### MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: March 14, 2013 Time: 1:40 P.M.	Agenda Item No.: 2	
Project Description: Use Permit and Design Approval to correct code enforcement violation		
(10CE00388) to allow development within the Carmel River floodplain for the "after-the-fact"		
conversion of 1,647 square foot duplex to a single family dwelling which includes the interior		
remodel of a 595 square foot second story which created internal circulation, removal of a 45		
square feet of exterior stairs, a 52 square foot addition (laundry room and storage expansion), new		
siding of light beige (fiber cement) panels with white trim and a detached fireplace.		
Project Location: 25 Lazy Oaks, Carmel Valley	<b>APN:</b> 189-311-026-000	
	Owner: Ronald R. Saunders and Lindsay	
Planning File Number: PLN110037	Hoover	
	Agent: Paul W. Davis	
Planning Area: Carmel Valley Master Plan	Flagged and staked: No	
Zoning Designation: LDR/2.5-D-S-RAZ [Low Density Residential, 2.5 acres per unit with Design		
Control, and Site Plan Review Overlays and Residential Allocation Zoning District overlays]		
CEQA Action: Categorically Exempt per Section 15305 (e)		
Department: RMA - Planning Department		

#### **RECOMMENDATION:**

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

- 1) Find the project Exempt per CEQA Section 15303 (e); and
- 2) Approve a Use Permit and Design Approval for development within the 100-year floodplain of the Carmel River, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**)

#### PROJECT OVERVIEW:

The applicant is requesting to rectify a code enforcement case 10CE00388 for work that was performed on the property without the benefit of permits. Specifically, a two-story duplex was converted to a single family residence by remodeling the 595 square foot second story creating internal circulation and removing a 45 square foot exterior staircase. A 52 square foot addition was built and exterior windows and doors were replaced. Siding was replaced with cement board (light beige) and white trim and a re-roof was completed with asphalt shingles. With approval of the subject Use Permit and Design Approval, the code enforcement case will be closed.

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

RMA - Public Works Department Environmental Health Bureau

- √ Water Resources Agency
- √ Monterey Regional Fire Protection District Parks Department

Agencies that submitted comments are noted with a check mark (" $\sqrt[4]{}$ "). Conditions recommended by Water Resources Agency, Monterey Regional Fire Protection District and RMA-Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

The project was referred to the Carmel Valley Land Use Advisory Committee on February 19, 2013. The LUAC recommended approval on a 7-0 vote with no comments.

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

Valerie Negrete

(831) 755-5227, negretev@co.monterey.ca.us

(February 19, 2013)

Front Counter Copy; Zoning Administrator; Monterey Regional Fire Protection cc: District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; Laura Lawrence, Planning Services Manager; Valerie Negrete, Project Planner; Ronald R. Saunders and Lindsay Hoover, Owner; Paul W. Davis, Agent; The Open Monterey Project; LandWatch; Planning File PLN110037

Attachments: Exhibit A

Project Data Sheet

Exhibit B

**Project Discussion** 

Exhibit C

Draft Resolution, including:

Conditions of Approval

Site Plan, Floor Plan and Elevations

Exhibit D

Carmel Valley LUAC minutes 2/19/2013

Exhibit E

Vicinity Map

This report was reviewed by Delinda Robinson, Senior Planner

#### **EXHIBIT A**

### **Project Information for PLN110037**

#### **Project Information:**

Project Name: SAUNDERS RONALD W & LINDSAY HOOVER

Location: 25 LAZY OAKS CARMEL VALLEY

Permit Type: Use Permit

Environmental Status: Exempt Final Action Deadline (884): 3/29/2013

Existing Structures (sf): 1640 Coverage Allowed: 35%

Proposed Structures (sf): 1647 Coverage Proposed: 14.5%

Total Sq. Ft.: 1647 Height Allowed: 30'

Tree Removal: None Height Proposed: 30'

Water Source: Public FAR Allowed: NA

Water Purveyor: California American Water FAR Proposed: NA

Sewage Disposal (method): Septic Lot Size: .33

Sewer District: NA Grading (cubic yds.): 0

#### **Parcel Information:**

Primary APN: 189-311-026-000 Seismic Hazard Zone: Undetermined

 Applicable Plan:
 Carmel Valley Master Pln
 Erosion Hazard Zone:
 Moderate

Advisory Committee: Carmel Valley LUAC Fire Hazard Zone: Very High

Zoning: LDR/2.5-D-S-RAZ Flood Hazard Zone: Yes

Land Use Designation: Low Density Residential Archaeological Sensitivity: High

Coastal Zone: No Viewshed: No

Fire District: Monterey Regional Fire Special Setbacks on Parcel: None

#### Reports on Project Parcel:

Soils Report #: NA

Biological Report #: NA

Geologic Report #: NA

Forest Management Rpt. #: NA

Archaeological Report #: LIB130029

Traffic Report #: NA

Date Printed: 2/28/2013

## EXHIBIT B DISCUSSION

### Project Description

The property is a 0.33 acre parcel located in a developed residential area of Carmel Valley, approximately 0.33 miles south of Carmel Valley Road. The property contains an existing 1,640 square foot duplex built in 1948. The subject property is located within the fringes of the Carmel Valley Floodplain and subject to Monterey County Code Chapter 16.16 Regulations for Floodplains in Monterey County and Monterey County Code Chapter 21.64.130 Regulations for Land Use in the Carmel Valley Floodplain. As required by Chapter 21.64.130, development in the floodway fringe shall be subject to first securing a Use Permit prior to commencement of any such development. Pursuant to Monterey County Code Chapter 21.64.040 all structures including related utilities shall be so located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems flood waters. The applicant has worked closely with the Water Resources Agency and no additional improvements were required. The duplex was converted to a single family dwelling (by removing the exterior staircase), a 52 square foot addition was built, windows and doors were replaced without permits, and a re-roof was done without permits (10CE00388). The subject Use Permit and Design Approval is required to rectify the open code enforcement case.

#### Project Issues

The existing dwelling was built in 1948 (according to Kent Seavey, a local historian) and required the preparation of a Historical Report (LIB130030). The style of the home is vaguely post WWII Monterey Colonial however the original builder was not known. The structure has been poorly altered over time and has lost its original integrity. Therefore, there will be no impacts to historical resources with the proposed addition and remodeling.

According to County GIS records, the project site is located within a "high" archeological sensitivity area. An Archaeological Report (LIB130029) was prepared by a qualified archaeologist for the project and found that the project did not impact sensitive resources.

#### **Environmental Review**

California Environmental Quality Act (CEQA) Guidelines Section 15303 (e) exempts additions to single family dwellings. The project is categorically exempt as the proposed project involved improvements to an existing single family dwelling. 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.

#### Recommendation

Based on resource information contained in the Carmel Valley Master Plan, the Monterey County Zoning Ordinance (Title 21), the Monterey County Geographic Information System, application materials and site visit, staff finds that this project has no issues remaining. Therefore, staff recommends approval of the project.

# 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:

Ronald R. Saunders and Lindsay Hoover (PLN110037)

RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

1) Finding the project Exempt per CEQA Section 15303 (e); and

Approving a Use Permit and Design Approval to correct code enforcement violation (10CE00388) to allow development within the Carmel River floodplain for the "after-the-fact" conversion of 1,647 square foot duplex to a single family dwelling which includes the interior remodel of a 595 square foot second story which created internal circulation, removal of a 45 square feet of exterior stairs, a 52 square foot addition (laundry room and storage expansion), new siding of light beige (fiber cement) panels with white trim and a detached fireplace. [PLN110037, Ronald R. Saunders and Lindsay Hoover, 25 Lazy Oaks, Carmel Valley, Carmel Valley Master Plan (APN: 189-311-026-000)]

The Ronald R. Saunders and Lindsay Hoover application (PLN110037) came on for public hearing before the Monterey County Zoning Administrator on Mach 14, 2013. 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 2010 Monterey County General Plan;
  - Carmel Valley Master Plan;
  - Monterey County Zoning Ordinance (Title 21);

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 25 Lazy Oaks, Carmel Valley (Assessor's Parcel Number 189-311-026-000), Carmel Valley Master Plan. The

- parcel is zoned LDR/2.5-D-S-RAZ [Low Density Residential, 2.5 acres per unit with Design Control, and Site Plan Review and Residential Allocation Zoning District overlays], which allow additions to single family dwellings in the floodplain subject to a Use Permit. Therefore, the project is an allowed land use for this site.
- c) The subject property is located within a Design Control district, which provides regulation of the location, size, configuration, materials, and colors of structures and fences. The project was referred to the Carmel Valley Land Use Advisory Committee for recommendation to the Zoning Administrator on February 19, 2013. At the time of the drafting of the staff report minutes were not available for this meeting. The colors and materials consist of light beige siding and off white trim and the re-roofing materials were dark brown asphalt composition shingles.
- d) The subject dwelling is a legal non-conforming structure in regard to structure use as a duplex and structure location due to the setback regulations for the front of the home. In regards to the setback regulations, the dwelling is set closer to the front of the property and has an existing front setback of 10 feet (southwest corner), whereas the front setback is 30 feet. The addition of 29 square feet (southeast corner) is setback 30 feet making the addition conforming to front setbacks. No additions or any interior structural modifications (i.e. changes or alterations to bearing walls, columns, beams, girders) in the front setback would have triggered a Use Permit (Monterey County Code Section 21.68.040). The addition was not constructed in the legal nonconforming areas of the home. In regards to legal non conforming structure use, the existing dwelling was a duplex and was converted to a single family dwelling making the use more conforming.
- e) The project site is located within an "RAZ", or Resource Allocation Zoning district, and is compliant with the associated regulations as the project involves improvements to an existing duplex which was converted to a single family dwelling on the property, pursuant to Monterey County Code Section 21.52.040.
- Policy CV-1.20 of the Carmel Valley Master Plan policies within the General Plan states in part that Design ("D") and site control ("S") overlay district designations shall be applied to the Carmel Valley area. Design review for all new development throughout the Valley, including proposals for existing lots of record, shall use materials and colors selected for compatibility with the structural system of the building and with the appearance of the building's natural and manmade surroundings. Structures should be controlled in height and bulk in order to retain an appropriate scale. The subject project is consistent with CV-1.20, as the proposed materials and colors blend in with the surrounding setting (See Finding 1.c). The existing dwelling is setback behind a vegetated wood picket type fence and is not visible from a common public viewing area.
- g) The project site is located within the 100-year floodplain of the Carmel River; therefore, the proposed project is subject to Monterey County Code Chapter 16.16 Regulations for Floodplains in Monterey County and Monterey County Code Chapter 21.64.130 Regulations for Land Use in the Carmel Valley Floodplain. As required by Chapter

- 21.64.130, development in the floodway fringe shall be subject to first securing a Use Permit prior to commencement of any such development. Pursuant to Monterey County Code Chapter 21.64.040 all structures including related utilities shall be so located and constructed so as to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems flood waters. The applicant worked closely with the Water Resources Agency and the Agency found that the improvements made, although substantial, did not require any further modifications. This Use Permit and Design Approval is being requested to correct an open (un-cleared) code enforcement case, 10CE00388.
- h) The project planner conducted a site inspection on February 14, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- i) The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review on February 19, 2013. 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 the project includes a Design Approval subject to review by the Zoning Administrator. The LUAC recommended approval on a 7-0 vote with no comments.
- j) 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 PLN110037.
- 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, Monterey Regional Fire Protection District, Parks, 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 Archaeological Resources and Historical Resources. The following reports have been prepared:
  - "Historical Review of 25 Lazy Oaks in Carmel Valley" (LIB130030) prepared by Kent Seavey, Pacific Grove, Ca., May 25, 2011.
  - "Preliminary Archaeological Assessment for APN189-311-026-000" (LIB130029) prepared by Mary Doane, Salinas, Ca., January 11, 2011.

The above-mentioned 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 has independently reviewed these reports and concurs with their conclusions.

c) The existing 1,647 square foot duplex is over 50 years old, therefore a historical report was required (LIB130030) to assess whether or not

- historical resources were impacted by the project. The style of the home is vaguely post WWII Monterey Colonial however the original builder was not known. The structure has been poorly altered over time and has lost its original integrity. Therefore, there will be no impacts to historical resources with the proposed addition and remodeling.
- d) According to County GIS records, the project site is located within a "high" archeological sensitivity area. In accordance with Monterey County Code Section 21.66.050 an archeological report is required. An Archaeological Report (LIB130029) was prepared by a qualified archaeologist for the project and found that the project did not impact sensitive resources.
- e) Staff conducted a site inspection on February 14, 2013 to verify that the site is suitable for this use.
- f) 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 PLN110037.

#### 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 RMA Planning Department, Monterey Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective 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. Water for the site is provided by Cal-Am and sewer will be provided by an existing septic system.
- c) Staff conducted a site inspection on February 14, 2013 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 PLN110037.

#### 4. **FINDING:**

**NO VIOLATIONS** - The subject property is in not compliance with all rules and regulations pertaining to zoning use, specifically Monterey County Code Chapter 16.16 *Regulations for Floodplains in Monterey County* and Monterey County Code Chapter 21.64.130 *Regulations for Land Use in the Carmel Valley Floodplain*. Violations exist on the property. The approval of this permit will correct the violations and bring the property into compliance.

**EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is aware of the existing

- violations on subject property (10CE00388).
- b) Staff conducted a site inspection on February 14, 2013 and researched County records to assess if any violation exists on the subject property.
- c) The proposed project corrects an existing violation regarding development within the Carmel Valley floodplain (10CE00388). When implemented, the project will bring the subject property into compliance with all rules and regulations pertaining to the property and will remove the existing violations.
- d) Zoning violation abatement costs, if any, have been paid.
- e) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN110037.
- 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:** 

- California Environmental Quality Act (CEQA) Guidelines Section 15301(e) categorically exempts additions to existing structures provided that the addition will not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The addition is 52 square feet and constitutes less than 5% of the total floor area.
- b) No adverse environmental effects were identified during staff review of the development application during a site visit on February 14, 2013.
- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project will not create an impact within a particularly sensitive environment, will not have a significant cumulative impact or effect on the environment, is not located on a registered waste site and will not result in damage to scenic or historic resources.
- d) Staff conducted a site inspection on February 14, 2013 to verify that the site is suitable for this use.
- e) 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 PLN110037.
- 6. **FINDING:**

**APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.

**EVIDENCE:** 

a) Section 21.80.040.B of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Planning Commission.

#### **DECISION**

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

- 1. Find the project Exempt per CEQA Section 15303 (e); and
- 2. Approve a Use Permit and Design Approval to correct code enforcement violation (10CE00388) to allow development within the Carmel River floodplain for the "after-the-fact" conversion of 1,647 square foot duplex to a single family dwelling which includes the

interior remodel of a 595 square foot second story which created internal circulation, removal of a 45 square feet of exterior stairs, a 52 square foot addition (laundry room and storage expansion), new siding of light beige (fiber cement) panels with white trim and a detached fireplace, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 14th day of March, 2013

Jacqueline Onciano, Zoning Administ	ratoi

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

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

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.

#### EXHIBIT C

# **Monterey County Planning Department**

# DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN110037

#### 1. PD001 - SPECIFIC USES ONLY

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure: Use Permit and Design Approval to correct code enforcement violation (10CE00388) to allow development within the Carmel River floodplain for the "after-the-fact" conversion of 1,647 square foot duplex to a single family dwelling which includes the interior remodel of a 595 square foot second story which created internal circulation, removal of a 45 square feet of exterior stairs, a 52 square foot addition (laundry room and storage expansion), new siding of light beige (fiber cement) panels with white trim and a detached fireplace at 25 Lazy Oaks. Carmel Valley was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

#### 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The applicant shall record a Permit Approval Notice which states:

"This Use Permit and Design Approval, Resolution Number\_\_\_\_ was approved by the Zoning Administrator, Assessor's Parcel Number 189-311-026-000 on March 14, 2013 subject to 10 conditions of approval which run with the land" and "A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning

Department.

#### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

#### Responsible Department:

Planning Department

#### Condition/Mitigation Monitoring Measure:

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 resources and to develop proper mitigation measures required for recovery.

(RMA - Planning Department)

#### Compliance or Monitoring Action to be Performed:

The Owner/Applicant shall adhere to this condition on an on-going basis. 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.

#### 4. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

#### Responsible Department:

Planning Department

#### Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (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)

#### Compliance or Monitoring Action to be Performed:

Prior to the issuance of building permits, the Owner/Applicant shall 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.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

#### 5. PD032(A) - PERMIT EXPIRATION

#### Responsible Department:

Planning Department

Condition/Mitigation Monitoring Measure:

The permit shall be granted for a time period of 3 years, to expire on March 14, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

#### Compliance or Monitoring Action to be Performed:

Prior to the expiration date stated in the condition, the Owner/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.

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#### 6. PD004 - INDEMNIFICATION AGREEMENT

#### Responsible Department:

Planning Department

#### Condition/Mitigation Monitoring Measure:

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend. indemnify or hold the County harmless.

(RMA - Planning Department)

#### Compliance or Monitoring Action to be Performed:

Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

#### 7. FIRE011 - ADDRESSES FOR BUILDINGS

#### Responsible Department:

#### Condition/Mitigation Monitoring Measure:

All buildings shall be issued an address in accordance with Monterey County Ordinance No. 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 visible and legible 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. (Monterey County Regional Fire District)

#### Compliance or Monitoring Action to be Performed:

- 1. Prior to issuance of building permit, the applicant or owner shall incorporate specifications into design and enumerate as "Fire Dept. Notes" on plans.
- 2. Prior to final building inspection, the applicant or ownershall schedule fire dept. clearance inspection.

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#### 8. FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)

#### Responsible Department:

#### Condition/Mitigation Monitoring Measure:

Remove combustible vegetation from within a minimum of 100 feet of structures. feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Monterey County Regional Fire District)

#### Compliance or Monitoring Action to be Performed:

- 1. Prior to issuance of grading and/or building permits, the applicant or owner shall incorporate specifications into design and enumerate as "Fire Dept. Notes" on plans.
- 2. Prior to final building inspection, the applicant or owner shall schedule fire dept. clearance inspection.

#### 9. WR031 - FLOODPLAIN NOTICE

Responsible Department: Water Resources Agency

#### Condition/Mitigation Monitoring Measure:

The applicant shall provide a recorded floodplain notice stating: "The property is located within or partially within a Special Flood Hazard Area and may be subject to building and/or land use restrictions." (Water Resources Agency)

#### Compliance or Monitoring Action to be Performed:

Prior to issuance of any construction permit, the owner/applicant shall submit a signed and notarized floodplain notice to the Water Resources Agency for review and approval. approved, the applicant shall record the notice.

A copy of the standard notice can be obtained at the Water Resources Agency or online at: www.mcwra.co.monterey.ca.us.

#### 10. WR049 - WATER AVAILABILITY CERTIFICATION

#### Responsible Department:

Water Resources Agency

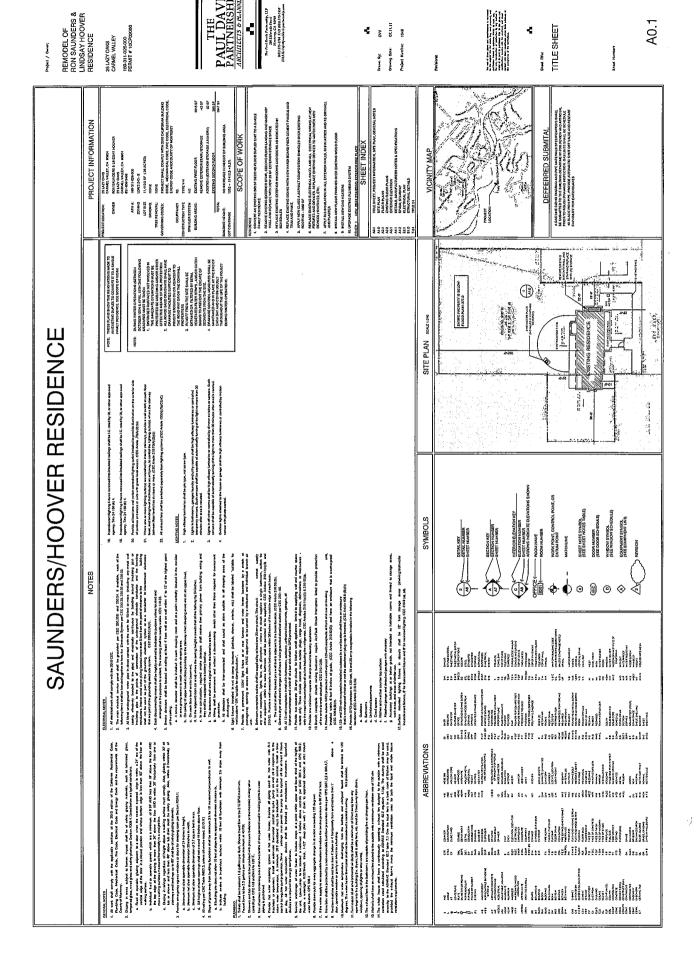
#### Condition/Mitigation Monitoring Measure:

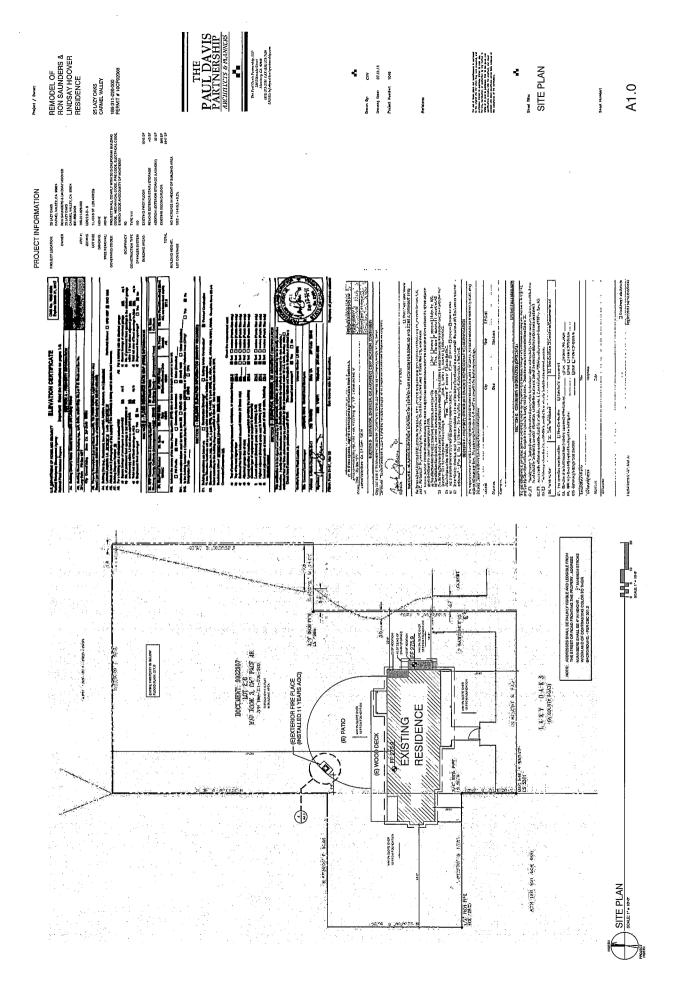
The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

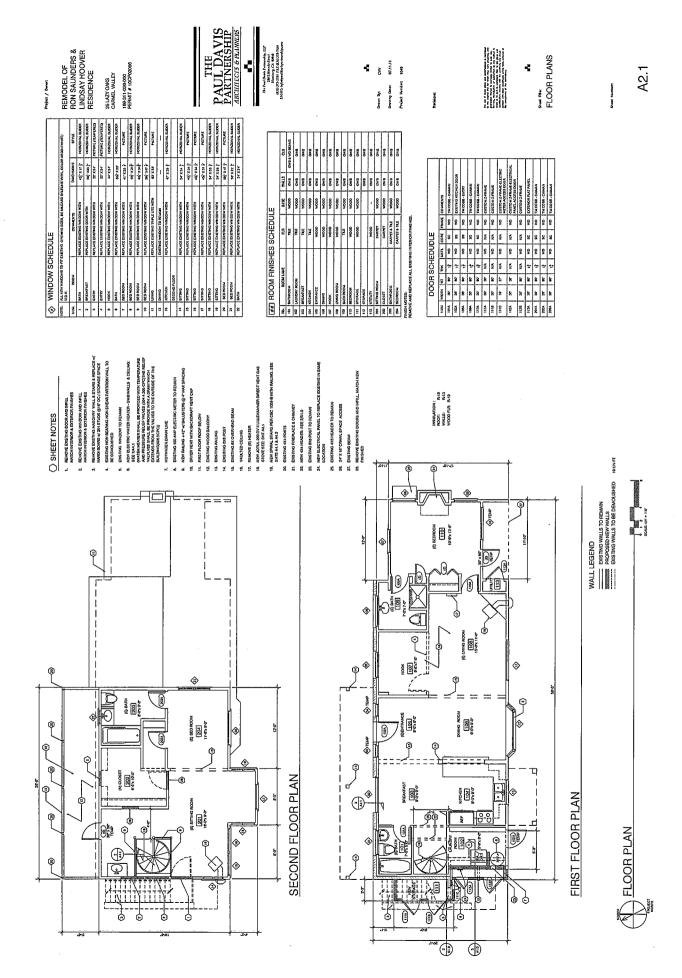
#### Compliance or Monitoring Action to be Performed:

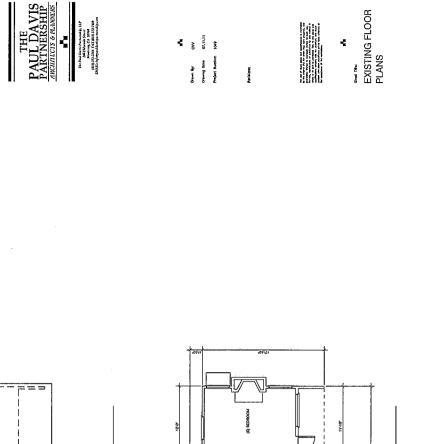
Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at: www.mcwra.co.monterey.ca.us.







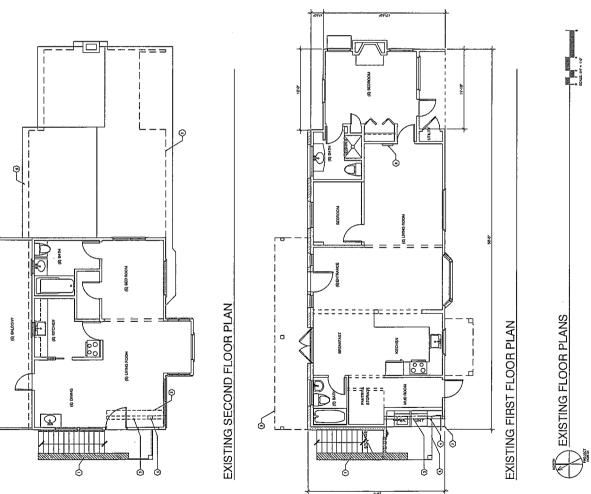


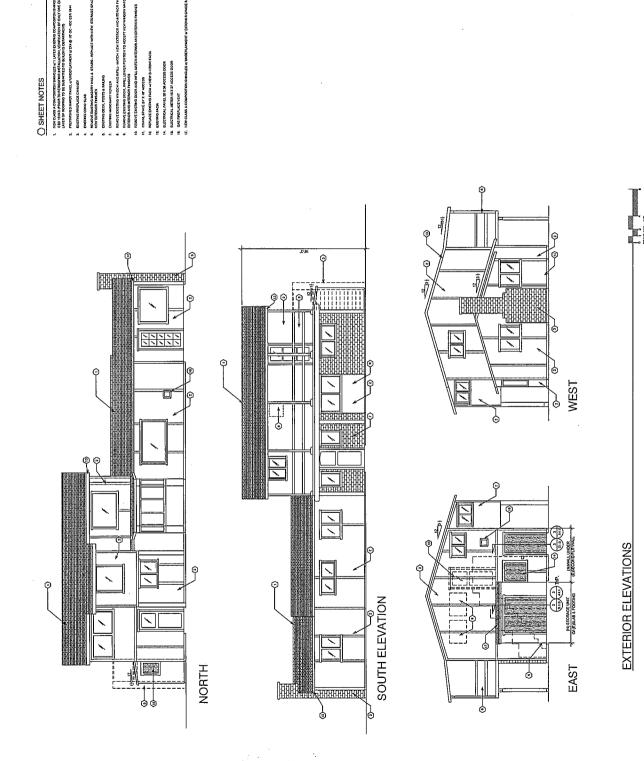
A2.2

REMODEL OF RON SAUNDERS & LINDSAY HOOVER RESIDENCE

○ SHEET NOTES

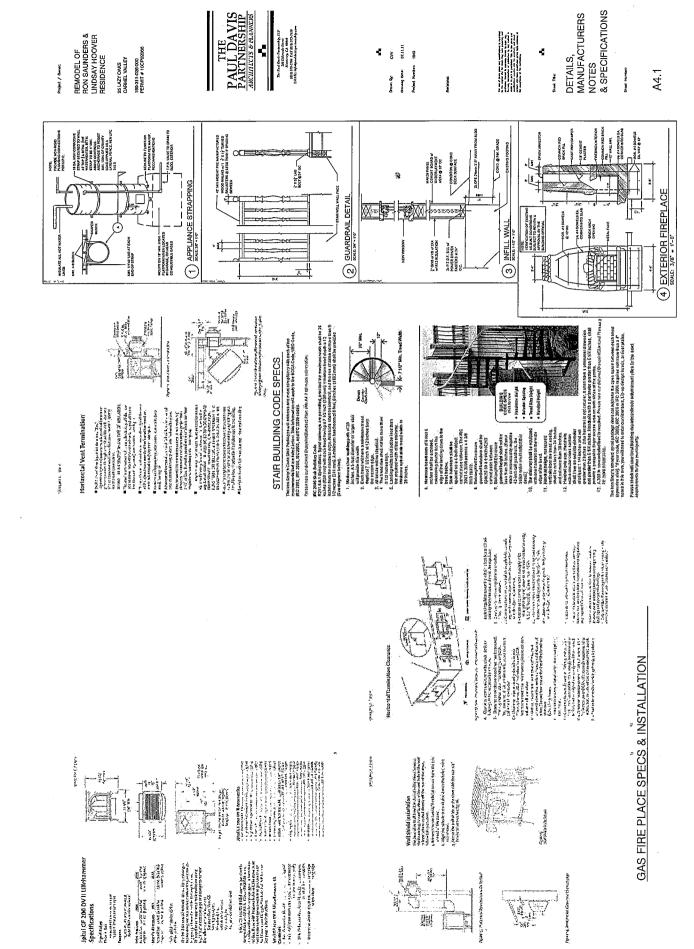
25 LAZY OAKS
CARMEL VALLEY
189-311-026-000
PERMIT # 10CP02006





REMODEL OF RON SAUNDERS & LINDSAY HOOVER RESIDENCE EXTERIOR ELEVATIONS

A3.1



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## EXHIBIT D

# **MINUTES**

# Carmel Valley Land Use Advisory Committee Tuesday, February 19, 2013

1.	Meeting called to order by Janet Brennan at 6:30 pm
2.	Roll Call
	Members Present: Janet Brennan, Charles Franklin, Judy MacClelland, , Neil Agron, John Anzini,
	Doug Pease, and David Burbidge
	Members Absent: 0
3.	Approval of Minutes:
	A. December 17, 2012 minutes
	Motion: Doug Pease (LUAC Member's Name)
	Second: John Anzini (LUAC Member's Name)
	Ayes: 7
	Noes: 0
	Absent:0
	Abstain: 0
	B. January 7, 2013 minutes
	Motion: Doug Pease (LUAC Member's Name)
	Second: John Anzini (LUAC Member's Name)
	Ayes:7
	Noes:0
	Absent:0
	Abstain:

4.	<b>Public Comments:</b> The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair		
	None		
5.	Scheduled Item(s)		
6.	Other Items:		
	A) Election of Officers:		
	LUAC member nominated for Chairperson:		
	Motion: John Anzini (LUAC Member's Name)		
	Second: Judy MacClelland (LUAC Member's Name)		
	Ayes:7		
	Noes:0		
	Absent: 0		
	Abstain: 0		
	LUAC member nominated for Secretary: Charles Franklin		
	Motion: John Anzini (LUAC Member's Name)		
	Second: Judy MacClelland (LUAC Member's Name)		
	Ayes:7		
	Noes:0		
	Absent: 0		
	Abstain:0		

B)	Preliminary Courtesy Presentations by Applicants Regarding Potential Projects		
	None		
C)	Announcements		
	None		
	·		
7. Meetir	ng Adjourned: 6:45 pm		
Minutes taken by: Charles Franklin			
Minutes taken	by: Charles Frankini		
Minutes received via email February 28, 2013			

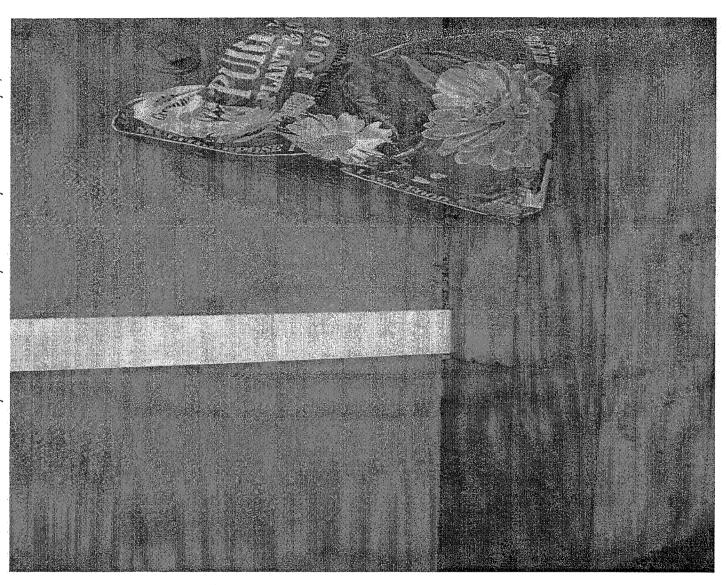
# Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: Carmel Valley			
Please submit your recommendations for this	application by:	February 19,	2013
Project Title: SAUNDERS RONALD W & I File Number: PLN110037 File Type: ZA Planner: NEGRETE Location: 25 LAZY OAKS CARMEL VALL Project Description: Use Permit to correct code enforcement violat floodplain for the "after-the-fact" conversion of foot duplex to a single family dwelling which (laundry room expansion), new siding of Fibel located at 25 Lazy Oaks, Carmel Valley (Asset Was the Owner/Applicant/Representative Figure 1988).	EY ion (10CE00388 of a 595 square f will include the r Cement Panels essor's Parcel Nu	B) to allow develoot second sto removal of exis, a detached find mber 189-311	ry conversion of a two-story 1,647 square terior stairs, a 29 square foot addition replace and Design Approval. The property is -026-000), Carmel Valley Master Plan.
Paul Davis Architect  Was a County Staff/Representative present  PUBLIC COMMENT:	at meeting?	Taven Kini	son Brown (Name)
Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	(Suggested Enlinges)

## 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)
ADDITIONAL LUAC COMMENTS		
None		
RECOMMENDATION:		
Motion by: John Anzini	(LUAC Member's Nam	e)
Second by:Judy MacClelland	d (LUAC Member's Nam	e)
X Support Project as proposed		
Recommend Changes (as noted al	pove)	
Continue the Item		
Reason for Continuance:		
Continued to what date:		The second secon
AYES:7		
NOES: 0		
ABSENT: 0		
ABSTAIN: 0		



Submitted by Paul Davis at the Carmel Valley Land Use Advisory Committee on February 19, 2013

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