

Exhibit B

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DRAFT RESOLUTION

Before the Zoning Administrator in and for the County of Monterey, State of California

In the matter of the application of:

Daniel J. Keig TR (PLN140843)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project Categorical Exempt per section 15303(a) of the CEQA Guidelines; and
- 2) Approving a Combined Development Permit consisting of: 1) a Coastal Administrative Permit and Design Approval to allow construction of a single family dwelling; 2) a Coastal Development Permit to allow the removal of nine (9) Monterey pine trees and 3) a Coastal Development Permit for development within 750 feet of an archaeological resource subject to 27 conditions of approval.

[PLN140843, Daniel J. Keig TR, 100 Crest Road, Carmel, Carmel Land Use Plan (APN: 241-221-013-000)]

The Daniel J. Keig TR application (PLN140843) came on for public hearing before the Monterey County Zoning Administrator on June 30, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS

FINDING: **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

EVIDENCE: a) The application for a Combined Development Permit was submitted on January 16, 2015. The initial submittal was deemed complete on March 16, 2015, pending receipt of updated biological and forest management plans for the environmental determination. The updated technical reports were submitted in February 21, February 24, and April 19, 2016. During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;
- Carmel Land Use Plan;

- Monterey County Coastal Implementation Plan Part 4;
- Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist.

- b) The application was reviewed by the Carmel/Carmel Highlands Land Use Advisory Committee (LUAC) on February 17, 2015. The LUAC recommended approval of the project by a vote of 3-0, subject to a condition of approval requiring the use of darker exterior color and tones including trim, stucco, and roofing, so that the structure better blends with its natural surroundings. A condition of approval requiring the use of darker exterior colors and tones has been incorporated into the resolution as condition no. 15. In addition to the exterior colors, the LUAC expressed concerns regarding exterior lighting and the need for an updated forest management plan and legible plans. A standard condition of approval requiring the submittal and approval of an exterior lighting plan prior to issuance on the construction permit has been incorporated into the resolution as condition no. 10. An amendment to the original forest management plan was prepared by Frank Ono (LIB060081) and a legible site plan was prepared by the project architect.

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

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Pebble Beach Community Service District (Fire Dept.), 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.
- b) Staff identified potential impacts to Biological Resources, Archaeological Resources, Forest Resources, and Soil/Slope Stability. The following reports have been prepared:
- “Forest Management Plan” (LIB060081) prepared by Forest City Consulting, Carmel, CA, March 6, 2004;
 - “Amended Forest Management Plan” (LIB070097) prepared by Forest City Consulting, Carmel, CA, December 1, 2004;
 - “Amendment to Forest Management Plan” (LIB060081) prepared by Frank Ono, Pacific Grove, CA, February 24, 2016;
 - “Biological Assessment” (LIB030087) prepared by Rana Creek Habitat Restoration, CA, February 7, 2003;
 - “Biological Assessment” (LIB160203) prepared by Patrick Regan, CA, February 21, 2016;
 - “Biological Assessment Addendum” (LIB160203) prepared by Patrick Regan, CA, April 19, 2016;
 - “Preliminary Archaeological Assessment” (LIB070097) prepared by Archaeological Consulting, Salinas, CA, August 4,

2003.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- c) The parcel is located within a high archaeological sensitivity zone and located within 750 feet of a known archaeological resource. An Archaeological Reconnaissance was prepared by Archaeological Consulting on August 4, 2003 (LIB070097). The report concluded that the subject parcel does not contain any archaeological resources and should not be delayed for archaeological reasons. However, a standard condition of approval has been incorporated (see Condition No. 4).
- b) The project was review by the Environmental Health Bureau and it was determined that the residence will be served by an existing septic system, and water will be provided by an existing well.

FINDING: **DESIGN** – The design of the proposed 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 parcel is located within a Design Control District and is subject to the regulations of Chapter 20.44. The purpose of the Design Control District is to provide a district for the regulation of the location, size, configuration, materials, and colors of structures in areas of the county where design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments without imposing undue restrictions on private property.
 - b) The size, shape, colors and materials of the residences within the Carmel area east of Highway 1 vary greatly, creating an area diverse in architecture. The proposed dwelling is in the ideal location near the center of the parcel in the most open area in regard to tree cover. The location provides a forested buffer in all directions, focusing development within the most open area of the parcel, while maintaining a forested buffer to minimize visibility of the house. The proposed home is a two-story residence built into the natural topography appearing as a two-story residence at the front/west elevation and as a single-story from the rear/east elevation. This is a moderately-sized residence that is harmonious with the sloped forested surroundings. The exterior colors and materials have been conditioned to be darker, natural tones that better blend with the natural surroundings (condition no. 15). The overall design and construction is considerate of the natural surroundings and is not visible from Highway 1.

FINDING: **TREE REMOVAL** – The subject project minimizes tree removal in accordance with the applicable goals and policies of the Carmel Land

- Use Plan and the associated Coastal Implementation Plan.
- EVIDENCE:**
- a) The project includes application for the removal of (9) nine trees. In accordance with the applicable policies of the Carmel Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met.
 - b) The Carmel Coastal Implementation Plan, Section 20.146.060.D.3 (Forest Resources), requires that tree removal be limited to only that which is necessary for the proposed development and when considering proposed development projects, siting and design is required to minimize to the extent feasible the removal of trees. The applicant has sited the development within the most open areas of the site, requiring removal of nine (9) Monterey pine trees ranging from 14-23 inches in diameter. The building site was chosen to utilize the existing driveway and avoid slopes in excess of 30%. The building footprint is well suited to the natural contours of the parcel and is ideally located. The tree density within the proposed building area is lower than the rest of the property. Based on site review of existing vegetation and topography, the proposed tree removal for the construction of the residence is reasonable and the minimum amount necessary. A Forest Management Plan (LIB060081, LIB070097) was prepared and concluded that the existing Monterey pine trees display symptoms and signs of various pests and pathogens. The report states that this stand of pines is in a stage of attrition and the attrition is expected to continue due to competition for limited resources. In addition to the insects and pathogens that are killing off the weaker pines, the pines also face competition from the oaks for the nutrients and moisture. Based on the forester's onsite observation, coast live oak is the apparent next succession of this forest and removing the larger pines before they fail will help protect the quality of the forest.
 - c) The Carmel Coastal Implementation Plan, Section 20.146.060.D.6 (Forest Resources), requires 1:1 replacement of native trees over 12 inches in diameter, unless demonstrated in a Forest Management Plan that replanting would result in an overcrowded, unhealthy forest. Based on the circumstances of this specific property, the forester does not recommend replacement due to most of the parcel being covered in forest canopy with little room or need for replacement trees.
 - d) The tree removal will not involve a risk of adverse environmental impacts. No significant impacts to the forest are anticipated due to the relatively small amount of area that will be occupied by the development. The parcel contains 47 trees greater than 12 inches in diameter, (9) nine of which are to be removed with the establishment of the residence. The existing Monterey pines are degraded in health due to various pests and pathogens, in addition to competition from the oaks for limited resources. A condition for protection of the surrounding trees has been incorporated and will aid in the protection and continuation of

Monterey pine onsite. No significant long-term affects to the forest ecosystem is anticipated.

- e) Forest Management Plan was prepared by Forest City Consulting on December 1, 2004 and amended by Frank Ono on February 24, 2016.
- f) Measures for tree protection during construction been incorporated as a condition of approval; see condition no.7.

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 Local Coastal Program, 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 Section 20.146.130 of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 3 in the Carmel Land Use Plan).

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(a) categorically exempts the construction of one single family dwelling in a residential zoning district.
 - b) The project consists of the construction of the first single-family dwelling on residentially zoned parcel; and therefore qualifies under a Class 3 categorical exemption.
 - c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, a hazardous waste site, development located near or within view of a scenic highway. Although trees are proposed for removal the subject trees have degraded in health due to various pests and pathogens and competition for limited resources. A condition for protection of the surrounding trees has been incorporated and will aid in the protection and continuation of Monterey pine onsite. No significant long-term affects to the forest ecosystem is anticipated. The parcel is also located within a high archaeological sensitivity zone and located within 750 feet of a known archaeological resource. An Archaeological Reconnaissance was prepared by Archaeological Consulting on August 4, 2003 (LIB070097). The report concluded that the subject parcel does not contain any archaeological resources and should not be delayed for archaeological reasons. However, a standard condition of approval has been incorporated (see Condition No. 4). Therefore, although the parcel is located within a sensitive area, there are no unusual circumstances that would result in a significant effect or development that would result

in a cumulative significant impact.

- FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
- EVIDENCE:**
- a) Section 20.86.030.A of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
 - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the application involves development that is permitted in the underlying zone as conditional use.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find the project Categorically exempt per section 15303(a) of the CEQA Guidelines; and
- 2) Approve the Combined Development Permit consisting of: 1) a Coastal Administrative Permit to allow a single-family dwelling; 2) a Coastal Development Permit for the removal of nine (9) protected trees; 3) a Coastal Development Permit for development within 750 feet of a known archaeological resource; and 4) a Design Approval, in general conformance with the attached sketch, colors, and materials and subject to the attached 27 conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 30th day of June, 2016 upon motion of:

Jacqueline R. Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK 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 Monterey County Building Ordinance in every respect.

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

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

Monterey County RMA Planning

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

PLN140843

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (PLN140843) allows construction of a 3,499 square foot single family dwelling with a 1,049 square foot garage, removal of nine (9) Monterey pine trees, and development within 750 feet of an archaeological resource. The property is located at 100 Crest Road, Carmel (Assessor's Parcel Number 241-221-013-000), Carmel 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 Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number ***) was approved by Zoning Administrator for Assessor's Parcel Number 241-221-013-000 on June 30, 2016. The permit was granted subject to 27 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 building permits or commencement of the use. (RMA - Planning)

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

3. PD002(A) - ATTACH RESOLUTION TO CONSTRUCTION PLANS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: A copy of the Resolution of Approval (Resolution No. ***) for the Combined Development Permit (Planning File No.: PLN140843) shall be incorporated onto the construction plans for the project prior to the issuance of a grading or building permit. The Contractor/Owner/Applicant shall be responsible for compliance with all conditions of approval. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of any grading or construction activities, the Owner/Applicant shall submit evidence to RMA-Planning for review and approval, that the Resolution of Approval, for the project, has been incorporated onto the construction plans for the project/approved development.

Ongoing throughout construction and until all Conditions of Approval and/or Mitigation Measures have been complied with, the Contractor/Owner/Applicant shall provide evidence of compliance with Conditions of Approval to the Responsible Land Use Department as specified in the "Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan."

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. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: RMA-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.

6. PD007- GRADING WINTER RESTRICTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services. (RMA - Planning and RMA - Building Services)

Compliance or Monitoring Action to be Performed: The Owner/Applicant, on an on-going basis, shall obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.

7. PD011 - TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of RMA - 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. (RMA - 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 RMA - 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 RMA-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

8. PD011(A) - TREE REMOVAL

Responsible Department: RMA-Planning

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

Compliance or Monitoring Action to be Performed: Prior to tree removal, the Owner/ Applicant/ Tree Removal Contractor shall demonstrate that a construction permit has been issued prior to commencement of tree removal.

9. PD012(D) - LANDSCAPE PLAN & MAINTENANCE (MPWMD-SFD ONLY)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of RMA - Planning . A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit one (1) set landscape plans of approved by RMA-Planning, a Maximum Applied Water Allowance (MAWA) calculation, and a completed "Residential Water Release Form and Water Permit Application" to the Monterey Peninsula Water Management District for review and approval.

Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/ shall submit an approved water permit from the MPWMD to RMA-Building Services.

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to Monterey County RMA - Planning.

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

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

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.
(RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

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

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

11. PD016 - NOTICE OF REPORT

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:
"The following reports were prepared and are on file in Monterey County RMA - Planning.
"Forest Management Plan" (LIB060081) prepared by Forest City Consulting, Carmel, CA, March 6, 2004;
"Amended Forest Management Plan" (LIB070097) prepared by Forest City Consulting, Carmel, CA, December 1, 2004;
"Amendment to Forest Management Plan" (LIB060081) prepared by Frank Ono, Pacific Grove, CA, February 24, 2016;
"Biological Assessment" (LIB030087) prepared by Rana Creek Habitat Restoration, CA, February 7, 2003;
"Biological Assessment" (LIB160203) prepared by Patrick Regan, CA, February 21, 2016;
"Biological Assessment Addendum" (LIB160203) prepared by Patrick Regan, CA, April 19, 2016;
"Preliminary Archaeological Assessment" (LIB070097) prepared by Archaeological Consulting, Salinas, CA, August 4, 2003.
All development shall be in accordance with these reports."
(RMA - 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 RMA - Planning.

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

12. PD032(A) - PERMIT EXPIRATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on June 30, 2019 unless use of the property or actual construction has begun within this period.
(RMA-Planning)

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

13. PD049 - TREE AND ROOT PROTECTION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to beginning any tree removal, trees which are located close to trees approved for removal shall be protected from inadvertent damage from equipment or tree removal activity by fencing off the canopy drip-lines and/or critical root zones (whichever is greater) with protective materials. Any tree protection measures recommended by a County-approved tree consultant, in addition to the standard condition, shall be implemented. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to construction or tree removal, the Owner/Applicant/Tree Removal Contractor submit evidence of tree protection to RMA-Planning for review and approval.

After construction or tree removal, the Owner/Applicant/Tree Removal Contractor shall submit photos of the trees on the property to RMA-Planning to document that the tree protection has been successful or if follow-up remediation measures or additional permits are required.

14. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: 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)

Compliance or Monitoring Action to be Performed: 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.

15. PDSP001 EXTERIOR COLORS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: As recommended by the Carmel/Carmel Highlands Land Use Advisory Committee, the applicant shall submit darker exterior colors for review and approval by the RMA-Planning Department. The exterior colors shall blend with the natural surroundings of the area.

Compliance or Monitoring Action to be Performed: Prior to issuance of construction permit(s) the applicant shall submit darker exterior colors to the RMA-Planning Department for review and approval.

16. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: RMA-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 DPW.

17. PWSP001 – COUNTY WIDE TRAFFIC IMPACT FEE (NON STANDARD)

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: If the County Wide Traffic Impact Fee is in place prior to issuance of building permits, applicant shall pay the County Wide Traffic Impact Fee. The fee amount shall be determined based on the parameters adopted in the 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 DPW.

18. WR002 - STORMWATER CONTROL

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts. Impervious surface stormwater runoff shall be dispersed at multiple points, on the least steep available slopes, away from and below any septic leach fields. Erosion control shall be provided at each outlet. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

19. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at:
www.mcwra.co.monterey.ca.us.

20. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan identifying the proposed methods to control runoff and erosion. The plan shall include the location and details for all selected erosion control measures. The erosion control plan may be incorporated into other required plans provided it is clearly identified. (RMA-Environmental Services)

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

21. GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a licensed Geotechnical Engineer that all development has been constructed in accordance with the recommendations in the project Geotechnical Investigation. (RMA- Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

22. GRADING PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a Grading Plan incorporating the recommendations in the project Geotechnical Investigation prepared by Haro, Kasunich and Associates, Inc. The Grading Plan shall be reviewed by a licensed Geotechnical Engineer for any potential impacts to the conclusions and recommendations identified in the Geotechnical Investigation. (RMA-Environmental Services)

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

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed Geotechnical Engineer that they have reviewed and approved the Grading Plan.

23. INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services, during active construction, to review the maintenance and effectiveness of BMPs installed, as well as, to verify that pollutants of concern are not discharged into receiving water bodies. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: During construction, The applicant shall schedule an inspection with RMA-Environmental Services.

24. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services to ensure all disturbed areas have been stabilized and all temporary erosion and sediment control measures that are no longer needed have been removed. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

25. INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

26. EHSP001 -LONG-TERM WATER SUPPLY DEED RESTRICTION

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: The applicant shall record a deed restriction stating: "Well yields in fractured rock aquifer systems have been shown to decline significantly over time due to meager ability of fractured rock 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 building permits, the applicant shall submit a draft deed restriction for review and approval by the Environmental Health Bureau and County Counsel.

Once approved, the applicant shall provide proof of recordation of the deed restriction to the Environmental Health Bureau and Planning Department.

If the applicant chooses not to pursue utilizing the well as a source for domestic use, this condition shall not be applicable.

27. EHSP002-NEW WELL WATER QUALITY ANALYSIS PERCHLORATE

Responsible Department: Health Department

Condition/Mitigation Monitoring Measure: Pursuant to Title 22 of the California Code of Regulations all Primary Standards for Inorganic Chemical Analysis shall be completed. Perchlorate has not been previously tested for this well (04-06199). Prior to final of construction permits, submit a perchlorate sample result to EHB for review and approval.

IF the water samples do not meet state maximum contaminate level thresholds, the following shall be required prior to occupancy of the home:

- Treatment plans shall be submitted to EHB for review and approval.
- Water Treatment system shall be installed with confirmation sample(s) indicating that the treatment system is functioning properly and the water is potable.

A deed Restriction shall be placed on the parcel indicating that treatment is required and installed and that it's the property owner's responsibility to regular maintain the treatment system to keep it in working order.

Compliance or Monitoring Action to be Performed: Prior to final of construction permits:
• Submit a perchlorate sample result to EHB for review and approval
IF samples indicate that treatment is necessary, submit the following prior to occupancy of the home:

- Treatment plans shall be submitted to EHB for review and approval.
 - Install Treatment System.
 - Submit confirmation sample(s) indicating that the treatment system is functioning properly and the water is potable.
 - Submit Grant Deed to EHB for creation of Deed Restriction form.
 - Obtain form and instructions from EHB.
 - Record notarized deed restriction.
- Submit evidence of recordation to EHB.

RESIDENCE FOR DAN KEIG

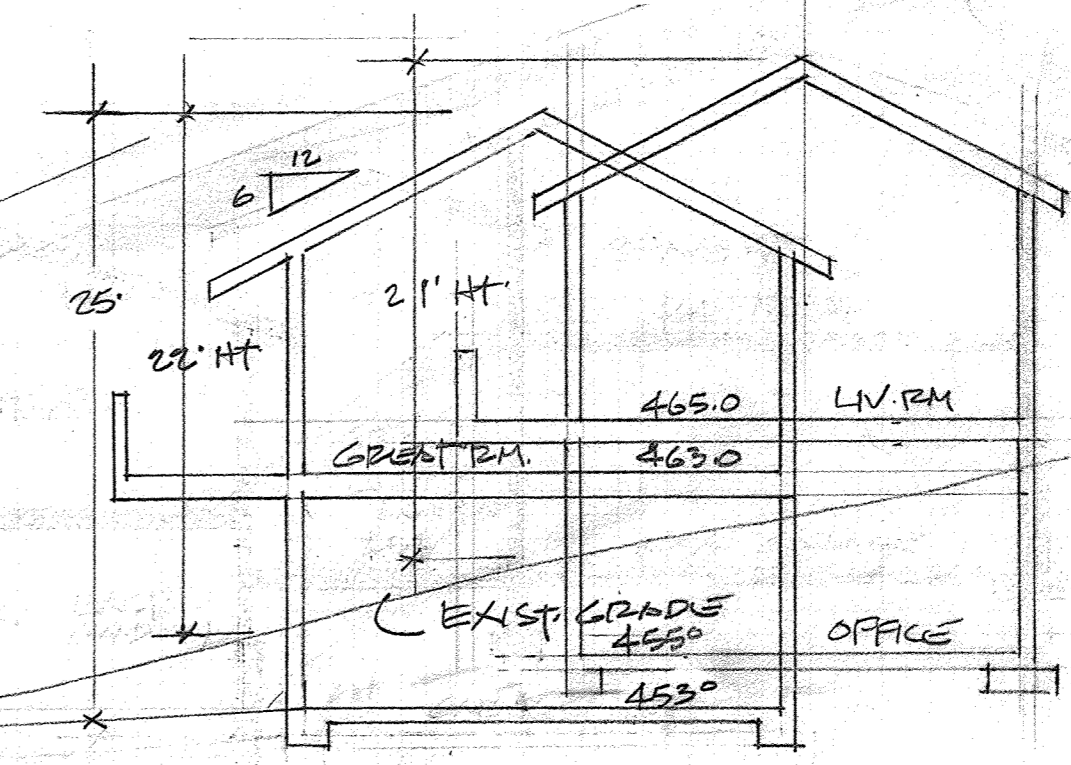
CREST ROAD 100
CARMEL HIGHLANDS

APN: 241-221-002
PL 040530

THE PAUL DAVIS PARTNERSHIP

ARCHITECTS & PLANNERS

286 Eldorado Street • Monterey, CA 93940
Telephone: (831) 373-2784 • FAX: (831) 373-7459



SECTION "18"=1"0"

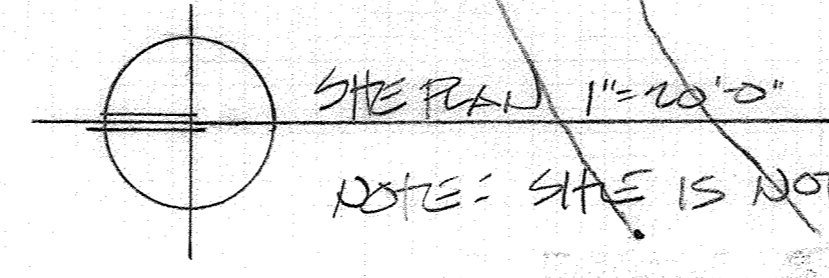
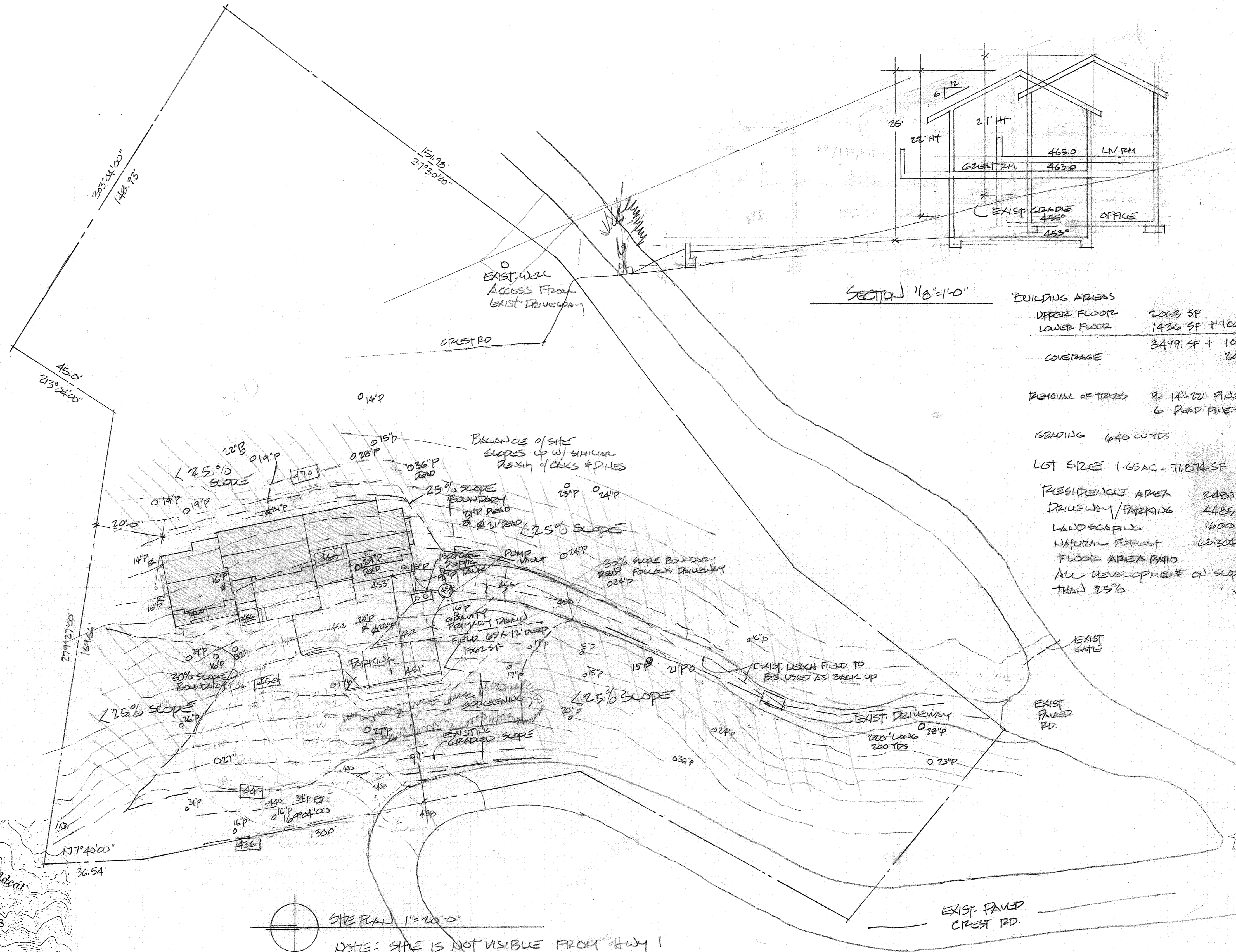
| BUILDING AREAS | |
|----------------|-------------------------------------|
| UPPER FLOOR | 2063 SF |
| LOWER FLOOR | 1436 SF + 1049 SF GARAGE |
| COVERAGE | 3499 SF + 1049 SF GARAGE 2485 SF |

REMOVAL OF TREES 9-14" DBH PILES
6 ROAD PINE SIZES

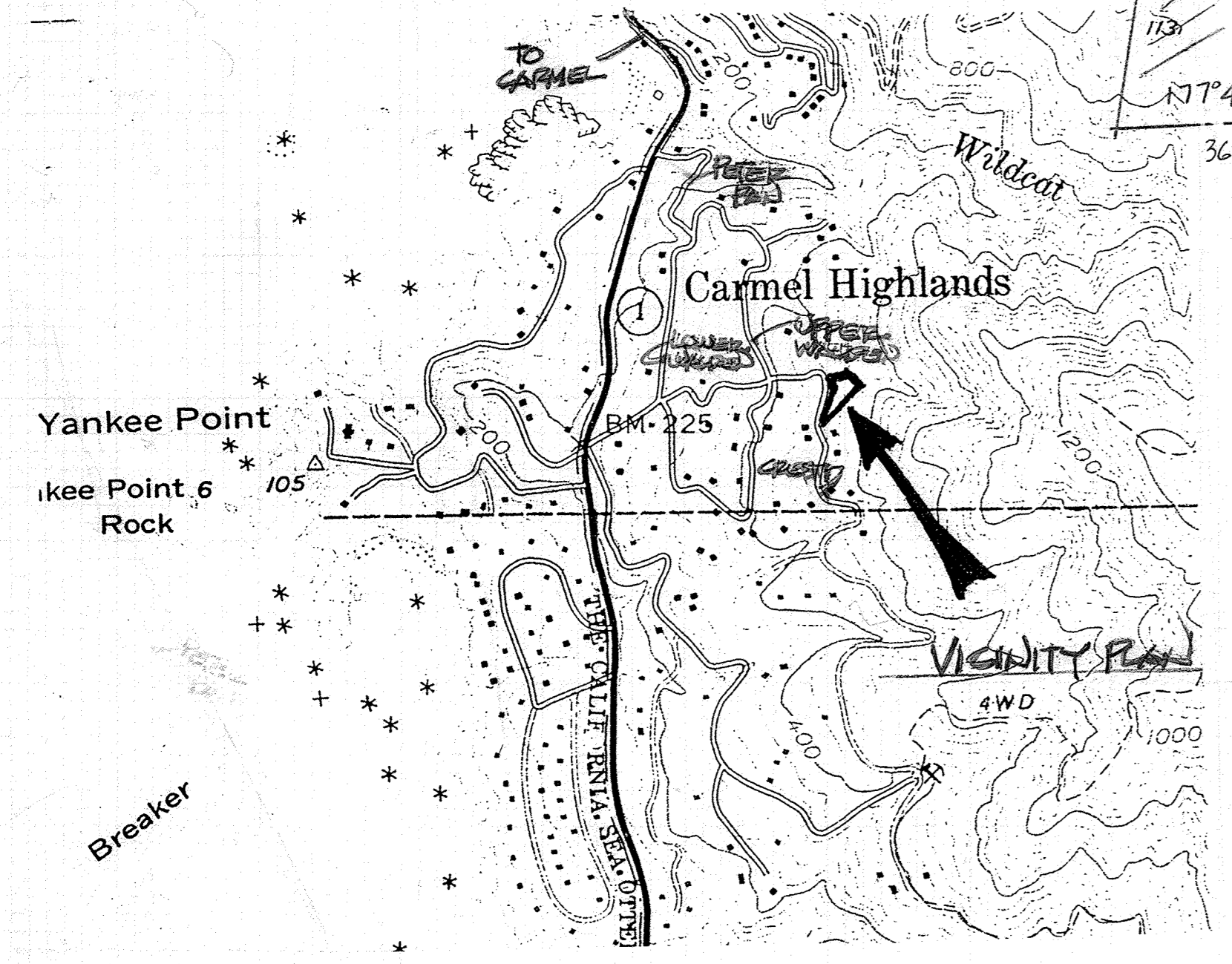
GRADING 640 CUTS

LOT SIZE 1.65 AC = 71,874 SF

| | |
|--|----------------|
| RESIDENCE AREA | 2483 SF 3.5% |
| DRIVEWAY/PARKING | 448 SF 0.2 |
| LANDSCAPE | 1600 SF 2.2 |
| NATURAL FOREST | 62,304 SF 88.1 |
| FLOOR AREA RATIO | 1.063 |
| ALL DEVELOPMENT ON SLOPE LESS THAN 25% | |



GRADING 640 CUTS & FILL BALANCED IN AREA OF RESIDENCE & DRIVEWAY
NO EXISTING BUILDINGS



Drawn By: P.D.
Drawing Date: 7/30/04
Date Issued for Construction:

- Revisions:
- 10/1/04
 - 10/25/04
 - 11/30/04
 - 12/2/04
 - 4/9/06
 - 10/20/14

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Sheet Title: SITE PLAN

Sheet Number: A1.1

RESIDENCE FOR DAN KEIG
CREST ROAD 100
CARMEL HIGHLANDS

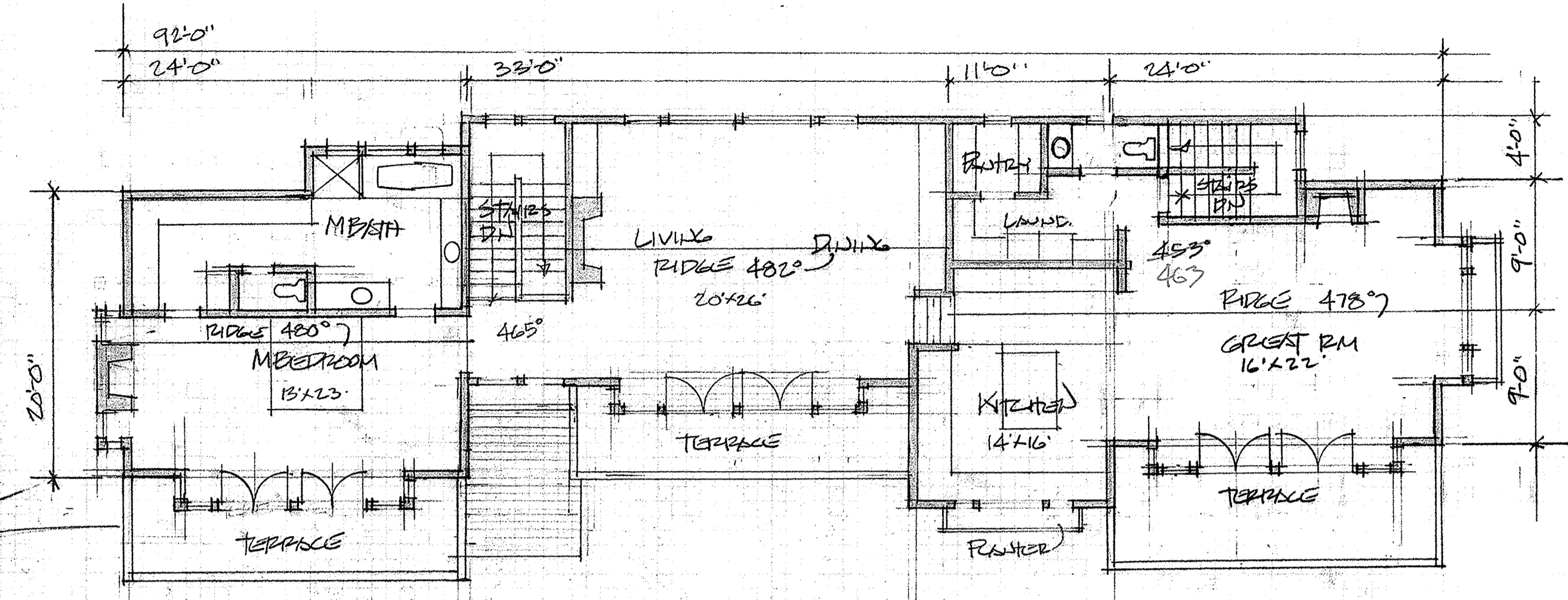
APN: 241-221-002

THE PAUL DAVIS PARTNERSHIP
ARCHITECTS & PLANNERS

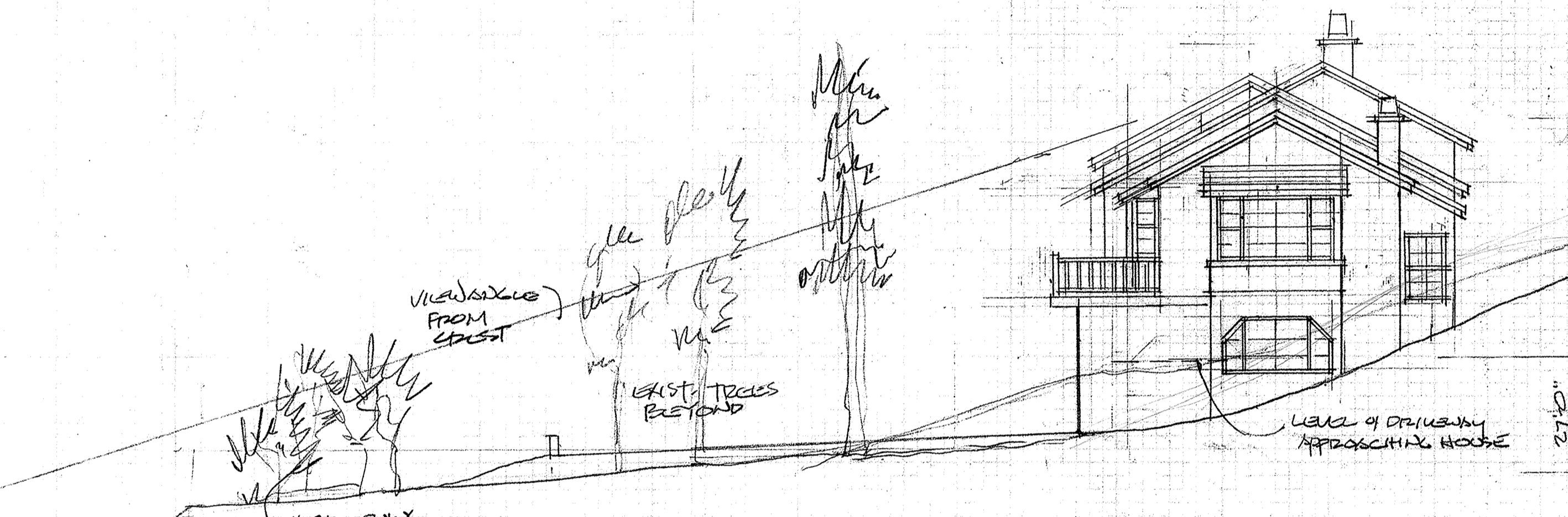
Casa Fuente
450 Pacific Street, Suite 300 • Monterey, CA 93940
Telephone: (831) 373-2784 • FAX: (831) 373-7459
Lake Tahoe Region
P.O. Box 3716 • Truckee, CA 96160
Telephone: (530) 582-4595 • FAX: (530) 582-4590



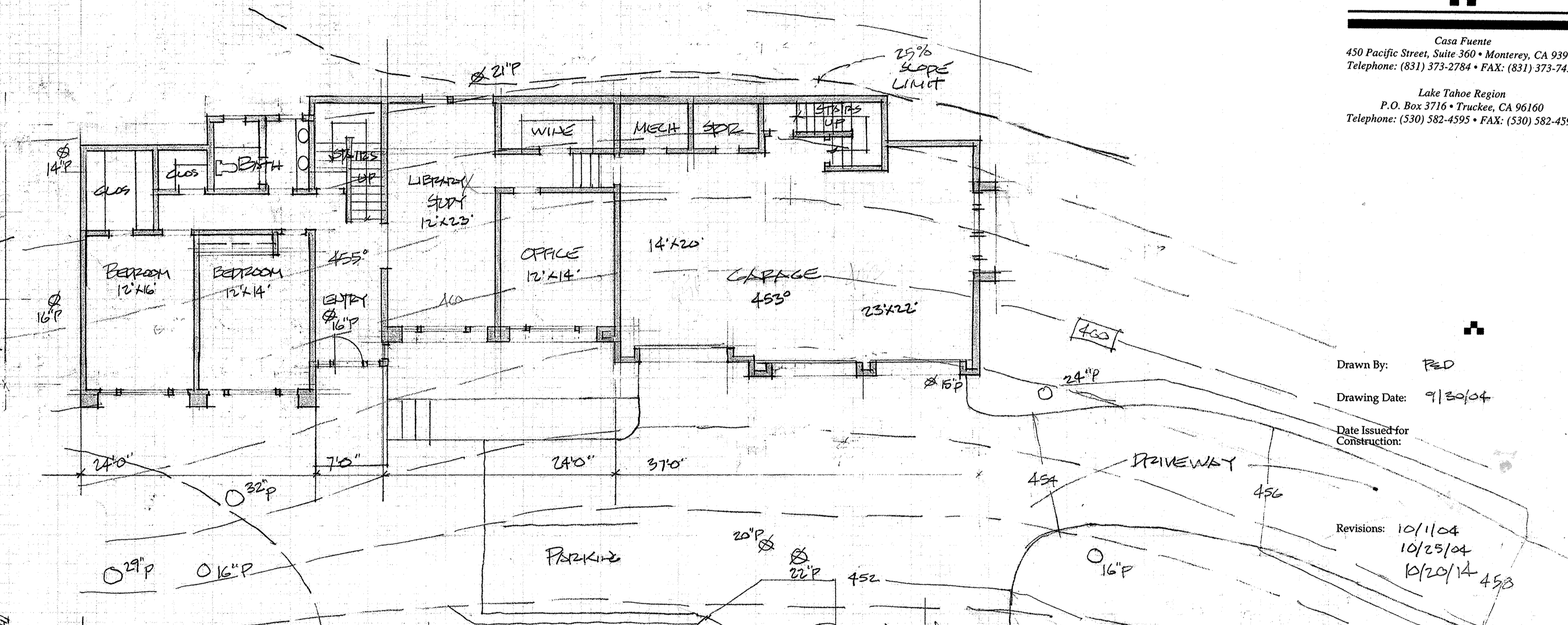
FRONT / WEST ELEVATION 1/8"=1'-0"



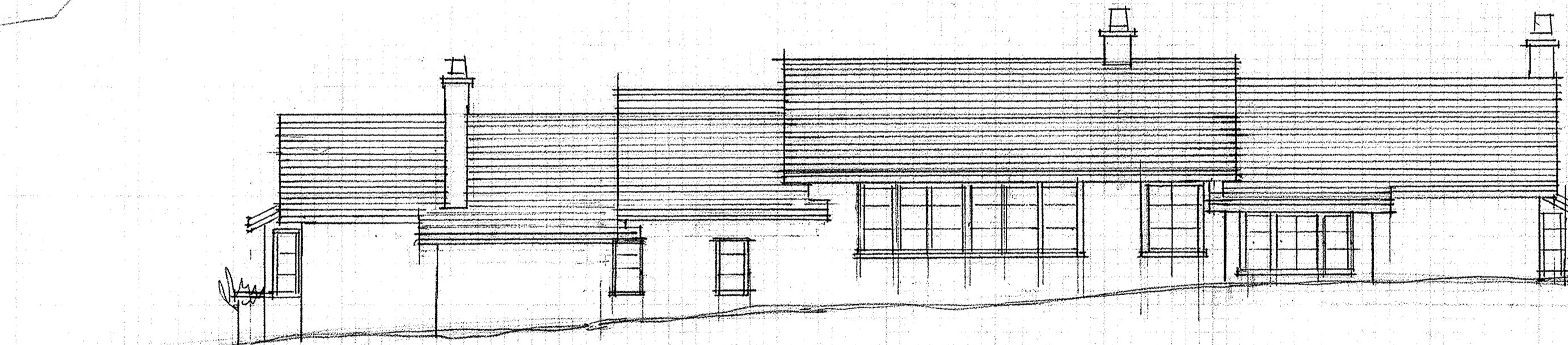
UPPER LEVEL FLOOR PLAN 2063 SF
1/8"=1'-0"



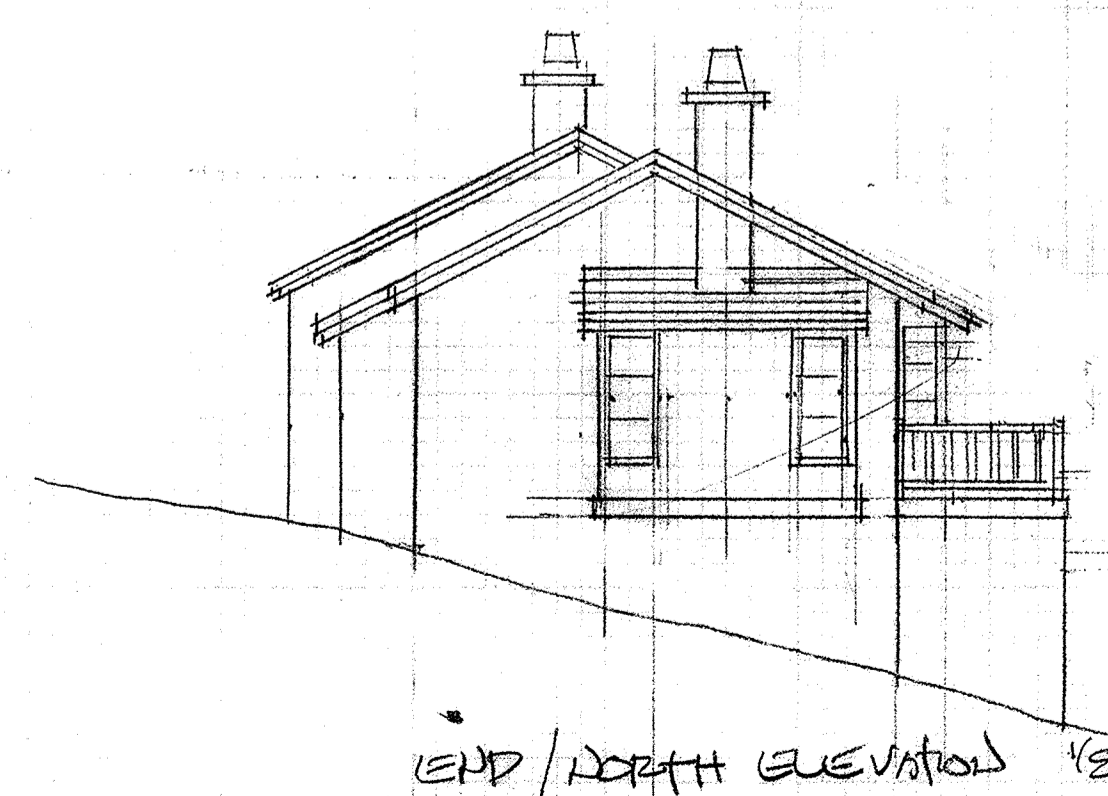
END / SOUTH ELEVATION 1/8"=1'-0"



LOWER LEVEL FLOOR PLAN 1436 SF + 1049 SF GARAGE
1/8"=1'-0"



REAR / EAST ELEVATION 1/8"=1'-0"



END / NORTH ELEVATION 1/8"=1'-0"

MATERIALS: ROOF: FIRE PRFQ QUARRY SLATE GRAY/GREEN
WALLS: CEMENT PLASTER - LT. GREEN/TAN
WINDOWS: WOOD W/SLIGHTLY DARKER COLOR
DOORS: WOOD
PARKING: ASPHALT

Drawn By: P&D
Drawing Date: 9/30/04
Date Issued for Construction:

Revisions: 10/1/04
10/25/04
10/20/14 453

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Sheet Title: FLOOR PLANS ELEVATIONS

Sheet Number: A2.1

CREST RD