



County of Monterey

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

Board Report

File #: PC 17-098, **Version:** 1

PLN160608 - BAILEY (Continued from October 25, 2017)

Continue PLN160608 to February 28, 2018, for consideration of a Combined Development Permit to improve an existing single family dwelling within 100 feet of ESHA. Staff will prepare an Initial Study to determine potential significant impacts to the environment.

Project Location: 3257 17 Mile Drive, Pebble Beach

Proposed CEQA action: Initial Study

RECOMMENDATION:

It is recommended that the Planning Commission continue the project to February 28, 2018.

PROJECT INFORMATION:

Agent: John Moore

Property Owner: Caroline C. Bailey

APN: 008-461-010-000

Parcel Size: 1.24 acres

Zoning: LDR/2.5-D (CZ)

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Yes

SUMMARY:

The Planning Commission conducted a public hearing on the Bailey project (PLN160608) on October 25, 2017 and directed staff to consider the appropriate environmental analysis. Staff considered a categorical exemption for this project. While there are exemptions under which this project would qualify, staff determined that there are unique conditions that warrant further analysis (Section 15300.2 CEQA Guidelines).

With due consideration for the environmentally sensitive habitat area, the scope of the addition, and the structure's historic eligibility, staff has determined that an Initial Study is warranted for the project being proposed. Therefore, County staff recommends a continuance of the hearing on this project to February 28, 2018 to allow sufficient time to prepare an Initial Study which will address questions raised regarding potential environmental impacts. As a project involving a State Agency (Coastal Commission) a minimum public comment period of 30 days is required.

The applicant's legal counsel has asserted that the project should be found exempt pursuant to Section 15303 which is a Class 3 Categorical Exemption for New Construction. A copy of communication received from the applicant is included for the Commission's consideration (**Attachment A**). If the Commission agrees with pursuing an exemption, staff could return for consideration on February 14, 2018.

DISCUSSION:

The applicant proposes to add 2,717 square feet of first floor improvements to an existing 1,903 square foot single family home. The hearing on October 25th confirmed interpretation that the improvements are outside of the indigenous Cypress habitat area identified in Figure 2a ("Indigenous Monterey Cypress Habitat"); and therefore, not subject to Policy 20. However, the proposed project is adjacent to environmentally sensitive habitat consisting of Monterey Cypress on the lower portion of the property and Monterey Pine on the upper portion as defined in the DMF-LUP, and part of the project extends into a previously undeveloped area.

Although the structure is not currently listed as a historic resource, it meets the criteria to be eligible for listing. CEQA Guidelines includes a checklist to help guide environmental assessments. One of the key biological thresholds is: Would the project “*conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance?*” The Coastal Act requires that any development adjacent to environmentally sensitive habitat areas be properly sited and designed to avoid impacts that would significantly degrade such habitat areas. One of the key cultural thresholds is: Would the project “*cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?*” Section 15064.5 defines a historical resource, in part, as “A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing ...” Staff interprets the highlighted section to apply in cases where the structure is eligible but not listed.

An Initial Study would serve to analyze these potential impacts and assess proper mitigation measures, if any. The Initial Study also intends to review potential impacts to a historical structure considering its historic eligibility; under Article 19 ‘Categorical Exemptions,’ in the California Environmental Quality Act, Section 15300.2 [Exceptions], a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical structure. Currently, the project does not qualify for a categorical exemption under Section 15301 [Existing Facilities] because the additions will result in an increase of more than 50 percent of the floor area and are located in an environmentally sensitive habitat area, there is a cumulative effect. For all of these reasons stated above, staff’s opinion is that there are unique circumstances that would except this project from a Categorical Exemption under CEQA section 15300.2.

Prepared by: Maira Blanco, Assistant Planner, x5052

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: John M. Dugan, RMA Deputy Director
Carl Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Letter from T. Lombardo, dated November 1, 2017

cc: Front Counter Copy; Planning Commission; Brandon Swanson, RMA Services Manager; Maira Blanco, Project Planner; John Moore, agent; Caroline C. Bailey and Michael C. Bailey, property owners; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN160608.