

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: September 30, 2004 9:10 AM	Agenda Item: 4
Project Description: Combined Development Permit consisting of 1) an amendment to an amended combined development permit (PLN030060) consisting of: a) Coastal Administrative Permit for the construction of a two-story 5,910 sq ft single family dwelling and 889 sq ft attached garage in place of the previously approved 4,561 sq ft single family dwelling and 862 sq ft attached garage; 950 cu yds of grading as previously approved; and Design Approval; b) a Coastal Development Permit for the removal of 3 Monterey pines (25", 22" AND 18") as previously approved; and 2) a Coastal Development Permit for the unpermitted removal of 30 on-site and 7 off-site Monterey pines and 2 on-site Monterey cypress.	
Project Location: 3381 Laureles Lane, Pebble Beach	APN: 008-293-021-000
Planning Number: PLN040217	Name: Kelly
Plan Area: Del Monte Forest Land Use Plan	Flagged and Staked: No
Zoning Designation: LDR/1.5-D [CZ]; Low Density Residential, 1.5 acres per unit, Design Review District, Coastal Zone.	
CEQA Action: Exempt, pursuant to Section 15302 of the CEQA Guidelines	
Department: Planning and Building Inspection (PBI)	

RECOMMENDATION

Staff recommends that this item be tabled pending resolution of a code violation related to trees being removed without permit.

OVERVIEW

A portion of this application is to legalize the unpermitted removal of 42 Monterey pine and Monterey cypress trees. The Department has determined that the removal of the trees in question will require the approval of a restoration plan prior to the holding of a public hearing on this application. Depending on the resolution of this code violation this application may need to be heard by the Planning Commission.

DISCUSSION:

This item was before the Zoning Administrator on July 29, 2004 and continued to August 26, 2004. The staff recommendation at that time was for the item to be tabled pending resolution of the violation. At that hearing the owner's legal counsel requested a continuance to the next available Zoning Administrator hearing with the assertion that a complete restoration plan would be submitted later that week. Staff received a plan sheet entitled "reforestation" on September 9, 2004 and after review determined it to be incomplete.

Pursuant to Section 20.90.130 of Title 20 the Director of Planning and Building Inspection "may require restoration of the property to its pre-violation state if in his or her opinion it is necessary to correct the violation." The Department should have declared the application incomplete because the application did not have an approved restoration plan and restoration was not approved and completed. Since this did not occur at the beginning of the process, staff is

considering allowing the application to go forward subject to the provision of an adequate restoration plan, and the installation of trees pursuant to this plan, prior to construction of the proposed house.

Thomas A. McCue, Senior Planner
831/883-7528, mccuet@co.monterey.ca.us

cc: Zoning Administrator; County Counsel; Health Department; Public Works;
Monterey County Water Resources Agency; Scott Hennessy; Dale Ellis; Jeff
Main; Thom McCue; Linda Rotharmel; Applicant/Representative; Owners

Attachments: Exhibit A: Letter to Henry Ruhnke (applicant) from Thomas A. McCue, dated
September 16, 2004, regarding Kelly Restoration Plan (PLN040217)

This report was reviewed by Jeff Main, Planning & Building Services Manager