



# County of Monterey Planning Commission

**Item No.2**

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

**Agenda Item No. 2**  
**Legistar File Number: PC 23-094**

November 08, 2023

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**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

## **PLN150372 - RIVER VIEW AT LAS PALMAS LLC**

Public hearing to consider recommendation to the Board of Supervisors on the River View at Las Palmas Residential Subdivision, including the following:

- a. An amendment to the text of the Las Palmas Ranch Specific Plan (LP RSP) to increase the unit cap from 1,031 to 1,061 to allow for an additional 30 residential lots to support one single family dwelling on each;
- b. Approval of a Vesting Tentative Map to allow the creation of 26 lot subdivision; and
- c. A Use Permit to allow development on slopes in excess of 25%.

**Project Location:** Vacant 15.64-acre lot within Las Palmas Subdivision #1, south of River Road and west of Country Park Road, within the Las Palmas Ranch Specific Plan area in the Toro Area Plan approximately 1.25 miles west of Spreckels and 0.5 miles east of State Highway 68.

**Proposed CEQA action:** Recommend the Board of Supervisors to certify the Final Subsequent Environmental Impact Report, adopt a Statement of Overriding Considerations, and adopt a Mitigation Monitoring and Reporting Plan.

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution recommending the Board of Supervisors:

- a. Certify the Final SEIR as augmented September 2023, based on the findings and evidence, and adopt a Statement of Overriding Considerations;
- a. Adopt a resolution to amend the text of the Las Palmas Ranch Specific Plan (LPRSP) to increase the unit cap from 1,031 to 1,061 to allow for an additional 30 residential lots to support one single family dwelling on each; and
- b. Adopt a resolution to approve a Combined Development Permit consisting of:
  1. a Vesting Tentative Map to allow the subdivision of a 15.64 acre parcel resulting in 26 residential lots and an open space parcel;
  2. Use Permit to allow development on slopes exceeding 25 percent; and
  3. Adopt a Mitigation Monitoring and Reporting Plan.

The draft Planning Commission resolution (**Exhibit B**), including draft Board of Supervisors resolutions attached for consideration (**Attachment 1 - CEQA, Attachment 2 - Specific Plan Amendment, and Attachment 3 - Combined Development Permit**). Staff recommends approval of the recommendation to the Board of Supervisors subject to 36 conditions, including 18 mitigation measures, which are included in **Attachment 3**.

PROJECT INFORMATION:

**Owner:** River View at Las Palmas LLC  
**Agent:** Anthony Lombardo & Associates  
**APN:** 139-211-035-000  
**Zoning:** Medium Density Residential, 2.61 units per acre with a Design Control District or “MDR (2.61-D)”  
**Parcel Size:** 15.64 acres  
**Plan Area:** Toro Area Plan  
**Flagged and Staked:** Yes  
**Project Planner:** Zoe Zepp, Assistant Planner,  
(831) 755-5198 or zeppz@co.monterey.ca.us

PROJECT SUMMARY/DISCUSSION:

The subject property is a 15.64-acre parcel within Las Palmas Subdivision #1, approximately 1.25 miles west of Spreckels and 0.5 mile east of State Route 68 (SR 68). Immediate surrounding uses include the existing Las Palmas Subdivision #1, a medium density residential neighborhood to the east; hillside open space to the south; and agricultural land cultivated with row crops to the west and north (across River Road). The subject property is currently undeveloped. See Vicinity Map in **Exhibit H**. Below is a summary of the project background and the actions for the Commission’s consideration. A more detailed discussion is provided in **Exhibit A**.

*Background*

In 2015, an application to allow a 190,00 square foot senior assisted living facility inclusive of 13 “Casitas”, a 27,000 square foot Assisted Living Facility, a 21,600 square foot Memory Care Facility and associated site development, including internal roadways and parking areas, was submitted. This original application was processed, and a Draft Subsequent Environmental Impact Report (DSEIR) was prepared and circulated for public review. The project was discussed at two Toro Land Use Advisory Committee (LUAC) meetings and two Planning Commission hearings for consideration and recommendation. On February 12, 2020, the Planning Commission adopted Resolution Nos 20-004, 20-005 and 20-006 recommending the Board of Supervisors certify the FSEIR, amend the Las Palmas Specific Plan and approved the project. The project was subsequently heard at three Board of Supervisors hearings and on October 12, 2021, the Board voted to return the matter back to staff for further analysis into the original project with an expanded look into the EIR, community benefit analysis and housing.

Overall, the senior living facility was not favored by the Las Palmas #1 Subdivision residents who expressed their desire for a residential subdivision instead. Ultimately, the Board voted to continue the project and have staff review the alternatives further to propose a project with less significant potential impacts to the existing neighborhood and offers more affordable housing options.

*Return to the Planning Commission*

Upon consideration of the Board’s direction, the applicant submitted a revised project scope consisting of a proposed subdivision that would allow up to 26 residential lots, ranging in size from 4,249 square feet to 11,785 square feet, and an open space parcel. In accordance with County of Monterey Title 19 - Subdivision Ordinance, the applicant would install necessary subdivision

improvements such as internal roadways and utility infrastructure, some of which would be located on slopes in excess of 25%. Development of single family dwellings are not anticipated at this time and based on zoning, would require separate permits prior to construction.

#### *Affordable Housing*

As requested by the Board, the applicant explored ways to offer more affordable housing options with the residential subdivision. Pursuant to the Inclusionary Housing Ordinance, the County must be open to alternative options in providing low income units. If provided onsite, 4 of the 30 residential units would be dedicated to affordable housing in accordance with the County's Inclusionary Housing Ordinance. This onsite option was explored but when considering HOA and road maintenance fees and higher than average sewer and water bills, unavoidable monthly expenses would make ownership financially infeasible for persons with restricted income levels necessary to qualify for inclusionary housing. Additionally, with the project site being located in a rural area, approximately 5 miles away from Salinas, the cost of transportation must be considered as well. There is no public transportation that services the subdivision; therefore, each residential unit would need to rely on a separate means of transportation. The applicant has also taken into consideration the neighbors' concerns (see **Exhibit I**) and believes having fewer units would be more appealing to the existing Las Palmas residents. Providing fewer units, 26, would produce less impacts on the neighborhood including traffic, noise and visual impacts. Although it is preferred to provide low income housing units onsite, as opposed to payment of in-lieu fees; in this case it would not be beneficial to low income families as the additional fees would make it difficult, if not impossible, to afford. Due to these reasons, the applicant is proposing a 26 lot subdivision with an in-lieu fee to compensate for the four low income housing units.

#### *Process*

Similar to the original proposal, the revised project scope would require an amendment to the Las Palmas Ranch Specific Plan. The adopted Las Palmas Ranch Specific Plan has a residential unit cap of 1,031 units and there are currently 3 units remaining. As such, the applicant proposes an amendment to increase the unit cap to 1,061 to allow for up to 30 additional residential units. In accordance with County Code and State Planning and Zoning Law, approval of the amendment requires a recommendation from the Planning Commission and final approval by the Board of Supervisors. Therefore, staff is recommending the Commission consider the CEQA document, specific plan amendment, subdivision and development on slopes and adopt resolution (**Exhibit B**) recommending the Board take final action on the project as a whole.

#### ENVIRONMENTAL REVIEW:

A Draft Subsequent Environmental Impact Report (DSEIR) (**Exhibit E**) was prepared and circulated for public review in 2018 and a Final SEIR (**Exhibit F**) was prepared in 2019. Since the Board did not take action on the project in 2021, the FSEIR was not certified. Both the DSEIR and FEIR analyzed the project, the senior care facility, and provided an alternative analysis pursuant to CEQA Guidelines Section 15126.6. The alternatives were considered: Alternative 1 - no project/no development; Alternative 2 - no project/minimum use; Alternative 3 - no project/existing zoning; and Alternative 4 - reduced project. Alternative 3 assumed that based on the site's land use designation, Residential - Medium Density 2.61 units per acre, and accompanying zoning, it would be reasonable that up to 40 dwelling units could be approved on the site.

*Augmentation to the River View FSEIR*

Subsequent to the 2021 Board direction and the applicant's revision to the project scope, the River View FSEIR was updated (see Augmentation to the FSEIR, **Exhibit G**). This augmentation updated the Project Objectives clarifying that the applicant's objective was to provide: a range of housing and/or care options for persons who do not require 24-hour skilled nursing care; housing in/near an established community; and to address the need for housing. The augmentation also updated the alternatives identifying Alternative 3a as the no project/existing zoning (previous Alternative 3, up to 40-lot residential subdivision) and Alternative 3b - reduced no project/existing zoning which would allow up to a 30-lot residential subdivision.

*Proposed Project - Residential Subdivision with up to 30 Lots: Alternative 3b*

The current project scope before the Commission for consideration, the creation of 26 residential lots and an open space parcel, meets the FSEIR's Project Objectives and has been analyzed as Alternative 3b through the September 2023 augmentation. Compared to the senior living facility, this alternative would have reduced impacts for aesthetics (including the State Route 68 viewshed), air quality, traffic, biological resources, water supply and would have less greenhouse gas emissions, compared to the original proposal.

*Recirculation*

The FSEIR, including the September 2023 augmentation, did not warrant recirculation for public review because it did not include significant new information, a substantial increase in the severity of potential environmental impacts, project alternatives or mitigation measures that are considerably different from those previously reviewed and the augmentation was not fundamentally or basically inadequate in nature. As discussed above, Alternative 3b is a reduced version of Alternative 3, a 40-lot residential subdivision, which was included in the FSEIR prior to the augmentation.

OTHER AGENCY INVOLVEMENT:

The following agencies or departments have reviewed the project:

- Monterey County Regional Fire District
- CalFire
- Monterey County Sheriff's Office
- Monterey County Water Resources Agency
- HCD-Engineering Services
- HCD-Environmental Services
- Monterey County Environmental Health Bureau
- Monterey County Housing Office

LAND USE ADVISORY COMMITTEE:

The project was referred to the Toro Land Use Advisory Committee (LUAC) for review on October 23, 2023. As demonstrated in Finding 1, Evidence "q" of the attached draft resolution for the Combined Development Permit (**Exhibit B, Attachment 3**), the LUAC recommended approval of the project and concerns from the public have been addressed.

Prepared by: Zoe Zepp, Assistant Planner  
Reviewed by: Anna Ginette Quenga, AICP, HCD Principal Planner  
Approved by: Melanie Beretti, AICP, Acting Chief of Planning

The following attachments are on file with the HCD-Planning:

Exhibit A - Discussion

Exhibit B - Draft Planning Commission Resolution Recommending the Board of Supervisors adopt the following:

- Attachment 1 - Draft CEQA Resolution
- Attachment 2 - Draft Las Palmas Ranch Specific Plan Amendment Resolution
  - Attachment 2a - Draft Text of Las Palmas Ranch Specific Plan Amendment
- Attachment 3 - Draft Combined Permit Resolution
  - Attachment 3a - Draft Conditions of Approval
  - Attachment 3b - Vesting Tentative Map

Exhibit C - Las Palmas Ranch Specific Plan (adopted September 1983)

Exhibit D - Toro Land Use Advisory Committee Minutes (October, 23, 2023)

Exhibit E - Draft Subsequent Environmental Impact Report

Exhibit F - Final Subsequent Environmental Impact Report

Exhibit G - Augmentation to the Final Subsequent Environmental Impact Report

- Appendix A - Traffic Analysis
- Appendix B - Twenty-Six Lot Narrative

Exhibit H - Vicinity Map

Exhibit I - Comment Letter

cc: Front Counter Copy; Planning Commission; Craig Spencer, Acting HCD Director; Anna Quenga, HCD-Principal Planner; Zoe Zepp, Project Planner; HCD - Engineering Services; Environmental Health Bureau; HCD Environmental Services; Monterey County Regional Fire Protection District; CalFire; River View at Las Palmas LLC, Applicant/Owner; Anthony Lombardo and Associates, Agent; The Open Monterey Project; LandWatch; Christine Kemp, Attorney representing the Las Palmas Ranch Master Association No. 1; Pam Silkwood, Attorney representing residents of the Las Palmas subdivision; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN150372