

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: April 26, 2007 Time: A.M/P.M	Agenda Item No.:
Project Description: Combined Development Permit consisting of a Coastal Administrative Permit to allow the construction of a new 2,112 square foot single family dwelling, 576 square foot attached garage, and septic system (grading includes 45 cubic yards cut/55 cubic yards fill); a Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat, and a Coastal Development Permit to allow the removal of eight (8) coast live oak trees.	
Project Location: 16919 Forest Lane, Prunedale	APN: 127-231-041-000
Planning File Number: PLN060348	Name: Eric and Erin Nelsen, Property Owners
Plan Area: North County Land Use Plan	Flagged and staked: Yes
Zoning Designation: : ("LDR/2.5 (CZ)" ([Low Density Residential, 2.5 acres per unit (Coastal Zone)])	
CEQA Action: Mitigated Negative Declaration	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator

1. Adopt the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, and
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit B**) and subject to the recommended Conditions (**Exhibit C**).

PROJECT OVERVIEW:

The proposed project entails the construction of a 2,112 square foot two-story residence and 576 square foot attached garage. Additional improvements include a 1500 gallon septic tank and associated leachfields, a 2,520 square foot driveway, and two retaining walls. The lot is approximately 2.0 acres in size, gently sloping, and heavily vegetated by invasive and native species, including coast live oak, Pajaro manzanita, and an abundance of poison oak shrubs. In accordance with the Forest Management Plan, implementation of the project will require the removal of eight (8) coast live oak trees ranging in size from eight (8) to 16 inches, four (4) of which are multi-truncated. While development will occur within 100-feet of Pajaro manzanita clusters, a recognized environmentally sensitive habitat, no Pajaro manzanita will be removed as a result of the project.

The project has been carefully sited on the parcel to avoid slopes greater than 25 % and will require minimal grading. Access to the parcel will be maintained on the existing shared dirt road. The home will be served by a community well operated by a non-profit entity known as the San Miguel Canyon Water Association.

OTHER AGENCY INVOLVEMENT:

- ✓ North County 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 RMA-Planning Department, Water Resources, Environmental Health, and North County Fire Protection District have been incorporated into the condition compliance reporting plan (**Exhibit C**).

On April 2, 2007, the North County Coastal Land Use Advisory Committee voted 3-0 to recommend approval of the subject Combined Development Permit (PLN060348/Nelsen). The Committee voted to recommend approval with noted concerns regarding the continued efforts to remove invasive pampass grass (**Exhibit D**). Condition 9 has been added to address pampass grass eradication.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission (Sections 20.86.030 and 20.86.080)

Shandell Brunk

(831) 755-5185, brunks@co.monterey.ca.us

March 15, 2007

cc: Zoning Administrator; North County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Carl Holm, Acting Planning & Building Services Manager; Shandell Frank, Project Planner; Carol Allen; Eric and Erin Nelsen, Applicants; Planning File PLN060348.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Recommended Findings and Evidence
	Exhibit C	Recommended Conditions of Approval
	Exhibit D	North County Coastal LUAC Minutes
	Exhibit E	Site Plan, Floor Plan, Elevations
	Exhibit F	Mitigated Negative Declaration

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

EXHIBIT B
RECOMMENDED FINDINGS AND EVIDENCE
PLN060348/Nelsen

- 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 North County Area Land Use Plan, Title 20 of the Monterey County Code, and the Monterey County Coastal Implementation Plan - Part 2 (Chapter 20.144 MCC).

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 property is located at 16919 Forest Lane, Prunedale (Assessor's Parcel Number 127-231-041-000), North County Area Land Use Plan. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is therefore suitable for the proposed use.

(c) Principally permitted uses allowed in the LDR zone include the first single family dwelling on a legal lot of record. A Coastal Development Permit is required in order to allow construction within 100 feet of environmentally sensitive habitat as well as the removal of protected trees, see **Finding 4**.

(d) The project planner conducted a site inspection on June 5, 2006 to verify that the project on the subject parcel conforms to the plans listed above.

(e) On April 2, 2007, the North County Coastal Land Use Advisory Committee voted 3-0 to recommend approval of the subject Combined Development Permit (PLN060348/Nelsen). The Committee voted to recommend approval with noted concerns regarding the continued efforts to remove invasive pampass grass. **Condition 9** has been added to address pampass grass eradication.

(f) The application, plans, and related support materials submitted by the project applicant to the RMA- Planning Department for the proposed development found in Project File PLN060348.

- 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, North County Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

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

- Biological Survey of Nelsen Property (LIB06413) prepared by Kathy Lyons, Soquel, CA, June 21, 2005 and subsequently updated June 26, 2006.

- Geotechnical Soils-Foundation and Geoseismic Report for the proposed Groner-Nelsen Residence, 16919 Forest Lane (LIB060410) prepared by Grice Engineering and Geology Inc, Salinas, CA, June 2006.
 - Forest Management Plan, Nelsen residence (LIB060627) prepared by Frank Ono, Pacific Grove, CA, July 3, 2006 and subsequently updated August 29, 2006.
- (c) Staff conducted a site inspection on June 5, 2006 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN060348.

3. FINDING: CEQA (Initial Study/Mitigated Negative Declaration): - On the basis of the whole record before the Zoning Administrator there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:** (a) Initial Study. The application proposes to develop a house within 100 feet of environmentally sensitive habitat including maritime chaparral and coast live oak woodland communities. Although no significant direct impacts are anticipated, indirect impacts may occur due to construction activity, maintenance, and human activity on the property during and after construction. Staff therefore conducted an Initial Study and subsequent Mitigated Negative Declaration pursuant to CEQA. The Initial Study identified potentially significant effects to biological resources that could be mitigated to a less than significant level. The applicant has agreed to the proposed mitigation measures.
- (b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk on February 23, 2007, noticed for public review, and circulated to the State Clearinghouse from February 26, 2007 to March 27, 2007. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
1. Biological Survey of the Nelsen Property, 16919 Forest Lane, by Kathy Lyons (June 21, 2005) and subsequent update (June 26, 2006).
 2. Forest Management Plan for Nelsen Residence, by Frank Ono (July 3, 2006) and subsequent update (August 29, 2006).
 3. Geotechnical Soils-Foundation and Geoseismic Report for the Groner-Nelsen Residence, by Grice Engineering and Geology Inc (June 2006).
 4. "2004 Air Quality Management Plan" and "CEQA Air Quality Guidelines, July 2004," prepared by the Monterey Bay Unified Air Pollution Control District.
 5. Fugro West North Monterey County Hydrogeologic Study, October 1995.
 6. North Monterey County Comprehensive Water Resources Management Plan. Monterey County Water Resources Agency and EDAW, Inc. January 2002.

The County of Monterey is the custodian of these documents which are located at 168 West Alisal Street, Salinas, California. The Zoning Administrator determines that although the project could have significant impacts, mitigation can reduce these potential impacts to a level of

insignificance. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan are hereby adopted by the Zoning Administrator.

- (c) Mitigation Monitoring Program. A Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation. The applicant/owner must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval.
- (d) Comments. During the Initial Study and Mitigated Negative Declaration circulation period (February 26 through March 27, 2007), comment letters were received from the Monterey Bay Unified Air Pollution Control District, and the Association of Monterey Bay Area Governments. These comments were informational in nature and noted for the record.

4. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT - The project as designed, conditioned, and mitigated is consistent with policies of the North County Land Use Plan concerning ESHA (Chapter 2.3).

- EVIDENCE:**
- (a) A Biological Survey was prepared by Kathy Lyons on June 21, 2005 and subsequently updated on June 26, 2006. The purpose of the study was to address the siting, design, and construction of the single family residence, attached garage, and septic system. According to the reports, the dominant plant communities located on the property include maritime chaparral, oak woodland, poison oak scrub and non-native grassland. In an effort to minimize impacts to sensitive species, namely Pajaro manzanita, the project has been sited within the poison oak scrub, non-native grassland, and oak woodland communities. While portions of the development will occur within 100 feet of Pajaro manzanita clusters, no manzanita will be removed as a result of the project.
 - (b) In order to further the policies and regulations of the North County Land Use Plan (2.3) and the North County Coastal Implementation Plan (20.144.040), standard Conditions of Approval will require the following: grading shall be the least amount necessary to support the development, invasive plant species will be required to be controlled and removed, and the implementation of tree and native habitat protection measures shall be employed during construction activities.
 - (c) Mitigation Measures designed to reduce impacts to ESHA to a less than significant level include the following:
 - the applicant or contractor shall encircle the development areas with plastic mesh fencing, development shall only occur within these fenced areas; all roots greater than two (2) inches in diameter shall be hand cut;
 - the applicant shall record a scenic and conservation easement on the remainder of the property containing maritime chaparral;
 - removed trees shall be replaced with suitable local native oak saplings consistent with the Forest Management Plan prepared by Frank Ono (July and August 2006).
 - (d) The North County Fire Protection District is currently enforcing a 100 foot defensible space clearance zone. However, trees should be limbed up to 6 feet and shrubs such as rare, endangered and threatened plants, can remain but should have dead and dying material removed, leaving only healthy

growth. The following mitigation measure has been included to reduce impacts within the fire management area:

- fuel management shall be limited to the removal of dead woody debris, dead tree limbs, invasive plant species, and limbing of oaks and eucalyptus trees to create a six-foot ground to canopy clearance.
- No sensitive species shall be removed.

5. FINDING: TREE REMOVAL – The project includes the removal of eight (8) protected coast live oak trees between eight (8) and 18 inches DBH.

EVIDENCE:

- (a) Section 20.144.050.1 requires a Coastal Development Permit for the removal of trees and other major vegetation that does not pose an immediate threat to life or structures nor do they represent a severe or serious infection hazard to the rest of the forest.
- (b) Removal and replanting of trees will occur in accordance with the updated Forest Management Plan prepared for the site (LIB060627)
- (c) Tree removal is not proposed within a scenic or conservation easement and represents the minimum amount necessary to implement the project.
- (d) Measures for tree protection during construction have been incorporated as Conditions #7 and #26 and include wrapping of trunks with protective materials, the avoidance of fill at the feeding zone or drip-line of retained trees, and hand cutting of roots greater than two inches in diameter.
- (e) Potential impacts associated with tree removal have been addressed within the Mitigated Negative Declaration completed for the project.

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

EVIDENCE

- (a) The subject property is not described as an area where the Local Coastal Program requires access.
- (b) The subject property is not indicated as part of any designated trails or shoreline access as specified in Policy 6.4 of the North County Area Land Use Plan.
- (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- (d) Staff site visit on June 5, 2006.

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

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

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

use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: Preceding findings and supporting evidence.

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

EVIDENCE: Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance.

Exhibit C
Resource Management Agency - Planning Department
Condition Compliance & Mitigation Monitoring and
Reporting Plan

Project Name: Eric and Erin Nelsen
File No: PLN060348 **APN:** 127-231-041-000
Approval by: Zoning Administrator **Date:** April 26, 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>Verificati on of Complian ce (name/dat e)</i>
1.		<p>PD001 - SPECIFIC USES ONLY</p> <p>This Combined Development Permit (PLN060348) allows the construction of a 2,112 square foot single family dwelling, 576 square foot attached garage and septic system (grading includes 45 cubic yards of cut and 55 cubic yards of fill), as well as the removal of eight (8) protected coast live oak trees within 100 feet of environmentally sensitive habitat. The property is located at 16919 Forest Lane (Assessor's Parcel Number 127-231-041-000), Prunedale, North County Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
		permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 060348) was approved by the Zoning Administrator for Assessor's Parcel Number 127-231-041-000 on April 26, 2007. The permit was granted subject to <u>30</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	
3.		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 submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning	Owner/ Applicant	Within 5 working days of project	

<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>Verificati on of Complian ce (name/dat e)</i>
		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)	Department.		approval. Prior to the recordation of the final map, the start of use or the issuance of building or grading permits	
4.		PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	

<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>Verificati on of Complian ce (name/dat e)</i>
5.		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	
6.		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)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
7.		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) 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.	Submit evidence of tree protection to the RMA - Planning Department for review and approval. 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 Owner/ Applicant/ Arborist	Prior to the issuance of grading and/or building permits During Construction	

<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>Verificati on of Complian ce (name/dat e)</i>
		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 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	
8.		PD012(C) - LANDSCAPING PLAN - NORTH COUNTY COASTAL NATIVE The site shall be landscaped. The use of native species consistent with and found in the project area shall be required in all landscaping plans as a condition of project approval. A list of appropriate native plant species identified in Attachment #2 and #3 in the North County Implementation Plan Development Regulations is available in brochure form (<i>Suggested Native Species Landscaping List - North County Coastal Zone</i>) from the RMA - Planning Department. (RMA – Planning Department)	Submit landscape plans and contractor's estimate to RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least three weeks prior to final inspection or occupancy	
9.		PDSP-001- REMOVAL OF NON-NATIVE SPECIES Pampass grass identified on the parcel shall be removed from site and properly disposed. (RMA-Planning Department)	Submit verification and appropriate photographs for the review and approval of the Planning Director.	Owner/ Applicant	Ongoing	
10.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be	Owner/ Applicant	Prior to the issuance of building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<p>so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6.</p> <p>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>incorporated into final building plans.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
11.		<p>PD021 - DEED RESTRICTION - FIRE HAZARD Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "The parcel is located in a high fire hazard area and development may be subject to certain restrictions required as per Section 20.144.100.C of the Coastal Implementation Plan and per the standards for development of residential property." (RMA – Planning Department)</p>	Submittal of approved and Recorded Deed Restriction to RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	
12.	3.	<p>PD022 – EASEMENT – CONSERVATION AND SCENIC A conservation and scenic easement shall be conveyed to the County over those portions of the property where sensitive habitats, archaeological sites, etc. exist. The easement shall be developed in consultation with certified professional. An easement deed shall be submitted to, reviewed and approved by, the Director of the RMA -</p>	Submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to the RMA - Planning Department for review and	Owner/ Applicant/ Certified Professional	Prior to issuance of grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
		Planning Department prior to issuance of grading and building permits. (RMA – Planning Department)	approval. Record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant	Prior to final map, final inspection or commencement of use	
13.		PD033 - RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA – Planning Department)	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to commencement of use.	
14.		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
15.		PD043 – GRADING PERMITS REQUIRED 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	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	

<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>Verificati on of Complian ce (name/dat e)</i>
		cubic yards of earthwork. (RMA – Planning Department and Building Services Department)				
16.		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)	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 permits	
17.		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
18.		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	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/ occupancy	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
		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.		DRAINAGE PLAN (NON STANDARD WORDING) The applicant shall provide the Water Resources Agency a drainage plan addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to the issuance of any grading or building permits	
20.		FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns,	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.	

<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>Verificati on of Complian ce (name/dat e)</i>
		an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (North County Fire Protection District)	Applicant shall schedule fire department clearance inspection	Applicant or Owner	Prior to final building inspection	
21.		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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or Owner	Prior to issuance of building permit. Prior to final building inspection	

<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>Verificati on of Complian ce (name/dat e)</i>
		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. (North County Fire Protection District)				
22.		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. (North County Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire department clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
23.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to	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.	

<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>Verificati on of Complian ce (name/dat e)</i>
		provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (North County Fire Protection District)				
24.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (North County Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. rough sprinkler inspection Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to framing inspection Prior to final building inspection	
25.		FIRE026 - ROOF CONSTRUCTION (STANDARD) 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	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificati on of Complian ce (name/dat e)</i>
		minimum of ICBO Class B roof construction. (North County Fire Protection District)				
26.	1.	MITIGATION MEASURE #1 (PROTECTIVE FENCING) To protect Pajaro manzanita clusters located adjacent to the proposed development, the applicant or contractor shall encircle the development area(s) with plastic mesh fencing prior to the issuance of a grading permit. Development shall only occur within the encircled areas. Fencing shall remain until all construction activities have ceased.	MONITORING ACTION #1: Submit photos demonstrating compliance. Follow-up photos shall be submitted prior to final building permit sign-off subject to the approval of the Director of the Planning Department.	Applicant/ Contractor Applicant/ Contractor	Prior to issuance of grading permits. Prior to final.	
27.	2.	MITIGATION MEASURE #2 (HAND CUTTING) To ensure the health of adjacent trees and shrubs during the trenching of utilities (i.e. water, power, and septic lines), all roots greater than 2 inches in diameter shall be hand-cut rather than cut by mechanical trencher.	MONITORING ACTION #2: A qualified Biologist shall remain onsite to monitor all trenching activities. The Biologist shall submit a monitoring report to the Director of the Planning Department for review.	Qualified Biologist Qualified Biologist	During trenching activities Prior to final building inspection	
28.	3.	MITIGATION MEASURE #3 (CONSERVATION AND SCENIC EASEMENT) To ensure the long-term maintenance of the maritime chaparral habitat located on the property, the chaparral shall be placed into a conservation scenic easement by the applicants. Habitat alteration within the easement shall be prohibited except for the removal of invasive non-native plant species and specific fire management activities around the residential structure.	MONITORING ACTION #3: Submit an approved and recorded conservation and scenic easement to the Planning Department. This easement shall be dedicated to the County of Monterey.	Applicant	Prior to the issuance of building or grading permits	

