



# Monterey County Zoning Administrator

## Agenda Item No. 3

Legistar File Number: ZA 18-007

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February 22, 2018

**Introduced:** 2/13/2018

**Version:** 1

**Current Status:** Agenda Ready

**Matter Type:** ZA

### **PLN170198 - 1536 VENADERO LLC (PENN)**

Public hearing to consider landscaping improvements including replacement and reconfiguration of driveway, patios, walkways, fountains, and plants within a positive archaeological site, exceeding the 9,000 square feet impervious surface limit in the Pescadero Watershed, and adoption of a mitigated negative declaration and mitigation monitoring and reporting plan.

**Project Location:** 1536 Venadero Road, Pebble Beach

**Proposed CEQA Action:** Mitigated Negative Declaration

### RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Adopt mitigated negative declaration and mitigation monitoring and reporting plan (program); and
- b. Adopt a resolution to approve Combined Development Permit consisting of: 1) a Coastal Development Permit to allow landscaping improvements including replacement and reconfiguration of driveway, patios, walkways, fountains, and plants within a positive archaeological site; and 2) a Variance to exceed the 9,000 square feet impervious surface limit in the Pescadero Watershed by 533 square feet.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff is recommending approval of the permit based on the attached resolution and subject to 12 conditions of approval and 3 mitigation measures.

### PROJECT INFORMATION:

**Planning File Number:** PLN170198

**Owner:** 1536 Venadero LLC (Penn)

**APN:** 008-422-012-000 & 008-422-013-000

**Agent:** Maureen Wruck Consulting

**Plan Area:** Del Monte Forest Land Use Plan

**Flagged and Staked:** N/A

### SUMMARY:

Maureen Wruck Planning Consultants, on behalf of the property owner 1536 Venadero LLC, submitted a request for a permit to improve the patios, walkways, planting pallet, and landscaping surrounding an existing historic single-family dwelling. Staff has reviewed the proposal for consistency with the policies of the Del Monte Forest Land Use Plan, the regulations contained in the coastal zoning ordinance (Title 20 of the Monterey County Code), and has prepared a Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA).

In review of the proposed development, staff identified potential inconsistencies with Cultural Resource Policies protecting historic and archaeology resources and Land Use Development policies limiting impervious surfaces, of the Del Monte Forest Land Use Plan.

*Cultural Resources:* To address the potential cultural resource impacts, the applicant commissioned a phase II archaeological investigation and a phase II historic report. Staff also consulted with the tribal chairperson of the Ohlone, Coastanoan, Esselen Nations regarding tribal cultural resources. Consistent with Del Monte Forest Land Use Plan policies, revisions to the site plan were made to minimize and avoid impacts to cultural resources to the extent feasible and additional mitigations (Conditions Numbers 13 and 14) are suggested to further reduce potential impacts to cultural resources. Proposed mitigations are attached to the resolution (Exhibit B).

*Impervious Surfaces:* Policies of the Del Monte Forest Land Use Plan limit impervious surface coverage area within the Pescadero Watershed to 9,000 square feet to protect the Carmel Area of Special Biological Significance (Policy 77). The Penn project is located within the Pescadero Watershed and involves existing development on two separate lots; Assessor's Parcel Numbers 008-422-012-000 (Lot 1) and 008-422- 013-000 (Lot 2). Lot 1 contains the majority of the existing improvements including the house, driveway, and most of the landscaping and Lot 2 contains portions of an existing detached garage, guesthouse, greenhouse, and some landscaping. Lot 1 is considered legal non-conforming due to the existing impervious lot coverage that exceeds the 9,000 square foot impervious surface limitations. The project has been designed to substantially reduce the existing impervious coverage to 9,533 square feet from 15,666 square feet, be compatible with the historic structure, provide accessibility to the existing home, and to provide for reasonable exterior improvements, such as: patios and walkways surrounding the existing residence. Findings required in order to grant a Variance to the impervious coverage limitations can be made in this case. The site has unique circumstances including a legal non-conforming situation that will be substantially improved and it contains significant cultural resources. The Variance would not grant a special privilege as Variances for similar situations have been granted on nearby properties and the project involves an allowed use.

On the whole, the landscape improvements are designed and located consistent with the applicable regulations and policies. Patios and walkways are, by necessity, attached to the existing structures. The design is respectful of the historic setting. The driveway would be converted to pervious surfaces reducing the existing impervious surfaces at the site. The plant selection consists of drought tolerant and native or native compatible species. Lastly, conditions and mitigations are proposed to minimize archaeological and tribal cultural resource impacts that could result from the proposed improvements.

#### DISCUSSION:

A more detailed discussion of the project issues and solutions is provided in **Exhibit A**.

#### 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  
North County Fire Protection District  
Del Monte Forest Land Use Advisory Committee

The proposed project was reviewed by the Del Monte Forest Land Use Advisory Committee on August 3, 20147. The LUAC recommended approval of the project by a vote of 6-0. No concerns were raised at by the LUAC on this item (**Exhibit E**).

FINANCING:

Funding for staff time associated with this project is included in the FY17-18 Adopted Budget for RMA-Planning.

Prepared by: Craig Spencer, Senior Planner, x5233

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: John M. Dugan, RMA Deputy Director of Land Use and Community Development

The following attachments are on file with the RMA:

Exhibit A - Detailed Discussion

Exhibit B - Draft Resolution, including:

- Condition Compliance and Mitigation Monitoring and Reporting Plan
- Site Plan

Exhibit C - Initial Study/Mitigated Negative Declaration (MND)

Exhibit D - Comments on the MND

Exhibit E - Del Monte Forest LUAC minutes

Exhibit F - Phase II Historic Analysis

cc: Front Counter Copy; California Coastal Commission; Brandon Swanson, RMA Services Manager; Sanda Dimas, Applicant; 1536 Venadero LLC, Owner; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN170198