



# Monterey County Planning Commission

**Item No.4**

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 4

Legistar File Number: PC 22-071

August 24, 2022

**Introduced:** 8/16/2022

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

### **PLN210191 - DAVIS KELLY TR**

Public hearing to consider construction of a 3,646 square foot single family dwelling, a 476 square foot attached garage, a 344 square foot guesthouse over a 398 square foot storage area (attached to the main dwelling by trellis), and associated site improvement including the allowance of less than 120 square feet of development on slopes exceeding 30% and removal of 10 non-native trees.

**Project Location:** 1458 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan

**Proposed CEQA Action:** Find that the disapproval of the project is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines.

### RECOMMENDATION:

It is recommended that the Planning Commission:

1. Find that the disapproval of the project is Statutorily Exempt from the California Environmental Quality Act per Section 15270 of the Guidelines; and
2. Deny a Coastal Administrative Permit and Design Approval to allow construction of a 3,646 square foot single family dwelling and 476 square foot garage attached garage; and
3. Deny a Coastal Administrative Permit and Design Approval to allow construction of a 344 square foot guesthouse over a 398 square foot storage area, attached by an arbor to the main dwelling; and
4. Deny a Coastal Administrative Permit to allow less than 120 square feet of development on slopes exceeding 30%.

A draft resolution, including findings and evidence for denial, is attached for consideration (Exhibit B).

### PROJECT INFORMATION:

**Project Owner:** Davis Kelly TR

**Agent:** David Stocker

**APN:** 008-332-019-000

**Zoning:** Low Density Residential, 1.5 acres per unit, with a Design Control overlay in the Coastal Zone or "LDR/1.5-D (CZ)".

**Parcel Size:** 30,785 square feet

**Flagged and Staked:** Yes

### SUMMARY:

The subject parcel is located at 1458 Riata Road, Pebble Beach, on the corner of Riata Road and Alvarado Road, within the Del Monte Forest Land Use Plan, Coastal Zone. The property owner

proposes construction of a 3,646 square foot one-story single-family dwelling, an attached 476 square foot attached garage, and construction of a 344 square foot guesthouse over a 398 square foot storage area.. As detailed on the attached plan set, the proposed project includes trellis roof overhangs that extend from the exterior of the residence and an arbor connecting the proposed main residence to the proposed guesthouse. Arbors often share similar design features with trellises but are traditionally used to define a walkway or path, such as the outdoor dining area/corridor between the proposed residence and guesthouse. Associated site improvements include a new driveway, less than 120 square feet of development on slopes in excess of 30% and removal of 10 non-native trees. A 3,099 square foot single family dwelling on the property was previously permitted for demolition under file number PLN210002, (Resolution Number: 21-026), however, the home has not been demolished to date. The proposed dwelling would replace the dwelling previously permitted for demolition.

Staff is recommending denial of the project because, as proposed, the project would not adhere to the lot coverage requirements of the Zoning Ordinance. The property is zoned Low Density Residential (LDR), Coastal Zone, which allows a maximum lot coverage of 15 percent of the lot size. The property is 0.707 acres in size or 30,785 square feet, which would allow a maximum lot coverage of 4,617.75 square feet (30,785 sq ft x 15%). As proposed, staff has calculated the lot coverage using the following square footages:

- Main dwelling - 3,646 square feet
- Attached garage - 476 square feet
- Attached storage/guesthouse - 407 square feet
- Eaves over 30 inches - 83 square feet
- Arbor & Trellis roof overhang - 1,350 square feet

Totaling these areas results in a lot coverage of 5,962 square feet or a 19.36 percent coverage of the lot.

The applicant believes that the trellises and arbor should not be included in the lot coverage calculations. Without the trellises and arbor included in the calculations, the proposed coverage is 4,612 square feet, which is slightly under the maximum allowed coverage of 4,617.75 square feet.

In this case, staff has applied the site development standards, including lot coverage to the proposed trellises and arbor based on the reading of the definitions contained in Chapter 20.06 of the Coastal Zoning Ordinance, (Title 20 of the Monterey County Code), for “coverage” (20.06.250) and “structure” (20.06.1220), as well as a number of other factors discussed in more detail below.

Absent the lot coverage inconsistency, the proposed project appears to be appropriately sited to minimize removal of native trees, avoid slopes, and colors and materials are consistent with the neighborhood character.

#### DISCUSSION:

##### *Development Standards*

The project does not meet all the required development standards for LDR Zoning District which are

identified in Monterey County Code (MCC) Section 20.14.060. The maximum allowed height for main structures in the LDR zoning district is 30 feet above average natural grade. The proposed main dwelling would have a height of approximately 25 feet 2 inches above average natural grade. A guesthouse above a storage area is proposed to be attached to the main residence via an arbor. If the structure is considered “structurally attached” to the main structure by the arbor, the storage/guesthouse would be subject to the same height requirements as the main structure (Monterey County Code Section 20.62.030.d). The proposed guesthouse would have a height of approximately 17 feet above average natural grade. If the garage/guesthouse is not considered “structurally attached,” it would be subject to a 15-foot height requirement. Arbors, trellises, and similar accessory structures have historically been considered an attachment for the purposes of Section 20.62.030.d by staff.

The minimum required setbacks for main structures are 30 feet (front), 20 feet (sides), and 20 feet (rear). Identical to the height exception above, MCC 20.62.040.k allows attached accessory structures the same setback requirements as the main structure. A detached accessory structure is subject to a 50-foot front setback. The proposed residence and guesthouse will have front setbacks of 36.14 feet and 30 feet and side and rear setbacks of 20.91 feet (northwest) and 31.04 feet (southwest). Again, structural attachment of the storage/guesthouse by arbor is necessary to in the determination of conformance with setbacks (30 feet v. 50 feet front setback requirement).

The allowed maximum floor area ratio (FAR) and site coverage is 17.5% and 15%, respectively. The subject property is 30,785 square feet, which allows a FAR of 5,387.37 square feet and a site coverage of 4,615.75 square feet. In this case, the project would result in FAR of 4,864 square feet (15.8%) and site coverage of 5,962 square feet (19.36%) when including all buildings, building overhangs of more the 30 inches (i.e., trellises), and arbor. Although the proposed FAR is under the allowable limit, the proposed site coverage exceeds the maximum by 1,344.25 square feet or 1.86%.

#### Building Site Coverage.

“Coverage” is defined by the Coastal Zoning Ordinance (Title 20 MCC) as: “...*any area covered by a structure, structures or structure protrusions including decks twenty-four inches or more above grade but not including building eaves of thirty inches or less or similar non-usable areas, paved driveways, sidewalks, paths, patios and decks less than twenty-four inches above grade.*” (20.06.250). Building site coverage is a common zoning tool used to control the bulk and mass of structures. Each zoning district in Monterey County Code (MCC) contains site development standards including setbacks and lot coverage. Coverage is usually expressed as a percentage of the overall lot size and varies based on the type and nature of each zoning district.

“Structure” is defined as: “...*anything constructed or erected, except fences under six feet in height, the use of which requires location on the ground or attachment to something having location on the ground, but not including any trailer or tent.*” (20.06.1220 MCC).

Trellises proposed for this project extend from the eaves of the buildings and overlie decks and patio areas proposed at the rear of the house. These trellises would be included in the lot coverage calculation since they extend 30 inches from the wall. Additionally, the proposed arbor is subject to site development standards including setback and lot coverage. The arbor between the main dwelling and the proposed storage/guesthouse building is relied upon as a “structural connection” for the

purposes of applying height and setbacks as an “attached structure.”

“Structural connection” is defined as “...connection between structures by means of structural members such as bearing walls, columns, beams, girders, or roof.” (20.06.1200 MCC).

“Structure, Attached” is defined as “...any structure which is connected to any other structure by means of a structural connection, such as a roof, stairway, atrium, breezeway or other structural connection.”

Without the structural attachment, the storage/guesthouse structure are over the height for an accessory structure and would not meet the front setback requirement from Alvarado Road for an accessory structure. In summary, staff would not find it appropriate to allow an arbor to represent a “structural connection” for height and setback purposes but not for other site development standards like setback and lot coverage.

The applicant does not agree that trellises and arbors constitute site coverage. The applicant indicates that since the proposed trellises and arbors have an open framework they should be differentiated from typical roofs or eaves. Further, the applicant was opposed to removing the trellises and reducing eaves over 30 inches as those features are integral to the structures architectural design and have energy benefits by providing shade at southern exposed windows and doors. Therefore, the applicant has been unwilling to remove the proposed trellises or arbor to reduce the overall development size to meet the allowable lot coverage.

Since the trellises and arbor structures have an open framework, the applicant has indicated that “coverage” should be interrupted to mean areas only covered by the framing members of a trellis. Contrarily, staff finds that because trellises meet the definition of “structure,” contributing to the overall bulk and mass on the property, the entire footprint of the arbor and the trellises would count toward lot coverage. Trellises and arbors provide for a semi-covered useable space as an extension of a building or as a freestanding structure. Trellises and arbors may be covered with shade cloth, vegetation, or various roofing materials. Trellises and arbors are often altered or converted to enclosed spaces over time since the key structure components exist making alteration of conversion more feasible. To ensure that the spirit and intent of the Zoning Code is achieved, trellises, whether freestanding structures or as extension to the eaves over 30 inches, must comply with the lot coverage requirements. Furthermore, the lot coverage requirements must be applied to ensure consistency in applying the height and setback exceptions contained in Chapter 20.62 of the MCC that require structural connection or attachment between the main house and accessory structures.

#### *Design Review*

The colors of the proposed development consist of a white smooth stucco and red cedar horizontal wood siding, black steel windows and doors, and grey metal roofing. These colors and materials are consistent and compatible with residences in the surrounding area, which contains electric architectural styles. Staff has reviewed the proposal and determined that although the development is sited appropriately, the proposed design and size of the project does not conform to development standards. Therefore, as proposed, the project is inconsistent with the Design Approval criteria contained in MCC Chapter 21.44.

As depicted on Figure 3 of the DMF LUP, Visual Resources, the subject property is within the viewshed from Point Lobos but it's not in the viewshed from 17-Mile Dr. and designated vista points. A site visit on May 13, 2022, confirmed that the proposed development is not visible from 17-Mile Drive, Point Lobos or any vista point due to location and existing development and vegetation. The project does not block significant public views, nor does it significantly adversely impact public views and scenic character of 17-Mile Drive. Therefore, as proposed, the project would not result in adverse visual impacts, and the project is consistent with the applicable scenic resource policies of the DMF LUP.

*Development on Slopes in Excess of 30%*

As proposed, the project involves 62 square feet hardscape and landscaping walls on slopes in excess of 30%. Although this development is not an addition to the existing residence as that residence is slated to be demolished under Resolution No. 21-026, the proposed development on slopes meets the intent of MCC Section 20.64.230.C.2.d because the proposed development on slopes will be in addition to the proposed replacement residence. As proposed, the project limits the required development on slopes in excess of 30%.

CEQA:

Section 15061(b)(4) states that the California Environmental Quality Act does not apply to projects which a public agency rejects or disapproves. As currently designed and proposed, staff recommends the Planning Commission deny the project due to inconsistencies with applicable Monterey County Code.

OTHER AGENCY INVOLVEMENT:

Housing and Community Development - Environmental Services  
Housing and Community Development - Engineering Services  
Environmental Health Bureau  
Pebble Beach Community Services District - Fire Protection District

LUAC:

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on August 4, 2022, voted 7 - 0, with one absent member, to support the project with the change that the County of Monterey and the Applicant come to an agreement or conclusion regarding site coverage and trellises.

Prepared by: Fiona Jensen, Associate Planner, x6407  
Reviewed by: Anna Quenga, AICP, Principal Planner  
Approved by: Craig Spencer, HCD Chief of Planning

The following attachments are on file with the HCD:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution, including:
  - Site Plan, Floor Plans, and Elevations

- Site Coverage and Floor Area Ratio Calculations
- Exhibit C - Del Monte Forest LUAC Minutes (August 4, 2022)  
Exhibit D - Vicinity Map

cc: Front Counter Copy; Pebble Beach Community Services District (Fire Protection District); HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Fionna Jensen, Associate Planner; Anna Quenga, AICP, Principal Planner; Kelly Davis TR , Property Owner; David Stocker, Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN210191