

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> April 11, 2007. Time:	<b>Agenda Item No.:</b>
<b>Project Description:</b> Combined Development permit consisting of a Use Permit to allow co-siting a wireless communication facility including a new 11-foot high monopole with two antennae and supporting equipment cabinets in a 120 square foot chain link fenced compound, Administrative Permit for development in an S District, and Design Approval. The property is located at 12 Goodrich Trail, Carmel (Assessor's Parcel Number 416-571-015-000), Carmel Valley Master Plan Area.	
<b>Project Location:</b> 12 Goodrich Trail, Carmel	<b>APN:</b> 416-571-015-000
<b>Planning File Number:</b> PLN060352	<b>Name:</b> William Patterson, Property Owner/ Scott Revard, Metro PCS, Agent
<b>Plan Area:</b> Carmel Valley Master Plan	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : RG/B-6-D-S-RAZ (Rural Grazing, no further subdivision, Design Approval and Site Review, Residential Allocation Zone.)	
<b>CEQA Action:</b> Categorically Exempt per Section 15303 (d)	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Planning Commission approve the Patterson Use Permit PLN060352 based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

The Patterson Project PLN060852 is to co-site a new wireless facility; consisting of two four foot antennae on a eleven foot single monopole, with supporting equipment cabinets in a 120 square foot, 6' chain link fenced compound. It will be located near three other 18 foot mono-poles. The parcel is approximately 53 acres mostly wooded. The proposed wireless facility would be located on a site which has several other carriers. This is not co-location, the locating of several antennas on a single tower or building. This is considered to be co-siting. That is, on this site there will be a new eleven foot mono-pole and antennae in the proximity of the existing clustered other carriers' antennae, which are 17 and 18 feet tall. The project site is on the western shoulder of Saddle Mountain on the south side of Carmel Valley. The existing antennae were approved with project PC 95072 and PC95073. The elevation of the site is approximately 824 feet from mean sea level, giving it a fine access line of sight from Highway 1 on the west to Laureles Grade Road on the east. This will fill an important niche improving the coverage in the antennae network as shown on the Metro PCS Proposed Coverage Map. By necessity a cell antennae must have clear line of sight. This means the antennae will be silhouetted against the sky when viewed from some low public viewing areas such as the Visually Sensitive Carmel Valley Road and Highway 1. That makes this a ridgeline development, but with out a "substantially adverse impact." Ridgeline development means development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area. The slenderness of the mono-pole renders it invisible. At the closest distance of 0.83 mile from Carmel Valley Road, the antennae are not discernable to the unaided human eye. So, this project is not a substantial visual impact from the Carmel Valley Road and Highway 1 perspectives. This project does meet the Carmel Valley master Plan (CVMP) Goals. Goals: To preserve the rural character of Carmel Valley, and to provide for those public facilities and services necessary to accommodate present and planned future growth. The proposed project will

allow service to the lower half of Carmel Valley to Metro PCS customers without increasing the number or size of the roads or having massive structures on or near the traffic corridors. Additionally there will be not tree removal for this project. This helps to maintain the rural nature of the Carmel valley and will meet the needs of public utilities, to which telecom services belong, accommodate present and future growth.

CVMP Policies: While there are no policies on point, we can infer the appropriateness of this project by looking to the individual policies that will be impacted. Rural nature of the valley, develop but limiting new roads, providing for the emergency communications with cell facilities, not creating substantial visual impacts on ridgelines.

There are five findings that shall be made to permit new wireless facilities. They are:

1. That the development of the proposed wireless communications facility will not significantly affect any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource as defined in the Monterey County General Plan, Area Plan or Local Coastal Plan.
2. That the site is adequate for the development of the proposed wireless communications facility and that the applicant has demonstrated that it is the most adequate for the provision of services as required by the FCC.
3. That the proposed wireless communication facility complies with all of the applicable requirements of Section 20.64.310 of this Title.
4. That the subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title and that all zoning violation abatement costs, if any have been paid.
5. That the proposed wireless communications facility will not create a hazard for aircraft in flight.

Significant Impacts- That the development of the proposed wireless communications facility will not significantly affect any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource as defined in the Monterey County General Plan, Area Plan or Local Coastal Plan. (Ordinance 21 Section 21.64.310 (E) (1).)

- The parcel is approximately 53 acres which are mostly wooded. However, no trees are proposed to be removed for this project.
- The project is siting a new wireless facility on a site which has several other carriers. This is not co-location, the locating of several antennas on a single tower or building. This is considered to be co-siting. That is a new eleven foot mono-pole and antennae in the proximity of clustered other carriers' antennae, which are 17 and 18 feet tall. The project site is on the western shoulder of Saddle Mountain on the south side of Carmel Valley.
- The elevation of the site is approximately 824 feet from mean sea level, giving it a fine access line of sight from Highway 1 on the west to Laureles Grade Road on the east. This will fill an important niche improving the coverage in the antennae network as shown on the Metro PCS Proposed Coverage Map. By necessity cell antennae must have clear line of sight. This means the antennae will be silhouetted against the sky when viewed from some low public viewing areas such as the Visually Sensitive Carmel Valley Road. However, the antennae are not discernable to the unaided human eye from Carmel Valley Road or Highway 1.
- Because the existing cell towers, which are 17 and 18 feet in height, are not visible with the naked eye from Carmel Valley Road and Highway 1 at the mouth of the Valley, the proposed eleven foot mono-pole will not create a substantial visual impact.

FCC COMPLIANCE - That the site is adequate for the development of the proposed wireless communications facility and that the applicant has demonstrated that it is the most adequate for the provision of services as required by the FCC. Ordinance 21 Section 21.64.310 (E) (2)

- The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060352.

- Preceding findings and supporting evidence.

ORDINANCE 21 COMPLIANCE - The proposed wireless communication facility complies with all of the applicable requirements of Section 20.64.310 of this Title. Ordinance 21 Section 21.64.310 (E) (3)

- Preceding findings and supporting evidence.

GENERAL ZONING COMPLIANCE - The subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title and that all zoning violation abatement costs, if any have been paid. Ordinance 21 Section 21.64.310 (E) (4)

- Preceding findings and supporting evidence.

FLIGHT HAZARD COMPLIANCE - The proposed wireless communications facility will not create a hazard for aircraft in flight. Ordinance 21 Section 21.64.310 (E) (5)

#### **OTHER AGENCY INVOLVEMENT:**

- ✓ Carmel Valley Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Parks

The above checked agencies and departments have reviewed this project. Conditions recommended by Carmel Valley Fire, Environmental Health, and RMA Planning, have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve un-reviewed significant ridgeline/viewshed development issues.

Note: The decision on this project is appealable to the Planning Commission per zoning Ordinance 21 Section 21.80.040 (B).

---

Jody Lyons, Assistant Planner  
(831) 755-5120, lyonsjc@co.monterey.ca.us  
(February 12, 2007)

cc: Planning Commission members (10); CV Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Bob Schubert, Acting Planning & Building Services Manager; Jody Lyons, Planner; Carol Allen, William Patterson, Applicant; Scott Revard- Metro PCS., Agent; Planning File PLN060352.

Attachments: Exhibit A      Project Data Sheet

Exhibit B Recommended Findings and Evidence  
Exhibit C Recommended Conditions of Approval  
Exhibit D Site Plan, Elevations, Floor Plans

This report was reviewed by Bob Schubert, Acting Planning and Building Service Manager

EXHIBIT A

**Project Information for PLN060352**

**Project Title:** PATTERSON WILLIAM L & RITA G

<b>Location:</b> 12 GOODRICH TRL CARMEL	<b>Primary APN:</b> 416-571-015-000
<b>Applicable Plan:</b> Carmel Valley Master Plan	<b>Coastal Zone:</b> No
<b>Permit Type:</b> Use Permit	<b>Zoning:</b> RG/B-6-D-S-RAZ
<b>Environmental Status:</b> Exempt	<b>Plan Designation:</b> RG/10
<b>Advisory Committee:</b> N/A	<b>Final Action Deadline (884):</b> 3/30/2007

Project Site Data:

<b>Lot Size:</b> 53	<b>Coverage Allowed:</b> 5%
<b>Existing Structures (sf):</b> 7379	<b>Coverage Proposed:</b> <1%
<b>Proposed Structures (sf):</b> 18	<b>Height Allowed:</b> 35
<b>Total Sq. Ft.:</b> 7379	<b>Height Proposed:</b> 11
	<b>FAR Allowed:</b> NA
	<b>FAR Proposed:</b> NA

Resource Zones and Reports:

<b>Environmentally Sensitive Habitat:</b> No	<b>Erosion Hazard Zone:</b> MOD
<b>Biological Report #:</b> LIB060666	<b>Soils Report #:</b> LIB060665
<b>Forest Management Rpt. #:</b> N/A	
<b>Archaeological Sensitivity Zone:</b> MOD	<b>Geologic Hazard Zone:</b> MOD
<b>Archaeological Report #:</b> N/A	<b>Geologic Report #:</b> N/A
	<b>Traffic Report #:</b> N/A
<b>Fire Hazard Zone:</b> HIGH	

Other Information:

<b>Water Source:</b> WELL	<b>Sewage Disposal (method):</b> SEPTIC
<b>Water Dist/Co:</b> NA	<b>Sewer District Name:</b> NA
<b>Fire District:</b> CARMELVALLEY	<b>Grading (cubic yds.):</b> 3.0
<b>Tree Removal:</b> N/A	

Date Printed: 02/24/2007

## **EXHIBIT B**

### **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, Carmel Valley Master Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance Title 21, which designates this area as appropriate for development.

- EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- (b) The property is located at 12 Goodrich Trail Carmel Valley (Assessor's Parcel Number 416-571-015-000), Greater Monterey Peninsula Area Plan. The parcel is zoned RG/B-6-D-S-RAZ ("Rural Grazing, no further subdivision, Design Approval and Site Review, Residential Allocation Zone"). 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.
- (c) The project planner conducted a site inspection on August 29, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) The 1986 Craig W. Vetter Lot Line Adjustment of the Valley Hills Ranch (Volume No. 14 of the Record of Surveys Page 92) created the current configuration of five parcels. The subject parcel is one of these five parcels.
- (e) The project was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the current review guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 04-236, this application did not warrant referral to the LUAC because the project does not involve ridgeline/viewshed development.
- (f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060352.

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

- EVIDENCE:**(a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) Technical reports by outside biological and geological consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. County staff concurs. The following reports have been prepared:

"Vegetation Report For Proposed Telecommunications Facility At  
27762 Carmel Valley Road, Carmel Valley site #SF15461A"

(LIB060665) prepared by Earth Touch Inc., Layton, Utah, prepared on September 18, 2006).

“Geotechnical/Seismic Report For Proposed Telecommunications Facility At 27762 Schulte Road, Carmel Valley site #SF15461A” (LIB060666) prepared by Salem Engineering Group Inc., Fresno, CA prepared on October 20, 2006).

(c) Staff conducted a site inspection on August 29, 2006 to verify that the site is suitable for this use.

(d) Materials in Project File PLN060352.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review.

**EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15303 (d), categorically exempts extension of utilities.

(b) No adverse environmental effects were identified during staff review of the development application during a site visit on August 29, 2006.

(c) See preceding and following findings and supporting evidence.

4. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

**EVIDENCE:** (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

5. **FINDING:** The ridgeline development, as conditioned by permit, will not create a substantially adverse visual impact when viewed from a common public viewing area.

**EVIDENCE:** (a) Carmel Valley all the way to Highway 1 is shown as an existing Scenic Route, on the Carmel Valley Master Plan Map. This makes the walls of the Carmel Valley Visually Sensitive in addition to the possible ridgeline development of this project.

(b) Ordinance 21.06.950 defines ridgeline development as:

*“Ridgeline development means development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area.”*

(c) This project proposes to install an eleven foot mono-pole with tow antennae on the ridge of a hill over looking Carmel Valley road from the Village to Highway 1.

(d) Since wireless communications require line of sight clearance, the proposed mono-pole will create an unscreened silhouette when viewed from the common public viewing area. However, the distance- about 0.8 mile, from which the current taller mono-poles on site are un-discernable by the unaided human eye from the nearest common public viewing areas. Thus the proposed shorter mono-pole will not create a substantially adverse impact when viewed from common public viewing areas.

6. **FINDING:** Specific findings required for the cell site development. Ordinance 21 Section 21.64.310 (J) requires that the Appropriate Authority make specific findings for siting wireless facilities: there shall be no significant impacts; the project is

FCC compliant; the project complies with the Wireless communication Facility section of Ordinance 21; the property sustains no violations; and the proposed facility will not cause a flight hazard.

**EVIDENCE** (a) Significant Impacts- That the development of the proposed wireless communications facility will not significantly affect any designated public viewing area, scenic corridor or any identified environmentally sensitive area or resource as defined in the Monterey County General Plan, Area Plan or Local Coastal Plan. (Ordinance 21 Section 21.64.310 (E) (1).)

- The parcel is approximately 53 acres which are mostly wooded. However, no trees are proposed to be removed for this project.
- The project is siting a new wireless facility on a site which has several other carriers. This is not co-location, the locating of several antennas on a single tower or building. This is considered to be co-siting. That is a new eleven foot mono-pole and antennae in the proximity of clustered other carriers' antennae, which are 17 and 18 feet tall. The project site is on the western shoulder of Saddle Mountain on the south side of Carmel Valley.
- The elevation of the site is approximately 824 feet from mean sea level, giving it a fine access line of sight from Highway 1 on the west to Laureles Grade Road on the east. This will fill an important niche improving the coverage in the antennae network as shown on the Metro PCS Proposed Coverage Map. By necessity cell antennae must have clear line of sight. This means the antennae will be silhouetted against the sky when viewed from some low public viewing areas such as the Visually Sensitive Carmel Valley Road. However, at a closest distance of 0.83 mile from Carmel Valley Road, the antennae are not discernable to the unaided human eye.
- Because the existing cell towers, which are 17 and 18 feet in height are not visible with the naked eye from Carmel Valley Road and Highway 1 at the mouth of the Valley, the proposed cell site does not create a significant visual impact.

(b) FCC COMPLIANT - That the site is adequate for the development of the proposed wireless communications facility and that the applicant has demonstrated that it is the most adequate for the provision of services as required by the FCC. Ordinance 21 Section 21.64.310 (E) (2)

- The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN060352.
- Preceding findings and supporting evidence.

(c) ORDINANCE 21 COMPLAINT- The proposed wireless communication facility complies with all of the applicable requirements of Section 20.64.310 of this Title. Ordinance 21 Section 21.64.310 (E) (3)

- Preceding findings and supporting evidence.

(d) GENERAL ZONING COMPLIANCE - The subject property upon which the wireless communications facility is to be built is in compliance with all rules and regulations pertaining to zoning uses, subdivisions and any other applicable provisions of this Title and that all zoning violation abatement costs, if any have been paid. Ordinance 21 Section 21.64.310 (E) (4)

- Preceding findings and supporting evidence.



(e) FLIGHT HAZARD COMPLIANT- The proposed wireless communications facility will not create a hazard for aircraft in flight. Ordinance 21 Section 21.64.310 (E) (5)

- The proposed 11 foot monopole is well below the 35 foot maximum structure height limit. Thus its construction will not be a flight hazard.
- No airport flight path covers the proposed construction site.
- Preceding findings and supporting evidence.

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

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

<b>EXHIBIT C</b> <b>Monterey County Resource Management Agency</b> <b>Planning Department</b> <b>Condition Compliance and/or Mitigation Monitoring</b> <b>Reporting Plan</b>	<b>Project Name:</b> <b>PATTERSON</b> <b>File No:</b> PLN060352 <b>APN:</b> 416-571-015-000 <b>Approved by:</b> Planning Commission <b>Date:</b>
--	--

*\*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.		<b>PBD029 - SPECIFIC USES ONLY</b> The Patterson (PLN060352) Use Permit to allow co-siting a wireless communication facility with several other carriers, an Administrative Permit for development in an S district, and a Design Approval. The property is located at 12 Goodrich Trail, Carmel (Assessor's Parcel Number 416-571-015-000), 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 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. <b>[Resource Management Agency (RMA) - Planning Department]</b>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		<p><b>PBD025 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice which states: "A permit (<b>Resolution No. 060352</b>) was approved by the Planning Commission for Assessor's Parcel Number 416-571-015-000 on April 11, 2007. The permit was granted subject to 16 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. (RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to RMA - PD	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
3.		<p><b>PBD030 - STOP WORK - RESOURCES FOUND</b>  If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the 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)</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>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. <b>(RMA - Planning Department)</b></p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	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	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<p><b>PD012(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</b></p> <p>The site shall be landscaped. At least three (3) weeks prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping and shall include an irrigation plan. 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. <b>(RMA – Planning Department)</b></p>	<p>Submit landscape plans and contractor’s estimate to the RMA - Planning Department for review and approval.</p> <p>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.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p> <p>Owner/ Applicant</p>	<p>At least three (3) weeks prior to final inspection or occupancy</p> <p>Ongoing</p>	
6.		<p><b>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</b></p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Ongoing	
7.		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(RMA - Planning Department; Public Works)</b>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
8.		<b>PD039(A) – WIRELESS COMMUNICATION FACILITIES</b> The applicant agrees as a condition and in consideration of the approval of the permit to enter into an indemnification agreement with the County whereby the applicant agrees to defend, indemnify, and hold harmless the County, its officers, agents, and employees from actions or claims of any description brought on account of any injury or damages sustained by any	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.  Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Prior to the issuance of grading or building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		person or property resulting from the issuance of the permit and the conduct of the activities authorized under said permit. Applicant shall obtain the permission of the owner on which the wireless communications facility is located to allow the recordation of said indemnification agreement, and the applicant shall cause said indemnification agreement to be recorded by the County Recorder as a prerequisite to the issuance of the building and/or grading permit. The County shall promptly notify the applicant of any such claim, action, or proceeding and the County shall cooperate fully in the defense thereof. The County may, at its sole discretion, participate in the defense of such action, but such participation shall not relieve applicant of its obligations under this condition. <b>(RMA – Planning Department)</b>	If the facility is in violation of FCC emission standards, a public hearing shall be set before the Appropriate Authority to consider revocation or modification of the permit.	Director of the RMA – Planning Department	Ongoing	
9.		<b>PD039(B) – WIRELESS COMMUNICATION FACILITIES</b> The applicant shall agree in writing that if future technological advances allow for reducing the visual impacts of the telecommunication facility, the applicant shall make modifications to the facility accordingly to reduce the visual impact as part of the facility’s normal replacement schedule. <b>(RMA – Planning Department)</b>	Submit, in writing, a declaration agreeing to comply with the terms of this condition the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading or building permits.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
10.		<p><b>PD039(C) – WIRELESS COMMUNICATION FACILITIES</b></p> <p>The applicant and/or successors and assigns shall encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. Any expansion or additions of microwave dishes, antennas and/or similar appurtenances located on the monopole, which are not approved pursuant to this permit, are not allowed unless the appropriate authority approves additional permits or waivers. In any case, the overall height of the pole shall not exceed 12 feet. <b>(RMA – Planning Department)</b></p>	Encourage co-location by other wireless carriers on this tower assuming appropriate permits are approved for co-location. The overall height of the pole shall not exceed 12 feet.	Owner/ Applicant	Ongoing	
11.		<p><b>PD039(D) – WIRELESS COMMUNICATION FACILITIES</b></p> <p>If the applicant abandons the facility or terminates the use, the applicant shall remove the monopole, panel antennas, and equipment shelter. Upon such termination or abandonment, the applicant shall enter into a site restoration agreement subject to the approval of the Director of the RMA - Planning Department and County Counsel. The site shall be restored to its natural state within 6 months of the termination of use or abandonment of the site. <b>(RMA – Planning Department)</b></p>	If the applicant abandons the facility or terminates the use, a site restoration agreement shall be submitted to the RMA - Planning Department subject to the approval of the RMA - Director of Planning and County Counsel.	Owner/ Applicant	Prior to the issuance of grading or building permits/ Ongoing	
			Restore the site to its natural state.	Owner/ Applicant	Within 6 months of termination of use or abandonment of site.	



<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>
12.		<p><b>PD039(E) – WIRELESS COMMUNICATION FACILITIES</b></p> <p>The facility must comply with Federal Communications Commission (FCC) emission standards. If the facility is in violation of FCC emission standards, the Director of the RMA – Planning Department shall set a public hearing before the Appropriate Authority whereupon the Appropriate Authority may, upon a finding based on substantial evidence that the facility is in violation of the then existing FCC emission standards, revoke the permit or modify the conditions of the permit. <b>(RMA – Planning Department)</b></p>	Submit documentation demonstrating compliance with the FCC emission standards.	Owner/ Applicant	Prior to the commencement of use/ Ongoing	
13.		<p><b>PD016 – NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Biological report has been prepared for this parcel by Earth Touch Inc., dated September 18, 2006 and is on record in the Monterey County RMA - Planning Department , Library No. LIB060665. All development shall be in accordance with this report." <b>(RMA – Planning Department)</b></p>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits.	
14.		<p><b>PD016 – NOTICE OF REPORT</b></p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geotechnical report has been prepared for this parcel by Salem Engineering Group Inc., dated October 25, 2006 and is on record in the Monterey County RMA - Planning Department , Library No. LIB060666. All development shall be in accordance with this report." <b>(RMA – Planning Department)</b></p>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the 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>
15.		<b>EH28 - HAZ MAT BUSINESS RESPONSE PLAN</b> Comply with Title 19 of the California Code of Regulations and Chapter 6.95 of the California Health and Safety Code (Hazardous Material Registration and Business Response Plans) as approved by the Director of Environmental Health. <b>(Environmental Health)</b>	Contact the Hazardous Materials Program of the Division of Environmental Health.	Owner/ Applicant	Continu ous	
16.		<b>FIRE008 - GATES</b> 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 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. <b>(Carmel Valley Fire District)</b>	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.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspectio n.	
17.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

<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>
		occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. <b>(Carmel Valley Fire District.</b>	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
18.		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> 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	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.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		approved 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. ( <b>Carmel Valley Fire District</b> )	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
		<b>END OF CONDITIONS</b>				

Rev. 08/06