

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: November 12, 2009 Time: 1:50P.M.		Agenda Item No.: 5
Project Description: Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval for the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling; 2) a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet and to reduce impervious surface coverage from 4,000 square feet to 3,934 square feet; and 3) a Coastal Development Permit for development within 750 feet of a known archeological resource.		
Project Location: 3220 Macomber Drive, Pebble Beach		APN: 008-162-003-000
Planning File Number: PLN090197		Owner: Cyril Yansouni Agent: Richard Steres
Planning Area: Del Monte Forest		Flagged and staked: Yes
Zoning Designation: Low Density Residential with Building Site and Design Control District Zoning Overlays (Coastal Zone) and Resource Conservation (Coastal Zone) or “LDR/B-6-D(CZ)” and “RC(CZ)”		
CEQA Action: Categorically Exempt per Section 15301 (e)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Find the project categorically exempt per Section 15301 (e) and;
- 2) Approve PLN090197, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

(SEE EXHIBIT B)

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

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

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On October 1, 2009 the Del Monte Forest Land Use Advisory Committee recommended approval of the Combined Development Permit (PLN090197) by a vote of 4-1 with two absences. The dissenting vote was due to the LUAC member wanting the Pescadero Watershed regulations to either be enforced or be modified as to not limit the structural coverage to 5,000 square feet and impervious coverage to 4,000 square feet but just limit total coverage to 9,000 square feet. No changes were suggested.

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

/S/ Brittanyann C. Armer

Brittanyann C. Armer, Assistant Planner
(831) 755-5854, nicholsonb@co.monterey.ca.us
(September 22, 2009)

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Community Services District; Public Works Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; John Ford, Planning Services Manager; Brittanyann C. Armer, Project Planner; Carol Allen, Senior Secretary; Cyril Yansouni, Owner; Richard Steres, Agent; Planning File PLN090197

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes (LUAC)
Exhibit F Letter of Justification for Variance prepared by Rick Steres AIA, dated October 07, 2009.
Exhibit G Assessor's Parcel Map showing Variances approved in immediate area

This report was reviewed by John Ford, Planning Services Manager

EXHIBIT B PROJECT OVERVIEW

The 2.52 acre parcel is located at 3220 Macomber Drive in Pebble Beach. The property is zoned Low Density Residential with Building Site and Design Control District zoning overlays and Resource Conservation and lies within the Coastal Zone boundaries or “LDR/B-6-D(CZ)” and “RC(CZ)”. The project site is governed by the Del Monte Forest Land Use Plan. The site contains a 6,609 square-foot two-story single family dwelling with an attached 700 square-foot three-car garage.

The project is composed of a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval for the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling; 2) a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet and to reduce impervious surface coverage from 4,000 square feet to 3,934 square feet (no net increase); and 3) a Coastal Development Permit for development within 750 feet of a known archeological resource.

An Archeological report was prepared for the project due to the property being located within an area designated as high archeological sensitivity. The report concluded that the project would not result in a negative impact to archeological resources but due to the project requiring earth disturbing activities a standard condition of approval (condition number 3) has been placed on the project requiring that all work be stopped if cultural resources are found until proper mitigation is implemented.

The Del Monte Forest Coastal Implementation Plan –Part 5 limits development of parcels within the Pescadero Watershed to a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b 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 (less than 40% water pass through) are limited to 4,000 square feet. The project includes a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet. Impervious surface coverage is being reduced from 4,000 square feet to 3,934 square feet. The project is below the maximum site coverage limitation of 9,000 square feet which meets the intent of Section 20.147.030.A.1.b by limiting structural and impervious surface coverage reducing runoff within the Pescadero Watershed which drains into the Carmel Bay an Area of Special Biological Significance. The project is over the structural coverage limitation of 5,000 square feet by 62 square feet due to the construction of a 66 square-foot stairway which is necessary to provide the internal circulation with the existing living area. Other property owners in the immediate vicinity of the project (in the same subdivision) and under identical zoning classification have been afforded the same privilege sought by the Yansouni family. Research of RMA-Planning Department files revealed that the following Variances were granted to the Pescadero Watershed requirements within the Macomber Estates subdivision:

- Del Ciervo Partners LP/PLN970540 (Assessor’s Parcel Number 008-162-008-000) Combined Development Permit to allow the construction of a new single family dwelling. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 505 square feet. The project kept the total coverage under the 9,000 square-foot limitation.
- Tyler/PLN980089 (Assessor’s Parcel Number 008-162-005-000). Combined Development Permit to allow the construction of a new single family dwelling,

Caretaker Unit and Guesthouse. The project included a Variance to the Pescadero Watershed coverage limitations (coverage amount unknown).

- Meltzer/PLN000358 (Assessor's Parcel Number 008-162-021-000) Combined Development Permit to allow the construction of a single family dwelling and caretaker unit. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 2,370 square feet but maintained the total coverage limitation of 9,000 square feet.
- Meltzer/PLN020211 (Assessor's Parcel Number 008-162-021-000). Combined Development Permit to allow the construction of a Guesthouse and a garage. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 3,360 square feet (2,370 square feet was previously approved under PLN000358) but maintained the total coverage limitation of 9,000 square feet.
- Conron/PLN030324 (Assessor's Parcel Number 008-162-017-000) Variance to exceed 5,000 square-foot Pescadero Watershed structural coverage limitation by 517 square feet but not to exceed the 9,000 square-foot total coverage limitation.

In conclusion, staff finds this project to be consistent with the Monterey County General Plan, the Del Monte Forest Land Use Plan and The Monterey County Zoning Ordinance (Title 20). Therefore staff recommends approval of the project subject to the findings and evidence and conditions of approval of Exhibit C.

**EXHIBIT C
DRAFT RESOLUTION**

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

In the matter of the application of:
CYRIL YANSOUNI (PLN090197)
RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding PLN090197 Categorically exempt per Section 15301 (e) of the CEQA guidelines and;
- 2) Approving a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval for the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling; 2) a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet and to reduce impervious surface coverage from 4,000 square feet to 3,934 square feet (no net increase); and 3) a Coastal Development Permit for development within 750 feet of a known archeological resource.

(PLN090197, Cyril Yansouni, 3220 Macomber Drive, Pebble Beach, Del Monte Forest Land Use Plan [APN: 008-162-003-000])

The Yansouni application (PLN090197) came on for public hearing before the Monterey County Zoning Administrator on November 12, 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 Coastal Implementation Plan (Part 5),
 - 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 3220 Macomber Drive, Pebble Beach (Assessor's Parcel Number 008-162-003-000) Del Monte Forest. The parcel is zoned Low Density Residential with Building Site Plan and Design Control District Zoning overlays and Resource Conservation (Coastal Zone) or "LDR/B-6-D (CZ)" and "RC", which allows the proposed development subject to a Combined Development Permit consisting of a Coastal Administrative Permit, Design Approval and Variance. The project is in conformance with all site development standards required by the Monterey County Zoning Ordinance (Title 20). Therefore, the project is an allowed land use for this site.
 - c) The property is located within 750' of a known archeological resource. Development within 750' of a known archaeological resource requires a Coastal Development Permit. An Archaeological Reconnaissance report was submitted for the proposed project indicating that the proposed development does not have a potential to impact archaeological resources. In accordance with recommendations of the archaeological report. Condition of Approval No. 3 has been incorporated into project approval.
 - d) The project planner conducted a site inspection on August 26, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
 - e) A Variance is required to exceed the Pescadero Watershed structural coverage to increase the structural coverage from 4,996 square feet to 5,062 square feet. In order to meet the intent of the Pescadero Watershed coverage limitations the impervious surface coverage is being reduced from 4,000 square feet to 3,934 square feet (See Findings 6, 7, 8 and 9). The project meets the maximum site coverage limitation of 9,000 square feet which is consistent with the intent of Section 20.147.030.A.1.b to limit structural and impervious surfaces within the Pescadero Watershed which drains into the Carmel Bay an Area of Special Biological Significance.
 - f) The project was referred to the Del Monte Forest 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 a variance. On October 1, 2009 the Del Monte Forest Land Use Advisory Committee recommended approval of the Combined Development Permit (PLN090197) by a vote of 4-1 with two absences. The dissenting vote was due to the LUAC member wanting the Pescadero Watershed regulations to either be enforced or be modified as to not limit the structural coverage to 5,000 square feet and impervious coverage to 4,000 square feet but just limit total coverage to 9,000 square feet. No changes were suggested.
 - g) 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 PLN090197.

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) 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:
- *“Archeological Report” (LIB090366) prepared by Archeological Consulting, Salinas, Ca, May 19, 2009).*
- c) Staff conducted a site inspection on August 26, 2009 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 PLN090197.

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 Pebble Beach Community Services District, Public Works Department, Health Department – Environmental Health Division, Water Resources Agency, The California Coastal Commission and the Del Monte Forest Land Use Advisory Committee. The respective bodies 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.
- b) Necessary public facilities are available. The single family dwelling is currently served by Cal Am for water services and Pebble Beach Community Services District for sewer services.
- c) Preceding findings and supporting evidence for PLN090197.

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 subject property.
- b) Staff conducted a site inspection on August 26, 2009 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) Zoning violation abatement costs, if any, have been paid. A condition is included to assure that all zoning abatement costs, if any, have been paid.
- e) 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 PLN090197.

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 15301 (e), categorically exempts additions to existing structures.
 - b) The project consists of the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to a two-story single family dwelling.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on August 26, 2009.
 - d) See preceding and following findings and supporting evidence.

6. **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 a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b of the Del Monte Forest Coastal Implementation Plan structural coverage is limited to 5,000 square feet, including main and accessory structures. Separately, additional impervious surfaces (less than 40% water pass through) are limited to 4,000 square feet.
 - b) This project includes a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet. Impervious surface coverage is being reduced from 4,000 square feet to 3,934 square feet. The project is below the maximum site coverage limitation of 9,000 square 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 PLN090197.

7. **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 Low Density Residential with Building Site and Design Control District Zoning Overlays and Resource Conservation (Coastal Zone) or “LDR/B-6-D(CZ) and “RC(CZ)”.

- b) The project consists of the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling. A single family home is allowed in the LDR zoning District (Section 20.14.040.A MCC).
- 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 PLN090197.

8. **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) The Del Monte Forest Coastal Implementation Plan –Part 5 limits development of parcels within the Pescadero Watershed to a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b 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 (less than 40% water pass through) are limited to 4,000 square feet.
 - b) This project includes a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet. Impervious surface coverage is being reduced from 4,000 square feet to 3,934 square feet. The project meets the maximum site coverage limitation of 9,000 square feet which is consistent with intent of Section 20.147.030.A.1.b limiting structural and impervious surface coverage reducing runoff within the Pescadero Watershed which drains into the Carmel Bay an Area of Special Biological Significance.
 - c) The project is over the structural coverage limitation of 5,000 square feet by 62 square feet due to the construction of a 66 square-foot stairway which is necessary to provide the internal circulation with the existing living area.
 - 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 PLN090197.
 - e) The project planner conducted a site inspection on August 26, 2009 to verify the circumstances related to the property.

9. **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) The Del Monte Forest Coastal Implementation Plan –Part 5 limits development of parcels within the Pescadero Watershed to a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b 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 (less than 40% water pass through) are limited to 4,000 square feet.
 - b) This project includes a Variance to increase the Pescadero Watershed

structural coverage from 4,996 square feet to 5,062 square feet. Impervious surface coverage is being reduced from 4,000 square feet to 3,934 square feet. The project is below the maximum site coverage limitation of 9,000 square feet.

- c) Other property owners in the immediate vicinity of the project (in the same subdivision) and under identical zoning classification have been afforded the same privilege sought by the Yansouni family. Research of RMA-Planning Department files revealed that the following Variances were granted to the Pescadero Watershed requirements within the Macomber Estates subdivision:
- Del Ciervo Partners LP/PLN970540 (Assessor's Parcel Number 008-162-008-000) Combined Development Permit to allow the construction of a new single family dwelling. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 505 square feet. The project kept the total coverage under the 9,000 square-foot limitation.
 - Tyler/PLN980089 (Assessor's Parcel Number 008-162-005-000). Combined Development Permit to allow the construction of a new single family dwelling, Caretaker Unit and Guesthouse. The project included a Variance to the Pescadero Watershed coverage limitations (coverage amount unknown).
 - Meltzer/PLN000358 (Assessor's Parcel Number 008-162-021-000) Combined Development Permit to allow the construction of a single family dwelling and caretaker unit. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 2,370 square feet but maintained the total coverage limitation of 9,000 square feet.
 - Meltzer/PLN020211 (Assessor's Parcel Number 008-162-021-000). Combined Development Permit to allow the construction of a Guesthouse and a garage. The project included a Variance to exceed the 5,000 square-foot Pescadero Watershed structural coverage limitation by 3,360 square feet (2,370 square feet was previously approved under PLN000358) but maintained the total coverage limitation of 9,000 square feet.
 - Conron/PLN030324 (Assessor's Parcel Number 008-162-017-000) Variance to exceed 5,000 square-foot Pescadero Watershed structural coverage limitation by 517 square feet but not to exceed the 9,000 square-foot total coverage limitation.
- 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 PLN090197.
- e) The project planner conducted a site inspection on August 26, 2009 to identify circumstances related to other property in the vicinity and in the same zoning district.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
- EVIDENCE:** a) Section 20.86.010 of the Monterey County Zoning Ordinance states, "...a public agency, person or persons dissatisfied with the decision of an Appropriate Authority may appeal that decision to the Board of Supervisors and to put such persons on notice that certain decisions may be appealed to the California Coastal Commission."
- b) The project is subject to appeal by/to the California Coastal Commission in accordance with Section 20.86.080 of the Monterey County Coastal Implementation Plan – Part 1.

DECISION

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

- A. Finds PLN090197 Categorically Exempt per Section 15301 (e) of the CEQA guidelines and;
- B. Approves a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval for the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling; 2) a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet and to reduce impervious surface coverage from 4,000 square feet to 3,934 square feet (no net increase); and 3) a Coastal Development Permit for development within 750 feet of a known archeological resource, 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.

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 OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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 _____ - EXHIBIT C.1
 Monterey County Resource Management Agency
 Planning Department
 Condition Compliance and/or Mitigation Monitoring
 Reporting Plan**

Project Name: Yansouni

File No: PLN090197

APNs: 008-162-003-000

Approved by: Zoning Administrator

Date: November 12, 2009

**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>	
RMA – Planning Department							
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN090197) consists of: 1) a Coastal Administrative Permit and Design Approval for the construction of a 66 square-foot first story addition (enclosed staircase) and a 712 square-foot second-story addition (bedroom, bath, and closets) to an existing two-story single family dwelling; 2) a Variance to increase the Pescadero Watershed structural coverage from 4,996 square feet to 5,062 square feet and to reduce impervious surface coverage from 4,000 square feet to 3,934 square feet (no net increase); and 3) a Coastal Development Permit for development within 750 feet of a known archeological resource. The property is located at 3220 Macomber Drive, Pebble Beach (Assessor’s Parcel Number 008-162-003-000), 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</p>	<p>Adhere to conditions and uses specified in the permit.</p>	Owner/ Applicant	Ongoing unless otherwise stated		
			<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>	RMA - Planning			
			<p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	WRA RMA - Planning			

<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>
		legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 008-162-003-000 on November 12, 2009. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	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.	Owner/ Applicant RMA- Planning Department.	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	

<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>
4.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "An Archeological report has been prepared for this parcel by Archaeological Consulting, dated May 19, 2009 and is on record in the Monterey County RMA - Planning Department , Library No. 090366. All development shall be in accordance with this report." (RMA – Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department. Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits. Prior to Occupancy	
5.		PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading or building permits Prior to the foundation pre-pour inspection	
Monterey County Water Resources Agency						

<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>
6.		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
7.		WR40 - WATER CONSERVATION MEASURES 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: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. 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)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
8.		WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
Fire Agency (Pebble Beach Community Services District)						

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
9.		<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. (Pebble Beach Community Services District)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Owner/ Applicant	Prior to issuance of building permit	
			Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	
10.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).</p>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	

<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>
		Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Pebble Beach Community Services District)	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
11.		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. (Pebble Beach Community Services District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	