County of Monterey Planning Commission

Item No. 1

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

Legistar File Number: PC 25-016

February 26, 2025

Introduced: 2/19/2025 **Current Status:** Agenda Ready

Version: 1 **Matter Type:** Planning Item

PLN240004 - GRIFFITH RICHARD S & NANCY S TRS

Public hearing to consider recommending that the Board of Supervisors approve a Final Map Amendment to adjust the Homeland Boundary of Lot 38 of the Santa Lucia Preserve Phase A Subdivision Map, and construction of a 6,330 square foot single family dwelling inclusive of an attached 889 square foot garage, 1,191 square foot basement, a 407 square foot covered porch, and associated site improvements.

Project Location: 1 Rumsen Trace, Carmel.

Proposed CEQA Action: Consider an Addendum to a previously certified Environmental Impact Report pursuant to Section 15164 of the CEQA Guidelines.

RECOMMENDATION

It is recommended that the Planning Commission:

1) Consider an Addendum to the Santa Lucia Preserve Environmental Impact Report No. 94-005 pursuant to CEQA Guidelines section 15164;
2) Approve a Combined Development Permit consisting of:
    a. A Final Map Amendment to adjust the Homeland Boundary of Lot 38 of the Santa Lucia Preserve Phase A Subdivision Map; and
    b. An Administrative Permit and Design Approval to allow construction of a 6,330 square foot single family dwelling inclusive of an attached 889 square foot garage, 1,191 square foot basement, a 407 square foot covered porch, and associated site improvements.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit B**). Staff recommends approval subject to 12 conditions.

PROJECT INFORMATION

Property Owner: Richard & Nancy Griffith Trust
Agent & Architect: Joel Panzer & Ben Welty (Feldman Architect)
APN: 239-051-007-000
Zoning: Resource Conservation, 80 acres per unit, Design Control & Suite Overlay [RC/40-D-S]
Parcel Size: 4.57 acres
Flagged and Staked: Yes
Project Planner: Son Pham-Gallardo, Senior Planner
(831) 755-5226 or pham-gallardos@countyofmonterey.gov

SUMMARY/DISCUSSION

In 1998, the "Phase A" Final Map for Santa Lucia Preserve was recorded depicting the locations of Homelands and Open Lands for each residential lot created by the Santa Lucia Preserve (SLP) Subdivision (Phases A-C/Rancho San Carlos), which is comprised of 254 lots. SLP is in a densely forested rural residential community of Carmel Valley. The subject property, identified as Lot 38 of SLP Phase A, is located approximately 6.25 miles east of Highway 1, and 4.75 miles west of Carmel Valley Road. Each parcel of the SLP subdivision contains dedicated homeland boundaries (building envelopes), with the remaining acreage, outside of the homeland boundaries, in open space easements. T

The proposed project involves adjusting the homeland boundary (building envelope) to develop a single-family dwelling with a basement and an attached garage. The intent of the adjustment is to better protect and preserve native Oak Woodland (Coast Live & Valley oaks) and the habitats within the preserve. The project will be served by the Santa Lucia Mutual Water system for potable water and an on-site septic system will provide sewage disposal.

Final Map (Homeland Boundary) Amendment

The Applicant/Owner had originally designed a single-family dwelling within the 1.40-acre existing homeland boundary within the 4.57-acre parcel. This design and siting of the residence required the removal of 31 protected Oak trees. The existing 1.40-acre homeland boundary is entirely forested and any development within the homeland boundary would require tree removal. Therefore, in its current configuration, the existing homeland could not be developed without removing protected trees and thus does not better meet or serve the forest resource policies and goals of the 2010 General Plan or Zoning Ordinance (Title 21). To avoid the removal of protected Oaks, as encouraged by Greater Monterey Peninsula Area Plan Policy GMP-3.5, the Applicant/Owner seeks to amend the SLP (Phase A) Final Map (filed as Volume 20, Cities and Towns, Page 8) and adjust/reconfigure the homeland boundary of Lot 38 to allow siting of the proposed residence in a portion of the site that preserves Oaks. As proposed, the homeland boundary of Lot 38 would be reconfigured and shifted east, while continuing to be 1.4 acres in size (increase by a nominal 115 square feet). The remaining portions of Lot 38 would be placed in an amended conservation easement. As proposed, developing the reconfigured homeland boundary with a 6,330 square-foot single-family residence would save 31 protected oak trees, 15 of which are landmark trees. Landmark trees are defined as those trees which are twenty-four (24) inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species. In addition, the homeland boundary adjustment would further protect habitats of migratory raptors and potential sensitive species that occupy the Oak woodland habitat. Therefore, this Map Amendment results in a superior homeland boundary configuration that better meets the goals and policies of the 2010 General Plan, specifically those protecting natural resources.

A Final Map Amendment is required to amend a recorded building envelope pursuant to Monterey County's Subdivision Ordinance and the Subdivision Map Act (Section 66469 and 66472.1 Government Code). Title 19 section 19.08.015.A.7 requires that the map amendment be considered at consecutive hearings by the appropriate decision-making body(s) that approved or recommended the original tentative map. Accordingly, the Planning Commission shall act as the recommending body to the Board of Supervisors. As detailed below, staff has determined that the project complies with the

applicable Monterey County Code and recommends the Planning Commission recommend that the Board of Supervisors approve the proposed Final Map Amendment and Combined Development Permit.

The Santa Lucia Preserve Conservancy reviewed the Applicant/Owner's request for the homeland boundary adjustment on October 26, 2023 and approved amending the property's Deed of Conservation Easement (homeland boundary and the open lands boundary) (**Exhibit H**). An illustration of the proposed homeland boundary is attached to **Exhibit H**, and is shown in the attached project plans (**Exhibit B2**). This Amended Conservation and Scenic Easement has been signed by all parties and shall be recorded concurrently with the recordation of the Final Map Amendment (Condition No. 7), which is subject to the Board of Supervisors' approval.

Biological Resources

According to the biology assessment dated August 2023, prepared by Denise Duffy & Associates (**Exhibit F**), the change in the homeland boundary would increase impacts to annual grassland by 0.5 acres, while subsequently reducing impacts to Oak woodland by 0.5 acres, which represents approximately 0.0025 % of the total acreage in Santa Lucia Preserve Subdivision. The EIR prepared for the SLP Subdivision identifies that the loss of more than 10% of a common natural community and associated wildlife habitat would be a significant impact under CEQA and that approximately 6% of Oak woodland habitat and 9% of annual grassland on the Preserve would be lost or degraded with the implementation of the subdivision and development of the residential lots. The proposed homeland boundary adjustment would not increase impacts on annual grassland within the Preserve beyond the significance threshold and would reduce the anticipated impacts Oak woodland. Further, the biological assessment found that no special status plants or wildlife occupied the grasslands of the reconfigured homeland boundary. Therefore, no new significant impacts to Oak woodland or annual grassland would occur as a result of the adjusted homeland boundary, and no new mitigation is required.

Forest Resources

Analysis of impacts from tree removal in this subdivision was informed by a Forest Management Plan prepared by Ralph Osterling Consultants Inc., on February 18, 1994 (**Exhibit I**). The Osterling report determined that impacts on forest resources would remain less than significant if development was sited within the respective homeland boundaries. The tree permit for the Santa Lucia Preserve (Phases A-C) allowed the removal of 1,480 trees. Each parcel is allocated a certain number of trees that can be removed to stay within the allowable final count and to ensure less than significant impacts on forest resources. Although the homeland boundary of Lot 38 is heavily forested, no tree removal was allotted through the subdivision approval. Increasing the number of trees allotted per lot is allowed, subject to specific findings, provided the overall SLP tree removal count does not exceed 1,480 trees.

If the homeland boundary is adjusted, the project-specific Arborist Report (**Exhibit G**) found that the proposed single-family dwelling will not impact protected trees. Therefore, in this case, amending Lot 38's homeland boundary to allow siting the proposed residence in a portion that is not constrained by Oak woodland is consistent with the tree removal allotted for this lot (zero). Further, this would allow other homeowners within SLP (Phase A-C) some flexibility if future development requires additional tree removal on their parcel, as long it does not exceed a total of 1,480 trees for 254 lots in Santa Lucia Preserve Subdivision (Phases A-C).

Design Review

The development standards for the Resource Conservation (RC) zoning district are identified in Title 21 section 21.36.060. Required setbacks in the RC district for main dwelling units are 30 feet (front), 20 feet (rear), and 20 feet (sides). Residential lots within the Santa Lucia Preserve have homeland boundaries (building envelopes) that are dedicated for residential development. The proposed development will be within the proposed (adjusted) homeland boundary, which comply with the required setbacks.

The maximum allowed structure height is 30 feet for main structures and attached accessory structures. The proposed single-family dwelling has a height of 15'8" and the proposed attached garage has a height of approximately 11 feet. The allowed site coverage maximum in the RC zoning district is 25%. The property is 4.57 acres or 199,069 square feet, which would allow a maximum site coverage of approximately 49,767 square feet. The proposed single-family dwelling (6,330 sq. ft.), garage (872 sq. ft.). and basement (2,607 sq. ft.) would result in total site coverage of 7,475 square feet or approximately 2.3%. Therefore, as proposed, the project meets all required development standards.

Staff has determined that the proposed residence is compatible with the surrounding neighborhood character in terms of size, color, location, and mass. The open, multi-level classic ranch architectural style incorporates natural mixed materials with modern design components (i.e. flat roof). Colors and materials are comprised of dark brown shiplap and earthy tone stone siding, non-reflective charcoal metal seam roofing, and metal-clad windows and doors. The proposed structure is consistent with the surrounding residential development. The proposed development is situated behind mature Oak trees, which will minimize its visibility within SLP. The proposed landscaping incorporates native vegetation that will blend seamlessly with the surrounding open natural environment of the Santa Lucia Preserve. Additionally, the design was reviewed and approved by the Santa Lucia Preserve Design Review Board (**Exhibit D**).

ENVIRONMENTAL REVIEW

The Santa Lucia Preserve Final Environmental Impact Report was certified February 6, 1996, through the adoption of Board of Supervisors Resolution No. 96-059 (**Exhibit K**). This Addendum to Santa Lucia Preserve's previously certified Environmental Impact Report was prepared pursuant to CEQA Guidelines (California Code of Regulations, Title 14, Section 15164) to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted EIR (**Exhibit J**).

Staff's analysis of the Santa Lucia EIR indicates that the homeland boundaries were created based on a compilation of analyzed resources and constraints, such as archaeology, biology, and geology. The result of this analysis created the location of the existing homeland boundary on Lot 38. However, as described above, Lot 38's homeland boundary is entirely forested and thus requires the removal of protected Oak trees to be developed.

As proposed, adjusting this lot's development area (homeland boundary) to avoid impact on forest resources, while continuing to protect other sensitive resources including archaeology, biology, and geological, better serves the intention of the homeland boundary's purpose. Based on the prepared

technical reports and staff's review of the submitted application materials, the proposed homeland boundary adjustment and subsequent residential development will not result in any impacts not analyzed by the EIR. Further, all potential impact (biological, archaeological, and geological) associated with developing the adjusted homeland boundary are equal to, or less than the impacts associated with developing the original homeland boundary, as evaluated under the EIR. Although there is new information for three of the wildlife species evaluated in the EIR: California Red Legged Frog (CRLF), California tiger salamander (CTS), and tricolored blackbird (TCB), however no impacts to these species are anticipated and therefore none of the new information would result in new or more severe environmental impacts, and all previously adopted mitigation measures remain adequate. Therefore, there are no substantial changes in the project, no substantial changes in circumstances, and no new information of substantial importance which would require major revisions of the EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

OTHER AGENCY INVOLVEMENT:
The following agencies have reviewed the project, have comments, and/or have recommended conditions:
Environmental Health Bureau
HCD-Environmental Services
HCD-Engineering Services
Monterey County Fire Protection District

LAND USE ADVISORY COMMITTEE
The proposed project is not located within an area subject to land use advisory committee review.

Prepared by: Son Pham-Gallardo, Senior Planner, ext. 5226
Reviewed by: Fionna Jensen, Principal Planner (WOC)
Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments on file with HCD:
Exhibit A - Project Data Sheet
Exhibit B - Draft Resolution, including:
- Recommended Conditions of Approval
- Project Plans

Exhibit C - Vicinity Map
Exhibit D - SLP Design Review Board Support Letter
Exhibit E - Homeland Boundary Justification Letter
Exhibit F - Biology Report (LIB240141)
Exhibit G - Arborist Report (LIB240142)
Exhibit H - SLP Conservancy Amended Conservation Easement Approval
Exhibit I - Forest Management Plan by Ralph Osterling
Exhibit J - Addendum
Exhibit K - Santa Lucia Preserve Final Environmental Impact Report

cc: Front Counter Copy; Fionna Jensen, Principal Planner; Son Pham-Gallardo, Project Planner;

Engineering Services; Environmental Health Bureau; Environmental Services; Monterey County Regional Fire Department; Griffith, Applicant/Owner; Joel Panzer, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Director); Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); Project File PLN240004.