

## Exhibit B

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**EXHIBIT B**  
**DRAFT RESOLUTION**

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

In the matter of the application of:

**CUDE JESSE L AND SANDRA TRS (PLN210292)**

**RESOLUTION NO. 24 -**

Resolution by the County of Monterey Planning  
Commission:

- 1) Finding the project involves construction of the first single family dwelling and accessory structures on a parcel that allows residence as a primary use which qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, and there are no exceptions pursuant to Section 15300.2;
- 2) Approving a Combined Development Permit to clear a Code Enforcement violation (14CE00095) consisting of:
  - a) Coastal Administrative Permit and Design Approval to allow after-the-fact construction of a two-story single family dwelling (1,175 square feet) with 872 square feet of deck, a shed (approximately 225 square feet), a 215 square foot deck, two 2,500-gallon dark green water tanks, proposed 5,000-gallon water tank and associated improvements; colors and materials are beige siding and dark green/gray trim and green metal rooves;
  - b) Coastal Development Permit to allow after-the-fact development within 100 feet of an environmentally sensitive habitat area (Redwood Forest and intermittent stream);
  - c) Coastal Development Permit to allow after-the-fact and new development on slopes exceeding 30 percent; and
  - d) Coastal Development Permit to allow to allow the after-the-fact removal of one Madrone tree (approximately 8 inches diameter).

The project also includes partial restoration in the form of stabilization of 890 square feet of disturbed slope and revegetation of approximately 2,820 square feet of disturbed area with native forest understory or coastal scrub plants.

**The Cude Jesse L and Sandra Trust application (PLN210292) came on for a public hearing before the County of Monterey Planning Commission on September 11, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

### **FINDINGS**

1. **FINDING:** **CONSISTENCY** - The project and use, as conditioned, is consistent with the policies of the County of Monterey 1982 General Plan, Big Sur Coast Land Use Plan, Big Sur Coastal Implementation Plan – Part 3, County of Monterey Zoning Ordinance - Coastal (Title 20), and other County health, safety, and welfare ordinances related to land use development.
- EVIDENCE:**
- a) The project has been reviewed for consistency with the text, policies, and regulations in the:
    - 1982 County of Monterey General Plan;
    - Big Sur Coast Land Use Plan (LUP);
    - Big Sur Coastal Implementation Plan, Part 3 (CIP); and
    - County of Monterey Zoning Ordinance - Coastal (Title 20).No conflicts were found to exist. The County has not received communications from any party during project review indicating inconsistencies with the text, policies, and regulations in the applicable plans and Monterey County Code.
  - b) The project involves after-the-fact permitting for the construction of a two story single family dwelling (1,175 sq. ft.) with deck (872 sq. ft.), a non-habitable accessory structure (225 sq. ft. shed), a platform deck (215 sq. ft.), two water tanks (2,500 gallons each), and associated improvements such as an on-site wastewater treatment system (OWTS), drainage, with one proposed 5,000-gallon water tank and upgrades to the existing driveway. Overall, the grading amount is estimated at approximately 50 cubic yards in previous grading and 65 cubic yards of cut and 61 cubic yards of fill on the driveway as proposed. As proposed, the project also includes stabilization of 890 square feet of disturbed slope and revegetation of the approximate 2,820 square feet of disturbed area with native forest understory or coastal scrub plants. Granting of this Combined Development Permit will legalize the development and allow the improvement to the driveway, stabilization measures for unstable slopes, and restoration activities.
  - c) Allowed Uses. The property is located at 37761 Palo Colorado, Big Sur, Big Sur Coast Land Use Plan, Coastal Zone. The parcel is zoned Rural Density Residential, 40 acres per unit, with a Design Control Overlay (Coastal Zone), or “RDR/40-D (CZ)”, which allows development of main dwellings and accessory structures with the granting of a coastal development permit. Therefore, as built, the



project involves an allowed land use for this site. The Design Control zoning overlay requires the granting of a Design Approval for the proposed development (see subsequent Evidence “g”).

- d) Lot Legality. The subject 13.97-acre property (Assessor’s Parcel Number 418-081-033-000) is identified in its current configuration as one of two parcels created through the Milton Kastor Record of Survey, filed July 18, 1960, in Volume X-2, 1964 Assessor’s Parcel Maps, at Page 107. Therefore, the County recognizes the subject property as a legal lot of record.
- e) Development Standards. Development standards for the RDR zoning district are identified in Title 20 Section 20.16.060. Required setbacks for main structures in this RDR district are 30 feet (front), 30 feet (rear), and 20 feet (sides). As built, the main structure (i.e., the single-family dwelling) has a front setback of 152 feet, the closest side setback is 279 feet, and the rear setback is 392 feet. The setback requirements for non-habitable accessory structures are 50 feet (front), 6 feet side (in front half of property) and 1 foot rear. The accessory structure (shed) front setback is 255 feet, the nearest side setback is 198 feet, and the rear setback is 342 feet. Setbacks for the accessory platform deck are similar, with nearest side setback as 154 feet. Additionally, the distance between the main dwelling and accessory structures exceeds the required 10 feet minimum. The requirement for 6 feet setback between two accessory structures shall be met through the construction of a proposed roof connection between the two sheds (see attached Plans, sheet 6). When connected into one non-habitable accessory structure, the accessory structure setbacks are met.

Pursuant to Title 20 Section 20.16.060, maximum allowed height for main structures in the RDR zoning district is 30 feet above average natural grade (ANG); for non-habitable accessory structures it is 15 feet from ANG. The main dwelling top ridge height is approximately 26 feet and four inches above ANG. The proposed shed height with new roof connection is approximately 12 feet above ANG.

Pursuant to Title 20 Chapter 20.16, the site coverage maximum in the RDR zoning district is 25 percent. The property is 13.97 acres (608,533 square feet) which would allow site coverage of 152,133 square feet. As proposed, the development would result in site coverage of 2,306 square feet (0.3 percent). The RDR zoning district has no maximum floor area ratio. As proposed, the development would conform to the required and applicable Title 20 development standards.

- f) Design. Pursuant to Title 20 Chapter 20.44, the project parcel 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 the protection of the public viewshed and neighborhood character. The Applicant has built with exterior colors and materials that include beige siding and dark green/gray trim with green metal rooves. Existing water tanks are dark green and the proposed water tank shall

be the same. The proposed exterior colors blend with the surrounding environment and are consistent with the surrounding residences. The residence is also consistent with the size and scale of surrounding residences, and the bulk and mass does not contrast with the neighborhood character. A 215 square foot platform deck is natural wood and not visible from public viewing areas. As proposed, the project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

- g) Visual Resources and Big Sur Critical Viewshed. The project site is not located within, nor is it visible from any area designated as within the Big Sur Critical Viewshed (pursuant to the definition of LUP 3.2.2). The existing vegetation in combination with the Palo Colorado area topography which slopes steeply from Highway 1 towards the east and is lined with steep ridges effectively screens the site from the highway, and access to the site is via a private road. The development is not visible from any other viewing areas identified in the Critical Viewshed definition for the same reasons. Also, the Big Sur Critical Viewshed does not include areas visible only from hiking trails (LUP Policy 3.2.3.B.1). Figure 3 of the LUP illustrates hiking trails which do not show trails near the project and the topography and distance protects those views, nonetheless.
- h) Public Access. As demonstrated in Finding 8 and supporting evidence, the subject parcel is not a location which requires public access. Therefore, the development is consistent with applicable public access policies of the LUP.
- i) Cultural Resources. County records identify that the project site is located in an area of moderate archaeological sensitivity. As an after-the-fact permit, part of the application review included checking if any resources had been encountered during the previous grading and construction (negative). Staff reviewed a preliminary cultural resource reconnaissance report from a nearby parcel in Palo Colorado (APN 418-131-024-000, HCD Library Doc. No. LIB170033) and found it described Sur and Plaskett soils of the same color and consistency of the subject site. The parcel was methodically inspected for evidence of prehistoric or historic material remains and results were completely negative. Per the report on the neighboring parcel, the limited additional ground disturbance involved in this project has a very low likelihood for impact on cultural resources at the subject site. Adherence to the standard condition of approval for work to stop in the case that any resources are inadvertently uncovered would ensure unknown archaeological and/or cultural resources will not be impacted (Condition No. 3).
- j) Land Use Advisory Committee. The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review on February 13, 2024. The LUAC, at a duly-noticed public meeting at which all persons had the opportunity to be heard, reviewed the proposed project and voted 4 – 0 – 1 (4 yes and 0 no, 1 abstain) to support the project with as proposed.
- k) Private Access Road. The project is access by a private gravel driveway. The owner was granted easement through APNs 418-081-032-000, 418-081-030-000 and 418-131-006-000 (all to the south of

the subject parcel) in February, 2001. The access road meets the requirements of CIP Section 20.145.130.D, *Private Road Development Standards*, in that it does not intrude into the Critical Viewshed and is essential for basic residential access and no reasonable alternative exists.

- l) Environmentally Sensitive Habitat Area (ESHA). The project includes a Coastal Development Permit to allow development within 100 feet of ESHA. Policies in Chapter 3.3 of the LUP are directed at maintaining, protecting, and, where possible, enhancing sensitive habitats. The project is within 100 feet of Redwood Forest and the Palo Colorado creek, an intermittent stream, both of which are classified as ESHA. As designed and conditioned, the project minimizes impacts to ESHA in accordance with the applicable goals and policies of the LUP and the CIP Section 20.145.040. See Finding No. 5 and supporting evidence.
- m) Tree Removal. One protected tree, a Madrone of approximately 8 inches diameter at breast height, was removed to accommodate the placement of the main structure without benefit of permit. The tree removal has been found to be the minimum required under the circumstances. Removal of a protected tree requires a Coastal Development Permit, pursuant to Title 20 and CIP Section 20.145.060.A and CIP attachment 2, *Native Trees*. As designed and conditioned, the project conforms to the applicable policies and regulations of the LUP and CIP. See Finding No. 7 and supporting evidence.
- n) Development on Slope Exceeding 30 Percent. The project includes a Coastal Development Permit to allow development on slopes exceeding 30 percent, pursuant to Title 20 Section 20.16.030.C. Development on slopes that exceed 30 percent is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30 percent, or the proposed development better achieves the goals, policies and objectives of the County of Monterey General Plan and applicable land use plan than other development alternatives. See Finding No. 6 and supporting evidence.
- o) Hazards. The subject site may be affected by seismic shaking and slope instability. A Geotechnical Report prepared for the project found that the as-built habitable structure has the capacity to effectively resist direct potential damage due to seismic activity. The engineers recommend that the deck footings be inspected and perhaps reinforced during construction permit review. More importantly, the engineers opined that damage to the structures and human safety could occur as a result of landslide related to the cut slopes on the north side of the dwelling and the fill to the south. Analysis included modeling of the site with impact from a magnitude 7.5 earthquake on the San Gregorio Fault, at a distance of 2.73 miles away. The results indicated that the fill on slope on the south should be stabilized. The engineers recommended the addition of an earthen berm along the base of the steep slope to the north of the dwelling to isolate potential threat of landslide. The project plans include stabilization of the fill area and addition of an earthen berm per the engineers' recommendation. Fire safety code (pursuant to County Ordinance No.

22-050) is guiding the proposed improvements to the driveway such as resurfacing with concrete or asphalt; Fire District recommendation also informed the addition of a new 5,000 gallon water tank near the existing structures. In these ways, the project does not increase hazards at the site or in the neighborhood.

- p) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the proposed project conforms to the plans.
- q) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

2. **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, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and the Carmel Highlands 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:
    - “Biological Assessment” (HCD Library Document No. LIB230318) prepared by Nicole Nedeff, Consulting Ecologist, Carmel, California March 21, 2023;
    - “Geotechnical Investigation” (HCD Library Document No. LIB220220) prepared by Damien Georis, CMAG Engineering, Inc., Aptos, California, November 8, 2019 with an Addendum prepared by Adrian Garner, also CMAG, September 10, 2021;
  - c) County staff independently reviewed the above referenced 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. Hazards shall be mitigated by design, as discussed in Finding 1, evidence “o.”
  - d) As the project is proposed with restoration of an area of approximately 2,820 square feet total, including Redwood Forest understory and other natural communities, and the plan for said restoration is proposed in the Nedeff report dated March 21, 2023, a condition of approval has been applied for the applicant to record this report for reference as the adaptive management restoration plan for the parcel (Condition No. 12).
  - e) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the project conforms to the plans listed above and that the project area is suitable for this use.
  - f) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working

in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau (EHB), and the Carmel Highlands 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 facilities are available on the project site. Potable water is currently provided at the site by an onsite well. Water quality and quantity testing was supplied by the owner during application completeness review. EHB staff reviewed the project application and found the reports indicated that the water source is sufficient in quantity to serve the development. The water quality test was determined to be acceptable except for presence of bacteria. EHB added Condition 8, *Spring Development for Domestic Water Supply*, to require a spring box be built and water to be retested. The development uses an on-site wastewater treatment system (OWTS) that was installed without benefit of permits, and the proposed development will use an upgraded OWTS. EHB staff reviewed the OWTS design (CMAG Engineering, Inc, dated February 4, 2023 and December 8, 2023) and inspected the site to confirm site compatibility. EHB added two conditions of approval for upgrades and evidence of drainage control in relation to the earthen berm (Condition Nos. 6 and 7).
  - c) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the project, as proposed and conditioned, would not impact public health and safety.
  - d) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

4. **FINDING:** **NO VIOLATIONS** – There are violations on the subject property with regulations pertaining to zoning uses and the LUP and respective CIP of the County’s zoning ordinance. The violations are resolved through the granting of this Combined Development Permit and the subsequent construction and OWTS permits exist on the property.

- EVIDENCE:**
- a) County staff reviewed records of County of Monterey HCD-Planning and HCD-Building Services and found that the only violations existing on the subject property are described by Code Enforcement violation (14CE00095). The County Resource Management Agency received a complaint on April 7, 2014. The purported violation was investigated in 2018.
  - b) An administrative citation was issued on the subject property on August 21, 2018 for a permanent dwelling without permits, citing the RDR district, the D district, and the requirement for planning and construction permits or a demolition permit and a restoration plan.
  - c) The property owner chose to pursue planning and construction permits to resolve the violation and requested an application on October 11, 2021.

- d) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to assess and confirm that no other violations exist on the subject property.
- e) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

5. **FINDING: DEVELOPMENT WITHIN 100 FEET OF ENVIRONMENTALLY SENSITIVE HABITAT AREAS (ESHA)** – The subject project avoids or minimizes impact on environmentally sensitive habitat areas in accordance with the applicable goals and policies of the Big Sur Coast LUP, Coastal Implementation Plan, and applicable zoning codes.

- EVIDENCE:**
- a) The project includes application for development within 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the LUP and Title 20 Section 20.16.030.E, a Coastal Development Permit is required and the authority to grant said permit has been met.
  - b) The policies in LUP Chapter 3.3 are directed at maintaining, protecting, and where possible enhancing sensitive habitats. As built, the structures of this development are consistent with applicable policies regarding avoidance and minimization of habitat disruption. The structural development on the project site is located within 100 feet of Redwood Forest with an intermittent stream. According to the biological report prepared for the project (Nedeff, Consulting Ecologist, March 21, 2023 HCD Library Doc. No. LIB230318), the construction site does not contain any mapped or field-identified sensitive species. Also, the immediate area of the site around the main structure, accessory platform deck and proposed 5,000-gallon water tank consists of ruderal habitat, comprised primarily of nonnative annual grasses, and ornamental species with low biological value. Coastal scrub surrounds the water tanks and ground-mounted solar array, which is not ESHA. Mixed Evergreen Forest is in the immediate area of the shed and grading on slopes, which is not ESHA.
  - c) LUP Policies 3.3.2.1 and 3.3.2.4 and CIP section 20.145.040.B.3 are directed at limiting vegetation removal and grading to that needed for the structural improvements themselves within sensitive habitats. No special-status plant species were observed or found to have the potential to occur within the area of the existing driveway. Development in the form of additional grading and resurfacing of the existing driveway on slopes greater than 30 percent is part of the project occurring within the Redwood Forest habitat area which is also containing the intermittent stream, Palo Colorado Creek. The proposed additional grading of the driveway and addition of a hammerhead for fire truck turn around was recommended by the Fire District to meet fire safety codes of CA Title 14. A hammerhead driveway turn around is to be located on the ruderal vegetation and shall not impact Redwood Forest. The driveway is routed through Redwood Forest, and the proposed regrading has the potential to impact the Redwood trees. To ensure there are no impacts to trees, a standard condition of approval has been applied that requires an Arborist to oversee tree and root protections prior to issuance of the grading permit (Condition No. 13).

The project biologist estimated that the existing parking pad on a lower terrace of the development site impacted approximately 400 square feet of Redwood Forest understory. The LUP recognizes the area as ESHA. The area was resurfaced by the applicant for this use without benefit of permits after a portion of the parking pad eroded in the winter of 2017. As a result, a veneer of uncompacted soil placed over the southern edge of the parking pad and unvegetated soil extends down-slope onto the steep canyon sides above Palo Colorado Creek. LUP Policy 3.3.3.A.3 requires development adjacent to stream courses to be low intensity and constructed to minimize erosion, runoff, and water pollution. The Biological Report did not describe that riparian vegetation was impacted by the project. The fill was found unstable by both the geotechnicians and the biologist. The project includes stabilization of the area and planting native Redwood Forest understory. HCD-Environmental Services reviewed the project and did not apply conditions of approval. During the construction permit phase for the proposed driveway improvements, the project would be required to comply with Monterey County Code Chapter 16.12, Erosion Control, which sets forth required provisions for preparation of erosion control plans, runoff control and winter operations; and establishes procedures for administering those provisions to minimize erosion during construction.

LUP Policy 3.3.3.A.4 requires a 150 foot setback on each side of the streambank to protect riparian communities unless the biological report concludes that another setback is sufficient (CIP Section 20.145.040.C.1[d]). The project Biological Assessment identified the intermittent stream Palo Colorado to be within 100 feet of the main structure. HCD-Environmental Services reviewed the project and found that the setback was sufficient to meet County Codes for stream setbacks in Chapter 16.16 (50 feet). County entitles the owner to continue this use within the Redwood Forest understory and within 100 feet of the intermittent stream because, in this case, the following findings can be made (evidences “e” through “g”). biological report for the project did not find the Redwood Forest natural community to have been significantly adversely affected or the long-term health of the woodland to have been harmed. A 30-inch culvert was installed to catch drainage from uphill of the structures and feed it into the Palo Colorado Creek. The project will retain the culvert. The project includes partial restoration of the areas around the parking pad and areas on slope and the applicant has, in the past, planted three Redwood trees nearby.

- e) The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvement in the neighborhood, or to the general welfare of the County. This finding is based on the evidence of the Biological Report which did not recommend the structures be relocated. Nedeff’s report did not find the stream bed to have been negatively impacted by the development. As partial restoration, the area between the structures and the stream shall be

stabilized and replanted with native Redwood Forest understory plants. No persons expressed prior to the hearing that the development as sited within 100 feet of the stream is detrimental to health, safety, peace, morals, comfort or general welfare of the public.

- f) The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of this Title and any zoning violation abatement costs have been paid. In this case, the subject structures meet the zoning uses and setbacks of RDR/40-D (CZ). Pursuant to Title 20, Sections 20.90.070 and 20.90.140, the zoning violation abatement costs required are for the applicant pay double fees to HCD-Planning for the Combined Development Permit (CDP) and to pay violation abatement fees to Code Enforcement. Double fees for the CDP have been paid. Furthermore, the project includes a proposed partial restoration of the areas which were impacted that could have had an adverse impact on the stream in the case of a flood or earthquake event.
- g) The subject project is in conformance with the Monterey County Local Coastal Program. In most regards, such as Water Resources policies, Forest Resources policies, ESHA policies, Scenic Resources and viewshed protection, the project is in conformance with the LUP. These are discussed in Findings 1, 5, 6, 7, and 8.
- e) The grading on slopes in excess of 30 percent behind the single family dwelling and the shed was not required for the structural improvements. Vegetation removal occurred on these areas, as well. These code violations are remedied by the project's proposed partial restoration by stabilization of the slopes in the form of netting and hydroseeding. Furthermore, the owner shall follow the project engineer's recommendation to add an earthen berm to control for any slumping of the 22 foot high cut slope. The biological report concluded that the vegetation in these areas was Mixed Evergreen Forest, which is not identified as ESHA by the County codes.
- f) LUP Policy 3.3.2.3 and Big Sur Coast CIP section 20.145.040.B.2 require deed restrictions or dedications of permanent conservation easements in ESHA when new development is proposed on parcels containing such habitats. Condition No. 10 requires the applicant to conserve an area of the ESHA in permanent conservation easement at a three to one ratio for the permanently disturbed area (which was measured to be 400 square feet). The location of a minimum of 1,200 square foot easement area will be proposed by the applicant in consultation with the restoration biologist and reviewed by Planning and the Coastal Commission during condition compliance.
- g) Pursuant to Section 30007.5 of the Public Resources Code, the legislature recognizes that conflicts may occur between one or more policies of the Coastal Act and "declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources." For this project, the overall benefits to ESHA, which include partial restoration of the native Redwood Forest understory and other, less sensitive habitats on the parcel by native reseeding and eradication of invasive species (Condition Nos. 9 and 12) outweigh the impacts resulting from the proposed development. As described in Evidence "e"



above, the project has been conditioned to require an additional conservation and scenic easement over undeveloped portions of the critical habitat area (approximately 1,200 square feet or more). In sum, the development would be subordinate to the protection of ESHA and consistent with the LUP Policies on ESHA directed at maintaining, protecting, and where possible enhancing sensitive habitats.

- h) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

6. **FINDING:** **DEVELOPMENT ON SLOPES** – There is no feasible alternative which would allow development to occur on slopes of less than 30 percent, and there is no alternative location to position the proposed development. Also, the location of the proposed development better achieves the goals, policies, and objectives of the applicable land use plan than other development alternatives.

- EVIDENCE:**
- a) The project includes application for development on slopes exceeding 30 percent to abate cut to slopes in the area around the homestead but not under structures and to allow new development which is intended to improve the driveway. Pursuant to the policies of the LUP and applicable Title 20 Section 20.64.230, Coastal Development Permits are required and the criteria to grant said permits has been met.
  - b) Development on slopes that exceed 30 percent is prohibited unless there is no feasible alternative that would allow development to occur on slopes of less than 30 percent, or the proposed development better achieves the goals, policies and objectives of the LUP than other development alternatives (Title 20 Section 20.64.230.E.1). In this case, the applicant has sited this development to utilize the previously graded area where possible and avoid new cut on steeper slopes within the structural footprint, entirely. The expansion of previous cut on nearby slopes was not necessary for the development but the remedy for such cut is to stabilize it and revegetate it, in this case. It would be a greater hazard to replace the cut soil onto the face of the hill. LUP goals and policies related to geologic hazards and drainage protections are better achieved by the proposed stabilizations than an attempt to reconstruct the hill. A 30-inch plastic culvert was installed without benefit of permit to accommodate drainage from an unnamed intermittent stream northeast of the main dwelling south to the Palo Colorado stream; it crosses from slopes greater than 30 percent across the level area and then reenters an area of slope greater than 30 percent. As mentioned in Finding 5, evidence “g,” LUP Policy 3.3.3.A.3 requires development adjacent to stream courses to be low intensity and constructed to minimize erosion, runoff, and water pollution. LUP Policy 3.7.3.A.1 requires all development to be sited to conform to site topography and to minimize grading and reduce geologic and seismic hazards and erosion. As designed, the stabilization measures proposed as part of the project are found, based on the recommendations of the project engineers, to better meet these LUP policies. There is no feasible alternative to avoid development on slopes in the case of the driveway regrading, however. The driveway route is already established through the Redwood Forest within the parcel. An alternative site would impact the protected trees

which are part of ESHA. The proposed development is sited and designed to achieve compliance with resource protection objectives. LUP Policy 3.3.3.A.8 requires new development to minimize impacts to Redwood Forest and trees, requires a biological report and modifications, where necessary, to minimize impacts to Redwood trees. This policy is better met by retaining the same driveway route as has historically been used.

- c) The development of the main structure required approximately 50 cubic yards of cut (not on slopes). The proposed development entails grading of approximately 61 cubic yards of cut and 65 fill, with over-excavation and re-compaction of up to 300 cubic yards of soil, on areas of 25-30 percent grade. Approximately 3,230 square feet of natural and manmade slope exceeding 30 percent slope will be improved on the driveway for vehicle access, including emergency response vehicles. Based on site limitations, the applicant has designed and sited the proposed development to minimize development on slopes exceeding 30 percent, in accordance with the applicable goals and policies of the LUP.
- d) Conditions of approval and subsequent ministerial permits for grading and OWTS shall ensure stability of the development. During the construction permit phase for the proposed driveway improvements, the project would be required to comply with Monterey County Code Chapter 16.12, Erosion Control, which sets forth required provisions for preparation of erosion control plans, runoff control and winter operations; and establishes procedures for administering those provisions to minimize erosion during construction. Additionally, all areas developed on slopes shall be restored with netting, hydroseeding, and targeted planting of native understory to stabilize the soil. As part of the grading permit subsequent to this entitlement, overall site development would be subject to current regulations regarding control of erosion.
- e) Staff discussed the civil sheets with the project agent and the Fire District staff to ensure the subject project minimizes development on slopes exceeding 30 percent. Additionally, staff conducted a virtual site inspection via Google Earth on June 5, 2023 to analyze possible development alternatives.
- f) The application, plans, and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

7. **FINDING:** **TREE REMOVAL** – The siting, location, size and design of the project minimizes tree removal in accordance with Big Sur Coast LUP policies and the removal will not impact the overall health and long-term maintenance of the forests (Redwood and Mixed Evergreen Forest) found on the property.
- a) The project includes application for after-the-fact permit for the removal of one Madrone tree. In accordance with the applicable policies of LUP and CIP Section 20.145.060.A, a Coastal Development is required for the removal of the tree and the criteria to grant said permit have been met.
  - b) Pursuant to Section 20.145.060.B of the Big Sur Coast CIP, an ecologist visited the site and reviewed historical photographs and other information about the development site. The removal of the

Madrone was included in a biological assessment that was prepared for the proposed project. The madrone tree was removed many years ago from the location where the single family dwelling was placed. Therefore, it was not feasible for an arborist to report on the health, structure, and preservation suitability of the subject tree and no other trees are adjacent to the development. A minimum of one-to-one onsite tree replacement for the impacted tree is proposed and is incorporated in this permit as Condition No.11.

- c) The project has been designed and sited to minimize the removal of protected trees to the greatest extent possible. An existing clearing was utilized for the structures. The driveway was designed to avoid trees. The specific choice of location for the structural development within the parcel avoided slopes and more removal of protected trees.
- d) LUP Policy 3.3.3.A.8 requires development to minimize impacts to Redwood Forest and trees, biological report and modifications, where necessary, to minimize impacts to Redwood trees. No significant long-term effects on the forest natural communities are anticipated. The project as proposed will not significantly reduce the availability of wildlife habitat over the long term as the site has surrounding forested areas which will be managed for long term health, including the addition of understory areas and tree planting. To ensure there are no impacts to trees, a standard condition of approval has been applied that requires an Arborist to oversee tree and root protections prior to issuance of the grading permit (Condition No. 13).
- e) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the tree removal is the minimum necessary for the project.
- f) The location of the replanting to replace this tree shall be coordinated through the Landscape Plan which must include a Fire-Safe Fuel Management Plan (Condition No. 9). Therefore, the placement of the tree will not increase fire risk to the development nor degrade the overall health and long-term maintenance of the Mixed Evergreen Forest and other natural communities found on the property.
- g) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN210292.

8. **FINDING:** **PUBLIC ACCESS** – The project is in conformance 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 part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in CIP Section 20.145.150 can be demonstrated.
  - b) The subject property is not described as an area where the Local Coastal Program requires physical public access (Figure 3, Trails Plan, in the Big Sur Coast LUP).
  - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.

- d) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the project would not impact public access. Based on this site inspection, the proposed development would not obstruct public views of the shoreline from surrounding roadways, would not obstruct public visual access to the shoreline from major public viewing corridors, and would not be visible from Highway 1 nor any area designated as within the Big Sur Critical Viewshed. As proposed, 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 LUP. See also Finding No. 1, Evidence “g,” “h” and “k”.
- e) The application, plans and supporting materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in project file PLN210292.

9. **FINDING:** **CEQA (Exempt)** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the construction of small new structures and accessory structures on parcels zoned for residential use.
  - b) This project qualifies for a Class 3 exemption because it involved the construction of the first single-family dwelling and accessory structures on a vacant lot.
  - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project.
    - i. The location of the project site is not a particularly sensitive environment with hazards or natural resource concerns that are not mitigated through the established LUP and CIP regulations for the location, as evidenced by the project-specific Geotechnical Report and Biological Report.
    - ii. Successive projects of the same type and in the same place would not contribute to a significant cumulative impact because the proposed structures are small in size and impacts are minimal and the driveway is the same as it has been for decades. This use and design is similar to the neighborhood uses as established prior to the LUP. For future development, the LUP and Title 20 zoning restricts further intensification.
    - iii. There are no unusual circumstances regarding this project that would cause a significant effect to the environment (See Findings 1, 2, 5, 6, 7 and supporting evidence). The application includes partial restoration around all areas that were developed following an adaptive management restoration plan for native planting of Redwood Forest understory plants, where applicable, and other native plants in other areas suited to the particular natural community. County finds that disruption of the habitat caused by the as-built development is not significant because the project would return most of the terrain to viable habitat with native vegetation while the remaining developed footprint is minimal (0.3 percent site coverage).

iv. The project site is not visible from any scenic highways, and the proposed development would not result in damages to scenic resources; and

v. The project site is not located on or near any hazardous waste sites listed in Section 65962.5 of the Government Code.

d) Staff conducted a virtual site inspection via Google Earth on June 5, 2023 to verify that the site and proposed project meet the criteria for an exemption.

e) The application, project plans, and related support materials submitted by the project applicant to County of Monterey HCD-Planning for the proposed development are found in Project File PLN210292.

10. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the County of Monterey Board of Supervisors and the California Coastal Commission.

**EVIDENCE:** a) Board of Supervisors. Pursuant to Title 20 Section 20.86.030, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.

b) California Coastal Commission. Pursuant to Title 20 Section 20.86.080.A, 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. within 100 feet of ESHA, on slopes exceeding 30 percent, and including the removal of a protected tree).

### **DECISION**

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

1. Find the project involves construction of the first single family dwelling and accessory structures on a parcel that allows residence as a primary use which qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines Section 15303, and there are no exceptions pursuant to Section 15300.2;
2. Approve a Combined Development Permit to clear a Code Enforcement violation (14CE00095) consisting of:
  - a. Coastal Administrative Permit and Design Approval to allow after-the-fact construction of a two-story single family dwelling (1,175 square feet) with 872 square feet of deck, a shed (approximately 225 square feet), a 215 square foot platform deck, two 2,500-gallon dark green water tanks, one proposed 5,000-gallon water tank and associated improvements; colors and materials are beige siding and dark green/gray trim and green metal rooves;
  - b. Coastal Development Permit to allow after-the-fact development within 100 feet of an environmentally sensitive habitat area (Redwood Forest and intermittent stream);
  - c. Coastal Development Permit to allow new and after-the-fact development on slopes exceeding 30 percent; and
  - d. Coastal Development Permit to allow the after-the-fact removal of one Madrone tree (approximately 8 inches diameter).

The project also includes partial restoration in the form of stabilization of 890 square feet of disturbed slope and revegetation of approximately 2,820 square feet of disturbed area with native forest understory or coastal scrub plants. All work shall be in general conformance with the attached plans and this approval is subject to 16 conditions of approval, all being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 11<sup>th</sup> day of September, 2024, upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Melanie Beretti, AICP, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO THE APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

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

NOTES:

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

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

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

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# County of Monterey HCD Planning

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

PLN210292

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** This Combined Development permit (PLN210292) allows the owner to clear a Code Enforcement violation (14CE00095) consisting of:

- 1) Coastal Administrative Permit and Design Approval to allow after-the-fact construction of a two-story single family dwelling (1,175 square feet) with 872 square feet of deck, a shed (approximately 225 square feet), a 215 square foot platform deck, two 2,500-gallon dark green water tanks, one proposed 5,000 gallon water tank and associated improvements; colors and materials are beige siding and dark green/gray trim with green metal rooves.
- 2) Coastal Development Permit to allow after-the-fact development within 100 feet of environmentally sensitive habitat area (redwood forest and intermittent stream);
- 3) Coastal Development Permit to allow new and after-the-fact grading and driveway on slopes exceeding 30 percent; and
- 4) Coastal Development Permit to allow the after-the-fact removal of one Madrone tree (approximately 8 inches diameter).

The project also includes a partial restoration in the form of stabilization of 890 square feet of disturbed slope and revegetation of the approximate 2,820 square feet of disturbed area with native forest understory and coastal scrub plants.

The property is located at 37761 Palo Colorado, Big Sur (Assessor's Parcel Number 418-081-033-000), Big Sur Land Use Plan. 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 HCD Chief of 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:** Planning

**Condition/Mitigation** The applicant shall record a Permit Approval Notice. This notice shall state:

**Monitoring Measure:** "A Combined Development Permit (Resolution Number \_\_\_\_\_) was approved by the Planning Commission for Assessor's Parcel Number 418-081-033-000 on September 11, 2024. The permit was granted subject to 16 conditions of approval 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 the HCD Chief of 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** Prior to the issuance of grading and building permits, certificates of compliance, or  
**Action to be** commencement of use, whichever occurs first and as applicable, the Owner/Applicant  
**Performed:** shall provide proof of recordation of this notice to the HCD - Planning.

## 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

**Responsible Department:** Planning

**Condition/Mitigation** If, during the course of construction, cultural, archaeological, historical or  
**Monitoring Measure:** paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.  
(RMA - Planning)

**Compliance or Monitoring** The Owner/Applicant shall adhere to this condition on an on-going basis.

**Action to be** Prior to the issuance of grading or building permits and/or prior to the recordation of the  
**Performed:** final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "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."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

#### 4. PD005(A) - NOTICE OF EXEMPTION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption. (HCD-Planning)

**Compliance or Monitoring Action to be Performed:** After project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, to the Director of HCD - Planning.

#### 5. CC01 INDEMNIFICATION AGREEMENT

**Responsible Department:** County Counsel-Risk Management

**Condition/Mitigation Monitoring Measure:** Owner/Applicant 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 and/or its agents, officers, and/or employees from any claim, action, or proceeding against the County and/or its agents, officers, and/or or employees to attack, set aside, void, or annul this approval and/or related subsequent approvals, including, but not limited to, design approvals, which action is brought within the time provided for under law. Owner/Applicant shall reimburse the County for any court costs and attorney's fees that the County may be required by a court to pay as a result of such action.

The County shall notify Owner/Applicant of any such claim, action, and/or proceeding as expeditiously as possible. The County may, at its sole discretion, participate in the defense of such action. However, such participation shall not relieve Owner/Applicant of his/her/its obligations under this condition. Regardless, the County shall cooperate fully in defense of the claim, action, and/or proceeding.

Owner/Applicant shall execute and cause to be notarized an agreement to this effect concurrent with the issuance of building permits, use of the property, filing of the final map, recordation of the certificates of compliance, or demand of the County Counsel's office, whichever occurs first and as applicable. Owner/Applicant shall submit such signed and notarized Indemnification Agreement to Housing and Community Development – Planning for the County's review and signatures. (County Counsel-Risk Management)

**Compliance or Monitoring Action to be Performed:** Owner/Applicant shall execute and cause to be notarized an agreement to this effect concurrent with the issuance of building permits, use of the property, filing of the final map, recordation of the certificates of compliance, or demand of the County Counsel's office, whichever occurs first and as applicable.

Owner/Applicant shall submit such signed and notarized Indemnification Agreement to Housing and Community Development – Planning for the County's review and signatures.

## 6. EHSP01 – Onsite Wastewater Treatment System Upgrade (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The existing OWTS installed to serve the single-family dwelling on the property does not conform with the standards of Monterey County Code (MCC), Chapter 15.20, Sewage Disposal. The existing septic tank shall be demolished and replaced with an approved tank and supplemental treatment unit (referred to as an alternative OWTS). The primary dispersal system shall be expanded, and a secondary dispersal system shall be installed in accordance with the standards specified MCC, Chapter 15.20.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permit, submit an Onsite Wastewater Treatment System (OWTS) permit application with applicable fees to the Environmental Health Bureau (EHB) for review and acceptance.

Prior to final inspection of construction permit, provide evidence that existing septic tank has been demolished and the remainder of the system upgraded in accordance with the OWTS permit.

## 7. EHSP02 – Surface Runoff and Onsite Wastewater Treatment System Design (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The onsite wastewater treatment system (OWTS) design proposed for the project includes installation of an earthen berm directly over the secondary leach field trench. Surface runoff shall be modified to prevent ponding behind the berm and prevent concentration of runoff on the slope to the south, in accordance with recommendations contained in the geotechnical investigation report dated November 8, 2019, and subsequent letter regarding secondary leach field, dated February 4, 2023, by CMAG Engineering, Inc.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permit, provide evidence to the satisfaction of the Environmental Health Bureau (EHB) that the geotechnical engineer has reviewed and accepted the design of the surface drainage in consideration of the EHB-approved OWTS design.

## 8. EHSP03 – Spring Development for Domestic Water Supply (Non-Standard)

**Responsible Department:** Health Department

**Condition/Mitigation Monitoring Measure:** The site receives water for domestic purposes from an existing spring located onsite. A spring box shall be constructed around the existing spring. Water quality analysis of the water collected from the developed spring box shall be collected and analyzed for bacteria (coliform and E. coli) and chlorine residual.

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permit, the applicant shall provide to the Environmental Health Bureau (EHB) plans for the spring box for review and acceptance.

Prior to final inspection of construction permit, the applicant shall install the spring box and coordinate inspection with the EHB. Any deviation from the approved plan during construction shall be first acknowledged and accepted by EHB and documented in an as-built plan. Submit water quality analysis of a sample collected from the spring box to the EHB for review and acceptance.

The presence of persistent bacteriological contamination shall require installation of an EHB-approved disinfection system to reduce the potential for contamination in the domestic water supply. If disinfection is determined necessary, the applicant shall provide to the EHB for review and acceptance water quality analyses of pre- and a post-disinfection water samples to confirm the treatment system is able to eliminate bacteriological contamination.

## 9. PD012 – LANDSCAPING PLAN

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The site shall be landscaped. Applicant/owner shall submit a Landscape Package Application in accordance with MCC Chapter 16.63 as required in Section 16.63.050 or Section 16.63.060, and subject to review and approval by the Chief of Planning. Fire fuel management zones shall be incorporated into the plan. (HCD-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of construction permits, owner/applicant shall submit plans Landscape Package Application to HCD Chief of Planning for review and approval.

Prior to final inspection, landscape shall be installed in accordance with the provisions of the approved Landscape Package. Compliance with the approved Landscape Package shall be verified by inspections in accordance with Section 16.63.120.

## 10. PD022(C) - EASEMENT-CONSERVATION AND SCENIC (COASTAL)

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** A conservation and scenic easement shall be conveyed to the County over those portions of the property where Redwood forest exists in accordance with the procedures in Monterey County Code § 20.64.280.A. A Subordination Agreement shall be required, where necessary. The easement shall be developed in consultation with certified professional and, at minimum, include an area three times the size of the area which was impacted by development within the Redwood Forest understory (Approximately 400 square feet was impacted). An easement deed describing at least 1,200 square feet of area shall be submitted to, reviewed and approved by the Director of HCD - Planning and the Executive Director of the California Coastal Commission, and accepted by the Board of Supervisors prior to recording the parcel/final map or prior to issuance of grading and building permits. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to recording the parcel/final map or prior to issuance of grading and building permits, the Owner/Applicant/Certified Professional shall submit the conservation and scenic easement deed and corresponding map, showing the exact location of the easement on the property along with the metes and bound description developed in consultation with a certified professional, to HCD - Planning for review and approval.

Prior to recording the parcel/final map or prior to issuance of grading and building permits, the Owner/Applicant shall submit a signed and notarized Subordination Agreement, if required, to HCD - Planning for review and approval.

Prior to or concurrent with recording the parcel/final map or prior to issuance of grading and building permits, the Owner/Applicant shall record the deed and map showing the approved conservation and scenic easement. Submit a copy of the recorded deed and map to HCD - Planning.

## 11. PD048 - TREE REPLACEMENT/RELOCATION

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** Within 60 days of permit approval, the applicant shall replace and or relocate each tree approved for removal as follows:  
- Replacement ratio: 1:1

Replacement tree shall be located within the same general location as the tree being removed. (HCD - Planning)

**Compliance or Monitoring Action to be Performed:** The Owner/Applicant shall submit evidence of tree replacement to HCD -Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree and photos of the replacement tree being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree are in a healthy, growing condition.

One year after the planting of the replacement tree, the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

## 12. PD016 - NOTICE OF REPORT

**Responsible Department:** 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 Biological Report (Library No. LIB230318), was prepared by Nicole Nedeff on March 21, 2023 and is on file in Monterey County HCD - Planning. All development and restoration 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.

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

## 13. PD011 - TREE AND ROOT PROTECTION

**Responsible Department:** 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 certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by 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, 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.

#### 14. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

**Responsible Department:** Public Works

**Condition/Mitigation Monitoring Measure:** Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.

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

#### 15. PW0045 – COUNTYWIDE TRAFFIC FEE

**Responsible Department:** 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.

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

#### 16. PD006(A) - CONDITION COMPLIANCE FEE

**Responsible Department:** Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.



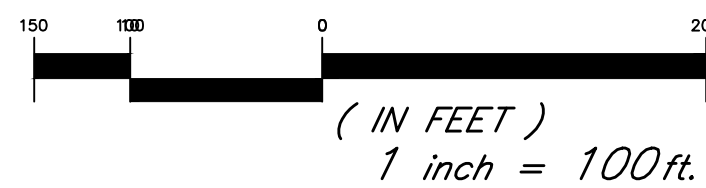
LEGEND

	RECORD BOUNDARY LINE
	(E) FLOWLINE
	(P) FLOWLINE
	(P) SHALLOW SWALE
	BUILDING ENVELOPE
	WOOD FENCE
	WIRE FENCE
	LIMITS OF DISTURBANCE UNDER THIS PERMIT
	WORK IN THE IN ROW USP
	FIBER ROLL BARRIER
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	PROPOSED MAJOR CONTOUR
	(E) CULVERT/STORMDRAIN W/SIZE & TYPE
	(P) CULVERT/STORMDRAIN W/SIZE & TYPE
	(P) PERFORATED/STORMDRAIN W/SIZE & TYPE
	(P) SOLID PERFORATED OUTLET W/SIZE & TYPE
	(P) AC SURFACE SAD
	(E) AC SURFACE
	(P) CONCRETE SURFACE SAD
	(E) CONCRETE SURFACE
	(P) GRAVEL SURFACE SAD
	(E) GRAVEL SURFACE
	(P) DECK SAD
	(E) DECK
	(P) PAVERS SAD
	RAISED FLOOR SAD
	SLAB ON GRADE SAD
	LANDSCAPE AREA SAD
	WALL
	RANDOM CONTROL POINT W/##
	PROPOSED STORM DRAIN DROP INLET
	PROPOSED DOWNSPOUT LOCATION
	FIRE HYDRANT
	BOLLARD
	WELL
	SPOT ELEVATION
	FINISH ELEVATION
	TREE TYPE & DIA.
	TREE TO BE REMOVED
	WATER VALVE
	BUILDING CALLOUTS
	CONSTRUCTION KEYNOTES
	FG, TW, RET, BW

ABBREVIATIONS

AC	ASPHALT CONCRETE	LA	LANDSCAPE AREA
AD	AREA DRAIN	LO	LIVE OAK TREE
BAY	BAY TREE	MAX	MAXIMUM
BVCE	BEGIN VERTICAL CURVE ELEV	MIN	MINIMUM
BVCS	BEGIN VERTICAL CURVE STA	MINZ	MANZANITA TREE
BW	BOTTOM OF WALL	NTS	NOT TO SCALE
CL	CENTERLINE	O/	OVER
CMP	CORRUGATED METAL PIPE	OAK	OAK TREE
CO	CLEAN OUT	OC	ON CENTER
DI	DRAIN INLET	(P)	PROPOSED
DS	DOWNSPOUTS	PERF	PERFORATED
(E)	EXISTING	PN	PINE TREE
EG	EXISTING GRADE	PT	POINT
EL	EASEMENT LINE	RCP	REINFORCED CONCRETE PIPE
EVCE	END VERTICAL CURVE ELEV	ROW	RIGHT OF WAY
EVCS	END VERTICAL CURVE STA	RD	REDWOOD TREE
ELEV	ELEVATION	SAD	SEE ARCHITECTURAL DRAWINGS
FF	FINISHED FLOOR	SS	SANITARY SEWER
FG	FINISHED GRADE	SSD	SEE STRUCTURAL DRAWINGS
FIR	FIR TREE	TBR	TO BE REMOVED
FL	FLOW LINE	TG	TOP OF GRATE
FS	FINISHED SURFACE	TW	TOP OF WALL
FSS	FIRE SAFE STANDARDS	UON	UNLESS OTHERWISE NOTED
GB	GRADE BREAK	USP	UNDER SEPARATE PERMIT
GEO	GEOTECHNICAL	VIF	VERIFY IN FIELD
HP	HIGH POINT	VC	VERTICAL CURVE
INV	INVERT	WL	WATER LEVEL

GRAPHIC SCALE



EARTHWORK QUANTITIES TOTAL

GRADING FOR THE CABIN (TO BE LEGALIZED)

CUT = 50 C.Y.

FILL = 0 C.Y.

FOR NEW DRIVEWAY TO MEET FIRE STANDARDS

CUT = 61 C.Y.

FILL = 65 C.Y.

OVEREXCAVATION & RECOMPACTION = 300 C.Y.

DISTURBED AREA = 0.36 ACRES

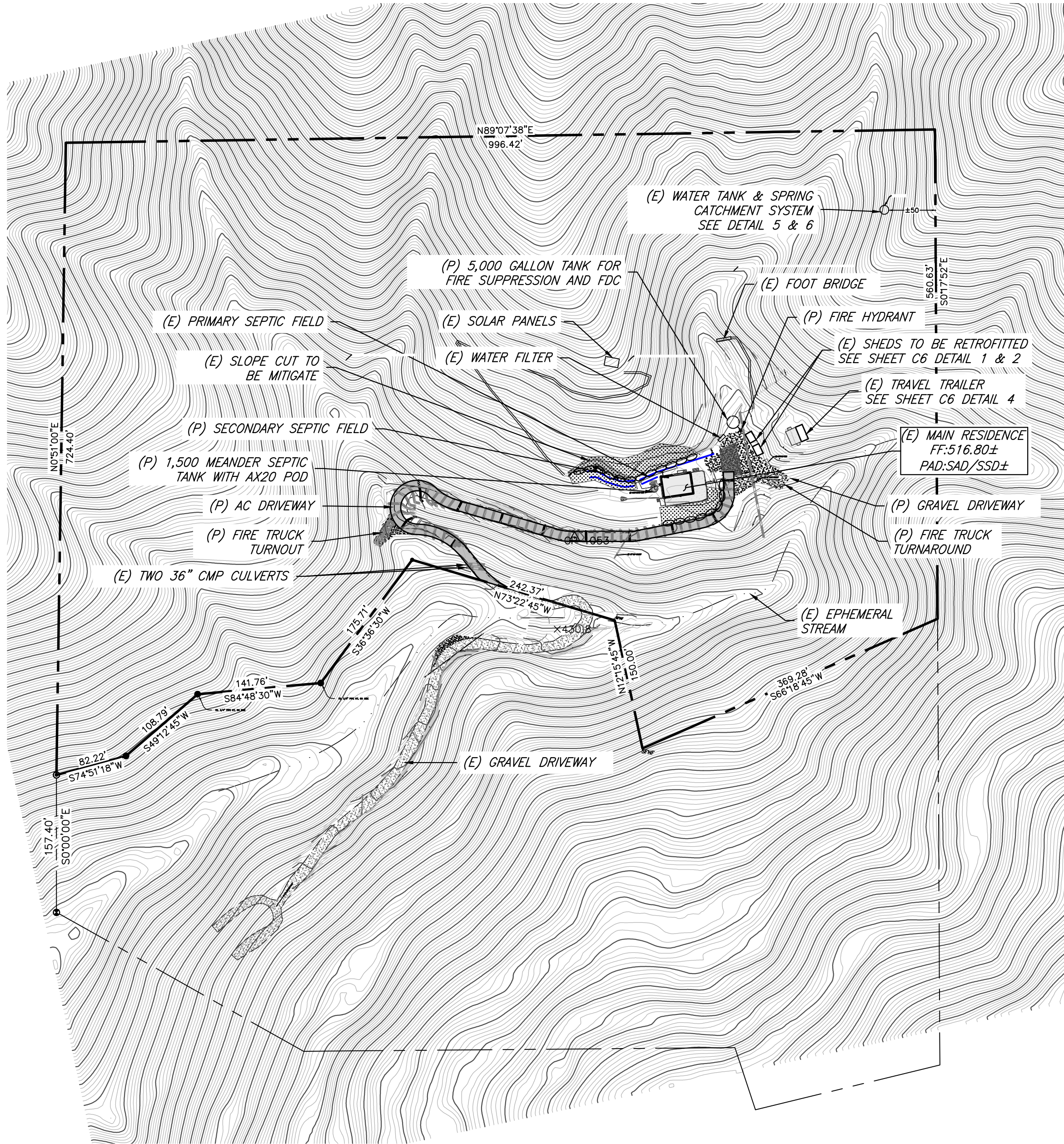
EXCESS MATERIAL TO BALANCE ONSITE

NOTE: APPROXIMATE EARTH QUANTITY PROVIDED FOR PERMIT VALUATION. CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING ALL MATERIAL TAKEOFFS.

SHEET INDEX

C1	TITLE SHEET
C2	EXISTING CONDITIONS PRIOR
C3	EXISTING CONDITIONS 2018
C4	SITE PLAN
C5	EROSION CONTROL PLAN

LANDS OF CUDE  
COSTAL COMMISSION SITE PLAN  
37761 PALO COLORADO ROAD, CARMEL  
APN: 418-081-033



PROJECT INFORMATION

PROJECT STATEMENT:

THE PURPOSE OF THESE PLANS IS TO FACILITATE DRIVEWAY IMPROVEMENTS WITH DRAINAGE, THE UPGRADE OF THE EXISTING SEPTIC SYSTEM TO CODE AND TO OBTAIN BUILDING PERMITS FOR THE COUNTY TO RECOGNIZE THE 1175 SFT DWELLING CONSTRUCTED WITHOUT PERMITS. PLANS INCLUDE DRIVEWAY IMPROVEMENTS, V-DITCH DRAINAGE, INLETS, DRIVEWAY SUPPORT AND STORM DRAINAGE. THE SEPTIC SYSTEM WILL INCLUDE REPLACING THE EXISTING SEPTIC TANK WITH A 1,500 GALLON MEANDER TANK WITH AN AX20 ADVANCED TREATMENT UNIT. SEE SEPTIC PLANS FOR THE COMPLETE SEPTIC SYSTEM DESIGN AND DETAILS. THE WATER SYSTEM IS AN EXISTING SPRING CATCHMENT SYSTEM WITH TANKS AND FILTRATION SYSTEM. THE SPRING CATCHMENT IS APPROX. 220 FEET N/E FROM THE FOOT PATH BRIDGE, AS SHOWN ON THE SITE MAP.

PROPERTY OWNERS:

CUDE JESSE L & SANDRA TRS  
27787 MESA DEL TORO  
SALINAS, CA 93908  
(970) 292-8820

DESIGNER INFORMATION-CIVIL:

HOGAN LAND SERVICES  
2601 41ST AVENUE, SUITE B  
SOQUEL, CA 95073  
(831) 425-1617

TOPOGRAPHIC INFORMATION PROVIDED BY:

HOGAN LAND SERVICES - (2018)

- THE PURPOSE OF THIS TOPOGRAPHIC MAP IS TO SHOW CONTENT THAT IS RELATIVE TO THE INTENDED USE. UNAUTHORIZED CHANGES OR ADDITIONS TO THE EXISTING DATA SHOWN ON THIS MAP IS STRICTLY PROHIBITED. ANY USES OF THIS MAP BEYOND THE STATED PURPOSE REQUIRES THE AUTHORIZATION OF HOGAN LAND SERVICES.
- THIS MAP DOES NOT CONSTITUTE A BOUNDARY SURVEY. BOUNDARY INFORMATION SHOWN IS PER RECORD OF SURVEY FILED IN BOOK 2 AT PAGE 107 MONTEREY COUNTY RECORDS.
- HORIZONTAL CONTROL:  
FOUND IRON PIPE MONUMENTS ONT THE SOUTHERLY BOUNDARY OF SUBJECT PARCEL.
- VERTICAL CONTROL:  
ELEVATION DATUM IS ASSUMED OVER CP 1071 (500.00 FEET).

ZONING INFORMATION				
ASSESSOR'S PARCEL NUMBER	418-081-003			
ZONING	RDR/40-D RURAL DENSITY RESIDENTIAL			
LOT SIZE	13.97 ACRE			
STATE RESPONSE AREA	SRA - HIGH			
OCCUPANCY GROUP	R3 - RESIDENTIAL			
CONSTRUCTION TYPE	V B			
SPRINKLERED	YES			
FRONT YARD SETBACK	30'			
SIDE YARD SETBACK	20'			
REAR YARD SETBACK	20'			
MAX. BUILDING HEIGHT	30'			
MAX. PARCEL COVERAGE	25%			
MAX. FLOOR AREA RATIO	NOT REGULATED			
MAX. NUMBER OF STORIES	2			

SETBACK TABLE				
	PER ZONING CODE	MAIN RESIDENCE	SHEDS	TRAVEL TRAILER
FRONT YARD SETBACK	30'	152'	255'	295'
SIDE YARD SETBACK	20'	279'	198'	147'
REAR YARD SETBACK	20'	392'	342'	348'
MAX HEIGHT	30'	25.37'	12'	-

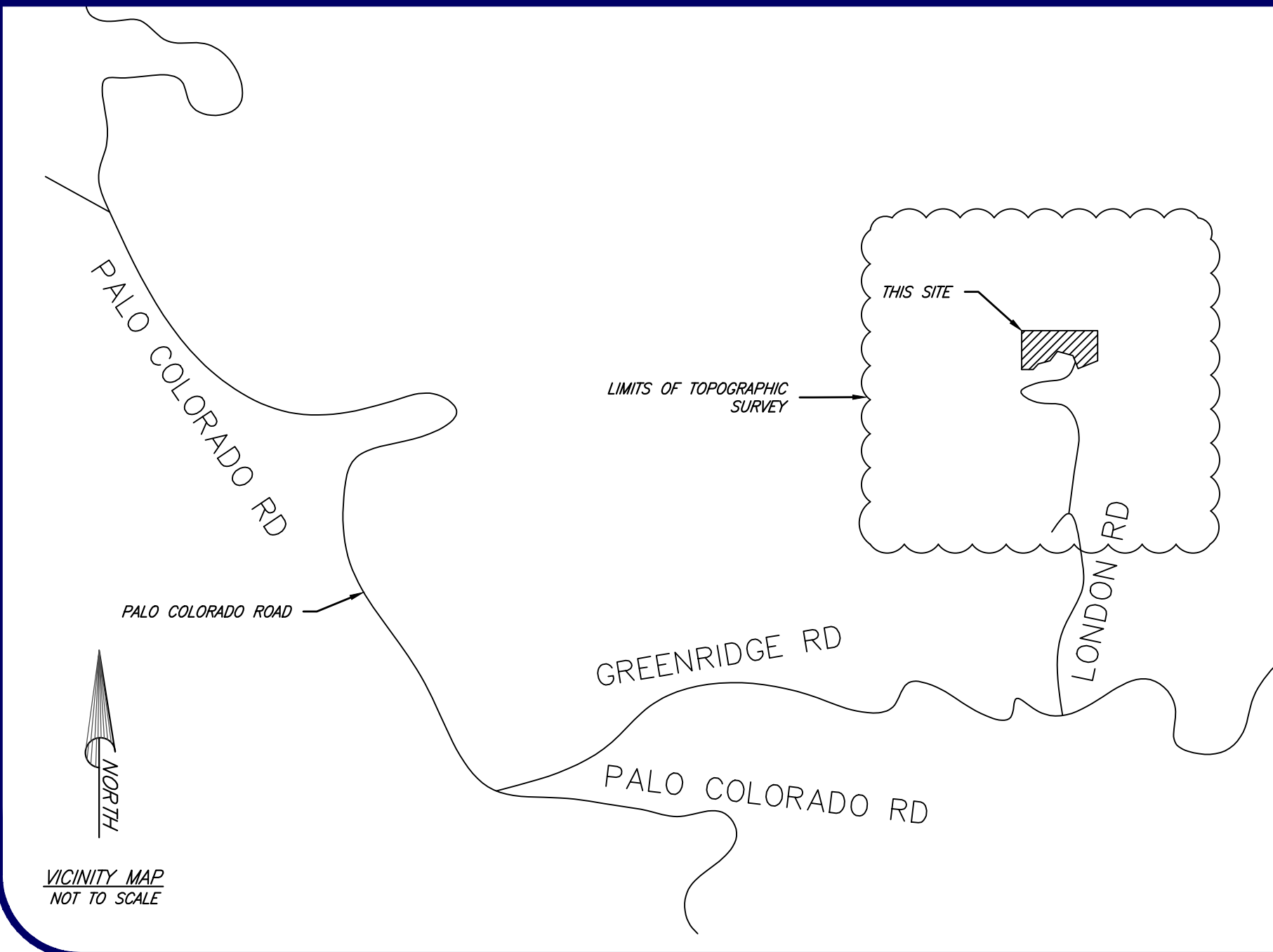
STRUCTURES ABOVE 6' SQUARE FOOTAGE	
TYPE	TOTAL IMPERVIOUS AREA
SINGLE FAMILY DWELLING (SFD)	825 SQFT
TRAILER DECK	214 SQFT
SHEDS	180 SQFT

IMPERVIOUS AREA	
TYPE	TOTAL IMPERVIOUS AREA
AC DRIVEWAY	7168 SQFT
GRAVEL DRIVEWAY	3229 SQFT

DECKS ABOVE 2' FROM AVERAGE NATURAL GRADE	
TYPE	TOTAL AREA
DECK AROUND SFD	872 SQFT
DECK AROUND TRAILER	215 SQFT

20.06.250-COVERAGE  
"COVERAGE" MENAS ANY AREA COVERED BY A STRUCTURE, STRUCTURES OR STRUCTURE PROTRUSIONS INCLUDING DECKS TWENTY-FOUR (24) INCHES OR MORE ABOVE GRADE BUT NOT INCLUDING BUILDING EAVES OF THIRTY (30) INCHES OR LESS AND SIMILAR NON-USABLE AREAS: PAVED DRIVEWAYS, SIDEWALKS, PATHS, PATIOS AND DECK LESS THAN TWENTY-FOUR (24) INCHES ABOVE GRADE

REVISION BLOCK

THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECTION AT THE REQUEST OF JESSE CUDE IN APRIL, 2024

DRN:	RS	GF	GF	DATE:	4/29/24	JOB #:	3735
CHK:							
PM:							

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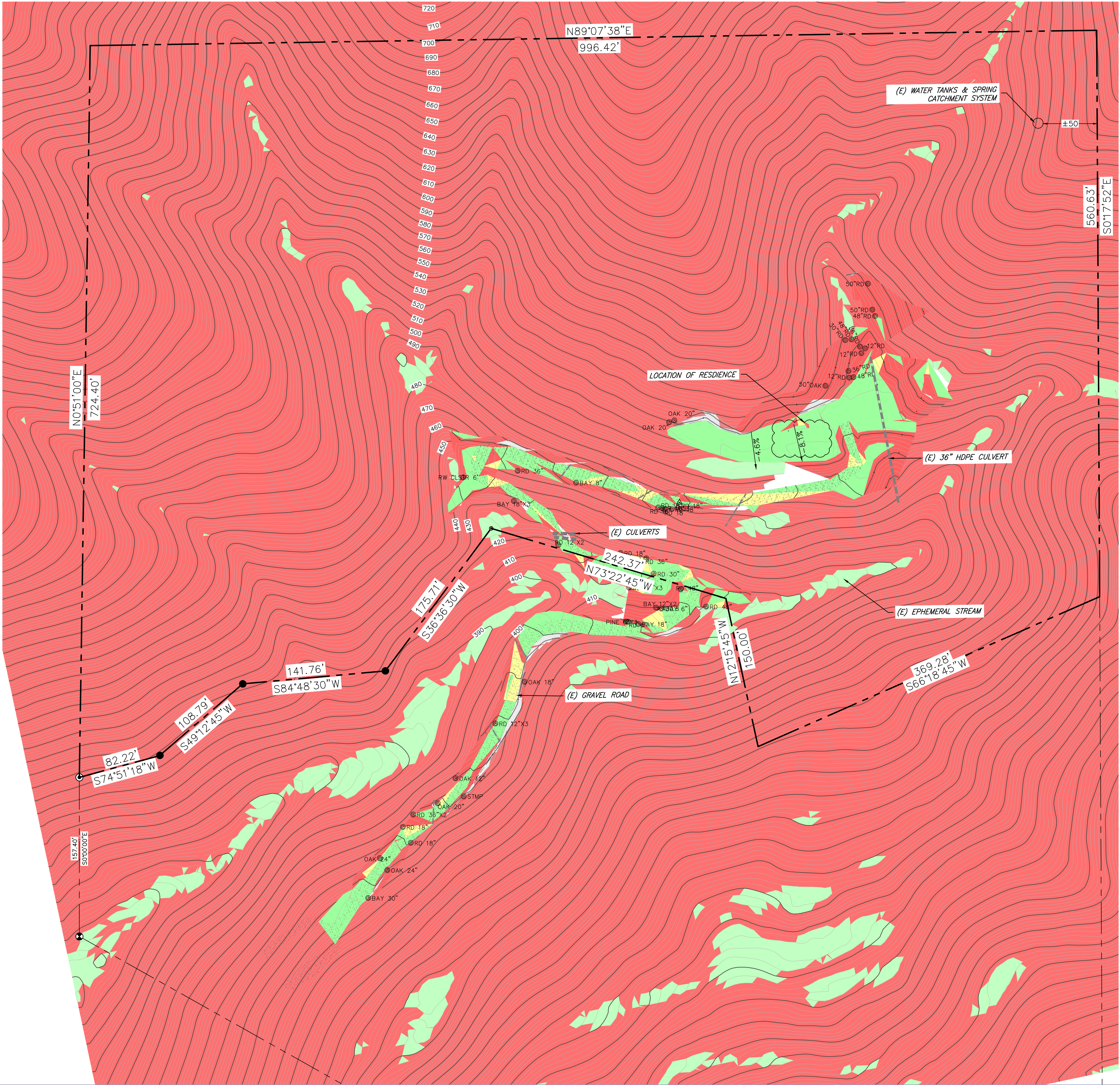
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SOQUEL, CA 95073

APN: 418-081-033

TITLE SHEET

37761 PALO COLORADO ROAD  
CARMEL, CALIFORNIA

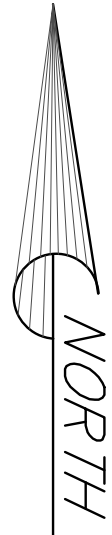




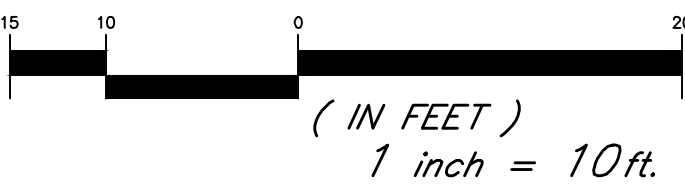
LEGEND

- RECORD BOUNDARY LINE
- - - RIGHT OF WAY/EASEMENTS
- (E) FLOWLINE
- TB TOP OF BANK
- WOOD FENCE
- WIRE FENCE
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- (E) CULVERT/STORM DRAIN PER PLAN
- W (E) WATER SERVICE LATERAL/MAIN
- F (E) FIRE SUPPRESSION LINE
- SS (E) SEWER LATERAL/MAIN
- G (E) GAS SERVICE LATERAL/MAIN
- OH (E) OVERHEAD WIRES
- E (E) ELECTRICAL SERVICE
- JT (E) JOINT UTILITY TRENCH
- C (E) TELECOM SERVICE
- (E) BUILDING
- (E) DECK
- (E) GRAVEL SURFACE
- (E) AC SURFACE
- (E) CONCRETE SURFACE
- (E) WALL
- SLOPES < 25%
- SLOPES 25%-30%
- SLOPES > 30%

NOTE: AREA UNDER 30% SLOPE IS EQUAL TO 20,029 SQFT



GRAPHIC SCALE



REVISION BLOCK

NO.	DESCRIPTION	DATE

EXISTING CONDITIONS PRIOR TO  
2018

37761 PALO COLORADO ROAD  
CARMEL, CALIFORNIA

APN: 418-081-033

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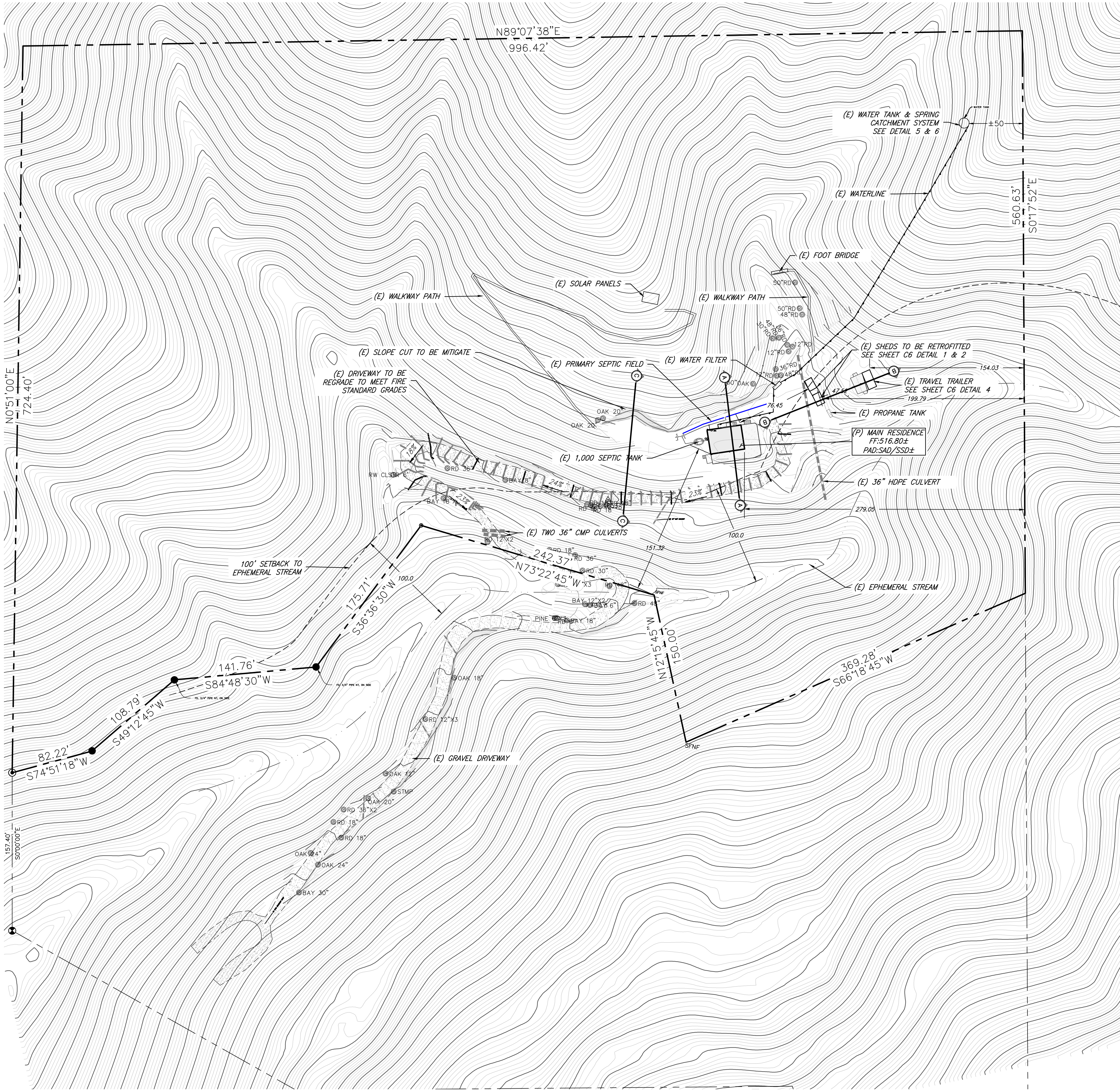
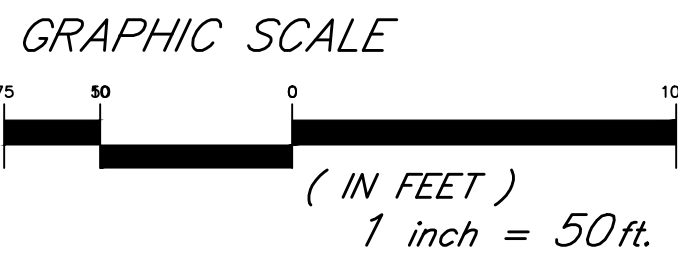
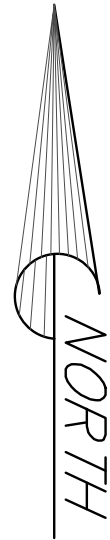
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LEGEND

- RECORD BOUNDARY LINE
- RIGHT OF WAY/EASEMENTS
- (E) FLOWLINE
- TB TOP OF BANK
- WOOD FENCE
- WIRE FENCE
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- (E) CULVERT/STORM DRAIN PER PLAN
- W (E) WATER SERVICE LATERAL/MAIN
- F (E) FIRE SUPPRESSION LINE
- SS (E) SEWER LATERAL/MAIN
- G (E) GAS SERVICE LATERAL/MAIN
- OH (E) OVERHEAD WIRES
- E (E) ELECTRICAL SERVICE
- JT (E) JOINT UTILITY TRENCH
- C (E) TELECOM SERVICE
- (E) BUILDING
- (E) DECK
- (E) GRAVEL SURFACE
- (E) AC SURFACE
- (E) CONCRETE SURFACE
- (E) WALL



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EXISTING CONDITIONS 2020

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CARMEL, CALIFORNIA

APN: 418-081-033

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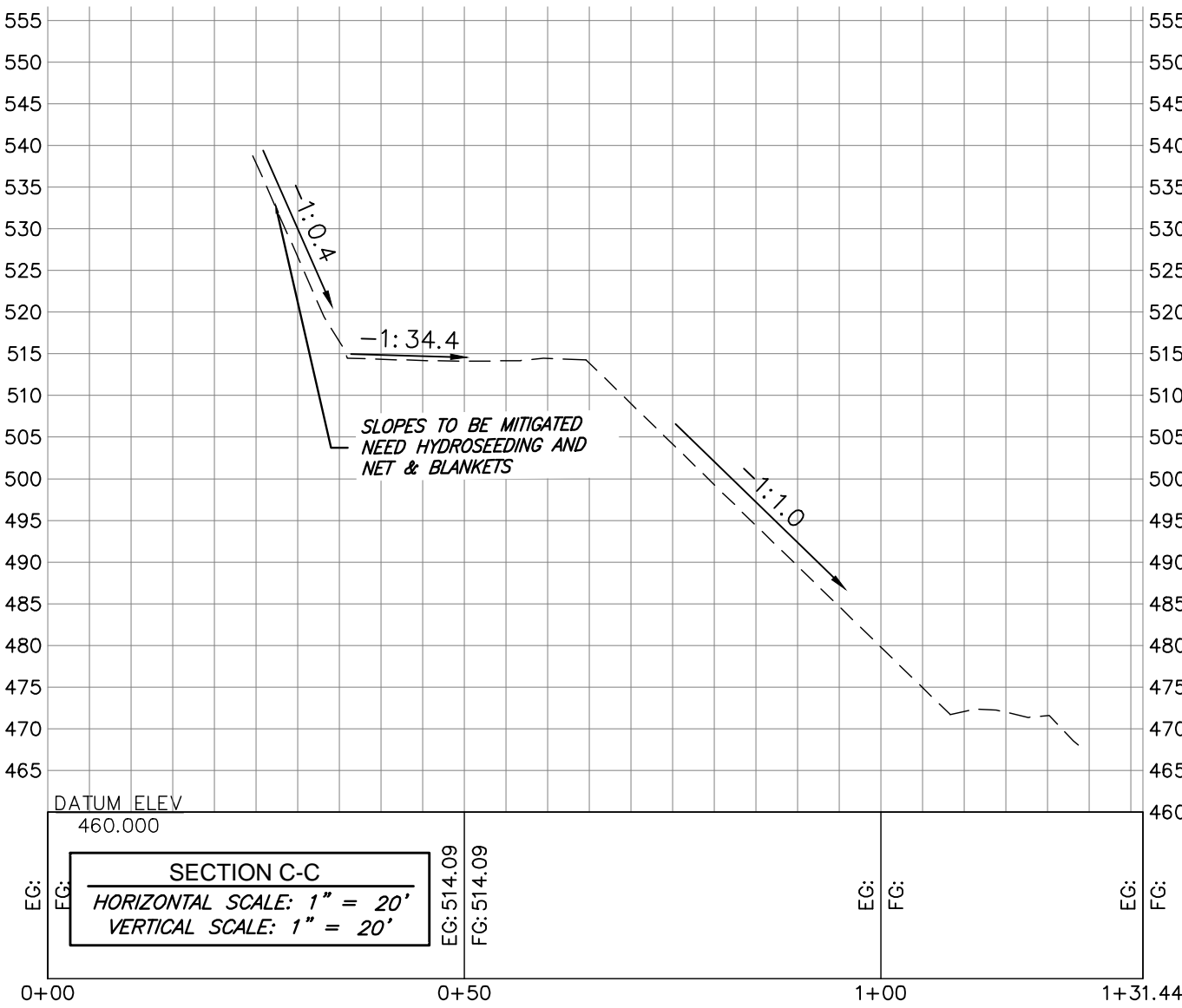
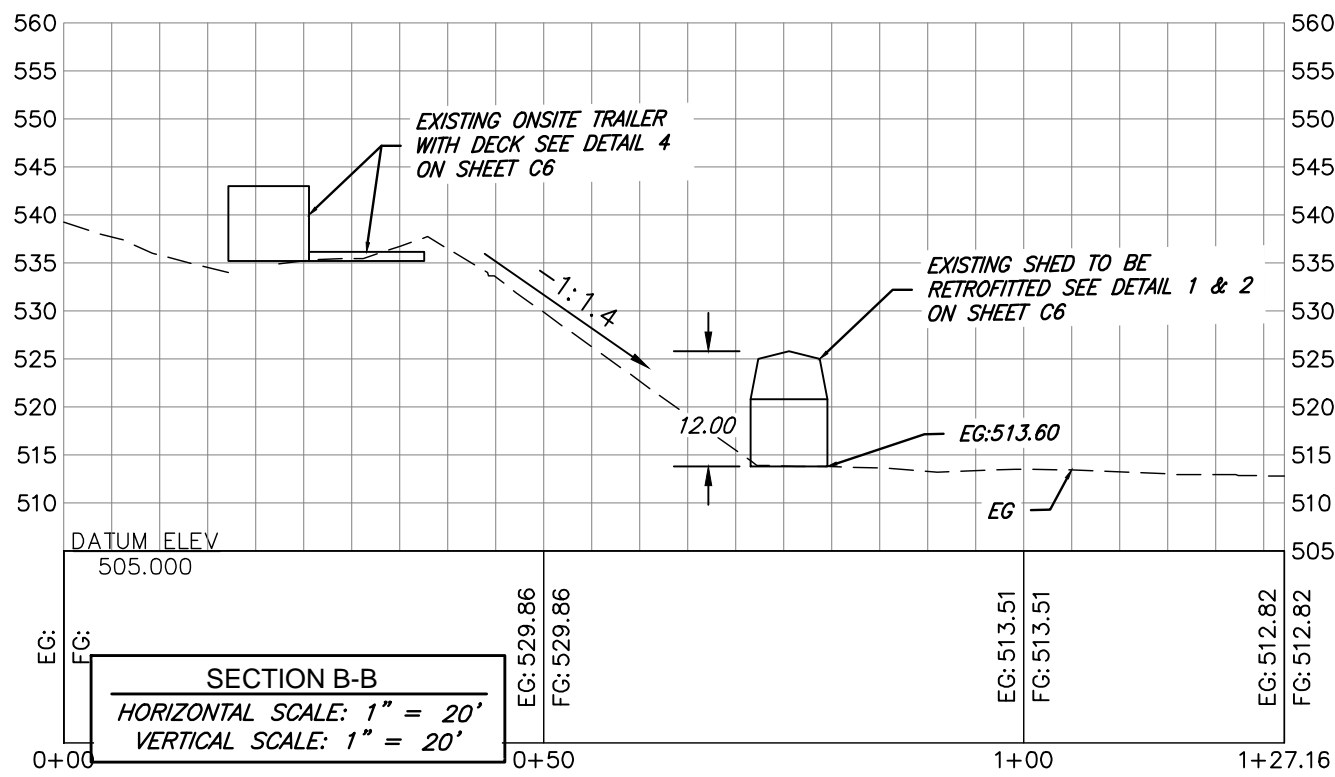
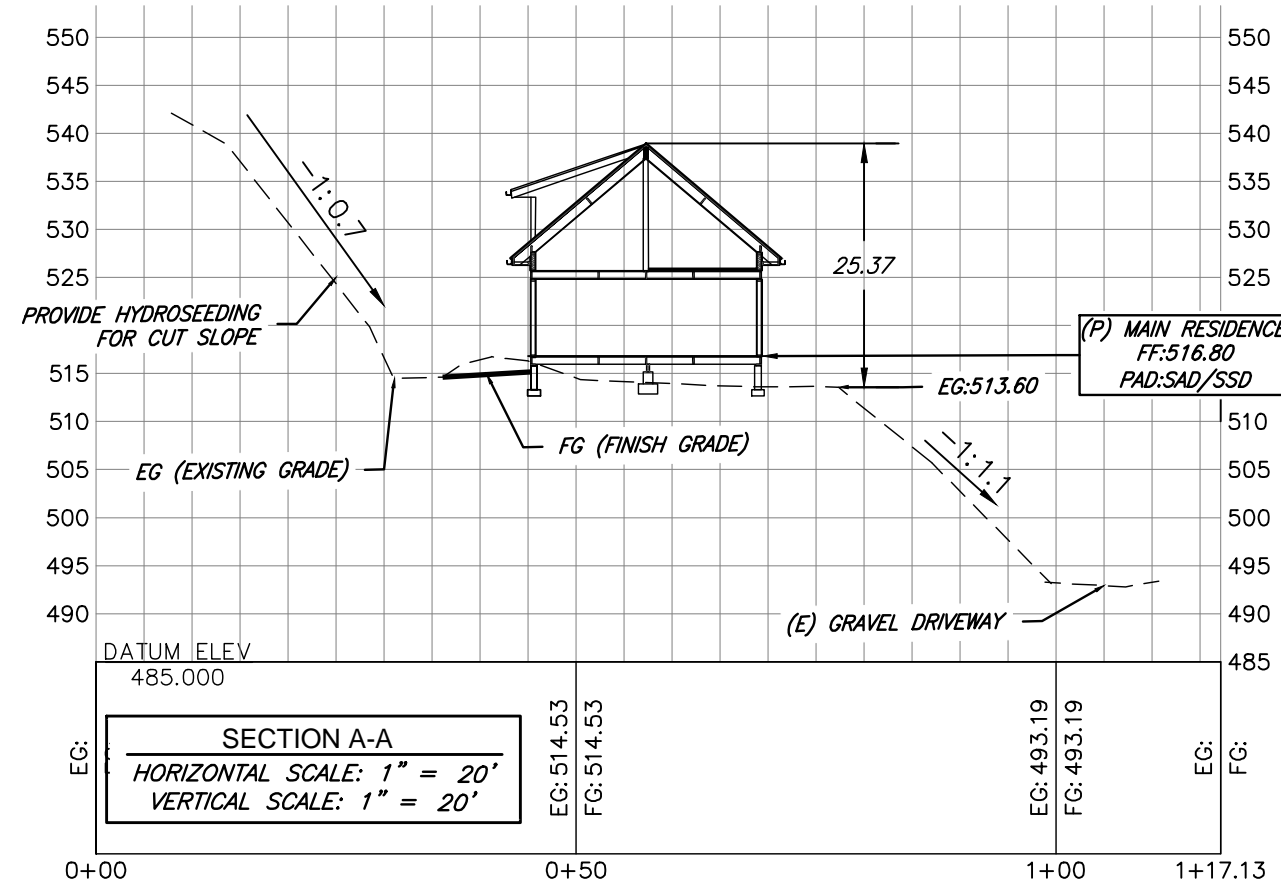
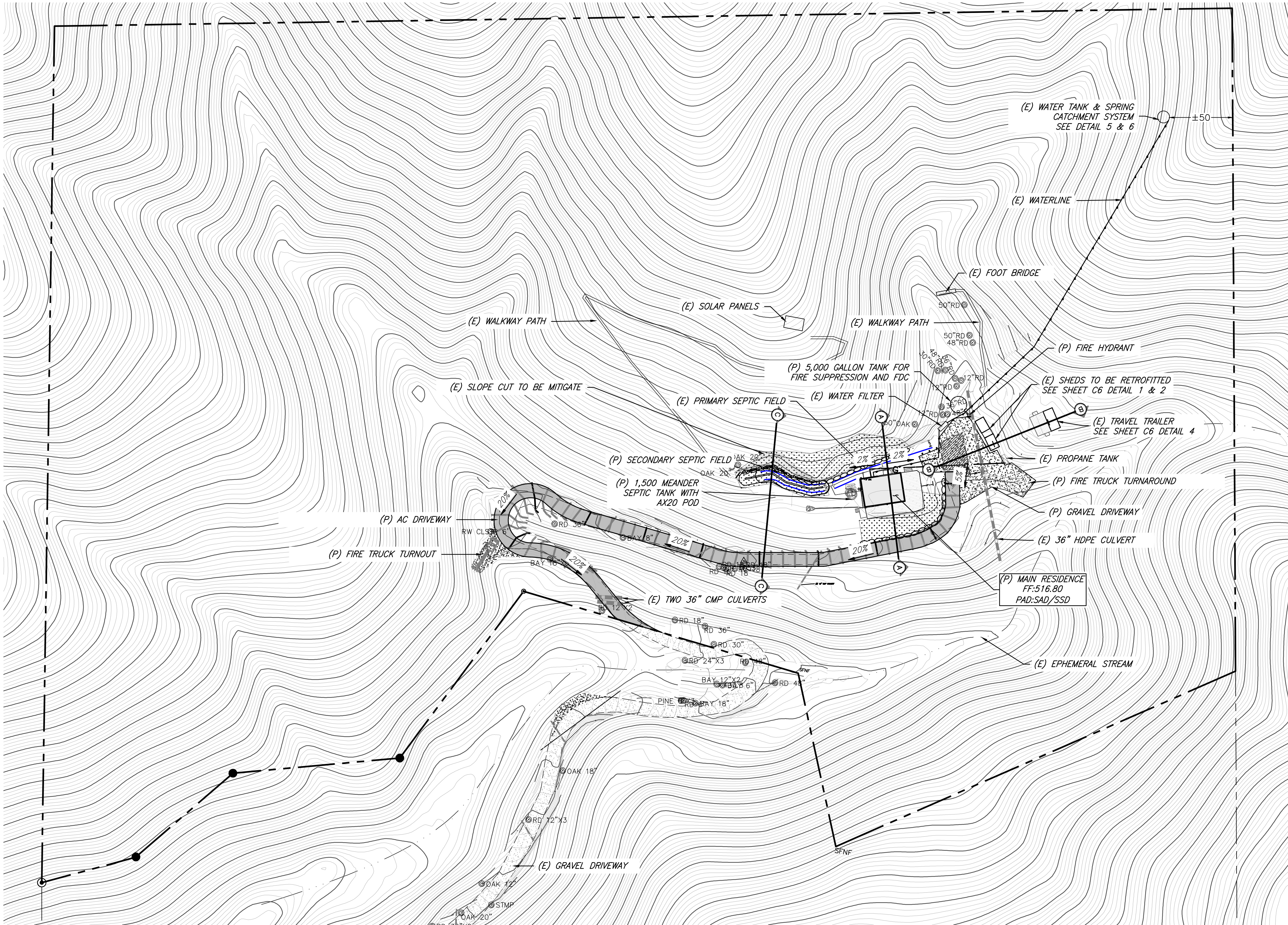
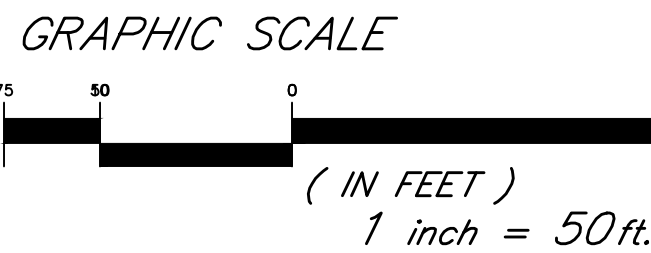
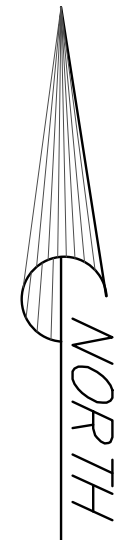
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LEGEND

	RECORD BOUNDARY LINE
	RIGHT OF WAY/EASEMENTS
	(E) FLOWLINE
	(P) FLOWLINE
	BUILDING ENVELOPE
	TOP OF BANK
	WOOD FENCE
	WIRE FENCE
	LIMITS OF GRADING/DISTURBANCE UNDER THIS PERMIT
	LIMITS OF DISTURBANCE IN ROW USP
	FIBER ROLL BARRIER
	EXISTING MINOR CONTOURS
	EXISTING MAJOR CONTOURS
	PROPOSED MINOR CONTOURS
	PROPOSED MAJOR CONTOURS
	(E) CULVERT/STORM DRAIN PER PLAN
	(P) PERFORATED SUBDRAIN PER PLAN
	(P) SOLID SUBDRAIN OUTLET PER PLAN
	(P) SOLID SUBDRAIN OUTLET PER PLAN
	(E) BUILDING
	(P) RAISED FLOOR SAD/SSD
	(P) SLAB ON GRADE SAD/SSD
	(P) DECK SAD/SBD
	(E) DECK
	(P) GRAVEL SURFACE
	(E) GRAVEL SURFACE
	(P) AC SURFACE
	(E) AC SURFACE
	(P) CONCRETE SURFACE SAD/SBD/SSD
	(E) CONCRETE SURFACE
	HYDROSEEDING



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SITE PLAN 2024 WITH PROPOSED IMPROVEMENTS

C4 OF 6

37761 PALO COLORADO ROAD  
CARMEL, CALIFORNIA

APN: 418-081-033

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JOB #:							3735

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S:\MASTER PROJECT LIST\3735 Cude-Palo Colorado Rd\DWG\CIVIL\3735\_COSTAL SITE PLAN\_C3D.dwg, 4/29/2024 11:22:52 AM, DWG To PDF.pc3

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## SITE HOUSEKEEPING REQUIREMENTS

### CONSTRUCTION MATERIALS

- ALL LOOSE STOCKPILED CONSTRUCTION MATERIALS THAT ARE NOT ACTIVELY BEING USED (I.E. SOIL, SPOILS, AGGREGATE, FLY-ASH, STUCCO, HYDRATED LIME, ETC.) SHALL BE COVERED AND BERMED.
- ALL CHEMICALS SHALL BE STORED IN WATERTIGHT CONTAINERS (WITH APPROPRIATE SECONDARY CONTAINMENT TO PREVENT ANY SPILLAGE OR LEAKAGE) OR IN A STORAGE SHED (COMPLETELY ENCLOSED).
- EXPOSURE OF CONSTRUCTION MATERIALS TO PRECIPITATION SHALL BE MINIMIZED. THIS DOES NOT INCLUDE MATERIALS AND EQUIPMENT THAT ARE DESIGNATED TO BE OUTDOORS AND EXPOSED TO ENVIRONMENTAL CONDITIONS (I.E. POLES, EQUIPMENT PADS, CABINETS, CONDUCTORS, INSULATORS, BRICKS, ETC.).
- BEST MANAGEMENT PRACTICES TO PREVENT THE OFF-SITE TRACKING OF LOOSE CONSTRUCTION AND LANDSCAPE MATERIALS SHALL BE IMPLEMENTED.

### WASTE MANAGEMENT

- DISPOSAL OF AND RINSE OR WASH WATERS OR MATERIALS ON IMPERVIOUS OR PERVIOUS SITE SURFACES OR INTO THE STORM DRAIN SYSTEM SHALL BE PREVENTED.
- SANITATION FACILITIES SHALL BE CONTAINED (E.G. PORTABLE TOILETS) TO PREVENT DISCHARGES OF POLLUTANTS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATER, AND SHALL BE LOCATED A MINIMUM OF 20 FEET AWAY FROM AN INLET, STREET OR DRIVEWAY, STREAM, RIPARIAN AREA OR OTHER DRAINAGE FACILITY.
- SANITATION FACILITIES SHALL BE INSPECTED REGULARLY FOR LEAKS AND SPILLS AND CLEANED OR REPLACED AS NECESSARY.
- COVER WASTE DISPOSAL CONTAINERS AT THE END OF EVERY BUSINESS DAY AND DURING A RAIN EVENT.
- DISCHARGES FROM WASTE DISPOSAL CONTAINERS TO THE STORM WATER DRAINAGE SYSTEM OR RECEIVING WATERS SHALL BE PREVENTED.
- STOCKPILED WASTE MATERIALS SHALL BE CONTAINED AND SECURELY PROTECTED FROM WIND AND RAIN AT ALL TIMES UNLESS ACTIVELY BEING USED.
- PROCEDURES THAT EFFECTIVELY ADDRESS HAZARDOUS AND NON-HAZARDOUS SPILLS SHALL BE IMPLEMENTED.
- EQUIPMENT AND MATERIALS FOR CLEANUP OF SPILLS SHALL BE AVAILABLE ON SITE AND THAT SPILLS AND LEAKS SHALL BE CLEANED UP IMMEDIATELY AND DISPOSED OF PROPERLY, AND
- CONCRETE WASHOUT AREAS AND OTHER WASHOUT AREAS THAT MAY CONTAIN ADDITIONAL POLLUTANTS SHALL BE CONTAINED SO THERE IS NO DISCHARGE INTO THE UNDERLYING SOIL AND ONTO THE SURROUNDING AREAS.

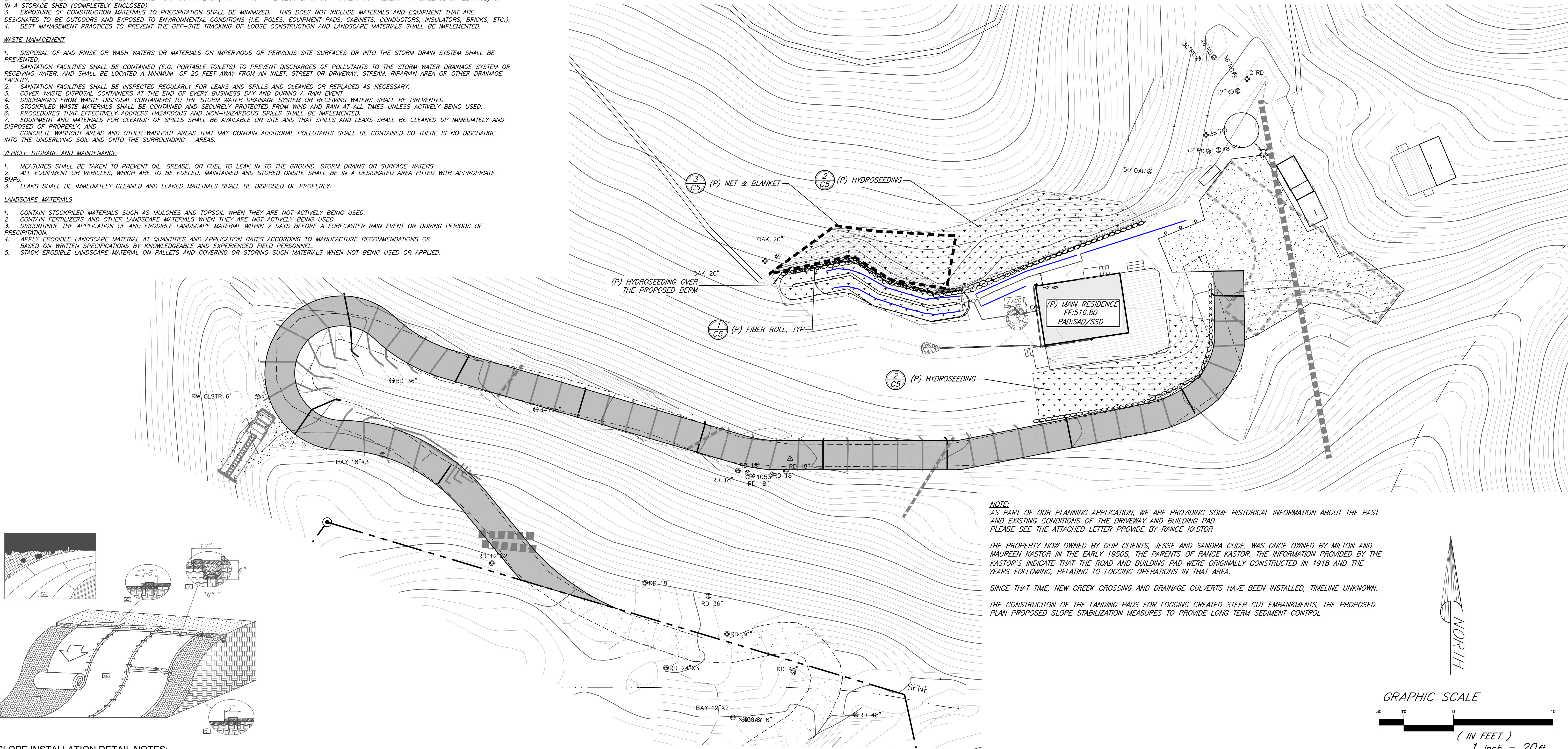
### VEHICLE STORAGE AND MAINTENANCE

- MEASURES SHALL BE TAKEN TO PREVENT OIL, GREASE, OR FUEL TO LEAK IN TO THE GROUND, STORM DRAINS OR SURFACE WATERS.
- ALL EQUIPMENT OR VEHICLES, WHICH ARE TO BE FUELED, MAINTAINED AND STORED ONSITE SHALL BE IN A DESIGNATED AREA FITTED WITH APPROPRIATE BMPs.
- LEAKS SHALL BE IMMEDIATELY CLEANED AND LEAKED MATERIALS SHALL BE DISPOSED OF PROPERLY.

### LANDSCAPE MATERIALS

- CONTAIN STOCKPILED MATERIALS SUCH AS MULCHES AND TOPSOIL WHEN THEY ARE NOT ACTIVELY BEING USED.
- CONTAIN FERTILIZERS AND OTHER LANDSCAPE MATERIALS WHEN THEY ARE NOT ACTIVELY BEING USED.
- DISCONTINUE THE APPLICATION OF AND ERODIBLE LANDSCAPE MATERIAL WITHIN 2 DAYS BEFORE A FORECASTER RAIN EVENT OR DURING PERIODS OF PRECIPITATION.
- APPLY ERODIBLE LANDSCAPE MATERIAL AT QUANTITIES AND APPLICATION RATES ACCORDING TO MANUFACTURE RECOMMENDATIONS OR BASED ON WRITTEN SPECIFICATIONS BY KNOWLEDGEABLE AND EXPERIENCED FIELD PERSONNEL.
- STACK ERODIBLE LANDSCAPE MATERIAL ON PALLETS AND COVERING OR STORING SUCH MATERIALS WHEN NOT BEING USED OR APPLIED.

# EROSION CONTROL PLAN

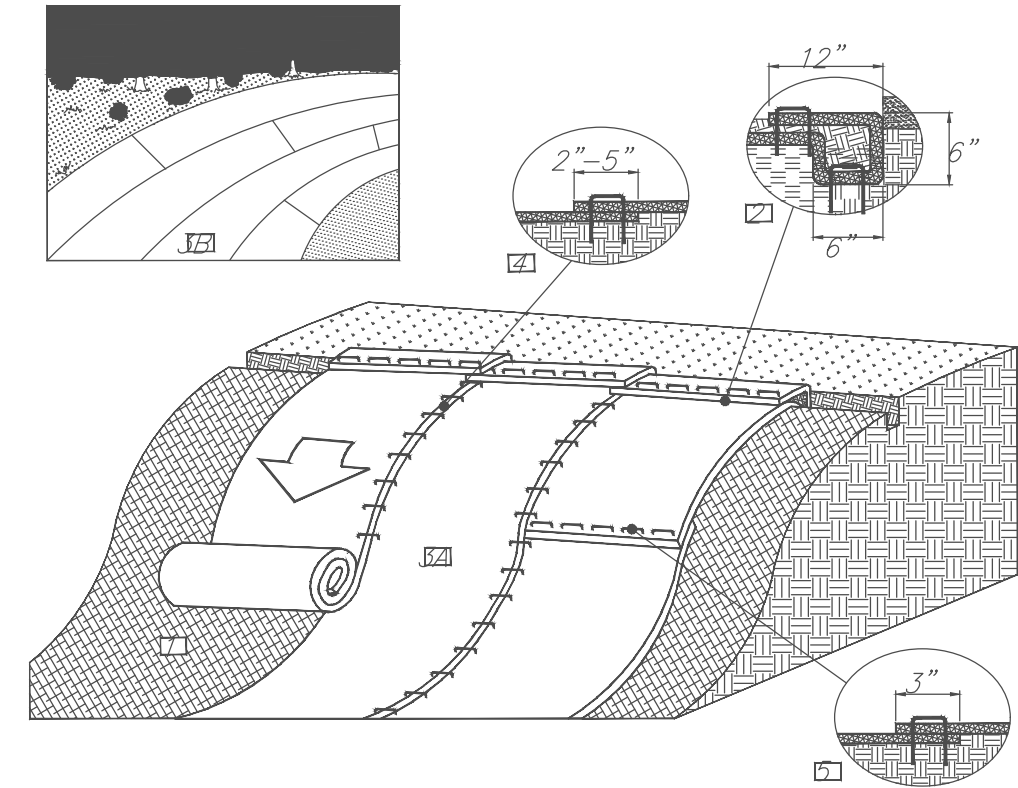


**NOTE:**  
AS PART OF OUR PLANNING APPLICATION, WE ARE PROVIDING SOME HISTORICAL INFORMATION ABOUT THE PAST AND EXISTING CONDITIONS OF THE DRIVEWAY AND BUILDING PAD. PLEASE SEE THE ATTACHED LETTER PROVIDED BY RANCE KASTOR.

THE PROPERTY NOW OWNED BY OUR CLIENTS, JESSE AND SANDRA CUDE, WAS ONCE OWNED BY MILTON AND MAUREEN KASTOR IN THE EARLY 1950S, THE PARENTS OF RANCE KASTOR. THE INFORMATION PROVIDED BY THE KASTOR'S INDICATE THAT THE ROAD AND BUILDING PAD WERE ORIGINALLY CONSTRUCTED IN 1918 AND THE YEARS FOLLOWING, RELATING TO LOGGING OPERATIONS IN THAT AREA.

SINCE THAT TIME, NEW CREEK CROSSING AND DRAINAGE CULVERTS HAVE BEEN INSTALLED, TIMELINE UNKNOWN.

THE CONSTRUCTION OF THE LANDING PADS FOR LOGGING CREATED STEEP CUT EMBANKMENTS, THE PROPOSED PLAN PROPOSED SLOPE STABILIZATION MEASURES TO PROVIDE LONG TERM SEDIMENT CONTROL.



### SLOPE INSTALLATION DETAIL NOTES:

- PREPARE SOIL BEFORE INSTALLING ROLLED EROSION CONTROL PRODUCTS (RECPs), INCLUDING ANY NECESSARY APPLICATION OF FERTILIZER, AND SEED.
- BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE RECPs IN A 6"(15CM) DEEP X 6" WIDE TRENCH WITH APPROXIMATELY 12" OF RECPs EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE RECPs WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30CM) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO THE COMPACTED SOIL AND FOLD THE REMAINING 12" PORTION OF RECPs BACK OVER THE SEED AND COMPACTED SOIL. SECURE RECPs OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" APART ACROSS THE WIDTH OF THE RECPs.
- ROLL THE RECPs (A) DOWN OR (B) HORIZONTALLY ACROSS THE SLOPE. RECPs WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL RECPs MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE.
- THE EDGES OF PARALLEL RECPs MUST BE STAPLED WITH APPROXIMATELY 2" - 5" OVERLAP DEPENDING ON THE RECPs TYPE.
- CONSECUTIVE RECPs SPLICED DOWN THE SLOPE MUST BE END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART ACROSS ENTIRE RECPs WIDTH.

### \*NOTE:

IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" MAY BE NECESSARY TO PROPERLY SECURE THE RECP'S.

## 3 NET BLANKET

NTS

## 1 FIBER ROLL BARRIER

NOTE: INSTALL FIBER ROLL ON CONTOUR.

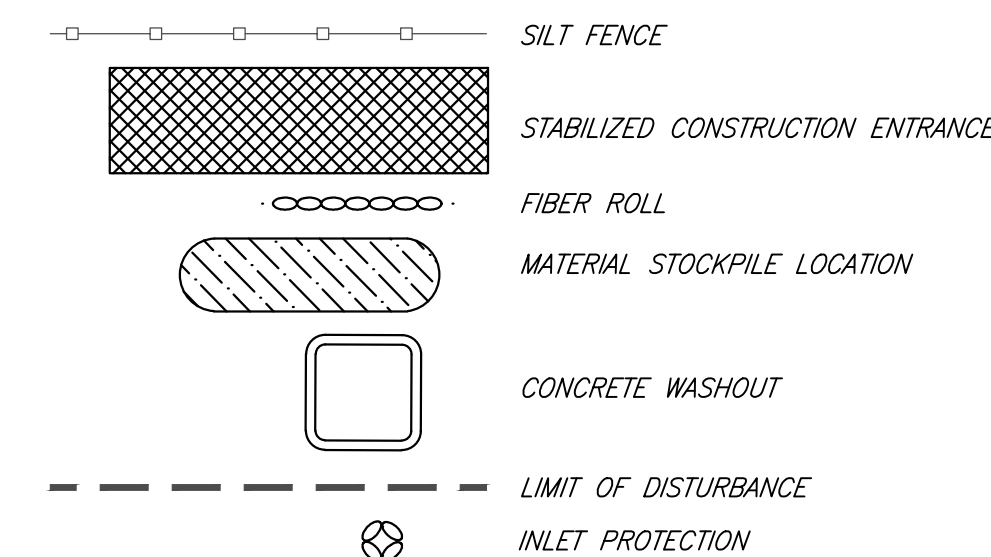
NTS

## 2 HYDROSEEDING NOTES

NOTE: INSTALL FIBER ROLL ON CONTOUR.

NTS

### EROSION CONTROL LEGEND



### REVISION BLOCK

NO.	DESCRIPTION	DATE

## EROSION CONTROL PLAN

**HOGAN LAND SERVICES**  
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CHK: GF

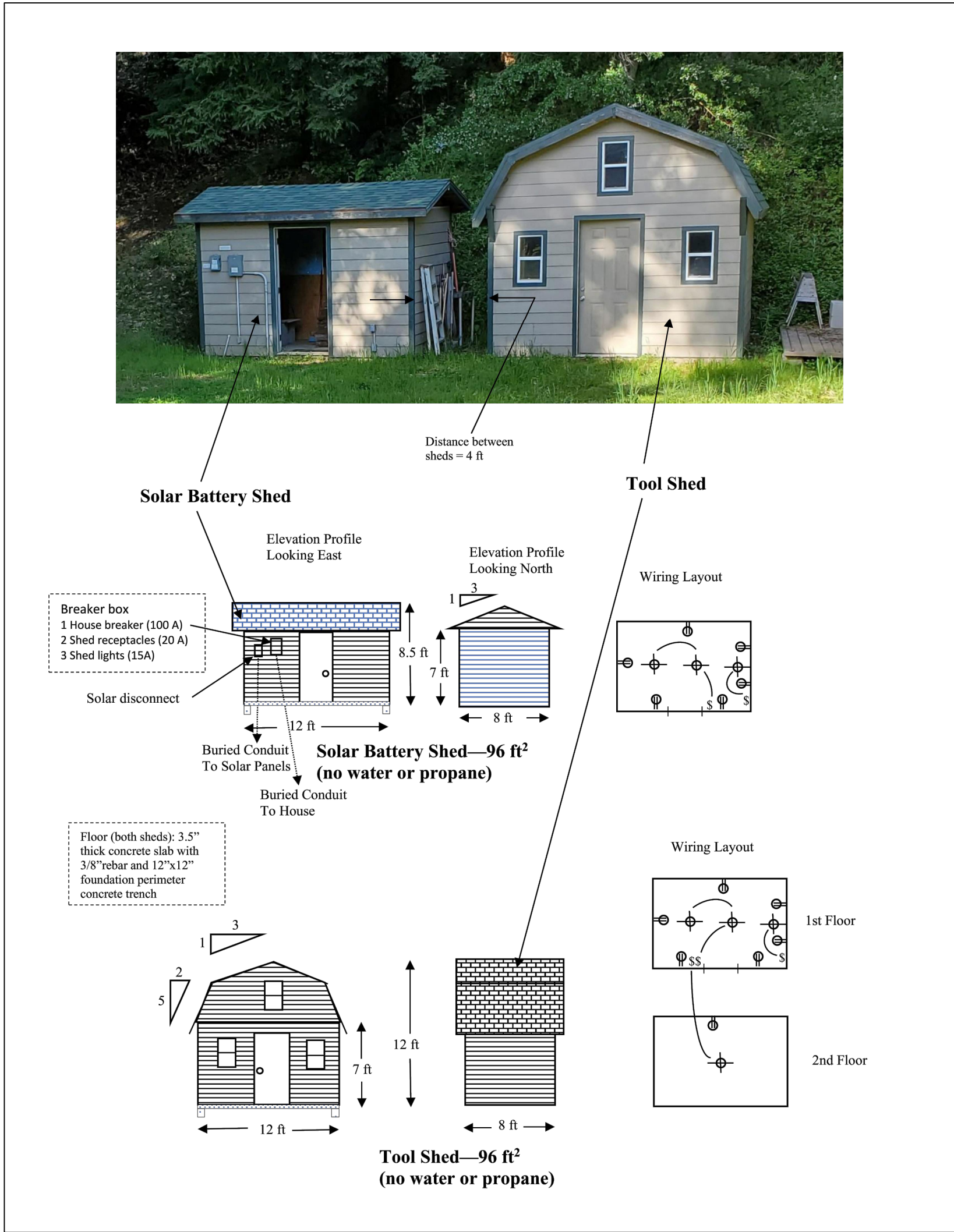
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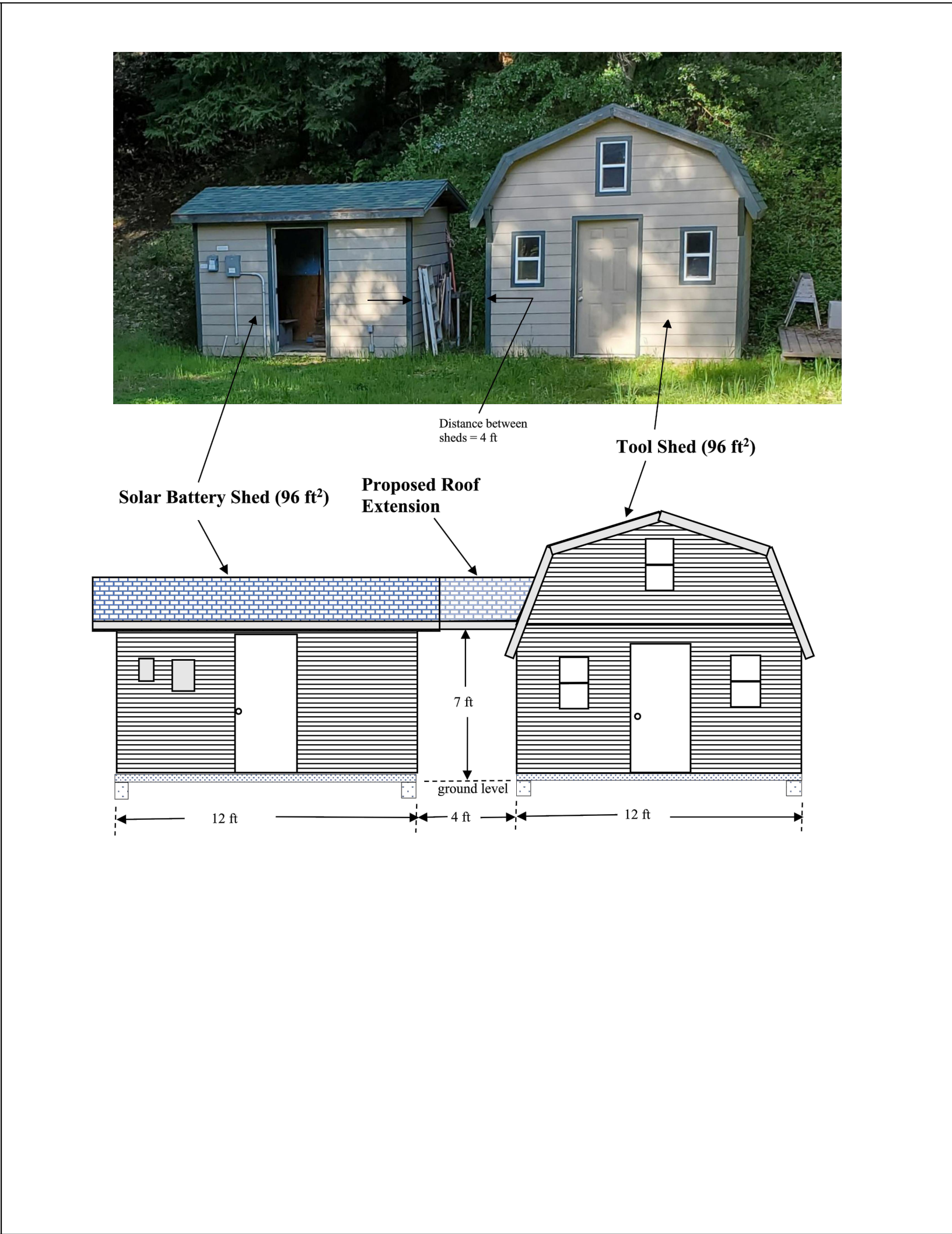
JOB #: 3735

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1 (E) SHEDS NTS



2 (E) SHEDS IMPROVEMENTS NTS



3 MAIN RESIDENCE PHOTOS NTS



4 ON-SITE TRAILER PHOTOS NTS



5 SPRING CATCHMENTS WATER SOURCES NTS



6 SETTling TANK AND WATER TANKS NTS



REVISION BLOCK


PHOTOS  
37761 PALO COLORADO ROAD  
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