



Monterey County Zoning Administrator

Agenda Item No. 2

Legistar File Number: ZA 18-029

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

May 31, 2018

Introduced: 5/21/2018

Version: 1

Current Status: Agenda Ready

Matter Type: ZA

PLN170538- PEBBLE BEACH COMPANY

Public hearing to consider the construction of an 18-space surface parking lot and removal of 10 trees (7 Coast Live Oak, 2 Monterey Pine & 1 Monterey Cypress).

Project Location: 1491 Cypress Drive, Pebble Beach, Del Monte Forest Land Use Plan

Proposed CEQA action: Categorically Exempt per Section 15311(b) of the CEQA Guidelines

RECOMMENDATION:

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

- 1) Adopt the Mitigated Negative Declaration
- 2) Approve a Combined Development Permit consisting of:
 - a. A Coastal Development Permit and Design Approval to allow the construction of 18-space surface parking lot, 150 linear feet of retaining wall and 94 linear feet of 3-foot-high wooden fence; and
 - b. A Coastal Development Permit for removal of 10 trees (7 Coast Live Oak, 2 Monterey Pine & 1 Monterey Cypress).
- 3) Adopt a Mitigation Monitoring and Reporting Program.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 20 conditions of approval including 1 Mitigation Measure.

PROJECT INFORMATION:

Agent: George Chelwick

Property Owner: Pebble Beach Company

APN: 008-431-010-000

Zoning: CGC-D (CZ)

Parcel Size: 0.881 Acres

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Not Applicable

Project Planner: Son Pham-Gallardo

SUMMARY:

The proposed project is located on a .881-acre lot (38,333 sq. ft.) parcel in Pebble Beach, part of the Del Monte Forest located at 1491 Cypress Drive, just down from the intersection with Stevenson Drive. Its proximity is half a mile west from the Pebble Beach Resort & Golf Links. Stevenson School lies approximately 1.3 miles east. The subject application is for the construction of an 18-space surface parking lot, 150 linear feet of retaining wall (ranging from 5'- 12') and 94 linear feet of 3' high wooden fence and removal of 10 trees (7 Coast Live Oak, 2 Monterey Pine & 1 Monterey Cypress).

The project also includes associated grading of 695 cubic yards and 8 cubic yards in fill.

DISCUSSION:

The project came before the Zoning Administrator on October 18, 2017. Staff continued the project and determined further environmental review was necessary to avoid potential environmental impacts to the proposed site due to a couple of factors. The project is located within a high archaeological zone and the proposal includes removal of ten (10) protected trees (7 Coast Live Oak, 2 Monterey Pine & 1 Monterey Cypress). Staff conducted site visits on August 8th, 2017 & November 30, 2017 and determined the proposed parking lot use is consistent with the surrounding commercial development. The purpose of the proposed parking lot is to accommodate additional parking spaces for the Pebble Beach Resort, primarily for valet parking. The parcel is a constrained lot, situated in a tight corner between Cypress Drive and 17-Mile Drive directly across from the Pebble Beach Market's parking lot and adjacent to the community post office. Based on the standard measurement (9'x 17') per parking stall with a 25' requirement for the aisle width, only 18 spaces as proposed could be accommodated (**Exhibit B2**).

Specific parking lot areas were addressed as part of the Pebble Beach General Development Plan Amendment (PBGDPA) dated June 19, 2012 under Section 3.0 of Existing Uses and Uses Allowed (Exhibit E). Although this parcel was delineated in the overall PBGDPA site map, it was not detailed as a parking lot and no other use was specified. Therefore, per Section 4.7 Parking Areas (Use of parking areas to be used in conjunction with allowed uses) of the PBGDPA, this project is subject to discretionary review. In this case, it would require a Coastal Development Permit and Design Approval per Title 20 of the Monterey County Coastal Implementation Zoning Ordinance, Chapter 20.18.060 & 20.44.

Pursuant to Chapter 20.147.050 Forest Resources of the Del Monte Land Use Area Plan, trees and other vegetation may be removed with a Coastal Development Permit. However, an Arborist Report and Forest Management Plan are required for all projects located in a forested area that require a discretionary permit.

Although ten trees have been proposed for removal; (size ranging from 6"- 48" in diameter) three of the ten trees are considered to be in poor condition according to an Arborist Report prepared by Frank Ono (Urban Forester). One was noted in fair condition but, is shown to be structurally poor. The specific condition of trees mentioned-above is as follows:

- One 12" co-dominant diameter Oak with split crotch/bleeding.
- One 48" diameter Monterey Cypress with poor specimen structurally with multiple weak stem attachments.
- One 24" diameter Pine appears to be dying and has thinning/dying crown.
- One 10" diameter Pine is in fair condition but, structurally poor due to it uprooting.

The remaining six trees ranging in (6"-14" in diameter) are considered to be in fair condition with the exception of one in good condition.

As part of the overall Del Monte Forest buildout project, tree removal has been pre-mitigated through dedication and management of preservation areas like the 'Old Capitol Site'. Therefore, mitigation is not required as part of this project under CEQA. However, staff still recommends that replanting take

place subject to an arborist report as part of the project.

Due to the nature of the corner constrained lot, alternatives for replanting on-site or off-site were suggested in the Arborist Report dated June 5, 2017. The project Arborist has recommended that the ten trees being removed be replaced at a 1:2 ratio (one tree for every two trees removed) of the same variety. This ratio has been recommended by Frank Ono to avoid an overcrowded, unhealthy forest environment. The applicant submitted landscaping plans to replant six oak trees on-site between the medians and edges of the parcel (Exhibit G). However, Staff recommends that a better solution would be to replace the trees off-site at a 1:1 ratio or pay an in-lieu fee to prevent and avoid possible invasive tree root exposures to the surface parking. A condition of project approval, (Condition No. 7) requiring the replacement of all removed trees off-site on a 1:1 basis, or payment of an in-lieu fee to the Del Monte Forest Foundation has been applied to the project. The applicant has agreed to the replacement of trees off-site based on Staff's recommendation. In addition, surrounding trees located close to the construction site shall be protected from construction equipment by fencing off the canopy driplines and/or critical root zones with protective materials (Condition No. 5). The parking lot has been sited and designed to minimize removal of trees, especially trees that significantly contribute to the visual character of the public viewshed and that screen development from public view and neighboring properties.

CEQA

Monterey County RMA-Planning prepared an Initial Study pursuant to the California Environmental Quality Act. The Draft Mitigated Negative Declaration ("MND") for PLN170538 was prepared in accordance with CEQA and circulated for public review from April 16, 2018 through May 16, 2018. A potential impact to Tribal Cultural Resources was identified for which one mitigation measure was incorporated. The mitigation measure is an expression of an in-person consultation with the Ohlone/Costanoan-Esselen Nation (OCEN) Chairperson. Although there were no initial concerns with archaeological resources (given the results of the archaeological report), the parcel is located within a high archaeological sensitivity zone. Pursuant to Public Resources Code Section 21080.3.1, the Legislature finds and declares that California Native American tribes traditionally and culturally affiliated with a geographic area may have expertise concerning their tribal cultural resources. Under Assembly Bill No. 52, as part of the consultation pursuant to 21080.3.1, the parties may propose mitigation measures, including, but not limited to, those recommended in Section 21084.3, capable of avoiding or substantially lessening potential significant impacts to a tribal cultural resource or alternatives that would avoid significant impacts to a tribal cultural resource. Although an on-site Tribal Monitor is recommended by OCEN, there is no substantive evidence that the subject parcel would contain tribal cultural resources. A mitigation was proposed in the Initial Study to require a Tribal Monitor on-site during all project-related ground disturbance. However, based on the lack of evidence, staff proposes that Mitigation Measure 001 (Condition No. 20) requiring a Native American Tribal Monitor on site, be revised to require all grading and construction plans to include a note providing direction on how to handle uncovered resources. The note includes language directing the contractor to stop work within 50 meters (165 feet) of uncovered resource, immediately contact Monterey County RMA-Planning, OCEN Tribal Council and qualified archaeologist.

If tribal cultural resources are found, the Owner/Applicant have agreed to turn over all archaeological and/or cultural artifacts uncovered to the tribe. This Mitigation substitution is equivalent to the previous

measure in avoiding potential significant adverse effects on Tribal Cultural Resources and would not create an adverse effect on its own. The proposed deletion and substitution shall be heard during this public hearing to consider the proposed project. Issues that were analyzed in the Mitigated Negative Declaration include: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, and utility/service systems. No impacts were identified except for tribal cultural resources.

Staff identified less than significant impacts with mitigation incorporated to Tribal Cultural resources. Staff has made the necessary findings to approve the project subject to twenty (20) conditions which includes one (1) mitigation measure (**Exhibit B.1**).

A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance during project implementation. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Program" (Condition No. 4).

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
Pebble Beach Community Services District
Del Monte Forest Land Use Advisory Committee

The proposed project was reviewed by the Del Monte Forest Land Use Advisory Committee on September 21, 2017. The LUAC recommended approval of the project by a vote of 6 Ayes with 1 Absent (**Exhibit C**).

Prepared by: Son Pham-Gallardo, Assistant Planner x5226
Reviewed by: Brandon Swanson, RMA Services Manager, x5334
Approved by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and
Community Development

The following attachments are on file with the RMA:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution including:
 - B1 - Conditions of Approval & Mitigation Measure
 - B2 - Site Plans
- Exhibit C - Del Monte Forest LUAC Minutes
- Exhibit D - Vicinity Map

Exhibit E - General Development Plan Amendment

Exhibit F - Frank Ono's Arborist Report

Exhibit G - Landscaping Plans

cc: Front Counter Copy; Zoning Administrator, California Coastal Commission; Brandon Swanson, RMA Services Manager; George Chelwick, Agent; Pebble Beach Company, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN170538