

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: February 14, 2008 Time: P.M	Agenda Item No.:
Project Description: Combined Development Permit consisting of; 1) A Coastal Administrative Permit to allow the demolition of an existing 4,584 square foot single family dwelling; 2) A Coastal Development Permit to allow an existing 1,323 square foot guesthouse to remain without a main structure; and 3) A Coastal Development Permit to allow development within 750 feet of a known archaeological resource.	
Project Location: 3296 Seventeen Mile Drive, Pebble Beach	APN: 008-455-015-000
Planning File Number: PLN070024	Name: Chappellet Et Al , Property Owner Dave Sweigert, Agent
Plan Area: Del Monte Forest Land Use Plan	Flagged and staked: No
Zoning Designation: : LDR/1.5-D (CZ) [Low Density Residential, 1.5 acres per unit with a Design Control Overlay (Coastal Zone)]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator:

1. Adopt the Mitigated Negative Declaration (**Exhibit H**) with Mitigation Monitoring and Reporting Plan (**Exhibit D**) and
2. Approve the Combined Development Permit (PLN070024) based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW: The proposed project consists of the demolition of an existing 4,584 square foot single family dwelling. There is an existing 1,323 square foot, non-conforming guesthouse that is not proposed for removal and will remain on site. The project site is approximately 2.6 acres, located on the corner of Cypress Drive and Seventeen Mile Drive in Pebble Beach. Staff's review focused on consistency with the Local Coastal Plan (LCP) and California Environmental Quality Act (CEQA) policies. An Initial Study was prepared for the subject development and a Mitigated Negative Declaration (MND) was circulated. There are two areas of discussion in the MND including Cultural Resources and Land Use Planning. See **Exhibit B** for a more detailed discussion.

OTHER AGENCY INVOLVEMENT:

- ✓ Pebble Beach Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Historic Resource Review Board

The above checked agencies and departments have reviewed this project. Conditions recommended by Environmental Health Division, Pebble Beach Fire, and the Historic Resource Review Board have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On June 7, 2007 the Del Monte Forest LUAC recommends approval of the project without stating any comments or concerns by a vote of 4-0.

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

Craig Spencer
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January 4, 2008

cc: Front Counter Copy, Zoning Administrator; Pebble Beach Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning Services Manager; Craig Spencer, Planner; Carol Allen, Clerk; Chappellet Et Al, Applicants; Dave Sweigert, Agent; Planning File PLN070024.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval and Mitigation Monitoring and Reporting Program
	Exhibit E	Vicinity Map
	Exhibit F	Site Plan, Floor Plan and Elevations
	Exhibit G	LUAC Minutes
	Exhibit H	Mitigated Negative Declaration
	Exhibit I	Historic Report
	Exhibit J	Historic Resource Review Board Resolution

This report was reviewed by Laura Lawrence, Acting Planning Services Manager

EXHIBIT B
PROJECT DISCUSSION
PLN070024 (Chappellet)

I. PROJECT SETTING AND DESCRIPTION

Setting

The project is located at 3296 Seventeen Mile Drive in Pebble Beach. The site is 2.74 acres in size, located south of the Pebble Beach Lodge fronting on the intersection of Cypress Drive and 17 mile Drive and backing up to the Stillwater Cove and the Pacific Ocean. Currently three (3) structures exist on the site including a single family dwelling, a detached guesthouse, and a carport. These structures are all accessed by a long circular driveway with two access points off 17 mile drive. The drive way and a large portion of the lot are heavily landscaped with thick mature shrubs, trees, and lawn.

Project Description

The proposed project consists of the demolition of an existing 4,584 square foot single family dwelling. There is an existing non-conforming guesthouse that is not proposed for removal and will remain on site.

II. ANALYSIS

Development Standards

The site is designated for low density residential development (LDR/1-D(CZ)). Not all development standards in this section of Title 20 apply to this project as no new structures are proposed (i.e. setbacks & height). Proposed demolition of the single family dwelling and retention of a guesthouse would create a situation described in Title 20 Section 20.14.050.S as an accessory structure/use prior to establishment of a main structure/use which requires a Coastal Development Permit in each case. The issue, supported by Environmental Health, is that the guesthouse cannot be used for dwelling purposes while no main structure exists because it does not contain a kitchen or cooking facilities (California Health and Safety code, definition of a dwelling unit Section 18003.3). Mitigations have been included in **Exhibit D**, to restrict use of the guesthouse while no main house exists (Condition #14).

Cultural Resources

Cultural Resources evaluated during project review include the historic integrity of the structure to be demolished and the potential for encountering archaeological resources during foundation removal. A report prepared by Anthony Kirk Ph.D was submitted to the Planning Department indicating that the structure to be demolished, built in 1915, has lost its historic integrity due to some additions and alterations over the years. The report contained a short discussion on the associated guesthouse that is proposed to remain saying, without making a definite determination on the eligibility for listing that the guesthouse appears to be in fair to poor condition. Due to the potentially historic nature of the structure(s) at the site, staff referred the application to the Historic Resource Review Board (HRRB) for a recommendation to the Zoning Administrator. The HRRB unanimously recommended approval of the project subject to conditions that the guesthouse be protected from damage and that future development applications be referred to them for review and recommendation. These conditions have been incorporated in the conditions of approval **Exhibit D** (Condition #'s 11 & 12).

Also discussed under Cultural Resources in the Mitigated Negative Declaration (MND) was the potential for impacts to archaeological resources because the area is high in sensitivity. Mitigations to require archaeological monitoring during foundation removal and any earth disturbing activities were recommended in the archaeological report prepared for the project by Archaeological Resource Management. Conditions to provide an archaeological monitor and to stop work if resources are found so they can be evaluated and dealt with properly have been included (Condition #'s 8 (Mitigation Measure #4) & 13).

Biological Resources

The property is located outside the native Cypress habitat area mapped in the Del Monte Forest Land Use Plan Figure 2 but may be within the boundary as described in the note on the map because the property contains some native cypress trees. The cypress trees on the property are located in near the property lines as much of the property is landscaped. The proposed project consists only of the demolition of an existing structure. Demolition can be accomplished, without disruption to native habitat because the driveway provides adequate access and staging areas and the existing structures are predominantly surrounded by landscaping. Staff encouraged the applicant to consider restoration of some of the landscaped areas pursuant to Policy 13 of the Del Monte Forest LUP. The applicant not expressly being required to restore the landscaping chose not to. Staff did not find a nexus given the scope of the project to require restoration. Future applications for development should be carefully evaluated for biological impacts.

III. CEQA

Initial Study and Mitigated Negative Declaration

Potential Impacts to cultural resources and land use planning were identified in the project review. According to the Del Monte Forest Land Use Plan all development with known archaeological resources shall be subject to environmental assessment (20.147.080 C.1). Subsequently an Initial Study/Mitigated Negative Declaration was prepared and circulated. The Initial Study (IS) identified potential impacts to historic resources, archaeological resources and land use planning. Mitigations were recommended to reduce potential impacts to a less than significant level. No comments were received during the circulation period from December 6, 2007 through January 6, 2008.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Del Monte Forest Land Use Plan, Coastal Implementation Plan Part 5, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development.

- EVIDENCE:** (a) Plan Conformance The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. Areas of concern were regarding Cultural Resources and the accessory structure that will remain with no main structure. No communications were received during the course of review of the project indicating any other inconsistencies with the text, policies, and regulations in these documents.
- (b) Zoning Consistency The property is located at 3296 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-455-015-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential, 1.5 acres per unit with a Design Control overlay (Coastal Zone) ("LDR/1.5-D (CZ)") which allows for residential use however the proposed development consists of the demolition of an existing single family residence and no use of the property is proposed. Therefore, the proposed development is suitable.
- (c) Site Visit The project planner conducted a site inspection on August 28, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) Archaeological Resources The project is located in an area mapped as high in archaeological sensitivity with known resources in close proximity (20.147.080.B.1). The proposed development will require the removal of the foundation and some flat work (e.g. walkways) which will disturb the underlying soils. Due to the possibility of encountering archaeological resources, it was determined through the Cultural Resource Evaluation prepared by Archaeological Resource Management, submitted for the project and the Mitigated Negative Declaration (MND) that an Archaeological Monitor should be present and observe all earth disturbing processes (20.147.080.D.1.a). This mitigation has been included in the Mitigation Reporting and Monitoring Program (Condition #13).
- (e) Historic Resources The house proposed for demolition was built in 1915 and was known as Wynanspray. A Phase I historic evaluation, prepared by Anthony Kirk, PhD was submitted for the development. The evaluation revealed that Wynanspray had been altered over the years and has lost its integrity and does therefore not appear to be eligible for listing under the local, state, or federal criteria. There was mention in the report of condition, fair to poor, of the guesthouse that is proposed to remain. Because of the possibility of dealing with historic structures the project was referred to the Historic Resource Review Board (HRRB).
- (f) HRRB On September 6, 2007 the Monterey County Historic Resource Review Board heard the Chappellet project (PLN070024) recommending approval by a vote of 5-0-2 with two conditions. Conditions recommended included protection of the guesthouse during construction and referral of future projects at the site to the HRRB for review and recommendation.

These conditions have been incorporated into the Mitigation Monitoring and Reporting Plan (Condition #'s 11 & 12).

- (g) Accessory Structure Prior to Main Monterey County Zoning Ordinances Title 20 Section 20.14.050.S requires a Coastal Development Permit for “Accessory structures and uses prior to establishment of main use or structure.” Demolition of the main structure would leave an accessory structure and use without a main structure (the guesthouse). The Environmental Health Division recognized this situation and recommended a condition based on California Health and Safety code that the guesthouse cannot be used as a dwelling because it does not contain a kitchen or cooking facilities. Mitigations have been included to restrict use of the guesthouse while no main house exists (Condition #14).
- (h) Biological Resources The project site is located on the corner of Cypress and Seventeen Mile Drive fronting on the Pacific Ocean. The parcel is just outside of the Native Cypress Habitat as shown on Figure 2 of the Del Monte Forest LUP and contains a few Cypress trees. The site has been improved and largely disturbed with structures, a looping driveway, and extensive landscaping, including large grass areas. Access to the dwelling proposed for demolition is via an existing driveway that contains areas large enough for staging of equipment. The area immediately surrounding the house has all been landscaped and therefore there are no impacts to sensitive biological resources foreseen. Demolition of the existing single family dwelling will not require the removal of indigenous vegetation and land disturbance is limited to the minimum by the nature of the project and conditions of approval (DMF LUP 20.147.040.B.8). Future development will need to be evaluated relative to impacts and maintenance of resource at the site.
- (i) LUAC The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On June 7, 2007 the Del Monte Forest LUAC recommends approval of the project without stating any comments or concerns by a vote of 4-0.
- (j) Application The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070024.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Pebble Beach Fire Protection District, Parks, 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 historical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - i. “Cultural Resource Evaluation” (LIB070188) prepared by Archaeological Resource Management, San Jose, CA, April 5, 2007.
 - ii. “Primary Record (Phase I Historic Report)” (LIB070199) prepared by Anthony Kirk, Ph.D, Santa Cruz, CA, April 19, 2006.

(c) Staff conducted a site inspection on August 28, 2007 to verify that the site is suitable for this use.

(d) Materials in Project File PLN070024.

3. **FINDING: CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION: -** On the basis of the whole record before the Zoning Administrator there is no substantial evidence that the proposed project as designed, conditioned, and mitigated will have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.

EVIDENCE: (a) Initial Study. The Resource Management Agency – Planning Department prepared an initial study pursuant to CEQA. The Initial Study identified the potential for impacts to cultural resources and land use planning on the site but the applicant has agreed to proposed mitigation measures that avoid or mitigate the effects to a point less than significant level. Subsequently a Mitigated Negative Declaration was prepared. The Initial Study reflects the independent judgment and analysis of the County and is hereby incorporated by reference.

(b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk on December 5, 2007, noticed for public hearing and circulated to the State Clearing House from December 6, 2007 to January 6, 2008. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Phase I Historic Analysis, prepared by Anthony Kirk Ph.D (April 19, 2006).
2. Cultural Resource Evaluation, prepared by Archaeological Resource Management (April 5, 2007).

(c) Comments No comments were received during the comment period from December 6, 2007 through January 6, 2008.

4. **FINDING: NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

5. **FINDING: HEALTH AND SAFETY -** The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) Preceding findings and supporting evidence.

6. **FINDING: PUBLIC ACCESS:** The project is in conformance with the public access and public recreation policies of the Coastal Act and 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 impact 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.
- (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 15, the Recreational Facilities Map, and Figure 16, the Shoreline Access Map, of the Del Monte Forest Area Land Use Plan.
- (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- (d) Staff site visit August 28, 2007.

7. **FINDING:** **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:** (a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors).
- (b) The project may be appealed to the California Coastal Commission pursuant to Section 20.86.080 of the Monterey County Coastal Implementation Plan - Part 1 because the site is located between the sea (Pacific Ocean) and the first public road paralleling the sea (Highway One).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>Chappellet Et Al</u> File No: <u>PLN070024</u> Approved by: <u>Zoning Administrator</u>	APNs: <u>008-455-015-000</u> Date: <u>February 14, 2008</u>
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**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.		PD001 - SPECIFIC USES ONLY This Combined Development permit (PLN070024) allows a Coastal Administrative Permit to allow the demolition of an existing 4,584 square foot single family dwelling, a Coastal Development Permit to allow an existing 1,323 square foot, legal non-conforming guesthouse to remain without a main structure, and a Coastal Development Permit to allow development within 750 feet of a known archaeological site. The property is located at 3296 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-455-015-000), Del Monte Forest Land Use Plan. 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 the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise 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>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution 070024) was approved by the Zoning Administrator for Assessor's Parcel Number 008-455-015-000 on February 14, 2008. 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 RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	

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)
3.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel	

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4.		PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 735.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.	
5.		PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
6.		PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	

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		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, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)	Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construction	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
7.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Cultural Resource Evaluation report has been prepared for this parcel by Archaeological Resource Management, dated April 5, 2007 and is on record in the Monterey County RMA - Planning Department , Library No. LIB070188. All development shall be in accordance with this report." (RMA – Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	

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8.	4	<p>PD003(B) – MITIGATION MEASURE #4 CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT</p> <p>If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:</p> <p>There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:</p> <p>The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and</p> <p>If the coroner determines the remains to be Native American:</p> <ul style="list-style-type: none"> - The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours. - The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent. - The most likely descendent may make 	<p>The applicant shall submit the contracts with a Registered Professional Archeologist and a Registered Professional Anthropologist to the Director of the RMA – Planning Department for approval.</p>	<p>Owner/ Applicant per archaeologist or anthropologist</p>	<p>Prior to the issuance of grading or building permits</p>	

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)
		<p>recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or</p> <ul style="list-style-type: none"> - Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance: <ol style="list-style-type: none"> 1. The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. 2. The descendent identified fails to make a recommendation; or 3. The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner. <p>(RMA - Planning Department)</p>	<p>The requirements of this condition shall be included as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits.</p>	
9.		<p>PD033 - RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA – Planning Department)</p>	<p>Submit restoration plans to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to commencement of use.</p>	

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10.		<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 Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	

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11.	1	<p>MITIGATION MEASURE #1 The guesthouse shall be protected from damage during demolition of the main dwelling using orange construction fencing. Fencing shall be installed by the contractor prior to issuance of permits and shall remain in place during all construction activities. The fencing is needed in the small area between the guesthouse and the main dwelling and should be installed to provide a visual and physical deterrent for inadvertent impacts from equipment used during demolition. (RMA – Planning)</p>	<p>Monitoring Action #1A: Prior to the issuance of building permits, the applicant shall submit evidence demonstrating that fencing, adequate to protect of the guesthouse, is in place subject to review and approval by the RMA – Planning Department.</p>	Applicant/ Owner/ Contractor	Prior to issuance of building permits	
			<p>Monitoring Action #1B: If the guesthouse sustains damage during the course of construction/demolition, work shall stop and the applicant shall contact the RMA – Planning Department and a qualified historian so that proper permits can be obtained and new mitigations formulated.</p>	Applicant/ Owner/ Contractor	Ongoing	
			<p>Monitoring Action #1C: Provided the guesthouse remains undamaged, the applicant shall submit photos of the guesthouse to the RMA – Planning Department prior to final inspection to document that the guesthouse protection has been successful.</p>	Applicant/ Owner/ Contractor	Prior to final building inspection	

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12.	2	<p>MITIGATION MEASURE #2</p> <p>Pursuant to the conditions of approval from the Historic Resource Review Board (HRRB), future development applications for construction of a new dwelling or improvements to the existing guesthouse shall be referred to the HRRB for a recommendation prior to approval. The parcel will be flagged in the Monterey County RMA-Planning Department permits database. The applicant shall be required to record a notice which states “Future development applications for construction of a new single family dwelling or any demolition of structures at the site shall be referred to the Monterey County Historic Resource Review Board for review and recommendation prior to approval.” (RMA – Planning Department)</p>	<p>Monitoring Action #2:</p> <p>Prior to the issuance of permits the applicant shall record a notice with the Monterey County Recorders Office which states “Future development applications for construction of a new single family dwelling or any demolition of structures at the site shall be referred to the Monterey County Historic Resource Review Board for review and recommendation prior to approval.” Proof of recordation shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Prior to issuance of building permits.	
13.	3	<p>MITIGATION MEASURE #3</p> <p>The owner shall enter into a contract with a qualified Archaeologist for monitoring during earth disturbing activities associated with demolition work on the parcel, such as grading, foundation removal, etc. The contract shall include wording informing the owner of the potential for incidental impacts to cultural resources and the archaeologist’s agreement to provide the monitoring and shall require that the owner inform any contractors involved with earth disturbing activities in writing of the potential for incidental impacts to cultural resources and of the requirement for archaeological monitoring. The contractor shall acknowledge in writing that the contractor is aware of the potential for incidental</p>	<p>Monitoring Action #3A:</p> <p>Prior to issuance of a Building Permit, the applicant shall provide the Director of Planning with:</p> <p>1) a copy of an agreement, signed by the owner, containing recommendations for protection of incidental impacts to potentially significant resources and the provisions for an archaeologist to provide on site monitoring during earth disturbing activities; and</p> <p>2) The contractor’s written acknowledgement.</p>	Owner/ Applicant/ Archaeologist	Prior to Issuance of building permits.	

<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>
		impacts and the requirement for archaeological monitoring. The applicant shall provide the archaeological monitoring contract and the contractor's written acknowledgement to the RMA – Planning Department for review and approval. The monitor shall be on site during all earth disturbing activities and shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. (RMA – Planning Department)	Monitoring Action #3B: The applicant shall provide evidence of the presence of the Archaeologist on-site during demolition of existing structures and earth disturbing activities including any measures necessary to be in place and in good order through construction. A report shall be prepared by the Archaeologist, and submitted to the RMA – Planning Department once earth work/foundation removal has been completed.	Owner/ Applicant/ Archaeologist	Prior to final inspection	
14.	5	MITIGATION MEASURE #5 The guesthouse may not be occupied as a residence or sleeping quarters once demolition of the main dwelling has commenced. A primary residence must be constructed, and occupancy or final inspection obtained, before the use of this structure may be reinstated as a guesthouse. (RMA – Planning Department & Environmental Health)	Monitoring Action #5A: The applicant shall record a notice on the form prescribed by the RMA-Planning Department stating “The guesthouse may not be occupied as a residence or sleeping quarters once demolition of the main dwelling has commenced. Once a new main dwelling is constructed and occupancy to the dwelling is obtained the use of this structure may be reinstated as a guesthouse.” The notice shall be recorded at the Monterey County Records office and proof of recordation supplied to the Director of Planning and the Environmental Health Department prior to issuance of building permits.	Applicant/ Owner	Prior to issuance of building permits	

<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>
			<p>Monitoring Action #5B: The applicant will be required to provide the RMA-Planning Department semi-annual report to include monthly meter readings, electric bills, and other pertinent information in sufficient detail to provide proof that the guesthouse located at 3296 Seventeen Mile Drive in Pebble Beach (Assessor's Parcel Number 008-455-015-000) is not being used for dwelling or sleeping purposes. The reports shall be submitted starting upon commencement of demolition, in six month intervals, ending with construction of a new main dwelling on the parcel. In the case that this or any other mitigation or condition is not complied with a code enforcement case may be opened and appropriate corrective measures formulated in order to obtain compliance.</p>	Applicant/ Owner	Semi – Annual starting upon commence ment of the demolition and ending upon constructio n and occupancy of a main structure.	