County of Monterey

Item No.3

Zoning Administrator

Legistar File Number: ZA 25-035

June 26, 2025

Introduced: 6/17/2025
Version: 1

Current Status: Agenda Ready
Matter Type: Zoning Administrator

PLN230197 - CELLARIUS LIMITED
Public hearing to consider replacement of an existing water tank and development of a 96 square foot retaining wall within 750 feet of known archaeological resources.
Project Location: 48700 Highway 1, Big Sur, Big Sur Coast Land Use Plan
Proposed CEQA action: Find the project Categorically Exempt pursuant to CEQA Guidelines section 15302, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION:
It is recommended that the Zoning Administrator adopt a resolution to:

a. Find the project qualifies for a Class 2 Categorical Exemption pursuant to CEQA guidelines section 15302, and that there are no exceptions pursuant to Section 15300.2; and
b. Approve a Combined Development Permit consisting of a: 1) Coastal Administrative Permit and Design Approval to allow the replacement of an existing 4,999 -gallon water tank with a 4,775-gallon water tank and development of a 96 square foot retaining wall; and 2) Coastal Development Permit to allow development within 750 feet of known archaeological resources.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 5 conditions of approval.

PROJECT INFORMATION:
Agent: Michael Linder
Property Owner: Robert Hall
APN: 420-171-027-000
Parcel Size: .30 acres
Zoning: Rural Density Residential with a density of 40 acres per unit and a Design Control overlay in the Coastal Zone or "RDR/40-D(CZ)"
Plan Area: Big Sur Coast Land Use Plan
Flagged and Staked: No
Planner: Joseph Alameda, Assistant Planner
alamedaj@countyofmonterey.gov, (831)783-7079

SUMMARY/DISCUSSION:
The subject property is located at 48700 Highway 1, Big Sur , within the Big Sur Coast Land Use Plan. The property is currently developed and used for residential purposes (existing single-family dwelling) and is surrounded by residences on all sides. The applicant proposes replacement of an existing 4,999-gallon water tank with a 4,775-gallon water tank and a 96 square foot addition to a retaining wall within 750 feet of a positive archaeological site. Pursuant to Title 20 section 20.16.040.F, replacement of a water tank is a principally allowed use for this zoning district, subject to Coastal Administrative Permit in each case.

Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, Big Sur Coast Land Use Plan (BSCLUP), Monterey County Coastal Implementation Plan (CIP; Part 3), and Zoning Ordinance (Title 20).

Design Review & Site Development Standards
The proposed development is subject to the regulations of the Design Control "D" zoning district outlined in Title 20 section 20.44.060, which establishes design review requirements to assure protection of the public viewshed and neighborhood character. The exterior colors and materials are compatible with the surrounding environment and are consistent with the surrounding residential neighborhood character which will not be changed. The proposed development will not be visible from a scenic corridor or major common public viewing area due to location, topography, and intervening development and vegetation. Therefore, the project, as designed and sited, is consistent with neighborhood character, and assures visual integrity.

The proposed development includes the replacement of an existing 4,999-gallon water tank, which was previously approved by the Monterey County Zoning Administrator on August 12, 1999 (Resolution No. 980674). The installation of the water tank had a previously approved front setback of 17' feet from the edge of Coastlands Road. Site development standards for the RDR zoning district identifies non-habitable accessory structures to have a minimum 50 foot front setback; however, Title 20 section 20.62.040.F, allows for an exception to this requirement should 50% or more of the building sites on any one block or portion thereof in the same district have been improved with structures, the required front setback shall be of a depth equal to the average of the front setbacks of the improved building sites, to a maximum of that specified for the district in which such building site is located. The approval of the water tank applied this exception with review of application materials submitted by the applicant that identified photographic evidence that was submitted and reviewed that illustrated other structures also encroaching into the front yard setback areas as outlined in the staff report prepared by County staff for PLN980674.

The existing water tank has been damaged and requires replacement. The proposed development is replacement of this existing water with an approximately 12 foot high, 4,775-gallon water tank within the same location previously approved under Resolution No. 980674, with the addition of an 8-foot-high retaining wall. The structures meet the maximum height out as outlined in Title 20 section 20.16.060 site development standards. Additionally, staff reviewed the parcels within one block of the proposed development and found a portion thereof the block with parcels of the same district to have

been improved with structures. Four out of the nine parcels located within the same street have been improved with structures of similar types. Two of these parcels are water tanks that have been placed within the front setback of the applicable properties. Further, parcels located towards the end of Coastlands Road, near HWY 1, also includes accessory structure such as water tanks within the front setback of the property. Therefore, staff finds that replacement of the existing water tank within the same location, with a front setback of 17 feet, meets the criteria outline in Title 20 section 20.62.040.F.

Cultural Resources
According to county GIS records, the subject property is within 750 feet of a known archaeological resource. In conjunction with the development of the original water tank and retaining wall (PLN980674), an initial study/mitigated negative declaration (IS/MND) was prepared for the subject property and development site. The IS/MND identified the presence of archaeological resources within a small portion of the subject property but not within the proposed development site. The project involves minimal ground disturbance, limited to the drilling of piers for the retaining wall. Although the development site is negative for archaeological resources and the project involves minimal ground disturbance, the subject property does contain positive resources and therefore requires granting of a Coastal Development Permit pursuant to Big Sur Coast LUP section 20.145.120.A.1.

CEQA:
California Environmental Quality Act (CEQA) Guidelines Section 15302 categorically exempts replacement of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity. As proposed, the project involves the replacement of a 4,999-gallon water tank with a 4,775-gallon water tank and construction of a 96 square foot retaining wall. While there are known historical/cultural resources (archaeological) on-site, no structural development is proposed within these areas.

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

Environmental Health Bureau
HCD-Engineering Services
HCD-Environmental Services
Big Sur Volunteer Fire Brigade

Prepared by: Joseph Alameda, Assistant Planner, x7079
Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

Attachments:
Exhibit A - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit B - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; Big Sur Volunteer Fire Brigade; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Joseph Alameda, Project Planner; Jacquelyn M. Nickerson, Principal Planner; Robert Hall, Property Owner; Michael Linder, Agent/Architect; The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN230197