



County of Monterey

Item No.4

Zoning Administrator

Legistar File Number: ZA 25-044

August 28, 2025

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Matter Type: Zoning Administrator

PLN200316 - JOHN D. WILKINS AND BUSHRA

Public Hearing to consider action on the construction of an approximately 2,340 square foot single family dwelling and attached 740 square foot garage and 575 square foot Accessory Dwelling Unit with associated improvements; and removal of 25 Monterey Pine trees and 4 Coast Live Oak trees. Development requires 55 cubic yards of grading within 100 feet of environmentally sensitive habitat.

Project Location: 2901 Bird Rock Road, Pebble Beach

Proposed CEQA Action: Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines.

RECOMMENDATION:

It is recommended that the Zoning Administrator:

- 1) Adopt a Mitigated Negative Declaration (SCH# 2025070499) pursuant to Section 15074 of the CEQA Guidelines;
- 2) Approve a Design Approval to allow the construction of a 2,341 square foot one-story single family dwelling with an attached 738 square foot two-car garage and a 575 square foot Accessory Dwelling Unit with associated site improvements; colors and materials are proposed as beige colored stucco body, dark bronze windows and doors and beige/gray stone veneer accents, with charcoal gray composite shingle roofing; and a Use Permit for removal of 25 Monterey Pine and 4 Coast Live oak trees (approximately half of which are dead or deemed hazardous). Development requires 550 cubic yards of grading within 100 environmentally sensitive habitat; and
- 3) Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 16 conditions of approval, including four mitigation measures.

PROJECT INFORMATION:

Agent: Aaron Tollefson

Project Owner: John D. Wilkins and Bushra Wilkins

APN: 007-661-005-000

Zoning: Medium Density Residential, with a Building Site, Design Control, and Parking & Use of Major Recreational Equipment Storage in Seaward zoning overlays (MDR/B-6-D-RES)

Parcel Size: 19,500 sq. ft.

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: Yes

Project Planner: Mary Israel, Supervising Planner

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SUMMARY:

The project site is located approximately 1.3 miles east of 17 Mile Drive and is across the street from Monterey Peninsula Country Club (MPCC) Dunes golf course hole nos. 3 and 4 in a developed residential neighborhood. The property is zoned for Medium Density Residential use, which lists development of single-family dwellings as an allowed use. However, the Design Control zoning overlay requires the granting of a Design Approval for the construction of any structures within this district pursuant to Title 21 section 21.44.030. The Applicant proposes construction of a 2,340 square foot (sf) one-story single family dwelling with an attached 740 sf two-car garage a 200 square foot covered porch, and a 66 square foot balcony, and a 575 sf detached Accessory Dwelling Unit (ADU), and associated site improvements on a 19,500 sf vacant lot in the inland area of Del Monte Forest. Site improvements include a 225 square foot gazebo and approximately 3,200 square feet permeable driveway and 475 square feet of impervious hardscape. The project requires the removal 29 protected trees (25 Monterey Pine and 4 Coast Live oaks), grading of approximately 320 cubic yards of cut and 230 cubic yards of fill within 100 feet of environmentally sensitive habitat.

Pursuant to 2010 General Plan Open Space Policy OS-5.16, the application included a biological assessment. The biologist found special status plant species on the property. As discussed in the Initial Study for the Project, the development will require relocation of Monterey Pine Forest understory plants that are identified as rare by the California Native Plant Society. These are pine rose (*Rosa pinetorium*), a California Rare Plant Ranked (CRPR) 1B.2 species, and small leaved lomatium (*Lomatium parvifolium*), a CRPR 4.2 species. The Project will also require avoidance and perpetual protection of USFWS listed Yadon's piperia (*Piperia yadonii*) (with no anticipated direct impacts to this rare rein orchid). The parcel is heavily forested, and tree removal is required to develop a residence. 30 of the 60 trees inventoried by a qualified arborist are proposed for removal, 29 of which are considered protected trees based on County's regulations in Title 21 section 21.64.260. There will be 25 Monterey Pine trees (13 are living and 12 are considered dead, dying or hazardous), and 4 Coast Live oaks (2 are living and 2 are considered dead, dying or hazardous) and an acacia (not protected) removed. Per the arborist's recommendation and the MND for the Project, prior to occupancy, 15 naturally occurring Monterey pine tree seedling/sapling will be either protected in place or transplanted within the parcel to balance for removal of living and dead/dying/hazardous trees (**Exhibit C**).

The Project is within the Greater Monterey Peninsula Area Plan (GMPAP) area. GMP Policies GMP-3.4 and GMP-3.5 relate to the Project (soften development visual impacts with plant materials, and follow tree replacement of the Tree Ordinance with Use Permit for removal of protected trees, respectively). The County Tree Ordinance (County Code Chapter 16.60) and Title 21 section 21.64.260.D.4 state that the ratio for tree replanting may be varied if it is demonstrated that such a requirement will create a special hardship in the use of the site or such replacement would be detrimental to the long-term health and maintenance of the remaining habitat. The Initial Study concluded that replanting at full Tree Ordinance ratio for a total of 32 new trees (1:1 replacement for protected and 2:1 replacement for 3 landmark dead trees) would be detrimental to the long-term health and maintenance of the remaining habitat. The draft Landscape Plan proposes many of the Monterey pine tree seedling/saplings procured onsite would be moved to create a tree line between

the structures and neighboring parcel/roadway. Therefore, any removal of trees which may make the project visible will be restored, minimizing impacts. Those to be moved will be maintained ensure to the potential visual impact of the project will be screened. In these ways, the Project is consistent with GMP-3.4 and GMP-3.5.

The development is required to follow GMPAP Policies related to the conservation of Environmentally Sensitive Habitat Areas (ESHA). Policy GMP-3.9 recommends critical habitat areas to be preserved as open space. When an entire parcel cannot be developed because of this policy, which is the case in this Project, low intensity, clustered development may be approved if the development is located on the least biologically significant portions of the land so that the development will not upset the natural function of the surrounding ecosystem. The Applicant re-designed the development to be located on the least biologically significant portion of the property, where no Yadon's piperia were documented as extant by the project biologist in several years of surveys. The Project MND recommended several mitigation measures which are anticipated to reduce the impacts to less biologically significant Monterey Pine Forest understory to a less than significant level. Roughly two thirds of the parcel will either remain as undisturbed Monterey Pine Forest with patches of maritime chaparral or be enhanced and restored. The project shall include a Yadon's piperia protection plan, protecting all Yadon's piperia individuals in place during construction and for perpetuity.

Based on staff analysis, the proposed project is consistent with the policies and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan (General Plan), Greater Monterey Peninsula Area Plan (GMPAP) and applicable sections of the Monterey County Inland zoning ordinance (Title 21). See additional discussion in **Exhibit A**.

CEQA:

Pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (CEQA) Guidelines Section 15063(a), County of Monterey, as Lead Agency, completed environmental review to determine if the project may have a significant effect on the environment. The County prepared a Draft Initial Study and Mitigated Negative Declaration (IS/MND) for this project (**Exhibit C**). The IS/MND was filed with the County Clerk on July 11, 2025, and the IS/MND was circulated for public review and comment from July 11 to August 11, 2025 (SCH No. 2025070499). The County did not receive public or agency comments on the IS/MND. The Draft IS/MND identified potentially significant impacts to biological resources. Mitigation Measures BIO-1 through BIO-4, described as follows, would reduce potential impacts to a less-than-significant level. All other standard topics of environmental analysis were found to have a less than significant level of impact within the normal regulatory environment, or no impact.

Mitigation Measure BIO-1: AVOIDANCE OF SPECIAL STATUS MONTEREY PINE FOREST UNDERSTORY SPECIES. Applicant shall install exclusionary habitat protection fencing as indicated on the construction permit plans to prevent construction impacts.

Mitigation Measure BIO-2: ENHANCEMENT/RESTORATION OF IMPACTED MONTEREY PINE FOREST. To mitigate for the loss of approximately one third of Monterey pine woodland understory on the project site, the applicant shall enhance and restore the remaining Monterey Pine Forest area by removing invasive plants, transplanting all special status understory species from areas planned for construction to a receptor location onsite, fencing the area during construction and

conducting on-going restoration efforts for a five year period.

Mitigation Measure BIO-3: PRE-CONSTRUCTION MEETING TO ENSURE SPECIAL STATUS SPECIES PROTECTIONS. To protect Special status species that are present in the understory of the site to the highest extent possible, prior to the commencement of any construction activities, a pre-construction meeting with the project biologist shall be held on the site.

Mitigation Measure BIO-4: YADON'S PIPERIA. To reduce the proposed construction's impacts to the approximately 440 Yadon's piperia individuals to a less than significant level, the applicants shall engage a qualified biologist in a Yadons piperia Protection Plan designed to ensure effective protection and conservation of the plants. The plan includes protection before, during, and after construction, installation of a low barrier to ensure inhabitants do not trample individual plants during use phase of the project, and establishment of a Conservation and Scenic Easement through Condition No. 14.

The Monterey County Geographic Informational System identifies the subject property to have a "moderate archaeological sensitivity" area, due to the proximity of the Pacific Ocean. As required by California Assembly Bill ("AB") 52, HCD-Planning notified Native American Tribal groups that had requested County notification on CEQA documents. Tribal notification letters were sent out on March 24, 2025. No requests for consultation were received.

John D. and Bushra Wilkins, the applicants, commented during the circulation of the IS/MND that there was one minor error they found in a mitigation proposed in the MND. The one instance was a statement on the frequency of reporting during the five-year monitoring period for BIO-2, the Enhancement/Restoration Plan. The reporting was described as quarterly for five years, when in fact staff and the project biologist had agreed that periodicity of reporting would be sufficient if monitoring reports are prepared quarterly for the first year, twice annually in the second year, and once per year for the remaining three years. The resolution and MMRP adopted with it reflect this edit. The edit will not reduce the effectiveness of the mitigation. The BIO-2 mitigation, an Enhancement/Restoration Plan, ensures less than significant impacts regardless of the periodicity of monitoring. Recirculation is not required because the comment on the public draft did not present evidence of potentially significant effects caused by the project that were not analyzed in the public draft or significantly alter recommended mitigations.

OTHER AGENCY INVOLVEMENT:

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

- Cypress Fire Protection District
- Environmental Health Bureau
- HCD-Environmental Services
- HCD-Engineering Services

LUAC

Pursuant to the adoption of Board of Supervisors Resolution No. 15-043, Land Use Advisory Committee (LUAC) Guidelines require the applicable LUAC to review projects that require CEQA

review and Design Approvals that are reviewed by the Zoning Administrator or the Planning Commission. Because the project requires a Design Approval review by the Zoning Administrator and requires an environmental review, County staff referred the project to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review on March 21, 2024 (**Exhibit D**). The LUAC voted unanimously (8 ayes - 0 noes) to support the project as proposed. LUAC discussion is included in Exhibit A, Discussion.

Prepared by: Mary Israel, Supervising Planner

Reviewed and Approved by: Jacquelyn M. Nickerson, Principal Planner

The following attachments are on file with HCD:

Exhibit A - Discussion

Exhibit B - Draft Resolution, including:

- Site Plan, Floor Plan, Elevations
- Conditions of Approval

Exhibit C - Initial Study/Mitigated Negative Declaration

Exhibit D - Greater Monterey Peninsula LUAC Minutes

Exhibit E -Vicinity Map

cc: Front Counter Copy; Mary Israel, Supervising Planner; Jacquelyn M. Nickerson, Principal Planner; John D. and Bushra Wilkins, Property Owners; Laura Lawrence, Agent; The Open Monterey Project (Molly Erickson); Lozeau Drury LLP; Keep Big Sur Wild (Christina McGinnis); LandWatch (Executive Director); Project File PLN200316.