

**CALIFORNIA COASTAL COMMISSION**

CENTRAL COAST DISTRICT OFFICE  
725 FRONT STREET, SUITE 300  
SANTA CRUZ, CA 95060  
427-4863



**W15i**

**RECORD PACKET COPY**

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Staff: CKC  
Staff report: 10/26/00  
Hearing date: 11/15/00

**COASTAL DEVELOPMENT PERMIT: REGULAR CALENDAR**

**Application number** .....3-00-133

**Applicant** .....Jeffrey and Sally-Aberg Becom

**Project location** .....116 13<sup>th</sup> Street, Pacific Grove, Monterey County (APN 006-183-007)

**Project description**.....Removal or demolition of existing one-story single family residence and construction of two-story single family residence with basement garage and storage area.

	<u>Existing</u>	<u>Proposed</u>
Lot Area:	2,427 sf	2,427 sf
Building Coverage:	786 sf	979 sf
Pavement Coverage:	630 sf	412 sf
Total Coverage:	1,416 sf (58%)	1,391 sf (57 %)
Parking Spaces:	zero	one
LCP status:	Certified LUP only	
Plan designation:	High Density Res.	
Zoning:	R-3-PGR	
Project density:	19.8 units per acre	
Height above finished grade:	30 feet	

**Approvals Received** .....City of Pacific Grove: Use Permit Application No. 2638-00 (approved 8/17/00); Variance Application No. 00-1587 (approved 8/17/2000); Tree Permit Application No. CDD 3463 (approved 8/17/2000); CEQA Mitigated Negative Declaration (approved 8/17/2000); Architectural Review Board (approved 8/22/2000).



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**File documents**.....Preliminary Archaeological Reconnaissance by Archaeological Consulting (01/2000); Coastal Development Permit files 3-00-133 (Becom); City of Pacific Grove certified Land Use Plan.

**Staff recommendation... Approval with Conditions**

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    A. Project Location Map

    B. Assessor's Parcel Map for Project Site

    C. Photos and Site Plan of Existing Structure

    D. Proposed Project Site Plan and Elevations

    E. Pacific Grove Land Use Map

    F. Pacific Grove Archeological Sensitivity Map

    G. Photos of Existing Street-scape

    H. Shoreline Access Map

    I. City-Approved Mitigations and Mitigation Monitoring Program

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**I. Summary**

The proposed project includes the removal or demolition of an existing one story single family dwelling and the construction of a new, two-story single family dwelling with basement garage and storage area in the Pacific Grove Retreat neighborhood of the City of Pacific Grove.

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The City has a certified Land Use Plan (LUP), but the Implementation Plan has not yet been certified. Therefore, a coastal development permit for the project must be obtained from the Coastal Commission and the proposal is subject to the policies of Chapter 3 of the Coastal Act. The policies of the LUP also provide specific guidance for the local area, but are advisory only.

The Pacific Grove Retreat neighborhood is the oldest developed area in Pacific Grove, and is considered a "special community" under the Coastal Act due to its unique architectural and visual character. Housing styles within the Retreat include numerous late 19<sup>th</sup> and early 20<sup>th</sup> century buildings. The existing residence, constructed in 1948, is not included in the City's Historic Resources Inventory, California Register of Historical Places or the National Register of Historic Places. The proposed architectural style is Spanish Revival, which is described as prevalent in the area. The project has been reviewed and approved by the Pacific Grove Architectural Review Board on a 4-to-1 vote. The project design has been determined to be compatible with the community character of the area and does not affect any unobstructed views of coastal resources from designated public viewing areas.

The project site is located within an archeologically sensitive resources area. The project involves the excavation of subsurface materials for construction of a basement garage and storage area. As conditioned to require review and approval of final site plans for landscaping, exterior finish and lighting, and to protect and preserve any sensitive archeological resources potentially found on the parcel during demolition, construction or excavation, the project will be consistent with the policies of Chapter 3 of the Coastal Act and with the City's certified LUP.

## II. Staff Recommendation on Coastal Development Permit

The staff recommends that the Commission, after public hearing, **approve** the proposed project subject to the standard and special conditions below. Staff recommends a **YES** vote on the motion below. A yes vote results in approval of the project as modified by the conditions below. The motion passes only by affirmative vote of a majority of the Commissioners present.

*Motion: I move that the Commission approve Coastal Development Permit Number 3-00-133 subject to the conditions below and that the Commission adopt the following resolution:*

Staff recommends a **YES** vote.

*Approval with Conditions. The Commission hereby grants a permit for the proposed development on the grounds that the development as conditioned is consistent with the requirements of Chapter 3 of the California Coastal Act of 1976 (Coastal Act), will not prejudice the ability of the City of Pacific Grove to prepare a local coastal program conforming to Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act (CEQA).*

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### III. Conditions of Approval

#### A. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** 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. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. **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.
5. **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.

#### B. Special Conditions

1. **Incorporation of City's Mitigation Requirements.** The Mitigations and Mitigation Monitoring Program adopted by the City of Pacific Grove for its final Negative Declaration for this project are attached to this permit as Exhibit 9; these mitigations are hereby incorporated as conditions of this permit.

Any revision or amendment of these adopted conditions and mitigation measures or the project plans as approved pursuant to the City's architectural review procedures shall not be effective until reviewed by the Executive Director for determination of materiality, and if found material, approved by the Commission as an amendment to this coastal development permit.

2. **Final Project Plans.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit the following for the Executive Director's review and approval:
  - A. Final project plans including site plan, floor plans, elevations and grading plans. The site plan shall designate a building envelope area not to exceed 57 percent of the lot area. The building envelope shall include the approved house, patio, garage, driveway, paved

walkways and garden areas.

- B. A final landscaping plan covering the building envelope area and outdoor areas.
  - C. Final plans will indicate Architectural Review Board's review and approval for landscape, colors, and exterior lighting. The submittal of final project plans shall include evidence of review and approval by the Architectural Review Board and the City of Pacific Grove.
3. **Grading and Spoils Disposal.** PRIOR TO COMMENCEMENT OF CONSTRUCTION, the permittee shall submit to the Executive Director for review and approval two sets of grading plans that shall identify the disposal site for excess excavated spoils. Disposal site and methods employed shall be subject to review and approval by the City of Pacific Grove and the Executive Director. If required to protect archaeological resources found on site, excavated midden soils should either remain on site, be disposed of at Greenwood Park, or be offered to the Department of Parks and Recreation for appropriate placement.
4. **Archaeological Mitigation.** Should archaeological resources be discovered at the project site during any phase of construction, the permittee shall stop work within 150 feet of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, an appropriate mitigation plan shall be prepared and implemented by a qualified professional archaeologist, following the recommendations included in the *Preliminary Archaeological Reconnaissance* of the site prepared by Archaeological Consulting, dated January 14, 2000. The mitigation plan shall be submitted for review and approval by the Executive Director of the Commission prior to implementation. A report verifying compliance with this condition shall be submitted to the Executive Director for review and approval, upon completion of the approved mitigation.

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#### **IV. Recommended Findings and Declarations**

The Commission finds and declares as follows:

##### **A. Project Description and Background**

The proposed project includes the removal or demolition of an existing one story single family dwelling and the construction of a new, two-story single family dwelling with basement garage and storage area at 116 13<sup>th</sup> Street in the City of Pacific Grove (APN 006-183-007; see Exhibits A and B for location and assessor's parcel maps). The existing structure on the site is 786 square feet with 630 square feet of paving, and 1,011 square feet of landscaping (Exhibit C). The applicants propose to build a 1,391 square foot single family dwelling with a 448 square foot attached one-car

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basement garage, and 519 square foot basement storage area (Exhibit D). The total building coverage is proposed to be 979 square feet, with 412 square feet of paved areas (driveway, patios and paths) and 1,036 square foot of landscaping.

According to the Initial Study prepared for the project by the City of Pacific Grove, (adopted August 17, 2000) the parcel is approximately 2,724 sf site, and occupies Lot 16 and part of Lot 14 in Block 39 of the Pacific Grove Retreat neighborhood (APN 006-183-007). The General Plan designation of this area (Exhibit E) is High Density Residential, with 19.8 dwelling units per acre. Total proposed site coverage is 57%. Existing site coverage is 58%.

The Pacific Grove Retreat neighborhood is the oldest developed area in Pacific Grove, and is considered a "special community" under the Coastal Act Section 30253(5), due to its unique architectural and visual character. Housing styles within the Retreat include numerous late 19<sup>th</sup> and early 20<sup>th</sup> century buildings. As described in the Agenda Report for the City of Pacific Grove Planning Commission, "...A variety of architectural styles coexist on 13<sup>th</sup> Street." The Initial Study also notes that:

*"...Development in the surrounding neighborhood is characterized by residential dwellings on lots that are smaller than those typically found in the more contemporary residential areas of Pacific Grove. The dense concentration of older homes contributes to the visual character of the neighborhood and is consistent with the LUP and General Plan high-density residential designations."*

Although most of the other residences on this block are included in the City's Historic Resources Inventory, the existing residence, constructed in 1948, is not. Nor is it listed on either the California Register of Historical Places or the National Register of Historic Places.

As is true with most of the Pacific Grove Retreat neighborhood, the project site is located in an Archaeologically Sensitive area of the Coastal Zone as shown in Exhibit F. Construction of the basement garage and storage area requires the excavation of approximately 276 cubic yards of material. Because of the extent of excavation, mitigation measures will be required to protect and preserve potential sensitive archaeological resources. At the recommendation of the City and the consulting archeologists, the applicants have proposed to provide the excavated material to Greenwood Park, which is located across the street to the east of the project site.

According to the Agenda Report for the City of Pacific Grove Planning Commission hearing August 17<sup>th</sup>, Greenwood Park is designated as a Neighborhood Park-Natural Areas and Open Space in the City's General Plan, Parks and Recreation, Chapter 5. The 1.1-acre park occupies the block bounded by 13<sup>th</sup> Street, 14<sup>th</sup> Street, Ocean View Boulevard and Central Avenue. The park has a natural landscaped character and contains no improvements other than a footbridge that spans a ravine.

On-street parking is currently provided adjacent to residences along the west side of 13<sup>th</sup> Street, and along the uninterrupted street frontage adjacent to Greenwood park on the east side of 13<sup>th</sup>

Street. Construction of the driveway will remove one on-street parking space adjacent to the residence, but the project design also provides one off-street parking space for the resident who would otherwise occupy the on-street parking space. Therefore, as designed the project provides no net loss of parking in the neighborhood.

On August 17, 2000, by a vote of 6-0, the City of Pacific Grove granted approvals to (1) approve the mitigated Negative Declaration, (2) grant a use permit with a variance to allow a reduction in the minimum required garage opening setback, and (3) grant a tree permit to allow minor trimming of an oak tree on the north side of the property. As proposed, the garage has a distance of 9 feet between the garage door opening and the front property line, which is less than the minimum 20-foot distance required by the City. Other houses on the block with attached garages have been granted a similar variance (at 108 and 122 13<sup>th</sup> Street) in order to maintain the visual character of the neighborhood. As such, the City granted the variance and conditioned the project to have an electric garage door opener to encourage parking within the garage. The City found that with the available on-street parking, short driveway and electric garage door opener, the resident would be unlikely to block the public walkway by parking in the driveway. The City Forester determined that the minimal tree trimming proposed by the project was necessary for construction of the project. The City's tree permit also included as special conditions a number of tree protection measures that were recommended by the City Forester.

## **B. Standard of Review**

The project is located within the Coastal Zone in the City of Pacific Grove, which does not currently have a certified Local Coastal Program (LCP). The Commission certified the City's Land Use Plan (LUP) in 1991, but the zoning, or Implementation Plan (IP) portion of the LCP has not yet been certified. The City is currently working to complete the IP with funding provided by a grant from the Coastal Commission. Until such time that the City's LCP is completed, however, the Coastal Commission must issue coastal development permits for any development within the coastal zone in the City of Pacific Grove. The standard of review for jurisdictions without a certified LCP is the Coastal Act. The City's certified LUP may serve as an additional advisory document during review of CDP applications.

## **C. Issues Discussion**

### **1. Visual Resources and Community Character**

Section 30251 of the Coastal Act requires that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public interest, and that permitted development shall be visually compatible with the character of surrounding areas. Section 30251 of the Coastal Act further provides that permitted development shall be sited and designed to protect views to and along the ocean; and Section 30240(b) requires that development adjacent to parks and recreation areas shall be sited and designed to avoid degradation of those areas.

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The City's Land Use Plan (LUP) also contains policies to protect the visual quality of scenic areas as a resource of public importance. Section 2.5.5.1 requires that new development, to the maximum extent possible, shall not interfere with public views of the ocean and bay.

As described in the City of Pacific Grove Architectural Review Guidelines, a "... *diverse architectural style lies at the heart of Pacific Grove's distinctive character...*" The subject property is located within an area that has been developed for residential uses, and that includes both one- and two-story single family dwellings with a variety of architectural styles. Exhibit G includes photographs of the existing streetscape north and south of the existing residence.

The new dwelling has been designed in the Spanish Revival architectural style, with a stucco finish and tile roof (see Exhibit D). The roof will be hipped above the main structure, and domed above the study, which fronts 13<sup>th</sup> Street. Architectural Review Board comments in favor of the project noted that the project design was "a well designed house and would show nicely from 12<sup>th</sup> Street and Ocean View Boulevard;" that architectural guidelines were not meant to "preclude distinctive architecture;" and that the design "would be a charming addition to the town." Review Board comments in opposition of the design considered the design "too elegant and sophisticated; therefore, not in keeping with the existing neighborhood character." However, it was also noted that the Spanish Revival style is prevalent in the area, and that the project is in close proximity to several churches in the area with similar architectural elements. The project design was approved by the City of Pacific Grove Architectural Review Board on a four to one vote, subject to obtaining approval for landscape, colors, and exterior lighting prior to a final on the building permit.

The subject property is located at 116 13<sup>th</sup> Street, directly east of Greenwood Park, and is visible from Ocean View Boulevard, a scenic route within the coastal zone. The property is located one block north of Central Avenue, which is designated in Figure 5 of the LUP (Exhibit H) as an area that provides unobstructed coastal views within the coastal zone. As designed, the proposed new single family dwelling will occupy almost the same location as the current dwelling, and so will preserve the unobstructed view that is currently provided along 13<sup>th</sup> Street. The proposed design also maintains the street front alignment of residences along 13<sup>th</sup> Street as is recommended by the City's Architectural Review Guidelines.

The applicant has stated that the existing house will either be removed as a donation to Habitat for Humanity or to anyone who wants to remove it at their cost, or it will be demolished. Habitat for Humanity is currently seeking a land donation for this purpose. As the house is not listed on any historic register, and has not been found to have any special historical or architecturally significant features, removal and salvage efforts are not conditions of this permit.

No visual mitigations are required for this project as the proposed structure does not obstruct any existing public coastal views or degrade views along Greenwood Park. Based on Architectural Review Board approval, the proposed development has been determined to be visually compatible with the character of surrounding areas in the Pacific Grove Retreat neighborhood. Accordingly, the project is found to be consistent with Section 30251 and 30240(b) of the Coastal Act and LUP visual resource policies.

## 2. Archeological Resources

Section 30244 of the Coastal Act states:

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

Land Use Plan Section 2.4 also provides guidance on this topic as follows:

### LUP 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.

The subject site is located in a "sensitive area" according to the LUP Archaeological Sensitivity Map (Exhibit F). Mary Doane and Trudy Haversat of Archaeological Consulting conducted an archaeological investigation for the site in December 1999. Results of the investigation are included in the report titled Preliminary Archaeological Reconnaissance of Assessor's Parcel Number 006-183-007, dated January 14, 200. According to the Preliminary Archaeological Reconnaissance report, the background records search indicated that although there are a number of sites recorded within one kilometer of the property, no recorded sites exist on the property. The nearest recorded site is located just northeast of the project parcel in Greenwood Park. The archaeological field investigation of the property found gray, ashy soil, typical of prehistoric middens in the area, which included small fragments of mixed marine shell, primarily *Mytilus*, and two small fragments of bone. The report concluded

The project parcel contains surface evidence of potentially significant cultural resources. However the small size of the shell fragments in the front planters may indicate substantial prior disturbance of the midden. The amount of shell is rather sparse and may indicate that the project parcel is peripheral to the main site deposit. Nevertheless, intact resources may remain below the disturbed surface....The current project proposes removal of the existing structure and construction of a new home

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with a basement garage. Impacts to any previously undisturbed cultural resources will be substantial under these circumstances.

The proposed building coverage (979 sf) is larger than the existing building coverage (786 sf) by almost 200 sf. Construction of the 967-sf basement garage and storage area requires the excavation of approximately 276 cubic yards of material. Because of the extent of excavation required for the basement garage and storage area, mitigation measures will be required to protect and preserve any archaeological resources that may be present. Mitigation measures recommended in the archaeological report include having an archaeological monitor present during demolition of existing structures (including foundations and walkways) as well as during any earth-disturbing activities, data recovery and analysis of any significant features (including radiocarbon dating on any suitable material recovered), and completion of a final technical report detailing the results of all analyses.

Because of the possibility of finding unidentified cultural resources during construction, the project has been conditioned to require that work be halted within 150 feet of the find until it can be evaluated by a qualified archaeologist. If the find is determined to be significant, the appropriate measures as described in the archaeological report shall be implemented. Additionally, at the recommendation of the City and the consulting archeologists, the applicants have also proposed to provide any excavated soils to Greenwood Park, which is located across the street to the east of the project site. A final grading plan shall be required prior to commencement of construction.

As conditioned to incorporate the City's Mitigation Requirements, which include suspension of work and implementation of mitigation measures if archaeological materials are found, the proposed development is consistent with Section 30244 of the Coastal Act and certified LUP archaeological resource policies.

### **G. Local Coastal Programs**

The Commission can take no action which would prejudice the options available to the City in preparing a Local Coastal Program which conforms to the provisions of Chapter 3 of the Coastal Act (Section 30604 of the 'Coastal Act).

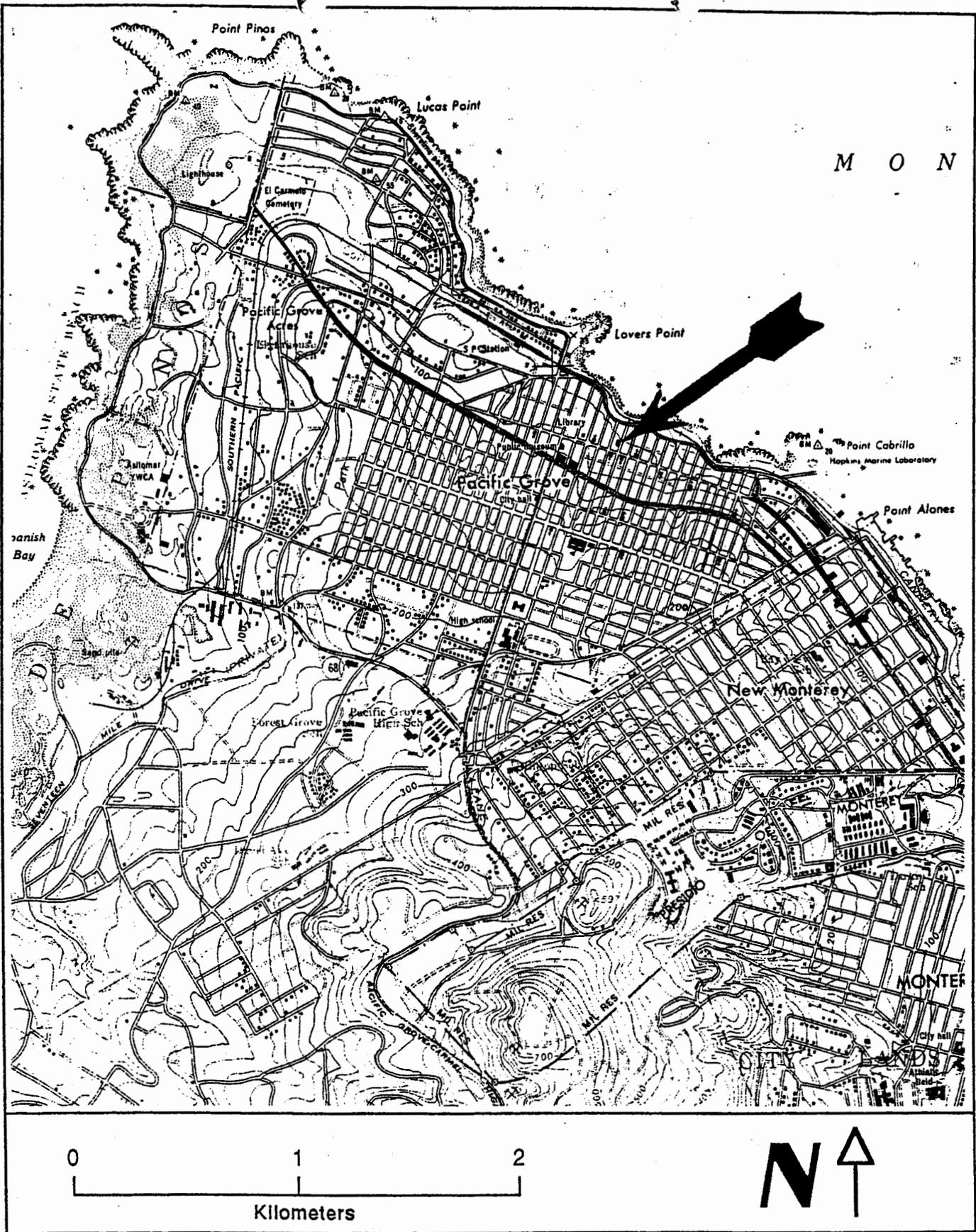
The Land Use Plan for the City of Pacific Grove has been approved by the Commission (certified January 10, 1991) and adopted by the City. The City is currently formulating implementing ordinances. In the interim, the City has adopted an ordinance that requires that new projects conform to LUP policies. (Of course, the standard of review for coastal development permits, pending LCP completion, is conformance with the policies of the Coastal Act.)

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 to protect and preserve potential sensitive archaeological resources, 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.

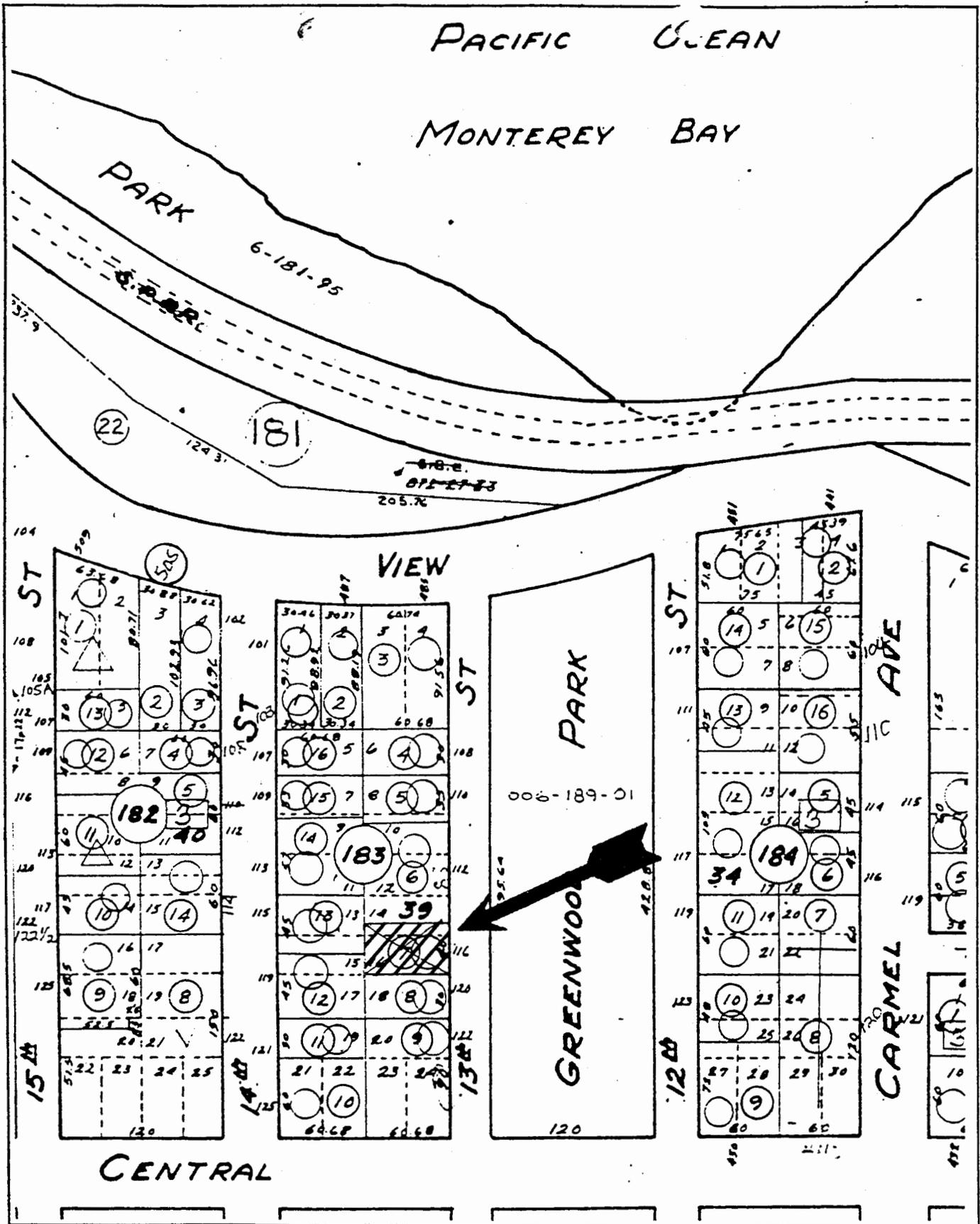
#### **H. California Environmental Quality Act (CEQA)**

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects which the activity may have on the environment. On August 17, 2000, the City of Pacific Grove granted a Negative Declaration, with mitigations, for the proposed development. The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary for Resources as being the functional equivalent of environmental review under CEQA. Accordingly, the Commission finds that the project as conditioned by this permit, along with the City's required conditions and mitigation monitoring requirements, will offset any adverse effects that the proposed development might have.



Map 1. Project Location.

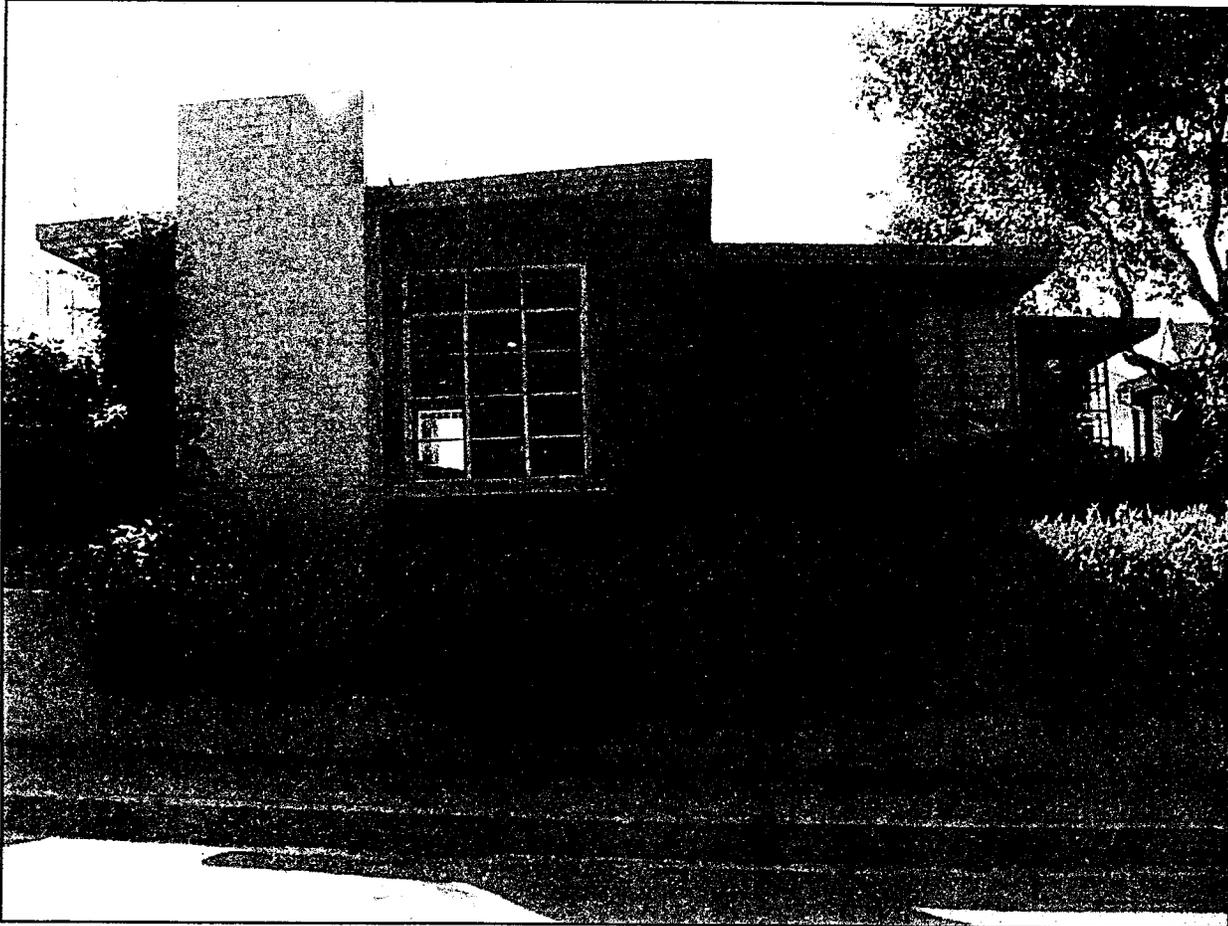
3-00-133  
 (Becom)  
 EXHIBIT **A**



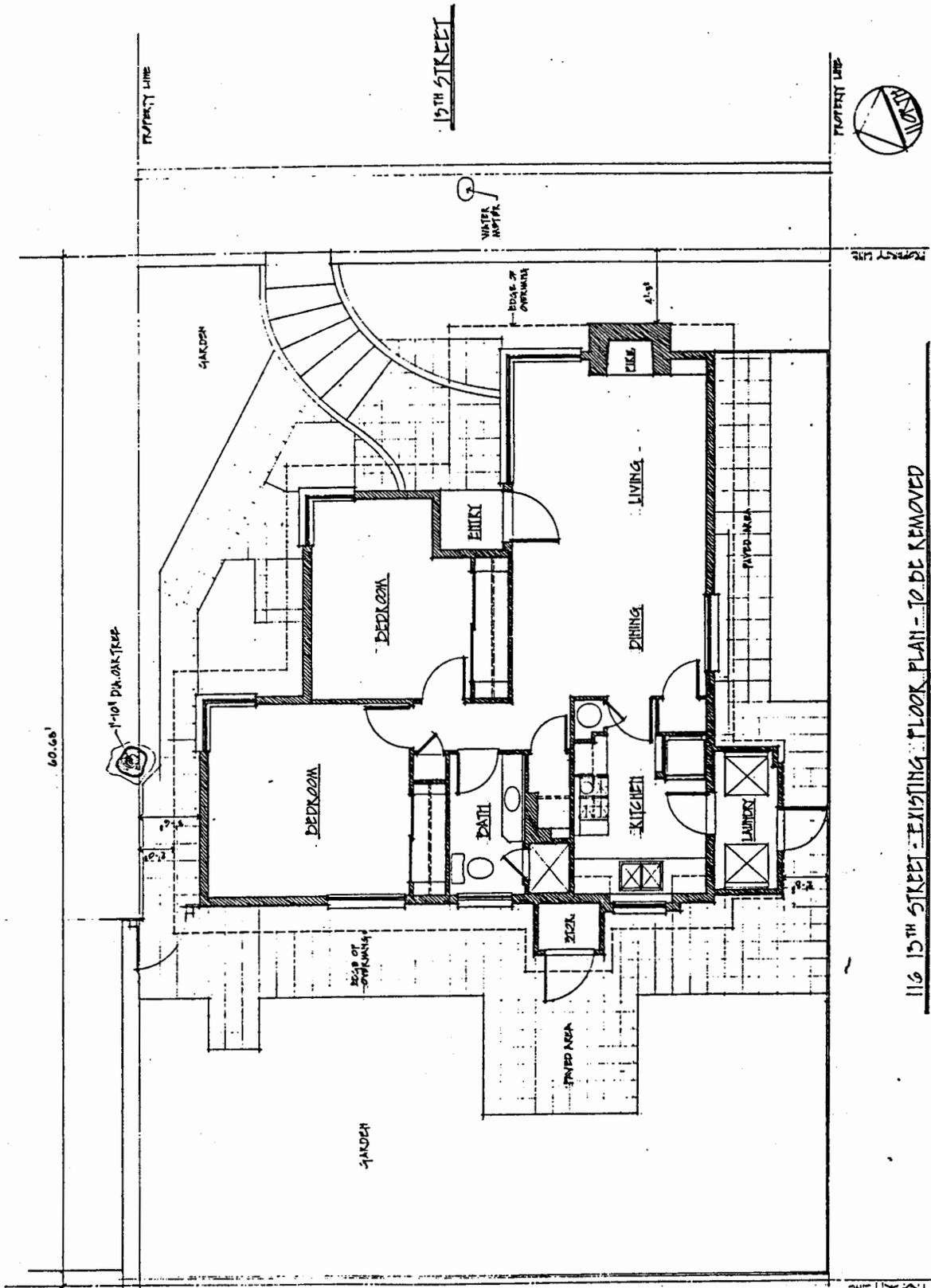
Map 2. Project Location.

Photo of Structure  
to be Moved  
Away or Demo'd.

116 13TH STREET  
PACIFIC GROVE, CA  
FRONT ELEVATION



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(Becom)  
EXHIBIT C  
pg 1 of 2

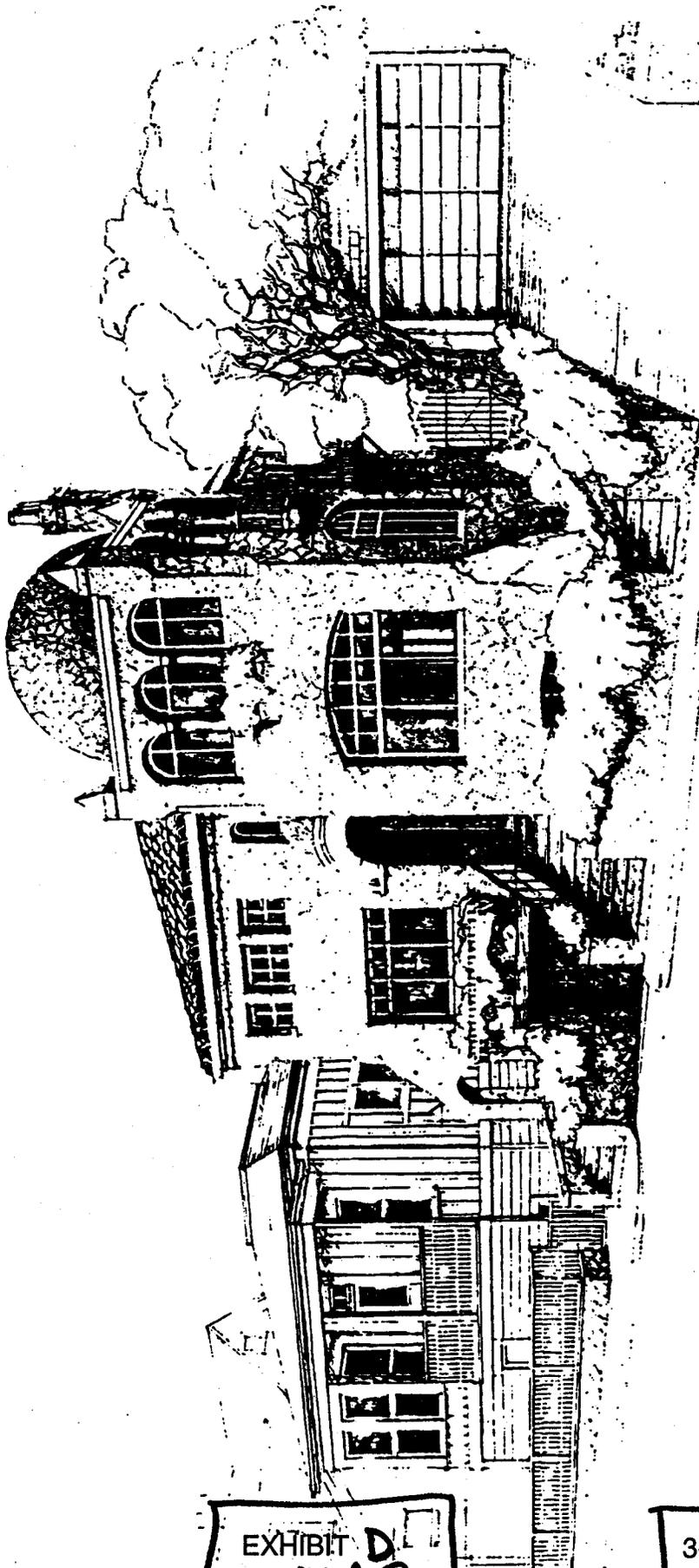


116 13<sup>TH</sup> STREET - EXISTING FLOOR PLAN - TO BE REMOVED

EXHIBIT C  
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 (Becom)

DECOM-ADBERG RESIDENT COVER



PERSPECTIVE VIEW LOOKING NORTH-WEST  
FROM GREENWOOD PARK

EXHIBIT D  
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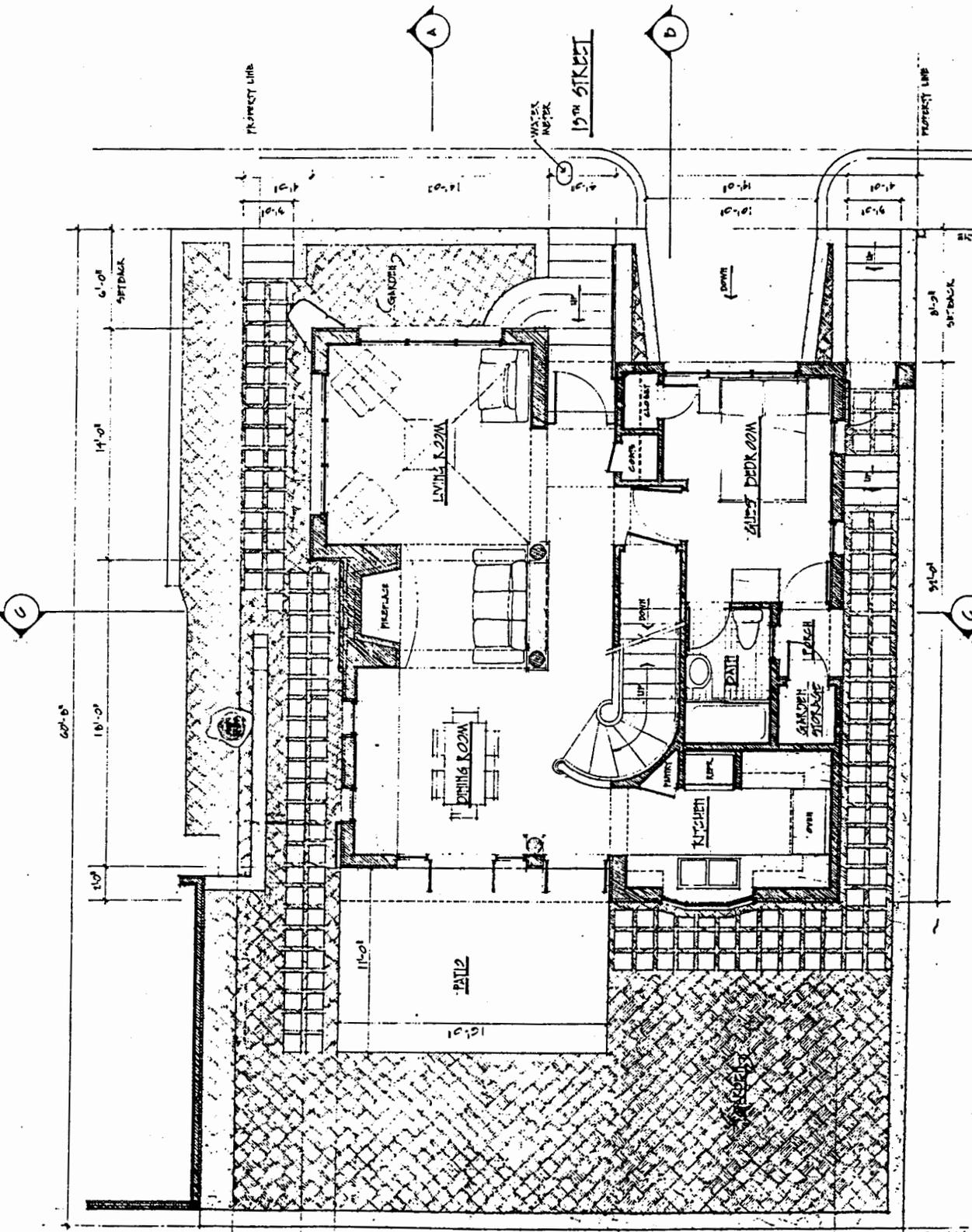
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(Becom)

116 15th Street  
 Pacific Grove, CA

BECOM-ADBERG RESIDENCE  
 116 15th STREET PACIFIC GROVE CA

NEW THREE FAMILY RESIDENCE  
 TO EXIST ON EXISTING RESIDENCE

APPLICANT: JEFFREY BECOM & PAUL ADBERG  
 116 15th STREET PACIFIC GROVE CA 93954  
 TEL: 831-573-0116



Reduced  
 Site Plan

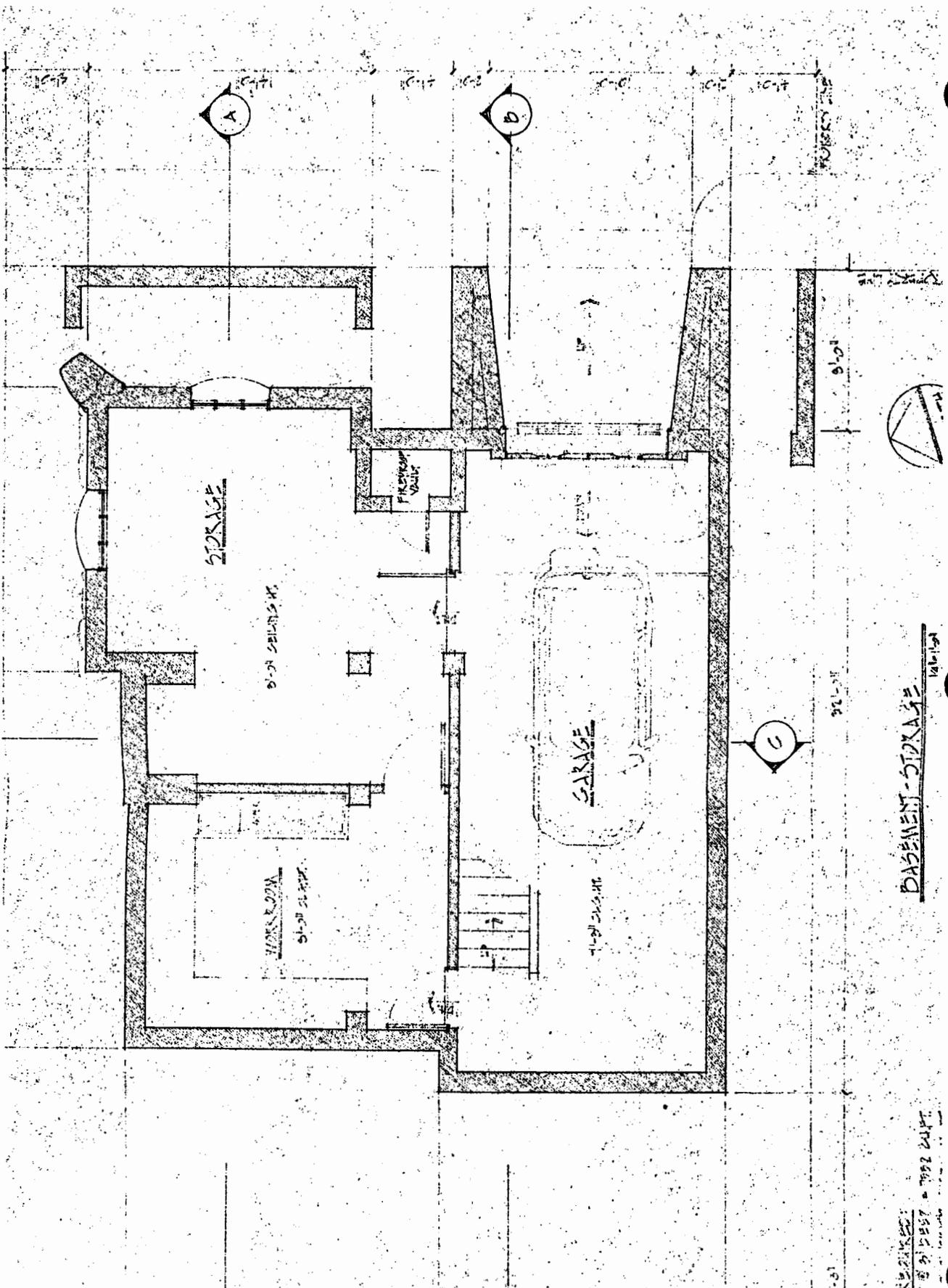
EXHIBIT D  
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3-00-133  
 (Becom)

EXTERIOR MATERIALS & FINISHES:  
 DRIVEWAY: CONCRETE TO MATCH EXISTING SIDEWALK  
 SIDEWALK: TO MATCH EXISTING  
 RETAINING WALLS: TRUSS TO MATCH EXISTING

SITE & GROUND FLOOR PLAN  
 116 15th Street

REFER TO SURVEY FOR ALL DIMENSIONS AND PROPERTY LINE LOCATIONS



BASEMENT-STORAGE

EXHIBIT D  
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 (Becom)

12/21/01  
 14/1/02

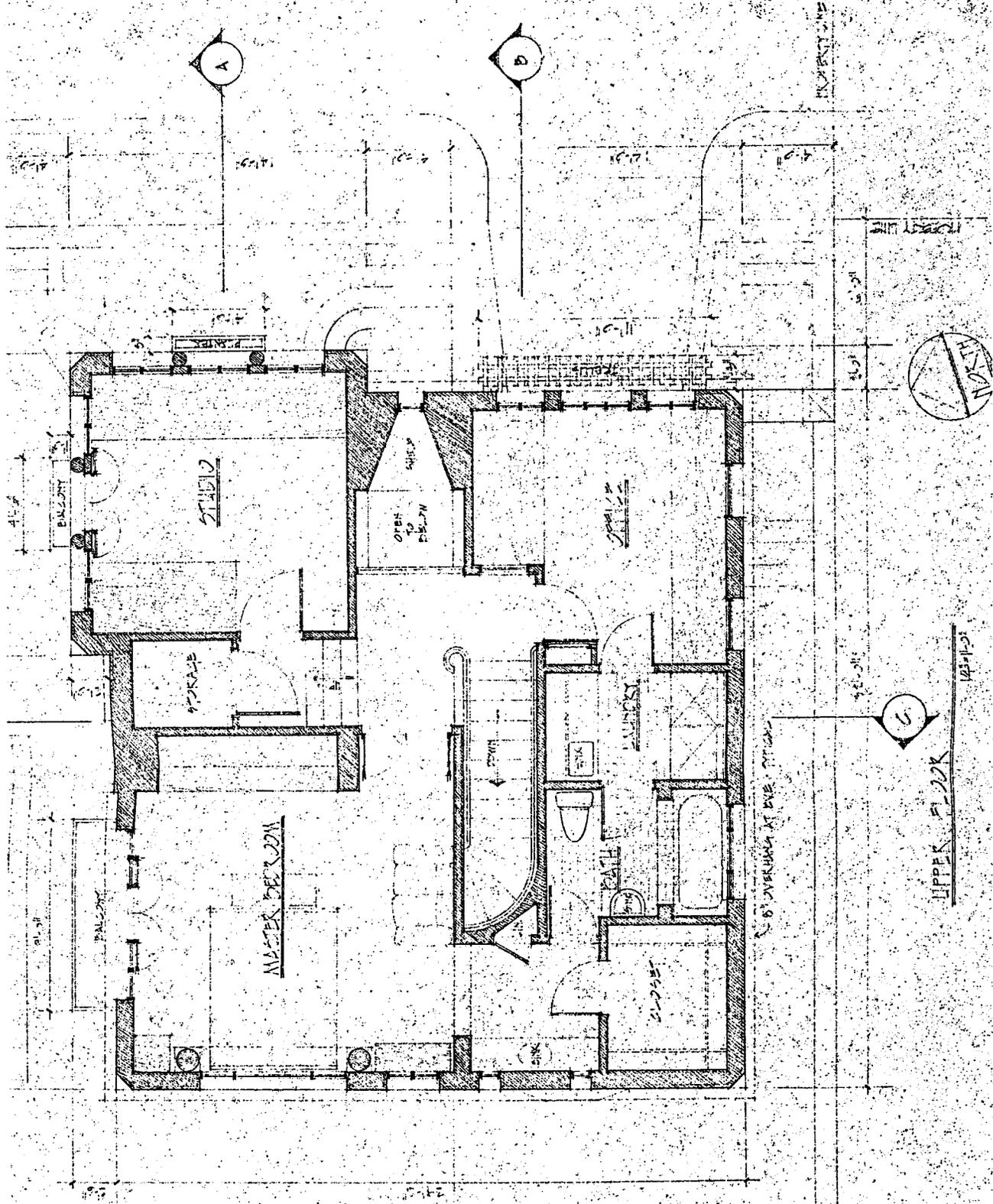
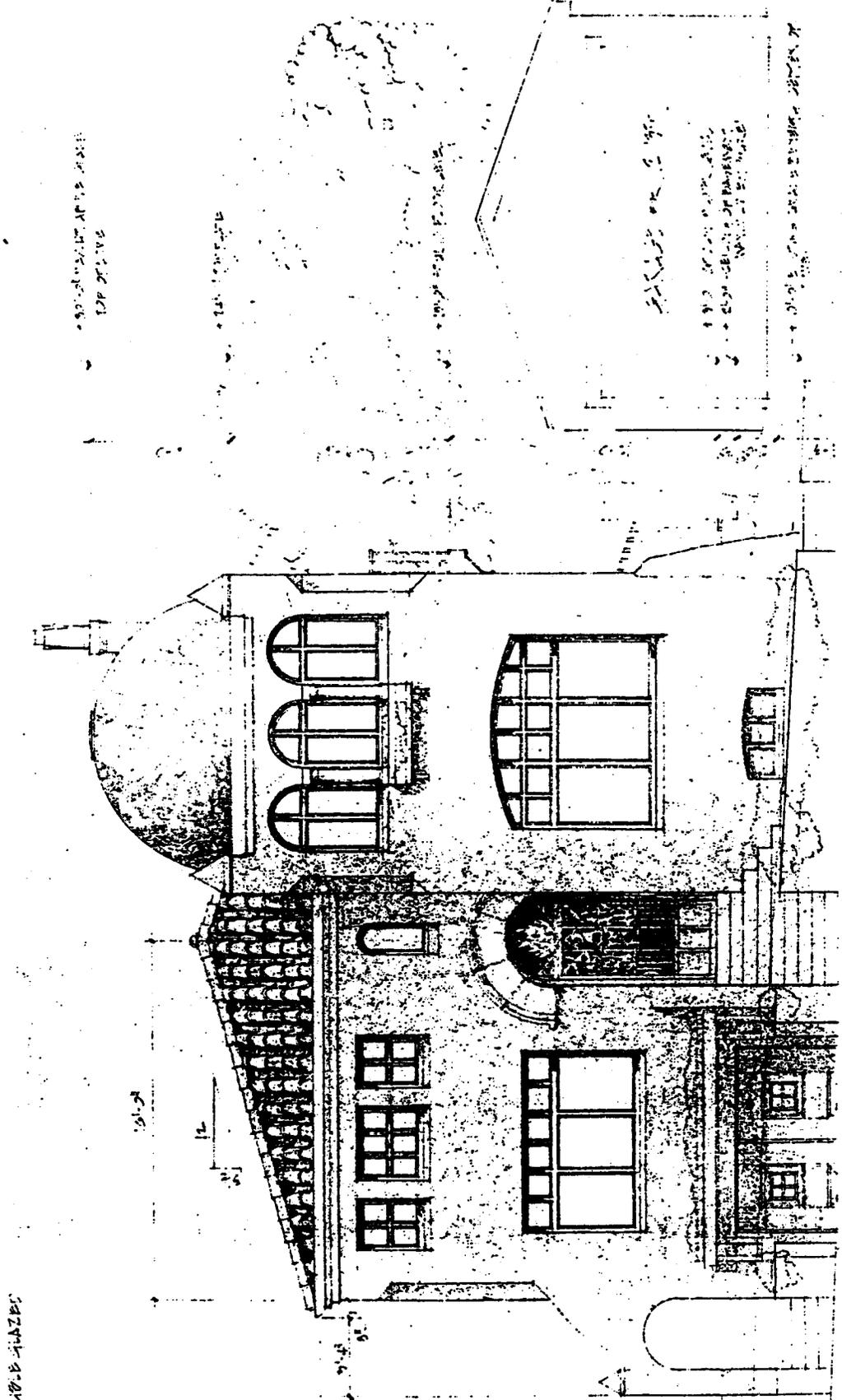


EXHIBIT D  
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(Becom)

Reduced Elevations

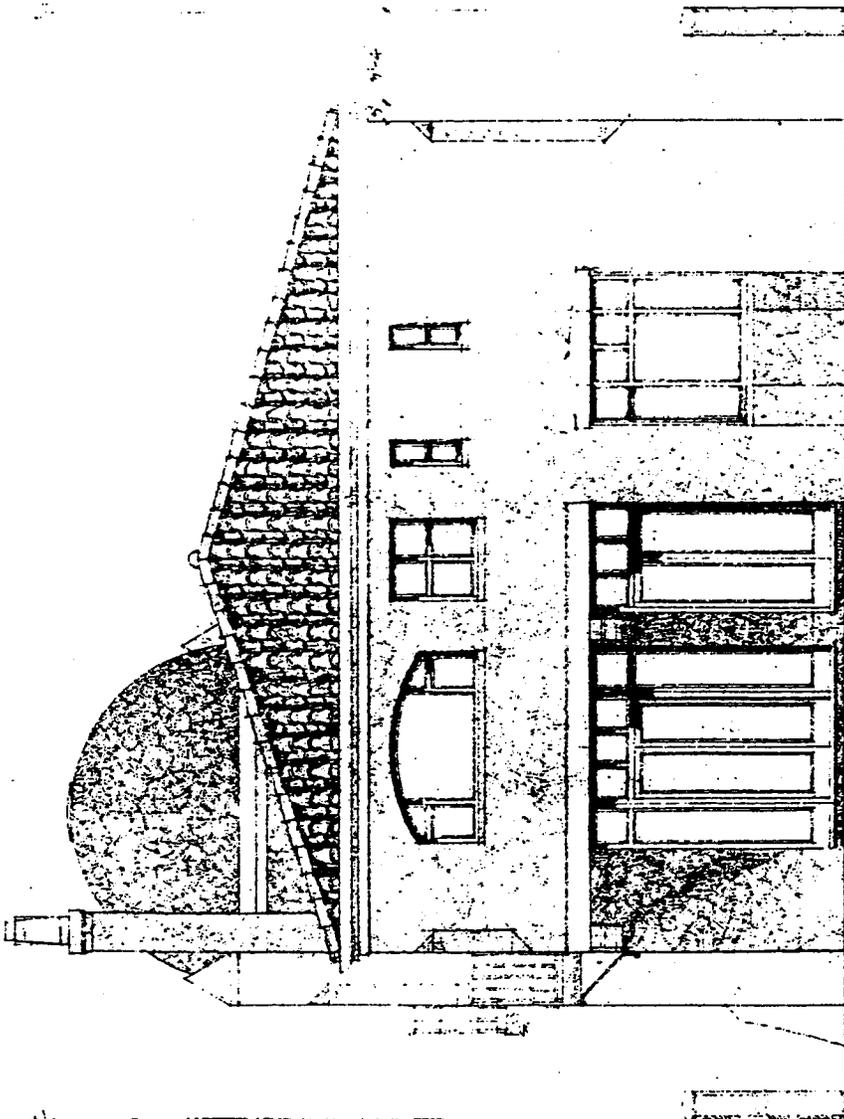


116 13TH. ST., PACIFIC GROVE  
FRONT ELEVATION

LITE, DOUBLE GLAZED  
SHUTTERS  
WOOD

EXHIBIT D  
pg. 5 of 8

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(Becom)

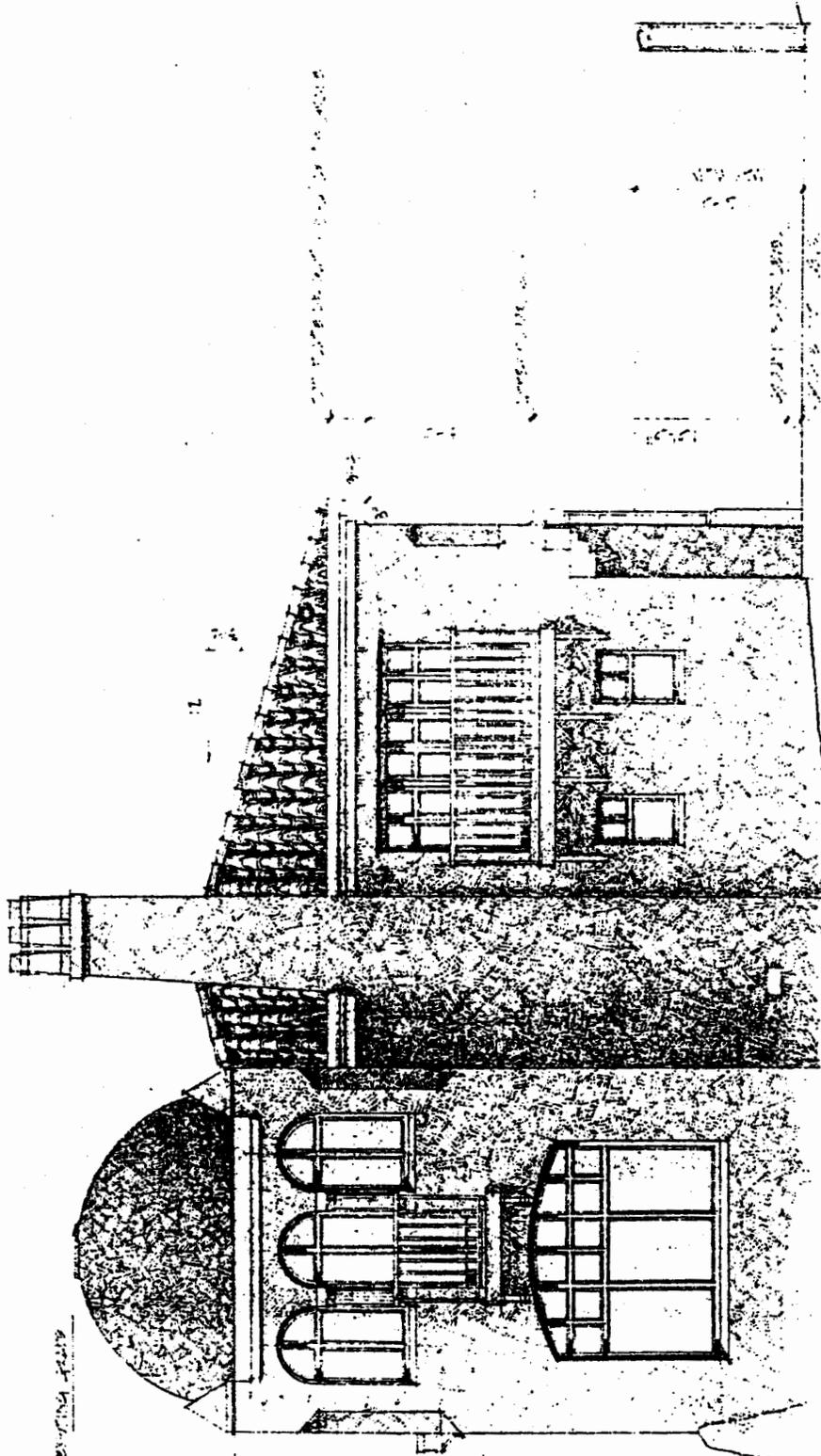


116 13TH. ST., PACIFIC GROVE  
REAR ELEVATION

EXHIBIT **D**  
pg. **6 of 8**

3-00-133  
(Becom)

BECOM-ADBEK RESIDENCE  
116 13TH STREET PACIFIC GROVE CA

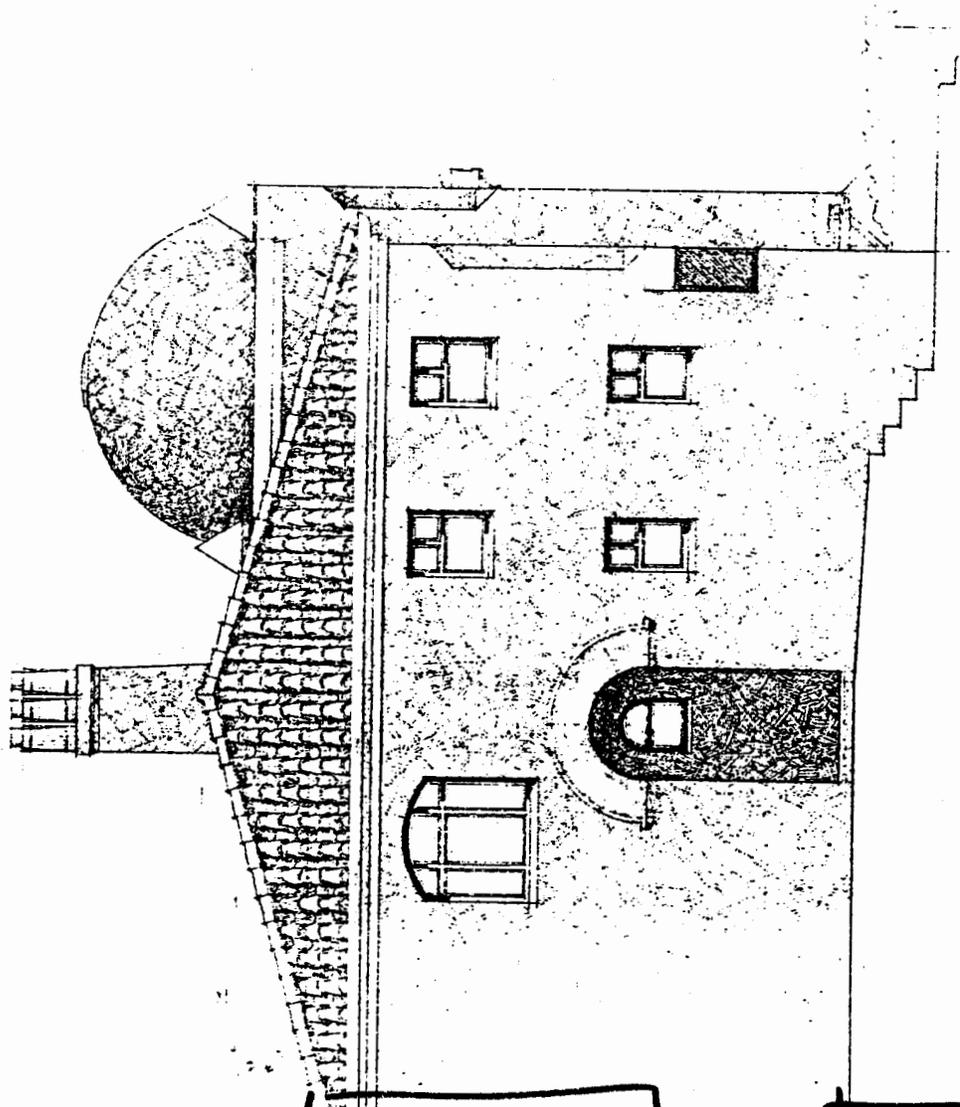


116 13TH. ST., PACIFIC GROVE  
NORTH ELEVATION

ARCH. FIRM: [illegible]

EXHIBIT D  
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(Becom)



116 13TH ST., PACIFIC GROVE.  
SOUTH ELEVATION

EXHIBIT D  
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(Becom)



**PROJECT LOCATION**  
**116 13TH ST.**  
**PACIFIC GROVE**

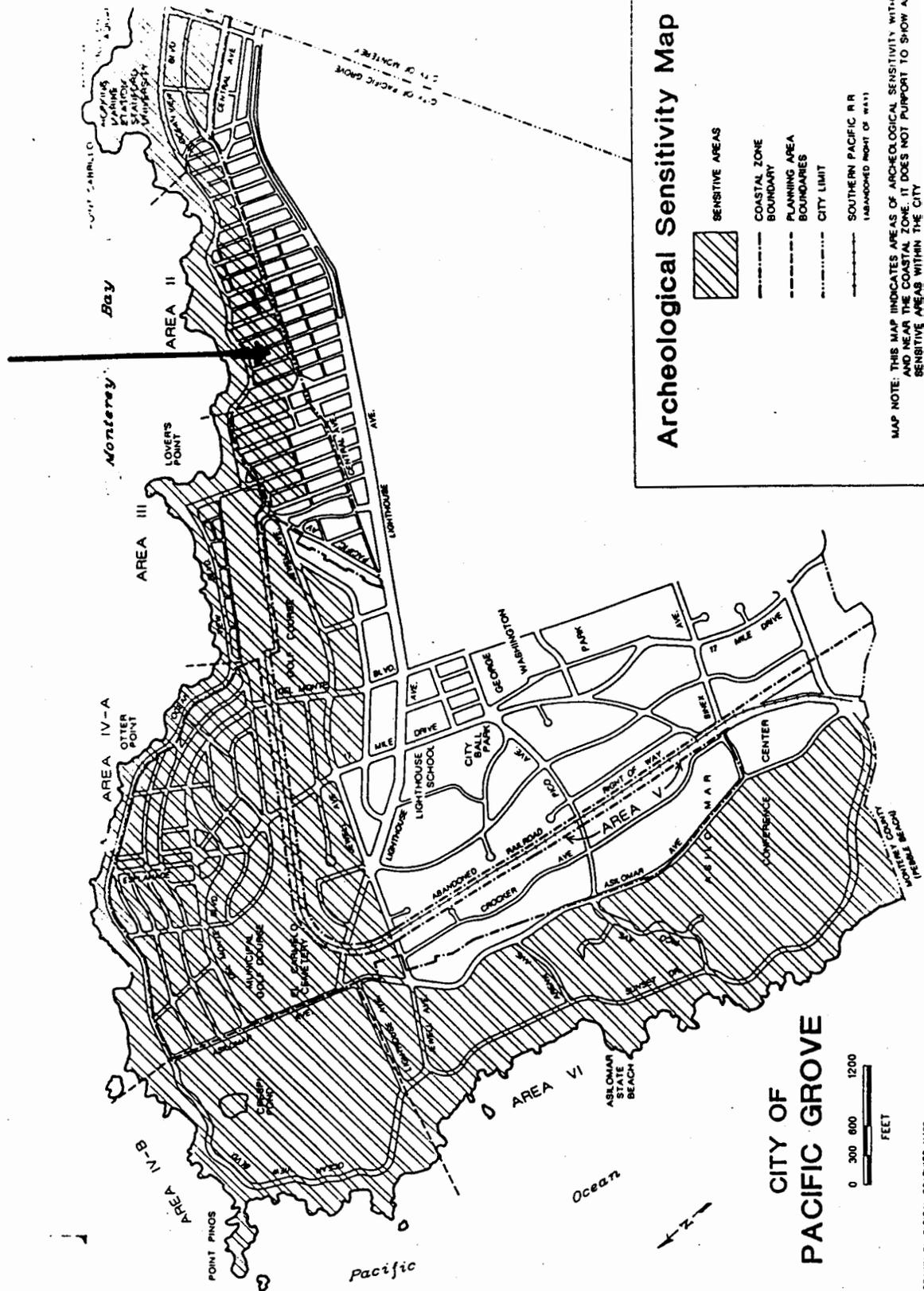




Photo 1. View of existing dwelling at 116 13th Street and streetscape looking south.



Photo 2. Streetscape north of existing dwelling (with brick chimney along street front) and ocean view (Greenwood Park on right).

3-00-133  
(Becom)  
Exhibit G  
Photographs of Existing  
Dwelling and Streetscape along 13th Street

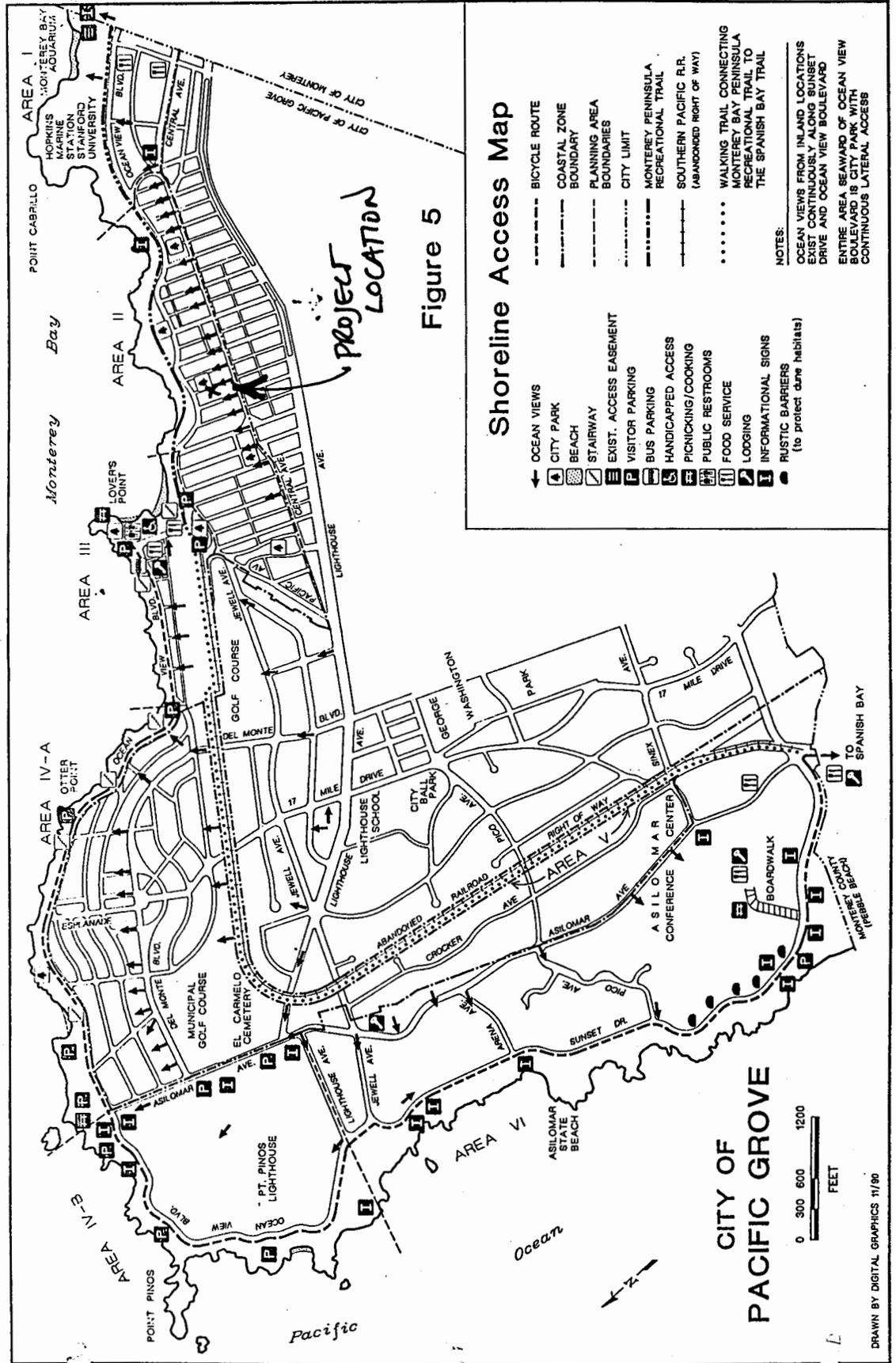


EXHIBIT **H**

3-00-133  
(Becom)

# MITIGATION MONITORING PROGRAM

for:

REMOVAL OF AN EXISTING SINGLE-FAMILY RESIDENCE AND  
CONSTRUCTION OF A NEW SINGLE-FAMILY RESIDENCE  
AT 116 13<sup>TH</sup> STREET, PACIFIC GROVE, CALIFORNIA

applicants:

JEFF BECOM AND SALLY ABERG BECOM

Lead Agency:



CITY OF PACIFIC GROVE  
COMMUNITY DEVELOPMENT DEPARTMENT

3-00-133  
(Becom)  
EXHIBIT I  
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## INTRODUCTION

### BACKGROUND

Since January 1, 1989, public agencies have been required to prepare a mitigation monitoring or reporting program to assure compliance with mitigation measures adopted pursuant to the California Environmental Quality Act (CEQA). A mitigation monitoring program must be designed to ensure a project's compliance with adopted mitigation measures during project implementation. It also provides feedback to agency staff and decision makers about the effectiveness of their actions, offers learning opportunities for improving mitigation measures on future projects, and identifies when enforcement actions are necessary.

### PURPOSE

The purpose of the mitigation monitoring program for removal of an existing single-family residence and construction of a new single-family residence at 116 13<sup>th</sup> Street, Pacific Grove, California, is to ensure that all mitigation measures adopted as part of project approval are implemented and completed during and after construction. This program will be used by the City of Pacific Grove to verify that all required mitigation measures are incorporated into the project and will serve as a convenient tool for logging the progress of mitigation measure completion and for determining when required mitigation measures have been fulfilled.

### MANAGEMENT

The City of Pacific Grove Community Development Department is the lead agency for the project and will be responsible for overseeing the administration and implementation of the mitigation monitoring program.

The staff planner for the project will be responsible for managing the mitigation monitoring program. Duties of the staff planner responsible for managing the program shall include, but not be limited to, the following:

- ◆ Conduct inspections, zoning plan checks, and reporting activities as required.
- ◆ Serve as a liaison between the City and applicants regarding mitigation monitoring issues.
- ◆ Coordinate activities of consultants and contractors hired by the applicants to implement and monitor mitigation measures.
- ◆ Address and provide follow-up to citizen's complaints.
- ◆ Complete and maintain documents and reports required for the mitigation monitoring program.
- ◆ Coordinate and assure enforcement measures necessary to correct actions in conflict with the mitigation monitoring program, if necessary.

## BASELINE DATA

Any baseline data for the mitigation-monitoring program are contained in the Mitigated Negative Declaration adopted by the Pacific Grove Planning Commission on insert date, 2000.

## DISPUTE RESOLUTION

As with any regulatory document, disputes may arise regarding the interpretation of specific language or program requirements; therefore, a procedure for conflict resolution needs to be included as part of this mitigation monitoring program. In the event of a disagreement about appropriate mitigation measure implementation, the project planner will notify the Community Development Director via a brief memo and hold a meeting with the project applicants and any other parties deemed appropriate. After assessing the information, the project planner will determine the appropriate measure for mitigation implementation and will notify the Community Development Director via memo of the decision. The project applicants or any interested party may appeal the decision of the project planner to the Planning Commission within five (5) calendar days of the decision. The Planning Commission's decision may be appealed to the City Council.

## ENFORCEMENT

All mitigation measures must be complied with in order to fulfill the conditions of approval. Some of the conditions of approval are required before the commencement of construction; therefore, they will be verified before the issuance of a building permit. Other conditions will be implemented during construction and after construction is completed. For those conditions implemented during construction, if work is performed in violation of conditions of approval, a stop work order will be issued. A performance bond or deposit of funds, at the discretion of the City of Pacific Grove in an amount necessary to complete the condition of approval, with the City of Pacific Grove is required for ongoing conditions of approval, such as the landscape restoration plan. Failure to implement these conditions of approval will result in the forfeiture of the funds for use in implementing these conditions.

## PROGRAM

This mitigation monitoring program includes a table of mitigations measures adopted for the project. This table identifies the mitigation measure and parties responsible for its monitoring and implementation. It also identifies at which project stage the mitigation measure is required and verification of the date on which the mitigations measure is completed.

## FUNDING

For the proposed project at 116 13<sup>th</sup> Street, Pacific Grove, California, the project applicants shall be responsible for the costs of implementing and monitoring the mitigation measures.

Mitigation Measures for the Mitigated Negative Declaration for 116 13<sup>th</sup> Street, Pacific Grove, California:

MITIGATION	IMPLEMENTED BY:	WHEN IMPLEMENTED:	MONITORED BY:	VERIFICATION DATE:
<p>1) An archaeological monitor shall be present during project-related earth-disturbing activities on the subject site including demolition or relocation of the existing residence and paved surfaces, and excavation for the foundation of the proposed new residence.</p>	<p>Applicant or Applicant's Representative</p>	<p>On-going during project-related activities involving soil disturbance.</p>	<p>Project archaeological monitor and Community Development Department</p>	
<p>2) If human remains or intact archaeological artifacts/cultural features or soils are encountered at any time during project implementation, the archaeological monitor is authorized to halt excavation related work immediately on the site and in the adjacent public right-of-way until appropriate mitigation measures are formulated and implemented to the satisfaction of the Community Development Department. The Community Development Department Director shall be notified of any such find(s) immediately.</p>	<p>Applicant or Applicant's Representative</p>	<p>On-going during project-related activities involving soil disturbance.</p>	<p>Project archaeological monitor and Community Development Department</p>	
<p>3) If significant cultural resources are discovered on the site in conjunction with project-related activities, a data recovery project shall be required. If a data recovery program is necessary it shall include the following:</p> <ul style="list-style-type: none"> <li>• Soils excavated for the proposed driveway and basement, foundation and footings, shall be excavated under direction of the project archaeologist.</li> <li>• Any bone fragments and/or lithic artifacts recovered shall be evaluated by the archaeological monitor.</li> <li>• At least two radiocarbon dates shall be run on suitable material recovered; and other analysis as may be required, i.e., bead analysis for beads recovered on the site.</li> </ul>	<p>Applicant or Applicant's Representative</p>	<p>On-going during project-related activities involving soil disturbance.</p>	<p>Project archaeological and Community Development Department</p>	

<ul style="list-style-type: none"> <li>Subject to compliance with the prescribed mitigations, construction shall be allowed to proceed following completion of the field work required for data recovery. An archaeological monitor shall be present during any earth disturbance.</li> </ul>			
<p>4) A FINAL TECHNICAL REPORT DETAILING THE RESULTS OF ALL ANALYSIS SHALL BE COMPLETED WITHIN ONE YEAR OF COMPLETION OF FIELD WORK. THIS REPORT SHALL BE FILED WITH THE COMMUNITY DEVELOPMENT DEPARTMENT AND THE REGIONAL INFORMATION CENTER AT SONOMA STATE UNIVERSITY.</p>	<p>Applicant or Applicant's Representative</p>	<p>Project archaeologist and Community Development Department</p>	<p>Within one year of completion of field work.</p>
<p>5) To reduce project-related noise impacts, days and hours of removal and construction are limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday.</p>	<p>Applicant or Applicant's Representative</p>	<p>Community Development Department</p>	<p>On-going during project-related activities.</p>