

**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. 09028

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.

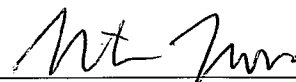
EVIDENCE: a) Section 21.80.040.D Monterey County Zoning Ordinance (Title 21).

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 inle 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 27TH day of May, 2009.



MIKE NOVO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON JUN 08 2009

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 JUN 18 2009

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 09028 - 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: Planning Commission **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.		PD001 - SPECIFIC USES ONLY This Combined Development Permit and Design Approval (PLN090017) allows 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. 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)	Adhere to conditions and uses specified in the permit. 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. 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.	Owner/ Applicant RMA - Planning WRA RMA - Planning	Ongoing unless otherwise stated	

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2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution 09028) 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 27 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)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD032 - PERMIT TIME/YEAR & DATE The permit shall be granted for a time period of 4 years, to expire on May 27, 2013 . (RMA - Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		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/ Archaeo- logist	Ongoing	

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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 Department)</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	

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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/ Geotech- nical 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.	Owner/ Applicant	Prior to the issuance of grading and building 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	Ongoing	
			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	
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) with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. As determined by the Forest Management Plan (FMP) protective fencing must:	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			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 Construc- tion	

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		<ul style="list-style-type: none"> - 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. <p>Proof of protective fencing shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)</p>	Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
10.		<p>SPPD002 – TREE REPLACEMENT (NON-STANDARD)</p> <p>Pursuant to the recommendations prescribed in the “Forest Management Plan” prepared by Barrie D. Coate & Associates dated November 3, 2008, (LIB090148) 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)</p>	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	

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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 deemed appropriate by the Arborist/Forester per Condition 10. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	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	
			Submit one (1) set landscape plans of approved by the RMA – Planning Department, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey County Water Resources Agency for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit the RMA – Planning Department approved landscape plans, a Maximum Applied Water Allowance (MAWA) calculation, and a completed “ <u>Residential</u> Water Release Form and Water Permit Application” to the Monterey Peninsula Water Management District for review and approval.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			Submit an approved water permit from the MPWMD to the RMA – Building Permit	Owner/ Applicant/ Licensed Landscape Contractor	Prior to issuance of Building Permits	

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			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.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			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	
12.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN 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)	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.	Owner/ Applicant	Prior to the issuance of building permits.	
			The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant	Prior to Occupancy / Ongoing	
13.		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 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 -	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.	

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		Planning Department , Library No. LIB090147. All development shall be in accordance with this report." (RMA – Planning Department)	Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to Occupancy	
14.		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)	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.	
			Submit proof that all development has been implemented in accordance with the report to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to Occupancy	
15.		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)	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	Owner/ Applicant	Prior to the issuance of grading or building permits	
			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.	Owner/ Applicant/ Engineer	Prior to the final inspection	
RMA – Public Works Department						
16.		PW0037 – ROUTE 68 IMPROVEMENT FEE Contribute \$4875.00 to County of Monterey for future improvements to State Route 68. (Public Works)	Applicant shall pay to DPW required Traffic Mitigation Fee.	Owner/ Applicant	Prior to Issuance of Building Permits	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
17.		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)	Applicant shall pay to County of Monterey required Regional Development Impact Fees (RDIF).	Owner/ Applicant	Prior to issuance of Building Permits.	
18.		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)	A Construction Management Plan (CMP) shall be submitted to the RMA – Planning Department and the Department of Public Works.	Owner/ Applicant	Prior to Issuance of Grading Permits and/or Building Permits.	
Monterey County Water Resources Agency						
19.		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	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspect- ion/ occupancy	


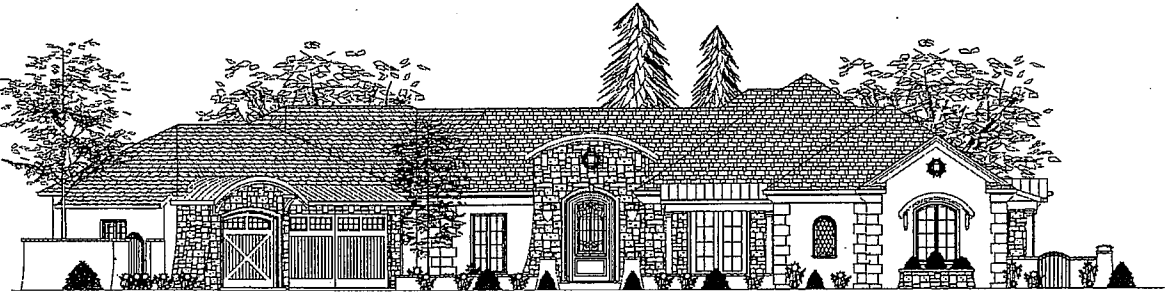
<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. 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)				
20.		WR43 - WATER AVAILABILITY CERTIFICATION 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)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
21.		WRASP001 – DRAINAGE PLAN (NON-STANDARD) The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. 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)	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.	
Salinas Rural Fire Protection District						
22.		FIRE007 - DRIVEWAYS 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	The driveway as proposed is compliant with fire requirements and recommendations. Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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. (Salinas Rural Fire Protection District)	Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection.	
23.		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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Salinas Rural Fire Protection District)				
24.		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 or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
25.		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Manage combustible vegetation within a minimum of <u>30</u> 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		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 schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
26.		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). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Salinas Rural Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	
27.		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.	

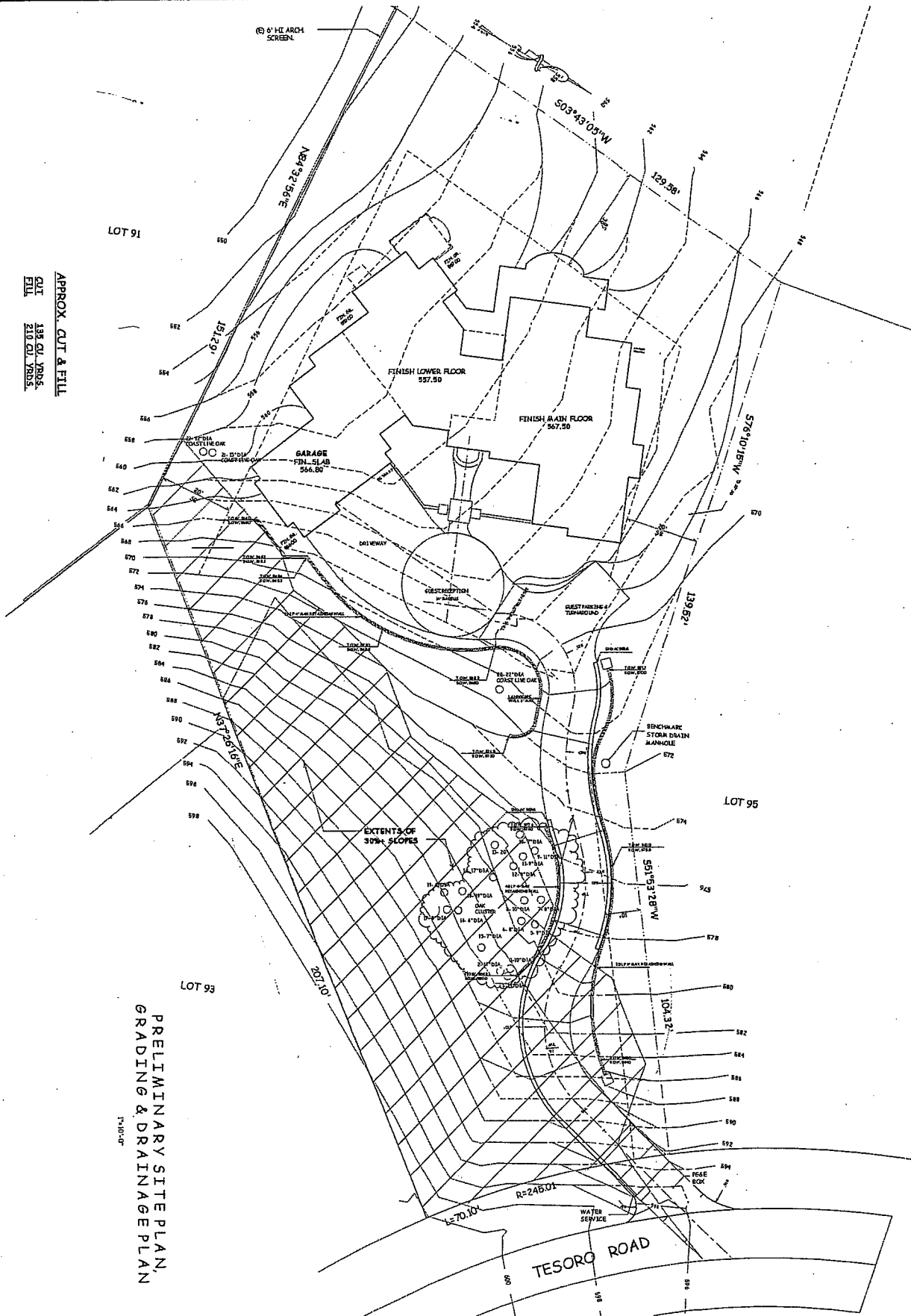
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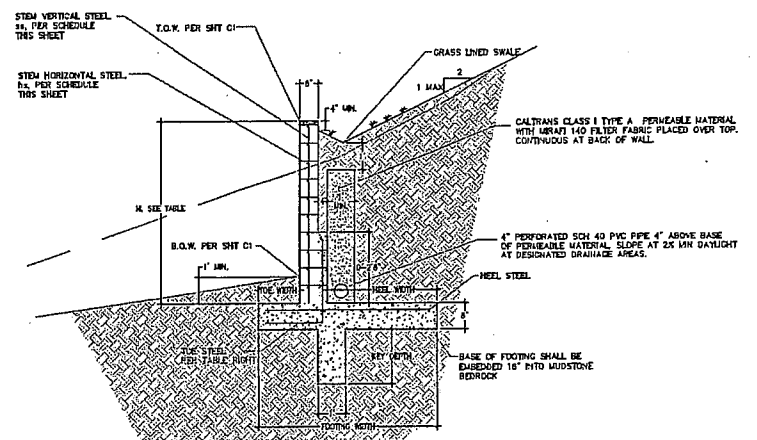
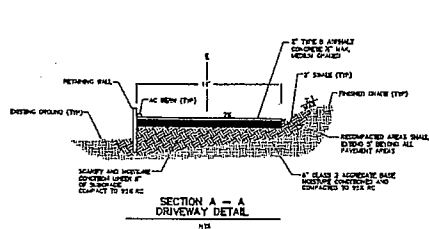
VICINITY MAP				SHEET INDEX																																			
		<p>A PROPOSED RESIDENCE FOR</p> <p>LOT #94</p> <p>PASADERS SUB.</p> <p>704 TESORO RD. MONTEREY, CA. 93940</p> <p>A.P.N. 173-074-020</p>		<p>TS-001 TITLE SHEET</p> <p>C-101 SITE PLAN PRELIM. GRADING</p> <p>C-1 CIVIL DRIVEWAY GRADIN & DRAINAGE</p> <p>C-2 DETAILS</p> <p>C-3 EROSION CONTROL</p> <p>A-101 FLOOR PLAN- 1ST. FLR.</p> <p>A-102 FLOOR PLAN- ROOF PLAN</p> <p>A-203 EXTERIOR ELEVATIONS</p> <p>A-204 EXTERIOR ELEVATIONS</p> <p>L-1 LANDSCAPE PLAN</p>																																			
<p>SQUARE FOOTAGES & COVERAGES</p> <table border="0"> <tr> <td>LOT</td> <td>33, 211 SQ. FT.</td> <td>OWNER:</td> <td>DESIGN BY:</td> </tr> <tr> <td>LIVING AREA</td> <td></td> <td>KENNETH & SALLY ANN HOLBROOK</td> <td>WESTSIERRA DESIGN GROUP</td> </tr> <tr> <td>1ST. FLOOR</td> <td>3,397 SQ. FT.</td> <td>407 ESTRELLA D' ORO</td> <td>303 PORTERO ST.</td> </tr> <tr> <td>2ND. FLOOR</td> <td>1,309 SQ. FT.</td> <td>MONTEREY, CA.</td> <td>STE. 43-104</td> </tr> <tr> <td>TOTAL LIVING AREA</td> <td>4,706 SQ. FT.</td> <td>93940</td> <td>SANTA CRUZ, CA.</td> </tr> <tr> <td>GARAGE, MECH. & CART</td> <td>936 SQ. FT.</td> <td>(831) 647-1782</td> <td>95060</td> </tr> <tr> <td></td> <td></td> <td></td> <td>(831) 392-6144</td> </tr> <tr> <td></td> <td></td> <td></td> <td>(866) 648-0864</td> </tr> <tr> <td>TOTAL COVERAGE BY BUILDINGS</td> <td>13.7%</td> <td></td> <td></td> </tr> </table>		LOT	33, 211 SQ. FT.	OWNER:	DESIGN BY:	LIVING AREA		KENNETH & SALLY ANN HOLBROOK	WESTSIERRA DESIGN GROUP	1ST. FLOOR	3,397 SQ. FT.	407 ESTRELLA D' ORO	303 PORTERO ST.	2ND. FLOOR	1,309 SQ. FT.	MONTEREY, CA.	STE. 43-104	TOTAL LIVING AREA	4,706 SQ. FT.	93940	SANTA CRUZ, CA.	GARAGE, MECH. & CART	936 SQ. FT.	(831) 647-1782	95060				(831) 392-6144				(866) 648-0864	TOTAL COVERAGE BY BUILDINGS	13.7%				
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APPROX. CUT & FILL
 CUT 135 CU. YDS.
 FILL 210 CU. YDS.

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





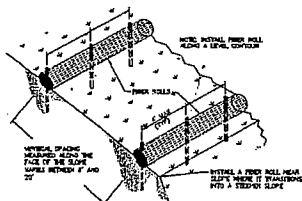
CANTILEVER RETAINING WALL FOOTING SCHEDULE									
WALL HEIGHT (FT)	CONCRETE WALL STEM WIDTH (IN)	HEIGHT OF 1 ST STEP (FT)	FOOTING WIDTH (FT)	TIE WIDTH (FT)	HEEL WIDTH (FT)	KEY DEPTH (FT)	HEEL STEEL #s	TIE STEEL #s	STEM STEEL #s
4' to 8' 6"	8" TOP 12" BOTTOM	2'-5"	5.0	3.0	1.0	1.50	#5 @ 8"	#4 @ 8"	#5 @ 4" - 0' to 2' #5 @ 8" - 2'8" to
0' to 4'	8" TOP 5" BOTTOM	-----	3.5	2.0	0.75	1.0	#5 @ 8"	-----	#5 @ 8"

EROSION CONTROL MEASURES

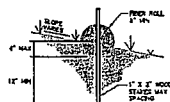
1. EROSION IS TO BE CONTROLLED AT ALL TIMES AND MONITORED BY A DESIGNATED PERSONNEL.
2. UNLESS SPECIFIC MEASURES ARE SHOWN OR NOTED ON THIS PLAN, ALL CHANNELS, RIVERS, SHALL BE CONSIDERED AS CHANNELS CAPABLE OF FLOOD CONDITIONS. EROSION CONTROL SHALL BE THE RESPONSIBILITY OF THE DESIGNER.
3. THE DESIGNER SHALL BE RESPONSIBLE FOR THE DESIGN OF EROSION CONTROL MEASURES AND FOR THE SELECTION OF APPROPRIATE MATERIALS TO BE USED. ALL EROSION CONTROL MEASURES SHALL BE DESIGNED TO BE SELF-MAINTAINING AND NOT REQUIRING MAINTENANCE.
4. ALL EROSION CONTROL MEASURES SHALL BE DESIGNED TO BE SELF-MAINTAINING AND NOT REQUIRING MAINTENANCE.
5. EROSION CONTROL MEASURES SHALL BE DESIGNED TO BE SELF-MAINTAINING AND NOT REQUIRING MAINTENANCE.
6. EROSION CONTROL MEASURES SHALL BE DESIGNED TO BE SELF-MAINTAINING AND NOT REQUIRING MAINTENANCE.
7. EROSION CONTROL MEASURES SHALL BE DESIGNED TO BE SELF-MAINTAINING AND NOT REQUIRING MAINTENANCE.

EROSION CONTROL LEGEND

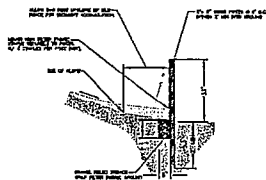
- INITIAL SILT FENCE OR FIBER ROLL PER DETAIL
- INITIAL SLOPE BASH PROTECTION PER DETAIL
- INITIAL STABILIZED CONSTRUCTION ENTRANCE PER DETAIL



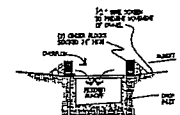
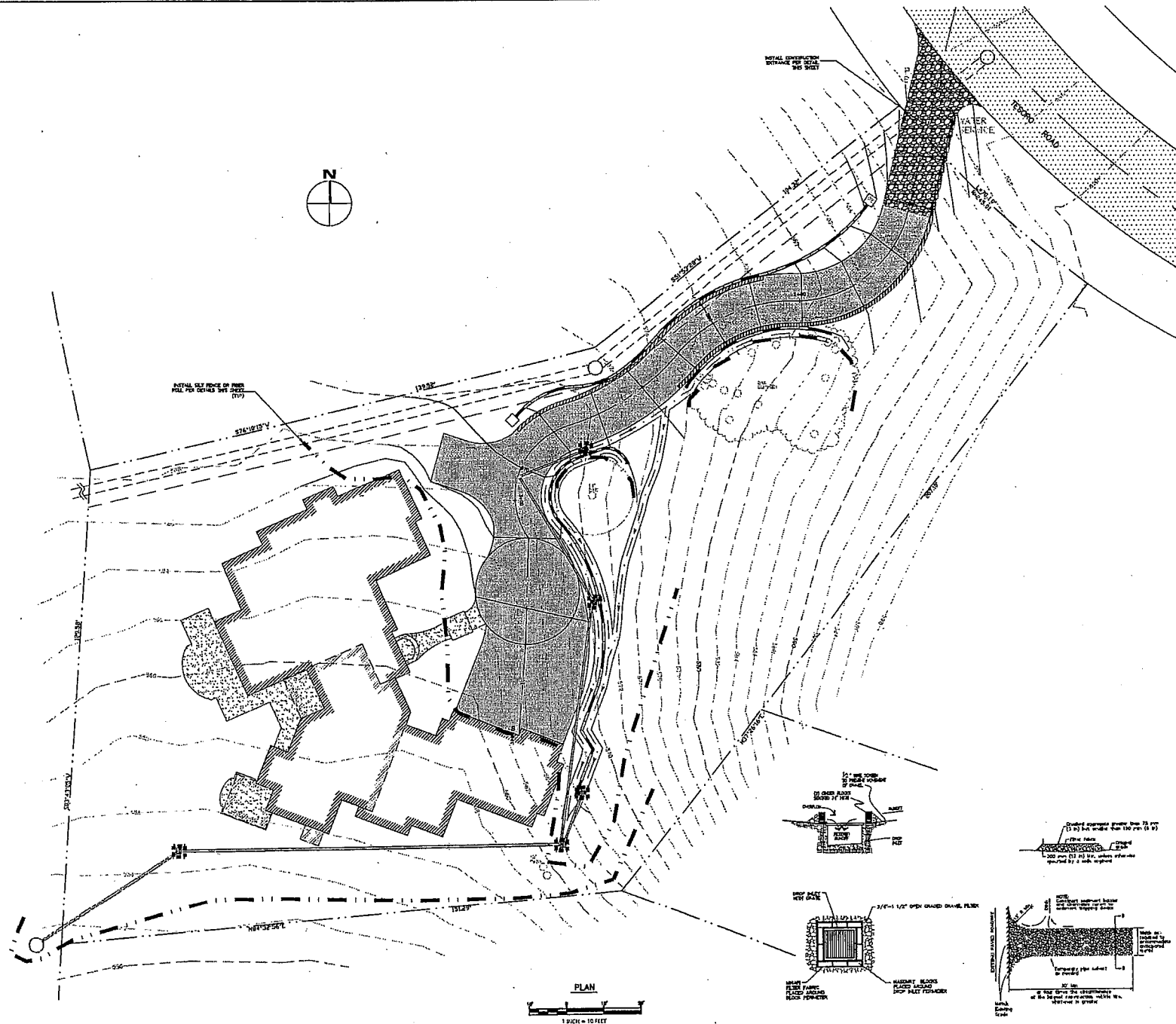
TYPICAL FIBER ROLL INSTALLATION



FIBER ROLL DETAIL IN SLOPE AREA



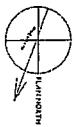
SILT FENCE DETAIL



BLOCK AND GRAVEL FILTER DETAIL

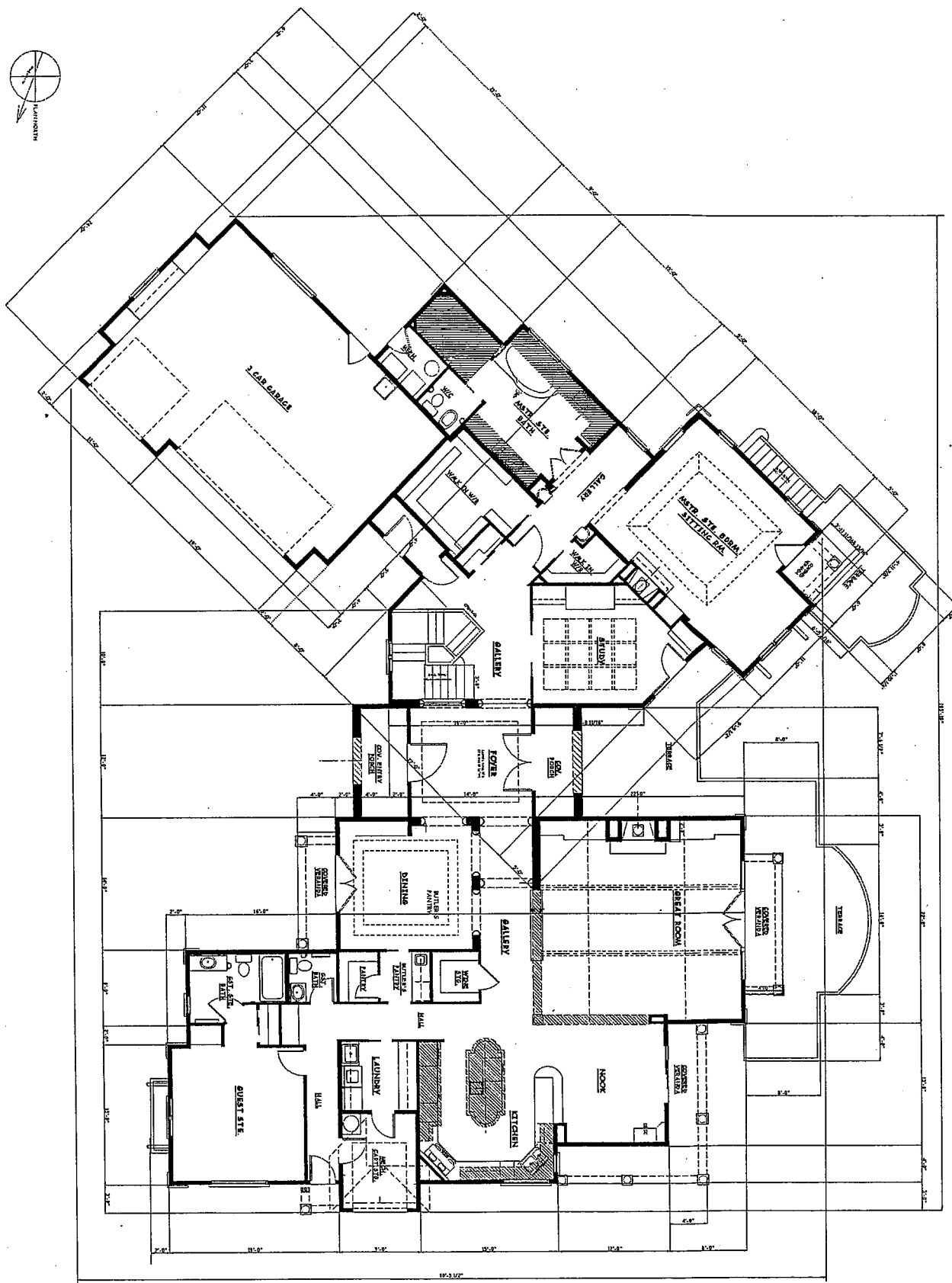


CONSTRUCTION ENTRANCE DETAIL



MAIN LEVEL FLOOR PLAN

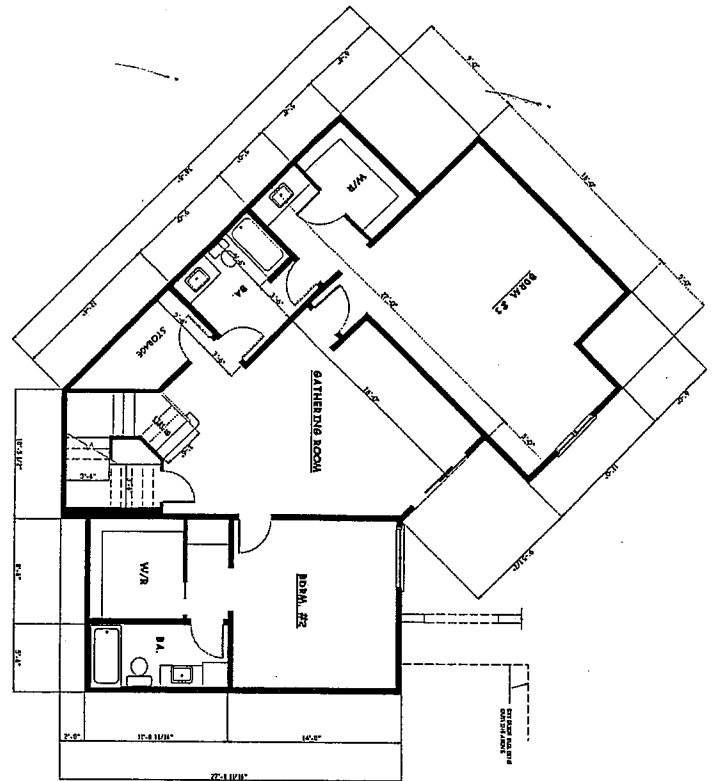
1/8"=1'-0"



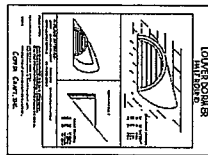
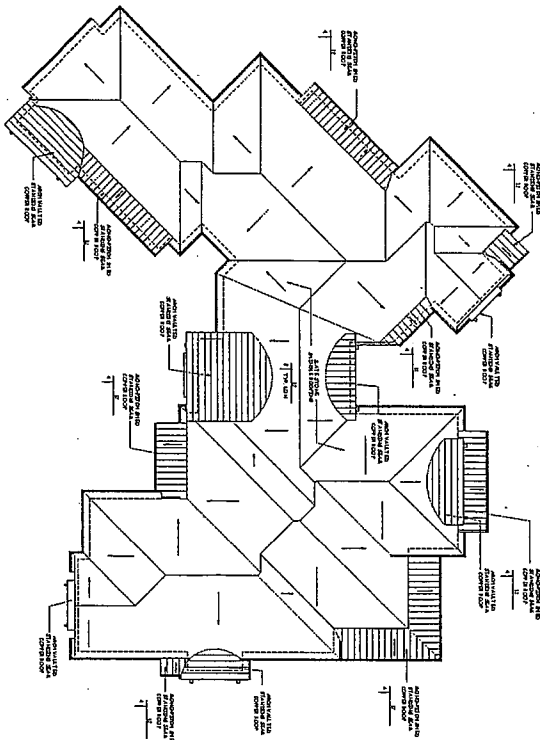
DATE	10/08
BY	WSDG
CHECKED	WSDG
APPROVED	WSDG
SCALE	1/8"=1'-0"

THIS IS AN UNREVISED COPY OF THE ORIGINAL DESIGN. ANY CHANGES TO THE DESIGN MUST BE MADE IN WRITING AND SIGNED BY THE DESIGNER. ANY CHANGES MADE WITHOUT THE DESIGNER'S SIGNATURE WILL BE AT THE OWNER'S RISK.

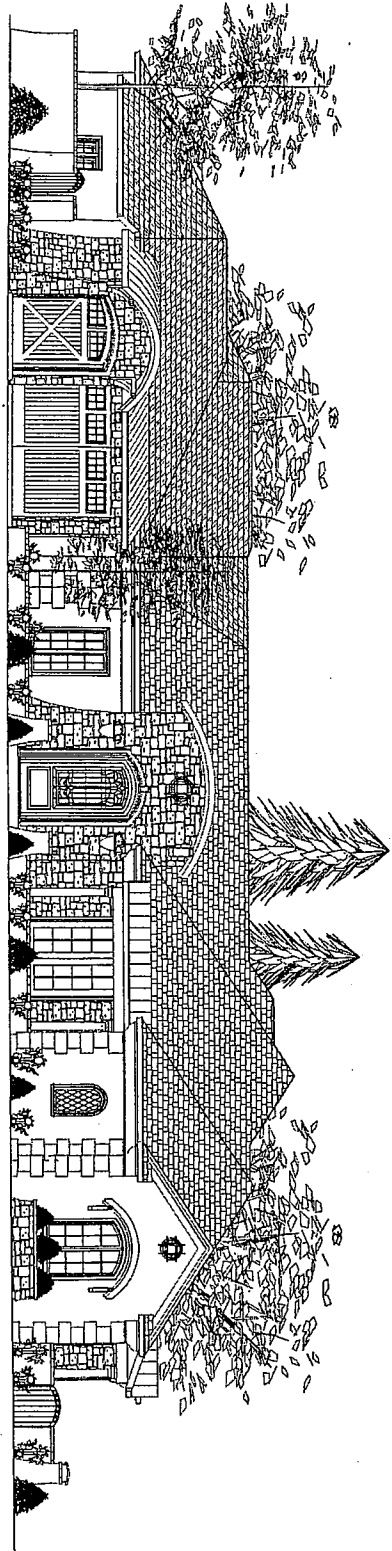




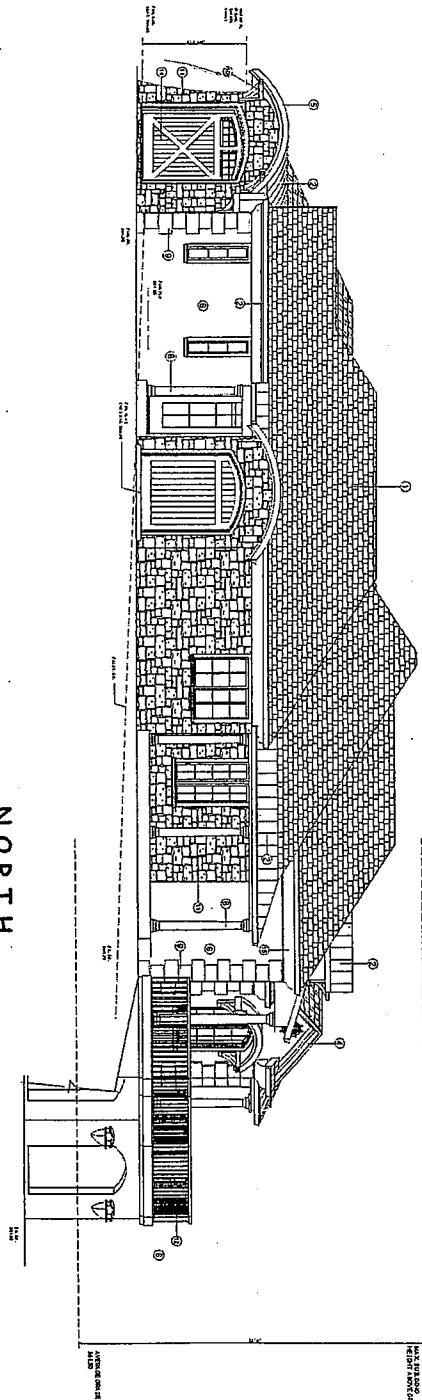
LOWERSTORY FLOOR PLAN

[illegible]

ROOF PLAN



EAST



NORTH

EXTERIOR ELEVATIONS


0-1-01

EXTERIOR ELEV. KEY

- [illegible]

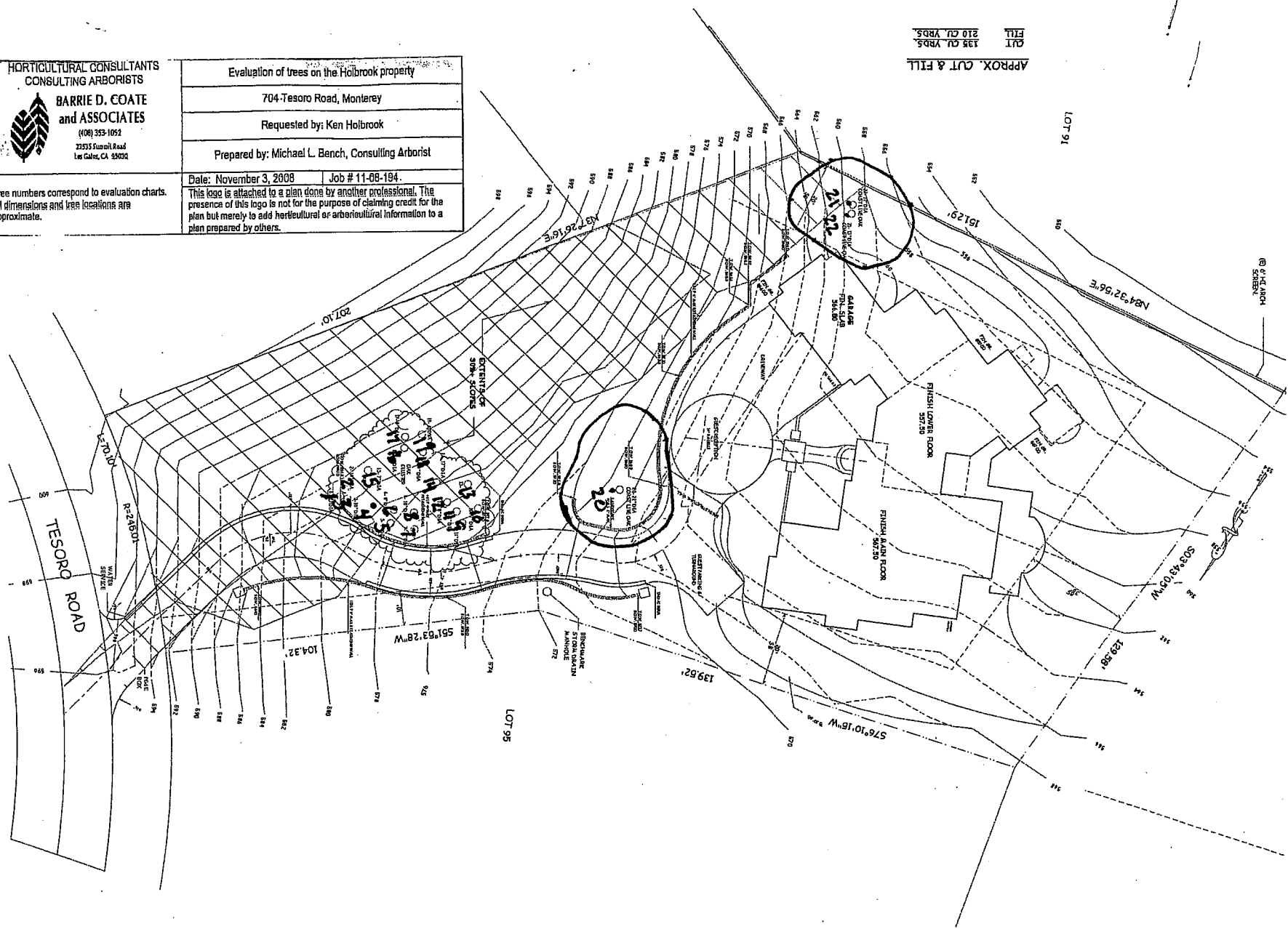
Exhibit B.3

APPROX. CUT & FILL
CUT 135 CU. YRDS.
FILL 210 CU. YRDS.

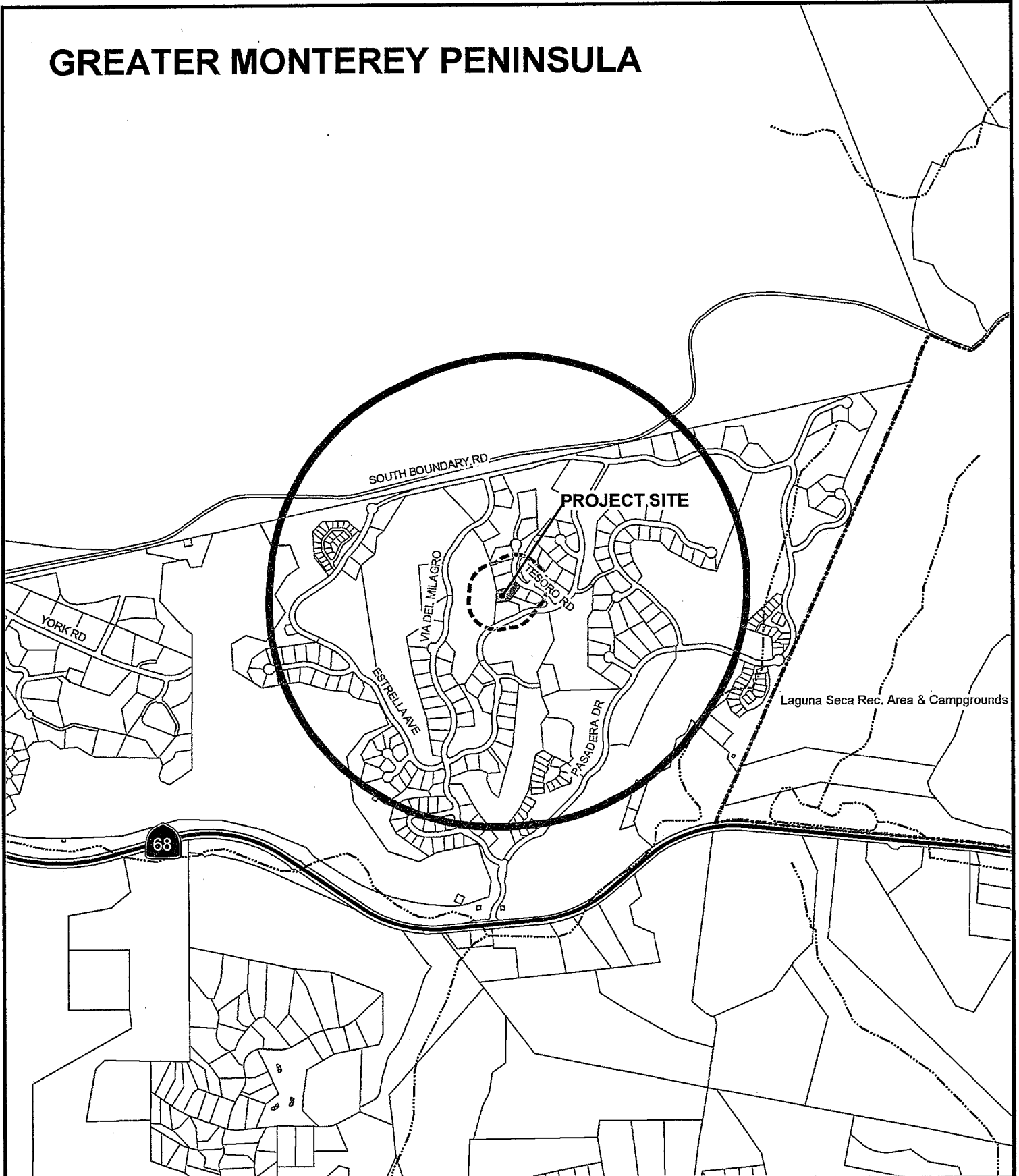
 <p>HORTICULTURAL CONSULTANTS CONSULTING ARBORISTS BARRIE D. COATE and ASSOCIATES (408) 353-1052 23535 Stonewall Road Los Gatos, CA 95032</p>	Evaluation of trees on the Holbrook property	
	704-Tesoro Road, Monterey	
	Requested by: Ken Holbrook	
	Prepared by: Michael L. Bench, Consulting Arborist	
	Date: November 3, 2008	Job # 11-08-194.

Tree numbers correspond to evaluation charts.
All dimensions and tree locations are approximate.

This logo is attached to a plan done 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.



GREATER MONTEREY PENINSULA



APPLICANT: HOLBROOK

APN: 173-074-020-000

FILE # PLN090017



300' Limit



2500' Limit



City Limits



0 1,000
Feet

