

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: May 14, 2009	Time: P.M.	Agenda Item No.:
Project Description: Amendment to Combined Development Permit PLN070025/Chosen Road consisting of: 1) A Coastal Administrative Permit to allow the demolition of a an existing one-story 1,954 square foot single family dwelling and 384 square foot detached garage, construction of a new two-story 5,882 square foot single family dwelling with attached two-car garage and grading of approximately 394 cubic yards (360 cut/ 34 fill); 2) A Coastal Development Permit to allow development within 750 feet of a known archaeological resource and; 3) A Design Approval.		
Project Location: 26325 Isabella Ave, Carmel		APN: 009-463-011-000
Planning File Number: PLN090104		Owner: Chosen Road Inc. Agent: Lombardo & Gilles
Planning Area: Carmel Area Land Use Plan		Flagged and staked: No
Zoning Designation: “MDR/2-D (18) (CZ)” [Medium Density Residential, 2 units per acre, with a Design Control Overlay, and an (18) foot height limit in the (Coastal Zone)].		
CEQA Action: Addendum per 15164		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit B**) to:

- 1) Consider the addendum; and
- 2) Approve PLN090104, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**):

PROJECT OVERVIEW: On February 14, 2008 the Zoning Administrator heard and approved a Combined Development Permit and adopted a Negative Declaration for a major remodel and addition to an existing single family dwelling. The pertinent information, in context of this amendment, is determinations, review, and conditions regarding potential impacts to historic resources contained in the previously adopted Negative Declaration and in the findings made by the Zoning Administrator for PLN070025/Chosen Road. Originally the project was processed as a potentially significant historic structure based on the historic report prepared by Circa Historic Property Development submitted for the project (LIB070355). During review of the initial application, a determination was made that the project mitigated impacts to the historic structure by design in that the front façade of the original house was to be preserved along with reconstruction of the chimney and preservation of original windows, doors, and siding where feasible.

New information has been reviewed following approval of the original project that repeals the original determination that the house is historically significant. On February 5, 2009 the Monterey County Historic Resources Review Board (HRRB) considered an applicant-initiated peer review report prepared by Dr. Anthony Kirk (LIB090204) that indicated that the original report had some errors and that the structure at 26325 Isabella Ave in Carmel is not historically significant. The HRRB unanimously agreed with the peer review and adopted a resolution overturning the previous action and recommendation based on the lack of historic significance of the structure (**Exhibit E**).

Based on the change in the historic determination and some technical problems with connecting the new structure with the original façade, the applicant requests to remove the conditions requiring preservation of parts of the existing structure and proposes to remove the remaining front façade and

proceed with building an entirely new structure. The changes requested include rebuilding the front façade and porch on the same footprint as the façade to be removed, changing the roof from hip to gable and raising the ridge height approximately 2 feet while remaining within the 18-foot height limit, and minor changes to windows, siding, and the rear patio. The mass of the structure when viewed from Isabella Avenue will be slightly increased. Aside from the aesthetics and the change in historic determinations, the amendment is consistent with the Zoning Administrators findings regarding zoning consistency and archaeological impacts.

An addendum to the previously adopted Negative Declaration has been prepared.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

Historic Resource Review Board
Parks Department

Conditions recommended by the RMA-Planning Department have been incorporated into the Condition Compliance Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. On April 20, 2009 the LUAC recommended approval of the amendment by a vote of 6-0. The LUAC had concerns regarding the size of the new structure as a whole but given that only minor changes to a previously approved design are proposed, they did not have specific concerns about the current application.

Note: The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.

Craig W. Spencer, Assistant Planner
(831) 755-5233, spencerc@co.monterey.ca.us
March 23, 2009

cc: Front Counter Copy; Zoning Administrator; Public Works Department; Parks Department; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Craig Spencer, Project Planner; Carol Allen, Senior Secretary; Chosen Road Inc., Owner; Lombardo & Gilles, Agent; Planning File PLN090104

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations
Exhibit C Vicinity Map
Exhibit D Land Use Advisory Committee Minutes
Exhibit E HRRB resolution
Exhibit F Historic Reports (previous and pier review)
Exhibit G Addendum

This report was reviewed by Laura Lawrence, Planning Services Manager

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

CHOSEN ROAD INC. (PLN090104)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Considering the Addendum to the previously certified Negative Declaration; and
- 2) Approving an Amendment to Combined Development Permit PLN070025/Chosen Road Inc., to allow the demolition of an existing single family dwelling and construction of a new 5,882 square foot two-story single family dwelling with an attached garage. The amendment would allow the originally preserved front facade to be removed resulting in construction of a new front facade to match the heights of the previously approved additions.

(PLN090104, Chosen Road Inc., 26325 Isabella Avenue, Carmel, Carmel Area Land Use Plan (APN: 009-463-011-000), Coastal Zone).

The Chosen Road Inc. application (PLN090104) came on for public hearing before the Monterey County Zoning Administrator on May 14, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

Chosen Road Inc (PLN090104)

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the Carmel Land Use Plan,
 - Coastal Implementation Plan Part 4
 - Monterey County Zoning Ordinance (Title 20)

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 26325 Isabella Ave., Carmel (Assessor's Parcel Number 009-463-011-000), Carmel Area Land Use Plan. The parcel is zoned Medium Density Residential, 2 units per acre, with a Design Control Overlay and an 18 foot height limit, in the Coastal Zone [MDR/2-D (18)(CZ)], which allows the first single family dwelling per legal lot of record subject to a Coastal Administrative Permit in each case. The proposed structure meets all of the site development standards including height, setbacks, building site coverage, and floor area ratio. Therefore, the project is an allowed land use for this site.
- c) The project planner conducted a site inspection on April 12, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The site is located within 750 feet of a known resource and is in a high archaeological sensitivity zone. A Preliminary Archaeological Reconnaissance was done for the project by Archaeological Consulting the results of which were negative for potentially significant resources. Conditions recommended in the report have been carried over from the previous project and will still apply as part of this amendment (Condition # 3).
- e) The proposed project (PLN090104) is an amendment to a previously approved project and deletion of conditions 16, 17 & 18 of that project (PLN070025) based on changes in the historic determination of the existing residence. See Finding 5 and supporting evidence for more information.
- f) The subject parcel is not located within the Public Viewshed as defined by the Carmel LUP Section 2.2.1. In general, the project has been designed to minimize the appearance of height and bulk by using earth-tone colors and setting the additions back from the existing front façade which also conforms to site topography (CIP Section 20.146.030.C). The amendment would slightly increase massing of the front façade yet still remain within the allowable site development standards including the 18-foot height limit.
- g) The project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. On April 20, 2009 the LUAC unanimously recommended approval of the project by a vote of 6-0. The LUAC had concerns regarding the size of the new structure as a whole but given that only minor changes to a previously approved design are proposed, they did not have specific concerns about the current application.
- h) The application, project 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 PLN090104.

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

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel

Cypress Fire Protection District, Parks, 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) Staff identified potential impacts to Archaeological Resources, Aesthetics, and previously to Historical Resources. The project is consistent with applicable polices and regulations pertaining to these resources. Technical reports by outside 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 independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - “Preliminary Archaeological Reconnaissance” (LIB070134) prepared by Archaeological Consulting, Salinas, CA, November 2, 2006.
 - “Geological Report” (LIB070135) prepared by CapRock Geology Inc., Salinas, CA, February 5, 2007.
 - “Phase One Assessment” (LETOa_PLN070025) prepared by Circa: Historic Property Development, San Francisco, CA, January 8, 2007.
 - “Phase Two Assessment” (LIB070355) prepared by Circa: Historic Property Development, San Francisco, CA, June 28, 2007.
 - “Review of the Phase One Assessment” (LIB090204) prepared by Dr. Anthony Kirk, Santa Cruz, CA, December 3, 2008.
- c) Staff conducted a site inspection on April 12, 2007 to verify that the site is suitable for this use.
- d) The application, project 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 PLN090104.

3. **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: a) The project was reviewed by RMA - Planning Department, Carmel Cypress Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (**Exhibit 1**).

- b) Necessary public facilities are available and the amendment will not affect the approved use, the intensity of use or any plumbing fixtures

previously approved under PLN070025/Chosen Road.

- c) Preceding findings and supporting evidence for PLN090104 and PLN070025.

4. **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.

- 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.
 - b) Staff conducted a site inspection on April 12, 2007 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel. The property is currently under permitted construction as allowed under PLN070025 and BP080374.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090104 and PLN070025.

5. **FINDING:** **AMENDMENT** – Consideration of the request for the amendment has been carried out pursuant to Monterey County Code Section 20.70.105.B CIP Part 1 (Title 20).

- EVIDENCE:**
- a) Although the amendment does not create any impacts not already assessed in the original permit, the changes in the design were not considered minor due to the change in historic determination and the public interest of the project as a whole.
 - b) On February 14, 2008, the Monterey County Zoning Administrator adopted a Negative Declaration and approved a Combined Development Permit (PLN070025/Chosen Road Inc.) consisting of the following:
 - A Combined Development Permit consisting of 1) A Coastal Administrative Permit to allow the demolition of a 348 square foot detached garage, major remodel and two-story additions totaling 3,487 square feet with a new 441 square foot attached garage, to an existing one-story 1,954 square foot single family dwelling and grading of 358 cubic yards (298 cut/ 60 fill); 2) A Coastal Development Permit to allow development within 750 feet of a known archaeological resource and; 3) A Design Approval.
 - c) Following approval of the Combined Development Permit (PLN070025), Building Permits were pulled and demolition and construction activities were started at the site.
 - d) Based on indications provided by the Historic Resource Review Board (HRRB) at their public review of the original project on September 6, 2007 and the applicant's ultimate desire for the project design, the applicant had a peer review done on the Circa Historic Report. The peer review was done by Dr. Anthony Kirk to evaluate the findings and recommendations in the original report. Dr. Kirk's report found

numerous errors in the original report and concluded that the house that was located at 26325 Isabella was not historically significant. The matter was brought back to the HRRB for review. On February 5, 2009 the HRRB unanimously voted to accept Dr. Kirk's evaluation and overturn the determination of historic significance.

- e) A new application was submitted March 20, 2009 that would result in the complete demolition of the existing structure and new construction on the same foot print. Originally the project included to large additions and a remodel that was conditioned to salvage as much of the original structure as possible, with emphasis on the front façade. Because of the change in the historic determination conditions 16, 17, and 18 of the original project PLN070025 would be removed. Those conditions required preservation of the front façade (16), windows, doors, and siding where feasible (17), and the chimney (18) in compliance with historic development standards and would no longer apply to this project.
- f) The project as amended would result in A Combined Development Permit consisting of 1) A Coastal Administrative Permit to allow the demolition of a an existing one-story 1,954 square foot single family dwelling, construction of a new two-story 5,882 square foot single family dwelling with attached two-car garage and grading of approximately 394 cubic yards (360 cut/ 34 fill); 2) A Coastal Development Permit to allow development within 750 feet of a known archaeological resource and; 3) A Design Approval
- g) As approved and amended, permit number PLN090104 will become and be referred to as the approved permit

6. **FINDING:** **CEQA (Addendum):** - The project was previously analyzed by a Negative Declaration (ND) that was adopted by the Zoning Administrator on February 14, 2008. Revisions to the original design have been made and minor changes to the adopted ND are required. An addendum has been prepared for the revised project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15164 requires an addendum to an adopted negative declaration be prepared if only minor technical changes or additions are necessary.
 - b) The Addendum updates the project description and changes the cultural resources impact discussion to provide updated information and discussion, with evidence, on the determination of historical significance of the original structure. The Addendum is on file in the RMA-Planning Department and is hereby incorporated by reference (PLN090104).
 - c) No subsequent Negative Declaration (ND) is required pursuant to Section 15162 of CEQA, as no new impacts have been identified that were not previously evaluated and potential impacts of this amendment are substantially less than those discussed in the original ND .
 - d) Findings 1, 2, 3, and 5 with supporting evidence.

7. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3

of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) 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 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - 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) The project site is not located seaward of the first public road (Scenic Road on Carmel Point).
 - d) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090104.
 - f) The project planner conducted a site inspection on April 12, 2007.

8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance, Title 20 (Board of Supervisors).
 - b) Section 20.86.080 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project includes a conditional use (Coastal Development Permit) for development within 750 feet of known archaeological resources and the previous project approval (PLN070025) was also appealable to the Coastal Commission.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Consider the Addendum to the previously adopted Negative Declaration; and
- B. Approve a Combined Development Permit (PLN090104, Amendment to PLN070025), in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 14th day of May, 2009.

Carl Holm, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.



2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 090104 - EXHIBIT 1 Monterey County Resource Management Agency Planning Department Condition Compliance Plan	Project Name: <u>Chosen Road Inc.</u> File No: <u>PLN090104</u> APNs: <u>009-463-011-000</u> Approved by: <u>Zoning Administrator</u> Date: <u>May 14, 2009</u>
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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.*


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)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN090104, Amendment to PLN070025) allows 1) A Coastal Administrative Permit to allow the demolition of a an existing one-story 1,954 square foot single family dwelling and 348 square foot detached garage, construction of a new two-story 5,882 square foot single family dwelling with attached two-car garage and grading of approximately 394 cubic yards (360 cut/ 34 fill); 2) A Coastal Development Permit to allow development within 750 feet of a known archaeological resource and; 3) A Design Approval. The property is located at 26325 Isabella Ave, Carmel (Assessor’s Parcel Number 009-463-011-000), Carmel Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. 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.	Owner/ Applicant RMA - Planning	Ongoing unless otherwise stated Ongoing unless otherwise stated	

2.	<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 090104) was approved by the Zoning Administrator for Assessor's Parcel Number 009-463-011-000 on May 14, 2009. The permit was granted subject to 13 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.	<p>PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 2 years, to expire on May 14, 2011. (RMA-Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning.</p> <p>Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	<p>Owner/ Applicant</p>	<p>As stated in the conditions of approval</p>	
4.	<p>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 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>	

5.		<p>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)</p>	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.		<p>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)</p>	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	 Erosion Control Plans included in Grading Permit GP080037
			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	
7.		<p>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,</p>	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	 Construction fencing installed condition cleared 5/2/08

		approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construc- tion	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
1.		PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (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 plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	✓ Landscape Plan submitted 4/2/08
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey County Water Resources Agency for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	✓
			Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	✓

			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	✓ MPWMD water permit submitted to building dept. 6/25/2008
			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 Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
8.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN 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)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the issuance of building permits.	✓ Lighting Plans submitted 05/06/08
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	


9.		<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>	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	Owner/ Applicant	Prior to the issuance of grading or building permits	 Bench- mark shown on Grading Plans
			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.	Owner/ Applicant/ Engineer	Prior to the final inspection	

Monterey County Water Resources Agency

10.		<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. (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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**Fire Agency
(Carmel Cypress Fire Protection District)**

11.		<p>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. (Carmel Highlands Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	<p>✓ Fire approved Building Plans 3/24/08</p>
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
12.		<p>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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	<p>✓ Fire approved Building Plans 3/24/08</p>

		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. (Carmel Highlands Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
13.		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 District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	 Fire approved Building Plans 3/24/08
			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	

END OF CONDITIONS