

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> February 12, 2009	<b>Time:</b> P.M	<b>Agenda Item No.:</b> 5
<b>Project Description:</b> Coastal Development Permit to allow development within 750 feet of a known archaeological resource, and a Design Approval for construction of two six-foot high pilasters at an existing driveway entrance with light fixtures. Materials consist of stone veneer units and dark bronze light fixtures. The property is located at 3233 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-471-013-000), Del Monte Forest Land Use Plan, Coastal Zone.		
<b>Project Location:</b> 3233 Seventeen Mile Drive, Pebble Beach		<b>APN:</b> 008-471-013-000
<b>Planning File Number:</b> PLN080531		<b>Name:</b> William Edwards, Property Owner
<b>Plan Area:</b> Del Monte Forest Land Use Plan		<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : "LDR/2.5-D (CZ) [Low Density Residential, 2.5 acres per unit and Design Approval (Coastal Zone)]		
<b>CEQA Action:</b> Categorically Exempt, per Section 15303(e)		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Coastal Development Permit and Design Approval based on the Findings and Evidence (**Exhibit B**) and subject to the recommended Conditions (**Exhibit C**).

### PROJECT OVERVIEW:

The project involves a Coastal Development Permit and Design Approval to allow development within 750 feet of a known archaeological resource for construction of two six-foot high pilasters at an existing driveway entrance. The project is located at 3233 17 Mile Drive, Pebble Beach. The Design Approval includes stone veneer units and dark bronze light fixtures. Although, the project involves development within 750 feet of a known archaeological resource, there are no significant issues given the limited extent and design of the proposed development. All project work is proposed to occur at the driveway entrance of the property. The property is located within Environmentally Sensitive Habitat Area (ESHA) as identified by the county's GIS system. However, with the proposed development there is no potential to impact habitat values based on the site inspection conducted on December 16, 2008 and the photographic evidence. A biological report was not required as the proposed development is located adjacent to the existing driveway entrance on previously disturbed area. In addition, an archaeological survey prepared for the project did not identify any potential for impacts to prehistoric resources. Therefore, the potential for inadvertent impacts is limited and can be controlled by the use of standard project conditions.

### OTHER AGENCY INVOLVEMENT:

- ✓ Public Works Department
- ✓ Pebble Beach Community Services Department

The above checked agencies and departments have reviewed this project. Conditions recommended by Pebble Beach Community Services Department and Planning Department have been incorporated into the condition compliance reporting plan (**Exhibit C**).

The project was not referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of

Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project does not involve development on slopes greater than 30%, the project does not require the issuance of a variance, and implementation of the project will not negatively impact a designated scenic area. Furthermore, the project is exempt from CEQA review per Section 15303(e) of the CEQA guidelines.

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

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January 7, 2008

cc: Front Counter Copy; California Coastal Commission; Zoning Administrator; Pebble Beach Community Services Department; Laura Lawrence, Planning Services Manager; Maria Lopez, Planner; Carol Allen, William Edwards TRS, Applicants; Terry Latasa, Agent; Planning File PLN080531.

Attachments: Exhibit A      Project Data Sheet  
                  Exhibit B      Recommended Findings and Evidence  
                  Exhibit C      Recommended Conditions of Approval  
                  Exhibit D      Vicinity Map  
                  Exhibit E      Site Plan, Floor Plan and Elevations  
                  Exhibit F      Design Approval Request Form and Material Samples

This report was reviewed by Laura Lawrence, Planning Services Manager

## **EXHIBIT B**

### **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, the Coastal Implementation Plan Part 5, 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 3233 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-471-013-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential 2.5 acres per unit in the Coastal Zone ("LDR/2.5-D (CZ)") which allows development within 750 feet of a known archaeological resource with a Coastal Development Permit and a Design Approval for construction of two six-foot high pilasters. Materials consist of stone veneer units and dark bronze light fixtures. Therefore, the property is suitable for the proposed development.
  - (c) The project planner conducted a site inspection on December 16, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
  - (d) Public Access, see Finding #6.
  - (e) The project was not referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project does not involve development on slopes greater than 30%, the project does not require the issuance of a variance, and implementation of the project will not negatively impact a designated scenic area. Furthermore, the project is exempt from CEQA review per Section 15303(e) of the CEQA guidelines.
  - (f) The property is located within Environmentally Sensitive Habitat Area (ESHA) as identified by the county's GIS system. However, with the proposed development there is no potential to impact habitat values based on the site inspection conducted on December 16, 2008 and the photographic evidence. A biological report was not required as the proposed development is located adjacent to the existing driveway entrance on previously disturbed area.
  - (g) The project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. County records identify the project site is within an area of high sensitivity for prehistoric cultural resources; however, a preliminary archaeological report prepared for this project did not identify the potential for impacts to prehistoric resources at the proposed development site.

(h) 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 PLN080531.

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 Department, and Public Works. 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 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. “Preliminary Archaeological Reconnaissance Report” (LIB080656) prepared by Archaeological Consulting, Salinas, CA, November 17, 2008).

(c) Staff conducted a site inspection on December 16, 2008 to verify that the site is suitable for this use.

(d) Materials in Project File PLN080531.

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(e), Class 3 categorically exempts accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(b) No adverse environmental effects were identified during staff review of the development application during a site visit on December 16, 2008.

(c) The property is located within Environmentally Sensitive Habitat Area (ESHA) as identified by the county’s GIS system. However, with the proposed development there is no potential to impact habitat values based on the site inspection conducted on December 16, 2008 and the photographic evidence. A biological report was not required as the proposed development is located adjacent to the existing driveway entrance on previously disturbed area.

(d) 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:** 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) Findings 1, 2, 3, and 4; and supporting evidence.
- (b) The application, project plans, and related support materials submitted by the applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN080531.

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 16, of the Shoreline Access Map and complies with Del Monte Forest 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 conducted a site visit on December 16, 2008.

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

**EVIDENCE:**

- (a) Board of Supervisors: Section 20.86.030(A) of the Monterey County Zoning Ordinance.
- (b) California Coastal Commission: Section 20.86.080(A) 1 and 3 of the Monterey County Zoning Ordinance.

<b>EXHIBIT C</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>William Edwards TRS</u> <b>File No:</b> <u>PLN080531</u> <b>APNs:</b> <u>008-471-013-000</u> <b>Approved by:</b> <u>Zoning Administrator</u> <b>Date:</b> <u>February 12, 2009</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.		<p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Coastal Development Permit and Design Approval (PLN080531) allows development within 750 feet of a known archaeological resource for construction of two six-foot high pilasters at an existing driveway entrance. Materials consist of stone veneer units and dark bronze light fixtures. The property is located at 3233 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-471-013-000), 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		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 permit (Resolution 080531) was approved by the Zoning Administrator for Assessor's Parcel Number 008-471-013-000 on February 12, 2009. The permit was granted subject to 6 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, 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. <b>(RMA - Planning Department)</b>	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)
4.		<p><b>FIRE007 - DRIVEWAYS</b></p> <p>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 driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p><b>(Pebble Beach Community Service District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	



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5.		<p><b>FIRE008 - GATES</b></p> <p>All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. <b>(Pebble Beach Community Service District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection.	
6.		<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b></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</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.	

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		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. <b>(Pebble Beach Community Service District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

End of Conditions  
Rev. 11/12/2008