

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 13, 2006 9:15 A.M./P.M.		Agenda Item No.: 3
Project Description: Use Permit for development on a 30% or more slope to allow the construction of a 14,313 square foot shop and associated site improvements for a contractor's yard on a ten acre lot. Grading is approximately 9,320 cubic yards of cut and 1,090 cubic yards fill.		
Project Location: 440 Crazy Horse Canyon Road, Prunedale		APN: 125-282-019-000
Planning File Number: PLN060391		Name: The Don Chapin Company, Inc., Property Owner Diane Ausonio, Mill Construction, Agent
Plan Area: North County Area Plan		Flagged and staked: No
Zoning Designation : "LI" Light Industrial, Rural Density Residential 5.1 acres per unit ("RDR/5.1")		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning		

RECOMMENDATION:

It is recommended that the Planning Commission:

1. Adopt the Mitigated Negative Declaration (**Exhibit E**)
2. Approve the Use Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**)
3. Adopt a Mitigation Monitoring and/or Reporting Program (MMRP) (**Exhibit D**)

PROJECT OVERVIEW:

See Exhibit "B" Discussion

OTHER AGENCY INVOLVEMENT:

- ✓ North County Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Monterey Bay Unified Air Pollution Control District

The above checked agencies and departments have reviewed this project. Conditions recommended by the Water Resources Agency and North County Fire Protection District have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to the North County Land Use Advisory Committee meeting on August 16, 2006. The project was unanimously recommended for approval, with no recommended changes to the project (**Exhibit G**).

Note: The decision on this project is appealable to the Board of Supervisors.

Paula Bradley, MCP, AICP, Associate Planner
 (831) 755-5158 bradley@co.monterey.ca.us
 December 4, 2006

cc: Planning Commission; North County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Monterey Bay Unified Air Quality Control Board; Monterey County Sheriff's Department; Robert Schubert, Acting Planning & Building Services Manager; Paula Bradley, Planner; Carol Allen, Senior Secretary; The Don Chapin Company, Inc., Property Owner; Diane Ausonio, Mill Construction; Applicant/Agent; Planning File PLN060391.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Discussion
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval and Mitigation Monitoring and Reporting Plan
	Exhibit E	Mitigated Negative Declaration
	Exhibit F	Assessor's Parcel Map, Vicinity Map
	Exhibit G	North County LUAC minutes
	Exhibit H	Site Plans

This report was reviewed by Taven Kinson Brown, Senior Planner

EXHIBIT B

DISCUSSION

Project Description

The proposed project is a Use Permit for development on a 30% or more slope to allow the construction of a 14,313 square foot shop and associated site improvements for a contractor's yard. The ten acre parcel is currently developed with a general engineering construction equipment yard including: office buildings, a fueling facility, employee parking lot, and shop for equipment storage, and routine equipment and vehicle maintenance. The proposed project includes the demolition of two office buildings (approximately 7,000 square foot of buildings and 1,000 square feet of covered patio areas) and the construction of a new 14,313 square foot shop building and associated site improvements as part of an existing contractor's yard. The existing 11,000 square foot shop building will remain.

The project is sited partially on a slope of 30% behind the existing office building. Excavation on the 30% slope is proposed to expand the existing building footprint and to relocate the employee parking lot where an existing driveway is already cut into the slope. A six-foot retaining wall will be constructed on the 30% slope area along the southern edge of the new parking lot. Grading is approximately 9,320 cubic yards of cut and 1,090 cubic yards fill to expand the building footprint, and relocate the employee parking lot and small settling pond which is part of the drainage plan. In addition to the site visit by the planner on June 30, 2006, a grading inspector conducted a site visit on July 7, 2006, to confirm that the development on a 30% slope is the minimum necessary and that there is no feasible alternative for the proposed expansion.

Environmental Review

In accordance with the California Environmental Quality Act (CEQA), an Initial Study was prepared to assess any potential adverse environmental impacts from the project, and was circulated on November 6, 2006 with the public review period ending December 5, 2006. The Initial Study/Mitigated Negative Declaration identified one mitigation measure to assure a less than significant impact to the environment for biological resources. Prior to the close of the public review period for the Initial Study, December 5, 2006, staff received a comment letter stating "no comment" from the Monterey Bay Unified Air Pollution Control District (MBUAPCD).

Setting

The parcel is in the Monterey County North County Area Plan (see Exhibit F). The land use is designated "Industrial" and the zoning designations are Light Industrial ("LI") and Rural Density Residential, 5.1 acres per unit ("RDR/5.1") on the west portion of the parcel. The use is consistent with the land use designation and zoning of the parcel. To the north land use designations are Heavy Commercial ("HC"), Commercial, and Rural Density Residential, 5.1 acres per unit ("RDR/5.1"). To the west and south parcels are designated Rural Density Residential ("RDR/5.1"); and to the east, and across Crazy Horse Canyon Road, Permanent Grazing, 40 acres per unit ("PG/40"). Land uses in the vicinity include the Crazy Horse Canyon Land Fill, approximately 1,000 feet to the north, and residential uses in a rural unincorporated area.

The project is consistent with the development standards for the Light Industrial District including the height. The use is an upgrade of an existing single-use, there are no future plans for expansion or changes to the operation. No General Development Plan was required. There are

no specified setbacks for the district and the existing and proposed structures are 100-feet or more from the property lines. Standard conditions of approval are required for the project to obtain the approval of a landscaping and an exterior lighting plan. No changes are proposed to the existing signage. The western portion of the parcel is designated Rural Density Residential. There are no changes in use proposed in that area which is used for parking, tool storage and a small settling pond. The existing and proposed structures are located on the Light Industrial portion of the site.

Traffic and Circulation

Trucks and vehicles access the site from both Highway 101 and San Juan Grade Road to the South. Access from Crazy Horse Canyon Road is provided by three driveways, one for the fueling area, a second near the office building and one to the north which is designated exit only. Currently parking for all employees is on-site with three visitor parking spaces located in front of the office building. The facility upgrade will provide an employee parking lot behind the office building. The project will upgrade the existing facility by relocating maintenance activity and some of the heavy equipment and tools currently stored outdoors inside the new building. The operation will be modernized with health and safety improvements such as new fire suppression and exhaust extraction systems. Although the square footage of the structures will increase, the project will not result in an increase in employees or traffic. In 2004, the administrative function of the operation was relocated to a new corporate headquarters off-site, thus the historic number of employees and traffic to the site has been reduced. A traffic study was not warranted as the project is existing on the site and not an intensification of use. Estimated traffic has decreased 42% since 2004, from an average of approximately 512 total trips to 296 trips according to the applicant.

Biological Resources

The site contains a flat area near the road, steep slopes (30% or greater) to the south, and a more gentle slope up to the property line to the west. The structures are sited on the flatter area of the site close to Crazy Horse Canyon Road. Most of the site beyond the buildings is unimproved (unpaved) yard area utilized for equipment storage and parking. The site is vegetated with several tree species, including oaks and pine trees. Eight (8) pine trees, which are not a protected species, are proposed for removal. The terrain includes rolling hills with shrubs, grassland, and pine and oak woodlands on the steeper areas.

There are no protected special-status plants or species identified in the project area and no waterways or wetlands on or near the site. A biological report was not required. The only regulated wildlife species potentially impacted by the proposed project are nesting birds (including raptors) in forested areas in general. Since portions of the site are forested, there is potential nesting habitat for raptors or other birds protected under the Migratory Bird Treaty Act. With the implementation of Mitigation Measure No. 1 (MM-1) which requires conducting a preconstruction survey, any potential impacts to nesting avian species would be reduced to a less than significant level. Although no protected trees are proposed to be removed, protected trees (oaks) near the construction site will be required to be protected and preserved as a standard condition of approval. Recommendations have been incorporated into the project as conditions and mitigation measures.

Conclusion

The project is an upgrade to the existing facility in operation on the site since 1977. The operation will be modernized with health and safety improvements such as the installation of new fire suppression and exhaust extraction systems, and site improvements. Although the square footage of the structures will increase, the project will not result in an increase in

employees or traffic. In 2004, the administrative function of the operation was relocated to a new off-site corporate headquarters and the current operation is a reduction in the historic number of employees and traffic on the site.

EXHIBIT C

RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, North County Area Plan and North County Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for limited development in more remote mountainous areas while protecting the resources of the area.
EVIDENCE: (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of the application. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
(b) The project planner conducted a site inspection on 6/30/06 to verify that the project on the subject parcel conforms to the plans listed above.
(c) The parcel is recorded on the Survey Maps, Volume 10, page 83 (Assessor's Parcel Number 125-282-019-000). The subject parcel is determined to be a legal lot.
(d) The project was referred to the North County Land Use Advisory Committee meeting on August 16, 2006. The project was unanimously recommended for approval, with no recommended changes to the project.
(e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN060391.
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, North County Fire Protection District, Public Works, Environmental Health Division, and the Water Resources Agency, Monterey Bay Unified Air Quality Control Board; and the Monterey County Sheriff's Department. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
(b) Technical reports by an outside Registered Professional engineering consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 1. Soil Engineering Investigation for the Don Chapin Company Contractors Shop Facility (APN 125-282-019) 440 Crazy Horse Canyon Road Monterey County, California was prepared by Land Set Engineers, Inc., dated August 2006 (Library No. 060450).
- (c) Planning and Building Inspection staff conducted a site inspection on 6/30/06 and 7/05/2006 to verify that the site is suitable for this use. The parcel is zoned Light Industrial ("LI"). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.

(d) Materials in Project File PLN060391.

3. FINDING: **CEQA.** The proposed project will not have a potentially significant adverse impact on the environment. A Mitigated Negative Declaration has been prepared and is on file (File No. PLN060391) in the Planning Department. Mitigation measures identified in the Initial Study and Mitigated Negative Declaration required to avoid potential significant effects to the environment have been incorporated into the approved project or as conditions of approval. A Condition Compliance and Mitigation Monitoring Reporting Plan (hereafter “the MMRP”) has been prepared pursuant to Public Resources Code 21081.6 and is required as a condition of approval. The MMRP is incorporated herein by reference. Potential environmental effects have been studied, and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the testimony and information received, and scientific and factual data presented as evidence during the public review process. The Monterey County Planning Department, located at 168 West Alisal Street, 2nd Floor, Salinas is the custodian of the documents and the materials that constitute the record of proceedings upon which the adoption of the Mitigated Negative Declaration is based.

EVIDENCE: (a) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning Department for the proposed development, found in the project file.

(b) With assistance by County Consultant Rincon Consultants of Paso Robles, California, County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA and Guidelines. The Initial Study provided substantial evidence that the project, with the addition of mitigation measures, would not have significant environmental impacts. A Mitigated Negative Declaration was filed with the County Clerk on November 6, 2006, and noticed for public review. All comments received on the Initial Study/Mitigated Negative Declaration have been considered as well as all evidence in the record, which includes studies, data, and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented or discussed during public hearings; staff reports that reflect the County’s independent judgment and analysis regarding the above referenced studies, data, and reports; application materials; and expert testimony. Among the studies, data, and reports analyzed as part of the environmental determination are the following:

1. Project Application and Plans (dated 7/31/06).
2. Interdepartmental Review Agency Comments.
3. Soil Engineering Investigation for the Don Chaplin Company Contractors Shop Facility (APN 125-282-019) 440 Crazy Horse Canyon Road, Monterey County, California. Land Set Engineers, Inc., August 2006.
4. Monterey County General Plan, adopted September 30, 1982.
5. Monterey Bay Unified Air Pollution Control District.

6. June 2004. *CEQA Air Quality Guidelines*.
7. September 2004. *2004 Air Quality Management Plan for the Monterey Bay Region*.
8. October 2006. MBUAPCD comments on the project. Jean Getchell, Supervising Planner.
9. Regional Water Quality Control Plan.
10. Site visit by County Planner on 6/30/06.
11. http://www.consrv.ca.gov/CGS/EarthquakeDOC/Older_QandA_Sessions/EQDOC_QandAs_May2005.htm (fault activity).
12. Association of Monterey Bay Area Governments (AMBAG), www.ambag.org.
13. North County Area Plan for Monterey County, Adopted July 2, 1985, Amended October 2, 1990.
14. Monterey County Municipal Code: Health and Safety, Chapter 10.60.
15. Certified Unified Program Agency Monterey County Environmental Health Division Permit to Operate, 7/1/01 to 6/30/07 (Hazardous Materials permit to operate).

4. FINDING: FISH AND GAME FEES – Filing of Notice of Determination. For Purposes of the Fish and Game Code, the project will have a potential for adverse impact on fish and wildlife resources upon which the wildlife depends.

- EVIDENCE:** (a) Staff analysis contained in the Initial Study and the record as a whole indicate the project may or will result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game regulations. Implementation of the project described herein will affect changes to native and non-native plant life and soils, and the biological analyses identified potential impacts to wildlife and special status species.
- (b) Initial Study and Mitigated Negative Declaration contained in the project file.
- (c) Evidence in Finding No. 3 above.

5. FINDING: CONSISTENCY - DEVELOPMENT ON SLOPES IN EXCESS OF 30%
The project is consistent with the findings required for Section 21.64.230 Development on Slopes in Excess of 30 percent, specifically Finding No. 21.64.230(E)(b): a) There is no feasible alternative which would allow the development to occur on slopes of less than 30%.

- EVIDENCE:** (a) Planning staff and a grading inspector (6/30/06 and 7/05/06) met on-site with the applicant to determine if there was any alternative to the proposed development on a 30% and greater slope. It was determined that there was no alternative to the proposed plans. The project is located on a slope exceeding 30% behind the existing office building. Excavation on the 30% slope is to expand the existing building footprint, relocate the employee parking lot where an existing driveway is already cut into the slope.
- (b) A Soil Engineering Investigation for the Don Chapin Company Contractors Shop Facility (APN 125-282-019) 440 Crazy Horse Canyon Road Monterey County, California, was prepared for this parcel by Land

Set Engineers, Inc., dated August 2006 (Library No. 060450). The report concluded that the site is considered suitable for the project with recommendations for design and construction incorporated into the project.

(c) Staff conducted a site inspection on 6/30/06 and 7/05/06 to verify that there is no feasible alternative which would allow the development to occur on slopes of less than 30%.

(d) Materials in Project File PLN060391.

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

EVIDENCE: Staff reviewed Monterey County Resource Management Agency - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

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

EVIDENCE: Preceding findings and supporting evidence.

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

EVIDENCE: Section 21.80.040 (D) Monterey County Zoning Ordinance Title 21.

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Chapin File No: PLN060391 Approved by: Planning Commission	APN: 125-282-019-000 Date: 12/13/2006
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		PBD029 - SPECIFIC USES ONLY Use Permit for development on a 30% or more slope to allow the construction of a 14,313 square foot shop and associated site improvements for a contractors yard on a ten acre lot. Grading is approximately 9,320 cubic yards of cut and 1,090 cubic yards fill. The property is located at 440 Crazy Horse Canyon Road, Prunedale (Assessor's Parcel Number 125-282-019-000), North County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Resource Management Agency	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		(RMA) – Planning)				
2.		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution No. _____) was approved by the Planning Commission for Assessor's Parcel Number 125-282-019-000 on December 13, 2006. The permit was granted subject to 26 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of RMA - Planning Department prior to issuance of building permits or commencement of the use.</p> <p>(Resource Management Agency (RMA) – Planning)</p>	Proof of recordation of this notice shall be furnished to RMA - Planning.	Owner/ Applicant	Prior to issuance of grading and building permits	
3.		<p>PBD026 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <p>“A Soil Engineering Investigation for the Don Chapin Company Contractors Shop Facility (APN 125-282-019) 440 Crazy Horse Canyon Road Monterey County, California has been prepared for the proposed parcel by Land Set Engineers, Inc., dated August 2006, and is on record in the Monterey County Planning and Building Inspection Department, Library No. 060450. All development shall be in accordance with this report".</p> <p>(Resource Management Agency (RMA) – Planning)</p>	Proof of recordation of this notice shall be furnished to Planning Director.	Owner/ Applicant	Prior to issuance of grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>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. (Resource Management Agency (RMA) – Planning)</p>	<p>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.</p>	Owner/ Applicant/ Archaeologist	Ongoing	
5.		<p>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>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 shall be covered, seeded, or otherwise treated to control erosion</p>	<p>1) Evidence of compliance with the Erosion Control Plan shall be submitted to Planning Director prior to issuance of building and grading permits.</p>	Owner/ Applicant	Prior to issuance of Grading and Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		during the course of construction, subject to the approval of the Director of Planning and Building Inspection. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Planning Director. (Resource Management Agency (RMA) – Planning)	2) Evidence of compliance with the Implementation Schedule shall be submitted to Planning Director during the course of construction until project completion as approved by the Planning Director.	Owner/ Applicant	Prior to final inspection	
6.		PBD014 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Resource Management Agency (RMA) – Planning)	None	Owner/ Applicant	Ongoing	
7.		PBD032(B) – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection. (Resource Management Agency (RMA) – Planning)	Submit evidence of tree protection to PLANNING DIRECTOR for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/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>
8.		PBD012 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (Resource Management Agency (RMA) – Planning)	The applicant shall submit a check for \$1,275, payable to the <i>County of Monterey</i> , to the Director of Planning Director.	Owner/ Applicant	Within 5 working days of project approval	
9.		PBD022 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (Resource Management Agency (RMA) – Planning)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement. (Fees for less than 10 mitigation measures are approximately \$5,234)	Owner/ Applicant	Within 60 days after project approval or prior to issuance of grading and building permits, whichever occurs first.	
10.		PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING) 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	Submit landscape plans and contractor's estimate to the Planning Director for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. The landscaping shall be installed and inspected prior to occupancy. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Resource Management Agency (RMA) – Planning)	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	
11.		PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN 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. 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. (Resource Management Agency (RMA) – Planning)	Submit three copies of the lighting plans to Planning Director for review and approval.	Owner/ Applicant	Prior to issuance of building permits	
12.		PW – NONSTANDARD -ENCROACHMENT (TURN) Obtain an encroachment permit from the Department of Public Works and construct left turn channelization at the intersection of Crazy Horse Canyon Road (Public Works)	Applicant shall obtain an encroachment permit from DPW prior to issuance of building permits and complete improvement prior to occupying or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.	Owner/ Applicant	Prior to Building/ Grading Permit Issuance.	

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13.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
14.		WR8 - COMPLETION CERTIFICATION The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that storm water detention/retention facilities have been constructed in accordance with approved plans. (Water Resources Agency)	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
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 inspection/ occupancy	

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16.		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	
17.		WR001 - (NON-STANDARD WORDING) STORMWATER DETENTION Prior to issuance of any grading and/or building permits the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer addressing on-site and off-site impacts with supporting calculations and construction details. The plan shall include detention facilities to mitigate the impact of impervious surface storm water runoff, and oil-grease water separators for the paved parking areas. Pond(s) shall be fenced for public safety. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	

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		<p>and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p>(North County Fire District)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspection</p>	
<p>19.</p>		<p>FIRE011 - ADDRESSES FOR BUILDINGS 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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of building permit</p>	

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		<p>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. (North County Fire District)</p>	<p>Applicant shall schedule fire dept. clearance inspection.</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspection</p>	
<p>20.</p>		<p>FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

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		imposed by the local fire jurisdiction to provide the same practical effect. (North County Fire District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
21.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (North County Fire District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of grading and/or building permit	
			Applicant shall schedule fire dept. clearance inspection	Owner/ Applicant	Prior to final building inspection	
22.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) 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. (North County Fire District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit	
			Applicant shall schedule fire dept. rough sprinkler inspection	Owner/ Applicant	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Owner/ Applicant	Prior to final building inspection	

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23.		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (North County Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
24.		FIRE026 - ROOF CONSTRUCTION (STANDARD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class B roof construction. (North County Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Owner/ Applicant	Prior to issuance of building permit	
25.		FIRE 30 – (NONSTANDARD WORDING) 1. Provide fire extinguishers per nfpa (national fire protection standard) 10. 2. Provide a “knox entry system” key box. 3. Install fire sprinkler riser (or at a minimum, the fire department connection) on east end of proposed building. (North County Fire District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Owner/ Applicant	Prior to issuance of building permit	
26.	MM-1	MITIGATION MEASURE #1 (NESTING): If construction is to begin before August 1st, (before young have fledged), a pre-construction survey for nesting raptors is required. If active raptor nests are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each nest for the duration of the breeding season (until such	A qualified biologist shall perform a preconstruction survey for nesting raptors. Submit the report to the RMA –Planning Director for review and approval prior to start of construction	Owner/ Applicant	Prior to issuance of grading or building permit	

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		time as the young are fully fledged) to prevent next harassment and brood morality. If trees known to support raptor nest cannot be avoided, removal of these trees may only occur during non-breeding season (August 1 st through April 15 th). (Resource Management Agency (RMA) – Planning)				