



County of Monterey Planning Commission

Item No. 1

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

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PLN230131 - PELIOVA CAROLYN & BRADFORD MATTHEW

Public hearing to consider construction of a 3,633 square foot single-family dwelling with an attached 742 square foot garage, 618 square feet of decks, 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: 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 3,633 square foot single-family dwelling with an attached 742 square foot garage, an attached 618 square foot deck, and associated site improvements including a 310 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, Assistant 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 3,633 square foot single-family dwelling with an attached 742 square foot garage, an attached 618 square foot deck, a 310 square foot driveway, and 730 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).

Based on staff analysis, the proposed project is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 2010 Monterey County General Plan, Toro Area Plan, and Zoning Ordinance (Title 21).

Development Standards

The parcel is zoned Low Density Residential with Building Site 6 and Design Control overlays or “LDR/B-6-D”. LDR zoning allows for the establishment of the first single-family dwelling as a principally allowed use. Pursuant to Title 21 section 21.42.030.F, the required setbacks in the B-6 zoning overlay are 30 feet (front), 10 percent (side), and 20 feet (rear). The proposed single-family dwelling will have setbacks of 50 feet (front), over 145 feet (sides), and over 200 feet (rear). The LDR zoning district allows a maximum height of 30 feet for main structures, and the proposed single-family dwelling will have a height of 27 feet. The LDR zoning district allows a maximum building site coverage of 25% on lots of 20,000 square feet or more. The subject property contains 286,843 square feet. The proposed project will have a building site coverage of 4,186 square feet or 1.46%.

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 proposed single-family dwelling will have colors and materials consisting of a matte black metal roof and white board-and-batten wooden siding with black trim. 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 project's colors will not detract from the immediately surrounding neighborhood character due to siting, architectural style, and vegetative screening.

Tree Removal

A Tree Assessment was prepared by Monterey Bay Treeworks on May 13, 2024 (County of Monterey Library No. LIB240056), and evaluated the health, structure, and preservation suitability of each native tree proposed for removal. The project includes application for the removal of 10 protected Oak trees. 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. As sited and designed, the proposed development occurs 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. 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).

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. Although the proposed development is sited on these limited 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. Additionally, the proposed location of the residence and driveway avoids 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,

the project better meets 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).

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 3,633 square foot single-family dwelling with an attached 742 square foot garage, an attached 618 square foot deck, and associated site improvements including a 310 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, x7079
- Reviewed by: Fiona Jensen, Principal Planner (WOC)
- 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; Fiona 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