

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: February 26, 2009 Time: 1:50 P.M	Agenda Item No.: 5
Project Description: A Coastal Administrative Permit for the conversion of a 500 square foot existing garage to a media room, removal of a 128 square foot storage shed, and the construction of a new 851 square foot attached three car garage with a 775 square foot second story bedroom addition including a sitting area and bathroom to an existing two-story 4,657 square foot single family dwelling; and Design Approval.	
Project Location: 1277 Padre Lane, Pebble Beach	APN: 008-302-014-000
Planning File Number: : PLN080369	Name: : Claremont Profits, LTD., Property Owners / International Design Group, Agent
Plan Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes
Zoning Designation: : “LDR/1.5-D (CZ) [Low Density Residential, 1.5 units per acre with Design Control (Coastal Zone)]	
CEQA Action: : Categorically Exempt per Section § 15301e	
Department: RMA - Planning Department	

RECOMMENDATION:

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

PROJECT OVERVIEW

The proposed project would convert the existing garage into a media room, add on a new attached three car garage, and add a bedroom suite and sitting room above the garage and media room. The existing home is 4,157 square feet with a 500 square foot garage for a total floor area of 4,657 square feet. The proposed project would result in a house area of 5,432 square feet and an 851 square foot garage for a total area of 6,283 square feet. The subject addition meets all zoning requirements for the LDR/1.5 zone.

The subject site is 41,074 square feet in area and contains a mixture of oak and pine trees with introduced landscaping. The proposed project will not remove any existing trees. The project is largely located on an area that is already covered in asphalt or with an accessory 128 square foot storage shed that will be removed. There will be approximately 25 cubic yards of fill imported to the site, and a small amount of lawn will be removed.

DISCUSSION

The Del Monte Forest Land Use Plan identifies the subject site as being visible from Point Lobos across Carmel Bay. Policy 51 of the LUP requires development within visually prominent settings to be situated so that the highest potential for screening is provided. In this particular case, the proposed addition maintains the height of the existing structure and the trees in the front yard provide significant screening of the structure from not only within the Pebble Beach area but also from Point Lobos.

The project site is within a High archaeological sensitivity area. An archaeologist’s report has been prepared finding that it is unlikely that there are any archaeological resources on the subject

site. A standard condition has been added to require work to stop if any resources are discovered during demolition or construction.

There are a number of oak trees and a Monterey pine tree around the perimeter of the proposed project area. No trees are proposed for removal; however care needs to be taken in grading around the trees. The trees along the southeast property line should not be adversely impacted because all improvements will be at or above existing grade. A condition has been added to limit the amount of grading to not more than four inches of soil disturbance within 10 feet of these trees. There is a 15" oak along the northern limit of the project. This tree should benefit from the project. While a new retaining wall will be installed approximately 5 feet from the trunk, it will be in an area where grading has already occurred, and the existing wood header at the trunk of the tree will be removed and the natural grade around the trunk of the tree will be restored. Approximately 25 cubic yards of fill will be needed to complete the grading proposed on the subject site. This is considered to be inconsequential.

OTHER AGENCY INVOLVEMENT:

- ✓ Pebble Beach Community Services District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources Agency has 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 because the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338 does not require LUAC review of applications that do not pose any policy issues, deviate from zoning or LUP policies, or do not require environmental review.

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

John Ford, Senior Planner
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February 10, 2009

Cc: Zoning Administrator; California Coastal Commission; Pebble Beach Community Services District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning Services Manager, John Ford, Planner; Carol Allen, Claremont Profits Ltd. Owner/Applicants; International Design Group, Agent; Planning File PLN080369.

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

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, Del Monte Forest Coastal Implementation Plan (Part 5), and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for residential development.

- EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 1277 Padre Lane, Pebble Beach (Assessor's Parcel Number 008-302-014-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential, 1.5 units per acre in the Design Control District, Coastal Zone ("LDR/1.5-D (CZ)").
- (c) The subject 41,074 square foot site is developed with an existing 4,657 square foot single family home. The proposed 1,626 square foot addition will result in a 6,283 square foot home. This home will comply with all setback and area requirements of the LDR Zoning district. The addition maintains a 20' rear yard setback. The addition will not result in an increase in the height of the structure (24'). The zone allows structures up to 30' in height. The resulting lot coverage proposed (10%) is less than the maximum allowed in the LDR (15%). The proposed FAR (15.3%) is less than the maximum allowed in the LDR District (17%).
- (d) The visibility of the structure is being minimized by use of a flat roof section. The flat roof is screened by using the same roof pitch and angles around the perimeter of the addition as the existing roof lines. The flat roof does not compromise the integrity of the structure's architecture because the flat roof is only related to the addition and not the entire house, and the height of the home and placement within a wooded area screens the flat roof element from view.
- (e) The flat roof section maintains the existing roof height which minimizes the visibility of the structure in this visually sensitive area. Policy 51 of the Del Monte Forest Land Use Plan requiring designs to minimize the visibility of the structure is achieved.
- (f) The project planner conducted a site inspection on August 13, 2008, and again on January 26, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- (g) The project was not referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. The current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, do not require development which does not pose policy issues, does not deviate from the zoning ordinance development standards and LUP provisions and are exempt from environmental review to be reviewed by the LUAC
- (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 PLN080369.

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 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) The site is developed with a single family home and this will not change. The site is large enough to accommodate the addition as indicated by the ability of the site to accommodate the addition and for the development to comply with the zoning ordinance and LUP policies.
- (c) The site is located in a high archaeological sensitive area. An archaeological survey found no evidence of prehistoric resources on the site. A condition has been added to require construction to stop if any resources are discovered during demolition or construction (Archaeologist’s Report LIB 080661).
- (d) The subject site can accommodate the proposed project without the removal of any of the existing trees on site.
- (e) Staff conducted a site inspection on August 13, 2008 and January 26, 2009 to verify that the site is suitable for this use.
- (f) Materials in Project File PLN080369.
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) categorically exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. This addition is 1,626 square feet which is less than 35 percent of the existing floor area.
- (b) No adverse environmental effects were identified during staff review of the development application during a site visit on August 13, 2008, and January 26, 2009.
- (c) The site is suitable for the proposed development, and the project is consistent with the applicable zoning and land use policies. The project is not detrimental to the public health, safety and welfare.
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) The project is consistent with the Del Monte Forest Land Use Plan which designates this property for residential uses. The project is an expansion of that residential use which is consistent with the intended use of the property.
(b) The site is physically able to accommodate the proposed project. It maintains all required setbacks, lot coverage and floor area requirements. The project does not proposed to increase the building height and the project can be undertaken with out removing any significant vegetation. The project will not have any adverse environmental impact.
(c) 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 PLN080369.

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 (Part 1) 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 (Shoreline Access) of the 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) Site visits by the project planner on August 13, 2008 and January 26, 2009.

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

EVIDENCE: (a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors).
(b) Section 20.86.080.A.1 of the Monterey County Coastal Implementation Plan - Part 1 (Coastal Commission).

EXHIBIT C Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>Claremont Profits Ltd.</u> File No <u>PLN080369</u> Approved by: <u>Zoning Administrator</u>	APNs: <u>008-302-014-000</u> Date: <u>February 26, 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.		PD001 - SPECIFIC USES ONLY This Coastal Administrative Permit (PLN080369) is to allow the conversion of a 500 square foot existing garage to a media room, removal of a 128 square foot storage shed, and the construction of a new 851 square foot attached three car garage with a 775 square foot second story bedroom addition including a sitting area and bathroom to an existing two-story 4,657 square foot single family dwelling; and Design Approval. The property is located at 1277 Padre Lane, Pebble Beach (Assessor's Parcel Number 008-302-024-000), 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		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)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 080369) was approved by the Zoning Administrator for Assessor's Parcel Number 008-302-014-000 on February 26, 2009. The permit was granted subject to 12 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)	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.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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)	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	

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4.		PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 4 years, to expire on February 25, 2013 (RMA – Planning Department)	None	Owner/ Applicant	As stated in the conditions of approval	
5.		PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site shall be protected from inadvertent damage by construction activities by installing fencing either at the limit of the canopy (driplines) or one foot from the limit of construction activities. The location of the fencing shall be shown on the construction plans with a note stating that the fencing must remain in place until all construction work is completed. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit 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	6.
6.		PD 001 - TREE AND ROOT PROTECTION The following measures shall be shown on the plans and shall be implemented for the preservation of the trees on site: a. The grading within 10 feet of the multi-stem oak and the Monterey Pine near the drive way along the southeast property line shall not exceed a depth of 4 inches. b. All foundation trenching within the dripline of any tree shall be done by hand. No roots over one inch (1”) in diameter may be cut. c. The fill material around the 15” oak along the	Show comments on Plans.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	7.

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		northern property line shall be removed and returned to natural grade. The fill material between the new retaining wall and the trunk of the tree shall be removed by hand under the supervision of an arborist/forester. The wooden headerboard/ retaining wall shall be removed from the trunk of the tree when the grade is restored.				
7.		<p>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</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. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. 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.	
8.		<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</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

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		<p>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>					
9.		<p>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 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</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>		

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.		Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. Responsible Land Use Department: Pebble Beach Fire District.</p>					
10.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Pebble Beach Fire District.</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 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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11.		FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING) Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. Responsible Land Use Department: Pebble Beach Fire District.	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.		
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection		
12.		FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) 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. Responsible Land Use Department: Pebble Beach Fire District.	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.		

END OF CONDITIONS

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