PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 01028

A.P. # 169-181-048-000

FINDINGS AND DECISION

In the matter of the application of
Peter & Kim Ruiz (PLN000012)

for an Administrative Permit to allow construction of a two-story 7,075 sq. ft. single family dwelling with attached garage; and Design Approval, located at 27360 Schulte Road, Carmel Valley, west of Schulte Road, south of Carmel Valley Road, Lower Carmel Valley area, came on regularly for hearing before the Planning Commission on June 13, 2001.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The proposed project and/or use (File No. PLN000012, Ruiz), as described in condition #1 and as conditioned, is consistent with the policies of the Monterey County General Plan, the Carmel Valley Master Plan and the requirements and standards of the Monterey County Zoning Ordinance (Title 21). The northern edge of the property borders Schulte Road and extends south to the Carmel River, Mid Carmel Valley area. The parcel is zoned "LDR/2.5-D-S" (Low Density Residential, 2.5 acres per unit, Design Control, and Site Control District).

   EVIDENCE: The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with the General Plan and Carmel Valley Master Plan.

   EVIDENCE: Site visit by staff on Wednesday, April 18, 2001 verifying compliance with Chapters 21.44 and 21.45 of Title 21, Monterey County Code.

   EVIDENCE: The text and policies of these documents have been evaluated during the course of the review of this application. No conflicts were found to exist. Comments received during the course of review of this project were considered in determining consistency of the proposed project with the text and policies of these documents.

   EVIDENCE: Design Approval Request Form, with recommendation for approval of the project by the Carmel Valley Land Use Advisory Committee on April 2, 2001 by a vote of 4 in favor and 3 opposed.

   EVIDENCE: Written and verbal testimony submitted at a public hearing, before the Planning Commission.

   EVIDENCE: The on-site inspection by the project planner on April 1, 2001.

2. **FINDING:** The site is physically suitable for the use proposed.

   EVIDENCE: There has been no testimony received, either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. 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. Physical or environmental

constraints as identified in the Initial Study will be mitigated to a level of insignificance. No geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas were identified within the area proposed for development that would indicate the site unsuitable for the use proposed. The proposed development is located outside the Floodplain as indicated on the FEMA flood maps and setback 100' from the "top of bank" as defined in the Mills College Minor Subdivision Hydrology Report, and as they appear on the project site plans.

3. **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 PLN# 00012) 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 hereto as Exhibit "F" 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, located at 240 Church Street, Room 116, Salinas, California 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: Staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and applicable 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 Mitigated Negative Declaration was filed with the County Clerk on May 8, 2001 and noticed for public review. Comments received on the initial review were included in the project file and reviewed prior to developing appropriate mitigations. 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 have been considered. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

- Geotechnical Soils-Foundation Report prepared by Grice Engineering, Inc.
- Archaeological Report, prepared by Archaeological Consulting, Inc.
- Hydrology Study and Nitrate Loading Assessment Report, prepared by Grice Engineering, Inc.
- Monterey County Board of Supervisors Resolution 00-307 (Ticker Residence)

Copies of these documents are contained in the project file.

4. **FINDING:** Public notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).
   EVIDENCE: Materials in project file.

5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivisions, and any other applicable provisions of Title 21, that no violations exist on the property, and that all zoning violation abatement costs have been paid.
   EVIDENCE: Chapter 21.14 "LDR" zoning district of the Monterey County Zoning Ordinance (Title 21). Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

6. **FINDING:** Water usage for the proposed project will not exceed the 0.66 acre feet of annual water use permitted under Board of Supervisors Resolution No. 00-307, and the proposed project will not cause total water consumption for the Mills College Subdivision to exceed 19.91 acre feet/year.
   EVIDENCE: Board of Supervisors' Resolution No. 00-307 requires that projects within the Mills College Subdivision be conditioned so that annual water use for the project does not exceed 0.66 acre feet. The water use for the parcel has been analyzed as part of the environmental review of the project. Conditions of approval have been imposed to ensure that total indoor and outdoor future water use on the property does not exceed 0.66-acre feet/year and to ensure that total water consumption for the entire Mills College Subdivision does not exceed 19.91 acre feet/year.

7. **FINDING:** An appeal was filed based on a March 29, 2000 action of the Planning Commission adopting Resolution No. 00011, approving the Administrative Permit and Design Approval for Neil and Jan Ticker, File No. PLN 990442. The appellant Fran Farina, filed on behalf of Save Our Carmel River at the Clerk to the Board of Supervisors April, 27, 2000.
   EVIDENCE: The Board of Supervisors reviewed, evaluated, and considered the appeal and responded based on the "Appeal Findings" section of Resolution No. 00-307. The Board further adopted Resolution 00-307 concluding that the project and all future projects within the subdivision be conditioned not to exceed 0.66 acre feet of annual water use.

8. **FINDING:** The project is appealable to the Board of Supervisors.
   EVIDENCE: Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21).

9. **FINDING:** Considering the record as a whole, there is no evidence that the project will have potential for adverse effect either individually or cumulatively on wildlife resources as defined under Section 759.2 and 711.2 of the Fish and Game Code.
   EVIDENCE: The administrative record as a whole, which must and does contain the following information, ***(See a-e below),*** supports the above finding.

   a. Name and Address of Project Proponent
   b. Brief description of project and its location.
   c. An Initial Study has been prepared so as to evaluate the potential for adverse environmental impact.
   d. When considering the record as a whole, there is no evidence that the proposed project will have potential for an adverse effect on wildlife resources or the habitat upon which the wildlife depends.

e. ***The presumption of the project's adverse effect on fish and wildlife resources or the habitat upon which the wildlife depends, has been rebutted on the basis of substantial evidence.***

DECISION

It is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for an Administrative Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This permit is an Administrative Permit and Design Approval (PLN000012), consisting of a 7,075 square foot two story single-family residence on a 3.45 acre parcel including attached garage/motor court, gate, corral wood fence, installation of a septic system and minor ground disturbance for development in the "LDR/2.5-D-S" zoning district, in accordance with County ordinances and land use regulations, and 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)

Prior to the Issuance of Grading and Building Permits:

2. The applicant shall obtain all the required building permits from the Planning & Building Inspection Department before construction. (Planning & Building Inspection)

3. Prior to issuance of any building or grading permit, the applicant shall enter into an agreement with the County to implement the Mitigation Monitoring Program adopted for this project. **(Planning and Building Inspection)**

4. Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geotechnical Report has been prepared for this parcel by Grice Engineering, dated November, 1999 and is on record in the Monterey County Planning and Building Inspection Department. All development shall be in accordance with this report." **(Planning and Building Inspection Department)**

5. Include the following information on the building plans. The upper 3.0 feet of soil shall be processed and recompacted to a minimum of 90% Relative Compaction in the area of structural development such as buildings or roadways. Certification by a geotechnical engineer demonstrating the preceding work is complete, is required prior to issuance of final. **(Planning & Building Inspection)(MM#9)**

6. The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to the 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, whichever occurs first and a applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully I 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 & Building Inspection)**

7. Prior to the issuance of building permits, the developer shall record with the Monterey County Recorders Office notice that the property is within or partially within a floodplain and is subject to building and/or use restrictions and may also be subject to an indemnification agreement with the County of Monterey. The form and content of said notice shall be approved by the Director of Planning and Building Inspection and the General Manager of the Water Resources Agency, prior to recordation. **(Planning & Building Inspection)(MM#4)**

8. The applicant shall record a notice which states: "A permit (Resolution 01028) was approved by the Board of Supervisors for Assessor's Parcel Number 169-181-048-000 on June, 13, 2001. The permit was granted subject to 42 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 & Building Inspection)**

9. 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. Prior to the issuance of building permits 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 Department. **(Planning & Building Inspection)(MM#3)**

10. 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. **(Planning & Building Inspection)**

11. All cut and/or fill of slopes exposed during the course of construction shall be covered, seeded with native grasses or otherwise treated to control erosion in coordination with the consulting biologist, subject to the approval of the Director of Planning and Building Inspection. **(Planning & Building Inspection)**

12. Prior to issuance of grading or building permits, submit a detailed septic system design (indicate a doubled drain field size as required by the Valley Wastewater Study) for the proposed project to the Division of Environmental Health, which meets the standards of the Zoning Ordinance, Chapter 15.20 MCC (septic ordinance), and "Prohibitions," Central Coast Basin Plan, RWQCB. The design shall include 200% additional expansion/repair area. **(Environmental Health)(MM#12)**

13. The proposed development and any new wells shall be setback 100 feet from the "top of bank" as defined in the Mills College Minor Subdivision Hydrology Report prepared by Grice Engineering, dated

November 1994. **(Water Resources Agency)(MM#6)**

14. The structures be set back a minimum of 50 feet from the river bank or that the structures be designed to negate any lateral spreading of the river bank. (also see Condition #9) **(Water Resources Agency)(MM#10)**

15. Standard foundation practices are recommended and normal loadings as presented in the Geotechnical Soils-Foundation Report by Grice Engineering, Inc., November, 1999. These recommendations shall be incorporated into the building plans. **(Water Resources Agency)(MM#11)**

16. Prior to issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property, in the form of an approved Water Release Form. **(Water Resources Agency)(MM#13)**

17. Prior to the issuance of any building or grading permit, the property owner shall record a deed restriction stating that (1) all indoor and outdoor water use on the subject parcel is restricted to a total of 0.66 AFY, (2) the subject property shall not be utilized for extensive farming or for a vineyard, and (3) any violation of the maximum 0.66 AFY water usage condition shall be pursued as a violation of the County Code. **(Planning and Building Inspection)(MM#15,#17)**

18. Prior to the issuance of any building or grading permit, the applicant shall petition the Monterey Peninsula Water Management District to install a meter on their well to monitor water usage, which shall not exceed a total of 0.66 AFY. **(Planning and Building Inspection)(MM#18)**

19. Prior to the issuance of any building or grading permit, the property owner shall record a deed restriction stating that County personnel are permitted to enter the property for water usage inspection and enforcement. **(Planning and Building Inspection)(MM#16)**

20. The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups. **(Water Resources Agency)(MM#14)**

21. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. **(Fire District)**

22. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background colors of the sign. **(Fire District)**

23. The applicant shall pay the Carmel Valley Road mitigation fee, which is updated annually and is currently $8,724.00. **(Public Works)**

<u>Prior to the Issuance of Certificate of Occupancy:</u>

24. 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. This fee shall be paid on or 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)

25. The site shall be landscaped. At least three weeks prior to occupancy, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County Planning and Building Inspection Department. **(Planning and Building Inspection)**

26. All landscaping will be designed to minimize visual impacts from Carmel Valley Road as well as from existing homes. This includes the planting of evergreen trees and shrubs to act as a visual barrier(s)/screens to viewing points along Carmel Valley Road and Schulte Road. The density of planting shall be sufficient to screen the majority of the proposed project as viewed from Carmel Valley Road within five years of the project being approved. All required landscaping will be included in a landscape plan to be submitted and approved by the Director of Planning and Building prior to occupancy. **(Planning and Building Inspection)(MM#1)**

27. To further reduce future visual impacts, the location, type and size of all antennas, satellite dishes, towers, and similar appurtenances shall be approved by the Director of Planning and Building. **(Planning and Building Inspection)(MM#2)**

28. 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 1.5 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minutes, 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. Landscaping 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)(MM#7)**

29. Driveways shall not be less than 12 feet wide unobstructed. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. **(Fire District)**

30. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for: *"The building shall be fully protected with*

an automatic sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection." **(Fire District)**

31. All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface, shall require Class A roof construction. **(Fire District)**

Continuous Permit Conditions:

32. All landscaped areas and/or fences shall be continuously maintained by the applicant, and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection)**

33. The property shall not be developed in future, with a senior citizen unit or guest quarters. **(Planning and Building Inspection)**

34. The property shall not be further subdivided. **(Planning and Building Inspection)**

35. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. **(Fire District)**

36. All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on that road. **(Fire District)**

37. Where gates are to be locked, the Reviewing Authority having jurisdiction may require installation of a key box or other acceptable means to immediate access for emergency equipment. **(Fire District)**

38. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Fire District)**

39. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet from ground. Remove limbs within 10 feet of chimneys. **(Fire District)**

40. All future landscaping within the 100-foot setback area from the top of bank as indicated on the site plans and recorded Parcel Map will be done so as to not impact existing native riparian vegetation/habitat and will be monitored for compliance by planning staff. **(Planning & Building Inspection)(MM#5)**

41. The property owner shall monitor and report annually to the Planning and Building Inspection Department all indoor and outdoor water use on the property. The report shall cover the period from July 1 to June 30 and shall be submitted no later than July 31st of every year. If necessary, the Planning and Building Inspection Department may require a flow restrictor to be placed on the service lines, at the property owner's expense. **(Planning and Building Inspection)**

42. If during the course of construction activity on the subject property, cultural, archaeological, historical, paleontological resources or human remains are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection

Department and a qualified archeologist (i.e., and archaeologist registered with the Society 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 the discovery. **(Planning and Building Inspection)(MM#8)**

PASSED AND ADOPTED this 13th day of June, 2001, by the following vote:

AYES: Errea, Hawkins, Parsons, Pitt-Derdivanis, Diehl, Hernandez, Lacy, Wilmot
NOES: Brennan
ABSENT: Sanchez

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on JUL 18 2001

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE JUL 30 2001

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

   Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

   Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. The construction or use authorized by this permit must start within two years of the date of approval of this permit unless extended by the Director of Planning and Building Inspection pursuant to Section 20.140.100 of the Coastal Implementation Plan.

Monterey County Planning & Building Inspection Program for Monitoring or Reporting on Conditions of Approval*

Project Name: Ruiz

File No: PLN000012 ***APN:*** 169-181-048-000

Approval by: Planning Commission ***Date:*** June 13, 2001

LEGEND

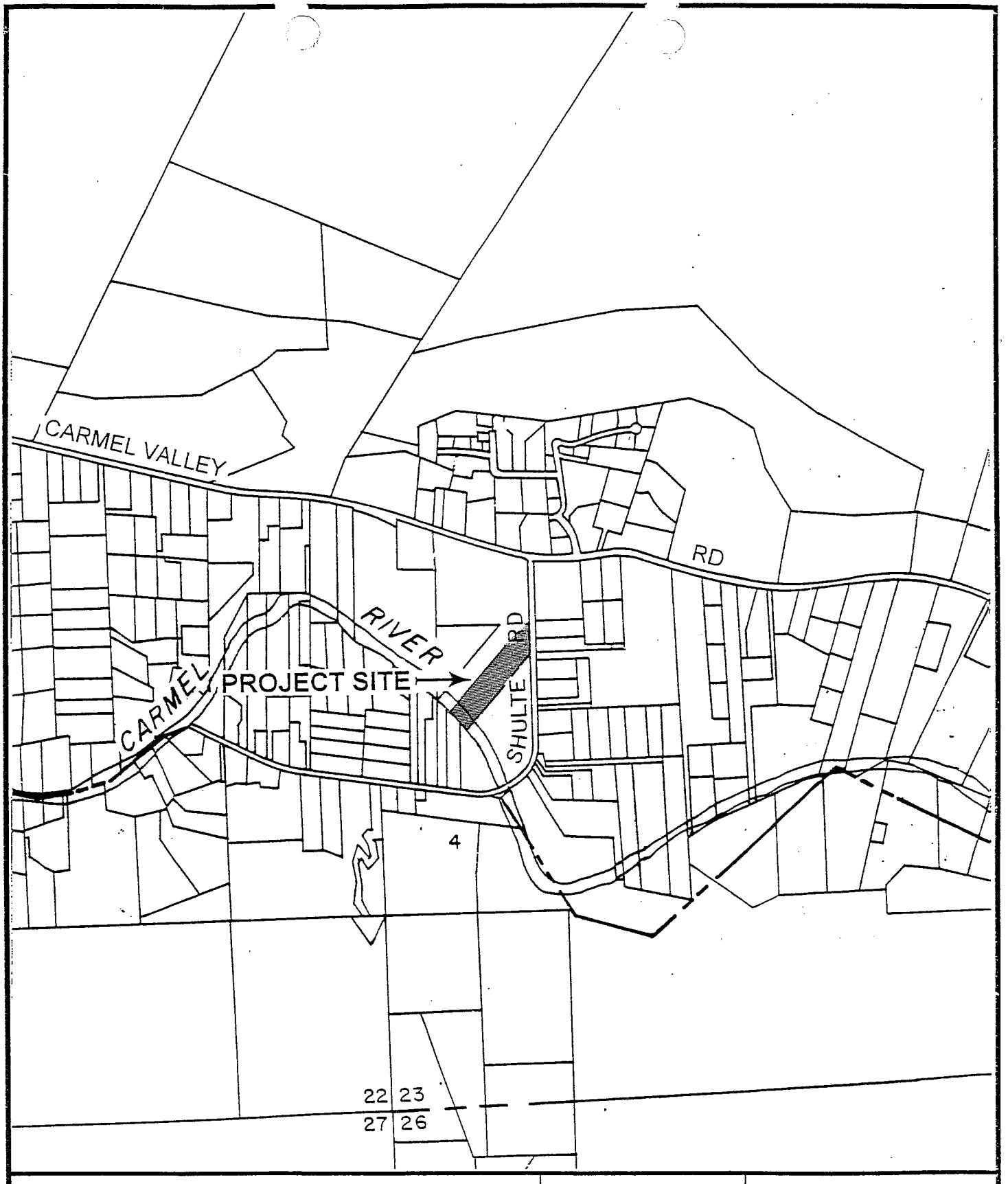
PBI	*Planning & Building Inspection*	*WRA*	*Water Resources Agency*	*EH*	*Environmental Health*	*AG*	*Ag Commissioner*
FD	*Fire District*	*PW*	*Public Works*	*RA*	*Redevelopment Agency*	*PD*	*Parks Department*
CC	*County Counsel*	*MMR*	*Mitigation Monitoring Reporting Team*	*CE*	*Code Enforcement*	*Other*	*State which agency*

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

Mit. Mon. No.	*Final Signoff Date*	*Conditions of Approval (See Part 2 for Mitigation Measures)*	*Standard*	*Orig. Dept. or Agency*	*Schedule (Prior to/Continuous) (Report due?) Fill in timeframe* ⇩		*Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?*
9		Include the following information on the building plans. The upper 3.0 feet of soil shall be processed and recompacted to a minimum of 90% Relative Compaction in the area of structural development such as buildings or roadways. Certification by a geotechnical engineer demonstrating the preceding work is complete, is required prior to issuance of final.		PBI	Prior to Issuance of Grading/Building Permits		
4		Prior to the issuance of building permits, the developer shall record with the Monterey County Recorders Office notice that the property is within or partially within a floodplain and is subject to building and/or use restrictions and may also be subject to an indemnification agreement with the County of Monterey. The form and content of said notice shall be approved by the Director of Planning and Building Inspection and the General Manager of the Water Resources Agency, prior to recordation.		PBI	Prior to Issuance of Grading/Building Permits		
3		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. Prior to the issuance of building permits 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 Department.		PBI	Prior to Issuance of Grading/Building Permits		
12		Prior to issuance of grading or building permits, submit a detailed septic system design (indicate a doubled drain field size as required by the Valley Wastewater Study) for the proposed project to the Division of Environmental Health, which meets the standards of the Zoning Ordinance, Chapter 15.20 MCC (septic ordinance), and "Prohibitions," Central Coast Basin Plan, RWQCB. The design shall include 200% additional expansion/repair area.	Zoning Ordinance, Chapter 15.20 MCC	EH	Prior to Issuance of Grading/Building Permits		
6		The proposed development and any new wells shall be setback 100 feet from the "top of bank" as defined in the Mills College Minor Subdivision Hydrology Report prepared by Grice Engineering, dated November 1994.		WRA	Prior to Issuance of Grading/Building		

Mit. Mon. No.	*Final Signoff Date*	*Conditions of Approval (See Part 2 for Mitigation Measures)*	*Standard*	*Orig. Dept. or Agency*	*Schedule (Prior to/Continuous) (Report due?) Fill in timeframe* ⇩		*Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?*
					Permits		
10		The structures be set back a minimum of 50 feet from the river bank or that the structures be designed to negate any lateral spreading of the river bank.		WRA	Prior to Issuance of Grading/Building Permits		
11		Standard foundation practices are recommended and normal loadings as presented in the Geotechnical Soils-Foundation Report by Grice Engineering, Inc., November, 1999. These recommendations shall be incorporated into the building plans.		WRA	Prior to Issuance of Grading/Building Permits		
13		Prior to issuance of a building permit, the applicant shall obtain from the Monterey County Water Resources Agency (MCWRA), proof of water availability on the property, in the form of an approved Water Release Form.		WRA	Prior to Issuance of Grading/Building Permits		
15, 17		Prior to the issuance of any building or grading permit, the property owner shall record a deed restriction stating that (1) all indoor and outdoor water use on the subject parcel is restricted to a total of 0.66 AFY, (2) the subject property shall not be utilized for extensive farming or for a vineyard, and (3) any violation of the maximum 0.66 AFY water usage condition shall be pursued as a violation of the County Code.		PBI	Prior to Issuance of Grading/Building Permits		
18		Prior to the issuance of any building or grading permit, the applicant shall petition the Monterey Peninsula Water Management District to install a meter on their well to monitor water usage, which shall not exceed a total of 0.66 AFY.		PBI	Prior to Issuance of Grading/Building Permits		
16		Prior to the issuance of any building or grading permit, the property owner shall record a deed restriction stating that County personnel are permitted to enter the property for water usage inspection and enforcement.		PBI	Prior to Issuance of Grading/Building Permits		
14		The applicant shall provide to the Water Resources Agency information on the water system to serve the project, including the location of all water wells on the property, any well logs available, and the number of current hookups.		WRA	Prior to Issuance of Grading/Building Permits		
1		All landscaping will be designed to minimize visual impacts from Carmel Valley Road as well as from existing homes. This includes the planting of evergreen trees and shrubs to act as a visual barrier(s)/screens to viewing points along Carmel Valley Road and Schulte Road. The density of planting shall be sufficient to screen the majority of the proposed project as viewed from Carmel Valley Road within five years of the project being approved. All required landscaping will be included in a landscape plan to be submitted and approved by the Director of Planning and Building prior to occupancy.		PBI	Prior to Occupancy		
2		To further reduce future visual impacts, the location, type and size of all antennas, satellite dishes, towers, and similar appurtenances shall be approved by the Director of Planning and Building.		PBI	Prior to Occupancy		
7		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		WRA	Prior to Occupancy		

Mit. Mon. No.	*Final Signoff Date*	*Conditions of Approval (See Part 2 for Mitigation Measures)*	*Standard*	*Orig. Dept. or Agency*	*Schedule (Prior to/Continuous) (Report due?) Fill in timeframe* ⇩		*Person/Agency responsible for Inspection/Monitoring/Review What is to be reviewed? Who is the preparer?*
		flush capacity of 1.5 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minutes, 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. Landscaping 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.					
8		If during the course of construction activity on the subject property, cultural, archaeological, historical, paleontological resources or human remains are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e., and archaeologist registered with the Society 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 the discovery.		PBI	Continuous		
5		All future landscaping within the 100-foot setback area from the top of bank as indicated on the site plans and recorded Parcel Map will be done so as to not impact existing native riparian vegetation/habitat and will be monitored for compliance by planning staff.		PBI	Continuous		
39		The property owner shall monitor and report annually to the Planning and Building Inspection Department all indoor and outdoor water use on the property. The report shall cover the period from July 1 to June 30 and shall be submitted no later than July 31st of every year. If necessary, the Planning and Building Inspection Department may require a flow restrictor to be placed on the service lines, at the property owner's expense. **(Planning and Building Inspection)**		PBI	Continuous		



APPLICANT: RUIZ

APN: 169-181-048-000 FILE # 000012

300' LIMIT:

2,500' LIMIT:

0 1000

FEET

Monterey County Planning and Building Inspection Department

DATE: