

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: December 14, 2006 Time: 8:25 A.M	Agenda Item No.: 10
Project Description: Combined Development Permit to include the following: a Coastal Administrative Permit for the demolition of an existing 3,332 square foot single family dwelling and accessory structures, a Coastal Administrative Permit for the construction of a 3,221 square foot single family dwelling with attached 810 square foot garage, and 379 square foot yoga studio with attached 376 square foot guest garage, hot tub, patios, decks, retaining walls, grading (286 cubic yards cut/95 cubic yards fill); Coastal Administrative Permit for a 364 square foot guest house with an attached 210 square foot garden shed; and Design Approval.	
Project Location: 48198 Highway One, Big Sur	APN: 420-171-034-000
Planning File Number: PLN050696	Name: Weiss, Timothy & Jean B. TRS Property Owners/Carver & Schicketanz, Agent
Plan Area: Big Sur Coast Land Use Plan	Flagged and staked: Yes
Zoning Designation: : “RDR/40 (CZ) [Rural Density Residential, 40 acres per unit (Coastal Zone)]	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION: Staff recommends that the Zoning Administrator:

- 1) ADOPT the Mitigated Negative Declaration (**Exhibit E**) with the attached Mitigation Monitoring and Reporting Program (**Exhibit D**); and
- 2) APPROVE the subject Combined Development Permit (PLN050696/Weiss) based on the Findings and Evidence (**Exhibit C**) and subject to proposed conditions (**Exhibit D**).

PROJECT OVERVIEW: The applicant has applied for a Combined Development Permit to demolish an existing single family dwelling and accessory structures and construct a new single family dwelling with attached garage, and a studio with attached guest garage, hot tub, patios, decks, retaining walls, grading (286 cubic yards cut/95 cubic yards fill); Coastal Administrative Permit for a guest house with an attached garden shed.

A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated June 29, 1988 concluded that the project area contains a potentially significant archaeological resource in the form of a small shell midden of unknown depth. Staff requested an updated Archaeological Report for the current project. The report dated December 16, 2005, by Archaeological Consulting, states that while the main part of the archeological deposit appears to lie west of the existing house and the project impact area, it is possible that potentially significant resources could be exposed during demolition or new construction. Therefore, the report recommends mitigation measures to reduce potential project impacts to a less than significant level. An Initial Study was prepared and circulated from October 23, 2006 to November 22, 2006. There were no substantive comments received, however, the Monterey Bay Unified Pollution Control District is requiring the applicant to contact the District’s Compliance Division regarding requirements for the demolition of structures. A contact name and number was provided.

OTHER AGENCY INVOLVEMENT:

- ✓ California Department of Forestry (Big Sur)
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources Agency, Environmental Health Department and CDF (Big Sur) have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to Big Sur Land Use Advisory Committee (LUAC) for review on June 27, 2006. The applicant agreed with the Big Sur Land Use Advisory Committee to add an opaque screen of the same material as the outside of the house (gray zinc) to be placed exterior to the 8ft. X 10ft. north facing window to reduce the impact of night light or glow to the adjacent neighbors' view.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

Elizabeth A. Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
November 17, 2006

cc: Zoning Administrator; CDF (Big Sur); Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Carl Holm, Planning & Building Services Manager; Bob Schubert, Planning & Building Services Manager; Elizabeth A. Gonzales, Planner; Carol Allen, Timothy & Jean B. Weiss, Applicants; Carver & Schicketanz, Agent; Planning File PLN050696.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Overview
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E Initial Study/Mitigated Negative Declaration
Exhibit F Big Sur Land Use Advisory Committee Minutes from June 27, 2006 meeting.
Exhibit G Site Plan, Elevations, Floor Plans

This report was reviewed by Bob Schubert, Acting Planning and Building Service Manager

EXHIBIT B PROJECT OVERVIEW

Background

According to a Historic report prepared by Kent L. Seavey, the subject property was originally developed in 1952. The original residence was demolished about 1984, and reconstructed on the original building footprint. There are several outbuildings present, including an office that has been altered (1999), guesthouse (1999), garage (1992), pool (1985), and cliff side prow deck (2000). The original residence has been demolished and reconstructed and the original outbuildings have been altered or replaced over time. Therefore, the property has lost its physical integrity as constructed in 1952.

Site Description

The project site is located at Coastlands Ridge Trail No. 1, Lot 22 (Assessor's Parcel Numbers 420-171-034-000), Big Sur, Coastal Zone. The parcel is a coastal residential lot in the "Coastlands" tract south of the Post Ranch Inn. Coastlands Ridge Trail intersects with State Highway One to the northeast, in an area known as The Coastlands, in Big Sur, an unincorporated area of Monterey County, California. Access to the site from Highway One is via a narrow twisting road. The property is roughly chevron-shaped, concave to the east and is 2.54 acres in size. The lot occupies a northwest-southeast lying coastal ridge at an elevation of approximately 640 to 770 feet above mean sea level. The building envelope is gently to moderately sloped, after which it then drops away in a steep slope to the Pacific Ocean to the south. The landscaping consists of lawns, stone retaining walls and mature trees including Coastal Live Oaks.

Project Description

The applicant has applied for a Combined Development Permit to demolish the single family dwelling and accessory structures and construct a 3,221 square foot single family dwelling with attached 810 square foot garage, and 379 square foot studio with attached 376 square foot guest garage, hot tub, patios, decks, retaining walls, grading (286 cubic yards cut/95 cubic yards fill); Coastal Administrative Permit for a 364 square foot guest house with attached 210 square foot garden shed; and Design Approval.

Design

This site is subject to design approval. The Design Control "D" District is for those areas where the design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments without imposing undue restrictions on private property (Chapter 20.44 MCC). The project meets and is consistent with these protections because colors and materials consisting of neutral colors and natural stone and wood materials help the structure blend in better with the surrounding area (Policy 3.2.3.2 LUP). In addition, the project meets the height and set back restrictions for this area.

LUAC

The proposed project was reviewed by the Big Sur Land Use Advisory Committee (LUAC) on June 27, 2006. (**Exhibit F**) The Committee voted (4 to 0 with 1 abstention) to recommend approval of the project with one condition. They recommended that an opaque screen of the same material as the outside of the house (gray zinc) be placed exterior to the 8ft. X 10ft. north facing window to reduce the impact of night light or glow, to the adjacent neighbors' view. The applicant agreed to the change. This has been added as a condition of approval (Condition #26).

Tree Removal

The proposed project includes the removal of one diseased 36 inch Bay Cluster located on the west area of the lot and the removal of a diseased Oak stem on a 26 inch Oak located adjacent to the existing garage. Section 20.145.060.A.2.a, of the Big Sur Coast Land Use Plan, states:

“No Coastal Development Permit is required if the Zoning Administrator determines that:
a. removal of diseased trees which threaten to spread the disease to nearby forested areas as verified in writing by a qualified professional forester selected from the County’s list of consulting foresters;”

A Forest Management Plan (LIB060641) prepared by Frank Ono, Certified Arborist, dated May 24, 2006 was received with the application. The report discusses a 12 inch diseased Oak tree located on the north area of the lot and a 24 inch dead Oak tree on the east area of the lot. Those two trees were approved for removal with a Waiver of a Coastal Development Permit (PLN060478) on July 21, 2006.

CEQA

The proposed project site was identified as having a high archeological sensitivity and an archaeological report was required pursuant to 20.145.120 (CIP). A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated June 29, 1988 concluded that the project area contains a potentially significant archaeological resource in the form of a small shell midden of unknown depth. Staff requested an updated Archaeological Report for the current project. The report dated December 16, 2005, by Archaeological Consulting, states that while the main part of the archeological deposit appears to lie west of the existing house and the project impact area, it is possible that potentially significant resources could be exposed during demolition or new construction. Therefore, the report recommends mitigation measures to reduce potential project impacts to a less than significant level.

Staff prepared an Initial Study (IS) pursuant to CEQA. (§15300.2) and was circulated from October 23, 2006 to November 22, 2006. There were no substantive comments received, however, the Monterey Bay Unified Pollution Control District is requiring the applicant to contact the District’s Compliance Division regarding requirements for the demolition of structures. A contact name and number was provided. Staff accordingly prepared a Mitigated Negative Declaration (MND). This IS/MND is on file in the offices of the Planning and Building Inspection Department and is hereby incorporated by reference. (PLN050696). This IS provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment.

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, Big Sur Coast Land Use Plan, Monterey County Implementation Plan, Part 4 (Chapter 20.145), 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. Communication was not received during the course of review of the project, indicating possible inconsistencies with the text, policies, and regulations in these documents.
- (b) The property is located at 48198 Highway One, Coastlands Ridge Trail No. 1, Big Sur Coast Land Use Plan. The parcel is zoned “RDR/40 (CZ)” [Rural Density Residential, 40 acres per unit, Design Control District Overlay (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 June 22, 2006. The applicant has made the necessary provisions for required setbacks and meets all required site development standards of Rural Density Residential (MCC 20.16.060).
- Required Front Setback: 30 feet main & 50 feet accessory
Proposed: 130 feet main & 58 feet accessory structures
 - Required Side Setback: 20 feet main & 6 feet accessory
Proposed: 26 feet & 93 feet main & 6 feet accessory
 - Required Rear Setback: 20 feet main and 6 feet accessory
Proposed: 100+ feet main and 100+ feet accessories
 - Allowable Lot Coverage: 25% Proposed: 4.85%
- (d) The project was referred to the Land Use Advisory Committee (LUAC) for review on June 27, 2006. The Committee voted (4 to 0 with 1 abstention) to recommend approval of the project with one condition. They recommended that an opaque screen of the same material as the outside of the house (gray zinc) be placed exterior to the 8ft. X 10ft. north facing window to reduce the impact of night light or glow, to the adjacent neighbors’ view. The applicant agreed to the change.
- (e) A guesthouse is an allowed use under Section 20.16.040.b subject to a Coastal Administrative Permit and meets all the development standards required of a guesthouse (Condition #9).
- (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 PLN050696.

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, California Department of Forestry (CDF) Big Sur, Parks, 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 outside archaeological, geologic, geotechnical, forest management plan, and historic 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. An archaeological easement was required for the previous project (ZA6908) but was never recorded. A condition for the archaeological easement will be added to this report (Condition #9). The following reports have been prepared:
 - “Archaeological Reconnaissance” (LIB060642) prepared by Archaeological Consulting, Salinas, CA, December 16, 2005.
 - “Geologic Assessment” (LIB060643) prepared by Karl Vonder Linden, Menlo Park, CA, May 12, 2005.
 - “Geotechnical Soils-Foundation & Seismic Report” (LIB060640) prepared by Grice Engineering, Inc. Salinas, CA, May, 2006.
 - “Forest Management Plan” (LIB060641) prepared by Frank Ono, Certified Arborist, Pacific Grove, CA, May 24, 2006
 - “Historic Preservation Museum Interpretation” (LIB060644) prepared by Kent L. Seavey, Pacific Grove, CA, May 9, 2006.
- (c) Staff conducted a site inspection on June 22, 2006, to verify that the site is suitable for this use.
- (d) Materials in Project File PLN050696.

3. FINDING: CEQA (Mitigated Negative Declaration): The project is not exempt from environmental review and requires an Initial Study (CEQA Guidelines Section §15073). On the basis of the whole record there is no substantial evidence to support a fair argument that the proposed project as designed and mitigated may have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- (a) Replacing the existing single family home and accessory structures can be classified as a Class 1 Categorical Exemption. However, this project has unique circumstances due to the Archaeological Assessment that qualifies as an exception of Categorical Exemptions (CEQA Guidelines Section §15300.2). The project qualified by consideration of where the project was located to be a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment to be significant.
 - (b) The Monterey County Planning and Building Inspection Department prepared an Initial Study (IS) pursuant to CEQA. This IS provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration (MND). This IS/MND is on file in the offices of the Planning and Building Inspection Department and is hereby incorporated by reference. (PLN050696).
 - (c) Evidence that has been received and considered includes, but is not limited to the following:
 - A Preliminary Cultural Resources Reconnaissance prepared by Archaeological Consulting, dated June 29, 1988 concluded that the project area contains a potentially significant archaeological resource in the form of a small shell midden of unknown depth. Staff requested an updated Archaeological Report for the current project. The report

dated December 16, 2005, by Archaeological Consulting, states that while the main part of the archeological deposit appears to lie west of the existing house and the project impact area, it is possible that potentially significant resources could be exposed during demolition or new construction. Therefore, the report recommends mitigation measures to reduce potential project impacts to a less than significant level.

- Staff site visit June 22, 2006.
- (d) The IS/MND was circulated for public review from October 23, 2006 to November 22, 2006. There were no substantive comments received, however, the Monterey Bay Unified Pollution Control District is requiring the applicant to contact the District's Compliance Division regarding requirements for the demolition of structures. A contact name and number was provided. No other comments were received during the public review period from the State Clearinghouse or other County land use departments/agencies.
- (e) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN050696.

4. FINDING: FISH AND GAME ENVIRONMENTAL DOCUMENT FEES: For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: *A De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, the there **will not** be changes to Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.

- EVIDENCE:**
- (a) For purposes of the Fish and Game Code, the project will not have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends.
 - (b) The administrative record as a whole indicates the project will not result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. The project as proposed and mitigated will not have the potential to degrade the environment given that there is little native vegetation onsite and that potential indirect impacts from construction are addressed with protection measures and a monitoring program. Staff has determined that since this project involves the replacement of an existing single family residence with a new single family residence, there would be no significant cumulative impacts nor will have the potential for some effect either individually or cumulatively on wildlife resources, including riparian areas, wetlands, native or non-native plant life, rare and unique plant life, threatened, protected, special status or endangered plants or animals or their habitats, marine terrestrial species or biological diversity as defined under Sections 759.2 and 711.2 of the Fish and Game Code. Therefore, this project is subject to a de minimus exemption and the applicant is not required to pay the Fish and Game fee for a Neg Dec.
 - (c) The site does not include rare plant communities that qualify as resources listed A-G as reviewed and agreed by the State Department of Fish and Game and the U.S. Department of Fish and Wildlife. Therefore, the project is De Minimus and is not subject to the required fee.
 - (d) Initial Study and Negative Declaration contained in File No. PLN050696.

5. 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.

6. 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.

7. FINDING: APPEALABILITY – The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.

EVIDENCE: (a) Sections 20.86.030 and 20.86.080 of Title 20 Zoning Ordinance (Part 1 of the Monterey County Coastal Implementation Plan).

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: TIMOTHY AND JEAN P. WEISS File No: PLN050696 APN: 420-171-034-000 Approved by: Zoning Administrator Date: December 14, 2006
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<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>
1		PBD029 - SPECIFIC USES ONLY This Combined Development permit (PLN050696) allows the following: a Coastal Administrative Permit for the demolition of an existing 3,332 square foot single family dwelling and accessory structures, a Coastal Administrative Permit for the construction of a 3,221 square foot single family dwelling with attached 810 square foot garage, and 379 square foot yoga studio with attached 376 square foot guest garage, hot tub, patios, decks, retaining walls, grading (286 cubic yards cut/95 cubic yards fill); Coastal Administrative Permit for a 364 square foot guest house with an attached 210 square foot garden shed; and Design Approval. The property is located at 48198 Highway One, Big Sur (Assessor's Parcel Number 420-171-034-000), Coastlands Ridge Trail No 1, Big Sur Coast Land Use Plan. 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 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. [Resource Management Agency (RMA) - Planning Department]	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other- wise stated	

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2		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution No. 050696) was approved by the Zoning Administrator for Assessor's Parcel Number 420-171-034-000 on December 14, 2006. The permit was granted subject to 28 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 RMA - Planning Department prior to issuance of building permits or commencement of the use. (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 or start of use.	
3		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>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)</p>	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/ Archaeologist	Ongoing	

<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>
4		<p>NON-STANDARD ARCHAEOLOGICAL CONDITION</p> <p>Construction is to be halted if archaeological resources or human remains are accidentally discovered during construction with evaluation by a qualified professional archaeologist and the following steps shall be taken: There shall be no further excavation of disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until (a) The coroner of the county in which the remains are discovered must be contacted to determine that no investigation of the cause of death is required, and (b) if the coroner determines that remains to be Native American: The corner shall contact the Native American Heritage Commission and the RMA – Planning Department with 24 hours.</p> <p>The native American Heritage Commission shall identify the person or persons from a recognized local tribe of the Esselen, Salinan, Costonoans/Ohlone and Chumash tribal groups, as appropriate, to be the most likely descendent.</p> <p>The most likely descendent may make recommendations to the landowner of the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.9 and 5097.993, or</p> <p>Where the following conditions occur, the landowner or his authorized representative shall rebury the Native American humans remains and associated grave goods with appropriate dignity on the property in a location not subject to further subsurface disturbance:</p> <p>1) The Native American Heritage Commission is unable to identify a most likely descendent or the most likely descendent failed to make a recommendation within 24 hours after being notified by the commission. 2) The descendent identified fails to make a recommendation; or 3)The landowner or his authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails the provide measures acceptable to the landowner.</p> <p>(RMA – Planning Department)</p>	<p>Stop work if archaeological resources or human remains are accidentally discovered during construction 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</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

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5		<p>PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</p> <p>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 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. (RMA - Planning Department)</p>	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	
			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	

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6		<p>PBD039 – LIGHTING PLANS (BIG SUR) All exterior lighting shall be unobtrusive, compatible with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. <u>Exterior light sources that would be directly visible from critical viewshed viewing areas, as defined in Section 20.145.020, are prohibited.</u> 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (RMA - Planning Department)</p>	<p>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.</p>	<p>Owner/ Applicant</p>	<p>Prior to Issuance of Grading and/or Building Permits</p>	
7		<p>PBD022 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)</p>	<ol style="list-style-type: none"> 1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. 	<p>Owner/ Applicant</p>	<p>Within 60 days after project approval or prior to issuance of grading and building permits, whichever occurs first.</p>	

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8		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "An Archaeological report has been prepared for this parcel by Archaeological Consulting, dated December 16, 2005, and is on record in the Monterey County Planning Department Library No. LIB060642. All development shall be in accordance with this report." ((RMA - Planning Department)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits	
9		NONSTANDARD – GUESTHOUSE DEED RESTRICTION Prior to the issuance of a building permit the applicant shall record a deed restriction as a condition of project approval stating the regulations applicable to the guesthouse. (RMA - Planning Department)	Submit evidence of Recorded Guesthouse Deed Restriction to RMA – Planning Department.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
10		PBD032(B) – TREE AND ROOT PROTECTION 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. (RMA - Planning Department)	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	

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11		<p>NONSTANDARD – ARCHAEOLOGICAL EASEMENT</p> <p>An archaeological easement was never recorded as required by ZA6908, therefore, in order to prevent additional impacts to archaeological resources the applicant shall place the archaeological site (CA-MNT-2243) in an archaeological easement and shall request a zone change and pay required fees to add a “Historical Resource (HR)” overlay designation to the Weiss parcel (APN: 420-171-034-000) so that owners and reviewing agencies are aware of potential resources on this property. (RMA - Planning Department)</p>	Submit approved and recorded scenic easement to RMA – Planning Department	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
12		<p>WR2 - STORMWATER CONTROL</p> <p>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. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	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	

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13		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>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:</p> <p>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.</p> <p>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.</p> <p>(Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ Occupancy	

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14		<p>FIRE002 - ROADWAY ENGINEERING</p> <p>The grade for all roads shall not exceed 15 percent. Where road grades exceed 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 length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. CDF (Big Sur)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicants shall schedule fire dept. clearance inspection for each phase of development.</p>	Applicant or owner	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspect.</p>	

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15		<p>FIRE007 - DRIVEWAYS 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. CDF (Big Sur)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicants shall schedule fire dept. clearance inspection .</p>	Applicant or owner	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspect.</p>	

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16		<p>FIRE008 - GATES</p> <p>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. CDF (Big Sur)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicants shall schedule fire dept. clearance inspection</p>	Applicant or owner	<p>Prior to issuance of grading and/or building permit</p> <p>Prior to Final of building inspect.</p>	

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17		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>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. CDF (Big Sur)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

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18		<p>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL)</p> <p>For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. CDF (Big Sur).</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<i>Applicant or owner</i>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to Final building inspect.</p>	

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19		<p>FIRE015 – FIRE HYDRANTS/FIRE VALVES</p> <p>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. CDF (Big Sur)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to Final building inspect.</p>	

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20		FIRE017 - DISPOSAL OF VEGETATION AND FUELS Disposal, including chipping, burying, or removal to a landfill site approved by the local jurisdiction, of vegetation and debris caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to final clearance of the related permit. CDF (Big Sur) .	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
21		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) 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. CDF (Big Sur)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit. Prior to Final Building Inspect.	
22		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) 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 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. CDF (Big Sur)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit. Prior to Final building inspect.	

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23		FIRE025 – SMOKE ALARMS – (SINGLE FAMILY DWELLING) 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. CDF (Big Sur)	Applicant shall enumerate as “Fire Dept. Notes” on plans Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to issuance of building permit. Prior to Final	
24		FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) 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. CDF (Big Sur)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
25		FIRE 030: NON STANDARD: Automatic fire sprinklers (Fire 021) apply to main house and guest house. Installation of sprinklers in yoga studio/garage is encourage but not required. CDF (Big Sur)	Applicant shall schedule fire dept. clearance inspection	Applicant or Owner	Prior to Final Building Inspect.	
26		NON-STANDARD LUAC REQUIREMENT: The applicant agreed with the Big Sur Land Use Advisory Committee to add an opaque screen of the same material as the outside of the house (gray zinc) to be placed exterior to the 8ft. X 10ft. north facing window to reduce the impact of night light or glow to the adjacent neighbors’ view. (RMA - Planning Department)	Submit revisions of an opaque screen to be placed exterior to the 8 X 10 ft. north facing window	Applicant or Owner	Prior to issuance of demolition permits	

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27	1	<p>MITIGATION MEASURE #1 Require the contractors to sign and record an agreement created by an Archaeologist informing them of the potential for incidental impacts and requirements to contract the archaeologist for archaeological monitoring during earth disturbing activities associated with demolition and new construction on the parcel, such as foundation removals, grading, foundation excavations, etc. The monitor should have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features and, if possible, shell suitable for radiocarbon dating should be recovered during monitoring. A minimum of two radiocarbon dates should be obtained as mitigation for incidental project impacts to the archaeological resource. (RMA - Planning Department)</p>	<p>Prior to issuance of a Building Permit, the applicant shall provide the Director of Planning with a copy of a recorded agreement containing recommendations for protection of incidental impacts to potentially significant resources and the requirement of an Archaeological monitor on site during earth disturbing activities. The applicant shall provide evidence of the presence of the Archaeologist on-site during demolition of existing structures and new construction and any measures necessary to be in place and in good order through construction. Photos should be dated on a monthly basis and submitted with a certification from the Archaeologist.</p>	Applicant/ Owner		

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28	2	<p>MITIGATION MEASURE #2: Require that all work be halted on the parcel if, at any time, intact cultural features are discovered or potentially significant cultural materials are exposed or disturbed by the project. Require that all work be halted on the parcel, if at any time, human remains are identified. The Monterey County Coroner shall be notified immediately and, if it is determined that the remains are likely to be Native American, the Native American Heritage Commission will be notified as required by law. (RMA - Planning Department)</p>	<p>During the course demolition and new construction the applicant shall provide the Director of Planning with a monthly report prepared by the Archaeologist confirming that no intact cultural features, potentially significant cultural materials or human remains were found on the subject property. Update reports shall be provided to the Director of Planning until final occupancy of any and all building and grading permits. If there is a find, no work shall continue until the find can be evaluated and/or recovered for identification, possible analysis and curation, and appropriate mitigation measures formulated and implemented. The designated Most Likely Descendant of any found human remains will provide recommendations for mitigation of Native American human remains.</p>	Applicant/ Owner		