

MONTEREY COUNTY PLANNING COMMISSION

Meeting: MAY 27, 2009	Time: A.M/P.M	Agenda Item No.:
Project Description: Combined Development Permit consisting of: 1) Use Permit to allow development on slopes in excess of 30%; and 2) Use Permit for the removal of 5 Oak trees; and Design Approval for the construction of a 4,706 square foot two-story single family dwelling with attached three car garage and 142 linear foot driveway. Colors and materials to consist of "Sequin" exterior stucco walls; aluminum clad wood windows; "Beige" columns, window sills, and trim; "Jackson Valley" stone veneer; and mixed color slate roofing.		
Project Location: 704 Tesoro Road, Monterey	APN: 173-074-020-000	
Planning File Number: PLN090017	Owner: HOLBROOK, Kenneth & Sally Ann Agent: Jerry Whitney, Western Sierra Design Group	
Planning Area: Greater Monterey Peninsula Area Plan	Flagged and staked: YES	
Zoning Designation: : "LDR/B-6-D" (Low Density Residential with Design Control and Building Site Zoning District Overlays)		
CEQA Action: Categorically Exempt per Section 15303(a)		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit B**) to:

- 1) Categorically Exempt the project from the California Environmental Quality Act per Section 15303(a); and
- 2) Approve PLN090017, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**):

PROJECT OVERVIEW:

The subject site is a 0.768-acre parcel (Lot 94) located at 704 Tesoro Road in the Pasadera Subdivision. The applicant requests approval of a Combined Development Permit consisting of: 1) Use Permit to allow development on slopes in excess of 30%; and 2) Use Permit for the removal of 5 Coast Live Oak trees; and Design Approval for the construction of a 4,706 square foot two-story single family dwelling with an attached three-car garage and including a 142 linear foot driveway. The primary issues with the project involve development on slopes in excess of 30% and removal of 5 of the 22 Oak trees on the property.

Tree Removal

The original subdivision permit and Environmental Impact Report (EIR) did not address tree removal on the subject parcel (Lot 94); however the EIR does mention "*Approximately 115 additional trees are subject to removal as there are oak trees on many of the proposed building sites. Individual property owners will be required to make separate applications to the County for specific tree removal permits as each parcel is developed*". For this application the property owner has requested the removal of 5 of the 22 Oak trees located on the subject parcel. The project has been designed to minimize and avoid tree removal to maximum extent feasible, however the topography of the particular lot, does not allow for development and installation of the driveway and associated retaining walls without compromising the health and vigor of approximately 5 Oak trees. A Forest Management Plan was prepared for the site by Barrie D. Coate & Associates to address construction related impact to all trees on the subject parcel. Pursuant to the requirements of the Monterey County Zoning Ordinance Section 21.64.260.D.4 (Title 21), the 5 trees being removed will need to be replaced onsite on a one-to-one (1:1) ratio. A condition of project approval, requiring the replacement/replanting of all removed tree has been included in Exhibit B, Attachment 1 (Condition 10).

Development on Slopes in Excess of 30%

The proposed single family dwelling and driveway have been carefully designed to avoid slopes in excess of 30% as much as possible, adhere to the site development standards of the zoning district, and blend with the architectural style of the neighborhood. The areas in the northeastern perimeter of the parcel contain slopes that range from 31% to 33%. (See site plan – Exhibit B.2) Access can only be obtained from Tesoro Road, located in this area of the property. This limitation and the configuration of the topography in this area of the parcel do not allow for the development of the driveway and associated retaining walls without some encroachment on slopes in excess of 30% and no feasible driveway alignment exists. Therefore, staff recommends that the Planning Commission approve the Use Permit to allow development on slopes in excess of 30%.

OTHER AGENCY INVOLVEMENT:

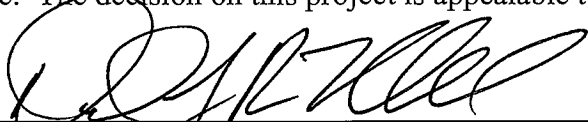
The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency
- √ Salinas Rural Fire Protection District

Agencies that submitted comments are noted with a check mark (“√”). Conditions recommended by RMA – Public Works, Environmental Health Department, Water Resources Agency, Salinas Rural Fire Protection District, and the RMA – Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit B**).

The project was scheduled for consideration by the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on April 15, 2009. Due to a lack of voting members, the project was continued to the next available date, May 20, 2009. The minutes and recommendation of the LUAC will be supplied to the Commission, at the Public Hearing on May 27, 2009.

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



David J. R. Mack, Assistant Planner
(831) 755- 5096, mackd@co.monterey.ca.us
April 13, 2009

cc: Front Counter Copy; Planning Commission; Salinas Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Luis A. Osorio, Planning Services Manager; David J. R. Mack, Project Planner; Carol Allen, Senior Secretary; Kenneth & Sally Ann Holbrook, Owner; Jerry Whitney, Agent; Planning File PLN090017

- Attachments:
- Exhibit A Project Data Sheet
 - Exhibit B Draft Resolution, including:
 1. Conditions of Approval
 2. Site Plan, Floor Plan and Elevations
 3. Tree Removal Site Plan
 - Exhibit C Vicinity Map
 - Exhibit D Forest Management Plan

This report was reviewed by Luis A. Osorio, Planning Services Manager
HOLBROOK (PLN090017)



EXHIBIT – A

PROJECT
DATA
SHEET

EXHIBIT A

Project Information for PLN090017

Project Title: HOLBROOK K W & SALLY ANN TRS

Location: 704 TESORO RD MONTEREY

Primary APN: 173-074-020-000

Applicable Plan: Greater Monterey Peninsula Area Plan

Coastal Zone: No

Permit Type: Combined Development Permit

Zoning: LDR/B-6-D

Environmental Status: Exempt

Plan Designation: LOW DENSITY RES

Advisory Committee: Greater Monterey Peninsula

Final Action Deadline (884): 6/12/2009

Project Site Data:

Lot Size: 33,211

Coverage Allowed: 25%

Existing Structures (sf): 0

Coverage Proposed: 17%

Proposed Structures (sf): 5,642

Height Allowed: 30

Height Proposed: 29

Total Sq. Ft.: 5,642

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: MODERATE

Biological Report #: N/A

Soils Report #: LIB090147

Forest Management Rpt. #: LIB090148

Archaeological Sensitivity Zone: MODERATE

Geologic Hazard Zone: IV

Archaeological Report #: N/A

Geologic Report #: LIB090147

Fire Hazard Zone: MODERATE

Traffic Report #: N/A

Other Information:

Water Source: CALIFORNIA-AMERICAN

Sewage Disposal (method): SEWER

Water Dist/Co: CALIFORNIA-AMERICAN

Sewer District Name: PASADERA SE

Fire District: SALINAS RURAL FIRE

Grading (cubic yds.): 440.0

Tree Removal: 5- OAK TREES

Exhibit A

EXHIBIT- B

DRAFT RESOLUTION, INCLUDING:

1. CONDITIONS OF APPROVAL
2. SITE PLAN, FLOOR PLAN AND ELEVATIONS
3. TREE REMOVAL SITE PLAN

**EXHIBIT B
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

HOLBROOK, Kenneth and Sally Ann (PLN090017)

RESOLUTION NO. _____

Resolution by the Monterey County Planning
Commission

- 1) Categorically Exempt per 15303(a)
- 2) Approve a Combined Development Permit consisting of: 1) Use Permit to allow development on slopes in excess of 30%; and 2) Use Permit for the removal of 5 Oak trees; and Design Approval for the construction of a 4,706 square foot two-story single family dwelling with attached three car garage and 142 linear foot driveway. Colors and materials to consist of "Sequin" exterior stucco walls; aluminum clad wood windows; "Beige" columns, window sills, and trim; "Jackson Valley" stone veneer; and mixed color slate roofing.

(PLN090017, HOLBROOK, Kenneth and Sally Ann,
704 Tesoro Road, Highway 68 area, Greater Monterey
Peninsula Area Plan (APN: 173-074-020-000)

The Combined Development Permit and Design Approval application (PLN090017) came on for public hearing before the Monterey County Planning Commission on May 27, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the Monterey County General Plan,
 - Greater Monterey Peninsula Area Plan,
 - Greater Monterey Peninsula Area Plan Inventory and Analysis,
 - Monterey County Zoning Ordinance (Title 21)

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 704 Tesoro Road, Highway 68 area

(Assessor's Parcel Number 173-074-020-000), Greater Monterey Peninsula Area Plan. The parcel is zoned LDR/B-6-D, or Low Density Residential with Building Site and Design Approval Overlays, which allows the construction of single family residences. The B-6 Building Site Overlay portion of the zoning restricts further subdivision of the subject parcel. The project proposal does not involve any proposed land division. A Design Approval application, as required by the "D" zoning overlay, has been incorporated and reviewed as part of the proposed project. Therefore, the project is an allowed land use for this site.

- c) The project planner conducted a site inspection on January 28, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- d) The project minimizes tree removal in accordance with applicable goals and policies of the Greater Monterey Peninsula Area Plan. (See Finding 7)
- e) Development on slopes that excess 30% is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30%. (See Finding 6)
- f) The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the development proposal involves a Design Approval subject for review by Planning Commission.
- g) 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 PLN090017.

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, Salinas Rural 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) Staff identified potential impacts to Slope Stability and Tree Removal. Technical reports by outside 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 independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *"Geotechnical Investigation for Single Family Residence for Lot 94, Tesoro Road Within the Pasadera Subdivision" (LIB090147) prepared by Soil Surveys Inc., Salinas, California, February 14, 2002.*
 - *"Evaluation of Trees – Holbrook Property – 704 Tesoro Road, Monterey" (LIB090148) prepared by Michael L. Bench of Barrie D. Coate & Associates, Los Gatos, California, November 3, 2008.*
 - c) Staff conducted a site inspection on January 28, 2009 to verify that the

site is suitable for this use.

- d) 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 PLN090017.

3. **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) The project was reviewed by RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies 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. The applicant has agreed to these conditions as evidenced by the application and accompanying materials and conditions (**Exhibit 1**).
 - b) Necessary public facilities are available on site. The site is located within the Pasadera (Bishop Ranch) subdivision. This development area is supplied water by California-American Water Company, and sewer service is provided through the Pasadera Community Services district.
 - c) Preceding findings and supporting evidence for PLN090017.

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.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on January 28, 2009 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090017

5. **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 15303(a) categorically exempts the construction of the first single-family residences in a residential zone.
 - b) No adverse environmental effects were identified during staff review of the development application during a site visit on January 28, 2009.

c) See preceding and following findings and supporting evidence.

6. **FINDING: DEVELOPMENT ON SLOPES IN EXCESS OF 30%** – The project includes development on slopes exceeding 30% and there is no feasible alternative that would allow development to occur on slopes less than 30%. In accordance with the applicable policies of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21), a Use Permit is required and the authority to grant said permit has been met.

- EVIDENCE:**
- a) Staff has reviewed the project plans and visited the site on January 28, 2009, to analyze possible development alternatives.
 - b) The areas in the northeastern perimeter of the parcel contain slopes that range from 31% to 33%. (See site plan – Exhibit B.2) Access can only be obtained from Tesoro Road, located in this area of the property. This limitation and the configuration of the topography in this area of the parcel do not allow for the development of the driveway and associated retaining walls without some encroachment on slopes in excess of 30% and no feasible driveway alignment exists.
 - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090017.

7. **FINDING: TREE REMOVAL** – The tree removal is the minimum required under the circumstances and the removal will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- a) The project includes the removal of 5 Coast Live Oak trees. In accordance with the applicable policies of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21), a Use Permit is required and the authority to grant said permit has been met.
 - b) Monterey County Zoning Ordinance Section 21.64.260(D)(3) requires a the submittal of a Forest Management Plan (FMP) and approval of a Use Permit for tree removal of more than three protected trees. The applicant has applied for and complied with these requirements.
 - c) Staff has reviewed the project plans and visited the site on January 28, 2009, to analyze possible environmental impacts from tree removal.
 - d) A Forest Management Plan was prepared by Michael L. Bench from Barrie D. Coate and Associates on November 3, 2008 (LIB090148).
 - e) The 0.768-acre parcel contains a total 22 Coast Live Oak trees (*Quercus agrifolia*), located in three separate areas: trees #1-19 are a single cluster, located on a north-west facing slope in the eastern portion of the property; tree #20 also located on a north-west facing slope is located near the center of the parcel; trees #21 and 22 are located on a west facing slope in the southern portion of the parcel. (Exhibit B.3 – Tree Removal Site Plan)
 - f) The proposed single family dwelling and driveway have been carefully designed to limit tree removal. Due to the topographic features, slopes contained on the parcel, and the lack of an alternative site to construct a driveway and associated retaining walls, 5 of the 22 trees will be subject to construction related impacts. The Forest Management Plan identified trees numbers 1, 3, 5, 7, and 9, as being located in close proximity (0.5

feet to 5.0 feet) to the retaining walls needed for the installation of the driveway. According to the Forest Management Plan (Exhibit D), these trees are likely to sustain root damage from grading activities.

- g) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones and fences. (Condition 9)
- h) The removal will not involve a risk of adverse environmental impacts. Seventeen of the 22 trees on the site will remain in place and will not be impacted by proposed construction and/or grading activities. A condition requiring that all removed trees be replaced using a 1:1 ratio, for a total of 5 replacement trees. (Condition 10)
- i) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090017.

8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040.D Monterey County Zoning Ordinance (Title 21).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Find the project to be Categorically Exempt from the California Environmental Quality Act (CEQA), pursuant to Section 15303(a).
- B. Approve the Combined Development Permit and Design Approval for the construction of a 4,706 square foot two story ingle family dwelling with attached 3 car garage and 142 linear foot driveway; Use Permit to allow for development on slopes in excess of 30%; and Use Permit for the removal of 5 oak trees, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this ____ day of ____, 2009.

Mike Novo, Secretary, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON _____

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION _____ - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: HOLBROOK, Kenneth and Sally Ann
 File No: PLN090017 APNs: 173-074-020-000
 Approved by: HEARING BODY Date: May 27, 2009

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

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)
RMA - Planning Department						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit and Design Approval (PLN090017) allows the construction of a 4,706 square foot two story single family dwelling with attached 3 car garage and 142 linear foot driveway; Use Permit to allow for development on slopes in excess of 30%; and Use Permit for the removal of 5 oak trees. The property is located at 704 Tesoro Road, Monterey (Assessor's Parcel Number 173-074-020-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. (RMA - Planning Department)</p>	<p>Adhere to conditions and uses specified in the permit.</p> <p>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.</p> <p>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.</p>	<p>Owner/ Applicant</p> <p>RMA - Planning</p> <p>WRA</p> <p>RMA - Planning</p>	<p>Ongoing unless otherwise stated</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)
2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 173-074-020-000 on May 27, 2009. The permit was granted subject to 28 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA - Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<p>PD032 - PERMIT TIME/YEAR & DATE</p> <p>The permit shall be granted for a time period of 4 years, to expire on _____. (RMA - Planning Department)</p>	<p>The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning.</p> <p>Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.</p>	Owner/ Applicant	As stated in the conditions of approval	
4.		<p>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)</p>	<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>	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)
5.		<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits.	
6.		<p>PD007 - GRADING-WINTER RESTRICTION</p> <p>No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services)</p>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	

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)
		Department)				
7.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	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	
8.		PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	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. Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Prior to the issuance of grading and building permits Ongoing	
9.		SPPD001 - TREE AND ROOT PROTECTION (NON-STANDARD) Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater)	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to final inspection	

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)
			Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/ Applicant/ Arborist	During Construction	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
10.		SPPD002 – TREE REPLACEMENT (NON-STANDARD) Pursuant to the recommendations prescribed in the “Forest Management Plan” prepared by Barrie D. Coate & Associates dated November 3, 2008, (LJB090148) oak tree replacement shall be at a 1:1 ratio and shall be incorporated into the landscaping plan required per Condition #11. A total of 5 trees shall be replaced (15 gallon minimum) in an area deemed appropriate by a Certified Arborist and/or Forester. (RMA- Planning Department)	Submit evidence of tree replacement to the Director of RMA- Planning Department after construction to document that tree replacement has been successful.	Owner/ Applicant/ Arborist	Prior to final inspection	
11.		PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY) – (NON-STANDARD) 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 incorporate the replacement and location of 5 Oak trees, in an area	Submit landscape plans and contractor’s estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan. The Landscape plan shall clearly identify the location of the 5 Oak trees to be replaced per Condition 10, in an area deemed appropriate by a Certified Arborist and/or Forester,	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			<p>Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “Residential Water Release Form and Water Permit Application” to the Monterey County Water Resources Agency for review and approval.</p> <p>Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “Residential Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.</p> <p>Submit an approved water permit from the MPWMD to the RMA – Building Permit</p> <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>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p> <p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p> <p>Owner/ Applicant/ Licensed Landscape Contractor</p> <p>Owner/ Applicant/ Licensed Landscape Architect</p>	<p>Prior to issuance of Building Permits</p> <p>Prior to issuance of Building Permits</p> <p>Prior to issuance of Building Permits</p> <p>Prior to Occupancy</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)
12.		<p>PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN</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 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. (RMA – Planning Department)</p>	<p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p> <p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Ongoing	
13.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Geotechnical report has been prepared for this parcel by Soil Surveys, Inc., dated February 14, 2002 and is on record in the Monterey County RMA - Planning Department, Library No. LIB090147. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p> <p>Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant	Prior to issuance of grading and building permits. Prior to Occupancy / 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)
14.		<p>PD016 – NOTICE OF REPORT Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Evaluation of Trees report has been prepared for this parcel by Michael L. Bench of Barrie D. Coate & Associates, dated November 3, 2008 and is on record in the Monterey County RMA - Planning Department, Library No. LIB090148. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits.	
15.		<p>PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)</p>	<p>Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.</p> <p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p> <p>2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.</p>	Owner/ Applicant	Prior to Occupancy	
RMA – Public Works Department						
16.		<p>PW0037 – ROUTE 68 IMPROVEMENT FEE Contribute \$4875.00 to County of Monterey for future improvements to State Route 68. (Public Works)</p>	<p>Applicant shall pay to DPW required Traffic Mitigation Fee.</p>	Owner/ Applicant	Prior to Issuance of Building Permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
17.		<p>PWSP001 – TAMC FEES (NON-STANDARD) Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the applicable fee schedule. (Public Works)</p> <p>PWSP002 – CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) Prior to issuance of Grading Permits or Building Permits, applicant shall submit a Construction Management Plan (CMP) to the RMA – Planning Department and the 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 construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (Public Works)</p>	<p>Applicant shall pay to County of Monterey required Regional Development Impact Fees (RDIF).</p> <p>A Construction Management Plan (CMP) shall be submitted to the RMA – Planning Department and the Department of Public Works.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to issuance of Building Permits.</p> <p>Prior to Issuance of Grading Permits and/or Building Permits.</p>	
Monterey County Water Resources Agency						
19.		<p>WR40 - WATER CONSERVATION MEASURES 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 maximum tank size or flush capacity of 1.6 gallons, all</p>	<p>Compliance to be verified by building inspector at final inspection.</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspection/occupancy</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)
		<p>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. (Water Resources Agency)</p>				
20.		<p>WR43 - WATER AVAILABILITY CERTIFICATION</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. (Water Resources Agency)</p>	<p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p>	Owner/Applicant	Prior to issuance of any building permits	
21.		<p>WRASP001 – DRAINAGE PLAN (NON-STANDARD)</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by the a registered civil engineer or architect addressing on-site and off-site impacts. Impervious surface stormwater runoff shall be directed to the existing stormwater drainage system for the Pasadera Subdivision. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	<p>Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.</p>	Owner/Applicant	Prior to issuance of any grading or building permits.	

Salinas Rural Fire Protection District

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)
22.		<p>FIRE007 - DRIVEWAYS</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 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.</p> <p>(Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</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)
23.		<p>FIRE008 - GATES All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
24.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance 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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to final building inspection.	
			<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection	

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)
25.		FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
26.		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of ___ feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
27.		FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Ming. 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)
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
28.		FIRE026 - ROOF CONSTRUCTION (STANDARD): 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 B roof construction. (Salinas Rural Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

END OF CONDITIONS

SHEET INDEX

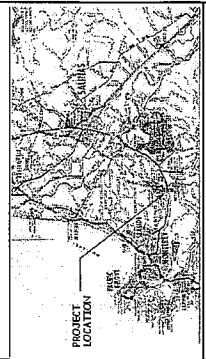
TS-001	TITLE SHEET
C-101	SITE PLAN PRELIM. GRADING
C-1	CIVIL DRIVEWAY GRADIN & DRAINAGE
C-2	DETAILS
C-3	EROSION CONTROL
A-101	FLOOR PLAN- 1ST. FLR.
A-102	FLOOR PLAN- ROOF PLAN
A-203	EXTERIOR ELEVATIONS
A-204	EXTERIOR ELEVATIONS
L-1	LANDSCAPE PLAN

A PROPOSED RESIDENCE FOR
LOT # 94
PASADERS SUB.
 704 TESORO RD. MONTEREY, CA. 93940
 A.P.N. 173-074-020

OWNER:
 KENNETH & SALLY ANN HOLBROOK
 407 ESTRELLA D' ORO
 MONTEREY, CA.
 93940
 (831) 647-1782

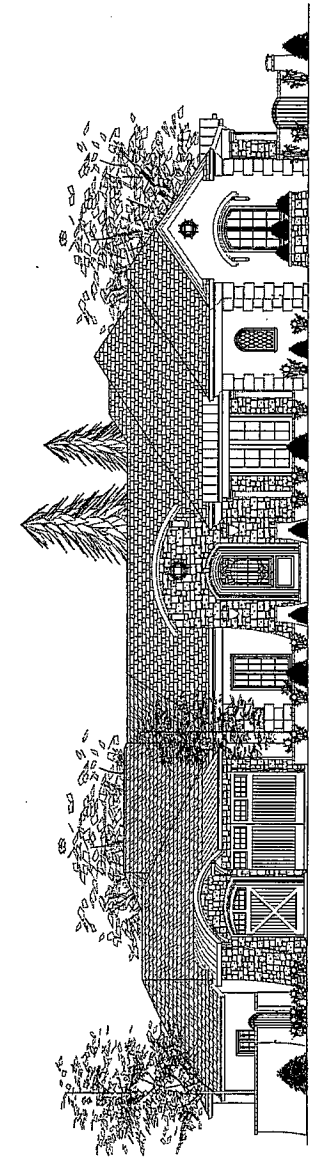
DESIGN BY:
 WESTSIERRA DESIGN GROUP
 303 PORTERO ST.
 STE. 43-104
 SANTA CRUZ, CA.
 95060
 (831) 392-6144
 (866) 648-0864

VICINITY MAP



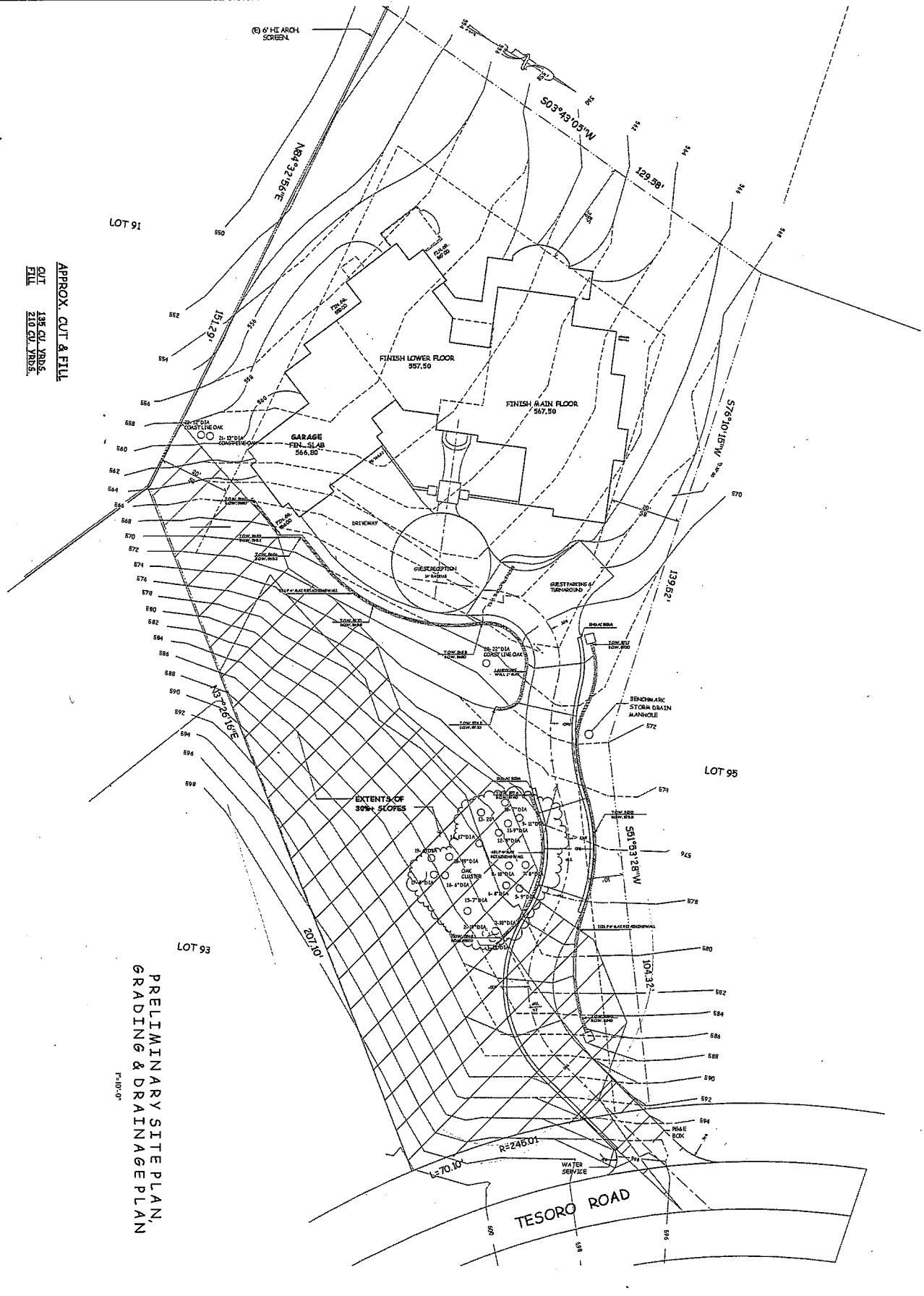
SQUARE FOOTAGES & COVERAGES

LOT	33,211 SQ. FT.
LIVING AREA	
1ST. FLOOR	3,397 SQ. FT.
2ND. FLOOR	1,309 SQ. FT.
TOTAL LIVING AREA	4,706 SQ. FT.
GARAGE, MECH. & CART	936 SQ. FT.
TOTAL COVERAGE BY BUILDINGS	13.7%



RECEIVED
 MAR 13 2009
 MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

PLW090017



APPROX. CUT & FILL
 CUT 1.98 CU. YARDS
 FILL 210 CU. YARDS

PRELIMINARY SITE PLAN,
 GRADING & DRAINAGE PLAN
 1"=10'-0"

C-101 SHEET NO. TOTAL SHEETS	GRADING & DRAINAGE PLAN	OWNER: KENNETH & SALLY ANN HOLBROOK	DESIGN BY: WestSierra Design Group	THIS DRAWING AND THE INFORMATION CONTAINED HEREIN ARE THE PROPERTY OF WESTSIERRA DESIGN GROUP AND SHALL REMAIN THE PROPERTY OF WESTSIERRA DESIGN GROUP. NO PART OF THIS DRAWING OR INFORMATION CONTAINED HEREIN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WESTSIERRA DESIGN GROUP. THE USER AGREES TO HOLD WESTSIERRA DESIGN GROUP HARMLESS FROM AND AGAINST ALL SUCH LIABILITY.
	LOT #94 PASADERA SUB.	303 POTRERO ST., STE. 431-104, SANTA CRUZ, CA. 95060 (831) 392-6144 F (866) 645-0864	SCALE: AS SHOWN	

- EROSION CONTROL MEASURES**
1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 2. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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EROSION CONTROL LEGEND

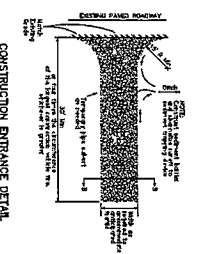
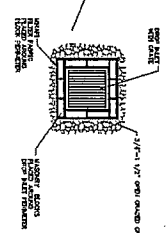
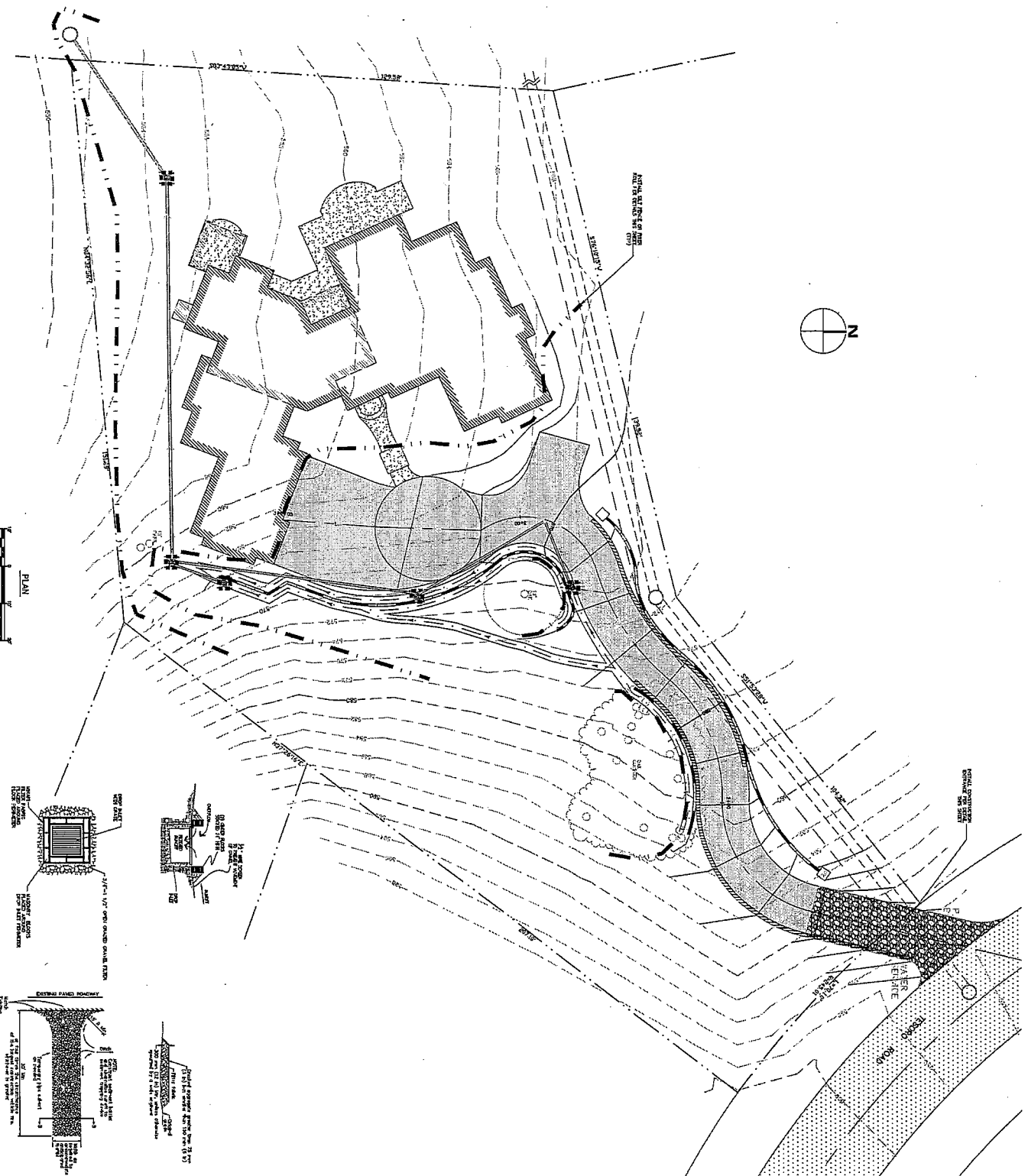
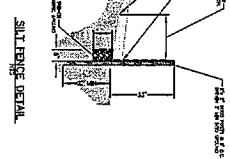
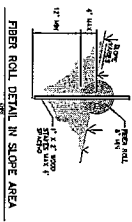
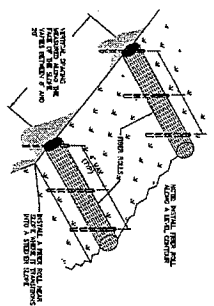
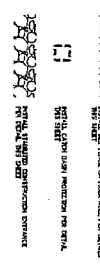
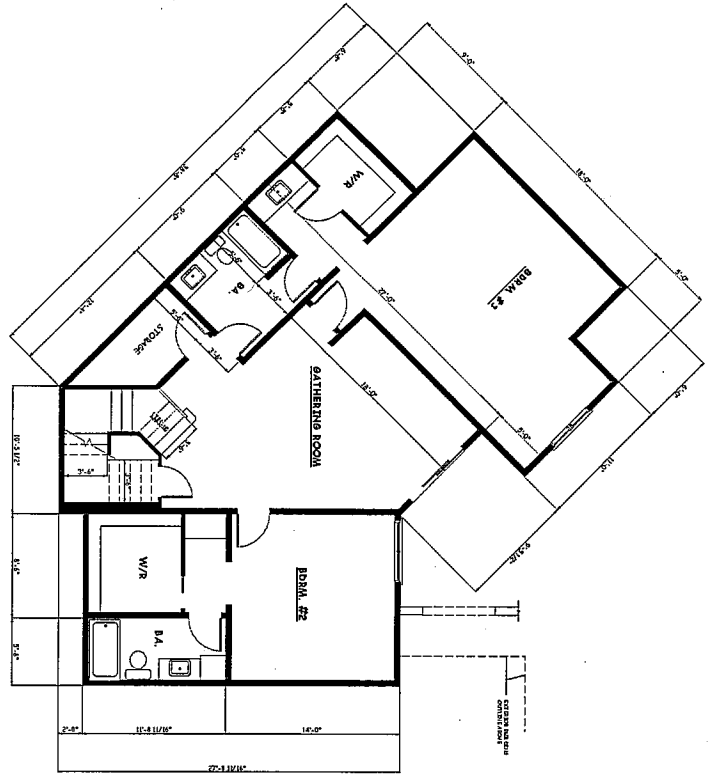
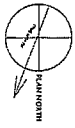
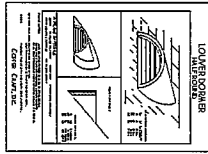


Exhibit B.2

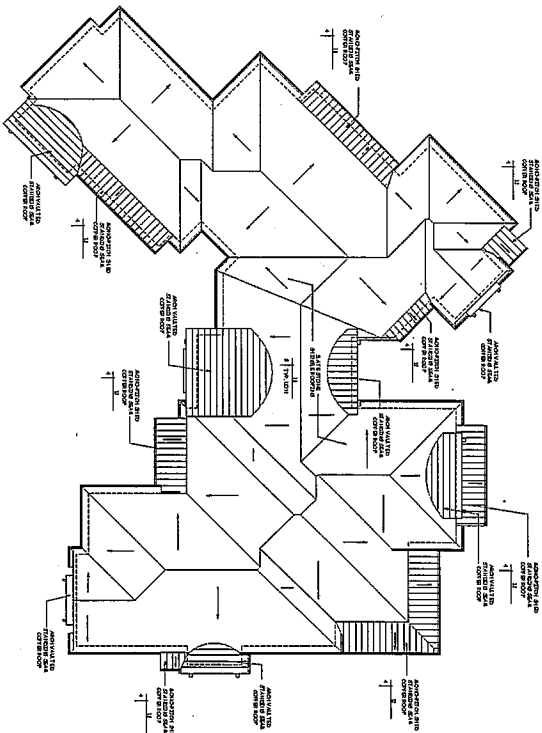
	<p>HOLBROOK RESIDENCE FOR KENNETH AND SALLY ANN HOLBROOK 704 TESORO ROAD MONTEREY COUNTY, CALIFORNIA 93940</p>		
	<p>PROJECT NO. 17-00000000 DATE: 08/15/11 DESIGNED BY: J. J. JENSEN CHECKED BY: J. J. JENSEN DATE: 08/15/11</p>		



LOWER STORY FLOOR PLAN
1/8"=1'-0"



LOWER ROOF
ROOF TYPE: 12/12
ROOF PITCH: 12/12
ROOF AREA: 1,125 SQ. FT.
ROOF PERIMETER: 140'-0"



ROOF PLAN
1/8"=1'-0"

LOWER STORY FLOOR PLAN
ROOF PLAN

LOT #94 PASADERA SUB.

OWNER:

KENNETH & SALLY ANN HOLBROOK

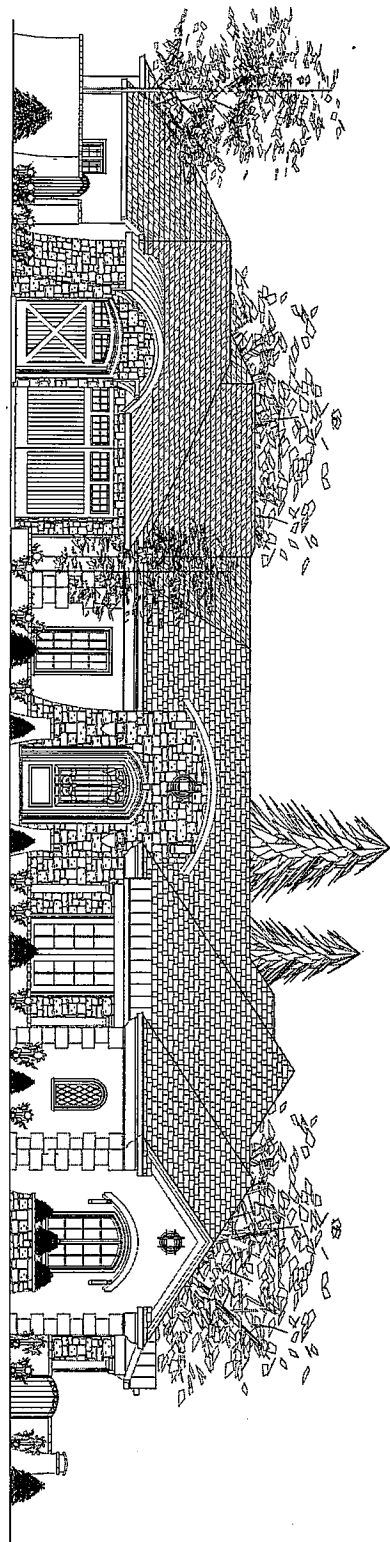
DESIGN BY:

WestSierra Design Group

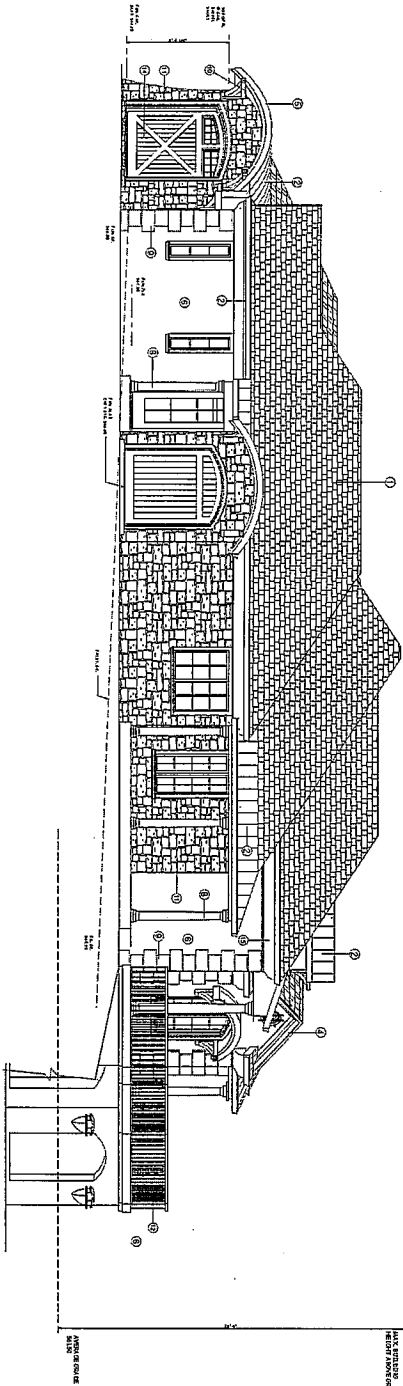
303 POTRERO ST., STE. 43-104, SANTA CRUZ, CA. 95060 (831) 392-4144 F (866) 648-8864

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Revisions



EAST



NORTH

EXTERIOR ELEVATIONS

1/4"=1'-0"

EXTERIOR ELEV. KEY

1. SLATE SHINGLE ROOFING
2. CORNER STAIRS/ROOFING & BRACKET WALLS WITH FINISHING
3. CORNER WALLS WITH FINISHING
4. CORNER WALLS WITH FINISHING
5. CORNER WALLS WITH FINISHING
6. CORNER WALLS WITH FINISHING
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15. CORNER WALLS WITH FINISHING

WestSierra Design Group
 393 FOTERBO ST., STE. 43-104, SANTA CRUZ, CA. 95060 (939) 392-6144 F (866) 648-8864

DESIGN BY:

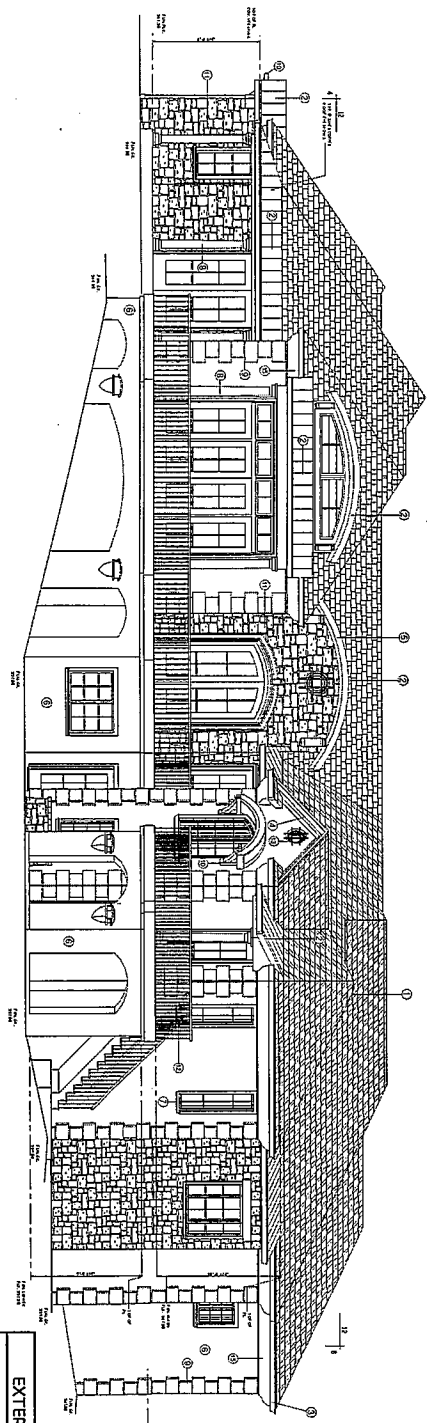
KENNETH & SALLY ANN HOLBROOK

OWNER:

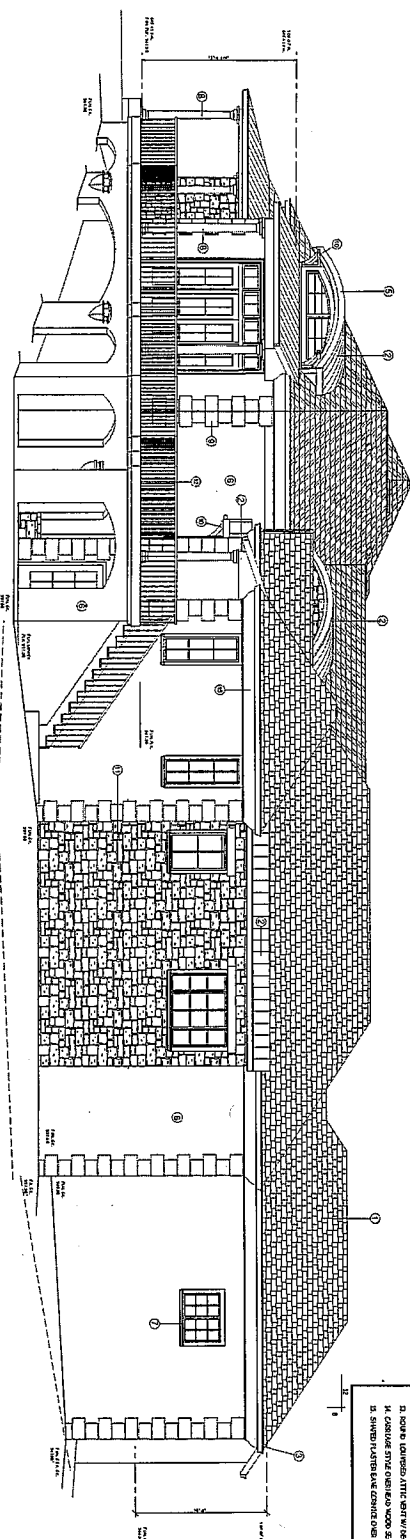
EXTERIOR ELEVATIONS

LOT #94 PASADERA SUB.

A-203



WEST

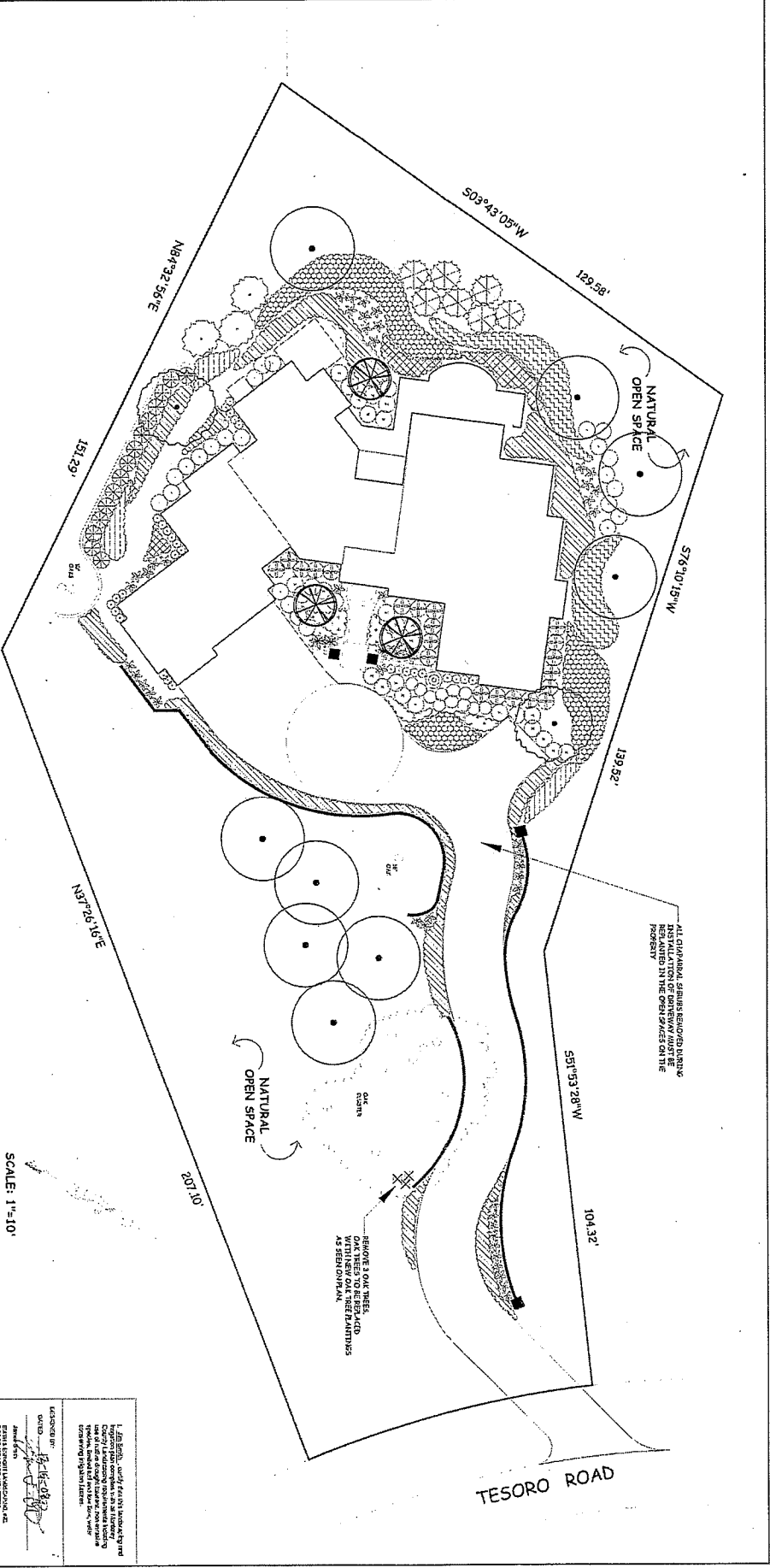


SOUTH

EXTERIOR ELEVATIONS

1/24/14-1/2

- EXTERIOR ELEV. KEY**
1. SLATE STONE ROOFING
 2. COTTEN SANDWICH COFFING & BRICKS WITH A SIBER STONES
 3. COTTEN SANDWICH COFFING & BRICKS WITH A SIBER STONES
 4. COTTEN SANDWICH COFFING & BRICKS WITH A SIBER STONES
 5. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 6. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 7. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 8. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 9. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 10. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 11. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 12. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 13. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 14. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH
 15. 1/2" STITCH TO THE CORNER QUARRY & SIBER WHITE FISH

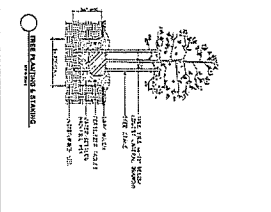
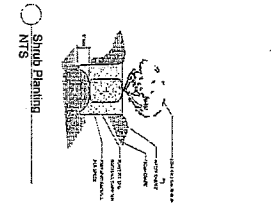
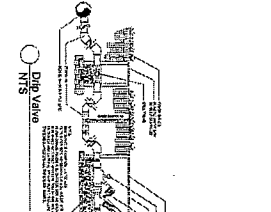
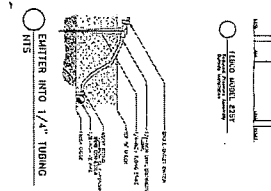


ALL ORIGINAL SHRUBS REMOVED DURING CONSTRUCTION AND REMAINED IN THE OPEN SPACES ON THE PROPERTY

REMOVE 1 QUARTER-SECTION OF EXISTING OAK TREES TO BE REPLACED WITH NEW OAK TREES TO MAINTAIN AS BEEN ON PLOT

SCALE: 1"=10'

NOTES:
 1. ALL PLANTINGS TO BE INSTALLED WITHIN THE 14-DAY PERIOD OF THE CONTRACT.
 2. ALL PLANTINGS TO BE INSTALLED WITHIN THE 14-DAY PERIOD OF THE CONTRACT.
 3. ALL PLANTINGS TO BE INSTALLED WITHIN THE 14-DAY PERIOD OF THE CONTRACT.
 4. ALL PLANTINGS TO BE INSTALLED WITHIN THE 14-DAY PERIOD OF THE CONTRACT.
 5. ALL PLANTINGS TO BE INSTALLED WITHIN THE 14-DAY PERIOD OF THE CONTRACT.



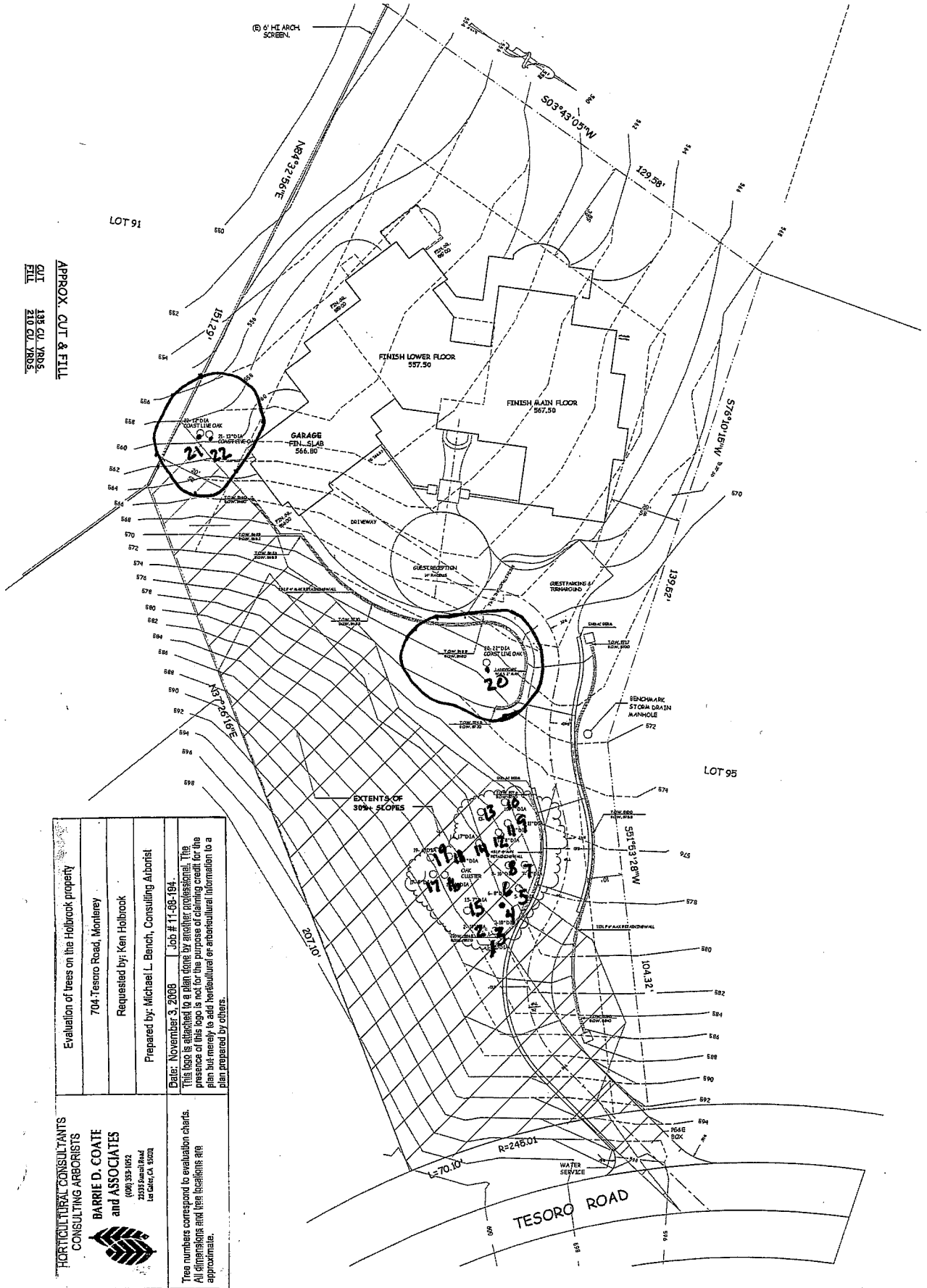
SYMBOL	PLANT LIST	COMMON NAME	SIZE	QTY
[Symbol]	GROUNDCOVER			
[Symbol]	ADONIS VERTICILLATUS	ADONIS	12x12	10
[Symbol]	ANTHURUS	ANTHURUS	12x12	10
[Symbol]	DIANTHUS	DIANTHUS	12x12	10
[Symbol]	ERIGONUM	ERIGONUM	12x12	10
[Symbol]	HELMINTHOSIS	HELMINTHOSIS	12x12	10
[Symbol]	PHLOX	PHLOX	12x12	10
[Symbol]	VERBENA	VERBENA	12x12	10
[Symbol]	YUCCA	YUCCA	12x12	10
[Symbol]	SHRUBS			
[Symbol]	FRAXINUS	FRAXINUS	12x12	10
[Symbol]	QUERCUS	QUERCUS	12x12	10
[Symbol]	CESTRUM	CESTRUM	12x12	10
[Symbol]	ERIGONUM	ERIGONUM	12x12	10
[Symbol]	DIANTHUS	DIANTHUS	12x12	10
[Symbol]	HELMINTHOSIS	HELMINTHOSIS	12x12	10
[Symbol]	PHLOX	PHLOX	12x12	10
[Symbol]	VERBENA	VERBENA	12x12	10
[Symbol]	YUCCA	YUCCA	12x12	10
[Symbol]	TREES			
[Symbol]	QUERCUS	QUERCUS	12x12	10
[Symbol]	CESTRUM	CESTRUM	12x12	10
[Symbol]	ERIGONUM	ERIGONUM	12x12	10
[Symbol]	DIANTHUS	DIANTHUS	12x12	10
[Symbol]	HELMINTHOSIS	HELMINTHOSIS	12x12	10
[Symbol]	PHLOX	PHLOX	12x12	10
[Symbol]	VERBENA	VERBENA	12x12	10
[Symbol]	YUCCA	YUCCA	12x12	10

1. All plants, shrubs and trees to be installed by the contractor within the 14-day period of the contract. The contractor shall be responsible for the maintenance of all plants, shrubs and trees until they are established. The contractor shall be responsible for the removal of all plants, shrubs and trees that are not established within the 14-day period of the contract.

Exhibit B.2

Exhibit B.3

APPROX. CUT & FILL
 CUT 138 CU. YRDS.
 FILL 210 CU. YRDS.



HORTICULTURAL CONSULTANTS CONSULTING ARBORISTS BARRIE D. COATE and ASSOCIATES (408) 333-1052 2355 Avenida Real Los Gatos, CA 95024	Evaluation of trees on the Holbrook property 704 Tesoro Road, Monterey Requested by: Ken Holbrook Prepared by: Michael L. Bench, Consulting Arborist	Date: November 3, 2008 Job # 11-08-194 This logo is attached to a plan sheet by another professional. The presence of this logo is not for the purpose of claiming credit for the plan but merely to add horticultural or arboricultural information to a plan prepared by others.
	Tree numbers correspond to evaluation sheets. All dimensions and tree locations are approximate.	

Exhibit B.3




EXHIBIT- C

VICINITY MAP

GREATER MONTEREY PENINSULA



APPLICANT: HOLBROOK
APN: 173-074-020-000 FILE # PLN090017

 300' Limit  2500' Limit  City Limits

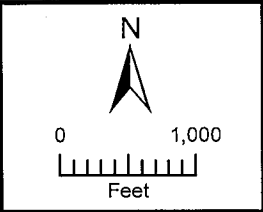


EXHIBIT- D

FOREST
MANAGEMENT PLAN

415070198

**BARRIE D. COATE
and ASSOCIATES**

Horticultural Consultants
23535 Summit Road
Los Gatos, CA 95033
408/353-1052

**EVALUATION OF TREES
HOLBROOK PROPERTY
704 TESORO ROAD
MONTEREY**

**Prepared at the request of:
Ken Holbrook
407 Estrella d'Oro
Monterey, CA 93940**

**Prepared by:
Michael L. Bench
Consulting Arborist
November 3, 2008**

Job # 11-08-194

PLN090017

Exhibit D

RECEIVED
MAR 13 2009
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.



**BARRIE D. COATE
and ASSOCIATES**
(408) 353-1052
23535 Summit Road
Los Calif, CA 95030

Tree #	Tree Name:	Measurements				Condition								Disposition				Notes						
		DIAMETER @ 4-1/2 FEET	DBH	DBH	DIAMETER @	HEIGHT	SPREAD	HEALTH	STRUCTURE	CD with I.B. *see below	TOPPED CROWN	HEAVY ENDWEIGHT	CABLES INDICATED	INSECTS	DISEASE	DEADWOOD	ROOT COLLAR COVERED		NEEDS WATER	PROTECTED?	HERITAGE TREE?	SUITABLE TO PRESERVE	SUITABLE TO TRANSPLANT	RECOMMEND P.T.R. *see below
21	Coast Live Oak	13				25	20	1	2															
22	Coast Live Oak	12				25	20	1	2															

Job N : Holbrook Property
Job #: 11-08-194

* CD w/I.B = CODOMINANT LEADERS WITH INCLUDED BARK

1=Be =Worst



**BARRIE D. COATE
and ASSOCIATES**
(408) 353-1052
23535 Summit Road
Los Gatos, CA 95030

Tree #	Tree Name	Measurements				Condition								Disposition				Notes						
		DIAMETER @ 4-1/2 FEET	DBH	DBH	DIAMETER @	HEIGHT	SPREAD	HEALTH	STRUCTURE	CD with I.B. *see below	TOPPED CROWN	HEAVY ENDWEIGHT	CABLES INDICATED	INSECTS	DISEASE	DEADWOOD	ROOT COLLAR COVERED		NEEDS WATER	PROTECTED?	HERITAGE TREE?	SUITABLE TO PRESERVE	SUITABLE TO TRANSPLANT	RECOMMEND P.T.R. *see below
1	Coast Live Oak <i>Quercus agrifolia</i>	13			15	20	4	3																sparse apical die back
2	Coast Live Oak	19	15		20	35	3	2																
3	Coast Live Oak	10			20	20	4	3																
4	Coast Live Oak	8			15	10	5	4																near dead
5	Coast Live Oak	9			20	15	3	3																
6	Coast Live Oak	8			20	15	3	2																
7	Coast Live Oak	8			20	15	3	2																
8	Coast Live Oak	10			20	15	3	2																
9	Coast Live Oak	11			20	15	3	2																
10	Coast Live Oak	7			12	15	3	3																

Job N 3: Holbrook Property
Job #: 11-08-194

* CD W/IB = CODOMINANT LEADERS WITH INCI U/D/F/D BARK

1=Be -Worst



Trees # 1-19 on a west facing slope seen here from the northwest. Individually the canopies are sparse. Trees # 1 and 2 in the center foreground have significant branch tip die back giving a grey appearance across the top of the canopies.



Trees # 5, 6, 7, and 8 in the center foreground seen from the west.

Trees # 9, 10, 11, and 12 in the right foreground.

Trees # 13 and 14 in the background (difficult to see here).

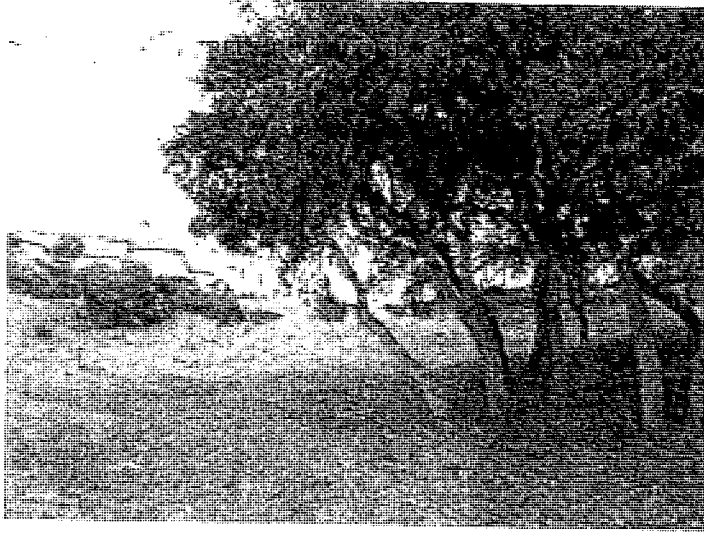
Again the canopies are relatively sparse and there is branch tip die back resulting in pockets of grey across the top of the canopies.



Trees # 1-19 seen here from the southeast.

The quantity of die-back on individual trees is impossible to see in this photo with the overlapping of canopies.

Exhibit D



Tree # 7 seen on the left of this cluster. This tree leans significantly toward the west and appears to be in conflict with canopy clearance requirements, especially emergency fire vehicles.



Tree # 20 seen here in the center of the photo. There is some die-back of the canopy on the northeast side (left side here). The majority of the canopy is relatively dense. I believe that this tree would improve if irrigated for a few years and if its root zone were adequately protected, both during and after construction.



Trees # 21 and 22. The backlighting here gives the impression that there is grey die-back across the top of the canopies, which is not the case. These trees are in good condition. There are additional trees on the adjoining property making the canopies appear larger than they are.

Exhibit D

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Comments about Specific Trees	Page 3
Protected Trees	Page 3
Risks to Trees by Proposed Construction	Page 3
Tree Protection Plan	Page 5
Enclosures	Page 7

Exhibit D

Assignment

I was asked by Mr. Jerry Whitney, Architect, to evaluate the existing trees located at Lot # 94, 704 Tesoro Road (Pasadero Development), Monterey, California.

The plan provided for this evaluation is the Site Plan and Preliminary Grading Plan prepared by Jerry Whitney, WestSierra Design Group, Santa Cruz, California, Sheet C-101, dated 10-08.

Summary

It appears that 22 total trees are located on the property at 704 Tesoro Road, Monterey, California. All of these trees are included in this inventory.

All of the 22 trees have trunks measuring 4 inches in diameter or larger and, therefore, are all protected by the County of Monterey regulation.

These 22 trees are identified by species, briefly described (trunk diameter, height, spread, health, structural integrity) and given an overall condition rating of Excellent, Good, Fair, Poor, Extremely Poor.

Many trees are described in greater detail to include disease, structural defects, or site conditions which may affect their potential for survival.

The risks to these trees indicated by the proposed plan are described here. It appears that Tree # 7 could not be preserved, but there may be two other trees, possibly more, that would be lost because of conflicts with engineering or code restrictions.

A Tree Protection Plan is enclosed in order to facilitate preservation of the existing trees in their present condition.

Methods

The trunks of the 22 trees are measured using a standard measuring tape at 4 ½ feet above soil grade (referred to as DBH or Diameter at Breast Height), except those specimens whose form does not allow for a representative measurement at this height. When possible, the trunk measurement is taken below the lowest fork on the trunk of a multi-stem specimen. The canopy height and spread are estimated using visual reference only.

Observations

It appears that there are only 22 trees located on the property at 704 Tesoro Road, Monterey, California. All of these 22 trees are included in this tree survey. The attached map shows the locations of all 22 trees and their approximate canopy dimensions. The canopies of Trees # 1-19 are shown as a single cluster. Metallic labels have been affixed to all of these trees for field reference.

All of the 22 trees are coast live oak (*Quercus agrifolia*) specimens. These trees are located on a west and southwest facing slope near the top of the ridge.

Exhibit D

The particulars about each of these 22 trees (trunk diameter, height, spread) are included in the attachments that follow this text. The data sheets indicate the health and structure of each specimen on a scale of 1-5 as follows: (1) Excellent, (2) Good, (3) Fair, (4) Poor, (5) Extremely Poor, which provides the basis for the following overall-condition rating of each tree.

Excellent Specimens	Good Specimens	Fair Specimens	Poor Specimens	Extremely Poor Specimens	Dead Specimens
21, 22	20	2, 5, 6, 7, 8,	1, 3, 12, 15,	4, 17	
		9, 10, 11, 13,	16, 19		
		14, 18			

Comments about Specific Trees

As previously noted these trees are located on a west and southwest facing slope near the top of the ridge. The soil at this elevation is typically relatively shallow and low in nutrients. The southwest exposure is a harsh dry environment resulting in annual drought stress, even in years of higher than average rainfall. During years of drought, trees in this environment usually suffer drought stress. Limbs are occasionally sacrificed for the survival of the remainder of the tree. This describes the cluster of Trees # 1-19 located adjacent to the proposed new driveway. Virtually all of these trees have suffered apical branch tip die-back or whole branch die-back. The leaves are in tight clusters on short stems close to the primary leaders. The leaf color is dark green on most stems, but the annual branch tip growth is minimal. Several of these trees have one or more branch cavities, resulting from the die-back of old branches.

Tree # 20 has a slightly sparse canopy, but could improve if irrigated monthly for a few years.

Trees # 21 and 22 have dense canopies, likely having benefited from the irrigation of the adjacent landscape for a few years.

Protected Trees

All of the 22 trees are of an indigenous species (*Quercus agrifolia*) and have trunks 4 inches in diameter or larger. This makes all 22 trees protected specimens by the County of Monterey regulation.

Risks to Trees by Proposed Construction

The plan proposes to construct a new driveway on the west side of the cluster of Trees # 1-19. The same driveway would arc around the west and southwest sides of Tree # 20. A soil cut of approximately 4 feet in depth would be made in the root zones of some of these trees to achieve the grading requirements. Retaining walls are proposed in those areas where the deep cuts would be made to help maintain the integrity of the new driveway. The retaining walls are shown at the following distances from the trunks of the nearest trees:

Exhibit D

- Tree # 1 – approximately 1.5 inches from the trunk and extending across an estimated $\frac{1}{4}$ of the root zone.
- Tree # 2 – approximately 4 feet from the trunk and extending across approximately $\frac{1}{4}$ of the root zone.
- Tree # 3 – approximately 2 feet from the trunk and extending across approximately $\frac{1}{2}$ of the root zone.
- Tree # 5 – approximately 3 feet from the trunk and extending across approximately $\frac{1}{2}$ of the root zone.
- Tree # 7 – approximately 3 feet from the trunk and extending across approximately $\frac{1}{2}$ of the root zone.
- Tree # 9 – approximately 3.5 feet from the trunk and extending across approximately $\frac{1}{2}$ of the root zone.
- Tree # 10 – approximately 5 feet from the trunk and extending across approximately $\frac{1}{4}$ of the root zone.
- Tree # 20 – approximately 7.5 feet from the trunk and extending across approximately $\frac{2}{3}$ of the root zone.

The actual soil cut would be closer than the back side of the retaining wall as shown on the plan and, therefore, more severe than noted here. If these distances are accurate in relation to the trunks, it is unlikely that Trees # 1, 3, 5, 7, and 9 would survive the root loss.

The lean of Tree # 7 toward the west over the new driveway appears to place the trunk of this tree in conflict with the height requirement, especially for the emergency fire access. It appears that Tree # 7 would require removal to meet this requirement.

The risk to Tree # 20, resulting from the driveway cut, would be severe because of the distance from the wall and because a high percentage of the root zone would be damaged as currently proposed.

No soil cuts or fills are proposed in the root zone of Trees # 21 and 22. The trenching for the footing of the residence would be approximately 11 feet from the Tree # 21, but the angle of this trenching in relation to the trunk should result in only minor root loss.

If the canopy of Tree # 21 would require pruning to clear the corner of the garage, it would be essential that the pruning be limited to 25% of the total canopy. This quantity of canopy loss is accepted by the ISA (International Society of Arboriculture) Western Chapter Standards, 1998. It appears that the actual canopy loss of Tree # 21 would be less than 25%.

The management of materials and equipment, often as part of the staging area(s), commonly poses a risk to existing trees. Protective fencing is the primary defense for existing trees in this circumstance. Prevention is key to tree protection, because repair or remediation is usually ineffective in restoration of a damaged tree.

Exhibit D

If any underground utilities are to be constructed at this site, it will be essential that the location of trenches be planned prior to construction and those locations are shown on plans, and that the trenches are dug at the locations shown on the plans.

Tree Protection Plan

1. If the following distances between the actual soil cut and the nearest side of the trunks of the individual trees, it is likely that they would survive in good condition provided these trees are irrigated throughout the entire construction project. These recommended distances allow for a fairly significant root loss which would result in survival only if these trees are irrigated monthly and without interruption for a minimum of 2 years, but up to 5 years preferred.

The recommended distances are as follows:

Tree # 1 – 6 feet from the trunk

Tree # 2 – 8 feet from the trunk

Tree # 3 – 5 feet from the trunk

Tree # 5 – 6 feet from the trunk

Tree # 7 – 5 feet from the trunk

Tree # 9 – 7 feet from the trunk

Tree # 10 – 5 feet from the trunk

Tree # 20 – 10 feet from the trunk (at the nearest point - west and south sides)

2. It would be essential to protect the existing trees from parked vehicles or stockpiled materials within the root zones. The risks would be broken branches, bark injuries, and soil compaction of the root zones. For this reason, I recommend that protective fencing be provided during the construction period to protect those trees that are to be preserved. This fencing must protect a sufficient portion of the root zone to be effective. In most cases, it would be essential to locate the fencing a minimum radius distance of 10 times the trunk diameter in all directions from the trunk. For example, a tree with a trunk diameter of 15 inches dbh (Diameter at Breast Height = 54 inches above grade) would require that protective fencing be at least 13 feet from the trunk. If hardscape (i.e., curbing, paving, etc.) exists inside this 13 foot radius, the protective fencing must be erected at the edge of the hardscape feature and be located at least 13 feet from the trunk on all other sides.

In my experience, the protective fencing must:

- Consist of chain link fencing and having a minimum height of 6 feet.
- Be mounted on steel posts driven approximately 2 feet into the soil.
- Fencing posts must be located a maximum of 10 feet on center.
- Protective fencing must be installed prior to the arrival of materials, vehicles, or equipment.
- Protective fencing must not be moved, even temporarily, and must remain in place until all construction is completed, unless approved by a certified arborist.

3. There must be no grading, trenching, or surface scraping inside the driplines of

protected trees, except specifically provided for on the approved plans or approved by a certified arborist.

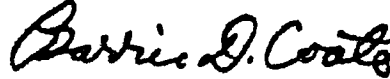
4. Trenching for any underground utilities must be a minimum distance of 10 times the trunk diameter from the trunk of any tree, unless approved and supervised by a certified arborist.
5. I recommend that Trees # 1, 2, 3, 5, 7, 9, 10, 20, 21 and 22 (or those in this group that would all be preserved) be irrigated throughout the entire construction period during the dry months (any month receiving less than 1 inch of rainfall). Irrigate a minimum of 10 gallons for each inch of trunk diameter every two weeks. A soaker hose or a drip line is preferred for this purpose, but the soaker hose(s) must be located near the dripline to be effective. If Trees # 1-20 are irrigated for up to 5 years, they may recover sufficiently that no irrigation would be required after that time.
6. I recommend that the entire area inside the driplines of the trees to be preserved nearest construction (Trees # 1, 2, 3, 5, 7, 9, 10, 20, and 21) must be mulched to the extent feasible. Mulching consists of a protective material (wood chips, gravel) being spread over the root zone inside the dripline. This material must be 4 inches in depth after spreading, which must be done by hand. I prefer coarse wood chips because it is organic, and degrades naturally over time. Wood chips must be $\frac{1}{4}$ to $\frac{3}{4}$ inch in diameter primarily. One supplier is Reuser, Inc., 370 Santana Dr., Cloverdale, CA 95425, (707)894-4224.
7. Materials must not be stored, stockpiled, dumped, or buried inside the driplines of protected trees.
8. Excavated soil must not be piled or dumped, even temporarily, inside the driplines of protected trees.
9. Loose soil must not be allowed to slide down slope to cover the root zones or the root collars of protected trees.
10. Any pruning must be done by an arborist certified by the ISA (International Society of Arboriculture) and according to ISA, Western Chapter Standards, 1998.
11. Any pathways or other hardscape planned for landscape construction inside the driplines of protected trees must be constructed completely on top of the existing soil grade without excavation. Fill soil may be added to the edge of finished hardscape for a maximum distance of approximately 2 feet from the edges to integrate the new hardscape to the natural grade.
12. The plants that are planted inside the driplines of oak trees must be of species that are compatible with the environmental and cultural requirements of oaks trees. A

publication about plants compatible with California native oaks can be obtained from the California Oak Foundation, 1212 Broadway, Suite 810, Oakland, 94612.

Respectfully submitted,



Michael L. Bench, Associate



Barrie D. Coate, Principal

MLB/sh
Enclosures:
Assumptions and Limiting Conditions
Photos
Tree Chart
Definition of Tree Chart.
Map

Exhibit D



BARRIE D. COATE and ASSOCIATES

(408) 353-1052
23535 Summit Road
Los Gatos, CA 95030

DEFINITION OF TERMS ON TREE EVALUATION CHARTS

DBH 1	Diameter in inches at breast height, or 4 ½ feet.
MULTI-STEM TREE	Check mark if the tree has more than one stem.
DBH 2 and DBH 3	Diameter at breast height for the multi-stem trunks, if any.
HEIGHT	As explained, listed by feet, approximately.
CANOPY DIAMETER	Canopy diameter listed by feet, approximately.
HEALTH	A judgment of relative health for the species in the subject area and soil. Number 1 signifies excellent health. A rating of number 5 represents specimens which are dead or actively dying.
STRUCTURE	Judgement of relative structure: 1= perfect structure; 2= good to average structure; 3= potentially hazardous and repairable; 4= actively hazardous, but repairable; 5= actively hazardous and not repairable.
HAZARD RATING	A proportionate degree of hazard, based on 3 factors, failure potential, size of part which would fail, and a target rating potential 4-12.
CONDITION RATING	A composite of Health and Structure ratings.
CROWN CLEANING	Crown cleaning is the removal of dead, dying, diseased, crowded; weakly attached, and low-vigor branches and watersprouts from a tree crown.
CROWN THINNING	Includes crown cleaning and the selective removal of branches to increase light penetration and air movement into the crown. Increased light and air stimulates and maintains interior foliage, which in turn improves branch taper and strength. Thinning reduces the wind-sail effect of the crown and the weight of heavy limbs. Thinning the crown can emphasize the structural beauty of trunk and branches as well as improve the growth of plants beneath the tree by increasing light penetration. When thinning the crown of mature trees, more than one-third of the live foliage should never be removed.
CROWN REDUCTION	Used to reduce the height and/or spread of a tree. Thinning cuts are most effective in maintaining the structural integrity and natural form of a tree and in delaying the time when it will need to be pruned again. The lateral to which a branch or trunk is cut should be at least one-half the diameter of the cut being made.
CROWN RESTORATION	Can improve the structure and appearance of trees that have been topped or severely pruned using heading cuts. One to three sprouts on main branch stubs should be selected to reform a more natural appearing crown. Selected vigorous sprouts may need to be thinned to a lateral, or even headed, to control length of growth in order to ensure adequate attachment for the size of the sprout. Restoration may require several prunings over a number of years.

CROWN RAISING

Removes the lower branches of a tree in order to provide clearance for buildings, vehicles, pedestrians, and vistas. It is important that a tree have at least one-half of its foliage on branches that originate in the lower two-thirds of its crown to ensure a well-formed, tapered structure and to uniformly distribute stress within a tree.

When pruning for view, it is preferable to develop "windows" through the foliage of the tree, rather than to severely raise or reduce the crown.

PRUNING PRIORITY

The relative importance of the recommended pruning based on the danger created by the unpruned portions.

REMOVE END-WEIGHT

Defined as requiring the removal of the ends of major limbs or major branches in sufficient quantity to prevent the breakage of the limb in question. This is done by thinning. Different species will require different amounts of end-weight removal depending on the inherent structure of the tree. As an example, Elm trees must not be allowed to develop heavy end-weights, where the same amount of end-weight on Magnolia may not be dangerous. Possible entries in that column would be 1 through 5. Number 1 meaning no attention is needed, 5 meaning immediate attention is needed.

CABLES NEEDED

If support cables are needed, the quantity needed would be noted here.

INSECTS

This would define the proportion of insect presence and damage to a tree. A separate list might accompany this to show what insects might be found in each different species of tree. The potential numbers listed under this column would be 1 through 5 showing the proportionate severity of the infestation of insects. Number 1 being no presence visible at the time the survey was taken, 5 being a very severe case that should be treated immediately.

TREE CROWN DISEASES

Defined as the proportion of diseases present in the specimen at the time the survey was taken. Potential entries in this column would be 1 through 5. Number 1 signifying very severe disease presence that should be treated. For this column a high rating may only serve to provide warning for the following year that treatment for the diseases in question should be planned in advance. Examples are Anthracnose disease on Modesto Ash. They would have to be sprayed before foliage is developed far enough for the disease to damage the foliage, usually in early March.

DEAD WOOD

Self-explanatory. Defines the proportion of dead wood that is in the crown of a tree. Entries possible in that column would be 1 through 5. Number 1 meaning none present, 5 meaning a significant quantity of dead parts present. This would usually be reflected in the health rating for this tree, but not always if the species typically accumulates dead twigs in the tree, as does *Albizia julibrissin*.

TRUNK DECAY

Trunk decay would signify the proportionate amount of decay in the trunk of the tree. This is usually a result of removal of large limbs or branches from which decay travels and is a far more serious problem in some species than in others. Significant amounts of trunk decay in Elms would be a very serious potential problem, where the same amount of trunk decay in a Magnolia might not be nearly so dangerous. Potential entries in that column would be 1 through 5. Number 1 signifying no decay, 5 signifying so much decay that the tree should be immediately removed.

Exhibit D

ROOT-COLLAR COVERED

When the root collar of many species is covered, *Armillaria mellea*, *Phytophthora cactorum*, or other diseases, may kill vascular tissue, implying that this condition



**BARRIE D. COATE
and ASSOCIATES**

Horticultural Consultants
23535 Summit Road
Los Gatos, CA 95033
408/353-1052

ASSUMPTIONS AND LIMITING CONDITIONS

1. Any legal description provided to the appraiser/consultant is assumed to be correct. No responsibility is assumed for matters legal in character nor is any opinion rendered as to the quality of any title.
2. The appraiser/consultant can neither guarantee nor be responsible for accuracy of information provided by others.
3. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless subsequent written arrangements are made, including payment of an additional fee for services.
4. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
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6. This report and the values expressed herein represent the opinion of the appraiser/consultant, and the appraiser's/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding to be reported.
7. Sketches, diagrams, graphs, photos, etc., in this report, being intended as visual aids, are not necessarily to scale and should not be construed as engineering reports or surveys.
8. This report has been made in conformity with acceptable appraisal/evaluation/diagnostic reporting techniques and procedures, as recommended by the International Society of Arboriculture.
9. When applying any pesticide, fungicide, or herbicide, always follow label instructions.
10. No tree described in this report was climbed, unless otherwise stated. We cannot take responsibility for any defects which could only have been discovered by climbing. A full root collar inspection, consisting of excavating the soil around the tree to uncover the root collar and major buttress roots, was not performed, unless otherwise stated. We cannot take responsibility for any root defects which could only have been discovered by such an inspection.

CONSULTING ARBORIST DISCLOSURE STATEMENT

Arborists are tree specialists who use their education, knowledge, training, and experience to examine trees, recommend measures to enhance the beauty and health of trees, and attempt to reduce risk of living near trees. Clients may choose to accept or disregard the recommendations of the arborist, or to seek additional advice.

Arborists cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Arborists cannot guarantee that a tree will be healthy or safe under all circumstances, or for a specified period of time. Likewise, remedial treatments, like medicine, cannot be guaranteed.

Trees can be managed, but they cannot be controlled. To live near trees is to accept some degree of risk. The only way to eliminate all risk associated with trees is to eliminate all trees.

Barrie D. Coate

Barrie D. Coate
ISA Certified Arborist
Horticultural Consultant

Exhibit D