

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

RESOLUTION NO. 05017

A.P. #117-491-026-000

FINDINGS AND DECISION

In the matter of the application of **Kevin and Leilani Vevang (PLN040258)**

for a Combined Development Permit consisting of: (1) a Use Permit to allow for the construction of a 3,390 square foot, two-story single family dwelling with attached garage and grading (approximately 743 cubic yards of cut and 743 cubic yards of fill) in a visually sensitive area; (2) a Use Permit to allow for Ridgeline Development; (3) a Use Permit to allow development on slopes in excess of 30 percent; and 4) An Administrative Permit to allow for the removal of three oak trees. The project is located at 1205 Eagle Hill Road, Royal Oaks, North County Area. The project came on regularly for hearing before the Planning Commission on March 30, 2005.

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

FINDINGS OF FACT

1. FINDING: The Combined Development Permit consisting of: (1) a Use Permit to allow for the construction of a 3,390 square foot, two-story single family dwelling with an attached two-car garage and grading (approximately 743 cubic yards of cut and 743 cubic yards of fill) in a visually sensitive area; (2) a Use Permit to allow for Ridgeline Development; (3) a Use Permit to allow development on slopes in excess of 30 percent; and (4) An Administrative Permit to allow for the removal of three oak trees. The site is located at 1205 Eagle Hill Road, Royal Oaks (Assessor's Parcel Number 117-491-026-000), northerly of the intersection of Eagle Hill and Vega Road and southerly of San Juan Road, North County Area Plan. The proposal is consistent with the regulations of the Monterey County General Plan, the North County Area Plan and the provision of Title 21 of the Monterey County Zoning Ordinance pertaining to ridgeline development and development in areas designated as visually sensitive. The project site is located in a Resource Conservation, 10 acre minimum, Visual Sensitivity, "RC/10-VS" Zoning District. The proposal is consistent with the Visual Sensitivity zoning regulations.

EVIDENCE: The proposed project is consistent with the Monterey County General Plan, the North County Area Plan, and Title 21 of the Zoning Ordinance pertaining to ridgeline development and development in areas designated as visually sensitive, since the project, as conditioned, is designed to minimize visibility from a common public viewing area. The proposal is consistent with the following regulations and polices.

- (1) The Monterey County General Plan
- (2) The North County Area Plan
- (3) The Monterey County Zoning Ordinance, Chapter 21.46 (Visual Sensitivity District "VS")
- (4) The Monterey County Zoning Ordinance, Chapter 21.64.230 (Standards for Development of slopes of thirty percent or greater)
- (5) The Monterey County Zoning Ordinance, Chapter 21.64.260 (Preservation of Oak and Other Protected Trees)
- (6) The Monterey County Zoning Ordinance, Chapter 21.66.010 (Standards for Ridgeline Development)

- 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, contained in Planning and Building Inspection File PLN040258.
- EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005 Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.
- EVIDENCE: Staff conducted site visits on December 9, December 22, 2004, February 25, 2005 and found that the project staking when viewed with unaided vision, silhouettes against the sky, from the unincorporated area of Pajaro until a mile before the intersection of San Juan Road and San Miguel Road. By mitigating the projects potential visual impacts with utilizing the appropriate colors and materials as well as minimizing off-site light pollution by requiring shielded, down-lit exterior lights, the project is consistent with the Monterey County General Plan, the North County Area Plan policies and the Monterey County Zoning Ordinance.
- EVIDENCE: Conditions 4, 6 and 7.
- EVIDENCE: Arborist report prepared by Forest City Consulting, dated June 29, 2004, indicating that three Coast Live Oaks are proposed for removal. The Forest indicated that "the design of this project was done to not only reduce tree removal, but also to ensure that retained trees were not affected by the construction." Conditions have been added to require compliance with the Arborist report.
- EVIDENCE: Geological Investigation prepared by UPP Geotechnology, Inc. dated November 17, 2004, which indicates that based on the reconnaissance investigation the building site is suitable for residential development. Conditions have been added that require compliance with the Geological Investigation.
- EVIDENCE: Geotechnical investigation prepared by Haro, Kasunich and Associates, Inc, dated July 2004, which indicates that the soil within the depths explored are stable if drainage from the development is collected and released in a controlled manner. Conditions have been added that require compliance with the Geotechnical investigation.

2. FINDING: The project is consistent with the North County Area Plan policy 26.1.6.1 that states "Where new development is permitted in sensitive or highly sensitive areas as shown on the Scenic Highways and Visual Sensitive Map, the landscaping, building design and siting of the development shall be critically reviewed to maintain the scenic value of the area." The structure has been lower so that only the first story of the structure will be visible from San Juan Road. With conditions of approval, that require landscape screening, lighting to be shield and down lit and earth tone colors the proposed structure will not have an significant impact to a common public viewing area.

- 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, contained in Planning and Building Inspection File PLN040258.
- EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005 Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.
- EVIDENCE: Conditions 4 and 6.

3. FINDING: The project is consistent with the Monterey County General Plan policy 26.1.9 that states "in order to preserve the County's scenic and rural character, ridgeline development shall not be allowed unless a special permit is first obtained. Such permit shall only be granted upon findings being made that the development as conditioned by permit will not create a substantially adverse visual impact when view from a common public viewing area." The proposed project as revised will not have a significant impact on the views from a common public viewing area with the requirement for earth tone colors and shield and down-lit lights.

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, contained in Planning and Building Inspection File PLN040258.

EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005 Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.

EVIDENCE: Conditions 4 and 6.

4. FINDING: The project is consistent with the Monterey County Zoning Ordinance (Title 21) Section 21.46.060.C.2 that states: "Structures shall be located and sited so as to minimize tree removal, grading and visibility from common public viewing areas." The structure is located on the only feasible area to develop. However to minimize visual impacts from a common public viewing area the site will be grading to bring the project in conformance with the Monterey County General Plan policies of minimizing visibility from a ridge. According to the Forest Management Plan prepared for the site only three trees that are located within the building foot print will be removed and all other trees will be protected during construction.

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, contained in Planning and Building Inspection File PLN040258.

EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005 Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.

EVIDENCE: Conditions 4, 6, and 7.

5. FINDING: The project is consistent with the Monterey County Zoning Ordinance (Title 21) Section 21.66.010.D that states "a Use Permit for ridgeline development may be approved only if the following finding, based on substantial evidence: The ridgeline development, as conditioned by permit, will not create a substantially adverse visual impact when viewed from a common public viewing area." The project was redesigned to lower the overall height of the proposed structure therefore conforming to said policies with the requirement of earth tone colors and the project overall design.

EVIDENCE: Staff conducted site visits on December 9, December 22, 2004, February 25, 2005 and found that the project staking when viewed with unaided vision, silhouettes against the sky, from the unincorporated city of Pajaro until a mile before the intersection of San Juan Road and San Miguel Road. With the removal of the oaks, the proposed two story structure project will create a substantial adverse impact.

EVIDENCE: Conditions 4 and 6.

6. FINDING: The proposed project is located within a visually sensitive area. Therefore all development must conform to the regulations set forth in section 21.46.030(C) of the Monterey County Zoning Ordinance (Title 21) that state: "No development may be approved by the Appropriate Authority, without a specific finding that the development as approved and conditioned will not create a substantially adverse visual impact when viewed from a common public viewing area." The proposed project is tucked into the existing topography and as conditioned, the project will not materially degrade the ridgeline when viewed from San Juan Road, a common public viewing area. The project is sensitive to the viewshed because of the design of the roofline and the colors and materials to be used and would therefore maintain the scenic value of the area which is consistent with the North County Area Plan.

EVIDENCE: The development standards of the Visually Sensitive district Section 21.46.30.C of the Monterey County Zoning Ordinance (Title 21).

EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005

Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.

EVIDENCE: Conditions 4 and 6.

7. FINDING: The proposed project is consistent with Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21) for development on slopes in excess of 30%. Due to the existing scenic easement and the existing topography the building site is highly constrained, leaving only .07 of an acre to be developed on. Because of these issues, there is no other feasible alternative for this site.

If the project was pushed further south, getting most of it out the slopes in excess of 30%, the structure would be more prominent on the ridge. The current location of the structure, which would allow for development on slopes in excess of 30%, better achieves the goals and policies set forth on the Monterey County General Plan, the Monterey County Zoning Ordinance (Title 21) and the North County Area Plan development in a Visually Sensitive district and for ridgeline development.

EVIDENCE: Scenic Easement deed (Reel 1460 Page 280) as found at the Monterey County Records office.

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, contained in Planning and Building Inspection File PLN040258.

EVIDENCE: Oral testimony at the hearings, minutes, tapes of the March 9, 2005 and March 30, 2005 Planning Commission meeting and administrative record as found at the Planning and Building Inspection Department.

8. FINDING: Three Coast Live Oaks are proposed to be removed; tree one, 9" at breast height, tree two, multi-stemmed 10", 10" and 8" at breast height and tree three, 10" at breast height. The tree removal is the minimum required under the circumstances of the case. Trees one and two are located within the footprint of the proposed residence. There are currently 38 trees located on the property and 11 are multi-stemmed. The removal will not involve a risk of adverse environmental impacts such as: soil erosion, water quality, ecological impacts, noise pollution, air movement, wildlife habitat.

EVIDENCE: (a) Arborist report dated June 29, 2004 prepared by Forest City Consulting.
(b) The proposed tree removal complies with section 21.64.260(D)(2) of the Monterey County Zoning Ordinance (Title 21) which states that the proposed tree removal is the minimum required under the circumstances of the case. The removal will not involve a risk of adverse environmental impacts such as: soil erosion, water quality, ecological impacts, noise pollution, air movement, wildlife habitat.
(c) On site visit conducted by staff on December 9, December 22, 2004, February 25, 2005.
(d) Condition number 7.

9. FINDING: CEQA (Exempt): - The project is exempt from environmental review.

EVIDENCE: (a) CEQA Guidelines Section 15303 categorically exempts single family dwellings.
(b) CEQA Guidelines Section 15061(b)(3) states that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.
(c) No adverse environmental effects were identified during staff review of the development application during site visits on December 9, December 22, 2004, February 25, 2005

10. FINDING: The project is appealable to the Board of Supervisors

EVIDENCE: Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the attached conditions.

PASSED AND ADOPTED this 30th day of March, 2005 by the following vote:

AYES: Errea, Padilla, Vandever, Wilmot, Diehl, Rochester

NOES: Parsons, Hawkins, Sanchez

ABSTAIN: Salazar

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

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 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 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.

<p align="center"><u>Monterey County Planning and Building Inspection</u> <u>Condition Compliance and/or Mitigation Monitoring Reporting Plan</u></p>	<p align="right">Project Name: <u>Vevang</u></p> <p><i>File No:</i> <u>PLN040258</u> <i>APN:</i> <u>117-491-026-000</u></p> <p><i>Approval by:</i> <u>Monterey County Planning Commission</u> <i>Date:</i> <u>March 30, 2005</u></p>
--	---

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1		<p>PBD029 - SPECIFIC USES ONLY</p> <p>This Combined Development permit PLN040258 allows the construction of a 3,390 square foot, two-story single family dwelling with an attached two-car garage and grading (approximately 743 cubic yards of cut and 743 cubic yards of fill) and the removal of three protected oak trees. The property is located at 1205 Eagle Hill Road, Royal Oaks (Assessor's Parcel Number 117-491-026-000), North County Area. This permit was approved 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)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless other-wise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution 040258) was approved by the Planning Commission for Assessor's Parcel Number 117-491-026-000 on March 30, 2005. The permit was granted subject to 21 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.</p> <p>(Planning and Building Inspection)</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of grading and building permits or start of use.	
3		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County 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.</p> <p>(Planning and Building Inspection)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4		<p>PBD - (NON STANDARD) DEED RESTRICTION – EXTERIOR COLORS</p> <p>Prior to the issuance of a grading or building permit the applicant shall record a deed restriction stating that <i>“The structures on the property shall be painted earth-toned colors that blend with the surrounding vegetation in all seasons Applicant shall submit final materials and colors to the Director of Planning and Building Inspection prior to issuance of building permit. Any modification to the exterior colors and materials of the structure shall be approved by the Planning Commission.”</i> (Planning and Building Inspection)</p>	Proof of recordation of this deed restriction shall be furnished to PBI.	Owner/ Applicant	Prior to the issuance of grading and Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5		<p>PBD - (NON STANDARD) EROSION CONTROL PLAN AND SCHEDULE</p> <p>Erosion control plans shall include as a minimum the measures under Sections 16.12.070, 16.12.090, 16.12.110 of the County of Monterey Municipal Code. The approved development shall incorporate the recommendations of an Erosion Control Plan as reviewed by the Water Resources Agency and the Director of Planning and Building Inspection.</p> <p>All grading and building plans shall include the recommendations of the erosion control plan and the following note:</p> <ol style="list-style-type: none"> 1. Disturbed surfaces not involved in the immediate operations must be protected by mulching and/or other effective means of soil protection. 2. Runoff from a site shall be detained or filtered by berms, vegetated filter strips, and/or catch basins to prevent the escape of sediment from the site. 3. Erosion control measures shall be in place at end of each days work. 	<ol style="list-style-type: none"> 1) Evidence of compliance with the Erosion Control Plan shall be submitted to PBI and WRA prior to issuance of building and grading permits. 2) Grading and Building plans with the applicable notes and erosion control plan shall be submitted to PBI and WRA prior to issuance of building and grading permits. 	Owner/ Applicant	Prior to issuance of Grading and Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5. <i>Cont.</i>		<p>All cut and/or fill slopes exposed during the course of construction shall be covered, seeded with native materials, or otherwise treated to control erosion during the course of construction.</p> <p>The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)</p>				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
6		<p>PBD - (NON-STANDARD) LIGHTING – EXTERIOR LIGHTING PLAN – DEED RESTRICTION</p> <p>Prior to the issuance of a building permit the applicant shall record a deed restriction stating that <i>“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. All exterior lighting on the north face of the structure shall be adequately shielded and located at or near ground level. All driveway lights shall be avoided if possible on north side of the structure to mitigate impacts from San Juan Road. 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. Any modification to the exterior lighting fixtures approved in the exterior lighting plan must be approved by the director of Planning and Building Inspection prior to any change to the exterior lighting fixtures.”</i> (Planning and Building Inspection)</p>	<p>Proof of recordation of this deed restriction shall be furnished to PBI.</p> <p>Submit three copies of the lighting plans to PBI for review and approval.</p>	Owner/Applicant	Prior to issuance of building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7		PBD032(B) – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy drip lines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, 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. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)	Submit evidence of tree protection to PBI for review and approval prior to issuance of grading or building permit..	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	
8		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (Planning and Building Inspection)	Submit grading and building plans to the Director of Planning and Building Inspection for approval with notes that all utilities and distribution lines shall be placed underground.	Applicant/ Owner	Ongoing	
9		PBD040 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of Planning and Building Inspection for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (Planning and Building Inspection)	1)The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection 2)The applicant shall provide certification from a licensed civil engineer or surveyor to the Director of PBI that the height of the structure from the benchmark is consistent with what was approved.	Owner/ Applicant Owner/ Applicant	Prior to Issuance of Grading or Building Permits Prior to final inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
10		<p>FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For 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 curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Owner/Applicant	Prior to issuance of grading and/or building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (North County Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection.	
11		FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (North County Rural Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	
12		<u>FIRE016 - SETBACKS</u> All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (North County Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	
13		<u>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</u> Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of grading and/or building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (North County Rural Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	
14		<u>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</u> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (North County Rural Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Owner/ Applicant	Prior to framing inspection	
			<u>Applicant shall schedule fire dept. final sprinkler inspection</u>	Owner/ Applicant	Prior to final building inspection	
15		<u>FIRE026 - ROOF CONSTRUCTION (STANDARD)</u> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (North County Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
16		WR3 - DRAINAGE PLAN – RETENTION <u>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.</u> (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ engineer	Prior to issuance of grading or building permits	
17		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
18		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
19		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: <i>"A geotechnical report has been prepared for this parcel by Haro, Kasunich and Associates, Inc., dated July, 2004 and is on record in the Monterey County Planning and Building Inspection Department Library No. LIB050064. All development shall be in accordance with this report."</i> (Planning and Building Inspection)	Proof of recordation of this deed restriction shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of building permits	
20		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: <i>"A Geological report has been prepared for this parcel by UPP Geotechnology, Inc., dated November, 2004 and is on record in the Monterey County Planning and Building Inspection Department Library No. LIB050063. All development shall be in accordance with this report."</i> (Planning and Building Inspection)	Proof of recordation of this deed restriction shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of building permits	
21		PBD026 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: <i>"An Arborists report has been prepared for this parcel by Forest City Consulting, dated June, 2004 and is on record in the Monterey County Planning and Building Inspection Department Library No. LIB050062. All development shall be in accordance with this report."</i> (Planning and Building Inspection)	Proof of recordation of this deed restriction shall be furnished to PBI.	Owner/ Applicant	Prior to issuance of building permits	