

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: July 9, 2009 Time: P.M	Agenda Item No.:
Project Description: Combined Development Permit consisting of 1) A Coastal Administrative Permit for the construction of a new 1,200 square foot single family dwelling, including an attached one-car garage; 2) A Coastal Administrative Permit to allow parking within the front setback; 3) A Coastal Development Permit to allow the removal of one 11-inch oak tree; 4) A Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 5) A Design Approval.	
Project Location: 2586 Santa Lucia Ave, Carmel	APN: 009-401-021-000
Planning File Number: PLN090096	Owner: Frank Creede Agent: Mark Thompson
Planning Area: Carmel Land Use Plan	Flagged and staked: Yes
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: Exempt per 15303	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to approve PLN090096, based on the findings and evidence and subject to the conditions of approval (**Exhibit C-1**):

PROJECT OVERVIEW:

The Creede property is a very small 4,000 square foot lot created by addition number 7 to Carmel-By-The-Sea in 1918. The site is located just outside the boundaries of the city of Carmel on Santa Lucia Avenue and is surrounded by residential structures and uses. Currently, the home just east of the site is under framing construction and appears to be nearly finished. The proposed project would place a modest 1,200 square foot single story house including an attached garage at the vacant site. One native Coast Live Oak tree (11 inches in diameter) and one invasive acacia tree would be removed for the construction of the house. The Monterey Pine in the front yard is not proposed for removal but during site inspection the tree appeared to have been slightly damaged at its base, likely due to construction equipment related to the neighboring property.

Staff's review of the project focused on consistency with the Local Coastal Plan (LCP) and review of the project pursuant to the California Environmental Quality Act (CEQA). The project was also referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review pursuant to the current Board adopted standards. The primary issues identified include design and parking, tree removal, archaeological impacts, and construction staging and best management practices. Based on all the evidence as outlined in **Exhibit C** below, staff found that the project is consistent with the LUP policies and can be exempt from CEQA per Article 19 Section 15303(a).

See **Exhibit B** for a more detailed discussion.

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

- √ RMA - Public Works Department
- Environmental Health Division
- √ Water Resources Agency

√ Carmel Cypress Fire Protection District
Parks Department
California Coastal Commission

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by Carmel Cypress FPD, Public Works, and Water Resources have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

On May 18, 2009 the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) considered the Creede application (PLN090096) and recommended approval of the project by a vote of 6-1. The LUAC expressed concern regarding the color of the proposed house, the ease of use of the small garage with laundry and water heater inside reducing the space, and parking within the front setback. The one opposed felt the design was not appropriate. Ultimately, the LUAC recommended approval with the condition that an additional parking space be provided within the front setback. (See **Exhibit B** for more discussion)

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
June 2, 2009

cc: Front Counter Copy; Zoning Administrator; Carmel Cypress Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Craig Spencer, Project Planner; Carol Allen, Senior Secretary; Frank Creede, Owner; Mark Thompson, Agent; Planning File PLN090096

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations, Parcel Map, Tentative Map
Exhibit D Vicinity Map
Exhibit E Land Use Advisory Committee Minutes
Exhibit F Arborist Report

This report was reviewed by Laura Lawrence, Planning Services Manager

EXHIBIT B
PROJECT DISCUSSION
PLN090096 (Creede)

I. PROJECT SETTING AND DESCRIPTION:

Setting

The Creede property is only 40 feet wide by 100 feet long for a total of 4,000 square feet and is located just outside the city of Carmel-By-The-Sea at 2586 Santa Lucia Avenue. The lot is currently vacant and contains one 11-inch oak tree, one 18-inch monterey pine, and several acacia trees. Zoning at the site is Medium Density Residential (MDR) and the lot is surrounded by residential structures and uses. There is a portion of an existing small stone fence along the front property line that will be removed as part of this project. Currently, the lot to the east of the site is under construction.

Project Description

The project consists of constructing a new 1,200 square foot single family dwelling including a 200 square foot attached garage and removal of one 11 inch oak tree. Other required entitlements for the proposed project include an exception to allow parking within the front setback to count towards the parking requirements contained in the Zoning Ordinance (Title 20) and review of potential archaeological impacts due to the proximity of known resources. The proposed house design includes pavers on the driveway, front walkway, and front and rear patios, a cream color stucco finish on the house with a stone veneer wainscot on the front, white trim, a wood shake roof, and stained wood doors.

II. ANALYSIS

Development Standards

The site is designated for Medium Density Residential development and contains an 18-foot height limit in the Coastal Zone [MDR/2-D (18)(CZ)]. Standards for height, lot coverage, and floor area ratio (FAR), and setbacks are all met. One exception to the Zoning standards is required to allow parking within the front setback to count towards the required parking for the project (20.58.050.D, Title 20). Applicable Carmel Land Use Plan policies include tree removal, parking/design, and archaeology.

Tree Removal

The proposed project consists of the removal of one 11-inch coast live oak tree. According to the Carmel Area Coastal Implementation Plan (CIP), removal of native trees or other major must be limited to that which is necessary for the proposed development (Section 20.146.060.D.2 CIP). Only two native trees exist at the site. One Oak tree is proposed for removal to accommodate construction of the new house. Siting of the house to avoid removal of the tree is not an option in this case because the site is only 40 feet wide and 4,000 square feet in total dictating the location of the house. The other native tree is an 18-inch Monterey Pine located in the front of the property. This tree is not proposed for removal and the tree will be required to be protected during construction by standard conditions of approval. The one oak tree proposed for removal is not a particularly sensitive or aesthetically relevant. It is located in an area where it is not providing screening and it does not have any significant forest or plant association.

The arborist report submitted for the project, prepared by Frank Ono dated April 22, 2009 identifies the tree as being in poor condition. The conclusion in the report is that there are no significant affects associated with removal of the oak tree or the acacia. Replanting with one 15 Creede (PLN090096)

gallon coast live oak at the property is recommended and has been incorporated in the conditions of approval for this project (Condition #10).

Parking

Over time, a number of coastal permits have been approved to allow parking within the front setback to count towards the required number of parking spaces. The Land Use Advisory Committee (LUAC), during review of this project, appropriately posed the question if continuing to grant this entitlement or recommend approval of projects including this entitlement was a position worth considering. The parking standards not only alleviate street parking constraints, dangers, and frustration, but it also helps maintain the uncluttered space around homes. In this case allowing parking in the front setback can be justified due to the size and development limitations at the site. At 1,000 square feet of habitable space with a 200 square foot garage, the proposed dwelling is at the maximum lot coverage and extends setback to setback on the side yards and nearly setback to setback from front to rear. Because of the small lot dimensions and given the project does not contain additional square footage below grade, which has become a popular trend in the area, providing additional parking outside the setback would be unfavorable for design and/or the owner's wishes for a reasonable sized house.

To address the parking issue, the LUAC recommended providing two parking spaces within the front setback rather than just one. Although the applicant would be willing to expand the driveway, staff does not recommend this course of action because it would significantly increase hardscape in the front yard and reduce the proposed green areas adversely affecting the appearance of the site from the street. Included in the parking discussion is the ease of use or feasibility of use of the proposed garage which is only approximately 9 feet wide by 20 feet long inside. The LUAC identified a washer/dryer machine and water heater that would occupy space in the small garage. To address the parking issue, the applicant has agreed to relocate the washer and dryer inside the proposed house, thus improving ease of use of the garage.

Archaeology

Located on Carmel Point, the Creede property is in an area that is high in archaeological sensitivity. RMA – Planning records indicate that the site is within 750 feet of known resources which pursuant to the Carmel Coastal Implementation Plan, requires a separate coastal permit entitlement for any development (20.146.090.A.1 CIP). To address potential presence and impacts to archaeological resources and consistent with policy 20.146.090.B.1, CIP, an archaeological report was submitted for the proposed development. The report, including hand-auguring results, indicates that there is no evidence of significant resources at the site and the project is not likely to have impacts of prehistoric cultural resources. However, the report recommends a standard condition to stop work and consult with a qualified archaeologist if, previously unidentified resources are discovered during construction. This condition has been incorporated in the conditions of approval for this project (Condition #3).

Land Use Advisory Committee (LUAC)

The Creede project PLN090096 was referred to the Carmel Highlands/Unincorporated LUAC for review. On May 18, 2009 the LUAC recommended approval of the project by a vote of 6-1. Concerns expressed at the LUAC included the color of the proposed house, the ease of use of the small garage with laundry and water heater inside reducing the space, and parking within the front setback. One member opposed the project stating that the design was not appropriate. Comments regarding parking have been addressed and recommendations regarding the color of the house have been accommodated. Staff does not share the minority opinion that the design is not appropriate.

III. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) DETERMINATION

CEQA - Exempt

Pursuant to CEQA guidelines, the project was reviewed for exemptions. As designed and condition the project was found to be categorically exempt from CEQA review pursuant to 15303 (a) of Article 19. Section 15303 (a) exempts construction of single family residences in urbanized areas subject to exceptions listed in 15300.2. Staff has determined that no potentially significant impacts are likely to occur as a result of the proposed development and that a categorical exemption can be used in this case.

DRAFT RESOLUTION

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

In the matter of the application of:

Creede (PLN090096)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Approving a Combined Development Permit consisting of 1) A Coastal Administrative Permit for the construction of a new 1,200 square foot single family dwelling including an attached one-car garage; 2) A Coastal Administrative Permit to allow parking within the front setback; 3) A Coastal Development Permit to allow the removal of one 11-inch oak tree; 4) A Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 5) A Design Approval.

(PLN090096, Creede, 2586 Santa Lucia Avenue, Carmel, Carmel Land Use Plan Area (APN: 009-401-021-000))

The Combined Development Permit application (PLN090096) came on for public hearing before the Monterey County Zoning Administrator on July 9, 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

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) Plan Conformance During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - 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) Zoning Consistency The property is located at 2586 Santa Lucia Avenue, Carmel (Assessor's Parcel Number 009-401-021-000, Carmel Land Use Plan. The parcel is zoned Medium Density Residential in the Coastal

- Zone, which allows as a principal use permitted, the first single family dwelling per lot, subject to a Coastal Administrative Permit in each case. Therefore, the project is an allowed land use for this site.
- c) Development Standards As designed the project conforms to all the site development standards of the Monterey County Zoning Ordinance (Title 20), including the 18-foot height limit, setbacks, coverage, and floor area.
 - d) Site Visit The project planner conducted a site inspection on May 27, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
 - e) Archaeology Consistent with policy 20.146.090.B.1 of the Coastal Implementation Plan, an archaeological report was submitted for the proposed development. The report, including hand-auguring results, indicates that there is no evidence of significant resources at the site and the project is not likely to have impacts of prehistoric cultural resources. To protect unforeseen resources a condition of approval requiring work to stop and consultation with appropriate professionals to occur if, during the course of construction, archaeological resources are found (Condition # 3).
 - f) Parking A Coastal Administrative Permit is included in the Combined Permit to allow parking within the front setback to count towards the required number of parking pursuant to 20.58.050.E (Title 20). With the parking entitlement, the project will provide two off street parking spaces including one covered space (the proposed garage). Because of the size of the lot (40 feet by 100 feet), and considering the proposed design and appearance of the site from the street, allowing parking in the front setback is appropriate in this case.
 - g) Tree Removal One 11-inch Oak tree is proposed for removal as part of this project. A separate entitlement is included in this permit to allow removal of that tree. (See Finding 7)
 - h) LUAC The project was referred to the Carmel Highlands/ Unincorporated Land Use Advisory Committee (LUAC) for review. On May 18, 2009 the LUAC recommended approval of the project by a vote of 6-1. Concerns expressed at the LUAC included the color of the proposed house, the ease of use of the small garage with laundry and water heater inside further reducing space, and parking within the front setback. One member opposed the project stated that the design was not appropriate. In response the applicant has insured that the house color will be compatible with the recommendations and will move the washer/dryer inside the house improving the interior garage space and usability. Parking in the garage is related to the recommendation from the LUAC to provide an additional parking space within the front setback (beyond the one proposed). Because providing parking spaces in the front setback is not required by code and it would significantly reduce green area when viewed from the street, it is not appropriate in this case.
 - i) 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 PLN090096.

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 and Tree 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:
- “Archaeological Resources Assessment” (LIB090249) prepared by Basin Research Associates, San Leandro, CA, April 17, 2006.
 - “Tree Assessment” (LIB090248) prepared by Frank Ono, Pacific Grove, CA, April 22, 2009
- c) Staff conducted a site inspection on May 27, 2009 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 PLN090096.
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 including public water from Cal-Am, public sewer serviced by the Carmel Area Wastewater District, and utilities from Pacific Gas & Electric.
- c) Preceding findings and supporting evidence for PLN090096 and Findings 1 and 2 with Evidence above.
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 May 27, 2009 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 lot is vacant with the exception of a small portion of an old stone fence at the front property line.
 - 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 PLN090096.

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

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (a) categorically exempts construction of up to three single family dwellings in urbanized areas.
 - b) The proposed project physically includes construction of one new single family dwelling on a legal lot of record and removal of one 11-inch oak tree.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on May 27, 2009.
 - d) The Creede lot is not particularly sensitive due to its location and no significant resources have been identified. Removal of the one tree is not significant in this case because the 4,000 square foot lot is an isolated patch of mixed native and non-native vegetation with little to no habitat value. As designed and conditioned the project will not have potentially significant effects on the environment.
 - e) See preceding and following findings and supporting evidence.

6. **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.c of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 in the Carmel Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) 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 PLN090096
 - e) The project planner conducted a site inspection on May 27, 2009.

7. **FINDING: TREE REMOVAL** – The subject project minimizes tree removal in

accordance with the applicable goals and policies of the applicable land use plan and the Coastal Implementation Plan.

- EVIDENCE:**
- a) The project includes application for the removal of one 11-inch Coast Live Oak tree. In accordance with the applicable policies of the Carmel Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.
 - b) Removal of the tree is consistent with the Carmel Land Use Plan policies contained in Section 2.5 and the policies of the Coastal Implementation Plan (Part4), Section 20.146.060. The one tree proposed for removal is the minimum required for the proposed development (20.146.060.D.3). The tree is not located in the viewshed and is not visually significant or exemplary of its species (20.146.060.D.1). There is little to no forest association or associated habitat relative to the individual tree (20.146.060.D.5).
 - c) Forest Management Plan (FMP) and supplemental reports were prepared by Frank Ono dated April 22, 2009 (LIB090248). The FMP indicates that the tree is in poor condition and that removal of the tree is not likely to cause any long-term affects to forest resources.
 - d) Measures for protection of the one other native tree at the site (18-inch Monterey Pine) during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots (**Condition #4**).
 - e) There are no alternative locations to site the house on the lot, to avoid tree removal, due to its size (40 feet by 100 feet).
 - f) Staff conducted a site inspection on May 27, 2009 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
 - g) 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 PLN090096.

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 Monterey County Zoning Ordinance (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 tree removal.

DECISION

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

Approve Combined Development Permit PLN090096 consisting of 1) A Coastal Administrative Permit for the construction of a new 1,200 square foot single family dwelling, including an attached one-car garage; 2) A Coastal Administrative Permit to allow parking within the front

setback; 3) A Coastal Development Permit to allow the removal of one 11-inch oak tree; 4) A Coastal Development Permit to allow development within 750 feet of known archaeological resources; and 5) A Design Approval, 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 ninth day of July, 2009.

Mike Novo, 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 / IS NOT 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 4 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION 090096 - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance

Project Name: Frank Creede

File No: PLN090096

APN: 009-401-021-000

Approved by: Zoning Administrator

Date: July 9, 2009

**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>
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN090096) allows 1) A Coastal Administrative Permit for the construction of a new 1,200 square foot single family dwelling, including an attached one-car garage; 2) A Coastal Administrative Permit to allow parking within the front setback; 3) A Coastal Development Permit to allow the removal of one 11-inch oak tree; 4) A Coastal Development Permit to allow development within 750</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

<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>
		feet of known archaeological resources; and 5) A Design Approval. The property is located at 2586 Santa Lucia Avenue, Carmel (Assessor's Parcel Number 009-401-021-000), Carmel Land Use Plan, Coastal Zone. 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)	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.	WRA RMA - Planning		
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 090096) was approved by the Zoning Administrator for Assessor's Parcel Number 009-401-021-000 on July 9, 2009. The permit was granted subject to 18 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)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA-Planning	Prior to the issuance of grading and building permits or commencement of use.	

<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>
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4.		<p>PD011 – TREE AND ROOT PROTECTION</p> <p>Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by 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</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	
			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 Construction	

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		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 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	
5.		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	
			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	

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			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			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	
6.		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.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	

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7.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Tree Assessment report has been prepared for this parcel by Frank Ono, dated April 22, 2009 and is on record in the Monterey County RMA - Planning Department , Library No. LIB090248. All development shall be in accordance with this report." (RMA – Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department. Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits. Prior to Occupancy	
8.		PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "An Archaeological Resources Assessment report has been prepared for this parcel by Basin Research Associates, dated March 24, 2006, revised April 17, 2006 and is on record in the Monterey County RMA - Planning Department , Library No. LIB090249. All development shall be in accordance with this report." (RMA – Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department. Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of grading and building permits. Prior to Occupancy	
9.		PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 4 years, to expire on July 9, 2013. (RMA-Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	

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10.		PDSP001 – TREE REPLACEMENT (NON-STANDARD) The one Coast Live Oak tree to be removed shall be replaced on with at least one-fifteen gallon Coast Live Oak tree on the subject property. (RMA – Planning Department)	Prior to final, the applicant shall submit evidence to the RMA-Planning Department that the required replanting has occurred. Also, the tree replacement shall be incorporated in the required landscape plans in condition 5.	Owner/ Applicant	Prior to final inspection	
RMA – Public Works Department						
11.		PW0005 – ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Santa Lucia Avenue. (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
12.		PWSP001 -STANDARD TAMC FEES (NON-STANDARD) Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the applicable fee schedule. (Public Works)	Applicant shall pay to the Transportation Agency of Monterey County the required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
Monterey County Water Resources Agency						
13.		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	

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14.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</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	
15.		<p>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)</p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
Fire Agency (Carmel Cypress FPD)						

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16.		<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 Cypress Fire District)</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	
17.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully</p>	<p>Applicant shall enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of building permit.	

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		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 Cypress Fire District)	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	
18.		FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD & PEBBLE BEACH CSD) All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Cypress Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	

END OF CONDITIONS