

MIKE NOVO
ZONING ADMINISTRATOR

COUNTY OF MONTEREY
STATE OF CALIFORNIA

RESOLUTION NO. 040120

A. P. # 008-222-026-000

In the matter of the application of
Charles Winston (PLN040120)

FINDINGS AND DECISION

to allow a Combined Development Permit in accordance with Chapter 20.82 (Combined Development Permits) of the Monterey County Code, consisting of a Coastal Administrative Permit and Design Approval to demolish and rebuild an existing single family dwelling including a retaining wall; a Coastal Development Permit to remove one native oak tree (4" diameter); and a Variance to exceed structural coverage limits in the Pescadero Watershed, located at 3958 Ronda Road, Del Monte Forest Area, came on regularly for meeting before the Zoning Administrator on January 13, 2005.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

1. **FINDING - CONSISTENCY.** The Project, as conditioned is consistent with applicable plans and policies, the Del Monte Forest Land Use Plan, Coastal Implementation Plan (Part 5), Part 6 of the Coastal Implementation Plan, and the Monterey County Zoning Ordinance (Title 20) which designates this area as appropriate for residential development. Specifically, the proposed caretaker unit complies with all applicable requirements of §20.64.030.

EVIDENCE:

- (a) **Plan Conformance.** PBI staff has reviewed the project as contained in the application and accompanying materials for consistency with the Del Monte Forest Land Use Plan (LUP), Part 5 of the Coastal Implementation Plan (CIP), and Part 6 of the Coastal Implementation Plan (CIP) and for conformity with the Monterey County Zoning Ordinance (Title 20) and have determined that the project is consistent with the Del Monte Forest Land Use Plan which designates this area as appropriate for residential development. Conditions have been incorporated addressing exterior lighting and landscaping requirements. Staff notes are provided in Project File PLN040120.
- (b) **Land Use.** The parcel is zoned Low Density Residential, 1.5 units/acre, Design Control District, Coastal Zone ("LDR/1.5-D (CZ)"). A single-family residence is allowed per §20.14.040.A CIP.
- (c) **Development Standards.** The project is in compliance with Site Development Standards for a Low Density Residential District in accordance with §20.14.060. Development standards for the zoning district limit FAR to 17.5% of the property (12,520 square feet). The project proposes FAR of 12.4% (8,850 square feet). Using the same general footprint as the existing home, the proposed setbacks are at least 91 feet (front), 55 feet (side), and 85 feet (rear), which exceed the minimum setback requirements of 30, 20, and 20 feet respectively. Allowed height measured from the average natural grade is 30 feet. This house is design to step down the slope so that the elevation facing Ronda Road is a 1-story structure (20 feet) and the elevation facing Bonifacio Road is 2-stories (29.2 feet maximum). A variance is required to exceed structural coverage requirements in the Pescadero Watershed (Findings #7-10).

- (d) Forestry. The building site slopes down from Ronda Road and is heavily forested with a mix of Coast Live Oak woodland and Monterey pine trees. The project requires removal of one 4-inch native oak tree. The following assessments were prepared for the subject site in accordance with Section 20.147.050.B CIP:
- Forest Management Plan for Residential Property. Report dated May 3, 2004. This plan addresses replacement and maintenance of the forest.
 - Arborist Report. Dated November 5, 2004. Addresses a revised project design that reduces tree impact from 18 trees to one 4" oak tree (Policies 34 and 36 LUP).

As designed and conditioned, the proposed project would not affect the health of the surrounding forest or any indigenous Monterey cypress trees. Proposed tree removal does not result in exposure of structures in the critical viewshed (Policy 33 LUP). A qualified professional prepared a forest management plan for the proposed project. This plan determines that the project will not significantly impact the forest or its understory and includes actions to provide long-term protection of the remaining forest area (Policy 32 LUP). The proposed house and driveway design impacts the least number of trees, including no landmark trees. As conditioned, the proposed project is consistent with development standards contained in Section 20.147.050.D CIP. Also see Finding #3.

- (e) Land Use Advisory Committee (LUAC). The Del Monte Forest Land Use Advisory Committee recommended approval of the project by a vote of 5-1 with a comment that the applicant use gravel rather than pavers on the driveway. Plans were revised to incorporate use of gravel on the driveway except areas directly in front of the house and garage.
- (f) Site Visit. Project planner conducted an on-site inspection to verify that the project on the subject parcel conforms to the plans listed above.
- (g) Project File. The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in Project File PLN040120.

2. **FINDING - SITE SUITABILITY:** The site is suitable for the use proposed.

EVIDENCE:

- (a) The project has been reviewed for suitability by Planning and Building Inspection, Public Works, Water Resources Agency, Environmental Health, Parks and Pebble Beach Community Services District. Conditions recommended have been incorporated.
- (b) Available technical information and reports indicate that there are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed. Agency staff concurs. Reports in Project File PLN040120 include:
- "Geotechnical Investigation for 3958 Ronda Road," prepared by Christopher George (C.E. 50871) of Haro, Kasunich & Associates, Inc. dated March 2004.
 - "Forest Management Plan for Residential Parcel," prepared by Glenn Flamik (PMB #305) of Forest City Consulting, dated May 3, 2004.
 - "Arborist Report" prepared by Glenn Flamik (PMB #305) of Forest City Consulting, dated November 5, 2004.
- (c) Staff conducted an on-site visit to verify that the site is suitable for this use.
- (d) Necessary public facilities are available from the existing structure and will be provided.

3. **FINDING - TREE REMOVAL:** The subject project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and Coastal Implementation Plan (Part 5).

EVIDENCE:

(b) Section 20.147.050.D.4 of the Monterey County Coastal Implementation Plan, Part 5, states that “new residential development, including driveways and parking areas, shall be sited and designed to minimize cutting of trees, especially trees screening the development from neighboring properties.” The proposed design utilizes an existing driveway without impacting any additional trees. No trees screening the property are proposed for removal.

(c) The applicant, their consultants, and staff evaluated various designs in order to avoid the removal of native trees as much as possible. This action resulted in reducing the total number from 17 trees consisting of 11 Monterey Pine (including 1 landmark tree exceeding 24”) plus 6 oak and one dead/snag tree to one 4-inch oak plus non-native, invasive acacia trees.

(d) Section 20.147.050.A.1.c allows thinning of small (less than 12” in diameter) from densely forested areas to reduce unsafe fuel accumulations adjacent to existing occupied buildings. The tree to be removed is located immediately below the existing residence.

(b) A Forest Management Plan and subsequent Arborist Report assess potential impacts to native trees close to the proposed development. Conditions for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation, and bridging roots.

4. **FINDING - CEQA (Exempt):** The project is exempt from environmental review.

EVIDENCE:

(a) CEQA Guidelines categorically exempt the replacement of existing structures and single-family dwellings (CEQA Guidelines §15302, Class 2. Class 2 exemptions consist of replacement or reconstruction of existing structures where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced.

(b) A new 2-story home would replace an existing 2-story home on generally the same footprint. The driveway retains the existing circular design and no tree removal is proposed. There are no unusual circumstances related to the project or the site.

(c) The design was revised to avoid removal of any protected trees and an arborist report identifies non-native invasive plants to be removed.

(d) No adverse environmental effects were identified during staff review of the development application during site visits.

(e) There are no unusual circumstances related to the project or property that would require additional review.

5. **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 cost, if any, have been paid.

EVIDENCE:

(a) Staff reviewed Monterey County Planning and Building Inspection Department records and is not aware of any violations existing on subject property.

- (b) The subject property contains existing nonconforming conditions relative to surface coverage. Although the structural coverage would be increased to exceed the maximum 5,000 square feet allowed, the total impervious coverage is reduced to meet the 9,000 square foot limit.

6. **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 (see 20.70.050.B.4). No access is required as part of the project as no 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, can be demonstrated.

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 Figure 15, the Recreational Facilities Map, and Figure 16, the Shoreline Access Map, of the Del Monte Forest 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) Staff site visits found no evidence of informal public trails on the subject property.

7. **FINDING - PESCADERO WATERSHED POLICY:** The project is not consistent with Section 20.147.030.A.1 limiting structural coverage to 5,000 square feet, including main and accessory structures, but is consistent with the limitation of additional impervious surface coverage up to 4,000 square feet. It also meets the total limitation of 9,000 square feet for the Pescadero, Seal Rock Creek and Sawmill Gulch Watersheds and the smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance.

EVIDENCE:

- (a) Development in the Pescadero Watershed is limited to 5,000 square feet of structural coverage and 4,000 square feet of impervious surface coverage (9,000 square feet combined). The project application, including the site plan, contained in file PLN040120 proposes increasing structural coverage from 4,935 to 6,809 square feet and reducing impervious surface coverage from 6,670 to 2,191 square feet. The result is a total combined coverage reduction of 2,605 square feet that meets the maximum 9,000 square feet of combined site coverage.
- (b) A condition has been added for engineering calculations for any pervious pavers used to ensure they meet County standards and the intent of the Pescadero Watershed policy and verification of the installation.
- (c) See Variance Findings #8, 9, & 10.

8. **FINDING - VARIANCE (Special Circumstances):** Because of special circumstances applicable to the subject property, including the size, shape, topography, location of the lot, or the surrounding area, the strict application of Section 20.147.030.A.1.b of the Monterey County Coastal Implementation Plan is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under an identical zoning classification.

EVIDENCE:

- (a) The intent of the Pescadero watershed coverage limitations (Section 20.147.030.A.1.b of the Monterey County Coastal Implementation Plan, Part 5) is to limit the amount of stormwater runoff into Carmel Bay, thereby protecting an area of biological significance. Although, the

proposed project exceeds the 5,000 square foot limit for structural coverage by 1,809 square feet, the proposed 2,191 square feet of impervious surface coverage is below the allowable 4,000 square foot limit. There is an overall net reduction of 2,605 square feet from the existing 11,605 square feet of combined coverage. In addition, the proposed project's combined coverage of 9,000 square feet does not exceed 9,000 square feet of total maximum coverage. The project therefore implements the intent of the Pescadero watershed lot coverage standard. The project meets all other zoning requirements regarding size and bulk (i.e. Floor Area Ratio), lot coverage, and setbacks.

- (b) The Board of Supervisors has recognized that retaining stormwater on site and maintaining the combined structural and impervious surface coverage under the 9,000 square foot limit meets the intent of Section 20.147.030.A.1.b of the certified Monterey County Coastal Implementation Plan, Part 5 regarding impervious coverage in the Pescadero watershed. For example, in Resolution 94-149 (Steakley) the Board allowed a variance to exceed the 5,000 square foot limit on structural coverage as long as stormwater runoff was controlled on site when new structures are involved. A condition has been incorporated requiring onsite retention/percolation facilities for stormwater runoff.
- (c) Total structural and impervious surface proposed by the project remains within the allowable 9,000 square feet.
- (d) Materials and documents in Project File No. PLN040120.

9. **FINDING - VARIANCE (Special Privileges):** The variance to exceed the allowable Pescadero watershed structural and impervious surface coverage shall not constitute a grant of privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which such property is situated.

EVIDENCE:

- (a) There are at least 40 other instances where Variances have been granted to the Pescadero Watershed structural and/or impervious coverage limits for residential structures.
- (b) Other property owners in the vicinity and under identical zoning classification have been afforded the same privilege sought by the property owner of this application. Within 300 feet of the subject parcel, several residential projects have been granted similar variances and include: 1) PLN980384 (Rachleff) approved a variance "to exceed the structure and impervious coverage limitation in the Pescadero Watershed," 2) PLN020361 (Griggs) approved a variance "to exceed the 5,000 square foot structural and 4,000 square foot non-structural Pescadero Watershed impervious surface limit," and 3) PLN020373 (Lintz) approved a variance "to exceed the 5,000 square feet structural coverage limit for the Pescadero Watershed." Similar to these projects, the subject project proposes to exceed the 5,000 square foot limitation on structural coverage.
- (c) Materials and documents in Project File No. PLN040120.

10. **FINDING - VARIANCE (Authorized Use):** The Variance shall not be granted for a use or activity, which is not otherwise expressly authorized by the zone regulation governing the parcel of property.

EVIDENCE:

- (a) The project for a single-family dwelling and caretaker unit are allowed uses under the property's Low Density Residential designation.
- (b) Materials and documents in Project File No. PLN040120.

11. **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 and supporting evidence.

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

EVIDENCE:

(a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors).

(b) Section 20.86.080 of the Monterey County Coastal Implementation Plan - Part 1 (Coastal Commission). The project involves conditional use permits for the caretaker unit and the variance. In addition, the site is located between the sea (Pacific Ocean) and the first public road paralleling the sea (Highway One).

DECISION

It is the decision of the Zoning Administrator of the County of Monterey that said application for a Combined Development Permit be granted as shown on the attached sketch and subject to the attached conditions.

PASSED AND ADOPTED this 13th day of January 2005.

MIKE NOVO
ZONING ADMINISTRATOR

COPY OF THIS DECISION MAILED TO APPLICANT ON

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

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

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 and Building Inspection Department office in Marina.

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

Monterey County Planning and Building Inspection
Condition Compliance and/or Mitigation Monitoring Reporting Plan

Project Name: **WINSTON**

File No: PLN040120

APNs: 008-222-026-000

Approval by: Zoning Administrator

Date: January 13, 2005

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		<p>PBD029 - SPECIFIC USES ONLY This Combined Development Permit (PLN040120/Winston) allows a Coastal Administrative Permit and Design Approval to demolish and rebuild an existing single family dwelling including a retaining wall; a Coastal Development Permit to remove one native oak tree (4" diameter); and a Variance to exceed structural coverage limits in the Pescadero Watershed. The property is located at 3958 Ronda Road (Assessor's Parcel Number 008-222-026-000), Pebble Beach. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. 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.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant PBI	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2		<p>PBD025 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice that states: "A permit (Resolution 040120) was approved by the Zoning Administrator for Assessor's Parcel Number 008-222-026-000 on January 13, 2005. The permit was granted subject to 19 conditions of approval that run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use.</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant PBI	Prior to Issuance of grading and building permits or start of use.	
3		<p>PBD030 - STOP WORK - RESOURCES FOUND</p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County Planning and Building Inspection 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.</p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County Planning and Building Inspection Department and a qualified archaeologist immediately if cultural, archaeological, historical, or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist PBI	Ongoing	

<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>
4		<p>PBD011 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Soils Conservation Service and the Director of Planning and Building Inspection. 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 Planning and Building Inspection. 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 Planning and Building Inspection.</p>	<p>1) Evidence of compliance with the Erosion Control Plan shall be submitted to PBI prior to issuance of building and grading permits.</p> <p>2) Evidence of compliance with the Implementation Schedule shall be submitted to PBI during the course of construction until project completion as approved by the Director of PBI.</p>	<p>Owner/ Applicant PBI</p> <p>Owner/ Applicant PBI</p>	<p>Prior to Issuance of Grading and Building Permits</p> <p>Prior to Final Inspection</p>	
5		<p>PBD013 - GEOLOGIC CERTIFICATION</p> <p>Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report.</p>	<p>Submit certification by the geological consultant to PBI showing project's compliance with the geological report.</p>	<p>Owner/ Applicant/ Geological Consultant PBI</p>	<p>Prior to Final Building Inspection</p>	
6		<p>PBD014 - 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 Planning and Building Inspection.</p>	<p>None</p>	<p>Owner/ Applicant PBI</p>	<p>Ongoing</p>	

<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>
7		<p>PBD018(A) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</p> <p>The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall 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 Planning and Building Inspection 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.</p>	<p>Submit landscape plans and contractor's estimate to PBI for review and approval.</p>	<p>Owner/ Applicant/ Contractor PBI</p>	<p>At least 60 days prior to final inspection or occupancy</p>	
			<p>All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p>	<p>Owner/ Applicant PBI</p>	<p>Ongoing</p>	
8		<p>PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN</p> <p>All exterior lighting shall be unobtrusive, 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 that shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits.</p>	<p>Submit three copies of the lighting plans to PBI for review and approval.</p>	<p>Owner/ Applicant PBI</p>	<p>Prior to issuance of building permits.</p>	

<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>
9		<p>PBD026 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder that states: "A(n) <u>Arborist Report</u> has been prepared for this parcel by Glenn Flamik of Forest City Consulting, dated November 5, 2004 and is on record in the Monterey County Planning and Building Inspection Department Library No. _____. All development shall be in accordance with this report."</p>	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant PBI	Prior to issuance of grading and building permits	
10		<p>PBD028 - RESTORATION OF NATURAL MATERIALS</p> <p>Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of Planning and Building Inspection. Plans for such restoration shall be submitted to and approved by the Director of Planning and Building Inspection prior to commencement of use. This plan may be combined with the landscaping plan required by Condition #7.</p>	Submit restoration plans to PBI for review and approval.	Owner/ Applicant PBI	Prior to start of use.	

<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>
11		PBD032(B) – TREE AND ROOT PROTECTION 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, wrapping trunks 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. Protective fencing, staging areas, and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of demolition and excavation operations. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of Planning and Building Inspection.	Submit evidence of tree protection in the form of photos and a letter from a qualified forester or arborist to PBI for review and approval.	Owner/ Applicant Arborist PBI	Prior to Issuance of Grading and/or Building Permits	
12		PBD034 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground.	None	Applicant/ Owner PBI PW	Ongoing	
13		WR3 - DRAINAGE PLAN - RETENTION 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. The plan shall include retention/percolation facilities to mitigate the impact of impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer WRA	Prior to issuance of grading or 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>
14		<p>WR8 - COMPLETION CERTIFICATION</p> <p>The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans.</p>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor WRA	Prior to final inspection	
15		<p>WR40 - WATER CONSERVATION MEASURES</p> <p>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:</p> <p>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.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems, and timing devices.</p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant WRA	Prior to final building inspection/occupancy	
16		<p>WR43 - WATER AVAILABILITY CERTIFICATION</p> <p>The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form.</p>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant WRA	Prior to issuance of any 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		<p>FIRE007 - DRIVEWAYS</p> <p>Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p> <p>CDF</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>CDF</p>	<p>Prior to final building inspection.</p>	

<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>
18		<u>FIRE008 - GATES</u> All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required.	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner CDF	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner CDF	Prior to final building inspection.	
19		<u>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</u> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection.	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner CDF	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner CDF	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner CDF	Prior to final building inspection	