



# County of Monterey

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

## Board Report

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**File #:** ZA 21-006, **Version:** 1

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### **PLN200109 - STULENA HOLDINGS**

Public hearing to consider demolition of an existing garage, remodel of an existing 5,169 square foot single family dwelling; addition of 1,388 square feet to the existing dwelling; construction of a new 709 square foot attached garage, new lower-level storage space, and new decking. The permit includes a Variance to the 9,000 square foot Pascadero Watershed coverage limitations to allow 12,648 square feet (reduced from 15,498 square feet).

**Project Location:** 1502 Bonafacio Road, Pebble Beach

**Proposed CEQA action:** Categorically Exempt per Section 15302 of the CEQA Guidelines

#### **RECOMMENDATION:**

It is recommended that the Zoning Administrator adopt a resolution to:

- a. Find that the project involves partial demolition, remodel and additions to a single family dwelling in a residential zone and therefore qualifies as a categorical exemption pursuant to Section 15302 and that none of the exceptions under Section 15300.2 apply; and
- b. Approving a Coastal Administrative Permit and Design Approval to allow demolition of an existing 593 square foot detached garage, remodel of existing 5,169 square foot single family dwelling, addition of 1,388 square feet of heated living space, a new 709 square foot two-car attached garage, and 710 square feet of lower level storage, rebuild of 875 square feet of existing deck and addition of 760 square foot new deck, totaling 1,636 square foot raised deck; demolition of existing entry gate, driveway to be reconfigured with new entry gate; and
- c. Approve a Variance to the 9,000 square foot Pascadero Watershed coverage limitations to allow 12,648 square feet (reduced from 15,498 square feet).

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval subject to 7 conditions of approval.

#### **PROJECT INFORMATION:**

**Agent:** Brittney Schloss

**Owner:** Stulena Holdings LLC

**APN:** 008-341-038-000

**Parcel Size:** 1.75 acres

**Zoning:** LDR/1.5-D(CZ)

**Plan Area:** Del Monte Forest Land Use Plan

**Flagged and Staked:** Yes

**Application Submitted:** August 5, 2020

**Application Complete:** September 21, 2020

#### **SUMMARY:**

The applicant proposes demolition of an existing garage, and remodel and additions of an existing 5,169 square

foot, single family dwelling to add 1,388 square feet of heated living space, 710 square feet of lower level storage space, and a new 709 square foot garage. The existing development is legal, but non-conforming because it does not conform to the 9,000 square foot Pescadero Watershed limitations on impervious surface coverage. The proposed project will result in a reduction of total coverage of 2,850 square feet from existing, but will not reduce total coverage to below the 9,000 square foot limit, so a variance is required. The proposed project is similar to other projects in the immediate area that have received similar variances where proposed development reduces impervious coverage. A variance can be supported in this case because the existing coverage is well above the impervious surface limits and the project will substantially reduce that coverage (special circumstances), similar variances have been granted for other sites in the same zoning (not a special privilege), and the proposed work will include remodel and additions to a single family dwelling which is a permitted use in the Low Density Residential Zoning District.

All other standards and requirements for the project have been met. The project conforms to all other development standards including height, setbacks, and floor area ration. Design of the proposed development is appropriate for the site and consistent with the neighborhood character.

## DISCUSSION:

### **Project**

The subject property is a 1.75 acre parcel developed with an existing 5,169 square foot house built in 1961 and a 593 square foot garage. The project will demolish the existing garage, remodel the existing dwelling, and add 1,388 square feet of heated living space, 710 square feet of lower level storage, and a new 709 square foot garage. The existing driveway will be reconfigured with a new entry gate to better align with the property entrance and proposed garage, and will be partially replaced with decomposed granite to reduce impermeable surface coverage. The proposed design retains the primary external structure and footprint of the existing house with additions occurring within existing paved or landscaped areas. The existing 875 square foot deck will be rebuilt and 760 square feet of deck will be added, resulting in 1,636 square feet of raised decking.

### **Zoning**

The property is zoned Low Density Residential, 1.5 acres per unit, with a Design Control overlay. In conformance with the Design Control zoning overlay, the proposed design is consistent with the character of the neighborhood. Proposed colors and materials include cream colored stucco, wood siding and trim, stone finishes, aluminum clad window trim in “wine berry” color, and copper standing seam “aged bronze” colored roofing. The development meets all required setbacks for the Low Density Residential zoning district with the exception of one allowable exceptions. A proposed patio on the west side of the house extends into the side setback by 3 feet. Additionally, the proposed deck on the east side of the house extends into the side setback by 3 feet. Monterey County Code section 20.62.040 (D) allows uncovered decks, porches, or stairways, fire escapes or landing places to extend into any required side setback not exceeding 3 feet.

### **Pescadero Watershed Variance**

The existing single family residence was constructed in 1961, and is legal non-conforming with respect to site coverage limitations for the Pescadero watershed. Policy 77 of the Del Monte Forest Land Use Plan limits development of parcels within the applicable watersheds to a maximum site coverage of 9,000 square feet, including both structural and impervious surface coverages. The intent of this policy is to reduce runoff into the waters of the Pacific Ocean surrounding the Del Monte Forest, specifically the Carmel Bay Area of Special Biological Significance (ASBS). The existing impervious site coverage total is 15,498 square feet, which includes 6,636 square feet of structural coverage and 8,862 square feet of impervious surface coverage (driveway and walkways). The project proposes to remove 5,155 square feet of paved impervious surface

coverage and 593 square feet of structural coverage, and will add 2,897 square feet of structural coverage. This will result in a total coverage of 12,648 square feet, or net reduction of 2,850 square feet of total coverage from existing. Although the project will not reduce total coverage to the 9,000 square foot limit, the project limits (by reducing) structural and impervious surface coverage in order to reduce runoff into the Carmel Bay Area of Special Biological Significance (ASBS), and meets the intent of the Pescadero Watershed policy.

A variance is required to grant approval to exceed coverage limitations, and the findings for the variance can be made. The property is subject to unique circumstances that warrant the conversion of impervious surface coverage to structural coverage. Pursuant to MCC Section 20.14, the Low Density Residential, 1.5 acres per unit (LDR/1.5) zoning district/classification allows building site coverage of 15 percent, and does not specifically restrict impervious surface coverage. The subject property is 76,142 square feet (1.748 acres), which would allow building site coverage of 11,421 square feet under regular zoning district development standards. Pursuant to Policy 77 of the DMF LUP, the property is restricted beyond the limits imposed by the Monterey County Zoning Ordinance (Title 20) on other properties with the same zoning classification. The requested variance would not constitute a grant of special privilege. Several projects in the immediate vicinity, including PLN980384 (Rachleff), PLN020361 (Griggs), PLN980540 (Schwab), PLN090061 (Rachleff), have reduced overall coverage on legal non-conforming developments without meeting the 9,000 square foot coverage limit. These projects were approved with a variance to recognize the special circumstances imposed by coverage limitations in this area and to document the improvement to the legal non-conforming coverage situation.

This permit will revise a previous variance granted under PLN060308 (Bardis). On September 13, 2007, the Zoning Administrator approved a variance for this same property under similar circumstances. PLN060308 approved a demolition of the existing home and re-build of a new single family dwelling, including a variance for the resulting increased structural coverage, reduced impervious surface coverage, and a net reduction of approximately 4,872 square feet of total coverage. The approved demolition and re-build was never started, and the permit has expired. The property has since changed hands and PLN200109 is a new design which reduces the impervious surface coverage by less: 2,851 square feet, but preserves a majority of the external walls of the existing structure, and proposes a house with reduced height and bulk as compared to the previously approved design.

### **Water/Wastewater**

The proposed project has been reviewed by the Environmental Health Bureau and by the Monterey Peninsula Water Management District. Adequate water and wastewater services are available for the project. The property has existing service from Pebble Beach Community Services District for sewer service and from California American Water for water service. Both entities will continue to serve the property after the proposed remodel/additions are constructed. The property owner purchased water credits from the Pebble Beach Company to account for the new water fixtures.

### **Archaeological Resources**

The project site is in an area identified in County records as having a high archaeological sensitivity. An archaeological survey (LIB070014) previously prepared for the property site concluded that there is no surface evidence of potentially significant archaeological resources. In addition, although located in an area of high sensitivity, the area of proposed development has been disturbed by previous structural and hardscape development, as well as landscaping. Therefore, there is no evidence that any cultural resources would be disturbed, and the potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County's standard project condition (Condition No. 3) which requires the contractor to stop work if previously unidentified resources are discovered during construction.

CEQA:

Section 15302 Categorically exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced. The proposed project involves partial demolition of a single-family dwelling and accessory structures on the parcel, and construction of a single-family dwelling and accessory structures on a residentially-zoned parcel within a developed neighborhood (i.e., replacement of an existing structure with the same purpose and on the same site). As proposed, the house would be located on existing hardscape and landscape areas. The proposed design does not substantially increase the bulk and mass of the existing dwelling, and the proposed setbacks are similar to those of the existing residence (i.e., approximately the same capacity as the structure replaced). Total impermeable hardscape area is proposed to decrease. Therefore, the project is consistent with the parameters of the Class 2 categorical exemption. None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- HCD-Environmental Services
- HCD-Public Works
- Monterey County Regional Fire Protection District

LUAC

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC). Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because it involves a Design Approval subject to review by the Zoning Administrator. The LUAC reviewed the project via Zoom teleconference on January 7, 2021. A representative of a neighboring property owner voiced concerns with the proposed patio and barbeque area on the west side of the house because as proposed at the time the barbeque area extended into the side setback more than the allowed three feet and smoke could potentially disturb the neighboring property owner. The project architect noted that the patio was at grade; however, it was proposed as a wood at grade deck, and the barbeque area included a low wall to house the barbeque and sink that could be considered a structure. Structures are defined in Title 21 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 or tent, so the wall could be considered subject to setback requirements. The LUAC voted 5-0 to approve the project with proposed changes to have the patio be at grade and to consider relocation of the barbeque area. Revised plans submitted January 14, 2021 show a stone, at grade patio in this area and the barbeque has been removed. A trash enclosure is still proposed within the side setback to provide screening for garbage bins; however, the enclosure will be a fence under six feet in height, and does not present a potential problem for the neighboring property owner.

Prepared by: Cheryl Ku, Senior Planner, ext. 6049  
Reviewed by: Craig Spencer, RMA Services Manager  
Approved by: Mike Novo, Interim Director of HCD

The following attachments are on file with Housing and Community Development:

Exhibit A - Draft Resolution, including:

- Site Plan
- Conditions of approval

Exhibit B - Vicinity Map

Exhibit C - LUAC Minutes

Exhibit D - Colors and Materials

Exhibit E - Project Data Sheet

cc: Front Counter Copy; Zoning Administrator; HCD Chief of Planning, Applicant/Owner, Stuart Clark; Agent, Brittney Schloss; Interested Party, John Bridges, The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN200109.