

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: August 29, 2013	Time: 2:10 P.M.	Agenda Item No.: 5
Project Description: Consider Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 47 Monterey Pine trees (33 of the trees are less than 12 inches in diameter and 14 are 12 inches and above in diameter) and 2 Monterey Cypress trees (9 and 10 inches in diameter); 4) a Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat; and 5) Design Approval.		
Project Location: 4026 Sunset Lane, Pebble Beach	APN: 008-112-029-000/008-112-030-000	
Planning File Number: PLN120701	Owner: Davis, Brian C & Dorrill A, TRS	
Planning Area: Del Monte Forest Land Use Plan	Flagged and staked: Yes	
Zoning Designation : "MDR/4-D (CZ)" [Medium Density Residential/4 units per acre-Design Control (Coastal Zone)]		
CEQA Action: Mitigated Negative Declaration		
Department: RMA - Planning Department		

RECOMMENDATION:

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

- 1) Adopt a Mitigated Negative Declaration; and
- 2) Approve PLN120701, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**); and
- 3) Adopt a Mitigation Monitoring Reporting Plan.

PROJECT OVERVIEW:

This project originally came before the Zoning Administrator on March 28, 2013. Concerned with substantial tree removal and excessive driveways, the Zoning Administrator continued the project to May 30, 2013 in order to visit the site. During that time, a new Biological Report determined that some of the trees proposed for removal, were in fact, Environmentally Sensitive Habitat and required environmental review.

An Initial Study was prepared and a Draft Mitigated Negative Declaration was circulated for public review from May 24, 2013 through June 24, 2013. Issues that were analyzed in the Mitigated Negative Declaration include: air quality, biological resources and greenhouse gas emissions. During circulation of the Initial Study, comments were submitted by the California Coastal Commission (CCC). Since March 28, 2013, the project has been continued several times with the last continuance for August 29, 2013. The staff report addresses the CCC comments (*See Discussion, Exhibit B*).

The applicants are proposing to merge two contiguous parcels in order to create one parcel consisting of .54 acres to construct a new single family dwelling. The proposal includes removing 47 Monterey Pine trees; however, only 14 of the 47 trees are 12 inches in diameter or above. Three of the trees are Pine roses that will be transplanted within a Conservation easement. In addition, two Cypress trees are proposed for removal (9 and 10 inches in diameter). This area was impacted by a fire event in 1987 resulting in a mass release of young seedlings. The certified arborist confirmed that tree removal was unavoidable and that alternate building siting would require

building on steeper slopes and removing more trees and creating a larger profile of the house. These trees are poor specimens for retention and if retained have limited time for survival due to poor branch structure and limited foliage production. Therefore, the proposed tree removal is consistent with the Forest Resources policies of the Del Monte Forest Land Use Plan.

There are no unresolved issues.

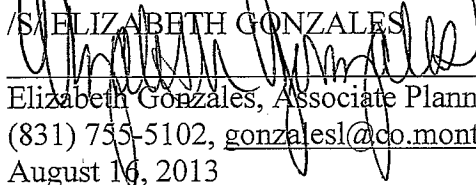
OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- Environmental Health Bureau
- √ Water Resources Agency
- √ Pebble Beach Community Services District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by Pebble Beach Community Services District, Water Resources Agency and RMA – Planning have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

On February 7, 2013, the Del Monte Forest Land Use Advisory Committee recommended (5-0 vote) to approve the project as proposed.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.


/s/ ELIZABETH GONZALES
Elizabeth Gonzales, Associate Planner
(831) 755-5102, gonzalesl@co.monterey.ca.us
August 16, 2013

cc: Front Counter Copy; Zoning Administrator; Pebble Beach Community Services District; RMA-Public Works Department; Environmental Health Bureau; Water Resources Agency; California Coastal Commission; Bob Schubert, Senior Planner; Elizabeth Gonzales, Project Planner; Brian Davis, Owner; The Open Monterey Project; LandWatch; Planning File PLN120701

Attachments: Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Draft Resolution, including:

- Conditions of Approval and Mitigation Monitoring Reporting Plan
- Site Plan, Floor Plan and Elevations

Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes (LUAC)
Exhibit F Mitigated Negative Declaration
Exhibit G Coastal Commission Comment letter dated June 21, 2013

This report was reviewed by Bob Schubert, Senior Planner 

EXHIBIT A

Project Information for PLN120701

Application Name: Davis Brian C & Dorrill A Davis Trs
Location: 4026 Sunset Ln, Pebble Beach
Applicable Plan: Del Monte Forest LUP
Advisory Committee: Del Monte Forest Advisory Committee
Permit Type: Combined Development Permit
Environmental Status: Mitigated Negative Declaration
Zoning: MDR/4-D(CZ)

Primary APN: 008-112-029-000
Coastal Zone: Yes
Final Action Deadline (884): 8/14/2013
Land Use Designation: Residential - Density as indicated

Project Site Data:

Lot Size: .54
Existing Structures (sf): 0
Proposed Structures (sf): 4356
Total Sq. Ft.: 4356

Coverage Allowed: 35
Coverage Proposed: 15
Height Allowed: 27
Height Proposed: 21
FAR Allowed: 35
FAR Proposed: 18

Special Setbacks on Parcel:

Resource Zones and Reports:

Seismic Hazard Zone: UNDETERMINED
Erosion Hazard Zone: Moderate
Fire Hazard Zone: Very High
Flood Hazard Zone: X (unshaded)
Archaeological Sensitivity: moderate
Visual Sensitivity: Highly Sensitive

Soils Report #: LIB130025
Biological Report #: N/A
Forest Management Rpt. #: LIB130024
Geologic Report #: LIB130025
Archaeological Report #: LIB130023
Traffic Report #: N/A

Other Information:

Water Source: Public
Water Purveyor: Cal Am
Fire District: Pebble Beach CSD
Tree Removal: 47

Grading (cubic yds.): 250
Sewage Disposal (method): Public
Sewer District Name: PBCSD

EXHIBIT B DISCUSSION

Project Description

The applicant is proposing a Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 47 Monterey Pine trees (33 of the trees less than 12 inches in diameter and 14 are 12 inches and above in diameter); and 2 Monterey Cypress trees (9 and 10 inches in diameter); 4) a Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat; and 5) Design Approval.

Environmental Review

An Initial Study was prepared and a Draft Mitigated Negative Declaration was circulated for public review from May 24, 2013 through June 24, 2013. Issues that were analyzed in the Mitigated Negative Declaration include: air quality, biological resources and greenhouse gas emissions. Less than significant impacts with mitigation measures for biological resources and less than significant for air quality and gas emissions have been identified.

During circulation of the Initial Study, comments were submitted by the California Coastal Commission (CCC). The staff report addresses the CCC comments (*see below*). Mitigation Measures have been implemented along with conditions of approval to assure compliance with County requirements.

Project Issues

During the CEQA review period, the California Coastal Commission submitted a comment on the Initial Study. Based on Policy 35 of the Del Monte Forest Land Use Plan (LCP), "Development, including driveways and parking area, shall be site and designed to minimize removal of trees..." They had concern that the applicant did not consider an alternative driveway access to the proposed single family dwelling from Los Altos Drive. From the plans, there appears to be a larger area of open space on the southwest corner of the property that could be used to access the single-family dwelling as an alternative to the proposed access from Sunset Lane. The potential alternative for the driveway and access to the residence would avoid removal of Monterey Pines on the northeast end of the property and reduce the overall tree removal on the property. Staff analyzed the alternate driveway approach, however, for the following reasons did not require it:

- The trees around the Sunset Lane entrance are mostly small, crowded and have been topped frequently by neighbors in the past. These trees which are shown for removal are mainly less than 12" in diameter and grew after the fire event in 1987.
- The slope along Los Altos Drive is steep and more grading would be involved to provide for fire truck access in this area than off of Sunset Lane. Trees impacted or removed for a potential access off of Los Altos Drive would include some larger, more mature and less crowded trees. In addition, this would impact a larger area of natural habitat.
- No pine roses were observed on the biological surveys around the Sunset Lane entrance. Most of the Pine roses on the property were observed on the lower portions of the property closer to Los Altos Drive, and this is also the area where the transplanted Pine roses will be

planted. More Pine roses would likely be removed or impacted by providing fire truck access off of Los Altos Drive.

- The habitat values on the property are highest on the lower portions of the property closer to Los Altos Drive and this habitat is most similar to the sensitive habitat on Huckleberry Hill, just on the other side of Los Altos Drive. Central maritime chaparral is continuous on the other side of Los Altos Drive and there is a CNDDDB location for Monterey clover there as well. More of this habitat would be impacted in a potential access off of Los Altos Drive.
- Captain Bo Lee of the Pebble Beach Community Services District has stated that access from Los Altos Drive would be dangerous due to inadequate lines of sight of oncoming traffic. This is a heavily traveled road as it is part of the 17 Mile Drive and has heavy tourist traffic in both directions. Emergency access is safer from Sunset Lane.
- On the 1948 Subdivision Map, access to the lot is clearly shown from the Sunset Lane cul-de-sac which was designed to provide access to the lots along Los Altos Drive which were too steep for direct access.

In addition, due to constraints on the property, the FMP proposes replacement of only 10 trees lost by the development. The Del Monte Forest Coastal Implementation Plan regulation 20.137.050 (C)(6) requires mitigation for the removal of native trees in the form of replanting or forest preservation on- or off- site at a ratio of 1:1. Policy 70 of the Del Monte Forest Land Use Plan (LCP) requires the incorporation of mitigation measures to minimize potential adverse environmental impacts. There are 47 trees that will be removed. A Conservation Easement of an approximate 4480 square foot area is proposed as required mitigation for not being able to replant more than 10 trees. The easement will consist of existing 44 Monterey Pine and Pine Roses as mitigation for forest preservation, along with the 3 replanted Pine roses and 10 new trees; for a total of 57 trees. The Coastal Commission agreed that would be sufficient for the ratio of a 1:1 replacement. Also the Huckleberry Hill Natural Habitat area across the street and east of the property consists of protected, continuous stands of native Monterey pine forest offers a more continuous forested area within close proximity to the proposed Conservation and Scenic Easement.

The Coastal Commission had some concern with removal of ESHA for development. Pursuant to Policy 69 of the Del Monte Forest Land Use Plan (LCP), environmentally sensitive habitat areas shall be protected from both direct and indirect adverse impacts of development. Staff supports development of the proposed project within environmentally sensitive habitat because:

- The proposed development includes a lot line adjustment that merges two lots of record into one lot, thereby reducing development to one single family dwelling;
- The applicant has reduced driveway and walking paths to a minimum, thereby reducing tree removal to the least amount of disturbance;
- The applicant has offered a Conservation and Scenic Easement as a mitigation measure to minimize and offset the impacts to ESHA (as required by Policy 70 of the DMFLUP); and
- As part of the required mitigation, the three Pine roses will be relocated within the Conservation Easement and shall be monitored by the biologist.

**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:

DAVIS, BRIAN C & DORRILL A, TRS (PLN120701)

RESOLUTION NO. ----

Resolution by the Monterey County Zoning
Administrator:

- 1) Adopting a Mitigated Negative Declaration;
and
- 2) Approving Combined Development Permit
consisting of: 1) a Coastal Development
Permit for a Lot Line Adjustment to merge
two existing lots of record (Assessor's Parcel
Number 008-112-029-000 and Assessor's
Parcel Number 008-112-030-000) into a .54
acre parcel; 2) a Coastal Administrative
Permit for the construction of a 3,636 square
foot bi-level single family dwelling (1,127
square feet is a lower basement) with 288
square feet of verandas, and a 104 square foot
breezeway attached to a 720 square foot two-
car garage; 3) a Coastal Development Permit
to allow the removal of 47 Monterey Pine
trees (33 of the trees less than 12 inches in
diameter and 14 are 12 inches and above in
diameter) and 2 Monterey Cypress trees (9
and 10 inches in diameter); 4) a Coastal
Development Permit to allow development
within 100 feet of Environmentally Sensitive
Habitat; and 5) Design Approval; and
- 3) Adopting a Mitigation Monitoring Reporting
Plan.

[PLN120701, Davis, Brian C & Dorrill A, TRS, 4026
Sunset Lane, Pebble Beach, Del Monte Forest Land
Use Plan (APN: 008-112-029-000)]

The Combined Development Permit application (PLN120701) came on for public hearing before the Monterey County Zoning Administrator on March 28, May 30, June 27, July 25, and August 29, 2013. 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 1982 Monterey County General Plan;
 - Del Monte Forest Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 5;
 - Monterey County Zoning Ordinance (Title 20); and
 - Monterey County Subdivision Ordinance (Title 19).No conflicts were found to exist. Communication was received during the course of review of the project indicating inconsistencies with the text, policies, and regulations in these documents; however they have been resolved.
 - b) The property is located at 4026 Sunset Lane, Pebble Beach (Assessor's Parcel Number 008-112-029-000), Del Monte Forest Land Use Plan. The parcel is zoned "MDR/4-D (CZ)" [Medium Density Residential/4 units per acre-Design Control (Coastal Zone)], which allows for residential development. Therefore, the project is an allowed land use for this site.
 - c) This is a Lot Line Adjustment to merge two existing lots of record into a .54 acre parcel in order to construct a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; and allow the removal of 47 Monterey Pine trees (33 of the trees less than 12 inches in diameter and 14 are 12 inches and above in diameter) and 2 Monterey Cypress trees (9 and 10 inches in diameter). Other entitlements include development within 100 feet of ESHA and Design Approval.
 - d) Pursuant to 20.147.0904.A.2, "New residential driveways shall be sited and designed to minimize surface length and width as much as possible and still provide simple and direct access to minimize runoff (including through the use of permeable materials). The revised walking path and reduced driveway to the garage facing Los Altos Drive shall consist of pervious materials. A Condition of Approval requires evidence that the pervious materials shall be at least a 40% pass through (Condition # 28).
 - e) Design Approval Pursuant to Chapter 20.44, Design Control Zoning Districts, zoning for the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. Colors and materials include earth tone colors and materials that will blend into the site and surroundings, including stucco and stone veneer, cedar wood doors, aluminum clad windows, and standing seam zinc metal roofing materials.
 - f) Tree Removal A Tree Assessment/Forest Management Plan prepared by Frank Ono, Urban Forester, was performed to assess construction impacts and to provide tree and resource preservation recommendations. The certified arborist confirmed that tree removal was unavoidable and that alternate building siting would require building on steeper slopes and removing more trees and creating a larger profile of the house. (See *Finding #8*)

- g) ESHA Pursuant to 20.147.040.A, "Habitat areas that support plant species for which there is compelling evidence of rarity (e.g. those designated 1b rare or endangered in California and elsewhere) or 2 (rare, threatened, or endangered in California but more common elsewhere) by the California Native Plant Society" are considered environmentally sensitive habitat. A Biological Report was received on April 14, 2013. It was determined that the Monterey Pines located on the site were not considered ESHA, but the Pine roses on the site are considered ESHA. An Initial Study was prepared and a Draft Mitigated Negative Declaration was circulated for public review from May 24, 2013 through June 24, 2013. Mitigation was implemented for the removal of ESHA. A comment was received from the California Coastal Commission and resolved in the Findings below (*see Findings 5 & 6*).
- h) The project planner conducted site inspections on November 15, 2012 and April 10, 2013 to verify that the project on the subject parcel conforms to the plans listed above.
- i) On February 7, 2013, the Del Monte Forest Land Use Advisory Committee recommended (5-0 vote) to approve the project as proposed.
- j) 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 PLN120701.

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, Pebble Beach Community Services District, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, 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 tree removal. The following reports have been prepared:
 - "Tree Assessment/Forest Management Plan" (LIB130024) prepared by Frank Ono, Urban Forester, Pacific Grove, CA, January, 2013.
 - "Geotechnical Engineering Report" (LIB130025) prepared by Earth Systems Pacific, Salinas, CA, October, 2012.
 - "Preliminary Cultural Resources Reconnaissance" (LIB130023) prepared by Susan Morley, Marina CA, August, 2012.
 - "Biological Survey of the Davis Property" (LIB130176) prepared by Ed Mercurio, Biological Consultant, Salinas, CA, April, 2013.
 The above-mentioned 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. Based on the results of the subsurface investigation of the geotechnical engineer, the site is suitable for the proposed residence provided that the recommendations contained in the report are implemented in the design and construction. The applicant shall record a Notice of Report stating

that all recommendations shall be implemented in these reports (Condition #11). County staff has independently reviewed these reports and concurs with their conclusions.

- c) Staff conducted site inspections on November 15, 2012 and April 10, 2013 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 PLN120701.

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, Pebble Beach Community Services District, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Necessary public facilities are available and will be provided by Cal Am Water and Pebble Beach Community Services District for sewer. This is the first single family dwelling on a legal lot of record and there are no issues with these facilities.
- c) See Preceding Findings #1 and #2 and evidences.
- d) Staff conducted site inspections on November 15, 2012 and April 10, 2013 to verify that the site is suitable for this use.
- e) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN120701.

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 site inspections on November 15, 2012 and April 10, 2013 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) Zoning violation abatement costs, if any, have been paid. A condition is included to assure that all zoning abatement costs, if any, have been paid.
- e) 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 PLN120701.

5. **FINDING:** **CEQA (Mitigated Negative Declaration)** - 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. A Biological Report prepared by Ed Mercurio, dated April 2013 confirmed that several Pine roses on the property were considered Environmentally Sensitive Habitat; therefore, the project required environmental review, pursuant to 20.147.040.A of the Del Monte Forest Coastal Implementation Plan.
 - 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 (PLN120701).
 - c) The Initial Study identified several potentially significant effects, but revisions have been made to the project and the applicant has agreed to proposed mitigation measures that avoid the effects or mitigate the effects to a point where clearly no significant effects would occur.
 - d) 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 and Mitigation Monitoring and/or Reporting Plan have been prepared in accordance with Monterey County regulations, it's designed to ensure compliance during project implementation, and is hereby incorporated herein by reference. The applicant must enter into an "Agreement to Implement a Mitigation Monitoring and/or Reporting Plan as a condition of project approval (Condition #6).
 - e) The Draft Mitigated Negative Declaration ("MND") for PLN120701 was prepared in accordance with CEQA and circulated for public review from May 24, 2013 through June 24, 2013.
 - f) Issues that were analyzed in the Mitigated Negative Declaration include: air quality, biological resources and greenhouse gas emissions.
 - g) Mitigation Measures will require the biologist to conduct, within ten days of the start of the work, an on site visit for a preconstruction survey for the presence of breeding birds and other wildlife that could potentially be impacted; the biologist shall be retained to be on-site during initial removal of the Pine rose plants to fulfill the requirements of the biological mitigation measures required of this project, such as transplanting the Pine rose plants to the area west of the proposed dwelling (within the Conservation Easement) around which most of the Pine roses are currently growing; and monitoring inspections for the quality of implementing the mitigations, such as the Conservation Easement proposed on the parcel to protect ESHA (Mitigation Measures

#1-4/Conditions #23-27).

- h) 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. These documents are on file in the RMA-Planning Department (PLN120701) and are hereby incorporated herein by reference.
- i) 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 California Department of Fish and Game (CDFG) 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. There is a possibility that the project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species or have a substantial adverse effect on any riparian habitat or other sensitive natural community. For purposes of the Fish and Game Code, the project will be required to pay the State fee plus a fee payable to the Monterey County Clerk/Recorder for processing said fee and posting the Notice of Determination (NOD) (Condition #5).
- j) During the CEQA review period, the California Coastal Commission submitted comments on the Initial Study. Based on Policy 35 of the Del Monte Forest Land Use Plan (LCP), "Development, including driveways and parking area, shall be site and designed to minimize removal of trees..." They had concern that the applicant did not consider an alternative driveway access to the proposed single family dwelling from Los Altos Drive. From the plans, there appears to be a larger area of open space on the southwest corner of the property that could be used to access the single-family dwelling as an alternative to the proposed access form Sunset Lane. The potential alternative for the driveway and access to the residence would avoid removal of Monterey Pines on the northeast end of the property and reduce the overall tree removal on the property. However, the following reasons substantiate the Sunset Lane entrance:
- The trees around the Sunset Lane entrance are mostly small, crowded and have been topped frequently by neighbors in the past. These trees which are shown for removal are mainly less than 12" in diameter and grew after the fire event in 1987.
 - The slope along Los Altos Drive is steep and more grading would be involved to provide for fire truck access in this area than off of Sunset Lane. Trees impacted or removed for a potential access off of Los Altos Drive would include some larger, more mature and less crowded trees. In addition, this would impact a larger area of natural habitat.
 - No pine roses were observed on the biological surveys around the Sunset Lane entrance. Most of the Pine roses on the property were observed on the lower portions of the property closer to Los Altos Drive, and this is also the area where the transplanted Pine roses

- will be planted. More Pine roses would likely be removed or impacted by providing fire truck access off of Los Altos Drive.
- The habitat values on the property are highest on the lower portions of the property closer to Los Altos Drive and this habitat is most similar to the sensitive habitat on Huckleberry Hill, just on the other side of Los Altos Drive. Central maritime chaparral is continuous on the other side of Los Altos Drive and there is a CNDDDB location for Monterey clover there as well. More of this habitat would be impacted in a potential access off of Los Altos Drive.
 - According to the Pebble Beach Community Services District staff, the access from Los Altos Drive would be dangerous due to inadequate lines of sight of oncoming traffic. This is a heavily traveled road as it is part of the 17 Mile Drive and has heavy tourist traffic in both directions. Emergency access is safer from Sunset Lane.
 - On the 1948 Subdivision Map, access to the lot is clearly shown from the Sunset Lane cul-de-sac which was designed to provide access to the lots along Los Altos Drive which were too steep for direct access.
- k) The Monterey County Planning Department, located at 168 W. Alisal, 2nd 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.
 - l) Staff conducted site inspections on November 15, 2012 and April 10, 2013 to verify that the site is suitable for this use.
 - m) 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 PLN120701.

6. **FINDING:**

ESHA – The subject project minimizes impact on environmentally sensitive habitat areas 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 100 feet of environmentally sensitive habitat areas (ESHA). In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the authority to grant said permit has been met.
- b) The project proposes to remove 47 of Monterey Pine trees. Although the Monterey Pine tree is listed on the California Native Plant Society 1b list; in terms of native Monterey Pine forest and ESHA determinations, unless there is compelling site specific evidence to the contrary, significant stands (i.e. 20 acres in size or larger) of native Monterey Pine forest that are relatively undisturbed are considered ESHA (20.147.040.A CIP). A Biological Survey was prepared by Ed Mercurio, Biological Consultant, dated April 14, 2013, states that most of the trees to be removed are of poor to fair quality. Many of these trees are unlikely to be present when the trees reach maximum size due

to competition; therefore, the Monterey Pines located on the site are not considered ESHA.

- c) There are three Pine Rose plants that are proposed for relocation on the parcel. This small rose is also on the California Native Plant Society's list 1B. It is specifically designated as 1B.2 which includes plants that are fairly endangered (20.147.040.A CIP). Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values. Within environmentally sensitive habitat areas, land use shall be limited to those that are dependent on the resources therein. Pursuant to Policy 69 of the Del Monte Forest Land Use Plan (LCP), environmentally sensitive habitat areas shall be protected from both direct and indirect adverse impacts of development. Staff supports development of the proposed project within environmentally sensitive habitat because:
- The proposed development includes a lot line adjustment that merges two lots of record into one lot, thereby reducing development to one single family dwelling;
 - The applicant has reduced driveway and walking paths to a minimum, thereby reducing tree removal to the least amount of disturbance;
 - The applicant has offered a Conservation Easement as a mitigation to minimize and offset the impacts to ESHA (as required by Policy 70 of the DMFLUP); and
 - As part of the mitigation, the removal of the three Pine roses and relocation within the Conservation Easement shall be monitored by the biologist.
- d) Due to constraints on the property, the project would only replace 10 trees lost by the development as outlined in the Forest Management Plan. The Del Monte Forest Coastal Implementation Plan regulation 20.137.050 (C)(6) requires mitigation for the removal of native trees in the form of replanting or forest preservation on- or off- site at a ratio of 1:1. Policy 70 of the Del Monte Forest Land Use Plan (LCP) requires the incorporation of mitigation measures to minimize potential adverse environmental impacts. A Conservation Easement of an approximate 4480 square foot area is proposed as required mitigation for not being able to replant more than 10 trees. The easement will consist of existing 44 Monterey Pine and Pine Roses as mitigation for forest preservation, along with the 3 replanted Pine roses and 10 new trees; for a total of 57 trees. The Coastal Commission agreed that would be sufficient for the ratio of a 1:1 replacement. Also the Huckleberry Hill Natural Habitat area across the street and east of the property consists of protected, continuous stands of native Monterey pine forest offers a more continuous forested area within close proximity to the proposed Conservation and Scenic Easement.
- e) The project planner conducted a site inspection on November 15, 2012 and April 10, 2013 to verify ESHA locations and potential project impacts to ESHA.

- f) 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 PLN120701.

7. **FINDING:** **LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

- 1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
- 2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;

The parcels resulting from the lot line adjustment conforms to the County’s general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

- EVIDENCE:**
- a) The parcel is zoned “MDR/4-D (CZ)” Medium Density Residential/4 units per acre, Design Control in the Coastal Zone.
 - b) The Lot Line Adjustment is to merge two existing lots of record (parcel 008-112-029-000 is approximately 11,922 square feet) and (parcel 008-112-030-000 is approx. 11,600 square feet) into a 23,522 square foot parcel (.54 acres) in order to build a new single family dwelling in the middle of the two lots.
 - c) The lot line adjustment will not create a greater number of parcels than originally existed. Two contiguous separate legal parcels of record will be merged into one separate legal parcel of record as a result from the adjustment. No new parcels will be created.
 - d) The proposed lot line adjustment is consistent with the Monterey County Zoning Ordinance (Title 20). Staff verified that the subject property is in compliance with all rules and regulations pertaining to the use of the property that no violations exist on the property. The resulting parcel will consist of 23,522 square feet which meets minimum lot size of 6,000 square feet. The proposed development meets all Site Development standards of Medium Density Residential zoning (MCC) and is consistent with the policies of the Del Monte Forest Land Use Plan.
 - e) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary changes, a Certificate of Compliance for each new lot is required per a standard condition of approval (Condition #10).
 - f) The project planner conducted site inspections on November 15, 2012 and April 10, 2013 to verify that the project would not conflict with zoning or building ordinances.
 - g) 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 PLN120701.

8. **FINDING:** **TREE REMOVAL** –The subject project minimizes tree removal in accordance with the applicable goals and policies of the Del Monte Forest Land Use Plan and the associated Coastal Implementation Plan.

- EVIDENCE:**
- a) The project includes application for the removal of 47 Monterey Pine

trees and two Monterey Cypress trees. However, only 14 Monterey Pine trees are 12 inches or above in diameter. The trees proposed for removal are mostly small diameter pines that are in poor or fair condition tightly spaced and drastically reduced in height. In accordance with the applicable policies of the Del Monte Forest Land Use Plan and the Monterey County Zoning Ordinance (Title 20), a Coastal Development Permit is required and the criteria to grant said permit have been met.

- b) The area was impacted by a fire event in 1987 resulting in mass release of new young seedlings. These seedlings have grown to become narrow spaced saplings that are tightly clustered, short in height and small in diameter. The congested growing conditions of the Monterey Pines and concentrated continual crown reduction of the trees result in root zones that are expected to be small and knitted closely together. These trees are poor specimens for retention and if retained have limited time for survival due to poor branch structure and limited foliage production.
- c) A Tree Assessment/Forest Management Plan was prepared by Frank Ono, Urban Forester in January, 2013.
- d) Measures for tree protection during construction have been incorporated as a condition of approval and include tree protection zones, trunk protection, exclusionary fencing, and appropriate sedimentation control measures. (Condition #27)
- e) The project has been designed and sited to minimize the removal of protected trees to the greatest extent feasible. Tree removal is unavoidable on this lot. Alternate building siting would require building on a steeper slope thus removing more trees. The building footprint as presented attempts to take advantage of an opening in the forest canopy to reduce the profile of the home on the hillside, moving the building any further south and southeast will create a large profile. Shifting the building to the west would require even larger healthier trees to be removed.
- f) ~~The removal will not involve a risk of adverse environmental impacts. The trees in the upslope area where construction is proposed on the lot appear to be the best candidates for removal because they are weak from competition for light and nutrients and are severely pruned and are poor structured trees. Tree removal is of lesser quality trees that have been severely pruned and will not create conditions which may adversely affect the dynamic equilibrium of associated systems (See finding 6).~~
- g) Due to constraints on the property, the project would only replace 10 trees lost by the development as outlined in the Forest Management Plan. The Del Monte Forest Coastal Implementation Plan regulation 20.137.050 (C)(6) requires mitigation for the removal of native trees in the form of replanting or forest preservation on- or off- site at a ratio of 1:1. Policy 70 of the Del Monte Forest Land Use Plan (LCP) requires the incorporation of mitigation measures to minimize potential adverse environmental impacts. A Conservation Easement of an approximate 4480 square foot area is proposed as mitigation for not being able to replant more than 10 trees. The easement consists of an additional 44 Monterey Pine and Pine Roses as mitigation for forest preservation. The Coastal Commission agreed that would be sufficient for the ratio of

1:1 replacement. Also, the Huckleberry Hill Natural Habitat area across the street and east of the property consists of protected, continuous stands of native Monterey pine forest offers a more continuous forested area within close proximity to the proposed Conservation Easement.

- h) Native trees that are not ESHA and/or are not part of a forest area considered ESHA may be removed consistent with site and building plans that otherwise comply with LCP requirements if it is not feasible to retain them and removal is consistent with an approved Forest Management Plan (20.20.147.050.C.1.(c). The biological report determined that the Monterey Pine trees on the parcel are not considered ESHA (*see Finding #6*).
- i) A Biological Report was received on April 14, 2013, and confirmed that the three Pine roses on the property proposed for removal were considered Environmentally Sensitive Habitat and required environmental review. An Initial Study was prepared and a Conservation Easement is required as mitigation. (*See Finding #5*).
- j) Staff conducted site inspections on November 15, 2012 and April 10, 2013 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.
- k) 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 PLN120701.

9. **FINDING:** **PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

- EVIDENCE:**
- a) No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.
 - b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 16 in the Del Monte Forest Land Use Plan).
 - c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
 - 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 PLN120701.
 - e) The project planner conducted site inspections on November 15, 2012 and April 10, 2013.

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

- EVIDENCE:**
- a) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.
 - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal

Commission because the project includes conditional uses (Coastal Development Permits) for tree removal and development within 100 feet of environmentally sensitive habitat.

DECISION

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

1. Find the project Categorically Exempt per Sections 15303 (a) and 15305 (a); and
2. Approve Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 47 Monterey Pine trees (33 of the trees less than 12 inches in diameter and 14 are 12 inches and above in diameter) and 2 Monterey Cypress trees (9 and 10 inches in diameter); 4) A Coastal Development Permit to allow development within 100 feet of Environmentally Sensitive Habitat; and 5) Design Approval, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference; and
3. Adopt a Mitigation Monitoring Reporting Plan.

PASSED AND ADOPTED this 29th day of August, 2013, by:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON _____.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE _____.

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS / IS NOT APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from 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.

Form Rev. 01-31-2013

EXHIBIT "C"

Monterey County Planning Department

DRAFT Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan

PLN120701

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This permit for a Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 47 Monterey Pine trees (33 of the trees less than 12 inches in diameter and 14 are 12 inches and above in diameter) and 2 Monterey Cypress trees (9 and 10 inches in diameter); 4) a Coastal Development Permit for development within 100 feet of ESHA; and 5) Design Approval was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.
(RMA - Planning Department)

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

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Combined Development Permit (Resolution Number ____) was approved by the Zoning Administrator for Assessor's Parcel Numbers 008-112-029-000 and 008-112-030-000 on August 29, 2013. The permit was granted subject to 28 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."

Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on August 29, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/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.

4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

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

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

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

5. PD005 - FISH & GAME FEE NEG DEC/EIR

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Pursuant to the State Public Resources Code Section 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.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within five (5) working days of project approval, the Owner/Applicant shall submit a check, payable to the County of Monterey, 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 County of Monterey, to the Director of the RMA - Planning Department prior to the recordation of the final/parcel map, the start of use, or the issuance of building permits or grading permits.

6. PD006 - MITIGATION MONITORING

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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. The mitigation monitoring agreement shall be recorded.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Within sixty (60) days after project approval or prior to the issuance of building and grading permits, whichever occurs first, the Owner/Applicant shall:

- 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.
- 3) Proof of recordation of the mitigation monitoring agreement shall be submitted to the RMA-Planning Department.

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

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Register of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact 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.

8. PD012(F) - LANDSCAPE PLAN & MAINTENANCE (SFD ONLY)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of 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. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."
Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

9. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

10. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall request unconditional certificates of compliance for the newly configured parcels.

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall submit a map and legal descriptions for each newly configured parcel as prepared by the Surveyor. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form and content. The Applicant shall submit the map and legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the certificates.

11. PD016 - NOTICE OF REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:

"A Geotechnical Engineering Report (Library No. LIB130025) was prepared by Earth Systems Pacific, Salinas, CA on October, 2012", " A Tree Assessment/Forest Management Plan (LIB130024) was prepared by Frank Ono, Urban Forester, Pacific Grove, CA, January, 2013", a "A Preliminary Cultural Resources Reconnaissance (LIB130023) was prepared by Susan Morley, Marina CA, August, 2012", and a "Biological Survey of the Davis Property" (LIB130176) prepared by Ed Mercurio, Biological Consultant, Salinas, CA, April, 2013. These are on file in the Monterey County RMA - Planning Department. All development shall be in accordance with these reports."

(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, the Owner/Applicant shall submit proof of recordation of this notice to the RMA - Planning Department.

Prior to occupancy, the Owner/Applicant shall submit proof, for review and approval, that all development has been implemented in accordance with the report to the RMA - Planning Department.

12. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: Public Works Department

Condition/Mitigation Monitoring Measure: Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule.

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

13. WR001 - DRAINAGE PLAN

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to mitigate on-site and off-site impacts from impervious surface stormwater runoff. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

14. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure: The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at: www.mcwra.co.monterey.ca.us.

15. FIRE007 - DRIVEWAYS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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 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 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. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the driveway into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of driveway improvements and obtain fire department approval the final fire inspection.

16. FIRE008 - GATES

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permits, the Applicant shall incorporate the specification of the entry gate into design and print the text of this condition as "Fire Department Notes" on plans.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the entry gate and obtain fire department approval the final fire inspection.

17. FIRE011 - ADDRESSES FOR BUILDINGS

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be visible and legible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on plans.

Prior to requesting a final building inspection, Applicant shall install the required address signage and shall obtain fire department approval of the fire department final inspection.

18. FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Manage combustible vegetation from within a minimum of 100 feet of structures, or to the property line, whichever is closer. Trim tree limbs to a minimum height of 6 feet from the ground. Remove tree limbs from within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire 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. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall incorporate specification into design and print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a final building inspection, the Applicant shall complete the vegetation management and shall obtain fire department approval of the final fire inspection.

19. FIRE030 - GENERATOR (NON-STANDARD CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Generator panel shut-off requirements and signage. Generator sheet will be obtained from the Fire Department, filled out and submitted to the Fire Department. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed:

1. Prior to final building inspection, Applicant or owner shall submit the Generator form to the Fire Department.
2. Prior to final building inspection, Applicant or owner shall schedule Fire Department clearance inspection.

20. FIRE021 - FIRE PROTECTION- SPRINKLER SYSTEM (STANDARD)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: 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 and completed prior to requesting a framing inspection. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of grading and/or building permit, Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

Prior to requesting a framing inspection, the Applicant shall obtain fire department approval of the rough sprinkler inspection.

Prior to requesting a final building inspection, the Applicant shall complete the installation of the fire sprinkler system and obtain fire department approval of the final fire sprinkler inspection.

21. FIRE029 - ROOF CONSTRUCTION - (CYPRESS/PEBBLE BEACH)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: All new structures, and all existing structures receiving new roofing over 25 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Pebble Beach Community Service District)

Compliance or Monitoring Action to be Performed: Prior to issuance of building permit, the Applicant shall print the text of this condition as "Fire Dept. Notes" on construction plans.

22. FIRE030 & SOLAR (NON-STANDARD CONDITION)

Responsible Department: Fire

Condition/Mitigation Monitoring Measure: Installation shall be in accordance with California State Guidelines and a minimum of 1 set of plans will be submitted to the Fire Department by a California licensed C-46 Solar contractor and approved prior to installation. (Pebble Beach Community Services District)

Compliance or Monitoring Action to be Performed: 1. Prior to issuance of building permit, Applicant or owner shall enumerate as Fire Department Notes on plans.

2. Prior to final building inspection, Applicant or owner shall schedule Fire Department clearance inspection.

23. SPPD001 - Preconstruction Meeting with Applicant and Contractor

Responsible Department: Planning Department

Condition/Mitigation Mitigation Measure #1:

Monitoring Measure: A qualified biologist shall meet with the construction crew foreman and applicant at the project site prior to construction and determine if trees are to be removed or trimmed from April through August. If so, a preconstruction survey for the presence of breeding birds and other wildlife that could potentially be impacted, shall be conducted within ten days of the start of the work. Should a preconstruction survey be required, a copy of the survey shall be provided to the County of Monterey, RMA-Planning Department.

An agreement between the Contractor and the Applicant shall be signed stating that the contractor received and fully read and understood the Biological Survey Report, prepared by Ed Mercurio, Biological Consultant, dated April 14, 2013. A note shall be put on the construction plans requiring that all recommendations of the report shall be adhered to during construction.

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

Monitoring Action #1:

a) A copy of the signed agreement and if necessary, the preconstruction survey, shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

b) Copy of construction plans shall be submitted to the RMA – Planning Department that shows all recommendations of the biological report are required be adhered to during construction.

On-going Monitoring Action:

The text of the mitigation measures within the Biological Report shall be posted and maintained at the project site for the duration of construction.

24. SPPD002 - Contract with a Qualified Biologist

Responsible Department: Planning Department

Condition/Mitigation Mitigation Measure #2:

Monitoring Measure: Prior to construction activities, the project proponent shall retain a qualified biologist. The contract will include language demonstrating that a qualified biologist shall be retained to be on-site during initial removal of the Pine rose plants to fulfill the requirements of the biological mitigation measures required of this project, such as transplanting the Pine rose plants to the area west of the proposed dwelling around which most of the Pine roses outside of the development area are currently growing.

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

Monitoring Action #2:

A copy of a signed agreement between a qualified biologist and the applicant stating that "the biologist will be retained to be on-site during initial removal of the Pine rose plants to fulfill the requirements of the biological mitigation measures required of this project, such as transplanting the Pine rose plants to the area west of the proposed dwelling around which most of the Pine roses outside of the development area are currently growing shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

On-going Monitoring Action:

The text of the mitigation measures shall be posted and maintained at the project site for the duration of construction.

25. SPPD003 - Dedicate Conservation Easement on Property

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure #3:
Prior to construction activities, a Conservation Easement of approximately 6,725 square feet to the west and northwest side of the proposed dwelling will be dedicated as a conservation easement or scenic easement (see map below). This will insure that this area remains in a natural state. This area includes most of the Pine roses not impacted by the project, includes the area of Pine roses transplanted from the area of proposed development and includes the three shaggy-barked manzanitas observed on the property. All native plants in this area will be preserved and invasive, non-native plants removed.

Compliance or Monitoring Action to be Performed: Monitoring Action #3:
A copy of a draft conservation and Scenic Easement Deed along with the proposed map shall be submitted to the RMA-Planning Department for review and approval prior to issuance of grading/building permits.

Additional on-going Monitoring Action:
The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

26. SPPD004 - Monitoring Inspections during Construction

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Mitigation Measure #4:
The following monitoring inspections shall be completed once construction has commenced:
1) Once within two weeks of the start of construction, breeding birds and legless lizards will be searched for from the preconstruction survey, if prepared.
2) Once within three months following completion of development, a monitoring inspection will be done for the transplanting of the Pine rose plants.
3) Once per year for the following three years, a follow up inspection will be monitored in the spring season.

Compliance or Monitoring Action to be Performed: Monitoring Action #4:
These monitoring inspections will be done by a qualified biologist and will monitor the quality for implementation of the mitigations. A report on each inspection shall be submitted to the RMA-Planning Department for review and approval.

Additional on-going Monitoring Action:
The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

27. SPPD005 - Protective Measures for Existing Trees

Responsible Department: Planning Department

Condition/Mitigation Mitigation Measure #5:

Monitoring Measure: All healthy native trees and shrubs on the property will be protected from all impacts that may occur before, during and after construction as directed in the forestry report. This includes protection from direct damage to the branches and roots of the plants, deposition or removal of soil around the plants and compaction of soil around the plant through vehicle tires. The plants should be flagged, if necessary, during the installation of the home and driveway to make their locations obvious. Landscaping, revegetation and other plantings on the property, other than for garden and lawn areas near the home, will be composed of native plants of local origin. A native seed mix from stock of local origin shall be used to restore impacted native understory and ground cover as well as for erosion control. Invasive exotic plants shall be removed from the property.

Compliance or Monitoring Monitoring Action #5:
Action to be Performed:

A conceptual landscape plan shall be submitted showing protection from all impacts that may occur before, during and after construction as directed in the forestry report of existing remaining trees, and proposed landscaping as recommended by the Biological report. A conceptual landscaping plan shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

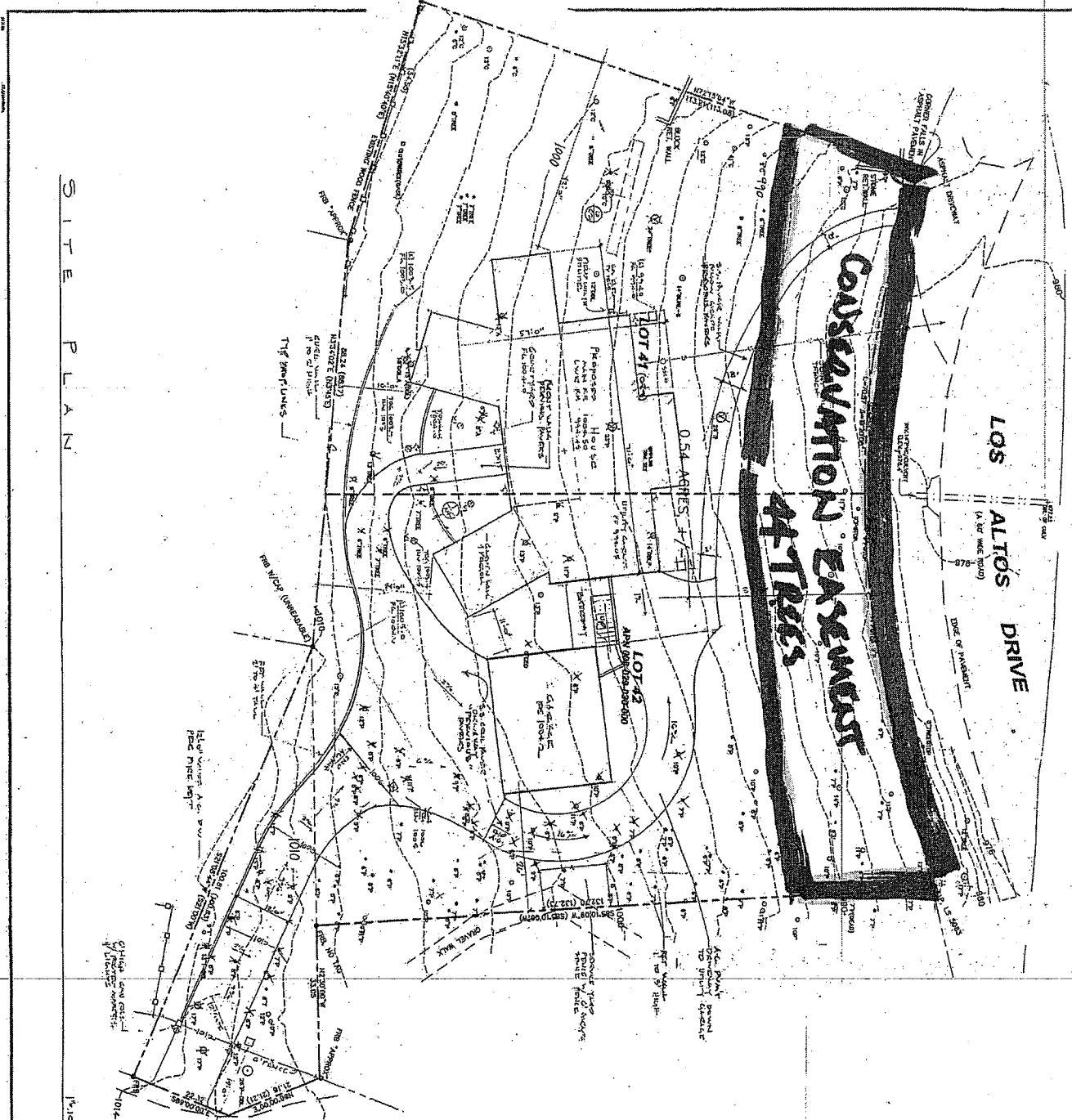
The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

28. SPPD006 - Required Pervious Materials

Responsible Department: Planning Department

Condition/Mitigation Pursuant to 20.147.0904.A.2, "New residential driveways shall be sited and designed to
Monitoring Measure: minimize surface length and width as much as possible and still provide simple and direct access to minimize runoff (including through the use of permeable materials). The revised walking path and reduced driveway to the garage facing Los Altos Drive shall consist of at least a 40% pass through of pervious.(RMA Planning Department)

Compliance or Monitoring Prior to issuance of a Building Permit or grading permit, the applicant shall submit evidence of
Action to be Performed: pervious materials for the revised walking path and reduced driveway facing Los Altos Drive.



S I T E P L A N

CONSERVATION EXEMPT
4 Trees

LOS ALTOS DRIVE

ACCESS LANE
4026 SUNSET DR.



DATA: Ridge St. Foundation
 2.5' minimum over 125' 1 Day County Footing
 2 column dist: 100' / 10' / 10' / 10'
 IMPROVED: CONCRETE
 A.C. DRIVEWAY TO STRAIGHT
 A.C. DRIVEWAY TO UNIT 4 AND
 TOTAL
 WATER CO.: CAR AN WATER
 SERVICE: P.B. CONN. SERVICE VENDOR
 Lot 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

FLOOR AREA RATIO	
HOUSE - MAIN FLOOR	2,598 S.F.
HOUSE - LOWER FLOOR - BASEMENT	1,177 S.F.
GARAGE - TWO CAR ATTACHED	1,238 S.F.
TOTAL FLOOR AREA	4,988 S.F.
LOT AREA	23,222 S.F. * 19%

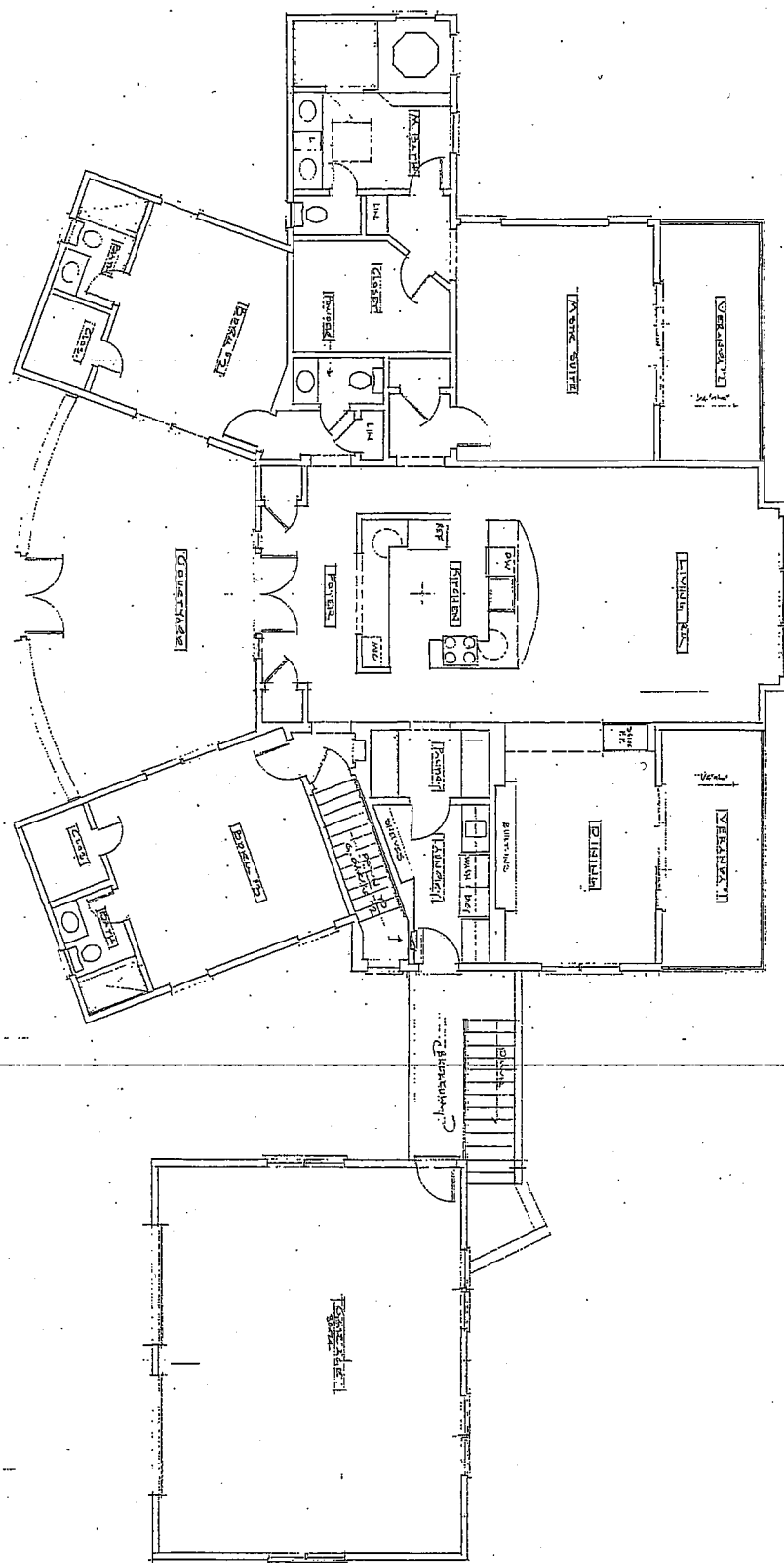
BUILDING SITE COVERAGE	
HOUSE	2,598 S.F.
GARAGE - TWO CAR ATTACHED	1,238 S.F.
RESERVAIR	218 S.F.
VERANDA'S	218 S.F.
TOTAL BUILDING COVERAGE	3,812 S.F.
LOT AREA	23,222 S.F. * 16%

OWNERS INFORMATION
 BRIAN & DONNELL DAVIS
 241 LABEL AVE
 PACIFIC GROVE, CA 93953

- NOTES**
- SEE SHEETS FOR EROSION CONTROL AND GRADING PLAN
 - FILL 20' TIES - ESTIMATED
 - DEMOTES TREES TO REMAIN
 - DEMOTES TREES TO BE REMOVED
 - DEMOTES EXISTING CONTOURS
 - DEMOTES EXISTING LIGHTS

<p>DAVIS RESIDENCE 4026 SUNSET LANE PEBBLE BEACH, CALIFORNIA APN: 008-112-028, 030 PH: 831 915-3247</p>	<p>draftcraft 2110 GARDNER RD., SUITE 211 MONTEREY, CA 95030 / (831) 646-9181 / FAX 646-6100</p>	<p>REVISION BY DATE</p> <table border="1"> <tr> <td>1</td> <td>12/7/12</td> <td>LD</td> </tr> <tr> <td>2</td> <td>4/23/13</td> <td>LD</td> </tr> <tr> <td>3</td> <td>7/12/13</td> <td>LD</td> </tr> </table>	1	12/7/12	LD	2	4/23/13	LD	3	7/12/13	LD
1	12/7/12	LD									
2	4/23/13	LD									
3	7/12/13	LD									

MAIN FLOOR



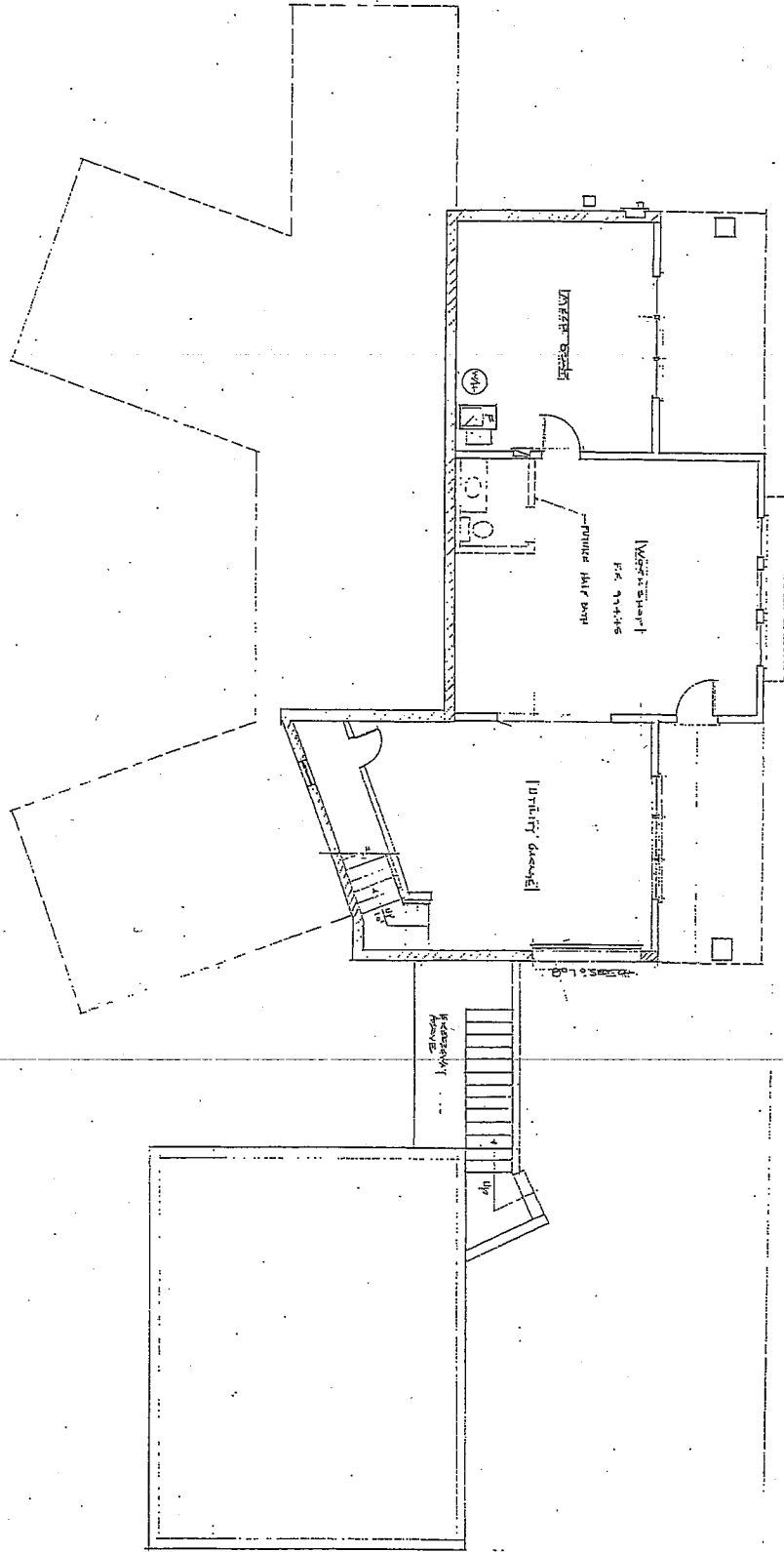
2/11/12
2/11/12

DAVIS RESIDENCE
4026 SUNSET LANE
PEBBLE BEACH, CALIFORNIA
APN: 008-112-029, 030 PH: 831 915-3247

BRADING DESIGN & CONSULTING
drafttect
2150 CALIFORNIA BLVD / MONTECITO, CA 95031 / (831) 644-9761 / FAX 644-9761

NO.	REVISION
1	01/11/12
2	01/11/12
3	01/11/12
4	01/11/12
5	01/11/12
6	01/11/12
7	01/11/12
8	01/11/12
9	01/11/12
10	01/11/12

LOWER FLOOR "BASEMENT"



1/11/15



DATE	1/11/15
BY	AV
PROJECT	DAVIS RESIDENCE
DESCRIPTION	LOWER FLOOR "BASEMENT"

DAVIS RESIDENCE
 4026 SUNSET LANE
 PEBBLE BEACH, CALIFORNIA
 APN: 006-112-029, D30 PH: 831 915-3247

OFFICE
 BUILDING DESIGN & CONSTRUCTION
 2150 GARDEN RD., SUITE 101 / MONTEREY, CA 94027 / (831) 446-5766 / FAX 446-5760

REVISIONS	DATE	BY
1	1/11/15	AV
2	1/11/15	AV
3	1/11/15	AV





EXHIBIT D DEL MONTE FOREST

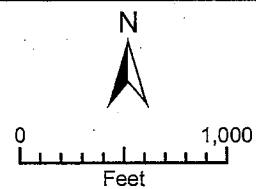


APPLICANT: DAVIS

APN: 008-112-029-000 & 008-112-030-000

FILE # PLN120701

 2500' Limit  300' Limit  Water  City Limits



PLANNER: GONZALES

EXHIBIT "E"

FILE COPY
PLN120701

MINUTES

Del Monte Forest Land Use Advisory Committee
Thursday, February 7, 2013

1. Meeting called to order by SANDY GETREU at 3 pm

2. Roll Call

Members Present: JOELLA SZABO, JUNE STOCK, KIM CANFER,
SANDY GETREU, LORI WETZKE

Members Absent: ROD DEWAR

3. Approval of Minutes:

A. January 17, 2013 minutes

Motion: LORI WETZKE (LUAC Member's Name)

Second: JUNE STOCK (LUAC Member's Name)

Ayes: 4

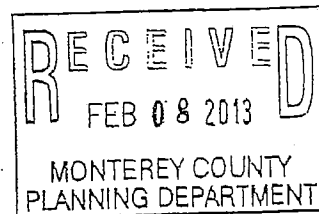
Noes: 0

Absent: RODERICK DEWAR

Abstain: JOELLA SZABO

4. Public Comments: 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.

NONE



5. Scheduled Item(s)

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

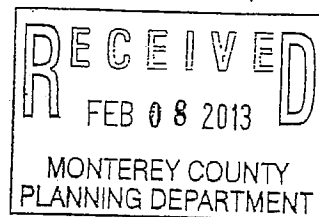
NONE

B) Announcements

NONE

7. Meeting Adjourned: 3:50 pm

Minutes taken by: KIM CANEER

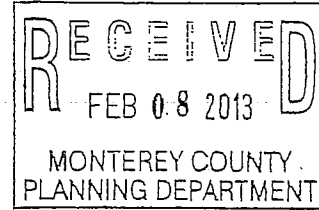


Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Del Monte Forest

Please submit your recommendations for this application by: **February 7, 2013**



Project Title: DAVIS BRIAN C & DORRILL A DAVIS TRS

File Number: PLN120701

File Type: ZA

Planner: GONZALES *SUNSET*

Location: 4026 ~~SUNSET~~ LN PEBBLE BEACH

Project Description:

Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attaching a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 51 Monterey Pine trees and 2 Monterey Cypress trees; and 4) Design Approval. The property is located at 4026 Sunset Lane, Pebble Beach (Assessor's Parcel Numbers 008-112-029-000 and 008-112-030-000), Del Monte Forest Land Use Plan, Coastal Zone.

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

Brian Davis

Was a County Staff/Representative present at meeting? LIZ GONZALES (Name)

PUBLIC COMMENT:

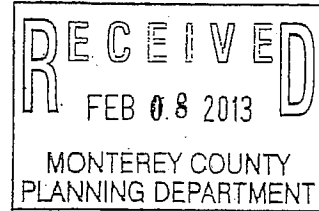
Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>⊖</i>			

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)

ADDITIONAL LUAC COMMENTS

JUNE STOCK MENTIONED THE SITE WAS DIFFICULT TO FIND



RECOMMENDATION :

Motion by JOELLA SZABO (LUAC Member's Name)

Second by JUNE STOCK (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5

NOES: 0

ABSENT: 1 (DEWAR)

ABSTAIN: 0

EXHIBIT "F"

County of Monterey

State of California

MITIGATED NEGATIVE DECLARATION

FILED

MAY 23 2013

Stephen L. Vagnini
STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	DAVIS
Project File	PLN120701
Owner:	BRIAN DAVIS
Project Location:	4026 SUNSET LANE, PEBBLE BEACH
Primary APN:	008-112-029-000 AND 008-112-030-000
Project Planner:	GONZALES
Permit Type:	COMBINED DEVELOPMENT PERMIT
Project Description:	Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attaching a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 51 Monterey Pine trees (45 of the trees are less than 12 inches in diameter and 6 are 12 inches and above in diameter) and 2 Monterey Cypress trees; 4) a Coastal Development Permit to allow development within 100 feet of ESHA; and 5) Design Approval.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	ZONING ADMINISTRATOR
Responsible Agency:	County of Monterey
Review Period Begins:	MAY 24, 2013
Review Period Ends:	JUNE 24, 2013

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 West Alisal St, 2nd Floor, Salinas, CA 93901; (831) 755-5025

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY

PLANNING DEPARTMENT

168 WEST ALISAL ST., 2nd FLOOR, SALINAS, CA 93901

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



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: DAVIS

File No.: PLN120701

Project Location: 4026 SUNSET LANE, PEBBLE BEACH

Name of Property Owner: DAVIS, BRIAN C AND DORRILL A, TRS

Name of Applicant: BRIAN DAVIS

Assessor's Parcel Number(s): 008-112-029-000/008-112-030-000

Acreage of Property: .52 ACRES

General Plan Designation: RESIDENTIAL

Zoning District: "MDR/4-D (CZ)"

MEDIUM DENSITY RESIDENTIAL/4 UNITS PER ACRES,
DESIGN CONTROL (COASTAL ZONE)

Lead Agency: COUNTY OF MONTEREY

Prepared By: ELIZABETH GONZALES

Date Prepared: MAY 13, 2013

Contact Person: ELIZABETH GONZALES

Phone Number: (831) 755-5102

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Description of Project:

The properties are located at 4021 and 4025 Los Altos Drive, Pebble Beach (Assessor's Parcel Numbers 008-112-029-000 and 008-112-030-000), Del Monte Forest Land Use Plan, Coastal zone. The parcels are zoned Medium Density Residential/4 Units per acre, Design Control area, in the (Coastal Zone) "MDR/4-D (CZ)".

Proposed development includes a new two story single family residence with attached garage with a total lot coverage area of 3,621 square feet. There will be an additional 2,088 square feet of coverage by pavement and a utility garage, but at least 800 square feet will be permeable pavement. The total percentage of coverage of the lot by this project is 15 percent.

The applicant is proposing a Lot Line Adjustment in order to merge two existing lots of record, both owned by the applicant. Entitlements include a Combined Development Permit consisting of: 1) a Coastal Development Permit for a Lot Line Adjustment to merge two existing lots of record (Assessor's Parcel Number 008-112-029-000 and Assessor's Parcel Number 008-112-030-000) into a .54 acre parcel; 2) a Coastal Administrative Permit for the construction of a 3,636 square foot bi-level single family dwelling (1,127 square feet is a lower basement) with 288 square feet of verandas, and a 104 square foot breezeway attached to a 720 square foot two-car garage; 3) a Coastal Development Permit to allow the removal of 51 Monterey Pine trees (45 of the trees are less than 12 inches in diameter and 3 are 12 inches and above in diameter) and 2 Monterey Cypress trees (9 and 10 inches in diameter); 4) a Coastal Development Permit for development within 100 feet of ESHA; and 5) Design Approval.

Pursuant to Section 20.147.050, Forest Resources, a Forest Management Plan shall be required for all projects located in a forested area that require a discretionary permit. A Tree Assessment/Forest Management Plan was prepared by Frank Ono, Urban Forester and ISA Certified Arborist on January 6, 2013 due to proposed construction. It states that tree removal is unavoidable for any development on this lot. The project proposes to build a single family dwelling with two garages on two lots of record and will require the removal of 53 trees, 51 Monterey Pines and 2 Monterey Cypresses. A recent change was made in the position of the garage on the site plan to save 3 of the 6 Monterey Pines over 12 inches in diameter that were previously proposed to be removed. Alternate building siting would require building on a steeper slope removing more trees. The building footprint, as presented, attempts to take advantage of an opening in the forest canopy to reduce the profile of the home on the hillside. Moving the building any further south and southeast will make the house look larger. Shifting the building to the west would require even larger healthier trees to be removed.

Pursuant to Section 20.147.040, Environmentally Sensitive Habitat Areas are areas that support plant species for which there is compelling evidence or rarity (e.g. those areas designated 1b (rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society. A Biological survey of the Davis Property was prepared by Ed Mercurio, Biological Consultant on April 14, 2013. The

Biological Report confirmed that two sensitive species were observed on the Davis property. They are Monterey Pine and the Pine Rose:

- Monterey Pine. This tree is on California Native Plant Society's list 1B, which includes plants rare, threatened and endangered in California and elsewhere. It is specifically designed as 1B.1 which includes plants that are seriously endangered. This designation pertains to natural stands of this tree. This is the dominant tree on the property.
- Pine Rose. This small rose is also on California Native Plant Society's list 1B. It is specifically designated as 1B.2 which includes plants that are fairly endangered. This plant was found to be fairly abundant in five areas from the center of the property down to near Los Altos Way and in one area in the central-eastern area of the property.

Mitigation Measures will require on-site monitoring during soil disturbing activities, such as tree removal, grading, and protection of existing trees during foundation excavation. Approximately 30 percent of the Pine roses on the parcel are located within or near the development footprint and will be removed. They will be transplanted to suitable areas in the proposed area of conservation easement as a mitigation measure.

Replacement of removed trees is a requirement of the Del Monte Forest Land Use Plan. Due to the density of young Monterey pines currently growing on the property, the forestry report does not recommend 1:1 replacement. It recommends that existing Monterey Pine seedlings outside of the developed area be protected and, if replanting is necessary, 10 Monterey pines can be planted to replace the 50 trees removed. The Biological Report concurs. It suggests obtaining Monterey pines from local stock that is genetically resistant to pine pitch canker. This will help start the establishment of a pine pitch canker resistant forest on the property.

The primary CEQA issues involve air quality, biological resources, and greenhouse gas emissions. Less than significant impacts with mitigation measures for biological resources and less than significant for air quality and gas emissions have been identified (see Section VI, Environmental Checklist, of the Initial Study). The proposed project is consistent with the policies of the Del Monte Forest Land Use Plan. Mitigation Measures have been required along with conditions of approval to assure compliance with County requirements.

Other Project Impacts

The subject property is not located within Prime or Unique Farmlands, forest land, environmentally sensitive habitat area, an area that poses a threat caused by flooding, earthquake fault zones, or on a mineral resource recovery site. The result of the project will not require large amounts of water, induce or reduce the population or availability of housing, or cause reduction of the existing level of services for fire, police, public schools, or parks. Therefore, the project will have no impact on Aesthetics, Agriculture/Forest Resources, Cultural Resources, Hazards/Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation or Utilities/Service Systems.

B. Surrounding Land Uses and Environmental Setting:

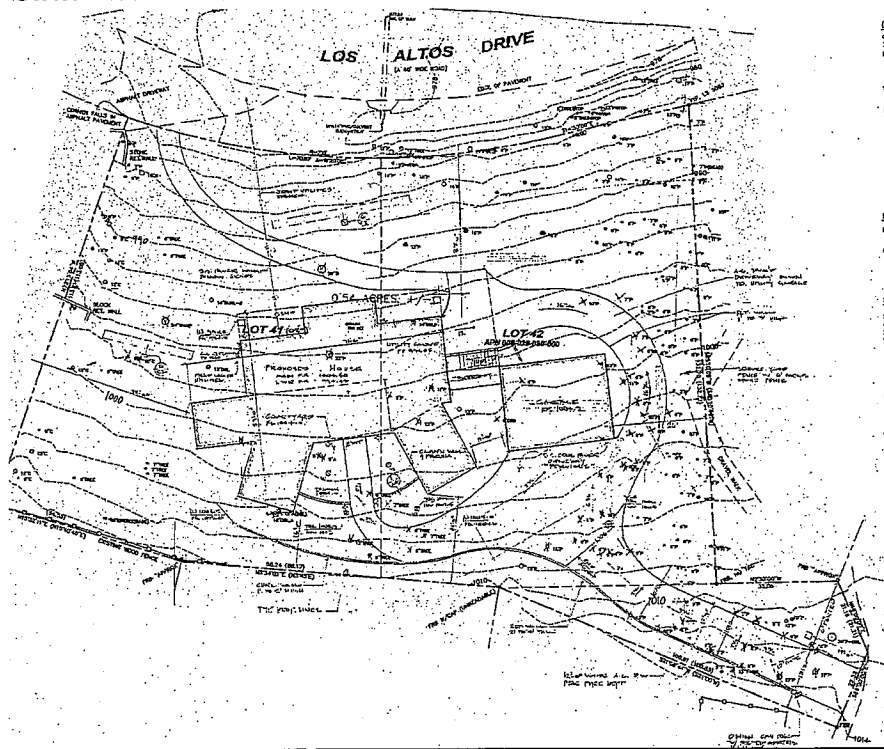
The Davis property is .54 acres (23,522 square feet) in size and is roughly rectangular in shape. It currently consists of two lots of record. Its western side fronts on Los Altos Drive and a projection on its northeastern corner intersects with the access lane off Sunset Drive. The other sides of the property are bounded by developed lots containing single family residences. The property slopes to the southwest. It is relatively level on its eastern side and increases in slope as one moves to the southwest. It is located on the western side of the highest point on the Monterey Peninsula known as Huckleberry Hill, near its summit. The highest elevation is just under 800 feet above sea level. It is approximately 1.8 miles from the nearest ocean shore.

The property is generally disturbed, but undeveloped, Monterey Pine forest habitat at this time. There are no major drainages on or near the property. Vegetation is the result of the aftermath of the 1987 Huckleberry Hill forest fire. Canopy coverage is closed on the northwest section of the property and then opens where the areas where development is proposed. The vegetation in the closed canopy area is of the Monterey Pine forest type which then transitions to become a mixture of some Monterey Pine with planted Monterey cypress in the more open and disturbed areas. There is no coastal live oak understory present, there are willow and acacia trees that have been planted or seeded in canopy openings and edges of the canopy.

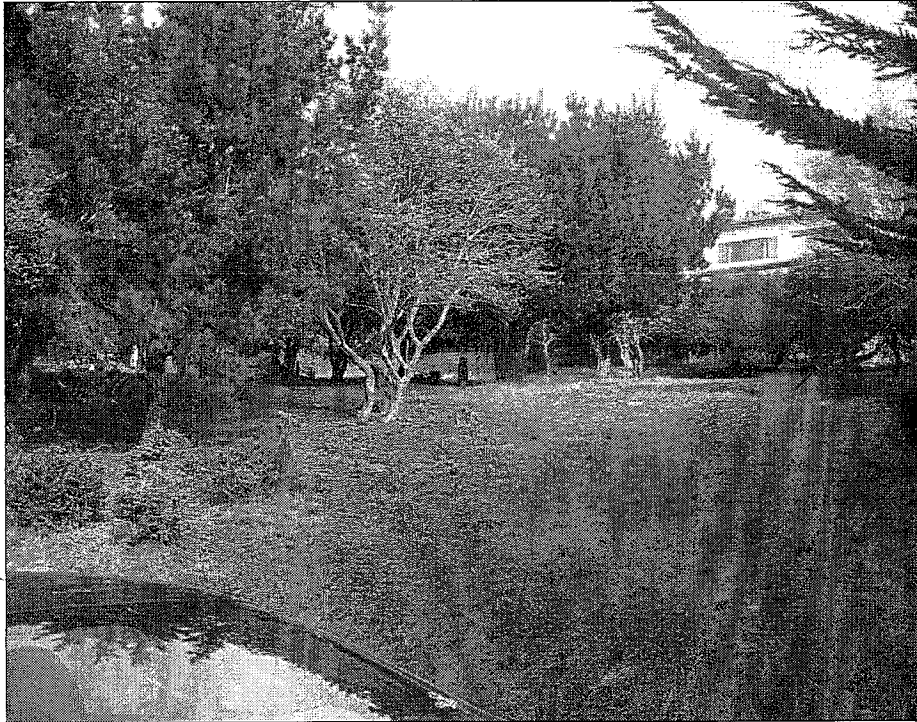
This area has been impacted by a fire event in 1987 resulting in mass release of new young seedlings. These seedlings have grown to become narrow spaced saplings that are tightly clustered, shortest height and small in diameter. The congested growing conditions of the Monterey pines and concentrated continual crown reduction (appears to have been pruned for view enhancement for upslope properties) of the tree result in root zones that are expected to be small and knitted closely together. The best appearing trees on this site are located down slope on the property where canopies of the trees have larger lateral limbs and are allowed space for growth. Trees located further upslope have tendencies to be spaced closer together with smaller diameters and reduced foliage.

C. Other public agencies whose approval is required: No other public agency permits would be required under this request.

SITE PLAN/PHOTO



TUC 11/13/10
SEEK III & IIII
IN 2008



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 type="checkbox"/> | Air Quality Mgmt. Plan | <input 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 checked="" type="checkbox"/> |

Monterey County Certified Local Coastal Program –Del Monte Forest Land Use Plan: The Del Monte Forest Land Use Plan (Reference #3) designates the site as a “Medium Density Residential” (MDR) land use designation. Single-family dwellings are an allowed use in this zoning district; and therefore is consistent with the site development standards under this designation.

Although between the first public road and the ocean (Pebble Beach) the project is consistent with the Local Coastal Program’s public coastal-access requirements since the project will not block any designated historic shoreline access routes to the shoreline.

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 type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards/Hazardous Materials | <input 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 type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

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:

- 1) Aesthetics. The project will not have a substantial effect on a scenic vista nor substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway nor substantially degrade the existing visual character or quality of the site and its surroundings. The project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

The intent of the Scenic and Visual Resources is to recognize that the Del Monte Forest and 17-Mile Drive are significant and important visitor destinations, and to protect the area's magnificent scenic and visual resources, to avoid incompatible development and to encourage improvements and facilities that complement the Forest's natural scenic assets and enhance the public's enjoyment of them (**20.147.070 CIP**). However, the parcel is not located within these areas. The project proposes construction of a new single family dwelling. The parcel is located on a private road within the Del Monte Forest and is not visible from any public viewing area, such as 17 Mile Drive. A standard condition of approval regarding exterior lighting has been applied to ensure the project's compliance with policy 26.1.20 of the 1982 Monterey County General Plan which requires exterior lighting to be unobtrusive, reduce long range visibility and fully control off-site glare. Therefore, the proposed project will not impact aesthetics. (Reference IX; 1, 2, 3, 4, 6)

- 2) Agricultural and Forest Resources: The project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance, and the proposed project would not result in conversion of prime agricultural lands to non-agricultural uses. The site is not under a Williamson Act Contract.

The project parcel is not located near any farmland and therefore, the project will have no impacts to Agricultural and Forest resources. (References IX 1, 2, 3, 6)

- 3) Air Quality. See Section VI for detailed analysis.
- 4) Biological Resources. See Section VI for detailed analysis.
- 5) Cultural Resources. The project site will not cause a substantial adverse change in the significance of historical resources as defined in Section 15064.5 of the CEQA Guidelines, nor will it cause a substantial adverse change in the significance of an archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, or disturb any human remains, including those interred outside of formal cemeteries.

The intent of this section to ensure that the Del Monte Forest's cultural resources be maintained, preserved, and protected for their scientific and cultural heritage values, including by requiring that land use and development be considered compatible with these objective only when such land use/development incorporates site planning and design features necessary to avoid impacts to cultural resources (**20.147.080 CIP**). According to the County's GIS system, the project is not located within a high archaeological sensitivity zone and does not require additional review. Therefore, there is no impact to cultural resources. (Reference IX 1, 2, 3, 6, 7)

- 6) Geology/Soils. The project will not expose people or structures to potential substantial adverse effects, result in substantial soil erosion, or located on expansive soil. The project is not 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; nor does it refer to Division of Mines and Geology Special Publication 42; nor has any strong seismic shaking, or liquefaction.

It is the intent of the Hazards section (**20.147.060 CIP**) to carefully regulate land use and development in areas of geologic, flood, fire, and other coastal hazards through best available planning practices. There is no evidence of high geologic sensitivity zones. The project will be reviewed pursuant to the current Building Codes and will be reviewed by a geotechnical engineer prior to permit issuance. Therefore, the project will not impact geologic resources or create geologic impact. (Reference IX; 1, 2, 3, 6, 9)

- 7) Greenhouse Gas Emissions. See Section VI. for detailed analysis
- 8) Hazards/Hazardous Materials: The project does not involve the transport, use or disposal of hazardous materials that would constitute a threat of explosion or other significant release that would pose a threat to neighboring properties. There is no storage of large quantities of hazardous materials on site. The project would not involve stationary operations, create hazardous emissions or handle hazardous materials. The site location and scale have no impact on emergency response or emergency evacuation. The site is not located near an airport or airstrip.

The Pebble Beach Community Services District reviewed the project and deemed it complete with no conditions. Therefore, there is no impact to hazards. (References IX 1, 2, 3, 5, 6, 9)

- 9) Hydrology/Water Quality. The proposed project will not violate any water quality standards or waste discharge requirements nor substantially alter the existing drainage pattern of the site or area. The proposed project is not located within a 100 year floodplain and would not impede or redirect flood flows.

The project is not located within any flood way or flood zone. The project includes conservation techniques to the greatest extent possible and has been approved by Water Resources Agency. Construction will not impede flood flows. Therefore, the proposed project would have no impacts to hydrology/water quality. (References IX 1, 2, 3, 6)

- 10) Land Use/Planning. The proposed project will not physically divide an established community. The project does not conflict with any of the policies within the Carmel Area Land Use Plan and meets all zoning requirements. There is no habitat or natural community conservation plan that the proposed project is required to conform to. The zoning regulations allow for the first single family dwelling on a legal lot of record.

The intent of the Land Use Development section (**20.147.090 CIP**) is that land use designations are directive as to the type of use, but uses shall only be allowed provided such use and related development can be accomplished consistent with the LCP, including its resource protection requirements. The proposed project includes merging two existing lots of record and constructing a new single family dwelling in the middle of both lots. Careful consideration has been done to address potential impacts to trees and biological impacts. The proposed project meets all site development standards. County Departments reviewed the project application and concurs. Therefore, the proposed project is consistent with the Land Use Plan policies. (References IX 1, 2, 3, 4, 5, 6, 8, 10)

- 11) Mineral Resources. No mineral resources have been identified or would be affected by the project. Therefore, the proposed project would have no impacts on Mineral Resources. (References IX 1, 2, 3, 6)

- 12) Noise. The project would not change the existing residential use of the property, would not expose the surrounding properties to noise levels that exceed standards or to substantial vibration from construction activity, and would not substantially increase ambient noise levels. The project site is not located in the vicinity of an airport or private airstrip. The generation of substantial or significant noise over the long-term is not typically associated with a project of this scope.

The proposed project would have temporary minor noise impacts due to construction, but those would cease once the project was completed. Neighboring residences are located on both sides of the property. The temporary noise will be located on the front of the property. Therefore, there is no impact to noise. (References IX 1, 2, 3, 6)

- 13) Population/Housing The proposed project would not substantially induce population growth in the area, either directly, or indirectly, as no new infrastructure would be extended to the site. The project would not alter the existing location, distribution, or density of human population in the area, nor create a demand for additional housing, or displace people.

Since the proposed project requests the merging of two legal lots of record, housing has been reduced, although the housing element had already been considered within the Del Monte Forest area. There would be no impacts to Population or Housing. (References IX 1, 2, 3, 6)

- 14) Public Services. The project would have no 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.

The proposed project's residential use and proximity to other residential uses signify that any potential impact to public services will be insignificant, given that adequate public services exist to properly serve the area, as evidenced by the County's interdepartmental review and recommended Conditions of Approval for the project. The Pebble Beach Community Services District is approximately three miles from the property. Therefore, the proposed project will not impact Public Services. (References IX. 1, 2, 3, 6)

- 15) Recreation. The project, as proposed, would not result in an increase in the use of existing neighborhood and regional parks or other recreational facilities causing substantial physical deterioration. The proposed project does not include or require construction or expansion of recreational facilities. No parks, trail easements, or other recreational opportunities would be adversely impacted by the proposed project, based on review of Figure 3 (Public Access) of the Carmel Area LUP and staff site visits. The project would not create significant recreational demands.

The project is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights (Monterey County Zoning Ordinance, Section 20.70.050.B.4). The proposed project is in conformance with the public access policies of Chapter 5 of the Del Monte Forest Land Use Plan (DMFLUP), and Section 20.147.130 of the Monterey County Coastal Implementation Plan for Carmel (Part 5). Figure 16 does not identify the parcel as an area requiring existing or proposed public access. No public access points or trails are located on the parcel. The proposed project would have no impacts related to Recreation. (References IX. 1, 2, 3, 6)

- 16) Transportation/Traffic. The contribution of traffic from the proposed project would not cause any roadway or intersection level of service to be degraded. The project would not result in a change in air traffic patterns or an increase in traffic levels. It would not

substantially increase hazards due to a design feature, nor result in inadequate emergency access or parking capacity. The project also would not conflict with adopted policies, plans, or programs supporting alternative transportation.

The intent of the Circulation section (**20.147.100 CIP**) is to encourage continued development of a multi-modal circulation system with the Del Monte Forest that provides an adequate level of service with minimal intrusion to the Forest environment. The property has sufficient parking for a truck to bring in materials to construct a single family dwelling. Construction management will apply. Therefore, proposed project would have no impact to Transportation or Traffic. (References IX. 1, 2, 3, 6)

- 17) Utilities. The proposed project currently has sufficient water supplies and a wastewater treatment provider available to service a new single family dwelling. Public utilities will not be affected.

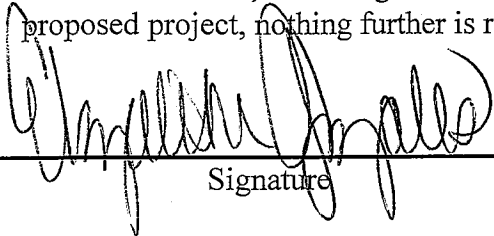
The intent of the Water and Wastewater section is to ensure that development only be approved if it can be served by adequate and long-term public water supplies and wastewater treatment capacities (**20.147.110 CIP**). Services will be provided by the Pebble Beach Community Services District. Therefore, the proposed project would have no impacts related to Utilities and Service Systems. (References IX. 1, 2, 3, 6).

B. DETERMINATION

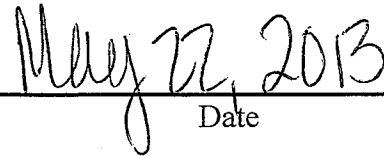
On the basis of this initial evaluation:

- 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.


Signature

Elizabeth Gonzales, Associate Planner


Date

May 22, 2013

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
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

2. AGRICULTURAL AND FOREST 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. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

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? (Source: 1, 2, 3, 6)	<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? (Source:1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (Source:1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

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? (Source: 1, 2, 3, 5, 6)	<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? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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)? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

Air Quality 3(a, b, c, e, and f) - No Impact

The proposed project site is located in the North Central Coast Air Basin, which is comprised of Monterey, Santa Cruz, and San Benito counties. The Monterey Bay Unified Air Pollution Control District (MBUAPCD) is the agency with jurisdiction over the air quality regulation in the subject air basin. In 2008, the MBUAPCD adopted an Air Quality Management Plan, which outlines the steps necessary to reach attainment with the state standards of air quality for criteria pollutants. The project involves the constructing a new single family dwelling located in the middle of two lots that are proposed for merging. Construction impacts would be temporary and will not permanently conflict with or obstruct the implementation of Air Quality Management Plan, nor would it violate any air quality standard or result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. The project would not expose any sensitive receptors to substantial pollutant concentrations, and would not create any objectionable odors affecting a substantial number of people. The generation of substantial or significant odors over the long-term is not typically associated with a project of this scope. Once

construction is completed the disturbed areas will be fully restored to their pre-development state.

Air Quality 3(d) – Less than Significant

Applicant proposes approximately 250 cubic yards cut and 250 cubic yards fill, to be balanced on site. There will be very minor increase in emissions from construction vehicles and dust generation; therefore, the project would result in construction-related air quality impacts that are less than significant. Construction activities will be required to comply with the Air Quality Guidelines, including the standard MBUAPCD measures addressing dust control. Implementation of these standard dust-control measures will maintain any temporary increases in PM-10 at insignificant levels.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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? (Source: 1, 3, 6, 8, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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? (Source: 1, 3, 6, 8, 10)	<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? (Source: 1, 3, 6, 8, 10)	<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? (Source: 1, 3, 6, 8, 10)	<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? (Source: 1, 3, 6, 8, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Source: 1, 3, 6, 8, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

Pursuant to Section 20.147.050, Forest Resources, a Forest Management Plan shall be required for all projects located in a forested area that require a discretionary permit. A Tree Assessment/Forest Management Plan was prepared by Frank Ono, Urban Forester and ISA Certified Arborist on January 6, 2013 due to proposed construction. The project proposes to build a single family dwelling with two garages on two lots of record and will require the removal of 53 trees, 51 Monterey Pines and 2 Monterey Cypresses. The Del Monte Forest Land Use Plan and Monterey County Zoning Ordinance Title 20 identified Monterey Pines, Monterey Cypress and Coast Live Oak trees as native tree species that require protection and special consideration for their management.

On site assessment and recent review of plans have identified a number of trees with the potential to be affected by the proposed project and that will need to be removed to facilitate construction. These are mostly small diameter pines that are in poor or fair conditions tightly spaced and drastically reduced in height. The trees in the upslope area where construction is proposed on the lot appear to be the best candidates for removal because they weak from competition for light and nutrients are severely pruned and are poor structured trees.

The project proposes that the driveway entrance be located from an access lane to the north. Entrance to the property and the driveway will require the removal of 41 Monterey Pines. The building footprint has nine pines and also will need to be removed. Although these trees are green in appearance, they are poor specimens for retention and if retained have limited time for survival due to poor branch structure and limited foliage production. Two cypresses and an additional pine will be needed to be removed to install the dispersal trench as located.

Tree removal is unavoidable for any development on this lot. Alternate building siting would require building on a steeper slope thus removing more trees. The building footprint, as presented, attempts to take advantage of an opening in the forest canopy to reduce the profile of the home on the hillside. Moving the building any further south and southeast will make the house look larger. Shifting the building to the west would require larger healthier trees to be removed.

Conclusion:

4 (b), (c), (d): No Impact

The project would not have an 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; nor have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act; nor interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors.

4 (a), (e), (f): Less than significant with Mitigation Incorporated

However, pursuant to Section 20.147.040 Environmentally Sensitive Habitat Areas are areas that support plant species for which there is compelling evidence or rarity (e.g. those areas designated 1b (rare or endangered in California and elsewhere) or 2 (rare, threatened or endangered in California but more common elsewhere) by the California Native Plant Society. A Biological survey of the Davis Property was prepared by Ed Mercurio, Biological Consultant on April 14, 2013. The Biological Report confirmed that two sensitive species were observed on the Davis property. They are Monterey Pine and the Pine Rose.

- Monterey Pine. This tree is on California Native Plant Society's list 1B, which includes plants rare, threatened and endangered in California and elsewhere. It is specifically designed as 1B.1 which includes plants that are seriously endangered. This designation pertains to natural stands of this tree. This is the dominant tree on the property.
- Pine Rose. This small rose is also on California Native Plant Society's list 1B. It is specifically designated as 1B.2 which includes plants that are fairly endangered. This plant was found to be fairly abundant in five areas from the center of the property down to near Los Altos Way and in one area in the central-eastern area of the property.

Current plans indicate that 48 Monterey Pine trees will need to be removed to accommodate the proposed development. Two Monterey Cypressess will also need to be removed. A recent change was made in the position of the garage on the site plan to save 3 of the 6 Monterey Pines over 12 inches in diameter that were previously proposed to be removed. The Biological Report agrees with the Forestry report that most of the trees to be removed are crowded Monterey Pines of poor to fair condition and that the position of the proposed structure would retain the most healthy Monterey pines on the property. Approximately 30 percent of the Pine roses on the parcel are located within or near the development footprint and will be removed. They will be transplanted to suitable areas in the proposed area of a conservation easement.

Replacement of removed trees is a requirement of the Del Monte Forest Land Use Plan. Due to the density of young Monterey pines currently growing on the property, the forestry report does not recommend 1:1 replacement. It recommends that existing Monterey Pine seedlings outside of the developed area be protected and, if replanting is necessary, 10 Monterey pines can be planted to replace the 50 trees removed. The Biological Report concurs. It suggests obtaining Monterey pines from local stock that is genetically resistant to pine pitch canker. This will help start the establishment of a pine pitch canker resistant forest on the property. The following mitigation measures are required to reduce the biological impacts to less than significant.

Mitigation Measure #1:

A qualified biologist shall meet with the construction crew foreman and applicant at the project site prior to construction and determine if trees are to be removed or trimmed from April through

August. If so, a preconstruction survey for the presence of breeding birds and other wildlife that could potentially be impacted, shall be conducted within ten days of the start of the work. Should a preconstruction survey be required, a copy of the survey shall be provided to the County of Monterey, RMA-Planning Department.

An agreement between the Contractor and the Applicant shall be signed stating that the contractor received and fully read and understood the Biological Survey Report, prepared by Ed Mercurio, Biological Consultant, dated April 14, 2013. A note shall be put on the construction plans requiring that all recommendations of the report shall be adhered to during construction.

Monitoring Action #1:

a) A copy of the signed agreement and if necessary, the preconstruction survey, shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

b) Copy of construction plans shall be submitted to the RMA – Planning Department that shows all recommendations of the biological report are required be adhered to during construction.

On-going Monitoring Action:

The text of the mitigation measures within the Biological Report shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #2:

Prior to construction activities, the project proponent shall retain a qualified biologist. The contract will include language demonstrating that a qualified biologist shall be retained to be on-site during initial removal of the Pine rose plants to fulfill the requirements of the biological mitigation measures required of this project, such as transplanting the Pine rose plants to the area west of the proposed dwelling around which most of the Pine roses outside of the development area are currently growing.

Monitoring Action #2:

A copy of a signed agreement between a qualified biologist and the applicant stating that “the biologist will be retained to be on-site during initial removal of the Pine rose plants to fulfill the requirements of the biological mitigation measures required of this project, such as transplanting the Pine rose plants to the area west of the proposed dwelling around which most of the Pine roses outside of the development area are currently growing shall be submitted to RMA-Planning Department for review and approval prior to issuance of any grading/building permits.

On-going Monitoring Action:

The text of the mitigation measures shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #3:

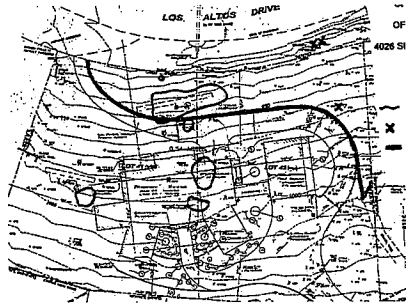
Prior to construction activities, a Conservation Easement of approximately 6,725 square feet to the west and northwest side of the proposed dwelling will be dedicated as a conservation easement or scenic easement (see map below). This will insure that this area remains in a natural state. This area includes most of the Pine roses not impacted by the project, includes the area of Pine roses transplanted from the area of proposed development and includes the three shaggy-barked manzanitas observed on the property. All native plants in this area will be preserved and invasive, non-native plants removed.

Monitoring Action #3:

A copy of a draft conservation and Scenic Easement Deed along with the proposed map shall be submitted to the RMA-Planning Department for review and approval prior to issuance of grading/building permits.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.



Mitigation Measure #4:

The following monitoring inspections shall be completed once construction has commenced:

- 1) Once within two weeks of the start of construction, breeding birds and legless lizards will be searched for from the preconstruction survey, if prepared.
- 2) Once within three months following completion of development, a monitoring inspection will be done for the transplanting of the Pine rose plants.
- 3) Once per year for the following three years, a follow up inspection will be monitored in the spring season.

Monitoring Action #4:

These monitoring inspections will be done by a qualified biologist and will monitor the quality for implementation of the mitigations. A report on each inspection shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

Mitigation Measure #5:

All healthy native trees and shrubs on the property will be protected from all impacts that may occur before, during and after construction as directed in the forestry report. This includes protection from direct damage to the branches and roots of the plants, deposition of removal of soil around the plants and compaction of soil around the plant through vehicle tires. The plants should be flagged, if necessary, during the installation of the home and driveway to make their locations obvious. Landscaping, revegetation and other plantings on the property, other than for garden and lawn areas near the home, will be composed of native plants of local origin. A native seed mix from stock of local origin shall be used to restore impacted native understory and ground cover as well as for erosion control. Invasive exotic plants shall be removed from the property.

Monitoring Action #5:

A conceptual landscape plan shall be submitted showing protection from all impacts that may occur before, during and after construction as directed in the forestry report of existing remaining trees, and proposed landscaping as recommended by the Biological report. A conceptual landscaping plan shall be submitted to the RMA- Planning Department for review and approval.

Additional on-going Monitoring Action:

The text of the mitigation measure shall be posted and maintained at the project site for the duration of construction.

5. CULTURAL RESOURCES		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<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? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

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? (Source:) 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? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1,2 ,3 ,6 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Chapter 18A of the 2007 California Building Code, creating substantial risks to life or property? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

7. GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (Source: 1, 2, 3, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Mitigation:

Greenhouse gases (GHG) are emitted by natural processes and human activities such as electricity production, motor vehicle use, and agricultural uses. It has been found that elevation of GHGs has led to a trend of unnatural warming of the earth's climate, otherwise known as the "greenhouse effect". In order to reduce the statewide level of GHG emissions, the State Legislature adopted California Assembly Bill 32 (AB 32) California Global Warming Solutions Act of 2006. AB 32 established a comprehensive statewide program of regulatory and market mechanisms to achieve reductions in GHG emissions, thereby reducing the State's vulnerability to global climate change (GCC). Pursuant to Senate Bill 97 (SB 97), the Governor's Office of Planning and Research (OPR) issued interim guidance for addressing climate change through CEQA and recommends that each agency develop and approach to address GHG emissions based on the best available information. At this time, the County of Monterey and the Monterey Bay Unified Air Pollution Control District (agency responsible for regulating air quality in the region) have not identified a significance threshold for GHG emissions. There will be GHG emissions associated with the use and transport of construction materials to and from the project site. However, quantifying the emissions has a level of uncertainty. Therefore, in lieu of State guidance or locally adopted thresholds, a primarily qualitative approach will be used to evaluate possible impacts for the proposed project.

7(a) and (b). Conclusion: Less than Significant.

Although the proposed project will create a temporary impact to air quality caused by construction activities, such as the removal of 51 trees, the result of the project will not increase the baseline amount of GHGs emitted prior to the project to a level of significance. The temporary impacts of tree removal and construction of the single family dwelling will not permanently create a greater amount of vehicle trips nor will it cause an increase in the emission of carbon dioxide (CO₂) by fuel combustion.

8. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<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? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

9. 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? (Source: 1, 2, 3, 6)	<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)? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 <u>erosion or siltation</u> on- or off-site? (Source: 1, 2, 3, 6)	<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 <u>flooding</u> on- or off-site? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

9. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

10. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1, 2, 3, 4, 5, 6, 8, 10)	<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? (Source: 1, 2, 3, 4, 5, 6, 8, 10)	<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? (Source: 1, 2, 3, 4, 5, 6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

11. MINERAL RESOURCES

Would the project:	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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

12. NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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? (Source: 1, 2, 3,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

13. POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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)? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

14. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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? (Source: 1,2 ,3 ,6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

15. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

16. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with the goals, objectives, and policies of the 2010 Regional Transportation Plan for Monterey County, including, but not limited to level of service standards and travel demand measures, or other standards established by the Transportation Agency for Monterey County (TAMC) for designated roads or highways? (Source:1, 2, 3, 6)	<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 result in substantial safety risks? (Source:1, 2, 3, 6)	<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)? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

17. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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? (Source: 1, 2, 3, 6)	<input 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? (Source: 1, 2, 3, 6)	<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? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

See Section IV

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? (Source: 1, 2, 3, 6, 8, 10)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? (Source: 1, 2, 3, 6, 8, 10) ("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)? (Source: 1, 2, 3, 6, 8, 10)	<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? (Source: 1, 2, 3, 6, 8, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Mitigation:

(a) Less Than Significant With Mitigation Incorporated

Based upon the analysis throughout this Initial Study, the project does not have the potential to degrade the quality of the environment, 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. The specific work described in the project application will not result in a reasonably foreseeable direct or indirect impact to the habitat of a fish or wildlife species. A Biological report was prepared for the construction of a single family dwelling and confirmed there were biological resources that could reduce the number of a plant community located on the property. However, with mitigation measures the impacts will be reduced to less than significant.

(b), (c) No Impact.

The project would not result in significant construction-related impacts, and would not create any long-term impacts on the local area. The temporary and short-term environmental effects from project-related construction activities would not cause substantial adverse effects on human

beings, either directly or indirectly. Therefore, there will be no cumulative effects from this project or any projects currently in the area.

Note: Authority cited: Sections 21083 and 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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.

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

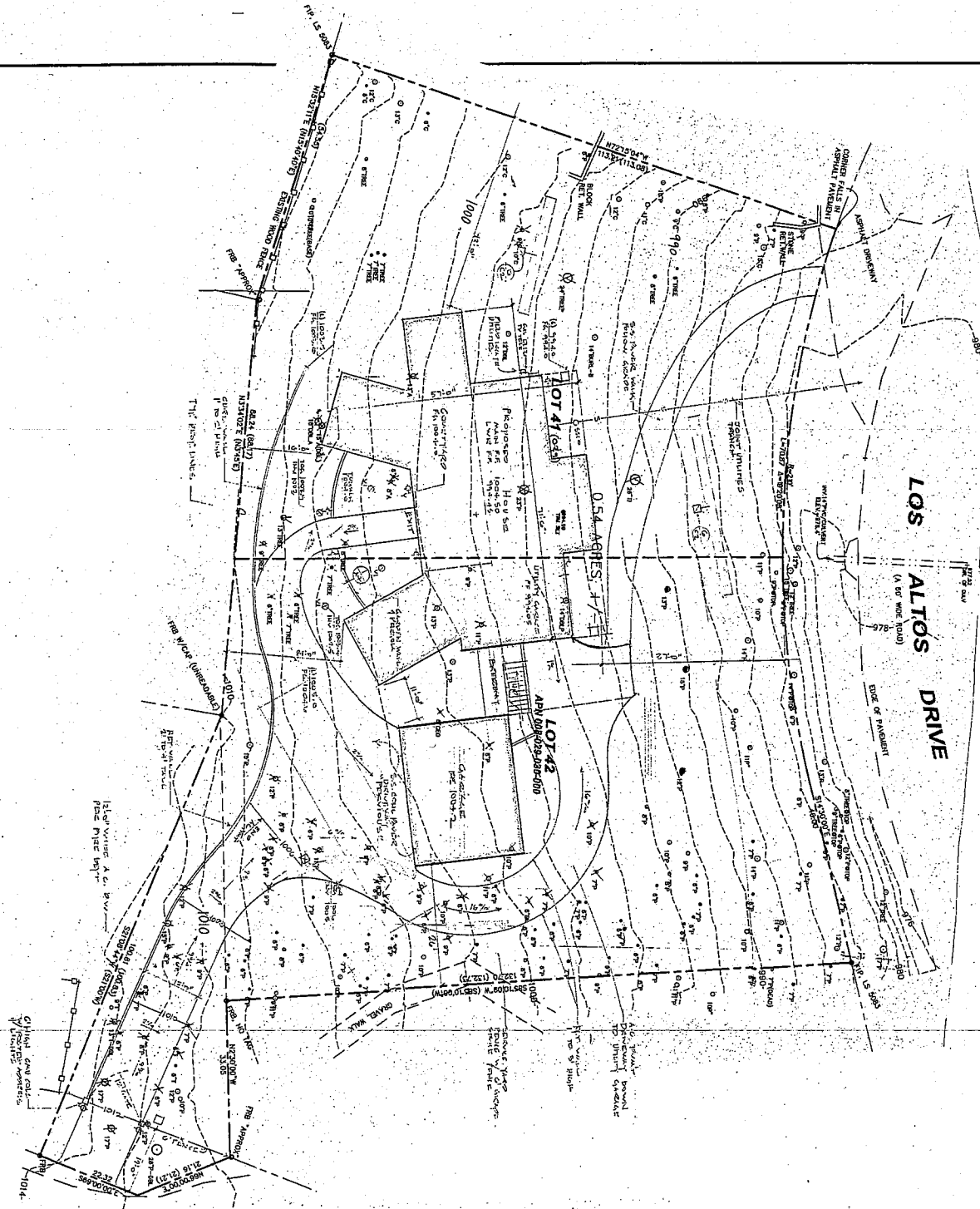
Evidence: Based on the record as a whole as embodied in the Planning Department files pertaining to PLN120701 and the attached Initial Study / Proposed Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application/Plans
2. Monterey County 1982 General Plan
3. Del Monte Forest Land Use Plan and Coastal Implementation Plan, Part 5
4. Title 20 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised February 2008
6. Site Visits conducted by the project planner on November 16, 2012 and April 10, 2013
7. Preliminary Cultural Resources Reconnaissance (LIB130023) prepared by Susan Morley, Marina CA, August, 2012.
8. Tree Assessment/Forest Management Plan (LIB130024) prepared by Frank Ono, Urban Forester, Pacific Grove, CA, January, 2013.
9. Geotechnical Engineering Report (LIB130025) prepared by Earth Systems Pacific, Salinas, CA, October, 2012.
10. Biological Survey of the Davis Property (LIB130176) prepared by Ed Mercurio, Biological Consultant, Salinas, CA, April, 2013.

Attachments: Site Plan

S I T E P L A N



LOS ALTOS DRIVE
(1/4" = 100' PLAN)

DATE: FEBRUARY 11, 1993
GEN. PLAN LANE USE PER: DUE NORTH ROAD
ZONING USE: MUE-1-0/102
INVESTMENT: CONVEY TO STREET
A.C. DRIVEWAY: TO UNIT 42
TOTAL:
WATER CO.: CAP AN WATER
SEWER: P.B. CO. W. SERVICE STATION
LOT 41, 42, BLOCK 204, DWF

FLOOR AREA RATIO

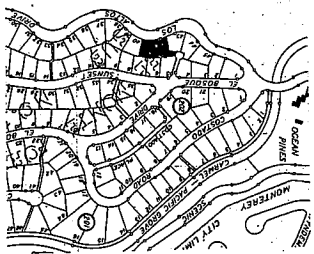
HOUSE - MAIN FLOOR	2,000 S.F.
LOWER FLOOR - BASEMENT	1,137 S.F.
GARAGE - TWO CAR ATTACHED	720 S.F.
TOTAL FLOOR AREA	4,857 S.F.
LOT AREA	2,538 S.F. = 18%

BUILDING SITE COVERAGE

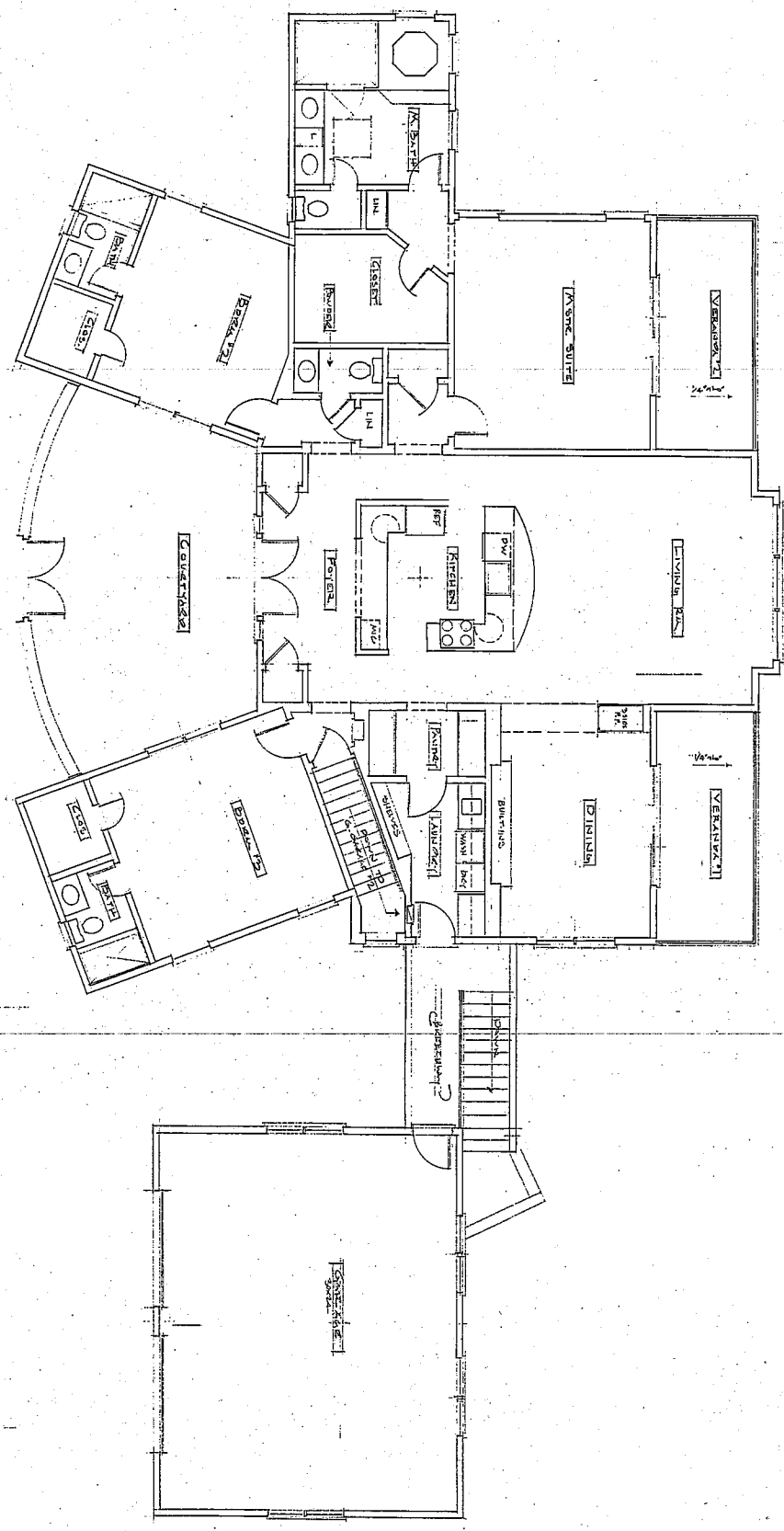
HOUSE	2,000 S.F.
GARAGE - TWO CAR ATTACHED	1,048 S.F.
VERANDAS	288 S.F.
TOTAL BUILDING COVERAGE	3,336 S.F. = 13%

OWNERS INFORMATION
 BRIAN & DOBRILL DAVIS
 281 LAUREL, WILSON, CA 94093
 PHOENIX DRIVE, CA 94033

- NOTES**
- SEE NOTES FOR REGIONAL CONTROL AND ZONING PLAN
 - EXISTING TREES TO REMAIN
 - FILL 25% TDS - ESTIMATED
 - DEMOTES TREES TO BE REMOVED
 - DEMOTES PROPOSED CONTOURS
 - DEMOTES EXTENSION LIGHTS



MAIN FLOOR



DATE	11-14-07
JOB	51-2011
SCALE	AS SHOWN
BY	AS

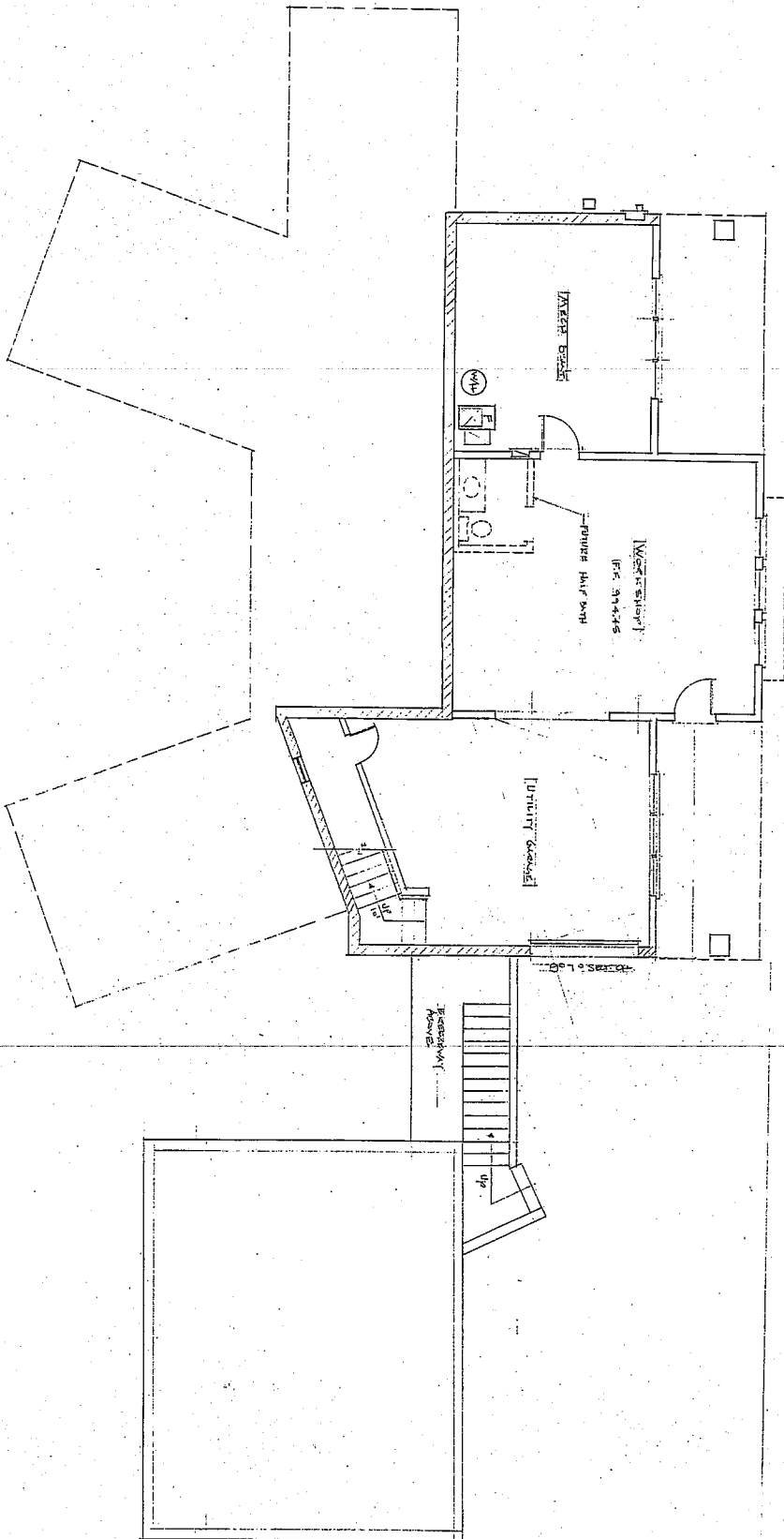
DAVIS RESIDENCE
 4026 SUNSET LANE
 PEBBLE BEACH, CALIFORNIA
 APN: 008-112-029, 030 PH: 831 915-3247

BUILDING DESIGN & CONSULTING
draftfact
 2150 GARDEN RD., SUITE 103 / MONTEREY, CA 95040 / (831) 646-6066 / FAX 646-6788

NO.	DESCRIPTION	DATE
1	12-12-12	
2	12-29-12	
3	9-4-13	
4	4-17-19	

LOWER FLOOR BASEMENT

1/4" = 1'-0"



DAVIS RESIDENCE
 4026 SUNSET LANE
 PEBBLE BEACH, CALIFORNIA
 APN: 008-112-029, 030 PH: 831 915-3247

BUILDING DESIGN
 & CONSULTING
draftfact

2150 GARDEN RD., SUITE 101 / MONTEREY, CA 95040 / (831) 646-6986 / FAX 646-6986

REVISIONS BY

12/21/12 V7

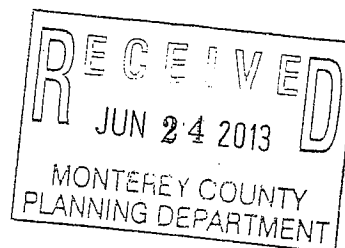
9-21-12 D

4-11-12 B

DATE	12/21/12
BY	V7
CHKD	D
APP'D	B
DATE	
BY	
CHKD	
APP'D	
DATE	
BY	
CHKD	
APP'D	

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
PHONE: (831) 427-4863
FAX: (831) 427-4877
WEB: WWW.COASTAL.CA.GOV



June 21, 2013

County of Monterey
Monterey County Planning Commission
Attn: Liz Gonzales
168 Alisal Street, 2nd Floor
Salinas, CA 93901

Subject: Comments on the Mitigated Negative Declaration and Initial Study for the Davis Lot Line Adjustment and Single-Family Home Construction

Dear Ms. Gonzales:

Coastal Commission staff has reviewed the above mentioned documents. The proposed project would merge two existing lots and construct a 3,636 square-foot single-family dwelling on the resulting lot. The development would include the removal of 51 Monterey pine trees and 2 Monterey cypress trees. We have the following comments:

It is not clear from the information contained in the documents listed above whether or not the applicant considered alternative driveway access to the proposed single-family dwelling from Los Altos Drive. From the project plans, there appears to be a larger area of open space on the southwest corner of the property that could be used to access the single-family dwelling as an alternative to the proposed access from Sunset Lane. This potential alternative for the driveway and access to the residence would avoid removal of Monterey pines on the northeast end of the property and reduce the overall tree removal on the property. Del Monte Forest Local Coastal Plan (LCP) Forest Resource Policy 35 requires that, "Development, including driveways and parking areas, shall be sited and designed to minimize removal of trees..." Therefore, without an alternatives analysis for the driveway configuration, it is unclear whether this development minimizes removal of trees on the property. In addition, due to constraints on the property, the project would only replace 10 trees lost by the development as outlined in the Forest Management Plan. The Del Monte Forest Coastal Implementation Plan regulation 20.147.050 (C)(6) requires mitigation for the removal of native trees in the form of replanting or forest preservation on- or off- site at a ratio of 1:1. Therefore, due to the property constraints, the project would need to provide forest preservation or replanting of native Monterey pines and Monterey cypress trees at an off-site location, consistent with the LCP.

Since the Huckleberry Hill Natural Habitat Area east of the property consists of protected, continuous stands of native Monterey Pine forest, we agree with the mitigation measure outlined in the Mitigated Negative Declaration, which would set aside a 6,725 square-foot conservation easement on the west and northwest sides of the proposed dwelling. This easement would protect sensitive plant species on the property, including Monterey pine and pine roses, and offer a more continuous forest area in close proximity to the Huckleberry Hill Natural Habitat Area.

Comments on the Mitigated Negative Declaration and Initial Study for the Davis Lot Line Adjustment and Single-Family Home Construction

Page 2

Thank you for the opportunity to comment on the above referenced Mitigated Negative Declaration and Initial Study. I hope these comments are helpful in providing guidance and input for the Davis lot line adjustment and single-family home construction project. Please do not hesitate to contact me at the email or phone number below if you have any questions.

Sincerely,



Jeannine Manna

Coastal Planner

Central Coast District Office

Jeannine.Manna@coastal.ca.gov

(415) 904-5250