



County of Monterey

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

Legislation Details (With Board Report)

File #: ZA 19-132 **Name:** PLN190041-BUDDIES ONE, LLC
Type: Zoning Administrator **Status:** Agenda Ready
File created: 10/21/2019 **In control:** County of Monterey Zoning Administrator
On agenda: 10/31/2019 **Final action:**
Title: PLN190041/BUDDIES ONE, LLC
Public hearing to consider the construction of one (1) test well.
Project Location: 55477 Highway 1, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone
Proposed CEQA Action: Categorically Exempt per Section 15303(d) of the CEQA Guidelines.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A-Project Data Sheet, 3. Exhibit B_Draft Resolution, 4. Exhibit C-Biological Assessment

Date	Ver.	Action By	Action	Result
10/31/2019	1	County of Monterey Zoning Administrator		

PLN190041/BUDDIES ONE, LLC

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Project Location: 55477 Highway 1, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone

Proposed CEQA Action: Categorically Exempt per Section 15303(d) of the CEQA Guidelines.

RECOMMENDATION:

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

- 1) Find the project is a new construction of a small structure which qualifies for a Class 3 Categorical Exemption pursuant to Section 15303(d) of the CEQA Guidelines; and
- 2) Approve a Coastal Development Permit to allow construction of a test well within 100 feet of identified environmentally sensitive habitat area.

A draft resolution includes findings and evidence is attached for consideration (**Exhibit B**).

Staff recommends approval subject to seven (7) conditions of approval.

PROJECT INFORMATION:

Agent: Aengus Jeffers, Agent

Project Owner: Buddies One, LLC

APN: 421-241-005-000

Zoning: WSC/40-D(CZ)

Parcel Size: 9.21 acres

Flagged and Staked: No

SUMMARY:

The applicant proposes to construct a test well on a property that contains an existing single family dwelling, and accessory dwelling unit, and a pool. The existing single family dwelling obtains water from a natural spring on site. A test well is requested to determine if adequate water quantity and quality exist to serve future residential development of an adjacent parcel under the same ownership. The project site, including the

adjacent parcel, is located over half a mile east of Highway 1 and three quarters of a mile from the ocean. It is zoned for the Watershed and Scenic Conservation district, which allows water system facilities including wells pursuant to Monterey County Code (MCC) 20.17.040(J) subject to a Coastal Administrative Permit in each case. Future development will be subject to separate review and permitting.

Staff has analyzed the proposed development and found it consistent with the Big Sur Coast Land Use Plan and Coastal Implementation Plan Parts 1 (Coastal Zoning, Title 20) and 3 (Regulations for Development in Big Sur Coast). A Coastal Development Permit is required for development within 100 feet of identified environmentally sensitive habitat area (ESHA). The test well is proposed to be drilled near an existing access road in an area that is disturbed from past driveway construction and landscaping for the existing residential development. Access, construction staging, and well spoils, including capture of water for pump testing of the well, have all been reviewed to ensure that well construction and testing will not impact the adjacent habitat.

DISCUSSION:

Project Description

The test well is to be drilled on a currently developed parcel to determine if the adjacent undeveloped parcel will have sufficient water quantity and quality for additional residential development. The site on which the well would be located is developed with an existing single-family dwelling, accessory dwelling unit, and pool. That development obtains water from a natural spring on-site. The location of the test on the developed property was chosen based on recommendations of applicant's biologist, hydro-geologist, and well driller.

Archaeology

The site is located in a highly sensitive area for archaeological resources. In April 2019, a qualified archaeologist completed a survey pursuant to Section 20.146.090.B CIP (LIB190159). The results of this survey were negative for the subject site, and the report concluded that there were no findings to suggest the project could not move forward as proposed. A standard condition has been placed on this project in the event that previously unidentified archaeological resources are encountered during construction.

Critical Viewshed

The Big Sur Coast Land Use Plan emphasizes the importance of preserving the scenic beauty of Big Sur. Policy 3.2 outlines the policies for the development within the critical viewshed, namely that development should not be visible within Highway 1 and other major public viewing areas. As proposed, the project does not create any new structures within the critical viewshed. In addition, the project site is outside of the viewshed for Highway 1, and the natural topography fully screens the proposed test well from Highway 1.

Environmentally Sensitive Habitat Area

Environmentally sensitive habitat is defined under Policy 3.3 of the Big Sur Coast Land Use Plan as area in which plant or animal life or their habitats are rare or particularly valuable because of their special nature or role in an ecosystem, susceptible to disturbance or degradation by human activity and development. The General Policies under 3.3.2 prohibit development in ESHA if it results in any potential disruption of habitat value. To approve development within ESHA, the County must find disruption to habitat is not significant. Further, Policy 5.3.1 under Watershed and Scenic Conservation emphasizes the importance of protecting plant communities and animal habitats, including environmentally sensitive forest habitat and scrub. MCC Title 20.17.030 dictates that development within 100 feet of identified ESHA is subject to a Coastal Development Permit.

A biological assessment of the site was prepared by Fred Ballerini, dated May 22, 2019 (LIB190160) (**Exhibit D**). The location of the test well was chosen in consultation with the biologist and avoids placement of the well within sensitive habitat. In order to minimize impacts to adjacent sensitive habitat, the biological assessment recommended a series of best management practices. These recommendations include tree projection measures for nearby coast live oak trees, confinement of construction equipment and activities to a staging area adjacent to the driveway, erosion control measures during pump testing, mowing and fuel reduction prior to construction, and control of exotic plant species on the site. In order to minimize impacts to sensitive habitat, the staging and pump testing equipment would be restricted to areas within the construction envelope and access road. All impact areas would occur on the denuded dirt driveway or on the nonprotected grassland area. Lateral limbs, trunks and critical root zones of the oak trees would be protected from potential damage from construction equipment. Finally, best management practices would ensure all disturbed soils around the site area be stabilized with native mulching and kept free of exotic species. These recommendations have been incorporated into this project as conditions of approval (**Exhibit B**).

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines Section 15303(d) categorically exempts the construction of new, small facilities or structures. The project involves the construction of a water test well. Therefore, the proposed development is consistent with the parameters of this Class 3 exemption. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects were identified during staff review of the development application.

OTHER AGENCY INVOLVEMENT:

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

- RMA-Public Works
- RMA-Environmental Services
- Environmental Health Bureau
- Big Sur Volunteer Fire Brigade

LAND USE ADVISORY COMMITTEE:

The project was not referred to the Big Sur Coast Land Use Advisory Committee (LUAC) for review. Based on the current LUAC Guidelines, adopted by the Monterey County Board of Supervisors, this application did not warrant referral to the LUAC because the project does not propose a lot line adjustment involving conflicts, a variance, or a Design Approval subject to review by the Zoning Administrator or Planning Commission.

Prepared by: Yasmeen Hussain, Associate Planner, x6407

Reviewed by: Craig Spencer, RMA Services Manager

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

The following attachments are with the Resource Management Agency:

- Exhibit A - Project Data Sheet

- Exhibit B - Draft Resolution including:

- B1 - Recommended Conditions of Approval
 - B2 - Site Plan

- Exhibit C - Biological Assessment

cc: Front Counter Copy; California Coastal Commission; Yasmeen Hussain, Planner; Craig Spencer, RMA Services Manager; Buddies One, LLC, Property Owner; Aengus Jeffers, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190041