

MONTEREY COUNTY PLANNING COMMISSION

Meeting: August 29, 2007 @ 9:00 a.m.	Agenda Item: 4
Project Description: Combined Development Permit consisting of: (1) Use Permit for the removal of 33 protected oak trees; (2) Use Permit for development on slopes in excess of 30%; (3) Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow construction of a 5,795 sq. ft., two-story with basement level single-family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool and a 566 sq. ft. artist studio, and grading (approximately 2664 cubic yards cut/1122 cubic yards fill); (4) Design Approval; and (5) Administrative remedy for Code Enforcement Case # CE070217.	
Project Location: 8 Corral Run, Carmel Valley	APN: 239-101-017-000
Planning File Number: PLN060760	Name: Birnberg
Plan Area: Carmel Valley Master Plan	Flagged and staked: Yes
Zoning Designation: "RG/10-D-S-RAZ" [Rural Grazing, 10 acres per unit, Design and Site Review, Residential Allocation Zoning District]	
CEQA Action: EIR Addendum pursuant to CEQA, Article 11, Section 15164	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Consider the EIR Addendum (**Exhibit F**) and the Environmental Impact Report for the Santa Lucia Preserve (EIR 94-005, **Exhibit G**) and adopt a Mitigation Monitoring and Reporting Program (**Exhibit D**);
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions of Approval (**Exhibit D**).

PROJECT OVERVIEW:

The subject 43.82 acre heavily wooded parcel is located within the Santa Lucia Preserve, approximately nine miles east of State Highway 1. The homeland boundary, or building envelope, is 5.39 acres of the site with the remainder of the parcel in a conservation easement held by the Santa Lucia Conservancy. The surrounding parcels are large 20 to 40-acre or greater parcels in a rural density residential development.

The development has been placed in the most appropriate location within the homeland boundary where suitable topography and natural openings in the oak woodland canopy occur. The buildings and access road require removal of 33 protected coast live oak trees (see discussion regarding Code Enforcement in Exhibit B). Small portions of the driveway are proposed on natural slopes in excess of 30%. The project includes a single-family dwelling with attached garage, a detached bedroom suite, a detached guesthouse, a pool and pool house, a detached workshop, and a detached artist studio.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

An addendum has been prepared per CEQA Guidelines Article 11, Section 15164 (**Exhibit F**). Relevant excerpts of the Santa Lucia Preserve Environmental Impact Report (EIR) are attached as **Exhibit G**. The entire EIR is available for review at the RMA – Planning Department.

See Discussion (Exhibit B).

OTHER AGENCY INVOLVEMENT:

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

The above checked agencies and departments have reviewed this project. Conditions recommended by these agencies have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was not referred to a Land Use Advisory Committee (LUAC) for review, as no LUAC exists for this area of the County.

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

Bob Schubert, AICP, Acting Planning and Building Services Manager
(831) 755-5183, schubertbj@co.monterey.ca.us
August 21, 2007

cc: Planning Commission (10); Water Resources Agency; Environmental Health Division; Public Works Department; Carmel Valley Fire Protection District; Bob Schubert, Acting Planning and Building Services Manager; Property Owner/Applicants; Joel Panzer, Maureen Wruck Planning Consultants LLC., Cami Peltier, RMA – Code Enforcement Division; Planning File PLN060760.

Attachments: Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E Design Approval Request Form
Exhibit F Addendum Pursuant to CEQA, Article 11, Section 15164 for PLN060760
Exhibit G Santa Lucia Preserve Environmental Impact Report: Summary, Chapter 2, Project Description, and the Impacts and Mitigation Measures subsection of Chapter 11, Biological
Exhibit H Arborist Report by Maureen Hamb dated September 8, 2006
Exhibit I Site Plan, Floor Plans and Elevations
Exhibit J Letter from Mr. Birnberg dated June 28, 2007

Exhibit K Letter from Santa Lucia Preserve dated June 28, 2007
Exhibit L Map Showing Trees Removed
Exhibit M Approved Tree Removals in the Sana Lucia Preserve

EXHIBIT A
PROJECT DATA SHEET

EXHIBIT B DISCUSSION

The subject project is proposed within a designated 5.39-acre building envelope on a 43.82-acre parcel within the Santa Lucia Preserve. A dense stand of oak trees of good to fair/poor condition covers the majority of the parcel. Considering the topography and the dense stand of oaks, development within the building envelope or homeland boundary of this parcel requires a balance between tree removal and grading. The balance is composed of the need for the driveway and auto court to meet fire department code requirements of less than 15% slope for fire vehicles, the need to provide for emergency vehicle truck turn-around requirements, and compliance with Health Department setback requirements for a septic system disposal and an alternate disposal field. The project components include:

- the construction of a single-family dwelling with attached garage,
- a detached bedroom suite,
- a detached guesthouse,
- a pool and pool house,
- a detached workshop,
- a detached artist studio,
- the removal of 33 protected oak trees,
- the installation of septic disposal system,
- retaining walls, and
- grading (approx. 2,664 cu. yds. cut/1,122 cu. yds. fill)

Development on Slopes Over 30%

A slope density map (Sheet C-2) prepared for this application dated May 30, 2007 illustrates a majority of slopes in excess of 30% on this parcel found along the western homeland border. The majority of the homeland area does not consist of slopes in excess of 30%. In addition, the buildings have been designed around any of the 30% areas in the homeland area. Portions of the development proposed on natural slopes in excess of 30% include a small portion of the driveway. Grading (approximately approx. 2,664 cubic yards cut/1,122 cubic yards fill) appears to be appropriate for the given configuration and topography of the driveway location and pad area of the building. Conditions 5, 6, and 11 have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping.

Tree Removals

The parcel is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few *Ceanothus* intermixed and is characterized as an Oak Woodland. The trees are growing in large groves that create a continuous canopy over most of the property. The project arborist estimates that there are over 400 trees on the property. The proposed project includes the removal of a total of 33 protected coast live oaks. The proposed tree removal represents an approximate 9.5% loss of all the trees existing on the parcel. A Tree Resource Evaluation dated September 8, 2006 was prepared by Maureen Hamb Professional Consulting Services (Exhibit H) and was submitted as part of the project application. The objective of the Tree Resource Evaluation is to minimize erosion, prevent soil loss, preserve

natural habitat (including native forest under story and wildlife habitat), prevent forest fires, preserve scenic forest canopy, and preserve landmark trees.

The arborist concluded the project would require removal of thirty-three oak trees from the designated 5.39-acre building envelope for the access road, residence, artist studio and path. Protection measures for all remaining trees within the construction zone have been included as a condition of approval. Four of the removed trees are greater than 24” in diameter and were in poor condition.

Staff reviewed the Tree Resource Evaluation in conjunction with the project plans and determined that there is no feasible alternative for the location of the structures that would minimize development impacts or tree removal in a manner so that the design conforms to applicable development standards. The proposed residence is the same size as the existing homes in the subdivision.

The replacement requirement is 108 trees based on the conditions of approval for a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees which the arborist concurs with. The arborist discouraged transplanting trees on this parcel which could cause over-crowding and lead to unhealthy conditions. Instead the tree replacement will be completed by the Santa Lucia Conservancy within the Santa Lucia Preserve. In addition, construction protection measures include fencing, straw bale barricades, preconstruction root severance, proper location of irrigation trenches, staging areas and access ways, placement of a mulch layer to prevent soil compaction from construction activities, and on-site monitoring have been recommended.

Oak Woodland Act

Pursuant to Public Resources Code section 21083.4, the County as part of its environmental review must evaluate whether the project may result in a conversion of oak woodlands that will have a significant effect on the environment. If the County determines that the project may have a significant effect on oak woodlands, the County must require feasible mitigation measures to mitigate the significant effect of the conversion of oak woodlands.

This project site contains oak woodlands. Fish and Game Code Section 1361 states: “Oak Woodlands means an oak stand with a greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.” According to the project arborist (see Exhibit H), the project may have a potential impact resulting from the conversion of oak woodlands, but the impacts are mitigated by requiring the applicant to implement the mitigation measure identified in the FEIR for the Santa Lucia Preserve subdivision. This mitigation measure is incorporated as condition of approval No. 9. According to the arborist’s report (Exhibit H), the site is adequately forested and replanting on site, as a mitigation procedure is not recommended. In addition, a portion of the site is already subject to a conservation easement as a result of mitigation required for impacts to oak woodland as part of the original subdivision approval. The arborist also made specific recommendations to protect trees from construction impacts. These are incorporated as condition of approval No. 8.

California Environmental Quality Act (CEQA)

On February 6, 1996, Board of Supervisors Resolution No. 96-059 certified the Final Environmental Impact Report (EIR No. 94-005) for the Santa Lucia Preserve. Combined Development, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed by the “Rancho San Carlos Forest Management Plan” prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. A component of the EIR examined a “worse case” scenario regarding complete tree removal for each building envelope (with trees) proposed in the map for the Santa Lucia Preserve.

Phase D in the Santa Lucia Preserve created 20 lots in the Carmel Valley Master Plan area through a record of survey/approved lot line adjustment. This parcel, Lot Number D7, of the Rancho San Carlos subdivision was not allotted tree removal for the building site and therefore tree removal is subject to approval of a Use Permit is required pursuant to County Code. Although no tree removal was allocated to this lot, the environmental implications of tree removal within the designated 5.39-acre building envelope designated building envelopes have been addressed by the aforementioned EIR mitigation program.

Page 11-41 in the Santa Lucia Preserve FEIR states “Approximately 575 acres (6%) of oak woodlands and savannas and associated wildlife habitat would be lost or degraded as a result of implementing the GMPAP area of the proposed project. An additional unquantified minor amount of oak woodlands could also be lost through development in the CVMP and coastal zone. This impact is considered significant because a substantial reduction in the extent of an important native community would occur. Implementing the following mitigation measure, advocated by the project applicant, would reduce this impact to a less-than-significant level.”

The applicable mitigation measures from the FEIR are incorporated as conditions of approval to reduce this potentially significant impact. These include SLP FEIR MM 36 (3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees) and SLP FEIR MM 35 (a pre-construction survey for protected wildlife). See conditions 9 and 15 in Exhibit D.

Staff has prepared an Addendum to the Santa Lucia Preserve Final Environmental Impact Report to address site-specific conditions and the scope of work for the proposed project in accordance with Article 11, Section 15164 of the California Environmental Quality Act (see Exhibit F).

Remedy for Code Violation (Section 21.84.120 and 21.84.130)

On June 26th, Mr. Birnberg had called the Santa Lucia Preserve Resident Services Manager asking if someone had cut down the trees on his property, 8 Corral Run. The Resident Services Manager called their vendor who maintains their trees and was informed that they had been given the go-ahead from the newest member of the preserve staff who had processed the work order on June 9th. An internal miscommunication with the Preserve staff allowed the trees to be prematurely cut prior to approval by the Planning Commission. The Monterey County Code Enforcement/Grading Inspector found that the trees proposed for removal had already been taken down when he visited the site.

Typically, restoration is preferred option in correcting a vegetation removal violation. Section 21.84.130 (Restoration of Land Required Before Application Deemed Complete) states:

“No application for a discretionary land use permit under the authority of the Director of Planning and Building Inspection, the Zoning Administrator, the Minor Subdivision Committee, the Planning Commission or the Board of Supervisors shall be deemed complete if there is a violation on said property of a County ordinance which regulates grading, vegetation removal or tree removal until that property has been restored to its pre- violation state. "Restoration" of the property shall include, but not be limited to, the revegetation of native plants and trees and the reconstruction of natural features of the land which have been removed or changed in violation of County ordinances regulating grading, vegetation removal or tree removal. Alternatives to restoration of the property shall not be considered unless the applicant can show that restoration would endanger the public health or safety, or that restoration is unfeasible due to circumstances beyond the control of the applicant or the property owner.”

The subject application was deemed complete prior to the code violation and a restoration plan was not required by the Planning Department. In this case the tree removals will be mitigated by the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio (i.e., a total of 108 replacement trees). The replacement trees will be planted prior to occupancy and must attain a success ratio threshold of no less than 90% over a five year monitoring period. These requirements have been incorporated into the project as Condition 9.

Approval of the project by the Planning Commission and successful implementation of the conditions of approval (including payment of a double fee for the use permit for the tree removals) by the applicant constitute the remedy for Code Enforcement Case # CE070217. Once all required work to abate the violation has been completed by the applicant and approved by the Code Enforcement/Grading Inspector, staff will submit a Removal of Notice of Violation to the County Recorder. No building permits for the residential structure should be issued until the Notice of Violation is removed from the property according to Section 21.84.120.

Conclusion

No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review. The project proposal is consistent with the General Plan and Zoning designations. Healthy Landmark trees have been avoided. Grading (approximately 2664 cubic yards cut/1122 cubic yards fill) appears to be restrained for the given configuration and topography of the selected pad area of the building envelope. The materials and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve. The Planning Commission's approval of these components and the applicant's construction of these structures will serve as the remedy to Code Violation Case # CE070217. The project, as described and conditioned, is consistent with all applicable County of Monterey policies and regulations.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. FINDING: CONSISTENCY - The Birnberg Combined Development Permit (PLN060760), as described in Condition No. 1, and as conditioned, conforms to the plans, policies, requirements and standards of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan, the Monterey County Zoning Ordinance (Title 21) and the Comprehensive Development Plan for the Santa Lucia Preserve, which designates this area as appropriate for residential development.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above documents have been evaluated during the course of the review of the applications. No conflicts were found to exist. No communications were received during the course of review of the project to indicate that there is any inconsistency with the text, policies, and regulations in these documents.
 - (b) The property is located at 8 Corral Run, Carmel (Assessor's Parcel Number 239-101-017-000), Santa Lucia Preserve, Greater Monterey Peninsula area. The parcel is zoned "RG/10-D-S-RAZ" (Rural Grazing, 10 acres per unit, Design and Site Review, Residential Allocation Zoning District). The site is physically suitable for the use proposed.
 - (c) The project for a single-family dwelling with attached garage and guesthouse are a use allowed in accordance with Sections 21.36.030(A) and (B) and is consistent with the development standards of Section 21.36.060 and 21.64.020 of the Monterey County Zoning Ordinance (Title 21).
 - (d) Design Control or "D" zoning requires design review of structures to assures the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The project design, materials, and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the Santa Lucia Preserve. The Design Approval application is attached to the March 7, 2007 Staff Report as Exhibit E.
 - (e) The project planner conducted a site inspection on June 5, 2007 to verify that the project on the subject parcel conforms to the plans listed above.
 - (f) The project was not referred to a Land Use Advisory Committee (LUAC) for review, as no LUAC exists for this area of the county.
 - (g) Additional materials pertinent to County review are in Code Enforcement File No. CE070217.
 - (h) The application, project plans, and related support materials submitted by the project applicant to the Monterey County Resource Management Agency - Planning Department for the proposed development found in Project File PLN060760.

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) An “Arborist’s Report” was prepared for this parcel by Maureen Hamb Professional Consulting Services, dated September 8, 2006 which supports that there are no physical or environmental constraints that would indicate the site is not suitable for the use proposed.
- (c) The site is located within a VI or “very high” landslide and erosion susceptibility zone and within a IV or “moderately high” seismic hazard zone. The geotechnical report prepared for this parcel by O’Brien & Gere accounts for these hazards. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection. Condition No. 13, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures.
- (d) Staff conducted a site visit on June 5, 2007 to verify that the site is suitable for this use.
- (e) Materials in Project File PLN060760.

3. FINDING: TREE REMOVALS - (Minimum Required and Adverse Environmental Impacts) – The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

- EVIDENCE:** (a) The Santa Lucia Preserve Environmental Impact Report (EIR No. 94-005), Resolution No. 96-059 addressed the environmental implications and Combined Development, Resolution No. 96-060, approved the removal of 451 protected trees for building sites and 1,029 protected trees for roads and driveways subject to the recommendations prescribed by the “Rancho San Carlos Forest Management Plan” prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984. The subject parcel, Lot No. D7, of the Rancho San Carlos Subdivision was not allotted for removal of protected trees within the building site/homeland area. Tree removal for building sites not approved by the Rancho San Carlos Building Site Tree Removal Summary, as contained within the “Rancho San Carlos Forest Management Plan,” requires a Use Permit pursuant to County Code. As such, the applicant requests a Use Permit pursuant to Section 21.64.260.D.3 of the Monterey County Zoning Ordinance (Title 21).

- (b) The parcel is dominated by moderately dense woodland composed almost exclusively of coast live oak of all ages and sizes with a few Madrones intermixed. The project involves the removal of 33 Coast Live Oak trees. The Arborist's Report dated September 8, 2006 prepared by Maureen Hamb Professional Consulting Services state that the proposed tree removal represents an approximate 9.5% loss of all the trees existing on the parcel.
- (c) Conditions of approval have been incorporated requiring a pre-construction survey for the protection of wildlife plant and wildlife species, the implementation of erosion control measures, and best management practices (see condition Nos. 9 and 15). As conditioned, staff and the arborist find that the proposed tree removal will not involve a risk of adverse environmental impacts such as soil erosion, water quality, ecological impacts, noise pollution, air movement, or wildlife habitat.
- (d) The Monterey County Zoning Ordinance, Section 21.64.260.D.4 requires replacement at a rate of 1:1 for protected tree species removed. However, the Santa Lucia Preserve EIR, Resolution No. 96-059 requires implementation of Mitigation Measure No. 27 based on the Santa Lucia Preserve Combined Development Permit requiring the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio. Replacement trees are to be monitored for a period of not less than 5 years after planting and must attain a success ratio threshold of no less than 90%. These have been incorporated into the project as condition 9.
- (e) The application, 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 PLN060760.
- (f) Staff conducted an on-site inspection on June 5, 2007 to verify that the proposed tree removal plan is consistent with the site conditions.

4. FINDING: DEVELOPMENT ON SLOPES IN EXCESS OF 30% - The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative which would allow development to occur on slopes less than 30%.

EVIDENCE: (a) The subject residential project site is proposed within a 5.39-acre building envelope, or homeland area, on a 43.82-acre parcel within the Santa Lucia Preserve. A slope density map prepared for this application dated October 25, 2006 illustrates that a majority of slopes in exceeding 30% on this parcel are found along the western homeland border and that a majority of the parcel does not consist of slopes in excess of 30%. Portions of the residential development proposed on natural slopes in excess of 30% include small portion of the driveway. Conditions have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping. See Conditions Nos. 5, 6, and 11.

- (b) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within a IV or "moderately high" seismic hazard

zone. The geotechnical report prepared for this parcel by O'Brien & Gere accounts for these hazards. Condition No. 5 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection. Condition No. 13, requires that the design and construction of buildings comply with the Uniform Building Code Zone IV criteria, subject to verification by the Director of RMA-Building Department prior to the issuance of building permits and prior to final occupancy of habitable structures.

- (c) The Slope Map submitted May 30, 2007 with areas exceeding 30% slopes shaded (Sheet C-2 in the plans).
- (d) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Planning File No. PLN060760.
- (e) Staff conducted a site inspection on June 5, 2007 to verify that no feasible alternative exists for this project design.

5. FINDING: CEQA - The project, as conditioned and mitigated, will not have significant environmental impacts.

EVIDENCE: (a) The development is contained in an area analyzed by the Final EIR for the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Planning File Nos. PC94067 and PC94218, State Clearinghouse Nos. SCH# 1994083019 and 1995023036, as a pre-determined building site.

(b) Page 11-41 in the Santa Lucia Preserve FEIR states "Approximately 575 acres (6%) of oak woodlands and savannas and associated wildlife habitat would be lost or degraded as a result of implementing the GMPAP area of the proposed project. An additional unquantified minor amount of oak woodlands could also be lost through development in the CVMP and coastal zone. This impact is considered significant because a substantial reduction in the extent of an important native community would occur. Implementing the following mitigation measure, advocated by the project applicant, would reduce this impact to a less-than-significant level."

The applicable mitigation measures from the FEIR are incorporated as conditions of approval to reduce this potentially significant impact. These include SLP FEIR MM 36 (3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees) and SLP FEIR MM 35 (a pre-construction survey for protected wildlife).

- (c) Pursuant to Public Resources Code section 21083.4, the County as part of its environmental review must evaluate whether the project may result in a conversion of oak woodlands that will have a significant effect on the environment. If the County determines that the project may have a significant effect on oak woodlands, the County must require feasible mitigation measures to mitigate the significant effect of the conversion of oak woodlands. This project site contains oak woodlands. Fish and Game Code Section 1361 states: "Oak Woodlands means an oak stand with a

greater than 10 percent canopy cover or that may have historically supported greater than 10 percent canopy cover.” According to the project arborist (see Exhibit H), the project may have a potential impact resulting from the conversion of oak woodlands, but the impacts are mitigated by requiring the applicant to implement the mitigation measure identified in the FEIR for the Santa Lucia Preserve subdivision. This mitigation measure is incorporated as condition of approval No. 9. According to the arborist’s report (Exhibit H), the site is adequately forested and replanting on site, as a mitigation procedure is not recommended. In addition, a portion of the site is already subject to a conservation easement as a result of mitigation required for impacts to oak woodland as part of the original subdivision approval. The arborist also made specific recommendations to protect trees from construction impacts. These are incorporated as condition of approval No. 8.

- (d) Addendum to the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the Birnberg Combined Development Permit, Planning File No. PLN060760.
- (e) There are no changes in the project description, changes in circumstances, or significant new information that would result in new significant environmental effects or a substantial increase in the severity of environmental impacts not already analyzed in the Santa Lucia Preserve EIR.
- (f) The County has adopted a Mitigation Monitoring and Reporting Plan (MMRP) and the applicant is required to enter into an agreement to implement the MMRP.

6. FINDING: PUBLIC NOTICE - Public Notice of the pending Administrative Permit was provided pursuant to Section 21.70.040, Title 21, Monterey County Code (Zoning).

EVIDENCE: Public Notice and support materials found in the project file.

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: WATER AND SEWER - Adequate sewage disposal and water supply facilities exist or are readily available, as approved by the Director of Environmental Health.

EVIDENCE: (a) The project has been reviewed by the Monterey County Health Department. There has been no indication from the Health Department that the site is not suitable for development.

(b) Santa Lucia Community Services District as the water purveyor for the project site has provided a CAN and WILL SERVE NOTICE for the proposed project (September 27, 2006).

9. FINDING: **CODE VIOLATION** - Remedy for Code Enforcement Case # CE070217 - Approval of Combined Development Permit PLN060760 as described in staff's report to the Planning Commission, July 11, 2007 is necessary to abate the violations of County Code. This approval will bring the project into compliance with rules and regulations pertaining to zoning uses, and any other applicable provisions of Title 21, and all zoning violation abatement costs have been paid. Typically, restoration is preferred option in correcting a vegetation removal violation. In this case, the application was deemed complete prior to the code violation and a restoration plan was not required by the Planning Department. The tree removals will be mitigated by the replacement of non-landmark oak trees at a 3:1 ratio and replace landmark trees at a 5:1 ratio (i.e., a total of 108 replacement trees). The replacement trees will be planted prior to occupancy and must attain a success ratio threshold of no less than 90% over a five year monitoring period. These requirements have been incorporated into the project as Condition 9. Approval of the project by the Planning Commission and successful implementation of the conditions of approval (including payment of a double fee for the use permit for the tree removals) by the applicant constitute the Administrative Remedy for Code Enforcement Case # CE070217.

EVIDENCE: Notice of Monterey County Code Violation, June 26, 2007 recorded on property title for 8 Corral Run.

EVIDENCE: Application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development located in project File Nos. PLN060760, CE070217 and staff review of other Monterey County Planning and Building Inspection Department records.

EVIDENCE: Grading, paving and retaining wall structures are physical components incorporated into this Administrative Remedy necessary to assure protection of the public health, welfare and safety.

EVIDENCE: Implementation of the improvements described in the report and as allowed by the findings and evidence for development on slopes in excess of 30% and allowing minimum protected tree removal are attainable and are more preferable to restoration of the property.

EVIDENCE: Restoration of the site to reflect its previous unaltered state would generate a greater chance of land slides and impact the oak trees in the areas of restoration.

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

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

Exhibit D Monterey County Planning and Building Inspection Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: Birnberg File No: PLN060760 Approval by: Planning Commission	APNs: 239-101-017-000 Date: August 29, 2007
--	---	--

**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.		PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN060760) consists of: (1) Use Permit for the removal of 33 protected oak trees; (2) Use Permit for development on slopes in excess of 30%; (3) an Administrative Permit for development within a Site Plan Review zoning district or "S" district to allow construction of a 5,795 sq. ft., two-story with basement level single-family residence with an attached 562 sq. ft. garage, a 420 sq. ft. detached bedroom suite, a 598 sq. ft. guest house, a 254 sq. ft. workshop, a 257 sq. ft. pool house, swimming pool and a 566 sq. ft. artist studio, and grading (approximately 2664 cubic yards cut/1122 cubic yards fill); and (4) a Design Approval. The property is located at 8 Corral Run, Carmel (Assessor's Parcel Number 239-101-017-000). Santa Lucia Preserve, Greater Monterey Peninsula 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 the Resource Management Agency - 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	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>
		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 (RMA) - Planning Department]				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution No. _____) was approved by the Planning Commission for Assessor's Parcel Number 239-101-017-000 on August 29, 2007. The permit was granted subject to 39 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Resource Management Agency - 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)	Proof of recordation of this notice shall be furnished to RMA-Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	

<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>
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHEOLOGICAL REPORT</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 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	
4.		<p>PD007 - GRADING-WINTER RESTRICTION</p> <p>No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)</p>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
5.		<p>PD009 – GEOTECHNICAL CERTIFICATION</p> <p>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 and Building Services Department)</p>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection.	
6.		<p>PDSP001 - RESTORATION OF NATURAL MATERIALS</p> <p>Upon completion of the development, the area disturbed</p>	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA – Planning Department)	Submit photos of restored areas to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	
7.		PDSP002- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NONSTANDARD) The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. The plan shall implement erosion control measures set forth in the Preliminary Drainage and Erosion Control Report, as well as erosion control plans prepared pursuant to the County’s Erosion Control Ordinance, as well as the Storm Water Pollution Prevention Plan required by the State Water Resources Control Board (see Chapter 9. Runoff, Flooding, and Water Quality of the Santa Lucia Preserve Environmental Impact Report).	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	

<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>
		All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection	
8.		PDSP003 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD) Tree and root protection shall include the implementation of the "Rancho San Carlos Forest Management Plan" prepared by Ralph Osterling Consultants, Inc., San Mateo, February 18, 1984 and a "Tree Resource Evaluation Construction Impact Analysis" was prepared for this parcel by Maureen Hamb Professional Consulting Services, dated January 30, 2007. 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	Submit evidence of tree protection to the RMA - Planning Department 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>
		protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits (RMA - Planning Department)	Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Constructi on	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	

<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>
9.	SLP FEIR MM 36	PDSP004 – TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD) That all non-landmark oak trees removed as a result of the project at a 3:1 replacement ratio and replace landmark trees at a 5:1 ratio for a total of 108 trees. That all oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist or off-site at an acceptable receiving site. The minimum replacement size shall be 5 gallons. Nursery and/or field propagation of oak seedlings and/or saplings shall be initiated prior to the onset of the particular development phase that results in the loss of oak trees. The reforestation program shall include a monitoring element that guarantees a success period of not less than 5 years after planting and a success ratio threshold of no less than 90%. At five years, a report shall be prepared by a registered forester or arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities conducted during the year and shall describe success rates and corrective measures provided to adjust program based on earlier successes or failures. This condition shall cease once the required number of replacement trees for a particular phase have passed the five year anniversary completion date required for plan success. (Santa Lucia Preserve EIR MM 36) (RMA –Planning Department)	The applicant shall provide evidence after five years that tree planting has been successful.	Owner/ Applicant	5 years after successful tree planting	
10.		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA – Planning Department; Public Works)	None	Applicant/ Owner	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
11.		<p>PDSP005 - LANDSCAPE PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)</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.</p> <p>Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA – Planning Department.</p> <p>The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan.</p>	Submit landscape plans and contractor’s estimate to the RMA - Planning Department for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor / Licensed Landscape Architect	At least three (3) weeks 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>
		<p>The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan and shall implement the following:</p> <ol style="list-style-type: none"> 1. Spread of Invasive Species: Implement the provisions of the Resource Management Plan for the San Carlos Ranch (1994) which specify that non-native species known to be invasive shall not be used in landscaping, that invasive exotics shall be controlled by revegetation of disturbed areas with native plants, that the use of landscape species known to be invasive shall be prohibited, and that species such as French broom and pampas grass shall be actively eradicated. 2. Landscape Irrigation: Selection of landscape species shall emphasize species not requiring irrigation such as drought-tolerant native species from local sources, or drought-tolerant non-natives that are known to be non-invasive. If irrigation systems are installed, they shall be designed to minimize runoff of irrigation water into adjacent areas of native vegetation. To avoid irrigation runoff into sensitive coastal prairie habitat in the building envelopes for Lots 11 and 28, irrigation and planting plans for these lots shall clearly demonstrate system type and limits of irrigation for County review. 2. Fertilizer and Pesticide Application: In the design of landscaping, emphasis shall be placed on the use of species not requiring herbicides, pesticides, or fertilizers. <p>(RMA – Planning Department)</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.	Owner/ Applicant	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
12.		<p>PD016 – 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: "A Geological and Geotechnical Investigation has been prepared for this parcel by O'Brien and Gere, dated January 2007 and a Final Tree Resource Evaluation Construction Impact Analysis has been prepared by Maureen Hamb Professional Consulting Services dated January 30, 2007. These reports are on record in the Monterey County Planning and Building Inspection Department. All development shall be in accordance with this report." (RMA - Planning Department)</p>	Proof of recordation of this notice shall be furnished to RMA-Planning Department.	Owner/ Applicant	Prior to issuance of grading and building permits	
13.	SLP FEIR MM 4	<p>PDSP006 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD)</p> <p>Design and construction of buildings shall comply with the Uniform Building Code Zone IV criteria, which shall be verified by the Director of RMA – Building Services. (Santa Lucia Preserve FEIR MM 4) (RMA – Planning Department)</p>	Submit required report(s) and/or information to the Director of RMA-Building Services	Owner/ Applicant	Prior to issuance of building permits and/or prior to final occupancy of habitable structures.	

<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>
14.		<p>PD043 – GRADING PERMITS REQUIRED</p> <p>A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA – Planning Department)</p>	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	
15.	SLP FEIR MM 35	<p>PDSP008 – PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</p> <p>The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species: Measures specified in Mitigation Measure 11.9 for special-status species providing for pre-construction surveys and construction phase monitoring (general special-status wildlife species measures).</p> <p>1. <u>Bats</u>. If construction is to begin before August</p>	A report summarizing their findings and proposed mitigation measures shall be submitted to the Director of Planning. If no bats and/or raptors are found, then no further action is required.	Applicant	Prior to site disturbance and and/or the use of heavy equipment to clear the 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>
		<p>1, before young have fledged, surveys for special-status bat species shall be performed. If maternity roosts are located during pre-construction surveys, a qualified biologist shall establish a 300-foot buffer around each roost for the duration of the breeding season (until such time as the young are fully fledged) to prevent roost harassment and brood mortality. If colonial roosts are found, removal of the tree may only occur during the day after an exclusionary device is installed in the opening to the roost. A qualified bat expert must supervise the placement and examine the success of the exclusionary device before the removal of any confirmed roosts.</p> <p>2. <u>Raptors</u>. If construction is to begin before August 1, before young have fledged, pre-construction surveys for nesting raptors are required. If 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 time as the young are fully fledged) to prevent nest harassment and brood mortality. If trees known to support raptor nests cannot be avoided, removal of these trees may only occur during the non-breeding season (August 1 through April 15).</p> <p>(Santa Lucia Preserve FEIR MM 35) (RMA – Planning Department)</p>	In the event that bats and/or raptors are found using these trees, the biological survey shall provide a list of proposed mitigations necessary to protect bat species.	Applicant	Prior to site disturbance and/or the use of heavy equipment to clear the 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>
16.		<p>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Detached guesthouses shall be located in close proximity to the principal residence. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens. • The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets. • The guesthouse shall not exceed 600 square feet of livable floor area. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. • The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area. • The guesthouse height shall not exceed 15 feet nor be more than one story. <p>(RMA – Planning Department)</p>	<p>Submit signed and notarized Deed Restriction to the Director of RMA – Planning Department for review and signature by the County.</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	
			<p>Proof of recordation of the Deed Restriction shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	

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)
17.		<p>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 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 Protection District).</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Applicant or Owner	Prior to issuance of grading and/or building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or Owner	Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
18.		<p>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 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 Protection District).</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	Applicant	Prior to submittal for building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection.</p>	Applicant	Prior to final building inspection.	
19.		<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 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</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p>	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>
		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. (Carmel Valley Fire Protection District).	Applicant shall schedule fire dept. clearance inspection.	Applicant or owner	Prior to final building inspection	
20.		FIRESPO01 - FIRE HYDRANTS/FIRE VALVES (NON-STANDARD) A fire hydrant or fire valve is required. The hydrant or valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50	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 or owner

<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>
		feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 ½ inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Carmel Valley Fire Protection District).				

<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>
21		<p>FIRE 015 (NON-STANDARD CONDITION)</p> <p>A. The hydrant on Corral Run must be within 1000 feet by driveway and road from the main entrance of the residence.</p> <p>B. Fire Department connections (FDC's) and dry standpipes with fire valves, gated wyes and approved fire attack hoses lines and nozzles are required. These hose lines must be on hose reels in approved cabinets. The locations of the inlets and outlets are to be determined by the Carmel Valley Fire District (CVFD). A minimum of four sets of plans including flow calculations, soil report, thrust block dimensions, anodes etc as per NFPA 14, 24 and other applicable codes and standards must be submitted to and approved by the CVFD prior to installation. An underground inspection is required before the pipes can be covered. The dry standpipe system CVFD including the hose lines, nozzles and cabinets must be serviced and maintained as per codes, standards and manufacturer's recommendations. Driveway turnouts for fire apparatus are required at the locations of the FDC's (See Fire 007 for Turnouts dimensions.) Additionally a wet fire hydrant is required at the proposed artist's studio location. This hydrant has to supply adequate water volume and pressure amounts as determined by the fire chief. The installation of the hydrant is subject to all applicable codes and standards. The hydrant must be maintained as required by codes, standards and manufacturers instructions. (Carmel Valley Fire Protection District)</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	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>
22.		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 Protection District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to issuance of grading and/or building permit.	Applicant or owner
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
23.		FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM All buildings and structures shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard 13D. 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. (Carmel Valley Fire Protection District)	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to final building inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to framing inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
24.		<p>FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)</p> <p>The residence shall be fully protected with an approved household fire warning system as defined by NFPA Standard 72. Plans and specifications for the household fire warning system shall be submitted by a California licensed C-10 contractor and approved prior to installation. Household fire warning systems installed in lieu of single-station smoke alarms required by the Uniform Building Code shall be required to be placarded as permanent building equipment.</p> <p>ADDITIONAL - All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72 (2002 Edition). The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of 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. This fully automatic alarm system shall be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained.</p> <p>(Carmel Valley Fire Protection District)</p>	<p>Applicant shall enumerate “Fire Dept. Notes” on plans.</p>	Applicant or owner	Prior to issuance of building permit.	Applicant or owner
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
25.		<p>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</p> <p>Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single</p>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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 Protection District)	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to issuance of building permit.	
26.		FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD) 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 A roof construction. (Carmel Valley Fire Protection District)	Applicant shall enumerate "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
27.		FIRESP002 – FIRE ALARM SYSTEM – (NONSTANDARD) All buildings and structures shall be fully protected with an approved and listed central station automatic fire alarm system as defined by NFPA Standard 72. The fire alarm system shall be addressable by point/device. A minimum of three (3) sets of 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. A fully automatic alarm system installed in lieu of single station smoke alarms required by the uniform building code shall be required to be placarded as permanent building equipment. The fire alarm system shall supervise the fire sprinkler system and local fire alarm bell(s) shall be installed and maintained. (Carmel Valley Fire Protection District)	Applicant shall enumerate "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		
	Applicant shall schedule fire alarm system acceptance test.		Applicant or owner	Prior to final building inspection		

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
28.		FIRE0301 - OTHER (NON-STANDARD CONDITIONS) The applicant and/or owner shall meet with Fire District regarding placement of dry standpipes and wet on-site hydrant pipes. (Carmel Valley Fire Protection District)	Applicant shall schedule meeting with Fire District.	Applicant or owner	Prior to application of grading permit	
29.		FIRE0305 - SWIMMING POOL CONNECTION REQUIREMENT The swimming pool must be plumbed to allow connection to firefighting equipment and shall be installed as described in the fire district's "Swimming Pool Connection Requirements". (Carmel Valley Fire Protection District)	Applicant shall plumb swimming pool according to the fire district specifications.	Applicant or owner.	Prior to occupancy	
30.		FIRE0306 - ATTACH FIRE DISTRICT'S CONDITIONS TO PLANS The full text of all the required fire conditions must be noted on all plans (Building and Grading) as "Fire Department Notes". The fire district will not accept or approve building or grading plans without the "Fire Department Notes." (Carmel Valley Fire Protection District)	Fire Department Notes shall be shown on plans.	Applicant or owner.	Prior to issuance of grading/building plans.	
31.		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.	Applicant / owner.	Prior to issuance of grading 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>
32.		<p>PW0040 – HIGHWAY 1 SHORT TERM IMPROVEMENTS</p> <p>Applicant shall contribute (\$756.00) to County of Monterey as payment of the project’s pro rata share of the cost of short-term operational improvements to State Highway One.</p> <p>(Public Works)</p>	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to issuance of grading or building permit	
33.		<p>WR0040 - WATER CONSERVATION MEASURES</p> <p>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:</p> <ol style="list-style-type: none"> 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. <p>(Water Resources Agency)</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection /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>
34.		WRSP01 - DRAINAGE PLAN The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (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	
35.		WR0043 - 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)	Pay fee prior to issuance of grading or building permit.	Owner/ Applicant	Prior to issuance of grading or building permits	
36.		EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to or issuance of building permit	
37.		CODE ENFORCEMENT The applicant shall pay a double fee for the use permit for the tree removals. (RMA - Planning Department).	Pay fee prior to the RMA - Planning Department	Owner/ Applicant	Prior to issuance of grading or building permits	

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)
38		<p>PD004 - INDEMNIFICATION AGREEMENT</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. (RMA - Planning Department)</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> <p>40</p>	Owner/ Applicant	Prior to issuance of building or grading 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>
39		<p>PD006 - 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. (RMA - Planning Department)</p>	<ol style="list-style-type: none"> 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. 	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	