

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:

MORRIS CAROLYN P TR (PLN180369)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

1. Finding that the project involves the construction of a new single family dwelling, which qualifies as a Class 3 Categorical Exemption pursuant to Sections 15303 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approving a Combined Development Permit consisting of a:
 - a. Coastal Administrative Permit and Design Approval for an approximately 3,000 square foot one-story single family dwelling with an attached garage and an approximately 500 square foot deck;
 - b. Coastal Development Permit to allow the removal of two (2) Monterey Pine trees; and
 - c. Coastal Administrative Permit to allow development within 750 feet of a known archaeological site.

[PLN180369 – Carolyn Morris, 3616 Lazarro Drive, Carmel Area Land Use Plan, (APN: 009-281-011-000)]

The MORRIS application (PLN180369) came on for a public hearing before the Monterey County Zoning Administrator on May 9, 2019. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Monterey County Zoning Administrator 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) The project has been reviewed for consistency with the text, policies, and regulations in:
 - 1982 Monterey County General Plan (General Plan);
 - Carmel Area Land Use Plan (CAR LUP);
 - Carmel Area Coastal Implementation Plan, Part 4 (CIP)

- Monterey County Zoning Ordinance (Title 20);

No conflicts were found to exist. The subject property is located within the Coastal Zone; therefore, the 2010 Monterey County General Plan does not apply.

- b) Allowed Use. The property is located at 3616 Lazarro Drive, Carmel. Carmel Area Land Use Plan, Coastal Zone (Assessor's Parcel Number: 009-281-011-000). The subject parcel is zoned Medium Density Residential with a maximum of 2 units per acre, Design Control Overlay within the Coastal Zone, or "MDR/2-D (CZ)" Per Title 20 Sections 20.12.040.A and CIP Section 20.146.060, a single family dwelling with an attached garage and the removal of two Monterey Pine trees are allowed uses subject to a Coastal Administrative Permit and Coastal Development Permit.
- c) Lot Legality. The subject parcel (0.437 acres), APN 009-281-011-000, is located on a residential subdivision created through the Haton Fields Tract #3-A Subdivision. The recorded map can be found in Volume 4 Cities and Towns, Page 4, filed on January 5, 1937. Therefore, the County recognizes the subject parcel as a legal lot of record.
- d) Design. Pursuant to Title 20 Chapter 20.44, the project site and surrounding area is subject to the Design Control Zoning District ("D" zoning overlay), which is intended to regulate the location, size, configuration, materials, and colors of structures and fences to assure the protection of the public viewshed and neighborhood character. The single family dwelling attached garage will have a California Ranch architectural style with colors and materials consisting of: tan stucco siding with white wood trim and a dark brown asphalt shingle roof. The neighborhood has a majority of ranch architectural styles. The proposed colors and materials would blend with the surrounding environment. The materials, location and nature of the project are consistent with the overall diversity of neighborhood character and will not detract the visual integrity of the site.

CAR LUP Map A does not identify the subject property as being located within the public viewshed; however, the development would be visible from Highway 1, and a common public viewing area, such as, The Crossroads Shopping Center. CAR LUP Chapter 2.2 for Visual Resources states that development within the public viewshed shall be sited within the portion of the parcel that is least visible and structures shall be subordinate and blended into the environment. CIP Section 20.146.030.C.1.c states structures located in the public viewshed shall be designed to minimize visibility and blend into the site and site surroundings. The single family dwelling is within an established residential neighborhood of Carmel. Consistent with the policies and regulations for the area, the colors and materials, as described above, would be subordinate to the surrounding environment and blend with the neighborhood character. The single family dwelling would be sited towards the center the parcel around existing vegetation. Pushing the development towards the front of the parcel, least visible from a common public viewing area, would

possibly cause more trees to be removed. The project has been sited and designed to cause the least visual impact.

- e) Review of Development Standards. The subject parcel is zoned Medium Density Residential with a maximum of 2 units per acre, Design Control Overlay within the Coastal Zone, or “MDR/2-D (CZ)” Per Title 20 Sections 20.12.040.A and CIP Section 20.146.060, a single family dwelling with an attached garage and the removal of two Monterey Pine trees are allowed uses subject to a Coastal Administrative Permit and Coastal Development Permit.

The minimum setback required for this property is a front setback of 20 feet, a side setback of 5 feet and a rear setback of 10 feet. Consistent with these standards, the main structure maintains a 33 foot front setback, a 7 foot side setback and a 84 foot rear setback. The height is 18 feet, which meets the 30 foot allowed height. The maximum building site coverage allowed is 35%, (6,669 square feet) and the coverage is 18% (3,502 square feet). The maximum floor area ratio is 45% (8,574 square feet) and the floor area ratio is 15% (3,000 square feet). As summarized above, the project complies with the development standards listed within this zoning district per Title 20 Section 20.12.060.

- f) Cultural Resources. The project site is mapped as a high archaeological sensitive area. Pursuant to Title 20 Section 20.146.090 and County’s interpretation of development within 750 feet of a known archaeological site, a Coastal Administrative Permit is required. An archaeological report (Monterey County RMA-Planning Library No. LIB090385) was prepared and provided to the County that concluded that the project site is located approximately 600 feet southeast from the closest prehistoric site; however, the archaeological report concluded there were no significant archaeological resources identified on the subject property. No further mitigation measures or recommendations were needed as stated by the archaeologist. The project includes approximately 25 cubic yards of grading that will be balanced on site. The siting and design of the proposed project would not have any potential impacts to known archaeological resources. The potential for inadvertent impacts to cultural resources is addressed through incorporation of a standard condition of approval, which requires the contractor to stop work while resources are evaluated if previously unidentified resources are discovered during construction (Condition 3).
- g) Public Access. As demonstrated in Finding 5 below, the project is consistent with the applicable public access regulations.
- h) Tree Removal. As demonstrated in Finding 6 below, the project is consistent with the applicable tree removal regulations.
- i) Based on the LUAC procedure guidelines adopted by the Monterey County Board of Supervisors, the project was referred to the Carmel Highlands/Unincorporated Land Use Advisory Committee (LUAC) for review on April 2, 2019. The LUAC unanimously recommended approval of the project as proposed.
- j) Staff conducted a site inspection on April 17, 2019 to verify that the project on the subject property conforms to the plans submitted.

- k) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in RMA-Planning File No. PLN180369.
2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the proposed use.
- EVIDENCE:**
- a) The project includes a new single family dwelling and accessory structure associated with an established residential use in a residential neighborhood.
 - b) The project was reviewed by RMA-Planning, RMA-Public Works, Environmental Health Bureau, RMA-Environmental Services and Cypress Fire Protection District. Conditions recommended have been incorporated. The following reports have been prepared and submitted with the application:
 - Tree Assessment/Forest Management Plan (LIB180366) prepared by Frank Ono, Salinas, CA on August 13, 2018
 - Geotechnical Investigation (LIB180367) prepared by Belinda A. Taluban, Salinas, CA, on May 21, 2018
 - Archaeological Assessment (LIB090385) prepared by Mary Doane, Salinas, CA, on June 18, 2009

County staff independently reviewed these reports and concurs with their conclusions. There are no further physical or environmental constraints that would indicate that the site is not suitable for the use proposed. All development shall be in accordance with these reports.
 - c) Staff conducted a site inspection on April 17, 2019 to verify that the site is suitable for this use.
 - d) 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 PLN180369.
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 RMA-Planning, RMA-Public Works, Environmental Health Bureau (EHB), RMA-Environmental Services and Cypress Fire Protection District, and conditions have been recommended, 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. California American Water Company is the domestic water purveyor and wastewater services are provided by Carmel Sanitary District
 - c) The project includes grading of 25 cubic yards to be balanced on site. Standard conditions of approval (see attached) have been incorporated by the review of RMA-Environmental Services to ensure grading is conducted in accordance with the geotechnical

investigation and to prevent conditions of accelerated erosion as defined in Monterey County Code Chapter 16.12.

- d) The subject property is located in Carmel Highlands neighborhood where lots are fairly small and roads are narrow. Construction vehicles would have the potential to adversely affect the overall welfare of the those living within the neighborhood by traffic generated by the project. RMA-Public Works reviewed the project and applied a standard condition for a Construction Management Plan (Condition No. 12). Implementation of this condition would minimize traffic, identify the duration of construction, proposed haul routes and estimated number of truck trips resulting from the project. Further, the project includes the construction of a new driveway. A standard condition of approval (Condition No. 11) has been added for the applicant to obtain an encroachment permit for the driveway construction.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in RMA-Planning File No. PLN180369.

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

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA-Planning and RMA-Building Services records and is not aware of any violations existing on subject property.
 - b) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN180369.

5. **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 applicable Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) The subject project site is not described as an area where the Local Coastal Program requires public access (Figure 3, Local Coastal Program Public Access, in the Carmel Area Land Use Plan.
 - b) 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 CIP can be demonstrated.
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - d) Staff conducted a site inspection on April 17, 2019.
 - e) 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 PLN180369.

6. **FINDING:** **TREE REMOVAL** – The siting, location, size and design has been established to minimize tree removal and has been limited to that

required for the overall health and long-term maintenance of the property.

- EVIDENCE:**
- a) CAR LUP Key Policy 2.3.2 identifies specific Monterey Pine Forest areas to be considered environmentally sensitive habitat. The project includes the removal of two (2) Monterey Pine trees; however, according to CAR LUP Map B, the subject property is not within the area that is considered to be significant strands of Monterey Pine. Therefore, in this case, the Monterey Pine trees are not considered to be part of environmentally sensitive habitat.
 - b) CAR LUP Policy 2.5 states that the Carmel Coast contains unique plant life and supports the diversity of forest resources, one of which are Monterey Pine trees. CIP Section 20.146.060 provides regulations for the protection and maintenance of such resources and provides development standards for removal of trees or other major vegetation. As such, a Tree Assessment/Forest Management Plan (LIB180366) was prepared for the property by Frank Ono, Urban Forester. The tree assessment identifies the site containing Coast Live Oak and Monterey Pine trees, generally in fair health condition.
 - c) The Monterey Pine trees to be removed are within the development footprint of the single family dwelling. One of the trees to be removed is 18" in diameter Pine tree that is in poor condition. The other tree is considered a landmark tree, measuring 36" in diameter.

CIP Section 20.146.060.D.1 states that all landmark trees shall not be removed unless there are no feasible alternatives for development. The project has been analyzed to determine the best siting and location that would meet these criteria and minimize tree removal. However, moving the development would not only cause the single family dwelling to not comply with the west side yard setback but would also push the development towards an area of the parcel that consists of slopes excess of 30%, dropping into a cliff. The proposed development is a modest size home when compared to the other development within the neighborhood. The FAR is at 15%, which far exceeds the maximum 45%. The building coverage is 18%, which also less than the maximum 35% building coverage. Further, as stated above (Finding 1, Evidence "d), the subject property is not within the general public viewshed but is visible from Highway 1 and a common public viewing area, such as, Rio Road and The Crossroads Shopping Center. The single family dwelling would not introduce a new substantial visual impact when compared to what currently exists, as the development is surrounded by an established residential neighborhood. Relocating the development towards the rear of the parcel would cause the home to be more visible from these viewing areas. The applicant is willing, as a condition of approval, to plant additional trees, such as, Monterey Cypress in lieu of the landmark tree removal. This has been incorporated into the project. In this case, the siting, location, size and design of the development, as conditioned, best suits the parcel and minimizes tree removal.

The Forest Management Plan recommended replanting with a 1:1 ratio with (3) five gallon trees in the greatest opening to allow for

minimum competition and maximum sunlight. The project has been conditioned to ensure recommendations of the arborists are implemented (see attached conditions).

- d) Staff conducted a site inspection on April 17, 2019 to verify that the project on the subject property conforms to the plans submitted.
- e) The application, plans, and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in RMA-Planning File No. PLN180369.

7. **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 Sections 15303 (a) categorically exempts the construction of one single family dwelling with an attached garage.
 - b) The proposed project is to construct an approximately 3,000 square foot one-story single family dwelling with an attached two-car garage; therefore, the project qualifies for a Class 3 categorical exemption pursuant to Sections 15303 (a) of the CEQA guidelines.
 - 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, unusual circumstances that would result in a significant effect or development that would result in a cumulative significant impact. No adverse environmental effects were identified during staff review of the development application.
 - d) 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 PLN180369.
8. **FINDING:** **APPEALABILITY** – The decision on this project may be appealed to the Board of Supervisors and the Coastal Commission.
- EVIDENCE:**
- a) Board of Supervisors. Pursuant to Title 20 Section 20.86.030, an appeal may be made to the Board of Supervisors by any public agency or person aggrieved by a decision of an Appropriate Authority other than the Board of Supervisors.
 - b) Coastal Commission. Pursuant to Title 20 Section 20.86.080, a project is subject to appeal by/to the California Coastal Commission because it involves development that is permitted in the underlying zone as a conditional use.

DECISION

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

1. Find that the project involves the construction of a new single family dwelling, which qualifies as a Class 3 Categorical Exemption pursuant to Sections 15303 (a) of the CEQA Guidelines, and there are no exceptions pursuant to Section 15300.2; and
2. Approve a Combined Development Permit consisting of a:

- a. Coastal Administrative Permit and Design Approval for an approximately 3,000 square foot one-story single family dwelling with an attached garage and an approximately 500 square foot deck;
- b. Coastal Development Permit to allow the removal of two (2) Monterey Pine trees; and
- c. Coastal Administrative Permit to allow development within 750 feet of a known archaeological site.

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 9th day of May, 2019.

Mike Novo, 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 offices in Salinas.

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

Monterey County RMA Planning

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

PLN180369

1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit (PLN180369) consisting of a: 1.) Coastal Administrative Permit and Design Approval for an approximately 3,000 square foot one-story single family dwelling with an attached garage and an approximately 500 square foot deck; 2.) Coastal Development Permit to allow the removal of two (2) Monterey Pine trees; and 3.) Coastal Administrative Permit for development within 750 feet of a known archaeological site. The project includes approximately 25 cubic yards of grading. The property is located at 3616 Lazarro Drive, Carmel (Assessor's Parcel Number 009-281-011-000), Carmel Area Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

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

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA-Planning

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

Monitoring Measure: "A Coastal Administrative Permit and Design Approval (Resolution Number _____) was approved by Monterey County Zoning Administrator for Assessor's Parcel Number 009-281-011-000 on May 9, 2019. 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 RMA Chief of Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Prior to the issuance of grading and building permits, certificates of compliance, or
Monitoring commencement of use, whichever occurs first and as applicable, the Owner/Applicant
Action to be Performed: 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 If, during the course of construction, cultural, archaeological, historical or
Monitoring Measure: 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 The Owner/Applicant shall adhere to this condition on an on-going basis.
Monitoring
Action to be Performed:

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.

4. PD012(F) - LANDSCAPE PLAN & MAINTENANCE (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 the 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 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 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.

5. 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.

6. 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.

7. 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:
"A Forest Management Plan (Library No. LIB180366), was prepared by Frank Ono, Urban Forester on August 13, 2018 and is on file in Monterey County RMA - Planning. All development shall be in accordance with this report."
(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.

8. 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).

9. 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.

10. 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.

11. PD048 - TREE REPLACEMENT/RELOCATION

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Prior to the final of a construction permit, the applicant shall replace and or relocate each tree approved for removal as follows:

- Replacement ratio recommended by the arborist: 1:1 ratio for a total of two (2) five-gallon stock or larger, if available, trees. Trees should be planted in those areas with the greatest opening in the canopy to allow for a minimum of competition and maximum sunlight. Spacing between trees shall be at least 10 feet. Occasional deep watering (more than two weeks apart) during the late spring, summer and fall is recommended during the first two years of establishment.

- Additional replacement ratio recommended by the County: 2:1 ratio, two (2) replacement trees for every one (1) landmark tree. A total of two (2) five-gallon stock or larger, if available, Monterey Cypress trees shall be planted in those areas with the greatest opening in the canopy to allow for a minimum of competition and maximum sunlight. Spacing between trees shall be at least 10 feet. Occasional deep watering (more than two weeks apart) during the late spring, summer and fall is recommended during the first two years of establishment.

Compliance or Monitoring Action to be Performed: Prior to the final of a construction permit - The Owner/Applicant shall submit evidence of tree replacement to RMA-Planning for review and approval. Evidence shall be a receipt for the purchase of the replacement tree(s) and photos of the replacement tree(s) being planted.

Six months after the planting of the replacement tree(s), the Owner/Applicant shall submit evidence demonstrating that the replacement tree(s) are in a healthy, growing condition.

One year after the planting of the replacement tree(s), the Owner/Applicant shall submit a letter prepared by a County-approved tree consultant reporting on the health of the replacement tree(s) and whether or not the tree replacement was successful or if follow-up remediation measures or additional permits are required.

12. PW0005 – DRIVEWAY IMPROVEMENTS

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Construct driveway connection(s) to Lazarro Road. The design and construction is subject to the approval of the RMA. Encroachment Permits are required for all work within the public right-of-way.

Compliance or Monitoring Action to be Performed: Owner/Applicant shall submit the design for review and approval of the RMA-PWF, obtain an encroachment permit from the RMA prior to issuance of building or grading permits, and construct and complete improvements prior to occupancy or commencement of use. Applicant is responsible to obtain all permits and environmental clearances.

13. PW0044 - CONSTRUCTION MANAGEMENT PLAN

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: The applicant shall submit a Construction Management Plan (CMP) to RMA-Planning and RMA - Public Works for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project.

CMP shall include, at a minimum, duration of the construction, hours of operation, truck routes, estimated number of truck trips that will be generated, number of construction workers, and on-site/off-site parking areas for equipment and workers and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project.

Compliance or Monitoring Action to be Performed:

1. Prior to issuance of the Grading Permit or Building Permit, Owner/Applicant/Contractor shall prepare a CMP and shall submit the CMP to the RMA-Planning Department and the Department of Public Works for review and approval.
2. On-going through construction phases Owner/Applicant/Contractor shall implement the approved measures during the construction/grading phase of the project.

14. PW0045 – COUNTYWIDE TRAFFIC FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Traffic Fee or the ad hoc fee pursuant to General Plan Policy C-1.8. The fee amount shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County RMA Building Services the traffic mitigation fee. The Owner/Applicant shall submit proof of payment to the Development Services.

15. AS-BUILT CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: Prior to final inspection, the applicant shall provide a letter from a licensed engineer certifying that all development has been constructed in accordance with the recommendations in the Geotechnical Investigation and the approved grading plan and stormwater control plan. (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.

16. 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. The plan shall also include RMA-Environmental Services standard inspection notes 1, 2, & 3. (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. Standard inspection notes are available on the RMA-Environmental Services website.

17. 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 Soil Surveys Group, Inc., dated May 21, 2018. The grading plan shall include contour lines 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. (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.

18. GEOTECHNICAL PLAN REVIEW

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall provide certification from the licensed practitioner that their geotechnical recommendations have been incorporated into the approved grading plan and stormwater control plan. (RMA-Environmental Services)

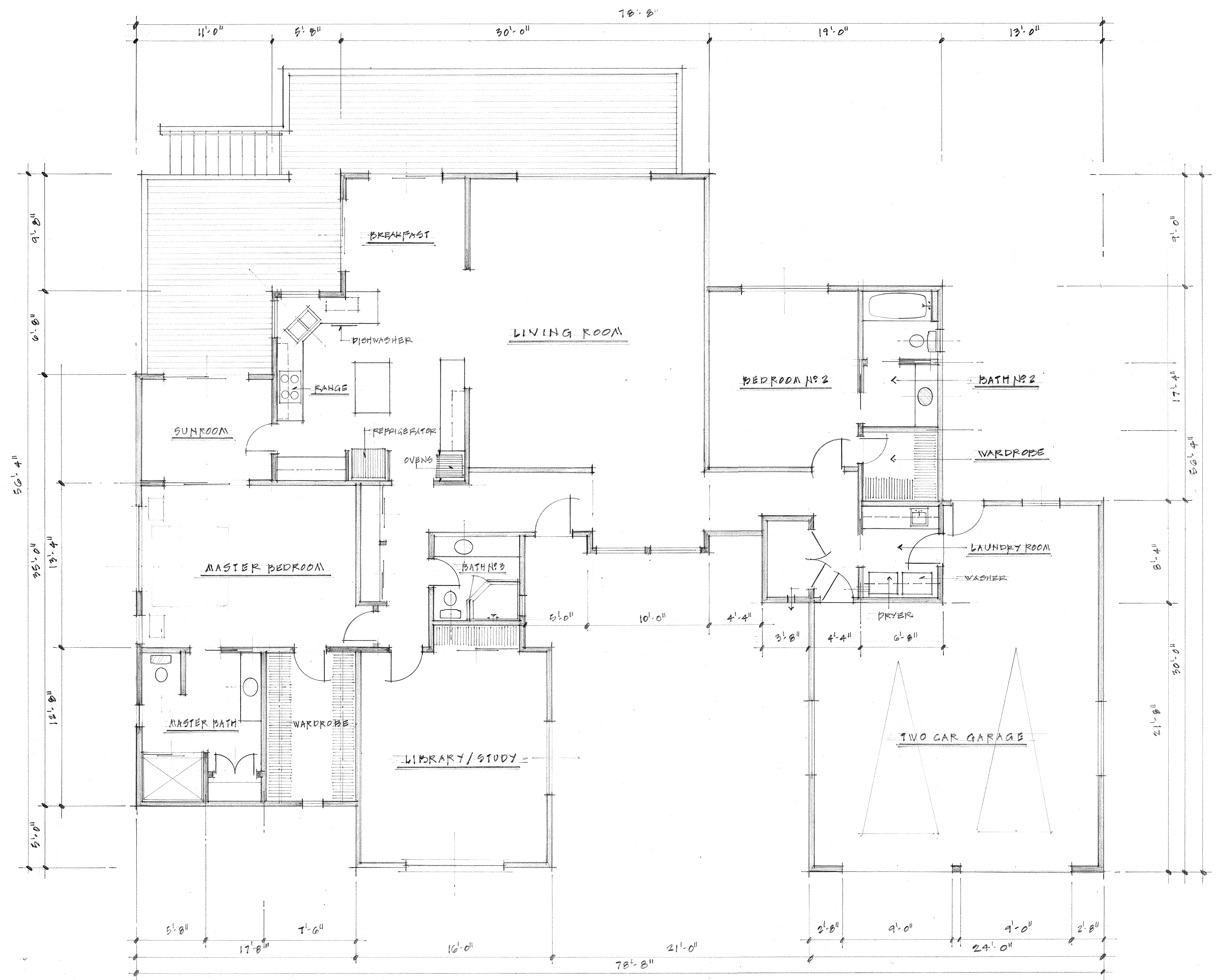
Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or construction permits, the applicant shall provide certification from the licensed practitioner(s).

19. STORMWATER CONTROL PLAN (PR1)

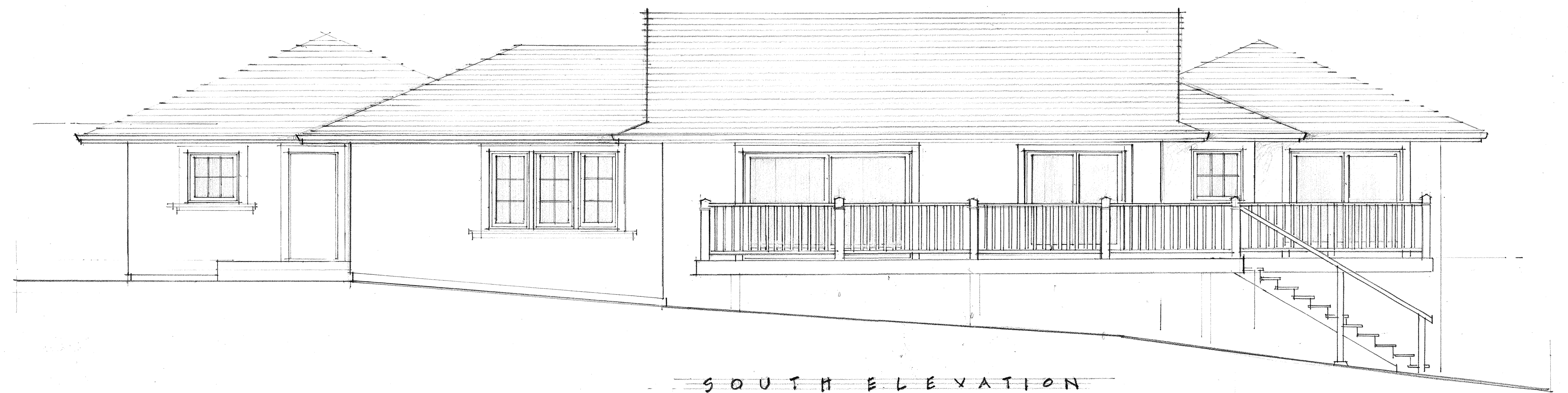
Responsible Department: Environmental Services

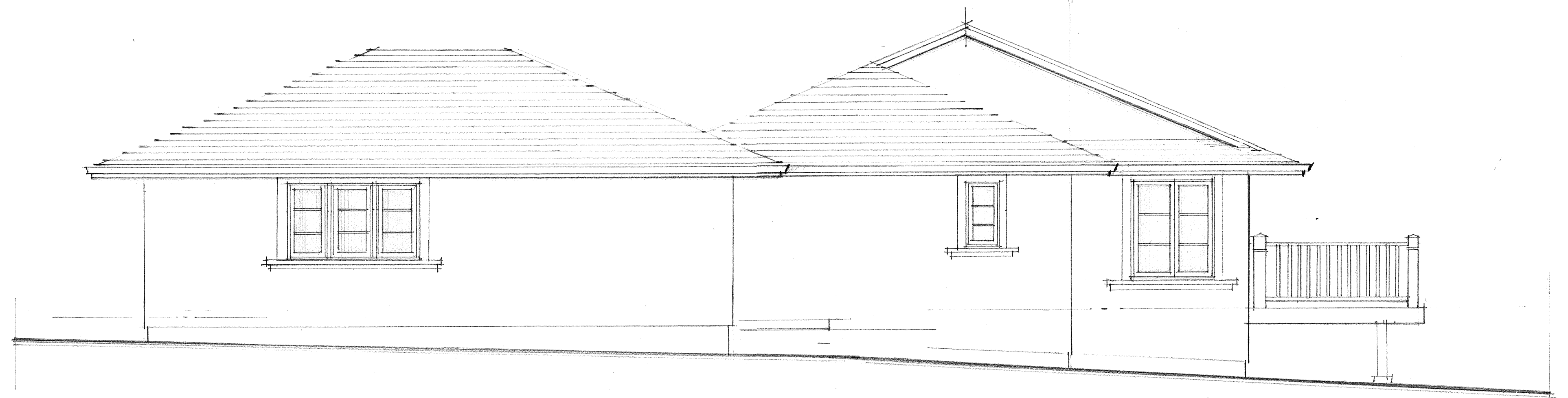
Condition/Mitigation Monitoring Measure: The applicant shall submit a stormwater control plan addressing the Post-Construction Requirements (PCRs) for Development Projects in the Central Coast Region. The stormwater control plan shall incorporate the measures identified on the completed the Site Design and Runoff Reduction Checklist. (RMA-Environmental Services)

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

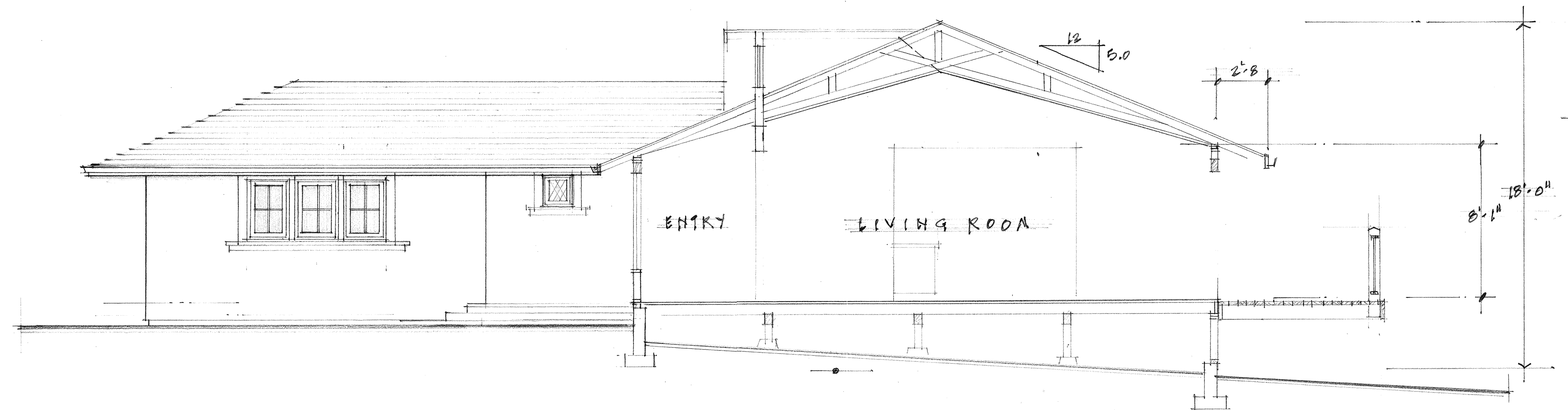


FLOOR PLAN
SCALE: 1/4" = 1'-0"





WEST ELEVATION



ELEVATION / SECTION

PROJECT FILE NO.

PLN180369

PHOTOGRAPHS



Asphalt
Shingles

Date: _____
Description: _____

PROJ

APHS

Stucco
Color

Morris Res

RECEIVED

SEP 27 2018

MONTEREY COUNTY
RESOURCE MANAGEMENT AGENCY
LAND USE DIVISION

Date: _____ Site Address: _____ Planner: _____

Description: _____

