



# County of Monterey

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

## Legislation Details (With Board Report)

**File #:** ZA 18-054 **Name:**  
**Type:** Zoning Administrator **Status:** Agenda Ready  
**File created:** 8/16/2018 **In control:** Monterey County Zoning Administrator  
**On agenda:** 8/30/2018 **Final action:**  
**Title:** PLN180181 - WEISS  
Public hearing to consider construction of a 100 linear foot retaining wall within 50 feet of a coastal bluff, on slopes exceeding 30 percent, and within 750 feet of known archaeological resources.  
Project Location: 48198 Highway 1, Coastlands, Big Sur Coast Land Use Plan, Coastal Zone  
Proposed CEQA Action: Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Staff Report, 2. Exhibit A - Draft Resolution, 3. Exhibit B - Big Sur LUAC Minutes 7-10-18, 4. Exhibit C - Vicinity Map, 5. RESza\_18-048\_PLN180181\_083018, 6. RESza\_18-048\_PLN180181\_083018\_REVISED\_091818

Date	Ver.	Action By	Action	Result
8/30/2018	1	Monterey County Zoning Administrator		

### PLN180181 - WEISS

Public hearing to consider construction of a 100 linear foot retaining wall within 50 feet of a coastal bluff, on slopes exceeding 30 percent, and within 750 feet of known archaeological resources.

**Project Location:** 48198 Highway 1, Coastlands, Big Sur Coast Land Use Plan, Coastal Zone

**Proposed CEQA Action:** Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines.

### RECOMMENDATION:

It is recommended that the Zoning Administrator:

- a. Find that the project involves the construction of a retaining wall, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- b. Approve a Combined Development Permit consisting of:
  1. Coastal Development Permit and Design Approval to allow the construction of a 100 linear foot retaining wall ranging in height from 4 to 17 feet; and
  2. Coastal Development Permit to allow development within 50 feet of a coastal bluff; and
  3. Coastal Development Permit to allow development on slopes exceeding 30 percent; and
  4. Coastal Administrative Permit to allow development within 750 feet of known archaeological resources.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**).

Staff recommends approval subject to thirteen (13) conditions.

### PROJECT INFORMATION:

**Project Owners:** Timothy and Jean B. Weiss

**APN:** 420-171-046-000

**Zoning:** Rural Density Residential, 40 acres per unit, Design Control Overlay (Coastal Zone) [RDR/40-D (CZ)]

**Parcel Size:** 2.37 acres (103,237 square feet)

**Flagged and Staked:** Yes

#### SUMMARY/DISCUSSION:

The Applicant proposes to construct a 100-linear foot retaining wall ranging in height from 4 to 17 feet. The proposed development would impact slopes exceeding 30 percent at the top of a coastal bluff, which is the reason the required entitlements have been included in the project. The proposed retaining wall structure is necessary to maintain foundational support for the existing adjacent single-family dwelling. Heavy rainfall in January 2017 caused significant erosion and sloughing of the bluff area below the dwelling. Without the retaining wall, the area below the dwelling will continue to be vulnerable to further sloughing which could undermine the foundation. The proposed slope repair is designed to replace the damaged portion of the site to prevent further erosion. As proposed, the retaining wall would use native rock material which would match the natural slope and blend with the surrounding environment.

The retaining wall does not extend down to the beach, which is over 600 feet below the proposed structure. As designed, the retaining wall would only protect the area of the coastal bluff immediately below the main dwelling unit from continued erosion and will not result in alteration to the generation, retention, and/or transport of sand reaching the beach or marine habitat below the slide area. Staff has recommended conditions of approval as necessary to assure compliance with MCC Section 20.64.230.E.1 and to assure stability of the development (Condition Nos. 7, 8, 9, 10, 11, 12, and 13 - Erosion Control Plan, Grading Plan, Geotechnical Plan Review, Inspections, and Geotechnical Certification).

Due to erosion activity, the slope below the dwelling is devoid of any mature vegetation; therefore, the County did not identify any potential impacts to biological resources and determined a coastal development permit for development within 100 feet of ESHA is not required. Additionally, a biological analysis (LIB180238) prepared for the project concluded that the proposed development would have no adverse impact to native habitat systems or off-site areas. Non-native, invasive plant species are located near the project site, and Condition No. 6, Restoration of Natural Materials, will require the Applicant to restore the area using native plants.

The project site is in an area identified in County records as having a high archaeological sensitivity, and is within 750 feet of known archaeological resources. Although located in an area of high sensitivity and known resources, the area of proposed development has been disturbed by erosion and landslide activity, as well as previous landscaping. Based on County review of a previous site archaeological survey (LIB060642), the project would not impact known archaeological resources in the area. In addition, an archaeological survey (LIB180250) prepared for the proposed project concluded that there is no surface evidence of potentially significant archaeological resources within the project area. Therefore, the potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County's standard condition (Condition No. 3) that requires the contractor to stop work if previously unidentified resources are discovered during construction.

#### ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Sections 15303 (Class 3) categorically exempts the construction of new, small facilities and structures. The proposed project involves construction of a 100 linear foot retaining (Hilfiker) wall, ranging in height from 4 to 17 feet, and is thereby consistent with the parameters of the Class 3 categorical exemption. No evidence of significant adverse environmental effects were identified during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

RMA-Public Works  
RMA-Environmental Services  
CalFire Coastal (Fire Protection District)  
Environmental Health Bureau  
Water Resources Agency

The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on July 10, 2018, voted 4 - 0 to support the project as proposed.

Prepared by: Joe Sidor, Associate Planner, x5262

Reviewed by: Brandon Swanson, RMA Services Manager

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

The following attachments are on file with the RMA:

Exhibit A      Draft Resolution, including:  
                    • Recommended Conditions of Approval  
                    • Site Plan and Elevations  
Exhibit B      Big Sur LUAC Minutes (July 10, 2018)  
Exhibit C      Vicinity Map

cc:      Front Counter Copy; California Coastal Commission; CalFire Coastal (Fire Protection District); RMA-Public Works; RMA-Environmental Services; Environmental Health Bureau; Water Resources Agency; Joseph Sidor, Associate Planner; Brandon Swanson, RMA Services Manager; Timothy and Jean B. Weiss, Property Owner; Butch Kronlund, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN180181