

FINAL

**MONTEREY COUNTY ZONING ADMINISTRATOR
April 24, 2003
MINUTES**

A. ROLL CALL:

Present: Roger Beretti, Environmental Health; Al Mulholland, Water Resources; Bryce Hori, Public Works; Lynne Mounday, Zoning Administrator; Linda Rotharmel, Secretary

B. PUBLIC COMMENT: None

C. APPROVAL OF MINUTES: The Minutes for the April 10, 2003, meeting were approved.

D. DESIGN APPROVALS:

1. CARDINALE VINCE (DA020650)

Design Approval to allow for the construction of 3,645 sq. ft. single family dwelling with a basement level 1,379 sq. ft. two-car garage, retaining walls and deck. The property is located on Pasadera Court, lot 139 (Assessor's Parcel Number 173-074-000), Pasadera Subdivision, Greater Monterey Peninsula area.

The Zoning Administrator described the project. The Greater Monterey Peninsula Land Use Advisory Committee recommended approval.

After discussion the Zoning Administrator approved the Design Approval.

2. KINNEBREW JAMES M & JUDITH A (DA030055)

Design Approval to allow for the demolition of an existing single family dwelling and to construct a new 3,447 sq. ft. single family dwelling to include an 80 sq. ft. entry portico, a 3,278 sq. ft. underground basement/garage, planted retaining walls (3 ft. in ht.) at entrance and a perimeter redwood fence (6 ft. in ht.). Materials and colors of stucco siding (off-white), wood trim (light green), aluminum clad windows (light green), window & wall masonry (raised Carmel stone), and American slate (green/grey blend) roofing materials. The property is located at 2946 Birdrock Road, Pebble Beach (Assessor's Parcel Number 007-501-001-000), north of the intersection of Birdrock Road and Lookout Road, Greater Monterey Peninsula area, Monterey Peninsula Country Club.

The Zoning Administrator described the project. There was discussion regarding the drainage on the design. It seems the drainage course goes down the driveway. He was wondering if the intent was to put the drainage above ground in the driveway swale or have a separate pipe to pipe it off.

Cliff Cowles, designer on project, stated that a civil engineer will be doing a formal drainage plan because there is a water issue lower in the soil. There is a drain at the bottom of the driveway because it's down one story. There is a storm drainage system out the back of the property on the golf course that they are going to hook into.

The Zoning Administrator stated he might want to check with Mr. Mulholland at Water Resources, because they are responsible for reviewing the drainage plans that will come later.

After discussion the Zoning Administrator approved the Design Approval.

3. DRISKILL ANTHONY E & JOCELYN N (DA030059)

Design Approval to allow the construction of a 5,960 sq. ft. one-story single family dwelling with attached six (6) car garage. Materials and colors of stucco siding (grey), stucco moldings and vinyl windows (off-white), and tile roofing materials (earth tone multi-color). The property is located at 23536 Belmont Circle, Salinas (Assessor's Parcel Number 139-431-009-000), fronting on Belmont Circle and west of Pine Canyon Road, Toro area .

The Zoning Administrator described the project.

After discussion the Zoning Administrator approved the Design Approval.

E. SCHEDULED ITEMS:

4. KELLY ROBERT & RENEE (PLN030060)

Amendment (PLN030060) to a Combined Development Permit (PLN000380) consisting of a Coastal Administrative Permit for the construction of a two-story 4,636 sq. ft. single family dwelling and 862 sq. ft. attached garage replacing the previously approved 5,423 sq. ft. single family dwelling and an 787 sq. ft. attached garage; 950 cu. yds. of grading as opposed to 250 cu. yds. of grading; and Design Approval; a Coastal Development Permit for the removal of 3 Monterey pines (25", 22", and 18") as opposed to the removal of 9 Monterey pines (12", 20", 16", 8", 14", 8", 16", 24", and 22" in diameter) previously approved. The property is located at 3381 Laureles Lane, Pebble Beach (Assessor's Parcel Number 008-293-021-000), south of Portola Lane and north of Seventeen Mile Drive, Del Monte Forest area, Coastal Zone.

Michael McCormick described the project. He stated that the square footage of the previously approved single family dwelling should be 4,636 instead of 5,423.

Jun Sillano, representative for Bob and Renee Kelly. He thanked the project planner, Michael McCormick, for meeting with him and making the corrections on the square footage. He concurs with conditions of approval.

Susan Long, lives on property immediately adjacent on the down hill side. She was concerned that the figures in the Notice of Public Hearing were incorrect, as far as the size had not been reduced from 5,423 to 4,561. Mr. McCormick said that the size of the building was approved at 5,400 sq. ft. which was an incorrect approval and was actually approved at 4,636 ft. sq. She was also concerned with drainage, irrigation and additional water for landscaping, grading and the provisions made for drainage. The Zoning Administrator discussed several conditions in the proposed permit which apply to her concerns. Al Mulholland, Water Resources Agency, stated the applicant will prepare a drainage plan that will have to be approved by Water Resources Agency and will not be allowed to increase drainage, so there won't be an increase in drainage.

After discussion the Zoning Administrator approved the Combined Development Permit application with the Findings and Evidence that it complies with requirements for residential districts in the Coastal Zone in the Del Monte Forest Land Use Plan and subject to the Conditions.

5. WEINER DAN & ELLEN WEINER TRS (PLN020354)

Combined Development Permit consisting of a Coastal Administrative Permit for the demolition of an existing 1,900 sq. ft. residence and the construction of a new two-story 2,200 sq. ft. single family dwelling with a 144 sq. ft. attached carport; and a 5,000 gallon water tank; Grading (280 cu. yds. of cut and 20 cu. yds. of fill); a Coastal Development Permit for removal of a 15 inch California Bay Laurel with "Sudden Oak Death" syndrome; a Coastal Development Permit for a waiver of the policy prohibiting development on slopes in excess of 30%; and Design Approval. The property is located at Lot 17, Coastlands (Assessor's Parcel Number 420-171-013-000), Big Sur area, Coastal Zone.

Michael McCormick described the project. The Big Sur Land Use Advisory Committee recommended approval of the project.

Rob Carver, architect for the Weiner's, thanked Mr. McCormick for a thorough and professional job and a Staff Report that was concise and very well structured. He noted that the Staff Report stated in Condition #2 stated there were 34 conditions and he had only 30. Mr. Carver accepted the conditions.

The Zoning Administrator addressed the Initial Study and found that it wasn't necessary because the evidence pointed in the direction of not having any impact.

After discussion the Zoning Administrator approved the Combined Development Permit and the Design Approval subject to the Findings and Evidence that have been developed and recommended and the Conditions.

6. ODELLO MICHAEL B & VICKI C (PLN020580)

Coastal Administrative Permit for the construction of a 553 sq. ft. first-story addition and a 1,116 sq. ft. second-story addition to an existing 2,281 sq. ft. one-story single family residence; and Design Approval. The property is located at 2830 Ribera Road, Carmel (Assessor's Parcel Number 243-032-011-000), northwesterly of the intersection of Ribera Road and Highway 1, Carmel area, Coastal Zone.

Brett Becker described the project. The application was originally submitted for Administrative Approval, however written comment in opposition to the project was received from Willard Hoot dated March 22, 2003, and April 14, 2003 as a follow up. The letters were read into the record. Another letter from a neighbor, Charles C. Anker, dated April 15, 2003, was also read into the record. Mr. Becker added that Staff's review of the project, conforms to the setback requirements and in regulations as well as lot coverage and floor ratio under Title 20 Zoning Ordinance. It also conforms with the policies of the Carmel Land Use Plan in regards to the archeological resources.

There was discussion and photos shown of other two story homes in the area and privacy of others in the neighborhood.

Ray Parks, represented the Odello's. He recommended blinds for the opposing neighbor, in regards to privacy, since privacy works both ways. He stated the height limit on Ribera Road has been made 18 feet. The design does meet the 18 feet height limit. The Carmel Valley Unincorporated Land Use Advisory Committee approved the project. He discussed the issue of property value and stated that they are within the Zoning Ordinances. Ray Parks accepts conditions.

After discussion the Zoning Administrator approved the Coastal Administrative Permit with Findings and Evidence and subject to proposed Conditions and Design Approval with the colors and materials recommended.

7. STEFFENSEN DWIGHT A & ARLENE M (PLN030015)

Coastal Administrative Permit to allow the remodel of an existing 425 sq. ft. legal non-conforming guesthouse non-conforming to yard regulations, where the proposed work is more than 50% of the appraised value of the guesthouse and includes structural alterations; and Design Approval. The property is located at 24323 San Marcos Road, Carmel (Assessor's Parcel Number 009-024-001-000), at the intersection with San Juan Road, Carmel Woods, Coastal Zone.

The Zoning Administrator described the project.

John Erlandson, architect for the project. It was noted that the residence was originally built in the 1930's or 40's. John Erlandson accepted the conditions.

After discussion the Zoning Administrator approved the Coastal Administrative Permit with the Findings and Evidence and the Conditions as recommended and the Design Approval with colors and materials to match.

8. THE VILLA DEL MAR SUB TRUST (PLN010326)

Combined Development Permit consisting of a Coastal Development Permit for Development within 100 feet of environmentally sensitive habitat (indigenous Monterey cypress habitat); and a Coastal Administrative Permit to allow 2,422 sq. ft. of additions to the basement, main floor, and second floor of an existing 7,581 sq. ft. two-story single family dwelling; and Design Approval. The property is located at 3196 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-491-010-000), Del Monte Forest area, Coastal Zone.

Timothy Johnston described the project. The project required an Environmental Review pursuant to CEQA, therefore an Initial Study was prepared and a Mitigated Negative Declaration was circulated. The Del Monte Forest Land Use Advisory Committee recommended approval. There was discussion regarding the Mitigation Measures, scenic easements and building envelopes. Comments were received from the applicants regarding Mitigation Measures #2 and #3 and have them relaxed. Staff's approval rests on the Mitigation Measures and Monitoring Actions as presented in the Staff Report. There was discussion regarding the required building envelope and that areas outside that envelope were placed in Conservation Easement and an Arch Easement. The biologist has recommended an optimal tree root protection zone based on 1.25 feet for each inch of tree diameter. The root spread of the trees is within the building envelope and Staff feels that the building envelope is not enough to protect the rare resource. Staff would not object to additional evidence that would list the environmental reports that have been prepared, but Staff does not support the argument that the building envelope alone is enough to protect this resource. There will be monitoring for five years. There was discussion on Mitigation Measure #1, Condition #18, that requires that if there is a notable decline in the health of the cypress trees, then the applicant is required to replant with new cypress trees. Mitigation Measure #2, Condition #19, which requires eradication of invasive exotic species on site, namely ice plant in this case, or any others that exist or may exist. It was decided that the "and/or" be deleted in the condition. There was discussion on the subject.

Denise Duffy, for the applicants, stated that Cara Galloway of EMC and certified arborist, Jeff Foster from DD&A, Charles Williams of Fletcher & Hardoin, and David Stoker, representative for the applicants, were present. She discussed the foot print, scenic easements and building envelopes. She read into the record a requested additional finding for Finding #4: "A building envelope on the site has been delineated in the recorded Scenic and Conservation Easement and that the easement serves to assure protection of the Cypress tree in accordance with the goals of Policy 21. The proposed improvements for the project are located in the existing building envelope and the conservation easement on the site will

remain unaffected by the project and help to mitigate impacts to Monterey cypress. It identifies that further documentation by Brian Jacobson with Hugh Smith Tree Service, Cara Galloway, with EMC, the certified arborists and biologist and Paul Dubsy with Peninsula Ecological Services, that provides the evidence that construction of the proposed improvements within the defined building envelope will not negatively impact the health or long-term sustainability of the trees or the habitat as a whole with the implementation of the mitigation measures provided.” She stated that the revised language incorporates what Staff was trying to say in terms of a combination, addresses the impact to the cypress. The change to Condition #18 should be to the effect that if there is a decline in the health of the trees within the building envelope, that those trees be replanted on site. The second change is Condition #19, Monitoring Action #2, some of the invasive plants are interspersed with native plants and would rather not have to invade that area and the erosion control issues associated with that and the ice plant associated with the neighboring property.

Cara Galloway, biologist and certified arborists with the EMC Planning Group. She discussed the 1987 Forest Management Plan and six trees that were dead were removed for the original house. There were no live trees removed and various prescriptions were recommended to maintain the trees that were to remain on the property and general recommendations for replanting native trees and native under story, but because there were no live native cypress trees being removed, there were no specific requirements for replanting. There were recommendations regarding erosion control, ice plant removal, revegetation of the under story with natives and those recommendations were carried over into the document that she prepared. Monterey Cypress Forest, as a whole, is designated as a sensitive resource for Fish and Game and it’s precious because of the fact that cones they produce open only during fire events or real dry periods, and that’s what’s required in order for those cones to release their seeds. She commented on the Mitigation about eradication of ice plants. She read the recommendation from her document and the 1987 Forest Management Plan. Her document said, “That effort should be made to prevent the further encroachment of invasive exotic species, such as ice plant, on the property and areas disturbed by construction should be revegetated with native vegetation to control non native invasive species.” The 1987 Forest Management Plan recommended, “directing the removal of exotics, ice plant, that is growing on the site” and went on to say, “the ice plant stands on the adjacent properties will prohibit complete illumination of the invasive ice plant on this site.” She showed photos of seaside daisy and ice plant. She also showed the vegetation map from her biology report. There was discussion regarding the language for the eradication of invasive exotic plants that includes in accordance with an approved plan by Planning and Building Inspection or where feasible and subject to the approval of the Monitoring Report.

Mr. Johnston felt the Mitigation Measure and Monitoring Action are adequate to address the issue and is feasible and possible.

After discussion the Zoning Administrator approved the Combined Development Permit with the Findings and Evidence and Conditions, with the understanding that there will be some negotiation between the planner and applicant to work out a phased plan for the eradication of invasive exotics within a five to ten year time frame.

The additional finding read into the record will be incorporated into the Resolution, but the Conditions will be left as they are.

9. HARLAND MICHAEL & CHRISTINA (PLN020078)

Combined Development Permit consisting of a Coastal Development Permit and Design Approval to allow demolition of an existing 1,400 sq. ft. one-story single family residence and construction of a new 1,800 square foot two-story single family residence with attached one-car garage, retaining wall and grading (approximately 180 cu. yds. cut) within 750 feet of a known archaeological site; and a Coastal Administrative Permit for parking within the front setback. The property is located at 26259 Hilltop Place, Carmel (Assessor's Parcel Number 009-451-011-000), fronting on Hilltop Place between San Antonio Avenue and Inspiration Avenue, Carmel area, Coastal Zone.

Dana Annereau, designer and builder of project, described the project. There were no comments from neighbors received. Mr. Annereau had minor questions regarding the Conditions, but had them answered and accepted the Conditions.

After discussion the Zoning Administrator approved the Combined Development Permit with the Findings and Evidence as recommended and Conditions.

F. OTHER ITEMS: None

G. ADJOURNMENT: 11:55 a.m.

ATTEST:

LYNNE MOUNDAY
Zoning Administrator

/lmr