

**PLANNING COMMISSION  
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02061

A. P. # 239-031-006-000

FINDINGS AND DECISION

In the matter of the application of  
**Stephen & Jan Watson (PLN010562)**

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located at 45 Rancho San Carlos Road, Carmel, Santa Lucia Preserve, greater Monterey Peninsula area, came on regularly for hearing before the Planning Commission on October 9, 2002.

WHEREAS: Said proposal includes:

- 1) an Amendment to the Final Map (PC94067) of the Santa Lucia Preserve Phase A (Portion of Tract No. 1308) to adjust the building envelope for Lot No. 17; and
- 2) an Administrative Permit for the construction of an 8,290 sq. ft. two-story single family residence with 3 car garage, and a detached 1,200 sq. ft. "car barn", the removal of a 36" landmark oak tree; grading of 23,310 cubic yards (11,669 cubic yards cut/11,641 cubic yards fill {28 cubic yards} export); and
- 3) Design Approval

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

FINDINGS OF FACT

1. **FINDING:** The project proposed in this application consists of a Combined Development Permit (PLN010562), as described in Condition #1 and as conditioned, 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 at Lot 17 of the Santa Lucia Preserve, Carmel. 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 21.44, 21.45, 21.64.260 and 21.76 of the Monterey County Zoning Ordinance regulations for development.
- c) Monterey County Code Title 19 Subdivision Ordinance.

**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 Carmel Valley 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.

**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 submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

**2. FINDING:** After a Final or Parcel Map is filed in the Office of the County Recorder, it may be amended by a certificate of correction or an amending map.

**EVIDENCE:** The applicant and other parties in interest in the map have requested to amend Final Map (PC94067) of the Santa Lucia Preserve Phase A (Portion of Tract No. 1308) to adjust the building envelope for Lot No.17.

**EVIDENCE:** The relocation of the building envelope will avoid protected trees and will include open meadow areas more suitable to development. In this sense the applicant contends that existing conditions of the map are not necessary or appropriate.

**EVIDENCE:** The proposed building envelope adjustment “trades” tree covered areas on the southwestern portion of the recorded building envelope to open meadow areas adjacent to the western edge of the recorded building envelope.

**EVIDENCE:** The former building envelope areas covered by oak trees will be protected as they will be placed under the stewardship of the Santa Lucia Preserve Conservancy.

**EVIDENCE:** The resulting building envelope boundary would be 4.10 acres; 0.46 acres smaller than the original building envelope.

**EVIDENCE:** By evidence of the applicant’s request for the map amendment, the property owner consents that “no additional burden on the present fee owner” will result from approval of the map amendment (adjusted building envelope).

**EVIDENCE:** Approval of the proposed amendment (adjusted building envelope) will not, “alter any right, title or interest in the real property reflected on the recoded map,” as the property owner will have the right to build and maintains title and interest in the property.

**EVIDENCE:** Approval of the proposed amendment (adjusted building envelope for Lot 17) will not, “alter any right, title or interest in the real property reflected on the recoded map,” of neighboring property owners as no changes or adjustments to other parcels are being considered or made. All rights and interests in adjacent properties will be unaffected by the proposed amendment.

**3. FINDING:** On February 6, 1996, the Board of Supervisors certified a final environmental impact report (EIR No. 94-005) for the Santa Lucia Preserve. The proposed project, as analyzed in the environmental document, is consistent with the EIR’s conclusions and mitigations.

**EVIDENCE:** Materials in file; Board Resolution No. 96-059 certifying the EIR for the Santa Lucia Preserve project; Board Resolution No. 96-060 approving the original Certified Development Plan for the Santa Lucia Preserve; EIR No. 94-005.

**4. 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 # PLN010562) 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 “E” 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 Coastal Offices, located at 2620 1<sup>st</sup> Avenue, Marina, 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:** 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 proposed Mitigated Negative Declaration was filed with the County Clerk on September 5, 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:

1. Project File and Project Application Submittal
2. Santa Lucia Preserve Final EIR
3. Monterey County General Plan and Greater Monterey Peninsula Area Plan
4. Monterey County Zoning Ordinance (Title 21)
5. Site Visit by Project Planner April 12, 2002
6. Preliminary Erosion Report Sheet 6 of 7, Thompson Hysell Engineers, Submitted April 23, 2002. Plan dated 3-13-02.
7. Geotechnical Engineering Investigation Proposed Watson Residence Lot No. 17 Santa Lucia Preserve Monterey County, California. Project Number F20101.01-02. Prepared by Twining Laboratories, Inc. November 14, 2000.
8. Supplemental Geotechnical Investigation Proposed relocated Watson Residence Lot 17, Santa Lucia Preserve, Carmel California. Prepared by Twining Laboratories, Inc. November 14, 2000. Dated March 15, 2002.
9. County of Monterey Santa Lucia Preserve Addendum to EIR (No. 94-005) Prepared by Jones and Stokes Associates, Inc. August 1997.
10. Monterey County Code Title 19 Subdivision Ordinance.

**5. 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.

**EVIDENCE:** Based on the record as a whole as embodied in the Planning and Building Inspection files pertaining to PLN010491 and PLN010562 and the attached Initial Study / proposed Mitigated Negative Declaration, implementation of the project will potentially affect changes to riparian areas on the subject property requiring protection and native and non-native plant life and soils will be disturbed.

**6. FINDING:** The (36" live oak landmark) tree removal is the minimum required under the circumstances and will not involve risk of adverse environmental impacts.

**EVIDENCE:** Construction of the proposed car barn and vehicle turnaround area will require the removal of one landmark oak. Altered configurations and placements of the proposed car barn and vehicle turn-around improvements would have a greater impact to protected trees.

**EVIDENCE:** Regarding potential adverse biological impacts, this tree is not well suited to nesting raptors. The tree is short (20 +/- feet tall) relative to surrounding trees and is at the edge of the existing oak woodland and is exposed on all sides. In general, oak nesting raptor species "select" a tree that is at least as tall as surrounding trees, and is shielded on one or more sides by additional trees. It is highly unlikely that any raptor species would nest within this particular tree, given the availability of more typically utilized trees (taller and surrounded by other trees) in the immediate area. No evidence of past nesting was observed in or near the tree.

**EVIDENCE:** The Santa Lucia Preserve Final Environmental Impact Report provides mitigation measures for replacement of removed landmark oak trees at a ratio of 5:1.

**7. FINDING:** That the subject property is in compliance with all rules and regulations pertaining to the use of the property, that no violations exist on the property and that all zoning abatement costs, if any have been paid.

**EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property.

**8. FINDING:** The site is 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, Public Works Department and Health Department. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

**9. 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, Carmel Valley Fire Department, 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 Mitigated Negative Declaration includes mitigation measures that address potential impacts to Biological Resources, Geology and Soils, and Hydrology and Water

Quality. No other significant issues have been identified for the project.

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

### DECISION

THEREFORE, it is the decision of the Planning Commission to recommend to the Board of Supervisors that the Mitigated Negative Declaration and Program for Monitoring and/or Reporting on Conditions of Approval be adopted and said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the following conditions:

1. This permit is a Combined Development Permit request for an Amendment to the Final Map (PC94067) of the Santa Lucia Preserve Phase A (Portion of Tract No. 1308) to adjust the building envelope for Lot No.17; and an Administrative Permit for the construction of an 8,290 sq. ft. two-story single family residence with 3 car garage, and a detached 1,200 sq. ft. "car barn;" the removal of a 36" landmark oak tree; grading of 23,310 cu. yds. (11,669 cu. yds. cut/11,641 cu. yds. fill {28 cu. yds.} export); and Design Approval. The property is located at 45 Rancho San Carlos Road, Carmel (Assessor's Parcel Number 239-031-006-000), Santa Lucia Preserve, Greater Monterey Peninsula area. (Note: This project description combines Monterey County Files **PLN010491** and **PLN010562**, which had been submitted separately.)

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

### **Prior to Filing a Certificate of Correction or Recordation of an Amended Map**

3. The applicant shall file and record a Certificate of Correction or Amended Map with the Office of the County Surveyor. **(Public Works)**.
4. The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring Plan including payment of the appropriate fee. **(Planning and Building Inspection)**
5. 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 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 Department)**

### **Prior to the Issuance of Grading and Building Permits:**

6. This application is subject to Carmel Valley Traffic Impact Fees (\$9,328) and State HWY One Fees (\$680). **(Public Works)**
7. The applicant shall record a notice which states: "A permit (Resolution \_\_\_\_\_) was approved by the Board of Supervisors for Assessor's Parcel Number 239-031-006-000 on \_\_\_\_\_, 2002. The permit was granted subject to \_\_\_\_\_ 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)**
8. A note shall be placed on plans submitted for Grading and Building Permits that: "A Preliminary Erosion Report, A Geotechnical Investigation, and a Supplemental Geotechnical Investigation report, dated, March 13, 2002, November 14, 2000 and March 15, 2002 have been prepared for this property and are on file in the Monterey County Planning and Building Inspection Department:
  - a. Preliminary Erosion Report Sheet 6 of 7, Thompson Hysell Engineers, Submitted April 23, 2002. Plan dated 3-13-02.
  - b. Geotechnical Engineering Investigation Proposed Watson Residence Lot No. 17 Santa Lucia Preserve Monterey County, California. Project Number F20101.01-02. Prepared by Twining Laboratories, Inc. November 14, 2000.
  - c. Supplemental Geotechnical Investigation Proposed relocated Watson Residence Lot 17, Santa Lucia Preserve, Carmel California. Prepared by Twining Laboratories, Inc. November 14, 2000. Dated March 15, 2002.

The recommendations contained in these reports shall be followed in all further development of this property." The note shall be located in a conspicuous location, subject to the approval of the Planning and Building Inspection Department. **(Planning and Building Inspection)**

1. The following note shall be placed on the Building and Grading Plans: "In order to mitigate potential impacts to species identified as a candidate, sensitive or special status species, Pre-construction surveys for nesting raptors are required if construction is to occur during the nesting season (April 15-August 1). 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 known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season." **(Planning and Building Inspection, MM 1)**
2. The following note shall be placed on the Building and Grading Plans: "In order to mitigate potential adverse effect on any riparian habitat or other sensitive natural community, all grading, excavating, and other activities involving substantial soil disturbance shall be planned and carried out in accordance with the Lot 17 Geotechnical Engineering Investigation, and standard erosion control techniques (as established within the Santa Lucia Preserve mitigation monitoring program) shall be utilized to minimize erosion and sedimentation impacts to water resources, native vegetation and other biological resources." **(Planning and Building Inspection, MM 2)**
3. The following note shall be placed on the Building and Grading Plans: "In order to mitigate potential adverse effect on any riparian habitat or other sensitive natural community, the applicant shall control the introduction of invasive, exotic plants (Preserve FEIR mitigation measure #34). The following recommendation, implemented at

Lot 17, will achieve the goals of this measure: Rapid revegetation of denuded areas is required 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).” **(Planning and Building Inspection, MM 3)**

4. The following note shall be placed on the Building and Grading Plans: “In order to mitigate potential adverse environmental effects from removal of the 36” live oak landmark tree and to avoid conflict with the County’s tree preservation ordinance (Section 21.64.260), the landmark tree removed for development shall be replaced at a 5:1 ratio as specified by Santa Lucia Preserve FEIR mitigation measure #36 (PC94067 Condition #24).” **(Planning and Building Inspection, MM 4)**
5. The following note shall be placed on the Building and Grading Plans: “In order to mitigate substantial soil erosion, the applicant shall implement Mitigation Measures 2 and 3 (Conditions 10 and 11 above), and shall adhere to the erosion control guidelines within the Preliminary Erosion Report to reduce potential erosion impacts to a less than significant level.” **(Planning and Building Inspection, MM 5)**
6. The following note shall be placed on the Building and Grading Plans: “In order to mitigate alteration of existing drainage patterns of the site that may potentially result in erosion or siltation on- or off-site, the applicant shall implement Mitigation Measures 2 and 3 (Conditions 10 and 11 above), and shall adhere to the erosion control guidelines within the Preliminary Erosion Report to reduce potential erosion or siltation impacts to a less than significant level.” **(Planning and Building Inspection, MM 6)**
7. Prior to issuance of grading or building permits, a drainage plan shall be prepared by a registered civil engineer or architect, addressing on-site and off-site impacts, to include stormwater dispersion facilities to mitigate the impact of impervious surface stormwater runoff. Necessary improvements shall be constructed in accordance with approved plans. **(Water Resources Agency)**
8. Approved fire protection water supply systems must be installed and made serviceable prior to the time of construction. **(Fire District)**
9. 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 fire 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)**
10. 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)**

11. All exterior lighting shall be unobtrusive, compatible with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The 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)**
12. 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 and Building Inspection)**

**Prior to Final Building Inspection/Occupancy:**

13. The applicant shall comply with Ordinance No. 3932 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 & Planning and Building Inspection)**
1. 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. The project will be subject to a landscape plan review fee which 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 Department)**
2. Prior to Occupancy of the single family residence or car barn accessory structure, the applicant shall demonstrate to the satisfaction of the Carmel Valley Fire Protection District that the following conditions of approval have been satisfied:
  - a. 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)**
  - b. The grade for all roads, streets, private lanes and driveways shall not exceed 15%, except as otherwise approved by the Fire Chief." **(Fire District)**
  - c. For residential driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius of curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. **(Fire District)**
  - d. 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)**



- e. Roadway turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum 25-foot taper on each end. **(Fire District)**
- f. 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)**
- g. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. **(Fire District)**
- h. 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)**
- i. 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)**
- j. Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of the building permit. **(Fire District)**
- k. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. **(Fire District)**
- l. Where road grades exceed 8 percent, a minimum structural roadway surface thickness of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. **(Fire District)**
- m. 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:**

1. 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 it can be evaluated by a qualified professional archaeologist. The Monterey County Planning and Building Inspection Department and a qualified archaeologist (i.e., an 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)**
2. 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)**
3. Remove flammable vegetation from within 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. **(Fire District)**
4. Unobstructed vertical clearance shall not be less than 15 feet for all access roads. **(Fire District)**

**PASSED AND ADOPTED** this 9th day of October, 2002 by the following vote:

AYES: Errea, Sanchez, Parsons, Diehl, Hernandez, Engell, Wilmot  
 NOES: Brennan  
 ABSENT: Hawkins, Pitt-derdivanis

Original Signed By:

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DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on