

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

RESOLUTION NO. 03005

**FINDINGS AND DECISION**

In the matter of the application of  
**Monterey County Public Works Department (PLN020382)**

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 the intersection of San Miguel Canyon Road and Hall Road (No. County Assessor's Parcel Number), North County Area, Coastal Zone came on regularly for hearing on January 29, 2003.

WHEREAS: Said proposal includes a:

- 1) Coastal Development Permit to allow construction of operational improvements to a road intersection including traffic signals, turning lanes and bridge widening over Carneros Creek;
- 2) Coastal Development Permit for development within 100 feet of an environmentally sensitive habitat area; and
- 3) Coastal Development Permit for the removal of 13 oaks and 3 willow trees.

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

1. **FINDING: CONSISTENCY** - The Project, as conditioned is consistent with the plans and policies of the North County Land Use Plan, Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20). The proposed intersection improvement project is consistent with the designation of Public Quasi Public use.

**EVIDENCE:** (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the North County Land Use Plan, Coastal Implementation Plan (Part 4), Part 6 of the Coastal Implementation Plan. PBI staff has reviewed the project as contained in the application and accompanying materials for conformity with the Monterey County Zoning Ordinance (Title 20) and have determined that the project is consistent with the North County Land Use Plan. Staff notes are provided in Project File PLN020382.

(b) Project planner conducted an on-site inspection on August 13, 2002 to verify that the project on the subject parcel conforms to the plans listed above.

(c) **LAND USE ADVISORY COMMITTEE:** On January 6, 2003, the North County Coastal Land Use Advisory Committee recommended approval of the project by a vote of 4-1. LUAC meeting minutes dated January 6, 2003.

(d) 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 Project File PLN020382.

2. **FINDING: TRANSPORTATION** – The proposed development is consistent with LUP policies 3.1.1 and 3.1.2.5 which state that that major arterial roads in North County should be expanded to accommodate traffic volumes at Level of Service C and to serve the planned growth.

**EVIDENCE** (a) The subject intersection currently operates at a Level of Service F and with the proposed improvements it is projected that it will operate at a Level of Service B in 2020.

(b) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, including the Initial Study, found in Project File PLN020382.

3. **FINDING: ENVIRONMENTALLY SENSITIVE HABITAT AREAS** – The proposed development will directly impact riparian and oak woodland habitats. However, appropriate mitigation measures have been imposed to ensure that the development will not harm the habitat’s long-term maintenance, consistent with LUP policies 2.3.2.1 and 2.3.2.2 regarding protection of environmentally sensitive habitat areas, and with CIP sections 20.144.040.B.1 and 20.144.040.B.2 regarding development standards for environmentally sensitive habitat areas. Oak tree removal has been minimized consistent with CIP section 20.144.040.C.1.e regarding removal of oak trees in oak woodland habitat.

**EVIDENCE**

(a) Information contained in the Initial Study/Mitigated Negative Declaration prepared for the proposed development confirms that impacts to environmentally sensitive habitat areas will occur and that these impacts can be mitigated to a less than significant level.

(b) Biotic Assessment by Biotic Resources Group dated May 14, 2001 contained in project file PLN020382.

(c) 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 Project File PLN020382.

4. **FINDING: SETBACK REDUCTION FOR RIPARIAN HABITAT** – Bridge widening will require development within the 150-foot setback from Carneros Creek required by LUP policy 2.3.3.B.1 and CIP section 20.144.040.C.2.b. Sufficient evidence exists in the record that shows that bridge widening will not harm the long-term maintenance of riparian habitat consistent with the intent of the policies and regulations regarding protection of environmentally sensitive habitat areas.

**EVIDENCE**

(a) Intersection improvements will require widening of the bridge crossing Carneros Creek which cannot be accomplished without encroaching in the 150-foot setback.

(b) Information contained in the Initial Study/Mitigated Negative Declaration prepared for the proposed development confirms that approximately 500 square feet of riparian habitat will be impacted by bridge widening and that these impacts can be mitigated to a less than significant level.

(c) Biotic Assessment by Biotic Resources Group dated May 14, 2001 contained in project file PLN020382.

(d) 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 Project File PLN020382.

5. **FINDING: TREE REMOVAL** – The subject project minimizes tree removal in accordance with the applicable goals and policies of the North County Land Use Plan and Coastal Implementation Plan (Part 2). The proposed tree removal will be within in the public right-of-way or within an area to be purchased for the public right-of-way. No alternatives to development (such as resiting, relocation or reduction in development area) exist whereby the removal of trees can be avoided. Replacement planting will occur in the project vicinity consistent with section 20.144.050.C.5 of the Coastal Implementation Plan (Part 2) and in accordance with the recommendation of the Forester’s Assessment prepared for the project.

**EVIDENCE:**

(a) Forester’s Assessment prepared by Staub Forestry and Environmental Consulting, dated November 29, 2002 contained in project file PLN020382

(b) Revegetation Plan contained in project file PLN020382.

6. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.
- EVIDENCE:** (a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.
7. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.
- EVIDENCE:** (a) The project was reviewed by Planning and Building Inspection, Water Resources Agency, Environmental Health Division, Parks Department, Sheriff's Department, and North County Fire Protection District. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions.
8. **FINDING:** **SITE SUITABILITY** - The site is suitable for the use proposed.
- EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Water Resources Agency, Environmental Health Division, Parks Department and North County Fire Protection District. Conditions recommended have been incorporated.
- (b) Technical reports by outside archaeology and geotechnical consultants indicate that there are no physical or environmental constraints such as geologic or seismic hazard areas or similar areas that would indicate the site is not suitable for the use proposed. "Preliminary Archaeological Reconnaissance for the San Miguel Canyon Road/Hall Road Intersection Improvement Project" prepared by Archaeological Consulting dated October 29, 2002; "Geotechnical Engineering Investigation" prepared by Parikh Consultants, Inc. dated July, 2001. The reports are in Project File PLN020382.
- (c) Staff conducted an on-site visit on August 13, 2002 to verify that the site is suitable for this use.
- (d) Necessary public facilities are available and will be provided.
9. **FINDING:** **CEQA:** On the basis of the whole record before the Planning Commission, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The mitigated negative declaration reflects the independent judgment and analysis of the County.
- EVIDENCE:** (a) Pursuant to CEQA, the Public Works Department prepared an Initial Study. The Initial Study provided substantial evidence that the project would not have significant adverse environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on May 15, 2002 and circulated through the State Clearinghouse (SCH#2001091047). The Monterey County Board of Supervisors adopted the Mitigated Negative Declaration for the project on July 9, 2002.
- (b) No new conditions exist that would alter the environmental determination, as presented by staff, based on investigation and independent assessment of staff.

(c) No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts, have been submitted that would nullify the Board’s determination.

(d) A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation (see Condition 2).

10. **FINDING: PUBLIC ACCESS** - The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

**EVIDENCE** (a) The subject property is not described as an area where the Local Coastal Program requires access.  
 (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 6, the Shoreline Access/Trails Map, of the North County Land Use Plan.  
 (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.  
 (d) Staff site visit on August 13, 2002.

11. **FINDING: APPEALABILITY** - The project is appealable to the Board of Supervisors and California Coastal Commission.

**EVIDENCE:** (a) Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan (Part 1).

**DECISION**

It is the decision of the Planning Commission of the County of Monterey that the Mitigated Negative Declaration be affirmed, the Program for Monitoring and/or Reporting on Conditions 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. The subject Combined Development Permit consists of a Coastal Development Permit to allow construction of operational improvements to a road intersection including traffic signals, turning lanes, and bridge widening over Carneros Creek; a Coastal Development Permit for tree removal (3 arroyo willows greater than 1” diameter and 16 Coast Live Oaks greater than 6” in diameter); and a Coastal Development Permit for development within 100 feet of an environmentally sensitive habitat area. The property is located at the intersection of Hall Road and San Miguel Canyon Road, North Monterey County area, Coastal Zone. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 enter into an agreement with the Planning and Building Inspection Department to implement the Mitigation Monitoring Plan. The Plan shall be submitted to the Director of Planning and Building Inspection Department for approval prior to issuance of building and/or building permits. **(Planning and Building Inspection)**
3. All cut and/or fill slopes exposed during the course of construction shall be covered, seeded with native grasses or otherwise treated to control erosion subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
4. The applicant shall incorporate the recommendations from the Forester's Assessment prepared by Staub Forestry and Environmental Consulting dated November 29, 2002 in the project's final plans as follows:
  - (a) Any pruning required on retained trees shall be done **prior to construction** by a certified arborist.
  - (b) To minimize intrusion onto retained tree root systems and to prevent damage to their trunks and limbs, protective fencing should be installed with on-site consultation of a qualified tree care professional **prior to commencement of construction activities**. The protective fencing may not be moved or impacted by construction equipment, materials or excavation once installed.
  - (c) Retained trees which are located close to the construction site shall also be protected from inadvertent damage at the discretion of the tree care professional during the on-site consultation for protective fencing through wrapping of trunks with protective materials, bridging or tunneling under major roots, or other protective measures appropriate and necessary to protect the well-being of retained trees. **(Planning and Building Inspection)**

Additional protection may include avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip line of the retained trees. The aforementioned protection measure shall be demonstrated **prior to commencement of construction activities** subject to the approval of the Director of Planning and Building Inspection. **(Planning and Building Inspection)**

5. **Prior to issuance of demolition, grading and/or building permits**, the applicant shall provide certification to the County Water Resources Agency that applications have been submitted for all required local, State and Federal permits. The Agencies include but are not limited to; California Department of Fish & Game and the California Regional Water Quality Control Board. **(Water Resources Agency)**
6. **Prior to issuance of any grading and/or building permits**, a registered civil engineer shall prepare a plan for the construction of the approaches and abutments to show that they are protected from erosion by flows exceeding the capacity of the normal channel (overbank flow). The approach and abutment fill material shall be properly compacted, and protected with armor, if necessary, to resist flow erosion. Plans shall identify subsurface material under the abutments and the approaches, and how any fill material will be keyed into the subsurface. The bridge shall be designed and properly anchored to withstand overtopping and debris loads. The engineer shall consult with the Water Resources Agency on the proper Floodway cross-sectional area to be maintained. Plans shall be approved before the commencement of construction activities. **(Water Resources Agency)**

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

7. The traffic signal shall be equipped with an emergency vehicle optical detection system (3M/Opticom or equivalent). **(North County FPD)**

#### **Conditions from the Mitigated Negative Declaration**

8. **(MITIGATION MEASURE #1, Biological Resources)** In order to avoid potential adverse impacts to the federally listed California red-legged frog and the pond turtle, state species of special concern, the County shall

consult with the appropriate regulatory agencies to determine methods to avoid any “take” of the frogs or turtles. Such methods may include scheduling the construction to occur during the driest time of the year when frogs and turtles are least likely to be present; conducting preconstruction surveys for frogs to determine if any are present; and implementation of a revegetation plan, described in subsequent mitigation measures. If a COE permit is required for the bridge construction, consultation with the USFWS can be accomplished through a Section 7 consultation. Failure to carry out this consultation will result in the denial to issue building and/or grading permits or in the prohibition to begin construction activities.

**MONITORING ACTION: Prior to issuance of Building and/or Grading Permits OR Prior to commencement of construction activities**, the Department of Public Works shall provide the Director of Planning and Building Inspection Department written documentation that consultation has been carried out with the appropriate regulatory agency (USFWS, CDFG, or other) or written confirmation from these agencies that no consultation is required for the project.

9. **(MITIGATION MEASURE #2, Biological Resources)** In order to avoid potential adverse impact to nesting raptors, the County shall schedule construction to take place during late summer/early fall (e.g., after August 1). If this is not possible, the County shall have a qualified biologist conduct preconstruction surveys no more than 30 days prior to construction to determine if raptors are nesting in the riparian habitat within 300 feet of the project area. If nesting raptors are found, delay construction until all young have fledged.

**MONITORING ACTION: Prior to initiating construction activities**, if construction is scheduled to begin prior to August 1, the Department of Public Works submit to the Director of Planning and Building Inspection Department copy of a contract with a qualified biologist to perform a nesting raptor survey. The results of the survey shall be submitted to the Director of Planning and Building Inspection Department and must include recommended measures to be implemented in the event that nesting raptors are found in the project site. Failure to submit copy of the contract or survey results, if applicable, shall result in the prohibition to begin construction until the material is received and approved by the Director of Planning and Building Inspection Department.

10. **(MITIGATION MEASURE #3, Biological Resources)** In order to avoid potential future impacts to nesting wildlife under the bridge structure from maintenance activities, the widened bridge section shall be of a design that discourages the establishment of nesting wildlife (discourages establishment of bat and swallow nests).

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall submit to the Director of Planning and Building Inspection Department for approval, written certification by the project biologist that bridge design is consistent with this mitigation measure

**MONITORING ACTION: Prior to final inspection**, the Department of Public Works shall submit to the Director of Planning and Building Inspection Department for approval, written certification by the project biologist that the bridge has been constructed consistent with this mitigation measure. Project shall not obtain final clearance until this certification is received and approved by the Director of Planning and Building Inspection Department.

11. **(MITIGATION MEASURE #4, Biological Resources)** In order to mitigate for adverse impacts to riparian habitat, the County shall develop and implement a riparian revegetation plan to reestablish riparian woodland adjacent to the project site. A minimum 3:1 replacement ratio for impacted riparian woodland is recommended (i.e., establishment of approximately at least 150 square meter of riparian woodland). A Streambed Alteration Agreement with California Department of Fish and Game (CDFG) will also be required; the revegetation plan shall be included as part of this agreement and approved by CDFG.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall submit to the Director of Planning and Building Inspection Department for approval a copy of the project plans and specifications that will be advertised for bidding showing that the revegetation plan has been incorporated into the project plans. The revegetation plan shall contain sufficient detail to determine type, quantity, and location of

proposed planting. The plan shall also include a 5 year monitoring period and provisions to ensure a 100% revegetation success at the end of the monitoring period following completion of replanting, including replacement planting and extension of the monitoring period if needed

12. **(MITIGATION MEASURE #5, Biological Resources)** In order to mitigate for potential adverse impacts to riparian habitat adjacent to the project construction area, the construction plans shall depict measures to protect the riparian woodland that will be retained, yet is located adjacent to the roadway construction area. The plan shall specify the placement of both silt fencing and a 5-foot tall standard Caltrans type ESA fence along the outside edge of the riparian woodland to be retained during construction activities. The plans shall specify that no construction work, equipment staging or other activities are to occur in the riparian areas.

**MONITORING ACTION: Prior to advertising the project for bidding**, submit to the Director of Planning and Building Inspection Department for approval a copy of the project plans and specifications that will be advertised for bidding showing the protective measures required for the adjacent riparian woodland.

**MONITORING ACTION: Prior to initiating construction activities**, the Department of Public Works shall schedule a site visit with the project planner and consulting biologist to verify that the protective measures are in place consistent with the requirements of this mitigation measure.

13. **(MITIGATION MEASURE #6, Biological Resources)** In order to mitigate for potential adverse impacts to adjacent riparian woodland, in-stream wetlands and open water habitat, in combination with Mitigation Measure #5, above, the bridge design and construction shall be done in a manner that avoids impacts to adjacent riparian woodland, in-stream wetlands and open water habitat, to the greatest extent feasible. The County shall consult with COE to secure the appropriate permit(s). In conjunction with COE permitting requirements, and pursuant to County General Plan Environmental Resource Management policies ER-1.2 and ER-1.3, the County shall develop and implement a wetland revegetation plan to reestablish in-stream wetlands in the project area. A minimum 1:1 replacement ratio for impacted wetland resources is recommended. The wetland revegetation plan shall be approved by the County Planning Department, and included as part of the COE permit application.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall submit to the Director of Planning and Building Inspection Department for approval a copy of the project plans and specifications that will be advertised for bidding showing the protective measures required for the adjacent riparian woodland.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall provide the Director of Planning and Building Inspection Department evidence that consultation with the Army Corps of Engineers has been performed and that all necessary permits have been obtained.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall provide the Director of Planning and Building Inspection Department for approval copy of the wetland revegetation plan. The plan shall detail the type and number of plants used for revegetation in addition to the areas of revegetation. The plan shall also include a 5 year monitoring period and provisions to ensure a 100% revegetation success at the end of the monitoring period following completion of replanting, including replacement planting and extension of the monitoring period if needed.

14. **(MITIGATION MEASURE #7, Biological Resources)** In order to mitigate for potential adverse impacts to oak woodland habitat, the County shall develop and implement an oak woodland revegetation plan to reestablish oak woodland adjacent to the project site. A minimum 3:1 replacement ratio for impacted oak woodland is recommended. The revegetation shall specify the use of native plant species for the revegetation, a maintenance and monitoring plan and performance standards to ensure success of the revegetation.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall submit to the Director of Planning and Building Inspection Department for approval a copy of the project plans and specifications showing the oak woodland revegetation plan adjacent to the project site. The plan shall detail the type and number of plants used for revegetation in addition to the areas of revegetation. The plan shall also include a 5 year monitoring period and provisions to ensure a 100% revegetation success at the end of the monitoring period following completion of replanting, including replacement planting and extension of the monitoring period if needed.

15. **(MITIGATION MEASURE #8, Biological Resources)** In order to mitigate for potential adverse impacts to retained trees from construction activities, the County shall install temporary standard Caltrans type ESA fence along the edge of the construction area. The construction plans shall depict measures to protect the trees that will be retained. The plan shall specify the placement of both silt fencing and a 5-foot tall standard Caltrans type ESA fence along the outside edge of the oak woodland to be retained. The plans shall specify that no construction work, equipment staging or other activities are to occur in the woodland area.

**MONITORING ACTION: Prior to advertising the project for bidding**, the Department of Public Works shall Submit to the Director of Planning and Building Inspection Department for approval a copy of the project plans and specifications that will be advertised for bidding showing the requirement of protection measures around the construction area as described in this mitigation measure.

**MONITORING ACTION: Prior to commencement of construction**, the Department of Public Works shall schedule a field inspection with the project planner, the consulting biologist, and forester to verify and approve the installation of protection measures.

16. **Prior to advertising the project for bidding**, a single monitoring plan shall be prepared for conditions 8-15. The monitoring plan shall include a long-term schedule for reporting on the progress and success of habitat restoration. Reports shall be monthly during construction, quarterly the first year following project completion and yearly thereafter until the end of the 5 year monitoring period, which shall be, at minimum, consistent with the recommendations of the consulting biologist.

**Continuous Permit Conditions:**

17. If during the course of construction activity on the subject property, cultural, archaeological, historical, 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)**

18. All landscaped areas and replanted trees 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)**

19. 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)**

**PASSED AND ADOPTED** this 29th day of January, 2003 by the following vote:

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl, Gonzalves, Rochester, Wilmot  
NOES: None  
ABSENT: None

Original Signed By:

\_\_\_\_\_  
LYNNE MOUNDAY, SECRETARY PRO TEM

Copy of this decision mailed to applicant on

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

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90<sup>th</sup> 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 Marina.

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.