

**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

LUNDQUIST RICHARD C & MELANIE F TRS (PLN150150-AMD1)

RESOLUTION NO. 24 - 030

Resolution by the Monterey County HCD Chief of Planning:

- 1) Considering the previously adopted Mitigated Negative Declaration (SCH No. 2012061087) with Addendum and finding that the Minor and Trivial Amendment does not require subsequent environmental review pursuant to Section 15162 of the California Environmental Quality Act Guidelines; and
- 2) Approving a Minor and Trivial Amendment to a previously approved Amendment to a Combined Development Permit (PLN110114/PLN150150) which consisted of:
 - a) Coastal Administrative Permit and Design Approval to allow demolition of a 2,083 square foot single family dwelling with 740 square feet of deck area and a 249 square foot attached carport, and construction of an 8,886 square foot single family dwelling with 1,296 square feet of balcony area and a 1,106 square foot detached garage, driveway, replacement of an existing wood fence with a stone wall and a new driveway entrance gate, restoration of existing paths and driveway to native Monterey Cypress habitat, and associated grading;
 - b) Coastal Development Permit to allow the removal of one dead Monterey cypress tree;
 - c) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;
 - d) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
 - e) Coastal Development Permit to allow development on slopes exceeding 30 percent.

The amendment includes rotating the dwelling approximately 4 degrees northwest, an increase of a 112 square foot addition, a decrease of approximately 575 square feet of balconies, and modifying the proposed architectural style while using similar exterior colors and materials.

[PLN150150-AMD1, Melanie and Richard Lundquist, 3224 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone (Assessor's Parcel Number: 008-472-006-000)]

The LUNDQUIST RICHARD C & MELANIE F TRS application (PLN150150-AMD1) came on for an administrative decision hearing before the Monterey County HCD Chief of Planning on June 26, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, and other evidence presented the Monterey County HCD Chief of Planning finds and decides as follows:

FINDINGS

- 1. FINDING: PROCESS REQUIREMENTS** – The County has received and processed an amendment (PLN150150-AMD1) to the previously approved amended Combined Development Permit (HCD-Planning File No. PLN150150; Planning Commission Resolution No. 18-012) in compliance with all applicable procedural requirements.
- EVIDENCE:** a) On March 28, 2018, the Monterey County Planning Commission approved an Amendment (PLN150150, Planning Commission Resolution No. 18-012) to a previously approved Combined Development Permit (PLN110114) consisting of:
- 1) Coastal Administrative Permit and Design Approval to allow demolition of a 2,083 square foot single family dwelling with 740 square feet of deck area and a 249 square foot attached carport, and construction of an 8,886 square foot single family dwelling with 1,296 square feet of balcony area and a 1,106 square foot detached garage, driveway, replacement of an existing wood fence with a stone wall and a new driveway entrance gate, restoration of existing paths and driveway to native Monterey Cypress habitat, and associated grading;
 - 2) Coastal Development Permit to allow the removal of one dead Monterey cypress tree;
 - 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;
 - 4) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
 - 5) Coastal Development Permit to allow development on slopes exceeding 30 percent.
- On November 9, 2023, an application for an Amendment (PLN150150-AMD1) was submitted to HCD-Planning staff.

- b) Consideration of the subject request for a Minor and Trivial Amendment has been carried out pursuant to Title 20 section 20.76.115.
- c) Conditions of Approval. From Amendment PLN150150, Condition Nos. 5, 7-10, 20, 21, and 23-29 had not been met, were on-going or partially met. All applicable conditions were carried forward to the amendment (PLN150150-AMD1) to reflect the change in scope of the project description and required recordation of a new permit approval notice. As proposed, PLN150150-AMD1 will become the operative permit.
- d) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment can be found in Project File Nos. PLN110114, PLN150150 and PLN150150-AMD1.

2. **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 (DMF LUP);
- Monterey County Coastal Implementation Plan Part 5 (CIP); and
- Monterey County Zoning Ordinance (Title 20).

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

- b) Amendment. The project consists of a revision to the floor plans and elevations of the approved single family dwelling by rotating the building 4.06 degrees to position the main residence between the root zone and canopies of the existing native Monterey cypress trees, thus preserving the trees more effectively. The project also involves increasing the floor area ratio from 8,886 to 8,998 square feet, reducing the balcony areas from 1,296 to 724 square feet, and modifying the architectural style and orientation of the single family dwelling. The proposed footprint of the main dwelling is entirely within previously disturbed areas and conforms to the previously approved height of 26 feet 8 inches above average natural grade. The project plans also show a reduction in the overall bulk and mass of the proposed main residence. See Evidence “j” below.
- c) Lot Legality. The 1.68-acre lot is identified as Parcel 6, within Block 472, on Assessor’s Map Book 8, Page 47, in both 1964 (Volume 1) and 1972 (Volume 3). Therefore, the property is a legal lot of record.
- d) Design/Neighborhood and Community Character. Pursuant to MCC Chapter 20.44, the proposed project site and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to ensure the protection of the public viewshed and neighborhood character. The proposed structure color and material

finishes include earth-toned stone and masonry (natural granite), steel window and door frames with a dark bronze finish, and gray metal fascia and roof. The purpose of this amendment is to slightly modify the proposed modern architectural style of the residence while using similar exterior colors and materials approved under Project File No.

PLN150150. Revisions to the project plans also show a reduction in the overall bulk and mass of the proposed main residence by reducing the second and third-story balconies. The building design and orientation change will not alter or affect the public viewshed. As proposed, the finishes are consistent with other dwellings in the neighborhood and with the surrounding residential neighborhood character, and the proposed materials help blend the development with the surrounding natural environment.

- e) Development Standards. The development standards for the LDR zoning district are identified in Monterey County Code (MCC) Section 20.14.060. Required setbacks in the LDR district for main dwelling units are 30 feet (front), 20 feet (rear), and 20 feet (sides). In addition, to maintain the public viewshed along 17 Mile Drive, Del Monte Forest Land Use Plan Policy 84 requires a 100-foot setback from the centerline of 17 Mile Drive for new development (see Evidence “g” below). The proposed single family dwelling setbacks are 100 feet (front), 36 feet and 235 feet (sides), and 58 feet (rear). As proposed, the residence meets or exceeds all required setbacks. The corresponding maximum structure height is 30 feet. The proposed height for the single family dwelling is 26 feet 8 inches above average natural grade.

The allowed site coverage maximum in the LDR zoning district is 15 percent, and the allowed floor area ratio maximum in the LDR/2 zoning district is 17.5 percent. The property is 1.68 acres (73,230 square feet), which would allow site coverage of 10,985 square feet and a floor area of 12,815 square feet. The project amendment will increase the previously approved floor area ratio by 112 square feet. As proposed, the project would result in structural coverage and floor area of 8,998 square feet or 12.29 percent.

Pursuant to DMF LUP Policy 20, total structural and hardscape coverage of the project will result in a net gain of over 10,000 square feet of Monterey cypress habitat through the removal of hardscape, non-native cypress, and ice plants. Therefore, as proposed, the project meets all required development standards.

- f) Setback Policy and Exception: Pursuant to DMF LUP Policy 84, new development requires a 100-foot setback from the centerline of 17 Mile Drive to maintain the public viewshed along 17 Mile Drive. As proposed, the single family dwelling meets the required 100-foot setback from the centerline of 17 Mile Drive. Pursuant to an allowed setback exception identified in MCC Section 20.62.040.N (Height and Setback Exceptions), the approved detached garage (PLN150150) will be built 9 feet from the front property line. Placement of the garage in

this location will not change in this amendment and will not impact the public viewshed because the Applicant has proposed a subterranean structure with restored habitat above and is therefore, consistent with the intent of DMF LUP Policy 84.

- g) DMF LUP Policy 20 and CIP Section 20.17.040.D.2: DMF LUP Policy 20 identifies indigenous Monterey cypress habitat as ESHA, and regulates use and development in or adjacent to indigenous Monterey cypress habitat areas. The policy requires development to be compatible with the objective of protecting this environmentally sensitive coastal resource. The previous text of Policy 20 (approved in 2012) suggested that only remodels which stay within existing hardscape footprints can be approved. The prior Lundquist project, as approved by the Planning Commission in 2013, was appealed to the California Coastal Commission. The appeal triggered the amendment to Policy 20, not only for this project, but for other projects west of 17 Mile Drive from Pescadero Point to Cypress Point. The previously approved project (PLN150150; Planning Commission Resolution No. 18-012) shall comply with the Policy through this Minor and Trivial Amendment (PLN150150-AMD1) which will be memorialized with the incorporation of the specific uses only condition of approval (Condition No. 1).

The previous project (PLN150150) was approved for 9,295 square feet of structural and impervious surface coverage within Cypress habitat. As proposed, the Minor and Trivial Amendment will increase coverage by 152 square feet resulting in 9,447 square feet of total coverage. Although there is a slight increase in coverage, overall, the project maintains the incorporated recommendations for improving the health and viability of the habitat system as a component of the development under PLN150150-AMD1 and satisfies the requirements of Policy 20. Restoration is partially accomplished by removing all of the existing planted landscaping beyond the footprint of the proposed new residence, and preparing these areas for future Monterey cypress germination. All Monterey cypress habitat areas outside of the proposed development envelope would be restored to and/or enhanced as high value and self-functioning Monterey cypress habitat. As proposed, conditioned, and mitigated, the project would result in significant improvements over the existing site development pattern by moving structural and hardscape development away from existing Monterey cypress trees; reducing the landscaped area on the parcel; increasing the amount of easement and protected habitat area; and by promoting the health and vitality of the Monterey cypress habitat to the maximum extent possible. The enhanced onsite Cypress habitat will be protected through Condition No. 8, which requires the restored area to be placed within a Conservation and Scenic Easement. Therefore, the project is consistent with the amended Policy 20 and the development standards in the amended DMF CIP Section 20.17.040.D.2 (Development Standards for Monterey Cypress Habitat).

- h) Tree Removal: The removal of sensitive trees or trees located in an environmentally sensitive habitat area requires a Coastal Development Permit pursuant to CIP Section 20.147.050.A. The project (PLN150150) included the removal of one dead 7-inch Monterey cypress tree to accommodate the construction of the detached garage. Arborist reports (HCD-Planning Library Document Nos. LIB120030 and LIB150181) were prepared for the project to evaluate potential impacts on the forest due to the construction of the proposed project. All of the recommendations for tree protection and replacement contained in the arborist report have been incorporated into the proposed project design. No additional tree removal is proposed for this Minor and Trivial Amendment.
- i) Cultural Resources. County records identify the project site is within an area of high sensitivity for prehistoric cultural resources, and the project includes a Coastal Development Permit to allow development within 750 feet of known archaeological resources. Archaeological reconnaissance (LIB110216 and LIB150180) of the parcel revealed three prehistoric sites located on the project parcel (CA-MNT-166, 167, and 168). The Project scope was not found to be likely to disturb them. The County required mitigation measures to ensure the monitoring and protection of resources that could potentially be discovered during excavation activities. Additionally, based on tribal consultation which occurred on December 8, 2015, the County revised Mitigation Measure No. 8 to include a qualified archaeological and tribal monitor during all site excavation activities. No changes have been made to the conditions of approval through this proposed project Amendment.
- j) Scenic and Visual Resources. The proposed development is consistent with DMF LUP Scenic and Visual Resource Policies, will not block significant public views toward the ocean, and will not adversely impact the public viewshed or scenic character in the project vicinity. Based on the proposed change in structural siting compared to the location of the previously approved single family dwelling (Planning Commission Resolution No. 18-012), and extensive tree canopy screening, the development proposal would not significantly interfere with visual access along 17 Mile Drive or to the ocean. The proposed single family dwelling would be constructed within the same approximate development footprint and visual alignment as the previously existing residence, with minor shifts to the northwest (PLN150150-AMD1) to avoid the large Monterey cypress located near the building footprint, and has been designed to minimize obstructions to and degradation of views from 17 Mile Drive to the ocean, and to not interfere with public visual access to the Lone Cypress. See Finding No. 7.
- k) Public Access. The project will not conflict with an existing access point to the coastline and does not require new access pursuant to standards in the Del Monte Forest Land Use Plan and Coastal Implementation Plan, Part 5. See Finding No. 7.
- l) Land Use Advisory Committee (LUAC) Review. The project was not referred to the Del Monte Forest Land Use Advisory Committee

(LUAC) for review. Based on the current Board of Supervisors adopted LUAC Guidelines (Resolution No. 15-043), this project did not warrant referral because the original project was reviewed by the LUAC on June 4, 2015. As a Minor and Trivial Amendment, the proposed project is not subject to public hearing review and approval. The amendment involves slight modifications to the architectural style and orientation of the single family dwelling while colors and materials and general siting on the property are the same (PLN150150).

- m) County review confirms the findings and evidence of Planning Commission Resolution No. 13-007 approved on March 13, 2013 and the subsequent findings and evidence of Planning Commission Resolution No. 18-012 approved on March 28, 2018 (Project File Nos. PLN110114 and PLN150150). All potential impacts were assessed in these previous permit actions and the adoption of a Mitigated Negative Declaration (SCH No. 2012061087), Addendum, and Mitigation Monitoring and Reporting Plan are in keeping with the action of the appropriate authority. As approved and amended, this Minor and Trivial Amendment will become the operative permit and be referred to as the approved permit.
- n) The project planner performed a virtual site inspection via Google Earth on February 12, 2024, to verify that the project on the subject parcel conforms to the plans listed above.
- o) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

3. FINDING: **SITE SUITABILITY** – The site is physically suitable for the proposed development and/or use.

- EVIDENCE:**
- a) Planning staff reviewed this Minor and Trivial Amendment application and found the project had no design changes which would result in a change to site suitability. The project was previously reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Pebble Beach Community Services District (Fire Protection District), Environmental Health Bureau, and Water Resources Agency under Project File Nos. PLN110114 and PLN150150. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for development. The unmet and on-going conditions recommended for the project have been incorporated into the project amendment (PLN150150-AMD1).
 - b) Previous staff review of the project identified potential impacts to aesthetic, biological, cultural, geological, historical, and tree resources under the previously amended project (PLN110114/PLN150150). Potential impacts to these resources as well as hazards relative to soil/slope stability were identified and mitigated to a less than significant impact with a Mitigated Negative Declaration (MND; SCH

No. 2012061087) and subsequent Addendum approved on March 28, 2018. No significant changes have been made to the impacts of this project that would require further revisions to the adopted MND. The following reports have been prepared and submitted with the application:

- Biotic Survey & Impact Assessment (LIB080032) prepared by Jean Ferreira, Carmel, CA, dated January 11, 2008;
- Biological Assessment (LIB110215) prepared by Fred Ballerini, Pacific Grove, CA, dated May 18, 2011;
- Preliminary Cultural Reconnaissance (LIB110216) prepared by Susan Morley, Marina, CA, dated April 2011;
- Geotechnical Investigation for Proposed New Driveway Alignment, Site Wall and Detached 4-Car Garage (LIB110217) prepared by Haro, Kasunich and Associates, Watsonville, CA, dated May 2011;
- Tree Resource Evaluation Construction Impact Analysis (LIB120030) prepared by Maureen Hamb, WCISA Certified Arborist, Santa Cruz, CA, dated June 2011, and letter reports dated August 31, 2011 and February 8, 2013;
- Preliminary Cultural Resources Reconnaissance (LIB150180) prepared by Susan Morley, Marina, CA, dated March 2015;
- Updated Tree Resource Evaluation Construction Impact Analysis (LIB150181) prepared by Maureen Hamb, WCISA Certified Arborist, Santa Cruz, CA, dated April 2015;
- Amended Biological Assessment (LIB150182) prepared by Fred Ballerini, Pacific Grove, CA, dated March 23, 2015;
- Geotechnical Engineering Report for Proposed Single Family Residence (LIB150183) prepared by Beacon Geotechnical, Inc., Paso Robles, CA, dated March 16, 2015; and
- Phase I Historic Review (LIB150184) prepared by Kent Seavey, Pacific Grove, CA, dated March 18, 2015.

County staff independently reviewed these reports and concurred with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the proposed use. All development for the project is in accordance with the associated notice of reports recorded with the Monterey County Recorder on December 2, 2021.

- c) The specific conditions of the project site remain the same as when the MND was adopted and do not constitute a change from the project as previously analyzed. The Addendum to the MND required minor clarifications to a mitigation measure for archaeological and tribal monitoring during excavation for the new house, driveway, fence, and garage. The site is currently under construction for the new driveway and garage which continues to be monitored for archaeological resources. Construction of the single family dwelling is pending approval of this Minor and Trivial Amendment.
- d) The project planner performed a virtual site inspection via Google Earth on February 12, 2024, to verify that the site is suitable for this use.

- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

4. 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 previously reviewed for health and safety by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Pebble Beach Community Services District (Fire Protection District), Environmental Health Bureau, and Water Resources Agency under Project File Nos. PLN110114 and PLN150150. The respective agencies 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 to serve the project site are available. The existing single family dwelling has public water and sewer connections provided by the California American Water Company and the Pebble Beach Community Services District/Carmel Area Wastewater District, respectively, and will continue to use these same connections. This Amendment proposes an increased addition of 112 square feet to the guest bedroom and recreation wing of the single family. The addition will not increase water use or wastewater production because the project is not adding any new rooms or bathrooms that were not already analyzed under the previous Amendment.
 - c) The project planner performed a virtual site inspection via Google Earth on February 12, 2024, to verify that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

5. 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 HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) The project planner performed a virtual site inspection via Google Earth on February 12, 2024, and researched County records to assess if any violation exists on the subject property.

- c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

6. FINDING: CEQA (Consistent with Previously Adopted MND and Addendum) -

The project was analyzed for all potential environmental impacts through the preparation of an Initial Study. The potential impacts were mitigated to a less than significant level by adopting a Mitigated Monitoring and Reporting Plan (MMRP). On March 28, 2028, an Addendum was approved which clarified and amplified language in the MMRP. The proposed Minor and Trivial Amendment does not require subsequent environmental review pursuant to CEQA Guidelines Section 15162.

- EVIDENCE:**
- a) The County prepared and circulated an MND (SCH No. 2012061087) for the previously approved Combined Development Permit (Project File No. PLN110114). The MND identified potential impacts to aesthetics, biological resources, cultural resources, geology/soils, greenhouse gas emissions, and land use/planning. The Monterey County Planning Commission considered and adopted the MND and MMRP on March 13, 2013 (Planning Commission Resolution No. 13-007).
 - b) An Addendum to the project MND was prepared pursuant to the Code of Regulations, Title 14, Section 15164 (CEQA Guidelines). The Addendum (attached as Exhibit E to the March 28, 2018, staff report to the Planning Commission Resolution No. 18-012) reflected the County's independent judgment and analysis. The Addendum analyzed a modification of Mitigation Measure No. 8 (MM No. 8) and the MMRP under PLN150150 (Planning Commission Resolution No. 18-012) and clarified that a qualified archeological monitor and tribal monitor must be present during the excavation for the new house, driveway, fence, and garage. The previously applied Mitigation Measures No. 1 (fence design), No. 2 (remove planted cypress), No. 3 (tree protection), No. 4 (protection of critical root zone during excavation), No. 5 (sensitive plant species), No. 6 (Monterey cypress restoration plan), No. 7 (biologist pre-construction survey), No. 8 (archaeological monitor during excavation), and No. 9 (fencing for archaeological site) continue to apply to the proposed project (PLN150150-AMD1).
 - c) Pursuant to Section 15164 of the CEQA Guidelines, some minor changes and additions to the project were proposed, but none of the conditions described in Section 15162 regarding new environmental impacts calling for the preparation of a subsequent MND has occurred. There are no changes proposed in the project that would require major revisions to the prior MND and Addendum due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects. The MND and Addendum included mitigation measures that addressed potential impacts to aesthetics, cultural (archaeological) resources, biological resources, and forest resources (trees). The current proposal (PLN150150-AMD1) does not alter the analysis or conclusions reached by the

- previous study. As proposed, the Minor and Trivial Amendment would reduce the identified significant impacts regarding aesthetics and forest resources by avoiding the critical root zone of the native Monterey Cypress trees which prevents additional tree removal. The slight rotation of the dwelling also increases public visual access to the forest and water views across the property by reducing the perceived bulk and mass of the structure. The County has considered the proposed project, as amended, and determined its scope does not alter the MND prepared for Project File No. PLN110114 or the Addendum to the project MND prepared for Project File No. PLN150150.
- d) Mitigation Measure No. 2 (aesthetics) addressed the prevention of adverse impacts to the existing scenic vista and the scenic character of the site due to the planting of Monterey cypress trees of non-indigenous stock along the front fence line of the property. On May 5, 2023, a certified arborist from Denise Duffy and Associates supervised the successful removal of 15 planted non-indigenous cypress trees adjacent to The Lone Cypress lookout and along the 17 Mile Drive fence line. Evidence from the project arborist was provided to HCD-Planning to memorialize the tree removal in a letter dated May 8, 2023. Therefore, this mitigation measure was met and not carried over to the proposed project (PLN150150-AMD1).
 - e) Conditions of Approval Nos. 14-17 (inspections during construction and drainage control) and No. 18 (driveways) were not carried over from PLN150150 to the proposed project (PLN150150-AMD1). Although the conditions of approval are standard and not mitigation measures, they were part of the MMRP that reduced impacts to a less than significant level through the application of applicable codes and regulations in addition to the mitigation measures. HCD-Environmental Services no longer applies the inspection and drainage control conditions to planning permits because they administer the requirements through the building permit, therefore, these conditions were removed. The project, as proposed and amended, will not increase impacts beyond a less than significant level.
 - f) The project planner performed a virtual site inspection via Google Earth on February 12, 2024, to verify that the project, as revised, would not result in conditions requiring the preparation of a subsequent MND or Addendum.
 - g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

7. EVIDENCE:

- 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 applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.
- a) No public 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 CIP can be demonstrated.

- b) The subject project site is not described as an area where the Local Coastal Program requires physical public access (Figure 8, Major Public Access and Recreational Facilities, in the DMF LUP).
- c) The subject project site is identified as an area where the Local Coastal Program requires visual public access (Figure 3, Visual Resources, in the DMF LUP). No evidence has been found showing the existence of historic public use or trust rights over this property.
- d) Based on review of the project location on the west (i.e., ocean) side of 17 Mile Drive, the development proposal will not interfere with visual access along 17 Mile Drive. The proposed development is consistent with DMF LUP Policies 123 and 137, and will not block significant public views toward the ocean and will not adversely impact the public viewshed or scenic character in the project vicinity. The design and siting of the proposed single family dwelling and retaining walls would not adversely impact the public viewshed over the existing baseline.
- e) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning can be found in Project File Nos. PLN110114, PLN150150, and PLN150150-AMD1.

8. FINDING: **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20), an appeal may be made 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) California Coastal Commission. Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development between the sea and the first through public road paralleling the sea, development within 300 feet of the mean high tide line of the sea where there is no beach, development within 300 feet of the top of the seaward face of any coastal bluff, and development that is permitted in the underlying zone as a conditional use (i.e.; development within 100 feet of environmentally sensitive habitat, development within an area of positive archaeological reports, and development on slopes exceeding 30 percent).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the HCD Chief of Planning does hereby:

1. Consider the previously adopted Mitigated Negative Declaration (SCH No. 2012061087) with Addendum and find that the Minor and Trivial Amendment does not require subsequent environmental review pursuant to Section 15162 of the California Environmental Quality Act Guidelines; and
2. Approve a Minor and Trivial Amendment to a previously approved Amendment to a Combined Development Permit (PLN110114/PLN150150) consisting of:
 - a) Coastal Administrative Permit and Design Approval to allow demolition of a 2,083 square foot single family dwelling with 740 square feet of deck area and a 249 square foot attached carport, and construction of an 8,886 square foot single family dwelling with 1,296 square feet of balcony area and a 1,106 square foot detached garage, driveway, replacement of an existing wood fence with a stone wall and a new driveway entrance gate, restoration of existing paths and driveway to native Monterey Cypress habitat, and associated grading;
 - b) Coastal Development Permit to allow the removal of one dead Monterey cypress tree;
 - c) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat;
 - d) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
 - e) Coastal Development Permit to allow development on slopes exceeding 30 percent.

The amendment includes rotating the dwelling approximately 4 degrees northwest, an increase of a 112 square foot addition, a decrease of approximately 575 square feet of balconies, and modifying the proposed architectural style while using similar exterior colors and materials.

All of which are in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 26th day of June 2024.

DocuSigned by:

Melanie Beretti

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Melanie Beretti, AICP
Acting, HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON **JULY 2, 2024**.

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 **JULY 12, 2024**.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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

NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County HCD-Planning and HCD-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.

County of Monterey HCD Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN150150-AMD1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Minor and Trivial Amendment (PLN150150-AMD1) allows a Minor and Trivial Amendment to a previously approved Amendment to a Combined Development Permit (PLN110114/PLN150150) consisting of: 1) Coastal Administrative Permit and Design Approval to allow demolition of a 2,083 square foot single family dwelling with 740 square feet of deck area and a 249 square foot attached carport, and construction of an 8,886 square foot single family dwelling with 1,296 square feet of balcony area and a 1,106 square foot detached garage, driveway, replacement of an existing wood fence with a stone wall and a new driveway entrance gate, restoration of existing paths and driveway to native Monterey Cypress habitat, and associated grading; 2) Coastal Development Permit to allow the removal of one dead Monterey cypress tree; 3) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat; 4) Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 5) Coastal Development Permit to allow development on slopes exceeding 30 percent. The amendment includes rotating the dwelling approximately 4 degrees northwest, an increase of a 112 square foot addition, a decrease of approximately 575 square feet of balconies, and modifying the proposed architectural style while using similar exterior colors and materials. The property is located at 3224 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-472-006-000), Del Monte Forest Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 HCD - Planning. 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. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an on-going basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure:

"A Minor and Trivial Amendment (Resolution Number 24-030) was approved by the HCD Chief of Planning for Assessor's Parcel Number 008-472-006-000 on June 26, 2024. The permit was granted subject to 17 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

Proof of recordation of this notice shall be furnished to the Director of HCD - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD - Planning)

**Compliance or
Monitoring
Action to be
Performed:**

Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the HCD - Planning.

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

**Condition/Mitigation
Monitoring Measure:**

The property owner agrees as a condition and in consideration of 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its 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 property, filing of the final map, recordation of the certificates of compliance 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. (County Counsel-Risk Management)

**Compliance or
Monitoring
Action to be
Performed:**

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

4. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at: www.mcwra.co.monterey.ca.us.

5. PD041 - HEIGHT VERIFICATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to the HCD Chief of Building Services 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. (HCD-Planning and HCD-Building Services)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/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.

Prior to the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of HCD- Building Services for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to the HCD Chief of Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

6. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of three (3) years, to expire on March 28, 2021, unless use of the property or actual construction has begun within this period. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the HCDChief of Planning. Any request for extension must be received by HCD-Planning at least 30 days prior to the expiration date.

7. PD029 - HOURS OF OPERATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Demolition, site preparation, grading, and construction activities shall occur between the hours of 8 am - 5 pm, Monday through Friday. No work shall occur on weekends or holidays due to the proximity of the site to the Lone Cypress. (HCD-Planning)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant/Contractor shall comply with the hours of operation.

8. PD022(B) - EASEMENT-CONSERVATION & SCENIC IN THE DEL MONTE FOREST

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: A conservation and scenic easement shall be conveyed to the Del Monte Forest Conservancy over those portions of the property where environmentally sensitive habitats, remnant native sand dune habitats, habitats of rare, endangered and sensitive native plants and animals, archaeological resources, and visually prominent areas exist in accordance with the procedures in Monterey County Code § 20.64.280.A. The easement conveyance shall include funding adequate to ensure the management and protection of the easement area over time. The easement shall be developed in consultation with a certified professional and the Del Monte Forest Conservancy Inc. A Subordination Agreement shall be required, where necessary. These instruments shall be subject to approval by the County as to form and content, shall provide for enforcement, if need be, by the County or other appropriate agency, and name the County as beneficiary in event the Conservancy is unable to adequately manage these easements for the intended purpose of scenic and visual resource protection. An easement deed shall be submitted to, reviewed, and approved by the RMA Chief of Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to final or the building permits. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to recording the parcel/final map or prior to the issuance of grading and building permits, the Owner/Applicant/Certified Professional shall 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 Del Monte Forest Conservancy for review and approval.

Prior to recording the parcel/final map or prior to the issuance of grading and building permits, the Owner/Applicant/Certified Professional shall 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 HCD-Planning for review and approval.

Prior to recording the parcel/final map or prior to the issuance of grading and building permits, the Owner/Applicant, shall submit a signed and notarized Subordination Agreement, if required, to HCD-Planning for review and approval

Prior to or concurrent with recording the parcel/final map, prior to the final of building permits, or prior to commencement of use, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD-Planning.

9. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: 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 lighting source shall be shielded and recessed into the 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 also identify removal of unpermitted bluff-top lighting installed by a previous owner. The exterior lighting plan shall be subject to approval by HCD-Planning prior to final of the building permit. (HCD-Planning)

Compliance or Monitoring Action to be Performed: An exterior lighting plan shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit evidence demonstrating that the lighting has been installed according to the construction plan, including removal of unpermitted bluff-top lighting. Removal of the unpermitted bluff-top lighting shall also be field-verified by HCD-Planning staff.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with this condition and County requirements.

10. MM009 - ARCHAEOLOGICAL RESOURCES EXCLUSIONARY FENCING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 9: During demolition, construction and restoration, the archaeological site shall be protected with exclusionary fencing to minimize the potential for unanticipated impacts to cultural resources. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 9: Prior to the issuance of a demolition permit, the applicant shall submit evidence of exclusionary fencing to HCD-Planning for review and approval. The requirements of this measure shall be included as a note on all grading and building plans.

11. MM008 - ARCHAEOLOGICAL MONITORING REQUIRED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 8: 1) In order to prevent adverse impacts to cultural resources, a qualified archaeological monitor and tribal monitor shall be present during excavation and soil disturbing activities associated with: a) the excavation for the new single-family dwelling, driveway, fence, and garage; and b) removal and restoration of the existing driveway and paths. 2) The monitor shall have the authority to temporarily halt work to examine any potentially significant materials. 3) If human remains are identified, work shall be halted to within a safe working distance, the Monterey County Coroner must be notified immediately and if said remains are determined to be Native American, the Native American Heritage Commission shall be notified as required by law. 4) If potentially significant archaeological resources are discovered, work shall be halted in the area of the find until it can be evaluated and, in consultation with the lead agency, appropriate mitigation measures be formulated and implemented. 5) If suitable materials are recovered, a minimum of two samples (as selected by the archaeological monitor and tribal monitor) shall be submitted for radiocarbon dating in order to provide a basic chronology of the site. 6) If intact, significant features should be encountered, the archaeologist and tribal monitor shall recommend appropriate mitigation measures. Features are human burials, hearths, house floors, and/or caches of stone tools. A feature is artifactual and cannot be moved but must be documented in place, in situ. 7) A monitoring report shall be produced by the qualified archaeologist to document any findings and to evaluate the significance of the cultural resource. 8) The Applicant shall retain a qualified archaeologist to monitor and ensure conduct of the requirements of the mitigation and monitoring plan. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 8: Prior to issuance of a construction permit, the applicant shall provide to HCD-Planning a copy of the contractual agreement with a qualified archaeologist for review and approval. The Applicant or archaeologist shall also submit evidence of on-site monitoring, including archaeologist certification, to HCD-Planning. If additional measures are determined to be required to minimize impacts, they shall be formulated by a qualified archaeologist, reviewed and approved by HCD-Planning, and implemented by the monitoring archaeologist. The requirements of this measure shall be included as a note on all grading and building plans.

12. MM007 - BIOLOGICAL RESOURCES PRECONSTRUCTION SURVEY REQUIRED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 7: In order to minimize potential biological impacts to animal resources and habitat, prior to the commencement of work, the project biologist shall perform a preconstruction survey for special status plant and wildlife species, including nesting birds. There shall be no removal of a special status species without prior approval of HCD-Planning. For any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. Limits of construction to avoid an active nest shall be established in the field with flagging, fencing, or other appropriate barriers, and construction personnel. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No 7a: Prior to issuance of a grading or building permit, applicant/owner shall submit a copy of the contract with a biologist to perform the pre-construction surveys to HCD-Planning.

Monitoring Action No. 7b: No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to HCD-Planning a nest survey prepared by a County qualified biologist to determine if active raptor or migratory bird nests occur within the project site or immediate vicinity.

Monitoring Action No. 7c: If active raptor or migratory bird nests are present, the project biologist shall establish an appropriate buffer plan around the nests and limits of construction shall be established in the field.

13. MM006 - MONTEREY CYPRESS HABITAT RESTORATION PLAN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 6: To mitigate for the removal of native Monterey cypress habitat, the Applicant/Owner shall prepare and implement a Monterey Cypress Habitat restoration plan for the existing asphalt driveway and the existing gravel paths and parking areas and all other areas that will be disturbed due to construction. The restoration plan shall be prepared by a qualified biologist in consultation with a qualified arborist and shall include measures to protect adjacent Monterey cypress trees during the restoration. Installation of the restoration plan shall be done under the supervision of a qualified biologist. The restoration plan shall also include a planting plan that includes mulching, the installation of Monterey cypress trees propagated from trees indigenous to Pebble Beach, appropriate Monterey cypress forest understory plants and a plan for the eradication of non-native species. Plants and seeds shall consist of appropriate local ecotypes of plant species and site-specific seed and/or cuttings shall be utilized. It is not expected that restoration to native Monterey cypress habitat will require excessive plantings. The removal of non-native species and installation of mulch and minimal appropriate native plantings to allow native understory plants to regenerate in areas that do not require erosion control plantings is preferable. The Applicant/Owner shall submit a monitoring report prepared by the project biologist documenting the success of the restoration to HCD-Planning 6 months after the initial planting and then annually for 2 years. The restoration shall be considered successful when 95 percent of replanted trees and 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health, and 100 percent of non-native invasive plants within the restoration areas have been eradicated. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 6a: Prior to the issuance of a grading or building permit, the Applicant/Owner shall submit the Monterey Cypress Habitat Restoration Plan and a copy of the contractual agreement with a qualified biologist for review and approval to HCD-Planning for review and approval.

Monitoring Action No. 6b: Prior to final inspection, the Applicant/Owner shall submit a report to HCD-Planning from the project biologist documenting that the restoration plan has been implemented.

Monitoring Action No. 6c: The Applicant/Owner shall submit a monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted, and then annually for a minimum of 2 years or until the restoration has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The Applicant/Owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 percent survival for other vegetation has been met, whichever occurs later.

14. MM005 - SENSITIVE SPECIES REPLACEMENT PLANTINGS REQUIRED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 5: In order to mitigate for the removal of sensitive plant species on the site the following re-planting measures shall apply:

1. Small-leaved lomatium: all of the lomatium plants located within the area of the proposed driveway and garage (minimum of 86 plants) shall be salvaged from the site prior to the issuance of a grading or building permit and grown out by a reputable native plant nursery familiar with the growing requirements of the Small-leaved lomatium. The salvaged lomatium shall be re-planted on the site in the fall months to coincide with the arrival of the rainy season.
2. Ocean bluff milk-vetch: Ocean bluff milk-vetch seed shall be collected from several locations on the property to ensure genetic diversity and shall be propagated for a fall out-planting. The plants shall be replaced on the site at a 3:1 ratio (minimum of 6 plants), as recommended by the project biologist.
3. Monterey pine: Any Monterey pine tree saplings removed from the construction zone shall be re-planted on the site.
4. Monterey cypress: The one dead Monterey cypress that is located within the footprint of the proposed garage shall be removed. Three replacement Monterey cypress trees propagated from trees indigenous to Pebble Beach shall be planted on the site in addition to the Monterey cypress that are required to be planted as part of the Monterey Cypress Habitat Restoration Plan. Any native Monterey cypress seedlings or saplings that are removed from the footprint of the proposed development shall be transplanted to another location on the site under the supervision of a qualified arborist. Mitigation revegetation locations for Items 1 and 2 shall be determined by the project biologist in consultation with the project arborist. Mitigation revegetation locations for Items 3 and 4 shall be determined by the project arborist. The re-planting plan shall be submitted to HCD-Planning for review and approval prior to issuance of a grading or building permit. The Applicant/Owner shall submit a monitoring report prepared by the project biologist documenting the success of the planting to HCD-Planning 6 months after the initial planting and then annually for 2 years. The replanting shall be considered successful when 95 percent of replanted trees and 85 percent of other planted native vegetation have survived and are evaluated by the project biologist and project arborist as being in good health. In the event of loss of plant materials due to mortality, the plants shall be replaced and the monitoring shall begin again. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 5a: Prior to the issuance of grading or building permit, the Applicant/Owner shall submit the planting/restoration plan to HCD-Planning for review and approval.

Monitoring Action No. 5b: Prior to final inspection, the Applicant/Owner shall submit evidence to HCD-Planning that the planting plan has been implemented.

Monitoring Action No. 5c: The Applicant/Owner shall submit a monitoring report prepared by a qualified biologist 6 months after the evidence required in 5b above has been submitted, and then annually for a minimum of 2 years or until the replanting has been deemed successful. The monitoring reports shall include an evaluation of the health status of the plantings and recommendations regarding measures to improve the success of the plantings if they are not thriving. The Applicant/Owner shall implement the recommendations. The requirement for monitoring reports shall end after 2 ½ years or whenever the required success rate of 95 percent survival for trees and 85 survival percent for other vegetation has been met, whichever occurs later.

15. MM004 - TREE PROTECTION - MONITORING REQUIRED

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 4: In order to prevent adverse impacts to trees located in close proximity to the project due to construction activities, a qualified arborist shall be present during all excavation and soil disturbing activities associated with grading, construction and restoration conducted within the critical root zone (CRZ) of any tree. The CRZ for each tree is included in the arborist report prepared for the project. Roots greater than one inch will be inspected and evaluated by the project arborist. If necessary, as determined by the arborist, the root will be retained, wrapped in protective material (foam pipe wrap) and bridged to the specifications of the arborist. The arborist shall supervise or perform the pruning of any tree roots as necessary. The arborist shall have the authority to require such special construction methods as he/she determines are necessary to protect the trees, including but not limited to designing the wall footings to span over tree roots, tunneling under tree roots or placement of a grade beam above grade. If it appears to the arborist that any tree has experienced or will experience death or damage due to construction activities, all work shall stop within the CRZ of the tree and the arborist/Owner/Applicant shall immediately contact HCD-Planning to determine whether additional permits or modification of the project is required. Following construction and for a period of not less than five (5) years, trees whose Critical Root Zone (CRZ) is within the areas impacted by construction shall be monitored annually by a qualified arborist. If any noticeable decline in the health of any tree is observed, additional Monterey cypress trees of indigenous stock shall be planted onsite at a one-to-one ratio in a suitable location as determined by the arborist..

Compliance or Monitoring Action to be Performed: Monitoring Action No. 4a: Prior to issuance of a construction permit, the applicant shall provide to HCD-Planning a copy of the contractual agreement with a qualified arborist to provide the required monitoring services to RMA-Planning for review and approval.

Monitoring Action No. 4b: Prior to final inspection the Applicant or arborist shall also submit evidence of on-site monitoring, including arborist certification regarding the success of the measures, to HCD-Planning. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, after review and approval by RMA-Planning. The requirements of this measure shall be included as a note on all grading and building plans.

Monitoring Action No. 4c: Beginning one year after final inspection of the project, the Applicant shall submit annual monitoring reports by the arborist, subject to HCD-Planning approval, for five (5) years. The reports shall document the status of the health of all trees being monitored and any required replacement plantings.

16. MM003 - TREE PROTECTION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 3: In order to prevent adverse impacts to trees, prior to the issuance of a construction permit, a qualified arborist shall supervise the installation of the tree protection measures as set forth in the Tree Resource Evaluation Construction Impact Analysis (LIB120030) prepared by Maureen Hamb, dated June 2011 (arborist report). Such tree protection measures shall remain in place throughout construction and shall not be removed until all construction activities are complete. 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. When access to the protected areas becomes necessary, it shall be reviewed by both the contractor and the project arborist, and the arborist shall have the authority to supervise such access. Stockpiling of materials or parking within the critical root zone of trees shall not be allowed. The text of this measure shall be included as a note on the construction plans. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 3a: Prior to the issuance of a grading or building permit, the Owner/Applicant shall submit proof to HCD-Planning that the tree protection measures have been installed as prescribed. Such proof shall be in the form of a letter from the arborist and photographs of the protection measures in place. The owner/applicant shall submit evidence that the text of this measure appears as a note on the construction plans.

Monitoring Action No. 3b: Prior to final inspection, the Owner/Applicant shall provide verification from the arborist that the tree protection measures have been successful. If additional mitigation measures are determined to be required, they shall be formulated and implemented by the monitoring arborist, after review and approval by HCD-Planning.

17. MM001 - AESTHETICS - WALL/FENCE DESIGN

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Mitigation Measure No. 1: In order to prevent adverse impacts to the existing scenic vista and to the scenic character of the site due to the replacement of the existing fence, and to ensure that the project complies with the Visual Resources and Public Access policies of the Del Monte Forest Land Use Plan, the proposed wall/fencing along 17-Mile Drive shall be designed and sited to minimize obstruction of views from the road to the sea. The proposed wall/fencing shall be designed so as to not impair views from 17-Mile Drive over the existing condition. The wall/fence shall be constructed as shown on the plans dated July 5, 2017 (attached as Exhibit B to the March 28, 2018 staff report to the Planning Commission) and as staked and flagged. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Monitoring Action No. 1a: Prior to the issuance of a building or grading permit, the applicant/owner shall submit plans for the wall/fencing to HCD-Building Services and HCD-Planning for review and approval as described in this Mitigation Measure. The approved wall/fencing plans shall be incorporated into the plans for the construction permits required for the project.

Monitoring Action No. 1b: The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection.

Monitoring Action No. 1c: Prior to final inspection the applicant/owner shall provide evidence from a licensed civil engineer or surveyor to HCD-Building Services and HCD-Planning for review and approval, that the height of the wall/fence from the benchmark is consistent with what was approved on the building permit associated with this project and that the replacement fence has been constructed in accordance with the approved plans.

PROJECT DATA

CLIENT NAME	Richard & Melanie Lundquist c/o Studio Schicketanz
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CIVIL ENGINEER	IFLAND ENGINEERS, INC. Live Oak Business Park, 5300 Soquel Ave, Suite 101, Santa Cruz, CA 95062 Phone: 831-426-5313 x.206 E-mail: jonifland@iflandengineers.com Jon Ifland
BIOLOGIST & ARBORIST	DENISE DUFFY & ASSOCIATES, INC. (DDA) 947 Cass St. Suite 5, Monterey, CA. 93940 Phone: 831.373.4341 E-mail: jharwayne@ddaplanning.com Josh Harwayne
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STRUCTURAL	HOLMES STRUCTURES 235 Montgomery Street, Suite 1250, San Francisco, CA 94104 Phone: 415 693 1600 E-mail: Denny.Kwan@holmesstructures.com Denny Kwan S.E.
MECHANICAL ENGINEER	MONTEREY ENERGY GROUP, INC. 26465 CARMEL RANCHO BLVD. #8, CARMEL, CA 93923 Phone: 831.250.0324 David Knight
ELECTRICAL ENGINEER	AURUM CONSULTING ENGINEERS MONTEREY BAY, INC. 60 Garden Ct., Suite 210, Monterey, CA 93940 Phone: 831.646.3330 E-mail: steve@acemb.com Steve Cate
LIGHTING DESIGNER	OHM LIGHTING 660 4th Street #355, San Francisco, CA 94107 Phone: 415.215.1436 E-mail: terry@ohmlight.com Terry Ohm

PROPERTY ADDRESS	3224 17 Mile Drive, Pebble Beach, CA 93953
APN/ LOT SIZE:	008-472-006-000 / 1.68 ACRES (73,230.0 SF)
ZONING:	LDR/2-D(CZ)
PLANNING PERMIT:	PLN150150
BUILDING PERMIT:	23CP01818 - GARAGE, SITE WALLS & DRIVEWAY

UTILITIES	
WATER SOURCE:	CAL AM
SEWER:	SEWER / CITY SEWAGE
ELECTRICITY PROVIDER:	PG&E

BUILDING CODE DATA	
OCCUPANCY GROUP:	R-3
TYPE OF CONSTRUCTION:	V-B
SPRINKLERS:	YES

SCOPE OF WORK

REVISE FLOORPLANS AND ELEVATIONS OF RESIDENCE APPROVED ON MARCH 13, 2013 (PLN 110114) AND EXTENDED ON JUNE 2, 2021 (PLN150150-EXT1). ROTATE BUILDING BY 4.06° TO BETTER FIT BUILDING BETWEEN THE FOOT ZONE AND CANOPIES OF THE EXISTING TREES. THE PROPOSED FOOTPRINT IS ENTIRELY WITHIN PREVIOUSLY DISTURBED AREAS AND ADHERES TO THE PREVIOUSLY APPROVED HEIGHT LIMIT.

SHEET INDEX

PLANNING	
PA 00	COVER SHEET
PA 01	PLAN COMPARISON
PA 02	SITE PLAN
PA 03	LEVEL 1 FLOOR PLAN
PA 04	LEVEL 2 FLOOR PLAN
PA 05	LEVEL 3 FLOOR PLAN
PA 06	EXTERIOR ELEVATIONS
PA 07	EXTERIOR ELEVATIONS
PA 08	RENDERINGS
PA 09	RENDERINGS

APPROVED (PLN150150-EXT1)

LOT COVERAGE CALCULATIONS:

LOT SIZE	(100%):	73,230 SF
ALLOWABLE	(15%):	10,985 SF
EXISTING	(5.36%):	3,924 SF (TO BE DEMOLISHED)
APPROVED	(12.13%):	8,886 SF 9,027 SF

FLOOR AREA CALCULATIONS:

	APPROVED	ACTUAL
LEVEL 1	3,399 SF	3,551 SF
LEVEL 2	3,138 SF	3,174 SF
LEVEL 3	2,349 SF	2,302 SF
TOTAL	8,886 SF	9,027 SF

LEVEL 2 BALCONY	571 SF	586 SF
LEVEL 3 BALCONY	725 SF	634 SF
TOTAL	1,296 SF	1,220 SF

FLOOR AREA RATIO (ALLOWED): 17.5%

FLOOR AREA RATIO (APPROVED) 12.13%

BUILDING HEIGHT:

MAX. ALLOWABLE BUILDING HEIGHT:	30' - 0"
BUILDING HEIGHT ABOVE A.N.G.:	26' - 8"

TREE REMOVAL:

NONE

PROPOSED GRADING:

CUT:	1,367 CY
FILL:	26 CY

MATERIALS



APPROVED GRANITE STONE WALL



DARK BRONZE DOORS & WINDOWS

PROPOSED

LOT COVERAGE CALCULATIONS:

LOT SIZE	(100%):	73,230 SF
ALLOWABLE	(15%):	10,985 SF
EXISTING	(5.36%):	3,924 SF (TO BE DEMOLISHED)
PROPOSED	(12.29%):	8,998 SF

FLOOR AREA CALCULATIONS:

LEVEL 1	3,807 SF
LEVEL 2	2,867 SF
LEVEL 3	2,324 SF
TOTAL	8,998 SF

LEVEL 2 BALCONY	574 SF
LEVEL 3 BALCONY	150 SF
TOTAL	724 SF

FLOOR AREA RATIO (ALLOWED): 17.5%

FLOOR AREA RATIO (PROPOSED) 12.29%

BUILDING HEIGHT:

MAX. ALLOWABLE BUILDING HEIGHT:	30' - 0"
BUILDING HEIGHT ABOVE A.N.G.:	26' - 8"

TREE REMOVAL:

NONE

PROPOSED GRADING:

CUT:	1,367 CY
FILL:	26 CY

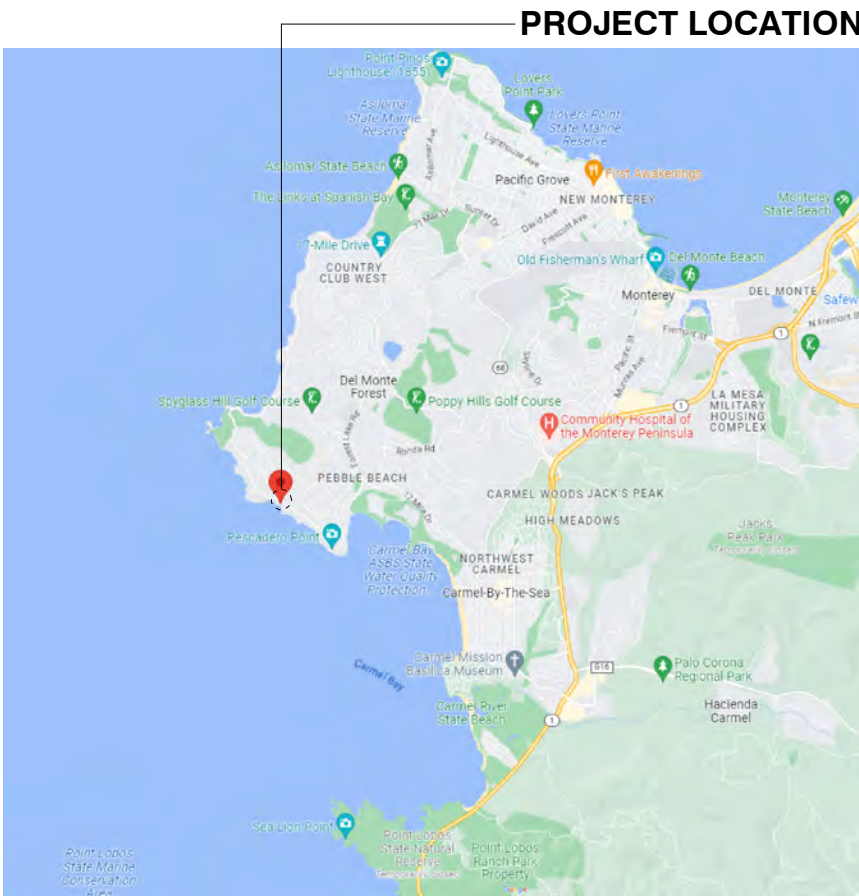


METAL FASCIA

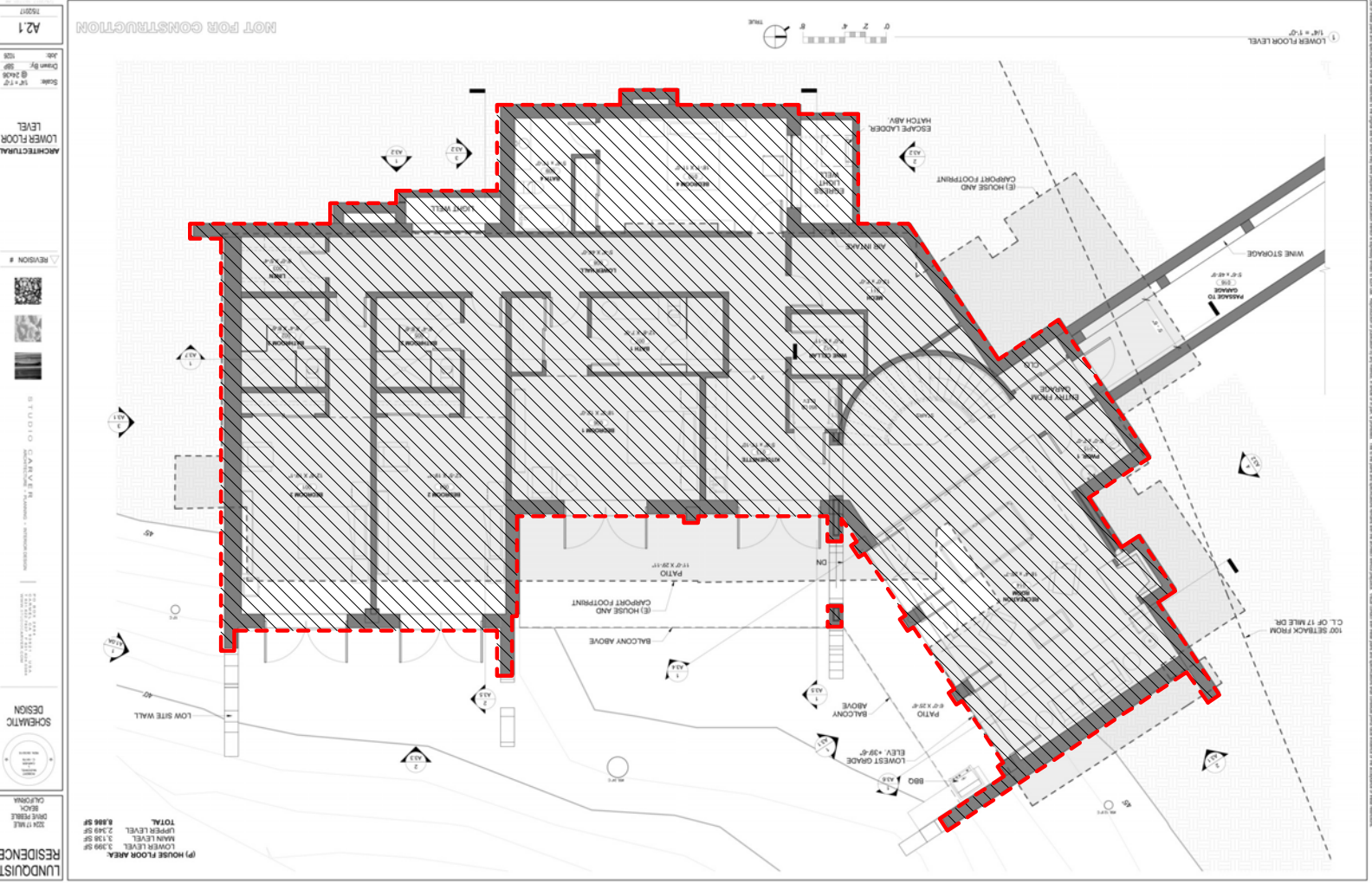


EXTERIOR WALL SCONCE

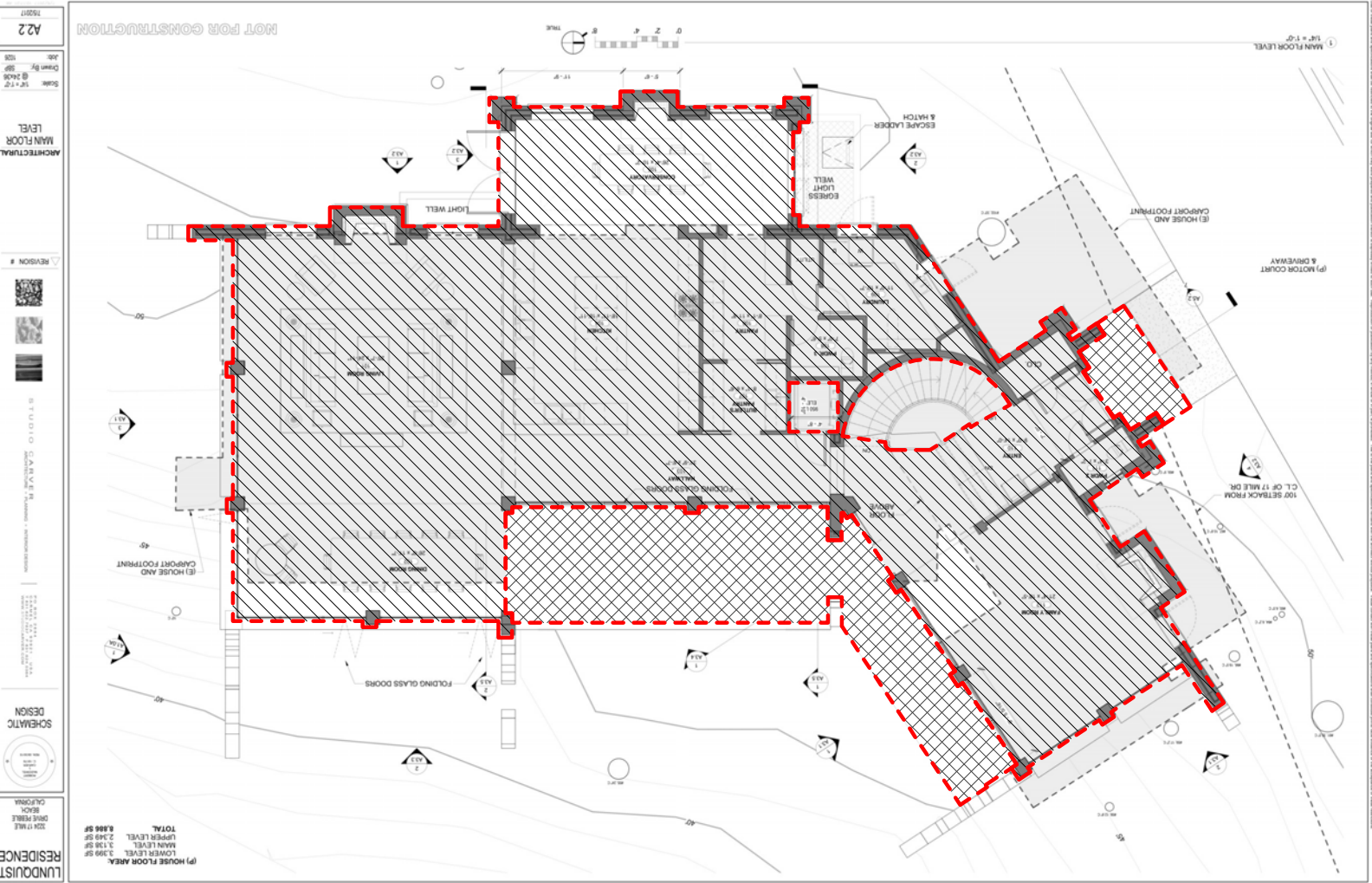
VICINITY MAP



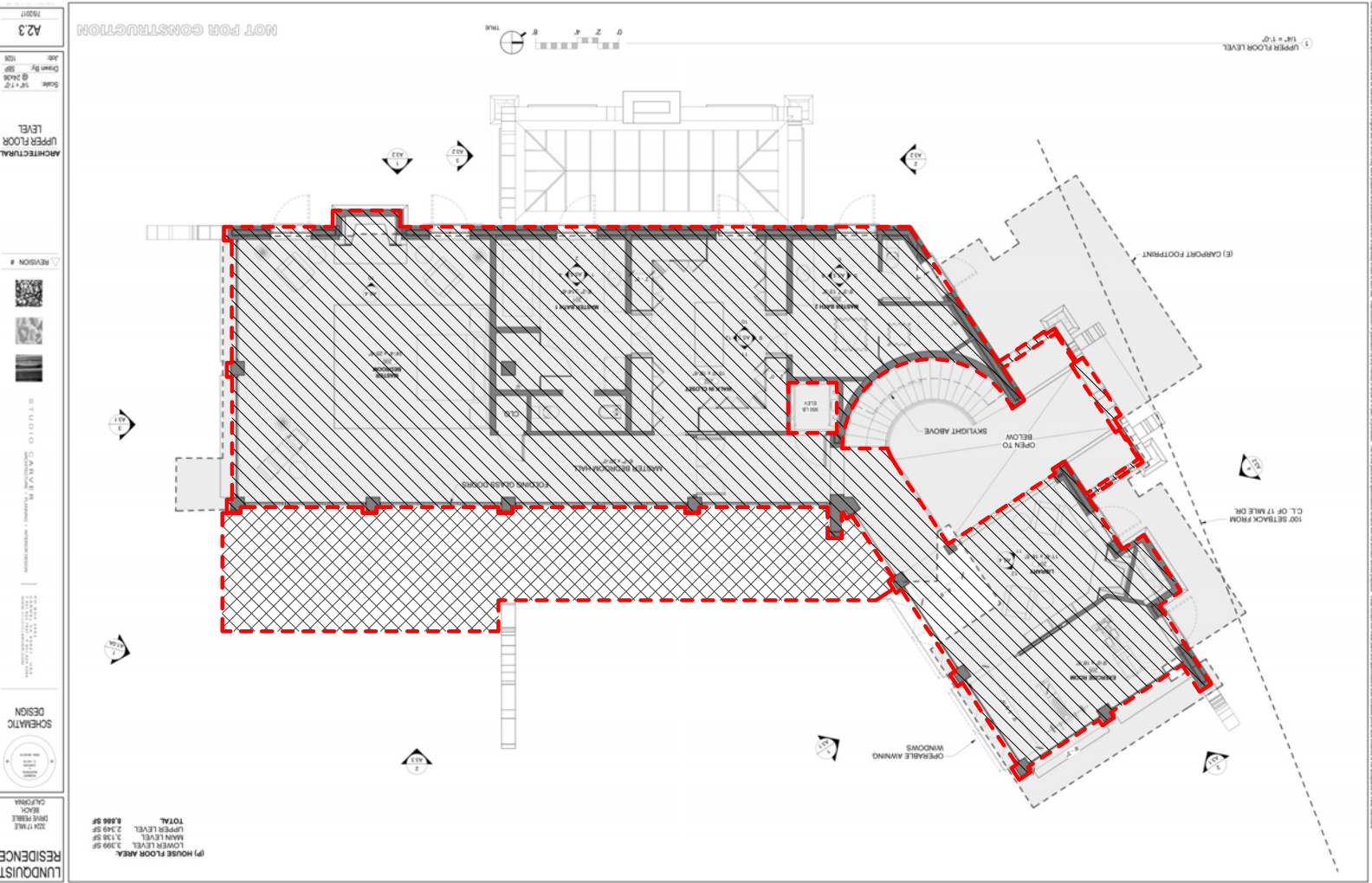
APPROVED RESIDENCE (PLN150150-EXT1)



APPROVED LEVEL 1



APPROVED LEVEL 2

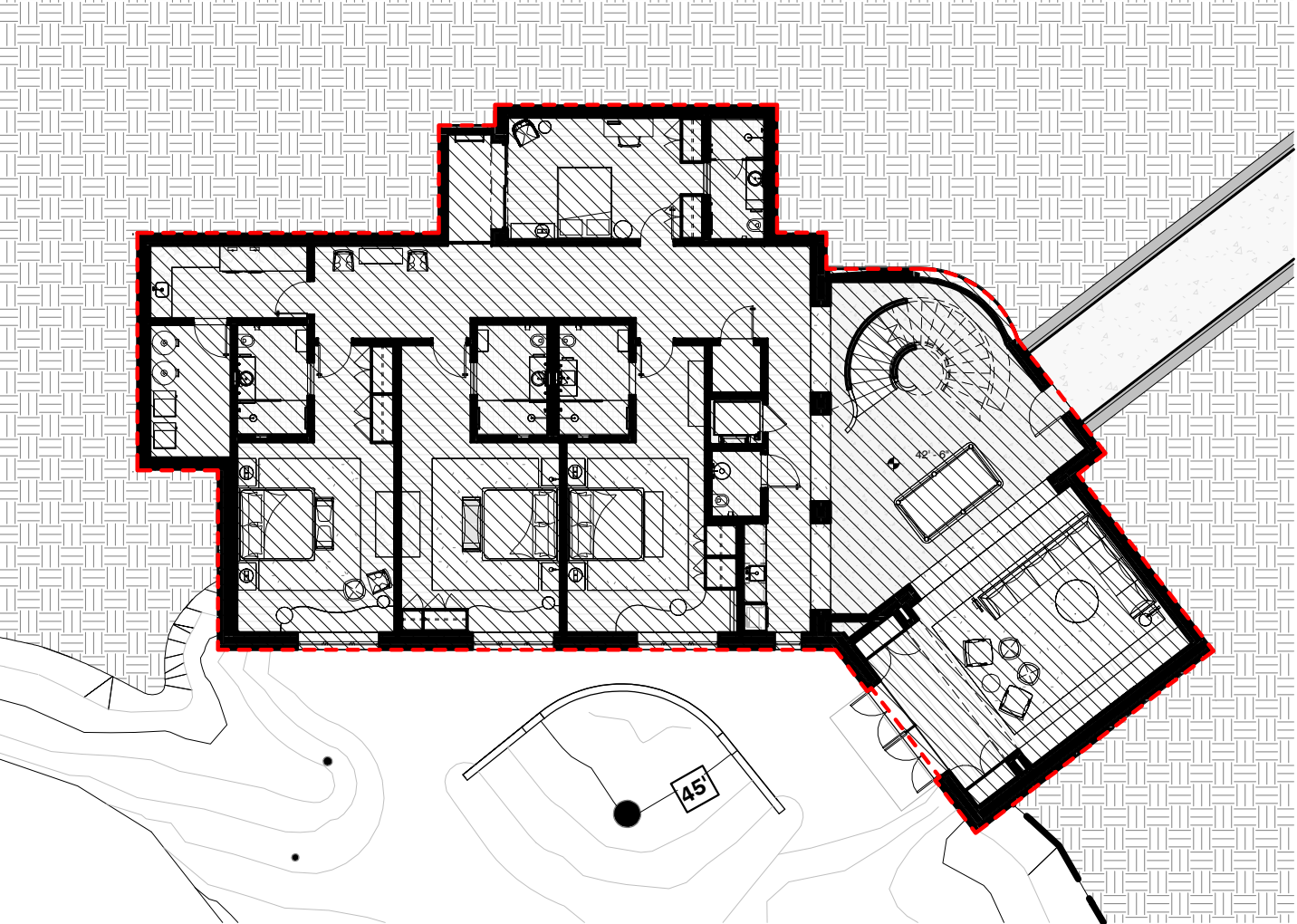


APPROVED LEVEL 3

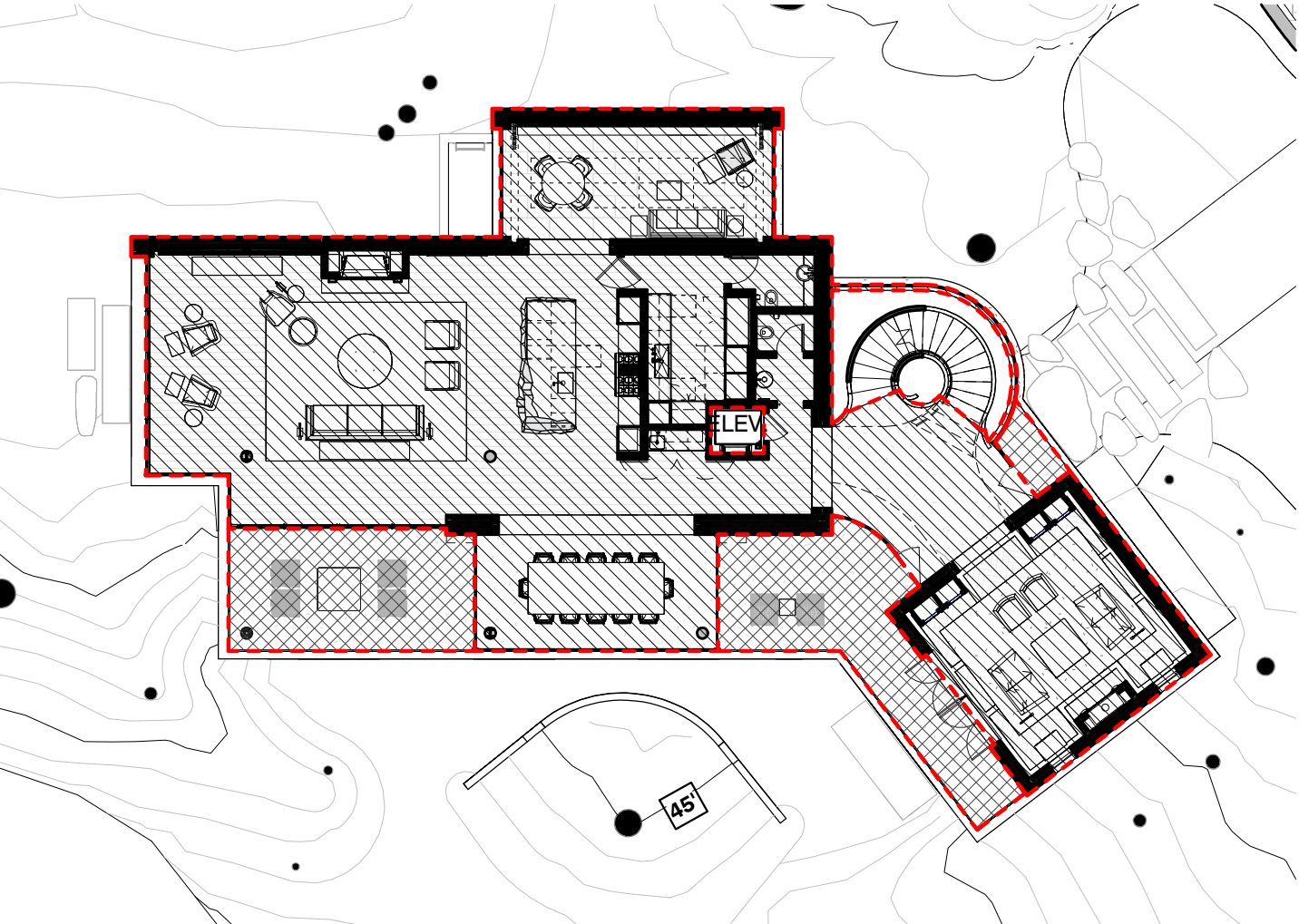
LOT COVERAGE CALCULATIONS:				
LOT SIZE	(100%):	73,230	SF	
ALLOWABLE	(15%):	10,985	SF	
EXISTING	(5.36%):	3,924	SF	(TO BE DEMOLISHED)
APPROVED	(12.13%):	8,886	SF	9,027 SF
FLOOR AREA CALCULATIONS:				
		APPROVED		ACTUAL
LEVEL 1		3,399	SF	3,551 SF
LEVEL 2		3,138	SF	3,174 SF
LEVEL 3		2,349	SF	2,302 SF
TOTAL		8,886	SF	9,027 SF
LEVEL 2 BALCONY		571	SF	586 SF
LEVEL 3 BALCONY		725	SF	634 SF
TOTAL		1,296	SF	1,220 SF
FLOOR AREA RATIO (ALLOWED):			17.5%	
FLOOR AREA RATIO (APPROVED)			12.13%	
BUILDING HEIGHT:				
MAX. ALLOWABLE BUILDING HEIGHT:			30' - 0"	
APPROVED BUILDING HEIGHT:			26' - 8"	

TREE REMOVAL:			
NONE			
PROPOSED GRADING:			
CUT:	1,367	CY	
FILL:	26	CY	

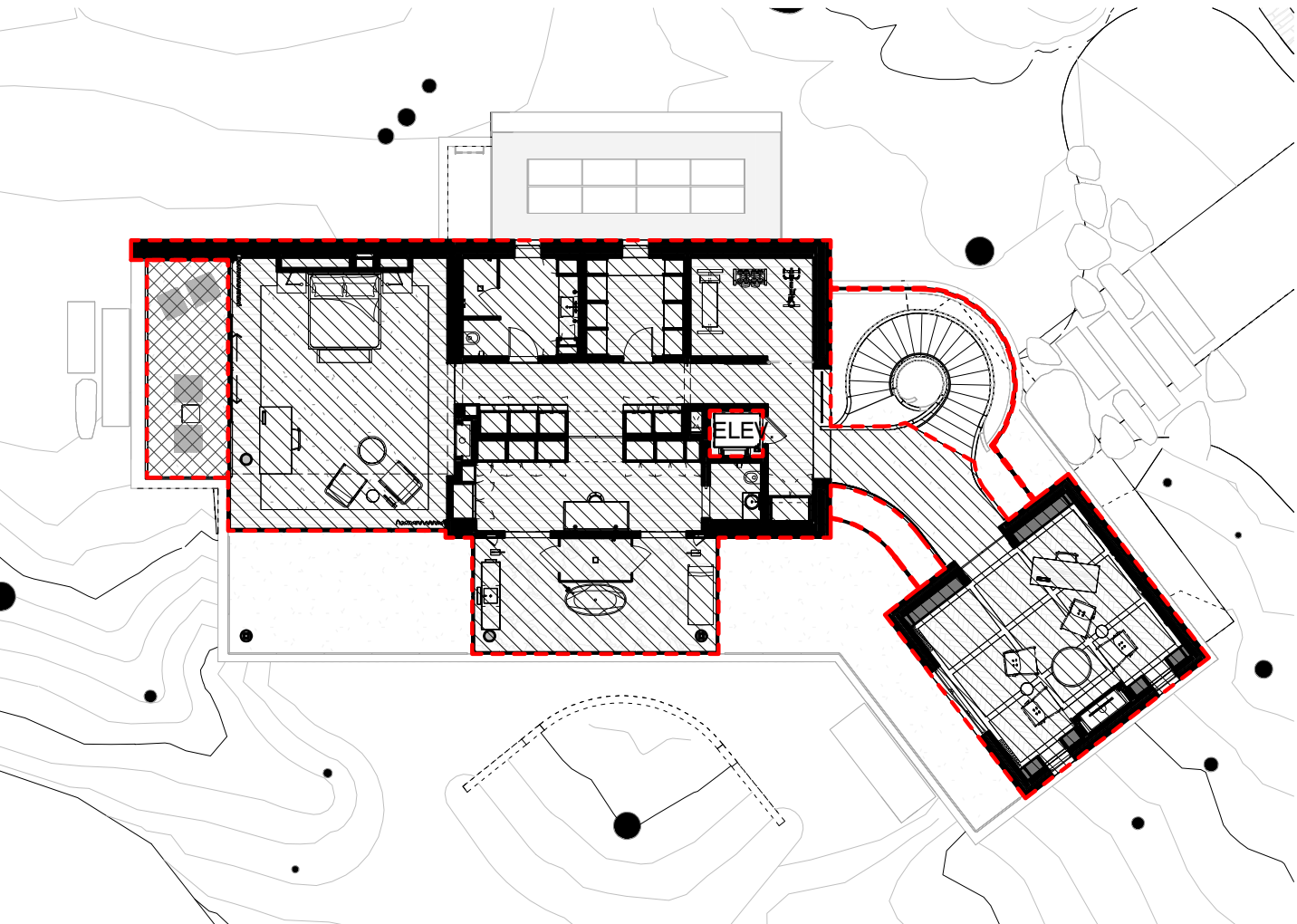
PROPOSED RESIDENCE



PROPOSED LEVEL 1



PROPOSED LEVEL 2

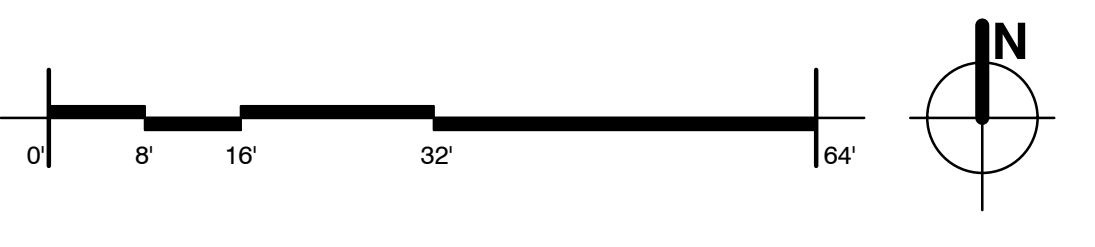


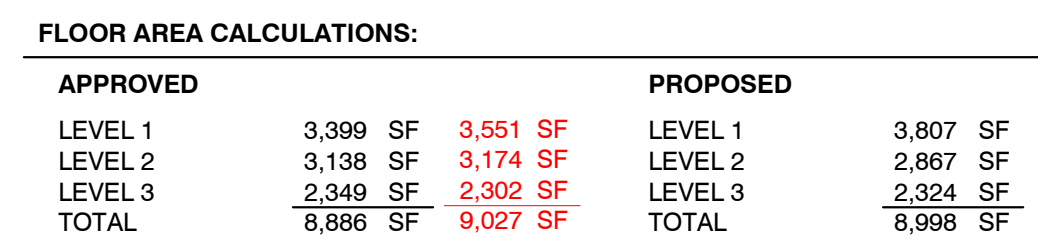
PROPOSED LEVEL 3

LOT COVERAGE CALCULATIONS:				
LOT SIZE	(100%):	73,230	SF	
ALLOWABLE	(15%):	10,985	SF	
EXISTING	(5.36%):	3,924	SF	(TO BE DEMOLISHED)
PROPOSED	(12.29%):	8,998	SF	
FLOOR AREA CALCULATIONS:				
LEVEL 1		3,807	SF	
LEVEL 2		2,867	SF	
LEVEL 3		2,324	SF	
TOTAL		<u>8,998</u>	SF	
LEVEL 2 BALCONY		574	SF	
LEVEL 3 BALCONY		150	SF	
TOTAL		<u>724</u>	SF	
FLOOR AREA RATIO (ALLOWED):			17.5%	
FLOOR AREA RATIO (PROPOSED)			12.29%	
BUILDING HEIGHT:				
MAX. ALLOWABLE BUILDING HEIGHT:			30' - 0"	
PROPOSED BUILDING HEIGHT			26' - 8"	

TREE REMOVAL:		
NONE		
PROPOSED GRADING:		
CUT:	1,367	CY
FILL:	26	CY

SITE PLAN
LUNDQUIST RESIDENCE
3224 17 Mile Drive, Pebble Beach, CA 93953



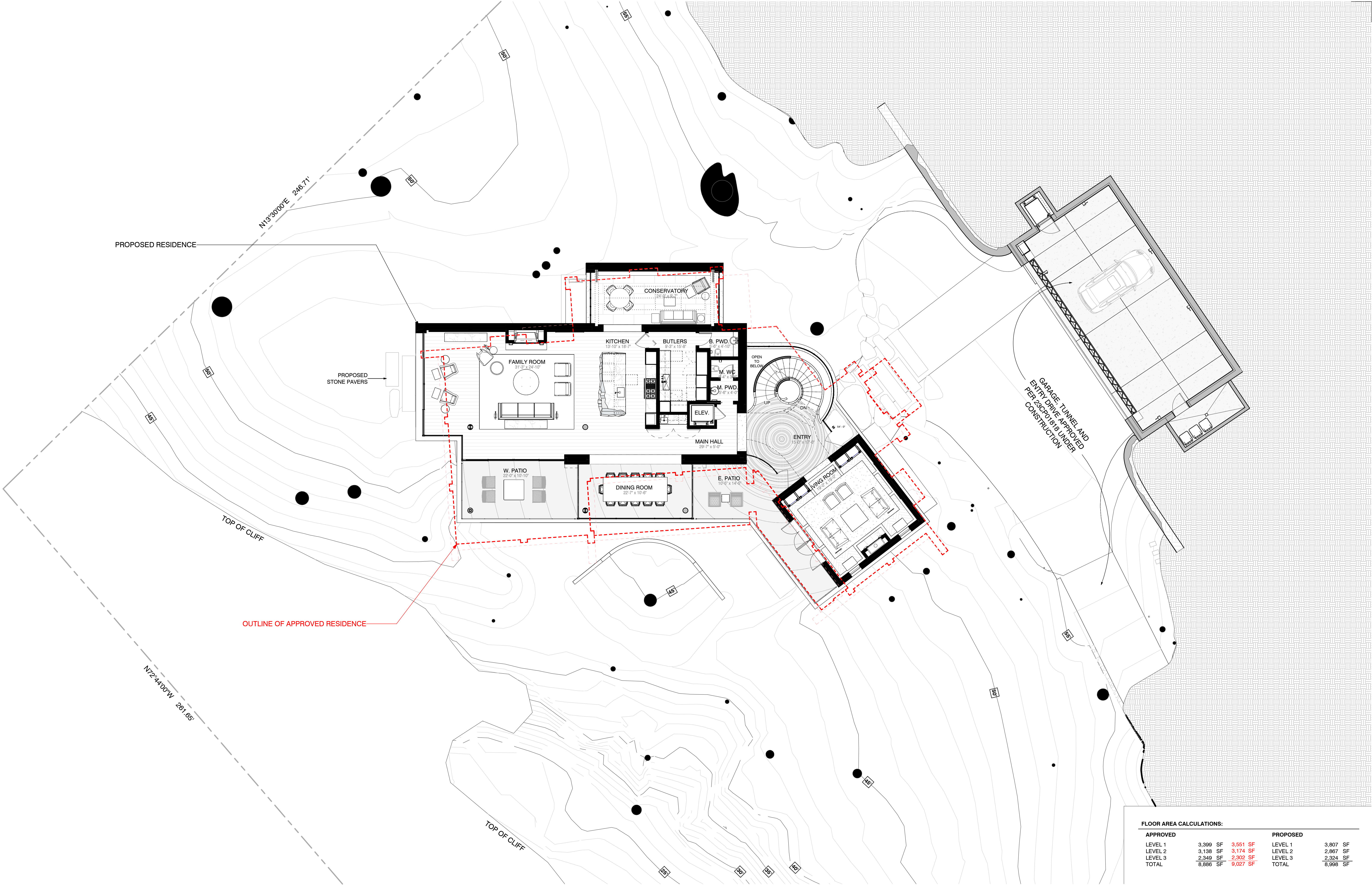


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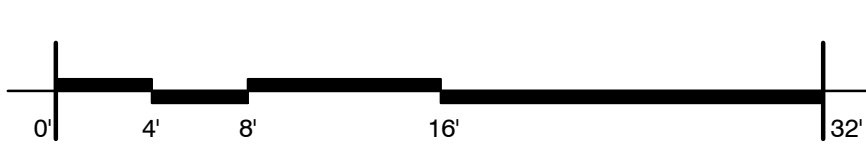
LEVEL 2 FLOOR PLAN

LUNDQUIST RESIDENCE

3224 17 Mile Drive, Pebble Beach, CA 93953



FLOOR AREA CALCULATIONS:					
APPROVED			PROPOSED		
LEVEL 1	3,399 SF	3,551 SF	LEVEL 1	3,907 SF	
LEVEL 2	3,138 SF	3,174 SF	LEVEL 2	2,967 SF	
LEVEL 3	2,349 SF	2,302 SF	LEVEL 3	2,324 SF	
TOTAL	8,886 SF	9,027 SF	TOTAL	8,998 SF	

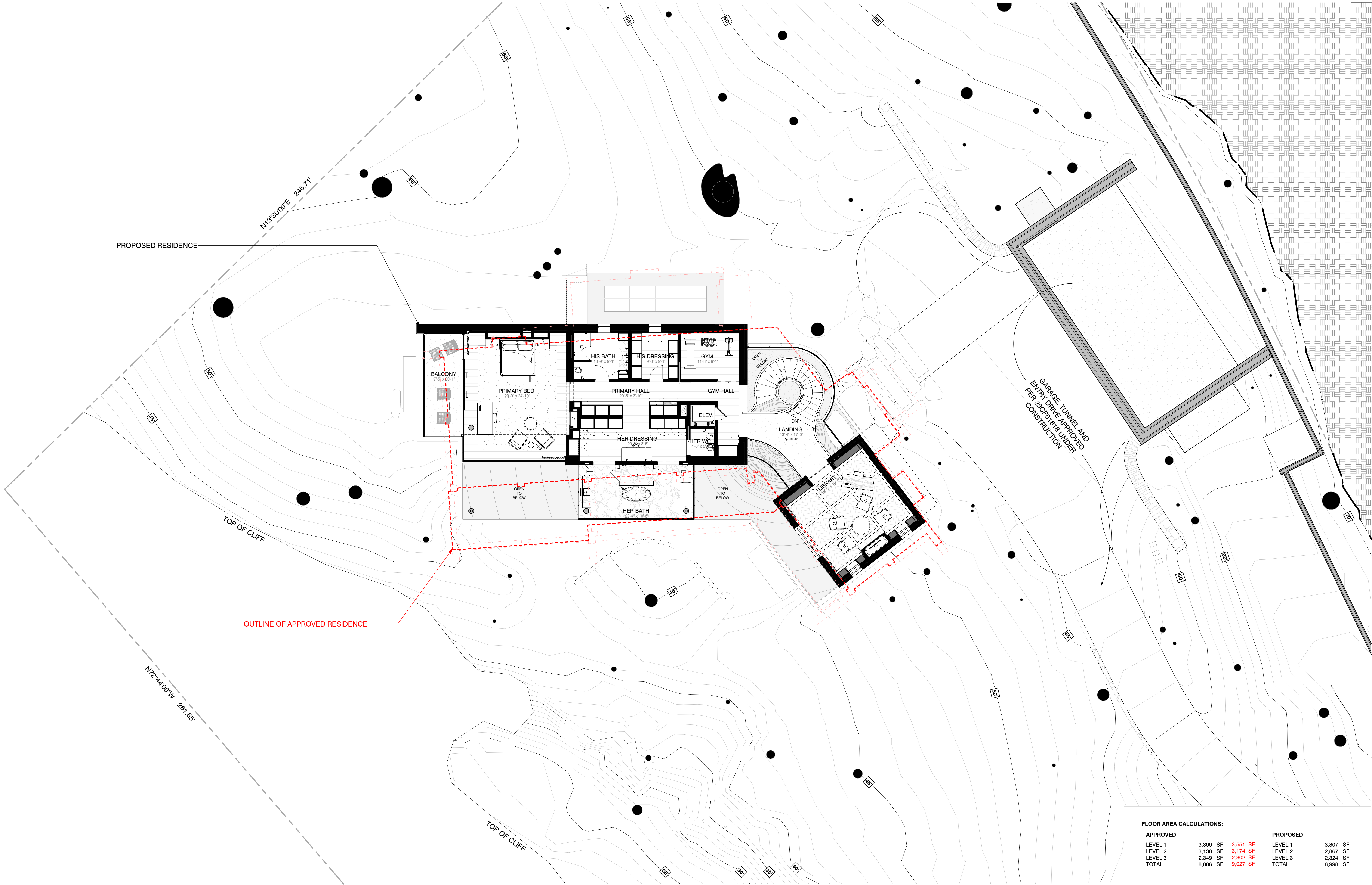


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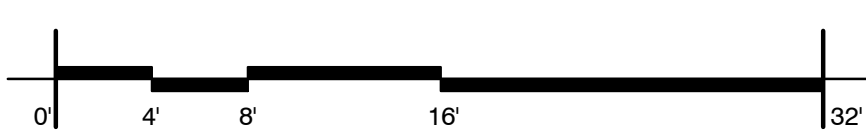
LEVEL 3 FLOOR PLAN

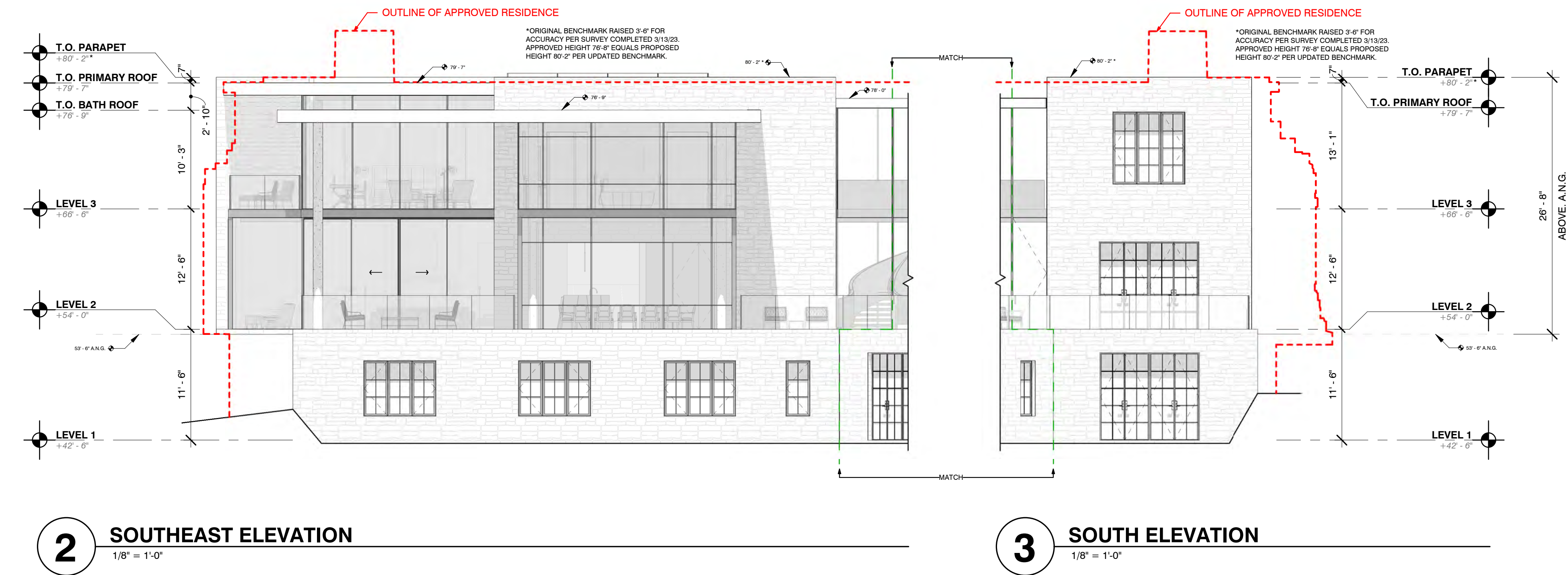
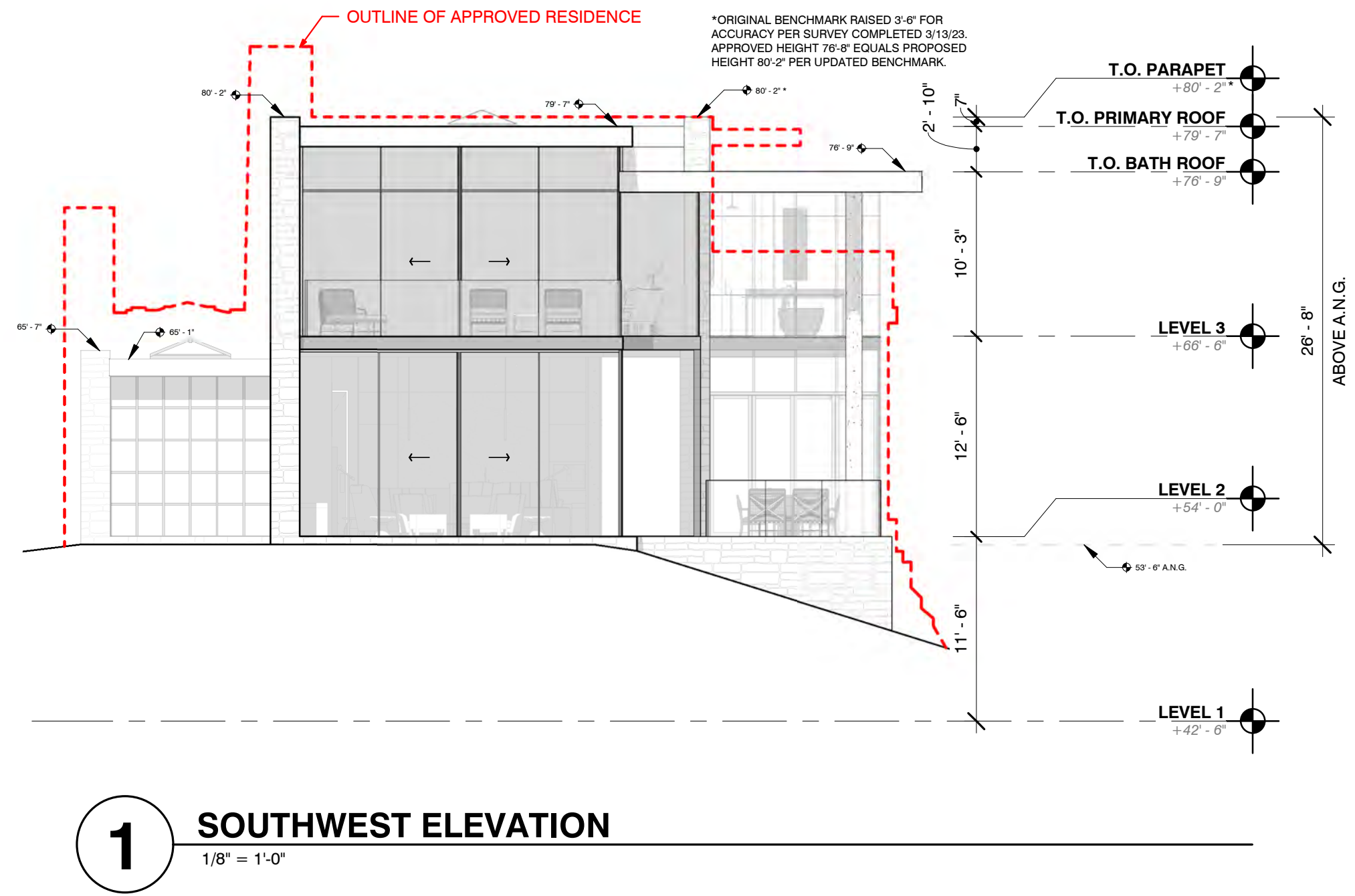
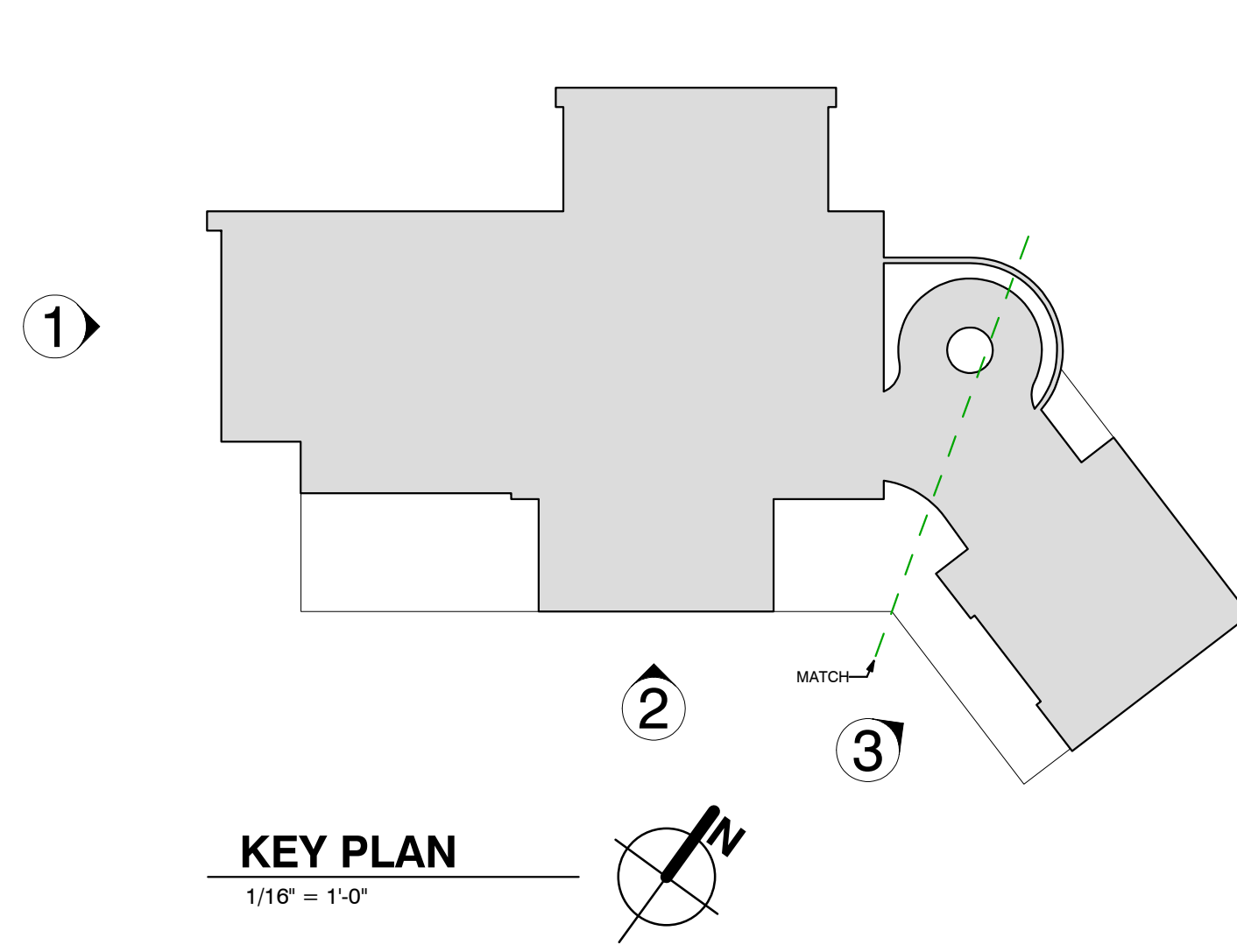
LUNDQUIST RESIDENCE

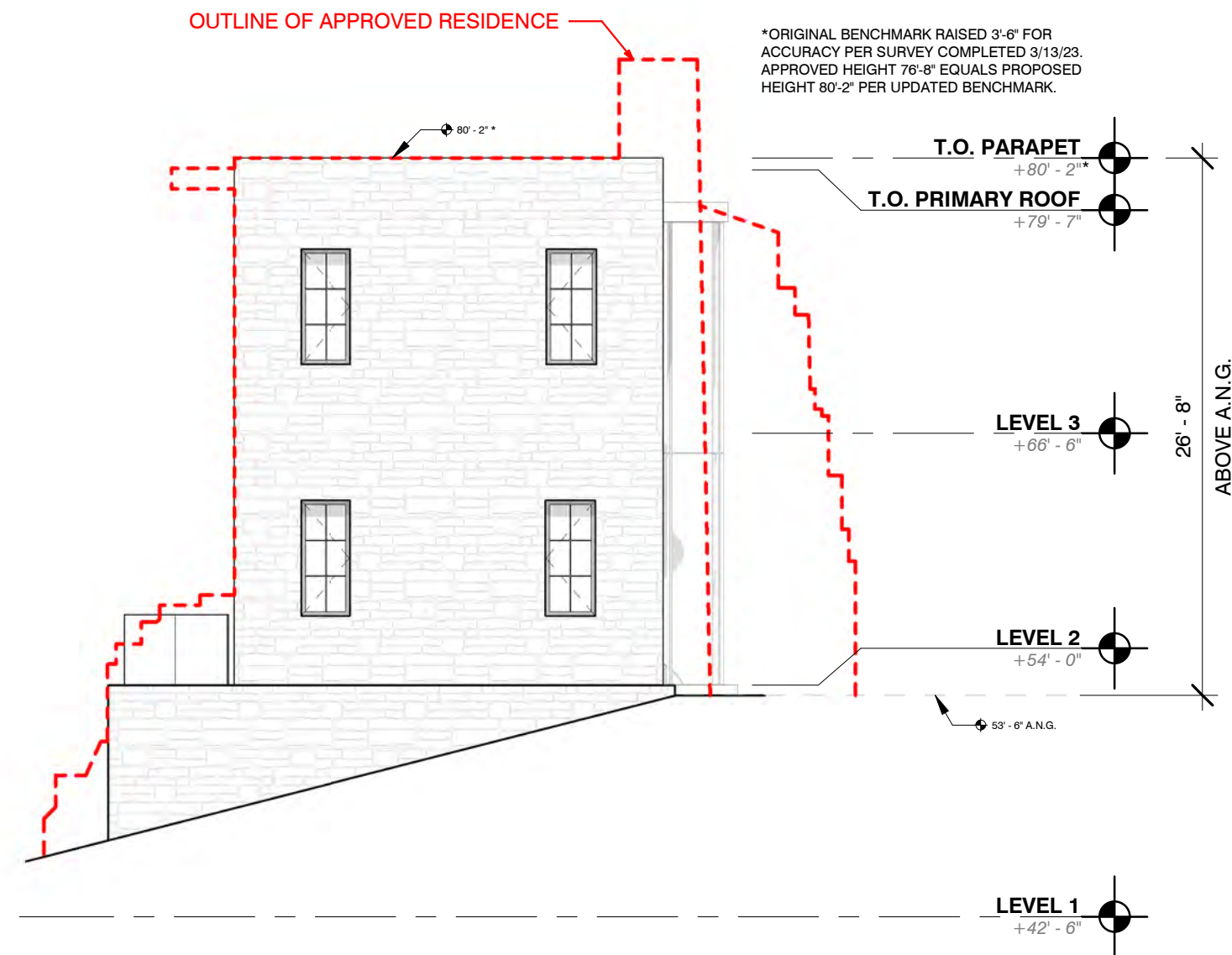
3224 17 Mile Drive, Pebble Beach, CA 93953



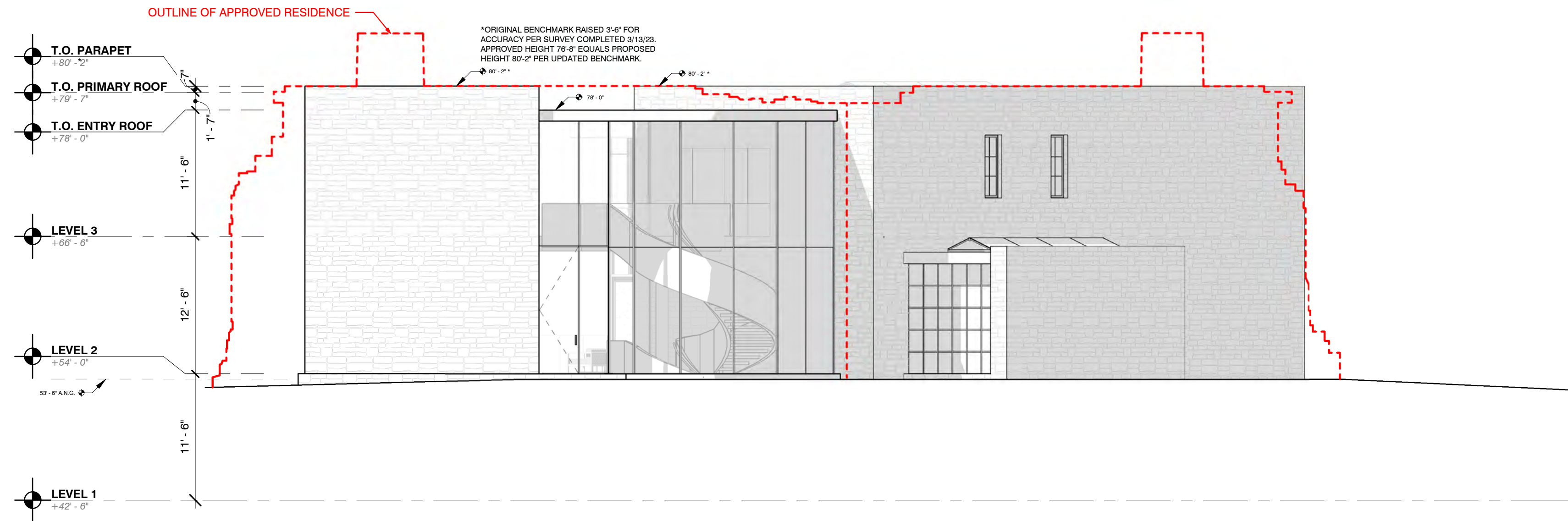
FLOOR AREA CALCULATIONS:				
APPROVED			PROPOSED	
LEVEL 1	3,399 SF	3,551 SF	LEVEL 1	3,907 SF
LEVEL 2	3,138 SF	3,174 SF	LEVEL 2	2,967 SF
LEVEL 3	2,349 SF	2,302 SF	LEVEL 3	2,324 SF
TOTAL	8,886 SF	9,027 SF	TOTAL	8,998 SF



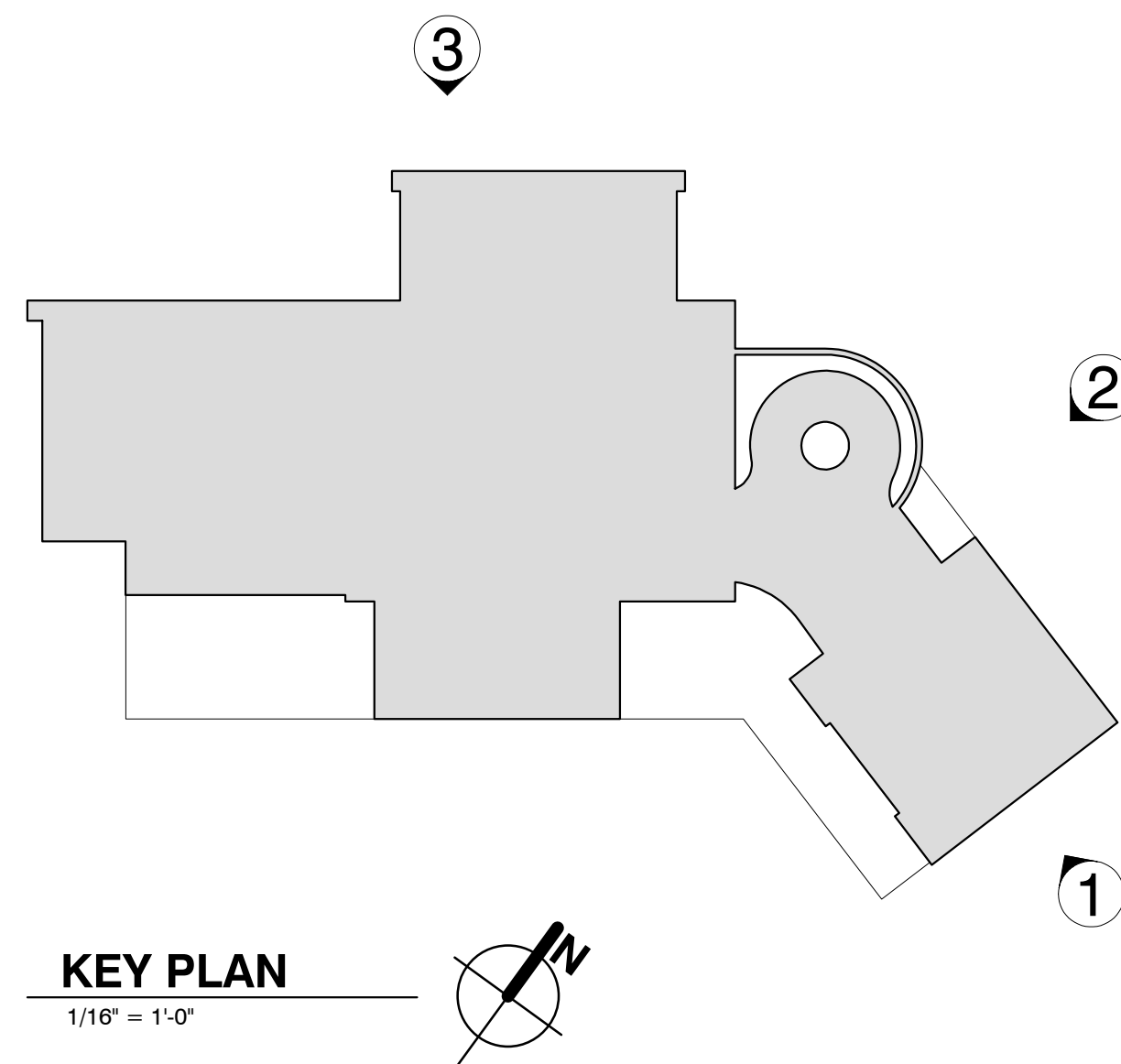




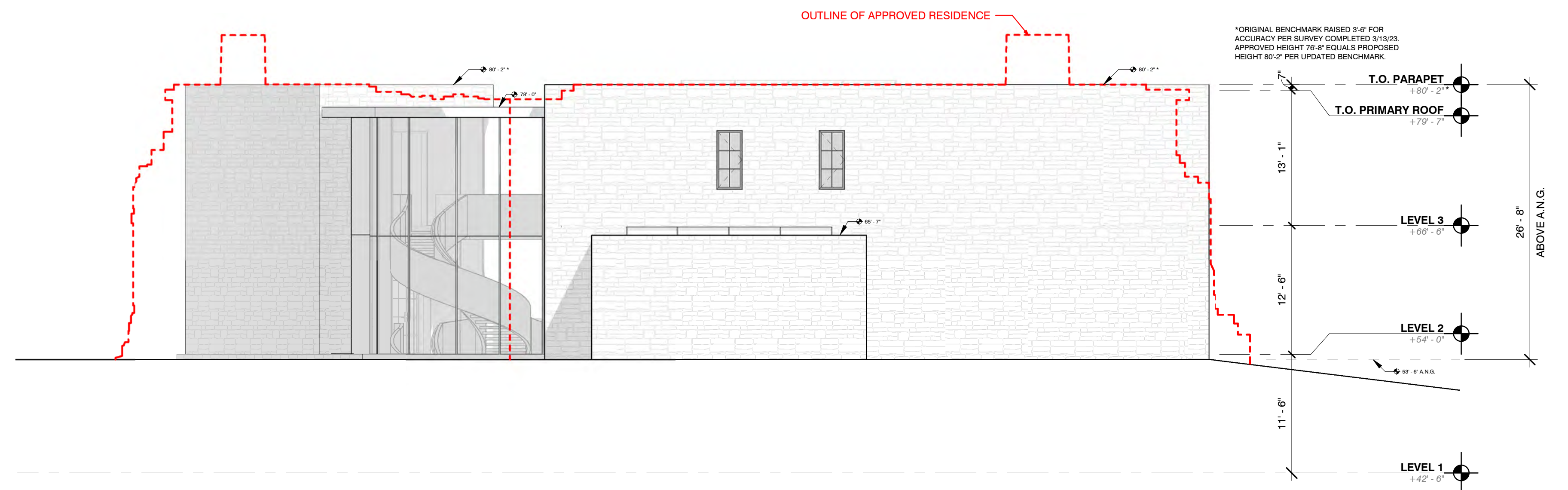
1 EAST ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"



KEY PLAN
1/16" = 1'-0"



3 NORTHWEST ELEVATION
1/8" = 1'-0"



APPROVED RESIDENCE
ENTRY VIEW



PROPOSED RESIDENCE
ENTRY VIEW



APPROVED RESIDENCE
COAST VIEW



PROPOSED RESIDENCE
COAST VIEW