

# Exhibit A

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# EXHIBIT A DISCUSSION

## VISUAL RESOURCES

The project is subject to the Visual Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP), implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP), and the Design Control “D” zoning overlay district, which requires siting and design review of structures and fences to assure protection of the public viewshed and neighborhood character.

The surrounding character of the area is a pattern of low density residential development with large lots and single-family residences, heavily screened by vegetation, including oak and pine trees. The topography slopes moderately to steeply upwards from the coast further inland. An eclectic mixture of residential architecture is present in Pebble Beach; between 1919 and 1945 the Del Monte Properties Company instituted design controls requiring Mediterranean and Spanish revival styles, while the post World War Two period relaxed these controls and resulted in several styles in post war development, including ranch, colonial revival, and mid century modern. The Design Control overlay district requires structures be compatible with the surrounding neighborhood character, and CIP section 20.147.070.B.3 requires that structures within visually prominent setting be designed to subordinate and blend into the environment, including appropriate construction and materials to achieve that effect. The architectural form of the residence is modern, with rectilinear features, large windows, and a flat overhanging roof. The proposed color palette features tan smooth and split faced stone veneers, frameless glass, and an exterior soffit with copper banding and a mahogany ceiling. The modern architecture fits within the variety of styles in Pebble Beach, while the natural materials subordinate the residence to its surrounding environment in accordance with the CIP section 20.147.070.B.3. Siting and design of the residence preserves the slopes south, west, and north of the development, giving the appearance that the structure is built into the landscape, further subordinating it to the environment in accordance with CIP section 20.147.070.B.3.



3321 17-Mile Drive



3361 17-Mile Drive



3351 17-Mile Drive

**Figure 1:** Colors and materials, and photos of neighboring residences



To ensure that exterior lighting is consistent with CIP section 20.147.070.B.3, Condition No. 7 is recommended, which would require an exterior lighting plan and that exterior lighting be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Additionally, as frameless glass is one of the dominant materials on the primary façade, to prevent obtrusive glare on the visually sensitive corridor of 17-Mile Drive, Condition No. 7 also includes language requiring that exterior glass be glare resistant.



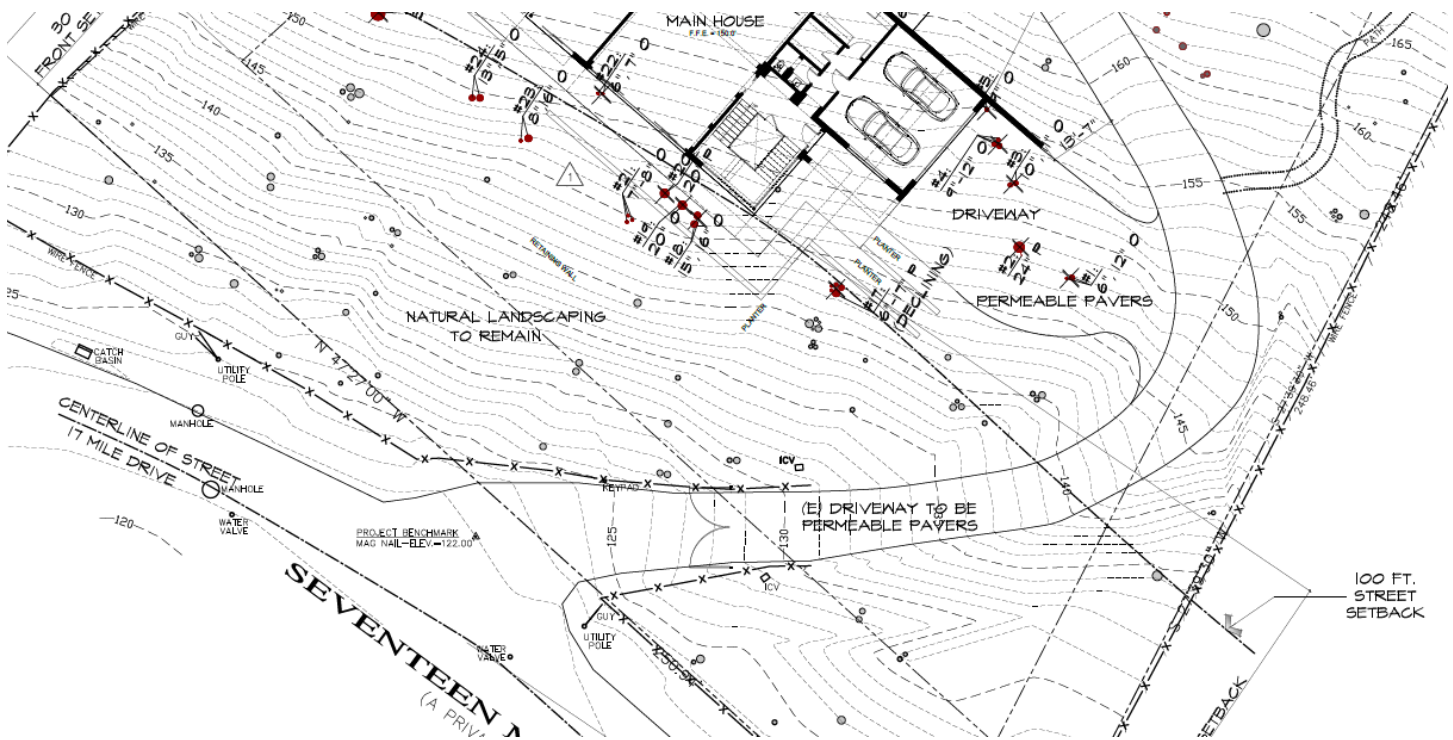
**Figure 2:** Rendering of Residence

The property is mapped as being potentially viewable from 17-Mile Drive and Point Lobos based on the Del Monte Forest Land Use Plan Figure 3, Visual Resources. The new development was flagged in accordance with the County’s staking and flagging criteria. Based on the planner’s site inspection on October 12, 2023, the development will be visible from 17-Mile drive as the property fronts on the roadway. Due to distance, topography, and intervening development and vegetation, the project and site could not be seen from Point Lobos. CIP section 20.147.070.B.10 requires a minimum 50 foot front setback for structures from visually prominent settings, such as 17-Mile Drive. The proposed setback is 73 feet and 11 inches, consistent with this requirement CIP section.



**Figure 3:** a photo of the site from 17-Mile Drive, a photo from the site toward the ocean, a photo from Point Lobos to Pebble Beach, and a photo from 17-Mile Drive oriented to the ocean

In order to maintain an appropriate open space and visual separation from development and the 17-Mile Drive corridor, Del Monte Forest land use Plan Policy 84, implemented through CIP section 20.147.070.B.13, requires a minimum setback of 100 feet from the centerline of 17-Mile drive for new development. The decision making body may allow an exception to this policy provided that the new development is screened from view of travelers by existing vegetation or terrain and this screening is required to be maintained or enhanced in perpetuity. CIP section 20.147.070.B.13 further requires that the area of this setback be placed in a Conservation and Scenic Easement. In this case all buildings are greater than this 100 foot setback, with the residence being 101 feet and 1 inch from the centerline of 17-Mile Drive. However, portions of the site improvements, including a walkway and planter retaining walls are within the 100 foot setback. These improvements are low to the ground, minimizing their visual obstruction. In this case, due to their low profile and the large volume of existing oak and pine tree vegetation, the development is sufficiently visually screened to allow an exception to this policy. The area between this setback and the roadway is heavily forested with oak and pine trees, with approximately 52 trees, some of which are multi-stem clusters. Condition No. 6 is recommended, which would require the applicant to submit a landscaping plan for review and approval prior to issuance of building permits and having the landscaping installed prior to final of permits and maintain it in perpetuity. Condition No. 8 would require planting of 26 replacement trees to compensate for the loss of trees removed due to construction, which would be incorporated into the landscape plan and further screen the development. Finally, in accordance with CIP section 20.147.070.B.13, a conservation and scenic easement (Condition No. 13) is recommended for the 100 foot setback area with the exception of existing/approved development, to ensure that this area is maintained as an open space buffer between 17-Mile Drive and the development.



**Figure 4:** Portion of site plan with 100 foot setback from centerline of 17-Mile Drive

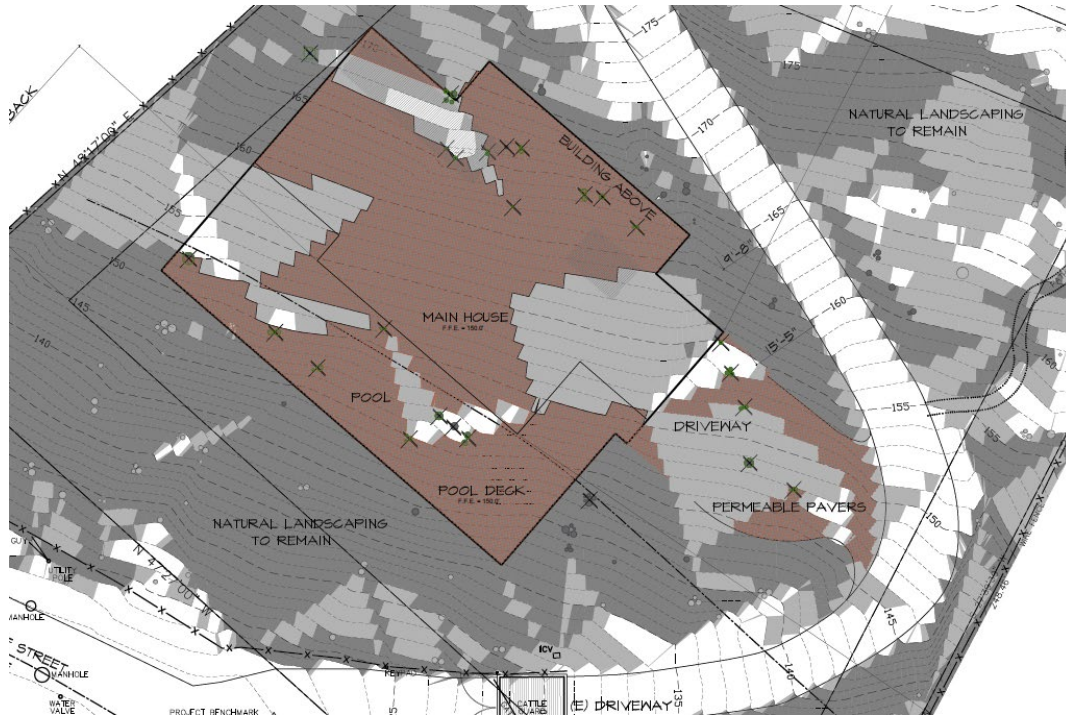
**DEVELOPMENT ON SLOPES**

The project includes approximately 4,907 square feet of development on slopes in excess of 30 percent, 3,516 square feet of this is for the building footprint, while another 1,391 square feet is for associated hardscape, including the driveway, a walking path along the front of the home, and an exterior stairway. Title 20, Section 20.64.230 prohibits development on slopes in excess of 30 percent unless a finding can be made that either there is no feasible alternative which would allow development to occur on slopes of less than 30 percent; or the proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives. The policy regarding development on slopes in excess of 30% in DMF LUP is Land Use and Development Policy 78, which states that development on slopes of 30% or more is prohibited unless such siting better addresses LUP objectives as a whole when compared to other possible siting alternatives on slopes of less than 30% associated with projects and/or sites. This is also codified in the CIP hazards development standard 20.147.060.B.8.(a). This policy and its implementing regulation are supplemented by other policies and regulations which do not explicitly discuss development on slopes, but address alterations to natural landforms and grading in general. Freshwater and Marine Resources DMF LUP Policy 1 requires that all new development shall be designed to conform to site topography as much as possible.

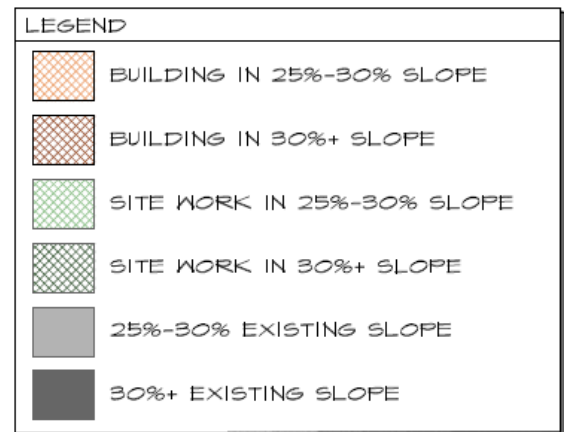
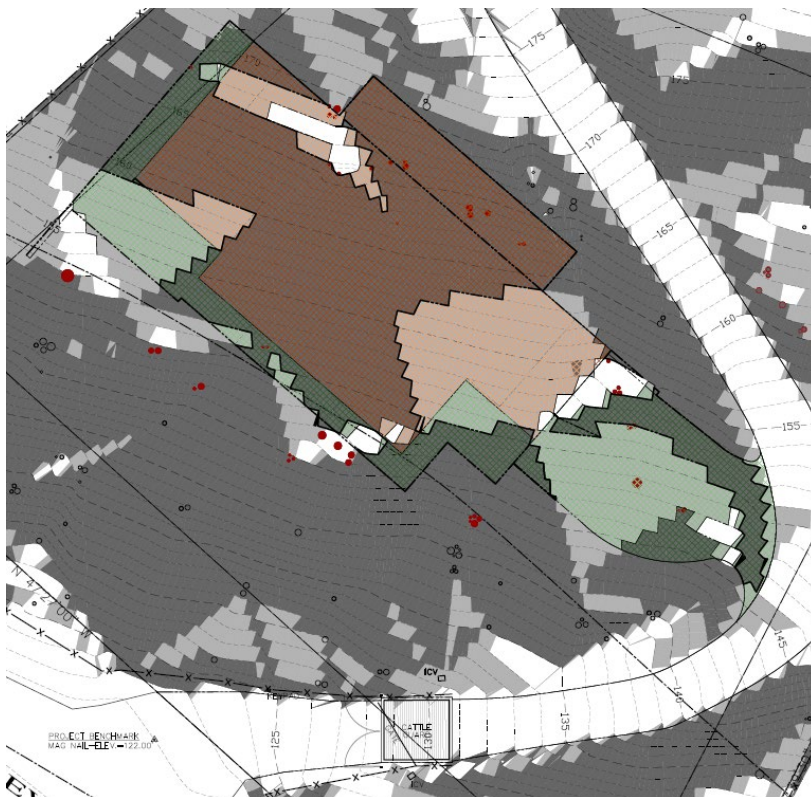
The entire property is moderately to steeply sloped as you move from 17-Mile Drive north and north-east, with the majority of the property having slopes in excess of 25 and 30 percent. The only contiguous portions of the property that do not contain slopes in excess of 30 percent is the existing driveway, which is being used as access for the site. Due to the steeply sloped nature of the site, neither re-siting the home in any direction or reducing the development footprint would avoid development on slopes, making slope development unavoidable.

The version of the site plan that was considered at the February 14, 2024 Planning Commission meeting included approximately 1,201 square feet of development on slopes in excess of 30 percent for a pool and pool deck, approximately 20 percent of the proposed development on slopes. This large square footage of slope development for an ancillary use is in tension with DMF LUP Policy 1 requires that all new development shall be designed to conform to site topography as much as possible. Therefore, the applicant re-designed the project to eliminate this pool and deck area, reducing the proposed development on slopes by pool was inconsistent with DMF LUP The project was re-designed to eliminate the exterior pool and pool deck, and reduce development on slopes in excess of 30 percent overall by 1,245 square feet. As re-designed, the development on slopes is unavoidable, and the proposed project adheres to the topography as much as possible as required by the DMF LUP.





**Figure 5:** Site plan proposed February 14, 2024 with development on slopes in excess of 30 percent shaded in orange (6,152 square feet total, 3,560 square feet for residence and 2,592 square feet for site improvements)



**Figure 6:** Revised site plan with development on slopes in excess of 30 percent shaded in dark orange for residence and dark green for site improvements (4,907 square feet total, 3,516 square feet for residence and 1,391 square feet for site improvements), this version reduces development on slopes in excess of 30 percent by 1,245 square feet

## **FOREST RESOURCES**

The project is subject to the Forest Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP), and their implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP). CIP section 20.147.050.A.1.a requires a Coastal Development Permit to allow removal of sensitive tree species or landmark trees. In this case, the project proposes removal of 22 trees, 17 of which are Coast live oak, and 5 of which are Monterey pine (including 2 landmark size Monterey pine).

A pre-construction tree impact assessment (LIB210052) was prepared by Rob Thompson, Thompson Wildland Management in accordance with CIP section 20.147.050.B on September 14, 2020. The site plan was subsequently revised, and a revised assessment was prepared April 3, 2023. Additional correspondence was provided by Rob Thompson on Marh 8 and March 21, 2024. The tree impact assessment described the forested character of the site and surrounding area: “On this particular property, as with the other nearby lots, mid canopy Coast Live Oak is the most dominant and common species (refer to Figures 1-8), with upper canopy Monterey Pine occurring to a lesser extent.”

CIP section 20.147.050.C.5 requires that development, including driveways and parking areas, be sited and designed to minimize removal of trees, especially trees that significantly contribute to the visual character of the public viewshed, such as along 17-Mile Drive, and that screen development from public view. In this case, 22 trees are proposed to be removed.

The plan originally submitted in 2020 would have required the removal of 35 trees, 28 Coast live oak and 7 Monterey pine. The applicants submitted a revised proposal re-siting the residence south, which reduced the number of trees proposed to be removed to 25, 20 Coast live oak and 5 Monterey pine. This is the version of the project plans that was considered at the February 14, 2024 Planning Commission meeting, where the hearing on the project was continued to a date certain of April 10, 2024. After that hearing, the project was re-designed to remove a pool and pool deck south (in front) of the residence. This will allow the Coast Live oak trees #21, #23, and #24 to be retained, further reducing the tree removal to 22 trees, 17 of which are Coast live oak, and 5 of which are Monterey pine (including 2 landmark size Monterey pine), in greater conformance with CIP section 20.147.050.C.5.

Of these 22 trees, 20 are within the construction footprint. Two Monterey pine proposed for removal are outside of the construction footprint: #17, a multi-trunk pine in poor health and southeast of the proposed residence (just south of the proposed planters), which the forester recommended be removed due to construction impacts from adjacent grading activities and potential hazard concerns, and #25, a landmark Monterey pine. Tree #25 is within the area where a pool deck was previously proposed. While the site plan has been revised the remove the pool deck as part of the project scope, the arborist still recommends this tree be removed due to its declining health and hazard concerns; and stated that is their professional opinion that it would likely die due to construction activities if retaining it were attempted.

The design also preserves the forested area between 17-Mile drive and the home, which acts as screening of the development from 17-Mile Drive and contributes to the forested visual character of 17-Mile Drive.

As all trees proposed for removal are either within the construction footprint or are recommended



to be removed due to their declining health and hazard concerns, the proposal has been re-sited to minimize tree removal, the design of the project has been modified to reduce tree removal, and the project retains the forested areas between 17-Mile Drive and the development that contribute to the areas scenic character, the project is consistent with CIP section 20.147.050.C.5.

CIP section 20.147.050.C.6 requires that where removal of native trees is allowed for development, such removal be mitigated through replanting, or forest preservation either on- or offsite. In this case, the forester recommended replacement of the 22 trees (17 Coast live oak and 5 Monterey pine, two of which are landmark trees) with 26 trees onsite, 20 Coast live oak and 6 Monterey pine, in order to compensate for tree removal impacts and maintain forest health. While the forester’s recommendation of 29 trees exceeds the 1:1 tree replacement ratio specified in CIP section 20.147.050.C.6, to preserve forest health the forester’s recommendations is recommended as Condition No. 8.

Per CIP section 20.147.050.C.4, retained trees close to construction shall be protected from damage through exclusionary fencing, bridging or tunneling under roots, and other appropriate measures. The tree assessment provided recommendations to include exclusionary fencing to protect the critical root zones of trees, install appropriate sediment control to prevent erosion, install trunk and stem protection where grading or construction would be within three feet of a tree, best management practices for when roots are identified, avoid storing materials and equipment in critical root zones, avoid altering natural grade where possible within critical root zones, best management practices for tree pruning, and regularly conduct construction site inspections. Condition No. 9 is recommended, which requires the applicant to install tree protection measures prior to the issuance of grading or building permits and incorporate the forester’s tree protection recommendations. This condition also requires that after construction the applicant submit photos verifying whether tree protection has been successful, or if follow-up remediation measures or additional permits are required.



**Figure 7:** February 14, 2024 site plan, with trees proposed for removal shown as “X’s”. Oaks are blue while pine are green, and the landmark Monterey pine are darker green



**Figure 8:** Revised site plan, with trees proposed for removal shown as “X’s”. Oaks are blue while pine are green, and the landmark Monterey pine are darker green. Trees that will be retained from this revised design, Coast Live oak #21, #23, and #24, are circled in blue