

## CALIFORNIA COASTAL COMMISSION

CENTRAL COAST AREA OFFICE  
725 FRONT STREET, STE. 300  
SANTA CRUZ, CA 95060  
(408) 427-4863  
HEARING IMPAIRED: (415) 904-5200

Filed: 03/01/96  
49th Day: 04/19/96  
180th Day: 08/28/96  
Staff: J. Sheele/cm  
Staff Report: 03/13/96 1800P  
Hearing Date: 04/10/96  
Commission Action:

STAFF REPORT: CONSENT CALENDAR**W 8a**

APPLICATION NO.: 3-96-17

APPLICANT: ROBERT and BARBARA HORNADY AGENT: Bill Foster

PROJECT LOCATION: 809 Oceanview Boulevard, City of Pacific Grove, Monterey County, APN 006-071-010.

PROJECT DESCRIPTION: Demolition of an existing single-family dwelling and construction of a new single-family dwelling.

Lot area:	3,082 sq. ft.
Building coverage:	1,540 sq. ft.
Pavement coverage:	593 sq. ft.
Landscape coverage:	949 sq. ft.
Parking spaces:	2 spaces
Zoning:	Residential
Plan designation:	Residential - Medium Density, 8-10 units/acre
Project density:	14 units/acre
Ht abv fin grade:	25 feet

LOCAL APPROVALS RECEIVED: Architectural Review Board approved (No. 2065-95).  
CEQA - Categorically exempt.

## SUBSTANTIVE FILE DOCUMENTS:

- o Preliminary Archaeological Reconnaissance by Archaeological Consulting, 6/19/95.
- o Pacific Grove Local Coastal Program Land Use Plan.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See Exhibit A (attached).

III. Special Conditions.

1. PRIOR TO COMMENCEMENT OF DEMOLITION, GRADING OR CONSTRUCTION, the permittee shall submit the following for the Executive Director's review and approval:

A monitoring program for the protection of archaeological resources during the grading and demolition phase of the project. The monitoring program shall be prepared by the project archaeologist and approved by the Executive Director prior to grading and/or demolition.

If the archaeological resources are found to be significant, permittee shall then submit a plan of mitigation, prepared by a qualified professional archaeologist and using accepted scientific techniques, prior to any disturbance of the surface area of property. Such a plan shall be submitted for review by the State Historic Preservation Office and the approval of the Executive Director. The plan shall provide for reasonable mitigation of archaeological impacts resulting from the development of the site, and shall be fully implemented. A report verifying compliance with this condition shall be submitted upon completion of excavation, for review and approval by the Executive Director.

IV. Findings and Declarations.

The Commission hereby finds and declares:

1. Project Description

The proposed development consists of the demolition of an existing two-story 2,281 square foot single-family dwelling and the construction of a new two-story, 3,033 square foot single-family dwelling. The subject site is located at 809 Ocean View Boulevard in the City of Pacific Grove. This site is located within a fully developed residential area on the inland side of Ocean View Boulevard. Shoreline Park is directly north of the project site, across Ocean View Boulevard, and Lover's Point is just east of the site, (see Exhibit 1).

2. Scenic Resources

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas be protected and that permitted development be sited and designed to protect views to and along the ocean.

The City's Land Use Plan (LUP) also contains policies to protect the visual quality of scenic areas as a resource of public importance.

The subject site fronts along a residential portion of Ocean View Boulevard, a scenic oceanfront drive in Pacific Grove. The application is for demolition and construction of a new single-family dwelling. The older beach style residence with earthen tone wood siding and a pitched roof will be replaced by a contemporary dwelling with white stucco siding and a flat roof, (see Exhibits 3 and 4).

The project has been approved by the City's Architectural Review Board. One of the concerns at the local level was how the proposed modern appearance blended with the surrounding houses on the block. The applicant's representative responded that this is a beach house neighborhood with an eclectic mix of houses and the City approved the contemporary design.

While the proposed dwelling does not affect public views to the ocean and, as proposed, can be found consistent with Coastal Act and LUP scenic resource policies, the City, may want to refine the LUP visual resource policies in their implementing ordinances to help maintain the existing beach neighborhood character along Ocean View Boulevard.

### 3. Archaeological Resources

The LUP includes the project site within an area of archaeological sensitivity. Section 30244 of the Coastal Act states that where development would adversely impact archaeological resources, reasonable mitigation measures shall be required. The approved LUP for the City of Pacific Grove contains the following policy:

#### 2.4.5

1. Prior to the issuance of any permit for development or the commencement of any project within the areas designated on Figure 3, the Archaeological Sensitivity Map, the City in cooperation with the State Historic Preservation Office and the Archaeological Regional Research Center, shall:
  - a) Inspect the surface of the site and evaluate site records to determine the extent of the known resources.
  - b) Require that all sites with potential resources likely to be disturbed by the proposed project be analyzed by a qualified archaeologist with local expertise.
  - c) Require that a mitigation plan, adequate to protect the resource and prepared by a qualified archaeologist be submitted for review and, if approved, implemented as part of the project.

An archaeological reconnaissance was submitted with the application. The report concludes that the parcel contains surface evidence of potentially significant cultural resources and recommends appropriate mitigation measures. The archaeological report contains the following conclusions and recommendations:

Based upon the background research and the surface reconnaissance, we conclude that the project area does contain surface evidence of potentially significant cultural resources. However, it appears that the property is in an area peripheral to the main portion of the site, and there is so little material that an excavation unit would be unlikely to produce enough information to justify the cost. However, there is still the possibility of outlying burials or other cultural features below the area of disturbance from the existing house. Because of this, we make the following recommendations:

- o The proposed project should not be delayed for archaeological reasons.
- o However, an archaeological monitor should be present during any demolition, construction or pre-construction activities which might involve soil disturbance, such as grading, excavation for utilities or footings, demolition of existing foundations, etc. If any human remains or intact archaeological features are discovered during those activities, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by the monitor and appropriate mitigation measures formulated and implemented.

Because of the possibility of unidentified (e.g., buried) cultural resources being found during construction, we recommend that the following standard language, or the equivalent, be included in any permits issued within the project area:

- o If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.

For protection of archaeological resources as required by the Coastal Act and the LUP, it is appropriate to require a mitigation plan, if necessary, by a professional archaeologist. Leaving the discovery of artifacts until the construction phase by a non-professional does not afford the protection required by both the Coastal Act and the LUP. The project archaeologist has recommended the presence of a qualified archaeologist during demolition and any soil disturbance or grading. Therefore, as conditioned to provide for the protection of archaeological resources, the proposed development is consistent with Section 30244 of the Coastal Act and the LUP archaeological resource policies.

#### 4. CEQA and Local Coastal Program

The proposed project as conditioned will not create any significant adverse environmental impacts within the meaning of the California Environmental Quality Act.

The Land Use Plan (LUP) for the City of Pacific Grove has been approved by the Commission and adopted by the City. The LUP designates the subject site as residential. The proposal is consistent with this designation and the scenic and archaeological policies of the LUP. As conditioned, the proposed development is consistent with the policies contained in Chapter 3 of the Coastal Act and will not prejudice the ability of the City of Pacific Grove to prepare and implement a complete Local Coastal Program consistent with Coastal Act policies.

# EXHIBIT-A

## RECOMMENDED CONDITIONS

### STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT NO. A

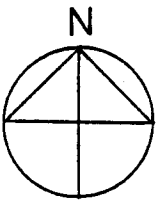
APPLICATION NO.

3-96-17

Standard Conditions



California Coastal Commission



# MONTEREY BAY

PACIFIC OCEAN

## 809 OCEAN VIEW BLVD

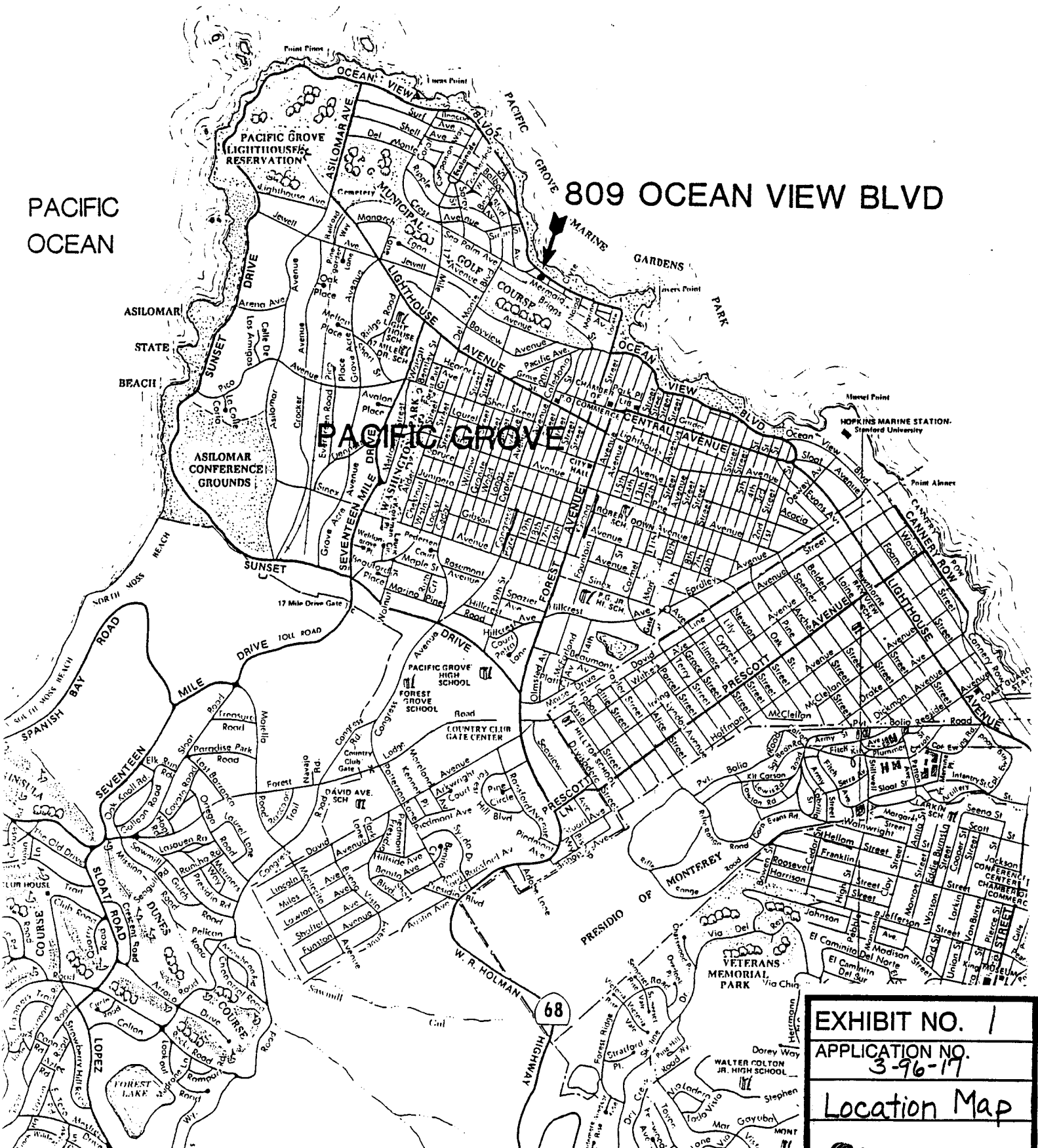


EXHIBIT NO. 1
APPLICATION NO. 3-96-17
Location Map
California Coastal Commission

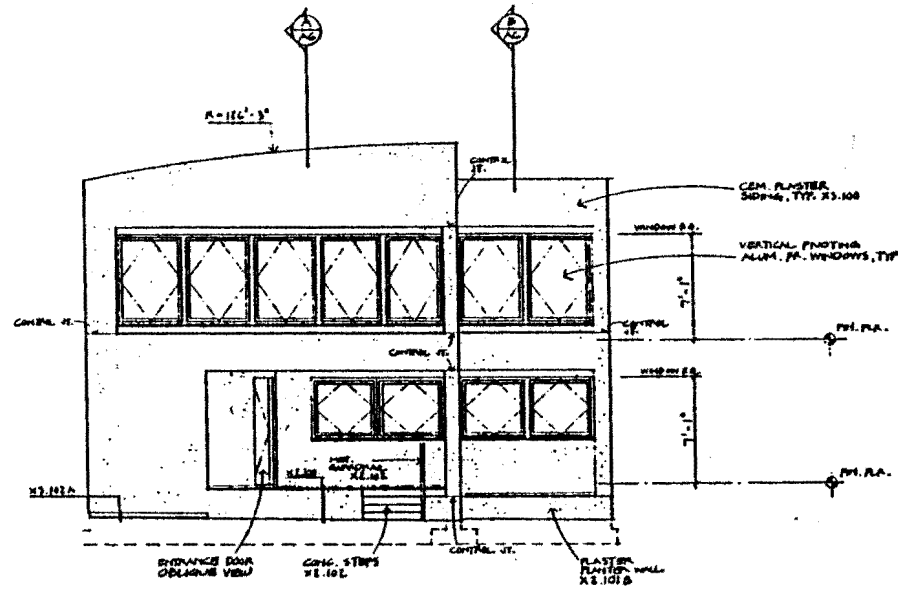




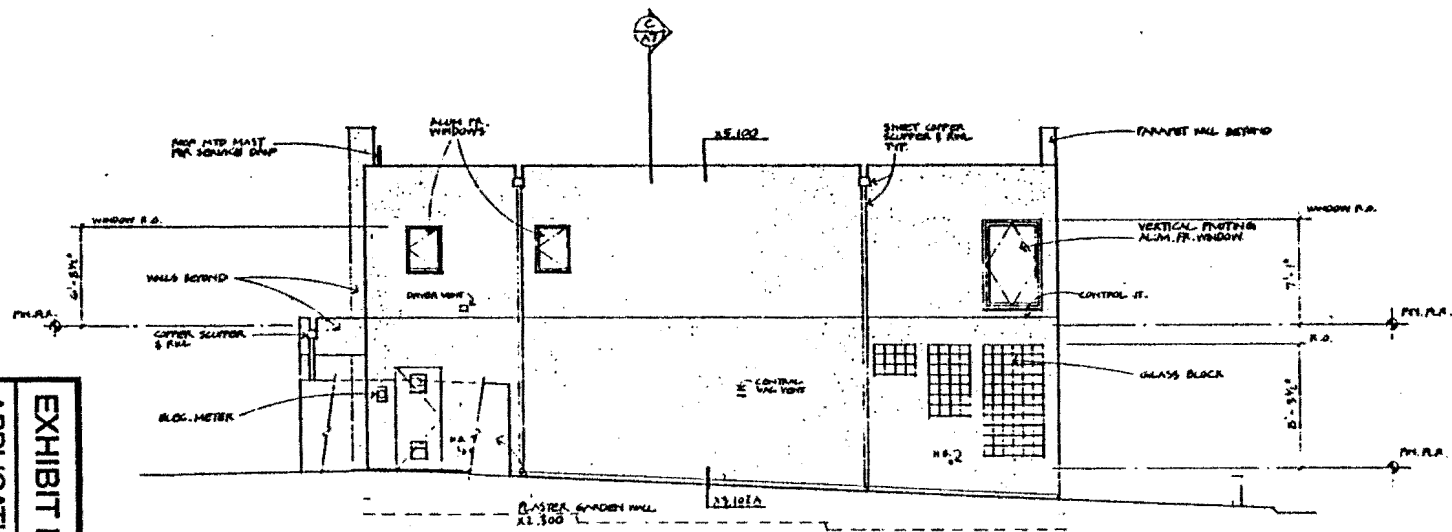
465  
Sightwood  
Avenue Suite E  
Pacific Grove,  
CA 93950  
Tel. 775-6665

**HORNADY  
RESIDENCE**

809 OCEAN VIEW BLVD.  
PACIFIC GROVE, CA 93950



1. NORTH ELEVATION



2. EAST ELEVATION

EXHIBIT NO. 3
APPLICATION NO. 3-96-119
Elevations - N + E

Title:  
Exterior Elevations

Revisions:

Scale: 1/4" = 1'-0"  
Date:

Sheet No:  
A8

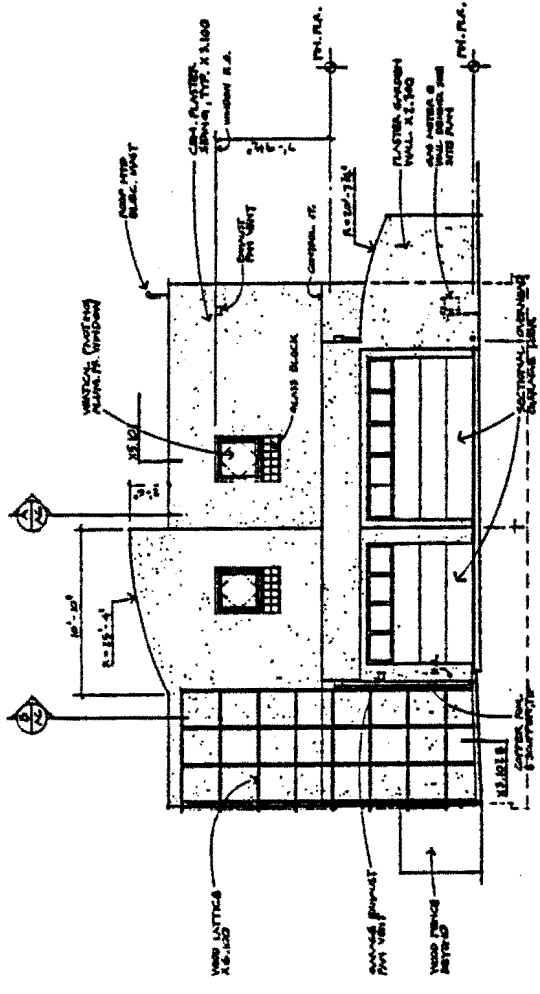
442  
Laguna Hills  
Foothill Center  
Pacific Grove, CA 93950  
408.275.1600

**HORNADY  
RESIDENCE**

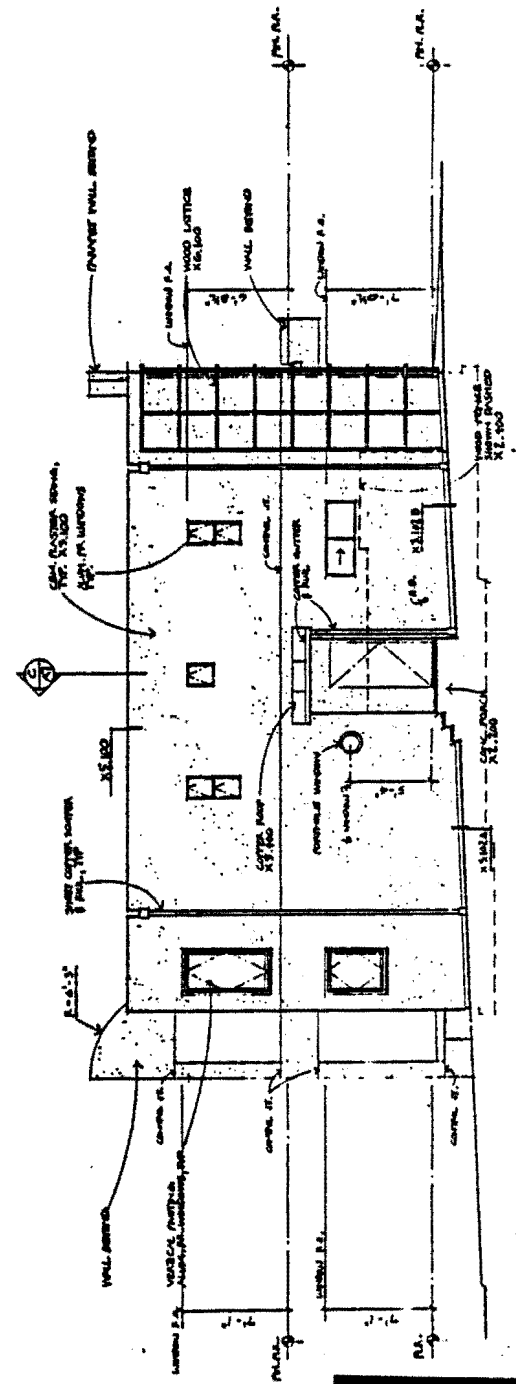
609 OCEAN VIEW BLVD.  
PACIFIC GROVE, CA 93950

Title: **Exterior Elevations**

Scale: 1/8" = 1'-0"  
Sheet No: **A9**  
Date:



**1 SOUTH ELEVATION**



**2 WEST ELEVATION**

EXHIBIT NO. 4
APPLICATION NO. 3-96-17
Elevations - S + W
California Coastal Commission