



County of Monterey

Item No.1

Zoning Administrator

Legistar File Number: ZA 24-023

June 13, 2024

Introduced: 6/4/2024

Current Status: Agenda Ready

Version: 2

Matter Type: Zoning Administrator

PLN200097 - WIND & SEA PROPERTY LLC

Public hearing to consider restoration of approximately 11,750 square feet of Northern coastal bluff scrub habitat, removal of "Deck 2," after-the-fact partial conversion of a detached garage into a 336 square foot guesthouse, and after-the-fact construction of outdoor sauna, hot tubs, an outdoor patio, and a deck within 50 feet of a coastal bluff and 100 feet of environmentally sensitive habitat area to partially clear Code Enforcement Violation No. 16CE00201.

Project Location: 54722 Highway 1, Big Sur.

Proposed CEQA Action: Find the project Categorical Exempt pursuant to CEQA Guidelines sections 15301 and 15333, and no exceptions apply pursuant to section 15300.1.

RECOMMENDATION:

It is recommended that the Zoning Administrator continue the hearing to a date uncertain.

PROJECT INFORMATION:

Property Owner: Alex Hakakian

Agent: Chris Gourlay

APN: 421-011-010-000

Zoning: Rural Density Residential, 40 units per acre, Design Control Overlay, (Coastal Zone)
[RDR/40-D(CZ)]

Plan Area: Big Sur Coast Land Use Plan

Flagged and Staked: No

Project Planner: Fionna Jensen, 831-796-6407, JensenF1@countyofmonterey.gov

SUMMARY/DISCUSSION:

The project site is approximately 10.5 miles north of Lucia, CA, and is surrounded by residentially zoned parcels to the north and south, watershed and scenic conservation parcels to the west, and the Pacific Ocean to the west. The subject property is developed with an existing single-family dwelling and a detached garage, as well as various other site improvements including decks, an outdoor seating area, a driveway, and an on-site well and wastewater treatment system.

In 2016 and 2018, HCD-Code Enforcement received numerous complaints alleging construction and grading without appropriate permits. Unpermitted activities that required granting of applicable permits included partial conversion of a detached garage into a 336-square-foot guesthouse, construction of an outdoor patio and two decks, and the installation of hot tubs and an outdoor sauna. Additionally, since 2016 and as recently as April 5, 2024, the County has received complaints that the subject property has been used as a short-term rental, a wedding venue, and for the assemblage of people.

After investigation, HCD-Code Enforcement issued an Administrative Citation (16CE00201) on November 4, 2022, confirming that the violations included the use of the property as a short-term rental, holding of private events (e.g. weddings), and construction without property permits.

To partially abate this violation, the Applicant/Owner is seeking after-the-fact approval of the unpermitted development (partial conversion of a detached garage into a 336-square-foot guesthouse, outdoor patio, two decks, hot tubs, and sauna). Portions of the unpermitted development occurred within 100 feet of environmentally sensitive habitat areas, 50 feet of a coastal bluff, and on slopes in excess of 30%.

Staff informed the Applicant/Owner that various conditions of approval are needed to address the violations and ensure compliance with applicable requirements of the Big Sur Coast LUP and Coastal Implementation Plan. Prior to distribution of the June 13, 2024, Zoning Administrator staff report, the Applicant/Owner requested a continuance to a date uncertain to allow additional time to discuss the draft conditions of approval with HCD-Planning staff.

Prepared by: Fionna Jensen, Senior Planner

Reviewed and Approved by: Anna Ginette Quenga, AICP, Principal Planner

cc: Front Counter Copy; California Coastal Commission; Anna Ginette Quenga, AICP, Principal Planner; Fionna Jensen, Senior Planner; HCD Engineering Services; Environmental Health Bureau; HCD-Environmental Services; CalFire; Alex Hakakian, Applicant/Owner; Chris Gourlay, Agent; South Coast LUAC; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Christina McGinnis, Keep Big Sur Wild; Project File No. PLN200097