

**Before the Zoning Administrator in and for the  
County of Monterey, State of California**

In the matter of the application of:

**Barry (PLN100419)**

**RESOLUTION NO. 11-002**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Categorically exempt the project from environmental review pursuant to CEQA Guideline Section 15302; and
- 2) Approving the Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red slate roofing.

(PLN100419, Roger Barry and Martha Deorge,  
26273 Ocean View Avenue, Carmel, Carmel Area  
Land Use Plan (APN: 009-431-010-000))

**The Combined Development Permit application (PLN100419) came on for public hearing before the Monterey County Zoning Administrator on January 13, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 1982 Monterey County General Plan,
  - Carmel Area Land Use Plan,
  - Carmel Area Coastal Implementation Plan, Part 4,
  - Monterey County Zoning Ordinance (Title 20)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 property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), Carmel Area Land Use Plan. The parcel is zoned Medium Density Residential, 2 units per acre, Design Control District, 18-foot height limit (Coastal Zone), which allows for the demolition and rebuild of a single family dwelling. Therefore, the project is an allowed land use for this site. The proposed single family dwelling is consistent the Site Development Requirements of the Low Density Residential zoning district (Section 20.14.060 of the Monterey County Zoning Ordinance), meeting the required setbacks, lot coverage, and floor area ratio.
- c) Section 20.44.010 (D District) of the Monterey County Zoning Ordinance requires that the application include a Design Approval to assure protection of the public viewshed and neighborhood character. The location, size, material, and colors proposed for the single family dwelling have been reviewed by staff and the Carmel/Carmel Highlands LUAC (see subsequent Evidence h) and were found to be consistent with Key Policy 2.2.2 of the Carmel Area Land Use Plan. The use of beige stucco for the body and the dark reddish-brown for window and door trims will allow for a contrast; while the use of a beige/multi-colored accent stone and the brown and red slate roof will integrate the colors with each other as well as with the environment.
- d) Zoning for the subject property requires an 18-foot height limit. The site plan indicates that average natural grade is at a 107.6-foot elevation. The highest point of the structure is proposed at a 124.4-foot elevation, resulting in a structure 16.8 feet high, consistent with the height requirements.
- e) The project planner conducted a site inspection on September 16, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The Monterey County Geographic Information System (GIS) indicate that the subject property is within 750 feet of a known archaeological resource. Consistent with the Section 20.146.090.A.1 of the Carmel Area Coastal Implementation Plan, a Coastal Development Permit is required. Furthermore, an Archaeological report indicating potential impacts, if any, has been submitted. See Finding No. 2, Evidence b.
- g) The proposed project includes a new 1,418 square foot basement with a two-car garage. From the street, the proposed single family dwelling will look similar to the existing home, as it appears to be a two story structure. The majority of the basement will be maintained entirely below ground, except for a portion of the garage and at the rear where emergency egress is provided through a light well.
- h) The project was referred to the Carmel/Carmel Highlands Land Use Advisory Committee (LUAC) for review on October 4, 2010 and October 18, 2010. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because it includes a Design Approval that requires approval by the Zoning Administrator. The LUAC continued the project from October 4<sup>th</sup> due to concerns with the project's size, massing, design, and close proximity to the Tor House. The plans were redesigned, the proposed height was clarified by

- the applicant, and the LUAC subsequently recommended approval of the project as proposed with a vote of 3 to 2 with 3 members absent.
- i) 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 PLN100419.

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, Cypress Fire Protection District, Public Works, Environmental Health Bureau, 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) Staff identified potential impacts to Historical Resources, Archaeological Resources, and Soil/Slope Stability. The project as proposed and conditioned, is consistent with all applicable polices and regulations for development associated with these impacts (see Finding Nos. 1 and 5). Technical reports by outside 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 independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
- *"Update of Prior Geotechnical Investigation Report" (LIB100270) prepared by Soils Surveys, Inc., Salinas, CA, May 12, 2008.*
  - *"Geotechnical and Drainage Investigation with Geologic Review" (LIB100271) prepared by Soils Surveys, Inc., Salinas, CA, February 22, 2008.*
  - *"Historical Evaluation" (LIB100272) prepared by Therese M. Schmidt Salinas, CA, October 18, 1999.*
  - *"Supplemental Archaeological Reconnaissance" (LIB100273) prepared by Archaeological Consulting, Salinas, CA, September 9, 2010.*
  - *"Supplemental Archaeological Reconnaissance" (LIB100274) prepared by Archaeological Consulting, Salinas, CA, November 22, 2010.*
  - *"Updated Historical Evaluation" (LIB100480) prepared by Kent Seavey, Pacific Grove, CA, October 21, 2010.*
- c) Staff conducted a site inspection on September 16, 2010 to verify that the site is suitable for this use.
- d) 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 PLN100419.

3. **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) The project was reviewed by Cypress Fire Protection District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/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.
- b) Necessary public facilities are available for the proposed project. There will be no substantial increase in wastewater from the project that will cause the sewer purveyor, Carmel Area Wastewater District (CAWD), to expand its existing service or cause CAWD to exceed wastewater treatment requirements of the California Regional Water Quality Control Board. There will be no increase in water usage which will cause the water purveyor, California American Water Company, to expand its facility. The Water Resources Agency has conditioned the project requiring the applicant to submit an approved Monterey Peninsula Water Management District Water Release Form prior to the issuance of building permits. The project will not have an increased amount of solid waste material which will cause the service provider, Waste Management, to increase the permitted landfill capacity.
- c) The existing single family dwelling proposed for demolition was built in 1949. Therefore, there is a potential for the construction materials to contain asbestos and/or lead paint. The project has been conditioned to ensure that demolition occur in accordance with requirements of the Monterey Bay Unified Air Pollution Control District, CAL/OSHA, and the EPA with regards to removal of asbestos and led paint materials.
- d) Preceding findings and supporting evidence for PLN100419.

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.

- EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on September 16, 2010 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100419.

5. **FINDING:** **CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:** a) California Environmental Quality Act (CEQA) Guidelines Section 15302, categorically exempts the replacement or reconstruction of existing structures where the new structure will be located on the same

- site and will have substantially the same purpose and capacity as the structure replaced.
- b) Due to the close proximity of known archaeological resources in the area, the applicant was required to submit an archaeological report (see Finding No. 2, Evidence B). The reports conclude that the subject property is located between the boundaries of two recorded sites (CA-MNT 16 and CA-MNT 17). Although, at its closest point, the subject property is less than 200 feet from a site, background research showed no previous findings on the site and no materials frequently associated with prehistoric cultural resources were found. The soil on the site is organic medium brown sand and no midden layers were found.
  - c) The existing single family dwelling was constructed in 1949. Consistent with Monterey County's practice for potentially historic structures, the applicant submitted a historical report (see Finding No. 2, Evidence b) to identify any potential historical impacts caused by the project. The report concludes that the single family dwelling contains no historical significance.
  - d) The Monterey County Geographical Information System indicates that the subject property is within 1/8<sup>th</sup> of a mile of a known fault. Therefore, a Geological report was required to be submitted to identify potential impacts the project might have. The applicant submitted a Geotechnical and Drainage Investigation with Geologic Review (see Finding No. 2, Evidence B) which concluded that the Cypress Point Fault is located approximately 300 feet east of the building site. The report continues to state that the "Cypress Point Fault is considered to be potentially active, but is not necessarily active by definition." The Geotechnical Engineer recommended that the project be designed to be in compliance with the Uniform Building Code. Prior to issuance of Building Permits, the RMA-Building Department is required to review construction drawings and their compliance with the most recent adopted Building Code. The Geotechnical Engineer does not recommend the use of an on-site storm water infiltration system to reduce a risk for liquefaction. Instead, it is recommended that stormwater runoff be discharged to Ocean View Avenue, where there is an existing stormwater diversion system comprised of road dips, raised asphalt, earth berms, and a spillway. A condition of approval has been incorporated requiring the applicant to submit evidence of compliance with the Geotechnical report.
  - e) Section 15300.2 of the CEQA Guidelines list exceptions to the exemptions, where projects normally found to be exempt from CEQA may require an environmental review. These exceptions include: project location, cumulative impact, significant effect, scenic highways, hazardous waste sites, or historical resources. The subject property is not located within an officially designated state scenic highway, it is not listed on the Cortese List (for hazardous materials sites) from the Department of Toxic Substances Control (DTSC), nor are there any historic resources located on the site. No environmental resource of hazardous or critical concern was found on the property and no unusual circumstance exists where the project will have a significant effect on the environment. Construction impacts will be temporary; however, the

project as proposed and conditioned will not create a significant impact on the environment and cumulative impacts were not identified.

- f) No adverse environmental effects were identified during staff review of the development application during a site visit on September 16, 2010.
- g) See preceding and following findings and supporting evidence.
- h) Construction activities that would directly generate more than 82lbs per day of PM<sub>10</sub> (inhalable particulates) would have a significant impact on local air quality and exceed CEQA's threshold of significance. The proposed project includes grading, mainly for the excavation of the basement. Grading quantities consist of approximately 500 cubic yards of cut and 150 cubic yards of fill, with the remaining 350 cubic yards to be hauled off site to the Carmel Waste Management Landfill in Marina. Staff analyzed the potential impacts caused by grading activities using Urbemis 2007 9.2.4, which is software that assists in calculating project emissions. The project resulting in a calculation of 16.25lbs per day of PM<sub>10</sub>, unmitigated. Therefore, at worse case scenario, the project will not exceed the threshold of significance and will not have a significant impact on local air quality.

6. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) 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.D of the Monterey County Coastal Implementation Plan can be demonstrated.
  - b) 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).
  - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100419.
  - e) The project planner conducted a site inspection on September 16, 2010.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission

- EVIDENCE:**
- a) Section 20.86.030 Monterey County Zoning Ordinance (Board of Supervisors).
  - b) Section 20.86.080.A.3 Monterey County Zoning Ordinance (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because it includes non-exempt development that requires a Coastal Development Permit, which is a conditional use.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Zoning Administrator does hereby:

- A. Categorically exempt the project from environmental review pursuant to CEQA Guideline Section 15302; and
- B. Approve Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red slate roofing, in general conformance with the attached sketch and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 13<sup>th</sup> day of January, 2011 by:



Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **JAN 31 2011**

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 TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **FEB 10 2011**

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, 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 Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.



**RESOLUTION 11-002 - EXHIBIT 1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name:** Barry  
**File No:** PLN100419 **APNs:** 009-431-010-000  
**Approved by:** Zoning Administrator **Date:** January 13, 2011

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

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)
<b>RMA – Planning Department</b>						
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Combined Development Permit (PLN100419) allows: 1) a Coastal Administrative Permit to allow the demolition of an existing 1,610 square foot single family dwelling and construction of a new two-story 2,817 square foot single family dwelling including attached garage and approximately 650 cubic yards of grading (500 cubic yards of cut and 150 cubic yards of fill); 2) a Coastal Development to allow development within 750 feet of known archaeological resources; and 3) a Design Approval. Material and colors to consist of: beige stucco for the body, dark reddish-brown for window and door trims, beige/multi-colored accent stone, and brown and red slate roofing. The property is located at 26273 Ocean View Avenue, Carmel (Assessor's Parcel Number 009-431-010-000), Carmel Area Land Use Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. <b>(RMA-Planning Department)</b>	Adhere to conditions and uses specified in the permit.  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.  To the extent that the County has 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.	Owner/ Applicant  RMA - Planning  WRA  RMA - Planning	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.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 11-002) was approved by the Zoning Administrator for Assessor's Parcel Number 009-431-010-000 on January 13, 2011. The permit was granted subject to 21 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." <b>(RMA-Planning Department)</b>	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD032(A) - PERMIT EXPIRATION</b> The permit shall be granted for a time period of 3 years, to expire on January 13, 2014 unless use of the property or actual construction has begun within this period. <b>(RMA – Planning Department)</b>	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> 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 Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b>	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/ Archaeo- logist	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>
5.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA – Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotech- nical Consultant	Prior to final inspection	
6.		<b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b> 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 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. <b>(RMA - Planning Department and RMA - Building Services Department)</b>	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	
			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 inspection	
7.		<b>PD011 – TREE AND ROOT PROTECTION</b> 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, approved by a certified arborist, shall be demonstrated	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	Owner/ Applicant/ Arborist	During Construc- tion	

<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>
		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 submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. <b>(RMA - Planning Department)</b>	an interim report prepared by a certified arborist.			
			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 inspection	
8.		<b>PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY)</b> The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan 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. <b>(RMA – Planning Department)</b>	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey County Water Resources Agency for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	

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			Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	
			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.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant	Ongoing	
9.		<b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b> All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.	Owner/ Applicant	Prior to the 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>
		glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The 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 approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
10.		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(RMA - Planning Department; Public Works)</b>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
11.		<b>PD041 – HEIGHT VERIFICATION</b> The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. <b>(RMA – Planning Department and Building Services Department)</b>	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or building permits	
			2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant	Prior to the founda- tion pre- pour inspection	
			3) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building	Owner/ Applicant/ Engineer	Prior to the final inspection	

<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>
			Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.			
12.		<b>PD047 – DEMOLITION/DECONSTRUCTION OF STRUCTURES (MBUAPCD RULE 439)</b> In accordance with Monterey Bay Unified Air Pollution Control District Rule 439, construction plans shall include "Demolition and Deconstruction" notes that incorporate the following work practice standards: <ol style="list-style-type: none"> <li>1. Sufficiently wet the structure prior to deconstruction or demolition. Continue wetting as necessary during active deconstruction or demolition and the debris reduction process;</li> <li>2. Demolish the structure inward toward the building pad. Lay down roof and walls so that they fall inward and not away from the building;</li> <li>3. Commencement of deconstruction or demolition activities shall be prohibited when the peak wind speed exceeds 15 miles per hour.</li> </ol> All Air District standards shall be enforced by the Air District. (RMA – Planning Department)	Applicant shall incorporate a "Demolition/ Deconstruction" note on the demolition site plan that includes, but is not limited to, the standards set forth in this condition.  Contractor shall obtain any required Air District permits and conduct all deconstruction or demolition activities as required by the Air District.	Contractor /Owner/ Applicant  Contractor /Owner/ Applicant/ Air District	Prior to the issuance of a demolition permit  During demolition	
13.		<b>PDSP001 – DEMOLITION/DECONSTRUCTION OF SINGLE FAMILY DWELLING BUILT PRIOR TO 1978 - EPA RULE 40 CFR PART 745 (NON-STANDARD)</b> In accordance with Environmental Protection Agency (EPA) Rule 40 CFR Part 745, demolition and/or construction plans shall include "Renovation, Repair, and Painting" notes that lists the EPA approved work practice for renovation as well as incorporate the following: <ol style="list-style-type: none"> <li>1. Individuals and firms that perform lead-based paint abatement shall be certified by the EPA;</li> <li>2. All demolition shall occur in compliance with the</li> </ol>	Prior to the issuance of demolition and/or building permits, the applicant shall submit demolition and/or construction plans to the RMA-Planning Department for review and approval.  Prior to the issuance of demolition and/or building permits, the applicant or contractor shall submit documentation of certification of all workers to perform renovations to the	Owner/ Applicant  Owner/ Applicant/ Contractor	Prior to the issuance of demolition and/or building permits  Prior to the issuance of demolition and/or building	



<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>
		regulations set forth in Rule 40 CFR Part 745. All work preformed shall be in accordance with the regulations set forth in the EPA's Renovation, Repair, and Painting Program. <b>(RMA – Planning Department)</b>	RMA-Planning Department for review and/or approval.		permits	
14.		<b>PDSP002 – ASBESTOS ABATEMENT (NON-STANDARD)</b> In order to reduce potential impacts to the public and sensitive receptors caused by the emission of hazardous materials into the environment, the owner/applicant shall conduct an asbestos survey prior to any demolition activities. Should asbestos be found within the materials to be remodeled, renovated and/or demolished, the owner/applicant shall submit an Asbestos Abatement Plan to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and the RMA-Planning Department for review and approval. The Plan shall include measures workers will take during the demolition and remodel of the project to assure prevention of the release of asbestos, transportation of the hazardous materials, and where the hazardous material will be disposed. These measures shall meet all requirements sanctioned by the MBUAPCD, the California Occupational Safety and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT). All demolition activities and transportation of hazardous materials shall conform to the abatement plan. Compliance with the Mitigation will result in a less-than-significant impact to sensitive receptors and workers. <b>(RMA – Planning Department)</b>	Prior to the issuance of demolition and/or building permits, the owner/applicant shall include a note on the plans encompassing the language within Condition No. 14. The owner/applicant shall submit plans to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of demolition and/or building permits	
			Prior to the issuance of demolition and/or building permits and at a minimum of 10-working days prior to any demolition, the owner/applicant shall submit an asbestos survey to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and the RMA-Planning Department for review and approval. If asbestos is found, the owner/applicant shall submit an Asbestos Abatement Plan meeting all requirements sanctioned by the MBUAPCD, the California Occupational Safety and Health Administration (Cal/OSHA), the Department of Toxic Substances Control (DTSC), and the U.S Department of Transportation (DOT) for demolition activities and transportation of hazardous materials.	Owner/ Applicant	Prior to the issuance of demolition and/or building permits and at a minimum of 10- working days prior to any demolition	
15.		<b>PDSP003 – FLOOR PLAN (NON-STANDARD)</b> Construction plans submitted for the building permit	The applicant shall submit a revised lower floor plan replacing the sliding	Owner/ Applicant/	Prior to issuance of	



<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>
		shall be modified to delete the proposed sliding doors at bedroom (3) three and (4) on the lower level and replace with windows meeting the minimum size requirement of the Building Code. <b>(RMA – Planning Department)</b>	doors at bedrooms (3) three and (4) four with windows meeting the minimum size requirement of the building code. The revised plan shall be reviewed and approved by the RMA-Planning Department prior to issuance of building permits.	Architect	building permits	
<b>RMA – Public Works Department</b>						
16.		<b>PW0044 – CONSTRUCTION MANAGEMENT PLAN</b> The applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. <b>(Public Works)</b>	Applicant shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit	
			The approved measures shall be implemented during the construction/grading phase of the project.	Owner/ Applicant/ Contractor	On-going through construction phases	
<b>Monterey County Water Resources Agency</b>						
17.		<b>WR1 - DRAINAGE PLAN</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or 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>
18.		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
<b>Cypress Fire Protection Agency</b>						
19.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Cypress Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
20.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of	

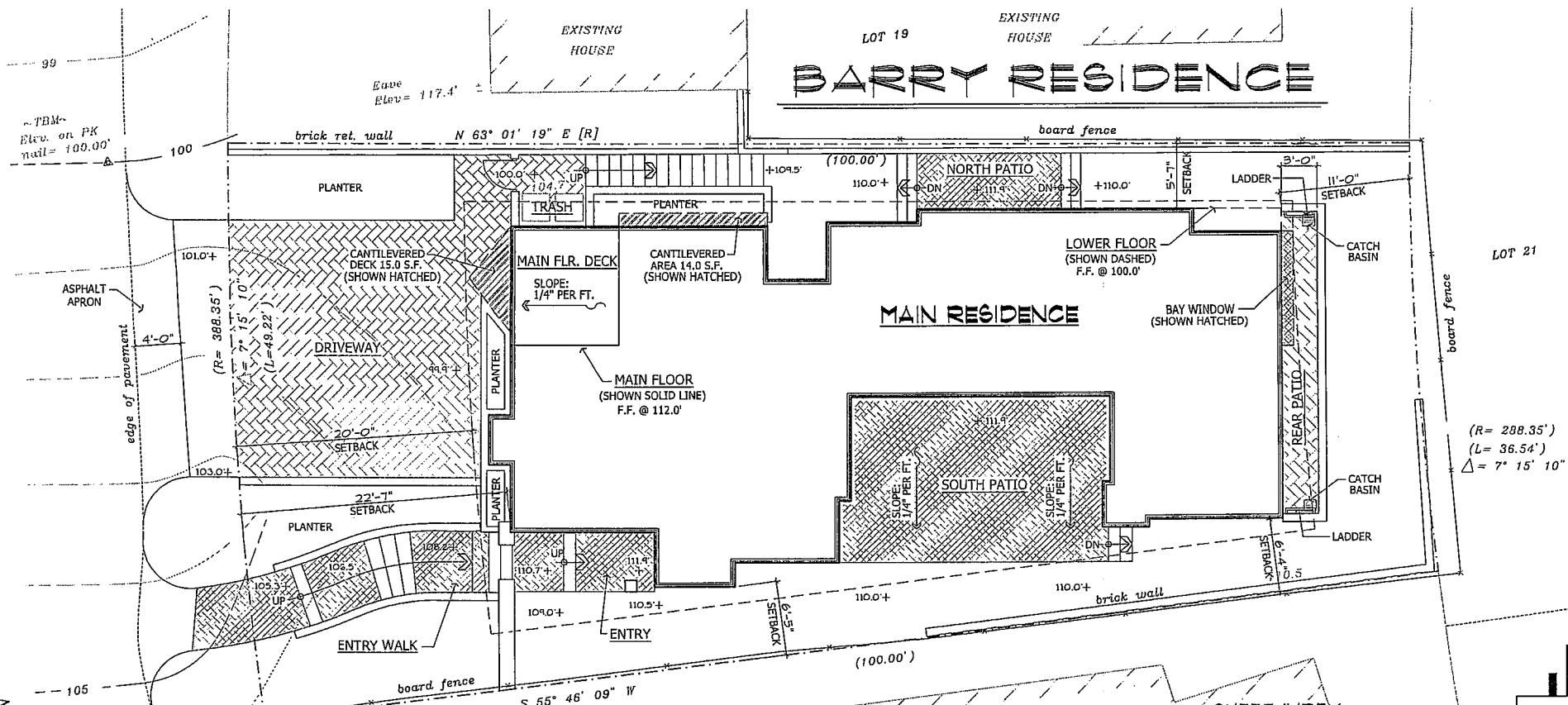
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		<b>(STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Cypress Fire Protection District)</b>			building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
21.		<b>FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD &amp; PEBBLE BEACH CSD)</b> All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. <b>(Cypress Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

**END OF CONDITIONS**

Rev. 08/25/2010

OCEAN VIEW AVENUE

# BARRY RESIDENCE



## PROJECT INFORMATION

**LOCATION:**  
LOT 2 BLK 8-13 ADDITION #1  
26213 OCEAN VIEW AVE, CARMEL

**ZONING:**  
RDR-1 - D - CC (10)

**APN:**  
009-431-010

**LOT AREA:**  
LOT AREA - 4383.0 SF.

**SETBACKS:**  
FRONT - 10'  
REAR - 10'  
SIDES - 5'

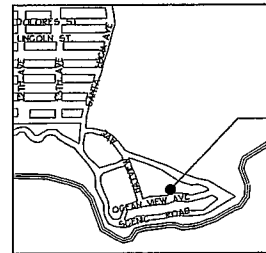
**HEIGHT LIMIT:**  
12.4' - 10.8' / 2 - 10.1' AVG. NAT. GRADE  
HEIGHT LIMIT - 10.5'

**GRADING:**  
CUT - 493 CU. FT.  
FILL - 993 CU. FT.  
TOTAL GRADING - 500 CU. FT.

SITE COVERAGE:	
ALLOWED:	35.0% - 1493 SF.
FOOTPRINT	1478 SF.
CANTILEVER + DECK	19.0 SF.
CANTILEVER + KITCHEN	14.0 SF.
TOTAL COVERAGE -	1491 SF.
F.A.R. ALLOWED:	
ALLOWED:	45.0% - 1971 SF.
MAIN FLOOR	1370 SF.
BASEMENT FLOOR	2840 SF.
BASEMENT FLOOR (EXCLUDED)	1348 SF.
TOTAL COVERAGE -	1762 SF.
IMPERVIOUS COVERAGE:	
DRIVEWAY, SIDE STAIRS	560 SF.
ENTRY WALK, ENTRY	100 SF.
SOUTH PATIO	315 SF.
NORTH PATIO, STAIRS	75 SF.
REAR PATIO	50 SF.
TOTAL COVERAGE -	1076 SF.
NOTE:	
1. WATER SUPPLY IS ON EXISTING CALM SYSTEM.	
2. SEWER SERVICE PROVIDER IS CARMEL WASTE MANAGEMENT.	

## SCOPE OF WORK

NEW TWO-STORY SINGLE FAMILY RESIDENCE.



VICINITY MAP

## SHEET INDEX

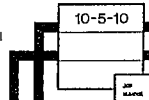
- D1. SITE PLAN
- D11. SURVEY
- D2. PROPOSED MAIN FLOOR PLAN
- D3. PROPOSED LOWER FLOOR PLAN
- D4. PROPOSED EXTERIOR ELEVATIONS
- D5. PROPOSED ROOF PLAN
- D6. SITE COVERAGE OUTLINE

## PROPOSED SITE PLAN

SCALE: 1/4" = 1'-0"

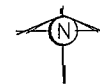
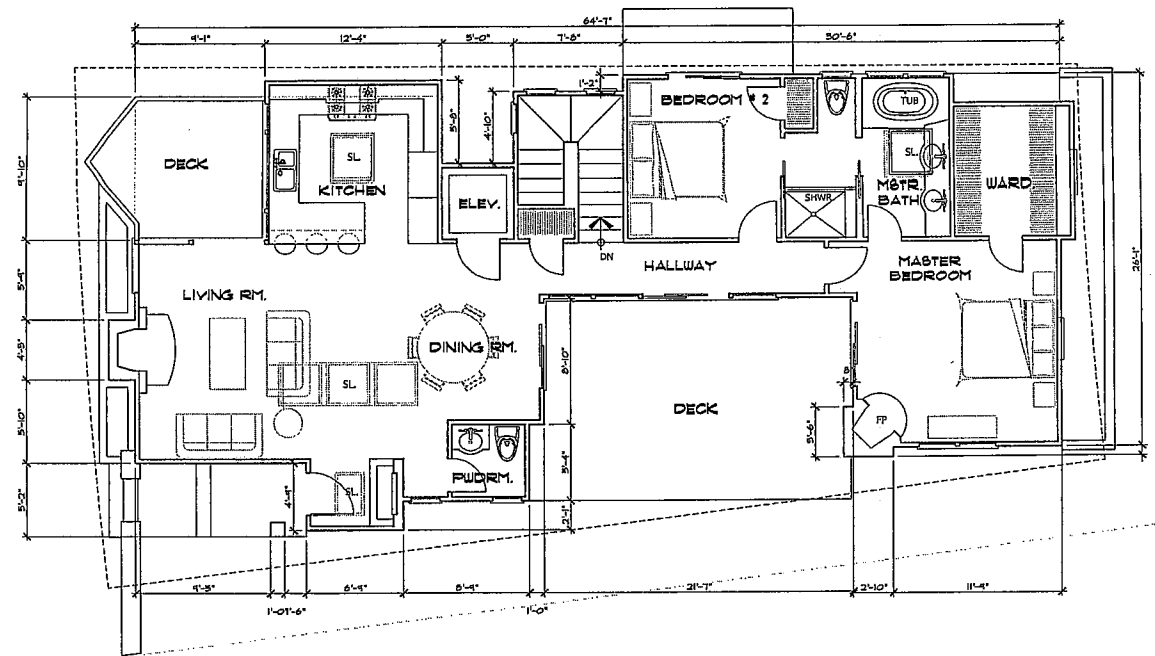
**CLIENT INFO:**  
ROGER BARRY  
81 CRESCENT RD.  
PALO ALTO, CA. 94301

**MANDURRAGO & SULLIVAN, INC.**  
P. 0. BOX 700 GARDEN CITY, N.Y. 11530 516-467-1100



BARRY - OCEAN VIEW  
26213 OCEAN VIEW AVE, CARMEL, CA.  
009-431-010

**D1**



# PROPOSED MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

MANDURRAGO  
MANDURRAGO &  
SULLIVAN, INC.

25124-51025

P. O. BOX 747 CARMEL, CA 93921 831-433-1333

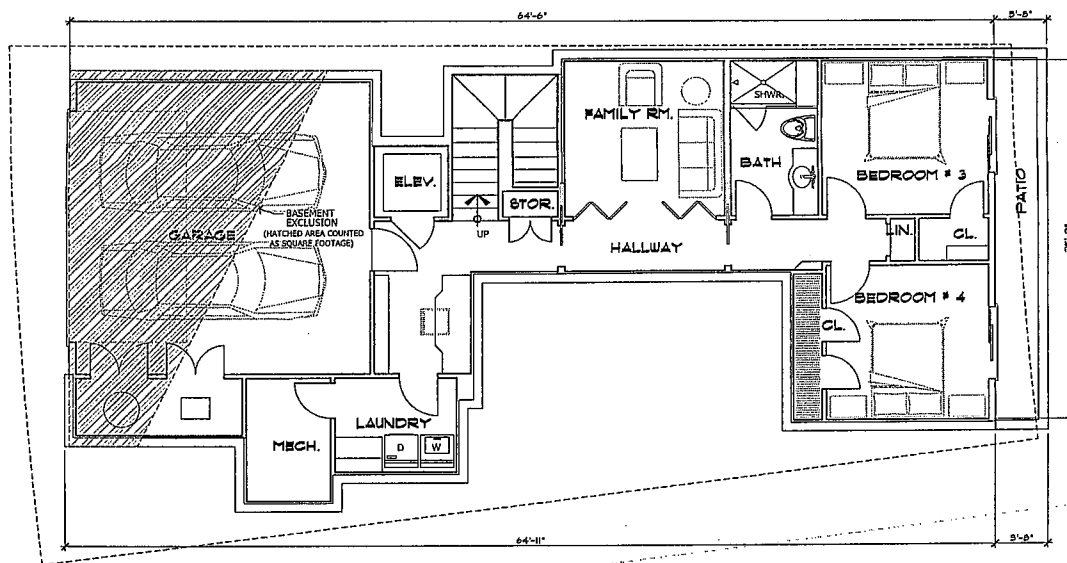
10-5-10

1004

1004

D2

BARRY - OCEAN VIEW  
26213 OCEAN VIEW, CARMEL, CA.  
004-431-010



**PROPOSED LOWER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

MANDURRAGO  
MANDURRAGO &  
SULLIVAN, INC.

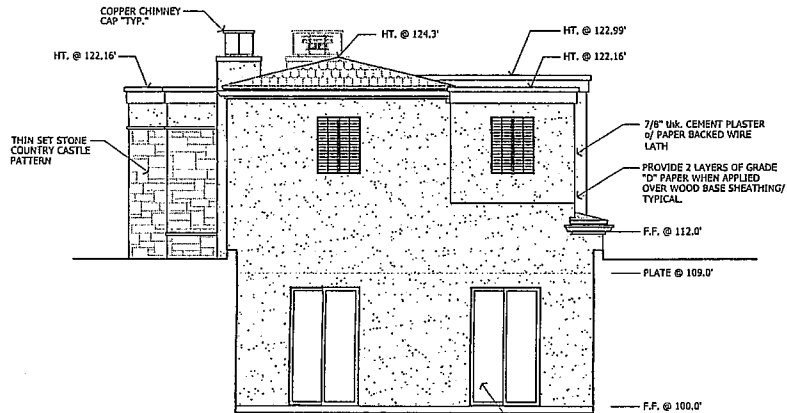
263215, 5/10/2005  
P. O. BOX 767 CHANDEL, IN-46612-0767 812-422-1323

10-5-10

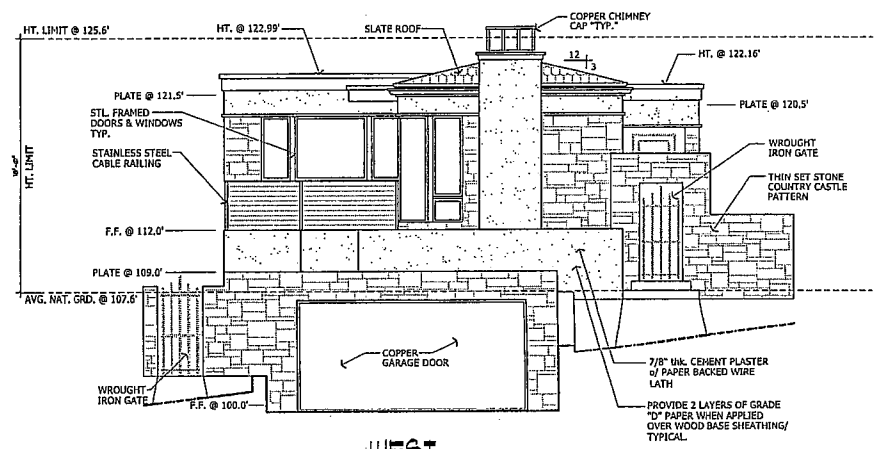
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D3

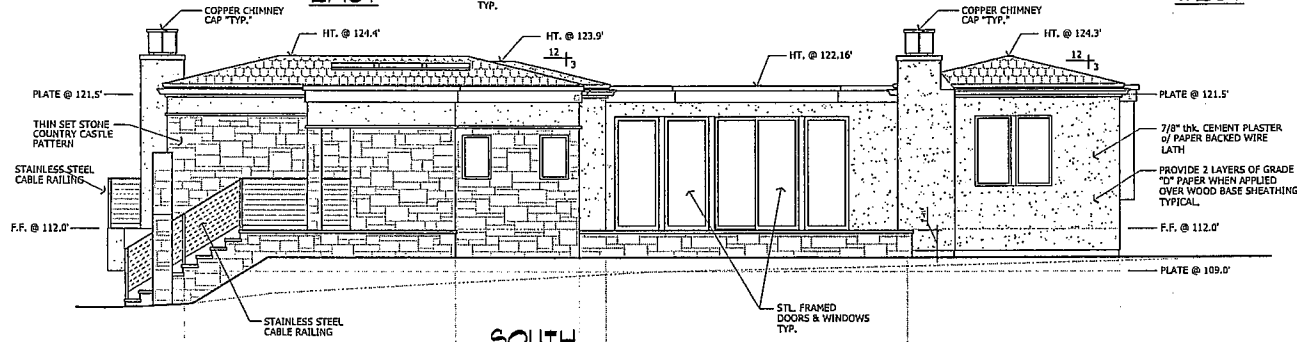
**BARRY - OCEAN VIEW**  
262715 OCEAN VIEW, CARMEL, CA.  
001-431-010



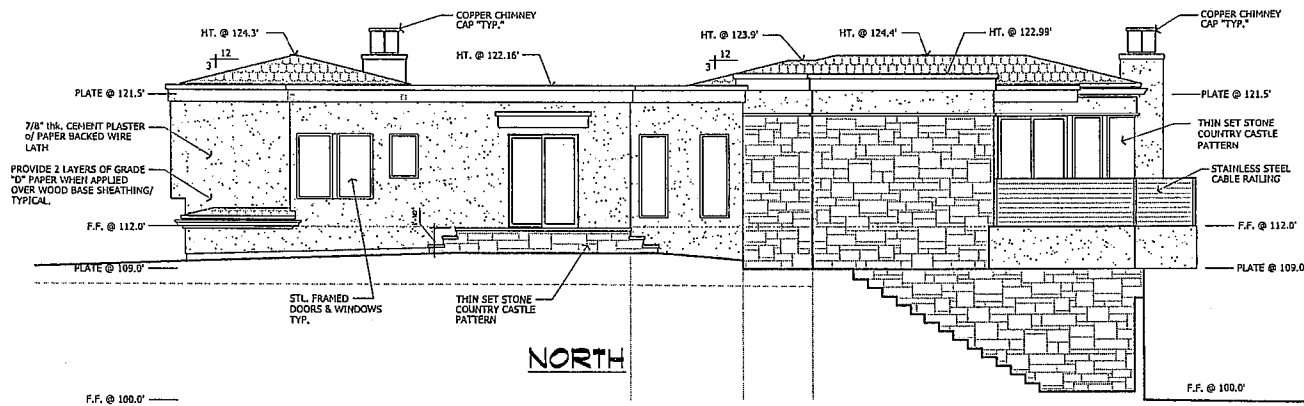
**EAST**



**WEST**



**SOUTH**



**NORTH**

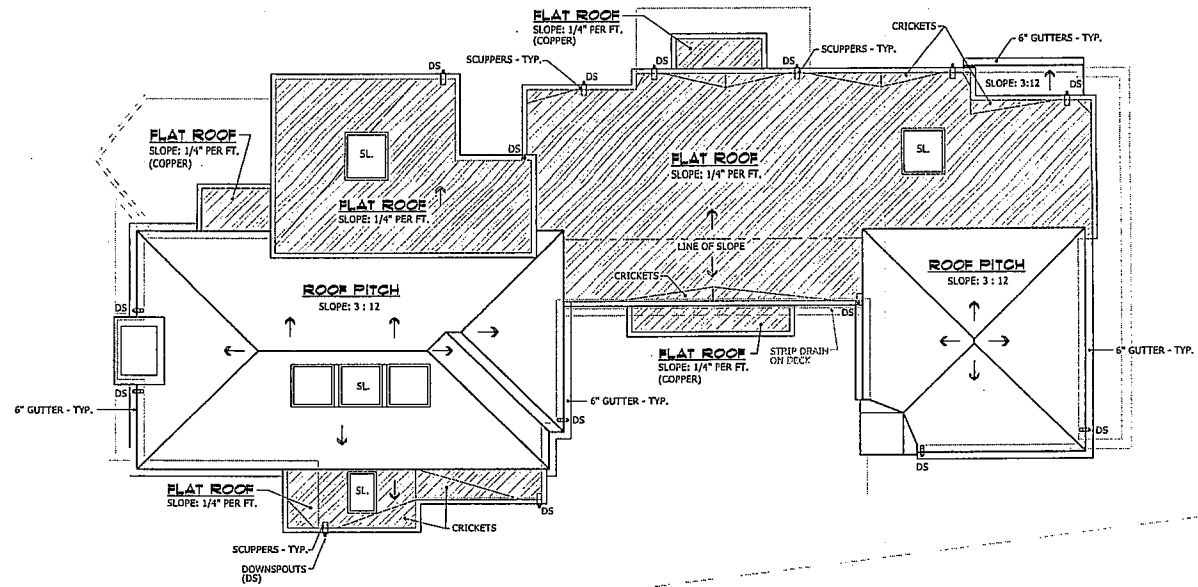
MANDURRAGO  
MANDURRAGO &  
SULLIVAN, INC.

2612, 5/15/95  
P. O. BOX 70 CHASE, NY 10013-0070

10-5-10

D4

BARRY - OCEAN VIEW  
26213 OCEAN VIEW, CARVEL, CA.  
009-431-010



# **PROPOSED ROOF PLAN**

SCALE: 1/4" = 1'-0"

MANDURRAGO  
MANDURRAGO &  
SULLIVAN, INC.

2/23/2025  
P. O. BOX 70 CARMEL, BY THE SEA, CA 93921 831-429-1882

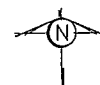
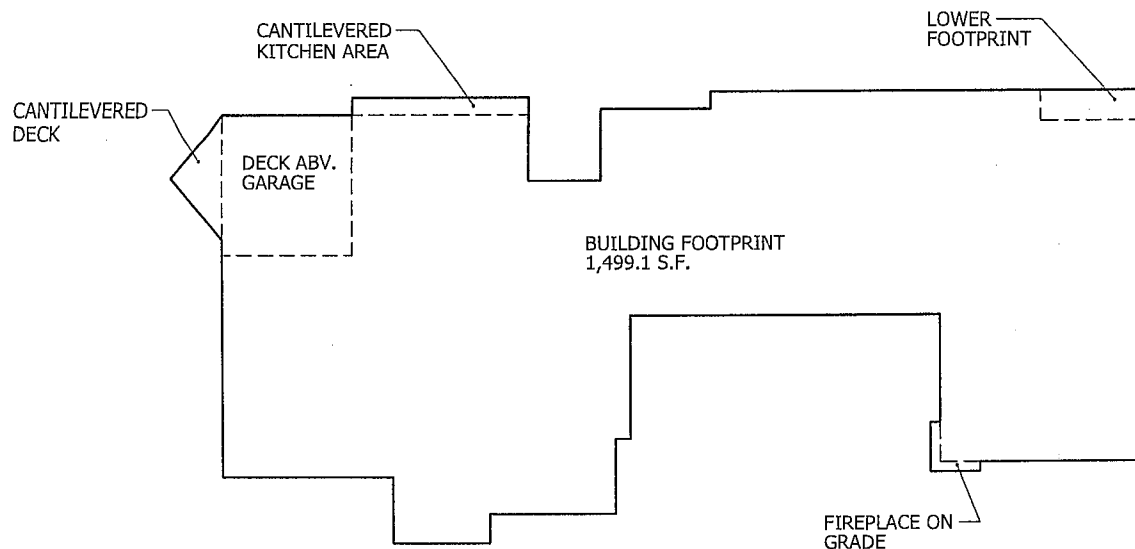
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1004

D5

BARRY - OCEAN VIEW  
26275 OCEAN VIEW, CARMEL, CA  
009-431-010





**SITE COVERAGE OUTLINE**  
SCALE: 1/4" = 1'-0"

10-5-10

1004

D6

MANDURRAGO  
MANDURRAGO &  
SULLIVAN, INC. 25374-510705  
P. O. BOX 71 CARMEL, BY THE SEA, CA 93921 831-423-1333

**BARRY - OCEAN VIEW**  
26275 OCEAN VIEW, CARMEL, CA.  
009-491-010

# CARMEL AREA



APPLICANT: BARRY

APN: 009-431-010-000

FILE # PLN100419

Water



2500' Limit



300' Limit



City Limits

