

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> September 28, 2006 Time: 9:35 A.M	<b>Agenda Item No.:</b>
<b>Project Description:</b> Consider a Combined Development Permit consisting of: A. a Coastal Administrative Permit and Design Approval to allow for the demolition of the existing 2,350 sq. ft. single family dwelling and the 400 sq. ft. detached garage and driveway, and the construction of a new 3,777 sq. ft. two-story single family dwelling with a 1,200 sq ft basement and a 630 sq. ft. detached garage, driveway, parking area, and associated grading (725 cu. yds. cut and 70 cu. yds. fill), and B. a Coastal Development Permit to allow the removal of four landmark Monterey pine trees (31", 36", 30" and 25" dbh) and two live oak trees (12" and 18" dbh).	
<b>Project Location:</b> 25683 Hatton Road, Carmel (Assessor's Parcel Number 009-211-009-000).	<b>APN: 009-211-009-000</b>
<b>Planning File Number:</b> PLN040547	<b>Name:</b> Lawrence and Christina Biegel
<b>Plan Area:</b> Carmel Land Use Plan	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : MDR/2 (CZ): Medium Density Residential, 2 units/acre, Coastal Zone	
<b>CEQA Action:</b> Categorically Exempt per Section 15303a	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the Biegel Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

**PROJECT OVERVIEW:** This project involves the demolition of an existing single family dwelling and the construction of a new single family dwelling and detached garage. The new residence is to be constructed in approximately the same location as the existing residence, with a slightly expanded footprint. Six of the approximately 38 mature trees (12" or greater in diameter) on the parcel have been recommended for removal by a professional forester. Each of the four landmark Monterey pines recommended for removal displays structural defects, with a projected lifespan of less than two years. Two of the landmark Monterey pines are also within the footprint of the proposed development. Of the two live oaks recommended for removal, one is within the building footprint, and one is at risk of immediate failure. There were no options identified for relocating the proposed residence that would retain a greater number of healthy trees. Protection of retained trees is required by Condition # 9. Replanting of the six trees removed is required by Condition # 10. The project, as described and conditioned, is consistent with Forest Resource Development Standards in the Carmel Land Use Plan and all applicable County of Monterey policies and regulations. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review.

CEQA Guidelines §15303 (a) categorically exempts the new construction of small structures, and specifically exempts one single family residence in a residential zone. A site visit for this project was conducted on May 24, 2006. A biological assessment of the property prepared in 2004 did not identify any environmentally sensitive habitat on the site. Other technical reports, including

the forest management plan and feasibility geotechnical investigation did not identify any potential adverse environmental impacts. No unresolved issues remain.

**OTHER AGENCY INVOLVEMENT:**

- ✓ Carmel Highlands Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources Agency, Carmel Highlands Fire Protection District, and the Planning Department have been incorporated into the condition compliance reporting plan **(Exhibit D)**.

The project was not referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC, as it is not visible within the public viewshed, does not require development on 30% slopes, and is exempt from CEQA per section 15303 (a) (New Construction of Small Structures).

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

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Annie Murphy  
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August 24, 2006

cc: Zoning Administrator; Carmel Highlands Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Carl Holm; Annie Murphy; Carol Allen, Lawrence and Christina Biegel (Applicants); Arden Handshy (Agent); Planning File PLN040547.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Overview
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Site Plan, Elevations, Floor Plans

This report was reviewed by Carl Holm, AICP, Planning and Building Service Manager

**EXHIBIT B**  
**DISCUSSION**  
**PLN040547/Biegel**  
**September 28, 2006**

**Project Background**

On March 16 2005, Larry and Christina Biegel applied for a Coastal Development Permit (PLN040547) for the removal of seven (7) Monterey Pines. No other development was proposed at that time. The Forest Management Plan submitted for the project indicated that the majority of trees proposed for removal were generally in good health, did not represent a threat to the health of the forest, and did not pose an immediate hazard.

Planning staff informed the applicant that we found the proposed project to be inconsistent with County policies, primarily due to the fact that there was no proposed development that would justify the tree removal pursuant to Section 20.146.060.D of the Carmel Coastal Implementation Plan. As such, we could not support the proposed tree removal project and would recommend denial of the application to the Zoning Administrator. In response, the owners submitted a letter requesting that their project be tabled from the September 8<sup>th</sup> Zoning Administrator Agenda in order to reconsider their application.

In 2005, the Biegels submitted a revised application to include a Coastal Administrative Permit for construction of a new single family dwelling. The Coastal Development Permit for tree removal was revised for removal of six regulated trees, so a new Forest Management Plan was submitted.

**Current Proposed Project**

Larry and Christina Biegel request permits to demolish existing structures and construct a new 3,777 sq. ft. two-story single family dwelling with a 1,200 sq ft basement and a 630 sq. ft. detached garage. Grading (725 cu. yds. cut and 70 cu. yds. fill) primarily involves excavation for the proposed basement. This project would include removal of four landmark Monterey pine trees and two live oak trees. Monterey County's Local Coastal Plan for the Carmel Area requires a Coastal Administrative Permit and Design Approval for the demolition/construction work as well as a Coastal Development Permit for the removal of protected trees.

**Site & Setting**

The subject parcel is a 30,415 square foot lot located on Hatton Road in Carmel. A 2,350 sq ft two-story single family dwelling, 400 sq ft garage, and driveway currently exist on the site. The parcel is located approximately 1/6 of a mile east of Highway One, and ¼ mile south of Ocean Avenue and is surrounded by other single family residential parcels. Terrain of the Biegel parcel consists of gentle slopes (less than 15%) and the site is densely wooded. There are 59 trees on the site comprised primarily of live oaks (75%) and Monterey pines (25%). Of the 59 total trees, 38 are considered mature with a diameter of 12 inches or greater. The Monterey pines occur primarily on the western portion of the site.

A biological assessment of the property in 2004 stated that, aside from the native live oaks and Monterey pines on the property, other vegetation consisting primarily of Poison oak, German ivy, and black acacia had been removed. The biologist stated that they found no evidence of any sensitive habitat that may have been removed while eradicating the invasive species (ivy, acacia). This assessment concluded that the formerly dense cover of ivy, poison oak and black

acacia would likely have prevented the growth of any significant sensitive habitat on the property.

### **Tree Removal**

A Forest Management Plan and biological assessment were prepared for this project. This Plan evaluates the proposed project that requests a permit to remove six trees that are protected within the Carmel Area:

A. Two coast live oak trees. One 12-inch diameter live oak is recommended for removal because it is within the footprint of the proposed residence. The other oak, 18-inch in diameter, is recommended for removal due to large decay wounds on the trunk which make the tree at risk of failure.

B. Four Monterey Pine trees. All four trees are considered to be landmark trees (24-inches or greater in diameter). Two trees (31-inch diameter and 36-inch diameter) are recommended for removal as they are within or adjacent to the building footprint, and in addition display structural weaknesses with an estimated life span of two years at most. A 30-inch diameter pine is recommended for removal due to decay at the base, making it at risk of failure. One double trunked 20"/25" diameter pine, referred to as a single tree in the forest management plan, is recommended for removal as half the tree is 90% dead, the tree is weakly attached at the base, and leans toward the existing house.

Staff has evaluated the proposed tree removal relative to the Forest Resources Development Standards in the Carmel Area Coastal Implementation Plan, and Forestry and Soils Resources in the Carmel Land Use Plan. Staff has determined that the proposed tree removal as outlined in the project plans in file PLN040547 and in the Forest Management Plan is consistent with relevant Monterey County policies, as outlined in the following paragraphs:

Coastal Implementation Plan Section 20.146.060.D.3 requires that removal of native trees be limited to that which is necessary for the proposed development. Coastal Implementation Plan Section 20.146.060.D.1 allows for the removal of landmark trees (native trees with a diameter greater than 24") only when no alternatives to development exist where the tree removal can be avoided. The Forest Management Plan specifically identifies 3 trees as being in or adjacent to the proposed building footprint: one 12" diameter oak, and two landmark Monterey Pines (31" diameter and 36" diameter). Both landmark Monterey pines within the building footprint also display structural weaknesses that will lead to failure, with an expected lifespan of less than two years as estimated by the forester. Due to the heavy tree cover on the site, staff determined that there were no design options identified that would protect a greater number of healthy trees. For example, moving the house further to the east in order to retain the declining landmark pines would require the removal of a healthy 15" diameter oak.

Coastal Implementation Plan Section 20.146.060.D.4 requires that the removal of native trees other than that required for the proposed development shall be limited to that required for the overall health and long-term maintenance of the forest. The Forest Management Plan recommends removal of three trees due to declining health and risk of failure: A 30" diameter landmark Monterey pine is recommended for removal due to decay at the base, making it at risk of failure; A double trunked 20"/25" diameter landmark Monterey pine is recommended for removal as half the tree is 90% dead, the tree is weakly attached at the base, and leans toward the house. An 18" diameter live oak is recommended for removal due to the large decay wounds on the trunk which make the tree at risk of failure.

The Carmel Area Land Use Plan Policy 2.5.3.7 states a preference for forest diversity, which requires replacement of one tree of the same variety for each tree removed. This is also

consistent with the replanting requirements required in the Coastal Implementation Plan Section 20.146.060.D.6. Consistent with these requirements, project Condition 11 requires that each of the six trees that are to be removed shall be replaced with at least one tree of the same variety.

The Forest Management Plan does not identify any adverse environmental impacts resulting from the proposed tree removal. To protect environmental resources and assure long-term maintenance of the forest, conditions of approval (Exhibit D) require tree protection guidelines (Condition 10), measures to provide for planting of 6 replacement trees (Condition 11), and forest health measures as recommended in the Forest Management Plan (Condition 11). Replanting of removed trees is required at a 1:1 ratio with monitoring of tree survival for five years. The biological report did not identify any sensitive habitat on the site, so that tree removal would not have any impacts to sensitive habitat.

Policy 2.2.4.1 within the Carmel Land Use Plan requires that the planner shall determine whether a project as designed (including proposed tree removal) is visible from the public viewshed. A site visit by planning staff determined that neither the existing house nor the staking for the proposed residence were visible within the public viewshed. At least five developed residential parcels located between the subject property and Highway One screen the existing house on the subject property as well as proposed development from view from Highway One. Although the proposed house and garage will be located in approximately the same location as the existing house and garage, the expanded footprint of the proposed development will require the removal of additional trees. The proposed tree removal would not subject the proposed development to any greater visual exposure within the public viewshed, as all of the trees proposed for removal are located on the west side of the proposed development. As required by policy 2.2.4.10, and as discussed above, the proposed project retains existing trees to the maximum extent feasible.

*CEQA:*

CEQA Section 15303 (a) (Small Structures) categorically exempts the construction of single family dwellings in a residential area. A site visit by the planner on May 24, 2006, staff review of the project, and technical reports by forestry, biological, and geotechnical consultants identify no unusual circumstances that would require environmental review. Grading for the proposed project is limited to that required for the construction of the basement (725 cu. yds. cut and 70 cu. yds. fill). The biological assessment prepared for the site did not identify any habitat for rare species or special wildlife value. In addition, the Monterey Pine trees on the property would not be considered a significant stand. Standard conditions (Exhibit D) help to preserve diversity of this forest fragment and protect environmental resources. Since the proposed development is not visible within the public viewshed, no significant visual impacts would result from the proposed project. No unresolved issues remain.

## **EXHIBIT C**

### **RECOMMENDED 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, Carmel Land Use Plan, Coastal Implementation Plan for the Carmel Area, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for 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 25683 Hatton Road, Carmel (Assessor's Parcel Number 009-211-009-000), Carmel Land Use Plan. The parcel is zoned "MDR/2 (CZ)": Medium Density Residential, 2 units/acre, Coastal Zone. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is therefore suitable for the proposed development.

(c) The project planner conducted a site inspection on May 24, 2006 to verify that the project on the subject parcel conforms to project plans in file PLN040057.

(d) The requested Combined Development Permit seeks to allow residential development and removal of protected trees including landmark trees. Such development is conditionally allowable for the subject lot pursuant to section 20.146.060 of the Carmel Area Coastal Implementation Plan, and Chapter 2.5 of the Carmel Land Use Plan. See expanded discussion under finding 5.

(e) The project was not referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC, as it is not visible within the public viewshed, does not require development on 30% slopes, and is exempt from CEQA per Section 15303 (a).

(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 PLN040547.

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 Highlands 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) Technical reports by biological, forestry and geotechnical consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. County staff concurs. The following reports have been prepared:

- “Tree Resource Evaluation” (LIB060479) prepared by Maureen Hamb, Santa Cruz, CA, March 3, 2006.
- “Geotechnical Feasibility Letter” prepared by Haro, Kasunich and Associates, Salinas CA, June 7, 2006.
- “Biological Assessment” (LIB050514) prepared by Nicole Nedeff, Carmel Valley, CA, August 12, 2004.

(c) Staff conducted a site inspection on May 24, 2006 to verify that the site is suitable for this use.

(d) Materials in Project File PLN040547.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review.

**EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (Class 3) categorically exempts new construction of limited new small facilities, such as the construction of a single-family home in a residential area.

(b) The project includes only minor alterations to land, as the project requires minor grading (725 cubic yards cut for the basement, 70 cubic yards fill, with the balance to be taken to a landfill), and incorporates erosion control measures. Tree protection measures recommended in the 2005 forest management plan have been incorporated as project conditions.

(c) No adverse environmental effects were identified during staff review of the development application during a site visit on May 24, 2006.

(d) See preceding and following findings and supporting evidence.

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

**EVIDENCE:** (a) 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: 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) Preceding findings and supporting evidence.

6. **FINDING: TREE REMOVAL** – The project as designed and conditioned is consistent with Monterey County policies regulating tree removal, specifically Chapter 2.5, “Forestry and Soils”, of the Carmel Land Use Plan, and Chapter 20.146.060 of the Carmel Area Coastal Implementation Plan, “Forest Resources Development Standards”.

**EVIDENCE:** (a) Coastal Implementation Plan Section 20.146.060.D.3 requires that removal of native trees shall be limited to that which is necessary for the proposed development. Coastal Implementation Plan Section 20.146.060.D.1 allows for the removal of landmark trees (native trees with a diameter greater than

24”) only when no alternatives to development exist where the tree removal can be avoided. The forest management plan specifically identifies three trees as being in or adjacent to the proposed building footprint: one 12” diameter oak, and two landmark Monterey Pines (31” diameter and 36” diameter). Both landmark Monterey pines within the building footprint also display structural weaknesses that will lead to failure, with an expected lifespan of less than two years as estimated by the forester. Due to the heavy tree cover on the site, there were no relocation options identified that would protect a greater number of healthy trees. For example, moving the house further to the east in order to retain the declining landmark pines would require removal of a healthy 15” diameter oak.

- (b) Coastal Implementation Plan Section 20.146.060.D.4 requires that the removal of native trees other than that required for the proposed development shall be limited to that required for the overall health and long-term maintenance of the forest. The forest management plan recommends removal of three trees due to declining health and risk of failure: A 30” diameter landmark Monterey pine is recommended for removal due to decay at the base, making it at risk of failure; A single landmark Monterey pine with two trunks 20” and 25” in diameter is recommended for removal as half the tree is 90% dead, the tree is weakly attached at the base, and leans toward the existing and proposed house; An 18” diameter live oak is recommended for removal due to the large decay wounds on the trunk which make the tree at risk of failure. The long-term maintenance of the forest is addressed in condition 10 (Exhibit D), requiring replanting of removed trees at a 1:1 ratio and monitoring of tree survival for five years.
- (c) The Carmel Area Land Use Plan Policy 2.5.3.7 states a preference for forest diversity. The diversity of this forest fragment will be preserved by condition #10, which requires replacement of one tree of the same variety for each tree removed. This is also consistent with the replanting requirements required in the Coastal Implementation Plan Section 20.146.060.D.6.
- (d) The forest management plan did not identify any adverse environmental impacts resulting from the proposed tree removal. To protect environmental resources, tree protection guidelines, measures to provide for planting of 6 replacement trees, and forest health measures recommended in the forest management plan are required as conditions of approval (Exhibit “D”). The biological assessment prepared for the site did not identify the Monterey Pine grove as environmentally sensitive habitat, as the biologist did not identify any habitat for rare species or special wildlife value.
- (e) Removal of the trees as proposed will not make development visible from the public viewshed, pursuant to Carmel Area Land Use Plan Policy 2.2.4.6.
- (f) Staff site visit on May 24, 2006.

**7. FINDING: PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as



described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:**
- (a) The subject property is not described as an area where the Local Coastal Program requires access.
  - (b) The subject property is not indicated as part of any designated trails or shoreline access.
  - (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - (d) Staff site visit on May 24, 2006.

**8. FINDING:**      **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

**EVIDENCE:**      Section 20.86.030.A and Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20).

**Planning and Building Inspection Department  
Condition Compliance & Mitigation Monitoring and  
Reporting Program\***

**Project Name:** Biegel

**File No:** PLN040547

**APN:** 009-211-009-000

**Approval by:** Zoning Administrator

**Date:** September 29, 2006

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

<b>Permit Cond. No.</b>	<b>Mitig. No.</b>	<b>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</b>	<b>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</b>	<b>Responsible Party for Compliance</b>	<b>Timing</b>	<b>Verification of Compliance (name/date)</b>
1.		<p><b>PBD029 - SPECIFIC USES ONLY</b></p> <p>The Combined Development Permit (PLN040547) consisting of a Coastal Administrative Permit and a Coastal Development Permit allows for the demolition of the existing 2,350 sq. ft. single family dwelling, the 400 sq. ft. detached garage and driveway, and the construction of a new 3,777 sq. ft. two-story single family dwelling with a 1,200 sq ft basement and a 630 sq. ft. detached garage, new driveway, parking area, and associated grading (725 cu. yds. cut and 70 cu. yds. fill with the balance to be exported to a landfill); and allows for the removal of four landmark Monterey pine trees (31", 36", 30" and 25" dbh) and two live oak trees (12" and 18" dbh). The property is located at 25683 Hatton Road, Carmel (Assessor's Parcel Number 009-211-009-000), west of Highway One, Carmel Land Use Plan 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 Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
		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>(Planning and Building Inspection)</b>				
2.		<b>PBD025 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 187-551-026-000 on August 9, 2006. The permit was granted subject to <b>17</b> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. <b>(Planning and Building Inspection)</b>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3.		<b>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. 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	1) Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits.	Owner/	Applicant	Prior to Issuance of Grading and Building Permits

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
		construction, subject to the approval of the Director of Planning and Building Inspection. 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 Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	2) Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.	Owner/ Applicant	Prior to Final Inspect- ion	
4.		<b>PBD013(A) - 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. <b>(Planning and Building Inspection)</b>	Provide certification from geotechnical consultant that all development has been constructed in accordance with the geotechnical report.	Owner/ Applicant	Prior to Final Inspect- ion	
5.		<b>PBD014 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 <sup>th</sup> and April 15 <sup>th</sup> unless authorized by the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	None	Owner/ Applicant	October 15 <sup>th</sup> to April 15 <sup>th</sup>	
6.		<b>PBD018(A)- LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</b> The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this	Submit landscape plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
		project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. 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. <b>(Planning and Building Inspection)</b>	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	Ongoing	
7.		<b>PBD – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD)</b> All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior light fixtures shall be adequately shielded and designed at near-ground level. 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. <b>(Planning and Building Inspection)</b>	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permitsAp plicant	
			Lighting must be installed and maintained in accordance with approved plans.	Owner/ Applicant	Ongoing	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
8.		<b>PBD026 – NOTICE OF REPORT</b> Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Forest Management Plan has been prepared for this parcel by Maureen Hamb, dated March 3, 2006 and is on record in the Monterey County Planning and Building Inspection Department Library No. 050414. All development shall be in accordance with this report." <b>(Planning and Building Inspection)</b>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits	
9.		<b>PBD030 - STOP WORK - RESOURCES FOUND</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 Planning and Building Inspection 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. <b>(Planning and Building Inspection)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection 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/ Archaeologist	Ongoing	

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10		<b>PBD032(B) – TREE AND ROOT PROTECTION</b> 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 shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. <b>(Planning and Building Inspection)</b>	Submit evidence of tree protection to PBI for review and approval. Tree preservation specifications listed in the Forest Management Plan shall be printed on the grading and building permit. Installation of the tree preservation zone and straw bale barricades shall be completed prior to the issuance of grading and/or building permits. Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	
11		<b>PBD - TREE REPLACEMENT (NON-STANDARD)</b> The six trees that are to be removed shall be replaced with at least one tree of the same variety for each tree removed. Required replacement shall include at least two live oaks (minimum size 15 gallon) and four Monterey pines (minimum size 5 gallon). Replacement trees shall be incorporated into the Landscape Plan and monitored for a minimum of 5 years to assure that the trees are surviving and in healthy condition. <b>(Planning and Building Inspection)</b>	1. Include required replacement trees on the Landscape Plans (Condition 7). Plans shall include a minimum of two live oaks and four Monterey pines.	Owner/ Applicant	Prior to issuance of permits	
			2. Obtain a contract with a certified arborist to perform monitoring actions listed under 3 below. Provide copy of contract to the Planning Department for approval.	Owner/ Applicant	Prior to issuance of permits	

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			3. Submit reports to the Director of Planning and Building Inspection for review. Report shall address progress of planted trees. If any of the required trees fail to survive or maintain a healthy condition at the end of five years, the project arborist shall recommend additional planting. Any replanting shall start a new 5-year monitoring period for the additional trees.	Owner/ Applicant	Annually during required monitoring period.	
<b>WATER RESOURCE AGENCY CONDITIONS (831) 755-4860</b>						
12		<b>WR1 - 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. 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 engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
13		<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 recirculation system. <b>(Water Resources Agency)</b>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	



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		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>				
14		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
<b>FIRE AGENCY CONDITIONS</b> <b>Carmel Highlands Fire Protection District: (831) 624-2374</b>						
15		<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.	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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		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 Highlands Fire Protection District.</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
16		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire 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 Highlands 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	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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17		<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. . <b>Carmel Highlands Fire Protection District.</b>	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	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	



