

# MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> August 28, 2013 <b>Time:</b> 9:00 a.m.		<b>Agenda Item No.:</b> 2
<b>Project Description:</b> Consider a four-year extension request to a previous four-year extension (PLN090069) of a Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story accessory dwelling unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval.		
<b>Project Location:</b> 13 Cantera Run, Carmel Valley		<b>APN:</b> 239-011-023-000
<b>Planning File Number:</b> PLN130416		<b>Owner:</b> The Schomac Group Inc. <b>Agent:</b> Maureen Wruck Planning Consultants, LLC
<b>Planning Area:</b> Greater Monterey Peninsula Area Plan		<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> : RC/40-D-S [Resource Conservation, 40 acres per unit with a Design Control and Site Review Overlay]		
<b>CEQA Action:</b> Categorically Exempt per Section 15303		
<b>Department:</b> RMA - Planning Department		

## RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit A**) to:

- 1) Find the project categorically except per Section 15303 of the CEQA Guidelines; and
- 2) Approve PLN130416, based on the findings and evidence and subject to the conditions of approval (**Exhibit A**)

## PROJECT OVERVIEW:

The subject project was originally approved by the Monterey County Planning Commission on March 28, 2007 (Resolution No. 07012), and granted a four-year extension on June 24, 2009 (Resolution No. 09032). The CDP consists of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story caretaker's unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval. The four-year extension expired on June 24, 2013. According to the extension request, due to the downturn in the housing market, the owner feels it is financially infeasible to develop the proposed project at this time. The owner may have an interested buyer that intends to develop the project immediately. The owner is requesting a four-year permit extension.

The extension request was submitted by the owner's representative, Maureen Wruck Planning Consultants LLC, on May 24, 2013. The extension was reviewed and approved by the Monterey

County Regional Fire Protection District, Water Resources Agency, Environmental Health Bureau and RMA – Public Works. The Water Resources Agency and Environmental Health Bureau have added/modified conditions applied to the original application, PLN060548/PLN090069. Changes to water and environmental health conditions reflect standard conditions currently applied to similar projects in the area and do not change the circumstances of the originally approved project.

The previous project included an Administrative Permit for a 1,195 square foot caretaker unit. In compliance with State Law (AB1866 – Second Unit Law), Section 21.64.030 of the Zoning Ordinance was adopted to provide regulations for accessory dwelling units that replaced previously existing regulations for a caretaker units and senior units. Under the revised regulations, an accessory dwelling is allowed, with an Administrative Permit, as an appropriate means of providing affordable housing for caretakers, convalescent help, domestic employees, and other similar uses. Staff has modified the project description accordingly and removed the condition requiring a deed restriction for a caretaker unit (Condition No. 19) consistent with AB1866 and the accessory dwelling regulation in the Zoning Ordinance.

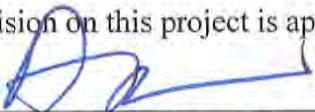
The project is consistent with the Monterey County 2010 General Plan, Monterey County Zoning Ordinance (Title 21) and the Greater Monterey Peninsula Area Plan. Therefore, staff recommends that the Planning Commission approve a four-year permit extension to June 24, 2017 since the project presents no change in circumstance.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey County Regional Fire Protection District


Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by each agency have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit A**).

Note: The decision on this project is appealable to the Board of Supervisors.

  
Dan Lister – Assistant Planner  
(831) 759-6617, [listerdm@co.monterey.ca.us](mailto:listerdm@co.monterey.ca.us)  
July 16, 2013

cc: Front Counter Copy; Planning Commission; Pebble Beach Community Services District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; Wanda Hickman, Planning Services Manager; Bob Schubert, Senior Planner; Dan Lister, Project Planner; The Schomac Group Inc, Owner; Joel Panzer of Maureen Wrunk Planning Consultants LLC, Agent; The Open Monterey Project; LandWatch; Planning File PLN130370.

Attachments:	Exhibit A	Draft Resolution, including:
		• Conditions of Approval
	Exhibit B	Permit Extension Request letter, received May 24, 2013
	Exhibit C	Previous Extension Approval: Resolution No. 09032 (PLN090069)
	Exhibit D	Original PC Approval: Resolution No. 07012 (PLN060548)

This report was reviewed by Bob Schubert, Senior Planner, AICP 

**EXHIBIT A**  
**DRAFT RESOLUTION**

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

In the matter of the application of:

**The Schomac Group Inc. (PLN130416)**

**RESOLUTION NO. \_\_\_\_\_**

Resolution by the Monterey County Planning  
Commission:

- 1) Finding the project categorically exempt per Section 15303 of the CEQA Guidelines; and
- 2) Approving a four-year extension request to a previous four-year extension (PLN090069) of a Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story accessory dwelling unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval.

[PLN130416, The Schomac Group Inc., 13 Cantera Run, Carmel Valley, Greater Monterey Peninsula Area Plan – Santa Lucia Preserve (APN: 239-011-023-000)]

**The Schomac Group Inc. application (PLN130416) came on for public hearing before the Monterey County Planning Commission on August 28, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

## FINDINGS AND EVIDENCE

1. **FINDING:** The County has received and processed a permit extension to PLN090069.  
**EVIDENCE:** (a) A request for a four-year permit extension was submitted on May 24, 2013. The current permit expired on June 24, 2013. Pursuant to Section 21.76.110, Title 21 of the Monterey County Zoning Ordinance, a permit extension request must be made 30 day prior to the expiration of the Combined Development Permit. The request was received 30 days prior to the expiration date of June 24, 2013.  
(b) The property is located at 13 Cantera Run, Carmel Valley, Greater Monterey Peninsula Area Plan – Santa Lucia Preserve (APN: 239-011-023-000). The property is zoned RC/40-D-S [Resource Conservation, 40 acres per unit with a Design Control and Site Review Overlay].  
(c) On June 24, 2009, the Planning Commission approved a four-year extension request to a previous four-year extension (PLN090069) of a Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story caretaker's unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval. (PLN090069; Resolution No. 09023). The permit was approved with an expiration date of June 24, 2013.  
(d) Conditions or mitigation measures applied to the original project (PLN090069/PLN060548) have not been cleared since the original approval by the Planning Commission on March 28, 2007. A Grading Permit was applied for in 2007 associated with PLN060548 (GP070025), but the permit was never issued. No other permits have been applied or issued in association with the project.  
(e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060548, PLN090069 and PLN130416.
2. **FINDING:** The Permit Extension includes no change to the originally approved permit (PLN060548/PLN090069). As approved, permit number PLN130416 will become and be referred to as the approved permit.

- EVIDENCE:** (a) The requested extension, pursuant to the specific regulations in Title 21.76.110 of the Monterey County Zoning Ordinance, does not propose a change in circumstances.
- (b) An extension request was received on May 24, 2013 from project representative, Maureen Wruck Planning Consultants LLC. Due to the downturn in the housing market, it is financially infeasible to develop the proposed project at this time. The owner is currently trying to sell the property to an interested buyer that intends to develop the project. Therefore, the owner requests an extension.
- (c) The extension request has been reviewed by the Monterey County Regional Fire Protection District, Water Resources Agency, Environmental Health Bureau and Public Works Department. The Water Resources Agency and Environmental Health Bureau have added and modified previous conditions applied to the original application, PLN090069. Changes to water and environmental health conditions reflect standard conditions currently applied to similar projects in the area and do not change the circumstances of the originally approved project.
- (d) The extension request received on May 24, 2013 asks that the project be extended an additional four years. Upon review of the project and property, staff has determined that a four-year extension can be supported.
- (e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060548, PLN090069 and PLN130416.
3. **FINDING:** The Permit Extension is categorically exempt pursuant to Section 15303 of the CEQA Guidelines, as previously approved in Resolution 07012 (PLN060548) and Resolution 09032 (PLN090069).
- EVIDENCE:** (a) The extension request does not propose any changes to the original approval of the project. As previously determined and approved, the project is categorically exempt pursuant to Section 15303 of the CEQA Guidelines. Section 15303 exempts the construction of a new single family dwelling.
- (b) There has been no change in circumstances under which the project was approved that would make the project subject to environmental review.
- (c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060548, PLN090069 and PLN130416.
4. **FINDING:** Consideration of the request for the extension has been carried out pursuant to Monterey County Code Section 21.76.050 (Combined Development Permits) of Monterey County Code Title 21 of Monterey County Code.
- EVIDENCE:** (a) On August 14, 2013 notices were mailed to residents within 300 feet of the project site and posted in at least 3 different public places on and near the subject property.
- (b) No written objects were received regarding the proposed four-year extension.

- (c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060548, PLN090069 and PLN130416.

5. **FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

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

- the 2010 Monterey County General Plan;
- Greater Monterey Peninsula Area Plan;
- Monterey County Zoning Ordinance (Title 21);

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 13 Cantera Run, within the Santa Lucia Preserve portion of Carmel Valley (Assessor's Parcel Number 239-011-023-000), Greater Monterey Peninsula Area Plan. The parcel is zoned RC/40-D-S [Resource Conservation, 40 acres per unit with a Design Control and Site Review Overlay]. The property is located within the Santa Lucia Preserve, a special treatment area (GMP-1.6) which allows residential development within identified building envelopes. Therefore, the project is an allowed land use for this site.

- (c) Accessory Dwelling Unit The previous project included an Administrative Permit for a 1,195 square foot caretaker unit. In compliance with State Law (AB1866 – Second Unit Law), Section 21.64.030 of the Zoning Ordinance was adopted to provide regulations for accessory dwellings that replaced previously existing regulations for a caretaker units. Under the revised regulations, an accessory dwelling is allowed, with an Administrative Permit, as an appropriate means of providing affordable housing for caretakers, convalescent help, domestic employees, and other similar uses. Staff has modified the project description accordingly and removed the condition requiring a deed restriction for a caretaker unit (Condition No. 19) consistent with AB1866 and the accessory dwelling regulation in the Zoning Ordinance.

- (d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060548, PLN090069 and PLN130416.

### **DECISION**

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

1. Find the project categorically exempt per Section 15303 of the CEQA Guidelines; and



2. Approve a four-year extension request to a previous four-year extension (PLN090069) of a Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story accessory dwelling unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval, subject to the attached conditions, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of August, 2013.

\_\_\_\_\_  
Mike Novo, Secretary

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

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

#### NOTES

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

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

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

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.

**Monterey County Planning Department**  
**DRAFT Condition of Approval Implementation Plan/Mitigation**  
**Monitoring Reporting Plan**

PLN130416

**1. PD001 - SPECIFIC USES ONLY**

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** This four year permit extension (PLN130416) to a previous four-year extension (PLN090069) of a Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected Oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review Zoning District "S" District to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approx. 1,169 cubic yards cut, 1,043 cubic yards fill); (4) an Administrative Permit for a 1,195 square foot one-story accessory dwelling unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval. The property is located at 13 Cantera Run, Carmel valley (Assessor's Parcel Number 239-011-023-000), Greater Monterey Peninsula Area 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 the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.



## 2. PD002 - NOTICE PERMIT APPROVAL

**Responsible Department:** Planning Department

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

**Monitoring Measure:** "A Permit Extension (Resolution Number \_\_\_\_ ) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 239-011-023-000 on August 28, 2013. The permit was granted subject to 37 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

**Compliance or Monitoring** Prior to the issuance of grading and building permits or commencement of use, the  
**Action to be Performed:** Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

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

**Responsible Department:** Planning Department

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

-- (Condition No. 3; PLN090069, Res. No. 09023) --

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

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 the Monterey County RMA - Planning Department 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. PD007 - GRADING-WINTER RESTRICTION

**Responsible Department:** Planning Department

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

-- (Condition No. 4; PLN090069, Res. No. 09023) --

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

## 5. PD009 - GEOTECHNICAL CERTIFICATION

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)

-- (Condition No. 5; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the Owner/Applicant/Geotechnical Consultant shall submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.

## 6. PDSP001 - RESTORATION OF NATURAL MATERIALS

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department . Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning Department)

-- (Condition No. 6; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to final inspection, the Owner/Applicant shall submit restoration plans to the RMA - Planning Department for review and approval.

(b) Prior to final inspection, the Owner/Applicant shall submit photos of restored areas to the RMA - Planning Department for review and approval.

## 7. PDSP002 - EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. The plan shall implement erosion control measures set forth in the Preliminary Drainage and Erosion Control Report, as well as erosion control plans prepared pursuant to the County's Erosion Control Ordinance, as well as the Storm Water Pollution Prevention Plan required by the State Water Resources Control Board (see Chapter 9. Runoff, Flooding, and Water Quality of the Santa Lucia Preserve Environmental Impact Report).

All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)

-- (Condition No. 7; PLN090069, Res. No. 09023) --

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

(a) Prior to the issuance of grading and building permits, the Owner/Applicant shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA.

(b) On an on-going basis, the Owner/Applicant shall comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA.

(c) Prior to final inspection, evidence of compliance with the Implementation Schedule shall be submitted by the Owner/Applicant to the RMA - Planning Department and the RMA - Building Services Department

## 8. PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984 and a "Forest Management Plan" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 2006 (Library No. LIB060624). Trees which are located close to the construction site(s) shall be protected from 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 trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a 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 Department)

-- (Condition No. 8; PLN090069, Res. No. 09023) --

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

- (a) Prior to the issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to the RMA - Planning Department for review and approval.
- (b) 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.
- (c) Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

#### 9. PDSP004 - TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation** That all non-landmark oak trees removed as a result of the project at a 3:1 replacement ratio  
**Monitoring Measure:** and replace landmark trees at a 5:1 ratio. That all oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist. The minimum replacement size shall be 5 gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (Santa Lucia Preserve EIRMM36) (RMA - Planning Department)

-- (Condition No. 9; PLN090069, Res. No. 09023) --

**Compliance or** Five (5) years after successful tree planting, the Owner/Applicant shall provide evidence  
**Monitoring** after five years that tree planting has been successful,  
**Action to be Performed:**

#### 10. PDSP005 - TREE SPADE AND REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation** The location of the trees to be spaded and relocated shall  
**Monitoring Measure:** be determined by a qualified professional. Relocation shall be conducted under the on-site direction of a qualified professional. A report shall be prepared by a registered forester or arborist at 1, 3, and 5 years and submitted to the Planning Department for review and approval of the Director of Planning describing the health of the transplants during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures report shall be submitted summarizing the health and condition of the transplanted trees. A success ratio threshold of no less than 90% shall be achieved at 5 years. If 90% success is not achieved at 5 years a qualified professional shall incorporate recommendations in the year 3 or year 5 reports to address additional reforestation and/or success ratio. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (RMA - Planning Department)

-- (Condition No. 10; PLN090069, Res. No. 09023) --

**Compliance or** (a) Five (5) years after successful tree planting, the Owner/Applicant shall provide evidence after  
**Monitoring** five years that tree replanting has achieved 90%.  
**Action to be Performed:** (b) During construction, the Owner/Applicant/Arborist shall submit on-going evidence of the spaded trees through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

## 11. PD035 - UTILITIES - UNDERGROUND

**Responsible Department:** Planning Department

**Condition/Mitigation** All new utility and distribution lines shall be placed underground . (RMA - Planning Department;

**Monitoring Measure:** Public  
Works)

-- (Condition No. 11; PLN090069, Res. No. 09023) --

**Compliance or** On an on-going basis, all new utility and distribution lines shall be placed underground.

**Monitoring**

**Action to be Performed:**

## 12. PDSP005 - LANDSCAPING PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal.

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 Department.

The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed

landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan and shall implement the following:

1. Spread of Invasive Species : Implement the provisions of the Resource Management Plan for the San Carlos Ranch (1994) which specify that non-native species known to be invasive shall not be used in landscaping,

that invasive exotics shall be controlled by revegetation of disturbed areas with native plants, that the use of landscape species known to be invasive shall be prohibited, and that species such as French broom and pampas grass shall be actively eradicated.

2. Landscape Irrigation : Selection of landscape species shall emphasize species not requiring irrigation such

as drought-tolerant native species from local sources, or drought-tolerant non-natives that are known to be

non-invasive . If irrigation systems are installed, they shall be designed to minimize runoff of irrigation water into adjacent areas of native vegetation. To avoid irrigation runoff into sensitive coastal prairie habitat in the building envelopes for Lots 11 and 28, irrigation and planting plans for these lots shall clearly demonstrate system type and limits of irrigation for County review.

3. Fertilizer and Pesticide Application : In the design of landscaping, emphasis shall be placed on the use of

species not requiring herbicides, pesticides, or fertilizers. (RMA - Planning Department)

-- (Condition No. 12; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) At least three (3) weeks prior to final inspection or occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.

(b) 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.



### 13. PD016 - NOTICE OF REPORT

**Responsible Department:** Planning Department

**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 "Final Arborist's Report" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 24, 2007 (Library No . LIB070141) and an addendum letter report regarding potential revisions to tree removal, dated February 26, 2007 (Library No . LIB070142) and are on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." (RMA - Planning Department)

-- (Condition No. 13; PLN090069, Res. No. 09023) --

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

### 14. PDSP006 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD)

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** Design and construction of buildings shall comply with the Uniform Building Code Zone IV criteria, which shall be verified by the Director of RMA - Building Services. (SLP EIR MM 4) (RMA - Planning Department)

-- (Condition No. 14; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of building permits and/or prior to final occupancy of habitable structures, the owner/applicant shall submit required report(s) and/or information to the Director of RMA - Building Services.

### 15. PD043 - GRADING PERMITS REQUIRED

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA - Planning Department and Building Services Department)

-- (Condition No. 15; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to the issuance of grading or building permits, the owner/applicant/engineer shall, if applicable, apply and receive the appropriate grading permit from Monterey County RMA - Building Services Department.

**16. PDSP008 - PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)**

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species requiring one of, or a combination of, riparian, grassland, and woodland/forest habitats:

Measures specified in Mitigation Measure 11.9 for special-status species providing for pre-construction

surveys and construction phase monitoring (general special-status wildlife species measures).

1. Bats. If construction is to begin before August 1, before young have fledged, surveys for special-status bat

species shall be performed. If maternity roosts are located during pre-construction surveys, a qualified

biologist shall establish a 300-foot buffer around each roost for the duration of the breeding season (until such

time as the young are fully fledged) to prevent roost harassment and brood mortality. If colonial roosts are

found, removal of the tree may only occur during the day after an exclusionary device is installed in the

opening to the roost. A qualified bat expert must supervise the placement and examine the success of the

exclusionary device before the removal of any confirmed roosts.

2. Raptors. If construction is to begin before August 1, before young have fledged, pre-construction surveys

for nesting raptors are required. If raptor nests are located during pre-construction surveys, a qualified

biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such

time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to

support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding

season (August 1 through April 15). (SLP EIR MM 35) (RMA - Planning Department)

-- (Condition No. 16; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to site disturbance and/or the use of heavy equipment to clear the site, the applicant shall submit a report summarizing their findings and proposed mitigation measures to the Director of Planning. If no bats and/or raptors are found, then no further action is required. In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species.

**17. PD019(A) - DEED RESTRICTION - GUESTHOUSE (INLAND)**

**Responsible Department:** Planning Department

**Condition/Mitigation** The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse  
**Monitoring Measure:** as follows:

- Only one 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 six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets.
  - The guesthouse shall not exceed 600 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 15 feet nor be more than one story.
- (RMA - Planning Department)

-- (Condition No. 17; PLN090069, Res. No. 09023) --

**Compliance or**  
**Monitoring**  
**Action to be Performed:** (a) Prior to the issuance of grading or building permits, the Owner/Applicant shall submit signed and notarized Deed Restriction to the Director of RMA - Planning Department for review and signature by the County.

(b) Prior to the issuance of grading or building permits, proof of recordation of the Deed Restriction shall be submitted to the RMA - Planning Department.

## 18. PD004 - INDEMNIFICATION AGREEMENT

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning Department)

-- (Condition No. 18; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

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

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. 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 for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA - Planning Department)

-- (Condition No. 20; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to the issuance of building permits, the owner/applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

(b) On an on-going basis, the lighting shall be installed and maintained by the owner/applicant in accordance with the approved plan.

## 20. PD032(A) - PERMIT EXPIRATION

**Responsible Department:** Planning Department

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of 4 years, to expire on June 24, 2017 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.

## 21. FIRE007 - DRIVEWAYS

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Carmel Valley Fire Protection District)

-- (Condition No. 22; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.

(b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 22. FIRE008 - GATES

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide . Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire Protection District)

-- (Condition No. 23; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans .  
(b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 23. FIRE011 - ADDRESSES FOR BUILDINGS

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All buildings shall be issued an address in accordance with Monterey County Ordinance No . 1241 . Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road . In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Protection District)

-- (Condition No. 24; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans .  
(b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 24. FIRESPO01 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD)

**Responsible Department:** Fire

**Condition/Mitigation**

**Monitoring Measure:**

A fire hydrant or fire valve is required . The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway . The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve . Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority . Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988 . Fire department connections (FDC's) and dry standpipes with fire valves and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets are to be determined by the Carmel Valley Fire Protection District. A minimum of four (4) sets of plans including flow calculations, soil report, thrust block dimensions, etc. as per NFPA 14, 24 and others applicable codes and standards must be submitted to and approved by the Carmel Valley Fire Protection District prior to installation. An underground inspection is required before the pipes can be covered. The dry standpipe system including the hose lines, nozzles, and cabinets must be serviced and maintains as per NFPA standards and manufacturers recommendations. Driveway turnouts for fire apparatus is required at the locations of the FDC's. (Carmel Valley Fire Protection District)

-- (Condition No. 25; PLN090069, Res. No. 09023) --

**Compliance or  
Monitoring**

**Action to be Performed:**

- (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans .
- (b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.



## 25. FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Remove combustible vegetation from within a minimum of 100 feet of structures . Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection . (Carmel Valley Fire Protection District)

-- (Condition No. 26; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.  
  
(b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 26. FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).  
Installation shall be in accordance with the applicable NFPA standard . A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Carmel Valley Fire Protection District)

-- (Condition No. 27; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.  
  
(b) Prior to framing inspection, the applicant or owner shall schedule fire dept. rough sprinkler inspection.  
  
(c) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 27. FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device . A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)

-- (Condition No. 28; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.  
(b) Prior to framing inspection, the applicant or owner shall schedule fire dept. rough sprinkler inspection.  
(c) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

## 28. FIRE025 - SMOKE ALARMS - (SINGLE FAMILY DWELLINGS)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of singlestation smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (Carmel Valley Fire Protection District)

-- (Condition No. 29; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.  
(b) Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

### 30. FIRESPO02 - FIRE ALARM SYSTEM (NON-STANDARD)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device . A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)

-- (Condition No. 31; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of building permit, the applicant or owner shall enumerate as "Fire Dept. Notes" on plans.

(b) Prior to rough sprinkler or framing inspection, the applicant or owner shall submit fire alarm plans and obtain approval.

(c) Prior to final building inspection, applicant or owner shall schedule fire alarm system acceptance test .

### 31. FIRESPO03 - SWIMMING POOL CONNECTION (NON-STANDARD)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** The swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "swimming pool connection requirements". (Carmel Valley Fire Protection District)

-- (Condition No. 32; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permit, applicant or owner shall enumerate as "Fire Dept. Notes" on plans.

### 32. PW0006 - CARMEL VALLEY

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** The Applicant shall pay the Greater Monterey Peninsula Area Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO . 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (Public Works)

-- (Condition No. 33; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to Building Permits issuance, the owner/applicant shall pay to PBI the required traffic mitigation fee.

### 33. PW0040 - HIGHWAY 1 SHORT TERM IMPROVEMENTS

**Responsible Department:** Public Works Department

**Condition/Mitigation Monitoring Measure:** The applicant shall contribute \$756.00 (2006 dollars) to the County of Monterey as payment of the project's pro rata share at the cost of short-term operational improvements to State Highway One. (Public Works)

-- (Condition No. 34; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to Issuance of Building Permits, the owner/applicant shall pay to PBI required Traffic Mitigation Fee.

### 34. WR40 - WATER CONSERVATION MEASURES

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:

- a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
- b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)

-- (Condition No. 35; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to final building inspection/occupancy, compliance to be verified by building inspector at final inspection.

### 35. WR002 - STORMWATER CONTROL

**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. Impervious surface stormwater runoff shall be dispersed at multiple points, on the least steep available slopes, away from and below any septic leach fields. Erosion control shall be provided at each outlet. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

-- (modified by WRA: formerly Condition no. 36, PLN090069; Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to issuance of any construction permit, the owner/applicant shall submit a 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.

### 36. WRSP02 - COMPLETION CERTIFICATION

**Responsible Department:** Water Resources Agency

**Condition/Mitigation Monitoring Measure:** The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater dispersion facilities have been constructed in accordance with approved plans. (Water Resources Agency)

-- (Condition No. 37; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.

### 37. EHSP01 - ONSITE WASTEWATER TREATMENT SYSTEM DESIGN (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The Environmental Health Bureau (EHB) has determined that adequate area exists for onsite wastewater disposal for the proposed development. Submit onsite wastewater treatment system (OWTS) plans for review and approval indicating the location, design layout, size specifications, trees in the vicinity and slope setbacks that meets standards found in Monterey County Code Chapter 15.20, Sewage Disposal Ordinance, and the Central Coast Basin Plan, Regional Water Quality Control Board.

-- (New standard condition applied by EHB) --

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permit, submit an OWTS application and design plans for review and approval by the EHB. A site visit will be required to verify the design meets specifications. Concurrently with the construction permit, the applicant shall obtain a permit to install the OWTS from EHB.

### 39. FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)

**Responsible Department:** Fire

**Condition/Mitigation Monitoring Measure:** All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire Protection District)

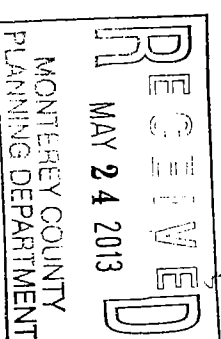
-- (Condition No. 30; PLN090069, Res. No. 09023) --

**Compliance or Monitoring Action to be Performed:** (a) Prior to issuance of grading and/or building permit, the applicant or owner shall incorporate specification into design and enumerate as "Fire Dept . Notes" on plans.



To Maria Lopez

FILED  
6-22-13



May 23, 2013

Via Fax 831-757-9516  
and FC Mail

Monterey County Resource Management Agency - Planning Department  
168 West Alisal Street, Second Floor  
Salinas, California 93901

**RE: Request for Combined Development Permit Extension – PLN090069**

To Whom This May Concern:

The purpose of this letter to initiate an extension of the above-referenced Combined Development Permit. This request is being made at least thirty days before the expiration of the Combined Development Permit, as required by Monterey County Code Section 21.76.110; the permit was granted by the Planning Commission on June 24, 2009 (Planning Commission Resolution No. 09032).

The reason that an extension is being made is due to the significant downturn in the California housing market over the past few years which has prevented the Schomac Group from proceeding with the development approved for this lot. Our decision to delay construction has necessitated this request for a formal extension of the approved Combined Development Permit.

We therefore respectfully request an extension of the previously approved Combined Development Permit. It is our understanding from Planning Staff that extensions of four years are being granted and we would request a four (4) year extension of the approved permit. Please let us know what else may be required to process this extension request.

We are assigning Maureen Wruck Planning Consultants to act as our agent/representative in processing this Combined Development Permit extension.

Sincerely,

Ryan M. Schoff  
President

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

In the matter of the application of:

**The Schomac Group, Inc. (PLN090069)**

**RESOLUTION NO. 09032**

**Resolution by the Monterey County Planning**

**Commission to:**

Approve the four year extension to a previously approved Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak Trees, 8 protected Oak Trees in fair to poor condition, and the relocation of 18 protected Oak Trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a site plan review zoning district or "S" district to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approximately 1,169 cubic yards of cut/1,043 cubic yards of fill); (4) an Administrative Permit for a 1,195 square foot one-story caretaker's unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval.  
(PLN090069, The Schomac Group, Inc., 13 Cantera Run, Carmel, Greater Monterey Peninsula Area Plan (Assessor's Parcel Number 239-011-023-000))

The Schomac Group, Inc. application (PLN090069) came on for public hearing before the Monterey County Planning Commission on June 24, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in: the Monterey County General Plan, Greater Monterey Peninsula Area Plan, and Monterey County Zoning Ordinance (Title 21). 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 13 Cantera Run (Assessor's Parcel Number 239-011-023-000, Greater Monterey Peninsula Area Plan. The parcel is zoned "RC/40-D-S" [Resource Conservation, 40 acres per unit with Design Control, and Site Plan Review Overlays], which allows: (1) a Use Permit for the removal of 19 healthy protected Oak Trees, 8 protected Oak Trees in fair to poor condition, and the relocation of 18 protected Oak Trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a site plan review zoning-district or "S" district to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approximately 1,169 cubic yards of cut/1,043 cubic yards of fill); (4) an Administrative Permit for a 1,195 square foot one-story caretaker's unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval. Therefore, the project is an allowed land use for this site.
- c) The project for a single-family dwelling with attached garage and guesthouse are a use allowed in accordance with Sections 21.36.030(A) and (B) and is consistent with the development standards of Section 21.36.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).
- d) Design Control or "D" zoning requires design review of structures to assure the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The project design, materials, and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve.
- e) All findings, evidence and conditions of approval found in the Planning Commission's original resolution of approval of the project (Resolution No. 07012) shall apply to this extension.
- f) The applicant requested a four year extension due to the current economic climate.
- g) Staff has added one condition (condition no. 21) to allow the four year extension with an expiration date of June 24, 2013.
- h) The project planner conducted a site inspection on June 19, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- i) Staff conducted a second site visit to the undeveloped lot on June 4, 2009.
- j) The project was not referred to a Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because no LUAC exists for this area of the county.
- k) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning

Department for the proposed development found in Project File PLN090069 and PLN060548.

2. **FINDING:**

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

**EVIDENCE:** a)

The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, 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.

b)

A "Final Arborist's Report" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 24, 2007 (Library No. LIB070141), and an addendum letter report regarding Potential Revision to tree Removal, dated February 26, 2007 (Library No. LIB070142), which support that there are no physical or environmental constraints that would indicate the site is not suitable for the use proposed.

c)

The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by Grice Engineering and Geology (LIB070144) accounts for these high hazards. Condition No. 14, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.

d)

Staff conducted a site visit on June 19, 2006 prior to the approval of the previously approved permit to verify that the site is suitable for this use.

e)

Staff conducted a second site visit on June 4, 2009 to view staking and the trees proposed for removal.

f)

The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090069 and PLN060548.

3. **FINDING:**

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

**EVIDENCE:** a)

The project was reviewed by RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (**Exhibit B-1**).

- b) Preceding findings and supporting evidence for PLN090069.

**4. FINDING:**

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

**EVIDENCE:**

Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

**5. FINDING:**

**CEQA (Addendum):** - An Addendum to a previously certified EIR was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted EIR.

**EVIDENCE:**

- a) The development is contained in an area analyzed by the Final EIR for the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036, as an area for disturbance (pre-determined building site).

- b) Addendum to the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the SCHOMAC Group LLC Combined Development Permit, Planning File No. PLN060548.

- c) The project, as conditioned is consistent with the conclusions and mitigations contained in the certified Santa Lucia Preserve Final EIR No. 94-005, Resolution No. 96-059, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036.

- d) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Santa Lucia Preserve EIR.

- e) This permit is an extension of the previously approved permit.

- f) See preceding and following findings and supporting evidence.

**6. FINDING:**

- a) **CARETAKER UNIT** - The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

- b) The proposed project, as conditioned, is consistent and complies with the regulations for caretaker's units, as provided at Chapter 21.64 of the Monterey County Zoning Ordinance (Title 21).

- c) The proposed caretaker unit complies with all applicable requirements of the Resource Conservation Zoning District, 40 acres per unit with Design Control, and Site Plan Review ("RC/40-D-S") districts as provided at Chapters 21.36, 21.44 and 21.45 of the Monterey County Zoning Ordinance (Title 21).
- d) Pursuant to Section 21.64.030.D.4, adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

**EVIDENCE:** a)

The project as described in the application and accompanying materials was reviewed by the Planning Department, Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, and the Water Resources Agency. The respective departments 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, or the county in general.

- b) The project for a caretaker unit is a use allowed use subject securing an Administrative Permit in accordance with Section 21.36.040(B) and is consistent with the development standards of Section 21.36.060 and the regulations for caretaker units as provided at Section 21.64.030.
- c) The project complies with the regulations for caretaker units in accordance with Section 21.44.020. Design Approval has been incorporated into the project.
- d) The project complies with the regulations for Design Control Zoning Districts in accordance with Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21).
- e) The project complies with the regulations for Site Plan Review Zoning Districts in accordance with Chapter 21.45 of the Monterey County Zoning Ordinance (Title 21). An Administrative Permit has incorporated pursuant to Section 21.45.040.A and B, which requires an Administrative Permit for all development within a Site Plan Review Zoning District.
- f) The application, plans, and related support materials were reviewed by the Environmental Health Department during Inter-Departmental Review (IDR) October 9, 2006 to December 5, 2006.
- g) See Finding No. 3, Health and Safety.
- h) Staff conducted a site inspection on June 19, 2006 and on June 4, 2009 to verify that the project would not present adverse impacts to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

**7. FINDING:**

**TREE REMOVAL (Minimum Required and Adverse Environmental**

**Impact)** – The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

**EVIDENCE:** a)

The Santa Lucia Preserve Environmental Impact Report (EIR No. 94-005), Resolution No. 96-059 addressed the environmental implications

- and Combined Development Permit, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed by the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. The subject parcel, Lot No. 185 (formerly SJ-2) of the Rancho San Carlos Subdivision was not allotted the removal of protected trees within the building site/homeland area. Tree removal for building sites not approved by the Rancho San Carlos Building Site Tree Removal Summary, as contained within the "Rancho San Carlos Forest Management Plan," requires a Use Permit pursuant to County Code. As such, the applicant requests a Use Permit pursuant to Section 21.64.260.D.3 of the Monterey County Zoning Ordinance (Title 21).
- b) The parcel, specifically the homeland area, is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few Madrones intermixed. The project proposes the removal of 45 Coast Live Oak trees of which 18 are proposed to be spaded and relocated.

Trees removal consists of the following:

Size (dbh)	Fair/Poor	Poor	Spade	Total
6"-12"	-	5	17	22
13"-23"	19	3	1	23
24" +	-	-	-	0
Total	19	8	18	45

The Final Arborist's Report (Library No. LIB070141) dated August 24, 2007 and addendum letter report (Library No. LIB070142), regarding Potential Revision to tree Removal dated February 26, 2007 prepared by Staub Forestry and Environmental Consulting state that the proposed tree removal represents an approximate 4% loss of all the trees existing on the parcel. Therefore, the parcel would maintain an estimated 80% of the tree canopy within the building envelope after tree removal.

- c) Efforts to save large oaks include the incorporation of oak trees in the northern patio areas and the use of a tree well adjacent to the motor court area and a redesigned project. The applicants have redesigned the project since the January 25, 2007 Zoning Administrator Hearing reducing the number of trees proposed for removal from 62 oak trees to 45 oaks trees. Elements of the project redesign also include moving the guesthouse four feet to save tree #16, realignment of the driveway, entrance to the auto court, reconfiguration of the lower pool deck, relocation of the wall at the entry court, and adjusting the guest parking. The Final Arborist's Report (Library No. LIB070141) dated August 24, 2007 and addendum letter report (Library No. LIB070142), regarding potential revision to tree removal dated February 26, 2007 prepared by Staub Forestry and Environmental Consulting supports that no other feasible sites on the property have lower tree density and that re-siting the residence elsewhere could require the removal of significantly larger trees.

- d) Conditions of approval have been incorporated requiring a pre-construction survey for the protection of plant and wildlife species, the implementation of erosion control measures, and best management practices (see condition No.s 7 and 16). As conditioned, staff finds that the proposed tree removal will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement, or wildlife habitat.
- e) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires replacement at a rate of 1:1 for protected tree species removed. However, the Santa Lucia Preserve EIR, Resolution No. 96-059 requires implementation of Mitigation Measure No.s 27 and 36 based on the Santa Lucia Preserve Combined Development Permit requiring the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio. Replacement trees are to be monitored for a period of not less than 5 years after planting and must attain a success ratio threshold of no less than 90%. These have been incorporated into the project as conditions 9 and 10.
- f) The application, plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN060548.
- g) Staff conducted an on-site inspection on June 19, 2006 to verify that the proposed tree removal plan is consistent with the site conditions.

8. **FINDING:**

**DEVELOPMENT ON SLOPES IN EXCESS OF 30% -** The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative which would allow development to occur on slopes less than 30%.

**EVIDENCE:** a)

The subject residential project site is proposed within a 2.76-acre building envelope, or homeland area, on a 19.04-acre parcel within the Santa Lucia Preserve. A slope density map prepared for this application dated October 25, 2006 (Exhibit H of March 28, 2007 Staff Report) illustrates that a majority of slopes exceeding 30% on this parcel are found along the western homeland border and that a majority of the parcel does not consist of slopes in excess of 30%. Portions of the residential development proposed on natural slopes in excess of 30% include the detached guesthouse, a small portion of the residence at the northwest and small portion of the driveway. Staff finds that the residence is sited on the flattest portion of the building envelope. Conditions have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping. See Conditions No.s 5, 6, and 12.

b)

The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by Grice Engineering and Geology (LEB070144) accounts for these high hazards. Condition No. 14, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the

issuance of building permits and prior to final occupancy of habitable structures. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.

c) The Slope Map submitted October 25, 2006 with areas exceeding 30% slopes shaded (Exhibit H of March 28, 2007 Staff Report).

d) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Planning File No. PLN060548.

e) Staff conducted a site inspection on June 19, 2006 to verify that no feasible alternative exists for this project design

9. **FINDING:** **USE PERMIT EXTENSION** - The project includes the first extension to Combined Development Permit – PLN060548 in accordance with the Monterey County Zoning Ordinance (Title 21) specifically 21.74.110.A and 21.74.110.B. The Appropriate Authority may extend a Use Permit upon receipt of a written request from the permittee, provided the request is made at least thirty days prior to the expiration of the Use Permit.

**EVIDENCE:** The applicant submitted a written request on February 13, 2009, at least thirty days prior to the expiration of the Combined Development Permit. Staff supports the extension as the project has not changed in any way. Staff has added one condition (condition no. 21) to allow the four year extension with an expiration date of June 24, 2013.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.
- EVIDENCE:** a) Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

### DECISION

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

Approve the four year extension to a previously approved Combined Development Permit (PLN060548) consisting of: (1) a Use Permit for the removal of 19 healthy protected Oak Trees, 8 protected Oak Trees in fair to poor condition, and the relocation of 18 protected Oak Trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a site plan review zoning district or "S" district to allow the construction of a split level 5,388 square foot single family dwelling with an attached 1,134 square foot four-car garage, a detached 640 square foot one-story guesthouse, a 270 linear foot retaining wall, a 2,597 square foot pool deck, a 284 square foot master suite deck, a 1,250 square foot deck at north elevation, a septic disposal system, and grading (approximately 1,169 cubic yards of cut/1,043 cubic yards of fill); (4) an Administrative Permit for a 1,195 square foot one-story caretaker's unit with detached 440 square foot carport and septic disposal system; and (5) a Design Approval, in general conformance with the attached sketch (**Exhibit B-2**) and subject to the conditions (**Exhibit B-1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 24<sup>th</sup> day of June 2009 by the following vote:

AYES:	Pessagno, Brown, Rochester, Salazar, Vandever, Sanchez, Diehl, Padilla, Ottone
NOES:	None
ABSENT:	Isakson
ABSTAIN:	None

  
MIKE NOVO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE JUL 07 2009.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

**JUL 17 2009**

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

#### NOTES

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

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

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

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.



**RESOLUTION 09032 - EXHIBIT B-1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

Project Name: The Schomac Group Inc.  
 File No: PLN090069 APNs: 239-011-023-000  
 Approved by: Planning Commission Date: June 24, 2009

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
<b>RMA – Planning Department</b>						
1)		<b>PD001 - SPECIFIC USES ONLY</b> This planning permit (PLN090069) allows the extension of a previously approved Combined Development Permit (PLN060548) which allows the following: Combined Development Permit consisting of: (1) a Use Permit for the a use permit for the removal of 19 healthy protected oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow the construction of a split level 5,388 sq. ft. single-family dwelling with an attached 1,134 sq. ft. four-car garage, a detached 640 sq. ft. one-story guesthouse, a 270 linear foot retaining wall, a 2,597 sq. ft. pool deck, a 284 sq. ft. master suite deck, a 1,250 sq. ft. deck at north elevation, a septic disposal system, and grading (approx. 1,169 cu. yds. cut/1,043 cu. yds. fill); (4) an Administrative Permit for a 1,195 sq. ft. one-story caretaker unit with detached 440 sq. ft. carport and septic disposal system; and (5) a Design Approval. The property is located at 13 Cantera Run, Carmel	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		(Assessor's Parcel Number 239-011-023-000), Santa Lucia Preserve, Greater Monterey Peninsula Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 the Resource Management Agency - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. [Resource Management Agency (RMA) - Planning Department]				
2)		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution No. 09032) was approved by the <b>Planning Commission</b> for Assessor's Parcel Number 239-011-023-000 on June 24, 2009. The permit was granted subject to 37 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
3)		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department 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.	Owner/ Applicant/ Archaeo- logist	Ongoing	
4)		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
5)		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
6)		<b>PDSP001 - RESTORATION OF NATURAL MATERIALS</b> Upon completion of the development, the area disturbed	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	

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		shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning Department)	Submit photos of restored areas to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	
7)		<b>PDSP002- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. The plan shall implement erosion control measures set forth in the Preliminary Drainage and Erosion Control Report, as well as erosion control plans prepared pursuant to the County's Erosion Control Ordinance, as well as the Storm Water Pollution Prevention Plan required by the State Water Resources Control Board (see Chapter 9. Runoff, Flooding, and Water Quality of the Santa Lucia Preserve Environmental Impact Report). All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	

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8)		<b>PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)</b> Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984 and a "Forest Management Plan" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 2006 (Library No. LIB060624). Trees which are located close to the construction site(s) shall be protected from 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 trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a 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 Department)	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			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.	Owner/ Applicant/ Arborist	During Construction	
			Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
9)		<b>PDSP004 - TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b> That all non-landmark oak trees removed as a result of the project at a 3:1 replacement ratio and replace landmark trees at a 5:1 ratio. That all oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist. The minimum replacement size shall be 5 gallons.	The applicant shall provide evidence after five years that tree planting has been successful.	Owner/ Applicant	5 years after successful tree planting	

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		Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (Santa Lucia Preserve EIR MM 36) (RMA – Planning Department)				
10)		<b>PDSP005 – TREE SPADE AND REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The location of the trees to be spaded and relocated shall be determined by a qualified professional. Relocation shall be conducted under the on-site direction of a qualified professional. A report shall be prepared by a registered forester or arborist at 1, 3, and 5 years and submitted to the Planning Department for review and approval of the Director of Planning describing the health of the transplants during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures report shall be submitted summarizing the health and condition of the transplanted trees. A success ratio threshold of no less than 90% shall be achieved at 5 years. If 90% success is not achieved at 5 years a qualified professional shall	The applicant shall provide evidence after five years that tree replanting has achieved 90%.	Owner/ Applicant	5 years after successful tree planting	
			Submit on-going evidence of the spaded trees through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construct- ion	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		incorporate recommendations in the year 3 or year 5 reports to address additional reforestation and/or success ratio. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (RMA – Planning Department)				
11)		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. (RMA – Planning Department; Public Works)	None	Applicant/ Owner	Ongoing	
12)		<b>PDSP005 - LANDSCAPE PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. 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 Department. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan and shall implement the following: 1. Spread of Invasive Species: Implement the provisions of the Resource Management Plan for the San Carlos	Submit landscape plans and contractor's estimate to the RMA – Planning Department for review and approval.  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.	Owner/Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect  Owner/ Applicant	At least three (3) weeks prior to final inspection or occupancy  Ongoing	

Permit Cond. Number	Min. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Ranch (1994) which specify that non-native species known to be invasive shall not be used in landscaping, that invasive exotics shall be controlled by revegetation of disturbed areas with native plants, that the use of landscape species known to be invasive shall be prohibited, and that species such as French broom and pampas grass shall be actively eradicated.</p> <p>2. Landscape Irrigation: Selection of landscape species shall emphasize species not requiring irrigation such as drought-tolerant native species from local sources, or drought-tolerant non-natives that are known to be non-invasive. If irrigation systems are installed, they shall be designed to minimize runoff of irrigation water into adjacent areas of native vegetation. To avoid irrigation runoff into sensitive coastal prairie habitat in the building envelopes for Lots 11 and 28, irrigation and planting plans for these lots shall clearly demonstrate system type and limits of irrigation for County review.</p> <p>3. Fertilizer and Pesticide Application: In the design of landscaping, emphasis shall be placed on the use of species not requiring herbicides, pesticides, or fertilizers.</p> <p><b>(RMA – Planning Department)</b></p>				
13)		<p><b>PD016 – NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which states: "A "Final Arborist's Report" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 24, 2007 (Library No. LIB070141) and an addendum letter report regarding potential revisions to tree removal, dated February 26, 2007 (Library No. LIB070142) and are on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." <b>(RMA – Planning Department)</b></p>	Proof of recordation of this notice shall be furnished to RMA – PD.	Owner/ Applicant	Prior to issuance of grading and building permits	



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
14)		<b>PDSP006 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD)</b> Design and construction of buildings shall comply with the Uniform Building Code Zone IV criteria, which shall be verified by the Director of RMA – Building Services. <b>(SLP EIR MM 4) (RMA – Planning Department)</b>	Submit required report(s) and/or information to the Director of RMA – Building Services	Owner/ Applicant	Prior to the issuance of building permits and/or prior to final occupancy of habitable structures	
15)		<b>PD043 – GRADING PERMITS REQUIRED</b> A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. <b>(RMA – Planning Department and Building Services Department)</b>	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	
16)		<b>PDSP008 – PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</b> The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species requiring one of, or a combination of, riparian, grassland, and woodland/forest habitats: Measures specified in Mitigation Measure 11.9 for	A report summarizing their findings and proposed mitigation measures shall be submitted to the Director of Planning. If no bats and/or raptors are found, then no further action is required.	Applicant	Prior to site disturbance and and/or the use of heavy equipment to clear the site	

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		<p>special-status species providing for pre-construction surveys and construction phase monitoring (general special-status wildlife species measures).</p> <p>1. <u>Bats</u>. If construction is to begin before August 1, before young have fledged, surveys for special-status bat species shall be performed. If maternity roosts are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each roost for the duration of the breeding season (until such time as the young are fully fledged) to prevent roost harassment and brood mortality. If colonial roosts are found, removal of the tree may only occur during the day after an exclusionary device is installed in the opening to the roost. A qualified bat expert must supervise the placement and examine the success of the exclusionary device before the removal of any confirmed roosts.</p> <p>2. <u>Raptors</u>. If construction is to begin before August 1, before young have fledged, pre-construction surveys for nesting raptors are required. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season (August 1 through April 15).</p> <p>(SLP EIR MM 35) (RMA – Planning Department)</p>	In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species	Applicant	Prior to site disturbance and and/or the use of heavy equipment to clear the site	
17)		<p><b>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND)</b></p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> <li>Only one guesthouse shall be allowed per lot.</li> </ul>	Submit signed and notarized Deed Restriction to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits	

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		<ul style="list-style-type: none"> <li>Detached guesthouses shall be located in close proximity to the principal residence.</li> <li>Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.</li> <li>The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.</li> <li>The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets.</li> <li>The guesthouse shall not exceed 600 square feet of livable floor area.</li> <li>The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.</li> <li>Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.</li> <li>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.</li> <li>The guesthouse height shall not exceed 15 feet nor be more than one story.</li> </ul> <p>(RMA – Planning Department)</p>	Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.		Prior to the issuance of grading or building permits	
18)		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action</p>	<ol style="list-style-type: none"> <li>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</li> <li>Proof of recordation of the Indemnification Agreement, as</li> </ol>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building	

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		or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)	outlined, shall be submitted to the RMA – Planning Department.		permits, use of the property, filing of the final map, whichever occurs first and as applicable	
19)		<b>PD018 – DEED RESTRICTION – CARETAKER UNIT (INLAND OR COASTAL)</b> The applicant shall record a deed restriction stating “The caretaker unit shall not be separately rented, let or leased to other than the caretaker whether compensation be direct or indirect.” (RMA – Planning Department)	Submit a signed and notarized Deed Restriction to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.	Owner/ Applicant  Owner/ Applicant	Prior to the issuance of grading or building permits  Prior to the issuance of grading or building permits	

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20)		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.  The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant  Owner/ Applicant	Prior to the issuance of building permits.  Ongoing	
21		<b>PD032 - PERMIT TIME/YEAR &amp; DATE</b> The permit shall be granted for a time period of 4 years, to expire on June 24, 2013. <b>(RMA – Planning Department)</b>	None	Owner/ Applicant	As stated in the conditions of approval	
<p style="text-align: center;"><b>Fire Agency</b> <b>Carmel Valley Fire Protection District</b></p>						
22)		<b>FIRE007 - DRIVEWAYS</b> Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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		minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Carmel Valley Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
23)		<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of grading and/or building permit.	

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		traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or Owner	Prior to final building inspection.	
24)		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or Owner	Prior to final building inspection	

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25)		<b>FIRES001 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD)</b> A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. Fire department connections (FDC's) and dry standpipes with fire valves and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets are to be determined by the Carmel Valley Fire Protection District. A minimum of four (4) sets of plans including flow calculations, soil report, thrust block dimensions, etc. as per NFPA 14, 24 and others applicable codes and standards must be submitted to and approved by the	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection	Applicant/ Owner  Applicant/ Owner	Prior to issuance of grading and/or building permit  Prior to final inspection	



<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		Carmel Valley Fire Protection District prior to installation. An underground inspection is required before the pipes can be covered. The dry standpipe system including the hose lines, nozzles, and cabinets must be serviced and maintains as per NFPA standards and manufacturers recommendations. Drive way turnouts for fire apparatus is required at the locations of the FDC's. <b>(Carmel Valley Fire Protection District)</b>				
26)		<b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b> Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or Owner	Prior to final building inspection	
27)		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or Owner	Prior to framing inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Carmel Valley Fire Protection District)	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or Owner	Prior to final building inspection	
28)		<b>FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)</b> The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or Owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or Owner	Prior to final building inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
29)		<b>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</b> Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit.	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or Owner	Prior to final building inspection	
30)		<b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or Owner	Prior to issuance of building permit	
31)		<b>FIRESP002 – FIRE ALARM SYSTEM – (NON-STANDARD)</b> All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	

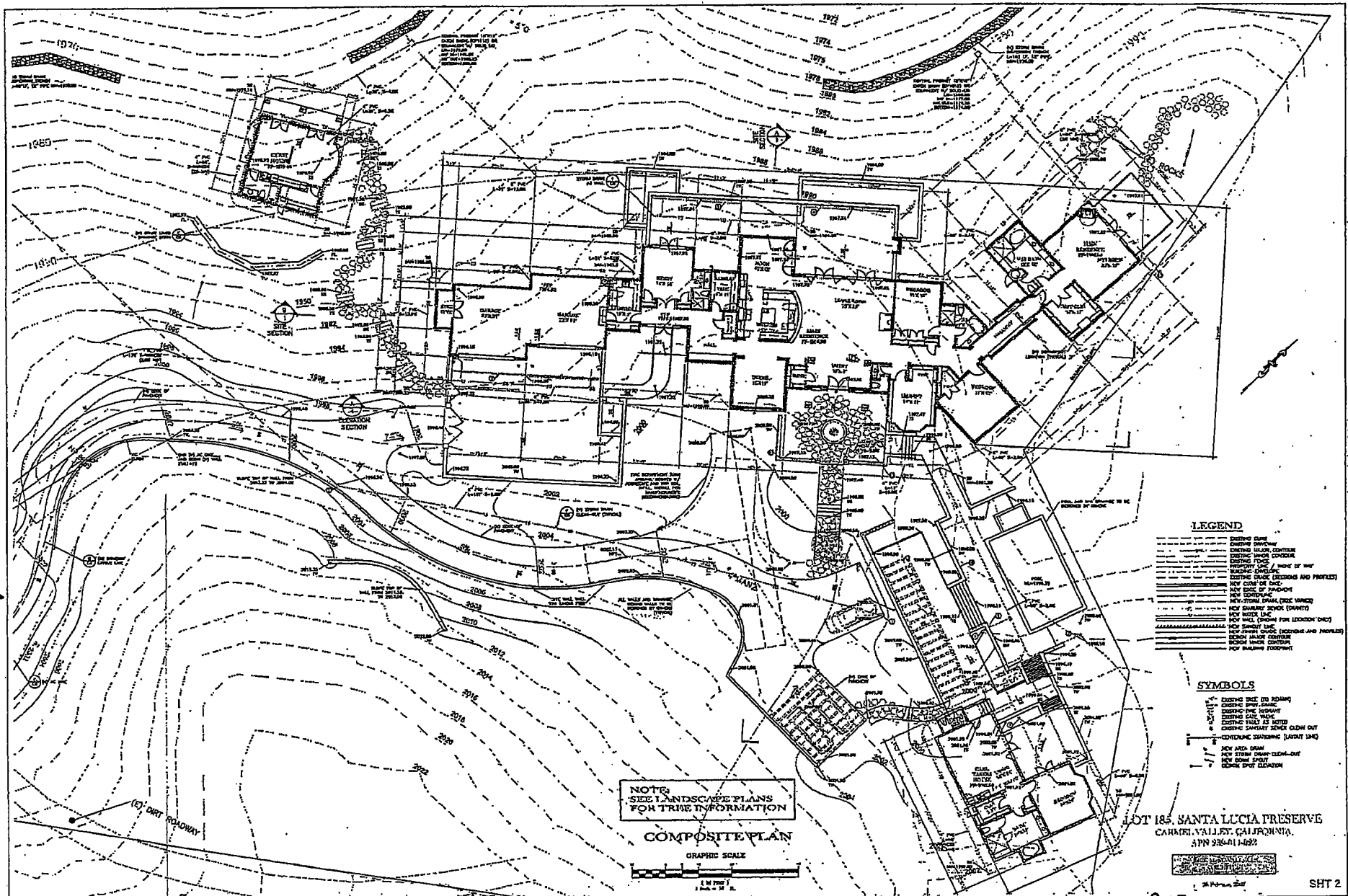
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
32)		<b>FIRES003 – SWIMMING POOL CONNECTION (NON-STANDARD)</b> The swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "swimming pool connection requirements". <b>(Carmel Valley Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
<b>Public Works</b>						
33)		<b>PW0006 – CARMEL VALLEY</b> The Applicant shall pay the Greater Monterey Peninsula Area Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). <b>(Public Works)</b>	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	
34)		<b>PW0040 – HIGHWAY 1 SHORT TERM IMPROVEMENTS</b> Applicant shall Contribute \$756.00 (2006 Dollars) to County of Monterey as payment of the project's pro rata share at the cost of short-term operational improvements to State Highway One. <b>(Public Works)</b>	Applicant shall pay to PBI required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	
<b>Water Resources Agency</b>						
35)		<b>WR40 - WATER CONSERVATION MEASURES</b> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. <b>(Water Resources Agency)</b>				
36)		<b>WRSP01 - DRAINAGE PLAN</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include stormwater dispersion facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
37)		<b>WRSP02 - COMPLETION CERTIFICATION</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater dispersion facilities have been constructed in accordance with approved plans. <b>(Water Resources Agency)</b>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant	Prior to final inspection	

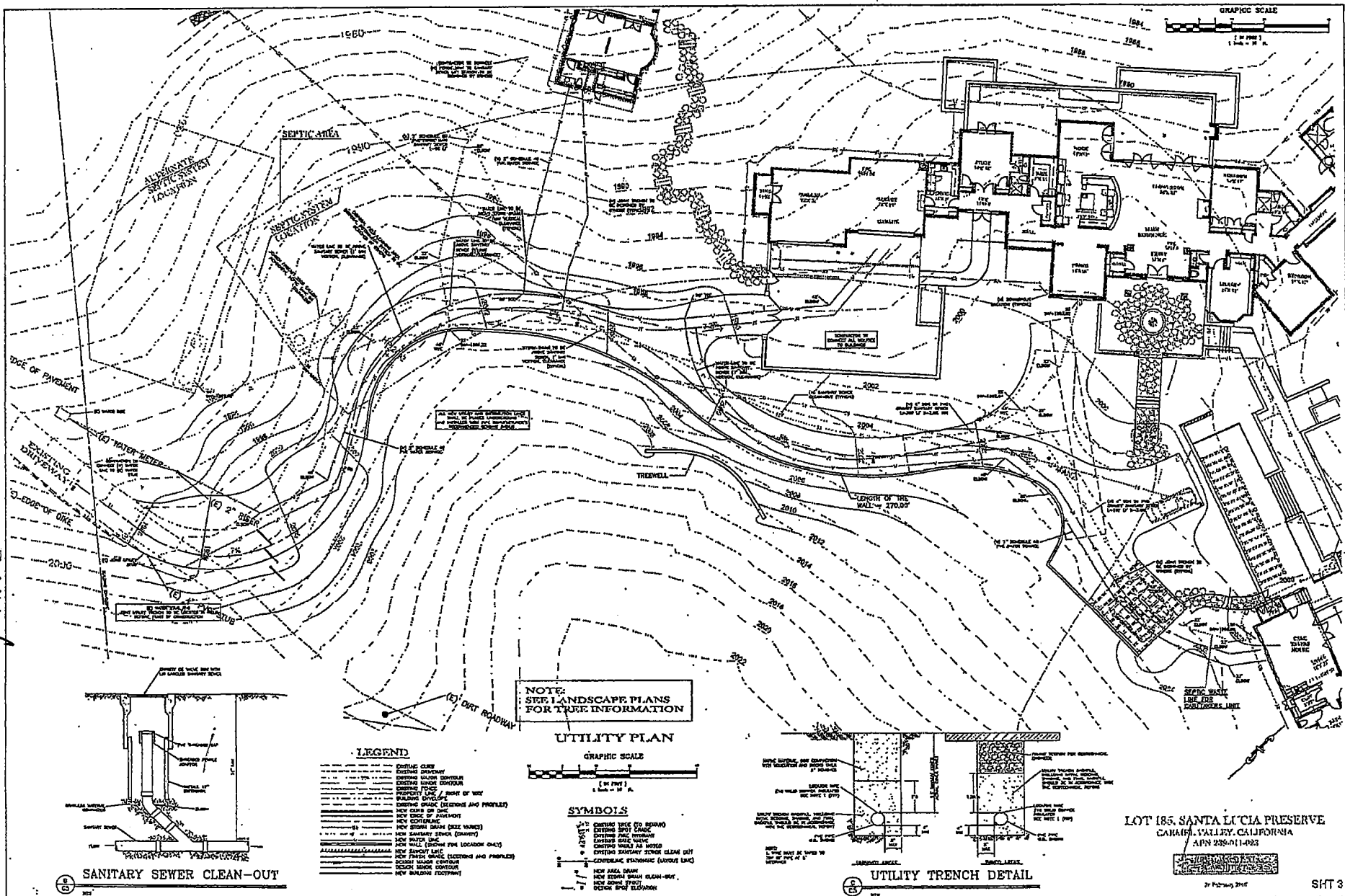
**END OF CONDITIONS**

Rev. 04/15/2009





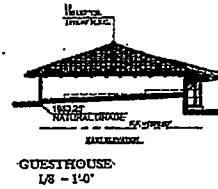
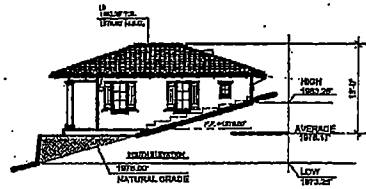
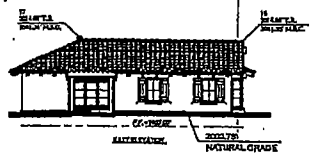
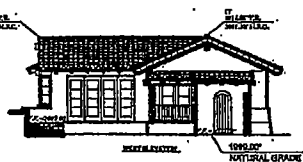
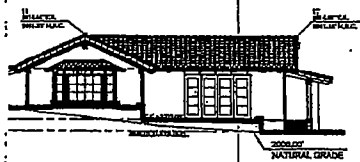
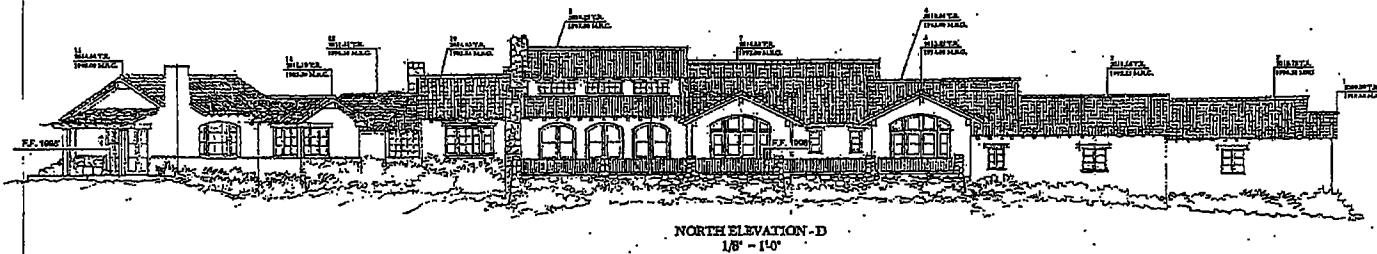
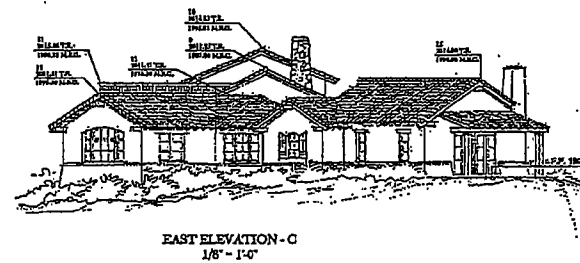
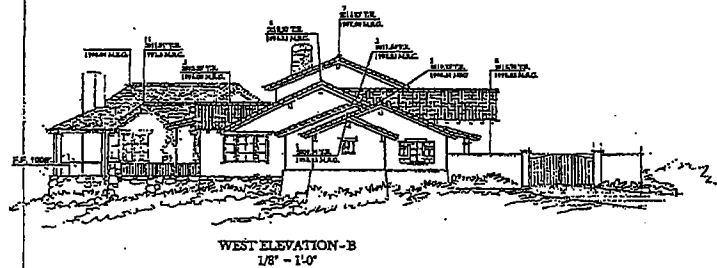
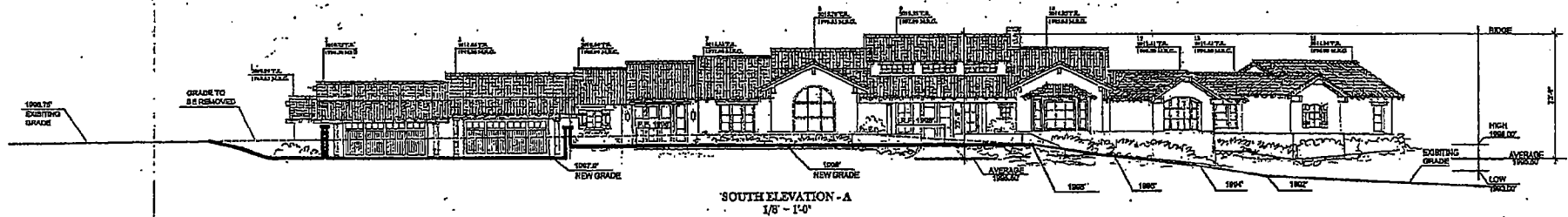
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Revised



Exhibit C



LOT 185, SANTA LUCIA PRESERVE  
CARMEL VALLEY, CALIFORNIA  
APN 233-011-023  
JOSEPH KINCAID, AIA  
ARCHITECT



**MAIN FLOOR PLAN**  
**SCALE: 1/8" = 1'-0"**



**GUEST FLOOR PLAN**  
**SCALE : 1/8" = 1'-0"**



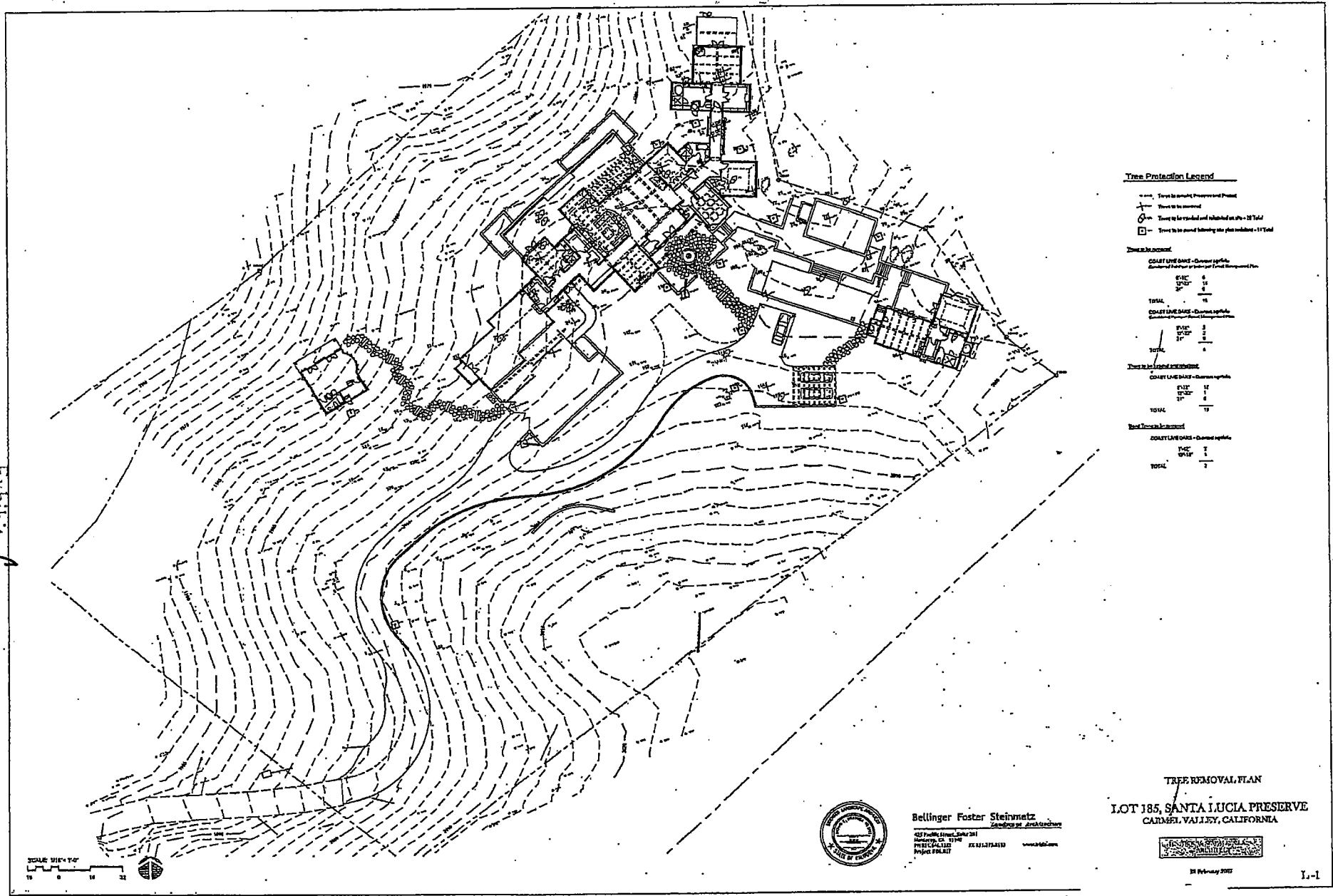
**CARETAKER FLOOR PLAN**  
**SCALE : 1/8" = 1'-0"**

JACK M. SHYAU: A LA  
A HUNG KAT

1 October 2005

Exhibit C

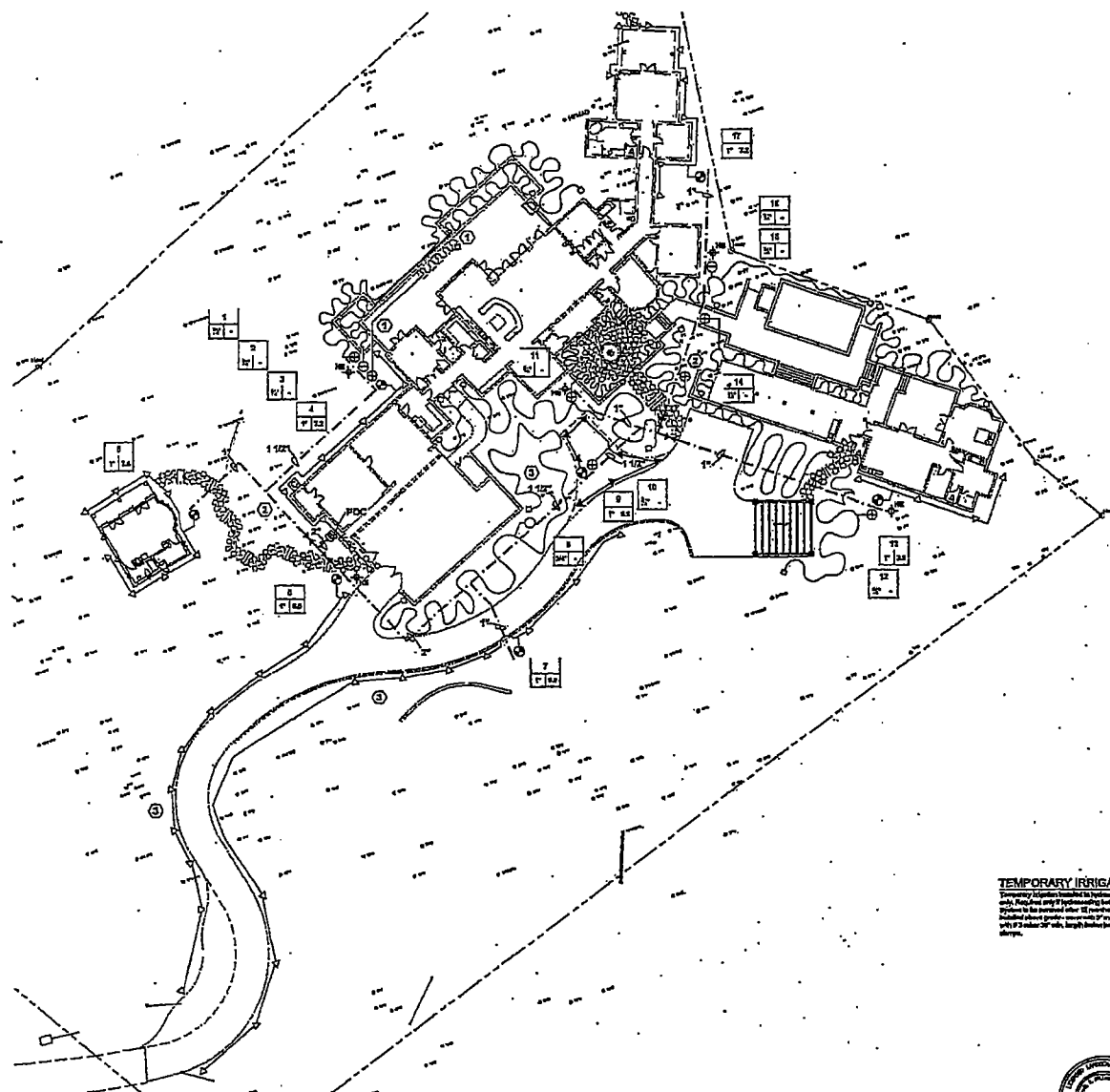
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Bellinger Foster Steinmetz  
Landscaping & Architecture  
452 Pacific Street, Suite 201  
San Francisco, CA 94133  
Phone: 415.398.1111  
Fax: 415.398.1112  
www.bfsa.com



4 September 2006



**IRRIGATION LEGEND**

SYMBOL	MANUFACTURER	DESCRIPTION	PK	QPK	RADIUS
A	Balluff	1212 B&M Heads in pk.	30	0.82 - 1.08	8 - 12"
B	Balluff	1212 B&M Heads in pk.	30	0.8	30"
C	Balluff	1212 B&M Heads in pk.	30	0.8	30"
D	Balluff	1212 B&M Heads in pk.	30	0.8	30"
E	Balluff	1212 B&M Heads in pk.	30	0.8	30"
F	Balluff	1212 B&M Heads in pk.	30	0.8	30"
G	Balluff	1212 B&M Heads in pk.	30	0.8	30"
H	Balluff	1212 B&M Heads in pk.	30	0.8	30"
I	Balluff	1212 B&M Heads in pk.	30	0.8	30"
J	Balluff	1212 B&M Heads in pk.	30	0.8	30"
K	Balluff	1212 B&M Heads in pk.	30	0.8	30"
L	Balluff	1212 B&M Heads in pk.	30	0.8	30"
M	Balluff	1212 B&M Heads in pk.	30	0.8	30"
N	Balluff	1212 B&M Heads in pk.	30	0.8	30"
O	Balluff	1212 B&M Heads in pk.	30	0.8	30"
P	Balluff	1212 B&M Heads in pk.	30	0.8	30"
Q	Balluff	1212 B&M Heads in pk.	30	0.8	30"
R	Balluff	1212 B&M Heads in pk.	30	0.8	30"
S	Balluff	1212 B&M Heads in pk.	30	0.8	30"
T	Balluff	1212 B&M Heads in pk.	30	0.8	30"
U	Balluff	1212 B&M Heads in pk.	30	0.8	30"
V	Balluff	1212 B&M Heads in pk.	30	0.8	30"
W	Balluff	1212 B&M Heads in pk.	30	0.8	30"
X	Balluff	1212 B&M Heads in pk.	30	0.8	30"
Y	Balluff	1212 B&M Heads in pk.	30	0.8	30"
Z	Balluff	1212 B&M Heads in pk.	30	0.8	30"



**GENERAL NOTES**

1. **GENERAL:** Contractor shall submit irrigation system for review prior to start of construction.
2. **VERIFICATION:** System design is based on 80 P.M. and 10 P.M. readings of all existing and proposed irrigation systems. Contractor shall verify and verify the accuracy of all data and submit a report to the Designer.
3. **VALVES:** Contractor shall verify location of all existing valves. Installation of new valves shall be in accordance with the Designer's specifications.
4. **CONTROLLER:** System shall be controlled by a single controller. The controller shall be located in a secure location and shall be protected from weather and vandalism.
5. **PIPING:** All piping shall be installed in accordance with the Designer's specifications. All piping shall be installed in a secure location and shall be protected from weather and vandalism.
6. **HEADS:** Contractor shall install heads in accordance with the Designer's specifications. All heads shall be installed in a secure location and shall be protected from weather and vandalism.
7. **SPRINKLER:** Contractor shall install sprinklers in accordance with the Designer's specifications. All sprinklers shall be installed in a secure location and shall be protected from weather and vandalism.
8. **HEADS:** Contractor shall install heads in accordance with the Designer's specifications. All heads shall be installed in a secure location and shall be protected from weather and vandalism.
9. **FIELD VERIFICATION:** Contractor shall verify the location of all existing and proposed irrigation systems. Contractor shall verify and verify the accuracy of all data and submit a report to the Designer.
10. **CONTROLLER:** System shall be controlled by a single controller. The controller shall be located in a secure location and shall be protected from weather and vandalism.
11. **PIPING:** All piping shall be installed in accordance with the Designer's specifications. All piping shall be installed in a secure location and shall be protected from weather and vandalism.
12. **HEADS:** Contractor shall install heads in accordance with the Designer's specifications. All heads shall be installed in a secure location and shall be protected from weather and vandalism.
13. **SPRINKLER:** Contractor shall install sprinklers in accordance with the Designer's specifications. All sprinklers shall be installed in a secure location and shall be protected from weather and vandalism.

**TEMPORARY IRRIGATION SYSTEM**

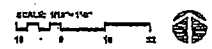
Temporary irrigation system shall be installed for the purpose of maintaining the existing vegetation during the construction of the permanent irrigation system. The temporary system shall be installed in a secure location and shall be protected from weather and vandalism.



**Bellinger Foster Steinhilber**  
 ENGINEERS  
 411 PINE STREET, SUITE 201  
 SAN FRANCISCO, CA 94104  
 TEL: 415.398.1234 FAX: 415.398.1235

**LOT 185, SANTA LUCIA PRESERVE**  
 CARMEL VALLEY, CALIFORNIA

**JACKAL CONSULTANTS**  
 1000 PINE STREET



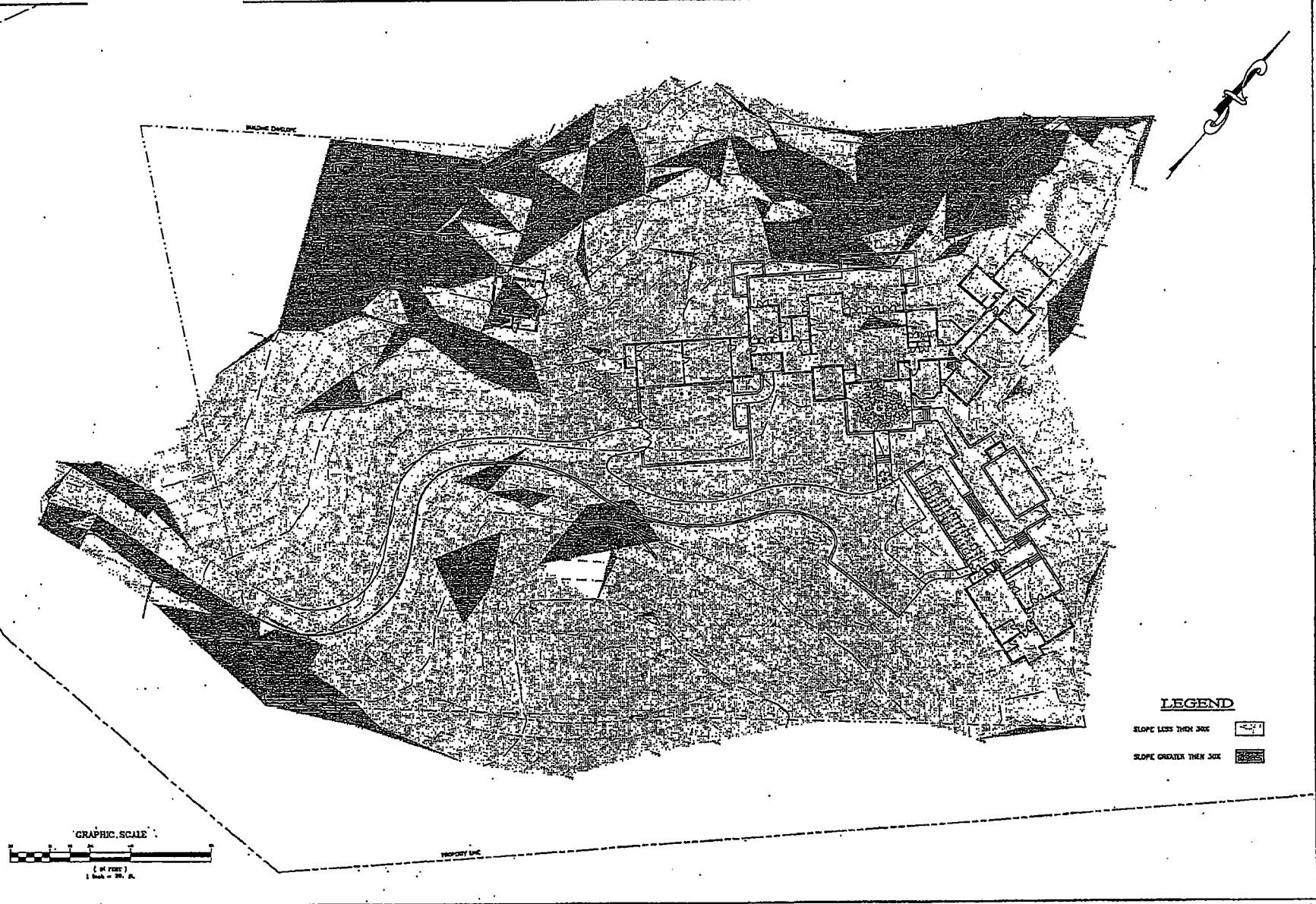


**Beilinger Foster Steinmetz**  
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FAX 404.346.0117

PLANTING PLAN  
LJ  
LOT 185, SANTA LUCIA PRESERVE  
CARMEL VALLEY, CALIFORNIA

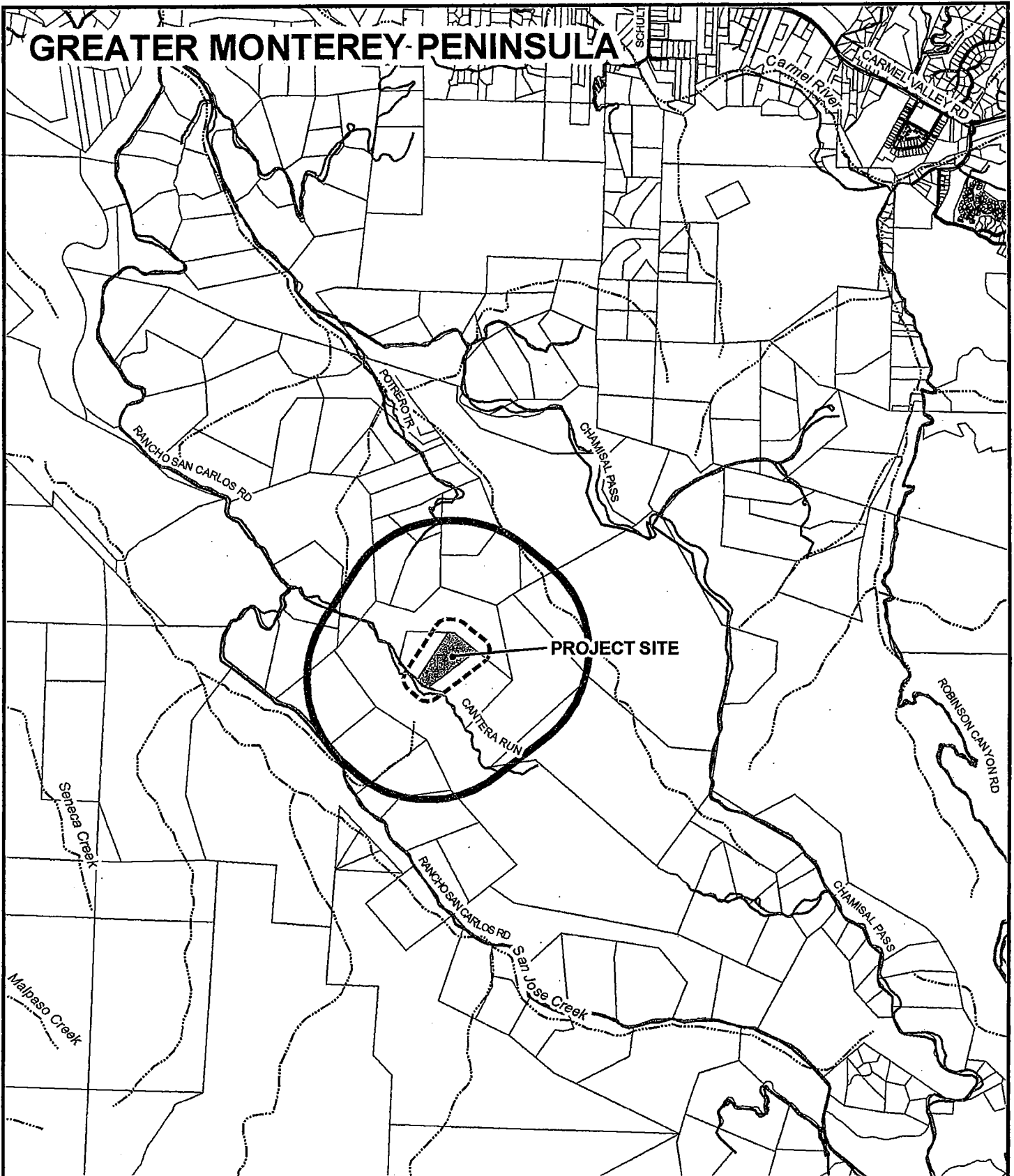
JOS. M. MCWAL, JR.  
ARCHITECT

Exhibit C



<b>WWD CORPORATION</b> ENGINEERING - SURVEYING PLANNING - CONSTRUCTION 2841 MONTGOMERY - PALMDALE HIGHWAY, MONTGOMERY, CALIFORNIA 91764 PHONE (818) 895-1100 FAX (818) 895-1101 WWW.WWD.COM		DRAWN BY: JRE DESIGNED BY: JRE DATE: 10/24/04 SCALE: AS SHOWN LAST REVISED: N/A REVIEWED BY: N/A	SLOPE MAP  LOT 185 SANTA LUCIA PRESERVE CARMEL VALLEY, CALIFORNIA	EXHIBIT 1 OF 1 SHEETS
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# GREATER MONTEREY-PENINSULA

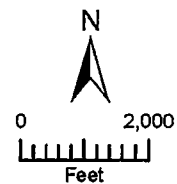


APPLICANT: THE SCHOMAC GROUP INC

APN: 239-011-023-000

FILE # PLN090069

 300' Limit  2500' Limit  City Limits





**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 07012

A. P. # 239-011-023-000

**FINDINGS AND DECISION**

In the matter of the application of  
**The Schomac Group, Inc. (PLN060548)**

**WHEREAS:** The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, consisting of: (1) Use Permit for the removal of 19 healthy protected oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow the construction of a split level 5,388 sq. ft. single-family dwelling with an attached 1,134 sq. ft. four-car garage, a detached 640 sq. ft. one-story guesthouse, a 270 linear foot retaining wall, a 2,597 sq. ft. pool deck, a 284 sq. ft. master suite deck, a 1,250 sq. ft. deck at north elevation, a septic disposal system, and grading (approx. 1,169 cu. yds. cut/1,043 cu. yds. fill); (4) an Administrative Permit for a 1,195 sq. ft. one-story caretaker unit with detached 440 sq. ft. carport and septic disposal system; and (5) a Design Approval. The project is located at 13 Cantera Run, Carmel, Greater Monterey Peninsula Area Plan, and came on regularly for hearing before the Planning Commission on March 28, 2007.

**WHEREAS:** Said Planning Commission, having considered the application and the evidence presented relating thereto,

**FINDINGS AND EVIDENCE**

- 1. FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan, the Monterey County Zoning Ordinance (Title 21), and the Comprehensive Development Plan for the Santa Lucia Preserve, which designates this area as appropriate for residential development.

- EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 13 Cantera Run, Carmel (Assessor's Parcel Number 239-011-023-000), Greater Monterey Peninsula Area Plan. The parcel is zoned "RC/40-D-S" or Resource Conservation, 40 acres per unit with Design Control, and Site Plan Review zoning district overlays. The subject property complies with all rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
- (c) The project for a single-family dwelling with attached garage and guesthouse are a use allowed in accordance with Sections 21.36.030(A) and (B) and is consistent with the development standards of Section 21.36.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).

- (d) Design Control or "D" zoning requires design review of structures to assure the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The project design, materials, and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve. The Design Approval application is attached to the March 28, 2007 Staff Report as Exhibit F.
- (e) The project planner conducted a site inspection on June 19, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (f) The project was not referred to a Land Use Advisory Committee (LUAC) for review, as no LUAC exists for this area of the county.
- (g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN060548.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, 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.
  - (b) A "Final Arborist's Report" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 24, 2006 (Library No. LIB070141), and an addendum letter report regarding Potential Revision to tree Removal, dated February 26, 2007 (Library No. LIB070142), which support that there are no physical or environmental constraints that would indicate the site is not suitable for the use proposed.
  - (c) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by Grice Engineering and Geology (LIB070144) accounts for these high hazards. Condition No. 4, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures. Condition No. 14 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.
  - (d) Staff conducted a site visit on June 19, 2006 to verify that the site is suitable for this use.
  - (e) Materials in Project File PLN060548.

**3. FINDING: TREE REMOVAL (Minimum Required and Adverse Environmental Impacts)** – The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- (a) The Santa Lucia Preserve Environmental Impact Report (EIR No. 94-005), Resolution No. 96-059 addressed the environmental implications and Combined Development, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed

by the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. The subject parcel, Lot No. 185 (formerly SJ-2) of the Rancho San Carlos Subdivision was not allotted the removal of protected trees within the building site/homeland area. Tree removal for building sites not approved by the Rancho San Carlos Building Site Tree Removal Summary, as contained within the "Rancho San Carlos Forest Management Plan," requires a Use Permit pursuant to County Code. As such, the applicant requests a Use Permit pursuant to Section 21.64.260.D.3 of the Monterey County Zoning Ordinance (Title 21).

- (b) The parcel, specifically the homeland area, is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few Madrones intermixed. The project proposes the removal of 45 Coast Live Oak trees of which 18 are proposed to be spaded and relocated.

Trees removal consists of the following:

Size (dbh)	Fair/Poor	Poor	Spade	Total
6"-12"	-	5	17	22
13"-23"	19	3	1	23
24" +	-	-	-	0
Total	19	8	18	45

The Final Arborist's Report (Library No. LIB070141) dated August 24, 2006 and addendum letter report (Library No. LIB070142), regarding Potential Revision to tree Removal dated February 26, 2007 prepared by Staub Forestry and Environmental Consulting state that the proposed tree removal represents an approximate 4% loss of all the trees existing on the parcel. Therefore, the parcel would maintain an estimated 80% of the tree canopy within the building envelope after tree removal.

- (c) Efforts to save large oaks include the incorporation of oak trees in the northern patio areas and the use of a tree well adjacent to the motor court area and a redesigned project. The applicants have redesigned the project since the January 25, 2007 Zoning Administrator Hearing reducing the number of trees proposed for removal from 62 oak trees to 45 oaks trees. Elements of the project redesign also include moving the guesthouse four feet to save tree #16, realignment of the driveway, entrance to the auto court, reconfiguration of the lower pool deck, relocation of the wall at the entry court, and adjusting the guest parking. The Final Arborist's Report (Library No. LIB070141) dated August 24, 2006 and addendum letter report (Library No. LIB070142), regarding potential revision to tree removal dated February 26, 2007 prepared by Staub Forestry and Environmental Consulting supports that no other feasible sites on the property have lower tree density and that re-siting the residence elsewhere could require the removal of significantly larger trees.
- (d) Conditions of approval have been incorporated requiring a pre-construction survey for the protection of wildlife plant and wildlife species, the implementation of erosion control measures, and best management practices (see condition No.s 7 and 16). As conditioned, staff finds that the proposed tree removal will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement, or wildlife habitat.
- (e) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires replacement at

a rate of 1:1 for protected tree species removed. However, the Santa Lucia Preserve EIR, Resolution No. 96-059 requires implementation of Mitigation Measure No.s 27 and 36 based on the Santa Lucia Preserve Combined Development Permit requiring the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio. Replacement trees are to be monitored for a period of not less than 5 years after planting and must attain a success ratio threshold of no less than 90%. These have been incorporated into the project as conditions 9 and 10.

- (f) Addendum to the Santa Lucia Preserve EIR (94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the SCHOMAC Group LLC Combined Development Permit, Planning File No. PLN060548.
- (g) The application, plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN060548.
- (h) Staff conducted an on-site inspection on June 19, 2006 to verify that the proposed tree removal plan is consistent with the site conditions.

**4. FINDING: DEVELOPMENT ON SLOPES IN EXCESS OF 30% -** The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative which would allow development to occur on slopes less than 30%.

- EVIDENCE:**
- (a) The subject residential project site is proposed within a 2.76-acre building envelope, or homeland area, on a 19.04-acre parcel within the Santa Lucia Preserve. A slope density map prepared for this application dated October 25, 2006 (Exhibit H of March 28, 2007 Staff Report) illustrates that a majority of slopes in exceeding 30% on this parcel are found along the western homeland border and that a majority of the parcel does not consist of slopes in excess of 30%. Portions of the residential development proposed on natural slopes in excess of 30% include the detached guesthouse, a small portion of the residence at the northwest and small portion of the driveway. Staff finds that the residence is sited on the flattest portion of the building envelope. Conditions have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping. See Conditions No.s 5, 6, and 12.
  - (b) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard zone. The geotechnical report prepared for this parcel by Grice Engineering and Geology (LIB070144) accounts for these high hazards. Condition No. 4, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures. Condition No. 14 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.
  - (c) The Slope Map submitted October 25, 2006 with areas exceeding 30% slopes shaded (Exhibit H of March 28, 2007 Staff Report).
  - (d) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Planning File No. PLN060548.

- (e) Staff conducted a site inspection on June 19, 2006 to verify that no feasible alternative exists for this project design.

**5. FINDING: CARETAKER UNIT** – In order to grant the Administrative Permit for the proposed caretaker unit, the Planning Commission shall make the following findings:

1. Pursuant to Section 21.64.030.D.1, the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
2. Pursuant to Section 21.64.030.D.2, the proposed project, as conditioned, is consistent and complies with the regulations for caretaker's units, as provided at Chapter 21.64 of the Monterey County Zoning Ordinance (Title 21).
3. Pursuant to Section 21.64.030.D.3, the proposed caretaker unit complies with all applicable requirements of the Low Density Residential, Design Control, and Site Plan Review ("LDR/1-D-S") districts as provided at Chapters 21.14, 21.44, and 21.45 of the Monterey County Zoning Ordinance (Title 21).
4. Pursuant to Section 21.64.030.D.4, adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

- EVIDENCE:**
- (a) The project as described in the application and accompanying materials was reviewed by the Planning Department, Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, and the Water Resources Agency. The respective departments 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; or the county in general.
  - (b) The project for a caretaker unit is a use allowed use subject securing an Administrative Permit in accordance with Section 21.14.040.C and is consistent with the development standards of Section 21.14.060 and the regulations for caretaker units as provided at Section 21.64.030.
  - (c) The project complies with the regulations for caretaker units in accordance with Section 21.44.020. Design Approval has been incorporated into the project.
  - (d) The project complies with the regulations for Design Control Zoning Districts in accordance with Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21).
  - (e) The project complies with the regulations for Site Plan Review Zoning Districts in accordance with Chapter 21.45 of the Monterey County Zoning Ordinance (Title 21). An Administrative Permit has been incorporated pursuant to Section 21.45.040.A and B, which requires an Administrative Permit for all development within a Site Plan Review Zoning District.
  - (f) The application, plans, and related support materials were reviewed by the Environmental Health Department during Inter-Departmental Review (IDR) October 9, 2006 to December 5, 2006.
  - (g) See Finding No. 8, Health and Safety.
  - (h) Letter submitted by applicant, dated October 5, 2006, justifying request for a caretaker unit (Exhibit E of March 28, 2007 Staff Report).
  - (i) Staff conducted a site inspection on June 19, 2006 to verify that the project would not present adverse impacts to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
  - (j) Materials in Planning File No. PLN060548.

6. **FINDING:** CEQA - The project, as conditioned and mitigated, will not have significant environmental impacts.

**EVIDENCE:** (a) The development is contained in an area analyzed by the Final EIR for the Santa Lucia Preserve EIR (94-005), Resolution No. 96-059, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036, as an area for disturbance (pre-determined building site).

(b) Addendum to the Santa Lucia Preserve EIR (94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the SCHOMAC Group LLC Combined Development Permit, Planning File No. PLN060548.

(c) The project, as conditioned is consistent with the conclusions and mitigations contained in the certified Santa Lucia Preserve Final EIR No. 94-005, Resolution No. 96-059, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036.

(d) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Santa Lucia Preserve EIR.

(e) No significantly adverse environmental impacts were identified during staff review of the development application during the site visit on June 19, 2006.

7. **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. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

8. **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:** Preceding findings and supporting evidence.

9. **FINDING:** APPEALABILITY - The decision on this project is appealable to the Board of Supervisors.

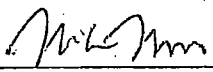
**EVIDENCE:** Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

### DECISION

**THEREFORE**, it is the decision of said Planning Commission that said application for a Combined Development Permit be granted as shown on the attached sketch, subject to the attached conditions.

**PASSED AND ADOPTED** this 28th day of March, 2007, by the following vote:

AYES: Errea, Brown, Isakson, Padilla, Ottone, Rochester, Diehl, Sanchez, Salazar, Vandevere  
NOES: None  
ABSENT: None

  
MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON APR 12 2007

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS. IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

APR 22 2007

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 90<sup>th</sup> day following the date on which this decision becomes final.

#### NOTES

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

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

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

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

**Monterey County Resources Management Agency  
Planning Department  
Condition Compliance Reporting Plan**

**Project Name:** The SCHOMAC Group Inc.  
**File No:** PLN060548  
**Approved by:** Planning Commission

**APNs:** 239-011-023-000  
**Date:** March 28, 2007

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1.		<b>PD001 - SPECIFIC USES ONLY:</b> This Combined Development Permit (PLN060548) allows: Combined Development Permit consisting of: Combined Development Permit consisting of: (1) a Use Permit for the a use permit for the removal of 19 healthy protected oak trees, 8 protected oak trees in fair to poor condition, and the relocation of 18 protected oak trees; (2) a Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow the construction of a split level 5,388 sq. ft. single-family dwelling with an attached 1,134 sq. ft. four-car garage, a detached 640 sq. ft. one-story guesthouse, a 270 linear foot retaining wall, a 2,597 sq. ft. pool deck, a 284 sq. ft. master suite deck, a 1,250 sq. ft. deck at north elevation, a septic disposal system, and grading (approx. 1,169 cu. yds. cut/1,043 cu. yds. fill); (4) an Administrative Permit for a 1,195 sq. ft. one-story caretaker unit with detached 440 sq. ft. carport and septic disposal system; and (5) a Design Approval. The property is located at 13 Cantera Run, Carmel (Assessor's Parcel Number 239-011-023-000), Santa Lucia Preserve, Greater Monterey Peninsula Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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 the Resource Management Agency - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>[Resource Management Agency (RMA) - Planning Department]</b>				
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution No. 07012) was approved by the <b>Planning Commission</b> for Assessor's Parcel Number 239-011-023-000 on March 28, 2007. The permit was granted subject to 36 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permu- Cond Number</i>	<i>Mitig- Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	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.		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
5.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
6.		<b>PDSP001 - RESTORATION OF NATURAL MATERIALS</b> Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning Department)	Submit restoration plans to the RMA - Planning Department for review and approval.  Submit photos of restored areas to the RMA - Planning Department for review and approval.	Owner/ Applicant  Owner/ Applicant	Prior to final inspection.  Prior to final inspection.	

Permit Cond Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
7.		<b>PDSP002- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. The plan shall implement erosion control measures set forth in the Preliminary Drainage and Erosion Control Report, as well as erosion control plans prepared pursuant to the County's Erosion Control Ordinance, as well as the Storm <sup>3</sup> Water Pollution Prevention Plan required by the State Water Resources Control Board (see Chapter 9. Runoff, Flooding, and Water Quality of the Santa Lucia Preserve Environmental Impact Report). All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
8.		<b>PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)</b> Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo,	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		February 18, 1984 and a "Forest Management Plan" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 2006 (Library No. LIB060624). Trees which are located close to the construction site(s) shall be protected from 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 trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a 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 Department)			building permits	
			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.	Owner/ Applicant/ Arborist	During Construct- ion	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
9.		<b>PDSP004 – TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b> That all non-landmark oak trees removed as a result of the project at a 3:1 replacement ratio and replace landmark trees at a 5:1 ratio. That all oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist. The minimum replacement size shall be 5 gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a	The applicant shall provide evidence after five years that tree planting has been successful.	Owner/ Applicant	5 years after successful tree planting	

Permit Cond. Number	Map Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (Santa Lucia Preserve EIR MM 36) (RMA – Planning Department)				
10.		<b>PDSP005 – TREE SPADE AND REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The location of the trees to be spaded and relocated shall be determined by a qualified professional. Relocation shall be conducted under the on-site direction of a qualified professional. A report shall be prepared by a registered forester or arborist at 1, 3, and 5 years and submitted to the Planning Department for review and approval of the Director of Planning describing the health of the transplants during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures report shall be submitted summarizing the health and condition of the transplanted trees. A success ratio threshold of no less than 90% shall be achieved at 5 years. If 90% success is not achieved at 5 years a qualified professional shall incorporate recommendations in the year 3 or year 5 reports to address additional reforestation and/or success ratio. This condition shall cease once the required number	The applicant shall provide evidence after five years that tree replanting has achieved 90%.	Owner/ Applicant	5 years after successful tree planting	
			Submit on-going evidence of the spaded trees through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construct- ion	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>the use of landscape species known to be invasive shall be prohibited, and that species such as French broom and pampas grass shall be actively eradicated.</p> <p>2. Landscape Irrigation: Selection of landscape species shall emphasize species not requiring irrigation such as drought-tolerant native species from local sources, or drought-tolerant non-natives that are known to be non-invasive. If irrigation systems are installed, they shall be designed to minimize runoff of irrigation water into adjacent areas of native vegetation. To avoid irrigation runoff into sensitive coastal prairie habitat in the building envelopes for Lots 11 and 28, irrigation and planting plans for these lots shall clearly demonstrate system type and limits of irrigation for County review.</p> <p>3. Fertilizer and Pesticide Application: In the design of landscaping, emphasis shall be placed on the use of species not requiring herbicides, pesticides, or fertilizers.</p> <p>(RMA - Planning Department)</p>				
13.		<p><b>PD016 - NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which states: "A "Final Arborist's Report" was prepared for this parcel by Staub Forestry and Environmental Consulting, dated August 24, 2007 (Library No. LIB070141) and an addendum letter report regarding potential revisions to tree removal, dated February 26, 2007 (Library No. LIB070142) and are on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report."</p> <p>(RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to RMA - PD.	Owner/ Applicant	Prior to issuance of grading and building permits	

Permit Cond. Number	Ming Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
14.		<b>PDSP006 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD)</b> Design and construction of buildings shall comply with the Uniform Building Code Zone IV criteria, which shall be verified by the Director of RMA - Building Services. (SLP EIR MM 4) (RMA - Planning Department)	Submit required report(s) and/or information to the Director of RMA - Building Services	Owner/ Applicant	Prior to the issuance of building permits and/or prior to final occupancy of habitable structures.	
15.		<b>PD043 - GRADING PERMITS REQUIRED</b> A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA - Planning Department and Building Services Department)	If applicable, apply and receive the appropriate grading permit from Monterey County RMA - Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	
16.		<b>PDSP008 - PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</b> The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species requiring one of, or a combination of, riparian, grassland, and woodland/forest habitats: Measures specified in Mitigation Measure 11.9 for special-status species providing for pre-construction surveys and construction phase monitoring (general special-status wildlife species measures). 1. <u>Bats</u> . If construction is to begin before August 1, before young have fledged, surveys for special-status	A report summarizing their findings and proposed mitigation measures shall be submitted to the Director of Planning. If no bats and/or raptors are found, then no further action is required.	Applicant	Prior to site disturbance and and/or the use of heavy equipment to clear the site	
			In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species	Applicant	Prior to site disturbance and and/or the use of heavy equipment to	



Permit Cond. Number	Minig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>bat species shall be performed. If maternity roosts are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each roost for the duration of the breeding season (until such time as the young are fully fledged) to prevent roost harassment and brood mortality. If colonial roosts are found, removal of the tree may only occur during the day after an exclusionary device is installed in the opening to the roost. A qualified bat expert must supervise the placement and examine the success of the exclusionary device before the removal of any confirmed roosts.</p> <p>2. <u>Raptors</u>. If construction is to begin before August 1, before young have fledged, pre-construction surveys for nesting raptors are required. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season (August 1 through April 15).</p> <p>(SLP EIR MM 35) (RMA – Planning Department)</p>			clear the site	
17.		<p><b>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND)</b></p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> <li>• Only one guesthouse shall be allowed per lot.</li> <li>• Detached guesthouses shall be located in close</li> </ul>	Submit signed and notarized Deed Restriction to the Director of RMA – Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>proximity to the principal residence.</p> <ul style="list-style-type: none"> <li>• Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements.</li> <li>• The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens.</li> <li>• The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets.</li> <li>• The guesthouse shall not exceed 600 square feet of livable floor area.</li> <li>• The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect.</li> <li>• Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited.</li> <li>• 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.</li> <li>• The guesthouse height shall not exceed 15 feet nor be more than one story.</li> </ul> <p>(RMA – Planning Department)</p>	Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.		Prior to the issuance of grading or building permits	
18.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or</p>	<ol style="list-style-type: none"> <li>1. Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</li> <li>2. Proof of recordation of the Indemnification Agreement, as</li> </ol>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits,	

Permit Cond. Number	Map Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)	outlined, shall be submitted to the RMA - Planning Department.		use of the property, filing of the final map, whichever occurs first and as applicable	
19.		<b>PD018 - DEED RESTRICTION - CARETAKER UNIT (INLAND OR COASTAL)</b> The applicant shall record a deed restriction stating "The caretaker unit shall not be separately rented, let or leased to other than the caretaker whether compensation be direct or indirect." (RMA - Planning Department)	Submit signed and notarized Deed Restriction to the Director of RMA - Planning Department for review and signature by the County.	Owner/ Applicant	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Action to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Prior to the issuance of grading or building permits	
20.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
21.		<b>FIRE007 - DRIVEWAYS</b> Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. <sup>at</sup> (Carmel Valley Fire Protection District)				
22.		<b>FIRE008 - GATES</b> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection	Applicant or owner  Applicant or owner	Prior to issuance of grading and/or building permit.  Prior to final building inspection.	

Permit Cond. Number	Min. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Action to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
23.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection.	Applicant or owner  Applicant or owner	Prior to issuance of building permit.  Prior to final building inspection	
24.		<b>FIRESP001 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD)</b> A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

Permit Cond. Number	Minig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. Fire department connections (FDC's) and dry standpipes with fire valves and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets are to be determined by the Carmel Valley Fire Protection District. A minimum of four (4) sets of plans including flow calculations, soil report, thrust block dimensions, etc. as per NFPA 14, 24 and others applicable codes and standards must be submitted to and approved by the Carmel Valley Fire Protection District prior to installation. An underground inspection is required before the pipes can be covered. The dry standpipe system including the hose lines, nozzles, and cabinets</p>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

Permit Cond Number	Mitig Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		must be serviced and maintains as per NFPA standards and manufacturers recommendations. Drive way turnouts for fire apparatus is required at the locations of the FDC's. (Carmel Valley Fire Protection District)				
25.		<b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b> Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
26.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
27.		<b>FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)</b> The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.  Applicant shall submit fire alarm plans and obtain approval.  Applicant shall schedule fire alarm system acceptance test.	Applicant or owner  Applicant or owner  Applicant or owner	Prior to issuance of building permit.  Prior to rough sprinkler or framing inspection  Prior to final building inspection	
28.		<b>FIRE025 - SMOKE ALARMS - (SINGLE FAMILY DWELLING)</b> Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. (Carmel Valley Fire Protection District)	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
29.		<b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
30.		<b>FIRES002 - FIRE ALARM SYSTEM - (NON-STANDARD)</b> All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
31.		<b>FIRES003 - SWIMMING POOL CONNECTION (NON-STANDARD)</b> The swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "swimming	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		pool connection requirements". (Carmel Valley Fire Protection District)				
32.		<b>PW0006 – CARMEL VALLEY</b> The Applicant shall pay the Greater Monterey Peninsula Area Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCD). (Public Works)	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	
33.		<b>PW0040 – HIGHWAY 1 SHORT TERM IMPROVEMENTS</b> Applicant shall Contribute \$756.00 (2006 Dollars) to County of Monterey as payment of the project's pro rata share at the cost of short-term operational improvements to State Highway One. (Public Works)	Applicant shall pay to PBI required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	
34.		<b>WR40 - WATER CONSERVATION MEASURES</b> The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		devices. (Water Resources Agency)				
35.		<b>WRSP01 - DRAINAGE PLAN</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include stormwater dispersion facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
36.		<b>WRSP02 - COMPLETION CERTIFICATION</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater dispersion facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant	Prior to final inspection	

END OF CONDITIONS

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 08-22-2011 BY 60322 UCBAW

**SEASON TO RAIN NOISES**

APR 22 1964  
RECEIVED  
FBI  
FBI

THE END

[illegible]

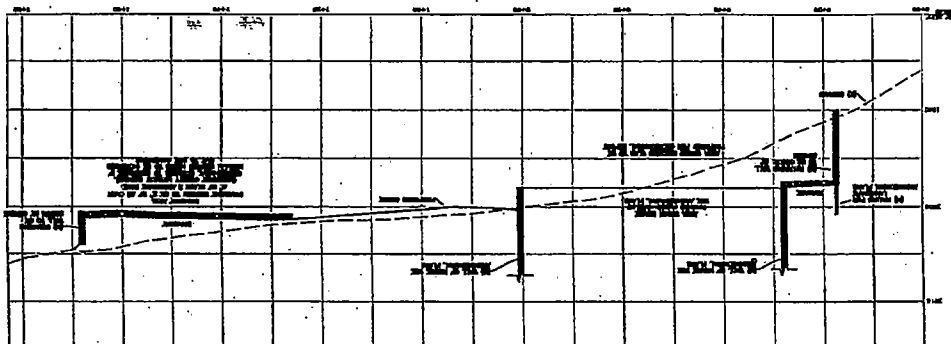
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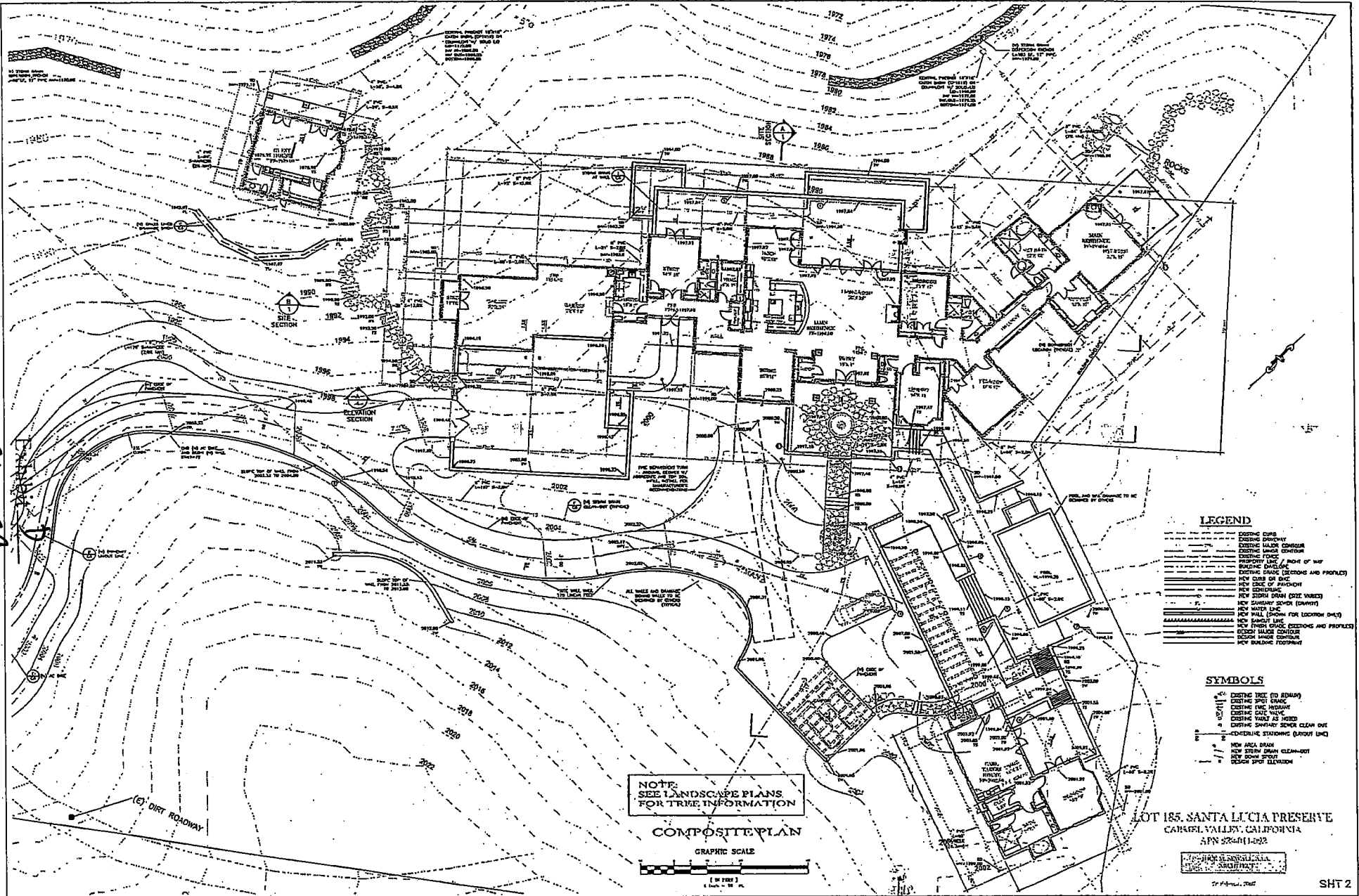
SITE PLAN

LOT 185  
19.04 AC  
2.76 AC B.E.  
APN 289-011-028

③ SITE CROSS SECTION - LOOKING NORTH EAST

(B) SITE CROSS SECTION - LOOKING NORTH WEST





Revised

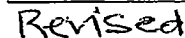
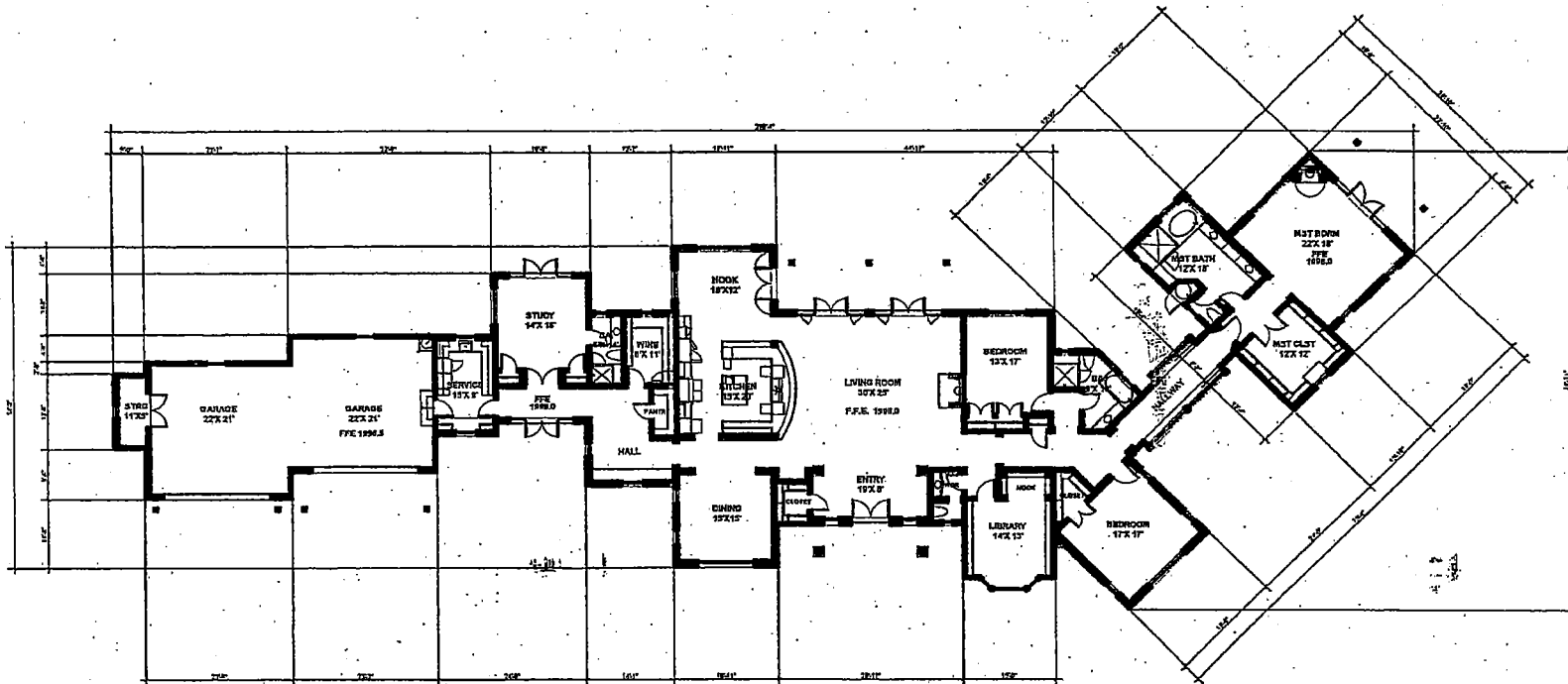


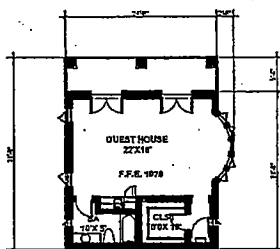




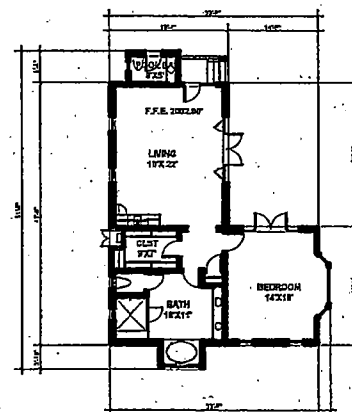
Exhibit D



**MAIN FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**GUEST FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



**CARETAKER FLOOR PLAN**  
SCALE: 1/8" = 1'-0"



LOT 185, SANTA LUCIA PRESERVE  
CARMEL VALLEY, CALIFORNIA  
APN 230-011-023

ROCK M. SEWALL, AIA  
ARCHITECT

11 October 2005

SHT 5

Exhibit D

SCALE: 1/4" = 10'

Revised



**Bellinger-Foster Steinmetz**  
 425 Pacific Street, Suite 301  
 Berkeley, CA 94704  
 PH 510.864.2100  
 Project # 04-010

**TREE REMOVAL PLAN**  
**LOT 185, SANTA LUCIA PRESERVE**  
**CARMEL VALLEY, CALIFORNIA**



24 February 2007

I-1

**Tree Protection Legend**

- Trees to be removed: Preserve and Protect
- + Trees to be preserved
- Trees to be removed and replanted on site - 1:1 Ratio
- Trees to be removed following site plan modification - 1:1 Ratio

**Trees to be removed**

**COAST LIVE OAKS - Character significant**  
 Estimated Percent of Total Tree Population

8" DBH	0
10" DBH	10
20"	10

**TOTAL**

**COAST LIVE OAKS - Character significant**  
 Estimated Percent of Total Tree Population

8" DBH	0
10" DBH	0
20"	0

**TOTAL**

**Trees to be removed and replanted**

**COAST LIVE OAKS - Character significant**

8" DBH	0
10" DBH	0
20"	0

**TOTAL**

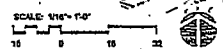
**Trees to be removed**

**COAST LIVE OAKS - Character significant**

8" DBH	0
10" DBH	0
20"	0

**TOTAL**

Exhibit D  
25 of 29 Pages

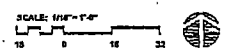


**Bellinger Foster Steinmetz**  
Landscape Architecture  
413 Pacific Street, Suite 201  
Berkeley, CA 94704  
PH 510.464.1342  
Project # 06.017

- Construction Notes**
- 1. Fire measurement put out 24" wide x 24" long new dirt driveway
  - 2. Fire measurement put out 24" wide x 24" long new dirt driveway
  - 3. Building with 1/2" diameter (round) and 1/2" diameter (square) and 1/2" diameter (square)
  - 4. Outdoor fireplace
  - 5. Outdoor kitchen
  - 6. Driveway turn pole
  - 7. Entry trailer: Wood - (Detailed to match house) stone
  - 8. Pool trailer: Wood - (Detailed to match house) stone
  - 9. Building with 1/2" diameter (round) and 1/2" diameter (square) and 1/2" diameter (square)
  - 10. Dry stack stone wall: 1/2" diameter (round) and 1/2" diameter (square)
  - 11. Foundation wall: 1/2" diameter (round) and 1/2" diameter (square)
  - 12. Water feature: 1/2" diameter (round) and 1/2" diameter (square)
  - 13. Building with 1/2" diameter (round) and 1/2" diameter (square) and 1/2" diameter (square)
  - 14. Concrete walk: 1/2" diameter (round) and 1/2" diameter (square)
  - 15. Stone pillars: 1/2" diameter (round) and 1/2" diameter (square)
  - 16. Wood deck: 1/2" diameter (round) and 1/2" diameter (square)
  - 17. Underground propane tank
  - 18. Building with 1/2" diameter (round) and 1/2" diameter (square) and 1/2" diameter (square)
  - 19. Driveway turn pole: 1/2" diameter (round) and 1/2" diameter (square)
  - 20. Stone pillars: 1/2" diameter (round) and 1/2" diameter (square)
  - 21. Foundation wall: 1/2" diameter (round) and 1/2" diameter (square)
  - 22. Water feature: 1/2" diameter (round) and 1/2" diameter (square)

- Construction Legend**
- PA: Paved area
  - DR: Driveway, 1/2" diameter
  - CA: Concrete driveway, 1/2" diameter
  - AS: Asphalt paving
  - SP: Stone paving: 1/2" diameter (round) and 1/2" diameter (square)
  - ST: Stone paving: 1/2" diameter (round) and 1/2" diameter (square)
  - FF: Finish base: 1/2" diameter (round) and 1/2" diameter (square)
  - 1: 1/2" diameter (round) and 1/2" diameter (square)

**CONSTRUCTION PLAN**  
L2  
**LOT 185, SANTA LUCIA PRESERVE**  
CARMEL VALLEY, CALIFORNIA  
JUDITH STEINMETZ, AIA  
ARCHITECT  
5 September 2006

[illegible]

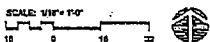
### TEMPORARY IRRIGATION SYSTEM

IRRIGATION PLAN  
L-4  
SANTA LUCIA PRESERVE  
EL VALLEY, CALIFORNIA

**Bellinger Foster Steinmetz**  
*Landscape Architects*  
425 Pacific Street, Suite 201  
Monterey, CA 93940  
PH 831.646.1323 FX 831.373.8633 [www.bfsa.com](http://www.bfsa.com)  
Project # DL017

**JOCK MACMILLAN, AKA,  
NIGHTINGALE**

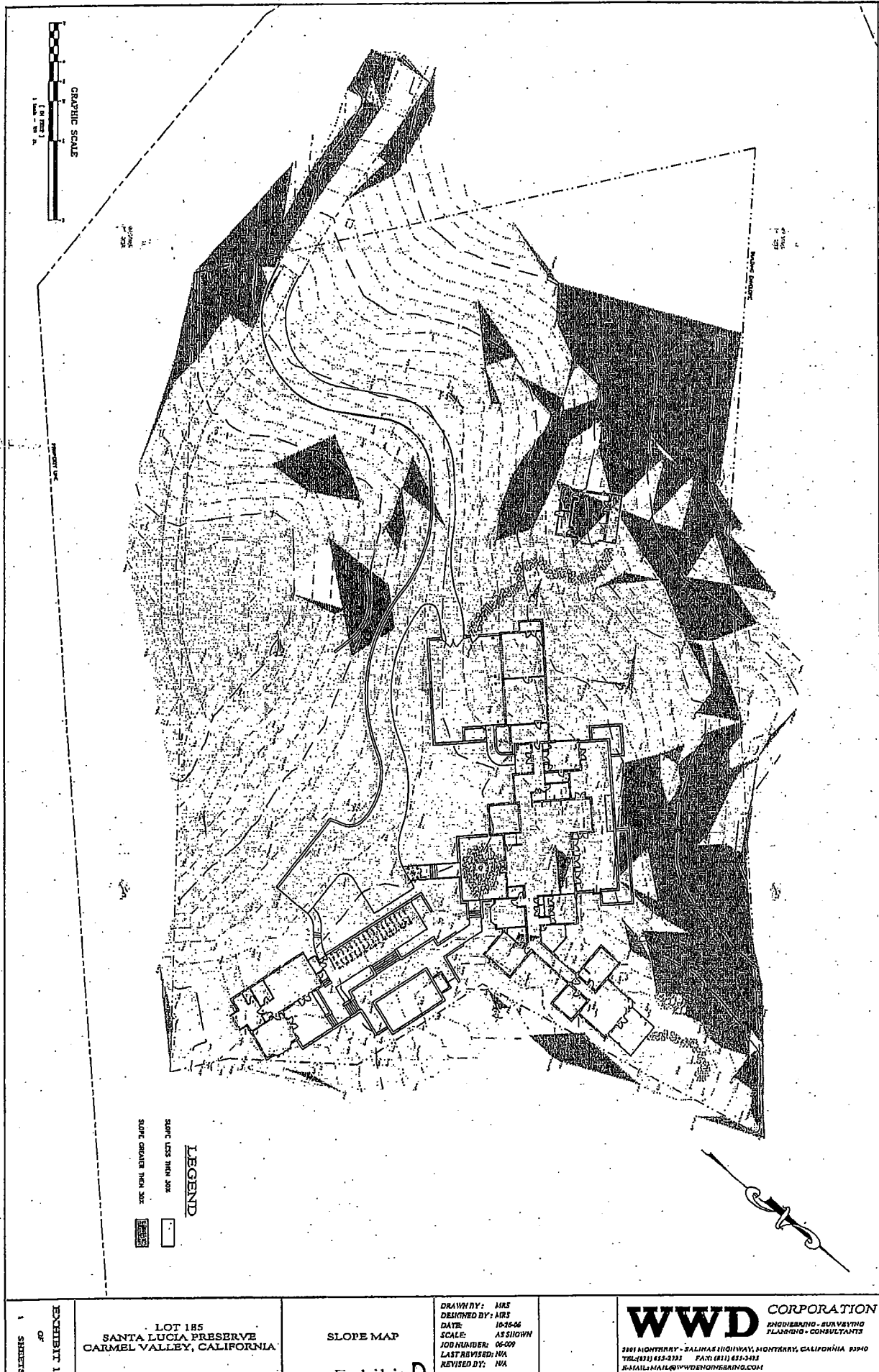
5 September 2006

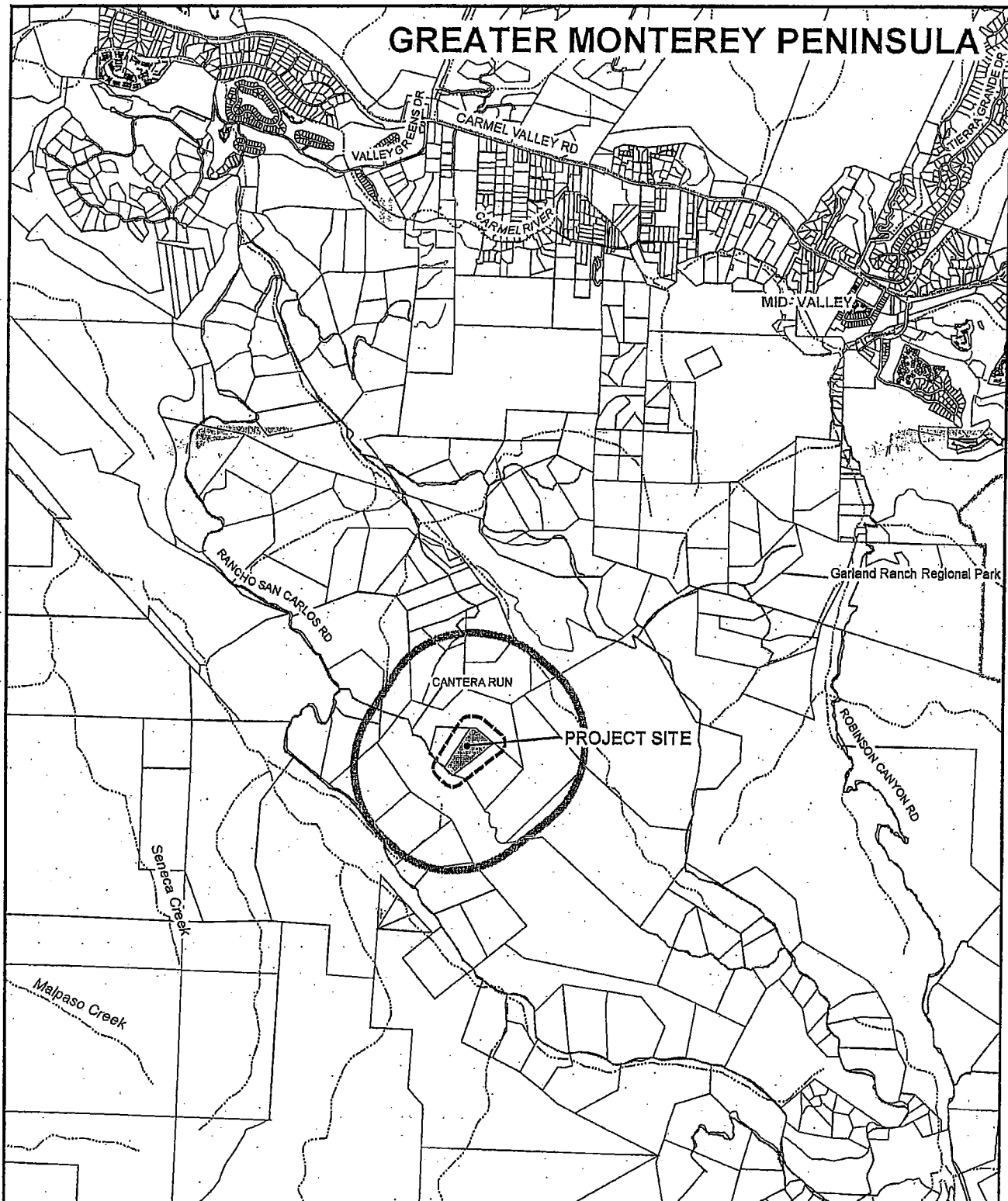


Plant 20 *Thymus praecox* between Sagittaria in Cochran

3 September 2006

# EXHIBIT H



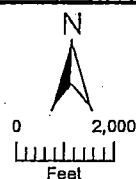


APPLICANT: SCHOMAC GROUP INC

APN: 239-011-023-000

FILE # PLN060548

  300' Limit
   2500' Limit
   City Limits



PLANNER: MANUQUERRA