

MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director



LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS

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MEMORANDUM

Hearing Submittal

Agenda Item 2/ PLN170659

Submitted by Staff

Distributed at hearing 1/9/19

Date: January 8, 2019

To: Monterey County Planning Commission

From: Cheryl Ku, Planning

Subject: PLN170659 McNickle

cc: File

Planning Commissioners,

Please accept this errata memo outlining proposed changes to the January 9, 2019 Planning Commission staff report.

1.) Condition No. 20 has been added to clarify the timing of restoration in relation to construction of the single-family dwelling.

Condition No. 20: PDNSD001_RESTORATION

Condition Text:

Restoration of unpermitted grading on site, with the exception of the building pad and driveway which were permitted with an after-the-fact Use Permit, must be completed in accordance with the submitted restoration plan and recommendations in the Biological Impact Assessment (LIB180473). Unpermitted grading not in the immediate vicinity of the building site shall be restored prior to issuance of construction permits. Areas in the immediate vicinity of the building site that will be disturbed by construction activities shall be restored prior to final inspection for the construction permit for the single-family dwelling.

Actions Needed for Resolution:

Prior to construction permit issuance, the Applicant shall apply for a grading permit to conduct restoration in accordance with the approved restoration plan and recommendations in the Biological Impact Assessment.

Prior to construction permit issuance, restoration of areas not in the immediate vicinity of the building site, which will be further disturbed by construction activities, shall be completed. The applicant shall

submit a letter from a qualified biologist that restoration work was completed in accordance with the recommendations in the report (LIB180473).

Prior to final of the construction permit, areas identified for restoration that are within the vicinity of the building site which were disturbed by construction shall be restored in accordance with the approved restoration plan and recommendations in the Biological Impact Assessment. The applicant shall submit a letter from a qualified biologist that restoration work was completed in accordance with the recommendations in the report (LIB180473).

2.) Condition Number 21, a standard condition for protection of migratory birds, has been added.

PD050 - RAPTOR/MIGRATORY BIRD NESTING

Condition Text:

Any tree removal activity that occurs during the typical bird nesting season (February 22-August 1), the County of Monterey shall require that the project applicant retain a County qualified biologist to perform a nest survey in order to determine if any active raptor or migratory bird nests occur within the project site or within 300 feet of proposed tree removal activity. During the typical nesting season, the survey shall be conducted no more than 30 days prior to ground disturbance or tree removal. If nesting birds are found on the project site, an appropriate buffer plan shall be established by the project biologist. (RMA - Planning)

Actions Needed for Resolution:

No more than 30 days prior to ground disturbance or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit to RMA-Planning a nest survey prepared by a County qualified biologist to determine if any active raptor or migratory bird nests occur within the project site or immediate vicinity.

3.) Condition Number 2 has been amended to reflect the addition of the two conditions listed above.

PD002 - NOTICE PERMIT APPROVAL

The applicant shall record a Permit Approval Notice. This notice shall state:

"A Restoration Plan, after-the-fact Use Permit, after-the-fact Tree Removal Permit, an Administrative Permit, and a Design Approval was approved by the Planning Commission for Assessor's Parcel Number 416-051-005-000 on January 9, 2019. The permit was granted subject to 21 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 Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

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.