

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. **010168**

A. P. # **181-171-042-000**

In the matter of the application of
STEPHEN BRADSHAW (PLN010168)

FINDINGS AND DECISION

to allow a Combined Development Permit in accordance with Chapter 20.82 (Combined Development Permits) of the Monterey County Code, consisting of a Coastal Administrative Permit for the construction of a 2,048 sq. ft. one-story single family dwelling and attached 648 sq. ft. two-car garage on a vacant lot, including grading (approximately 560 cu. yds. cut & 480 cu. yds. of fill) and retaining walls; a Coastal Development Permit for development on slopes in excess of 25%; a Coastal Development Permit for ridgeline development; and a Coastal Development Permit for development within 100 feet of environmentally sensitive habitat (wetland onsite); located at 2449 San Juan Road (Assessor's Parcel Number 181-171-042-000), southeast of Tarpey Road, Aromas area, North County Coastal Land Use Plan, came on regularly for meeting before the Zoning Administrator on December 9, 2004.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

- 1. FINDING: CONSISTENCY, SITE SUITABILITY, & PUBLIC ACCESS** – The project application is for a Combined Development Permit (PLN010168/Bradshaw) consisting of a Coastal Administrative Permit for the construction of a 2,048 sq. ft. one-story single family dwelling and attached 648 sq. ft. two-car garage on a vacant lot, including grading (approximately 560 cu. yds. cut & 480 cu. yds. of fill) and retaining walls; a Coastal Development Permit for development on slopes in excess of 25%; a Coastal Development Permit for ridgeline development; and a Coastal Development Permit for development within 100 feet of sensitive habitat (wetland onsite). The parcels are zoned LDR/5 (CZ); i.e., Low Density Residential zoning district, 5 acres per unit, in the Coastal Zone. The project described in the application and accompanying materials conforms to the plans, policies, requirements, and standards of the *North County Coastal Land Use Plan*, the *Regulations for Development in the North County Coastal Land Use Plan Area* (Coastal Implementation Plan, Part 2), Part 6 of the Coastal Implementation Plan (Appendices), and the Monterey County Zoning Ordinance (Title 20). The site is physically suitable for the use proposed. The project is in conformance with the public access and public recreation policies of the Coastal Act and *Monterey County Local Coastal Program*, and does not interfere with any form of historic public use or trust rights (see Section 20.70.050.B.4 of Title 20). No access is required as part of the project as no substantial adverse impact on public coastal 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) Planning and Building Inspection Department (PBID) staff have reviewed the project as contained in the application and accompanying materials for conformity with the certified *Monterey County Local Coastal Program* and have determined that the

project is consistent as conditioned. Permit application, plans, and materials contained in Project File No. PLN010168.

(b) The project planner conducted several onsite inspections, including the most recent on May 5, 2004, to verify that the project on the subject parcel conforms to the certified Monterey County Local Coastal Program.

(c) The requested Combined Development Permit seeks to allow residential development, ridgeline development, development on slopes in excess of 25%, and development within 100 feet of environmentally sensitive habitat; such development is conditionally allowable for the subject lot pursuant to Chapters 20.14 (LDR [CZ] District) and 20.70 (Coastal Development Permits) of the Zoning Ordinance (Title 20).

(d) The parcel is zoned Low Density Residential, 5 acres per unit, in the Coastal Zone.

(e) On April 19, 2004, the North County Land Use Advisory Committee voted 5 to 0 (with two members absent) to recommend approval of the project. LUAC minutes in Project File No. PLN010168.

(f) 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 No. PLN010168.

(g) 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, the applicable Fire Department, Public Works Department and Environmental Health Division. There has been no indication from those agencies that the site is not suitable. There are no physical or constraints such as geologic or seismic hazard areas that would indicate the site is not suitable for the use proposed. Mitigation measures and monitoring actions required by the Mitigation Monitoring and Reporting Program (MMRP) will ensure that the project is compatible with the long-term maintenance of the wetland habitat onsite ("D").

(h) The subject property is not adjacent to the seashore and is not described as an area where the Local Coastal Program requires public coastal access, according to Sections 20.70.050.B.4.c.i and ii of the Zoning Ordinance (Title 20).

2. FINDING: RIDGELINE DEVELOPMENT – The project as proposed represents ridgeline development since the roofline of the proposed structure would silhouette against the sky when viewed from San Juan Road, which is a public viewing area. Nevertheless, in this case, development on the ridge will minimize grading and better meet the resource protection policies of the *North County Coastal Land Use Plan*.

EVIDENCE: (a) The project minimizes the silhouette that will be created against the sky by digging the building pad down into the hilltop, and minimizes grading overall since a much larger cut would have to be made lower down on the hillside in order to completely eliminate creating a silhouette against the sky. Minimizing grading in this way also minimizes the potential for impacts to the wetland onsite.

(b) Sections 20.144.030 (Visual Resources Development Standards) and 20.144.040 (Environmentally Sensitive Habitat Development Standards) of the *Regulations for Development in the North County Coastal Land Use Plan Area*.

(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 No. PLN010168.

- 3. FINDING: DEVELOPMENT IN CRITICAL EROSION AREAS** – The entire developable portion of the parcel (i.e., upslope from the wetland area) lies in a Critical Erosion Area since the soil type (Santa Ynez fine sandy loam) has a K-factor of .4 or greater (.43). A portion of the development will occur on slopes in excess of 25%, which also qualifies as a Critical Erosion Area. However, the proposed development is preferable as it better conforms to other resource protection standards of the *Monterey County Local Coastal Program*, by reducing grading and minimizing impacts to environmentally sensitive habitat (wetland onsite). In addition, there are no alternatives to the proposal to develop within the Critical Erosion Areas onsite since these areas cover the entire the parcel outside of the wetland area. A condition of project approval shall be that a building envelope, to include the area of the approved development, be established in accordance with the Erosion Control Plan required by Mitigation Measure 1.A (Condition 26), below, with the envelope to be approved by the Director of Planning prior to the issuance of building permits. All development shall be restricted to the building envelope. A further condition of project approval shall be that a notice is recorded with the County Recorder stating that: a) an erosion control plan is on file with the Monterey County Planning Department; b) a building envelope is established for the parcel; and, c) all development is restricted to the building envelope and is subject to erosion control requirements

EVIDENCE: (a) Section 20.144.070 (Water Resources Development Standards) of the *Regulations for Development in the North County Coastal Land Use Plan Area*.

(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, found in Project File No. PLN010168.

(c) Conditions 6, 7, and 26, below.

- 4. FINDING: DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT** – The driveway for the proposed project will be constructed within 100 feet of the wetland area onsite and will impact approximately 425 sq. ft. of this area because previous and current owners of the property were unsuccessful in their attempts to renegotiate the existing access easement or acquire an alternative easement that would avoid impacts to the wetland onsite. In addition, a bridge over the wetland, while possible, is found to be infeasible since any direct access to the property from San Juan Road would be unsafe due to the limited sight distance to the west and the prevailing speed of traffic on San Juan Road. Therefore, the project design minimizes impacts to the wetlands while ensuring that the site retains development potential for a single-family residence. The project proposal has been modified for siting, location, design, grading, and vegetation removal in order to reduce impacts to an insignificant level and assure the habitat's long-term maintenance through restoration and monitoring for at least 5 years. Also, the recommended mitigation measures of the biological survey have been considered by the Zoning Administrator and incorporated into the conditions of approval as found necessary by the Zoning Administrator in order to implement the land-use policies and regulations of the *Monterey County Local Coastal Program* and are hereby

made conditions of project approval. Conveyance to the County of a Scenic and Conservation easement over the environmentally sensitive habitat area shall be required as a condition of approval for any development proposed on parcels containing environmentally sensitive habitats.

- EVIDENCE:** (a) Section 20.144.040 (Environmentally Sensitive Habitat Development Standards) of the *Regulations for Development in the North County Coastal Land Use Plan Area*.
(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, found in Project File No. PLN010168.
(c) Conditions 8 and 26, below.

5. **FINDING: HEALTH AND WELFARE** – The establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working 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, Health Department, Public Works Department, and the Water Resources District. 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.

6. **FINDING: CEQA** – The project is subject to environmental review pursuant to requirements of the California Environmental Quality Act. Based on the whole record before the Zoning Administrator 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) CEQA Guidelines Section 15300.2 (Exceptions) disallows the project to be categorically exempted from CEQA review due the project’s location, the potential for significant effects, due to the proximity to environmentally sensitive wetland habitat, and due to the potential for seismic-related impacts to the proposed development.
i. Potentially adverse environmental effects to wetland habitat and from seismic-related impacts were identified during staff review of the development application.
ii. The PBID prepared an Initial Study pursuant to CEQA Guidelines Section 15063. The Initial Study identified potentially significant effects relating to aesthetic issues (ridgeline development), biological resources (wetland onsite), geologic issues (seismic risk), and land-use plan issues (potential inconsistencies with County policies relating to ridgeline development and impacts to wetlands). However, mitigation measures have been designed that mitigate the potential effects to less-than-significant levels. The Initial Study is on file in the office of PBID and is hereby incorporated by reference (File No. PLN010168). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are hereby made conditions of approval.
iii. A Mitigation Monitoring and Reporting Program has been prepared in accordance with Monterey County regulations and is designed to ensure compliance with conditions

and mitigation measures during project implementation. The Applicant must enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Program" as a condition of project approval (Condition 11).

(b) Evidence that has been received and considered include:

- i. The application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study, and which are included herein by reference.
- ii. Staff report that reflects the County's independent judgment.
- iii. Information and testimony presented during public hearings (as applicable).

(c) The Mitigated Negative Declaration was circulated for public review from November 5th to December 6th, 2004.

(d) The Monterey County Department of Planning and Building Inspection, (located at 2620 First Avenue, Marina, CA, 93933) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based. Reports are in Project File No. PLN010168.

7. **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: Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.

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

EVIDENCE: Sections 20.78.050.E, 20.86.070, and 20.86.080 of the Monterey County Coastal Implementation Plan.

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 9th day of December 2004.

MIKE NOVO
ZONING ADMINISTRATOR

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 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. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

*Planning and Building Inspection Department
Condition Compliance & Mitigation Monitoring and Reporting Program*

Project Name: Bradshaw

File No: PLN010168

Approval by: Zoning Administrator

APNs: 181-171-042-000

Date: December 9, 2004

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

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
1.		The subject permit approval allows a Combined Development Permit (PLN010168/Bradshaw) consisting of a Coastal Administrative Permit for the construction of a 2,048 sq. ft. one-story single family dwelling and attached 648 sq. ft. two-car garage on a vacant lot, including grading (approximately 560 cu. yds. cut & 480 cu. yds. of fill) and retaining walls; a Coastal Development Permit for development on slopes in excess of 25%; a Coastal Development Permit for ridgeline development; and a Coastal Development Permit for development within 100 feet of sensitive habitat (wetland onsite). The property is located at 2449 San Juan Road (Assessor's Parcel Number 181-171-042-000), southeast of Tarpey Road, Aromas 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)	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	
2.		This permit shall expire two years from the date of adoption unless extended by the Director of Planning and Building Inspection pursuant to Section 20.82.110 of the Coastal Implementation Plan. (Planning and Building Inspection)	Vest project within two years or apply for a Permit Extension at least 30-days prior to expiration.	Owner/ Applicant	1/13/07	

Permit Cond. No.	Mitig. No.	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)
3.		All new utility and distribution lines shall be placed underground. (Planning and Building Inspection; Public Works)	None	Owner/ Applicant	Ongoing	
4.		No land clearing or grading shall occur on the subject parcel between October 15 th and April 15 th unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)	None	Owner/ Applicant	October 15 th to April 15 th	
5.		The applicant shall record a notice that states: “A permit (Resolution 010168) was approved by the Zoning Administrator for Assessor’s Parcel Number 181-171-042-000 on January 13, 2005. The permit was granted subject to 27 conditions of approval that 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)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
6.		A. A building envelope, to include the area of the approved development, shall be established in accordance with the Erosion Control Plan required by Mitigation Measure 1.A (Condition 26), below, with the envelope to be approved by the Director of Planning prior to the issuance of building permits. B. All development shall be restricted to the building envelope.	Submit an Erosion Control Plan depicting a building envelope and prepared pursuant to MM 1.A (Condition 26), below, to PBI for review and approval by the Director of Planning and Building Inspection.	Owner/ Applicant	Prior to Issuance of Grading and Building Permits	
7.		A notice shall be recorded with the County Recorder stating that: a) An erosion control plan is on file with the Monterey County Planning Department; b) A building envelope is established for the parcel; and, c) All development is restricted to the building envelope and is subject to erosion control requirements.	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
8.		A Scenic and Conservation easement shall be conveyed to the County over those portions of the property where environmentally sensitive habitats exist. A condition of the easement shall be to maintain the established wetland vegetation in perpetuity. A proposed easement deed shall be submitted to, and approved by, the Director of Planning and Building Inspection prior to issuance of grading and building permits. The easements shall be conveyed to the County, upon approval by the Board of Supervisors, prior to final building inspection. (Planning and Building Inspection)	1) Submit appropriate conservation easement deed to PBI for review and approval by the Director of Planning and Building Inspection. 2) Conveyance to the County upon approval by the Board of Supervisors.	Owner/ Applicant Owner/ Applicant	Prior to Issuance of Grading and Building Permits Prior to Final Inspection / Occupancy	
9.		All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan that 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)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
10.		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, within five (5) working days of project approval – prior to filling of the Notice of Determination. 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)	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.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
11.		The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (Planning and Building Inspection)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
12.		The applicant shall record a deed restriction stating that the property owner agrees to make a one-time financial contribution to the County at a rate of \$500 per acre of land disturbance caused by the project. Amount of land disturbance shall be as calculated according to the Land Disturbance Target Evaluation required as per Section 20.144.070 B. The required contribution shall be paid upon the County's request at such time that the Board of Supervisors implements a Watershed Restoration Program for the affected sub watershed. (Planning and Building Inspection)	Submit approved and recorded deed restriction to PBI.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
13.		Provide to the Division of Environmental Health written certification and any necessary certification from State agencies that Aromas Water District <u>can</u> and <u>will</u> supply sufficient water flow and pressure to comply with both Health and fire flow standards. (Environmental Health)	Submit written certification to the Division of Environmental Health for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
14.		Submit an engineered wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and <u>Prohibitions</u> of the Basin Plan, RWQCB. Dual septic fields shall be installed at the time of initial construction. (Environmental Health)	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
15.		The driveway access shall be restricted to the existing driveway located approximately 100 feet easterly of the east property line of the subject parcel. (Public Works)	Submit building plans depicting access to the subject parcel that uses the existing driveway located approximately 100 feet easterly of the east property line of the subject parcel.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
16.		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. (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.		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, unless approved by the fire district. 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 turnout near the	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
		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 centerline of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Aromas FPD)	Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to Final Inspection / Occupancy	
18.		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 visible from both directions of travel along the road. In all	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to Issuance of Grading or Building Permits	

<i>Permit Cond. No.</i>	<i>Mitig. No.</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>
		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. (Aromas FPD)	<u>Applicant shall schedule fire dept. clearance inspection</u>	Owner/ Applicant	Prior to Final Inspection / Occupancy	
19.		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 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. (Aromas FPD)	<u>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</u>	Owner/ Applicant	Prior to Issuance of Building Permits	
			<u>Applicant shall schedule fire dept. clearance inspection</u>	Owner/ Applicant	Prior to Final Inspection / Occupancy	
20.		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. (Aromas FPD)	<u>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</u>	Owner/ Applicant	Prior to Issuance of Building Permits	
			<u>Applicant shall schedule fire dept. rough sprinkler inspection</u>	Owner/ Applicant	Prior to framing inspection	

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			<u>Applicant shall schedule fire dept. final sprinkler inspection</u>	Owner/ Applicant	Prior to final building inspection	
21.		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 A roof construction. (Aromas FPD)	<u>Applicant shall enumerate as “Fire Dept. Notes” on plans.</u>	Owner/ Applicant	Prior to Issuance of Building Permits	
22.		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 / Occupancy	
23.		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 Inspection / Occupancy	

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24.		The site shall be landscaped. The use of native species consistent with and found in the project area shall be required in all landscaping plans as a condition of project approval. A list of appropriate native plant species identified in Attachment #2 and #3 in the <i>Regulations for Development in the North County Coastal Land Use Plan Area</i> is available in brochure form (<i>Suggested Native Species Landscaping List - North County Coastal Zone</i>) from the Planning and Building Inspection Department. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, either landscaping shall be 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. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)	Submit landscape plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
25.		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. (Planning and Building Inspection)	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	

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26.	1.	<p><i>In order to minimize adverse impacts to the protected wetland area onsite, and thereby minimize inconsistencies with the applicable land use plan, policies, and regulations of the certified Monterey County Local Coastal Program, which were adopted for the purpose of avoiding impacts to such wetlands, the project shall implement the following measures:</i></p> <p>A. <i>Prior to construction or earthmoving, erosion-control Best Management Practices (BMPs) shall be installed above and along the entire length of the wetland area in such a way as to ensure that the wetland is not impacted by sedimentation. These BMPs shall be monitored periodically and maintained as necessary throughout the earthmoving phase of the project and until the required drainage improvements are completely installed.</i></p> <p>B. <i>Prior to occupancy/final inspection, a typical 2- or 3-rail wooden fence shall be installed above and along the upper (northerly) boundary of the wetland area. This fence shall be constructed of natural untreated wood (i.e., not chemically treated) in order to avoid contamination of the wetland from chemicals leaching out of the wood over time. The design and location of this fence shall require approval from the Director of Planning and Building Inspection prior to installation.</i></p> <p>C. <i>The wetland area shall be maintained and non-native species controlled for at least 5 years from the completion of construction. Prior to issuance of building or grading permits, a detailed wetland-restoration/weed-control plan and minimum 5-year monitoring schedule shall be developed by a qualified biologist that includes, but shall not be limited to, the following elements:</i></p> <ul style="list-style-type: none"> i. <i>Native-species cover shall be maintained over at least 85% of the wetland area.</i> ii. <i>Weed control shall be carried out by hand (in order to pull out the roots) in the spring before the target</i> 	<p>A. <i>Prior to issuance of grading or building permits, the owner/applicant shall include erosion-control Best Management Practices (BMPs) on the proposed grading plan, indicating that they shall be installed above and along the entire length of the wetland area in such a way as to ensure that the wetland is not impacted by sedimentation.</i></p> <p>B. <i>Prior to issuance of grading or building permits, the applicant shall submit a detailed wetland-restoration/weed-control plan with ongoing monitoring schedule prepared by a qualified biologist that addresses MM-2.C, above, which shall be subject to approval by the Director of Planning and Building Inspection.</i></p> <p>C. <i>Prior to occupancy/final inspection, the applicant shall submit a detailed report from a qualified biologist verifying that MMs 1.A-C have been successfully implemented. This report shall include photographic evidence and other documentation as necessary to clearly demonstrate successful compliance, and shall be subject to approval by the Director of Planning and Building Inspection.</i></p> <p>D. <i>Quarterly for at least the first year following construction, and then annually for at least five years thereafter depending on ongoing success rates:</i></p> <ul style="list-style-type: none"> i. <i>The wetland area shall be monitored quarterly for the first year by a</i> 	Owner/ Applicant/ Biologist	MA 1.A & B – Prior to issuance of grading or building permits	

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		<p>species go to seed and shall initially eliminate all non-native species.</p> <p>iii. Supplemental irrigation, if necessary.</p> <p>iv. If native planting is needed to maintain 85% of the cover, Santa Barbara sedge (<i>Carex barbarae</i>) or other suitable native wetland plants may be seeded.</p> <p>v. The rock out fall at the discharge of the road drainage shall be planted with creeping wild rye (<i>Leymus triticoidies</i>), Santa Barbara sedge (<i>Carex barbarae</i>) or common rush (<i>Juncus patens</i>) to help minimize transport of sediment into the seasonal drainage.</p> <p>vi. The areas along the southern side of the new retaining wall impacted by the construction of the retaining wall shall be replanted with creeping wild-rye (<i>Leymus triticoidies</i>), Santa Barbara sedge (<i>Carex barbarae</i>), common rush (<i>Juncus patens</i>), or other suitable native wetland plants.</p>	<p>qualified biologist starting in the late spring and until such time as a native coverage of at least 85% can be verified. Monitoring shall then occur annually for five years from that point onward to ensure that at least 85% native coverage is maintained.</p> <p>ii. After each inspection a report, subject to approval by the Director of Planning and Building Inspection, shall be submitted to the Planning and Building Inspection Department. The report shall quantify the percent cover of native wetland plants and shall include photographic documentation, as well as recommendations for further maintenance and management that may be necessary for maintaining at least 85% native-plant coverage. Recommendations made in each monitoring report that are approved by the Director shall be carried out as described in a timely manner. Verification of this follow-up maintenance and management shall be documented in follow-up reports subject to the approval of the Director of Planning and Building Inspection, and shall be submitted with 30 days of the end of such follow-up maintenance and management. Failure to successfully implement the recommendations of</p>		MA 1.C – Prior to final inspection / occupancy	

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			<p>monitoring reports or to submit adequate reports in a timely manner shall cause the permit to fall out of compliance, which may give rise to the need for enforcement action.</p>		<p>MA 1.D - Quarterly for at least the first year following constructi on, and then annually for at least five years thereafter depend- ing on ongoing success rates</p>	

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27.	2.	<p><i>In order to reduce risks associated with local and regional geologic conditions to less-than-significant levels:</i></p> <p>A. See Mitigation Measure 1.A, above, for erosion-control BMP requirements.</p> <p>B. The project shall be developed in full accordance with all conclusions & recommendations of the geotechnical report prepared for the project by Richard Dante, P. E., of Soil Surveys, Inc., dated June 12, 2001, including:</p> <ol style="list-style-type: none"> 1. Section IV of the report, regarding the required spread-footing foundation design; 2. Section V, regarding the required expansive-soil mitigations; 3. Section VI, regarding the required driveway and parking-area pavement design; 4. Section VII, regarding the required specifications for grading, compaction, and concrete floor slabs; 5. Framing and semi-ridged construction with proper strengthening connections and hold-down fasteners are required to protect the buildings, consistent with the recommendations of Section VIII. <p>The 'recommendations' of the report are hereby imposed as <i>requirements</i> for reducing potential geologic- & soils-related impacts to less-than-significant levels.</p> <p>C. Grading and Building plans submitted for ministerial permits for this project shall be wet-seal stamped, signed, and dated by the project's consulting geotechnical engineer to certify that the project has been designed in full compliance with the recommendations contained in the geotechnical investigation prepared for the project.</p>	<p><i>Prior to issuance of grading and building permits</i>, Planning & Building Inspection staff shall verify that all grading and building plans submitted for ministerial permits are wet-seal stamped, signed, and dated by the project's consulting geotechnical engineer to certify that the project has been designed in full compliance with the recommendations contained in the geotechnical investigation prepared for the project. In addition, see Monitoring Action 1.A, above.</p> <p><i>Prior to final inspection</i>, the project's consulting geotechnical engineer shall submit a letter to the Planning & Building Inspection Department, subject to approval by its Director, certifying that the project has been carried out in full compliance with all conclusions & recommendations contained in the geotechnical investigation prepared for the project by Richard Dante, P. E., of Soil Surveys, Inc., dated June 12, 2001.</p>			

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28.		Prior to grading activities, a biologist shall determine that activities will not adversely impact the wetland area to remain.				