



Zoning Administrator

Legistar File Number: ZA 26-024

March 26, 2026

Introduced: 3/17/2026

Current Status: Agenda Ready

Version: 2

Matter Type: Zoning Administrator

PLN110257-AMD1 - BERLIN ANDREW T TR

Public hearing to consider a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. This Minor and Trivial Amendment would allow replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

Project Location: 35986 HWY 1, Big Sur Coast Land Use Plan.

Proposed CEQA action: Find the project Categorically Exempt per Section 15302 of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2.

RECOMMENDATION

It is recommended that the County of Monterey Zoning Administrator adopt a Resolution:

- 1) Finding the project Categorically Exempt pursuant to CEQA Guidelines section 15302 and no exceptions to section 15300.2 apply; and
- 2) Approving a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. This Minor and Trivial Amendment would allow replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and a dark bronze entrance gate.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**).

Staff recommends approval, subject to 4 conditions of approval.

PROJECT INFORMATION

Agent: Laura Lawrence, Law Office of Aengus L. Jeffers

Property Owner: Andrew Berlin Trust

APN: 243-231-027-000

Zoning: Rural Density Residential, 40 acres per unit, Design Control, 14-foot height limit, Coastal Zone, or "RDR/40-D (14')(CZ)"

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: No

Project Planner: Fionna Jensen, Principal Planner
Jensenf1@countyofmonterey.gov, 831-796-6407

SUMMARY

The proposed project is a Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN110257; **Exhibit B**) that allowed the demolition of an existing 1,960 square foot one-story single family dwelling and 255 square foot guest unit and the construction of a 9,255 square foot two-story single family dwelling, new retaining walls and associated grading within 750 feet of an archaeological resource and within 50 feet of a coastal bluff and a Lot Line Adjustment to merge two parcels into one parcel. This Minor and Trivial Amendment would allow replacing 53.5 feet of the existing wood fence and the main entrance gate with a stone wall and dark bronze entrance gate.

The project was originally scheduled for consideration by the Chief of Planning on December 3, 2025. However, on November 20, 2025, a member of the public raised concern with the proposed design, potential impacts on nearby public vistas, and requested that the project be referred to the Zoning Administrator in accordance with Title 20 section 20.76.060 (**Exhibit C**). Accordingly, the item is now scheduled for the Zoning Administrator's consideration. The member of the public also raised concerns about setting a fence-design precedent for the entire Big Sur coastline and claimed the fence was better designed for an upscale neighborhood or subdivision.

Design/Critical Viewshed

The Critical Viewshed is defined as everything visible from Highway 1. The subject property is location along Highway 1, and according to Policy 3.2.2 of the Big Sur Coast Land Use Plan (BSCLUP), is located within a Critical Viewshed. The property is located near the Abalone Cove turnoff, which is a popular public-viewing area within Big Sur. Policy 3.2.4.F of the BSCLUP states, "the southernmost developed parcel north of Abalone Cove to the northernmost developed parcel south of Garrapata Creek shall be permitted to be used for residential purposes, subject to policies of Policy 3.2.4 (Land Not in the Critical Viewshed) of this plan." Accordingly, while the project site is located along Highway 1 and thus within the Critical Viewshed, it is only subject to the standards of Policy 3.2.4 (Land Not in the Critical Viewshed). Furthermore, pursuant to LUP Policy 3.2.5.C.2, private highway improvements such as fences and gates are exempt from Key Policy 3.2.1, which prohibits development within the Critical Viewshed, provided they are designed to be complementary to the rural setting and character of Big Sur, with a preference for natural materials.

The proposed fence would be consistent with the rural setting and character of Big Sur through its use of natural stone and dark bronze materials that reflect the subdued colors and textures of the surrounding landscape. The natural stone (varying beige and earthy colors) complements the geologic characteristics of the Big Sur coastline, while the dark bronze gate provides a muted, non-reflective earth tone that minimizes visual contrast with nearby vegetation. The proposed stone would match the existing residence's stone exterior (**Exhibit D**). Like the existing fence line, the replacement fence incorporates semi-modern design elements such as clean lines, but utilizes rough-cut stones to soften the appearance. The rustic character in the Big Sur area is maintained through minimizing the bulk and mass of those structures that may be allowed in the Critical Viewshed, maintaining visual access to the ocean (where applicable), and through

the use of natural materials, earth-toned finishes, and visual compatibility with the surrounding landscape. The fence's height would be nearly identical to the existing fence, and the perceived change in massing would be limited, given that only 53.5 feet of the front property line fence is being modified. By utilizing natural materials and earth-toned finishes, the proposed fence would be designed to visually recede into the landscape and remain subordinate to the surrounding scenery, making it complementary to the rural setting and character of Big Sur and consistent with the preference for natural materials identified in LUP Policy 3.2.5.C.2. The remainder of the front property line will continue to be developed with a louvered wood fence, which would be repaired as needed. The proposed fence would smoothly transition into the existing fenceline. As proposed, the entire front property fenceline would consist of natural materials and be of a bulk and mass that does not detract from the scenic beauty of Highway 1, and would not block ocean views. The proposed replacement fence would not impact any nearby vista point, nor substantially change the Highway 1 scenic corridor.

Based on the specific site, Highway 1 improvement allowances of the BSCLUP for this geographic area (Policy 3.2.4.F), and the proposed design, staff recommends that the Zoning Administrator find that the project assures the protection of the public viewshed, is consistent with the surrounding rural character, and assures public access and visual integrity.

LUAC

Based on the Board of Supervisors Guidelines, the project was not referred to the Big Sur LUAC. As a Minor & Trivial Amendment, the project does not warrant LUAC review because the project does not involve the granting of a Design Approval at a public hearing, the preparation of an Initial Study or Environmental Impact Report, or a lot line adjustment in the Coastal Zone, or a Variance. The public commentor's request for a public hearing does not independently warrant LUAC review.

CEQA

California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts replacement structures where the new structures will be located on the same site and have substantially the same purpose and capacity as the structure replaced. The project includes construction of a replacement fence. The replacement fence will be located in the same area as the existing fence and serve the same purpose. Therefore, the project is consistent with the categorical exemption requirements of CEQA guidelines section 15302. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve alterations to a designated historical resource, a hazardous waste site, or development that would result in a cumulatively significant impact. Although the project is visible from Highway 1, the development is rural in design, compatible with the surrounding environment, and will not have an adverse impact on public or visual access. There are no unusual circumstances associated with undertaking the project that would create a reasonable possibility that the project would have a significant effect on the environment.

Prepared by: Fionna Jensen, Principal Planner x6407

Reviewed and Approved by: Jackie Nickerson, Principal Planner

Attachments:

Exhibit A - Draft Resolution:

- Draft Conditions of Approval
- Project Plans, Colors, Materials

Exhibit B - Planning Commission Resolution No. 11-048

Exhibit C - Public Comment

Exhibit D - Existing Residence Photos

Exhibit E - Vicinity Map

cc: Front Counter Copy; California Coastal Commission; CalFire; HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Fiona Jensen, Planner; Berline Andrew T Tr, Property Owners; Laura Lawrence, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Trey Kropp, Interested Party; Planning File PLN110257-AMD1