

JEFF MAIN
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 060156

A. P. # 008-454-002-000

In the matter of the application of
Craig & Diana McCallister (PLN060156)

FINDINGS & 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: 1) a Coastal Development Permit for a Variance to exceed the Pescadero Watershed development standards; and 2) Design Approval for a 887 square foot addition to an existing two-story 9,570 square foot single family dwelling. The property is located at 3319 Stevenson Drive, Pebble Beach, west of Highway One, Del Monte Forest Area, Coastal Zone, and came on regularly for meeting before the Zoning Administrator on June 29, 2006.

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

FINDINGS OF FACT

1. FINDING: CONSISTENCY - The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of 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) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulation in these documents.

(b) The property is located at 3319 Stevenson Drive, Pebble Beach (Assessor's Parcel Number 008-454-002-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential, 1.5 units/acre with a Design Control District Overlay in the Coastal Zone ("LDR/1.5-D (CZ)"). The project, as conditioned, complies with all rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is therefore suitable for the proposed development.

(c) Project planner conducted an on-site inspection on March 15, 2006 to verify that the project on the subject parcel conforms to the plans listed above.

(d) Section 20.14.060.F of the Monterey County Zoning Ordinance (Title 20) stipulates that the Floor Area Ratio (FAR) in the areas designated Low Density Residential, 1.5 acres per unit, of the Del Monte Forest shall be no greater than 17.5%. The proposed modifications to the existing residence shall yield a FAR of approximately 7.7%. This application complies with the 17.5% FAR requirement.

- (e) The project was reviewed by the Del Monte Forest Land Use Advisory Committee (LUAC) on May 18, 2006. The LUAC recommended approval of the project by a vote of 5-0 with one member absent (Exhibit D). No changes were recommended.
- (f) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN060156.

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

- EVIDENCE:**
- (a) The project has been reviewed for suitability by departments and agencies: Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health Division, and the Pebble Beach Community Services District. Conditions recommended have been incorporated.
 - (b) No physical or environmental constraints such as archaeological, geologic seismic hazard areas, or similar areas exist that would indicate the site is not suitable for the use proposed.
 - (c) Staff conducted an on-site visit on March 15, 2006 to verify that the site is suitable for this use.

3. FINDING: PESCADERO WATERSHED POLICY – The project is not consistent with Section 20.147.030.A.1 limiting structural coverage to 5,000 square feet, including main and accessory structures, and limiting additional impervious surface coverage up to 4,000 square feet. The existing residence consists of 9,570 square feet of structural coverage and 10,065 square feet of impervious coverage for a combined total of 19,635 square feet and a FAR of 7.7%. This application requests the removal of 5,737 square feet of surface coverage and the addition of 1,146 square feet of surface coverage. The proposed changes will result in a net reduction of 4,591 square feet of combined surface coverage, thereby, implementing the intent of the Pescadero Watershed Development Standards.

| Coverage Limitation | Existing | Addition | Removal | New Total |
|------------------------------|----------------|---------------|----------------|-------------------------|
| Structural (5,000 sq. ft.) | 9,570 sq. ft. | 887 sq. ft. | -1,246 sq. ft. | 9,211 sq. ft. |
| Impervious (4,000 sq. ft.) | 10,065 sq. ft. | 259 sq. ft. | -4,491 sq. ft. | 5,833 sq. ft. |
| Total (9,000 sq. ft.) | 19,635 sq. ft. | 1,146 sq. ft. | -5,737 sq. ft. | (15,044 sq. ft.) |

- EVIDENCE:**
- (a) The project application, including the site plan, contained in file PLN060156 proposes structural coverage of approximately 9,211 square feet and impervious surface coverage of 5,833 square feet for a total of 15,044 square feet.
 - (b) See Variance Findings No. 4, 5, and 6.

4. FINDING: VARIANCE (Special Circumstances) - Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area, the strict application of Title 20 is found to not deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification.

- EVIDENCE:**
- (a) The intent of the Pescadero watershed coverage limitations (Section 20.147.030.A.1.b of the Monterey County Coastal Implementation Plan, Part 5) is to limit the amount of stormwater runoff into Carmel Bay, thereby protecting an area of biological significance. Although, the proposed project exceeds the 5,000 square foot limit for structural coverage

by 4,211 square feet and the 4,000 square foot limit for impervious surface coverage by 1,833 square feet, the proposed changes will result in a net reduction of 4,591 square feet of combined surface coverage. This reduction implements the intent of the Pescadero Watershed Development Standards. The project meets other zoning requirements regarding size and bulk (i.e. Floor Area Ratio), and lot coverage.

- (b) 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 (See Finding #9).
- (c) Materials and documents in Project File No. PLN060156.

5. FINDING: VARIANCE (Special Privileges) – The variance to exceed the allowable Pescadero watershed structural and impervious surface coverage shall not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated.

EVIDENCE: (a) There are at least 37 other instances where Variances have been granted to the Pescadero Watershed structural and/or impervious coverage limits for residential structures. Within a mile of the subject parcel, several residential projects have been granted similar variances, including the Walker Variance (PLN980690) “to exceed the allowed Pescadero Watershed building site coverage (5,000 sq. ft.) by 672 square feet” and the Straface Variance (PLN980469) to exceed “structural coverage by 1,618 square feet in the Pescadero Watershed.”

- (b) The Board of Supervisors’ resolution 94-149 (Steakley) allowed a Variance to exceed the 5,000 square foot limit on structural coverage as long as stormwater runoff was controlled on site. The Board recognized that retaining stormwater on site and maintaining the combined structural and impervious surface coverage under the 9,000 square foot limit supported the intent of Section 20.147.030.A.1.b of the certified Coastal Implementation Plan, Part 5, regarding impervious coverage in the Pescadero watershed.

- (c) Materials and documents in Project File No. PLN060156.

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

EVIDENCE: The existing single-family dwelling and proposed modifications is an allowed use under the property's Low Density Residential zoning designation, Section 20.14.050.

7. 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. 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.

8. FINDING: CEQA (Exempt): - The project is exempt from environmental review.

EVIDENCE: (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (a), categorically exempts single-family dwellings.

(b) No adverse environmental effects were identified during staff review of the development application during site visits on March 15, 2006.

(c) Development is largely contained in an already disturbed area of the property. No tree removal is proposed. There are no unusual circumstances related to the project or property.

9. 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. Zoning violation abatement cost, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

10. 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: Preceding findings and supporting evidence.

11. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Section 20.80.080.A.3 and 20.86.080.A.1 of the Monterey County Zoning Ordinance (Title 20).

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 29th day of June, 2006.



JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON JUL 11 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 JUL 21 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 Resource Management Agency Planning Department Condition Compliance & Mitigation Monitoring and/or Reporting Plan | Project Name: <u>Craig and Diana Mc Callister</u> |
| | File No: <u>PLN060156</u> APN: <u>008-454-002-000</u> |
| | Approval by: <u>Zoning Administrator</u> Date: <u>June 29, 2006</u> |

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

| <i>Permit Cond Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
|-----------------------------------|--------------------------|---|--|---|--|---|
| 1 | | PBD029 - SPECIFIC USES ONLY This permit, a Coastal Development Permit for a Variance to the Pescadero Watershed Development Standards and Design Approval allows an 887 square foot addition to an existing two-story 9,570 square foot single family dwelling. The property is located at 3319 Stevenson Drive, Pebble Beach, Pebble Beach (Assessor's Parcel Number 008-454-002-000) Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 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. [Resource Management Agency (RMA) - Planning and Building Inspection] | Adhere to conditions and uses specified in the permit. | Owner/ Applicant | Ongoing unless otherwise stated | |

| <i>Permit Cond Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
|-----------------------------------|--------------------------|---|--|---|--|---|
| 2 | | <p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit Resolution 060156 was approved by the Zoning Administrator for Assessor's Parcel Number 008-454-002-000 on June 29, 2006. The permit was granted subject to 10 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA- Planning Department." 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. (RMA - Planning Department)</p> | Proof of recordation of this notice shall be furnished to RMA - PD. | Owner/ Applicant | Prior to Issuance of grading and building permits or start of use. | |
| 3 | | <p>PBD011 -EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service, Water Resources Agency, and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning Department. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, dust during, and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning Department. (RMA - Planning Department)</p> | 1. Evidence of compliance with the Erosion Control Plan shall be submitted to RMA - PD prior to issuance of building and grading permits. | Owner/ Applicant | Prior to Issuance of Grading and Building Permits | |
| | | | 2. Evidence of compliance with the Implementation Schedule shall be submitted to RMA - PD during the course of construction until project completion as approved by the Director of RMA - Planning Department. | Owner/ Applicant | Prior to Final Inspection | |

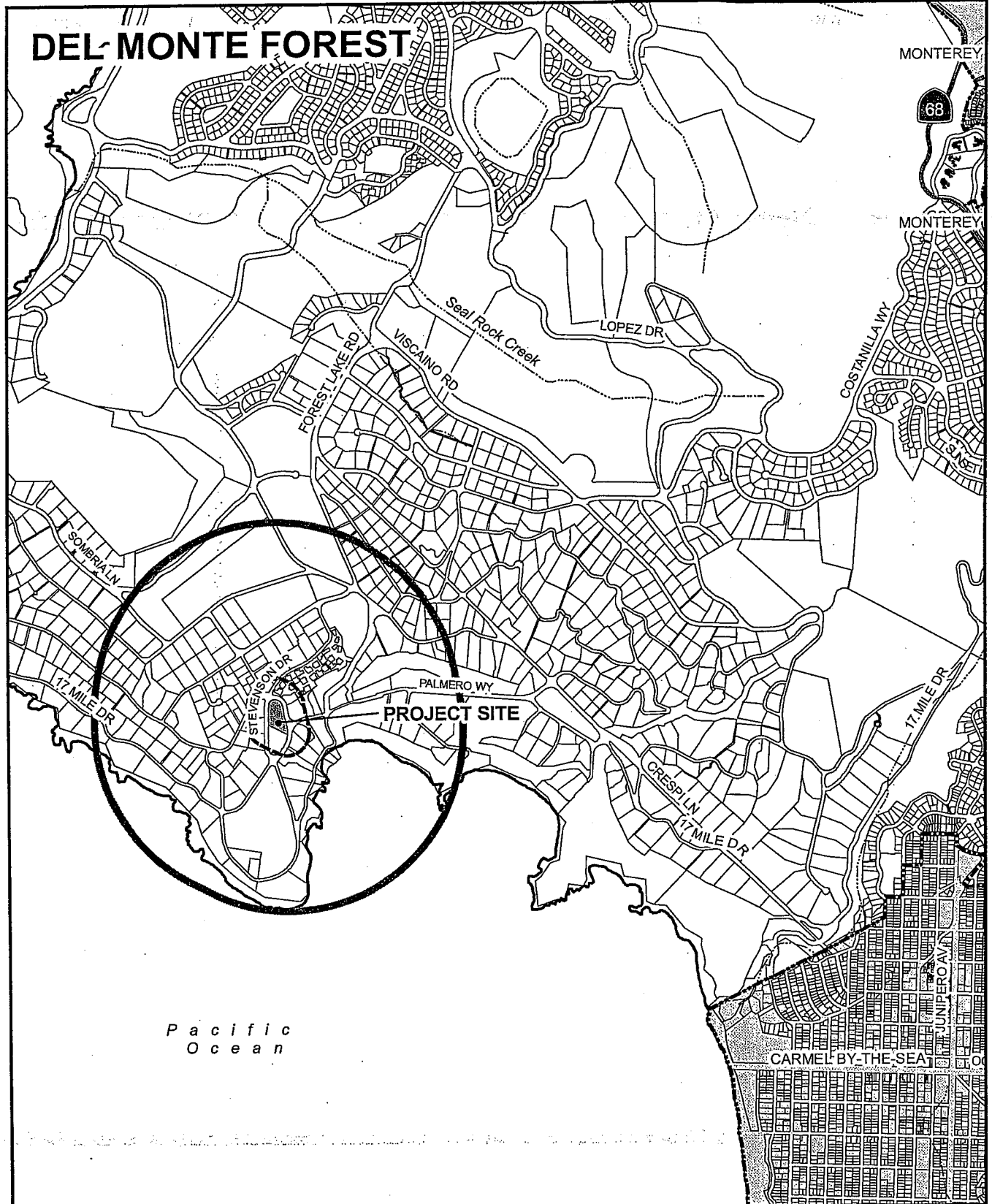
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|-----------------------------------|--------------------------|---|---|---|---|---|
| 4 | | <p>PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning Department for approval. 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 be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, 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 RMA - Planning 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. (RMA - Planning Department)</p> | <p>Submit landscape plans and contractor's estimate to RMA - PD for review and approval.</p> <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>Owner/ Applicant/ Contractor</p> <p>Owner/ Applicant</p> | <p>At least 60 days prior to final inspection or occupancy</p> <p>Ongoing</p> | |
| 5 | | <p>PBD021 - LIGHTING – EXTERIOR LIGHTING PLAN 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 RMA - Planning Department, prior to the issuance of building permits. (RMA - Planning Department)</p> | <p>Submit three copies of the lighting plans to RMA - PD for review and approval.</p> | <p>Owner/ Applicant</p> | <p>Prior to issuance of building permits.</p> | |

| <i>Permit Cond Number</i> | <i>Mitig Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
|-----------------------------------|-------------------------|--|---|---|---|---|
| 6 | | <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 RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)</p> | <p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the</p> | <p>Owner/ Applicant/ Archaeologist</p> | <p>Ongoing</p> | |
| 7 | | <p><u>FIRE008 - GATES</u> 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 Service District)</p> | <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> | <p>Applicant or owner</p> | <p>Prior to issuance of grading and/or building permit.</p> | |
| | | | <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> | <p>Prior to final building inspection.</p> | |

| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted. | Responsible Party for Compliance | Timing | Verification of Compliance (name/date) |
|---------------------------|------------------|--|--|--|--|---|
| 8 | | <p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.</p> <p>(Pebble Beach Community Service District)</p> | <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> | <p>Applicant or owner</p> | <p>Prior to issuance of building permit.</p> | |
| | | | <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> | <p>Prior to final building inspection</p> | |

| <i>Permit Cond Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
|-----------------------------------|--------------------------|--|--|---|---|---|
| 9 | | <p>WR0040 WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <ol style="list-style-type: none"> 1. 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. 2. 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. <p>(Water Resources Agency)</p> | Submit evidence of compliance to WRA prior to final building inspection or occupancy. | Applicant | Prior to Final Building Inspection or Occupancy | |
| 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 | |

DEL MONTE FOREST



APPLICANT: MC CALLISTER

APN: 008-454-002-000

FILE # PLN060156



300' Limit



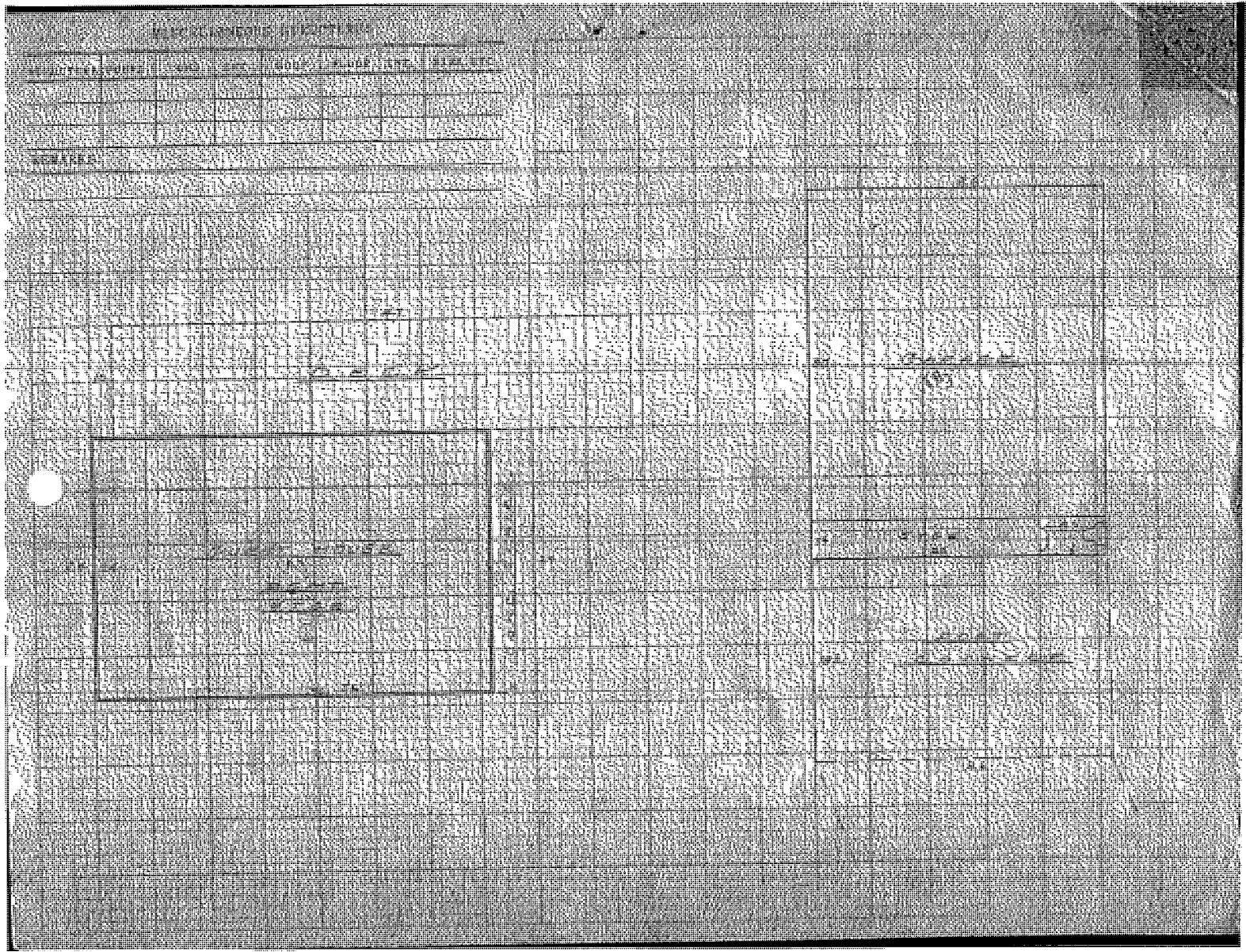
2500' Limit

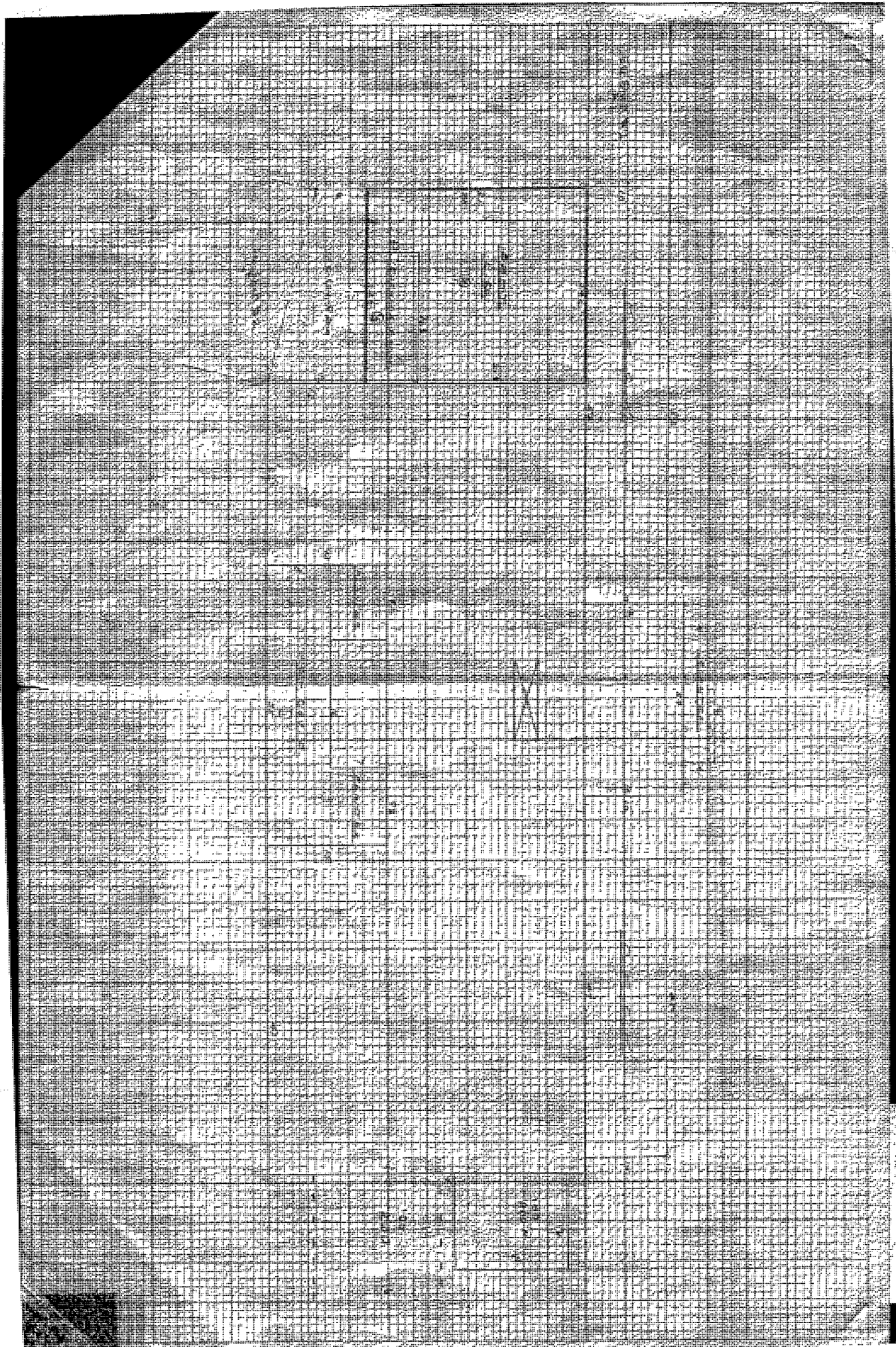


City Limits

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