

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: 31 Aug 2006 Time:	Agenda Item No.:
Project Description: Combined Development Permit Consisting of a Coastal Administrative Permit And Design Approval for additions of greater than 10% to an existing single-family house (1,374 Sq. Ft.); and a Coastal Development Permit for the removal of three oak trees.	
Project Location: 3265 Ondulado Road, Pebble Beach	APN: 008-442-006-000
Planning File Number: PLN060027	Name: Ginsburg, Property Owner
Plan Area: Del Monte Land Use Plan	Flagged and staked: No
Zoning Designation: : LDR/1.5-D (CZ) Low Density Residential, 1.5 acres per unit with Design Control, Coastal Zone	
CEQA Action: Categorically exempt per Section 15301	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the project based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW: Tree removal is the primary issue for this proposed 1,374 sq. ft. house addition in Pebble Beach. The project has been modified to minimize tree removal by reducing the number of trees removed in the original project application from six to three stems from an oak cluster. This was achieved by modifying the design of the proposed addition. Trees to be removed (oak stems from 6" dia. to 11" dia.) are not considered significant under the Del Monte Forest Coastal Implementation Plan and therefore do not require a Forest Management Plan. The project has been conditioned to replace removed tree stems at a one to one ratio, and to protect existing trees in and around the construction area. Regarding all other project issues under review, staff determined that the project would not have significant viewshed or environmental impact and is consistent with the policies contained in the Del Monte Forest Land Use Plan. The project required preparation of a archaeological report and geo-technical report. The archeological report found no significant resources and the geo-technical report concluded the site was suitable for the project. The project qualifies for a Categorical Exemption under CEQA pursuant to Section 15301(1). No issue remains unresolved for this project.

OTHER AGENCY INVOLVEMENT:

- ✓ Pebble Beach Fire Protection District
- California Department of Transportation, District 5
- ✓ Public Works Department
- ✓ Coastal Commission
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- Regional Water Quality Control Board

The above checked agencies and departments have reviewed this project. Conditions recommended by the Fire Protection District and Water Resources have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236. This application did not warrant referral to the LUAC.

Note: The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.

Jeff Bonekemper, Associate Planner
(831) 755-5075 bonekemperj@co.monterey.ca.us

cc: Zoning Administrator; Pebble Beach Community Services District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Coastal Commission; Planning & Building Services Manager; Carol Allen, Applicants; Agent; File.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Project Overview
 Exhibit C Recommended Findings and Evidence
 Exhibit D Recommended Conditions of Approval
 Exhibit E Site Plan, Elevations, Floor Plans

This report was reviewed by Jeff Main, Planning and Building Service Manager.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. FINDING: CONSISTENCY – The project, as described in Condition #1, and as conditioned, is consistent with the plans, policies, requirements and standards of the Local Coastal Program (LCP). The LCP for this site consists of the Del Monte Forest Land Use Plan, Del Monte Forest Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan, and Part 1 of the Coastal Implementation Plan (Title 20 Zoning Ordinance).

EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property is located at 3265 Ondulado Road, Pebble Beach (Assessor's Parcel Number 008-442-006-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential, 1.5 acres per unit, Design Control, Coastal Zone (LDR/1.5 D (CZ)). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is therefore suitable for the proposed development.

(c) The project planner conducted site inspections to verify that the project on the subject parcel conforms to the plans listed above.

(d) The project was not referred to the Del Monte Forest LUAC for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors, this project did not warrant referral to the LUAC because the development is not considered to be of a controversial nature.

2. FINDING: SITE SUITABILITY – The site is suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: Planning and Building Inspection, Pebble Beach Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

(b) Technical reports by outside *archaeological*, and *geological* consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. County staff concurs. The following reports have been prepared: “*Geotechnical Soils-Foundation & Geoseismic Report*” prepared by Grice Engineering, April 2006 and “*Preliminary Archaeological Reconnaissance of Assessor's Parcel 008-442-006*” by Mary Doane and Trudy Haversat, June 2006.

(c) Staff conducted site inspections to verify that the site is suitable for this use.

(d) Materials in Project File.

3. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and public recreation policies of the Coastal Act and the Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project as no substantial adverse impacts on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

EVIDENCE: (a) The subject property is not described as an area where the Local Coastal Program requires access and is not indicated as part of any designated trails or shoreline access. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
(b) Staff site visit on 27 Jan 06.

4. FINDING: CEQA (Exempt) – The proposed project will not have a significant environmental impact.

EVIDENCE: (a) Section 15301(l) of the CEQA Guidelines categorically exempts the proposed development from environmental review. The proposed addition of the existing single family residence qualifies for this categorical exemption since it will involve negligible or no expansion of an existing use.
(b) No adverse environmental impacts were identified during staff review of the project application.
(c) There are no unusual circumstances related to the project or property and only the minimal amount of tree removal was required..

5. FINDING: NO VIOLATIONS – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of Title 20. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Sections 20.14.020, 20.44.020 and 20.64.030 of the Monterey County Zoning Ordinance. Staff verification of the Monterey County Planning and Building Inspection Department records indicate that no violations exist on subject property.

6. FINDING: HEALTH AND SAFETY – The establishment, maintenance, and operation of the proposed development applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

EVIDENCE: Preceding findings and supporting evidence.

7. FINDING: COASTAL DEVELOPMENT REQUIREMENT – TREE REMOVAL Consistent with Del Monte CIP (§20.147.050.D.1), requests for tree removal, environmental considerations shall include review of forest plant associations, native soil cover, and aesthetic values, as well as maintenance of the overall health of the stand and it has been determined that the current design and protections proved the greatest long-term protections to the forest resource.

EVIDENCE: (a) Planning staff reviewed the project and requested modifications to minimize tree removal while meeting the applicant’s desire for lot placement, aesthetics and structure size. This review concluded that under the circumstances the tree removal was the minimal amount required.

(b) Due to the development's proximity to protected trees, long-term maintenance, monitoring, tree protection measures, and replanting will be required as a condition of approval.

8. FINDING: APPEALABILITY – The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.

EVIDENCE: (a) Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance.

(b) The project is located between the sea and the first through public road paralleling the sea.

EXHIBIT D Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Ginsburg _____ File No: PLN060027 _____ APNs: 008-442-006-000 _____ Approved by: Zoning Administrator Date : 31 Aug 2006
--	---

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		PBD029 - SPECIFIC USES ONLY This Combined Development Permit (PLN060027) consisting of a Coastal Administrative Permit and Design Approval allows for additions of greater than 10% to an existing single-family house (1,374 Sq. Ft.); and a Coastal Development Permit for the removal of three oak trees. The property is located at 3265 Ondulado Rd. (Assessor's Parcel Number 008-442-006-000), Del Monte Forest <u>Area Plan</u> . This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. [Resource Management Agency (RMA) - Planning and Building Inspection]	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2		<p>PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 060027) was approved by the Zoning Administrator for Assessor's Parcel Number 008-442-006-000 on 31 Aug 2006. The permit was granted subject to 14 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (RMA - Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3		<p>PBD030 - STOP WORK - RESOURCES FOUND If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning and Building Inspection)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4		<p>PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit two copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)</p>	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits	
5		<p>PBD – TREE MONITORING (NON-STANDARD)</p> <p>The health and condition of trees near and around the proposed construction will be monitored by a County-approved forester or arborist. The forester/arborist shall provide written direction and the applicant shall implement measures to maintain the long-term health of surrounding trees to include hand digging of foundations (to be noted on plans) to avoid trees from becoming a hazard as well as appropriate soil and irrigation treatments. The owner is required to maintain these trees in good condition and avoid any construction related impacts. If impacts occur the applicant shall repair damaged trees or provide certified evidence that trees will need to be replaced. (Planning and Building Inspection)</p>	Submit tree maintenance measures to Director for review. Submit monitoring evidence during all phases of construction and especially during excavation for foundation and certification that remaining trees have not been damaged; thereafter once after two years. Evidence shall be provided in the form of photos and a letter from a County-approved forester or arborist to PBI for review and approval.	Applicant or owner/ Cert. by Arborist/ Forester	<p>Prior to final for const./measures</p> <p>Once after two years after date of completion</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
6		<p>PBD – TREE MITIGATION (NON-STANDARD) The applicant shall arrange for tree replacement planting (at a one to one ratio) to be monitored for establishment success two years after project completion consistent with recommendations from the Forestry Report. Establishment success shall be 100 percent. If tree replacement planting is not successful, the applicant shall arrange for additional tree planting and follow up monitoring to occur. Said monitoring shall be demonstrated in the form of photos and a letter from a County-approved forester or arborist. (Planning and Building Inspection)</p>	Submit mitigation evidence in the form of photos and a letter from a County-approved forester or arborist to PBI for review and approval.	Applicant or owner	One year after project completion	
7		<p>PBD032(A) - TREE PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)</p>	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to issuance of grading and building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
8		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Pebble Beach Community Services District)</p>	<p>1) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>2) Applicant shall schedule fire dept. clearance inspection.</p>	Owner/ Applicant	<p>Prior to issuance of building permit</p> <p>Prior to final building inspection</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
9		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
10		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Pebble Beach Community Services District)	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. rough sprinkler inspection. Applicant shall schedule fire dept. final sprinkler inspection.	Applicant or owner	Prior to issuance of building permit Prior to framing inspection Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
11		<p>WR3 - DRAINAGE PLAN - RETENTION The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ engineer	Prior to issuance of grading or building permits	
12		<p>WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</p>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
13		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
14		<p>WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	