

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: September 13, 2007 Time: 1:55pm	Agenda Item No.: 6
Project Description: Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a new 3,573 square foot two-story single family dwelling with a 532 square foot attached 2 car garage; 190 square feet of covered porch area and 241 square feet of deck area; 56 linear feet of retaining walls; and grading (Approx, 50 cubic yards of cut and 200 cubic yards of fill) and Design Approval; 2) a Coastal Development Permit for the removal of 4 trees (3 Monterey Cypress and one Monterey Pine).	
Project Location: 3306 Martin Road, Carmel	APN: 009-321-007-000
Planning File Number: PLN060709	Owner: Nick Keros Applicant: David Dwight
Plan Area: Carmel Area Land Use Plan	Flagged and staked: Yes
Zoning Designation: "MDR/2-D (CZ)" [Medium Density Residential, 2 units per acre with Design Control,, Coastal Zone]	
CEQA Action: Categorically Exempt per Section §15303, Class 1 (a)	
Department: RMA - Planning Department	

RECOMMENDATION:

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

PROJECT OVERVIEW:

The project site is a 0.5-acre parcel within the Carmel Woods area This property is zoned Medium Density Residential, 2 units per acre with Design Control, Coastal Zone ("MDR/2-D"). The site is relatively flat and has been previously disturbed. The proposed residence is an allowed use under Title 20 section 20.12.040 and conforms to the site development standards under section 20.12.060. The project cannot be seen from any public viewing areas, therefore staff determined that the tree removal would not have significant impacts on the public viewshed, and that the proposed tree removal is consistent with the policies of the Carmel Coastal Implementation Plan (CIP) per Section 20.146.060 of the Monterey County Coastal Implementation Plan Part 4.

A Forest Management Plan (FMP) was prepared for the subject property by Frank Ono dated April 27, 2007. The report indicated the subject property contained several protected and planted trees, not indigenous to that area of the Carmel Hatton Fields (3 Monterey Cypress). The site is not located in a special treatment area, and the 3 Monterey cypress trees are located outside of their native range. The one diseased landmark Monterey Pine is within the fringe of the pine forest range; however, the forester has recommended that it be removed due to its condition. 13 none native ornamental trees will be removed as a result of the project. The CIP still requires a coastal development permit for the removal of major vegetation for that reason the project description includes the tree cypress trees and the one landmark pine.

Staff finds the project is categorically exempt from CEQA review pursuant to §15303. Class 3. The project consists of the construction of a new 3,573 square foot two-story single family dwelling and for the removal of 7 unprotected trees, 3 Monterey Cypress ranging from 8 to 22 inches and one 28 inch Monterey Pine. 15303 exempts, new construction of one single family residence. The tree removal is permissible with a coastal development permit as the minimum required under the circumstances and under the provided in the FMP would not have a significant effect to existing forest resources.

EXHIBIT A

OTHER AGENCY INVOLVEMENT:

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

The above checked agencies and departments have reviewed this project. Conditions recommended by the RMA-Planning Department and the Carmel Highlands Fire Protection District have been incorporated into the conditions of approval (**Exhibit D**).

The project was not referred to the Carmel Area Land Use Advisory Committee for review based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236. [(See Finding 1 (f)]

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

Ramon A. Montano, Assistant Planner
(831) 755-5169; montanor@co.monterey.ca.us
August 11, 2007

Cc: Zoning Administrator; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Coastal Commission; Carl Holm, Interim Planning Services Manager; Ramon A. Montano, Project Planner; Carol Allen; Connie Mendoza; Nick Keros; David Dwight, Planning File PLN060709.

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

This report was reviewed by Carl Holm, AICP; Interim Planning Services Manager

EXHIBIT B
RECOMMENDED FINDINGS AND EVIDENCE
PLN060709/Keros

1. **FINDING:** **CONSISTENCY** – The project as described in Condition No.1 and as conditioned, policies, requirements, and standards of the Monterey County General Plan, certified Monterey County Local Coastal Program (LCP). The LCP for this site consists of the Carmel Area Land Use Plan, Coastal Implementation Plan (Part 4), and the Coastal Implementation Plan Appendices (Part 6); Monterey County Coastal Implementation Plan (Part 1) or Zoning Ordinance (Title 20), 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 is located at 3306 Martin Road Carmel (Assessor's Parcel Number: 009-321-007-000) in the Carmel land Use Plan area. The parcel is zoned Medium Density Residential/ two (2) unit per acre with Design Control Overlay, in the Coastal Zone ("MDR/2-D (CZ)"). The project includes the construction of a construction of a new 3,573 square foot two-story single family dwelling with a 532 square foot attached 2 car garage; 190 square feet of covered porch area and 241 square feet of deck area; 56 linear feet of retaining walls; and grading (Approx, 50 cubic yards of cut and 200 cubic yards of fill) and Design Approval; 2) the removal of 7 unprotected ornamental trees and 4 protected trees (3 Monterey Cypress ranging from 8 to 22 inches and one 28 inch Monterey Pine). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20 and is therefore suitable for the proposed development.
 - (c) On June 5, 2007, the owner submitted an application requesting to allow the construction of a new one-story single family dwelling with an attached two-car garage and covered patio. Pursuant to Section 20.12.040.A this proposal is considered principally allowed upon securing a Coastal Administrative Permit.
 - (d) The project is consistent with the following development standards as required by Section 20.12.060 of the Monterey County Zoning Ordinance (Title 20) for those areas designated Medium Density Residential, 4 units per acre
 - Height Allowed height measured from the average natural grade for a main structure is 30 feet. The proposed residence is a one-story structure that measures approximately 19.6 feet at the highest point.
 - Setbacks Main structures require a minimum setback of 20 feet (front), 5 feet (side), and 10 feet (rear). The parcel will be accessed by a private driveway that intersects Shafter Way. The front setback is located approximately 20 feet from the edge of the private right-of-way, 5 feet, and 6 feet 10 inches from the side property line and approximately 47 feet from the rear property line.

- Development Density Maximum density allowed within the MDR/2 zoning district is four (2) units per acre. The parcel is approximately 19,392 square feet or 0.5 acres.
 - Building Site Coverage Maximum allowed building site coverage within the MDR zoning designation is 35%, as proposed the project maintains site coverage of 16.8%.
- (e) The project planner conducted a site inspection in June, 2007 to verify that the project on the subject parcels conforms to the plans listed above.
- (f) The project was not referred to the Carmel Area Land Use Advisory Committee for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this project did not warrant referral to the LUAC because the development does not involve slopes in excess of 30%, a lot line adjustment or variance nor will it be considered ridgeline development or be inconsistent with LCP policies for tree removal and viewshed.
- (g) Tree Removal: The site is relatively flat but is limited in the amount of area that can be developed, due to lot size constraints and slopes in excess of 30%. the removal of 7 unprotected ornamental trees and 4 protected trees (3 Monterey Cypress ranging from 8 to 22 inches and one 28 inch Monterey Pine) is the minimum required for the project. The Forest Management Plan prepared for the project supports this conclusion and meets the policies of the CIP Part 4 Section 20.146.060 A.
- (h) The application, project plans, and related support materials submitted by the applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN060709.

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, Public Works, Environmental Health Division, and the 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) Carmel Highlands Fire Protection District has included a condition of approval (Condition No. 15) requiring Defensible space that involves removing combustible vegetation from within a minimum of thirty feet of the proposed structure, including removing tree limbs six feet up from ground. This requirement is consistent with recommendation made in the FMP and will not require the removal of biologically sensitive plant or animal species.
- (c) Technical reports by outside archaeological and geological 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:
- I “Preliminary Cultural Resources Reconnaissance” (LIB070280) prepared by Archaeological Consulting, Salinas, CA, September 30, 1992 and follow up report dated April 27, 2007.*
- II “Forest Management Plan” (LIB070281) prepare by Frank Ono Forester., Salinas, CA, dated April 27, 2007.*
- III “Biological Report” (LIB070282) prepared by Jeffrey B. Froke, Ph.D. Pebble Beach, CA, dated May 9, 2007.*
- (d) Staff conducted a site inspection in June 2007 to verify that the site is suitable for this use.

(e) Materials in Project File PLN060709.

3. **FINDING: TREE REMOVAL** – The subject project minimizes tree removal in accordance with the applicable goals and policies of the Carmel Land Use Plan and Coastal Implementation Plan (Part 4).

EVIDENCE: (a) The project includes a Coastal Development Permit for the removal of 3 Monterey Cypress trees and One Landmark Monterey Pine tree:

3 8-inches to 22-inches DBH

1 28-inch DBH

- (b) Within the (§20.146.060A.1 & B. 1a. & 1b) of the Monterey County Coastal Implementation Plan, Part 4, a Coastal Development Permit for the removal of tree and other major vegetation is required. The removal of the trees proposed for removal are directly related to development impacts and that the proposed tree removal is the minimum required under the circumstances based on structure size and lot configuration.
- (c) The Carmel CIP (§20.146.060A.1) exempts the removal of non-native, planted trees, from a coastal development permit except where this action would result in the exposure of structures in the public viewshed area. The trees proposed for removal are directly related to development impacts. The trees proposed to be removed cannot be seen from public viewing areas therefore this action would not result in the exposure of structures in the public viewshed area.
- (d) A Forest Management Plan was prepared for the subject property by Frank Ono dated April 27, 2007, which indicated the subject property contained several planted trees, not indigenous to that section of the Carmel, Hatton Fields. The four protected trees proposed to be removed are three Monterey Cypress and one Monterey Pine. The Monterey Pine tree is considered by the Forester and the Biologist as a dead tree, the foresters recommends it be removed.
- (e) The vegetation near the building site contained mainly planted trees, not indigenous to that section of the Carmel, Hatton Fields. The site is not located in a special treatment area or within an area containing environmentally sensitive habitat.
- (f) Planning staff reviewed the project and determined that the proposed tree removal is the minimum required under the circumstances based on structure size and lot configuration and that the trees proposed for removal are directly related to development impacts. Project planner conducted a site visit in June 2007 to confirm the site vegetation resources and the constraint of the site.
- (g) Removal of trees that measure 12-inches or greater DBH are required to be replaced on site at a 1:1 ratio by Section 20.146.060.D 6 of the CIP. There are four trees that must be replaced. The Forest Management Plan recommends this ratio and this has been incorporated as standard conditions of approval (Conditions #6)
- (h) The Forest Management Plan prepared by Forest City Consulting dated April 27, 2007 reports concur that there are no significant long term development related impacts anticipated to the native forest resources. Environmental considerations of potential impact to native trees was assessed in the report include review of forest plant associations, native soil cover, aesthetic values, as well as maintenance of the overall health of the stand (20.146.060 D. 4).
- (i) A Botanical Assessment prepared by Biotic Jeffrey B. Froke dated May 9, 2007. The report confirms that the Monterey Pine tree which is listed on the California Native Plant Society (CNPS) List as a 1B sensitive habitat

corroborates the Foresters assessment of the trees condition as dead. The report indicated that no other special status plant species were observed within the proposed development area on the property. The ground cover consists of non-native plant species with limited undergrowth or plant associations.

- (j) Monterey County standard conditions of approval have been implemented for protection of surrounding trees during construction including tree protection zones and trunk protection as required by the FMP see (Condition #7).
- (k) A Monterey County standard condition of approval has been implemented requiring the applicant to record a notice stating that a Forest Management Plan has been prepared and any tree removal shall be in accordance with the approved plan (Condition #6).
- (l) Forest Management Plan prepared by Forest City Consulting, dated April 27, 2007, a subsequent report by Forest City Consulting dated June 27, 2007, and a Botanic Assessment prepared by Biotic Resources Group dated May 10, 2007 are contained in Project File PLN060709. The reports concluded that the removal of the proposed trees would not significantly impact the remaining forest resources.

4. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review. The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- (a) CEQA Guidelines lists classes of projects which have been determined to not have a significant effect on the environment and are therefore exempt from the provisions of CEQA. Section 15303 (Class 3), categorically exempts construction of one single family residence, or a second single family dwelling unit in a residential zone (§15303.a). The project includes the construction of a construction of a new 3,573 square foot two-story single family dwelling with an attached 2 car garage; porch and deck area with 56 linear feet of retaining walls; and approximately 250 cubic yards of cut & fill) and the removal of 7 unprotected ornamental trees and 4 protected trees (3 Monterey Cypress ranging from 8 to 22 inches and one 28 inch Monterey Pine).
 - (b) Potential impact to native trees was assessed in Forest Management Plans prepared by Forest City Consulting dated April 27, 2007. The project proposes the removal 4 protected trees (3 Monterey Cypress ranging from 8 to 22 inches and one 28 inch Monterey Pine. A Botanical Assessment prepared by Biotic Resources Group, dated May 10, 2007, confirms that the Monterey Pine forest is listed on the CNPS List 1B as a sensitive habitat, however, the lot is densely forested and due to the low ratio of the number of trees on the lot against the number of trees proposed for removal there is no significant impact to habitat. The ground cover consists of native and non-native plant species with limited undergrowth or plant associations. No other special status plant species were observed within the proposed development area on the property.
 - (c) Landmark trees are those trees which are 24 inches or more in diameter when measured at breast height or a tree which is visually significant, historically significant, exemplary of its species, or more than 1000 years old. The one landmark trees is not located within a scenic area nor exemplary of its species. Forester and the Biologist determined that the 28 inch Monterey Pine is dead. The Forester recommended that the tree be removed.

- (d) A Biological Report prepared for the project deemed the project suitable for the proposed development provided the recommendations in the report are followed. No significant impacts were identified. A standard condition of approval has been implemented to assure compliance with the report (Condition #12)
- (e) The geotechnical report prepared for the project deemed the project suitable for the proposed project provided the recommendations in the report are followed. No significant impacts were identified. A standard condition of approval has been implemented to assure compliance with the report (Condition #5)
- (f) The Archaeological report prepared for the project deemed the project suitable for the proposed project provided the recommendations in the report are followed. No significant impacts were identified. A standard condition of approval has been implemented to assure compliance with the report (Condition #4)
- (g) Technical reports prepared for this project concur that there are no significant long term development related impacts anticipated to the native forest resources and as such there are no unique circumstances that would require further CEQA review. No issues remain.
 - I "Preliminary Cultural Resources Reconnaissance" (LIB070280) prepared by Archaeological Consulting, Salinas, CA, September 30, 1992 and follow up report dated April 27, 2007.*
 - II "Forest Management Plan" (LIB070281) prepared by Frank Ono Forester., Salinas, CA, dated April 27, 2007.*
 - III "Biological Report" (LIB070282) prepared by Jeffrey B. Froke, Ph.D. Pebble Beach, CA, dated May 9, 2007.*
- (h) No potential adverse environmental effects were identified during staff review of the development application and materials or during the site visit in June, 2007. The site is not visible from any designated scenic corridor or public viewing areas.
- (i) No unusual circumstances were found to exist that would cause a potential significant environmental impact to occur.
- (j) See preceding and following findings and supporting evidence.
- (k) Materials in project file PLN060709.

5. **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 shown in Figure 3, the Shoreline Access/Trails Map, of the Carmel 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 in June, 2007.

6. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.
- EVIDENCE:** Staff reviewed RMA- Planning Department and RMA-Building Services records and is not aware of any violations existing on subject property.
7. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** Preceding findings and supporting evidence.
8. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:** (a) Sections 20.86.020 and 20.86.030 of the Monterey County Zoning Ordinance (Title 20).
(b) In accordance with Section 20.86.080 of the Monterey County Zoning Ordinance (Title 20) the project may be appealed to the California Coastal Commission because the project is located between the sea and the first through public road paralleling the sea and includes the granting of a conditional use permit for tree removal.

Exhibit C Resource Management Agency - Planning Department Condition Compliance & Mitigation Monitoring and Reporting Plan	Project Name: <u>Nick Keros</u>
	File No: <u>PLN060709</u> APN: <u>009-321-007-000</u>
	Approval by: <u>Zoning Administrator</u> Date: <u>September 13, 2007</u>

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<p>PD001 - SPECIFIC USES ONLY</p> <p>This Combined Development Permit consisting of: 1) a Coastal Administrative Permit for the construction of a new 3,573 square foot two-story single family dwelling with a 532 square foot attached 2 car garage; 190 square feet of covered porch area and 241 square feet of deck area; 56 linear feet of retaining walls; and grading (Approx, 50 cubic yards of cut and 200 cubic yards of fill) and Design Approval; 2) a Coastal Development Permit for the removal of 4 trees (3 Monterey Cypress and one Monterey Pine). The project is located at 3306 Martin Road Carmel (Assessor's Parcel Number: 009-321-007-000) in the Carmel land Use Plan area This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of 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 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.</p> <p>(Resource Management Agency RMA - Planning Department)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2		<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 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)</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/parcel map, whichever occurs first and as applicable	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
3.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution 060709) was approved by the Zoning Administrator for Assessor's Parcel Number 009-321-007-000 on September 13, 2007. The permit was granted subject to 23 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)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</p>	
4		<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>	<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.</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

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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/ Geotechnical Consultant	Prior to final inspection	
7		PD010 - EROSION CONTROL PLAN AND SCHEDULE 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)	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	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	

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8		<p>PDSP001 – NON STANDARD TREE ROOT PROTECTION</p> <p>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 the Forester and, in accordance with Management Measures 1 through 11 listed in the FMP prepared for the project. Photo graphic evidence demonstrating compliance shall be submitted to the RMA Director of Planning Department and permits subject to the approval prior to issuance of building permits or grading permits. 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)</p>	<p>Submit photographic evidence that tree protection measures are in place through out grading and construction phases to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			<p>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.</p>	Owner/ Applicant/ Arborist	During Construction	
			<p>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.</p>	Owner/ Applicant	Prior to final inspection	

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9		<p>PDSP002 – TREE REPLACEMENT LANDSCAPE PLAN</p> <p>The property owner or agent shall have the Forester submit a Tree Replacement Landscape plan, written, and photographic verification that the trees required to be replaced per the Forest Management Plan (Lib # 070281) as approved under PLN060709. At a minimum replacement of trees that measure 12-inches or greater DBH are required to be replaced on site at a 1:1 ratio. Provide three (3) copies of the plan with sufficient detail to identify the location, species, and size of the proposed trees and shall include an irrigation plan. The plan shall be accompanied by a monitoring plan with success criteria to insure the re-plant in the event the plantings fail. Additionally 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 for the installation, monitoring and replacement of the trees made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. (RMA – Planning Department)</p>	<p>(A) Property owner or agent shall have a certified Forester submit a site plan,</p> <p>(B) Submit to the RMA - Planning Department written and photographic verification that the replacement trees are planted and maintained in accordance with the Forest Management Plan.</p> <p>(C) Submit a monitoring report by a certified Forester to the Director of Planning for review and approval. The report shall provide evidence to indicate the health and condition of trees and that the replanting has met the success criteria of 100%. If the success criteria has not been met, the Forester shall recommend alternatives for the replacement, and any new tree replacement shall start a 3 year monitoring cycle from date of planting</p>	Owner/ Agent/ Applicant	<p>(A) Prior to issuance of permits</p> <p>(B) Prior to Final/ Occupancy</p> <p>(C) Annually for three years</p>	

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10		<p>PD012(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</p> <p>The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan 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 RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)</p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>At least three (3) weeks prior to final inspection or occupancy</p>	
			<p>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.</p>	<p>Owner/ Applicant</p>	<p>Ongoing</p>	

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11		<p>PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A(n) <i>“Forest Management Plan” (LIB070281) prepare by Frank Ono Forester., Salinas, CA, dated April 27, 2007.</i> and is on record in the Monterey County RMA - Planning Department . All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</p>	<p>PD</p>
12		<p>PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A(n) <i>“Biological Report” (LIB070282) prepared by Jeffrey B. Froke, Ph.D. Pebble Beach, CA, dated May 9, 2007.</i>and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</p>	<p>PD</p>
13		<p>PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A(n) <i>“Preliminary Cultural Resources Reconnaissance” (LIB070280) prepared by Archaeological Consulting, Salinas, CA, September 30, 1992 and follow up report dated April 27, 2007.</i> and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</p>	<p>PD</p>

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14		<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 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)</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
15		<p>PD035 - UTILITIES - UNDERGROUND</p> <p>All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	<p>Install and maintain utility and distribution lines underground.</p>	Owner/ Applicant	Ongoing	

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16		PW0005 – ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to (Martin Road). (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
17		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	

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18		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculation system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.</p> <p>(Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

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19		<p>WR43 - WATER AVAILABILITY CERTIFICATION</p> <p>The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
20		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Highlands Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>Applicant shall schedule Fire Dept. clearance inspection</p>	<p>Applicant or Owner</p> <p>Applicant or Owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to final building inspection</p>	

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21		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Planning Director. (Carmel Highlands Fire Protection District)	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 grading and/or building permit. Prior to final building inspection	
22		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. (Carmel Highlands Fire Protection 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	
23		FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Highlands Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

END OF CONDITIONS