MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: February 11, 2010 Time: 1:30 P.M	Agenda Item No.: 2			
Project Description: Combined Development Perm	it consisting of: (1) Administrative Permit and			
Design Approval for the construction of a 5,301 squa				
an attached three car garage; (2) Use Permit for gr				
approximately 300 cubic yards of imported fill. The	e proposed residence will replace the original			
1,704 square foot one story single family dwelling de	stroyed by fire.			
Project Location: 25905 Rio Vista Drive, Carmel	APN: 015-042-019-000			
Valley				
Planning File Number: PLN090036	Owner: Roark Craven			
Figuring File Number. 1 Livoy0030	Agent: James Smith			
Planning Area: Carmel Valley Master Plan	Flagged and staked: No			
Zoning Designation:: "LDR/1-D-S-RAZ" [Low Density Residential, 1 acre per unit with Design				
Control, and Site Plan Review Overlays]				
CEQA Action: Categorically Exempt per Section 15303 (a)				
Department: RMA - Planning Department				

RECOMMENDATION:

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

- 1) Find the project categorically exempt per CEQA Guidelines Section 15303(a);
- 2) Approve PLN090036, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The subject site is located at 25905 Rio Vista Drive, Carmel Valley (Assessors Parcel Number 015-042-019-000). The parcel is zoned Low Density Residential, with Building Site Review and Design Review overlays. The owner is applying for a Combined Development Permit consisting of an Administrative Permit and Design Approval for the construction of a 5,301 square foot, one story single family residence with an attached three car garage; and a Use Permit for grading on slopes greater than 30%, including placing 300 cubic yards of imported fill. The proposed residence will replace the original 1,704 square foot one story single family dwelling destroyed by fire.

During the course of processing the application for this project, a Code Enforcement case was initialized and is now closed. The project application was also revised to include a Use Permit for development on slopes exceeding 30%. (Exhibit B)

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

RMA - Public Works Department

- √ Environmental Health Division
- √ Water Resources Agency
- ✓ Cypress Fire Protection District RMA - Building Department

Agencies that submitted comments are noted with a check mark (" $\sqrt{}$ "). Conditions recommended by RMA-Planning Department, Environmental Health Division, Water Resources Agency,

Cypress Fire Protection District, have been incorporated into the Condition Compliance attached as Exhibit 1 to the draft resolution (Exhibit C).

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because design review applications for new residences are subject to review by the LUAC. The LUAC continued the item due to minor errors in the project description and the lack of on-site project flagging. Due to the minor nature of the project and associated issues of concern, the project was not sent back to the LUAC for further review.

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

/S/ Eric Snider

Eric Snider, Assistant Planner

(831) 784-5737, SniderE@co.monterey.ca.us

(December 16, 2009)

cc: Front Counter Copy; Zoning Administrator; Cypress Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; John Ford, Planning Services Manager; Eric Snider, Project Planner; Carol Allen, Senior Secretary; Roark Craven, Owner; James Allen, Agent; Planning File PLN090036

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

Advisory Committee Minutes (Carmel Valley LUAC)

This report was reviewed by John Ford, Planning Services Mana

EXHIBIT A

PROJECT DATA SHEET

EXHIBIT A

Project Information for PLN090036

Project Title: CRAVEN ROARK A & SHELBY TAYLOR

Location: 25905 RIO VISTA DR CARMEL

Primary APN: 015-042-019-000

Applicable Plan: Carmel Valley Master Plan

Coastal Zone: No

Permit Type: Administrative Permit

Zoning: LDR/1-D-S-RAZ

Environmental Status: Exempt

Plan Designation: CARMEL VALLEY

Final Action Deadline (884): 6/13/1810 Advisory Committee: N/A

Project Site Data:

Lot Size: 47,589

Coverage Allowed: 35%

Coverage Proposed: 11.5%

Existing Structures (sf): NA

Height Allowed: 30 FT

Proposed Structures (sf): 4,410

Height Proposed: 17 FT

Total Sq. Ft.: 5284

FAR Allowed: NA FAR Proposed: NA

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: NA

Biological Report #: N/A

Soils Report #: NA

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH Archaeological Report #: N/A

Geologic Hazard Zone: III Geologic Report #: N/A

Fire Hazard Zone: VERY HIGH

Traffic Report #: N/A

Other Information:

Water Source: CAL AM

Sewage Disposal (method): SEPTIC

Water Dist/Co:

Sewer District Name: n/a

Fire District: CYPRESS

Grading (cubic yds.):

Tree Removal: N/A

Date Printed: 07/15/2009

EXHIBIT B

PROJECT DISCUSSION

EXHIBIT B DISCUSSION PLN090036 February 11, 2010

Project Overview

The subject site is located at 25905 Rio Vista Drive, Carmel Valley (Assessors Parcel Number 015-042-019-000). The parcel is zoned Low Density Residential, with Building Site Review and Design Review overlays. The owner is applying for a Combined Development Permit consisting of an Administrative Permit and Design Approval for the construction of a 5,301 square foot, one story single family residence with an attached three car garage; and a Use Permit for grading on slopes greater than 30%, including placing 300 cubic yards of imported fill. The proposed residence will replace the original 1,704 square foot one story single family dwelling destroyed by fire.

The proposed project would necessitate expanding the already flat building pad with imported fill material for a similar, but larger ranch style home. There are no issues with site development standards, setbacks or coverage relating to the proposed project.

Grading Without Permits

On March 18, 2009, during the course of processing the Combined Development Permit and Design Approval for this project, a Code Enforcement case (CE090115) was initialized for the grading and clearing of on-site materials, without the requisite permits. Prior to the resolution of this code enforcement case (CE090115), an additional violation occurred on the parcel. A large amount of fill material was brought on-site by the owner. A portion of this fill material was located near or on slopes and posed a potential hazard. A Grading Permit (GP090103) was issued on October 2, 2009 for the parcel to clear CE090115. GP090103 is a temporary stock pile permit to relocate imported fill material away from steep slopes. CE090115 was subsequently cleared and closed on December 8, 2009.

Another Grading Permit, (GP090039) related to the project is pending approval of this project (PLN090036). GP090039 would allow the distribution of the stock piled material (approximately 300 cubic yards) to create an expanded pad area for the construction of the house and landscaping of the backyard.

Grading on Slopes

The project includes an application for development on slopes exceeding 30%. The topography of the lot prior to development did not include slopes in excess of 30%. The 30% slopes that do exist appear to be the result of creating the pad for the existing house. Therefore, the grading on slopes in excess of 30% is minimal and occurs on man-made slopes. The proposed residence has been designed to avoid slopes where possible in keeping with the original building footprint. The fill and slope modification proposed will allow for the expansion of the building pad and would accommodate a level backyard area. The expanded building pad would be created with imported fill material. This has the potential to impact adjacent property's by

The Carmel Valley Master Plan, Section 26.1.24 states that, "Every attempt should be made to minimize hillside scarring by avoiding cuts and fills where possible." Alternative designs exist that would minimize the size of fill slope associated with this proposal. The proposed residence could be stepped down consistent with the existing grade. This would minimize the amount of fill and would result in a more natural manner. The applicant has submitted multiple grading proposals to avoid and ensure there will be no grading in the setbacks and subsequently reduced the amount of total fill proposed. The project as currently proposed involves no cutting into the existing grade.

The applicant has worked with the Building and Planning Department and agreed to step down the patio and pulled the top of the fill slopes back to the patio. The project has been conditioned to ensure that the patio to the rear of the house will be dropped one foot, in an effort to minimize needed fill. This will effectively tier the development into the existing topography of the parcel and minimize the fill located on the hillside.

EXHIBIT C

DRAFT RESOLUTION, INCLUDING:

- 1. CONDITIONS OF APPROVAL
- 2. SITE PLAN, FLOOR PLAN AND ELEVATIONS, PARCEL MAP, TENTATIVE MAP

EXHIBIT C DRAFT RESOLUTION

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

In the matter of the application of:

ROARK CRAVEN (PLN090036) RESOLUTION NO.

Resolution by the Monterey County Zoning Administrator:

- 1) Finds the project categorically Exempt per CEQA Guidelines Section 15303(a);
- 2) Approving a Combined Development Permit consisting of: (1) Administrative Permit and Design Approval for the construction of a 5,301 square foot, one story single family residence with an attached three car garage; (2) Use Permit for grading on slopes greater than 30%. The project will involve approximately 300 cubic yards of cut and fill.

(PLN090036, Roark Craven, 25905 Rio Vista Drive, Carmel Valley, Carmel Valley Master Plan APN: 015-042-019-000)

The Craven application (PLN090036) came on for public hearing before the Monterey County Zoning Administrator on February 11, 2010. 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 described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Carmel Valley Area Plan, Carmel Valley Area Plan Inventory and Analysis, and the Monterey County Zoning

Ordinance (Title 21), which designates this area as appropriate for

development.

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

- inconsistencies with the text, policies, and regulations in these documents.
- (b) The property is located at 25905 Rio Vista Drive, Carmel Valley (Assessor's Parcel Number 015-042-019-000), Carmel Valley Area Plan. The parcel is zoned Low Density Residential, Design Review and Site Plan Review Districts ("LDR/1-D-S") which allows for the construction of the new 5,301 square foot, one story single-family residence with an attached three car garage. Therefore, the property is suitable for the proposed development.
- (c) The project planner conducted a site inspection on February 13, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because design review applications for new residences are subject to review by the LUAC. The LUAC continued the item due to minor errors in the project description and the lack of on-site project flagging. Due to the minor nature of the project and associated issues of concern, the project was not sent back to the LUAC for further review.
- (e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency Planning Department for the proposed development found in Project File PLN090036.
- 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, 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) The property is located at 25905 Rio Vista Drive, Carmel Valley (Assessor's Parcel Number 015-042-019-000), Carmel Valley Area Plan. The parcel is zoned Low Density Residential, Design Review and Site Plan Review Districts ("LDR/1-D-S"). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
 - (c) The site is situated on a southwest facing slope. A prior building pad exists and is being expanded for the proposed development. The lot orientation and topography require sensitivity in order to redevelop the site in a manner consistent with the existing setting. The importation

- of excessive fill is not consistent with the existing setting and conditions have been added to the project to minimize the amount of fill and retain the existing topography.
- (d) Staff conducted a site visit on February 13, 2009 to verify that the site is suitable for this use.
- (e) Materials in Project File PLN090036.
- 3. **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 the construction of new single family residences.
 - (b) No adverse environmental effects were identified during staff review of the development application during a site visit on February 13, 2009.
 - (c) The application, project plans, and related support materials submitted by the applicant to the Monterey County RMA Planning Department for the proposed development, found in Project File PLN090036.
 - (d) See findings and supporting evidence.
- 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. Zoning violation abatement costs, if any, have been paid.
 - EVIDENCE: Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property. A Code Enforcement case was recently cleared and closed on the subject property. The case related to the clearing, grading and the importation of fill material without the requisite permits. A Grading Permit (GP090103) was issued on October 2, 2009 for the parcel to clear CE090115. GP090103 is a temporary stock pile permit to relocate imported fill material away from steep slopes. CE090115 was subsequently cleared and closed on December 8, 2009. The information regarding this case can be found with the Code Enforcement Division of the Building Services Department, in Case File CE090115.
- 5. **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: The project was reviewed by RMA - Planning Department, Cypress Fire Protection District, 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.

- 6. FINDING:
- **DEVELOPMENT ON SLOPE** The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and the Carmel Valley Master Plan and the Monterey County Zoning Ordinance (Title 21) than other development alternatives.

EVIDENCE: In accordance with the applicable policies of the Carmel Valley Master Plan and the Monterey County Zoning Ordinance (Title 21), a Use Permit is required and the authority to grant said permit has been met.

- a. The project includes an application for development on slopes exceeding 30%. The grading (fill) on slopes in excess of 30% is minimal and occurs on man-made slopes. The fill and slope modification proposed will provide for the expansion of the building pad and to accommodate a larger level side yard.
- b. The proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives. The project will not involve the removal of any existing vegetation and will not impact an environmentally sensitive habitat. The applicant wishes to place a substantially larger home on the subject site. The home is a single story which is consistent with the neighborhood, but has a larger foot print out over a man made 30% slope. The applicant could achieve the same square footage with a two story home and not expand the footprint. Under the circumstances a single story home with a larger foot print is preferred. The proposed development conforms to all setback and yard area requirements of the Zoning Ordinance and Carmel Valley Master Plan.
- The Carmel Valley Master Plan, Section 26.1.24 states that, "Every attempt should be made to minimize hillside scarring by avoiding cuts and fills where possible." The project involves no cutting into the existing grade. The applicant has agreed that the patio to the rear of the house will be dropped one foot, in an effort to minimize needed fill. This will effectively tier the development into the existing topography of the parcel and minimize the fill located on the hillside.
- 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 PLN090036.
- e. Staff conducted a site inspection on February 13, 2009 to verify that no feasible alternative exists for this project design.

- f. The subject project minimizes development on slopes exceeding 30% in accordance with the applicable goals and policies of the applicable area plan and zoning codes.
- 7. **FINDING:** APPEALABILITY The decision on this project may be appealed to the Planning Commission.

EVIDENCE: Section 21.80.040 of the Monterey County Zoning Ordinance (Title 21).

DECISION

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

- A. Finds the project categorically Exempt per CEQA Guidelines Section 15303(a);
- B. Approve a Combined Development Permit consisting of: (1) Administrative Permit and Design Approval for the construction of a 5,301 square foot, one story single family residence with an attached three car garage; (2) Use Permit for grading on slopes greater than 30%. The project will involve approximately 300 cubic yards of cut and fill, in general conformance with the attached sketch and subject to the conditions (Exhibit 1), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 11th day of February, 2010.

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

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 3 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION ____ - EXHIBIT C

Monterey County Resources Management Agency **Planning Department** Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Roark Craven	
File No: PLN090036	APN: <u>015-042-019-000</u>
Approved by: Zoning Administrator	Date: <u>February 11, 2010</u>

Permit Cond. Number	Mitig. Conditions of Approval and/or Mitigation Measures and Number 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)
	PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN090036) consisting of: (1) Administrative Permit and Design Approval for the construction of a 5,301 square foot, one story single family residence with an attached three car garage; (2) Use Permit for grading on slopes greater than 30%. The project will involve approximately 300 cubic yards of cut and fill. The property is located at 25905 Rio Vista Drive (Assessor's Parcel Number 015- 042-019-000), Carmel Valley Area Plan/Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	to be performed. Where applicable, d	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 090036) was approved by the Director of Planning for Assessor's Parcel Number 015-042-019- 000 on August 5, 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." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an 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)	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/ Archaeo- logist	Ongoing	

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 Purty for Compliance	Timing	Verification of Compliance (name/date)
4.		PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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)
5.		PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 3 years, to expire on February 11, 2013. (RMA – Planning Department)	None	Owner/ Applicant	As stated in the conditions of approval	
6.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	·
7. PD0 SCH The reco by tl	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	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		
	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	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		
		control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	

Permit Cond. 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)
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	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.	
catalog sheets for each with the requirements of forth in California Cod The exterior lighting pl the Director of the RM the issuance of building	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)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
9.	PDSP001 GRADING (NONSTANDARD) No fill is allowed in any setback area. The proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the grading limits. The staking shall be shown on the grading plans which shall include a note that these stakes represent the limits of allowed grading. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA – Planning Department and Building Services Department)	The proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the grading in relation to the setbacks. The staking shall be consistent with the proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department.	Owner/ Applicant	At presite inspection by the grading inspector	
10.	PDSP002 PAD ELEVATION (NONSTANDARD) In order to minimize the fill the following changes shall be made to the grading plan. The proposed back patio area shall be one foot lower in elevation than the proposed residence. The patio elevation shall not exceed an elevation of 106. The building pad height shall not exceed on elevation of 107. The height and steepness of the fill slope in the side yard shall be minimized by either placing the top of the slope as close as practicable to the patio or by terracing or by other means subject to review and	Changes shall be shown on building plans.	Owner/ Applicant	At presite and final inspection by the grading inspector	

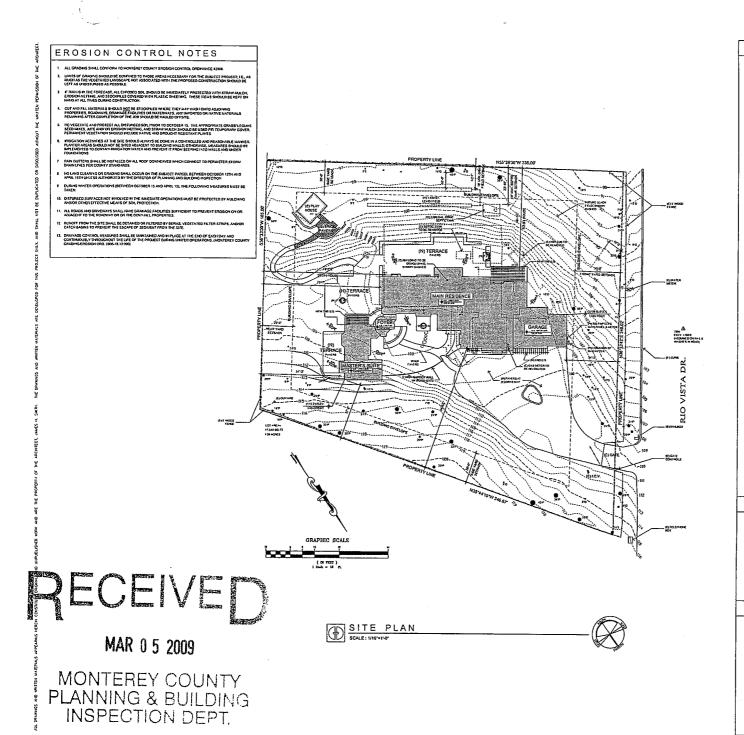
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		approval of the Planning Department. (RMA – Planning Department and Building Services Department)				,
11.		WR2 - STORMWATER CONTROL The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. 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	
12.		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspect-ion/occupancy	

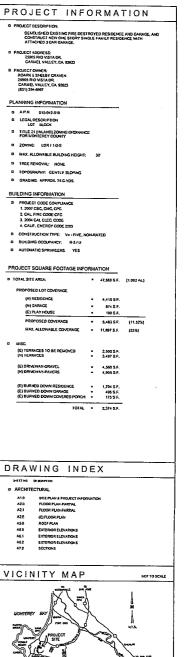
Permit Cond. Number	Mitig. Conditions of Approval and/or Mitigation Measures and Number Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
	irrigation systems and timing devices. (Water Resources Agency)				
13.	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)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
#8 E 16 2					
14.	EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of building	
15.	FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
	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	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
	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.		Applicant or owner	Prior to final building inspection	

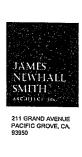
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Responsible Land Use Department: Cypress Fire District.				
16.		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. Responsible Land Use Department: Cypress Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
17.		FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
		one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. Responsible Land Use Department: Cypress Fire District.	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	

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)
18.		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. Responsible Land Use Department: Cypress Fire District.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to final building inspection	

Rev. 03/11/2009







TEL: 831.372-7251 FAX: 831.372-7252 CEL: 831.915-9518

STAUP

PROJECT/QUENT

CRAVEN RESIDENCE

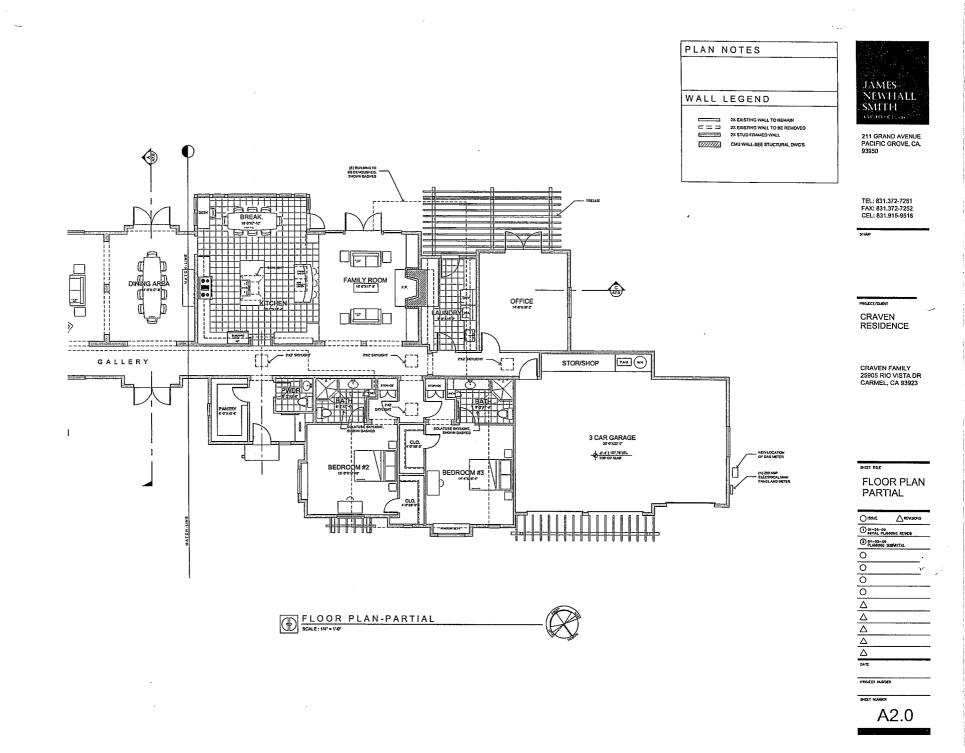
CRAVEN FAMILY 25905 RIO VISTA DR CARMEL, CA 93923

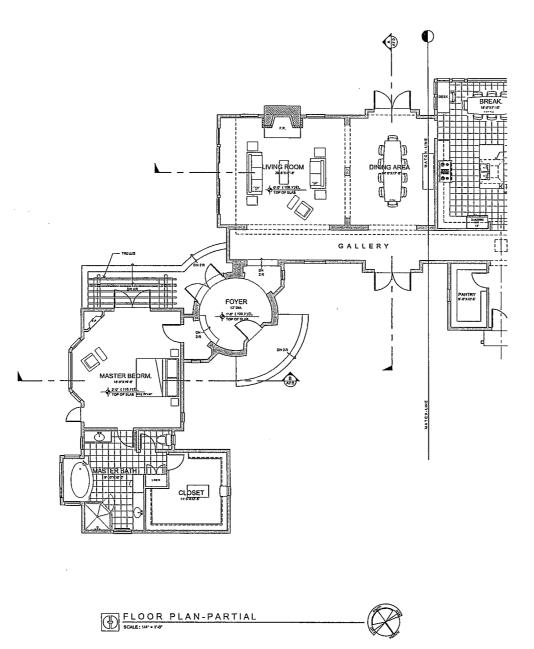
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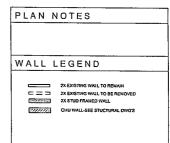
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211 GRAND AVENUE PACIFIC GROVE, CA. 93950

TEL: 831.372-7251 FAX: 831.372-7252 CEL: 831.915-9518

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PROJECT/CLIENT

CRAVEN RESIDENCE

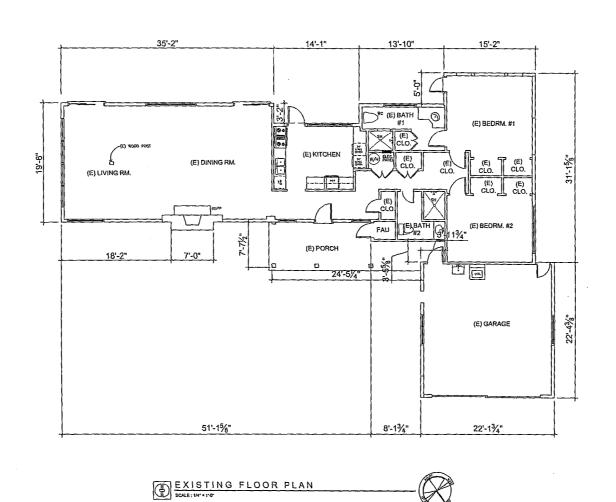
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211 GRAND AVENUE PACIFIC GROVE, CA. 93950

TEL: 831.372-7251 FAX: 831.372-7252 CEL: 831.915-9518

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CRAVEN RESIDENCE

CRAVEN FAMILY 25905 RIO VISTA DR CARMEL, CA 93923

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WALL LEGEND

PLAN NOTES

2X EXISTING WALL TO REMAIL
2X EXISTING WALL TO BE REF
2X STUD FRAMED WALL
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211 GRAND AVENUE PACIFIC GROVE, CA 93950

TEL: 831.372-7251 FAX: 831.372-7252 CEL: 831.915-9518

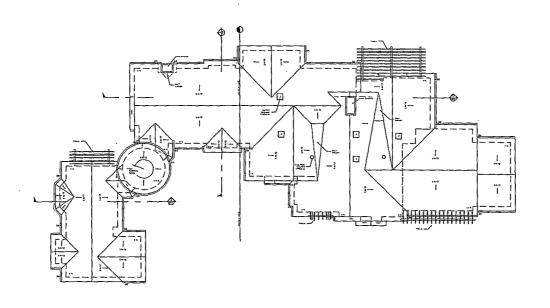
CRAVEN RESIDENCE

CRAVEN FAMILY 25905 RIO VISTA DR CARMEL, CA 93923

ROOF PLAN

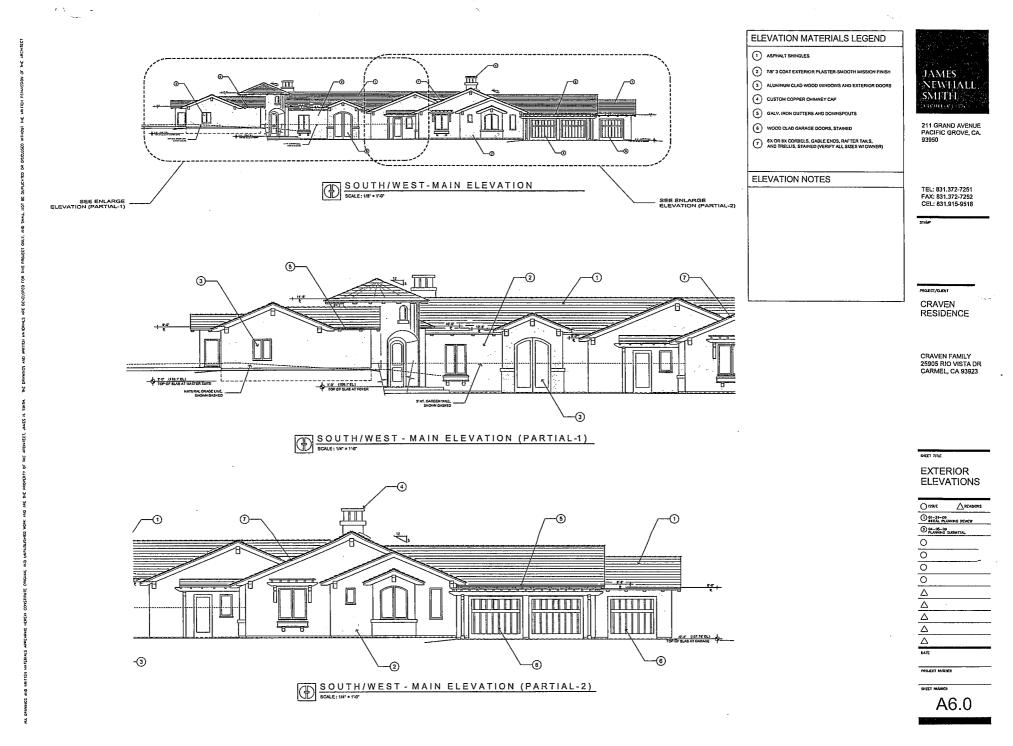
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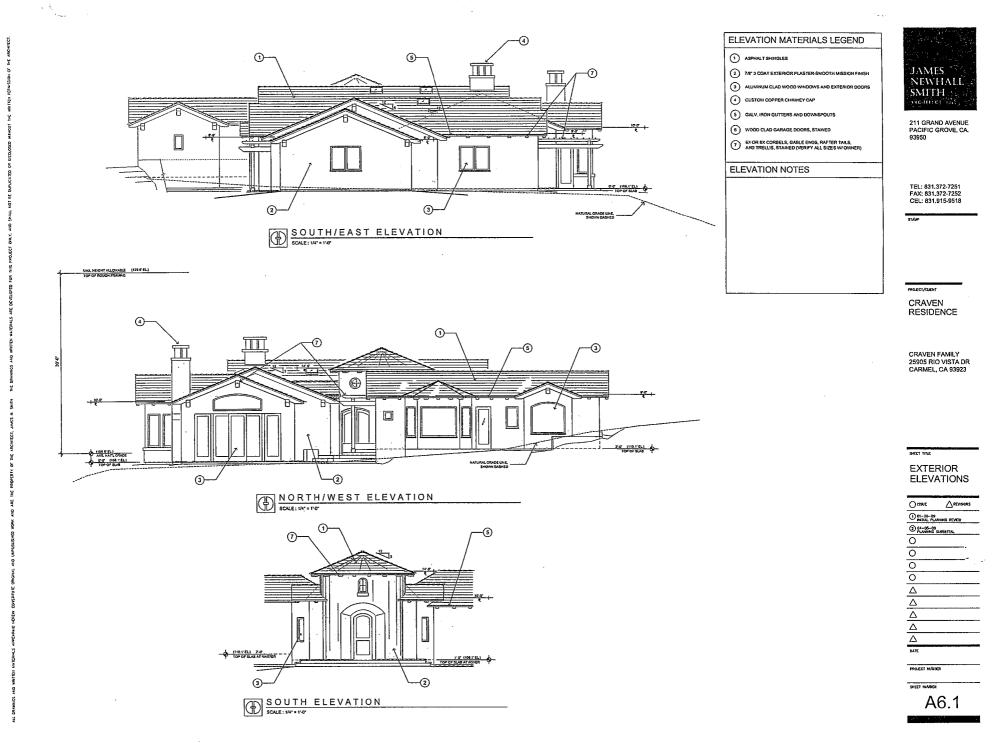
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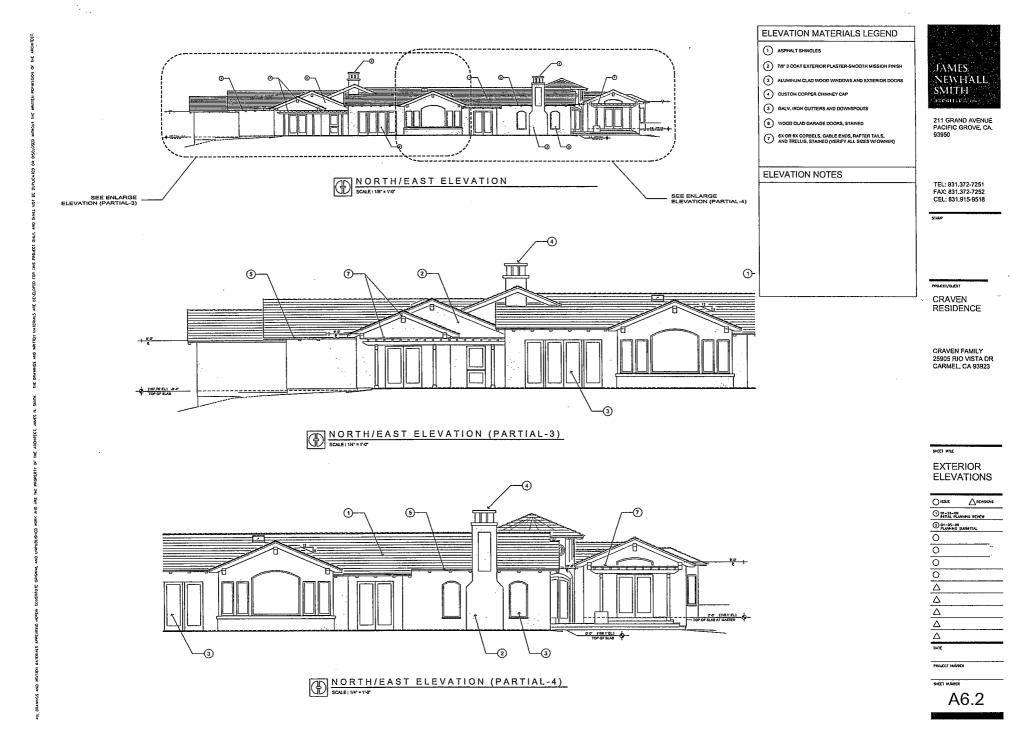


ROOF PLAN

ROOF PLAN	NOTES	







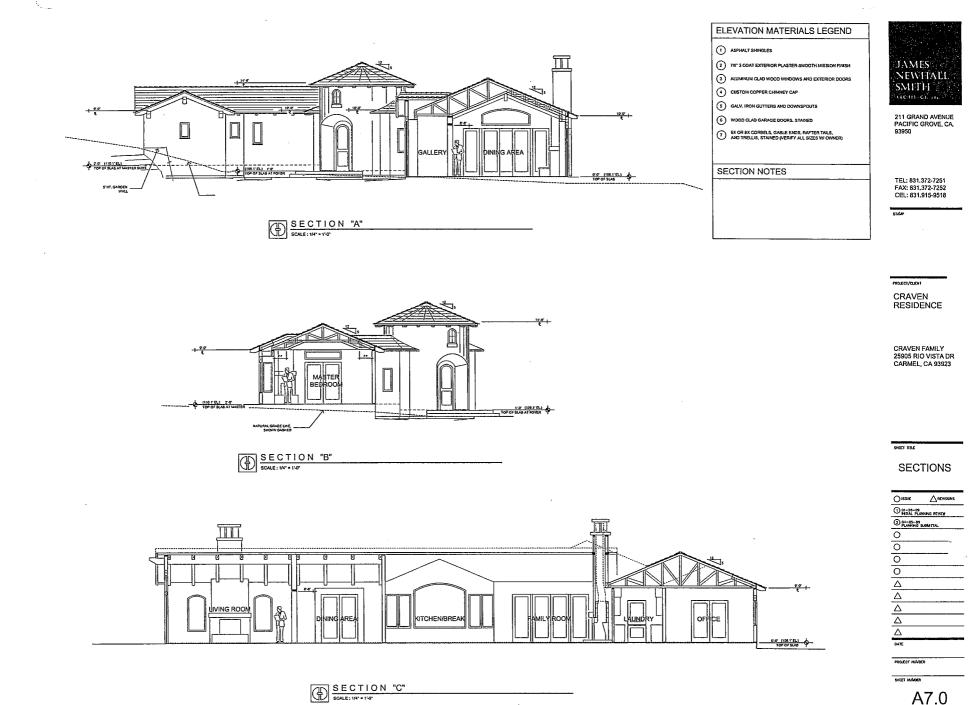


EXHIBIT D

VICINITY MAP

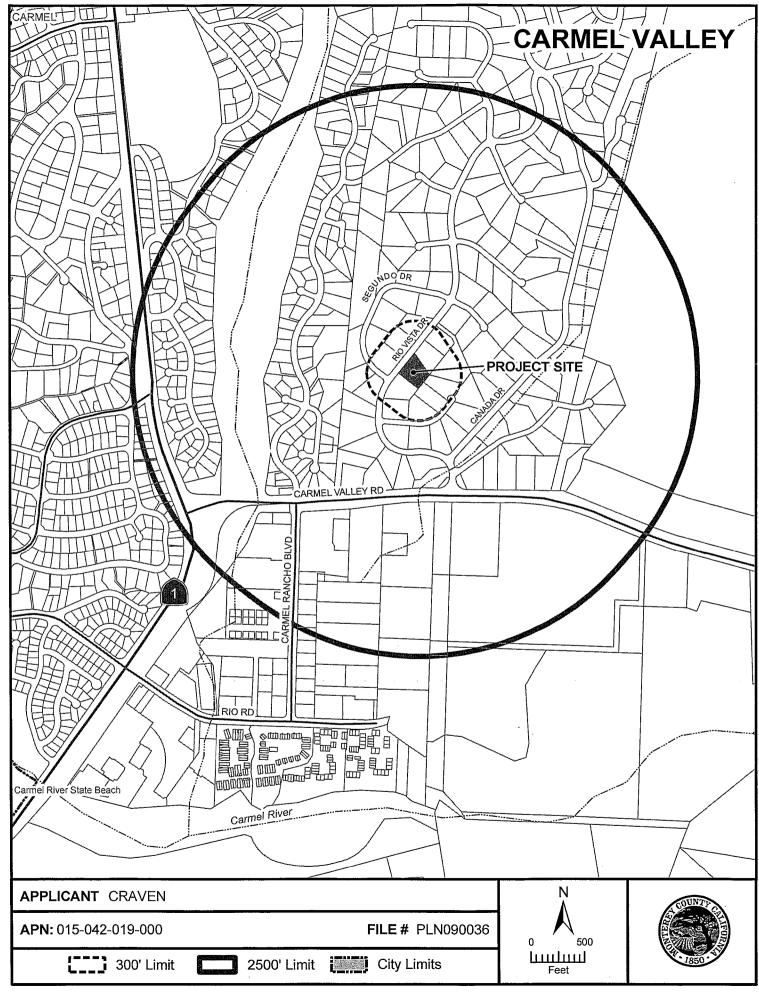


EXHIBIT E

ADVISORY COMMITTEE MINUTES (CARMEL VALLEY LUAC)

MINUTES Carmel Valley Land Use Advisory Committee

Monday, June 15, 2009

1.	Meeting called to order byCharles Franklin	_ at	6:30)	am /pm
2.	Roll Call				
David	Members Present: Charles Franklin, John Anzini, d Burbidge	Neil	Agron,	Doug	Pease,
	Members Absent: Janet Brennan, Judy MacClelland	d			
3.	Approval of Minutes: A. June 1, 2009 minutes				
	Motion: John Anzini		(LUA	C Memi	ber's Name)
	Second: Neil Agron		(LUA	C Memi	ber's Name)
	Ayes: 5				· · · · · · · · · · · · · · · · · · ·
	Noes: 0				
	Absent: 2		<u> </u>		·
	Abstain: 0				
4. the pu	Public Comments: The Committee will receive public commer rview of the Committee at this time. The length of individual presented in the committee at the com				
None					

5.	Sched	luled Item(s) — please refer to the Project Referral Sheets which follow for each separate file
6.	Other A.	Items Preliminary Courtesy Presentations by Applicants Regarding Potential Project
None		
		·
	D	Othor
None	B.	Other
7.	Meeti	ng Adjourned:8 am/pm
Minut	es take	n by:Charles Franklin

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department 168 W Alisal St 2nd Floor Salinas CA (831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by June 15, 2009

Project Name: AJIR KAMBIZ & CANTRELL LINDA

File Number: PLN090175

File Type: AMEND

Project Planner: MANUGUERRA

Project Location: 27800 DORRIS DR CARMEL

Project Description: COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A USE PERMIT TO ALLOW THE ADDITION OF A RESTAURANT USE TO AN EXISTING CONVENIENCE MARKET LOCATED IN AN EXISTING GAS STATION, (2) A USE PERMIT TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES WITHIN 200 FEET OF A RESIDENTIAL ZONING DISTRICT; AND (3) DESIGN APPROVAL FOR CONSTRUCTION OF A 560 SQUARE FEET ADDITION TO THE EXISTING STRUCTURE, AND INTERIOR REMODEL TO INCLUDE THE ADDITION OF A KITCHEN AND DINING TABLES. THE PROJECT IS LOCATED AT 27800 DORRIS DRIVE, CARMEL (ASSESSOR'S PARCEL NUMBER 169-235-019-000), MID VALLEY SHOPPING CENTER, CARMEL VALLEY, CARMEL VALLEY MASTER PLAN AREA.

Was the	Owner/Applicant/Repres	sentative Present at Meeting?	Yes _	Χ	No
Kambiz	Ajir				

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)		
Tunio .	YES NO				
Linda Cantrell	Х		Good idea		
Thomas Bishop	X		Lots of local support		
Sara Bishop	X		Meets a real need		
Sharon Bacon		X	We want this		
Peter Lowe		X	Support		
Margaret Robbins	x		Presented letter of support from Karin Strasser Kaufman (attached)		
Leslie Stark	X		Meets an important need		
Bill Stahl		X	Support		
Bill Susalla		X	Thanks for the support		
Penny Wood		X	Support		
James Daby	X		Support		
Ed Stark	X		Support		
Margaret Robbins for Carmel Valley Association		X	CVA has no position, Concerns tanks and future outside seating		
Jody Royee	X		Support		

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
none	,	
,		
ADDITIONAL LUAC COMMENTS		
Standard Conditions for Down	n Lighting and Shaded or scr	reened skylights
RECOMMENDATION:		
Motion by John Anzini		(LUAC Member's Name)
Second by Doug Pease		(LUAC Member's Name)
x Support Project as propose	d	
Recommend Changes (as ne	oted above)	
Continue the Item		
Reason for Continuance:		
Continued to what date:		
AYES: 5		
NOES: 0		
ABSENT: 2		

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department 168 W Alisal St 2nd Floor Salinas CA (831) 755-5025

Advisory Committee: Carmel Valley

Please submit y	your recommendations	for this application	by June 15, 2009
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Project Name:	CRAVEN ROARK A & SHELBY T	TAYLOR
Cita Managara	DI MOCOCO	

File Number: PLN090036

File Type: AP

Project Planner: SNIDER

Project Location: 25905 RIO VISTA DR CARMEL

Project Description: ADMINISTRATIVE PERMIT AND DESIGN APPROVAL FOR THE CONSTRUCTION OF A NEW 4410 SQUARE FOOT, TWO STORY, SINGLE FAMILY RESIDENCE WITH AN ATTACHED TWO CAR GARAGE. PROPOSED RESIDENCE WILL REPLACE ORIGINAL 1704 SQUARE FOOT RESIDENCE DESTROYED BY FIRE. PROJECT IS LOCATED AT 25905 RIO VISTA DRIVE CARMEL

VALLEY LDR/1-D-S. (ASSESSOR'S PARCEL NUMBER 015-042-019-000), CARMEL VALLEY AREA

MASTER PLAN AREA.

		········					
			ntative Present at Meeting?	Yes_	X	No	
James	Smith,	Architect					

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	_ (cuggettes changes)
Kathy Curlis	X		The dead trees on the property are a hazard
Jeannie Lewis	X		Please don't change the setback
Linda Aginbak, Carmel Valley Association		х	CVA approves of project

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Project Description is in error		Change description to single story with 3 car garage etc
Project not staked & flagged		Difficult to see size & location especially because of existing grading violations
Construction on slopes in excess of 30%		Needs better grading drawing
Protection of existing oaks		Protect oaks before any more demolition or construction

ADDITIONAL LUAC COMMENTS

RECOMMENDATION:	
Motion by John Anzini	(LUAC Member's Name)
Second by Neal Agron	_ (LUAC Member's Name)
Support Project as proposed	
Recommend Changes (as noted above)	
X Continue the Item	
Reason for Continuance: _Erroneous project description and l flagging	ack of staking &
Continued to what date:July 6	
AYES: 5	
NOES: 0	
ABSENT: 2	
ADSTAIN: 0	•