



# County of Monterey Planning Commission

## Agenda Item No.2

Legistar File Number: PC 25-069

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

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### PLN230131 - PELIOVA CAROLYN & BRADFORD MATTHEW

Continued from February 12, 2025, and April 9, 2025- Public hearing to consider construction of a 3,477 square foot single-family dwelling with an attached 606 square foot garage, a 369 square foot deck, removal of 10 protected Oak trees, and development slopes in excess of 25%.

**Project Location:** 103 A San Benancio Rd, Salinas, Toro Area Plan

**Proposed CEQA action:** Find the project Categorically Exempt pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to section 15300.2.

### RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

- a) Find the project qualifies as a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303, and there are no exceptions pursuant to section 15300.2; and
- b) Approve a Combined Development Permit consisting of:
  1. A Design Approval to allow the construction of a two-story 3,477 square foot single-family dwelling with an attached 606 square foot garage, an attached 369 square foot deck, and associated site improvements including a 320 square foot driveway; and
  2. A Use Permit to allow the removal of 10 protected Oak trees; and
  3. A Use Permit to allow development on slopes in excess of 25%.

The attached draft resolution includes findings and evidence for consideration (**Exhibit A**). Staff recommends approval/denial subject to 11 conditions of approval.

### PROJECT INFORMATION:

**Agent:** Jack Camp

**Property Owner:** Carolyn Peliova and Matthew Bradford

**APN:** 416-231-018-000

**Parcel Size:** 6.5 acres

**Zoning:** Low Density Residential with Building Site 6 and Design Control overlays or "LDR/B-6-D"

**Plan Area:** Toro Area Plan

**Flagged and Staked:** Yes

**Planner:** Joseph Alameda, Associate Planner

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SUMMARY/DISCUSSION:

The subject property is located at 103A San Benancio Road, Salinas within the Toro Area Plan and is surrounded by residences on all sides. The applicant proposes the construction of a two-story 3,477 square foot single-family dwelling with an attached 606 square foot garage, an attached 369 square foot deck, a 310 square foot driveway, and 540 square feet of patios/hardscape. The project also involves the removal of 10 protected Oak trees and development on slopes in excess of 25%. Potable water is provided to the parcel by the California American Water Company (Cal Am), and the project proposes a new onsite wastewater treatment system (OWTS).

The project was initially brought before the Planning Commission for hearing on February 12th, 2025. At that time, the project consisted of the construction of a two-story 3,633 square foot single-family dwelling with an attached 742 square foot garage, an attached 618 square foot deck, a 310 square foot driveway, 730 square feet of patios/hardscape, the removal of 10 protected Oak trees, and development on slopes in excess of 25%. During this hearing, the Planning Commission raised concerns relating to the amount of development on slopes in excess of 25%, fuel management on steeply sloped properties, and exterior colors. After public testimony, the Planning Commission continued the hearing to April 9, 2025 to allow the applicant time to work with staff to address the raised concerns. The Applicant was unable to complete design changes prior to the April 9, 2025 hearing and therefore, the Planning Commission continued the hearing to a date uncertain to allow additional time to address the raised concerns.

Since the initial hearing, the applicant worked with staff to make reductions to the amount of development on slopes in excess of 25% and modified the exterior colors to be more consistent with the rural nature of the surrounding neighborhood; these changes are discussed in more detail below. As conditioned, the project is required to install landscaping that complies with the fuel management recommendations of the project arborist and defensible space requirements of California Public Resources Code section 4291. Staff is now returning with a revised draft resolution (see **Exhibit A**) before the Planning Commission which outlines the modifications made by the applicant to address the concerns of the Planning Commission.

*Visual Resources & Design Review*

Pursuant to Toro Area Plan Policy T-3.1, development within areas designated as visually sensitive shall be encouraged to incorporate an architectural design that is consistent with the rural nature of the area. As shown on the Toro Scenic Highway Corridors and Visual Sensitivity Map (Figure 16), the subject property is identified as visually sensitive. Per staff's stive visit on October 28, 2024, the subject building site and proposed development, as delineated by staking and flagging, was not visible from San Benancio Road or Highway 68 due to topography, distance, and existing mature vegetation. However, the rear half of the property is visible from San Benancio Road. A Scenic Easement is conveyed over this rear portion of the property. Along San Benancio Canyon Road (a private road), the proposed development will be sited substantially higher than the road due to the property's steep incline but will be partially screened by existing vegetation.

The Design Control zoning overlay requires the granting of a Design Approval for the proposed development. The original project design included colors and materials consisting of a matte black metal roof and white board-and-batten wooden siding with black trim. As proposed, the single-family

dwelling now includes colors and materials consisting of a matte black metal roof and muted blue gray board-and-batten wooden siding with white trim. The proposed exterior is more in-keeping with the recommendations of the LUAC and Toro Area Plan Policy T-3.1 - earth tone, rustic colors. Additionally, the proposed single-family dwelling incorporates a rural architectural system that is consistent with the rural and traditional architecture of the surrounding neighborhood and Toro Area Plan. The proposed massing of the residence is also comparable with the size of other residences in the area. The proposed project's colors and massing will not detract from the immediately surrounding neighborhood character due to siting, architectural style, and vegetative screening.

#### *Tree Removal & Fuel Management*

Pursuant to Title 21, a Use Permit is required for the removal of more than three protected trees. Oak and Madrone trees over six inches in diameter are protected within the Toro Area Plan. A Tree Assessment was prepared by Monterey Bay Treeworks on May 13, 2024 (County of Monterey Library No. LIB240056; **Exhibit D**), and evaluated the health, structure, and preservation suitability of each native tree proposed for removal. The proposed project includes application for the removal of 10 protected Oak trees (unchanged for initial project scope).

As a reminder, the proposed development is sited on the least forested portion of the property's developable area (i.e. the area non-encumbered by a Scenic Easement) and utilizes a two-story design to minimize the footprint and avoid impacting more protected trees. Five of the trees proposed for removal (identified in the Arborist report as tree numbers 70, 73, 74, 75, and 76) are within the proposed development footprint and are described as either being in poor health with structural defects or moderate health. Three moderately healthy trees proposed for removal (identified in the Arborist report as tree numbers 69, 79, and 80) will be impacted by the construction of the proposed driveway. The two 24-inch landmark Oaks proposed for removal (identified in the Arborist report as tree numbers 77 and 78) are within or directly adjacent to the proposed attached deck and are both identified in the Arborist report as being in poor conditions with present decay and structural defects. Thus, the removal of these two landmark Oaks is necessary to ensure that these trees do not pose a hazard to the proposed structure. In addition, the removal of these trees ensures that no significant fuel loads are within five feet of the exterior of the residence, as recommended by California Public Resources Code section 4291.

Relocating the residence would require the removal of additional trees. As sited and designed, twelve other protected trees on the subject property will be retained, including several dual and multi-stem Oak trees. Title 21 requires the replacement or relocation of each removed protected tree on a one-to-one ratio. Although only 10 trees are required for replanting, the project plans indicate the applicant proposes to replant 11 trees which is consistent with Title 21 requirements (Condition No. 11). Replacement trees will be sited greater than 5 feet from the proposed residence.

The prepared Tree Assessment (**Exhibit D**) includes a property specific fuel management plan. This fuel management plan recommends compliance with California Public Resources Code section 4291 (Defensible Space), which establishes fuel reduction and vegetation management guidelines for areas within 100 feet from structures. Within 5 feet of the proposed structure (with an attached deck), an ember-resistant zone (no combustible materials) is recommended. Accordingly, trees within 5 feet of the residence and attached deck are proposed for removal and as conditioned, only non-combustible

plant materials would be planted within this area. Within 5-30 feet of the proposed structure, multiple planting types would be supported, with an emphasis placed on utilizing fire-appropriate plant materials with adequate spacing and irrigation. Given the steepness of the property, grassland and Oak understory within 5-100 feet of the proposed structure would be mowed and lower branches (8-10 feet above the ground) would be pruned. Condition No. 12 requires that the recommendations of the arborist report and fuel management plan be incorporated into the final landscape plans. On-going compliance with this condition will ensure that the property owner is adequately maintaining defensible space, as required by California Public Resources Code section 4291. The Monterey County Regional Fire Protection District reviewed the proposed project and made no comments.

*Slopes in excess of 25%*

Pursuant to General Plan Policy OS-3.5, development on slopes exceeding 25 percent is prohibited, unless a Use Permit is obtained and the appropriate authority finds that 1) there are no feasible alternatives that would allow development to occur on slopes less than 25 percent; and/or 2) the project better achieves the goals, policies, and objectives of the County of Monterey General Plan and applicable area plan. In this case, both findings can be made.

The subject property is almost entirely sloped in excess of 25%, as shown on County GIS records and the attached slope map (**Exhibit A2**). There are limited areas within the subject property that do not contain slopes in excess of 25%. The majority of the areas not containing slopes in excess of 25% are located on the southern and ridgeline portions of the property. However, as described above, the southern half of the property is placed in a Scenic Easement that prohibits structural development. The only developable area of the property is directly adjacent to San Benancio Canyon Road. Within this area, there are limited portions that contain less steep slopes (approximately 2,000 square feet) while also meeting required setbacks. Although the proposed development is sited on the less steep areas, the proposed single-family dwelling and driveway will be located almost entirely on slopes in excess of 25%. Given the steepness of the entire property, there is no alternative that would allow the proposed development to be sited on less steep slopes.

Following the initial hearing before the Planning Commission, the applicant reduced the proposed site coverage from 4,186 square feet to 3,140 square feet (25% reduction) and the total area of disturbance from 12,900 square feet to 11,900 square feet (8% reduction). The reduction in total ground disturbance also reduced the amount of development on slopes in excess of 25%. Of the total ground disturbance, 1,700 square feet would be on slopes less than 25%, and 10,200 square feet would be on slopes greater than 25%. The reducing in site disturbance is the result of reducing the size of the attached deck from 606 square feet to 369 square feet, the size of the main residence from 3,633 square feet to 3,477 square feet, and the size of the garage from 742 square feet to 606 square feet. Additionally, as recommended by the Planning Commission, the applicant modified the design to reduce impacts to slopes by siting the garage to under the home rather than adjacent to it and removing an exterior staircase. The proposed reduction in hillside alteration and associated reduction of development on slopes in excess of 25% aligns with the purpose of General Plan Policy OS-5.5, which encourages hillsides and existing terrain in visually sensitive areas be preserved.

The revised project scope continues to avoid ridgeline development by siting the residence near San Benancio Canyon Road, reduces tree removal by utilizing an open area within the surrounding forest,

and minimizes the amount of hillside alteration by proposing a two-story (vs. one story) structure and aligning the driveway with the contours of the topography. Accordingly, staff believes the proposed project better complies with the resource protection goals and policies of the 2010 General Plan and Toro Area Plan, including OS-5.5 (preserving the integrity of hillsides), T-3.7 (discouraging tree removal), and OS-1.3 (preserving ridgeline areas). Pursuant to OS-3.5(i)(d), Condition No. 9 has been applied to require that a conservation and scenic easement be conveyed over those portions of the property not already encumbered by a scenic easement, excluding the proposed development footprint and a 15-foot buffer.

OTHER AGENCY INVOLVEMENT:

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

Environmental Health Bureau  
HCD-Engineering Services  
HCD-Environmental Services  
County of Monterey Regional Fire Protection District

LUAC:

The proposed project was reviewed by the Toro Land Use Advisory Committee on October 28th, 2024. The recommended approval of the project by a vote of four to zero (**Exhibit B**), but expressed concerns relative to colors and materials, the health of replanted trees, and the requirement for a Use Permit to allow development on slopes in excess of 25%.

ENVIRONMENTAL REVIEW:

California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts the construction and location of limited numbers of new, small facilities or structures including one single-family residence in a residential zone. The proposed project involves the construction of a 3,477 square foot single-family dwelling with an attached 606 square foot garage, an attached 369 square foot deck, and associated site improvements including a 320 square foot driveway. Therefore, the project is consistent with the categorical exemption requirements of CEQA Guidelines section 15303. There are no exceptions pursuant to Section 15300.2. No evidence of significant adverse environmental effects were identified during staff's review of the development application.

Prepared by: Joseph Alameda, Assistant Planner, (831)783-7079

Reviewed by: Fionna Jensen, Principal Planner

Approved by: Melanie Beretti, AICP, Chief of Planning

The following attachments are on file with HCD:

Exhibit A - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit B - Toro LUAC Minutes

Exhibit C - Vicinity Map

Exhibit D - Arborist Report

cc: Front Counter Copy; Planning Commission, California Coastal Commission, Monterey County Regional Fire Protection District; HCD-Environmental Services; HCD - Engineering Services; Environmental Health Bureau; Joseph Alameda, Project Planner; Fionna Jensen Principal Planner; Carolyn Peliova and Matthew Bradford, Property Owners; Jack Camp, Agent/Architect; The Open Monterey Project (Molly Erickson); Laborers International Union of North America (Lozeau Drury LLP); Christina McGinnis, Keep Big Sur Wild; LandWatch; Project File PLN230131.