

Attachment B

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**Before the Board of Supervisors in and for the
County of Monterey, State of California**

In the matter of the application of:

SKEEN DALE & JO MEI CHANG (PLN190030-AMD1)

RESOLUTION NO. 21-__

Resolution by the Monterey County Board of
Supervisors:

- 1) Denying the appeal of David Sabih from the Zoning Administrator's approval of a minor and trivial amendment to a previously approved Combined Development Permit;
- 2) Considering the previously adopted Mitigated Negative Declaration (MND) for the Skeen & Chang residence (PLN060735) and finding the proposed Minor and Trivial Amendment does not require subsequent review pursuant to Section 15162 of the CEQA Guidelines; and
- 3) Approving a Minor and Trivial Amendment to previously approved Combined Development Permit (PLN060735), as modified by PLN110448 and PLN190030 and as extended under PLN159766, to allow exterior and interior improvements including modifications to the roofline, main level's ceiling height, front gates, and upper-level windows; addition of an approximately 255 square foot terrace, 65 square foot balcony, 250 square foot patio, an outdoor spa and side access steps; relocation of outdoor firepit; removal of one light well; replacement of a main-level window with double doors; and interior floor plan changes. Colors and materials, and associated grading consisting of 1,130 cubic yards of cut to remain as previously approved.

[PLN190030-AMD1, SKEEN DALE & JO MEI CHANG, 26327 Scenic Road, Carmel, Carmel Area Land Use Plan, Coastal Zone (APN: 009-442-013-000).]

The Appeal by David Sabih from the decision by the Monterey County Zoning Administrator came on for a public hearing before the Monterey County Board of Supervisors on July 13, 2021. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS AND EVIDENCE

1. **FINDING:** **PROCESS** - The County has received and processed a Minor and Trivial Amendment to the previously adopted Combined Development Permit (PLN060735), as modified by a 2011 Design Approval (PLN110448) and a 2019 Design Approval (PLN190030),

and as extended under PLN150766, in compliance with applicable procedural requirements.

- EVIDENCE:** a) On November 2, 2020, Dale Skeen and Jo Mei Chang (“applicant”) submitted an application for a Minor and Trivial Amendment (PLN190030-AMD1) to HCD-Planning staff. This application was submitted in accordance with Monterey County Code (MCC) Section 20.76.115. This application was filed to allow minor interior and exterior changes to the previously approved Combined Development Permit (PLN060735), as previously extended (Resolution No. 16-080; PLN150766) and as modified by a 2011 Design Approval (PLN110448) and a 2019 Design Approval (PLN190030). Proposed changes to the previously approved single-family dwelling include minor changes to the roofline and front access steps, increase in the main-level’s ceiling height and enlargement of upper-level windows; addition of an approximately 255 square foot terrace, 65 square foot balcony, 250 square foot patio, an outdoor spa, and side access steps (north); relocation of the front outdoor firepit; removal of one light well; replacement of a main-level window with double doors; and interior floor plan changes. The materials and colors, and the associated grading of 1,130 cubic yards of cut are to remain as previously approved under PLN190030 and PLN060735, respectively. This project is limited to consideration of changes to a previously approved single-family dwelling. If this amendment were denied, applicant would remain entitled to construct the previously approved single-family dwelling (PLN060735, as modified by PLN110448 and PLN190030 and as extended by PLN150766; HCD Building Services File No. 17CP01689-REV3.)
- b) Background. On January 31, 2008, the Zoning Administrator approved a Combined Development Permit consisting of a 1) Coastal Administrative Permit to allow the construction of a new 2,950 square foot single-family dwelling with a 545 square foot attached garage and 1,130 cubic yards of cut for basement excavation; 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; and 3) a Design Approval. Approval of this permit also included the adoption of a Mitigated Negative Declaration. (Resolution No. 060735 (PLN060735)).

On February 17, 2008, David Sabah (appellant) filed an appeal of the January 31, 2008 discretionary decision of the Zoning Administrator. On July 22, 2008, the Board of Supervisors denied the appeal of the Zoning Administrator’s decision and approved the Combined Development Permit. (Board of Supervisors’ Resolution No. 08-521).

On August 29, 2008, the project was appealed to the California Coastal Commission. On October 15, 2008, the Coastal Commission found no substantial issue with the County’s decision, making the County’s decision final. Sabih, appellant herein, filed a lawsuit challenging the County’s approval and environmental determination, and the permit expiration date was stayed while the project was in litigation. As part of the settlement agreement stemming from the legal challenge, the applicant requested and, on September 7, 2011

the Director of Planning's designee approved a Design Approval (PLN110448) to allow minor changes to the previously approved single-family dwelling (PLN060735).

Subsequently, on March 1, 2017, the RMA Chief of Planning approved a 5-year Permit Extension (Resolution No. 16-080; PLN150766). On February 21, 2019, the RMA Director of Planning approved a Design Approval (PLN190030). Approval of the Design Approval (PLN190030) allowed interior and exterior changes including the installation of two lightwells, change of interior floor plans, removal of 39 square feet, modification of windows and doors, the addition of an outdoor firepit, and a change in approved colors and materials.

- c) All applicable "Partially Met" or "On-Going" conditions listed under the original Combined Development Permit (PLN060735) and the 2011 Design Approval (PLN110448), have been carried forward to this amendment (PLN190030-AMD1), as this entitlement will be the new operating entitlement. See Finding No. 7 and supporting evidence.
- d) The project was referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting on April 5, 2021, voted 4 – 0, with 2 absent members, to support the project with changes. At the LUAC meeting, interested members of the public expressed concerns related to the impact on private views, privacy, noise, air quality, and the consistency with all development standards for the MDR zoning district. The LUAC members reminded the public that many of their concerns (air quality and noise associated with the previous construction) were not related to the scope of the amendment. As for the other concerns, staff stated that private views and privacy are not protected under the Carmel Area Land Use Plan or applicable Monterey County Code, and that as proposed the project meets all development standards for the Medium Density Residential zoning district. The LUAC members raised concerns about the location of the firepit and the retention of stormwater runoff. At the time of the LUAC meeting, the scope of the project included an addition of 120 square feet to the upper-level balcony. As a result of the concerns raised, the LUAC voted to support the project with one change – remove the proposed 120 square foot upper-level balcony extension/addition. Although the applicant decided to not fully incorporate the LUAC's recommendation, the applicant did agree to reduce the proposed 120 square foot balcony addition by 50 square feet, resulting in an addition of 65 square feet to the previously approved 95 square foot balcony. The project's agent discussed this change with Staff via a phone call on April 20, 2021 and subsequently submitted a letter to Staff explaining that this change is in response to the neighbor's concerns and the LUAC's recommendation (Letter dated April 20, 2021, received via email from Gail Hatter, project agent; included in Attachment E2 of the July 13, 2021 Staff Report). This letter states "new plans are

- attached;” these referenced plans are incorporated into the attached plan set and this change is included herein.
- e) Pursuant to MCC Section 20.70.105 and due to the written objections that Staff received during planning review, the HCD Chief of Planning determined that this amendment shall be heard by the decision-making body of the original Combined Development Permit (PLN060735), the Zoning Administrator.
 - f) The Monterey County Zoning Administrator held a duly-noticed public hearing on the Skeen & Chang application amendment on April 29, 2021, at which all persons had the opportunity to be heard. Notices for the Zoning Administrator public hearing were published in the *Monterey County Weekly* on April 15, 2021; posted on and near the project site on April 19, 2021; and mailed to vicinity property owners and interested parties on April 14, 2021.
 - g) On April 29, 2021, the Zoning Administrator found the project consistent with the previous adopted Mitigated Negative Declaration and approved the Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN060735), as modified by the prior Design Approvals (PLN110448 and PLN190030), and extended by PLN150766, to allow exterior and interior improvements to a previously approved three-story single-family dwelling (Monterey County Zoning Administrator Resolution No. 21-019). The Zoning Administrator resolution is included in the July 13, 2021, staff report to the Board of Supervisors as Attachment H.
 - h) David Sabih (Appellant), represented by Alex Lorca of Fenton & Keller Attorneys at Law, timely filed an appeal from the April 29, 2021 decision of the Zoning Administrator’s environmental determination and approval of the Minor and Trivial Amendment. The appeal contends that the findings are not supported by the evidence, and that the decision is contrary to law. See Finding No. 10 for the text of the Appellants’ contentions and the County response to the appeal.
 - i) Pursuant to Monterey County Code (MCC) Sections 20.86.030.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority (i.e., Zoning Administrator Resolution No. 21-019) has been mailed to the Applicant, and no appeal shall be accepted until the notice of decision has been given (i.e., mailed). The County mailed the written notice of the decision on May 5, 2021, and said appeal was filed with the Clerk of the Board of Supervisors on May 17, 2021, within the 10-day timeframe prescribed by MCC Section 20.86.030.C. The appeal hearing is de novo. A complete copy of the appeal is on file with the Clerk of the Board, and is attached to the July 13, 2021 staff report to the Board of Supervisors as Attachment C1.
 - j) The appeal was timely brought to a duly-noticed public hearing before the Monterey County Board of Supervisors on July 13, 2021. Notice of the hearing was published on July 1, 2021, in the *Monterey County Weekly*; notices were mailed on June 30, 2021, to all property owners and occupants within 300 feet of the project site, and to

persons who requested notice; and at least three (3) notices were posted at and near the project site on July 1, 2021 .

- k) On June 4, 2021, the Applicant's attorney submitted a letter to the County responding to the Appellant's contentions (June 4, 2021 letter from Cody Phillips, attached as Attachment C2 to the July 13, 2021 staff report.). See also Finding No. 10 and supporting evidence.
- l) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

2. FINDING:

CONSISTENCY - The proposed amendment, as conditioned, is consistent with the policies of the Monterey County 1982 General Plan, Carmel Area Land Use Plan, Carmel Coastal Implementation Plan, Monterey County Zoning Ordinance (Title 20), and other County health, safety, and welfare ordinances related to land use development. The site remains physically suitable for the development proposed, and no violations exist on the property. As approved and amended, permit number PLN190030-AMD1 will become and be referred to as the approved operating permit.

EVIDENCE:

- a) The applicant proposes to amend the previously approved Combined Development Permit (PLN060735), as modified by 2011 and 2019 Design Approvals (PLN110448 and PLN190030), and as extended by a 5-year Permit Extension (Resolution No. 16-080; PLN150766). The proposed amendment involves exterior and interior modifications to the single-family dwelling approved under file number PLN060735 (Resolution No. 08-251), as modified under PLN110448 and PLN190030. Modifications considered in this amendment include minor changes to the roofline and front access steps, increase in the main-level's ceiling height and enlargement of upper-level windows; addition of an approximately 255 square foot terrace, 65 square foot balcony, 250 square foot patio, an outdoor spa, and side access steps (north); relocation of the front outdoor firepit; removal of one light well; replacement of a main-level window with double doors; and interior floor plan changes. Materials and colors, and the associated grading of 1,130 cubic yards of cut are to remain as previously approved. The totality of the project (Combined Development Permit (Resolution No. 08-251; PLN060735)), as amended herein and as amended by the prior Design Approvals, consists of: an approximately 2,895 square foot three story single family dwelling with an attached 556 square foot garage, a 360 square foot main-level patio, a 160 square foot upper-level balcony, an 815 square foot terrace (front and rear), 2 firepits (located in front and rear terrace), a rear spa/hot tub, 300 linear feet of retaining walls, and 1,130 cubic yards of cut.
- b) The subject property is located at 26327 Scenic Road, Carmel, Carmel Area Land Use Plan (APN: 009-442-013-000). The subject parcel is zoned Medium Density Residential, 2 units per acre, Design Control, 18-foot height limit, and located in the Coastal Zone.

(MDR/2-D(18)(CZ). Development of residential dwellings is an allowed use pursuant to Monterey County Code (MCC) Section 20.12.040.A. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development.

- c) The subject parcel is located on Scenic Road between Stewart Road and Ocean Avenue on Carmel Point and sits approximately 200 feet from the Pacific Ocean. Residences surround the subject property on all sides, while the Pacific Ocean is located further to the west just behind a row of single-family dwellings, which includes the historic landmark - the Butterfly House. These intervening single-family dwellings and the historical landmark are situated directly in between the subject property and the Pacific Ocean.
- d) Lot Legality. The parcel was created as Lot 10, Block B14, in Carmel-By-The-Sea Addition Number 7, recorded in 1908. The parcel is recognized by the County as a legal lot of record.
- e) The project has been reviewed for consistency with the text, policies, and regulations in:
 - the 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan;
 - Carmel Coastal Implementation Plan; and
 - Monterey County Zoning Ordinance (Title 20).

The proposed amendment has been found consistent with the applicable plans and policies as more fully described herein. This project is limited to consideration of changes to a previously approved single-family dwelling. The single-family dwelling was approved by the Board of Supervisors (Resolution No. 08-251), and amendments and extensions to the approval were approved by the RMA Chief of Planning (Design Approval File Nos. PLN110448 and PLN190030 and Resolution Nos. 16-080).

- f) Review of Development Standards. The development standards for the Medium Density Residential (MDR) zoning district are identified in MCC Section 20.12.060.C. The minimum setbacks in the MDR district for main dwelling units are 20 feet (front), 10 feet (rear), and 5 feet (sides). As illustrated in the approved plans for PLN110448, the single-family dwelling is setback from the property line approximately 20 feet (front), 5 feet (sides), and 13 feet (rear). The proposed amendment does not change the setbacks for the single-family dwelling that were approved under PLN110448. The proposed addition to the main level patio does result in the patio extending into the front setback by approximately one foot. Per Monterey County Code Section 20.62.040.D, uncovered decks and porches, such as the proposed patio, may extend a maximum of six feet into the front required setback. The previously approved firepits and the addition of the rear outdoor spa are not considered structures and therefore are not regulated by the setback standards for the zoning district.

Pursuant to MCC Section 20.12.060.C, the height limit for main structures in the MDR district is typically 30 feet, unless noted differently on the subject parcel's zoning map. The 18-foot height limit noted in the subject parcel's zoning designation - MDR/2-

D(18)(CZ) - supersedes the standard 30-foot height limit of the MDR district. The original permit, PLN06735, was modified by PLN190030 to allow the structure height to increase from 17 feet 5 inches to 18 feet. Although this amendment proposes to increase the ceiling height of the main (second) level by one foot, the proposed reduced roof pitch and increased flat roof area will allow the structure to maintain the 18-foot height limit regulation. Therefore, the proposed amendment meets the 18-foot height limit associated with the parcel's zoning designation.

Pursuant to MCC Section 20.12.060.E, the maximum allowed site coverage and floor area ratio in the Carmel MDR/2 district is 35 percent and 45 percent, respectively. The property is 0.106 acres or 4,606 square feet, which allows site structural coverage of 1,612 square feet and floor area of 2,072.7 square feet. The previously approved Design Approval (PLN190030), which modified the previously approved roof materials, main- and upper-level square footages, and terrace square footage of the Combined Development Permit (PLN060735), had a site coverage of 1,460 square feet (31 percent) and floor area of 2,076 square feet (44 percent). This previously approved Design Approval based these calculations of a lot size of 4,700 square feet (0.108 acres). It was discovered after approval of PLN190030 that the lot size (4,700 square feet) was incorrectly calculated. This amendment reflects the correct lot size of 4,606, which has been verified by the County Surveyor. To conform with all development standards associated with the correct lot size, the proposed amendment reduces the previously approved main-level and upper-level floor areas by 0.2 square feet and 3.1 square feet, respectively. As a result, the proposed amendment has a lot coverage of 1,561 square feet (34%) and a floor area ratio of 2,072.7 (45%). A 95 square foot balcony was previously approved under PLN190030. This amendment proposes an addition of approximately 65 square feet to the balcony, which will result in the balcony being approximately of 160 square feet. 104 square feet of the 160 square foot upper-level balcony is included in the lot coverage calculation because it is greater than 24 inches above average natural grade and is not located above the main floor, and therefore not included in the coverage of the main floor. The main (second) level patio and lower (first) level garage, mechanical, storage room are not included in the floor area calculation due to being located below average natural grade. Therefore, as proposed, the amendment meets all required development standards.

- g) The project has been reviewed for site suitability by HCD-Planning. The project planner reviewed the application materials and plans, as well as the County's GIS database, to verify that the proposed project on the subject site conforms to the applicable plans and that the site is suitable for the proposed development. Conditions recommended by RMA-Planning, Public Works, Water Resource Agency, and Carmel Fire were incorporated into PLN060735 and carried forward to PLN110448. All applicable "Partially Met" and "On-Going"

conditions listed under PLN110448 have been applied to this project (PLN190030-AMD1). See Finding No. 7 and supporting evidence for more details.

- h) Staff conducted a site inspection on March 30, 2021, and confirmed the site is suitable for implementation of the proposed development.
- i) Design. The project design is consistent with MCC Chapter 21.44. See Finding No. 4.
- j) Cultural Resources. The project site is in an area identified in County records as having a high archaeological sensitivity. For the Combined Development Permit (PLN060735), a Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated March 25, 1999, concluded that the project area contains a potentially significant archaeological resource, but did not reveal significant resources. Staff requested an updated Archaeological Report for PLN060735, which was completed on January 17, 2007, by Archaeological Consulting. This report indicated that construction could proceed without further archaeological investigation; however, a possibility still exists that, during construction, previously unidentified or unexpected resources may be discovered. Due to this potential, an initial study was prepared, and two mitigation measures were recommended for the Combined Development Permit. In order to reduce potential impacts to archaeological resources to a less than significant level, the Combined Development Permit was conditioned to require the applicant to halt construction if archaeological resources were uncovered and contract with an archaeologist to monitor ground-disturbing activities associated with the proposed construction (Condition No. 3 and No. 24). Condition No. 3 (Mitigation Measure 1) has been met under PLN060735 and PLN110448 but is applied to this permit amendment as explained below, while Condition No. 24 (Mitigation Measure 2) has only been partially met. Corresponding Condition Compliance Forms (CCF) with supporting evidence have been uploaded to the HCD Accela database for the respective HCD-Planning File No(s). Although initial grading work did not comply with Condition No. 24, which required an archaeological monitor to be on-site during construction related activities, that violation has been corrected and fines have been paid. Condition No. 3 has been previously satisfied under PLN060735 and PLN110448. This condition requires a coroner to be contacted if any archaeological or human remains are accidentally discovered during construction. In order to be consistent with the previously adopted Mitigated Negative Declaration, this project shall be subject to the same requirements and mitigation measures that were established for the original permit. Therefore, although this condition was previously satisfied, it is still applicable to this project because the Coroner needs be notified if any cultural resources are discovered during the construction. Staff has carried forward this condition in this amendment (PLN190030-AMD1) as Condition No. 17. The condition status has been changed to “Not Met,” as pertains to this amendment. To satisfy Condition No. 16 (Mitigation Measure 1) the applicant shall submit to staff a revised archaeological contract

and include the conditions requirements (i.e. contacting the Coroner) as a note in the building plans. Although the proposed amendment would not result in a greater potential impact of cultural resources, Condition No. 24 has been carried forward to this amendment (PLN190030-AMD1), incorporated as Condition No. 8, because it is only partially met. This condition requires the applicant to submit a revised archaeological monitoring contract indicating that all ground disturbing activities related to this amendment, or the associated Building Permit (17CP01689-REV4), shall be monitored.

- k) Geological Hazards. Geology maps indicate that the project site is located near potentially active faults and is subject to seismic-related shaking. During project review of the Combined Development Permit (PLN060735), geotechnical and geological reports were requested to identify and address potential issues with developing a new, habitable structure in this area. These reports analyzed the risks associated with the site location and characteristics including soil suitability, tendencies, and seismic effects. The engineer recommended design features and procedures to reduce the risks pertaining to soil suitability and support of adjacent structures. The geotechnical report, prepared by Grice Engineering, supported the “Best Management Practices,” which had been prepared by Haro, Kasunich, & Associates. The “Best Management Practices” recommended temporary shoring to help support the adjacent structures during foundation excavation. The Combined Development Permit was conditioned to require the applicant to install temporary shoring in order to reduce potential impact of neighboring structures (Condition No. 25, Mitigation Measure 3). This condition has been partially met under PLN060735 and PLN110448. Corresponding Condition Compliance Forms (CCF) with supporting evidence have been uploaded to the Accela database under HCD-Planning File No(s). PLN060735 and PL110448. This partially met condition has been incorporated in this amendment (PLN190030-AMD1) as Condition No. 10. All other applicable “Partially Met” or “On-Going” conditions listed under PLN110448, have been carried forward to PLN190030-AMD1. There will be no change in geological hazards or conditions as a result of the proposed plan changes.
- l) Public Concern. Staff received three written objections during planning review of the appeal, dated June 30, 2021, July 1, 2021 and July 3, 2021. The concerns listed in the objection did not indicate any inconsistencies with the text, policies, and regulations of the Carmel Area Land Use Plan, Carmel Coastal Implementation Plan and Monterey County Zoning Ordinance (Title 20). All of the public members who submitted comments regarding the subject property are neighbors. One of public members questioned the entitlement being applied for, had concerns about the length of time that the subject development, inclusive of this amendment, has taken, and included comments written by the appellants’ architect, Ray Parks. The architects’ comments were related to 1) the required setbacks, 2) the lack of grading, erosion and drainage plans, 3) the fire pits, 4) the need for the project to be reviewed before the LUAC, 5) the

appearance of the dwelling, and 6) the height. The architect concluded his comments by stating the following:

“The recommendations I have listed above may not be required in the Carmel Planning Area. However, (sic.) these items are required in other Areas of the County [PB] Since the owner is building to the max .and (sic) proposing structures in the setbacks. This recommendations (sic.) are just good construction practices to maintain a [fire] safe environment for the neighborhood.”

This concluding statement acknowledges that not all of the above listed comments are applicable to the Carmel Area Land Use Plan but should rather be implemented as good construction practices. Staff has found that this amendment is consistent with all Carmel Area Land Use Plan policies. If necessary and appropriate, HCD-Building Services will request plan revisions during review of the construction permit associated with this amendment as it relates to the California Building Code.

The other public member raised concerns relating to the need for a grading, erosion or drainage plan since their property was downhill from the subject residence. They also commented that the terrace and balcony additions will result in an invasion of privacy. The final public objection also raised concerns relating to the lack of a drainage plan. The public objection, received from the neighbor west of the subject property, was concerned about the integrity of their stone wall which separates the two properties. The three written objection letters, which include Mr. Park’s comments, are attached to the July 13, 2021, Board of Supervisors staff report as Attachment F1.

On July 1, 2, and 6, 2021, the applicant submitted letters addressing the above referenced concerns. These response letters are attached to the July 13, 2021, Board of Supervisors staff report as Attachment F2. In summary, the applicant's letter stated that the project is consistent with applicable zoning development standards, the previously approved fire pits are gas burning and do not require fire arrestors, a revised drainage plan will be submitted to HCD-Building Services to satisfy Condition No. 15, and construction of the residence has only been halted to obtain the proper entitlement to allow the proposed changes. The applicant’s response letter also stated that although privacy is not regulated in Monterey County, drone photos (taken from the upper-level balcony) provide evidence that the proposed addition will not result in the loss of privacy. Finally, to address the public member’s concern about the integrity of the stone (retaining) wall, the applicant states that although a revised drainage plan is required of this project, the previously approved drainage plan provides details of proper drainage at and behind

all retaining walls. These plans are on file with HCD-Building Services.

Additionally, staff addresses the above listed concerns in more detail in Finding 10 and supporting evidence. In summary, the proposed amendment meets all development standards established for the MDR district, does not constitute the need for a grading or erosion plan but is conditioned to require the applicant to submit a revised drainage plan, and was reviewed by the Carmel Highlands/Unincorporated LUAC. The LUAC members the found the project, in its totality, compatible with the neighbor characteristic. Environmental Services will review the revised drainage plan in accordance with applicable MCC regulations, Carmel Area LUP policies, and CIP (Part 4) regulations, to ensure that the plans accommodate the increased run-off resulting from site modifications and provide adequate drainage for the single-family dwelling. As for the concern relating to privacy, private views and privacy are not protected under the Carmel Area Land Use Plan or applicable MCC. I

- m) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by HCD-Planning, and HCD-Environmental Services. County staff reviewed the application materials and plans, as well as the County's GIS database, to verify that the project conforms to the applicable plans, and that the subject property is suitable for the proposed development.
 - b) The proposed patio and balcony additions increase the impervious surfaces area by 215 square feet. Therefore, HCD- Environmental Services has applied Condition No. 15, which requires the applicant to submit a Drainage Control plan. The previously approved drainage plan for the Combined Development Permit (PLN060735/Resolution No. 08-251), which satisfied Condition No. 17, does not account for the increased impervious surface area associated with the site improvements of this amendment, PLN190030-AMD1. Therefore, a revised drainage plan shall be submitted and reviewed for consistency with applicable Monterey County Code regulations and Carmel Area LUP policies. As was required with the previous approvals, drainage systems will need to be designed to treat and retain stormwater onsite to maintain preconstruction stormwater runoff rates and to minimize water quality impacts on the nearby Carmel Bay Area of Special Biological Significance.
 - c) No technical reports have been prepared for this amendment (PLN190030-AMD1) because the proposed minor interior and exterior improvements are in keeping with analysis contained in the

technical reports prepared for the previously approved Combined Development Permit (PLN060735). The following technical reports were prepared for PLN060735:

- “Geotechnical and Geological Hazards Report” (LIB070151) prepared by Grice Engineering, Inc., Salinas, dated January 2007 and a follow up letter dated July 24, 2007;
 - “Geotechnical Response to Four Specific County Questions” (LIB070652) prepared by Haro, Kasunich and Associates, Inc., dated November 27, 2001; and
 - “Preliminary Cultural Resources Reconnaissance (LIB070152) prepared by Archaeological Consulting, Salinas, California, dated March 25, 1999, amended on September 29, 1999 and January 17, 2007.
- d) County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the property is not suitable for the use proposed.
- e) The project planner reviewed submitted plans and conducted a site visit on March 30, 2021, to verify that the project conforms to the plans listed above and that the project area is suitable for this use.
- f) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors’ file(s) related to the appeal.

4. **FINDING:** **DESIGN** – The amendment proposes minor design changes but all changes, as proposed and conditioned, assure protection of the public viewshed, are consistent with neighborhood character, and assure visual integrity without imposing undue restrictions on private property.

- EVIDENCE:**
- a) The applicant began construction of the previously approved development (PLN060735) under a Combination Building Permit issued by the County (HCD-Building File No. 17CP01689). The proposed amendment meets all development standards for the zoning district. Surrounding parcels have been developed with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road and from Carmel State Beach. The project will harmonize with the existing character of the neighborhood and scenery using natural earth-toned colors.
 - b) Pursuant to MCC Section 20.44.010, the proposed project site and surrounding area are designated as a Design Control District (D District), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character.
 - c) Neighborhood Character. The previously approved Combined Development Permit for three-story single-family dwelling (PLN060735) has a comparatively similar layout to other residences in the vicinity and is comparable to the bulk and mass of other

dwellings in the vicinity. Many of the residences in the surrounding neighborhood have developed to the full floor area ratio allowed. Among other modifications, this amendment proposes to decrease the roof slope from 4:12 to 3:12 and increase the size of the upper-level seaward facing master bath windows (2 feet by 6 feet to 4 feet by 6 feet), increase the main level's patio by 250 square feet (110 square feet to approximately 360 square feet), and increase the upper level's balcony by 65 square feet (95 square feet to approximately 160 square feet). As stated in written objections, the neighbors believe that these modifications will increase the bulk of the dwelling. Due to a lot size error discovered in 2019 and the proposed addition of the upper-level balcony, the proposed modifications will result in an increased floor area ratio and lot coverage, when compared to the previously approved permit (PLN190030). A majority of the increase in floor area ratio and lot coverage is due to the smaller lot size (4,606 square feet). The proposed upper-level balcony will have a minimal impact on the bulk and mass of the structure as it was approved under the Combined Development Permit (PLN190030). The proposal as modified by this amendment complies with the maximum height, lot coverage, and floor area requirements. Many of the residences along Carmel Point have a similar lot coverage and floor area ratios. Therefore, the amendment is consistent with all rules and regulations pertaining to zoning uses and any other applicable provisions of the 1982 Monterey County General Plan, Carmel Area Land Use Plan, and zoning ordinance (Title 20).

- d) Material and Color Finishes. As previously approved (PLN190030), the proposed project is a modern Mediterranean style single-family dwelling. The surrounding residences along Scenic Road are an eclectic mix of residential design styles. PLN190030 modified the colors and materials approved under PLN060735. PLN190030-AMD1 proposes to keep the same colors and materials approved under PLN190030, which consisted of a matte standing seam copper roof, beige-colored smooth stucco and stone veneer exterior building, and walls, matte metal-clad wood doors and windows, stained wood garage door, cedar side, and copper gutter and downspouts. The patio and balcony located on the main (second) and upper (third) levels include burnished stainless steel and glass handrails. The previously approved colors and materials of Design Approval, PLN190030, are consistent with the residential setting and neighborhood characteristic, and blend with the surrounding environment and other dwellings in the vicinity.
- e) Visual Resources/Public Viewshed. The subject parcel is located in the general viewshed, as illustrated in Map A of the Carmel Area Land Use Plan, and is visible from a designated scenic roadway, Scenic Road, (Section 20.146.020.Z of the Carmel Coastal Implementation Plan (CIP)). Although the subject property is visible from Scenic Road, the building site is not located on the crest of a hill and will not result in ridgeline development. As designed, conditioned, mitigated, and approved, the Combined Development Permit (PLN060735) was found consistent with CIP Section

20.146.030 relating to viewshed from Scenic Road. Surrounding properties are developed with single-family dwellings of similar size and character, making up much of the view on the eastern side of Scenic Road. The project will harmonize with the existing character of the neighborhood and scenery using natural earth toned colors. The previously approved Combined Development Permit (PLN060735), as modified by the Design Approvals (PLN110448 and PLN190030), was not visible from Point Lobos due to screening by existing residential dwellings and vegetation. Additionally, the proposed development would not detract from the natural beauty of the surrounding undeveloped ridgelines and slopes in the public viewshed (LUP Policy 2.2.3.1). As established in the conditions applied to PLN060735, lighting will be required to be shielded from view and directed so as to illuminate only the areas intended to be illuminated (Condition No. 9). This condition has been partially met under PLN060735 and PLN110448. Corresponding Condition Compliance Forms (CCF) with supporting evidence have been uploaded to the HCD Accela database under HCD-Planning File No(s). PLN060735 and PL110448. This partially met condition has been incorporated into PLN190030-AMD1 as Condition No. 5.

- f) The project planner reviewed the application materials, plans, and County GIS records to verify that the proposed project on the subject parcel conforms to the applicable plans and Monterey County Code, and will not adversely impact the neighborhood character or scenic/visual resources.
- g) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

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

- EVIDENCE:**
- a) The previously approved Combined Development Permit (PLN060735) was reviewed by RMA- Planning, Monterey Regional FPD, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies recommended conditions, where appropriate, to ensure that the project does not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) All applicable and partially met conditions from PLN060735 have been applied to this amendment. See Finding No. 7 and supporting evidence.
 - c) All necessary public facilities are currently available to the subject property. Sewer service will be provided by the Carmel Area Wastewater District and domestic water supply will be provided by

California American Water (Cal-Am). The applicant has provided the Monterey Peninsula Water Management District water release form which indicates that the subject property has purchased a total of 60.5 fixture unit credits from the Malpas Water Company and the Robles Del Rio Carmelo Water Company. The previously approved permit included 23.9 fixture units approved under HCD-Building permit 17CP01689. This amendment proposes an additional 3.3 fixture units (totaling 27.2 units). The proposed water usage is within the subject property's available supply. Staff has independently reviewed the water purchase documents to verify that adequate water is available for the proposed water fixture counts. A revised building permit will be required, and that permit will not be issued until a revised water permit is obtained from the Monterey Peninsula Water Management District. The applicant has submitted a revised building permit application and a revised water permit to HCD-Building Services under File No. 17CP01689-REV4. This revised building permit application will not be issued until this amendment is approved, all appeal periods are exhausted, and all applicable condition actions are satisfied.

- d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

6. **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) Monterey County HCD-Planning and HCD-Building Services records were reviewed, and the County is not aware of any violations existing on the subject property.
 - b) Staff conducted a site visit on March 30, 2021, and research County records to assess if any violations exist on the subject property.
 - c) There are no known violations on the subject parcel. Violations have occurred including non-compliance with conditions requiring an on-site archaeological monitor during construction. Fines were paid and a monitor was brought to the site clearing that violation. Work is occurring at the site under a permit from Housing and Community Development. Staff is not aware of any other violations on the property.
 - d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

7. **FINDING:** **CONDITIONS** – The appropriate and applicable conditions of approval from the Combined Development Permit (PLN060735) and 2011 Design Approval (PLN110448) are applied to this amendment.

- EVIDENCE:**
- a) Previously approved Combined Development Permit PLN060735 (Resolution No. 08-251) was approved with 26 conditions of approval.
 - b) Previously approved Design Approval PLN110448 carried forward all 26 conditions from PLN060735 but updated 2 of the conditions which were no longer in use by the responsible department (Condition No. 8 and No. 19). The updated conditions did not alter the actions required by the applicant/owner to satisfy the requirement. PLN110448 became the operating permit.
 - c) Extension permit PLN150766 (Resolution No. 16-080) carried forward all 26 conditions from PLN060735 and PLN110448 via a condition which stated that all conditions (26) applied to the previous permits (PLN060735 and PLN110448) must still be met.
 - d) Previously approved Design Approval PLN190030 also applied a condition which required that the applicant satisfy all conditions (26) listed under the previously approved permits: PLN060735, PLN110448 and PLN150766.
 - e) 13 of the 26 previously approved conditions have been “Met” under PLN060735 and PLN110448. All 13 “Met” conditions, except for one (Condition No. 3), have not been carried forward to this amendment. Condition No. 3 has been incorporated into this amendment permit as Condition No. 17 because it is still applicable. See evidence “g” (below) for more details on carrying forward Condition No. 3 (incorporated as Condition No. 17). Of the 13 remaining conditions under PLN110448, only 11 have been brought forward to PLN190030-AMD1 because they are either “Partially Met” or are applicable “On-Going” conditions that must still be satisfied. The remaining two conditions are “On-Going” but are not applicable to the amendment due to reasons stated below. Included in the 11 conditions carried forward to PLN190030-AMD1 are two “partially satisfied” mitigation measures which relate to temporary shoring and archaeological monitoring and have been incorporated into this amendment as Condition No. 10 and No. 8, respectively. Therefore, 12 of the previously approved 26 conditions from PLN060735 and PLN110448 have been carried forward to this permit.
 - f) Condition No. 1 and No. 18 are “On-Going” conditions listed under PLN060735 and PLN110448 that are not applicable to the amendment. Condition No. 1, Specific Uses Only, will be replaced by a specific use condition that is unique to this project but incorporates the totality of the project (Combined Development Permit Resolution No. 08-251, PLN060735), as amended herein and previously amended by two design approvals, into its description. Condition No. 18, Water Conservation Measures, is not applicable to this project because the condition requirements are listed under MCC 18.44.040.A as a requirement for new construction. Therefore, the two above-referenced conditions have not been carried forward to this amendment (PLN190030-AMD1).
 - g) The 13 conditions that have been satisfied under PLN0060735 and PLN110448 are Condition No(s). 2, 3, 4, 5, 7, 15, 16, 17, 19, 20, 21,

22, and 23. Corresponding Condition Compliance Forms (CCF) with supporting evidence have been uploaded to HCD-Planning File No(s). PLN060735 and PLN110448. All above-referenced conditions, except Condition No. 3 which includes the requirements for Mitigation Measure 1, have not been carried forward from PLN110448 to this amendment. Condition No. 3 has been carried forward to this amendment as a “Not Met” condition because its actions need to be met under the working entitlement of the project, this permit. To satisfy this condition, the applicant/owner must submit supporting documentation for each outstanding action. Condition No. 3 has been incorporated into PLN190030-AMD1 as Condition No. 17.

- h) Conditions No(s). 8, 9, 10, 11, 13, 14, 24, 25, and 26 are partially satisfied under PLN060735 and PLN110448, and therefore still have outstanding actions which must be satisfied. To satisfy these conditions, the applicant/owner must submit supporting documentation for each outstanding action. These conditions have been incorporated in to PLN190030-AMD1 as Condition No(s) 4, 5, 6, 7, 8, 10, 11, 12, and 13, respectively. The 9 above referenced conditions have been carried forward to this amendment from PLN110448.
- i) The two “On-Going” conditions from PLN060735 and PLN110448 that are still applicable to this amendment are Condition No. 6 and 12. Condition No. 6 is an “On-Going” condition that prohibits land clearing and grading activities during Winter months (October through April). This condition is still applicable to this project as the terrace addition requires off-site fill. All other grading and land clearing activities have already occurred under HCD-Building Services File No. 17CP01689. This condition has been incorporated into PLN190030-AMD1 as Condition No. 16. Condition No. 12, Utilities Underground, is an “On-Going” condition that is applicable to this amendment and is incorporated into PLN190030-AMD1 as Condition No. 9.
- j) In addition to the 12 conditions condition carried forward from PLN060735 and PLN110448, staff has applied five more standard conditions relating to specific uses, permit approval, condition compliance fees, required indemnification agreement, and drainage plans (incorporated as Condition No(s) 1, 2, 3, 14 and 15). Therefore, this amendment, PLN190030-AMD1, is subject to a total of 17 conditions.
- k) Upon approval of this amendment, PLN190030-AMD1 will be the operating entitlement. All attached conditions must be cleared under PLN190030-AMD1.
- l) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors’ file(s) related to the appeal.

8. **FINDING:** **PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project, as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.C of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.146.130 of the Monterey County Coastal Implementation Plan (Part 4) can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access, as shown in Figure 3, of the Public Access Map and complies with the Carmel Area Land Use Plan.
 - c) As proposed, the project would not obstruct public views of the shoreline from surrounding roadways, nor obstruct public visual access to the shoreline from major public viewing corridors (Carmel Area Land Use Plan Policy 5.3.3.4.a).
 - d) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - e) Scenic Road is a public County right-of-way serving through traffic. No designated trails are located within the project area; however, pedestrians frequently walk, jog, or ride along Carmel State Beach. As determined in the previously adopted MND, the proposed amendment does not significantly affect pedestrian or vehicular traffic along Scenic Road. Also see Finding No. 9, evidence c. The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

9. **FINDING:** **CEQA (Consistent with Previously Adopted MND)** – A Mitigated Negative Declaration (MND) was adopted in association with approval of the permit for the single-family dwelling (PLN060735, Board of Supervisors Resolution No 08-251). This Minor and Trivial Amendment does not involve changes in the project that involve new significant effects or increase in severity of environmental effects relative to the analysis of the project in the previously adopted MND. There are no changes in circumstances or significant new information involving new significant effects or increase in severity of environmental effects requiring changes in the MND. None of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of subsequent environmental review have occurred.

- EVIDENCE:**
- a) On January 31, 2008, the Zoning Administrator adopted a Mitigated Negative Declaration (SCH# 2007091133) and approved a Combined Development Permit (PLN060735, Resolution No. 060735). This decision was appealed on February 17, 2008, by Mr. Sabih (neighbor of subject lot and the current appellant). On July 22, 2008, the Board of

Supervisors adopted the revised Mitigated Negative Declaration (MND) and associated Mitigation Monitoring and Reporting Plan (MMRP), denied the appeal of David Sabih, and approved a Combined Development Permit for a new single-family dwelling (Resolution No. 08-251). This decision was appealed to the Coastal Commission on August 29, 2008. On October 15, 2008, the Coastal Commission found no substantial issue with the County's decision, making the County's decision final. A lawsuit challenging the County's approval and environmental determination was subsequently filed with the Superior Court. As part of the settlement agreement, the applicant requested a Design Approval (PLN110448) to allow minor changes to the previously approved single-family dwelling (PLN060735). The Design Approval was approved on September 07, 2011 by the Director of Resource Management Agency (RMA) – Planning.

- b) The revised MND and MMRP included three mitigation measures which were applied as Condition No(s). 3, 24, and 25 to PLN060735. All mitigation measures and conditions were carried forward to PLN110448, PLN150766, and PLN190030. Mitigation Measures 1, 2 and 3 from the MMRP have been carried forward to this permit (PLN190030-AMD1) as conditions of approval (incorporated as Condition No. 16, 8 and 10, respectively). To satisfy these conditions, applicant/owner must submit supporting documentation for each outstanding action. Also see Finding No. 7, evidence “g” and “h.”
- c) This minor amendment does not require subsequent environmental review pursuant to Section 15162 of the CEQA Guidelines because no substantial changes are proposed requiring major revisions of the MND. All work is located within the existing building footprint or previously disturbed areas, and none of the work is within the sensitive habitat area. The proposed plan changes are limited and involve minor changes in building design and construction and additions to patios surrounding the dwelling. These changes don't result in new environmental impacts or increase in severity of environmental impacts because all grading work as already occurred on the property, no new impacts on Tribal Cultural resources would occur from these modifications, and all proposed modifications are located within the existing building footprint or previously disturbed areas. Therefore, as proposed and conditioned, this amendment does not require revisions to the previously adopted Mitigated Negative Declaration due to the change in the project.
- d) No substantial changes have occurred with respect to circumstances under which the project was undertaken that will require major revisions to the MND. The MND was prepared due to location of the property within an archaeologically sensitive area. Visual resources, hydrology and water quality, geology and soils, and air quality were all discussed in the MND. No new impacts to these resources would occur as a result of the proposed amendment because the changes are minor in nature and do not increase the severity of impacts already considered or result in new significant impacts. Grading work as already occurred on the property, so the amendment does not result in new impacts to Tribal Cultural resources. The project is in a

developed residential neighborhood near the beach and there are no potentially significant impacts anticipated due to fire hazards. The project remains a single-family dwelling in a residential neighborhood.

- e) No new information of substantial importance was presented during review of this project, and therefore this minor amendment does not require subsequent environmental review pursuant to Section 15162 of the CEQA Guidelines. The amendment, as proposed and conditioned, does not result in any significant impacts not addressed in the previously adopted MND. All mitigation measures that address the previously examined significant effects of PLN060735 (Resolution No. 08-251) have been carried forward to this permit and incorporated as Condition No. 8, 10 and 17.
- f) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed amendment are found in Project File No(s). PLN060735, PLN110448, PLN150766, PLN190030, and PLN190030-AMD1; Clerk of the Board of Supervisors' file(s) related to the appeal.

10. **FINDING:**

APPEAL - The Appellants contend that the Zoning Administrator's decision was not supported by the evidence and is contrary to law. Upon consideration of the documentary information in the files, the staff reports, the oral and written testimony, all other evidence presented before the Board of Supervisors, and the administrative record as a whole, the Board responds as follows to the Appellants' contentions:

EVIDENCE:

- a) The Appellant (David Sabih) pursuant to Monterey County Code (MCC) Section 20.86.030.C, timely filed an appeal from the April 29, 2021, decision of the Zoning Administrator. The appeal challenged the Zoning Administrator's approval of the Minor and Trivial Amendment, and contended that the findings are not supported by the evidence, and that the decision was contrary to law. See also Finding No. 1, evidence "g."

The text of the Appellant's contentions and the County's responses to those contentions are set forth in Evidences "b" through "o" below. The Appeal filed by the Appellant is included in the July 13, 2021 staff report to the Board of Supervisors as Attachment C1 and is incorporated herein by reference.

- b) *Appellant's Contention No. 1: "...the amendments violate set back regulations, drainage regulations, lot coverage regulations, and floor area ratio regulations. For example, the project plans, at Sheet A1.0 of the 9-23-20 revision, show the spa and one of the firepits violating the rear setback, the main floor deck violating the front setback, as well as the lightwell violating the north-side setback."*

Response No. 1: Pursuant to Monterey County Code Section 16.12.070, for projects where onsite percolation is not feasible, such as the subject property, all runoff must be dispersed over non-erodible vegetated surfaces or through non-erodible channels so that the runoff rate does not exceed the pre-development level. Condition

No. 7 and No. 17, which required submission and approval of an Erosion Plan and Drainage Plan, were applied to PLN060735 and met under PLN060735 and PLN110448. The Monterey County Water Resources Agency reviewed and approved the Erosion and Drainage Plans in 2017, thus finding that Condition No. 7 and No. 17 are satisfied. These plans indicated that the drainage will be collected on Scenic Road and released out storm drains to the west of Scenic Road, as is the case with most of the development along Scenic Road. As stated in the previously adopted MND, the controlled runoff from the subject property will not create a potentially significant impact to the Carmel Bay Area of Special Biological Significance. Carmel Area LUP Policy 2.4.3.2 states "Runoff volumes and rates should be maintained at pre-development levels unless provisions to implement this result in greater environmental damage." The project continues to require the discharge of stormwater run-off to Scenic Road because the soils at the site are not conducive to onsite retention of stormwater. Therefore, any development of impervious surfaces at the site will increase stormwater runoff. A drainage plan for the previously approved single-family dwelling (PLN060735, Resolution No. 08-251) was submitted to RMA - Building Services (17CP01689) and approved by Water Resource Agency in 2017; this plan satisfied Condition No. 17 of PLN060735 and PLN110448. This previously approved drainage plan does not accommodate or account for the increased impervious surface area associated with this amendment. The amendment increases the previously approved impervious surface area (PLN060735) by 215 square foot increase, as a direct result of the proposed patio and balcony additions. Therefore, HCD- Environmental Services has applied Condition No. 15; this condition requires the applicant to submit a revised drainage plan that accounts for the added impervious surface area. Environmental Services will review the plan in accordance with applicable MCC regulations, Carmel Area LUP policies, and CIP (Part 4) regulations, to ensure that the plans accommodate the increased run-off resulting from site modifications.

In accordance with MCC Section 16.12.060.E, a grading and erosion plan is not required because this amendment does not propose any ground disturbance. All grading approved under PLN060735 has been completed. The proposed 255 square foot addition to the terrace is above grade and does not require any cut or on-site fill, as off-site sand and gravel will be used to level the addition with the previously approved terrace. Although this off-site fill does not require a grading plan, pursuant to MCC Section 16.08.040, the project shall be subject to the same grading and erosion requirements that are required of the other construction related activities. These requirements, which are listed in the previously approved Drainage Plan for PLN060735 and shall be carried forward to the revised Drainage Plan (Condition No.

16) for this project, include stabilization of any stockpile to prevent erosion and sedimentation. A grading plan is not required because the off-site fill will be less than 100 cubic yards, will not obstruct the drainage course, and does not support a structure.

As proposed, the amendment does not exceed the lot coverage or floor area standards established for the MDR district. Pursuant to MCC Section 20.12.060.E, the maximum allowed site coverage and floor area ratio in the Carmel MDR/2 district is 35 percent and 45 percent, respectively. The property is 0.106 acres or 4,606 square feet, which allows site structural coverage of 1,612 square feet and floor area of 2,072.7 square feet. The proposed amendment has a lot coverage of 1,561 square feet (34%) and a floor area ratio of 2,072.7 (45%). The proposed addition to the main level patio does result in the patio extending into the front setback by approximately 1 foot. Per MCC Section 20.62.040.D, uncovered decks and porches, such as the proposed patio, may extend a maximum of six feet into the front required setback. The previously approved firepits and the proposed addition of the rear outdoor spa are not considered structures and therefore are not regulated by the setback standards for the zoning district. Per MCC Section 20.62.040, cornices, eaves, canopies, fireplaces, and similar architectural features, such as the previously approved light well, may extend into any required setback not exceeding 2 1/2 feet. As previously approved, the lightwell extends into the side setback by approximately 1 foot. This amendment removes one of the two previously approved lightwells, therefore not changing the previously approved site setback. Therefore, as proposed, the amendment meets all development standards associated with the MDR district.

c) *Appellant's Contention No. 2: "Also, the project plans fail to provide a grading plan, drainage plan, and/or erosion control plan."*

Response No. 2: The amendment increases the impervious surface area of the subject lot by 215 square feet, as a direct result of the balcony and patio additions. Therefore, HCD- Environmental Services has applied Condition No. 15, which requires the applicant to submit a Drainage and Stormwater Control Plan. Environmental Services will review the plan in accordance with applicable MCC, Carmel Area LUP policies, and CIP (Part 4) sections, and ensure that the plans accommodate the increased run-off resulting from site modifications. Although the front terrace addition requires off-site fill, a grading plan is not required pursuant to MCC 16.08.040. This off-site fill shall be subject to the same grading and erosion requirements that is required of the other construction related activities. Also see Finding No. 10, evidence "b."

- d) *Appellant's Contention No. 3: "With respect to the California Environmental Quality Act (CEQA), the Owners' intentional strategy to seek piece-meal approvals of the project's various components via changes and amendments is impermissible. The Owners are prohibited from splitting their single large project into smaller increments in order to evade proper environmental review as such action would leave the County unable to consider the environmental impacts of the entire project."*

Response No. 3: Pursuant to MCC Sections 20.70.105 and 20.76.115, an applicant may apply for amendments and other discretionary permits. The various past amendments were based on the particular facts and circumstances occurring at that time, such as the 2011 Design Approval which was done in response to settlement. The County adopted a Mitigated Negative Declaration (MND) prior to approving the original Combined Development Permit. When the project was granted a five-year extension, the County found that no additional environmental review was required. (Resolution No. 16-080, Finding No. 3.) The 2011 and 2019 Design Approvals were "over the counter" design approvals because they involved only minor changes to the project. The environmental review of this amendment has not been piecemealed. The current amendment does not warrant additional environmental review under CEQA Guidelines Section 15162. See Finding No.9 and supporting evidence. In finding that the currently proposed minor changes in the project do not result in additional environmental impacts or increase the severity of environmental impacts as compared to what was analyzed in the MND, the County has reviewed the whole of the project as modified by the proposed minor amendment and has not piecemealed the review.

As indicated by the project's agent via a phone call on June 25, 2021, the applicants' initial design change request was to increase the ceiling height of the main level (previously approved as 8 feet) to be consistent with the other floors of the residence (previously approved as 9 feet). In order to make this change, the roof pitch had to be decreased to maintain the 18-foot height limitation. By decreasing the roof pitch and increasing the flat roof area, larger windows could be installed on the upper level. Soon thereafter, the applicant realized that the previously approved terrace, patio and balcony were not as usable as expected. The applicant therefore requested additions to the patio, balcony, and terrace, which resulted in relocating the previous approved front fire pit and front access steps, and the addition of side access steps. These modifications were not foreseen at the time of adoption of the Mitigated Negative Declaration and do not involve new significant effects or increased severity of environmental effects requiring supplemental environmental review.

- e) *Appellant's Contention No. 4: "This project has been controversial among the Carmel Point neighbors since it's original presentation in 2006."*

Response No. 4: The history associated with the subject lot does not impact staff's review or recommendations of approval. Although the neighbors surrounding the subject lot expressed concerns during the LUAC meeting, the concerns did not indicate any inconsistencies with the text, policies, and regulations of applicable County documents. Staff has processed this amendment in accordance with the applicable standards and requirements of Monterey County Code. The project was reviewed by the Land Use Advisory Committee, the Zoning Administrator, and now the Board of Supervisors. All correspondence has been reviewed and considered, and public hearings have been conducted before the appropriate hearing bodies, where all members of the public have had the opportunity to be heard.

- f) *Appellant's Contention No. 5: "The project has been altered over time with three additional Develop (sic.) Permits since 2006 and the cumulative effect of all these "minor changes" is difficult to analyze with this current minor or trivial amendment. This is also a common developers strategy to avoid or minimize public review and comment from the neighbors or public."*

Response No. 5: There has been opportunity for public review and comment. The previously approved permit, the Design Approvals, the permit extension, and this proposed amendment have been processed, described, and noticed according to Monterey County Code and applicable laws. This amendment was reviewed by the Land Use Advisory Committee, the Zoning Administrator, and has now received de novo review by the Board of Supervisors at a public hearing. The previously approved Combined Development Permit (PLN060735) and subsequent amendments and extension are on file with Housing and Community Development. All approved plans and applications associated with these permits are available to the public for review. Although this resolution is approving only the amendment, for the sake of clarity, the complete description of the project as amended is included in this resolution. With the current amendment and prior Design Approvals, the project in its totality now entitled consists of: an approximately 2,895 square foot three story single family dwelling with an attached 556 square foot garage, a 360 square foot main-level patio, a 160 square foot upper-level balcony, an 815 square foot terrace (front and rear), 2 fire pits (located in front and rear terrace), a rear spa/hot tub, 300 linear feet of retaining walls, and 1,130 cubic yards of cut.

As for the appellant's contention relating to the cumulative effect of the various projects associated with the subject property, please see Finding No. 10, evidence "d." A description of the project in its totality has been included herein.

- g) Appellant's Contention No. 6: *"The project is a "spec. house" and as a result the primary concern has been to maximize profits for the partners vs. becoming part of the Carmel Point neighborhood."*
Response No. 6: Staff has received no indication that the proposed residence will be used other than for the purpose of a single-family dwelling. The Carmel Highlands/Unincorporated LUAC found the project consistent with the neighborhood and comparable to the bulk and mass of other dwellings in the vicinity. Surrounding parcels have been developed with other dwellings of similar size and character making up much of the view on the eastern side of Scenic Road and from Carmel State Beach. Staff has determined that the project will harmonize with the existing character of the neighborhood and scenery using natural earth-toned colors. The colors and materials included in this amendment were previously approved by Design Approval PLN190030. The County does not regulate or require a property owner to occupy structures that are built.
- h) Appellant's Contention No. 7: *"The business profit goals being the primary concern has resulted in the project maximizing, square footage, coverage, maximum height limits, excessive grading, and pushing the building footprint to the setbacks on all four sides."*
Response No. 7: Due to the small lots of the Carmel Point area, many of the residences maximize their lot coverage, floor area ratio, and height and are located within close proximity of all setbacks. As proposed, the amendment meets all development standards established for the MDR district (MCC Section 21.12.060): 34% lot coverage (45% allowed), 45% floor area ratio (45% allowed), and 18 feet in height (18 feet allowed). The single-family dwelling is setback from the property line approximately 20 feet (front), 5 feet (sides), and 13 feet (rear). The proposed addition to the main level patio does result in the patio extending into the front setback by approximately one foot. Per MCC Section 20.62.040.D, uncovered decks and porches, such as the proposed patio, may extend a maximum of six feet into the front required setback. The previously approved firepits and the addition of the rear outdoor spa are not considered structures and therefore are not regulated by the setback standards for the zoning district. There is no grading associated with the amendment and all grading approved under PLN060735 (1,130 cubic yards of cut) has been completed.
- i) Appellant's Contention No. 8: *"Pushing the design to the maximum on all issues has created a project that appears more commercial and out of place for this residential neighborhood. Especially the new roof change to achieve the height limit."*
Response No. 8: Staff has found that proposed modifications to the previously approved single-family dwelling are consistent with the design standards established for the Design Control District (MCC Sections 21.44). Please see Finding No. 4 and supporting evidence. Additionally, the Carmel Highlands/Unincorporated LUAC found the

project consistent with the neighborhood and comparable to the bulk and mass of other dwellings in the vicinity.

- j) *Appellant's Contention No. 9: "The project proposes the structure is located on the all setbacks (sic.) and will be built to the height limit. A licensed civil engineer should provide verification that the (sic.) shall be built in accordance with these County limitations during the construction inspections procedures."*

Response No. 9: Staff has carried forward a height verification condition from PLN060735 (integrated into this amendment as Condition No. 11). This condition requires that the applicant provide evidence from a licensed civil engineer or surveyor that the height of the structure, measured from an approved benchmark location, is consistent with what was approved on the building permit. This amendment does not change the single-family dwelling's required setbacks approved under PLN110448 and therefore a setback verification condition is not required or applied to this project. This amendment proposes to extend the main level patio into the front setback by approximately one foot. Pursuant to MCC Section 20.62.040.D, uncovered decks and porches, such as the proposed patio, may extend a maximum of six feet into the front required setback. The previously approved firepits and the addition of the rear outdoor spa are not considered structures and therefore are not regulated by the setback standards for the zoning district. See Finding No. 10, evidence "h."

- k) *Appellant's Contention No. 10: "A note within the plans claims "no new grading required" while proposing a 225 sq. ft. expansion of a terrace. The (sic.) proposed current plans available for review do not include a grading plan, drainage plan, or erosion control plans which should be made available for this permit review to verify the claim of "no new grading"*

Response No. 10: See Finding No. 10, evidence "b."

- l) *Appellant's Contention No. 11: "Sheet A1.0 depicts a "Patio" over the front setback line which is at least 7'-0" above grade and should be considered a deck structure [more then (sic.) 24 inches above grade] and not be allowed in the front-yard setback."*

Response No. 11: The contention appears to confuse the balcony with the patio. The balcony is above grade, but the patio is at average natural grade. The previously approved patio, as modified by this amendment, is not 24 inches above grade and therefore is not considered a deck structure. The proposed 250 square foot addition to the main level patio does result in the patio extending into the front setback by approximately one foot. Per Monterey County Code (MCC) Section 20.62.040.D, uncovered decks and porches, such as the proposed patio, may extend a maximum of six feet into the front required setback. Therefore, the main level patio addition is allowed to extend into the required front setback. Also see Finding No. 10, evidence "b" and "j."

- m) Appellant's Contention No. 12: "The project proposes two large fire pits within the setbacks. The fire pits should be relocated out of the setbacks and away from adjacent neighbors property. California Fire regulations are changing to provide spark arrestors at any new fire pits to avoid any potential fire damage to the neighborhood."

Response No. 12: Although both fire pits are located within the front and rear setbacks, they are not considered structures and therefore are not regulated by the MDR district setback regulations. MCC Section 18.09.030 states that fire arrestors are only required for chimneys, incinerators, smokestacks or similar devices that use solid fuel for conveying smoke or hot gases to the outer air. Both the front and rear fire pits use propane and therefore are not required to install fire arrestors. All applicable fire standards will be applied to the building permit.

- n) Appellant's Contention No. 13: "The new Spa is also located within a side yard setback compromising the neighbors privacy. The Spa should be considered a structure and not permitted within the setback."

Response No. 13: The rear outdoor spa is not considered a structure and therefore is not regulated by the setback standards for the zoning district. Private views and privacy are not protected under the Carmel Area Land Use Plan or applicable MCC.

- o) Appellant's Condition No. 14: "The above listed concerns are significant and I believe this project should not be considered minor or trivial at this point in th (sic.) process."

Response No. 14: Although the HCD-Chief of Planning found the project to be of minor and trivial nature, the project was referred to a public hearing after the HCD Department received "appeal" requests from interested parties prior to a decision of the appropriate authority. Therefore, the project was set for public hearing before the appropriate authority of the original permit (PLN060735), the Zoning Administrator. On April 29, 2021, the Zoning Administrator held a duly noticed public hearing and approved the Minor and Trivial Amendment (PLN190030-AMD1) and found it consistent with the previously adopted Mitigated Negative Declaration. A full amendment and a minor and trivial amendment are held to the same standards of review. The distinction in the permit is that a minor amendment can be approved by the Chief of Planning and a full amendment must be considered by the hearing body who originally approved the project. This project has been reviewed by the Zoning Administrator and now the Board of Supervisors. The distinction between minor and not minor does not change the analysis or conclusions contained herein, and all members of the public have had the opportunity to be heard at a public hearing on the amendment at the Zoning Administrator and now at the de novo public hearing at the Board of Supervisors.

11. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Coastal Commission.
- EVIDENCE:** a) Coastal Commission. Pursuant to Title 20, Section 20.86.080.A, the project is subject to appeal by/to the California Coastal Commission (CCC) because it involves development within 300 feet of the mean tide high line of the sea. Additionally, the project may be subject to appeal by/to the CCC because the project amends the Combined Development Permit (PLN060735) which consisted of a Coastal Development Permit, due to development within 750 feet of known cultural resources.

DECISION

NOW, THEREFORE BE IT RESOVED, based on the above findings and evidence, and the administrative record as a whole, that the Board of Supervisors does hereby:

- 1) Certify that the foregoing recitals and findings are true and correct;
- 2) Deny the appeal of David Sabih from the Zoning Administrator's approval of a minor and trivial amendment to a previously approved Combined Development Permit;
- 3) Certify that it has considered the previously adopted Mitigated Negative Declaration (MND) for the Skeen & Chang residence (PLN060735) and finds that the proposed Minor and Trivial Amendment does not require subsequent review pursuant to Section 15162 of the CEQA Guidelines; and
- 4) Approve a Minor and Trivial Amendment to previously approved Combined Development Permit (PLN060735), as modified by the 2011 Design Approval (PLN110448) and the 2019 Design Approval (PLN190030) and as extended under PLN150766, to allow exterior and interior improvements including modifications to the roofline, main level's ceiling height, front gates, and upper-level windows; addition of an approximately 255 square foot terrace, 65 square foot balcony, 250 square foot patio, an outdoor spa and side access steps; relocation of outdoor firepit; removal of one light well; replacement of a main-level window with double doors; and interior floor plan changes. Colors and materials, and associated grading consisting of 1,130 cubic yards of cut to remain as previously approved.

This approval is subject to the conditions of approval and must be in general conformance with the plans, both being attached hereto and incorporated herein by reference. With approval of this amendment, the totality of the project (Combined Development Permit (Resolution No. 08-251; PLN060735)), as amended herein and as amended by the prior Design Approvals, consists of: an approximately 2,895 square foot three story single family dwelling with an attached 556 square foot garage, a 360 square foot main-level patio, a 160 square foot upper-level balcony, an 815 square foot terrace (front and rear), 2 fire pits (located in front and rear terrace), a rear spa/hot tub, 300 linear feet of retaining walls, and 1,130 cubic yards of cut.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____, and carried this 13th day of July, 2021, by the following vote to wit:

AYES:

NOES:
ABSENT:
ABSTAIN:

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof Minute Book _____ for the meeting on May 5, 2020.

Date:

File Number:

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy

Monterey County RMA Planning

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

PLN190030-AMD1

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Minor and Trivial Amendment to a previously approved Combined Development Permit (PLN060735), as modified by PLN110448 and PLN190030 and extended under PLN150766, to allow exterior and interior improvements including modifications to the roof, main level's ceiling height, front gates and master bedroom windows and doors; addition of an approximately 255 square foot terrace, 120 square foot balcony, 250 square foot patio, and outdoor spa; relocation of outdoor firepit; removal of one (1) light well; replacement of master bath window with double doors; interior floor plan changes; and other minor exterior improvements. Materials and colors to remain as previously approved (PLN190030). The property is located at 26327 Scenic Road, Carmel (Assessor's Parcel Number 009-442-013-000), Carmel Land Use Plan, Coastal Zone. [ALL APPLICABLE CONDITIONS FROM PREVIOUS MINOR AMENDMENTS AND PREVIOUSLY APPROVED PERMIT (PLN190030, PLN150766, PLN110448 & PLN060735) STILL REMAIN IN EFFECT.]

The totality of the project (Combined Development Permit (Resolution No. 08-251; PLN060735)), as amended herein and as amended by the prior Design Approvals, consists of: an approximately 2,895 square foot three story single family dwelling with an attached 556 square foot garage, a 360 square foot main-level patio, a 160 square foot upper-level balcony, an 815 square foot terrace (front and rear), 2 fire pits (located in front and rear terrace), a rear spa/hot tub, 300 linear feet of retaining walls, and 1,130 cubic yards of cut.

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: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Minor and Trivial Amendment (Resolution Number _____) was approved by the Board of Supervisors for Assessor's Parcel Number 009-442-013-000 on July 13, 2021. 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. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-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.

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

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of HCD - Planning . A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County 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."

5. PD014(B) - LIGHTING-EXTERIOR LIGHTING PLAN (VS & RIDGELINE)

Responsible Department: RMA-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. Exterior lighting shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit three (3) copies of 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 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 three copies of the lighting plans to HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, staff shall conduct a site visit to ensure that the lighting 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.

6. PD016 - NOTICE OF REPORT

Responsible Department: RMA-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 Geotechnical and Geological Hazards Report has been prepared for this parcel by Grice Engineering and Geology, Inc., dated January 2007 Library No. LIB070151 with a supplement letter prepared by Grice Engineering and Geology Inc., dated July 24, 2007 and a Geotechnical response to Four Specific Questions, prepared by Haro, Kasunich, and Assoc. Inc. dated November 27, 2007 (LIB070652). All development shall be in accordance with these reports." (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.

7. PD016 - NOTICE OF REPORT

Responsible Department: RMA-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: "An Archaeology Report has been prepared for this parcel by Archaeological Consulting, dated January, 17 2007 Library No. LIB070152. 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

8. PDSP002 - ARCHAEOLOGICAL MONITORING (MITIGATION #2)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The contractor shall sign and record an agreement created by an Archaeologist informing them of the potential for incidental impacts and requirements to contract the archaeologist for monitoring during earth disturbing activities associated with new construction on the parcel, such as grading, foundation excavations, etc. The monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The applicant shall provide the Director of Planning with a copy of a recorded agreement containing recommendations for protection of incidental impacts to potentially significant resources including any measures necessary to be in place and in good order through construction and the requirement of an Archaeological monitor on site during earth disturbing activities.

9. PD035 - UTILITIES UNDERGROUND

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground. (HCD - Planning and HCD- Public Works)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

10. PDSP003 - TEMPORARY SHORING (MITIGATION #3)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In order to reduce potential impacts to neighboring structures temporary shoring shall be installed by a licensed contractor according to plans approved by the Building Department and under the direct supervision of a licensed geotechnical engineer, along with supervision from the archaeological monitor required in condition 24. The engineer shall have the ability to make adjustments as necessary to provide maximum protection of life and surrounding structures. The shoring shall remain in place in working order during foundation excavation and construction and shall be removed when cleared by the engineer. (HCD – Planning Department and HCD – Building Services Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading or building permits the owner or applicant shall submit temporary shoring plans, designed by a licensed geotechnical engineer, to the RMA Building Department for review and approval.

During construction of the temporary shoring, a licensed engineer shall observe and make recommendations where necessary to ensure proper construction of the shoring and support of adjacent structures [combined with observation from a registered archaeologist (see Mitigation Measure 1 (Condition #3))].

Upon completion of the shoring and prior to foundation excavation the owner or applicant shall submit a letter to the RMA-Planning Department from the licensed engineer certifying that the shoring has been adequately constructed.

11. PD041 - HEIGHT VERIFICATION

Responsible Department: RMA-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 Director of HCD - 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 Director of HCD - 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.

12. PDSP004 - LIABILITY INSURANCE (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant must demonstrate to the satisfaction of the RMA-Planning Department and County Counsel that the contractors for the proposed development, including any general and sub-contractors involved in the shoring, excavation, and foundation construction, are appropriately licensed for the work and will maintain liability insurance of not less \$4,000,000 per occurrence including coverage for any claims for bodily injury or damage to property, including owner's and adjacent properties, arising from contractors' or subcontractors' work performed on the project. Such insurance shall name the neighbor to the south (APN: 009-442-012-000) as an additional insured. The insurance shall be maintained from commencement construction to issuance of certificate of occupancy or final building inspection. All such insurance shall be with a company acceptable to the County and issued and executed by an admitted insurer authorized to transact insurance business in the state of California. (HCD - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building or grading permits, the Owner/applicant shall provide to the HCD - Planning Department certificates of insurance and such other documentation as the County may require to demonstrate that the contractors and subcontractors have in effect the insurance required by this condition.

The insurance shall be maintained in for from the commencement of construction to the issuance of the certificate of occupancy or final building inspection. If any change is made in the insurance policy during this period, the Owner/applicant shall notify the HCD -Planning Department within five calendar days of such change.

13. PDSP001 - CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of Grading Permits or Building Permits, applicant shall submit a Construction Management Plan (CMP) to the HCD - Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall limit construction, hours of operation to 7:00 am to 5:00 pm on weekdays, 8:00 am to 4:00 pm on Saturdays and no work on Sundays. The CMP shall also provide for, truck routes that would have trucks coming and leaving the site from Stewart Road, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works & HCD – Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of the Grading Permit or Building Permit., the Applicant shall prepare a CMP and submit the CMP to the RMA-Planning Department for review and approval.

During Construction activities, the Owner/Applicant/Contractor shall implement approved measures during the construction/grading phase of the project.

Prior to final inspection of occupancy, the Owner/Applicant/Contractor shall submit a construction activity report including photographs and activity logs where applicable that document how Best Management Practices were implemented and followed during construction and grading activities.

14. 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

15. DRAINAGE PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts from impervious surface stormwater runoff. An approved drainage plan for the previously approved single-family dwelling (PLN060735, Resolution No. 08-251) was submitted to RMA - Building Services (17CP01689); this plan satisfied Condition No. 17 of PLN060735 and PLN110448. This previously approved plan does not account for the increased impervious surface area associated with the site improvements of this amendment, PLN190030-AMD1. Therefore, a revised drainage plan shall be submitted. Drainage improvements shall be constructed in accordance with plans approved by the HCD-Environmental Services. (HCD-Environmental Services).

Compliance or Monitoring Action to be Performed: Prior to issuance of the grading or building permits, the applicant shall submit a drainage plan to HCD-Environmental Services for review and approval.

16. PD007- GRADING WINTER RESTRICTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of HCD - Building Services. (HCD - Planning and HCD - Building Services)

Compliance or Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of HCD - Building Services Department to conduct land clearing or grading between October 15 and April 15.

17. PD003(B) - CULTURAL RESOURCES POSITIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If archaeological resources or human remains are accidentally discovered during construction, the following steps will be taken:

There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until the coroner of the county in which the remain are discovered must be contacted to determine that no investigation of the cause of death is required.

If the coroner determines the remains to be Native American:

- The coroner shall contact the Native American Heritage Commission and the RMA - Planning Department within 24 hours.
- The Native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendant.
- The most likely descendant may make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, Or

Where the following conditions occur, the landowner or his authorized representatives shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:

1. The Native American Heritage Commission is unable to identify a most likely descendant or the most likely descendant failed to make a recommendation within 24 hours after being notified by the commission.
2. The descendant identified fails to make a recommendation; or
3. The landowner or his authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits or approval of Subdivision Improvement Plans, whichever occurs first, the Owner/Applicant, per the archaeologist, shall submit the contract with a Registered Professional Archaeologist to the Director of the RMA-Planning Department for approval.

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, on the Subdivision Improvement Plans, in the CC&Rs, and shall be included as a note on an additional sheet of the final/parcel map.

KEY NOTES

- 1 SETBACK LINE
- 2 PROPERTY LINE
- 3 EXISTING WOOD FENCE TO REMAIN
- 4 NEW 5' HIGH WOOD FENCE TO MATCH EXISTING
- 5 TRENCH DRAIN WITH STEEL GRILLE COVER SEE DTL. 6/A8.2
- 6 OUTLINE OF MAIN LEVEL
- 7 OUTLINE OF UPPER LEVEL (SHOWN HATCH)
- 8 OUTLINE OF LOWER LEVEL
- 9 CONCRETE DRIVEWAY
- 10 STONE TERRACE SEE DTL. 12/A8.0
- 11 RETAINING WALL- REQUIRES SEPARATE PERMIT, SEE STRUCTURAL DRAWINGS FOR DETAILS AND NOTES.
- 12 TERRACE, BALCONIES, OR DECKS OVER 30" OR MORE OFF FINISH GRADE REQUIRES A 42" HIGH GUARDRAILING WITH BALUSTRADES AT 4" O.C. MAXIMUM (SEE DETAIL 4/A8.2)
- 13 SLOPE TERRACES AT 1/4" PER FT. MINIMUM AWAY FROM STRUCTURE
- 14 SLOPE ALL GRADES AWAY FROM THE BUILDING @ 2% FOR MIN 10 FEET
- 15 PAVER WALK- OVER 1" SAND OVER 3" OF 3/4" CLASS II BASE ROCK
- 16 PROVIDE GALVANIZED STEEL GRATE COVER ON HINGES

PLANNING INFO.

- PROPERTY OWNER:
DALE SKEEN & JOMEI CHANG
P.O. BOX 7507
MENLO PARK, CA 94026
(650) 323-8002
- PROJECT ADDRESS:
26327 SCENIC ROAD
CARMEL, CA.
- PROJECT SCOPE:
MINOR & TRIVIAL AMENDMENT TO 17CP01689 REV 3 & DA190217
- SITE PLAN CHANGES
 - EXISTING FIRE PIT RELOCATION AND ADDITION OF ACCESS STEPS TO NORTH SIDE YARD; FRONT TERRACE RECONFIGURATION
 - REMOVAL OF ONE FRONT GATE AND RELOCATION OF 2ND GATE AND STEPS TO TERRACE
 - REMOVAL OF ONE LIGHT WELL TO BASEMENT
 - ADDITION OF A SPA TO BACK TERRACE
- MAIN LEVEL CHANGES
 - CEILING HEIGHT INCREASE FOR AREA OF FLOOR BELOW UPPER LEVEL FROM 8' TO 9'
 - BATH SHOWER REPLACEMENT WITH A PANTRY
 - MASTER BATH TUB REMOVAL AND WINDOW SUBSTITUTION WITH PAIR OF 5' X 8' DOORS
 - MASTER BEDROOM EXTERIOR DOOR WINDOW UNIT INCREASE IN HEIGHT FROM 7' TO 8'
 - PATIO SIZE INCREASE FOR 256 SF
- UPPER LEVEL CHANGES
 - ADDITION OF 2 STEPS DUE TO MAIN FLOOR CEILING HEIGHT INCREASE
 - BALCONY SIZE INCREASE FOR 65 SF
 - MASTER BATH WINDOW HEIGHT INCREASE FROM 2'-6" TO 4'-6"
- ROOF CHANGES
 - ROOF SLOPE REDUCTION FROM 4:12 TO 3:12 FOR MAIN AND UPPER LEVEL ROOFS
 - INCREASE OF THE FLAT ROOF AREA TO COMPLY WITH THE MAXIMUM ALLOWED HEIGHT OF 18'

- OCCUPANCY: R3, U1
- CONST. TYPE: V, NR
- A.P.N.: 009-442-013-000
- LEGAL DESC.: LOT: 10 BLOCK: B14
- ZONE: MDR/2 (18) (CZ)
- MAX BLDG. HT: 18 FT
- GRADING: 1,130 CY CUT
- TREE REMOVAL: NONE
- TOPOGRAPHY: SLOPE
- PROJECT CODE COMPLIANCE:
2016 CBC, CMC, CPC, CFC, CEC CALIFORNIA RESIDENTIAL CODE, CALIFORNIA GREEN BUILDING CODE & 2016 CALIFORNIA ENERGY CODE
- LOT AREA: 4,606 S.F.
- LOT COVERAGE CALCULATIONS:

PROPOSED	
BUILDING (FOOTPRINT)	1,457 S.F.
UPPER BALCONY	104 S.F.
DRIVEWAY	780 S.F.
TERRACE (FRONT)	565 S.F.
TERRACE (BACK) (ON GRADE)	365 S.F.
TOTAL COUNTABLE	1,561 S.F.
- LOT COVERAGE ALLOWED: 1,612 SF (35%)
- LOT COVERAGE PROPOSED: 1,561 SF (34%)
- F.A.R. CALCULATIONS

PROPOSED	
MAIN FLOOR	1,459.8 S.F.
UPPER FLOOR	612.9 S.F.
LOWER FLOOR	821 S.F. (BELOW GROUND)
GARAGE, MECH'L AND STO.	556 S.F. (BELOW GROUND)
TOTAL	3,449.7 S.F.
- F.A.R. ALLOWED: 2,072.7 SF (45%)
- F.A.R. PROPOSED: 2,072.7 SF (45%)

VICINITY MAP



JUN A. SILLANO, AIA



721 LIGHTHOUSE AVE
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STAMPS:

PROJECT/CLIENT:
PROPOSED NEW RESIDENCE AT

26327
SCENIC ROAD
CARMEL CA, 93935

APN: 009-442-013-000



DATE: SEPTEMBER 05, 2018
PLANNING SUBMITTAL

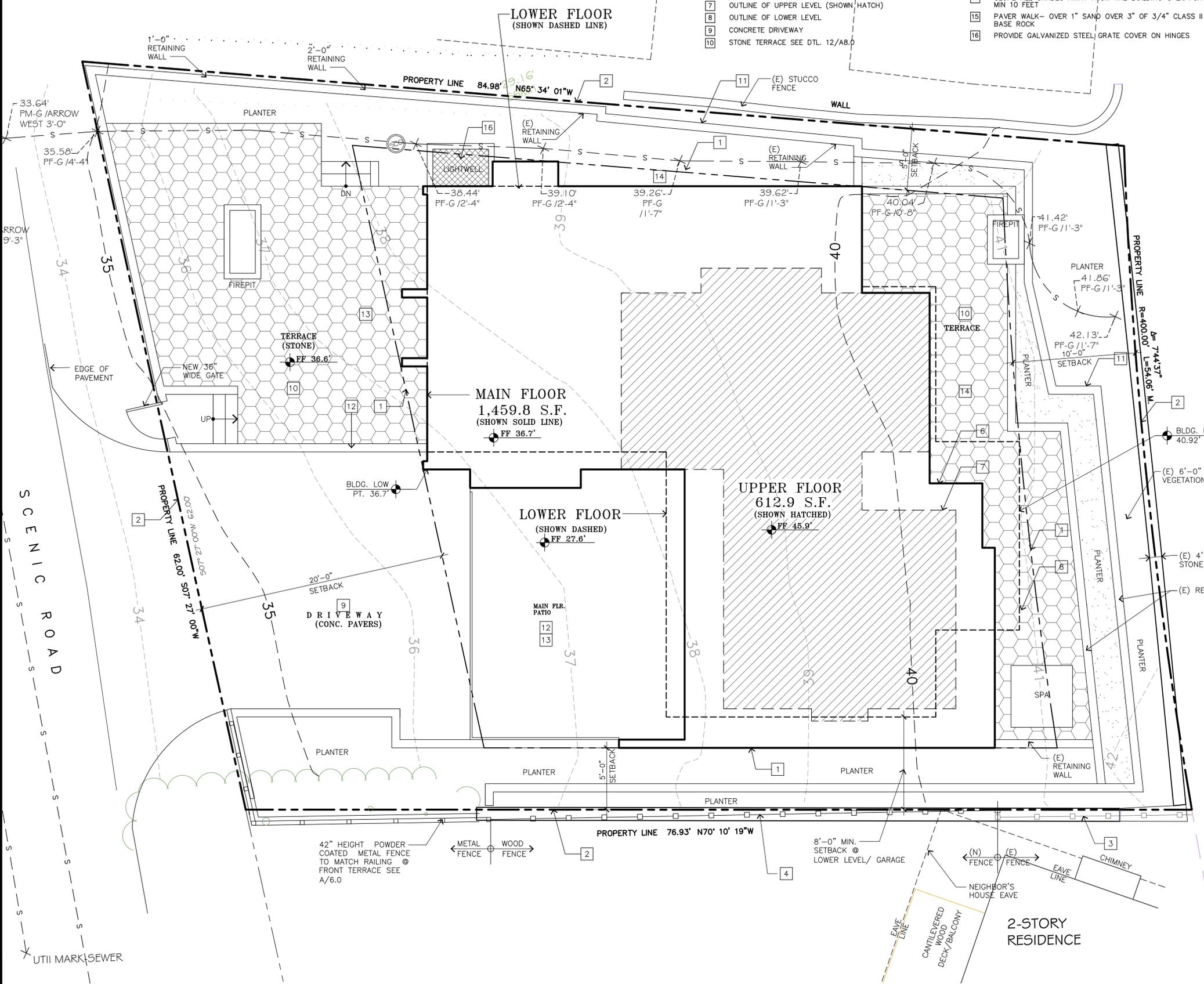
- REVISIONS:
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SITE PLAN

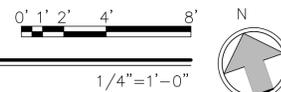
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SITE PLAN



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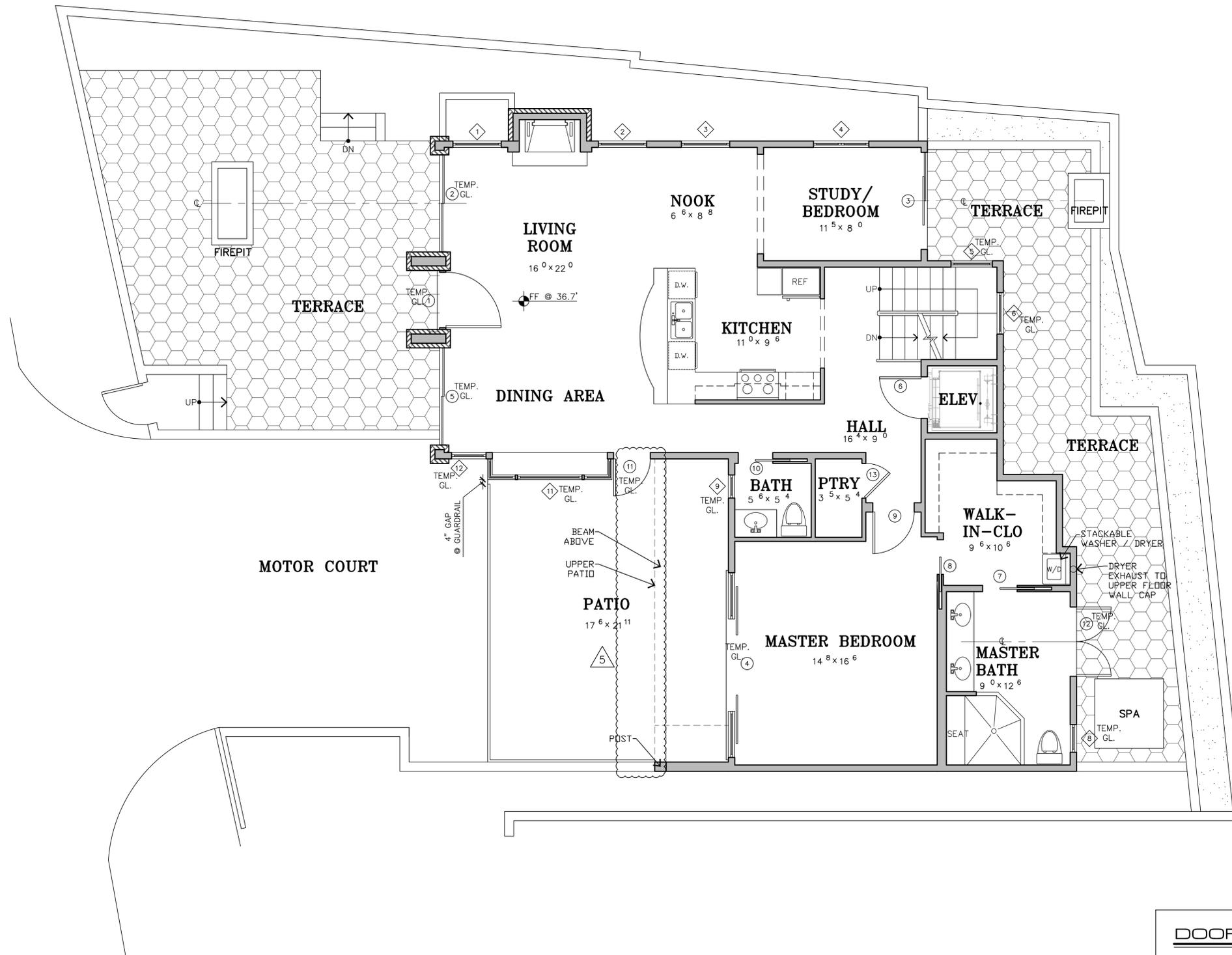
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△	

MAIN LEVEL PLAN

SHEET NO.

A2.0



WALL LEGEND

- 2X STUD FRAMED WALL
- STONE VENEER

DOOR/WINDOW LEGEND

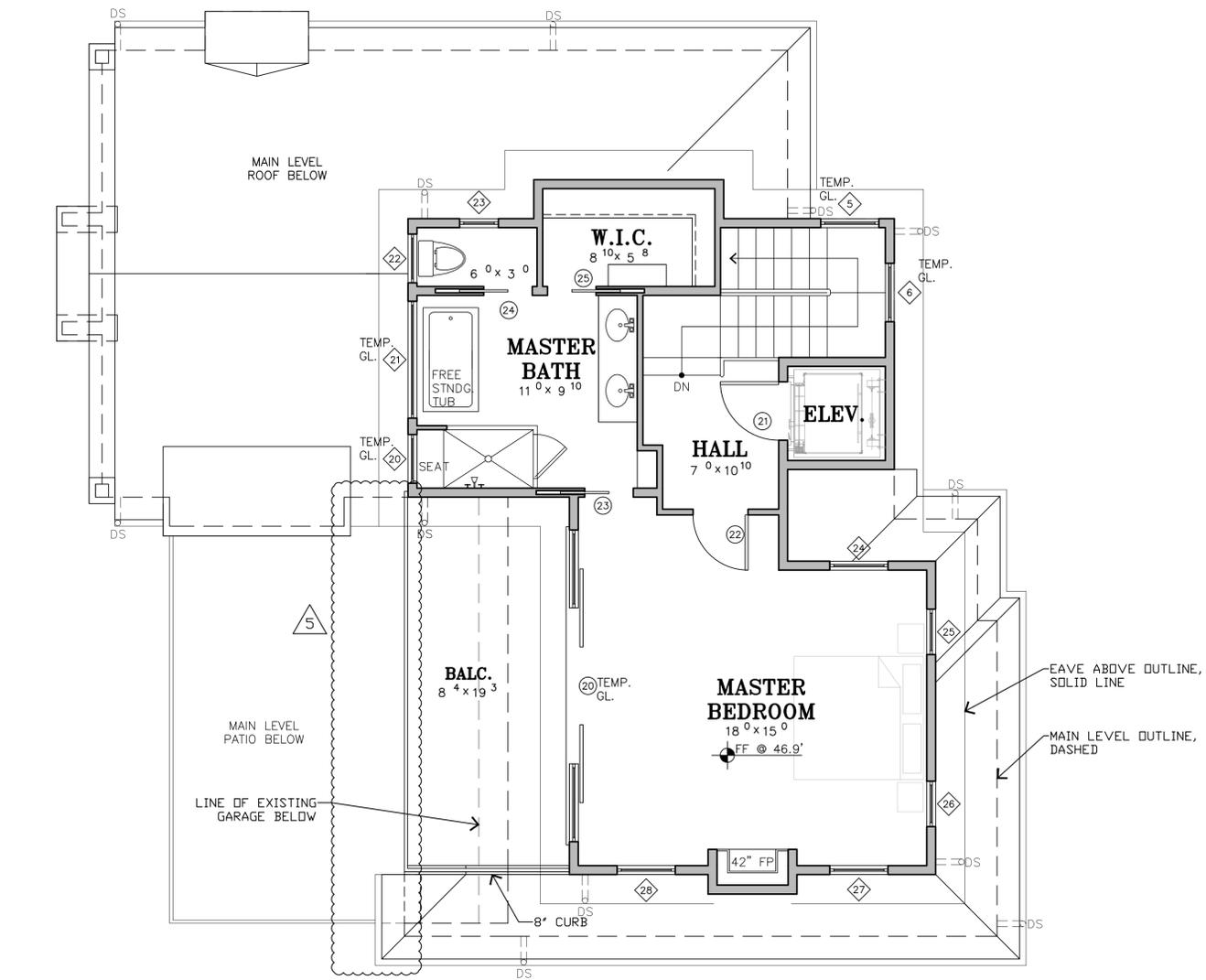
- DENOTES A WINDOW
- DENOTES A DOOR

NOTE:
SEE DOOR & WINDOW SCHEDULE FOR CORRESPONDING DOOR & WINDOW INFORMATION

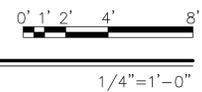


MAIN LEVEL PLAN

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UPPER LEVEL



WALL LEGEND

- 2X STUD FRAMED WALL
- STONE VENEER

DOOR/WINDOW LEGEND

- DENOTES A WINDOW
x^h x^w
- DENOTES A DOOR

NOTE:
SEE DOOR & WINDOW SCHEDULE FOR CORRESPONDING DOOR & WINDOW INFORMATION

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SCENIC ROAD

PROJECT ADDRESS:

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93935

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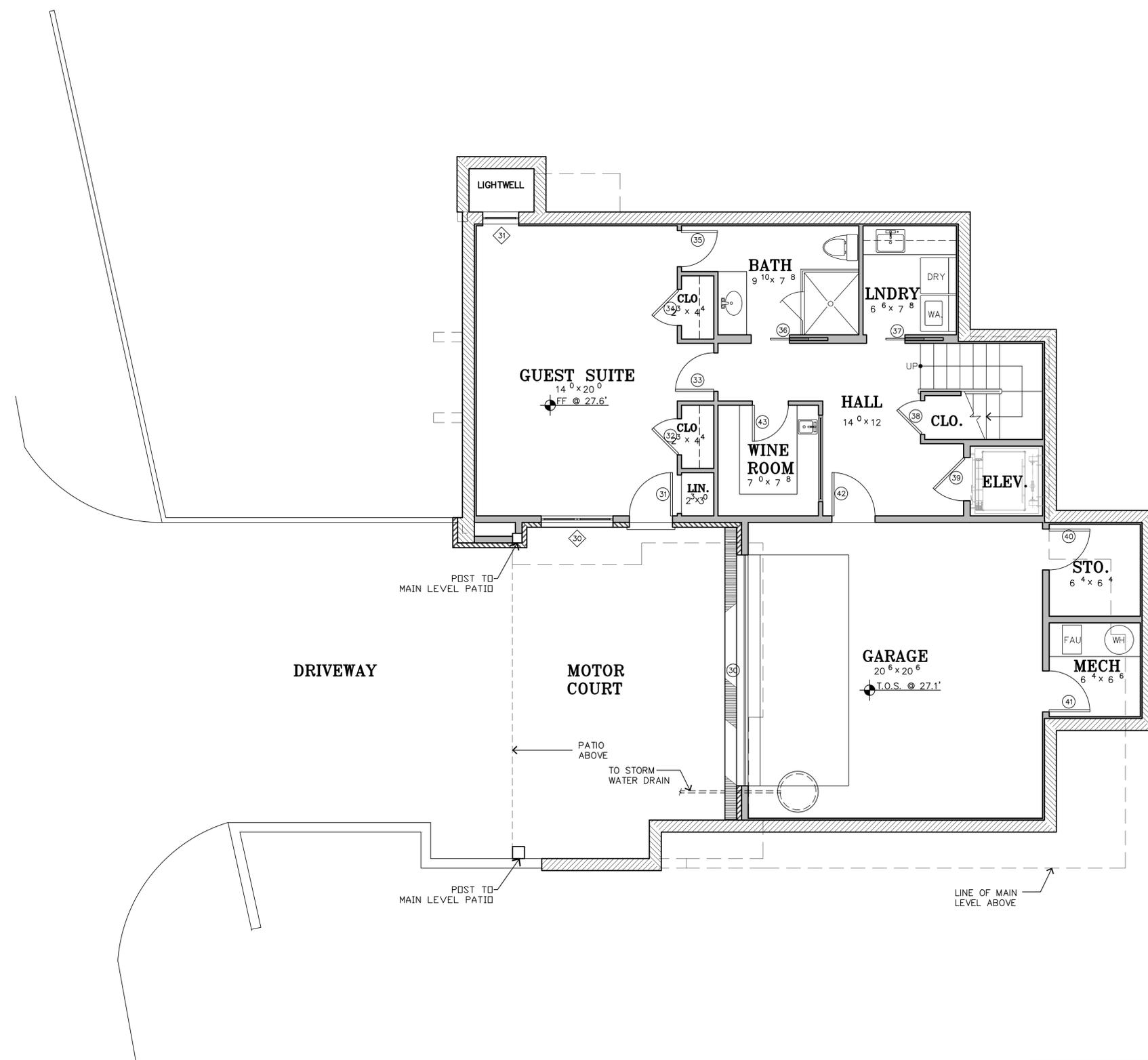
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UPPER LEVEL
PLAN

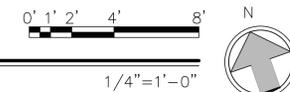
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LOWER LEVEL PLAN



WALL LEGEND

- 2X STUD FRAMED WALL
- STONE VENEER

DOOR/WINDOW LEGEND

- DENOTES A WINDOW
- DENOTES A DOOR

NOTE:
SEE DOOR & WINDOW SCHEDULE FOR CORRESPONDING DOOR & WINDOW INFORMATION

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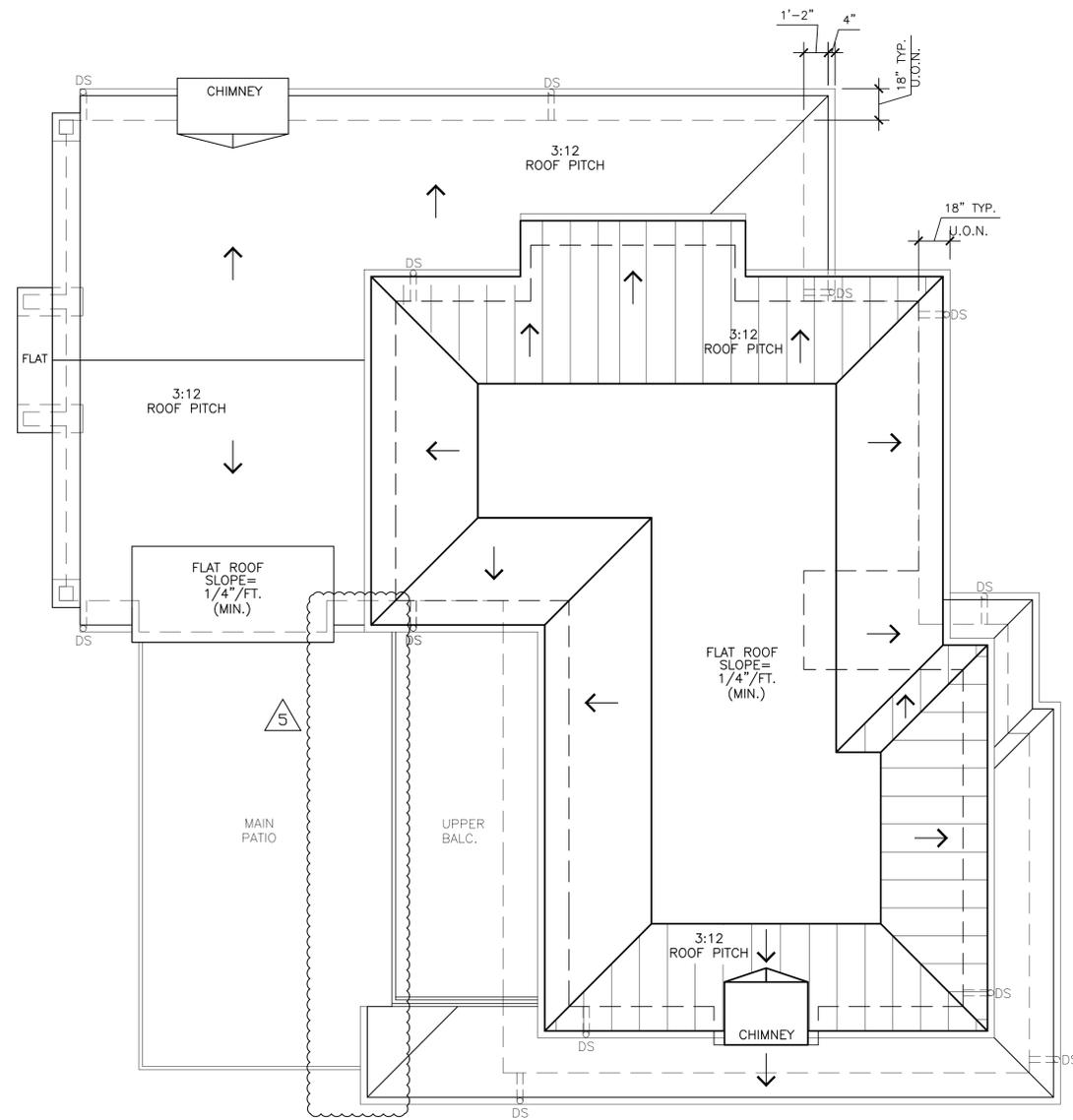
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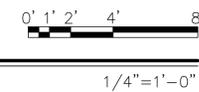
LOWER LEVEL PLAN

SHEET NO.
A4.0

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ROOF PLAN



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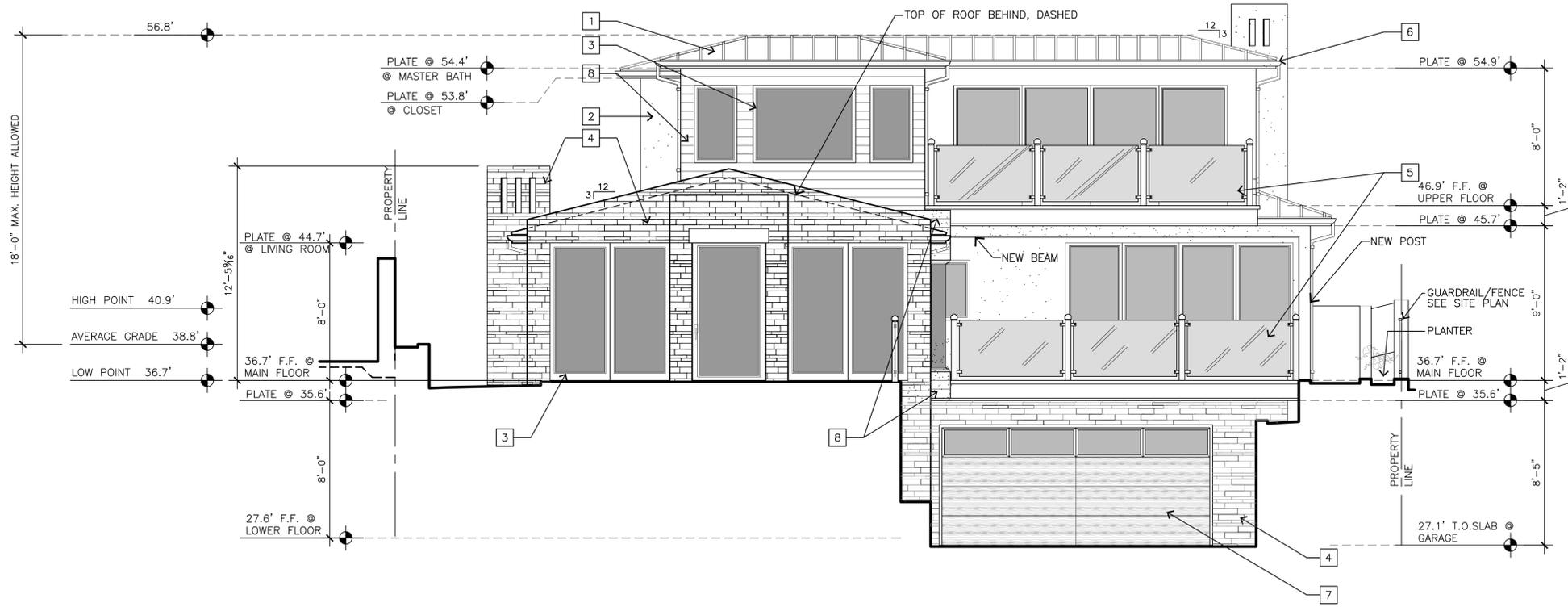
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△ 04-07-21	CLARIFICATION
△ 04-19-21	CLARIFICATION
△	

ROOF PLAN

SHEET NO.

A5.0

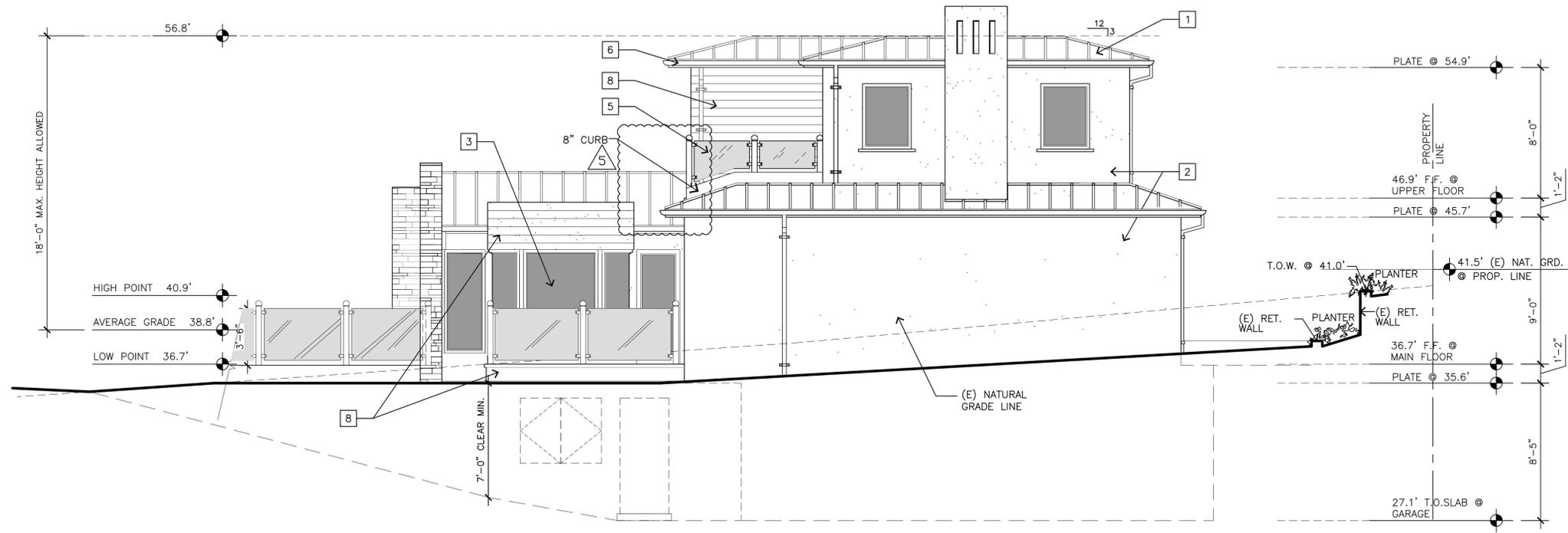


WEST ELEVATION

0' 1' 2' 4' 8'
1/4"=1'-0"

EXTERIOR FINISH LEGEND

- 1 STANDING SEAM COPPER ROOF; NON- REFLECTIVE, MATTE FINISH
- 2 EXTERIOR STUCCO- SMOOTH FINISH
- 3 METAL CLAD WOOD EXTERIOR DOORS AND WINDOWS; NON-REFLECTIVE, MATTE FINISH
- 4 STONE VENEER OR LONGFORM BRICK
- 5 BURNISHED STAINLESS STEEL AND GLASS HANDRAIL; NON-REFLECTIVE, MATTE FINISH
- 6 COPPER GUTTER AND DOWNSPOUT
- 7 STAINED WOOD GARAGE DOOR
- 8 2X6 CEDAR SIDING



SOUTH ELEVATION

0' 1' 2' 4' 8'
1/4"=1'-0"



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	CLARIFICATION

ELEVATIONS

SHEET NO.

A6.0

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△		CLARIFICATION

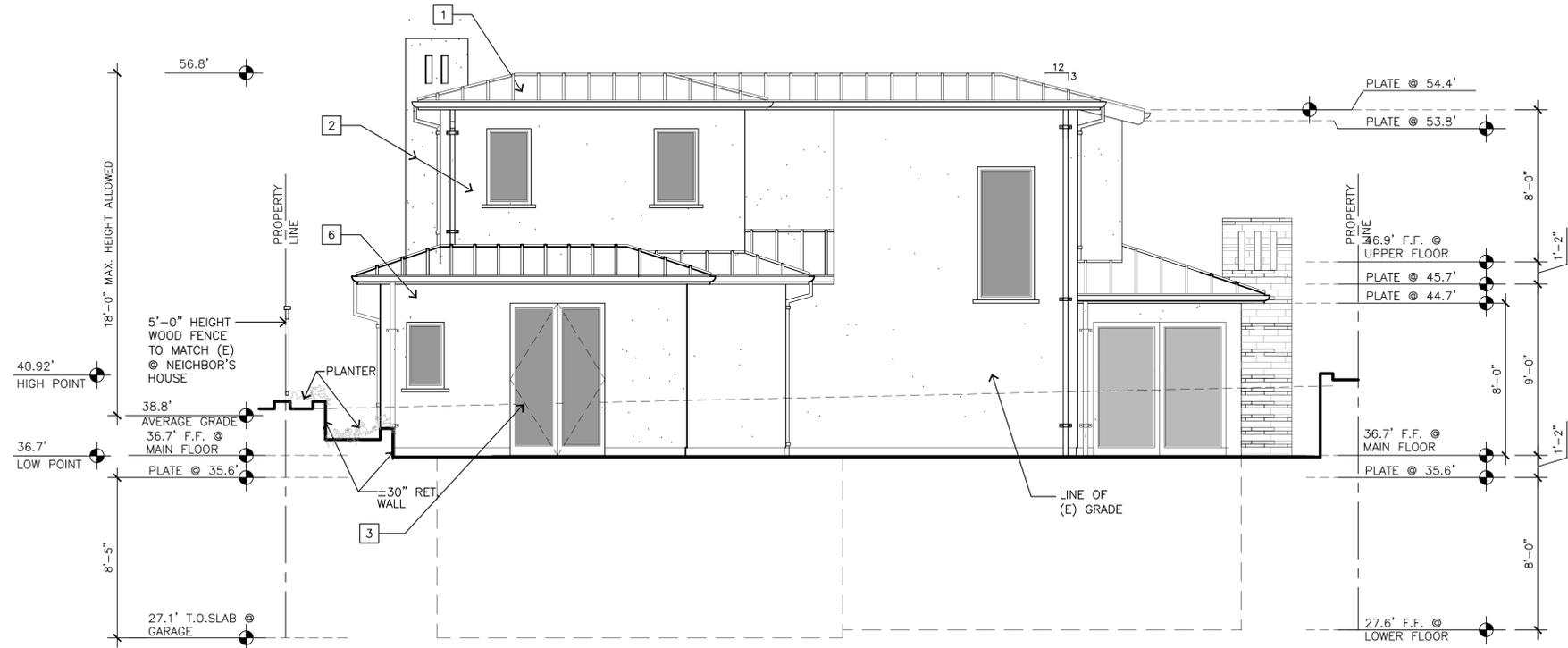
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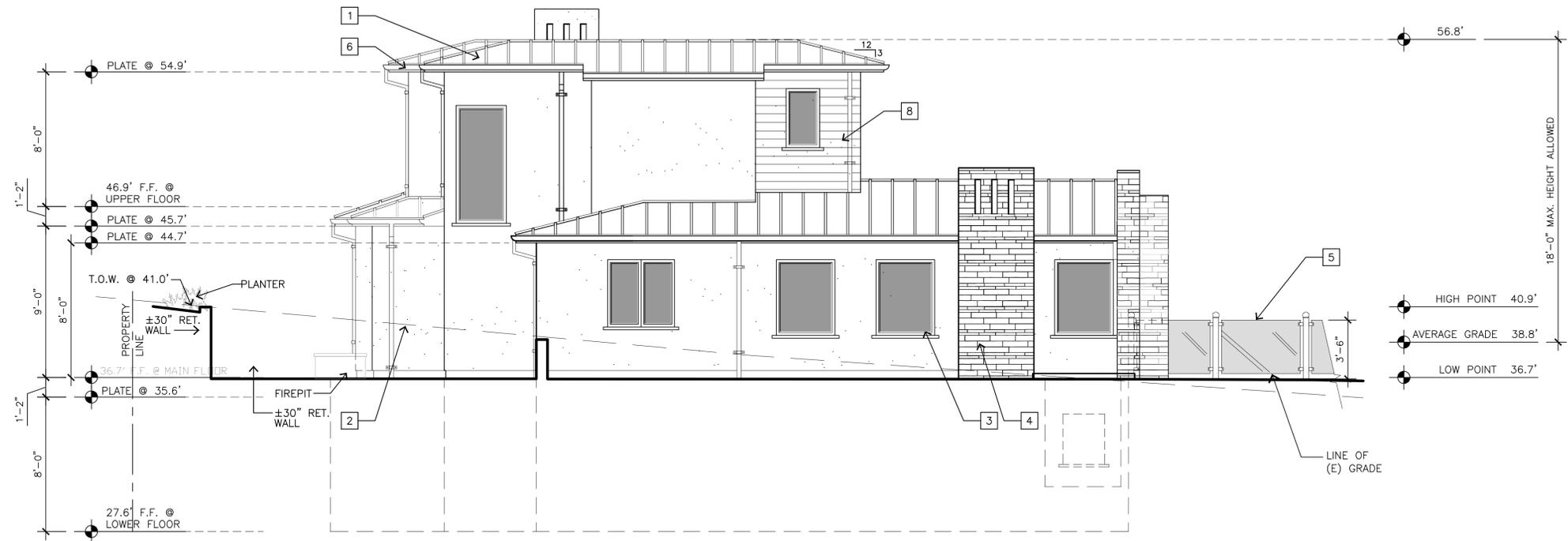
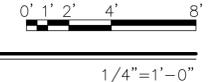
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EXTERIOR FINISH LEGEND

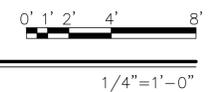
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- 7 STAINED WOOD GARAGE DOOR
- 8 2X6 CEDAR SIDING



EAST ELEVATION



NORTH ELEVATION



DOOR SCHEDULE											
Door No.	Door Size (Finished)			Material	Core	Glass		Finish		Action	Remarks
	Width	Height	Thick			Type	Tempered	Interior	Exterior		
MAIN LEVEL											
1	4'-0"	8'-0"	2-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SWING	ENTRY DR.
2	PR 3'-6"	7'-0"	2-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SLIDING	Ⓢ LIVING/DINING; DBL. DR.
3	PR 3'-6"	7'-0"	2-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SLIDING	Ⓢ STUDY/BEDRM; DBL.DR..
4	13'-4"	8'-0"	2-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SLIDING	CUSTOM PR 3'-4"x7'-0" DR.; 3'-4"x7'-0" SIDE LIGHT EA. SIDE; MULLED UNIT DBL. DR. Ⓢ MASTER BEDRM.
5	PR 3'-6"	7'-0"	2-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SLIDING	Ⓢ DINING AREA
6	3'-0"	7'-0"	1-3/8"	WD	SC			STAINED		SWING	Ⓢ ELEVATOR
7	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ MASTER BATH/ W.I.C.; POCKET DR.
8	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ MASTER BDRM./ W.I.C.; POCKET DR.
9	3'-0"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ MASTER BDRM.
10	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ BATH/ HALL
11	2'-8"	7'-0"	1-3/8"	WD	SC	DBL. PANE	YES	PAINTED	METAL CLAD	SWING	Ⓢ DINING / HALL
12	PR 2'-6"	8'-0"	2-1/4"	WD	SC	DBL. PANE	YES	PAINTED	METAL CLAD	SWING	Ⓢ MASTER BATH
13	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ PANTRY / HALL
UPPER LEVEL											
20	16'-0"	7'-0"	2'-1/4"	WD	SC	DBL. PANE	YES	STAINED	METAL CLAD	SLIDING	CUSTOM 8'-0"x7'-0" DBL. DR.; 4'-0"x7'-0" SIDE LIGHT EA. SIDE; MULLED UNIT; Ⓢ MASTER BEDRM.
21	3'-0"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ ELEVATOR
22	2'-10"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ MASTER BEDROOM
23	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ MASTER BATH; POCKET DR.
24	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ MASTER W..C
25	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ MASTER'S WALK-IN CLOSET
LOWER LEVEL											
30	16'-0"	7'-0"	PER MANUF.	WD	SC			STAINED	METAL CLAD	ROLL-UP	OVER HEAD GARAGE DOOR
31	3'-0"	7'-0"	2-1/4"	WD	SC			STAINED	METAL CLAD	SWING	Ⓢ GUEST SUITE; CUSTOM DOOR, SEE ELEV.
32	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ G.S. CLOSET
33	2'-8"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ GUEST SUITE
34	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ G.S. CLOSET
35	2'-6"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ BATH
36	2'-8"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ BATH; POCKET DR.
37	2'-8"	7'-0"	1-3/8"	WD	SC			PAINTED		SLIDING	Ⓢ LAUNDRY; POCKET DR.
38	2'-4"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ CLO. UNDER STAIRS
39	3'-0"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ ELEVATOR
40	2'-10"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ STORAGE
41	2'-10"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ MECH ROOM; LOUVERED DR.
42	3'-0"	7'-0"	1-3/4"	WD	SC			PAINTED		SWING	Ⓢ GARAGE/ HALL; SELF-CLOSING/ LATCHING DR.
43	3'-0"	7'-0"	1-3/8"	WD	SC			PAINTED		SWING	Ⓢ WINE RM.

DOOR NOTES:

ALL GLAZING IN DOORS SHALL BE TEMP. GLASS.

DOOR SIZES SHOWN ARE PROPOSED FINISHED OPENING SIZES. GENERAL CONTRACTOR TO VERIFY MANUFACTURER'S NEAREST STOCK SIZES FOR DESIGNER/OWNER TO REVIEW AND APPROVE.

SPECIALTY DOORS SHALL BE COORDINATED WITH GENERAL CONTRACTOR FOR SITE VERIFICATION AND INSTALLATION.

ALL EXTERIOR DOORS SHALL HAVE A COPPER PAN, 1/2" MAX THRESHOLD, & BRASS HINGES. OUTSWING DOORS SHALL HAVE A 1/2" MAX CHANGE IN ELEVATION TO THE EXTERIOR.

ALL EXPOSED EDGES TO BE SEALED TO PREVENT MOISTURE PENETRATION AND WARPING.

ALL FRENCH DOORS ARE TO HAVE DEAD BOLTS.

CONTRACTOR TO VERIFY ALL ASPECTS OF DOORS WITH OWNER PRIOR TO ORDERING.

WINDOW SCHEDULE											
Wdw. No.	Window Size (Finished)			Material	Core	Glass		Finish		Action	Remarks
	Width	Height	Head Height			Type	Tempered	Interior	Exterior		
MAIN LEVEL											
1	3'-6"	4'-6"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ LIVING RM.
2	3'-6"	4'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ LIVING RM.
3	3'-6"	4'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ NOOK
4	4'-0"	4'-0"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ STUDY/ BEDRM.
5	3'-0"	7'-0"	15'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ STAIRWELL
6	3'-0"	7'-0"	15'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ STAIRWELL
8	2'-0"	3'-6"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ MASTER BATH
9	1'-8"	3'-6"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ BATH
11	1'-6" L 9'-0" L 1'-6" L	6'-4"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		MULLED UNIT; COORD. WITH MANUF. SEE ELEV.; DINING AREA
12	2'-6"	6'-4"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ DINING AREA
UPPER LEVEL											
20	2'-6"	4'-6"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ MASTER BATH
21	6'-0"	4'-6"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ MASTER BATH
22	2'-6"	4'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER W.C.
23	2'-0"	2'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER W.C.
24	3'-0"	4'-0"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER BEDROOM
25	2'-4"	4'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER BEDROOM
26	2'-4"	4'-6"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER BEDROOM
27	3'-0"	4'-0"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER BEDROOM
28	3'-0"	4'-0"	7'-0"	WOOD		DBL. PANE		STAINED	METAL CLAD		Ⓢ MASTER BEDROOM
LOWER LEVEL											
30	5'-0"	4'-0"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ GUEST SUITE
31	2'-6"	3'-0"	7'-0"	WOOD		DBL. PANE	YES	STAINED	METAL CLAD		Ⓢ LIGHTWELL/ GUEST SUITE

WINDOW NOTES:

ALL CASEMENT WINDOWS USED IN BEDROOMS AS EMERGENCY EGRESS MUST BE "BREAK AWAY" TYPE TO ENSURE COMPLETE OPENABLE AREA FOR ACCESS.

WINDOW DIMENSIONS ARE PROPOSED FINISHED OPENING SIZES. GENERAL CONTRACTOR IS TO VERIFY MANUFACTURER'S NEAREST STOCK SIZES. ALL WINDOW SIZES, SHAPES, COLORS, HARDWARE, SCREENS, GLAZING, ETC. MUST BE APPROVED BY OWNER PRIOR TO ORDERING.

SPECIALTY WINDOWS SHALL BE COORDINATED WITH THE GENERAL CONTRACTOR FOR SITE VERIFICATION AND INSTALLATION.

ALL WINDOWS ARE TO BE DOUBLE GLAZED.

OWNERS TO SPECIFY WHICH WINDOW ARE TO BE LOW "E".

ALL GLAZING SUBJECT TO HUMAN IMPACT SHALL BE TEMPERED GLASS OR WIRE SAFETY GLASS (CRC SECTIONS R308.3 & R 308.4

a) FIXED AND OPERABLE PANELS OF SWINGING, SLIDING AND BI-FOLD DOOR ASSEMBLIES.

b) GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL TO DOOR WHERE THE NEAREST VERTICAL EDGE IS WITHIN 24-INCH ARC OF THE DOOR IN A CLOSED POSITION AND WHOSE BOTTOM EDGE IS LESS THAN 60 INCHES ABOVE THE FLOOR OR WALKING SURFACE.

c) GLAZING IN AN INDIVIDUAL FIXED OR OPERABLE PANEL MEETS ALL THE FF. CONDITIONS:

1. EXPOSED AREA OF AN INDIVIDUAL PANE GREATER THAN 9 SQ. FT.
2. BOTTOM EDGE LESS THAN 18" ABOVE THE FLOOR.
3. TOP EDGE GREATER THAN 36" ABOVE FLOOR.
4. ONE OR MORE WALKING SURFACES WITHIN 36 INCHES HORIZONTALLY OF THE GLAZING.
5. GLAZING IN RAILINGS.
6. GLAZING IN ENCLOSURES FOR OR WALLS FACING HOT TUBS, WHIRLPOOLS, SAUNAS, STEAM ROOMS, BATHTUBS, AND SHOWERS WHERE THE BOTTOM EDGE OF THE GLAZING IS LESS THAN 60 INCHES MEASURED VERTICALLY ABOVE ANY STANDING OR WALKING SURFACE

FOR WINDOWS THAT SERVE AS EMERGENCY EGRESS FROM SLEEPING AREAS:

- MINIMUM NET CLEAR OPENABLE DIMENSION OF 24 INCHES IN HEIGHT.
- MINIMUM NET CLEAR OPENABLE DIMENSION OF 20 INCHES IN WIDTH.
- MINIMUM NET CLEAR OPENABLE DIMENSION OF 5.7 SQUARE FEET IN AREA.
- BOTTOM OF SUCH OPENINGS SHALL NOT EXCEED 44 INCHES ABOVE FLOOR

EXTERIOR WILDFIRE EXPOSURE NOTES

EXTERIOR WINDOWS AND EXTERIOR GLAZED DOORS SHALL BE MULTIPANE GLAZING WITH A MINIMUM OF ONE TEMPERED PANE, GLASS BLOCK UNITS, HAVE A FIRE RESISTANCE RATING OF 20 MINUTES WHEN TESTED IN ACCORDANCE WITH NFPA 257, OR MEET THE REQUIREMENTS OF SFM 12-7A-2. [§ R327.8.2.1 CRC]

EXTERIOR DOORS SHALL BE OF APPROVED NONCOMBUSTIBLE CONSTRUCTION OR IGNITION-RESISTANT MATERIAL, SOLID CORE WOOD HAVING STILES AND RAILS NOT LESS THAN 1-3/8 INCHES THICK WITH INTERIOR FIELD PANEL THICKNESS NO LESS THAN 1-1/4 INCHES THICK, SHALL HAVE A FIRE-RESISTANCE RATING OF NOT LESS THAN 20 MINUTES WHEN TESTED ACCORDING TO NFPA 252, OR MEET THE REQUIREMENTS OF SFM-7A-1. [§ R327.8.3 CRC]

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DISCLAIMER:

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED BY THIS DRAWING ARE OWNED BY, AND THE PROPERTY OF, THIS OFFICE AND WERE CREATED, DEVELOPED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF INTERNATIONAL DESIGN GROUP. WRITTEN PERMISSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SHOP DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON ITEMS SO NOTED.

STAMPS:

PROJECT/CLIENT:
PROPOSED NEW RESIDENCE AT

26327
SCENIC ROAD

PROJECT ADDRESS:

26327 SCENIC RD.
CARMEL CA.
93935

APN: 009-442-013-000



DATE: SEPTEMBER 05, 2018
PLANNING SUBMITTAL

REVISIONS:

- △ 12-19-18
- △ 06-14-19 OWNER AMENDMENT
- △ 09-28-20 OWNER REVISIONS
- △ 04-07-21 OWNER REVISIONS
- △ 04-19-21 CLARIFICATION
- △ 04-19-21 CLARIFICATION

SCHEDULES

SHEET NO.

A9.0

**COLOR AND MATERIAL SAMPLES FOR
CHANG/SKEEN RESIDENCE
26327 SCENIC ROAD, CARMEL, CA
APN: 009-442-013-000**

**STONE VENEER OR
LONGFORM BRICK**



**STANDING SEAM
COPPER ROOF**



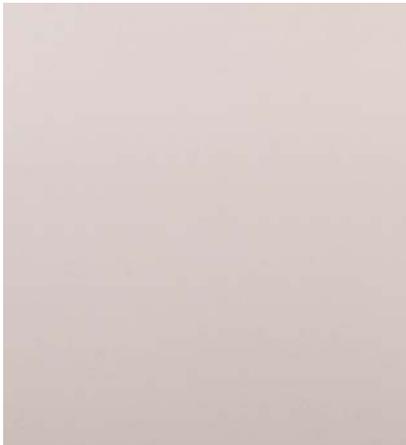
**HALF ROUND COPPER
GUTTERS AND
DOWNSPOUTS**



**CEDAR CORBELS
& SIDING**



**PAINTED EXTERIOR
STUCCO WALLS**



DUNN EDWARDS
RAINDROPS
DE6057 LRV 73

**METAL CLAD WOOD
DOORS AND WINDOWS**



BRONZE

**GLASS & BURNISHED
STAINLESS STEEL RAILINGS**

