

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 050720

A. P. # 008-232-001-000

In the matter of the application of
Frances Borda (PLN050720)

FINDINGS AND DECISION

to allow a Combined Development Permit in accordance with Title 20 (Zoning) Chapter 20.76 (Combined Development Permits) of the Monterey County Code, consisting of a Coastal Administrative Permit and Design Approval for the addition of more than 10 percent to a single-family dwelling; and a Coastal Development Permit for the removal of two Monterey pine trees (14" diameter). The proposed addition will include minimal grading, the addition of 1,033 SF to the existing 1,220 SF house and the addition of 407 SF to the existing 527 SF garage (3,187 SF total). The property is located at 1403 Cantera Court, Pebble Beach, Del Monte Forest and came on regularly for meeting before the Zoning Administrator on June 8, 2006.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING: CONSISTENCY** – The Project, as conditioned is consistent with applicable plans and policies, the Del Monte Forest Land Use Plan, Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for residential development.

EVIDENCE: (a) Plan Conformance – Staff has reviewed the project as contained in the application and accompanying materials for consistency with the Del Monte Forest Land Use Plan (LUP), Part 5 of the Coastal Implementation Plan (CIP), and Part 6 of the Coastal Implementation Plan (CIP) and for conformity with the Monterey County Zoning Ordinance (Title 20) and have determined that the project is consistent with the Del Monte Forest Land Use Plan which designates this area as appropriate for residential development. Conditions have been incorporated addressing exterior lighting and landscaping requirements. Staff notes are provided in Project File PLN050720.

(b) Land Use – The parcel is zoned Low Density Residential, 1.5 acres/unit, Design Control District, Coastal Zone (LDR/1.5-D (CZ)). The uses are allowed per §20.14.040.A for a single-family residence. The proposed uses meet all necessary regulations.

(c) Development Standards – The project is in compliance with Site Development Standards for a Low Density Residential District in accordance with §20.14.060. The project cannot be seen from any public viewshed areas.

(d) Floor Area Ratio (FAR) – Development standards for the zoning district limit FAR to 17.5 percent of the property. The project proposes FAR of 7 percent (3,187 square feet).

(e) Site Visit – The on-site inspection of the parcel by the project planner.

(f) Project File – The application, plans, and support materials submitted by the applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN050720.

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

EVIDENCE: (a) The application and plans submitted by the applicant in the project file at the Monterey County Planning and Building Inspection Department.
(b) The on-site inspection of the parcel by the project planner.
(c) The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, the applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
(d) Due to the disturbed nature of the proposed construction area, the close proximity to the existing structure and the minimal grading required for the proposed additions, staff determined that an archaeological report was not required for this project. Condition 3 requires that work be stopped if cultural, archaeological, historical or paleontological resources are found during the course of construction activities.

3. FINDING: COASTAL DEVELOPMENT REQUIREMENT – TREE REMOVAL– The two trees proposed for removal are directly related to development impacts. The first tree removal is due to it being located in the proposed driveway's footprint, the second tree removal is due to its proximity to the garage addition. The parcel's remaining trees, many of them planted by the property owner, will provide screening for neighboring properties. Because the subject property is densely wooded and the applicant has planted numerous native trees on the property, staff did not require a Forest Management Plan for this project. The applicant has agreed to replant at a 3:1 ratio and Condition 8 has been added to ensure compliance.

EVIDENCE: (a) Planning staff reviewed the project and requested modifications to garage placement and driveway configuration to minimize tree removal while meeting the applicant's desire for driveway placement, aesthetics and structure size.
(b) Site visit by project planner.
(c) A Coastal Development Permit must be obtained for the removal of trees and other major vegetation with the following exceptions: removal of non-native or planted trees, except where this would result in the exposure of structures in the critical viewshed area (§20.147.060A.1).
(d) Landscape plan will include a 3:1 replanting ratio (Condition 8).

4. FINDING: CEQA – The proposed project will not have a significant environmental impact.

EVIDENCE: Criteria contained in Article 19, Sections 15300.2 (Exceptions) & 15303 (Small Structures) of the California Environmental Quality Act Guidelines allow this project to be categorically exempted from environmental review. Due to the project's limited scale, no significant adverse environmental impacts were identified during review of the proposed project.

5. FINDING: PUBLIC ACCESS - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). 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.

EVIDENCE (a) The subject property is not described as an area where the Local Coastal Program requires access.

(b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 15, the Recreational Facilities Map, and Figure 16, the Shoreline Access Map, of the Del Monte Forest Area 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 subject property is not adjacent to the sea shore and is not described as an area where the Local Coastal Program requires access, according to Sections 20.70.050.B.4.c.i and ii.

6. FINDING: HEALTH AND SAFETY – The establishment, maintenance, and operation of the proposed development will not, under the circumstances of the particular case, 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.

EVIDENCE: The project as described in the application and accompanying material was reviewed by the Department of Planning and Building Inspection, applicable Fire Department, Public Works and Parks Departments, Environmental Health Division, and Water Resources Agency. The respective departments and Agency 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 or the County in general.

7. FINDING: NO VIOLATIONS – The subject properties are in compliance with all rules and regulations pertaining to zoning uses, subdivisions and other applicable provisions of Title 20. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property.

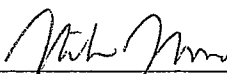
8. FINDING: APPEALABILITY – The project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Sections 20.86.070 and 20.86.080 of the Monterey County Coastal Implementation Plan.

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 8th day of May, 2006.



MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON JUN 13 2006

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 OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

JUN 23 2006

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, 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 and Building Inspection Department office in Salinas.

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

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| Monterey County Planning and Building Inspection Condition Compliance & Mitigation Monitoring and/or Reporting Plan | <i>Project Name:</i> Borda <i>File No:</i> PLN050720 <i>Approval by:</i> Zoning Administrator | <i>APN:</i> 008-232-001-000 <i>Date:</i> 8 June 2006 |
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Impact Addressed, and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Clearing Condition</i> | <i>Timing</i> | <i>Verif- ication of comp- liance</i> |
|------------------------------------|--------------------------|--|--|---|--|---|
| 1 | | PBD029 - SPECIFIC USES ONLY The Combined Development Permit (PLN050720) consists of: Coastal Administrative Permit and Design Approval for additions of more than 10 percent to a single-family dwelling; and a Coastal Development permit for the removal of two Monterey pine trees. The proposed addition will include minimal grading, the addition of 1,033 SF to the existing 1,220 SF house and the addition of 407 SF to the existing 527 SF garage (3,187 SF total). The project is located at 1403 Cantera Court, Pebble Beach (Assessor's Parcel Number 008-232-001-000), Del Monte Forest, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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. (Planning and Building Inspection) | Adhere to conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless otherwise stated | |

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| 2 | <p>PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: A permit (Resolution 050720) was approved by the Zoning Administrator for Assessor's Parcel Number 008-232-001-000 on <i>8 June 2006</i>. The permit was granted subject to twelve (12) conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)</p> | Proof of recordation of this notice shall be furnished to PBI. | Owner/ Applicant | Prior to issuance of grading and building permits or start of use | |
| 3 | <p>PBD030 - STOP WORK - RESOURCES FOUND 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 Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)</p> | Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. | Owner/ Applicant/ Archaeologist | Ongoing | |

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| 4 | <p>PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)</p> | Submit three copies of the lighting plans to PBI for review and approval. | Owner/ Applicant | Prior to issuance of building permits | |
| 5 | <p>WR40 - WATER CONSERVATION MEASURES</p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p> | Compliance to be verified by building inspector at final inspection. | Owner/ Applicant | Prior to final building inspection/occupancy | |

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| 6 | <p>WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p> | Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval. | Owner/ Applicant/ Engineer | Prior to issuance of any grading or building permits | |
| 7 | <p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Pebble Beach Community Services District)</p> | 1) Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. 2) Applicant shall schedule fire dept. clearance inspection. | Owner/ Applicant | Prior to issuance of building permit Prior to final building inspection | |

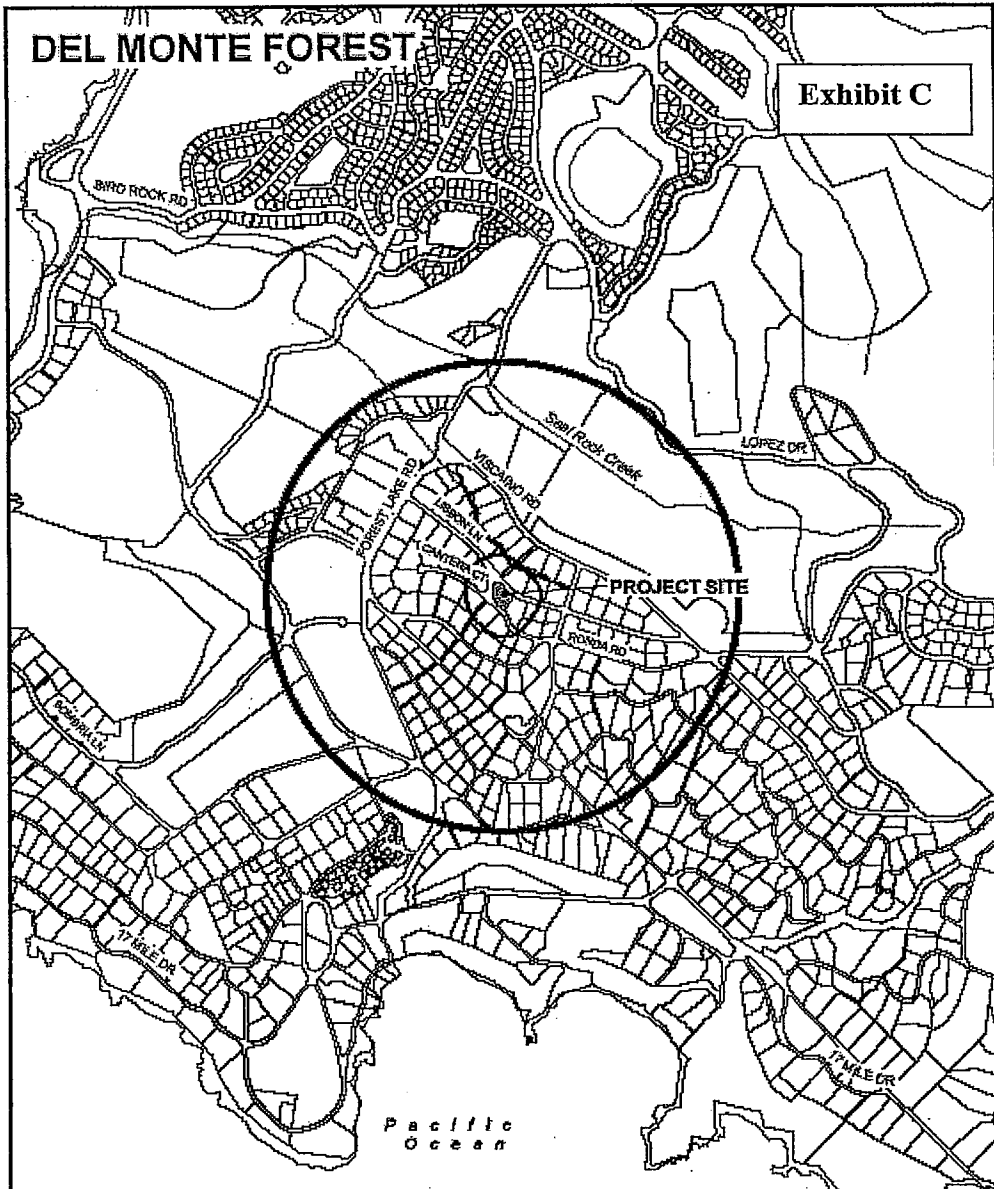
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| 8 | <p>NON-STANDARD – LANDSCAPE/REPLANTING PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) – A landscape/replanting plan from a certified landscape consultant or County approved forester/arborist shall be submitted at least 30 days prior to final inspection, two (2) copies of a landscaping plan shall be submitted to the PBI office for inspection. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall show areas designated for tree replanting at a minimum replacement ratio of 3:1, and be in sufficient detail to identify the location, species, and size. Areas of proposed landscaping shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before final approval, replanting and landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)</p> | <p>Submit landscape plans and contractor's estimate to PBI for review and approval.</p> | Owner/ Applicant/ Contractor | At least 60 days prior to final inspection or occupancy | |
| | | <p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p> <p>Monitoring Program: Evidence shall be provided in the form of a report and photos from a County-approved arborist stating that the trees are in good health to PBI for review and approval. Establishment success shall be 100 percent. If tree replacement planting is not successful, the applicant shall arrange for additional tree planting and follow up monitoring to occur.</p> | Owner/ Applicant | Ongoing | Five years from project completion, or from tree replanting if initial planting was unsuccessful. |
| 9 | <p>PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)</p> | None | Owner/ Applicant | Ongoing | |
| 10 | <p>WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p> | Submit the Water Release Form to the Water Resources Agency for review and approval. | Owner/ Applicant | Prior to issuance of any building permits | |

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| 11 | <p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</p> <p>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)</p> | <p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection.</p> <p>Applicant shall schedule fire dept. final sprinkler inspection.</p> | Applicant or owner | <p>Prior to issuance of building permit</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p> | |
| 12 | <p>PBD032(A) - TREE PROTECTION</p> <p>Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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 shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)</p> | <p>Submit evidence of tree protection to PBI for review and approval.</p> | Owner/ Applicant | <p>Prior to issuance of grading and building permits</p> | |

END OF CONDITIONS

DEL MONTE FOREST

Exhibit C

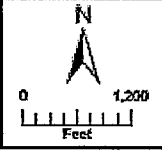


APPLICANT: BORDA

APN: 008-232-001-000

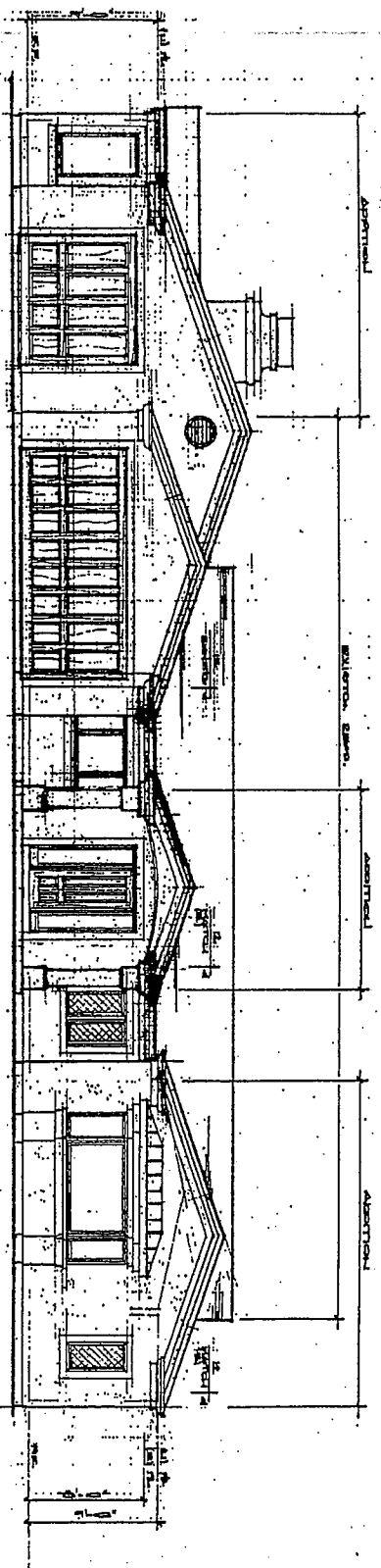
FILE # PLN050720

300' Limit 2500' Limit City Limits

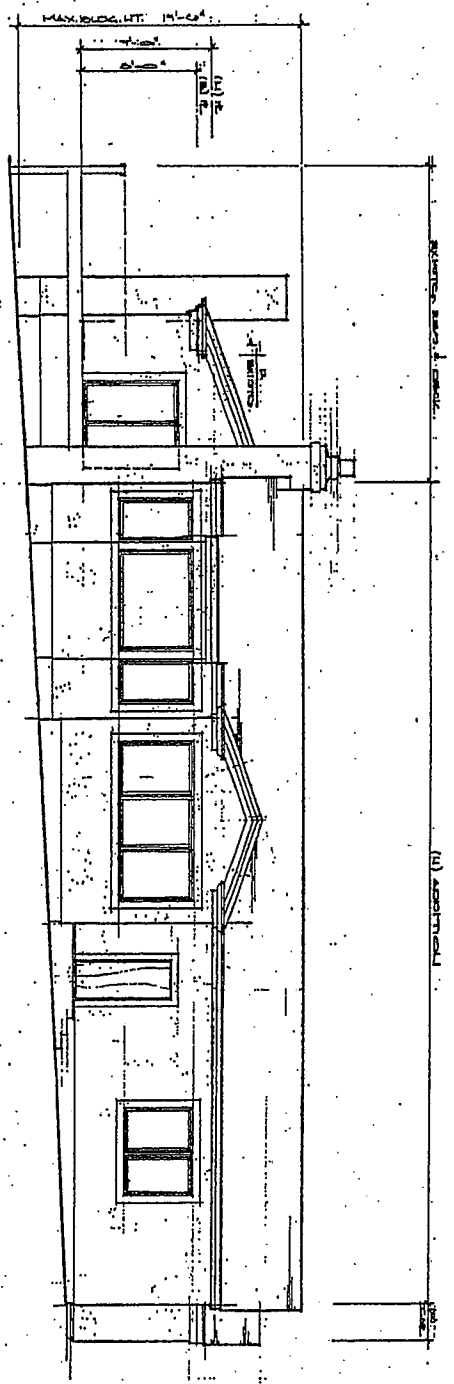


EXTERIOR ELEVATIONS

SOUTH ELEV



WEST ELEV



EXTERIOR NOTES

1. SEE ARCHITECTURAL SPECIFICATIONS FOR MATERIALS AND FINISHES.
2. ALL EXTERIOR SURFACES TO BE PROTECTED FROM WEATHER DURING CONSTRUCTION.
3. ALL WINDOWS AND DOORS TO BE INSTALLED AND OPERATED PROPERLY.
4. ALL ROOFING TO BE INSTALLED AND FINISHED ACCORDING TO MANUFACTURER'S INSTRUCTIONS.
5. ALL EXTERIOR LIGHTING TO BE INSTALLED AND OPERATED PROPERLY.
6. ALL EXTERIOR PAINTING TO BE DONE IN ACCORDANCE WITH THE ARCHITECT'S SPECIFICATIONS.
7. ALL EXTERIOR LANDSCAPING TO BE DONE IN ACCORDANCE WITH THE ARCHITECT'S SPECIFICATIONS.
8. ALL EXTERIOR FURNITURE AND ACCESSORIES TO BE INSTALLED AND OPERATED PROPERLY.
9. ALL EXTERIOR SIGNAGE TO BE INSTALLED AND OPERATED PROPERLY.
10. ALL EXTERIOR SECURITY SYSTEMS TO BE INSTALLED AND OPERATED PROPERLY.

1/11/12

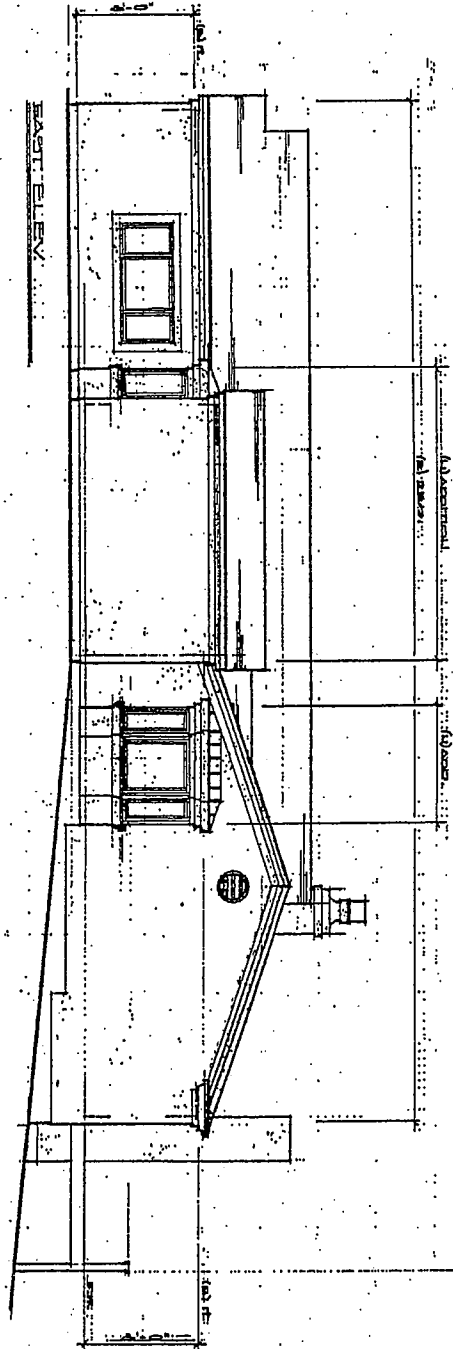
EXTERIOR ELEVATIONS

SOUTH ELEV.



NOTE

EAST ELEV.



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BORDA RESIDENCE
 1403 CANTERA CT.
 PEBBLE BEACH, CALIFOR 963
 (831) 622-0840

STOCKER & ALLAIRE INC.
 GENERAL CONTRACTORS LIC. NO. 80077
 218 MANDEVILLE, MONTEREY, CA 93940
 (831) 375-1894

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