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

In the matter of the application of:

SHUTE, MICHAEL AND CRISTIN (PLN100425)

RESOLUTION NO. <u>11-009</u>

Resolution by the Monterey County Zoning Administrator:

- 1) Categorically Exempting per CEQA Section 15303 (a);
- 2) Approving Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the demolition of a 4,712 square foot single family dwelling with attached garage, and construction of a 7.095 square foot two-story single family dwelling with 1,336 square feet in porches and 1,271 square foot attached three-car garage; 2) a Coastal Administrative Permit for the construction of a 407 square foot detached guesthouse with 51 square foot porch; 3) a Coastal Development Permit for the construction of a 849 square foot detached caretaker unit with 175 square foot porch and attached 249 square foot garage; 4) a Coastal Development Permit to allow the removal of two Monterey Pine trees (21 inches and 24 inches in diameter); and grading of less than 100 cubic yards of cut/fill.

(PLN100425, Shute, Michael and Cristin, 1258 Portola Road, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-302-020-000))

The Combined Development Permit application (PLN100425) came on for public hearing before the Monterey County Zoning Administrator on February 24, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

- 1. **FINDING: CONSISTENCY** The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
 - **EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan,
 - Del Monte Forest Land Use Plan,
 - Monterey County Coastal Implementation Plan, Part 5
 - Monterey County Zoning Ordinance (Title 20)

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at 1258 Portola Road, Pebble Beach (Assessor's Parcel Number 008-302-020-000, Del Monte Forest Land Use Plan. The parcel is zoned "LDR/1.5-D (CZ)" Low Density Residential/1.5 units per acre-Design Control area in the Coastal Zone, which allows for single family dwellings and accessory structures to the permitted use. Therefore, the project is an allowed land use for this site.
- c) The project consists of a Combined Development Permit. Entitlements include: a Coastal Administrative Permit for the demolition of an existing structure and construction of a new single family dwelling; Coastal Administrative Permit for a guesthouse and Coastal Development Permit for a caretaker unit. Staff has confirmed that the proposed project meets Site Development standards of Low Density zoning regulations.
- <u>Guesthouse</u> Applicant proposes a detached guesthouse. Pursuant to 20.64.020, the proposed guesthouse is clearly subordinate and incidental to the main residence and is located in close proximity to the main residence. Staff has confirmed that the project meets the regulations, standards and circumstances for a guesthouse (size, height, and no kitchen). A condition of approval requires the applicant to record a deed restriction stating the regulations applicable to the guesthouse, including that the guesthouse shall not be separately rented, let or leased from the main residence and shall not have cooking or kitchen facilities (Condition #8).
- e) <u>Caretaker Unit</u> The proposed caretaker unit is in conformance with policies of the Del Monte Forest Land Use Plan, specifically policy 78a which "encourages the use of caretakers' accommodations as an appropriate means of providing affordable housing for caretakers, ranch hands, convalescent help, and domestic employees." A condition of project approval requires that the applicant record a deed restriction stating that the caretaker unit shall not be rented to other than the caretaker (**Condition #9**). Staff has confirmed that the project meets the regulations, standards and circumstances for a caretaker unit (*See Finding #7*).
- f) <u>Tree Removal</u> The proposed tree removal is consistent with applicable Forest Resources policies of the Del Monte Forest Land Use Plan. Staff site visit determined that the removal of two Monterey Pine trees does not conflict with water and marine resources, environmentally sensitive habitat areas and scenic visual resources. *(See Finding #8).*
- g) Pursuant to Chapter 20.44, Design Control Zoning Districts, the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. The project consists of a new single family dwelling, a caretaker unit and a guesthouse. Colors and materials to be of tan stucco, horizontal wood (dark brown) and stone siding and metal and wood shingle roofing materials. The colors and materials are of a neutral blend and are consistent with the surrounding environment. Therefore, the project is consistent with the Design Control regulations.
- h) The project planner conducted a site inspection on November 1, 2010 to verify that the project on the subject parcel conforms to the plans listed above.

- Although located in a high Archaeological Sensitivity zone, the applicant submitted a negative archaeological report stating there was no evidence of resources and project should not be postponed for development. The proposed project is not located within a viewshed and there is no environmentally sensitive habitat on the property.
- j) On November 18, 2010, the Del Monte Forest Land Use Advisory Committee recommended approval (6-0) with recommended changes based on a letter received from a neighbor that was read into the record. The neighbor had concerns with the caretaker unit being too close to the neighbor's property and proposed windows on the side facing the neighbor's second story. Staff recommended the applicants meet with the neighbor to resolve any issues there may be. The applicants have since met with the neighbor and have submitted revised plans incorporating window changes and a garage door roller to reduce noise as requested by the neighbor.
- k) 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 PLN100425.

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

- **EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to Archaeological Resources and Forest Resources. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. Although the project is located within a Seismic Hazard Zone V, pursuant to Section 20.147.060 (CIP), a geologic report is not required. However, the applicants had the geotechnical firm address geologic and seismic considerations. They concluded that with the strict compliance of the 2007 California Building Code, the structure will withstand such seismically generated ground accelerations for a reasonably expected duration without suffering major damage. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - "Preliminary Archaeological Reconnaissance" (LIB110034) prepared by Archaeological Consulting, Salinas, CA, June 29, 2010.
 - "Tree Resource Evaluation" (LIB110036) prepared by Maureen Hamb, Santa Cruz, CA, September 3, 2010.
 - "Geotechnical Investigation" (LIB110035) prepared by Soil Surveys, Inc., Salinas, CA, June 29, 2010

- c) Staff conducted a site inspection on November 1, 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 PLN100425.

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 RMA - Planning Department, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, and Water Resources Agency. 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 are available from Cal Am Water and water entitlements purchased from the Pebble Beach Company. Existing sewer is serviced by the Pebble Beach Community Services District.
- c) Preceding finding No. 1 and 2 and supporting evidence for PLN100425.
- 4. **FINDING: NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
 - **EVIDENCE:** a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on November 1, 2010 and researched County records to assess if any violation exists on the subject property. There are no known violations on the subject parcel.
 - 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 PLN100425.
- 5. **FINDING: CEQA (Exempt):** The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
 - **EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a), categorically exempts one single family residence, or a second dwelling unit in a residential zone. Accessory structures are also exempt.
 - b) The proposed project consists of the replacement of an existing residence. Also proposed is a new guesthouse and caretaker unit. The caretaker unit could be considered a second single family dwelling as it

allows for full time living. The guesthouse would be considered an accessory to the main structure, as its purpose is for short term overnight stay and does not allow cooking facilities.

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on November 1, 2010.
- d) 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 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 16 in the Del Monte Forest Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100425
 - e) The project planner conducted a site inspection on November 1, 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 applicable area plan and zoning codes.
 - **EVIDENCE:** a) That the establishment of the caretaker unit will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County *(See Finding 3).*
 - b) There are no known violations on the subject parcel. (See Finding 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 this Title. The caretaker unit is proposed for 849 square feet with an attached 249 square foot garage which meets the size limitation and required parking regulations.
 - d) That adequate sewage disposal and water supply facilities exist and are readily available, as approved by the Director of Environmental Health. Existing water will be provided by Cal Am Water and water purchased from the Pebble Beach Company. Existing sewer is serviced by the Pebble Beach Community Services District.
 - e) That the proposed caretaker unit will not adversely impact traffic conditions in the area. The proposed project is located on a private road and has an existing driveway. All construction will be located on site

and will not affect local traffic.

- 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 PLN100425.
- g) Caretaker Units shall be subject to the overall buildout in Del Monte Forest as defined by Table A in the Del Monte Forest Land Use Plan. As of January 2011, out of 1,067 new residential dwellings allow until buildout maximum, 778 are remaining. Therefore, staff has determined that adequate density exists in this area of the Del Monte Forest.
- h) The property owners have submitted a letter stating that they travel abroad extensively and are unable to run their properties personally. The project site is 2.99 acres and is of a sufficient size that it requires a person to be continuously on site to oversee maintenance of the property. Therefore, staff has determined that justification of a caretaker unit has been met.

8. **FINDING: TREE REMOVAL** –The subject project minimizes tree removal in accordance with the applicable goals and policies of the applicable land use plan and the Coastal Implementation Plan.

- **EVIDENCE:** a) The project includes application for the removal of two Monterey Pine trees (21 inches and 24 inches in diameter). 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 and the authority to grant said permit has been met.
 - b) A Tree Resource and Construction Impact Analysis was prepared by Maureen Hamb of Santa Cruz, CA. The analysis determined that the 21 inch tree has a severe structural defect and is at risk of failure. The 24 inch tree is growing within the footprint of the proposed guesthouse. Several alternate locations were reviewed for this structure; however, all options increased impacts to existing trees. Therefore, the project has been designed and sited to minimize the removal of protected trees to the greatest extent feasible.
 - c) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots (**Condition #5**).
 - d) The removal will not involve a risk of adverse environmental impacts. Staff site visit determined that the removal of two Monterey Pine trees conforms to all development standards of Section 20.147.050.D.1 (CIP) and does not conflict with water and marine resources, environmentally sensitive habitat areas and scenic visual resources.
 - e) Staff conducted a site inspection on November 1, 2010 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
 - f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100425.
- 9. **FINDING: APPEALABILITY** The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- **EVIDENCE:** a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.080 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project includes conditional uses (Coastal Development Permit), which allows for development located between the first public road and the ocean.

DECISION

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

- A. Categorically Exempt per CEQA Section 15303 (a);
- B. Approve Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the demolition of a 4,712 square foot single family dwelling with attached garage, and construction of a 7,095 square foot two-story single family dwelling with 1,336 square feet in porches and 1,271 square foot attached three-car garage; 2) a Coastal Administrative Permit for the construction of a 407 square foot detached guesthouse with 51 square foot porch; 3) a Coastal Development Permit for the construction of a 849 square foot detached caretaker unit with 175 square foot porch and attached 249 square foot garage; 4) a Coastal Development Permit to allow the removal of two Monterey Pine trees (21 inches and 24 inches in diameter); and grading of less than 100 cubic yards of cut/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 24th day of February, 2011

ike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON MAR 1 1 2011

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 MAR 2 1 2011

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2.

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

RESOLUTION 11-009 - EXHIBIT 1	Project Name: Shute	
Monterey County Resource Management Agency Planning Department	File No: <u>PLN100425</u> Approved by: <u>Zoning Administrator</u>	APNs: <u>008-302-020-000</u> Date: February 24, 2011
Condition Compliance and/or Mitigation Monitoring		
Reporting Plan		

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

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)
		RMA – Plan	ning Department			
1.		PD001 - SPECIFIC USES ONLY This Combined Permit (PLN100425) allows 1) a Coastal Administrative Permit for the demolition of a 4,712 square foot single family dwelling with attached garage, and construction of a 7,095 square foot two-story single	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	
		family dwelling with 1,336 square feet in porches and 1,271 square foot attached three-car garage; 2) a Coastal Administrative Permit for the construction of a 407 square foot detached guesthouse with 51 square foot porch; 3) a Coastal Development Permit for the construction of a 849 square foot detached caretaker unit	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.	RMA - Planning		
		with 175 square foot porch and attached 249 square foot garage; 4) a Coastal Development Permit to allow the removal of two Monterey Pine trees (21 inches and 24 inches in diameter); and grading of less than 100 cubic yards of cut/fill. The property is located at 1258 Portola Road, Pebble Beach (Assessor's Parcel Number 008-302- 020-000), 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 construction not in substantial conformance with the terms and conditions of this permit is a violation of County	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.	WRA RMA - Planning		

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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)
		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 11-009) was approved by the Zoning Administrator for Assessor's Parcel Number 008-302- 020-000 on February 24, 2011. The permit was granted subject to 19 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 commence -ment of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on February 24, 2014 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 archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted,	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	Owner/ Applicant/ Archaeo- logist	Ongoing	

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)
		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)	required for the discovery.			
5.		PDSP011 – TREE AND ROOT PROTECTION(NON-STANDARD)Trees which are located close to the construction site(s)shall be protected from inadvertent damage fromconstruction equipment by fencing off the canopydriplines 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	
	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 by possible hand excavation and bridging roots. 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. 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		
6.		PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (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 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	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. All landscape plans shall be signed and stamped by licensed professional under the	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	

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)
		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 -	following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non- invasive species; limited turf; and low- flow, water conserving irrigation fixtures."			
		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)	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.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
		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.	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 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)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy /Ongoing	

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8.		 PD019(B) - DEED RESTRICTION - GUESTHOUSE (COASTAL) The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows: Only one guesthouse shall be allowed per lot. Detected acceptance shall be leasted in allose provincitute 	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits	
		 Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens The guesthouse shall have a maximum of six (6) linear feet 	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Prior to occupancy or commence -ment of use	
		 of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets The guesthouse shall not exceed 425 square feet of livable floor area The guesthouse 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 guesthouse shall be prohibited. The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area. The guesthouse height shall not exceed 12 feet nor be more than one story. (RMA – Planning Department) 				
9.		 PD018 B – DEED RESTRICTION – CARETAKER UNIT (COASTAL) The applicant shall record a deed restriction stating the regulations applicable to a caretaker unit as follows: Only one caretaker unit per lot shall be allowed. 	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits	

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)
		 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. 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. 	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Prior to occupancy or commence -ment of use	
10.		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	 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 	Owner/ Applicant	Prior to the issuance of grading or building permits	

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)
		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)	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.	Owner/ Applicant	Prior to the founda- tion pre- pour inspection	
11.		PD047 – DEMOLITION/DECONSTRUCTION OF STRUCTURES (MBUAPCD RULE 439) In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards:	Applicant shall incorporate a "Demolition/ Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.	Contractor /Owner/ Applicant	Prior to the issuance of a demolition permit	
		 Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process; Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building; Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour. All Air District standards shall be enforced by the Air District. (RMA – Planning Department) 	Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.	Contractor /Owner/ Applicant/ Air District	During demolition	
			e Works Department			
12.		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	

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)
13.		PW0044 – CONSTRUCTION MANAGEMENT PLAN 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)	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.	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit.	
		Monterey County	Water Resources Agency			
14.		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Emgineer	Prior to issuance of any grading or building permits	
15.		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)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	

Permit Cond. Number		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)
	Fire Agency - Pebble Be	ach Community Services District			
16.	FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 fort of application on 0.34 fact of apprent base	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.	
	feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Pebble Beach Community Services District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

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)
17.		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	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.	
		wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Pebble Beach Community Services District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
18.		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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
		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	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
		to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing				

Michael R/Cristin A Shute - PLN100425 Page 18 of 19

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)
		access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Pebble Beach Community Services District)				
19.	SYSTEMS - FIRE SPRINKLER SYSTEMI(STANDARD)The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).IInstallation 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 priorI	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.		
		Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection		
		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. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

END OF CONDITIONS Rev. 08/25/2010

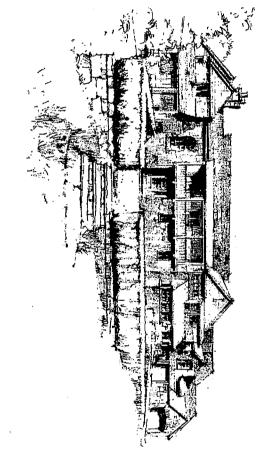
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Pebble Beach, California 93953

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PROJECT DATA

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SHEET INDEX

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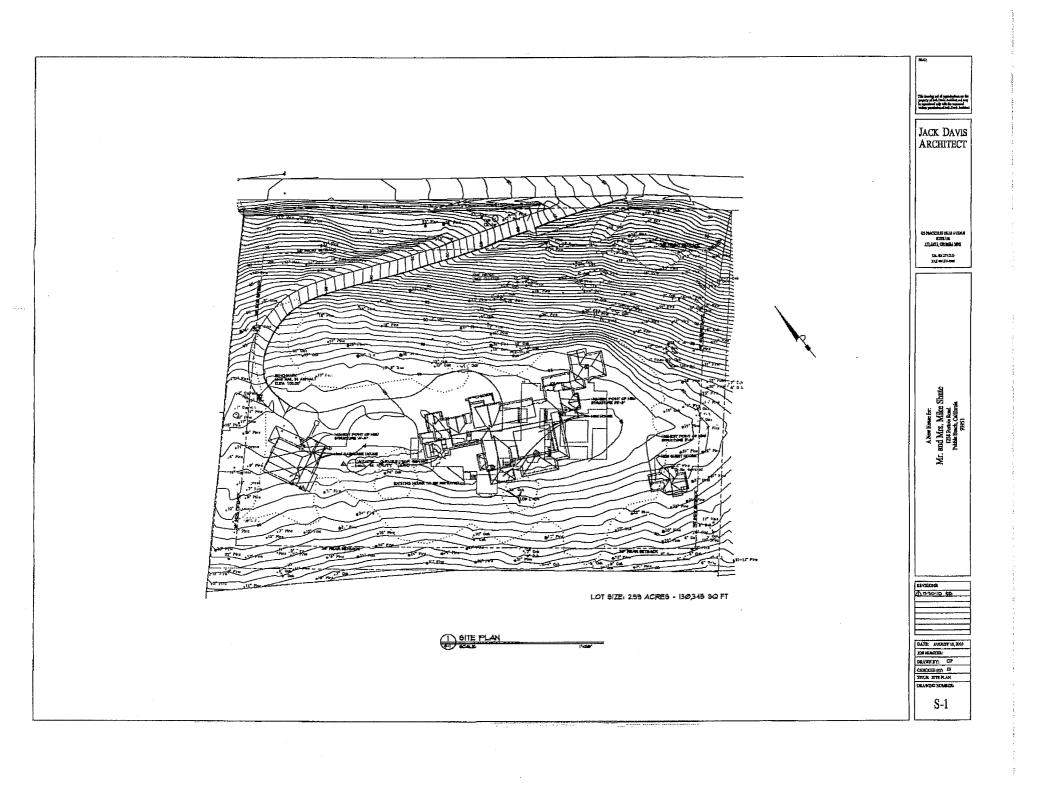
JACK DAVIS ARCHITECT, AIA 435 FEACHTREE HILLS AVENUE 6117 B.J.-B 6117 B.J.-B 611 AVIA, GEORGIA 30305 AII, AVIA, 310-0209 FAA, 404-331-0209 COdy Incidentification ARCHITECT

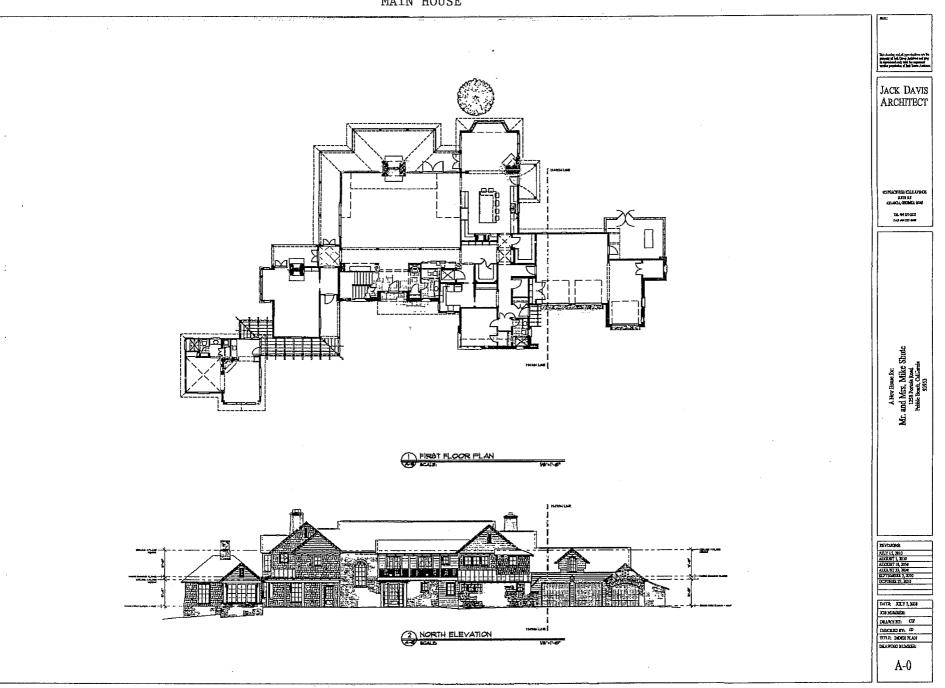
STOCKER (ALLAIRE, NC. 11 B MANDEVILLE COURT MONTREEY, CALIFORNIA 33940 TEL, 831-315-1800 FAX: 831-315-1400 FAX: 831-315-1400 CONTRACTOR

CONSULTANTS

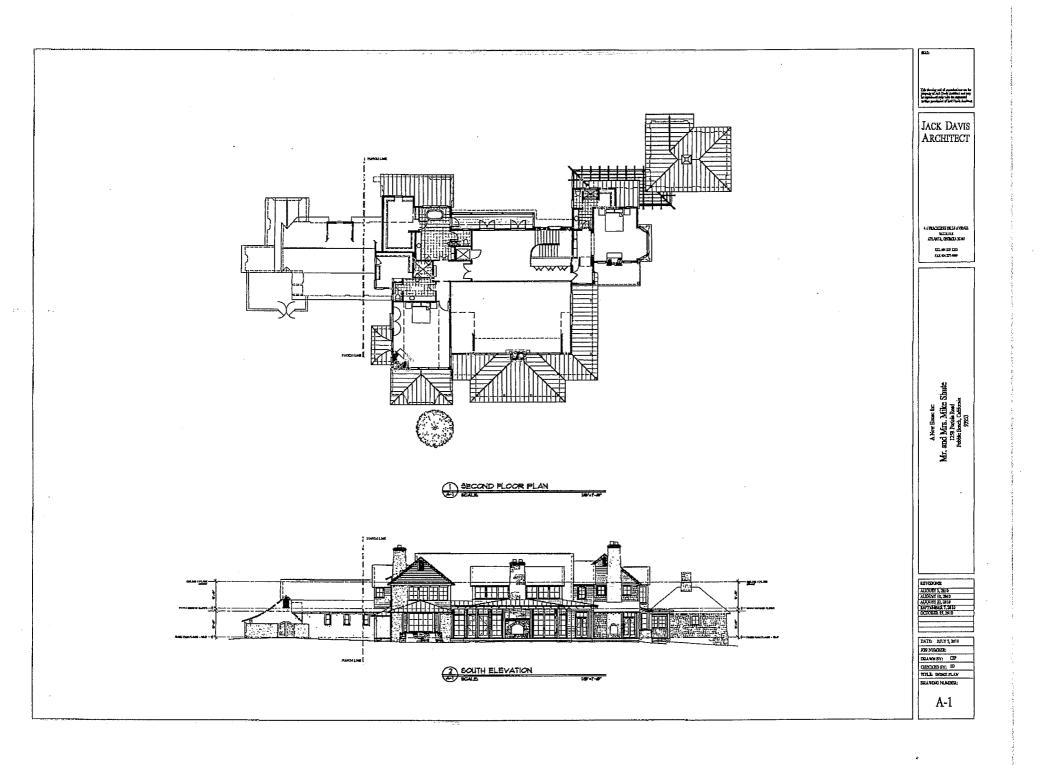
Landscape Architect

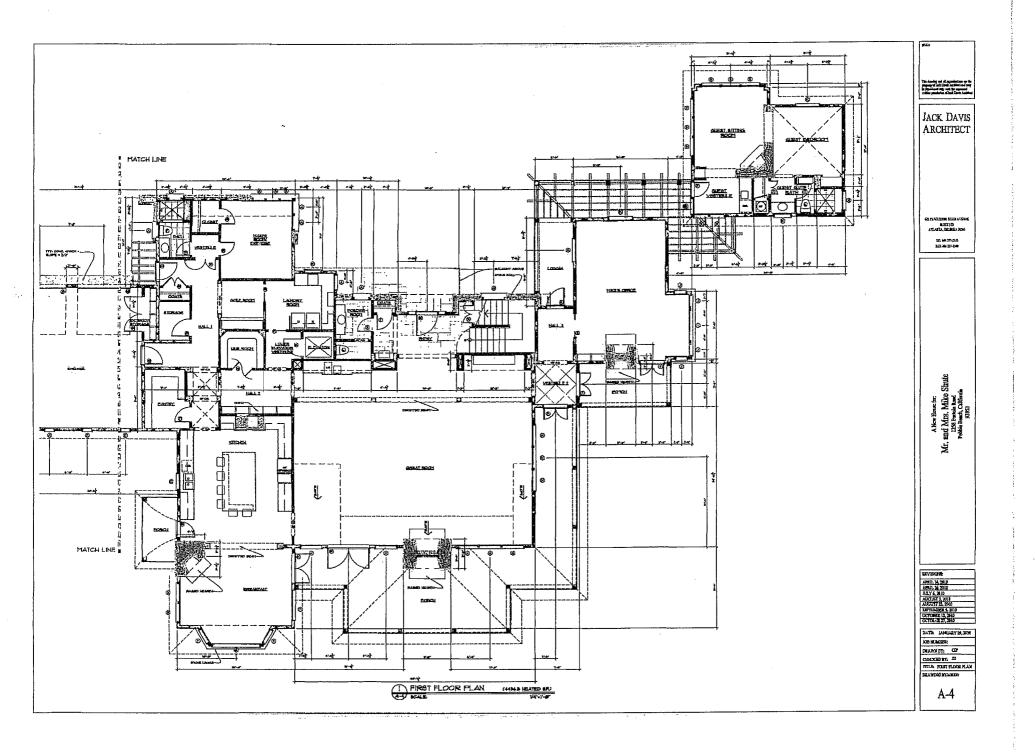
BERNARD TRAINCR & ASSOCIATES IT CENTRAL ATRUE PACHC GROVE, CAL FORNIA 33380 FAX: 831-655-144 FAX: 831-655-144 FAX: 831-655-144 FAX: 831-655-144

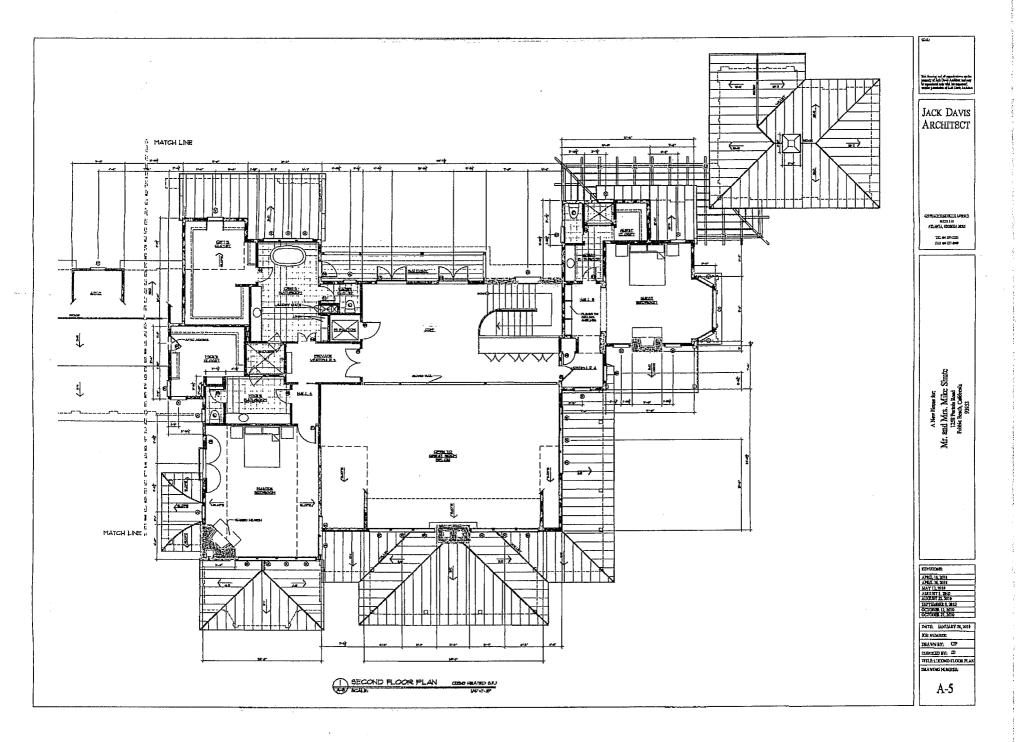




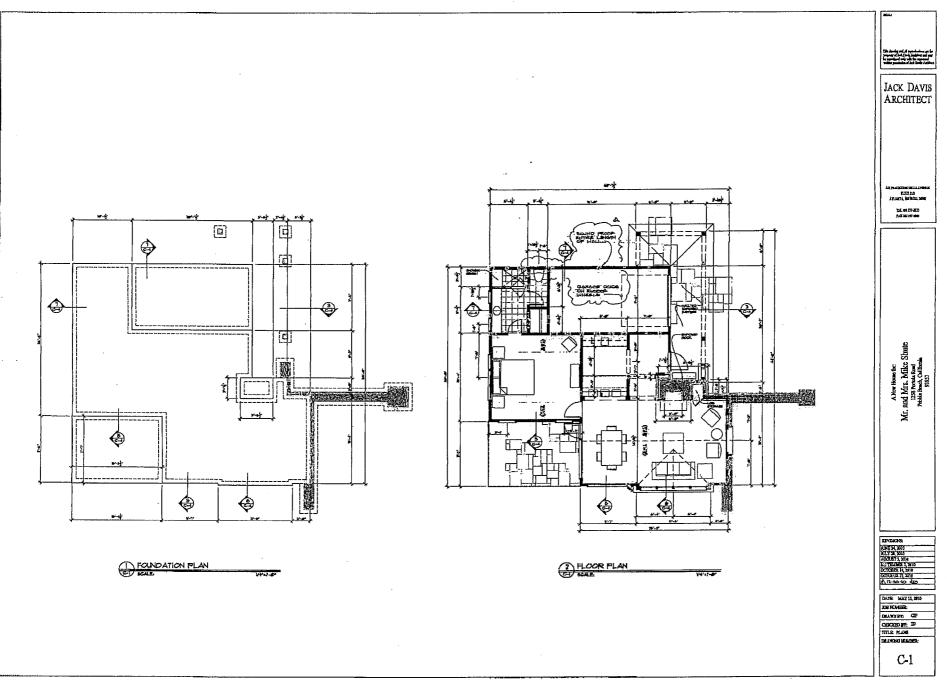
MAIN HOUSE

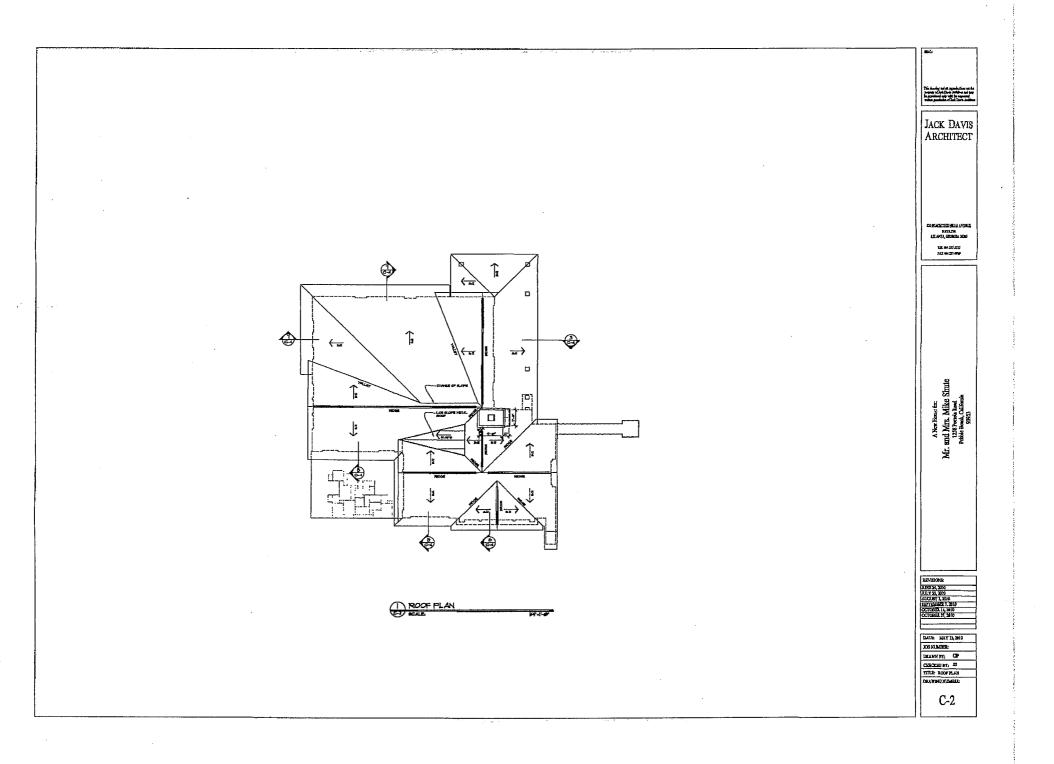


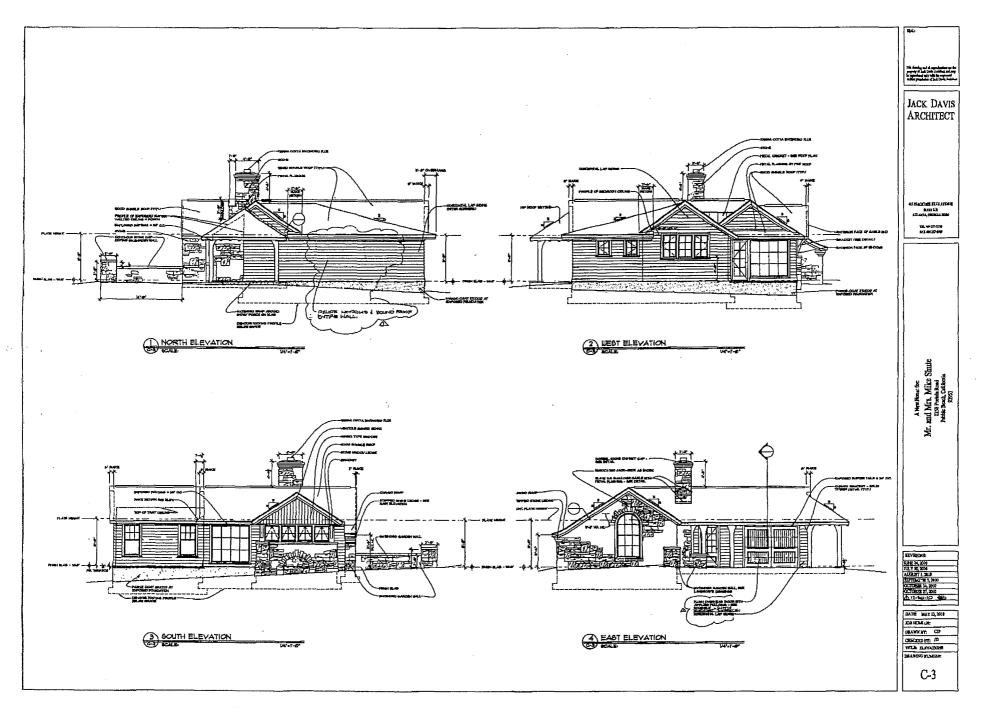




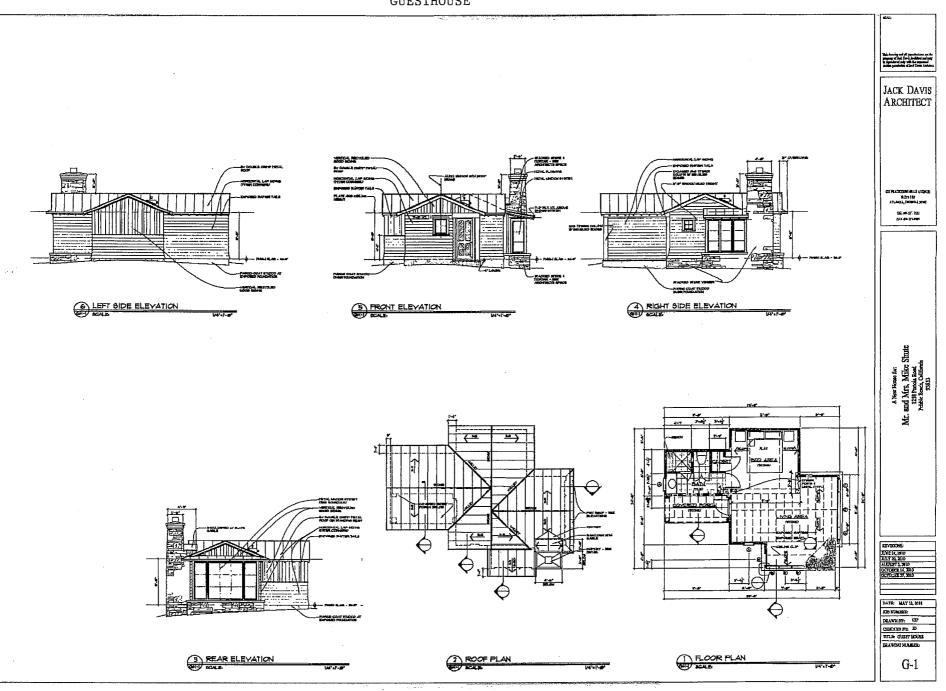
CARETAKER



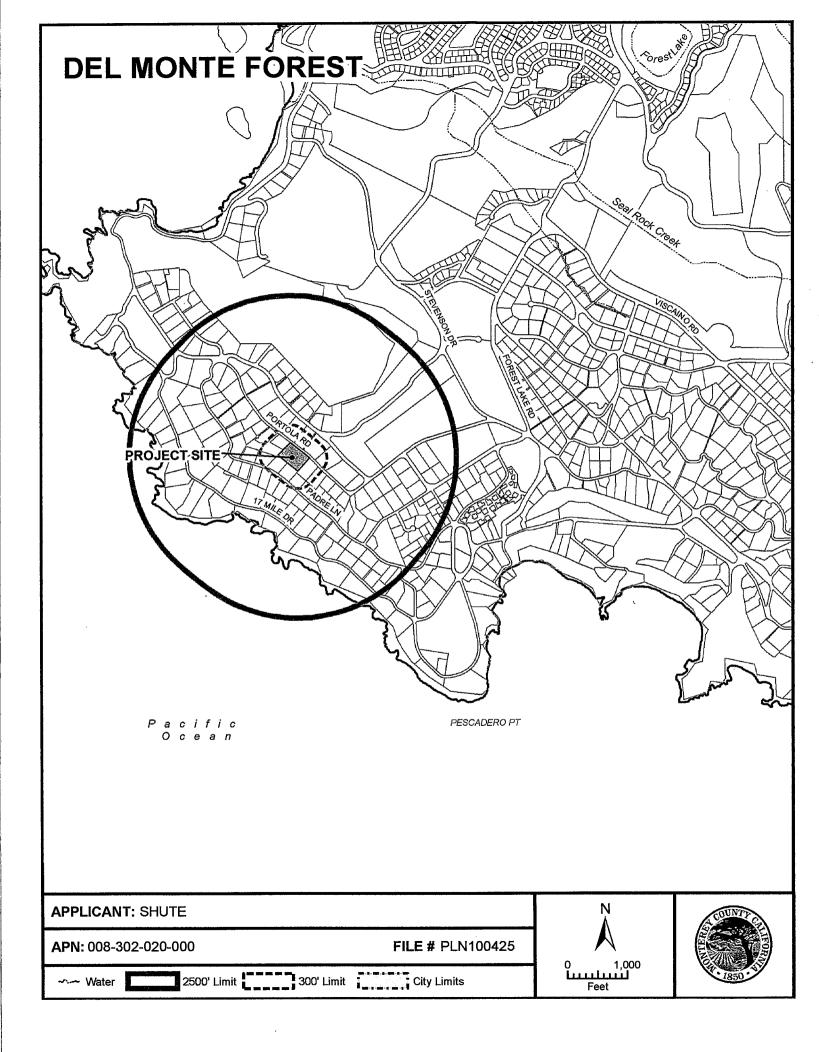




GUESTHOUSE



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PROOF OF SERVICE

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 W. Alisal Street, 2nd Floor, Salinas, California.

On March 11, 2011 I served a true copy of the following document:

Zoning Administrator Resolution Number(s) 11-009 Michael/Cristin Shute – PLN100425

on the interested parties to said action by the following means:

- [] (BY HAND-DELIVERY) By causing a true copy thereof, enclosed in a sealed enveloped, to be handdelivered.
- [X] (BY MAIL/EMAIL) By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Resource Management Agency Planning Department, 168 W. Alisal Street, 2nd Floor, Salinas, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.
- [] (BY OVERNIGHT DELIVERY) By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges to be billed to the Resource Management Agency, Planning Department, to be delivered by Overnight Delivery.
- [] (BY FACSIMILE TRANSMISSION) By transmitting a true copy thereof by facsimile transmission from facsimile number (831) 757-9516 to the interested parties to said action at the facsimile number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on *March 11, 2011* at Salinas, California.

Signature

Cynthia Spellacy Stocker & Allaire 21B Mandeville Ct Monterey CA 93940 Pebble Beach Community Services 3101-B Forest Lake Rd Pebble Beach CA 93935

Michael/Cristin Shute 27 Harbor Island Newport Beach CA 92660