

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> December 10, 2008	<b>Time:</b> A.M.	<b>Agenda Item No.:</b>
<b>Project Description:</b> Combined Development Permit consisting of 1) a Coastal Administrative Permit to allow the construction of a 476 square foot second story addition with interior circulation and 30 square foot addition to the existing first floor, 100 square foot second floor deck, and 52 square foot exterior stair to an existing one story single family dwelling; 2) a Coastal Development Permit to allow development within 750 feet of a known archaeological resource; and 3) Design Approval.		
<b>Project Location:</b> 160 Spindrift Road, Carmel		<b>APN:</b> 241-192-009-000
<b>Planning File Number:</b> PLN070584		<b>Name:</b> Frank McDowell, Property Owner
<b>Plan Area:</b> Carmel Area Land Use Plan		<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> LDR/1-D(CZ) [Low Density Residential, 1 acre per unit, with Design Control Overlay (Coastal Zone)]		
<b>CEQA Action:</b> Categorically Exempt, per CEQA Guidelines Section 15301(e)		
<b>Department:</b> RMA - Planning Department		

### RECOMMENDATION:

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

### PROJECT SUMMARY:

The applicant proposes to construct a 476 square foot second story addition with interior circulation and 30 square foot addition to the existing first floor, 100 square foot second floor deck, and 52 square foot exterior stair to an existing one story single family dwelling. The proposed use is for studio space; therefore, the project, as proposed, is consistent with the parameters of Ordinance 5093. The project also includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. Based on archaeological assessments of the project site and plans, the applicant revised the project to minimize potential impacts to cultural resources. In addition, neighbors of the project property raised several concerns during the Carmel Highlands Land Use Advisory Committee meeting and separately with the project planner. Staff has encouraged the parties to work together to resolve differences. The concerns are as follows: partial loss of private ocean view, kiln safety, deck and stairway exterior lighting, and loss of privacy. See **Exhibit B** for a more detailed discussion of the project and neighbor concerns.

### OTHER AGENCY INVOLVEMENT:

- ✓ Carmel Highlands 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 Highlands Fire Protection District, Environmental Health Division, Water Resources Agency, and the Planning Department have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The Carmel Highlands Land Use Advisory Committee recommended approval of the project by a vote of five to zero, with one abstention, at a public hearing held on January 22, 2008 (**Exhibit G**).

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

*/s/ Joseph Sidor*

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Joseph Sidor  
(831) 755-5262, SidorJ@co.monterey.ca.us  
November 24, 2008

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; California Coastal Commission; Carmel Highlands Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning Services Manager; Joseph Sidor, Planner; Carol Allen; Frank McDowell, Owner; Peter Davis, Agent; John Duval; Valera Lyles; Ed Childs; File PLN070584.

Attachments: Exhibit A      Project Data Sheet  
                  Exhibit B      Project Discussion  
                  Exhibit C      Recommended Findings and Evidence  
                  Exhibit D      Recommended Conditions of Approval  
                  Exhibit E      Vicinity Map  
                  Exhibit F      Site Plan, Floor Plan and Elevations  
                  Exhibit G      LUAC Minutes

This report was reviewed by Carl Holm, Assistant Director of Planning.

## **EXHIBIT B PROJECT DISCUSSION**

The applicant proposes to construct a 476 square foot second story addition with interior circulation for use as studio space, and 30 square foot addition to the existing first floor, 100 square foot second floor deck, and 52 square foot exterior stair to an existing one story single family dwelling. Applicable issues requiring further discussion follow:

Ordinance 5093: The project, as proposed, is consistent with the parameters of Ordinance 5093. The ordinance limits new development in the Carmel Highlands that has the potential to generate wastewater, pending completion of an Onsite Wastewater Management Plan for the designated area. Based on staff review of the proposed studio addition, the project will not increase wastewater/septic requirements and is allowable.

Cultural Resources: The project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. County records also identify the project site is within an area of high sensitivity for prehistoric cultural resources; therefore, the applicant submitted an archaeological report (LIB080029) for the project site. In addition, three project review letters (LIB080161, LIB080166, and LIB080602) were submitted which clarified project specific impacts and updated the original report. Based on this information, the applicant revised the proposed foundation footprint to minimize potential impacts to cultural resources. Therefore, the potential for inadvertent impacts is limited and can be controlled by the use of standard project conditions (Condition No. 3). The archaeological assessments and the subsequent project revisions alleviated the need for additional environmental assessment. California Environmental Quality Act (CEQA) Guidelines Section 15301(e), Class 1, categorically exempts the minor alteration of or addition to existing private structures involving negligible expansion of use beyond that existing at the time of the lead agency's determination.

Carmel Highlands Land Use Advisory Committee Conditions and Neighbor Concerns: The LUAC recommended the following conditions. That no uplighting be allowed on the skylights proposed in the addition, that the applicant work with the neighbor regarding landscaping and privacy issues, and exterior lighting impacts. Condition No. 5 requires the applicant to submit a landscape plan for review and approval. In addition, Condition No. 6 requires the applicant to submit an exterior lighting plan for review and approval, and Conditions No. 7 and No. 8 require the applicant to design the deck and lighting to minimize lighting and privacy impacts.

Neighbors of the project property raised several concerns during the LUAC and separately with the project planner. Staff has encouraged the parties to work together to resolve differences. The concerns are as follows:

- 1) Partial loss of private ocean view – The proposed project will partially block the existing view of the neighbor to the southeast. However, the Carmel Area Land Use Plan and Coastal Implementation Plan do not protect the loss of private views due to development.
- 2) Kiln safety – Concern has been expressed about the safety of a kiln in a private residence and the potential fire hazard. The Carmel Highlands Fire Protection District reviewed the proposed project and imposed conditions to minimize the potential fire hazard. Conditions No. 11, 12, and 13 require the applicant to ensure adequate defensible space, install a sprinkler system, and to install a Class A roof on the addition.

3) Deck and stairway exterior lighting – Conditions No. 6 and 8 will require the applicant to design the deck and lighting to minimize potential impacts. Lighting shall be installed on the railing and directed back toward the residence, so that only the deck or stairway areas are illuminated. All deck and stairway lighting shall be unobtrusive, down-lit, and harmonious with the local area. All off-site glare shall be minimized.

4) Loss of privacy – Condition No. 5 requires that the landscaping be designed to adequately screen lighting and provide privacy screening for the neighboring properties while preserving ocean views. The condition requires all landscaped areas to be continuously maintained in a litter-free, weed-free, healthy, growing condition. In addition, the condition states that the Planning Department will make copies of the Landscaping Plan available, upon request, to interested parties for review and comment. Condition No. 7 will require the applicant to design the east end of the deck with solid material to minimize privacy impacts to the adjacent neighbor.

## 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, Carmel Area Land Use Plan (LUP), the Monterey County Zoning Ordinance (Title 20) Part 1, the Monterey County Coastal Implementation Plan for the Carmel Area (Part 4), and Ordinance 5093, which designates this area as appropriate for residential development.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. As proposed, revised, and conditioned, 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 160 Spindrift Road, Carmel Highlands (Assessor’s Parcel Number 241-192-009-000), Carmel Area Land Use Plan. The parcel is zoned Low Density Residential, one unit per acre, with a Design Control District overlay, Coastal Zone (“LDR/1-D (CZ)”), which allows the construction of second story residential additions as a principal use allowed and development within 750 feet of a known archaeological resource as a conditional use, with the approval of a discretionary permit. The project, as proposed, is consistent with the applicable zoning policies.
  - (c) Ordinance 5093: The project, as proposed, is consistent with the parameters of Ordinance 5093. The ordinance limits new development in the Carmel Highlands that has the potential to generate wastewater, pending completion of an Onsite Wastewater Management Plan for the designated area. Based on staff review of the proposed studio addition, the project will not increase wastewater/septic requirements and is allowable.
  - (d) The Design Approval reflects no color or material changes from the existing residence. The materials and colors to be used for the development will match that existing, and will be compatible with the existing residences in the neighborhood. The siding and roofing will match the existing residence, so the new structural area will reflect the same color and style as the existing residence.
  - (e) The project planner conducted site inspections on December 4, 2007, and February 12, 2008, to verify that the project on the subject parcel conforms to the plans and ordinances listed above.
  - (f) Public Access: See Finding No. 6.
  - (g) Visual Resources: Staff conducted site visits on December 4, 2007, and February 12, 2008, to assess the potential viewshed impacts of the project and ensure consistency with applicable LUP policies. The existing residence and proposed addition are not visible from public viewing areas. The existing topography and trees screen the site from public views. The project, as proposed, is consistent with the applicable policies of the LUP.
  - (h) Cultural Resources: The project includes a Coastal Development Permit to allow development within 750 feet of a known archaeological resource. County records also identify the project site is within an area of high sensitivity for prehistoric cultural resources; therefore, the applicant

submitted an archaeological report (LIB080029) for the project site. In addition, three project review letters (LIB080161, LIB080166, and LIB080602) were submitted which clarified project specific impacts and updated the original report. Based on this information, the applicant revised the proposed foundation footprint to minimize potential impacts to cultural resources. Therefore, the potential for inadvertent impacts is limited and can be controlled by the use of standard project conditions (Condition No. 3).

- (i) The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. The LUAC, at its meeting on January 22, 2008, recommended approval with conditions by a vote of 5-0, with one abstention. The LUAC Chair, Mr. Peter Davis, is the project architect; therefore, he stepped down as Chair of the LUAC during discussion of the project and abstained from the final vote. Mr. Don Wald assumed the LUAC Chair during project discussion. The conditions recommended by the LUAC are that no uplighting be allowed on the skylights proposed in the addition, and that the applicant work with the neighbor regarding landscaping and privacy issues, and exterior lighting impacts. Condition No. 5 requires the applicant to submit a landscape plan for review and approval. Condition No. 6 requires the applicant to submit an exterior lighting plan for review and approval, and Conditions No. 7 and No. 8 require the applicant to design the deck and lighting to minimize lighting and privacy impacts. Neighbors of the project property raised several concerns during the LUAC and separately with the project planner. Staff has encouraged the parties to work together to resolve differences. The concerns are as follows:

- 1) Partial loss of private ocean view – The proposed project will partially block the existing view of the neighbor to the southeast. However, the Carmel Area Land Use Plan and Coastal Implementation Plan do not protect the loss of private views due to development.
- 2) Kiln safety – Concern has been expressed about the safety of a kiln in a private residence and the potential fire hazard. The Carmel Highlands Fire Protection District reviewed the proposed project and imposed conditions to minimize the potential fire hazard. Conditions No. 11, 12, and 13 require the applicant to ensure adequate defensible space, install a sprinkler system, and to install a Class A roof on the addition.
- 3) Deck and stairway exterior lighting – Conditions No. 6 and 8 will require the applicant to design the deck and lighting to minimize potential impacts. Lighting shall be installed on the railing and directed back toward the residence, so that only the deck or stairway areas are illuminated. All deck and stairway lighting shall be unobtrusive, down-lit, and harmonious with the local area. All off-site glare shall be minimized.
- 4) Loss of privacy – Condition No. 5 requires that the landscaping be designed to adequately screen lighting and provide privacy screening for the neighboring properties while preserving ocean views. The condition requires all landscaped areas to be continuously maintained in a litter-free, weed-free, healthy, growing condition. In addition, the condition states that the

Planning Department will make copies of the Landscaping Plan available, upon request, to interested parties for review and comment. Condition No. 7 will require the applicant to design the east end of the deck with solid material to minimize privacy impacts to the adjacent neighbor.

- (j) 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 PLN070584.

**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 Highlands Fire Protection District, Public Works Department, 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/letters by outside archaeological 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/letters have been prepared:

- i. “Preliminary Archaeological Reconnaissance” (LIB080029) prepared by Archaeological Consulting, Salinas, California, April 26, 2002.
- ii. Project Review Letter (LIB080161) prepared by Archaeological Consulting, Salinas, California, February 29, 2008.
- iii. Project Review Letter (LIB080166) prepared by Archaeological Consulting, Salinas, California, March 19, 2008.
- iv. Project Review Letter (LIB080602) prepared by Archaeological Consulting, Salinas, California, July 16, 2008.
- (c) Staff conducted site inspections on December 4, 2007, and February 12, 2008, to verify that the site is suitable for this use.
- (d) Materials in Project File PLN070584.

**3. FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

**EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15301(e), Class 1, categorically exempts the minor alteration of or addition to existing private structures involving negligible expansion of use beyond that existing at the time of the lead agency’s determination.

- (b) No adverse environmental effects were identified during staff review of the development application during site visits on December 4, 2007, and February 12, 2008.
- (c) The application, project plans, and related support materials submitted by the applicant to the Monterey County RMA - Planning Department for the proposed development, found in Project File PLN070584.
- (d) Findings 1 and 2, and supporting evidence.

**4. FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable

provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

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

- 5. 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:** (a) See Findings 1, 2, 3, and 4.

- 6. FINDING: PUBLIC ACCESS** – The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section 20.70.050.B.4). The proposed project is in conformity with the public access policies of Chapter 5 of the Carmel Area Land Use Plan (LUP), and Section 20.146.130 of the Monterey County Coastal Implementation Plan for the Carmel Area (Part 4).

**EVIDENCE:** (a) Figure 3 (Public Access Map) of the LUP does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel.

(b) Materials in Project File PLN070584.

(c) Site visits by the project planner on December 4, 2007, and February 12, 2008.

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

**EVIDENCE:** (a) Board of Supervisors: Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20).

(b) California Coastal Commission: Section 20.86.080.A.1 of the Monterey County Zoning Ordinance (Title 20) - development between the sea and the first through public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide of the sea where there is no beach, whichever is the greater distance.



<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: McDowell</b>  <b>File No.: PLN070584      APN: 241-192-009-000</b>  <b>Approved by: Planning Commission      Date: December 10, 2008</b>
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*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		<b>PD001 - SPECIFIC USES ONLY</b> This Combined Development Permit (PLN070584) allows the construction of a 476 square foot second story addition with interior circulation and 30 square foot addition to the existing first floor, 100 square foot second floor deck, and 52 square foot exterior stair to an existing one story single family dwelling, Design Approval, and development within 750 feet of a known archaeological resource. 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	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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>				
2.		<b>PD002 – NOTICE - PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution PLN070584) was approved by the Planning Commission for Assessor's Parcel Number 241-192-009-000, located at 160 Spindrift Road, Carmel Highlands, on December 10, 2008. The permit was granted subject to fifteen (15) 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>	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</b> If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. <b>(RMA - Planning Department)</b>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner / Applicant / Archaeologist	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
4.		<p><b>PD004 - INDEMNIFICATION AGREEMENT</b></p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. <b>(RMA - Planning Department)</b></p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5.		<p><b>PDSP001 - LANDSCAPE PLAN AND MAINTENANCE (NON-STANDARD)</b></p> <p>The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The landscaping shall be designed to adequately screen lighting and provide privacy for neighboring properties while preserving ocean views. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. 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. 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. <b>(RMA – Planning Department)</b></p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. The Planning Department will provide copies of the landscaping plans to interested parties for review and comment upon request.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of building permits.	
			<p>Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to occupancy.	
			<p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p>	Owner / Applicant	Ongoing	
6.		<p><b>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</b></p> <p>All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the</p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner / Applicant	Prior to the issuance of 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>
		location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b>	The lighting shall be installed and maintained in accordance with the approved plan.	Owner / Applicant	Prior to occupancy / ongoing.	
7.		<b>PDSP002 – DECK RAILING (NON-STANDARD)</b> The design of the deck railing shall be solid across the east end of the deck to lessen impacts on the adjacent property. <b>(RMA - Planning Department)</b>	Applicant shall incorporate specification into design and enumerate as “Condition of Approval Notes” on plans.	Owner / Applicant	Prior to the issuance of grading or building permits.	
8.		<b>PDSP003 – DECK AND STAIRWAY LIGHTING (NON-STANDARD)</b> All deck or stairway lighting shall be installed on the railing, and directed back toward the residence, so that only the deck or stairway areas are illuminated. All deck and stairway lighting shall be unobtrusive, down-lit, and harmonious with the local area. All off-site glare shall be minimized. <b>(RMA - Planning Department)</b>	Applicant shall incorporate specification into design and enumerate as “Condition of Approval Notes” on plans.	Owner / Applicant	Prior to the issuance of grading or building permits.	
9.		<b>EHSP01 – DEED RESTRICTION (NON-STANDARD)</b> The applicant shall record a deed restriction which states “If the present owner or subsequent owners convert this addition to a bedroom, then the septic system must meet all the conditions set forth in the Interim Ordinance No. 5093, adopted by the Board of Supervisors on November 14, 2007, or subsequently adopted ordinances that are outlined in the upcoming Onsite Wastewater Management for the Carmel Highlands.” <b>(Environmental Health)</b>	Submit signed and notarized document to the Environmental Health Division for review and signature by the County.	Owner / Applicant	Prior to the issuance of grading or building permits.	
			Submit proof of recordation of the document to the Environmental Health Division and the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commencement of use.	
10.		<b>FIRE011 - ADDRESSES FOR BUILDINGS</b> All buildings shall be issued an address in accordance	Applicant shall incorporate specification into design and enumerate	Owner / Applicant	Prior to issuance of	

<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>
		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 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 Highlands Fire Protection District)</b>	as "Fire Dept. Notes" on plans.  Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	building permit.  Prior to final building inspection.	
11.		<b>FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)</b> Remove combustible vegetation from within a minimum of 30 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	

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		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 Highlands Fire Protection District)</b>	Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	
12.		<b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. <b>(Carmel Highlands Fire Protection District)</b>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Owner / Applicant	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection.	Owner / Applicant	Prior to framing inspection.	
			Applicant shall schedule fire dept. final sprinkler inspection.	Owner / Applicant	Prior to final building inspection.	
13.		<b>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)</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 minimum of ICBO Class A roof construction. <b>(Carmel Highlands Fire Protection District)</b>	Applicant shall enumerate as “Fire Dept. Notes” on plans.	Owner / Applicant	Prior to issuance of building permit.	
14.		<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: a. All toilets shall be ultra-low flush toilets with a	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>
		<p>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.</p> <p>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></p>				
15.		<p><b>WR43 - WATER AVAILABILITY CERTIFICATION</b></p> <p>The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b></p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits.	

**END OF CONDITIONS**