

Attachment B

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**ATTACHMENT B
DRAFT RESOLUTION**

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

In the matter of the application of:

GREER (GLASS) (PLN170624)

RESOLUTION NO. 18 -

Resolution by the Monterey County Board of Supervisors to:

- 1) Find that the appeal has been resolved by revision of the project;
- 2) Find that the project is categorically exempt pursuant to Section 15303(e) of the CEQA Guidelines; and
- 3) Approve a Coastal Administrative Permit, as revised, to allow the conversion of an existing test well to a permanent, two-connection well; and;
- 4) Approve a Design Approval for appurtenant well facilities including: An electric powered pump, two (2) 119-gallon bladder tanks and water filtration system, water pipe up to a property line, two water meters to measure the quantity of water delivered to the respective properties, and a 5,000-gallon polyurethane water storage tank.

124 Fern Canyon, Carmel Highlands, Carmel Area Land Use Plan, Coastal Zone (APN: 241-131-024--000)

The appeal by Andres Czerwiak from the decision of the Zoning Administrator on August 9, 2018, to categorically exempt and approve a Coastal Administrative Permit and Design Approval to allow the conversion of an existing test well to a permanent, single connection well and appurtenant facilities (Greer (Glass)/ PLN170624) came on for a public hearing before the Monterey County Board of Supervisors on November 6, 2018, December 12, 2018, and January 29, 2019. 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 application for a Coastal Administrative Permit and Design Approval (RMA-Planning File No. PLN170624/Greer (Glass)) (“project”) in compliance with all applicable procedural requirements.
EVIDENCE: a) On July 24, 2017, pursuant to Monterey County Code (MCC) Sections 20.14 and 20.76, the Greer Trust filed an application for an administrative permit to allow for the conversion of an existing test

well to a single connection permanent well. The permanent well has sufficient water for a single-family residence. (No single-family dwelling has been proposed as part of the application and any such future structure would be subject to a future application and review.) The well conversion project also included appurtenant devices: an electric powered pump, two (2) 119-gallon bladder storage tanks to regulate water pressure, a water filtration system that removes iron and manganese from the water, and a 5,000-gallon polyurethane water storage tank installed on a gravel pad. The project site is located at 124 Fern Canyon, Carmel (Assessor's Parcel Number 241-131-024-000), Carmel Land Use Plan, Coastal Zone. Since the application was filed, the subject site was sold to Timothy John Glass and Constance Glass, who have assumed the application and are now the applicant for the project.

- b) The Monterey County Zoning Administrator held a duly-noticed public hearing on the project application on August 9, 2018. Notices for the Zoning Administrator public hearing were published in the Monterey County Weekly on July 26, 2018; posted at and near the project site on July 25, 2018; and mailed to vicinity property owners and interested parties on July 26, 2018.
- c) On August 9, 2018, after a duly-noticed public hearing at which all persons had the opportunity to be heard, the Zoning Administrator found the project was categorically exempt under the California Environmental Quality Act (CEQA) and approved a Coastal Administrative Permit to allow the conversion of the test well to a permanent well and a Design Approval as it applies to the appurtenant components. (Monterey County Zoning Administrator Resolution No. 18-046).
- d) Andres Czerwiak (Appellant), represented by John Bridges of Fenton & Keller, timely filed an appeal from the August 9, 2018, decision of the Zoning Administrator pursuant to MCC Section 20.86.030.C. The appeal challenged the Zoning Administrator's decision and contended that the findings or decision or conditions are not supported by the evidence, and the decision was contrary to law. However, the Appellant and Applicant have since reached a mutually satisfactory agreement regarding the distribution of water produced by the well, resulting in proposed revisions to the project which resolve the issues on appeal. See Finding No. 7 (Appeal).
- e) 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., Zoning Administrator Resolution No. 18-046) has been mailed to the Applicant. The County mailed the written notice of the decision on August 10, 2018, and said appeal was timely filed with the Clerk of the Board of Supervisors on August 20, 2018, within the 10-day timeframe prescribed by MCC Section 20.86.030.C. [Note: The 10th day of the appeal period fell on a County non-business day; therefore, the appeal period extended to the next business day (Monday)]. 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 November 6, 2018

and January 29, 2019, staff reports to the Board of Supervisors as Attachment C.

- f) Said appeal was timely brought to a duly-noticed public hearing before the Monterey County Board of Supervisors on November 6, 2018. Notice of the hearing was published on October 25, 2018, in the Monterey County Weekly; notices were mailed on October 23, 2018, to all property owners and occupants within 300 feet of the project site, and to persons who requested notice; and at least three (3) notices were posted at and near the project site.
- g) On November 6, 2018, the Board of Supervisors held a duly noticed public hearing where applicant, appellant, and the public had the opportunity to testify and be heard. At this hearing both the Applicant and Appellant mutually expressed intent to settle the appeal. The Board of Supervisors continued the matter to December 12, 2018 to allow the parties to reach a mutually satisfactory agreement.
- h) On December 12, 2018, at the continued public hearing, both the Applicant and Appellant stated that they had not reached a mutually agreeable solution, but that progress was being made, and they requested a continuance of the hearing; the Board of Supervisors continued the hearing to January 29, 2019. The Board of Supervisors held the continued public hearing on January 29, 2019, at which the Board considered the project as revised.
- i) Subsequent to filing the appeal and the November 6, 2018 hearing, the Applicant and the Appellant entered into a Revised and Restated Water Agreement, which is attached to the January 29, 2019 staff report to the Board of Supervisors, which resolved appellant's issues raised in the appeal. Per the Revised and Restated Water Agreement, the Applicant has revised the project to include not only the provision of water for human consumption on Applicant's parcel but also the installation of a water conveyance pipeline from the project site to the adjacent (Czerwiak) property located at 125 Cypress Way, (APN 241-131-025; the "Czerwiak Property."), as depicted in EXHIBIT B.2 – SITE PLAN, attached hereto and incorporated herein by reference, and as fully described in Exhibit "G" of the Revised and Restated Water Agreement, for the purpose of providing water to the Czerwiak Property solely for landscape irrigation, gardening purposes, and emergency fire suppression, but not for human consumption or domestic use. ("Revised Project"). The Revised Project approved herein incorporates the new pipeline connection and recognizes that the well will be a two-connection well. The County is not a party to Revised and Restated Water Agreement between the applicant and appellant, but it has resulted in the revisions to the project as herein described.
- j) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development on file at Project File No. PLN170624; Zoning Administrator administrative record; Clerk of the Board of Supervisors' file(s) related to the appeal.

2. FINDING: **CONSISTENCY** - The Revised Project, as conditioned, is consistent with the policies of the Local Coastal Program (LCP), zoning, and County health, safety, and welfare ordinances related to land use development. The Revised Project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program and does not interfere with any form of historic public use or trust rights (see MCC, sec. 20.70.050.B.4). The Revised Project is in compliance with all rules and regulations pertaining to zoning uses and other applicable provisions of Title 20.

- EVIDENCE:**
- a) The Revised Project involves the conversion of a test well to a permanent, two-connection well and appurtenant well facilities including: An electric powered pump, two (2) 119-gallon bladder tanks and water filtration system, water pipe to the property line, two water meters to measure the quantity of water delivered to the respective properties, and a 5,000-gallon polyurethane water storage tank.
 - b) The property that is the subject of this application is located at 124 Fern Canyon Road, Carmel Highlands (Assessor's Parcel Number 241-131-024-000), Carmel Area Land Use Plan (LUP), Coastal Zone. The Revised Project has been reviewed for consistency with the text, policies, and regulations in the:
 - 1982 Monterey County General Plan;
 - Carmel Area Land Use Plan; andMonterey County Zoning Ordinance - Coastal (Title 20)
The parcel is zoned Low Density Residential, 1 acre per unit, with a Design Control zoning overlay (Coastal Zone) [LDR/1-D (CZ)]. Development of wells and water storage tanks are identified as a principal allowed use pursuant to MCC Sections 20.14.040.J, subject to the granting of an applicable Coastal Administrative Permit. The Design Control zoning overlay requires the granting of a Design Approval for development relating to structural features and facilities. The support components of the well – the electric powered pump, 5,000-gallon storage tank, pressure-regulating bladders, water meters, and filtration system, shall be screened from public view as needed. See Finding No. 5 and supporting evidence.
 - c) On July 8, 2004, the Monterey County Zoning Administrator approved the installation of a test well and a septic system (Zoning Administrator Resolution No. 04-037/ RMA-Planning File No. PLN030642). The approved entitlements included a Coastal Administrative Permit to allow the installation of the test well and appurtenant components, and a septic system; the septic system was not installed. The proposed Coastal Administrative Permit (RMA-Planning File No. PLN170624) is consistent with these previously-approved entitlements. However, Staff requested that the proposed septic system be divorced from this well conversion (PLN170624) because there is not an associated residential development proposed with this application.
 - d) Appellant contended that the project applicant did not have water rights pursuant to a recorded Water Agreement between Appellant and Applicant, and that the project had inconsistencies with the text,

policies, and regulations in the applicable Land Use Plan and Monterey County Code (MCC); however, the County finds that the project is consistent with the text, policies, and regulations in the applicable County plans and regulations for the reasons stated in this resolution (See finding 7 below.). Furthermore, the Applicant and Appellant have reached a mutual agreement regarding the distribution of water produced by the well, resulting in a Revised and Restated Water Agreement. The Appellant has indicated that the Revised and Restated Water Agreement resolves his appeal issues, and the appeal raised no County issues. (See finding 7.)

- e) The project has been reviewed for site suitability by the following departments and agencies: RMA-Planning, Carmel Highlands FPD, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- f) Technical reports were prepared for the test well application (PLN030642) and identify that the well would provide water in quantities that exceed the minimum quantity needed for one single-family residence. No additional technical reports have been prepared for this application (PLN170624) because physical development of the site would occur at a future, undetermined date. All requisite reports related to future development would be prepared in conjunction with a future development proposal.
- g) A test well was permitted on the property under PLN030642 (Resolution No. 04-307). The test well has been constructed. A source capacity test was completed in 2017, and the well has been given a credit of 4.98 gallons per minute which is adequate capacity for a single connection to provide water to a single-family dwelling, should one be proposed. Pursuant to County regulations (MCC, Section 15.04.140) three (3) gallons per minute is required for service to a single-family residential structure. The use of the excess water capacity over that required for domestic use on the subject property (est. 1.98 gallons per minute), is intended to be delivered to the Czerwiak Property for landscape irrigation, gardening purposes, and emergency fire suppression as described in the Revised and Restated Water Agreement, which is consistent with County regulations (MCC section 15.04.050(a)). Treatment of water quality for iron and manganese is proposed as part of this application. Additionally, perchlorate testing will be required prior to permitting any future development or use of the property. With treatment installed, and subject to future perchlorate testing, the well would be adequate to serve any future residential use of the property pursuant to standards contained in Section 15.04.140 of the Monterey County Code.
- h) The test well was drilled in fractured rock. No evidence has been found or submitted during review of the revised project indicating that use of the well as proposed will directly impact hydrology or indirectly impact biological resources in the area. Test results indicate that the well can produce, 4.98 gallons of water per minute,

which is sufficient for one single-family dwelling on the subject property and for landscape irrigation and emergency fire suppression uses on the Czerwiak property as described in the Revised and Restated Water Agreement.

- i) There is no public access required on this property. The well is located within a residential subdivision and is not in a location where the Carmel Area Land Use Plan requires access (Figure 3). There is no existing public access on the property and the property is not in a location where access is needed pursuant to Section 20.146.130.B of the Coastal Implementation Plan, Part 4. Therefore, the revised project meets the public access policies as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan and in Policy 5.3 of the Carmel Area Land Use Plan.
- j) The project planner conducted a site inspection on August 1, 2018, to verify that the proposed project on the subject parcel conforms to the applicable plans and MCC.
- k) **Cultural Resources.** The project site is in an area identified in County records as having a high archaeological sensitivity and is within 750 feet of known archaeological resources. An archaeological consulting letter dated July 2, 2004 was prepared for the test well and concluded that there is no surface evidence of potentially significant archaeological resources. Additionally, the production well in is the same location as the existing test well, only the status of the well is being converted. Therefore, there is no evidence that any cultural resources would be disturbed, and the potential for inadvertent impacts to cultural resources is limited and will be controlled by application of the County's standard project condition (Condition No. 4) which requires the contractor to stop work if previously unidentified resources are discovered during construction.
- l) The original project, PLN030642, for the test well and septic proposal were presented Carmel Highlands Land Use Advisory Committee (LUAC) for review at its April 19, 2004 meeting. The LUAC voted 7 to 0 with 0 abstentions to support the project as proposed. Based on the LUAC Procedures adopted by the Monterey County Board of Supervisors, this original application (PLN030642) warranted referral to the LUAC because the project involved the removal of 10 oak trees to create access to the site and the location of the septic system, thus requiring a Coastal Development Permit subject to review by the Zoning Administrator.
- n) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in project file PLN170624; Planning File PLN030642.

3. FINDING:

HEALTH AND SAFETY - The establishment, maintenance, or operation of the revised 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 the RMA-Planning, Carmel Highlands FPD, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency, which concluded the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) If a single-family dwelling were proposed in the future, tests show adequate water quantity currently exists from the well to serve one (1) residential use of the property and adequate water quality would be provided through use of appropriate treatment facilities; however, the well is located in fractured rock. Wells in fractured rock can decrease in productivity over time. Environmental Health Bureau has imposed a condition requiring a deed restriction alerting current and future owners of the property’s potentially unsustainable water supply due to geologic considerations (Condition No. 6). Furthermore, the Revised and Restated Water Agreement states that should the well fail to produce water in insufficient quantity to fulfill the Agreement’s distribution between the respective parcels, 124 Fern Canyon Rd. shall have priority access to the water production.

4. FINDING: **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County’s zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any County violations existing on subject property.
 - b) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN170624.

5. FINDING: **DESIGN** – The design of the Revised Project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity without imposing undue restrictions on private property.

- EVIDENCE:**
- a) The Applicant proposes to convert an existing test well to a permanent well. The well includes appurtenant components consisting of an electrical pump, two (2) 119-gallon bladders to regulate water pressure; a filtration system to remove manganese and iron, a water pipe to the property line, and a 5,000-gallon polyurethane water storage tank placed on a gravel pad, and water meters recording the quantity of water delivered to the respective properties.
 - b) Pursuant to Section 20.44, Title 20 (Coastal Zoning Ordinance) of the Monterey County Code, the proposed project site and surrounding area are designated as a Design Control Combining District (D District), which regulates the location, size, configuration, materials, and colors of structures, including fences, to assure the protection of the public viewshed and neighborhood character.
 - c) The appurtenant components are placed in a way that will allow future development of the site that would accommodate and reflect

the neighborhood character. The appurtenant components would be screened from public views emanating from Fern Canyon Road. (Condition No. 5)

- 6. 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, Class 3, categorically exempts conversion of small structures, including water wells from one use to another (test well to permanent well).
 - b) The applicant is proposing the conversion of the test well on the parcel (previously approved under RMA-Planning File No. PLN030642; Zoning Administrator Resolution No. 04-307_[SWx1]_[SRx2]), to a permanent well with two connections: one connection reserved for future residential use on the subject property, and a second connection that is intended to deliver surplus water to the neighboring property for irrigation and emergency fire protection measures. The conversion involves no physical alteration to increase capacity or quantity of water delivered. The Monterey County Environmental Health Bureau has determined that the test well produced water in sufficient quantities to provide service for one (1) single-family dwelling. However, residential development is not part of this permit. To the extent that conversion of the test well would theoretically make possible a future application for a single-family dwelling, a single-family dwelling would also be exempt under CEQA Guideline section 15303, depending on the particular facts of that application. Therefore, the project can be categorically exempt within the parameters of the Class 3 categorical exemption.
 - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. There is no substantial evidence of an unusual circumstance because there is no feature or condition of the project that distinguishes the project from the exempt class. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway. There is no substantial evidence that would support a fair argument that the project has a reasonable possibility of having a significant effect on the environment or that it would result in a cumulative significant impact.
 - d) No adverse environmental effects were identified during staff review of the development application, nor during a site inspection on July 6, 2017 and again on August 1, 2018.
 - e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN170624.

- 7. FINDING:** **APPEAL** – The Appellant (Andres Czerwiak), pursuant to Monterey County Code Section 20.86.030.C, timely filed an appeal from the August 9, 2018, decision of the Zoning Administrator.

Since the appeal was filed, the parties have entered into the Revised and Restated Water Agreement which resulted in the Revised Project which has resolved the issues presented by Appellant on appeal.

- EVIDENCE:**
- a) Appellant’s primary contention was that Applicant did not have a legal right to use the water, based on a private Water Agreement between Applicant and Appellant. While the agreement was a private agreement not subject to County jurisdiction, the Applicant and Appellant have since agreed upon the Revised and Restated Water Agreement regarding the distribution of the water produced by the well. Appellant has indicated that the Revised and Restated Water Agreement resolves Appellant’s appeal issues. The Revised and Restated Water Agreement describes the distribution of water between two properties under separate ownership. The test well was found to produce 4.98 gallons of water per minute. Under the agreement, Applicant is entitled to use water from the well for human consumption, domestic use, and fire suppression, with the priority right to such uses, and for water produced from the well in excess of that needed for human consumption, domestic use, and fire suppression, the neighboring property (Appellant) may use the water for irrigation, gardening, and emergency fire suppression. Minor revisions to this proposed project for conversion of a test well to a permanent well have been incorporated into the Revised Project, per request of the Applicant, to implement the distribution of water contemplated by the Revised and Restated Water Agreement
 - b) The appeal also contended that environmental review under CEQA should have included review of the potential for a single-family dwelling. As set forth in the staff report for November 6, 2018, the Board finds that the analysis under CEQA of this project is not piecemeal because no development on the property is proposed at this time, so any analysis of future development would be speculative.

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

- EVIDENCE:**
- a) Pursuant to Section 20.86.080.A of the Monterey County Zoning Ordinance (Title 20), the Revised Project is subject to appeal by/to the California Coastal Commission because it is located within 100 feet of a wetland, estuary, or stream as mapped in the LCP.

DECISION

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

- A. Certify that the foregoing recitals and findings are true and correct;
- B. Find that the appeal has been resolved by revision of the project;
- C. Find that the Revised Project is categorically exempt pursuant to Section 15303(e) of the CEQA Guidelines; and

- D. Approve a Coastal Administrative Permit, as revised, to allow the conversion of an existing test well to a permanent, two-connection well, in general conformance with the attached sketch and subject to the attached conditions of approval; and;
- E. Approve a Design Approval for appurtenant well facilities including: An electric powered pump, two (2) 119-gallon bladder tanks and water filtration system, water pipe up to the property line, two water meters to measure the quantity of water delivered to the respective properties, and a 5,000-gallon polyurethane water storage tank, in general conformance with the attached sketch and subject to the attached conditions of approval.

PASSED AND ADOPTED upon motion of Supervisor _____, seconded by Supervisor _____, and carried this 29th day of January 2019, by the following vote to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

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 Minute Book _____ for the meeting on January 29, 2018.

Date:
File Number:

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

By _____

Deputy

Monterey County RMA Planning

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

PLN170624

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Coastal Administrative Permit, as revised, to allow the conversion of an existing test well to a permanent, two-connection well; and a Design Approval for appurtenant well facilities including: An electric powered pump, two (2) 119-gallon bladder tanks and water filtration system, water pipe up to a property line, two water meters to measure the quantity of water delivered to the respective properties, and a 5,000-gallon polyurethane water storage tank.

The property is located at 124 Fern Canyon Road, Carmel (APN: 241-131-024-000) Carmel Area 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 Director of RMA - 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. (RMA - 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 The applicant shall record a Permit Approval Notice. This notice shall state:

Monitoring Measure:

"A Coastal Administrative Permit (Resolution Number 18-046) was approved by the Board of Supervisors for Assessor's Parcel Number 241-131-024-000 on January 29, 2019. The permit was granted subject to six (6) conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

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

3. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel

**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)

**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 County Counsel 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.

4. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. 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 Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the 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.

5. PD038 - WATER TANK APPROVAL

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The water tank shall be painted an earth tone color to blend into the area and landscaped (including land sculpturing and fencing, where appropriate), subject to the approval of the RMA Chief of Planning, prior to the issuance of building permits. Any other appurtenant devices, pressure regulators, filtration systems, shall be screened or shield in a similar manner. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading or building permits, the Owner/Applicant shall submit proposed color of water tank and landscaping plans to RMA - Planning for review and approval.

Prior to final inspection or occupancy, the Owner/Applicant shall provide evidence to the Director of RMA - Planning that the water tank has been painted and the landscaping has been installed according to the plans approved by RMA - Planning.

On an on-going basis, the Owner/Applicant shall continuously maintain all landscaped areas and fences; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

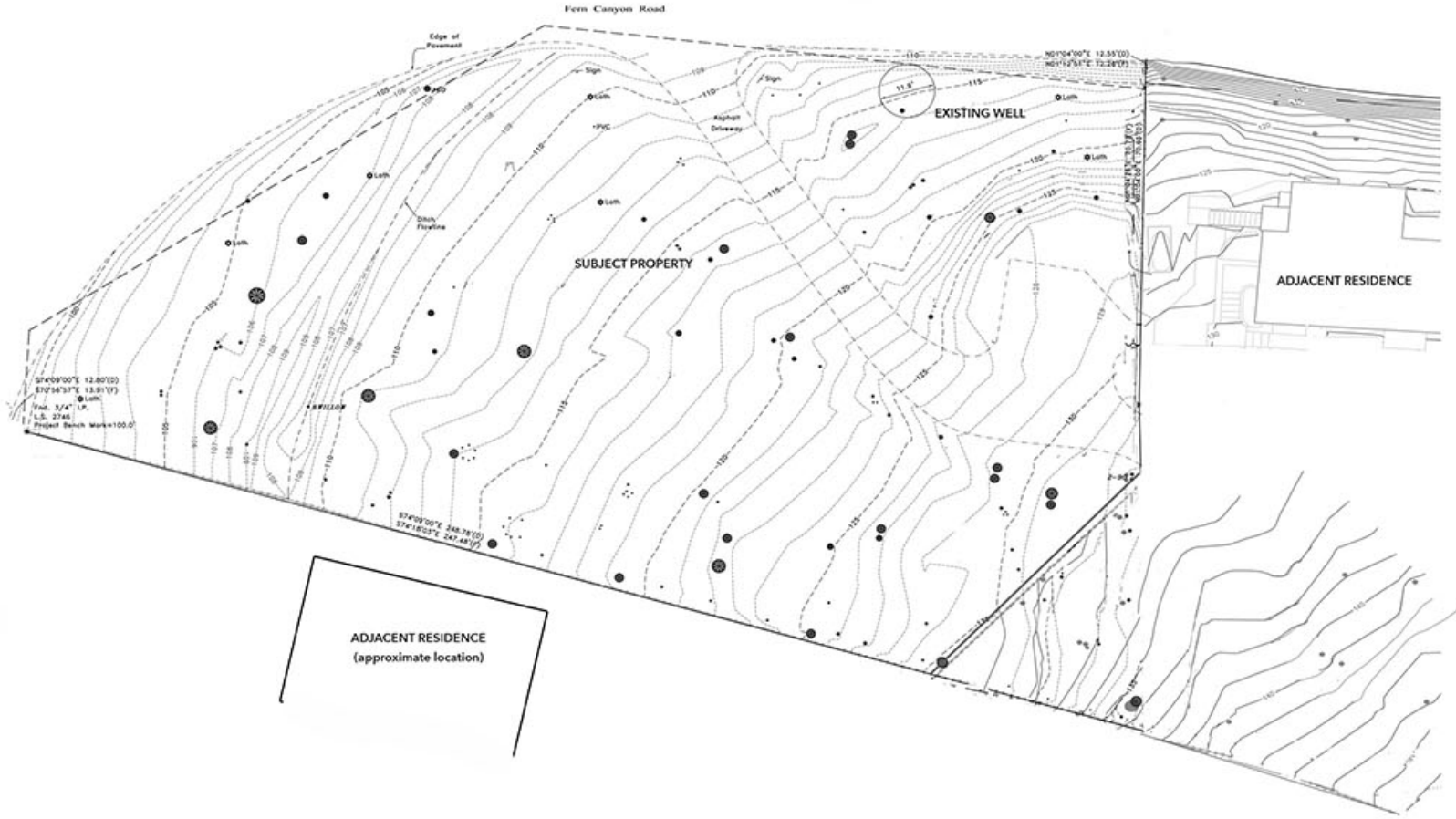
6. EHSP01 - LONG-TERM WATER SUPPLY DEED RESTRICTION (Non-Standard)

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The applicant shall record a deed restriction which includes the statement: Well yields in fractured rock or non-alluvial aquifer systems have been shown to decline significantly over time due to their meager ability to store and transmit water. Therefore, with the intrinsic uncertainties regarding the long-term sustainability of an on-site well proposed to provide a source of domestic potable water on this parcel, the present and any future owners of this property are hereby given notice that additional water sources may be required in the future. (Environmental Health)

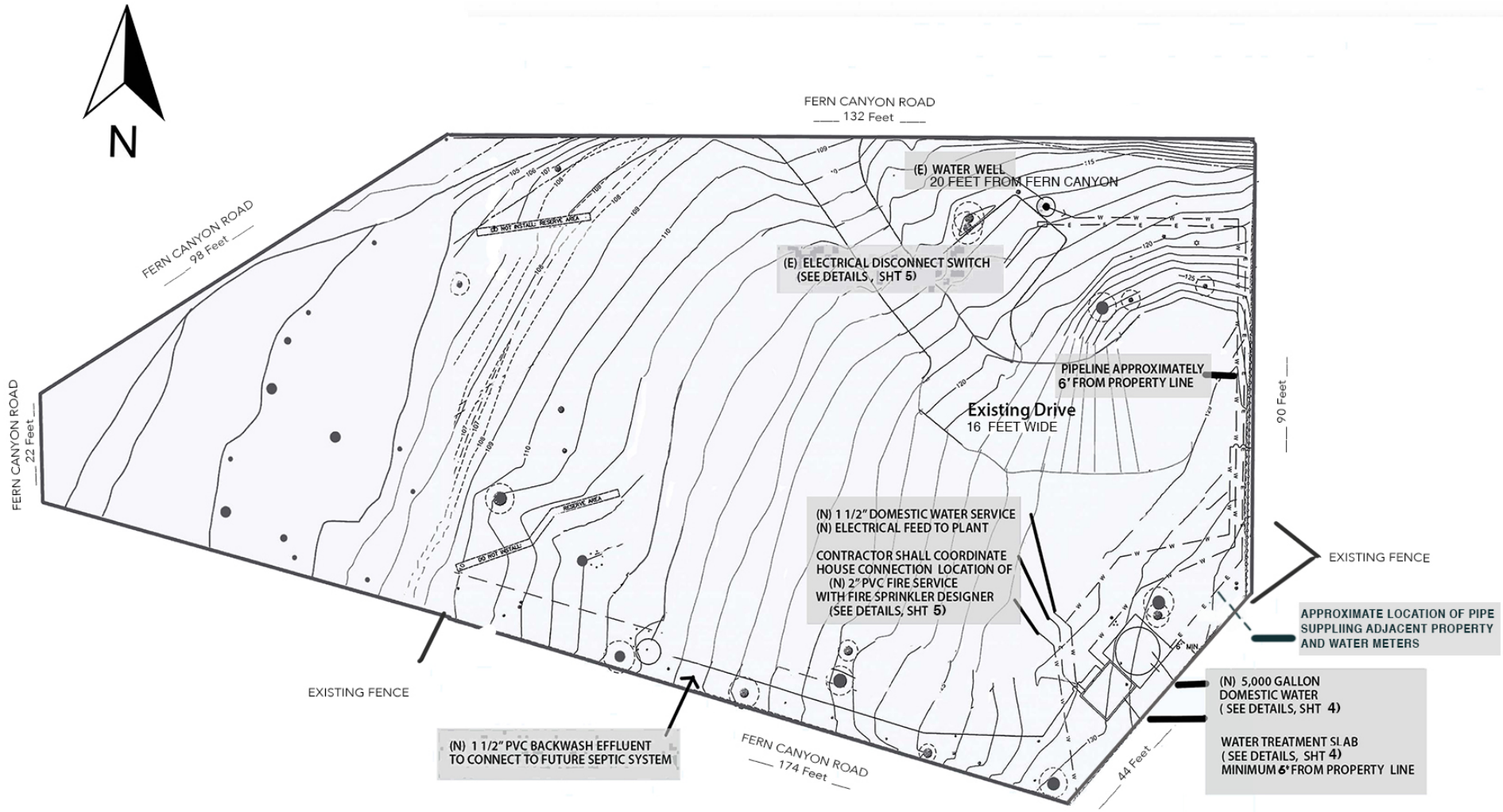
Compliance or Monitoring Action to be Performed: Prior to issuance of construction permits, the applicant shall provide a legal description for the parcel and a copy of the Grant Deed to the Environmental Health Bureau ("EHB") and pay applicable deed restriction preparation fees to the EHB. The EHB will prepare the deed restriction form.

Prior to final inspection of construction permits, the property owner shall sign and notarize the deed restriction form obtained from the EHB. Record the notarized deed restriction with the Monterey County Recorder. Proof of recordation shall be provided to the EHB.



ADJACENT RESIDENCE
(approximate location)

PREPARED BY OR UNDER THE DIRECTION OF:	
JOB NO:	DATE: 9-6-2018
SCALE: 1"=100'	DESIGNED:
DRAWN:	CHECKED:
REVISIONS	BY DATE
SITE VIEW 124 FERN CANYON CONVERSION OF EXISTING WELL TIMOTHY AND CONSTANCE GLASS CARMEL HIGHLANDS, CALIFORNIA 241-131-024-000	
PROJECT:	OWNER:
LOCATION:	APN:
SHEET OF 6 SHEETS	2

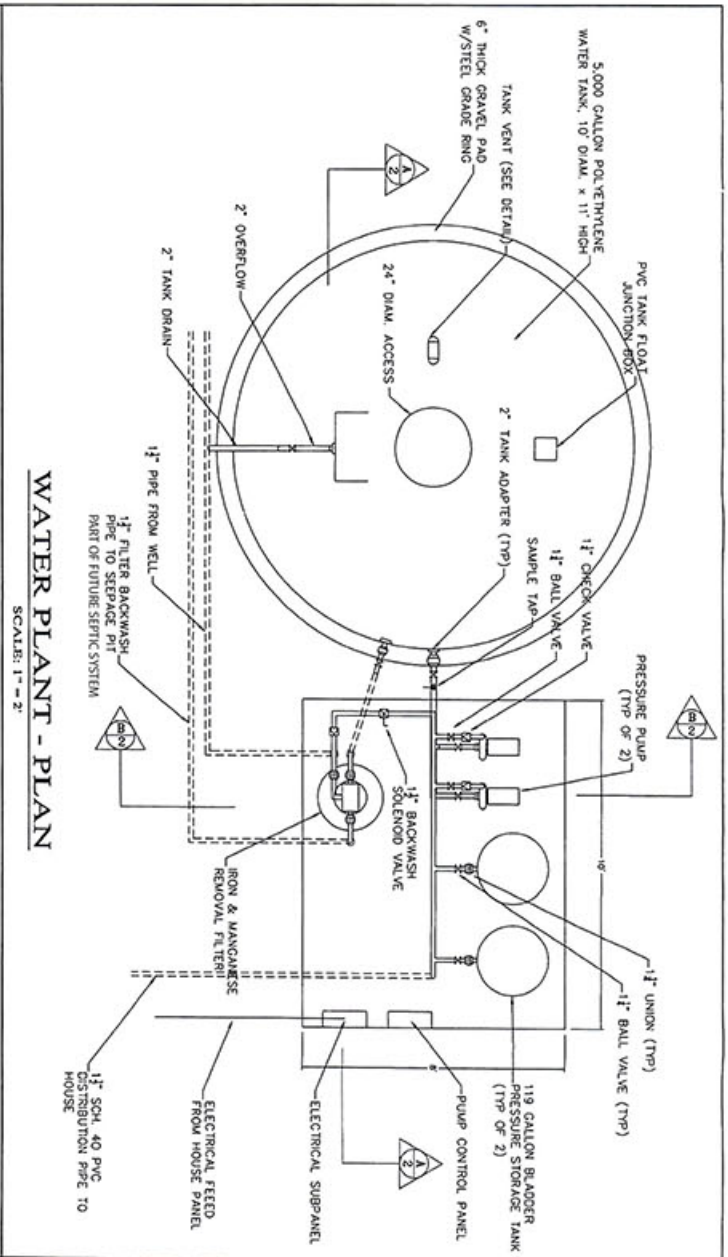


PROJECT INFORMATION

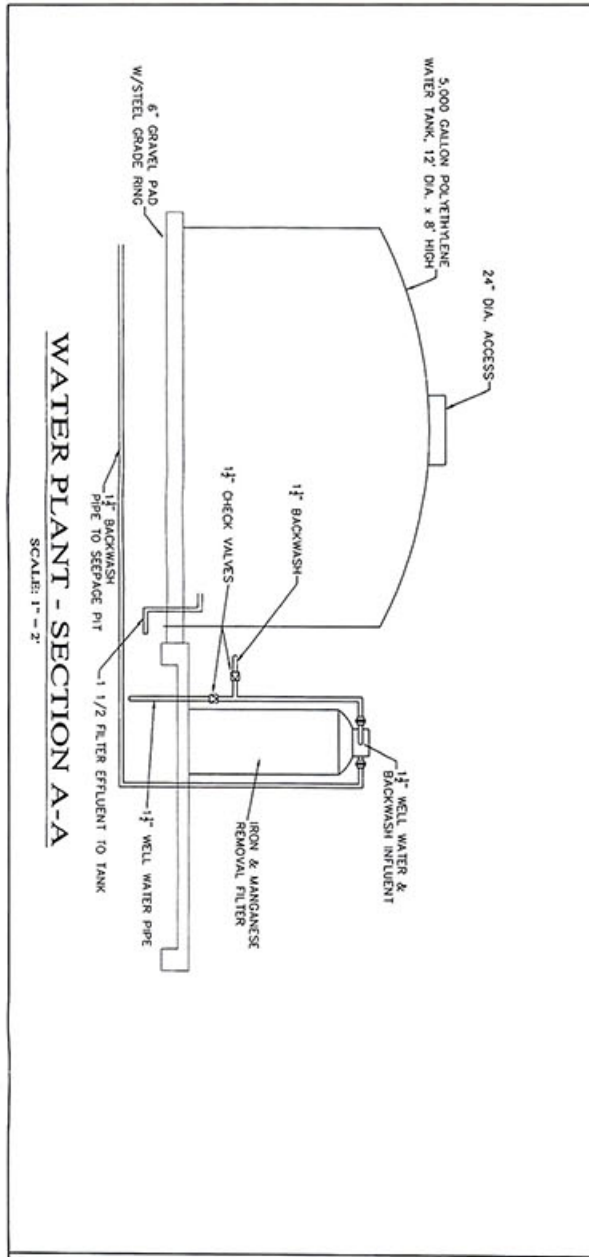
Project Owner: Timothy and Constance Glass
Apn: 241-131-024-000
Zoning: Low Density Residential, 1 unit per acre, Design Control Overlay [LDR/1-D (CZ)]
Parcel Size: 0.6215 acre (27,072.54 square feet)
Flagged ans Staked: N/A
Contour Intervals: 1 foot
Set Backs: Front 50-feet, Side 6-feet, Rear 1-foot
 No Tree Removal
 No Grading

**Conversion of
Existing Test Well
to a Permanent Well
PLN170624**

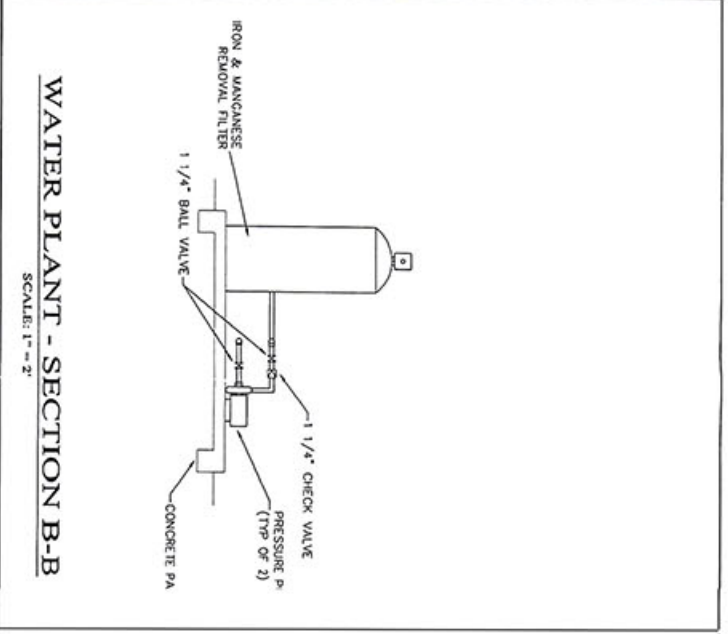
	PREPARED BY OR UNDER THE DIRECTION OF:				
JOB NO:	DATE:	SCALE:	DESIGNED:	DRAWN:	CHECKED:
REVISIONS					
BY	DATE				
SITE PLAN					
124 FERN CANYON CONVERSION OF EXISTING WELL TIMOTHY AND CONSTANCE GLASS CARMEL HIGHLANDS, CALIFORNIA 241-131-024-000					
PROJECT: OWNER: LOCATION: APN:					
SHEET					3
OF					6 SHEETS



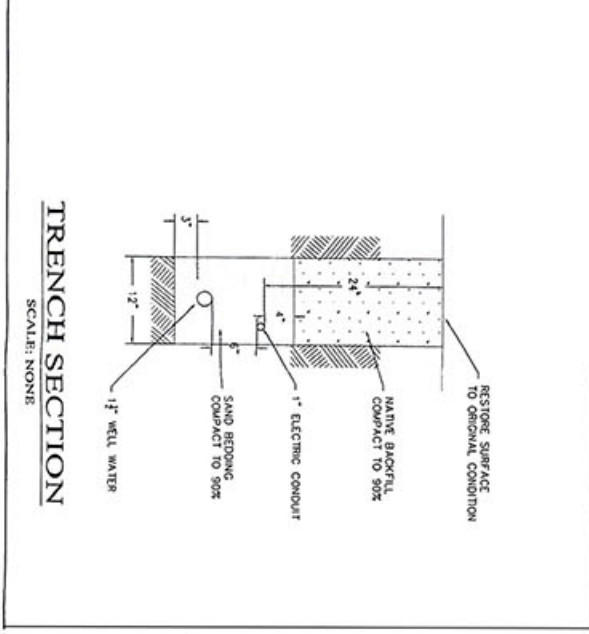
WATER PLANT - PLAN
SCALE: 1" = 2'



WATER PLANT - SECTION A-A
SCALE: 1" = 2'

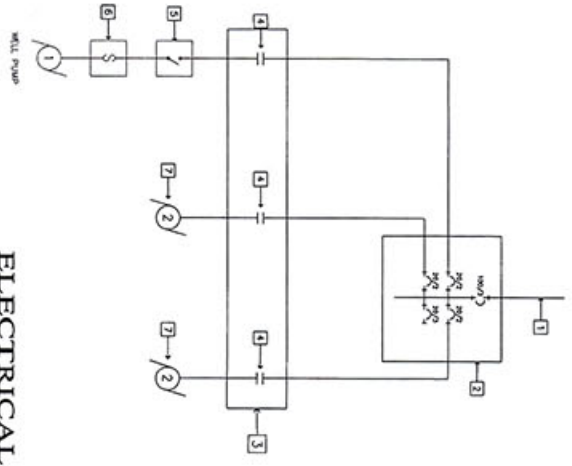


WATER PLANT - SECTION B-B
SCALE: 1" = 2'



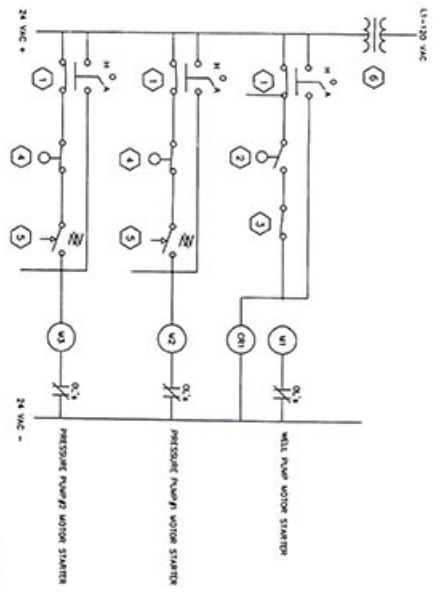
TRENCH SECTION
SCALE: NONE

SHEET 4 OF 6 SHEETS	PROJECT: 124 FERN CANYON CONVERSION OF EXISTING WELL OWNER: TIMOTHY AND CONSTANCE GLASS LOCATION: CARMEL HIGHLANDS, CALIFORNIA APN: 241-131-024-000	DETAILS		BY	DATE	REVISIONS	JOB NO.:	PREPARED BY OR UNDER THE DIRECTION OF:
		DATE: 9-6-2018	SCALE:	DESIGNED:	DRAWN:	CHECKED:		



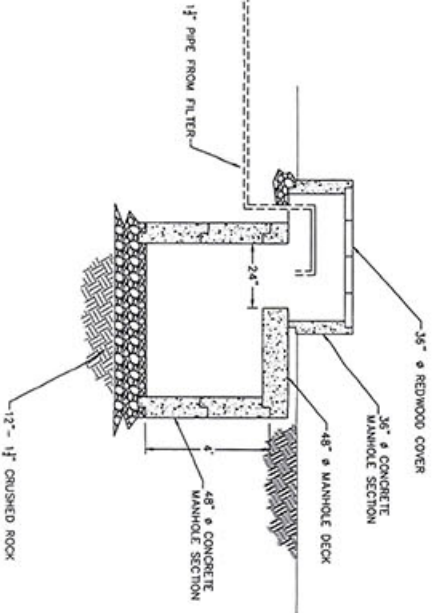
- ELECTRICAL NOTES**
1. Sourced from house electrical panel.
 2. NEW 125 A 1N, 2P, 120/240 SIRMANEL, NEMA 3
 3. NEW MAIN CONTROL PANEL, NEMA 1
 4. 20 A, 2 POLE BROWNE ENGINEER CONDUCTOR, 24 VAC COIL
 5. EXISTING 30 A, 2 POLE SAFETY SWITCH
 6. EXISTING PUMP CONTROL BOX & WIRING PROTECTIVE
 7. NEW 2 HP PUMPS, 14, 230 V, STARTER COASTING PRESSURE PUMPS

ELECTRICAL SINGLE LINE DIAGRAM
SCALE: NTS



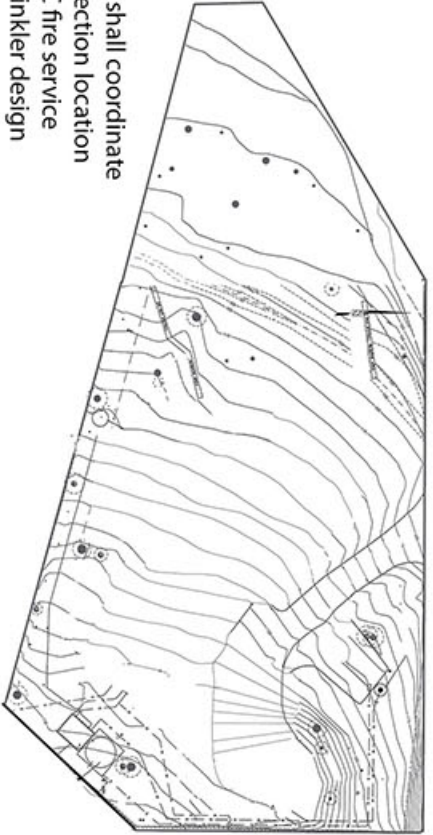
- CONTROL NOTES**
1. HAND-OFF-AUTO SWITCH IN PANEL DOOR
 2. STOP/RESET TAKE RELAY/STOP, CLOSURE ON FALLING LEVEL
 3. FUSE BLOCK/STOP SWITCH, OPENS ON BLOCK/STOP
 4. STOP/RESET TAKE RELAY SWITCH, OPENS ON LOW WATER
 5. DISCONNECT PRESSURE SWITCH, CLOSURE ON LOW PRESSURE
 6. 120VAC-24 VAC, 0.60 AMP 600V TRIP/STOP/RESET

CONTROL DIAGRAM
SCALE: NTS



BACKWASH SEEPAGE PIT DETAIL
SCALE: NTS

Note:
Contractors shall coordinate house connection location of (N) 2" PVC fire service with fire sprinkler design



FIRE SERVICE LOCATIONS (TYP OF 2)
SCALE: 1" = 200'

DETAILS

PROJECT: 124 FERN CANYON
CONVERSION OF EXISTING WELL
TIMOTHY AND CONSTANCE GLASS
LOCATION: CARMEL HIGHLANDS, CALIFORNIA
APN: 241-131-024-000

BY	DATE	REVISIONS

JOB NO:	
DATE:	9-6-2018
SCALE:	
DESIGNED:	
DRAWN:	
CHECKED:	

PREPARED BY OR UNDER THE DIRECTION OF:

NOTES

1. CONTRACTOR SHALL NOTIFY THE MONTEREY COUNTY HEALTH DEPARTMENT, ENVIRONMENTAL HEALTH DIVISION (EH) FOR INSPECTION AT LEAST 24 HOURS BEFORE COVERING ANY EXCAVATION.
2. ALL COMPONENTS SHALL BE ANS/NSF APPROVED FOR USE WITH POTABLE WATER.
3. ALL CONSTRUCTION, COMPONENTS AND MATERIALS SHALL CONFORM TO MONTEREY COUNTY CODE 1504, AWA STANDARDS AND CALIFORNIA WATERWORKS STANDARDS, AS APPROPRIATE. IN CASE OF CONFLICT, THE STRICTEST STANDARDS SHALL APPLY.
4. PRIOR TO DOMESTIC USE, ALL NEW WATER SYSTEM CONSTRUCTION SHALL BE DISINFECTED ACCORDING TO AWWA STANDARD C600. ALL NEW WATER SYSTEMS SHALL BE DISINFECTED AND TESTED FOR BACTERIOLOGICAL QUALITY. PER TITLE 22, CHAPTER 15, STANDARDS AND RESISTS SUBMITTED TO END FOR REVIEW. THE CHEMICAL RESIDUAL OF THE TEST SAMPLE MUST BE NON DETECT AND MUST BE REPORTED WITH THE BACTERIOLOGICAL RESULT. END APPROVAL MUST BE GRANTED BEFORE USE OF THE WATER FOR DOMESTIC PURPOSES.
5. EXISPIENTS ARE SHOWN ON THE DRAWINGS FOR THE WATER FACILITIES.
6. CONTRACTOR SHALL COORDINATE WITH THE FIRE SPRINKLER DESIGNER TO DETERMINE THE EXACT LOCATIONS OF THE HOUSE CONNECTIONS OF THE FIRE SERVICES.

MATERIAL SPECIFICATIONS

THE ACCOMPANED PLANS PRESENT THE GENERAL LAYOUT, TREATMENT AND PUMPING CONFIGURATION AND CONSTRUCTION DETAILS FOR THE 124 FERN CANYON WATER SYSTEM. THE FOLLOWING ARE MATERIAL SPECIFICATIONS FOR THE SYSTEM COMPONENTS. ALL MATERIALS USED SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS AND AS DESCRIBED IN THE ACCOMPANED PLANS.

1. WATER STORAGE TANK
THE TANK SHALL BE CONSTRUCTED OF POLYETHYLENE & HAVE 5000 GALLONS CAPACITY. THE TANK SHALL INCLUDE A 3-INCH UNMANNED ACCESS HATCH. POLYETHYLENE SHALL BE WATER TIGHT AND FIELD TESTED AFTER INSTALLATION. THE TANK SHALL BE BY POLY PROCESSING OR AN APPROVED EQUIVALENT.
2. PIPE
WATER PIPE AND FITTINGS SHALL BE SCHEDULE 40 PVC BURIED INSTALLATION AND SCH E00LE 80 PVC FOR ABOVE GROUND, NSF STANDARD 61. APPROVED FOR POTABLE WATER. CUED SOCKET AND/OR THREADED FITTINGS SHALL BE USED. ABOVE GROUND PIPE SHALL BE INSTALLED VERTICALLY OR HORIZONTALY AND PRIMER AND GUE SHALL BE EXPOSED AT THE PIPE JOINTS. BALL VALVES SHALL BE BRONZE WITH STAINLESS STEEL BALL RATED AT 200 PSI.

3. TREATMENT EQUIPMENT

IRON AND MANGANESE FILTER SHALL BE:
PRESSURE VESSEL: FIBREGLOSS RATED AT 100 PSI WORKING PRESSURE, 21" DIA X 74" HIGH MEDIA TYPE: PYROLOX SUPPORTED ON A GRAVEL AND SAND BASE
MEDIA VOLUME: 7 CUBIC FT TOTAL, 6 CUBIC FT PYROLOX
CONTROL VALVE: FLECK 2850 (OR APPROVED EQUIVALENT)
PIPE NET/OUTLET SIZE: 1 1/2" DIAMETER
FLOW RATE PER SQUARE FOOT: 4.1 GPM/SF @ 10 GPM FLOW.
BACKWASH FLOW RATE: 25 GPM
BACKWASH FREQUENCY: ESTIMATED AT 3000 GALLONS PER CU. FT. OR 18,000 GALLONS BACKWASH WATER USED PER BACKWASH: 300-400 GALLONS

SYSTEM OPERATION: A FLOAT SWITCH IN THE STORAGE TANK SHALL CONTROL CURRENT THROUGH THE COIL OF THE WELL PUMP CONTROLLER LOCATED IN THE CONTROL PANEL. THE COIL CURRENT SHALL ALSO PASS THROUGH A BACKWASH INTERRUPT SWITCH LOCATED IN THE FILTER VALVE HOUSING. WHEN THE LEVEL OF WATER IN THE STORAGE TANK DROPS THE FLOAT SWITCH OPERATES AND CLOSURE CAUSING THE CONTROLLER TO ENERGIZE AND START THE WELL PUMP. ONCE THE WATER LEVEL IS RESTORED THE INTERRUPT SWITCH WILL RE-ENERGIZE THE CONTROLLER AND WATER USED. PERIODIC BACKWASH SHALL OCCUR. A SWITCH ON THE FILTER CONTROL CAB SHALL OPEN WHEN THE FILTER IS BACKWASHING TO PREVENT THE WELL PUMP FROM OPERATING. CONCURRENTLY, THE NORMALLY CLOSED BACKWASH SOLENOID VALVE SHALL OPEN ALLOWING TREATED WATER FROM THE PRESSURE PUMPS TO BACKWASH AND RINSE THE FILTER.

4. BOOSTER PUMP & PRESSURE CANS

PRESSURE PUMPS SHALL BE STA-RITE MODEL 055340H, RATED AT 42 GPM AT 60 PS OR AN APPROVED EQUIVALENT. MOTOR SHALL BE 3 HP, 230 VAC, SINGLE PHASE, OPEN DRAIN-PROOF. PRESSURE STORAGE TANKS SHALL BE EPOXY COATED STEEL WITH AN INTERNAL BLADDER, WITH A NOMINAL CAPACITY OF 119 GALLONS, PROVIDING APPROXIMATELY 30 GALLONS OF STORAGE PER TANK AND A WORKING PRESSURE RATING OF 125 PSI.

5. ELECTRICAL SUBPANEL, CONTROL PANEL & CONDUIT

ELECTRICAL SUBPANEL SHALL BE SQUARE-D, MODEL HOM612100R75, 100 AMP, NEMA 3, 120/240 VAC, SINGLE PHASE, 40, 20 AMP BRACED BREAKERS PROVIDED ON ALL THE SINGLE-LINE DIAGRAM
SHALL BE SQUARE-D TYPE M0U, BREAKERS SHALL BE PROVIDED AS SHOWN ON THE SINGLE-LINE DIAGRAM
CONTROL PANEL SHALL BE STEEL OR WOLOD THERMOGLASS, NEMA 3, 16" X 16" MINIMUM SIZE, WITH 1/2" THICK GLASS DOOR. THE PANEL SHALL BE MOUNTED ON A CONCRETE FOUNDATION. ALL ELECTRICAL CONNECTIONS SHALL BE SQUARE-D DEFINITE PURPOSE CONTACTORS MODEL 96100P1 RATED AT 24 VAC 20A. ONE CONTACTOR SHALL BE PROVIDED FOR EACH PUMP. ONE HAND-OFF-AUTO SWITCH, LOCATED IN THE PANEL COVER SHALL BE PROVIDED FOR EACH PUMP.

MATERIAL SPECIFICATIONS (CONTINUED)

1. ELECTRICAL CONDUITS SHALL BE SCHEDULE 40 PVC. CONDUITS CONNECTING TO MOTORS SHALL BE IDENTICAL. FLEXIBLE PVC CONDUIT, DEVICE, OUTLET AND JUNCTION BOXES SHALL BE WOLOD P.C. WHEN CONNECTED TO MOTORS. CONDUIT SHALL BE SECURELY ANCHORED TO WALLS AND CEILING WITH APPROPRIATE CLAMPS. PERMANENT PLUMBERS TAPE IS NOT ACCEPTABLE.
2. FLOAT CONTROL SWITCHES
TANK FLOAT CONTROL SWITCHES SHALL BE S&E PUMPMASTER OR AN APPROVED EQUIV. WITH FLEXIBLE 1/2-INCH, 2 CONDUCTION SLOW CABLE, RATED FOR USE WITH POTABLE WATER.
3. PRESSURE SWITCHES
PRESSURE SWITCHES SHALL BE SQUARE-D, MODEL 9013F502324.
4. REDUCED PRESSURE PRINCIPLE BACKFLOW DEVICE
RPRF DEVICE SHALL BE A 2-INCH ZURN/WALIN'S MODEL 975 XL OR APPROVED EQUIVALENT CONFORMING TO AWWA C511-89. RPRF DEVICE SHALL BE PROVIDED WITH A STRAINER AND GROUND PIPE AND FITTINGS SHALL CONFORM TO THE PLANS. ALL ABOVE THE GROUND PIPE AND FITTINGS SHALL BE COPPER. A 4-INCH THICK REINFORCED CONCRETE PAD SHALL BE PROVIDED, EXTENDING 12-INCHES EACH WAY BEYOND THE LAY LENGTH OF THE RPRF DEVICE AND 12-INCHES EACH WAY FROM THE CENTERLINE OF THE PIPE. PIPE IN CONTACT WITH THE CONCRETE PAD SHALL BE WRAPPED WITH 2-INCH WIDE, 8-MIL POLYETHYLENE TAPE.
5. RPRF DEVICES SHALL BE LOCATED OUT THE DRIVEWAY/ROADWAY AND SHALL BE ENCLOSED IN A GUARDSHACK. HEAVY STEEL ROLLED TUBING ENCLOSURE, SIZED TO ACCOMMODATE THE LENGTH OF THE DEVICE, FITTINGS AND SPOOL PIECES. ENCLOSURE SHALL BE INSTALLED ON AND HINGED AT ONE END TO A CONCRETE PAD.
6. CONCRETE
CONCRETE FOR TREATMENT SLAB AND TANK SLAB SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,000 PSI.
CONCRETE FOR MISCELLANEOUS PURPOSES, SUCH AS PIPE ANCHORS AND THRUST BLOCKS SHALL HAVE A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 2,500 PSI.
REINFORCING STEEL FOR CONCRETE SLABS SHALL BE GRADE 40.

DETAILS

PROJECT: 124 FERN CANYON
CONVERSION OF EXISTING WELL
OWNER: TIMOTHY AND CONSTANCE GLASS
LOCATION: CARMEL HIGHLANDS, CALIFORNIA
APN: 241-131-024-000

BY	DATE	REVISIONS

JOB NO:	9-6-2018
DATE:	
SCALE:	
DESIGNED:	
DRAWN:	
CHECKED:	

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