

MONTEREY COUNTY ZONING ADMINISTRATOR

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| Meeting: June 26, 2008 Time: 1:50 P.M | Agenda Item No.: 5 |
| Project Description Administrative Permit and Design Approval to allow the construction of a 989 square foot attached Caretaker Unit; and Design Approval to allow the construction of a 13,044 square foot, two-story, single family dwelling with a below grade attached 3,311 square foot nine-car garage and living area basement, 1,262 square foot loggia, 512 square foot breezeway, 1,031 square foot decks, 12 square foot detached wine shed, and 100 square foot detached potting shed with 174 square foot covered porch. The project includes the relocation of 22 Coast live oak and 18 Monterey pine trees and the removal of 4 Monterey pines ranging in size from 9 to 17 inches in diameter. Grading is approximately 3,973 cubic yards of cut and 991 cubic yards of fill. The property is located at 8015 Quatro, Carmel (Assessor's Parcel Number 259-092-025-000), Tehama Subdivision, southerly of Highway 68, Greater Monterey Peninsula Area. | |
| Project Location: 8015 Quatro, Carmel | APN: 259-092-025-000 |
| Planning File Number: PLN080078 | Name: Quatro Oaks LLC, Property Owner |
| Plan Area: Greater Monterey Peninsula Area Plan | Flagged and staked: Yes |
| Zoning Designation: : RDR/10-UR-D {Rural Density Residential 10 acres per unit with Urban Reserve and Design Control site plan review overlays} | |
| CEQA Action: Addendum to EIR No. 94-005 prepared pursuant to Article 11, Section 15164 | |
| Department: RMA - Planning Department | |

RECOMMENDATION:

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

PROJECT OVERVIEW:

The 4.38 acre parcel is within the Tehama Subdivision, formerly the Canada Woods North Subdivision (965120PC, Board resolution 96-518). The proposed project is a two-story 13,044 square foot residence with a below grade garage and basement and a 989 square foot attached caretaker unit to be constructed within a 1.39 acre building envelope. The 4.38 acre parcel is within the Tehama Subdivision, formerly the Canada Woods North Subdivision (965120PC, Board resolution 96-518). The proposed structures would be located within an opening in the surrounding oak and pine forest canopy, and instead of tree removal existing trees will be relocated outside of but close to the building footprint. The project includes the relocation of 22 Coast live oak trees, 18 Monterey pines and the removal of 4 Monterey pine trees. Grading is approximately 3,973 cubic yard of cut and 991 cubic yard of fill. A substantial quantity of grading is necessary in order to reduce the height of the home to conform to the height limit, decrease the visual impact of the development and achieve the owner's design goals.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

An addendum has been prepared per CEQA Guidelines Article 11, Section 15164 (Exhibit G). The North Canada Woods Environmental Impact Report (EIR 96-004) is available for review at the RMA – Planning Department.

OTHER AGENCY INVOLVEMENT:

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

The project was not referred to the Greater Monterey Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project as no Initial Study was required. The project did not involve slope restrictions, ridgeline/viewshed development restrictions, a Lot Line Adjustment with conflicts, or a Variance. The proposed residence is not in a “VS” district or visible from any public road or common public viewing area.

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

Paula Bradley, MCP, AICP, Associate Planner
 (831) 755-5158, bradleyp@co.monterey.ca.us
 June 9, 2008

cc: Front Counter Copy, Zoning Administrator; Salinas Rural Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Carl Holm, RMA Assistant Director; Taven Kinison Brown, Planning & Building Services Manager; Paula Bradley and Lucy Bernal, Planners; Carol Allen, David Mulvaney, Applicant; Planning File PLN080078.

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| Attachments: | Exhibit A | Project Data Sheet |
| | Exhibit B | Project Discussion |
| | Exhibit C | Recommended Findings and Evidence |
| | Exhibit D | Recommended Conditions of Approval |
| | Exhibit E | Assessor’s Parcel Map and Vicinity Map |
| | Exhibit F | Site Plan, Floor Plan and Elevations |
| | Exhibit G | Design Approval Request Form |
| | Exhibit H | Justification letter for Caretaker Unit, dated 3/13/08 |
| | Exhibit I | Addendum Pursuant to CEQA, Article 11, Section 15164 for PLN080078 |
| | Exhibit J | Amended Tree Assessment/Forest Management Plan, by Frank Ono, Forester, dated 6/6/08 |

This report was reviewed by Luis Osorio, Planning Services Manager

EXHIBIT B DISCUSSION

The subject site is a 4.38 acre unimproved parcel designated as Lot 86 of Phase 1 of the Tehama/Canada Woods North Subdivision. The site is located on the Carmel Valley side of the ridge southeast of the Tehama golf course and Highway 68. The building envelope is located on a hillside and is gently sloping to the southwest. Surrounding parcels are large five-acre or greater parcels in a rural density residential setting. Lot coverage is 5.47% with a 16,652 total square feet. A substantial quantity of grading is proposed in order to reduce the height of the home to conform to the height limit and to decrease the visual impact of the development. The proposed structures are sited within an opening in the oak and pine forest canopy, and instead of tree removal existing trees will be relocated close to the building footprint. The project was designed to avoid the removal of protected and landmark oak trees, minimize the visual impact and maintain the natural aesthetic qualities of the site and surrounding area. The following are project components:

- 13,044 square foot two-story single family dwelling; a below grade 3,311 square foot attached nine car garage and living and office areas, 1,262 square foot loggias, 512 square foot breezeways, 1,031 square foot decks, 312 square foot detached wine shed, a 100 square foot detached potting shed with 174 square foot covered porch
- Attached 989 square foot Caretaker Unit with attached garage
- Relocation of 22 Coastal live oak trees, 18 Monterey pines and the removal of 4 Monterey pines
- Retaining walls, driveway, pool areas and extensive hardscape and landscape areas
- Grading is approximately 4,964 total cubic yards (3,973 cut and 991 cubic yards fill)

Design Approval

The Design Approval is for the 13,781 square foot, two-story main residence and the attached 989 square foot caretaker unit with attached garage. The below-grade nine-car garage is considered a basement and includes liveable area built into the natural slope of the site. The first floor includes several loggia, porches, outdoor kitchen and dining, decks, and detached accessory buildings. Substantial excavation is necessary as most of the basement level is underground to achieve a decrease in bulk and lower the overall height. The maximum height is 29 feet, where 30 feet is allowed. The structures are located within an opening in the tree canopy; existing and relocated trees will provide privacy and natural screening, in fact the residence will not be visible from the surrounding areas. The architectural style is Rural Mediterranean with natural stone and arched windows and entries. Colors and materials will blend in with the natural environment and include natural on-site stone, brick, a neutral beige color stucco, dark green shutters, brown natural wood windows and tails, and wrought iron accents. The roof forms are primarily gables with rolled mission type tile with a three color blend of brown and reds. Site improvements include extensive hardscape featuring walkways, fountains, pools, decorative paving with mosaic inlay, cobblestone, stone retaining walls and green landscaping.

Tree Relocation

The project includes the relocation of eighteen Monterey pines ranging in diameter from 9" diameter at breast height (dbh) to 42" dbh, the relocation of twenty-two Coast live oaks ranging from 6" to 14"; and the removal of four Monterey pines 9", 14", 15" and 17" inches in diameter. No landmark oaks are proposed to be removed. The structures and driveway have been located to minimize protected and landmark oak tree removal, development on slopes, and the existing and relocated trees will provide privacy and natural visual screening. The owner and arborist collaborated in the site and design of the structures to minimize oak tree removal. The forester

conducted several on-site meetings and consulted with Environmental Designs Inc., a firm that specializes in large tree relocation. It was concluded that alternatives would involve the removal of more trees in a healthier condition or development on steeper slopes. Staff concurs that for this project design, the number of trees proposed for removal is the minimum required under the circumstances of the case and the owner is proposing to preserve trees by relocating them. One alternative not considered that could result in fewer trees relocated or removed would be a smaller development footprint. Locations for replacement trees are proposed on the plans sheet L.3.01 (Existing Tree and Relocation Plan) and sheet L.3.02 (Planting Plan).

An “Amended Tree Assessment/Forest Management Plan”, was prepared for this parcel by Frank Ono, Forester (Exhibit J). According to the assessment, the property is forested by Coast live oak as understory interspersed with Monterey pine over story. The canopy cover is continuous with the exception of the building envelope where there is an opening in the canopy. Field observations of the building site and surrounding area reveal that a range of diameter size classes is present (4 inches to 40 inches in diameter). Tree canopy cover consists of a semi-dense forested area in the eastern and southwestern section of the lot, larger diameter trees are located up slope in the south and east sections. The oak forest on the property is in overall moderate health; the pine forests are mixed age with several of the older larger trees beginning to fragment apart due to storm activity and old age.

California Environmental Quality Act (CEQA)

The Board of Supervisors certified the Final Environmental Impact Report (EIR 96-002), and approved the Combined Development Permit (965120PC) for the Canada Woods North Subdivision. The Combined Development Permit included a Use Permit for the removal of 66 protected oaks and 64 Monterey pine trees for roads and driveways, and the removal of 30 protected trees for building sites. The environmental implications for tree removal and appropriate mitigation measures were incorporated as conditions of approval for the subdivision. Additional tree removal requires a Use Permit in accordance with regulations of the Zoning Ordinance. However, tree relocation within the same building site with sufficient success criterion for the relocation is not considered tree removal and therefore relocation does not require additional permits. Staff has prepared an Addendum to the Canada Woods North EIR (attached as Exhibit I) to address site-specific conditions and the scope of work for the proposed project in accordance with Article 11, Section 15164 of the California Environmental Quality Act.

The EIR Mitigation Measures and Use Permit conditions of approval require a site specific Forest Management Plan, the implementation of best management practices for tree relocation, and monitoring to ensure the survivability of the relocated trees, and the protection of trees potentially impacted by construction. Recommended Condition of Approval No. 15 requires methods for tree relocation, pruning, planting irrigation, tree protection zones, trunk protection, and hand digging. Prior to any grading a preconstruction meeting is required to train construction workers on site conducted by a qualified forester or arborist. After five years monitoring a tree assessment will be required to be submitted to the RMA - Planning Department describing the health of the trees, success rates, and recommendations for further actions and/or replacement trees for trees that do not survive based on the success criteria in the Amended Tree Assessment/Forest Management Plan. Any protected trees that do not survive or are damaged during construction are required to be replaced with a size tree to be recommended by the Forester or Arborist considering the size, canopy and habitat value, or other value of the tree to be removed. Protected trees shall be replaced on a 3:1 ratio consistent with Mitigation Measures 12-1 (Condition No. 118) incorporated as Condition No. 15. The Addendum concluded that no additional impacts would result from the relocation.

Conclusion

The proposed residential development is consistent with the General Plan and applicable zoning designations and the approval of the Canada Woods North Subdivision. The project design avoids tree removal by relocating trees within the building envelope, minimizes development on slopes and provides success criteria for relocated trees. Although the development has a large footprint, a below grade garage and basement living areas built into the natural slope of the site, existing and relocated trees will reduce the visual impact and maintain the natural aesthetic qualities of the surrounding area. The proposed materials and colors blend with the natural landscape and are those approved by Tehama Design Review Committee.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Greater Monterey Peninsula Area Plan, Greater Peninsula Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for residential development.

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

(b) The property is located at 8015 Quatro, Carmel (Assessor's Parcel Number 259-092-025-000), Tehama, Greater Monterey Peninsula Area. The parcel is zoned "RDR/10-UR-D" or Rural Density Residential, 10 acres per unit, with Urban Reserve and Design Control overlays. The subject property complies with all rules and regulations pertaining to zoning uses and any other applicable provision of Title 21, and is therefore suitable for the proposed development.

(c) The project for a single-family dwelling with attached garage and caretaker unit are uses allowed in the RDR zoning designation in accordance with Section 21.16.040(A) and (C) and is consistent with the development standards of Section 21.64.030 Monterey County Zoning Ordinance (Title 21).

(d) The proposed project is consistent with the approval of the Canada Woods North Subdivision (Board of Supervisors Resolution No. 96-518).

(e) Regulations of the Design Control or "D" zoning district require design review of structures to assure the protection of the public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property. The project design, materials, and color treatments chosen for the caretaker unit and residence and improvements blend with the natural landscape and are keeping with materials and treatment approved for other residence and structures in the subdivision. The Design Approval application is attached as Exhibit G.

(f) The project planner conducted a site inspection on January 7, 2008 to verify that the project on the subject parcel conforms to the plans listed above.

(g) The project was not referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project as no Initial Study was required. The project did not involve slope restrictions, ridgeline/viewshed development restrictions, a Lot Line Adjustment with conflicts, or a Variance. The proposed residence is not in a "VS" district or visible from any public road or common public viewing area.

(h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN080078.

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, Salinas Rural 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 arborist and geotechnical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:

1. An “Amended Tree Assessment/Forest Management, was prepared for this parcel by Frank Ono, Forester, dated 6/6/08” (Library No. LIB080310) which supports that there are no physical or environmental constraints that would indicate the site is not suitable for the use proposed. Recommendations for tree relocation, removal, tree protection, monitoring for the survival of the relocated and remaining trees is provided.

2. A “Geotechnical Investigation Lot 86, Phase 1, Tehama Monterey County CA” was prepared by O’Brien & Gere Engineers, Inc, dated November 2007 (Library No. LIB080248) and concludes that the site is suitable for the proposed residential construction and provides recommendations.

(c) Staff conducted a site inspection on January 7, 2008 to verify that the site is suitable for this use.

(d) Materials in Project File PLN080078

3. **FINDING: TREE REMOVAL (Minimum Required and Adverse Environmental Impacts)** - The project, as conditioned, is consistent with the applicable goals and policies of the Greater Monterey Peninsula Area Plan and with the Regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260(D) of the Monterey County Zoning Ordinance (Title 21).

EVIDENCE: (a) The proposed tree removal is the minimum required under the circumstances of the case. The structures proposed are within the 1.39 acre building envelope established by the final map. The project proposes to relocate 22 Coast live oak trees ranging from 6” to 14” in diameter and 18 Monterey pines, ranging from 9” to 42” in diameter instead of removing the trees. Four Monterey pines 9”, 14”, 15” and 17” in diameter will be removed which are not protected trees. No landmark oaks are proposed to be removed. The structures and driveway have been located to minimize protected and landmark oak tree removal and development on slopes, while minimizing the visual impact and maintaining the natural aesthetic qualities of the site and area. The forester conducted several on-site meetings with the owner to assess and to identify ways to minimize removal and to determine relocation sites. No alternative building site was assessed for development of the project as it was concluded that

development at alternative sites would involve the removal of more trees in a healthier condition or development on steeper slopes. Locations for replacement trees are proposed on the plans for Tehama lot 86, sheet L.3.01 (Existing Tree and Relocation Plan) and L3.02 (Planting Plan).

- (b) The removal will not involve a risk of adverse environmental impacts to soil erosion; water quality, ecological impacts, noise pollution; air movement, wildlife habitat or associated ecosystems. The Canada Woods North Final Environmental Impact Report (EIR96-002) analyzed the environmental implications of the tree removal and appropriate mitigation measures were incorporated as conditions of approval of that project. Approval of that project by the Board of Supervisors (Resolution No. 96-091), included a Use Permit for the removal of 66 protected oaks and 64 Monterey pine trees to allow road and driveway development and the removal of 30 protected trees for building sites. The EIR Mitigation Measures and Use Permit conditions of approval require a site specific Forest Management Plan and the implementation of best management practices for tree relocation and monitoring to enhance maximum rate of survival of relocated trees and protection of trees potentially impacted by construction. Measures for tree protection during construction have been incorporated as conditions of this approval; these include methods and timing for tree relocation, pruning, planting irrigation, tree protection zones, trunk protection, and hand digging. After five years monitoring and an assessment of the health of the relocated and remaining trees, any protected trees that do not survive based on the success criteria in the was prepared for this parcel by was prepared for this parcel by Frank Ono, Forester, dated June 5, 2008, shall be replaced on a 3:1 ratio consistent with the following mitigation measures from the approved Combined Development Permit:

- Mitigation Measure 12-1 (Condition No. 118) incorporated as Condition No. 15;
- Mitigation Measure 12-6 (Condition No. 122) limits fencing to the building envelope is incorporated as Condition No. 15;
- Mitigation Measure 15-1 (Condition No. 125) grading, filling, and site and subdivision construction activity within the dripline of oak trees;
- Mitigation Measure 15-2 (Condition No. 126) restricts the siting of home sites to minimize removal of oak trees and requires tree protection consistent with the forest management plan, implemented as Condition No. 15.

A tree assessment is required to be submitted and approved by the RMA-Planning Director addressing the health of the trees after five years and recommending further actions and/or replacement trees for trees that do not survive based on the success criteria.

- (d) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires replacement at a rate of 1:1 for protected tree species removed. However, approval of the Canada Woods North Subdivision (File No. 965120PC) requires implementation of Mitigation Measure No. 118 requiring the replacement of non-landmark oak trees at a 3:1 ratio. This mitigation also requires that replacement and remaining trees shall be monitored for a minimum period of five years after replanting. A success ratio threshold of no less than 80% is anticipated with the implementation of the replanting success criteria. In addition, any protected trees and any tree damaged by

grading or construction shall be replaced on a 3:1 ratio with a size replacement tree to be recommended by the Forester considering the size, canopy and habitat value, or other value of the tree to be removed. This has been incorporated into the project as Condition No. 15.

- (e) The application, plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN080078.
- (f) Staff conducted an on-site inspection on January 7, 2008 to verify that the proposed tree removal plan is consistent with the site conditions.

4. FINDING: CARETAKER UNIT – In order to grant the Administrative Permit the Zoning Administrator shall make the following findings:

- 1. The establishment of the caretaker unit will not under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County; and
- 2. The proposed caretaker unit complies with all the applicable requirements for caretaker units, as provided at Chapter 21.64.030(C) of the Monterey County Zoning Ordinance (Title 21).
- 3. The subject property upon which the caretaker unit is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions of the Monterey County Zoning Ordinance (Title 21) and that all zoning violations and abatement costs, if any, have been paid.
- 4. Adequate sewage disposal and water supply facilities exist or are readily available, as approved by the Director of Environmental Health.

- EVIDENCE:**
- (a) The project as described in the application and accompanying materials was reviewed by the Planning Department, Rural Salinas Fire Protection District, Public Works Department, Environmental Health Division, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood or the county in general.
 - (b) The project for a caretaker unit is a use allowed subject to securing an Administrative Permit in accordance with Section 21.64.030(C).
 - (c) The project complies with the regulations for the Design Control Zoning District in accordance with Chapter 21.44 and is consistent with the development standards of Section 21.16.060 of the Monterey County Zoning Ordinance (Title 21). Design Approval has been incorporated into the project and the Design Approval Request Form is attached as Exhibit G. See Finding No. 7, No Violations.
 - (d) Letter justifying caretaker unit request, dated March 13, 2008 is attached as Exhibit H.
 - (e) Staff conducted a site inspection on January 7, 2008 to verify that the project would not present adverse impacts to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
 - (f) The application, plans, and related support materials were reviewed by the Environmental Health Department during Inter-Departmental Review (IDR) dated April 7, 2008 and adequate sewage disposal and water supply facilities exist or are readily available.

- (g) See Finding No. 7, Health and Safety
- (h) Materials in Planning File No. PLN080078.

5. **FINDING: CEQA** - The project, as conditioned and mitigated, will not have significant environmental impacts.

EVIDENCE: (a) The development is contained in an area analyzed by the Final EIR for the Canada Woods North Final Environmental Impact Report (96-002), certified December 17, 1996, by Board of Supervisors Resolution No. 96-518 as an area for disturbance (pre-determined building site).

(b) Addendum to the Final EIR for the Canada Woods North Final Environmental Impact Report (EIR No. 96-002) prepared by staff pursuant to CEQA, Article 14 Section 15164 for the Quatro Oaks LLP Administrative Permit and Design Approval, Planning File No. PLN080078.

(c) The project, as conditioned is consistent with the conclusions and mitigations contained in the certified Final EIR for the Canada Woods North Final Environmental Impact Report (EIR No. 96-002, SCH96061076), certified December 17, 1996, by Board of Supervisors Resolution No. 96-518 and Combined Development Permit (965120PC).

(d) An "Amended Tree Assessment/Forest Management Plan", by Frank Ono, Forester, dated 6/5/08 (Library No. LIB080310).

(e) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Canada Woods North EIR.

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

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

EVIDENCE: Preceding findings and supporting evidence.

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

EVIDENCE: Section 21.80.40 .B Monterey County Zoning Ordinance (Title 21).

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| <p align="center">EXHIBIT D</p> <p align="center">Monterey County Resource Management Agency</p> <p align="center">Planning Department</p> <p align="center">Condition Compliance and/or Mitigation Monitoring Reporting Plan</p> | <p>Project Name: <u>QUATTRO OAKS LP</u></p> <p>File No: <u>PLN080078</u> APNs: <u>259-092-025-0000</u></p> <p>Approved by: <u>Zoning Administrator</u> Date: <u>June 26, 2008</u></p> |
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| 1. | | <p>PD001 - SPECIFIC USES ONLY</p> <p>This Administrative Permit and Design Approval (PLN080078) allows the construction of a 989 square foot attached Caretaker Unit; and Design Approval to allow the construction of a 13,044 square foot two-story single family dwelling with a below grade 3,311 square foot attached nine-car garage and living basement areas, a 1,262 square foot loggia, a 512 square foot breezeway, a 1,031 square foot decks, a 312 square foot detached wine shed, a 100 square foot detached potting shed with 174 square foot covered porch; The project also includes the relocation of 22 Coast Live Oak and 18 Monterey Pine trees and the removal of 4 Monterey pines ranging in size from 9 to 17 inches in diameter. Grading is approximately 3,973 cubic yards of cut and 991 cubic yards of fill. The property is located at 8015 Quatro, Carmel (Assessor's Parcel Number 259-092-025-000), Tehama Subdivision, Southerly of Highway 68, Greater Monterey Peninsula 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</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>Verification of Compliance (name/date)</i> |
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| | | 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. (RMA - Planning Department) | | | | |
| 2. | | PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 259-092-025-000 on June 26, 2008 The permit was granted subject to 28 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of 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 any grading and building permits or commencement of use. | |
| 3. | | PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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 | 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 | Owner/ Applicant/ Archaeo- logist | Ongoing | |

| <i>Permit Cond. Number</i> | <i>Mitig. Number</i> | <i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i> | <i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i> | <i>Responsible Party for Compliance</i> | <i>Timing</i> | <i>Verification of Compliance (name/date)</i> |
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| | | 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) | immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. | | | |
| 4. | | PD004 - INDEMNIFICATION AGREEMENT 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 | Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department. | Owner/ Applicant | Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable | |

| <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> |
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| | | cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department) | | | | |
| 5. | | 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) | Enter into agreement with the County to implement a Mitigation Monitoring Program. | Owner/ Applicant | Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first. | |
| 6. | | 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 | |

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| 7. | | PD008 - GEOLOGIC CERTIFICATION Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. (RMA - Planning Department) | Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report. | Owner/ Applicant/ Geotechnical Consultant | Prior to final inspection | |
| 8. | | 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) | An 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 | Prior to the issuance of grading and building permits | |
| 9. | | 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 | 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 | Owner/ Applicant | Prior to the issuance of grading and/or building permits | |

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| | | prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department) | certified arborist. | | | |
| 10. | | PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, 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) | Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. 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 | Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect | Prior to issuance of Building Permits Prior to Occupancy | |

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| 11. | | <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> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p> | Owner/ Applicant | Prior to Occupancy/ Ongoing | |
| 12. | | <p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <ol style="list-style-type: none"> 1. “A Geotechnical Investigation Lot 86, Phase 1, Tehama Monterey County CA” was prepared by O’Brien & Gere Engineers, Inc, dated November 2007, and is on record in the Monterey County RMA - Planning Department Library No. LIB080248. 2. An “Amended Tree Assessment/Forest Management Plan”, by Frank Ono, Forester, dated 6/5/08, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080310.” <p>All development shall be in accordance with these reports.” (RMA – Planning Department)</p> | <p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p> | Owner/ Applicant | Prior to the issuance of grading and building permits. | |

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| 13. | | <p>PD018 A – DEED RESTRICTION – CARETAKER UNIT (INLAND)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a caretaker unit as follows:</p> <ul style="list-style-type: none"> • Only one caretaker unit per lot shall be allowed. • The caretaker shall be employed principally on the lot for purposes of care and protection of persons, plants, animals, equipment, or other facilities on-site or on contiguous lots under same ownership. • The minimum lot size for establishment of a caretaker unit in areas not served by sewers shall be two acres. • Caretaker units shall not be subject to density requirements of the zoning district in which the lot is located. • The maximum floor area for a caretaker unit is 1,000 square feet on lots of 10 acres or less and 1,200 square feet on lots greater than ten acres. • A minimum of one covered off-street parking space shall be provided for the caretaker unit. • The caretaker unit shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a caretaker unit shall not be permitted except where lots created meet minimum lot size and density requirements of the existing zoning. • Caretaker units are not permitted on any lot less than ten acres where a senior citizen unit exists. Senior citizen units may be converted to a caretaker unit, subject to an Administrative Permit. <p>(RMA – Planning Department)</p> | Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County. | Owner/ Applicant | Prior to the issuance of grading or building permits | |

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| 14. | | <p>PD041 – HEIGHT VERIFICATION</p> <p>The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)</p> | <p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p> <p>2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.</p> | Owner/ Applicant | <p>Prior to the issuance of grading or building permits</p> <p>Prior to final inspection</p> | |
| 15. | | <p>PDSP001- TREE RELOCATION AND REPLACEMENT (NON-STANDARD)</p> <p>All grading, construction, oak and pine tree pruning, relocation, removal, (including all trees to be protected near areas of construction or any grading, cutting or filling) replacement, monitoring and assessment shall be in accordance with the “ Amended Tree Assessment/Forest Management Plan, by Frank Ono, Forester, dated 6/5/08, including recommendations for:</p> <ul style="list-style-type: none"> a) Techniques for Transplanting Large Trees b) Tree removal c) Tree Planting and Irrigation d) Tree Pruning, Retention and Monitoring, e) Project Assessment f) Recommendations for Replant Success Criteria <p>Tree Transplanting, Protection and Preservation, and Maintenance and Management Measures</p> <p>A tree relocation plan is part of the plans sheets L3.01 and</p> | <p>Prior to grading or construction or removing any trees the tree relocation:</p> <p>1. The contractor shall meet with the forester to identify relocation techniques are consistent with the recommendations in the forester’s report.</p> <p>2. A preconstruction meeting shall be held to train all construction managers, heavy equipment operators, and tree cutters that will work on site, in relocation, tree protection during construction activities according the “Amended Tree Assessment/Forest Management Plan”, by Frank Ono, Forester, dated 6/5/08, conducted by a certified arborist or qualified forester</p> | Owner/ Applicant/ Arborist | Prior to the issuance of grading or building permits | |

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| | | L3.02, and L33.03 dated 3/12/08. The Forester and tree removal contractor shall include the time of year of for relocation, where the relocated trees shall be stored or nurseried, and maintained until replanted as an Tree Assessment and Forest Management Plan to be approved by the RMA- Planning Director. Successful relocation and impacts to trees in areas disturbed by construction or grading shall be monitored for a minimum five years from the date the trees are replanted and at that time a qualified forester or arborist shall submit a report for review by the RMA – Planning Director to determine if additional monitoring time or actions are necessary to address or assess the success of replanting. All trees that die or are determined by the Forester not “successful” including those damaged from grading or construction shall be replaced on a 3:1 ratio with a size replacement tree to be recommended by the Forester considering the size, canopy and habitat value, or other value of the tree to be removed. MM # 12-1, 12-2, 125 and 126) (RMA – Planning Department) | Submit a relocation plan including details for maintenance of the relocated trees during construction to the RMA-Planning Director for review and approval. After 5 years monitoring, submit a tree assessment report to the RMA-Planning Department for review and approval concerning the health of the trees and include recommendations for further actions and/or replacement trees for trees that do not survive based on the success criteria. | Owner/ Applicant/ Arborist | Prior to issuance of a occupancy or final permit After five years monitoring by qualified forester or certified arborist | |
| 16. | | PDSP002- FENCING (NON-STANDARD) Fencing shall be limited to within designated building envelopes. CC&R’s shall prohibit fencing of parcel boundaries consistent with the habitat management plan prepared for project. (MM # 12-6) (RMA – Planning Department and Building Services Department) | | Owner/ Applicant/ Arborist | Prior to the issuance of final permits | |
| 17. | | 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 | 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 | |

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| | | minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Carmel Valley Fire Protection District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 18. | | FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the | 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 | |

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| | | traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Salinas Rural Fire District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 19. | | FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Salinas Rural Fire District) | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. | Applicant or owner | Prior to issuance of building permit | |

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| 20. | | FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 21. | | FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Salinas Rural Fire District) | Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. | Applicant or owner | Prior to issuance of grading and/or building permit | |
| 22. | | FIRE021 – (NONSTANDARD) FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) See FIRE030 for additional conditions All buildings 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. (Salinas Rural Fire District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |

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| 23. | | FIRE024 – (NONSTANDARD) FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING) All buildings shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment. All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of plans and specifications for the fire alarm system shall be submitted by a California licensed c-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. A fully automatic alarm system installed in lieu of single-station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Salinas Rural Fire District) | Applicant shall enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of building permit | |
| | | | Applicant shall schedule fire alarm system acceptance test. | Applicant or owner | Prior to final building inspection | |
| | | | Applicant shall schedule fire alarm system acceptance test. | Applicant or owner | Prior to final building inspection | |
| 24. | | 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 minimum of ICBO Class B roof construction. (Salinas Rural Fire District) | Applicant shall enumerate as “Fire Dept. Notes” on plans. | Applicant or owner | Prior to issuance of building permit | |

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| 25. | | FIRE030 – OTHER NON-STANDARD CONDITIONS – MANUAL DRY STANDPIPE SYSTEM, CLASS I - A fire department connection (FDC) and dry standpipes with fire valves are required. The locations are to be determined by the fire district. Prior to installation, a minimum of four sets of plans shall be prepared and submitted by the installing contractor or by a registered engineer. The plans shall be submitted in a timely manner so they can be approved by the fire district prior to installation. Inspections, hydrostatic pressure testing, acceptance testing and maintenance shall be conducted in accordance with NFPA Standards 15, 24, and other applicable standards. (Salinas Rural Fire District) | Applicant shall schedule fire dept. clearance inspection | Applicant or owner | Prior to final building inspection | |
| 26. | | WR43 - WATER AVAILABILITY CERTIFICATION 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) | Applicant shall schedule fire dept. final sprinkler inspection | Applicant or owner | Prior to final building inspection | |

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| 27. | | <p>WR40 - WATER CONSERVATION MEASURES</p> <p>The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices.</p> <p>(Water Resources Agency)</p> | Compliance to be verified by building inspector at final inspection. | Owner/ Applicant | Prior to final building inspection/occupancy | |
| 28. | | <p>DRAINAGE PLAN (NON-STANDARD WORDING)</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be directed to the existing stormwater drainage system for the Canada Woods Subdivision. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.</p> <p>(Water Resources Agency)</p> | Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval | Owner/ Applicant | Prior to issuance of any building or grading permits | |

End of Conditions

EXHIBIT I

Addendum Pursuant to the California Environmental Quality Act ARTICLE 11 Section 15164

Quatro Oaks LLP Planning File No. PLN080078 Administrative Permit and Design Approval

1. Introduction

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the Canada Woods North Final Environmental Impact Report (96-002), certified by Board of Supervisors December 17, 1996 (Resolution No. 96-518). None of the conditions described in Section 15162 call for preparation of a subsequent EIR, as described below and in the staff report prepared for the June 26, 2008, Zoning Administrator hearing.

The approval of the Canada Woods North Subdivision Combined Development Permit (Planning File No. 965120PC) included the certification of the Environmental Impact Report (EIR No. 96-002) prepared for the project. The Combined Development Permit consisted of a Vesting Tentative Subdivision map for the creation of 34 residential lots and eight recreation and open space and two employee housing parcels; and Use Permits to allow a golf course, equestrian center and accessory uses, and development on slopes in exceeding 30% slopes, and tree removal. The environmental impacts of such actions were addressed in the EIR. One of the parcels created by the final map for the subdivision (Lot 86) is the subject site.

The subject application (PLN080078) requests an Administrative Permit and Design Approval to allow the construction of a 989 square foot attached Caretaker Unit; and Design Approval to allow the construction of a 13,044 square foot, two-story single family dwelling with a 3,311 square foot attached nine car garage and basement living areas, a 1,262 square foot loggia, a 512 square foot breezeway, a 1,031 square foot decks, a 312 square foot detached wine shed, a 100 square foot detached potting shed with 174 square foot covered porch. The project also includes the relocation of 22 Coast live oaks and 18 Monterey pine trees and the removal of for Monterey pine trees ranging in size from 9 to 17 inches in diameter; and grading (approximately 3,973 cubic yards of cut and 991 cubic yards of fill). The proposed development would be located within the designated building envelope on the site.

2. Scope and Purpose of this addendum

Only minor technical changes are required to the environmental document. None of the conditions described in CEQA Guidelines Section 15162, which would require

preparation of a subsequent EIR, have occurred. The project has not substantially changed since the original approval (Resolution 96-518) such that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur (Planning File No. PLN080078). The proposed project involves the relocation of 22 Coast live oak and 18 Monterey pine trees and the removal of for Monterey pine trees ranging in size from 9 to 17 inches in diameter; and grading (approximately 3,973 cubic yards of cut and 991 cubic yards of fill) associated with the approval of construction of a 13,044 square foot, two-story single family dwelling and caretaker unit in a designated building envelope. There are no changes to the Final Map recorded for the subdivision. The purpose of this addendum is to identify minor technical changes and provide clarifications of the site-specific conditions for the proposed residential development.

EIR Topics

The approval of the Combined Development Permit for the subdivision included the removal of 66 protected oaks and 64 Monterey pine trees for development of roads and driveways, and the removal of a total of 30 protected trees for residential development in the individual lots (Finding No. 18- Resolution No. 96-518). The EIR addressed the environmental impacts of the tree removal; and recommended mitigation measures which were incorporated as conditions of approval of the Combined Development Permit as follows:

- EIR Mitigation Measure 12-1 (Condition No. 118) requires tree removal permits and tree replacement on a 3:1 ratio.
- Mitigation Measure 12-2 requires “Best Management Practices” for the removal and replacement of pine trees to ensure survival.
- Measure 12-4 (Condition No. 118) requires tree protection for oak and pine trees.
- Mitigation Measure 12-6 (Condition No. 122) which limits fencing to the building envelope.
- Mitigation Measure 14-2 (Condition No. 126) restricts the siting of home sites to minimize removal of oak trees and requires tree protection consistent with the Forest Management Plan.
- Mitigation Measure 14-1 (Condition No. 125) grading, filling, and site and subdivision construction activity within the drip line of oak trees.

The EIR Mitigation Measures further require a site specific forest management plan and the implementation of best management practices for tree removal and/or relocation; All the mitigation measures contained in the EIR for tree removal and tree protection are incorporated as conditions of approval (Condition Nos. 15 and 16) of the subject application

The regulations of Chapter 21.64.260 (Preservation of Oak and Other Protected Trees) would require a use permit for removal of any protected trees necessary for residential lots. Tree relocation such as the proposed as part of this project is not considered tree

removal and therefore a use permit is not required. An “Amended Forest Management Plan” (Plan), dated June 5, 2008, was prepared per the mitigation measures of the EIR by Frank Ono, Forester, to address the proposed tree relocation. The Plan concludes that tree relocation on the same building site with sufficient success criteria for the survival of the relocated trees would not result in additional significant impacts to the tree resources on the site. The Plan recommends an 80% survival rate for relocated trees as the success criteria for the relocation. The Plan recommends the following conditions to assure the success of the tree relocation and survivability of the relocated trees:

- A five-year monitoring period to monitor and assess the health of the relocated and remaining trees;
- Replacement at a 3:1 ratio of relocated trees that do not survive based on the success criteria stated in Mitigation Measure 12-1 (Condition No. 118) of the EIR;
- Preparation of a tree assessment addressing the health of the trees after the five-year monitoring period, to recommend further actions and/or replacement trees for trees that do not survive based on the success criteria.
- Measures for tree protection during construction have been incorporated as conditions and include methods for tree relocation, pruning, planting irrigation, tree protection zones, trunk protection, and hand digging.

3. Conclusion

Only minor technical changes are required to the environmental document. None of the conditions described in CEQA Guidelines Section 15162, which would require preparation of a subsequent EIR, have occurred. The approved project has not substantially changed since the original approval (Resolution 96-518) such that new significant environmental effects or a substantial increase in the severity of previously identified significant effects would occur. No changes have caused the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts not identified in the FEIR, or effects substantially more severe than shown in the FEIR. The subdivider has already mitigated and subsequent owners are required to mitigate for development on lots created by the subdivision.

The EIR prepared for the Canada Woods North Subdivision recognizes that there are site-specific conditions that must be addressed through review of specific development proposals and that directing development to areas within building envelopes would result in the least environmental impact on protected trees and other environmental resources. Residential development is proposed within the building envelope designated in the recorded Final Map for the subdivision. The proposed project includes the relocation on-site of 22 Coast live oaks and 18 Monterey pines, and the removal of four Monterey pines.

The scope of work on the subject site includes grading, tree relocation which would not result in substantial changes to the development anticipated in the analysis of the EIR and

therefore do not warrant the preparation of a subsequent environmental document. A Forester's Report has been prepared which recommends certain conditions to address potential impacts of the relocation and concludes that the relocation would not result in additional environmental impacts not addressed or mitigated in the EIR. Monitoring is required to enhance maximum rate of survival of relocated trees; protective measures are also required for trees potentially impacted by construction.

No changes have caused the identification of new significant environmental effects or a substantial increase in the severity of previously identified significant impacts not identified in the FEIR, nor effects substantially more severe than shown in the FEIR. The subdivider has already mitigated and subsequent owners are required to mitigate for development on lots created by the subdivision that involve tree resources. With the minor technical clarifications contained in the Addendum, the recommended conditions of approval implementing the mitigation measures of the EIR, and the implementation of the recommendations of the Forest Management Plan, the project is consistent with the certified EIR.