

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: October 14, 2010 Time: 1:35 P.M	Agenda Item No.: 3
Project Description: Coastal Development Permit to replace a 100,000 gallon existing steel water storage tank with a new tank of the same size, a new wood post retaining wall surrounding the tank (4'6" to 8' in height); grading for the wall and lowering of new tank (130 cubic yards cut/20 cubic yards fill); and Design Approval (tank to be of same color and materials as existing).	
Project Location: 24739 Upper Trail, Carmel	APN: 009-142-010-000
Planning File Number: PLN100029	Owner: California American Water Co.
Planning Area: Carmel Area Land Use Plan	Flagged and staked: No
Zoning Designation: "MDR/2-D (CZ)" [Medium Density Residential, 2 units per acre-Design Control District (Coastal Zone)]	
CEQA Action: Categorically Exempt per Section 15302 (c)	
Department: RMA - Planning Department	

RECOMMENDATION:

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

- 1) Categorically Exempt per CEQA Section 15302 (c); and
- 2) Approve PLN100029, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**):

PROJECT OVERVIEW:

Applicant proposes to replace an existing 100,000 gallon steel water tank that currently serves 40,000 connections within the Carmel Woods area. The existing tank has a damaged foundation and has reached the end of its use. The new tank would be the exact same size, shape and color as the existing tank. Although there is a cyclone fence along the perimeter of the parcel, a new retaining wall (4'6" to 8' in height) is proposed to surround the tank for further safety purposes. Staff has confirmed the parcel does not contain any environmentally sensitive habitat, is not located in a visually sensitive area, or located within a high archaeological sensitivity zone. An Acacia tree will be removed; however, it is not a protected tree within the Carmel Area Land Use Plan. There is no evidence of development on a 30% slope. The structure meets all setback and height requirements, and is therefore consistent with Medium Density zoning regulations in which it is located. There are no unresolved issues.

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

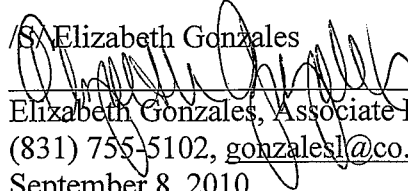
- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Cypress Fire Protection District
- California Coastal Commission

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA-Planning, Public Works and Environmental Health have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

On October 4, 2010, the project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. At the time this staff report was prepared, the LUAC

meeting had not taken place. Therefore, the recommendation from the LUAC will be read at the Zoning Administrator Hearing on October 14, 2010.

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



Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
September 8, 2010

cc: Front Counter Copy; Zoning Administrator; Cypress Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Laura Lawrence, Planning Services Manager; Elizabeth Gonzales, Project Planner; Carol Allen, Senior Secretary; California American Water Co., Owner; Planning File PLN100029

Attachments: Exhibit A Project Data Sheet
Exhibit B Draft Resolution, including:
1. Conditions of Approval
2. Site Plan and Elevations
Exhibit C Vicinity Map
Exhibit D Carmel Highlands/Unincorporated LUAC meeting
Exhibit E Colors and Materials photos

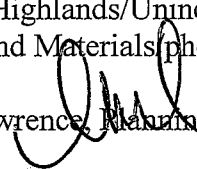
This report was reviewed by Laura Lawrence,  Planning Services Manager

EXHIBIT A

Project Data Sheet for PLN100029

Project Title: California American Water

Location: 24739 Upper Trail,
Carmel Woods

Primary APN: 009-142-010-000

Applicable Plan: Carmel Area Land Use
Plan

Coastal Zone: YES

Permit Type: Coastal Dev Permit

Zoning: MDR/2-D (CZ)

Environmental Status: Exempt per Section
15302 (c)

Plan Designation: Residential, medium density

Advisory Committee: Carmel
Highlands/Unincorporated

Final Action Deadline (884): August 5, 2010

Project Site Data:

Lot Size: .209 ACRES

Coverage Allowed: 35%

Coverage Proposed: 28%

Existing Structures (SF): 2,500 square feet

Height Allowed: 30 FEET

Proposed Structures (SF): 1,024 sq feet (replace of
same size)

Height Proposed: 22 FEET

Total SF: Approx 2,500 square feet

Floor Area Ratio Allowed: N/A

Floor Area Ratio Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: N/A

Erosion Hazard Zone: moderate

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: moderate

Geologic Hazard Zone: III-IV

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: Urban/ag

Traffic Report #: N/A

Other Information:

Water Source: Water system provider

Sewage Disposal (method): N/A

Water Dist/Co: California American Water

Sewer District Name: N/A

Fire District: Carmel Highlands FPD

Total Grading (cubic yds.): 130 cu yds /20 cu yds fill

Tree Removal: 1 Acacia (not protected)

**EXHIBIT B
DRAFT RESOLUTION**

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

In the matter of the application of:

CALIFORNIA AMERICAN WATER CO. (PLN100029)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically Exempts per CEQA Section 15302 (c); and
- 2) Approving Coastal Development Permit to replace a 100,000 gallon existing steel water storage tank with a new tank of the same size, a new wood post retaining wall surrounding the tank (4'6" to 8' in height); grading for the wall and lowering of new tank (130 cubic yards cut/20 cubic yards fill); and Design Approval (tank to be of same color and materials as existing).

(PLN100029, California American Water Co., 24739 Upper Trail, Carmel Area Land Use Plan (APN: 009-142-010-000))

The Coastal Development Permit application (PLN100029) came on for public hearing before the Monterey County Zoning Administrator on October 14, 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 conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - the Monterey County General Plan,
 - Carmel Area Land Use Plan,
 - Monterey County Coastal Implementation Plan (Part 4)
 - Monterey County Zoning Ordinance (Title 20)No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
b) The property is located at 24739 Upper Trail, Carmel (Assessor's Parcel Number 009-142-010-000, Carmel Area Land Use Plan. The parcel is zoned "MDR/2-D (CZ)" [Medium Density Residential, 2 units per acre-Design Control District (Coastal Zone)], which allows for water system

facilities including wells and storage tanks serving 15 or more service connections, subject to a Coastal Development Permit. Therefore, the project is an allowed land use for this site.

- c) The application proposes to replace an existing 100,000 gallon steel water tank that currently serves 40,000 connections within the Carmel Woods area. The existing tank has a damaged foundation and has reached the end of its use. The new tank would be the exact same size, shape and color as the existing tank. Although there is a cyclone fence along the perimeter of the parcel, a new retaining wall (4'6" to 8' in height) is proposed to surround the tank for further safety purposes.
- d) Grading is proposed (130 cubic yards cut/20 cubic yards fill) for the new retaining wall and for lowering the new tank. Once construction is completed, the applicant shall remove any construction materials and waste from the site as this is located within a residential area. Photos showing evidence of removal of all unnecessary construction materials shall be submitted to and approved by the Director of the RMA - Planning Department upon completion of development. (Condition #4)
- e) Pursuant to Chapter 20.44, Design Control Zoning Districts, the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. The replacement tank will be the same color and materials as the existing tank and the fence will be of natural wood. Therefore, the project is consistent with the Design Control regulations.
- f) The project planner conducted a site inspection on August 25, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- g) Water Supply policy 3.2.3.2 requires the County to reserve from its allotment of Cal-Am Water an additional supply through 1988 to serve residential development of existing vacant lots affected by the water connection moratorium of 1975-78. The water supplier that services this area is the California American Water Company. There is an existing 100,000 gallon steel water tank that serves approximately 40,000 connections that needs to be replaced. Site visit confirms the existing tank is located on a parcel that does not contain any environmentally sensitive habitat, is not located in a visually sensitive area, or located within a high archaeological sensitivity zone nor is there evidence of 30% slope. An Acacia tree will be removed; however, it is not a protected tree within the Carmel Area Land Use Plan. Staff has conditioned the project to protect the Pine and Oak trees within the area of construction (Condition #8). The structure meets all setback and height requirements, and is therefore consistent with the zoning regulations in which it is located.
- h) On October 4, 2010, the project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. At the time this staff report was prepared, the LUAC meeting had not taken place. Therefore, the recommendation from the LUAC will be read at the Zoning Administrator Hearing on October 14, 2010.
- 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 PLN100029.

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, Public Works, Environmental Health Bureau, 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 did not identify any environmental impacts during the site visit, and therefore no technical reports by outside consultants were required. Staff has determined that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed.
- c) Staff conducted a site inspection on August 25, 2010 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 PLN100029.
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, Cypress Fire Protection District, Public Works, Environmental Health Bureau, 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.
- b) By replacing the existing 100,000 gallon steel tank, necessary public facilities will be provided to the existing 40,000 connections in the area.
- c) Preceding findings #1 and #2 and supporting evidence for PLN100029.
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 records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on August 25, 2010 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- d) Zoning violation abatement costs, if any, have been paid. A condition is included to assure that all zoning abatement costs, if any, have been paid.

- e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100029.

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 15302 (c), categorically exempts replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site and the structure replaced and will have substantially the same purpose and capacity as the structure replaced.
 - b) The project proposes to replace an existing 100,000 gallon steel water tank with a tank of the same size, shape and color and in the same location as the existing tank. Grading is minimal; site visit confirmed that there is no environmentally sensitive habitat or unusual circumstances that would prevent the replacement of the tank.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on August 25, 2010.
 - d) 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 Area Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) 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 PLN100029
 - e) The project planner conducted a site inspection on August 25, 2010.

7. **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 20.86.030 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project includes conditional uses (Coastal Development Permit), which allows for water system facilities including wells and storage tanks serving 15 or more service connections.

DECISION

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

- A. Categorically Exempts per CEQA Section 15302 (c); and
- B. Approves Coastal Development Permit to replace a 100,000 gallon existing steel water storage tank with a new tank of the same size, a new wood post retaining wall surrounding the tank (4'6" to 8' in height); grading for the wall and lowering of new tank (130 cubic yards cut/20 cubic yards fill); and Design Approval (tank to be of same color and materials as existing), in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 14th day of October, 2010, by the following vote:

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

RESOLUTION _____ - EXHIBIT 1 Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>California American Water Company</u> File No: <u>PLN100029</u> APNs: <u>009-142-010-000</u> Approved by: <u>Zoning Administrator</u> Date: <u>October 14, 2010</u>
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Coastal Development Permit (PLN100029) to replace a 100,000 gallon existing steel water storage tank with a new tank of the same size, a new wood post retaining wall surrounding the tank (4'6" to 8' in height); grading for the wall and lowering of new tank (130 cubic yards cut/20 cubic yards fill); and Design Approval (tank to be of same color and materials as existing). The property is located at 24739 Upper Trail, Carmel (Assessor's Parcel Number 009-142-010-000), Carmel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. 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.	Owner/ Applicant RMA - Planning WRA RMA - Planning	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land-Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Zoning Administrator for Assessor's Parcel Number 009-142-010-000 on October 14, 2010. The permit was granted subject to 11 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.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on October 14, 2013 unless use of the property or actual construction has begun within this period. (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	
4.		PDSP001 - RESTORATION OF NATURAL MATERIALS (NON-STANDARD) Grading is proposed (130 cubic yards cut/20 cubic yards fill) for the new retaining wall and for lowering the new tank. Once construction is completed, the applicant shall remove any construction materials and waste from the site as this is located within a residential area. Photos showing evidence of removal of all unnecessary construction materials shall be submitted to and approved by the Director of the RMA - Planning Department upon completion of development. (RMA – Planning Department)	Submit photos of the restored area upon completion of development to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to commencement of use.	
5.		PD047 – DEMOLITION/DECONSTRUCTION OF STRUCTURES (MBUAPCD RULE 439) In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate	Applicant shall incorporate a "Demolition/ Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.	Contractor /Owner/ Applicant	Prior to the issuance of a demolition permit	

<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>
		<p>the following work practice standards:</p> <ol style="list-style-type: none"> 1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process; 2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building; 3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour. <p>All Air District standards shall be enforced by the Air District. (RMA – Planning Department)</p>				
			Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.	Contractor /Owner/ Applicant/ Air District	During demolition	
6.		<p>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)</p>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
7.		<p>PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during</p>	<p>An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	

<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>
		and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
8.		PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit 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	
			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	
9.		PD038 - WATER TANK APPROVAL The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of the RMA - Planning	Submit proposed color of water tank and landscaping plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading or building permits	

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		Department, prior to the issuance of building permits. (RMA – Planning Department)	Provide evidence to the Director of the RMA - Planning Department that the water tank has been painted and the landscaping has been installed according to the plans approved by the RMA - Planning Department.	Owner/ Applicant	Prior to the final inspection or occupancy.	
RMA – Public Works Department						
10.		PW0044 – CONSTRUCTION MANAGEMENT PLAN The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)	Applicant shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit.	
			The approved measures shall be implemented during the construction/grading phase of the project.	Owner/ Applicant/ Contractor	On-going through construction phases	

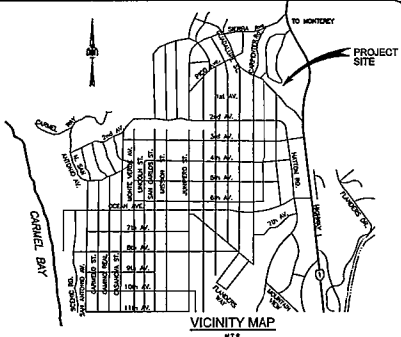
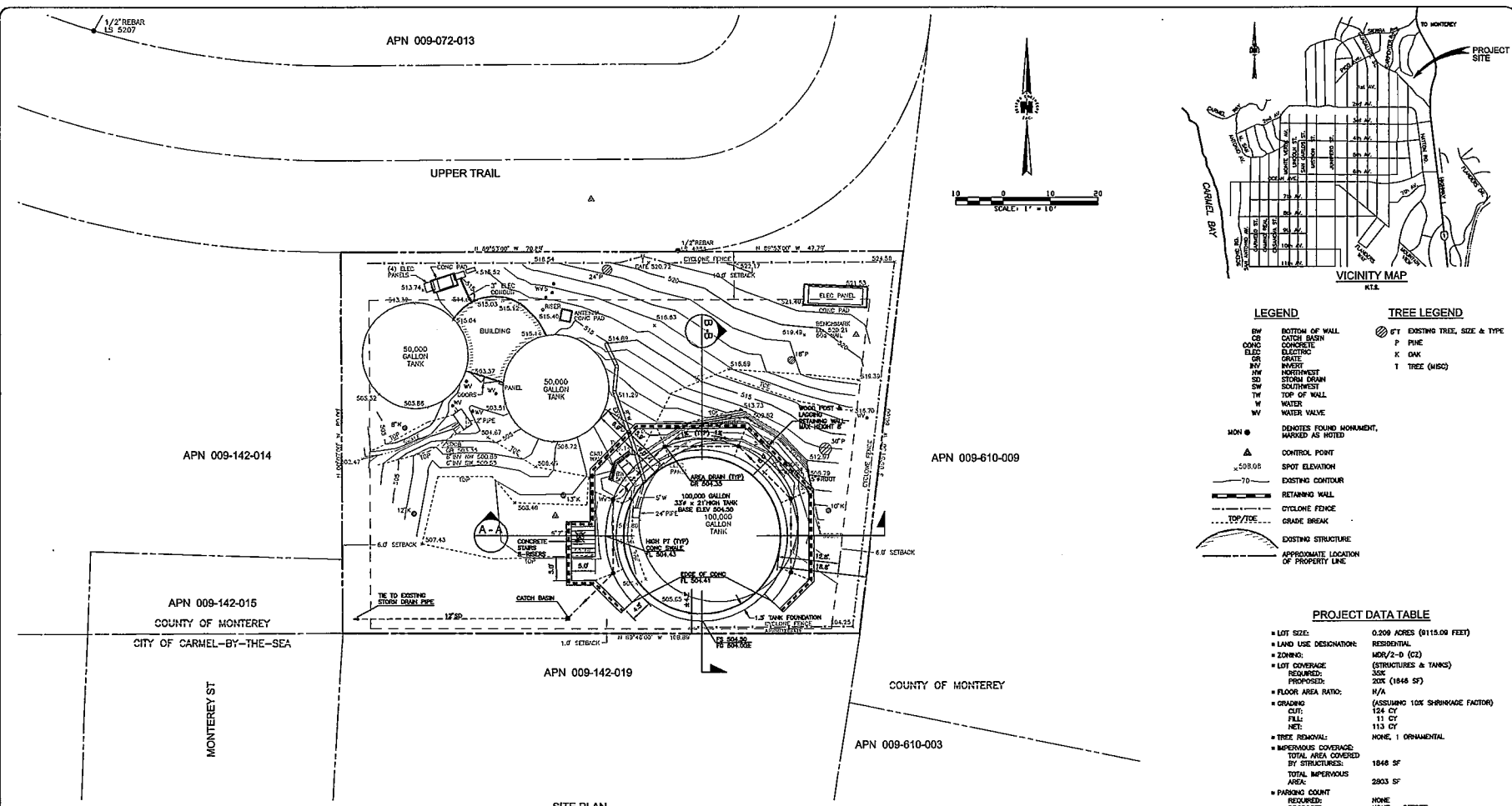
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
Health Department Environmental Health Bureau						
11.		EHSP001 (NON STANDARD) - Plans for the construction of the water storage tank must to be submitted to the California Department of Public Health, Division of Water and Environmental Management, Monterey Office, for review and permitting. The California Department of Public Health, Division of Water and Environmental Management, has jurisdiction and authority over permitting water storage tanks over 100,000 gallons, authorized by State Code. (Environmental Health Bureau)	Submit evidence to EHB that construction plans for the water storage tank have been submitted to the Department of Public Health, Monterey Office, for review and approval.	Owner/ Applicant	Prior to issuance of building permit.	

END OF CONDITIONS

Rev. 08/25/2010

EXHIBIT "B" 2

C:\GEM\Draw\Proposed\Site Plan\DWG - 6824 - 11116558.dwg



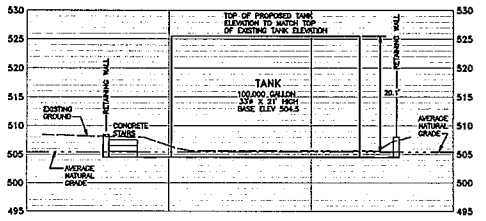
- LEGEND**
- BW BOTTOM OF WALL
 - CB CATCH BASIN
 - CC CONCRETE
 - ELEC ELECTRIC
 - OR CRATE
 - INW INVERT
 - INW INVERT
 - SS NORTHWEST
 - SS SOUTHWEST
 - TH TOP OF WALL
 - W WATER
 - WV WATER VALVE
- TREE LEGEND**
- (T) EXISTING TREE, SIZE & TYPE
 - P PINE
 - X OAK
 - T TREE (MISC)
- MON** DENOTES FOUND MONUMENT, MARKED AS NOTED
- ▲ CONTROL POINT
 - △ SPOT ELEVATION
 - DOTTED CONTOUR
 - RETAINING WALL
 - CYCLONE FENCE
 - GRADE BREAK
 - TOP/TOE
 - EXISTING STRUCTURE
 - APPROPRIATE LOCATION OF PROPERTY LINE

PROJECT DATA TABLE

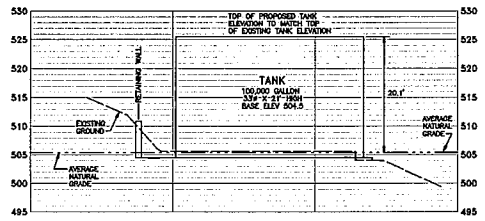
• LOT SIZE:	0.209 ACRES (9115.09 FEET)
• LAND USE DESIGNATION:	RESIDENTIAL
• ZONING:	MDR/2-D (C2)
• LOT COVERAGE REQUIRED:	30% (STRUCTURES & TANKS)
• FLOOR AREA RATIO:	N/A
• GRADING:	(ASSUMING 10% SHRINKAGE FACTOR)
• CUTS:	124 CY
• FILL:	11 CY
• NET:	113 CY
• TREE REMOVAL:	NONE, 1 ORNAMENTAL
• IMPERVIOUS COVERAGE:	TOTAL AREA COVERED BY STRUCTURES:
	1848 SF
	TOTAL IMPERVIOUS AREA:
	2903 SF
• PARKING COUNT REQUIRED:	NONE - OFFSITE
• PROPOSED:	NONE - OFFSITE

EROSION CONTROL NOTES

1. ALL DISTURBED SURFACES MUST BE PROTECTED FROM EROSION. EROSION CONTROL MEASURES SHALL BE IN PLACE AND MAINTAINED AT ALL TIMES BETWEEN OCTOBER 15 AND APRIL 15.
2. DISTURBANCE OF SURFACE VEGETATION DURING CONSTRUCTION SHALL BE KEPT TO A MINIMUM.
3. ALL DISTURBED SURFACES SHALL BE PREPARED AND MAINTAINED TO CONTROL EROSION AND TO ESTABLISH NATIVE OR NATURALIZED VEGETATION GROWTH COMPATIBLE WITH THE AREA. THIS CONTROL SHALL CONSIST OF:
 - A. EFFECT TEMPORARY PLANTING SUCH AS RYE GRASS, SOME OTHER FAST-GROWING SEED AND MULCHING WITH STRAW AND/OR OTHER SLOPE STABILIZATION MATERIAL.
 - B. PERMANENT PLANTING OF NATIVE OR NATURALIZED DROUGHT RESISTANT SPECIES OF SHRUBS, TREES OR OTHER VEGETATION, PURSUANT TO THE COUNTY'S LANDSCAPE CRITERIA, WHEN THE PROJECT IS COMPLETED.
 - C. MULCHING, FERTILIZING, WATERING OR OTHER METHODS MAY BE REQUIRED TO ESTABLISH NEW VEGETATION. TOPSOIL SHOULD BE STOCKPILED AND REAPPLIED.
4. RUNOFF FROM THE SITE SHALL BE DETAINED OR FILTERED BY BERMS, VEGETATED FILTER STRIPS, AND/OR CATCH BASINS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE.
5. EROSION CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAYS WORK.
6. DUST FROM THE GRADING OPERATION SHALL BE CONTROLLED. THE OWNER OR CONTRACTOR MAY BE REQUIRED TO KEEP ADEQUATE EQUIPMENT ON THE GRADING SITE TO PREVENT DUST PROBLEMS.



SECTION A-A
HORIZONTAL/VERTICAL SCALE 1"=10'



SECTION B-B
HORIZONTAL/VERTICAL SCALE 1"=10'

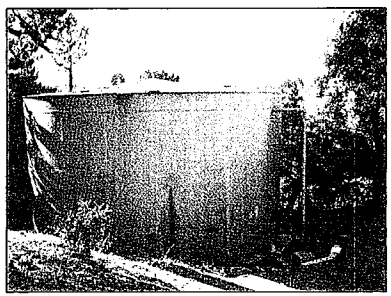


PHOTO OF EXISTING TANK TO BE REPLACED

REVISIONS

DESIGNED BY	
DRAWN BY	
DATE:	PRELIMINARY
TRIGNETA	
ACD	
CDP	

PRELIMINARY NOT FOR CONSTRUCTION

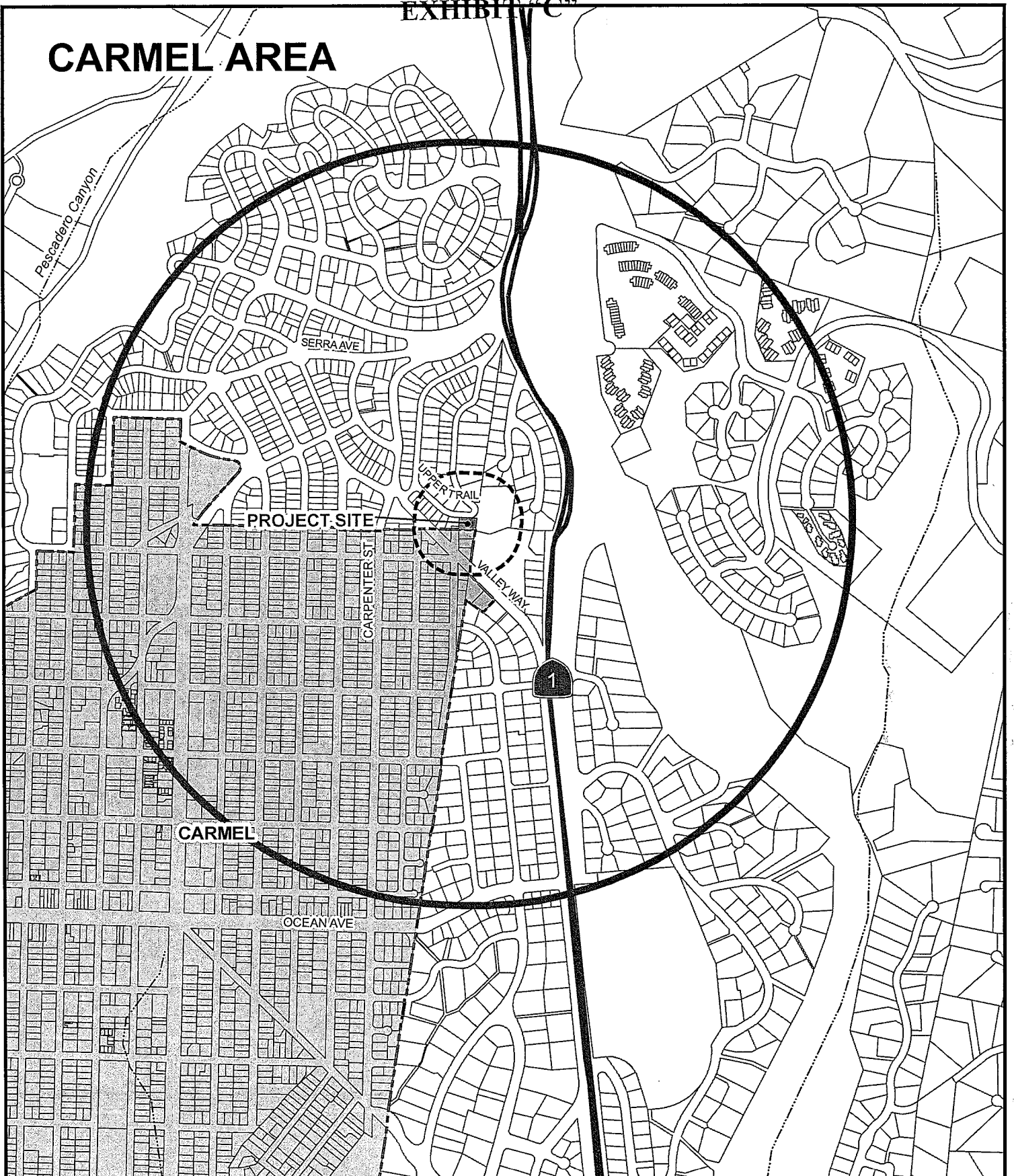
BESTOR ENGINEERS, INC.
CIVIL ENGINEERING - SURVEYING - LAND PLANNING
9701 BLUE LANSBURG LANE, MONTEREY, CALIFORNIA 95030

PREPARED FOR: CALIFORNIA AMERICAN WATER

SITE PLAN
24735 UPPER TRAIL - CARMEL WOODS TANK
APN 009-142-010
COUNTY OF MONTEREY, CALIFORNIA

SCALE:	AS SHOWN
DATE:	6/28/10
SHEET:	1 OF 1
NO:	6824.00

CARMEL AREA



APPLICANT: CALIFORNIA-AMERICAN WATER CO

APN: 009-142-010-000

FILE # PLN100029

 Water
  2500' Limit
  300' Limit
  City Limits

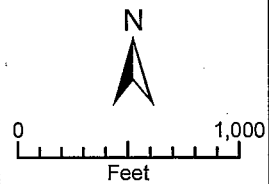


EXHIBIT "D"

**Carmel Highlands/Unincorporated Land Use Advisory Committee
October 4, 2010**

Recommendation to be read into the record



EXHIBIT "E"

