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

In the matter of the application of:

Old Forest LLC (PLN100550) RESOLUTION NO. 11-012

Resolution by the Monterey County Zoning Administrator:

- 1) Categorically Exempt PLN100550 per CEQA Guidelines Sections 15301(e) and 15303(a); and
- 2) Approving a Combined Development Permit consisting of: 1) a Coastal Development Permit for development within 750 feet of a known archeological resource; demolition of an existing 400 square foot greenhouse, demolition of 261 square feet of the residence and a 348 square foot porch roof; and construction of a 1,457 square foot first floor gallery and 536 square foot bedroom on the second floor, and 2) a Variance for coverage within the Pescadero Watershed; and Design Approval.

(PLN100550, Old Forest LLC, 1658 Crespi Lane, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-392-007-000))

The Old Forest LLC application (PLN100550) came on for public hearing before the Monterey County Zoning Administrator on March 10, 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 Monterey County General Plan,
  - the Del Monte Forest Land Use Plan,
  - the Del Monte Forest Coastal Implementation Plan, Part 4,
  - 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 1658 Crespi Lane, Pebble Beach (Assessor's Parcel Number 008-392-007-000, Del Monte Forest Land Use Plan. The parcel is zoned LDR/1.5-D (CZ) [Low Density Residential, 1.5 acres per unit, with Design Approval (Coastal Zone)], which allows additions to single family dwellings. Therefore, the project is an allowed land use for this site.
- c) The subject property is located within a Design Control district, which

provides regulation of the location, size, configuration, materials, and colors of structures and fences. In addition, Section 20.147.070.C.2 of the Del Monte Forest Coastal Implementation Plan requires structures to be subordinate to and blend into the environment. The proposed materials and colors include: cement plaster beige/peach for the body; cast stone trim in "sandstone" (cream); wood framed windows in "white dove" (off-white); and terracotta colored roof tiles to match the existing single family dwelling; consistent with the requirements of the Del Monte Forest Coastal Implementation Plan.

- d) Based on resource information contained within the Monterey County Geographic Information System, the subject property is listed high for archeological sensitivity and located within 750 feet of a known archaeological resource. Therefore, pursuant to Section 20.147.080.A.1 of the Del Monte Forest Coastal Implementation Plan, a Coastal Development Permit is required for the proposed project. An archaeological report was prepared for the proposed project and the applicant has submitted the report as part of the application. See Finding No. 2, Evidence e) for further discussion.
- e) The subject property is located within the Pescadero watershed, which drains into the Carmel Bay Area of Special Biological Significance. To insure that the water quality draining into this area is maintained, Section 20.147.030.A.l.b of the Del Monte Forest Coastal Implementation Plan requires that the maximum structural coverage be limited to 5,000 square feet and the maximum impervious surface coverage limited to 4,000 square feet. The existing structures and impervious surface on the subject property currently exceeds the maximum allowed. The applicant requests to create a greater amount of structural coverage and reduce the amount of impervious surface, for an overall reduction of total surface area. However, the resulting amount is in excess of the amount allowed. Therefore, the applicant requests a Variance to the Pescadero watershed limitations. See Finding Nos. 8, 9, and 10 for further discussion.
- f) Because the proposed project includes a Design Approval subject to the review of the Zoning Administrator, it is subject to the requirements contained in the Board of Supervisor's Resolution No. 08-338. Therefore, the project was referred to the February 3, 2011 Del Monte Forest Land Use Advisory Committee (LUAC) meeting. The LUAC supported the project as proposed with a vote of 6 to 0, with one member absent. No concerns were raised at the LUAC meeting.
- g) The project planner conducted a site inspection on November 5, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN100550.
- 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, Water Resources Agency and the California Coastal Commission. 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, Soil, permeability of the proposed ground surfaces and Historic Resources. Pursuant to the Polices of the Del Monte Forest Land Use Plan, an archaeological report, geotechnical report, and proof of permeability were required to be submitted by the applicant. 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. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
  - "Permeable Pavers for Jordan Residence" (LIB100496) prepared by Soil Surveys Inc, Salinas, Ca, dated December 1, 2005;
  - "Geotechnical Investigation" (LIB100500) prepared by Soil Surveys Inc, Salinas, Ca, dated September 23, 2010);
  - "Archeological Report for 008-392-007-000, Jordan Residence" (LIB100499) prepared by Archeological Consulting, Salinas, Ca, dated June 2, 2010);
  - "Preliminary Archeological Report of 008-392-001-000" (LIB100497) prepared by Archeological Consulting, Salinas, Ca, dated February 2, 1999);
  - "Letter regarding possible "midden soil" location on the Jordan property at APN 008-392-007-000 dated December 27, 2010 from Archeological Consulting, Salinas, Ca;
  - "Historical Assessment of 008-392-007-000" prepared by Kent Seavey, Pacific Gove, Ca, dated September 20, 2010).
- c) Staff conducted a site inspection on November 5, 2010 to verify that the site is suitable for this use.
- d) The project included modifications to an existing single family dwelling over 50 years old. The historical assessment concluded that the home was constructed in 1927 and resembled the sub-style of Spanish Eclectic Revival architecture. However, the home had been remodeled various times beginning in 1999 and the original characteristics have since been lost making the home ineligible for the historical register.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN100550.
- 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

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 Old Forest LLC - PLN100550 Page 3 of 14

Beach Community Services District, Public Works, Environmental Health, Water Resources Agency and the California Coastal Commission. 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. The existing residence has public sewer connections (Cal AM and Pebble Beach Community Services District, resepectively). The residence and caretakers unit will continue to use these same connections. The Environmental Health Division reviewed the project application, and did not require any conditions.
- c) Preceding findings and supporting evidence for PLN100550.

#### 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 5, 2010 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- 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 PLN100550.

#### 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 15301(e) categorically exempts additions to single family dwellings.
- b) The existing home is an 8,792 square foot two story single family dwelling with attached garage and an 846 square foot detached caretakers unit. The project includes an enclosure to an existing tile patio area and enclosure of a roofed area for a library totaling 1,457 square feet to the first floor of the home and the addition of a second story bedroom of 536 square feet.
- c) The Monterey County Geographic Information System indicates that the subject property is located within 750 feet of a known archaeological resource. The applicant has submitted three Archaeological reports (see Finding No. 2, Evidence b) in accordance with the regulations of the Del Monte Forest Implementation Plan. The archaeological report concluded that although there is a recorded site less than 1 kilometer to the west of the project parcel, there were no significant resources within the project area (LIB100499). A letter from the archeologist dated December 27, 2010 stated that "a small area of midden soil, probably imported" was noted to the southeastern portion of the property. This possible resource was not considered significant. The "midden soil" was likely brought onto the property and located

within the property setback area, making any future disturbance highly unlikely. However, a standard condition of approval to place the identified area of the property in a Conservation and Scenic easement has been incorporated to assure no potential disturbance (Condition #9).

- d) No adverse environmental effects were identified during staff review of the development application during a site visit on November 5, 2010.
- e) 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.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 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 PLN100550.
- e) The project planner conducted a site inspection on November 5, 2010.

#### 7. **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)

- The Del Monte Forest Coastal Implementation Plan –Part 4 limits development of parcels within the Pescadero Watershed to a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.l.b of the Del Monte Forest Coastal Implementation Plan, structural coverage is limited to 5,000 square feet, including main and accessory structures. Separately, additional impervious surfaces (less than 40% water pass through) are limited to 4,000 square feet.
- b) The project includes the construction of 1,457 square foot first floor gallery/library and 536 square foot bedroom on second floor.
- c) The property currently contains a 8,795 square foot 2-story single family dwelling with a 846 square foot caretakers unit (File No. PLN050554), a 400 square foot greenhouse, a 348 square foot roofed porch and a 400 square foot greenhouse. The existing impervious coverage is 3,826 square feet and consists of 2,074 square feet of tile patios, 795 square feet of concrete walks and 957 square feet of asphalt driveways. The applicant will be adding a hall/gallery and library enclosure to the first floor totaling 1,457 square feet, while removing

- 1,821 square feet of impervious coverage.
- d) The applicant requests to remove 2,058 square feet which consists of 253 square feet of tile patios, 795 square feet of concrete walks, and 1,010 square feet of landings and walks. The applicant will also remove a 400 square foot greenhouse and 348 square feet of the roofed porch, and 261 square feet of the first floor for a total of 1009 square feet of building coverage.
- e) Based on the increase of coverage, the site will now have a new impervious coverage of 2,058 square feet consisting of landscape walks, tile patio and a covered porch from 3,826 square feet. The proposed building coverage would be 8,964 square feet from 8,516 square feet.
- f) The overall impervious surfaces will be reduced by 1,320 square feet.
- g) 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 PLN100550.
- 8. **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.5-D (CZ) [Low Density Residential, 1 .5 acres per unit with a Design Control Overlay District (Coastal Zone)].
    - b) The addition to an existing single family dwelling is an allowed use.
    - 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 PLN100550.
- 9. **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 development standards in the Monterey County Code is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under identical zoning classification.
  - EVIDENCE: a) The intent of the Pescadero watershed coverage limitations (Section 20.147.030.A.l. 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 and impervious surface coverage limitation of 9,000 square feet, the applicant proposed to reduce the overall amount of surface coverage by approximately 1,320 square feet. With the reduction of the overall surface area, the project will meet 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 project exceeds the overall surface coverage; however, the overall surface coverage has been reduced by 1,320 square feet thereby 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. 10).
- 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 PLN100550.
- e) The project planner conducted a site inspection on November 5, 2010 to verify the circumstances related to the property.

#### 10. **FINDING**:

**VARIANCE (Special Privileges)** - The variance 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 complies with the intent of the Pescadero Watershed limitation policy and therefore does not request a grant of special privilege.
- 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 PLN100550.
- c) The project planner conducted a site inspection on November 5, 2010 to identify circumstances related to other property in the vicinity and in the same zoning district.
- d) There are at least five Variances to the Pescadero Watershed limitations granted within 300 feet of the subject property: PLN010230 Fitzpatrick, allowed the addition of 1,360 square foot addition to the existing single family dwelling by reducing surface area from 20,512 square feet to 16,276 square feet; PLN010223 Schneider allowed a 3,366 square foot addition to an existing 7,734 square foot single family dwelling; PLN000454 Gambold allowed a 2,831 square foot addition to an existing 7,410 square foot single family dwelling; PLN980610 Goldberg allowed the addition of 91 square feet to an existing single family dwelling; and PLN980290 Dorn allowed the demolition of a 5,092 square foot single family dwelling to build a 11,725 square foot single family dwelling. There have been at least 13 variances granted where there had been an overall reduction in coverage of surface area, but coverage in excess of 9,000 square foot limitation. Therefore granting of this Variance would not be a grant of special privilege.

#### 11. **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.A of the Monterey County Zoning Ordinance allows an appeal to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the 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 subject property is located between

the sea and the first through public road and development within 750-feet of a known archaeological resource.

#### **DECISION**

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

- A. Categorically Exempt PLN100550 per CEQA Guidelines Sections 15301(e) and 15303(a); and
- B. Approving A Combined Development Permit consisting of a: 1) a Coastal Development Permit for development within 750 feet of a known archeological resource; demolition of an existing 400 square foot greenhouse, demolition of 261 square feet of the residence and a 348 square foot porch roof; and construction of a 1,457 square foot first floor gallery and 536 square foot bedroom on the second floor, and 2) a Variance for coverage within the Pescadero Watershed; and Design Approval, 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 10<sup>th</sup> day of March, 2011.

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON MAR 1 6 2011

THIS APPLICATION IS APPEALABLE TO THE CALIFORNIA COASTAL COMMISSION.

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 6 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 11-012 - EXHIBIT 1**

### Monterey County Resource Management Agency Planning Department

# Condition Compliance and/or Mitigation Monitoring Reporting Plan

 Project Name:
 Old Forest LLC

 File No:
 PLN100220

 APNs:
 008-392-007-000

Approved by: Zoning Administrator Date: March 10, 2011

\*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 Development Permit (PLN100550) allows 1) a Coastal Development Permit for development within 750 feet of a known archeological resource; demolition of an existing 400 square foot greenhouse, demolition of 261 square feet of the residence and a 348 square foot porch roof; and construction of a 1,457 square foot first floor gallery and 536 square foot bedroom on the second floor, and 2) a Variance for coverage within the Pescadero Watershed; and Design Approval. The property is located at 1658 Crespi Lane, Pebble Beach (Assessor's Parcel Number APN 008-392-007-000), Del Monte Forest Area 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 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)	Adhere to conditions and uses specified in the permit.  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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated	

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)
2.		PD002 - NOTICE-PERMIT APPROVAL  The applicant shall record a notice which states: "A permit (Resolution 11-012) was approved by the Zoning Administrator for Assessor's Parcel Number APN: 008- 392-007-000 on March 10, 2011. The permit was granted subject to 10 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (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	Prior to the issuance of grading and building permits or commence -ment of use.	
3.		PD003(B) – CULTURAL RESOURCES – POSITIVE ARCHAEOLOGICAL REPORT  If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken: There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until: The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and If the coroner determines the remains to be Native American:	The applicant shall submit the contract with a Registered Professional Archaeologist to the Director of the RMA – Planning Department for approval.	Owner/ Applicant per archaeolo- gist or anthropol- ogist	Prior to the issuance of grading or building permits	
		<ul> <li>The coroner shall contact the Native American Heritage Commission and the RMA – Planning Department within 24 hours.</li> <li>The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/ Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.</li> <li>The most likely descendent may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section</li> </ul>	The requirements of this condition shall be included as a note on all grading and building plans, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final map.			

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)
		<ul> <li>5097.9 and 5097.993, or</li> <li>Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</li> <li>The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission.</li> <li>The descendent identified fails to make a recommendation; or</li> <li>The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.</li> <li>(RMA - Planning Department)</li> </ul>				
4.		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.  The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to the issuance of building permits  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)
5.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
6.		PD022(A) – EASEMENT – CONSERVATION AND SCENIC  A conservation and scenic easement shall be conveyed to the County over those portions of the property where cultural resources may exist. The easement shall be developed in consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by, the Director of the RMA - Planning Department prior to issuance of grading and building permits. (RMA – Planning Department)	Submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.  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.	Owner/ Applicant/ Certified Professional  Owner/ Applicant	Prior to the issuance of building permits  Prior to Occupancy	
		RMA – Publ	c Works Department			
7.		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.  The approved measures shall be implemented during the construction/grading phase of the project	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit.  On-going through con- struction phases	

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)
		Monterey County	Water Resources Agency			
8.		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	
		Fire Agency - Pebble Be	each Community Service District			
9.		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 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. Responsible Land Use Department: Pebble Beach Community Service District	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.  Prior to final building inspection	
10.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Manage combustible vegetation within a minimum of 100 feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Responsible Land Use Department: Pebble Beach Community Service District	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans  Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.  Prior to final building inspection	

END OF CONDITIONS













