JEFF MAIN ZONING ADMINISTRATOR COUNTY OF MONTEREY STATE OF CALIFORNIA

RESOLUTION NO. 070025

A. P. # 009-463-011-000

In the matter of the application of Chosen Road, Inc. (PLN070025)

FINDINGS AND DECISION

to allow a **Combined Development Permit** in accordance with Chapter 20.82 (Combined Development Permits) of the Monterey County Code, consisting of: 1) a Coastal Administrative Permit to allow the demolition of a 348 square foot detached garage, major remodel and two-story additions totaling 3,487 square feet with a new 441 square foot attached garage, to an existing one-story 1,954 square foot single family dwelling and grading of 358 cubic yards (298 cut/ 60 fill); 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource and; 3) a Design Approval. The property is located at 26325 Isabella Ave, Carmel, Carmel Land Use Plan, and came on regularly for meeting before the Zoning Administrator on February 14, 2008.

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 No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Secretary of Interior Standards for rehabilitation, the Monterey County General Plan, Carmel Land Use Plan, Coastal Implementation Plan Part 4, and the Monterey County Zoning Ordinance (Title 20), which designates this area as appropriate for development.
 - **EVIDENCE:** (a) Plan Conformance 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) Zoning Consistency The property is located at 26325 Isabella Avenue, Carmel (Assessor's Parcel Number 009-463-011-000), Carmel Land Use Plan. The parcel is zoned Medium Density Residential ("MDR/2-D (18) (CZ)") which allows Residential use of the site. The proposed structure meets all of the site development standards including height, setbacks, building site coverage, and floor area ratio. Therefore, the property is suitable for the proposed development.
 - (c) <u>Secretary of Interiors Standards</u> A Phase II historic analysis was submitted for the proposed project indicating that the project is consistent with the Secretary of Interiors Standards for rehabilitation. The Monterey County Historic Resource Review Board (HRRB) also reviewed the plans and reports on September 6, 2007 and found the project to be consistent with those standards.
 - (d) <u>Site Visit</u> The project planner conducted a site inspection on April 12, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
 - (e) <u>HRRB</u> On September 6, 2007 the Monterey County Historic Resource Review Board heard the application (Chosen Road Inc/PLN070025) and unanimously recommended approval of the project subject to four (4) conditions. Conditions recommended by the HRRB have been incorporated (Condition #'s 15, 16, 17 & 18).

- (f) <u>LUAC</u> On April 2, 2007 the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) heard the Chosen Road Inc. project PLN070025 and recommended approval by a vote of 3-2. There were two main areas of concern expressed at the meeting by the public and LUAC members. Visual impacts and compatibility was one of the issues due to the size of proposed additions and impacts to the historic Comstock home particularly due to the relocation of the existing chimney was the other issue. A suggestion was made that the garage wing addition be pulled back from the front façade to reduce the visual impact and accentuate the existing historic structures façade. This suggestion has been incorporated in the project design.
- (g) Archaeology The site is located within 750 feet of a known resource and is high in archaeological sensitivity. A Preliminary Archaeological Reconnaissance was done for the project by Archaeological Consulting the results of which were negative for potentially significant resources. Conditions recommended in the report have been included (Condition # 3).
- (h) <u>Aesthetics</u> The subject parcel is not located within the Public Viewshed as defined by the Carmel LUP Section 2.2.1 however the project has been designed to minimize the appearance of height and bulk by using earth-tone colors and setting the additions back from the existing front façade which also conforms with site topography (CIP Section 20.146.030.C)
- (i) <u>Application</u> The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning Department for the proposed development found in Project File PLN070025.
- 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: RMA Planning Department, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. 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 historical, archaeological, and geological consultants indicated that there are no 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:
 - i. "Phase One Assessment" (LETOa_PLN070025) prepared by Circa: Historic Property Development, San Francisco, CA, January 8, 2007.
 - ii. "Phase Two Assessment" (LIB070355) prepared by Circa: Historic Property Development, San Francisco, CA, June 28, 2007.
 - iii. "Preliminary Archaeological Reconnaissance" (LIB070134) prepared by Archaeological Consulting, Salinas, CA, November 2, 2006.
 - iv. "Geological Report" (LIB070135) prepared by CapRock Geology Inc., Salinas, CA, February 5, 2007.
 - (c) Staff conducted a site inspection on April 12, 2007 to verify that the site is suitable for this use.
 - (d) The proposed project consists of additions to an existing single family dwelling within a residential neighborhood. Risks associated with development are no more than what currently exists at the site.
 - (e) Materials in Project File PLN070025.

- 3. **FINDING:** CEQA INITIAL STUDY/NEGATIVE DECLARATION: On the basis of the whole record before the Zoning Administrator there is no substantial evidence that the proposed project as designed and conditioned, will have a significant effect on the environment. The negative declaration reflects the independent judgment and analysis of the County.
 - EVIDENCE: (a) Initial Study. In accordance with the California Environmental Quality Act section 21081.1 an initial study was prepared to evaluate the potential for impacts to a historical resource on the site. The Initial Study determined that mitigations, which were suggested in the Phase Two Historic Assessment, have been incorporated in the plans and the project is consistent with the Secretary of Interiors Standards for rehabilitation. The proposed project as designed would have a less than significant impact on the historic structure. Subsequently a Negative Declaration was prepared.
 - (b) <u>Negative Declaration</u>. A Negative Declaration was filed with the County Clerk on November 30, 2007, noticed for public hearing and circulated to the State Clearing House from November 30, 2007 to December 30, 2007. Among the studies, data, and reports analyzed as part of the environmental determination are the following:
 - 1. Preliminary Cultural Resources Reconnaissance of Assessor's Parcel Number 009-463-011-000, Carmel, by Mary Doane and Gary Breshini (November 2, 2006).
 - 2. Geologic Report for 26325 Isabella Avenue, Carmel, by CapRock Engineering Inc. (February 5, 2007).
 - 3. Phase One Assessment, by Circa: Historic Property Development (January 8, 2007).
 - 4. Phase Two Assessment, by Circa: Historic Property Development (June 28, 2007).

The County of Monterey is the custodian of these documents which are located at 168 West Alisal, Salinas, California. The Zoning Administrator determines that although the project could have significant impacts to a historic resource, as conditioned and designed potential impacts have been reduced to a level of insignificance. Therefore, a Negative Declaration is hereby adopted by the Zoning Administrator.

- (c) Comments No comments were received during the Initial Study circulation period.
- (d) <u>Conclusion</u> There is no substantial evidence in the record that suggest that the project would have a significant effect on the environment. Potential Impacts were identified that were mitigated by design or conditioned to reduce impacts to a less than significant level.
- (e) See preceding and following findings and supporting evidence.
- 4. **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:** (a) Staff reviewed Monterey County RMA Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
- 5. 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) Preceding findings and supporting evidence.

- 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 3, the Shoreline Access/Trails Map, of the Carmel 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 visit on April 12, 2007
- 7. **FINDING: APPEALABILITY** The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.
 - **EVIDENCE:** (a) Section 20.86.030 of the Monterey County Coastal Implementation Plan Part 1 (Board of Supervisors).
 - (b) The project may be appealed to the California Coastal Commission pursuant to Section 20.86.080 of the Monterey County Coastal Implementation Plan Part 1 because projects located within 750 feet of known archaeological resources are subject to a Coastal Development Permit.

DECISION

THEREFORE, it is the decision of the Zoning Administrator of the County of Monterey that the Negative Declaration 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 14th day of February, 2008.

JEFF MAIN, ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON

FEB 2 5 2008

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

MAR - 6 2008

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 Chosen Road, Inc. (PLN070025)

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 and RMA - Building Services Department offices in Salinas.

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

Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Chosen Road Inc.

File No: PLN070025

APNs: 009-463-011-000

Approved by: Zoning Administrator

Date: February 14, 2008

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

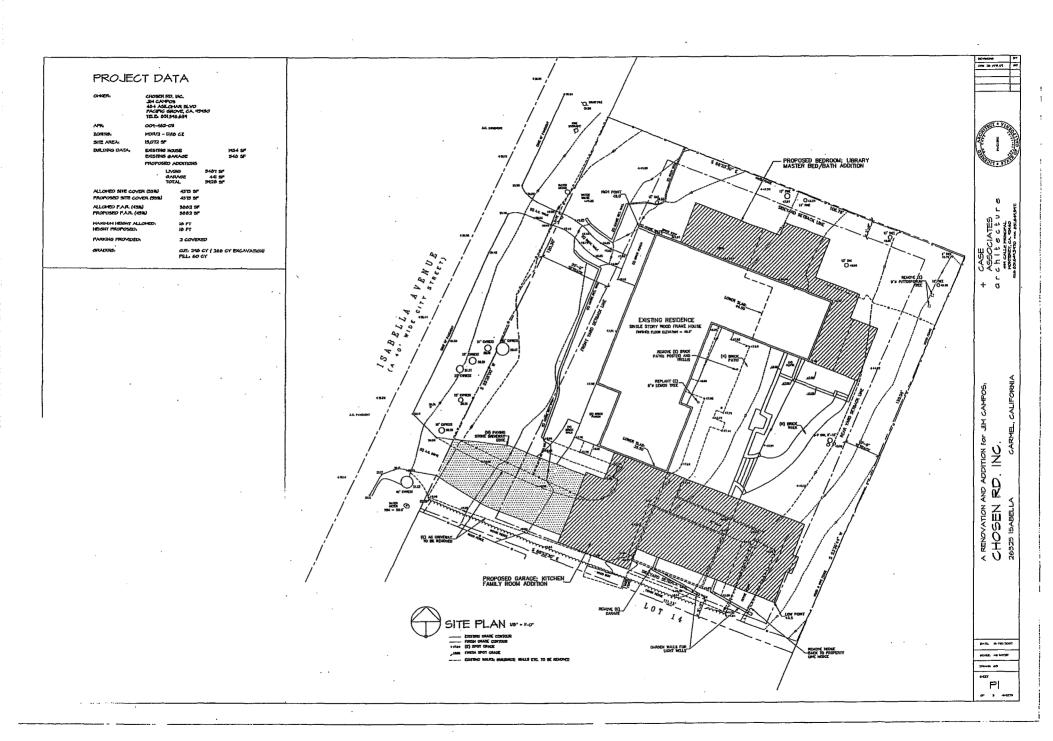
Permit Condi Number	Mitig. Number.	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certifical professional is required for	Responsible Burty for Compliance	Timing	Verification of Compliance (name/date)
Number 1.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN070025) allows the demolition of a 348 square foot detached garage, major remodel and two-story additions totaling 3,487 square feet with a new 441 square foot attached garage, to an existing one-story 1,954 square foot single family dwelling and grading of 358 cubic yards (298 cut/ 60 fill). The property is located at 26325 Isabella Avenue, Carmel (Assessor's Parcel Number 009-463-011-000), Carmel Land Use Plan. 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	mame/date)
		authorities. To the extent that the County has				

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	delegated any condition compliance or mitigation				
	monitoring to the Monterey County Water				
	Resources Agency, the Water Resources Agency				
	shall provide all information requested by the				
	County and the County shall bear ultimate			=	
	responsibility to ensure that conditions and				
	mitigation measures are properly fulfilled. (RMA				
	- Planning Department)				
2.	PD002 - NOTICE-PERMIT APPROVAL	Proof of recordation of this notice shall	Owner/	Prior to	
-	The applicant shall record a notice which states:	be furnished to the RMA - Planning	Applicant	the	
	"A permit (Resolution 070025) was approved by	Department.		issuance	
1 1	the Zoning Administrator for Assessor's Parcel			of	
	Number 009-463-011-000 on February 14, 2008.			grading	
	The permit was granted subject to 25 conditions of			and	
1	approval which run with the land. A copy of the			building	
	permit is on file with the Monterey County RMA -			permits	
	Planning Department." Proof of recordation of			or	
	this notice shall be furnished to the Director of the			commen-	
1	RMA - Planning Department prior to issuance of			cement	
	building permits or commencement of the use.			of use.	
	(RMA - Planning Department)				
3.	PD003(A) – CULTURAL RESOURCES –	Stop work within 50 meters (165 feet) of	Owner/	Ongoing	
] 3.	NEGATIVE ARCHAEOLOGICAL REPORT	uncovered resource and contact the	Applicant/	2 2	
	If, during the course of construction, cultural,	Monterey County RMA - Planning	Archaeo-logist		
	archaeological, historical or paleontological	Department and a qualified archaeologist			
	resources are uncovered at the site (surface or	immediately if cultural, archaeological,			
1	subsurface resources) work shall be halted	historical or paleontological resources			
1	immediately within 50 meters (165 feet) of the	are uncovered. When contacted, the			
	find until a qualified professional archaeologist	project planner and the archaeologist			
1	can evaluate it. The Monterey County RMA -	shall immediately visit the site to			
	Planning Department and a qualified archaeologist	determine the extent of the resources and	·		
	(i.e., an archaeologist registered with the Society	to develop proper mitigation measures	'		
	of Professional Archaeologists) shall be	required for the discovery.			
	immediately contacted by the responsible	10quito in air aires, or,			
	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. (RMA -				
	Planning Department)	-			
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4.	PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 735.5, 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. If the fee is not paid within five (5) working days, the project shall not be operative, vested or	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department. If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant Owner/ Applicant	Within 5 working days of project approval. Prior to the recordatio n of the final map,
	final until the filing fees are paid. (RMA - Planning Department)	1 raining Department.		the start of use or the issuance of building or grading permits
5.	PD007 - 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 RMA - Building Services Department. (RMA – Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing
6.	PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. 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 RMA - Planning and Director of RMA - Building Services. The	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits

	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 RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing
		Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspect -ion
7.	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, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA — Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits
		Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construction
		Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspect-tion

0	PD012(D) - LANDSCAPE PLAN AND	Submit landscape plans and	Owner/	Prior to
8.	MAINTENANCE - MONTEREY	contractor's estimate to the RMA -	Applicant/	issuance
	PENINSULA WATER MANAGEMENT	Planning Department for review and	Licensed	of
	DISTRICT (SINGLE FAMILY DWELLING	approval.	Landscape	Building
	ONLY)	approvai.	Contractor/	Permits
	The site shall be landscaped. Prior to the issuance		Licensed	1 Offines
	of building permits, three (3) copies of a		Landscape	
	landscaping plan shall be submitted to the Director		Architect	
	of the RMA - Planning Department. A landscape	Submit one (1) set landscape plans of	Owner/	Prior to
	plan review fee is required for this project. Fees	approved by the RMA – Planning	Applicant/	issuance
	shall be paid at the time of landscape plan	Department and a completed	Licensed	of
	submittal. The landscaping plan shall be in	"Residential Water Release Form and	Landscape	Building
	sufficient detail to identify the location, species,	Water Permit Application" to the	Contractor/	Permits
	and size of the proposed landscaping materials and		Licensed	remmis
	shall include an irrigation plan. The plan shall be	Monterey County Water Resources		
	accompanied by a nursery or contractor's estimate	Agency for review and approval.	Landscape Architect	
	of the cost of installation of the plan. Before	C. I. V. I. D. FA. DI. '	\	D
	occupancy, landscaping shall be either installed or	Submit the RMA – Planning	Owner/	Prior to
	a certificate of deposit or other form of surety	Department approved landscape plans	Applicant/	issuance
	made payable to Monterey County for that cost	and a completed "Residential Water	Licensed	of
	estimate shall be submitted to the Monterey	Release Form and Water Permit	Landscape	Building
	County RMA - Planning Department. All	Application" to the Monterey Peninsula	Contractor/	Permits
	landscaped areas and fences shall be continuously	Water Management District for review	Licensed	
	maintained by the applicant; all plant material	and approval.	Landscape	
	shall be continuously maintained in a litter-free,		Architect	
	weed-free, healthy, growing condition. (RMA –	Submit an approved water permit from	Owner/	Prior to
	Planning Department)	the MPWMD to the RMA – Building	Applicant/	issuance
	Planning Department)	Permit	Licensed	of
			Landscape	Building
			Contractor	Permits
		Landscaping shall be either installed or a	Owner/	Prior to
		certificate of deposit or other form of	Applicant/	Occupan-
		surety made payable to Monterey	Licensed	cy
		County for that cost estimate shall be	Landscape	
		submitted to the Monterey County RMA	Contractor/	
		- Planning Department.	Licensed	
		-	Landscape	
			Architect	
				,





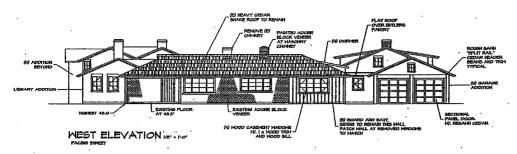


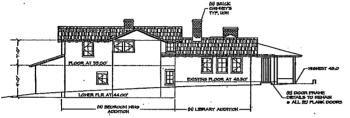


A RENOVATION AND ADDITION FOR CHOSEN RD. INC. 26325 ISABELLA

PATE 14 HTS 2007

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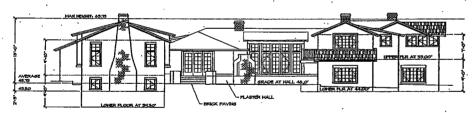






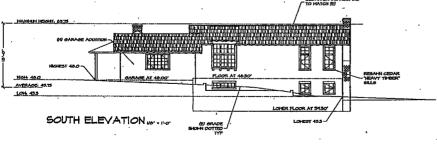
NORTH ELEVATION 100-1-00

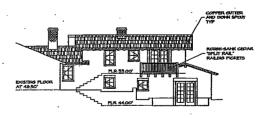
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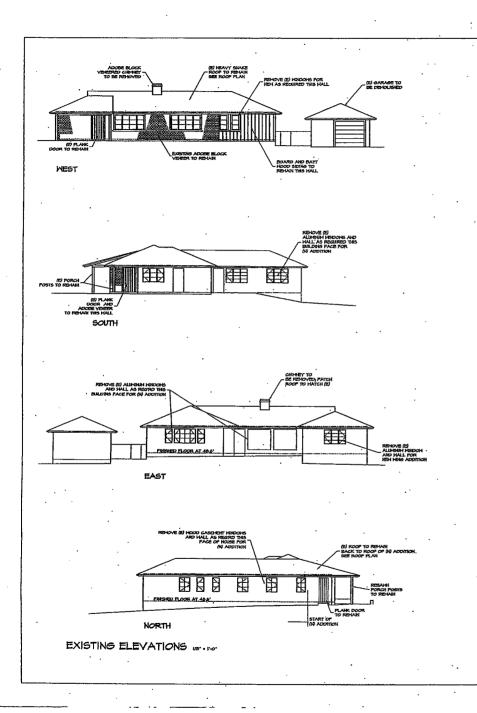
EAST AT PATIO

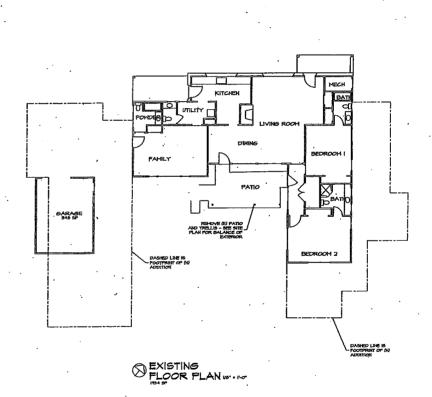






SOUTH AT PATIO 100-100





A RENOVATION AND ADDITION for JIM CAMPOS.

CHOSEN RD. INC.
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CARME, CALIFORN

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