



STAFF REPORT
Monterey County Design Approval
Resource Management Agency - Planning Department
168 W. Alisal St. 2nd Floor, Salinas, CA 93901
(831) 755-5025; FAX (831) 757-9516

Date: December 17, 2013

To: Jacqueline Onciano, Zoning Administrator

From: Lucy Bernal (831) 755-5235.
bernal@co.monterey.ca.us

cc: Front Counter Copy; Lucy Bernal Planner; Wanda Hickman, Planning Services Manager; The Open Monterey Project; Land Watch; Kathryn and Layn Phillips, Property Owner; Joel Panzer Agent/Representative; Project File PLN130842

Re: Phillips (PLN130842)

Location: Assessor's Parcel Number: 239-151-001-000
I Red Tail Trace, Carmel
Greater Monterey Peninsula Area Plan

Environmental status: Consider the previously certified EIR for the Santa Lucia Preserve Subdivision and the previously adopted Negative Declaration for the Chamisal Subdivision with mitigation measures.

Design Approval to amend a previously approved Combined Development Permit (PLN010278) to allow the construction of a 2,500 square feet, two story single family dwelling with a detached 544 square foot garage, grading (approximately 350 cubic yard of cut and 350 cubic yards of fill), outdoor barbeque/pizza oven, drainage, sewer and utility connections, dry stacked stone walls and D.G. paths and driveways. The proposed materials and colors are stucco (brown), dry stacked stone wall (natural), and wood framed windows and doors (brown) and metal/Spanish tile roof (rust). The project also includes the removal of an oak (70 inches in diameter) previously approved under the Chamisal Subdivision.

“The Chamisal Subdivision” Combined Development Permit approved May 13, 2003, included: An amendment to the Santa Lucia Preserve Comprehensive Development Plan, a Vesting Tentative Map to allow 12 residential parcels, a Use Permit for tree removal, a Use Permit to allow development on slope in excess of 30%, Administrative Permit and Design approval for 10 market rate homes and 2 inclusionary units. The Phillips parcel is one of the 10 market rate homes.

“The Chamisal Subdivision” Combined Development Permit approval allowed on this lot (F-1), the construction of 4,800 square foot single family dwelling with an attached garage, removal of one oak (thirty inches in diameter), grading (approximately 483 cubic yards) and development on slopes in excess of thirty percent. The approval of the Design Approval would allow a reduction in the size and footprint of the residential unit.

EXHIBIT A

Project Information for PLN130842

Application Name: Phillips Layn R & Kathryn H Trs
Location: 1 Red Tail Trace, Carmel
Applicable Plan: Greater Monterey Peninsula
Primary APN: 239-151-001-000
Advisory Committee: None
Coastal Zone: No
Permit Type: Design Approval
Final Action Deadline (884):
Environmental Status: Categorical Exemption
Zoning: RC/40-D-S(see note)
Land Use Designation: Resource Conservation

Project Site Data:

Lot Size: 33890469	Coverage Allowed: N/A
Existing Structures (sf): 0	Coverage Proposed: N/A
Proposed Structures (sf): 3044	Height Allowed: 30
Total Sq. Ft.: 3044	Height Proposed: 22'6
Special Setbacks on Parcel:	FAR Allowed: N/A
	FAR Proposed: N/A

Resource Zones and Reports:

Seismic Hazard Zone: VI	Soils Report #: N/A
Erosion Hazard Zone: High Moderate Low	Biological Report #: N/A
Fire Hazard Zone: High Very High	Forest Management Rpt. #: N/A
Flood Hazard Zone: X (unshaded)	Geologic Report #: N/A
Archaeological Sensitivity: high	Archaeological Report #: N/A
Visual Sensitivity: Sensitive	Traffic Report #: N/A

Other Information:

Water Source: Santa Lucia Community Service	Grading (cubic yds.): 350
Water Purveyor: Santa Lucia Community Service	Sewage Disposal (method): Private Water / sewer syst
Fire District: Monterey County Regional FPD	Sewer District Name: Santa Lucia Community Service
Tree Removal: 1 oak tree	

Monterey County Planning Department

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

PLN130842

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Design Approval (PLN130842) allows the 2,500 square feet single family dwelling with a detached 544 square foot garage. The colors and materials to match the previously approved with roof change from Barrel Tile roof to Corten standing seam metal roof (rust in color). The property is located at 1 Red Tail Trace, Carmel (Assessor's Parcel Number 239-151-001-000), Greater Monterey Peninsula Area Plan. This permit 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 RMA - Planning. 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)

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. This notice shall state:
"A Design Approval (Resolution Number 13-0842) was approved by Zoning Administrator] for Assessor's Parcel Number 239-151-001-000 on January 9, 2014. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

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.

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. Monterey County RMA - Planning 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)

Compliance or Monitoring: The Owner/Applicant shall adhere to this condition on an on-going basis.

Action to be Performed: Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning 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. 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)

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 for review and signature by the County.

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

5. PD007- GRADING WINTER RESTRICTION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

6. PD035 - UTILITIES UNDERGROUND

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground. (RMA - Planning and RMA - Public Works)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

7. SANTA LUCIA PRESERVE NON-STANDARD

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Development must comply with all applicable conditions of Resolution No 03-228 and all applicable mitigations required in Chamisal Area Subdivision in the Santa Lucia Preserve Final EIR (94-005).

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and/or construction permits the Owner/Applicant shall demonstrate that the development is in compliance with all applicable conditions and/or mitigations.

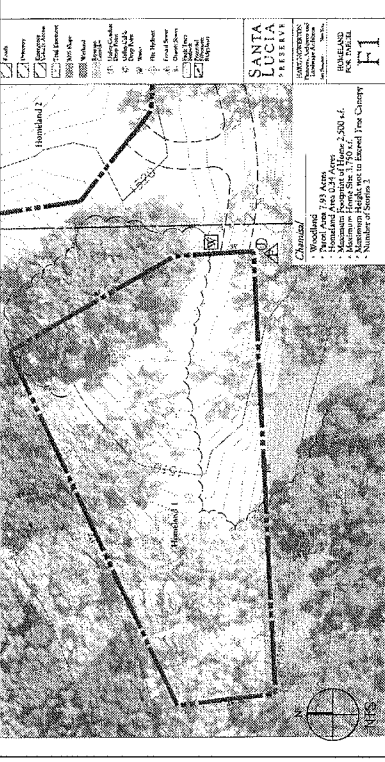
8. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

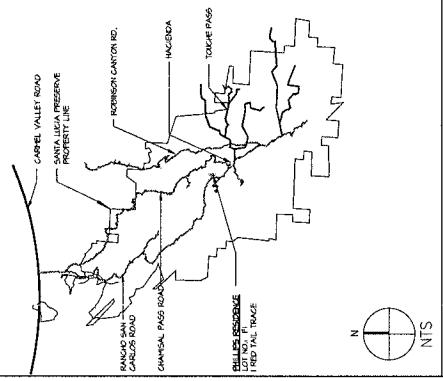
Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on January 2017, unless use of the property or actual construction has begun within this period. (RMA-Planning)

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 RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

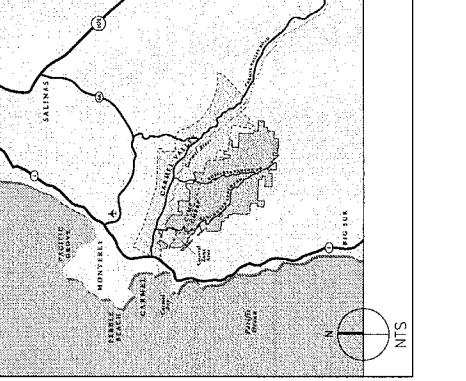
SITE PLAN



LOCATION MAP



VICINITY MAP

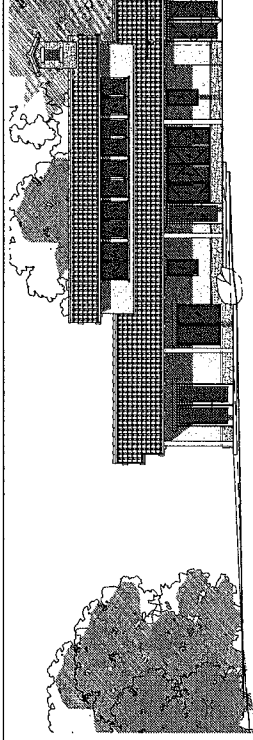


GENERAL CONDITIONS

1. ALL CONSTRUCTION SHALL CONFORM TO THE SANTA LUCIA PRESERVE REGULATIONS, THE CALIFORNIA BUILDING STANDARDS CODE, 2000 EDITION, AND ANY OTHER GOVERNING CODES THAT ARE REQUIRED BY LOCAL AUTHORITIES. IN THE EVENT OF CONFLICT, THE REGULATIONS SHALL PREVAIL.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND THE OWNER BEFORE PROCEEDING WITH THE WORK.
3. ALL DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
5. VERTICAL DIMENSIONS ARE TO TOP OF PLATE, TOP OF SLAB OR TOP OF FINISHED FLOOR UNLESS OTHERWISE NOTED.
6. VERIFY DIMENSIONS AND CONDITIONS AT THE JOB SITE.
7. ALL MATERIALS AND EQUIPMENT SHALL BE INSTALLED PER MANUFACTURERS' SPECIFICATIONS UNLESS OTHERWISE NOTED. SIMILAR DETAILS APPLY IN SIMILAR CONDITIONS.
8. COORDINATE ARCHITECTURAL DETAILS WITH ALL OTHER DISCIPLINES BEFORE ORDERING OR INSTALLATION OF ANY WORK.
9. BUILDING SUBJECT TO WIND UPDRAFT SHALL BE OF SAFETY GLASSING MATERIAL AND SHALL BE FULLY VENTILATED.
10. SEAWALL, CULKING AND PLUMBING LOCATIONS SHOWN ON DRAWINGS ARE NOT REPRESENTATIVE AND SHOWN FOR ILLUSTRATIVE PURPOSES.

SCOPE OF WORK

THE WORK CONTAINS THE CONSTRUCTION OF A TWO-STORY, SINGLE-FAMILY RESIDENTIAL, DRINKING WATER TREATMENT FACILITY, CONNECTIONS, DRIVEWAY, 1 AND 2 COURT PAVES, SITE LIGHTING, AND LANDSCAPE.



PHILLIPS RESIDENCE
 1 Red Tail Trace
 Lot F1, Santa Lucia Preserve
 Carmel, California 93923

SHEET INDEX

NO.	DESCRIPTION	DATE
1	GENERAL	
2	COVER SHEET	
3	CIVIL & SURVEY	
4	LANDSCAPE	
5	ELECTRICAL	
6	MECHANICAL	
7	STRUCTURAL	

PROJECT DATA

APN	294-54-001-000
ZONING	RCA-40-D-5
CGC TYPE	R-9
CONCRETE TYPE	V-8 WITH FIRE SPRINKLERS
LOT SIZE	1.50 ACRES (65,000 SQ. FT.)
HOPELAND SIZE	0.84 ACRES (36,400 SQ. FT.)
FLOOR AREA	2,030 SF
ROOF TOTAL	2,030 SF
GARAGE	544 SF
PROJECT TOTAL	3,744 SF

HART HOWERTON
 ARCHITECTS - ARCHITECTS
 2014 4th Street, Suite 100, Carmel, CA 93923

PHILLIPS RESIDENCE
 Lot F1, 1 Red Tail Trace
 Santa Lucia Preserve
 Carmel, CA 93923
 APR 2015-151-001-000

PHILLIPS RESIDENCE
 ARCHITECTS - ARCHITECTS
 2014 4th Street, Suite 100, Carmel, CA 93923

COVER SHEET

G0.01

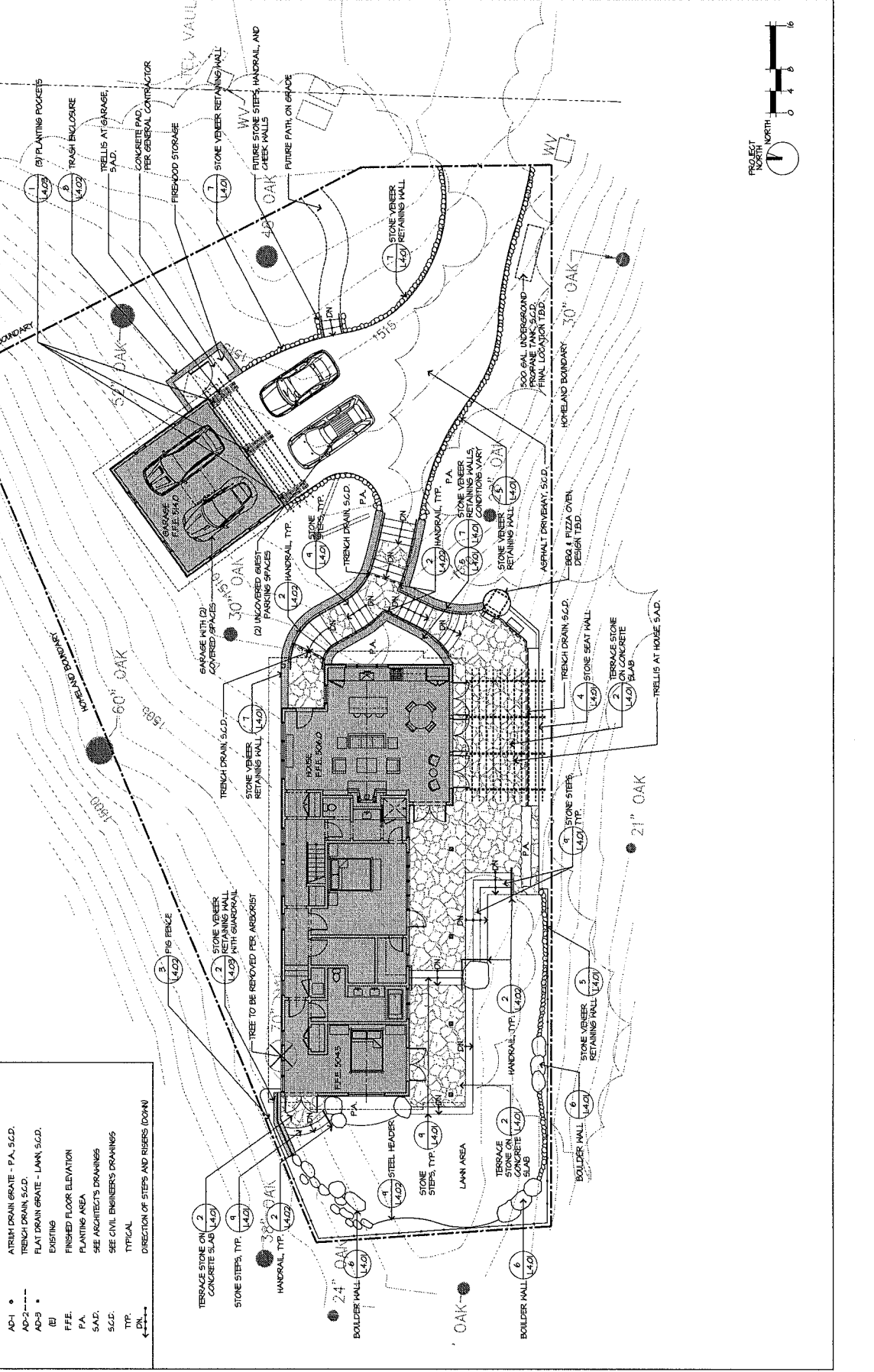
Exhibit 3

HARDSCAPE LEGEND

- HOME LAND BOUNDARY
- - - EXISTING CONTOURS
- ▬ PIG FENCE
- ▬ PROPOSED SITE WALL
- ▬ REFERENCED SITE WALL
- REFERENCE DETAIL SYMBOL
- REFERENCE SHEET SYMBOL
- AD-1 • MATERIALS SCHEDULE SYMBOL (PT) SEE SHEET AD-1 FOR MATERIALS SCHEDULE SYMBOL KEY AND MATERIAL SPECIFICATIONS
- AD-2 •
- AD-3 •
- (E) EXISTING
- FFE. FINISHED FLOOR ELEVATION
- PA. PLANTING AREA
- S.A.D. SEE ARCHITECT'S DRAWINGS
- S.C.D. SEE CIVIL ENGINEER'S DRAWINGS
- TYP. TYPICAL
- DN. DIRECTION OF STEPS AND RISERS (DOWN)

GENERAL NOTE
 1. STRUCTURAL DESIGN OF ALL WALLS, STAIRS AND OTHER HARDSCAPE ELEMENTS IS THE RESPONSIBILITY OF THE STRUCTURAL ENGINEER.
 2. COORDINATE WITH IRRIGATION AND LIGHTING CONSULTANTS PRIOR TO CONSTRUCTION.
 3. SEE IRRIGATION PLAN FOR LOCATION OF HOSE BIBS AND QUICK COUPLERS.
 4. SEE LIGHTING PLAN FOR LIGHTING INFORMATION AND DETAILS.
 5. SEE LIGHTING PLAN FOR LIGHTING INFORMATION AND DETAILS.
 6. ANY LAYOUT REQUIRES SOME UNIT PAVERS LARGER THAN 24" X 24" SHOULD BE USED TO COORDINATE WITH SUPPLIER AS NEEDED.

GRADING AND DRAINAGE DESIGN NOTES
 1. FINISH GRADES AND DRAIN LOCATIONS ARE FOR REFERENCE ONLY. SEE CIVIL DRAWING FOR COMPLETE DRAINAGE AND GRADING PLANS.
 2. WALL HEIGHTS, FINISH GRADES AND DRAIN LOCATIONS.



GENERAL NOTE
 1. STRUCTURAL DESIGN OF ALL WALLS, STAIRS AND OTHER HARDSCAPE ELEMENTS IS THE RESPONSIBILITY OF THE STRUCTURAL ENGINEER.
 2. COORDINATE WITH IRRIGATION AND LIGHTING CONSULTANTS PRIOR TO CONSTRUCTION.
 3. SEE IRRIGATION PLAN FOR LOCATION OF HOSE BIBS AND QUICK COUPLERS.
 4. SEE LIGHTING PLAN FOR LIGHTING INFORMATION AND DETAILS.
 5. SEE LIGHTING PLAN FOR LIGHTING INFORMATION AND DETAILS.
 6. ANY LAYOUT REQUIRES SOME UNIT PAVERS LARGER THAN 24" X 24" SHOULD BE USED TO COORDINATE WITH SUPPLIER AS NEEDED.

GRADING AND DRAINAGE DESIGN NOTES
 1. FINISH GRADES AND DRAIN LOCATIONS ARE FOR REFERENCE ONLY. SEE CIVIL DRAWING FOR COMPLETE DRAINAGE AND GRADING PLANS.
 2. WALL HEIGHTS, FINISH GRADES AND DRAIN LOCATIONS.

HARDSCAPE LEGEND

- HOME LAND BOUNDARY
- - - EXISTING CONTOURS
- ▬ PIG FENCE
- ▬ PROPOSED SITE WALL
- ▬ REFERENCED SITE WALL
- REFERENCE DETAIL SYMBOL
- REFERENCE SHEET SYMBOL
- AD-1 • MATERIALS SCHEDULE SYMBOL (PT) SEE SHEET AD-1 FOR MATERIALS SCHEDULE SYMBOL KEY AND MATERIAL SPECIFICATIONS
- AD-2 •
- AD-3 •
- (E) EXISTING
- FFE. FINISHED FLOOR ELEVATION
- PA. PLANTING AREA
- S.A.D. SEE ARCHITECT'S DRAWINGS
- S.C.D. SEE CIVIL ENGINEER'S DRAWINGS
- TYP. TYPICAL
- DN. DIRECTION OF STEPS AND RISERS (DOWN)

PHILLIPS RESIDENCE
 Santa Lucia Preserve
 Camel, CA 95023
 APN 259-151-001-000

HART HOWERTON
 LANDSCAPE ARCHITECTS
 2015 KINGS HIGHWAY SOUTH, SUITE 100
 PALM BEACH, FLORIDA 33480
 PHONE: 561-833-1100
 FAX: 561-833-1101
 WWW.HARTHOWERTON.COM

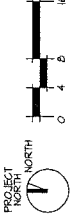
PROJECT INFORMATION
 PROJECT NO.: 1515
 SHEET NO.: L1.01
 DATE: 12.2015
 DRAWN BY: JH
 CHECKED BY: JH
 REVISIONS:
 NO. DATE DESCRIPTION

SCALE
 1" = 10'-0"

PROJECT LOCATION
 NORTH

A2.01

1 | FIRST FLOOR PLAN



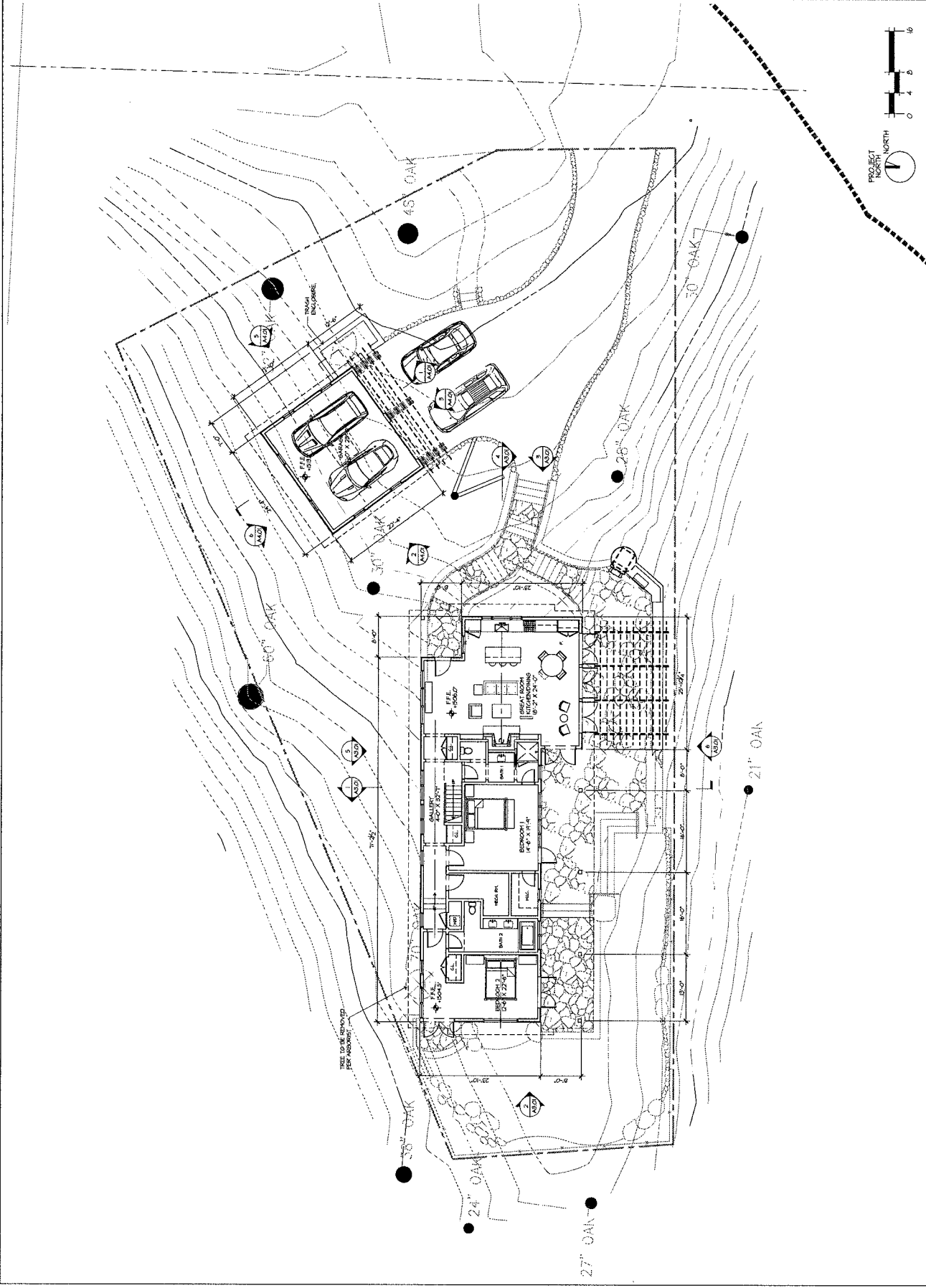
PROJECT #:
 DRAWN BY:
 CHECKED BY:
 DATE:

REVISIONS:
 NO. DATE DESCRIPTION

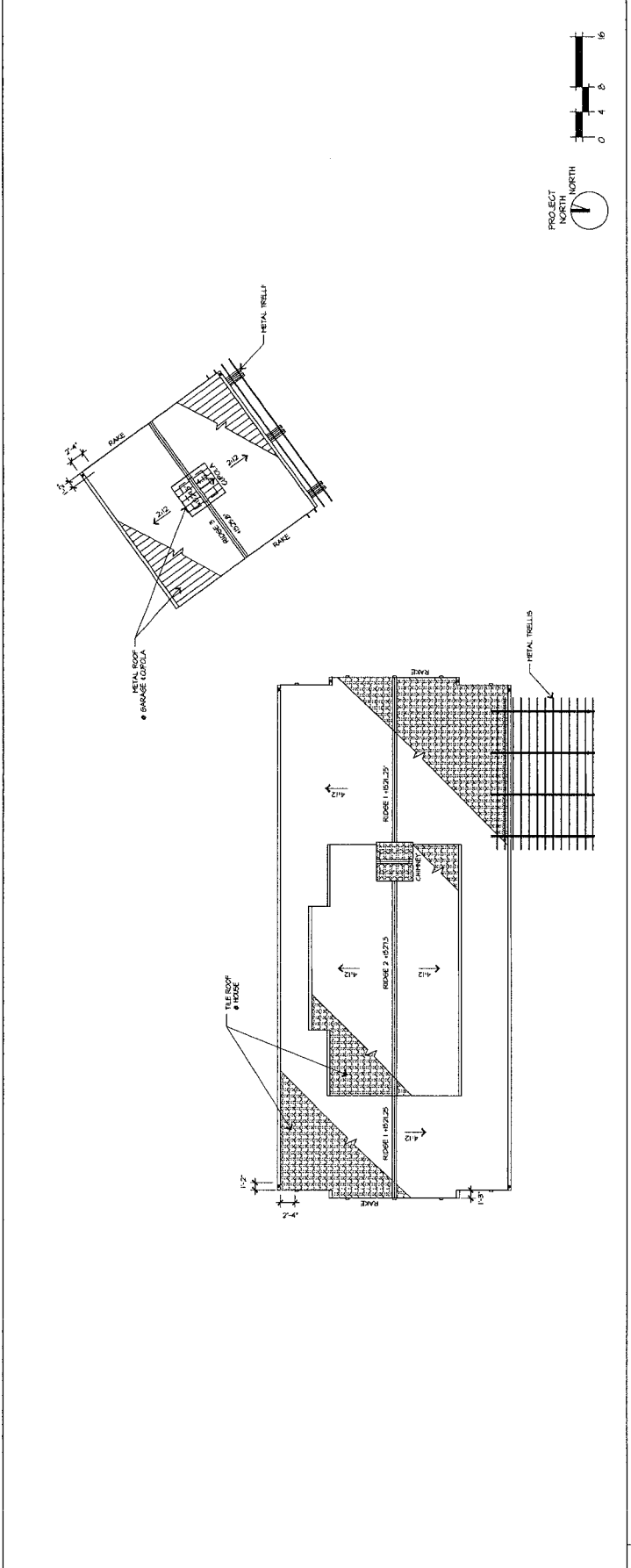
DATE: 12/12/11
 DRAWN BY: J. HART
 CHECKED BY: J. HART
 DATE: 12/12/11

PHILLIPS RESIDENCE
 1 Red Tail Trace
 Carmel, CA 93923
 APR 29 15:04 600

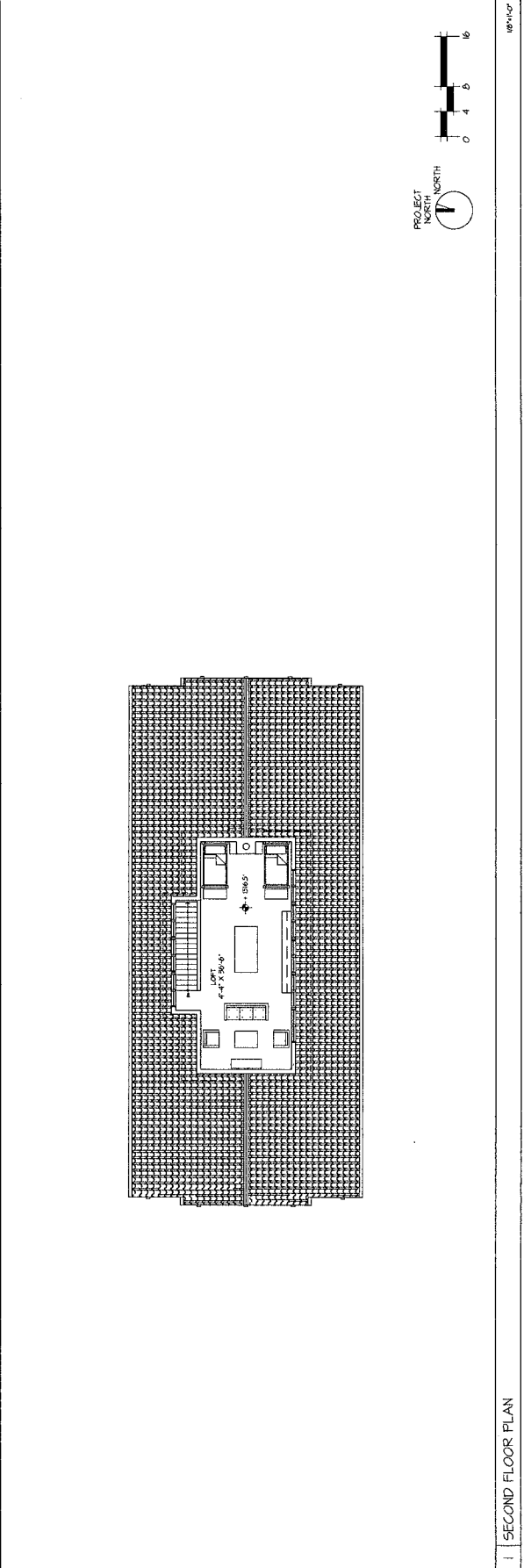
HART HOWERTON
 PLANNERS ARCHITECTS
 One Union Square, San Francisco, CA 94101
 TEL: 415 439 8300 FAX: 415 439 8311



1 | FIRST FLOOR PLAN



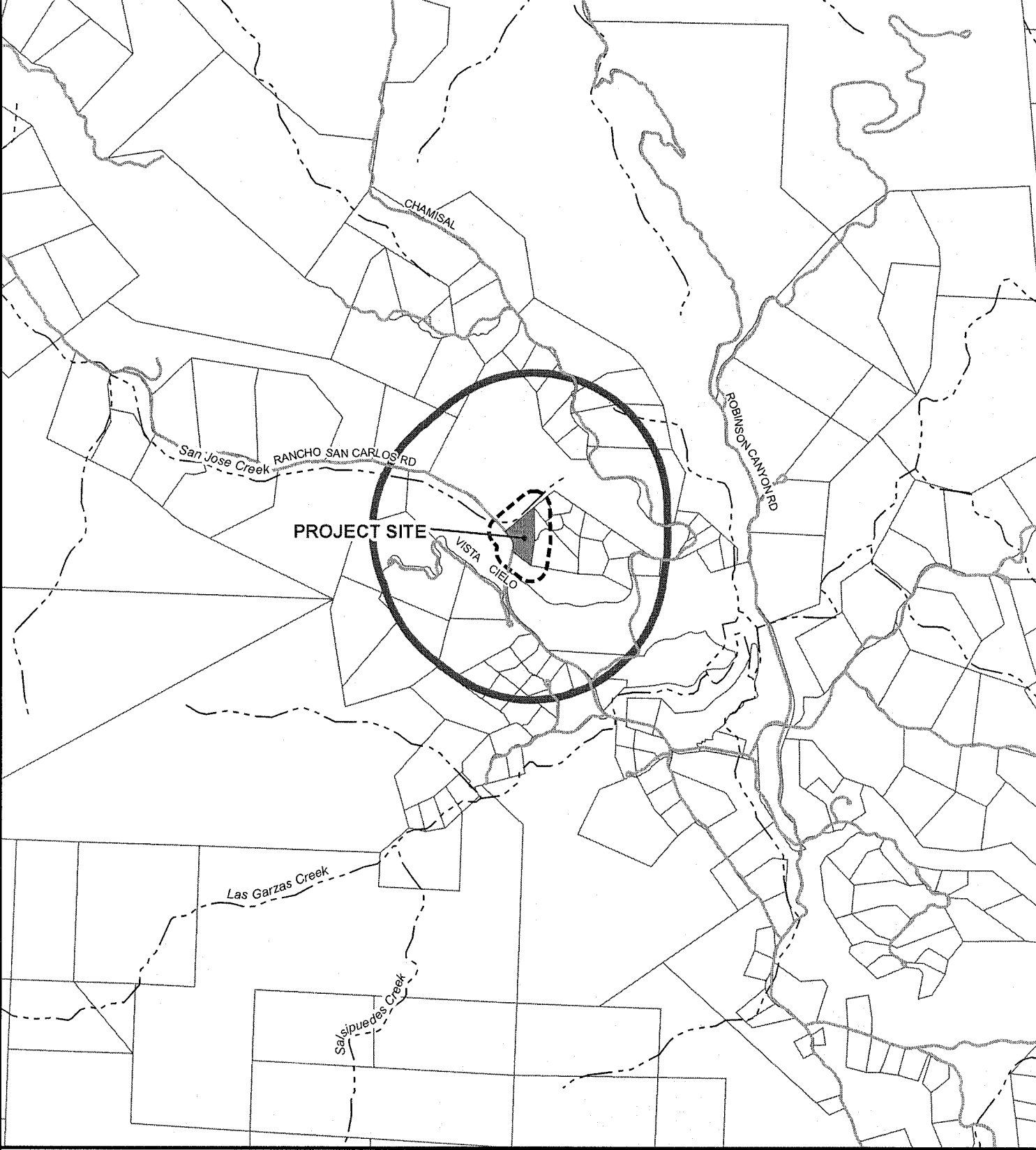
1 ROOF PLAN



1 SECOND FLOOR PLAN

Exhibit # 0

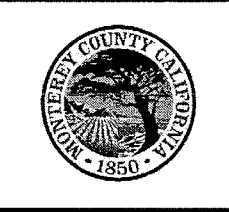
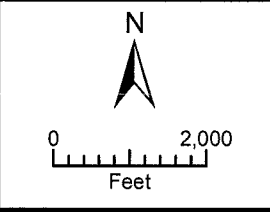
GREATER MONTEREY PENINSULA



APPLICANT: PHILLIPS

APN: 239-151-001-000 FILE # PLN130842

2500' Limit
 300' Limit
 Water
 City Limits



PLANNER: BERNAL

BEFORE THE BOARD OF SUPERVISORS IN AND FOR THE COUNTY OF MONTEREY, STATE OF CALIFORNIA

Resolution # 03-228)
Approve a Combined Development Permit (Rancho San Carlos Partnership, LLC. (PLN010278) consisting of 1) An Amendment to the Santa Lucia Preserve Comprehensive Development Plan to allow residential development on the former "Lodge" parcel, 2) a Vesting Tentative Subdivision Map (Revised VTM of March 25, 2003) of an 87 acre parcel into 12 residential parcels ranging in size from 1.82 acres to 11.62 acres (including one parcel with two inclusionary units) and an open space parcel of 26.98 acres; 3) a Use Permit to remove 12 protected and landmark oak trees and to trim 21 protected trees (total of 33); 4) a Use Permit for development on slopes of 30% or more; 5) Administrative Permits for Site Plan and Design Approvals for 10 single family (market rate) residences (structure on lot F3 excluded at this time) and two Inclusionary Units located in one duplex on one lot; and 6) approximately 39,041 cubic yards of grading for roads and building sites (19,511 cu. yds cut / 19,530 cu. yds fill; net import of 19 cu. yds). The project is located in the Chamisal Area San Francisquito Area of the Santa Lucia Preserve (Assessor's Parcel Number 239-051-041-000), Greater Monterey Peninsula Area Plan.

In the matter of the application of Rancho San Carlos Partnership LLC (PLN010278):

WHEREAS, the Monterey County Board of Supervisors pursuant to regulations established by local ordinance and state law, has considered, at public hearing, an application for a Combined Development Permit for an amendment to the Santa Lucia Preserve Comprehensive Development Plan to allow residential development on the former "Lodge" parcel, 2) a Vesting Tentative Subdivision Map (Revised VTM of March 25, 2003) of an 87 acre parcel into 12 residential parcels ranging in size from 1.82 acres to 11.62 acres (including one parcel with two inclusionary units) and an open space parcel of 26.98 acres; 3) a Use Permit to remove 12 protected and landmark oak trees and to trim 21 protected trees (total of 33); 4) a Use Permit for development on slopes of 30% or more; 5) Administrative Permits for Site Plan and Design Approvals for 10 single family (market rate) residences (structure on lot F3 excluded at this time) and two Inclusionary Units located in one duplex on one lot; and 6) approximately 39,041 cubic yards of grading for roads and building sites (19,511 cu. yds cut / 19,530 cu. yds fill; net import of 19 cu. yds). The project is located in the Chamisal Area San Francisquito Area of the Santa Lucia Preserve (Assessor's Parcel Number 239-051-041-000), Greater Monterey Peninsula Area Plan.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Supervisors finds as follows:

FINDING: The project proposed in this application consists of a Combined Development Permit and Vesting Tentative Map request (Rancho San Carlos Partnership (PLN010278), as described in Condition #1 conforms with the plans, policies, requirements and standards of the Monterey County Subdivision Ordinance (Title 19), the General Plan, Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance (Title 21). The property is located within the Santa Lucia Preserve, Francisquito Flat area. The parcel is zoned "RC/40 D-S." (Resource Conservation, 40-acre minimum, Design Control and Site Plan Review zoning districts.)

EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- a) The Greater Monterey Peninsula Area Plan.
- b) Chapters of the Monterey County Zoning Ordinance: 21.36 Regulations for Resource Conservation Zoning Districts; 21.76 Combined Development Permits; 21.64.260 Preservation of Oaks and Other Protected Trees; 21.64.230 Development on Slopes in Excess of 30%; 21.44 Regulations for Design Control Zoning Districts; 21.45 Regulations for Site Plan Review Zoning Districts; 21.70 Administrative Permits.
- c) Chapter 19.05. Monterey County Code Title 19 Subdivision Ordinance
- d) Santa Lucia Preserve Comprehensive Development Plan

EVIDENCE: The proposed development has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Division, Parks and Recreation Department, and the applicable Fire Department. There has been no indication from these agencies that the site is not suitable for the proposed development. The Initial Study demonstrates that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed development. Each agency has recommended conditions for subdivision improvements.

EVIDENCE: Written and verbal public testimony submitted at public hearings before the decision-making body.

EVIDENCE: The on-site inspection of the subject parcel by the project planner.

EVIDENCE: The application, plans, and support materials found in the project file.

2. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. A Mitigated Negative Declaration has been prepared and is on file (File # PLN010278 in the Department of Planning and Building Inspection. All mitigation measures identified in the Initial Study and Mitigated Negative Declaration and all project changes required to avoid significant effects on the environment have been incorporated into the approved project or are made conditions of approval. A Program for Monitoring and/or Reporting on Conditions of Approval (hereafter "the Program") has been prepared pursuant to Public Resources Code 21081.6 and is made a condition of approval. The Program is attached as Attachment 5 to the Board of Supervisors Report (May 13, 2003) and is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning and Building Inspection Department's Coastal office located at 2620 1st Avenue, Marina CA 93933 is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based

EVIDENCE: The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

EVIDENCE: County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Negative

Declaration was filed with the County Clerk on October 4, 2002, and noticed for public review. All comments received on the Initial Study have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- A. Chamisal Area Subdivision Proposal. Project Application. Submitted November 26, 2001. Resubmitted with Revisions: December 17, 2001, February 8, 2002, December 19, 2002, December 26, 2002, and March 25, 2003.
- B. Chamisal Area Subdivision Proposed Vesting Tentative Map. Submitted November 26, 2001. Resubmitted with Revisions: December 17, 2001, February 8, 2002, December 19, 2002, December 26, 2002, and March 25, 2003.
- C. Chamisal Area Subdivision Proposal: Technical Reports (accepted as complete February 8, 2002)
 1. Biological Analysis Report for the Chamisal Subdivision of the Santa Lucia Preserve. Report prepared by Natural Resources Group, Denise Duffy & Associates. 2001.
 2. Forest Management Plan. Santa Lucia Preserve, Greater Monterey Peninsula Area Plan: Chamisal Area Subdivision. Prepared by Ralph Osterling Consultants, Inc. August 20, 2001. (Updated revisions received December 19, 2002)
 3. Geological Review Letter Chamisal Area Subdivision (Phase F) Santa Lucia Preserve Monterey, California. Cleary Consultants, Inc. June 13, 2001.
 4. Slope Density Analysis. Prepared by Hart Howerton. Revision August 31, 2001. (Updated revisions received December 23, 2002)
 5. Traffic Impact Analysis for the Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Dowling Associates, Inc. Dated June 13, 2001
 6. Water Use (Report) for Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Camp Dresser & McKee Inc. May 30, 2001.
 7. Preliminary Drainage Report. Santa Lucia Preserve Chamisal Area Subdivision, prepared for Rancho San Carlos Partnership. Prepared by Thompson-Hysell Engineers. June 19, 2001.
 8. Archaeology Report. Archeological Consulting. September 10, 2001.
 9. Telephone discussion with Jeff Cann of the California Fish and Game Department and E-mail confirmation that the project as revised by the march 25, 2003 VTM submittal will not have a significant adverse impacts on the environment.
- D. Monterey County General Plan. (Version 1983)
- E. Greater Monterey Peninsula Area Plan
- F. Monterey County Zoning Code: Title 21
- G. Monterey County Subdivision Ordinance: Title 19
- H. The Santa Lucia Preserve 1.0 Comprehensive Development Plan. Revised August 1995.
- I. The Santa Lucia Preserve 2.0 Combined Development Permit Application. Revised August 1995
- J. The Santa Lucia Preserve 3.0 Resource Management Plan. Revised August 1995.
- K. The Santa Lucia Preserve 4.0 Technical Reports. April 1994
 1. 4.1 Historic Resources. Gil Sanchez Architect, FAIA. February 1994
 2. 4.2 Historic Resources. Greenwood and Associates. September 20, 1991.
 3. 4.3 Archaeology Report. Unknown Party. Pages 24-48 only

4. 4.4 Forest Management Plan: Rancho San Carlos. Ralph Osterling Consultants, Inc. February 18, 1994
 5. 4.5 Traffic Report for Rancho San Carlos. Dowling Associates. April 22, 1994
 6. 4.6 Comprehensive Hydrological Study. Camp Dresser & McKee Inc., Balance Hydrologics, David Keith Todd Consulting Engineers, Geoconsultants, Inc, Luhdorff & Scalmanini Consulting Engineers. March 1994.
 7. 4.7 Comprehensive Wastewater Disposal Plan. Camp Dresser & McKee Inc., Bestor Engineers, Inc., Cleary Consultants, Inc., Geoconsultants, Inc. February 1994.
 8. 4.8 Preliminary Drainage and Erosion Control Report: Rancho San Carlos. Bestor Engineers Inc. February 18, 1994.
 9. 4.9 Geological and Geotechnical Investigation: Vesting Tentative Map Submittal Rancho San Carlos. Cleary Consultants, Inc. February 1994.
 10. 4.10 Noise Assessment Study Rancho San Carlos. Charles M. Salter Associates, Inc. February 1994.
 11. 4.11 Air Quality Impact Analysis of Rancho San Carlos Monterey County. Donald Ballanti. February 1994.
 12. 4.12 Declaration of Protective Restrictions for the Homelands and Openlands of the Santa Lucia Preserve. Brian Finegan and Michael Cling, APC. No Date.
 13. 4.13 Visual Resource Analysis. Robert Lamb Hart - Planners and Architects. April 1994.
 14. 4.14 Fire Safety Management Plan: Santa Lucia Preserve. Roy A. Perkins. February 1994.
 15. 4.15 Biology. Rancho San Carlos Special-Status Biological Resources Report. BioSystems Analysis, Inc. February 1994.
 16. 4.16 Grazing. Rancho San Carlos Cattle Grazing Plan. Sage Associates. February 1994.
- L. The Santa Lucia Preserve 5.0 Mitigation Monitoring Plan: The Santa Lucia Preserve. Denise Duffy and Associates. April 1994
- M. The Santa Lucia Preserve 6.0 Technical Appendices
1. 6.1 - 6.3 Biological Appendices
 2. 6.4 - 6.8 Geotechnical Appendices A-F
 3. 6.9 - 6.16 Hydrologic Appendices A-H
 4. 6.17 Traffic Appendix F
- N. The Santa Lucia Preserve Vesting Tentative Map. Prepared by Robert Lamb Hart and Bestor Engineers, Inc. Last Revision Date: August 14, 1995.
- O. Santa Lucia Preserve Project. Draft Environmental Impact Report. Jones and Stokes Associates, Inc. May 19, 1995
- P. Santa Lucia Preserve Project. Final Environmental Impact Report: Volume I: Response to Comments. Jones and Stokes Associates, Inc. September 14, 1995.
- Q. Santa Lucia Preserve Project. Final Environmental Impact Report: Volume II: Revised Draft EIR. Jones and Stokes Associates, Inc. September 14, 1995.
- R. Santa Lucia Preserve Project. Final Environmental Impact Report: Volume III: Additional Responses to Comments. Jones and Stokes Associates, Inc. September 22, 1995.
- S. County of Monterey Santa Lucia Preserve: Addendum to EIR. Jones and Stokes Associates, Inc. August 1997.
- T. Personal Communication with Joel Panzer, Rancho San Carlos Partnership, L.P., September 20, 2002.

U. Monterey Bay Unified Air Pollution Control District, 2000 Air Quality Management Plan.

V. Referral Agency Comments.

EVIDENCE: The Program for Monitoring and/or Reporting on Conditions of Approval, prepared and required pursuant to Section 21081.6 of the Public Resources Code, is made a condition of approval and is designed to ensure compliance during project implementation.

EVIDENCE: No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts, have been submitted that refute the conclusions reached by these studies, data and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data and reports.

EVIDENCE: Studies, data and reports prepared by staff from various County departments including Planning and Building Inspection, Public Works, Environmental Health and Monterey County Water Resources Agency support the adoption of the Mitigation Negative Declaration for the project.

EVIDENCE: File and application materials; Initial Study with mitigation measures; additional supporting information from California Regional Water Quality Control Board, and the Monterey Bay Unified Air Pollution Control District which agencies, consultants' names and study types; and Negative Declaration contained in the project file.

3 **FINDING:** For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

EVIDENCE: Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils, and the biological analyses identified potential impacts to wildlife and special status species.

EVIDENCE: Initial Study and Mitigated Negative Declaration contained in the project file.

4 **FINDING:** None of the findings found in Section 19.05.055 B of the Subdivision Ordinance can be made.

EVIDENCE: Section 19.05.055 B requires that the subdivision be denied if any one of the findings are made. Planning staff has analyzed the project against the findings for denial outlined in this section. The March 25, 2003 revised VTM and its design and improvements are consistent with the County General Plan and the applicable Area Plan. The map is consistent with the Santa Lucia Preserve Comprehensive Development Plan as proposed to be amended with this request to allow single family residential development at the former Lodge site. The site has been determined to be physically suitable for the type and density of development (see Evidence below). The design and improvements are not likely to cause substantial environmental damage, substantially and avoidably injure fish or wildlife or their habitat, or cause serious public health problems as demonstrated in the Negative Declaration adopted for this project. The design and improvements will not conflict with easements for access through or use of property within the proposed subdivision. Planning staff reviewed the Title Report and applicable recorded documents to identify all easements and ensure that the project does not conflict with existing easements.

EVIDENCE: The property provides for adequate building sites as evidenced by the application materials submitted for the site.

EVIDENCE: The application, plans, and support materials, including the eight technical reports submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development. The reports are:

- A. Biological Analysis Report for the Chamisal Subdivision of the Santa Lucia Preserve. Report prepared by Natural Resources Group, Denise Duffy & Associates. 2001.
- B. Forest Management Plan. Santa Lucia Preserve, Greater Monterey Peninsula Area Plan: Chamisal Area Subdivision. Prepared by Ralph Osterling Consultants, Inc. August 20, 2001. (Updated revisions received December 19, 2002)
- C. Geological Review Letter Chamisal Area Subdivision (Phase F) Santa Lucia Preserve Monterey, California. Cleary Consultants, Inc. June 13, 2001.
- D. Slope Density Analysis. Prepared by Hart Howerton. Revision August 31, 2001. (Updated revisions received December 23, 2002)
- E. Traffic Impact Analysis for the Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Dowling Associates, Inc. Dated June 13, 2001
- F. Water Use (Report) for Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Camp Dresser & McKee Inc. May 30, 2001.
- G. Preliminary Drainage Report. Santa Lucia Preserve Chamisal Area Subdivision, prepared for Rancho San Carlos Partnership. Prepared by Thompson-Hysell Engineers. June 19, 2001.
- H. Archaeology Report. Archeological Consulting. September 10, 2001.

The reports concluded the proposed development is suitable for the site, subject to recommendations for construction.

- EVIDENCE:** 1) The on-site inspection of the project site by the project planner.
 2) Maps (dated March 25, 2003) and application materials contained in the project files.
- EVIDENCE:** See Evidence for Findings 1, 2 and 5.

5. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Environmental Health Division, Public Works Department, California Department of Forestry, and Water Resources Agency. The respective departments 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; or the County in general.

EVIDENCE: Adoption of the Negative Declaration includes mitigation measures that address potential impacts to Aesthetics, Cultural Resources, Hydrological / Water Quality, and Utilities and Service Systems. No other significant issues have been identified for the project.

EVIDENCE: File and application materials, Initial Study with mitigation measures, and Negative Declaration contained in the project file.

6. **FINDING:** The subject property is in compliance with all the rules and regulations pertaining to zoning: uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid.

EVIDENCE: The subject property is currently vacant and undeveloped and there are no zoning violations recorded or pending to be resolved.

7. **FINDING:** Pursuant to Section 19.03.15. L, the source capacity and water quality for all lots proposed to be created through the subdivision meets the requirements of the applicable health and safety regulations prior to approval of the vesting tentative map.

- EVIDENCE:** Monterey County Environmental Health Department review and determination February 6, 2002 and February 8, 2002 that the Department had received the necessary information to determine the adequacy of a long term water supply and that application was "complete."
- EVIDENCE:** Water Use (Report) for Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Camp Dresser & McKee Inc. May 30, 2001.
- EVIDENCE:** Conditions of Approval applied by the Environmental Health Department.
- EVIDENCE:** See Evidence for Finding #2.
8. **FINDING:** That in approving the final map, the decision-making body has balanced the housing needs of the County against the public service needs of its residents and available fiscal and environmental resources.
- EVIDENCE:** The applicant will be required to comply with the Inclusionary Housing Ordinance as a condition of approval.
9. **FINDING:** The recommended conditions regarding Inclusionary Housing, recreation requirements, and underground utilities have been applied to ensure that the health, safety, and welfare is preserved and protected.
- EVIDENCE:** Section 18.40 of the Monterey County Code (Inclusionary Housing Ordinance)
- EVIDENCE:** Section 19.12.010 of the Monterey County Code (Recreation Ordinance).
- EVIDENCE:** Section 19.10.095 of the Monterey County Code (underground utilities)
10. **FINDING:** The proposed tree removal is the minimum required under the circumstances of the case
- EVIDENCE:** Staff has worked with the applicant through several plan revisions to lessen and reduce the proposed tree removal associated with development of Red Tail Trace and each of the proposed parcels and the structures proposed for development. (Twelve protected and landmark trees as specifically identified in Condition #2.
- EVIDENCE:** Site visits by the project planner.
- EVIDENCE:** Materials in project File #PLN010278.
11. **FINDING:** Slope: The proposed development and the areas of Red Tail Trace that cross slopes in excess of 30%, achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other alternatives.
- EVIDENCE:** The Comprehensive Development Plan approved in 1994 and re-approved in 1997 (post Measure M) designated an access road from Rancho San Carlos Road into the "saddle" of this Chamisal Area. Red Tail Trace follows this designation.
- EVIDENCE:** The roadway is also to be used by the Santa Lucia Community Services District to provide water lines, and other utilities. A water connection through the Red Tail Trace roadway will allow the water system to loop together and provide increased efficiencies in water service throughout a larger area of the Preserve.
- EVIDENCE:** The Carmel Valley Fire Department has requested that this proposed access not be altered (removed) from the Map, and that emergency services to the western parcels and homes would be delayed if emergency services were required to navigate southward and around to the Chamisal Pass driveway access point.
- EVIDENCE:** The areas identified in Exhibit E and F of the April 9, 2003 Planning Commission Staff report and the March 25, 2003 VTM are the only areas approved for development on slopes in excess of 30%.
12. **FINDING:** The site is physically suitable for the use proposed.
- EVIDENCE:** Necessary public facilities are available for the use proposed. The project has been reviewed by

the Monterey County Planning and Building Inspection Department, Water Resources Agency, applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable.

EVIDENCE: See Findings 1,2, 4,10 and 11.

3. FINDING: Visual Resources. The project as proposed is consistent with policies of the Greater Monterey Peninsula Area Plan, the Comprehensive Development Plan and the Final Environmental Impact Report for the Santa Lucia Preserve dealing with visual resources and will have no significant impact on the public viewshed. The proposed project was evaluated in terms of the impact upon the public viewshed from Robinson Canyon Road. The project will not result in ridgeline development.

EVIDENCE: The on-site investigation by the project planner. The site and building envelopes for F10, F11 and F12 can be seen from Robinson Canyon Road. The distance is large but the site is visible.

EVIDENCE: The SLP Final Environmental Impact Report (FEIR) addresses views from Robinson Canyon Road, and determined that the quality of views from Robinson Canyon Road would be slightly reduced by additional built elements and increased light and glare and that this reduction would be less than significant.

EVIDENCE: The measures to protect impacts on the public viewshed offered by the FEIR are relevant and have been brought forward into project approval to protect views of the Chamisal Subdivision area from the scenic road.

EVIDENCE: Lot F3. No administrative permit is approved at this time for a specific residential structure for the "tie-shaped" F3 building envelope on the VTM dated March 25, 2003. Staff has field reviewed the revised building envelope and has determined that it will be possible to construct a ~~4,100 square foot~~ structure somewhere in this building envelope without impacting visual resources as viewed from Robinson Canyon Road. Other building locations within the envelope may be visible. To protect visual and other resources, Condition of Approval #27 has been included to address the future development of Lot F3.

14. FINDING: Mitigation Measure #9 can be deleted from the Initial Study and Mitigation Monitoring and Reporting Program. The mitigation measures of Mitigation Measure #9 are adequately covered by the requirements of Mitigation Measures #8 and #12.

EVIDENCE: Mitigation Measure #9 provides general guidance regarding grading, drainage and dust control for the entire ranch, to mitigate potential soil erosion. The studies are not specific to the Chamisal area and did not analyze the development project as currently proposed.

EVIDENCE: Mitigation Measure #8 requires implementation of the erosion control guidelines and mitigation measures recommended by drainage and erosion reports prepared specifically for the Chamisal project and area.

EVIDENCE: Mitigation Measure #12 required development and implementation of the Storm Water Pollution Prevention Plan. The mitigation measure also requires the implementation of best management practices to control urban pollutants and requires that a biologist review the required drainage plan.

EVIDENCE: The mitigation measures outlined in Mitigation Measure #8 are more up to date, and are specific to the project.

EVIDENCE: The application, plans and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

EVIDENCE: See site specific studies listed in Finding 2, especially C7, which addresses drainage and soil erosion.

EVIDENCE: Mitigation Measure #9 is designed to protect riparian areas. No riparian areas will be disturbed by this project, as identified in the Biologists Report.

15. FINDING: The Santa Lucia Preserve Comprehensive Development Plan and Combined Development Permit are now amended to allow residential development on the former "Lodge" Parcel (Lot 255).

EVIDENCE: These Amendments to the Santa Lucia Preserve Comprehensive Development Plan and Combined Development Permit are both in text form and in map form:

- i. *Text changes* to Section 1.4.2.1 of the Santa Lucia Preserve Comprehensive Development Plan:
 1. Previous Language: in the *Concept* section that, "A range of lot sizes from 2 to 100+/- acres will be created, each with a site specific homeland envelope varying between 1 and 5+/- acres."
 2. New Language: in the *Concept* section that, "A range of lot sizes from 2+/- acres to 100+/- acres will be created, each with a site specific homeland (building) envelope varying between 0.30+/- acres and 5+/- acres."
- ii. *Text changes* to Section 2.1.3 of the Santa Lucia Preserve Combined Development Permit:
 1. Previous Language: "*The Homeland* portion of each residential lot is the building envelope – an area of 1 to 5+ acres defined by consideration of topography, vegetation, accessibility, views and visibility."
 2. New Language: "*The Homeland* portion of each residential lot is the building envelope – an area of 0.30+/- acres to 5+ acres defined by consideration of topography, vegetation, accessibility, views and visibility."
- iii. *Map changes:* All maps, figures and graphical references to the former "Lodge Parcel," (Lot 255) of the Santa Lucia Preserve Comprehensive Development Plan and Combined Development Permit shall now reflect the approval of the Chamisal Area Subdivision: The Santa Lucia Preserve Vesting Tentative Map for a 12-lot 13-Unit Residential Subdivision, revised March 25, 2003, as presented in Combined Development Permit #PLN010278 and approved by the Board of Supervisor's on May 13, 2003.

DECISION

THEREFORE, the Planning Commission recommends that the Board of Supervisors approve the following actions:

- A) Adoption of the Mitigated Negative Declaration, **Exhibit D** of the March 12, 2003 Planning Commission staff report.
- B) Adoption of the Mitigation Monitoring and Reporting Program, **Exhibit E** of the March 12, 2003 Planning Commission staff report, and
- C) Approval of amendments to the Santa Lucia Preserve Comprehensive Development Plan and Combined Development Permit to allow residential development on the former "Lodge" Parcel (Lot 255). These changes are both in text form and in map form:
 - i. *Text changes* to Section 1.4.2.1 of the Santa Lucia Preserve Comprehensive Development Plan:
 1. Previous Language: in the *Concept* section that, "A range of lot sizes from 2 to 100+/- acres will be created, each with a site specific homeland envelope varying between 1 and 5+/- acres."

2. New Language: in the *Concept* section that, “A range of lot sizes from 2+/- acres to

T	8	5			=	1	1			7	5
---	---	---	--	--	---	---	---	--	--	---	---

100+/- acres will be created, each with a site specific homeland (building) envelope varying between 0.30+/- acres and 5+/- acres.”

- ii. *Text changes* to Section 2.1.3 of the Santa Lucia Preserve Combined Development Permit:
 - 1. Previous Language: “*The Homeland* portion of each residential lot is the building envelope – an area of 1 to 5+ acres defined by consideration of topography, vegetation, accessibility, views and visibility.”
 - 2. New Language: “*The Homeland* portion of each residential lot is the building envelope – an area of 0.30+/- acres to 5+ acres defined by consideration of topography, vegetation, accessibility, views and visibility.”
- iii. *Map changes*: All maps, figures and graphical references to the former “Lodge Parcel,” (Lot 255) of the Santa Lucia Preserve Comprehensive Development Plan and Combined Development Permit shall now reflect the approval of the Chamisal Area Subdivision: The Santa Lucia Preserve Vesting Tentative Map for a 12 lot 13 Unit Residential Subdivision, revised March 25, 2003, as presented in Combined Development Permit #PLN010278.

D) Approval of the Chamisal Area Subdivision proposal (**PLN010278**), subject to the following conditions of approval:

- 1 The subject Combined Development Permit consists of a 1) an Amendment to the Santa Lucia Preserve Comprehensive Development Plan to allow residential development on the former "Lodge" parcel, 2) a Vesting Tentative Subdivision Map of an 87 acre parcel into 12 residential parcels ranging in size from 1.82 acres to 11.62 acres (including one parcel with two inclusionary units) and an open space parcel of 26.98 acres; 3) a Use Permit to remove 12 protected and landmark oak trees and to cut or trim 21 protected and landmark trees (total of 33); 4) a Use Permit for development on slopes of 30% grade or more; 5) Administrative permits for Site Plan Review for 10 single family (market rate) residences (F3 excluded at this time) and two Inclusionary Units located in one duplex on one lot; and approximately 39,041 cubic yards of grading for roads, driveways and building sites (19,511 cu. yds cut / 19,530 cu. yds fill; net import of 19 cu. yds.). The project is located in the Chamisal Area, San Francisquito Flat area of the Santa Lucia Preserve (Assessor's Parcel Number 239-051-041-000), Greater Monterey Peninsula Area Plan.

The project is in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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. (**Planning and Building Inspection**)

2. In accordance with approval of the Chamisal Subdivision Proposal and Combined Development Permit (PLN010278) the following components are hereby approved according to the matrix below. All requested road construction; grading for driveways and building envelopes; tree removal; building footprints; structural elevations; and landscape areas shall be substantially consistent with the matrix below and the referenced Exhibits. The word “substantial” shall not be construed to allow more trees to be removed, or additional

slopes in excess of 30% to be impacted. Building or grading permit requests that substantially deviate from the approval detailed herein, will require additional review and/or permitting.

Description of Approved Administrative Permits for Residential Development and Use Permit for Development of Red Tail Trace									
Lot #	Lot Area (ac.)	Building Envelope Area	Structure		Grading for Structure and Driveway			Proposed Tree Removal	
			S.F.	Lot Cov.	Cut	Fill	Import /Export	For Homes	Trunk sizes
F1	7.93	0.38	4,800	0.87%	-808	125	-683	1) #276	30"
F2	1.90	0.30	4,800	3.6%	-672	150	-522		
F3	11.62	0.68	4,100	0.51%	-2488	3319	831	1) #7569	13"
F4	3.57	0.49	4,100	1.6%	-303	893	590	-	-
F5	1.82	0.28	4,800	3.78%	-350	106	-244	-	-
F6	1.98	0.34	4,800	3.47%	-481	169	-312	3) #7579, 7586, 7585	14", 29", 34"
F7	3.35	0.59	4,800	2.06%	-1360	250	-1110	-	-
F8	3.51	0.41	4,800	1.96%	-760	279	-481	-	-
F9	4.54	0.40	4,800	1.52%	-530	387	-143	-	-
F10	5.74	0.54	4,800	1.19%	-3795	250	-3545	-	-
F11	7.91	0.43	4,800	0.87%	-1569	1554	-15	-	-
F12	5.24	0.38	1500 1500	1.31	-157	1699	1542	-	-
MM	26.98	-			0	0	0		
<u>Red Tail Trace</u>	n/a	n/a	n/a	n/a	-4460	1028 9	5829	7) #247, 248, 252, 253, 255, 264, 266	19", 18", 8", 11", 20", 31", 25"
Late adjustments to Red Tail Trace affecting F4,F5,F6,F7,F8, and adjustments to F9, F10 and F11 (See applicant submittal - Exhibit F)					-1778	60	-1718		<24" " >24"
Total	86.09	5.22			<u>-19511</u>	<u>1953</u> <u>0</u>	<u>19</u>		7 5

* See Condition #27 regarding development of Lot F3.

- 3 Pursuant to the State Public Resources Code, State Fish and Game Code and California Code of Regulations, the applicant shall pay a fee to be collected by the County of Monterey in the amount of \$1,275. **This fee shall be paid within five days of project approval**, before the filing of the Notice of Determination. Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection prior to the recordation of the tentative map, the commencement of the use, or the issuance of building and/or grading permits, whichever occurs first. The project shall not be operative, vested or final until the filing fees are paid. **(Planning and Building Inspection)**

Prior to Recordation of a Final Map:

4. The applicant shall provide to the Water Resources Agency a water balance analysis describing the pre-development and post-development water use on the property. Any proposed increase in water use shall require the identification and implementation of mitigation measures, if feasible, by the applicant. (Water Resources Agency, S.C.)
5. The applicant shall comply with the Recreation Requirements contained in Section 19.12.010 of the Subdivision Ordinance Title 19, Monterey County Code. The Parks Department shall determine whether the County accepts land Dedication, or elects to require payment of a fee in lieu of, or a combination of both land dedication and fee in accordance with Section 19.12.011 (H). **(Parks)**
6. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, or filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. **(Planning and Building Inspection)**
- 7 Except for areas proposed for development, a scenic easement shall be conveyed to the County over those portions of the property where the slope exceeds 30 percent and shall be shown on the final map. The scenic easement deed is to be submitted to and approved by Director of Planning and Building Inspection prior to issuance of building permits. **(Planning and Building Inspection Department)**
8. The applicant shall record a notice that states: "A permit (Resolution _____) was approved by the Board of Supervisors for Assessor's Parcel Number 239-051-041-000 on May 13, 2003. The permit was granted subject to 33 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the

Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection)**

9. The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring Plan, including payment of the \$840 fee for the County of Monterey to monitor compliance with mitigation measures. **(Planning and Building Inspection)**
10. If the homeowners association after notice and hearing fails to properly maintain, repair or operate the drainage and flood control facilities in the project, Monterey County Water Resources Agency shall be granted the right by the property owners to enter any and all portions of the property to perform repairs, maintenance or improvements necessary to properly operate the drainage and flood control facilities in the project. The County Water Resources Agency shall have the right to collect the cost for said repairs, maintenance or improvements from the property owners upon their property tax bills. A hearing shall be provided by the Board of Supervisors as to the appropriateness of the cost. An agreement to this effect shall be entered into concurrent with the filing of the final map of the first phase of the subdivision. **(Water Resources Agency)**
1. The applicant shall prepare formalized **Improvement Plans** which shall include and incorporate all conditions of approval and physical structures required by the Environmental Health Department, Water Resources Agency, Public Works Department, Fire Department and other agencies as required of this Vesting Tentative Map. All improvements shall be in accordance with plans as approved by the County. The Improvement Plans shall include all of the following conditions of approval from these referral agencies and shall incorporate such modifications and adjustments as necessary to meet the approval of the respective agencies, the Public Works Department and Planning and Building Inspection Department.
 - a) 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 Planning and Building Inspection. **(Planning and Building Inspection)**
 - b) The subdivider shall submit three prints of the approved tentative map to each of the following utility companies: Pacific Gas & Electric Company and Pacific Bell. Utility companies shall submit their recommendations, if any, to the Director of Public Works for all required easements. Such recommendations and improvements required of these service utilities, as approved by the Director shall be incorporated into Improvement Plans, Grading Plans and Development Plans **(Public Works; Planning and Building Inspection)**.
 - c) That all natural drainage channels be designated "Natural Drainage Easements." **(Public Works)**
 - d) All streetlights in the development shall be approved by the Director of Planning and Building Inspection. Any proposed fixtures shall be shown on Improvement Plans. **(Planning and Building Inspection)**
 - e) The water connections shall be made only to legal lots created through the Vesting Tentative Map subdivision approval. **(Planning and Building Inspection)**
 - f) Design the water system improvements to meet fire flow standards as required and approved by the local fire protection agency. Submit evidence to the Division of Environmental Health that the proposed water system improvements have been approved by the local fire protection agency prior to installation or bonding of water system improvements. **(Environmental Health)**
 - g) Design the water system improvements to meet the standards as found in Chapter 15.04 of the Monterey County Code, Titles 17 and 22 of the California Code of Regulations and as found in the Residential Subdivision Water Supply Standards. Submit engineered plans for the water system improvements, including plans for secondary treatment, and any associated fees to the Director of Environmental Health for review and approval prior to installing (or bonding) the improvements. **(Environmental Health)**

- h) Submit engineered plans for the sewer system improvements to the Santa Lucia Community Services District for review and approval prior to installation. The sewer system improvements shall be installed or bonded to and within the subdivision prior to filing the final map. Provide evidence to the Director of Environmental Health that the proposed sewer system improvements have been approved by the Santa Lucia Community Services District prior to filing the final map. **(Environmental Health)**
- i) Internal roads and driveways shall be constructed to a width approved by the local fire jurisdiction. Improvements shall consist of 2" of A.C. over a minimum of 4" of Class II base rock or as determined by R-Value tests. **(Public Works)**
- j) All driveways and intersections within the project shall be approved by the County Surveyor to ensure adequate sight distance for safe vehicular entry, in accordance with County Standards. **(Public Works)**
- k) All graded areas of the road right-of-way shall be planted and maintained as required by the County Surveyor to control erosion. The area planted shall include all shoulder areas and all cut and fill slopes. A report and plan prepared by qualified person shall be submitted to the satisfaction of the County Surveyor and include the following:
 - a. That all cut and fill slopes shall be stabilized.
 - b. Specific method of treatment and type of planting, by area, for each soil type and slope required to satisfy item "a".
 - c. Type and amount of maintenance required to satisfy item "a". **(Public Works)**
- l) Widen the bridge across Garzas Creek on Robinson Canyon Road to provide two-way vehicular travel. **(Public Works)**
- m) Before filing the Subdivision Map: A drainage plan shall be prepared by a registered civil engineer addressing on-site and off-site impacts. The plan shall include road improvements and subdivision detention facilities to mitigate the impact of impervious surface stormwater runoff. The detention pond shall be fenced for public safety. **(Water Resources Agency)**
- n) The following Fire Department Conditions of Approval are to be incorporated into the Improvement Plans:
 - i) All roads shall be constructed to provide a minimum of two nine-foot traffic lanes providing two-way traffic flow, unless other standards or additional requirements are mandated by local jurisdictions or local subdivision requirements. **(Fire District)**
 - ii) The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **(Fire District)**
 - iii) The grade for all roads, streets, private lanes and driveways shall not exceed 15 percent, or as otherwise approved by the Fire District. **(Fire District)**
 - iv) No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. **(Fire District)**
 - v) The length of vertical curves in roadways, exclusive of gutters, ditches, and drainage structures designed to hold or divert water, shall not be less than 100 feet. **(Fire District)**
 - vi) Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. **(Fire District)**
 - vii) Each dead-end road shall have a turnaround constructed at its terminus. **(Fire District)**
 - viii) Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Fire District)**
 - ix) Fire Hydrant System to flow no less than 1500 gallons per minute, for 1 hour at a minimum of 20 PSI. Fire Hydrants and mains to meet Fire Hydrant and Service Main Requirements of the Carmel Valley Fire District and NFPA 24. Fire Hydrants to be wet barrel type with one (1) 4" and two (2) 2.5" outlets. Hydrants to be no more than 500 feet from any structure or 1000 feet maximum spacing along roadways. **(Fire District)**

- o) The Improvement Plans shall identify and detail an Emergency Easement Access connecting Red Tail Trace to Chamisal Pass Road, consistent with the Vesting Tentative Map, dated March 25, 2003 and Exhibit E, showing site plan view and cross-sections for the easement. **(Subdivision Committee: Planning and Building Inspection)**
12. The following notes shall be placed on all Improvement Plans, Grading Plans and Building Permit Plans:
- a) "The subject property is located within the Santa Lucia Preserve, Monterey California and is subject to the applicable conditions, mitigation measures and requirements of the Santa Lucia Preserve Comprehensive Development Plan, Resource Management Plan, Mitigation Monitoring Program, Environmental Impact Report, and Addendum to the Environmental Impact Report."
13. The following notes shall be placed on the Final Map.
- a) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "Underground utilities are required in this subdivision in accordance with Chapter 19.10.095, Title 19 of the Monterey County Code." Such facilities shall be installed or bonded prior to filing the final map. The note shall be located in a conspicuous manner subject to the approval of the Director of Public Works. **(Planning and Building Inspection; Public Works)**
- b) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "A Biological Analysis, Forest Management Plan, Geological Review, Slope Density Analysis, Traffic Impact Analysis, Water Use Report, Preliminary Drainage Report, and Archaeological Review, have been prepared for this property as listed below, and are on file in the Monterey County Planning and Building Inspection Department, Coastal Office. The recommendations contained in said reports shall be followed in all further development of this property."
- i) Biological Analysis Report for the Chamisal Subdivision of the Santa Lucia Preserve. Report prepared by Natural Resources Group, Denise Duffy & Associates. 2001.
- ii) Forest Management Plan. Santa Lucia Preserve, Greater Monterey Peninsula Area Plan: Chamisal Area Subdivision. Prepared by Ralph Osterling Consultants, Inc. August 20, 2001. (Updated revisions received December 19, 2002)
- iii) Geological Review Letter Chamisal Area Subdivision (Phase F) Santa Lucia Preserve Monterey, California. Cleary Consultants, Inc. June 13, 2001.
- iv) Slope Density Analysis. Prepared by Hart Howerton. Revision August 31, 2001. (Updated revisions received December 23, 2002)
- v) Traffic Impact Analysis for the Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Dowling Associates, Inc. Dated June 13, 2001
- vi) Water Use (Report) for Chamisal Area Subdivision of the Santa Lucia Preserve. Prepared by Camp Dresser & McKee Inc. May 30, 2001.
- vii) Preliminary Drainage Report. Santa Lucia Preserve Chamisal Area Subdivision, prepared for Rancho San Carlos Partnership. Prepared by Thompson-Hysell Engineers. June 19, 2001.
- viii) Archaeology Report. Archeological Consulting. September 10, 2001.
- The note shall be located in a conspicuous location, subject to the approval of the County Surveyor. This note shall also be included on all Improvement Plans and permits. **(Planning and Building Inspection; Public Works)**
- c) The site shall be landscaped, including land sculpturing and fencing, where appropriate, by the applicant and that a plan for such improvements be approved by the Director of Planning and Building Inspection. Landscaping plans to be approved by the Director of Planning and Building Inspection prior to recordation of the final map or the issuance of building permits. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. A note shall be included on a separate sheet of

the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "A landscape plan has been approved the Director of Planning and Building Inspection." This note shall also be included on all Improvement Plans and applicable permits. **(Planning and Building Inspection)**

- d) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "The subdivider and subsequent property owners shall comply with Ordinance No. 3932 of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction include, but are not limited to:
- i) All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons; all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - ii) Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices."

This note shall also be included on all improvement plans. **(Planning and Building Inspection and Water Resources Agency)**

- e) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection." This note shall also be included on all improvement plans and permits. **(Planning and Building Inspection)**
- f) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "That all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled." **(Planning and Building Inspection)**
- g) A note shall be included on a separate sheet of the final map, or by separate document that shall indicate its relationship to the final map, recorded simultaneously with the final map, as follows: "All landscaped areas and/or fences shall be continuously maintained by the property owner and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition." **(Planning and Building Inspection)**
- h) Roads shall be designated on the Final Map as follows: "Private Roads, improvements are less than County Standards for alignment, width, and structural pavement thickness." **(Public Works)**
- i) Any notes required to be placed on Plans and maps as required of mitigation measures adopted in the MMRP and as conditions of approval.
- j) **Lot F3.** Note to be included on all plans. "Prior to issuance of Building Permits for residential construction on Lot F3, the applicant shall submit appropriate application materials for an Administrative Permit in accordance with Monterey County Code in effect at the time of submittal (and completeness determination). Such application shall include appropriate visual simulation graphic materials to conclusively demonstrate that there will not be a significant visual impact to views from Robinson Canyon Road. One tree, (#7569) is approved for removal to accommodate the driveway. No tree removal to accommodate the proposed building structure has been approved. If a tree removal permit is requested to accommodate a proposed residence, or visual or other protected resources may potentially be impacted, a Combined Development Permit shall be brought to the Planning Commission for their review and approval. The March 25, 2003 VTM and approval of the Combined Development Permit PLN010278 has approved the following elements for F3:
- i) An 11.62 acre parcel size.
 - ii) ~~A residential structure with a maximum floor area of 4,100 square foot.~~

- iii) Driveway development on 30% slopes for a linear distance of 51 feet consistent with Exhibit E and the March 25, 2003 VTM.
 - iv) Grading for the driveway from Red Tail Trace to the "tie-shaped" building envelope: 2,488 cu. yds. cut and 3,319 cu. yds. fill.
 - v) One tree to be removed, #7569 to accommodate the driveway alignment."
14. Road, Drainage and Water System Maintenance Agreement shall be entered into with the County, by the owners/developers of the proposed project (Rancho San Carlos Partnership LP), subject to deed restrictions. Such agreement may formalize incorporation of the present property(ies) to be subdivided into the Santa Lucia CSD. Prior to the conveyance of any lots in the subdivision, developer shall have the sole responsibility for the care, maintenance, and repair of road and drainage improvements installed as a condition of approval of the subdivision. Upon each conveyance of each lot in the subdivision, developer shall be jointly obligated with the succeeding owners to perform such obligation pro rated on the basis of the remaining number of lots still owned by the developer. Developer's obligation shall cease upon the conveyance of the last lot in the subdivision. An agreement to this effect, running with the land, shall be recorded between developer and the County of Monterey prior to recordation of the final map. **(Water Resources Agency)**
15. The Subdivider shall pay for all maintenance and operation of private roads, fire hydrants, and storm drainage from the time of installation until acceptance of the improvements for the subdivision by the Board of Supervisors, as completed in accordance with the agreement and ~~until a Homeowners' Association~~ the Santa Lucia Community Services District or other agency with legal authorization to collect fees sufficient to support the services ~~is formed~~ to assume responsibility for the services. **(Public Works)**
16. ~~A homeowners association shall be formed for~~ The Santa Lucia Conservancy is the responsible agency for the maintenance of roads, drainage facilities, and open spaces. Documents acknowledging the responsibility of the Santa Lucia Conservancy for formation of association shall be approved by the Director of Public Works, the Director of Planning and Building Inspection, and the County Water Resources Agency, prior to filing of final map. C.C. & R s shall include provisions for a yearly report by a registered civil engineer, and the monitoring of impacts of drainage and maintenance of drainage facilities. Report shall be approved by the County Water Resources Agency. **(Water Resources Agency)**
17. In accordance with Monterey County Water Resources Agency Water Conservation Ordinance No. 3932, or as subsequently amended, the C.C.&R.'s shall contain provisions that: all new construction incorporate the use of low water use plumbing fixtures including, where applicable, hot water recirculation systems; the front yards of all homes shall be landscaped at the time of construction; low water use or drought tolerant plants shall be used together with water efficient irrigation systems; leak repair is the property owner's responsibility; vehicle and building washing shall use hoses equipped with shut off nozzles; no potable water to be used for sidewalk washing; no water spillage into streets, curbs, and gutters; no emptying or refilling of swimming pools except for structural repairs or if required for public health regulations; no fountains unless water is recycled within the fountain. **(Water Resources Agency)**
18. All natural drainage channels shall be designated on the Final Map by easements labeled "Natural Drainage Easement." **(Public Works)**
19. The developer shall install or bond the water system improvements to and within the subdivision and any appurtenances needed prior to filing the final map. **(Environmental Health)**

20. A landscaping plan shall include low water use or native drought resistant plants, low precipitation sprinkler heads (disperses less than 0.75 inches of water per hour at any pipe pressure), bubblers, drip irrigation and timing devices. The landscaping plans shall conform with Chapter 18.50, Residential, Commercial and Industrial Water Conservation Measures, found in Title 18 of the Monterey County Code. **(Planning and Building Inspection)**
21. Prior to filing the final map, the applicant shall obtain an amended water system permit from the Division of Environmental Health. **(Environmental Health)**
22. The applicant shall comply with the requirements of the Inclusionary Housing Ordinance, by construction of the Inclusionary Housing Units on Lot F12. **(Planning and Building Inspection)**

See also Conditions 33 and the MMRP.

Prior to Issuance of Building or Grading Permits

23. Contribute to the Traffic Mitigation Fund for Carmel Valley Road and State Highway One. **(Public Works)**
24. Grading Permit for each parcel and proposed residence shall be required pursuant to the Monterey County Code relative to Grading, Chapter 16.08. **(Planning and Building Inspection Department)**
25. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. That 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection Department)**
26. No protected trees shall be removed prior to issuance of permits. **(Planning and Building Inspection Department)**
27. Lot F3. Prior to issuance of Building Permits for residential construction on Lot F3, the applicant shall submit appropriate application materials for an Administrative Permit in accordance with Monterey County Code in effect at the time of submittal (and completeness determination). Such application shall include appropriate visual simulation graphic materials to conclusively demonstrate that there will not be a significant visual impact to views from Robinson Canyon Road. One tree, (#7569) is approved for removal to accommodate the driveway. No tree removal to accommodate the proposed building structure has been approved. If a tree removal permit is requested to accommodate a proposed residence, or if visual or other protected resources may potentially be impacted, a Combined Development Permit shall be brought to the Planning Commission for their review and approval. The March 25, 2003 VTM and approval of the Combined Development Permit PLN010278 has approved the following elements for F3:
 - a) An 11.62 acre parcel size.
 - ~~b) A residential structure with a maximum floor area of 4,100 square feet.~~
 - c) Driveway development on 30% slopes for a linear distance of approximately 51 feet consistent with Exhibit E and the March 25, 2003 VTM.
 - d) Grading for the driveway from Red Tail Trace to the "tie-shaped" building envelope of approximately 2,488 cu. yds. cut and 3,319 cu. yds. fill.
 - e) One tree to be removed, #7569 to accommodate the driveway alignment.

See also Condition 33 and the MMRP.

Prior to Grading and Construction Activities Commencing:

28. The applicant shall call for a pre-construction meeting with the Public Works Department, Environmental Health Department, Water Resources Agency, Planning and Building Inspection Department and Carmel Valley Fire District. Mitigation measures, infrastructure, construction phasing, construction practices, inspection schedules, as well as county and applicant expectations will be discussed. **(Planning and Building Inspection)**
29. The applicant shall call for a field inspection by the Planning Department to verify that all appropriate mitigation measures for tree protection and erosion control as specified in the adopted MMRP and Conditions of Approval have been implemented. **(Planning and Building Inspection)**

Prior to Occupancy of the First Residential Unit:

30. Certification that a stormwater detention facility has been constructed in accordance with approved plans shall be provided to the County Water Resources Agency by a registered civil engineer or licensed contractor who constructed the facility. **(Water Resources Agency)**

See also Condition 32 and the MMRP.

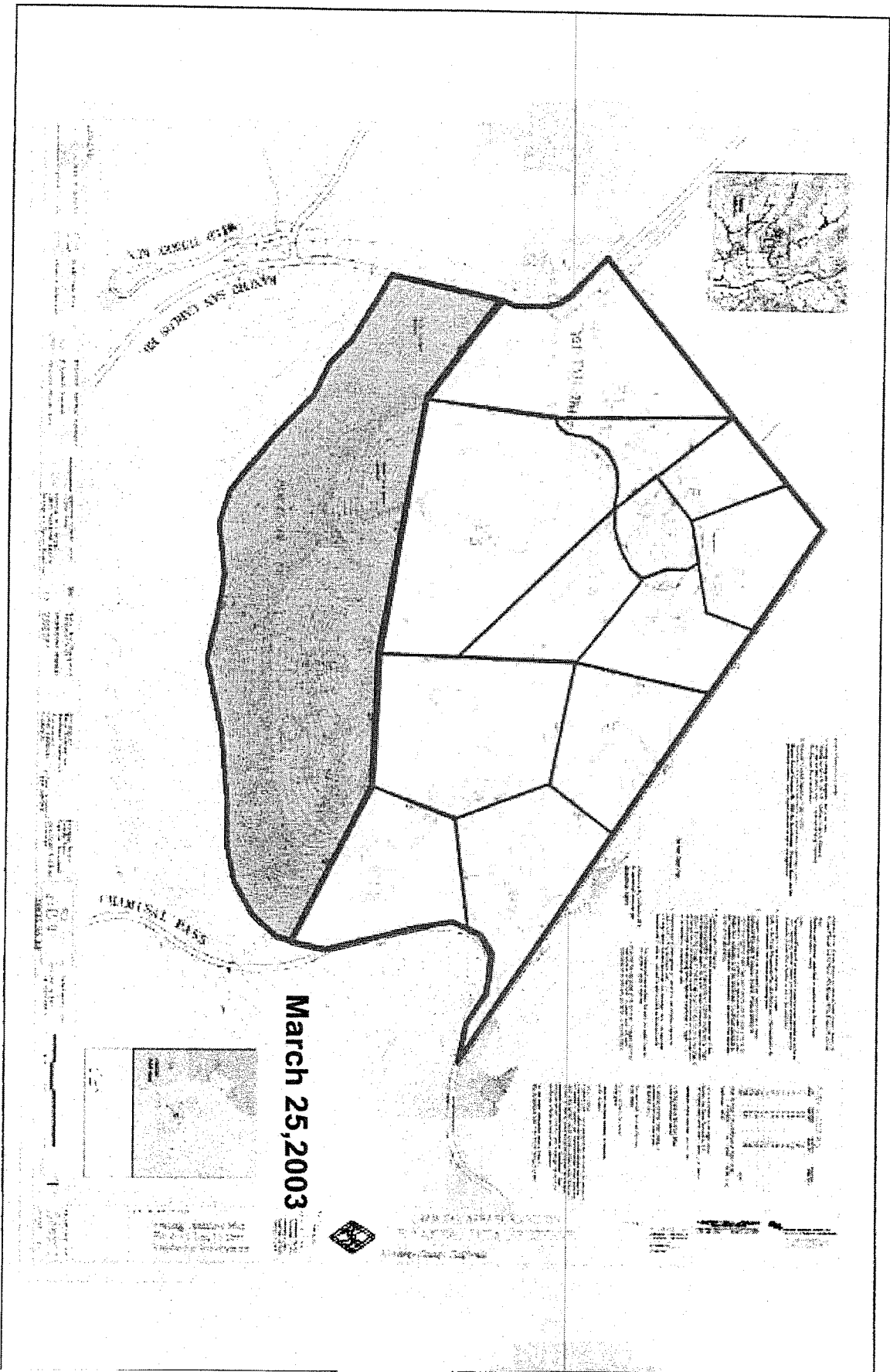
Prior to Final

31. The front yards of all homes shall be landscaped prior to occupancy. Low water use or drought tolerant plants shall be used together with water efficient irrigation systems. This shall be the responsibility of the developer if the developer is also the builder. If not, a notice shall be recorded on the deed for each lot to inform future builders of this requirement. **(Water Resources Agency)**
32. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**

See also Condition 33 and the MMRP.

Condition of Approval to Implement Mitigation Measures

33. The subdivider and subsequent property owners shall comply with all mitigation measures identified in the Mitigation Monitoring and Reporting Program adopted by the Board of Supervisors on May 13, 2003. **(Planning and Building Inspection)**



March 25, 2003

PLN010278

Board of Supervisors
May 13, 2003

**Monterey County Planning & Building Inspection
Program for Mitigation Monitoring and Reporting***

General Note: The subject property is located within the Santa Lucia Preserve, Monterey California and is subject to all applicable conditions, mitigation measures and requirements of the Santa Lucia Preserve Comprehensive Development Plan, Resource Management Plan, Mitigation Monitoring Program, Environmental Impact Report, and Addendum to the Environmental Impact Report.

Project Name: Chamisal Area Subdivision - Rancho San Carlos Partnership, LLC
File No: PLN010278 **APN:** 239-051-041
Reviewed by: Subdivision Committee and Planning Commission
Approved by: Monterey County Board of Supervisors Date: May 13, 2003

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

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Cond. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>Mitigation Measure 1 (Air Quality) In order to mitigate potential impacts to Air Quality from construction related activities:</p> <ol style="list-style-type: none"> All unpaved construction areas shall be sprinkled with water (at least twice per day in dry weather) during grading activities. Apply non-toxic tackifier, or other suitable cover (such as jute netting, erosion control fabric, mulch, etc.), to exposed areas immediately after cut-and-fill operations are complete. Trucks hauling dirt and debris must be covered. Post the project at two locations with a publicly visible sign during construction operations that specifies the telephone number and person to contact for complaints and/or injuries on dust generation and other air quality problems resulting from project construction. Immediately sweep up spilled dirt or debris onto paved surfaces. Cover on-site stockpiles of excavated materials. Vacuum (e.g., road sweeper/vacuum) construction-related soils on public roads whenever soils are visible. No more than 2.2 acres per day of grading activities shall be allowed. 		<p>Prior to earth disturbing activities, the applicant shall present Subdivision Improvement and Grading Plans to the Planning and Building Inspection Department that include the Air Quality protection provisions of Mitigation Measure #1 listed herein.</p> <p>The applicant shall ensure that contractors are implementing the Air Quality protection provisions of Mitigation Measure #1.</p>	Applicant	<p>Prior to issuance of Grading Permits, or filing of the final map (for Subdivision Improvement Plans), the project planner ensures that the notes are on the plans.</p> <p>Ongoing during construction activities. County grading inspector ensures compliance with the improvement and grading plans during inspections.</p>		

ATTACHMENT 4

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Contd. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>Mitigation Measure 2 (Biological Resources) In order to mitigate potential adverse effects on Biological Resources, the removal of individual oaks shall be in conformance with the Forest Management Plan (Reference: 3b) approved for the project and shall be the minimum necessary to construct each project. Undisturbed buffer zones shall be established around the drip-line of each tree to be retained in order to minimize the potential for root or bark damage due to excavation, soil compaction, or operation of construction vehicles. Landmark trees shall be avoided, where feasible. If removal of oaks is unavoidable, individuals removed shall be replaced at a 3:1 ratio (5:1 if the tree removed is a landmark tree) by trees planted in suitable habitat elsewhere within the native range of live oak on the Preserve and under the supervision of a qualified botanist or revegetation specialist, as specified by the Forest Management Plan. The minimum replacement size shall be five gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the filing of the final map. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. A biennial report shall be prepared by a registered forester or arborist and submitted to the Planning and Building Inspection Department for review and approval describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This measure shall cease once the required number of replacement trees have passed the five year anniversary completion date required for plan success.</p>		<p>The applicant shall demonstrate to the Planning and Building Inspection Department that the Tree Protection Measures specified in the Forest Management Plan for the Phase F Chamisal Area Subdivision (Oesterling 12/18/2001) have been implemented in the field prior to grading or construction activities. This may be demonstrated by the project's forester submitting a letter to, or field inspection by, the Planning and Building Inspection Department prior to issuance of grading and construction permits, or by another method satisfactory to the Director of Planning and Building Inspection.</p> <p>The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. A biennial report shall be prepared by a registered forester or arborist and submitted to the Planning and Building Inspection Department for review and approval describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This measure shall cease once the required number of replacement trees have passed the five year anniversary completion date required for plan success.</p>	Applicant	<p>Prior to Issuance of Grading and Building Permits, county staff will ensure that proposed tree removal, as shown on the plans, is in conformance with the approved tree removal.</p> <p>Prior to Issuance of Grading and Building Permits, county staff shall be assured that the tree protection measures have been installed.</p>		
<p>Final EIR mitigation measures 27 and 36).</p>		<p>Prior to any tree removal, the applicant shall present to the Planning and Building Inspection Department for review and approval a Reforestation Plan / Program consistent with the Forest Management Plan for the Phase F Chamisal Area Subdivision. The plan shall show the physical locations of the new tree plantings on the Remainder Parcel of the subdivision (Appendix F of the Forest Management Plan for the Phase F Chamisal Area Subdivision). "A total of one-hundred-24 (124) trees will be planted to mitigate the removal of 32 trees in the Chamisal Subdivision. This will include 82 coast live oaks, 34 valley oaks, and 8 black oaks."</p>	Applicant	<p>The Reforestation Plan shall be submitted and approved prior to issuance of the first Building or Grading Permit for a residence.</p> <p>Propagation of all trees to be planted shall occur prior to approval of the final map.</p> <p>Prior to a final inspection of the first habitable residential structure, all mitigation trees shall be planted and installed according to approved plans.</p>		

ATTACHMENT 4

<i>Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department</i>	<i>Cond. Num.</i>	<i>Monitoring Actions to be performed or documented including performance measures if applicable</i>	<i>Responsible Party</i>	<i>Monitoring Schedule (Timing)</i>	<i>Verification of Completed or Ongoing Mitigation or of Non-Compliance</i>	<i>Action to Achieve Compliance</i>
<p>Mitigation Measure 3 (Biological Resources) In order to mitigate potential adverse environmental effects to Biological Resources, during construction, the measures specified by the Forest Management Plan and Condition #24 of PC94067 and PC94218 to minimize damage to mature trees shall be followed. Each requirement of the project conditions to protect vegetation shall be conspicuously noted on the building and grading permit plans (Condition 24 of PC94067 and PC94218 and FEIR mitigation measures 27 and 36, modified for this project).</p>		<p>All grading and building permit plans shall include the Tree Protection Mitigation Guidelines of Appendix G, Table 2 of the Forest Management Plan for the Phase F Chamisal Area Subdivision. All such plans shall include these notes and clearly identify the type of protection planned for each protected tree or area. The project forester shall submit information describing that all protection is in place. (Oesterling 12/18/2001)</p>	Applicant	Prior to issuance of Grading and Building Permits.		
<p>Mitigation Measure 4 (Biological Resources) In order to mitigate potential adverse environmental effects to Biological Resources, all earthmoving activities involving substantial soil disturbance shall be planned and carried out in consultation with a qualified hydrologist, engineer, or erosion control specialist, and shall utilize standard erosion control techniques to minimize erosion and sedimentation impacts to native vegetation (Condition 8 of PC94067 and PC94218 and Final EIR mitigation measure 9, modified for this project).</p>		<p>These Tree Protection Mitigation Guidelines identify all potentially affected trees on a lot by lot basis, and for driveway or roadway construction (approximately 85 trees). The Tree Protection Measures include specific protection measures for every potentially affected tree by: fencing, trunk wrap, supplemental irrigation, aeration & drainage, or by the general protection guidelines.</p>	Applicant	This tree protection is required and considered ongoing during all construction activities. See MM#2. County inspectors will ensure continued tree protection throughout the construction.		
<p>Mitigation Measure 5 (Biological Resources) In order to mitigate potential adverse environmental effects to Biological Resources, the introduction of invasive, exotic plants shall be controlled by the following: a) rapid revegetation of denuded areas to limit colonization by invasive species. Excavated areas, road-cuts, and other areas where vegetation cover has been removed without landscape planting shall be revegetated with an appropriate native seed mix, as specified by the Resource Management Plan (Rancho San Carlos Partnership 1994; 3-102); b)</p>		<p>All grading plans, or building permit plans where no grading plans are prepared, shall have erosion control information prepared by a qualified hydrologist, engineer, or erosion control specialist. All sheets of the plans that include these notes shall include the "wet-stamp" of a qualified hydrologist, engineer, or erosion control specialist.</p>	Applicant	Prior to issuance of Grading and Building Permits. Prior to final inspection, the hydrologist, engineer, or erosion control specialist shall certify that all erosion control methods are installed and operating correctly.		
		<p>The applicant shall submit grading and building permit plans that include the notes and instructions of this mitigation measure to control the introduction of invasive plant species. Such plans shall also include the proposed locations of stockpiled materials and the timing, in relation to project tasks, of revegetation for disturbed areas.</p>	Applicant	Prior to Issuance of Grading, and Building Permits. Control of invasive species is an ongoing concern during all construction activities.		

ATTACHMENT 4

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Cond. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>topsoil removed from graded areas shall be stockpiled onsite and used for revegetation purposes. Location of all stockpiled areas shall be subject to the approval of the Director of Planning and Building Inspection Department prior to issuance of grading permits.</p>		<p>Excavated areas, road-cuts, and other areas where vegetation cover has been removed without landscape planting shall be revegetated with an appropriate native seed mix, as specified by the Resource Management Plan. The contractor shall provide a letter certifying compliance with the plans to the planner when revegetation of each area is completed.</p>		<p>Prior to final inspection of a given residential structure.</p>		
<p>Mitigation Measure 6 (Biological Resources) In order to mitigate potential adverse environmental effects to Biological Resources, areas occupied by special status plant species shall be marked by a qualified biologist and protected when conducting fuel modification activities (condition 26 of FC94067 and FC94218; Final EIR mitigation measure 32).</p>	-	<p>A note shall be included on an additional information sheet of the final map, or a document recorded concurrently with the final map, stating that a biologist shall be hired by the property owner to identify and protect special status plant species prior to any fuel modification activities.</p>	Property Owner	<p>The note shall be recorded with the final map. Ongoing. This mitigation measure shall be activated upon a property citation from the local Fire District Authority.</p>		
<p>Mitigation Measure 7 (Biological Resources) In order to mitigate potential adverse environmental effects to Biological Resources, pre-construction surveys by a qualified professional biologist for nesting raptors are required if construction is to occur during the nesting season (April 15 - August 1). The survey shall be conducted within 60 days of commencement of construction activities. If raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such time as the young are fully fledged) to prevent nest harassment and brood mortality. Work may proceed prior to August 1 only if a qualified biologist conducts nest checks and establishes that the young are fully fledged. Every effort shall be made to avoid removal or impact to known raptor nests within project boundaries. If trees identified or known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season. A report/letter</p>	-	<p>This mitigation measure shall be included as a note on any grading or building permits. The applicant shall contract with a qualified biologist for purposes of pre-construction surveys and nesting raptor protection if construction is to occur during the nesting season for raptors (April 15- August 1). A report/letter verifying whether or not active nests are present on a proposed construction site identified as having raptor nests shall be provided to the Monterey County Planning and Building Inspection Department staff prior to issuance of building or grading permits for that parcel. If construction work is to occur during the April 15- August 1 nesting season time frame, the applicant shall submit written and photographic evidence from the qualified biologist to the Planning and Building Inspection Department that adequate protection has been provided to prevent harassment and brood mortality to areas with known raptor nests.</p>	Applicant	<p>Prior to tree removal and issuance of Grading or Building Permits.</p>		
			Applicant	<p>Pre-construction surveys shall be conducted at most 60 days before construction. Results of the survey must be submitted to PBI at least one week prior to starting construction. Prior to tree removal and issuance of Grading or Building Permits.</p>		

ATTACHMENT 4

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Cond. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>verifying whether or not active nests are present on a proposed construction site identified as having raptor nests shall be provided to the Monterey County Planning and Building Inspection Department staff prior to issuance of building or grading permits for that parcel (Condition 27 of PC94067 and PC94218 and Final EIR mitigation measure 35, modified for this project). This shall be included as a note on any grading or building permits.</p>						
<p>Mitigation Measure 8 (Geology and Soils) In order to mitigate substantial soil erosion or the loss of top soil, implement the erosion control guidelines and mitigation measures within the Preliminary Drainage and Erosion Reports for the Chamisal Area Santa Lucia Preserve.</p>	-	<p>The specific applicable mitigation measures from the following technical reports shall be included as a note on any grading or building permits and shall be implemented in the field:</p> <ul style="list-style-type: none"> The mitigation measures of the Preliminary Drainage Report, Santa Lucia Preserve Chamisal Area Subdivision, prepared for Rancho San Carlos Partnership. Prepared by Thompson-Hysell Engineers. June 19, 2001. Project File PLN010278. The mitigation measures of The Santa Lucia Preserve Technical Reports, Section 4.0 April 1994, Preliminary Drainage and Erosion Control Report: Rancho San Carlos. Bestor Engineers Inc. February 18, 1994. 	Applicant	Prior to issuance of Grading and Building Permits.		

ATTACHMENT 4

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Cond. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>Mitigation Measure 9 (Geology and Soils) In order to mitigate substantial soil erosion or the loss of top soil, implement the grading, drainage and dust control, and other mitigation measures of the Santa Lucia Preserve FEIR meant to preserve riparian corridors during construction in the project area.</p>		<p>The specific mitigation measures from the Santa Lucia Preserve FEIR shall be included as a note on any grading or building permits and shall be implemented in the field. Refer to:</p> <ul style="list-style-type: none"> • Santa Lucia Preserve Project - Final Environmental Impact Report - Volume I: Response to Comments - Jones and Stokes Associates, Inc. - September 14, 1995. • Santa Lucia Preserve Project - Final Environmental Impact Report - Volume II: Revised Draft FEIR - Jones and Stokes Associates, Inc. - September 14, 1995. • Santa Lucia Preserve Project - Final Environmental Impact Report - Volume III: Additional Responses to Comments - Jones and Stokes Associates, Inc. - September 22, 1995. • County of Monterey - Santa Lucia Preserve: Addendum to EIR - Jones and Stokes Associates, Inc. - August 1997. 	Applicant	<p>Prior to issuance of Grading and Building Permits</p> <p>Ongoing during project construction.</p> <p>Prior to a final inspection, the project engineer shall certify that the project was constructed in accordance with the reports.</p>		
<p>Mitigation Measure 10 (Hydrology and Water Quality) In order to mitigate alteration to the existing drainage pattern of the site or area, the applicant shall implement Mitigation Measures 8 and 9 above for Geology and Soils Resources: a) implement the erosion control guidelines and mitigation measures within the Preliminary Drainage and Erosion Reports for the Charnisal Area Santa Lucia Preserve, b) implement the grading, drainage and dust control, and other mitigation measures of the Santa Lucia Preserve FEIR meant to preserve riparian corridors during construction in the project area.</p>		<p>Implement the actions of Mitigation Measures 8 and 9 above including the relevant Santa Lucia Preserve FEIR mitigation measures.</p> <p>The project engineer shall certify that the project was constructed in accordance with the reports.</p>	Applicant	<p>Prior to issuance of Grading and Building Permits.</p> <p>Ongoing during project construction.</p> <p>Prior to a final inspection.</p>		

ATTACHMENT 4

<i>Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department</i>	<i>Cond. Num.</i>	<i>Monitoring Actions to be performed or documented including performance measures if applicable</i>	<i>Responsible Party</i>	<i>Monitoring Schedule (Timing)</i>	<i>Verification of Completed or Ongoing Mitigation or of Non-Compliance</i>	<i>Action to Achieve Compliance</i>
<p>Mitigation Measure 11 (Hydrology and Water Quality) In order to mitigate runoff water which would exceed the capacity of existing or planned stormwater drainage systems, the applicant shall implement Mitigation Measures 8 and 9 above for Geology and Soils Resources: a) implement the erosion control guidelines and mitigation measures within the Preliminary Drainage and Erosion Reports for the Charnisal Area Santa Lucia Preserve. b) implement the grading, drainage and dust control, and other mitigation measures of the Santa Lucia Preserve FEIR meant to preserve riparian corridors during construction in the project area.</p>	-	<p>Implement the actions of Mitigation Measures 8 and 9 above including the relevant Santa Lucia Preserve FEIR mitigation measures.</p> <p>The project engineer shall certify that the project was constructed in accordance with the reports.</p>	Applicant	<p>Prior to issuance of Grading and Building Permits.</p> <p>Ongoing during project construction.</p> <p>Prior to a final inspection.</p>		
<p>Mitigation Measure 12 (Hydrology and Water Quality) In order to mitigate runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, the applicant shall implement the relevant mitigation measures from the Santa Lucia Preserve FEIR:</p> <ul style="list-style-type: none"> Implement Best Management Practices to Attenuate Flood flows. The project applicant shall implement best management practices (BMPs) to attenuate flood flows in accordance with the Monterey County Erosion Control Ordinance. Flood flows can normally be attenuated by using detention and / or percolation basins as described in the preliminary drainage report (Bestor Engineers 1994b). Develop and implement a Stormwater Pollution Prevention Plan. The project applicant shall develop and implement a stormwater pollution prevention plan (SWPPP) and submit a NOI and a \$500 fee to the RWQCB to discharge stormwater in compliance with the NPDES general construction activity stormwater discharge permit. The SWPPP must be posted at the construction site and be available for inspection by the RWQCB. Compliance with the general permit process is based on the honor system. However, owners of active construction projects without an NOI on file with the SWRCB or without an SWPPP in place and 	-	<p>The project applicant shall implement best management practices (BMPs) to attenuate flood flows in accordance with the Monterey County Erosion Control Ordinance. The applicant shall submit a drainage plan for Water Resources Agency review and approval.</p> <p>The project applicant shall submit a stormwater pollution prevention plan (SWPPP), NOI and a \$500 fee to the RWQCB to discharge stormwater in compliance with the NPDES general construction activity stormwater discharge permit.</p>	Applicant	<p>Prior to issuance of Grading and Building Permits.</p> <p>Submit to RWQCB prior to issuance of building or grading permits.</p> <p>Approved SWPPP must be posted on site prior to construction activities.</p>		

ATTACHMENT 4

Mitigation Measure Number, Category, Text, Impact Addressed and Responsible Land Use Department	Cond. Num.	Monitoring Actions to be performed or documented including performance measures if applicable	Responsible Party	Monitoring Schedule (Timing)	Verification of Completed or Ongoing Mitigation or of Non-Compliance	Action to Achieve Compliance
<p>discharging stormwater are in violation of the CWA. Failure to comply may result in fines up to \$25,000 per day of violation and imprisonment. The State of California may bring forth civil and criminal penalties under the Porter-Cologne Water Quality Control Act.</p> <ul style="list-style-type: none"> Limit removal of riparian vegetation, revegetate affected areas, and protect vegetation areas adjacent to protected base flow reaches. Implementing the following actions and BMPs would reduce impacts to less than significant levels by limiting removal of riparian vegetation adjacent to persistent water. The project applicant shall avoid removal of riparian vegetation adjacent to protected base flow reaches The project applicant shall provide in-kind replacement of disturbed riparian vegetation. The project applicant shall restore stream banks and establish riparian vegetation along protected base flow reaches that have been disturbed by past grazing activities and by wild boar. The project applicant shall fence or otherwise control access by cattle and wild boar to protected base flow reaches. Implement BMPs to control urban pollutants. Implementation of the following practices would reduce impacts to less than significant levels by controlling urban pollutant loadings: <ul style="list-style-type: none"> The project applicant shall implement BMPs to reduce urban pollutant loadings. These measures include using vegetative buffer strips, oil and grease traps, sediment traps, and street sweeping. The project applicant shall implement a maintenance schedule to inspect structural BMPs and remove accumulated sediments and debris from detention basins. 		<p>Submit plans that show how the best management practices will be implemented, as outlined in the mitigation measure. Biologist to review plans and maintenance schedule and submit a letter/report to Planning and Building Inspection that the plans contain the BMPs outlined in the mitigation measure.</p> <p>Biologist to review the plans and maintenance schedule and submit a letter/report to Planning and Building Inspection prior to final inspection, that the plans were followed and that any restoration has been completed.</p>	<p>Applicant</p>	<p>Prior to issuance of building or grading permits for individual lots or for subdivision improvements.</p> <p>Prior to final inspection.</p>		

ONGOING

See also Condition #33 and the MMRP.

PASSED AND ADOPTED on this 13th day of May, 2003, by the following vote, to-wit:

AYES: SUPERVISORS CALCAGNO, LINDLEY, JOHNSEN, POTTER and ARMENTA

NOES: NONE

ABSENT: NONE

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors, duly made and entered in the minutes thereof at page x of Minute Book 71, on May 13, 2003.

Date: 5/16/03

SALLY R. REED, Clerk of the Board of Supervisors, County of Monterey, State of California.

By

Ana D. Anderson
Deputy



MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY
PLANNING DEPARTMENT
168 West Alisal, 2nd Floor, Salinas, CA 93901
Telephone: (831) 755-5025 Fax: (831) 757-9516
<http://www.co.monterey.ca.us/planning>

DESIGN APPROVAL REQUEST FORM

ASSESSOR'S PARCEL NUMBER: 239-151-001

PROJECT ADDRESS: 1 Red Trail Trace, Carmel, CA 93923

PROPERTY OWNER: KATHRYN & LAGU PHILLIPS Telephone: _____
Address: 1505 Emerald Bay Fax: _____
City/State/Zip: Laguna Beach, CA 92651 Email: _____

APPLICANT: Maureen Wroch Planning Consultant Telephone: (831) 771-2557
Address: 21 West Alisal Street, Suite 101 Fax: 771-2714
City/State/Zip: Salinas, CA 93901 Email: Joel@mwroch.com

AGENT: Same As Applicant Telephone: _____
Address: _____ Fax: _____
City/State/Zip: _____ Email: _____

Mail Notices to: Owner Applicant Agent
(Check only one)

PROJECT DESCRIPTION: (Attach Scope of Work) See Attached

MATERIALS TO BE USED: wood, stone, plaster, Flagstone + Corten metal

COLORS TO BE USED: Natural Brown + Rock Earth tones

I acknowledge that I will need a building permit and must comply with the Monterey County Building Ordinance. Additionally, I acknowledge that the Zoning Ordinance states that no building permit 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. I further acknowledge that this approval is for design of the structures and compliance with zoning regulations only.

PROPERTY OWNER/AGENT SIGNATURE: Maureen Wroch Planning Consultant, LLC AUTHORIZED AGENT DATE: 11-3-2013

FOR DEPARTMENT USE ONLY

ZONING: RC/40-D
GENERAL/AREA PLAN: Greater Mond
ADVISORY COMMITTEE: _____
RELATED PERMITS: PLND10278
PLANNER: _____
LUAC REFERRAL: YES NO
DOES THIS CORRECT A VIOLATION? YES NO
WITHIN ARCH BUFFER ZONE? YES NO
ON SEPTIC SYSTEM? (REFER TO EHB) YES NO
DECISION: ADMINISTRATIVE PUBLIC HEARING
LEGAL LOT: Santa Lucia Ph F YES NO
GIVEN OUT BY: _____ DATE: _____
ACCEPTED BY: Joanne DATE: 11/4/13
COMMENTS: See PLND10278

ADVISORY COMMITTEE RECOMMENDATION
 APPROVAL DENIAL
For: _____ Against: _____ Abstain: _____ Absent: _____
Was the Applicant Present? YES NO
Recommended Changes: _____
Signature: _____
Date: _____

APPROPRIATE AUTHORITY: DIRECTOR OF PLANNING ZONING ADMINISTRATOR PLANNING COMMISSION
ACTION: APPROVED DENIED

CONDITIONS: _____

APPROVED BY: _____ DATE: _____

PROCESSED BY: _____ DATE: _____

COPY TO APPLICANT: IN PERSON OR MAILED DATE: _____



**GENERAL PLAN POLICY CONSISTENCY CHECKLIST
FOR DESIGN APPROVALS (Inland Only)
To be completed by Applicants**

LAND USE DESIGNATION: <i>RC 40-D-9-</i>	APN: <i>239-151-001</i>	PLANNING NUMBER:
AREA PLAN: <input type="checkbox"/> Cachagua Area Plan <input type="checkbox"/> Carmel Valley Master Plan <input type="checkbox"/> Central Salinas Valley Area Plan <input type="checkbox"/> Fort Ord Master Plan <input checked="" type="checkbox"/> Greater Monterey Peninsula Area Plan <input type="checkbox"/> Greater Salinas Area Plan <input type="checkbox"/> North County Area Plan <input type="checkbox"/> South County Area Plan <input type="checkbox"/> Toro Area Plan <input type="checkbox"/> Agriculture & Winery Corridor Plan	PROJECT DESCRIPTION: <i>Revison to PLN 010270 to allow smaller single family dwelling in same location</i>	

Please answer each question based on the description of the project (see back of questionnaire for policy references)	
	The project is for: <input checked="" type="checkbox"/> Residential use <input type="checkbox"/> Commercial use <input type="checkbox"/> Agricultural use <input type="checkbox"/> Public or Quasi-Public use <input type="checkbox"/> Industrial use
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project proposes a cell-site, telcom (digital) communication facility/site?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	The project includes the construction of a new structure?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project includes the enlarging, altering, repairing, moving, improving, or removing of existing structures? If "yes", describe
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project includes demolition work? If "yes", describe
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project includes the use of roofing materials that are different in type and/or color from the original materials? <i>adds gorten roof panels</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project includes replacement and/or repair of (50%) or more of the exterior walls of a structure?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project includes historical structure or a structure more than fifty (50) years old?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project includes an accessory structure(s)? If "yes", describe: <i>detached garage</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project includes the placement of a manufactured home, mobile home, modular or prefabricated unit? <input type="checkbox"/> Private property <input type="checkbox"/> Park installation (mobile home park)
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project includes retaining walls? <i>seawalls are proposed</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project involves new, change or modifications to existing utilities and/or power lines?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project is change or modification to an approved application. <i>PLN 010270</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project propose a lot line adjustment or subdivision?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project include subdivision creating five or more lots, or new commercial/industrial use that creates intensity equal to or greater than five residences?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located near an incorporated area (City)?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located within a Community Area or Rural Center?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located within 1/4 mile of a public airport?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Is this the first residence on a property?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project propose a secondary unit?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Would native vegetation be removed with this project? <i>10% - previously approved by PLN 010270</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Would proposed development occur within 100 feet a creek/drainage (including seasonal) or river?
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Does the project propose any tree removal? If "yes" Type <i>oak</i> Size <i>70"</i> Number <i>none</i>
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Project includes grading, dirt importation, dirt removal, and/or drainage changes.
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Would the project be connected to an existing well or private water system? <i>Santa Lucia USD</i>
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project includes constructing, enlarging, altering, repairing, moving, improving or removing a well.
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project is associated with a new or improvements to a water system. _____ water system _____ number of connections
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project include a new individual or existing wastewater system (e.g. septic)?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project includes constructing, enlarging, altering, repairing, moving, improving or removing a septic tank/system?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project propose development on slopes over 25%?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project 50 feet from a bluff?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project is located within 100 feet of seasonal or permanent drainage, lake, marsh, ocean, pond, slough, stream, wetlands. If "yes", describe
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project include cultivation of land that is currently not cultivated?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project propose non-agricultural uses adjacent to agricultural uses?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located within the winery corridor?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Would any portion of the proposed development be visible from a public road, designated vista point, or public park? If yes, is it located on a slope or near the top of a hill? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project propose or require affordable housing?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Does the project require a General Plan Amendment?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located within a Special Treatment Area?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Is the project located within a Study Area?
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Project involves or includes an existing or proposed trail or easement.

I, the undersigned, have authority to submit application for a permit on the subject property. I have completed this questionnaire accurately based on the proposed project description. It is my interpretation that the project is consistent with the 2010 Monterey County General Plan. I understand that Monterey County may require project changes or some other permit/entitlement if the project is found to be inconsistent with any General Plan policy.

Signature: *Maureen Curich*
 Print Name: *Maureen Curich* Authorized Agent
Maureen Curich Planning Consultant, LLC
 It is unlawful to alter the substance of any official form or document of Monterey County.

Date: *11-9-13*