

## MONTEREY COUNTY ZONING ADMINISTRATOR

<b>Meeting:</b> July 29, 2010 <b>Time:</b> 1:30PM	<b>Agenda Item No.:</b> 8
<b>Project Description:</b> Combined Development Permit including a Design Approval and Administrative Permit to allow the construction of a 2,648 square foot one-story single family dwelling with an attached 864 square foot garage in a Visually Sensitive ("VS") district; and a Use Permit for the removal of twelve oak trees (8"-12" diameter) and grading (Approximately 327 cubic yards cut and 327 cubic yards fill).	
<b>Project Location:</b> 25993 Colt Lane, Carmel Valley	<b>APN:</b> 416-122-018-000
<b>Planning File Number:</b> PLN070199	<b>Owner:</b> Gary Wiegand <b>Agent:</b> Gary Wiegand
<b>Planning Area:</b> Greater Monterey Peninsula	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> "LDR/5-VS" [Low Density Residential, 5 acres per unit. Visually Sensitive district.]	
<b>CEQA Action:</b> Mitigated Negative Declaration [CEQA 15073]	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Adopt the Mitigated Negative Declaration
- 2) Approve PLN070199, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

### PROJECT OVERVIEW:

Request to construct a single family home on a site that is constrained by it's location in a visually sensitive area, slope, an access easement and trees. The applicant has done a good job of addressing all of these issues. The project will result in the removal of 12 trees, but there is not encroachment onto 25% slope, or development which would create an adverse visual impact.

For a more detailed discussion see Exhibit B.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency
- √ Salinas Rural Fire Protection District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by *RMA – Public Works, Environmental Health, Water Resources and Salinas Rural Fire Protection* have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution (**Exhibit C**).

The project was heard by the Greater Monterey Peninsula LUAC on March 18, 2009. The LUAC recommended approval the project by a vote of 3 to none.

Note: The decision on this project is appealable to the Planning Commission.



Steve Mason, Assistant Planner  
(831) 755-5228, masons@co.monterey.ca.us  
May 24, 2010

cc: Front Counter Copy; Zoning Administrator; Salinas Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; John Ford, Planning Services Manager; Steve Mason, Project Planner; Carol Allen, Senior Secretary; Gary Wiegand, Owner; Planning File PLN070199

Attachments: Exhibit A Project Data Sheet  
Exhibit B Discussion  
Exhibit C Draft Resolution, including:  
1. Conditions of Approval and Mitigation Monitoring and Reporting Program  
2. Site Plan, Floor Plan and Elevations  
Exhibit D Vicinity Map  
Exhibit E Advisory Committee Minutes (Greater Monterey Peninsula LUAC)  
Exhibit F Mitigated Negative Declaration  
Exhibit G Technical Reports  
Exhibit H Project Correspondence  
Exhibit I Design Approval Color Samples  
Exhibit J Comments on Mitigated Negative Declaration \*(If applicable)

This report was reviewed by John Ford, Planning Services Manager



# EXHIBIT B

## Project Discussion

### Background

The project consists of a the construction of a 2,648 square foot one-story single family dwelling with an attached 864 square foot garage in a Visually Sensitive ("VS") district; and the removal of twelve oak trees (8"-12" diameter) and grading (Approximately 327 cubic yards cut and 327 cubic yards fill).

The project is being referred to the Zoning Administrator due to it's location in a Design Control District and Visually Sensitive Zoning Overlay. The site is constrained by several natural and man made factors including: slope, trees, an access easement crossing the property, it location in a Visually Sensitive area and the lack of water in the area. Each of these will be addressed below:

### Slope:

The subject site is predominately a hillside with slopes in excess of 25%. The subject house is being placed on the one location on the property which avoids 25% slopes and is an appropriate location for development.

### Trees

The project proposes to remove twelve trees from the grouping of trees on site. The applicant and staff have looked at other options to avoid tree removal, but other site constraints preclude relocation of the house to preserve additional trees. Between the trees and the southern property line is an access easement which provides access to an adjacent parcel. The easement and required setback from this easement preclude relocation of the house away from the trees. Other areas on the site are constrained by the visual impact to Laureles Grade Road and by 25% slopes. Thus project-related tree removals have been kept to a reasonable minimum, as dictated by site constraints and the necessity to place the project so as to minimize otherwise potentially significant visual impacts.

### Visual Sensitivity

Most of the site is visual from Laureles Grade Road which is an officially designated scenic road. Visual impacts from the road are a concern. In this particular case, the house will be located behind a grove of trees and in a location that will not adversely affect the aesthetic context of the site. The location of the house is consistent with the intent of the VS district and the scenic road designation of Laureles Grade Road.

### Water

As discussed in the Initial Study new applications for water connections are not being granted in this area. Since this application was on file prior to March 20, 2009, the Monterey Peninsula Water Management District will consider issuance of a application for a new water connection and the project site can receive water service from Cal Am.

**EXHIBIT C  
DRAFT RESOLUTION**

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

In the matter of the application of:

**Colt Road Associates (PLN070199)**

**RESOLUTION NO.**

Resolution by the Monterey County Zoning  
Administrator:

- 1) Adopt the Mitigated Negative Declaration
- 2) Approving a Combined Development Permit:  
Design Approval and Administrative Permit to  
allow the construction of a 2,648 square foot one-  
story single family dwelling with an attached 864  
square foot garage in a Visually Sensitive (“VS”)  
district; and a Use Permit for the removal of twelve  
oak trees (8”-12” diameter) and grading  
(Approximately 327 cubic yards cut and 327 cubic  
yards fill).

**The Colt Road Associates application (PLN070199) came on for public hearing before the Monterey County Zoning Administrator on July 29, 2010. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:**

**FINDINGS**

- 1 **FINDING:** **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 Monterey County General Plan,
  - Greater Monterey Peninsula Area Plan,
  - Greater Monterey Peninsula Area Plan, Inventory and Analysis
  - 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) The property is located at 25993 Colt Lane, Carmel Valley (Assessor’s Parcel Number 416-122-018-000, Greater Monterey Peninsula Area Plan. The parcel is zoned: “LDR/5-VS” [Low Density Residential, 5 acres per unit. Visually Sensitive district.], which allows for the construction of a Single Family Dwelling and the associated removal of 12 oak trees with an approved Combined Development Permit (Design

Approval, Administrative Permit and Use Permit). Therefore, the project is an allowed land use for this site.

- c) The project for a single family dwelling with attached garage is a use allowed in accordance with Monterey County Zoning Ordinance 21.14.030.A, and is consistent with the development standards of section 21.14.060
- d) Design Control or "D" zoning requires design review of structures to assures the protection of the public viewshed, neighborhood character, and the visually integrity of certain developments without imposing undue restrictions on private property. The project design, materials and colors blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the vicinity. The Design Approval application is attached to the July 25, 2007 Staff Report as Exhibit F.
- e) The project planner conducted a site inspection on March 18, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- f) The project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application warranted referral to the LUAC because of Environmental and Viewshed issues. The LUAC on a 3-0 vote recommended approval with the desire to preserve as many trees as possible including the possibility of relocation.
- g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070199.

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

**EVIDENCE:** a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

b) Staff identified potential impacts to Biological Resources and Aesthetics. Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:

- *Geologic Hazards Assessment* (LIB# 050577) prepared by Craig S. Harwood, Santa Cruz, CA, January 21, 2004
- *Geotechnical and Percolation Investigation Report* (LIB# 090030) prepared by Richard Dante, Salinas, CA, October 21, 2008
- *Preliminary Archaeological Reconnaissance*(LIB# 050575)

prepared by Mary Doane, B.A. and Trudy Haversat, RPA, Salinas, CA, September 30, 2003

- *Biological Resources Survey* (LIB# 090029) prepared by Craig Hohenberger, Carmel, CA, May 27, 2001
- *Tree Resource Assessment/Management Plan* (LIB#100151) prepared by Frank Ono, Pacific Grove, CA, April 15, 2010

- c) Staff conducted a site inspection on March 18, 2009 to verify that the site is suitable for this use.
- d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN070199.

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 the RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities will be provided. Water will be provided by Cal-Am Water Services. Gas and electricity will be provided by PG&E.

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 Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on March 18, 2009 and researched County records to assess if any violation exists on the subject property.
  - c) There are no known violations on the subject parcel.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070199.

5. **FINDING:** **CEQA (Mitigated Neg Dec)** - On the basis of the whole record before the Monterey County Zoning Administrator, there is no substantial evidence that the proposed project as designed, conditioned and mitigated, will have a significant effect on the environment. The

Mitigated Negative Declaration reflects the independent judgment and analysis of the County.

- EVIDENCE:**
- a) Public Resources Code Section 21080.d and California Environmental Quality Act (CEQA) Guidelines Section 15064.a.1 require environmental review if there is substantial evidence that the project may have a significant effect on the environment.
  - b) The Monterey County Planning Department prepared an Initial Study pursuant to CEQA. The Initial Study is on file in the offices of the Planning Department and is hereby incorporated by reference (PLN070199).
  - c) The Initial Study provides substantial evidence based upon the record as a whole, that the project would not have a significant effect on the environment. Staff accordingly prepared a Mitigated Negative Declaration. (PLN070199).
  - d) Issues that were analyzed in the Mitigated Negative Declaration include: aesthetic resources, air quality, biological resources, hydrology/water quality, utilities and service systems.
  - e) All project changes required to avoid significant effects on the environment have been incorporated into the project and/or are made conditions of approval. A Condition Compliance Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation and is hereby incorporated herein by reference as **Exhibit C-1**.
  - f) The Draft Mitigated Negative Declaration (“MND”) for PLN070199 was prepared in accordance with CEQA and circulated for public review from July 6, 2010 through July 27, 2010.
  - g) Evidence that has been received and considered includes: the application, technical studies/reports (*see Finding 2/Site Suitability*), staff reports that reflect the County’s independent judgment, and information and testimony presented during public hearings (as applicable). These documents are on file in the RMA-Planning Department PLN070199 and are hereby incorporated herein by reference.
  - h) Staff analysis contained in the Initial Study and the record as a whole indicate the project could result in changes to the resources listed in Section 753.5(d) of the Department of Fish and Game (DFG) regulations. All land development projects that are subject to environmental review are subject to a State filing fee plus the County recording fee, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.
  - i) The County has considered the comments received during the public review period, and they do not alter the conclusions in the Initial Study and Mitigated Negative Declaration.
  - j) The Monterey County Planning Department, located at 168 W. Alisal, Second Floor, Salinas, California, 93901, is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the negative declaration is based.

5. **FINDING:** **TREE REMOVAL – INLAND** The tree removal is the minimum required under the circumstances and the removal will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- a) The project includes application for the removal of 12 trees. In accordance with the applicable policies of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21), a Use Permit is required and the authority to grant said permit has been met.
  - b) According to Monterey County Code 21.64.260.D.3.a: "Removal of more than three protected trees on a lot in a one-year period shall require a Forest Management Plan and approval of a Use Permit."
  - c) According to Monterey County Code 21.64.260.D.4: "Relocation or Replacement: As a consideration of the granting of a permit pursuant to subsections 2 or 3, the applicant shall be required to relocate or replace each removed protected tree on a one-to-one ratio." Replacement trees will be required at a two-to-one ratio (**Condition 26**)
  - d) Forest Management Plan and supplemental reports were prepared by Frank Ono (Certified Arborist #536)
  - e) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones and trunk protection. (**Condition 12**).
  - f) The project has been designed and sited to minimize the removal of protected trees to the greatest extent feasible. The site has many constraints including visual sensitivity, slope, and an access easement which preclude relocation of the house to avoid tree removal.
  - g) The removal will not involve a risk of adverse environmental impacts.
  - h) Staff conducted a site inspection on June 22, 2010 to verify that the tree removal is the minimum necessary for the project and to identify any potential adverse environmental impacts related to the proposed tree removal.
  - i) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070199.

6. **FINDING:** **VIEWSHED** – The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) The project includes application for development within a highly sensitive viewshed. In accordance with the applicable policies of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21), an Administrative Permit is required and the authority to grant said permit has been met.
  - b) The project has been designed specifically to minimize visual impacts from public viewing areas. The proposed single family dwelling will be situated behind trees which shall screen the building.
  - c) The project as proposed, conditioned, and mitigated is consistent with policies of the Greater Monterey Peninsula Area Plan dealing with visual resources and will have no significant impact on the highly sensitive viewshed.
  - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN070199.
  - e) The project planner conducted a site inspection on June 22, 2010 to verify that the project minimizes development within the viewshed or to identify methods to minimize the development.



7. **FINDING:** **WATER SUPPLY IN HIDDEN HILLS** – The project is not subject to the Monterey Peninsula Water Management District’s moratorium on new water permits in Hidden Hills.
- EVIDENCE:** a) The property is currently served by the California-American Water Company Hidden Hills Unit within the jurisdiction of the Monterey Peninsula Water Management District.
- b) Due to overdraft concerns on the Carmel River, on Monday March 23, 2009, MPWMD issued notice that they shall not accept applications for new homes or intensities water use within the Hidden Hills Cal-Am service area. However, on July 20, 2009, the MPWMD Board of Directors agreed to process water permit applications for projects that require a Water Permit within the Hidden Hills area served by Cal-Am that were submitted to Monterey County for processing on or before March 20, 2009 and that were assigned a PLN number. According to these criteria the proposed project will be granted water service. **(Exhibit G)**
8. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** a) Section 21.04.030.F Monterey County Zoning Ordinance

**DECISION**

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

- A. Adopt the Mitigated Negative Declaration.
- B. Approve the Combined Development Permit consisting of a Design Approval and Administrative Permit to allow the construction of a 2,648 square foot one-story single family dwelling with an attached 864 square foot garage in a Visually Sensitive (“VS”) district; and a Use Permit for the removal of twelve oak trees (8”-12” diameter) and grading (Approximately 327 cubic yards cut and 327 cubic yards fill) in general conformance with the attached sketch **(Exhibit C-2)** and subject to the conditions **(Exhibit C-1)**, both exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 29th day of July, 2010 upon motion of xxxx, seconded by xxxx, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mike Novo, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON DATE

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 COMMISSION ALONG WITH THE  
APPROPRIATE FILING FEE ON OR BEFORE [DATE]

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 the Monterey County Planning Department and 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.

**RESOLUTION 070199 - EXHIBIT C-1**  
**Monterey County Resource Management Agency**  
**Planning Department**  
**Condition Compliance and/or Mitigation Monitoring**  
**Reporting Plan**

**Project Name:** Colt Road Associates LLC  
**File No:** PLN070199 **APNs:** APN 416-122-018-000  
**Approved by:** Zoning Administrator **Date:** July 29, 2010

*\*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
<b>RMA – Planning Department</b>						
1.		<p><b>PD001 - SPECIFIC USES ONLY</b>            This Combined Development Permit (PLN070199) allows the construction of a 2,648 square foot one-story single family dwelling with an attached 864 square foot garage in a Visually Sensitive (“VS”) district; and a Use Permit for the removal of twelve oak trees (8”-12” diameter) and grading (Approximately 327 cubic yards cut and 327 cubic yards fill). The property is located at 25993 Colt Lane, Carmel Valley (Assessor’s Parcel Number 416-122-018-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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. <b>(RMA-Planning Department)</b></p>	<p>Adhere to conditions and uses specified in the permit.</p>	Owner/ Applicant	Ongoing unless otherwise stated	
			<p>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 the RMA - Planning Department.</p>	RMA - Planning		
			<p>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.</p>	WRA  RMA - Planning		

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		<b>PD002 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit (Resolution 070199) was approved by the <b>Zoning Administrator</b> for Assessor's Parcel Number 416-122-018-000 on <b>July 29, 2010</b> . The permit was granted subject to 26 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." ( <b>RMA-Planning Department</b> )	Obtain appropriate form from the RMA-Planning Department.  The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant  RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		<b>PD032(A) - PERMIT EXPIRATION</b> The permit shall be granted for a time period of 3 years, to expire on July 29, 2013 unless use of the property or actual construction has begun within this period. ( <b>RMA - Planning Department</b> )	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
4.		<b>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT</b> 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. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society 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 the discovery. ( <b>RMA - Planning Department</b> )	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department 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.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
5..		<b>PD005 - FISH AND GAME FEE-NEG DEC/EIR</b> Pursuant to the State Public Resources Code § 753.5, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid. <b>(RMA - Planning Department)</b>	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.  If the fee is not paid within five (5) working days, the applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	Within 5 working days of project approval.	
6.		<b>PD005a – NOTICE OF EXEMPTION</b> Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption.	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA - Planning Department.	Owner/ Applicant	After project approval.	
7.		<b>PD006 - MITIGATION MONITORING PROGRAM</b> The applicant shall enter into an agreement with the County to implement a Mitigation Monitoring and/or Reporting Plan in accordance with Section 21081.6 of the California Public Resources Code and Section 15097 of Title 14, Chapter 3 of the California Code of Regulations. Compliance with the fee schedule adopted by the Board of Supervisors for mitigation monitoring shall be required and payment made to the County of Monterey at the time the property owner submits the signed mitigation monitoring agreement. <b>(RMA - Planning Department)</b>	1) Enter into agreement with the County to implement a Mitigation Monitoring Program.  2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
8.		<b>PD007 - GRADING-WINTER RESTRICTION</b> No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. <b>(RMA – Planning Department and Building Services Department)</b>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
9.		<b>PD009 - GEOTECHNICAL CERTIFICATION</b> Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. <b>(RMA – Planning Department and Building Services Department)</b>	Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project’s compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
10.		<b>PD010 - EROSION CONTROL PLAN AND SCHEDULE</b> The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
11.		<b>PD011 – TREE AND ROOT PROTECTION</b> Trees which are located close to the 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 a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			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.	Owner/ Applicant/ Arborist	During Construction	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a 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. <b>(RMA - Planning Department)</b>	Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
12.		<b>PD012(D) - LANDSCAPE PLAN AND MAINTENANCE - MONTEREY PENINSULA WATER MANAGEMENT DISTRICT (SINGLE FAMILY DWELLING ONLY)</b> 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 the RMA - Planning Department. 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 Department. 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. <b>(RMA – Planning Department)</b>	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
			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.	Owner/ Applicant	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
13.		<p><b>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</b>  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 lights 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 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 the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b></p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
			<p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Prior to Occupancy/ Ongoing	
<b>Health Department Environmental Health Division</b>						
14.		<p><b>EH6 - WATER SERVICE CAN/WILL SERVE</b>  Provide to the Division of Environmental Health written certification, and any necessary certification from State agencies that Cal-Am Water Services <u>can</u> and <u>will</u> supply sufficient water flow and pressure to comply with both Health and fire flow standards.  <b>(Environmental Health)</b></p>	<p>Submit written certification to the Division of Environmental Health for review and approval.</p>	CA Licensed Engineer /Owner/ Applicant	Prior to filing a final map and/or issuance of a building permit	



Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
15.		<p><b>EH22 - DEED NOTIFICATION – PERC REPORT</b>            A deed notification shall be recorded concurrently with the final/parcel map with the Monterey County Recorder which states: "A soils and percolation report has been prepared for this parcel by _____, dated _____ and is on record at the Division of Environmental Health, Monterey County, File Number _____. All proposed development shall be in compliance with this report and the recommendations therein, including the recommendations regarding _____ on pages _____." <b>(Environmental Health)</b></p>	<p>Submit proposed wording and forms to be recorded to EH and P&amp;BI for review and approval. Record deed notification.</p>	<p>Owner/ Applicant</p>	<p>Concurrently with filing of final map.</p>	
<p><b>Monterey County Water Resources Agency</b></p>						
16.		<p><b>WR2 - STORMWATER CONTROL</b>            The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. <b>(Water Resources Agency)</b></p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ Engineer</p>	<p>Prior to issuance of any grading or building permits</p>	
17.		<p><b>WR43 - WATER AVAILABILITY CERTIFICATION</b>            The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b></p>	<p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of any building permits</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
18.		<p><b>WR40 - WATER CONSERVATION MEASURES</b>  The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. <b>(Water Resources Agency)</b></p>	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspection/occupancy	
<b>Fire Agency</b> <i>(Salinas Rural Fire Protection District)</i>						
19		<p><b>FIRE007 - DRIVEWAYS</b>  Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside</p>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	<i>Applicant or owner</i>	Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p><b>Responsible Land Use Department: Salinas Rural Fire Protection District.</b></p>				
20.		<p><b>FIRE008 - GATES</b>  All gates providing access from a road to a driveway shall be located at least 30 feet from the roadway and shall open to allow a vehicle to stop without obstructing traffic on the road. Gate entrances shall be at least the width of the traffic lane but in no case less than 12 feet wide. Where a one-way road with a single traffic lane provides access to a gated entrance, a 40-foot turning radius shall be used. Where gates are to be locked, the installation of a key box or other acceptable means for immediate access by emergency equipment may be required. <b>Responsible Land Use Department: Salinas Rural Fire Protection District.</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	

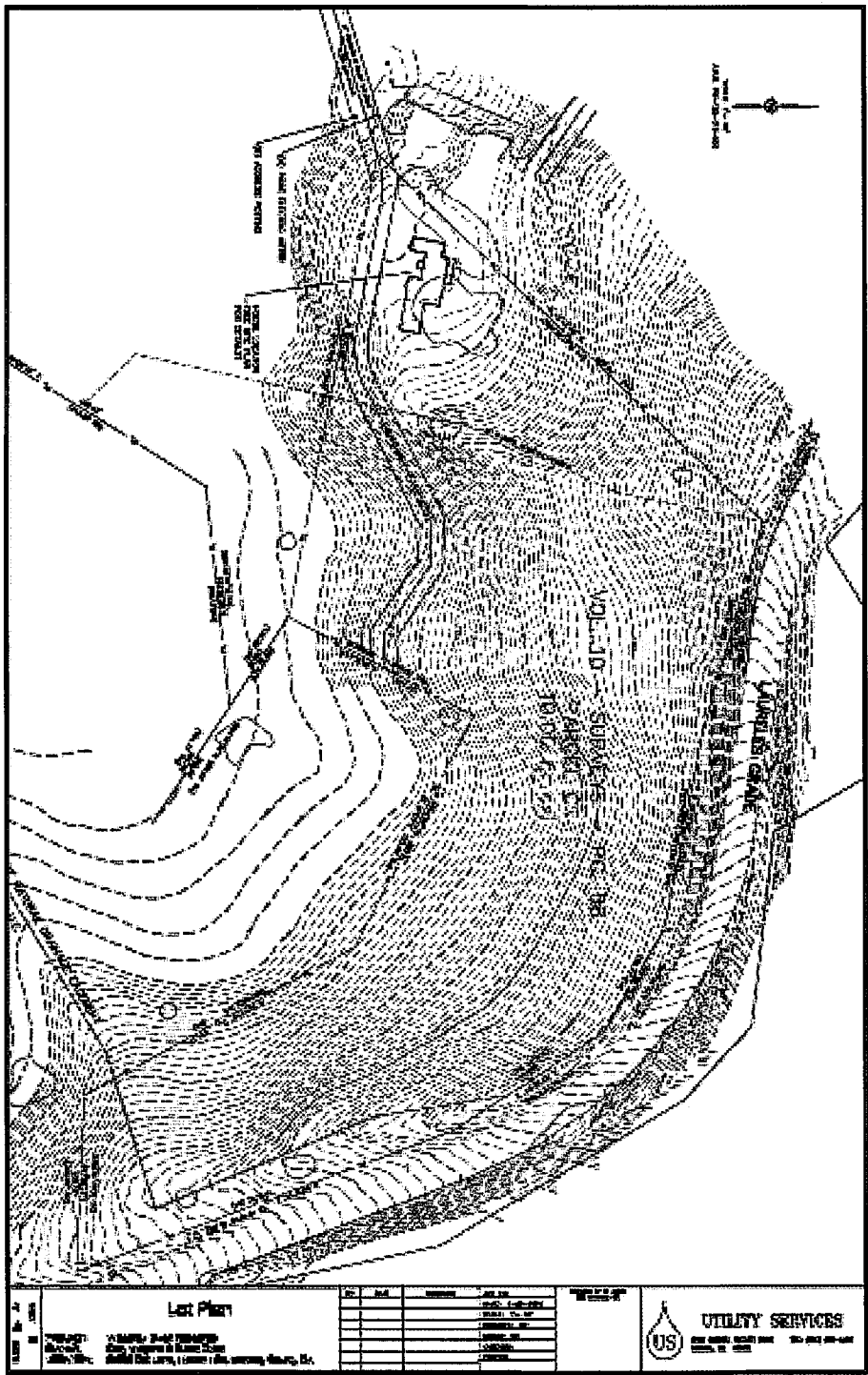
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
19. .		<b>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS)</b> Manage combustible vegetation within a minimum of ___ feet of structures (or to the property line). Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. <b>Responsible Land Use Department: Salinas Rural Fire Protection District.</b>	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
20. .		<b>FIRE022 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS)</b> The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. <b>Responsible Land Use Department: Salinas Rural Fire Protection District.</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	<i>Applicant or owner</i>	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to framing inspection	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to final building inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
21. .		<b>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)</b> All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. <b>Responsible Land Use Department: Salinas Rural Fire Protection District.</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
<b>Public Works</b>						
.24		<b>NON-STANDARD – TAMC FEES</b> Prior to issuance of building permits, applicant shall pay the Transportation Agency for Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study. <b>(Public Works)</b>	Applicant shall pay TAMC fee.	Applicant or owner	Prior to issuance of building permit.	
<b>22. Mitigation Measures</b>						
23.	1	<b>PD048 – TREE REPLACEMENT</b> The Applicant shall re-plant 24 oak trees in the general vicinity of the trees to be removed (2:1 replacement ratio). The minimum replacement size shall be 5 gallons. <b>(RMA-Planning Department)</b>	Photos of the re-planted trees and a sales receipt shall be provided to the RMA Planning Department	Owner/ Applicant	Prior to Final Building Inspection	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
24.	2	<p><b>PD048 (B) – TREE REPLACEMENT MONITORING REPORT</b></p> <p>Replacement trees shall be monitored for a period of three years following their planting, at which time a report from a registered forester or certified arborist shall be provided to the Planning Department for review and approval. Additional replacement trees may be required in the event that the initial replacement trees have failed to survive at an acceptable rate. <b>(RMA-Planning Department)</b></p>	A report from a registered forester or certified arborist shall be provided to the Planning Department for review and approval.	Owner/ Applicant	Within three years of project approval date.	

**END OF CONDITIONS**

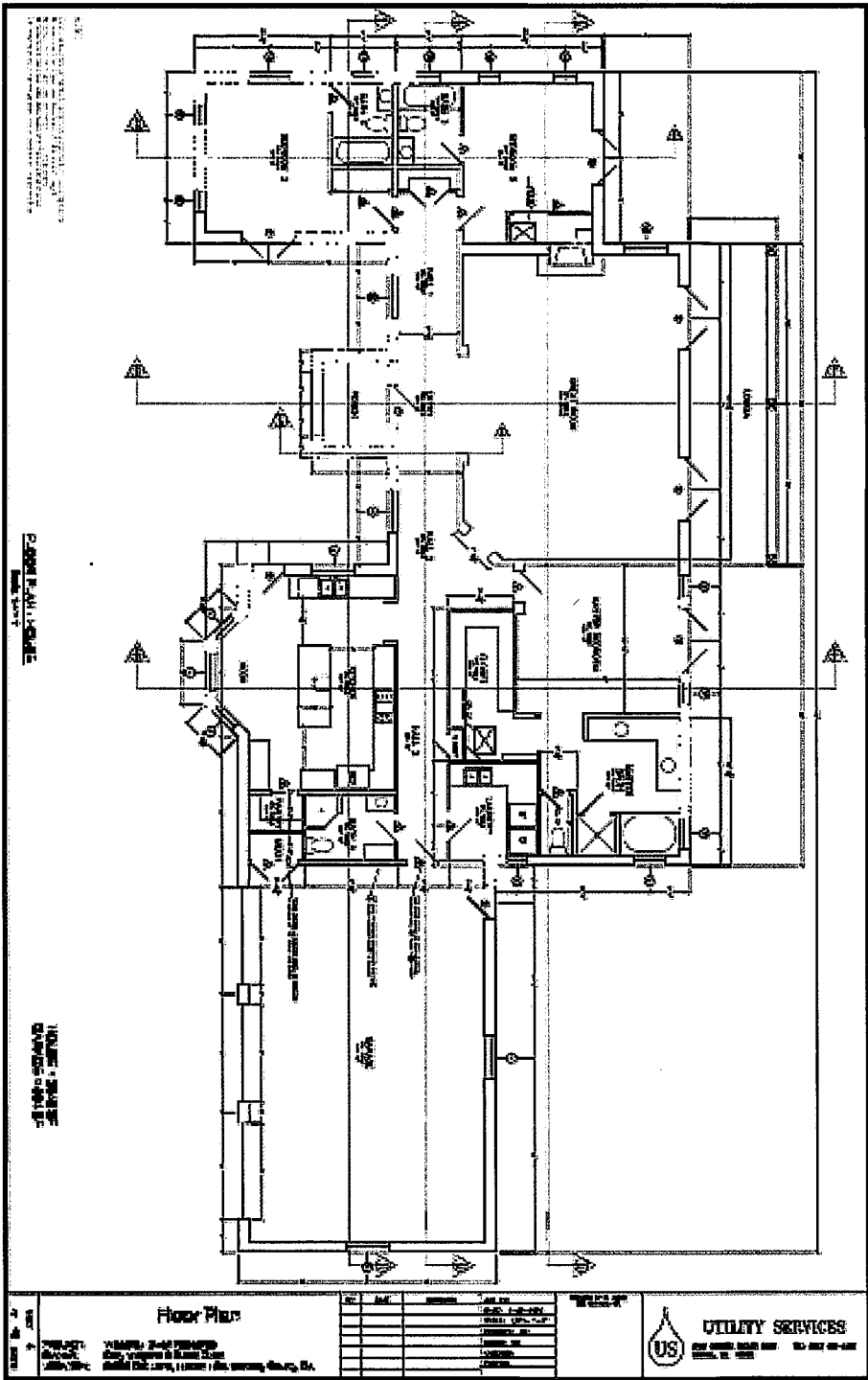
Rev. 11/21/2009



2 1 1 1	<b>Lot Plan</b> 1/4" = 100' - 2" = 100' (Horizontal) 1/4" = 100' - 2" = 100' (Vertical) 1/4" = 100' - 2" = 100' (Diagonal)		DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____	<b>UTILITY SERVICES</b> 1000 W. 10th Street Oklahoma City, OK 73106 (405) 555-1234
	1/4" = 100' - 2" = 100' (Horizontal) 1/4" = 100' - 2" = 100' (Vertical) 1/4" = 100' - 2" = 100' (Diagonal)		DATE: _____ DRAWN BY: _____ CHECKED BY: _____ APPROVED BY: _____	<b>UTILITY SERVICES</b> 1000 W. 10th Street Oklahoma City, OK 73106 (405) 555-1234







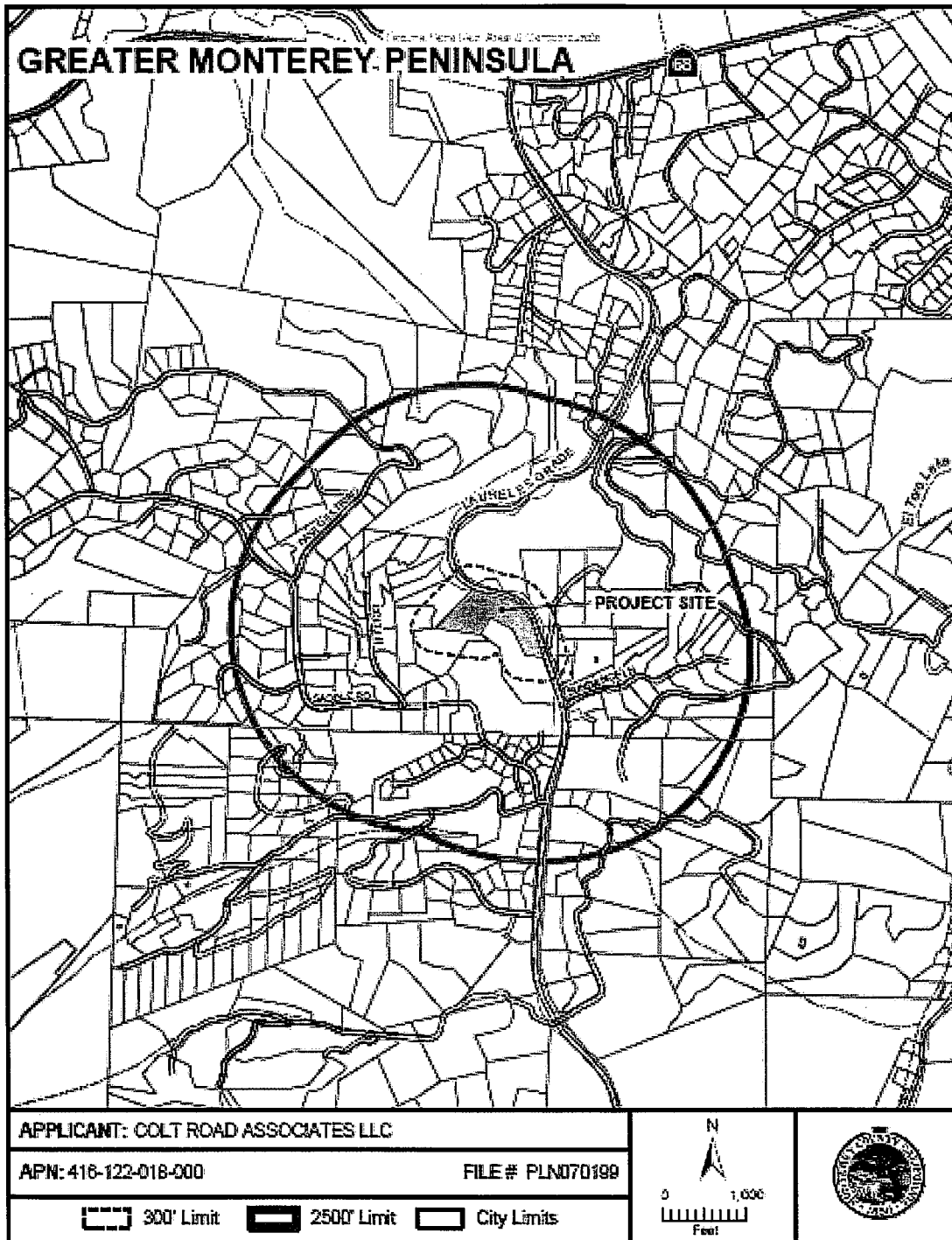
NOTES:  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR UTILITY SERVICES.  
 2. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR UTILITY SERVICES.  
 3. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DALLAS SPECIFICATIONS FOR UTILITY SERVICES.

PLAN 10000 10th Street, Suite 100

10000 10th Street, Suite 100



# EXHIBIT D



**MINUTES**  
**Greater Monterey Peninsula Land Use Advisory Committee**  
**Monday, March 18, 2009**

1. **Site Visit** 3:00pm

Attendees Smith, Dettoff

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2. **Meeting called to order** by Smith at 4:12 am/pm

3. **Roll Call**

Members Present: Smith, Church, Dettoff

Members Absent: Jacobson, Reiersen

4. **Approval of Minutes**

A. January 21, 2009 minutes

Motion: Dettoff (LUAC Member's Name)

Second: Church (LUAC Member's Name)

Ayes: 3

Noes: 0

Absent: 2

Abstain: 0

5. **Public Comment:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

6. **Scheduled Item(s)** – please refer to the Project Referral Sheets which follow for each separate file.

7. **Other Items**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

- Size is 3156<sup>sq</sup> ft. 8"-12" oaks instead of 8", Delete car/take unit, 13 trees to be relocated or removed.
  - Color + lighting discussed - Minimal, exterior lighting
  - ~~Lighting~~ Color brand - not yet submitted
  - Fire plan is under review
  - 5' encroachment into access easement was noted
  - Water hookup from Cal Sta
- B) Discussion of March 11 Joint Meeting

The meeting was reviewed to Mr. Church.

C) Announcements, if any - next meeting date

D) Miscellaneous

Future meeting dates + attendances were discussed. A quorum will be available 4/15.

8. Meeting Adjourned: 4:52 am/pm 

Minutes taken by: Debbi

# Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department  
168 W Alisal St 2<sup>nd</sup> Floor  
Salinas CA  
(831) 755-5025

**Advisory Committee: Greater Monterey Peninsula**

Please submit your recommendations for this application by **March 18, 2009**

**Project Name: COLT ROAD ASSOCIATES LLC**

**File Number: PLN070199**

**File Type: ZA**

**Project Planner: MASON**

**Project Location: 25993 COLT LN CARMEL VALLEY**

**Project Description:** ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 3,352 SQUARE FOOT ONE STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 768 SQUARE FOOT GARAGE, AND A DETACHED 480 SQUARE FOOT CARETAKER UNIT IN THE VISUALLY SENSITIVE OR "VS" DISTRICT; AND A TREE PERMIT FOR THE REMOVAL OF THREE 6" OAK TREES. THE PROPERTY IS LOCATED AT 25993 COLT ROAD, CARMEL VALLEY, APPROXIMATELY 500 FEET NORTH OF COLT ROAD AND SADDLE ROAD INTERSECTION, MONTEREY (ASSESSOR'S PARCEL NUMBER 416-122-018-000), GREATER MONTEREY PENINSULA AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes   X   No       

*Lynne Mounday, Consultant      LeClere & Coarner  
Wiegand*

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>None</i>			

**Lynne H. Mounday,**  
**Planning Consultant**  
past, present and future

831-235-8888 mobile

lmounday@sbcglobal.net

**Lynne H. Mounday**  
**Manager**

312 Alameda Avenue  
Salinas, CA. 93901  
831-770-0470 office  
831-417-5471 fax



**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
No lighting plan		Generate
No color board		Mason will email photos to LUAC
Encroachment		County to consider
Fire approval		County to consider

**ADDITIONAL LUAC COMMENTS**

Prefer moving as many oaks as possible + take steps to conserve trees.

**RECOMMENDATION :**

Motion by Detloff (LUAC Member's Name)

Second by Church (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: 3 Smith, Church, Detloff

NOES: 0

ABSENT: 2 Jacobson + Pierson

ABSTAIN: 0

# MONTEREY COUNTY

## RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR, SALINAS, CA 93901

PHONE: (831) 755-5025 FAX: (831) 757-9516



### ***INITIAL STUDY/MITIGATED NEG DEC***

#### ***I. BACKGROUND INFORMATION***

**Project Title:** Colt Road Associates: Weigand/Dixon Residence

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**File No.:** PLN070199

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**Project Location:** 25993 Colt Road, Carmel Valley CA

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**Name of Property Owner:** Colt Road Associates LLC

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**Name of Applicant:** Gary Wiegand

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**Assessor's Parcel Number(s):** 416-122-018-000

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**Acreage of Property:** 10 Acres

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**General Plan Designation:** Low-Density Residential

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**Zoning District:** LDR/5-VS (20')

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**Lead Agency:** Monterey County Resource Management Agency – Planning Department

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**Prepared By:** Steve Mason (Planner)

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**Date Prepared:** March 10, 2010

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**Contact Person:** Steve Mason (Planner)

---

**Phone Number:** (831) 755-5228

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## **II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING**

### **A. Project Description:**

The proposed project consists of a Combined Development Permit to include: 1) A Design Approval and Administrative Permit to allow the construction of a 2,648 square foot single family dwelling with an attached 864 square foot garage in the Visually Sensitive (“VS”) district. Grading will include 327 cubic yards of cut and 327 cubic yards of fill; 2) A Use Permit for the removal of 12 California Live Oaks (8” to 12” diameter).

Cal-Am Water Company has agreed to provide water services to the proposed project. Gas and electrical services will be provided by Pacific Gas and Electric Company (PG&E).

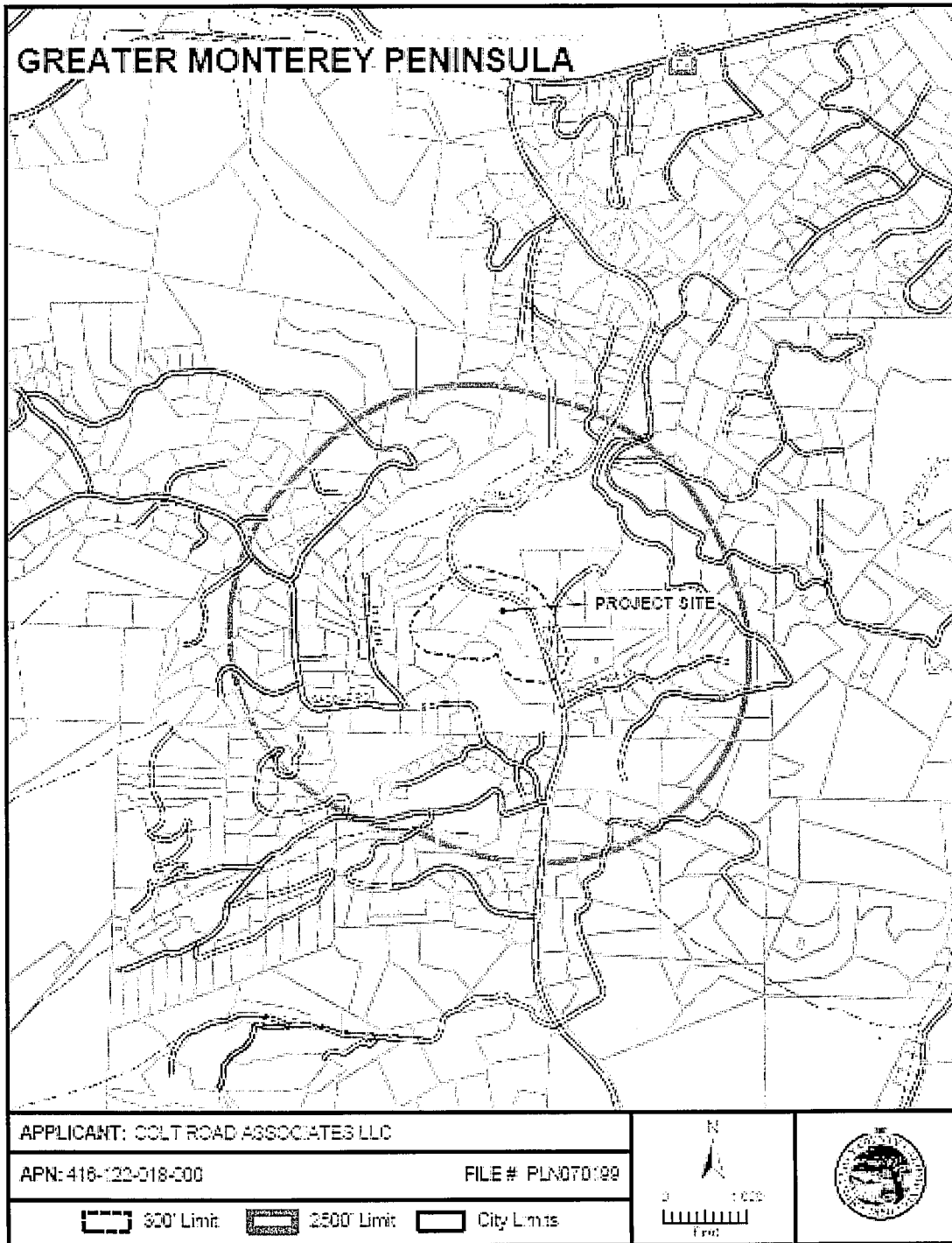
### **B. Environmental Setting and Surrounding Land Uses:**

The project site is located at 25993 Colt Lane in Carmel Valley, abutting Laureles Grade Road at the north and east boundaries. The site is zoned Low-Density Residential/5 acres per unit in a “Visually Sensitive” overlay district (LDR/5-VS). Access to the parcel is by way of a private driveway off of Colt Road, to the west. The lot is currently un-developed. Surrounding land uses include Low-Density Residential (west and south of subject parcel), Rural-Density Residential (east, across Laureles Grade Rod) and Open Space (north and east, across Laureles Grade Rd).

The proposed building site is on a terraced north-facing slope at an elevation of approximately 1125 feet. The proposed building site is primarily flat. Trees on the site consist of Monterey Pines (planted), Redwoods (planted), and a grove of 25 Coast Live Oaks. Additional vegetation includes Silver Dollar Trees, Poison Oak, German Ivy, Coyote Brush, French Broom, Hemlock, Sticky Monkey Flower, and various non-native grasses. (Source: IX. 13).

The majority of the parcel consists of slopes in excess of 25% gradient (Source: IX 1, 6). Soils at the site consist of a combination of shale and clay loam. (Source: IX 13). The site is located in an area characterized by northwest trending ridges and hills dissected by drainages. No earthquake faults have been mapped at the site and the site is not located within a State of California Earthquake Fault Zone. (Source: IX. 8)

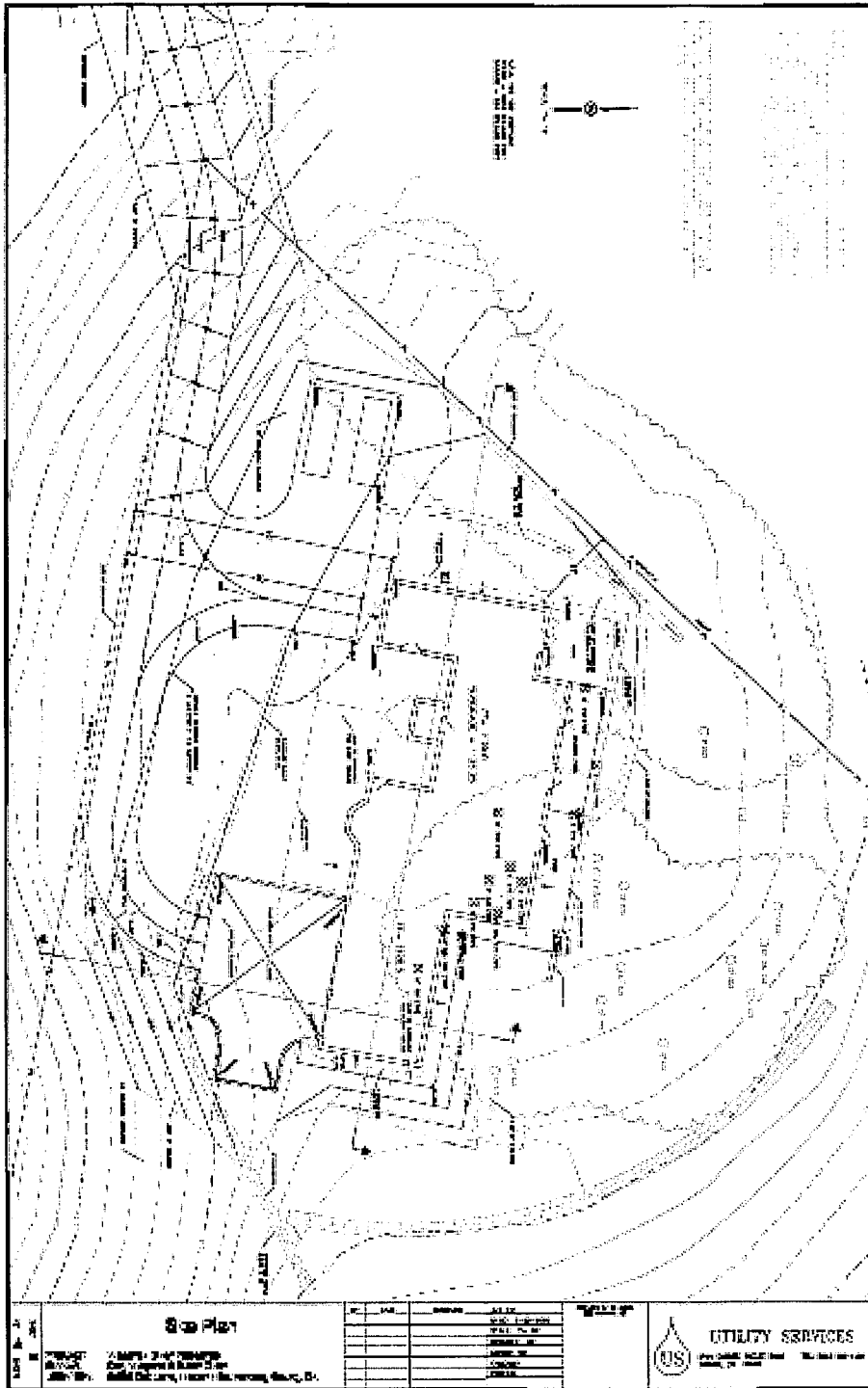
Figure 1





**Figure 3**

*Trees proposed for removal are indicated by a circled "x".*



### III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

General Plan/Greater Monterey Peninsula Area Plan: The proposed project has been reviewed for consistency with the 1982 Monterey County General Plan and the Greater Monterey Peninsula Area Plan. The property is located within the Low Density Residential land use designation, which allows 1 unit/5 acres and is suitable for the proposed use. Potential Impacts were identified regarding aesthetics and visual sensitivity due to the possible visibility of the project from Laguna Seca Recreation Area and Laureles Grade Road. Additional impacts were identified regarding air quality, utilities/service systems, hydrology/water quality, and biological resources (due to tree removal),. (Source: IX . 1, 2 & 3) **CONSISTENT**

Air Quality Management Plan: Consistency with the Air Quality Management Plan is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP (Source: IX. 5).

The Association of Monterey Bay Area Governments (AMBAG), the *2008 Population, Housing Unit, and Employment Forecasts* adopted by the AMBAG Board of Directors, are the forecasts used for this consistency determination. The proposed project includes construction of a new single family dwelling. The addition of one new residential lot will not exceed the population forecasts of the 2008 AQMP and would not result in substantial population changes. Therefore, the project is consistent with the 2008 regional forecasts and the Air Quality Management Plan (Source: IX. 5). **CONSISTENT**

#### ***IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION***

##### **A. FACTORS**

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture Resources              | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology/Soils          |
| <input type="checkbox"/> Hazards/Hazardous Materials          | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning      |
| <input type="checkbox"/> Mineral Resources                    | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population/Housing     |
| <input type="checkbox"/> Public Services                      | <input type="checkbox"/> Recreation                         | <input type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems |   |   |

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

- Check here if this finding is not applicable

**FINDING:** For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

**EVIDENCE:** The project, as proposed, will have no measurable adverse environmental impact on the categories not checked above, as follows:

1. Agricultural Resources. The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance and project construction would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract. The project site is located within a developed area and is not

located adjacent to agriculturally designated lands. The site is several miles from the nearest agricultural area (Source: IX. 1, 6 & 7). *Therefore, the proposed project would not result in impacts to agricultural resources.*

2. Hazards/Hazardous Materials. The proposal involves residential development where there would be no use of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. The site location and scale have no impact on emergency response or emergency evacuation and is not included on any list of hazardous materials sites. The property is not located near an airport or airstrip. (Source: IX. 1, 6 & 7). *Therefore, the proposed project would not result in impacts related to hazards/hazardous materials.*
3. Mineral Resources. The project consists of the construction of a new single family dwelling and an attached garage. No mineral resources or resource recovery sites have been identified on the site or in the area. (Source: IX. 1, 6 & 7) *Therefore, the proposed project would not result in impacts to mineral resources.*
4. Noise. The construction of one single-family within a residential area would not expose others to noise levels or ground-borne vibrations that exceed standards contained in the Monterey County General Plan and would not substantially increase ambient noise levels in the area. The project site is not located in the vicinity of an airport or private airstrip. The project is located adjacent to low-density residential neighborhoods and open space and consists of the construction of one single family dwelling. There is no evidence that the persons residing or working near the project site would be significantly impacted by noise related to this project. (Source: IX. 2, 3 & 6). *Therefore, the proposed project would not result in noise-related impacts.*
5. Population/Housing. The proposed project would not contribute to substantial population increase in the area. The project would not alter the location, distribution, or density of human population in the area to any significant degree, or create a demand for additional housing. (Source: IX. 1, 6). *Therefore, the proposed project would not result in impacts related to population and housing.*
6. Public Services. The proposed project consists of the construction of one single-family home which will be served by the Monterey County Regional Fire Protection Department and the Monterey County Sheriff's Department. The Fire Department has provided comments on the project, which are incorporated into the project as recommended conditions of approval, and have not indicated that this project would result in potentially significant impacts (Source: IX. 1). *Therefore, the proposed project would not result in impacts related to public services.*
7. Recreation. The project would not result in a substantial increase in use of existing recreational facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project. The subject property is not within

close proximity of any public parks, recreational trails or designated historical structures. (Source: IX. 1, 3, 6 & 7). *Therefore, the proposed project would not result in impacts related to recreation.*

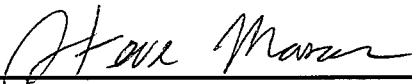
8. Transportation/Traffic. The construction of a single-family dwelling on an existing lot of record will not generate a significant increase in traffic movements or create new traffic hazards. The proposed dwelling meets the parking requirements contained in the Zoning Ordinance Title 21. The project site is not located in the vicinity of an airport and would not result in a change in air traffic patterns (Source IX. 1, 3, & 6). *Therefore, the proposed project would not result in impacts related to traffic.*
  
9. Cultural Resources The proposed site is located in an area designated by the County resources maps as an area that is “moderate” in terms of archaeological sensitivity. The majority of the project site has been previously disturbed, and the proposed driveway and single family dwelling would be located at this previously disturbed area. The project’s *Preliminary Archaeological Reconnaissance* report concluded that “...the project area contains no surface evidence of potentially significant archaeological resources.” As such, the proposed project should not pose a risk to a historical resource, archaeological resource, or indirectly destroy a unique paleontological resource. A Monterey County standard condition of approval would require that all land disturbance activities be halted in the event that unknown cultural resources are unearthed and/or found during project construction. *The project would therefore have no impact on cultural resources.* (Source: IX. 3, 7 & , 10)
  
10. Geology/Soils The Geologic Hazards Assessment commissioned for the project has concluded “...there are no geologic conditions or hazards that would preclude development of the property for residential purposes as they are currently proposed.” *The project would therefore have no impact on Geology and Soils.* (Source IX. 6 & 8)
  
11. Land Use/Planning The project, as proposed, is consistent with the requirements of Monterey County Inland Zoning Code (Title 21), the Monterey County General Plan of 1982, and the Greater Monterey Peninsula Area Plan. No inconsistencies with the requirements of the above-listed regulations are present. (Source IX. 1, 2, 3 & 4)

## **B. DETERMINATION**

On the basis of this initial evaluation:



- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Steve Mason, Assistant Planner



Date

**V. EVALUATION OF ENVIRONMENTAL IMPACTS**

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a) Earlier Analysis Used. Identify and state where they are available for review.
  - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
  - a) The significance criteria or threshold, if any, used to evaluate each question; and
  - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

## VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### Discussion:

The project site is designated with a “Visual Sensitivity” zoning overlay. Additionally, Laureles Grade Road is an “Officially Designated Scenic Road”, and the parcel is designated as being within a visually “Highly Sensitive Area” according to the *Greater Monterey Peninsula Area Plan*. All efforts have been made to ensure that the house has been placed so as to minimize visibility from all public viewing areas. The house is not situated on a ridgeline. Furthermore, replacement oak trees (mitigation) will be placed in order to further screen any possible “visibility corridor” to the East of the proposed home site (Source IX. 1, 3 & 6).

### Conclusion:

#### **Aesthetics 1 (a) – Less Than Significant**

The grove of 13 California Live Oaks will effectively screen the proposed single family dwelling from public viewing areas. Tree protection, height verification, and exterior lighting standard conditions will be applied to the proposed development to protect these trees from damage during construction. Additional project conditions will be implemented to ensure compliance with maximum height limits in the zoning district and to provide down lit, unobtrusive exterior lighting. These conditions, combined with the proposed colors and materials consisting of beige stucco with stone veneer, Spanish tile roofing, wrought iron rails, and copper fixtures, will be consistent with the architectural character of the area. According to site visits to the surrounding public viewing areas, staff has been able to determine that the proposed project will cause minimal visual impact. (Source IX. 1 & 6) *Therefore, there will be less than significant impacts on scenic vistas*

**Aesthetics 1 (b) – No Impact**

The subject property is not visible from State Scenic Highway 1, and is only visible from State Scenic Highway 68 in brief glimpses at distances of over 1.25 miles. The twelve California Live Oaks which are slated for removal are located on the South side of a grove of 25 Oaks, facing away from the distant views from Highway 68. (Source IX. 1 & 6) *Therefore, there are no impacts that would substantially degrade scenic resources within a State Scenic Highway.*

**Aesthetics 1 (c) – Less Than Significant**

Currently, there are several homes visible from public viewing areas (primarily Laureles Grade Rd) in the vicinity surrounding the subject parcel. The 12 trees proposed for removal are located on the southerly portion of the single grove of oaks on the parcel, which is the side situated away from any public viewing areas. The home has been sited so that the grove of 13 remaining oak trees, located to the north of the proposed building site, will effectively shield the home from public viewing areas. There will be only partial visibility from Laureles Grade Road. The house is not situated on a ridgeline. The proposed design effectively balances minimal tree removal while also accommodating minimal visual impact. (Source IX. 1 & 6) *Potential aesthetic impact to the site and surrounding areas will be of a minimal nature.*

**Figure 1**

*The building site is indicated by the box in the lower left corner.*



**Figure 2**

*The building site as viewed from the north on Laureles Grade Road, .28 miles distant. The project will be shielded to a great degree by the oak trees highlighted.*



**Figure 3**

*The proposed building site, facing northward. The single family dwelling will extend from the post to the far right to approximately the gray storage box at the photo's left.*



#### **Aesthetics 1 (d) – Less Than Significant**

As described above, the subject parcel is located in a “Visually Sensitive” designated zone. Despite the well-shielded situation of the home, un-regulated lighting around the proposed dwelling could *potentially* affect nighttime views in the vicinity. To guard against this, a standard Monterey County condition of approval will be applied to require submittal of exterior lighting plans showing proposed wattage, locations, and fixture types to be used. The lights are required to be down-lit in order to illuminate only the area intended and to fully control off-site glare. Additionally, any potential glare from windows will be effectively shielded from public viewing areas by the grove of oak trees situated around the home. (Source IX. 1 & 6) *Therefore, the proposed project will have a less than significant impact on day or nighttime views.*

## 2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.1)

## 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Result in significant construction-related air quality impacts?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### **Discussion:**

##### **Air Quality**

The Monterey Bay Unified Air Pollution Control District (MBUAPCD) prepared the Air Quality Management Plan (AQMP) for the Monterey Bay Region. The AQMP addresses the attainment and maintenance of State and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance.

#### **Conclusion:**

##### **Air Quality 3(a, e, & f) – No Impact**

The development on the project site for a single family home will be in accordance with the AMBAG population projections, which is accommodated in the AQMP. Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The proposed development would not increase population that would exceed the forecast in the AQMP. The establishment of a single family dwelling at the site will not create or produce objectionable odors. Most potentially significant air quality issues related to construction of single family homes involve the site grading activities (Source: IX. 1 & 5). *Therefore, the project will have no impact on implementation of the Air Quality Plan or expose people to substantial pollutants or objectionable odors.*



**Air Quality 3 (b, c, & d) – Less Than Significant**

The CEQA Air Quality Guidelines outline a threshold for construction activities with potentially significant impacts for PM<sup>10</sup> to be 2.2 acres of disturbance per day. As less than 2.2 acres will be disturbed by this project, the grading proposed will not constitute a significant impact. Grading of the project site will result in minor increases in emissions from construction vehicles and dust generation. Generally, in the long-term, the primary source of air emissions is vehicular traffic. The site is located at distances large enough to have little to no impact on neighboring parcels except for construction traffic through neighborhoods in the immediate vicinity. As all of the excavated dirt will remain on site and/or be used along the access road to improve conditions, truck trips will be minimized for transportation of dirt (Source: IX. 1 & 5). *Therefore the impacts to Air Quality from construction vehicles and equipment will be less than significant.*

4. <b>BIOLOGICAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

The California Natural Diversity Database (CNDDB) does not show the area as potential habitat for any listed species. Twelve oak trees are proposed for removal.

**Conclusion:**

**Biological Resources 4 (a), (b), (c), (d) & (f) – No Impact**

Staff inspection of the site and conclusions from the Biological Reports (Source IX. 6, 11 & 12) indicate no presence of riparian habitat, wetlands or other natural communities or species which might be identified as “Sensitive” by State or Federal Agencies. Furthermore, no local, regional, or state habitat conservation plans were identified which would conflict with the project as proposed. The Biological Report has concluded: “There is ample habitat in the adjoining area at this time to support the species described in this report”, and: “No rare or endangered species found.” (Source IX. 3, 7, 11, 12 & 13) *Therefore, the proposed development will have no impact on protected or sensitive species or habitats. The movement of resident or migratory species will not be affected. Additionally, the project will not conflict with any designated Habitat Conservation Plans*

**Conclusion:**

**Biological Resources 4 (e) – Less Than Significant With Mitigation Incorporated**

Monterey County Zoning Ordinance Title 21 identifies oak trees as native species requiring protection and preservation. The twelve oak trees proposed for removal range in size from 8 to 12 inches in diameter (two feet above the ground) which exempts them from the specially protected status of “landmark trees” which are those measuring 24 inches in diameter or larger. Additionally, an oak tree could be designated as “landmark” if they might be considered as visually significant, historically significant, or exemplary of their species. The trees designated for removal would not be considered as “landmark” according to these criteria, as well. There are two “Landmark Trees” located within the vicinity of the project (approximately 20-25 feet from the structure’s edge) which should not be adversely affected by the project.

**Mitigation:**

**Tree Replacement**

The twelve oak trees proposed for removal will be replaced at a 2-to-1 ratio (24 oak trees) with 15 gallon or larger oak trees (measuring 1” or larger at the root collar). The replacement trees

will be placed throughout the property where they will receive proper moisture and protection from winds. The replacement trees shall be monitored for a period of three years following their planting, at which time a report from a registered forester or certified arborist shall be provided to the Planning Department for review and approval. Additional replacement trees may be required in the event that the initial replacement trees have failed to survive at an acceptable rate.

Tree Pruning

Pruning of retained trees will be expected, with emphasis on the trees located adjacent to the construction area. Larger trees with deadwood or and/or structural defects will also be pruned. These trees will be monitored for health and vigor following pruning, and will be treated according to the recommendations of a certified arborist should the need arise.

Tree Protection

According to Standard Monterey County Permit Conditions, trees in the vicinity of the construction area will be protected by way of temporary fencing and netting during the construction period.

<b>5. CULTURAL RESOURCES</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.9)

**6. GEOLOGY AND SOILS**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.10)

<b>7. HAZARDS AND HAZARDOUS MATERIALS</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.2)

**8. HYDROLOGY AND WATER QUALITY**

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

The proposed project will not violate any water quality standards or waste discharge requirements. The Monterey County Water Resources Agency and Environmental Health Division have reviewed the project application and deemed that the project complies with applicable ordinances and regulations. (Source: IX. 1 & 11).

**Conclusion:**

**Hydrology and Water Quality (a), (c), (d), (e), (f), (g), (h), (i) & (j) – No Impact**

The proposed project will not violate any water quality standards or waste discharge requirements. The site is not located within the 100 year floodplain. The proposed project will be served by Cal-Am Water Company. The biological report, prepared by Craig Hohenberger, dated May 27, 2001 (Source: IX. 11), indicates that there are no wetlands or drainage ditches on the subject property. The Monterey County Water Resources Agency and Environmental Health Division have reviewed the project application and deemed that the project complies with applicable ordinances and regulations. Conditions have been recommended by the Water Resources Agency to prepare and provide engineered drainage plans to retain stormwater on site. (Source: IX. 1, 3, 6 & 7). *Therefore, the project will have no impact on water quality standards, drainage patterns, erosion, runoff or flood hazards.*

**Hydrology and Water Quality (b) – Less Than Significant**

Due to overdraft concerns on the Carmel River, on Monday March 23, 2009, MPWMD issued notice that they shall not accept applications for new homes or intensities water use within the Hidden Hills Cal-Am service area. However, on July 20, 2009, the MPWMD Board of Directors agreed to process water permit applications for projects that require a Water Permit within the Hidden Hills area served by Cal-Am that were submitted to Monterey County for processing on or before March 20, 2009 and that were assigned a PLN number. According to these criteria the proposed project will be granted water service. Water conservation measures will be integrated into the project through mandatory conditions including xeriscape landscaping and low-flow water devices. (Source: IX. 1 & 14). *Therefore, the project will have less than significant impact on groundwater supplies and groundwater recharge.*

<b>9. LAND USE AND PLANNING</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.11)

<b>10. MINERAL RESOURCES</b>				
<b>Would the project:</b>	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.3)



<b>11. NOISE</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
a)	Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.4)

<b>12. POPULATION AND HOUSING</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>12. POPULATION AND HOUSING</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.5)

<b>13. PUBLIC SERVICES</b>		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project result in:</b>					
Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a)	Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.6)

14. RECREATION		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.7)

15. TRANSPORTATION/TRAFFIC		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>					
a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion/Conclusion/Mitigation:** (See Sections IV.A.8)

16. UTILITIES AND SERVICE SYSTEMS	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>Would the project:</b>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Discussion:**

Water for the proposed project will be provided by Cal-Am Water Services. Sewage disposal will be by way of septic system. Stormwater runoff concerns have been addressed through conditions which will be attached to the project.

**Conclusion:**

**Utilities and Services 16 (a) (e), (f) & (g) – No Impact**

The Environmental Health Department of Monterey County has determined that adequate waste disposal facilities will be implemented according to the project plans and conditions. (Source: IX. 1) Therefore the project will have no impact

**Utilities and Services 16 (b) & (d) – Less Than Significant**

On March 23, 2009 MPWMD (Monterey Peninsula Water Management District) adopted a policy to not accept applications for new homes or intensities of water use within the Hidden Hills Cal-Am service area. However, on July 20, 2009, the MPWMD Board of Directors agreed to process water permit applications for projects which fall under this category but which were submitted to Monterey County for Processing on or before March 20, 2009, and which were subsequently assigned a Project Number. Under these criteria, the Colt Road Associates project will receive water services through the Cal-Am company. (Source IX. 14). *Therefore, the project will have less than significant impact on wastewater treatment facilities and existing water supplies.*

**Utilities and Services 16 (c) – Less Than Significant**

As a Condition of Approval for the Project, The Monterey County Water Resources Agency has required: “Prior to issuance of any grading or building permits, the applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency.” (Source IX. 1) *Therefore, the project will have less than significant impacts resulting from stormwater drainage facilities.*

**VII. MANDATORY FINDINGS OF SIGNIFICANCE**

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Conclusion:**

**(a) Less Than Significant with Mitigation Incorporated**

The project as proposed, conditioned, and mitigated will not have the potential to degrade the environment. Potential impacts to forest resources will result from construction of the proposed project. Mitigations are recommended to reduce potential impacts to these resources to a less-than-significant level using biological monitoring and surveys, tree and root protection and replanting (See Sections VI, Number 4, Biological Resources).

**(b) No Impact**

The project includes the placement of a single family dwelling on an existing legal lot of record. Construction of the proposed project will not significantly increase population in the area, demand on utilities and services, increase in traffic and other cumulative topics. The proposed project has been reviewed and found to be consistent with the Local Area Plan and associated zoning regulations. Construction related impacts are temporary and as conditioned are not considered to be significant (Source: Sections II and VI above).

**(c) No Impact**

There is no evidence in the record that the project will cause substantial effects to the environment that either directly or indirectly affect human beings (Source: Sections IV and VI).

## ***VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES***

### **Assessment of Fee:**

The State Legislature, through the enactment of Senate Bill (SB) 1535, revoked the authority of lead agencies to determine that a project subject to CEQA review had a “de minimis” (minimal) effect on fish and wildlife resources under the jurisdiction of the Department of Fish and Game. Projects that were determined to have a “de minimis” effect were exempt from payment of the filing fees.

SB 1535 has eliminated the provision for a determination of “de minimis” effect by the lead agency; consequently, all land development projects that are subject to environmental review are now subject to the filing fees, unless the Department of Fish and Game determines that the project will have no effect on fish and wildlife resources.

To be considered for determination of “no effect” on fish and wildlife resources, development applicants must submit a form requesting such determination to the Department of Fish and Game. Forms may be obtained by contacting the Department by telephone at (916) 631-0606 or through the Department’s website at [www.dfg.ca.gov](http://www.dfg.ca.gov).

**Conclusion:** The project will be required to pay the fee.

**Evidence:** Based on the record as a whole as embodied in the Planning Department files pertaining to PLN070199 and the attached Initial Study / Proposed (Mitigated) Negative Declaration.

## ***IX. REFERENCES***

1. PLN070199: Project Application and Plans
2. Monterey County General Plan (1982)
3. Greater Monterey Peninsula Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004.
6. Site Visits conducted by the project planner on March 18, 2009 and June 22, 2010.
7. Monterey County Planning Department GIS system and related reports pertaining to Assessors Parcel Number 416-122-018-000

8. *Geologic Hazards Assessment* prepared by Craig S. Harwood dated January 21, 2004
9. *Geotechnical and Percolation Investigation Report* prepared by Soils Surveys, Inc. dated October 21, 2008
10. *Preliminary Archaeological Reconnaissance* prepared by Mary Doane, B.A. and Trudy Haversat, RPA dated September 30, 2003
11. *Biological Resources Survey* prepared by Craig Hohenberger dated May 27, 2001
12. *Biological Resources Survey* prepared by Craig Hohenberger dated October 10, 2003
13. *Tree Resource Assessment/Management Plan* prepared by Frank Ono dated April 15, 2010
14. *Email received from Stephanie Pintar (Water Demand Manager for Monterey Peninsula Water Management District) to Roger Van Horn (Monterey County Environmental Health Department).* Dated March 3, 2010



Exhibit G

## Tree Resource Assessment/ Management Plan

Prepared for:

Gary Wiegand  
And  
Susan Dixon

Prepared by:

Frank Ono  
Urban Forester  
Certified Arborist #536  
1213 Miles Avenue  
Pacific Grove, CA 93950

April 15, 2010

Owner:

Gary Wiegand and Susan Dixon  
25993 Colt Lane  
Salinas, CA 93908

Designer/Architect:

Gary Wiegand  
25993 Colt Lane  
Salinas, CA 93908

Urban Forester/Arborist

Frank Ono, Mbr. Society of American Foresters #048004, Certified Arborist #536  
F.O. Consulting  
1213 Miles Ave  
Pacific Grove, CA 93950

**SUMMARY**

Development has been proposed occurring within an existing stand of oak trees and requires the removal of twelve coast live oaks. Tree preservation ordinances from Monterey County Zoning Ordinance Title 21 identify oak trees as native tree species requiring protection and special consideration for management. This tree resource assessment/management plan has been prepared and assesses the trees proposed for removal based upon the design. The plan also recommends mitigation for proposed tree removal and attempts to address affects to the existing tree resources that the project will have.

**INTRODUCTION**

This tree resource assessment/management plan is prepared for Gary Wiegand and Susan Dixon, the owners of the property located at 25993 Colt Lane, Salinas, CA by Frank Ono, Urban Forester and Certified Arborist, Society of American Foresters member #48004 and International Society of Arboriculture Certified Arborist #536. The proposed construction improvements include a new 2658 square foot single family home, 864 square foot garage and associated driveway.

## **ASSIGNMENT/SCOPE OF PROJECT**

Development of this parcel will have varying affects to trees within and adjacent proposed construction areas. The property owner, Mr. Gary Wiegand, has requested an assessment of the trees in proximity to proposed development areas and a report to ensure protection of the tree resources on site. To accomplish this assignment, the following tasks have been completed;

- Assessment of health, structure and preservation suitability for each tree within or adjacent (15 feet or less) to proposed development of trees greater than or equal to six diameter inches at 24 inches above grade.
- Review proposed building site plans as provided by Gary Wiegand.
- Make recommendations for alternative methods and preconstruction treatments to facilitate tree retention.
- Create preservation specifications, as it relates to a Tree Location/Preservation Map.
- Determine the quantity of trees affected by construction that meet "Landmark" criteria as defined by the County of Monterey, Title 21 Monterey County Zoning Ordinance; as well as mitigation requirements for those trees to be affected.
- Document findings in the form of a report as required by the County of Monterey Planning Department.

## **LIMITATIONS**

This assignment is limited to the review of plans submitted to me dated January 25, 2010 by Gary Wiegand to assess potential affects from construction to trees within or adjacent to construction activities. This assessment has been made of these plans specifically and do not apply to other designs that may be associated with this address. Only minor grading and erosion details are discussed in this report as it relates to tree health.

## **PURPOSE**

This tree resource assessment/management plan is prepared for this parcel due to proposed construction activities at 25993 Colt Lane determining trees affected by the proposed project and to offer recommendations for mitigation for affected protected trees. Oak trees are considered protected trees as defined by the County of Monterey, Title 21 Monterey County Zoning Ordinance.

## **GOAL**

The goal of this plan is to protect and maintain the Greater Monterey Peninsula forested resources through the adherence of development standards, which allow the protection, and maintenance of its forest resources. Furthermore it is the intended goal of this tree resource management plan to aid in planning to offset any potential effects of proposed development on the property while encouraging forest stability and sustainability, perpetuating the forested character of the property and the immediate vicinity.

## SITE DESCRIPTION

- 1) Assessor's Parcel Number: 416-122-018-000
- 2) Location: 25993 Colt Lane, Salinas, CA
- 3) Parcel size: 10.0 Acres
- 4) Existing Land Use: The parcel is zoned LDR/5-VS (20') for residential use.
- 5) Slope: The parcel is mildly sloped in the buildable area with slopes averaging 10-15%, slopes then become steeper to over 30% in other areas of the property.
- 6) Soils: The parcel is located on soils classified by the Monterey County Soils report as Santa Lucia Reliz Association, a steep and very steep soil in association that is on uplands. The soil type on site is a combination of shale and clay loam and rapidly drained, resulting in a dry and nutrient poor medium. Slopes in this association are 30 to 75 percent. Santa Lucia soils make up 35 percent of this association and Reliz soils 25 percent. Santa Lucia soils are in areas that have a northern exposure, and Reliz soils are on ridge tops or in areas that have a southern exposure. The Santa Lucia soil has an available water capacity of 2 to 5.5 inches, and roots can penetrate to a depth of 20 to 40 inches. The Reliz soil has the profile described as representative of the Reliz series. Runoff is rapid or very rapid, and the erosion hazard is very high. The soils in this association are used for wildlife habitat and watershed.
- 7) Vegetation: The vegetation on site consists of Monterey pine planted as a hedge row, a small stand of coast live oak, some planted redwood (*Sequoia sempervirens*), Silver dollar trees (*Eucalyptus polyanthemos*), Poison oak (*Rhus toxicodendron*), German ivy (*Delairea odorata*, *Senecio mikanioides*), Coyote brush (*Baccharis Pilularis*), French broom (*Genista monspessulana*), hemlock (*Conium maculatum*), sticky monkey flower (*Mimulus aurantiacus*), and various non-native grasses.
- 8) Forest Condition and Health: The stand of trees on this lot and their health is evaluated with the use of the residual trees and those of the surrounding adjacent areas. The stand is a mixture of planted dominant Monterey pine trees (*Pinus radiata*) planted as a hedge or wind row. The pines are planted in an offset row spaced approximately 10 foot on center and are a wind buffer for a small cluster of oaks located to the east of the pines. The oaks vary in diameter size with their health and structure ranging from poor to good. No significant biotic stressors, such as insects and disease, were discovered on site. The smaller oaks, measuring approximately 10" to 12", in diameter appear to be a product of acorn drop occurring within the last 10 years from two mature oaks measuring over 30" in diameter located in the interior of the stand. The young smaller oaks are spaced at approximately six foot apart on the edges of the canopy with spacing increasing to over twenty feet apart as tree diameters increase toward the center of the stand. Mortality on the site is low. Abiotic sources of stress may include the grading that was conducted historically on the site.

## **BACKGROUND**

I was contacted by Mr. Gary Wiegand who proposes to develop this site. According to Mr. Wiegand, a restriction of setback requirements and slope constraint requires removal of twelve oak trees to accomplish his design as drawn. During the site visit taken to study trees on his property, Mr. Wiegand informed me that he originally designed the building to be east of the oak stand in order to save oak trees, however he was informed by the Monterey County Planning Department that the house location needed to be shifted behind (to the west) the existing oaks to prevent it from being viewed from Los Laureles Grade Road. In designing the new house location the house placement was shifted to the west of the oak stand trying to save as many oaks as possible. In requesting the new site location to save additional trees Mr. Wiegand discovered a 60 foot driveway easement located along the west portion of the property limited the building location site and forced the design to be shifted closer within the edges of the existing oak stand requiring removal of twelve oak trees. Mr. Wiegand has asked that I study his latest design to determine treatments necessary to complete the project, meet the goals of the landowner, and goals of the County. The study resulted with trees within and immediately adjacent to the proposed development area located, measured, inspected, flagged and recorded and concludes with an opinion of whether trees should be removed, or preserved, based on the extent and effect of proposed construction activity to the short and long term health of each tree. All meetings and field review were focused on the area immediately surrounding the proposed development.

## **OBSERVATIONS**

The following list includes observations made while on site, and summarizes details discussed during this stage of the planning process.

- The triangular building envelope area of the lot is graded leveled area with a small stand of oaks located almost in the center of the lot's buildable area.
- The north property line is planted with maturing Monterey pines that serve as a wind break from northwest winds to the lot. Pines are spaced 10-12 feet on center. The pines are beginning to lose their lower limbs and are losing their effectiveness and a wind break.
- No landmark trees are observed with in the area proposed for building structure.
- Most of the oak trees on the property are of small to medium size (8"-15" diameter) composing the periphery for the stand of oak trees. These oaks are clustered in tight formation to surround two large oaks (30" diameter) in the center of the oak stand. These oaks also serve to act as a windbreak protecting the interior of the building envelope area from upslope winds.
- The driveway is located to take advantage of the gentler sloping portions of the property.
- The building, driveway and parking area are located to take advantage of natural openings and oak stand edges to the extent feasible. Alternate building locations that would remove fewer trees will exceed the County's grade requirements, crowd the structure, or place the structure open to public view shed.

## DISCUSSION

Onsite assessment and recent review of plans identify trees affected by proposed construction. The assessment is based on the development plans as presented with their surveyed tree locations. A discussion of applicable construction effects are as follows:

### Driveway grading and construction

Construction procedures require changes to natural grade in the form of soils cuts and/or fills. Roots may be damaged during these construction processes that ultimately provide opportunities for decay causing organisms that may degrade a tree's support system and negatively affect tree vigor. In reviewing the design, trees adjacent to the driveway appear to be at a distance far enough that these trees will not be affected.

### Grade alterations for building construction and trenching for retaining walls or foundation construction.

The location of the proposed structure requires the removal or relocation of oak trees within the building footprint or immediately adjacent to the structure that will be affected by either soil cuts or soil fills. Soil cuts will be necessary to lower natural grade for the foundation and footings requiring removal of soil until a desired elevation is obtained. Soil cuts within the trees Critical Root Zone (CRZ) of trees within these areas will affectively remove both support and absorption roots instrumental for moisture and nutrient transport or necessary to provide structural support. The plans as submitted to me show that the following trees affected by the placement of the structure; no landmark trees are to be affected.

ID	Diameter	Species	Condition	Position	Comments	Bldg
612	12	Oak	Fair	Codominant	Poor structure, Narrow branch attachment	Footprint
613	10	Oak	Fair	Codominant	Narrow branch attachment	Footprint
614	9	Oak	Fair	Intermediate		Footprint
615	12	Oak	Fair	Codominant	Narrow branch attachment	Footprint
616	6,6	Oak	Fair	Intermediate	Narrow branch attachment	Footprint
617	8	Oak	Fair	Intermediate		Footprint
618	8	Oak	Fair	Intermediate		Footprint
619	8	Oak	Fair	Intermediate		Footprint
620	12	Oak	Poor	Codominant	Poor structure, Narrow branch attachment	Footprint
621	8	Oak	Fair	Codominant		Footprint
622	7	Oak	Good	Codominant		Footprint
635	12	Oak	Good	Dominant		Footprint

## **CONCLUSION/PROJECT ASSESSMENT**

This proposal to build a single-family residence and driveway is planned to allow a portion of the oak stand to continue to exist and regenerate over time. Tree removal is necessary with this design; however many of the trees are smaller diameter, intermediate position trees with very little canopy or in poor or fair structural condition. In discussions and after site analysis, it is apparent alternate building sites to remove fewer trees would require building on steeper slopes and conflicts with the desire to be concealed from the major roadway below. Moving the building any further south or southwest would increase the area away from the stand of trees but is an unavailable option due to the 60 foot setback required on this property, a shift of more than several feet is required to begin to save some of the trees identified for removal. The result of analyzing these alternatives is to leave the home in its drawn location, as this would likely have less impact to the visual resources of the property and the neighborhood, while the amount of tree removal would likely be unnoticeable on the landscape once the home is built.

### Short and Long Term Affects

The greatest attempt has been made to identify for removal those trees likely to experience decline in the long-term as well as short term. Site disturbance will occur during building construction and confined to the construction envelope and immediate surroundings where 12 tree stem will be removed, including adjacent trees that may have their canopies trimmed and root systems reduced. The pruning of tree crowns above 30% and reduction of root area may have a short term affect on those trees treated, including a reduction of growth, dieback, and potentially death.

No significant long-term affects to the forest ecosystem are anticipated. The project as proposed is not likely to significantly reduce the availability of wildlife habitat over the long-term.

## **RECOMMENDATIONS**

### Tree Removal

The removal of 12 oak trees is proposed for this project due to proximity to the building footprint. All other trees are to remain and be protected from construction affects when closer than 50 feet from construction.

### Tree Replacement

Monterey County General plan requirements require tree replacement for removed protected tree whenever feasible. There is ample space for tree replacement on the property with fifteen gallon or larger oak trees. Removed trees shall be replaced on a two to one ratio in locations throughout the property where the new plantings will receive proper moisture and protection form predominant winds for a total of twenty four trees (24).

Replant Success Criteria - To ensure the survivability and proper growth of the replacement or relocation of trees success criteria will be defined to meet an 80% survival rate and implemented as follows.

A qualified professional monitor newly planted or relocated trees for a period of three (3) years for the following:

- Tree health and growth rates of new or relocated planting must be assessed by a qualified forester or certified arborist.
- Trees suffering poor growth rates or declining health are to be identified and documented as to reason it was not successful.
- Invigoration treatments if feasible will be recommended and implemented.
- Dead trees or trees identified in an irreversible state of decline will be replaced after a written recommendation is made by a qualified forester or certified arborist identifying type and location of new replacement. Trees found that need replacement will be replaced on a 2:1 ratio for non-landmark trees. Replant material shall be minimum container grown fifteen gallon-size with a tree stem caliper greater than 1" in diameter measured just above the root collar.
- Tree relocation/removal contractor shall communicate methods and practices to the project forester or arborist regarding tree removal or re-location and a record kept chronicling any changes, deviations, or methods not included in this report.
- Near the end of the three year monitoring period, the status of the new or relocated plantings will be again assessed to make certain that success criteria has been met and all mitigation trees planted are performing well.
- At three years a report shall be prepared by a registered forester or certified arborist and submitted to the Planning Department for review and approval of the Director of Planning describing reforestation activities, success rates and adjustments for previous failures or unsuccessful transplanting

#### Tree Pruning

It is also to be understood that the pruning of retained trees will be expected for this site, especially along adjacent building construction areas. Pruning should include the larger canopied trees that have deadwood or are exhibiting some minor structural defect or minor disease that must be compensated. Those trees that require pruning and possible monitoring are the closest to the new structure. Trees should be monitored on occasion for health and vigor after pruning. Should the health and vigor of any tree decline it will be treated as appropriately recommended by a certified arborist or qualified forester.

The following are offered as guidelines when pruning

- In general the trees will be pruned first for safety, next for health, and finally for aesthetics.
- Type of pruning is determined by the size of branches to be removed. General guidelines for branch removal are:
  1. Fine Detail pruning- limbs under 2 inch diameter are removed
  2. Medium Detail Pruning – Limbs between 2 and 4 inch diameter
  3. Structural Enhancement – limbs greater than 4 inch diameter.
  4. Broken and cracked limbs-removed will be removed in high traffic areas of concern.



Crown thinning is the cleaning out of or removal of dead diseased, weakly attached, or low vigor branches from a tree crown

- All trees will be assessed on how a tree will be pruned from the top down.
- Trimmers will favor branches with strong, U- shaped angles of attachment and where possible remove branches with weak, V-shaped angles of attachment and/or included bark.
- Lateral branches will be evenly spaced on the main stem of young trees and areas of fine pruning.
- Branches that rub or cross another branch will be removed where possible.
- Lateral branches will be no more than one-half to three-quarters of the diameter of the stem to discourage the development of co-dominant stems where feasible.
- In most cases trimmers will not remove more than one- quarter of the living crown of a tree at one time. If it is necessary to remove more, it will be done over successive years.

Crown- raising removes the lower branches of a tree to provide clearance for buildings, vehicles, pedestrians and vistas.

- Live branches on at least two-thirds of a tree's total height will be maintained wherever possible. The removal of many lower branches will hinder the development of a strong stem.
- All basal sprouts and vigorous epicormic sprouts will be removed where feasible.

Crown reduction is used to reduce the height and/or spread of trees and is used for maintaining the structural integrity and natural form of a tree.

- Crown reduction pruning will be used only when absolutely necessary. Pruning cuts will be at a lateral branch that is at least one-third the diameter of the stem to be removed wherever possible.
- When it is necessary to remove more than half of the foliage from a branch it may be necessary remove the entire branch.

### Tree Protection

Prior to the commencement of construction activities:

- Trees located adjacent to the construction area shall be protected from damage by construction equipment through the use of temporary fencing and through wrapping of trunks with protective materials.
- Tree protection fencing shall consist of chain link, snowdrift, plastic mesh, hay bales, field fence or any combination of previously listed items.
- Tree protection fencing shall not to be attached to the tree but shall free standing or self supporting so as not to damage trees. Fencing shall be rigidly supported and shall stand a minimum of height of four feet above grade and a minimum of 10 feet away from tree stems unless otherwise previously approved.
- Soil compaction, parking of vehicles or heavy equipment, stockpiling of construction

materials, and/or dumping of materials shall not be allowed adjacent to trees on the property especially within fenced areas.

- Fenced areas and the trunk protection materials shall remain in place during the entire construction period and inspected regularly to assure compliance that the fencing remain standing and functional.

During grading and excavation activities:

- All trenching, grading or any other digging or soil removal expected to encounter tree roots should be monitored by a qualified arborist or forester to ensure against drilling or cutting into or through major roots.
- The project architect and qualified arborist should be on site during excavation activities to direct any minor field adjustments that may be needed.
- Trenching for the retaining wall and driveway located adjacent to any tree should be done by hand where practical and any roots greater than 3-inches diameter should be bridged or pruned appropriately.
- Any roots that must be cut should be cut by manually digging a trench and cutting exposed roots with a saw, vibrating knife, rock saw, narrow trencher with sharp blades, or other approved root pruning equipment.
- Any roots damaged during grading or excavation should be exposed to sound tissue and cut cleanly with a saw.

If at any time potentially significant roots are discovered:

- The arborist/forester will be authorized to halt excavation until appropriate mitigation measures are formulated and implemented.
- If significant roots are identified that must be removed that will destabilize or negatively affects the target trees negatively, the property owner will be notified immediately and a determination for removal will be assessed and made as required by law for treatment of the area that will not risk death decline or instability of the tree consistent with the implementation of appropriate construction design approaches to minimize affects, such as hand digging, bridging or tunneling under roots, etc..

Remedial pruning should occur prior to construction. Following construction, any above ground tree pruning/trimming should be delayed until one year after completion of construction. Following construction, a qualified arborist should monitor trees adjacent to the improvements area and if any decline in health that is attributable to the construction is noted, additional trees should be planted on the site.

## Tree Maintenance Guidelines

The following recommendations are for general maintenance of trees within the landscape area of the property and for the existing oak stand. Tree maintenance is to be implemented prior, during and after construction.

- Pruning

Native oaks require very little pruning, however, mature oaks may benefit from removal of dead, diseased, or weakened branches. To control the size of pine trees and to increase bushiness, the new growth, called candles, may be pruned in the spring as they appear. Remove dead or dying branches through is recommended through canopy thinning. Canopy thinning consists of the removal of ten to twenty percent of the leaf area also benefits surrounding vegetation by allowing more sunlight through the canopy to the forest floor. The preferred time to prune is when the tree is dormant. Heavy pruning of evergreen oaks should be performed during July and August. Deciduous oaks are best pruned during December and January. Light pruning can be performed at any time of the year. Avoid excessive pruning, leaving stubbed branches, or painting the pruning wounds, major pruning of any tree should be performed by properly trained and equipped professional tree care specialists.

- Maintenance Watering of Established Oaks

Native oak trees are adapted to the long dry summers of California and normally do not need supplemental irrigation. Established pine trees require occasional deep watering to remain healthy. Newly planted trees should be at minimum watered thoroughly once per week for the first six months and twice per month for one year after that until established. Many species of native oaks (i.e. coast live oak) are susceptible to root disease when they are subjected to summer irrigation with the most vulnerable portion of the oak root zone extending out six to ten feet from the trunk of the tree, therefore summer irrigation should be avoided within the inner third (one third of the distance from the trunk to canopy drip line) of the root zone of undisturbed oaks. Planting plants with high water requirements beneath the canopy of native oaks should be avoided. Supplemental watering during drought periods may help maintain tree vigor and resistance to insect attack but should be restricted to the outer two-thirds of the root zone. Occasional light overhead watering may be required to wash off dust from accumulation construction during the construction phase.

- Fertilizing

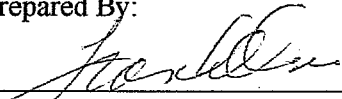
Undisturbed native oaks should not require supplemental fertilizing; as they receive natural fertilizer from detritus leaf litter. Established pine trees require occasional deep watering accompanied by a light fertilization to remain healthy. Trees under stress due to disease, root pruning, or lack of natural fertilizer may benefit from annual fertilizer application. Nitrogen is the nutrient most often found to be deficient in trees and should be applied only in the outer two-thirds of the root zone where feeding roots exist. Nitrogen application typically should be at a rate of two to four pounds of actual nitrogen per one thousand square feet of surface area.

Best Management Practices (BMPs) to Observe

The trees preserved around the construction site will have the greatest chance of success if the following practices are adhered to:

- Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Avoid depositing fill, parking equipment, or staging construction materials near existing trees. Covering and compacting soil around trees can alter water and air relationships with the roots. Fill placed within the drip-line may encourage the development of oak rot fungus (*Armillaria mellea*). As necessary, trees may be protected by boards, fencing or other materials to delineate protection zones.
- Pruning shall be conducted so as not to unnecessarily injure the tree. General-principals of pruning include placing cuts immediately beyond the branch collar, making clean cuts by scoring the underside of the branch first, and for live oak, avoiding the period from February through May.
- Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not regularly irrigate within the drip line of oaks. Native, locally adapted, drought resistant species are the most compatible with this goal.
- Root cutting should occur outside of the springtime. Late June and July would likely be the best. Pruning of the live crown should not occur February through May.
- Oak material greater than 3 inches in diameter remaining on site more than one month that is not cut and split into firewood should be covered with black plastic that is dug in securely around the pile. This will discourage infestation and dispersion of bark beetles.
- A mulch layer up to approximately 4 inches deep should be applied to the ground under selected oaks following construction. Only 1 to 2 inches of mulch should be applied within 1 to 2 feet of the trunk, and under no circumstances should any soil or mulch be placed against the root crown (base) of trees. The best source of mulch would be from chipped material generated on site.
- If trees along near the development are visibly declining in vigor, a Professional Forester or Certified Arborist should be contacted to inspect the site to recommend a course of action.

Report Prepared By:



Frank Ono, SAF Forester #48004 and ISA Certified Arborist #536

April 20, 2010

Date

## TREE CHART

The oak trees listed in the following table have been identified and tagged in the field adjacent to proposed areas of development. Trees were rated Good, Fair, or Poor according to their health, vigor and structural condition. Trees with a good rating are trees that are in the best condition and health. Trees that are rated as fair are trees of lesser condition that may have some structural problem or health factor limiting them from fully developing as a healthy tree. Trees rated poor are of less quality condition and may have structural flaws that cannot be overcome and/or that are in poor health.

Tree canopy position within the stand correlates with tree vigor and is measured by leaf and crown area. Dominant and co-dominant rated trees generally have larger crowns capable of supporting more leaves, and have a generally healthy and appealing growth form. Dominant trees are trees with wide crowns above the level of the forest canopy receiving sunlight from above as well as the sides. Codominant trees are large crowned trees at the general level of the forest canopy receiving sunlight from above and partly from the sides. Crowns are somewhat smaller than dominant but are healthy and vigorous. Trees rated intermediate and particularly suppressed trees will have smaller crowns and are therefore less vigorous. Intermediate trees have much of the canopy below the general level of the forest or are pinched at the sides. They will receive sunlight from above but very little to none from the sides. Suppressed trees are trees that are overtopped by large trees and receive no direct sun from above or from the sides.

ID	Diameter	Species	Condition	Position	Comments	Bldg
612	12	Oak	Fair	Codominant	Poor structure, Narrow branch attachment	Footprint
613	10	Oak	Fair	Codominant	Narrow branch attachment	Footprint
614	9	Oak	Fair	Intermediate		Footprint
615	12	Oak	Fair	Codominant	Narrow branch attachment	Footprint
616	6,6	Oak	Fair	Intermediate	Narrow branch attachment	Footprint
617	8	Oak	Fair	Intermediate		Footprint
618	8	Oak	Fair	Intermediate		Footprint
619	8	Oak	Fair	Intermediate		Footprint
620	12	Oak	Poor	Codominant	Poor structure, Narrow branch attachment	Footprint
621	8	Oak	Fair	Codominant		Footprint
622	7	Oak	Good	Codominant		Footprint
623	8,12	Oak	Fair	Codominant	Narrow branch attachment	
624	10	Oak	Fair	Codominant	Bark Damaged	
625	30	Oak	Fair	Codominant	Minor canopy die back	
626	30	Oak	Fair	Codominant		
627	11	Oak	Good	Codominant		
628	8	Oak	Fair	Suppressed		
629	12	Oak	Good	Codominant		
630	6	Oak	Fair	Codominant		
631	10	Oak	Good	Codominant		
632	12,12	Oak	Fair	Codominant	Narrow branch attachment	
633	12	Oak	Good	Codominant		
635	12	Oak	Good	Dominant		Footprint
637	7	Oak	Good	Codominant		
638	8	Oak	Fair	Suppressed		

**PHOTOGRAPHS**

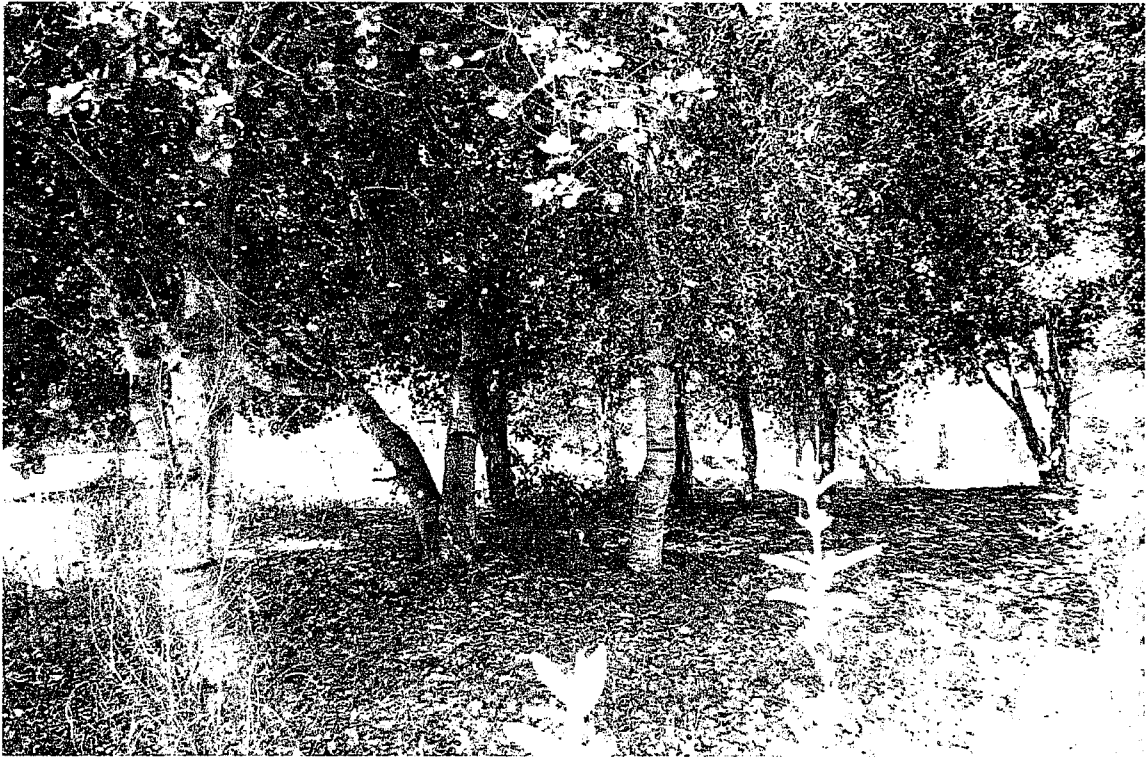
Building site area looking east



Building site looking north

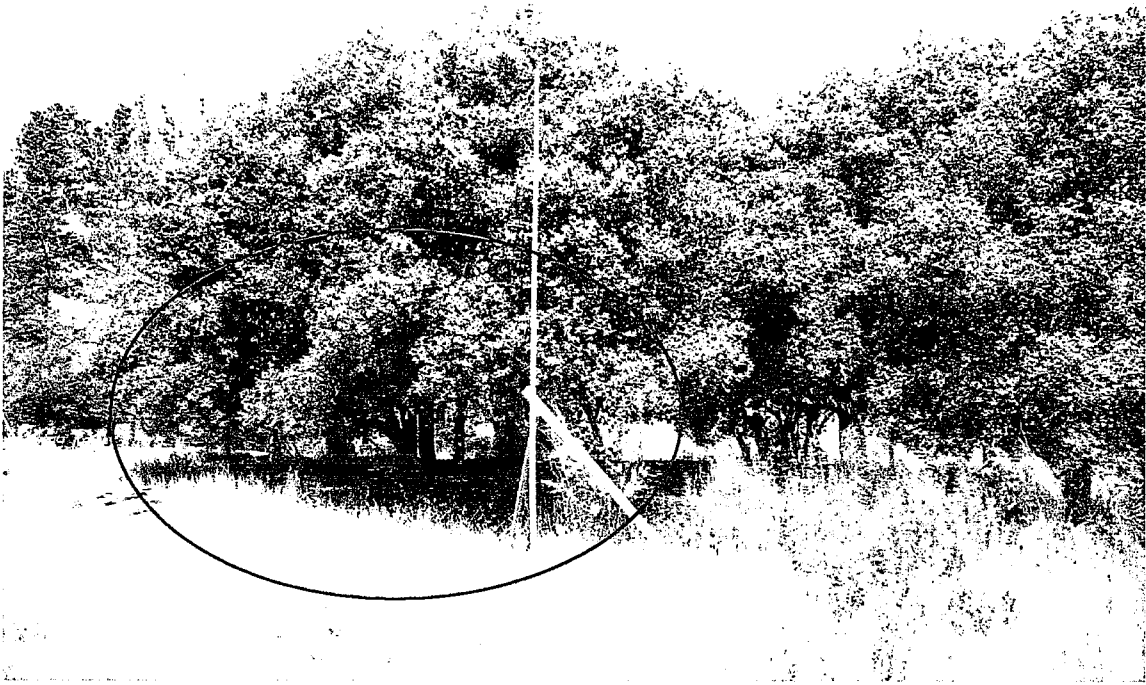


Tree proposed for removal in this area

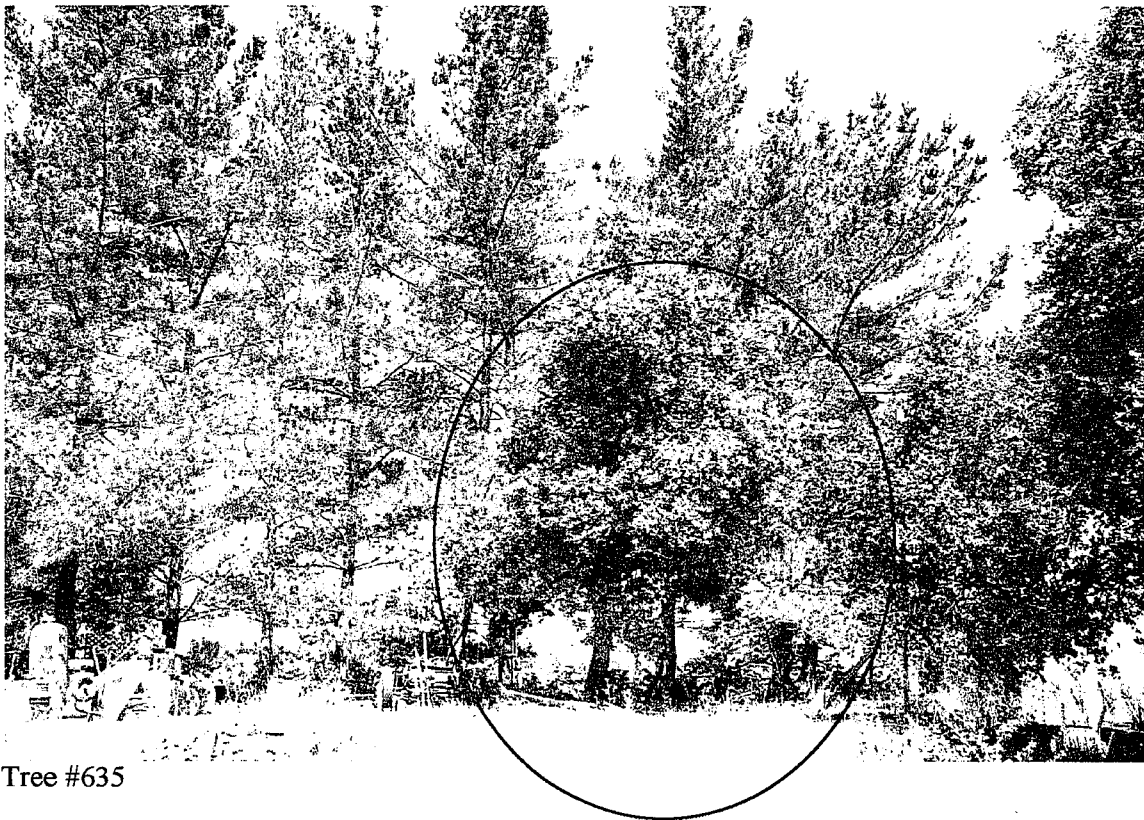


Tree proposed for removal #612-622





Pines along north of property



Tree #635



Access road into property

**EROSION CONTROL NOTES**

- During winter operations (between October 15 and April 15), the following measures must be taken:
1. Disturbed surfaces shall have immediate coverings to be protected by the following methods: erosion control matting, straw mulch, or other suitable erosion control measures.
  2. All roads and driveways shall have drainage facilities sufficient to prevent erosion on or adjacent to the roadway or on the downhill gradient.
  3. Runoff from sites shall be directed or filtered by basins, vegetative filter strips, silt catch basins or other suitable erosion control devices.
  4. Drainage control measures shall be installed and maintained at the end of each day and continuously throughout the life of the project during winter operations (Montgomery County General Ordinance 2006-16-12-103).

**1.1 WATER PLANS**

Prior to the start of construction the applicant/owner shall obtain a State of California Licensed Surveyor's or Civil Engineer's reference datum established prior to any grading that shall be used to establish indicated elevations on submitted plans and shall remain in place undisturbed throughout the entirety of construction on this permit (Sec 106.3.3 and 106.4).

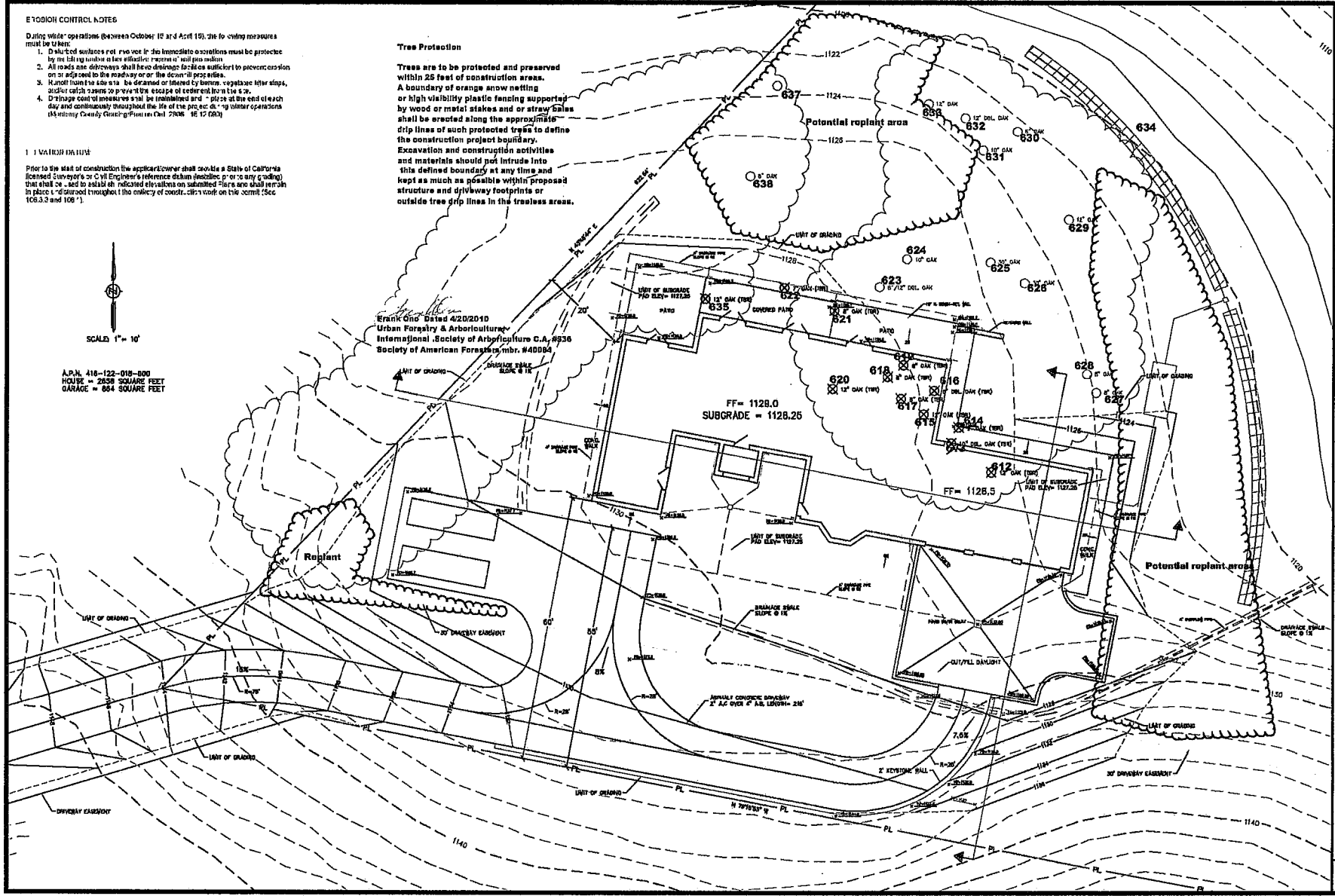
**Tree Protection**

Trees are to be protected and preserved within 25 feet of construction areas. A boundary of orange arrow netting or high visibility plastic fencing supported by wood or metal stakes and/or straw bales shall be erected along the approximate drip lines of such protected trees to define the construction project boundary. Excavation and construction activities and materials should not intrude into this defined boundary at any time and kept as much as possible within proposed structure and driveway footprints or outside tree drip lines in the treeless areas.

Frank O'Neil dated 02/02/10  
 Urban Forestry & Arboriculture  
 International Society of Arboriculture C.A. #936  
 Society of American Foresters, mbr. #400864



A.P.N. 416-122-018-000  
 HOUSE = 2638 SQUARE FEET  
 GARAGE = 884 SQUARE FEET



**UTILITY SERVICES**  
 (SEE OTHER SHEETS AND THE (SEE) SHEETS  
 SHEET NO. 302

REV.	DATE	DESCRIPTION	DATE	SCALE	BY	CHECKED	PREPARED

**Site Plan**

PROJECT: Dixon Residence  
 OWNER: Gary Wiegand & Susan Dixon  
 LOCATION: 25968 Colt Lane, Hidden Hills, Monterey County, CA

SHEET 3  
 OF 13 SHEETS

C:\Projects\Colt Road Building Dept\submital\Wiegand residence 2648 S - final.dwg, Site Plan 1.dwg, 2 to 20/10/2010 12:41:12 PM

## EXHIBIT H

-----Original Message-----

**From:** Stephanie Pintar [mailto:Steph@mpwmd.dst.ca.us]

**Sent:** Wednesday, March 03, 2010 9:26 AM

**To:** VanHorn, Roger W. x4763

**Subject:** Hidden Hills Moratorium Status Re: Wiegand Project

**Importance:** High

Roger:

On July 20, 2009, the District's Board of Directors agreed to process water permit applications for projects that require a Water Permit within the Hidden Hills area served by Cal-Am that were submitted to Monterey County for processing on or before March 20, 2009 and that were assigned a PLN number. According to the County's records provided to the District around the time of the public hearing on this matter, Mr. Wiegand's project for a new home met these criteria.

All other Water Permit applications in the Hidden Hills subunit of Cal-Am will be rejected.

If you have any questions, please call me at 658-5630.

Regards,

Stephanie Pintar

Water Demand Manager, MPWMD



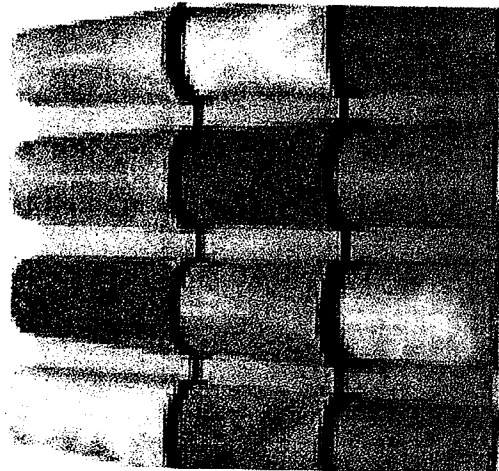
PLN 070199

Colt Rd. Associates

Color Samples

re: 3/18/09 WAC meeting

"Areas of concern"



← ROOF TILE

← EXTERIOR COLOR

**RECEIVED**  
from *MP LWA*  
MAY 07 2009  
MONTEREY COUNTY  
PLANING & BUILDING  
INSPECTION DEPT.

Exhibit I

