

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> July 31, 2008	<b>Time:</b> 1:30 P.M	<b>Agenda Item No.:</b> 2
<b>Project Description:</b> Variance request to allow 42 percent site coverage in a district where 35 percent site coverage is allowed, for a previously constructed 3551 square foot single family dwelling and attached 632 square foot three car garage. Design Approval request to allow: 1) exterior remodel (no change to existing footprint); 2) new tile roof; and 3) new rear patios and fire pit. Colors and materials include: stone veneer siding; cap and pan Spanish clay tile roof; copper gutters, downspouts and leader boxes; painted wrought iron railing; exposed wood beams and outlookers (main entry); light beige exterior plaster walls; medium beige trim; "brown stone" metal clad wood windows and exterior door.		
<b>Project Location:</b> 3072 Birdrock, Pebble Beach		<b>APN:</b> 007-332-004-000
<b>Planning File Number:</b> PLN080165		<b>Name:</b> REISDORF, Jeff D & Becky S, Property Owner
<b>Plan Area:</b> Greater Monterey Peninsula Area		<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : MDR/B-6-D-RES "Medium Density Residential with a Building Site Zoning District (B-6), Design Control, and Regulations for Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlays."		
<b>CEQA Action:</b> Categorically Exempt per Section 15301(e)(1)		
<b>Department:</b> RMA - Planning Department		

**RECOMMENDATION:**

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

**PROJECT SUMMARY:**

The project involves a Variance request to allow 42 percent site coverage in a district where 35 percent site coverage is allowed, for a previously constructed 3551 square foot single family dwelling and attached 632 square foot three-car garage. Design approval request to allow: 1) exterior remodel (no change to existing footprint); 2) new tile roof; 3) new rear patios and fire pit. The project is located on a 0.23 acre parcel (9,900 square feet) located off Bird Rock Road in Pebble Beach. The primary issue is the legalization of 42 percent site coverage for the existing single family dwelling, which was constructed over the allowable 35 percent site coverage in 1961. These issues are resolved by granting a Variance to allow the existing residence to remain as built, with 42 percent site coverage.

**OTHER AGENCY INVOLVEMENT:**

- ✓ Pebble Beach Community Service Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by Pebble Beach Community Service Fire Protection District, Water Resources

Agency, and Planning Department have been incorporated into the recommended conditions of approval (**Exhibit D**).

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on June 5, 2008 and June 19, 2008. Copies of the LUAC minutes have been attached (**See Exhibit E**).

Note: The decision on this project is appealable to the Planning Commission.

---

David J. R. Mack  
(831) 755-5096, [mackd@co.monterey.ca.us](mailto:mackd@co.monterey.ca.us)  
July 9, 2008

Cc: Front Counter Copy, Zoning Administrator; Pebble Beach Community Services Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Taven Kinison Brown, Planning Services Manager; David J. R. Mack, Planner; Carol Allen, Jeff & Becky Reisdorf, Applicants; International Design Group, Agent; Planning File PLN080165.

Attachments: Exhibit A Project Data Sheet  
Exhibit B Project Overview  
Exhibit C Recommended Findings and Evidence  
Exhibit D Recommended Conditions of Approval  
Exhibit E LUAC Minutes  
Exhibit F Variance Request Letter  
Exhibit G Approval of ZA-4754 (1981)  
Exhibit H Site Plan, Elevations, Floor Plans

This report was reviewed by Taven Kinison Brown, Planning Services Manager.

## EXHIBIT A

### Project Information for PLN080165

Project Title: REISDORF JEFF D & BECKY S

Location:	3072 BIRD ROCK RD PEBBLE BEACH	Primary APN:	007-332-004-000
Applicable Plan:	Greater Monterey Peninsula Area Plan	Coastal Zone:	No
Permit Type:	Variance	Zoning:	MDR/B-6-D-RES
Environmental Status:	Exempt	Plan Designation:	MED DENSITY RES
Advisory Committee:	Del Monte Forest	Final Action Deadline (884):	8/10/2008

---

#### Project Site Data:

Lot Size:	9900	Coverage Allowed:	35%
Existing Structures (sf):	4121	Coverage Proposed:	41.6%
Proposed Structures (sf):	4121	Height Allowed:	27
Total Sq. Ft.:	4121	Height Proposed:	22
		FAR Allowed:	N/A
		FAR Proposed:	N/A

---

#### Resource Zones and Reports:

Environmentally Sensitive Habitat:	No	Erosion Hazard Zone:	LOW
Biological Report #:	N/A	Soils Report #:	N/A
Forest Management Rpt. #:	N/A		
Archaeological Sensitivity Zone:	HIGH	Geologic Hazard Zone:	UNDETER.
Archaeological Report #:	N/A	Geologic Report #:	N/A
Fire Hazard Zone:	HIGH	Traffic Report #:	N/A

---

#### Other Information:

Water Source:	CAL-AM	Sewage Disposal (method):	SEWER
Water Dist/Co:	PEBBLE BEACH CSD	Sewer District Name:	PEBBLE BEAC
Fire District:	PEBBLE BEACH CSD	Grading (cubic yds.):	0.0
Tree Removal:	N/A		

## **EXHIBIT B**

### **PROJECT DISCUSSION**

The subject parcel is a 0.23 acre parcel located at 3072 Bird Rock Road in Pebble Beach. The parcel is zoned “MDR/B-6-D-RES” (Medium Density Residential with a Building Site Zoning District (B-6), Design Control, and Regulations for Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlays) and located in the Greater Monterey Peninsula Area Plan.

#### **Parcel History**

In 1961, the residential zoning (R-1-B-6-RES) for the parcel allowed site coverage to a maximum of 35%, which allowed approximately 3,465 square feet of site coverage. However, at the time of development, a 3,410 square foot single family dwelling with 606 square foot attached three-car garage was constructed with the benefit of permits on the parcel, totaling 4,016 square feet, equaling 40.5% site coverage.

In 1981, a Variance to allow an addition to be constructed encroaching 5 feet into the side yard setback was granted (See ZA-4754). The addition was built in 1982, increasing size of the single family dwelling to 3,515 square feet. When the new residence size is added to the existing 606 square foot attached three-car garage, the site coverage calculation becomes 41.6%, approximately 7% above the allowable site coverage.

In 1982, with the adoption of the General Plan, the residential zoning designation changed to the current zoning code, MDR/B-6-D-RES. The allowable site coverage remained 35%, however.

#### **Variance Request**

The property is zoned MDR/B-6-D-RES (Medium Density Residential with a Building Site Zoning District (B-6), Design Control, and Regulations for Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlays), which requires both 35% site coverage and 35% floor area ratio (FAR). The previous parcel zoning, R-1-B-6-RES, also required a 35% site coverage restriction. As mentioned above, the residence was constructed above the allowable site coverage in 1961, and had a subsequent minor addition in 1981. The footprint has remained the same for 27 years. The current Variance request serves to legalize the existing site coverage and square footage and is not intended to allow an increase of any type.

To allow for the granting of a Variance request, the following findings are required:

- 1) That because of special circumstances applicable to subject property, including size, shape, topography, location, or surroundings, the strict application of the Monterey County Zoning Ordinance (Title 21), as it pertains to site development standards, is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification; and
- 2) The Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and same zone classification in which this property is situated; and
- 3) A Variance shall not be granted for a use or activity which is not otherwise authorized by the zone regulation governing the parcel.

The required findings can be made and supported in the following manner:

- 1) Special Circumstance - the existing residence was constructed with benefit of permits over the allowable 35% site coverage limit in 1961. In 1981, a Variance (ZA-4754) was granted on the parcel, allowing a minor 105 square foot addition to encroach into the required side yard setback (**See Exhibit G**). This minor addition increased the site coverage to the existing amount of 41.6%. The existing site coverage has remained unchanged for 27 years; this project proposal and variance request will not increase the existing footprint or expand the site coverage overage;
- 2) Special Privilege - As many as ten residences within 1/3 mile (1800 feet) of the subject property exceed both the allowed zoning lot coverage of 35 percent (**See Exhibit F, page 4-6**). In April of 1997, Variance request (PLN970181), permitted the demolition and rebuilt of a two-story single family residence, to exceed the allowable lot coverage of 35 percent, for a property located at 1051 Marcheta Lane, Pebble Beach on Assessor's Parcel Number 007-341-010-000 (**See Exhibit F, page 8-9**). The current Variance request, similar to PLN970181, will allow an improvement to the existing residence, as well as permit the existing overage of the 35 percent coverage allotment for the zoning district; and
- 3) Authorized Use - the variance request is tied to a residential use, which is authorized by the residential zone governing the subject parcel (See Finding and Evidence 5, 6, and 7).

The applicant submitted a Variance Justification letter to county staff explaining that the existing residence is non-conforming as to coverage and floor area, however, when constructed in 1961, the residence was over coverage, and a subsequent addition was permitted in 1981. The letter states that no change to the existing footprint, coverage, and floor area ratio is proposed, as a result of this project. In addition, the justification letter contained two attachments, outlining the numerous residences within the area that exceed either coverage and/or floor area ratio (**see Exhibit F**). After a conclusive review of the letter, supporting documents, and in depth research of the development area, staff agrees that the Variance is justified and should be supported.

### **Design Approval**

Title 21, Section 21.44.010 of the Monterey County Zoning Ordinance states that the purpose of the "D" district is to provide a district, to assure protection of public viewshed, neighborhood character, and visual integrity of development areas, with regard to location, size, configuration, materials, and colors of structures. A design approval application shall be submitted and approved prior to the issuance of building permits for the construction of any structures located within a "D" district.

The subject parcel is located within a "D" district therefore a Design Approval application is required. The Design Approval application to allow: an exterior remodel (no change to existing footprint); new tile roof; new rear patios and fire pit. Colors and materials include: stone veneer siding; cap and pan Spanish clay tile roof; copper gutters, downspouts and leader boxes; painted wrought iron railing; exposed wood beams and outlookers (main entry); light beige exterior plaster walls; medium beige trim; and "Brown Stone" metal clad wood windows and exterior doors. County staff reviewed the submitted plans, elevations, project design, color samples, and performed a site visit on May 1, 2008 to assure conformance with the surrounding development area.

**Land Use Advisory Committee**

The project proposal was routed to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on June 5, 2008 and June 19, 2008, with regard to location, size, and colors and materials, recommending approval of the project as described.

**Conclusion**

Staff is recommending approval of the Variance request based on the following: All required Variance findings can be made and supported; the residence was constructed over the allowable site coverage in of 35% in 1961; the parcel received an approval of a previous variance request (ZA-4754); all appropriate departments have reviewed the project proposal, with each one deeming the project complete with applied conditions; and the Del Monte Forest Land Use Advisory Committee reviewed the project with regard to location, size, and colors and materials, recommending project approval.

## **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, Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), 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 3072 Bird Rock Road, Pebble Beach (Assessor's Parcel Number 007-332-004-000), Greater Monterey Peninsula Area Plan. The parcel is zoned MDR/B-6-D-RES or "Medium Density Residential with a Building Site Zoning District (B-6) Overlay, Design Control Zoning District Overlay, and Regulations for Parking and Use of Major Recreational Equipment Storage in Seaward Zone Overlay," which allows for residential development subject to a Design Approval. Therefore, the property is suitable for the proposed development.
- (c) The project planner conducted a site inspection on May 1, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on June 5, 2008 and June 19, 2008. The LUAC recommended approval of the project as described. Copies of the LUAC minutes have been attached (**See Exhibit E**).
- (f) 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 PLN080165.

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 Community Services Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) Staff conducted a site inspection on May 1, 2008 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN080165.

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 15301(e)(1), categorically exempts additions to existing structures provided that the addition will not result in an increase or more than 50 percent of floor area of the structure before the addition.
- (b) No adverse environmental effects were identified during staff review of the development application during a site visit on May 1, 2008.
- (c) See preceding and following findings and supporting evidence.
4. **FINDING: VARIANCE (Special Circumstances)** – Because of special circumstances applicable to the subject property, including size, shape, topography, location or surroundings, the strict application of the Monterey County Zoning Ordinance (Title 21), as it pertains to site development standards, is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.
- EVIDENCE:** (a) At the time of construction (1961) a 3,410 square foot single family dwelling with 606 square foot attached three-car garage was constructed with the benefit of permits on the parcel, totaling 4,016 square feet, exceeding coverage to 40.5%.
- (b) In 1981, a Variance (ZA-4754) was granted, allowing a 105 square foot addition to be constructed within 5 feet of the side yard setback (**See Exhibit G**). This established the current footprint and existing lot coverage of 41.6%.
- (c) The County has permitted the existing development.
5. **FINDING: VARIANCE (Special Privileges)** – The Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and same zone classification in which this property is situated.
- EVIDENCE:** (a) A previous Variance (ZA-4754) allowing a 105 square foot addition to be constructed encroaching 5 feet into the required side yard setback, was approved in 1981, establishing the existing footprint and site coverage (**See Exhibit G**).
- (b) In April of 1997, Variance request (PLN970181), permitted the demolition and rebuilt of a two-story single family residence, to exceed the allowable lot coverage of 35 percent, for a property located at 1051 Marcheta Lane, Pebble Beach on Assessor's Parcel Number 007-341-010-000 (**See Exhibit F, page 8-9**).
- (c) Since 1978, as many as ten residences, located within 1/3 mile (1800 feet) of the subject property have either been built to exceed the allowed zoning lot coverage of 35 percent. (**See Exhibit F, page 4-6**).
- (d) The current Variance request, similar to PLN970181, will allow an improvement to the existing residence, as well as permit the existing coverage of the 35 percent coverage allotment for the zoning district.



6. **FINDING: VARIANCE (Authorized Use)** – A Variance shall not be granted for a use or activity which is not otherwise authorized by the zone regulation governing the parcel.
- EVIDENCE:** (a) The Variance request is tied to a residential use, which is authorized by the residential zone governing the subject parcel.
7. **FINDING: DESIGN APPROVAL** –The project shall meet all requirements founding Section 21.44.010 of the Monterey County Zoning Ordinance, which states, that the purpose of the “D” district is to provide a district, to assure protection of public viewshed, neighborhood character, and visual integrity of development areas, with regard to location, size, configuration, colors and materials of structures.
- EVIDENCE:** (a) The project was reviewed for suitability, with regard to location, size, configuration, colors and materials, by the Del Monte Forest Land Use Advisory and the RMA- Planning Department. There is no indication that the project does not conform to the requirements in Section 21.44.010 (Title 21).
- (b) The project was referred to the Del Monte Forest Land Use Advisory Committee for review on June 5, 2008 and June 19, 2008. The LUAC recommended approval of the project as described. Copies of the LUAC minutes have been attached (**Exhibit E**).
- (c) 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 PLN080165.
8. **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.
9. **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
10. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.
- EVIDENCE:** Section 21.80.040.B Monterey County Zoning Ordinance (Title 21).

<b>EXHIBIT D</b> <b>Monterey County Resource Management Agency</b> <b>Planning Department</b> <b>Condition Compliance and/or Mitigation Monitoring</b> <b>Reporting Plan</b>	<b>Project Name:</b> <u>REISDORF, Jeff &amp; Becky</u> <b>File No:</b> <u>PLN080165</u> <b>Approved by:</b> <u>Zoning Administrator</u>	<b>APNs:</b> <u>007-332-004-000</u> <b>Date:</b> <u>July 31, 2008</u>
--	---	--

*\*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.		<b>PD001 - SPECIFIC USES ONLY</b> This Variance and Design Approval (PLN080165) allows: 1) a previously constructed 3551 square foot single family dwelling and attached 632 square foot three car garage to exceed the allowable lot coverage of 35%; 2) exterior remodel (no change to existing footprint); 3) new tile roof; and 4) new rear patios and fire pit. Colors and materials include: Stone Veneer siding; Cap and Pan Spanish clay tile roof; Copper gutters. Downspouts and leader boxes; painted wrought iron railing; exposed wood beams and outlookers (main entry); Light Beige exterior plaster walls; Medium Beige trim; "Brown Stone" metal clad wood windows and exterior door. The property is located at 3072 Birdrock Road, Pebble Beach (Assessor's Parcel Number 007-332-004-000), Greater Monterey Peninsula Area 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	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>
		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. <b>(RMA - Planning Department)</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A Variance and Design Approval (Resolution PLN080165) was approved by the Zoning Administrator for Assessor's Parcel Number 007-332-004-000 on July 31, 2008. The permit was granted subject to <u>11</u> 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. <b>(RMA - Planning Department)</b>	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.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> 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,	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	

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)
		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)				
4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></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</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	

<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>
		<b>Department)</b>				
5.		<b>PD011 – TREE AND ROOT PROTECTION</b> 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. <b>(RMA - Planning Department)</b>	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	
			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	
6.		<b>PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY)</b> The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “Residential Water Release Form and	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed	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>
		of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. <b>(RMA – Planning Department)</b>	Water Permit Application” to the Monterey County Water Resources Agency for review and approval.	Landscape Architect		
			Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7.		<p><b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b></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. <b>(RMA – Planning Department)</b></p>	<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.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Prior to Occupancy / Ongoing	
8.		<p><b>WR40 - WATER CONSERVATION MEASURES</b></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. <b>(Water Resources Agency)</b></p>	<p>Compliance to be verified by building inspector at final inspection.</p>	Owner/ Applicant	Prior to final building inspection/ occupancy	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
9.		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> 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. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
10.		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> 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. <b>(Pebble Beach Community Service Fire Protection District)</b>	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	
11.		<b>FIRE030 – OTHER NON-STANDARD CONDITION</b> Maintain 10' clearance from combustible or flammable material adjacent to Fire Pit area.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

Rev. 11/13/07