MONTEREY COUNTY ZONING ADMINISTRATOR

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Meeting: April 25, 2013 Time: 1:30 P.M	Agenda Item No.: 1			
Project Description: Consider a Combined Development Permit consisting of: 1) Coastal				
Development Permit to allow the conversion of an existing three-car detached garage to a 711				
square foot Caretaker's Unit and a 14 square foot addition to the existing attached garage, a new				
entry portico, lower floor game room, a new terrace including fire pit and spa, and new barbecue				
area in an existing courtyard, and converting approximately 7,891 square feet of the existing				
driveway from asphalt to permeable pavers; and 2) a Variance to exceed 9,000 square feet of				
impervious coverage limitation within the Pescadero Watershed to allow 15,996 square feet of				
Impervious surface; and Design Approval. The property is located at 3317 17 Mile Drive, Pebble				
Beach (Assessor's Parcel Number 008-422-005-000), Del Monte Forest Land Use Plan, Coastal				
Zone.				
Project Location: 3317 17 Mile Drive, Pebble	APN: 008-422-005-000			
Beach	AF11: 008-422-003-000			
Diaming File Numbers DI N120524	Owner: Margaret B. Paul			
Planning File Number: PLN120534	Agent: Jun Sillano, IDG			
Planning Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes			

Zoning Designation: "LDR/1.5-D-S (CZ)" [Low Density Residential, 1.5 acres per unit with

Design Control, and Site Plan Review Overlays (Coastal Zone)]

CEQA Action: Categorically Exempt per Section 15303 (a)

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 15303 (a); and
- 2) Approve the Combined Development Permit (PLN120534) based on the findings and evidence and subject to the conditions of approval (Exhibit C)

PROJECT OVERVIEW:

The applicant proposes to convert an existing three-car garage to a Caretakers Unit and add 14 square feet to the existing attached garage. In the Low Density district of the Coastal zone, a Caretakers Unit can be allowed subject to a Coastal Development Permit. The property is located within the Pescadero Watershed which limits pervious coverage to 9,000 square feet pursuant to Section 20.147.030.A.1 (b) of the Del Monte Forest Coastal Implementation Plan. The applicant is proposing to convert 7,891 square feet of an existing driveway from asphalt to permeable pavers. This will result in a decrease in impervious coverage from 23,458 square feet to 15,996 square feet. It has been County practice to consider approval of a variance to Pescadero Watershed coverage requirements when there is a substantial reduction in impervious surfaces (See Exhibit B for further discussion).

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

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

Agencies that submitted comments are noted with a check mark (" $\sqrt{}$ "). Conditions recommended by Public Works, Pebble Beach Community Services District, Water Resources Agency and RMA –Planning have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

On January 3, 2013 the Del Monte Forest Land Use Advisory Committee recommended approval of the project (5-0 vote) with no recommended changes to the project.

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

/S/ Valerie Negrete

Valerie Negrete, Assistant Planner (831) 755-5227, negretev@co.monterey.ca.us April 3, 2013

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Community Services District; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; John Ford, Senior Planner; Valerie Negrete, Project Planner; Andrew M. Paul, Owner; Jun Sullano, Agent; The Open Monterey Project; LandWatch; Planning File PLN120534

Attachments: Exhibit A Project Data Sheet

Exhibit B Discussion

Exhibit C Draft Resolution, including:

Conditions of Approval

• Site Plan, Floor Plan and Elevations

Exhibit D Vicinity Map

Exhibit E Advisory Committee Minutes (LUAC)

This report was reviewed by John Ford, Senior Planner

EXHIBIT B DISCUSSION

Project Description

The project consists of the conversion of an existing three-car detached garage to a 711 square foot Caretaker's Unit. In addition, there will be a 14 square foot addition to the existing attached garage, a new entry portico, a new terrace including fire pit and spa, and new barbecue area in an existing courtyard. The property is located within the Pescadero Watershed, which limits impervious coverage to 9,000 square feet pursuant to Section 20.147.030.A.1 (b) of the Del Monte Forest Coastal Implementation Plan. The purpose of this limitation is to reduce the amount of runoff into the Carmel Bay, thereby protecting an area of marine biological significance. The existing impervious coverage is 23,458 square feet however, the applicant will be converting approximately 7,891 square feet part of existing driveway from asphalt to permeable pavers (Eco-Venetian Stone) bringing the impervious coverage to 15,996 square feet.

Coastal Development Permit (Caretakers Unit)

The subject application includes the conversion of an existing 711 square foot garage to a Caretakers Unit, which is under the 850 square feet allowed under Section 20.64.030. The Caretakers Unit will have a minimum of 1 covered off-street parking space located within the main house garage. Staff found no issues with the conversion of the garage to a Caretakers Unit.

Project Entitlement – Variance

The 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 legal non-conforming. Staff has reviewed the Variance justification and found that the proposed project meets the findings required to grant a Variance. The Pescadero Watershed coverage limitations are intended to minimize the amount of runoff into the Carmel Bay. These limitations were imposed prior to construction of this residence making the site non-conforming. The applicant is proposing an increase in structural area of 14 square feet. The exterior spa and deck will be impermeable. Any structural alteration to the site requires approval of a variance. In similar circumstances variances have been approved if the project reduces the overall impervious coverage of the site. In this particular case the applicant is reducing the impervious pavement by 7,891 square feet. This is consistent with other variance requests in the Pescadero Watershed. Within the Pescadero Watershed area, several recent residential projects have been granted similar variances:

- PLN010230 (Fitzpatrick) allowed the addition of a 1,360 square foot addition to an existing single family dwelling by reducing impervious area from 20,512 square feet to 16,276 square feet;
- PLN090364 (Pelio) allowed a 1,209 square foot addition in structural coverage by decreasing impervious surface coverage by 2,640 square feet for an overall decrease of 1,431 square feet;
- PLN110174 (Hoffman) allowed a 1,109 square foot addition to an existing single family residence for a impervious coverage from 11,801 square feet to 7,521 square feet.

This project will not constitute a grant for an activity or use otherwise not expressly authorized in the Low Density Zoning District as defined in Title 20 of the Coastal Implementation Plan.

Project Issues

The existing single family dwelling was built in 1924 and a historical report was conducted by Kent Seavey (LIB120485) to determine whether or not the home was of any historical significance. Between the years of 1960's to the 1990's, the existing residence had been remodeled extensively, which "significantly altered the original design of the property".

The property is located in a high archaeological resource area. An archaeological report was prepared by Mary Doane (LIB120457) and found that although there is an archeological site within 750 feet to the east of the property line, the project is over 750 feet from the recorded boundary and therefore the project would not have any impacts on archaeological resources.

Environmental Review

The project is categorically exempt per Section 15303 (a) which includes the "conversion of existing structures from one use to another where only minor modifications are made to the exterior of the structure". The exemption also includes "one single-family residence, or a second dwelling unit in a residential zone". In this case, the conversion of a three car-garage to a Caretakers Unit will be in the same location and no additional ground disturbance will be needed.

Staff recommends approval of the Combined Development Permit as proposed.

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:

Andrew M Paul (PLN120534)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning Administrator:

- 1) Finding the project Categorically Exempt per Section 15303 (a); and
- 2) Approving a Combined Development Permit consisting of: 1) Coastal Development Permit to allow the conversion of an existing threecar detached garage to a 711 square foot Caretaker's Unit and a 14 square foot addition to the existing attached garage, a new entry portico, lower floor game room, a new terrace including fire pit and spa, and new barbecue area in an existing courtyard, and converting approximately 7,891 square feet of the existing driveway from asphalt to permeable pavers; and 2) a Variance to exceed 9,000 square feet of impervious coverage limitation within the Pescadero Watershed to allow 15,996 square feet of Impervious surface; and Design Approval.

[PLN120534, Andrew M Paul, 3317 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-422-005-000)]

The Andrew M Paul application (PLN120534) came on for public hearing before the Monterey County Zoning Administrator on April 25, 2013. 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 1982 Monterey County General Plan;
- Del Monte Forest Land Use Plan;
- Monterey County 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 3317 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-422-005-000), Del Monte Forest Land Use Plan. The parcel is zoned LDR/1.5-D-S (CZ)" [Low Density Residential, 1.5 acres per unit with Design Control, and Site Plan Review Overlays (Coastal Zone), which allows Caretakers Units and additions to single family dwellings. Therefore, the project is an allowed land use for this site.
- c) Archaeological Resources. Based on information contained within the Monterey County Geographic Information System, the subject property is located within a high sensitivity area for archaeological resources. Therefore, pursuant to Section 20.147.080.B.1 of the CIP, an archaeological report was prepared by Mary Doane (LIB120457) for the project (See Finding 2, Evidence b). This report concluded that the project area does not contain surface evidence of potentially significant cultural resources. There is an archeological site to the east of the property line, but the project is over 750 feet from the recorded boundary of the site. The archaeologist has determined that this project would not have any impacts on archaeological resources. The potential for inadvertent impacts to cultural resources is limited and will be controlled by the imposition of the County's standard condition of approval for protection of archaeological resources (Condition No. 3).
- d) Variance. The subject property is located within the Pescadero watershed, which drains into the Carmel Bay Area of Special Biological Significance. In order to ensure that the water quality draining into this area is maintained, Section 20 .147.030.A.l .b of the Del Monte Forest Coastal Implementation Plan requires that the maximum impervious surface coverage be limited to 9,000 square feet. The existing impervious coverage is 23,458 square feet however, the applicant will be converting approximately 7,891 square feet of the existing driveway from asphalt to permeable pavers (Eco-Venetian Stone) bringing the impervious coverage to 15,996 square feet.
- e) The subject property is located within a Design Control district, which regulates the location, size, configuration, materials and colors of structures and fences. In addition, CIP Section 20.147.070.C.2 requires structures to be subordinate to and blend into the environment. The proposed materials and colors will match the existing single family dwelling of off white/beige siding, trim of sandstone beige; and windows will be framed with light brown trim.
- f) The project planner conducted a site inspection on September 7, 2012 to verify that the project on the subject parcel conforms to the plans listed above.

- The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on January 3, 2013. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because the proposed project includes a Variance and Design Approval subject to the review of the Zoning Administrator. The LUAC supported the project as proposed with a vote of 5 to 0. The committee members had no further comments regarding the project.
- 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 PLN120534.

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 Bureau, 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, Forest Resources and Historical Resources. The following reports have been prepared:

"Preliminary Archaeological Reconnaissance for 008-422-005-000" (LIB120457) prepared by Archaeological Consulting, Salinas, CA, May 24, 2012;

"3317 17 Mile Drive, Pebble Beach Tree Removal Status" (LIB120456) prepared by Frank Ono, Pacific Grove, CA, October 20, 2012;

"Historical Assessment of 3317 17 Mile Drive" (LIB120458) prepared by Kent Seavey, Pacific Grove, CA, June 9, 2012.

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted a site inspection on September 7, 2012 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 PLN120534.

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:

- The project was reviewed by the RMA Planning Department, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective 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.
- b) Necessary public facilities are available. The existing single family dwelling is serviced by California American Water for water and Pebble Beach Community Services District for sewage.
- c) Staff conducted a site inspection on September 7, 2012 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 PLN120534.

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 September 7, 2012 and researched County records to assess if any violation exists on the subject property.
- 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 PLN120534.

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 (a); categorically exempts the "conversion of existing structures from one use to another where only minor modifications are made to the exterior of the structure".
- b) The subject project includes the conversion of an existing garage to a Caretakers Unit. There will be no more ground disturbance involved with the conversion.
- c) No adverse environmental effects were identified during staff review of the development application during a site visit on September 7, 2012.
- d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
- e) Staff conducted a site inspection on September 7, 2012 to verify that the site is suitable for this use.
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File

PLN120534.

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:

- No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 15, the Recreational Facilities Map, and Figure 16, the Shoreline Access Map 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) 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 PLN120534.
- e) The project planner conducted a site inspection on September 9, 2013.

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:

- 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 (Adopted 2012), impervious surface (structural and site improvements) coverage for residential development shall be limited to a maximum of 9,000 square feet.
- b) The existing impervious coverage is 23,458 square feet however, the applicant will be converting approximately 7,891 square feet of the existing driveway from asphalt to permeable pavers (Eco-Venetian Stone) bringing the impervious coverage to 15,996 square feet.
- c) The site is currently non-conforming with respect to impervious coverage requirements in the Pescadero Watershed. The exterior spa and deck attached to the main house will be impermeable. The replacement of 7,891 square feet of asphalt with pervious pavers will not bring the property into compliance but it will remove approximately 34% of the impervious surface on site. Granting a variance to allow the conversion of an existing structure to a Caretakers Unit and adding a minor addition (14 square feet) increases structural coverage, however the reduction in impervious surfaces improves a non-conforming condition. This action brings the site more into conformance with the Pescadero Watershed Policies, than no project.
- 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 PLN120534.

8. FINDING:

VARIANCE – Variances shall only be granted based upon the following Findings:

- 1. That because of special circumstances applicable to the subject property, including the size, shape, topography, location or surroundings, the strict application of development standards in the Monterey County Codes is found to deprive the subject property of privileges enjoyed by other properties in the vicinity under and under identical zoning classification;
- 2. That the variance shall not constitute a grant of privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated;
- 3. A 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.
- a) The property has a zoning designation of "LDR/1.5-D (CZ)" [Low Density Residential, 1.5 acres per unit with a Design Control Overlay District (Coastal Zone)].
- b) The addition to an existing single family dwelling is an allowed use in the LDR zoning district.
- d) The intent of the Pescadero Watershed coverage limitations (Section 20.147.030.A.l.b of the Monterey County Coastal Implementation Plan, Part 5) is to limit the amount of storm water runoff into Carmel Bay, thereby protecting an area of biological significance. Although the proposed project exceeds the amount of structural coverage and impervious surface coverage limitation of 9,000 square feet, the applicant proposes to reduce the overall amount of surface coverage by approximately 7,879 square feet. With the reduction of the overall surface area covered, the project will be more in conformance with the Pescadero Watershed policy. The project meets all other zoning requirements regarding size and bulk (i.e. Floor Area Ratio), lot coverage and setbacks.
- e) Other property owners in the vicinity and under identical zoning classification have been afforded the same privileges sought by the property owner of this application.
 - 1) PLN010230 (Fitzpatrick) allowed the addition of a 1,360 square foot addition to an existing single family dwelling by reducing impervious area from 20,512 square feet to 16,276 square feet;
 - 2) PLN090364 (Pelio) allowed a 1,209 square foot addition in structural coverage by decreasing impervious surface coverage by 2,640 square feet for an overall decrease of 1,431 square feet;
 - 3) PLN110174 (Hoffman) allowed a 1,109 square foot addition to an existing single family residence for a impervious coverage from 11,801 square feet to 7,521 square feet.

The Zoning Administrator approved Variances to exceed the impervious

- coverage limitations and allowed modifications to non-conforming sites with respect to coverage, based on a reduction of impervious surface coverage and an overall net reduction in total coverage.
- f) The applicant proposes to convert an existing three-car garage to a Caretakers Unit and add 14 square feet to the existing attached garage.
- g) The project planner conducted a site inspection on September 9, 2013.
- h) 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 PLN120534.

9. FINDING:

- **CARETAKER UNIT [Coastal Zone]** The subject project meets the regulations, standards and circumstances for caretaker units in accordance with the applicable goals, policies, and regulations of the applicable area plan and zoning codes.
- a) That the establishment of the caretaker unit will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County (see Finding 3).
- b) The subject property upon which the caretaker unit is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title. The subject Caretakers Unit will be 711 square feet which is under the 850 square feet allowed under Section 20.64.030. The Caretakers Unit will have a minimum of 1 covered off-street parking space located within the main house garage. The Caretakers Unit is setback over 50 feet from 17 Mile Drive and Riata Road. The rear and side setbacks are 6 feet, the property has 2 sides and the unit will sit at over 10 feet from the side. The required setback between structures (Accessory/Main Structures) is 10 feet and the Caretakers Unit and the main house will be approximately 40 feet apart.
- c) Adequate sewage disposal and water supply are readily available, as reviewed and approved by the Environmental Health Bureau (See Finding 3).
- d) The proposed caretakers unit will not adversely impact traffic conditions in the area. The caretaker unit is expected to generate only a nominal addition to traffic on surrounding roads.
- 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 PLN120534.

FINDING:

APPEALABILITY - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

EVIDENCE:

- Board of Supervisors. Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20) states that the proposed project is appealable to the Board of Supervisors.
- b) California Coastal Commission. Section 20.86.080.A.1 and A.3 of the Monterey County Zoning Ordinance (Tile 20) states that the proposed project is subject to appeal to the Coastal Commission because it involves development between the first through road paralleling the sea.

DECISION

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

1. Find the project Categorically Exempt per Section 15303 (a);

2. Approve a Combined Development Permit consisting of: 1) Coastal Development Permit to allow the conversion of an existing three-car detached garage to a 711 square foot Caretaker's Unit and a 14 square foot addition to the existing attached garage, a new entry portico, lower floor game room, a new terrace including fire pit and spa, and new barbecue area in an existing courtyard, and converting approximately 7,891 square feet of the existing driveway from asphalt to permeable pavers; and 2) a Variance to exceed 9,000 square feet of impervious coverage limitation within the Pescadero Watershed to allow 15,996 square feet of Impervious surface; and Design Approval, in general conformance with the attached sketch, all being attached hereto and incorporated herein by reference; and

PASSED AND ADOPTED this 25th day of April, 2013:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 / IS NOT 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 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN120534

1. PD001 - SPECIFIC USES ONLY

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

This Combined Development Permit consisting of: 1) a Coastal Development Permit to allow the conversion of an existing three-car detached garage to a 711 square foot Caretaker's Unit and a 14 square foot addition to the existing attached garage, a new entry portico, lower floor game room, a new terrace including fire pit and spa, and new barbecue area in an existing courtyard, and converting approximately 7,891 square feet of the existing driveway from asphalt to permeable pavers; and 2) a Variance to exceed 9,000 square feet of impervious coverage limitation within the Pescadero Watershed to allow 15,579 square feet of Impervious surface; and Design Approval located at 3317 17 Mile Drive, Pebble Beach was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey 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)

Compliance or Monitorina Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number ***) was approved by the Zoning Administrator for Assessor's Parcel Number 008-422-005-000on April 25, 2013. The permit was granted subject to 16 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)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

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 Register 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 recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "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 When contacted, the project planner and the paleontological resources are uncovered." archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

4. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure:

Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of 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 certified arborist. 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)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to the RMA-Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

5. PD018(B) - DEED RESTRICTION-CARETAKER UNIT (COASTAL)

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The applicant shall record a Deed Restriction stating the regulations applicable to a caretaker

- * Only 1 (one) caretaker unit per lot shall be allowed.
- * The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under same ownership.
- * The minimum lot size for establishment of a caretaker unit in areas not served by sewers shall be 2 acres. The minimum lot size for establishment of a caretaker unit in the Carmel Planning Area shall be 40 acres.
- * Caretaker units shall not be subject to density requirements of the zoning district in which the lot is located, except in North County. In North County, caretaker units shall not be permitted on lots less than 5 acres if located in an area not served by public sewer systems.
- * The maximum floor area for a caretaker unit is 850 square feet.
- * A minimum of 1 covered off-street parking space shall be provided for the caretaker unit.
- * The caretaker unit shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.
- * Subsequent subdivisions which divide a main residence from a caretaker unit shall not be permitted except where lots created meet minimum lot size and density requirements of the existing zoning.
- * Caretaker units are not permitted on any lot less than 10 acres where a senior citizen unit exists. Senior citizen units may be converted to a caretaker unit, subject to a Coastal Administrative Permit.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the issuance of grading or building permits, the Owner/Applicant shall submit the signed and notarized document to the Director of RMA-Planning Department for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to the RMA-Planning Department.

6. PD032(A) - PERMIT EXPIRATION

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on April 25, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed:

Prior to the expiration date stated in the condition, the Owner/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.

7. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department:

Public Works Department

Condition/Mitigation Monitoring Measure:

Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based

on the

parameters adopted in the current fee schedule.

Compliance or Monitoring Action to be Performed:

Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the DPW.

8. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department:

Water Resources Agency

Condition/Mitigation
Monitoring Measure:

The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at: www.mcwra.co.monterey.ca.us.

9. FIRE007 - DRIVEWAYS

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure: 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 Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than Turnouts shall be a minimum of 12 feet wide and 30 feet long with a 400-foot intervals. minimum of 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. 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. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

10. FIRE008 - GATES

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

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)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the entry gate into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the entry gate and obtain fire department approval the final fire inspection.

11. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

All buildings shall be issued an address in accordance with Monterey County Ordinance No. Each occupancy, except accessory buildings, shall have its own permanently posted 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 numbers shall be reflective and made of a the sign, and shall be Arabic. noncombustible material. Address signs shall be placed at each driveway entrance and at each Address signs shall be visible and legible from both directions of travel along the 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)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

12. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

13. FIRE021 - FIRE PROTECTION- SPRINKLER SYSTEM (STANDARD)

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). 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. Responsible Land Use Department: _____ Fire District

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.

14. FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)

Responsible Department:

Fire

Condition/Mitigation Monitoring Measure:

The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

Prior to issuance of building permit, Applicant shall print the text of this condition on the construction plans.

Prior to requesting a framing inspection, Applicant shall obtain fire department approval of the fire alarm system plans.

Prior to requesting a final building inspection, Applicant shall complete the installation of the fire alarm system, obtain fire department approval of the fire alarm acceptance test and final fire inspection.

15. FIRE029 - ROOF CONSTRUCTION - (CYPRESS/PEBBLE BEACH)

Responsible Department:

Fire

Condition/Mitigation
Monitoring Measure:

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)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

16. FIRE030 - GENERATOR (NON-STANDARD CONDITION)

Responsible Department:

Fire

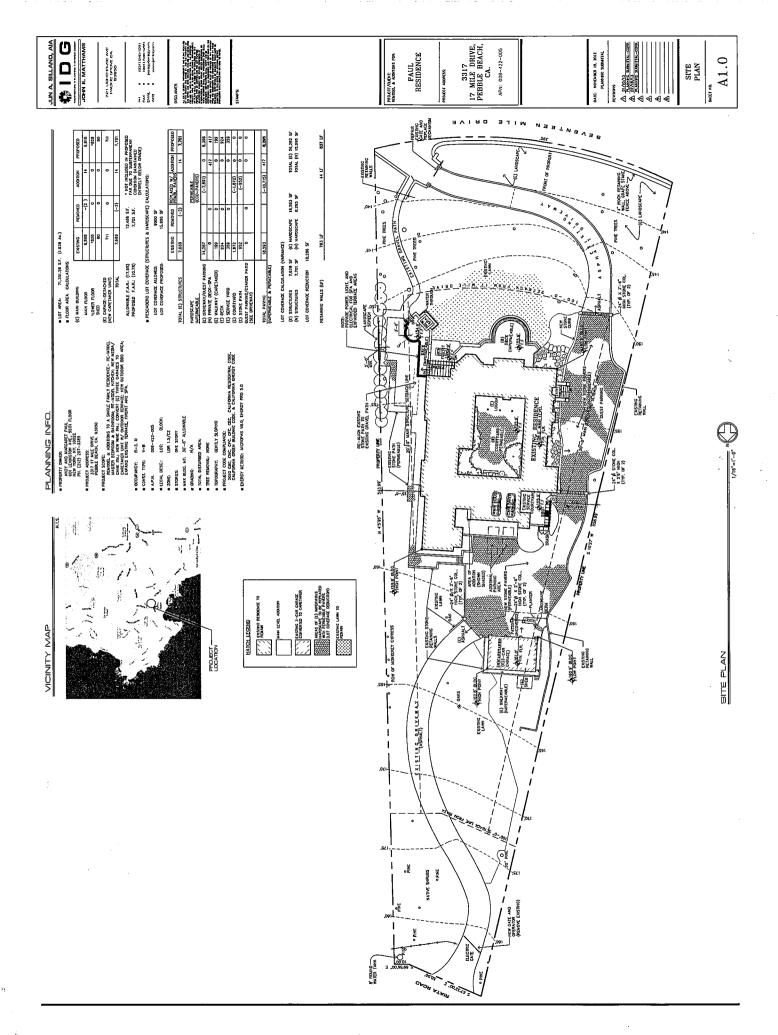
Condition/Mitigation Monitoring Measure: Generator panel shut-off requirements and signage. Generator sheet will be obtained from the Fire Department, filled out and submitted to the Fire Department. (Pebble Beach Community Services District)

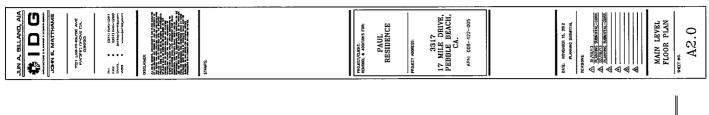
Compliance or Monitoring Action to be Performed: 1. Prior to final building inspection, Applicant or owner shall submit the Generator form to the Fire Department.

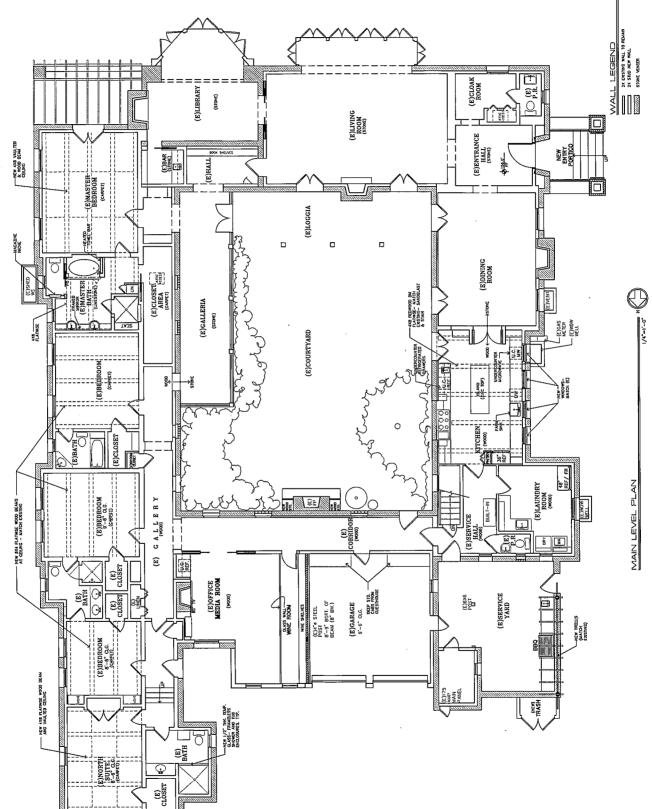
2. Prior to final building inspection, Applicant or owner shall schedule Fire Department clearance inspection.

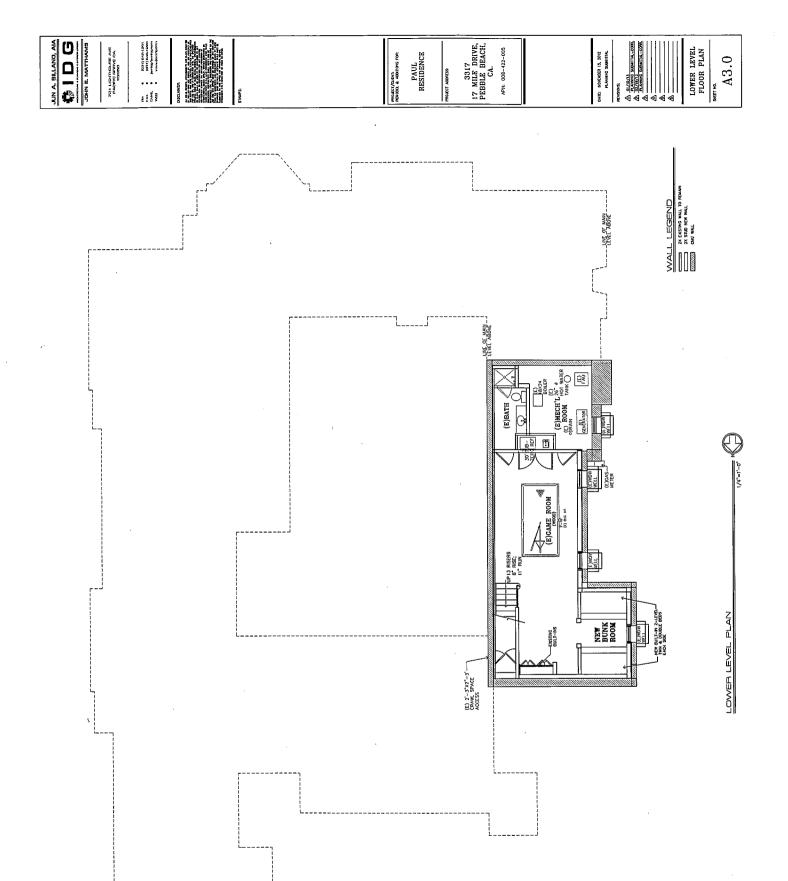
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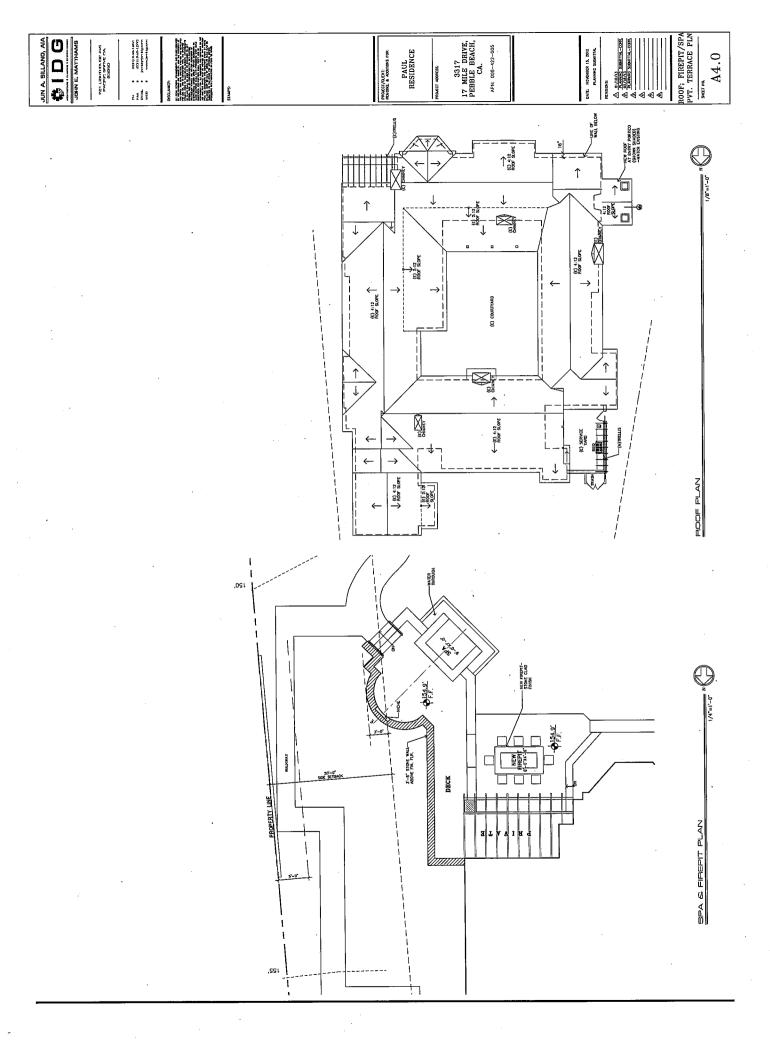
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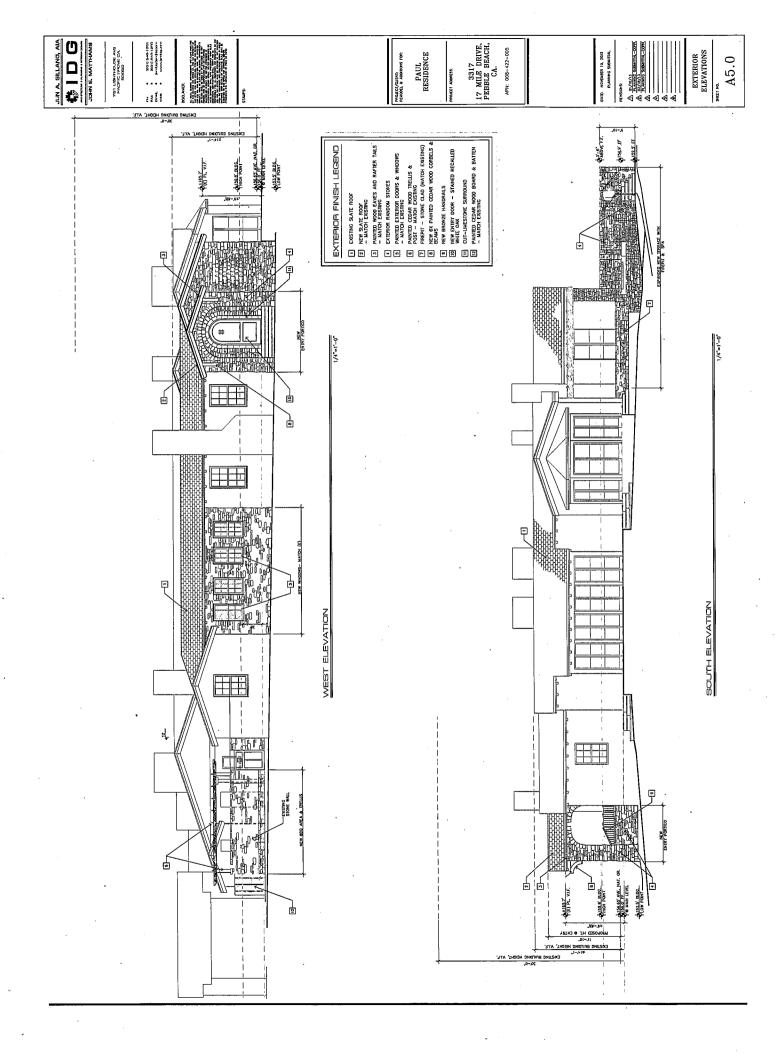


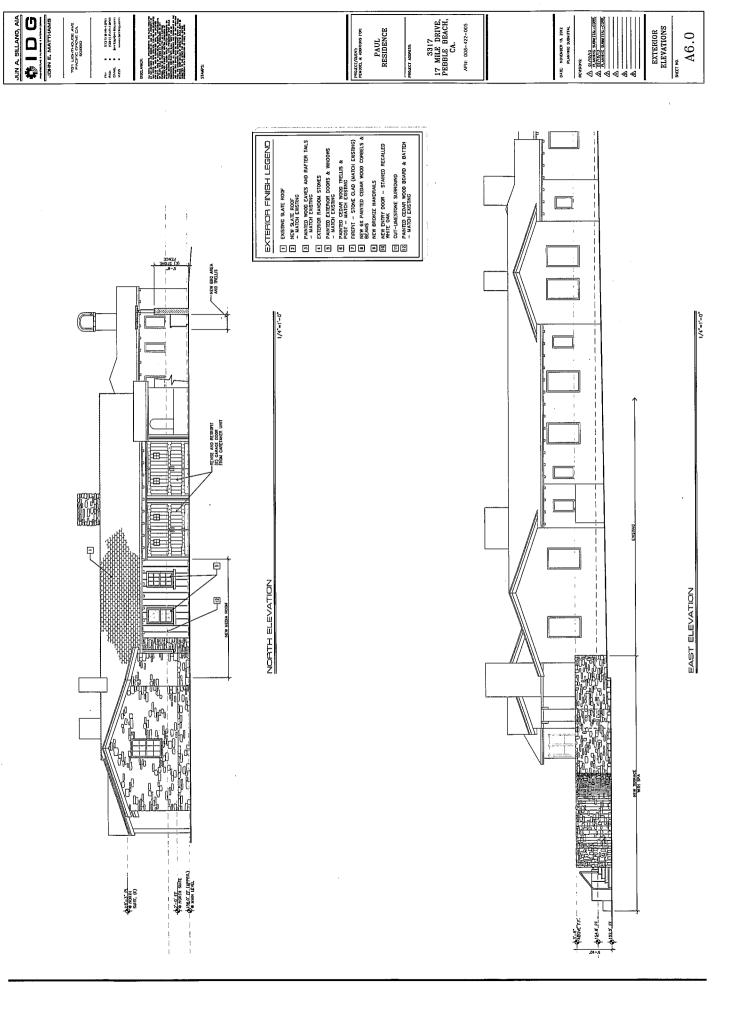


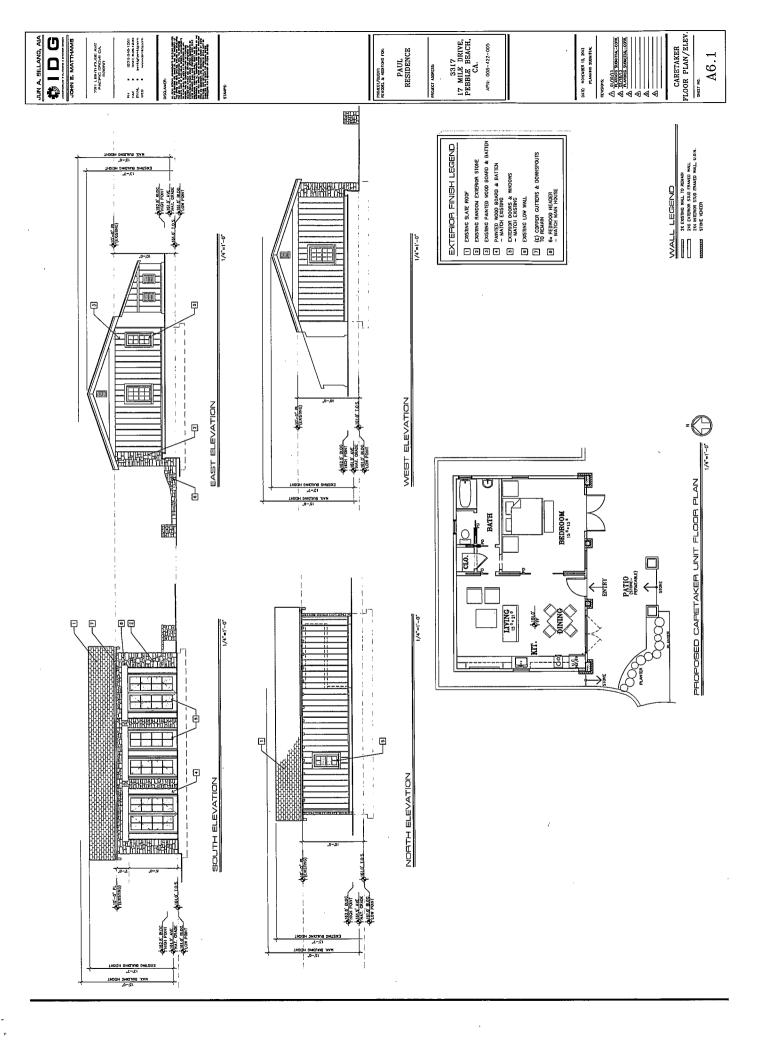


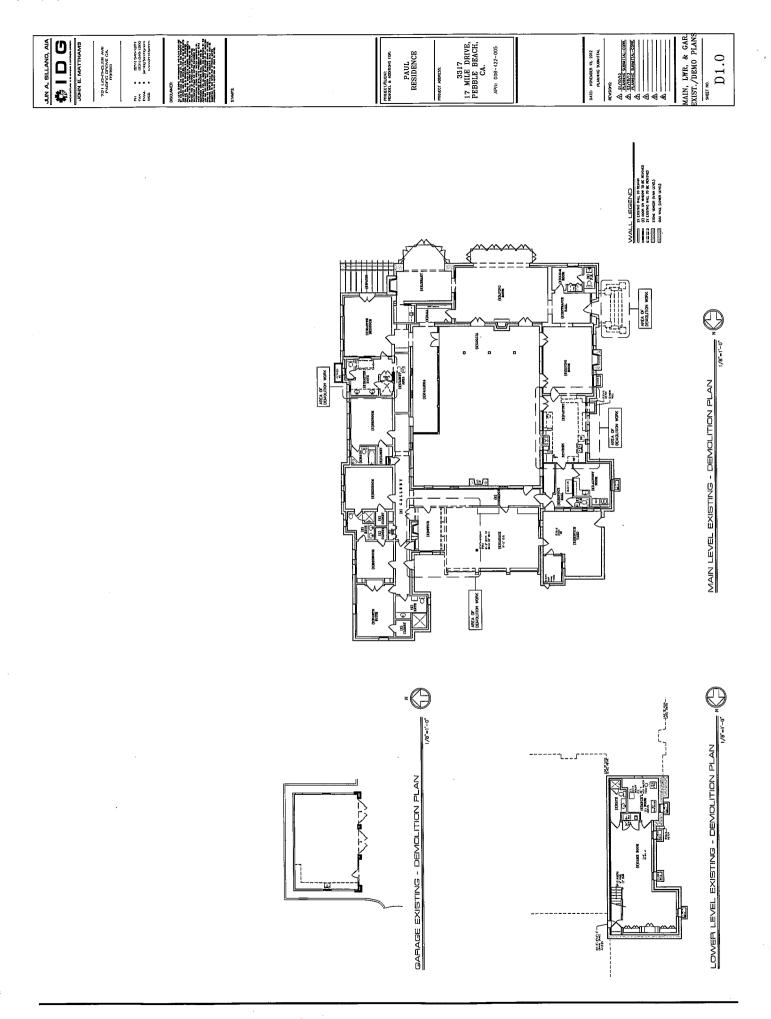












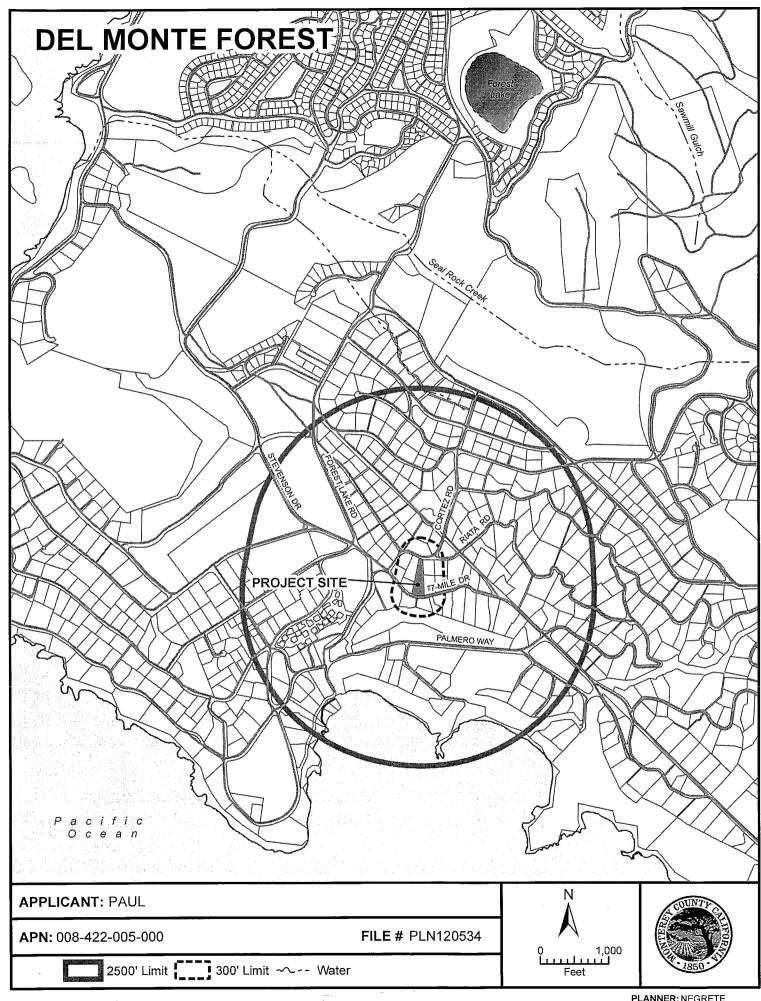


Exhibit E

MINUTES

Del Monte Forest Land Use Advisory Committee Thursday, January 3, 2013

Rol	l Call
Meı	mbers Present: Rod Dewar June Stock, Lori Lietzke, Joella Kim Caneer
	Kim Caneer
Mei	nbers Absent: Sandy Getreu
Anı	proval of Minutes:
	December 20, 2012 minutes
Mo	tion: June Stock (LUAC Member's Name)
Sec	ond: Joella Szabo (LUAC Member's Name)
	5
	Ayes: 5
	Noes: &
	Absent:
	Abstain:

RECEIVED

JAN 07 20113

MUNICHEY COUNTY PLANNING & BUILDING INSPECTION DEPT

Scheduled Item(s)	
Other Items:	
A) Election of Officers:	
LUAC member nominated for Chairperson: Rod Deway	
Motion: (LUAC Member's Name)	
Second: Lietzko (LUAC Member's Name)	
Ayes: 4	
Noes:	
Absent:	
Abstain: (Rod Deway)	
LUAC member nominated for Secretary: Kim Caneer	
Motion: Uune Stock (LUAC Member's Name)	
Second: Lori Lietzke (LUAC Member's Name)	
Ayes: 4	
Noes:	· ·
Absent:	
Abstain: (Kim Caneer)	,
RECEIVER)
JAN 0.7.2018-3	j.

5.

6.

MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT

-0-
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C) Announcements
→
Meeting Adjourned: 3:35 pm
tes taken by: Kim Cancer

B) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects



JAN 07 20123

MONTEHEY COUNTY PLANNING & BUILDING INSPECTION DEPT

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department 168 W Alisal St 2nd Floor Salinas CA 93901 (831) 755-5025

Advisory Committee: Del Monte Forest ECEIVE Please submit your recommendations for this application by: January 3, 2013 JAN 07 2012-3 Project Title: PAUL ANDREW M File Number: PLN120534 MONIEHEY COUNTY File Type: ZA PLANNING & BUILDING Planner: NEGRETE MSPECTION DEPT Location: 3317 17 MILE DR PEBBLE BEACH **Project Description:** Combined Development Permit consisting of; 1) Coastal Development Permit to allow the conversion of an existing three-car detached garage to a 711 square foot Caretaker's Unit and a 14 square foot addition to the existing attached garage, a new entry portico, a new terrace including fire pit and spa, and new barbecue area at existing courtyard, and converting approximately 7,891 square feet part of existing driveway from asphalt to permeable pavers; and 2) a Variance to exceed impervious coverage within the Pescadero Watershed from 23,458 square feet to 15,579 square feet; and Design Approval. The property is located at 3317 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-422-005-000), Del Monte Forest Land Use Plan, Coastal Zone. Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No _____ JDG- JUN SILLANO **PUBLIC COMMENT:** none Site Neighbor? Issues / Concerns Name (suggested changes) YES NO

LUAC AREAS OF CONCERN

(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		
Would recommend	additional LUAC	Board member
Would recommend to be nominated to	the Board to a	is to ensure a
quorum.		
	• • •	
	•	
RECOMMENDATION:		
	Szabo	(LUAC Member's Name)
RECOMMENDATION: Motion by Joella Second by Lori Lied	Szabo Ezke	(LUAC Member's Name) (LUAC Member's Name)
	Szabo Ezke	(LUAC Member's Name)
Motion by Joella Second by Lori Lied	[(LUAC Member's Name)
Motion by Joella S Second by Lori Lied Support Project as proposed	[(LUAC Member's Name)
Motion by Second by Lori Lied Second by Lori Lied Support Project as proposed Recommend Changes (as noted all	bove)	(LUAC Member's Name) RECEIVED JAN 0 7 2012/3 MONTEHEY COUNTY PLANNING & BUILDING
Second by Lori Lied Second by Lori Lied Support Project as proposed Recommend Changes (as noted all Continue the Item Reason for Continuance:	bove)	(LUAC Member's Name) RECEIVED JAN 0 7 2012/3 MONTEHEY COUNTY PLANNING & BUILDING INSPECTION DEPT
Second by LOVI Lied Second by LOVI Lied Support Project as proposed Recommend Changes (as noted all Continue the Item Reason for Continuance: Continued to what date:	bove)	(LUAC Member's Name) RECEIVED JAN 0 7 2012/3 MONTEHEY COUNTY PLANNING & BUILDING INSPECTION DEPT
Second bySupport Project as proposed Recommend Changes (as noted al Continue the Item Reason for Continuance: Continued to what date: AYES: 5	bove)	(LUAC Member's Name) RECEIVED JAN 0 7 2012/3 MONTEHEY COUNTY PLANNING & BUILDING INSPECTION DEPT