

MONTEREY COUNTY PLANNING COMMISSION

Meeting: October 29, 2008 Time: 10:30 a.m.	Agenda Item No.: 4
Project Description: Consider revisions to Staking and Flagging Criteria.	
Project Location: County-wide	APN: County-wide
Planning File Number: PD070742	Applicant: RMA-Planning Department
Plan Area: ALL	Flagged and staked: N/A
Zoning Designation: : N/A	
CEQA Action: Exempt Section 21174	
Department: RMA - Planning Department	

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the Board of Supervisors approve the revision to the Staking and Flagging Criteria as drafted in **Exhibit B**.

PROJECT OVERVIEW:

The Monterey County Planning Commission referred the Staking and Flagging Criteria to the Planning Department in response to requests from citizens to address standards for removing the staking and flagging. Staff was tasked to draft an amendment to the guidelines that addresses how/when flagging should be removed to reduce visual clutter for long periods of time.

On August 27, 2008, staff presented revised guidelines, including a request from the Permit Streamlining Taskforce to suggest more comprehensive revisions that would streamline the criteria in a manner that helps assess project impacts but also allows flexibility with changing technologies (e.g. photo simulation). As part of the direction, staff sent a copy of the Taskforce recommendations to the Land Use Advisory Committees.

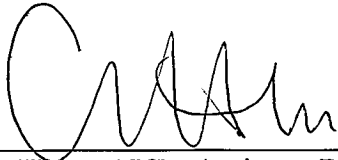
Three LUACs submitted comments (North County-Inland, Toro, Carmel Valley). There has been general support for the Taskforce changes; however, the LUAC wanted to make sure staking would remain in place until they have reviewed the project. Although it is not explicit, the attached criteria has been revised to address this concern.

In general, the proposed changes would:

- Consolidate three criteria into one, also keeping the variance requirement to have two strings of flagging.
- Establish timelines to address the Commission's concern to get flagging down timely.
- Integrate the ability to use modern technology (e.g. simulation).
- Allow parts of a project that would be unseen to be staked without flagging, as determined by the project planner.
- Allow different types of staking and flagging to help reduce the need for heavy vegetation and high wind areas.

OTHER AGENCY INVOLVEMENT:

Permit Streamlining Taskforce, Land use Advisory Committees



Carl P. Holm, AICP, Assistant Director of Planning
(831) 755-5103, holmcp@co.monterey.ca.us
October 12, 2008

NOTE: The Commission action will be forwarded to the Board of Supervisors as a recommendation.

cc: Counter Copy, Planning Commission Members (10); County Counsel; Monterey Fire Protection Districts; RMA-Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Planning Director, Building Services Director; Planner; Carol Allen; File PD070742.

Attachments:

Exhibit A-1 Draft Staking and Flagging Criteria, redline
Exhibit A-2 Draft Staking and Flagging Criteria, clean with attachments
Exhibit B LUAC Comments



MONTEREY COUNTY PLANNING DEPARTMENT
Salinas – 168 West Alisal, 2nd Floor, Salinas, CA 93901
Telephone: 831.755.5025 Fax: 831.757.9516
Coastal Office – 2620 First Avenue, Marina, CA 93933
Telephone: 831.883.7500 fax: 831.384.3261

STAKING AND FLAGGING CRITERIA

The purpose of staking and flagging is to provide visualization and analysis of projects in relation to County policies and regulations. Flagging is intended to help planners and the public visualize the mass and form of a proposed project, or to assist in visualizing road cuts in areas of visual sensitivity. Flagging and/or staking may be is required:

- In areas of designated visual sensitivity, for projects including a request for Coastal areas, or where the project planner determines the project involves ridgeline development (Exhibit 1 - sample photos).
- When a variance to height restrictions is requested (Exhibit 2 - sample photos), for projects located in the coastal zone, and for other situations where it is important to determine the precisely the location and/or visual impacts of a proposed project is necessary.

In other areas, the project planner may determine that staking is required where the project has potential to create an adverse visual impact. The project planner may exempt a project, or components thereof, from the staking and flagging requirement where there is clearly no potential visual impact (e.g. addition behind an existing house).

The project planner may also determine that a photo simulation is adequate to substitute for staking and flagging when the project does not involve development within a critical viewshed or ridgeline development (See sample Simulation, Exhibit 3). All photo simulations shall have a point of reference to reveal major building features, highest points, relation to adjacent buildings, entry, or other significant details. Said reference point, and points of visual assessment, shall be from the visually sensitive side of the structure in the best location determined by the project planner.

Flagging and/or staking, if required by staff or the County's decision making bodies, must be carried out according to criteria for the following types of development:

1. Building locations in non visually sensitive areas;
2. Ridgeline development and/or development located in areas of visual sensitivity;
3. Building envelope identification;
4. Height variance requests

These types of flagging and/or staking criteria are described further in this publication.

1. ~~BUILDING LOCATION—STAKING AND FLAGGING~~

~~Where there is no question in the opinion of Planning and Building Inspection Department staff that the project will not impact visual resources and / or constitute Ridgeline Development, this first category of staking is adequate.~~

~~For building locations in the coastal zone stake~~ As required, delineate the proposed building dimensions, height and roof lines structure with flags of international orange, bright red, and/or other visible color(s) attached to 2-x-4 sturdy poles that are able to withstand weather conditions for that area. Delineation may be accomplished using:

- 1) String with colored flags,
- 2) Continuous orange netting, or
- 3) Multiple staking/flagging, using the following criteria:
 - Flags shall be a minimum of 2-foot by 2-foot square located at the highest point of the structure.
 - Staking/Flagging shall identify major corners and place intermediate stakes and flags so the volume is easily perceived as deemed adequate by the project planner. (See sample Staking Plan, Exhibit 4)
 - Stakes without flags may be required for road cuts where required by the project planner.

The project planner may identify points/sections (e.g. back walls, road alignment, etc) where staking and/or flagging is not required.

~~In non-coastal areas staking (with small flags) of at the building corners two feet above the ground is adequate.~~

2. ~~RIDGELINE AND/OR VISUAL SENSITIVITY~~

~~Ridgeline development is defined in the Monterey County General Plan as "Development on the crest of a hill which has the potential to create a silhouette or other substantially adverse impact when viewed from a common public viewing area." When a project has been identified as potential ridge line development and/or is within a visually sensitive area, Staking will be required to clearly indicate the visual impact of the proposed project as determined by the project planner. The applicant shall submit a Staking Plan that identifies the locations of stakes using numbers, direction (e.g.; NWC = northwest corner), or some other identification method (Site Plan illustrating location of stakes in the field).~~

~~Netting at least two feet wide of woven plastic snow fencing, or another equally suited material (in "international orange," yellow, red or other contrasting color) must be assembled to represent the proposed structure. Netting must be supported by stakes or support wires strong enough to accurately outline the entire building perimeter and height. The structure must be staked as illustrated below.~~

3. ~~BUILDING ENVELOPES~~

~~When building envelope identification is required, the site's three-dimensional benchmarks must be staked and flagged for envelope dimensions, maximum height and mass as shown below in Exhibit A. If required by the planner, netting shall be used to highlight the building envelope as in Exhibit B. Netting, if required, will be at least 2 (two) feet wide of woven plastic snow fencing, or another equally suited material (in "international orange," yellow, red or other contrasting color). Flagging shall be mounted on sturdy poles so that the vertical dimensions are maintained.~~

~~Netting must be supported by wires strong enough to maintain the flagging along the entire perimeter and at the maximum height allowable. If the project includes a request to the maximum height of the existing zoning district, both heights must be shown as illustrated for the flagging procedures for variance requests on Page 5.~~

42. HEIGHT VARIANCE REQUESTS

~~When a variance to current height regulations is requested, there shall be two structure lines flagged:~~

- ~~- the additional requested proposed building height must be staked along with the current~~
- ~~- maximum height allowed by the zoning district.~~

~~The flags representing the allowed and requested heights shall be in "international orange," yellow, red or other contrasting colors.~~

3. DURATION OF FLAGGING

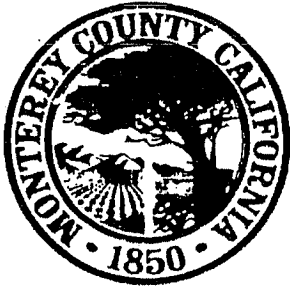
~~Unless otherwise ordered by the Director of Planning, flagging must be installed prior to, and remain in place for a minimum of 30 days following the date of application submittal. Photos of the staking from visual points near and far shall be submitted with the Staking Plan, and said plan shall identify where the photo points are located. during, the review and approval process. Once the decision making body has adopted a Resolution of Intent or taken final action,~~

~~The property owner shall be required to remove the staking and flagging within ten (10) calendar days following the end of the appeal period. the timeline specified below:~~

- ~~- Administrative (Director's) Review, Zoning Administrator. Within ten (10) days following the period noted above.~~
- ~~- Planning Commission. Within ten (10) days following completion of the 10-day appeal period if no appeal has been filed.~~
- ~~- Appeals, Board of Supervisors. Within ten (10) days following completion of the first hearing.~~

~~Flagging not removed within that the specified time frame, or as otherwise instructed by the Director of Planning, shall constitute a public nuisance and is subject to abatement by County Code Enforcement. If a project is appealed, flagging may remain and applicants must make sure that appropriate flagging is in place at least seven (7) days prior to the hearing date. For projects that have been declared incomplete or are being delayed for more than 60 days, the applicant should be allowed, but not required, to remove flags until a new hearing is scheduled. If not specified by the decision making body as part of~~

~~the continuance, the Director of Planning shall determine if flagging must be removed or replaced, and to what extent, prior to the rescheduled hearing.~~



MONTEREY COUNTY PLANNING DEPARTMENT

Salinas – 168 West Alisal, 2nd Floor, Salinas, CA 93901

Telephone: 831.755.5025 Fax: 831.757.9516

Coastal Office – 2620 First Avenue, Marina, CA 93933

Telephone: 831.883.7500 fax: 831.384.3261

STAKING AND FLAGGING CRITERIA

The purpose of staking and flagging is to provide visualization and analysis of projects in relation to County policies and regulations. Flagging is intended to help planners and the public visualize the mass and form of a proposed project, or to assist in visualizing road cuts in areas of visual sensitivity. Flagging and/or staking is required:

- In areas of designated visual sensitivity, Coastal areas, or where the project planner determines the project involves ridgeline development (Exhibit 1 - sample photos).
- When a variance to height restrictions is requested (Exhibit 2 - sample photos).

In other areas, the project planner may determine that staking is required where the project has potential to create an adverse visual impact. The project planner may exempt a project, or components thereof, from the staking and flagging requirement where there is clearly no potential visual impact (e.g. addition behind an existing house).

The project planner may also determine that a photo simulation is adequate to substitute for staking and flagging when the project does not involve development within a critical viewshed or ridgeline development (See sample Simulation, Exhibit 3). All photo simulations shall have a point of reference to reveal major building features, highest points, relation to adjacent buildings, entry, or other significant details. Said reference point, and points of visual assessment, shall be from the visually sensitive side of the structure in the best location determined by the project planner.

1. STAKING AND FLAGGING

As required, delineate the structure with flags of international orange, bright red, and/or other visible color(s) attached to sturdy poles that are able to withstand weather conditions for that area. Delineation may be accomplished using:

- 1) String with colored flags,
- 2) Continuous orange netting, or
- 3) Multiple staking/flagging, using the following criteria:
 - Flags shall be a minimum of 2-foot by 2-foot square located at the highest point of the structure.
 - Staking/Flagging shall identify major corners and place intermediate stakes and flags so the volume is easily perceived as deemed adequate by the project planner. (See sample Staking Plan, Exhibit 4)
 - Stakes without flags may be required for road cuts where required by the project planner.

The project planner may identify points/sections (e.g. back walls, road alignment, etc) where staking and/or flagging is not required.

Staking will be required to clearly indicate the visual impact of the proposed project as determined by the project planner. The applicant shall submit a Staking Plan that identifies the locations of stakes using numbers, direction (e.g.; NWC = northwest corner), or some other identification method (Site Plan illustrating location of stakes in the field).

2. HEIGHT VARIANCE REQUESTS

When a variance to height regulations is requested, there shall be two structure lines flagged:

- proposed building height
- maximum height allowed by the zoning district.

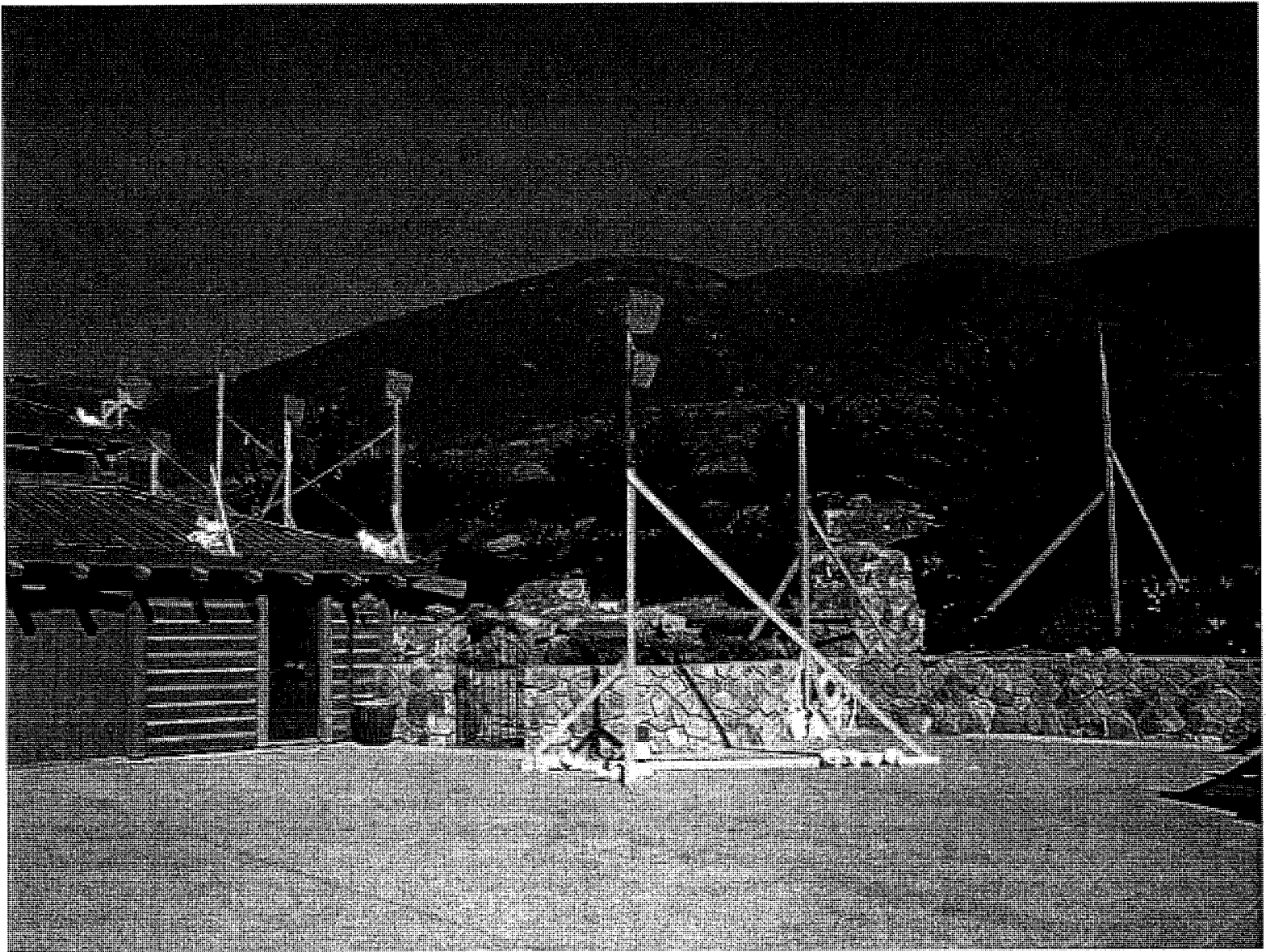
The flags representing the allowed and requested heights shall be in contrasting colors.

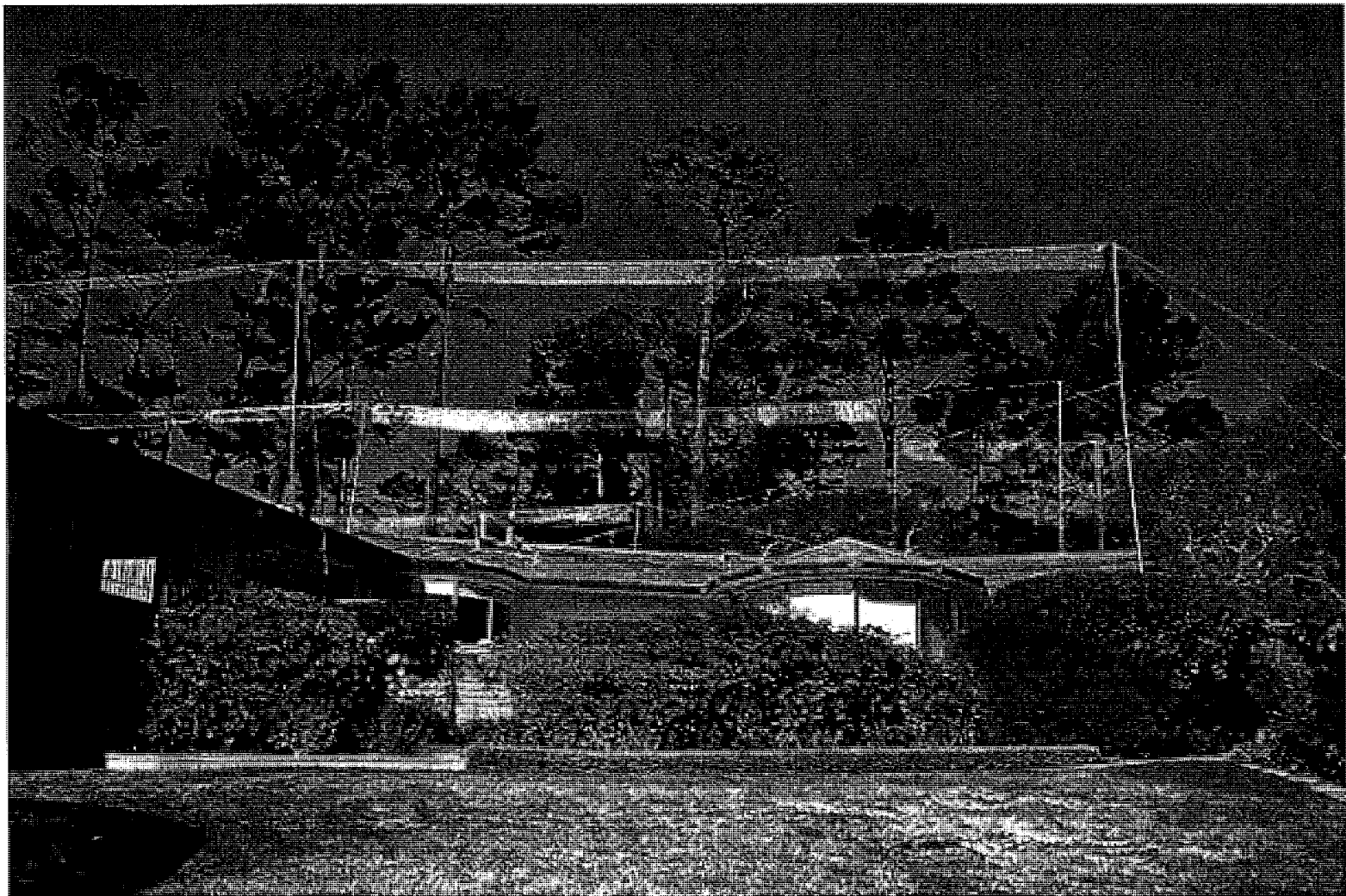
3. DURATION OF FLAGGING

Unless otherwise ordered by the Director of Planning, flagging must be installed prior to, and remain in place for a minimum of 30 days following the date of application submittal. Photos of the staking from visual points near and far shall be submitted with the Staking Plan, and said plan shall identify where the photo points are located. The property owner shall remove the staking and flagging within the timeline specified below:

- *Administrative (Director's) Review, Zoning Administrator.* Within ten (10) days following the period noted above.
- *Planning Commission.* Within ten (10) days following completion of the 10-day appeal period if no appeal has been filed.
- *Appeals, Board of Supervisors.* Within ten (10) days following completion of the first hearing.

Flagging not removed within the specified time frame, or as otherwise instructed by the Director of Planning, shall constitute a public nuisance and is subject to abatement by County Code Enforcement



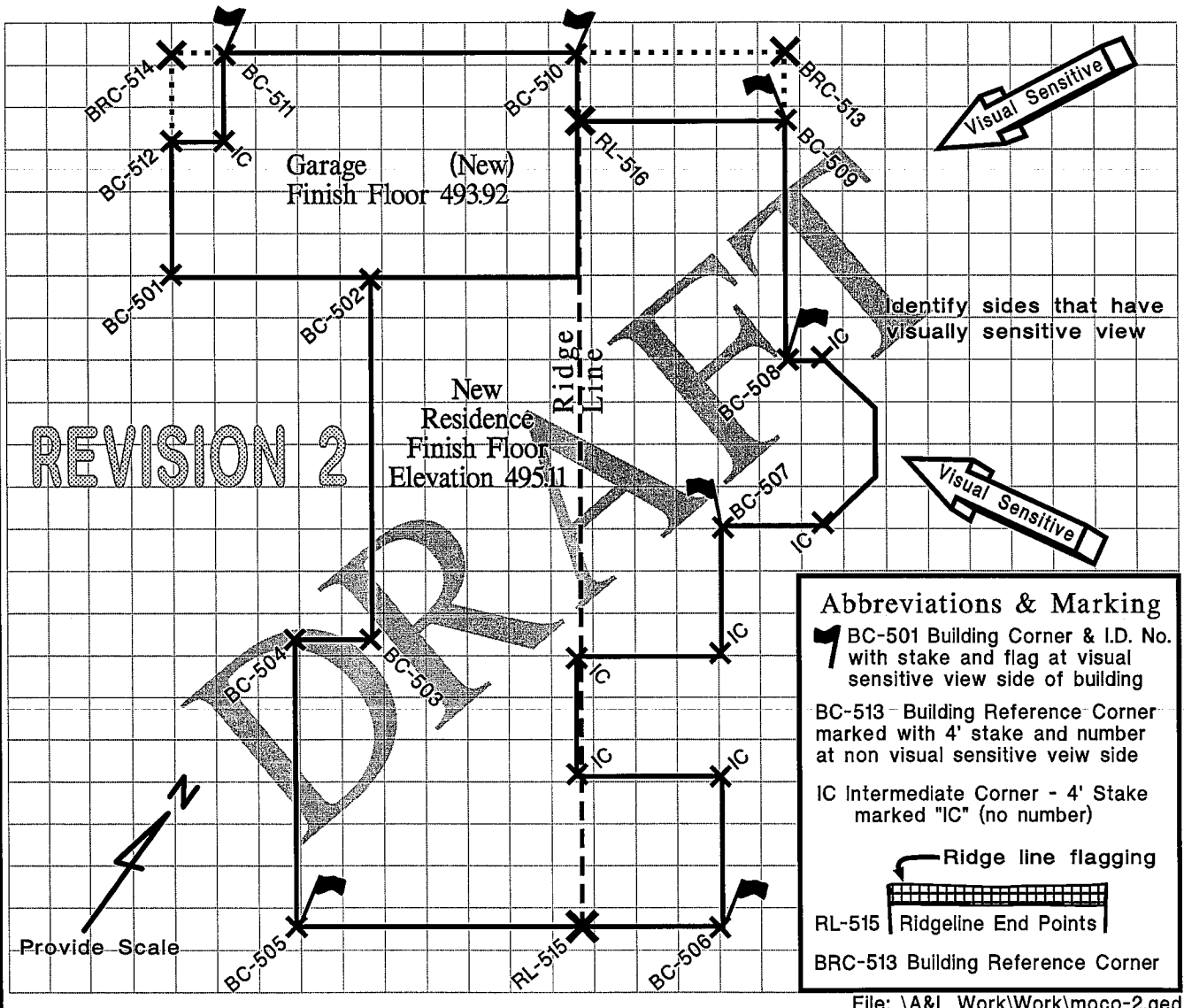




Structure Classification _____
 Address or Location _____
 County Zone _____ Assessors Designation _____ Parcel No: _____

Date _____ 20____
 Application No. _____

APPLICANT Design Professional Owner Contractor Other
 Name _____ Work Phone _____
 Title _____ Home Phone _____
 Address _____ Fax _____
 City _____ State _____ Zip _____ e-mail _____



Submitted By: _____		Date: _____	
Received By: _____		Planning	Ordinance
STAKING AND FLAGGING CRITERIA STRUCTURE OUTLINE EXAMPLE See Staking And Flagging Criteria for Requirements			Figure Number
		Department	

Holm, Carl P. x5103

From: Janet B rennan [janetb@montereybay.com]
Sent: Thursday, September 18, 2008 4:40 PM
To: Holm, Carl P. x5103
Subject: Re: Staking Criteria

The criteria do not address these points. You may want to clarify.

----- Original Message -----

From: Holm, Carl P. x5103
To: Janet B rennan
Cc: Douglas Pease ; Charles Franklin ; David Burbidge ; John Anzini ; Judy MacClelland ; Neil Agron
Sent: Thursday, September 18, 2008 12:02 PM
Subject: RE: Staking Criteria

Janet - I wanted LUAC comments before going to PC. Looking for suggestions where/how we can make criteria clear yet concise. For example, take your questions and suggest ideas/changes. The intent is for staking/flagging to be up at application submittal, as we have been doing, and up long enough for planner/LUAC to make assessment (e.g. site visit). Also, we acknowledge that new technology allows us good photo simulation to document the visual issues so do not need to rely on having the staking up for months or years but certainly it is a valuable tool to retain. Just because the application is not complete does not necessarily mean there are visual issues that warrant keeping it up. If it is incomplete for added staking or visual issues, then it would need to be up long enough for the planner and LUAC to be able to see/assess. Point is to make sure it is clear who makes that determination, which generally falls to the Planning Department.

Hope this helps,
Carl P. Holm, AICP
RMA - Planning Department
Assistant Director

-----Original Message-----

From: Janet B rennan [mailto:janetb@montereybay.com]
Sent: Thursday, September 18, 2008 9:21 AM
To: Holm, Carl P. x5103
Cc: Douglas Pease; Charles Franklin; David Burbidge; John Anzini; Judy MacClelland; Neil Agron
Subject: Staking Criteria

Carl - I'm not sure why the criteria were forward to the LUACs, but I do have questions based on a quick review. Since the flagging must be put up within 30 days of application submittal, what is the time frame if the application is not found complete? What assurance is there that the flagging will be up when LUACs review the project? Janet

Holm, Carl P. x5103

From: Samrick, Arlene x5221
Sent: Thursday, September 18, 2008 4:34 PM
To: 'Larry Cardon'
Cc: Holm, Carl P. x5103
Subject: RE: Staking and Flagging Criteria

Thank you, Larry. I am copying this to Carl Holm so he can add that for consideration.

Arlene Samrick, Principal Office Assistant
 Monterey County Resource Management Agency
 Department of Building Services
 168 W Alisal St - 2nd Floor
 Salinas CA 93901
 Ph 831/755-5221
 Fx 831/755-5461
 samricka@co.monterey.ca.us

-----Original Message-----

From: Larry Cardon [mailto:stormranch@hughes.net]
Sent: Thursday, September 18, 2008 4:29 PM
To: Samrick, Arlene x5221
Subject: Re: Staking and Flagging Criteria

Arlene

The North County Non-Coastal LUAC only has one comment. After discussion at the meeting on September 17th, they would like to see the flagging and staking stay up until the LUAC meets. This would give time for the members to review the sight plan and see the asked for development.

Thank you

Lawrence Cardon

----- Original Message -----

From: Samrick, Arlene x5221
To: [Ned Callihan](#) ; [Barbara Woyt - SEC for Big Sur LUAC](#) ; [beckhouse@aol.com](#) ; [dan@postranchinn.com](#) ; [quailmeadows@gmail.com](#) ; [Louise Bishop](#) ; [Edie Curry](#) ; [Peter Davis](#) ; [bardnbarb@sbcglobal.net](#) ; [Darlene Berry](#) ; [nagron@sbcglobal.net](#) ; [charlessfranklin@gmail.com](#) ; [David Burbidge](#) ; [Douglas Pease](#) ; [janetb@montereybay.com](#) ; [1Anzini@redshift.com](#) ; [judymacc@sbcglobal.net](#) ; [bslawstuff@yahoo.com](#) ; [Kim Caneer](#) ; [caneerkim@gmail.com](#) ; [Lori Lietzke DMF LUAC](#) ; [paul@laredolaw.net](#) ; [Rod Dewar](#) ; [Sandra Verbanec DMF LUAC](#) ; [kgetreu@comcast.net](#) ; [Ron DeHoff](#) ; [Joy Jacobs](#) ; [Larry Reiersen](#) ; [Philomene Smith](#) ; [Kenneth Walker](#) ; [autijo@prodigy.net](#) ; [epnowak@gmail.com](#) ; [Ed Centeno](#) ; [Gregory Burch](#) ; [Steve Snodgrass](#) ; [DL Grier](#) ; [stormranch@hughes.net](#) ; [Madeleine Clark](#) ; [Mike Dodd](#) ; [Shandell Brunk](#) ; [wbartosh@kcbx.net](#) ; [Edward C Buntz](#) ; [geoelainework@tcsn.net](#) ; [Michael Orradre](#) ; [Milton "Butch" Heinsen](#) ; [Pierre Camsuzou](#) ; [Ken Harlan](#) ; [haha@bigsurcoast.com](#) ; [jerryprovost@earthlink.net](#) ;

kwnovoa@mac.com ; [Scott Henningsen](#) ; [Lochlan McVicar](#) ; rossriley@aol.com ; [Ronald Vandergift](#) ; contraryhill@mac.com ; Kerry@taproduce.com ; kenbro500@aol.com ; [Michael Mueller](#) ; weaver-mike@sbcglobal.net ; [Richard Marvin](#) ; [Richard Hughett](#)
Cc: dickstew@aol.com ; [Holm, Carl P. x5103](#)
Sent: Wednesday, September 17, 2008 12:35 PM
Subject: FW: Staking and Flagging Criteria

I am forwarding the following message and attachments from Carl Holm at his request.

Arlene Samrick, Principal Office Assistant
Monterey County Resource Management Agency
Department of Building Services
168 W Alisal St - 2nd Floor
Salinas CA 93901
Ph 831/755-5221
Fx 831/755-5461
samricka@co.monterey.ca.us

-----Original Message-----

From: Holm, Carl P. x5103
Sent: Wednesday, September 17, 2008 12:25 PM
To: Samrick, Arlene x5221
Subject: Staking and Flagging Criteria

Arlene: Please send out directly to as many LUAC members that you have email for with the following note:

The Planning Commission afforded the Permit Streamlining Taskforce 2 months to draft suggested amendments to the Staking and Flagging Criteria. They also suggested that the Taskforce receive input from the LUACs. The draft criteria is attached for review and comment by the LUACs. This is tentatively scheduled to return to the Planning Commission meeting of October 29, so we request your comments by October 8. If there is no LUAC meeting scheduled to develop group comments, you may submit individual comments to Carl Holm.

*Carl P. Holm, AICP
RMA - Planning Department
Assistant Director*

**DEL MONTE FOREST LAND USE ADVISORY COMMITTEE
c/o Pebble Beach Community Services District
Forest Lake and Lopez Roads
Pebble Beach, CA 93953**

September 19, 2008

**Carl P. Holm, AICP
Assistant Director, RMA – Planning Department
168 W. Alisal Street, 2nd Floor,
Salinas, CA 93901**

Re: Staking and Flagging Criteria

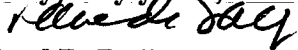
Dear Mr. Holm:

Del Monte Forest Land Use Advisory Committee discussed the subject criteria at its meeting on Thursday, September 18, and expressed its approval.

The committee was pleased with the clear provisions requiring staking in cases of adverse visual impact, e.g., where neighbors might be affected visually, and the language requiring two structure lines when a height variance is sought. Time lines for staking were addressed requiring, inter alia, removal after certain time lines are met, a laudable provision.

The committee thanks the Task Force and the Planning Department for their time and effort in amending and improving the criteria.

Very truly yours,


**Paul R. De Lay,
Chair**

**cc: Martha Diehl, Commissioner
Committee Membership**