

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> October 30, 2014	<b>Agenda Item No.:</b> 2
<b>Project Description:</b> A Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 5,975 square foot, two-story, single family dwelling with a 1,652 square foot attached garage and 635 square foot guest covered parking; grading (175 cut/fill) to be balanced onsite; 2) a Coastal Development Permit to allow the removal of 10 trees (three Oaks, five Cypress and two Monterey Pines); and 3) Design Approval of the proposed site improvements.	
<b>Project Location:</b> 1211 Padre Lane, Pebble Beach	<b>APN:</b> 008-293-025-000
<b>Planning File Number:</b> PLN140299	<b>Owner:</b> Penuel Investments, PTE LTD <b>Agent:</b> Erik Dyer, Architect
<b>Planning Area:</b> Del Monte Forest Land Use Plan	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : “LDR/1.5-D (CZ)” [Low Density Residential/1.5 units per acre, Design Control District (Coastal Zone)]	
<b>CEQA Action:</b> Categorically Exempt pursuant to Section 15302	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

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

- 1) Find the project Categorically Exempt pursuant to CEQA Section 15302; and
- 2) Approve project PLN140299, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**);

### PROJECT OVERVIEW:

Applicants propose to demolish an existing two story, single family and construct a new two story single family dwelling. Development includes the removal of 10 trees: three Oaks, five planted Cypress, and two Monterey Pines. A Tree Resource Evaluation assessed construction impacts and provided tree and resource preservation recommendations. The certified arborist confirmed that the cypress trees are not native to the site. A follow-up report confirmed that the 28” Monterey Pine tree was in severe decline and must be removed before any construction due to safety concerns.

The project complies with all Land Use Plan policies and zoning requirements and protection of natural resources. The project is not located within the Pescadero Watershed.

**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
- √ RMA-Environmental Services

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by Pebble Beach Community Services District, Water Resources Agency, RMA - Public Works, RMA - Environmental Services and RMA – Planning have been incorporated into the Condition Compliance Plan attached to the draft resolution (**Exhibit B**).

On August 21, 2014, the Del Monte Forest Land Use Advisory Committee unanimously (4-0 vote) recommended approval of the project, as presented with no additional comments.

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

/S/ Elizabeth Gonzales

Elizabeth Gonzales, Associate Planner  
(831) 755-5102 gonzalesl@co.monterey.ca.us  
October 8, 2014

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Community Services District; RMA-Public Works Department; , RMA-Environmental Services, Environmental Health Bureau; Water Resources Agency; California Coastal Commission; John Ford, Planning Services Manager; Elizabeth Gonzales, Project Planner; Penuel Investments, Owner; Erik Dyer, Architect; The Open Monterey Project; LandWatch; Planning File PLN140299

Attachments: Exhibit A Project Data Sheet  
Exhibit B Draft Resolution, including:  
• Conditions of Approval  
• Site Plan, Floor Plan and Elevations  
Exhibit C Vicinity Map  
Exhibit D Del Monte Forest LUAC Advisory Committee Minutes

This report was reviewed by Luke Connolly, Planning Services Manager

## EXHIBIT A

### Project Information for PLN140299

<b>Application Name:</b>	Penuel Investments Pte Ltd	
<b>Location:</b>	1211 Padre Ln, Pebble Beach	
<b>Applicable Plan:</b>	Del Monte Forest LUP	<b>Primary APN:</b> 008-293-025-000
<b>Advisory Committee:</b>	Del Monte Forest Advisory Committee	<b>Coastal Zone:</b> Yes
<b>Permit Type:</b>	Combined Development Permit	<b>Final Action Deadline (884):</b> 10/18/2014
<b>Environmental Status:</b>	Categorical Exemption	
<b>Zoning:</b>	LDR/1.5-D(CZ)	<b>Land Use Designation:</b> Residential - Density as indicated

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#### Project Site Data:

<b>Lot Size:</b>	1.3	<b>Coverage Allowed:</b>	15
<b>Existing Structures (sf):</b>	5500	<b>Coverage Proposed:</b>	13.9
<b>Proposed Structures (sf):</b>	7581	<b>Height Allowed:</b>	30
<b>Total Sq. Ft.:</b>	8262	<b>Height Proposed:</b>	25
<b>Special Setbacks on Parcel:</b>		<b>FAR Allowed:</b>	17.5
		<b>FAR Proposed:</b>	12.8

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#### Resource Zones and Reports:

<b>Seismic Hazard Zone:</b>	II UNDETERMINED	<b>Soils Report #:</b>	LIB140241
<b>Erosion Hazard Zone:</b>	Moderate	<b>Biological Report #:</b>	LIB140240
<b>Fire Hazard Zone:</b>	High	<b>Forest Management Rpt. #:</b>	LIB140240
<b>Flood Hazard Zone:</b>	X (unshaded)	<b>Geologic Report #:</b>	
<b>Archaeological Sensitivity:</b>	high	<b>Archaeological Report #:</b>	LIB140233
<b>Visual Sensitivity:</b>	None	<b>Traffic Report #:</b>	

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#### Other Information:

<b>Water Source:</b>	PUBLIC	<b>Grading (cubic yds.):</b>	175
<b>Water Purveyor:</b>	PBCSD	<b>Sewage Disposal (method):</b>	PUBLIC
<b>Fire District:</b>	Pebble Beach CSD	<b>Sewer District Name:</b>	PBCSD
<b>Tree Removal:</b>	10		

**EXHIBIT B  
DRAFT RESOLUTION**

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

In the matter of the application of:

**PENUEL INVESTMENTS PTE LTD (PLN140299)**

**RESOLUTION NO. ----**

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically Exempt pursuant to CEQA Section 15302; and
- 2) Approving a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 5,975 square foot, two-story, single family dwelling with a 1,652 square foot attached garage and 635 square foot guest covered parking; grading (175 cut/fill) to be balanced onsite; 2) a Coastal Development Permit to allow the removal of 10 trees (three Oaks, five Cypress and two Monterey Pines); and 3) Design Approval of the proposed site improvements.

[PLN140299, 1211 Padre Lane, Pebble Beach (APN: 008-293-025-000), Del Monte Forest Land Use Plan]

**The Combined Development Permit application (PLN140299) had a public hearing before the Monterey County Zoning Administrator on October 30, 2014. 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:**       **PROJECT DESCRIPTION** – The proposed project is a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 5,975 square foot, two-story, single family dwelling with a 1,652 square foot attached garage and 635 square foot guest covered parking; grading (175 cut/fill) to be balanced onsite; 2) a Coastal Development Permit to allow the removal of 10 trees (three Oaks, five Cypress and two Monterey Pines); and 3) Design Approval of the proposed site improvements.  
  
              **EVIDENCE:**       The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development are found in Project File PLN140299.



2. **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 1211 Padre Lane, Pebble Beach (Assessor's Parcel Number 008-293-025-000), Del Monte Forest Land Use Plan. The parcel is zoned "LDR/1.5-D (CZ)" [Low Density Residential/1.5 units per acre, Design Control District (Coastal Zone)], which allows for residential development. The proposed project includes demolition of an existing two-story, single family dwelling and replacement with a two-story single family dwelling. Therefore, the project is an allowed land use for this site.
- c) Design Approval Pursuant to Chapter 20.44, Design Control Zoning Districts, zoning for the project requires design review of structures to assure protection of the public viewshed, neighborhood character, and to assure visual integrity. Exterior colors and materials consist of Santa Maria stone with white stucco, zinc-coated metal windows and doors, and a green roof, which will blend into the site and surroundings.
- d) Tree Removal The proposal includes the removal of 10 trees (three Oaks: two 11" in diameter and one 16" in diameter, five Cypress: two 7" in diameter, one 4" in diameter, one 6" in diameter, and one 17" in diameter, and two Monterey Pines, 18" in diameter and 28" in diameter). A Tree Resource Evaluation was prepared to assess construction impacts and to provide tree and resource preservation recommendations. The certified arborist confirmed that the cypress trees are not native and the 28" Pine tree in severe decline and must be removed before construction (*See Finding #8*)
- e) The project planner conducted a site inspection on June 2, 2014 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The proposed project does not include any development on slopes exceeding 30%, there is no Environmentally Sensitive Habitat Areas (ESHA) located on the site and the parcel is not located within a public viewshed. An archaeological report, prepared by Archaeological Consulting, concluded that the project area does not contain surface or subsurface evidence of potentially significant cultural resources, therefore, a standard condition for negative reports has been added as a condition of approval (Condition #3). The proposed project is consistent with site development standards of Section 20.14.060 regarding parking, setbacks and building height requirements.
- g) On August 21, 2014, the Del Monte Forest Land Use Advisory Committee unanimously (4-0 vote) recommended approval of the

project, as presented with no additional comments.

- 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 are found in Project File PLN140299.

3. **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, RMA - Environmental Services, Pebble Beach Community Services District, RMA - 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) The following reports have been prepared for the proposal:
    - “Preliminary Cultural Resources Reconnaissance” (LIB140233) prepared by Archaeological Consulting, Salinas CA, dated November 1989;
    - “Tree Resource Evaluation” (LIB140242) prepared by Maureen Hamb, Certified Arborist, Santa Cruz, CA, May 16, 2014;
    - “Re-evaluation of Tree #22 (LIB140242) prepared by Maureen Hamb, Certified Arborist, Santa Cruz, CA, October 14, 2014;
    - “Biological Assessment” (LIB140240) prepared by Fred Ballerini, Pacific Grove, CA, May 19, 2014;
    - “Soils Engineering Investigation” (LIB140241) prepared by Landset Engineers, Salinas, CA, dated October, 2013;The above-mentioned technical reports state that there are no physical or environmental constraints that the site is not suitable for the use and development proposed. County staff has independently reviewed these reports and concurs with their conclusions.
  - c) Staff conducted a site inspection on June 2, 2014 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 are found in Project File PLN140299.

4. **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 the RMA - Planning Department, RMA – Environmental Services, Pebble Beach Community Services District, RMA- 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 facilities will be provided by Cal Am for water service and the Pebble Beach Community Services District for sewer service. This is a replacement of an existing single family dwelling and service connections are existing.
- c) See Preceding Findings #1, #2, and #3 and supporting evidences regarding consistency and suitability of the project.
- d) Staff conducted a site inspection on June 2, 2014 to verify that the site is suitable for this use.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development are found in Project File PLN140299.

5. **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 June 2, 2014 and researched County records to assess if any violation exists on the subject property. No violations were discovered.
  - 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 PLN140299.

6. **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 15302, categorically exempts the replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
  - b) The project proposes to demolish an existing single family dwelling and construct a new single family dwelling within the same footprint. There are no adverse environmental resources that would be affected by the replacement of the existing single family dwelling.
  - c) No adverse environmental effects were identified during staff review of the development application during a site visit on June 2, 2014.
  - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
  - e) See Preceding Findings #1, #2, #3, #4, and #5 and supporting evidence for CEQA determination.
  - 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 are found in Project File PLN140299.

7. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.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 16 in the Del Monte Forest Land Use Plan).
  - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN140299.
  - e) The project planner conducted a site inspection on June 2, 2014.
8. **FINDING:** **TREE REMOVAL** –The subject project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and the associated Coastal Implementation Plan.
- EVIDENCE:**
- a) The proposal includes the removal of 10 trees (three Oaks: two 11" in diameter and one 16" in diameter, five Cypress: two 7" in diameter, one 4" in diameter, one 6" in diameter, and one 17" in diameter, and two Monterey Pines, 18" in diameter and 28" in diameter). Pursuant to Section 20.147.050, Forest Resources, (CIP) a Forest Management Plan shall be required for all projects located in a forested area that require a discretionary permit. A Tree Resource Evaluation was prepared by Maureen Hamb, dated May 16, 2014. The evaluation assessed construction impacts and provided tree and resource preservation recommendations. The certified arborist confirmed that the cypress trees are not native. A follow-up report dated October 14, 2014, confirmed that the 28" Monterey Pine tree was in severe decline and must be removed before any construction.
  - b) Pursuant to 20.147.050.C.3.c of the Del Monte Forest Coastal Implementation Plan, "Native trees that are not ESHA and/or are not part of a forest area considered ESHA may be removed consistent with site and building plans that otherwise comply with LCP requirements if it is not feasible to retain them and removal is consistent with an approved Forest Management Plan. The two Monterey Pine trees are in poor condition, with the 28" Pine tree in severe decline and must be removed before construction. Therefore, the proposed removal is consistent with this policy.
  - c) Measures for tree protection during construction have been incorporated as a condition of approval and include establishing tree protection zones, trunk protection, exclusionary fencing, and appropriate sedimentation control measures (Condition #5).
  - d) The project has been designed to minimize the removal of protected trees to the greatest extent feasible. Tree removal will, however, be unavoidable and required for the construction of the driveway and

parking areas. The fire department has required a wider turnaround in the driveway which will require removal of the cypress trees.

- e) Staff conducted a site inspection on June 2, 2014 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
- f) 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 PLN140299.

9. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission
- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
  - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project includes conditional uses in the underlying zone (Coastal Development Permits), such as tree removal.

### **DECISION**

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

1. Find the project Categorically Exempt pursuant to CEQA Section 15302; and
2. Approve a Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 5,975 square foot, two-story, single family dwelling with a 1,652 square foot attached garage and 635 square foot guest covered parking; grading (175 cut/fill) to be balanced onsite; 2) a Coastal Development Permit to allow the removal of 10 trees (three Oaks, five Cypress and two Monterey Pines); and 3) Design Approval of the proposed site improvements, in general conformance with the attached site plan and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 30<sup>th</sup> day of October, 2014 upon motion of:

\_\_\_\_\_  
Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

(Coastal Projects)

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 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 11-06-2013



# Monterey County RMA Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140299

### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

This Combined Development Permit (PLN140299) for: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 5,975 square foot, two-story, single family dwelling with a 1,652 square foot attached garage and 635 square foot guest covered parking; grading (175 cut/fill) to be balanced onsite; 2) a Coastal Development Permit to allow the removal of 10 trees (three Oaks, five Cypress and two Monterey Pines); and 3) Design Approval of the proposed site improvements. The property is located at 1211 Padre Lane, Pebble Beach (Assessor's Parcel Number 008-293-025-000), Del Monte Forest Land Use Plan. This permit 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 RMA - Planning. 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)

**Compliance or  
Monitoring  
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:** RMA-Planning

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

**Monitoring Measure:** "A Combined Development Permit (Resolution Number \_\_\_\_ ) was approved by the Zoning Administrator for Assessor's Parcel Number 008-293-025-000 on October 30, 2014. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

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

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

**Responsible Department:** RMA-Planning

**Condition/Mitigation** If, during the course of construction, cultural, archaeological, historical or  
**Monitoring Measure:** 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. Monterey County RMA - Planning 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)

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

**Monitoring**  
**Action to be Performed:** 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 Monterey County RMA - Planning 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.

#### 4. PD004 - INDEMNIFICATION AGREEMENT

**Responsible Department:** RMA-Planning

**Condition/Mitigation  
Monitoring Measure:**

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning)

**Compliance or  
Monitoring  
Action to be Performed:**

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

## 5. PD011 - TREE AND ROOT PROTECTION

**Responsible Department:** RMA-Planning

**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. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

**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 RMA - Planning 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. If damage is 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 RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

## 6. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

## 7. EROSION CONTROL PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit an Erosion Control Plan identifying the proposed methods to control runoff and erosion. The plan shall include the location and details for all selected erosion control measures. The Erosion Control Plan may be incorporated into other required plans provided it is clearly identified. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit an Erosion Control Plan to RMA-Environmental Services for review and approval.

## 8. GEOTECHNICAL CERTIFICATION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall provide certification from a licensed Geotechnical Engineer that all development has been constructed in accordance with the recommendations in the Soil Engineering Investigation. (RMA- Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed Geotechnical Engineer.

## 9. GRADING PLAN

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a grading plan incorporating the recommendations included in the Soil Engineering Investigation prepared by LandSet Engineers, Inc. The Grading Plan shall be stamped by a California licensed Geotechnical Engineer. (RMA-Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any grading or building permits, the applicant shall submit a Grading Plan to RMA-Environmental Services for review and approval.

## 10. INSPECTION-DURING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services, during active construction, to review the maintenance and effectiveness of BMPs installed, as well as, to verify that pollutants of concern are not discharged into receiving water bodies. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** During construction, The applicant shall schedule an inspection with RMA-Environmental Services.

## 11. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

## 12. INSPECTION-PRIOR TO LAND DISTURBANCE (DURING THE RAINY SEASON)

**Responsible Department:** Environmental Services

**Condition/Mitigation Monitoring Measure:** The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. (RMA – Environmental Services)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any land disturbance during the rainy season (October 15 – April 15), the owner/applicant shall schedule an inspection with RMA-Environmental Services.

## 13. PW0044 - CONSTRUCTION MANAGEMENT PLAN

**Responsible Department:** RMA-Public Works

**Condition/Mitigation Monitoring Measure:** The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information:  
Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.

**Compliance or Monitoring Action to be Performed:**

1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.
2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

## 14. WR001 - DRAINAGE PLAN

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts from impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.



#### 15. 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](http://www.mcwra.co.monterey.ca.us).

#### 16. FIRE001 - ROAD ACCESS

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (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 roadway 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 roadway improvements and obtain fire department approval the final fire inspection.

## 17. FIRE002 - ROADWAY ENGINEERING

Responsible Department: Fire

**Condition/Mitigation  
Monitoring Measure:**

The grade for all roads shall not exceed 15 percent. Where road grades exceed 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 length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. 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 roadway into design and print the text of this condition as 'Fire Department Notes' on improvement plans.

Prior to issuance of building permit(s) for development on individual lots within the phase of the subdivision, the Applicant shall complete the installation of the roadway improvements and shall obtain fire dept. approval of the fire clearance inspection for each phase of development.

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

## 18. 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 driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (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.

## 19. 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.

## 20. 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. 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 visible and legible 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)

**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.

## 21. 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. (Pebble Beach Community Services 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.



# DEL MONTE FOREST

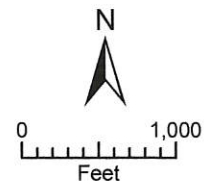


APPLICANT: PENUEL INVESTMENTS PTE LTD

APN: 008-293-025-000

FILE # PLN140299

2500' Limit 300' Limit Water



## EXHIBIT C

PLANNER: GONZALES

## MINUTES

### Del Monte Forest Land Use Advisory Committee

Thursday, August 21, 2014

1. Meeting called to order by Rod Dewar at 3 pm

2. Roll Call

Members Present: Lori Lietzke, Rod Dewar, Rick Verbanec,  
Kim Caner,

Members Absent: Joella Szabo, June Stock, Sandy Getreu

3. Approval of Minutes:

A. August 7, 2014 minutes

Motion: Rod Dewar (LUAC Member's Name)

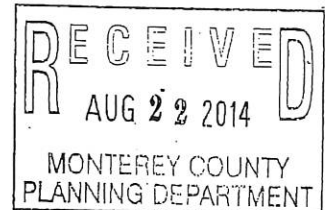
Second: Rick Verbanec (LUAC Member's Name)

Ayes: 4 (all present)

Noes: 0

Absent: 3 (Szabo, Stock, Getreu)

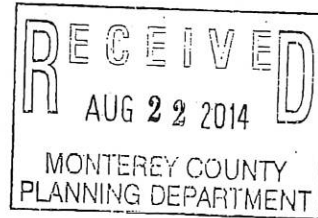
Abstain: 0



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

none





5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

*none*

B) Announcements

*none*

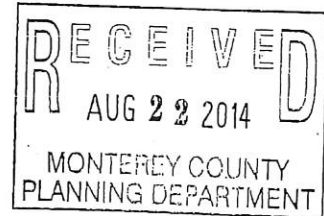
7. Meeting Adjourned: 3:25 pm

Minutes taken by: Kimberly Caneer, Recording Secretary

# Action by Land Use Advisory Committee

## Project Referral Sheet

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



Advisory Committee: **Del Monte Forest**

Please submit your recommendations for this application by: **August 21, 2014**

**Project Title:** PENUEL INVESTMENTS PTE LTD

**File Number:** PLN140299

**File Type:** ZA

**Planner:** GONZALES

**Location:** 1211 PADRE LN PEBBLE BEACH

**Project Description:**

Combined Development Permit for: 1) a Coastal Administrative Permit to allow the demolition of an existing single family dwelling and construction of a new 7,581 square foot two-story single family dwelling and Design Approval; and 2) a Coastal Development Permit to allow the removal of 9 trees (3 Oaks 16" and 2-11", 5 Cypress 17", 2-7", 6" and 4" and 1 Monterey Pine). The property is located at 1211 Padre Lane, Pebble Beach (Assessor's Parcel Number 008-293-025-000), Del Monte Forest Land Use Plan, Coastal Zone.

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

*Architect - Erik Dyar*

Was a County Staff/Representative present at meeting? Liz Gonzales (Name)

**PUBLIC COMMENT:**

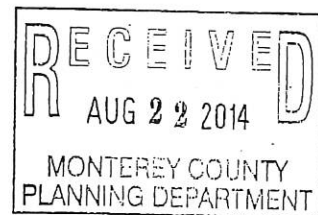
Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	

# LUAC AREAS OF CONCERN

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

## ADDITIONAL LUAC COMMENTS

None



## RECOMMENDATION:

Motion by Lori Lietzke (LUAC Member's Name)

Second by Kim Cancer (LUAC Member's Name)

☒ Support Project as proposed

☐ Support Project with changes

☐ Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: 4

NOES: 0

ABSENT: 3 (Szabo, Stock, Getreu)

ABSTAIN: 0