



County of Monterey Planning Commission

Agenda Item No.3

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

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PLN230353 - HORVITZ FAM SPECIAL NEEDS GIFT TRUST 7-18-14

Public hearing to consider allowing construction of a single family dwelling (8,121 SF) with an attached garage (1,252 SF), 3,650 cubic yards of cut and 190 cubic yards of fill and the removal of 57 protected trees including 10 dead trees.

Project Location: 1573 Riata Rd, Pebble Beach

Proposed CEQA Action: Find the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Article 19 Section 15301, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION:

It is recommended that the Planning Commission adopt a Resolution:

1. Considering the project exempt from CEQA pursuant to section 15303, new structures; and
2. Approving a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit and Design Approval to allow construction of an 8,121 square foot single family dwelling with an attached 1,252 square foot garage and associated site improvements including 3,650 cubic yards of cut and 190 cubic yards of fill; and
 - b. Coastal Development Permit to allow the removal of 57 protected trees including 8 landmark trees and 10 dead trees.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval/denial subject to 15 conditions of approval.

PROJECT INFORMATION:

Agent: Cynthia Spellacy, Stocker and Allaire General Contractors Inc.

Property Owner: Horvitz Fam Special Needs Gift Trust 7-18-14

APN: 008-341-019-000

Parcel Size: 105,011.4 Square Feet (2.41 Acres)

Zoning: Low Density Residential with a density of one unit per 1.5 acres and a Design district overlay in the Coastal Zone (LDR/1.5-D(CZ))

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Yes

Project Planner: Joseph Alameda, Associate Planner, (831)783-7079

SUMMARY:

The project is located at 1573 Riata Rd, Pebble Beach and is subject to the policies of the Del Monte

Forest Land Use Plan. The proposed project includes construction of a, 8,121 square foot, four-story single family dwelling, an attached 1,252 square foot garage. Implementation of the project involves 3,650 cubic yards of cut and 190 cubic yards of fill, as well as the removal of 57 protected trees (23 Coast live oaks and 34 Monterey pines), including 8 landmark trees and 10 dead trees.

Approximately 400 square feet of grading will occur on slopes in excess of 30%. However, this grading amounts to less than 100 cubic yards of excavation. The subject parcel will obtain a sewer service connection to the Pebble Beach Community Services District. No onsite graywater or rainwater catchment systems are proposed at this time. The applicant provided a Can and Will serve letter from Cal-Am Water stating they will provide domestic water service to the subject parcel.

The project is consistent with applicable goals and policies in the 1982 General Plan, policies in the Del Monte Forest Land Use Plan (DMF LUP), and regulations and development standards contained in the Del Monte Forest Coastal Implementation Plan (DMF CIP) and Title 20 Zoning Ordinance.

DISCUSSION:

Land Use & Development Standards

The property is zoned Low Density Residential, one unit per 1.5 acres with Design Control overlay district in the Coastal Zone or “LDR/1.5-D(CZ)”. This zoning district allows the first single-family dwelling, accessory structures, and tree removal, subject to the granting of discretionary planning permits. The proposed project is consistent with the applicable development standards for LDR zoning. The applicant proposes a height of 30 feet from the average natural grade, not including the chimney, which may exceed allowable height limits pursuant to Title 20 section 20.62.030.B.

Accordingly, the proposed height is consistent with the allowable 30-foot maximum. A height verification condition (Condition No. 8) has been applied to ensure the final height of the structure does not exceed the allowed height. The proposed structure meets all the required setbacks, exceeding the required 30-foot front setback and 20-foot rear setback. The structure will have front setbacks of 34 feet from Palmero Way and 42 feet from Riata Road, and a rear setback of 97 feet. The property is allowed a 15% site coverage (15,752 square feet). As proposed, the site coverage will be 7.1% (7,500 square feet). The allowed floor area ratio (FAR) is 17.5% (18,377 square feet). As proposed, the FAR will be 8.9% (9,373 square feet). As this property is located within the Pescadero Watershed, it is limited to a maximum of 9,000 square feet of impervious coverage. The proposed total impervious coverage is 7,500 square feet.

Visual Resources and Design Review

The property is identified on DMF LUP Figure 3 as being within the viewshed from Point Lobos, but not 17 Mile Drive. Per staff’s site visit, the proposed development will also not be visible from Point Lobos or 17 Mile Drive due to intervening development and existing trees. The proposed development is subject to the regulations of the Design Control “D” zoning district, which establishes design review requirements to assure protection of the public viewshed and neighborhood character.

The proposed colors and materials include off white, smooth stucco, red brick, and washed Carmel stone for the exterior siding. The roof will be comprised of both copper standing seam metal and flat terracotta tiles. The windows and doors will be framed with dark bronze steel and trimmed with wire-bushed cedar wood. The proposed colors and materials are consistent and compatible with the surrounding neighborhood character. There is an eclectic array of architectural styles in this

neighborhood that are consistent with the proposed design.

The surrounding neighborhood includes modest to large custom homes. The original project scope included a 15,000 square foot single family dwelling. After discussions with staff regarding neighborhood compatibility and conforming to the site topography as much as possible (DMF LUP Policy 1), the project scope was reduced by approximately 40%. The proposed three-story 8,121 square foot single-family dwelling with an attached 1,252 square foot garage will be one of the larger residences in the area. However, at this size and massing, the proposed residence is not out of keeping with the neighborhood character, as single-family dwellings in this neighborhood range from 2,000 to 10,000 square feet. Condition No. 7 requires that an exterior lighting plan be provided and approved before the issuance of building permits; this condition shall ensure compliance with the DMF LUP, DMF CIP, and Title 20.

Tree Removal

The subject lot is densely forested with over 60% canopy cover and over 460 trees onsite. The trees are evenly scattered across the whole property. A Tree Assessment (County of Monterey Library No. LIB240157; **Exhibit C**) was prepared for the project to analyze the proposed tree removal and address any potential impacts. The arborist identified areas of the lot that contained the highest density of trees (north and west portions). The proposed project avoids those heavily forested areas.

Minimizing tree removal is required by Policy 33 of the DMF LUP, which states that “Siting, design, and land use concepts that minimize removal and damage should be applied and are preferred”. The original proposal was much larger and required the removal of 90 trees. After receiving feedback from County planning staff, the applicants reduced the overall size of their project and the number of trees to be removed to 80. After further discussions with staff, the Applicant reduced the amount of grading for the project and was able to retain 23 additional trees. After multiple reductions, the applicants have minimized the tree removal to the maximum extent. Additionally, the applicants redesigned the proposed walking paths to avoid trees. As designed and sited, the applicants have minimized tree removal to the maximum extent. As proposed, the project now involves the removal of 57 protected trees, eight of which are landmark and 10 are dead. Many of the trees proposed for removal were noted as having a “thinning crown”. All other trees proposed for removal are in fair or good conditions.

Ten trees near the proposed residence have been identified as being dead and therefore are proposed for removal to reduce fuel loads. The proposed structure requires the removal of 15 trees (four Oaks and 11 Pines, four of which are landmarks). Two of these Oaks and two of the four landmark Pines are considered to be in poor condition. Eighteen trees (seven Oaks and 11 Pines) will be impacted due to the placement of the driveway and parking area. Of the trees proposed for removal to accommodate the driveway, one Oak and one Pine are considered to be in poor condition. Grading will require the removal of 24 trees (seven Oaks and 17 pines, four of which are landmarks). Due to the sloping topography of the property, excavation is required on the eastern portion of the property to create a level building pad. Additional grading is necessary for proper slope and grade transitions and other amenities (walkways, staircases, retaining walls, outdoor recreation, or meeting areas) surrounding the structure and driveway footprint. Of these trees impacted by grading, two Oaks and two Pines are in a poor condition. As described above, the proposed project has undergone two redesigns which retained numerous trees previously identified as being impacted by the driveway or

associated grading. The proposed tree removal has been reduced in accordance with DMF LUP Policy 35, which states, “Development, including driveways and parking areas, shall be sited and designed to minimize removal of trees” The proposed project represents the minimum number of trees to be removed under the circumstances, considering the property’s dense forest and sloping topography. The proposed residence has been appropriately sited to avoid the removal of additional protected trees.

Due to the high density of trees onsite, the arborist only recommended replanting a maximum of 35 trees to avoid overcrowding. Since County Code requires a 1:1 replacement ratio, the remaining 32 trees will be planted off-site or a fee will be paid to the Del Monte Forest Conservancy equal to the amount of 32 replacement trees (Condition No. 15). Tree and bird protection measures were recommended within the arborist report and have been implemented as conditions of approval (Condition No. 4 and 10). These recommendations include installing protective fencing around the critical root zone of trees that will remain on the property during and following construction and conducting a raptor survey before tree removal commences. With the recommendations of the arborist and the replacement of the removed trees, the forest resources on the property will not be significantly impacted.

Development on Slopes

The eastern portion of the subject parcel, along Palmero Way, contains slopes in excess of 30 percent. Title 20 section 20.64.230 requires the granting of a Coastal Development Permit for all development on slopes in excess of 30 percent unless the development meets the exception criteria of subsection C.2, in which case the development would require the granting of a Coastal Administrative Permit. One exception identified in Title 20 section 20.64.230.C.2 is the excavation of less than 100 cubic yards, which does exceed 2 feet in depth and is not steeper than 66 percent. As proposed, recontouring a portion of the property’s eastern steeper slopes is needed to allow for proper slope and grade transitions adjacent to the building pad. This excavation is proposed on slopes in excess of 30 percent but less than 66 percent. Further, all cuts associated with the proposed grade transitions are less than 2 feet in depth, and total approximately 30 cubic yards of cut on steeper slopes. Rather than installing a retaining wall or leaving an unstable steep hillside, recontouring the eastern portion of the property ensures that the proposed development will not contribute to runoff or erosion per Policies 1 and 3 of the DMF LUP. No structural development is located on slopes in excess of 30 percent. Therefore, the proposed project meets the requirements of 20.64.230.C.2, and the criteria to grant a Coastal Administrative Permit have been met in this case.

CEQA:

The project is categorically exempt from environmental review pursuant to Section 15303 of the CEQA Guidelines, “New Construction”. This exemption applies to construction of small structures, including the first single-family dwelling. This project qualifies for a Class 3 exemption because it includes the construction of a single-family dwelling on a vacant lot. All the necessary reports have been obtained and have determined that it is unlikely there will be any impacts to archaeological, biological, soil, or forest resources. There are no exceptions pursuant to Section 15300.2.

OTHER AGENCY INVOLVEMENT:

The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental

Services, the Environmental Health Bureau, and Pebble Beach Community Services District (CSD). The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

LUAC:

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project at a duly noticed public meeting on January 25, 2025 and voted unanimously to support the project as proposed. The LUAC raised some concerns regarding the applicant's desire to plant over 100 trees on the already forested property. The LUAC suggested that the applicant and the County consider defensible space requirements when finalizing replanting locations. The LUAC unanimously recommended support of the application as proposed. No comments were made by the public at this meeting.

Prepared by: Joseph Alameda, Associate Planner, (831)783-7079

Reviewed by: Fiona Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Draft Resolution, including:

- Recommended Conditions of Approval
- Site Plan, Floor Plans, Elevations & Colors and Materials

Exhibit B - Tree Assessment

Exhibit C - LUAC Minutes

Exhibit D - Vicinity Map

cc: Front Counter Copy; Planning Commission; Pebble Beach Community Services District; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Zoe Zepp, Associate Planner; Fiona Jensen, Principal Planner (WOC); Horvitz Fam Special Needs Gift Trust 7-18-14, Property Owner; Cynthia Spellacy, Agent; The Open Monterey Project; LandWatch (Executive Director); Christina McGinnis, Keep Big Sur Wild; Lozeau Drury LLP; Project File PLN230353.