



Monterey County Board of Supervisors

Board Order

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A motion was made by Supervisor Mary L. Adams, seconded by Supervisor John M. Phillips to:

Adopt Resolution No.: 21-273

- a. Deny the appeal of The Open Monterey Project from the Planning Commission's May 26, 2021 environmental determination and approval of a Combined Development Permit;
- b. Adopt a Mitigated Negative Declaration;
- c. Approve a Combined Development Permit consisting of:
 - (1) Coastal Administrative Permit and Design Approval to allow construction of a 2,100 square foot two-story single-family dwelling, with 318 square feet of deck area;
 - (2) Coastal Development Permit to allow development within 750 feet of known archaeological resources;
 - (3) Coastal Administrative Permit to allow the modification of parking standards, including no covered parking and authorization to allow parking within the front setback to count toward the required parking;
 - (4) Coastal Development Permit to allow relocation of 4 Coast Live oak trees; and
 - (5) Variance to allow an increase to the allowed floor area from 45 percent to 58.4 percent; and
- c. Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

A draft resolution, including findings and evidence, is attached for consideration (Attachment B). Staff recommends approval subject to twenty-five conditions, including 4 mitigation measures.

PROJECT INFORMATION

Property Owner: Isabella 2 LLC

Agent: Anthony Lombardo & Associates

APN: 009-451-015-000

Zoning: Medium Density Residential, 2 units per acre, Design Control Overlay, 18-foot height limit (Coastal Zone) [MDR/2-D (18)(CZ)]

PASSED AND ADOPTED on this 24th day of August 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

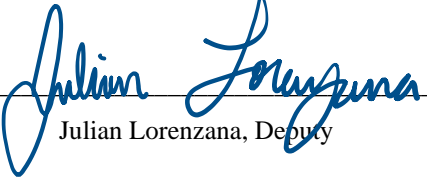
ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting August 24, 2021.

Dated: September 1, 2021
File ID: RES 21-147
Agenda Item No.: 16

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

In the matter of the application of:

ISABELLA 2 LLC (PLN180523)

RESOLUTION NO. 21 - 273

Resolution by the Monterey County Board of Supervisors:

- 1) Denying the appeal of The Open Monterey Project from the Planning Commission's environmental determination and approval of a Combined Development Permit;
- 2) Adopting a Mitigated Negative Declaration;
- 3) Approving a Combined Development Permit consisting of:
 - a) Coastal Administrative Permit and Design Approval to allow construction of a 2,100 square foot two-story single-family dwelling, with 318 square feet of deck area;
 - b) Coastal Development Permit to allow development within 750 feet of known archaeological resources;
 - c) Coastal Development Permit to allow the modification of parking standards, including no covered parking and authorization to allow parking within the front setback to count toward the required parking;
 - d) Variance to allow an increase to the allowed floor area from 45 percent to 58.4 percent; and
 - e) Coastal Development Permit to allow relocation of 4 Coast Live oak trees; and
- 4) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan.

26308 Isabella Avenue, Carmel, Carmel Area Land Use Plan, Coastal Zone (APN 009-451-015-000)

The Appeal by The Open Monterey Project from the decision by the Monterey County Planning Commission to adopt a Mitigated Negative Declaration and approve a Combined Development Permit to allow construction of a two-story single-family dwelling with 318 square feet of deck area, development within 750 feet of known archaeological resources, modification of parking standards, an increase to the allowed floor area, and relocation of four oak trees (Isabella 2 LLC application - PLN180523) came on for a public hearing before the Monterey County Board of Supervisors on August 24, 2021. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors finds and decides as follows:

FINDINGS

1. **FINDING:** **PROCESS** - The County has processed the subject Combined Development Permit application (Planning File No. 180523/Isabella 2

- LLC) (the project) in compliance with all applicable procedural requirements.
- EVIDENCE:**
- a) On November 13, 2018, pursuant to Monterey County Code (MCC) Chapters 20.12, 20.44, and 20.82, Isabella 2 LLC (Applicant) filed an application for discretionary permits to allow: construction of a 2,968 square foot single-family dwelling, inclusive of a 1,250 square foot basement level and garage; development within 750 feet of known archaeological resources; and relocation of four Coast Live oak trees; on a project site located at 26308 Isabella Avenue, Carmel (Assessor's Parcel Number 009-451-015-000), Carmel Area Land Use Plan, Coastal Zone.
 - b) County staff referred the project to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting at which all persons had the opportunity to be heard, reviewed the originally-proposed project on December 2, 2019, and voted 5 – 0 (5 yes and 0 no; 1 absent) to support the project as proposed. This original proposal reviewed by the LUAC included a 1,242 square foot basement level. No concerns were raised by the LUAC or interested members of the public.
 - c) On July 9, 2020, the California Coastal Commission (CCC) determined that the amount of grading associated with basement levels in the Carmel Point area is not consistent with the applicable Land Use Plan policies regarding avoidance of cultural resources.

Subsequent to the CCC's decision on July 9, 2020, the applicant revised the project from the original proposal to eliminate the basement level and garage, reduce the overall floor area of the residence and garage by 653 square feet (from 2,968 to 2,315 square feet), modify the parking standards to allow a required parking space within the front setback, reduce the front setback to accommodate the grade-level garage, and increase the allowed site coverage and floor area to accommodate the garage and an upper level bedroom relocated from the previously-proposed basement level.

- d) County staff referred the revised project, including three proposed variances, to the LUAC for review. The LUAC, at a duly-noticed public meeting at which all persons had the opportunity to be heard, reviewed the revised project on April 5, 2021, and voted 4 – 0 (4 yes, 0 no, and 2 absent) to support the project with a recommendation to revise the plans to reduce the number of proposed variances. The LUAC and interested members of the public raised concerns related to privacy, tree relocation, drainage, and neighborhood character. See subsequent Findings and supporting evidence.
- e) The Monterey County Planning Commission held a duly noticed public hearing on the Isabella 2 LLC application, as revised, on April 28, 2021. Notices for the Planning Commission public hearing were published in the Monterey County Weekly on April 15, 2021; posted at and near the project site on April 18, 2021; and mailed and to vicinity property owners and interested parties on April 14, 2021.
- f) On April 28, 2021, the Planning Commission conducted a public hearing on the project, and continued the hearing to May 26, 2021,

- with direction to the applicant to reduce the overall site coverage and square footage of the proposed development.
- g) On May 6, 2021, the applicant submitted revised plans incorporating the Planning Commission's direction. As considered and approved by the Planning Commission on May 26, 2021, the revised project:
- Replaced the 289 square foot garage with a 74 square foot storage and mechanical closet, resulting in a net reduction of 215 square feet of floor area (total net reduction of 868 square feet of floor area from the original proposal) and 133 square feet of site coverage;
 - Modified parking standards to allow both required parking spaces within the front setback, and no covered parking space;
 - Eliminated a Variance for a front setback reduction;
 - Eliminated a Variance for the site coverage (reduced from 1,350 square feet or 37.5 percent to 1,217 square feet or 33.8 percent);
 - Reduced the Variance amount for floor area (reduced from 2,315 square feet or 64.4 percent to 2,100 square feet or 58.4 percent).
- h) On May 26, 2021, after review of the application and revised plans as described in Evidence "g" above, and a duly-noticed public hearing at which all persons had the opportunity to be heard, the Planning Commission voted 8 – 0 (8 yes, 0 no, and 2 absent) to adopt a Mitigated Negative Declaration and approve the project, per the revised plans submitted by the applicant on May 6, 2021 (Monterey County Planning Commission Resolution No. 21-015, as corrected on June 7, 2021). The Planning Commission Resolution is included in the August 24, 2021, staff report to the Board of Supervisors as Attachment K.
- i) The Open Monterey Project (Appellant), represented by Molly Erickson, timely appealed the May 26, 2021, decision of the Planning Commission pursuant to MCC section 20.86.030.C. The appeal challenged the Planning Commission's environmental determination and approval of the Combined Development Permit and contended that the findings and decision and conditions are not supported by the evidence, and that the decision was contrary to law. See Finding No. 12 (Appeal) for the text of the Appellant's specific contentions and the County responses to the appeal.
- j) Pursuant to MCC sections 20.86.030.C and E, an appeal shall be filed with the Clerk of the Board of Supervisors within 10 days after written notice of the decision of the Appropriate Authority (i.e., Planning Commission Resolution No. 21-015) has been mailed to the Applicant, and no appeal shall be accepted until the notice of decision has been given (i.e., mailed). The County mailed the corrected written notice of the decision on June 7, 2021, and an appeal was filed with the Clerk of the Board of Supervisors on June 17, 2021, within the 10-day timeframe prescribed by MCC section 20.86.030.C. The appeal hearing is de novo. A complete copy of the appeal is on file with the Clerk of the Board, and is attached to the August 24, 2021, staff report to the Board of Supervisors as Attachment D.
- k) On June 23, 2021, both the Appellant and the Applicant agreed to postpone the appeal hearing beyond the 60-day timeframe required by Monterey County Code section 20.86.070.C, to allow sufficient

time for County staff to evaluate the appeal contentions and prepare the staff report.

- l) A duly noticed public hearing on the appeal was held before the Monterey County Board of Supervisors on August 24, 2021. Notice of the hearing was published on August 12, 2021, in the Monterey County Weekly; notices were mailed on or about August 11, 2021, to all property owners and occupants within 300 feet of the project site, and to persons who requested notice; and at least 3 notices were posted at and near the project site on or before August 14, 2021.
- m) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file no. PLN180523; and Clerk of the Board of Supervisors' file(s) related to the appeal.

2. **FINDING:**

CONSISTENCY - The project and/or use, as conditioned and/or mitigated, is consistent with the policies of the Monterey County 1982 General Plan, Carmel Area Land Use Plan, Carmel Area Coastal Implementation Plan – Part 4, Monterey County Zoning Ordinance - Coastal (Title 20), and other County health, safety, and welfare ordinances related to land use development.

EVIDENCE:

- a) The project involves the construction of a 2,100 square foot two-story single-family dwelling, with 318 square feet of deck area. The project also involves development within an area of known archaeological resources, relocation of 4 Coast Live oak trees, modification of parking standards (see Evidence k), an increase to the allowed floor area from 45 percent to 58.4 percent (see Finding Nos. 8, 9, and 10, and supporting evidence), associated grading of approximately 304 cubic yards of cut and fill, and approximately 220 linear feet of wood fencing.
- b) Allowed Uses. The property is located at 26308 Isabella Avenue, Carmel (Carmel Point neighborhood) [Assessor's Parcel Number 009-451-015-000], Carmel Area Land Use Plan, Coastal Zone. The parcel is zoned Medium Density Residential, 2 units per acre; with a Design Control Overlay and 18-foot height limit (Coastal Zone) [MDR/2-D (18)(CZ)], which allows main dwellings and accessory structures with the granting of a Coastal Administrative Permit. Therefore, as proposed, the project involves allowed land uses for this site. Development within 750 feet of known archaeological resources is also allowed subject to the granting of a coastal development permit. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development (see subsequent Evidence h).
- c) The project has been reviewed for consistency with the text, policies, and regulations in the:
 - 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan;
 - Carmel Area Coastal Implementation Plan (Part 4); and
 - Monterey County Zoning Ordinance - Coastal (Title 20).
- d) Staff has identified the need for entitlements for parking modifications and floor area pursuant to the requirements of the Coastal Zoning Ordinance (Title 20). As described herein, this

project meets the criteria for these modifications and entitlements. In addition, comments received during review of this project have been considered. Project changes have been made and analysis has been updated in response to comments. As proposed, conditioned, and mitigated, the project is consistent with the applicable regulations.

- e) Lot Legality. The subject 0.8253-acre property (Assessor's Parcel Number 009-451-015-000) is identified in its current configuration as Lot 23, within Block 8, on the Final Map for Addition No. 7, Carmel-by-the-Sea, recorded May 4, 1910, filed at Volume 2, Cities and Towns, Page 24. The County has previously recognized the legality of lots created by the subject 1910 final map. The County and property owners have also relied on the 1910 final map to direct development of lots within the subdivision, including utilities. The lots and streets, as identified on the final map, conform to the surrounding topography and the siting of lots and improvements on the final map indicate evidence of design. Therefore, the County recognizes the subject property as a legal lot of record.
- f) Public Access. As proposed and conditioned, the development is consistent with applicable public access policies of the Carmel Area LUP. See Finding No. 7 and supporting evidence.
- g) Development Standards – Setbacks, Height, Structural Coverage, and Floor Area. Development standards for the MDR zoning district are identified in MCC section 20.12.060. Required setbacks in this MDR district are 20 feet (front), 10 feet (rear), and 5 feet (sides). As proposed, the development would have a front setback of 22 feet, a rear setback of 11 feet, and side setbacks of 5.5 and 8 feet.

The maximum allowed height in this MDR zoning district is 18 feet above average natural grade. The proposed dwelling would have a height of approximately 18 feet above average natural grade and would conform to the maximum allowed height limit. The County has applied a standard condition of approval (Condition No. 12 – Height Verification) to ensure conformance to the allowed height standard.

The site coverage maximum in this MDR district is 35 percent, and the floor area ratio maximum is 45 percent. The property is 3,595 square feet, which would allow site coverage of 1,258 square feet and floor area of 1,618 square feet. As proposed, the development would result in site coverage of 1,258 square feet (35 percent), and floor area of 2,100 square feet (58.4 percent or 482 square feet over the allowed maximum). The applicant has applied for a variance to increase the allowed floor area (see Finding Nos. 9, 10, and 11, and supporting evidence).

Pursuant to the Monterey County Code (MCC) and as proposed, the project would conform to applicable development standards regarding front, side and rear setbacks, height, and site coverage.

- h) Design. Pursuant to MCC Chapter 20.44, the proposed project parcels and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location,

size, configuration, materials, and colors of structures and fences to assure protection of the public viewshed and neighborhood character.

The Applicant proposes exterior colors and materials that are consistent with the residential setting. The primary colors and materials include grey metacrylics (solid membrane) roofing, Carmel stone veneer and cedar siding, and bronze aluminum windows and doors. The proposed exterior colors and finishes would blend with the surrounding environment, are consistent with the surrounding residential neighborhood character, and are consistent with other dwellings in the neighborhood. Also, per Carmel LUP Policy 2.2.3.6, the proposed structure would be subordinate to and blend into the environment, using appropriate exterior materials and earth tone colors that give the general appearance of natural materials. The proposed residence is also consistent with the size and scale of surrounding residences, and the proposed bulk and mass would not contrast with the neighborhood character. As proposed, the project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

- i) Visual Resources and Public Viewshed. The project, as proposed, is consistent with the Carmel Area LUP policies regarding Visual Resources (Chapter 2.2) and will have no impact on the public viewshed. The project planner conducted a site inspection on September 29, 2020, to verify that the project minimizes development within the public viewshed. The project site is also located in a residential neighborhood, and the adjacent parcels have been developed with single-family dwellings.
- j) Tree Relocation. Forest resource policies of the Carmel Area LUP and development standards contained in section 20.146.060 of the Coastal Implementation Plan provide for protection of native forest areas and require development to be sited to minimize the amount of tree removal to the greatest extent feasible. As proposed, the project minimizes tree removal in accordance with the applicable goals, policies, and regulations of the Carmel Area LUP (Forest Resources) and the associated Coastal Implementation Plan.

The small project parcel has oak trees planted primarily around the perimeter of the lot, and the trees proposed for relocation are within the development footprint. As proposed, the applicant will relocate 4 Coast Live oak trees to a site at 26346 Valley View. Per the arborist report prepared for the project (LIB180395; Frank Ono, Certified Arborist and Forester), the trees proposed for relocation are the minimum number necessary for the project, and relocation will not involve a risk of adverse environmental impacts. The trees are also considered in fair condition and able to survive the relocation process. Relocation of the trees will be completed by a company experienced in large landscape tree relocation. The remaining oaks have been integrated into the project with the development sited to avoid further tree impacts.

Per the arborist, the tree relocation has been limited to that required for the development footprint (Coastal Implementation Plan section

20.146.060.D.3. Per Condition No. 9, relocation and subsequent monitoring shall be completed in accordance with the arborist's report.

- k) Modification of Parking Standards. As revised, the project includes application for modification of parking standards to allow two uncovered parking spaces within the front setback to count toward the amount of required parking, and to not require a covered parking space. In accordance with the applicable policies of the Carmel Area Land Use Plan and MCC section 20.58.050.C, a Coastal Development Permit is required and the criteria to grant said permit have been met.

Per MCC section 20.58.50.F, main residential dwellings in MDR zoning districts are required to provide 2 off-street parking spaces, with at least one space covered (e.g., either a carport or garage). As proposed, the project would provide two uncovered parking spaces within the front setback, and no covered parking space within a garage or carport.

MCC section 20.58.050 grants the Board discretion to modify parking standards where appropriate due to the unusual characteristics of a use or its immediate vicinity, etc. The presence of documented cultural resources within the area of the project site presents an obstacle to excavating a subterranean garage. Therefore, modification of the parking standards better achieves the goals and objectives of the Carmel Area Land Use Plan in that it results in the avoidance and preservation of cultural resources. The County has approved other modifications to parking standards in the vicinity of Carmel Point for similar reasons; including PLN160649/Carmel Pointe Properties LLC, PLN120519/Bearman, PC07062/Hughes, ZA94002/Snyder, and ZA7274/Aurner.

Moreover, many of the properties in the Carmel Point vicinity have minimal on-site parking and parallel parking along the street is common. Continuation of this pattern would not change the existing conditions within the neighborhood. Staff confirmed this pattern during a site visit on September 29, 2020, during which staff noted many other properties with parking spaces clearly located within the front setback, including at least 6 properties along Isabella Avenue and San Antonio Avenue South.

- l) The project planner reviewed the project via the County's GIS records, and conducted a site visit on September 29, 2020, to verify that the proposed project conforms to the applicable plans and sections of the Monterey County Code.
- m) Cultural Resources. County records identify that the project site is within an area of high sensitivity for cultural resources, and the project includes a Coastal Development Permit to allow development within 750 feet of known archaeological resources, including areas of known archaeological resources.

Archaeological survey and testing reports (LIB180439, LIB190047, and LIB190293) prepared for the project determined that the potential

for impacts to archaeological resources on this site is low; however, given the parcel's location in the archaeologically sensitive Carmel Point area, the reports recommended the presence of both archaeological and tribal monitors during all excavation activities. No significant archaeological resources were found during testing, yet given the site's location in Carmel Point and within the assumed boundary of CA-MNT-16, the potential for resources to be uncovered during construction could not be ruled out. The County prepared an Initial Study and mitigation measures were applied to reduce potential impacts to resources if discovered during construction (see Finding No. 4 and supporting evidence).

Therefore, the proposed project has been tested and mitigated to minimize or avoid impacts to known archaeological resources. Adherence to required conditions and mitigation measures will reduce potential impacts to unknown archaeological and/or cultural resources to less than significant.

- n) Land Use Advisory Committee – April 5, 2021. The revised project, including the proposed Variances, was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting at which all persons had the opportunity to be heard, reviewed the revised project on April 5, 2021, and voted 4 – 0 (4 yes, 0 no, and 2 absent) to support the project with a recommendation to revise the plans to reduce the number of proposed variances. The LUAC and interested members of the public raised concerns related to privacy, tree relocation, drainage, and neighborhood character.
- o) Land Use Advisory Committee – December 2, 2019. The project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review. The LUAC, at a duly-noticed public meeting at which all persons had the opportunity to be heard, reviewed the originally-proposed project on December 2, 2019, and voted 5 – 0 (5 yes and 0 no; 1 absent) to support the project as proposed. This original proposal reviewed by the LUAC included a 1,242 square foot basement level. No concerns were raised by the LUAC or interested members of the public.
- p) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

3. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the proposed use.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by HCD-Planning, Public Works, Environmental Services, Environmental Health Bureau, and the Cypress Fire Protection District. County staff reviewed the application materials and plans, as well as the County's GIS database, to verify that the project conforms to the applicable plans, and that the subject property is suitable for the proposed development.
 - b) The following technical reports have been prepared:

- Tree Resource Assessment (LIB180395) prepared by Frank Ono, Certified Arborist, Pacific Grove, California, October 26, 2018;
 - Biological Resource Analysis (LIB180396) prepared by Fred Ballerini Biological and Horticultural Services, Pacific Grove, California, October 26, 2018;
 - Geologic Evaluation (LIB180397) prepared by Craig S. Harwood, Consulting Engineering Geologist, Ben Lomond, California, June 8, 2019;
 - Geotechnical Investigation (LIB180440) prepared by Soils Survey Group, Inc., Salinas, California, November 8, 2018;
 - Preliminary Archaeological Assessment (LIB180439) prepared by Archaeological Consulting, Salinas, California, February 23, 2018;
 - Cultural Resources Auger Testing (LIB190047) prepared by Susan Morley, M.A., Marina, California, January 2019; and
 - Archaeological Presence/Absence Testing (LIB190293) prepared by PaeloWest Archaeology and Byram Archaeological Consulting, Walnut Creek and Berkley, respectively, California October 31, 2019, including an Addendum prepared February 26, 2020.
- c) County staff independently reviewed these reports and concurs with their conclusions. There are no physical or environmental constraints that would indicate that the property is not suitable for the use proposed.
- d) The project planner reviewed submitted plans and conducted a site visit on September 29, 2020, to verify that the project conforms to the plans listed above and that the project area is suitable for this use.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

4. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this case be detrimental to the health, safety, peace, morals, comfort, and/or 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 HCD-Planning, Public Works, Environmental Services, Environmental Health Bureau, and the Cypress Fire Protection District. Conditions have been recommended, 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.

b) All necessary public facilities are available to the project site. Public sewer service will be provided by the Carmel Area Wastewater District (CAWD), and the CAWD wastewater collection and treatment system/facility has adequate remaining capacity for sewage disposal. Potable water service will be provided by a California American Water Company connection (see subsequent Evidence c). The proposed development would also include any required storm

- water drainage facilities. The Environmental Health Bureau reviewed the project application, and did not require any conditions.
- c) The applicant purchased 0.25-acre feet of potable water credits for the proposed development on the “Benefited Property identified as Assessor’s Parcel Number 009-451-015-000” per Water Use Permit No. 687 issued by the Monterey Peninsula Water Management District on August 2, 2017 (assignment of a Portion of Monterey Peninsula Water Management District Ordinance No. 165, and District Rules 23.1 and 23.7, Mal Paso Water Company Water Entitlement.
 - d) The project planner reviewed submitted plans and conducted a site visit on September 29, 2020, to verify that the project, as proposed and conditioned/mitigated, would not impact public health and safety.
 - e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

5. **FINDING:** **CEQA (Mitigated Negative Declaration)** - Based on the whole record before the Monterey County Board of Supervisors, there is no substantial evidence that the proposed project as designed, conditioned, and mitigated, will have a significant effect on the environment. The Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Under Public Resources Code section 21083, and California Environmental Quality Act (CEQA) Guidelines sections 15063(a) and 15063(b)(2), the Lead Agency shall conduct environmental review in the form of an Initial Study to determine if the project may have a significant effect on the environment and shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.
 - b) Monterey County as Lead Agency, through HCD-Planning, prepared an initial study pursuant to CEQA. The initial study is on file in the offices of HCD-Planning and is hereby incorporated by reference (HCD-Planning File No. PLN180523). The initial study and mitigated negative declaration are also attached to the August 24, 2021, staff report to the Board of Supervisors as Attachment E.

The County filed a draft initial study and mitigated negative declaration (IS/MND) with the County Clerk on February 26, 2020, for public review. However, receipt of initial comments from Save Carmel Point Cultural Resources resulted in the County revising and re-circulating the draft IS/MND on March 9, 2020. The Board of Supervisors considered the revised draft IS/MND. The revised draft IS/MND was filed with the County Clerk on March 9, 2020, and circulated for public review and comment from March 10 through April 9, 2020 (SCH No. 2020029094).

- c) There is no substantial evidence, based upon the record as a whole, that the project may have a significant effect on the environment. The Initial Study identified several potentially significant effects, but the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no

- significant effects would occur. Based upon the analysis of the initial study, HCD-Planning prepared a mitigated negative declaration.
- d) The revised Draft Initial Study and Mitigated Negative Declaration for HCD-Planning File No. PLN180523 was prepared in accordance with the CEQA Guidelines; filed with the County Clerk on March 9, 2020; and circulated for public review from March 10 through April 9, 2020 (State Clearinghouse Number 2020029094).
 - e) Resource areas that were analyzed in the IS/MND included: aesthetics, agriculture and forest resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, and wildfire.
 - f) Evidence that has been received and considered includes: the application, technical studies/reports, staff reports that reflect the County's independent judgment, and information and testimony presented during public meetings and hearings. These documents are on file in HCD-Planning (HCD-Planning File No. PLN180523) and are hereby incorporated herein by reference.
 - g) The County identified potentially significant impacts to biological resources, cultural resources, geology and soils, land use and planning, and tribal cultural resources. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant. Mitigation Measure Nos. 1, 2, 3, and 4 would reduce the potentially significant impacts by requiring tree replacement in case of tree mortality due to relocation, the presence of an on-site archaeological monitor and tribal monitor during all excavation activities, and sub-excavation and re-compaction of the building pad as recommended by the project geotechnical engineer. These mitigation measures have been incorporated into the project as conditions of approval (Condition Nos. 22, 23, 25, and 25).
 - h) Pursuant to Public Resources Code section 21080.3.1 et seq., Monterey County HCD-Planning staff consulted local Native American tribes, the Ohlone/Costanoan-Esselen Nation (OCEN), on October 8, 2019. Based on this consultation, the County could not confirm whether tribal cultural resources are present that may be impacted by the project. However, given the site's location in Carmel Point and within the assumed boundary of CA-MNT-16, the potential for resources to be uncovered during construction could not be ruled out. Therefore, the County applied Mitigation Measure No. 4, which requires the presence of a tribal monitor during all excavation activities, as requested by OCEN. Implementation of Mitigation Measure No. 4, as well as Mitigation Measure No. 2 and Condition No. 3, would ensure that any inadvertently discovered artifacts or human remains are treated with appropriate dignity and respect.
 - i) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance and Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations, is designed to ensure compliance

during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (Condition No. 5).

- j) Analysis contained in the initial study and the record as a whole indicate the project could result in changes to the resources listed in section 753.5(d) of the California Department of Fish and Wildlife (CDFW) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless CDFW determines that the project will have no effect on fish and wildlife resources.

Here, based on the Fish and Game Code, the project may have a significant adverse impact on the fish and wildlife resources upon which the wildlife depends. Staff sent CDFW the initial study for its review, comment, and recommendation of “necessary conditions to protect biological resources in this area. Therefore, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (Condition No. 4).

- k) During the public review period for the original draft Initial Study, the County received comments from Save Carmel Point Cultural Resources (represented by Molly Erickson). During the review period for the revised draft initial study, the County received comments from the California Native American Heritage Commission (NAHC). See subsequent Evidences l and m. These comments are attached to the August 24, 2021, staff report to the Board of Supervisors as Attachment F.
- l) Save Carmel Point Cultural Resources (represented by Molly Erickson). Comments submitted by Save Carmel Point Cultural Resources on the original draft initial study addressed a proposed elevator and roof deck, chimney, the scope of work description, limits of disturbance for grading, and the plan set. The applicant subsequently revised the plans to remove the proposed elevator and roof deck and reduce the proposed chimney width from 9 feet to 6 feet. Under the revised proposal, stairs and a retractable skylight provide maintenance access for solar panels that are proposed to be mounted on the roof. In response to the scope of work comment, the County revised (corrected) and re-circulated the draft initial study on March 9, 2020. County staff also uploaded revised plans to the County’s permit database.

Save Carmel Point Cultural Resources did not submit comments on the revised draft initial study. The comments submitted on the original draft initial study do not alter the conclusions in the revised draft initial study, and no revisions to the revised draft initial study are necessary in response to these comments because they neither conflict with nor challenge the analysis and conclusions therein. Therefore, no further response is required.

- m) NAHC. The commenter, in general, discusses the requirements for analysis of potential impacts to archaeological and cultural resources,

and inquired whether the draft mitigation measures had been discussed with and agreed upon during consultation.

Monterey County Planning staff initiated tribal consultation with local Native American tribes on October 8, 2019 by meeting with a representative of the Ohlone/Costanoan-Esselen Nation (OCEN). County staff discussed the project with the tribal representative and identified potential impacts that may require mitigation. The OCEN representative requested the presence of a tribal monitor during all soil disturbing activities, and the County agreed to include this requirement in the mitigation. The County has shared tribal monitor condition/mitigation language in the past. With the understanding of how the mitigation is worded, tribal representatives generally know what mitigation will be applied when discussed in consultation. See also previous Evidence h.

The County considered the comments received and conclude they do not conflict with, alter, or challenge the analysis and conclusions of the revised draft initial study or MND. Therefore, no further response is required.

- n) The Board of Supervisors considered the comments received for both the original and revised draft initial studies pursuant to CEQA Guidelines section 15074.b and finds that they do not alter the conclusions in the revised initial study and mitigated negative declaration. The County responses to these comments are attached to the August 24, staff report to the Board of Supervisors as Attachment G, and are incorporated herein by reference. No further response is required.
- o) The County finds that there is no substantial evidence supporting a fair argument of a significant environmental impact.
- p) The Monterey County Board of Supervisors considered the Mitigated Negative Declaration, along with the Combined Development Permit, at a duly noticed public hearing held on August 24, 2021.
- q) The Monterey County Planning Commission previously considered and adopted the Mitigated Negative Declaration for the proposed tree replanting site located at 26346 Valley View at a duly noticed public hearing held on December 5, 2018 (Planning Commission Resolution No. 18-049; HCD-Planning File No. PLN170613). This initial study and mitigated negative declaration are attached to the August 24, 2021, staff report to the Board of Supervisors as Attachment J, and are incorporated herein by reference.
- r) Pursuant to CEQA Guidelines section 15073(e), the County provided notice of the public hearing to those public agencies that submitted comments on the Initial Study and Mitigated Negative Declaration.
- s) Monterey County HCD-Planning, located at 1441 Schilling Place, 2nd Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

6. **FINDING:** **RECIRCULATION NOT REQUIRED** – No new significant information has been added to the revised draft initial study since

circulation of the mitigated negative declaration (MND) that would require recirculation of the MND. Per section 15073.5 of the CEQA Guidelines, the County of Monterey is required to recirculate an MND when the document must be substantially revised after public notice is given of the availability of the MND for public review pursuant to section 15072 of the CEQA Guidelines, but prior to its adoption.

A “substantial revision” requiring recirculation may include, for example, a disclosure showing:

- 1) A new, avoidable significant effect, and mitigation measures or project revisions to reduce the effect to less than significant; or
- 2) The lead agency determines that the proposed mitigation measures or project revisions will not reduce potential effects to less than significant, and new measures or revisions must be required.

No such substantial revisions have been made or added.

- EVIDENCE:**
- a) Per section 15073.5(c) of the CEQA Guidelines, recirculation of the MND is not required where the new information merely clarifies, amplifies, or makes minor modifications to an adequate MND; or when new project revisions are added which do not result in new significant impacts. The information provided, and revisions to the draft initial study and proposed project since the public notice of availability of the MND, meet those criteria.
 - b) County staff initially filed a draft initial study and MND with the County Clerk on February 26, 2020, for public review. However, receipt of initial comments resulted in County staff revising and re-circulating the draft initial study on March 9, 2020. The Board of Supervisors considered the revised draft initial study and MND, along with the Combined Development Permit, at a duly noticed public hearing held on August 24, 2021. The revisions incorporated in the revised initial study provide clarification and additional detail. A minor revision was made to the draft mitigation measures to delete references to a basement level. The resulting mitigation measure requirements and compliance actions were not substantively changed, thereby remaining as effective as previously drafted.

On page 9 of the revised initial study, the County corrected and clearly identified the project scope of work. In the aggregate, the project description remains stable in that the scope involves development of a single-family dwelling. On page 23, in Section VI.5 (Cultural Resources), the County added information regarding the archaeological assessments and testing results. On page 32, in Section VI.7 (Geology and Soils), the County added information regarding the mitigation measures and conditions of approval for cultural and tribal resources. On page 43, in Section VII (Mandatory Findings of Significance), the County again added information regarding the mitigation measures and conditions of approval for cultural and tribal resources.

Additionally, the County has added the following language to both Mitigation Measure Nos. 2 and 4: “at both 26308 Isabella Avenue and 26346 Valley View.” This added language clarifies and amplifies the County’s intent for archaeological and tribal monitoring to occur at both sites.

The Board finds that these changes to the draft initial study do not result in a new, avoidable significant effect to the environment. The Board further finds that the changes to the draft initial study do not trigger the need for new mitigation measures or additional revisions. Therefore, pursuant to section 15073.5(b) of the CEQA Guidelines, recirculation of the IS/MND is not required.

- c) After public review of the revised draft initial study and MND, the applicant revised the project to eliminate the proposed basement level. Following the Planning Commission hearing on April 28, 2021, the applicant again revised the project to eliminate the proposed garage. These revisions to the proposed project (plan set dated May 6, 2021) are the plans the Board considered at the public hearing on August 24, 2021.

The Board finds that these project revisions do not result in a new, avoidable significant effect to the environment. The Board further finds that these project revisions do not trigger the need for new mitigation measures or additional revisions to the project.. Therefore, pursuant to section 15073.5(b) of the CEQA Guidelines, recirculation of the MND is not required.

- d) See also Finding Nos. 2, 3, 4, and 5, and supporting evidence.

7. **FINDING:** **PUBLIC ACCESS** – The project conforms with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with section 30200 of the Public Resources Code) and the Local Coastal Program (LCP), and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as no part of the project has a substantial adverse impact on access, either individually or cumulatively, based upon the standards set forth in section 20.146.130 of the Monterey County Coastal Implementation Plan (Part 4).
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3, Public Access, in the Carmel Area Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) As proposed, the project would not obstruct public views of the shoreline from surrounding roadways, nor obstruct public visual access to the shoreline from major public viewing corridors (Carmel Land Use Plan Policy 5.3.3.4.a).
 - e) The project planner conducted a site visit on September 29, 2020, to verify that the project, as proposed and conditioned/mitigated, would not impact public access. Based on this site inspection, the proposed project would not be visible from Highway 1 or any common public viewing area. The project will not result in adverse impacts to the public viewshed or scenic character in the project vicinity, and is

consistent with the applicable visual resource and public access policies of the Carmel Area Land Use Plan. See also Finding No. 2, Evidence i above.

- f) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

8. **FINDING:** **NO VIOLATIONS** - The subject property complies 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) County staff reviewed Monterey County HCD-Planning and HCD-Building Services records, and is not aware of any violations existing on the subject property.
 - b) Staff conducted a site inspection on September 29, 2020, to assess and confirm that no violations exist on the subject property.
 - c) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

9. **FINDING:** **VARIANCE (AUTHORIZED USE)** – The Variance is not being granted for a use or activity which is not otherwise expressly authorized by the zoning regulation governing the parcel of property.

- EVIDENCE:**
- a) The property has a zoning designation of Medium Density Residential, 2 units per acre, with a Design Control zoning overlay and an 18-foot height limit (Coastal Zone) [MDR/2-D (18) (CZ)].
 - b) Development of single-family dwellings is identified as an allowed use pursuant to Monterey County Code section 20.12.040.A, subject to the granting of applicable coastal development permit(s). Therefore, the proposed dwelling is a use expressly authorized within the project site's residential zoning district. See also Finding No. 2, Evidence b.
 - c) The project planner conducted a site inspection on September 29, 2020, to verify the circumstances related to the property.
 - d) The application, plans and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

10. **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 development standards in the Monterey County Code (MCC) is found to deprive the subject property of privileges enjoyed by other property owners in the vicinity under identical zoning classification.

- EVIDENCE:**
- a) Development standards for the MDR zoning district are identified in MCC section 20.12.060. Required setbacks in this MDR district are 20 feet (front), 10 feet (rear), and 5 feet (sides). The allowed site coverage maximum in this MDR district is 35 percent, and the floor area ratio maximum is 45 percent. The property is 3,595 square feet, which would allow maximum site coverage of 1,258 square feet (35 percent) and floor area of 1,618 square feet (45 percent). Pursuant to

MCC and as proposed, the project would conform to applicable development standards regarding front, side and rear setbacks, height, and site coverage.

However, the proposed development would result in a nonconforming floor area. As proposed, the development would increase floor area by 13.4 percent or 482 square feet above the maximum allowed (from 45 percent to 58.4 percent).

Additionally, per MCC section 20.12.060.A, the minimum lot size or building site in the MDR zoning district is identified as 6,000 square feet. Therefore, the subject lot is legal, non-conforming at 3,595 square feet. See also subsequent Evidence b.

- b) At 3,595 square feet, the project parcel is the smallest property on Isabella Avenue. The non-conforming size of the lot constrains the allowed development compared to other lots in the vicinity. The other lots along the project site's side of Isabella Avenue range in size from 3,716 square feet to 32,000 square feet, with an average lot size of 11,207 square feet. Allowed site coverage for these other lots ranges from 1,301 to 11,200 square feet, with an average of 3,922 square feet. Allowed floor area ranges from 1,672 to 14,400 square feet, with an average of 5,043 square feet. Existing development on these lots ranges from 865 to 6,520 square feet, with an average floor area of 2,798 square feet. The lots on the opposite side of Isabella Avenue are similar in range of size and existing development.

Based on the small size of the property and inability to construct a basement as originally proposed, zoning limitations would require a smaller house than other properties in the immediate vicinity and with the same zoning classification.

- c) Background. The applicant submitted the original project application on November 13, 2018, and the County deemed this application complete on January 4, 2019. This original proposal included a 1,250 square foot basement level and approximately 900 cubic yards of excavation and grading for the subterranean elements of the proposed project.

On July 9, 2020, the California Coastal Commission (CCC) determined that the amount of grading associated with basement levels in the Carmel Point area is not consistent with the applicable Land Use Plan policies regarding avoidance of cultural resources, and raise a "... substantial issue of conformance with County Local Coastal Program policies related primarily to archaeological resource protection, grading minimization, landform protection, and conservation objectives."

Subsequent to the CCC's decision on July 9, 2020, the applicant revised the project from the original proposal to eliminate the originally-proposed basement level and garage, reduce the overall floor area of the residence and garage by 653 square feet (from 2,968 to 2,315 square feet), modify the parking standards to allow a required parking space within the front setback, reduce the front setback to accommodate a grade-level garage, and increase the

allowed site coverage and floor area to accommodate a garage and an upper level bedroom relocated from the previously-proposed basement level.

Based upon Planning Commission direction on April 28, 2021, the applicant revised the project to further reduce the overall floor area of the development by an additional 215 square feet by eliminating the garage. The total net reduction of all project revisions amounts to 868 square feet of floor area (from 2,968 to 2,100 square feet). Elimination of the garage requires further modification of the parking standards to not require a covered parking space and to allow two uncovered parking spaces within the front setback, and negates the variances to reduce the front setback and to allow an increase to the allowed site coverage.

- d) The project planner conducted a site inspection on September 29, 2020, to verify circumstances related to the subject property, as well as to other properties in the vicinity and in the same zoning district.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

11. **FINDING:** **VARIANCE (SPECIAL PRIVILEGES)** – The Variance does 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) The project planner conducted a site inspection on September 29, 2020, to verify that the Variance would not constitute a grant of special privileges inconsistent with the limitations upon other property owners in the vicinity and zone in which the subject property is situated.
 - b) At 3,595 square feet, the project parcel is the smallest property on Isabella Avenue. The non-conforming size of the lot constrains the allowed development compared to other lots in the vicinity. See also Finding No. 10, Evidence b.

Based on the zoning limitations and the small size of the property, other property owners in the vicinity and zone enjoy an average floor area of approximately 2,800 square feet, or 700 square feet more than that proposed development. Therefore, as proposed, the project would not constitute a grant of special privileges.

- c) The presence of documented cultural resources within the area of the project site presents an obstacle to excavating a subterranean level. Therefore, allowing an increase to floor area better achieves the goals and objectives of the Carmel Area Land Use Plan in that it results in the avoidance and preservation of cultural resources.
- d) The application, plans, and supporting materials submitted by the project applicant to Monterey County HCD-Planning for the proposed development found in project file PLN180523.

12. **FINDING:** **APPEAL** – Upon consideration of the documentary evidence, the staff report, the oral and written testimony, and all other evidence in the record, the Board finds that there is substantial evidence to deny

- EVIDENCE:** a) the appeal by The Open Monterey Project and makes the following specific findings regarding the Appellant's contentions:
Appellant (The Open Monterey Project), pursuant to Monterey County Code (MCC) section 20.86.030.C, timely appealed the Monterey County Planning Commission's May 26, 2021, decision. The appeal challenged the Planning Commission's decision to adopt a Mitigated Negative Declaration and approve the Combined Development Permit. See also Finding No. 1, Evidence "i".

The summarized text of the Appellant's contentions and the County's responses to those contentions is set forth in Evidence "b" through "i" below. The Appeal, including the complete text of the Appellant's contentions, is included in the August 24, 2021, staff report to the Board of Supervisors as Attachment D, and is incorporated herein by reference.

- b) Appellant's Specific Contention A: The Appellant contends that because the original plans showed a roof deck, with an interior staircase and extra-high chimney, there is a foreseeable use of the rooftop as a deck area that would adversely impact neighbors. Specifically, the Appellant contends: *"The County should require the elimination of the interior stairway from the second floor to the flat roof, and the reduction in height of the chimney to six feet or less above the roof."*

The Applicant revised the plans to remove a proposed elevator and roof deck. Stairs and a retractable skylight provide maintenance access for solar panels that are proposed to be mounted on the roof. As currently proposed, the single-family dwelling height above average natural grade would be 18 feet, the maximum allowed height for main dwellings in this zoning district. Use of the roof as a deck would require the addition of pedestrian railing, which would not be allowed pursuant to County development standards regarding the height limit. Hence, use of the roof as a deck area would not be an allowed use. If the Applicant uses the roof as a deck, it would constitute a violation that would be addressed by County staff when reported.

Regarding height, a chimney is considered an appurtenance, so it is not subject to the 18-foot height limit and must maintain a minimum 3-foot distance separation from the roof. As currently proposed, the chimney would rise approximately 10.5 feet above the roof, including the chimney cap/spark arrestor, yet would be consistent with other chimneys in the surrounding vicinity and consequently, would not result in an adverse visual or aesthetic impact. The Applicant also revised the proposed chimney to reduce the width from 9 to 6 feet.

- c) Appellant's Specific Contention B: The Appellant contends: *"That is a large amount of unnecessary cut that is not consistent with the LCP statements about changing existing land forms and the recent specific CCC direction on minimizing grading at Carmel Point in order to respect and protect tribal cultural resources and archaeological resources."*

The Appellant does not provide information refuting the conclusions or recommendations of the project's geotechnical engineer. The amount of grading and excavation required for this development is both project specific and consistent with the geotechnical engineer's site analysis. Other sites may have different soil conditions that warrant different soil engineering recommendations. The removal of the originally proposed basement level reduced the estimated amount of grading/excavation from approximately 900 cubic yards to 300 cubic yards, a net reduction of approximately 600 cubic yards. Per the geotechnical engineer, the excavation of 304 cubic yards of cut is the minimum necessary to adequately prepare the site for the proposed development.

The conceptual limits of proposed project disturbance are clearly identified on plan sheets G1.5, G1.7, A1.0, and A2.0. Plan sheet G1.7, Grading/Slope/Drainage Plan, highlights the areas of proposed cut and fill on the parcel. Additional detail will also be provided in the construction plan set per the geotechnical engineer's recommendations. County staff will review plans and documents submitted with the building permit to confirm that the amounts are substantially consistent with those analyzed and approved. Also, inspections occur during the construction phase to ensure the permitted amounts are not exceeded, and remain in substantial conformance with the approved amounts.

- d) Appellant's Specific Contention C: The Appellant specifically contends: "*The County failed to provide draft mitigation language to tribal representatives as required....*"

Applicable state laws require that the County consult tribal representatives as to possible mitigation measures, but do not mandate that tribal representatives review and approve the specific language of such mitigation measures. (Pub. Resources Code, § 21080.3.2(b)). During consultation, County staff discussed the project with the tribal representative and identified potential impacts that may require mitigation. The tribal representative requested tribal monitoring during all excavation work on the site. Per this request, and due to the known presence of cultural resources within the area, the County required, as mitigation, the presence of a tribal monitor to observe all excavation and/or soil disturbing activities. Consultation on this specific project did not include review of draft mitigation measures with the tribal representative; however, County staff has discussed specific tribal monitor mitigation language with OCEN in the past and has applied similar mitigation language to multiple projects.

- e) Appellant's Specific Contention D: The Appellant contends: "*The project as proposed would intrude on the privacy of adjacent and nearby neighbors due to the floor-to-ceiling class (sic) windows on the first and second floors of the house on this lot, and due to the foreseeable use of the easily accessible flat roof as a deck.*"

Privacy and private views are neither regulated nor protected under

either the Carmel Area Land Use Plan or applicable Monterey County Code sections. Additionally, the roof is not proposed to be used as a deck.

- f) Appellant's Specific Contention E: The Appellant contends: "*The design is not consistent with neighborhood character. The record does not show other two-story flat-roof houses at Carmel Point in the immediate vicinity of the proposed project especially of this size on a small lot.*"

This site and the surroundings are subject to an 18-foot height limit. Other projects in the vicinity have been approved at the maximum height limit and several included basements. In some cases, the County has approved homes with 2 and 3 stories, inclusive of basements. The form and mass of the structure will be the same or smaller than many other homes nearby because the design meets all required setbacks, complies with the height limit, meets site coverage limitations, and the square footage is similar or smaller to other homes in the area. Floor area is based on a percentage of the lot size and in this case, the lot is slightly smaller than other lots in the vicinity. Based on its review of the application materials and technical reports, County staff concluded that the size and scale of the proposed development is consistent with surrounding residences. The proposed exterior colors and finishes are earth tone colors that give the general appearance of natural materials and would blend with the surrounding environment. Additionally, the residences in the Carmel Point area represent a variety of architectural styles, including two-story flat roof single-family dwellings. The proposed structural design, combined with the proposed exterior colors and finishes, will blend with the surrounding environment pursuant to Carmel LUP Policy 2.2.3.6. Additionally, this project has been recommended for approval by the Carmel Highlands/Unincorporated Land Use Advisory Committee and was approved by the Planning Commission. See also Finding No. 1, Evidences "f", "g", and "h"; as well as Finding No. 2, Evidences "g", "h", and "i".

- g) Appellant's Specific Contention F: The Appellant contends: "*The County records show that 'the County has a history ... of denying ... Variances to FAR in this vicinity' of Carmel Point for new construction.*"

Ms. Erickson's quote is from a 16-year-old project (2005). Regardless, the County's history of considering Variances in this area includes both denials and grants of such requests since each such request is treated on a case-by-case basis. For example, the County has previously approved Variances to floor area limits in the Carmel Point vicinity, including to allow construction of new second story additions. At 3,595 square feet, the project parcel is the smallest property on Isabella Avenue. Other property owners in the vicinity and zone enjoy an average floor area of approximately 2,800 square feet, or 700 square feet more than that proposed development. Therefore, as proposed, the project would not constitute a grant of

special privileges. Additionally, the County has, in limited circumstances, approved Variances when the modification to building standards is warranted to minimize environmental impacts (such as cultural resources in this case). For example, a Variance was approved by the Planning Commission for file number PLN060533 to reduce the required setback for a caretaker unit because the reduction in the setback minimized impacts to trees. The County has weighed the unique circumstances of this case, including the small lot size and minimization of impacts to archaeological resources by elimination of a basement, in assessing whether to grant a Variance to site development standards. See also Finding Nos. 10 and 11, and supporting evidence.

- h) Appellant's Specific Contention G: The Appellant contends: "*The initial study and MND is not appropriate and not accurate in light of the potential inconsistencies with, and/or impacts, of grading, land form changes, neighborhood consistency, and to tribal cultural resources (including the failure to provide conditions to the tribal representative). (E.g., finding 4.) The potential cumulative impacts – on neighborhood character, public views, grading, cultural resources, and more – have not been considered and mitigated in the CEQA document for this project.*"

The Appellant does not provide evidence that the project may have a significant, or cumulatively significant, effect on the environment. Based on the specific circumstances of the project and the record as a whole, the County finds that there is no substantial evidence that the project, as mitigated, would have a significant effect on the environment. The Initial Study identified several potentially significant impacts, but the Applicant has agreed to proposed mitigation measures that either avoid the effects entirely or mitigate the effects to a point where no significant impacts would occur.

The project has been redesigned to reduce grading by elimination of the basement. Neighborhood character is addressed in the response to Contention E. Tribal resources are addressed in the response to Contention C. As such, no further environmental review is required. See also Finding Nos. 5 and 6, and supporting evidence.

- i) Appellant's Specific Contention H: The Appellant contends: "*Comparisons with other lots at Carmel Point should be limited to Carmel Point proper.*"

Comment noted. References or comparisons used included properties considered to be located within the Carmel Point neighborhood and/or vicinity.

13. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the California Coastal Commission.

EVIDENCE: a) California Coastal Commission. Pursuant to section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the project is subject to appeal by/to the California Coastal Commission because it involves development permitted in the underlying zone as a

conditional use (i.e.; development within 750 feet of known archaeological resources).

DECISION

NOW, THEREFORE BE IT RESOLVED, based on the above findings and evidence, and the administrative record, that the Board of Supervisors does hereby:

- A. Certify that the foregoing recitals and findings are true and correct;
- B. Deny the appeal of The Open Monterey Project from the Planning Commission's environmental determination and approval of a Combined Development Permit to allow construction of a two-story single-family dwelling with 318 square feet of deck area, development within 750 feet of known archaeological resources, modification of parking standards, an increase to the allowed floor area, and relocation of four oak trees;
- C. Adopt a Mitigated Negative Declaration;
- D. Approve a Combined Development Permit consisting of:
 - a. Coastal Administrative Permit and Design Approval to allow construction of a 2,100 square foot two-story single-family dwelling, with 318 square feet of deck area;
 - b. Coastal Development Permit to allow development within 750 feet of known archaeological resources;
 - c. Coastal Development Permit to allow the modification of parking standards, including no covered parking space and allowing two spaces within the front setback to count towards the required parking;
 - d. Variance to allow an increase to the allowed floor area from 45 percent to 58.4 percent; and
 - e. Coastal Development Permit for relocation of 4 Coast Live oak trees; and
- E. Adopt a Condition Compliance and Mitigation Monitoring and Reporting Plan.

All work must be in general conformance with the attached plans and this approval is subject to twenty-five conditions (including four mitigation measures), all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED on this 24th day of August 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)


I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting August 24, 2021.

Dated: September 1, 2021

File ID: RES 21-147

Agenda Item No.: 16

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Julian Lorenzana, Deputy

Monterey County RMA Planning

Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN180523

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (Planning File No. PLN180523) allows the construction of a 2,100 square foot two-story single-family dwelling, with 318 square feet of decks; development within 750 feet of known archaeological resources; modification of parking standards; increase to the allowed floor area from 45 percent to 58.4 percent; and the relocation of four (4) Coast Live oak trees. The property is located at 26308 Isabella Avenue, Carmel (Assessor's Parcel Number 009-451-015-000), Carmel Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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 HCD-Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD-Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state: "A Combined Development Permit (Resolution Number 21 - 273) was approved by the Board of Supervisors for Assessor's Parcel Number 009-451-015-000 on August 24, 2021. The permit was granted subject to twenty-five (25) conditions of approval, including four (4) mitigation measures, which run with the land. A copy of the permit is on file with Monterey County HCD-Planning."

Proof of recordation of this notice shall be furnished to HCD-Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to HCD-Planning.

3. PD003(B) – DISCOVERY OF CULTURAL RESOURCES (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Due to the project site's location in or near CA-MNT-16, a recorded prehistoric site, and because the project includes excavation for a foundation, there is a potential for human remains or cultural artifacts to be accidentally discovered. If human remains are uncovered, all work shall be halted within 50 meters (164 feet) of the find on the parcel until it can be evaluated by a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) and the Most Likely Descendant (MLD) as identified by the Native American Heritage Commission, and the procedure set forth in CEQA Guidelines Section 15064.5(e) shall be followed in addition to the language contained in this condition. In the event that archaeological materials other than human remains are uncovered, all excavation shall be halted within 50 meters (164 feet) of the find on the parcel and shall be immediately evaluated by a qualified archaeological monitor and a Tribal Monitor. A Tribal Monitor is defined as a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel, and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative. If the find is determined to be historically (by a qualified archaeologist) or culturally (as determined by a Tribal Monitor) significant, an appropriate plan of action shall be formulated, with the concurrence of HCD-Planning, and implemented. The plan shall be consistent with applicable compliance measures in this condition and/or Mitigation Measures 2 and 4. All mechanical excavation undertaken with a backhoe shall be done with a flat blade bucket and rubber tires to minimize unnecessary impacts to any potential resources on site. (HCD-Planning)

**Compliance or
Monitoring
Action to be
Performed:**

a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Condition PD003(B), including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

b: Discovery of Human Remains

If human remains are discovered during construction activities, there shall be no further excavation or disturbance within 50 meters (164 feet) of the find on the parcel and the following

shall occur:

- The Owner/Applicant/Contractor shall contact the Monterey County Coroner within 24 hours of the find to request that they determine that no investigation of the cause of death is required;
- The Owner/Applicant/Contractor shall contact HCD-Planning within 24 hours of the find to alert them to the discovery;
- If the coroner determines the remains to be Native American:
 - o The coroner shall contact the Native American Heritage Commission and HCD-Planning within 24 hours of the determination.
 - o The Native American Heritage Commission shall identify the person or persons it believes to be the MLD (from a tribal group such as, though not limited to, the Esselen, Salinan, Costonoans/Ohlone or Chumash tribal groups, as appropriate.
 - o The MLD may make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98-5097.994.
- If the remains are determined to be Native American, and the MLD, in concurrence with a qualified archaeological monitor, determines that the remains are evidence of a larger burial of human remains, which would qualify as a “unique archaeological resource”, as defined in Public Resources Code Section 21083.2(g) that would be disturbed by further excavation; or there is no acceptable location on the parcel to re-bury the remains which would not be affected by excavation; then the Owner will work with HCD-Planning to move/shrink/modify/redesign the foundation portions of the project which would have further impact on those areas of the site containing remains. Modified plans shall be submitted to HCD-Planning. The redesign shall be in accordance with the process codified in State law Public Resources Code section 5097.98 with penalty for violation pursuant to Public Resources Code section 5097.994. No work will recommence on site within 50 meters of the find until the County has approved the revisions to the approved plans.

(See continuation page for remaining text of compliance actions for Condition No. 3.)

**Remaining Text of Compliance Actions for Condition No. 3
[PD003(B) – Discovery of Cultural Resources]**

c: Discovery of Significant Cultural Artifacts

If significant tribal cultural artifacts (determined to be significant by the onsite Tribal Monitor – not including human remains which are handled in accordance with PRC section 5097.98 and penalty for violation pursuant to 5097.994) are discovered during construction activities, there shall be no further mechanical excavation (e.g.; backhoe, trencher, etc.) or ground disturbance within 50 meters (164 feet) of the find on the parcel and the following shall occur:

- The artifact, and any subsequent artifacts determined to be significant tribal cultural artifacts shall be surgically uncovered and extracted by a qualified archaeological monitor, and stored safely through the duration of excavation;
- Excavation will continue by hand (shovels) within a perimeter of two (2) meters surrounding the artifact for the subsequent one (1) meter of depth;
- If another significant tribal cultural artifact is found within the perimeter, the perimeter requirement for hand digging will be extended around the newly discovered artifact as well;
- If no additional significant tribal cultural artifacts are found in the original perimeter, or any of the subsequent perimeters, mechanical excavation may resume to completion unless another significant artifact is discovered in the process. If significant artifacts are discovered again after restarting mechanical excavation, hand digging will be required again as dictated by this condition;
- If human remains are found at any time during either hand digging or mechanical excavation, the Contractor/Owner/Applicant/Agent shall take the steps required by Compliance Action b.

After completion of excavation activities, all recovered artifacts will be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, the archaeologist will return all artifacts within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission or the Monterey County Historical Society, at the discretion of the property owner. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

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4. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to HCD-Planning.

If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the County of Monterey, to HCD-Planning prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits, as applicable.

5. PD006 - CONDITION OF APPROVAL / MITIGATION MONITORING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring and/or Reporting Plan (Agreement) in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed Agreement. The agreement shall be recorded. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 1) Enter into an agreement with the County to implement a Condition of Approval/Mitigation Monitoring Plan.
- 2) Submit fees at the time the property owner submits the signed Agreement.
- 3) Submit proof of recordation of the Agreement to HCD-Planning.

6. PD011 - TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to 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. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD-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. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD-Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, the owner/applicant shall submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

7. PD011(A) - TREE RELOCATION (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Tree relocation shall not occur until a construction permit has been issued in conformance with the appropriate stage or phase of development in this permit. Only those trees approved for relocation shall be relocated. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to tree relocation, the owner/applicant/tree relocation contractor shall abide by this condition on an on-going basis.

8. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: An exterior lighting plan shall be submitted as part of the construction permit plan set, and shall be subject to review and approval by HCD-Planning, prior to the issuance of building permits. All exterior lighting shall be consistent with applicable General Plan and Monterey County Code requirements, including being 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 lighting source shall be shielded and recessed into the fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit an exterior lighting plan, as part of the construction permit plan set, to HCD-Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit evidence demonstrating that the exterior lighting has been installed according to the approved plan and applicable requirements.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

9. PD016 - NOTICE OF REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A Tree Resource Assessment (Library No. LIB180395), was prepared by Frank Ono, Certified Arborist, on October 26, 2018, and is on file in Monterey County HCD-Planning. All development shall be in accordance with this report." (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to HCD-Planning.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to HCD-Planning.

10. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of three (3) years, to expire on August 24, 2024, unless use of the property or actual construction has begun within this period. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of HCD-Planning. Any request for extension must be received by HCD-Planning at least 30 days prior to the expiration date.

11. PD035 - UTILITIES UNDERGROUND

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All new utility and distribution lines shall be placed underground. (HCD-Planning and Public Works)

Compliance or Monitoring Action to be Performed: On an on-going basis, the Owner/Applicant shall install and maintain utility and distribution lines underground.

12. PD041 - HEIGHT VERIFICATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible on-site until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor to HCD-Building Services 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. (HCD-Planning and HCD-Building Services)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/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.

Prior to the final inspection, the Owner/Applicant/Engineer shall provide evidence from a licensed civil engineer or surveyor, to HCD-Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.

13. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its 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 property, filing of the final map, recordation of the certificates of compliance 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. (County Counsel-Risk Management)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management.

14. AS-BUILT CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: Prior to final inspection, the applicant shall provide a letter from a licensed engineer certifying that all development has been constructed in accordance with the recommendations in the approved geotechnical report, the approved grading plan, and the stormwater control plan. (Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall provide Environmental Services a letter from a licensed practitioner certifying that all development has been constructed in accordance with the recommendations in the approved geotechnical report, the approved grading plan, and the stormwater control plan.

15. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. The plan shall also include Environmental Services standard inspection notes 1, 2, & 3. (Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to Environmental Services for review and approval. Standard inspection notes are available on the Environmental Services website.

16. GEOTECHNICAL PLAN REVIEW

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from the licensed practitioner that their geotechnical recommendations have been incorporated into the approved grading plan and stormwater control plan. (Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permits, the applicant shall provide certification from the licensed practitioner(s).

17. GRADING PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a grading plan incorporating the recommendations in the approved geotechnical report. The grading plan shall include contour lines and cross-sections that identify the existing grade, proposed grade, and the extent of any proposed excavation and/or fill. The grading plan shall include the geotechnical inspection schedule that identifies when the inspections will be completed, who will conduct the inspection (i.e., PG, PE, and/or Special Inspector), a description of the required inspection, inspector name, and the completion date. (Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a grading plan to Environmental Services for review and approval.

18. STORMWATER CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide a stormwater control plan to mitigate on-site and off-site impacts from impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by Environmental Services. (Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a stormwater control plan to Environmental Services for review and approval.

19. WINTER INSPECTIONS - AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE (ASBS)

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The owner/applicant shall schedule weekly inspections with Environmental Services during the rainy season, October 15th to April 15th, to ensure contaminants are not discharged into the Carmel Bay Area of Special Biological Significance. This inspection requirement shall be noted on the erosion control plan. (Environmental Services)

Compliance or Monitoring Action to be Performed: During construction, the owner/applicant shall schedule weekly inspections with Environmental Services in the rainy season (October 15th to April 15th).

20. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The applicant shall submit a Construction Management Plan (CMP) to HCD-Planning and Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project. The CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for 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. (Development Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of the grading permit or building permit, the Owner/Applicant/Contractor shall prepare a CMP and submit the CMP to Planning and Public Works for review and approval.

On-going through all construction phases, the Owner/Applicant/Contractor shall implement the approved measures listed in the CMP.

21. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule. (Development Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay the traffic mitigation fee to Monterey County HCD-Building Services. The Owner/Applicant shall submit proof of payment to Development Services.

22. MITIGATION MEASURE NO. 1: TREE REPLACEMENT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: In the event of post-relocation tree death, a 60-inch boxed coast live oak shall be planted in the vicinity of the dead tree. All recommendations pertinent to the relocation process and post-relocation monitoring outlined in the Tree Resource Assessment shall apply to any replacement trees required. (HCD-Planning)

Compliance or Monitoring Action to be Performed: In the event of post-relocation tree death, a 60-inch boxed Coast Live oak shall be planted in the vicinity of the dead tree. The owner/applicant shall provide evidence of replanting and post-relocation monitoring per the arborist report.

23. MITIGATION MEASURE NO. 2: ONSITE ARCHAEOLOGICAL MONITOR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To reduce potential impacts to cultural resources that may be discovered during development of the site, a qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall be present and observe all soil disturbance for all grading and excavation at both 26308 Isabella Avenue and 26346 Valley View. If at any time, potentially significant archaeological resources or intact features are discovered, the monitor shall temporarily halt work until the find can be evaluated by the archaeological monitor. If the find is determined to be significant, work shall remain halted until a plan of action has been formulated, with the concurrence of HCD-Planning, and implemented. To facilitate data recovery of smaller midden components, such as beads or lithic debitage, the excavated soil from the project site shall be screened during monitoring. (HCD-Planning)

**Compliance or
Monitoring
Action to be
Performed:**

2a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 2, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

2b: Prior to issuance of construction permits for grading or building, the owner/applicant shall submit to HCD-Planning a copy of the contract between the owner/applicant and a qualified archaeological monitor. The contract shall include a pre-construction meeting agenda with specific construction activities that the monitor shall be present for, any construction activities where the archaeological monitor will not be present for, how sampling of the excavated soil will occur, and any other logistical information such as when and how work on the site will be halted. The contract shall include provisions requiring the monitor be present and observe all soil disturbance for all grading and excavation, and authorizing the monitor to stop work in the event resources are found. In addition, the contract shall authorize the monitor to prepare a report suitable for compliance documentation to be prepared within four weeks of completion of the data recovery field work. The contract shall be submitted to HCD-Planning for review and approval. Should HCD-Planning find the contract incomplete or unacceptable, the contract will be returned to the owner/applicant and a revised contract shall be re-submitted for review and approval.

2c: Prior to the issuance of grading or building permits, the owner/applicant shall submit evidence that a qualified archaeologist conducted a cultural resource awareness and response training for construction personnel prior to the commencement of any grading or excavation activity. The training shall include a description of the kinds of cultural and tribal cultural resources that are found in the area, protocols to be used in the event of an unanticipated discovery, and the importance of cultural resources to the Native American community.

2d: If archaeological resources are unexpectedly discovered during construction, work shall be halted on the parcel until the find can be evaluated and a plan of action formulated and implemented, with the concurrence of HCD-Planning. Data recovery shall be implemented during the construction and excavation monitoring. If intact archaeological features are exposed, they shall be screened for data recovery using the appropriate method for site and soil conditions. The owner/applicant shall allow the on-site Tribal Monitor (see Mitigation Measure No. 4) an opportunity to make recommendations for the disposition of potentially significant archaeological materials found.

2e: A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University.

24. MITIGATION MEASURE NO. 3: SOIL RECOMPACTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to preparation of the building pad, all loose soil within the proposed building pad area plus a minimum of five feet in all directions beyond the proposed building foundations shall be sub-excavated and recompactd as necessary to 90 percent relative compaction. A qualified geotechnical engineer shall determine the depth of re-compaction, if any, within the building perimeter after clearing, grubbing and basement excavation are completed. Sub-excavation and re-compaction shall be extended under any proposed patios or other permanent flatwork.

Furthermore, the applicant shall comply with the following design features identified in the Geotechnical Investigation:

- Spread footings shall be constructed a minimum of 18 inches deep for both single story and two-story portions of the proposed new building as measured from the lowest adjacent grade, and continuous non-retaining footings shall be reinforced with two #4 reinforcement bars placed near the bottom.
- All new concrete floor slabs-on-grade shall be a minimum of five inches thick and shall be reinforced with a minimum of #3 steel reinforcement bars at 16 inches on center or #4 steel reinforcement bars at 30 inches on center, each way and shall be bent to extend a minimum of eight inches into the perimeter footing.
- Roof and site rain water should be directed away from the proposed building foundations. Rainfall runoff must not be allowed to collect or flow in a downslope direction against any building foundation. (HCD-Planning)

Compliance or Monitoring Action to be Performed: Prior to final, the owner/applicant shall submit a letter from a qualified geotechnical engineer certifying that all development has been completed in accordance with the requirements of this mitigation measure.

25. MITIGATION MEASURE NO. 4: ONSITE TRIBAL MONITOR

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: To ensure that Tribal Cultural Resources incur less than significant impacts, a Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, shall be present and observe all soil disturbance during project-related grading and excavation at both 26308 Isabella Avenue and 26346 Valley View to identify findings with tribal cultural significance. This Tribal Monitor shall have the authority to temporarily halt work in order to examine any potentially significant cultural materials or features. If resources are discovered, the owner/applicant/contractor shall refer to and comply with Mitigation Measure No. 2 and Condition PD003(B) as applicable. This mitigation is not intended to alleviate responsibility of the owner or its agents from contacting the County Coroner and complying with State law if human remains are discovered. (HCD-Planning)

Compliance or Monitoring Action to be Performed: 4a: Prior to issuance of construction permits for grading or building, the owner/applicant shall include a note on the construction plans encompassing the language contained in Mitigation Measure No. 4, including all compliance actions. The owner/applicant shall submit said plans to HCD-Planning for review and approval.

4b: Prior to issuance of a construction permit for grading and/or building, the Applicant/Owner shall submit evidence to the satisfaction of the Chief of HCD-Planning that a monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or other appropriately NAHC-recognized representative, has been retained to monitor the appropriate construction activities. This Tribal Monitor shall be retained for the duration of any project-related grading and excavation.

4c: Any artifacts found that are not associated with a finding of human remains shall be cataloged by both the Tribal Monitor and the qualified archaeological monitor. Once cataloged, the qualified archaeological monitor will take temporary possession of the artifacts for testing and reporting purposes. Upon completion of these testing and reporting activities, all artifacts, at the discretion of the property owner, shall be returned within one (1) year to a representative of the appropriate local tribe as recognized by the Native American Heritage Commission, or the Monterey County Historical Society. A final technical report containing the results of all analyses shall be completed within one year following completion of the field work. This report shall be submitted to HCD-Planning and the Northwest Regional Information Center at Sonoma State University. Artifacts associated with a finding of human remains shall be reburied in accordance with State Law and penalty for violation pursuant to PRC section 5097.994.

4d: Prior to final building inspection, the Tribal Monitor or other appropriately NAHC recognized representative shall submit a letter to HCD-Planning confirming participation in the monitoring and provide a summary of archaeological and/or cultural finds or no finds, as applicable.

Use of these plans and specifications shall be restricted to the original site for which they were prepared and publication thereof is expressly limited to such use. Reproduction or publication by any method, in whole or in part, is prohibited. This is to the plans and specifications remains with the architect without prejudice. Visual contact with these plans and specifications shall constitute prima facie evidence of the accuracy of these restrictions.

GENERAL NOTES

- 1. SPECIAL INSPECTIONS, BY GEOTECH ENGINEER, ARE REQUIRED FOR EXISTING SITE SOIL CONDITIONS, FILL PLACEMENT AND LOAD-BEARING REQUIREMENTS. DURING FILL PLACEMENT, THE ENGINEER SHALL DETERMINE THAT PROPER MATERIALS AND PROCEDURES ARE USED IN ACCORDANCE WITH THE PROVISIONS OF THE APPROVED GEOTECHNICAL REPORT. (CBC 1705.6)
2. DEVELOPMENT AND RELATED CONSTRUCTION ACTIVITIES SUCH AS SITE CLEANING, GRADING, SOIL REMOVAL OR PLACEMENT WHICH CAUSES A PERMANENT CHANGE TO EXISTING SITE CONDITIONS ARE PROHIBITED ON SLOPES GREATER THAN OR EQUAL TO 30% (GREATER THAN 25% FOR DEVELOPMENT IN NORTH COUNTY LUP) (16.12.040)
3. THE SLOPE OF CUT AND FILL SURFACES SHALL BE NO STEEPER THAN IS SAFE FOR THE INTENDED USE, AND SHALL BE NO STEEPER THAN TWO UNITS HORIZONTAL TO ONE UNIT VERTICAL (50% SLOPE) UNLESS THE OWNER OR AUTHORIZED AGENT FURNISHES A REPORT FROM A GEOTECHNICAL ENGINEER JUSTIFYING A STEEPER SLOPE. (MCC 16.08.300A & 16.08.310 B & F)
4. FILL MATERIAL SHALL NOT INCLUDE ORGANIC, FROZEN OR OTHER DELETERIOUS MATERIALS. NO ROCK OR SIMILAR IRREDUCIBLE MATERIAL GREATER THAN 12 INCHES (305 mm) IN ANY DIMENSION SHALL BE INCLUDED IN FILLS. (MCC 16.08.310 E)
5. ALL FILL MATERIAL SHALL BE COMPACTED TO 90 PERCENT OF MAXIMUM DENSITY AS DETERMINED BY ASTM D 1557, MODIFIED PROCTOR, IN LIFTS NOT EXCEEDING 12 INCHES (305 mm) IN DEPTH, UNLESS OTHERWISE SPECIFIED BY GEOTECHNICAL ENGINEER.
6. A "FINAL SOILS LETTER" FROM THE GEOTECHNICAL ENGINEER STATING THAT ALL EARTHWORK COMPLETED WAS IN ACCORDANCE WITH THE RECOMMENDATIONS STATED IN THE GEOTECHNICAL REPORT SHALL BE SUBMITTED PRIOR TO FINAL INSPECTION.
7. THE CONTRACT DOCUMENTS CONSIST OF THE AGREEMENT BETWEEN OWNER AND CONTRACTOR, AIA DOCUMENT A201-2007 GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION, DRAWINGS, SPECIFICATIONS, ADDENDA ISSUED PRIOR TO EXECUTION OF THE CONTRACT, OTHER DOCUMENTS LISTED IN THE AGREEMENT AND MODIFICATIONS ISSUED AFTER EXECUTION OF THE CONTRACT.
8. ANY DISCREPANCIES / QUESTIONS SHALL BE REFERRED TO ARCHITECT VIA A WRITTEN R.F.I. PRIOR TO COMMENCEMENT OF WORK.
9. VERIFY ALL EXISTING DIMENSIONS & CONDITIONS AT THE SITE & NOTIFY ARCHITECT OF ANY VARIATIONS OR CONFLICTING OR MISSING DIMENSIONS OR DATA PRIOR TO BIDDING OR COMMENCING WORK. USE WRITTEN DIMENSIONS ONLY. DO NOT SCALE DRAWINGS FOR THE PURPOSE OF DETERMINING A DIMENSION DURING CONSTRUCTION.
10. CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES AND SCHEDULE THE WORK TO EXPEDITE COMPLETION OF THE WORK.
11. DIMENSIONS ARE TO THE BUILDING GRID LINES OR THE FACE OF CONCRETE/ FACE OF STUD UNLESS OTHERWISE NOTED. CONSULT WITH THE ARCHITECT REGARDING ANY SUSPECTED ERRORS, OMISSIONS, OR CHANGES ON PLANS BEFORE PROCEEDING WITH THE WORK.
12. CONDITIONS NOT SPECIFICALLY DETAILED SHALL BE BUILT TO CONFORM TO SIMILAR CONSTRUCTION, IN ACCORDANCE WITH THE BEST COMMON PRACTICE AND/OR MANUFACTURER'S SPECIFICATIONS FOR THE INSTALLATION OF THEIR MATERIALS OR ITEMS.
13. CALIFORNIA BUILDING STANDARDS CODE, 2019 EDITION: AS APPLICABLE, ALL MATERIALS, WORKMANSHIP, AND METHODS SHALL COMPLY WITH THE CALIFORNIA BUILDING STANDARDS CODE: [PART 1 - CALIFORNIA BUILDING STANDARDS ADMINISTRATIVE CODE, PART 2 - CALIFORNIA RESIDENTIAL CODE, PART 3 - CALIFORNIA ELECTRICAL CODE, PART 4 - CALIFORNIA MECHANICAL CODE, PART 5 - CALIFORNIA PLUMBING CODE, PART 6 - CALIFORNIA ENERGY CODE, PART 8 - CALIFORNIA FIRE CODE, PART 10 - CALIFORNIA GREEN BUILDING STANDARDS CODE, PART 12 - CALIFORNIA REFERENCE STANDARDS CODE] AND OTHER APPLICABLE CODES AND ORDINANCES AS CURRENTLY ADOPTED BY THE LOCAL JURISDICTION.
14. SAFETY: THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFETY ON THE JOB SITE AND ADHERE TO ALL FEDERAL, STATE, LOCAL AND O.S.H.A. SAFETY REGULATIONS.
15. CONSTRUCTION BRACING & SHORING: THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL BRACING AND SHORING REQUIRED DURING CONSTRUCTION UNTIL ALL CONSTRUCTION IS COMPLETE.
16. DO NOT STORE CONSTRUCTION MATERIALS OR OPERATE CONSTRUCTION EQUIPMENT IN SUCH A MANNER THAT DESIGN LIVE LOADS OF THE STRUCTURES ARE EXCEEDED. DO NOT STORE CONSTRUCTION MATERIALS ON OVERHANGING FRAMING.
17. TREES LOCATED CLOSE TO THE CONSTRUCTION SITE SHALL BE PROTECTED FROM INADVERTENT DAMAGE FROM CONSTRUCTION EQUIPMENT BY 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. SAID PROTECTION SHALL BE DEMONSTRATED PRIOR TO THE ISSUANCE OF BUILDING PERMITS SUBJECT TO THE APPROVAL OF THE BUILDING DEPARTMENT.
18. NO PERSON MAY TAP INTO ANY FIRE HYDRANT FOR ANY PURPOSE OTHER THAN FIRE SUPPRESSION OR EMERGENCY AID WITHOUT FIRST OBTAINING WRITTEN APPROVAL FROM THE WATER PURVEYOR SUPPLYING WATER TO THE HYDRANT & FROM MONTEREY COUNTY.
19. NO POTABLE WATER MAY BE USED FOR COMPACTION OR DUST CONTROL PURPOSES IN CONSTRUCTION ACTIVITIES WHERE THERE IS A REASONABLY AVAILABLE SOURCE OF RECLAIMED WATER OR OTHER SUB-POTABLE WATER APPROVED BY THE COUNTY HEALTH DEPARTMENT & APPROPRIATE FOR SUCH USE.
20. ALL HOSES USED FOR ANY CONSTRUCTION ACTIVITIES SHALL BE EQUIPPED WITH A SHUT-OFF NOZZLE. WHEN AN AUTOMATIC SHUTOFF NOZZLE CAN BE PURCHASED OR OTHERWISE OBTAINED FOR THE SIZE & TYPE OF HOSE IN USE, THE NOZZLE SHALL BE AN AUTOMATIC SHUTOFF NOZZLE. ALL HOSE BIBS SHALL USE NON-REMOVABLE TYPE BACKFLOW PREVENTION DEVICES.(CPC 603.3.7)
21. GLAZING USED IN DOORS, PANELS OF SHOWER AND TUB ENCLOSURES AND GLASS GUARD RAILS SHALL BE FULLY TEMPERED GLASS OR LAMINATED SAFETY GLASS APPROVED FOR USE IN SUCH LOCATIONS BY THE CURRENT ADOPTED BUILDING CODE.
22. INSTALL CERTIFIED INSULATION MATERIALS PER THE TITLE 24 MANDATORY MEASURES CHECKLIST MF-1R. INSULATION INSTALLED SHALL MEET FLAME SPREAD & SMOKE DENSITY REQUIREMENTS OF STATE OF CALIFORNIA TITLE 24, CALIFORNIA ELECTRICAL CODE, CALIFORNIA CODE OF REGULATIONS.
23. IN ADDITION TO THE REQUIRED PRESSURE OR COMBINATION PRESSURE AND TEMPERATURE RELIEF VALVE, AN APPROVED, LISTED EXPANSION TANK OR OTHER DEVICE DESIGNED FOR INTERMITTENT OPERATION FOR THERMAL EXPANSION CONTROL SHALL BE INSTALLED WHEN ANY DEVICE IS INSTALLED THAT PREVENTS PRESSURE RELIEF THROUGHOUT THE BUILDING SUPPLY. (CPC 608.3)
24. THE CONTRACTOR IS TO TAKE ALL NECESSARY PRECAUTION TO AVOID GALVANIC REACTION IN ALL METAL COMPONENTS. THE CONTRACTOR SHALL AVOID THE DIRECT CONTACT OF DISSIMILAR METALS. WHERE DISSIMILAR METALS ARE USED, AN INTERMEDIATE LAYER OF INERT MATERIAL SHALL BE PLACED BETWEEN DISSIMILAR METALS. WHERE DISSIMILAR METALS ARE USED IN SERIES, THE CONTRACTOR SHALL NOT PENETRATE THESE MATERIALS WITH ANY METAL FASTENERS. METAL FASTENERS USED IN CONJUNCTION WITH METAL COMPONENTS SHALL BE OF THE SAME OR SIMILAR MATERIAL.
25. CONTRACTOR SHALL PROVIDE SHOP DRAWINGS FOR ARCHITECT'S REVIEW FOR CASEWORK, MILLWORK, STRUCTURAL STEEL, STAIRS AND OTHER ITEMS REQUIRING CUSTOM SHOP FABRICATION.
26. ALL MATERIALS TO BE NEW
27. IN ADDITION TO THE DEMOLITION SPECIFICALLY SHOWN, CONTRACTOR SHALL CUT, MOVE OR REMOVE ITEMS AS NECESSARY TO PROTECT AND MAINTAIN ALL UTILITIES AND WORK TO PROCEED INCLUDING ITEMS SUCH AS RE-ROUTING OF EXISTING UTILITIES, REMOVAL OF ABANDONED ITEMS AND REMOVAL OF DEBRIS SUCH AS ROTTED WOOD, RUSTED METAL AND DETERIORATED CONCRETE. RETURN ALL EQUIPMENT TO BE REMOVED TO OWNER.
28. PROVIDE ALL NECESSARY BLOCKING, BACKING AND FRAMING FOR CASEWORK, FIXTURES, ELECTRICAL ITEMS, RESTROOM ACCESSORIES, AND ALL OTHER ITEMS REQUIRING SIMILAR SUPPORT.
29. CONTRACTOR TO ACQUIRE ALL REQUIRED PERMITS INCLUDING THE BUILDING PERMIT.
30. ALL EXTERIOR SWINGING EXIT DOORS SHALL HAVE A THRESHOLD NOT EXCEED 1-1/2" IN HEIGHT.

GENERAL ELECTRICAL NOTES

- RECEPTACLES:
1. AFCI PROTECTION IS REQUIRED FOR ALL RECEPTACLES EXCEPT FOR THOSE LOCATED OUTSIDE, IN BATHROOMS, GARAGES, ATTICS AND BASEMENTS.
2. LAUNDRY: AT LEAST ONE 20-AMP BRANCH CIRCUIT SHALL BE PROVIDED TO SUPPLY LAUNDRY RECEPTACLE OUTLETS. SUCH CIRCUITS SHALL HAVE NO OTHER OUTLETS.
3. BATHROOM: PROVIDE AT LEAST ONE 20-AMP CIRCUIT AT BATHROOM; CIRCUIT SHALL HAVE NO OTHER OUTLETS.
4. KITCHEN: RECEPTACLES INSTALLED IN A KITCHEN TO SERVE COUNTERTOP SURFACES SHALL BE SUPPLIED BY NOT FEWER THAN TWO 20 AMP SMALL-APPLIANCE BRANCH CIRCUITS; CIRCUITS SHALL BE BALANCED AND HAVE NO OTHER OUTLETS. PER CEC 210.11(C).
5. AT LEAST ONE GFCI RECEPTACLE OUTLET SHALL BE INSTALLED IN BATHROOMS WITHIN 3' OF THE OUTSIDE EDGE OF EACH BASIN AND LOCATED ON A WALL OR PARTITION THAT IS ADJACENT TO THE BASIN OR INSTALLED NO LESS THAN 12" BELOW COUNTERTOP AT BASIN CABINET.
6. ALL 120-VOLT, 15- AND 20-AMPERE RECEPTACLES SHALL BE LISTED TAMPER-RESISTANT RECEPTACLES.
7. AT LEAST ONE OUTLET SHALL BE INSTALLED AT EACH PENINSULAR COUNTERTOP SPACE WITH A LONG DIMENSION OF 24" OR GREATER AND A SHORT DIMENSION OF 12" OR GREATER. THIS RECEPTACLE MUST BE PLACED AT THE OPEN END OF A PENINSULA COUNTER IF THE END IS > 6 FT. FROM THE WALL.
8. ALL OUTLETS SERVING KITCHEN COUNTERTOPS, INCLUDING THOSE AT ISLANDS AND PENINSULA COUNTERS, SHALL HAVE BOTH GFCI AND AFCI PROTECTION.
9. PROVIDE SEPARATE 20-AMP BRANCH CIRCUITS FOR FIXED APPLIANCES SUCH AS FOOD WASTE GRINDERS, DISHWASHERS WASHING MACHINES, DRYERS, BUILT-IN REFRIGERATORS OR FREEZERS, FURNACES, AC UNITS, OR ANY OTHER FIXED APPLIANCE WITH A MOTOR OF 1/4 H.P. OR LARGER.
10. PROVIDE OUTSIDE GFCI PROTECTED WEATHERPROOF 120-VOLT RECEPTACLE AT FRONT AND REAR OF DWELLING UNIT, INSTALLED WITHIN 6 FEET 6 INCHES OF GRADE.
11. OUTLET LOCATIONS:
• RECEPTACLES SHALL BE INSTALLED SO THAT NO POINT MEASURED HORIZONTALLY ALONG THE FLOOR IN ANY WALL SPACE IS OVER 6 FEET FROM THE RECEPTACLE (ALLOWING 12 FEET MAX. BETWEEN RECEPTACLES ON THE SAME WALL).
• RECEPTACLES SHALL BE LOCATED ALONG ANY WALL THAT IS 2 FEET OR MORE IN LENGTH.
• RECEPTACLE OUTLETS SHALL BE INSTALLED AT EACH WALL COUNTER SPACE THAT IS 12 INCHES OR WIDER. NO POINT ALONG THE WALL LINE IS MORE THAN 24 INCHES MEASURED HORIZONTALLY FROM A RECEPTACLE OUTLET IN THAT SPACE.
12. KITCHEN RECEPTACLE OUTLETS SERVING COUNTERTOPS, INCLUDING ISLAND & PENINSULA COUNTERTOPS, SHALL:
• HAVE GFCI AND AFCI PROTECTION.
• BE INSTALLED IN EACH COUNTER WALL 12 INCHES OR WIDER SO NO POINT ALONG THE WALL IS MORE THAN 24 INCHES.
• SHALL BE INSTALLED IN EACH WALL SPACE SEPARATED BY RANGE TOPS, REFRIGERATORS OR SINKS.
• SHALL BE INSTALLED NOT MORE THAN 20 INCHES ABOVE THE COUNTERTOP.
• AT LEAST ONE RECEPTACLE OUTLET SHALL BE INSTALLED AT EACH ISLAND AND EACH PENINSULA COUNTER SPACE WITH A LONG DIMENSION OF 24 INCHES MINIMUM AND A SHORT DIMENSION OF 12 INCHES OR GREATER; PENINSULA COUNTER TOPS ARE MEASURED FROM THE CONNECTING EDGE. THIS RECEPTACLE MUST BE PLACED AT THE OPEN END OF A PENINSULA COUNTER IF THE END IS > 6 FT. FROM THE WALL.
13. GFCI PROTECTION REQUIRED FOR RECEPTACLES LOCATED OUTDOORS, IN BATHROOMS, UNFINISHED BASEMENTS, CRAWL SPACES, KITCHEN AND WET BAR COUNTERTOP SURFACES, GARAGES, ACCESSORY BUILDINGS NOT INTENDED AS HABITABLE ROOMS.
14. RECEPTACLES LOCATED IN DAMP OR WET LOCATIONS SHALL HAVE AN ENCLOSURE THAT IS WEATHERPROOF AND SHALL BE LISTED WEATHER RESISTANT TYPE.
15. A 15 OR 20 AMP RECEPTACLE SHALL BE INSTALLED WITHIN 25' AT AN ACCESSIBLE LOCATION FOR THE SERVICING OF HEATING, AIR-CONDITIONING AND REFRIGERATION EQUIPMENT.
16. TAMPER RESISTANT RECEPTACLES ARE REQUIRED IN ALL LOCATIONS EXCEPT AT OUTLETS LOCATED MORE THAN 5 1/2 FEET ABOVE THE FLOOR, OUTLETS THAT ARE A PART OF A LUMINAIRE, OUTLETS DEDICATED TO APPLIANCES THAT CANNOT BE EASILY MOVED AND AT OUTLETS LOCATED IN ATTICS. GFCI PROTECTION REQUIRED FOR RECEPTACLES LOCATED OUTDOORS, IN BATHROOMS, LAUNDRY ROOM, UNFINISHED BASEMENTS, CRAWL SPACES, KITCHEN AND WET BAR COUNTER TOP SURFACES, GARAGES, ACCESSORY BUILDINGS NOT INTENDED AS HABITABLE ROOMS.
17. OVERCURRENT (DISCONNECTS) DEVICES SHALL BE READILY ACCESSIBLE AND SHALL BE INSTALLED SO THAT THE CENTER OF THE GRIP OF THE OPERATING HANDLE OF THE SWITCH OR CIRCUIT BREAKER AT ITS HIGHEST POSITION IS NOT MORE THAN 6'-7" ABOVE FLOOR OR WORKING SURFACE.
18. CLEAR WORKING SPACE DIMENSIONS AT ALL ELECTRICAL PANELS. A) WORKING SPACE AT THE FRONT OF ELECTRICAL EQUIPMENT SHALL HAVE: A MINIMUM DEPTH OF 36 INCHES, WIDTH OF 30 INCHES, AND HEIGHT OF 6 FEET 6 INCHES. B) AT LEAST ONE ENTRANCE OF 24 INCHES WIDE BY 6 FEET 6 INCHES HIGH. C) WORKING SPACE SHALL NOT BE USED FOR STORAGE. D) ILLUMINATION SHALL BE PROVIDED FOR ALL WORKING SPACES ABOUT SERVICE EQUIPMENT, SWITCHBOARDS, PANEL BOARDS, OR MOTOR CONTROL CENTERS INSTALLED INDOORS.
LUMINAIRES:
19. PER 2019 CALIFORNIA ENERGY CODE, SECTION 150(K), ALL INSTALLED LUMINAIRES SHALL BE HIGH EFFICACY IN ACCORDANCE WITH TABLE 150-A, EITHER LISTED BY SOURCE TYPE OR BY BEING JA8 CERTIFIED LABELED, AND SHALL BE CONTROLLED BY DIMMERS OR VACANCY SENSORS.
20. OUTLET BOXES INSTALLED FOR LUMINAIRES OR LIGHTING SHALL BE PERMITTED TO SUPPORT 50 POUNDS OR LESS. LUMINAIRES WEIGHING MORE THAN 50 POUNDS MUST BE LISTED AND MARKED FOR THE MAXIMUM WEIGHT.
21. LUMINAIRES RECESSED INTO CEILINGS MUST MEET ALL THE REQUIREMENTS FOR: INSULATION CONTACT (IC) LABELING; SEALED WITH A GASKET OR CAULKED BETWEEN HOUSING AND CEILING, AND SHALL BE CERTIFIED TO COMPLY WITH SECTION 110.9 AND ALLO BALLAST MAINTENANCE AND REPLACEMENT TO BE READILY ACCESSIBLE TO BUILDING OCCUPANTS FROM BELOW. JA8-2016-E CERTIFIED AND MARKED LIGHT SOURCE, RATED FOR ELEVATED TEMPERATURE, MUST BE INSTALLED BY FINAL INSPECTION.
22. LUMINAIRES INSTALLED IN CLOSETS SHALL BE 12" FROM EDGE OF STORAGE SHELF FOR INCANDESCENT OR LED SURFACE MOUNTED. SURFACE MOUNTED OR RECESSED FLUORESCENT, RECESSED INCANDESCENT OR LED, 6".
23. DIMMERS OR VACANCY SENSORS SHALL CONTROL ALL LUMINAIRES REQUIRED TO HAVE LIGHT SOURCES COMPLIANT WITH REFERENCE JOINT APPENDIX JA8 (INCLUDING CEILING RECESSED DOWNLIGHT LUMINAIRES AND GU-24 SOCKETS CONTAINING LED LIGHT SOURCES) AND THEY SHALL COMPLY WITH SECTION 119(D) AND NOT TURN ON AUTOMATICALLY OR HAVE AN ALWAYS ON OPTION, EXCEPTIONS: LUMINAIRES IN CLOSETS LESS THAN 70 SQUARE FEET; LUMINAIRES IN HALLWAYS.
24. AT LEAST ONE LUMINAIRE IN BATHROOMS, GARAGES, LAUNDRY AND UTILITY ROOMS SHALL BE CONTROLLED BY A VACANCY SENSOR CERTIFIED TO COMPLY WITH SECTION 119(D).
25. MANUAL ON AND OFF SWITCHES MUST NOT OVERRIDE AUTOMATIC CONTROL FUNCTIONS AND ANY CONTROL THAT OVERRIDES THE AUTOMATIC CONTROLS TO ON MUST AUTOMATICALLY REACTIVATE THOSE CONTROLS WITHIN SIX HOURS.
26. RESIDENTIAL OUTDOOR LIGHTING PERMANENTLY MOUNTED TO THE DWELLING OR TO OTHER BUILDINGS ON THE SAME LOT SHALL BE CONTROLLED BY A MANUAL ON AND OFF SWITCH AND CONTROLLED BY A PHOTOCELL AND MOTION SENSOR OR BY PHOTOCONTROL AND AUTOMATIC TIME SWITCH CONTROL OR BY ASTRONOMICAL TIME CLOCK CONTROL THAT AUTOMATICALLY TURNS THE OUTDOOR LIGHTING OFF DURING DAYLIGHT HOURS OR BY ENERGY MANAGEMENT CONTROL SYSTEM
27. LUMINAIRES INSTALLED IN WET OR DAMP LOCATIONS MUST BE MARKED "SUITABLE FOR WET/DAMP LOCATIONS".
28. RECESSED LIGHT FIXTURES REQUIRE A 3" SPACE BETWEEN THE FIXTURE AND CLOSED CELL SPRAY APPLIED INSULATION. PROVIDE 3" RIDG INSULATION BOX TO PROTECT FIXTURE WHILE INSTALLING INSULATION.
29. FOR LIGHTING AND LIGHTING CONTROL SEE CEILING AND LIGHTING PLAN.
ALARMS
30. CRC R314 SMOKE DETECTORS SHALL BE LOCATED IN THE FOLLOWING AREAS PER CRC R314: 1. IN EACH SLEEPING ROOM. 2. OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS. 3. ON EACH ADDITIONAL LEVEL OF THE DWELLING, INCLUDING BASEMENTS AND HABITABLE ATTICS AND NOT INCLUDING CRAWL SPACES AND UNINHABITABLE ATTICS. IN DWELLINGS OR DWELLING UNITS WITH SPLIT LEVELS AND WITHOUT AN INTERVENING DOOR BETWEEN THE ADJACENT LEVELS, A SMOKE ALARM INSTALLED ON THE UPPER LEVEL SHALL SURFACE FOR THE ADJACENT LOWER LEVEL PROVIDED THAT THE LOWER LEVEL IS LESS THAN ONE FULL STORY BELOW THE UPPER LEVEL. 4. SMOKE ALARMS SHALL BE INSTALLED NOT LESS THAN 3 FEET HORIZONTALLY FROM THE DOOR OR OPENING OF A BATHROOM THAT CONTAINS A BATHTUB OR SHOWER UNLESS THIS WOULD PREVENT PLACEMENT OF A SMOKE ALARM REQUIRED BY SECTION R314.3. WHEN MORE THAN ONE SMOKE ALARM IS REQUIRED TO BE INSTALLED IN AN INDIVIDUAL DWELLING UNIT, THE DEVICES SHALL BE INTERCONNECTED IN SUCH A WAY THAT ALL ALARMS WILL SOUND WHEN ONE IS ACTIVATED. SMOKE ALARMS SHALL BE LOCATED ON THE CEILING, AT LEAST 4" FROM WALL OR ON A WALL WITHIN 4" TO 12" OF THE HIGHEST POINT OF THE CEILING. A MINIMUM OF 20-FEET FROM A PERMANENTLY INSTALLED COOKING SURFACE.
31. CRC R315 CARBON MONOXIDE DEVICES/ALARMS SHALL BE LOCATED IN THE FOLLOWING AREAS: 1. OUTSIDE OF EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF THE BEDROOMS. 2. ON EVERY OCCUPIABLE LEVEL OF A DWELLING UNIT, INCLUDING BASEMENTS. 3. WHERE A FUEL-BURNING APPLIANCE IS LOCATED WITHIN A BEDROOM OR ITS ATTACHED BATHROOM, A CARBON MONOXIDE ALARM SHALL BE INSTALLED WITHIN THE BEDROOM. SMOKE AND CARBON MONOXIDE ALARMS SHALL RECEIVE THEIR PRIMARY POWER FROM THE BUILDING WIRING AND SHALL BE EQUIPPED WITH A BATTERY BACKUP. WHERE MORE THAN ONE ALARM IS REQUIRED, THE ALARMS SHALL BE INTERCONNECTED IN SUCH A MANNER THAT THE ACTIVATION OF ONE ALARM WILL ACTIVATE ALL THE ALARMS.
32. NOTE: INSPECTOR TO COLLECT REGISTERED CF-3R FORM PRIOR TO FINAL

GENERAL PLUMBING NOTES

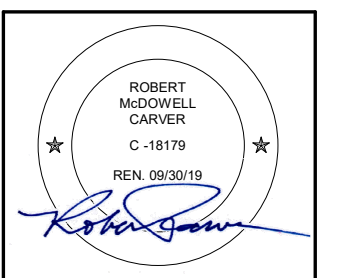
- 1. ALL PLUMBING FIXTURES ARE REQUIRED TO BE LISTED BY AN ACCEPTABLE NATIONALLY RECOGNIZED TESTING LABORATORY.
2. THIS IS A PARTIAL LIST OF PRIMARY PLUMBING FIXTURES, AND IS NOT INTENDED AS A COMPREHENSIVE LIST OF ALL PLUMBING FIXTURES. IT WILL BE THE RESPONSIBILITY OF THE CONTRACTOR TO INCLUDE ALL FIXTURES, SUPPLIES, PARTS, AND EQUIPMENT TO ENSURE PROPER FUNCTIONING OF ALL FIXTURES.
3. PLUMBING FIXTURES AND FITTINGS SHALL BE INSTALLED IN ACCORDANCE WITH THE CALIFORNIA PLUMBING CODE, AND SHALL MEET THE APPLICABLE STANDARDS REFERENCED IN TABLE 1401.1 OF THE CALIFORNIA PLUMBING CODE. [4.303.2 CBC]
4. PLUMBING FIXTURES AND FITTINGS SHALL COMPLY WITH THE SPECIFIED PERFORMANCE REQUIREMENTS OF SECTION 4.303.3 OF CGBS.
5. CPC 402.5 SETTING. NO WATER CLOSET OR BIDET SHALL BE SET CLOSER THAN 15 INCHES FROM ITS CENTER TO A SIDE WALL OR OBSTRUCTION NOR CLOSER THAN 30 INCHES CENTER TO CENTER TO A SIMILAR FIXTURE. THE CLEAR SPACE IN FRONT OF A WATER CLOSET, LAVATORY, OR BIDET SHALL BE NOT LESS THAN 24 INCHES.
6. CPC 408.6 SHOWER COMPARTMENTS. SHOWER COMPARTMENTS, REGARDLESS OF SHAPE, SHALL HAVE A MINIMUM FINISHED INTERIOR OF 1024 SQUARE INCHES AND SHALL ALSO BE CAPABLE OF ENCOMPASSING A 30 INCH CIRCLE AND A 22-INCH CLEAR OPENING/DOOR.
7. CPC 408.3 INDIVIDUAL SHOWER AND TUB-SHOWER COMBINATION CONTROL VALVES, SHOWERS AND TUB-SHOWER COMBINATIONS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE, THERMOSTATIC, OR COMBINATION PRESSURE BALANCE/THERMOSTATIC MIXING VALVE TYPE THAT PROVIDE SCALD AND THERMAL SHOCK PROTECTION FOR THE RATED FLOW RATE OF THE INSTALLED SHOWERHEAD. MULTIPLE SHOWER HEADS SHALL NOT EXCEED THE MAXIMUM FLOW RATES.
8. CPC 408.9 LOCATION OF VALVES AND HEADS. CONTROL VALVES AND SHOWERHEADS SHALL BE LOCATED ON THE SIDEWALL OF SHOWER COMPARTMENTS OR OTHERWISE ARRANGED SO THAT THE SHOWERHEAD DOES NOT DISCHARGE DIRECTLY AT THE ENTRANCE TO THE COMPARTMENT SO THAT THE BATHER CAN ADJUST THE VALVES PRIOR TO STEPPING INTO THE SHOWER SPRAY.
9. EXTERIOR HOSE BIBS: PROVIDE ANTI-SIPHON DEVICE AT ALL HOSE BIBS, ALL HOSE BIBS SHALL BE PROTECTED BY A LISTED NON-REMOVABLE HOSE BIB TYPE BACKFLOW PREVENTER OR WITH A LISTED ATMOSPHERIC VACUUM BREAKER.
10. SHOWER WALLS SHALL BE FINISHED WITH A NON-ABSORBENT SURFACE TO A MINIMUM HEIGHT OF 72" ABOVE DRAIN INLET.
11. PER CPC 2019, MAXIMUM PLUMBING FIXTURE FLOW RATES SHALL BE:
TOILET 1.28 GPF
LAVATORY FAUCETS 1.2 GPM @ 60 PSI MAX., 0.8 GPM @ 20 PSI MIN.
SHOWER HEAD 1.8 GPM @ 80 PSI
KITCHEN FAUCET 1.8 GPM @ 60 PSI, KITCHEN FAUCETS MAY TEMPORARILY INCREASE THE MAX. FLOW RATE, BUT NOT TO EXCEED 2.2 GPM @ 60 PSI.
DISHWASHER 2.0 GPM
CLOTHES WASHER 2.0 GPM

GENERAL CAL GREEN NOTES

- 1. MINIMUM 65% OF THE NON-HAZARDOUS CONSTRUCTION OR DEMOLITION DEBRIS SHALL BE RECYCLED AND/OR SALVAGED, UNLESS A LOCAL CONSTRUCTION AND DEMOLITION WASTE MANAGEMENT ORDINANCE IS MORE STRINGENT. WHERE THE LOCAL JURISDICTION DOES NOT HAVE A CONSTRUCTION AND WASTE MANAGEMENT ORDINANCE, A CONSTRUCTION AND WASTE MANAGEMENT PLAN COMPLYING WITH CGBSC SECTION 4.08.2 SHALL BE SUBMITTED FOR APPROVAL.
2. AT THE TIME OF FINAL INSPECTION, AN 'OPERATION AND MAINTENANCE MANUAL' SHALL BE PLACED IN THE BUILDING THAT CONTAINS THE APPLICABLE ITEMS LISTED IN CGBSC SECTION 4.410.1.
3. LOW VOC ADHESIVES, SEALANTS, PAINTS, COATINGS, CARPET SYSTEMS, LOW FORMALDEHYDE WOOD, LOW VOC RESILIENT FLOORING SHALL COMPLY WITH CGBSC SECTION 4.504. CONTRACTOR SHALL HAVE SPEC SHEETS AND PRODUCT ON SITE AND AVAILABLE SUBJECT TO VERIFICATION DURING FIELD INSPECTION. PRODUCT SPECIFICATIONS AND CONTAINERS MUST BE AVAILABLE ON SITE.
4. CAL GREEN 4.108.4.1 NEW ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES WITH ATTACHED PRIVATE GARAGES. FOR EACH DWELLING UNIT, INSTALL A LISTED RACEWAY TO ACCOMMODATE A DEDICATED 208/240-VOLT BRANCH CIRCUIT. THE RACEWAY SHALL NOT BE LESS THAN TRADE SIZE 1 (NOMINAL 1-INCH INSIDE DIAMETER). THE RACEWAY SHALL ORIGINATE AT THE MAIN SERVICE OR SUBPANEL AND SHALL TERMINATE INTO A LISTED CABINET, BOX OR OTHER ENCLOSURE IN CLOSE PROXIMITY TO THE PROPOSED LOCATION OF AN EV CHARGER. THE SERVICE PANEL AND/OR SUBPANEL SHALL PROVIDE CAPACITY TO INSTALL A 40-AMPERE MINIMUM DEDICATED BRANCH CIRCUIT AND SPACE(S) RESERVED TO PERMIT INSTALLATION OF A BRANCH CIRCUIT OVERCURRENT PROTECTIVE DEVICE.
5. BUILDING MATERIALS WITH VISIBLE SIGNS OF WATER DAMAGE SHALL NOT BE INSTALLED. WALL AND FLOOR FRAMING SHALL NOT BE ENCLOSED WHEN THE FRAMING MEMBERS EXCEED 19 PERCENT MOISTURE CONTENT (4.505.3 CGBSC)
A. MOISTURE CONTENT MUST BE VERIFIED IN COMPLIANCE WITH ALL OF THE FOLLOWING:
a. MOISTURE CONTENT MUST BE DETERMINED WITH EITHER A PROBE-TYPE OR CONTACT TYPE MOISTURE METER;
b. MOISTURE READINGS SHALL BE TAKEN AT A POINT 2 TO 4 FEET FROM THE GRADE STAMPED END TO BE VERIFIED;
c. AT LEAST THREE RANDOM MOISTURE READINGS SHALL BE PERFORMED ON WALL AND FLOOR FRAMING WITH DOCUMENTATION ACCEPTABLE TO INSPECTOR. INSPECTOR MUST APPROVE MOISTURE CONTENT READING PRIOR TO ENCLOSING THE WALL AND FLOOR FRAMING.

ISABELLA 2 LLC

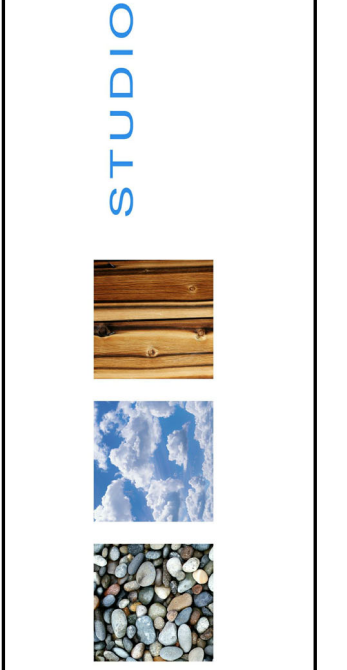
26308 ISABELLA AVE., CARMEL, CA 93923



PLANNING DEPT. SUBMITTAL

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STUDIO CARVER ARCHITECTURE + PLANNING + INTERIOR DESIGN



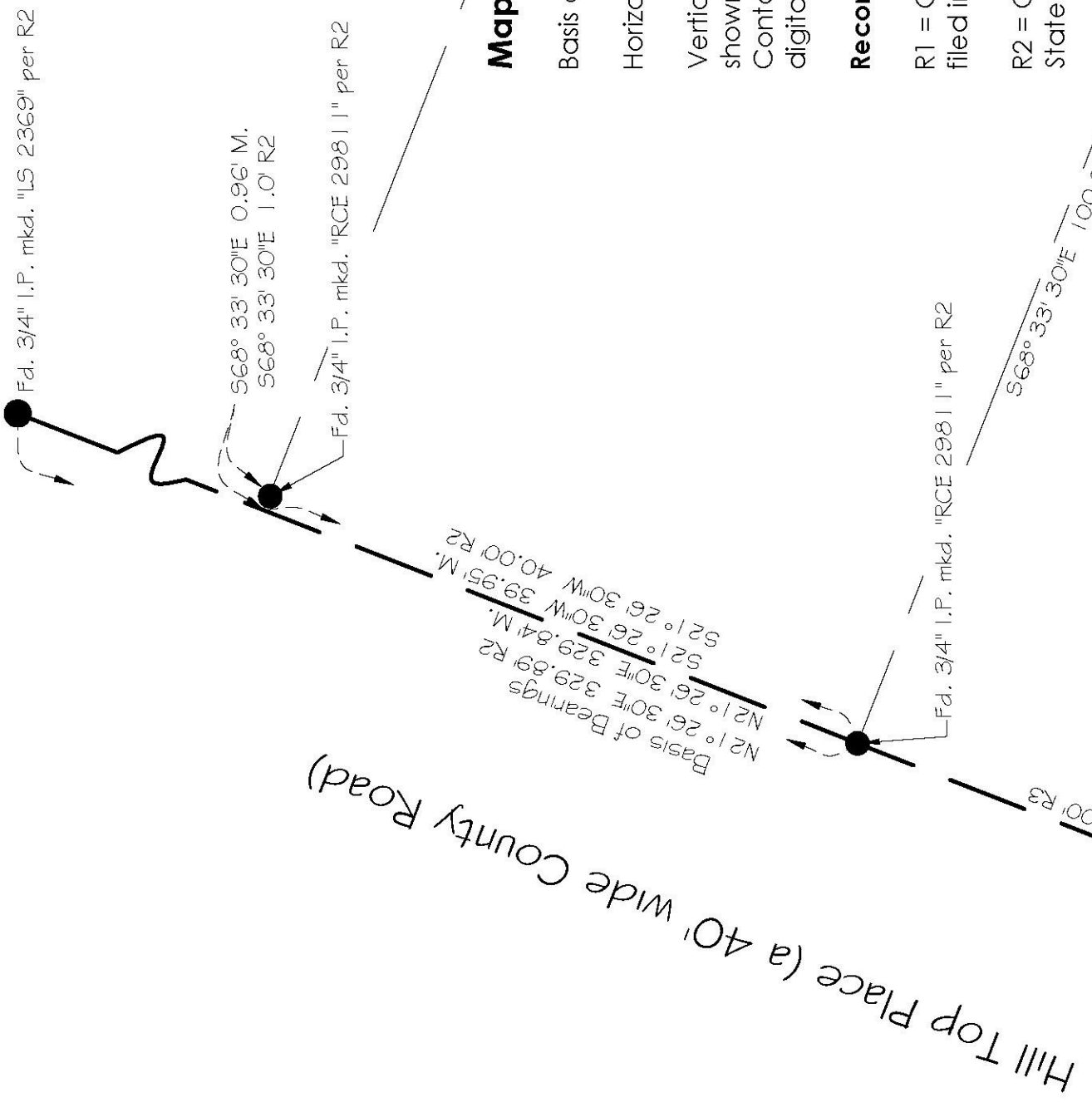
REVISION #
3 8/25/2019 BLDG. REV #1
4 1/7/2020 PLANNING DOCUMENTATION RESUBMITTAL

ARCHITECTURAL GENERAL NOTES

Scale: 1/2" = 1'-0" @ 24x36
Drawn By: DP
Job: 1713

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NOT FOR CONSTRUCTION



Map Legend:

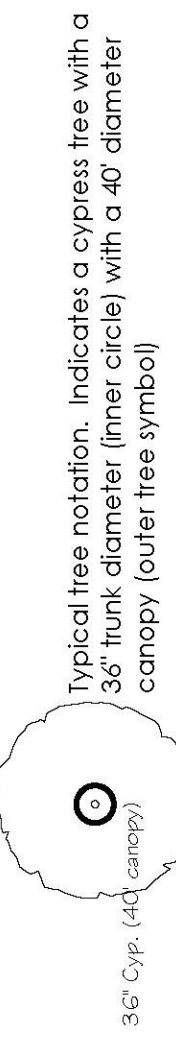
Basis of Bearings: As shown or noted hereon.
 Horizontal Datum: Assumed.
 Vertical Datum: Assumed. Elevation 500.00 assigned to Control Point #1 shown hereon.
 Contour Interval: Contours as shown hereon are interpolated using computer digital terrain modeling software and spot elevations

Record Map References:

R1 = Quitclaim Deed recorded April 9, 2009 Instrument No. 2009021300 and filed in the Monterey County Recorder's Office, State of California.
 R2 = Corner Record # 1723 filed in the Monterey County Surveyor's Office, State of California.
 R3 = Map of Addition No. 7 Carmel by the Sea, Monterey County, Cal. recorded on May 4, 1910 in Volume 2 of Maps "Cities & Towns" and filed in the Monterey County Recorder's Office, State of California.

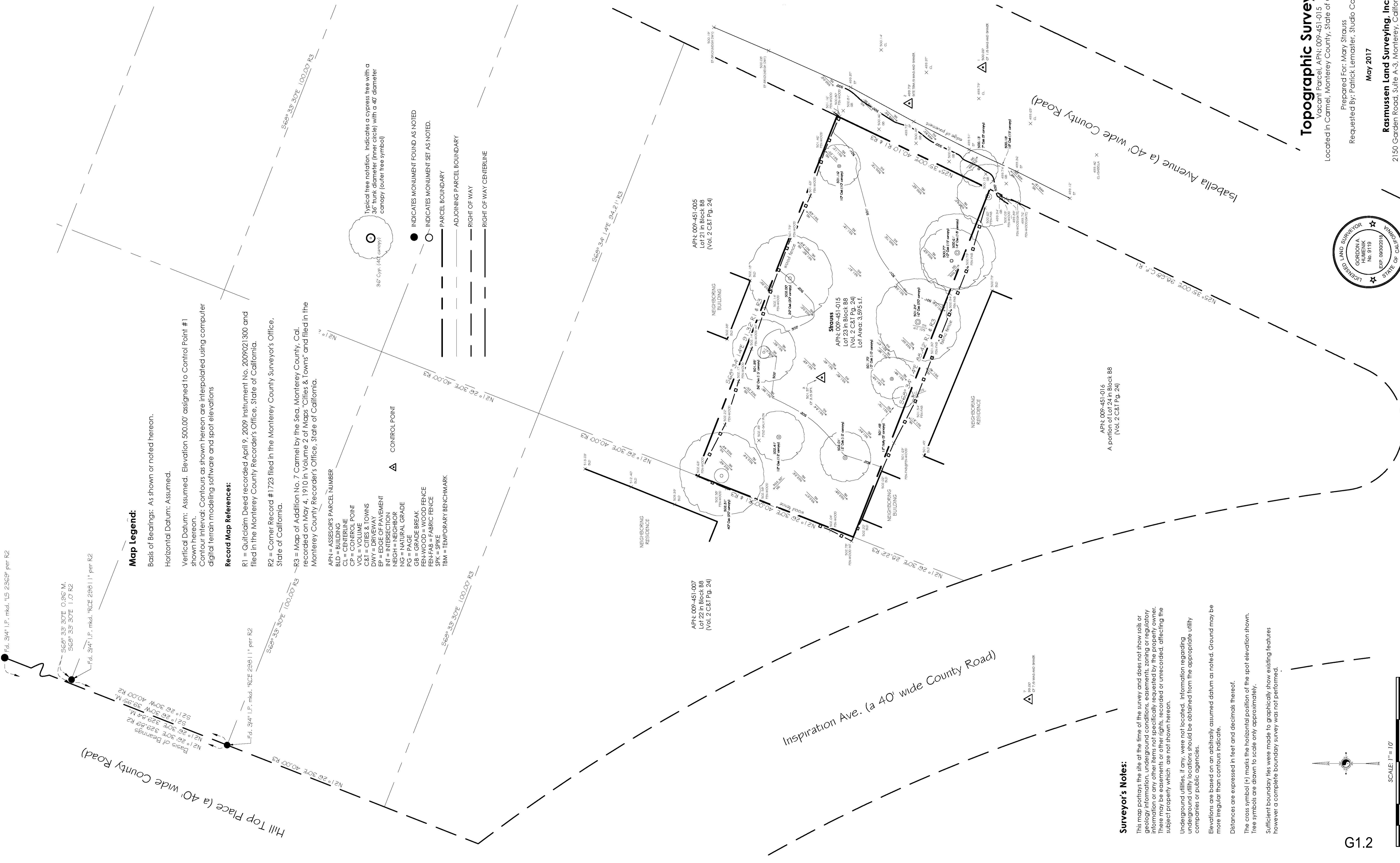
- APN = ASSessor's PARCEL NUMBER
- BLD = BUILDING
- CL = CENTERLINE
- CP = CONTROL POINT
- VOL = VOLUME
- C&T = CITIES & TOWNS
- DWY = DRIVEWAY
- EP = EDGE OF PAVEMENT
- FIN-FAB = FENCE FABRIC
- NEIGH = NEIGHBOR
- NG = NATURAL GRADE
- PG = PAGE
- GB = GRADE BREAK
- FEN-WOOD = WOOD FENCE
- FEN-FAB = FABRIC FENCE
- SPK = SPIKE
- TBM = TEMPORARY BENCHMARK

CONTROL POINT



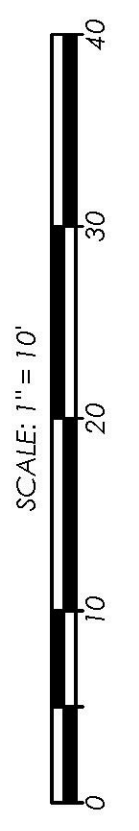
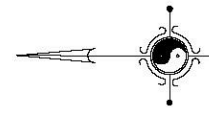
Typical tree notation. Indicates a cypress tree with a 36" trunk diameter (inner circle) with a 40' diameter canopy (outer tree symbol)

- INDICATES MONUMENT FOUND AS NOTED
- INDICATES MONUMENT SET AS NOTED.
- PARCEL BOUNDARY
- ADJOINING PARCEL BOUNDARY
- RIGHT OF WAY
- RIGHT OF WAY CENTERLINE

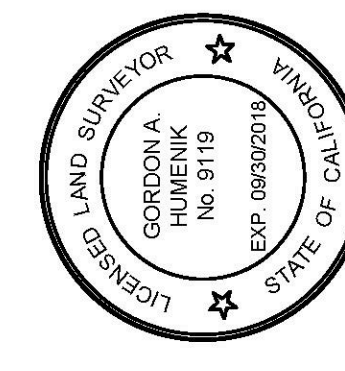


Surveyor's Notes:

This map portrays the site at the time of the survey and does not show soils or geology information, underground conditions, easements, zoning or regulatory information or any other items not specifically requested by the property owner. There may be easements or other rights, recorded or unrecorded, affecting the subject property which are not shown hereon.
 Underground utilities, if any, were not located. Information regarding underground utility locations should be obtained from the appropriate utility companies or public agencies.
 Elevations are based on an arbitrarily assumed datum as noted. Ground may be more irregular than contours indicate.
 Distances are expressed in feet and decimals thereof.
 The cross symbol (+) marks the horizontal position of the spot elevation shown. Tree symbols are drawn to scale only approximately.
 Sufficient boundary files were made to graphically show existing features however a complete boundary survey was not performed.



G1.2



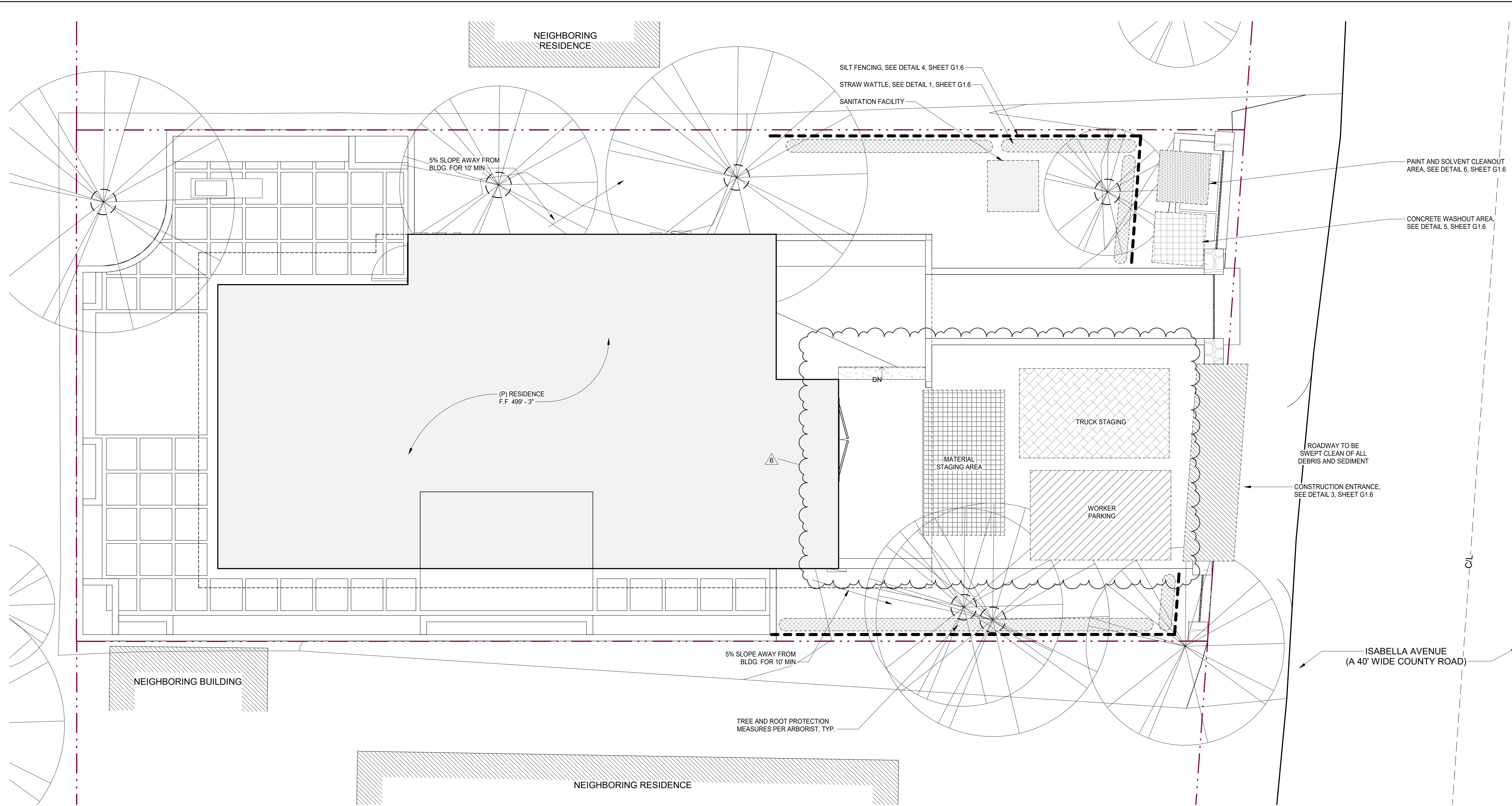
Topographic Survey
 Vacant Parcel, APN: 009-451-015
 Located in Carmel, Monterey County, State of California

Prepared For: Mary Straus
 Requested By: Patrick Lemaster, Studio Carver

May 2017
Rasmussen Land Surveying, Inc.
 2150 Garden Road, Suite A-3, Monterey, California 93942
 P: 831.375.7240 F: 831.375.2545

DRAWING REVISIONS:
 May 2017 - ORIGINAL SURVEY

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1 EROSION CONTROL & CONSTRUCTION MANAGEMENT PLAN
1/4" = 1'-0"

WINTER INSPECTIONS - AREAS OF SPECIAL BIOLOGICAL SIGNIFICANCE

THE OWNER/APPLICANT SHALL SCHEDULE WEEKLY INSPECTIONS WITH RMA-ENVIRONMENTAL SERVICES DURING THE RAINY SEASON, OCTOBER 15TH TO APRIL 15TH, TO ENSURE CONTAMINANTS ARE NOT DISCHARGED INTO THE CARMEL BAY AREA OF SPECIAL BIOLOGICAL SIGNIFICANCE. THIS INSPECTION REQUIREMENT SHALL BE NOTED ON THE EROSION CONTROL PLAN. (RMA- ENVIRONMENTAL SERVICES) MONITORING MEASURE:
DURING CONSTRUCTION, THE OWNER/APPLICANT SHALL SCHEDULE WEEKLY INSPECTIONS WITH RMA-ENVIRONMENTAL SERVICES IN THE RAINY SEASON (OCTOBER 15TH TO APRIL 15TH).

CONSTRUCTION MANAGEMENT NOTES

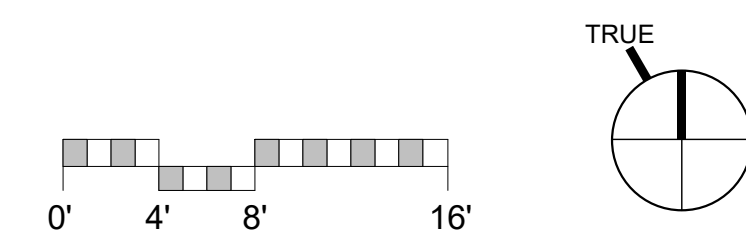
- DURATION OF CONSTRUCTION IS ESTIMATED TO BE 12-18 MONTHS STARTING FROM THE DATE PERMITS ARE ISSUED.
- WORK SHALL BE PERFORMED ON WEEKDAYS BETWEEN THE HOURS OF 7 AM AND 7 PM AND ON SATURDAYS FROM 8 AM TO 6 PM. WORK PERFORMED BEFORE 8AM SHALL BE NON-CONSTRUCTION ACTIVITY (QUIET HOUR).
- TRUCKS WILL BE ROUTED TO AND FROM THE SITE USING HIGHWAY 1 VIA RIO RD., SANTA LUCIA AVE., SAN ANTONIO AVE. & ISABELLA AVE. 46 ESTIMATED NUMBER OF TRUCK TRIPS.
- THE NUMBER OF WORKERS WILL VARY THROUGH OUT THE CONSTRUCTION. WORKERS ONSITE WILL RANGE FROM 2 TO 12. **CARPPOOLING IS STRONGLY ENCOURAGED.**
- EROSION CONTROL PROTECTION TO BE INSTALLED PER THE PERMITTED PLANS PRIOR TO THE START OF CONSTRUCTION.
- STERILE STRAW WATTLES SHALL BE PLACED BEFORE AND DURING RAIN STORM EVENTS TO CONTAIN STORM WATER AND EROSION DURING CONSTRUCTION.
- ALL ON AND OFF-ROAD DIESEL EQUIPMENT SHALL NOT IDLE FOR MORE THAN 5 MINUTES.
- SUBSTITUTE GASOLINE-POWERED IN PLACE OF DIESEL-POWERED EQUIPMENT, WHERE FEASIBLE.
- USE ALTERNATIVELY FUELED CONSTRUCTION EQUIPMENT ON-SITE WHERE FEASIBLE, SUCH AS COMPRESSED NATURAL GAS (CNG), LIQUEFIED NATURAL GAS (LNG), PROPANE OR BIODIESEL.
- CONSTRUCTION TRUCK TRIPS WILL BE SCHEDULED DURING NON-PEAK HOURS TO REDUCE PEAK HOUR EMISSIONS.
- DUST CONTROL MEASURES WILL BE IMPLEMENTED INCLUDING THE USE WATER TRUCKS OR SPRINKLER SYSTEMS IN SUFFICIENT QUANTITIES TO PREVENT AIRBORNE DUST FROM LEAVING THE SITE. WATERING FREQUENCY SHALL BE INCREASED WHENEVER WIND SPEEDS EXCEED 15 MPH. RECLAIMED (NON-POTABLE) WILL BE USED WHENEVER POSSIBLE.
- ALL TRUCKS HAULING DIRT, SAND, SOIL, OR OTHER LOOSE MATERIALS ARE TO BE COVERED OR SHOULD MAINTAIN AT LEAST TWO FEET OF FREEBOARD (MINIMUM VERTICAL DISTANCE BETWEEN TOP OF LOAD AND TOP OF TRAILER) IN ACCORDANCE WITH CVC SECTION 23114.
- PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE ALL NECESSARY SEDIMENT CONTROLS ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH MONTEREY COUNTY REGULATIONS.
- DURING CONSTRUCTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AND TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT DISCHARGED FROM THE SITE. AT THE TIME OF THE INSPECTION, THE APPLICANT SHALL PROVIDE CERTIFICATION THAT ALL NECESSARY GEOTECHNICAL INSPECTIONS HAVE BEEN COMPLETED TO THAT POINT.
- PRIOR TO FINAL INSPECTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE THAT ALL DISTURBED AREAS HAVE BEEN STABILIZED AND THAT ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT ARE NO LONGER NEEDED HAVE BEEN REMOVED.

STORMWATER DRAINAGE LEGEND

	CONSTRUCTION ENTRY		PAINT AND SOLVENT CLEANOUT AREA
	WORKER PARKING		CONCRETE WASHOUT AREA
	EQUIPMENT PARKING AND MATERIAL STAGING AREA		TREE AND ROOT PROTECTION MEASURES PER ARBORIST
	TRUCK STAGING		STRAW WATTLE EROSION CONTROL
	SILT FENCE		TRAFFIC

CONTACT INFO DURING CONSTRUCTION

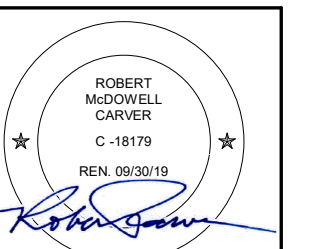
EMERSON DEVELOPMENT GROUP
PO Box 5837, Carmel, CA 93921
Phone: (831) 238-9655
Fax: (831) 309-7683



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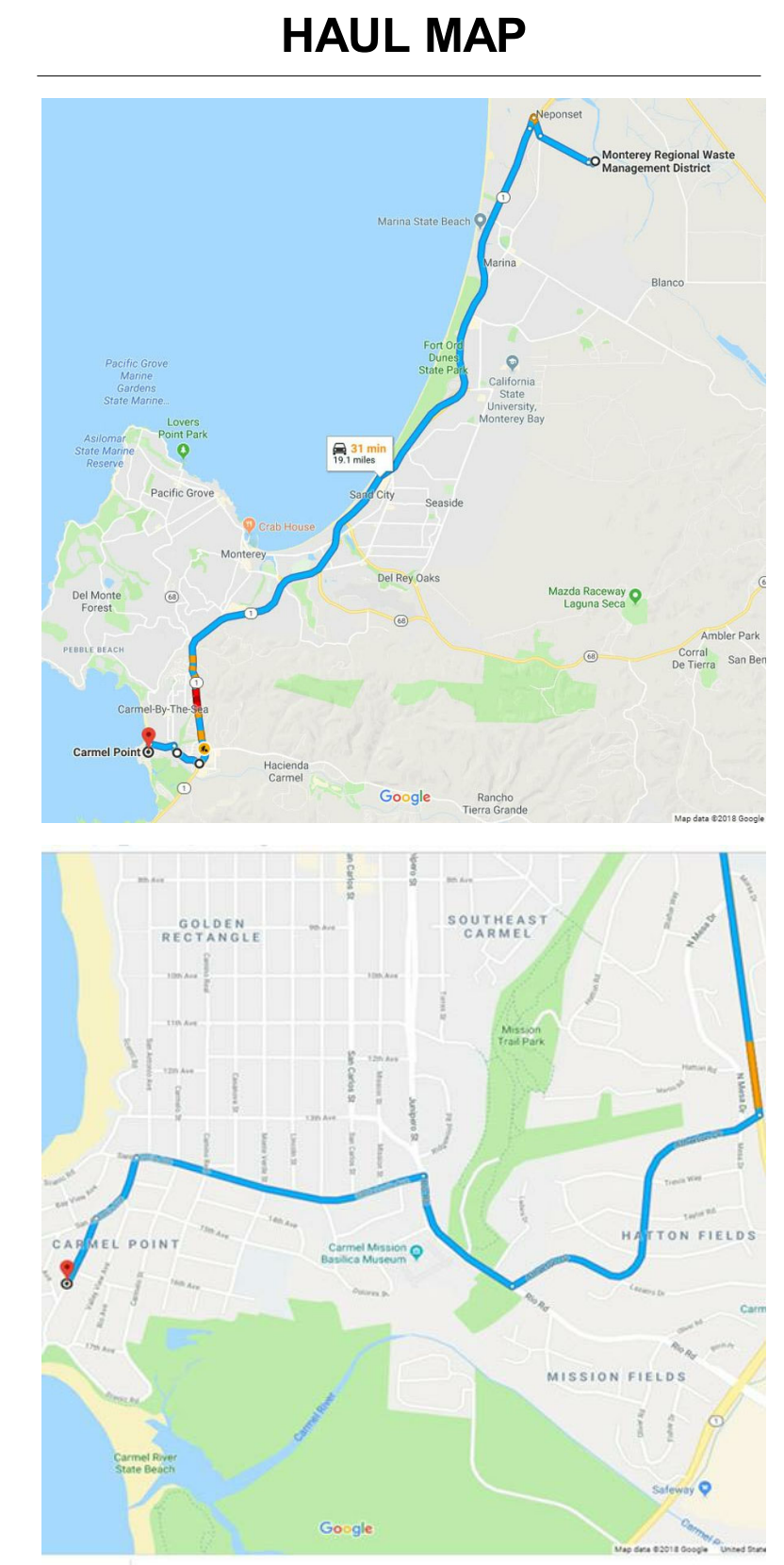
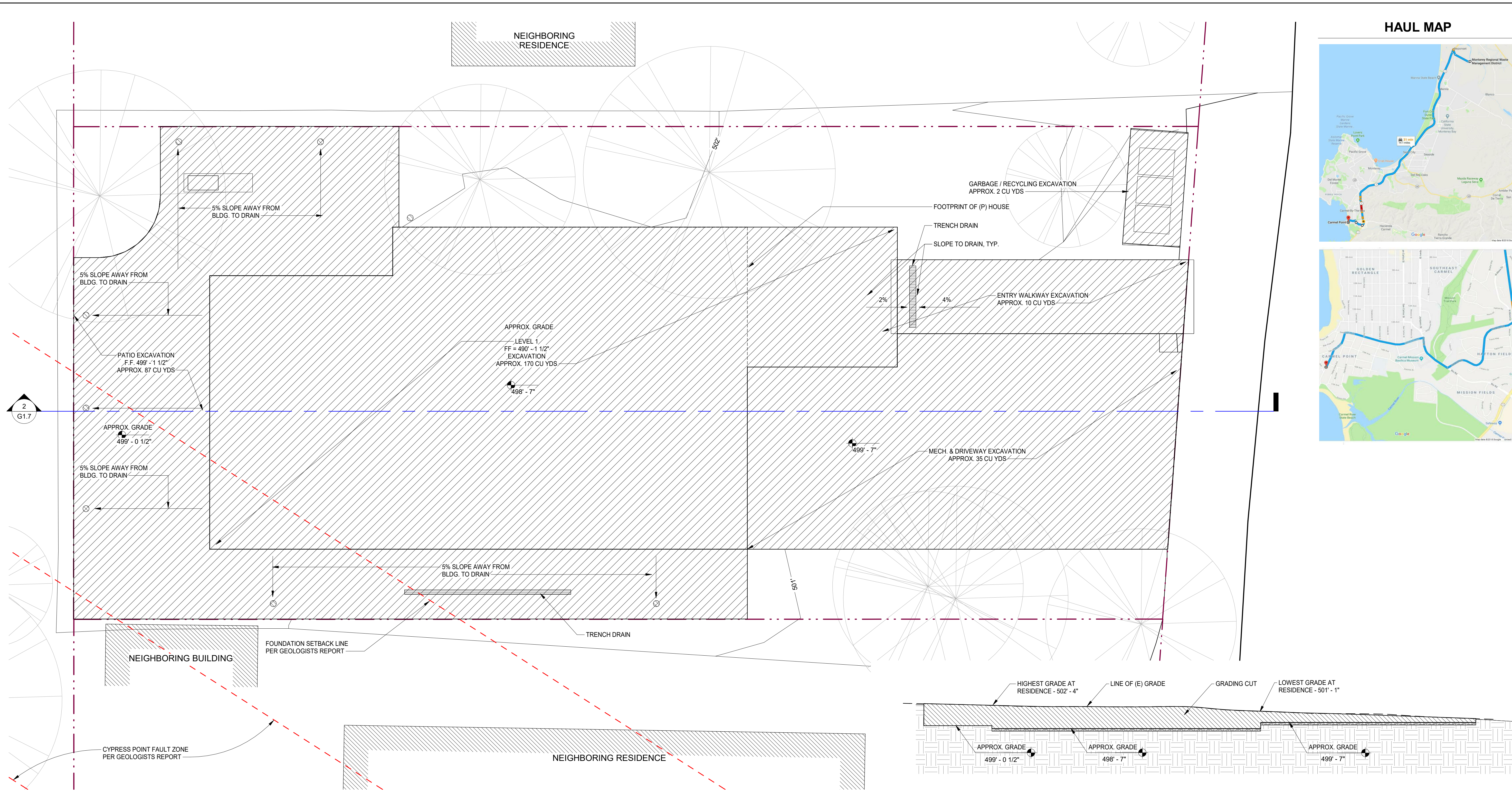
- 2/8/2019 PUBLIC WORKS REV #1
- 1/17/2020 PLANNING RESUBMITTAL
- 6/5/2021 PLANNING REVISION

ARCHITECTURAL EROSION CONTROL / CONSTRUCTION MGMT PLAN

Scale: As indicated @ 24x36
Drawn By: DP
Job: 1713

G1.5
5/6/2021 4:00:10 PM

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1 GRADING / SLOPE / DRAINAGE PLAN
1/4" = 1'-0"

2 GRADING CROSS SECTION
1/8" = 1'-0"

GENERAL NOTES

- CONTRACTOR TO FIELD VERIFY EXISTING CONDITIONS PRIOR TO CONSTRUCTION AND NOTIFY ARCHITECT IN WRITING OF ANY DISCREPANCIES.
- CONTRACTOR SHALL PROTECT EXISTING TREES AND ROOT SYSTEM. ALL EXCAVATION AROUND EXISTING TREES SHALL BE MADE BY HAND.
- CULTURAL, ARCHAEOLOGICAL, HISTORICAL OR PALEONTOLOGICAL RESOURCES NOTIFICATION: "STOP WORK WITHIN 50 METERS (165 FEET) OF UNCOVERED RESOURCE AND CONTACT MONTEREY COUNTY RMA-PLANNING AND A QUALIFIED ARCHAEOLOGIST IMMEDIATELY IF CULTURAL, ARCHAEOLOGICAL, HISTORICAL OR PALEONTOLOGICAL RESOURCES ARE UNCOVERED".
- TOPOGRAPHY WAS PREPARED BY RASMUSSEN LAND SURVEYING, INC.
- THE EXISTENCE, LOCATION AND ELEVATION OF ANY UNDERGROUND FACILITIES ARE SHOWN ON THESE PLANS AS REFERENCE ONLY. NOT ALL UTILITIES MAY BE SHOWN. IT IS MANDATORY THAT THE CONTRACTOR EXPOSE AND VERIFY THE TOP AND BOTTOM OF ALL UTILITIES PRIOR TO ANY WORK. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO MAKE THE FINAL DETERMINATION AS TO THE EXISTENCE, LOCATION AND ELEVATION OF ALL UTILITIES AND TO BRING ANY DISCREPANCY TO THE ATTENTION OF THE ARCHITECT.

LEGEND:

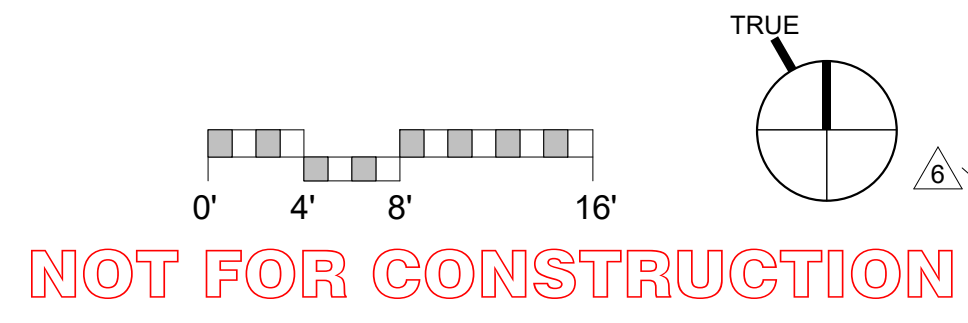
- 30% SLOPE OR GREATER
- MAN-MADE SLOPE 30% OR GREATER
- PROPOSED CUT
- PROPOSED FILL
- DRIVEWAY PAVERS
- WATER FLOW
- SILT FENCING
- STRAW WATTLE

GEOTECHNICAL ENGINEER INSPECTION SCHEDULE

When the inspection is to be completed	Who will conduct the inspection	Description of the required inspection	Name	Date
Pre-Construction Meeting	Geotechnical Engineer			
Completion of Over-Excavation	Geotechnical Engineer	Observation and testing		
Placement of Fill	Geotechnical Engineer	Observation and testing		

GRADING ESTIMATES

GRADING CUT	304	CU.YDS.
GRADING FILL	0	CU.YDS.
GRADING NET EXPORT	304	CU.YDS.



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ROBERT MCDONNELL
CARVER
C-28178
REN 003219
Robert McDonnell
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REVISION #

3/8/25/2019	BLDG. REV #1
4/17/2020	PLANNING RESUBMITTAL
6/5/2021	PLANNING REVISION

ARCHITECTURAL GRADING/SLOPE MAP & DRAINAGE PLAN

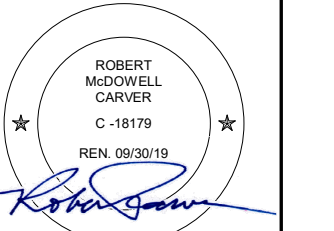
Scale: As indicated @ 24x36
Drawn By: DP
Job: 1713

G1.7
5/6/2021

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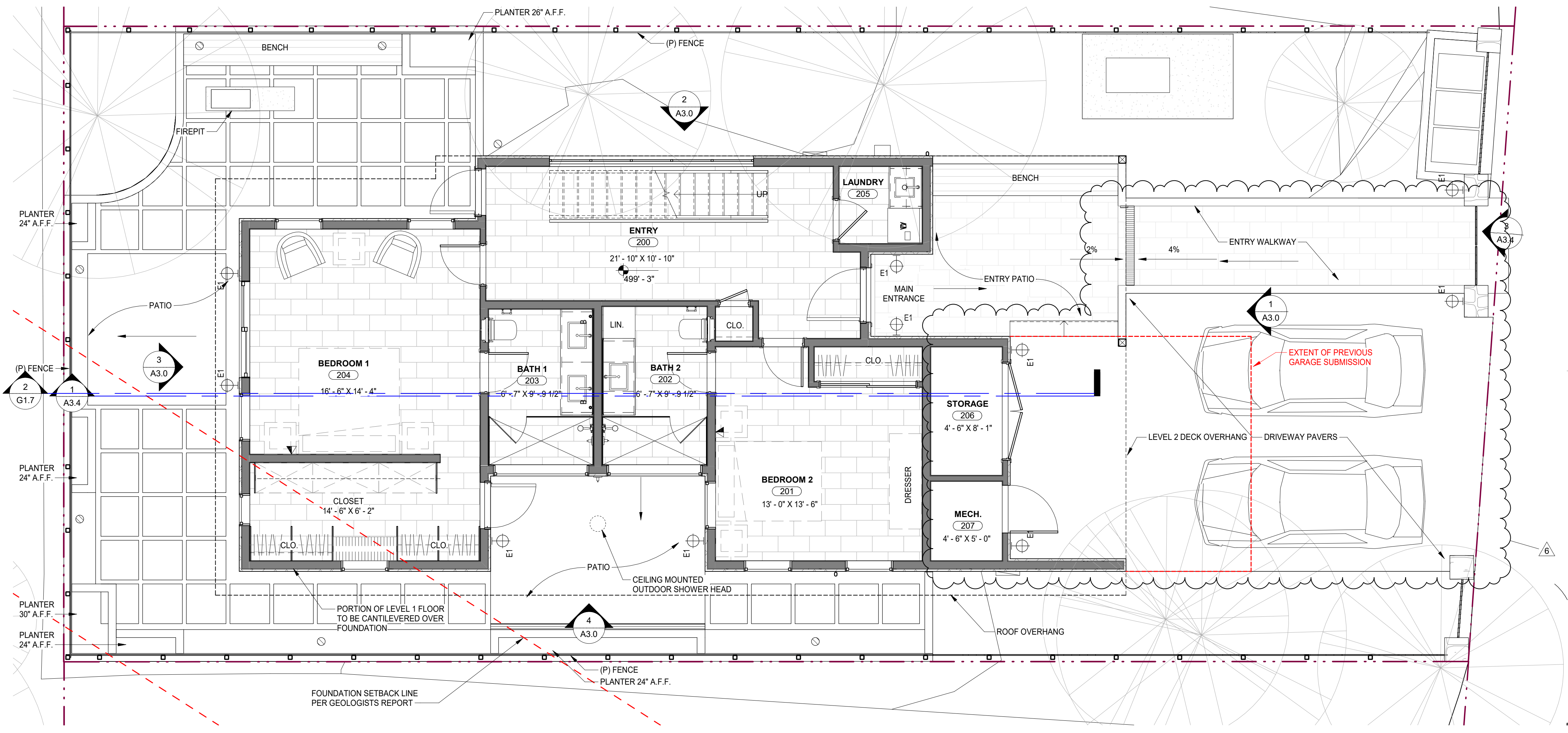


REVISION #	DATE	DESCRIPTION
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2	1/17/2020	PLANNING RESUBMITTAL
6	5/6/2021	PLANNING REVISION

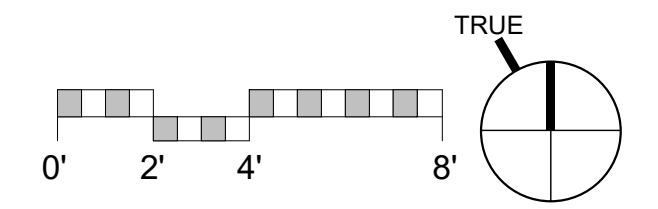
ARCHITECTURAL
LEVEL 1 FLOOR
PLAN

Scale: 1/4" = 1'-0"
@ 24x36
Drawn By: DP
Job: 1713

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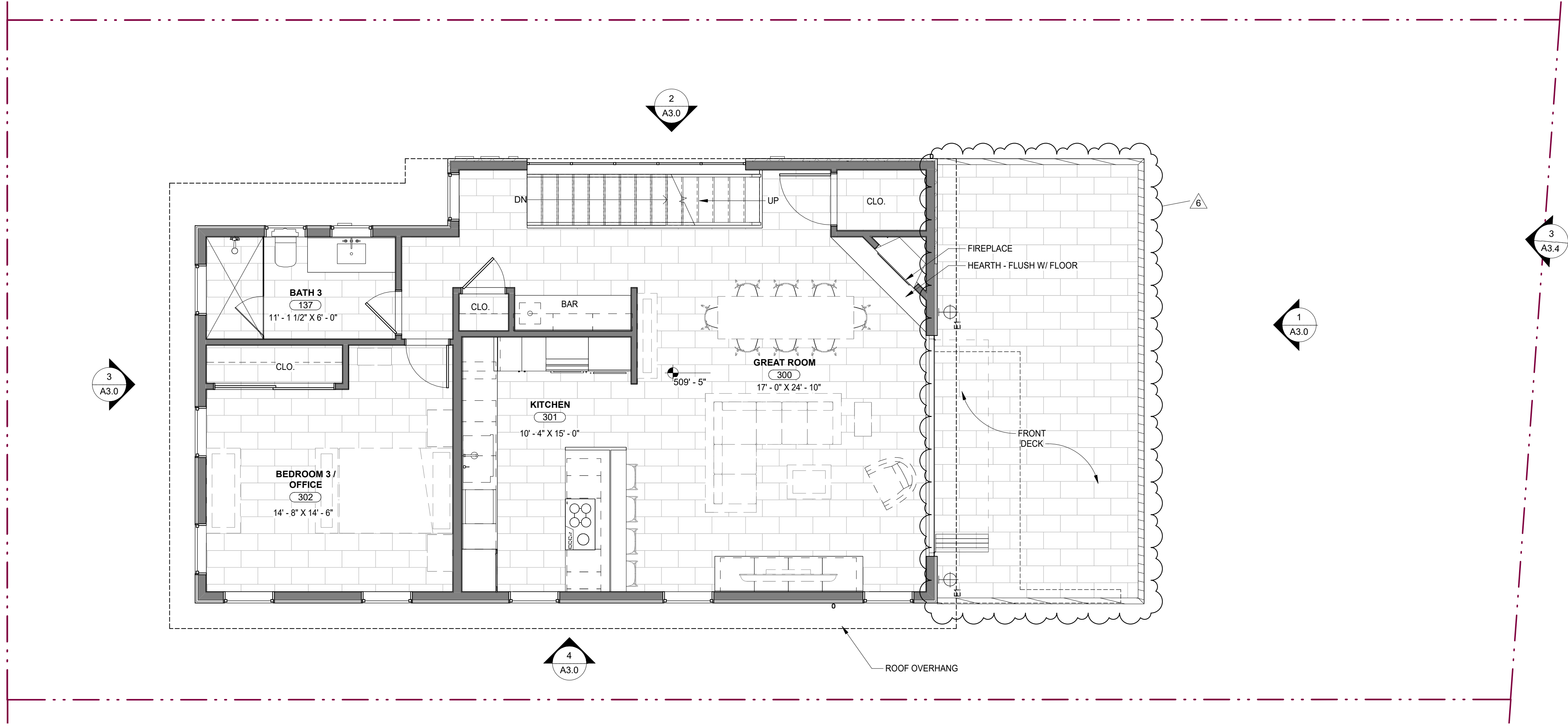


1 LEVEL 1
1/4" = 1'-0"

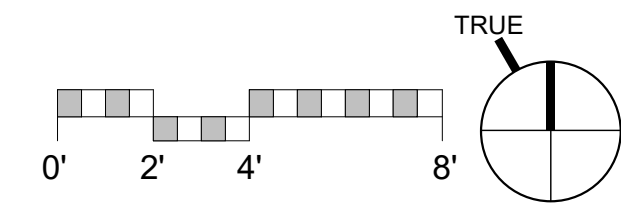


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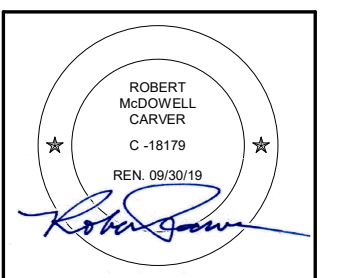


1 LEVEL 2
1/4" = 1'-0"



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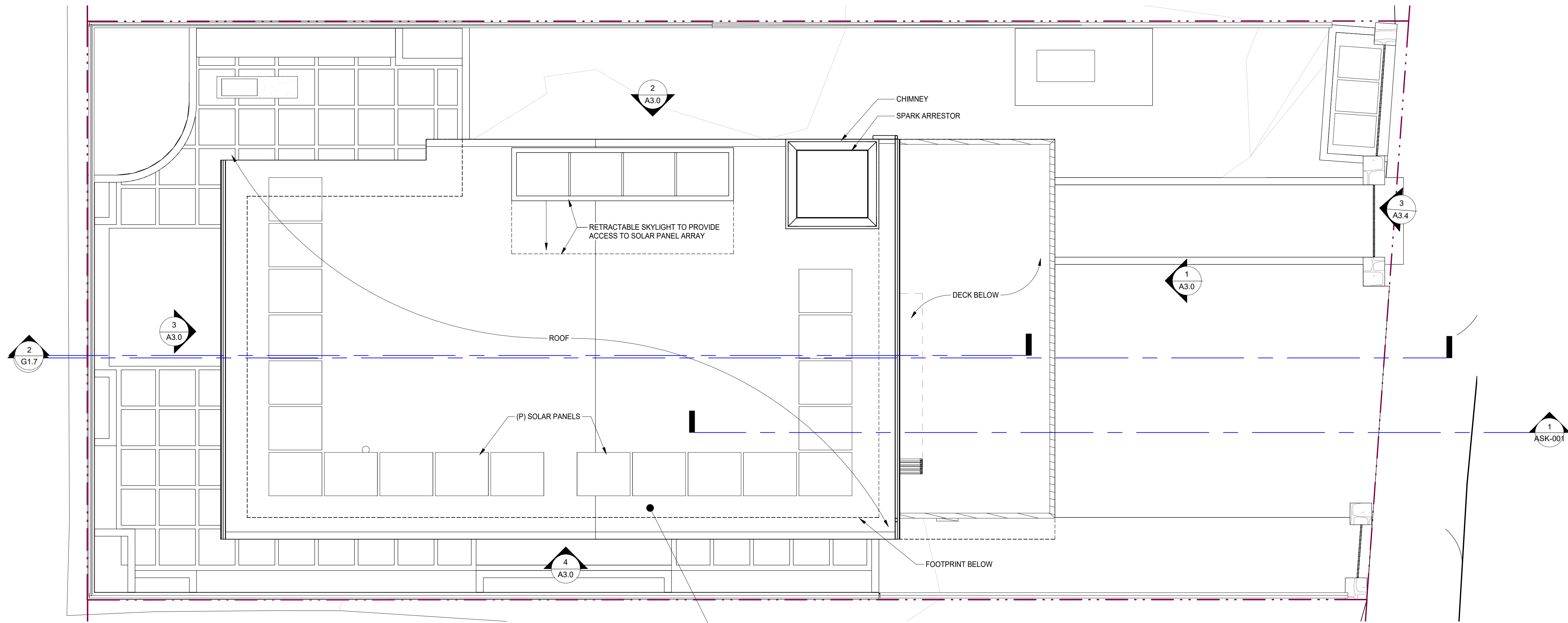
REVISION #	DATE	DESCRIPTION
1	6/10/2019	FIRE REV #1
2	4/17/2020	PLANNING RESUBMITTAL
6	5/6/2021	PLANNING REVISION

ARCHITECTURAL
LEVEL 2 FLOOR
PLAN

Scale: 1/4" = 1'-0"
@ 24x36
Drawn By: DP
Job: 1713

A2.2
5/6/2021 3:59:55 PM

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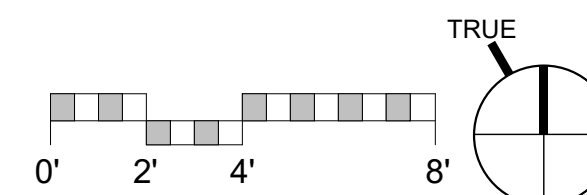


1 ROOF
1/4" = 1'-0"

KEYNOTE LEGEND



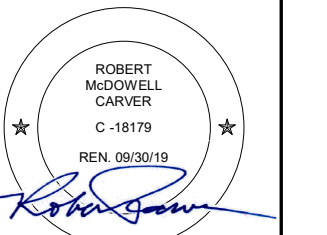
METACRYLICS ROOFING "GREY"



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LLC

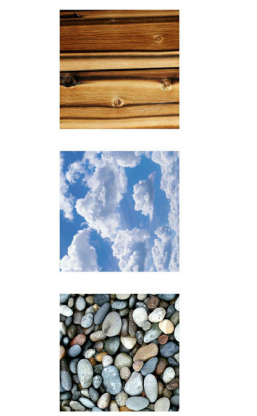
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ARCHITECTURAL
ROOF

Scale: 1/4" = 1'-0"
@ 24x36

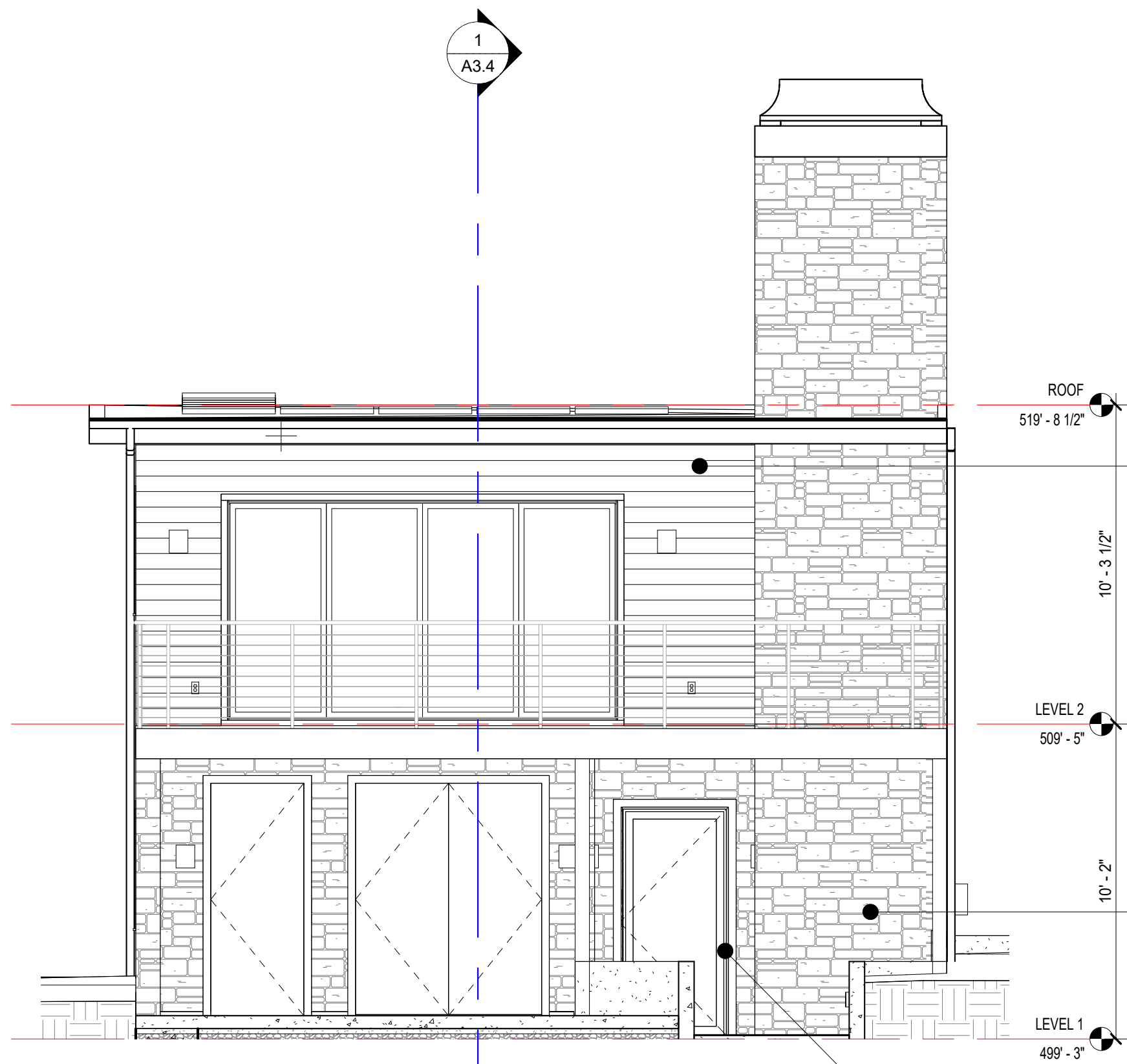
Drawn By: DP

Job: 1713

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1 EAST ELEVATION
1/4" = 1'-0"



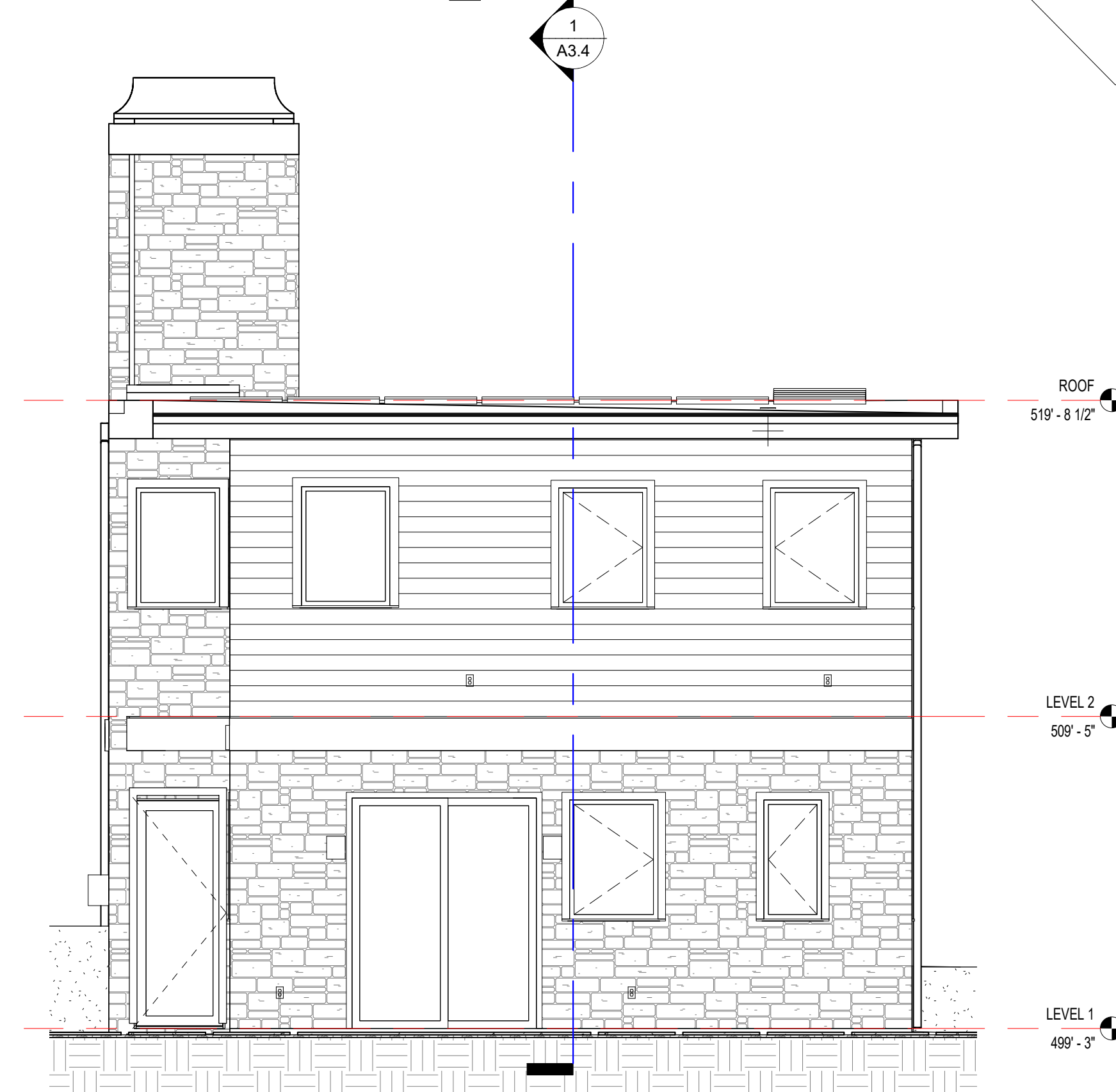
CEDAR SIDING



CARMELO STONE VENEER



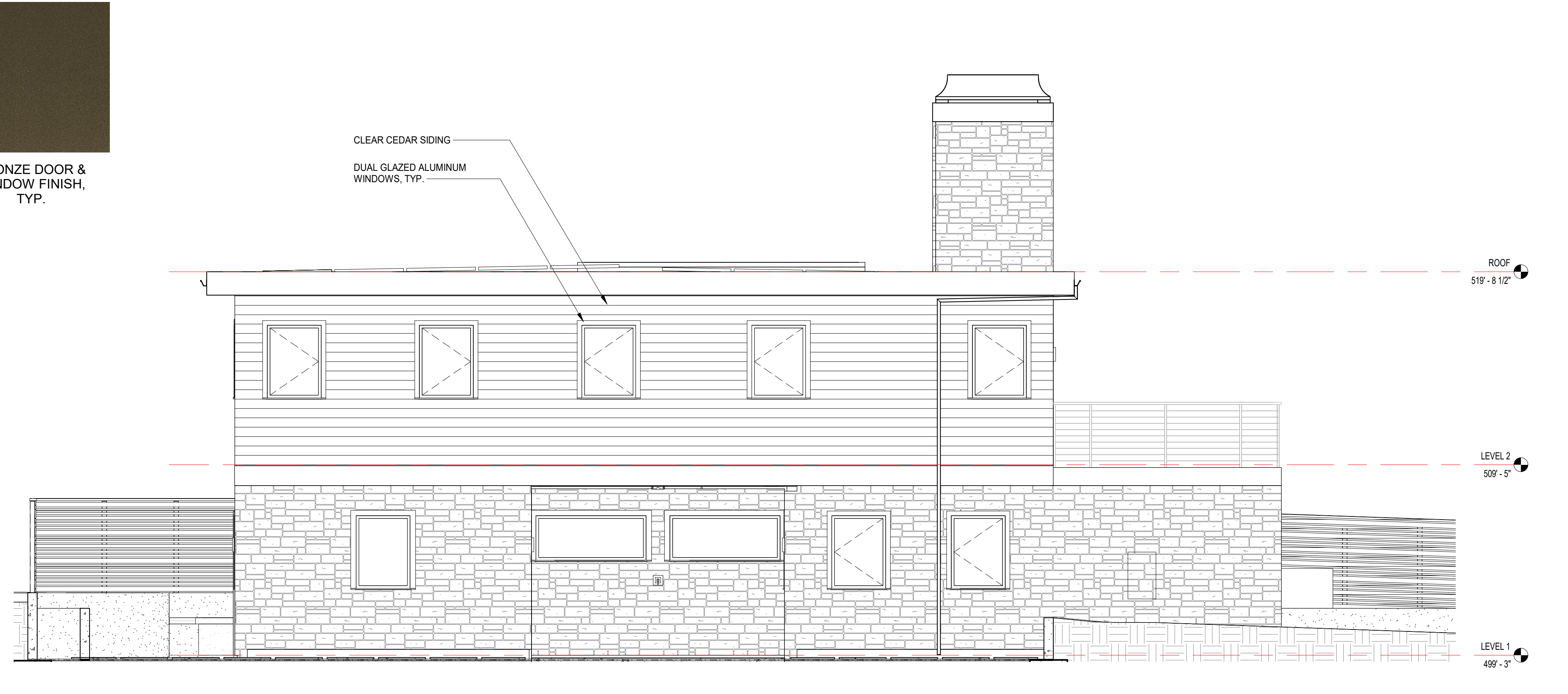
BRONZE DOOR & WINDOW FINISH, TYP.



3 WEST ELEVATION
1/4" = 1'-0"



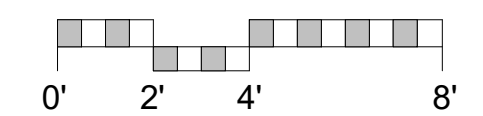
2 NORTH ELEVATION
1/4" = 1'-0"



4 SOUTH ELEVATION
1/4" = 1'-0"

CLEAR CEDAR SIDING
DUAL GLAZED ALUMINUM WINDOWS, TYP.

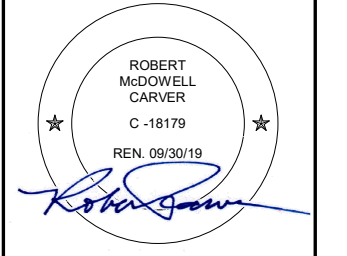
KEYNOTE LEGEND



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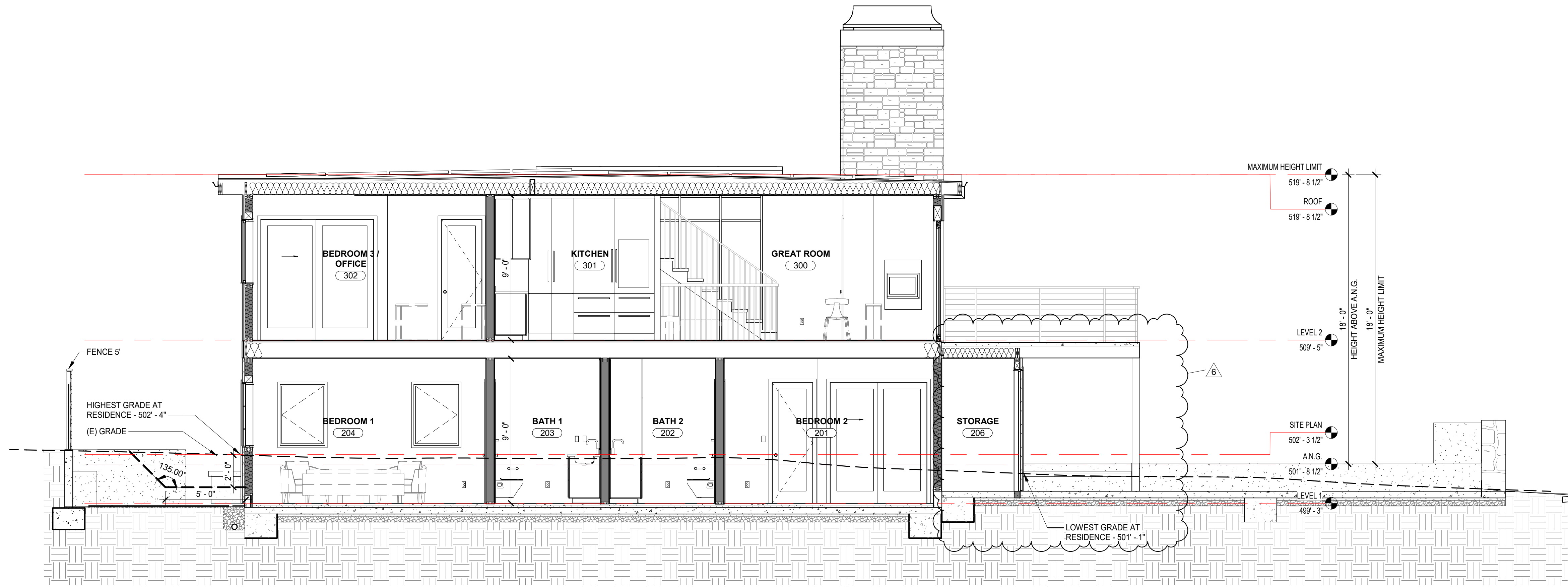
ARCHITECTURAL EXTERIOR ELEVATIONS

Scale: 1/4" = 1'-0"
@ 24x36
Drawn By: DP
Job: 1713

A3.0
5/6/2021

5/6/2021 4:00:00 PM

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1 E/W SECTION 1
1/4" = 1'-0"

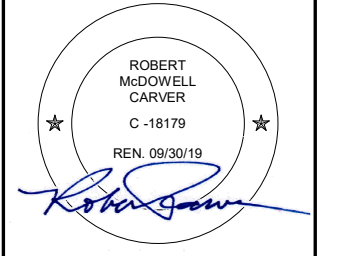


3 FENCE ELEVATION
1/4" = 1'-0"

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2	1/17/2020	PLANNING RESUBMITTAL
3	6/5/2021	PLANNING REVISION

ARCHITECTURAL BUILDING SECTIONS

Scale: 1/4" = 1'-0"
@ 24x36
Drawn By: DP
Job: 1713

A3.4
5/6/2021 4:00:03 PM