

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

In the matter of the application of:

ROLLINS (PLN090157)

RESOLUTION NO. 10-019

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically exempting the project from environmental review pursuant to Section 15303 of the CEQA Guidelines; and
- 2) Approving the Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 7,628 square foot two-story single family dwelling, an attached 1,399 square foot 4-car garage, 366 square feet of retaining walls, and 947 square feet of terraces, balconies, and patios; 2) a Coastal Development Permit and Design Approval to allow the construction of an 850 square foot caretaker unit; 3) a Coastal Development permit to allow the removal of 14 Coast live oak and 17 Monterey pine trees; 4) a Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area; and 5) a Variance to exceed the Pescadero Watershed structural limitation of 5,000 square feet by 1,477.2 square feet. The project includes pervious surfaces for the new driveway, motor courts and guest parking area for a total of 9,098 square feet, 674 square feet of stone walkway, and associated grading of approximately 900 cubic yards of cut and 300 cubic yards of fill.

(PLN090157, Rollins, 1573 Riata Road, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-341-019-000))

The Rollins Combined Development Permit application (PLN090157) came on for public hearing before the Monterey County Zoning Administrator on May 27, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) During the course of review of this application, the project has been

reviewed for consistency with the text, policies, and regulations in:

- the Monterey County General Plan;
- Del Monte Forest Land Use Plan;
- Del Monte Forest Coastal Implementation Plan, Part 5; and
- 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 1573 Riata Road, Pebble Beach (Assessor's Parcel Number 008-341-019-000, Del Monte Forest Land Use Plan. The parcel is zoned "LDR/1.5 (CZ) [Low Density Residential, 1.5 acres per unit (Coastal Zone)], which allows single family dwellings and accessory structures such as caretaker units. Therefore, the project is an allowed land use for this site.
- c) Construction of the single family dwelling, caretaker unit, and other site improvements require the removal of 22 Coast live oak and 25 Monterey pine trees. Pursuant to Section 20.147.050.D.2 of the Del Monte Forest Coastal Implementation Plan, the trees proposed for removal are protected. Therefore, approval of a Coastal Development Permit is required, which is included in the Combined Development Permit. See Finding No. 9 for further discussion on tree removal.
- d) The Monterey County Geographic Information System and Figure 12 (Pebble Beach Planning Area Environmental Considerations) of the Del Monte Forest Area Land Use Plan indicates that the proposed development is within 100 feet of an environmentally sensitive habitat area. Therefore, pursuant to Section 20.14.030.E of the Monterey County Zoning Ordinance (Title 20), the proposed project is not exempt from a Coastal Development Permit. The Combined Development Permit includes a Coastal Development Permit to allow development within 100 feet of a mapped environmentally sensitive habitat area. See Finding No. 8 for further discussion.
- e) The subject property is located within the Pescadero Watershed. Based on regulations set forth in Section 20.147.030.A.1.b of the Del Monte Forest Coastal Implementation Plan, the maximum structural coverage is 5,000 square feet, including main and accessory structures, and the maximum impervious surface coverage (driveways, walks, patios, etc.) is 4,000. The proposed project consists of a 7,628-square-foot two-story single family dwelling, a 1,399 square foot 4-car attached garage, an 850 square foot caretaker unit, 366 square feet of retaining walls, 947 square feet of terraces, balconies, and patios, with a total structural coverage of 6,477 square feet. This exceeds the allowed 5,000 square feet structural coverage limitation. Therefore the applicant requests a Variance to the structural coverage limitations. See Finding Nos. 10, 11, 12, and 13 for further discussion on the Pescadero Watershed Policy and Variance.
- f) Pursuant to the Del Monte Forest Land Use Plan Policy No. 61 and Del Monte Forest Coastal Implementation Plan Section No. 20.147.080.B.1, all new development requires an archaeological survey report to be submitted with a project application. Consistent with the regulations, the applicant submitted an archaeological report (see Finding 2,

Evidence b). The report concludes that no surface evidence of potentially significant archaeological resources were found on the parcel. However, as standard procedure for discretionary projects which include ground disturbance, a condition of approval (Condition No. 4) has been incorporated which requires the cessation of all work within 50 meters if cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources). Work can not resume until clearance has been given by the RMA-Monterey County Planning Department.

- g) The project planner conducted site inspections on November 5, 2009 and May 6, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- h) Based on LUAC Procedure guidelines, adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because it includes a Variance to the Pescadero Watershed structural coverage limitation of 5,000 square feet. Therefore, the project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review at the November 5, 2009 meeting. The LUAC recommended approval of the project with a vote of 6 to 0, with one member absent. Comments included reduction of the driveway to decrease pavement surface and tree removal. Subsequent to the meeting, the applicant modified the project, reducing the driveway surface thereby decreasing the proposed tree removal from 27 Coast live oak and 27 Monterey pine trees to 14 Coast live oak and 17 Monterey pine trees.
- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090157.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Pebble Beach Community Services District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Recommended conditions have been incorporated.
 - b) Staff identified potential impacts to Biological Resources, Archaeological Resources, and Forest Resources. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would conclude that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Preliminary Archaeological Reconnaissance” (LIB090440) prepared by Archaeological Consulting, Salinas, CA, May 8, 2009.*
 - *“Tree Assessment/Forest Management Plan” (LIB090441) prepared by Frank Ono, Pacific Grove, April 29, 2009.*

- "Biological Assessment" (LIB090442) prepared by Zander Associates, San Rafael, CA, September 4, 2009.
 - "Updated Tree Assessment/Forest Management Plan" (LIB100121) prepared by Frank Ono, Pacific Grove, CA, December 20, 2009.
 - "Biological Assessment, Spring Survey for Yadon's Piperia" (LIB100120) prepared by Ed Mercurio, Salinas, CA, March 25, 2010.
 - "Replanting Plan" (LIB100122) prepared by Zander Associates, San Rafael, CA, May 4, 2010.
- c) Staff conducted site inspections on November 5, 2009 and May 6, 2010 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090157.

3. FINDING: HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the Public Works Department, Environmental Health Division, Water Resources Agency, and Pebble Beach Community Services District. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities will be provided. California American Water will be the water purveyor for the proposed project and the Pebble Beach Community Services District will be the sewer purveyor. The subject property is a vacant legal lot of record and there has been no indication that the proposed project will create a substantial impact to the existing facilities.
 - c) Preceding findings and supporting evidence for PLN090157.

4. FINDING: NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff researched County records to assess if any violations exist on the subject property. No record of open Code Enforcement Cases were found. In addition, staff conducted site inspections on November 5, 2009 and May 6, 2010. During the May 6, 2010 site visit, staff discovered the construction of an approximately 15 to 20 foot tall "viewing platform" in progress. No building permits or planning approvals were found on record, therefore all work was halted. Currently no Code Enforcement case has been opened and no red tag

has been issued. The applicant was notified and agreed to remove the structure prior to the Zoning Administrator hearing.

- b) 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 PLN090157.

5. FINDING: CEQA (Exempt): - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303, categorically exempts the construction of single family dwellings and accessory structures.
 - b) The applicant proposes to construct a 7,628 square foot two-story single family dwelling with a 1,399 square foot attached garage and a 850 square foot caretaker unit. Therefore, the project falls under the CEQA exemption.
 - c) Section 15300.2 of the CEQA Guidelines lists exceptions to the exemptions, where projects normally found to be exempt from CEQA may require an environmental review. These exceptions include: project location, cumulative impact, significant effect, scenic highways, hazardous waste sites, or historical uses. The subject property is not located within an officially designated state scenic highway, it is not listed on the Cortese List (for hazardous materials sites) from the Department of Toxic Substances Control (DTSC), nor are there any historic resources located on the site. The subject property is one of the few remaining vacant lots in the area and project will result in residential uses within a well established neighborhood. Due to density and site coverage requirements, construction of additional structures will not be permitted. Therefore, the project will not create a significant cumulative impact in the area.
 - d) The project site is found to be located within 100 feet of environmentally sensitive habitat. Pursuant to Section 20.147.040.A.2 of the Del Monte Forest Coastal Implementation Plan, a biological survey was required to be submitted as part of the application. The biological surveys submitted found no significant biological resources on the site and although construction of the project will require vegetation and tree removal, it has been concluded that there will be no net loss of forest resources on the project site. See Finding Nos. 8 and 9 for further discussion.
 - e) Grading and construction activities for the project will require temporary impacts to air quality, traffic, and noise. However, inclusion of a standard condition of approval (Condition No. 15) requires the owner, applicant, or contractor to submit a construction management plan prior to issuance of grading or building permits. The construction management plan shall include: duration of construction, hours of operation, an estimate of the number of truck trips generated, truck routes, parking areas for both equipment and workers, and locations of truck staging areas. Review, approval, and compliance with the construction management plan will assure the project activities will have no significant effect on the environment.

- f) No adverse environmental effects were identified during staff review of the development application during site visits on November 5, 2009 and May 6, 2010.
- g) See preceding and following findings and supporting evidence.

6. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- 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.4c of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 15 the Recreational Facilities Map and Figure 16, the Shoreline Access Map of the Del Monte Forest Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090157.
 - e) The project planner conducted site inspections on November 5, 2009 and May 6, 2010.

7. FINDING: CARETAKER UNIT– The subject project meets the regulations, standards and circumstances for caretaker units in accordance with the applicable goals, policies, and regulations of the Del Monte Forest Area Land Use Plan and applicable zoning codes.

- EVIDENCE:**
- a) The establishment of the caretaker unit will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County (see Finding No. 3).
 - b) All zoning violation abatement costs, if any, have been paid (see Finding No. 4).
 - c) The subject property upon which the caretaker unit is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of the Monterey County Zoning Ordinance (Title 20). The proposed caretaker unit contains a livable floor area of 850 square feet, has a building height of 15 feet, and the unit is proposed to provide a residence for an onsite caretaker to maintain the property and structures on site. The proposed caretaker unit meets the regulations set forth in Section 20.64.030.C of the Monterey County Zoning Ordinance which lists regulations for caretaker units in the coastal zone. In addition, the subject property will be deed restricted (see Condition No. 9) to insure that future owners will be aware of the restrictions of the caretaker unit.
 - d) Adequate sewage disposal and water supply facilities are readily

available, as approved by the Director of Environmental Health. The proposed project, as a whole, will be served by the Pebble Beach Community Services District as the sewer purveyor and California American Water as the water purveyor. There has been no indication that either provider is not capable of supplying service to the caretaker unit (see Finding No. 3, Evidence b).

- e) The proposed caretaker unit will not adversely impact traffic conditions in the area. The proposed caretaker unit will not have an additional impact to the residential areas within the immediate vicinity of the project, nor will the caretaker unit create an adverse impact on regional traffic. In addition, pursuant to Monterey County Code Chapter 12.90, the applicant is required to pay a Regional Development Impact Fee prior to issuance of building permits. (Condition No. 14)
- 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 PLN090157.
- g) Caretaker Units shall be subject to the overall buildout in Del Monte Forest as defined by Table A in the Del Monte Forest Area Land Use Plan. Based on staff's review of number of units allowed until buildout, it has been determined that adequate density exists in the Del Monte Forest area.

8. FINDING: ESHA – The subject project minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) The Monterey County Geographic Information System indicates that the subject property is located within 100 feet of an environmentally sensitive habitat area (ESHA). In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required.
 - b) A biological report, dated September 4, 2009 by Zander Associates, was submitted (see Finding 2, Evidence b) to identify and address any potential impacts the project may have to biological resources. During the biological survey two special status species, Monterey pine and Hooker's manzanita, were found onsite. Additionally, the site was found to potentially provide marginal habitat for another special plant species, Yadon's piperia (*Piperia yadonii*).
 - c) Two small patches of Hooker's manzanita were found onsite and are located in the area of the proposed driveway and fire truck turnaround. The biological report concludes that removal of the Hooker's manzanita will not substantially affect the population of the species.
 - d) A replanting plan (see Finding No. 2, Evidence b) dated May 4, 2010 by Zander and Associates, Environmental Consultants, was submitted by the applicant. Mike Zander, the biologist, in coordination with Frank Ono, the arborist, identified four planting areas ideal for regeneration of healthy vegetation. Planting Areas 2, 3, and 4 were recommended for replanting Hooker's manzanita and shaggy-bark manzanita due to the potential for the vegetation to enhance the forest health in those areas. Incorporating Hooker's manzanita within the

- project's landscaping plan in the identified replanting areas will not only create an overall benefit to the site's vegetation, but produce no net loss of Hooker's manzanita caused by the project (see Condition No. 8).
- e) The Zander Associates biological survey was conducted in August; therefore the presence or absence of Yadon's piperia could not definitely be determined. As a result, a spring survey between February and April was recommended to be conducted in order to determine if the plant is on site. A spring survey was conducted on March 24, 2010 by Ed Mercurio (see Survey for the presence of *Piperia yadonii*, dated March 25, 2010, Monterey County Library No. LIB100120). The survey concluded that there was no evidence of *Piperia yadonii* on the property.
 - f) The biological report specifies that the Monterey pines on the property are remnant of a once larger contiguous forest community and do not constitute a sustainable natural forest stand. The report concludes that the proposed removal of the 14 Coast live oak trees and 17 Monterey pine trees will not substantially affect the population of the species. See Finding No. 9 for additional information on tree removal.
 - g) No bird nests were observed during the August biological field reconnaissance. However, there may a potential for migratory birds¹ to move into the property and nest prior to tree removal. In order for the project to be in compliance with federal law, the applicant is required initiate construction and/or tree removal activities during the non-breeding season, from August 1st to January 31st. Should the applicant request to conduct construction and/or tree removal activities during the nesting period, the applicant shall be required to submit nesting survey within 30 days of the start of construction or tree removal. A condition of approval (Condition No. 12) has been incorporated to assure the applicant and contractor complies with federal law.
 - h) The project planner conducted a site inspection on November 5, 2009 and May 6, 2010 to verify ESHA locations and potential project impacts to ESHA.
 - i) 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 PLN090157.

9. FINDING: TREE REMOVAL—The proposed project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and the Del Monte Forest Coastal Implementation Plan.

- EVIDENCE:**
- a) The project includes an application for the removal of 14 Coast live oak trees and 17 Monterey pine trees. In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required.
 - b) Section 20.147.050.D.2 of the Del Monte Forest Coastal Implementation Plan states that removal of any significant (living trees

¹ Migratory birds are protected by the Migratory Bird Treaty Act which prohibits the taking of migratory birds, parts of migratory birds, and their eggs and nests. The term "take" is defined as: "to pursue, hunt, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect or kill".

- greater than 12 inches in diameter) Monterey pines and Coast live oak trees shall be in accordance with a Forest Management Plan (FMP). Consistent with the regulations, the applicant has submitted a FMP (see Finding 2, Evidence b) with the application.
- c) Section 20.147.050.D.3 of the Del Monte Forest Coastal Implementation Plan requires all proposed development to be designed to minimize the removal of vegetation cover. The applicant submitted plans to the County for review on April 30, 2009 that included a preliminary design with a greater amount of driveway surface and a 324 square foot "gate house". This design included the removal of 27 Coast live oak and 27 Monterey pine trees. Subsequently, the applicant resubmitted revised plans with the gatehouse deleted and driveway surfaces reduced; thus reducing the amount of tree removal to 14 Coast live oak and 17 Monterey pine trees. Further minimizing tree removal would require the applicant to completely redesign, reduce the square footage of the proposed residence, and relocate the proposed structures. However, construction of a single family dwelling and caretaker unit would still require a substantial amount of tree removal due to the property being heavily forested. Therefore, staff finds that the project has been designed and sited to minimize the removal of protected trees to the greatest extent feasible.
 - d) Development Standards listed in Section 20.147.050.D.4 of the Del Monte Forest Coastal Implementation Plan requires the replacement of any native trees on a one to one basis. A replanting plan (see Finding No. 2, Evidence b) by Zander and Associates, Environmental Consultants, was submitted by the applicant. Mike Zander, the biologist, in coordination with Frank Ono, the forester, identified four planting areas ideal for regeneration of healthy vegetation and enhancement of the overall forest health on the property. Planting Area 2, between the southernmost property line and the building envelope, has been identified as a suitable site for replanting Monterey pines. The existing canopy is sparse; therefore it can support an additional 15 to 20 trees without overcrowding the area. Planting Area 3, between the south and eastern property lines and the building envelope, was also identified as a suitable replanting area. This area provides an ideal location for replacement and has the capacity to accommodate a minimum of 20 replacement trees.
 - e) Out of the 31 trees proposed for removal, 15 are less than 12 inches in diameter. Out of the 16 trees greater than 12 inches, 5 are in poor condition; one suffers from a hip canker, and the others have sunscalding and thinning or no canopies. Based on the recommendations of the biologist and forester, replacement of approximately 35 to 40 trees will allow a healthy forest environment and will not result in a net impact to forest resources from development on the subject parcel.
 - f) Measures for tree protection during construction have been incorporated as a condition of approval (Condition No. 13) which includes tree protection zones, trunk protection, hand excavation and bridging roots.
 - g) Tree removal will not involve a risk of adverse environmental impacts. The Forest Management Plan identifies short term impacts during

construction that will be confined to the development envelope and immediate surroundings where trees will be removed. No long term impacts to the forest ecosystem are anticipated from the proposed project. The areas outside of the development envelope will remain undisturbed and replanting will aid in improving the stand's health (see Condition Nos. 8 and 13).

- h) Staff conducted site inspections on November 5, 2009 and May 6, 2010 to verify that the tree removal is the minimum amount and identify any potential adverse environmental impacts related to the proposed tree removal.
- i) 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 PLN090157.

10. FINDING: SITE COVERAGE (DEL MONTE FOREST WATERSHEDS) –
The project limits structural and impervious surface coverage in order to reduce runoff within the Pescadero, Seal Rock Creek, and Sawmill Gulch Watersheds and some smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance (ASBS).

- EVIDENCE:**
- a) Based on resource information contained in the Monterey County Geographic Information System (GIS) and Attachment 3 of the Del Monte Forest Coastal Implementation Plan, the subject property is found to be located within the area of drainage of the Carmel Bay ASBS.
 - b) The Del Monte Forest Coastal Implementation Plan limits development of parcels within the Pescadero Watershed to maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b of the Del Monte Forest Coastal Implementation Plan, structural coverage (including main and accessory structures) is limited 5,000 square feet. Separately, additional impervious surfaces (less than 40% water pass through) are limited to 4,000 square feet.
 - c) The applicant proposes 6,477.2 square feet of structural coverage and 1,314.6 square feet of impervious surfaces (retaining walls, terraces, and patios) totaling the overall surface coverage to 7,791.8 square feet. In addition, the applicant proposes to install 9,098 square feet of pervious surface (driveways, entry courtyard, motor court, and fire truck turnarounds). Because the structural coverage exceeds the 5,000 square foot requirement, the project requires a variance to the Pescadero Watershed limitations. However, since the proposed project meets the overall site coverage of 9,000 square feet of structural coverage and impervious surface coverage, it meets the intent of the Del Monte Forest Land Use Plan Policy No. 1. See Finding Nos. 11, 12, and 13.
 - 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 PLN090157.

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

- EVIDENCE:**
- a) The property has a zoning designation of "LDR/1.5 (CZ) [Low Density

- Residential, 1.5 acres per unit (Coastal Zone)].
- b) The proposed single family dwelling and caretaker unit are allowed uses under the property's Low Density Residential zoning designation pursuant to Sections 20.14.040.A and 20.14.050.I of the Monterey County Zoning Ordinance (Title 20).
- 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 PLN090157.

12. 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 Section 20.147.030.A.1.b of the Monterey County Coastal Implementation Plan is found to 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 storm water runoff into Carmel Bay, thereby protecting an area of biological significance. Although the proposed project exceeds the amount of structural coverage limitation (5,000 square feet) by 1,477.2 square feet, the proposed overall total surface coverage of 7,791.8 square feet is well under the maximum amount of surface coverage. Therefore, the project meets the intent of the Pescadero watershed policy. The project meets all other zoning requirements regarding size and bulk (i.e. Floor Area Ratio), lot coverage and setbacks.
- b) Board of Supervisors' resolution 94-149 (Steakley) allowed a Variance to exceed the 5,000 square foot limit on structural coverage as long as storm water runoff was controlled on site. The Board recognized that retaining storm water 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 Monterey County Coastal Implementation Plan, Part 5 regarding impervious coverage in the Pescadero watershed. The proposed project does not meet the 5,000 square foot structural limitation; however, it is in compliance with the total surface coverage, meeting the intent of the section.
- c) 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 No. 13, Evidence b).
- d) Condition Nos. 16 and 17 have been incorporated by the Water Resources Agency which requires the submittal and approval of a final drainage plan in order to conform to policies 1, 2, & 6 of the Del Monte Forest Land Use Plan, relating to drainage issues and addressing on-site and off-site impacts and retention facilities.
- e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090157.
- f) The project planner conducted a site inspection on November 5, 2009

and May 6, 2010 to verify the circumstances related to the property.

13. 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) Although the applicant requests a variance to exceed the structural coverage limitations of the Pescadero Watershed, the project as a whole does not exceed the total surface coverage limitations. The project complies with the intent of the Pescadero Watershed limitation policy and therefore does not request a grant of special privilege.
 - b) Other property owners in the vicinity and under an identical zoning classification have been afforded the same privilege sought by the property owner of this application. Within 300 feet of the subject parcel, one residential project, PC06554 (Hahn), has been granted a similar variance. This approved project included an addition of a single family dwelling and a variance to exceed the maximum structural coverage in the Pescadero Watershed. There are at least 43 other instances where Variances have been granted to the Pescadero Watershed structural development standards. In addition, PLN090290 (Dorn) allowed the demolition of a 5,092 square foot single family dwelling, construction of a new two-story 11,725 square foot single family dwelling, and reduction of 20,318 square feet of impervious surface to 8,139 square feet. This particular variance allowed the combined structural and impervious surface limit to be exceeded because it was in compliance with the intent of the Policy.
 - 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 PLN090157.
 - d) The project planner conducted a site inspection on November 5, 2009 and May 6, 2010 to identify circumstances related to other property in the vicinity and in the same zoning district.

14. 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 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080 of the Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by to the California Costal Commission because the approval is subject to conditional uses.

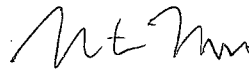
DECISION

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

- A. Categorically exempt the project from environmental review pursuant to Section 15303 of the CEQA Guidelines; and
- B. Approve the Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 7,628 square foot two-story

single family dwelling, an attached 1,399 square foot 4-car garage, 366 square feet of retaining walls, and 947 square feet of terraces, balconies, and patios; 2) a Coastal Development Permit and Design Approval to allow the construction of an 850 square foot caretaker unit; 3) a Coastal Development Permit to allow the removal of 14 Coast live oak and 17 Monterey pine trees; 4) a Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area; and 5) a Variance to exceed the Pescadero Watershed structural limitation of 5,000 square feet by 1,477.2 square feet. The project includes pervious surfaces for the new driveway, motor courts and guest parking area for a total of 9,098 square feet, 674 square feet of stone walkway, and associated grading of approximately 900 cubic yards of cut and 300 cubic yards of fill, in general conformance with the attached sketch and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 27th day of May, 2010 by:



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **JUN 24 2010**

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 **JUL 04 2010**

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.

RESOLUTION 10-019 - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Rollins
 File No: PLN090157 APNs: 008-341-019-000
 Approved by: Zoning Administrator Date: May 27, 2010

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA - Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN090157) allows: 1) a Coastal Administrative Permit and Design Approval to allow the construction of a 7,628 square foot two-story single family dwelling, an attached 1,399 square foot 4-car garage, 366 square feet of retaining walls, and 947 square feet of terraces, balconies, and patios; 2) a Coastal Development Permit and Design Approval to allow the construction of an 850 square foot caretaker unit; 3) a Coastal Development permit to allow the removal of 14 Coast live oak and 17 Monterey pine trees; 4) a Coastal Development Permit to allow development within 100 feet of an environmentally sensitive habitat area; and 5) a Variance to exceed the Pescadero Watershed structural limitation of 5,000 square feet by 1,477.2 square feet. The project includes pervious surfaces for the new driveway, motor courts and guest parking area for a total of 9,098 square feet, 674 square feet of stone walkway, and associated grading of approximately 900 cubic yards of cut and 300 cubic yards of fill. The property is located at 1573 Riata Road, Pebble Beach (Assessor's Parcel Number 008-341-019-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated</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>
		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. (RMA-Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 10-019) was approved by the Zoning Administrator for Assessor's Parcel Number 008-341-019-000 on May 27, 2010. The permit was granted subject to 22 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on May 27, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an	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	Owner/ Applicant/ Archaeo- logist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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)	determine the extent of the resources and to develop proper mitigation measures required for the discovery.			
5.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. 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 and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits. Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services. Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits Ongoing Prior to final inspection	
6.		PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of building permits	

<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>
		<p>Department. 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 include an irrigation plan. The plan 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 one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “<u>Residential</u> Water Release Form and Water Permit Application” to the Monterey County Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to issuance of building permits</p>	
			<p>Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “<u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to issuance of building permits</p>	
			<p>Submit an approved water permit from the MPWMD to the RMA – Building Permit</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor</p>	<p>Prior to issuance of building permits</p>	
			<p>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.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to occupancy</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>
			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.	Owner/ Applicant	Ongoing	
7.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy/ Ongoing	
8.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Preliminary Archaeological Reconnaissance report has been prepared for this parcel by Archaeological Reconnaissance, dated May 8, 2009 and is on record in the Monterey County RMA - Planning Department, Library No. LIB090440. All development shall be in accordance with this report." "An Updated Tree Assessment/Forest Management Plan has been prepared for this parcel by Frank Ono, dated	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to Occupancy	

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)
		<p>December 20, 2009 and is on record in the Monterey County RMA - Planning Department, Library No. LIB100121. All development shall be in accordance with this report."</p> <p>"A Replanting Plan" has been prepared for this parcel by Zander Associates, dated May 4, 2010 and is on record in the Monterey County RMA - Planning Department, Library No.100122. All development shall be in accordance with this plan." (RMA – Planning Department)</p>				
9.		<p>PD018 B – DEED RESTRICTION – CARETAKER UNIT (COASTAL)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a caretaker unit as follows:</p> <ul style="list-style-type: none"> • Only one caretaker unit per lot shall be allowed. • The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under same ownership. • The minimum lot size for establishment of a caretaker unit in areas not served by sewers shall be two acres. The minimum lot size for establishment of a caretaker unit in the Carmel Planning Area shall be 40 acres. • Caretaker units shall not be subject to density requirements of the zoning district in which the lot is located, except in North County. In North County, caretakers units shall not be permitted on lots less than 5 acres if located in an area not served by public sewer systems. • The maximum floor area for a caretaker unit is 850 square feet. • A minimum of one covered off-street parking space shall be provided for the caretaker unit. 	<p>Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the document shall be submitted to the RMA – Planning Department.</p> <p>Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits</p> <p>Prior to occupancy or commencement of use</p> <p>Prior to final inspection or commencement use</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>
		<ul style="list-style-type: none"> The caretaker unit shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. Subsequent subdivisions which divide a main residence from a caretaker unit shall not be permitted except where lots created meet minimum lot size and density requirements of the existing zoning. Caretaker units are not permitted on any lot less than 10 acres where a senior citizen unit exists. Senior citizen units may be converted to a caretaker unit, subject to a Coastal Administrative Permit. <p>(RMA – Planning Department)</p>				
10.		<p>PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
11.		<p>PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)</p>	<p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p> <p>2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	
				Owner/ Applicant	Prior to the foundation pre-pour inspection	

<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>
			3) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant/ Engineer	Prior to the final inspection	
12.		PDSP001 – MIGRATORY BIRD TREATY ACT (NON-STANDARD) In order to minimize potential impact to nesting birds, tree removal and/or construction activities shall be initiated during the non-breeding season for migratory birds, from August 1 st to January 31 st . If this timing is not feasible, a preconstruction survey shall be conducted by a qualified biologist prior to disturbance within the development area. The survey shall primarily determine if there is a presence of nesting birds. If nesting birds are discovered on or near the building site, work shall be suspended and the California Department of Fish and Game should be consulted regarding measures to avoid impact. (RMA – Planning Department)	If tree removal and/or grading activities occur between February 1 st and July 31 st , the applicant shall submit a preconstruction survey conducted by a qualified biologist at least 30 days prior to commencement of these activities to the RMA-Planning Department for review and approval. Should the report conclude that nesting birds are discovered on or near the building site and tree removal and/or grading activities would remove the nest or have the potential to cause abandonment, work shall be postponed until the young of the year have fledged as determined through monitoring of the nest. Once the biologist has verified the young have fledged, construction activities may resume.	Owner/ Applicant/ Contractor	Prior to commencement of tree removal and or grading activities	
13.		PDSP002 – TREE AND ROOT PROTECTION (NON-STANDARD) Trees which are located close to the 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)	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	

<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>
		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 a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. Trenching for retaining walls or footing located adjacent to any tree shall be done by hand where practical and any roots greater than 3-inches diameter shall be bridged or pruned appropriately. Any roots that must be cut shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a 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 Department)	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.	Owner/ Applicant/ Arborist	During Construc- tion	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
RMA – Public Works Department						
14.		PW0043 – REGIONAL DEVELOPMENT IMPACT FEE Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to issuance of building permits	

<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>
15.		<p>PW0044 – CONSTRUCTION MANAGEMENT PLAN</p> <p>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. (Public Works)</p>	<p>Applicant shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.</p>	Owner/ Applicant/ Contractor	Prior to issuance of the grading permit or building permit	
			<p>The approved measures shall be implemented during the construction/grading phase of the project.</p>	Owner/ Applicant/ Contractor	On-going through construction phases	
Monterey County Water Resources Agency						
16.		<p>WR3 - DRAINAGE PLAN - RETENTION</p> <p>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. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	Owner/ Applicant/ engineer	Prior to issuance of grading or building permits	
17.		<p>WR8 - COMPLETION CERTIFICATION</p> <p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)</p>	<p>Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.</p>	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	

<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>
18.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</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	
19.		<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	
Pebble Beach Community Services District						
20.		<p>FIRE008 - GATES 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</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept.	Applicant	Prior to final	

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)
		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)	clearance inspection	or owner	building inspection	
21.		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)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
22.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

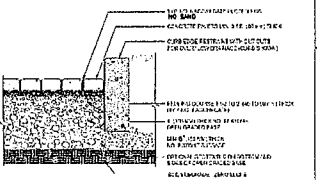
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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)	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

END OF CONDITIONS

Rev. 11/21/2009

EROSION CONTROL RECOMMENDATIONS

1. ALL GRADING SHALL CONFORM TO MONTEREY COUNTY EROSION CONTROL ORDINANCE #2098.
2. LIMITS OF GRADING SHOULD BE CONFINED TO THOSE AREAS NECESSARY FOR THE SUBJECT PROJECT I.E. AS MUCH OF THE VEGETATED LANDSCAPE NOT ASSOCIATED WITH THE PROPOSED CONSTRUCTION SHOULD BE LEFT AS UNDISTURBED AS POSSIBLE.
3. IF RAIN IS IN THE FORECAST, ALL EXPOSED SOIL SHOULD BE IMMEDIATELY PROTECTED WITH STRAW MULCH, EROSION NETTING, AND STOODIPLES COVERED WITH PLASTIC SHEETING. THESE ITEMS SHOULD BE KEPT ON HAND AT ALL TIMES DURING CONSTRUCTION.
4. CUT AND FILL MATERIALS SHOULD NOT BE STOCKPILED WHERE THEY MAY WASH ONTO ADJOINING PROPERTIES, ROADWAYS OR WATERBODIES. ANY IMPORTED OR NATIVE MATERIALS REMAINING AFTER COMPLETION OF THE JOB SHOULD BE HALLED OFFSITE.
5. RE-VEGETATE AND PROTECT ALL DISTURBED SOIL PRIOR TO OCTOBER 15. THE APPROPRIATE GRASS/LEGUME SEED MIXES, SITES AND/OR EROSION NETTING, AND STRAW MULCH SHOULD BE USED FOR TEMPORARY COVER. PERMANENT VEGETATION SHOULD INCLUDE NATIVE AND DROUGHT RESISTANT PLANTS.
6. IRRIGATION ACTIVITIES AT THE SITE SHOULD ALWAYS BE DONE IN A CONTROLLED AND REASONABLE MANNER. PLANTER AREAS SHOULD NOT BE SITED ADJACENT TO SLOPING WALLS, CURBSIDES. MEASURES SHOULD BE IMPLEMENTED TO CONTAIN IRRIGATION WATER AND PREVENT IT FROM SEEPING INTO WALLS AND UNDER FOUNDATIONS.
7. RAIN GUTTERS SHOULD BE INSTALLED ON ALL ROOF EAVES AND BE CONNECTED VIA DOWNSPOUT TO PERIMETER STORM DRAIN LINES BACK ARE ROUTED OR DEFERRED IN A COUNTY APPROVED MANNER.



NOTES:
 1. SEE SPECIFICATIONS TO MONTEREY COUNTY ORDINANCE #2098.
 2. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY.
 3. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY.
 4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION AND PERMANENTLY.

LEGEND

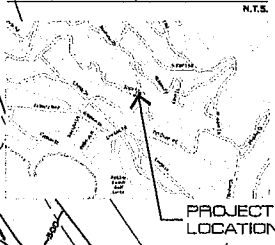
---	PROPERTY LINE
---	MAJOR CONTOUR
---	MINOR CONTOUR
---	EDGE OF PAVEMENT
AC	AC CURB
⊗	TREE TO BE REMOVED

ABBREVIATIONS

○	SNAG TREE
○	POLE TREE
AC	ADORN TREE
T	TREE (UNKNOWN SPECIES)
(TYP)	TYPICAL

NOTES:
 NO BOUNDARY SURVEY OR RESOLUTION HAS BEEN CONDUCTED. PROPERTY LINES SHOWN ARE TO THE PROPOSED TITLE REPORT, ORDER NO. 18433-04, DATED MARCH 16, 2006.
 ELEVATION INDICATOR WAS ASSIGNED.

VICINITY MAP



PLANNING INFO.

PROPERTY OWNER:
 RSM TRUST
 470 E. 8TH ST
 PEBBLE BEACH, CA. 93953
 PH. (651) 626-3796

PROJECT ADDRESS:
 1573 RIATA ROAD
 PEBBLE BEACH, CA. 93953

PROJECT SCOPE:
 - CONSTRUCT A NEW 2-STORY 7,828.4 SF SINGLE FAMILY RESIDENCE W/ ATTACHED 1,389.2 4-CAR GARAGE
 - NEW 1-STORY 850 SF CARETAKER UNIT
 - NEW 331 LIN. FOOT DRIVEWAY
 - NEW 914.7 SF GUEST PARRING
 - NEW 1,492.5 SF GARAGE MOTORCOURT
 - NEW 815.0 SF FIRE TRUCK TURNAROUND
 - NEW ENTRY GATE AND COLUMN
 - TREE REMOVAL PER FOREST MANAGEMENT PLAN

OCCUPANCY: R-3, U
 CONST. TYPE: V-B
 A.P.N.: 008-341-019
 LEGAL DESC: LOT: BLOCK:
 ZONE: LDR/L.S.-D(C2)
 STORES: MAIN RESIDENCE: 2-STORIES
 CARETAKER: 1-STORY
 MAX BLDG. HT: MAIN RESIDENCE: 30 FEET
 CARETAKER: 15 FEET
 GRADING: CUT: 650 CY FILL: 250 CY
 TREE REMOVAL: SEE FOREST MANAGEMENT PLAN
 TOPOGRAPHY: SLOPING
 PROJECT CODE COMPLIANCE:
 - 2007 CBC, CMG, CPC, OFC, OEC, & 7-26 CALIFORNIA ENERGY CODE
 - ENERGY METHOD: MICROFAS V7.1, ENERGY PRO 4.0

LOT AREA: 108,011.4 SF, (2.41 AC.)
 LOT COVERAGE CALCULATIONS:

BUILDINGS	PROPOSED TOTAL
TERRACES, BALCONIES, & PATIOS	847.3
TOTAL	7,424.9

LOT COVERAGE ALLOWED: 16,751.7 SF (15.0%)
 LOT COVERAGE PROPOSED: 7,748.9 SF (7.14%)

F.A.R. CALCULATIONS:

NAME BUILDING	PROPOSED TOTAL
MAIN FLOOR	4,484.3
LOWER FLOOR	3,144.1
GARAGE	1,399.2
CARETAKER UNIT	850.0
TOTAL	9,877.6

F.A.R. ALLOWED: 16,377.0 SF (17.5%)
 F.A.R. PROPOSED: 9,877.6 SF (9.14%)

PERMISSORY COVERAGE CALCULATIONS:

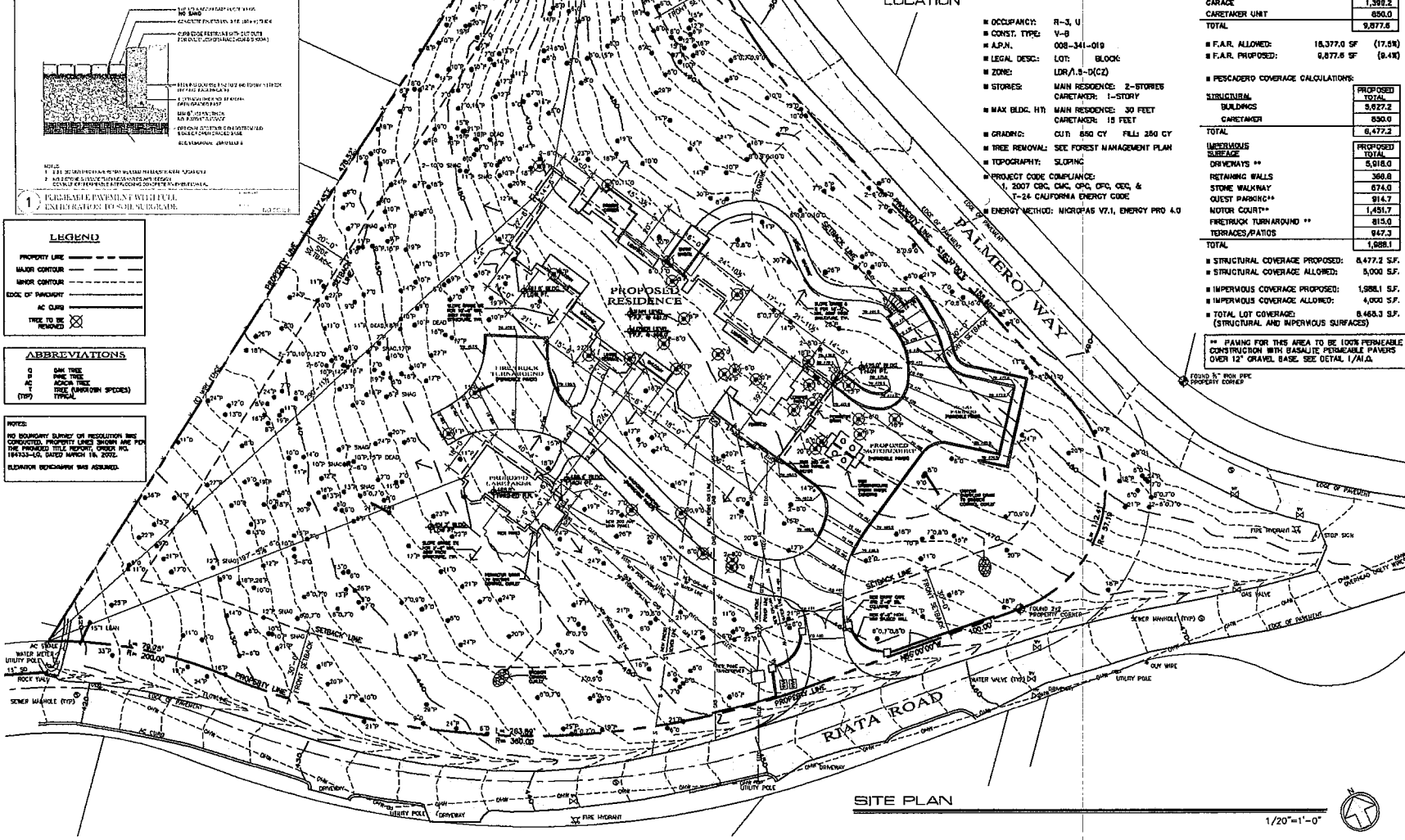
STRUCTURAL	PROPOSED TOTAL
BUILDINGS	5,927.2
CARETAKER	850.0
TOTAL	6,477.2

IMPERVIOUS SURFACE

DRIVEWAYS **	PROPOSED TOTAL
RETAINING WALLS	5,918.0
STONE WALKWAYS	368.8
GUEST PARKING**	874.0
MOTOR COURT**	1,451.7
FIRETRUCK TURNAROUND **	815.0
TERRACES/PATIOS	947.3
TOTAL	1,088.1

STRUCTURAL COVERAGE PROPOSED: 8,477.2 SF.
 STRUCTURAL COVERAGE ALLOWED: 5,000 SF.
 IMPERVIOUS COVERAGE PROPOSED: 1,988.1 SF.
 IMPERVIOUS COVERAGE ALLOWED: 4,000 SF.
 TOTAL LOT COVERAGE: 8,465.3 SF. (STRUCTURAL AND IMPERVIOUS SURFACES)

PAVING FOR THIS AREA TO BE 100% PERMEABLE CONSTRUCTION WITH BASEBALL PERMEABLE PAVERS OVER 12" GRAVEL BASE. SEE DETAIL 1/A1/D.



SITE PLAN

1/20"=1'-0"

PROPOSED NEW RESIDENCE FOR:
RSM TRUST
 1573 RIATA ROAD
 PEBBLE BEACH, CA.

INTERNATIONAL DESIGN GROUP
 ARCHITECTURE • INTERIOR DESIGN
 JUN AN, SHI, AIA
 JIN LI, F.A.S.T. I.A.U.R.
 78115 4TH ST, BE AVE • PACIFIC GROVE, CA • 93955
 PH: (831) 509-1200 • FAX: (831) 509-1200 • WWW.IDGARCH.COM

SITE PLAN

DATE: 4-13-09
 CLIENT REVIEW

REVISIONS:
 4-30-09 APPLICATION REG.
 6-25-09 SITE REVISION
 10-17-09 PENDING APPLICATION
 11-17-09 BRUSH SUIV

SHEET NO:
A1.0

DEL MONTE FOREST

MONTEREY

Sawmill Gulch

Seal Rock Creek

PROJECT SITE

BONIFACIO RD

RUATA RD

SONADO RD

PALMERO WAY

17 MILE DR

Pescadero Canyon

CARMEL

Pacific Ocean

APPLICANT: ROLLINS

APN: 008-341-019-000

FILE # PLN090157

 300' Limit  2500' Limit  City Limits  Water

