



County of Monterey

Item No.24

Board Report

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

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July 08, 2025

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PLN240004 - GRIFFITH RICHARD S & NANCY S TRS

Public hearing to consider:

1. An addendum to a previously certified Santa Lucia Environmental Impact Report (EIR) No. 94-005 to reflect changes or additions in the project that do not cause substantial changes or require major revisions to the adopted EIR pursuant to California Environmental Quality Act (CEQA) Guidelines section 15164;
2. Approving the Santa Lucia Preserve Phase A Subdivision Final Map Amendment (Lot 38);
3. Directing the Clerk of the Board to submit a Certificate of Correction signed by the County Surveyor to the County Recorder for recording with all applicable recording fees paid by the applicant; and
4. Approving an Administrative Permit and Design Approval to allow construction of a 6,330 square foot single-family residence, inclusive of a detached 889 square foot garage, a 1,191 square foot basement, a 407 square foot covered porch, and associated site improvements.

Project Location: 1 Rumsen Trace, Carmel.

Proposed CEQA Action: Consider an Addendum together with a previously certified Environmental Impact Report pursuant to CEQA Guidelines section 15164.

RECOMMENDATION

It is recommended that the Monterey County Board of Supervisors:

1. Consider an Addendum together with a previously certified Santa Lucia EIR No. 94-005 to reflect changes or additions in the project that do not cause substantial changes or require major revisions to the adopted EIR pursuant to CEQA Guidelines section 15164 ;
2. Approve the Santa Lucia Preserve Phase A Subdivision Final Map Amendment (Lot 38);
3. Directing the Clerk of the Board to submit a Certificate of Correction signed by the County Surveyor to the County Recorder for recording with all applicable recording fees paid by the applicant; and
4. Approve an Administrative Permit and Design Approval to allow construction of a 6,330 square foot single-family residence, inclusive of a detached 889 square foot garage, a 1,191 square foot basement, a 407 square foot covered porch, and associated site improvements.

A draft resolution, including findings and evidence, is attached for consideration (**Attachment A**).
Staff recommends approval subject to 12 conditions.

PROJECT INFORMATION

Property Owner: Richard & Nancy Griffith Trust

Agent & Architect: Joel Panzer & Ben Welty (Feldman Architect)

APN: 239-051-007-000

Zoning: Resource Conservation, 80 acres per unit, Design Control & Suite Overlay
[RC/40-D-S]

Parcel Size: 4.57 acres

Flagged and Staked: Yes

SUMMARY:

In 1998, the “Phase A” Final Map for Santa Lucia Preserve was recorded, depicting the locations of Homelands and Open Lands for each residential lot created by the Santa Lucia Preserve (SLP) Subdivision (Phases A-C/Rancho San Carlos), which is comprised of 254 lots. SLP is in a densely forested rural residential community of Carmel Valley. The subject property, identified as Lot 38 of SLP Phase A, is approximately 6.25 miles east of Highway 1, and 4.75 miles west of Carmel Valley Road. Each parcel of the SLP subdivision contains dedicated homeland boundaries (building envelopes), with the remaining acreage outside of the homeland boundaries being dedicated through open space easements. The proposed project involves adjusting the homeland boundary (building envelope) to develop a single-family dwelling with a basement and an attached garage. The intent of the adjustment is to better protect and preserve native Oak Woodland (Coast Live & Valley) and the habitats within the preserve. The project will be served by the Santa Lucia Mutual Water system for potable water and an on-site septic system will provide sewage disposal.

Pursuant to Title 19 section 19.08.015.A.7, the Planning Commission shall act as the recommending body to the Board of Supervisors for Final Map Amendments. On February 26, 2025, the Monterey County Planning Commission adopted a resolution recommending that the Board of Supervisors approve the project as proposed (Resolution No. 25-003; **Attachment C**).

DISCUSSION:

Final Map (Homeland Boundary) Amendment

The Applicant/Owner originally designed a single-family dwelling in the 1.40-acre existing homeland boundary on the 4.57-acre parcel. This design and siting of the residence required the removal of 31 protected Oak trees. The removal of protected Oak trees was not avoidable, as the existing 1.40-acre homeland boundary is entirely forested. Therefore, in its current configuration, the existing homeland could not be developed without removing protected trees. To avoid the removal of protected Oaks, as encouraged by Greater Monterey Peninsula Area Plan Policy GMP-3.5, the Applicant/Owner seeks to amend the SLP (Phase A) Final Map (filed as Volume 20, Cities and Towns, Page 8) and adjust/reconfigure the homeland boundary of Lot 38 to allow siting of the proposed residence in a portion of the site that is not encumbered by Oaks. As proposed, the homeland boundary of Lot 38 would be reconfigured and shifted east, while continuing to be 1.4 acres in size (increase by a nominal 115 square feet). The remaining portions of Lot 38 would be placed in an amended conservation easement. As proposed, developing the reconfigured homeland boundary with a 6,330 square-foot single-family residence would save 31 protected oak trees, 15 of which are landmark trees. Landmark trees are defined as 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. In addition, the homeland boundary adjustment would further protect habitats of migratory raptors and potential sensitive species that occupy the Oak woodland habitat. Therefore, this Map Amendment would result in a superior homeland boundary configuration that better meets the goals

and policies of the 2010 General Plan, specifically those protecting natural resources.

A Final Map Amendment is required to amend a recorded building envelope pursuant to Monterey County's Subdivision Ordinance and the Subdivision Map Act (Government Code section 66469 and 66472.1). A certificate of correction may be filed to amend a Final Map pursuant to Government Code section 66472.1, if the local agency finds that 1) there are changes in circumstances that make all or any of the conditions of the map no longer appropriate or necessary, 2) that the modifications do not impact any additional burden on the fee owners of the property, 3) the modifications do not alter any right, title, or interest in the real property reflected on the recorded map, and 4) the map as modified conforms to Government Code section 66474. The map, as modified, conforms to the requirements of Government Code section 66474, including consistency with section 65451, site suitability, public health and safety, conformance with general plan requirements, and adequate access. The draft Certificate of Compliance is attached as **Attachment B**. The revised homeland boundary and openland boundary are attached to **Attachment B** as Exhibit A-1 and Exhibit B-1, respectively. Should the Board of Supervisors approve the Final Map Amendment, the County Surveyor will sign the Certificate of Correction and provide the document to the Clerk of the Board for recordation.

The Santa Lucia Preserve Conservancy reviewed the Applicant/Owner's request for the homeland boundary adjustment on October 26, 2023 and approved amending the property's Deed of Conservation Easement (homeland boundary and the openlands boundary) (**Attachment H**). An illustration of the proposed homeland boundary is attached to **Attachment H**, and is shown in the attached project plans (**Attachment A2**). This Amended Conservation and Scenic Easement has been signed by all parties and shall be recorded concurrently with the recordation of the Final Map Amendment (Condition No. 7), which is subject to the Board of Supervisors' approval.

Biological Resources

According to the biology assessment dated August 2023, prepared by Denise Duffy & Associates (**Attachment F**), the change in the homeland boundary would increase impacts to annual grassland by 0.5 acres, while subsequently reducing impacts to Oak woodland by 0.5 acres, which represents approximately 0.0025 % of the total acreage in Santa Lucia Preserve Subdivision. The EIR prepared for the SLP Subdivision determined that the loss of more than 10% of a common natural community and associated wildlife habitat would be a significant impact under CEQA and that approximately 6% of Oak woodland habitat and 9% of annual grassland on the Preserve would be lost or degraded with the implementation of the subdivision and development of the residential lots. The proposed homeland boundary adjustment would not increase impacts on annual grassland within the Preserve beyond the significance threshold and would reduce the anticipated impacts Oak woodland. Further, the biological assessment found that no special status plants or wildlife occupied the grasslands of the reconfigured homeland boundary. Therefore, no new significant impacts to Oak woodland or annual grassland would occur as a result of the adjusted homeland boundary, and no new mitigation is required.

Forest Resources

Analysis of impacts from tree removal in this subdivision was informed by a Forest Management Plan prepared by Ralph Osterling Consultants Inc., on February 18, 1994 (**Attachment I**). The Osterling report determined that impacts on forest resources would remain less than significant if development was sited within the respective homeland boundaries. The tree permit for the Santa Lucia Preserve

(Phases A-C) allowed the removal of 1,480 trees. Each parcel is allocated a certain number of trees that can be removed to stay within the allowable final count and to ensure less than significant impacts on forest resources. Although the homeland boundary of Lot 38 is heavily forested, no tree removal was allotted in the subdivision approvals. Increasing the number of trees allotted per lot is allowed, subject to specific findings, provided the overall SLP tree removal count does not exceed 1,480 trees. If the homeland boundary is adjusted, the project-specific Arborist Report (**Attachment G**) found that the proposed single-family dwelling will not impact protected trees. Therefore, in this case, amending Lot 38's homeland boundary to allow siting the proposed residence in a portion that is not constrained by Oak woodland is consistent with the tree removal allotted for this lot (zero). Further, this would allow other homeowners within SLP (Phase A-C) some flexibility if future development requires additional tree removal on their parcel, as long it does not exceed a total of 1,480 trees for 254 lots in Santa Lucia Preserve Subdivision (Phases A-C).

Design Review

The development standards for the Resource Conservation (RC) zoning district are identified in Title 21 section 21.36.060. Required setbacks in the RC district for main dwelling units are 30 feet (front), 20 feet (rear), and 20 feet (sides). Residential lots within the Santa Lucia Preserve have homeland boundaries (building envelopes) that are dedicated for residential development. The proposed development will be within the proposed (adjusted) homeland boundary, which comply with the required setbacks.

The maximum allowed structure height is 30 feet for main structures and attached accessory structures. The proposed single-family dwelling has a height of 15'8" and the proposed attached garage has a height of approximately 11 feet. The allowed site coverage maximum in the RC zoning district is 25%. The property is 4.57 acres or 199,069 square feet, which would allow a maximum site coverage of approximately 49,767 square feet. The proposed single-family dwelling (6,330 sq. ft.), garage (872 sq. ft.), and basement (2,607 sq. ft.) would result in total site coverage of 7,475 square feet or approximately 2.3%. Therefore, as proposed, the project meets all required development standards.

Staff has determined that the proposed residence is compatible with the surrounding neighborhood character in terms of size, color, location, and mass. The open, multi-level classic ranch architectural style incorporates natural mixed materials with modern design components (i.e. flat roof). Colors and materials are comprised of dark brown shiplap and earthy tone stone siding, non-reflective charcoal metal seam roofing, and metal-clad windows and doors. The proposed structure is consistent with the surrounding residential development. The proposed development is situated behind mature Oak trees, which will minimize its visibility within SLP. The proposed landscaping incorporates native vegetation that will blend seamlessly with the surrounding open natural environment of the Santa Lucia Preserve. Additionally, the design was reviewed and approved by the Santa Lucia Preserve Design Review Board (**Attachment D**).

ENVIRONMENTAL REVIEW

The Santa Lucia Preserve Final Environmental Impact Report was certified February 6, 1996, through the adoption of Board of Supervisors Resolution No. 96-059 (**Attachment K**). An Addendum to Santa Lucia Preserve's previously certified Environmental Impact Report was prepared for this project pursuant to CEQA Guidelines (California Code of Regulations, Title 14, section 15164) to

reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted EIR (**Attachment J**).

Staff's analysis of the Santa Lucia EIR indicates that the homeland boundaries were created based on a compilation of analyzed resources and constraints, such as archaeology, biology, and geology. The result of this analysis created the location of the existing homeland boundary on Lot 38. However, as described above, Lot 38's homeland boundary is entirely forested and thus requires the removal of Coast Live Oak trees for residential development.

As proposed, adjusting this lot's development area (homeland boundary) to avoid impacts on forest resources, while continuing to protect other sensitive resources including archaeology, biology, and geological, better serves the intention of the homeland boundary's purpose. Based on the prepared technical reports and staff's review of the submitted application materials, the proposed homeland boundary adjustment and subsequent residential development will not result in any impacts not analyzed by the EIR. Further, all potential impact (biological, archaeological, and geological) associated with developing the adjusted homeland boundary are equal to, or less than the impacts associated with developing the original homeland boundary, as evaluated under the EIR. There is new information for three of the wildlife species evaluated in the EIR: California Red Legged Frog (CRLF), California tiger salamander (CTS), and tricolored blackbird (TCB), however no impacts to these species are anticipated with this project and therefore none of the new information would result in new or more severe environmental impacts, and all previously adopted mitigation measures remain adequate. As described in the addendum, there are no substantial changes in the project, no substantial changes in circumstances, and no new information of substantial importance which would require major revisions of the EIR due to the involvement of new significant effects or a substantial increase in the severity of previously identified significant effects.

LAND USE ADVISORY COMMITTEE

The proposed project is not located within an area subject to land use advisory committee review. The Santa Lucia Preserve Conservancy reviewed the Applicant/Owner's request for the homeland boundary adjustment on October 26, 2023, and approved amending the property's Deed of Conservation Easement (homeland boundary and the openlands boundary) (**Attachment H**).

OTHER AGENCY INVOLVEMENT:

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

Environmental Health Bureau
Monterey County Fire Protection District
Office of County Counsel

FINANCING:

Funding for staff time associated with this project is included in the FY2024-25 and FY2025-26 Adopted Budget within Community Development General Fund 001, Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective and timely response to our HCD customers. Processing this application in accordance with all applicable policies and regulations also provides the County accountability for proper management of our land resources.

Check the related Board of Supervisors Strategic Initiatives:

☒ Administration

☐ Economic Development

☐ Health & Human Services

☐ Infrastructure

☐ Public Safety

Prepared by: Fionna Jensen, Principal Planner

Approved by: Craig Spencer, HCD Director

The following attachments on file with the Clerk of the Board:

Attachment A - Draft Resolution, including:

- Recommended Conditions of Approval
- Project Plans

Attachment B - Certificate of Correction

- Revised Homeland Boundary
- Revised Openlands Boundary

Attachment C - Planning Commission Resolution No. 25-003

Attachment D - SLP Design Review Board Support Letter

Attachment E - Homeland Boundary Justification Letter

Attachment F - Biology Report (LIB240141)

Attachment G - Arborist Report (LIB240142)

Attachment H - SLP Conservancy Amended Conservation Easement Approval

Attachment I - Forest Management Plan by Ralph Osterling

Attachment J - Addendum to Santa Lucia Preserve FEIR

Attachment K - Santa Lucia Preserve Final Environmental Impact Report

Attachment L - Vicinity Map

cc: Front Counter Copy; Fionna Jensen, Principal Planner; Engineering Services; Environmental Health Bureau; Environmental Services; Monterey County Regional Fire Department; Griffith, Applicant/Owner; Joel Panzer, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Director); Christina McGinnis, Keep Big Sur Wild; Laborers International Union of North America (Lozeau Drury LLP); Project File PLN240004.