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

In the matter of the application of:

Lundgren (PLN150716) RESOLUTION NO. 17-024

Resolution by the Monterey County Zoning Administrator:

- 1) Finding the project Categorically exempt from CEQA per Section 15303(a) of the CEOA Guidelines; and
- 2) Approving an Amendment to an approved Combined Development Permit (PLN120681) to allow the reduction and redesign of an approved single family dwelling; Coastal Administrative Permit and Design Approval to convert a legal nonconforming guesthouse into an Accessory Dwelling Unit; rescind approval of a Variance to the Pescadero Watershed impervious surface limitation that allowed 11,565 square feet of impervious surface; and Coastal Development Permit for development within 750 feet of a known archaeological resource.

[PLN150716, John F. and Tamara L. Lundgren, 3167 Del Ciervo Road, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-371-009-000)]

The Amendment application (PLN150716) came on for public hearing before the Monterey County Zoning Administrator on March 30, 2017. 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

1. **FINDING:**

PROJECT DESCRIPTION – The Project, as conditioned, is an Amendment to a Combined Development Permit (PLN120681) to allow the reduction and redesign of a previously approved single family dwelling and convert a legal non-conforming guesthouse into an accessory dwelling unit. The revised design of the single family dwelling will result in the construction of a 10,565 square foot three-story single family dwelling with a 1,095 square foot attached garage and 263 square foot storage/utility room. Conversion of the 796 sq. ft. guesthouse into an Accessory Dwelling Unit will allow the remodel and addition of 55 square feet, resulting in a total livable floor area of 851

square feet. Approval of this Amendment will void the previous Combined Development Permit (PLN120681) and rescind the previously approved Variance to the Pescadero Watershed impervious surface coverage limitations. As approved and amended, permit number PLN150716 will become and be referred to as the approved permit.

EVIDENCE: a)

- On March 14, 2013, the Monterey County Zoning Administrator approved a Combined Development Permit (PLN120681, Resolution No. 13-008) allowing the demolition of a 7,734 square foot single family dwelling and construction of a 10,019 square foot single family dwelling (4,792 square foot lower level and a 5,227 square foot main level); demolition of a 903 square foot detached garage and carport and a 282 square foot shed and the construction of a 1.046 square foot attached three-car garage; construction of 827 square feet of storage rooms and a 348 square foot mechanical room; construction of 2,935 square feet of promenade and terraces; removal of 20,213 square feet of hardscape (driveways, walkways, and patios) and replacing with permeable pavers; change the exterior finishes of a 796 square foot guest house and 612 square foot attached garage to match main residence; grading consists of approximately 1,550 cubic yards of cut and 70 cubic yards of fill; 2) Coastal Development Permit for development with 750 feet of a known archaeological resource; and 3) Variance to exceed Pescadero Watershed coverage limitations of 9,000 square feet and allow impervious surface coverage of 11,565 square feet.
- b) The proposed Amendment includes a reduction in height (from 29-feet, 10-inches to 29-feet, 7-inches), overall square footage (from 12,129 square feet to 11,923 square feet), and hardscape (from 3,922 square feet to 2,532 square feet) as well as conversion of a legal non-conforming guesthouse to an Accessory Dwelling Unit to allow a remodel and addition.
- c) 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 PLN150716.

2. **FINDING:**

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

EVIDENCE:

- a) 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;
 - Del Monte Forest Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 5;
 - Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

b) The property is located at 3167 Del Ciervo Road, Pebble Beach (Assessor's Parcel Number 008-371-009-000), Del Monte Forest Land Use Plan. The parcel is zoned Low Density Residential, 1.5 acres per unit with Design Control Overlay, Coastal Zone or "LDR/1.5-D(CZ)",

- which allows for the establishment of a single family dwelling per Section 20.14.040.A of Title 20. Section 20.14.040.W of Title 20 allows the establishment of an Accessory Dwelling Unit. Therefore, the project is an allowed land use for this site.
- c) Section 20.70.105, Amendments to Coastal Development Permits, of Title 20 allows for an amendment to an approved Coastal Development Permit. The proposed changes do not identify impacts not already addressed in the original permit; however, approval of the Amendment, the conversion of the guesthouse into an Accessory Dwelling Unit, and rescinding of the Variance would not be keeping within the action of the previous approval. Therefore, approval of the Amendment requires approval of the original decision making body, Monterey County Zoning Administrator.
- The purpose of the Design Control Overlay District (Section 20.44.010 of Title 20) is to provide a district for the regulation of the location, size, configuration, materials, and colors of structures and fences in those areas of the County where design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and visual integrity of the area. The original permit approved a residence with a Spanish Revival architectural design incorporating the use of arched doors, windows, and entryways; a light colored stucco body; and clay roof tiles. This amendment includes a Mission Style Craftsman architectural design for both the single family dwelling and Accessory Dwelling Unit, and incorporates the use of large roof overhangs with exposed rafter tails and board and batten, banded wood shingles, and stone veneer siding for the body. Colors consist of dark slate roof tiles, dark stain for the wood design elements (including window trim and doors) and beige for the stone design elements. Although this modification is significantly different than what was previously approved, the design and materials are consistent with the established character of the neighborhood and blend into the natural forest environment of the surrounding area.
- e) Accessory Dwelling Unit (ADU) Monterey County Assessor's records show that collection of property taxes for the existing 796 square foot guesthouse and 612 square foot attached garage began in 1963 and the year built was in 1949. Plans contained within previously approved projects (PLN010223 Schneider and the original project PLN120681) show the structure identified as a "guesthouse" in the same location and include a site plan showing square footage and a kitchen. Since the guesthouse was established prior to requirements of County permits, and the size exceeds the current standards for a guesthouse and cooking facilities exists, the guesthouse is considered legal non-conforming. Approval of the conversion from guesthouse to ADU will bring the use of the structure into conformance with current County regulations. The location, size, parking, and setbacks are consistent with the ADU regulations contained in Section 20.64.030.E of Title 20.
- f) The previously approved project included development within 750-feet of a known archaeological resource. Analysis of that project identified no impacts to cultural resources as a result of project implementation. In order to ascertain potential impacts of the Amendment, submittal of an

- additional archaeological report was required. This report dated January 2016, prepared by John Schlagheck, M.A., RPA of Holman & Associates Archaeological Consultants (LIB160003) arrived at the same conclusion; the proposed modification would have no impacts to cultural resources. To ensure unknown resources are not accidentally destroyed, a standard condition of approval (Condition No. 3) has been incorporated requiring all construction work to be halted if cultural, archaeological, historical, or paleontological resources are uncovered.
- g) The previously approved project included maintaining the eastern portion of the single family dwelling that was legal non-conforming with regard to side yard setbacks. However, the entire dwelling was demolished in 2014 (see demolition permit No. 14CP01392) and the amendment includes a structure that meets all setback requirements of the Low Density Residential zoning district.
- h) The previously approved project included a Variance to the Pescadero Watershed impervious surface limitations, granting the allowable coverage from the required 9,000 square feet to 11,565 square feet. The amendment now includes a total impervious surface coverage of 8,823 square feet and meets the required limitation. Therefore, the Variance is no longer necessary and approval of this Amendment rescinds the previous approval.
- i) The project planner conducted a site inspection on November 15, 2016 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review on February 18, 2016. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors, this application warranted referral to the LUAC because approval of the project at a public hearing is required. The LUAC found the Amendment to be consistent with the neighborhood and recommended approval, as proposed, by a vote of 5 to 0, with 1 member absent.
- k) As delineated by Figure 8, Major Public Access and Recreational Facilities, of the Del Monte Forest Land Use Plan, the subject property is not located in an area where public access is required.
- 1) 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 PLN150716.
- 3. **FINDING: SITE SUITABILITY** The site is physically suitable for the use proposed.
 - a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Pebble Beach Community Services District, RMA-Public Works, RMA-Environmental Services, 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 conducted a site inspection on November 15, 2016 to verify that the site is suitable for this use.

EVIDENCE:

c) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN150716.

4. **FINDING:**

HEALTH AND SAFETY - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE:

- The project was reviewed by the RMA Planning, Pebble Beach Community Services District, RMA-Public Works, RMA-Environmental Services, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Necessary public facilities are available to the subject property. Access to the site is gained through an existing private road (Del Ciervo Road) and no new access or easement is required. Potable water will be provided by Cal Am and wastewater service will be provided by the Pebble Beach Community Services District.
- c) Staff conducted a site inspection on November 15, 2016 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA Planning for the proposed development found in Project File PLN150716.

5. **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-Code Compliance Division records and is not aware of any violations existing on subject property. Staff conducted a site inspection on November 15, 2016 and researched County records to assess if any violation exists on the subject property. There are no known violations on the subject parcel.
- 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 PLN150716.

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:

California Environmental Quality Act (CEQA) Guidelines Section 15303(a), categorically exempts construction of small structures, such as a single family dwelling and a second dwelling unit within a residential zone. The Amendment meets this exception as it includes construction of a single family dwelling and the conversion of a

- guesthouse into an Accessory Dwelling Unit within the Low Density Residential zoning district.
- b) No adverse environmental effects were identified during staff review of the development application during a site visit on November 15, 2016.
- c) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project as the project will not create an impact within a particularly sensitive environment, will not have a significant cumulative impact or effect on the environment, is not located on a registered Hazardous Waste Site, and will not result in damage to scenic or historic resources.
- d) Staff conducted a site inspection on November 15, 2016 to verify that the site is suitable for this use.
- 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 PLN150716.
- 7. **FINDING:**

APPEALABILITY - The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.

EVIDENCE:

- a) Section 20.86.020 of the Monterey County Zoning Ordinance (Title 20) states that the proposed project is appealable to the Board of Supervisors.
- b) Section 20.86.080.A.1 of the Monterey County Zoning Ordinance (Title 20) states that the proposed project is subject to appeal by/to the Coastal Commission because the project site is located between the sea and the first public road.

DECISION

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

- 1. Find the project Categorically exempt from CEQA pursuant to Section 15303(a) of the CEOA Guidelines and
- 2. Approve the Amendment to an approved Combined Development Permit (PLN120681) to allow the reduction and redesign of an approved single family consisting of the construction of an approximate 10,565 square foot three-story single family dwelling with a 1,095 square foot attached garage and 263 square foot storage/utility room, 2,532 sq. ft. of hardscape, and associated grading of 5,685 cubic yards of cut and 187 cubic yards of fill; Coastal Administrative Permit and Design Approval to convert a 796 square guesthouse into an Accessory Dwelling Unit to allow the remodel and addition of 55 square feet, resulting in a total livable floor area of 851 square feet; rescind approval of a Variance to the Pescadero Watershed impervious surface limitation that allowed 11,565 square feet of impervious surface; and Coastal Development Permit for development within 750 feet of a known archaeological resource, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 30th day of March, 2017

Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON MAR 3 1 2017

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

APR 1 0 2017

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 Department office in Salinas.

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

Form Rev. 5-14-2014

Monterey County RMA Planning

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

PLN150716

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Amendment (PLN150716) to a previously approved Combined Development Permit (PLN120681) to allow the reduction and redesign of an approved single family consisting of the construction of an approximate 10,565 square foot three-story single family dwelling with a 1,095 square foot attached garage and 263 square foot storage/utility room, 2,532 sq. ft. of hardscape, and associated grading of 5,685 cubic vards of cut and 187 cubic yards of fill; Coastal Administrative Permit and Design Approval to convert a 796 square guesthouse into an Accessory Dwelling Unit to allow the remodel and addition of 55 square feet, resulting in a total livable floor area of 851 square feet; rescind approval of a Variance to the Pescadero Watershed impervious surface limitation that allowed 11,565 square feet of impervious surface; and Coastal Development Permit for development within 750 feet of a known archaeological resource. The property is located at 3167 Del Cervo Road, Pebble Beach (Assessor's Parcel Number 008-371-009-000), Del Monte Forest 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:

PI N150716

The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

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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:

"An Amendment to a previously approved Combined Development Permit (PLN120681) (Resolution Number 17-024) was approved by the Monterey County Zoning Administrator for Assessor's Parcel Number 008-371-009-000 on March 23, 2017. The permit was granted subject to 19 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)

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. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department:

RMA-Planning

Condition/Mitigation Monitoring Measure:

during the course of construction, cultural, archaeological, historical 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 archaeologist registered qualified archaeologist (i.e., an with the 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.

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4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department:

RMA-Planning

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. (RMA - Planning)

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 Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

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.

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6. 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 building permits, Owner/Applicant/Licensed of the Landscape Contractor/Licensed Landscape Architect shall submit landscape 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.

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7. 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 The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. 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. lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written 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.

8. PD041 - HEIGHT VERIFICATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall have a benchmark placed upon the property and identify the The benchmark shall remain visible on-site until benchmark on the building plans. final building inspection. The applicant shall provide evidence from a licensed engineer or surveyor to the Director of RMA - Building Services for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA -Planning and RMA - Building Services)

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

Prior to the issuance of grading or building permits, the Owner/Applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection.

the foundation pre-pour inspection, the Owner/Applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of RMA- Building Services for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.

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

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9. PD052 - PRE-CONSTRUCTION MEETING

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

Prior to the commencement of any grading or construction activities, a pre-construction meeting shall be held on the site. The meeting shall include representatives of each of the selected contractors, any consultant who will conduct required monitoring, the Owner/Applicant, the RMA-Planning Department and any other appropriate County Departments. The purpose of the meeting is to review the conditions of approval that are applicable to the grading and construction of the approved development. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to commencement of any grading or construction activities, the Owner/Applicant shall contact RMA-Planning to schedule a pre-construction meeting prior to commencement of any grading or construction activities. The Owner/Applicant shall be responsible for ensuring that all appropriate contractors and technical consultants are in attendance. RMA-Planning staff shall be responsible for identifying and notifying other County Departments that should attend the meeting (if applicable).

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10. PDSP01 - TREE PROTECTION DURING GRADING AND EXCAVATION (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation **Monitoring Measure:**

In order to ensure protection of trees in proximity of construction activities, the following shall occur:

All trenching, grading, or any other digging or soil removal expected to encounter tree roots shall be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots. The qualified arborist or forester, in consultation with the project architect, shall direct any minor field adjustments that may be needed. Specifically, grading, excavation, or construction of retaining/landscape walls in proximity of tree Nos. 2820 (8-inch Coast live oak), 2817 (24-inch Monterey pine), and 2811 (30-inch Monterey pine).

Any roots that must be cut shall be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment.

Any root damaged during grading or excavation shall be exposed to sound tissue and cut cleanly with a saw.

If construction activities result in the destabilization or negatively affect the life of any trees, all work shall be halted and appropriate permits for removal of the tree(s) shall be obtained prior to commencement of work.

Compliance or Monitoring Action to be Performed:

Prior to issuance of grading or building permits, the applicant shall submit a copy of the contract with a qualified arborist or forester encompasses all work specified in this condition to RMA-Planning for review and approval.

During activities, provide RMA-Planning with construction the applicant shall verification that the protection measures specified in this condition are being implemented.

Prior to final of grading or building permits, the applicant shall schedule and inspection with RMA-Planning to verify that all protected trees in proximity of construction activities have remained intact. The applicant shall provide RMA-Planning with a letter from the qualified arborist or forester certifying that grading and construction activities have complied with this condition.

If any trees are harmed during construction and removal is warranted, all work shall halt and the applicant shall obtain all necessary permits to allow removal prior to commencement of work.

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11. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. (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.

12. GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a licensed practitioner that all development has been constructed in accordance with the recommendations in the project Geotechnical Report. (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.

13. GRADING PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations from a project Geotechnical Report prepared by Grice Engineering Inc. The grading plan shall include contour intervals and cross-sections that identify the existing grade, proposed grade, and the extent of any proposed excavation and/or fill. The grading plan shall include the geotechnical inspection schedule that identifies when the inspections will be completed, who will conduct the inspection (i.e., PG, PE, and/or Special Inspector), a description of the required inspection, inspector name, and the completion date. The applicant shall also provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (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 and geotechnical report 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 practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

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14. INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed:

During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

15. 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. This inspection requirement shall be noted on the Erosion Control Plan. (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.

16. 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. This inspection requirement shall be noted on the Erosion Control Plan. (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.

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17. SLOPE SETBACK PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall submit plans, with supporting calculations and cross-sections, showing the proposed building(s) setback from descending slopes in accordance with the building code. The cross-sections shall identify all applicable information including the existing slope, proposed slope, extent of slope, height of slope, toe of slope, face of footing(s), required setback distance, and the proposed setback distance. The location and extent of the cross-sections shall be shown on the plans.

If an alternate setback is requested, an updated Geotechnical Report shall be submitted to support the request. The report shall consider the material, height of slope, slope gradient, load intensity, and erosion characteristics of slope material to demonstrate the intent of the setback requirement has been satisfied. (RMA-Environmental Services)

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

18. WR003 - DRAINAGE PLAN - RETENTION

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 demonstrate compliance with the stormwater policies of the Del Monte Forest Land Use Plan. The plan shall provide on-site retention to prevent off-site discharge from storms less than or equal to the 85th percentile 24-hour rainfall event. If on-site retention is not feasible, then on-site detention with water quality treatment shall be provided. 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. WR010 - COMPLETION CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from a registered civil engineer or licensed contractor that stormwater retention facilities have been constructed in accordance with the approved drainage plan. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall submit a letter to the Water Resources Agency prepared by a registered civil engineer or licensed contractor.

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