

**Before the Board of Supervisors in and for the  
County of Monterey, State of California**

**Resolution No: 09 – 360**

Resolution by the Monterey County Board of Board of )  
Supervisors adopting revised “Staking and/or Flagging )  
Criteria” )  
(PD070742/County of Monterey) )

Revised Staking and Flagging Criteria came on for public hearing before the Monterey County Board of Supervisors on July 21, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Board of Supervisors adopts revised criteria for staking and flagging countywide.

**RECITALS**

**WHEREAS**, County policies and regulations require visual impact analysis for proposed development in Monterey County.

**WHEREAS**, in 1994, the Monterey County Board of Supervisors adopted Staking and Flagging Criteria to provide guidance on implementing these policies and regulations.

**WHEREAS**, in June 2006, the Planning Commission requested staff to develop criteria for removing staking and flagging.

**WHEREAS**, on January 9, 2008, the Commission held a duly noticed public hearing on options for additional changes to the criteria. The Commission continued the matter and provided direction to staff as to the scope of work and offered suggested edits.

**WHEREAS**, between January 2008 and August 2008, staff worked with the Permit Streamlining Taskforce to obtain input from the development industry as interested parties that work with these criteria. A copy of the taskforce recommendations was distributed to all of the 12 Land Use Advisory Committees for comments and three LUACs responded (North County-Inland, Toro, Carmel Valley).

**WHEREAS**, on August 27, 2008, a duly noticed public hearing with the Planning Commission was held to consider proposed changes. The Commission continued the matter to allow staff time to work with the Permit Streamlining Taskforce to obtain input from the development industry as interested parties that work with these criteria.

**WHEREAS**, on October 29, 2008, the Planning Commission held a duly noticed public hearing and continued the matter with direction to staff for edits to the revised, proposed, Criteria.





ATTACHMENT 1  
BOARD RESOLUTION 09 – 360

**MONTEREY COUNTY PLANNING DEPARTMENT**  
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**STAKING AND/OR FLAGGING CRITERIA**

The purpose of staking and/or flagging is to provide visualization and analysis of projects in relation to County policies and regulations. Staking and/or flagging is intended to help planners and the public visualize the mass and form of a proposed project, or to assist in visualizing road cuts in areas of visual sensitivity. Staking and/or flagging:

- 1) Shall be required when any of the following conditions exist:
  - All or part of the project site is designated with a Design Overlay (“D”).
  - All or part of the project site is designated as Visually Sensitive (“VS”) on an adopted visual sensitivity map (Toro Area Plan, Greater Monterey Peninsula Area Plan, North County Area Plan).
  - When the project/site has potential to create ridgeline development, as determined by the project planner.
  - When the application includes a variance to height restrictions.
- 2) May be required where the project planner determines that the project has potential to create an adverse visual impact.
- 3) May be exempted when the project planner determines that no visual analysis is required for the project (e.g. Lot Line Adjustment).

**1. DELINEATION**

As required, delineate the structure with flags of international orange, bright red, and/or other visible color(s) attached to sturdy poles that are able to withstand weather conditions for that area. Delineation may be accomplished using one of the following:

- 1) String with colored flags. Flagging colors shall be subject to approval by the project planner.
- 2) Continuous orange netting (Sample Photos – **Exhibit 1**).
- 3) Multiple staking and/or flagging, using the following criteria:
  - Flags shall be a minimum of 2-foot by 2-foot square located at the highest point of the structure (Sample Photos – **Exhibit 2**).
  - Staking shall identify major corners. Intermediate stakes and/or flags, as deemed adequate by the project planner, may be required so that the volume is easily perceived.
  - Stakes without flags may be required for road cuts where required by the project planner.
- 4) Photo Simulation, with a couple stakes for verification (Sample Simulation, **Exhibit 3**). See Section 4 – “Photo Documentation” for more information.



Exhibit 1: Sample Continuous Netting



## Exhibit 2: Sample Flags



Exhibit 3: Sample Photo Simulation

## 2. HEIGHT VARIANCE REQUESTS

When a variance to height regulations is requested, there shall be two structure lines flagged:

- 1) proposed building height
- 2) maximum height allowed by the zoning district.

The flags representing the allowed and requested heights shall be in contrasting colors.

## 3. STAKING AND/OR FLAGGING PLAN

Staking will be required to clearly indicate the visual impact of the proposed project as determined by the project planner. Where staking and/or flagging is required, the project planner shall determine what points of the proposed building (corners, ridges, etc) must be staked and/or flagged in order to complete their visual assessment. The project planner may exempt a project, or components thereof, from the staking and/or flagging requirement where there is clearly no potential visual impact (e.g. addition behind an existing house, back walls, road alignment, etc) and where staking and/or flagging is not required.

The applicant shall submit a Staking Plan that identifies the locations of stakes using numbers, direction (e.g.; NWC = northwest corner), or some other identification method (Site Plan illustrating location of stakes in the field). Photos of the staking from visual points near and far shall be submitted with the Staking Plan, and said plan shall identify where the photo points are located (See sample Staking Plan, **Exhibit 4**).



Structure Classification _____	Date _____ 20__
Address or Location _____	Application No. _____
County Zone _____	
Designation _____	Assessors Parcel No: _____

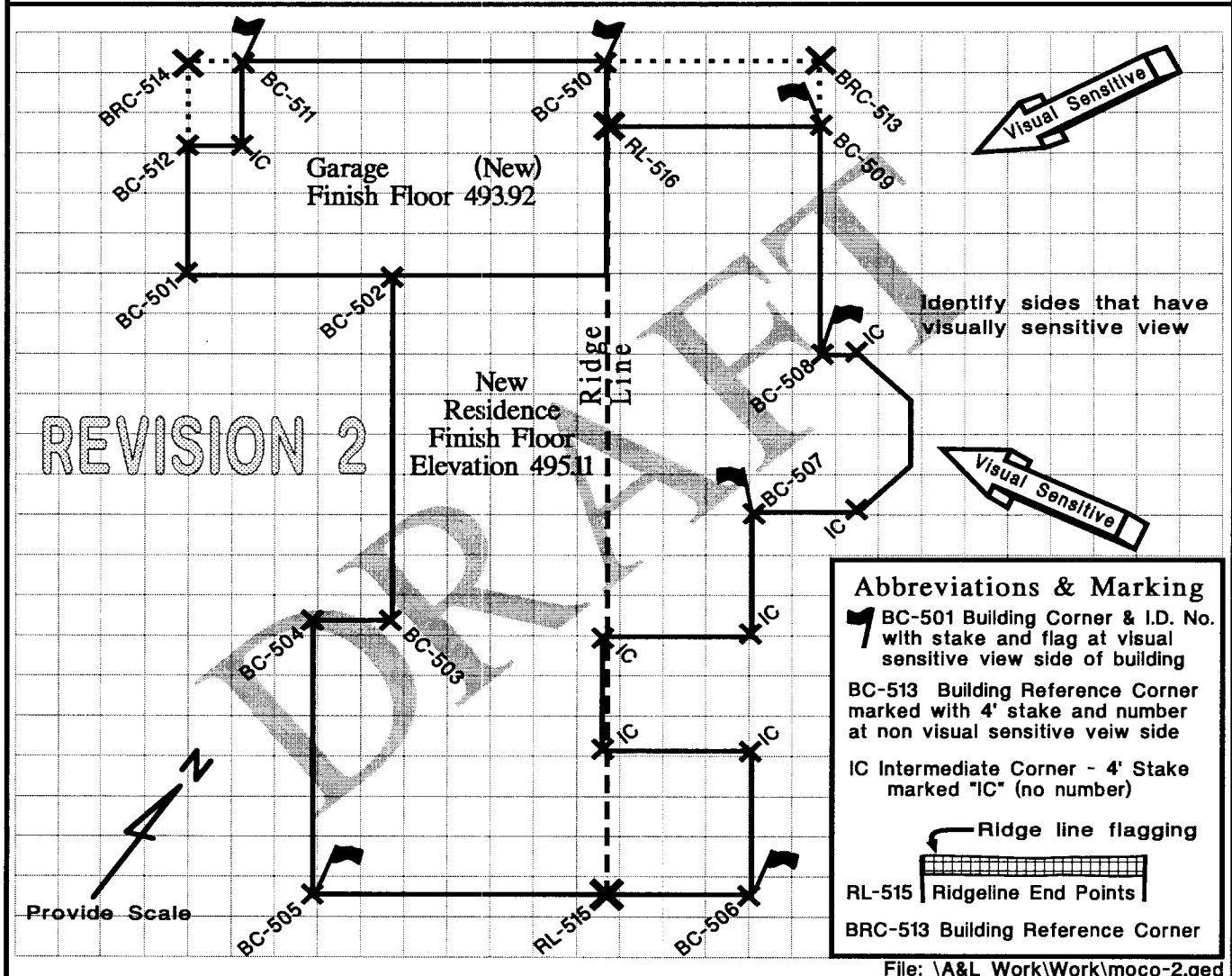
**APPLICANT** Design Professional  Owner  Contractor  Other

Name \_\_\_\_\_ Work Phone \_\_\_\_\_

Title \_\_\_\_\_ Home Phone \_\_\_\_\_

Address \_\_\_\_\_ Fax \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_ e-mail \_\_\_\_\_



Submitted By: _____	Date: _____
Received By: _____	Planning _____
<p align="center"><b>STAKING AND FLAGGING CRITERIA STRUCTURE OUTLINE EXAMPLE</b></p> <p align="center">See Staking And Flagging Criteria for Requirements</p>	Ordinance _____
	Figure Number _____
Department _____	

#### **4. PHOTO DOCUMENTATION**

Staking and/or flagging is required for the “duration of the review process” in order to help the project planner visualize the proposed development. Photo simulation of the proposed project is encouraged to supplement this visual analysis.

After 60 days from the date of submittal or the date staking and/or flagging is installed (whichever is later) and review by the Land Use Advisory Committee (if applicable), the project planner may determine that use of a photo simulation is adequate in lieu of staking and/or flagging for the duration of the review process, except in the following circumstances:

- 1) The project involves construction of a road or structure within a critical viewshed (Big Sur Land Use Plan), or
- 2) The project is located in an area designated as highly sensitive on an adopted visual sensitivity map (Toro Area Plan, Greater Monterey Peninsula Area Plan, North County Area Plan)
- 3) The project is determined by the project planner to involve ridgeline development.

All photo simulations shall have a point of reference to reveal major building features, highest points, relation to adjacent buildings, entry, or other significant details. Said reference point, and points of visual assessment, shall be from the visually sensitive side of the structure in the best location(s) determined by the project planner.

#### **5. REMOVAL OF STAKING AND/OR FLAGGING**

Staking and/or flagging not removed within 10 days following final action, or upon direction by the Planning Director, shall constitute a public nuisance.

Staking and/or flagging shall be removed upon completion of the review process or at the direction of the Planning Director. For purposes of this criteria, “duration of review process” shall mean 10 days following action by a decision-making body, unless an appeal is filed pursuant to appropriate chapters of the Zoning Codes (Titles 20 and 21).

Projects are encouraged to use technology/materials (e.g. telescoping poles) that allow flexibility to reduce/remove staking during periods when the project is not pending review or a noticed hearing, as determined by the project planner. Staking and/or flagging that has been damaged (e.g. weather) shall be removed or repaired within 10 days following said damage or upon direction by the Planning Director. Damaged staking and/or flagging need not be replaced until such time as notice for the project hearing has been posted, as determined by the project planner.