



County of Monterey

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

Board Report

File #: PC 21-008, **Version:** 1

PLN200136 - POSS

Public hearing to consider the construction of a single-family dwelling with an attached garage and removal of 35 protected trees (17 Coast Live Oaks and 18 Monterey Pines).

Project Location: 1138 Chaparral Road, Pebble Beach, Greater Monterey Peninsula Area Plan

Proposed CEQA action: Categorically Exempt per Section 15303 of the CEQA Guidelines

RECOMMENDATIONS:

Staff Recommends that the Planning Commission adopt a resolution that:

- 1) Finds that the single-family dwelling project qualifies as a Class 3 Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
- 2) Approves:
 - a. A Design Approval to allow a 3,411 square foot single family dwelling with an attached two-car garage; and
 - b. A Use Permit for the removal of 35 protected trees (17 Coast Live Oaks and 18 Monterey Pines).

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 12 conditions of approval.

PROJECT INFORMATION:

Property Owner: Debra & Roy Poss

APN: 007-543-004-000

Parcel Size: 10,466 sq. ft.

Zoning: MDR/B-6-D-RES

Plan Area: Greater Monterey Peninsula

Flagged and Staked: Yes

SUMMARY/ DISCUSSION:

The project site is located approximately 0.70 miles west of Highway 68 and 1.20 mile east of 17 Mile Drive. This lot was created as part of the Pebble Beach subdivision. The site is 0.24 acre in size and contains a dense stand of Oak and Pine trees. A one-story single family dwelling with an attached 2-car garage is proposed to be constructed at the site which will necessitate removal of 35 trees (17 Coast Live Oaks and 18 Monterey Pines) ranging from 6"- 48" in diameter.

The property is zoned Medium Density Residential, which allows development of single-family dwelling as an allowed use. However, the Design Control zoning overlay requires the granting of a design approval and a use permit is required for the removal of 35 protected trees.

Staff has reviewed the proposed design of the dwelling and found that the colors, materials, and design is

consistent with zoning and with the character of the neighborhood. Staff has also evaluated the request for removal of trees. Development would be located in the center of the property meeting setbacks required by the zoning district. Due to the dense forest conditions (estimated over 62 trees) on a 0.24 acre lot, development without tree removal is not feasible. Attempts have been made to preserve healthy trees around the perimeter of the development. Conditions recommended by the forester have been applied to the project. No significant long-term impacts to the surrounding forest ecosystem are anticipated. Due to the dense forest character of the site, and the need for fire clearance around the structure, staff is not recommending replacement plantings for the trees removed.

DISCUSSION:

Tree Removal/Forest Management

The proposed project would include the removal of 35 trees (17 Coast Live Oaks and 18 Monterey Pines). Both Coast Live Oaks and Monterey Pines are considered protected trees in the Del Monte Forest and in the 2010 General Plan Greater Monterey Peninsula Supplemental Policy GMP- 3.5. A report dated December 12, 2019 (**Exhibit D**) was submitted by Frank Ono, Urban Forester. Of the 35 trees proposed for removal, four are landmark trees. Landmark trees are those trees which are 24 inches or more in diameter when measured two feet above the ground, or trees which are visually significant, historically significant, or exemplary of their species. Four landmark trees are within the development area, three are located within the building footprint and one is within the required driveway/garage. The breakdown of the trees proposed for removal are as follows:

- 17 Coast Live Oaks in the 6-12 inch diameter class.
- 5 Monterey pines in the 6 -12 inch diameter class.
- 9 Monterey pines in the 13-23 inch diameter class.
- 4 Monterey pine trees identified as landmark trees (24 inches or greater)
 - Landmark tree (#109) is a 36-inch diameter Monterey Pine located within the building envelope.
 - Landmark tree (#123) is a 48-inch diameter Monterey Pine inside the proposed driveway/garage.
 - Landmark tree (#129) is 24-inch diameter Monterey Pine and located within the building footprint.
 - Landmark tree (#135) is 30-inch diameter Monterey Pine and located within the building envelope.

Due to the dense forest conditions development without tree removal is not feasible. Pursuant to Section 21.64.260 of the Monterey County Zoning Ordinance, Title 21, findings must be made to grant the tree removal. Findings include: 1) that the removal will not involve a risk of significant adverse environmental impacts such as soil erosion, water quality degradation, ecological impacts upon existing biological or ecological systems, noise pollution, and movement or significant reduction of available wildlife habitat and 2) that the removal is the minimum required under the circumstances of the case.

Minimum Required: In this case, the lot is a quarter acre in size and is zoned for residential development. This lot supports a dense stand of trees and development anywhere on the lot will require removal of trees. The proposal is to construct a single-family dwelling near the center of the lot meeting setback and development standards for the zoning district. The house is of a size and design that fits the lot and is typical for the area. Attempts have been made to preserve trees around the perimeter of the proposed home with focus on trees that

are in good to fair condition. For these reasons, staff supports the determination that the project includes removal of the minimum number of trees under the circumstances of this case.

Impacts: Removal of trees will not involve a risk of adverse environmental impacts in this case. A Forest Management Plan (FMP) has been prepared for the project by Frank Ono. The FMP describes the conditions of the trees at the site and how it relates to the surrounding environment. The site is heavily forested with an understory of Coast live oaks and mature pines in their later stages of life. No significant long-term impacts to the surrounding forest ecosystem are anticipated due to the area around the site already being developed, and the forested nature of the area surrounding the proposed residence. The project as proposed is not likely to significantly reduce the availability of wildlife habitat over the long-term. The FMP concludes that removal of trees at the site will not result in adverse effects provided best management practices are incorporated. Staff has reviewed the FMP and agrees with its conclusions.

Best management practices (BMPs) will be implemented through the construction management plan and forest management plan in order to maintain the health of the remaining protected trees. Examples of these BMPs include but are not limited to:

- Not depositing fill, parking equipment, or staging construction materials on or near existing trees. Trees will be protected by boards, fencing or other materials to delineate protection zones.
- Any and all pruning directed by an arborist to prevent unnecessary tree injury and to ensure appropriate timing/season of work.
- Management of oak material greater than 3 inches in diameter remaining on site more than one month being covered to discourage infestation of bark beetles.

In addition to the BMPs, other management measures recommended by the arborist will be employed to ensure the overall health of remaining trees, including clearing of brush/debris, the removal of invasive non-native plant species, and thinning of trees that are less than six inches diameter at breast height. These actions will help to promote the health growth of neighboring trees.

Tree Protection/Replacement

Pursuant to the requirements of the Monterey County Zoning Ordinance Section 21.64.260., all non-landmark oak trees removed as a result of the project shall be replaced at a one-to-one (1:1) ratio. Due to forest over-crowding, and the fire prone nature of the area with heavy vegetation, the arborist recommends a one-to-seven (1:7) ratio resulting in replacement of 5 trees. However, Staff recommends that due to fire management requirements and the already crowded conditions of trees on the property, replacement planting is not warranted in this case. 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 as substitution for on-site replanting. In addition, surrounding trees located close to the construction site will be protected from construction equipment by fencing off the canopy driplines and/or critical root zones with protective materials (Condition No. 8).

Fire Prevention

In addition to any pruning for construction or aesthetics, California's Department of Forestry and Fire Protection (CalFire) has instituted a set of rules and guidelines for vegetation management and fire safety for homes in the wildland-urban interface (WUI). These rules have been adopted to reduce the fuels around homes and allow firefighters a better chance to combat the increasing wildfires that have been occurring in California. Pebble Beach Community Service District has reviewed the project without imposing any additional conditions

of approval on top of these state requirements. A Fuel Management Plan was submitted as part of the application (Exhibit D). Fire resistant construction materials, such as brown terracotta roof and tan stucco exterior were chosen due to the high fire hazard risk of this parcel. In addition, the Pebble Beach Community Service Fire station is approximately 1.1 mile away.

Design Review

The applicable development standards include special regulations for setbacks within the MDR zoning district in the Del Monte Forest area as identified in MCC Section 21.12.070. These standards require special setbacks for the main dwelling unit of: 20 feet (front), 10 feet (rear) and 10 feet (sides). The proposed dwelling has a 20 feet (front), 19 feet (rear), and 10 feet (sides).

Maximum allowed structure height is 27 feet. The proposed max height for the single-family dwelling is 19'10". The allowed maximum site coverage in the MDR district is 35 percent on lot density of 4 units or less per acre. The property is 10,466 square feet, which would allow site coverage of 3,663 square feet. The proposed single-family dwelling, detached garage and studio would result in site coverage of 3,411 square feet or 32.6 percent. Therefore, as proposed, the project meets all required development standards.

Staff received a correspondence dated November 14, 2020 (**Exhibit G**) by a neighboring property showing concern for the removal of the 35 trees proposed. Staff conducted a site inspection on August 7, 2020. The project was staked and flagged and staff determined the proposed structure was appropriately sited on a relatively constrained parcel. The proposed structure is consistent with the surrounding and will blend with the natural environment since no further landscaping will be added. Staff has determined that the proposed residence is compatible with the surrounding neighborhood character in terms of size, color, and location. The single-level modern Tuscan/Mediterranean style architectural incorporates natural mixed materials with a twist of a modern design. Colors and materials comprised of brown terracotta roofing, tan stucco exterior, rustic wooden doors with ornate decorative metal features, chocolate bronze exterior light fixtures and stone walkways. The proposed structure is consistent with the surrounding residential development. Landscaping will be kept in its natural state to attribute to the uniqueness of the surrounding Del Monte Forest. The modern Tuscan architecture design is consistent with the design guidelines of the Del Monte Forest. The project has also been approved by the Del Monte Forest Architectural Review Board on February 13, 2020.

Archaeology

The project is located within a high archaeological zone, a Phase I archeological report (LIB200200) prepared by Susan Morley dated November 2020 was submitted and concluded that there is no surface evidence of potentially significant archaeological resources on this parcel. Recommendations were made that any future construction projects on this parcel should not be delayed for archaeological reasons. A condition of approval (Condition No. 3) was applied to this project to include language directing the contractor to stop work within 50 meters (165 feet) of uncovered resource, immediately contact Monterey County RMA-Planning, a Tribal Council Representative and qualified archaeologist.

CEQA:

California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts the construction of new, small facilities or structures, including structures accessory to a single-family dwelling or residential use. The project involves the construction of a single-family dwelling and removal of 35 pine and oak trees. 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:

Environmental Health Bureau
RMA-Public Works
RMA-Environmental Services
Pebble Beach Community Service District

The proposed project was reviewed by the Del Monte Land Use Advisory Committee (LUAC) on November 19, 2020. The LUAC members unanimously recommended approval of the project by a vote of 5-0 with 1 absent and 1 recuse since that member is a neighbor to the proposed site. Only one recommendation was made, to install a sound fencing to reduce noise produced by the generator. A condition of approval (Condition No. 12) has been added to the project to require enclosure of the generator.

FINANCING:

Funding for staff time associated with this project is included in the FY20-21 Adopted Budget for HCD-Planning.

Prepared by: Son Pham-Gallardo, Associate Planner, x5226
Reviewed by: Craig Spencer, HCD Services Manager
Approved by: Erik V. Lundquist, AICP, HCD Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet
Exhibit B - Draft Resolution including:

- Conditions of approval
- Site Plans, Floor Plans & Elevations

Exhibit C - Vicinity Map
Exhibit D - Arborist Report (LIB200144)
Exhibit E - LUAC Minutes March 18, 2019
Exhibit F - Interest Party Correspondence

cc: Front Counter Copy; Planning Commission; Son Pham-Gallardo, Assistant Planner, Craig Spencer, RMA Services Manager; Debbie & Roy Poss; Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Chuck Perry; Project File PLN200136.