

RESOLUTION NO. 050309

A. P. # 241-192-009-000

In the matter of the application of
Frank & Delena McDowell (PLN050309)

FINDINGS AND DECISION

to allow a Combined Development Permit in accordance with Title 20 (Zoning) Chapter 20.76 (Combined Development Permits) of the Monterey County Code, consisting of: a Coastal Development Permit and Design Approval to place geo-cells in a slide area and construct wire walls at the bluff front below the existing single-family home in order to provide slope stability, to remove asphalt driveway, to modify the grade and width of the driveway and to install pavers and base; a Coastal Development Permit for development on slopes of 30% or greater; a Coastal Development Permit for development within 100 feet of a mapped ESHA; Coastal Development Permit for development within 750 feet of a known archaeological resource; a Coastal Development Permit for development within 100 feet of a mapped ESHA; grading of approximately 489 cubic yards cut and 280 cubic yards fill (439 cy cut and 266 cy fill for the slope stabilization, and 50 cy cut and 14 cy fill in the driveway area). The property is located at 160 Spindrift Road in the Carmel Highlands area, Carmel Area, Coastal Zone, and came on regularly for meeting before the Zoning Administrator on August 10, 2006.

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

FINDINGS OF FACT

1. **FINDING – CONSISTENCY:** The subject Coastal Development Permit (PLN050309/McDowell) has been processed in accordance with all applicable requirements.

EVIDENCE:

- (a) On August 19, 2005 McDowell filed an application for a Combined Development Permit requesting entitlements to place geo-cell baskets on coastal bluff and to enlarge a driveway and replace asphalt with pavers. The application was deemed complete on February 13, 2006.
- (b) The project site, owned by Frank McDowell, is located at 160 Spindrift Road (Assessor's Parcel Number 241-192-009-000), "Carmel Area," Coastal Zone, in the County of Monterey (the property).
- (c) LUAC. On September 6, 2005, the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) recommended approval of the slope stabilization by a vote of 3-0 with no conditions. The LUAC noted that the geo-cell baskets are necessary to prevent further slope erosion and loss of an existing cypress tree that the wall should be completed before the winter rains, and the geo-cell design is a good solution and the slope will be revegetated. The LUAC recommendation included continuation of the application for further review of an enlarged of the driveway and potential drainage problems, as well as landscaping of the slope. The driveway and landscaping were subsequently reviewed by the project planner and determined to be in compliance, as designed and conditioned, with appropriate County policies and regulations.
- (d) CEQA. Exempt. See **Finding 9**.
- (e) Zoning Administrator. On August 10, 2006, the Monterey County Zoning Administrator considered findings, evidence, and conditions for approving a Coastal Development Permit (PLN050309/McDowell) in the Carmel Area Coastal Land Use Plan area.

2. **FINDING – COMPLY WITH PLANS AND REGULATIONS:** The Project, as designed and conditioned, is consistent with applicable plans and policies, Carmel Area Land Use Plan, Coastal Implementation Plan (Part 4), and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for residential development.

EVIDENCE:

(a) **Land Use.** Frank McDowell owns an approximate 1-acre parcel that is located on Spindrift Road in the Carmel Highlands. The property contains an existing single-family residence.

(b) The text and policies of the Carmel Area Land Use Plan and the Monterey County General Plan have been evaluated during the course of the review of this application. No conflict or inconsistencies with the text or the policies were found to exist. No testimony, either written or oral, was received during the course of public hearing to indicate that there is any inconsistency with the Carmel Area Land Use Plan or the Monterey County General Plan.

(c) **Zoning.** The parcel is zoned Low Density Residential, 1.5 units/acre, Coastal Zone ("LDR/1.5-D (CZ)").

(d) **Permits.** The project involves an application for permits to stabilize a coastal bluff, enlarge a driveway and install pavers. Entitlements for the proposed project include:

- (1) Coastal Development Permit to place geo-cells in a slide area and construct wire walls at the bluff front below the existing single-family home in order to provide slope stability, to remove asphalt driveway, to modify the grade and width of the driveway and to install pavers and base;
- (2) Coastal Development Permit for development on slopes of 30% or greater;
- (3) Coastal Development Permit for development within 750 feet of a known archaeological resource;
- (4) Coastal Development Permit for development within 100 feet of a mapped ESHA;
- (5) Coastal Development Permit for grading of approximately 489 cubic yards cut and 280 cubic yards fill (439 cy cut and 266 cy fill for the slope stabilization, and 50 cy cut and 14 cy fill in the driveway area).
- (6) Design Approval.

(e) **Plan/Code Conformance.** The Planning and Building Inspection Department staff reviewed the project, as contained in the application and accompanying materials, for conformity with the:

- (1) 1982 Monterey County General Plan, as amended.
- (2) Carmel Area Land Use Plan.
- (3) Monterey County Coastal Implementation Plan - Part 4 (Chapter 20.146); and
- (4) Monterey County Coastal Implementation Plan – Part 1 (Zoning Ordinance - Title 20), which establishes regulations for:
 - LDR (CZ) District (Chapter 20.14).
 - Design Control (Chapter 20.44).
 - Development on Slopes in Excess of 30% (Chapter 20.64.230).
 - Development in Environmentally Sensitive Habitat (Chapter 20.66.020).
 - Standards for Archaeological Resource Areas (20.66.050).

(f) **Development Standards.** The project will not result in new structural development to which setback, height, distance between buildings and site coverage requirements would apply.

(g) **Scenic Resources.** The project site is not within a mapped public viewshed as designated in the Carmel Area Land Use Plan (Map A). Topography and existing tree cover block views of the site from Highway 1. The driveway area is not visible from Spindrift Road or Highway 1. The revegetated bluff stabilization area blends with the natural scenic character of the area, but is not visible from Highway 1.

The bluff stabilization was designed to retain an existing Monterey cypress tree. The design and siting of the bluff stabilization and driveway areas do not detract from the beauty of the scenic shoreline. (20.146.030.C CIP)

(h) Design. The bluff stabilization and driveway areas are not visible from public roadways. The location, size, configuration, materials and colors of these developments are subordinate to and blend into the environment, and do not impact the public viewshed or neighborhood character.

(i) ESHA. As designed and conditioned, the proposed project is consistent with regulations for development adjacent to environmentally sensitive habitats (Section 20.146.040 CIP) and is compatible with the long-term maintenance of the adjacent marine ESHA area (Section 20.146.040.B.3 CIP). The project construction does not encroach into the shoreline or marine ESHA. As designed and with implementation of project construction and erosion control measures, the proposed project would not cause significant disruption of habitat resource values of the adjacent marine ESHA. Staff review conducted as part of issuance of the emergency coastal development permit (PLN050180) indicated that a Biological Evaluation (Dale Hameister Biological Consulting, April 11, 2005) conducted on the site concluded that the slope protection measures will not substantially affect native vegetation or wildlife in the vicinity and will not have a substantial adverse affect on special-status species. There are no wetlands within the project area and all work and access will be conducted above the Mean High Tide elevation. Temporary access routes and construction areas will be restored to pre-construction conditions

(j) On September 6, 2005, the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) recommended approval of the slope stabilization by a vote of 3-0 with no conditions. The LUAC noted that the geo-cell baskets are necessary to prevent further slope erosion and loss of an existing cypress tree that the wall should be completed before the winter rains, and the geo-cell design is a good solution and the slope will be revegetated. The LUAC recommendation included continuation of the application for further review of an enlarged of the driveway and potential drainage problems, as well as landscaping of the slope. The driveway and landscaping were subsequently reviewed by the project planner and determined to be in compliance, as designed and conditioned, with appropriate County policies and regulations.

LUAC meeting minutes dated September 6, 2005 (**Exhibit D**).

(k) Site Visits. County staff conducted on-site inspections to review that the subject parcel conforms to the plans listed above.

(l) Application. 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 PLN050309.

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

EVIDENCE:

(a) Site Inspection. The project planner conducted an on-site inspection to assess work completed prior to issuance of a permit and remaining work to be completed.

(b) Agency Review. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department, Environmental Health Department, and Parks Department. The project has also been reviewed by the California Department of Forestry (CDF) and the California Coastal Commission as part of the project review process. There has been no indication from these agencies that the site is not suitable. Conditions recommended by these agencies have been incorporated to the project conditions.

(c) Professional Reports. Reports by an archaeologist, arborist and geotechnical engineer indicate that there are no physical or environmental constraints that would indicate the site is not suitable for the proposed use:

- (1) Archaeological Consulting. April 6, 2002. "Preliminary Archaeological Reconnaissance for Assessor's Parcel 241-192-009, Carmel Highlands, Monterey County, California."
- (2) Archaeological Consulting. May 2, 2006. Letter to Mr. Frank McDowell regarding "APN 241-192-009, 160 Spindrift Rd., Carmel Highlands."
- (3) Grice Engineering, Inc. March 2005, Revised 7/25/05. "Geotechnical Soils-foundation & Geoseismic Report for the McDowell Property, 160 Spindrift Road, Carmel Highlands, California. A.P.N. 241-192-009."
- (4) Frank Ono, Certified Arborist. April 22, 2005. Letter to Mr. Frank McDowell regarding "Cypress Trees Down-Slope from Residence."

4. FINDING – DEVELOPMENT ON SLOPES IN EXCESS OF 30%. Placement of geo-cells and construction of wire walls on a coastal bluff in excess of 30% slope is necessary to repair an existing area of failed slope and to prevent further failure of the bluff. There is no feasible alternative that would allow development to occur on slopes less than 30% (Section 20.64.230.E).

EVIDENCE:

- (a) The purpose of the project is to stabilize a slope area that failed in April 2005 and to prevent failure of the unstable area to the north, both of which are critically near an existing residence, and to repair a deteriorating gabion basket retaining wall to the south and construct wire walls at the bluff front below the existing single-family home.
- (b) The project geotechnical report found that the site will experience progressive bluff failure unless supported by a suitable stabilized system.
- (c) Staff review and peer review of the geotechnical reports conducted as part of issuance of the emergency coastal development permit (PLN050180) verified the emergency condition and concluded that unless these deposits exposed on an excessively steep slope are confined by a drained retaining structure, there is a possibility that further sloughing of the terrace deposits.
- (d) The project as designed complies with recommendations of the project geotechnical report which found that the proposed design minimizes construction impacts.
- (e) Grice Engineering, Inc. March 2005, Revised 7/25/05. "Geotechnical Soils-foundation & Geoseismic Report for the McDowell Property, 160 Spindrift Road, Carmel Highlands, California. A.P.N. 241-192-009."

5. FINDING – DEVELOPMENT WITHIN 750 FEET OF A KNOWN ARCHAEOLOGICAL RESOURCE. The project as designed and constructed ensured that archaeologically sensitive areas and resources were protected for their scientific and cultural heritage values (20.146.090).

EVIDENCE:

- (a) An archaeological survey has been prepared for this project by Archaeological Consulting in accordance with Section 20.146.090.B CIP. Cultural (archaeological) resources have been identified within or adjacent to the proposed project. The project as designed and constructed ensured that archaeologically sensitive areas and resources were protected for their scientific and cultural heritage values.
- (b) Construction was monitored by a qualified archaeologist. Shell midden features were recovered and subject to radiocarbon dating, which were found to be typical of area, but no other artifacts or cultural resources were found.

(c) As a result of monitoring, all site planning and design features necessary to minimize impacts to archaeological resources have been conducted.

(d) Archaeological Consulting. April 6, 2002. "Preliminary Archaeological Reconnaissance for Assessor's Parcel 241-192-009, Carmel Highlands, Monterey County, California, and Archaeological Consulting. May 2, 2006. Letter to Mr. Frank McDowell regarding "APN 241-192-009, 160 Spindrift Road, Carmel Highlands."

6. **FINDING - PUBLIC ACCESS.** The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (see 20.70.050.B.4). The proposed project is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act of 1976 and Section 20.146.130 of the Carmel Area Land Use Plan and Coastal Implementation Plan.

EVIDENCE:

(a) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 in the Carmel Area Land Use Plan).

(b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

(c) The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Section 20.146.130 CIP). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.146.130.B of the Monterey County Coastal Implementation Plan, can be demonstrated.

(d) Staff site visits.

7. **FINDING - HEALTH AND SAFETY:** The establishment, maintenance or operation of the project applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE:

(a) Agency Review. The project was reviewed by Planning and Building Inspection, Public Works Department, Water Resources Agency, Environmental Health Division, Parks Department and the California Department of Forestry. The respective departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood. The applicant has agreed to these conditions as evidenced by the application and accompanying materials.

(b) Professional Reports. Recommended conditions and modifications from consulting geotechnical consultants provide additional assurances regarding project safety. These technical reports are in Project File PLN050309.

(c) Preceding findings and supporting evidence.

8. **FINDING - NO VIOLATIONS:** The subject property, with approval of this permit as conditioned, will be in compliance with all rules and regulations pertaining to zoning uses, subdivision and any other applicable provisions of the County's zoning ordinance. No violations exist on the property, and all zoning violation abatement cost, if any, have been paid.

EVIDENCE:

- (a) Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property and that all zoning abatement costs, if any have been paid.
- (b) A notice of violation case was opened on August 16, 2005 for installation of stabilization system along the bluff without issued grading permits. With issuance of an Emergency Grading Permit with conditions, and approval of this Coastal Development Permit, as conditioned, the case can be closed.
- (c) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations that exist on subject property.

9. **FINDING – CEQA/EXEMPT:** Based on technical reports and site review, staff determined that the project is exempt under CEQA pursuant to State CEQA Guidelines statutory exemption 15269 (for emergency projects) which applies to the retaining wall and categorical exemption 15301 (for replacement of existing facilities) which applies to the driveway replacement).

EVIDENCE:

- (a) State CEQA Guidelines section 15269 (pursuant to Public Resources Code sections 21080 and 21083) exempts from CEQA emergency projects, including “specific actions to prevent or mitigate an emergency.” The purpose of the project is to stabilize a slope area that failed in April 2005 and to prevent failure of the unstable area to the north, both of which are critically near an existing residence. Staff review conducted as part of issuance of the emergency coastal development permit (PLN050180) found that the emergency repair to an eroded slope and bluff are necessary to prevent loss of property and/or life.
- (b) State CEQA Guidelines section 15301 – Class 1, Existing Facilities – (pursuant to Public Resources Code sections 21083 and 21084) exempts from CEQA, minor alteration of existing public or private structures involving negligible or no expansion of use. The proposed driveway improvement expands impervious surfaces by 50% (1,000 square feet), which is within the limits described in section 15301 for addition to existing structures.
- (c) The Notice of Exemption is on file in the office of PB&I and is hereby incorporated by reference. (PLN050309/McDowell).
- (d) Grice Engineering, Inc. March 2005, Revised 7/25/05. “Geotechnical Soils-foundation & Geoseismic Report for the McDowell Property, 160 Spindrift Road, Carmel Highlands, California. A.P.N. 241-192-009.”

10. **FINDING –APPEAL:** The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

EVIDENCE:

- (a) Board of Supervisors. Section 20.86.030 of the Monterey County Zoning Ordinance.
- (b) Coastal Commission. Section 20.86.080.A of the Monterey County Zoning Ordinance.

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 10th day of August, 2006.


JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON SEP 21 2006

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

OCT - 1 2006

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.

Monterey County Planning and Building Inspection
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: McDowell Retaining Wall and Driveway

File No: PLN050309

APNs: 241-192-009-000

Approval by: Zoning Administrator

Date: August 10, 2006

**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>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		<p>SPECIFIC USES ONLY</p> <p><i>Combined Development Permit (PLN050309/McDowell) consisting of: a coastal development permit and design approval to place geo-cells in a slide area and construct wire walls at the bluff front below the existing single-family home in order to provide slope stability, to remove asphalt driveway, to modify the grade and width of the driveway and to install pavers and base; a coastal development permit for development on slopes of 30% or greater; a coastal development permit for development within 100 feet of a mapped ESHA; coastal development permit for development within 750 feet of a known archaeological resource; a coastal development permit for development within 100 feet of a mapped ESHA; grading of approximately 489 cubic yards cut and 280 cubic yards fill (439 cy cut and 266 cy fill for the slope stabilization, and 50 cy cut and 14 cy fill in the driveway area). The property is located at 160 Spindrift Road(assessor's parcel numbers 241-192-009-000), Carmel Area, 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</i></p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

		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 050309) was approved by the Zoning Administrator for Assessor's Parcel Number 241-192-009-000 on August 10, 2006. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and/or building permits	
3		PBD016 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, which-ever occurs first and as applicable	

		defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (Planning and Building Inspection)				
4		PBD042 – GRADING PERMITS REQUIRED A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork.. (Planning and Building Inspection)	If applicable, apply and receive the appropriate grading permit from Monterey County Planning and Building Inspection.	Owner/ Applicant, Engineer	Prior to issuance of grading and/or building permits	
5		PBD011 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Resource Conservation District, as applicable, and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. (Planning and Building Inspection)	Submit the Erosion Control Plan to PBI prior for review and approval.	Owner/ Applicant	Prior to issuance of grading and/or building permits	
6		PBD013 - GEOLOGIC CERTIFICATION Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. (Planning and Building Inspection)	Submit certification by the geological consultant to PBI showing project's compliance with the geological report.	Owner/ Applicant/ Geological Consultant	Prior to Final Building Inspection	
7		PBD032(A) - TREE PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction	Implement tree protection measures included in the Tree Protection report (Frank Ono, April 2005); submit evidence	Owner/ Applicant	Prior to issuance of grading and/or	

		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 building permits subject to the approval of the Director of Planning and Building Inspection. (Planning and Building Inspection)	of tree protection to PBI for review and approval; submit evidence of protection upon completion of construction.		building permits to show trees are protected; upon completion of construction to show protection was successful	
8		PBD026 – NOTICE OF REPORT (ARCHAEOLOGY) Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "An Archaeological Assessment has been prepared for this parcel by Archaeological Consulting, dated October 13, 2003 and is on record in the Monterey County Planning and Building Inspection Department Library No. 040614. All current and future development shall be in accordance with this report unless amended." (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	
WATER RESOURCES AGENCY						
9		DRAINAGE PLAN - COASTAL The applicant shall provide the Water Resources Agency with a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Surface and subsurface water shall be routed to a non-erodible surface at the base of the bluff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit a copy of the hydrologic analysis to the Water Resources Agency for review and approval.	Owner, Applicant, Engineer	Prior to issuance of grading and/or building permit.	
CDF/CARMEL FIRE PROTECTION ASSOCIATES						

10		<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 center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (CDF/Carmel Hills Station)</p>	<p>Applicant shall incorporate specifications into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection.</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection.</p>	
11		<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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

		<p>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.</p> <p>(CDF/Carmel Hills Station)</p>				
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END OF CONDITIONS

EXHIBIT C
PROJECT LOCATION MAP
PLN050309/McDowell

