

Exhibit B

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DRAFT RESOLUTION

Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

MCATA LLC (PLN200251)

RESOLUTION NO. ----

Resolution by the Monterey County Planning
Commission:

- 1) Finding that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303 and that none of the exceptions from section 15300.2 apply to the project; and
- 2) Approving a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit to allow 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a new pervious paver driveway connection, re-paving an existing driveway with pervious pavers, an interior courtyard with a hot tub and fire pit, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill;
 - b. Coastal Development Permit to allow 4,907 square feet of development on slopes exceeding 30 percent;
 - c. Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
 - d. Coastal Development Permit to allow removal of 22 trees (17 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees).

[PLN200251 MCATA LLC, 3347 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-351-047-000), Del Monte Forest Land Use Plan]

The MCATA LLC application (PLN200251) came on for public hearing before the Monterey County Planning Commission on February 14, 2024 and April 10, 2024. Having considered all the written and documentary evidence, the administrative record, the staff

report, oral testimony, and other evidence presented the Monterey County Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:**
- a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
 - Del Monte Forest Land Use Plan (DMF LUP);
 - Monterey County Coastal Implementation Plan, Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area (CIP); and
 - Monterey County Coastal Implementation Plan, Part 1, the 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) Allowed Use. The property is located at 3347 17-Mile Drive, Pebble Beach (Assessor’s Parcel Number 008-351-047-000). The parcel is zoned Low Density Residential with a density of 1.5 acres a unit and a Design Control overlay in the Coastal Zone, or “LDR/1.5-D(CZ)”, which allows the first single-family dwelling on a legal lot of record and non-habitable accessory structures such as garages subject to a Coastal Administrative Permit (Title 20 sections 20.14.040.A and F).
- This zoning district also allows development on slopes in excess of 30 percent subject to a Coastal Development Permit (Title 20 section 20.14.030.C). Development within 750 feet of archaeological resources is not listed as a land use, but defined as “Development” in Title 20 section 20.06.310, and requires a Coastal Development Permit per CIP section 20.147.080.A.1. The removal of sensitive or landmark trees also requires a Coastal Development Permit per CIP section 20.147.050.A.
- The project consists of 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a new pervious paver driveway connection, re-paving an existing driveway with pervious pavers, an interior courtyard with a hot tub and fire pit, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill; 4,907 square feet of development on slopes exceeding 30 percent; development within 750 feet of known archaeological resources; and removal of 22 trees (17 Coast Live oak and 5 Monterey pine, 2 of which are landmark trees). The necessary entitlements to allow these uses and development are incorporated. Therefore, the project is an allowed land use for this site.
- c) Lot Legality. An Unconditional Certificate of Compliance has been issued for the property (HCD-Planning File No. CC200004), as

Monterey County Recorder Document No. 2020026453. Therefore, the County recognizes the property as a legal lot of record.

- d) Visual Resources / Design. The project is consistent with the applicable policies to protect Visual Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP), as detailed in Finding No. 5 and supporting evidence.
- e) Development Standards. The development standards in the base LDR zoning are codified in Title 20 section 20.14.060. The project is consistent with these standards, as detailed below:
 - The minimum setbacks for main structures are 30 feet (front) and 20 feet (sides and rear). The project proposes a 73 foot 11 inch front setback, a 20 foot side setback on the closest (west) side, a 78 foot 9 inch (east) side setback, and a 62 foot 8 inch rear setback.
 - The maximum allowable height for main structures is 30 feet, while the proposed height is 18 feet and 7 inches from average natural grade.
 - The maximum allowable building site coverage is 15 percent. As the property is 44,678.2 square feet, this would be 6,701.7 square feet. The project proposes 5,569 square feet of building site coverage (12.5 percent).
 - The maximum allowable floor area ratio is 17.5 percent. As the property is 44,678.2 square feet, this would be 7,818.7 square feet. The project proposes 6,924 square feet of floor area (15.5 percent). An additional 466 square feet of basement is included in the application, however, this is not included in the floor area ratio calculation, as Title 20 section 20.06.564 states that enclosed floor space constructed and maintained entirely below ground shall not be counted as floor area.

Therefore, the project is consistent with the applicable development standards.

- f) Cultural Resources. The project is consistent with the applicable policies to protect Cultural Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP), Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area, as detailed in Finding No. 7 and supporting evidence.
- g) Environmentally Sensitive Habitat Area. A biological report (LIB210054) was prepared by Leslie Zander to assess whether the project would impact and environmentally sensitive habitat area or individually sensitive species in accordance with CIP section 20.147.040.B. The biologist reviewed the California Natural Diversity Database (CNDDDB) and past surveys conducted by their firm throughout the Del Monte Forest to assemble a list of special status species that could be potentially present onsite. The biologist then conducted a reconnaissance-level survey of the property on January 21, 2021. The survey indicated that the sensitive species Monterey pine was present, as well as suitable habitat conditions for the federally endangered Yadon's piperia. They recommended that the arborists

recommendations be adhered to regarding tree removal/replacement, a migratory bird survey be conducted if tree removal is conducted during the bird nesting season, and that a follow up survey be conducted to confirm the presence/absence of Yadon's piperia. The bird nesting survey is incorporated through Condition No. 14 and the arborists recommendations are addressed in Finding No. 7 and supporting evidence. The biologist conducted the follow up survey on March 9, 2021, where she visited known locations of piperia to confirm that they had emerged and were identifiable, and then walked the property in transects to look for the plant. No Yadon's piperia were identified and the biologist confirmed none are present. Therefore, the project would not result in any impacts to biological resources or environmentally sensitive habitat area.

- h) Development on Slopes. There is no feasible alternative which would allow development to occur on slopes of less than 30%; better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives; and is consistent with the policies in the Del Monte Forest Land Use Plan (DMF LUP) protecting Water and Marine Resources, and their implementing regulations in the Monterey County Coastal Implementation Plan (CIP), as detailed in Finding No. 6 and supporting evidence.
- i) Forest Resources. The proposed tree removal is consistent with the Del Monte Forest Land Use Plan policies protecting forest resources, and their implementing regulations in the Monterey County Coastal Implementation Plan, Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area, as detailed in Finding No. 7 and supporting evidence.
- j) DMF LUP Policy 77. DMF LUP policy 77 limits the impervious square footage of new residential development to 9,000 square feet within the Pescadero Watershed, smaller unnamed watersheds which drain into the Carmel Bay Area of Special Biological Significance (ASBS), Seal Rock Creek Watershed, and Sawmill Gulch Watershed. The project is in the area denoted on Figure 2b of the DMF LUP as Pescadero watershed and other unnamed watersheds which drain into the Carmel Bay Area of Special Biological Significance (ASBS). The project proposes 6,657 square feet of impervious surface, consistent with this policy.
- k) Land Use Advisory Committee (LUAC) Review. The property was referred to the Del Monte Forest Land Use Advisory Committee, who reviewed the project at their April 15, 2021 meeting. No members of the public commented, the LUAC had no areas of concern, and the LUAC voted 8-0 to recommend approval as proposed.
- l) The project planner conducted a site inspection on October 12, 2023 to verify that the project on the subject parcel conforms to the plans listed above.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach CSD. 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 the development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to analyze the geotechnical suitability of the site, and potential impacts to archaeological, biological, and forest resources. The following reports have been prepared:
 - “Soils Engineering Investigation for the Spanos Residence” (LIB210053) prepared by Brian Papurello CGE and Guy R. Girardo, RCE, Landset Engineers, Inc., Salinas, CA, July 2020
 - “Cultural Resources Assessment” (LIB210051) prepared by Brenna Wheelis, Paleo West, Walnut Creek, CA, June 5, 2020.
 - “Biological Assessment” (LIB210054) prepared by Leslie Zander, Zander Associates, Berkley, CA, February 1, 2021 and supplemental letter dated March 11, 2021.
 - “3347 17 Mile Drive pre-construction tree impact assessment” (LIB210052) prepared by Rob Thompson, Thompson Wildland Management, Monterey, CA, September 14, 2020, as supplemented by an addendum prepared April 3, 2023 and additional correspondence dated March 8 and March 21, 2024.

County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for the use. All development shall be in accordance with these reports.
 - c) Staff conducted a site inspection on October 12, 2023 to verify that the site is suitable for this use.
 - d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

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

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD- Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Pebble Beach CSD. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Necessary public facilities will be provided. The site has existing access to the road network through a driveway connection onto 17-Mile Drive. The project would be served by the California America Water Service

Company, who provided a can and will serve letter on January 29, 2021. The applicant also submitted a Monterey Peninsula Water Management District Residential Water release form indicating a proposed use of 49.7 fixture units, approximately 0.497 acre-feet of water use, and a recorded Water Entitlement and Water use Permit of 0.64 acre feet to cover this use. The property would receive sewer service from the Pebble Beach Community Services District (CSD), and a can and will serve letter from the CSD dated January 20, 2021 confirming that it will serve the property has been provided.

- c) As the project includes development on slopes in excess of 30%, in accordance with CIP section 20.147.060.A.1.a.4, a geotechnical report (LIB210053) was required to assess the geotechnical suitability of the site for the proposed development. The report concluded that the proposed residence was feasible from a soil engineering standpoint provided that the recommendation included it in it, which address site preparation and grading, foundations, site improvements, and drainage, are adhered to. In accordance with CIP section 20.147.060.A., notice of report Condition No. 12 has been applied to ensure that these recommendations are adhered to.
- d) Due to the significant slopes on the site, grading includes 2,030 cubic yards of cut and 280 cubic yards of fill, with a net export of 1,750 cubic yards. The draft construction management plan included in the application materials states that this cut would take 92 truck trips over a total of 16 days, and that this export would be taken to Monterey Regional Waste Management at 14201 Del Mote Blvd, Marina. Therefore, construction management plan Condition No 16 has been applied. This will require the applicant to submit a construction management plan to HCD-Engineering Services for review and approval prior to issuance of construction permits, to ensure that construction related trips are appropriately controlled. The applicant shall be required to implement measures in the approved construction management plan through construction.
- e) Staff conducted a site inspection on October 12, 2023 to verify that the site is suitable for this use.
- f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on October 12, 2023 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 found in Project File PLN200251.

- 5. FINDING: CULTURAL RESOURCES** – The project is consistent with the applicable policies to protect Cultural Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP).
- EVIDENCE:**
- a) Monterey County GIS identifies the property as being within 750 feet of known archaeological resources and having a high sensitivity for the presence of archaeological resources. In accordance with 20.147.080.B, an archaeological report (LIB210051) was prepared by archaeologist Brenna Wheelis which included archival research and a pedestrian reconnaissance of the site. The archival research included a records search from the Northwest Information Center (NWIC). Though two resources were identified within 750 feet of the site, the research did not identify resources within the project area. On May 15, 2020, the archaeologist conducted a pedestrian survey of the project area; no evidence of archaeological resources was identified.
 - b) The archaeologist recommended that a qualified archaeologist provide the construction crew with a worker environmental awareness training to inform the process of unanticipated cultural resource discoveries if unidentified resources are uncovered during construction; that if previously unanticipated cultural resources are uncovered during construction that work be halted within 50 meters and an archaeologist contacted to evaluate the site and formulate appropriate measures for the treatment of resources; and that if any human remains are encountered onsite, that work be halted immediately until the remains are evaluated by the County coroner, and a most likely descendent be identified for the project. CIP section 20.147.080.C.3.a. requires that recommendations of archaeological reports be incorporated as permit conditions of approval. Condition No. 13 has been applied to incorporate the archaeologist’s recommendation for a worker awareness training, and the recommendations for procedures if unanticipated cultural resources have are uncovered are included as Condition No. 3. Condition No. 3 is a standard condition applied to projects with negative archaeological reports, however the language has been slightly modified to add that if unanticipated resources are discovered that the archaeologist develop appropriate measures for treatment and recovery (rather than just recovery), and if human remains are encountered that work halt immediately and the County coroner be contacted a Most Likely Descendant be assigned for the project. (The term Most Likely Descendant means those person(s) most likely descended from the deceased Native American; if the remains are determined not to be Native American, this step would not be applicable.)
 - c) As an archaeological report was prepared for the project in accordance with CIP section 20.147.080.B, it not identify any evidence of archaeological resources, and the recommendations of the archaeologist are being incorporate into the project as conditions of approval in accordance with CIP 20.147.080.C.3.a., the project is consistent with the Cultural Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP) and their implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP).

- d) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

6. FINDING: **VISUAL RESOURCES** – The project is consistent with the applicable policies to protect Visual Resources in the Del Monte Forest Land Use Plan (DMF LUP) and with implementing regulations in the Monterey County Coastal Implementation Plan (CIP).

- EVIDENCE:**
- a) The project is subject to the Visual Resources protection policies of the Del Monte Forest Land Use Plan (DMF LUP), implementing regulations in Part 5 of the Monterey County Coastal Implementation Plan (CIP), and the Design Control “D” zoning overlay district, which requires siting and design review of structures and fences to assure protection of the public viewshed and neighborhood character.
 - b) The surrounding character of the area is a pattern of low density residential development with large lots and single-family residences, heavily screened by vegetation, including oak and pine trees. The topography slopes moderately to steeply upwards from the coast further inland. An eclectic mixture of residential architecture is present in Pebble Beach; between 1919 and 1945 the Del Monte Properties Company instituted design controls requiring Mediterranean and Spanish revival styles, while the post World War Two period relaxed these controls and resulted in several styles in post war development, including ranch, colonial revival, and mid-century modern. The Design Control overlay district requires structures be compatible with the surrounding neighborhood character, and CIP section 20.147.070.B.3 requires that structures within visually prominent setting be designed to subordinate and blend into the environment, including appropriate construction and materials to achieve that effect. The architectural form of the residence is modern, with rectilinear features, large windows, and a flat overhanging roof. The proposed color palette features tan smooth and split faced stone veneers, frameless glass, and an exterior soffit with copper banding and a mahogany ceiling. The modern architecture fits within the variety of styles in Pebble Beach, while the natural materials subordinate the residence to its surrounding environment in accordance with the CIP section 20.147.070.B.3. Siting and design of the residence preserves the slopes south, west, and north of the development, giving the appearance that the structure is built into the landscape, further subordinating it to the environment in accordance with CIP section 20.147.070.B.3.
 - c) Exterior Lighting and Glare. CIP section 20.147.070.B.3 requires that Development within the viewshed of visually prominent settings, including 17-Mile Drive, be subordinate to and blended into the environment, including by using appropriate construction and materials to achieve that effect. To ensure that exterior lighting is consistent with this standard, Condition No. 7 is incorporated, which will require an exterior lighting plan and that exterior lighting 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. Additionally, as frameless glass is one of the dominant materials on the

primary façade, to prevent obtrusive glare on the visually sensitive corridor of 17-Mile Drive, Condition No. 7 shall also require that exterior glass be glare resistant.

- d) The property is mapped as being potentially viewable from 17-Mile Drive and Point Lobos based on the Del Monte Forest Land Use Plan Figure 3, Visual Resources. The new development was flagged in accordance with the County's staking and flagging criteria. Based on the planner's site inspection on October 12, 2023, the development will be visible from 17-Mile drive as the property fronts on the roadway. Due to distance, topography, and intervening development and vegetation, the project and site could not be seen from Point Lobos. CIP section 20.147.070.B.10. requires a minimum 50 foot front setback for structures from visually prominent settings, such as 17-Mile Drive. The proposed setback is 73 feet and 11 inches, consistent with this requirement CIP section.
- e) Policy 84. In order to maintain an appropriate open space and visual separation from development and the 17-Mile Drive corridor, Del Monte Forest land use Plan Policy 84, implemented through CIP section 20.147.070.B.13, requires a minimum setback of 100 feet from the centerline of 17-Mile drive for new development. The decision making body may allow an exception to this policy provided that the new development is screened from view of travelers by existing vegetation or terrain and this screening is required to be maintained or enhanced in perpetuity. CIP section 20.147.070.B.13 further requires that the area of this setback be placed in a Conservation and Scenic Easement. In this case all buildings are greater than this 100 foot setback, with the residence being 101 feet and 1 inch from the centerline of 17-Mile Drive. However, portions of the site improvements, including a walkway and planter retaining walls are within the 100 foot setback. These improvements are low to the ground, minimizing their visual obtrusion. In this case, due to their low profile and the large volume of existing oak and pine tree vegetation, the development is sufficiently visually screened to allow an exception to this policy. The area between this setback and the roadway is heavily forested with oak and pine trees, with approximately 52 trees, some of which are multi-stem clusters. Condition No. 6 has been applied, which would require the applicant to submit a landscaping plan for review and approval prior to issuance of building permits and having the landscaping installed prior to final of permits and maintain it in perpetuity. Condition No. 8 would require planting of 26 replacement trees to compensate for the loss of trees removed due to construction, which would be incorporated into the landscape plan and further screen the development. Finally, in accordance with CIP section 20.147.070.B.13, a conservation and scenic easement (Condition No. 13) will be required for the 100 foot setback area with the exception of existing/approved development, to ensure that this area is maintained as an open space buffer between 17-Mile Drive and the development.
- f) Staff conducted a site inspection and a visit to Point Lobos on October 12, 2023 to assess the potential of the project to impact Visual Resources.

- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

7. **FINDING:** **DEVELOPMENT ON SLOPES** – The proposed development on slopes is unavoidable and is consistent with the policies in the Del Monte Forest Land Use Plan (DMF LUP) protecting Water and Marine Resources, and their implementing regulations in the Monterey County Coastal Implementation Plan (CIP).
- EVIDENCE:**
- a) The project includes approximately 4,907 square feet of development on slopes in excess of 30 percent, 3,516 square feet of this is for the building footprint, while another 1,391 square feet is for associated hardscape, including the driveway, a walking path along the front of the home, and an exterior stairway.
 - b) Title 20, Section 20.64.230 prohibits development on slopes in excess of 30 percent unless a finding can be made that either there is no feasible alternative which would allow development to occur on slopes of less than 30 percent; or the proposed development better achieves the goals, policies and objectives of the Monterey County Local Coastal Program than other development alternatives.

The policy regarding development on slopes in excess of 30% in DMF LUP is Land Use and Development Policy 78, which states that development on slopes of 30% or more is prohibited unless such siting better addresses LUP objectives as a whole when compared to other possible siting alternatives on slopes of less than 30% associated with projects and/or sites. This is also codified in the CIP hazards development standard 20.147.060.B.8.(a).

This policy and its implementing regulation are supplemented by other policies and regulations which do not explicitly discuss development on slopes, but address alterations to natural landforms and grading in general. Freshwater and Marine Resources DMF LUP Policy 1 requires that all new development shall be designed to conform to site topography as much as possible.

- c) The entire property is moderately to steeply sloped as you move from 17-Mile Drive north and north-east, with the majority of the property having slopes in excess of 25 and 30 percent. The only contiguous portions of the property that do not contain slopes in excess of 30 percent is the existing driveway, which is being used as access for the site. Due to the steeply sloped nature of the site, neither re-siting the home in any direction or reducing the development footprint would avoid development on slopes, making slope development unavoidable.
- d) The version of the site plan that was considered at the February 14, 2024 Planning Commission meeting included approximately 1,201 square feet of development on slopes in excess of 30 percent for a pool and pool deck, approximately 20 percent of the proposed development on slopes. This large square footage of slope development for an ancillary use is in tension with DMF LUP Policy 1 requires that all new development shall be designed to conform to site topography as much as

possible. Therefore, the applicant re-designed the project to eliminate this pool and deck area, reducing the proposed development on slopes by pool was inconsistent with DMF LUP. The project was re-designed to eliminate the exterior pool and pool deck, and reduce development on slopes in excess of 30 percent overall by 1,245 square feet. As re-designed, the development on slopes is unavoidable, and the proposed project adheres to the topography as much as possible as required by the DMF LUP.

- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN200251.

8. FINDING: **TREE REMOVAL** – The tree removal is consistent with the Del Monte Forest Land Use Plan policies protecting forest resources, and their implementing regulations in the Monterey County Coastal Implementation Plan, Part 5, Regulations for Development in the Del Monte Forest Land Use Plan Area (CIP).

- EVIDENCE:**
- a) CIP section 20.147.050.A.1.a requires a Coastal Development Permit to allow removal of sensitive tree species or landmark trees. In this case, the project proposes removal of 22 trees, 17 of which are Coast live oak, and 5 of which are Monterey pine (including 2 landmark size Monterey pine).
 - b) A pre-construction tree impact assessment (LIB210052) was prepared by Rob Thompson, Thompson Wildland Management in accordance with CIP section 20.147.050.B on September 14, 2020. The site plan was subsequently revised, and a revised assessment was prepared April 3, 2023. The tree impact assessment described the forested character of the site and surrounding area: “On this particular property, as with the other nearby lots, mid canopy Coast Live Oak is the most dominant and common species (refer to Figures 1-8), with upper canopy Monterey Pine occurring to a lesser extent.”
 - c) CIP section 20.147.050.C.5 requires that development, including driveways and parking areas, be sited and designed to minimize removal of trees, especially trees that significantly contribute to the visual character of the public viewshed, such as along 17-Mile Drive, and that screen development from public view.

The originally submitted plan would have required the removal of 35 trees, 28 Coast live oak and 7 Monterey pine. The applicants submitted a revised proposal re-siting the residence south, which reduced the number of trees proposed to be removed to 25, 20 Coast live oak and 5 Monterey pine. This is the version of the project plans that was considered at the February 14, 2024 Planning Commission meeting, where the hearing on the project was continued to a date certain of April 10, 2024. After that hearing, the project was re-designed to remove a pool and pool deck south (in front) of the residence. This will allow the Coast Live oak trees #21, #23, and #24 to be retained, further reducing the tree removal to 22 trees, 17 of which are Coast live oak, and 5 of which are Monterey pine (including 2 landmark size Monterey pine).

Of these 22 trees, 20 are within the construction footprint. Two Monterey pine proposed for removal are outside of the construction footprint: #17, a multi-trunk pine in poor health and southeast of the proposed residence (just south of the proposed planters), which the forester recommended be removed due to construction impacts from adjacent grading activities and potential hazard concerns, and #25, a landmark Monterey pine. Tree #25 is within the area where a pool deck was previously proposed. While the site plan has been revised to remove the pool deck as part of the project scope, the arborist still recommends this tree be removed due to its declining health and hazard concerns; and that it would likely die due to construction activities if it were attempted to be retained.

The design also preserves the forested area between 17-Mile drive and the home, which acts as screening of the development from 17-Mile Drive and contributes to the forested visual character of 17-Mile Drive.

As all trees proposed for removal are either within the construction footprint or are recommended to be removed due to their declining health and hazard concern, the proposal has been re-sited to minimize tree removal, the design of the project has been modified to reduce tree removal, and the project retains the forested areas between 17-Mile Drive and the development that contribute to the areas scenic character, the project is consistent with CIP section 20.147.050.C.5.

- d) CIP section 20.147.050.C.6 requires that where removal of native trees is allowed for development, such removal be mitigated through replanting, or forest preservation either on- or offsite. In this case, the forester recommended replacement of the 22 trees (17 Coast live oak and 5 Monterey pine, two of which are landmark trees) with 26 trees onsite, 20 Coast live oak and 6 Monterey pine, in order to compensate for tree removal impacts and maintain forest health. While the forester's recommendation of 29 trees exceeds the 1:1 tree replacement ratio specified in CIP section 20.147.050.C.6, to preserve forest health the forester's recommendations are incorporated as Condition No. 8.
- e) Per CIP section 20.147.050.C.4, retained trees close to construction shall be protected from damage through exclusionary fencing, bridging or tunneling under roots, and other appropriate measures. The tree assessment provided recommendations to include exclusionary fencing to protect the critical root zones of trees, install appropriate sediment control to prevent erosion, install trunk and stem protection where grading or construction would be within three feet of a tree, best management practices for when roots are identified, avoid storing materials and equipment in critical root zones, avoid altering natural grade where possible within critical root zones, best management practices for tree pruning, and regularly conduct construction site inspections. Condition No. 9 is applied, which requires the applicant to install tree protection measures prior to the issuance of grading or building permits and incorporate the forester's tree protection recommendations. This condition also requires that after construction the applicant submit photos verifying whether tree protection has been

successful, or if follow-up remediation measures or additional permits are required.

- f) Staff conducted a site inspection on October 12, 2023 to assess the potential of the project to impact Forest Resources.
- g) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development are found in Project File PLN200251.

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

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines section 15303 categorically exempts the construction and location of a limited number of new small structures, including one single-family residence, and utility extensions of reasonable length to serve such construction.
 - b) The project consists of the construction of the first single-family dwelling on a legal lot of record and associated site improvements to serve this residence, fitting the intent of the exemption.
 - c) None of the exceptions that would pull the project out of a categorical exemption detailed in CEQA Guidelines section 15300.2 apply to the project, as detailed in the subsequent evidence.
 - d) The project is not located in an area where an environmental resource of hazardous or critical concern has been designated and precisely mapped by a federal, state, or local agency.
 - e) The project, as the construction of a single-family residence on a property zoned to allow such uses, and where the application of the policies and regulations applicable in the Del Monte Forest Land Use Plan ensures that there would be no significant environmental effects. Therefore, the project would not contribute to a significant cumulative environmental impact.
 - f) There are no unusual circumstances in the undertaking of the project that would result in a potentially significant effect.
 - g) The project is not viewable from an officially designated state scenic highway. The nearest scenic highway is Highway 1, which is approximately 1.57 miles east of the site. Due to forest cover, topography, and intervening development, the project would not be viewable from this highway. Other scenic resources are addressed in Finding No. 5 and supporting evidence.
 - h) The project is not on a hazardous waste site list compiled pursuant to Government Code section 65962.5.
 - i) The site is a vacant property with no known historical resources; therefore, the project would not impact any historical resources.
 - j) No adverse environmental effects were identified during staff review of the development application during a site visit on October 12, 2023.
 - k) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

10. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3

of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- 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 Coastal Implementation Plan can be demonstrated.
 - b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - c) The subject property 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 Del Monte Forest Land Use Plan).
 - d) The property is mapped as being within the potential viewshed of 17-Mile Drive and Point Lobos according to Del Monte Forest Land Use Plan Figure 3, Visual Resources. The property was staked and flagged to identify any visual access impacts from these areas. The flagging could not be seen from Point Lobos during the planner's onsite investigation. The property is directly north of, and visible from, 17-Mile Drive. However, the project would not block any significant public views, and as discussed in Finding No. 5 and supporting evidence, would be compatible with the existing scenic character of the area.
 - e) The project planner conducted a site inspection on October 12, 2023 and did not identify any potential impacts to public access.
 - f) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning found in Project File PLN200251.

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

- EVIDENCE:**
- a) Title 20 section 20.86.030 allows an appeal to 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) Title 20 section 20.86.080 allows an appeal of approved projects between the sea and the first public road paralleling the sea to the California Coastal Commission. The site is between the sea and the first public road paralleling the sea (Highway's 1 and 68).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- 1) Find that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303 and that none of the exceptions from section 15300.2 apply to the project; and
- 2) Approve a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit to allow 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a new pervious paver driveway connection, re-paving an existing driveway with pervious pavers, an interior courtyard with a hot tub and fire pit, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill;
 - b. Coastal Development Permit to allow 4,907 square feet of development on slopes exceeding 30 percent;
 - c. Coastal Development Permit to allow development within 750 feet of known archaeological resources; and
 - d. Coastal Development Permit to allow removal of 22 trees (17 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees).

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

PASSED AND ADOPTED this 10th day of April, 2024, upon motion of Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Melanie Beretti, AICP
Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

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 _____.

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.

Form Rev. 1-27-2021

County of Monterey HCD Planning

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

PLN200251

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

**Condition/Mitigation
Monitoring Measure:**

This Combined Development Permit (PLN200251) allows a:

- a. Coastal Administrative Permit to allow 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a new pervious paver driveway connection, re-paving an existing driveway with pervious pavers, an interior courtyard with a hot tub and fire pit, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill;
- b. Coastal Development Permit to allow 4,907 square feet of development on slopes exceeding 30 percent;
- c. Coastal Development Permit to allow development within 750 feet of known archaeological resources; and a
- d. Coastal Development Permit to allow removal of 22 trees (17 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees). The property is located at 3347 17 Mile Drive, Pebble Beach (Assessor's Parcel Number 008-351-047-000), Del Monte Forest Land Use Plan. 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 Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number _____) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 008-351-047-000 on February 14, 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. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: 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. Monterey County HCD - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, 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 treatment with appropriate dignity, and recovery. In the event that human remains are encountered on site, ground disturbing activities shall halt until the remains have been evaluated by the county coroner and a Most Likely Descendent has been assigned to the project.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.
Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County HCD - Planning 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.

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed: Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

5. PD011(A) - TREE REMOVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Tree removal shall not occur until a construction permit has been issued in conformance with the appropriate stage or phase of development in this permit. Only those trees approved for removal shall be removed. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to tree removal, the Owner/ Applicant/ Tree Removal Contractor shall demonstrate that a construction permit has been issued prior to commencement of tree removal.

6. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: In order to maintain naturalistic open space buffer and screen the proposed development from 17-Mile Drive in accordance with Del Monte Forest Land Use Plan Policy 84, the site shall be landscaped and such landscaping maintained. Prior to the issuance of building permits, a landscaping plan shall be submitted to the Director of HCD - Planning. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials, show where required replacement trees will be located, and include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County HCD - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to HCD - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by HCD-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to HCD-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County HCD - Planning.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

7. 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. Additionally, due to the amount of glazing proposed in the project, to prevent obtrusive glare on the visually sensitive corridor of 17-Mile Drive, the applicant shall use glare-resistant glass.

The lighting source shall be shielded and recessed into the fixture. The applicant shall submit 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 HCD - Planning, prior to the issuance of building permits.
(HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit the exterior lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to issuance of building permits, the Owner/Applicant shall provide a specification for the glare resistant glass intended to be used to HCD-Planning for review and approval. The approved glare resistant glass shall be incorporated into the building permit plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting and glare resistant glass has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

8. PD048 - TREE REPLACEMENT/RELOCATION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to final of construction permits, the applicant shall replace and or relocate each tree approved for removal as follows:

- Replacement ratio: 20 five gallon Coast live oak and 6 five gallon Monterey pine.

Replacement tree(s) shall be located within the same general location as the tree being removed, and where feasible replacement trees shall be incorporated into landscaping screening. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall submit evidence of tree replacement to HCD -Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

9. PD049 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to beginning any tree removal, trees which are located close to trees approved for removal shall be protected from inadvertent damage from equipment or tree removal activity by fencing off the canopy drip-lines and/or critical root zones (whichever is greater) with protective materials. Any tree protection measures recommended by the arborist report prepared for the project, in addition to the standard condition, shall be implemented. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to construction or tree removal, the Owner/Applicant/Tree Removal Contractor submit evidence of tree protection to HCD -Planning for review and approval.

During construction on an on-going basis, the owner/Applicant shall be responsible for ensuring that tree protection measures remain in place and any additional best management practices recommended by the arborist report are adhered to.

After construction or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit photos of the trees on the property to HCD -Planning to document that the tree protection has been successful or if follow-up remediation measures or additional permits are required.

10. PD016 - NOTICE OF REPORT

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:
"A Soils Engineering Investigation (Library No. LIB210053), was prepared by Brian Papurello CGE and Guy R. Girardo, RCE, Landset Engineers, Inc in July 2020 and is on file in Monterey County HCD - Planning. All development shall be in accordance with this report."
(HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD - Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the HCD - Planning.

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

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: To ensure that the area is maintained as an open space buffer between 17-Mile Drive and the development, pursuant to Monterey County Coastal Implementation Plan section 20.147.070.B.13, a conservation and scenic easement shall be conveyed to the Del Monte Forest Conservancy over those areas within 100 feet of the centerline of 17-Mile Drive, with the exception of existing/approved development. The easement shall be conveyed 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 Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and 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 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 building final or 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.

12. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: 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. (HCD - Planning)

Compliance or Monitoring Action to be Performed: 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 any active raptor or migratory bird nests occur within the project site or immediate vicinity.

13. PDSP001 - CULTURAL RESOURCES SENSITIVITY TRAINING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Prior to commencement of vegetation removal, tree removal, or rough grading, whichever comes first, a qualified archaeologist from the County of Monterey list of qualified environmental consultants shall provide the construction crew with a worker environmental awareness training to inform the process of unanticipated cultural resource discoveries if unidentified resources are uncovered during construction.

Compliance or Monitoring Action to be Performed: Prior to commencement of vegetation removal, tree removal, or rough grading, whichever comes first, a qualified archaeologist shall provide the construction crew with a worker awareness training as discussed in the text of this condition, and submit evidence to HCD-Planning that the training occurred. The evidence shall consist of the training materials provided, a list of attendees, and written verification from the qualified archaeologist.

14. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the HCD-Engineering Services.

15. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County HCD-Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to HCD-Engineering Services.

16. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: Public Works

Condition/Mitigation Monitoring Measure: The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and HCD-Engineering Services for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project.

CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for equipment and workers and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)

Compliance or Monitoring Action to be Performed: 1. Prior to issuance of the Grading Permit or Building Permit, Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the HCD-Planning and HCD- Engineering Services for review and approval.

2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

17. 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

SPANOS - MCATA L.L.C.

3347 17 MILE DRIVE Pebble Beach, CA 93953

REVISION	No.
POOL & TREE REV. 3/21/2024	1

CONSULTANT:

ARCHITECT

ERIC MILLER ARCHITECTS, INC.

211 HOFFMAN AVENUE, MONTEREY, CA 93940
PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

TITLE SHEET

JOB NAME: **SPANOS - MCATA, LLC**
3347 17 Mile Drive
Pebble Beach, CA
A.P.N.: 008-351-047-000

DATE:	2/27/2024
SCALE:	N.T.S.
DRAWN:	CJH
JOB NUMBER:	18.05-5

A-0.1
SHEET OF

PROJECT DATA

UTILITIES:

- WATER : CALIFORNIA AMERICAN WATER CO.
- ELECTRICAL AND GAS : PACIFIC GAS & ELECTRIC
- SANITARY SEWER SYSTEM : PEBBLE BEACH COMMUNITY SERVICES DISTRICT

GRADING QUANTITIES:

CUT/FILL :
CUT: 2,080 C.Y./ FILL: 280 C.Y. = NET: 1,790 C.Y. FILL

AREA OF DISTURBANCE : 12,610 S.F.

TREE REMOVAL:

17 COASTAL LIVE OAK TREES TO BE REMOVED
5 FINE TREES TO BE REMOVED
22 TOTAL TREES TO BE REMOVED

SLOPE DEVELOPMENT:

BUILDING FOOTPRINT :	3516 S.F.	11.0% OF SITE
PAVING :	1391 S.F.	38.4% OF BUILDING AREA

TOTAL 30% SLOPE OR GREATER : 4,907 S.F.

STREET SETBACK:

CENTERLINE OF 17 MILE DRIVE TO BUILDING : 101'-1"

LOT DATA :

LOT SIZE : 44,678.2 SQ. FT.
A.P.N. : 008-351-047-000
ZONING : LDR/1.5-D(GZ)

ZONING	LDR/1.5-D(GZ)
FLOOR AREA RATIO :	17.5%
MAXIMUM AREA ALLOWED :	7,818.7 SQ. FT.
BUILDING SITE COVERAGE:	15.0%
MAX. SITE COV. ALLOWED :	6,701.7 SQ. FT.

SETBACKS

LDR/1.5-D(GZ)	REQUIRED	PROPOSED
FRONT	30'-0"	75'-9"
WEST SIDE	20'-0"	20'-1"
EAST SIDE	20'-0"	78'-9"
REAR	20'-0"	62'-8"
17 MI. DRIVE	100'-0"	100'-0"
BUILDING HEIGHT	30 FT. MAX.	27.9' FT.

PROPOSED FLOOR AREA:

BASEMENT S.F. (UNCOUNTED)	466 S.F.
LEVEL 1 (INCLUDES GARAGE, CIRCULATION)	3,193 S.F.
LEVEL 2	3,311 S.F.
PROPOSED FLOOR AREA RATIO:	6,924 S.F. 15.5%

BUILDING SITE COVERAGE:

BUILDING FOOTPRINT	4,870 S.F.
COVERED EXTERIOR SPACES	545 S.F.
PATIOS 2 FT. ABOVE GRADE	184 S.F.
TOTAL PROPOSED BUILDING SITE COVERAGE:	5,564 S.F. 12.5%

PROPOSED SITE COVERAGE:

IMPERVIOUS:

BUILDING SITE COVERAGE	5,564 S.F.
SECOND FLOOR UNCOVERED PATIOS	280 S.F.
PATIO / HOT TUB	291 S.F.
STAIRS	100 S.F.
PATIO < 2FT. A.G.	417 S.F.
TOTAL IMPERVIOUS SITE COVERAGE:	6,657 S.F. 14.9%

PERVIOUS

DRIVEMAY	6,135 S.F.
TOTAL PERVIOUS SITE COVERAGE:	6,135 S.F.

TOTAL BUILDING AREA:

LEVEL	LIVABLE S.F.	TOTAL
LEVEL 1	2,932 S.F.	4,254 S.F.
LEVEL 2	3,311 S.F.	3,311 S.F.
TOTAL PROPOSED BUILDABLE AREA:	7,340 S.F.	7,340 S.F.

PROJECT INFORMATION

OWNER: MCATA, LLC
10100 TRINITY PARKWAY, 5TH FLOOR
STOCKTON, CA 95219

ADDRESS: 3347 17 MILE DRIVE
PEBBLE BEACH, CA 93953

ARCHITECT: ERIC MILLER ARCHITECTS, INC.
211 HOFFMAN AVENUE
MONTEREY, CA 93940
PH: 831-372-0410

LAND SURVEYOR: LANDSET ENGINEERS, INC.
520-B CRAZY HORSE ROAD
SALINAS, CA 93901
PH: 831-443-6970

CIVIL ENGINEER: LANDSET ENGINEERS, INC.
520-B CRAZY HORSE ROAD
SALINAS, CA 93901
PH: 831-443-6970

SOIL ENGINEER: LANDSET ENGINEERS, INC.
520-B CRAZY HORSE ROAD
SALINAS, CA 93901
PH: 831-443-6970

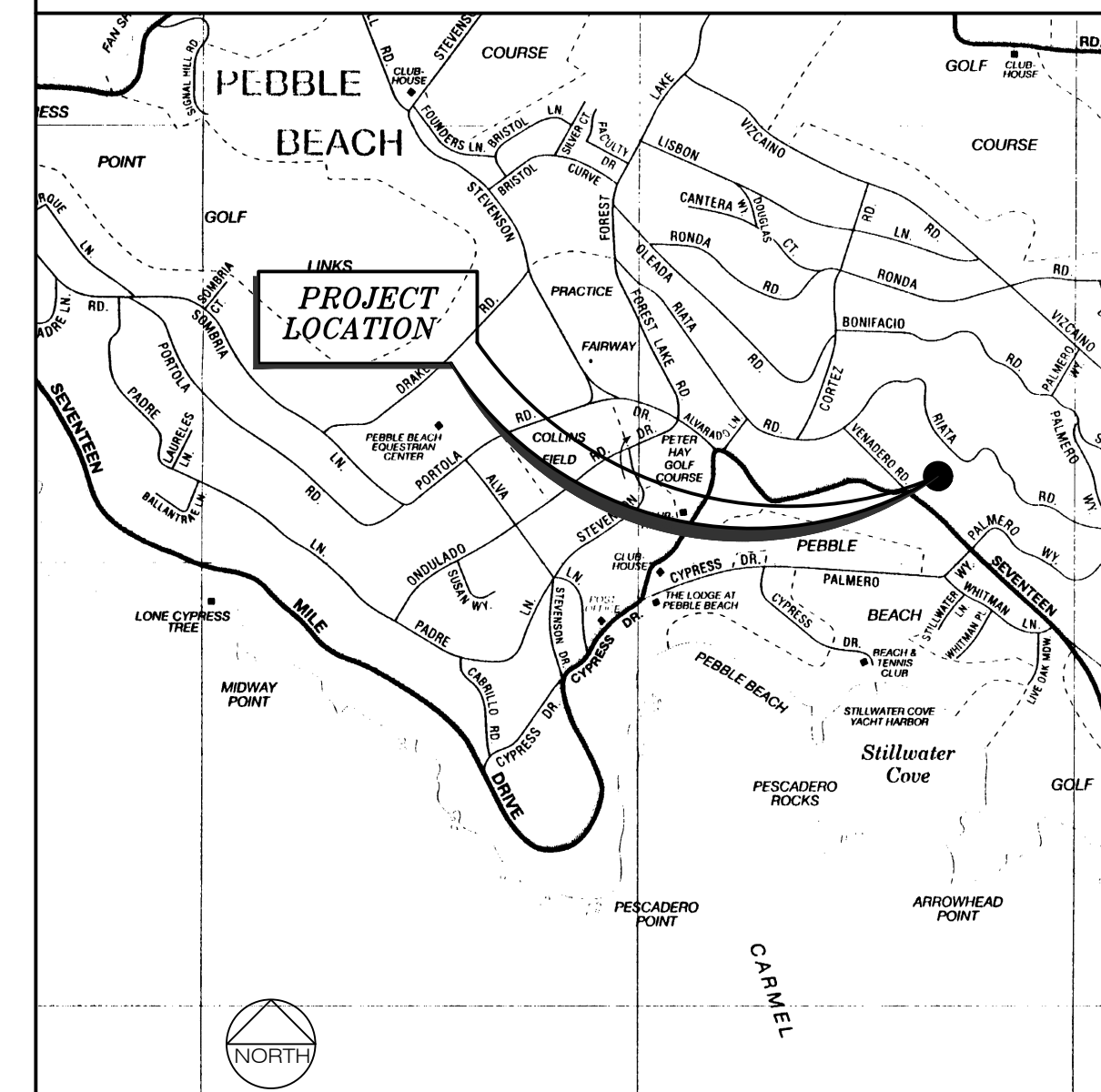
ARBORIST: THOMPSON WILDLAND MANAGEMENT
ROB THOMPSON, ISA CERTIFIED ARBORIST
57 VIA DEL REY
MONTEREY, CA 93940
PH: 831-372-3746

BIOLOGIST: ZANDER ASSOCIATES
LESLIE ZANDER
1564 SOLANO AVENUE #255
BERKELEY, CA 94707
PH: 415-847-8781

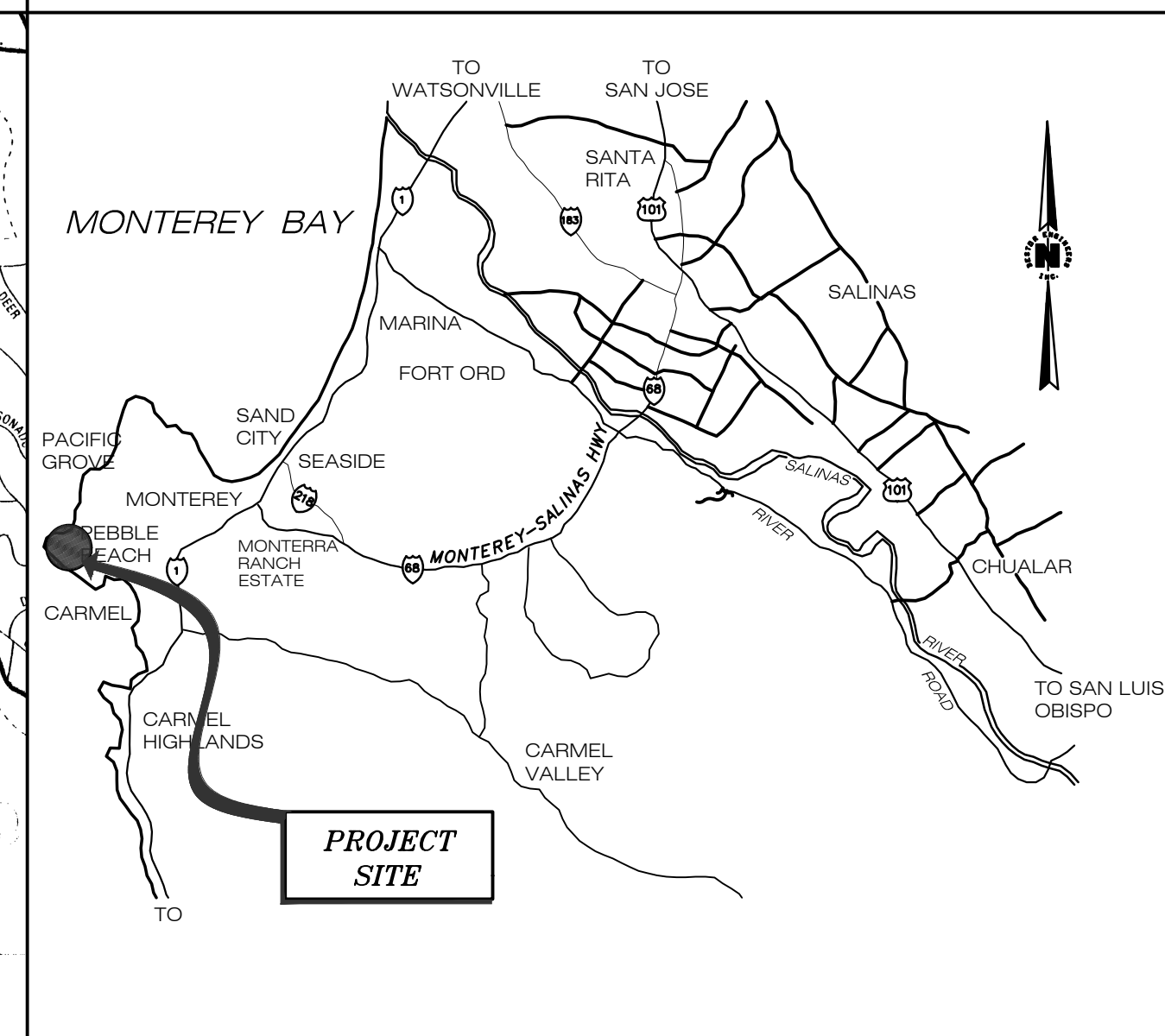
PROJECT DESCRIPTION:

PROPOSE NEW SINGLE FAMILY DWELLING HAVING 4 BEDROOMS, 4 BATHS, AND 2 HALF BATHS. A 2-CAR ATTACHED GARAGE, 1 ELEVATOR, HOT TUB, FIRE PIT, PATIOS AND RETAINING WALLS.

LOCATION MAP

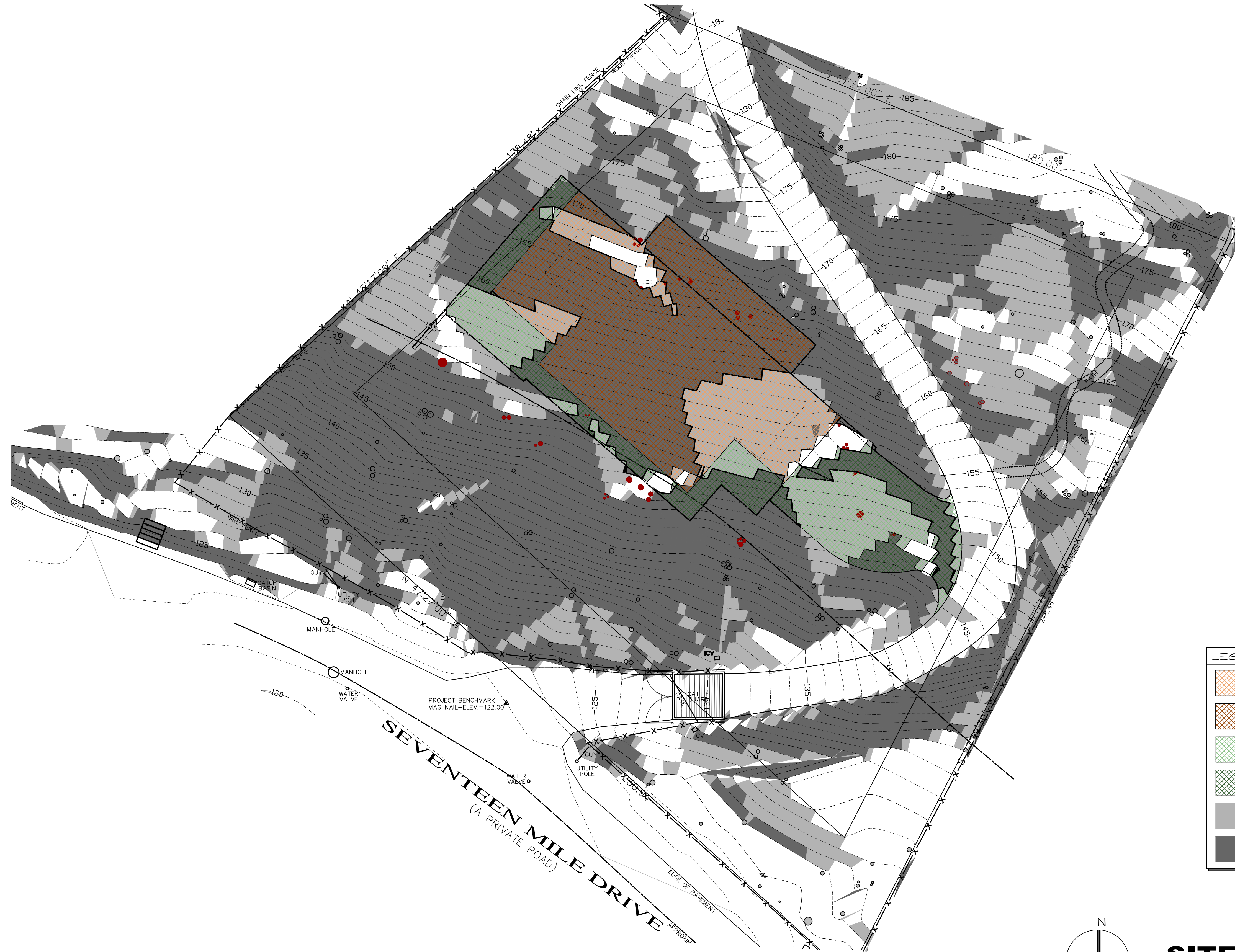


VICINITY MAP



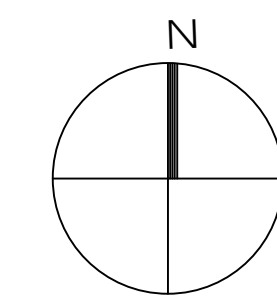
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SLOPE CALCULATIONS	
BUILDING	
25%-30% =	1,353 s.f.
30%+ =	3,516 s.f.
Building Total =	4,869 s.f.
SITE WORK	
25%-30% =	1,420 s.f.
30%+ =	1,391 s.f.
Site Work Total =	2,811 s.f.

LEGEND	
	BUILDING IN 25%-30% SLOPE
	BUILDING IN 30%+ SLOPE
	SITE WORK IN 25%-30% SLOPE
	SITE WORK IN 30%+ SLOPE
	25%-30% EXISTING SLOPE
	30%+ EXISTING SLOPE



SITE PLAN - SLOPES
SCALE: 1/16"=1'-0"

REVISION	No.
POOL & TREE REV. 3/13/2024	

CONSULTANT:

ARCHITECT
ERIC MILLER ARCHITECTS, INC.
211 HOFFMAN AVENUE MONTEREY, CA 93940
PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

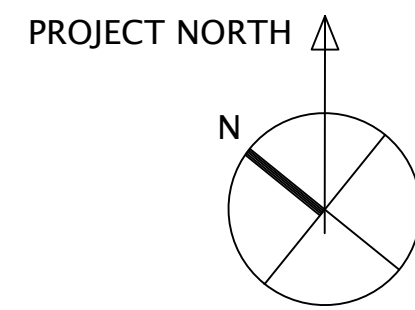
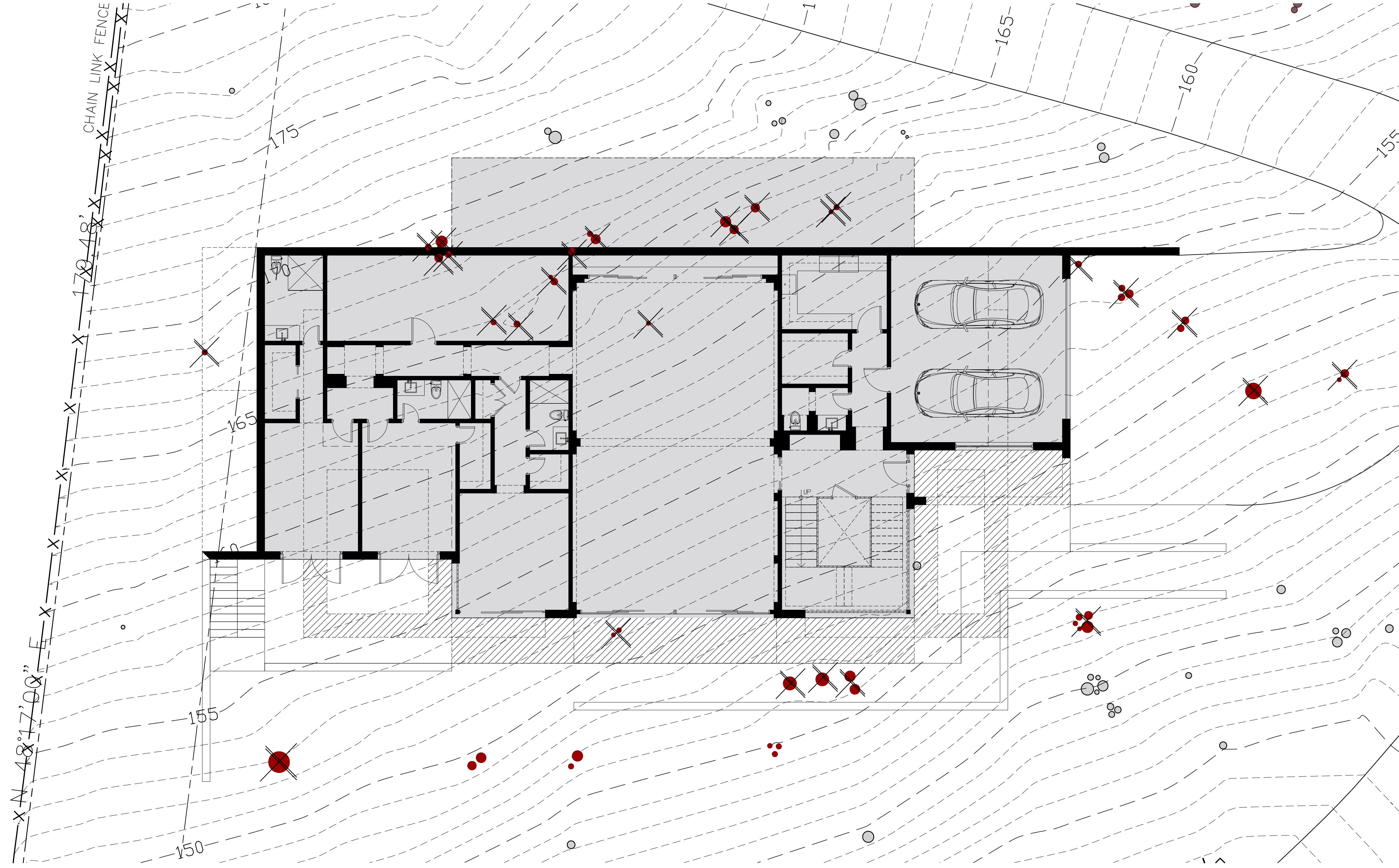
Site Plan - Slopes

JOB NAME: **SPANOS - MCATA, LLC**
3947 17 Mile Drive
Pebble Beach, CA
A.P.N.: 008-351-047-000

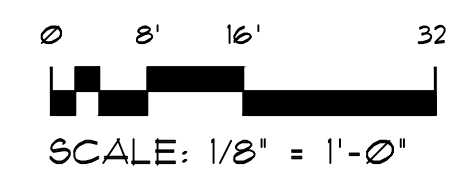
DATE: 2/27/2024
SCALE: 1/16"=1'-0"
DRAWN: HRM
JOB NUMBER: 18.05-S

A-1.2
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SITE PLAN-ROOF OVERHANG



LEGEND	
	TREE TO BE REMOVED
	OVERHANG FOOTPRINT
	BUILDING FOOTPRINT

REVISION	No.
POOL & TREE REV. 3/13/2024	

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 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

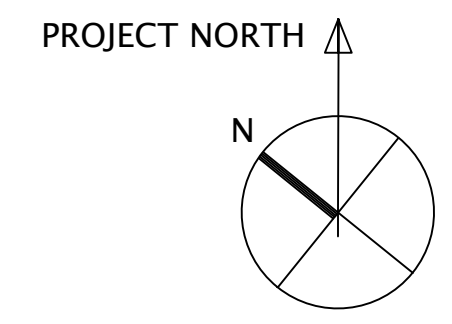
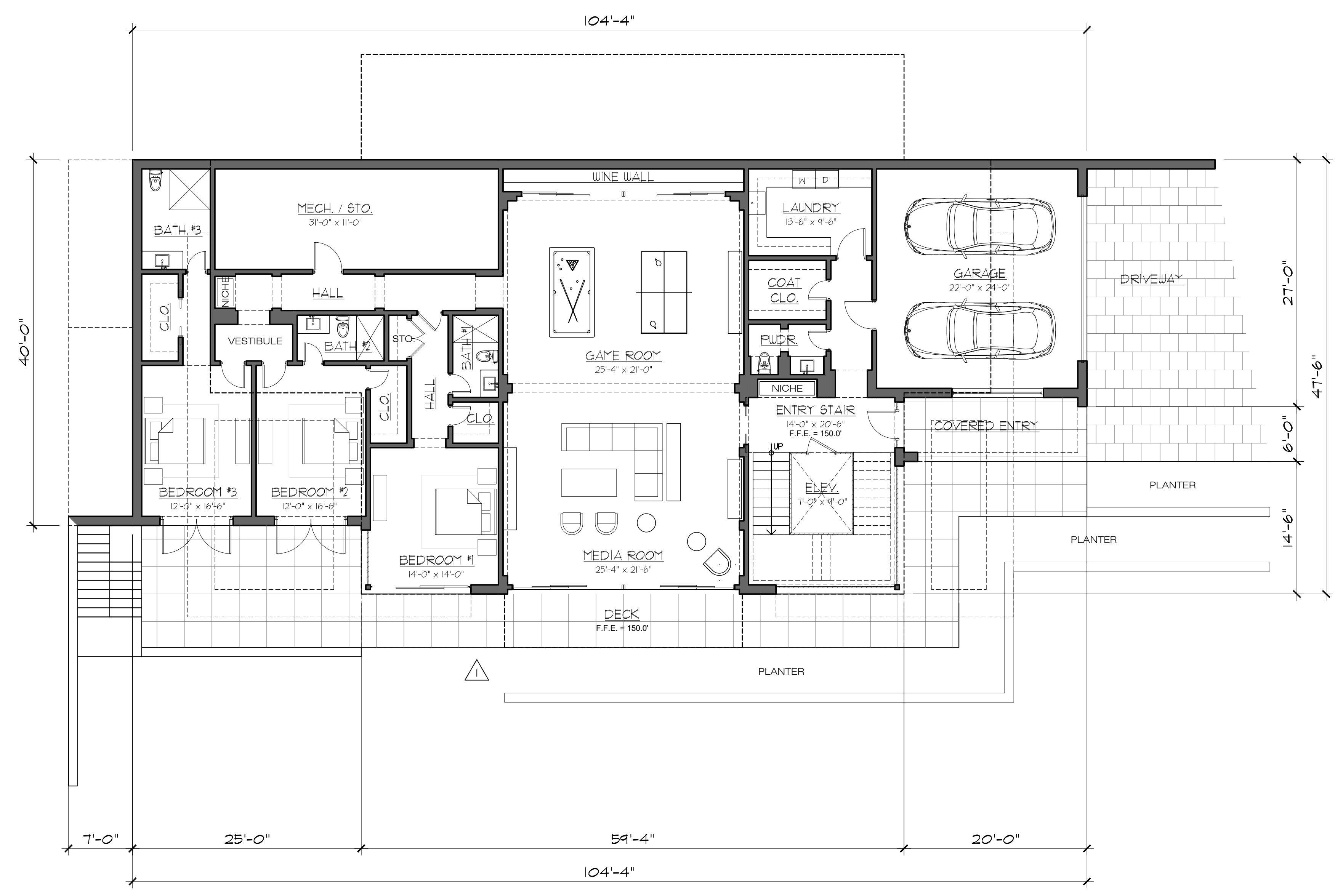
Site Plan-Roof Overhang

JOB NAME: **SPANOS - MCATA, LLC**
 3947 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 008-351-047-000

DATE: 2/27/2024
 SCALE: 1/16"=1'-0"
 DRAWN: HRM
 JOB NUMBER: 18.05-S

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PROPOSED FIRST FLOOR PLAN
 0 8' 16' 32'
 SCALE: 1/8" = 1'-0"

REVISION	No.
POOL & TREE REV. 3/13/2024	▲

CONSULTANT:

ARCHITECT
ERIC MILLER ARCHITECTS, INC.
 211 HOFFMAN AVENUE MONTEREY, CA 93940
 PHONE (831) 372-0410 • FAX (831) 372-7940 • WEB: www.ericmillerarchitects.com

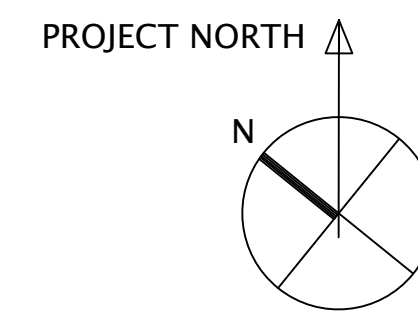
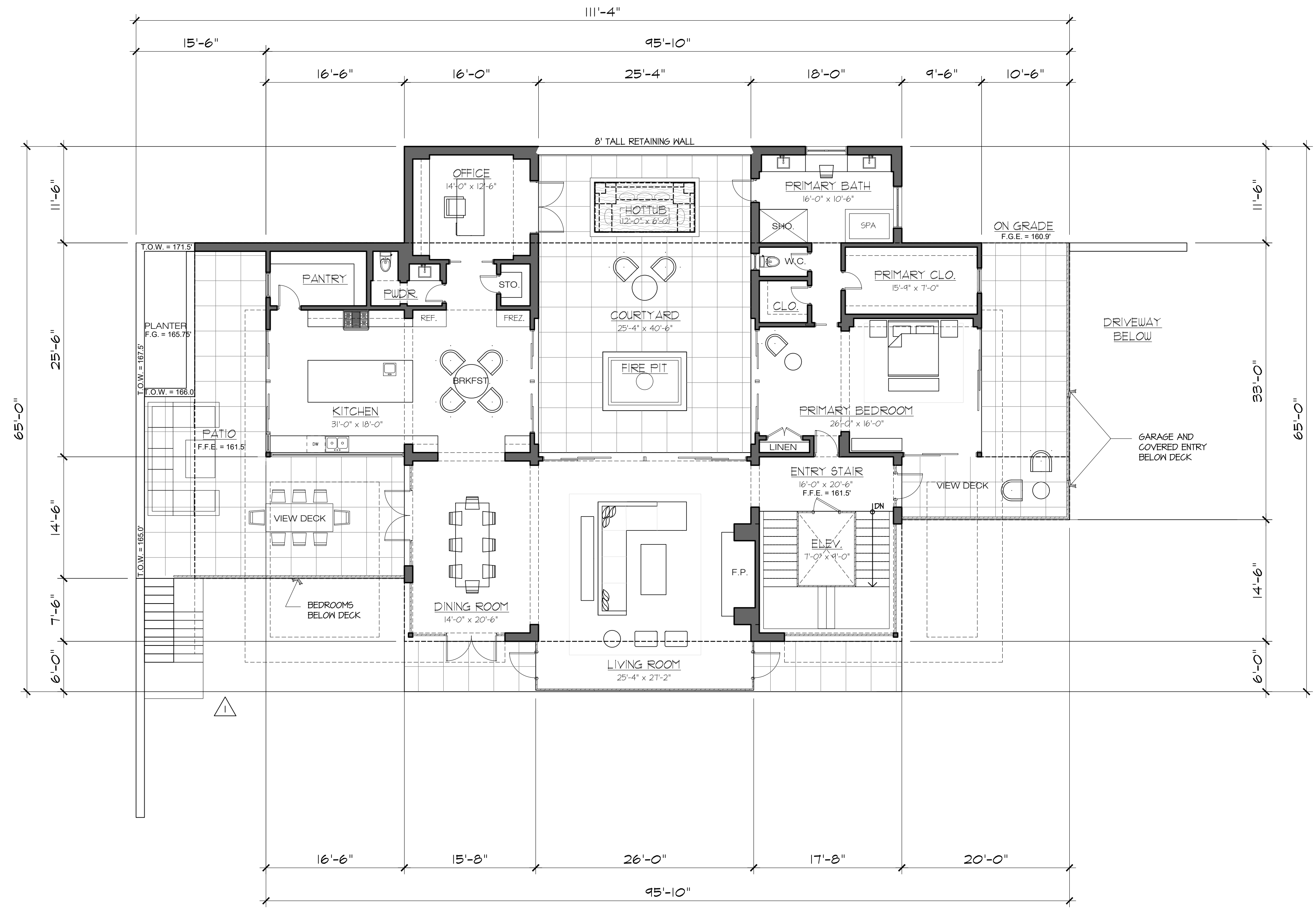
FIRST FLOOR PLAN

JOB NAME: **SPANOS - MCATA, LLC**
 3347 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 008-351-047-000

DATE: 2/27/2024
 SCALE: 1/8" = 1'-0"
 DRAWN: HRM
 JOB NUMBER: 18.05-3

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PROPOSED SECOND FLOOR PLAN
 0' 8' 16' 32'
 SCALE: 1/8" = 1'-0"

REVISION	No.
POOL & TREE REV. 3/13/2024	▲

CONSULTANT:

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 211 HOFFMAN AVENUE MONTEREY, CA 93940
 PHONE (831) 372-0410 • FAX (831) 372-7940 • WEB: www.ericmillerarchitects.com

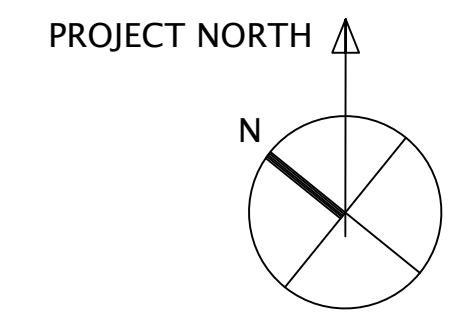
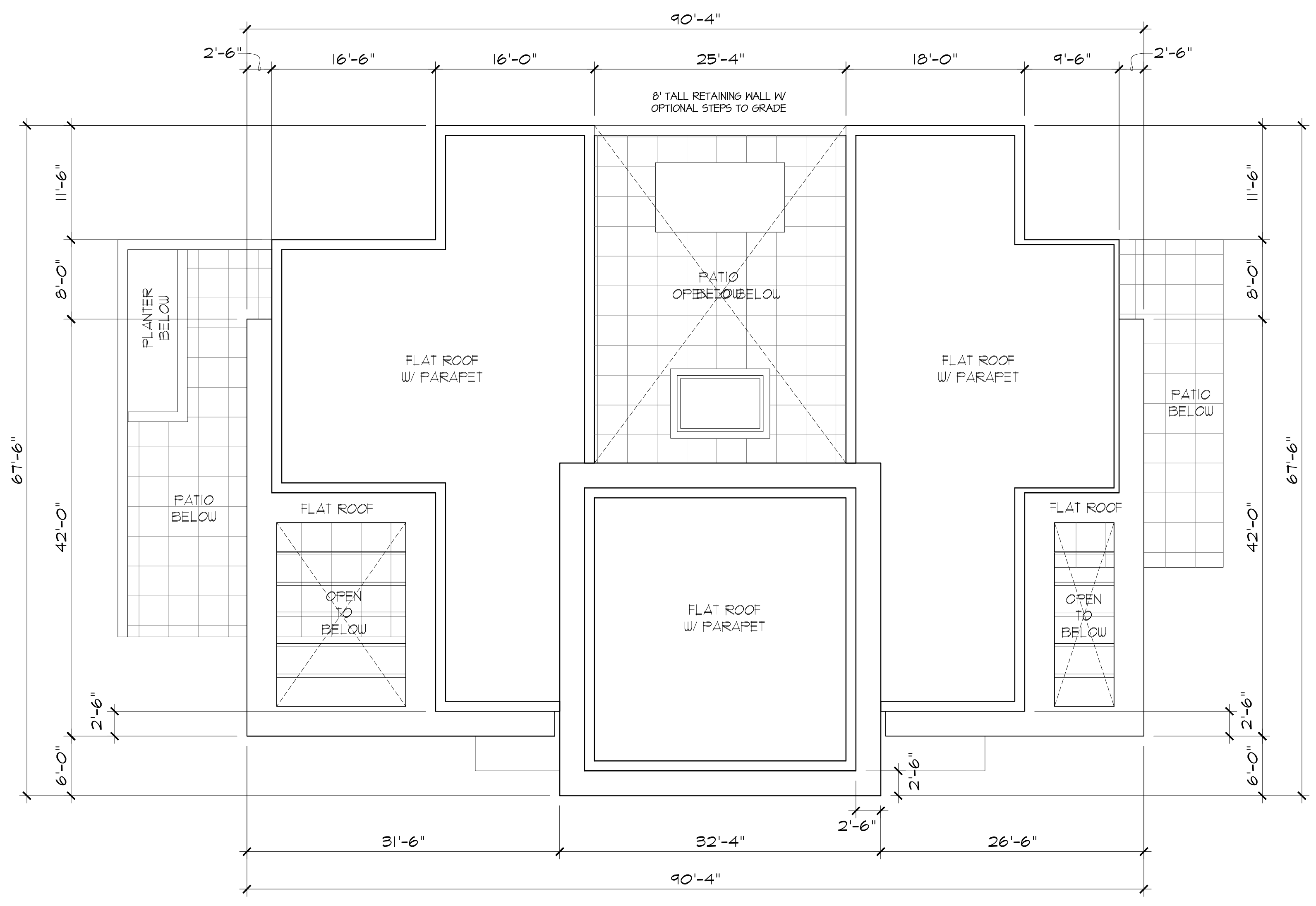
SECOND FLOOR PLAN

JOB NAME: SPANOS - MCATA, LLC
 3347 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 008-351-047-000

DATE: 2/27/2024
 SCALE: 1/8" = 1'-0"
 DRAWN: HRM
 JOB NUMBER: 18.05-5

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REVISION	No.

CONSULTANT:

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 211 HOFFMAN AVENUE MONTEREY, CA 93940
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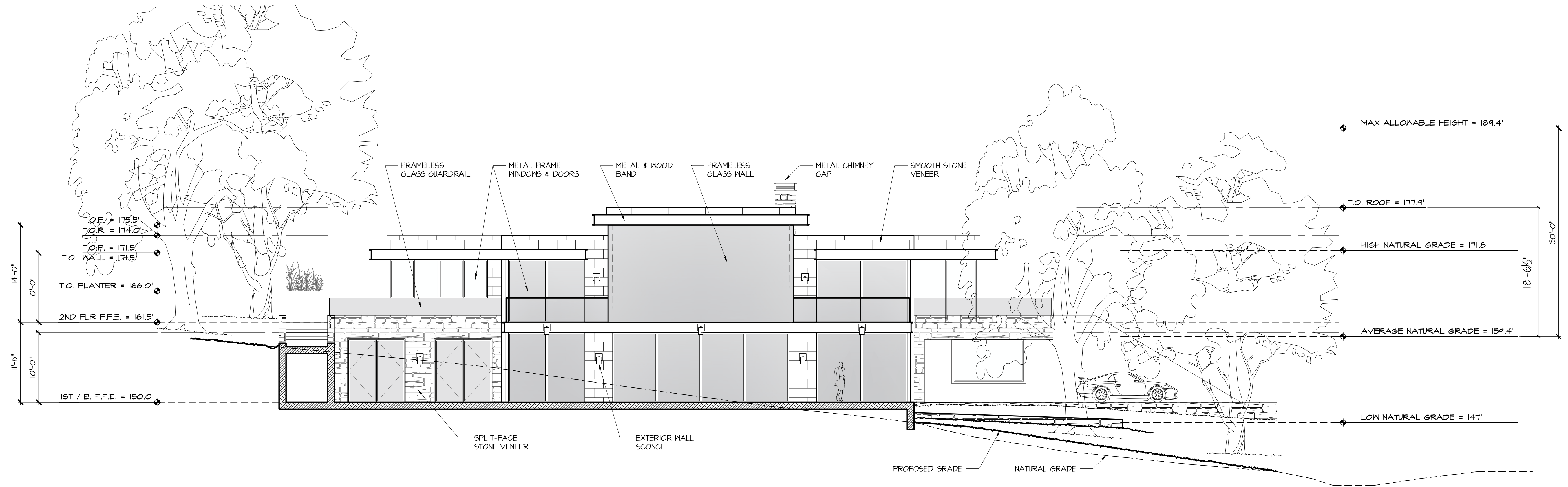
PROPOSED ROOF PLAN

JOB NAME: **SPANOS - MCATA, LLC**
 3347 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 008-351-047-000

DATE: 7/14/2023
 SCALE: 1/8" = 1'-0"
 DRAWN: HRM
 JOB NUMBER: 18.05-3

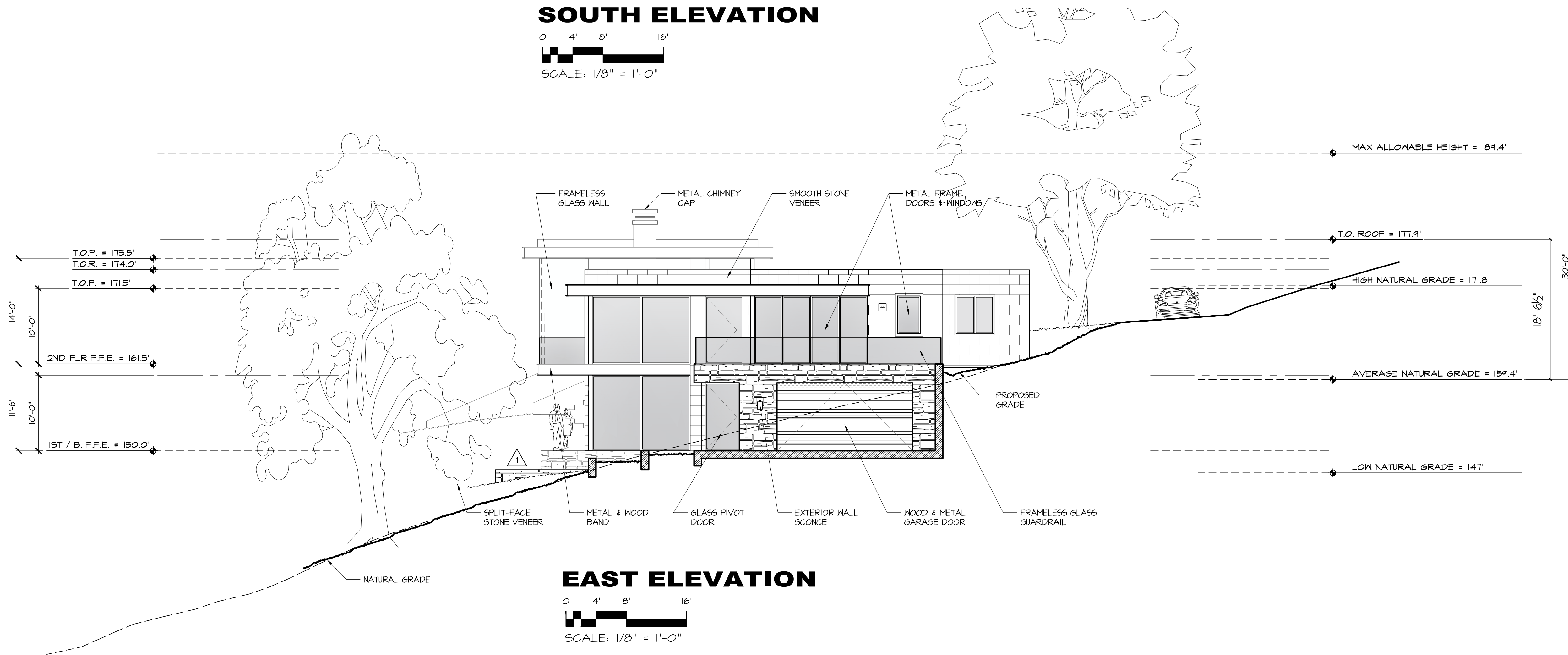
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SOUTH ELEVATION

0 4' 8' 16'
SCALE: 1/8" = 1'-0"



EAST ELEVATION

0 4' 8' 16'
SCALE: 1/8" = 1'-0"

REVISION	No.
POOL & TREE REV. 9/21/2024	1

CONSULTANT:

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211 HOFFMAN AVENUE MONTEREY, CA 93940
PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

ARCHITECT

SOUTH & EAST ELEVATION
JOB NAME: SPANOS - MCATA, LLC
3347 17 Mile Drive
Pebble Beach, CA
A.P.N.: 008-351-047-000

DATE: 2/27/2024

SCALE: 1/8" = 1'-0"

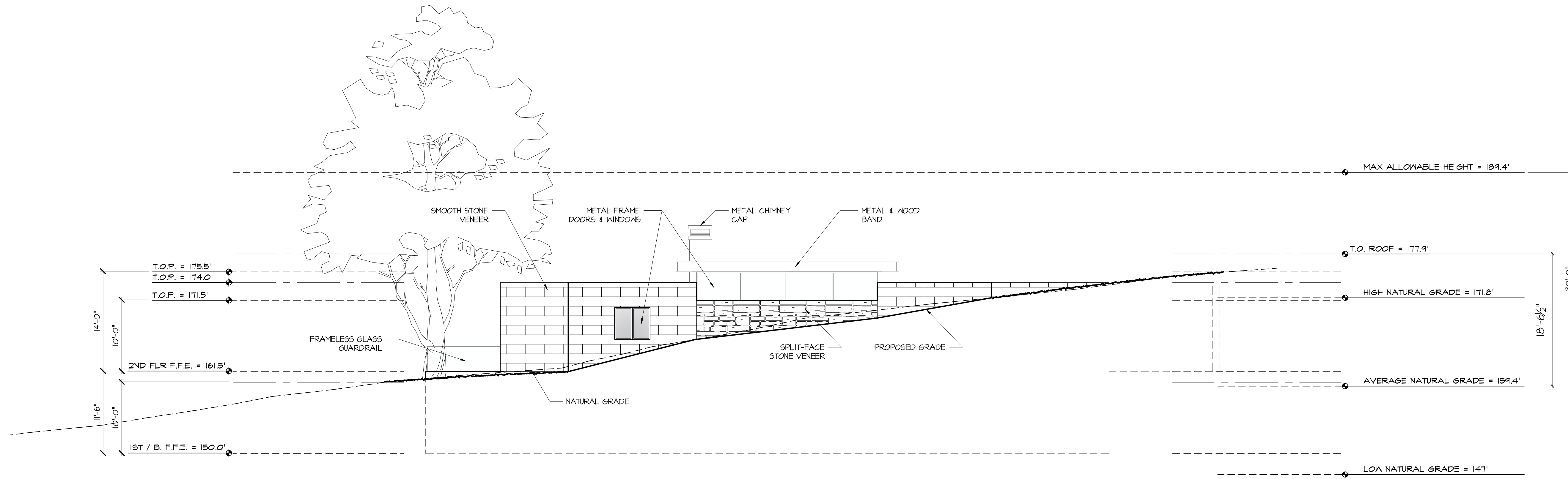
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JOB NUMBER: 18.05-S

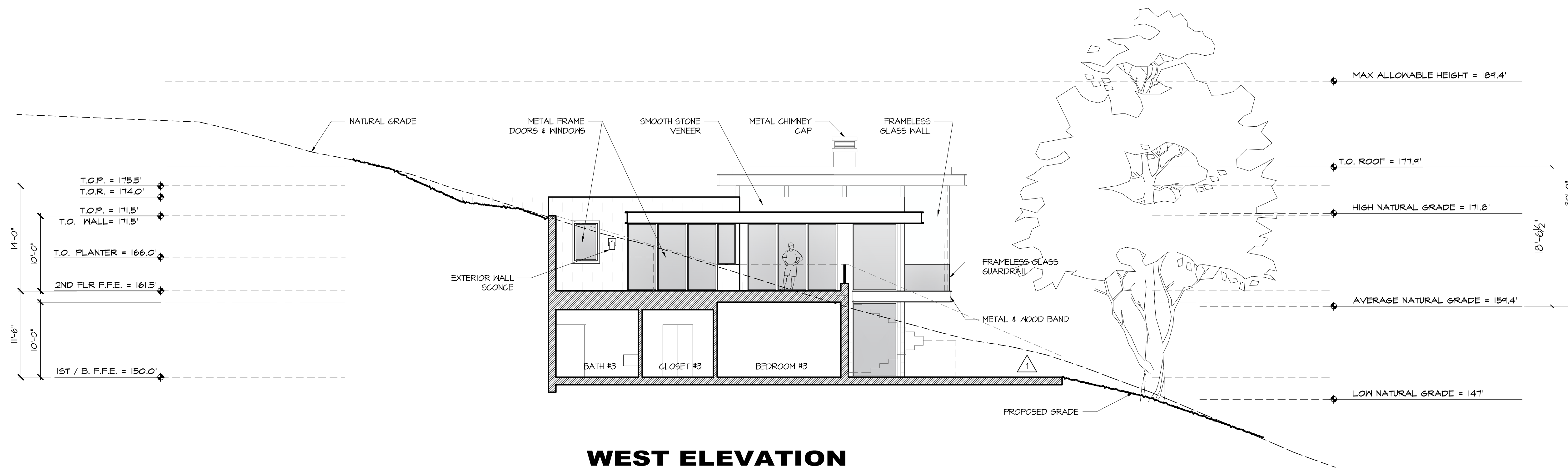
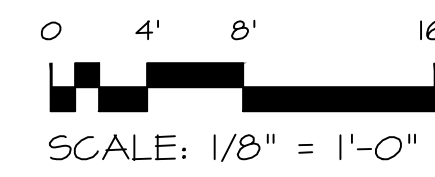
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SHEET OF

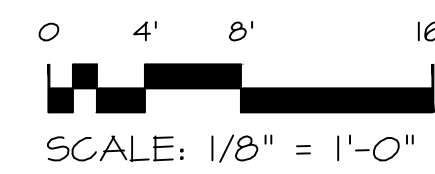
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NORTH ELEVATION



WEST ELEVATION



REVISION	No.
POOL & TREE REV. 3/21/2024	1

CONSULTANT:

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 211 HOFFMAN AVENUE MONTEREY, CA 93940
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

NORTH & EAST ELEVATION
 JOB NAME: **SPANOS - MCATA, LLC**
 3347 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 020-351-047-000

DATE: 2/27/2024
 SCALE: 1/8" = 1'-0"
 DRAWN: HRM
 JOB NUMBER: 18.05-S

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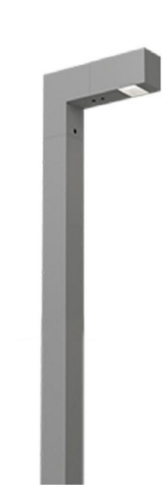


RECESSED DOWN LIGHT
STAINLESS STEEL
7W LED



WALL SCONCE
WHITE BRONZE BRUSHED
6.6W LED

10 EXTERIOR LIGHTING

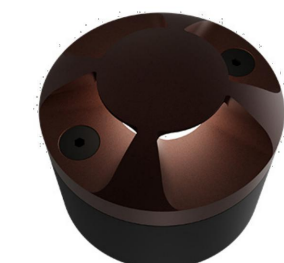


*Designed for use with 12 VAC. LED transformer.
**For use up to 24" maximum overall height.

PATH DOWNLIGHT
STAINLESS STEEL FINISH
3W LED



WALL DOWNLIGHT
STAINLESS STEEL FINISH
3W LED



DRIVEWAY SURFACE DOWNLIGHT
STAINLESS STEEL FINISH
3W LED

11 LANDSCAPE LIGHTING



MINIMAL FRAME
SLIDING GLASS DOOR



METAL FRAME WINDOWS

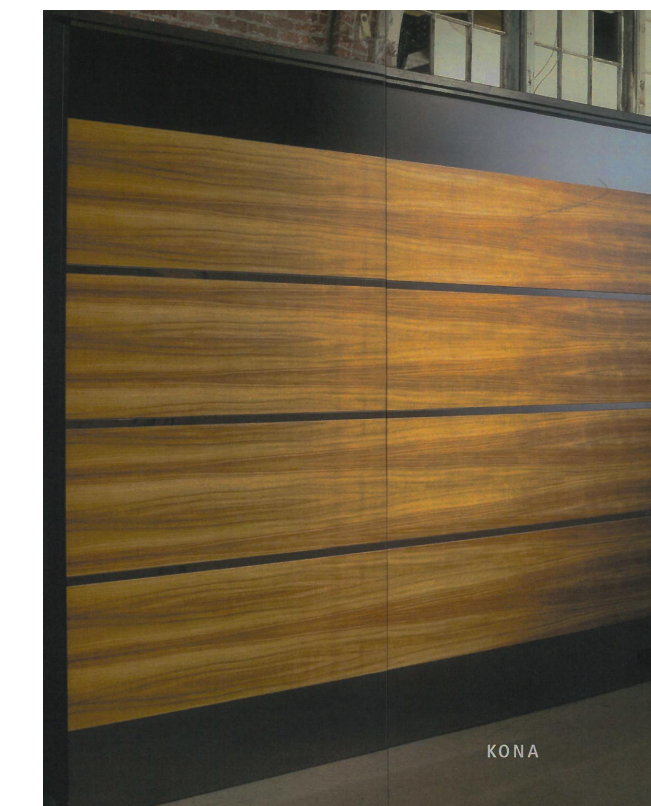
7 FRAMED DOORS & WINDOWS



4 FRAMELESS GLASS



8 DECK & STAIRS GLASS RAILING and GUARDRAIL



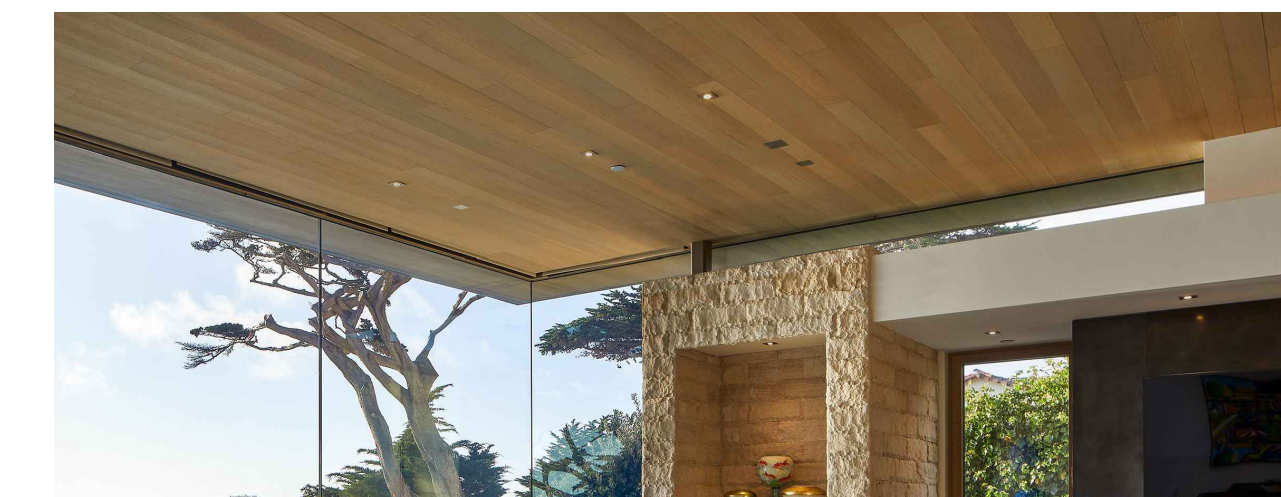
CARRIAGE HOUSE TEAK & BRONZE

5 GARAGE / MAIN DOOR



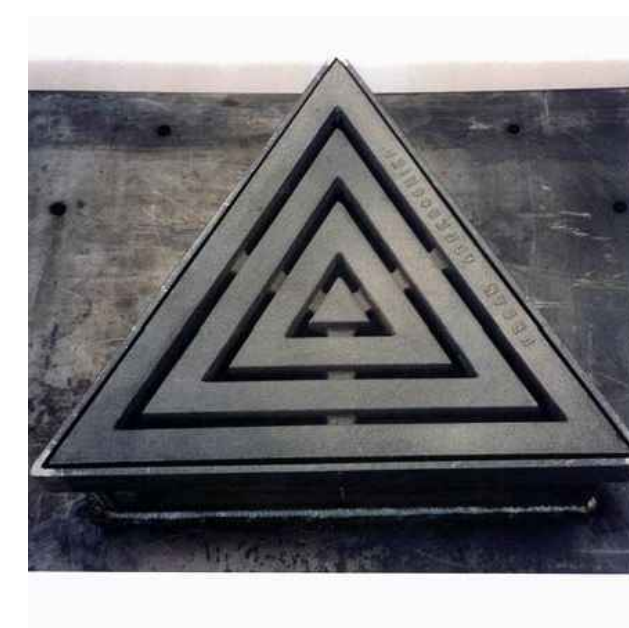
BUILT UP ROOF SYSTEM WITH
HIGH ALBEDO / HIGH EMISSIVITY

1 FLAT ROOF



MAHOGANY

2 WOOD CEILING / SOFFIT



URBAN ACCESSORIES:
LABYRINTH TRENCH DRAIN &
TRIANGLE DRAIN COVER

9 TRENCH GRATES DRAIN COVER



SMOOTH STONE VENEER



FOND DU LAC STONE VENEER

6 EXTERIOR WALL



DECK PAVING

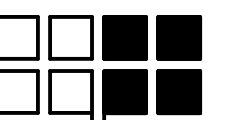


PERMEABLE PAVERS
BY: PACIFIC HYDRO-FLO
COLOR: TAN/BROWN

3 PAVING

REVISION	No.

CONSULTANT:



ARCHITECT
ERIC MILLER ARCHITECTS, INC.

211 HOFFMAN AVENUE MONTEREY, CA 93940
PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

MATERIAL SAMPLE

JOB NAME: SPANOS - MCATA, LLC
3347 17 Mile Drive
Pebble Beach, CA
A.P.N.: 008-351-047-000

DATE: 7/14/2023
SCALE: N.T.S.
DRAWN: HRM
JOB NUMBER: 18.05-S

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NORTH PERSPECTIVE



WEST PERSPECTIVE



SOUTH PERSPECTIVE



EAST PERSPECTIVE

REVISION	No.

CONSULTANT:

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 211 HOFFMAN AVENUE, MONTEREY, CA 93940
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

RENDERING

JOB NAME: **SPANOS - MCATA, LLC**
 3347 17 Mile Drive
 Pebble Beach, CA
 A.P.N.: 008-351-047-000

DATE: 7/14/2023
 SCALE: N.T.S.
 DRAWN: CJH
 JOB NUMBER: 18.05-6

A-7.2
 SHEET OF