257-AMD1) was submitted to HCD-Planning staff. The Minor and Trivial Amendment application includes Design Approval pursuant to Monterey County Code Chapter 20.44 as a component.
 - b) On December 14, 2011, the Monterey County Planning Commission approved PLN110257 for a Combined Development Permit consisting of: 1) Coastal Administrative Permit to allow the demolition of an existing 1,960 square foot one-story single family dwelling and 66

square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls, perimeter fencing, and associated grading (2,573 cubic yards cut, 2,573 cubic yards fill); 2) Coastal Development Permit for development within 750 feet of an archaeological resource; 3) Coastal Development Permit for development within 50 feet of a coastal bluff; 4) Coastal Development Permit for a Lot Line Adjustment to merge two parcels into one parcel; and 5) Design Approval. Approval of this permit included 31 conditions of approval.

- c) All previously approved 31 conditions of approval are in a “Met” or “On-going” status. No Conditions of Approval from PLN110257 are being carried forward to this Amendment (PLN110257-AMD1) due to the minor project scope of this project.
- d) The findings and evidence from PLN110257 (Resolution No. 11-048) have been carried forward to this application, PLN110257-AMD1, by reference. PLN110257 remains as the operative permit. Denial of this Amendment does not alter the original approval.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in project file PLN110257 and PLN110257-AMD1.

2. FINDING: **CONSISTENCY** – The Project, as conditioned, is not consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - 1982 Monterey County General Plan;
 - Big Sur Coast Land Use Plan;
 - Monterey County Coastal Implementation Plan – Part 3; and
 - Monterey County Zoning Ordinance - Coastal (Title 20).

The project was not processed in accordance with the requirements of the Zoning Ordinance, specifically Section 20.44.040.E, which requires that the Planning Commission is the Appropriate Authority to consider a Design Approval within a scenic corridor. The project could not have been approved by the Zoning Administrator.

- b) Project. The Project includes demolishing 53.5 linear feet of the existing front property line fencing and gate, and constructing a replacement stone wall (32 linear feet) and entrance gate (21.5 linear feet). The proposed stone wall would replace a portion of an existing louvered wood fence. The proposed dark bronze entrance gate will replace the existing wood entrance gate. A wood and metal side gate will be installed perpendicular to the entrance gate, but behind the proposed stone wall. The remainder of the property line will continue to be improved with the existing louvered wood fence, which will be repaired as needed. This project was scheduled for consideration by the Chief of Planning on December 3, 2025, but was referred to the Zoning Administrator due to public comment. The Zoning Administrator determined that the proposed amendment was substantive due to the

project's location within a scenic highway (Highway 1) and should have been considered by the Planning Commission. Therefore, the Zoning Administrator denied this application due to incorrect procedure. (see Finding 2, Evidence "a", above). The Zoning Administrator did not make a recommendation on the proposed design.

- c) Allowed Use. The property is located at 35986 Highway 1, Big Sur Coast Land Use Plan, APN: 243-231-027-000. The parcel is zoned Rural Density Residential, 40 acres per unit, Design Control overlay, with a 14-foot height limit, in the Coastal Zone or "RDR/40-D(14')(CZ)", which allows for construction of accessory structures to any permitted use. The proposed project includes replacing 53.5 feet of an existing front property line fence and entrance gate. The previously approved Combined Development Permit (PLN110237, Resolution No. 11-048) allowed construction of a single-family dwelling and other site improvements, including an entrance gate and perimeter fencing. Therefore, the project includes allowed uses accessory to the permitted residential use. All other project components of the previously approved Combined Development Permit (PLN110257) remain the same (see Finding No. 1, Evidence "b").
- d) Lot Legality. The subject property (APN: 243-231-027-000) is recognized by the County of Monterey as a legal lot of record per recordation of a Certificate of Compliance (Document #2012021134).
- e) Critical Viewshed/Design. According to Policy 3.2.2 of the Big Sur Coast Land Use Plan (BSCLUP), the property is located within a critical viewshed. The property is located near the Abalone Cove turnoff, which is a popular public-viewing area within Big Sur. Policy 3.2.4.F of the BSCLUP states, "the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek shall be permitted to be used for residential purposes, subject to policies of Policy 3.2.4 (Land Not in the Critical Viewshed) of this plan." Accordingly, while the project site is located along Highway 1 and thus within the Critical Viewshed, it is only subject to the standards of Policy 3.2.4 (Land Not in the Critical Viewshed). Furthermore, pursuant to LUP Policy 3.2.5.C.2, private highway improvements such as fences and gates are exempt from Key Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

The stone fence replacement is proposed to match the existing residence's stone exterior. No exterior lighting is proposed.

- f) Development Standards. The development standards for the RDR zoning district are identified in Title Section 20.16.060. As proposed, the project is designed below the allowable height for accessory structures (15 feet). The proposed fence and entry gate are located along the front property line. However, because the proposed development does not exceed 6 feet in height, it is not considered a structure and thus is not subject to setback requirements for accessory structures. This Amendment does not alter the site coverage approved with PLN110257.

Therefore, as proposed, the project conforms with the applicable development standards of the RDR zoning district.

- g) Cultural Resources. According to County resources maps, the subject property is located within 750 feet of a known archaeological resource. Pursuant to Section 20.145.120.B.1 of the Coastal Implementation Plan, Part 3, an archaeological survey was previously prepared for the site. The report identified small quantities of shellfish and abalone found near the bluff, and a positive archaeological site located on an adjacent property. However, no evidence of cultural resources was found around the proposed construction site of the main residence. The proposed development is located within previously disturbed portions of the property. With the project being denied through this resolution, no ground disturbance will occur.
- h) Public Comment. A member of the public submitted concerns regarding the proposed design and materials of the replacement fence, citing it being better suited for a subdivision or “upscale neighborhood,” conflicting with the Big Sur Coast LUP’s rustic character requirement, and impacting the character of the scenic corridor (Highway 1).
- i) Land Use Advisory Committee (LUAC) Review. Based on the Board of Supervisors Guidelines, the project was not referred to the Big Sur LUAC. As a Minor & Trivial Amendment, the project does not warrant LUAC review because the project does not involve the granting of a Design Approval at a public hearing, the preparation of an Initial Study or Environmental Impact Report, or a lot line adjustment in the Coastal Zone, or a Variance. The public commentor’s request for a public hearing does not independently warrant LUAC review.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

3. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development.
 - b) The following technical reports were previously prepared for this property and are applicable to the proposed development:
 - Archaeological Analysis and Testing (LIB110286) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 16, 2011
 - Archaeological Analysis and Testing (LIB110287) prepared by Gary Breschini of Archaeological Consulting, Salinas, CA, June 21, 2010

Upon independent review, staff concurs with the conclusions of the report. There are no physical or environmental constraints that render the site physically unsuitable for the proposed project.

- c) Staff conducted a site inspection on November 12, 2025, to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

4. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD-Development Services, HCD-Environmental Services, CalFire (Big Sur), and the Environmental Health Bureau. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary facilities are provided. Denial of this Amendment would not alter these facilities. The Environmental Health Bureau has reviewed the project and made no comments.
 - c) Staff conducted a site inspection on November 12, 2025, to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN110257 and PLN110257-AMD1.

5. FINDING: NO VIOLATIONS – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN110257 and PLN110257-AMD1.

6. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) Figure 2 – Shoreline Access Plan, Northern Section, of the Big Sur Coast LUP indicates that the subject property is in an area where public access is required (Priority 2 area). As detailed in the preceding Finding No. 2

and supporting evidence, Big Sur Coast LUP Chapter 3.2 and CIP section 20.145.030.B.3.b allow for private highway improvements like fences. Big Sur Coast LUP Policy 6.1.5.F.1 states, “Future land use planning shall be compatible to provide visual access. To this end, all new structures and ancillary facilities should be located outside of the public viewshed as defined in Chapter 3.” Public Access policies (Chapter 6.1 of the Big Sur Coast LUP), specifically visual access policies, need to be taken into consideration when reviewing the proposed fence design. Visual Access is access for scenic viewing of the shoreline and/or ocean from either a vista point or public road, or trail. Section 20.145.150 of the Big Sur Coast CIP (Public Access Development Standards) states “[T]he protection of visual access should be emphasized ...[and] Visual access shall be maintained by directing all future development out of the viewshed.” The proposed replacement fence was designed to ensure existing ocean views (heavily filtered and screened by mature trees) will remain. Denial of this Amendment will retain the originally designed fence and gate, as approved and constructed, ensuring no change to the public viewshed.

- b) Figure 3 – Trails Plan, North Section, of the Big Sur Coast LUP indicates that the subject property neither contains an inland trail corridor, a through coastal access corridor, public trail, private trail, access to Ventana Wilderness, nor is identified as an area for future public acquisition or a proposed trail.
- c) Although the subject property is shown in an area where the applicable Local Coastal Program requires public access (Figure 2), no evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property. Additionally, denial of the proposed development will not alter the visual access from Highway 1 or any local viewshed locations.
- d) Staff conducted a site inspection on November 12, 2025. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- e) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257 and PLN110257-AMD1.

7. FINDING: **CEQA (Exempt)** – The project is exempt from environmental review, and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) section 21080(b)(5) statutorily exempts projects that a public agency rejects or disapproves.
 - b) The project includes the construction of a replacement fence. The replacement fence was proposed to be in the same area as the existing fence and serve the same purpose. The Zoning Administrator disapproved this project.
 - c) No adverse environmental effects were identified during staff review of the development application or during a site visit on November 12, 2025.
 - d) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in project file PLN110257 and PLN110257-AMD1.

- 8. FINDING: APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) California Coastal Commission. Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the first public road and the sea.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the County of Monterey Zoning Administrator does hereby:

- 1) Find the decision to deny the project is subject to a Statutory Exemption pursuant to CEQA section 21080(b)(5); and
- 2) Deny a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. The Minor and Trivial Amendment, if approved, would have allowed replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and a dark bronze entrance gate.

All of which are in general conformance with the attached sketch, attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 9th day of April, 2026.

DocuSigned by:

Mike Novo

0D46DC249AC247C...

Mike Novo, AICP
Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **4/10/26**

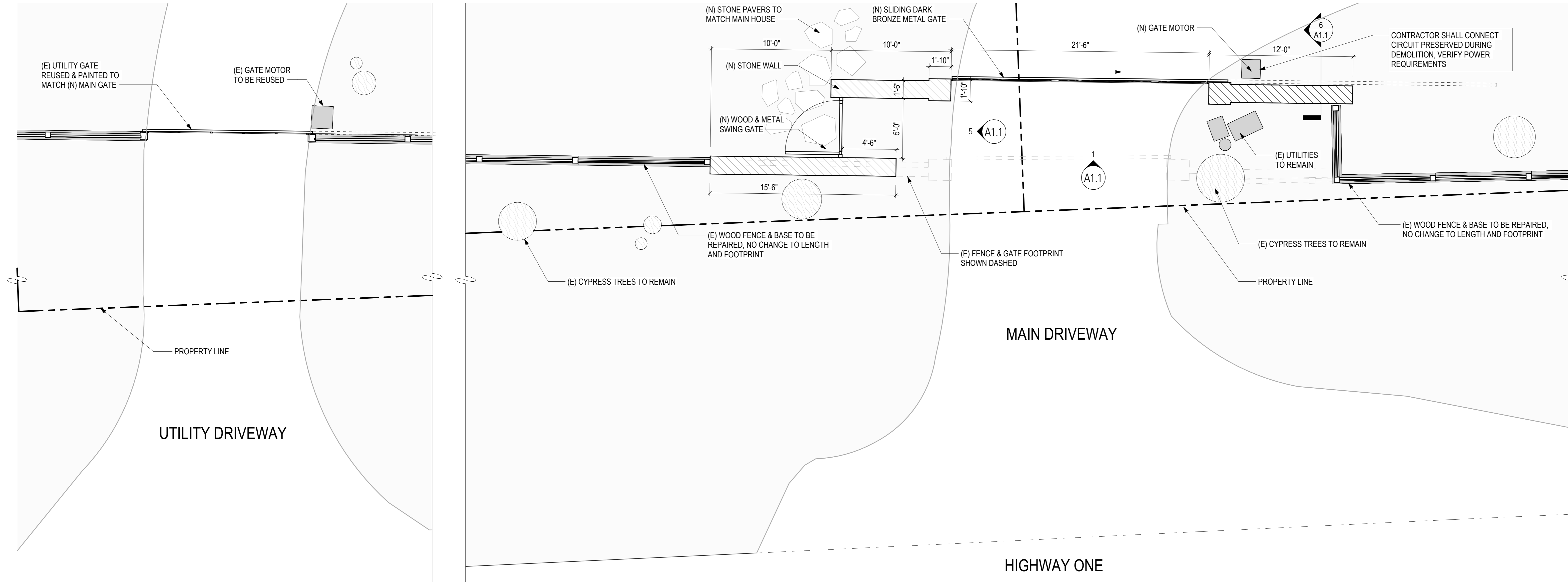
THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **4/20/26**

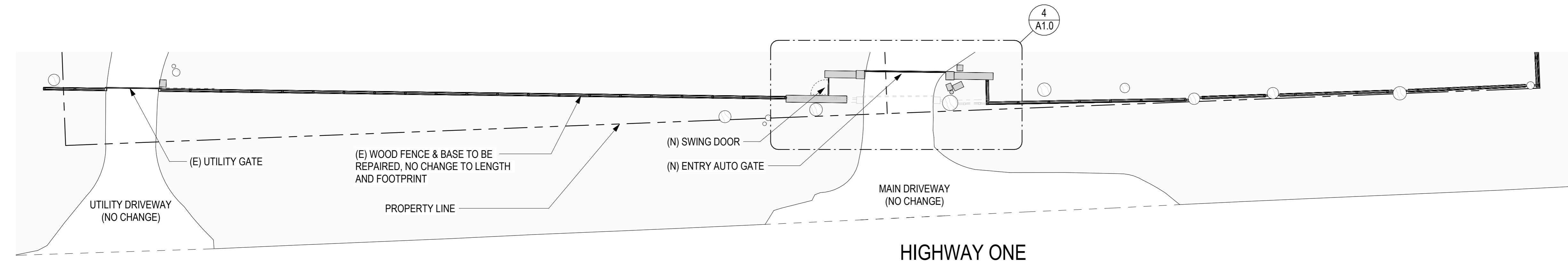
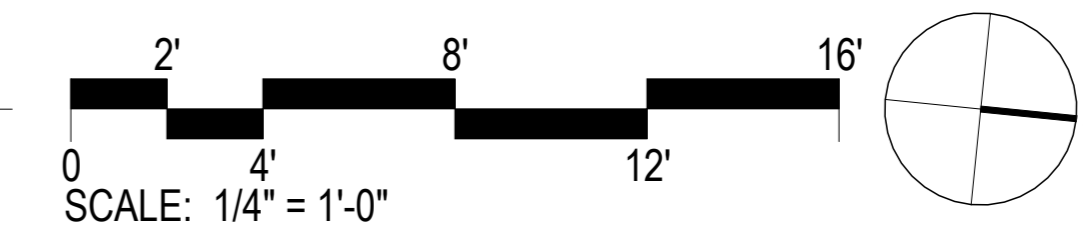
THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER

INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

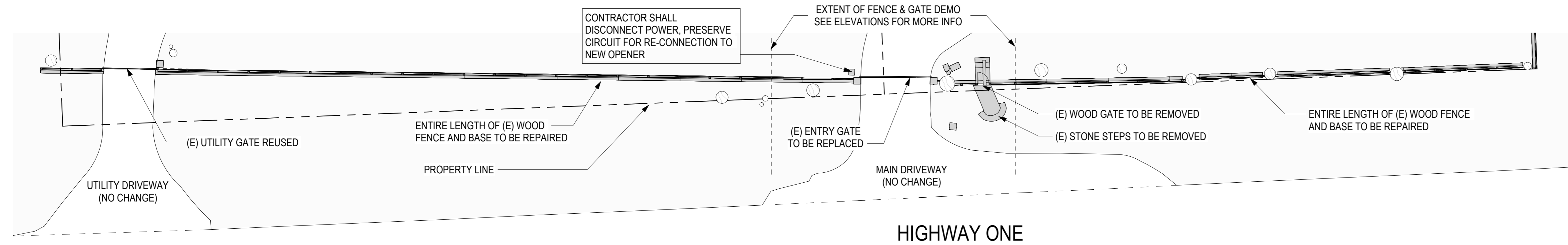
This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.



4 ENTRY GATE & FENCE PLAN - PROPOSED
A1.0 1/4" = 1'-0"



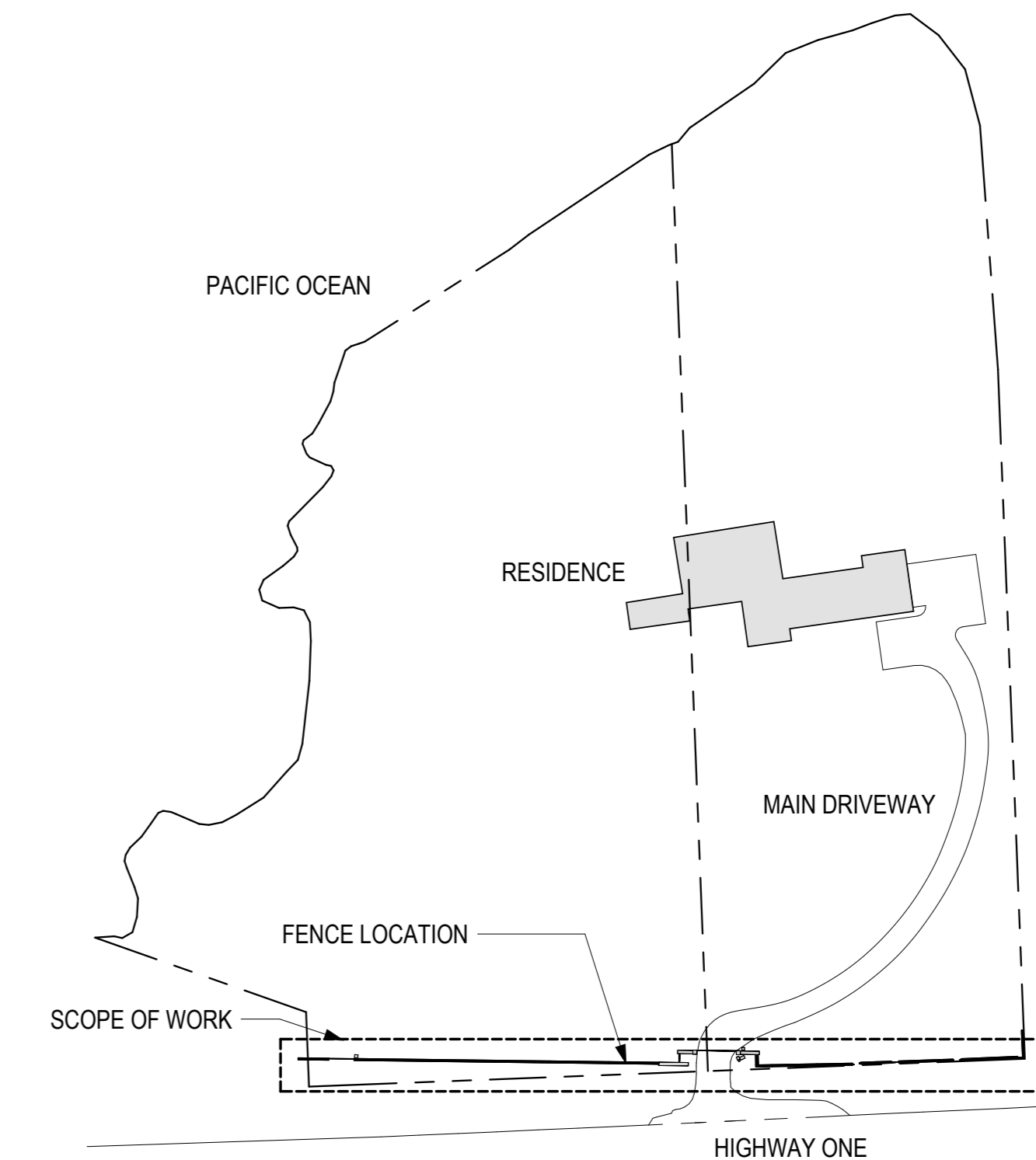
1 ENTRY GATE & FENCE PLAN - OVERALL PROPOSED
A1.0 1/16" = 1'-0"



3 ENTRY GATE & FENCE PLAN - OVERALL EXISTING/DEMO
A1.0 1/16" = 1'-0"

NOTES

- 1. SCOPE OF WORK TO INCLUDE:
 - a. REPAIR AND REPLACEMENT OF (E) WOOD FENCE
 - b. REPLACEMENT OF (E) SLIDING METAL GATE AT MAIN ENTRY
 - c. ADDITION OF ASHLAR STONE WALLS TO EITHER SIDE OF (N) GATE
- 2. NO TREE REMOVAL PROPOSED



2 CONTEXT PLAN
A1.0 1" = 80'-0"



ENLARGED PLANS & SITE PLAN

SCALE: As indicated
Project Status

EXISTING FENCE IMAGES

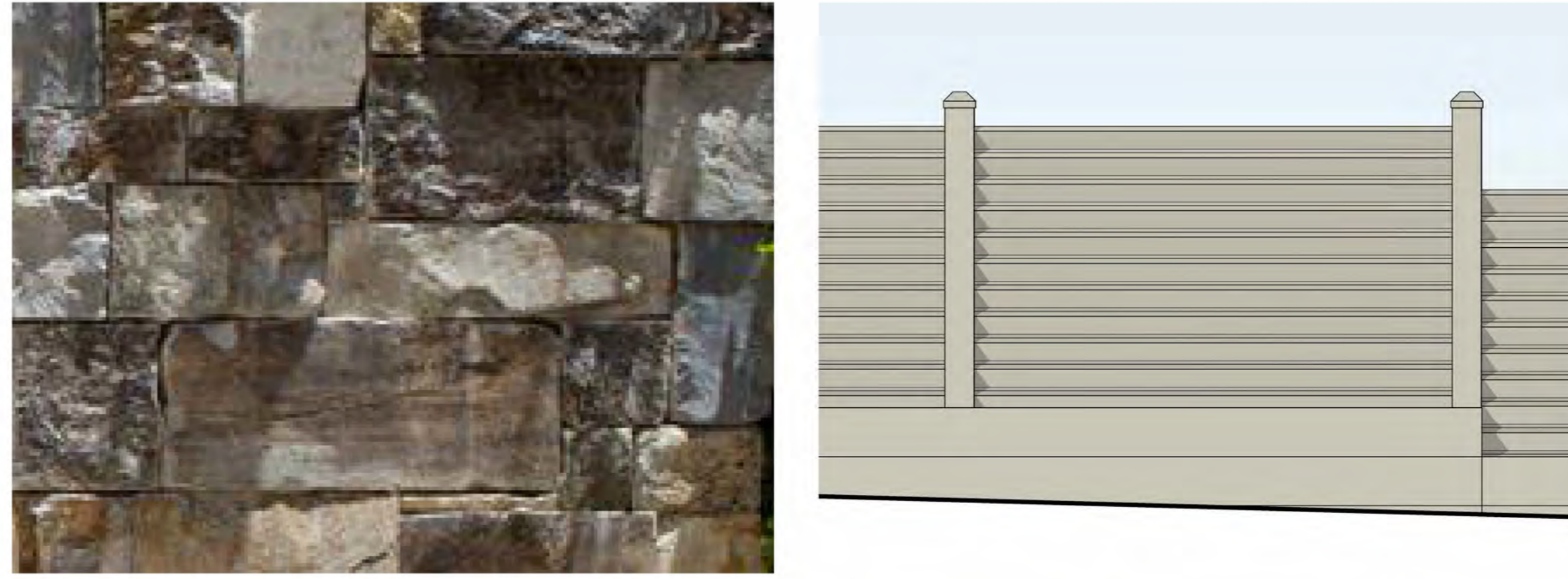


SECONDARY GATE OVERALL FENCE



MAIN ENTRY GATE ACCESS DOOR AT MAIN ENTRY GATE

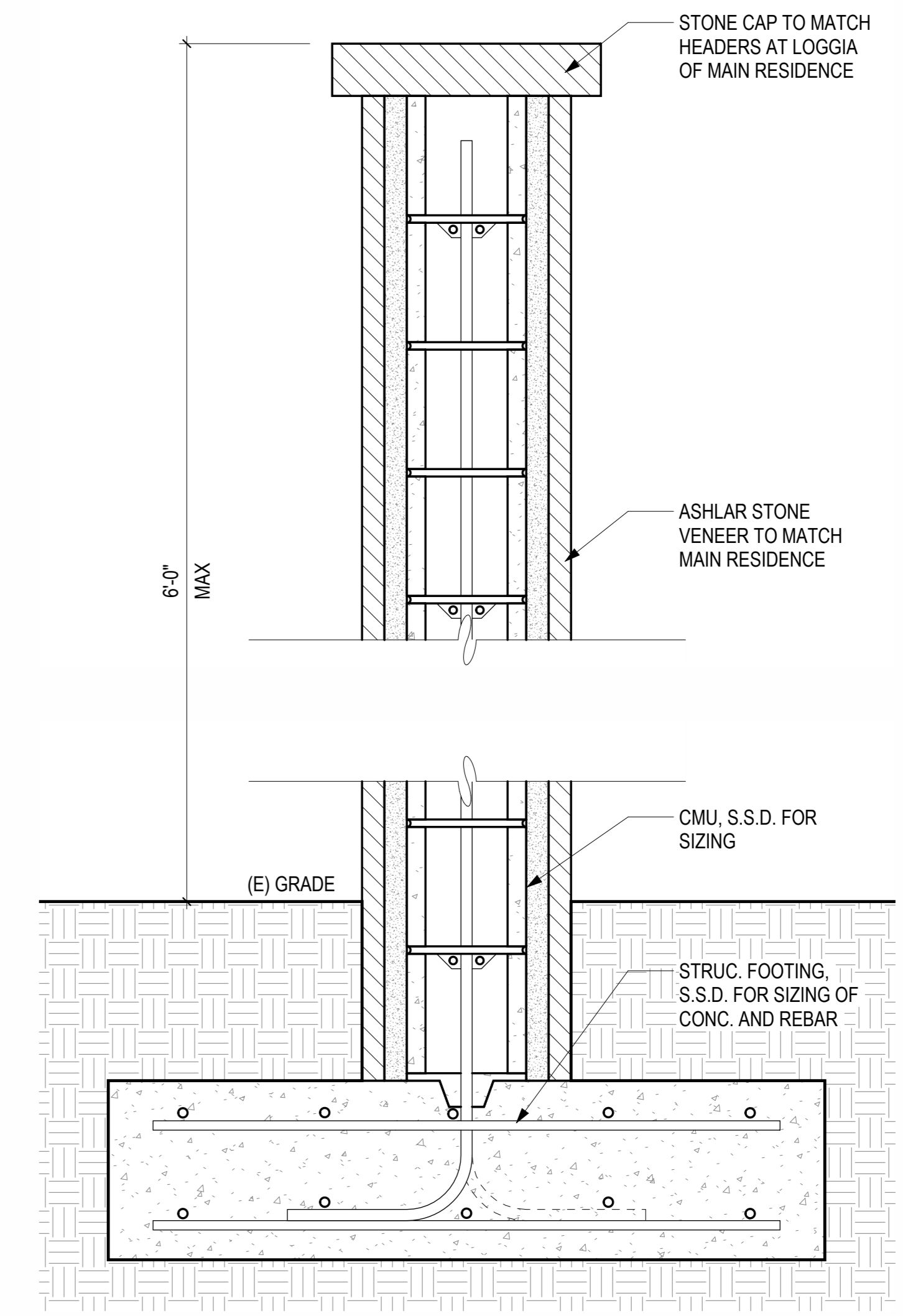
PROPOSED MATERIAL IMAGES



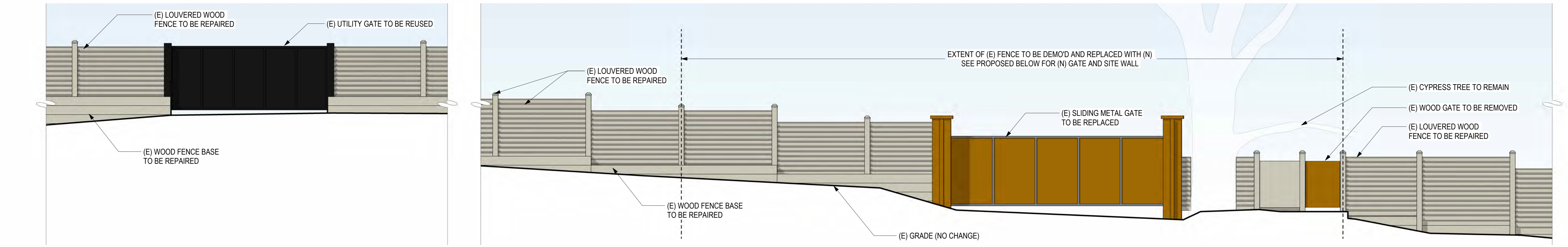
ASHLAR STONE TO MATCH RESIDENCE ALL WOOD STAINED AND ACID WASHED TO MATCH (E) FENCE



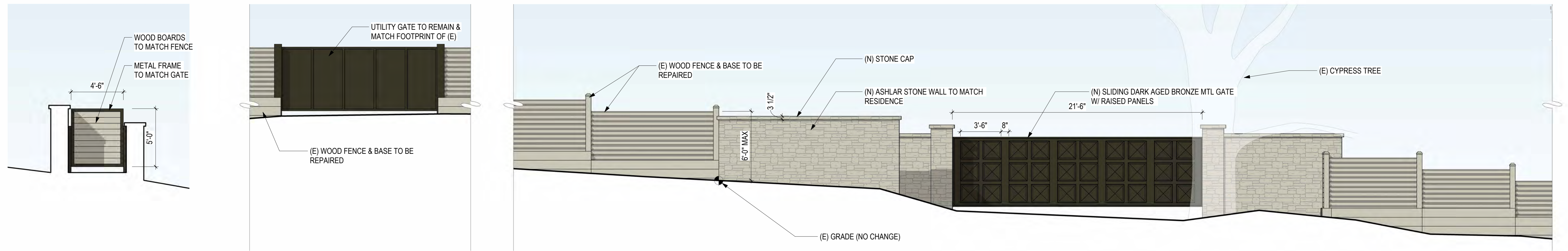
AGED BRONZE METAL TO MATCH DOORS & WINDOWS OF MAIN RESIDENCE (E) WOOD FENCE



6 FENCE SECTION - PROPOSED
1 1/2" = 1'-0"

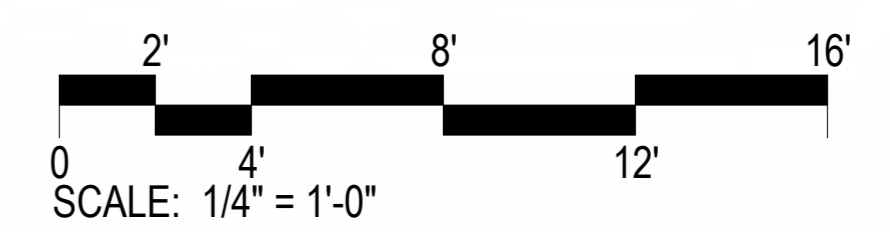


1 ENTRY GATE & FENCE ELEVATION - EXISTING / DEMO
1/4" = 1'-0"



5 SIDE DOOR - PROPOSED
1/4" = 1'-0"

2 ENTRY GATE & FENCE ELEVATION - PROPOSED
1/4" = 1'-0"



APN#: 243-231-025 & 026

DRAWN BY	JK
CHECKED BY	ME
PROJECT NO	2404
DATE	ISSUE
01.21.25	DA APPLICATION
03.24.25	CONSTR. PERMIT



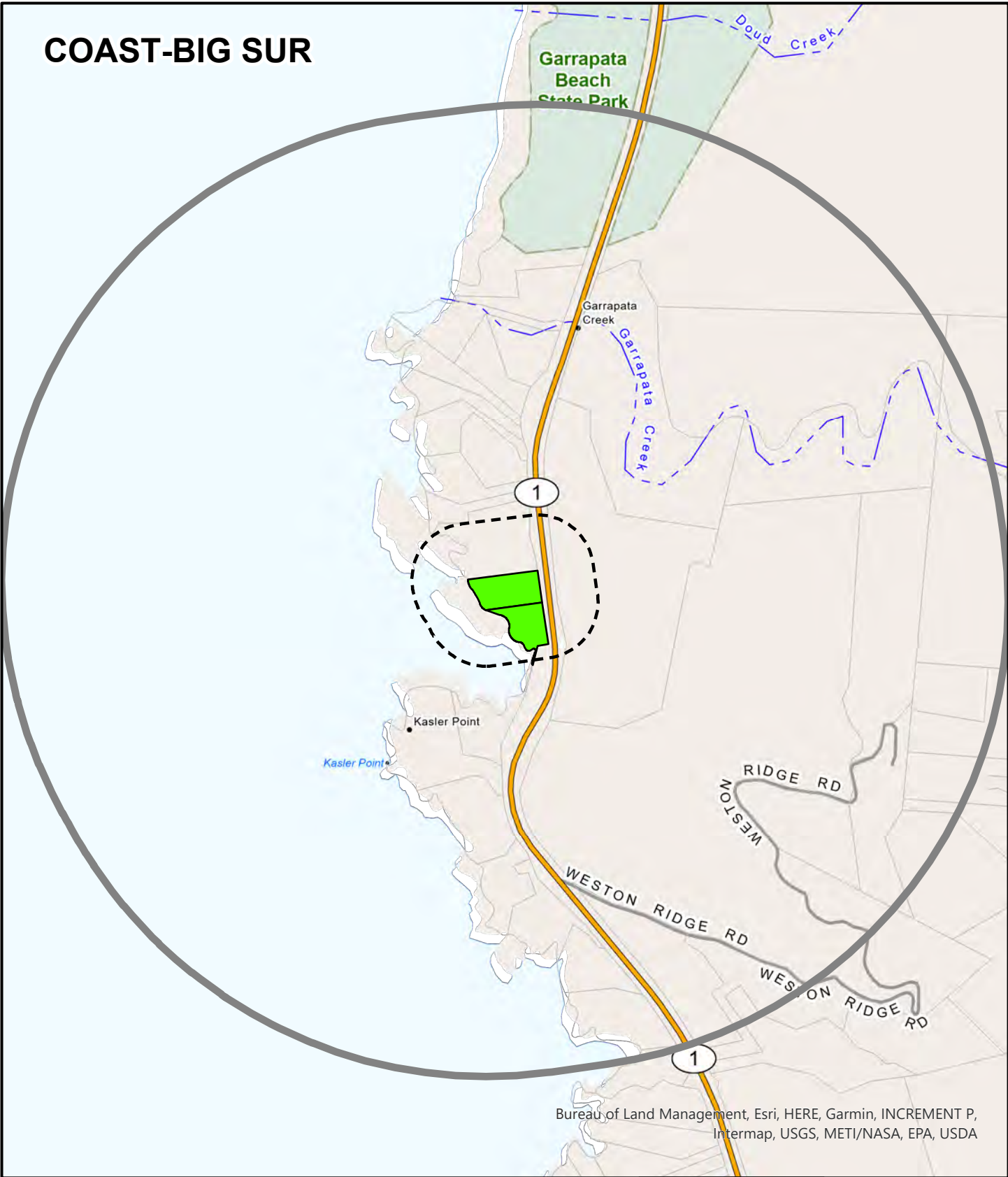
ELEVATIONS AND MATERIALS

SCALE: As indicated
Project Status

Exhibit D

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COAST-BIG SUR




Bureau of Land Management, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA


APPLICANT: BERLIN ANDREW T TR

APN: 243231025000,243231026000

FILE # PLN110257-AMD1

 Project Site

 300 FT Buffer

 2500 FT Buffer



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County of Monterey

Item No.4

Board Report

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

Legistar File Number: PC 26-065

June 24, 2026

Introduced: 6/17/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN250066-DEP - MITCHELL TIMOTHY S & MEGHAN BARRETT TRS

Public hearing to consider a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

Project Location: 1451 Ondulado Road, Pebble Beach

Proposed CEQA Action: Find qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution:

1. Finding the project qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2; and
2. Approving a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

Staff has prepared a draft resolution, including findings and evidence, for consideration (**Exhibit A**). Staff recommends approval of the project subject to eight conditions of approval.

PROJECT INFORMATION:

Property Owners: Mitchell Timothy and Meghan Barrett TRS

Agent: Joel Panzer

APNs: 008-441-036-000

Zoning: Low Density Residential with a density of 1.5 acres per unit and a Design Control overlay in the Coastal Zone or "LDR/1.5-D"

Existing Parcel Size: 5.02 acres

Plan Area: Big Sur Coast Land Use Plan, Coastal Zone

Flagged and Staked: N/A

Project Planner: Joseph Alameda, Associate Planner

alamedaj@countyofmonterey.gov or (831) 7783-7079

SUMMARY/DISCUSSION:

The property is located at 1451 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-441-036-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential with a density of 1.5 acres per unit and a Design Control overlay in the Coastal Zone or "LDR/1.5-D". LDR zoning allows for the subdivision of land subject to the granting of a Coastal

Development Permit. The project involves the subdivision of an approximately 5.02 acre parcel into three parcels of approximately containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder parcel). The proposed remainder parcel is currently, and will remain, developed with a single-family dwelling and detached garage. The two newly created lots will contain no development, and no development is proposed at this time. The existing lot (5.02 acres) has two driveways from Ondulado Road. One driveway (western) provides access to an auto court, while the second driveway (eastern) provides access to the detailed garage. A private driveway and utility easement will be conveyed over that portion of proposed Lot 1 where the eastern driveway exists to ensure that the Remainder Parcel has access to Ondulado Road. The western driveway will be demolished and reseeded with native plants. As proposed, the project also includes connecting the eastern driveway to the auto court, as the autocourt would no longer have access to Ondulado Road with creation of Lot 1.

Necessary public facilities will be provided. Potable water will be provided to the subject properties by California American Water. Pursuant to County of Monterey Board of Supervisors Ordinance No. 109, the subject property is within the Del Monte Forest Benefited Properties area, which currently retains 92.590 remaining water entitlements to be allocated. This would allow for allocation to the newly created Parcels (subject to future purchase or allocation from property owners). Further, CalAM issued a Can-and-Will Serve letter for the project. Sewage w be provided by the Pebble Beach Community Services District (PBCSD or District), and two 10-foot-wide sewer easements will be and conveyed over portions of the Remainder Parcel and Lot 2 to ensure that all lots have or continue to have access to the sewer lateral on Padre Lane. PBCSD provided a Can-and-Will Serve letter for the project, confirming “it has reserved wastewater capacity and will serve the proposed two new lots referred to as "Lot 1" and "Lot 2” on the attached plans, subject to the District reviewing the proposed sewer easements before recordation of the Parcel Map, and receiving copies of recorded grants of easements.

Site Development Standards - Density

Pursuant to Title 20 section 20.14.060.B, the maximum development density shall not exceed the units/acre as shown for the specific “LDR” district as shown on the zoning map. The subject parcel is zoned LDR/1.5-D, which requires that a residential unit occupies a property that contains at least 1.5 acres of land. In its current configuration (5.02 acres), the subject property could be developed with up to three single-family dwellings and is currently developed with one single-family dwelling and an accessory detached garage. As a result of the subdivision, all parcels will continue to exceed the required 1-acre minimum building site, containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder). Each lot may be developed with a total of one dwelling unit. Therefore, the maximum development potential and overall density would not change with implementation of this project.

Geological Hazards

According to County of Monterey GIS, an inferred fault (Cypress Point) may traverse through the subject property, trending northwest-southwest. Therefore, a Geological Report (County of Monterey Library No. LIB250142) was prepared for the subject property. The report included a review of published maps, which indicated that an inferred undifferentiated Quaternary inland portion of the Cypress Point Fault bisects the proposed parcels. A second report was prepared (County of

Monterey Library No. LIB250238), which used a refraction seismic data acquisition system to characterize the subsurface by attaining direct seismic velocity measurements of soil and rock. The prepared Seismic Refraction Investigation revealed a high degree of variation in the calculated seismic velocities of the subsurface materials. In general, vertical faulting generally appears as a steep drop or rise in the velocity contours, typically occurring deeper than the surficial soil (seismic velocities of approximately 1,000 to 3,000 ft/s). Here, three seismic refraction investigations were conducted for each lot. The data showed that the Cypress Point Fault does not cross the subject site, as there are no lateral variations in the measured seismic velocity contours that would indicate the type of faulting expected to be produced along the Cypress Point Fault. Therefore, there is no evidence indicating that foreseeable development of Lots 1 or 2 would be subject to geologic hazards as required by DMF LUP policy 39. Consistent with DMF LUP policy 38 and as designed, the hazards are reduced to an acceptable level as to minimize risk from geologic, flood, or fire hazards; to assure stability and structural integrity; and to not threaten the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas.

Forest Resources

The site plans indicate the location of a future 12-foot-wide driveway realignment servicing the existing single-family dwelling located on the proposed remainder parcel. An Arborist report was prepared which found that the proposed future driveway realignment would likely not impact any nearby trees with implementation of the County's standard tree and root protection conditions. Lots 1 and 2 will be contain minimal numbers of protected trees, however both lots will contain areas of natural clearings where reasonable development consistent with the neighborhood would require only minimal tree removal as required by DMF LUP policy 33. Any future development on either lot requiring the removal of protected trees would be subject to the granting of a Coastal Development Permit pursuant to Title 20 section 20.147.050.A.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- Pebble Beach Community Services District (fire)

LAND USE ADVISORY COMMITTEE

Based on the LUAC Procedure guidelines adopted by the County of Monterey Board of Supervisors, this project was referred to the Del Monte Forest LUAC for review on June 5, 2025. The project was continued to a date uncertain due to the applicant being unable to attend the hearing. Subsequently, the project was scheduled before the LUAC four more times on June 26th, July 10th, July 24th, and August 7th, all of which were cancelled due to a lack of quorum or inadequate noticing of the project at the LUAC meeting location. Therefore, the LUAC did not make a recommendation on this project. To ensure timely processing, staff scheduled the project for the Planning Commission hearing.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15315 categorically exempts the

division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20%. The proposed project involves the subdivision of an approximately 5.02 acre parcel into two (2) parcels of approximately 1.36 acres and 1.38 acres and a 2.26 acre remainder parcel. The subdivision requires no variances or exceptions. The subject property will have all services provided, was not involved in a land division in the last 2 years, and does not have an average slope greater than 20%. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.

Prepared by: Joseph Alameda, Associate Planner x7079
Reviewed by: Fionna Jensen, Principal Planner
Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution

- Draft Conditions of Approval
- Draft Vesting Tentative Map

Exhibit B - Vicinity Map

Exhibit C - Report of Seismic Findings

Exhibit D - Review of Seismic Findings

Exhibit E - Arborist Review

cc: Front Counter Copy; Planning Commission; California Coastal Commission; Pebble Beach Community Services District; Environmental Health Bureau; HCD-Engineering Services Works; HCD-Environmental Services; Fionna Jensen, Principal Planner; Joseph Alameda, Project Planner; Joel Panzeer, Agent; MITCHELL TIMOTHY S & MEGHAN BARRETT TRS , Owner; Interested Party Members; Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); The Open Monterey Project (Molly Erickson); LandWatch; Planning File PLN250066-DEP.



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

Legistar File Number: PC 26-065

June 24, 2026

Introduced: 6/17/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLN250066-DEP - MITCHELL TIMOTHY S & MEGHAN BARRETT TRS

Public hearing to consider a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

Project Location: 1451 Ondulado Road, Pebble Beach

Proposed CEQA Action: Find qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution:

1. Finding the project qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2; and
2. Approving a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

Staff has prepared a draft resolution, including findings and evidence, for consideration (**Exhibit A**). Staff recommends approval of the project subject to eight conditions of approval.

PROJECT INFORMATION:

Property Owners: Mitchell Timothy and Meghan Barrett TRS

Agent: Joel Panzer

APNs: 008-441-036-000

Zoning: Low Density Residential with a density of 1.5 acres per unit and a Design Control overlay in the Coastal Zone or "LDR/1.5-D"

Existing Parcel Size: 5.02 acres

Plan Area: Big Sur Coast Land Use Plan, Coastal Zone

Flagged and Staked: N/A

Project Planner: Joseph Alameda, Associate Planner

alamedaj@countyofmonterey.gov or (831) 7783-7079

SUMMARY/DISCUSSION:

The property is located at 1451 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-441-036-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential with a density of 1.5 acres per unit and a Design Control overlay in the Coastal Zone or "LDR/1.5-D". LDR zoning allows for the subdivision of land subject to the granting of a Coastal

Development Permit. The project involves the subdivision of an approximately 5.02 acre parcel into three parcels of approximately containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder parcel). The proposed remainder parcel is currently, and will remain, developed with a single-family dwelling and detached garage. The two newly created lots will contain no development, and no development is proposed at this time. The existing lot (5.02 acres) has two driveways from Ondulado Road. One driveway (western) provides access to an auto court, while the second driveway (eastern) provides access to the detailed garage. A private driveway and utility easement will be conveyed over that portion of proposed Lot 1 where the eastern driveway exists to ensure that the Remainder Parcel has access to Ondulado Road. The western driveway will be demolished and reseeded with native plants. As proposed, the project also includes connecting the eastern driveway to the auto court, as the autocourt would no longer have access to Ondulado Road with creation of Lot 1.

Necessary public facilities will be provided. Potable water will be provided to the subject properties by California American Water. Pursuant to County of Monterey Board of Supervisors Ordinance No. 109, the subject property is within the Del Monte Forest Benefited Properties area, which currently retains 92.590 remaining water entitlements to be allocated. This would allow for allocation to the newly created Parcels (subject to future purchase or allocation from property owners). Further, CalAM issued a Can-and-Will Serve letter for the project. Sewage w be provided by the Pebble Beach Community Services District (PBCSD or District), and two 10-foot-wide sewer easements will be and conveyed over portions of the Remainder Parcel and Lot 2 to ensure that all lots have or continue to have access to the sewer lateral on Padre Lane. PBCSD provided a Can-and-Will Serve letter for the project, confirming “it has reserved wastewater capacity and will serve the proposed two new lots referred to as "Lot 1" and "Lot 2” on the attached plans, subject to the District reviewing the proposed sewer easements before recordation of the Parcel Map, and receiving copies of recorded grants of easements.

Site Development Standards - Density

Pursuant to Title 20 section 20.14.060.B, the maximum development density shall not exceed the units/acre as shown for the specific “LDR” district as shown on the zoning map. The subject parcel is zoned LDR/1.5-D, which requires that a residential unit occupies a property that contains at least 1.5 acres of land. In its current configuration (5.02 acres), the subject property could be developed with up to three single-family dwellings and is currently developed with one single-family dwelling and an accessory detached garage. As a result of the subdivision, all parcels will continue to exceed the required 1-acre minimum building site, containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder). Each lot may be developed with a total of one dwelling unit. Therefore, the maximum development potential and overall density would not change with implementation of this project.

Geological Hazards

According to County of Monterey GIS, an inferred fault (Cypress Point) may traverse through the subject property, trending northwest-southwest. Therefore, a Geological Report (County of Monterey Library No. LIB250142) was prepared for the subject property. The report included a review of published maps, which indicated that an inferred undifferentiated Quaternary inland portion of the Cypress Point Fault bisects the proposed parcels. A second report was prepared (County of

Monterey Library No. LIB250238), which used a refraction seismic data acquisition system to characterize the subsurface by attaining direct seismic velocity measurements of soil and rock. The prepared Seismic Refraction Investigation revealed a high degree of variation in the calculated seismic velocities of the subsurface materials. In general, vertical faulting generally appears as a steep drop or rise in the velocity contours, typically occurring deeper than the surficial soil (seismic velocities of approximately 1,000 to 3,000 ft/s). Here, three seismic refraction investigations were conducted for each lot. The data showed that the Cypress Point Fault does not cross the subject site, as there are no lateral variations in the measured seismic velocity contours that would indicate the type of faulting expected to be produced along the Cypress Point Fault. Therefore, there is no evidence indicating that foreseeable development of Lots 1 or 2 would be subject to geologic hazards as required by DMF LUP policy 39. Consistent with DMF LUP policy 38 and as designed, the hazards are reduced to an acceptable level as to minimize risk from geologic, flood, or fire hazards; to assure stability and structural integrity; and to not threaten the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas.

Forest Resources

The site plans indicate the location of a future 12-foot-wide driveway realignment servicing the existing single-family dwelling located on the proposed remainder parcel. An Arborist report was prepared which found that the proposed future driveway realignment would likely not impact any nearby trees with implementation of the County's standard tree and root protection conditions. Lots 1 and 2 will contain minimal numbers of protected trees, however both lots will contain areas of natural clearings where reasonable development consistent with the neighborhood would require only minimal tree removal as required by DMF LUP policy 33. Any future development on either lot requiring the removal of protected trees would be subject to the granting of a Coastal Development Permit pursuant to Title 20 section 20.147.050.A.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

- HCD-Engineering Services
- HCD-Environmental Services
- Environmental Health Bureau
- Pebble Beach Community Services District (fire)

LAND USE ADVISORY COMMITTEE

Based on the LUAC Procedure guidelines adopted by the County of Monterey Board of Supervisors, this project was referred to the Del Monte Forest LUAC for review on June 5, 2025. The project was continued to a date uncertain due to the applicant being unable to attend the hearing. Subsequently, the project was scheduled before the LUAC four more times on June 26th, July 10th, July 24th, and August 7th, all of which were cancelled due to a lack of quorum or inadequate noticing of the project at the LUAC meeting location. Therefore, the LUAC did not make a recommendation on this project. To ensure timely processing, staff scheduled the project for the Planning Commission hearing.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15315 categorically exempts the

division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20%. The proposed project involves the subdivision of an approximately 5.02 acre parcel into two (2) parcels of approximately 1.36 acres and 1.38 acres and a 2.26 acre remainder parcel. The subdivision requires no variances or exceptions. The subject property will have all services provided, was not involved in a land division in the last 2 years, and does not have an average slope greater than 20%. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.

Prepared by: Joseph Alameda, Associate Planner x7079

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution

- Draft Conditions of Approval
- Draft Vesting Tentative Map

Exhibit B - Vicinity Map

Exhibit C - Report of Seismic Findings

Exhibit D - Review of Seismic Findings

Exhibit E - Arborist Review

cc: Front Counter Copy; Planning Commission; California Coastal Commission; Pebble Beach Community Services District; Environmental Health Bureau; HCD-Engineering Services Works; HCD-Environmental Services; Fionna Jensen, Principal Planner; Joseph Alameda, Project Planner; Joel Panzeer, Agent; MITCHELL TIMOTHY S & MEGHAN BARRETT TRS , Owner; Interested Party Members; Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); The Open Monterey Project (Molly Erickson); LandWatch; Planning File PLN250066-DEP.

Exhibit A

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DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

MITCHELL TIMOTHY S & MEGHAN BARRETT TRS (PLN250066-DEP)

RESOLUTION NO. 26--

Resolution by the County of Monterey Planning
Commission:

- 1) Finding the project qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply under Section 15300.2; and
- 2) Approving a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

[PLN250066-DEP, MITCHELL TIMOTHY S & MEGHAN BARRETT TRS, 1451 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-441-036-000) Del Monte Forest Land Use Plan].

The MITCHELL TIMOTHY S & MEGHAN BARRETT TRS application (PLN250066-DEP) came on for public hearing before the County of Monterey Planning Commission on June 24, 2026. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - Del Monte Forest Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 5;
 - Monterey County Zoning Ordinance – Coastal (Title 20); and
 - Monterey County Subdivision Ordinance (Coastal) (Title 19);No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) Allowed Use. The property is located at 1451 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-441-036-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential with a density of 1.5 acres per unit and a Design Control overlay in the Coastal Zone or "LDR/1.5-D". LDR zoning allows for the subdivision of land subject to the granting of a Coastal Development Permit. The project involves the subdivision of an approximately 5.02 acre parcel into three parcels of approximately containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder parcel). The proposed remainder parcel is currently, and will remain, developed with a single-family dwelling and detached garage. The two newly created lots will contain no development, and no development is proposed at this time. The existing lot (5.02 acres) has two driveways from Ondulado Road. One driveway (western) provides access to an auto court, while the second driveway (eastern) provides access to the detailed garage. A private driveway and utility easement will be conveyed over that portion of proposed Lot 1 where the eastern driveway exists to ensure that the Remainder Parcel has access to Ondulado Road. The western driveway will be demolished and reseeded with native plants. As proposed, the project also includes connecting the eastern driveway to the auto court, as the autocourt would no longer have access to Ondulado Road with creation of Lot 1. Therefore, the project is allowed to use this site.
- c) Lot Legality. The subject property (5.02 acres) is shown in its current configuration and under separate ownership in the 1964 and 1972 Assessor's Parcel Maps. Therefore, the County recognizes the subject property as a legal lot of record.
- d) Design/Neighborhood and Visual Resources. The Project site is subject to Design Control standards contained in Title 20 Chapter 20.44, Regulations for Design Control Districts or "D" Districts. No structural development is proposed, and therefore, a Design Approval is not required.
- e) Development Standards. The project meets all required development standards, specifically setbacks, FAR, and coverage. The development standards for LDR Zoning District are identified in Title 20, section 20.14.060. No development is proposed as part of this project, and therefore, no conflicts with Title 20 section 20.14.060 exist. The existing development on the remainder parcel will continue to conform to all site development standards including setbacks, building site coverage, FAR, and height requirements.
- f) Development Standards – Minimum Building Size. Minimum lot size in the LDR zoning district is 1 acre, per Title 20 section 20.14.060.A. All Parcels will continue to exceed the required 1-acre minimum lot size.
- g) Development Standards – Density. Pursuant to Title 20 section 20.14.060.B, the maximum development density shall not exceed the units/acre as shown for the specific "LDR" district as shown on the zoning map. The subject parcel is zoned LDR/1.5-D, which requires that a residential unit occupies a property that contains at least 1.5 acres of land. In its current configuration (5.02 acres), the subject property could be developed with up to three single-family dwellings and is currently

developed with one single-family dwelling and an accessory detached garage. As a result of the subdivision, all parcels will continue to exceed the required 1-acre minimum building site, containing 1.36 acres (Lots 1), 1.38 acres (Lot 2), and 2.26 acres (remainder). Each lot may be developed with a total of one dwelling unit. Therefore, the maximum development potential and overall density would not change with implementation of this project.

- h) Cultural Resources. According to Monterey County GIS records, the subject property is located within an area of high archaeological sensitivity. Pursuant to 1982 General Plan Policy 12.1.3, all proposed development, including land divisions, within high sensitivity zones shall require an archaeological field inspection. According to the prepared Phase One Archaeological Survey (County of Monterey Library No. LIB250140), no cultural resources or indications of archaeological resources were identified during the project archaeologist's pedestrian survey of the proposed parcel boundaries. No development is proposed at this time. Based on the evidence submitted, any future developments' potential for inadvertent impacts to cultural resources would be limited and would be controlled by use of the County's standard condition, which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- i) Geological Resources. The project site is in an area of known geological hazard (1/8 mile of active or potentially active fault). According to the prepared Geologic Hazards Assessment (County of Monterey Library No. LIB250238), this site is suitable for the residential use this project proposes; there are no geological or seismic hazards that would preclude this property from being developed. See Finding 2, evidence "d".
- j) Forest Resources. The site plans indicate the location of a future 12-foot-wide driveway realignment servicing the existing single-family dwelling located on the proposed remainder parcel. An Arborist report was prepared (County of Monterey Library No. LIBXXXX) which found that the proposed future driveway realignment would likely not impact any nearby trees with implementation of the County's standard tree and root protection conditions. Lots 1 and 2 will contain minimal numbers of protected trees, however both lots will contain areas of natural clearings where reasonable development consistent with the neighborhood would require only minimal tree removal as required by DMF LUP policy 33. Any future development on either lot requiring the removal of protected trees would be subject to the granting of a Coastal Development Permit pursuant to Title 20 section 20.147.050.A.
- k) DMF LUP. DMF LUP Policy 10 prohibits subdivisions that would allow or create commitment to non-resource dependent development in environmentally sensitive habitat areas. According to the prepared Biological assessment (County of Monterey Library No. LIB250141), no special or special status species of plantlife or wildlife were found on site, and it is unlikely that the special species that do occupy appropriate habitats within Pebble Beach would move to occupy the subject property. DMF LUP Policy 65 requires that proposed development including subdivisions shall only be allowed up to the maximum density

allowed if such development is and will be consistent with all policies of the LUP. Pursuant to the prepared technical reports, any future development could be designed and sited as to be consistent with the policies and resource protection requirements of the DMF LUP.

- l) Land Use Advisory Committee (LUAC) Review. Based on the LUAC Procedure guidelines adopted by the County of Monterey Board of Supervisors, this project was referred to the Del Monte Forest LUAC for review on June 5, 2025. The project was continued to a date uncertain due to the applicant being unable to attend the hearing. Subsequently, the project was scheduled before the LUAC four more times on June 26th, July 10th, July 24th, and August 7th, all of which were cancelled due to a lack of quorum or inadequate noticing of the project at the LUAC meeting location. Therefore, the LUAC did not make a recommendation on this project. To ensure timely processing, staff scheduled the project for the Planning Commission hearing.
- m) Subdivision Ordinance & Subdivision Map Act. The Minor Subdivision is consistent with the requirements for approval contained in the County of Monterey’s Coastal Subdivision Ordinance, Title 19. See Finding No. 5 and supporting evidence.
- n) Public Access. No public access is required for this project. See Finding No. 7 and supporting evidence.
- o) The project planner conducted a site inspection on May 21, 2026 to verify that the project on the subject parcel conforms to the plans listed above.
- p) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach Community Services District (fire). County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to archaeological resources, biological resources, soils and geologic hazards, The following reports have been prepared:
 - “Geology Report” (County of Monterey Library No. LIB250142), prepared by CapRock Geology, Inc., Aromas, CA, November 12, 2024
 - “Geotechnical Report” (County of Monterey Library No. LIB250143), prepared by Belinda Taluban, Salinas, CA, December 20, 2024

- “Arborist Report” (County of Monterey Library No. LIB250139), prepared by Frank Ono, Pacific Grove, CA, April 1, 2025
- “Phase I Archaeological Assessment” (County of Monterey Library No. LIB250140), prepared by Dana E. Supernowicz, Pebble Beach, CA, February 19, 2025
- “Biological Report” (County of Monterey Library No. LIB250141), prepared by Jeffrey B. Froke, Pebble Beach, CA, March 2, 2025
- “Arborist Report” (County of Monterey Library No. LIBXXXX), prepared by Frank Ono, Pacific Grove, CA, April 20, 2026
- “Refraction Seismic Investigation” (County of Monterey Library No. LIB250238), prepared by Gasch Geophysical Services, Inc., Rancho Cordova, CA, February 2026.
- “Review of Refraction Seismic Investigation” (County of Monterey Library No. LIBXXXX), prepared by by CapRock Geology, Inc., Aromas, CA, March 14, 2026

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.

- c) Staff conducted a site inspection on May 21, 2026 to verify that the site is suitable for this use.
- d) Geological Hazards. According to County of Monterey GIS, an inferred fault (Cypress Point) may traverse through the subject property, trending northwest-southwest. Therefore, a Geological Report (County of Monterey Library No. LIB250142) was prepared for the subject property. The report included a review of published maps, which indicated that an inferred undifferentiated Quaternary inland portion of the Cypress Point Fault bisects the proposed parcels. A second report was prepared (County of Monterey Library No. LIB250238), which used a refraction seismic data acquisition system to characterize the subsurface by attaining direct seismic velocity measurements of soil and rock. The prepared Seismic Refraction Investigation revealed a high degree of variation in the calculated seismic velocities of the subsurface materials. In general, vertical faulting generally appears as a steep drop or rise in the velocity contours, typically occurring deeper than the surficial soil (seismic velocities of approximately 1,000 to 3,000 ft/s). Here, three seismic refraction investigations were conducted for each lot. The data showed that the Cypress Point Fault does not cross the subject site, as there are no lateral variations in the measured seismic velocity contours that would indicate the type of faulting expected to be produced along the Cypress Point Fault. Therefore, there is no evidence indicating that foreseeable development of Lots 1 or 2 would be subject to geologic hazards as required by DMF LUP policy 39. Consistent with DMF LUP policy 38 and as designed, the hazards are reduced to an acceptable level as to minimize risk from geologic, flood, or fire hazards; to assure stability and structural integrity; and to not threaten

the stability of a site, contribute significantly to erosion, geologic instability, or destruction of the site or surrounding areas.

- e) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

3. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau (EHB), and Pebble Beach Community Services District (fire). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities will be provided. Potable water will be provided to the subject properties by California American Water. Pursuant to County of Monterey Board of Supervisors Ordinance No. 109, the subject property is within the Del Monte Forest Benefited Properties area, which currently retains 92.590 remaining water entitlements to be allocated. This would allow for allocation to the newly created Parcels (subject to future purchase or allocation from property owners). Further, CalAM issued a Can-and-Will Serve letter for the project. Sewage w be provided by the Pebble Beach Community Services District (PBCSD or District), and two 10-foot-wide sewer easements will be and conveyed over portions of the Remainder Parcel and Lot 2 to ensure that all lots have or continue to have access to the sewer lateral on Padre Lane. PBCSD provided a Can-and-Will Serve letter for the project, confirming “it has reserved wastewater capacity and will serve the proposed two new lots referred to as "Lot 1" and "Lot 2” on the attached plans, subject to the District reviewing the proposed sewer easements before recordation of the Parcel Map, and receiving copies of recorded grants of easements.
 - c) Staff conducted a site inspection on May 21, 2026 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

4. FINDING: NO VIOLATIONS – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed County of Monterey HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on May 21, 2026 and researched County records to assess if any violation exists on the subject property.
 - c) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

5. FINDING: SUBDIVISION – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code require that a request for subdivision be denied if any of the following findings are made:

- 1. That the proposed map is not consistent with the applicable general plan, area plan, coastal land use plan or specific plan.
- 2. That the design or improvement of the proposed subdivision is not consistent with the general plan, area plan, coastal land use plan or specific plan.
- 3. That the site is not physically suitable for the type of development.
- 4. That the site is not physically suitable for the proposed density of development.
- 5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
- 6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- 7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- EVIDENCE:**
- a) Consistency. The Project, as designed and conditioned, is consistent with the 1982 County of Monterey General Plan, Del Monte Forest Land Use Plan, and associated Coastal Implementation Plan (see Finding No. 1 and supporting evidence).
 - b) Design. The lot design is consistent with the Lot Design Standards of Title 19 section 19.10.030. At 1.36 and 1.38 acres, the development of Lots 1 and 2 will meet all applicable site development standards of the LDR zoning district. The remainder parcel will continue to meet site development standards. Therefore, the proposed project complies with applicable design standards. See Finding No. 1, Evidence “e” through “g”.
 - c) Site Suitability. The site is suitable for the Project including the type and density of the development (see Finding No. 2 and supporting evidence).
 - d) Environment. The subdivision design and foreseeable development of Lots 1 and 2 will not cause environmental damage to fish or wildlife habitat (see Finding No. 6 and supporting evidence).
 - e) Health and Safety. The proposed project, as designed and conditioned, will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort, and general

welfare of persons residing or working in the neighborhood or to the general welfare of the County (see Finding No. 3 and supporting evidence).

- f) Water Supply and Sewage Disposal. CalAm and PBCSD will provide water supply and sewage disposal (see Finding No. 3, Evidence “b”).
- g) Easements. The proposed subdivision will not conflict with existing easements. There is an existing 15-foot wide sewer easement over the south-eastern corner of Lot 2 which connects to a neighboring property over which a driveway could be developed should future development on Lot 2 necessitate it. Acceptance and recordation of the Parcel Map will establish two sewage easements (10 feet and 20 feet wide), and a 51.7 foot wide driveway and utility easement. The proposed 10-foot wide sewer easement to the existing development on the remainder parcel bisects Lot 2. The easement would prohibit structural development, however the lot will retain sufficient building areas on both sides of the easement, each of which would be suitable for future development, and a driveway may be constructed over the easement should future development necessitate it.
- h) Affordable Housing. The Project does not create four or more residential units and therefore is not required to meet the County’s Inclusionary Housing Ordinance #04185 (Monterey County Code Chapter 18.40).
- i) Parks and Recreation. The Project does not create four or more residential units and therefore compliance with Section 19.12.010 of Title 19/Quimby Act is not required.
- j) The project planner conducted a site inspection on May 21, 2026 to verify that the Project would not conflict with zoning or building ordinances.
- k) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the development are found in Project File PLN250066-DEP.

6. FINDING: **CEQA (Exempt)** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15315 categorically exempts the division of property in urbanized areas zoned for residential use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20%.
 - b) The proposed project involves the subdivision of an approximately 5.02 acre parcel into two (2) parcels of approximately 1.36 acres and 1.38 acres and a 2.26 acre remainder parcel. The subdivision requires no variances or exceptions. The subject property will have all services provided, was not involved in a land division in the last 2 years, and does not have an average slope greater than 20%.

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on May 21, 2026.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, unusual circumstances that would result in a significant effect, or development that would result in a cumulative significant impact. The project site does not have an environmentally sensitive habitat, the property is not located on or along a scenic highway or corridor and does not involve any tree removal. There is no substantial evidence that would support a fair argument that the project has a reasonable possibility of having a significant effect on the environment or that it would result in a cumulative significant impact.
- e) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

7. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No public access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in DMF CIP, Section 20.147.130 can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - c) The subject property is not described as an area where the Local Coastal Program requires visual or physical public access (Figure 3, Visual Resources, and Figure 8, Major Public Access and Recreational Facilities, in the DMF LUP).
 - d) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning found in Project File PLN250066-DEP.

8. FINDING: APPEALABILITY – The decision on this project may be appealed to the Board of Supervisors.

- EVIDENCE:**
- a) Pursuant to Title 19 section 19.01.045.A, the Board of Supervisors is the appropriate authority to consider appeals of decisions made by the Planning Commission.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- 1) Find the project qualifies for a Class 15 Categorical Exemption pursuant to section 15315 of the CEQA Guidelines and none of the exceptions apply pursuant to Section 15300.2; and
- 2) Approving a Vesting Tentative Map and Coastal Development Permit to allow subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel).

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED upon motion of Commissioner _____, seconded by Commissioner _____, and carried this 24th day of June 2026, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-Building Services Department office in Salinas.

2. This VTM expires 2 years after the above date of granting thereof unless extended or approved as a Final Map, subject to Board of Supervisors' consideration.

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County of Monterey HCD Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN250066-DEP

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Coastal Development permit (PLN250066-DEP) allows subdivision of an approximate 5 acres parcel into three parcels of approximately 1.36 acres (Lot 1), 1.38 acres (Lot 2), and 2.26 acres (Remainder Parcel). The property is located at 1451 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-441-036-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Coastal Development Permit (Resolution Number _____) was approved by Planning Commission for Assessor's Parcel Number 008-441-036-000 on June 24, 2026. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PW0015 – UTILITY’S COMMENTS

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Submit the approved tentative map to applicable utility companies, including sewer and water provider. Subdivider shall submit utility company recommendations for required easements, if any, to the HCD-Engineering Services.

Compliance or Monitoring Action to be Performed: Prior to recordation of the Final Map, Owner/Applicant/Subdivider shall provide a copy of the approved tentative map to all applicable public utility companies for review. Subdivider shall submit utility comments to the HCD-Engineering Services.

5. PW0036 - EASEMENTS AND RIGHT-OF-WAY

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Provide for all existing and required easements and rights of way.

Compliance or Monitoring Action to be Performed: Prior to the recordation of the Parcel Map, Subdivider’s Surveyor shall include all existing and required easements or rights of way on the Parcel Map.

6. EHSP04 – WELL AND WATER SYSTEM EASEMENTS (NON-STANDARD)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The Final Map shall denote easements for existing and proposed California American Water Company – Monterey water system infrastructure, including but not limited to existing well(s), water distribution pipelines, tank(s) and access easement(s). Well lots and easements shall appear as part of the final map and shall meet the minimum requirements of Monterey County Code, Section 15.04.050 and the California Code of Regulations, Title 22, Chapter 16, Section 64560 (Water Works Standards).

Compliance or Monitoring Action to be Performed: Prior to filing the first final map, the applicant shall submit a draft of the final map to the Environmental Health Bureau for review and acceptance.

7. CC01 INDEMNIFICATION

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: Owner/Applicant agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code section 66474.9, defend, indemnify, and hold harmless the County of Monterey and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law. Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.

(County Counsel-Risk Management)

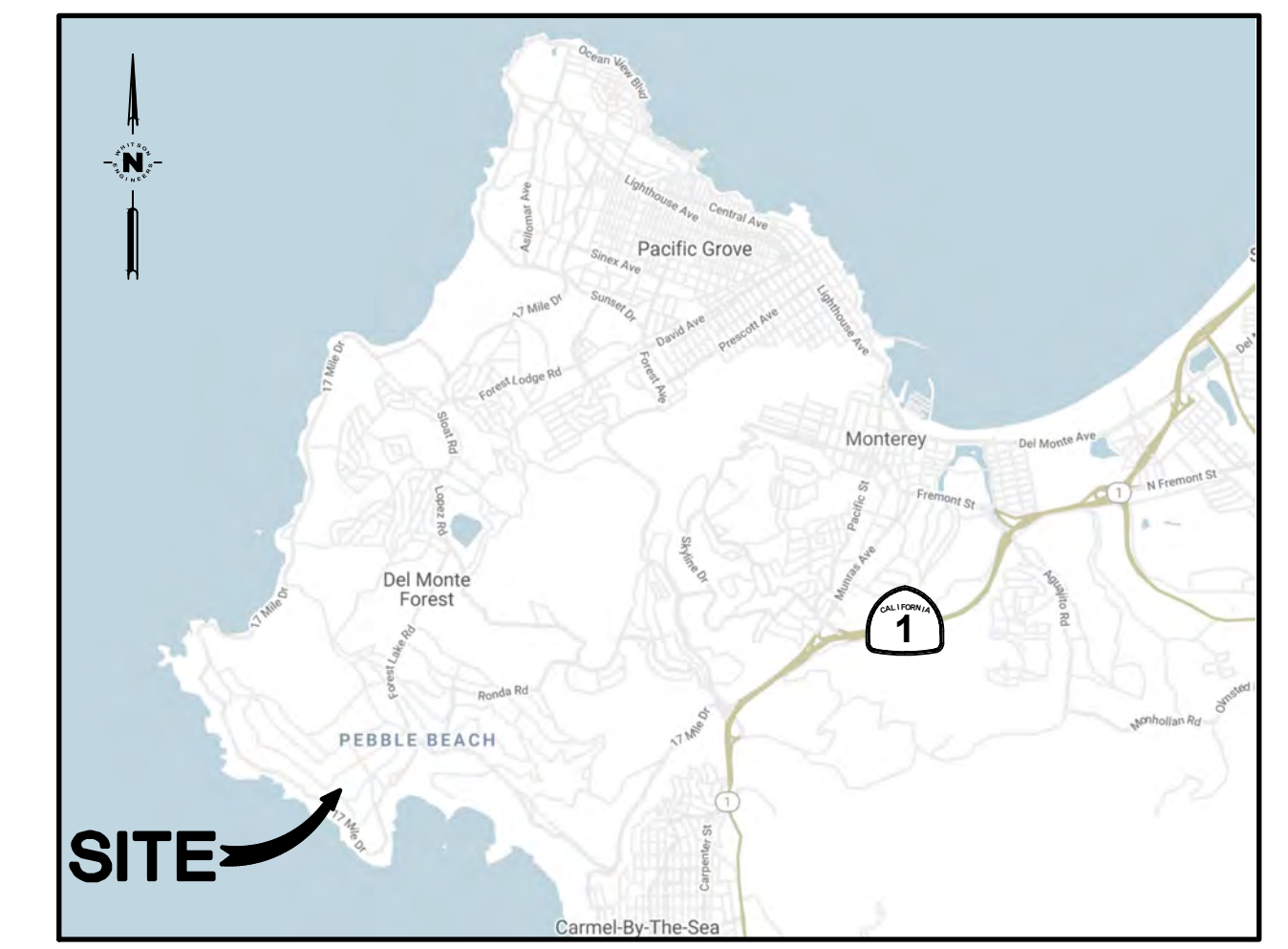
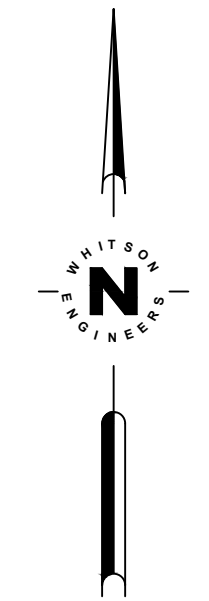
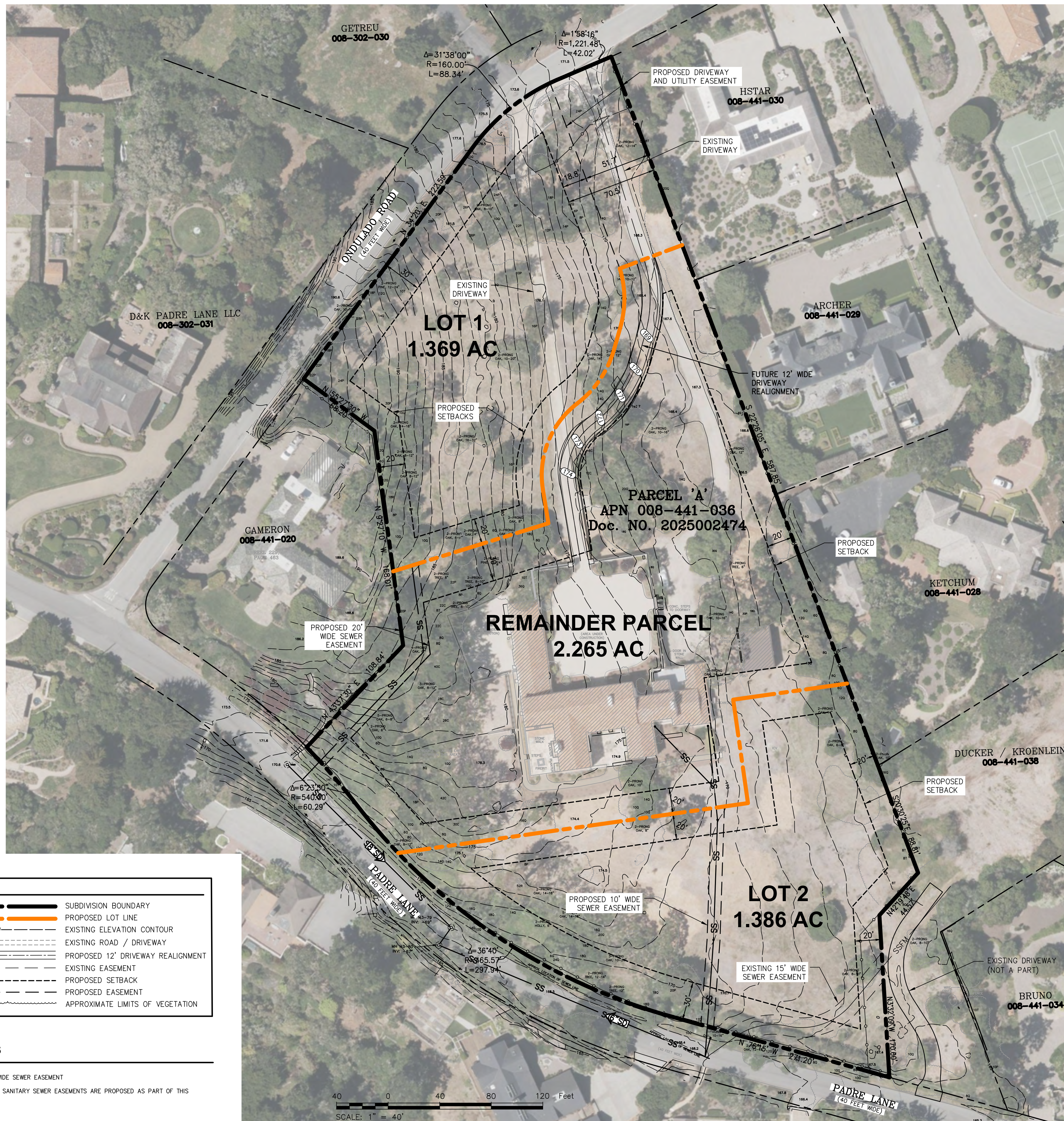
Compliance or Monitoring Action to be Performed: This Indemnification Obligation binds Owner/Applicant from the date of approval of this discretionary development permit forward. Regardless, on written demand of the County Counsel's Office, Owner/Applicant shall also execute and cause to be notarized an agreement to this effect. The County Counsel's Office shall send Owner/Applicant an indemnification agreement. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to the Office of the County Counsel for County's review and signature. Owner/Applicant shall then record such indemnification agreement with the County of Monterey Recorder's Office. Owner/Applicant shall be responsible for all costs required to comply with this paragraph including, but not limited to, notary costs and Recorder fees.

8. PSD-001 DRIVEWAY ABANDONMENT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Applicant/Owner agrees to abandon the portion of the existing driveway off of Ondulado Road which bisects newly formed Lot 1. The portion of said driveway from Ondulado Road to the newly formed remainder parcel shall be demolished and reseeded with native plants.

Compliance or Monitoring Action to be Performed: Prior to Recordation of Final Map, provide evidence to HCD-Planning staff showing the existing portion of the driveway from Ondulado Road to the newly formed remainder parcel has been demolished and reseeded with native plants, including receipt of all required construction permits.



VICINITY MAP

OWNER	APPLICANT
TIM & MEGHAN MITCHELL 1451 ONDULADO ROAD PEBBLE BEACH, CA 93953	JOEL PANZER MAUREEN WRUCK PLANNING CONSULTANT 21 WEST ALISAL STREET, SUITE 111 SALINAS, CA 93901

PROJECT DATA

SITE ADDRESS
1451 ONDULADO ROAD
PEBBLE BEACH, CA 93953

EXISTING A.P.N. NUMBER:	008-441-036
TOTAL GROSS AREA IN SUBDIVISION:	5.02 ACRES
EXISTING NUMBER OF RESIDENTIAL LOTS:	1
PROPOSED NUMBER OF RESIDENTIAL LOTS:	3
LOT SIZES:	1.369 ACRES (LOT 1) 1.386 ACRES (LOT 2) 2.265 ACRES (REMAINDER PARCEL)
AVERAGE LOT SIZE:	1.673 ACRES

- SUBDIVIDER'S STATEMENT**
- A. EXISTING AND PROPOSED ZONING: LDR/1.5-D(CZ)
 - B. USES OF THE LAND: RESIDENTIAL SUBDIVISION
 - C. IMPROVEMENTS PROPOSED WITH SUBDIVISION: NONE
 - D. WATER SUPPLY: CALIFORNIA AMERICAN WATER CO.
 - E. SEWAGE COLLECTION: PEBBLE BEACH COMMUNITY SERVICES DISTRICT
 - F. PROPOSED TREE REMOVAL: NONE
 - G. PUBLIC AREAS TO BE DEDICATED: NONE
 - H. COMMON AREAS PROPOSED: NONE
 - I. FEMA FLOOD ZONE DESIGNATION: ZONE X
 - J. EROSION CONTROL SHALL BE IN ACCORDANCE WITH MONTEREY COUNTY EROSION CONTROL ORDINANCES AND REGULATIONS.
 - K. THE REMAINDER PARCEL HAS AN EXISTING RESIDENCE. LOTS 1 AND 2 SHALL BE WITHIN THE DESIGNATED BUILDING SETBACKS, AS SHOWN HEREON.
 - L. DRIVEWAYS AND UTILITY EXTENSIONS TO LOTS 1 AND 2 TO BE INSTALLED BY OTHERS.
 - M. EXISTING SECONDARY ENTRY DRIVEWAY TO REMAINDER PARCEL MAY BE RE-ALIGNED TO ACCOMMODATE PROPOSED SUBDIVISION. WORK CONSISTS OF A 200' LONG BY 12 FOOT WIDE DRIVEWAY. EARTHWORK SHALL BE LESS THAN 100 CY OF GRADING. NO TREES TO BE IMPACTED.



PLN 240321
VESTING TENTATIVE PARCEL MAP
 PROPOSED MINOR SUBDIVISION OF
 APN 008-441-036
 MONTEREY COUNTY, CALIFORNIA

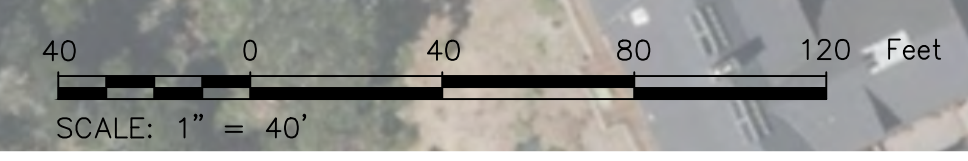


SCALE 1" = 40' APRIL 8, 2026 SHEET 1 OF 1

LEGEND

	SUBDIVISION BOUNDARY
	PROPOSED LOT LINE
	EXISTING ELEVATION CONTOUR
	EXISTING ROAD / DRIVEWAY
	PROPOSED 12' DRIVEWAY REALIGNMENT
	EXISTING EASEMENT
	PROPOSED SETBACK
	PROPOSED EASEMENT
	APPROXIMATE LIMITS OF VEGETATION

- EASEMENTS**
- ONE EXISTING 15' WIDE SEWER EASEMENT
 - TWO 10-FOOT WIDE SANITARY SEWER EASEMENTS ARE PROPOSED AS PART OF THIS SUBDIVISION



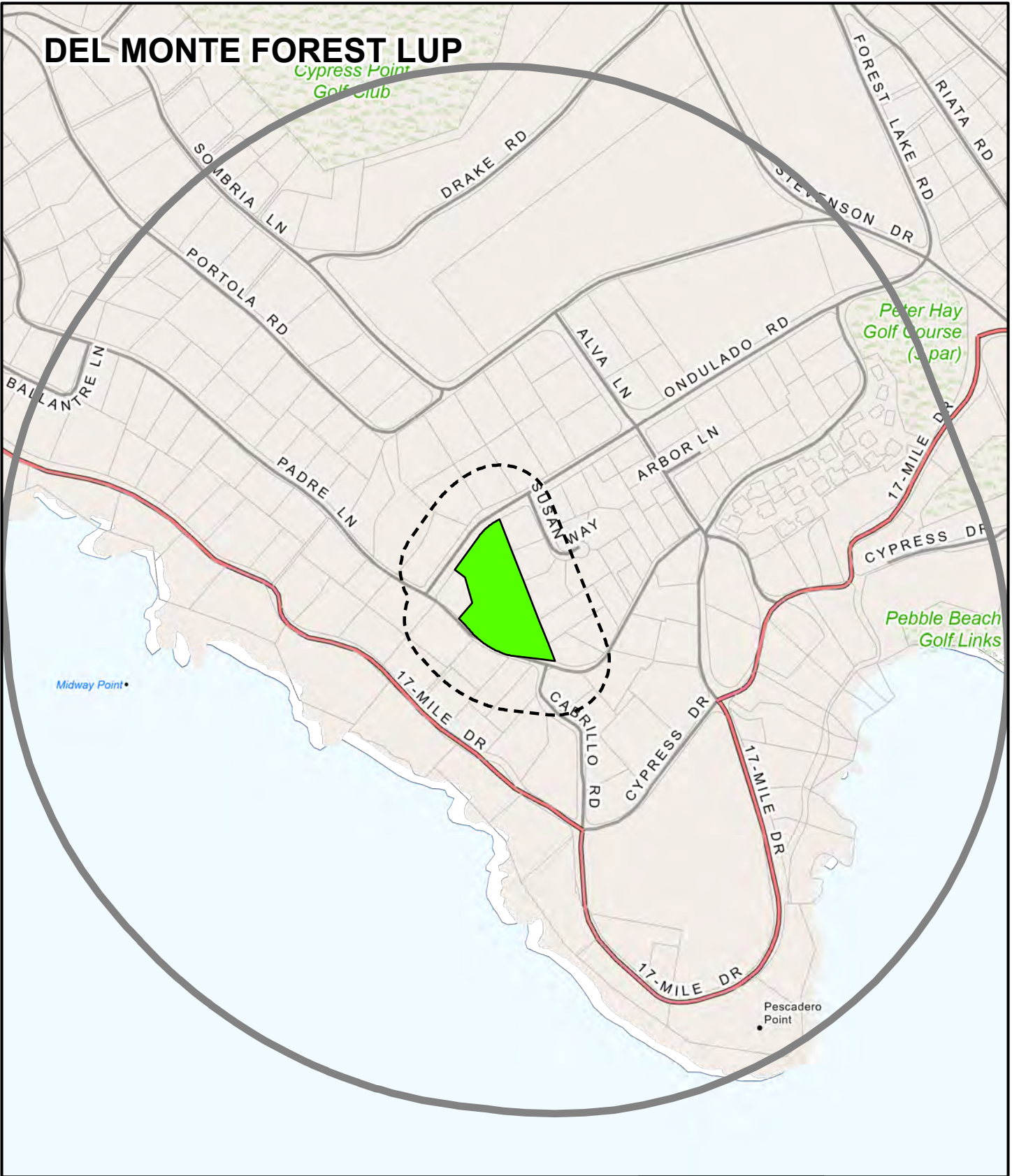
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 Apr 08, 2026 12:54pm
 0 1 2 3 INCHES

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Exhibit B

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DEL MONTE FOREST LUP





APPLICANT: MITCHELL TRS

APN: 008441033000

FILE # PLN250066-DEP

 Project Site

 300 FT Buffer

 2500 FT Buffer



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Exhibit C

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**Refraction Seismic Investigation
at
Casa Ondulado, 1451 Ondulado Road
Pebble Beach, Monterey County, California
APN 008-441-033**

GGSI Project No. 2026-02.01

Prepared by:

**Gasch Geophysical Services, Inc.
Rancho Cordova, California 95742-6576**

Submitted to:

Mr. Tim Mitchell
1491 Cypress Drive, Unit 1217
Pebble Beach, California 93953

February, 2026





February 20, 2026

Mr. Tim Mitchell
1491 Cypress Drive, Unit 1217
Pebble Beach, California 93953

**Re: Refraction Seismic Investigation at Casa Ondulado, 1451 Ondulado Road in
Pebble Beach, Monterey County, California. APN 008-441-033
GGSI Project No. 2026-02.01**

Dear Mr. Mitchell:

At your request and authorization, Gasch Geophysical Services, Inc. (GGSI) has completed a Refraction Seismic Investigation to evaluate characteristics of the sub-surface materials at 1451 Ondulado Road (APN 008-441-033) in Pebble Beach, Monterey County, California (Figure 1).

Purpose

The purpose of this investigation was to utilize the refraction seismic method to provide detailed subsurface primary wave (also known as p-wave or compression wave) velocity information to evaluate the planned building site for possible underlying fault(s).

Site Description

The project site is located at 1451 Ondulado Road in Pebble Beach, California. The site is bounded by Ondulado Road to the north, residential lots to the east, Padre Lane to the south, and a residential lot to the west. Currently, the site consists of a single 5.02-acre parcel with an existing 8,394 square-foot two-story residence near the approximate center of the site. A single-story garage is located to the east of the existing residence and covers an area of around 800 square feet. A Site Location Map and a Site Plan Map with refraction seismic line locations, topography, and the proposed minor subdivision are provided in Figures 1 and 2, respectively.

Geologic Review

A review of published reports relevant to the geology of this site and the surrounding area was performed as part of this investigation. The review was conducted in order to estimate the efficacy of using geophysical methods to evaluate the presence or non-presence of a fault at the subject site. Published reports include site-specific geotechnical and geologic reports as well as publically available geologic reports published by public agencies and private professionals.

The Site Geologic Report (Caprock Geology, Inc., 2024, Reference 1) states that an "inferred undifferentiated onland portion of the Cypress Point Fault bisects the property." A USGS fault study of the Monterey area (Rosenburg & Clark, 1994, Reference 2) suggests that the "northeast side (of the Cypress Point Fault) is relatively downthrown" and further suggests that significant vertical displacement across the fault may be present.

Given the above, it is expected that subsurface material will be sufficiently different on either side of the fault and may be defined by lateral changes (discontinuities) in the primary-wave velocities measured by the refraction seismic method.

Method, Instrumentation and Software

The refraction seismic (RS) method was used to evaluate the rock velocities on site, as seismic primary-wave travel times are used to quantify the rock velocities and as a result, can determine lateral changes in areas of various rock types.

The RS method measures the velocity at which a seismic wave propagates through a soil or rock medium. In this case, the primary (p-wave) or compressional seismic wave was measured. Higher seismic p-wave velocities (measured in feet per second, ft/s) indicate material of higher density, thus quantifying the competency, or strength of the soil or rock medium.

Refraction seismic was used to characterize the subsurface by attaining direct seismic velocity measurements of soil and rock (elastic wave propagation velocity). There is a direct correlation between seismic velocity and rock density, this information can define the character of the underlying soil and rock.

GGSI's seismic data acquisition system was a Seistronix EX-6 Explorer which is a distributed, 24-bit digital instrument with data output to electronic media for subsequent processing. Geophones were single, 10-Hz, digital grade units manufactured by OYO Geospace Corporation. Spread cables were manufactured by Pro-Seismic Services. The energy source for this project was a sixteen-pound sledge hammer with a hardwire connection for system triggering.

Refraction seismic data processing was carried out using Rayfract® version 4.06. This refraction seismic processing software utilizes Wavepath Eikonal Traveltime (WET) tomography, which models multiple signal propagation paths contributing to one first break (the Fresnel volume approach). Conventional ray tracing tomography is limited to the modeling of just one ray path per first break. The WET inversion method is founded upon a back-projection formula for inverting velocities from travel times computed by a finite-difference solution to the Eikonal equation (Qin, et al. 1992). An Eikonal solver is used for traveltimes field computation, which models diffraction in addition to refraction and transmission of acoustic waves. As a result, the velocity anomaly imaging capability is enhanced with the WET tomographic inversion method compared to conventional ray

tomography. This software is developed by Intelligent Resources, Inc. of Vancouver, British Columbia, Canada.

Data Acquisition Parameters

A total of 3 RS lines were acquired during this investigation. RS Line locations were determined by planned lot divisions, site constraints (existing structures, trees, etc.), local topography and trend of faults in the area that have been mapped/reported by others. All three RS Lines were acquired with geophone stations spaced at 10-foot intervals. Energy source points were located between every third geophone station, as well as off the ends of each line. RS Lines 1, 2 and 3 were acquired with 35, 30 and 27 active geophone stations, respectively. A total of 950 lineal feet of data were collected for this investigation. Collection of the field data were carried out on February 9th, 2026. The field crew consisted of Professional Geophysicist Kent Gasch and Professional Engineer Josh Summers. The locations of the RS lines are presented on Figure 2.

Seismic Velocities

Generally, seismic p-wave velocities less than 3,000 ft/s indicate native soil, fill material or highly weathered and/or decomposed rock, while velocities in excess of 10,000 ft/s indicate fresh (essentially non-weathered) rock. Seismic velocities between these two values typically indicate rock with varying degrees of weathering and/or fracturing. Consolidation and cementation, as well as, fracture spacing and density also affect the measured seismic velocities. Moderate velocities may indicate compacted soil, moderately weathered rock or loosely consolidated sediment such as gravel, sand and silt. Saturated sediment below the water table characteristically displays seismic velocities near or slightly above 5,000 ft/s.

Extremes in seismic velocities may range from below 1,000 ft/s to over 20,000 ft/s. Very low seismic velocities usually indicate highly weathered or poorly compacted material, either natural or man-made. Extremely high velocities are rare in the near-surface, and only possible in certain types of rock. Rock velocities are dependent on the physical condition of the rock masses evaluated, as a result, seismic p-wave velocities are related to rock hardness, fracture density and sediment consolidation, saturation and cementation.

Findings

A color-coded seismic velocity cross-section of the subsurface has been generated for each RS line, where cool colors (blues) indicate lower seismic velocities and warm colors (reds, purple) indicate higher velocities. Color scaling of these seismic velocity sections is based on the range of seismic velocity values calculated. Velocity scaling has been normalized on all RS velocity sections.

The results of this Refraction Seismic Investigation are summarized by Figures 3, 4 and 5. These seismic velocity sections, which were created through the inversion process, have very low error and provide a moderate to high degree of lateral definition of the seismic velocity horizons found beneath each line. The seismic velocity sections have been scaled from 1,000 ft/s to 18,000 ft/s for the velocity window and horizontal and vertical axes have been scaled to 30 feet per inch.

Vertical faulting generally appears as a steep drop or rise in the velocity contours, typically occurring deeper than the surficial soil (seismic velocities of approximately 1,000 to 3,000 ft/s).

RS Line 1 (Figure 3)

RS Line 1 is located on the southern end of the project site and spans a distance of 360 feet. The line is oriented approximately southwest to northeast. The proposed new property line between the proposed "Remainder Parcel" and "Lot 2" crosses RS Line 1 near distance station 160 feet (See Figures 2 and 3).

Measured seismic velocities for RS Line 1 (Figure 3) grade at a moderate rate from about 1,500 ft/s at the surface to approximately 13,000 ft/s at the maximum explored depth of about 100 feet below ground surface (bgs).

Seismic velocity contours are relatively flat and smooth, lacking vertical displacement or rapid velocity changes which would be expected for the type of fault mapped in the area.

RS Line 2 (Figure 4)

RS Line 2 is located near the center of the project site, north of the existing residence, and spans a distance of 310 feet. The line is oriented approximately northwest to southeast. The proposed new property line between the "Lot 1" and the "Remainder Parcel" crosses RS Line 2 near distance station 170 feet (See Figures 2 and 4).

Measured seismic velocities for RS Line 2 (Figure 4) grade at a moderate rate from about 1,500 ft/s at the surface to approximately 18,000 ft/s at the maximum explored depth of about 140 feet bgs.

Seismic velocity contours are relatively flat and smooth. A minor "belly" can be seen near the southeast end of the line, between approximate distance stations 30 to 90 feet which could be construed as a fault; however, this vertical displacement is reversed for the type of fault mapped in this area, therefore this belly is a simple change in the subsurface geology, which is common in the area.

RS Line 3 (Figure 5)

RS Line 3 is located in the northern portion of the project site and spans a distance of 280 feet. The line is oriented approximately southwest to northeast. The proposed new property line between the "Lot 1" and the "Remainder Parcel" crosses RS Line 3 near distance station 30 feet (See Figures 2 and 5).

Measured seismic velocities for RS Line 1 (Figure 4) grade at a slow to moderate rate from about 1,500 ft/s at the surface to approximately 9,000 ft/s at the maximum explored depth of about 85 feet bgs.

Again, seismic velocity contours are smooth with a drop towards the northeast, approximately parallel to the ground surface. A minor undulation of the velocity contours, is seen near approximate distance stations 190 to 250 feet which could be construed as a fault, however, this vertical displacement is reversed for the type of fault mapped in this area, therefore this is just a simple change in the subsurface geology, which is common in the area.

Summary

This refraction seismic investigation provides a good sampling of the subsurface conditions at the project site. This investigation revealed a high degree of variation in the calculated seismic velocities of the subsurface materials, with the highest seismic velocity of greater than 18,000 ft/s measured on Line 2.

The Caprock Report (Caprock, Inc., 2024) reported that an "inferred undifferentiated onland portion of the Cypress Point Fault bisects the property." The Rosenberg & Clark, 1994, Report suggests that the "northeast side (of the Cypress Point Fault) is relatively downthrown" and further suggests that significant vertical displacement across the fault may be present. Other published reports including Caprock and Rosenberg & Clark show that the fault location is only interpreted from limited geologic data and have mapped the fault at various locations across the area. This refraction seismic investigation provides evidence that the Cypress Point Fault does not cross the subject site, as there are no lateral variations in the measured seismic velocity contours that would be indicative of the type of faulting expected to be produced along the Cypress Point Fault.

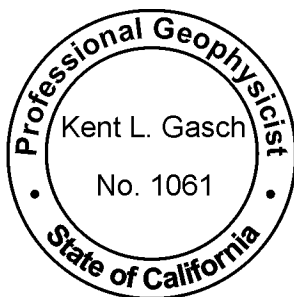
Warranty and Limitations

Gasch Geophysical Services, Inc. has performed these services in a manner which is consistent with standards of the profession. Site conditions can cause some variations of the calculated seismic velocities. Refraction seismic velocities assume that velocities increase with depth; therefore, a lower seismic velocity layer beneath a higher seismic velocity layer will not be resolved. No guarantee, with respect to the results and performance of services or products delivered for this project, is implied or expressed by Gasch Geophysical Services, Inc.

We trust that this is the information you require; however, should you have comments or questions, please contact our Rancho Cordova office at your convenience. Thank you for this opportunity to be of service.

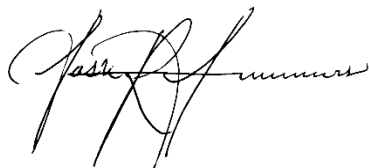
Sincerely,

GASCH GEOPHYSICAL SERVICES, INC.



Expires 12/31/2026

Kent L. Gasch
Professional Geophysicist #1061
Blasting Consultant



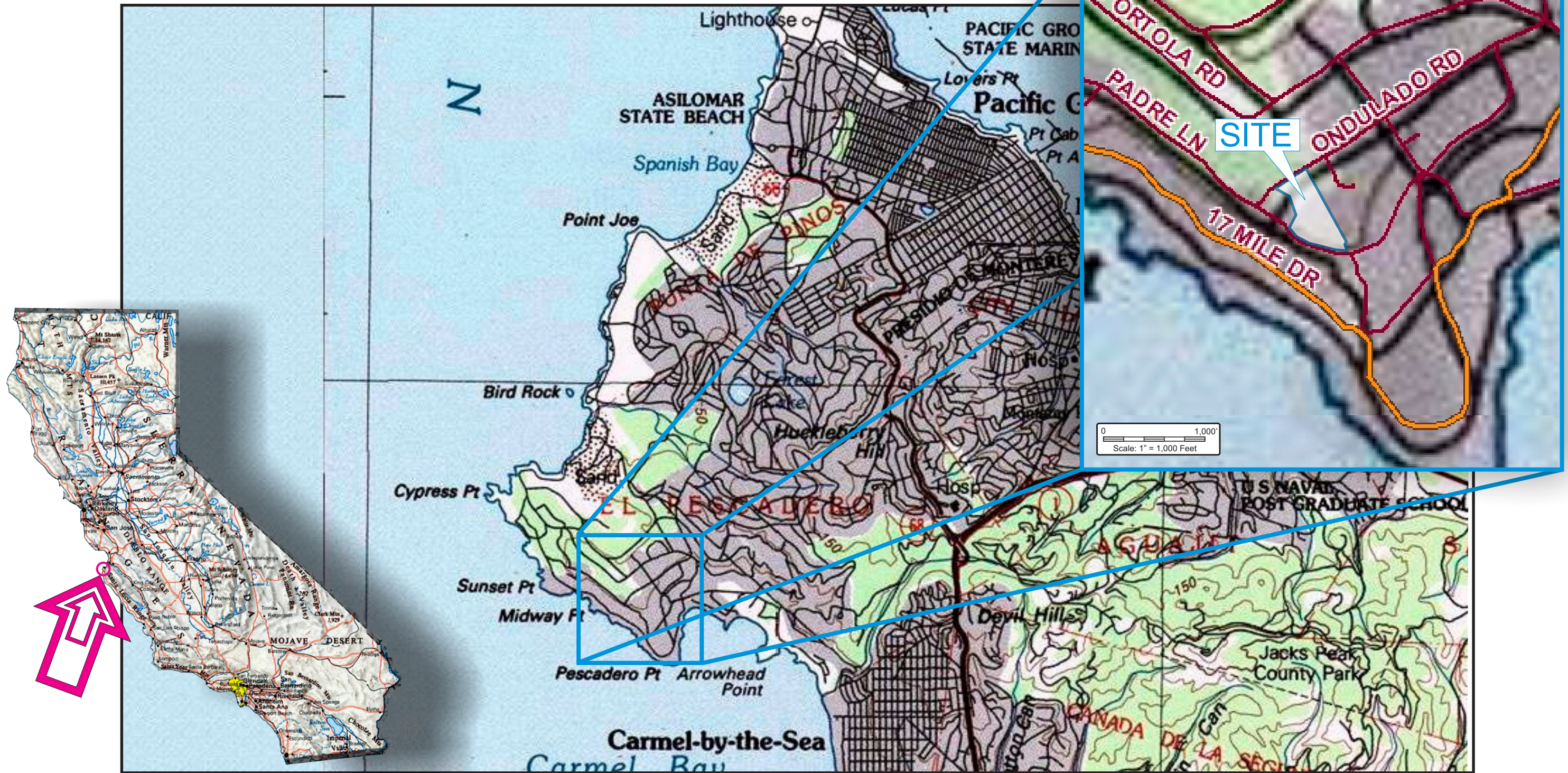
Expires 6/30/2026

Josh R. Summers
Professional Civil Engineer No. C85240

REFERENCES

1. Caprock Geology, Inc., 2024, **Geology Report for 1451 Ondulado Road, Pebble Beach, California**. Ref. No. 5108-02.
2. Rosenberg, L.I., Clark, J.C, 1994, **Quaternary Faulting of the Greater Monterey Area, California**, United States Geological Survey, Award No. 1434-94-G-2443.
3. Dibblee, Thomas W. JR., 1999, **Geologic Map of the Monterey Peninsula and Vicinity**, Dibblee Geological Foundation, Map #DF-7.
4. Greene, H. G., 1973, **Faults and Earthquakes in the Monterey Bay Region, California**, USGS Miscellaneous Field Studies, Map MF – 518.
5. Clark, J.C., Dupre, W.R., and Rosenberg, L.I., 1999, **Geological Map of the Monterey and Seaside 7.5-Minute Quadrangles, Monterey County, California: A Digital Database** USGS Miscellaneous Field Studies Map
6. Grice Engineering, August 2001, **Geotechnical Soils-Foundation Report for the Brown Residence 1272 Via Sombria, Pebble Beach, California, APN 008-301-005**. File No. 3895-01.07.
7. Gasch & Associates, December 2001, **Geologic-Hazards of the Firman Brown Residential Site at 1272 Sombria Lane, Pebble Beach, California. APN 008-301-005**. Project No. 2001-46.01.

Site Location Map



Base Maps Courtesy of: USGS

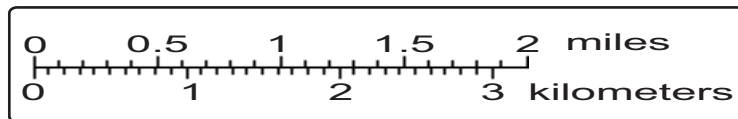


Figure 1

G²S CONSULTANTS IN GEOPHYSICS
FOR THE ENGINEERING,
GROUNDWATER, OIL & GAS
AND BLASTING INDUSTRIES

GASCH GEOPHYSICAL SERVICES, INC. Since 1969
www.GEOGASCH.COM

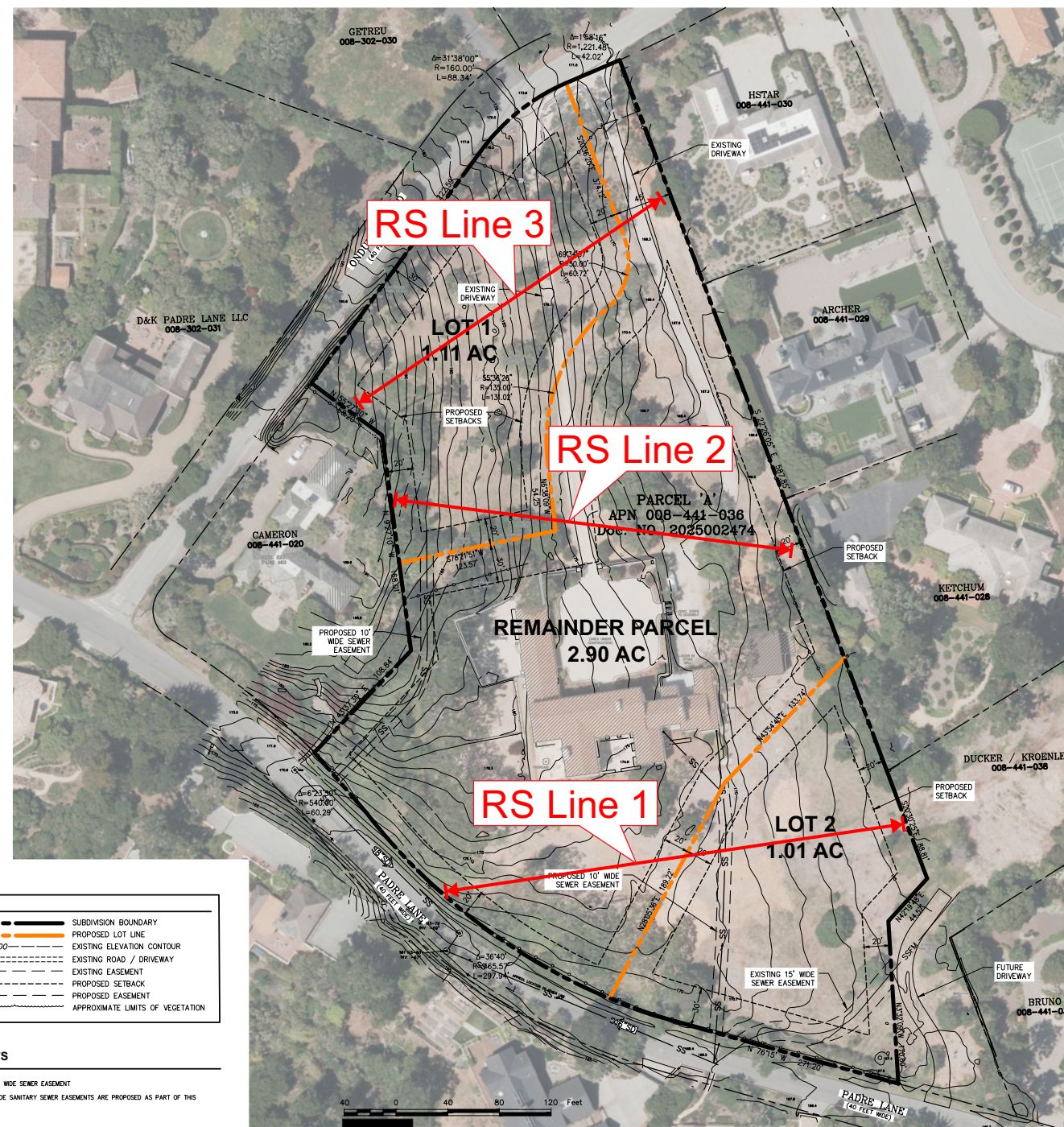
3174 Luyung Drive, Building #2
Rancho Cordova, California 95742 U.S.A.
(916) 635-8906 • FAX (916) 635-8907

Refraction Seismic Investigation:
1451 Ondulado Rd Development Site

Prepared for: Mr. Tim Mitchell

Project Number: 2026-02.01 Date: February, 2026

RS Line Location Map



Base Map prepared by Whitson Engineers & Provided by Joel Panzer, Wruck Planning Consultants, LLC

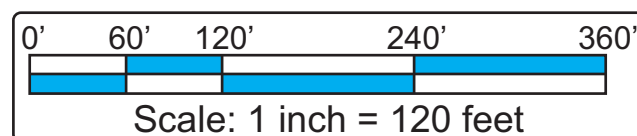
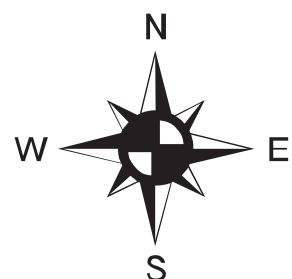


Figure 2

G²S CONSULTANTS IN GEOPHYSICS
FOR THE ENGINEERING,
GROUNDWATER, OIL & GAS
AND BLASTING INDUSTRIES

GASCH GEOPHYSICAL SERVICES, INC. Since 1969
www.GEOGASCH.COM

3174 Luyung Drive, Building #2
Rancho Cordova, California 95742 U.S.A.
(916) 635-8906 • FAX (916) 635-8907

Refraction Seismic Investigation:
1451 Ondulado Rd Development Site

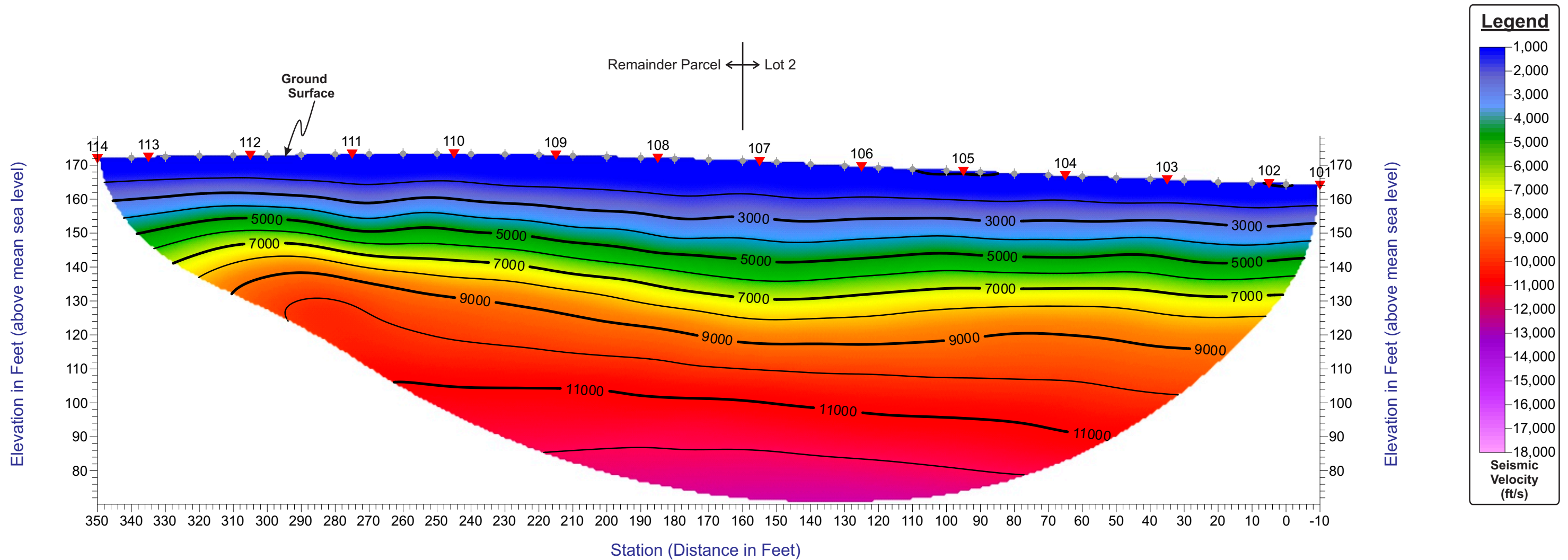
Prepared for: Mr. Tim Mitchell

Project Number: 2026-02.01 Date: February, 2026

Seismic Velocity Section • RS Line 1

Southwest

Northeast



Scale:
Horizontal: 1" = 30'
Vertical: 1" = 30'
Geophone Spacing = 10'

Legend

- ◆ ◆ Geophone Station
- ▼ 101 Energy Source Locations

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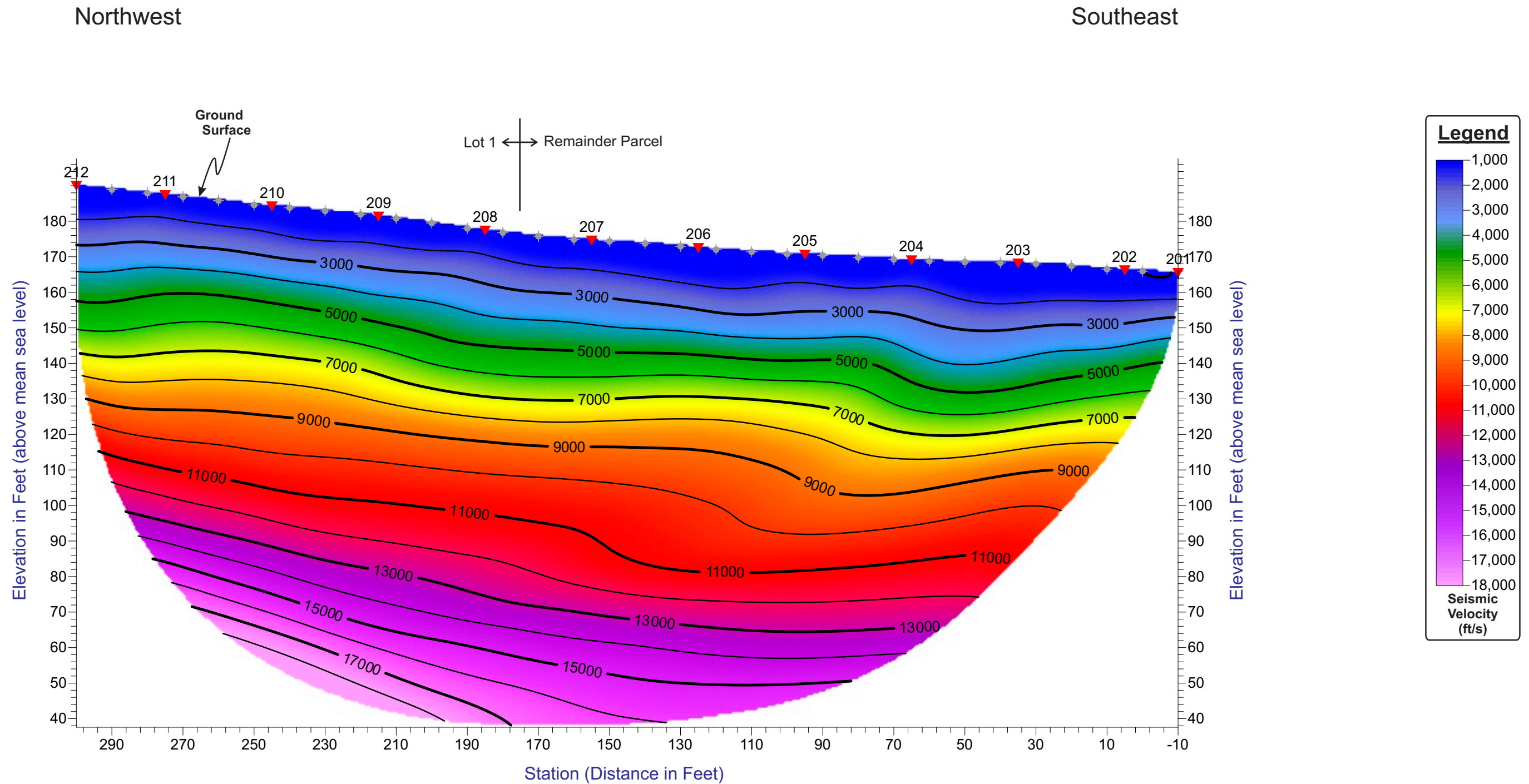
Figure 3

Refraction Seismic Investigation:
 1451 Ondulado Rd Development Site

Prepared for: Mr. Tim Mitchell

Project Number: 2026-02.01 Date: February, 2026

Seismic Velocity Section • RS Line 2



Scale:
Horizontal: 1" = 30'
Vertical: 1" = 30'
Geophone Spacing = 10'

Legend

- ◆◆ Geophone Station
- ▼ 201 Energy Source Locations

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 Rancho Cordova, California 95742 U.S.A.
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Figure 4

Refraction Seismic Investigation:
 1451 Ondulado Rd Development Site

Prepared for: Mr. Tim Mitchell

Project Number: 2026-02.01 Date: February, 2026

Seismic Velocity Section • RS Line 3

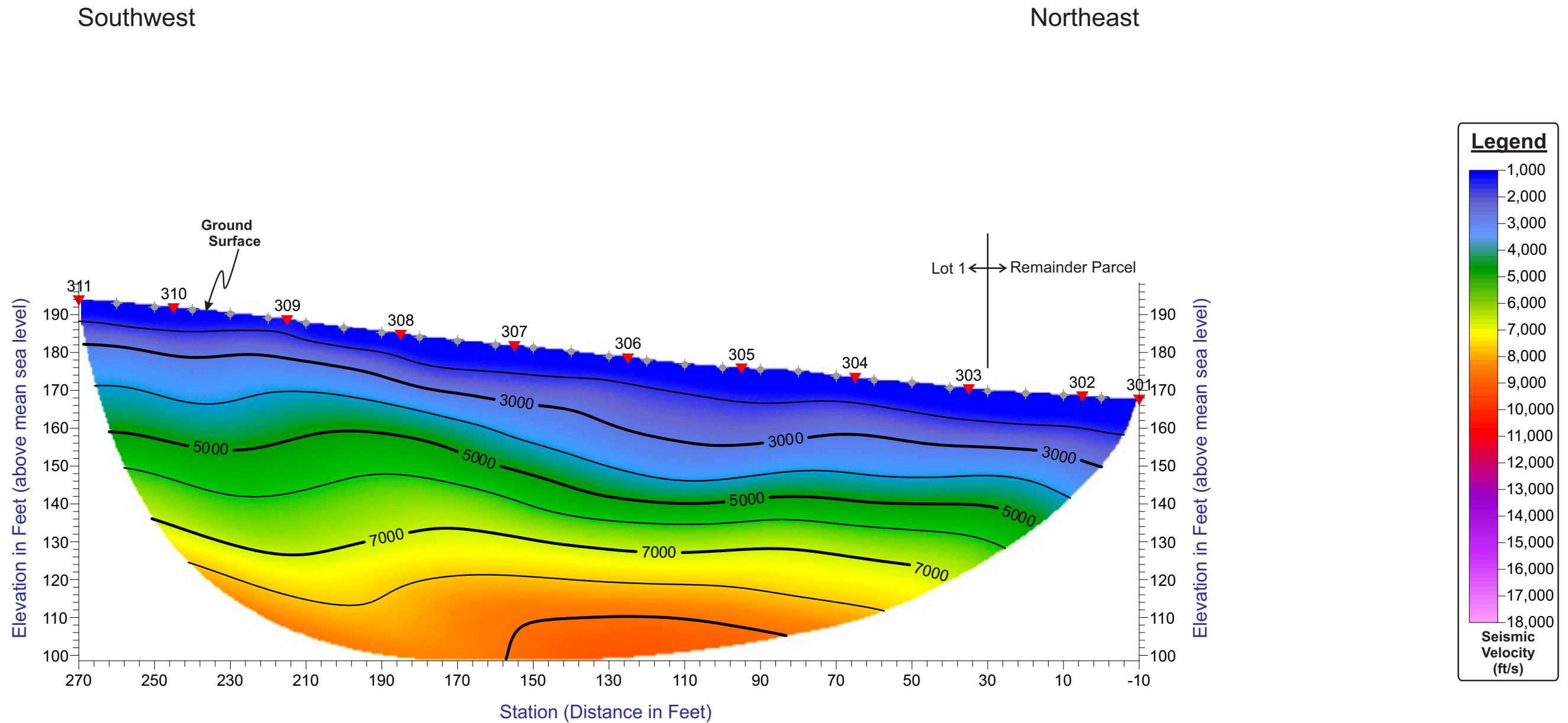


Figure 5

Scale:
Horizontal: 1" = 30'
Vertical: 1" = 30'
Geophone Spacing = 10'

Legend	
◆ ◆	Geophone Station
▼ 301	Energy Source Locations

G²S CONSULTANTS IN GEOPHYSICS
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 AND BLASTING INDUSTRIES

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 Rancho Cordova, California 95742 U.S.A.
 (916) 635-8906 • FAX (916) 635-8907

Refraction Seismic Investigation:
 1451 Ondulado Rd Development Site

Prepared for: Mr. Tim Mitchell

Project Number: 2026-02.01 Date: February, 2026

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Exhibit D

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Mr. Tim Mitchell
1491 Cypress Drive, Unit 1217
Pebble Beach, California 93953

Ref. No.: 5108-02
March 14, 2026

REVIEW OF REFRACTION SEISMIC INVESTGATION
1451 ONDULADO ROAD
PEBBLE BEACH, CALIFORNIA

Dear Mr. Mitchell:

At your request, we have reviewed the February, 2026 geophysical report entitled "*Refraction Seismic Investigation at Casa Ondulado, 1451 Ondulado Road in Pebble Beach, Monterey County, California*" prepared by Gasch Geophysical Services, Inc. (GGSI) for the above-referenced property.

Based on the 2024 CapRock Site Geologic Report describing the regionally mapped inferred portion of the Cypress Point Fault we reviewed of the site-specific geophysical report, including the investigation methods, data acquisition parameters, seismic velocity cross-sections, and the interpretation of the results.

The GGSI investigation appears to have been conducted in accordance with generally accepted geophysical investigation practices. The report provides an adequate description of the refraction seismic methodology and presents the resulting subsurface velocity models derived from the collected data.

As described in the GGSI geophysical report the seismic velocity sections presented for RS Lines 1, 2, and 3 show relatively smooth and laterally continuous velocity contours without the abrupt vertical offsets or significant lateral discontinuities that would typically be associated with fault displacement of the type attributed to the Cypress Point Fault. While minor undulations in the velocity contours are present in portions of Lines 2 and 3, the report provides reasonable geologic explanations for these features and notes that their geometry is inconsistent with the expected sense of displacement along the inferred fault.

Based on the information provided in the GGSI report, the data support the GGSI conclusion that there is no geophysical evidence indicating that the Cypress Point Fault crosses the subject property at 1451 Ondulado Road. GSSI concluded the results of the refraction seismic survey

indicate the site is not transected by an active or significant fault trace.

Accordingly, we concur with the conclusions presented in the GCSI report.

This letter has been prepared on behalf of Mr. Tim Mitchell as a description of services performed in Monterey County, California. In performing our professional services, we have applied present engineering and scientific judgment and used a level of effort consistent with the standard of practice measured on the date of this letter and in the locale of the project site for similar type activities. CapRock makes no warranty, expressed or implied, in fact or by law, whether of merchantability, fitness for any particular purpose, or otherwise, concerning any of the services provided by CapRock to the client.

Please feel free to contact me at (831) 484-5053 if you have any questions regarding this letter.

Sincerely,

CapRock Geology, Inc.

A handwritten signature in black ink that reads "Robert Barminski". The signature is written in a cursive, slightly slanted style.

Robert Barminski, R.G., C.E.G.

Principal Geologist

Exhibit E

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Frank Ono
International Society of Arboriculture
Certified Arborist # 536
Society of American Foresters Professional Member 48004
1213 Miles Avenue
Pacific Grove, CA 93950
Cellular (831) 594-2291

April 20, 2026

Sean Robertson AIA, Principal
Robertson Fletcher Architects
769 Pacific Street, Monterey, CA 93940

RE: 1451 Ondulado Road- Lot line Adjustment and Driveway Impacts to trees
APN: 008-441-036

Mr. Robertson

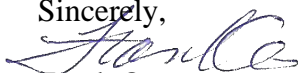
You requested that I review the latest site plan, which indicates the lot line adjustment and proposed driveway placement, to determine whether trees will need removal. The following are my observations, discussion, and recommendations:

- There are five trees located within or adjacent to the driveway- prism that appear to be in fair or better health and condition (#404 and #405 diameters appear not to be correctly sized on the site map provided to me).
 - The following are the correct sizes:
 - #401- 14" diameter coast live oak
 - #402- 14" diameter coast live oak
 - #403- 16" diameter Monterey pine
 - #404- 16" diameter Monterey cypress (#404 and #405 are reversed on the site map)
 - #405- 12" diameter Monterey cypress
- A triangular area, located to the East of the proposed driveway, contains several oak trees planted as part of the restoration.

Grading appears minimal around the established trees (#401-#405); these trees are healthy and of moderate size and should not be affected by cut-and-fill. A concern is that the restoration planting area may become an obstruction. There may be some overlap where the restoration planting is located; however, these trees are smaller in size and may be readily moved should they become an obstruction. Trees will need standard protection from the impacts of grading and construction equipment.

Line

Sincerely,



Frank Ono
Certified Arborist # 536
Society of American Foresters # 048004

Lot Line Adjustment and Driveway Impacts on Trees
April 20, 2026

Not an Official County Document

1

PHOTOGRAPHS

Site of proposed driveway configuration



Trees #401 and #402

Tree #403 (Pine) and #404 (12" Cypress)



Trees # 403 (Pine, #404 12" Cypress), and #405 (16" Cypress)



SITE
VICINITY MAP

OWNER

DAVID W. WELLS
1345 S. GARDEN ROAD
PEBBLE BEACH, CA 93953

APPLICANT

MARK W. WELLS
MARTIN W. WELLS
CONSULTANT
PEBBLE BEACH, CA 93953

PROJECT DATA

SITE ADDRESS:
1451 ONDULADO ROAD
PEBBLE BEACH, CA 93953

EXISTING A.P.N. NUMBER: 008-441-026
TOTAL GROSS AREA IN SUBDIVISION: 5.07 ACRES
EXISTING NUMBER OF RESIDENTIAL LOTS: 3
PROPOSED NUMBER OF RESIDENTIAL LOTS: 1
LOT SIZES:
1.389 ACRES (LOT 1)
1.386 ACRES (LOT 2)
2.285 ACRES (REMAINDER PARCEL)

AVERAGE LOT SIZE: 1.673 ACRES

SUBDIVIDER'S STATEMENT

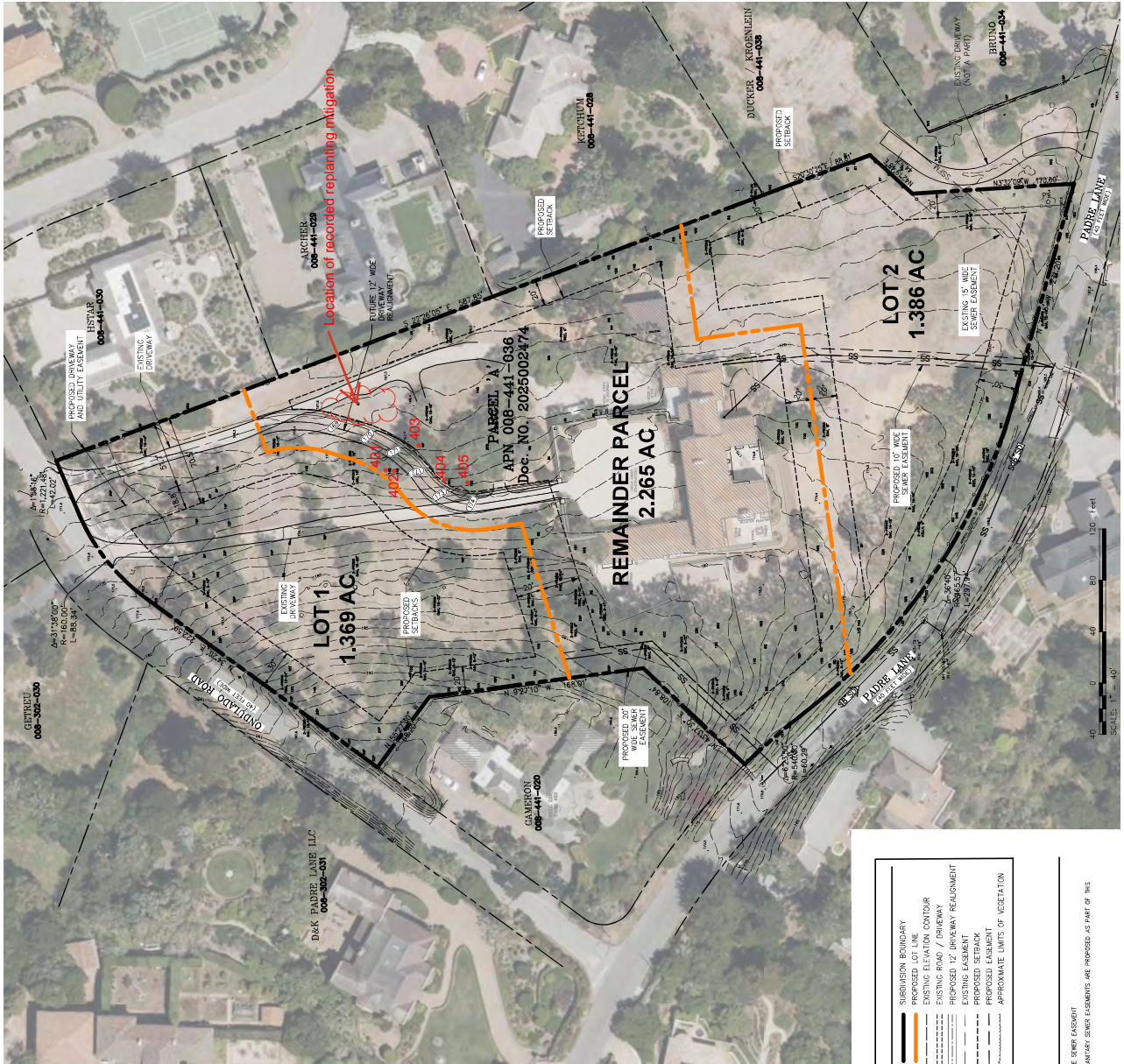
- EXISTING AND PROPOSED ZONING: LUR/1.5-2(C2)
RESIDENTIAL SUBDIVISION
- USES OF THE LAND: RESIDENTIAL SUBDIVISION
- IMPROVEMENTS PROPOSED WITH SUBDIVISION: NONE
- WATER SUPPLY: CALIFORNIA AMERICAN WATER CO.
- SEWERAGE COLLECTION: PEBBLE BEACH COMMUNITY SERVICES DISTRICT
- PROPOSED TREE REMOVAL: NONE
- PUBLIC AREAS TO BE DEDICATED: NONE
- COMMON AREAS PROPOSED: NONE
- FEMA FLOOD ZONE DESIGNATION: ZONE X
- EROSION CONTROL SHALL BE IN ACCORDANCE WITH MONTEREY COUNTY EROSION CONTROL ORDINANCES AND REGULATIONS.
- THE REMAINDER PARCEL HAS AN EXISTING RESIDENCE. LOTS 1 AND 2 SHALL BE WITHIN THE DESIGNATED BUILDING SETBACKS, AS SHOWN HEREON.
- DRIVEWAYS AND UTILITY EXTENSIONS TO LOTS 1 AND 2 TO BE INSTALLED BY OTHERS.
- EXISTING SECONDARY ENTRY DRIVEWAY TO REMAINDER PARCEL MAY BE RE-ALIGNED TO ACCOMMODATE PROPOSED SUBDIVISION. WORK CONSISTS OF A 200' LONG BY 15' FOOT WIDE DRIVEWAY. DRIVEWAY SHALL BE LESS THAN 100' OF GRADING AND TREES TO BE IMPACTED.



PLAN 240321
VESTING TENTATIVE PARCEL MAP
PROPOSED MAJOR SUBDIVISION OF
APN 008-441-026
MONTEREY COUNTY, CALIFORNIA



PREPARED BY
Civil Engineering
Land Surveying
Whitson Engineers
1400 Elgin Street
Pebble Beach, CA 93953
Tel: 831.426.2225
info@whitson.com



LEGEND

	SUBDIVISION BOUNDARY
	PROPOSED LOT LINE
	EXISTING ELEVATION CONTOUR
	EXISTING ROAD / DRIVEWAY
	PROPOSED 12' DRIVEWAY REALIGNMENT
	EXISTING EASEMENT
	PROPOSED SETBACK
	APPROXIMATE LIMITS OF VEGETATION

EASEMENTS

- ONE EXISTING 15' WIDE SEWER EASEMENT
- EXISTING 15' WIDE SEWER EASEMENT
- EXISTING 15' WIDE SEWER EASEMENT





County of Monterey

Item No.5

Board Report

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

Legistar File Number: PC 26-064

June 24, 2026

Introduced: 6/16/2026

Current Status: Agenda Ready

Version: 1

Matter Type: Planning Item

PLANNING COMMISSION REFERRALS

Exhibit A - PC Referral Spreadsheet



**County of Monterey
Planning Commission**

Agenda Item No.5

Legistar File Number: PC 26-064

Item No.5

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

June 24, 2026

Introduced: 6/16/2026

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

PLANNING COMMISSION REFERRALS

Exhibit A - PC Referral Spreadsheet

Exhibit A

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County of Monterey Planning Commission Referrals

MEETING:	6/24/2026	
SUBJECT:	Planning Commission Referrals	
DEPARTMENT:	Housing & Community Development Department	

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
1	18.08	7/25/18	Diehl/Daniels	TBD	Request for an update on Tiny Homes. Referral revised 09/08/2021 by Commissioner Diehl requested the matter be revisited in light of recent State and local policy direction on ADUs	A report was be provided to the Planning Commission January 11, 2022 on the Inland ADU Ordinance and EHB Policies. A report on tiny homes was presented at a meeting in April 2022. The Planning Commission requested a follow up based upon further analysis by staff. During the October 26, 2022 meeting the Planning Commission requested information on approved and pending ADU applications. Staff presented additional ADU information in conjunction with the periodic housing pipeline report on December 7, 2022. Staff will return to the Planning Commission in the first half of 2026 to discuss the County's policy on tiny homes/tiny homes on wheels for use as temporary and/or permanent housing. Staff recently responded to a related public inquiry from Big Sur, and staff's response was provided to the Commission at it's 9/24/2025 meeting.	Pending
2	26.01	10/31/2018, 3.29.2023, updated 01.18.2026	Diehl & Mendoza	Gonzales/Fowler (EHB)	Disaster Recovery Efforts, Status, and Process improvements - This referral combines prior referrals 18.11 (Wildfire Rebuilds) and 22.7 (Pajaro Disaster Recovery) to provide a more comprehensive periodic update on disaster recovery efforts, determining where hurdles exist, and brainstorming ways to improve. Response will include wildfire recovery 2015 to date and major flood recovery including Pajaro.	<p>Staff proposes to merge 2 referrals and provide one comprehensive recurring annual spring/summer update report and discussion at the Planning Commission regarding disaster recovery efforts, status, and process improvements. Staff anticipates returning to the Commission in spring 2026.</p> <p>>Wildfire rebuild update reports Reports were provided to the Planning Commission on April 24, 2024 and September 25, 2024.</p> <p>>Monthly updates are presented to the Pajaro Regional Flood Management Agency regarding Pajaro River at Watsonville Project, including a project map, and can be accessed at https://www.prfma.org/meeting-agendas.</p> <p>>The County of Monterey Department of Emergency Services maintains the Pajaro Recover webpage, and updated information on recovery efforts can be accessed at https://www.readymontereycounty.org/recover/pajaro-recovery.</p>	Ongoing (Annual)

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
3	19.01	11/13/19	Diehl	Marshall	Request Staff to return with a semi-annual status report regarding any workforce housing or affordable housing applications within the County.	This semi-annual report "housing pipeline" report was presented to the Planning Commission at its April 9, 2025 meeting, combined with the annual housing element report. A subsequent mid-year status update was provided at the December 10, 2025 meeting.	Ongoing (Semi-Annual)
4	21.1	9/8/21	Getzelman	Wikle	Request for update to the Wireless Telecommunication Ordinance and establish objective design standards	Planning staff worked with the Planning Commission Ad Hoc committee on an update to the ordinance and the objective design criteria. An Ad Hoc meeting to discuss the draft ordinance was conducted on December 20, 2021. Per Ad Hoc direction, certain sections of the draft ordinance are to be revised and brought back for further Ad Hoc review. The Wireless Telecommunications Ordinance remains on the Long-Range Planning Work Program, however, it is not yet assigned and active due to other higher priority long-range planning items. A status update was presented to the Planning Commission on March 11, 2026 as part of the General Plan/Housing Element Annual Report and Long-Range Planning Work Program.	Ongoing
5	22.2(b)	3/9/22	Diehl	Sanchez	Request for a semi-annual status update on the required Community Plans for all Community Areas designated in the 2010 General Plan plus Coastal Land Use Plans updates.	Semi-Annual status updates to be provided January and July each year. First quarterly of 2025 presented January 8, 2025 and mid-year update provided September 2025. The next semi-annual update will be provided to the Commission during the first quarter of 2026, and will be presented in tandem with the Commission's consideration of the Annual General Plan Implementation Report and Long-Range Work Program priorities for 2026-27.	Ongoing (Semi-Annual)

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
6	22.3	3/30/22	Diehl	Sanchez	Request for semi-annual progress on drafting a Development Evaluation System as directed by General Plan policy. **Respond with Referral 22.2(b)	The Development Evaluation System (DES) remains on the Long-Range Planning Work Program. As of September 24, 2025, there has been no activity related to DES and staff anticipates merging DES into Housing Element Sixth Cycle implementation moving forward. At its 9/10/25 meeting, the Commission requested that updates regarding DES be integrated and included in the updates for Referral 22.2(b) regarding community and land use plans status. This referral will be next updated with the first 2026 report to the Commission for Referral 22.2(b).	Ongoing (Semi-Annual)
7	22.5	9/14/22	Diehl	Guthrie	Request status and process for updating the Housing Element including opportunities for public involvement.	The County of Monterey submitted the third draft of the Sixth Cycle (2023-2031) Housing Element Update (HEU6) to the California Department of Housing and Community Development (CA HCD) on March 13, 2026, for a mandatory 60-day review period. CA HCD notified County on May 12, 2026, that the draft HEU6 submitted on 3/13/2026 is in "Statutory Compliance". The Housing Element will be determined in "Substantial Compliance" with Housing Element law once the Board of Supervisors approves the County's rezoning package and associated Programmatic Environmental Impact Report (PEIR). Staff continues to work on the consultant team on a draft PEIR and rezoning package for consideration by the public, Planning Commission and Board of Supervisors in summer/fall of 2026. Additional informatino is avilalbe at www.countyofmonterey.gov/GeneralPlanUpdates	Ongoing

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
8	22.6	9/14/22	Diehl	Beretti	Request to consider a draft zoning code amendment providing flexibility for open framework structures to exceed lot coverage and revisit the regulations related to structural connections between primary and accessory structures.	Planning staff will present at future meeting. Any interested party may request an interpretation related to these matters in the interim.	Pending
9	23.1	11/8/23	Shaw	TBD	Request to consider revising County Code to increase public notice requirements for actions requiring public hearings to all owners of real property within three hundred (300) feet of the real property that is the subject of the public hearing for properties, to five hundred (500) feet.	Planning staff will present at a future meeting, in combination with PC Referral 24.3.	Pending
10	24.1	5/29/24	Mendoza/Work	Alameda	Request presentation regarding rebuild status of property in Pajaro just one bridge along Porter Drive; Updated 1/29/2025 for staff to inform the Commission when there are major activities/status changes regarding demolition and redevelopment of the property.	Demolition of the burned structures is complete. Proposed rebuild project redesign underway (PLN200234).	On-Going (As Appropriate)

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
11	24.2	6/1/24	Work	Beretti	Request to have semi-annual reports regarding the San Lucas drinking water supply issue and history.	<p>Planning staff provided a status update report at the December 11, 2024 Planning Commission meeting. At that meeting the Commission requested to receive on-going updates regarding this matter. Resolution of the San Lucas community drinking water supply is being driven by the State Water Resources Control Board, and the matter is a 2026 priority for legislative and funding advocacy for the Board of Supervisor via its Legislative Committee. At the 5.11.2026 and 6.8.2026 Legislative Committee, agenda items no. 5, included update and prioritization of San Lucas Clean Drinking Water program. The Legislative Committee recieved standing reports and updates regarding San Lucas that can be accessed at</p> <p>5/11/26: https://monterey.legistar.com/MeetingDetail.aspx?ID=1410982&GUID=D8DCD33B-AB10-4985-9E8D-A08447EC69BF&Options=info &Search=</p> <p>6/8/11: https://monterey.legistar.com/MeetingDetail.aspx?ID=1420538&GUID=4ED15021-487F-4ED1-9C92-8D78EB0B5EDC&Options=info &Search=</p>	Ongoing (As Appropriate)
12	24.3	6/5/24	Shaw	TBD	Request to receive information regarding HCD's public outreach and notification procedures for various planning matters, and consider opportunities to improve public engagement and outreach.	Planning staff will present at a future meeting, in combination with PC Referral 23.1.	Pending

Item #	PC Ref #	Assignment Date	Referred By	Planner	Item	Report	Status
13	24.9	9/25/2024	Diehl	Cappi (EHB)/J.Bowling	Review and provide a report regarding use/missibility of composing toilets and other self-containment units given new technologies.	Environmental Health staff anticipate providing a report to the Planning Commission in August/September 2026.	Pending