

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 13, 2011	Time: 1:30 P.M	Agenda Item No.: 2
Project Description: Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red-tiled roofing.		
Project Location: 26273 Ocean View Avenue, Carmel		APN: 009-431-010-000
Planning File Number: PLN100419		Owner: Barry, Roger J and Martha Doerge Agent: Mandurrago, Mandurrago, and Sullivan, Inc
Planning Area: Carmel Land Use Plan		Flagged and staked: Yes
Zoning Designation: "MDR/2-D(18)(CZ) [Medium Density Residential, 2 units per acre, Design Control District, 18-foot height limit (Coastal Zone)]		
CEQA Action: Categorically Exempt per Section 15302		
Department: RMA - Planning Department		

RECOMMENDATION:

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

- 1) Categorically exempt the project from environmental review pursuant to CEQA Guideline Section 15302; and
- 2) Approve the Combined Development Permit (PLN100419), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The subject property is located at 26273 Ocean View Avenue, Carmel and is zoned Medium Density Residential, two units per acre with a Design Control overlay district, an 18-foot height limit, and within the Coastal Zone [MDR/2-D(18)(CZ)]. The proposed project includes the demolition of a 1,610 square foot split level single family dwelling and the construction of a 2,817 square foot two-story single family including a underground garage and basement. The project includes grading of approximately 650 cubic yards of grading (500 cubic yards of cut, 150 cubic yards of fill) which is primarily for the excavation of the proposed basement.

Due to the property's zoning and Policies of the Carmel Area Land Use Plan, the project will requires a Coastal Administrative Permit and Design Approval for the partial demolition, remodel, and addition. Since the project is located within 750 feet of a known archaeological resource, a Coastal Development Permit is required for the proposed development. Project issues regarding soils and archaeology have been identified and are discussed in detail within **Exhibit B** of the staff report.

CEQA Guidelines exempt the demolition and construction of single family dwellings. No unusual circumstances were identified to exist on the property or for the proposed project. Therefore, the project is found to be categorically exempt from environmental review.

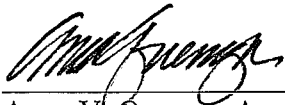
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ 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 the Public Works Department, Water Resources Agency, and Cypress Fire Protection have been incorporated into the Condition Compliance attached as Exhibit 1 to the draft resolution **(Exhibit C)**.

The project was referred to the Carmel Unincorporated/ Highlands Land Use Advisory Committee (LUAC) for review on October 4, 2010 and October 18, 2010. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because it includes a Design Approval that requires approval by the Zoning Administrator. The LUAC continued the project from October 4th due to concerns with the project's size, massing, design, and close proximity to the Tor House. The plans were redesigned, the proposed height was clarified by the applicant, and the LUAC subsequently recommended approval of the project as proposed with a vote of 3 to 2 with 3 members absent.

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



Anna V. Quenga, Associate Planner
(831) 755-5175, quengaav@co.monterey.ca.us
December 14, 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. Quenga, Project Planner; Carol Allen, Senior Secretary; Roger Barry and Martha Doerge, Owner; Mandurrigo, Mandurrigo, and Sullivan, Inc., Agent; Planning File PLN100419.

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations
Exhibit D Vicinity Map
Exhibit E Carmel Unincorporated/ Highlands Land Use Advisory Committee Minutes

EXHIBIT A

Project Data Sheet for PLN100419

Project Title: BARRY

Location: 26273 OCEAN VIEW
AVENUE CARMEL

Primary APN: 009-431-010-000

Applicable Plan: CARMEL AREA LUP

Coastal Zone: YES

Permit Type: CAP

Zoning: MDR-D(CZ)

Environmental Status: EXEMPT PER 15302

Plan Designation: Medium Density Residential

Advisory Committee: CARMEL
UNINCORPORATED/
HIGHLANDS

Final Action Deadline (884): 1/19/2011

Project Site Data:

Lot Size: .10 ACRES

Coverage Allowed: 35%

Coverage Proposed: 35%

Existing Structures (SF): 1,610 SQ FT

Height Allowed: 18 FEET

Proposed Structures (SF): 2,817 SQ FT

Height Proposed: 17 FEET

Total SF: 2,817 SQ FT

Floor Area Ratio Allowed: 45%

Floor Area Ratio Proposed: 40%

Resource Zones and Reports:

Environmentally Sensitive Habitat: N/A

Erosion Hazard Zone: HIGH

Biological Report #: N/A

Soils Report #: LIB100270

Forest Management Rpt. #: N/A

LIB100271

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: UNDETERMINED

Archaeological Report #: LIB100273

Geologic Report #: N/A

LIB100274

Fire Hazard Zone: URBAN

Historic Report #: LIB100272

LIB100480

Other Information:

Water Source: PUBLIC

Sewage Disposal (method): SEWER

Water Dist/Co: CAL AM

Sewer District Name: CAWD

Fire District: CYPRESS FPD

Total Grading (cubic yds.): 500 YDS³ CUT
150 YDS³ FILL

Tree Removal: N/A

EXHIBIT B

PROJECT DISCUSSION

Project Overview

The property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), Carmel Area Land Use Plan, containing a 1,610 square foot split-level single family dwelling which was constructed on in 1949. The parcel is zoned Medium Density Residential, 2 units per acre, Design Control District, 18-foot height limit (Coastal Zone). The proposed project includes the demolition of the existing single family dwelling and construction of a new 2,817 two story single family dwelling. The main floor contains a living room, kitchen, dining room, and bedrooms. In addition, there is a ground level deck at the southern elevation and an above ground deck at the western elevation above the garage. The lower floor contains the two car garage and finished basement with a light well. Associated grading, consisting of approximately 650 cubic yards of cut and fill, will be required for construction. Majority of the cut is required for excavation of the 1,418 square foot garage and basement.

The proposed project meets the required setbacks, lot coverage, and floor area ratio, consistent the Site Development Requirements of the Low Density Residential zoning district (Section 20.14.060 of the Monterey County Zoning Ordinance). The proposed project was found to be categorically exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15302 and no exceptions to the exemptions found in Section 15300.2 of the CEQA Guidelines were identified.

Potential Issues

Although the project was found to be consistent with the applicable Zoning Ordinance and Land Use Plans, and found to be categorically exempt, potential issues were identified through the review of the project.

Soils –The subject property was found to be located within an 1/8th of a mile of a known fault. The applicant submitted a Geotechnical and Drainage Investigation with Geologic Review (see Finding No. 2, Evidence B) which concluded that the Cypress Point Fault is located approximately 300 feet east of the building site. No seismic issues were identified. No comments were made other than the project be design to be in compliance with the Uniform Building Code. The potential for liquefaction is considered to be low. However, if a major earthquake were to occur during a time of prolonged heavy rainfall, the risk for shallow liquefaction could increase. Therefore, the Geotechnical Engineer does not recommend the use of an on-site storm water infiltration system. Instead, it is recommended that stormwater runoff be discharged to Ocean View Avenue, where there is an existing stormwater diversion system comprised of road dips, raised asphalt, earth berms, and a spillway. A condition of approval has been incorporated requiring the applicant to submit evidence of compliance with the Geotechnical report.

Archaeology – The subject property is found to be within 750 feet of a known archaeological resource and the project requires a Coastal Development Permit, consistent with the Section 20.146.090.A.1 of the Carmel Area Coastal Implementation Plan. The applicant submitted archaeological reports (see Finding No. 2, Evidence B) concluding that the subject property is located between the boundaries of two recorded sites (CA-MNT 16 and CA-MNT 17). However, background research showed no previous findings on the site and during a site survey, no materials frequently associated with prehistoric cultural resources were found. The soil on the site is organic medium brown sand with no midden layers found. No further issues were identified.

**EXHIBIT C
DRAFT RESOLUTION**

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

In the matter of the application of:

Barry (PLN100419)

RESOLUTION NO. ---

Resolution by the Monterey County Zoning
Administrator:

- 1) Categorically exempt the project from environmental review pursuant to CEQA Guideline Section 15302; and
- 2) Approving the Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red-tiled roofing.

(PLN100419, Roger Barry and Martha Deorge, 26273 Ocean View Avenue, Carmel, Carmel Area Land Use Plan (APN: 009-431-010-000))

The Combined Development Permit application (PLN100419) came on for public hearing before the Monterey County Zoning Administrator on January 13, 2011. 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 1982 Monterey County General Plan,
- Carmel Area Land Use Plan,
- Carmel Area 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 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), Carmel Area Land Use Plan. The parcel is zoned Medium Density Residential, 2 units per acre, Design Control District, 18-foot height limit (Coastal Zone), which allows for the demolition and rebuild of a single family dwelling. Therefore, the project is an allowed land use for this site. The proposed single family dwelling is consistent the Site Development Requirements of the Low Density Residential zoning district (Section 20.14.060 of the Monterey County Zoning Ordinance), meeting the required setbacks, lot coverage, and floor area ratio.
- c) Section 20.44.010 (D District) of the Monterey County Zoning Ordinance requires that the application include a Design Approval to assure protection of the public viewshed and neighborhood character. The location, size, material, and colors proposed for the single family dwelling have been reviewed by staff and the Carmel/Carmel Highlands LUAC (see subsequent Evidence h) and were found to be consistent with Key Policy 2.2.2 of the Carmel Area Land Use Plan. The use of beige stucco for the body and the dark reddish-brown for window and door trims will allow for a contrast; while the use of a beige/multi-colored accent stone and the brown and red tiled roof will integrate the colors with each other as well as with the environment.
- d) Zoning for the subject property requires an 18-foot height limit. The site plan indicates that average natural grade is at a 107.6-foot elevation. The highest point of the structure is proposed at a 124.4-foot elevation, resulting in a structure 16.8 feet high, consistent with the height requirements.
- e) The project planner conducted a site inspection on September 16, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The Monterey County Geographic Information System (GIS) indicate that the subject property is within 750 feet of a known archaeological resource. Consistent with the Section 20.146.090.A.1 of the Carmel Area Coastal Implementation Plan, a Coastal Development Permit is required. Furthermore, an Archaeological report indicating potential impacts, if any, has been submitted. See Finding No. 2, Evidence b.
- g) The proposed project includes a new 1,418 square foot basement with a two-car garage. From the street, the proposed single family dwelling will look similar to the existing home, as it appears to be a two story structure. The majority of the basement will be maintained entirely below ground, except for a portion of the garage and at the rear where emergency egress is provided through a light well.
- h) The project was referred to the Carmel/Carmel Highlands Land Use Advisory Committee (LUAC) for review on October 4, 2010 and October 18, 2010. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because it includes a Design Approval that requires approval by the Zoning Administrator. The LUAC continued the project from October 4th due to concerns with

the project's size, massing, design, and close proximity to the Tor House. The plans were redesigned, the proposed height was clarified by the applicant, and the LUAC subsequently recommended approval of the project as proposed with a vote of 3 to 2 with 3 members absent.

- 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 PLN100419.

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 Historical Resources, Archaeological Resources, and Soil/Slope Stability. The project as proposed and conditioned, is consistent with all applicable polices and regulations for development associated with these impacts (see Finding Nos. 1 and 5). Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Update of Prior Geotechnical Investigation Report” (LIB100270) prepared by Soils Surveys, Inc., Salinas, CA, May 12, 2008.*
 - *“Geotechnical and Drainage Investigation with Geologic Review” (LIB100271) prepared by Soils Surveys, Inc., Salinas, CA, February 22, 2008.*
 - *“Historical Evaluation” (LIB100272) prepared by Therese M. Schmidt Salinas, CA, October 18, 1999.*
 - *“Supplemental Archaeological Reconnaissance” (LIB100273) prepared by Archaeological Consulting, Salinas, CA, September 9, 2010.*
 - *“Supplemental Archaeological Reconnaissance” (LIB100274) prepared by Archaeological Consulting, Salinas, CA, November 22, 2010.*
 - *“Updated Historical Evaluation” (LIB100480) prepared by Kent Seavey, Pacific Grove, CA, October 21, 2010.*
 - c) Staff conducted a site inspection on September 16, 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 PLN100419.

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 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) Necessary public facilities are available for the proposed project. There will be no substantial increase in wastewater from the project that will cause the sewer purveyor, Carmel Area Wastewater District (CAWD), to expand its existing service or cause CAWD to exceed wastewater treatment requirements of the California Regional Water Quality Control Board. There will be no increase in water usage which will cause the water purveyor, California American Water Company, to expand its facility. The Water Resources Agency has conditioned the project requiring the applicant to submit an approved Monterey Peninsula Water Management District Water Release Form prior to the issuance of building permits. The project will not have an increased amount of solid waste material which will cause the service provider, Waste Management, to increase the permitted landfill capacity.
 - c) The existing single family dwelling proposed for demolition was built in 1949. Therefore, there is a potential for the construction materials to contain asbestos and/or lead paint. The project has been conditioned to ensure that demolition occur in accordance with requirements of the Monterey Bay Unified Air Pollution Control District, CAL/OSHA, and the EPA with regards to removal of asbestos and led paint materials.
 - d) Preceding findings and supporting evidence for PLN100419.

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 September 16, 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) 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 PLN100419.

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, categorically exempts the replacement or reconstruction of existing structures where the new structure will be located on the same

- site and will have substantially the same purpose and capacity as the structure replaced.
- b) Due to the close proximity of known archaeological resources in the area, the applicant was required to submit an archaeological report (see Finding No. 2, Evidence B). The reports conclude that the subject property is located between the boundaries of two recorded sites (CA-MNT 16 and CA-MNT 17). Although, at its closest point, the subject property is less than 200 feet from a site, background research showed no previous findings on the site and no materials frequently associated with prehistoric cultural resources were found. The soil on the site is organic medium brown sand and no midden layers were found.
 - c) The existing single family dwelling was constructed in 1949. Consistent with Monterey County's practice for potentially historic structures, the applicant submitted a historical report (see Finding No. 2, Evidence b) to identify any potential historical impacts caused by the project. The report concludes that the single family dwelling contains no historical significance.
 - d) The Monterey County Geographical Information System indicates that the subject property is within 1/8th of a mile of a known fault. Therefore, a Geological report was required to be submitted to identify potential impacts the project might have. The applicant submitted a Geotechnical and Drainage Investigation with Geologic Review (see Finding No. 2, Evidence B) which concluded that the Cypress Point Fault is located approximately 300 feet east of the building site. The report continues to state that the "Cypress Point Fault is considered to be potentially active, but is not necessarily active by definition." The Geotechnical Engineer recommended that the project be designed to be in compliance with the Uniform Building Code. Prior to issuance of Building Permits, the RMA-Building Department is required to review construction drawings and their compliance with the most recent adopted Building Code. The Geotechnical Engineer does not recommend the use of an on-site storm water infiltration system to reduce a risk for liquefaction. Instead, it is recommended that stormwater runoff be discharged to Ocean View Avenue, where there is an existing stormwater diversion system comprised of road dips, raised asphalt, earth berms, and a spillway. A condition of approval has been incorporated requiring the applicant to submit evidence of compliance with the Geotechnical report.
 - e) Section 15300.2 of the CEQA Guidelines list exceptions to the exemptions, where 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.
- f) No adverse environmental effects were identified during staff review of the development application during a site visit on September 16, 2010.
- g) 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 Planning Department for the proposed development are found in Project File PLN100419.
 - e) The project planner conducted a site inspection on September 16, 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 20.86.080.A.3 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because it includes non-exempt development that requires a Coastal Development Permit, which is a conditional use.

DECISION

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

- A. Categorically exempt the project from environmental review pursuant to CEQA Guideline Section 15302; and
- B. Approve Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red-tiled roofing, 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 13th day of January, 2011 by:

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 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: Barry
File No: PLN100419 **APNs:** 009-431-010-000
Approved by: Zoning Administrator **Date:** January 13, 2011

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN100419) allows: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red-tiled roofing. The property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), 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</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA RMA - Planning</p>	<p>Ongoing unless otherwise stated</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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 [REDACTED]) was approved by the Zoning Administrator for Assessor's Parcel Number 009-431-010-000 on January 13, 2011. 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 commencement of use.	
3.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 3 years, to expire on January 13, 2014 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.		PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeo- logist	Ongoing	

<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>
		resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)				
5.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
6.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	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	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
7.		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	

<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>
		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 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	
8.		PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA -	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. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed	Owner/ Applicant/ Licensed Landscape Contractor/	Prior to issuance of Building Permits	

<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>
		Planning Department)	“ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey County Water Resources Agency for review and approval.	Licensed Landscape Architect		
			Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
9.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit,	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of building	

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		harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Approved lighting plans shall be incorporated into final building plans.		permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
10.		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	
11.		PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or building permits	
			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 pre-pour inspection	
			3) 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	Owner/ Applicant/ Engineer	Prior to the final inspection	

<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>
			the structure(s) from the benchmark is consistent with what was approved on the building permit.			
12.		<p>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:</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>	<p>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.</p>	Contractor /Owner/ Applicant	Prior to the issuance of a demolition permit	
			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	
13.		<p>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:</p> <ol style="list-style-type: none"> 1. Individuals and firms that perform lead-based 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. 	<p>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.</p>	Owner/ Applicant	Prior to the issuance of demolition and/or building permits	
			Prior to the issuance of demolition 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	Owner/ Applicant/ Contractor	Prior to the issuance of demolition and/or building permits	

<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>
		All work performed shall be in accordance with the regulations set forth in the EPA's Renovation, Repair, and Painting Program. (RMA – Planning Department)	and/or approval.			
14.		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 owner/applicant shall submit an Asbestos Abatement Plan to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) 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 MBUAPCD, 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, the owner/applicant shall include a note on the plans encompassing the language within Condition No. 14. The owner/applicant shall submit plans to the RMA-Planning Department for review and approval. 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 Monterey Bay Unified Air Pollution Control District (MBUAPCD) 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 MBUAPCD, 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 Owner/ Applicant	Prior to the issuance of demolition and/or building permits Prior to the issuance of demolition and/or building permits and at a minimum of 10-working days prior to any demolition	
RMA – Public Works Department						

<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>
15.		<p>PW0044 – CONSTRUCTION MANAGEMENT PLAN</p> <p>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)</p>	<p>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.</p>	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit	
			<p>The approved measures shall be implemented during the construction/grading phase of the project.</p>	Owner/ Applicant/ Contractor	On-going through construction phases	
Monterey County Water Resources Agency						
16.		<p>WR1 - DRAINAGE PLAN</p> <p>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)</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
17.		<p>WR43 - WATER AVAILABILITY CERTIFICATION</p> <p>The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	<p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p>	Owner/ Applicant	Prior to issuance of any building permits	

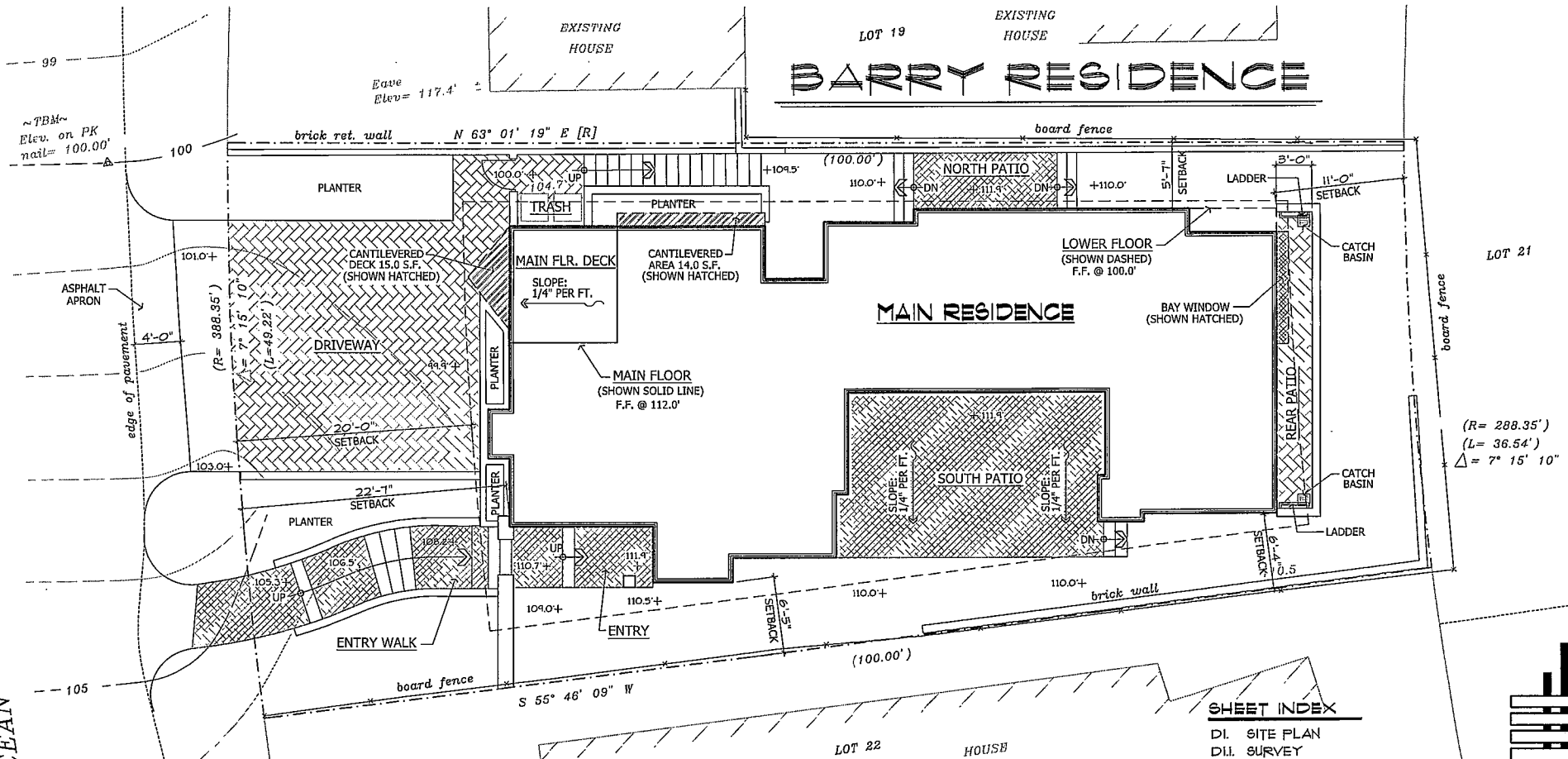
Permit Cond. Number	Mittg. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
Cypress Fire Protection Agency						
18.		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Cypress Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			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 protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing	

<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>
		NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Cypress Fire Protection District)	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	inspection 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.	

END OF CONDITIONS

Rev. 08/25/2010

BARRY RESIDENCE



PROJECT INFORMATION

LOCATION:	LOT 2 BLK B-13 ADDITION # 3 26213 OCEAN VIEW AVE, CARMEL
ZONING:	MDR/1 - D - CZ (18)
APN:	009-431-010
LOT AREA:	LOT AREA = 4263.0 SF.
SETBACKS:	FRONT = 20' REAR = 10' SIDES = 5'
HEIGHT LIMIT:	104.7' x 105.5' x 2' x 101.6' AVG. NAT. GRADE HEIGHT LIMIT = 105.6'
GRADING:	CUT - 493 CIL. FT. FILL - 983 CIL. FT. TOTAL GRADING = 590 CIL. FT.

EXISTING SITE COVERAGE

ALLOWED:	35.0%	1493 SF.
FOOTPRINT		1470 SF.
CANTILEVER # DECK		15.0 SF.
CANTILEVER # SIGN		14.0 SF.
TOTAL COVERAGE		1493 SF.

F.A.R. ALLOWED

ALLOWED:	45.0%	1971.4 SF.
MAN FLOOR		1371.0 SF.
BASEMENT FLOOR		284.0 SF.
BASEMENT FLOOR (EXCLUDED)		134.0 SF.
TOTAL COVERAGE		1785.0 SF.

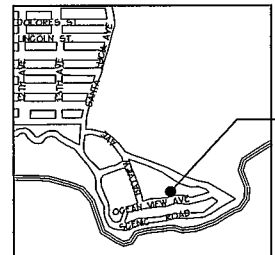
IMPERVIOUS COVERAGE

DRIVEWAY, SIDE STAIRS	96.0 SF.
ENTRY WALK ENTRY	18.0 SF.
SOUTH PATIO	31.0 SF.
NORTH PATIO, STAIRS	75.0 SF.
REAR PATIO	56.0 SF.
TOTAL COVERAGE	276.0 SF.

NOTE:
 1 WATER SUPPLY IS ON EXISTING CALM SYSTEM.
 2 SEWER SERVICE PROVIDER IS CARMEL WASTE MANAGEMENT.

SCOPE OF WORK

NEW TWO-STORY SINGLE FAMILY RESIDENCE.



SHEET INDEX

- D1. SITE PLAN
- D1.1. SURVEY
- D2. PROPOSED MAIN FLOOR PLAN
- D3. PROPOSED LOWER FLOOR PLAN
- D4. PROPOSED EXTERIOR ELEVATIONS
- D5. PROPOSED ROOF PLAN
- D6. SITE COVERAGE OUTLINE

PROPOSED SITE PLAN

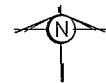
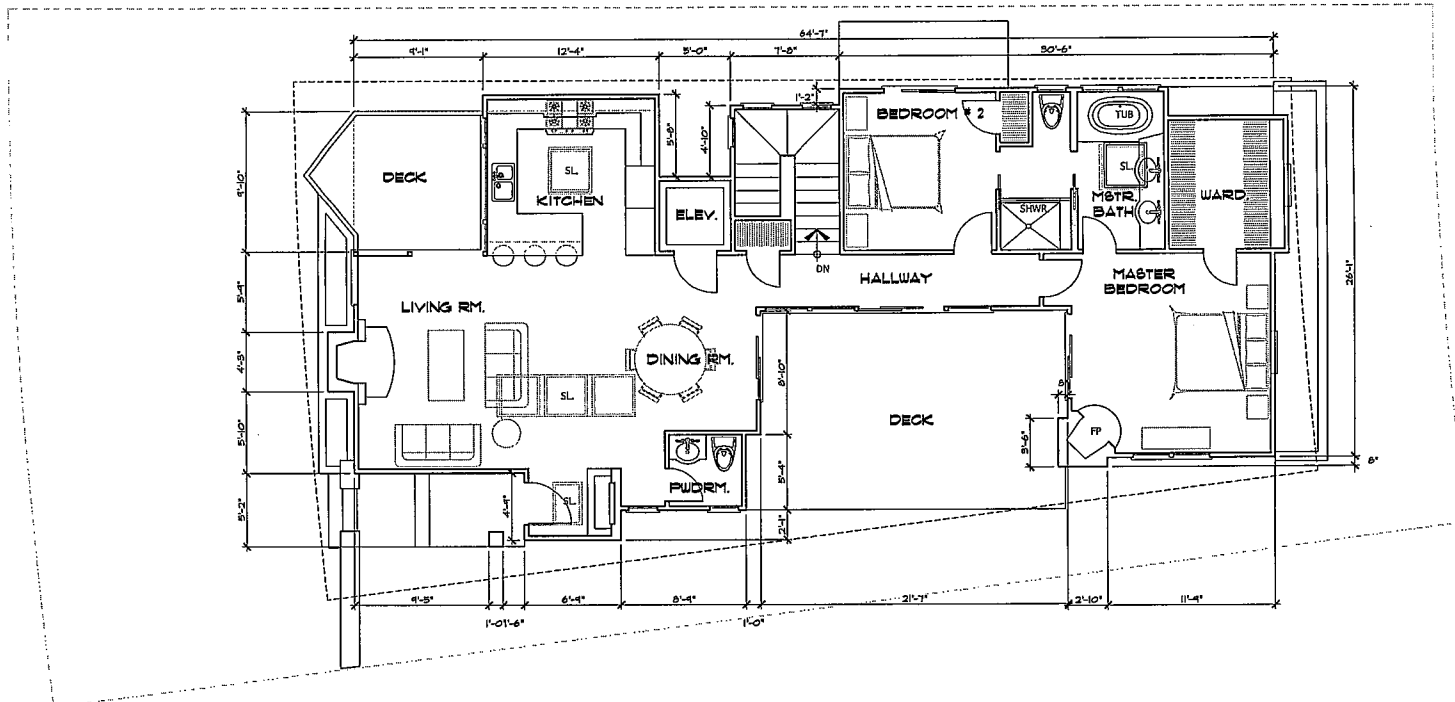
SCALE: 1/4" = 1'-0"

CLIENT INFO:
 ROGER BARRY
 81 CRESCENT RD.
 PALO ALTO, CA. 94301

MANDURRAGO MANDURRAGO & SULLIVAN, INC.
 25801 SILENTS
 P. O. BOX 74 CARMEL BY THE SEA, CA. 93921 831-423-1343

BARRY - OCEAN VIEW
 26213 OCEAN VIEW, CARMEL, CA.
 009-431-010

1004
 SHEET INDEX
D1

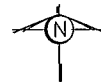
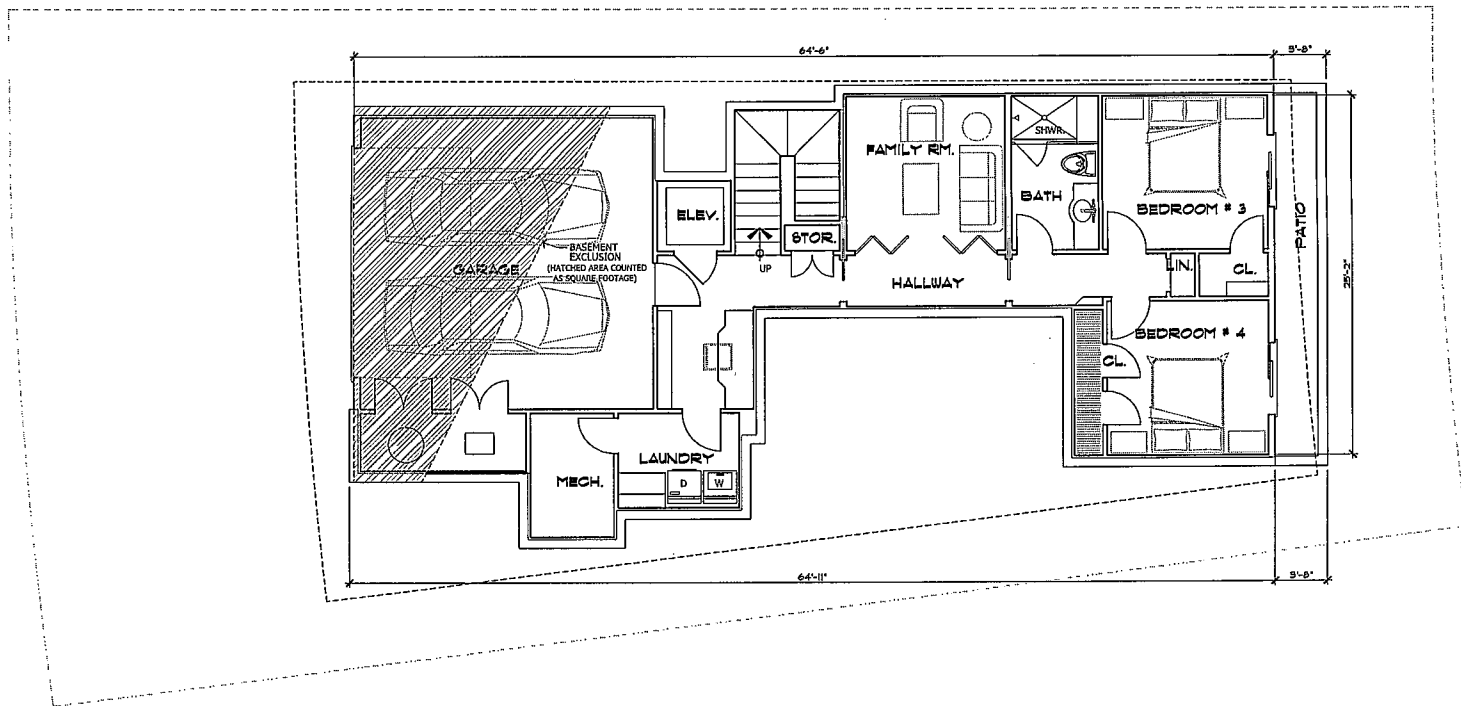


PROPOSED MAIN FLOOR PLAN
 SCALE: 1/4" = 1'-0"

10-5-10	JOB NUMBER	1004
	SHEET NUMBER	D2

MANDURRAGO
 MANDURRAGO &
 SULLIVAN, INC. 26224 541025
 P. O. BOX 76 CARMEL, BY THE SEA, CA 93921 831-425-1553

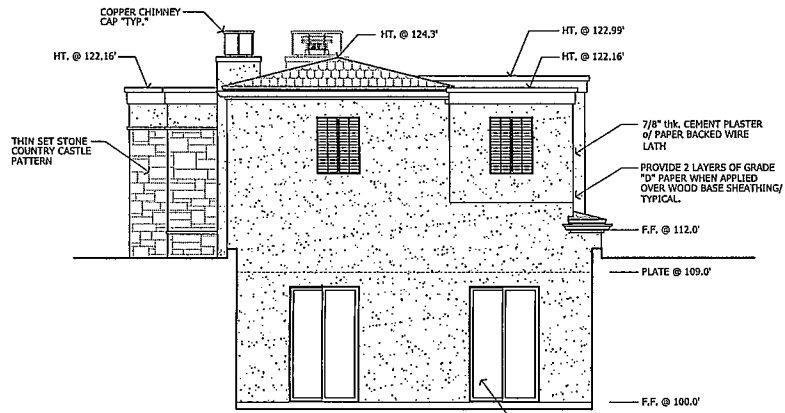
BARRY - OCEAN VIEW
 262715 OCEAN VIEW, CARMEL, CA.
 009-491-010



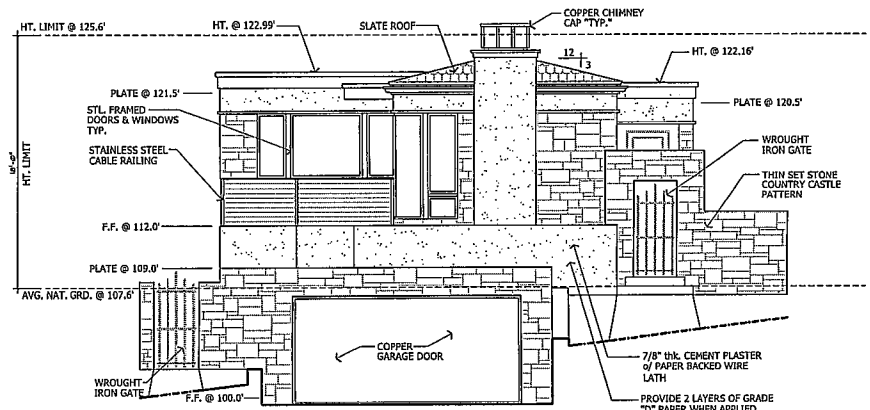
PROPOSED LOWER FLOOR PLAN
SCALE: 1/4" = 1'-0"

DATE 10-5-10	JOB NUMBER 1004
DATE 10-5-10	
SHEET NUMBER D3	
MANDURRAGO MANDURRAGO & SULLIVAN, INC. <small>25110, 561705 P. O. BOX 77 CORRAL BY THE SEA, CA 92021 619-425-1533</small>	

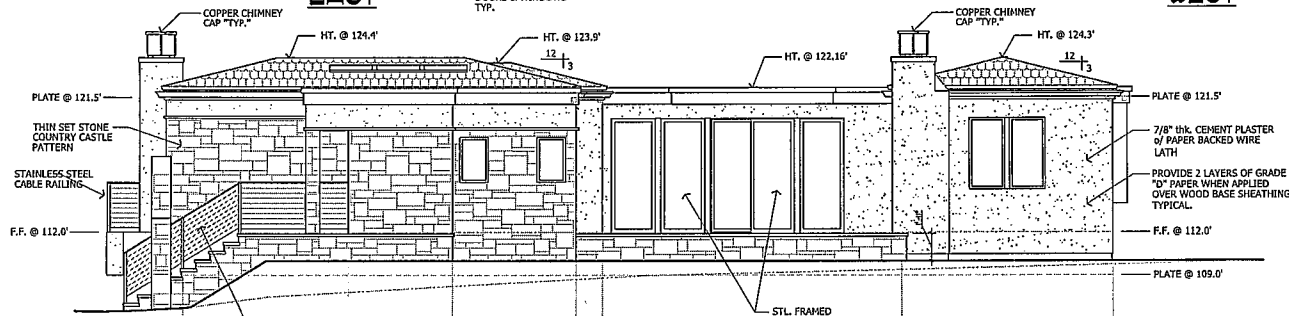
BARRY - OCEAN VIEW
2627B OCEAN VIEW, CARMEL, CA.
009-481-010



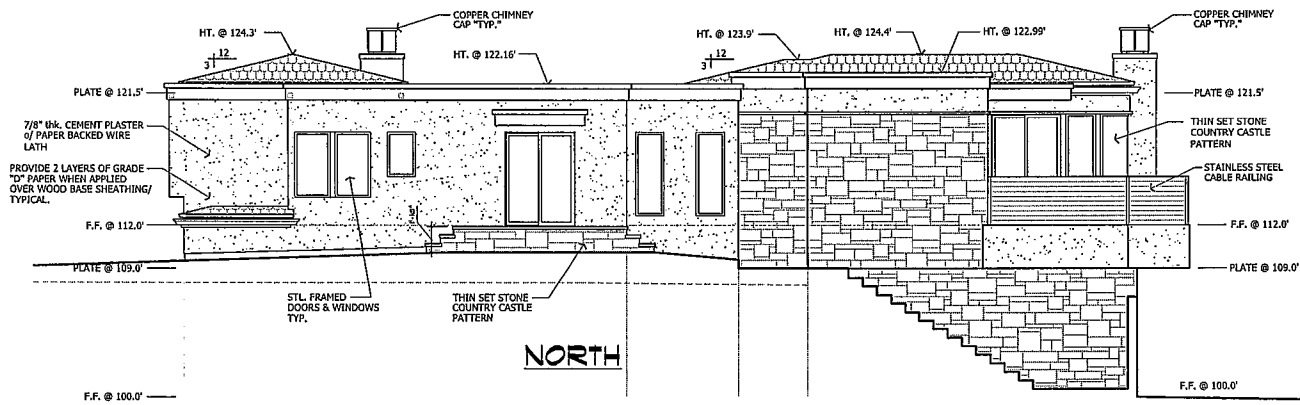
EAST



WEST



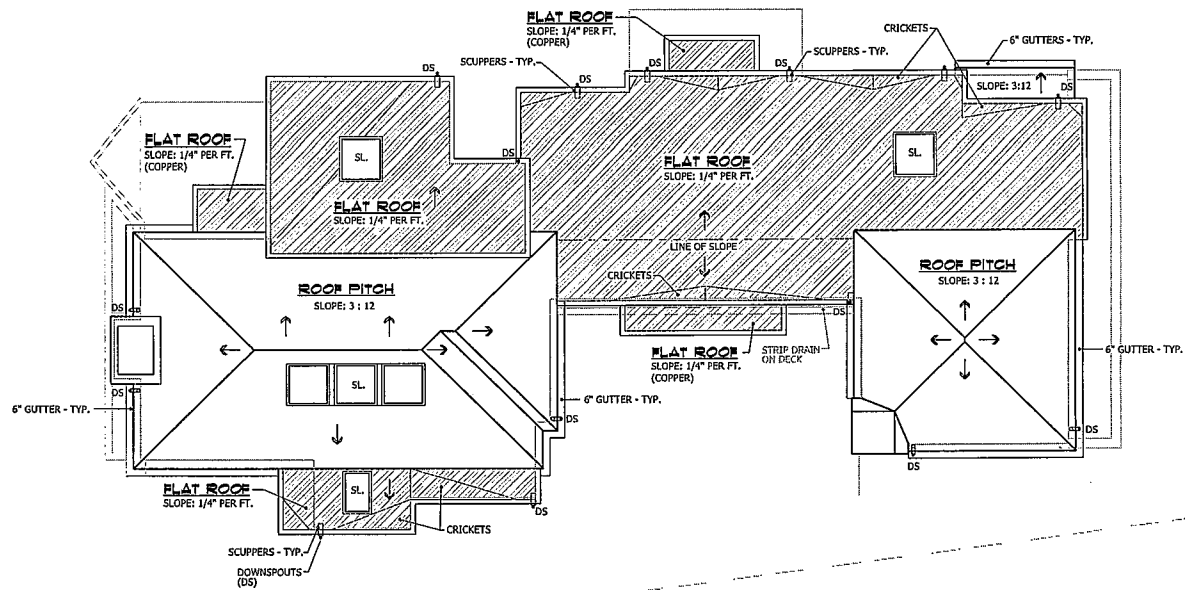
SOUTH



NORTH

10-5-10
 1004
 D4
 MANDURRAGO
 MANDURRAGO &
 SULLIVAN, INC.
 P. O. BOX 77 CARMEL BY THE SEA, CA 93913 831-825-1533

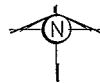
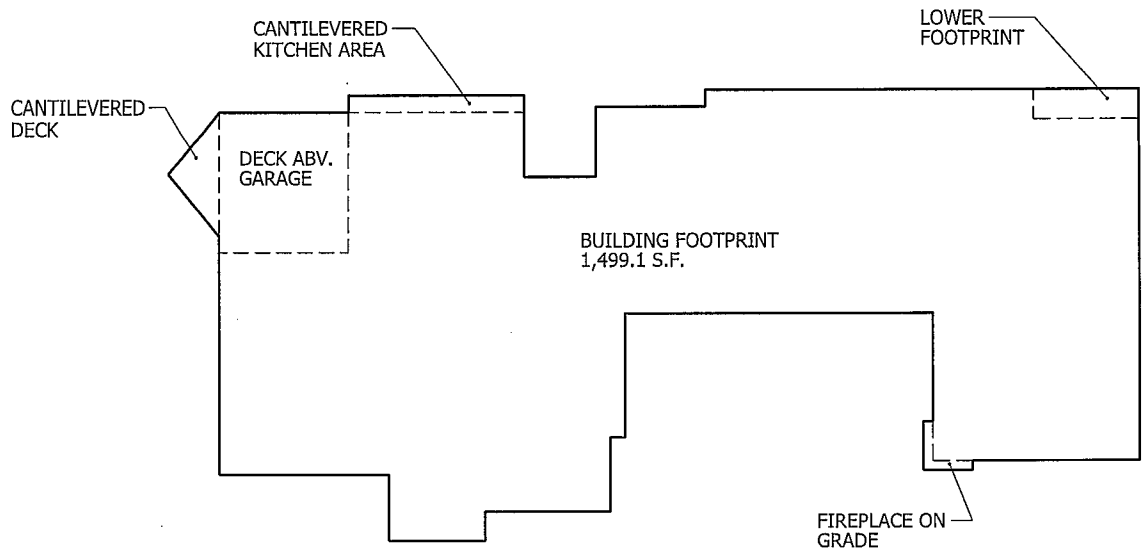
BARRY - OCEAN VIEW
 2627B OCEAN VIEW, CARMEL, CA.
 009-491-010



PROPOSED ROOF PLAN
SCALE: 1/4" = 1'-0"

10-5-10	1004
MANDURRAGO MANDURRAGO & SULLIVAN, INC. 2814, SULLIVAN P. O. BOX 71 CANAL, ST. JOE, CA. 93121 831-425-1533	D5

BARRY - OCEAN VIEW
 2627B OCEAN VIEW, CARMEL, CA.
 004-431-010



SITE COVERAGE OUTLINE
SCALE: 1/4" = 1'-0"

10-5-10

1004

D6

MANDURRAGO
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SULLIVAN, INC.
2693, 552025
P. O. BOX 77 CARMEL BY THE SEA, CA 93921 831-422-1333

BARRY - OCEAN VIEW
2627B OCEAN VIEW, CARMEL, CA.
009-491-010

CARMEL AREA



APPLICANT: BARRY

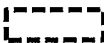
APN: 009-431-010-000

FILE # PLN100419

Water



2500' Limit



300' Limit



City Limits



EXHIBIT E

**Action by Land Use Advisory Committee
Project Referral Sheet**

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Unincorporated/Highlands

Please submit your recommendations for this application by: **October 4, 2010**

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OCT 07 2010

Project Title: BARRY ROGER J & MARTHA DOERGE TRS

File Number: PLN100419

File Type: ZA

Planner: QUENGA

Location: 26273 OCEAN VIEW AVE CARMEL

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Project Description:

Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,862 square foot single family dwelling including attached garage and approximately 550 cubic yards of grading (420 cut/100 fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. The property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000) Carmel Area, Coastal Zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

Chris Teschur
Mr. & Mrs. Roger Barry
(owners)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Planner - Anna Quenga presented revised plans as previous plans were incorrect in regards to footprint and FAR.			
1. Doug Pinkam. 26274 Suspension Ave	✓		Concerned about loss of ocean views from his property to rear of project
2. Ringer Merritt (son) of neighbor at 26279 Ocean View Ave.	✓		New well proposed along south side yard will impact light of kitchen window and loss of views.
3. Don Furlong	✓		
4. Lawrence Kern 26245 Ocean View	✓		Is in favor of new plans and approves of new home design.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Rear wall of proposed new residence needs to be less imposing. Detailing, wood & help		Rear wall should be designed of two materials so that large stucco surface is broken in mass and lessen visual impact on neighbor to rear.
Roofing material of Spanish red tile (clay) should be reconsidered. Cement tiles might help to blend with site and lessen visual impact.		Consider other choices of roofing materials.

ADDITIONAL LUAC COMMENTS

Three LUAC members felt the architectural style was not in character with the surrounding neighborhood. Terrace is directly across Ocean View and design of proposed home should be more rustic and blend with location. Present plans appear as patch work to fit this parcel. Trash containers should be enclosed to lessen impact on one neighbor who has to look at it in side yard location.

RECOMMENDATION: old potting shed in poor condition should be removed.

Motion by: Meheen - motion to continue (LUAC Member's Name)
 for new design considerations of architectural style and final lot coverage and FAR figures.

Second by: Wald (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: FAR and lot coverage figures need to be corrected with set of revised plans.

Continued to what date: Oct. 18, 2010 (next LUAC meeting)

AYES: 6 (Weber, Hall, Wald, Meheen, Jestschnick, Rainer)

NOES: None

ABSENT: 2 - Davis & Hirst

ABSTAIN: None

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OCT 07 2010

MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

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NOV 01 2010

Advisory Committee: **Carmel Unincorporated/Highlands**

**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.**

Please submit your recommendations for this application by: **October 18, 2010**

Project Title: BARRY ROGER J & MARTHA DOERGE TRS

Item continued from 10/4/10 meeting

File Number: PLN100419

File Type: ZA

Planner: QUENGA

Location: 26273 OCEAN VIEW AVE CARMEL

Project Description:

Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 550 cubic yards of grading (420 cubic yards of cut and 100 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. The property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), Coastal Zone.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

*Chris Tescher
Martha Doerge (owner)*

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Doug Pinkham</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>Owns house to rear of this parcel. His view of this project is the east elevation. Architect made changes to an earlier blank stucco wall and added two framed doors and windows and popped out second story closet/ward robe approx. one foot to give more definition to the rear stucco wall.</i>

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Trash container area location shown enclosed in new plans	(not known)	Trash containers now enclosed on north elevation to lessen impact on neighbor
Mission tile roofing changed to slate tiles of mixed natural colors.		Slate tiles lessens visual impact & character for this location.

ADDITIONAL LUAC COMMENTS

The stone veneer is real stone on side elevations of house and walls at garage entrance and will allow character of house to blend more naturally on this site.

Requested architect to consider a different material for fascia that would add interest to all elevations of residence.

RECOMMENDATION:

Motion by: Weber, approval of plans as submitted (LUAC Member's Name)
with new roofing material of slate (not red tiles)

Second by Jesselnick (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

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NOV 01 2010

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

AYES: 3 (Davis, Weber, Jeselnick)

NOES: 2 (Raines, Hall) objected to architectural design

ABSENT: Wald, McKeen, & Hurst

ABSTAIN: 0