

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 30, 2008. Time: 9:00 A.M.	Agenda Item No.: 1
Project Description: Combined Development Permit consisting of 1) a Coastal Administrative permit to allow the construction of a 6,292 square foot two-story single family dwelling, 1,369 square feet of garage area, a 352 square foot detached pool house with a 149 square foot wine cellar and 10,345 total square feet of paved area; (2) a Coastal Development Permit to allow the construction of a 822 square foot caretaker unit with a 333 square foot attached garage and a 126 square foot covered porch and 3) a Coastal Development Permit to allow the removal of 31 pines and 12 oak trees (grading of 1,300 cut and 870 fill). The property is located at 1264 Sombria Lane, Pebble Beach (assessor's parcel number 008-301-002-000) Del Monte Forest Land Use Plan, Coastal Zone.	
Project Location: 1264 Sombria Lane, Pebble Beach	APN: 008-301-002-000
Planning File Number: PLN070208	Name: Denver Dale, Owner
Plan Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes
Zoning Designation: : "LDR/1.5-D-(CZ)" Low Density Residential, 1.5 acres per unit with Design Control, in the Coastal Zone	
CEQA Action: Categorically Exempt per Section 15305 (a)	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Combined Development Permit with conditions for the driveway and based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW:

The hearing was continued from December to allow staff to discuss the project design alternatives with the applicant. Staff has considered a variety of possible alternatives but recommends a driveway design that minimizes tree removal and root damage, impervious surfaces and runoff, and damage to forest soils within the property.

The request is for a single family house that is 6,292 square feet with 1,369 square feet of garage, a swimming pool and 352 square foot pool house and an 822 square foot caretaker unit. The property is located on Sombria Lane in Pebble Beach and complies with the Del Monte Forest limits for coverage and Floor Area Ratio however the driveway design creates a circular drive over 300 feet long. The Del Monte Forest Coastal Implementation Plan Section, 20.147.090 A. 1., states: "...driveways and other road surfaces are required to be designed with the minimum length and width required to provide simple and direct access. Circular driveways; parking spaces above the number needed for the specific application in question and other types of extraneous impervious surfaces shall not be allowed."

Tree removal has been reduced but the proposed driveway will pass through the dripline (within 10 feet) of 20 additional Monterey Pines and will severely damage roots during construction. Most of the trees in the front yard are in fair or good condition. The trees stated for preservation in the Forest Management Plan will not survive if severely impacted by construction. The total loss of forest trees will then increase from 43 to possibly 60 due to excessive driveway length.

OTHER AGENCY INVOLVEMENT:

- ✓ Pebble Beach Community Services District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Pebble Beach Land Use Advisory Committee

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources Agency and Pebble Beach Community Services District have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The Pebble Beach LUAC met on the 25th of November to discuss the Dale project. They voted 7-0 to approve the project with no comments in the minutes.

Note: The decision on this project is appealable to the Board of Supervisors

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December 12, 2007

cc: Planning Commission Members (10); County Counsel; Pebble Beach Community Services District; Public Works Department; Environmental Health Division; Water Resources Agency; Carl Holm, Planning & Building Services Manager; David Greene, Planner; Carol Allen; Denver Dale, Applicant; Carla Hashimoto, Eric Miller Architects, Agent; File PLN070208.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Project Overview
 Exhibit C Recommended Findings and Evidence
 Exhibit D Recommended Conditions of Approval
 Exhibit E Site Plan, Floor Plan and Elevations
 Exhibit F LUAC Minutes

This report was reviewed by Carl Holm, AICP, Assistant Planning Director and Michael Novo, AICP, Planning Director

EXHIBIT B
DISCUSSION AND BACKGROUND
PLN070208

Background

The Dale residence will occupy a vacant 2.55 acre lot on Sombria Lane in Pebble Beach with 12,029 square feet of living space, 9,571 square feet of paving and 774 square feet of retaining walls. The entire project will disturb 2,170 cubic yards of earth (1300 cut, 870 fill) for over half an acre of land surface. The house includes a swimming pool, wine cellar and pool house. A 822 square foot caretakers unit is also added with a garage.

During the initial hearing on December 12, staff recommended an alternative driveway design. The issues of fire protection were suggested by the applicant as a defense of his original design. Staff had contacted Pebble Beach Fire Protection prior to and after the last hearing. Based on these discussions they would accept both what is proposed by the applicant and staff's suggested modification. The Planning Commission also suggested that the applicant and staff discuss options. The applicant requests that their project should go forward without changes and submitted a letter stating how they feel their project meets the policies. Staff finds that the project as designed is not consistent. While there are multiple possible solutions, staff has attempted to work with the applicant's preferred plan. Staff recommends a condition that requires modifications to the plans representing one option that complies with the Del Monte Forest LUP and CIP.

Driveway Design

The entrance to the proposed home is served by a winding driveway that starts on the southeast side of the property and winds to the northwest to serve the caretaker unit and the main 4-car garage. This driveway originally removed 12 trees and had a 1,300 square foot parking pad in front of the entry. Revised plans have eliminated the parking pad and designated seven more trees as saved with five trees removed. Although the distance to the street is only 140 feet, the driveway length remains over 300 feet.

The driveway will be a major site feature and as designed is not consistent with the Del Monte Forest CIP and Land Use Plan. Del Monte Forest Coastal Implementation Plan 20.147.090 A. 1. states: "...driveways and other road surfaces are required to be designed with the minimum length and width required to provide simple and direct access. Circular driveways; parking spaces above the number needed for the specific application in question and other types of extraneous impervious surfaces shall not be allowed." Monterey pine trees are especially sensitive to root damage and soil compaction. The proposed driveway will severely damage or destroy most of the trees in the front yard by concentrating construction activity between the house and the driveway. Intense activity by heavy equipment will compact soil and destroy tree roots within the dripline of over twenty trees. A revised driveway could be designed to allow garage access while minimizing impervious coverage, tree removal and site disturbance with more direct access to Sombria Lane. The driveway can easily connect to Sombria Lane by curving east along the property line and removing one 13" and one 10" pine near the road.

Staff suggested design options that would reduce the driveway length such as moving the caretaker house next to the main garages or using a separate driveway for the caretaker house. A preferred option would be to minimize the length of the driveway and preserve trees in the front yard of the property. The change would save five to seven trees and preserve the roots of eighteen to twenty other trees within five to ten feet of the proposed long driveway. Redesign of the driveway would also eliminate approximately 2,000 square feet of concrete across the front of the lot, reduce soil

compaction and disturbance and reduce stormwater runoff. The proposed residence would then have a more secluded appearance and blend with the existing forest.

Tree Removal

A Forest Management Plan (FMP) for this site indicates a total of 156 trees greater than 6” d. b. h. currently growing on the vacant lot. Originally the plan called for removal of all trees in front of the house. The latest revision has tried to minimized tree removal but trees are left within 3 feet of the driveway. Twenty trees (twelve fair, two good and six poor) will be subject to root loss when the house and driveway are built. The most severe impacts will occur between the house and driveway where both sides of the tree roots will be lost inside the dripline. Tree survival is uncertain if roots are compacted or destroyed due to driveway construction.

Trees Subject to Severe Impacts due to Driveway and House Construction					
Tree Type	Size d.b.h.	Condition FMP	Dist to Proposed Drive	Dist to Proposed House	Number FMR
Monterey Pine	6”	Fair	10 feet		418
“	10”	Fair	5 feet		419
“	32”		10 feet		423
“	20”	Fair	3 feet		425
Coastal Live Oak	8”	Fair	4 feet		426
Monterey Pine	8”	Poor	10 feet	7 feet	428
“	10”	Poor	4 feet	4 feet	429
“	18”	Fair	3 feet		432
“	24”	Fair	8 feet		433
“	10”	Fair	10 feet	6 feet	436
“	8”	Fair	2 feet		438
“	18”	Good	1 foot		450
“	12”	Fair	2 feet	3 feet	451
“	18”	Fair	3 feet		452
“	10”	Fair	1 foot		453
“	12”	Fair	6 feet	3 feet	454
“	6”	Poor	10 feet		455
“	18”	Poor	2 feet		470
“	10”	Poor	4 feet		471
“	22”	Poor	6 feet		510
“	12”	Good	8 feet		511
Trees Removed by the Driveway					
Monterey Pine	6”	Fair			424
“	12”	Fair			427
“	8”	Good			439
“	8”	Good			440
“	14”	Good			473

*Information from Forest Management Plan for Dale Property Frank Ono

Development of the proposed house and paved surfaces will remove 43 trees of which 24 trees are 12” or greater (22 Monterey Pines and two Coast Live Oaks). Two of the large pines were listed as dead by the arborist but eight were listed as good condition. The rest of the trees to be removed, 21 of the 43, were generally in poor condition with six listed as fair and 14 as good condition.

Design Review

The applicant has submitted samples of building materials and colors. A similar presentation was made to the Del Monte Forest Architectural Review Board. All of the proposed samples are consistent with the neighborhood and meet policies for the house to blend with the surrounding environment.

LUAC

The Pebble Beach LUAC met on November 15th and voted 7-0 to approve the project. Although the minutes had no comment, the Committee did object to the large amount of impervious coverage and the long driveway that is contrary to the ordinance for Del Monte Forest. With staff's proposed revisions, the impervious surfaces could be reduced from 10,000 to 2,000 sq. ft.

CEQA

The project is exempt from CEQA review based on Section 15305 (a) of the California Environmental Quality Act for single family houses. Staff review of the site revealed a flat home site with a moderately steep hill at the rear of the property. The lot is wooded with older Monterey Pines and Coast Live Oaks, some healthy with some weakened by disease. The Forest Management Plan finds that more than half of the trees proposed for removal have serious structural or disease problems.

The Del Monte Forest Land Use Plan requires that development minimize impacts and preserve the Del Monte Forest Area according to the California Coastal Act. Policy 70 of the Del Monte Forest LUP requires that "New development shall incorporate mitigation measures to minimize potential adverse environmental impacts." Policy #31 of the Del Monte Forest LUP requires protection "...to the maximum feasible degree..." Policy #32 states "Where LUP objectives conflict, protection should be given to the long term protection of the forest resource." Policy #3 of the Del Monte Forest CIP states that "In considering proposed development projects, project design is required to minimize the removal of vegetative cover or damage to soil resources." Policy #4 states that "New residential development, including driveways and parking areas, shall be sited to minimize cutting of trees, especially trees screening the development from neighboring properties."

A redesign would allow the project to meet the Del Monte Forest Plan policies especially relating to forest protection, stormwater runoff and soil resources. The reduced driveway would save five trees and eliminate root damage to twenty others that are ten feet or closer to the proposed driveway. The reduced drive would reduce runoff by 2,000 sq. ft and extensive soil compaction and disturbance in front of the house.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development. The project conflicts with the Del Monte Forest Area Plan and The Del Monte Forest Coastal Implementation Plan.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found by reviewing agencies. 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 1264 Sombria Lane (Assessor’s Parcel Number 009-301-002-000), Del Monte Forest Area Plan. The parcel is zoned Low Density Residential/ 1.5 acres per unit with Design Control, in the Coastal Zone, “LDR/1.5-D (CZ)”. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is therefore suitable for the proposed development.
 - (c) The driveway as proposed is in conflict with both the Del Monte Forest Land Use Plan and the Del Monte Forest CIP concerning length and tree removal. The Del Monte Forest Land Use Plan Policy #1 states that: “All new development shall be designed to conform to site topography. New residential development shall be designed to conform to site topography. New residential driveways and other road surfaces shall be kept to the minimum length and width to provide simple and direct access.” Policy #36 states that “New residential development, including driveways and parking areas, shall be sited and designed to minimize cutting of trees, especially trees screening the home from neighboring properties.” The Del Monte Forest Coastal Implementation Plan states in Section 20.147.090 A. General Development Standards: 1. “New residential driveways and other road surfaces are required to be designed with the minimum length and width required to provide simple and direct access. Circular driveways; parking spaces above the number needed for the specific application in question and other types of extraneous impervious surfaces shall not be allowed.” The proposed house and driveway must reduce impacts of the construction to be in compliance with the Del Monte Forest LUP and CIP. The easiest way to accomplish this would be to reduce the driveway length and eliminate excessive grading.
 - (d) The project planner conducted a site inspection on October 9, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
 - (e) The development has a caretaker unit that is 822 square feet and a pool house/wine cellar that is 501 square feet. The size and setback of the caretaker unit complies with Title 20 requirements. The additional accessory uses are also in compliance with setback and coverage limits described in Title 20.

- (f) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. They voted to approve the house without comments.
- (g) 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 PLN070208.

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 Department, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Technical reports by outside biological, archaeological, and geological 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 concurs. The following reports have been prepared:
 - “Geotechnical Report Soils-Foundation & Geoseismic Report” (LIB070469) prepared by Grice Engineering, Inc., Salinas, CA, August 2006.
 - “Archeological Reconnaissance of Assessor’s Parcel Number, 008-301-002-000” (LIB070471), prepared by Mary Doane and Trudy Haversat, Archeological Consulting, Salinas CA., December, 26 2001 and renewed 2006.
 - “Tree Assessment and Forest Management Plan Dale Residence” (LIB070208), prepared by Frank Ono, Pacific Grove, CA., October 5, 2007
 - “Biological Report Vacant Lot Study 1264 Sombria Lane, Pebble Beach”, (LIB070528), prepared by Jeffery B. Folke, California Wildlife Ecology, Pebble Beach CA, Oct 24, 2007
 - (c) Staff conducted a site inspection on October 9, 2007 to verify that the site is suitable for this use.
 - (d) Materials in Project File PLN070208.

3. **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 15305 (a), categorically exempts single family houses.
 - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on October 9, 2007. A biological report was created that found no sensitive or endangered species on the property.
 - (c) The proposed house will require the removal of 43 trees that are protected by the Del Monte Forest LUP. A forestry report found that a large percentage of the trees designated for removal on the plan were in poor condition but excessive grading could cause further tree damage and death to trees not designated for removal due to grading within the drip line of at least twenty pines in front of the proposed house. Conditions have been added to this report for redesign of the proposed driveway to reduce

potential tree root damage and comply with the Del Monte Forest Land Use Plan for soil compaction and runoff.

(d) See preceding and following findings and supporting evidence.

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. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any existing violations.

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

EVIDENCE: Preceding findings and supporting evidence.

6. **FINDING:** **TREE REMOVAL** – The project includes a Tree Removal Permit for the removal of 43 trees (12 coast live oaks and 31 Pines) in accordance with the applicable policies of the North County Area Plan and the Monterey County Zoning Ordinance (Title 20). The Required Findings in order to grant the permit for tree removal have been met.

EVIDENCE: (a) Del Monte Forest Land Use Plan Policy 31 states “The natural forested character of the Del Monte Forest shall, to the maximum extent feasible, be retained, consistent with the uses allowed by this Plan”

(b) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots.

(c) The driveway and Caretaker Unit have not been sited to minimize the removal of native trees. The caretaker unit is opposite the main garages requiring either a long continuous drive, two separate drives or separating the caretaker unit from the garage. Although the 12' wide driveway is the minimum width necessary to meet Fire requirements it spans over 300 feet and requires an additional five trees be removed. The driveway also is within the drip line (less than ten feet) of twenty pines in front of the proposed house which would cause significant root damage and soil compaction. This design is inconsistent with policies 1 and 36 of the Del Monte forest Land Use Plan and Section 20.147.090 A of the Del Monte Forest CIP, General Development Standards: 1.

(d) Removal of trees in poor condition will not involve a risk of adverse environmental impacts but excessive grading and site disturbance from the proposed driveway will damage additional trees not scheduled for removal and will create additional stormwater runoff.

(e) Condition #5 has been included for redesign of the driveway and caretaker garage to minimize impacts and allow compliance with the Del Monte Forest CIP and LUP. This will save 5-7 additional pine trees.

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

20.147.130). No access is required as part of the project as no substantial adverse impact on access; either individually or cumulatively, as described in of the Monterey County Coastal Implementation Plan Appendix B, can be demonstrated.

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

(b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 16, the Shoreline Access Map, of the Del Monte 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) Staff site visit on October 9, 2007.

8. **FINDING: CARETAKER UNIT** – The caretaker unit is accessory to the main house and is intended for maintenance and care of the proposed house and residents.

EVIDENCE: The caretaker unit must conform to the conditions listed under Title 20 20.64.030 of the County of Monterey Zoning Ordinance and specified under condition #9 PD 018 B Deed Restrictions for Caretaker Units.

7. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

EVIDENCE: Section 20.86.030 Monterey County Zoning Ordinance (Title 20).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Dale File No: PLN070208 Approved by: Planning Commission	APN: 008-301-002-000 Date: December 12, 2007
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		PD001 - SPECIFIC USES ONLY This Combined Development permit (PLN070208) allows the construction of a 6,292 square foot two-story single family dwelling, 1,369 square feet of garage area, a 352 square foot detached pool house with a 149 square foot wine cellar and 10,345 total square feet of paved area; a 822 square foot caretaker unit with a 333 square foot attached garage and a 126 square foot covered porch and the removal of 31 pines and 12 oak trees (grading of 1,300 cut and 870 fill) as amended by these conditions. The property is located at 1264 Sombria Lane (APN 008-301-002-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. 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. (RMA - Planning Department)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 070208) was approved by the Planning Commission for Assessor's Parcel Number 008-301-002-000 on December 12, 2007. The permit was granted subject to 15 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)</p>	<p>Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney’s fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<p>PDSP00-REVISE PLANS (NON-STANDARD CONDITION)</p> <p>The applicant shall revise plans as follows:</p> <ol style="list-style-type: none"> 1) Create two driveways that serve the caretaker unit and the main garages instead of one continuous connection that crosses in front of the house and connects to the caretaker unit. Eliminate 200 feet of proposed pavement where the driveway crosses the front of the house between the caretaker unit and the main garages to minimize tree damage in front of the house and reduce tree removal (trees # 424, 427, 439, 440 and 473) 	The applicant shall submit a revised driveway plan for approval to the County of Monterey Director of the RMA Planning Department.	Owner/ Applicant	Within 30 working days of project approval	
6.		<p>PD010 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department)</p>	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and 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)
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
7.		<p>PD011 – TREE AND ROOT PROTECTION</p> <p>Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of</p>	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	

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		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	

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8.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>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)</p>	<p>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.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p> <p>Prior to Occupancy / Ongoing</p>	

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9.		<p>PD018 B – DEED RESTRICTION – CARETAKER UNIT (COASTAL)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a caretaker unit as follows:</p> <ul style="list-style-type: none"> • Only one caretaker unit per lot shall be allowed. • The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under same ownership. • The minimum lot size for establishment of a caretaker unit in areas not served by sewers shall be two acres. The minimum lot size for establishment of a caretaker unit in the Carmel Planning Area shall be 40 acres. • Caretaker units shall not be subject to density requirements of the zoning district in which the lot is located, except in North County. In North County, caretakers units shall not be permitted on lots less than 5 acres if located in an area not served by public sewer systems. • The maximum floor area for a caretaker unit is 850 square feet. • A minimum of one covered off-street parking space shall be provided for the caretaker unit. • The caretaker unit shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a caretaker unit shall not be permitted except where lots created meet minimum lot size and density requirements of the existing zoning. • Caretaker units are not permitted on any lot less than 10 acres where a senior citizen unit exists. Senior citizen units may be converted to a caretaker unit, subject to a Coastal Administrative Permit. <p>(RMA – Planning Department)</p>	<p>Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the document shall be submitted to the RMA – Planning Department.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits</p> <p>Prior to occupancy or commencement of use</p>	

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10.		<p>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 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</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection.</p>	

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11.		<p>FIRE008 - GATES</p> <p>All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. Pebble Beach Community Services District</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	

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12.		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance.</p> <p>Pebble Beach Community Services District</p>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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13.		<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. 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.</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit</p> <p>Prior to final building inspection</p>	

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14.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</p> <p>The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. Pebble beach Community Protection District</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule Fire Dept. rough sprinkler inspection.</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p>	
15.		<p>WR1 - DRAINAGE PLAN</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ Engineer</p>	<p>Prior to issuance of any grading or building permits</p>	

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16.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection	Owner/ Applicant	Prior to final building inspection/occupancy	
17.		<p>WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	