

**Before the Housing and Community Development Chief of Planning
in and for the County of Monterey, State of California**

In the matter of the application of:

GUZMAN ANTONIO & MONICA (PLN220013)

RESOLUTION NO. 24-035

Resolution by the Monterey County HCD Chief of Planning:

- 1) Finding that the construction of the first single family dwelling on a lot allowing residential use qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2; and
- 2) Approving an Administrative Permit and Design Approval to allow the construction of a 768 square foot single family dwelling with associated site improvements in the Visual Sensitivity zoning district.

[PLN220013, Antonio and Monica Guzman, 397 Corral de Tierra, Unit D, Salinas, Toro Area Plan (Assessor's Parcel Number 416-381-015-000)]

The GUZMAN ANTONIO & MONICA application (PLN220013) came on for an administrative decision hearing before the Monterey County HCD Chief of Planning on August 21, 2024. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented the Monterey County HCD Chief of Planning finds and decides as follows:

FINDINGS

1. **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 2010 Monterey County General Plan;
 - Toro Area Plan; and
 - Monterey County Zoning Ordinance (Title 21).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) Allowed Use. The property is located at 397 Corral de Tierra, Unit D, Salinas, Toro Area Plan (Assessor's Parcel Number 416-381-015-000). The property is currently vacant and undeveloped. The project proposes a 768 square foot single family dwelling with associated site improvements. The parcel is zoned Resource Conservation with a 10-

acre minimum within a Visually Sensitive area or “RC/10-VS” and 100-foot front setback along Corral De Tierra Road, which allows for the first single family dwelling per a legal lot of record with associated site improvements pursuant to Title 21 Section 21.36.030.A. In the VS zoning district, the single family dwelling requires an Administrative Permit and Design Approval pursuant to Section 21.46.030.D2. The RC zoning district allows development in the more remote and mountainous areas in the County while protecting the significant and substantial resources of those areas. In this case, the resources are viewshed, oak woodland, and riparian corridor. The proposed single family dwelling is limited in square feet and will be subordinate to the surrounding environment. The development avoids impacts to viewshed, meets stream setbacks to a creek which crosses the parcel and no trees are proposed for removal. (See Findings Nos. 3 and 4). The project involves a temporary residence during construction which is allowed pursuant to Sections 21.36.030.G and 21.64.070. Therefore, the project is an allowed land use for this site.

- c) Lot Legality. The subject property (3.02 acres) is identified as Parcel 2 in Volume 11 on Page 26 of Parcel Maps in the Monterey County Recorder’s Office filed as the Samuel W. Downing subdivision on January 12, 1977. Therefore, the County recognizes the property as a legal lot of record.
- d) Design/Neighborhood and Community Character. Pursuant to Chapter 21.44 of Title 21, the project site and surrounding area are designated as a Design Control Zoning District (“D” zoning overlay), which regulates the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. See Finding No. 4 and supporting evidence below.
- e) Development Standards. The development standards for the RC zoning district are identified in Title 21 Section 21.36.060. Required setbacks for main dwellings are 30 foot (front), 20 foot (sides), and 20 foot (rear) and the minimum distance between accessory and main structures is 10 feet. The maximum allowed height is 30 feet. However, pursuant to Toro Area Plan *Policy T-3.3*, a special 100-foot setback from Corral de Tierra Road is required for the Toro Scenic Highway Corridors and Visual Sensitivity Map. As proposed, the one-story single family dwelling will have a 137 foot (front), 67 foot (right side), 218 foot (left side), and 317 foot (rear) setbacks. The proposed height is 12 foot 10 inches. Associated site improvements will consist of the installation of an onsite wastewater system. Therefore, the project is consistent with the development standards as outlined in Title 21.
- f) Site Coverage. Pursuant to Title 21 Section 21.36.060.E, the maximum allowed site coverage is 25 percent. As proposed the project would have a total site coverage of 768 square feet which equals 0.5 percent. Therefore, as proposed, the project meets the required coverage limitations.
- g) Visual Sensitivity. The project site has a “Visual Sensitivity District” or “VS” overlay which requires the review of development in areas visible from a common public road or viewing area. The proposed project is located in an area of visual sensitivity due to the proximity of the

County's scenic route elevated slightly above Corral de Tierra Road. The proposed development, as sited and designed, is setback 137 feet from Corral de Tierra and screened naturally along the frontage of the property by existing mature Coast live oak trees. The southwest corner of the staked and flagged structure is slightly visible against the trees from the front of the subject property at the road for up to two seconds when driving westbound towards the property at the speed limit 50 miles per hour. There is no turnout from Corral de Tierra in front of the property. The proposed structure will be painted earthtone colors that blend with the oak trees. The project, as conditioned, will not result in adverse visual impacts to Corral de Tierra Road. Further, the project is consistent with the applicable scenic resource policies of the 2010 General Plan and the Toro Area Plan. See Finding No. 4, Evidence "d".

- h) Existing Easements. A scenic easement exists over the northwest and northeastern areas of the parcel with slopes greater than 30 percent. There is a 10-foot-wide waterline easement that runs along the western property line and a well lot easement to the right of the waterline which provides water to three neighboring parcels for a 1/6th share of the water system. Access to the project site is through a non-exclusive 60-foot-wide road easement. These easements were established when the subdivision was created in 1977. Additionally, a Pacific Gas & Electric easement crosses into the parcel from the north, traversing to the southeast, and then south toward Corral de Tierra Road. As proposed, the project will be located on the flat middle portion of the property, and development will avoid and maintain sufficient setbacks from all easements located on the parcel.
- i) Cultural Resources. The project site is in an area designated as having high archaeological sensitivity. On February 24, 2023, an Archaeological Report (LIB230263) was prepared by Andrew Von Pinnon from the Archaeological Resource Service. A pedestrian survey was performed at the project site and the results of that survey were negative. The potential for inadvertent impacts to cultural resources will be addressed by the County's standard project condition (Condition No. 3) which requires the contractor to stop work if previously unidentified resources are discovered during construction. See Finding No. 6, Evidence "b".
- j) Toro Land Use Advisory Committee (LUAC) Review. The project was referred to the Toro Land Use Advisory Committee pursuant to Board of Supervisors Resolution No. 15-103 on May 28, 2024. The committee members raised concerns regarding the dumping of dirt into the intermittent stream on the parcel, potential for future development, and the possibility of establishing of a building envelope. The applicant and County staff addressed these concerns in the hearing. Staff stated to the LUAC that there is no dirt being dumped into the adjacent creek and no code violation has been found associated with the parcel indicating this activity has occurred. The applicant's current development project application is for the first single family dwelling and not an accessory dwelling unit, and there was no building envelope established for this or other parcels in the Samuel W. Downing subdivision at the time of formation. To further clarify, in previous decades, it was a practice in

the County to add building envelopes to parcel maps. It is not an action that is taken after parcel formation, however. The project site has an existing building pad, and therefore, a building location is presented for this particular site. The committee ultimately recommended approval as proposed by a vote of 5-1 with no members absent.

- k) The project planner conducted a site inspection on October 4, 2023, to verify that the project on the subject parcel conforms to the plans listed above.
- l) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN220013.

2. FINDING: SITE SUITABILITY – The site is physically suitable for the proposed development and/or use.

EVIDENCE: a) The project has been reviewed for site suitability by the following departmental groups and agencies: HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Monterey County Regional Fire Protection District. County staff reviewed the application materials and plans to verify that the project on the subject site conforms to the applicable plans and regulations, and there has been no indication from these departments/agencies that the site is not suitable for the development. Conditions recommended have been incorporated.

b) Staff identified potential impacts to archaeological and soil resources. The following reports have been prepared:

- “Archaeological Report” (LIB230263) prepared by archaeologist Andrew Von Pinnon, Archaeological Resource Service, Rohnert Park, CA, February 24, 2023.
- “Geotechnical Data Report for Onsite Wastewater Treatment System” (LIB240203) prepared by Greg Bloom, Butano Geotechnical Engineering, Inc., Freedom, CA, January 5, 2021.
- “Soil and Foundation Investigation Report” (LIB230264) prepared by Bruce Emam, American Soil Testing and Engineering, Inc., San Jose, CA, August 15, 2023.

County staff independently reviewed these reports and concurred with their conclusions. There are no physical or environmental constraints that would indicate that the site is not suitable for use. All development shall be in accordance with these reports.

- c) Associated site improvements include the installation of an onsite wastewater treatment system (OWTS). See Finding No. 3, Evidence “b”.
- d) Staff conducted a site inspection on October 4, 2023, 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 HCD-Planning are found in Project File PLN220013.

3. FINDING: HEALTH AND SAFETY – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals,

comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by HCD-Planning, HCD-Engineering Services, HCD-Environmental Services, Environmental Health Bureau, and Monterey County Regional Fire Protection District. The respective HCD groups and 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 private facilities will be provided to serve the proposed development. The single family dwelling will be served by a private onsite well and an onsite wastewater treatment system (OWTS). A “Source Capacity Letter” by Maggiora Bros. Drilling, Inc., dated February 16, 2024, was included in the application indicating that the existing onsite well was found to produce 17.5 gallons per minute to serve the development, and no contaminants over the maximum levels allowed were found in the water quality sampling from October 31, 2023. A Geotechnical Data Report (LIB240203) for the OWTS and a draft design plan were submitted for the project. The report indicated that groundwater was found at approximately 25 feet in depth. The draft OWTS design plan includes a 1,000-gallon tank with primary and secondary leach fields at a maximum trench depth of 4 feet to accommodate the development. The Environmental Health Bureau approved the proposed OWTS location and verified that the appropriate setbacks could be met during a site visit on April 9, 2024. Location of the OWTS is north of the proposed single family dwelling at the base of the hillside which is the southern edge of the scenic easement.
 - c) The property owner proposes to occupy their travel trailer as a temporary dwelling during construction of the first single family dwelling. Pursuant to Title 21 Section 21.64.070, temporary residences are allowed once the construction permit for the permanent residence is issued and the OWTS has been installed. The travel trailer will hook into the newly installed OWTS, and potable water will be sourced by the onsite well. Use of the temporary residence shall cease and the travel trailer shall be disconnected from onsite utilities within 18 months of the issued construction permit or occupancy of the permanent residence, whichever comes first.
 - d) The Watson Creek, a natural intermittent stream, flows across the front half of the property which separates the development from Corral de Tierra Road. This area is within the AE Flood Zone. Pursuant to Title 16 Section 16.16.030, new development should be 50 feet away from a watercourse. The proposed single family dwelling would be located approximately 64 feet away from the creek. HCD-Environmental Services reviewed the project and found the siting meets these regulations.
 - e) The subject parcel is located within a State Responsibility Area classified as having a very high fire hazard. The construction of the new single family dwelling will be required to meet current fire and building code

standards. The project has been conditioned to include a Fuel Management Plan to ensure the property will be properly maintained to protect the proposed development (Condition No. 7).

- f) Staff conducted a site inspection on October 4, 2023, to verify that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- g) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN220013.

4. FINDING:

DESIGN/VISUAL SENSITIVITY – 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) Pursuant to Title 21 Section 21.44, the purpose of the Design Control District is to regulate the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. Pursuant to Chapter 21.46, the Visually Sensitive zoning district requires a Design Approval and Administrative Permit for the review of development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area.
 - b) Neighborhood Character. The proposed single family dwelling would have a comparatively smaller footprint to other residences in the vicinity. As proposed, the residential dwelling will not compromise the integrity of the surrounding neighborhood character.
 - c) Material and Color Finishes. The proposed exterior colors and materials are consistent with the area’s rural setting and surrounding residences. The single family dwelling is designed to reflect a simple side-gabled Ranch style architecture that blends with the surrounding neighborhood. Proposed colors of the structure include earthtones of green or brown wood siding and trim. Roofing material consists of brown composite shingles. The proposed exterior finishes described above will be fire resistant, blend with the surrounding environment, are consistent with the surrounding residential neighborhood character, and other dwellings in the neighborhood.
 - d) Visual Resources (VS District). The property is located on Corral de Tierra Road in a rural area. Corral de Tierra is a known scenic public road pursuant to Toro Area Plan *Policy T-3.3* and Toro Area Scenic Highway Corridors and Visual Sensitivity Map *Figure 16*. In addition, pursuant to Title 21 Section 21.46.040.B.2, the project requires visual analysis for the proposed development. The viewshed must be found to be protected such that 1) the development is not visible from a common public viewing area or 2) will not create a substantial adverse visual impact from a common public viewing area; and 3) structures shall be located and sited so as to minimize tree removal, grading, and visibility from common public viewing areas. The property was staked and flagged, and staff performed the required visual impact analysis. The proposed project is situated behind a row of mature oak trees growing along the front property line which naturally screens the development from public view. Location of

the development was chosen to avoid tree removal and impacts to steep slopes, as well as viewshed impacts. As proposed, the proposed permanent structure would be visible above the road from a distance of 137 feet for up to two seconds driving westbound along Corral de Tierra while driving at the speed limit of 50 miles per hour. In addition, the travel trailer to be used as a temporary residence during construction is located off the driveway at the base of the scenic easement adjacent to the proposed development site and will be positioned behind the oak trees for screening purposes. A lighting plan is required to be submitted prior to issuance of a building permit to ensure the project complies with the Monterey County lighting ordinance and Toro Area Plan *Policy T-3.5* (Condition No. 8). Additionally, the project is conditioned to require a landscape plan pursuant to Section 21.46.030 (Condition No. 7). Therefore, the proposed development will not have a substantial adverse impact on a public viewshed. As proposed, the project assures protection of the public viewshed, is consistent with neighborhood character, and assures visual integrity.

- e) The project planner conducted a site inspection on October 4, 2023, to verify the potential visual impacts of the project on the subject parcel. Based on the evidence described above, the proposed structure and use are consistent with the surrounding residential neighborhood character (i.e., structural design features, colors, and material finishes).
- f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County HCD-Planning for the proposed development are found in Project File PLN220013.

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 HCD-Planning and HCD-Building Services records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection on October 4, 2023, and researched County records to assess if any violation exists on the subject property.
 - c) The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN220013.

6. FINDING: **CEQA (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15303 categorically exempts the development of the first single family dwelling on a parcel which allows residential use.
 - b) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. The project does not involve a designated historical resource, or a hazardous waste site. The development is located within view of a scenic highway corridor known as Corral de Tierra Road. The proposed development is setback over 100 feet from the road and

naturally screened by oak trees. The project was sited and designed to blend with the environment and not cause adverse impacts to the public viewshed. The intermittent stream identified on the parcel and the oak woodland will not be impacted by the development. See Finding No. 1, Evidence “b” and Finding No. 4, Evidence “d”. The project, as proposed, does not cause any unusual circumstances that would result in a significant effect or would result in a cumulative significant impact. The project site is located within an area of high archaeological sensitivity. On January 26, 2023, a field survey was performed by Andrew Von Pinnon from the Archaeological Resource Service to determine if resources were present on site. The result of that survey was negative. Therefore, a standard condition of approval has been incorporated to ensure construction work is halted if archaeological resources are accidentally uncovered.

- c) No adverse environmental effects were identified during staff review of the development application during a site visit on October 4, 2023.
- d) See supporting Finding Nos. 1 and 2. The application, project plans, and related support materials submitted by the project applicant to Monterey County HCD-Planning are found in Project File PLN220013.

7. **FINDING:** **APPEALABILITY** – The decision on this project may be appealed to the Planning Commission.

EVIDENCE: a) Pursuant to Section 21.80.040.A of the Monterey County Zoning Ordinance (Title 21), the Planning Commission shall consider appeals from the discretionary decisions of the Chief of Planning. The decision of the Planning Commission would be final and may not be appealed.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the HCD Chief of Planning does hereby:

1. Find that the construction of the first single family dwelling on a lot which allows residential uses qualifies as a Class 3 Categorical Exemption pursuant to Section 15303 of the CEQA Guidelines and there are no exceptions pursuant to Section 15300.2; and
2. Approve the Administrative Permit and Design Approval to allow the construction of a 768 square foot single family dwelling with associated site improvements in the Visual Sensitivity zoning district.

All of which are 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 21st day of August 2024.

DocuSigned by:

Melanie Beretti

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Melanie Beretti, AICP
Acting, HCD Chief of Planning

COPY OF THIS DECISION MAILED TO APPLICANT ON **SEPTEMBER 4, 2024**.

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **SEPTEMBER 16, 2024**.

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 HCD-Planning and HCD-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.

County of Monterey HCD Planning

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

PLN220013

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: This Administrative Permit and Design Approval (PLN220013) allows construction of a 768 square foot single family dwelling with associated site improvements in the Visual Sensitivity zoning district. The property is located at 97 Corral de Tierra Unit D, Salinas, (Assessor's Parcel Number 416-381-015-000), Toro Area 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 HCD - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (HCD - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"An Administrative Permit and Design Approval (Resolution Number 24-035) was approved by the HCD Chief of Planning for Assessor's Parcel Number 416-381-015-000 on August 21, 2024. The permit was granted subject to 9 conditions of approval which run with the land. A copy of the permit is on file with Monterey County HCD - Planning."

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

Compliance or Monitoring 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 HCD - Planning.

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

Responsible Department: 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 HCD - 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.
(HCD - 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 HCD - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

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

4. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department: Planning

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

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

5. PD011 - TREE AND ROOT PROTECTION

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Trees which are located close to construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of HCD - Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (HCD - Planning)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Owner/Applicant shall submit evidence of tree protection to HCD - Planning for review and approval.

During construction, the Owner/Applicant/Arborist shall submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.

Prior to final inspection, the Owner/Applicant shall submit photos of the trees on the property to HCD-Planning after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.

6. PD050 - RAPTOR/MIGRATORY BIRD NESTING

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: Any tree removal or construction 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. (HCD - 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 HCD -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.

7. PDSP01 – LANDSCAPE PLAN AND FUEL MANAGEMENT PLAN (NON-STANDARD)

Responsible Department: Planning

Condition/Mitigation Monitoring Measure: The site shall be landscaped and shall incorporate fuel management. Prior to the issuance of building permits, a landscaping plan and fuel management plan shall be submitted to the Chief of HCD - 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 fuel management plan shall comprise of a site plan illustrating how vegetation around proposed structures and roadways will be maintained to reduce fire fuel loads. The Fuel Management Plan shall include a "Green Zone" (0-30 feet) - Illustration on plans for maintaining vegetation (native and proposed) within 30 feet of all proposed structures/facilities, a "Management Zone" (30+ feet) - Illustration on plans showing maintenance of vegetation up to 100 feet from all proposed structures, or to the property line, whichever is closer, Tree Pruning/Removal and Emergency Vehicle Access. In very high fire hazard severity zones, greater distance may be required by the local Fire Authority.

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 HCD - 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. (HCD - 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 a landscape plan and fuel management plan to HCD - Planning for review and approval. 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 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 the Monterey County HCD - 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.

8. PD014(B) - LIGHTING-EXTERIOR LIGHTING PLAN (VS & RIDGELINE)

Responsible Department: 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. Exterior lighting shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit three (3) copies of 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 HCD - Planning, prior to issuance of building permits.
(HCD - 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 HCD - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, staff shall conduct a site visit to ensure 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.

9. CC01 INDEMNIFICATION AGREEMENT

Responsible Department: County Counsel-Risk Management

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (County Counsel-Risk Management)

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 Office of County Counsel-Risk Management for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the Office of County Counsel-Risk Management

SITE PLAN

397d Corral De Tierra Road
Salinas, CA 93908

Parcel ID: 416-381-015-000

Lot area: 3.43 Acres



Scale 1 1/4" = 137'



Calculating Building and Lot Coverage Percentages

Lot area: 149,410 sq.ft.

Total building coverage (gross floor area): 768 sq.ft.

Building Coverage Percentage: $768 \text{ sq.ft.} / 149,410 \text{ sq.ft.} = 0.0051 = 0.5\%$

Total Lot Coverage: 768 sq.ft.

Lot Coverage Percentage: $768 \text{ sq.ft.} / 149,410 \text{ sq.ft.} = 0.0051 = 0.5\%$

FILE #: Pln220013



**MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY**

LAND USE & COMMUNITY DEVELOPMENT | PUBLIC WORKS & FACILITIES | PARKS
1441 Schilling Place, South 2nd Floor (831)755-4800
Salinas, California 93901-4527 www.co.monterey.ca.us/rma

INLAND DESIGN APPROVAL APPLICATION FORM

ASSESSOR'S PARCEL NUMBER: 416-381-015

PROJECT ADDRESS: 397d corral de tierra salinas, ca 93908

PROPERTY OWNER: Tyler godbe Telephone: 8312254109
Address: 1157 alamo way Fax: _____
City/State/Zip: Salinas, ca 93905 Email: Taodbe@gmail.com

APPLICANT: Tyler godbe Telephone: _____
Address: _____ Fax: _____
City/State/Zip: _____ Email: _____

AGENT: _____ Telephone: _____
Address: _____ Fax: _____
City/State/Zip: _____ Email: _____

Mail Notices to: Owner Applicant Agent
(Check only one)

PROJECT DESCRIPTION: (Attach Scope of Work) Single family dwelling 768 sq ft

MATERIALS TO BE USED: Wood

COLORS TO BE USED: Earth colors Green, browns

I acknowledge that I will need a building permit and must comply with the Monterey County Building Ordinance and that this approval is for design of the structures and compliance with zoning regulations only. For properties served by Onsite Wastewater Treatment System (OWTS), the Environmental Health Bureau (EHB) will not review this application but may need to require redesign of the project in the subsequent construction permit application to address impacts related to the existing OWTS or future standby area. A project redesign may require a subsequent Design Approval application and additional fees.

PROPERTY OWNER/AGENT SIGNATURE: [Signature] DATE: 6/6/24

FOR DEPARTMENT USE ONLY

ZONING: _____ AREA PLAN: _____
ADVISORY COMMITTEE: _____ RELATED PERMITS: _____
PLANNER: _____
WITHIN ARCH BUFFER ZONE? YES NO ON SEPTIC SYSTEM (OWTS)? YES NO
LEGAL LOT: _____ YES NO DOES THIS CORRECT A VIOLATION? YES NO

FINDINGS:
 The project is consistent with the 2010 General Plan, the applicable Area Plan, and meets the regulations in Title 21 (Zoning Ordinance-Inland); and
 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 because: _____

DECISION: OVER-THE-COUNTER ADMINISTRATIVE
ACTION: APPROVED DENIED
CONDITIONS: ATTACHED NONE
APPROVED BY: _____ DATE: _____
COPY TO APPLICANT: IN PERSON OR MAILED DATE: _____