MONTEREY COUNTY PLANNING COMMISSION

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Meeting: September 27, 2006 Time: 9:15 A.M	Agenda Item No.:			
Project Description : (Continued from 8/09/06): Co	mbined Development Permit consisting of (1)			
an Administrative Permit for the construction of a ne	w 3,012 sq. ft. single family dwelling with an			
attached 2-car garage on a 1.49 acre lot in an "S'	district (21.45.040), with Design Approval			
(21.44.030), and associated grading consisting of 483	cubic yards cut exported from site; (2) a Use			
Permit for development on slopes over 30% (21.64)	4.230 c); and (3) a Use Permit for ridgeline			
development (21.646.010). Materials and colors to	consist of Sherwin Williams "Chatroom" on			
walls with "Hardware" trim, and Eagle Products "Cap	pistrano" concrete roof tile.			
Project Location : 198 El Caminito Road, Carmel	APN: 187-551-026-000			
Valley.				
Planning File Number: PLN060166	Name: James D. Farrow, Property Owner			
Plan Area: Carmel Valley Master Plan area	Flagged and staked: Yes			
Zoning Designation : LDR/1-D-S; i.e., Low Densit	y Residential, 1 acre per unit, Design Control			
and Site Plan Review				
CEQA Action: Categorically Exempt per Section 15305 (a)				
Department: RMA - Planning Department				

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Combined Development Permit, based on the recommended Findings and Evidence (**Exhibit "C"**) and subject to the recommended Conditions of Approval (**Exhibit "D"**).

PROJECT OVERVIEW:

The applicants have applied for permits to construct a new two-story single family residence on a lot that is constrained by steep slopes ranging from 60% to 100%. Due to the site topography, the most appropriate building site on the lot is one that would result in ridgeline development as viewed from Ford Road in Carmel Valley. Existing trees on this parcel and on adjoining lots provide a partial backdrop for the proposed project, reducing the ridgeline exposure by an estimated 85%. Due to site constraints which limit the buildable level areas on the lot, a single story residence is not feasible, nor are there feasible options that would entirely avoid development on slopes greater than 30%. The project strikes a balance between minimizing ridgeline development and minimizing grading impacts on steep slopes. This is accomplished by lowering the building pad by a reasonable 14 feet into the hillside and allowing a reasonable structural exposure of approximately 10 feet into the ridgeline which is offset by existing screening as described above.

Ridgeline development is allowed with a use permit if it can be shown that the development does not constitute a substantial adverse visual impact. According to the site analysis of the staking for the residence, the project is only briefly visible as ridgeline development from Ford Road. Although visible from Story Road, this road is primarily accessed by local residents and views of the project are not considered ridgeline development per criteria in the zoning ordinance. Staff has determined that with landscape screening and earth tone colors, the ridgeline development as viewed from Ford Road would not create a substantial adverse visual impact. The project, as

described and conditioned, is consistent will all applicable County of Monterey policies and regulations. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review.

CEQA Guidelines §15303(a) and §15304 categorically exempt the construction of limited new small facilities and minor alterations in the condition of land. The project is designed to minimize grading, requiring a total of 483 cubic yards of cut to be exported from the site. Although the project is located in an area of high archaeological sensitivity, Monterey County Planning Department Staff archaeologist Lynne Mounday visited the site to verify that no artifacts or archaeological sites exist on the property. No unresolved issues remain.

OTHER AGENCY INVOLVEMENT:

- ✓ Water Resources Agency
- ✓ Environmental Health Division
- ✓ Public Works Department
- ✓ Carmel Valley FPD
- ✓ Monterey County Sheriff
- ✓ Carmel Valley LUAC

The above checked agencies and departments have reviewed this project. Conditions recommended by Water Resources, Public Works, Carmel Valley FPD, and Planning have been incorporated into the condition compliance reporting plan (**Exhibit "D"**).

On Monday, May 23, 2006 the Carmel Valley Land Use Advisory Committee defeated a motion to recommend approval of the project on a 2 to 2 vote, with one member absent (**Exhibit "E"**). The LUAC expressed concerns with impacts to the existing viewshed, and the design and size of the proposed residence. See the discussion section that follows for an expanded analysis of the LUAC concerns.

Note: This project is appealable to the Board of Supervisors.

Annie Murphy, Assistant Planner (831) 755-5228 / murphya@co.monterey.ca.us Revised September 14, 2006

cc: Planning Commission; County Counsel; Public Works Department; Health Department; Water Resources Agency; Carmel Valley FPD; Carl Holm; Bob Schubert; Annie Murphy; Applicant/Representative; Owner; File No. PLN060166.

Attachments: Exhibit "A" Project Data Sheet

Exhibit "B" Discussion

Exhibit "C" Recommended Findings and Evidence Exhibit "D" Recommended Conditions of Approval Exhibit "E" Land Use Advisory Committee Minutes

Exhibit "F" Public Comments

Exhibit "G" Project Plans

The original staff report was reviewed by Jeff Main, Interim Assistant Director. The revised staff report was reviewed by Bob Schubert, Senior Planner.

EXHIBIT "B"

DISCUSSION PLN060166/ Farrow September 14, 2006

Project Description

The proposed project is for a 3,012 sq. ft. two-story single family dwelling and attached 576 sq. ft. two-car garage on a lot involving development on slopes in excess of 30% that would result in ridgeline development. The proposed residence will be located on the northern portion of the lot, utilizing the only relatively flat area for a large portion of the development. A portion of the house will be constructed on slopes exceeding 30%. The estimated amount of grading resulting from digging the building pad into the hillside will be 483 cubic yards cut, to be exported from the site and used as fill material at another site. The project will use the existing access road for constructing the proposed driveway. The proposed building site is located on a minor ridge among other existing one and two-story residences. The staking for the proposed project is clearly visible from Ford Road, a public viewing area, and creates a silhouette for brief intervals when viewed while traveling on Ford Road. The staking for the proposed project also silhouettes briefly when viewed from Story Rd., while looking up at a steep angle toward the proposed project. Other existing residences within the viewshed also silhouette briefly when viewed from Ford Road. The staking for the proposed residence is also visible within the viewshed as seen from Carmel Valley Road, but does not create a silhouette when viewed from that location.

Environmental Setting and Surrounding Land Uses

The project building site is a 1.49-acre parcel located approximately one-third mile northeast of Carmel Valley road and one-quarter mile southeast of Laurel Drive in Carmel Valley. The site is on a steep south-facing slope. There is an existing access road on the property approximately 250' in length, starting as a 14' wide access road at the northeast corner of the property at El Caminito Road, running southeast, and terminating near the northwest corner of the property in relatively flat area approximately 38' wide. The remaining area of the parcel consists of steep slopes ranging from 60% to 100%. There is an existing well on the property, located near the northwest corner of the property. Existing vegetation consists of 2 large live oaks, one single trunked and one multi-trunked, near the northwest corner of the property. The remaining vegetation consists primarily of chaparral interspersed with non-native vegetation including scotch broom. Surrounding land uses consist of similar one-half to 2- acre residential lots.

Visual policies

1. Ridgeline development

Ridgeline development is defined in Title 21.06.950 as "development on the crest of a hill which has the potential to create silhouette or other substantial adverse visual impact when viewed from a common public viewing area." A common public viewing area is defined under Title 21.06.195 as "a public area such as a public street ... from which the general public ordinarily views the surrounding viewshed." The project briefly creates a silhouette when viewed from 3 locations along Ford Rd. between Story Rd. and El Caminito Road. Ford Road is a public road and is traveled by the general public. The proposed development would be considered ridgeline

development when viewed from Ford Road. The staking for the proposed development also creates a silhouette when viewed from Story Road, which is a public road. However, since Story Road is not a through road, the road is used almost exclusively by local residents and would not a location from which the general public ordinarily views the surrounding viewshed. Therefore the project would not be considered ridgeline development when viewed from Story Road.

Policies within the Carmel Valley Master Plan (26.1.9.1) allow for approval for ridgeline development only when the project does not create a substantially adverse visual impact. A determination of whether a project creates a substantial adverse visual impact is made by considering the condition of the existing viewshed, and the proximity and duration of the development which is creating the visual impact. Planning staff has evaluated this project and has determined that the project as proposed and conditioned will not create a substantial adverse visual impact for the following reasons:

- (a) The project minimizes the silhouette that will be created against the sky by digging the building pad down into the hilltop, and minimizes grading overall since a much larger cut would have to be made lower down on the hillside in order to completely eliminate a silhouette against the sky.
- **(b)** Existing trees on this parcel and on adjoining lots provide a partial backdrop for the proposed project, reducing the ridgeline impact by approximately 85%. The project was modified according to recommendations by the Carmel Valley LUAC to locate the house closer to the existing trees and further reduce the ridgeline impact. Trees and structures along Ford Road also screen the house from view from most locations along Ford Road.
- (c) There are at least seven other structures visible within the same viewshed, both one and two story structures. At least 3 other structures within the same viewshed also silhouette briefly when viewed from Ford Road.
- (d) The overall time the structure would be viewed as ridgeline from Ford Road is very brief (3 intervals of 1 to 2 seconds each). The structure is not ridgeline development when viewed from Carmel Valley Road, which is where the majority of the general public would view the house and surrounding viewshed.
- (e) The proposed residence will be painted with a deep gray-green color that will blend with the existing vegetation.
- (f) The house will be partially screened from common public viewing areas with native chaparral vegetation and fifteen 24" box live oaks planted behind, on either side of, and further down the hill in front of the proposed residence (Condition 8). The fire tanks to be located to the north of the house will be partially screened from view from Ford Rd. and Carmel Valley Rd by the existing oaks, and will be completely screened by the planting of the two 24" box live oaks behind the proposed residence.

Upon the recommendation of the Carmel Valley LUAC, the location of the proposed house was moved north closer to the slope and the existing two oak trees to reduce ridgeline impacts. The policies regulating ridgeline development do not require that other alternatives be considered, but state that ridgeline development may be approved only if the ridgeline development will not create a substantially adverse visual impact when viewed from a common public viewing area. Nonetheless, staff evaluated other alternatives for resiting the house, as well as options for expanding the footprint to allow the construction of a single story house rather than a 2 story house, in an attempt to find alternatives to further reduce the ridgeline impacts beyond those

already implemented by the applicant. Since the last Planning Commission Meeting on August 9th, the applicant submitted revised plans showing planting of additional trees to provide additional screening. Due to site constraints, planning staff did not identify any other feasible project alternatives which would further reduce ridgeline impacts and also meet the project goals and better achieve Monterey County goals and polices.

Planning staff examined the feasibility of options to reduce or eliminate ridgeline development, including expanding the building footprint to potentially allow for the construction of a single story house, or resiting the proposed development. Due to site constraints, no feasible options were identified:

- 1. To the north of the proposed project, the canopies of the 2 large oaks extend to the base of the slope. Moving the house further back toward the slope to the north, and particularly grading into the slope, could potentially damage the root system of the oaks. The oaks are protected, and in addition provide a backdrop for the proposed development which considerably reduce the potential ridgeline impacts. In addition, Carmel Valley FPD requires 30 setbacks from all property lines, which further restrict moving the house to the north. If the area currently designated for garage access were used instead for structures, then a large amount of grading and extensive retaining walls would be required on 30% slope to construct a driveway turnaround. This would conflict with policies restricting development on 30% slopes, and conflict with policies restricting visible alteration of landforms.
- 2. To the south of the proposed residence, the topography is steeply sloping, with slopes ranging from 60% to 100%. Constructing the residence further down the slope would conflict with polices restricting development on slopes exceeding 30%, and also potentially create more negative visual impacts as the structure would be closer to residents to the south.
- 3. To the west, the proposed house is on the 30' setback line required by Carmel Valley FPD. Thus there is no available area on which to build further west.
- 4. To the east, the buildable area is limited by the 30' setback from the front property line and the steeply sloping topography.

2. Other visual policies

The project as designed and conditioned is consistent with other applicable polices in the Carmel Valley Master Plan regulating visual issues and viewshed protection:

1. Policy 26.1.25 in the Carmel Valley Master Plan requires sensitive siting and design to avoid the visible alteration of landforms and the removal of native vegetation. For the proposed project, grading is restricted to digging out the building pad. The existing access road on site will be used to construct the driveway for the proposed residence, thereby avoiding the need to construct large retaining walls that would be visible from public viewing areas. Existing chaparral vegetation on site will be protected, aside from a small amount of removal required for constructing the building pad.

2. Policy 26.1.28 requires that structures visible from Carmel Valley Road be located near existing vertical features. To comply with this policy, the applicant revised the project and resited the proposed residence closer to the existing oaks located behind the proposed residence.

3. Policy 26.1.32 requires that projects be located in a manner that minimizes disruption of views from existing homes. This policy has historically been interpreted in Monterey County to refer to views of specific landscape features such as valleys, rather than to what is seen from a specific home from any vantage point. Although the house will be quite visible when viewed from homes to the south, there are no specific views identified which will be disrupted. However, the residence will be landscaped with oaks and native vegetation to partially screen the house from view of residences south of the project. Due to site constraints, no other feasible design options were identified which could further reduce the view of the proposed residence from residences

Development on slopes exceeding 30%

located to the south.

Pursuant to Title 21.64.230, development on slopes exceeding 30% can be approved only when "(a) there is no feasible alternative which would allow development to occur on slopes of less than 30%, or (b) the proposed development better achieves the goals, policies and objectives of the Monterey County General Plan and applicable area plan than other development alternatives." The proposed project utilizes all available areas on slopes less than 30%: The proposed driveway and turnout will be constructed over an existing dirt access road on slopes less than 20%. The house and attached garage will be primarily constructed on a previously graded area that is relatively flat. There is no feasible alternative which would allow the remaining development, consisting of a portion of the house and garage and septic leach fields, to occur on slopes of less than 30%.

The project is designed to minimize grading and disturbance on 30% slopes, to comply with the goals, policies and objectives of Monterey County. The project follows the recommendations in the geotechnical report. Though this project is constructed in part on 30% slopes, due to project design the cut and fill for the entire project is quite minimal: 483 cubic yards cut, to be exported from the site and used as fill material at another location. Project condition #11 requires that the applicant obtain a grading permit for the placement of the fill material at another site (**Exhibit** "**D**"). The applicant will also be required to develop and implement a construction management plan for exporting the fill from the site (condition #12). As required by Carmel Valley Master Plan 3.1.15, an erosion control plan has been developed for this project. The project has been conditioned to require a drainage plan prepared by a civil engineer (condition #15), and to require that all exposed areas will be revegetated (condition #4). Erosion impacts will be further minimized by removing only that vegetation required for the construction of the project. By digging the proposed building pad into the hillside, the project reduces the overall height of the proposed residence thereby reducing ridgeline development.

CEQA

The proposed project will not have the potential for significant environmental impacts. Section 15303 (a) (Small Structures) categorically exempts the construction of single family dwellings. Section 15304 (Minor Alternations to Land), allows a categorical exemption for minor alterations in the condition of the land. The project is designed to minimize grading, with a total of 483 cubic yards of cut to be exported from the site. As erosion control plan has been prepared for the project, and the project has also been conditioned to require a drainage plan prepared by a

civil engineer. As the project is located in an area of high archaeological sensitivity, Monterey - County Planning Department Staff archaeologist Lynne Mounday visited the site to verify that no artifacts or archaeological sites exist on the property. Mr. Mounday signed an archaeological waiver on June 26, 2006 waiving the requirement for an archaeological survey for this property. No trees will be removed for this project. A minimum amount of chaparral vegetation will be removed to construct the building pad. Although not listed as a sensitive habitat in Monterey County policies, the remaining chaparral on the site will receive projection by project condition #7 requiring the removal of invasive non-native vegetation from the site. Technical reports by geotechnical consultants identified no unusual circumstances that would require environmental review. No unresolved issues remain.

Carmel Valley Land Use Advisory Committee

The Carmel Valley LUAC initially heard the project on Monday, April 3rd 2006. The LUAC continued the project and recommended that the applicant address the following issues:

- 1) Redesign and relocate house to eliminate/reduce ridgeline development, with a specific recommendation to move house back against hillside to reduce or eliminate ridgeline impacts.
- 2) Select colors that will blend with hillside
- 3) Grade a larger area to create larger driveway turnaround
- 4) Reduce size of house
- 5) Provide landscape plan that includes screening in front of house to screen house from view of neighbors downhill, and planting of additional trees behind house
- 6) Provide proper drainage
- 7) Exterior lighting should be downlit using amber bulbs

The project was ultimately not approved on May 15, 2006 as described below.

Staff Response: The Carmel Valley Fire Protection District has determined that the driveway turnaround area is adequate for fire access. The Water Resources Agency has reviewed site drainage and conditioned the project to assure that drainage issues are adequately addressed. The applicant did not reduce the size of the project. Due to severe site constraints, planning staff did not identify any other feasible design options that would eliminate entirely the potential for ridgeline development. The applicant followed all of the other LUAC recommendations, including moving the house toward the back ridge to reduce ridgeline impacts, selecting earth tone colors for the exterior wall and roof, exterior lighting with downlit amber bulbs, and providing a conceptual landscape plan with additional screening using native oaks. The Carmel Valley LUAC heard the project again on Monday, May 15th 2006 (**Exhibit "E").** The motion to approve the project recommended conditions including landscape screening including trees on the back hill, color selection as recommended by the LUAC, downlit exterior lighting, and screening of skylights. The LUAC defeated a motion to approve the project on a 2-2 vote due to concerns that the proposed residence was too large and would significantly affect the neighbors' views and the viewshed seen from Carmel Valley Road. Although the LUAC did not recommend approval, staff has incorporated the LUAC design, landscape and resiting recommendations as project conditions. LUAC concerns regarding visual impacts of the proposed residence are addressed in greater detail under "visual policies" and in project conditions 8 and 9.

EXHIBIT "C"

RECOMMENDED FINDINGS AND EVIDENCE

PLN060166/ Farrow September 14, 2006

1. FINDING:

CONSISTENCY – The project application is for a Combined Development Permit consisting of (1) an Administrative Permit for the construction of a new 3,012 sq. ft. single family dwelling with at attached 2-car garage on a 1.49 acre lot in an "S" district (21.45.040), with Design Approval (21.44.030), and associated grading consisting of 483 cubic yards cut exported from site; (2) a Use Permit for development on slopes over 30% (21.64.230 c); and (3) a Use Permit for ridgeline development (21.646.010). The parcel is zoned LDR/1-D-S; i.e., Low Density Residential zoning district, 1 acre per unit, with Design Approval and Site Plan Review. The site is physically suitable for the use proposed. The Project, as conditioned, is consistent with applicable plans and policies, the Carmel Valley Master Plan, the Monterey County Zoning Ordinance (Title 21) and the Monterey County General Plan which designates this area as appropriate for residential development.

EVIDENCE:

- (a) PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Carmel Valley Master Plan and the Monterey County Zoning Ordinance (Title 21). It has determined that the project is consistent with the applicable plans and designates this area as appropriate for residential development. Staff notes are provided in Project File PLN060166.
- (b) Project planner conducted on-site inspections on March 31, 2006, April 6, 2006 and July 7 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (c) The project for a single family residence is an allowed use in accordance with Section 21.14.030.A of the Monterey County Zoning Ordinance (Title 21).
- (d) Ridgeline development: See finding 3.
- (e) Development on slopes exceeding 30%: See finding 4.
- (f) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in Project File PLN060166.

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

- **EVIDENCE:** (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, Parks and the Carmel Valley Fire Protection District. Conditions recommended have been incorporated.
 - (b) Technical reports by outside consultants indicate that there are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats or similar areas that would indicate the site is not suitable for the use proposed. "Geotechnical Investigation with

- Geoseismic Analysis" prepared by Soil Surveys, Inc., dated January 22, 2006. Report is in Project File PLN060166.
- (b) Staff conducted on-site visits on March 31, 2006, April 6, 2006 and July 7 2006 to verify that the site is suitable for this use.
- (c) The requested Combined Development Permit seeks to allow residential development, ridgeline development, and development on slopes in excess of 30%. Such development is conditionally allowable for the subject lot pursuant to Chapters 21.14.030, 21.64.230, and 21.66.010 of the Zoning Ordinance (Title 21). See expanded discussion under findings 3 and 4.
- (d) Necessary public facilities are available and will be provided.
- 3. FINDING: RIDGELINE DEVELOPMENT The project as proposed represents ridgeline development since portions of the proposed structure would silhouette against the sky for brief intervals totaling approximately 5-6 seconds while traveling along from Ford Road, which is a public viewing area. However, based upon the brief amount of time the proposed residence would be visible as ridgeline and the condition of the existing viewshed, the project does not present a substantial adverse visual impact. Furthermore, the proposed project is consistent with other policies regarding minimal site disturbance, minimizing grading on 30% slopes, protecting chaparral vegetation, and minimal disturbance of landforms.
 - **EVIDENCE:** (a) The project minimizes the silhouette that will be created against the sky by digging the building pad down into the hilltop, and minimizes grading overall since a much larger cut would have to be made lower down on the hillside in order to completely eliminate creating a silhouette against the sky.
 - (b) The project is consistent with other houses in the same viewshed. At least 3 other structures within the same viewshed seen from Ford Road also silhouette briefly. There are seven other structures visible within the same viewshed, both one and two story structures.
 - (c) The overall time the structure would be viewed as ridgeline is quite brief (3 intervals of 1 to 2 seconds each). Although Ford Road is a public road it appears to be used primarily by local residents.
 - (d) The proposed residence will be painted with a deep gray-green color that will blend with the existing vegetation, and the house will be partially screened with native vegetation including large live oaks.
 - (e) Carmel Valley Master Plan policy 26.1.9.1 regulating Ridgeline Development; Definition of "Ridgeline Development" in Title 21, Section 21.06.950; Definition of "Substantial Adverse Visual Impact" in Title 21, Section 21.06.1275, Definition of "Common Public Viewing area" in Title 21, Section 21.06.195.
 - (f) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in Project File No. PLN060121.

4. FINDING: DEVELOPMENT ON SLOPES EXCEEDING 30%— The project as designed and conditioned is consistent with Chapter 21.64.230 of the Monterey Zoning Ordinance regulating development on slopes in excess of 30%.

EVIDENCE:

- (a) The proposed project utilizes all available areas on slopes less than 30%: The proposed driveway and turnout will be constructed over an existing dirt access road on slopes less than 15%. The majority of the house and garage will be built on primarily on a relatively flat area, with less than 1,000 sq ft of the total footprint constructed on slopes exceeding 30%. The only grading proposed is for digging out the proposed building pad partially into the hillside and the construction of a small retaining wall north of the driveway. There is no feasible alternative which would allow development to occur on slopes of less than 30%.
- (b) Although there are no feasible alternative which would allow development to occur on slopes of less than 30%, the project as proposed is consistent with the goals, policies and objectives of Monterey County. As required by Carmel Valley Master Plan 3.1.15, an erosion control plan has been developed for this project. The project has been conditioned to require a drainage plan prepared by a civil engineer (condition 14), and certification that all development including the foundation has been constructed in accordance with the geotechnical report (condition 5). All exposed areas will be revegetated. Erosion impacts will be further minimized by removing only the vegetation required for the construction of the project, pursuant to policy 3.1.8 in the Carmel Valley Master Plan. Digging the building pad into the hillside will minimize ridgeline development, while also requiring a minimal amount of grading on 30% slopes, with a total of 483 cubic yards of cut to be exported from the site.
- (c) Application, plans, and materials contained in planning file PLN060166.
- (d) Letter from applicant in file PLN060166 requesting 30% slope exception.

5. FINDINGS: CEQA - The proposed project will not have a significant environmental impact.

EVIDENCE:

- (a) CEQA Guidelines lists classes of projects which have been determined not to have a significant effect on the environment and are therefore exempt from the provisions of CEQA. Section 15303 (Class 3) categorically exempts new construction of limited new small facilities, such as the construction of a single-family home in a residential area.
- (b) Section 15304 (Minor Alternations to Land) of the CEQA Guidelines, allows a categorical exemption for minor alterations in the condition of the land. The project includes only minor alterations to land, as the project requires minor grading (483 cubic yards to be cut and removed from the site), incorporates erosion control measures, and minimizes vegetation removal.

- (c) Site visits by staff and technical reports submitted by the applicant have determined that there are no unusual circumstances associated with the project or the property that would require environmental review.
 - "Geotechnical Investigation with Geoseismic Analysis" prepared by Soil Surveys, Inc., dated January 22, 2006.
 - No adverse environmental effects were identified during staff review of the development application during site visits on March 31, 2006, April 6, 2006 and July 7 2006.
- **6. 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, and all zoning violation abatement cost, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning and Building Inspection

Department records and is not aware of any violations that exist on subject

property.

7. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of

the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to

the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Health

Department, Public Works Department, and the Water Resources District. The respective departments 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; or the

county in general.

8. FINDING: APPEALABILITY – The project is appealable to the Board of Supervisors.

EVIDENCE: Section 21.80.040 D of the Monterey County Zoning Ordinance Title 21.

Planning and Building Inspection Department Condition Compliance & Mitigation Monitoring and Reporting Program*

Project Name: Farrow

 File No:
 PLN060166
 APNs:
 187-551-026-000

 Approval by:
 Planning Commission
 Date:
 September 27, 2006

*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. No.	Mitig. No.	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)
1.		PBD029 - SPECIFIC USES ONLY The subject permit approval allows a Combined Development Permit (PLN060166/Farrow) consisting of (1) an Administrative Permit for the construction of a new 3,012 sq. ft. single family dwelling with at attached 2-car garage on a 1.49 acre lot in an "S" district (21.45.040), with Design Approval (21.44.030), and associated grading consisting of 483 cubic yards cut exported from site; (2) a Use Permit for development on slopes over 30% (21.64.230 c); and (3) a Use Permit for ridgeline development (21.646.010). Materials and colors to consist of Sherwin Williams "Chatroom" on exterior walls with "Hardware" trim, and Eagle Roof Products "Capistrano" concrete roof tile. The property is located at 198 El Caminito Road, Carmel Valley (Assessor's Parcel Number 187-551-026-000), east of Carmel Valley road and south of Laurel Drive, Carmel Valley Master Plan area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

Permit Cond. No.	Mitig. No.	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)
		appropriate authorities. (RMA - Planning Department)				
2.		PBD025 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution) was approved by the Planning Commission for Assessor's Parcel Number 187-551-026-000 on August 9, 2006. The permit was granted subject to 24 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3.		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 Planning and Building Inspection Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical or 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	

Permit Cond. No.	Mitig. No.	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)
4.		PBD011 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of	Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits.		Applicant	Prior to Issuance of Grading and Building Permits
	construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of Planning and Building Inspection. (RMA - Planning Department)	2) Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.	Owner/ Applicant	Prior to Final Inspect- ion		
5.		PBD013(A) - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department)	Provide certification from geotechnical consultant that all development has been constructed in accordance with the geotechnical report.	Owner/ Applicant	Prior to Final Inspect- ion	
6.		PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 th and April 15 th unless authorized by the Director of Planning and Building Inspection. (RMA - Planning Department)	None	Owner/ Applicant	October 15 th to April 15 th	

Permit Cond. No.	Mitig. No.	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)
7.		PBD016 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)	Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to PBI.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

Permit Cond. No.	Mitig. No.	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)
8.		PBD - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) (NON-STANDARD) 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 be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall be accompanied by a pursury	1. Submit landscape plans and contractor's estimate to PBI for review and approval.	Applicant/ Owner/	Contractor	At least 60 days prior to final inspect- ion or occu- pancy
		landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. With the exception of any lawn area and live oaks required for screening, the landscape shall be planted entirely with plants native to Carmel Valley chaparral obtained from a local native plant nursery. The landscape plan shall include a total of fifteen 15-gallon or larger live oak trees: 2 additional oaks behind the house and garage, 3 oaks on the west side of the house, 3 oaks on the east side of the house, and 7 oaks down the hill to the south of the house. Oaks shall be placed as shown on the preliminary landscaping plan, with an	2. Obtain a contract with an arborist or landscape contractor to perform monitoring actions listed under 3 below. Provide copy of contract to the Planning Department for approval.	Owner/ Applicant	Prior to issuance of permits	
		additional oak on the west side of the house. Native chaparral vegetation shall be planted to partially screen the lower story. All scotch broom shall be removed from the parcel. 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 Planning and Building Inspection 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, and replacement shall be required for any trees or screening vegetation that fail to thrive. (RMA - Planning Department)	3. Submit reports to the Director of Planning and Building Inspection for review. Report shall address progress of planted trees and screening vegetation and condition of existing trees and native vegetation. If any of the original or planted trees and vegetation fail to survive or maintain a healthy condition at the end of five years, the project arborist shall recommend additional planting. Any replanting shall start a new 5-year monitoring period for the additional trees.	Owner/ Applicant	Annuall y during required monitori ng period.	

1		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.	PBD – LIGHTING – EXTERIOR LIGHTING PLAN (NON-STANDARD) 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 lighting shall be limited to that required for safety purposes only. Exterior light fixtures shall be downlit using amber light fixtures. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. (RMA - Planning Department)	Submit three copies of the lighting plans to PBI for review and approval.	Owner/ Applicant	
10.	PBD – TREE AND ROOT PROTECTION (NON-STANDARD) Trees which are located within 50 feet of 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 building permits subject to the approval of the Director of Planning and Building Inspection. (RMA - Planning Department)	Submit evidence of tree protection to PBI for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits
11.	PBD - GRADING PERMIT (NON-STANDARD) A grading permit shall be obtained for using the 483 cubic yards of grading material removed from the project site as fill material at a new receiver site. (RMA - Planning Department)	Apply for grading permit with PBI.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits

12.	PBD – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) In order to minimize impacts of hauling material off-site, the applicant shall submit a Construction Management Plan for review and approval by the Public Works and Planning and Building Inspection Departments prior to issuance of the grading permit. The Construction Management Plan shall include: • Proposed truck routes; • Estimated number of daily truck trips; • Estimated duration of the grading operation; • Hours of operation. The approved plan shall be implemented for the duration of the hauling operation. (RMA - Planning Department)	Submit plan for approval by the Public Works and Planning and Building Inspection.	Owner/ Applicant	Prior to issuance of the grading permit	
13.	PW0006 – CARMEL VALLEY The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (Public Works)	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/	Applicant	Prior to Building Permits Issuance
14.	WR2 - STORMWATER CONTROL 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. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	plan to the Water Resources Agency for	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	

15.	WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system. b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspect- ion/ occupancy
16.	WR43 - WATER AVAILABILITY CERTIFICATION 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. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits
17.	WR45 - WELL INFORMATION 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 all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits

18.	FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.
	shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Carmel Valley Fire District)	inspection	Applicant or owner	Prior to final building inspection.
19.	FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.

	provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Carmel Valley Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.
20.	FIRE011 - ADDRESSES FOR BUILDINGS (NON-STANDARD) 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 maintained thereafter. Address signs along one-way roads	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance	Applicant or owner	Prior to issuance of building permit. Prior to
	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. Notify the Carmel Valley Fire Protection District with the correct address once established with Public Works. (Carmel Valley Fire District)	inspection	owner	final building inspection
21.	FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.

	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	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
22.	FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) (NON-STANDARD)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or
	For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO			building permit.
		Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection
	hydrant. Carmel Valley Fire District			

23.	FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. Carmel Valley Fire District	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.
24.	FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING) Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. Carmel Valley Fire District.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.
		Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection