MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: December 9, 2010 Time: 2:35 P.M	Agenda Item No.: 3							
Project Description: Continued from the Novemb								
(PLN100348) Coastal Administrative Permit and Design Approval to allow the demolition of an								
existing 2,207 single family dwelling and 400 square								
4,803 square foot two-story single family residence								
garage, a 982 square foot attached three-car garage,	a 192 square foot cabana with and attached							
trellis, and a 66 square foot garden shed. Materia	als and colors to consist of: "Shasta White"							
stucco for the exterior walls, "Mallard Green" for	doors and window trim, and "Redlands Old							
Hacienda" clay roofing tile. The project includes a 6								
and grading of approximately 650 cubic yards of cut a	and 550 cubic yards of fill.							
Project Location: 25613 Shafter Way, Carmel	APN: 009-221-004-000							
Planning File Number: PLN100348	Owner: Scott and Diane Green							
Planning Area: Carmel Area Land Use Plan	Flagged and staked: Yes							
Zoning Designation: MDR/2-D (CZ) or Medium De	nsity Residential, 2 units per acre with							
Design Control (Coastal Zone)								
CEQA Action: Categorically Exempt per Section 153	301 (l)(1) and 15303(a)							
Department: RMA - Planning Department								

RECOMMENDATION:

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

- 1) Categorically exempt the project pursuant to Sections 15301(l)(1) and 15303(a); and
- 2) Approve the Administrative Permit PLN100348, based on the findings and evidence and subject to the conditions of approval (Exhibit B):

PROJECT OVERVIEW:

A written request for a public hearing was made by two neighboring property owners. Therefore, the project was continued from the November 17, 2010 Administrative hearing to the December 9, 2010 Zoning Administrator hearing. The neighboring property owners expressed concerns with the mass of the proposed structures and their close proximity to the existing single family dwellings adjacent to the subject property.

The applicant proposes to demolish an existing one-story single family dwelling and construct and new two-story single family dwelling with accessory structures, two attached garages, a cabana with attached trellis, and a detached storage shed.

Although the public expressed concerns with the massing and location of the structures, staff finds that the proposed single family dwelling and accessory structures meet the requirements set forth on the Monterey County Zoning Ordinance (Title 20) such as allowed uses, minimum setback requirements, maximum height limit, lot coverage, and floor area ratio. The proposed structures, colors, and materials are consistent with the Policies of the Carmel Area Land Use Plan. In addition, the permit has been conditioned to require the applicant to submit proof of height verification.

The proposed project is exempt from environmental review pursuant to CEQA Guidelines Sections 15301(l)(1) and 15303(a). Staff finds the proposed project consistent with the Monterey County General Plan, Carmel Area Land Use Plan, Carmel Area Implementation Plan, and the Monterey County Zoning Ordinance.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this

- $\sqrt{}$ RMA - Public Works Department
- Environmental Health Bureau $\sqrt{}$
- Water Resources Agency
- Cypress Fire Protection District California Coastal Commission

Agencies that submitted comments are noted with a check mark (" $\sqrt{}$ "). Conditions recommended by Public Works, Water Resources Agency, and Cypress Fire Protection District have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (Exhibit B).

The project was not referred to the Carmel Area/Carmel Highlands 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 not warrant referral to the LUAC because the project was found to be exempt from environmental review (see Finding No. 5).

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

Anna V. Quenga, Associate Planner

(831) 755-5175, quengaav@co.monterey.ca.us

November 30, 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; Anna V. Ouenga, Project Planner; Carol Allen, Senior Secretary; Scott and Diane Green, Owner; Don Orosco, Neighbor; Lacy Williams Buck, Neighbor; Planning File PLN100348.

Attachments: Exhibit A

Project Data Sheet

Exhibit B

Resolution

Exhibit 1 Recommended Conditions of Approval

Exhibit 2 Site Plan, Floor Plans, and Elevations

Exhibit C

Vicinity Map

This report was reviewed by Laura Lawrence, Planning

EXHIBIT A

Project Data Sheet for PLN100348

Project Title: **GREEN**

> Location: 25613 SHAFTER WAY,

> > **CARMEL**

Applicable Plan: CARMEL AREA LUP

Permit Type:

EXEMPT PER 15301(1)(1) &

15303(a)

Advisory Committee: CARMEL/CAR HIGHLANDS Primary APN:

009-221-004-000

Coastal Zone: YES

Zoning: MDR/2-D(CZ)

Plan Designation:

RESIDENTIAL

Final Action Deadline (884):

12/19/2010

Project Site Data:

Environmental Status:

Lot Size: .49 ACRES Coverage Allowed: 35%

Coverage Proposed: 22.5%

Existing Structures (SF): 2,607 SQ FT

Height Allowed:

Proposed Structures (SF): 6,432 SQ FT **Height Proposed:** 28 FEET 4 INCHES

Total SF: 6,432 SQ FT

Floor Area Ratio Allowed: 45%

Floor Area Ratio Proposed: 29.5%

30 FEET

Resource Zones and Reports:

Environmentally Sensitive Habitat:

N/A

Biological Report #: N/A

Erosion Hazard Zone: LOW

Soils Report #: N/A

N/A

Archaeological Sensitivity Zone:

Forest Management Rpt. #:

MODERATE

Geologic Hazard Zone:

II

Archaeological Report #:

N/A

N/A

Geologic Report #:

Fire Hazard Zone: URBAN Traffic Report #: N/A

Other Information:

Water Source: PUBLIC

Sewage Disposal (method):

SEWER

Water Dist/Co:

CAL AM

Sewer District Name:

CAWD

Total Grading (cubic yds.): 650 yds³ CUT 550 yds³ FILL

Tree Removal:

N/A

Fire District: CYPRESS FPD

Green (PLN100348)

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EXHIBIT B DRAFT RESOLUTION

Before the Director of the RMA-Planning Department in and for the County of Monterey, State of California

In the matter of the application of:

Green (PLN100348)

RESOLUTION NO. ----

Resolution by the Monterey County Director of the RMA-Planning Department:

- 1) Categorically exempt the project pursuant to Sections 15301(1)(1) and 15303(a); and
- 2) Approving Coastal Administrative Permit and Design Approval to allow the demolition of an existing 2,207 single family dwelling and 400 square foot garage and the construction of a new 4,803 square foot two-story single family residence with a 389 square foot attached one-car garage, a 982 square foot attached three-car garage, a 192 square foot cabana with and attached trellis, and a 66 square foot garden shed. Materials and colors to consist of: "Shasta White" stucco for the exterior walls, "Mallard Green" for doors and window trim, and "Redlands Old Hacienda" clay roofing tile. The project includes a 6-foot high perimeter fence with electric gates and grading of approximately 650 cubic yards of cut and 550 cubic yards of fill.

(PLN100348), Scott and Diane Green, 25613 Shafter Way, Carmel, Carmel Area Land Use Plan (APN: 009-221-004-000)

The Green application (PLN100348) came on for public hearing before the Monterey County Zoning Administrator on December 9, 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,

- Carmel Coastal Implementation Plan,

- 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 25613 Shafter Way, Carmel (Assessor's Parcel Number 009-221-004-000, Carmel Area Land Use Plan. The parcel is zoned MDR/2-D (CZ), which allows single family dwellings as a principal use. Therefore, the project is an allowed land use for this site. The proposed project is consistent with the site development standards, such as setbacks, height, lot coverage, and floor area ratio for the Medium Density Residential zoning district. In addition, the permit has been conditioned to require the applicant to submit proof of height verification prior to, during, and post construction.
- c) The subject property is located within a Design Control district which regulates the location, size, configuration, materials, and colors of structures and fences. The subject property fronts on two streets, Oak Place and Shafter Way. The proposed single family dwelling is setback from the streets and located towards the rear and side of the property. The proposed materials and colors consist of "Shasta White" stucco exterior walls, "Mallard Green" exterior doors and window trim, and "Redlands Old Hacienda" roofing tile, matching the Spanish Eclectic architecture of the proposed single family dwelling. Although the Carmel Woods area contain many different architectural styled homes, the size and style of the proposed single family dwelling is consistent with the character of the neighborhood.
- d) The project planner conducted a site inspection on October 25, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- e) Pursuant to Section 20.76.060.A.5 of Title 20, a public hearing was held because of a written request for a public hearing was made. Concerns regarding the massing and location of structures were identified. Staff finds that the proposed project meets the requirements of the Zoning District and applicable Land Use Plan. See previous Evidence b.
- f) The project was not referred to the Carmel Area/Carmel Highlands 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 not warrant referral to the LUAC because the project was found to be exempt from environmental review (see Finding No. 5).
- g) 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 PLN100348.
- 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 identified potential impacts to a Historical Resource due to the age of the single family dwelling. Therefore, consistent with the County's standard practice, the applicant was required to submit a Historical Evaluation as part of the application. A technical report by an outside consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - "Historical Evaluation" (LIB100245) prepared by Kent Seavey, Pacific Grove, Ca., April 25, 2010.
- c) Staff conducted a site inspection on October 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 PLN100348.

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 the Cypress Fire Protection District, the Monterey County Parks Department, 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) Necessary public facilities are available for the project. California American Water Company (Cal Am) is the water purveyor and the Carmel Area Wastewater District (CAWD) is the sewer purveyor for the subject property. Staff has not received any indication that Cal Am can not and will not continue to serve water to the property. However, because the subject property is located within the Monterey Peninsula Water Management District (MPWMD), the project has been conditioned by the Water Resources Agency to require the applicant to submit proof of water availability on the property, in the form of an approved MPWMD Water Release Form. In addition, staff has received no communication from CAWD indicating that the project will required additional sewer facilities other than what is provided.
- c) The applicant proposes to demolish the existing single family dwelling which was built in 1949. Asbestos was common mineral found within construction materials. Because it is not known if asbestos is present, the project has been conditioned to require the applicant, owner, or contractor to conduct an asbestos survey prior to the issuance of a demolition permit. If asbestos is found, the applicant shall comply with all regulations required by the Monterey Peninsula Unified Air

- Pollution Control District (MPUAPCD) California Occupational Safety and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT) for asbestos abatement.
- d) Lead, a malleable soft metal, was commonly used as an ingredient in paint prior to 1978. Although the use of lead paint is now banned, older homes have the potential of containing that material. In order to prevent lead poisoning the Environmental Protection Agency (EPA) enacted Rule 40 CFR Part 745, for the demolition and/or construction of homes built prior to 1978. Rule 40 requires that construction plans include "Renovation, Repair, and Painting" notes and that all individuals and firms performing lead-based paint abatement be certified by the EPA. The project has been conditioned to require the applicant to comply with Rule 40.
- e) Preceding findings and supporting evidence for PLN100348.

4. FINDING:

NO VIOLATIONS - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

EVIDENCE: a)

- Staff reviewed Monterey County RMA Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on October 25, 2010 and researched County records to assess if any violation exists on the subject property.
- 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 PLN100348.

5. FINDING:

CEOA (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 15301(1)(1), categorically exempts the demolition of a single family dwelling.
 - b) California Environmental Quality Act (CEQA) Guidelines Section 15303(a), categorically exempts the construction of a single family dwelling.
 - c) The applicant proposes to demolish the existing single family dwelling which was built in 1949. Consistent with County practice, the applicant was required to submit a historical evaluation of the single family dwelling as part of the application materials. A report by Kent Seavey, dated April 25, 2010, was submitted and concluded that the subject property and the single family dwelling does not appear to meet the necessary criteria for listing in the California Register, nor does it meet the criteria for inclusion in the Monterey County Historic Resource Inventory. Therefore, demolition of the single family dwelling will have no impact on cultural resources.
 - Due to the age of the single family dwelling, there is a potential for asbestos (a known hazardous material) to be found within the existing building materials. Regulations by the Monterey Peninsula Unified Air Pollution Control District (MPUAPCD) California Occupational Safety

- and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT) for asbestos abatement are in place and the project has been conditioned to ensure the applicant complies with these regulations. No further mitigation measures are required and therefore the project will have no impact. Also see Finding No. 3, Evidence c.
- e) In addition to asbestos, the single family dwelling has the potential of containing another known hazardous material, lead paint. As of April of 2010, the Environmental Protection Agency (EPA) enacted Rule 40 CFR Part 745, for the demolition and/or construction of homes built prior to 1978. Therefore the project has been conditioned to require the applicant to comply with Rule 40. No mitigation measure have been identified, therefore the project will have no impact. Also see Finding No. 3, Evidence d.
- f) The project involves approximately 650 cubic yards of cut. A majority of that dirt (approximately 550 cubic yards) will be placed onsite as fill to balance out the topography. The proposed earth movement and truck trips required for hauling are well below the Monterey Bay Unified Air Pollution Control District CEQA Guidelines threshold.
- g) Section 15300.2 of the CEQA Guidelines list exceptions to the exemptions, were projects normally found to be exempt from CEQA may require an environmental review. These exceptions include: project location, cumulative impact, significant effect, scenic highways, hazardous waste sites, or historical resources. The subject property is not located within an officially designated state scenic highway, it is not listed on the Cortese List (for hazardous materials sites) from the Department of Toxic Substances Control (DTSC), nor are there any historic resources located on the site. No environmental resource of hazardous or critical concern was found on the property and no unusual circumstance exists where the project will have a significant effect on the environment. Construction impacts will be temporary; however, the project as proposed and conditioned will not create a significant impact on the environment and cumulative impacts were not identified.
- h) No adverse environmental effects were identified during staff review of the development application during a site visit on October 25, 2010.
- i) 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 20.146.130.D 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 RMA-Planning Department for the proposed development are found in Project File PLN100348.
- e) The project planner conducted a site inspection on October 25, 2010.
- 7. **FINDING:** APPEALABILITY The decision on this project may be appealed to the Board of Supervisors
 - **EVIDENCE:** a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).
 - b) Section 20.86.060 Monterey County Zoning Ordinance (Coastal Commission). The project is not subject to appeal by/to the California Coastal Commission because the subject property is not located within the first public road and the sea and the use applied for is not a conditional use.

DECISION

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

- A. Categorically exempt the project pursuant to Sections 15301(1)(1) and 15303(a); and
- B. Approve Coastal Administrative Permit and Design Approval to allow the demolition of an existing 2,207 single family dwelling and 400 square foot garage and the construction of a new 4,803 square foot two-story single family residence with a 389 square foot attached one-car garage, a 982 square foot attached three-car garage, a 192 square foot cabana with and attached trellis, and a 66 square foot garden shed. Materials and colors to consist of: "Shasta White" stucco for the exterior walls, "Mallard Green" for doors and window trim, and "Redlands Old Hacienda" clay roofing tile. The project includes a 6-foot high perimeter fence with electric gates and grading of approximately 650 cubic yards of cut and 550 cubic yards of fill, 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 9th day of December, 2010.

Mike Novo, Director of the RMA-Planning Department

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 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: Green **APNs**: <u>009-221-004-000</u> File No: PLN100348 Approved by: Zoning Administrator Date: December 9, 2010

*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 – Plan	ning Department			- -
1.		PD001 - SPECIFIC USES ONLY This Coastal Administrative Permit (PLN100348) allows Coastal Administrative Permit and Design Approval to allow the demolition of an existing 2,207 single family dwelling and 400 square foot garage and the construction of a new 4,803 square foot two-story single family residence with a 389 square foot attached one-car garage, a 982 square foot attached three-car garage, a 192 square foot cabana with and attached trellis, and a 66 square foot garden shed. Materials and colors to consist of: "Shasta White" stucco for the exterior walls, "Mallard Green" for doors and window trim, and "Redlands Old Hacienda" clay roofing tile. The project includes a 6-foot high perimeter fence with electric gates and grading of approximately 650 cubic yards of cut and 550 cubic yards of fill. The property is located at 25613 Shafter Way, Carmel (Assessor's Parcel Number 009- 221-004-000), 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	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	

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)
		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)				
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 009-221-004-000 on December 9, 2010. The permit was granted subject to 20 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 commence -ment of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on December 9, 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.		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	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	

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)
		prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	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	
5.		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	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	
		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	Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construc- tion	
		any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)	Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
6.		PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. Submit one (1) set landscape plans of	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect Owner/	Prior to issuance of Building Permits	

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)
	detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate	approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey County Water Resources Agency for review and approval.	Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	issuance of Building Permits		
		made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
,			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free,	Owner/ Applicant	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. weed-free, healthy, growing condition.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
7.		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	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.	
	so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA - Planning Department)	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing		
8.		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
9.		<u> </u>	The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or building permits	
		evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant	Prior to the foundation prepour inspection	
			3) The applicant shall provide evidence	Owner/	Prior to the	

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			from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Applicant/ Engineer	final inspection	
10.		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 the following work practice standards:	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	
		 Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process; Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building; Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour. All Air District standards shall be enforced by the Air District. (RMA – Planning Department) 	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	
11.		PDSP001 – DEMOLITION/DECONSTRUCTION OF SINGLE FAMILY DWELLING BUILT PRIOR TO 1978 - EPA RULE 40 CFR PART 745 (NON-STANDARD) In accordance with Environmental Protection Agency (EPA) Rule 40 CFR Part 745, demolition and/or construction plans shall include "Renovation, Repair, and Painting" notes that lists the EPA approved work practice for renovation as well as incorporate the following:	Prior to the issuance of demolition and/or building permits, the applicant shall submit demolition and/or construction plans to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of demolition and/or building permits	-
		Individuals and firms that perform lead-based	Prior to the issuance of demolition	Owner/	Prior to the	

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)
		paint abatement shall be certified by the EPA; 2. All demolition shall occur in compliance with the regulations set forth in Rule 40 CFR Part 745. All work preformed shall be in accordance with the regulations set forth in the EPA's Renovation, Repair, and Painting Program. (RMA – Planning Department)	and/or building permits, the applicant or contractor shall submit documentation of certification of all workers to perform renovations to the RMA-Planning Department for review and/or approval.	Applicant/ Contractor	issuance of demolition and/or building permits	
12.	PDSP002 – ASBESTOS ABATEMENT (NON-STANDARD) In order to reduce potential impacts to the public and sensitive receptors caused by the emission of hazardous materials into the environment, the owner/applicant shall conduct an asbestos survey prior to any demolition activities. Should asbestos be found within the materials to be remodeled, renovated and/or demolished, the	Prior to the issuance of demolition and/or building permits, the owner/applicant shall include a note on the plans encompassing the language within Mitigation Measure No. 8. The owner/applicant shall submit plans to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of demolition and/or building permits		
		owner/applicant shall submit an Asbestos Abatement Plan to the Monterey Peninsula Unified Air Pollution Control District (MPUAPCD) and the RMA-Planning Department for review and approval. The Plan shall include measures workers will take during the demolition and remodel of the project to assure prevention of the release of asbestos, transportation of the hazardous materials, and where the hazardous material will be disposed. These measures shall meet all requirements sanctioned by the MPUAPCD, the California Occupational Safety and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT). All demolition activities and transportation of hazardous materials shall conform to the abatement plan. Compliance with the Mitigation will result in a less-than-significant impact to sensitive receptors and workers. (RMA – Planning Department)	Prior to the issuance of demolition and/or building permits and at a minimum of 10-working days prior to any demolition, the owner/applicant shall submit an asbestos survey to the MPUAPCD and the RMA-Planning Department for review and approval. If asbestos is found, the owner/applicant shall submit an Asbestos Abatement Plan meeting all requirements sanctioned by the Monterey Peninsula Unified Air Pollution Control District (MPUAPCD), the California Occupational Safety and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT) for demolition activities and transportation of hazardous materials.	Owner/ Applicant	Prior to the issuance of demolition and/or building permits and at a minimum of 10-working days prior to any demolition	

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)
	RMA — Publi	c Works Department			
13.	PW0005 – ENCROACHMENT (STD DRIVEWAY) Obtain an encroachment permit from the Department of Public Works and construct a standard driveway connection to Shafter Way and Oak Place (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permits Issuance	
14.	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	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	
	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)	The approved measures shall be implemented during the construction/grading phase of the project.	Owner/ Applicant/ Contractor	On-going through con- struction phases	

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15.		WR1 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Emgineer	Prior to issuance of any grading or building permits	
16.		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	
		Cypress Fire	Protection District			
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	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	
		wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Cypress Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	,
	access to that site. Permanent address numbers shall be A	Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection		
19.		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		

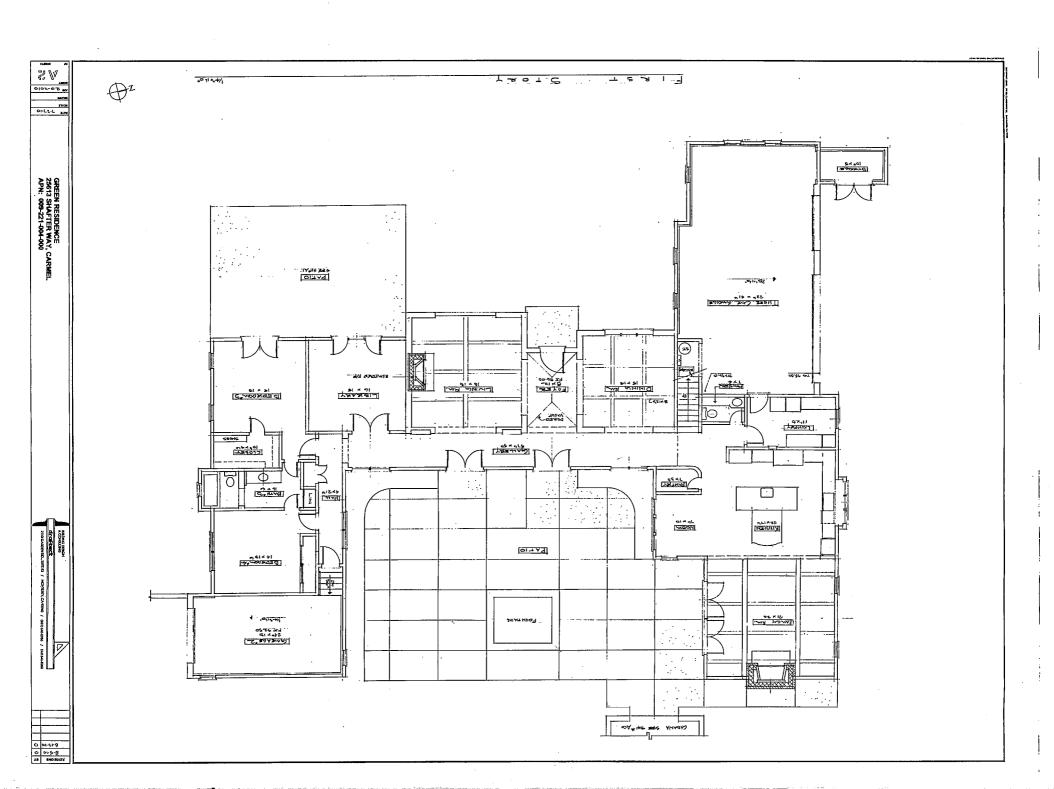
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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. (Cypress Fire Protection District)	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
20.		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. (Cypress Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit	

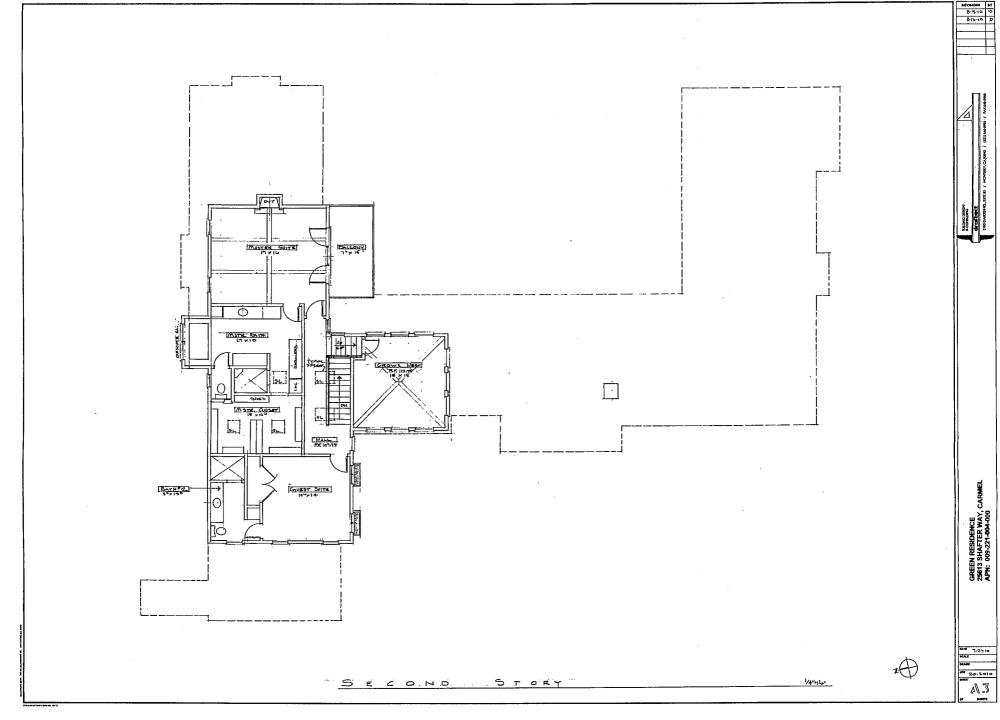
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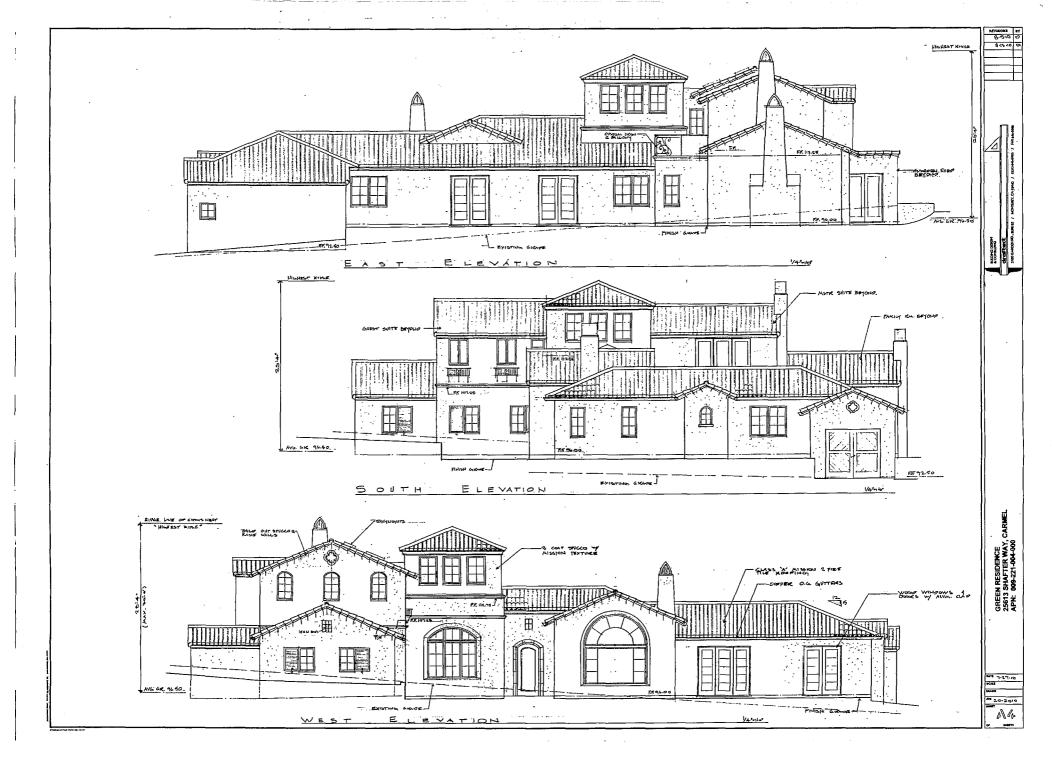
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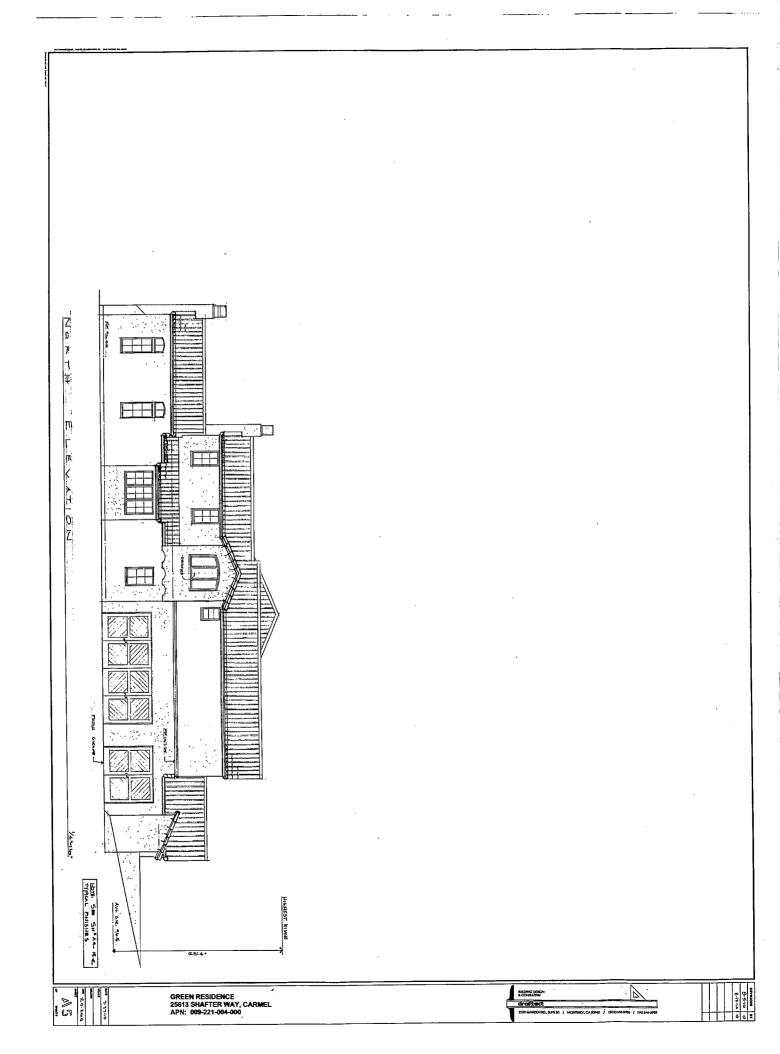
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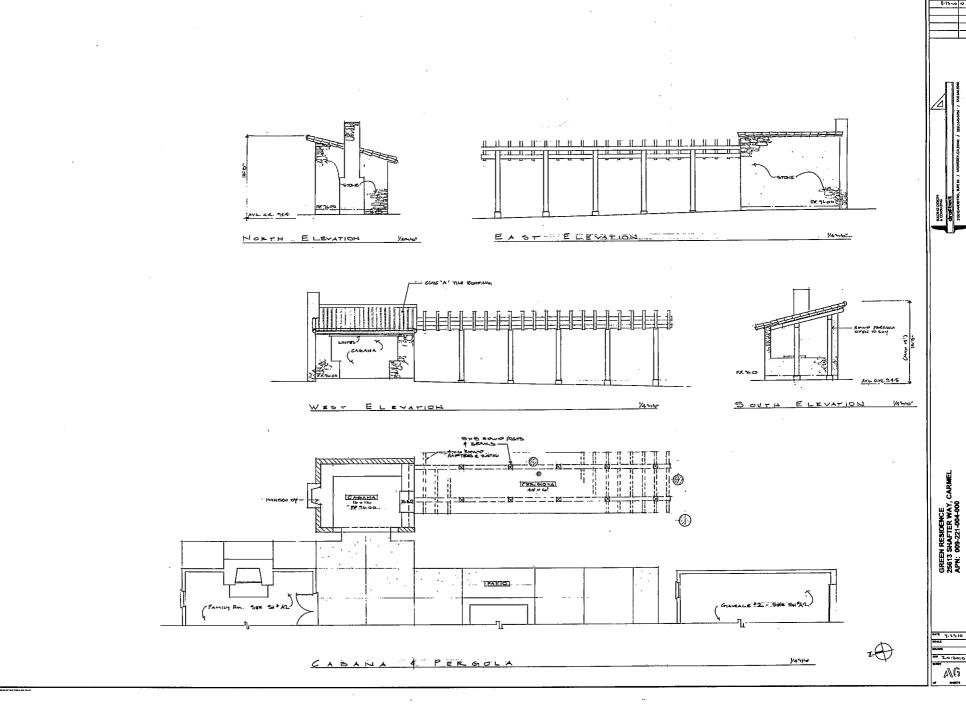
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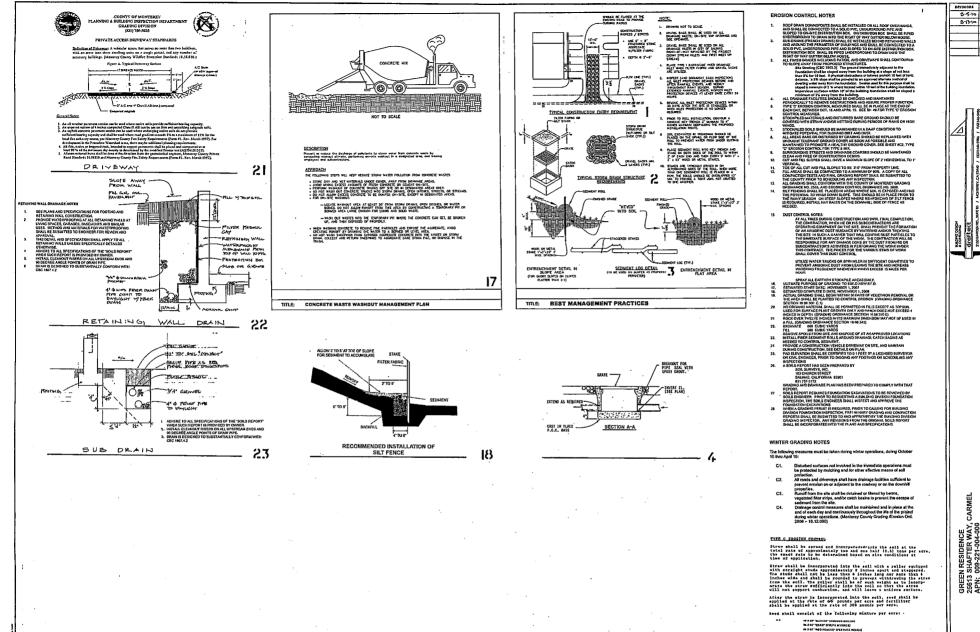








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Fertilizer shall consist of the following mixture per egre: 300 lbs. of Ammonium Hitrate (36-0-0) 100 lbs. of Dissmonium Phosphate (16-46-0) Broadcast seed and fertilizer during windless period with approved spreader, sowing uniformly in all directions and lightly rake into soil.

Nawly seeded areas shall be kept moist until seed has become established. Re-reed all areas that fail to perminers.

** NOTE: LOCAL NATIVE GRASS SEED HIX MAY BE SUBSTITUTED IF AVAILABLE.

EXHIBIT C

