



# Monterey County Planning Commission

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## Agenda Item No. 4

Legistar File Number: PC 17-024

May 10, 2017

Introduced: 5/2/2017

Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN130516 - BIG SUR PRESERVATION ALLIANCE LLC**

Public hearing to consider action on constructing a new two-story single family dwelling and detached Accessory Dwelling Unit; installing roof and ground-mounted photovoltaic systems, and converting an existing test well (PLN130057) to a permanent well. Proposed development would be located within area identified as positive archaeology and within 100 feet of Environmentally Sensitive Habitat Area (ESHA);

**Project Location:** 62200 Highway 1, Big Sur, (APN: 422-011-029-000)] Big Sur Coast Land Use Plan

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration

### RECOMMENDATION:

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

- a. Adopt a Mitigated Negative Declaration; and
- b. Approve a Combined Development Permit, including:
  1. Coastal Administrative Permit and Design Approval to construct an 8,135 square foot two-story single family dwelling with attached 838 square foot garage and 571 square foot mechanical room; grading of approximately 1,000 cubic yards of cut/1,000 cubic yards of fill to be balanced on site, removal of 12 planted (non-native) cypress trees (ranging between 7" and 13" in diameter); underground water tank, underground propane tank, 3,000 gallon septic tank and leach field system, and a roof-mounted photovoltaic system;
  2. Coastal Administrative Permit and Design Approval for an 813 square foot detached Accessory Dwelling Unit with attached 25 square foot mechanical room; grading of approximately 300 cubic yards of cut/300 cubic yards of fill, 1,500 gallon septic tank and leach field system and retaining wall;
  3. Coastal Administrative Permit converting an existing test well (PLN130057) to a permanent well serving two units;
  4. Coastal Development Permit for development with a positive archaeological report; and
  5. Coastal Development Permit for development within 100 feet of Environmentally Sensitive Habitat Area (ESHA); and
  6. Design Approval to allow installation of a ground-mounted photovoltaic system;
- c. Adopt a Mitigation Monitoring and Reporting Program.

The attached draft resolution includes findings and evidence for consideration (**Exhibit D**).

Staff recommends approval subject to 31 conditions of approval, including 6 mitigation measures.

### PROJECT INFORMATION:

**Agent:** Aengus Jeffers, Attorney

**Property Owner:** Big Sur Preservation Alliance LLC

**APN:** 422-011-029-000

**Parcel Size:** 54 acres

**Zoning:** "WSC/40-D (CZ)" Watershed and Scenic Conservation, 40 acre minimum, Design Control District, (Coastal Zone)

**Plan Area:** Big Sur Coast Land Use Plan

**Flagged and Staked:** Yes

**SUMMARY:**

This is a 54-acre vacant parcel created through a lot line adjustment with a building envelope of 1.90 acres. The parcel is located a mile north of Lucia Lodge on the landward edge of a large coastal terrace seaward of Highway 1 at Lopez Point. The site is situated downslope from Highway 1. Topographically, the east side of the property is bordered by the toe of a coastal mountainside that ascends back up to Highway 1. The terrace itself slopes gently west (seaward) toward the bluff and is perched approximately 100 feet above the rocky shoreline. An existing ranch access road through the coastal terrace leads to the development envelope. Vegetation consists of coastal scrub and two clusters of non-native Monterey cypress trees located on the north and south ends of the development envelope.

The project consists of constructing a two-story single family dwelling with an attached garage and a detached pre-fabricated accessory dwelling unit for an onsite caretaker. Original grading for the entire project was proposed at 4,100 cubic yards of cut and 4,100 cubic yards of fill to be balanced on site. The grading for the road was calculated based on the original proposal of a 12 foot wide road, 8 inches deep and topped with gravel. However, since the grading plans were prepared, impacts to the road have been reduced based on recommendation from Coastal Commission staff. It is now a two-track road that will require much less grading by utilizing two, 1-way (12-foot wide) paths or travel rather than one 2-way (20-foot wide) path.

The project will be served by an onsite septic system for each unit, well (test well approved under PLN130057) with an underground water tank serving both units, and a roof-mounted solar photovoltaic system on the main house and a ground-mounted solar photovoltaic system behind the main house. The ground solar system will not affect any protected resources.

Most of the grading is required for the main structure and the accessory structure to site the structures up against the hillside below Highway 1 and out of the critical viewshed. A retaining wall is proposed behind the accessory dwelling unit to provide for better stability, as there is more of a slope behind it than for the main structure. The rear and side walls of the main structure consist of a board formed concrete wall that will provide retention of the slope without requiring additional retaining walls. None of the slopes impacted exceed the 25% threshold.

There is a ranch road that will be used for truck access during the house construction project. An existing culvert bridged by deteriorating wooden planks is inadequate for the weight of the trucks needed for the project. Therefore, the culvert will be replaced with a concrete structure that will allow large trucks access to the job site. The culvert replacement does not affect any resources on site nor is it located within the critical viewshed.

The proposed project is located within a Design Control Zoning District Overlay, which requires that structures are appropriate to assure protection of the public viewshed,

neighborhood character and assure visual integrity. Planning techniques include clustering of structures, sensitive site design, and other techniques to achieve the best development and avoid impact to the critical viewshed. Both structures have been sited (within the building envelope) and designed to tuck into the hillside to remain out of the viewshed. Materials being used are of rustic and natural materials that are similar to the natural setting of the site and will blend into the hillside. Coastal scrub and Coastal prairie vegetative roofing materials are proposed for both structures, the same vegetation that is already out at the site. With a final proposed height for the main structure and accessory dwelling unit, the structures are appropriate for the site and assures visual integrity of the natural setting of the parcel. The proposed driveway has been designed to use natural decomposed granite that blends into the coastal prairie vegetation, screening it from any public view.

Up to 12 cypress trees ranging in size from 7 and 13 inches in diameter (dbh) will be removed to accommodate the proposed development. These trees are non-native and less than 24" diameter so their removal does not require a permit. Removing non-native trees can help open up the natural view of the coast line. However, tree removal is evaluated relative to exposing development within the public viewshed. Existing Cypress trees that remain will continue to grow and provide screening that supplements the siting and design. The proposed project has been designed to be subordinate to the site and therefore is consistent with the Design Approval guidelines.

An Initial Study was prepared and a Draft Mitigated Negative Declaration and circulated for public review from January 17 to February 17, 2017. Potential impacts to biology and cultural resources were identified. A biological assessment identified two Northern Coastal Scrub species, Monterey Coast paintbrush and seaciff buckwheat, both located outside of the development envelope but within 100 feet of the development area. Mitigation measures have been implemented to install temporary construction fencing at the construction perimeter along the western edge of the project to prevent unwarranted impacts to the sensitive Northern Coastal Scrub habitat. A pre-historic archaeological site CA-MNT-621 has been recorded on the project parcel. Areas of midden were noted in exposed soil along the upper part of the ranch access road. The proposed relocation of the existing driveway is intended to avoid further vehicular traffic through this site. The proposed development is located outside of the archeological site boundary. However, because the development is proposed within a major undisturbed area, mitigation measures include preconstruction training between applicant, archaeologist, OCEN monitor and the contractor, onsite monitoring during soil disturbing activities and protection of the site with exclusionary fencing set into place at the direction of the project archaeologist and OCEN monitor. These measures will mitigate the potential impacts to less than significant. Two comments were received during the circulation of the MND. They have been addressed in the staff report but do not change the analysis of the MND.

The proposed project is consistent with the Big Sur Coast Land Use Plan policies and the site development standards required for WSC zoning (MCC, Title 20). Therefore, staff recommends approval of the project.

DISCUSSION:

Detailed discussion is provided in **Exhibit B**.

OTHER AGENCY INVOLVEMENT:

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

- ✓ Environmental Health Bureau
- ✓ RMA-Public Works
- ✓ RMA-Environmental Services
- ✓ Water Resources Agency
- ✓ CDF Coastal FPD
- ✓ South Coast Land Use Advisory Committee

On July 28, 2015, the South Coast Land Use Advisory Committee (LUAC) reviewed the proposed project and recommended approval (3-0 vote) with no comments. They were familiar with the site and were glad to see future development proposed.

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

Reviewed by: Jacqueline R. Onciano, RMA Chief of Planning

Approved by: Carl Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Discussion

Exhibit C - South Coast LUAC Minutes

Exhibit D - Draft Resolution including:

- D1 - Conditions of approval
- D2 - Site Plans, Floor Plans & Elevations

Exhibit E - Initial Study/Negative Declaration

Exhibit F - Vicinity Map

Exhibit G - Coastal Commission and Caltrans Comment Letters

cc: Front Counter Copy; Planning Commission, California Coastal Commission; Aengus Jeffers, Attorney; Applicant; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Jacqueline Onciano, RMA Chief of Planning; Brandon Swanson, RMA Services Manager; Liz Gonzales, Project Planner; Project File PLN130516