

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: March 8, 2007	2:00 p.m.	Agenda Item 8
Project Description: A Use Permit (PLN060307 SNOW) for development on slopes greater than 30% for a private road; a Design Approval for a one-story, single-family residence including 6,670 square foot residence, 2,070 square foot attached garage/office/storage, 950 square feet covered porches and 720 square foot portico; and Tree Removal Permit to allow the removal of two (14" and 8") protected trees, on a 12.81 acre lot. Grading will be approximately 6,431 cubic yards of cut and fill for the driveway and 2,000 cubic yards cut and 16,800 cubic yards fill for the residence, on a 12.81 acre parcel.		
Project Location: 118 San Benancio Road, Salinas, Toro area. APN: 416-221-048-000		
Planning Number: PLN060307	Name: Brenda Snow	
Plan Area: Toro Area Plan	Flagged and Staked: No	
Zoning Designation: LDR/1-D (Low Density Residential, one acre per unit, Design Control District)		
CEQA Action: Negative Declaration		
Department: RMA- Planning Department		

RECOMMENDATION:

It is recommended that the Zoning Administrator:

1. Adopt the Negative Declaration (**Exhibit E**)
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**)

PROJECT OVERVIEW:

See Exhibit "B" Discussion

BACKGROUND:

The project was heard at the July 13, 2006 Zoning Administrator hearing. It was continued indefinitely to allow time Staff time to prepare an Initial Study as the Zoning Administrator disagreed with staff that the project was exempt under CEQA.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Water Resources Agency
- ✓ Salinas Rural Fire Protection District
- ✓ Monterey Bay Unified Air Pollution Control District

All of the above have reviewed this project and appropriate recommended conditions are included in Exhibit D.

The project was referred to the Toro Land Use Advisory Committee meeting on January 22, 2007 and it was continued to February 12, 2007 to enable the members to schedule a site visit with the project applicants. Comments from the LUAC will be presented at the Zoning Administrator hearing.

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

Paula Bradley, MCP, AICP, Associate Planner
bradley@co.monterey.ca.us
(831) 755-5158

February 1, 2007

cc: Environmental Health Department; Public Works; Water Resources Agency;
Salinas Rural Fire Protection District; Bob Schubert, Acting Planning & Building
Services Manager; Planner; Carol Allen, Senior Secretary; Owner, Applicant and
Agent (3 total); Planner; File

Attachments: Exhibit A: Project Data Sheet
Exhibit B: Discussion
Exhibit C: Findings and Evidence
Exhibit D: Conditions of Approval
Exhibit E: Negative Declaration
Exhibit F: Vicinity Map/Assessor's Parcel Map
Exhibit G: Project Plans and Photos

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

EXHIBIT B

DISCUSSION

Project Description

The proposed project is a Use Permit for the construction of a new driveway and retaining wall on 30% or greater slope. The road will access a building pad for a new single-family home. A Design Approval is required for the residence which is a single-family, one-story, 6,670 square foot residence, with a 2,070 square foot attached garage/office/storage, 950 square feet covered porches and 720 square foot portico. A Tree Removal Permit is proposed to allow the removal of two (a 14" and 8") protected oak trees. Grading will be approximately 6,431 cubic yards of cut and fill for the driveway and 2,000 cubic yards cut and 16,800 cubic yards fill for the residence, on a 12.81 acre parcel.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), an Initial Study/Negative Declaration was prepared to assess any potential adverse environmental impacts from the project, and was circulated on January 11, 2007, with the public review period ending January 31, 2007. Prior to the close of the public review period for the Initial Study, January 31, 2007, staff received a comment letter from the Monterey Bay Unified Air Pollution Control District (MBUAPCD) stating that: "The District has no substantive comments on the proposed project. It would, however, like to correct the statement on Page 5 of the Initial Study, so that it reads, "Consistency of a residential project with the regional population and employment forecast would result in consistency of the project with the Air Quality Management Plan. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) incorporates ~~the County's General Plan~~ AMBAG's population forecasts in its preparation of regional air quality plans...". Staff recommends that the Zoning Administrator adopt the Initial Study with the MBUAPCD's corrections.

Setting

The subject parcel and adjacent parcels to the north are zoned "LDR/1-D" (Low-Density Residential, one acre per unit, Design Control District) and to the west a five acre minimum parcel size. To the south parcels are zoned "RC/40" (Resource Conservation, forty acre minimum parcel size). The project site is relatively steep, with slopes exceeding 30%, and is presently undeveloped except for two water tanks and a unimproved driveway. The project site is located at 118 San Benancio Road in Salinas, California, in the Toro Planning Area.

The property does not contain any year-round flowing streams, wetlands or other water courses on the site. The property does contain swells that contributes storm waters to an off site perennial stream that is located to the northeast on Assessor's Parcel Number 416-221-049. The subject parcel is located in an area of high landslide hazard and high archaeological sensitivity.

Site

The lot is a "flag" shape, roughly square in shape with a narrow strip extending north-northeast to a common driveway which intersects with San Benancio Road near Harper Canyon Road. The proposed approximately one half mile long driveway follows an existing dirt road which ascends a steep, brush covered ridge with sparse trees, an arid canyon area on the southwesterly side of San Benancio Canyon Road. The residential building envelope is located below the ridge on the north slope in a flatter area. The site is in a designated Design Control district, and is visible from a San Benancio Road. Planning staff and a grading inspector met the applicant on the site

on 5/26/06 and 5/31/06 to determine if there was any alternative to the proposed development on a 30% slope. It was determined that there was no alternative to the proposed plans, it is the only access to the site, and it is not possible to decrease the proposed slope of the driveway due to the physical constraints of the lot shape and topography. The only existing structures are two water tanks accessed by an existing unimproved dirt road.

For the driveway construction, the Fire department required turnouts, a guardrail and grooved concrete in order to accommodate emergency access to the building site. A deed restriction is also required by the fire department to limit development to only one single-family residence to a total one single family dwelling and one of the following: one guesthouse, one caretaker's unit, or one senior citizen's unit, due to the limited emergency access because of the steep narrow driveway. The steeper narrow sections of the driveway will require four to eight foot high retaining walls which will be constructed of concrete masonry block and where visible, will include a stucco finish with a color to blend in with the natural surroundings.

Aesthetics and Design

The design of for the 10,410 total square foot project includes a 6,670 square foot home with a 2,070 square foot four-car attached garage/office/storage, 950 square feet of covered porches and a 720 square foot portico. Site improvements proposed for the residence include a series of tiered retaining walls ranging from one to nine feet in height in the front and to the rear of the home, and along the driveway. The colors will be required to be earth tones that will blend with the natural environment. The exterior colors and materials for the residence will be a light sage green color plaster finish, and the roof material will be a weathered copper color (greenish bronze) metal standing seam roof. Standard conditions of approval are required for the project to obtain the approval of a landscaping and an exterior lighting plan.

The proposed driveway and building site will be visible from San Benancio Road, a County scenic route. Flagging and staking was required to determine if the project would create a visual impact from San Benancio Road. The peak of the roof and mass of the larger part of the residence was flagged and staked and staff determined that the project impacts to aesthetic resources would be less than significant. The peak elevation is the living room, which has a 30 foot high peak, the maximum allowed by the zoning, and the other roof elevations are at 21 feet. Although it is a one-story home, the design includes a 16-foot high ceilings and a trusses to span open interior areas with support walls, with 4/12 pitch roof.

The retaining walls will be concrete masonry and covered by a plaster finish, with a color to blend in with the natural environment (a grass/sand color). Because of the "bowl" shape of the site where the house will be located, the nine-foot high portions of the retaining walls will be in the center at the lowest elevation, and taper to two-feet high at the sides. The plans for the residence were revised to lower the finished floor elevation five feet in order to reduce the substantial quantity of grading. Instead of multi-level design to fit into the hilly topography, the owner desires the home design as all one-level to accommodate their family needs.

Biological Resources

There are no protected plant or animal species identified or watercourses or wetlands on the site. Construction of the proposed project would require the removal of one 8-inch valley oak tree and one 14-inch other coast live oak. Staff discussed shifting the location of the residence to avoid removing the two oaks. The two trees are located close to the building footprint and because of the fill required to create a level building pad, the removal of the trees is unavoidable. Originally two protected oaks along the driveway were proposed for removal, however they were able to

preserve the two trees by adding a retaining wall. There are a few trees on the parcel, and vegetation consists primarily of dense chaparral, brush, and poison oak. A arborist's report was submitted for the project confirming that the tree removal is the minimum required for the construction. The arborist recommended it would be more effective to remove and replace the healthy but stunted specimens on a 2:1 ratio than to try to conserve them. With moderate irrigation and proper placement, the replacement trees would lend stabilization to the slope and graded areas. Trees in close proximity should also receive moderate irrigation to encourage their growth. Other protected trees near the construction area will be required to be protected during construction by standard condition. Protected trees are required to be replaced on a one-to-one ratio by County ordinance and locations for replacement trees will be required on the landscape plans.

Conclusion

The proposed single-family residential development is on a remainder parcel from a previous minor subdivision and has physical constraints to development. The steep slope where the existing unimproved driveway is located will require extensive retaining walls and storm drainage work due to the steep slope and special fire conditions for road construction to allow fire equipment access. Standard County ordinances, regulations and conditions of approval will require measures to control storm water and minimize water runoff from the site. The applicant has revised the plans in response to requests and comments from County agencies and departments, and the neighbors during the planning process.

EXHIBIT “B”

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, Toro Area Plan and Toro Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), 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 the application. 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 project planner and a grading inspector conducted site visits on 5/26/06 and 5/31/06 to verify that the project on the subject parcel conforms to the plans listed above. Staff performed a third site inspection on 9/25/06 to observe the residences flagged and staked and staking, to determine if the project would create a visual impact from San Benancio Road.
 - c) The parcel was created by a Minor Subdivision in Volume 19 Parcel Maps page 67 (Planning File MS92015) which allowed a division of two lots of approximately 22.27 total acres (Assessor’s Parcel Numbers 416-221-016-000 and 416-221-017-000) into three parcels and a remainder lot. The subject parcel is the 12.87 acre remainder lot and is determined to be a legal lot.
 - c) The project was referred to the Toro Land Use Advisory Committee meeting on January 22, 2007 and it was continued to February 12, 2007 to enable the members to schedule a site visit with the project applicants.
 - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN060307.

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

- EVIDENCE:**
- a) The project has been reviewed for suitability by the following departments RMA-Planning, RMA-Building Inspection, Public Works, Water Resources Agency, Environmental Health, Monterey Bay Unified Air Pollution Control District and the Salinas Rural Fire District. Recommended Conditions of Approval have been incorporated into the project. 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 an outside Arborist, and Registered Professional Engineering consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - 1. An arborist’s report has been prepared for the project at 118 San Benancio Canyon Road by Bryan E. Bradford, Certified Arborist No.

WC-5896, dated October 6, 2006, and is on record in the Monterey County RMA-Planning Department, Library No.LIB07008.

2. An arborist's report has been prepared for the project at 118 San Benancio Canyon Road by Bryan E. Bradford, Certified Arborist No. WC-5896, dated June 13, 2006, and is on record in the Monterey County RMA-Planning Department, Library No. LIB060355. The report concluded that the site is suitable for the proposed use provided the recommendations set forth in the report are incorporated into the design considerations and project plans specifications.
 3. A Geotechnical Soils-Foundation and Geoseismic Report was prepared for the proposed new residence (APN 416-221-048) 118 San Benancio Road Salinas, California has been prepared by Grice Engineering and Geology Inc., dated January 2006, and is on record in the Monterey County RMA-Planning Department, Library No. LIB060515. Recommendations have been incorporated into the project as conditions.
 4. A Preliminary Geologic Investigation for a planned Residential-Development, Off San Benancio Road, Monterey County, was prepared by Jo Crosby & Associates, dated 6/12/92, and is on record in the Monterey County RMA-Planning Department, Library No. 14.14.79. Recommendations have been incorporated into the project as conditions.
- c) The project is located at 118 San Benancio Road, Salinas (Assessors Parcel Number 416-221-048-000) Toro area.
 - d) Staff and a grading inspector conducted site visits on 5/26/06 and 5/31/06 to verify that the site is suitable for this use and to determine if there was any alternative to the proposed development on a 30% and greater slope. Staff also conducted a site visit inspection again on 9/25/06 to observe the residence flagged and staked and staking, to determine if the project would create a visual impact from San Benancio Road.
 - e) Materials in Project File PLN060307.

3. FINDING: CEQA - NEGATIVE DECLARATION - The proposed project will not have a potentially significant adverse impact on the environment. A Negative Declaration has been prepared and is on file (File No. PLN060307) in the Planning Department. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning Department, located at 168 West Alisal Street, 2nd Floor, Salinas is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Negative Declaration is based.

EVIDENCE:

- a) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in the project file.
- b) With assistance by County Consultant Rincon Consultants of Paso Robles, California, County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA) and Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on January 11, 2007, and noticed for public review. All comments received on the Initial Study/Negative Declaration have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
 1. Project Application and Plans (dated May 9, 2006 and April 10, 2006).
 2. Interdepartmental Review Agency Comments.
 3. Soil Surveys, Inc., October 31, 2005, Geotechnical Investigation of Long Driveway at 118 San Benancio Road near Salinas, APN 416-221-048.
 4. Bryan E. Bradford, Certified Arborist No. WC-5896, June 13, 2006. San Benancio Canyon Lot.
 5. Monterey County General Plan, as amended (adopted September 30, 1982).
 6. Toro Area Plan, as amended (adopted December 13, 1983).
 7. Monterey Bay Unified Air Pollution Control District.
 - a. June 2004. *CEQA Air Quality Guidelines*.
 - b. September 2004. *2004 Air Quality Management Plan for the Monterey Bay Region*.
 8. Monterey County Inland Zoning Code Title 21, adopted September 1997.
 9. Site visit by Monterey County Planning and Building Inspection on May 26, 2006, May 31, 2006 and site photos on September 25, 2006.
 10. County of Monterey GIS Database Resource Records Search
 11. California Department of Toxic Substances Control's Hazardous Waste and Substances Site List
 12. Personal Communication with Richard Weber of Whitson Engineers, 11-28-2006

13. Archaeological Policy Compliance Waiver, Monterey County Planning and Building Inspection Department, May 26, 2006.
14. Personal Communication with Guy Girando of Land Set Engineers, 11-30-2006
15. Bryan E. Bradford, Certified Arborist No. WC-5896, October 6, 2006. 118 San Benancio Canyon Road.
16. GRICE Engineering and Geology Inc. January 2006. Geotechnical Soils-Foundation and Geoseismic Report for the proposed new residence APN 416-221-048 118 San Benancio Road Salinas, California.
17. Report of the Preliminary Geologic Investigation for a planned Residential- Development, Off San Benancio Road, Monterey County, was prepared by Jo Crosby & Associates, dated 6/12/092.

4. FINDING: FISH AND GAME FEES – Filing of Notice of Determination. For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

EVIDENCE: (a) Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils, and the biological analyses identified potential impacts to wildlife and special status species.
 (b) Initial Study and Negative Declaration contained in the project file.
 (c) Evidence in Finding No. 3 above.

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

6. FINDING: CONSISTENCY –TREE ORDINANCE - The Project, as conditioned is consistent with applicable plans and policies, the Monterey County Zoning Ordinance (Title 21), Section 21.64.260, Preservation of Oak and Other Protected Trees.

EVIDENCE: (a) The tree removal is the minimum required for the development. Two protected trees are proposed to be removed vary in size from eight to 14 inches in diameter. The applicant sited the structures to minimize protected tree removal. Tree replacement on a 1:1 ratio as required by the County Tree Protection Ordinance (Section 21.64.260) will be required to be included on the landscape plans required to be submitted for RMA-Planning Director approval as a standard condition. The arborist recommended it would be more effective to remove and replace the healthy but stunted specimens on a 2:1 ratio than to try to conserve them. With moderate irrigation and proper placement the replacement trees

would lend stabilization to the slope and in the graded areas. Trees in close proximity should also receive moderate irrigation to encourage their growth.

- (b) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots, and on-site consultation by a qualified arborist.
- (c) The removal will not have an adverse risk of environmental impacts to soil, erosion, water quality, ecological impacts, noise, air movement or wildlife habitat. The development is low-intensity and covers less than 1% of the parcel. The development is low-intensity and covers less than 1% of the parcel. Oaks near the construction area are required to be protected and preserved.
- (d) Staff and a grading inspector conducted a site visit on 5/26/06 and 5/31/06 and 9/25/06 to verify that the site is suitable for this use.
- (e) Materials in Project File PLN060307.

7. FINDING: DEVELOPMENT ON 30% OR MORE SLOPES - The project is consistent with the findings required for Section 21.64.230 Development on Slopes in Excess of 30 percent, specifically Finding No. 21.64.230(E)(b): a) There is no feasible alternative which would allow the development to occur on slopes of less than 30%.

- EVIDENCE:**
- a) Planning staff and a grading inspector met the applicant on the site on 5/26/06 and 5/31/06 and determined there was no alternative to the proposed driveway development on a 30% and greater slope.
 - b) A Geotechnical Investigation report was prepared for this parcel on record in the Monterey County RMA- Planning Department. The report concluded that the site is considered suitable for the project with recommendations for design and construction incorporated into the project.
 - c) File and application materials in Project File PLN060307.

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

EVIDENCE: Preceding findings and supporting evidence.

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

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

Exhibit D Monterey County RMA- Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: SNOW File No: PLN060307 Approval by: Zoning Administrator	APN: 416-221-048-000 Date: March 8, 2007
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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.		PD029 - SPECIFIC USES ONLY Use Permit for Development on slopes greater than 30% for a private road; a Design Approval for a one-story, single-family residence including 6,670 square foot residence, 2,070 square foot attached garage/office/storage, 950 square feet covered porches and 720 square foot portico; and Tree Removal Permit to allow the removal of two (14" and 8") protected trees, on a 12.81 acre lot. Grading will be approximately 6,431 cubic yards of cut and fill for the driveway and 2,000 cubic yards cut and 16,800 cubic yards fill for the residence, on a 12.81 acre parcel. The project is located at 118 San Benancio Road, Salinas (Assessors Parcel Number 416-221-048-000) Toro area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Planning Commission and 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	Adhere to the conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

		Department)				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A Use Permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 416-221-048-000 on March 8, 2007. The permit was granted subject to 29 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 RMA-Planning Director 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-Planning Department	Owner/ Applicant	Prior to issuance of grading and building permits	
3.		<p>PD0016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <ol style="list-style-type: none"> 1. "An arborist's report has been prepared for the project at 118 San Benancio Canyon Road by Bryan E. Bradford, Certified Arborist No. WC-5896, dated October 6, 2006, and is on record in the Monterey County RMA-Planning Department, Library No.LIB07008. All development shall be in accordance with this report". 2. "An arborist's report has been prepared for the project at 118 San Benancio Canyon Road by Bryan E. Bradford, Certified Arborist No. WC-5896, dated June 13, 2006, and is on record in the Monterey County RMA-Planning Department, Library No. LIB060355. All development shall be in accordance with this report". 3. "A Geotechnical Soils-Foundation and Geoseismic Report for the proposed new residence (APN 416-221-048) 118 San Benancio Road Salinas, 	Proof of recordation of this notice shall be furnished to RMA-Planning Department.	Owner/ Applicant	Prior to issuance of grading and building permits	

	<p>California has been prepared by Grice Engineering and Geology Inc., dated January 2006, and is on record in the Monterey County RMA-Planning Department, Library No. LIB060515. All development shall be in accordance with this report".</p> <p>4. A Preliminary Geologic Investigation for a planned Residential-Development, Off San Benancio Road, Monterey County, was prepared by Jo Crosby & Associates, dated 6/12/092, and is on record in the Monterey County RMA-Planning Department, Library No. 14.14.79. All development shall be in accordance with this report".</p> <p>(RMA- Planning Department)</p>				
4.	<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

		thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)				
5.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</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	
6.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and</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.	Owner/ Applicant	Prior to the issuance of building permits	

		off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
7.		PD018(A) – NONSTANDARD- LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) 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. (Resource Management Agency (RMA) – Planning)	<ol style="list-style-type: none"> 1. Submit landscape plans and contractor's estimate to PBI for review and approval. 2. Include locations for replacement trees on the plans per as specified by the arborist. 	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	
8.		PD011 – 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)	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	

		with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construc- tion	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
9.		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
10.		PD023 – EASEMENT - SCENIC (SLOPE) A scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds ___ percent. The easement shall be developed in consultation with certified professional. A scenic easement deed shall be submitted to, and approved by, the Director of the RMA - Planning Department prior to issuance of grading or building permits. (RMA – Planning Department)	Submit the scenic easement deed and corresponding map, developed in consultation with a certified professional, to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Certified Professional	Prior to the issuance of grading and building permits	
			Record the deed and map showing the approved scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant	Prior to final map or commence- ment of use	

		<p>PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)</p>	<p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits</p>	
11.		<p>PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)</p>	<p>Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.</p>	<p>Owner/ Applicant/ Geotechnical Consultant</p>	<p>Prior to final inspection</p>	
12.		<p>PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)</p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Within 5 working days of project approval.</p>	
			<p>If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the recordation of the final map, the start of use or the issuance of building or grading permits</p>	

13.	<p>PD010 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	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/ Applicant	Prior to the issuance of grading and building permits	
		2) Evidence of compliance with the Implementation Schedule shall be submitted to RMA-Planning Department during the course of construction until project completion as approved by the Director of RMA-Planning Department.	Owner/ Applicant	Prior to Final Inspection	
14.	<p>PD001 (NON STANDARD WORDING)</p> <p>The property owner/applicant shall prepare a Traffic Construction Management Plan (TCMP) for staff review and approval prior to earth moving activities. The plan shall include a pavement survey along the private road before and after construction activities. The applicant shall be responsible for reconstruction and repair should damage occur. Repairs shall be made prior to final for grading permit. The TCMP shall also recommend measures to minimize impacts to traffic on San Benancio Road and Highway 68. (RMA- Planning Department and RMA-Public Works)</p>	Submit plans to RMA-Planning Department for review and approval by the RMA- Public Works Department.	Prior to issuance of grading permit	Prior to final grading	

15.		<p>EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)</p>	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of building	
16.		<p>WR2 - STORMWATER CONTROL 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	
17.		<p>WR45 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)</p>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	
18.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

		equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)				
19.		FIRE008 - GATES 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. (Salinas Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
20.		FIRE011 - ADDRESSES FOR BUILDINGS 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.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

		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. (Salinas Rural Fire District)				
21.		FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) 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.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
22.		FIRE015 - FIRE HYDRANTS/FIRE VALVES 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

		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. (Salinas Rural Fire District)				
23.		FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
24.		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. (Salinas Rural Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
25.		FIRE020 – NONSTANDARD - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit	

		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 Planning Director. (Salinas Rural Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
26.		FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Salinas Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
27.		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. (Salinas Rural Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	

28.	<p>FIRE030 – SP001 -DRIVEWAY (EXCESSIVE SLOPE) DRIVEWAY – GRADE EXCEEDING 15 PERCENT– The grade of this driveway is proposed to be greater than 15 percent, but may not exceed 25 percent provided the following criteria are met as prescribed by a registered civil engineer:</p>	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant/owner	Prior to issuance of grading and/or building permit	
	<p>a. 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. Where aggregate concrete paving is not appropriate, reinforced concrete shall be used.</p> <p>b. The driveway surface shall be grooved to provide traction.</p> <p>c. Guardrails shall be constructed and maintained on the sections of the driveway where the edges are next to the downward slope. The guardrails shall be engineered to support the imposed load of fire apparatus.</p> <p>d. 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.</p> <p>e. 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. If the overall width of the driveway is increased from 12 to 16 feet, it shall be considered in compliance with this requirement.</p> <p>f. 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.</p>	Applicant shall schedule fire dept. clearance inspection	Applicant/owner	Prior to final building inspection	

		(Salinas Rural Fire District)				
29.		FIRE030 – SP002- DEED RESTRICTION – Due to the excessive slope of the private driveway, a deed restriction shall be recorded for the property limiting the development to one (1) single family dwelling. (Salinas Rural Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant/owner	Prior to issuance of building permit.	
			Applicant shall provide a copy of the recorded deed restriction.	Applicant/owner	Prior to final building inspection	