

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> December 13, 2006. Time: 10:30 AM	<b>Agenda Item No.:</b> 6
<b>Project Description:</b> Combined Development permit consisting of: a use permit and design approval to allow a 13,753 square foot expansion to an existing 6,732 square foot two-story church (ZA03122/ZA03444) including grading (approximately 1,800 cubic yards cut/260 cubic yards fill), and a use permit to allow tree removal of seven (7) protected coast live oaks; 85 non-protected Monterey pines will also be removed.	
<b>Project Location:</b> 490 Aguajito Road, Carmel	<b>APN:</b> 008-141-002-000
<b>Planning File Number:</b> PLN030086	<b>Name:</b> Unitarian Universalist Church of the Monterey Peninsula, Sarah Hardgrave
<b>Plan Area:</b> Greater Monterey Peninsula Area	<b>Flagged and staked:</b> Yes
<b>Zoning Designation:</b> : ( "RDR/1.5-UR-D-S" [Rural Density Residential, 1.5 acres per unit, Urban Reserve, with Design Control, and Site Plan Review Overlays])	
<b>CEQA Action:</b> Mitigated Negative Declaration	
<b>Department:</b> RMA - Planning Department	

### RECOMMENDATION:

Staff recommends that the Planning Commission:

1. Adopt the Mitigated Negative Declaration (**Exhibit F**), and
2. Approve the Combined Development Permit based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

### PROJECT OVERVIEW:

The project includes a 13,753 square foot expansion to an existing 6,732 square foot two-story wooden church. The expansion is designed to meet the needs of a growing congregation and to allow the church to continue to offer ongoing community programming. Project elements include a 9,678 square foot addition to the main floor and a 4,075 square foot addition to the lower floor. Modifications to the space include a meeting hall (350 seats), conference room, classrooms, offices, entryway, elevator, decks, and internal remodeling. These modifications will occur in two phases. Phase 1 consists of adding 12,043 feet to the west side of the existing building. This two-story addition includes the meeting hall, accessory rooms, offices, storage, and bathrooms. Phase 2 entails adding 1,710 square feet on the east side of the building. This one-story addition will be two-hexagonal shaped rooms for conference and classroom use. Improvements will also extend the existing driveway and increase the number of parking spaces from 98 to 146. Implementation of the project will require the removal of 92 trees; seven (7) protected coast live oaks and 85 Monterey pines trees. Tree removal, and driveway and parking improvements will also occur during Phase 1 of the project. No development is proposed on slopes greater than 30%.

An Initial Study and Mitigated Negative Declaration were circulated for the project from November 6, 2006 to December 5, 2006. Potential project related impacts include; biological resources, geology and soils, and traffic and transportation. Although considered potentially significant, Staff has determined that implementation of the proposed mitigation measures will reduce these impacts to a less than significant level.

**OTHER AGENCY INVOLVEMENT:**

- ✓ Carmel Highlands Fire Protection District
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Monterey County Sheriff
- ✓ City of Monterey
- ✓ California Department of Transportation (Caltrans)
- ✓ Transportation Agency for Monterey County (TAMC)

The above checked agencies and departments have reviewed this project. Conditions recommended by RMA- Planning Department, Environmental Health Division, Water Resources Agency, Public Works Department, and the Monterey County Sheriff have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The Greater Monterey Peninsula Land Use Advisory Committee (LUAC) voted (2-1) to deny the project on May 19, 2004. Concerns include: parking along Aguajito Road, generation of traffic, the addition is too large, the use of the church as a community center, and the amount of tree removal.

Note: The decision on this project is appealable to the Board of Supervisors per Section 21.80.050 of the Monterey County Zoning Ordinance (Title 21).

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November 20, 2006

cc: Planning Commission Members (10); County Counsel; Carmel Highlands Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Monterey County Sheriff; California Department of Transportation (Caltrans); Transportation Agency for Monterey County (TAMC); City of Monterey; Bob Schubert, Acting Planning Manager; Carl Holm, Acting Planning Manager; Shandell Frank; Carol Allen; Sarah Hardgrave; Charles Bates; File PLN030086.

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Project Overview
	Exhibit C	Recommended Findings and Evidence
	Exhibit D	Recommended Conditions of Approval
	Exhibit E	Site Plan, Floor Plan and Elevations
	Exhibit F	Mitigated Negative Declaration

This report was reviewed by Bob Schubert, Acting Planning Manager

## **EXHIBIT B**

### **Project Overview**

#### **A. Background:**

The Unitarian Universalist Church of the Monterey Peninsula (UUCMP) has been operating on the subject property since 1979 when permits (ZA03122/ZA03444) were granted allowing the use and construction of the church. The church was remodeled in 1991 in order to provide space for children's religious education classes. Current membership in the church has increased to approximately 300 people and the church expects to add 200 additional members over the next five years. Located on the north side of Aguajito Road, east of Highway 1, within the Greater Monterey Peninsula Area, members come from throughout the greater Monterey area, but membership is primarily drawn from the nearby communities of Monterey, Pacific Grove, and Carmel/Carmel Valley.

#### **Facilities**

The existing 6,732 square foot facility is comprised of two internally connected wooden hexagonal buildings, containing a Sanctuary, kitchen, classrooms, bathrooms, storage, and a permitted caretaker's quarters. The Sanctuary currently accommodates 120 people during Sunday services. However, as average attendance has grown to approximately 175 people, two services are held each Sunday morning. There are 98 existing parking spaces and 2 additional spaces identified for persons with disabilities. The expansion is proposed in order to accommodate existing and future church membership and to provide members the opportunity to participate in additional educational, physical, and spiritual activities. Table 1 below identifies the Church's total existing and proposed square footage. Total building site coverage will increase from 4,085sq.ft. to 13,763sq.ft. occupying approximately 6.2% of the total parcel.

<b>Table 1</b>	
<b>Existing and Proposed Square Footage</b>	
Main Level Existing	4,085 sq. ft.
Lower Level Existing	2,647 sq. ft.
<b>Total Existing</b>	<b>6,732 sq. ft.</b>
Main Level Addition	
(West Side)	7,968 sq. ft.
(East Side)	1,710 sq. ft.
Lower Level Addition (West Side)	4,075 sq. ft.
<b>Total Addition</b>	<b>13,753 sq. ft.</b>
<b>Existing and Addition</b>	<b>20,485 sq. ft.</b>

#### **Staffing**

Only one employee (Church Administrator) keeps regular weekday working hours. Hours for other employees or volunteers vary, but generally avoid peak hour traffic times. An increase in staffing is not proposed at this time.

Currently, staffing consists of:

- 1 Church Administrator Full-time employee, working M-F (9 am -5 pm)
- 1 Senior Minister Full-time employee, variable days/hours
- 1 Director of Religious Programming Full-time employee, variable days/hours
- 1 Church Sexton Three-quarter-time employee (caretaker living on-site)
- 1 Music Director Half-time employee, variable days/hours
- 1 Intern Minister Part-time, variable days/hours
- 1 Office Assistant Sundays Only
- Child Care Workers Sundays Only
- Volunteers Variable days/hours (2-10 per day; 10-20 per week)

### **Activities**

Classrooms and meeting rooms are used by groups during the day and evening throughout the week. Activities include religious worship, spiritual and church-related meetings, educational and social events, self-improvement workshops, exercise programs, music classes, concerts, and community functions. Groups range in size from 5 to 50 people. Special events such as weddings, memorial services, and concerts are occasionally held and attract a larger attendance. Attendance at the two Sunday worship services ranges between 100 and 160 people total. Activities during weekdays and weekends generally begin around nine or ten o'clock in the morning and end by nine o'clock in the evening. Occasionally, activities begin earlier or end later. Once a month for the past 11 years, the church has participated with other area churches in an overnight shelter program (IHELP) and hosted a group of 15-20 men for an evening meal and overnight shelter. The group is transported and supervised at all times and departs the church by 6 a.m.

### **B. Project Description:**

Since completion of construction, the building has served as a church and a community meeting place. Today, membership is approaching 300, with an average Sunday service attendance of 138. There is an existing 6,732 square foot, 2-story, building and the applicant proposes a two-phased expansion:

Phase 1: consists of adding 12,043 square feet to the west side of the existing building. This 2-story addition features a large new meeting hall capable of accommodating up to 350 people, accessory rooms, offices, storage, and bathrooms.

Phase 2: entails adding 1,710 square feet on the east side. This 1-story addition would be two hexagonal-shaped rooms for conference and classroom use.

Driveway areas are all paved, but both existing and proposed parking spaces would remain unpaved. Proposed modifications will reconfigure the lower parking area and driveway to allow for additional parking. Tandem parking is proposed in the lower parking area in an effort to maximize parking while reducing earthwork and tree removal. Out of the 587 trees inventoried, a total of 92 trees will be removed due to implementation of the project; seven (7) protected coast live oaks and 85 Monterey pines. Parking improvements, and tree removal would occur during Phase 1. A temporary parking plan has been included with the application materials to accommodate members during construction and to ensure that there will be no fewer than 98 parking spaces available at any one time.

## C. Project Analysis:

### Development Standards

The project is consistent with the applicable RDR zoning district development standards; including the following:

**Setbacks** Main structures require a minimum 30 feet (front), 20 feet (side), and 20 feet (rear). The proposed structure is approximately 149 feet (front), 74 feet (side), and 108 feet (rear).

**Height** Allowed height measured from the average natural grade for a main structure is 30 feet and 15 feet for accessory structures. At its highest point, the structure measures 30 feet. As a required condition of approval maximum height will be field verified.

**Building Site Coverage** Maximum coverage allowed with the RDR District is 25%. Although the proposed project will increase site coverage from 4,085 square feet to 13,763 square feet, total coverage will be approximately 6.3%, well within the 25% allowed.

**Parking** Requirements are determined by Section 21.58 of the Monterey County Zoning Ordinance and correspond to the intended use. Required parking for a church use is designated as one (1) space for every four (4) seats. Upon completion of the project the sanctuary will accommodate 350 seats; therefore, approximately 88 parking spaces are required. The project proposes a total of 146 parking spaces, well above the minimum.

The project is further consistent with the following regulations from the Monterey County Zoning Ordinance (Title 21) and policies of the Greater Monterey Peninsula Area Plan (GMPAP):

**21.64.260 Preservation of Oak and other Protected Trees** Removal of more than three protected trees on a lot in a one-year period shall require a Forest Management Plan and approval of a Use Permit by the Monterey County Planning Commission. The proposed project includes an application for a Use Permit to allow the removal of seven (7) protected coast live oaks. In accordance with Title 21 and the mitigation measures listed in the Forest Management Plan, the oak trees are not considered landmark, and will be replaced onsite on a one-to-one ratio. Although the project includes the removal of 85 Monterey pine trees, these trees are not considered environmentally sensitive habitat within the Greater Monterey Peninsula Area Plan. However, Monterey pine trees are among the California Native Plant Society's (CNPS) List 1B; plants considered rare and endangered and are recognized by the California Department of Fish and Game (CDFG) as a rare plant community. Therefore, mitigation measures have been incorporated to address tree removal, tree replacement, and the protection of trees and habitat to be retained on-site. As discussed in the Forest Management Plan, tree replacement of removed pines on a one-to-one basis would be detrimental to the health of the remaining habitat. Therefore, pine replacement is set at 40 trees grown from diverse local seed.

**21.44 Design District** The purpose of the Design District is to regulate the location, size, configuration, and colors of structures and fences where appropriate to assure the protection of the public viewshed, and neighborhood character. Although the proposed project increases the development on the parcel, the addition is located in a disturbed area and matches the existing building. The natural material and earthtone colors are suitable for the site. Asphalt paving is limited to the driveways with the parking spaces unpaved to preserve the natural character. The structure, which at its closest point is 140 feet from

the front property line, maintains a large front setback. Because the parcel is heavily forested, to ensure the health and longevity of the remaining trees, a standard condition of approval will require retained trees to be protected from damage due to construction activities. An additional standard condition of approval will require the submittal of a detailed landscaping plan to provide for additional screening of the structure, solar panels and parking areas.

**Visual Sensitivity** Although the existing and proposed development is briefly visible from the Highway 1/Highway 68 interchange, based on staff site visits the project is not visible from any portion of the scenic roadway. Policy 40.2.4 of the GMPAP clarifies that “due to map scale, coding an area as visually ‘sensitive’ or ‘highly sensitive’ does not necessarily mean that all of that area is visible from the scenic route.” Because it is not visible from the roadway, the project is not subject to any scenic highway policies. The proposed project does not affect any ridgeline views and does not impact any scenic views.

**Transportation** As identified in the Initial Study and Mitigated Negative Declaration, the project will add critical trips to the Highway 1/Highway 68 intersection during both the weekday PM peak and Sunday peak hours. The project will further contribute additional trips to segments of Highway 68 west of Highway 1 and Highway 1, south of Carpenter already operating below an acceptable level of service (LOS). The project is therefore required to contribute to the Transportation Agency for Monterey County (TAMC) regional fee program designed to implement improvements to the Highway 68/Highway 1 interchange and highway 68 at Aguajito Road.

#### **D. CEQA Determination:**

##### **Initial Study and Mitigated Negative Declaration**

The project is subject to environmental review per the California Environmental Quality Act (CEQA). Completion of an Initial Study determined that the project may cause potentially significant impacts to the following areas: biological resources, geology and soils and transportation and traffic. Therefore, a Mitigated Negative Declaration was completed and circulated for the project from November 6, 2006 to December 5, 2006. Staff has determined that all potential impacts can be mitigated to a less than significant level. One set of comments from the project representative, Sarah Hardgrave, was received prior to the staff report due date. Comments and staff responses are detailed below. Because submittal of the staff report was required by November 22, 2006, additional comments received are not reflected in the staff report itself and will be discussed at the public hearing on December 13, 2006. The Initial Study and Mitigated Negative Declaration are attached as **Exhibit F**.

*Comment: Our zoning includes and “Urban Reserve” overlay requiring formal referral to the City of Monterey for review and recommendation. Please confirm that this referral has been made.*

**Staff Response:** The project was routed to the City of Monterey in April 2004. No comments on the project were received from the City. The Mitigated Negative Declaration was also sent to the City of Monterey and staff has yet to receive any comments on the project or the environmental document.

*Comment: Biological Resources 4(d) Mitigation Measure (MM) #5 requires no tree removal except September to January to protect nesting birds. Please clarify that MM #5 applies only if nesting bird taxa are present among trees planned for removal as part of the proposed project*

*circumstances and applies only during project construction. We also want to clarify that this requirement does not apply to hazardous trees, fuel modification activities or other unusual situations that may occur during the breeding season not related to the project.*

Staff Response: Mitigation Measure #5 applies solely to nesting bird taxa identified within those trees proposed for removal. The removal of diseased, dead or hazardous trees continues to be permissible if it is proven by a certified arborist or forester that these trees pose an immediate threat.

Comment: *Transportation/Traffic 15(a-b) Mitigation #8 as written would appear to prohibit special church events that are part of normal church operations, such as weddings, memorial services, workshops, concerts, and all other such activities, except on weekends and holidays, even if they are not scheduled during PM peak traffic hours. We believe is overly broad and would unreasonably restrict the normal activities of the Church.*

Staff Response: Mitigation Measure #8 has been modified appropriately to reflect normal church activities.

**Mitigation Measure #8 (Activities/Events):** In order to avoid weekday PM peak hour impacts due to accessory church activities, these activities shall not exceed the existing conditions as identified within the traffic report prepared for the project. One time or annual special events should be limited to Saturday, Sunday or holidays. If one time special events are proposed during the weekday, these events shall be scheduled to avoid arrivals or departures during the PM peak hour.

Comment: *Transportation/Traffic 15(d) Mitigation #9 We have identified that it would be preferable to relocate the mailbox to the west side of the driveway to eliminate this line of sight obstruction. Vegetation removal to improve the visibility of on-coming vehicles from Aguajito to the east has already been implemented.*

Staff Response: Line of site improvements are included as Mitigation Measure #9.

**Transportation/Traffic 15(f)** – *We believe the parking requirement should be one parking space per four seats, not the other way around as written in the IS.*

Staff Response: In accordance with Section 21.58 of the Monterey County Zoning Ordinance, the proposed church use requires one parking space per every four seats. A revised Initial Study reflecting this correction will be presented at the Planning Commission meeting.

#### **E. Neighborhood Concerns:**

The project as proposed is not without controversy. From 2004 to the present, Staff has received a number of letters from the Aguajito Property Owners Association outlining their concerns with the project. These letters are contained in file PLN030086 for further review. Primary issues discussed include the following:

- Generation of unacceptable levels of traffic;
- Parking along Aguajito Road;
- Increased number of activities and events within a residential zone;
- Size of the expansion is too large;
- Implementation of the project should require an EIR;
- The number of trees proposed for removal is too great, and

- Participation in the IHELP program raises significant safety issues for surrounding homeowners.

Staff evaluated the project in response to these concerns. As indicated under project analysis above, the project as proposed meets all site development standards and is consistent with the policies and regulations as contained within the Greater Monterey Peninsula Area Plan (GMPAP). Tree removal has been minimized and represents the least amount required to implement the project. Significant design changes were made to the original submittal decreasing the removal amount by 50%. While the church does participate in a number of community activities, as a mitigation measure, those activities will not be allowed to increase in number or class size during either the PM peak hour or the Sunday peak hour. Participation in the IHELP program provides shelter for one night, once a month to homeless men. Approximately 30 other churches in the community participate in the program. In response to a code enforcement inquiry, Management Staff concluded that the nature and scale of the use is consistent with accessory and incidental use of a church and is not a violation of Monterey County Codes. This use is therefore allowed to continue. Possibly the greatest concern includes the generation of additional traffic. As such the following documents were prepared to provide a detailed analysis of the existing and proposed traffic conditions:

- Traffic Analysis by Dowling Associates, Inc (July 31, 2003).
- Peer reviews of July 2003 Dowling report by Higgins and Associates (August 4, 2004 and November 3, 2004). *Performed on behalf of the Aguajito Property Owner's Association.*
- Supplemental Traffic Management Plan by Dowling Associates, Inc (October 2005).
- Detailed response letter by Dowling Associates, Inc (November 28, 2005).
- Traffic Study by Dowling Associates, Inc (August 31, 2006).

The above mentioned reports and peer reviews were evaluated by the California Department of Transportation (Caltrans), the Transportation Agency for Monterey County (TAMC) and the Monterey County Public Works Department. All entities determined that the project as mitigated will not cause significant traffic or transportation related impacts. Staff concurs with this analysis. Finally, there is no evidence in the record as a whole to support the "Fair Argument" standard under the California Environmental Quality Act (CEQA) that the project as designed shall require an EIR.



## **EXHIBIT C**

### **RECOMMENDED FINDINGS AND EVIDENCE**

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, the Greater Monterey Peninsula Area Plan, the Greater Monterey Peninsula Area Plan Inventory and Analysis, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

- EVIDENCE:** (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- (b) The property is located at 490 Aguajito Road, Carmel (Assessor's Parcel Number 008-141-002-000), Greater Monterey Peninsula Area Plan. The parcel is zoned Rural Density Residential, 5.1 acres per unit, Urban Reserve, with Design District and Site Plan review overlays ("RDR/5.1-UR-D-S"). The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
- (c) The project planner conducted site inspections on January 26, 2006 and October 10, 2006 to verify that the project on the subject parcel conforms to the plans listed above.
- (d) The project is not visible from the Highway 1 or Highway 68 travel lanes, and therefore, does not impact the designated scenic corridor.
- (e) The Greater Monterey Peninsula Land Use Advisory Committee (LUAC) voted (2-1) to deny the project on May 19, 2004. Concerns include: parking along Aguajito Road, generation of traffic, the addition is too large, the use of the church as a community center, and the amount of tree removal.
- (f) 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 PLN030086.

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, Carmel Highlands Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency, the City of Monterey, the California Department of Transportation (Caltrans), and the Transportation Agency for Monterey County (TAMC). 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) Technical reports by outside biological, geological, forestry, and transportation consultants indicated that there are not physical or environmental constraints that would indicate that the site is not suitable for the use propose. County staff concurs. The following reports have been prepared:

“Biological Report: Unitarian Universalist Church” (LIB040064) prepared by Jeff Norman, Big Sur, Ca, March 2004.

“Geologic Report for proposed additions to an Existing Church” (LIB040065) prepared by Nielsen and Associates, Santa Cruz, Ca, April 2003.

“Forest Management Plan for APN 008-141-002-000” (LIB040068) prepared by Staub Forestry and Environmental Consulting, Felton, Ca, February 2004.

“Traffic Analysis: Unitarian Universalist Church of the Monterey Peninsula Expansion Project” (LIB040067) prepared by Dowling Associates Inc, Oakland, Ca, July 2003.

“ Unitarian Church of the Monterey Peninsula Traffic Study,” (LIB060645) prepared by Dowling Associates Inc, Oakland, Ca, July 2006.

(c) Staff conducted site inspections on January 26, 2006 and October 11, 2006 to verify that the site is suitable for this use.

(d) Materials in Project File PLN030086.

**3. FINDING: CEQA (Mitigated Negative Declaration):** - On the basis of the whole record before the Planning Commission 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) Initial Study. Staff conducted an Initial Study and subsequent Mitigated Negative Declaration pursuant to CEQA. The Initial Study identified potentially significant effects to biological resources, geology and soils, and traffic and transportation that could be mitigated to a less than significant level. The applicant has agreed to proposed mitigation measures that mitigate the effects to a point where clearly no significant effects would occur.

(b) Mitigated Negative Declaration. A Mitigated Negative Declaration was filed with the County Clerk on November 3, 2006, noticed for public review, and circulated to the State Clearinghouse from November 6 to December 5, 2006. Among the studies, data, and reports analyzed as part of the environmental determination include the following:

1. *Geologic Report for Proposed Additions to an Existing Church.* April 2003. Nielsen and Associates, Santa Cruz, CA.
2. *Geotechnical Investigation for Proposed Church Addition.* June 2003. Haro, Kasunich and Associates, Inc, Geotechnical and Coastal Engineers, Watsonville, CA.
3. *Forest Management Plan for APN 008-141-002-000.* February 2004. Staub Forestry and Environmental Consulting. Felton, CA.
4. *Biological Report: Unitarian Universalist Church, Carmel. APN 008-141-002-000.* March 7, 2004. Jeff Norman. Big Sur, CA.
5. *Traffic Analysis: Unitarian Universalist Church of the Monterey Peninsula Expansion Project.* July 31, 2003. Dowling Associates, Inc. Oakland, CA.
6. *Non-Standard Condition Traffic Management Plan for the Unitarian Universalist Church Expansion.* March 4, 2005. Dowling Associates, Oakland, CA.

7. *Supplemental Traffic Management Plan*. October 6, 2005. Dowling Associates, Inc. Oakland, CA.
8. *Supplemental Traffic Analysis*, November 28, 2005. Dowling Associates, Inc. Oakland, CA.
9. *Unitarian Church of the Monterey Peninsula traffic Study*, July 30, 2006. Dowling Associates, Inc. Oakland.
10. *Parking Plan During Church Expansion Project*, February 13, 2006. Sarah Hardgrave.
11. Personal Communication. December 9, 2004. Keith Hinrichsen, California Department of Transportation.

The County of Monterey is the custodian of these documents which are located at 168 West Alisal, Salinas, California. The Planning Commission determines that although the project could have significant impacts, mitigation can reduce these potential impacts to a level of insignificance. Therefore, a Mitigated Negative Declaration and Mitigation Monitoring reporting Plan are hereby adopted by the Planning Commission.

(c) Mitigation Monitoring Program. A Mitigation Monitoring and/or Reporting Plan has been prepared in accordance with Monterey County regulations and is designed to ensure compliance during project implementation. The applicant/owner must enter into an “Agreement to Implement a Mitigation Monitoring and/or Reporting Plan” as a condition of project approval.

(d) Comments. During the Initial Study and Mitigated Negative Declaration circulation period (November 6, 2006 to December 5, 2006), a comment letter was received from the applicants representative, Sarah Hardgrave. The comments are described within the staff report. A revised Initial Study was presented at the Planning Commission meeting to address one of the comments. Because submittal of the staff report was required by November 22, 2006, additional comments received are not reflected in the staff report itself and will be discussed at the public hearing on December 13, 2006.

(e) No adverse environmental effects were identified during staff review of the development application during site visits on January 26, 2006 or October 11, 2006.

(f) See preceding and following findings and supporting evidence.

3. **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. Zoning violation abatement costs, if any, have been paid.

**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.

4. **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) Preceding findings and supporting evidence.

5. **FINDING: TREE REMOVAL** – The project includes a Tree Removal Permit for the removal of seven (7) protected Coast Live Oak trees in accordance with the applicable policies of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21). The Required Findings in order to grant the permit for tree removal have been met.

**EVIDENCE:** (a) Section 21.64.260 of the Monterey County Zoning Ordinance states “A permit shall be required for the removal of any of these [healthy, native oak and madrone] trees with a trunk diameter in excess of six inches, measured two feet above ground level.”

(b) A Forest Management Plan (LIB040068) was completed for the project. Mitigation measures included in the plan require the replacement of oak trees at a one-to-one ratio. Acorns are to be gathered from native stock.

(c) Measures for tree protection during construction have been incorporated as conditions and include tree protection zones, trunk protection, hand excavation and bridging roots.

(d) The project has been designed and sited to minimize the amount of tree removal required. Redesign of the project from the original submittal reduced tree removal by approximately 50%.

(e) As mitigated and conditioned, tree removal will not involve a risk of adverse environmental impacts.

6. **FINDING: APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors.

**EVIDENCE:** Section 21.80.050 Monterey County Zoning Ordinance (Title 21).

**EXHIBIT D  
RMA-PLANNING DEPARTMENT  
Condition Compliance and/or Mitigation Monitoring  
Reporting Plan**

**Project Name:** Unitarian Universalist Church of the Monterey Peninsula  
**File No:** PLN030086 **APN:** 008-141-002-000  
**Approved by:** Planning Commission **Date:** December 13, 2006

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

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1		<p><b>PBD029 - SPECIFIC USES ONLY</b>            This Combined Development permit (PLN030086) includes a use permit and design approval to allow a 13,753 square foot expansion to an existing 6,732 square foot two-story church including grading (approximately 1,800 cubic yards cut/260 cubic yards fill); and a use permit to allow the removal of 7 protected coast live oaks; 85 non-protected Monterey pines will also be removed. The property is located at 490 Aguajito Road, Carmel (Assessor's Parcel Number 008-141-002-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning 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.</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>[Resource Management Agency (RMA) - Planning and Building Inspection]</b>				
2		<b>PBD025 - NOTICE-PERMIT APPROVAL</b> The applicant shall record a notice which states: "A permit ( <b>Resolution No. 030086</b> ) was approved by the Planning Commission for Assessor's Parcel Number: 008-141-002-000 on December 13, 2006. The permit was granted subject to <b>31</b> 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 RMA - Planning Department prior to issuance of building permits or commencement of the use. <b>(RMA - Planning Department)</b>	Proof of recordation of this notice shall be furnished to RMA – Planning Department.	Owner/ Applicant	Prior to issuance of grading and building permits or start of use.	
3		<b>PBD018(B) - LANDSCAPE PLAN AND MAINTENANCE (OTHER THAN SINGLE FAMILY DWELLING)</b> The site shall be landscaped. At least 60 days prior to occupancy, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA-Planning Department for approval. 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	Submit landscape plans and contractor's estimate to the RMA-Planning Department for review and approval.	Owner/ Applicant/ Contractor	At least 60 days prior to final inspection or occupancy	
			All landscaped areas and fences shall be continuously maintained by the	Owner/ Applicant	Ongoing	

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		<p>the proposed landscaping. The landscaping shall be installed and inspected prior to occupancy.</p> <p>All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. <b>(RMA-Planning Department)</b></p>	<p>applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.</p>			
4		<p><b>PBD021 – LIGHTING – EXTERIOR LIGHTING PLAN</b></p> <p>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 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. <b>(RMA – Planning Department)</b></p>	<p>Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
			<p>The lighting shall be installed and maintained in accordance with the approved plan</p>	Owner/ Applicant	Ongoing	

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5		<p><b>PBD022 - MITIGATION MONITORING PROGRAM</b></p> <p>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.</p> <p><b>(RMA-Planning Department)</b></p>	<ol style="list-style-type: none"> <li>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</li> <li>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</li> </ol>	Owner/ Applicant	Within 60 days after project approval or prior to issuance of grading and building permits, whichever occurs first.	
6		<p><b>PBD030 - STOP WORK - RESOURCES FOUND</b></p> <p>If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA-Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p> <p><b>(RMA-Planning Department)</b></p>	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA-Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	



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7		<p><b>PBD032(B) – TREE AND ROOT PROTECTION</b>  Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection shall be demonstrated prior to issuance of building permits subject to the approval of the Director of the RMA-Planning Department.  <b>(RMA-Planning Department)</b></p>	Submit evidence of tree protection to the RMA-Planning Department for review and approval.	Owner/ Applicant	Prior to Issuance of Grading and/or Building Permits	
8		<p><b>PBD012 - FISH AND GAME FEE-NEG DEC/EIR</b>  Pursuant to the State Public Resources Code, State Fish and Game Code, and California Code of Regulations, the applicant shall pay a fee, to be collected by the County, within five (5) working days of project approval. This fee shall be paid before the Notice of Determination is filed. If the fee is not paid within five (5) working days, the project shall not be operative, vested or final until the filing fees are paid.  <b>(RMA-Planning Department)</b></p>	The applicant shall submit a check, payable to the <i>County of Monterey</i> , to the Director of the RMA-Planning Department	Owner/ Applicant	Within 5 working days of project approval.	
9		<p><b>PBD034 - UTILITIES - UNDERGROUND</b>  All new utility and distribution lines shall be placed underground.  <b>(RMA-Planning Department; Public Works)</b></p>	None	Owner/ Applicant	Ongoing	

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10		<p><b>PBDSP-001</b></p> <p>The applicant shall adhere to the safety and security measures as detailed in the June 14, 2004 memo received from the Monterey County Sheriff's Department. These measures shall be met to the satisfaction of the Sheriff's Department.</p> <p><b>(RMA-Planning)</b></p>	The applicant shall have the site inspected by the Monterey County Sheriff's Department	Owner/ Applicant	Prior to Occupancy	
11		<p><b>FIRE002 - ROADWAY ENGINEERING</b></p> <p>The grade for all roads shall not exceed 15 percent. Where road grades exceed 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 length of vertical curves in roadways, exclusive of gutters, ditches and drainage structures designed to hold or divert water, shall not be less than 100 feet. No roadway turn shall have a horizontal inside radius of less than 50 feet. A roadway turn radius of 50 to 100 feet is required to have an additional 4 feet of roadway surface. A roadway turn radius of 100 to 200 feet is required to have an additional 2 feet of roadway surface. Roadway turnarounds shall be required on dead-end roads in excess of 150 feet of surface length. The minimum turning radius for a turnaround shall be 40 feet from the center line of the road. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length.</p> <p><b>(Carmel Highlands Fire Protection District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Owner/ Applicant	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire department clearance inspection for each phase of development	Owner/ Applicant	Prior to final building inspection	

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12		<p><b>FIRE011 - ADDRESSES FOR BUILDINGS</b></p> <p>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 and visible 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.</p> <p><b>(Carmel Highlands Fire Protection District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Owner/Applicant	Prior to issuance of grading permit.	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	Owner/Applicant	Prior to final inspection	

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13		<p><b>FIRE015 - FIRE HYDRANTS/FIRE VALVES</b></p> <p>A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988.</p> <p><b>(Carmel Highlands Fire Protection District)</b></p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Owner/Applicant	Prior to issuance of grading and/or building permit.	
			<p>Applicant shall schedule fire department clearance inspection.</p>	Owner/Applicant	Prior to final building inspection	
14		<p><b>FIRE021 - FIRE PROTECTION EQUIPMENT &amp; SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</b></p> <p>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</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	Owner/Applicant	Prior to issuance of building permit.	

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		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. <b>(Carmel Highlands Fire Protection District)</b>	Applicant shall schedule fire department rough sprinkler inspection.  Applicant shall schedule fire department final sprinkler inspection	Owner/ Applicant  Owner/ Applicant	Prior to framing inspection  Prior to final building inspection	
15		<b>FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL)</b> The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. <b>(Carmel Highlands Fire Protection District)</b>	Applicant shall enumerate as "Fire Dept. Notes" on plans.  Applicant shall submit fire alarm plans and obtain approval  Applicant shall schedule fire alarm system acceptance test.	Owner/ Applicant  Owner/ Applicant  Owner/ Applicant	Prior to issuance of building permit.  Prior to rough sprinkler or framing inspection  Prior to final building inspection	
16		<b>FIRE029 - ROOF CONSTRUCTION - (CYPRESS FPD &amp; PEBBLE BEACH CSD)</b> 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	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Owner/ Applicant	Prior to issuance of building permit.	

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		minimum of ICBO Class A roof construction. <b>(Carmel Highlands Fire Protection District)</b>				
17		<b>EH1 - WATER SYSTEM PERMIT</b> Obtain a new or amended water system permit from the Division of Environmental Health. <b>(Environmental Health)</b>	Submit necessary application, reports and testing results to EH for review and approval.	CA Licensed Engineer /Owner/ Applicant	Prior to issuance of grading/building permits	
18		<b>WR8 - COMPLETION CERTIFICATION</b> The applicant shall provide the Water Resources Agency certification from a registered civil engineer or licensed contractor that stormwater detention/retention facilities have been constructed in accordance with approved plans. <b>(Water Resources Agency)</b>	Submit a letter to the Water Resources Agency, prepared by a registered civil engineer or licensed contractor, certifying compliance with approved drainage plan.	Owner/ Applicant/ Engineer/ Contractor	Prior to final inspection	
19		<b>WR43 - WATER AVAILABILITY CERTIFICATION</b> The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. <b>(Water Resources Agency)</b>	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any building permits	
20		<b>WR45 - WELL INFORMATION</b> The applicant shall provide the Water Resources Agency information on the well to serve the project including a map showing the well location and any available well logs/e-logs. <b>(Water Resources Agency)</b>	Submit all applicable well information to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to issuance of any grading or building permits	

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21		<b>PW0007 – PARKING STD</b> The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of the RMA-Planning Department. <b>(Public Works)</b>	Applicant’s engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Issuance of Building/ Grading Permits	
22		<b>NO PARKING-NON STANDARD CONDITION</b> All church related parking shall be contained within the designated church parking lots. There shall be no parking along Aguajito road. <b>(Public Works)</b>	The applicant shall petition the County to implement no parking along the frontage of Aguajito Road.	Owner/ Applicant	Prior to the Issuance of Building/ Grading Permits	
23	1	<b>Mitigation Measure #1 (Biological Resources):</b> In order to minimize impacts to existing trees the applicant shall implement the following tree protection measures to be included on building and grading plans: <ol style="list-style-type: none"> <li>1. Around each tree or group of trees to be preserved next to construction areas, a boundary of protective fencing, preferably metal link, supported by wood or metal stakes shall be erected along the approximate driplines of such protected trees to define the construction project boundary and tree protection zones prior to commencement of site grading. The contractor should install protective fencing that intrudes within tree driplines only with on-site consultation and approval of a forester or qualified arborist. Demolition, excavation and construction activities and materials shall be kept within the development area.</li> <li>2. No storage of equipment or construction materials or the parking of vehicles is permitted</li> </ol>	<b>Monitoring Action #1A:</b> Prior to the issuance of building or grading permits; the applicant shall include the tree protection measures as notes on building and grading plans. Said plans shall be submitted to the Director of the RMA-Planning Department for review and approval.  <b>Monitoring Action #1B:</b> Prior to the start of construction or grading, the applicant shall provide a report with photographs from a qualified forester or certified arborist to the Director of the RMA-Planning Department. Said report shall verify that the tree protection measures are in place and have been inspected by a qualified forester or arborist and that the	Owner/ Applicant	Prior to issuance of Building/ Grading Permits	

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		<p>within the tree protection zones so identified.</p> <ol style="list-style-type: none"> <li>3. No soil may be removed from within the dripline of any tree and no fill of additional soil can exceed two inches (2") within the driplines of trees, unless it is part of approved construction and is reviewed by a qualified forester or certified arborist. Because existing trees are sensitive to the addition of fill, excavated material must either be removed from the site, incorporated as engineered fill beneath driveway, parking areas or the structure, or retained away from all tree trunks (a minimum of one foot clearance) and as much rooting areas as possible. See specific tree applications under #8 below.</li> <li>4. Bark injury to any tree from equipment or materials is not acceptable and is prevented by respecting the protective fencing described above.</li> <li>5. No significant tree as defined by County code may be removed or trimmed unless authorized under the Forest Management Plan or County regulations. Tree crowns that lean into the construction area should be pruned prior to commencement of excavation and construction to minimize potential for inadvertent damage.</li> <li>6. Roots exposed by excavation must be pruned flush with the soil surface and recovered with soil as quickly as possible to promote callusing, closure and healthy regrowth. If exposed roots cannot be quickly recovered with soil, they</li> </ol>	<p>contractor has been informed of the required protection measures.</p>			



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		<p>should be covered with burlap or other suitable fabric and kept moist by regular watering until they are recovered with soil.</p> <p>7. All tree work shall be monitored by a qualified forester or certified arborist and work completed by qualified tree personnel. Pruning will be required prior to commencement of construction in order to minimize hazard and provide sufficient and safe clearance for approved construction. Oaks should not be trimmed during periods of rapid growth in the spring and early summer so that deformed “witches broom” growth is not stimulated.</p> <p>8. Trees closest to foundation and slab perimeters or significant cuts and fills are at the greatest risk of damage from construction activities. Although coast live oaks and Monterey pines can be fairly tolerant of root loss due to excavation, excavation in a straight line any closer than four trunk diameters from a tree base puts a tree at risk. In such cases, excavation should be done by hand once the first roots are encountered so that the roots can be exposed and preserved as much as feasible by tunneling under or bridging over roots with stem wall or slab features or utility, sewer or storm drain trenches. A forester or arborist shall be consulted as final grading and construction drawings are prepared in order to identify areas where special construction methods or materials will enhance retention of healthy, low hazard trees. Among the special</p>				

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		<p>measures to be considered are:</p> <ul style="list-style-type: none"> <li>▪ Tree wells or other retaining structures to retain fill away from existing trunks, especially along the outside of the new access and parking road loop west of the buildings. Protections for other trees shall be made on an individual basis by a qualified forester or certified arborist.</li> <li>▪ Construct new parking areas near existing trees with a minimum of grading below the level of the duff layer and build the surface up, adding base material rather than recessing it 2-6 inches into the top layers of soil as is the common engineering specification for compacted subgrades. Some aboveground retention of surfacing may be needed as a result. Hand rather than machine removal of the duff layer is recommended. Surfacing should be permeable or semi-permeable material.</li> <li>▪ Minimize impacts to retained oak #220 by eastern building addition using grade beam rather than stem wall foundation construction to protect roots. Adjust eave design to avoid excessive pruning.</li> <li>▪ Stumps of larger trees approved for removal that are close to trees being</li> </ul>				

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		retained should be ground out rather than simply excavated out to minimize damage to retained tree roots that are intertwined with roots of the tree being removed.				
24	2	<p><b>Mitigation Measure #2 (Biological Resources):</b> To enhance biological resources on site, removed trees shall be replaced with suitable local native Monterey pine saplings, consistent with the Forest Management Plan prepared by Staub Forestry and Environmental Consulting dated February 2004.  <b>(RMA-Planning Department)</b></p>	<p><b>Monitoring Action #2a:</b> Prior to occupancy; the applicant shall include three (3) copies of a planting plan with the required landscaping plan and submit to the Director of the RMA-Planning Department for approval. The plan shall be in sufficient detail to identify the location, species, and size of the replacement specimens.</p> <p><b>Monitoring Action #2b:</b> A qualified Biologist, Forester or Arborist shall monitor the plantings: within three months following the completion of the development, two years after the completion of the development, and four years after the completion of the development. Monitoring reports shall be submitted to the Director of the RMA-Planning Department for review. Establishment success shall be 100 percent. Should the success rate not be met at any time, new trees shall be planted and monitoring times repeated.</p>	<p>Owner/ Applicant</p> <p>Qualified Biologist, Forester, or Arborist</p>	<p>Prior to Occupancy</p> <p>Three months following the completion of the development, two years after the completion of the development, and four years after the completion of the development.</p>	

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25	3	<p><b>Mitigation Measure #3 (Biological Resources):</b> To maintain the health of the forest, the applicant shall implement a Monterey pine replacement program, in accordance with the Forest Management Plan prepared by Staub Forestry and Environmental Consulting (February 2004), whereby diseased, dying and/or dead trees will be removed and disease-resistant pines replanted in their place. The seed bank from which these trees will be grown will consist of at least 10 different Monterey pines growing on the UUCMP property to ensure site-specific genetic diversity. Replacement trees can be outplanted within the areas undisturbed by the project.</p> <p><b>(RMA-Planning Department)</b></p>	<p><b>Monitoring Action #3:</b> A qualified Biologist, Forester or Arborist shall monitor the plantings: within three months following the completion of the development, two years after the completion of the development, and four years after the completion of the development. Monitoring reports shall be submitted to the Director of the RMA-Planning Department for review. Establishment success shall be 100 percent. Should the success rate not be met at any time, new trees shall be planted and monitoring times repeated.</p>	Qualified Biologist, Forster, or Arborist	Three months following the completion of the development, two years after the completion of the development, and four years after the completion of the development.	
26	4	<p><b>Mitigation Measure #4 (Biological Resources):</b> In order to enhance Monterey pine habitat, the applicant shall implement an exotic plant species eradication program.</p> <p><b>(RMA-Planning Department)</b></p>	<p><b>Monitoring Action #4:</b> Prior to occupancy, the applicant shall submit three (3) copies of an invasive species eradication program with the required landscaping plan to the Director of the RMA Planning Department for review and approval; the eradication program shall follow the recommendations contained in Jeff Norman's Biological Report (2003), including hand-pulling and the application of suitable herbicides.</p>	Owner/Applicant	Prior to Occupancy	

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27	5	<b><u>Mitigation Measure #5 (Nesting and Migratory Species):</u></b> To reduce impacts to nesting bird taxa, tree removal should be conducted during the non-breeding season, i.e., between the months of September and January, inclusive. <b>(RMA-Planning Department)</b>	<b>Monitoring Action #5:</b> Prior to the removal of any trees, the applicant shall submit a tree removal schedule to the Director of the RMA-Planning Department for review and approval; said schedule shall be incorporated into the final grading or building plans.	Owner/ Applicant	Prior to tree removal	
28	6	<b><u>Mitigation Measure #6 (Soil Erosion):</u></b> To reduce erosion related impacts, areas to be graded or to receive building foundations should be cleared of all loose fill, debris, foundations, trees not designated to remain, or other unsuitable material. Areas to receive engineered fill should be scarified, moisture conditioned, and compacted to a relative density of 90 percent. Any imported fill should be free of wood, brush, roots, grass, debris, and other deleterious materials and be approved by the project geotechnical engineer. Any disturbed slopes should be planted with erosion resistant material after construction. <b>(RMA-Planning Department)</b>	<b>Monitoring Action #6:</b> Prior to the issuance of building or grading permits, the applicant shall submit grading plans which include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. These plans shall be reviewed and approved by the Director of the RMA-Planning Department.	Owner/ Applicant	Prior to the issuance of building or grading permits	
29	7	<b><u>Mitigation Measure #7 (TAMC Regional Fee):</u></b> To reduce impacts to the Highway 1/Highway 68 intersection and the Highway 68 /Highway 1 roadway segments, the applicant shall contribute to the regional improvement fees established by the Transportation Agency of Monterey County. <b>(RMA-Planning Department)</b>	<b>Monitoring Action #7:</b> Prior to the issuance of a building permit, the applicant shall provide the Director of the RMA-Planning Department with written clearance from the Public Works Department that the TAMC Regional fee has been paid.	Owner/ Applicant	Prior to the issuance of a building permit	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
30	8	<p><b>Mitigation Measure #8 (Activities/Events):</b> In order to avoid weekday PM peak hour impacts due to accessory church activities, these activities shall not exceed the existing conditions as identified within the traffic report prepared for the project. One time or annual special events should be limited to Saturday, Sunday or holidays. If one time special events are proposed during the weekday, these events shall be scheduled to avoid arrivals or departures during the PM peak hour.</p> <p><b>(RMA-Planning Department)</b></p>	<p><b>Monitoring Action #8:</b> The applicant shall submit an annual monitoring report of all activities similar to the 2002 Building Use Report submitted with the application. This report shall identify all on-going PM peak hour activities/events and 1-time/annual special events including the date and time of the activity and number of participants. Upon completion of the expansion, the applicant shall annually update and resubmit the Report for a period of five years. An increase in the number of PM peak activities offered or substantial increase in the number of participants shall be cause for permit revocation.</p>	Owner/ Applicant	Annually for a period of five years	
31	9	<p><b>Mitigation Measure #9 (Hazards):</b> To ensure a clear line of sight, the applicant shall:</p> <ol style="list-style-type: none"> <li>1) Eliminate vegetation for a minimum setback of 10 feet from Aguajito Road for a distance of 50 feet east of the driveway along Aguajito Road;</li> <li>2) Move the existing mailbox a minimum of 10 feet back from the edge of Aguajito Road and a STOP line shall be painted on the driveway at the edge of the County Right-of-Way.</li> </ol> <p>No sensitive species as identified in the Biological</p>	<p><b>Monitoring Action #9A:</b> Prior to the issuance of building permits, a qualified biologist shall update the Biological Survey to include vegetation proposed for removal. The applicant shall submit the updated survey to the RMA-Planning Department for review.</p> <p><b>Monitoring Action #9B:</b> Prior to final inspection, the applicant shall submit photos of removed vegetation,</p>	<p>Qualified Biologist/ Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits</p> <p>Prior to final inspection</p>	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verificat ion of Complia nce (name/d ate)</i>
		Survey and Forest Management Plan shall be removed by these activities. <b>(RMA-Planning Department)</b>	relocated mailbox, and painted STOP line to the RMA-Planning Department and Public Works for review.			