

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: June 11, 2009	Time: 1:40 P.M	Agenda Item No.: 2
Project Description: Variance and Design Approval to allow construction of a 523 square foot therapy/exercise room and to increase the Pescadero Watershed Building Coverage from 5,000 square feet to 8,014 square feet and to increase the impervious surface coverage from 4,000 square feet to 11,771 square feet.		
Project Location: 3187 Palmero Way, Pebble Beach,		APN: 008-361-033-000
Planning File Number: PLN080523		Owner: Robert and Valentia Piccinini Agent: Mark Porter
Planning Area: Del Monte Forest Land Use Plan		Flagged and staked: No
Zoning Designation: : "LDR/1.5-D" [Low Density Residential, 1.5 acres per unit with Design Control Overlay District]		
CEQA Action: Categorically Exempt per Section 15303 (e) an accessory structure		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to approve PLN080523, based on the findings and evidence and subject to the conditions of approval (**Exhibit 1 of the Resolution**):

PROJECT OVERVIEW:

The applicant requests approval to construct a 523 square foot exercise/therapy room. The room will be a detached accessory structure constructed of aluminum framing and safety tempered glass. It will be non-conditioned space, without any water or sewer hookups. Normally this type of accessory structure could be approved with simply a Design Approval. The size of the structure does not require approval of any type of Coastal Development Permit.

This site is currently developed with a 7,200 square foot single family residence, a 1,182 square foot garage, and a 600 square foot studio. The site also includes 15,305 square feet of impervious paving and hardscape. The site was developed prior to adoption of the Del Monte Forest Land Use Plan. The building coverage and amount of impervious surface on site do not comply with the limitations for the Pescadero Watershed contained within the Del Monte Forest Land Use Plan. The Plan limits building coverage to 5,000 square feet and limits the amount of impervious pavement to 4,000 square feet. The current structural coverage is 7,491 square feet and the amount of impervious surfaces is 15,305 square feet.

This proposal would add a 523 square foot exercise/therapy room to the site. Most of the proposed structure (330 square feet) would be placed on an existing concrete patio. Only 193 square feet of additional impervious surface would be added on site. Since the site is already over the allowed building coverage and impervious surface limitations, a variance is required for the addition of the building to the site.

In similar circumstances variances have been approved if the project reduces the overall impervious coverage on the site. In this particular case, the applicant is replacing a 1,116 square foot concrete patio and a 2,088 square foot section of asphalt driveway with pervious paving material. The 330 square feet of concrete under the proposed building will be counted as building coverage resulting

in a total reduction of 3,534 square feet of impervious surface. This request is consistent with other variance requests for sites that were developed prior to adoption of the Del Monte Forest Land Use Plan.

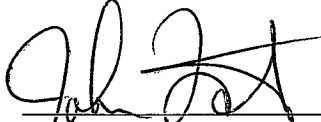
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- RMA - Public Works Department
- Environmental Health Division
- √ Water Resources Agency
- √ Pebble Beach Fire Protection District
- California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the Water Resources Agency and the Pebble Beach Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The Del Monte Forest Land Use Advisory Committee reviewed the project on May 21, 2009. They recommended approval of the project with a 7-0 vote. They did not have any concerns associated with the project.

Note: The decision on this project is appealable to the Board of Supervisors and not to the Coastal Commission.



John Ford, Senior Planner
(831) 796-6049, fordjh@co.monterey.ca.us
May 26, 2009

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; John Ford, Project Planner; Carol Allen, Senior Secretary; Robert and Valentia Piccinini, Owner; Mark Porter, Agent; Planning File PLN080523

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations,
Exhibit C Vicinity Map
Exhibit D Advisory Committee Minutes (LUAC)

This report was reviewed by Laura Lawrence, Planning Services Manager

EXHIBIT A

Project Information for PLN080523

Project Title: PICCININI ROBERT M & VALENTIA

Location: 3187 PALMERO WY PEBBLE BEACH

Primary APN: 008-361-033-000

Applicable Plan: Del Monte Forest Land Use Plan

Coastal Zone: Yes

Permit Type: Variance,

Zoning: LDR

Environmental Status: Exempt

Plan Designation: RESIDENTIAL

Advisory Committee: Del Monte Forest

Final Action Deadline (884): 7/7/2009

Project Site Data:

Lot Size: 114,780

Coverage Allowed: 15%

Existing Structures (sf): 7,491

Coverage Proposed: 7%

Proposed Structures (sf): 523

Height Allowed: 15'

Height Proposed: 15'

Total Sq. Ft.: 8,014

FAR Allowed: 17.5

FAR Proposed: 8%

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: MOD

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: I

Archaeological Report #: PLN090272

Geologic Report #: N/A

Fire Hazard Zone: VERY HIGH

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC

Sewage Disposal (method): SEWER

Water Dist/Co: CAL AM

Sewer District Name: PBCSD

Fire District: PEBBLE BEACH FPD

Grading (cubic yds.): 0.0

Tree Removal: N/A

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

Robert and Valentia Piccinini (PLN080523)

RESOLUTION NO. 080523

Resolution by the Monterey County Zoning
Administrator:

Approving Variance and Design Approval to allow construction of a 523 square foot therapy/exercise room and to increase the Pescadero Watershed Building Coverage from 5,000 square feet to 8,014 square feet and to increase the impervious surface coverage from 4,000 square feet to 11,771 square feet. (PLN080523, Robert and Valentia Piccinini, 3187 Palmero Way, Pebble Beach, CA, Del Monte Forest Land Use Plan (APN: 008-361-033-000))

The Piccinini application (PLN080523) came on for public hearing before the Monterey County Zoning Administrator on June 11, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan,
- Del Monte Forest Land Use Plan,
- Del Monte Forest Land Use Plan, Coastal Implementation Plan,
- Monterey County Zoning Ordinance (Title 20)

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 3187 Palmero Way, Pebble Beach, (Assessor's Parcel Number 008-361-033-000), Del Monte Forest Land Use Plan. The parcel is zoned "LDR/1.5-D" [Low Density Residential, 1.5 acres per unit with Design Control Overlay District], which allows single family residences with associated accessory

structures. The exercise/therapy room is an approved accessory structure to the existing single family residence.

- c) The building coverage and amount of impervious surface on site do not comply with the impervious surface limitations for the Pescadero Watershed contained within the Del Monte Forest Land Use Plan. The Plan limits building coverage to 5,000 square feet and limits the amount of impervious pavement to 4,000 square feet. The current structural coverage is 7,491 square feet and the amount of impervious surfaces is 15,305 square feet.
- d) The Variance is required because the subject site already exceeds the structural and impervious surface requirements in the Pescadero Watershed. The site was developed prior to adoption of the Del Monte Forest Land Use Plan, and is thus legal non-conforming. A variance is required to approve installation of any new structure on the subject site. The approval of this variance will result in a decrease in the existing impervious surface coverage on the subject site. Therefore, the project is an allowed land use for this site.
- e) The subject site is in a Design Control District. The addition of the therapy/exercise room made of glass and aluminum is in keeping with the character of the area. This type of enclosed sun room is consistent with the existing home on the site. In addition the proposed room is in a location that is not visible from surrounding properties.
- f) The project planner conducted a site inspection on December 9, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The Subject site is in a High Archaeological Sensitivity Zone. An archaeologist report was prepared finding no evidence of historic or prehistoric cultural activity. Therefore, it is the professional opinion of the archaeologist that this parcel does not contain significant cultural resources, either historic or prehistoric in nature. Based upon these negative findings, there is no reason to preclude commencement of development of the project parcel due to archaeological concerns.
- h) The project was referred to the LUAC Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the project includes variance and a Design Approval that will be considered at a public hearing.
- i) 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 PLN080523.

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

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Pebble Beach Fire Protection District, 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 identified potential impacts to Archaeological Resources. Technical reports by outside 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 independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Preliminary Archaeological Reconnaissance”* (LIB090272) prepared by Susan Morely, Marina, CA, February 2009).
 - c) Staff conducted a site inspection on December 9, 2008 to verify that the site is suitable for this use.
 - d) 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 PLN080523.

3. **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 was reviewed by Public Works Department, Water Resources, Environmental Health Department, Pebble Beach Fire Protection District and the California Coastal Commission. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (**Exhibit 1**).
 - b) Necessary public facilities are available to the site. Water is provided by Cal Am and sewer is provided by the Pebble Beach Community Services District. The exercise/therapy room will not be connected to water or sewer.
 - c) Preceding findings and supporting evidence for PLN080523. The subject site has been developed with a single family residence for over 20 years. The addition of the exercise/therapy room will not change the nature of the manner in which the site is being utilized. Currently the garage houses the exercise equipment. There will be no danger to public health or safety associated with the addition of a 523 square foot exercise room to the site.

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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any

- violations existing on the subject property.
- b) Staff conducted a site inspection on December 9, 2008 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.
5. **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), categorically exempts accessory structures.
 - b) The exercise/therapy room is a small accessory structure to the main residential structure existing on site.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on December 9, 2008.
 - d) The removal of the impervious surfaces and replacement with pervious surfaces will improve the water retention on site resulting in an overall improvement of environmental quality.
 - e) There are not any unique circumstances associated with this site (environmentally sensitive habitat, tree removal, archaeological resources) that it disturbed would result in a potentially significant adverse environmental impact.
 - f) See preceding and following findings and supporting evidence.
6. **FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 16 in 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) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.
 - e) The project planner conducted a site inspection on December 9, 2008.
7. **FINDING: SITE COVERAGE (DEL MONTE FOREST WATERSHEDS)** – The project limits structural and impervious surface coverage in order to reduce runoff within the Pescadero, Seal Rock Creek, and Sawmill Gulch Watersheds and some smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance (ASBS).
- EVIDENCE:**
- a) The Del Monte Forest Coastal Implementation Plan – Part 5 limits

development of parcels within the Pescadero Watershed to maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030 of the Del Monte Forest Coastal Implementation Plan, structural coverage is limited 5,000 square feet, including main and accessory structures. Separately, additional impervious surfaces are limited to 4,000 square feet.

- b) This site is currently developed with a 7,200 square foot single family residence, 1,182 square foot garage, and 600 square foot studio resulting in a structural coverage of 7,491 square feet. The site also includes 15,305 square feet of impervious paving and hardscape. This proposal would add a 523 square foot exercise/therapy room to the site. Most of the proposed structure (330 square feet) would be placed on an existing concrete patio. Only 193 square feet of additional impervious surface will be added on site. Since the site is already over the allowed impervious surface limitations for structures and for paving, a variance is required for the addition of the building to the site. In similar circumstances variances have been approved if as a part of the project the applicant reduces the overall impervious coverage on the site. In this particular case the applicant is removing a 1,116 square foot concrete patio and 2,088 square foot section of asphalt driveway with pervious paving material. The 330 square feet of concrete under the proposed building will be counted as building coverage resulting in a net coverage reduction of 3,011 square feet of impervious surface.
- c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.

8. **FINDING:** **VARIANCE (Authorized Use)** – The Variance shall not be granted for a use or activity which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

- EVIDENCE:**
- a) The property has a zoning designation of “LDR/1.5-D” [Low Density Residential, 1.5 acres per unit with Design Control Overlay District].
 - b) A single family home is allowed in the LDR zone (Section 20.14.040.A MCC). In addition accessory structures are permitted in the LDR zone (Section 20.14.040.F. Development standards for the LDR zone are identified in Section 20.14.060 MCC. Required set backs for an accessory structure in the LDR zone is 50 feet (front), 6 feet (rear), 6 feet (sides). The accessory structure maintains a front setback of over 400 feet, a rear setback of 80 feet, and a minimum side yard setback of 20 feet.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.

9. **FINDING:** **VARIANCE (Special Circumstances)** - Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under identical zoning classification.

- EVIDENCE:**
- a) Section 20.147.030.A.1.b limits the maximum structural coverage including main house and accessory structures to 5,000 square feet per lot and the maximum impervious surface coverage to 4,000 square feet in the Pescadero Watershed. The intent of this regulation is to minimize the amount of runoff into the Carmel Bay.
 - b) The subject site is large and irregularly shaped and contains a significant amount of topographic relief. The existing access to the site is at the furthest point on the road away from the house. This location minimizes the steepness of the driveway and provides for safe ingress and egress. This has resulted in a long driveway that is over 300 feet in length. The size of the driveway and the turn around at the house result in a significant amount of impervious paving.
 - c) The lot is 114,780 square feet in area, which is large in relation to other lots in the area. The normal coverage in the LDR zone is 17.5% which would allow a building footprint of 20,086 square feet. The existing 7,491 square foot of building coverage is far less than that permitted in the LDR zoning district. The Pescadero Watershed limitations were placed on the site after the development of this site.
 - d) With the request for an accessory structure, in addition to the existing structures, the project would increase structural coverage from 7,491 square feet to 8,014 square feet. In order to balance this increase, the applicant proposes to reduce impervious surface coverage from 15,305 square feet to 11,771 square feet.
 - e) The net amount of impervious surface being added to the site is 193 square feet. The location of the proposed exercise/therapy room currently includes 330 square feet of concrete patio. The exercise/therapy room can not be placed completely on the concrete patio because this would preclude access between the proposed building and an existing retaining wall that exceeds 10 feet in height.
 - f) Although, the proposed project exceeds the 5,000 square foot limit for structural coverage by 3,014 square feet, and exceeds the 4,000 square foot impervious surface limitation by 7,771 square feet the project does propose to reduce the overall impervious surface on site by 3,011 square feet. Granting a variance to allow a minor increase of structural coverage balanced with a reduction in impervious surfaces, improves a non-conforming condition that creates a special circumstance. This action brings the site more into conformance with the Pescadero Watershed Policies.
 - g) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.
 - h) The project planner conducted a site inspection on December 9, 2008 to verify the circumstances related to the property.

10. **FINDING:** **VARIANCE (Special Privileges)** - The variance shall not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated.

EVIDENCE: a) There are at least 40 other instances where Variances have been granted to increase the Pescadero Watershed structural and/or impervious coverage limits for residential structures.

- b) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN080523.
- c) The project planner conducted a site inspection on December 9, 2008 to identify circumstances related to other property in the vicinity and in the same zoning district.
- d) Other property owners in the vicinity and under identical zoning classification have been afforded the same privilege sought by the property owner of this application. Within the general area of the subject parcel, several residential projects have been granted similar variances and include:
 - 1) PLN060487 (Whitman) approved a variance to increase structural coverage by 868 square feet and decrease impervious surfaces by 11,234 square feet with a net reduction of 10,366 square feet (45%)
 - 2) PLN060268 (Hevrdejs) approved a variance to increase structural coverage by 942 square feet and decrease impervious surfaces by 3,138 square feet with a net reduction of 2,195 square feet (15%).
 - 3) PLN040705 (Greenan) approved a variance to decrease structural coverage by 169 square feet and also decrease impervious surfaces by 7,312 square feet with a total reduction of 7,481 square feet (25%).
 - 4) PLN040120 (Winston) approved a variance to increase structural coverage by 1,874 square feet and decrease impervious surfaces by 4,479 square feet with a net reduction of 2,605 square feet (21%).
- e) Granting a Variance to increase the structural coverage by 523 square feet and decrease impervious surfaces by 3,534 square feet with a 3,011 square foot net reduction (13%) is somewhat less than other percentage reductions approved as part of the variances identified above. Past variances have been considered in proportion to reductions approved as part of other applications. The applicant is willing to increase the net reduction to a minimum of 15% which would be 3,420 square feet. With this condition added to achieve a net reduction of 3,420 square feet, the reduction in impervious surfaces is consistent with variances granted to other properties in the vicinity under similar circumstances; and therefore, would not be granting a special privilege.

11. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and not the California Coastal Commission
- EVIDENCE:** a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors). All actions taken by the Zoning Administrator may be appealed to the Board of Supervisors.
- b) Section 20.86.080.A Monterey County Zoning Ordinance (Coastal Commission). The project is not subject to appeal by/to the California Coastal Commission because the project does not involve a Coastal Development Permit. Variances and Design Approvals by themselves are not appealable to the Coastal Commission.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

Approve the Variance and Design Approval to allow construction of a 523 square foot therapy/exercise room and to increase the Pescadero Watershed Building Coverage from 5,000 square feet to 8,014 square feet and to increase the impervious surface coverage from 4,000 square feet to 11,771 square feet, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of June, 2009.

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE DATE

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS NOT APPEALABLE TO THE COASTAL COMMISSION.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 080523 - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Piccinini
File No: PLN080523 **APNs:** 008-361-033-000
Approved by: Zoning Administrator
Date: June 11, 2009

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

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's required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
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RMA - Planning Department

1.	PD001 - SPECIFIC USES ONLY	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated
	<p>This Variance and Design Approval (PLN080523) allows construction of a 523 square foot therapy/exercise room and to increase the Pescadero Watershed Building Coverage from 5,000 square feet to 8,014 square feet and to increase the impervious surface coverage from 4,000 square feet to 11,771 square feet. The property is located at 3187 Palmero Way, Pebble Beach, (Assessor's Parcel Number 008-361-033-000), 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. 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.</p>	<p>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.</p>	<p>WRA RMA - Planning</p>	

2.	<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 080523) was approved by the Zoning Administrator for Assessor's Parcel Number 008-361-033-000 on June 11, 2009. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."</p>	<p>Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant RMA- Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.	<p>PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 4 years, to expire on June 10, 2013.</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	<p>Owner/ Applicant</p>	<p>As stated in the conditions of approval</p>	
4.	<p>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)</p>	<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.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

5.	<p>SP001- NON STANDARD – PERVIOUS AREAS All conversion of impervious areas shall conform to County standards of 40 percent or greater open pass-through area, subject to review and approval of the Director of Planning. A minimum net area of 3,420 square feet, shall be converted from impervious to pervious surface. (RMA - Planning Department)</p>	<p>Engineering calculations shall be provided and approved by the Director of Planning and Building Inspection. The location and amount of allowable impervious surface coverage shall be included on the Site and Grading Plans. The improvements shall be installed and maintained in accordance with the approved plan. The driveway and path areas around the single family dwelling will be replaced with permeable gravel.</p>	Owner/ Applicant	Prior to issuance of building or grading permits.	
6.	<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN 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>	<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. The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
Monterey County Water Resources Agency					
7.	<p>WRSP 01 – DRAINAGE PLAN - RETENTION The applicant shall provide the Water Resources Agency a drainage plan 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>	<p>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to issuance of grading or building permits	

8.	<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>	<p>Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.</p>	<p>Owner/ Applicant/ Engineer/ Contractor</p>	<p>Prior to final inspection</p>	
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Fire Agency
(Pebble Beach Fire Protection District)

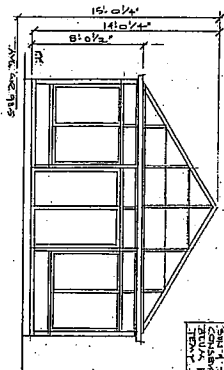
9.	<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. Responsible Land Use Department: Pebble Beach Fire Protection District.</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 building permit.</p> <p>Prior to final building inspection</p>	
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10.	<p>FIRE008 - GATES</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. Pebble Beach Community Services District.</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>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection.</p>	
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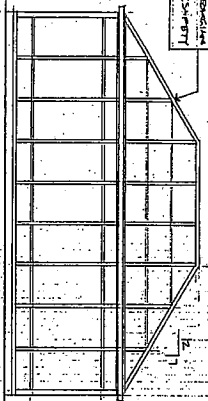
END OF CONDITIONS

Rev. 03/01//2009

Exhibit 2



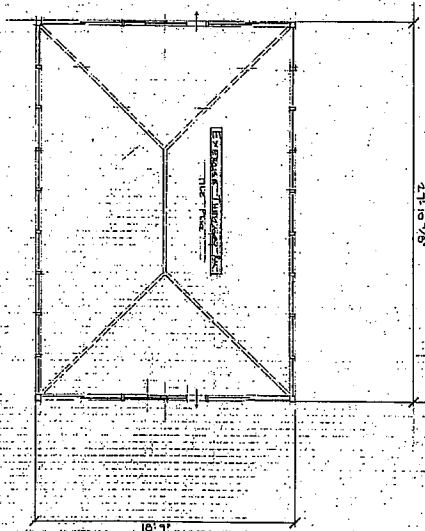
FOR STRUCTURE
 CONSULT ARCHITECT'S
 STRUCTURAL DRAWINGS
 FOR DETAILS



EAST WALL ELEVATION
 WEST WALL ELEVATION



EAST WALL PLAN



DRAWN BY	JOB NO. 050-1000-02
SCALE	
SHEET NUMBER	
A2	
OF	SHEETS

PICCINI EXERCISE THERAPY ROOM
 3187 PALMERO WAY, PEBBLE BEACH
 APN: 008-361-033-000 PH: 624-9440

BUILDING DESIGN & CONSULTING

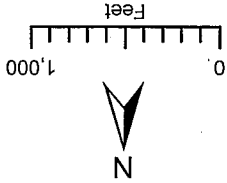
draftact

2150 GARDEN RD., SUITE 81 / MONTEREY, CA 93940
 (831) 646-5886 FAX 646-5988

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DATE	BY
12.17.05	LD



City Limits 300' Limit 2500' Limit

FILE # PLN080523

APN: 008-361-033-000

APPLICANT: PICCINI



Exhibit C

DEL MONTE FOREST

Exhibit D

MINUTES

Del Monte Forest Land Use Advisory Committee Thursday, May 21, 2009

1. Meeting called to order by Paul R. DeLay at 3:00 ~~am~~/pm

2. Roll Call Paul R. DeLay, Rod L. Dewar, Sandra Verbanec, Sandy Getreu,

Members Present: Kimberly Caneer and June Stock

Members Absent: William Conners, Lori Lietzke (arrived after 1st. presentation
ie, Roth Project)

3. Approval of Minutes:

A. April 2, 2009 minutes

Motion: Getreu (LUAC Member's Name)

Second: Caneer (LUAC Member's Name)

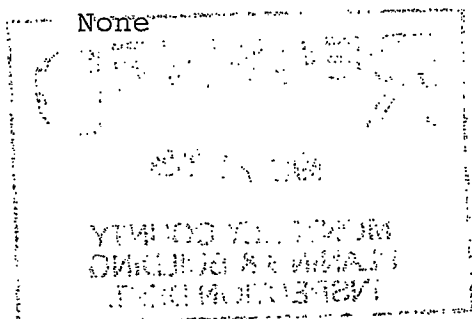
Ayes: DeLay, Dewar, Verbanec, Getreu, Caneer, Stock

Noes: None

Absent: Conners, Lietzke

Abstain: None

4. Public Comments: The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.



5. **Scheduled Item(s)** -please refer to the Project Referral Sheets which follow for each separate file.

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects
(use back side or blank sheets if necessary)

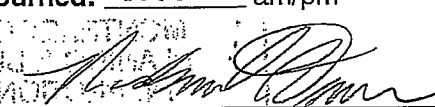
None

B) Announcements

None

7. **Meeting Adjourned:** 4:00 ~~am~~/pm

Minutes taken by:


Roderick L. Dewar

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA
(831) 755-5025

Advisory Committee: Del Monte Forest

Please submit your recommendations for this application by **May 21, 2009**

Project Name: PICCININI ROBERT M & VALENTIA

File Number: PLN080523

File Type: ZA

Project Planner: FORD

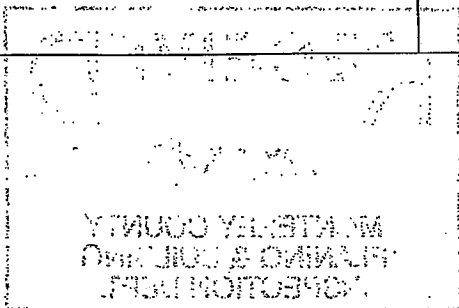
Project Location: 3187 PALMERO WY PEBBLE BEACH

Project Description: VARIANCE TO INCREASE THE PESCADERO WATERSHED BUILDING COVERAGE FROM 5,000 SQUARE FEET TO 8,014 SQUARE FEET AND TO INCREASE THE IMPERVIOUS SURFACE COVERAGE FROM 4,000 SQUARE FEET TO 11,771 SQUARE FEET, AND A DESIGN APPROVAL TO ALLOW CONSTRUCTION OF A 532 SQUARE FOOT THERAPY/EXERCISE ROOM. THE PROJECT IS LOCATED AT 3187 PALERMO WAY, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-361-033-000) DEL MONTE FOREST LAND USE PLAN.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

PUBLIC COMMENT: None

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	



LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS

Although project description states that there is an increase in impervious surface coverage (and therefore a variance), the present project calls for a reduction in impervious surface coverage from that which is existing.

RECOMMENDATION :

Motion by Dewar (LUAC Member's Name)

Second by Verbanec (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: DeLay, Dewar, Verbanec, Getreu, Caneer, Stock, Lietzke

NOES: None

ABSENT: Connors

ABSTAIN: None