

## MONTEREY COUNTY ZONING ADMINISTRATOR

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|--|--------------|---|
| <b>Meeting:</b> January 25, 2007   | <b>Time:</b> | <b>Agenda Item No.:</b>                                 |
| <b>Project Description:</b> Combined Development Permit (PLN060394) allows: (1) a Use Permit for the removal of two protected trees; one 27" landmark oak tree and one two-pronged (9" and 17" protected oak tree; (2) a Use Permit for development on slopes in excess of 30%; and (3) Administrative Permit for development within a Site Plan Review zoning district or "S" district and Design Approval to allow the construction of a one-story 4,606 square foot single family dwelling with detached 744 square foot three-car garage, septic disposal system, and grading (approximately 1,178 cubic yards cut / 1,296 cubic yard fill). |              |   |
| <b>Project Location:</b> 59 Rancho San Carlos Road, Carmel   |              | <b>APN:</b> 239-031-014-000                             |
| <b>Planning File Number:</b> PLN060394   |              | <b>Name:</b> Allen and Susan Finley,<br>Property Owners |
| <b>Plan Area:</b> Greater Monterey Peninsula Area Plan   |              | <b>Flagged and staked:</b> Yes                          |
| <b>Zoning Designation:</b> "RC/40-D-S" [Resource Conservation, 40 acres per unit with Design Control and Site Plan Review zoning district overlays]  |              |   |
| <b>CEQA Action:</b> Categorically Exempt per Section 15303 (a)   |              |   |
| <b>Department:</b> RMA - Planning Department   |              |   |

### RECOMMENDATION:

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

### PROJECT OVERVIEW:

See attached Exhibit B.

### OTHER AGENCY INVOLVEMENT:

- ✓ Carmel Valley 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 Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, Water Resources Agency have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to a Land Use Advisory Committee (LUAC) for review; no LUAC exists for this area of the county.

Note: The decision on this project is appealable to the Planning Commission

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 January 11, 2007

cc: Zoning Administrator; Carmel Valley Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning Building Services Manager; Elisa Manuguerra, Planner; Carol Allen, Zoning Administration Hearing Secretary; Allen and Susan Finley, Property Owner/Applicants; International Design Group, Architects; Planning File PLN060394.

Attachments: Exhibit A Project Data Sheet  
Exhibit B Discussion  
Exhibit C Recommended Findings and Evidence  
Exhibit D Recommended Conditions of Approval  
Exhibit E Architect letter regarding project design  
Exhibit F Design Approval Request Form  
Exhibit G Site Plan, Elevations, Floor Plans

This report was reviewed by Laura Lawrence, Planning and Building Service Manager.

## **EXHIBIT B DISCUSSION**

The subject residential project site is proposed within a 1.36-acre building envelope on a 39.07-acre parcel within the Santa Lucia Preserve. The project components include the construction of a single-family dwelling with detached garage, the removal of two protected trees, installation of septic disposal system, and grading.

### Development on Slopes

A majority of the 1.36-acre homeland area is constrained by sloped terrain. Portions of the residential development is proposed on natural slopes in excess of 30% include a portion of the detached garage and grading on the slope adjacent to the proposed motor court. The placement of the single-family dwelling, driveway, and disposal fields have been designed considering the existing improved driveway location and building envelope. The residence is sited on the flattest portion of the building envelope. Conditions have been incorporated requiring a geotechnical certification, native landscaping, and restoration of natural materials. See Conditions No.s 5, 6, and 7.

### Tree Removal

The parcel is heavily wooded with Oak trees and is constrained by steep slopes. Approximately forty oak trees are located within the vicinity of the proposed residence. Two oak trees are proposed for removal; one landmark coast live oak (27 inches at breast height) and one two-pronged coast live oak (9 and 17 inches at breast height) will be removed as a direct result of construction activities.

On February 6, 1996, the Board of Supervisors certified the final Environmental Impact Report (EIR No. 94-005) for the Santa Lucia Preserve. A component of the EIR examined a "worse case" scenario regarding complete tree removal for each building envelope (with trees) proposed in the map for the Santa Lucia Preserve. The subject parcel, Lot No. 25 (formerly M-35) of the Rancho San Carlos subdivision has been allotted the removal of 3 protected trees: one 6"-11" coast live oak, one 18"-23 coast live oak, and one 18"-23 valley oak. The landmark oak proposed for removal was not accounted for in tree summary prepared and approved with the Rancho San Carlos subdivision. As this project proposes to remove two trees, the environmental implications have already been addressed in the aforementioned EIR. Applicable mitigation measures from the EIR include: a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees is included as a permit condition, and a pre-construction survey for protected wildlife.

### Conclusions

The project proposal is consistent with the General Plan and Zoning designations. The project design avoids tree removal and incorporates tree protection. Grading (approximately 1,178 cubic yards cut/1,296 cubic yards fill) appears to be appropriate for the given configuration and topography of the driveway location and pad area of the building. The materials and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve.

**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, the Greater Monterey Peninsula Area Plan, the Monterey County Zoning Ordinance (Title 21), and the Comprehensive Development Plan for the Santa Lucia Preserve, which designates this area as appropriate for residential development.

**EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The property is located at 59 Rancho San Carlos Road, Carmel Valley (Assessor's Parcel Number 239-031-014-000), Greater Monterey Peninsula Area Plan. The parcel is zoned "RC/40-D-S" or Resource Conservation, 40 acres per unit with Design Control, and Site Plan Review zoning district overlays. The subject property complies with all rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(c) The project for a single-family dwelling with detached garage and is a use allowed use in accordance with Section 21.32.030(a) and is consistent with the development standards of Section 21.32.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).

(d) Design Control or "D" zoning requires the design review of structures to assures the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The project design, materials, and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve.

(e) The project planner conducted a site inspection on June 19, 2006 to verify that the project on the subject parcel conforms to the plans listed above.

(f) The project was not referred to a Land Use Advisory Committee (LUAC) for review; no LUAC exists for this area of the county.

(g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN060394.

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

**EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- (b) Technical report by an outside geotechnical and arborist consultants indicates that there are no physical or environmental constraints such as, geologic, seismic hazard areas, biologic, or similar areas that would indicate the site is not suitable for the use proposed. Agency staff concurs. The following reports have been prepared for the property:
  - (i) “Geotechnical Soils-Foundation and Geoseismic Report” report was prepared for this parcel by Grice Engineering and Geology Inc. dated May 2006 (Library No. LIB060660).
  - (ii) An “Arborist Report” was prepared for this parcel by Frank Ono, Forester, dated March 2005 (Library No. LIB060592).
- (c) Staff conducted a site visit on June 19, 2006 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN060394.

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

- EVIDENCE:**
- (a) A majority of the 1.36-acre homeland area is constrained by sloped terrain. Portions of the residential development to reside on natural slopes in excess of 30% include a portion of the detached garage and grading on the slope adjacent to the proposed motor court.
  - (b) A letter submitted by the Architect (Exhibit E in the January 25, 2007 Staff Report), dated August 7, 2006, describes that the residence has been sited in the most appropriate location within the homeland boundary considering the following factors: (1) the pre-determined/existing driveway location and (2) the limited area within the 1.36-acre building envelope on slopes less than 30% suitable for a septic system and disposal fields. Conditions have been incorporated requiring a geotechnical certification, native landscaping, and restoration of natural materials. See Conditions No.s 5, 6, and 7.
  - (b) “Geotechnical Soils-Foundation and Geoseismic Report” (LIB060660) prepared by Grice Engineering and Geology, Salinas, California, dated November 2006.
  - (c) Sheet A.1.0 of project plans submitted September 28, 2006 with shaded areas of 30% slopes.
  - (c) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Project File No. PLN060394.
  - (d) Staff conducted an on-site inspection on June 19, 2006 to verify that no feasible alternative exists.

**4. FINDING: TREE REMOVAL (Minimum Required and Adverse Environmental Impacts)** – The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts. The project proposes the removal of two protected oak trees, one landmark oak tree of 27 inches in diameter at breast height (dbh) and one

diameter at breast height (dbh) and one two-pronged coastal live oak of 9 and 17 inches.

- EVIDENCE:** (a) The Santa Lucia Preserve Environmental Impact Report, Resolution No. 94-005, Planning File No. PC94067 and PC94218, allowed the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways in subject to the recommendations prescribed the “Rancho San Carlos Forest Management Plan” prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. The subject parcel, Lot No. 25 (formerly M-35) of the Santa Lucia Preserve Subdivision has been allotted the removal of 3 protected trees: one 6”-11” coast live oak, one 18”-23 coast live oak, and one 18”-23 valley oak. The project proposes the removal of one landmark valley oak tree of 27 inches in diameter at breast height (dbh), one 9” coast live oak. Tree removal for building sites not addressed by the Rancho San Carlos Building Site Tree Removal Summary as contained within the “Rancho San Carlos Forest Management Plan” requires a Use Permit for the removal of the landmark valley oak pursuant to County Code.
- (b) Of the approximately 40 trees within Lot 25’s homeland boundary, two are proposed for removal. The project design incorporates measures to avoid tree removal which include the use of a tree well east of the motor court and the preservation of three large oaks within the courtyard. Conditions of approval have been incorporated requiring pre-construction surveys for the protection of wildlife plant and wildlife species, the implementation of erosion control measures, and best management practices. As such, staff finds that the proposed tree removal will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement, or wildlife habitat.
- (c) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires the replacement of protected tree species removed at a rate of 1:1 replacement ratio. However, the Santa Lucia Preserve EIR requires implementation of Mitigation Measure No.s 27 and 35 (see Condition No. 9) requiring the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio. Replacement trees are to be monitored for a period of not less than 5 years after planting and must attain a success ratio threshold of no less than 90%.
- (d) The application, plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN060394.
- (e) Staff conducted an on-site inspection on June 19, 2006 to verify that the proposed tree removal plan is consistent with the site conditions.

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

- EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15303(a) categorically exempts single-family dwellings.
- (b) The development is largely contained in an area established by the Final EIR for the Santa Lucia Preserve (EIR 94-005), Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 940083019 and 95023036, as an area for disturbance (pre-determined building site).

- (c) The project, as conditioned is consistent with the conclusions and mitigations contained in the certified Santa Lucia Preserve Final EIR No. 94-005, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 940083019 and 95023036.
- (d) No adverse environmental effects were identified during staff review of the development application during the site visit on June 19, 2006.

**6. FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

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

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

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

**8. FINDING: APPEALABILITY** - The decision on this project is appealable to the Planning Commission.

**EVIDENCE:** Section 21.80.040.B Monterey County Zoning Ordinance (Title 21).

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

**Project Name:** Allen and Susan Finley  
**File No:** PLN060394  
**Approved by:** Zoning Administrator

**APNs:** 239-031-014-000  
**Date:** January 25, 2007

*\*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.                         |                      | <p><b>PD001 - SPECIFIC USES ONLY</b><br/>           This Combined Development Permit (PLN060394) allows for the following: (1) a Use Permit for the removal of two protected trees; one landmark oak tree and one two pronged (9" and 1" diameter) protected oak tree; (2) a Use Permit for development on slopes in excess of 30%; and (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district and Design Approval to allow for the construction of a one-story 4,606 square foot single family dwelling with detached 744 square foot three-car garage, septic disposal system, and grading (approx. 1,178 cu. yds. cut / 1,296 cu. yds. fill). The property is located at Rancho San Carlos Road, Carmel (Assessor's Parcel Number 239-031-014-000), Greater Monterey Peninsula Area 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 construction allowed by this permit shall commence until and until all of the conditions of this permit are met to the satisfaction of the Director of the Resource Management Agency - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of the permit.</p> | Adhere to conditions and uses specified in the permit.   | Owner/<br>Applicant                     | Ongoing unless otherwise stated |   |



| Permit Cond. Number | Mitig. Number | Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department  | Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.   | Responsible Party for Compliance      | Timing  | Verification of Compliance (name/date) |
|---------------------|---------------|--|---|---------------------------------------|---|--|
|                     |               | revocation of this permit and subsequent legal action. use or construction other than that specified by this permit is allowed unless additional permits are approved by appropriate authorities. <b>[Resource Management Agency (RMA) - Planning Department]</b>  |   |                                       |   |  |
| 2.                  |               | <p><b>PD002 - NOTICE-PERMIT APPROVAL</b></p> <p>The applicant shall record a notice which states: "A permit (Resolution No. _____) was approved by the <b>Zoning Administrator</b> for Assessor's Parcel Number 239-031-0000 on January 25, 2007. The permit was granted subject to <b>33</b> conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b></p>  | Proof of recordation of this notice shall be furnished to the RMA - Planning Department.  | Owner/<br>Applicant                   | Prior to the issuance of grading and building permits or commencement of use. |  |
| 3.                  |               | <p><b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b></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 archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b></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/<br>Applicant/<br>Archaeologist | Ongoing   |  |

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|                            |                      | <b>Department)</b>  |   |  |   |   |
| 4.                         |                      | <b>PD007 - GRADING-WINTER RESTRICTION</b><br>No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by Director of RMA - Building Services Department. <b>(RMA Planning Department and Building Services Department)</b>   | Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.   | Owner/<br>Applicant                                | Ongoing   |   |
| 5.                         |                      | <b>PD009 - GEOTECHNICAL CERTIFICATION</b><br>Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA – Planning Department and Building Services Department)</b>   | Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.  | Owner/<br>Applicant/<br>Geotechnical<br>Consultant | Prior to final inspection                             |   |
| 6.                         |                      | <b>PDSP001 - RESTORATION OF NATURAL MATERIALS</b><br>Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. <b>(RMA – Planning Department)</b> | Submit restoration plans to the RMA - Planning Department for review and approval.  | Owner/<br>Applicant                                | Prior to commencement of use.                         |   |
|                            |                      |   | Submit photos of restored areas to the RMA - Planning Department for review and approval.   | Owner/<br>Applicant                                | Prior to commencement of use.                         |   |
| 7.                         |                      | <b>PDSP002- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NON-STANDARD)</b><br>The approved development shall incorporate recommendations of the Erosion Control Plan as reviewed the Director of RMA – Planning and Director of Building Services Department.  | Evidence of compliance with the Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits | Owner/<br>Applicant                                | Prior to the issuance of grading and building permits |   |

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|                            |                      |  | Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.       | Owner/ Applicant                        | Ongoing   |   |
|                            |                      |  | Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department  | Owner/ Applicant                        | Prior to final inspection                             |   |
| 8.                         |                      | <b>PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)</b><br>Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 1984 and the Arborist Report prepared for this parcel by Frank Ono, Forester, dated March 2005 (Library No. LIB06059)  | Submit evidence of tree protection to the RMA - Planning Department for review and approval.  | Owner/ Applicant                        | Prior to the issuance of grading and building permits |   |
|                            |                      | 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 material wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included | Submit on-going evidence that tree protection measures are in place throughout grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.                   | Owner/ Applicant/ Arborist              | During Construction                                   |   |
|                            |                      |  | Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required. | Owner/ Applicant                        | Prior to final inspection                             |   |

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|---------------------|---------------|--|---|----------------------------------|--|--|
|                     |               |  |   |                                  |  |  |
| 9.                  |               | <p><b>PDSP004 – TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b></p> <p>That all non-landmark oak trees removed as a result of project at a 3:1 replacement ratio and replace landmark trees at a 5:1 ratio. That all oak trees removed shall be replaced in site areas suitable for supporting oak species as determined by a qualified resource ecologist. The minimum replacement size shall be 5 gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of not less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on early successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. <b>(Santa Lucia Preserve EIR MM 3 (RMA – Planning Department))</b></p> | The applicant shall provide evidence after five years that tree planting has been successful.                                       | Owner/<br>Applicant              | 5 years after successful tree planting |  |

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|----------------------------|----------------------|---|--|--|---|---|
| 10.                        |                      | <p><b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b></p> <p>All exterior lighting shall be unobtrusive, down-harmonious with the local area, and constructed or located that only the intended area is illuminated and off-site glare fully controlled. The applicant shall submit 3 copies of exterior lighting plan which shall indicate the location, type and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</p> | <p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>                | Owner/<br>Applicant  | Prior to the issuance of building permits.                      |   |
|                            |                      |   | <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>  | Owner/<br>Applicant  | Ongoing   |   |
| 11.                        |                      | <p><b>PD035 - UTILITIES - UNDERGROUND</b></p> <p>All new utility and distribution lines shall be placed underground. (RMA – Planning Department; Public Works)</p>  | None   | Applicant/<br>Owner  | Ongoing   |   |
| 12.                        |                      | <p><b>PDSP005 - LANDSCAPE PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)</b></p> <p>The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal.</p> <p>Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.</p> <p>The landscaping plan shall be in sufficient detail to identify</p>   | <p>Submit landscape plans and contractor's cost estimate to the RMA - Planning Department for review and approval.</p>   | Owner/<br>Applicant/<br>Licensed Landscape Contractor/<br>Licensed Landscape Architect | At least three (3) weeks prior to final inspection or occupancy |   |
|                            |                      |   | <p>All landscaped areas and fences shall be continuously maintained by the applicant; plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p> | Owner/<br>Applicant  | Ongoing   |   |

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|---------------------|---------------|--|---|----------------------------------|---|--|
|                     |               |  |   |                                  |   |  |
| 13.                 |               | <p><b>PD016 – NOTICE OF REPORT</b><br/> Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which shall state "A Geotechnical Soils-Foundation and Geoseismic Report</p> | <p>Proof of recordation of this notice shall be furnished to RMA - PD.</p>  | <p>Owner/<br/>Applicant</p>      | <p>Prior to issuance of grading and</p> |  |

| <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> |
|----------------------------|----------------------|--|---|---|---|---|
|                            |                      | Geoseismic Report” report was prepared for this parcel Grice Engineering and Geology Inc. dated May 2006 (Library No. LIB060660) and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report.” (RMA – Planning Department)  |   |   | building permits                                      |   |
| 14.                        |                      | <b>PD016 – NOTICE OF REPORT</b><br>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which states: "An Arborist Report was prepared for this parcel by Frank Ono, Forester, dated March 2005 (Library No. LIB06059) and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." (RMA – Planning Department)   | Proof of recordation of this notice shall be furnished to RMA - PD.   | Owner/<br>Applicant                     | Prior to issuance of grading and building permits     |   |
| 15.                        |                      | <b>PD043 – GRADING PERMITS REQUIRED</b><br>A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over-the-counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork.. (RMA – Planning Department and Building Services Department) | If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.  | Owner/<br>Applicant/<br>Engineer        | Prior to the issuance of grading or building permits  |   |
| 16.                        |                      | <b>PDSP006 –DUST CONTROL MEASURES -SANTA LUCIA PRESERVE (NON-STANDARD)</b><br>All development requires implementation of dust control measures during construction, subject to the approval of the Directors of Planning and Building Inspection, Public Works and Monterey Bay Unified Air Pollution Control District prior to filing the Final Map. Dust control   | Evidence of compliance with the Dust Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits. | Owner/<br>Applicant                     | Prior to the issuance of grading and building permits |   |

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|---------------------|---------------|--|--|----------------------------------|---|--|
|                     |               |  | Comply with the recommendations of the Dust Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services. | Owner/ Applicant                 | Ongoing   |  |
| 17.                 |               | <p data-bbox="344 1078 1018 1141"><b>PDSP007 – PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</b></p> <p data-bbox="344 1146 1018 1308">The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development on individual bat and bird species requiring one of, or a combination of, riparian, grassland, and woodland/forest habitats:</p> <p data-bbox="344 1313 1018 1446">Measures specified in Mitigation Measure 11.9 for special status species providing for pre-construction surveys and construction phase monitoring (general special-status wildlife species measures).</p> <p data-bbox="344 1451 1018 1479">1. <u>Bats</u>. If construction is to begin before August 1, before</p> | A report summarizing their findings and proposed mitigation measures shall be submitted to the Director of Planning. If no bats and/or raptors are found, then no further action is required.              | Applicant                        | Prior to site disturbance and/or the use of heavy equipment to clear the site |  |
|                     |               |  | In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species.                                    | Applicant                        | Prior to site disturbance and/or the use of heavy                             |  |



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|---------------------|---------------|---|---|----------------------------------|---|--|
|                     |               |   |   |                                  | equipment to clear the site                       |  |
| 18.                 |               | <p><b>FIRE007 - DRIVEWAYS</b><br/>           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 structure</p> | Applicant shall incorporate specification in design and enumerate as "Fire Dept. Notes" on plans.                                   | Applicant or owner               | Prior to issuance of grading and building permit. |  |

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|---------------------|---------------|---|---|----------------------------------|--|--|
|                     |               |   | Applicant shall schedule fire dept. clearand inspection   | Applicant or owner               | Prior to final building inspection.                |  |
| 19.                 |               | <p><b>FIRE008 - GATES</b></p> <p>All gates providing access from a road to a driveway shall located at least 30 feet from the roadway and shall open allow a vehicle to stop without obstructing traffic on the ro Gate entrances shall be at least the width of the traffic lane</p> | Applicant shall incorporate specification in design and enumerate as "Fire Dept. Notes on plans.                                    | Applicant or owner               | Prior to issuance of grading and/ building permit. |  |

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|---------------------|---------------|---|---|----------------------------------|---------------------------------------|--|
|                     |               |   | Applicant shall schedule fire dept. clearance inspection  | Applicant or owner               | Prior to final building inspection.   |  |
| 20.                 |               | <p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b></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 permanent 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 space. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Carmel Valley Fire Protection District)</b></p> | Applicant shall incorporate specification in 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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| 21.                 |               | <p><b>FIRESPO01 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD)</b></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 from the 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 2 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 a 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 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 1998. Fire department connections (FDC's) and dry standpipes with fire valves and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets shall be determined by the Carmel Valley Fire Protection District. A minimum of four (4) sets of plans including flow calculations, soil report, thrust block dimensions, etc. as per NFPA 14, 24 and others applicable codes and standards must be submitted to and approved by the Carmel Valley Fire Protection District prior to installation. An underground</p> | <p>Applicant shall incorporate specification in design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p> | <p>Applicant or owner</p> <p>Applicant or owner</p> | <p>Prior to issuance of grading and building permit.</p> <p>Prior to final building inspection</p> |  |

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|                     |               |  |   |                                  |   |  |
| 22.                 |               | <p><b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b></p> <p>Remove combustible vegetation from within a minimum 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and Director of Planning and Building Inspection. <b>(Carmel Valley Fire Protection District)</b></p>  | <p>Applicant shall incorporate specification in design and enumerate as "Fire Dept. Notes" on plans.</p>                            | Applicant or owner               | Prior to issuance of grading and/building permit. |  |
|                     |               |  | Applicant shall schedule fire dept. clearance inspection  | Applicant or owner               | Prior to final building inspection                |  |
| 23.                 |               | <p><b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b></p> <p>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 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 Valley Fire Protection District)</b></p> | <p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>  | 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                |  |
| 24.                 |               | <p><b>FIRE024 - FIRE ALARM SYSTEM - (SINGLE</b></p>  | Applicant shall enumerate as "Fire Dept.  | Applicant or                     | Prior to  |  |

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|                            |                      | <p><b>FAMILY DWELLING)</b><br/> The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed Contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. All buildings and structures shall be fully protected with approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarm required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and a local fire alarm bell(s) shall be installed and maintained.<br/> <b>(Carmel Valley Fire Protection District)</b></p> | Notes” on plans.   | or owner                                | issuance of building permit.                   |   |
|                            |                      |  | Applicant shall submit fire alarm plans and obtain approval.   | Applicant or owner                      | Prior to rough sprinkler or framing inspection |   |
|                            |                      |  | Applicant shall schedule fire alarm system acceptance test.  | Applicant or owner                      | Prior to final building inspection             |   |
| 25.                        |                      | <p><b>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</b><br/> 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 alarm panel shall be required to be placarded as permanent building equipment.<br/> <b>(Carmel Valley Fire Protection District)</b></p>  | Applicant shall enumerate as “Fire Dept. Notes” on plans.  | Applicant or owner                      | Prior to issuance of building permit.          |   |
|                            |                      |  | Applicant shall schedule fire alarm system acceptance test.  | Applicant or owner                      | Prior to final building inspection             |   |

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| 26.                        |                      | <b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b><br>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. <b>(Carmel Valley Fire Protection District)</b>   | Applicant shall enumerate as "Fire Dept. Notes" on plans.  | Applicant or owner                      | Prior to issuance of building permit.          |   |
| 27.                        |                      | <b>FIRESP002 – FIRE ALARM SYSTEM – (NON-STANDARD)</b><br>All buildings and structures shall be fully protected with approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarm required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and a local fire alarm bell(s) shall be installed and maintained. <b>(Carmel Valley Fire Protection District)</b> | Applicant shall enumerate as "Fire Dept. Notes" on plans.  | Applicant or owner                      | Prior to issuance of building permit.          |   |
|                            |                      |   | Applicant shall submit fire alarm plans and obtain approval.   | Applicant or owner                      | Prior to rough sprinkler or framing inspection |   |
|                            |                      |   | Applicant shall schedule fire alarm system acceptance test.  | Applicant or owner                      | Prior to final building inspection             |   |
| 28.                        |                      | <b>FIRESP003 – SWIMMING POOL CONNECTION (NON-STANDARD)</b><br>Swimming pool connection requirement the swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "swimming pool connection requirement" <b>(Carmel Valley Fire Protection District)</b>  | Applicant shall enumerate as "Fire Dept. Notes" on plans.  | Applicant or owner                      | Prior to issuance of building permit.          |   |

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| 29.                        |                      | <b>PW0006 – CARMEL VALLEY</b><br>The Applicant shall pay the Greater Monterey Peninsula Area Plan Area Traffic Mitigation fee pursuant to the Board Supervisors Resolution NO. 95-410, adopted September 1995 (Fees are updated annually based on CCI). <b>(Public Works)</b>  | Applicant shall pay to PBI the required traffic mitigation fee.  | Owner/<br>Applicant                     | Prior to Building Permits Issuance                   |   |
| 30.                        |                      | <b>PW0040 – HIGHWAY 1 SHORT TERM IMPROVEMENTS</b><br>Applicant shall Contribute \$756.00 (2006 Dollars) County of Monterey as payment of the project's pro rata share at the cost of short-term operational improvements State Highway One. <b>(Public Works)</b>  | Applicant shall pay to PBI required Traffic Mitigation Fee.  | Owner/<br>Applicant                     | Prior to Issuance of Building Permits                |   |
| 31.                        |                      | <b>WR40 - WATER CONSERVATION MEASURES</b><br>The applicant shall comply with Ordinance No. 3932, or 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:<br>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, and 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.<br>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> | Compliance to be verified by building inspector at final inspection.   | Owner/<br>Applicant                     | Prior to final building inspection/<br><br>occupancy |   |



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|----------------------------|----------------------|--|--|---|--|---|
| 32.                        |                      | <b>WRASP01 - DRAINAGE PLAN</b><br>The applicant shall provide the Water Resources Agency drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include stormwater dispersion facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. ( <b>Water Resources Agency</b> ) | Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.  | Owner/<br>Applicant                     | Prior to issuance of grading or building permits | WRA   |
| 33.                        |                      | <b>WRASP02 - COMPLETION CERTIFICATION</b><br>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater dispersion facilities have been constructed in accordance with approved plans. ( <b>Water Resources Agency</b> )   | Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan | Owner/<br>Applicant                     | Prior to final inspection                        | WRA   |