

# Attachment A

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**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

In the matter of the application of:

**SIGNAL HILL LLC (PLN240077)**

**RESOLUTION NO. \_\_\_\_\_**

Resolution by the County of Monterey Board of  
Supervisors to:

- 1) Partially uphold the appeals by Samuel Reeves and the Alliance of Monterey Area Preservations from the April 30, 2025 Planning Commission decision approving the Design Approval;
- 2) Uphold the appeal by Massy Mehdipour, Applicant, from the April 30, 2025 Planning Commission decision approving the Design Approval with Condition No. 10;
- 3) Consider the previously certified Final Environmental Impact Report (FEIR) (SCH#2015021054) for the Signal Hill LLC project, and find that an addendum pursuant to CEQA Guidelines section 15162 is not warranted; and
- 4) Disapprove the proposed Design Approval (PLN240077) for a 7,690 square foot single family dwelling with a height of 25.5 feet at the highest points and Reiterate the June 27, 2023 decision (Resolution No. 23-237) Approving a Combined Development Permit for the “Reduced Project” (Alternative 6 of the Final EIR) consisting of a Coastal Administrative Permit for the construction of a new single-family residence of similar size, in concept, as the Connell House (4,124 square feet in size and 22 feet in height).  
[1170 Signal Hill Road, Pebble Beach, Del Monte Forest Area Land Use Plan (APN: 008-261-007-000)]

**The Signal Hill LLC application for a Design Approval, Coastal Development Permit for tree relocation, and Variance to front setback (PLN240077) (the Proposed Project) came on for public hearing before the County of Monterey Board of Supervisors on July 8, 2025 and August 26, 2025. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:**

**FINDINGS**

**1. FINDING:**

**PROCESS, PROJECT DESCRIPTION AND**

**CONSISTENCY** – The County has processed the subject application for construction of a single-family dwelling (Planning File No. PLN240077/Signal Hill LLC) in compliance with all applicable procedural requirements. The project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:**
- a) Conformance with Plans. The Proposed Project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
  - Del Monte Forest Area Land Use Plan (LUP);
  - Monterey County Coastal Implementation Plan Part 5 (CIP, Coastal Zoning Ordinance);
  - Monterey County Zoning Ordinance (Title 20);
  - The adopted Final EIR for the Signal Hill project; and
  - Board Resolutions related to the development of the site (Resolution No. 23-237).
- Public comment submitted during review of the project allege that the project is inconsistent with the text, policies, and regulations in these documents on various grounds. These comments have been considered.
- The Board found that the project did not conform with its direction in Resolution No. 23-237. Based on evidence presented in the hearing and from the Board members' review of recording of the June 27, 2023 Board hearing, the Board found that the Applicant's proposed dwelling is not similar to the Connell House in size and height.
- b) Project Description. The Board considered three appeals of the Planning Commission's approval of a Design Approval for a new 8,290 square foot single family residence with a height at the highest points of 25.5 feet on July 8, 2025. On August 26, 2025, the Board considered a revised design for a new 7,690 square foot single family residence with the same height.
- c) Allowed Use. The property is located at 1170 Signal Hill Road, Pebble Beach (Assessor's Parcel Number 008-261-007-000), Del Monte Forest Area Land Use Plan (LUP). The parcel is zoned "LDR/1.5-D (CZ)" [Low Density Residential, 1.5 acres per unit with Design Control Overlay (Coastal Zone)], which allows residential uses.
- d) Project Background. On May 9, 2023 and June 27, 2023, the Board of Supervisors heard appeals from Raymond Neutra, Samuel Reeves, and the Alliance of Monterey Area Preservationists of the Planning Commission's January 25, 2023 grant of a Combined Development Permit for this property based on the EIR's "Reduced Height Project" Alternative (Alternative 9 of the EIR). On June 27, 2023, the Board approved a Resolution (Resolution No. 23-237) approving a Coastal Administrative Permit to demolish the

4,124 square foot Connell House and approved, in concept, construction of a new single-family residence of similar size as the existing residence. The Board also approved a Coastal Administrative Permit to demolish the Connell House. On June 27, 2023, the Board of Supervisors also adopted Resolution No. 23-236, which adopted the Final EIR prepared for the Signal Hill LLC project together with a Statement of Overriding Considerations. The Board approved Condition No. 23 specifying that the project's CSE would be at least 2:1 in size for the area disturbed by the construction of the reduced project.

Building Permits for the demolition of the Connell House were issued on January 18, 2024 (File No 15CP01573) and the Connell House has been demolished.

- e) The Final EIR describes its Reduced Project, Alternative 6, as demolition of the Connell House and construction of a new single-family residence to stay within the existing developed footprint and to avoid building heights that extend above the ridgeline" (EIR Chapter 5, page 5-9). In approving the Coastal Administrative Permit to construct a residence, the Board directed "that the construction is in the footprint of the Connell House as it was" (motion statement by Chair Church at minute 3:41 of June 27, 2023 Board hearing, zoom recording).
- f) In approving the Reduced Project concept (Resolution No. 23-237), the Board of Supervisors prohibited the replacement single-family dwelling from expanding beyond the building footprint of the previous dwelling. In the appeal hearings for PLN240077 on July 8, 2025, the Board reviewed the proposed plans and found the project design to be inconsistent with its prior direction. The proposed design was not within the footprint of the Connell House and was not a similar size and height to the Connell House. At the conclusion of the hearing on July 8, 2025, the Board continued the hearing to August 26, 2025 with direction to staff to prepare a resolution reiterating the June 27, 2023 decision. After the July 8, 2025 Board hearing, the applicant submitted a revised design with a request that this revised design be considered by the Board as an alternative to the motion of intent approved on July 8. The revised design eliminates portions of the prior proposal that were not within the footprint of the Connell House and slightly reduces the size of the new home. The new design is within the footprint of the former Connell House. The floor area of the proposed two-story structure is proposed at 7,690 square feet, reduced from the 8,290 square feet considered on July 8, but still substantially larger than foot Connell House. The proposed height remains 25.5 feet, which is the same as the prior design but is approximately 3.5 feet taller than the Connell house.

New plans shall be required for a Design Approval to be granted.

- g) Design Review. The site is in a Design Control (D) Zoning District. The purpose of the Design Control Zoning District is to provide a district for the regulation of the location, size, configuration, materials, and colors of structures and fences in those areas of the County where the design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments without imposing undue restrictions on private property.
- h) Visual Resources. The property is in the viewshed area of 17 Mile Drive, as mapped in Figure 3 of the Del Monte Forest Land Use Plan. The property is visible from the public viewing area of Fanshell Beach. LUP Policy 51 requires buildings developed on residential lots in the Visual Resources area to be “situated to allow the highest potential for screening from view.” LUP Policy 56 urges design and siting of structures in scenic areas should not detract from scenic values and should be subordinate to, and blended into, the environment. It is anticipated that the project roofline will remain below the tree line behind and around it from all public vista points, in keeping with Alternative 6 of the Final EIR. Section 20.66.010 of the Coastal Zoning Ordinance requires a Coastal Development Permit for Ridgeline Development. The Del Monte Forest Area CIP section 20.147.070(6) provides criteria for granting permits for new development that is silhouetted against the sky, or ridgeline development. DMF LUP Policy 48 states that development in visually prominent settings shall be sited and designed to avoid blocking or having a significant adverse impact on significant public views. In section 20.06.1275, Title 20 defines “substantial adverse visual impact” as “a visual impact which, considering the condition of the existing viewshed, the proximity and duration of view when observed with normal unaided vision, causes an existing visual experience to be materially degraded.” By following the specific direction of the Board in the July 8, 2025 hearing, the project redesign should not present exceptional bulk or height beyond the existing and permitted dwellings within the public viewshed (Fanshell Beach and 17 Mile Drive locations). All new exterior lighting shall follow the dark sky regulations required by Mitigation Measure AES/MM-3.1, which was applied as a condition of approval to PLN100338 (Board Resolution No. 23-237).
- i) Site Visit. The project planner conducted a site inspection on August 5, 2024, to assess visual impacts of the previous design. Another site inspection shall be scheduled with HCD-Planning to confirm site conditions for the project on the subject parcel.
- j) Land Use Advisory Committee. Based on the Land Use Advisory Committee guidelines adopted by the Monterey County Board of Supervisors (Resolution No. 14-373), this

application warranted referral to the LUAC because the Proposed Project includes a Design Approval that requires a public hearing. The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on August 1, 2024. The LUAC voted 8 yeas, 0 noes to support the project as proposed.

- k) On April 30, 2025, the County of Monterey Planning Commission held a duly noticed public hearing and unanimously approved the Design Approval, Coastal Development Permit for three Cypress tree relocations, and Variance to front setback by a vote of 10 yeas - 0 noes (Planning Commission Resolution No. 25-012).
- l) Pursuant to Title 20 sections 20.86.040 and 050, on May 23, 2025, Sam Reeves (“Appellant” and/or “Reeves”), represented by Lombardo and Associates, timely appealed the April 30, 2025, decision of the Planning Commission. The appeal challenges the Planning Commission’s approval, contending that the hearing was not fair and impartial, the findings are not supported by the evidence and the decision was contrary to law. See Finding No. 7 (Appeal) for a summary of this appeal’s specific contentions and the County’s responses.
- m) Pursuant to Title 20 sections 20.86.040 and 050, on May 27, 2025, Mimi Sheridan, representing the Alliance of Monterey Area Preservationists (AMAP), timely appealed the April 30, 2025, decision of the Planning Commission. The appeal challenges the Planning Commission’s approval, contending that the findings are not supported by the evidence and the decision was contrary to law. See Finding No. 7 (Appeal) for a summary of this appeal’s specific contentions and the County’s responses.
- n) Pursuant to Title 20 section 20.86.040 and 050, on May 23, 2025, the Applicant, Massy Mehdipour (“Appealing Applicant” and/or “Mehdipour”), timely appealed the April 30, 2025 decision of the Planning Commission. The appeal challenges the Planning Commission’s approval, contending that the hearing was not fair and impartial, the findings are not supported by the evidence and the decision was contrary to law. See Finding No. 7 (Appeal), Evidence “k” for a summary of this appellant’s specific contentions and the County’s responses.
- o) The appeals were timely brought to hearing. Title 20 section 20.86.070 requires that the appeal authority hold a public hearing on an appeal within 60 days of receipt of the appeal. The appellant and Applicant agreed to a public hearing date of July 8, 2025, which is within the 60-day period. The Board continued the project hearing to a date certain, August 26, 2025. However, the requirements of Title 20 appeal hearing timing are met because the appeal hearing was opened within 60 days.

- p) A complete copy of the appeals is on file with the Clerk of the Board of Supervisors. The appeals are also attached with itemized contention responses as Attachment C to the staff report for the July 8, 2025 Board of Supervisors hearing.
- q) The Board of Supervisors conducted a duly noticed public hearing on the appeal and the project on July 8, 2025 and August 26, 2025. Notice of the *de novo* hearing on the matter before the Board of Supervisors was published in the Monterey County Weekly, notices were mailed and emailed to all property owners and occupants within 300 feet of the project site, and to all persons who requested notice; and three notices were posted at and near the project site.
- r) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development found in Project File No. PLN240077.

**2. FINDING:**

**SITE SUITABILITY** – The site is physically suitable for the use proposed, and findings shall be made on a future redesign.

**EVIDENCE:**

- a) As part of project review under PLN100338, the project was reviewed for site suitability by: HCD-Planning; Cypress Fire Protection Districts; HCD-Engineering Services; HCD-Environmental Services; and the Environmental Health Bureau. None of these departments/agencies has opined that the site is unsuitable for the proposed development. Conditions recommended by these departments and agencies were incorporated in the project Combined Development Permit resolution (Board Resolution No. 23-237).
- b) The EIR identified potential impacts to Aesthetics, Archaeological Resources, Air Quality and Greenhouse Gases, Biological Resources, Geology, Seismicity, and Soils, Hazards and Hazardous Materials, Historical Resources, Hydrology and Water Quality, and Noise, which could result from all components of the Project. All impacts other than those associated with the demolition of the Historical Resource are mitigated to a less-than-significant level. Historical Resource impacts has been mitigated, but not to a less than significant level.
- c) The technical reports by outside consultants listed in the References of the Final EIR indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.
- d) The site designated for residential use. A residential structure has existed on the site since the 1950's.
- e) The project planner conducted a site inspection on August 5, 2024, to verify that the site is suitable for the proposed use.



- f) The application, project plans, and related support materials submitted by the project applicant to the County of Monterey HCD-Planning for the proposed development found in Project File Nos. PLN240077 and PLN100338.

**3. FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of a future redesigned project is not anticipated to be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use nor will it be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. However, this finding shall be made on a future redesign.

- EVIDENCE:**
- a) All necessary public facilities are available to the Proposed Project. Water and sewer service will be provided by California American Water and the Carmel Area Wastewater District through the Pebble Beach Community Services District. The Environmental Health Bureau reviewed the project application and did not impose conditions pertaining to water, sewer, or solid waste. A water permit from the Monterey Peninsula Water Management District is required prior to the issuance of a building permit.
  - b) The Proposed Project includes construction of one structure designed for residential use. Emergency services are available. Building permits will be required to ensure the building is designed and built in accordance with California Building Standards. Geotechnical engineers have provided recommendations for the development that will be incorporated. Finally, there are no known hazards that may impact the health and safety of area residents.
  - c) The application, project plans, and related support materials submitted by the project applicant to the County of Monterey HCD - Planning for the proposed development found in Project File PLN240077.

**5. FINDING:** **VIOLATIONS** – The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- a) Staff reviewed County of Monterey HCD records and is not aware of any violations existing on the subject property. The site is currently clear of debris from the previously removed structure and has erosion controls in place where the residence had been. Natural and disturbed vegetation is also present on the parcel.
- b) Cypress trees on the subject property were involved in Coastal Development Permit and Restoration Plan to resolve prior violations (Board Resolution No. 13-021 for PLN100418), approved for the subject parcel. Tree replanting and

monitoring that was required by the 2013 resolution was partly incomplete, the bond was not completely returned to the permit holder, and replanting of a tree intended to replace a large tree removed from the west side of the house was subsequently incorporated into PLN100338.

- c) The project planner conducted a site inspection on August 5, 2024, to verify that no violations exist on the property.
- d) The application, plans, and supporting materials submitted by the project applicant to the County of Monterey HCD-Planning for the proposed development are found in Project File No. PLN240077.

**6. FINDING: CEQA (CONSIDER PREVIOUSLY CERTIFIED FINAL EIR, RECIRCULATION NOT WARRANTED)** – Public Resources Code section 21080(d) and California Environmental Quality Act (CEQA) Guidelines section 15064(a)(1) require a project to undergo environmental review if the lead agency finds that, in light of the whole record before it, there is substantial evidence that the project may have a significant effect on the environment. The County prepared a Final EIR dated October 2022 for PLN100338. The Final EIR responded to comments received during the Draft EIR circulation period of August 22, 2018 to October 12, 2018. Through adoption of Resolution No. 23-236, the Board of Supervisors certified the Final EIR. Pursuant to CEQA Guidelines section 15162, when an EIR has been certified, no subsequent EIR shall be prepared for the project unless the agency determines that substantial changes are proposed, or substantial changes occur with respect to the circumstances under which the project is undertaken.

- EVIDENCE:**
- a) The PLN100338 permit was granted subject to 42 conditions of approval that run with the land (condition number 31 was removed by the Board action and is still enumerated without condition requirements, as "reserved"). The Applicant has complied with all the measures and conditions of PLN100338 in timely fashion pursuant to the recorded Mitigation Monitoring and Reporting Plan Agreement (Document No. 2023029686).
  - b) The previous single-family dwelling was an Historic Resource at the State and Federal level, but not the local level (Monterey County Code Chapter 18.85 requires owner agreement to local listing). Although the EIR found impacts to Historic Resources to be significant with mitigation measures applied, the Board supported demolition in this case and found that there was sufficient evidence to support a Statement of Overriding Consideration (Resolution No. 23-237). Mitigation Measures for Historic Resources were applied to PLN100338, including HR/MM-1.1 (Historic American Buildings Survey) and HR/MM-1.2 (Connell House Web Page), both of which have been complied with prior to the hearing for PLN240077.

- c) Issues that were analyzed in the EIR include Aesthetics, Agricultural Resources, Archaeological Resources, Air Quality and Greenhouse Gases, Biological Resources, Geology, Seismicity, and Soils, Hazards and Hazardous Materials, Historical Resources, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Paleontological Resources, Population and Housing, Public Services, Utilities, Recreation, and Transportation and Traffic. The EIR identified potential impacts that would be less than significant or could be mitigated to a less than significant level associated with all topics, except impacts to Historical Resources, which cannot be mitigated to less than significant levels if a project that involved demolition is chosen. As described in these findings and in the EIR, mitigation measures that avoid or substantially lessen the impacts to Aesthetics, Archaeological Resources, Air Quality and Greenhouse Gases, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and Noise have been incorporated (see Finding No. 6). For the impact identified as significant and unavoidable, all feasible mitigation measures have been incorporated, but even with such mitigation, the impacts remain significant.
- d) The subject property contains coastal dune habitat and wetland habitat. In accordance with CIP section 20.147.040.B, a Biological Resource Assessment and Supplemental Biological Resources Assessment was prepared (Michael Zander, June 8, 2010 and June 23, 2011, HCD Library File No. LIB100396). Based on those reports, potential impacts were evaluated in the project EIR. The EIR recommended restoration actions for the original project scope, which was a much larger house that was found to have direct and indirect impacts on biological resources. The EIR found that the Reduced Project Alternative would not impact a significant amount of ESHA. Thus, Board Resolution Nos. 23-236 (EIR) and 23-237 (Approval of a conceptual Reduced Project Alternative) found BIO/MM-3.9 (Offsite restoration of sand dune habitat) extraneous, and both it and its monitoring action BIO/MMA-3.9.1 were removed. The Project's site review Coastal Administrative Permit was approved with voluntary restoration of approximately 1.67 acres of sand dune habitat on the project site and monitoring the restoration success for five years. Mitigation measures applied to the Combined Development Permit (PLN100338) accomplish the restoration and avoidance of impacts to biological resources through BIO/MM-2.1 (Restoration Monitor Funding Agreement), BIO/MM-2.2 (Environmental Awareness Training), BIO/MM-2.3 (Surveys for California Legless Lizard and Other Reptiles), BIO/MM-2.4 (California Legless Lizard Best Management Practices, "BMPs"), BIO/MM-2.5 (Nesting Bird Survey and Buffer Zone), BIO/MM-2.6 (Active Bird Nest Buffer), BIO/MM-3.2 (Dune

Restoration Plan Bond), BIO/MM-3.3 (Monitoring Contract), BIO/MM-3.4 (Fencing that Excludes Adjacent ESHA), BIO/MM-3.5 (Stockpiles and Staging Areas BMPs), BIO/MM-3.6 (Control Stormwater or Wastewater Outfall), BIO/MM-3.7 (Plant Species Landscape Plan), BIO/MM-3.8 (Landscape Plan Substrates), BIO/MM-4.1 (100-FT Buffer Zone from Juncus Articus Herbaceous Alliance Vegetation), and BIO/MM-4.2 (Coastal Wetland Perimeter Flagging). Furthermore, a Coastal Development Permit for development within 100 feet of ESHA was approved with the Combined Development Permit for PLN100338.

- e) The subject property is in a high archaeological resource sensitivity area. In accordance with CIP section 20.147.080.B, a Phase 1 Archaeological Report was prepared (Doane and Breschini, February 2, 2012, HCD Library File No. LIB100397). Due to the project's proximity to known archaeological and tribal cultural resources, the EIR prepared for PLN100338 recommended measures for avoidance of impacts on cultural and tribal cultural resources. The development entitled under PLN100338 included Mitigation Measures that required archaeological resource/artifact training for construction personnel (AR/MM-1.1), an onsite archaeological monitoring plan to be developed (AR-MM-1.2) with active monitoring (AR/MM-1.3) and directed action if human remains are exposed during construction (AR/MM-2.1). These are active conditions of approval for PLN100338.
- f) Mitigation Measures applied to PLN100338 include those mentioned above for Biological Resources, Aesthetics, Archaeological and Tribal Cultural Resources, as well as for Air Quality (AQ/GHG/MM-1.1 and AQ/GHG/MM-1.2), Geology and Soils (GEO/MM-1.1), Hazards and Hazardous Materials (HAZ/MM-1.1, HAZ/MM-1.2 and HAZ/MM-1.3) Hydrology and Water Quality (HYD/MM-1.1 and HYD/MM-2.1) and Noise (NOI/MM-1.1).
- g) The EIR examined eight alternatives and one "no project" alternative to the original project and evaluated them separately, comparing their potential impacts to those of the originally proposed project. This Design Approval is intended to reflect the parameters of the Reduced Project alternative, Alternative 6. The redesign is anticipated to be smaller than the project considered in the EIR prepared for PLN100338 in all ways. The original project was 11,933 square feet and two stories with 1,950 square feet of paved areas for a total impervious lot coverage of 10.6 percent. The PLN240077 design shall be a reduced project in keeping with Board direction. Therefore, the Proposed Project shall meet or exceed the EIR's estimation of a Reduced Project Alternative to the original project.

7. **FINDING:** **APPEAL** – Pursuant to Monterey County Code section 20.86.030, Sam Reeves (neighbor), AMAP (interested organization), and Massy Mehdipour (Applicant) separately and timely appealed the Planning Commission’s April 30, 2025 decision approving the Design Approval, Coastal Development Permit for tree relocation, and variance. Upon consideration of the written and documentary evidence, the staff report, oral testimony, other evidence presented, and the administrative record as a whole, the Board finds some merit to the Reeves and AMAP contentions. The Board also found the Mehdipour appeal to have some merit. The Board’s reasoning and response to the summarized contentions follows. Copies of the appeals and itemized responses prepared by staff, but which the Board hereby adopts and incorporates into this Resolution, are Attachment C to the staff report for the July 8, 2025 Board of Supervisors hearing.

**EVIDENCE:** a) Appellant Reeves contends that the Applicant and staff made numerous misstatements of the fact in the application, concerning past actions, and as to the Board's decision; these Appellants remarked on the perceived misstatements and contend that they were not corrected as part of the Planning Commission hearing.

County’s response: Staff has corrected an error in calculations of the square footage of neighborhood homes in the staff report and presentation for the July 8, 2025 hearing. The history of tree removal and the proposed tree relocation were also clarified and addressed.

b) Appellants Reeves contends that public comment during the hearing was not memorialized in Finding 1.

County’s response: The appellant is correct on this issue. Post-hearing edits should have been made. This hearing is *de novo* and testimony received in the hearing will be noted in the final resolution.

c) Appellants Reeves and AMAP contend that there are numerous factual errors in the Resolution, including the following bulleted items:

- Finding 1, b equated the proposed project with Alternative 6, and the appellant found that not to be correct, based on a line taken from the Combined Development Permit Board Resolution No. 23-037 [sic] Finding 1.

County’s response: This contention has some merit. The Board decision in June of 2023 (Resolution No. 23-237 stated, in relevant part:

“4) *Approve a Coastal Development Permit for the “Reduced*

*Project” (Alternative 6 of the Final EIR) consisting of:*

- a) Coastal Administrative Permit to allow the demolition of an existing 4,124 square foot single family residence;*
- b) Coastal Administrative Permit for the construction of a new single-family residence of similar size, in concept, as the existing residence;*
- c) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;*
- d) Coastal Development Permit for development on slopes exceeding 30 percent;*
- e) Coastal Development Permit for development within 750 feet of a known archeological resources;”*

The description of Alternative 6 of the EIR describes a new residence that is in the “footprint” of the former Connell House and that is at a height that does not result in “ridgeline development.” Subjection b of the action describes “construction of a new single-family residence of a similar size as the existing residence.”

The house design reviewed by the Planning Commission was not in the exact footprint of the Connell House. Instead, the Applicant proposed to develop the front courtyard area in exchange for leaving an area that will be left undeveloped in the rear yard. The front courtyard of the Connell House had a paved patio and landscaping flanked on three sides by the U-shaped house (the front courtyard). The Applicant proposed to fill in the front courtyard which included an area that was covered by a concrete patio (hardscape) and an additional area beyond the patio. In exchange for adding to the footprint in the courtyard area, the Applicant proposed to leave a smaller area of the northwest corner and area adjacent to the former courtyard of the Connell House footprint undeveloped. Additionally, the proposed house has a floor area of 8,290 square feet and a height of 25.5 feet at its tallest points. This represented an over 3,000 square foot increase in size and a 3.5 foot increase in height when compared to the size and height of the Connell House. The size and height was not similar to the Connell House.

After the July 8, 2025 Board hearing, the applicant submitted a revised design with a request that this revised design be considered by the Board as an alternative to the motion of intent approved on July 8. The revised design eliminates portions of the prior proposal that were not within the footprint of the Connell House and slightly reduces the size of the new home. The new design is within the footprint of the former Connell House and is consistent with the description of Alternative 6 of the EIR. The floor area of the proposed two-story structure in the revised design has a floor area of 7,690 square feet, reduced from the 8,290 square feet considered on July 8, but still substantially larger than foot Connell House. The proposed height remains 25.5 feet, which is the same as the prior design but is approximately 3.5 feet taller than the Connell house.

Past references to the size of the Connell house in the EIR and the Board Resolution 23-237 indicated that the house was 4,124 square feet in size. It is acknowledged that the size quoted in those documents were estimates based on information available at the time. No survey of the existing house was available as the basis for these estimates. Submitted with the application for the new house was a plan prepared by Whiston Engineers showing the footprint of the Connell House to be 4,630 square feet. Staff reviewed the plans and determined that this calculation appears to include the footprint of the house from a bird's eye view which includes roof overhangs and decks. The prior estimate of square footage was based on the size of the Connell House, not including roof overhangs and decks, so two different things are being measured. However, the Board finds this contention has merit and, therefore, requires the proposed design be modified to further reduce development.

- Finding 1, Evidence I: "the height, flat roof, and use of natural colors and materials help blend the development into the surrounding environment (existing sand dune and trees around the site)." LUP Policy 51 is described, and the Proposed Project is discussed as if it is consistent with the policy. Appellant argues the evidence is to the contrary because the Proposed Project is larger than existing dwellings in the Signal Hill enclave.

County's response: Finding 1, Evidence "m" includes straightforward clear statements. LUP Policy 51 does not require new construction to match other construction in the area. The Board requires a redesign limited to the Connell House's structural footprint. The redesign shall be analyzed for consistency with LUP policies.

Additionally, the County certified an EIR for the project, discussed the potential impacts to Aesthetic Resources, and concluded that the project, as mitigated by habitat restoration and permanent maintenance and tree replacements, would result in a less-than-significant impacts.

- County mistakenly identified two trees in front of the house as significantly pruned trees, which were part of the violations which PLN100418 addressed. The relocation of T4, TS, and T12 will not screen the view of this project from the common public viewing areas of Seventeen Mile Drive and Fanshell Beach.

County response: There are two different tree removal/relocation permits at issue.

First, in 2009, a code enforcement case (CE090288) was initiated as a result of the Applicant's unpermitted tree removal of 2 large Cypress trees. To address that code enforcement case, a Tree Resource Evaluation/Construction/Impact Analysis was prepared by a certified arborist in October 2010 (LIB100394). The report evaluated the eight trees on the site (7 Cypress and 1 Eucalyptus) and documented that two Cypress trees were removed without a permit. Additionally, in December 2011, the arborist documented a cluster of three Cypress trees that had been "excessively pruned" and recommended a 5-year monitoring period for survivability of those trees. On February 5, 2013, the Board of Supervisors approved an after-the-fact permit for the tree removal and required restoration of the site, replanting 2 large Cypress trees to screen the house from views, and monitoring of the trimmed trees, as a condition of approval of that permit (Resolution No 13-021).

The Applicant replanted the trees as required by the condition. One of the replacement trees, located west of the house, did not survive. That tree is required to be replanted again and monitored in accordance with the approved conditions. A second tree was replanted south of the proposed house near the existing driveway. That tree survived; it is alive today. However, the Applicant also proposed that this tree be relocated approximately 20 feet south. The trees that were trimmed have been monitored and have survived. The trimmed trees are subject to the conditions imposed as part of Resolution No 13-021 and are not the subject of the proposed new house design. Included in the permit now before the Board (PLN240077), the Applicant proposed to relocate three trees as part of the new construction including one tree that was required to be planted by Resolution No. 13-021. Two trees proposed for relocation would be moved a few feet from their current location (in the front yard) so that they would continue to provide screening when viewed from Signal Hill Road and they will still provide a tree-lined backdrop to the house when viewed from 17 Mile Drive. The Cypress tree located near the existing driveway that was required to be replanted under prior permits shall not be permitted to be relocated. The necessity for tree relocations shall be reviewed with the redesign and, if needed, a Finding shall be made.

- d) Appellant Reeves contends that was a factual error in the Resolution in Finding 6. Evidence b, which discussed the historic status of the Connell House. The appellant would prefer the evidence to clarify the reason that the house was not listed locally.

County response: The County Code does not allow the Historic Resources Review Board to list an historic resource on the County's local register without property owner permission. The evidence does not misconstrue the establishment of the Connell House as an historic resource at the levels that it was listed. This



point is irrelevant to the decision at hand. Demolition of the Connell House was evaluated in the EIR, approved by the Board of Supervisors, and the house has been demolished.

- e) Appellant Reeves contends that County should not have decided on a variance without noticing a variance as requested as part of the entitlements sought by the project and reviewed at the hearing.

County's response: Staff acknowledges that no notice was given for consideration of to support a variance by the Planning Commission. When the Applicant proposes a redesigned project, a variance may be justified and noticed in this case because the Board of Supervisors, in adopting a resolution to conceptually approve a new house that reflects Alternative 6 of the EIR, limited the new development to occur within the footprint of the former residence. The footprint of the former residence was non-conforming to front setback requirements and rebuilding a home in the footprint would include new construction within the required front setback.

- f) Appellants Reeves and AMAP contend that the project is inconsistent with the policies of the DMF LCP, particularly relating to visual resources.

County's response: The Board requires the proposed design be modified to further reduce development that extends beyond the footprint of the former Connell House. The project will be reviewed with the policies of the Del Monte Forest Land Use Plan.

- g) Appellants Reeves and AMAP contend that the action of the Planning Commission failed to recognize that the Applicant did not comply with the prior action by the Board of Supervisors for PLN100418 to plant and maintain Monterey Cypress trees to screen the property from Seventeen Mile Drive and Fanshell Beach.

County's response: The contention raises an issue with tree removal that has been resolved through subsequent permitting and has ongoing condition compliance and monitoring requirements. The evidence in the condition compliance record for PLN100418 in the form of tree status reports prepared by a qualified arborist indicate that replacement trees failed due to fungus infections, not due to deliberate removal of healthy trees. The conditions of approval on that restoration permit included replanting in the case of tree failure. The Board applied Condition No. 16, Tree Replanting and Protection, which requires the owner to

“ . . . cause a 48-inch box Cypress tree to be planted in a location that will provide screening of the new development when viewed from Fanshell Beach and 17-Mile Drive. The tree shall replace the large Monterey Cypress tree which was previously removed from the property and was not successfully replanted

per the after-the-fact Planning Permit (PLN100418, Reso. No. 13-021) to clear a code violation for tree removal (CE090788).”

This condition was discussed in the Planning Commission hearing on PLN240077, during Commission deliberations. The tree was not drawn into the arborist’s tree replacement. The tree relocation and protection plan submitted with the PLN240077 application was different, as the arborist (James Allen) was contracted to assess tree relocations related to this permit application. However, when the final landscaping plan is received pursuant to conditions of approval of PLN100338, all relocation and replanting shall be included in the plan for review and approval.

- h) Appellant Reeves contends that the decision of the Planning Commission as described in Resolution No. 25-012 is contrary to the 2023 findings and decision of the Board of Supervisors: “Finding 1, evidence i: The Reduced Project is anticipated to be no taller or larger than the existing dwelling. A Design Approval shall ensure that colors and materials will blend with the natural surroundings.”

County response: This comment is essentially the same as appellant’s contention listed as the second bullet in Finding 8, evidence “c.”

- i) Appellants Reeves and AMAP contend that the Proposed Project is too tall. Specifically, Reeves contends that the Proposed Project is not the height that was mentioned in the 2023 findings and decision of the Board of Supervisors in Finding 1, evidence m: “Maximum allowable height is 30 feet, and the Reduced Project maximum height is anticipated to be approximately 22 feet from average.” At 25.5' above natural grade it is higher than the 22' above natural grade described in the FEIR, staff reports and Board resolution. With a 30' high frontal view from Seventeen Mile Drive, it is 8 feet higher than the approximate 22' high frontal view of the Connell House.

County Response: This contention is also addressed in Finding 8, Evidence c. The new design will be reviewed for consistency with the adopted Local Coastal Plan regulations, the description of the reduced project alternative (Alternative 6) in the EIR, and the Board’s direction.

Ridgeline Development was discussed in the EIR in relation to the full height project and the alternatives. As discussed in the EIR, the ridgeline effect that would potentially occur under the reduced alternative project is minimized by a reduced roofline. The EIR did not specify by how much the roofline would be reduced for Alternative 6 but stated that the height would need to avoid ridgeline effects.

- j) Appellants Reeves and AMAP contend that the plans do not incorporate the replacement of trees required by the Board of

Supervisors in their decision January 2013 decision on PLN100418.

County response: The contention is acknowledged. The Board finds that the replanted tree, which was required to be planted near the existing driveway by PLN100418, does not require relocation. The tree shall be retained. This is the tree that was required to be planted in accordance with the Board's prior decisions. The other tree that was required to be replanted was replanted, but did not survive. As required by the conditions of the prior approval, that tree must be replaced and monitored for survivability pursuant to the prior approvals.

- k) Appellant Mehdipour contends that Condition 10 was improperly modified without public noticing of the action. Appellant claims that it was not fair or impartial for Commissioners to suggest revising the Board's Resolution after public and applicant comment periods were closed, and that the Planning Commission lacked authority to contradict the Board's decision. Finally, Applicant maintains that the Planning Commission infringed on her rights by not returning to ask if they accepted the new easement.

County's response: By attempting to enforce what the Commissioners saw as a closer consistency with the LUP, the Planning Commission purported to override an existing condition of approval that was approved by the Board. The Planning Commission has no authority to take that action. The purview of the Planning Commission was limited to reviewing the Project to satisfy Board direction and Design District/LUP criteria. Furthermore, it came up after the public hearing was closed and the Applicant should have been allowed to respond to the addition. Finally, amendment to conditions of approval of PLN100338 was not agendaized. For these reasons, the appeal by the Applicant is found to have some merit. The Board's original Condition No. 23 shall stand and the contrary finding by the Planning Commission is overruled.

- l) Coastal Commission. Pursuant to Title 20, Section 20.86.080.A, the project, once final action is taken, will be subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea (i.e., State Route/Highway 1). This resolution represents a denial of the proposed Design Approval. Denials are not appealable to the Coastal Commission.

## **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence and the administrative record as a whole, the Board of Supervisors does hereby take the following actions:

- 1) Partially uphold the appeals by Samuel Reeves and the Alliance of Monterey Area Preservations from the April 30, 2025 Planning Commission decision approving the Design Approval;
- 2) Uphold the appeal by Massy Mehdipour, Applicant, from the April 30, 2025 Planning Commission decision approving the Design Approval with Condition No. 10;
- 3) Consider the previously certified Final Environmental Impact Report (FEIR) (SCH#2015021054) for the Signal Hill LLC project, and find that the Proposed Project is consistent with Alternative 6 of the FEIR and does not warrant an addendum pursuant to CEQA Guidelines section 15162; and
- 4) Disapprove the proposed Design Approval (PLN240077) for a 7,690 square foot single family dwelling with a height of 25.5 feet at the highest points and reiterate the June 27, 2023 decision (Resolution No. 23-237) Approving a Combined Development Permit for the “Reduced Project” (Alternative 6 of the Final EIR) consisting of a Coastal Administrative Permit for the construction of a new single-family residence of similar size, in concept, as the Connell House (4,124 square feet in size and 22 feet in height)..

**PASSED AND ADOPTED** this 26<sup>th</sup> day of August, 2025, upon motion of \_\_\_\_\_ seconded by \_\_\_\_\_, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book \_\_\_\_ for the meeting on \_\_\_\_\_.

Dated:

Valerie Ralph, Clerk of the Board of Supervisors  
County of Monterey, State of California

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION-MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES:

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from County of Monterey HCD-Planning and HCD-Building Services offices in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

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