

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 020506

A. P. # 129-098-003-000

In the matter of the application of
Joann Wright (PLN020506)

FINDINGS & DECISION

to allow a Combined Development Permit in accordance with Chapter 20.82 (Combined Development Permits) of the Monterey County Code, consisting of 1) a Coastal Administrative Permit to allow an existing un-permitted 1,344 sq. ft. single family residence with a deck, driveway, septic system, new carport and new 5,000 gallon water tank; 2) a Coastal Development Permit to allow existing and proposed development within 100 feet of environmentally sensitive habitat (Maritime Chaparral); and 3) a Coastal Development Permit to allow existing and proposed grading on slopes greater than 25% (existing: 425 cu. yds. cut/340 cu. yds. fill; proposed: 325 cu. yds. cut/150 cu. yds. fill). The property is located at 58 Desmond Road, Salinas, Prunedale area, North County, Coastal Zone, came on regularly for meeting before the Zoning Administrator on October 28, 2004.

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

1. FINDING: CONSISTENCY – The Wright Combined Development Permit (PLN020506), as described in Condition #1, and as conditioned, is consistent with the plans, policies, requirements and standards of the Local Coastal Program (LCP). The LCP for this site consists of the North County Land Use Plan, North County Coastal Implementation Plan (Part 2), Part 6 of the Coastal Implementation Plan, and Part 1 of the Coastal Implementation Plan (Title 20 Zoning Ordinance), which designates this area as appropriate for residential development.

EVIDENCE: (a) Plans/Regulations – The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- 1) North County Land Use Plan
- 2) North County Coastal Implementation Plan (Part 2)
- 3) Part 6 of the Coastal Implementation Plan
- 4) Part 1 of the Coastal Implementation Plan (Title 20 Zoning Ordinance)

There would be no conflict or inconsistencies with these policies or regulations. Staff's record of review is provided in project file PLN020506.

(b) Land Use Designation – The parcel is zoned Low Density Residential, 2.5 acres per unit, Coastal Zone (“LDR/2.5 (CZ)”). The project is in compliance with the Site Development Standards for Low Density Residential District in accordance with Section 20.14.060.

(c) Site Description – The project site is approximately 5 acres in size and the zoning designation requires a minimum of 2.5 acres for parcels in this district. The first single family dwelling per legal lot of record is an allowed use in accordance with Section 20.14.040.A.

(d) Environmentally Sensitive Habitat – The project is consistent with policies of the North County Land Use Plan dealing with ESHA (Chapter 2.3). The development site

is located within 100 feet of central maritime chaparral, which is identified as environmentally sensitive habitat on Monterey County resource maps. Based on extensive analysis, staff determined that no other alternative site on the property exists which would allow the existing and proposed development to be sufficiently setback from environmentally sensitive habitat (maritime chaparral). The existing and proposed development is sited and designed to protect the maximum amount of chaparral. New development constitutes the minimum amount necessary for structural and driveway improvements. A revised biological survey for the project site was prepared by Ed Mercurio, a biological consultant, on June 6, 2004. According to the revised biological survey, there are no unmitigatable physical or environmental constraints that would indicate the site is not suitable for the use proposed. The survey recommends mitigation measures that will reduce impacts to the environmentally sensitive habitat to a less than significant level and will ensure the habitat's long-term maintenance. These mitigation measures include the implementation of a habitat restoration plan; protection of ESHA from construction and grading operations; implementation of an erosion control plan; and conduction of monitoring inspections over a 4 year period to monitor the success of restoration. The above-mentioned mitigation measures have been incorporated as conditions of approval pursuant to the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program prepared for the project.

(e) **Visual Resources** – The project is consistent with policies of the North County Land Use Plan dealing with visual resources (Chapter 2.2). The project planner conducted a site visit on May 13, 2004 to verify that the proposed project will not have a significant adverse effect on the public viewshed.

(f) **Archaeological Resources** – The project is consistent with policies of the North County Land Use Plan dealing with archaeological resources (Chapter 2.9). The subject parcel is located within an area of low archaeological sensitivity as identified by the Monterey County Geographic Information System. Based on the planner's site visit and analysis, the archaeological report requirement was waived due to the low probability for cultural resources onsite. Nevertheless, an ongoing condition of approval will require that land disturbance be halted in the event that cultural resources are found.

(g) **Hazards** – The project is consistent with policies of the North County Land Use Plan dealing with hazards (Chapter 2.8). The Geotechnical Soils Foundation and Geoseismic Report prepared by Grice Engineering and Geology, Inc., dated March 17, 2003, concludes that the site is suitable for the project.

(h) **Site Visit** – The project planner conducted a site visit on May 13, 2004 to verify that the proposed project complies with the LCP. Staff's memo regarding the site visit is in project file PLN020506.

(i) **Land Use Advisory Committee** – The North County Coastal Land Use Advisory Committee reviewed and recommended approval (5 - 0 vote) of the Combined Development Permit on July 21, 2003 with no changes.

(j) **Application Materials** – The application and plans submitted for the Combined Development Permit in project file PLN020506 at the Monterey County Planning and Building Inspection Department.

(k) **Testimony** – No testimony, either written or oral, was received during the course of the public hearing process to indicate that there is any inconsistency with these plans or policies.

2. **FINDING: 25 PERCENT SLOPE WAIVER** – The proposed development is consistent with Section 20.144.070.E.2.a of the “Regulations for Development in the North County Land Use Plan” since no other alternative exists on the site which would allow the development to occur on slopes less than 25% and the development in its proposed location better achieves the resource protection objectives and policies of the North County Land Use Plan.

EVIDENCE: (a) The project proposes to permit existing and proposed grading on slopes averaging approximately 30%. The existing grading consisted of 425 cubic yards of cut and 340 cubic yards of fill, and resulted in approximately 20,150 sq. ft. of land disturbance (includes maritime chaparral removal). The proposed new grading will consist of 325 cubic yards of cut and 150 cubic yards of fill, and will be located within areas previously disturbed and graded. New development in this location will result in approximately 5,700 sq. ft. of land disturbance (includes maritime chaparral removal), but will also result in land improvements to address existing erosion. A Geotechnical Soils Foundation and Geoseismic Report prepared by Grice Engineering and Geology, Inc. (March 17, 2003) concludes that the property may be developed as proposed provided that the report recommendations are included in the design and construction. A revised biological survey prepared by Ed Mercurio (June 6, 2004) concludes that there are no unmitigatable physical or environmental constraints that would indicate the site is not suitable for the use proposed. The survey recommends mitigation measures that will reduce impacts to the environmentally sensitive habitat to a less than significant level and will ensure the habitat’s long-term maintenance. Based on the Geotechnical Report, the Biological Survey, the applicant’s request for a waiver of the policy prohibiting development on slopes greater than 25%, staff’s analysis and site visit and the fact that this area was previously graded, staff has determined that no other alternative site on the property exists which would allow the existing and proposed development to occur on slopes less than 25% and away from environmentally sensitive habitat (maritime chaparral). Development in other locations outside the previously graded site would result in potentially significant new impacts due to increased maritime chaparral removal, grading and erosion.

(b) The application and plans submitted for the Combined Development Permit, including the 25% Slope Exception Request, in project file PLN020506 at the Monterey County Planning and Building Inspection Department.

3. **FINDING: SITE SUITABILITY** – The site is suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for suitability by the Monterey County Planning and Building Inspection Department, Coastal Commission, North County Fire Protection District, Monterey County Water Resources Agency, Monterey County Public Works Department, Monterey County Parks Department, and Monterey County Health Department. There has been no indication from these agencies that the site is not suitable. Conditions recommended by these agencies have been incorporated as project conditions.

(b) The project planner conducted a site visit on May 13, 2004 to verify that the site is suitable for this use.

(c) Necessary public facilities are available and will be provided.

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

EVIDENCE: (a) The subject property is not described as an area where the Local Coastal Program requires access and is not indicated as part of any designated trails or shoreline access. No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

(b) Staff site visit on May 13, 2004.

5. FINDING: CEQA – The project is subject to environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA). On the basis of 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) The proposed project is not exempt from environmental review due to the potential for significant effects to biological resources and land use policies pursuant to CEQA Guidelines Section 15300.2 (Exceptions).

(b) Potentially adverse environmental effects were identified during staff review of the development application.

(c) The Planning and Building Inspection Department prepared an Initial Study pursuant to CEQA. The Initial Study identified potentially significant effects relative to maritime chaparral habitat only. Proposed mitigation measures reduce all potential impacts to insignificant levels. These mitigation measures include the implementation of a habitat restoration plan; protection of ESHA from construction and grading operations; implementation of an erosion control plan; and conduction of monitoring inspections over a 4 year period to monitor the success of restoration. The Initial Study is on file in the office of the Planning and Building Inspection Department and is hereby incorporated by reference (File No. PLN020506). All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval.

(d) A Mitigation Monitoring and Reporting Program (MMRP) 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.

(e) Evidence that has been received and considered include the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project file PLN020506.

(f) The Mitigated Negative Declaration was circulated for public review from August 20, 2004 to September 19, 2004.

(g) 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.

- 6. FINDING: FISH AND GAME FEE** – Considering the record as a whole, there is no evidence that the project will have any potential for an adverse effect either individually or cumulatively on wildlife resources as defined under Section 753.5 (d) of the Fish and Game Code.
- EVIDENCE:** The project site is located in a low residential area which supports biological resources (central maritime chaparral). The amount of grading, site disturbance and habitat restoration associated with the project will cause changes to the resources listed under Section 753.5. Therefore payment of the fee is required.
- 7. FINDING: ZONING COMPLIANCE** – Approval of the Combined Development Permit, as described in Condition No. 1 and as conditioned, would ensure that the subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and other applicable provisions of Title 20. Zoning violation abatement costs have been paid.
- EVIDENCE:** Section 20.14.020 of the Monterey County Zoning Ordinance. Staff verification of the Monterey County Planning and Building Inspection Department records indicate that 1 violation exists on the subject property. The violation entails: 1) Installation and occupancy of a mobile home without a Coastal Administrative Permit and Building Permit; and 2) Grading over 100 cubic yards on slopes exceeding 25% without a Coastal Development Permit and a Grading Permit.
- 8. FINDING: HEALTH AND SAFETY** – The establishment, maintenance, and operation of the proposed development 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:** Preceding findings and supporting evidence.
- 9. FINDING: APPEALABILITY** – The decision on this project is appealable to the Board of Supervisors and the Coastal Commission.
- EVIDENCE:** Sections 20.86.030 and 20.86.080 of the Monterey County Zoning Ordinance (Title 20).

DECISION

It is the decision of the Zoning Administrator of the County of Monterey to adopt the Mitigative Negative Declaration and Mitigation Monitoring and Reporting Program and approve the said application for a Combined Development Permit as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 28th day of October, 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.

<u>Monterey County Planning and Building Inspection</u> <u>Condition Compliance & Mitigation Monitoring and/or Reporting</u> <u>Plan</u>	<u>Project Name: Wright</u> File No: PLN020506 Approval by: Zoning Administrator	APN: 129-098-003-000 Date: October 28, 2004
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**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. Number</i>	<i>Mitig. Number</i>	<i>Impact Addressed, 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 Clearing Condition</i>	<i>Timing</i>	<i>Verification of compliance</i>
1		<p>PBD029 - SPECIFIC USES ONLY</p> <p>The Wright Combined Development Permit (PLN020506) consists of: 1) a Coastal Administrative Permit to allow an existing un-permitted 1,344 sq. ft. single family residence with a deck, driveway, septic system, new carport and new 5,000 gallon water tank; 2) a Coastal Development Permit to allow existing and proposed development within 100 feet of environmentally sensitive habitat (maritime chaparral); and 3) a Coastal Development Permit to allow existing and proposed grading on slopes greater than 25% (existing: 425 cu. yds. cut/340 cu. yds. fill; proposed: 325 cu. yds. cut/150 cu. yds. fill). The property is located at 58 Desmond Road, Salinas (Assessor's Parcel Number 129-098-003-000), Prunedale area, North County, Coastal Zone. 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)				
2		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. 020506) was approved by the Zoning Administrator for Assessor's Parcel Number 129-098-003-000 on October 28, 2004. The permit was granted subject to 28 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 grading and 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 or start of use	
3		PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN 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 which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (Planning and Building Inspection)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	Prior to issuance of building permits	

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4		<p>PBD032 - TREE PROTECTION</p> <p>Trees which are located close to the construction site shall be protected from inadvertent damage from construction equipment by 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 grading and building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)</p>	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to issuance of grading and building permits	
5		<p>PBD008 – EASEMENT - CONSERVATION</p> <p>A scenic/conservation easement shall be conveyed to the County over those portions of the property where sensitive habitats and slopes exceeding 25 percent exist. The scenic/conservation easement deed restriction and map shall be subject to the approval of the Planning and Building Inspection Department prior to issuance of grading and building permits and recorded prior to final inspection. (Planning and Building Inspection)</p>	<p>1) Submit scenic/conservation easement deed restriction and map to PBI for review and approval.</p> <p>2) Submit proof of recordation of scenic/conservation easement deed restriction and map.</p>	Owner/ Applicant	<p>Prior to issuance of grading and building permits</p> <p>Prior to final building inspection / occupancy</p>	
6		<p>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</p> <p>Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee (\$1,275), to be collected by the County. 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 issuance of grading and building permits. (Planning and Building Inspection)</p>	Proof of payment shall be furnished by the applicant to the Director of Planning and Building Inspection.	Owner/ Applicant	Prior to issuance of grading and building permits	

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7		<p>PBD022 - MITIGATION MONITORING PROGRAM</p> <p>The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21.08.6 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. The agreement and associated fees shall be submitted to the Planning and Building Inspection Department prior to issuance of grading and building permits. (Planning and Building Inspection)</p>	The agreement and associated fees shall be submitted to the Planning and Building Inspection Department.	Owner/ Applicant	Prior to issuance of grading and building permits	
8		<p>WR3 - DRAINAGE PLAN - RETENTION</p> <p>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)</p>	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 and building permits	
9		<p>DRAINAGE (NON-STANDARD)</p> <p>The applicant shall provide the Planning and Building Inspection Department a drainage plan that has been approved by the Water Resources Agency. The drainage plan shall show that drainage improvements will not be located on slopes exceeding 25 percent and within designated environmentally sensitive habitat. The plan shall be submitted prior to issuance of grading and building permits. (Planning and Building Inspection)</p>	Submit to PBI a drainage plan that has been approved by the Water Resources Agency.	Owner / Applicant / Engineer	Prior to issuance of grading and building permits	

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10	1	<p>MITIGATION MEASURE 1 (NON-STANDARD) In order to mitigate impacts to maritime chaparral habitat, the applicant shall arrange for a habitat restoration plan to be prepared and implemented by a County-approved habitat restoration specialist. The habitat restoration plan shall contain the following:</p> <p>1) one perennial plant characteristic of the local central maritime chaparral habitat be planted per 100 square feet for the approximately 9,600 square foot impact area (existing and proposed development above an imaginary line running north south through the western edge of the home pad. These plants shall be in proportions similar to the proportions found in the nearby local central maritime chaparral habitat. 96 plants shall be required in the numbers listed below:</p> <p>43 Pajaro manzanitas (<i>Arctostaphylos pajaroensis</i>) 8 Hooker’s manzanitas (<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i>) 6 brittleleaf manzanitas (<i>Arctostaphylos tomentosa</i> ssp. <i>crustacea</i>) 7 Monterey ceanothus (<i>Ceanothus cuneatus</i> var. <i>rigidus</i>) 4 coast live oaks (<i>Quercus agrifolia</i>) 8 sticky monkey flower (<i>Mimulus aurantiacus</i>) 3 toyon (<i>Heteromeles arbutifolia</i>) 3 California coffeeberry (<i>Rhamnus California</i>) 6 black sage (<i>Salvia melifera</i>) 5 California Sagebrush (<i>Artemisia California</i>) 3 Silver Bush Lupine (<i>Lupinus albifrons</i>)</p> <p>2) one perennial plant characteristic of the local central maritime chaparral habitat be planted per 150 square feet for the approximately 16,250 square foot impact area (existing and proposed development below an imaginary line running</p>	<p>1) The habitat restoration plan shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying the habitat restoration plan shall be a letter from a County-approved biological consultant which states that the plan follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004.</p> <p>2) The habitat restoration plan shall be implemented and shall be subject to the approval of the Director of Planning and Building Inspection.</p>	Owner / Applicant	<p>Prior to issuance of grading or building permits</p> <p>Prior to final building inspection / occupancy</p>	

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		<p>north south through the western edge of the home pad. These plants shall be in proportions similar to the proportions found in the nearby local central maritime chaparral habitat. 108 plants shall be required in the numbers listed below:</p> <p>28 Pajaro manzanitas (<i>Arctostaphylos pajaroensis</i>) 4 Hooker's manzanitas (<i>Arctostaphylos hookeri</i> ssp. <i>hookeri</i>) 2 brittleleaf manzanitas (<i>Arctostaphylos tomentosa</i> ssp. <i>crustacea</i>) 4 Monterey ceanothus (<i>Ceanothus cuneatus</i> var. <i>rigidus</i>) 9 coast live oaks (<i>Quercus agrifolia</i>) 14 sticky monkey flower (<i>Mimulus aurantiacus</i>) 3 toyon (<i>Heteromeles arbutifolia</i>) 10 California coffeeberry (<i>Rhamnus California</i>) 10 black sage (<i>Salvia melifera</i>) 12 California Sagebrush (<i>Artemisia California</i>) 7 Deerweed (<i>Lotus scoparius</i>) 5 Coyote brush (<i>Baccharis pilularis</i>)</p> <p>All plants used for mitigation shall come from stock of local origin and be of at least one-gallon size or liners. These plants shall be planted, where feasible, in the areas that were actually impacted. Where this is infeasible, plants shall be planted in other disturbed areas of the property as well as used as part of the natural landscaping plan. Coast live oaks shall be positioned for screening value. All pampas grass (<i>Cortaderia jubata</i>) and ice plant (<i>Carpobrotus</i> sp.) existing near and within the building site area shall be removed.</p> <p>Prior to the issuance of a grading or building permit, the habitat restoration plan shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying the habitat restoration plan shall be a letter</p>				

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		from a County-approved biological consultant which states that the plan follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Prior to final building inspection/occupancy, the habitat restoration plan shall be implemented and shall be subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)				
11	2	<p>MITIGATION MEASURE 2 (NON-STANDARD)</p> <p>In order to minimize impacts to central maritime chaparral, the applicant shall arrange for all native perennial plants currently growing around and within the building site area to be protected from construction and grading operations. This includes protection from direct damage to the branches and roots of the plants from grading or other activities, deposition or removal of soil around the plants due to erosion and compaction of soil around the plants. These plants shall be protected by encircling all areas with upright orange netting. The netting shall remain in place until construction has finished.</p> <p>Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying this evidence shall be a letter from a County-approved biological consultant which states that the protection follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Prior to final building inspection/occupancy, a letter from a County-approved biological consultant shall be submitted to the Director of Planning and Building Inspection which states that construction and grading operations did not impact the protected plants. Any impacts shall require the</p>	<p>1) Evidence of adequate protection shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying this evidence shall be a letter from a County-approved biological consultant which states that the protection follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004.</p> <p>2) A letter from a County-approved biological consultant shall be submitted to the Director of Planning and Building Inspection which states that construction and grading operations did not impact the protected plants. Any impacts shall require the habitat to be restored in accordance with a revised habitat restoration plan and shall be subject to the approval of the Director of Planning and Building Inspection.</p>	Owner / Applicant	<p>Prior to issuance of grading or building permits</p> <p>Prior to final building inspection / occupancy</p>	

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		habitat to be restored in accordance with a revised habitat restoration plan and shall be subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)				
12	3	<p>MITIGATION MEASURE 3 (NON-STANDARD)</p> <p>In order to minimize impacts to central maritime chaparral, the applicant shall arrange for erosion control seeding to be done with an erosion control mix composed of native annual and perennial grasses and other native herbaceous plants of local origin augmented as necessary with sterile barley or other sterile, aggressive, non-native, soil-retaining crop. Native grass hay shall be used as mulch and for rolls and bales used in erosion control. Erosion control seeding shall be done in the area of existing erosion and the area surrounding the building site. Before erosion control seeding is done, restoration of eroded slopes shall take place. Gullies shall be filled and drainage shall be directed in ways to minimize future erosional damage.</p> <p>Prior to the issuance of a grading or building permit, an erosion control plan shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying the erosion control plan shall be a letter from a County-approved biological consultant which states that the plan follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Upon approval of the erosion control plan by the Director of Planning and Building Inspection, the plan shall be implemented and evidence of implementation shall be submitted to the Director of Planning and Building Inspection for review and approval. (Planning and Building</p>	An erosion control plan shall be submitted to the Director of Planning and Building Inspection for review and approval. Accompanying the erosion control plan shall be a letter from a County-approved biological consultant which states that the plan follows the recommendations made in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Upon approval of the erosion control plan by the Director of Planning and Building Inspection, the plan shall be implemented and evidence of implementation shall be submitted to the Director of Planning and Building Inspection for review and approval.	Owner / Applicant	Prior to issuance of grading or building permits	

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		Inspection)				
13	4	<p>MITIGATION MEASURE 4 (NON-STANDARD)</p> <p>In order to monitor the success of the mitigation measures for the central maritime chaparral, the applicant shall arrange for monitoring inspections to be done by a County-approved biological consultant. Inspections shall monitor the quality of implementation of all the mitigations listed in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Success of revegetation shall be assessed on the basis of percent survival of plants, percent cover and percent progress towards the establishment of plant community structure expected for the period of time under optimal conditions. Success shall be defined as 85 percent or better of optimum time correlated status. If the 85 percent success rate has not been achieved, the plants that have perished shall be replanted and follow up monitoring shall occur one month after replanting and six months to a year thereafter until the 85 percent threshold has been met.</p> <p>Monitoring Inspections shall occur once within the 3 months following completion of the development and once each year following completion in the spring season for the next 4 years. A report on each inspection shall be submitted to the Director of Planning and Building Inspection for review and approval. (Planning and Building Inspection)</p>	<p>A report on each inspection shall be submitted to the Director of Planning and Building Inspection for review and approval. Inspections shall monitor the quality of implementation of all the mitigations listed in the revised biological survey prepared for the site by Ed Mercurio, dated June 6, 2004. Success of revegetation shall be assessed on the basis of percent survival of plants, percent cover and percent progress towards the establishment of plant community structure expected for the period of time under optimal conditions. Success shall be defined as 85 percent or better of optimum time correlated status. If the 85 percent success rate has not been achieved, the plants that have perished shall be replanted and follow up monitoring shall occur.</p>	Owner / Applicant	<p>Once within 3 months following completion of development</p> <p>Once each year following completion in the spring season for the next 4 years</p>	

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14		<p>PBD018(A) AND PBD019 - LANDSCAPING PLAN (SINGLE FAMILY DWELLING) – NORTH COUNTY COASTAL NATIVE</p> <p>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 North County Implementation Plan Development Regulations 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. <i>The landscaping plan shall follow the recommendations contained in the Revised Biological Survey prepared by Ed Mercurio, dated June 6, 2004.</i> 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. (Planning and Building Inspection)</p>	Submit landscaping plans and contractor's estimate to PBI for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	
15		<p>PBD013 - GEOTECHNICAL CERTIFICATION</p> <p>Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (Planning and</p>	Submit certification by the geotechnical consultant to PBI showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical	Prior to Final Building Inspection	

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		Building Inspection)		Consultant		
16		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	
17		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	

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18		<p>FIRE007 - DRIVEWAYS</p> <p>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 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 centerline 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)</p>	<p>1) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>2) Applicant shall schedule fire dept. clearance inspection.</p>	<p><u>Owner/ Applicant</u></p>	<p>Prior to issuance of grading and building permits</p> <p>Prior to final building inspection</p>	

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19		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>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 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 Fire Protection District)</p>	<p>1) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>2) Applicant shall schedule fire dept. clearance inspection.</p>	<u>Owner/ Applicant</u>	<p>Prior to issuance of building permit</p> <p>Prior to final building inspection</p>	
20		<p>FIRE016 - SETBACKS</p> <p>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 Fire Protection District)</p>	<p>1) Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	<u>Owner/ Applicant</u>	<p>Prior to issuance of grading and building permits</p> <p>Prior to</p>	

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			2) Applicant shall schedule fire dept. clearance inspection.		final building inspection	
21		<p><u>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</u></p> <p>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. (North County Fire Protection District)</p>	<p>1) Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>2) Applicant shall schedule fire dept. clearance inspection.</p>	<u>Owner/ Applicant</u>	<p>Prior to issuance of grading and building permits</p> <p>Prior to final building inspection</p>	
22		<p><u>HABITAT AND FIRE PROTECTION (NON-STANDARD)</u></p> <p>The applicant shall arrange for a County-approved biologist to review and approve fire protection measures developed by the North County Fire Protection District which ensures the protection and long-term maintenance of the environmentally sensitive habitat (maritime chaparral). Prior to final building inspection/occupancy, evidence of the biologist's approval shall be submitted to the Planning and Building Inspection Department for review and approval. (Planning and Building Inspection)</p>	Evidence of the biologist's approval shall be submitted to the Planning and Building Inspection Department for review and approval.	<u>Owner/ Applicant</u>	Prior to final building inspection / occupancy	

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23		<p><u>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</u></p> <p>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 Fire Protection District)</p>	<p>1) Applicant shall enumerate as “Fire Dept. Notes” on plans.</p> <p>2) Applicant shall schedule fire dept. rough sprinkler inspection.</p> <p>3) Applicant shall schedule fire dept. final sprinkler inspection.</p>	<u>Owner/ Applicant</u>	<p>Prior to issuance of building permit</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p>	
24		<p><u>FIRE026 - ROOF CONSTRUCTION (STANDARD)</u></p> <p>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)</p>	<u>Applicant shall enumerate as “Fire Dept. Notes” on plans.</u>	<u>Owner/ Applicant</u>	Prior to issuance of building permit	
25		<p><u>FIRE030 – OTHER NON-STANDARD</u></p> <p>Show the capability of the water system to support the required fire sprinkler system and 5 GPM domestic demand concurrently. (North County Fire Protection District)</p>	Applicant shall schedule fire dept. final sprinkler inspection.	Owner/ Applicant	Prior to final building inspection	
26		<p><u>PBD030 - STOP WORK - RESOURCES FOUND</u></p> <p>If 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</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	Owner/ Applicant/ Archaeologist	Ongoing	

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		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)	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.			
27		PBD018(A) - LANDSCAPE MAINTENANCE (SINGLE FAMILY DWELLING ONLY) 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)	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	
28		PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)	None	Owner/ Applicant	Ongoing	