## Exhibit A

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#### EXHIBIT A DRAFT RESOLUTION

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

#### In the matter of the application of: HUANG/HU (PLN150477) RESOLUTION NO. ----

Resolution by the Monterey County Zoning Administrator:

- 1) Adopting a Negative Declaration; and
- Approving a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a 7,760 square foot two-story single family dwelling with a 478 square foot garage, a 360 square foot attached garage, 466 square feet of first floor porches, and 340 square feet of second story balconies; and 2) Coastal Administrative Permit for the construction of an attached 956 square foot guest house; 3) Coastal Development Permit for the removal of 28 Monterey Pine trees; and 4) Design Approval.
   [PLN150477, Huang/Hu, 1264 Lisbon Lane, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-234-001-000)]

The Huang/Hu application (PLN150477) came on for public hearing before the Monterey County Zoning Administrator on December 8, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

#### FINDINGS

1. **FINDING: CONSISTENCY/SITE SUITABILITY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development. The site is physically suitable for the use proposed.

## **EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- Del Monte Forest Land Use Plan;
- Monterey County Coastal Implementation Plan Part 5;
- Monterey County Zoning Ordinance (Title 20);
- Monterey County Subdivision Ordinance (Title 19);

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

- b) The property is located at 1264 Lisbon Lane, Pebble Beach (Assessor's Parcel Number 008-234-001-000), Del Monte Forest Land Use Plan. The parcel is zoned LDR/1.5-D (CZ), which allows residential development as an allowed use subject to a Coastal Administrative Permit. Therefore, the project is an allowed land use for this site.
- The parcel includes a "D" (Design Control) zoning overlay. The c) purpose of this overlay is to provide a district for the regulation of the location, size, configuration, materials, and colors of structures and fences, in those areas of the County of Monterey where the design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments without imposing undue restrictions on private property. The project has been designed to comply with the30 foot height limit (30 feet proposed), 15% coverage restriction (12.7% proposed), and 17.5% Floor-Area Ratio (FAR) (17.48% proposed) of the LDR zoning designation. Additionally, the project complies with all front, side, and rear setback requirements. The location, size and configuration of the structures have been reviewed and approved by the County of Monterey, Del Monte Forest Land Use Advisory Committee, and the Pebble Beach Design Review Board. The project design is consistent with the neighborhood character of the surrounding area, and has been designed with earth-tone colors to be assist in blending with the natural environment. Therefore, the proposed development is consistent with the provisions of the "D" overlay district.
- d) The Del Monte Forest Land Use Plan defines Monterey Pine as Environmental Sensitive Habitat Area (ESHA) if the stands are larger than 20 acres, or if the trees (stand) provide ecosystem functions for rare species. The project site is 1.39 acres and therefore does not include a stand of 20 acres or more. Additionally, the site does not provide ecosystem support of a rare species. Based on these factors, the Monterey Pine located on site does not meet the definition of ESHA, and therefore the proposed development is consistent with policies found within the Del Monte Forest Land Use Plan and Monterey County Coastal Implementation Plan Part 5 (Del Monte Forest).
- e) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application did warrant referral to the LUAC because this application did warrant referral to the LUAC because the project involved development requiring CEQA review (Negative Declaration) The LUAC reviewed the project on November 5 and November 19, 2015, and recommended approval of the project by a vote of 5-0 (1 member absent). The LUAC only expressed concerns regarding future fencing along Lisbon Lane and Forest Lake Roads, and asked that at the time fencing is proposed that it be routed through the proper Design Review channels. No fencing is proposed for the project at this time. .
- f) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Pebble Beach Community Fire Protection District, RMA-Public Works, RMA-Environmental

Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- g) Staff identified potential impacts to Biological Resources, Archaeological Resources, Soil/Slope Stability, etc. The following reports have been prepared:
  - "Tree Assessment for Development, 1264 Lisbon Lane, Pebble Beach, California, APN 008-234-001-000" (LIB150388), prepared by Albert Weisfuss, May 15, 2015.
  - "Biological Assessment, 3167 Forest Lake Road, Pebble Beach (APN: 008-234-001-000)", prepared by Biotic Resource Group (LIB070278), May 2007.
  - "Updated Biological Assessment, APN 008-234-001, Lisbon Lane and Forest Lake Road, Pebble Beach", prepared by Biotic Resource Group, December 2015.
  - "Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 008-234-001" Pebble Beach, Monterey County, California", prepared by Archaeological Consulting, June 2006.
     The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would

indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN150477.
- 2. **FINDING: HEALTH AND SAFETY -** The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
  - **EVIDENCE:** a) The project was reviewed by the RMA Planning, Pebble Beach Community Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
    - b) Necessary public facilities are available for the proposed development. The project will be connected to public water via California American Water and sewer via the Pebble Beach Community Services District.
      c) See preceding and following Findings and Evidence.
- 3. **FINDING: NO VIOLATIONS -** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- **EVIDENCE:** a) Staff reviewed Monterey County RMA Planning and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.

# 4. **FINDING: CEQA (Negative Declaration) -** On the basis of the whole record before the Monterey County Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The Negative Declaration reflects the independent judgment and analysis of the County.

- **EVIDENCE:** a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
  - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN150477).
  - c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Negative Declaration.
  - d) The Draft Negative Declaration ("ND") for PLN150477 was prepared in accordance with CEQA and circulated for public review from April 22, 2016, through May 23, 2016.
  - e) Issues that were analyzed in the Negative Declaration include Biological Resources.
  - f) Evidence that has been received and considered includes: the application, technical studies/reports (see Finding 1/Site Suitability), staff reports that reflect the County's independent judgment, and information and testimony presented during public hearings. These documents are on file in the RMA-Planning Department (PLN150477) and are hereby incorporated herein by reference.
  - g) No comments from the public were received.

## 5. FINDING: PUBLIC ACCESS – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- **EVIDENCE:** a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.147.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 8 in the Del Monte Forest Land Use Plan).
  - c) No evidence or documentation has been submitted or found showing the

existence of historic public use or trust rights over this property.

d) See preceding and following Findings and Evidence.

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

**EVIDENCE:** a)

- Board of Supervisors and the California Coastal Commission Section 20.76.040.E of the Monterey County Zoning Ordinance states
- that the proposed project is appealable to the Board of Supervisors.
  b) Section 20.86.080.A.1 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project site is located between the sea and the first through public road paralleling the sea.

#### **DECISION**

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

- 1. Adopt a Negative Declaration;
- 2. Approve a Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a 7,760 square foot two-story single family dwelling with a 478 square foot garage, a 360 square foot attached garage, 466 square feet of first floor porches, and 340 square feet of second story balconies; and 2) Coastal Administrative Permit for the construction of an attached 956 square foot guest house; 3) Coastal Development Permit for the removal of 28 Monterey Pine trees; and 4) Design Approval, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND	ADOPTED this 8 <sup>th</sup> day of December, 2016 upon motion of	,
seconded by	, by the following vote:	

AYES: NOES: ABSENT: ABSTAIN:

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SCLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE \_\_\_\_\_\_.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION,

## CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

#### <u>NOTES</u>

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

### Monterey County RMA Planning

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

PLN150477

#### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Combined Development Permit (PLN150477) consists of: This 1) a Coastal **Monitoring Measure:** Administrative Permit for the construction of a 7,760 square foot two-story single family dwelling with a 478 square foot garage, a 360 square foot attached garage, 466 square feet of first floor porches, and 340 square feet of second story balconies; and 2) Coastal Administrative Permit for the construction of an attached 956 square foot quest house; 3) Coastal Development Permit for the removal of 28 Monterey Pine trees; and 4) Design Approval. The property is located at 1264 Lisbon Lane, Pebble Beach (Assessor's Parcel Number 008-234-001-000), Del Monte Forest Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA -Any use or construction not in substantial conformance with the terms and Planning. conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA Planning)

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

#### 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

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

"A Combined Development Permit (Resolution Number \*\*\*) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 008-234-001-000 on December 08, 2016. The permit was granted subject to 25 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

Compliance or Monitoring Action to be Performed:

**Prior** 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 RMA - Planning.

#### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

#### Responsible Department: RMA-Planning

Condition/Mitigation lf. during the course of construction, cultural, archaeological, historical or **Monitoring Measure:** paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a gualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a archaeologist registered with the qualified archaeologist (i.e., an Register of Professional Archaeologists) shall be immediately contacted bv the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PD005 - FISH & GAME FEE NEG DEC/EIR

<b>Responsible Department:</b>	RMA-Planning
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**Condition/Mitigation Monitoring Measure:** Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to the Director of RMA - Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

#### 5. 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.

#### 6. PD011 - TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Trees which are located close to construction site(s) shall be protected from Monitoring Measure: inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained Said protection, approved by certified arborist, shall be demonstrated prior to trees. issuance of building permits subject to the approval of RMA - Director of Planning. lf there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to RMA - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

#### 7. PD011(A) - TREE REMOVAL

#### Responsible Department: RMA-Planning

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

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

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

Responsible Department: RMA-Planning

Condition/Mitigation The site shall be landscaped. Prior to the issuance of building permits, three (3) Monitoring Measure: copies of a landscaping plan shall be submitted to the Director of RMA - Planning . A landscape plan review fee is required for this project. Fees shall be paid at the time of The landscaping plan shall be in sufficient detail to identify landscape plan submittal. the location, species, and size of the proposed landscaping materials and shall include The plan shall be accompanied by a nursery or contractor's an irrigation plan. 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 RMA - 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. (RMA - Planning)

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

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

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

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

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

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

Responsible Department: RMA-Planning

> Condition/Mitigation All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and Monitoring Measure: constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets The lighting shall comply with the requirements of the California for each fixture. 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 RMA - Planning, prior to the issuance of building permits.

(RMA - Planning)

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

> Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating 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.

#### 10. 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 "Tree Assessment for Development, 1264 Lisbon Lane, Pebble Beach, California APN 008-234-001-000" (Library No. LIB150388), was prepared by Albert Weisfuss on May 15, 2015 and is on file in Monterey County RMA - Planning. All development shall be in accordance with this report."

A "Biological Assessment, 3167 Forest Lake Road, Pebble Beach (APN: 008-234-001-000) " (Library No. LIB070278), was prepared by Biotic Resource Group in May 2007 and is on file in Monterey County RMA - Planning. All development shall be in accordance with this report."

A "Updated Biological Assessment, APN 008-234-001, Lisbon Lane and Forest Lake Road, Pebble Beach ", was prepared by Biotic Resource Group in December 2015 and is on file in Monterey County RMA - Planning. All development shall be in accordance with this report."

A "Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 008-234-001"), was prepared by Archaeological Consulting in June 2006 and is on file in Monterey County RMA - Planning. All development shall be in accordance with this report."

(RMA - 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 RMA - 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 RMA - Planning.

#### 11. PD019(B) - DEED RESTRICTION-GUESTHOUSE (COASTAL)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

/Mitigation The applicant shall record a deed restriction stating the regulations applicable to a g Measure: Guesthouse (Coastal) as follows:

- Only 1 guesthouse shall be allowed per lot.

- Detached guesthouses shall be located in close proximity to the principal residence.

- Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.

- The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.

- The guesthouse shall have a maximum of 6 linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of 8 square feet of cabinet space, excluding clothes closets.

- The guesthouse shall not exceed 425 square feet of livable floor area.

- The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.

- Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.

- The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area.

- The guesthouse height shall not exceed 12 feet nor be more than one story.

(RMA - Planning)

Compliance or Monitoring Action to be Performed:

ring ned: signed and notarized document to the Director of RMA-Planning for review and signature by the County.

Prior to occupancy or commencement of use, the Owner/Applicant shall submit proof of recordation of the document to the Director of the RMA-Planning.

#### 12. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on December 8, 2019 unless use of the property or actual construction has begun within this period. (RMA-Planning)

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

#### 13. 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 RMA - 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. (RMA - Planning and RMA - Building Services)

Compliance or<br/>MonitoringPrior to the issuance of grading or building permits, the Owner/Applicant shall have a<br/>benchmark placed upon the property and identify the benchmark on the building<br/>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 RMA- 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 RMA- 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.

#### 14. PSDP001 - MONTEREY PINE REPLANTING REQUIRMENT (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Prior to Final Inspection, the property owner/applicant shall be required to Monitoring Measure: replant/replace the removal of Monterev Pine at a ratio 2:1 for total of а replacement/replanting of 56 Monterey Pine trees. Replanting/replacement areas shall be identified by a qualified biologist or certified arborist. Replanting/replacement shall be of equal or greater value to ensure the success of replanted areas specimens. Reporting actions on the Huang/Hu property should take place and comply with the following: once within two weeks of initial replanting of the specimens, once after the first three months of replanting, and one time per year, in the spring season, for the subsequent 3 years. At each reporting inspection timeframe, a qualified biologist will submit a report to the Director of RMA-Planning verifying the condition of the newly planted Monterey Pine specimens and shall submit a replanting plan and schedule with success criteria to replace any plants that fail to survive the first year of the three year period. Subsequent replanting, shall be subject to the same reporting criteria for the following 3 years.

Compliance or Monitoring Action to be Performed: Prior to Final Inspection, the property owner/applicant shall be replant Monterey Pine trees at a ratio of 2:1, for a total replacement planting of 56 Monterey Pine Trees.

On an ongoing basis, for a period of three years from initial replanting, the property owner/applicant shall submit "tree health" reports form a qualified arborist and comply with the following schedule: once within two weeks of initial replanting of the specimens, once after the first three months of replanting, and one time per year, in the spring season, for the subsequent 3 years to the Director of RMA-Planning verifying the condition of newly planted Monterey Pines. In situations where replacement trees are not thriving, the arborist shall recommend remedial measures which shall become incorporated into the replanting plan.

#### 15. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. (RMA – Environmental Services)

Compliance or Prior to issuance of any grading or building permits, the applicant shall submit an Monitoring erosion control plan to RMA-Environmental Services for review and approval.

#### **16. GEOTECHNICAL CERTIFICATION**

Responsible Department: Environmental Services

Condition/Mitigation The applicant shall provide certification from a licensed practitioner that all Monitoring Measure: development has been constructed in accordance with the recommendations in the project Geotechnical Investigation Report. (RMA- Environmental Services)

Compliance or Prior to final inspection, the owner/applicant shall provide RMA-Environmental Monitoring Action to be Performed:

#### 17. GRADING PLAN

Responsible Department:	Environmental Services
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**Condition/Mitigation Monitoring Measure:** The applicant shall submit a grading plan incorporating the recommendations in the project Geotechnical Investigation Report prepared by Capex Engineering Inc. The grading plan shall also address the requirements of Monterey County Code Chapter 16.08, and the geotechnical inspection schedule shall be included on the plan. The applicant shall provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

Compliance or Prior to issuance of any grading or building permits, the applicant shall submit a Monitoring grading plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

#### **18. INSPECTION-DURING ACTIVE CONSTRUCTION**

Responsible Department: Environmental Services

Condition/Mitigation The applicant shall schedule an inspection with RMA-Environmental Services to **Monitoring Measure:** inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the At the time of the inspection, the applicant shall provide certification that all site. geotechnical inspections have been completed to that point. This necessary inspection shall noted Erosion Control Plan.(RMA requirement be on the Environmental Services)

Compliance or During construction, the applicant shall schedule an inspection with Monitoring Action to be Performed:

#### **19. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION**

**Responsible Department:** Environmental Services

Condition/Mitigation The applicant shall schedule an inspection with RMA-Environmental Services to **Monitoring Measure:** ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. This inspection requirement shall be noted the Erosion Control Plan. on (RMA Environmental Services)

Compliance or Prior to final inspection, the owner/applicant shall schedule an inspection with Monitoring RMA-Environmental Services.

#### 20. INSPECTION-PRIOR TO LAND DISTURBANCE

**Responsible Department:** Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Prior to commencement of any land disturbance, the owner/applicant shall schedule Monitoring Action to be Performed:

#### 21. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: RMA-Public Works

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

Compliance or Monitoring Action to be Performed:

Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County
 Building Services Department the traffic mitigation fee. Owner/Applicant shall submit proof of payment to the DPW.

#### 22. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure:	The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning
	Department and the Department of Public Works for review and approval. The CMP shall include
	measures to minimize traffic impacts during the construction/grading phase of the project and
	shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck
	trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and
	workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the Construction/grading phase of the project.
Compliance or Monitoring Action to be Performed:	1. Prior to issuance of the Grading Permit or Building Permit Owner/Applicant/ Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.
	2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

#### 23. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department:	RMA-Public Works
Condition/Mitigation Monitoring Measure:	Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.
Compliance or Monitoring Action to be Performed:	Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to the DPW.

#### 24. WR001 - DRAINAGE PLAN

Responsible Department: Water Resources Agency

- **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. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)
- Compliance or Prior to issuance of any construction permit, the owner/applicant shall submit a Monitoring drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

#### 25. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

- Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)
- Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

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



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