

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> September 12, 2007	<b>Time:</b> 9:00 a.m.	<b>Agenda Item No.:</b> 4
<b>Project Description:</b> Combined Development Permit consisting of: (1) an Administrative Permit to allow development within a Site Plan Review or "S" zoning district for the construction of a 4,982 square foot two-story single family dwelling with an attached 385 square foot one-car garage and a 87 square foot mechanical area; a detached 504 square foot two-car garage; a 220 square foot covered parking area; a 795 square foot bocce ball court; installation of a 7,065 square foot asphalt driveway; 4,043 square feet of stone paths; 3,755 square feet of patios; 942 linear feet of retaining walls; a 648 square foot swimming pool; a 54 square foot spa; a 461.8 square foot water feature or "dry creek" with recirculation pump; a septic disposal system, and grading (approx. 1,300 cu. yds. cut/480 cu. yds. fill); (2) an Administrative Permit to allow the construction of a 1,200 square foot one-story caretaker's unit with a 135 square foot entry porch; a 447 square foot patio; 82 linear feet of retaining walls; and the installation of a septic disposal system; (3) a Use Permit to allow the removal of 8 oak trees; (4) a Use Permit to allow development on slopes exceeding 30%; and (5) Design Approval.		
<b>Project Location:</b> 50 & 50a Chamisal Pass, Carmel		<b>APN:</b> 239-041-006-000
<b>Planning File Number:</b> PLN070299		<b>Name:</b> Kathleen N. Hull TR, Property Owner
<b>Plan Area:</b> Greater Monterey Peninsula Area		<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> "RC/40-D-S" [Resource Conservation, 40 acres per unit with Design Control, and Site Plan Review zoning district overlays]		
<b>CEQA Action:</b> Addendum prepared pursuant to Article 11, Section 15164		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Consider the Addendum and the Environmental Impact Report for the Santa Lucia Preserve (EIR 94-005);
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

The applicants request a Combined Development Permit to allow the removal of 10 protected oak trees and the construction of a single-family dwelling with attached garage and a caretaker unit. The impacts of the proposed development have been addressed by the Santa Lucia Preserve Environmental Impact Report (EIR), which analyzed a worse case scenario of development on each of the Rancho San Carlos Subdivision lots. Applicable mitigation measures of the EIR have been incorporated as conditions of approval.

### CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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

### OTHER AGENCY INVOLVEMENT:

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

The above checked agencies and departments have reviewed this project. Conditions recommended by the Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, and Water Resources Agency 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.

---

Elisa Manuguerra, Associate Planner  
(831) 755-5179, manuguerrae@co.monterey.ca.us  
August 30, 2007

cc: Planning Commission (10); County Counsel; Carmel Valley Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning & Building Services Manager; Elisa Manuguerra, Planner; Carol Allen, Zoning Administrator Hearing Secretary; Kathleen N. Hull TR, Property Owner/Applicants; Joel Panzer, Maureen Wruck Planning Consultants LLC., Agent; Planning File PLN070299

Attachments: Exhibit A Project Data Sheet  
Exhibit B Discussion  
Exhibit C Recommended Findings and Evidence  
Exhibit D Recommended Conditions of Approval  
Exhibit E Letter request for the caretaker unit  
Exhibit F Design Approval Request Form, dated July 17, 2007  
Exhibit G Addendum Pursuant to CEQA, Article 11, Section 15164 for PLN070299  
Exhibit H Construction Impact Analysis, prepared by Maureen Hamb, dated June 8, 2007, letter report prepared by Remick Associates, Architects Builders Inc, dated August 22, 2007, and letter report prepared by Maureen Hamb, dated August 20, 2007.  
Exhibit I Site Plan, Elevations, Floor Plans

This report was reviewed by Laura Lawrence, Planning and Building Service Manager.

## EXHIBIT B DISCUSSION

The subject residential project is proposed within a designated 1.9-acre building envelope on a 33.58-acre parcel within the Santa Lucia Preserve. The project components include:

- the construction of a two-story single family dwelling with an attached one-car garage
- a detached foot two-car garage;
- a 795 square foot bocce ball court;
- installation of a 7,065 square foot asphalt driveway;
- 7,798 square feet of stone paths and patios;
- 942 square feet of retaining walls;
- a swimming pool and a spa
- a caretaker unit
- 1,024 square feet of retaining walls; and
- removal of 8 protected oak trees

Construction of the proposed project requires examination of policies regarding development on slopes exceeding 30%, preservation of oaks, and California Environmental Quality Act (CEQA) requirements.

### Development on Slopes

While the building envelope is 1.9 acres, it is long and narrow in shape and is on one of the lower ridges of the mountainside. The width of the building strip is approximately 60-70 feet at various grades. A slope density map prepared for this application, sheet A1.1 of the project plans attached as **Exhibit I**, illustrates that only small portions of the development is proposed on steep slopes. Development that is to occur on steep slopes consists of residence's infrastructure, specifically, retaining walls and pathways and a small portion of the guest bedroom (approximately 100 square feet). Staff finds that considering the size and shape of the constrained building envelope the proposed residence has been designed to avoid slopes where possible. Grading (approximately approx. 1,300 cubic yards cut/ 480 cubic yards fill) appears to be appropriate for the given configuration and topography of the driveway location and pad area of the building. Conditions 6, 7, and 12 have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping.

### Tree Removal

The parcel, specifically the homeland area, is a narrow steeply sloping dominated by forty-three large mature coast live oaks. Ten trees are proposed for removal as a result of direct impacts from construction related impacts. Approval of the Combined Development Permit for the Santa Lucia Preserve allotted tree removal for roads and building sites (see Board of Supervisors Resolution No. 96-060). This building site, Lot No. 135 (formerly M-34) of the Rancho San Carlos Subdivision, was allotted the removal of two oak trees for the building site. Therefore, the Use Permit for oak tree removal incorporated into this Combined Development Permit PLN070229 requests the removal of 8-coast live oak trees.

The proposed number of protected oak trees to be tree removed is shown at in the table below.

Size (dbh)	Fair/Poor	Fair	Fair/Good	Good	Total
13"-23"	-	5	1	-	6
24" +	1		1	2	4
Total	1	5	2	2	10

Mitigation provided by the Santa Lucia Preserve requires the replacement of protected trees at a 3:1 and landmark trees at a 5:1 ratio. As such, the applicants will be required to replace 38 trees.

Efforts to protect oaks include the incorporation of construction practices that minimize impacts to the critical root zone area of the trees located within 15 feet or less of the building footprint. The residence has been designed using a post and grade beam foundation design which is compatible with the not only trees and their root functions but also the varying grade elevations of the knoll upon which the house is proposed. The use of this foundation will reduce construction impacts to tree Nos. 11 and 21. Tree No. 11 is located less than eight feet from the garage and auto-court area. The garage has been designed to cantilever of the natural grade, thereby increasing the distance between the tree trunk and the foundation excavations reducing impacts to the critical root zone. The entire house has been designed around the Tree no. 21, a 31-inch diameter at breast height (dbh) coast live oak tree, which is the focal point of the courtyard. The residence is split into two wings that are connected by a long gallery. The use of a pier and post foundation eliminates a continuous footing around the base of the tree, reduces excavation, and allows the natural grade to be maintained. Staff concurs and that for this project design, the number of trees proposed for removal is the minimum required under the circumstances of the case.

#### California Environmental Quality Act (CEQA)

On February 6, 1996, Board of Supervisors (BOS) Resolution No. 96-059 certified the final Environmental Impact Report (EIR No. 94-005) for the Santa Lucia Preserve. Combined Development Permit, BOS 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. Approval of BOS Combined Development Permit, Resolution No. 96-060, allotted the removal of 2 oak trees for the building site, Lot No. 135 (formerly M-34), of the Rancho San Carlos subdivision. While this project proposes to exceed the tree removal allotment by eight trees for this parcel, by removing 10 trees in total, the environmental implications of tree removal within the designated building envelopes have been addressed by the aforementioned EIR. Applicable mitigation measures from the EIR are incorporated as conditions of approval and include a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees, a pre-construction survey for protected wildlife, and the requirement to stop work should cultural resources be found. See conditions 10, 17 and 3 in **Exhibit D**. Staff has prepared an Addendum to the Santa Lucia Preserve Final Environmental Impact Report (attached as **Exhibit G**) 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.

#### Conclusions

The proposed residential development is consistent with the General Plan and applicable Zoning designations. The project design incorporates tree protection, and proposes minimal development on slopes exceeding 30%. 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.

## **EXHIBIT C**

### **RECOMMENDED FINDINGS AND EVIDENCE**

**1. FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, 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 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 50 & 50a Chamisal Pass, Carmel (Assessor's Parcel Number 239-041-006-000), Santa Lucia Preserve Lot 135; Formerly Lot M-34, Greater Monterey Peninsula Area. The parcel is zoned Resource Conservation, 40 acres per unit with Design Control, and Site Plan Review zoning district overlays or "RC/40-D-S". 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 for a single-family dwelling with attached garage and caretaker unit are a use allowed in accordance with Sections 21.36.030.A and 21.36.040.B and is consistent with the development standards of Section 21.36.060 and 21.64.030 of the Monterey County Zoning Ordinance (Title 21).
  - (d) Design Control or "D" zoning as provided at Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21) requires design review of structures to assure the protection of the public viewshed, neighborhood character, and the visual 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 September 12, 2007 Staff Report as Exhibit F.
  - (e) Site Plan Review or "S" zoning requires review of development in those areas of the County of Monterey where development, by reason of its location has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. As provided by Section 21.45.040.C of the Monterey County Zoning Ordinance (Title 21), the subject Administrative Permit is required to allow the construction of structures, additions, deposit or removal of materials.
  - (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) The project planner conducted a site inspection on June 21, 2007 to verify that the project on the subject parcel conforms to the plans listed above.

(h) 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 PLN070299.

**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 arborist and geotechnical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
    - i. “Construction Impact Analysis” (LIB070374) prepared by Maureen Hamb-WCISA Certified Arborist #2280, Santa Cruz, CA June 8, 2007.
    - ii. “Geotechnical Investigation” (LIB070325) prepared by Cleary Consultants, Inc., Los Altos, CA February 2007.
  - (c) According to Monterey County Resource Maps, the parcel is located within an area of “high” archeological sensitivity. The Archeological Reconnaissance prepared for the Rancho San Carlos project by Gary Breschini, dated February 18, 1994 identifies the cultural resources found at the Rancho. The Final Environmental Impact Report (EIR No. 94-005) recognized these cultural resources and avoids them via the project design, specifically the locations of the building area, as described on pages 14-17 of the FEIR. As such, the Hull building envelope does not have any pre-historic or historic archaeological sites associated with it. Condition No. 3 has been incorporated requiring that work stop should any archeological resources or human remains be discovered during construction.
  - (d) Staff conducted a site inspection on June 21, 2007 to verify that the site is suitable for this use.
  - (e) Materials in Project File PLN070299.

**3. FINDING: TREE REMOVAL (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) On February 6, 1996, Board of Supervisors (BOS) Resolution No. 96-059 certified the final Environmental Impact Report (EIR No. 94-005) for the Santa Lucia Preserve. Combined Development Permit, BOS 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. Approval of BOS Combined Development Permit, Resolution No. 96-060, allotted

the removal of 2 oak trees for the building site, Lot No. 135 (formerly M-34), of the Rancho San Carlos subdivision. While this project proposes to exceed the tree removal allotment by eight trees for this parcel, by removing 10 trees in total, the environmental implications of tree removal within the designated building envelopes have been addressed by the aforementioned EIR. Applicable mitigation measures from the EIR are incorporated as conditions of approval and include a 3:1 replacement ratio for protected trees, a 5:1 replacement ratio for landmark trees, and a pre-construction survey for protected wildlife. See conditions 10 and 17. Staff has prepared an Addendum to the Santa Lucia Preserve Final Environmental Impact Report (attached as Exhibit G of the September 12, 2007 Planning Commission Staff 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.

- (b) The parcel, specifically the homeland area, is a narrow steeply sloping dominated by 43 large mature coast live oaks. Ten trees are proposed for removal as a result of direct impacts from construction related impacts. Approval of the Combined Development Permit for the Santa Lucia Preserve allotted tree removal for roads and building sites (see Board of Supervisors Resolution No. 96-060). This building site, Lot No. 135 (formerly M-34) of the Rancho San Carlos Subdivision, was allotted the removal of two oak trees for the building site. Therefore, the Use Permit for oak tree removal incorporated into this Combined Development Permit PLN070229 requests the removal of 8-coast live oak trees. The proposed number of protected oak trees to be tree removed is shown at in the table below.

Size (dbh)	Fair/Poor	Fair	Fair/Good	Good	Total
13"-23"	-	5	1	-	6
24" +	1		1	2	4
Total	1	5	2	2	10

- (c) Efforts to preserve oaks includes the incorporation of construction practices that minimize impacts to the critical root zone area of the trees located within 15 feet or less of the building footprint. The residence has been designed using a post and grade beam foundation design which compatible with not only trees and their root functions but also the varying grade elevations of the knoll upon which the house is proposed. The use of this foundation will reduce construction impacts to tree Nos. 11 and 21. Tree No. 11 is located less than less than eight feet from the garage and auto-court area. The garage has been designed to cantilever of the natural grade, thereby increasing the distance between the tree trunk and the foundation excavations reducing impacts to the critical root zone. The entire house has been designed around the Tree No. 21, a 31-inch diameter at breast height (dbh) coast live oak tree, which is the focal point of the courtyard. The residence is split into two wings that are connected by a long gallery. The use of a pier and post foundation eliminates a continuous footing around the base of the tree, reduces excavation, and allows the natural grade to be maintained. The Planning Commission concurs and that for this project design, the number of tree proposed for removal is the minimum required under the circumstances of the case.

- (d) 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. 17 and 8). As conditioned, the Planning Commission finds 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.
- (e) 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 Nos. 27 and 36 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. As such, the applicants will be required to replace 38 trees. 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 requirements have been incorporated into the project as conditions 10.
- (f) Staff conducted an on-site inspection on June 21, 2007 to verify that the proposed tree removal plan is consistent with the site conditions.
- (g) 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 PLN070299.

**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) While the building envelope is 1.9 acres, it is long and narrow in shape and is on one of the lower ridges of the mountainside. The width of the building strip is approximately 60-70 feet at various grades. A slope density map prepared for this application, sheet A1.1 of the project plans attached as Exhibit I of the September 12, 2007 Planning Commission Staff Report, illustrates that only small portions of the development is proposed on steep slopes. Development that is to occur on steep slopes consists of residence's infrastructure, specifically, retaining walls and pathways and a small portion of the guest bedroom (approximately 100 square feet). Considering the size and shape of the constrained building envelope the proposed residence has been designed to avoid slopes where possible. Grading (approximately approx. 1,300 cubic yards cut/ 480 cubic yards fill) appears to be appropriate for the given configuration and topography of the driveway location and pad area of the building. Conditions 6, 7, and 12 have been incorporated requiring a geotechnical certification, restoration of natural materials, and native landscaping.
  - (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 Cleary Consultants, Inc., dated February 2007. (LIB070325) accounts for these high hazards. Condition No. 15, 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. Condition No. 6 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.

- (c) Staff conducted a site inspection on June 21, 2007 to verify that no feasible alternative exists for this project design.
- (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. PLN070299.

**5. FINDING: CARETAKER UNIT** – In order to grant the Administrative Permit for the proposed caretaker unit, the Planning Commission shall make the following findings:

1. Pursuant to Section 21.64.030.D.1, the establishment, maintenance, or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
2. Pursuant to Section 21.64.030.D.2, the proposed project, as conditioned, is consistent and complies with the regulations for caretakers units, as provided at Chapter 21.64 of the Monterey County Zoning Ordinance (Title 21).
3. Pursuant to Section 21.64.030.D.3, the proposed caretaker unit complies with all applicable requirements of the Resource Conservation, Design Control, and Site Plan Review zoning districts (“RC/40-D-S”) districts as provided at Chapters 21.36, 21.44, and 21.45 of the Monterey County Zoning Ordinance (Title 21).
4. Pursuant to Section 21.64.030.D.4, adequate sewage disposal and water supply facilities exist or are readily available to the site, as approved by the Director of Environmental Health.

- EVIDENCE:**
- (a) The project as described in the application and accompanying materials was reviewed by the Planning Department, Carmel Valley Fire Protection District, Public Works Department, Environmental Health Division, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general.
  - (b) The project for a caretaker unit is a use allowed use subject securing an Administrative Permit in accordance with Section 21.64.030.C and is consistent with the development standards of Section 21.36.060 and the regulations for caretaker units as provided at Section 21.64.030.
  - (c) The project complies with the regulations for caretaker units in accordance with Section 21.44.020.
  - (d) The project complies with the regulations for Design Control Zoning Districts in accordance with Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21). Design Approval has been incorporated into the project. The Design Approval Request Form is attached to the August September 12, 2007 Planning Commission Staff Report as Exhibit F.

- (e) The project complies with the regulations for Site Plan Review Zoning Districts in accordance with Chapter 21.45 of the Monterey County Zoning Ordinance (Title 21). An Administrative Permit has incorporated pursuant to Section 21.45.040.A and B, which requires an Administrative Permit for all development within a Site Plan Review Zoning District.
- (f) Letter justifying caretaker unit request, dated July 17, 2007 attached as Exhibit I of the September 13, 2007 Planning Commission Staff Report.
- (g) The application, plans, and related support materials were reviewed by the Environmental Health Department during the Inter-Departmental Review (IDR) period from July 17, 2007 to August 17, 2007.
- (h) See Finding No. 8, Health and Safety.
- (i) Staff conducted a site inspection on June 21, 2007 to verify that the project would not present adverse impacts to the general welfare of persons residing or working in the neighborhood or to the general welfare of the County.
- (j) Materials in Planning File No. PLN070299

**6. 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 No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036, as an area for disturbance (pre-determined building site).
  - (b) Addendum to the Santa Lucia Preserve (EIR 94-005), Resolution No. 96-059, Pursuant to CEQA, Article 11 Section 15164 prepared for the Kathleen N. Hull TR Combined Development Permit, Planning File No. PLN070299.
  - (c) The project, as conditioned is consistent with the conclusions and mitigations contained in the certified Santa Lucia Preserve Final EIR No. 94-005, Resolution No. 96-059, Planning File No.s PC94067 and PC94218, State Clearinghouse No.s SCH# 1994083019 and 1995023036.
  - (d) 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.

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

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

**8. 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.

**9. 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).

<b>EXHIBIT D</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> Kathleen N. Hull TR <b>File No:</b> PLN070299 <b>Approved by:</b> Planning Commission	<b>APN:</b> 239-041-006-000 <b>Date:</b> September 12, 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.		<p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit (PLN070299) allows consisting of: Combined Development Permit consisting of: (1) an Administrative Permit to allow development within a Site Plan Review or "S" zoning district for the construction of a 4,982 square foot two-story single family dwelling with an attached 385 square foot one-car garage and a 87 square foot mechanical area; a detached 504 square foot two-car garage; a 220 square foot covered parking area; a 795 square foot bocce ball court; installation of a 7,065 square foot asphalt driveway; 4,043 square feet of stone paths; 3,755 square feet of patios; 942 linear feet of retaining walls; a 648 square foot swimming pool; a 54 square foot spa; a 461.8 square foot water feature or "dry creek" with recirculation pump; a septic disposal system, and grading (approx. 1,300 cu. yds. cut/480 cu. yds. fill); (2) an Administrative Permit to allow the construction of a 1,200 square foot one-story caretaker's unit with a 135 square foot entry porch; a 447 square foot patio; 82 linear feet of retaining walls; and the installation of a septic disposal system; (3) a Use Permit to allow the removal of 8 oak trees; (4) a Use Permit to allow development on slopes exceeding 30%; and (5) Design Approval. The property is located at 50 &amp; 50 a Chamisal Pass, Carmel (Assessor's Parcel Number 239-041-006-</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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)
		<p>000), Santa Lucia Preserve Lot 135; Formerly Lot M-34, 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 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. <b>(RMA - Planning Department)</b></p>				
2.		<p><b>PD002 - NOTICE-PERMIT APPROVAL</b>  The applicant shall record a notice, which states: "A permit (Resolution _____) was approved by the <b>Planning Commission</b> for Assessor's Parcel Number 239-041-006-000 on September 12, 2007. The permit was granted subject to <b>33</b> 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 the RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b></p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	

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)
3.		<p><b>PDSP001 – CULTURAL RESOURCES – SANTA LUCIA PRESERVE (NON-STANDARD)</b></p> <p>If archaeological resources or human remains are discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist and, as appropriate, a Native American representative, as designated by the Native American Heritage Commission. If the find is to be significant, appropriate mitigation measures shall be formulated and submitted to the RMA - Planning Department for review and approval.</p> <p>If cultural resources are identified, the qualified professional archaeologist and the Native American representative, as designated by the Native American Heritage Commission, shall determine the significance of the find. Discovered cultural resources shall be stored in a protected environment to prevent vandalism, damage, or theft, until such time as they are examined by an archaeologist and, as appropriate by the Native American representative. The archaeologist, Native American representative, as designated by the Native American Commission, and County staff shall determine the most appropriate method for recovery and storage or other protective measures for any significant resources discovered; and</p> <p>If human remains are identified, the County Coroner shall be notified. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission who will notify the person it believes to be the most likely descendent. The recommendations as outlined in the Final Cultural Resource Management Plan shall specify the appropriate method and location for reinternment of the remains. That an Archaeological/Scenic easement be conveyed to</p>	<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.</p>	<p>Owner/ Applicant/ Archaeologist</p>		

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)
		the County of Monterey; over areas where significant archaeological resources are located. An Archaeological/Scenic easement deed is to be submitted to and approved by the RMA - Director of Planning and recorded prior to finalizing the building permit or occupancy. <b>(Santa Lucia Preserve EIR MM 67) (RMA - Planning Department)</b>				
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</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>
		shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b>				
5.		<b>PD007 - GRADING-WINTER RESTRICTION</b> 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. <b>(RMA – Planning Department and Building Services Department)</b>	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	
6.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA – Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
7.		<b>PDSP002 - RESTORATION OF NATURAL MATERIALS</b> Upon completion of the development, the area disturbed 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. <b>(RMA – Planning Department)</b>	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	
			Submit photos of restored areas to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection.	
8.		<b>PDSP003- EROSION CONTROL PLAN AND SCHEDULE - SANTA LUCIA PRESERVE (NON-STANDARD)</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed	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	

<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>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).</p> <p>All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation, and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. <b>(RMA - Planning Department and RMA - Building Services Department)</b></p>	<p>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.</p>	Owner/ Applicant	Ongoing	
			<p>Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department</p>	Owner/ Applicant	Prior to final inspection	
9.		<p><b>PDSP004 - TREE AND ROOT PROTECTION - SANTA LUCIA PRESERVE (NON-STANDARD)</b></p> <p>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 “Construction Impact Analysis” was prepared for this parcel by Maureen Hamb-WCISA Certified Arborist #2280 dated June 8, 2007 (Library No. LIB070374). 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</p>	<p>Submit evidence of tree protection to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			<p>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.</p>	Owner/ Applicant/ Arborist	During Construct- ion	

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)
		<p>greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits <b>(Santa Lucia Preserve EIR MM 32) (RMA - Planning Department)</b></p>	<p>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.</p>	<p>Owner/ Applicant</p>	<p>Prior to final inspection</p>	
<p>10.</p>		<p><b>PDSP005 – TREE REPLACEMENT - SANTA LUCIA PRESERVE (NON-STANDARD)</b>  The applicant shall replant 38 trees. 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. All oak trees removed shall be replaced in on-site areas suitable for supporting oak species as determined by a qualified resource ecologist. 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</p>	<p>The applicant shall provide evidence after five years that tree planting has been successful.</p>	<p>Owner/ Applicant</p>	<p>5 years after successful tree planting</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>
		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. <b>(Santa Lucia Preserve EIR MM 27 and 36) (RMA – Planning Department)</b>				
11.		<b>PD035 - UTILITIES - UNDERGROUND</b> All new utility and distribution lines shall be placed underground. <b>(RMA – Planning Department; Public Works)</b>	None	Applicant/ Owner	Ongoing	
12.		<b>PDSP006 - LANDSCAPE PLAN AND MAINTENANCE - SANTA LUCIA PRESERVE (NON-STANDARD)</b> 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. 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. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan and shall implement the following: 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,	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.  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/ Licensed Landscape Contractor/ Licensed Landscape Architect	At least three (3) weeks prior to final inspection or occupancy	
				Owner/ Applicant	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)
		<p>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.</p> <p>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.</p> <p>3. 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> <p><b>(RMA – Planning Department)</b></p>				
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 "Construction Impact Analysis" was prepared for this parcel by Maureen Hamb-WCISA Certified Arborist #2280 dated June 8, 2007 (Library No. LIB070374) is on record in the Monterey County RMA - Planning Department. 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 RMA - PD.	Owner/ Applicant	Prior to issuance of grading and building permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
14.		<b>PD016 – NOTICE OF REPORT</b> Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder, which states: "A "Geotechnical Investigation" was prepared for this parcel by Cleary Consultants, Inc., Los Altos, CA, dated February 2007 (Library No. LIB070325) is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." ( <b>RMA – Planning Department</b> )	Proof of recordation of this notice shall be furnished to RMA - PD.	Owner/ Applicant	Prior to issuance of grading and building permits	
15.		<b>PDSP007 - SEISMIC ZONE IV - SANTA LUCIA PRESERVE (NON-STANDARD)</b> 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. ( <b>SLP EIR MM 4</b> ) ( <b>RMA – Planning Department</b> )	Submit required report(s) and/or information to the Director of RMA – Building Services	Owner/ Applicant	Prior to the issuance of building permits and/or prior to final occupancy of habitable structures.	
16.		<b>PD043 – GRADING PERMITS REQUIRED</b> 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. ( <b>RMA – Planning Department and Building Services Department</b> )	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	
17.		<b>PDSP008 – PRECONSTRUCTION SURVEY, SANTA LUCIA PRESERVE (NON-STANDARD)</b> The following specific measures shall be implemented to avoid or mitigate for the potential impacts of development to individual bat and bird species requiring one of, or a combination of, riparian, grassland, and woodland/forest	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	

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)
		<p>habitats:  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> <ol style="list-style-type: none"> <li><u>Bats</u>. If construction is to begin before August 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.</li> <li><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).</li> </ol> <p><b>(SLP EIR MM 35) (RMA – Planning Department )</b></p>	<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</p>	Applicant	<p>clear the site</p> <p>Prior to site disturbance and/or the use of heavy equipment to clear the site</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>
18.		<p><b>PD018 – DEED RESTRICTION – CARETAKER UNIT (INLAND OR COASTAL)</b></p> <p>The applicant shall record a deed restriction stating “The caretaker unit shall not be separately rented, let or leased to other than the caretaker whether compensation be direct or indirect.” <b>(RMA – Planning Department)</b></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	
19.		<p><b>FIRE007 - DRIVEWAYS</b></p> <p>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</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>
		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. <b>(Carmel Valley Fire Protection District)</b>				
20.		<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 Protection 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 inspection.	
21.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

<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>
		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 Protection District)</b>				
22.		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> Remove combustible vegetation from within a minimum of 100 feet from all structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
23.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> All buildings shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not	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 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>
		intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
24.		<b>FIRE024 - FIRE ALARM SYSTEM - (SINGLE FAMILY DWELLING)</b> All buildings 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. 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. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
25.		<b>FIRE025 - SMOKE ALARMS – (SINGLE FAMILY DWELLING)</b> Where a household fire warning system or combination fire/burglar alarm system is installed in lieu of single-	Applicant shall 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>
		station smoke alarms required by the Uniform Building Code the alarm panel shall be required to be placarded as permanent building equipment. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
26.		<b>FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD)</b> 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 ICBO Class A roof construction. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
27.		<b>FIRESP001 – SWIMMING POOL CONNECTION (NON-STANDARD)</b> Swimming pool connection requirement the swimming pool must be plumbed to allow connection to fire hydrant in a location approved by the fire. <b>(Carmel Valley Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
28.		<b>PW0006 – CARMEL VALLEY</b> The Applicant shall pay the Greater Monterey Peninsula Area 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). <b>(Public Works)</b>	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	
29.		<b>PW0040 – HIGHWAY 1 SHORT TERM IMPROVEMENTS</b> Applicant shall Contribute \$756.00 (2006 Dollars) to County of Monterey as payment of the project's pro rata share at the cost of short-term operational improvements to State Highway One. <b>(Public Works)</b>	Applicant shall pay to PBI required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	
30.		<b>PWSP001 - CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD)</b> Prior to issuance of Grading Permits or Building Permits, applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the	Applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department and the Department of Public Works for review and approval	Owner/ Applicant	Prior to issuance of Grading Permits or Building	

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)
		<p>Department of Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck trips that will be generated, truck routes, number of workers, parking areas for both equipment and workers and locations of truck staging areas. Approved measures included in CMP shall be implemented by the applicant during the construction/grading phase of the project. <b>(Public Works)</b></p>			Permits	
31.		<p><b>WR40 - WATER CONSERVATION MEASURES</b>  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> <ul style="list-style-type: none"> <li>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.</li> <li>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. <b>(Water Resources Agency)</b></li> </ul>	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>
32.		<b>WRSP001 - DRAINAGE PLAN (NON-STANDARD)</b> The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. The plan shall include stormwater dispersion facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b>	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of grading or building permits	
33.		<b>WRSP002 - COMPLETION CERTIFICATION (NON-STANDARD)</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater dispersion facilities have been constructed in accordance with approved plans. <b>(Water Resources Agency)</b>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant	Prior to final inspection	

END OF CONDITIONS