

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: April 24, 2008. Time: P.M	Agenda Item No.:
Project Description: A Combined Development Permit to allow: 1) Coastal Administrative Permit to allow the construction of a 1,586 square foot single-family house and an attached 2,220 square foot 10-car garage with a gravel driveway and 355 square foot patio 2) Coastal Development Permit to convert an existing historic 2-story house to a caretaker's unit with exceptions for height (25 feet) and floor area (1,242 square feet); 3) Coastal Development Permit to allow an existing historic guesthouse above a garage with an exception to floor area (720 square feet); and 4) Design Approval. The property is located at 1600 Viscaino Drive in Pebble Beach (APN 008-201-002-000) north of Seventeen Mile Drive, Carmel area, coastal zone.	
Project Location: 1600 Viscaino Road, Pebble Beach	APN: 008-201-002-000
Planning File Number: PLN070428	Owner: Dennis Levett Agent: James Heisinger
Plan Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes
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 15305 (a)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve PLN070428 allowing development of a new single-family house and granting exceptions for retaining existing historic structures as non-conforming accessory structures based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW: Mr. Dennis LeVett submitted an application to develop a new single family home. The parcel has two existing "Chimney Cottage" structures designed by Hugh Comstock in 1926. One structure consists of a house and the other is a detached garage with a guesthouse above.

Chapter 20.64.300 CIP allows the Director of Planning to grant an exception to the zoning district regulations when such exception is necessary to permit the preservation of a structure designated as historically significant. On December 4, 2007, the Board of Supervisors added both cottages to the local register. The Director has deferred this matter to the Zoning Administrator to consider a (CDP) allowing preservation of the historic structures while the construction of a new single family house allows expanded use of the property. The existing house, garage, shed and guesthouse will remain along with the existing decks, walk and patios. This CDP would grant exceptions for floor area and height of the caretaker unit and floor area of the guesthouse. Requested exceptions would allow preservation of historic structures intact without additions or changes while the addition of a new single family house allows expanded use of the property.

The new single-family house consists of a lower level with 2,220 square feet as storage for historic car collection and the second level of 1,586 square feet as living area. This new structure will be separated from the historic structures to preserve the historic integrity. New landscaping will also create a screen between the historic and new house. The driveway entry will move 40 feet to the west along Viscaino Road to serve the new residence as a direct entry and reduce the existing access to a secondary entry for the accessory structures. The driveway will still function well for both

aspects of the property and maintain the original historic look. The driveway will remain as crushed stone.

Staff finds that the project is categorically exempt from CEQA per Section 15303 Class 3 (a). With the CDP, there would be no impact to the existing historic structures, and no tree removal is required. The coverage meets the requirements of the Pescadero watershed for the Del Monte Forest Land Use Plan. Total impermeable surface would be 1,813 (4,000 sf allowed), and adding 2,220 square feet of structural coverage would increase total structural coverage to 3,664 square feet (5,000 sf allowed.). No unresolved issues remain.

OTHER AGENCY INVOLVEMENT: The following agencies and departments have reviewed this project.

- ✓ Carmel Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Parks Department

Conditions recommended by Pebble Beach FPD, Public Works, Parks, and Water Resources have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the Carmel 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 the project does not involve slope restrictions; the project does not involve ridgeline/viewshed development.

The Historic Resources Review Board has made several comments on this project. In December of 2007 the Board approved designation of the Chimney Cottages as historic resources. On March of 2008 they reviewed the development proposal and recommended approval by 6 to 0 with the addition of deed restrictions that would limit future owners to maintaining the historic structures with no changes.

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

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April 5, 2008

cc: Front Counter; Zoning Administrator, Jeff Main; Carmel Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning Manager; David Greene, Planner; Carol Allen, Denny Levett, Applicants; James Heisinger, Agent; Planning File PLN070428.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Discussion
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Site Plan, Floor Plan and Elevations
	Exhibit F	HRRB Resolutions

This report was reviewed by Carl Holm, AICP, Assistant Planning Director

EXHIBIT B
PROJECT DESCRIPTION
PLN070428/LeVett

Background

The LeVett property on Viscaino Road has two existing historic Comstock structures (circa 1926) that the owner wants to preserve:

- 1) 2-story “Chimney Cottage” house (1,242 square feet)
- 2) 2-story accessory structure (1,070 square feet) consisting of a 2-car garage (350 square feet) with a second level guesthouse (720 square feet).

On December 4, 2007 the applicant was granted approval from the Board of Supervisors for adding two Comstock Chimney Cottages to the Local Official Register of Historic Resources as recommended by the County’s Historic Resources Review Board.

Proposed Project

The application includes entitlements for:

- 1) Coastal Administrative Permit to allow the construction of a 3,806 square feet single family home.
- 2) Coastal Development Permits to retain two existing non-conforming historic structures
 - a) Caretaker's Unit. The house to become a caretaker house will be granted exceptions for floor area (1,242 sq ft with 850 allowed) and height (25 feet with 15 feet allowed).
 - b) Guesthouse and Garage. The floor area for the guesthouse is non-conforming (720 sq ft with 425 allowed). Section 20.64.020.C.11 allows a guesthouse over a garage with a Coastal Development Permit, when intended to provide architectural consistency with the main house.

Both structures will be maintained without changes in exchange for the exceptions to Title 20.64.030 based on Title 18 County Code and 20.64.300 B.

New House

The new house will be compatible with the original structures but not the same. Building materials will be cement, stone and wrought iron with a tile roof. Although the maximum height in this area is 35 feet, the proposed height of the new house will be 25 feet 8 inches to be consistent with the original structures. The new house will be 42 feet from the historic houses and be separated by the gravel driveway that will be bordered by a row of trees.

The driveway entry will move 40 feet to the west along Viscaino Road to serve the new residence as a direct entry and reduce the existing structures to a secondary entry. The driveway will be stone and similar in area to the old driveway. A new driveway entrance will be more direct for the new house and reduce the caretaker unit to a more secondary location.

The new structure will be separated from the historic house and preserve the historic integrity. The driveway will still function well for both properties and maintain the original historic look with crushed granite. The physical and visual separation will help preserve the unique design and historic integrity of the older house. New landscaping will also create a screen between the historic and new house.

Historic Structures

The requested application to include a request for waiver that would allow the existing house be converted to a caretaker unit pursuant to Section 20.64.300 A and B CIP. These regulations are

designed to “...provide reasonable flexibility of zoning standards to encourage and accommodate the renovation and rehabilitation of historic resources...” The Director of Planning to “...grant an exception to the zoning district regulations when such exception is necessary to permit the preservation or restoration of or improvements to a structure designated as historically significant...Chapter 18.85 of this code.” The Director has referred this matter to the Zoning Administrator for consideration as a package.

Both structures will be preserved and have been designated as local historic resources by the Board of Supervisors. A request is being sought for waiver to the following requirements:

- 1) Caretaker Unit - Floor Area. Existing floor area is 1,242 and the maximum allowed is 850 square feet (Section 20.64.030.C.5 CIP).
- 2) Caretaker Unit – Height. Existing height is 2-story, 25 feet and the maximum allowed is 1-story, 15 feet (Section 20.14.060.C.2.b CIP).
- 3) Guesthouse - Floor Area. Existing floor area is 720 square feet and the maximum allowed is 425 square feet (Section 20.64.020.C.6 CIP).
- 4) Guesthouse – Height. Section 20.64.020.C.11 allows a guesthouse over a garage with a Coastal Development Permit, when intended to provide architectural consistency with the main house.

The garage and guesthouse will be maintained without additions or structural changes to comply with requirements of Title 20 (Section 20.68.020 CIP) for nonconforming uses and historic integrity of the building. These exceptions will help support and encourage the preservation of the historic structures.

Historic Resources Review Board

The HRRB met on November 1, 2007 to approve the designation of the Comstock Chimney Cottages as historic structures, which was referred to the Board of Supervisors in December 2007. This application was reviewed on March 6, 2008 to consider the proposed new house and exceptions. The HRRB discussed layout of the house and driveway and overall size of the new house at the March meeting. The conclusion was that the project met applicable guidelines for preservation, but the HRRB recommending including a condition that both houses have a deed restriction to limit future users to preservation of the historic buildings without changes.

Pescadero Watershed

The Del Monte Forest Land Use Plan limits development within the Pescadero Watershed to maximums of 4,000 square feet impervious surface coverage and 5,000 square feet of structural coverage. Existing structures have a structural footprint of 1,444 square feet. The new house would add 2,220 square feet for a total structural coverage of 3,664. In addition the project would create a total impermeable surface of 1,813 square feet.

The new house also meets the requirements for Floor Area Ratio with an existing 2,360 square feet and a proposed 3,806 square feet. The total of 6,166 is within the requirements of 6,638 square feet for Low Density Residential with 1.5 units per acre for Title 20 (20.14.060 F).

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE
PLN070428/LeVett

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 and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development.

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 1600 Viscano Road (Assessor's Parcel Number 008-201-002-000), Carmel Land Use Plan. The parcel is zoned Low Density Residential 1.5 Acres per Unit, Design Review, Coastal Zone "LDR 1.5-D (CZ)" which allows single-family houses, caretaker units, and guesthouses. The property is 0.87 acres with two existing structures:

- Two-story single family house (1,242 square feet)
- Garage (350 square feet) with a guesthouse above (720 square feet)

There is enough space to separate the new from the historic structures. As designed and conditioned the property is suitable for the proposed development.

(c) The applicant will preserve the two Chimney Cottages on the property at 1600 Viscaino Road as Historic Resources by requesting an exception for floor area and height under Section 18.25.060 County Code (Designation of Historic Resources and Districts) and Section 20.64.300.B CIP. The existing house and guesthouse above the garage are considered significant historic structures (*Finding 7*).

(d) The project planner conducted a site inspection on October 10, 2007 to verify that the project on the subject parcel conforms to the above plans.

(e) Section 20.64.180.E CIP summarizes limits identified in all of the Land Use Plans relative to on-site density for caretaker units and guesthouses. Caretaker units in the Del Monte Forest are subject to the overall buildout in Table A of the LUP. The project site is outside of the areas designated in the Del Monte Forest Plan Table A. The proposal meets the limits for caretaker units allowed for Del Monte Forest under the density requirements for the LUP.

(f) Section 20.64.300 A and B CIP includes regulations to "...provide reasonable flexibility of zoning standards to encourage and accommodate the renovation and rehabilitation of historic resources..." It allows the Director of Planning to "...grant an exception to the zoning district regulations when such exception is necessary to permit the preservation or restoration of or improvements to a structure designated as historically significant...Chapter 18.85 of this code." The Director of Planning has referred this matter to the Zoning Administrator. The exception is for the waiver for floor area (1,242 square feet), and height (25 feet), for a house designated as a caretaker unit and waiver for a guest house with floor area

(720 square feet). The waiver and exception will help preserve the historic structures.

- (g) The existing house and guesthouse/garage are considered significant historic structures built in 1926 by Hugh Comstock (*Finding 7*). No archeological investigation was required since the site has been developed and had a previous report prepared. Since the site is located in an area with moderate sensitivity, a standard condition for monitoring during construction has been included (**Condition 3**).
- (h) No trees will be removed and ten trees will be added to screen the new house from the existing historic houses.
- (i) Pescadero watershed requirements have been met by using crushed granite driveway and not creating impermeable surfaces. Site coverage will increase but will be within the 4,000 sq ft limit for impervious coverage (1,813 sq ft proposed) and structural coverage will not exceed 5,000 sq ft (3,664 sq ft. proposed).
- (j) The application includes Design Approval for proposed building materials. The lot is large enough to support an additional house with adequate room to separate and preserve the historic houses. The new house will be similar in construction and materials and be 40 feet behind the historic structures making the proposed structure compatible with the existing historic structures. A large open flat area can support the new construction. The proposed house is separated from the historic houses by the driveway and screened with a new row of trees.
- (k) The project was not referred to the Carmel 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 because the project does not involve slope restrictions, ridgeline/viewshed development and the project is exempt from CEQA per Section 15303 Class 3 (a).
- (l) On March 6, 2008 a hearing was held with the County's Historic Resources Review Board (HRRB) to discuss historic compliance. The HRRB (vote of 6 to 0) found the proposal to be within required limits for the Secretary of Interior Standards and appropriate for preservation of the historic structures.
- (m) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development are found in Project File PLN070428.

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, Carmel Fire Protection District, Public Works, Parks, 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 geological 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:

“Geotechnical Soils Foundation & Geoseismic Report for the Proposed LeVett Residence” (LIB080104) prepared by Grice Engineering Inc, Salinas, CA, (December 2007).

“Resolution No PLN070428 (LeVett)” (LIB) Monterey County Historic Resources Review Board (HRRB) March 6,2008.

“Historic Report for 1600 Viscaino Road” (LIB) Kent Seavey, Pacific Grove CA 93950

(c) Staff conducted a site inspection on October 10, 2007 to verify that the site is suitable for this use.

(d) Materials in Project File PLN070428.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

EVIDENCE: (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 Class 3 (a) categorically exempts limited new construction including single-family homes. The proposed project includes development of a new 3,806 square foot single family home.

(b) The project will preserve two existing historic structures with no modifications. This project includes a CDP to allow exceptions for floor area and height in exchange for intact preservation of the structures.

(c) No trees will be removed. Ten new trees will be planted during the new house construction to create a visual screen between the new and historic structures.

(d) No adverse environmental effects were identified during staff review of the development application during a site visit on October 10, 2007. No unresolved issues remain.

(e) See preceding and following findings and supporting evidence.

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 (see 20.70.050. B.4). 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 on April 14, 2007 to investigate access.

7. **FINDING: HISTORIC RESOURCE EXCEPTION** - Designation of historic resources and districts may be initiated by the Board of Supervisors, the Planning Commission, the Review Board, the Secretary, or upon application of the owner of the property for which designation is requested, or the authorized representative of the owner. The property owner has complied with Title 18 Historic Resources 18.25.060.

- EVIDENCE:**
- (a) Two historic Comstock Chimney Cottages (circa 1926) have been described as significant historic structures by Kent Seevey, historic preservation consultant, and worthy of preservation.
 - 1) Historic house three bedroom 1,242 square foot house
 - 2) 350 square foot garage with 720 square foot guesthouse above.
 - (b) The Monterey County Board of Supervisors on December 4, 2007 approved the LeVett application to add the Chimney Cottages to the County's Local Official Register of Historic Resources by a 4 to 0 vote. The applicant has filed forms prescribed by Section 18.25.060 County Code and accompanied by all data required for designation of an historic district. The application was subscribed on behalf of, a majority of the property owners in the proposed district.
 - (c) Section 20.64.300 A and B CIP includes regulations to "...provide reasonable flexibility of zoning standards to encourage and accommodate the renovation and rehabilitation of historic resources..." It allows the Director of Planning to "...grant an exception to the zoning district regulations when such exception is necessary to permit the preservation or restoration of or improvements to a structure designated as historically significant...Chapter 18.85 of this code."
 - (d) The applicant requests exceptions to preserve the Chimney Cottages for floor area and height under Title 18 of the County Code (18.25.060 Designation of Historic Resources and Districts) and Title 20 20.64.300 B CIP. Requested exceptions would allow preservation of historic structures intact without additions or changes while the addition of a new single family house allows expanded use of the property. The proposal PLN070428 includes the following waivers/exceptions:
 - 1 Caretaker Unit - Floor Area. Existing floor area is 1,242 and the maximum allowed is 850 square feet (Section 20.64.030.C.5 CIP).
 - 2 Caretaker Unit – Height. Existing height is 2-story, 25 feet and the maximum allowed is 1-story, 15 feet (Section 20.14.060.C.2.b CIP).

- 3 Guesthouse - Floor Area. Existing floor area is 720 square feet and the maximum allowed is 425 square feet (Section 20.64.020.C.6 CIP).
 - 4 Guesthouse – Height. Section 20.64.020.C.11 allows a guesthouse over a garage with a Coastal Development Permit, when intended to provide architectural consistency with the main house.
- (e) On March 6, 2008 the Historic Resources Review Board approved the new project that will preserve the historic houses with a vote of 6 to 0. The HRRB found that the project proposal met requirements for preservation of historic structures. The HRRB recommended recording a deed restriction that would require owners to preserve the historic structures without changes (**Condition 8**).
 - (f) The lot is large enough to support an additional house with adequate room to separate and preserve the historic houses. A large open flat area can support the new construction. The new house will be similar in construction and materials and be 40 feet behind the historic structures.
8. **FINDING: CARETAKER UNIT** – The caretaker unit is accessory to the main house and is intended for maintenance and care of the proposed house and residents.
- EVIDENCE:** (a) Section 20.14.050.I CIP allows a caretaker unit in the LDR zone subject to development criteria Section 20.14.060 and Section 20.64.030 Title 20.
- (b) The application includes a Coastal Development Permit to convert the existing Chimney Cottage house into a caretaker unit. This structure is 1,242 square feet and 25 feet tall (2-stories). Title 20 section 20.14.060 Site Development Standards limits habitable accessory structures to 1-story (15 feet) with 50 foot front setback and Section 20.64.030 CIP limits caretaker units to 850 square feet. Parking is provided with a 2-car garage included with the second cottage structure.
- (c) Exceptions to floor area and height are being granted through a coastal development permit pursuant to Section 20.64.300 CIP that allows reasonable flexibility of the zoning standards to accommodate historic structures (Finding 7). All other regulations for a caretaker unit are met.
- (d) **Condition 8** requires the applicant to record a deed restriction to prohibit expansion of the structure and to assure that the structure is only used to house persons serving the subject property (Section 20.64.030.C.10 CIP).
9. **FINDING: GUESTHOUSE** - The guesthouse is a detached accessory structure lacking internal circulation with the main residence. This structure is clearly subordinate and incidental to the main residence on the same building site.
- EVIDENCE:** (a) Section 20.14.040.I CIP allows a guesthouse in the LDR zone subject to development criteria in Section 20.14.060 and Section 20.64.020 Title 20.
- (b) The application includes a Coastal Development Permit to preserve the existing Chimney Cottage guesthouse/garage. This structure is 1,070 square feet and 25 feet tall (2-stories) with 720 square feet on the first and second level used as a guesthouse. Section 20.64.020 CIP limits guesthouses to 1-story (12 feet), but allows consideration to be located over a 1-story a garage with a Coastal Development Permit. Parking is provided with a 2-car garage included under the guesthouse cottage structure. The guesthouse shall share the same utilities as the main house and is served by sewers.

- (c) The guesthouse has been legal nonconforming according to Title 20 (Section 20.68.020 CIP) "...structure that was legally established but is nonconforming to subsequently adopted land use regulations..." An exception to floor area is being granted pursuant to Section 20.64.300 CIP that allows reasonable flexibility of the zoning standards to accommodate historic structures.
- (d) This application includes a Coastal Development Permit for an exception to allow the guesthouse over a garage (Section 20.64.020.C.11 CIP). This is an existing structure that was designed to be architecturally compatible with the main house/cottage. The new residence will be architecturally compatible with the two existing structures.
- (e) **Condition 9** requires the applicant to record a deed restriction to prohibit expansion of the structure and to assure that the structure is only used to house visitors (Section 20.64.020.C.10 CIP). The unit may not be rented.

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

EVIDENCE: (a) Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20).
(b) Section 20.86.080 of the Monterey County Zoning Ordinance (Title 20).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>LeVett</u> File No: <u>PLN070428</u> APNs: <u>008-201-002-000</u> Approved by: <u>Zoning Administrator</u> Date: <u>April 24,2008</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>Verific ation of Compli ance (name/ date)</i>
1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN070428) allows 1) Coastal Administrative Permit to allow the construction of a 1,586 square foot single-family house and an attached 2,220 square foot 10-car garage with a gravel driveway and 355 square foot patio 2) Coastal Development Permit to convert an existing historic 2-story house to a caretaker's unit with exceptions for height (25 feet) and floor area (1,242 square feet); 3) Coastal Development Permit to allow an existing historic guesthouse above a garage with an exception to floor area (720 square feet); and 4) Design Approval. The property is located at 1600 Viscaino Road, Pebble Beach (APN 008-201-002-000), Carmel 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	

2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution 070428) was approved by the Zoning Administrator for Assessor's Parcel Number 008-201-002-000 on April 24, 2008. The permit was granted subject to 20 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.	
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>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 RMA - Planning 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 Department)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning 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	

4.		<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 or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	
5.		<p>PD010 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during</p>	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	

			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
6.		<p>PD011 – TREE AND ROOT PROTECTION</p> <p>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 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)</p>	<p>Submit evidence of tree protection to the RMA - Planning Department for review and approval.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant/ Arborist</p>	<p>Prior to the issuance of grading and/or building permits</p> <p>During Construc- tion</p>	

			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.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, down-lit, 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 3 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits	

9.	<p>PDSP002 - DEED RESTRICTION/GUESTHOUSE (NON STANDARD)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. • The guesthouse and garage will be maintained as a significant historic structure without changes to the structure, materials, color or related features. • Guesthouse shall not exceed 720 square feet. • The following language “This guesthouse has been listed on Monterey County’s ‘Local Register of Historic Resources, December 2007.’” Must appear on the deed restriction. The deed restriction placed upon the caretaker’s unit shall include as an Exhibit to said deed restriction, a copy of the County’s Local Register of Historic Resources indicating the guesthouse on the listing. <p>(RMA – Planning Department, Parks Department/HRRB)</p>	<p>Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the document shall be submitted to the RMA – Planning Department.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits</p> <p>Prior to occupancy or commencement of use</p>	
10.	<p>PDSP003 – HISTORIC DESIGN (NON-STANDARD)</p> <p>The design of the new house shall be consistent with the existing historic structures and shall be compatible for the historic structures to maintain their integrity. Although the design is not required to be the same it should have similar features materials and design features. (RMA – Planning Department, Parks Department/HRRB)</p>	<p>Submit final plan to Planning Department for review</p>	<p>Owner/Ap plicant</p>	<p>Prior to issuance of grading permit</p>	
11.	<p>PARKS- NON STANDARD CONDITION- HISTORIC</p> <p>Obtain the Monterey County Board of Supervisor’s approved “Local Register of Historic Resources” at the Clerk-to-the-Board’s office.</p>	<p>Applicant shall obtain the Local Register from the Clerk and submit a copy to the RMA Planning Office Director of Planning</p>	<p>Applicant or owner</p>	<p>Prior to recording the deed restrictions</p>	

12.		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For all driveway turns, an additional surface of 4 feet shall be added. (Pebble Beach CSD)	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 schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
13.		FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Pebble Beach CSD)	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 schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

14.		<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS</p> <p>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 CSD)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
15.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM</p> <p>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 CSD)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p>	
16.		<p>FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD)</p> <p>All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Pebble Beach CSD)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

17.		<p>WR3 - DRAINAGE PLAN - RETENTION</p> <p>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	
18.		<p>WR8 - COMPLETION CERTIFICATION</p> <p>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	
19.		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>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	

20.		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)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
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