PLANNING COMMISSION COUNTY OF MONTEREY, STATE OF CALIFORNIA

RESOLUTION NO. 08019

A. P. # 416-011-017-000

In the matter of the application of **Emmett Murphy (PLN070540)**

FINDINGS AND DECISION

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit Amendment to a previously approved amendment (PLN030071/Bliss) to a previously approved Combined Development Permit (PLN980149/Bliss). This second amendment consists of: 1) a Coastal Administrative Permit for the construction of a two-story 5,363 square foot single family dwelling with a 1,785 square foot attached garage, 160 square foot pool, hot tub, 3,252 square feet of patio area, photovoltaic cells, well, septic system, and access road/driveway; 2) a Coastal Development Permit to allow development within environmentally sensitive habitat; and 3) Design Approval. Grading will consist of 4,604 cubic yards of cut and 246 cubic yards of fill. The property is located at 3600 Red Wolf Road, Point Lobos Ridge, Carmel Area Land Use Plan, and came on regularly for hearing before the Planning Commission on May 14, 2008.

WHEREAS: Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

- 1. FINDING: CONSISTENCY The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Carmel Area Land Use Plan (LUP), the Monterey County Zoning Ordinance (Title 20), and the Monterey County Zoning Ordinance Part 4 (Coastal Implementation Plan for the Carmel Area), which designates this area as appropriate for development.
 - **EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - (b) The property is located at 3600 Red Wolf Road (Assessor's Parcel Number 416-011-017-000), Carmel Area LUP. The parcel is zoned Watershed and Scenic Conservation, 80 acres per unit, with a Design Control Overlay (Coastal Zone) ["WSC/80-D (CZ)"] which allows residential development as a principal use requiring a Coastal Administrative Permit. Therefore, the property is suitable for the proposed development consisting of a single family dwelling, accessory structures, and associated grading.
 - (c) The project planner conducted site inspections on September 19, 2007, and April 16, 2008, to verify that the project on the subject parcel conforms to the plans listed above.

- (d) Scenic Resources. The proposed project is located within a public viewing area. See Finding #6.
- (e) Environmentally Sensitive Habitat. The proposed project disturbs environmentally sensitive maritime chaparral habitat. See Finding #7.
- (f) The project was referred to the Carmel Highlands Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project on February 19, 2008, and unanimously recommended approval. previously approved project was reviewed by the LUAC on May 19, 2003, and also unanimously recommended for approval. The LUAC's concerns are addressed below:
 - 1) Numerous Truck Trips. The LUAC cited concerns about the number of truck trips and the potential impact. Mitigation #12 requires a construction management plan addressing construction-related truck traffic and the timing and routing of trips to reduce impacts on congestion and avoid peak hour trips.
 - 2) Visibility from Point Lobos State Reserve. The LUAC cited a concern about the potential visual impact. Potential visibility and visual impacts of the project from Point Lobos State Reserve were assessed in the initial study for PLN030071, and measures incorporated to reduce potential impacts to a less than significant level (Mitigations #1, #2, #3, and #4).
 - 3) Visibility from Palo Corona Ranch. The LUAC also noted potential visibility of the project from Palo Corona Ranch, which was recently acquired by the Big Sur Land Trust. While the project is potentially visible from portions of the property and may eventually become open to the public in the future, Palo Corona Ranch is currently owned by a private land trust and its views are not protected under the Land Use Plan. The project is sited so that it does not face towards the ranch and the use of appropriate materials and landscaping minimize any visibility.
 - 4) Exterior Lighting. The LUAC expressed concern about exterior lighting and glare, and recommended that lighting be the minimum necessary for safety and that it be shaded, downcast and low voltage. Mitigation #4 addresses lighting and glare, and incorporates this language. The measure also requires the removal of lighting determined to be obtrusive within the five-year period after installation. The committee recommended that the lighting plan be made available to the LUAC. Any interested member of the public may view the lighting plan and staff will notify the LUAC members when the plan is submitted.
 - 5) Erosion Control Measures. The LUAC recommended that erosion control measures should be in place prior to any grading activities. An erosion control plan is required as a condition of approval (Condition #9), and includes an implementation schedule and identification of measures to be in place prior to grading.
 - 6) Protection of Oak Trees. The LUAC recommended protection of oak trees near construction activities. No tree removal is proposed as part of the project, and Mitigation #12 requires individual trees and clusters to be protected and fenced off from construction areas.
 - 7) Large Motor Court. The LUAC expressed concern about the impact of the large motor court area on maritime chaparral and increased runoff. This area has been eliminated under the current proposal.

- (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 Nos. PLN980149, PLN030071, and PLN070540.
- 2. FINDING: SITE SUITABILITY The site is physically suitable for the use proposed.
 - EVIDENCE: (a) The project has been reviewed for site suitability by the following departments and agencies: RMA Planning Department, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) Technical reports by outside biological, archaeological, geological, and geotechnical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following reports have been prepared:
 - i. "Preliminary Archaeological Reconnaissance" (LIB070478) prepared by Mary Doane, B.A. and Trudy Haversat, SOPA, Archaeological Consulting, dated April 29, 1998.
 - ii. "Geotechnical and Geological Hazards Report" (LIB070479) prepared by Grice Engineering and Geology Inc, dated August 14, 1998.
 - iii. "Biological Report" (LIB070476) prepared by Jud Vandevere and Associates, dated June 22, 1998.
 - iv. "Revised Biological Report" (LIB070477) prepared by Jud Vandevere and Associates, dated July 12, 1999.
 - v. "Revised Biological Report" (LIB080103) prepared by Jud Vandevere and Associates, dated February 14, 2001.
 - vi. "Percolation Study" (LIB070480) prepared by Grice Engineering and Geology Inc, dated August 31, 1998.
 - vii. "Storm Drainage Study" prepared by Grice Engineering and Geology Inc, dated January 10, 2001.
 - viii. Letter regarding review of landscape plan from Dale Hameister, Biological Consultant, Rana Creek Habitat Restoration, dated September 20, 2002.
 - ix. Letter regarding review of site repositioning from Dale Hameister, Biological Consultant, Rana Creek Habitat Restoration, dated October 2, 2002.
 - x. "Public Viewshed Analysis" prepared by Dale Hameister, Biological Consultant, Rana Creek Habitat Restoration, dated December 10, 2002.
 - (c) Staff conducted site inspections on September 19, 2007, and April 16, 2008, to verify that the site is suitable for this use. Staff also conducted site visits for PLN030071 on May 20, 2003, April 5, 2004, and May 7, 2004.
 - (d) The property contains an existing permitted well.
 - (e) Materials in Project File Nos. PLN980149, PLN030071 and PLN070540.
 - (f) Finding #3 and supporting evidence.

- 3. **FINDING:** AMENDMENT Consideration of the request for the amendment has been carried out pursuant to Monterey County Code Section 20.70.105.B CIP Part 1 (Title 20).
 - **EVIDENCE:** (a) Although the amendment does not create any impacts not already assessed in the original permit, the changes in the design were not considered minor due to the revisions to size and location, and the public interest and profile of the project as a whole.
 - (b) On July 28, 2004, the Monterey County Planning Commission approved an Amendment (PLN030071/Bliss) to a previously approved Combined Development Permit (PLN980149/Bliss) consisting of the following:
 - Coastal Administrative Permit for the construction of a 7,985 square foot single family dwelling with a 1,017 square foot attached garage, 425 square foot poolhouse, swimming pool, septic system, spa, well, water tank, 160 square foot pump shed, and retaining walls; Coastal Development Permit to allow development within environmentally sensitive habitat; grading consisting of 8,770 cubic yards of cut and 30 cubic yards of fill; and design approval.
 - (c) On August 27, 2007, the applicant submitted a request for an application to amend a previously approved project (PLN030071/Bliss) with a revised site plan that reduces the overall structural development by approximately 2,189 square feet, and reduces non-structural development by eliminating the motor court and reducing patio area. The total development area for the structures, utilities, and access road/driveway remains approximately one acre, and remains within the previously approved building envelope.
 - (d) As approved and amended, permit number PLN070540 will become and be referred to as the approved permit.
- 4. **FINDING: CEQA (Addendum)** An Addendum to the previously adopted (Mitigated) Negative Declaration is appropriate for the proposed project, and no further documentation is necessary.
 - EVIDENCE: (a) Section 15164 of the California Environmental Quality Act (CEQA)
 Guidelines allows that an Addendum to an adopted Negative Declaration
 may be prepared, subject to the provisions of that Section.
 - (b) The Monterey County RMA-Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study provided substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN030071). The Mitigated Negative Declaration includes mitigation measures that address potential impacts to Aesthetics, Biological Resources, Hydrology and Water Quality, and Traffic and Transportation. No other potentially significant issues have been identified for the proposed project.
 - (c) All physical impacts to the development site were reviewed with County File Number PLN030071, and a Mitigated Negative Declaration was considered and adopted on July 28, 2004. The County has considered the proposed project and determined its scope does not alter the conclusions

- in the Initial Study. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.
- (d) An Addendum to an adopted Mitigated Negative Declaration may be prepared and considered as allowed by Section 15162 of the CEQA Guidelines if none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or Negative Declaration have occurred.
 - 1) There are no new substantial changes to the project {15162(a)(1)}, or the circumstances under which the project is undertaken {15162(a)(2)};
 - 2) There are no new significant environmental effects or increase in the severity of previously identified significant effects {15162(a)(2)}; and
 - 3) There is no new information of substantial importance that was not known at the time the previous Mitigated Negative Declaration was adopted {15162(a)(3)}.
- (e) Staff site visits on September 19, 2007, and April 16, 2008.
- (f) The application and materials in Project File Nos. PLN030071, PLN980149, and PLN070540.
- 5. **FINDING: PUBLIC ACCESS** The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Section 20.70.050.B.4). No access is required, as no part of the project has a substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan.
 - **EVIDENCE:** (a) The subject property is not described as an area where the Local Coastal Program requires access.
 - (b) The subject property is not indicated as part of any designated trails or shoreline access as shown in Figures 3, the Public Access Map, of the Carmel Area Land Use Plan.
 - (c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - (d) An existing easement exists on the property allowing access to an adjacent parcel owned by the Big Sur Land Trust, which is expected to be transferred over to the California Department of Parks and Recreation. A condition has been incorporated stating that this project does not interfere with those access rights (Condition 21).
 - (e) Staff site visits on September 19, 2007, and April 16, 2008.
- 6. **FINDING:** SCENIC RESOURCES The project as designed and conditioned is consistent with scenic resource policies in the Carmel Area Land Use Plan, Local Coastal Program (Chapter 2.2) and the Monterey County Coastal Implementation Plan, Part 4 (Chapter 20.146.030).
 - EVIDENCE: (a) The proposed project is within the public viewshed and is visible from public viewing areas including Point Lobos State Park, Carmel River State Beach, and Highway 1. However, it is only visible from these locations with visual aids. From other public areas such as Jack's Peak Park and Garland Park, which are even further away, the project site is not visible.

- (b) LUP Policy 2.2.3.4 states that the most appropriate site for new structures is the "portion of a parcel least visible from public viewpoints." The subject property is located on Point Lobos Ridge and the entire property is potentially visible from various public viewpoints. However, the property is approximately two to three miles from the nearest public viewpoints and is not visible with unaided vision. The project design limits the height to 8 feet above average natural grade. Conditions and mitigation to minimize visibility include screening and landscaping (Mitigation #1), non-reflective materials (Mitigation #3), minimal exterior lighting (Mitigation #4), deed restrictions regarding design changes (Condition 19), landscaping (Condition 20), and height verification (Condition 13).
- (c) LUP Policy 2.2.3.6 states that "structures shall be subordinate to and blended into the environment." The height of structures is limited to 8 feet above the average natural grade. The proposed structural bulk and mass has been reduced. Visibility is minimized by use of grading, reduction of height above average natural grade, redesign and reduction of overall square footage, and the use of landscaping to screen the structure. Colors and materials, and the use of non-reflective glass will allow the structure to blend with the surrounding environment. The proposed driveway is not visible from public areas because of its alignment on the eastern side of the ridge and the surrounding vegetation. Conditions and mitigation include native landscaping (Mitigation #1), non-reflective materials (Mitigation #3), minimal exterior lighting (Mitigation #4), deed restrictions regarding design changes (Condition 19) and landscaping (Condition 20).
- (d) LUP Policy 2.2.3.7 states that structures shall minimize tree removal and grading." No tree removal is proposed. The project utilizes the existing road alignment and disturbed areas where feasible. The proposed amendment changes grading from approximately 8,770 cubic yards cut/30 cubic yards fill to 4,604 cubic yards cut/246 cubic yards fill, compared to the previously approved project.
- (e) LUP Policy 2.2.3.8 states that "landscaping and restoration shall consist of plant and tree species consistent with the surrounding vegetation." The project requires native landscaping to be used in all restoration and landscaping (Mitigation #1) and a deed restriction regarding future landscaping (Condition 20).
- (f) LUP Policy 2.2.3.9 encourages scenic easements and easement protection. The project includes placement of all undeveloped portions of the property, approximately 38.8 acres, into a conservation and scenic easement (Mitigation #2) and protection of an existing access easement over the subject property (Condition 21).
- (g) Application and materials in Project File Nos. PLN980149, PLN030071, and PLN070540.
- (h) Staff site visits on September 19, 2007, and April 16, 2008.

7. FINDING: ENVIRONMENTALLY SENSITIVE HABITAT AREA (ESHA) -

The project as designed and conditioned is consistent with Environmentally Sensitive Habitat Area policies of the Carmel Area Land Use Plan, Local Coastal Program (Chapter 2.5) and the Monterey County Coastal Implementation Plan (Chapter 20.146.060).

- EVIDENCE: (a) The proposed project includes disturbance to chaparral habitat for the structures, leach field, driveway and drainage improvements. Approval of the previous project for the residence and accessory structures limited disturbance to approximately 1.2 acres in order to cluster development and contain the impacts. The remaining 38.8 acres will be protected and put into conservation and scenic easement. Project plans submitted by the applicant for the new proposal keeps the development contained within this previously approved building envelope.
 - (b) The proposed location occurs in generally the same area as the approved project. The site plan identifies the building envelope. The building envelope includes the footprint of the structure, driveway, septic, and leachfield area. The development envelope surrounds all development activities and marks the limit of construction activities. Grading is changed from approximately 8,770 cubic yards cut/30 cubic yards fill to 4,604 cubic yards cut/246 cubic yards fill.
 - (c) Approximately one-quarter acre of Hooker's Manzanita and 15 small-leaved lomatium would be impacted by the approved development. Mitigation for that development included planting a minimum of half-anacre of Hooker's Manzanita and 30 small-leaved lomatium to allow for some loss (Mitigation #5).
 - (d) LUP Policy 2.3.2.2 states that "land uses adjacent to environmentally sensitive habitats shall be compatible with the long-term maintenance of the resource." The project is for a single-family residence and accessory structure and does not adversely affect long-term maintenance of the resource. The project includes restoration of all bare and exposed areas (Mitigation #1 & Mitigation #9), conservation easement (Mitigation #2), replacement of Manzanita (Mitigation #5), weed control (Mitigation #6), building and development envelopes (Mitigation #8).
 - (e) LUP Policy 2.3.2.4 states that parcels with environmentally sensitive habitat should retain large contiguous areas of land in open space and LUP Policy 2.3.2.6 requires conservation easements for sensitive habitat areas. Mitigation #2 places all undeveloped portions of the property, approximately 39 acres, in conservation and scenic easement.
 - (f) LUP Policy 2.3.2.7 states that development within environmentally sensitive areas "shall restrict the removal of indigenous vegetation and land disturbance. The amendment reduces the structural footprint from 7,985 square feet to 5,805 square feet. Mitigation and conditions include delineation of building and development envelopes (Mitigation #8), fencing and protection of trees and native vegetation during construction (Mitigation #7), limiting disturbance (Mitigation #10).
 - (g) LUP Policy 2.3.2.8 requires the use of native species in landscaping. The project includes measures for native landscaping (Mitigation #1).
 - (h) Application and Materials in Project File Nos. PLN980149, PLN030071, and PLN070540.
 - (i) Staff site visit on September 19, 2007, and April 16, 2008.
- 8. **FINDING:** NO VIOLATIONS The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

- **EVIDENCE:** (a) Staff reviewed Monterey County RMA Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- 9. **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) Preceding Findings 1, 2, and 4 and supporting evidence.

- 10. **FINDING:** APPEALABILITY The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.
 - **EVIDENCE:** (a) Board of Supervisors: Section 20.86.030 of the Monterey County Zoning Ordinance (Title 20).
 - (b) California Coastal Commission: Section 20.86.080.A.3 of the Monterey County Zoning Ordinance (Title 20). Development that is permitted as a conditional use is appealable to the Coastal Commission. Development within 100 feet of environmentally sensitive habitat, which requires a Coastal Development Permit, is a conditional use.

DECISION

THEREFORE, the Planning Commission considered the Addendum to the Mitigated Negative Declaration and Mitigation and Monitoring Program adopted by the Planning Commission of the County of Monterey on July 28, 2004; and approved the Amendment to a previously approved amendment (PLN030071/Bliss) to a previously approved Combined Development Permit (PLN980149/Bliss) as shown on the attached sketch, subject to the attached conditions.

PASSED AND ADOPTED this 14th day of May, 2008, by the following vote:

AYES:

Brown, Pessagno, Diehl, Rochester, Isakson, Ottone, Sanchez, Padilla, Vandevere

NOES:

None

ABSENT:

Salazar

MIKE NOVO, SECRETARY

A COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON MAY 2 2 2008

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 OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

JUN - 1 2008

THIS APPLICATION IS ALSO APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE DECISION BY THE BOARD OF SUPERVISORS. THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

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

You will need a building permit and must comply with the Monterey County 1. 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 RMA - Planning and RMA - Building Services Department offices in Salinas.

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

Monterey County Resource Management Agency **Planning Department**

Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: Murphy

File No: PLN070540

APN: 416-011-017-000

Approved by: Planning Commission Date: May 14, 2008

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

The state of the s	Mitig Tumber	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 Gompliance (name/date)
1.		PD001 - SPECIFIC USES ONLY	Adhere to conditions and uses specified	Owner /	Ongoing	
		This Amendment to a previously approved Amendment	in the permit.	Applicant	unless otherwise	
		(PLN030071/Bliss) to a previously approved Combined Development Permit (PLN980149/Bliss) allows the			stated	
		construction of a two-story 5,363 square foot single			Stated	
		family dwelling with a 1,785 square foot attached				
		garage, 160 square foot pool, hot tub, 3,252 square feet				
		of patio area, photovoltaic cells, well, septic system,				
		access road/driveway. It also allows development				
		within environmentally sensitive habitat, and grading				
		consisting of 4,604 cubic yards of cut and 246 cubic				
		yards of fill. The property is located at 3600 Red Wolf	·			
		Road, Point Lobos Ridge (Assessor's Parcel Number 416-011-017-000), Carmel Area Land Use Plan. This permit				er f
		was approved in accordance with County ordinances and				
		land use regulations subject to the following terms and				
		conditions. Neither the uses nor the construction allowed	•			
		by this permit shall commence unless and until all of the			1	
		conditions of this permit are met to the satisfaction of the			} •	
		Director of the RMA - Planning Department. Any use or				
		construction not in substantial conformance with the terms				
		and conditions of this permit is a violation of County				
		regulations and may result in modification or revocation				
		of this permit and subsequent legal action. No use or	,			
1		construction other than that specified by this permit is				
		allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has				
		appropriate authornies. 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. (RMA - Planning Department)				
2.	PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "An Amendment to a previously approved Amendment (PLN030071/Bliss) to a previously approved Combined Development Permit (PLN980149/Bliss) (Resolution 08019) was approved by the Planning Commission for Assessor's Parcel Number 416-011-017-000 on May 14, 2008. The Amendment was granted subject to forty-eight (48) conditions of approval which run with the land. A copy of the Amendment is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner / Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.	PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner / Applicant / Archaeolo gist	Ongoing	

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 Montercy 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, owner of any such claim, action or proceeding and the County shall promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, in demnify or hold the county harmless. (RMA - Planning Department) 5. PDOS - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department)		Concurrent	Owner /	Submit signed and notarized	PD004 - INDEMNIFICATION AGREEMENT	4.
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 amul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 6649.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the 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 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, the property owner of any such claim, action or proceeding and 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) 5. PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the		with the	Applicant			٦٠
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 Montercy or its agents, officers and employees from any claim, action or proceeding against the County of Montercy 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 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 and the County shall 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) 5. PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the		issuance of			consideration of the approval of this discretionary	
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		approval.			County, within five (5) working days of project approval.	1
This fee shall be paid before the Notice of Determination						
is filed. If the fee is not paid within five (5) working days,					is filed. If the fee is not paid within five (5) working days,	

	the project shall not be operative, vested or final until the filing fees are paid. (RMA - Planning Department)	If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner / Applicant	Prior to the start of use or the issuance of building or grading permits.	Cleared to pull permits.
6.	PD006 - MITIGATION MONITORING PROGRAM The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. (RMA - Planning Department)	Enter into agreement with the County to implement a Mitigation Monitoring Program. Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner / Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	Cleared to pull permits. Recorded on 11/29/2006. Doc.# 2006104928
7.	PD007 - GRADING-WINTER RESTRICTION 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)	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	
8.	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)	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.	Owner / Applicant / Geotech- nical Consultant	Prior to final inspection.	
9.	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	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner / Applicant	Prior to the issuance of grading and building permits.	

	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	Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner / Applicant	Ongoing	
	prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department.	Owner / Applicant	Prior to final inspection.	
10.	PD021 - DEED RESTRICTION - FIRE HAZARD Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "The parcel is located in a high fire hazard area and development may be subject to certain restrictions required as per Section	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to the issuance of grading or building permits.	Cleared to pull permits.
	20.146.080.D.3 of the Coastal Implementation Plan and per the standards for development of residential property." (RMA – Planning Department)	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commencement of use.	Recorded on 11/29/2006. Doc.# 2006104929
11.	PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	Install and maintain utility and distribution lines underground.	Owner / Applicant	Ongoing	
12.	PD038 - WATER TANK APPROVAL The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the Director of the RMA - Planning	Submit proposed color of water tank and landscaping plans to the RMA - Planning Department for review and approval.	Owner / Applicant	Prior to the issuance of grading or building permits.	
	Department, prior to the issuance of building permits. (RMA – Planning Department)	Provide evidence to the Director of the RMA - Planning Department that the water tank has been painted and the landscaping has been installed according to the plans approved by the RMA -	Owner / Applicant	Prior to the final inspection or occupancy.	

		Planning Department.			
		All landscaped areas and fences shall be continuously maintained; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner / Applicant	Ongoing	
13.	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 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.	Owner / Applicant	Prior to the issuance of grading or building permits.	
	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)	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.	Owner / Applicant / Engineer	Prior to final inspection.	
14.	PD042 – GRADING/EASEMENT STAKING The conservation and scenic easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA – Planning Department and Building Services Department)	The easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department.	Owner / Applicant	At presite inspection by the grading inspector.	
15.	PD043 – GRADING PERMITS REQUIRED A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner / Applicant / Engineer	Prior to issuance of grading or building permits.	

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	cubic yards of earthwork. (RMA – Planning			Ť	
	Department and Building Services Department)				
16.	PDSP001 - LANDSCAPE MAINTENANCE (NON-STANDARD) The site shall be landscaped. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner / Applicant	Ongoing	
17.	PDSP002 - DEED RESTRICTION – FUEL REDUCTION PROGRAM (NON-STANDARD) Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "If any limited fuel reduction program should become necessary in the native habitat for fire protection, it shall be	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to issuance of grading or building permits.	Cleared to pull permits.
	developed with the aid of a qualified forester, biologist, Fire Department and Planning and Building Inspection staff so as to best help reduce the fire danger and maintain or improve habitat values." (RMA – Planning Department)	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commence ment of use.	Recorded on 11/29/2006. Doc.# 2006104929
18.	PDSP003 – DEED RESTRICTION – SHORT-TERM RENTAL (NON-STANDARD) Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "There shall be no short-term (less than thirty (30) days) rental of the	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to issuance of grading or building permits.	Cleared to pull permits.
	single family home or any accessory buildings (e.g. pool house, guest house, etc)." (RMA – Planning Department)	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or occupancy commence ment of use.	Recorded on 11/29/2006. Doc.# 2006104929
19.	PDSP004 – DEED RESTRICTION – DESIGN APPROVAL (NON-STANDARD) Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "Because of	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to issuance of grading or building permits.	Cleared to pull permits.

	the visual sensitivity of the area, all landscaping shall be approved by the Planning and Building Inspection Department. All exterior design changes, including color changes associated with repainting, re-roofing, exterior lighting changes, and landscaping changes shall be approved through the design approval process." (RMA – Planning Department)	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commence ment of use.	Recorded on 11/29/2006. Doc.# 2006104929
20.	PDSP005 – DEED RESTRICTION – LANDSCAPING (NON-STANDARD) Prior to the issuance of a building permit the applicant shall record a deed restriction which states: "Landscaping within development areas shall emphasize preservation of	Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.	Owner / Applicant	Prior to issuance of grading or building permits.	Cleared to pull permits.
	the natural character of the communities present. Individual trees and larger shrubs originally present on the land shall be integrated into approved landscape plans where possible. No invasive plants shall be planted on the property, which include but are not limited to pampas grass (Cortaderia jubata), Hottentot fig or iceplant (Carpobrotus edule)." (RMA – Planning Department)	Proof of recordation of the document shall be submitted to the RMA – Planning Department.	Owner / Applicant	Prior to occupancy or commence ment of use.	Recorded on 11/29/2006. Doc.# 2006104929
21.	PDSP006 - EXISTING EASEMENTS & ACCESS (NON-STANDARD) Approval of this amendment (PLN070540 for APN 416-011-017-000) shall not be interpreted to affect any rights of use for access across the Murphy property by the Big Sur Land Trust to gain access to property owned by the Big Sur Land Trust. The property owner shall not interfere with any use of existing easements and access rights across the property held by the Big Sur Land Trust. (RMA – Planning Department)	None.	Owner / Applicant	Ongoing	
22.	EH14 - ENGINEERED SEPTIC SYSTEM Submit an engineered wastewater disposal system design to the Director of Environmental Health for review and approval meeting the regulations found in Chapter 15.20 of the Monterey County Code, and Prohibitions of the Basin Plan, RWQCB. (Environmental Health)	Submit an engineered wastewater disposal system design to the Environmental Health Division for review and approval.	CA Licensed Engineer / Owner / Applicant	Prior to issuance of building permits.	

23.	FIRE001 - ROAD ACCESS Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Carmel Highlands Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection for each phase of development. Applicant shall incorporate	Owner / Applicant Owner / Applicant	Prior to issuance of grading and/or building permit. Prior to final building inspection.	
24.	The grade for all roads shall not exceed 15 percent. Where road grades exceed 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 length of vertical curves in roadways,	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant	issuance of grading and/or building permit.	
	exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Carmel Highlands Fire Protection District)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Owner / Applicant	Prior to final building inspection.	
25.	FIRE006 - DEAD-END ROADS (4) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. All dead-end road lengths shall be measured from	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	

				:	
	the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Owner / Applicant	Prior to final building	
	differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its			inspection.	
	terminus and at no greater than 1320-foot intervals. The				
	minimum turning radius for a turnaround shall be 40				
	feet from the center line of the road. If a hammerhead/T		· ·		
	is used, the top of the "T" shall be a minimum of 60 feet				
	in length. (Carmel Highlands Fire Protection			1	
	District)			D: 1	
26.	FIRE007 - DRIVEWAYS	Applicant shall incorporate	Owner /	Prior to	
	Driveways shall not be less than 12 feet wide	specification into design and enumerate	Applicant	issuance of	
	unobstructed, with an unobstructed vertical clearance of	as "Fire Dept. Notes" on plans.		grading and/or	
	not less than 15 feet. The grade for all driveways shall			building	
	not exceed 15 percent. Where the grade exceeds 8			permit.	
	percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base	Applicant shall schedule fire dept.	Owner /	Prior to	
	shall be required. The driveway surface shall be capable	clearance inspection.	Applicant	final	
	of supporting the imposed load of fire apparatus (22	clearance inspection.	Applicant	building	
	tons), and be accessible by conventional-drive vehicles,			inspection.	
1	including sedans. For driveways with turns 90 degrees			mspection.	
	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			1.5	
	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		1		

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	radius for a turnaround shall be 40 feet from the center				
	line of the driveway. If a hammerhead/T is used, the top	•			
	of the "T" shall be a minimum of 60 feet in length.				
	(Carmel Highlands Fire Protection District)				
27.	FIRE008 - GATES	Applicant shall incorporate	Owner /	Prior to	
	All gates providing access from a road to a driveway	specification into design and enumerate	Applicant	issuance of	•
	shall be located at least 30 feet from the roadway and	as "Fire Dept. Notes" on plans.		grading	
	shall open to allow a vehicle to stop without obstructing			and/or	
	traffic on the road. Gate entrances shall be at least the			building	
	width of the traffic lane but in no case less than 12 feet			permit.	
	wide. Where a one-way road with a single traffic lane	Applicant shall schedule fire dept.	Owner /	Prior to	
	provides access to a gated entrance, a 40-foot turning	clearance inspection.	Applicant	final	
	radius shall be used. Where gates are to be locked, the			building	
	installation of a key box or other acceptable means for			inspection.	
	immediate access by emergency equipment may be				
	required. (Carmel Highlands Fire Protection District)			-	
28.	FIRE011 - ADDRESSES FOR BUILDINGS	Applicant shall incorporate	Owner /	Prior to	
	All buildings shall be issued an address in accordance	specification into design and enumerate	Applicant	issuance of	
	with Monterey County Ordinance No. 1241. Each	as "Fire Dept. Notes" on plans.		building	
	occupancy, except accessory buildings, shall have its			permit.	
	own permanently posted address. When multiple				
	occupancies exist within a single building, each				:
	individual occupancy shall be separately identified by its			1	
	own address. Letters, numbers and symbols for				
i.	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.				4
	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			16	
	a single sign. Where a roadway provides access solely			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	

	to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Highlands Fire Protection District)	Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.
29.	FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.
	structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. (Carmel Highlands Fire Protection District)	Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.

30.	FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of grading and/or building permit.	
	may be applied by the Reviewing Authority. Each	Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant	Prior to final building inspection.	_
31.	FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Manage combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Highlands Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection.	Owner / Applicant Owner / Applicant	Prior to issuance of grading and/or building permit. Prior to final building inspection.	

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32.	FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) The building(s) and attached garage(s) shall be fully	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of building permit.
	protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans	Applicant shall schedule fire dept. rough sprinkler inspection.	Owner / Applicant	Prior to framing inspection.
	for fire sprinkler systems must be submitted by a	Applicant shall schedule fire dept. final sprinkler inspection.	Owner / Applicant	Prior to final building inspection.
33.	FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Highlands Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner / Applicant	Prior to issuance of building permit.
34.	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 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.	Compliance to be verified by building inspector at final inspection.	Owner / Applicant	Prior to final building inspection/ occupancy.
	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)			41 53 5 5

35.	WR45 - WELL INFORMATION The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. (Water Resources Agency)	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner / Applicant	Prior to issuance of any grading or building permits	
36.	WRSP001 – DRAINAGE IMPROVEMENTS (NON-STANDARD) A drainage plan shall be prepared by a registered civil engineer or architect to address on-site and off-site impacts. The plan shall incorporate recommendations in the Storm Drainage Study, prepared by Grice Engineering, Inc., dated January, 2001. Necessary improvements shall be constructed in accordance with approved plans. (Water Resources Agency)	Submit 3 copies of the drainage plan to the Water Resources Agency for review and approval.	Owner / Applicant	Prior to issuance of any grading or building permits.	
37. 1.	MITIGATION #1: In order to minimize visibility of the development and reduce the impact to the ridgeline silhouette, a landscaping plan shall be provided to the County of Monterey, with evidence of review by the landscape consultant and consulting biologist. The plan shall include: a. Plants which are native to the site. b. A restoration/replanting plan as required by the biological reports, prepared by Jud Vandevere dated June 22, 1998 and July 12, 1999. Restoration shall include, but not be limited to, the following areas: • Abandoned sections of road. • Areas exposed and disturbed by construction. • Septic tank and leach field area provided it does not interfere its operation. • All other exposed and disturbed areas on the property. • Any areas off-site that are identified or required for restoration and replanting. c. The location, species, and size of the proposed landscaping materials.	Monitoring Action 1A: Prior to the issuance of grading or building permits, the applicant shall: a. Submit a landscaping plan to the Monterey County Director of Planning for review and approval with the applicable fees. b. Execute and record with the Monterey County Recorder's office a deed restriction requiring all landscaping to be installed prior to occupancy and permanently maintained in a healthy condition pursuant to the landscaping plan. Submit the landscaping plan, installation estimate and deed restriction, to the Executive Director of the California Coastal Commission for his review and approval. The Executive Director may submit the landscaping plan to the California Department of Parks and Recreation for its review. The Department of Parks shall provide any comments it may have on the	Owner / Applicant / Landscape Consultant / Biologist	Prior to the issuance of grading or building permits.	

		d. A nursery or contractor's estimate of the cost of	landscaping plan to the Executive			
		installation of the plan.	Director prior to the deadline for			
		e. Planting of native vegetation, including mature	completion of the Executive Director's		j	
		trees.	review. The Executive Director shall			
		f. Plant materials so that the home is not visible by	complete his review and approval and			
		unaided vision from existing common public	respond to the landscaping plan within			
		viewing areas as specified in the Carmel Area	thirty (30) days after receipt of the	i		
		Local Coastal Program including, but not limited	landscaping plan. The Executive			
		to, Point Lobos State Reserve and Highway One,	Director's approval of the landscaping			
		for the life of the project. Portions of the home	plan shall be conclusive proof that the	1		
		may be visible for an interim period not to exceed	applicant/owner has fully complied with			1
	i	five years to permit growth of planted trees and	the visual screening requirements under			
		other landscaping.	this Condition; provided, however, that			
		g. Plant materials to minimize visual impacts of the	this does not apply to the property			
		project from any other property owned by the	owner's compliance with, or			
		California Department of Parks and Recreation.	implementation of, the landscaping plan			
		Plant materials that will not alter the ridgeline silhouette at	and deed restriction.	-		
		their mature height. If necessary, the height of planted	Monitoring Action 1B: Prior to final or	Owner /	Prior to	
		trees will be controlled so that they do not grow above the	occupancy, the landscaping shall be	Applicant /	final or	
	,	ridgeline elevation.	inspected by the Director of Planning	Landscape	occupancy	•
	•	·	and Building Inspection for	Consultant	• •	
			conformance to the approved plans and	/ Biologist		
			for screening effectiveness. If	_		
			determined necessary by the Director			
			of Planning and Building Inspection,			
			additional landscaping may be		۽ ۽	
			required.		,	
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			Monitoring Action 1C: Five years after date of final or occupancy, the applicant shall submit documentation and photos of the landscaping and its screening effectiveness from public viewing areas (including Point Lobos) to the Director of Planning and Building Inspection for review and approval. Landscaping and planted trees shall not visibly alter the ridgeline silhouette. If necessary to provide adequate screening, additional landscaping and monitoring may be required by the Director of Planning and Building Inspection.	Owner / Applicant / Landscape Consultant / Biologist	Five years after date of final or occupancy.	-
38.	2.	MITIGATION #2: In order to minimize impacts to scenic and biological resources, a scenic and conservation easement shall be granted to the County of Monterey for all areas outside of the approved development envelope and driveway alignment (approximately thirty-nine (39) acres). No development shall occur outside of the approved envelope (approximately one acre) as shown on the approved project plans.	Monitoring Action 2: Prior to the issuance of building or grading permits, the applicant/owner shall record a Scenic and Conservation Easement that has been submitted to and approved by the County Director of Planning and the Executive Director of the California Coastal Commission. The Executive Director shall complete his review and approval and respond to the County Director of Planning within thirty (30) days after receipt of the Scenic and Conservation Easement.	Owner/ Applicant	Prior to the issuance of building or grading permits.	Cleared to pull permits. Recorded on 01/24/2007. Doc. # 2007006597
39.	3.	MITIGATION #3: In order to minimize potential glare and visibility of the development, all materials shall be non-reflective materials or painted in earth tones to blend into the surroundings, and glass surfaces shall be of tinted, "non-reflective" glass.	Monitoring Action 3A: Prior to final or occupancy, all exterior surfaces shall be identified on the final building plans, subject to the approval of the County Director of Planning. The building plans shall also be submitted to the Executive Director of the California Coastal Commission for his review and approval. The Executive Director shall complete his review and approval and respond to the County Director of Planning within thirty (30) days after	Owner/ Applicant	Prior to final or occupancy.	

			receipt of the building plans. Monitoring Action 3B: Prior to final	Owner/	Prior to	
			or occupancy, exterior colors and materials shall be inspected by the Planning Department for conformance to the approved plans.	Applicant	final or occupancy.	
			Monitoring Action 3C: During the 5 year period after final or occupancy, any materials or glass surfaces determined to be obtrusive or resulting in off-site glare to a public viewing area, as determined by the Monterey County Planning Department, shall be corrected or replaced to minimize glare and visibility.	Owner/ Applicant	Ongoing during the 5 year period after final or occupancy.	
40.	4.	MITIGATION #4: In order to minimize lighting impacts, all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and all off-site glare is fully controlled and not visible from a public viewing area. Outside lighting shall be downcast, low wattage and the minimum necessary for safety as determined by the Building Official. Landscaping shall be designed to screen all site light sources visible from off site. Any changes or additions to exterior lighting must be approved by the Monterey County Planning Department.	Monitoring Action 4A: Prior to the issuance of building or grading permits, the applicant shall submit a lighting plan showing the location, type and wattage of all exterior lights to the Director of Planning for approval. The plans shall also be submitted to the Executive Director of the California Coastal Commission for his review and approval. The Executive Director shall complete his review and approval and respond to the County Director of Planning within thirty (30) days after receipt of the building plans.	Owner/ Applicant	Prior to the issuance of building or grading permits. Ongoing	
			Monitoring Action 4B: Prior to final or occupancy, the exterior lighting shall be inspected by the Planning Department for conformance to the approved plans.	Owner / Applicant	Prior to final or occupancy.	

			Monitoring Action 4C: Any exterior lighting determined to be visible from a public viewing area, as determined by the Monterey County Planning Department, shall be removed.	Owner / Applicant	Ongoing after final inspection or occupancy.
manzanita shall be used for native landscaping within infill areas. A minimum of one-half acre Hooker's manzanita shall be planted in bare or expo areas outside the development area to replace at a ratio the one-quarter-acre lost for the building envelopment area to replace at a ratio the one-quarter-acre lost for the building envelopment area.	MITIGATION #5: In order to mitigate the loss of sensitive plants, Hooker's manzanita shall be used for native landscaping and within infill areas. A minimum of one-half acre of Hooker's manzanita shall be planted in bare or exposed areas outside the development area to replace at a 2:1 ratio the one-quarter-acre lost for the building envelope. Small-leaved lomatium and Monterey ceonothus (Ceonothus cuneatus var. rigidus) shall be incorporated	Monitoring Action 5A: Prior to the issuance of building or grading permits, a landscaping/restoration plan (Mitigation #1) shall be submitted that incorporates the required Hooker's manzanitas, Small-leaved lomatium and Monterey ceonothus. The plan shall be prepared in consultation with a qualified biologist.	Owner / Applicant / Biologist	Prior to the issuance of building or grading permits.	
	in landscaping and within infill areas to replace lost plants at a 2:1 ratio, but not less than 30 plants each. These plantings shall allow for 50% loss or 15 plants of each. They shall be kept watered and weeded until established as determined by a qualified biologist. Other appropriate central maritime chaparral vegetation shall be included to assure adequate vegetation cover. Existing native trees and vegetation shall be retained and incorporated into the landscaping plan.	Monitoring Action 5B: Prior to final or occupancy, the replacement planting shall occur according to the approved landscaping/restoration plan and documentation submitted to the Director of Planning for approval.	Owner / Applicant / Biologist	Prior to final or occupancy.	
		Monitoring Action 5C: At the first, third and fifth years after final, the applicant shall submit a revegetation report prepared by a qualified biologist to the Director of Planning for review	Owner / Applicant / Biologist	First year after final.	
			and approval. The update shall evaluate the restoration and revegetation, establish success criteria and include any additional or ongoing measures necessary to establish the habitat. If after five years the habitat is		Third year after final.
			not established, further restoration and monitoring may be required by the Director of Planning.	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7	Fifth year after final.

42.	6. MITIGATION #6: In order to minimize impacts to sensitive habitat and species, a weed control program shall be developed and implemented during and after construction. Appropriate native grasses and vegetation shall be planted on exposed or bare areas to prevent erosion. The program shall be prepared by a qualified biologist and be		Owner / Applicant / Biologist	Prior to the issuance of building or grading permits.	
	consistent with the landscaping plan and other mitigation measures.	Monitoring Action 6B: Prior to final or occupancy, the applicant shall submit an updated program by a qualified biologist to the Director of Planning for review and approval. The updated program shall include a survey of weeds on the property, evaluation of previously treated areas, assessment of the effectiveness of the weed control program, and necessary adjustments to the program. The applicant shall documentation that that program has been implemented and that the weeds are abated.	Owner / Applicant / Biologist	Prior to final or occupancy.	
		Monitoring Action 6C: At the first, third and fifth years after final, the applicant shall submit an updated program for implementation by a qualified biologist to the Director of Planning and Building Inspection for review and approval. This update shall include a survey of weeds on the property, evaluation of previously treated areas, assessment of the effectiveness of the weed control	Owner / Applicant / Biologist	First year after final. Third year after final. Fifth year after final.	
		program, and necessary adjustments to the program. The applicant shall submit documentation that the program has been implemented. After the fifth year if necessary, an ongoing program may be required by the Director of			

			Planning.			
43.	7.	MITIGATION #7: In order to protect sensitive maritime chaparral habitat and trees from inadvertent damage caused by construction activities, protective fencing shall be placed around sensitive vegetation and trees as determined by a qualified biologist. The building envelope area where construction, stockpiling and staging is approved shall be clearly delineated with staked orange fencing and maintained during construction. Stockpiling, grading and construction activities shall not occur outside of the fenced area. Native trees along the access road where grading will occur shall be protected from damage and protection zones around the trees shall be established. The protection zones marked by orange fencing shall include the entire dripline under the canopy of the tree or cluster of trees.	Monitoring Action 7: Prior to the issuance of building or grading permits, installation of protective fencing shall be demonstrated and subject to the approval of a qualified biologist and the Director of Planning.	Owner / Applicant / Biologist	Prior to the issuance of building or grading permits.	
44.	8.	MITIGATION #8: In order to limit the disturbed area and minimize biological impacts, construction activities and development shall be restricted to the development envelope to be shown on the site plan. A qualified biologist shall identify the minimum area of disturbance for a stock pile area and staging area for construction equipment within this envelope. Following construction, disturbed areas within the development envelope but outside the building envelope shall be restored and included in the restoration plan. These areas shall not count towards the equivalent restoration required for the development.	Monitoring Action 8: Prior to the issuance of building or grading permits, the applicant shall submit building plans identifying the location of the stock pile and staging areas with documentation from a qualified biologist to the Director of Planning for review and approval.	Owner / Applicant / Biologist	Prior to the issuance of building or grading permits	. *
45.	9.	MITIGATION #9: In order to mitigate for the loss of maritime chaparral habitat and to maintain contiguous areas of existing habitat, all bare and disturbed areas and areas affected by road cuts on the Murphy property shall be restored, with the exception of the unimproved road that provides access to property owned by the Big Sur Land Trust and California Department of Parks and Recreation.	Monitoring Action 9A: Prior to issuance of building or grading permits, a restoration and landscape plan consistent with other mitigation measures and approved by a qualified biologist shall be submitted to the Director of Planning for review and approval.	Owner/ Applicant/ Biologist	Prior to the issuance of building or grading permits.	

			Monitoring Action 9B: Prior to final or occupancy, the applicant shall submit documentation that restoration of all areas and abatement of non-native invasive species has been completed according to the approved landscaping/restoration plans subject to the approval of the Director of Planning.	Owner/ Applicant/ Biologist	Prior to final or occupancy.	
			Monitoring Action 9C: At the first, third and fifth years after final, the applicant shall submit a restoration report prepared by a qualified biologist to the Director of Planning for review	Owner/ Applicant/ Biologist	First year after final.	
	and approval. The update shall address all areas included in restoration and abatement activities. It shall evaluate the restoration and revegetation, establish success criteria and include any additional or ongoing measures		Third year after final.			
			necessary to establish the habitat. If after five years the habitat is not established, further restoration and monitoring may be required by the Director of Planning.		Fifth year after final.	Start ser-
46.	10.	 MITIGATION #10: In order to minimize impacts and disturbance to maritime chaparral: a) Any new driveway/road area shall be the minimum length and width (maximum 12 feet) necessary to provide access and to meet Fire requirements. b) Building envelope area for the residence, garage, cabana, pool, pumphouse, water tank and driveway alignment shall not exceed 1.2 acres. Disturbed or bare areas shall be restored and replanted with native vegetation in accordance with the approved landscaping plan and Mitigation #8. 	Monitoring Action 10: Prior to issuance of building or grading permits, the applicant shall either: a) Submit a Final Site Plan and verification that the building envelope does not exceed 1.2 acres. Said documents shall be subject to review and approval of the Director of Planning.	Owner / Applicant	Prior to issuance of building or grading permits.	**

47.	11.	MITIGATION #11: Only pervious materials shall be used in construction of the patio areas.	Monitoring Action 11A: Prior to issuance of building or grading permits, building and grading plans shall reflect the use of pervious materials.	Owner / Applicant	Prior to issuance of building or grading permits.	使 取处。**
			Monitoring Action 11B: Prior to final or occupancy, the applicant shall demonstrate that the pervious materials were installed as approved to the Director of Planning.	Owner / Applicant	Prior to final or occupancy.	2 .
48.	12.	MITIGATION #12: In order to minimize the impacts of construction-related traffic and truck hauling operation on the local road system, the applicant shall prepare a construction management plan to be followed by the contractor. The plan shall include details on the truck hauling operation and indicate the timing and routing of trips which shall occur during non-peak hours and utilize routes that will not adversely impact congestion and include additional specifications.	Monitoring Action 12: Prior to issuance of building or grading permits, the applicant shall submit a construction management plan to the Departments of Public Works and Planning for review and approval.	Owner / Applicant	Prior to issuance of building or grading permits.	

END OF CONDITIONS













