

JEFF MAIN
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 050434

A. P. # 129-211-017-000

In the matter of the application of
Marjorie Kay (PLN050434)

FINDINGS AND DECISION

to allow a **Combined Development Permit** in accordance with Title 20 (Zoning) Chapter 21.210 (Combined Development Permits) of the Monterey County Code, for a Combined Development Permit consisting of a Coastal Administrative Permit to allow the construction of a 2,298 sq. ft. single-family dwelling, a 528 sq. ft. detached garage, new septic system and domestic well with associated grading (546 cubic yards of cut and 213 cubic yards of fill); and a Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat. The property is located on 5295 Starr Way, Royal Oaks, North County Land Use Plan, and came on regularly for meeting before the Zoning Administrator on November 9, 2006.

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

FINDINGS OF FACT

1. FINDING: CONSISTENCY – The project, as described in Condition #1, and as conditioned, conforms to the policies, requirements and standards of the Local Coastal Program (LCP). The LCP for this site consists of the North County Area Land Use Plan, North County Area 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) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

(b) The project is located at 5295 Starr Way, Royal Oaks (Assessor's Parcel Number 129-211-017-000), North County Land Use Plan. The parcel is zoned Rural Density Residential, five (5) acre minimum per dwelling unit, Coastal Zone ("RDR/5 (CZ)"). The construction of a single family residence and detached garage are principally allowed uses in accordance with Section 20.16.040 A. Due to the proximity of environmentally sensitive habitat the project was reviewed in accordance with Section 20.16.030 E. The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 20, and is suitable for the proposed development.

(c) The Project Planner conducted an on-site inspection on July 26, 2005 and December 22, 2005.

(d) The North County Coastal Land Use Advisory Committee reviewed and recommended approval (4 - 0 vote) of the Combined Development Permit on December 5, 2005.

(e) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN050434.

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

EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: Planning, North County Fire Protection District, Parks, Public Works, Environmental Health Division, Monterey County Sheriff, and Water Resources Agency,

the California Department of Fish and Game, Monterey Bay Area Unified Air Pollution Control District, California Regional Water Quality Control Board, Coastal Commission, and the Association of Monterey Bay Area Governments. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- (b) Technical reports by outside biological and geotechnical consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
- Biological Survey of Kay Property (LIB060391) prepared by Ed Mercurio, Salinas, CA, November 6, 2004.
 - Spring check of Biological Resources on Kay Property (LIB060390) prepared by Ed Mercurio, Salinas, CA, May 2, 2005.
 - Dusky-footed Woodrat Survey (LIB060553) prepared by Ed Mercurio, Salinas, CA, July 28, 2006.
 - Geotechnical Investigation and Percolation Study for 5295 Starr Way (LIB060392) prepared by Pacific Crest Engineering Inc, Watsonville, CA, September 2005.
- (c) The project planner conducted site visits on July 26, 2005 and December 22, 2005.
- (d) Materials in Project File PLN050434.

3. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT- The project as designed, conditioned, and mitigated is consistent with policies of the North County Land Use Plan concerning ESHA (Chapter 2.3).

- EVIDENCE:**
- (a) A Biological Survey was prepared by Ed Mercurio on November 6, 2004 and May 2, 2005 addressing the siting, design, and construction of the single family residence, detached garage, septic system, and domestic well. According to the reports, the property contains individuals representative of coast live oak forest, maritime chaparral, and central coastal scrub communities. Most of the development is located within the central coastal scrub community. A segment of the proposed driveway and detached garage are located approximately 90-feet away from several isolated individual Pajaro manzanitas. The remaining central maritime chaparral representatives exist along the highest ridgetop across the northeastern portion of the property where no development is planned. Tree removal is not included in the development application.
- (b) In order to further the policies and regulations of the North County Land Use Plan (2.3) and the North County Coastal Implementation Plan (20.144.040), standard Conditions of Approval will require the following: grading shall be the least amount necessary to support the development, invasive plant species will be required to be controlled and removed, and the implementation of tree and native habitat protection measures shall be employed during construction activities.
- (c) Mitigation Measures designed to reduce impacts to ESHA to a less than significant level include the following: recordation of a scenic and conservation easement on 4.31 acres of the property having slopes greater than 25 % and/or contain maritime chaparral; the planting of at least 15 one gallon Pajaro manzanita of local origin; protection of Pajaro manzanita individuals located close to the construction site; restoration recommendations within the central coastal scrub plant community shall be implemented according to the Biological Survey conducted by Ed Mercurio (November 6, 2004 and May 2, 2005), and within the 30 foot and 100 foot fire management areas the applicant shall protect chaparral habitat to the maximum extent possible by implementation of the fire

management recommendations included in the Biological Survey conducted by Ed Mercurio which include maintenance trimming while precluding removal of any sensitive resources.

- (d) The North County Fire Protection District is currently enforcing defensible space to 30 feet this year and educating to 100 feet. However, trees and many perennial shrubs can remain within this defensible space. Trees should be limbed up to 6 feet and shrubs such as rare, endangered and threatened plants, can remain but should have dead and dying material removed, leaving only healthy growth (Letter from Ed Mercurio outlining discussion with Fire Marshal Michael Roberson March 20th, 2006). Therefore, no significant impacts will occur as a result of fire maintenance activities to either Central maritime chaparral or Oak woodlands present on the property.
- (e) Proposed mitigation measures to protect and enhance central maritime chaparral and central coast scrub communities are adequate and acceptable to the California Department of Fish and Game (Jeff Cann, Associate Wildlife Biologist, Department of Fish and Game, June 20, 2006).

4. FINDING: CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION – 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) Initial Study. It was suggested by evidence contained in the record (Fenton & Keller, January 27th, 2006) that the project may potentially affect Biological Resources and Hydrology/Water Quality. Therefore, as requested by the applicant, Staff conducted an Initial Study and subsequent Mitigated Negative Declaration pursuant to CEQA. The Initial Study identified potentially significant effects to biological resources that could be mitigated to a less than significant level. The applicant has agreed to proposed mitigation measures that mitigate the effects to a point where clearly no significant effects would occur.

(b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk May 22nd, 2006, noticed for public review, and circulated to the State Clearinghouse from May 24th, 2006 to June 21st, 2006. Due to comments received from the Department of Fish and Game regarding the presence of dusky-footed woodrat nests located on the property, the Initial Study was amended to include mitigation measures to reduce potential impacts to the dusky-footed woodrat to a less than significant level. A Mitigated Negative Declaration was filed with the County Clerk on August 9th, 2006, noticed for public review, and circulated to the State Clearing House from August 14th, 2006 to September 12th, 2006. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Biological Survey of the Kay Property, 5295 Starr Way, by Ed Mercurio (November 6, 2004 and May 2, 2005).
2. Response to Jean Ferreira letter by Ed Mercurio regarding biological habitats and plant communities (March 20, 2006).
3. Geotechnical Investigation and Percolation Study for 5295 Starr Way, by Pacific Crest Engineering Inc. (September 2005).
4. Response to Landset letter by Pacific Crest Engineering, Inc. (February 6, 2006).
5. Personal Communication with Tom Moss of Water Resources Agency and John Hodges of Environmental Health (May 4, 2006) addressing hydrogeologic concerns raised by Geoconsultants.

6. "2004 Air Quality Management Plan" and "CEQA Air Quality Guidelines, July 2004," prepared by the Monterey Bay Unified Air Pollution Control District.
7. Fugro West North Monterey County Hydrogeologic Study, October 1995.
8. North Monterey County Comprehensive Water Resources Management Plan. Monterey County Water Resources Agency and EDAW, Inc. January 2002.
9. Letter received from Ed Mercurio regarding discussions with Fire Marshal Michael Roberson in reference to defensible space and sensitive species, March 20, 2006.
10. Specific locations of Monterey dusky-footed woodrat nests that could be impacted by development on the Kay property, Ed Mercurio, July 28th, 2006.

The County of Monterey is the custodian of these documents which are located at the Resource Management Agency – Planning Department, 168 West Alisal, Salinas, California. The Zoning Administrator determines that although the project could have significant impacts, mitigation can reduce these potential impacts to a level of insignificance. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan are hereby adopted by the Zoning Administrator.

- (c) Mitigation Monitoring Program. A Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation. The applicant/owner must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan" as a condition of project approval.
- (d) Comments. During the Initial Study and Mitigated Negative Declaration circulation period (August 14th through September 12th, 2006), comment letters were received from the California Regional Water Quality Control Board, Monterey Bay Unified Air Pollution Control District, and the Association of Monterey Bay Area Governments. These comments were informational in nature and noted for the record.

5. 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. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning Department records and is not aware of any violations existing on subject property.

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.). No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c. of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:**
- (a) The subject property is not described as an area where the Local Coastal Program requires access.
 - (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figure 6, the Shoreline/Access Trails Map, of the North County Area Land Use Plan.
 - (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - (d) Staff site visits on July 26, 2005 and December 22, 2005.

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: Preceding findings and supporting evidence.

8. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: Section 20.86.030 and Section 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 that the Mitigated Negative Declaration and Mitigated Monitoring Plan be adopted and 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 November, 2006.



JEFF MAIN, 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 RMA - Planning Department office in Salinas.

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

**RMA-PLANNING DEPARTMENT
Condition Compliance and/or Mitigation Monitoring
Reporting Plan**

Project Name: Kay, Marjorie

File No: PLN050434

APNs: 129-211-017-000

Approved by: ZONING ADMINISTRATOR

Date: NOVEMBER 9, 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>PBD029 - SPECIFIC USES ONLY The Kay Combined Development Permit (PLN050434) consists of: 1) a Coastal Administrative Permit for the construction of a 2,298 sq. ft. one-story single family residence with a 528 sq. ft. detached garage, driveway, septic system, domestic well and grading (759 cubic yards cut/fill), and a 2) Coastal Development Permit for development located within 100-feet of environmentally sensitive habitat. The property is located at 5295 Starr Way, Royal Oaks (Assessor's Parcel Number 129-211-017-000), 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 the RMA-Planning Department. 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. (RMA-Planning Department)</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution No. 050434) was approved by the Zoning Administrator for Assessor's Parcel Number 129-211-017-000 on November 9, 2006. The permit was granted subject to <u>32</u> conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA-Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA-Planning Department prior to issuance of grading and building permits or commencement of the use.</p> <p>(RMA-Planning Department)</p>	Proof of recordation of this notice shall be furnished to the RMA-Planning Department.	Owner/ Applicant	Prior to issuance of grading and building permits or start of use	
3		<p>PBD005 DEED RESTRICTION- FIRE HAZARD</p> <p>Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "This parcel is located in a high fire hazard area and development may be subject to certain restrictions required as per Section 20.144.100 of the North County Coastal Implementation Plan and per the standards for development of residential property. (RMA-Planning Department)</p>	Submittal of approved and recorded Deed Restriction to the RMA-Planning Department.	Owner/ Applicant	Prior to issuance of grading and building permits or start of use	
4	4	<p>PBD008-SCENIC AND CONSERVATION EASEMENT</p> <p>A 4.31 acres scenic and conservation easement shall be conveyed to the County over those portions of the property where Maritime Chaparral exists on slopes greater than 25 %. An easement deed shall be submitted to, and approved by the Director of the RMA-Planning Department prior to the issuance of grading or building permits. (RMA-Planning Department)</p>	<p>1) Submit signed Scenic Conservation Easement for review and approval by the Director of the RMA-Planning Department.</p> <p>2) Conveyance to the County upon approval by the Board of Supervisors</p> <p><u>Monitoring Action #4:</u> Prior to Issuance of Grading and Building Permits the applicant shall submit</p>	Owner/ Applicant	<p>Prior to Issuance of Grading and Building Permits</p> <p>Prior to final</p>	

<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>
			approved and recorded Scenic Conservation Easement to the RMA-Planning Department.			
5		<p>EROSION AND RUNOFF CONTROL-NON STANDARD</p> <p>Prior to the issuance of a grading or building permit, the applicant shall submit evidence that erosion and runoff control measures have been implemented in accordance with Monterey County's Erosion Control (Chapter 16.12) and Grading (Chapter 16.08) Ordinances. All cut and/or fill slopes exposed during the course of construction shall be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of the RMA-Planning Department. 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, as per the recommendations contained in the Geotechnical Investigation and Percolation Study by Pacific Crest Engineering, Inc. (September 2005). This program shall be approved by the Director of the RMA-Planning Department. (RMA-Planning Department)</p>	Submit evidence that erosion and runoff control measures have been implemented in accordance with Monterey County's Erosion Control (Chapter 16.12) and Grading (Chapter 16.08) Ordinances.	Owner/ Applicant	Prior to issuance of grading and building permits	
6		<p>PBD014-GRADING WINTER RESTRICTION</p> <p>No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of the RMA-Planning Department. (RMA-Planning Department)</p>	None	Owner/ Applicant	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7		<p>PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</p> <p>The site shall be landscaped. 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 follow the recommendations contained in the Biological Survey prepared by Ed Mercurio, dated November 6, 2004. Additionally, the landscaping plan shall incorporate native trees and other indigenous vegetation for those areas disturbed by construction and for additional screening of structures. 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, landscaping shall be either 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 RMA-Planning 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. (RMA-Planning Department)</p>	Submit landscape plans and contractor's estimate to RMA-Planning Department for review and approval.	Owner/ Applicant/ Contractor	At least three weeks prior to final inspection or occupancy	
8		<p>PBD021-LIGHTING-EXTERIOR LIGHTING PLAN</p> <p>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. Exterior lights shall have recessed</p>	Submit three copies of the lighting plan to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		lighting elements. 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 lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to the approval of the Director of the RMA-Planning Department prior to the issuance of building permits. (RMA-Planning Department)	Lighting shall be installed and maintained in accordance with approved plan.		Ongoing	
9		PBD028-RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Planning Director. Plans for such restoration shall be submitted to and approved by the Director of the RMA-Planning Department prior to occupancy. (RMA-Planning Department)	Submit restoration plans to RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to occupancy	
10		PBD030-STOP WORK – RESOURCES FOUND 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 RMA-Planning 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	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA-Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		develop proper mitigation measures required for the discovery. (RMA-Planning Department)				
11		PBD032(B) – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of grading or building permits subject to the approval of the Director of the RMA-Planning Department. (RMA-Planning Department)	Submit evidence of tree protection to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	
12		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA-Planning Department; Public Works)	None	Owner/ Applicant	Ongoing	
13		PBD036 - WATER TANK APPROVAL The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of the RMA-Planning Department, prior to the issuance of building permits. (RMA-Planning Department)	Submit proposed color of water tank and landscaping to the RMA-Planning Department for review and approval.	Applicant/ Owner	Prior to final inspection or occupancy	

<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>
14		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. (RMA-Planning Department)	If applicable, apply and receive the appropriate grading permit from Monterey County Building Department.	Engineer/ Owner/ Applicant	Prior to Issuance of Grading or Building Permits	
15		REMOVAL OF NON-NATIVE SPECIES- NON STANDARD Invasive plant species removal shall occur as identified in the Biological Survey. No new invasive species shall be planted on the property. (RMA-Planning Department)	Include removal of non-native species on landscaping plan.	Owner/ Applicant/ Contractor	At least three weeks prior to final inspection or occupancy	
16		PBD012 - FISH AND GAME FEE-NEG DEC/EIR 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. This fee shall be paid before the Notice of Determination is filed. (RMA-Planning Department)	The applicant shall submit a check, to the Director of the RMA-Planning Department, payable to the <i>County of Monterey</i> .	Owner/ Applicant	Within 5 working days of project approval	
17		PBD022 - MITIGATION MONITORING PROGRAM 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	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	Within 60 days after project approval or prior to issuance of grading and building permits,	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		mitigation monitoring agreement. (RMA-Planning Department)			which-ever occurs first.	
18		WR0045 WELL INFORMATION (WR) Prior to the issuance of any grading or building permits, the applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit well information to the Water Resources Agency for review.	Owner/ Applicant	Prior to issuance of grading or building permits	
19	7	WR0003 DRAINAGE PLAN – RETENTION (WR) 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 for review and approval. <u>Monitoring Action #7:</u> Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to final inspection	
20		WR0008 - COMPLETION CERTIFICATION (WR) Prior to final inspection, 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	Prior to final inspection	
21		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		Owner/ Applicant	Prior to final building inspection	

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		<p>construction require, but are not limited to:</p> <p>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.</p> <p>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)</p>				
22		<p>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) 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 the RMA-Planning Department. (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>	Owner/ Applicant	<p>Prior to issuance of grading and building permits</p> <p>Prior to final building inspection</p>	
23		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The residence and detached garage shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum</p>	<p>1) Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>2) Applicant shall schedule fire dept. clearance inspection.</p>	Owner/ Applicant	<p>Prior to issuance of building permit</p> <p>Prior to</p>	

<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>
		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)			final building inspection	
24		FIRE026 - ROOF CONSTRUCTION All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (North County Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit.	
25		FIRE016 - SETBACKS 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)	1) Applicant shall enumerate as "Fire Dept. Notes" on plans. 2) Applicant shall schedule fire dept. clearance inspection	Applicant	Prior to issuance of building permit	
26		EH8 - WELL CONSTRUCTION PERMIT Obtain a water well drilling permit from the Division of Environmental Health and construct the well. (Environmental Health)	Submit the Well Completion Report to the Division of Environmental Health.	Applicant	Prior to issuance of a building permit	
27		EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of building permit	

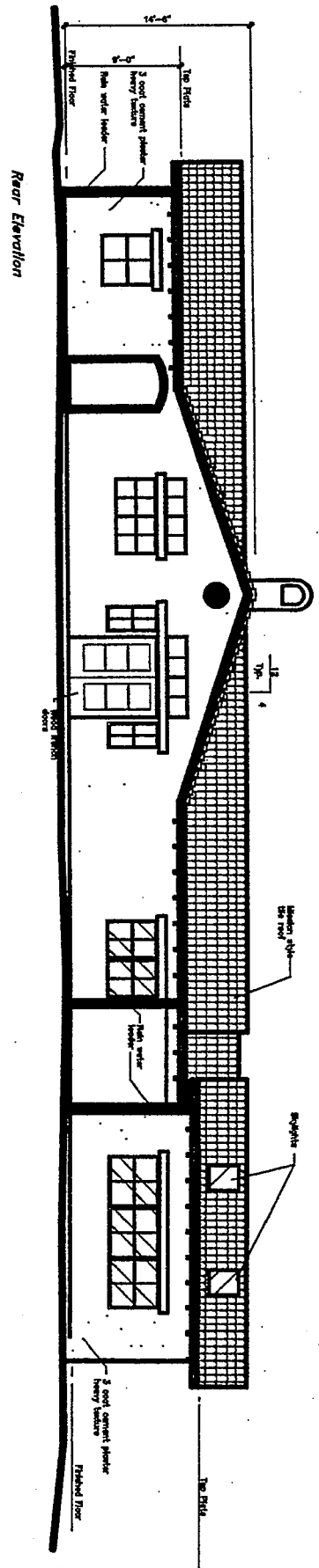
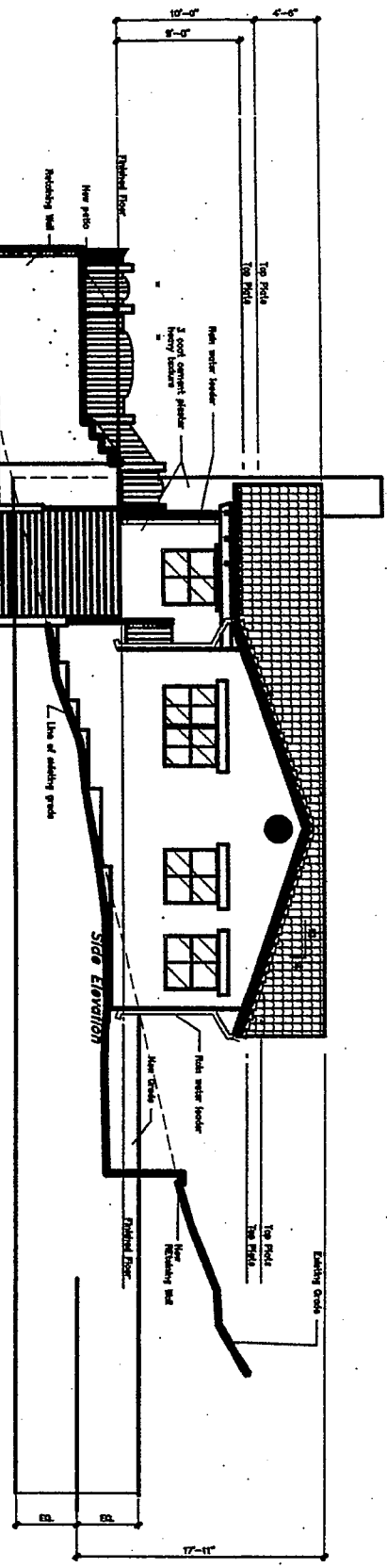
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
28	1	<p>Mitigation Measure #1: The applicant shall plant within the disturbed area of the parcel, at least 15 one gallon Pajaro manzanita of local origin. The manzanita shall be planted at least 100 feet from any structure.</p>	<p><u>Monitoring Action #1A:</u> Submit photographic evidence of completed plantings to the Director of the RMA-Planning Department for review and approval.</p> <p><u>Monitoring Action #1B:</u> To ensure the survival of the Pajaro manzanita, monitoring shall be completed by a qualified biologist prior to the commencement of construction and include reports with photographs certifying the condition of the manzanita once within three months following completion of the development, once two years after completion of the development, and once five years after the completion of the development. At five years following completion of development at least 70 percent of plantings shall be surviving. If 70 percent of the plantings are not surviving then replanting and monitoring shall continue until compliance is achieved. If plantings fail within any of the timeframes the biologist shall recommend replantings and any replantings will re-start the monitoring action.</p>			

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			Reports shall be submitted to the Director of the RMA-Planning Department for review.			
29	2	Mitigation Measure#2: Pajaro manzanita located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by wrapping with protective materials, avoiding fill of any type against the base and avoiding an increase in soil depth at the feeding zone or drip line of the plants.	<u>Monitoring Action #2:</u> Submit photos demonstrating compliance prior to issuance of building permits with a minimum of two follow up submissions to include just prior to final building permit sign off subject to the approval of the Director of the RMA-Planning Department.			
30	3	Mitigation Measure #3: Restoration recommendations within the central coastal scrub plant community shall be implemented according to the Biological Survey conducted by Ed Mercurio on November 6, 2004.	<u>Monitoring Action #3A:</u> Include recommended planting(s) on landscape plan. Submit plan for review and approval by the Director of the RMA-Planning Department. <u>Monitoring Action #3B:</u> To ensure the survival of the central coast scrub plant community, monitoring shall be completed by a qualified biologist prior to the commencement of construction and include reports with photographs certifying the condition of the community once within three months following completion of the			

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			development, once two years after completion of the development, and once five years after the completion of the development. At five years following completion of development at least 70 percent of plantings shall be surviving. If 70 percent of the plantings are not surviving then replanting and monitoring shall continue until compliance is achieved. If plantings fail within any of the timeframes the biologist shall recommend replantings and any replantings will re-start the monitoring action. Reports shall be submitted to the Director of Planning and Building Inspection for review.			
31	5	Mitigation Measure #5 (NEST RELOCATION): A pre-construction survey shall be completed by a certified biologist to determine if the identified nests are active. Any active nests shall be avoided until late August to ensure that potential young of the year are raised and sufficiently mobile to relocate. The stick nests shall be disassembled prior to grading the site to give the animals time to relocate and avoid being harmed in the site clearing process.	<u>Monitoring Action #5:</u> The pre-construction survey shall be submitted to the RMA-Planning Department for review. If nests are identified as active, construction and or grading activities will not be allowed until after late August. The applicant shall submit photos depicting any active nests prior to disassembling, and after disassembling is complete. The building envelope shall be			

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			monitored until development begins to ensure new nests are not built within the envelope area. The monitoring report shall be submitted to the RMA-Planning Department prior to the start of construction.			
32	6	Mitigation Measure #6 (FIRE MANAGEMENT AREA): Within the 30 foot and 100 foot fire management areas the applicant shall protect chaparral habitat to the maximum extent possible by implementation of the fire management recommendations included in the Biological Survey conducted by Ed Mecurio which includes maintenance trimming while precluding removal of any sensitive resources.	Monitoring Action #6: The owner shall minimize the trimming of Maritime chaparral to the minimum amount required by the North County Fire Protection District. The applicant shall also follow the recommendations for plant maintenance related to fire management contained in the Biological Survey conducted by Ed Mercurio on November 6, 2004 with special regard for the additional planting and monitoring of Pajaro manzanita.			

END OF CONDITIONS

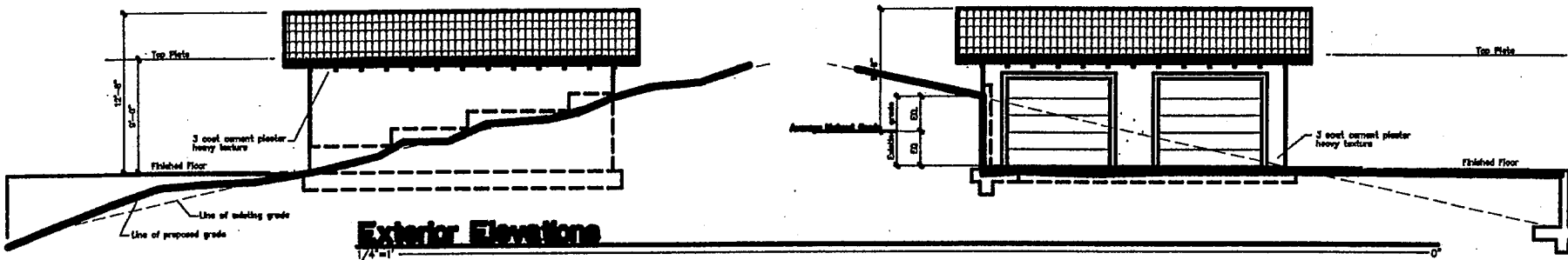
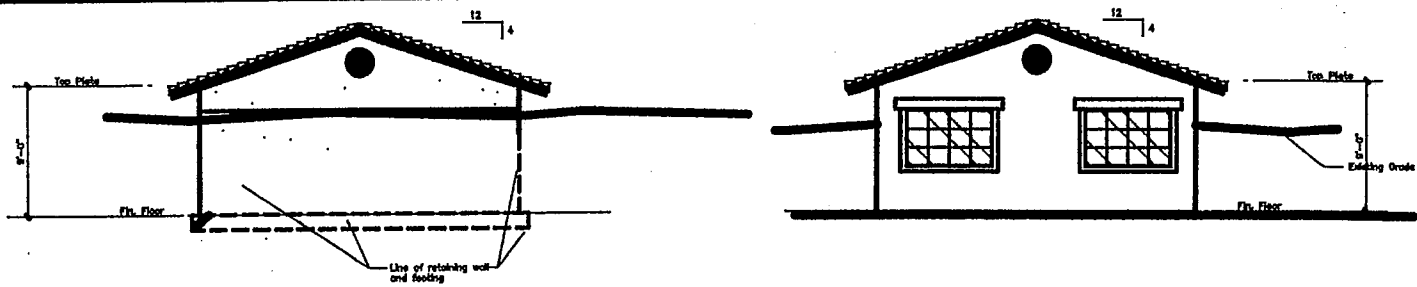


Exterior Elevations
1/4"=1'

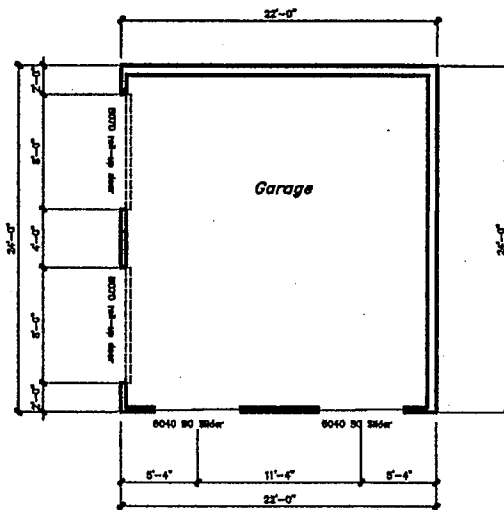


PROJECT New single family residence for: Mr. and Mrs. Koepfert 5225 Starr Way Royal Oaks, CA. 95078 A.P. # 129-211-017 PHONE: (831)-781-5785		SHEET TITLE Exterior Elevations		DATE 10-30-98	
SCALE AS NOTED DRAWN CAD/D		NO. 4		DATE 10-30-98	
BY [Signature]		DATE 10-30-98		REVISIONS	
APP. 1 [Signature]		DATE 10-30-98		REVISIONS	
APP. 2 [Signature]		DATE 10-30-98		REVISIONS	





Exterior Elevations



Floor Plan

REVISION	DATE	KEY

DRAWING DATE
10-30-05



ABILITY INC.
 1234 Main Street
 Anytown, CA 90078
 Phone: (310) 555-1234
 Fax: (310) 555-5678
 Email: info@abilityinc.com
 Website: www.abilityinc.com

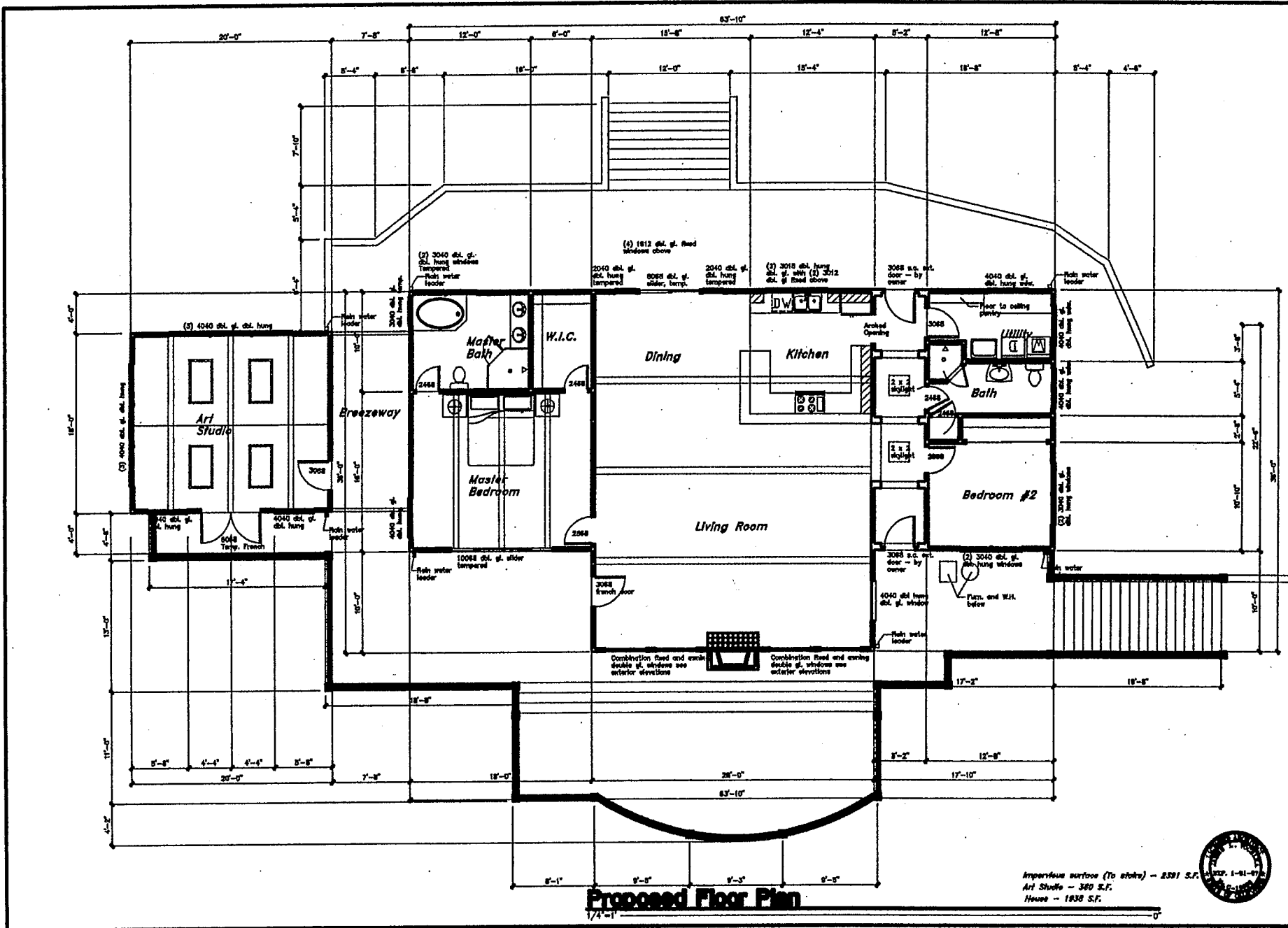
Garage Exterior Elevations
Floor Plans

Drawn by: **Mr. [Name]**
 Checked by: **Mr. [Name]**
 Date: **10-30-05**



SCALE AS NOTED
 DRAWN CADD

JOB -
 SHEET
5
 OF 5 SHEETS



REVISION	DATE	KEY

ISSUE DATE
 10-30-05



Proposed Floor Plan

SCALE AS NOTED
 DRAWN CADD
 SHEET
 2

OF 5 SHEETS