

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 28, 2009	Time: 9:00 a.m.	Agenda Item No.: 1
Project Description:		
<ol style="list-style-type: none"> 1. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan for Planning File Numbers PLN070482, PLN060101 and PLN060296; 2. Combined Development Permit (Villalobos & Christensen/Planning File No. PLN070482) consisting of: (1) a Use Permit to clear Code Enforcement Violation No. CE070222 to allow development on slopes exceeding 30% for improvement to a 3,121 linear foot ranch road and grading (approx. 11,370 cu. yds. cut and 11,370 cu. yds. fill); (2) an Administrative Permit to allow development within a Visually Sensitivity or "VS" zoning district; and (3) a Tree Removal Permit to allow the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter). 3. Combined Development Permit (Villalobos/Planning File No. PLN060101) consisting of: (1) an Administrative Permit for development in a Visually Sensitivity or "VS" zoning district to allow the construction of: Villalobos Residence No. 1, a 5,158 square foot one-story single-family dwelling with an attached 864 square foot one-story three-car garage, a detached 576 square foot guesthouse, grading (approx. 14,647 cu. yds. cut/14,647 cu. yds. fill); and Villalobos Residence No. 2, a two-story 4,998 square foot single-family dwelling with attached one-story 828 square feet three-car garage; and (2) an Administrative Permit for a second residential dwelling pursuant to the Resource Conservation zoning designation. 4. Administrative Permit (Christensen/Planning File No. PLN060296) for development within a Visual Sensitivity district or "VS" district to allow the construction of a one-story 1,170 square foot single family dwelling with an attached 774 square foot covered porch, and detached 576 square foot two-car garage with an attached 240 square foot carport, a 600 square foot one-story guesthouse, 2,160 square feet of barn and stables, installation of two septic disposal systems and grading (approximately 1,898 cubic yards cut/ 1,898 cubic yards fill). 		
Project Location: 383 & 387 San Benancio Road, Salinas	APN: 416-641-012-000 & 416-641-013-000	
Name: Richard Villalobos, Property Owner Stephanie Lynn Christensen, Property Owner	Planning File Number: PLN070482, PLN060101 and PLN060296	
Plan Area: Toro Area Plan	Flagged and staked: Yes	
Zoning Designation: "RC/40-VS" [Resource Conservation, 40 acres per unit with a Visual Sensitivity zoning district overlay]		
CEQA Action: Mitigated Negative Declaration, CEQA Guidelines Section 15070		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Adopt the Mitigated Negative Declaration (**Exhibit C**) and Mitigation Monitoring and Reporting Plan (**Exhibit D**);
- 2) Approve the Combined Development Permit (PLN070482) to rectify Code Enforcement File No. CE070222 based on the Findings and Evidence (**Exhibit F**) and subject to the recommended Conditions (**Exhibit G**);
- 3) Approve the Combined Development Permit (PLN060101) based on the Findings and Evidence (**Exhibit I**) and subject to the recommended Conditions (**Exhibit J**);
- 4) Approve the Administrative Permit (PLN060296) based on the Findings and Evidence (**Exhibit L**) and subject to the recommended Conditions (**Exhibit M**).

PROJECT OVERVIEW:

The site is approximately 4 miles southeast from the intersection of San Benancio Road and Highway 68 and is near to the intersection of San Benancio and Corral de Tierra roads. Three separate applications (Planning File Nos. PLN070482, PLN060101, and PLN060296) are proposed on two adjacent properties totaling 120 acres. The overall development of the properties includes the construction of improvements for an access road, three single family dwellings and accessory structures. The projects as described, conditioned, and mitigated are consistent will all applicable policies and regulations. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review. See Discussion at **Exhibit A** and Initial Study at **Exhibit R** for addition information.

ENVIRONMENTAL REVIEW (CEQA):

An Initial Study was prepared to evaluate impacts from the three projects proposed on the subject parcels. A Mitigated Negative Declaration (**Exhibit R**) was filed and circulated for 30-day public review period. The Initial Study identified potentially significant impacts from the three projects to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems. Mitigation measures are recommended to be incorporated as conditions of approval in the Condition Compliance and Mitigation Monitoring Program (**Exhibits D, G, J, and M**) for each project where standard conditions could not reduce impacts to a less than significant level.

LAND USE ADVISORY COMMITTEE (LUAC):

The Toro Land Use Advisory Committee (LUAC) reviewed the application. The LUAC reviewed the project on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2004, November 19, 2007, September 22, 2008 and October 27, 2008 (site visit). The projects were reviewed numerous times due to project revisions and requests for additional information. The LUAC recommended approval of the final design of projects on October 27, 2008. The minutes are attached as **Exhibit Q**.

OTHER AGENCY INVOLVEMENT:

- ✓ Salinas Fire Protection District
- ✓ Public Works Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency
- ✓ Parks Department

The above checked agencies and departments have reviewed this project. Conditions recommended by the Salinas Fire Protection District, Public Works Department, Environmental Health Division, and Water Resources Agency have been incorporated into the condition compliance reporting plan (**Exhibit D**).

Note: The decision on this project is appealable to the Board of Supervisors.

Luis A. Osorio for

Elisa Manuguerra, Associate Planner
(831) 755-5179, manuguerrae@co.monterey.ca.us
January 16, 2009

cc: Front Counter Copy; Planning Commission Members (10); County Counsel; Salinas Rural Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Laura Lawrence, Planning & Building Services Manager; Elisa Manuguerra, Associate Planner; Carol Allen, Planning Commission Hearing Secretary; Stephanie Lynn Christensen, Applicant; Pedro Rosado, Architect, Richard Villalobos, Neighbor; Lombardo & Gilles, Attn: Gail Hatter-Crawford, Agent for Neighbor; Diaz Ranch Water Company, Water Supplier; Planning File No. PLN070482, PLN060101, PLN060296.

Attachments:	Exhibit A	Project Discussion
	Exhibit B	Vicinity Map
	Exhibit C	Resolution Adopting Mitigated Negative Declaration
	Exhibit D	Conditions of Approval and Mitigation Monitoring and Reporting Program
	Exhibit E	Project Data Sheet for PLN070482
	Exhibit F	Recommended Findings and Evidence for PLN070482
	Exhibit G	Recommended Conditions of Approval and Mitigation Measures for PLN070482
	Exhibit H	Project Data Sheet for PLN060101
	Exhibit I	Recommended Findings and Evidence for PLN060101
	Exhibit J	Recommended Conditions of Approval and Mitigation Measures for PLN060101 if
	Exhibit K	Project Data Sheet for PLN060296
	Exhibit L	Recommended Findings and Evidence for PLN060296
	Exhibit M	Recommended Conditions of Approval and Mitigation Measures for PLN060296
	Exhibit N	Road Alignment/Site Plan for PLN070482
	Exhibit O	Site Plan, Floor Plan and Elevations for PLN060101
	Exhibit P	Site Plan, Floor Plan and Elevations for PLN060296
	Exhibit Q	Toro LUAC Minutes
	Exhibit R	Mitigated Negative Declaration and Initial Study
	Exhibit S	Letter Regarding Restoration
	Exhibit T	Biological Letter Report regarding Restoration
	Exhibit U	Arborist's Report
	Exhibit V	Construction Management Plan for Villalobos Project", prepared by Monterey Bay Engineers, Inc., received June 4, 2008, (LIB080442); and "A Construction Management Plan for Villalobos Driveway", prepared by Monterey Bay Engineers, Inc., received December 21, 2007, (LIB080439).

This report was reviewed by Luis Osorio, Planning Services Manager.

Exhibit A

Project Discussion

EXHIBIT A DISCUSSION

Project Setting and Description

The Villalobos and Christensen properties comprise approximately 120 acres. The sites are located approximately 4 miles southeast from the intersection of San Benancio Road and Highway 68 and are accessed by a private road off Corral del Cielo Road. See vicinity map attached as **Exhibit B**.

The overall development of the subject properties involves three planning applications. Construction of these projects is proposed in phases over a period of years. Review by the Commission includes consideration of the environmental document, a Mitigated Negative Declaration, prepared addressing the impacts of the three development applications, and separate consideration of the applications as follows: if

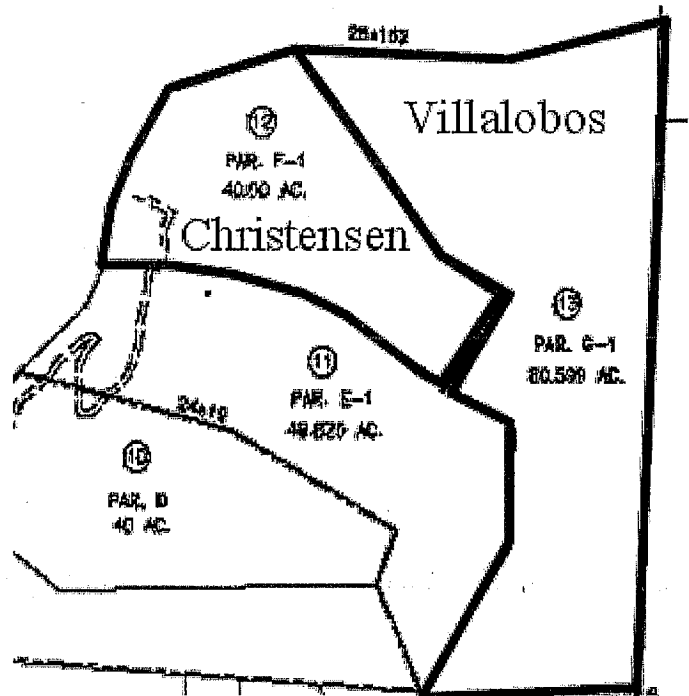
1. A Combined Development Permit to clear Code Enforcement Violation No. CE070222 to allow improvements to a 3,121 linear foot ranch road, the removal of 3 protected coast live trees (Planning File No. PLN070482 / Villalobos and Christensen Properties);
2. A Combined Development Permit (PLN060101) to allow the construction of: (1) Villalobos Residence No. 1, a one-story single family dwelling with an attached three-car garage, and a guesthouse; and (2) Villalobos Residence 2, a two-story square foot single family dwelling with an attached garage (Planning File No. PLN060101 /Villalobos Property); and
3. An Administrative Permit to allow the construction of a one-story square foot single family dwelling with a detached two-car garage, a one-story guesthouse, and a barn (Planning File No. PLN060296 / Christensen Property).

Toro Land Use Advisory Committee (LUAC)

The LUAC considered the development applications and related support materials on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2006, November 19, 2007, September 22, 2008, and October 27, 2008 (site visit). The minutes are attached as **Exhibit Q**. The following are the concerns and recommendations from the LUAC:

- Road (PLN070482): The LUAC's concerns regarding the road construction (PLN070482) primarily involved potential impacts to down stream neighbors. The committee recommended approval of the final design of the project on October 27, 2008 with a 6-2 vote with the addition of conditions requiring on-site project oversight by a professional

Figure 1. Portion of Assessor's Parcel Map



geotechnical engineer during construction activities, soil compaction tests, and on-site storm water retention if possible. Mitigation Measure No. 4 and 5 have been incorporated to address these concerns:

- *Villalobos Residences (PLN060101) & Christensen Residence (PLN060296)*: LUAC concerns included water availability (specifically connecting to the Diaz Ranch water system), visual sensitivity, and the grading. The minutes state that “visual impacts of either proposed house is minimal to none from a public viewing area.” This is consistent with Staff’s analysis. The committee recommended the addition of conditions for minimal down-lit lighting, native landscaping, and the use of natural earth-toned colors. On October 27, 2008 the LUAC recommended approval of the final design of the Villalobos Residences with a 5-1 vote and two members absent and the Christensen Residence with a 6-0 vote and two members absent. Conditions have been incorporated for each project to address these concerns.

ACTION 1 - ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

An Initial Study and Mitigated Negative Declaration (**Exhibit R**), filed on November 26, 2008, was circulated for 30-day public review period from November 27, 2008 to December 27, 2008 pursuant to the requirements of the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant impacts to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems. Mitigation measures to potentially significant impacts are recommended to be incorporated where standard conditions could not reduce impacts to a less than significant level (see **Exhibit D**). The most significant resource impacts are described below:

- *Aesthetics*: The project sites are designated as visually sensitive by the Toro Area Plan and zoned as Visual Sensitivity. The project design recommended for approval was staked and flagged. The orange netting can not be seen from any common public viewing areas, such as San Benancio Road, while traveling the speed limit due to the existing topography and vegetation. In an effort to further reduce impacts to the existing visual character of the site, surroundings, and from nighttime lighting Conditions and Mitigation Measures have been incorporated requiring the applicant utilize appropriate architectural design techniques, materials and colors which blend with the surrounding landscape, and install unobtrusive exterior lighting which is downcast.
- *Biological Resources*: The proposed project has the potential to impact oak woodland habitat and nesting raptors. Mitigation measures require the applicant to submit a pre-construction raptor survey, a tree replacement plan for trees removed, and to implement tree protection measures to protect oak trees from inadvertent damage from construction activities (Conditions and Mitigation Measures No. 2 and 3).
- *Hazards*: The property is located within a “High” fire hazard zone therefore the project has the potential to expose people or structures to a significant risk of loss, injury or death resulting from wildland fires due to the undeveloped rural nature of the project properties on steep terrain. The Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction.
- *Transportation/Traffic*: The project will add short term and long term incremental traffic volume to the surrounding County roads, primarily to the Highway 68 transportation

corridor, which are considered potentially significant. In order to mitigate for long-term incremental regional impacts the project would be required to pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee (Mitigation Measures No. 6). In addition, to mitigate short-term construction and grading truck traffic impacts on Highway 68, the applicant would be required implement the recommendations prescribed by the Construction Management Plans prepared for the project which includes provisions for arranging for the hauling of construction and grading materials at specific hours during the day and monthly reporting of daily truck trip logs to the Planning Department for review and approval. (Mitigation Measures No. 7).

Comment Letters

One comment letter was received from neighbors Mark MacKenzie and Ray Hausechild during the public review period of the environmental documents. The neighbors expressed concerns regarding the projects' water source and the potential for ridgeline development. Respective to water source concerns, the Environmental Health Division has reviewed the development applications and considers the proposed developments to have adequate water availability. Staff's visual reconnaissance of the project's staking and flagging determined that the projects will not involve ridgeline development. Staff phoned Mark MacKenzie to convey this information.

ACTION 2 – COMBINED DEVELOPMENT PERMIT (PLN070482) FOR ROAD ON THE CHRISTENSEN AND VILLALOBOS PROPERTIES

Project Issues

Code Violation

In July 2007, County staff visited the property and observed large quantities of grading for a ranch road. It was determined that a grading permit was required for the grading and that no such permit had been obtained which had been done without permits. Code Enforcement staff subsequently sent a letter of inquiry to the property owner. The property owners agreed to apply for a Use Permit to rectify the grading activities in question and to incorporate it into the overall project. The road has been processed as a separate application in an effort to separate the violation for grading the road and its related impacts from the rest of the project. Due to the topography, vegetation and soil constraints staff determined that restoring the site is not feasible.

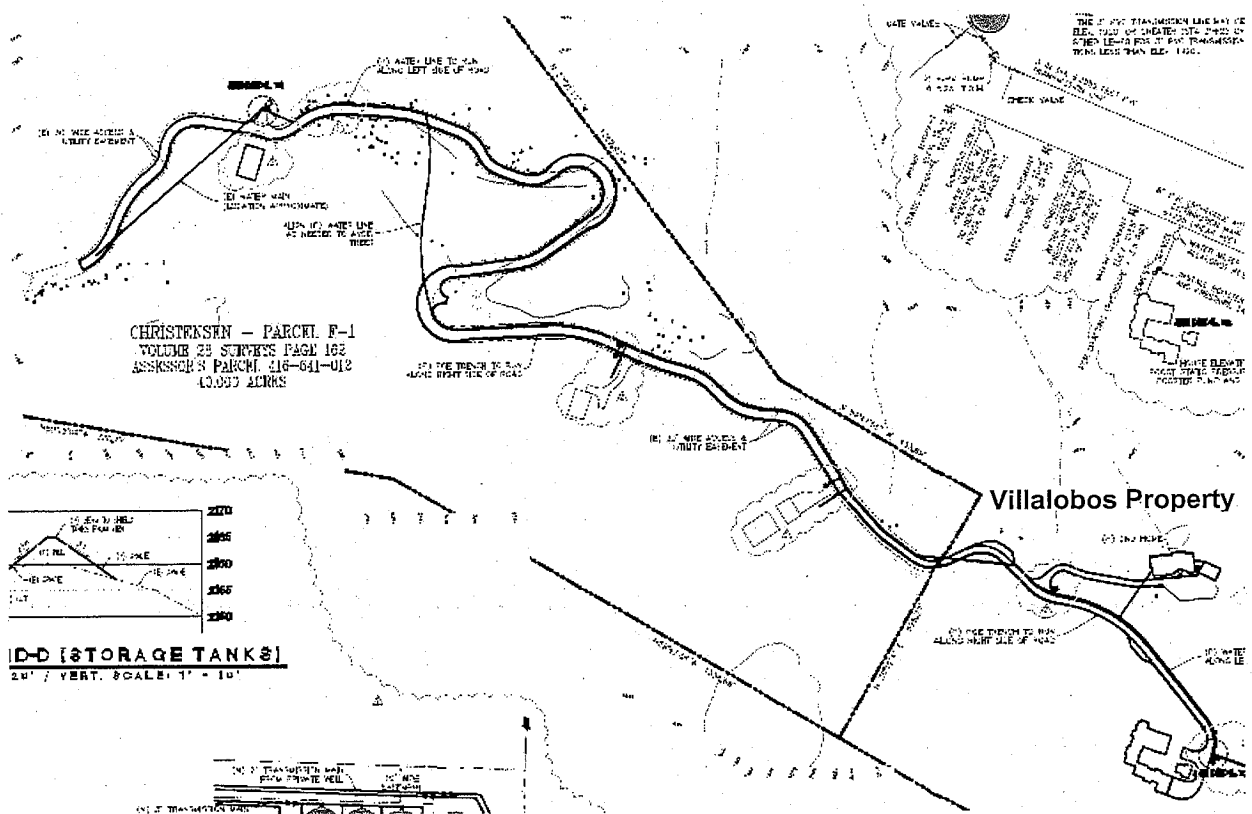
The reasons for this separate application are cost and procedure. County code requires double fees for permits to rectify code violations. By separating the Use Permit for the road from the rest of the permits for the overall project, only the Use Permit for development on 30% slopes is required to pay double fees. Otherwise, the incorporation of the Use Permit into the Combined Development Permit (CDP) would have required the double fee of the entire CDP application. In addition, County Code requires that violations be abated prior to approving permits for new development. As such, approval of this item as a separate action achieves compliance with County Code while reducing application costs to the maximum extent practicable.

Road Design

The original project design involved the construction of a driveway 12 feet in width. That project was reviewed by the Salinas Rural Fire Department. The conditions recommended by the Fire Department required the driveway to be improved to the standards of a roadway for the majority of the access alignment which resulted in the need to redesign the project. Fire Department

Regulations, Chapter 18.56, Wildfire Protection Standards in State Responsibility areas, defines "driveways" as vehicular access that serves "no more than two buildings, with no more than three dwelling units on a single parcel," and any number of accessory buildings. While "roads, streets, and private lanes" are defined as vehicular access to more than one parcel, or vehicular access to a single parcel with more than two buildings or four or more dwelling units. Road construction standards require the road to be: 18 feet in width with a minimum of two nine-foot traffic lanes, turnouts at 400-foot intervals, an unobstructed vertical clearance of not less than 15 feet, and support the load of a 22-ton fire apparatus. To conform to these regulations, the project was redesigned to involve the construction of a road approximately 4,700 linear feet in length, 18 feet in width as it traverses the Christiansen property and narrowing to 12 feet wide on the Villalobos property. See Figure 2 below.

Figure 2. Existing Ranch Road and Proposed Road Access Alignment



Grading and Alternate Locations

According to the project plans, building sites have been located within the least steep and visible portions of the property. The original driveway designs involved approximately 8,239 cubic yards of cut and fill, with no tree removal. The revised road design, incorporating the Fire Department standards, increased the grading to 11,410 cubic yards of cut and fill, requires increased encroachment on slopes exceeding 30%, and requires the removal of three protected oak trees. Additionally, the building sites were located to take advantage of the existing ranch road access. The proposed road improvements would provide easy and direct access to the building sites and avoid additional substantial grading, erosion and scarring resulting from the siting of a new access road. The alternative of relocating the building sites to better minimize their visibility would have required a new access road alignment as well as total restoration of the existing dirt ranch road. This alternative was deemed impractical since it would require

significantly more grading, and would likely result in substantial visual scarring, erosion and impacts to the oak woodland habitat.

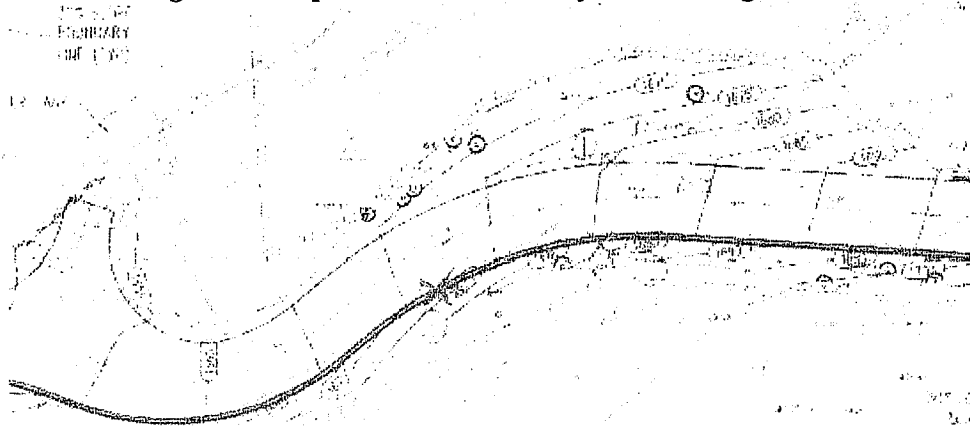
30% Slopes

Due to the steep topography of the property, the road and driveway design cannot meet the standard fire department standard of 15% grade but rather reflect an 18% grade up to the Villalobos property where the grade flattens. Irrespective of where the road is aligned on the properties, any driveway or access road to the Villalobos property would require development on slopes exceeding 30% to reach the lower Villalobos property boundary (see Figure 2 above). Slopes exceeding 30% are identified on the project plans which are attached as **Exhibit N and O**. As illustrated on the project plans, the only flat areas on the properties have been designated for the placement of structures. Therefore, staff finds that the proposed grading on 30% slopes is the minimum required under the circumstances of this case.

Tree Removal

The project proposes the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter) and 1 non-protected California buckeye (18 inches in diameter) to allow for access road improvements. The Biological reports and letter prepared by Jud Vandevere (June 2006, May 2007 and August 2007) and the Arborist Reports prepared by Forest City Consulting (August 2006 and April 2008), indicate that the proposed development does not have the potential to result in significant adverse impacts to oak woodland habitat.

Figure 3. Proposed Tree Removal for Road Alignment



The applicants attempted to retain the three oak trees along the proposed road alignment; however, due to fire department road construction standards requiring a road of 18 feet in width it was not possible to retain the trees. This tree removal represents the minimum necessary in order to construct the road improvements and building sites per these requirements. According to the biological consultant, other project alternatives such as total restoration of the existing dirt access road, would be neither advisable nor practical since no better location exists for placement of the access road besides the existing location. Other potential access road locations would involve increased slope disturbance, erosion, and impacts to the oak woodland habitat. Therefore, staff finds that the proposed tree removal is the minimum required under the circumstances of this case.

**ACTION 3 – COMBINED DEVELOPMENT PERMIT (PLN060101)
FOR RESIDENTIAL STRUCTURES ON VILLALOBOS PROPERTY.**

Project Issues

Visibility and “VS” Zoning

The proposed project on the Villalobos property includes the construction of two single family dwellings. The building sites proposed at the Villalobos property are encountered at the top of the knoll within an area that is fairly flat (approximately 3 to 5% natural grade). Villalobos Residence No. 1 has the highest probability of being viewed from a common public viewing area. The original project design proposed the construction of this residence closer to San Benancio Road. The project was redesigned moving the residence away from the road. The project redesign was staked and flagged and could not be seen from any common public viewing areas, such as San Benancio Road, due to the existing topography and vegetation.

The height allowance for the property is 30 feet from average natural grade; Residence No. 1 is proposed to be 17 feet in height to further minimize the potential to protrude from the silhouette of the mountain top resulting in ridgeline development. Moreover, to reduce the potential visibility of structures on top of the knoll, approximately 20 feet of excavation is proposed to lower the finished floor from the top of the hillside. (See Figure 3 and 4 below.) The proposed grading will create a large notch cut at the top of the hillside providing a flat area for the building pad and an 18 foot high berm to serve as a barrier between residence and the viewable face of the hillside. The building sites were staked and flagged to illustrate this and none of the orange netting was visible from common public viewing areas while traveling the speed limit. Therefore, consistent with the provisions of the “VS” zoning district the proposed project will not create adverse visual impacts when viewed from a common public viewing area.

Figure 3. Cross Section of Second House

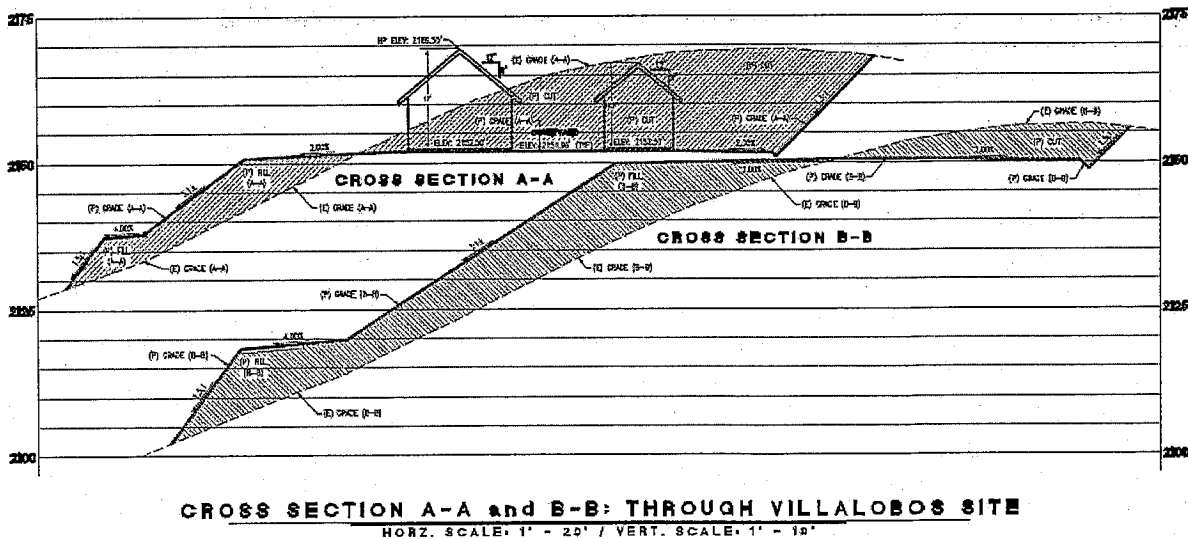
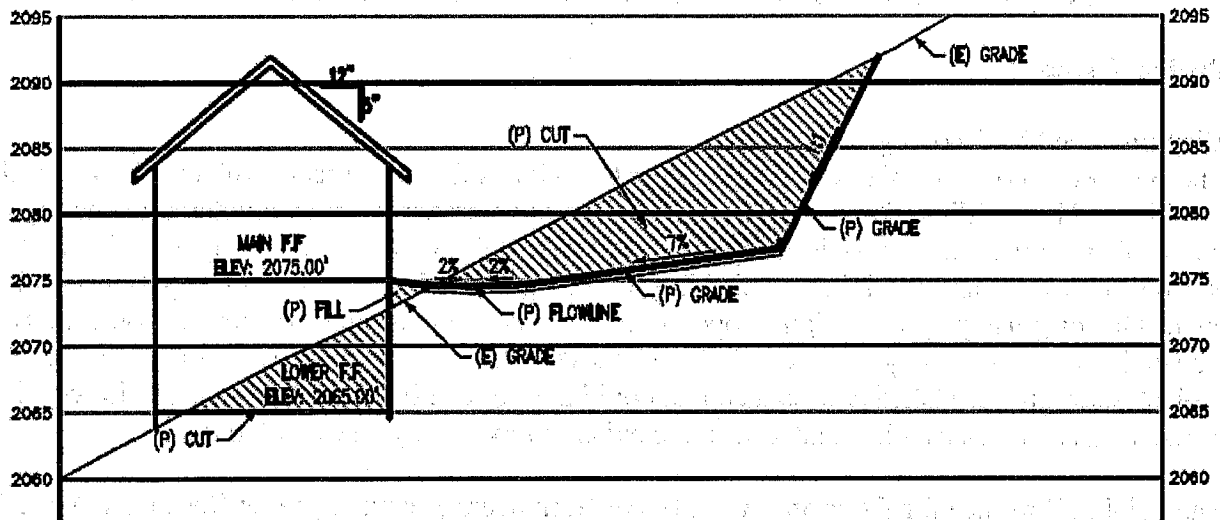


Figure 4. Cross Section of Second House



CROSS SECTION C-C (LOWER HOUSE)

Grading

Grading for the proposed building sites is estimated to be 18,360 cubic yards of cut/fill. According to a Grading Description Letter prepared by Monterey Bay Engineers, Inc. (August 2007), grading improvements are proposed for these building sites to reduce structure visibility by reducing building pad elevations. Further, as stated above, improvements are proposed to provide easy and direct access to the building sites and avoid substantial grading, erosion and scarring that would result from developing a new access road. The alternative of relocating the building sites to better minimize their visibility would have required a new access road alignment as well as the restoration of the existing dirt ranch road to a "natural" state. This alternative was deemed impractical since it would require significant grading, and would result in substantial visual scarring, erosion and impacts to the oak woodland habitat. The grading to achieve the building pad elevations does not involve development on slopes exceeding 30%.

Environmental Review

An Initial Study and Mitigated Negative Declaration analyzing the three applications (Exhibit H), filed on November 26, 2008, was circulated for 30-day public review period from November 27, 2008 to December 27, 2008. pursuant to the requirements of the California Environmental Quality Act (CEQA). The Initial Study identified potentially significant impacts from the development of the three residences and roadway to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems. The Mitigated Negative Declaration was adopted by the Planning Commission on January 28, 2009 as action 1 of Planning File No. PLN070482. The adopted mitigation measures are recommended to be incorporated as conditions of approval to reduce the project's impacts to a less than significant level (see Exhibit D).

**ACTION 4 – ADMINISTRATIVE PERMIT (PLN060296)
FOR CHRISTENSEN RESIDENCE**

Project Issues

The Christensen application (Planning File No. PLN060296) requests an Administrative Permit to allow the construction of a one-story square foot single family dwelling with a detached two-car garage, a one-story guesthouse, and a barn in the Visual Sensitivity or "VS" zoning district.

The site consists of various small hills rising to a knoll which overlooks San Benancio Road and valley. The Christensen property building sites are the first sites encountered on the access road (see Figure 2 above). These building sites are located within the least steep portions of the property with the barn and stables proposed at the base of a small hill and the residence and guesthouse proposed higher up on the hill.

Staking and flagging of the proposed structures is required per the provisions of the "VS" zoning district; the flagging and staking and could not be seen from any common public viewing areas due to the existing topography and vegetation. Therefore, construction of the proposed residence and guesthouse would not result in a significant adverse visual impact when viewed from a common public viewing area. The proposed grading (approximately 1,898 cubic yards cut/ 1,898 cubic yards fill) appears to be appropriate given the proposed construction techniques and topography. Conditions have been incorporated requiring geotechnical certification, implementation of erosion control measures, and restoration of natural materials to ensure that grading activities comply with county code.

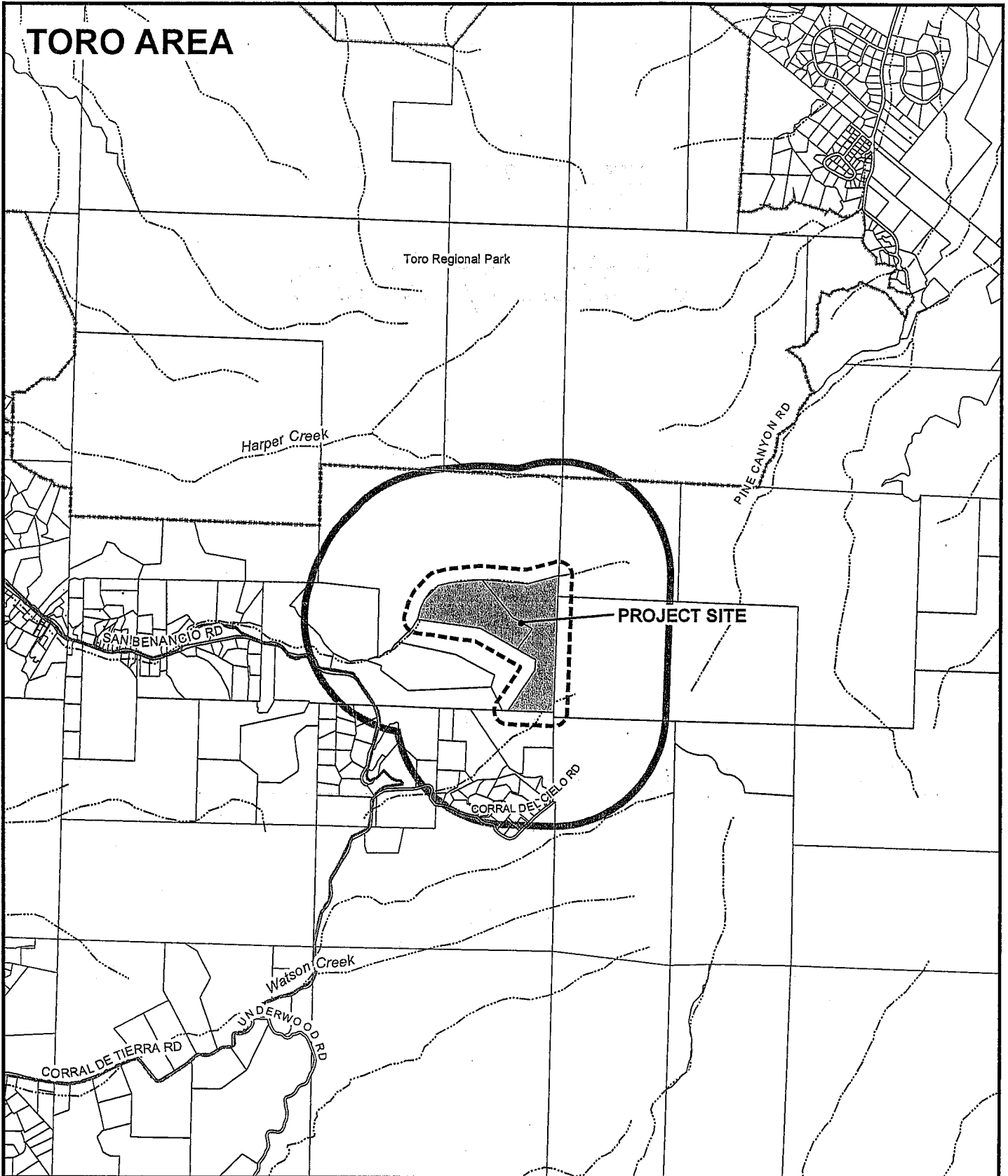
OVERALL CONCLUSIONS

Staff concludes that the proposed development for the Villalobos and Christensen properties will not have a significant environmental effect upon implementation of the conditions of approval and mitigation measures recommended. The project design incorporates tree protection and avoids disturbance to slopes exceeding 30% to the maximum extent feasible. The materials and color treatments chosen for the residence and improvements blend with the natural landscape and are in keeping with materials and treatment approved for other residences and structures in the area. No unusual circumstances, unresolved issues, or adverse environmental impacts were identified during project review. The project, as described and conditioned and mitigated, is consistent with all applicable County of Monterey policies and regulations.

Exhibit B

Vicinity Map




TORO AREA

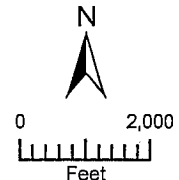


APPLICANT: VILLALOBOS

APN: 416-641-012-000 & 416-641-013-000

FILE # PLN070482

 300' Limit  2500' Limit  City Limits



PLANNER: MANUGUERRA

Exhibit C
Resolution Adopting
Mitigated Negative
Declaration

EXHIBIT C

Before the Planning Commission in and for the County of Monterey, State of California

Resolution No. _____

Resolution Adopting a Mitigated Negative)
Declaration for Planning File Numbers)
PLN070482, PLN060101, and PLN060296)

The Mitigated Negative Declaration came before the Planning Commission on January 28, 2009. Having considered the Initial Study and Mitigated Negative Declaration and all the evidence of the whole record, the Planning Commission finds and decides as follows:

1. FINDING: PROJECT BACKGROUND: An Initial Study and Mitigated Negative Declaration were prepared for three development project applications.

EVIDENCE: (a) Combined Development Permit (Villalobos & Christensen/Planning File No. PLN070482) consisting of: (1) a Use Permit to clear Code Enforcement Violation No. (CE070222) to allow development on slopes exceeding 30% for improvement to a 3,121 linear foot ranch road and grading (approx. 11,370 cu. yds. cut and 11,370 cu. yds. fill); (2) an Administrative Permit to allow development within a Visually Sensitivity or "VS" zoning district; and (3) a Tree Removal Permit to allow the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter).

(b) Combined Development Permit (Villalobos/Planning File No. PLN060101) consisting of: (1) an Administrative Permit for development in a Visually Sensitivity or "VS" zoning district to allow the construction of: Villalobos Residence No. 1, a 5,158 square foot one-story single-family dwelling with an attached 864 square foot one-story three-car garage, a detached 576 square foot guesthouse, and grading (approx. 14,647 cu. yds. cut/14,647 cu. yds. fill); and Villalobos Residence No. 2, a two-story 4,998 square foot single-family dwelling with attached one-story 828 square feet three-car garage; and (2) an Administrative Permit for a second residential dwelling pursuant to the Resource Conservation zoning designation.

(c) Administrative Permit (Christensen/Planning File No. PLN060296) for development within a Visual Sensitivity district or "VS" district to allow the construction of a one-story 1,170 square foot single family dwelling with an attached 774 square foot covered porch, and detached 576 square foot two-car garage with an attached 240 square foot carport, a 600 square foot one-story guesthouse, 2,160 square feet of barn and stables, installation of two septic disposal systems and grading (approximately 1,898 cubic yards cut/ 1,898 cubic yards fill).

2. FINDING: CEQA (Mitigated Negative Declaration) – On the basis of the whole record before the Monterey County 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) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
 - (b) Potentially adverse environmental effects were identified during staff review of the development application.
 - (c) The Initial Study and Mitigated Negative Declaration are on file in the office of the RMA – Planning Department and is hereby incorporated by reference (File Nos. PLN070482, PLN060101 and PLN060296). The Initial Study identified potentially significant impacts to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems. Mitigation measures are recommended to be incorporated as conditions of approval where standard conditions could not reduce impacts to a less than significant level. The Initial Study is attached to the January 28, 2009 Planning Commission Staff Report as Exhibit R.
 - (d) The Mitigated Negative Declaration (attached as Exhibit R to the January 28, 2009 Planning Commission Staff Report), filed on November 26, 2008, was circulated for a 30-day public review period from November 27, 2008 to December 27, 2008.
 - (e) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA, 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.
 - (f) A Mitigation Monitoring and Reporting Program (MMRP) has been prepared and is designed to ensure compliance with conditions and that mitigation measures are monitored and reported during project implementation. The applicant must enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program” as a condition of project approval.
 - (g) For purposes of implementing Section 753.5 of Title 14, California Code of Regulations, the project may cause changes to the resources listed under Section 753.5. Therefore, payment of the Fish and Game fee is required.
 - (h) Evidence that has been received and considered includes the application, plans, materials, and technical reports, which are listed under Section IX (References) of the Initial Study and contained in project files PLN070482, PLN060101, and PLN060296.
 - (i) To reduce physical impacts of the project to a less than significant level, the following is a summary of the mitigation measures and/or mitigation measures:
 - *Aesthetics:* The project sites are designated as visually sensitive by the Toro Area Plan and zoned as Visual Sensitivity. The project design recommended for approval was staked and flagged. The orange netting can not be seen from any common public viewing areas, such as San Benancio Road, while traveling the speed limit due to the existing topography and vegetation. In an effort to further reduce impacts to the existing visual character of the site, surroundings, and from nighttime lighting Conditions and Mitigation Measures have been incorporated requiring the applicant utilize appropriate architectural design techniques, materials and colors which blend with the surrounding landscape, and install unobtrusive exterior lighting which is downcast.
 - *Biological Resources:* To reduce impacts to biological resources, mitigation measures require the applicant to submit a pre-construction raptor survey, a

tree replacement plan for trees removed, and to implement tree protection measures to protect oak trees from inadvertent damage from construction activities (Condition No. 18 /Mitigation Measures No. 3)

- *Hazards:* The property is located within a “High” fire hazard zone therefore the project has the potential to expose people or structures to a significant risk of loss, injury or death resulting from wildland fires due to the undeveloped rural nature of the project properties on steep terrain. The Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction if
- *Transportation/Traffic:* The project will add short term and long term incremental traffic volume to the surrounding County roads, primarily to the Highway 68 transportation corridor which are considered potentially significant. In order to mitigate for long-term incremental regional impacts the project would be required to pay the Transportation Agency of Monterey County (TAMC) a regional traffic mitigation fee (Mitigation Measures No. 6). In addition to mitigate short-term construction and grading truck traffic impacts on Highway 68, the applicant shall implement the recommendations prescribed by the Construction Management Plans prepared for the project which includes provisions for arranging for the hauling of construction and grading materials at specific hours during the day and monthly reporting of daily truck trip logs to the Planning Department for review and approval. (Mitigation Measures No. 9).

3. FINDING: CEQA (Comments) – Comments received on the project did not present substantial evidence of any unmitigated significant environmental effects.

EVIDENCE: One comment letter (attached as **Exhibit W** to the January 28, 2009 Planning Commission Staff Report) was received from neighbors Mark MacKenzie and Ray Hausechild during the public review period of the environmental documents. The neighbors expressed concerns regarding the projects’ water source and the potential for ridgeline development. Respective to water source concerns, the Environmental Health Division has reviewed the development applications and considers the proposed developments to have adequate water availability. Staff’s visual reconnaissance of the project’s staking and flagging determined that the projects will not involve ridgeline development. Staff phoned Mark MacKenzie to convey this information.

Exhibit D
Conditions of Approval
and Mitigation
Monitoring and
Reporting Program

EXHIBIT D
Monterey County Resource Management Agency
Planning Department
Mitigation Monitoring Reporting Plan

Project Name: VILLALOBOS RICHARD A ET AL
File No: PLN070482, PLN060101, & PLN060296
APN: 416-641-012-000 & 416-641-013-000
Approved by: Planning Commission **Date:** January 28, 2009

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1.		<p>PD005 - FISH AND GAME FEE-NEG DEC/EIR Pursuant to the State Public Resources Code § 735.5, 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)</p>	<p>The applicant shall submit a check, payable to the County of Monterey, to the Director of the RMA - Planning Department.</p> <p>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. If</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Within 5 working days of project approval</p> <p>Prior to the recordation of the final map, the start of use or the issuance of building or grading permits</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2.		<p>PD006 - MITIGATION MONITORING PROGRAM</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. (RMA - Planning Department)</p>	<p>1) Enter into agreement with the County to implement a Mitigation Monitoring Program.</p> <p>2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.</p>	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
1.		<p>Mitigation Measure #1 (Air Quality):</p> <p>In order to minimize short-term construction emissions, the project shall implement the following MBUAPCD-recommended mitigation measures during grading and construction activities. The County's designated construction contractor shall monitor grading and construction activities on a daily basis to ensure that these measures are implemented.</p> <ul style="list-style-type: none"> • Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day; • Water all active construction areas at least twice daily. Frequency should be based on the type of wind (over 15 mph); • Prohibit all grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill 	<p>Mitigation Monitoring Action #4: Prior to issuance of grading permits, the applicant shall incorporate a "Fugitive Dust Control" note on the grading plans that includes, but is not limited to, the measures set forth in Mitigation Measure #4. During grading operations, the contractor shall obtain any required Air District permits and conduct all grading and construction activities as required by the Air District.</p>	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>operations and hydro seed areas;</p> <ul style="list-style-type: none"> • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, sand, etc.; • Cover inactive storage piles; • Sweep streets daily, with water sweepers, if visible soil materials are carried onto adjacent public streets; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Install wheel washers at the entrance to construction sites for all exiting trucks; • Pave all roads at construction sites; • Construction equipment shall not be left idling for periods longer than 5 minutes when not in use; and <p>Post a publicly visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).</p>				
	2.	<p>Mitigation Measure #2 (Biology): If tree removal or grading activities occur between February 15 and August 15, in order to adequately determine the presence of active raptor nests within the oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities. If active raptor nests are found and the biologist determines that construction development activities would remove the nest or have the potential to cause abandonment, then</p>	<p>Prior to the issuance of a grading or building permit, a pre-construction raptor survey shall be submitted to the Planning Department for review and approval.</p>	Applicant or owner	Prior to issuance of grading permits.	

Permit Contd. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>those activities shall be avoided until the raptor young have fledged as determined through monitoring of the nest. Once the raptor young have fledged, development activities may resume.</p> <p>Mitigation Measure #3 (Biology): In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.</p>				
	3.		<p>Mitigation Monitoring Action #3-1: Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.</p>	Applicant or owner	Prior to issuance of grading or building permits.	
	4.	<p>Mitigation Measure #4 b Soils & Geology: In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained</p>	<p>Mitigation Monitoring Action #4: Prior to issuance of grading or building permits, the applicant shall submit grading and</p>	Applicant or owner	Prior to issuance of	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, for the proposed roadway, the loose site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below existing grade in areas of on-grade development such as fill placement. Actual depth of processing shall be determined in the field by the soils engineer during construction. For the proposed residence and related structures, the site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below grade in areas of on-grade development such as fill placement, slabs, and pavement. The over-excavation shall include the construction envelope plus 5 feet. The process shall include the complete removal of the required soils and subsequent placement of engineered fill. The soils removed may be utilized as engineered fill. After removal of the soils to the required depth, the base of the excavation shall be inspected and approved by the soils engineer prior to further soils processing or placement.</p>	<p>building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #9.</p>		grading or building permits.	
5.		<p>Mitigation Measure #5 (Soils & Geology): In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, all concentrated roof and area drainage shall be released to open areas away from structures, pavements, and septic systems. A sub-surface dispersal system shall not be used on the site as it will be ineffective and could cause surficial slumping. To reduce the impact of released drainage on downslope features, the discharge point shall consider area and downslope features and use of multiple outlets. As proposed, the roadway surface is to</p>	<p>Mitigation Monitoring Action #5: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation</p>	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (time/date)
		<p>primarily sheet drain off the outside edge of the roadway. This method is acceptable provided the fill edges and slopes are adequately protected against surface erosion by vegetative cover. All fill surfaces shall be vegetated with native species suitable for the climate and irrigated to provide adequate cover prior to winter. During and after the first winter, the slopes shall be evaluated and improved as necessary. General concentrated surface drainage shall be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.</p>	<p>Measure #4.</p>			
	6.	<p>Mitigation Measure #6 (Transportation): In order to minimize potential regional traffic/transportation impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County.</p>	<p>Mitigation Monitoring Action #6: Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.</p>	Applicant or owner	Prior to issuance of building permits.	
	7.	<p>Mitigation Measure #7 (Transportation): In order to mitigate construction and grading truck traffic impacts on Highway 68, the applicant shall arrange for the hauling of construction and grading materials to occur at hours other than 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, Monday through Friday. Hauling operations shall not occur on weekends and holidays. The only exception shall be structural concrete, which will be allowed to be hauled during the 7:00 am to 9:00 am time period on non-holiday weekdays only.</p>	<p>Mitigation Monitoring Action #7: During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the Planning Department for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.</p>	Applicant or owner	Monthly during construction and grading operations	

END OF CONDITIONS AND MITIGATION MEASURES

Exhibit E
Project Data Sheet
for PLN070482

EXHIBIT E

Project Information for PLN070482

Project Title: VILLALOBOS RICHARD A ET AL

Location: 387 AND 383 SAN BENANCIO RD SALINAS

Primary APN: 416-641-013-000

Applicable Plan: Toro Area Plan

Coastal Zone: No

Permit Type: Combined Development Permit

Zoning: RC/40-VS

Environmental Status: MND

Plan Designation: RC 10-160 AC MIN

Advisory Committee: Toro

Final Action Deadline (884): 9/3/2008

Project Site Data:

Lot Size: 120 AC

Coverage Allowed: 25 %

Existing Structures (sf): 0 SF

Coverage Proposed: 0 %

Proposed Structures (sf): 0 SF

Height Allowed: 30 FT

Height Proposed: N/A

Total Sq. Ft.: 0 SF

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: HIGH

Biological Report #: LIB060485

Soils Report #: LIB060526

Forest Management Rpt. #: LIB080541

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: III

Archaeological Report #: LIB060484

Geologic Report #: LIB060487

Fire Hazard Zone: HIGH

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC SYSTEM

Sewage Disposal (method): SEPTIC

Water Dist/Co: DIAZ RANCH

Sewer District Name: N/A

Fire District: SALINAS RURAL FPD

Grading (cubic yds.): 11,410.0

Tree Removal: N/A

Exhibit F
Recommended Findings
and Evidence for
PLN070482

EXHIBIT F
RECOMMENDED FINDINGS AND EVIDENCE FOR
COMBINED DEVELOPMENT PERMIT NO. PLN070482 FOR ROAD
TRAVERSING CHRISTENSEN AND VILLALOBOS PROPERTIES

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, Toro Area Plan, Toro 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.

(d) The property is located at 354 & 383 San Benancio Road, Salinas (Assessor's Parcel Numbers 416-641-012-000 & 416-641-013-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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.

(e) The project for a residential road and driveway is an allowed use in the RC zoning designation in accordance with Sections 21.36.030.A and B and is consistent with the development standards of Sections 21.36.060 (for the RC zoning) and 21.64.020 (for guesthouses) of the Monterey County Zoning Ordinance (Title 21).

(f) The provisions of the Visual Sensitivity or "VS" zoning district, Chapter 21.46 of the Monterey County Zoning Ordinance (Title 21), include regulations for development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area. These regulations allow development within visually sensitive areas upon securing an Administrative Permit provided that after flagging, staking and an on-site inspection, the project is determined not to have the potential to create a substantial adverse visual impact when viewed from a common public viewing area. Staff's visual reconnaissance of the staking and flagging indicates that the proposed project will not be visible from any common public viewing areas such as San Benancio Road, Highway 68, Laguna Seca Park, Toro Park, Highway 101, and Corral de Tierra Road. Therefore, the project does not have the potential to create ridgeline development and is consistent with the provisions of "VS" zoning district. See Aesthetics analysis provided within the Initial Study attached to the January 28, 2009 Planning Commission Staff Report as Exhibit Q.

(g) The Toro Land Use Advisory Committee (LUAC) reviewed the project on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2004, November 19, 2007, September 22, 2008 and October 27, 2008 (site visit). The LUAC recommended approval of the

final design of project on October 27, 2008 with a 6-2 vote and two members absent. The minutes are attached as Exhibit Q to the January 28, 2009 Planning Commission Staff Report. The LUAC's concerns regarding the road construction primarily involved potential impacts to neighboring properties below the road site. The committee recommended the addition of conditions requiring on-site project oversight by a professional geotechnical engineer during construction activities, soil compaction tests, and on-site storm water retention if possible. Conditions No. 30 and 31 have been incorporated to address these concerns.

- (h) A Use Permit is required for development on slopes exceeding 30% pursuant to Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). See Finding No. 3.
- (i) A Tree Removal Permit is required for the removal of three protected oak trees pursuant to the regulations for the Preservation of Oak and Other Protected Trees, Section 21.64.260 of the Monterey County Zoning Ordinance (Title 21). See Finding No. 4.
- (j) The project planner conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- (k) 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 Planning File No. PLN070482.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) The properties are located at 383 and 387 San Benancio Road, Salinas (Assessor's Parcel Numbers 416-641-012-000 & 416-641-013-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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) According to Toro Area Plan, the parcel is located within an area of "high" archeological sensitivity. Prehistoric sites have been found at the lower and upper ends of San Benancio Gulch, but not at the elevation of the current project site. A Preliminary Archaeological Reconnaissance (LIB060484) was prepared by Archaeological Consulting, dated May 13, 2004. The report concludes that the project area does not contain surface evidence of potentially significant archaeological resources but recommends that work stop should any archeological resources or human remains be discovered during construction (Condition No. 3).
 - (d) Vegetation in the project area consists predominantly of grassland and oak woodland occurring on varying slopes which supports Coastal Terrace

Prairie, California Annual Grassland, and Coast Live Oak Forest plant communities. According to the Biological reports prepared by Jud Vandevere, (A Biological Report Concerning the Access Road and Home Site report, dated May 29, 2007 (LIB080438), A Biological Report for Richard Villalobos Property, dated June 2006 (LIB060485), and a Biological Letter Regarding Site Restoration report, dated August 20, 2007 (LIB080437) no rare plants no special-status plant or wildlife species occur or are expected to occur within the areas proposed for disturbance. Therefore, the site is suitable respective to biological resources.

- (e) The site is located within a V or "high" landslide and erosion susceptibility zone and within an III or "moderately" seismic hazard zone. The Toro Area Plan recognizes the Harper and Harper Canyon Faults as active faults within Monterey County. The following reports prepared for the project address these hazards: Report for the Proposed Primary Roadway to APN 416-641-007 & 008", prepared by Grice Engineering, Inc., dated July 25, 2006 (LIB060487); "A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007", prepared by Grice Engineering, Inc., dated June 15, 2004 (LIB060486); and a "Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000" prepared by Grice Engineering, Inc., dated August 26, 2006 (LIB060525). In addition, the application of the following County regulations and conditions and mitigation measures would further assure that these hazards are addressed in the development of the project: (1) the building permit process requires structures to be in conformance with the California Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas; (2) Condition No. 9 have been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection; and (3) Condition No. 30 / Mitigation Measure No. 4 requires construction activities to adhere to the special recommendations contained within the reports. Considering these requirements, the site is suitable respective to seismic hazards, landslide, and erosion concerns.
- (f) The property is located with a "High" fire hazard zone, the Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction (Condition No.s 20-25). As conditioned the site it suitable for residential uses within a high fire zone.
- (g) The Toro Land Use Advisory Committee (LUAC) reviewed the project on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2004, November 19, 2007, September 22, 2008 and October 27, 2008 (site visit). The LUAC recommended approval of the final design of project on October 27, 2008 with a 6-2 vote and two

members absent. The minutes are attached as Exhibit Q to the January 28, 2009 Planning Commission Staff Report.

- (h) Staff conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the site is suitable for this use.
- (i) Materials in Planning File No. PLN070482.

3. FINDING:

DEVELOPMENT ON SLOPES IN EXCESS OF 30% - The project, as conditioned, is consistent with the Regulations for Development on Slopes in Excess of 30%, Section 21.64.230 of the Monterey County Zoning Ordinance (Title 21). As such, there exists no feasible alternative which would allow development to occur on slopes less than 30%.

- EVIDENCE:**
- (a) The project consists of the improvements to an existing ranch road to provide access to residential structures. Due to the steep topography of the property, the road and driveway design cannot meet the standard fire department standard of 15% grade but rather reflects an 18% grade up to the Villalobos property where the grade flattens. Irrespective of where the road alignment is place on the properties, any driveway or access road to the Villalobos property would require development on slopes exceeding 30%. Slopes exceeding 30% are identified on the project plans which are attached as Exhibit N to the January 28, 2009 Planning Commission Staff Report. As illustrated on the project plans the only flat areas on the properties have been designated for the placement of structures.
 - (b) To reduce impacts associated with the site being located within a "High" fire hazard zone, the Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the construction and maintenance of access serving 2 or more habitable structures to be constructed at a minimum width of 18 feet. (Condition No.s 20-25). The original driveway designs involved approximately 8,239 cubic yards of cut and fill. The revised road design, which incorporates the Fire Department standards for roadways, increased the grading to 11,410 cubic yards of cut and fill, requires increased encroachment on slopes exceeding 30%. The proposed road alignment aims to utilize an existing ranch road access to the maximum extent feasible. The revised project design involves approximately 11,410 cubic yards of cut/fill.
 - (c) The following reports prepared for the project site account for soil conditions:
 1. Report for the Proposed Primary Roadway to APN 416-641-007 & 008", prepared by Grice Engineering, Inc., dated July 25, 2006 (LIB060487);
 2. "A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007", prepared by Grice Engineering, Inc., dated June 15, 2004 (LIB060486); and
 3. "Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000" prepared by Grice Engineering, Inc., dated August 26, 2006 (LIB060525).
 4. A Grading Justification Letter for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, dated August

31, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080440.

- (d) The following County requirements will ensure that development on slopes exceeding 30% will comply will applicable County Code regulations: (1) Condition No. 9 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection; and (2) Condition No. 30 / Mitigation Measure No. 4 requires the development of the road to adhere to the special recommendations contained within the soils/geotechnical reports. Considering these requirements, the site is suitable respective to seismic hazards, landslide, and erosion concerns.
- (e) A Biological Report Concerning the Access Road and Home Site report has been prepared for this parcel by Vandevere, dated May 29, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080438. This report concludes that restoration of the road alignment is not practicable.
- (f) Staff conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that no feasible alternative exists for this project design.
- (g) The application, plans, and related support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development found in Planning File No. PLN070482.

4. FINDING:

TREE REMOVAL (Minimum Required and Adverse Environmental Impacts) – The project, as conditioned, is consistent with the regulations for Preservation of Oak and Other Protected Trees, Section 21.64.260.D of the Monterey County Zoning Ordinance (Title 21). As such, the proposed tree removal is the minimum required under the circumstances of the case and will not involve a risk of adverse environmental impacts.

- EVIDENCE:**
- (a) The project site is located in oak woodland. The development includes the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter) and 1 non-protected California buckeye (18 inches in diameter) to allow development of an access road to the Villalobos and Christensen. The applicants attempted to retain the subject three oak trees along the proposed road alignment; however, to due fire department road construction standards requiring a road of 18 feet in width it was not possible to retain the trees. This tree removal represents the minimum necessary in order to construct the road improvements and building sites. According to the biological consultant, other project alternatives such as total restoration of the existing dirt access road would be neither advisable nor practical since no better location exists for placement of the access road besides the existing location. Other potential access road locations would involve increased slope disturbance, erosion, and impacts to the oak woodland habitat.
 - (b) Condition No. 19 requires the applicant to replace the 3 removed protected oak trees at a ratio of 1:1. Therefore, the applicant will be required to replant 3 oak trees prior to final inspection.

- (c) An Arborist's Report – Corral del Cielo prepared by Forest City Consulting, dated April 21, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080541.
- (d) An Arborist's Report for Corral del Cielo has been prepared for this parcel by Forest City Consulting, dated August 8, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060555.
- (e) Staff conducted an on-site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the proposed tree removal plan is consistent with the site conditions.
- (f) The application, 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 PLN070482.

5. FINDING: **OAK WOODLANDS** - The project, as conditioned and mitigated, will not have significant environmental impacts to oak woodlands.

- EVIDENCE:**
- (a) The proposed project is subject to the requirements set forth by the Oak Woodland Conservation Act (Section 21083.4). The Oak Woodland Conservation Act defines "oak" as a native tree species that is five inches or more in diameter at breast height. The biological reports and letter prepared by Jud Vandevere (June 2006, May 2007 and August 2007) and the Arborist Reports prepared by Forest City Consulting (August 2006 and April 2008), indicate that project site is located in oak woodland. The project involves the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter) and 1 non-protected California buckeye (18 inches in diameter) to allow for access road improvements and 1 protected coast live oak (14 inches in diameter) to allow for one of the Villalobos single family dwellings. It is not anticipated that the removal of 3 oak trees would result in a significant environmental impact to oak woodland resources.
 - (b) An Arborist's Report – Corral del Cielo prepared by Forest City Consulting, dated April 21, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080541.
 - (c) An Arborist's Report for Corral del Cielo has been prepared for this parcel by Forest City Consulting, dated August 8, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060555.
 - (d) The County has adopted a Mitigation Monitoring and Reporting Plan (MMRP) and the applicant is required to enter into an agreement to implement the MMRP pursuant to Condition No. 6.
 - (e) Condition No. 19 requires the applicant to replace the 3 removed protected oak trees at a ratio of 1:1. Therefore, the applicant will be required to replant 3 oak trees prior to final inspection.
 - (f) Staff conducted an on-site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the proposed tree removal plan is consistent with the site conditions.
 - (g) The application, 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 PLN070482.

6. FINDING:

CEQA (Mitigated Negative Declaration) – On the basis of the whole record before the Monterey County 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) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
 - b. Potentially adverse environmental effects were identified during staff review of the development application.
 - c. The Monterey County prepared an Initial Study pursuant to CEQA. The Initial Study is attached to the January 28, 2009 Planning Commission Staff Report as Exhibit R. The Initial Study and Mitigated Negative Declaration are on file in the office of the RMA – Planning Department and are hereby incorporated by reference (File No. PLN070482, PLN060101, and PLN060296). The Initial Study identified potentially significant impacts to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems.
 - d. The Mitigated Negative Declaration was filed on November 26, 2008, and circulated for a 30-day public review period from November 27, 2008 to December 27, 2008.
 - e. On January 28, 2009 the Monterey County Planning Commission Resolution No. _____ adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) to ensure the compliance monitoring of conditions and mitigation measures during project implementation. This Combined Development Permit (PLN070482) is required to adhere to certain conditions of approval pursuant to said MMRP. They are:
 - 1. Condition No. 1 requiring that applicant pay applicable filing fees to the Department of Fish and Game;
 - 2. Condition No. 2 requiring that applicant enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program”;
 - 3. Mitigation Measure Nos. 1, to mitigate the physical impacts of the project to air quality;
 - 4. Mitigation Measure Nos. 2 and 3, to mitigate the physical impacts of the project to oak tree resources and nesting raptors (biological resources);
 - 5. Mitigation Measure Nos. 4 and 5, to mitigate the physical impacts of the project to geology and soils;
 - 6. Mitigation Measure Nos. 6 and 7, to mitigate the physical impacts of the project to transportation/traffic by paying an in lieu fee.
 - f. The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute

the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

7. FINDING: **NO VIOLATIONS** - This Combined Development Permit rectifies pending Code Enforcement Violation Case No. CE070222. Upon approval, 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. Approval of this application, Planning File No. PLN070482 and adherence to the conditions of approval rectifies Code Enforcement Case No. CE070222 a violation consisting of large quantities of grading for a ranch road without permits.

EVIDENCE: (a) The applicants have applied for a Use Permit to clear Code Enforcement Violation No. CE070222 and for development on slopes exceeding 30% for the grading of a 3,121 linear foot ranch road and improvements to meet road improvement standards.

(b) See preceding findings and evidence.

(c) Staff conducted a site inspection June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that 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 (Title 21) except the subject pending violation which is resolved by approval of this permit.

(d) Application, plans, and related support materials found in Planning File No. PLN070482.

8. 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: Preceding findings and supporting evidence.

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

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

Exhibit G
Recommended
Conditions of Approval
and Mitigation Measures
for PLN070482

EXHIBIT G
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: VILLALOBOS RICHARD A ET AL & STEPHANIE LYNN CHRISTENSEN

File No: PLN070482 **APNs:** 416-641-012-000 & 416-641-013-000

Approved by: Planning Commission **Date:** January 28, 2009

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
PLANNING DEPARTMENT CONDITIONS						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (Villalobos & Christensen/Planning File No. PLN070482) allows: (1) a Use Permit to clear Code Enforcement Violation No. (CE070222) to allow development on slopes exceeding 30% for improvement to a 3,121 linear foot ranch road and grading (approx. 11,370 cu. yds. cut and 11,370 cu. yds. fill); (2) an Administrative Permit to allow development within a Visually Sensitivity or "VS" zoning district; and (3) a Tree Removal Permit to allow the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter). The property is located at 383 & 387 San Benancio Road, Salinas (Assessor's Parcel Numbers 416-641-012-000 & 416-641-013-000), Toro Area. 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 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</p>	Adhere to conditions and uses specified in the permit.	Owner/Applicant	Ongoing unless otherwise stated	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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)</p>				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice, which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Numbers 416-641-012-000 & 416-641-013-000 on January 14, 2008. The permit was granted subject to 34 conditions of approval and 7 mitigations measures 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)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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</p>	<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</p>	<p>Owner/ Applicant/ Archaeologist</p>	<p>Ongoing</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. (RMA - Planning Department)</p>	<p>to develop proper mitigation measures required for the discovery.</p>			
4.		<p>PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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 the property, filing of the final map, 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</p>	<p>Submit 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.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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)				
5.		PD006 - MITIGATION MONITORING PROGRAM 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. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
6.		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
7.		PD008 - GEOLOGIC CERTIFICATION Prior to final inspection, the geologic consultant shall provide certification that all development has been constructed in accordance with the geologic report. (RMA - Planning Department)	Submit certification by the geotechnical consultant to the RMA - Planning Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
8.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
9.		<p>Department)</p> <p>PD010 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	<p>An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.</p> <p>Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits	
10.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <p>All development shall be in accordance with the following reports:</p> <ul style="list-style-type: none"> ▪ A Preliminary Archaeological Reconnaissance of Two Proposed House Sites and Road Improvements on Assessor's Parcels 416-641-007 and -008 has been prepared for this parcel by Archaeological Consulting, dated May 13, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060484. ▪ An Arborist's Report – Corral del Cielo prepared by Forest City Consulting, dated April 21, 2008, and is on record in the 	<p>Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department</p> <p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to final inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Monterey County RMA - Planning Department, Library No. LIB080541.</p> <ul style="list-style-type: none"> ▪ An Arborist's Report for Corral del Cielo has been prepared for this parcel by Forest City Consulting, dated August 8, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060555. ▪ A Biological Report Concerning the Access Road and Home Site report has been prepared for this parcel by Vandevere, dated May 29, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080438. ▪ A Biological Report for Richard Villalobos Property report has been prepared for this parcel by Jud Vandevere, dated June 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060485. ▪ A Biological Letter Regarding Site Restoration report has been prepared for this parcel by Jud Vandevere, dated August 20, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080437. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Primary Roadway to APN 416-641-007 & 008 report has been prepared for this parcel by Grice Engineering, Inc., dated July 25, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060487. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007 report has been prepared for this parcel by Grice Engineering, Inc., dated June 15, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060486. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000 report has been prepared for this parcel by Grice Engineering, Inc., dated August 26, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060525. 				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land-Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<ul style="list-style-type: none"> ▪ A Grading Justification Letter for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, dated August 31, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080440. ▪ A Construction Management Plan for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, Inc., received June 4, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080442. ▪ A Construction Management Plan for Villalobos Driveway report has been prepared for this parcel by Monterey Bay Engineers, Inc., received December 21, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080439. ▪ A Percolation and Groundwater Study with Septic Recommendations report has been prepared for this parcel by Grice Engineering, Inc., dated August 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060526. <p>(RMA – Planning Department)</p>				
11.		<p>PD033 - RESTORATION OF NATURAL MATERIALS</p> <p>Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA – Planning Department)</p>	Submit restoration plans to the RMA - Planning Department for review and approval.	Owner/Applicant	Prior to commencement of use.	
12.		<p>PD035 - UTILITIES - UNDERGROUND</p> <p>All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	Install and maintain utility and distribution lines underground.	Owner/Applicant	Ongoing	

Permit Contd. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
13.		PDSP001- PRIVATE ROAD MAINTENANCE ASSOCIATION Form a private road maintenance association for road and drainage maintenance. Prepare an operation and maintenance plan for all facilities. Implement a fee program to fund operation and maintenance, and have appropriate documentation recorded against each parcel subject to this approval. (RMA - Planning Department)	Applicant shall submit documentation to RMA - Director of Planning for formation of road maintenance association or other entity to maintain roads and drainage improvements.	Owner/ Applicant	Prior to final inspection of road grading permit.	
14.		PD042 - GRADING/EASEMENT STAKING The conservation and scenic easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA - Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA - Planning Department and Building Services Department)	The easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA - Building Services Department.	Owner/ Applicant	At presite inspection by the grading inspector	
15.		PD043 - GRADING PERMITS REQUIRED A grading permit is required for the proposed access road and single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA - Planning Department and Building Services Department)	If applicable, apply and receive the appropriate grading permit from Monterey County RMA - Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
16.		<p>PDSP001 – EASEMENT – CONSERVATION AND SCENIC (NON-STANDARD)</p> <p>In order to minimize impacts to visual resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, outside of the proposed building site and road improvement areas, slopes exceeding 30 percent. (RMA – Planning Department)</p>	<p>The scenic easement, for portions of the property containing slopes exceeding 30%, shall be prepared in consultation with a licensed land surveyor or civil engineer and shall be submitted to the Director of Planning for review and approval and recordation upon approval, prior to issuance of grading and/or building permits.</p>	Owner/Applicant/Engineer	Prior to the issuance of grading or building permits	
17.		<p>PDSP001 - WATER TANK APPROVAL</p> <p>The water tank shall be painted an earth tone color to blend into the area. The tank shall be landscaped, if appropriate, to reduce visibility (including land sculpturing and fencing), subject to the approval of the Director of the RMA - Planning Department, prior to the issuance of building permits. The water tank landscaping shall be incorporated into the landscaping plan submitted to fulfill Condition PD012(F). (RMA – Planning Department)</p>	<p>Submit proposed color of water tank and landscaping at the water tank site to the RMA - Planning Department for review and approval.</p>	Owner/Applicant	Prior to the issuance of grading or building permits	
18.		<p>PDSP002 – TREE REPLACEMENT (NON-STANDARD)</p> <p>In order to protect the oak woodland habitat within the project site, the applicant shall arrange for a tree replacement plan to be prepared and implemented by a County-approved forester or arborist. The tree replacement plan shall include replacement of all protected trees proposed for removal (native trees 5 inches in diameter or greater) unless it is shown to be a hardship or detrimental to the long term health of the remaining habitat. Replacement of Coast live oaks shall be at a ratio of 1:1. The forester or arborist shall specify</p>	<p>Provide evidence to the Director of the RMA - Planning Department that the water tank has been painted and the landscaping has been installed according to the plans approved by the RMA - Planning Department.</p> <p>In order to monitor the success of tree replanting, the applicant shall arrange for monitoring inspections to be done by a County-approved forester or arborist. Success of tree replanting shall be assessed on the basis of percent survival of Coast live oaks. Success shall be defined as 100 percent. If the 100 percent success rate has not been achieved, the trees that have perished shall be replanted and follow up monitoring shall occur three months after replanting and a year thereafter.</p>	Owner/Applicant/Arborist	Prior to the final inspection or occupancy. During Construction	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		recommended planting areas and numbers by species. (RMA – Planning Department)	Monitoring Inspections shall occur once within the 3 months following completion of the development and one year thereafter. A report on each inspection shall be submitted to the Planning Department for review and approval.	Owner/ Applicant	Ongoing until complete	
19.		PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit evidence of tree protection to the RMA - Planning Department for review and approval. Submit on-going evidence that tree protection measures are in place throughout grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist. Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant Owner/ Applicant/ Arborist Owner/ Applicant	Prior to final inspection During Construction Prior to final inspection	
SALINAS RURAL FIRE PROTECTION DISTRICT CONDITIONS						
20.		FIRE001 - ROAD ACCESS Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Salinas Rural Fire Protection District)	Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner	Prior to final building inspection	
21.		FIRE006 - DEAD-END ROADS (4) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. All dead-end road lengths shall be measured from the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. 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. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection for each phase of development.	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
22.		FIRE007 - DRIVEWAYS 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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 long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Salinas Rural Fire Protection District)</p>				
23.		<p>FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of permit.</p> <p>Prior to final building inspection</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available. (Salinas Rural Fire Protection District)</p>				
24.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES 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 or 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
25.		<p>FIRE030 – ROADWAY ENGINEERING</p> <p>The grade for all roads shall not exceed 18 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. (Salinas Rural Fire Protection District)</p>	<p>The text of this condition shall be printed on the grading plans.</p> <p>The roadway shall be constructed in accordance with this standard. Roadway improvements shall be inspected and accepted by the Salinas Rural Fire District.</p> <p>Final grading inspection approval shall be obtained.</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading permit</p> <p>Prior to final grading inspection approval</p> <p>Prior to issuance of building permits.</p>	
WATER RESOURCES AGENCY CONDITIONS						
26.		<p>WR2 - STORMWATER CONTROL</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/Applicant/Engineer</p>	<p>Prior to issuance of any grading or building permits</p>	

Permit Cond. Number	Miting Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
27.	1.	<p>Mitigation Measure #1 (Air Quality): In order to minimize short-term construction emissions, the project shall implement the following MBUAPCD-recommended mitigation measures during grading and construction activities. The County's designated construction contractor shall monitor grading and construction activities on a daily basis to ensure that these measures are implemented.</p> <ul style="list-style-type: none"> • Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day; • Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure; • Prohibit all grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, sand, etc; • Cover inactive storage piles; • Sweep streets daily, with water sweepers, if visible soil materials are carried onto adjacent public streets; 	<p>Mitigation Monitoring Action #1: Prior to issuance of grading permits, the applicant shall incorporate a "Fugitive Dust Control" note on the grading plans that includes, but is not limited to, the measures set forth in Mitigation Measure #4. During grading operations, the contractor shall obtain any required Air District permits and conduct all grading and construction activities as required by the Air District.</p>	Applicant or owner	Prior to issuance of building permit.	

MITIGATION MEASURES

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<ul style="list-style-type: none"> Install sandbags or other erosion control measures to prevent silt runoff to public roadways; Install wheel washers at the entrance to construction sites for all exiting trucks; Pave all roads at construction sites; Construction equipment shall not be left idling for periods longer than 5 minutes when not in use; and Post a publicly visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance). 				
28.	2.	<p>Mitigation Measure #2 (Biology): If tree removal or grading activities occur between February 15 and August 15, in order to adequately determine the presence of active raptor nests within the oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities. If active raptor nests are found and the biologist determines that construction development activities would remove the nest or have the potential to cause abandonment, then those activities shall be avoided until the raptor young have fledged as determined through monitoring of the nest. Once the raptor young have fledged, development activities may resume.</p>	<p>Mitigation Monitoring Action #2: Prior to the issuance of a grading or building permit, a pre-construction raptor survey shall be submitted to the Planning Department for review and approval.</p>	Applicant or owner	Prior to issuance of grading permits.	
29.	3.	<p>Mitigation Measure #3 (Biology): In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be</p>	<p>Mitigation Monitoring Action #3-1: Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the</p>	Applicant or owner	Prior to issuance of grading or building	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.	Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.		permits.	
30.	4.	Mitigation Measure #4 (Soils & Geology): In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, for the proposed roadway, the loose site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below existing grade in areas of on-grade	Mitigation Monitoring Action #4: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>development such as fill placement. Actual depth of processing shall be determined in the field by the soils engineer during construction. For the proposed residence and related structures, the site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below grade in areas of on-grade development such as fill placement, slabs, and pavement. The over-excavation shall include the construction envelope plus 5 feet. The process shall include the complete removal of the required soils and subsequent placement of engineered fill. The soils removed may be utilized as engineered fill. After removal of the soils to the required depth, the base of the excavation shall be inspected and approved by the soils engineer prior to further soils processing or placement.</p>	<p>Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.</p>			
31.	5.	<p>Mitigation Measure #5 (Soils & Geology): In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, all concentrated roof and area drainage shall be released to open areas away from structures, pavements, and septic systems. A sub-surface dispersal system shall not be used on the site as it will be ineffective and could cause surficial slumping. To reduce the impact of released drainage on down slope features, the discharge point shall consider area and down slope features and use of multiple outlets. As proposed, the roadway surface is to primarily sheet drain off the outside edge of the roadway. This method is acceptable provided the fill edges and slopes are adequately protected against surface erosion by vegetative cover. All fill surfaces shall be vegetated with native species suitable for the</p>	<p>Mitigation Monitoring Action #5: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.</p>	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Miting Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		climate and irrigated to provide adequate cover prior to winter. During and after the first winter, the slopes shall be evaluated and improved as necessary. General concentrated surface drainage shall be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.				
32.	6.	<p>Mitigation Measure #6 (Transportation): In order to minimize potential regional traffic/transportation impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County.</p>	<p>Mitigation Monitoring Action #6: Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.</p>	Applicant or owner	Prior to issuance of building permits.	
33.	7.	<p>Mitigation Measure #7 (Transportation): In order to mitigate construction and grading truck traffic impacts on Highway 68, the applicant shall arrange for the hauling of construction and grading materials to occur at hours other than 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, Monday through Friday. Hauling operations shall not occur on weekends and holidays. The only exception shall be structural concrete, which will be allowed to be hauled during the 7:00 am to 9:00 am time period on non-holiday weekdays only.</p>	<p>Mitigation Monitoring Action #7: During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the Planning Department for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.</p>	Applicant or owner	Monthly during construction and grading operations	

END OF CONDITIONS AND MITIGATION MEASURES

Exhibit H
Project Data Sheet
for PLN060101

EXHIBIT H

Project Information for PLN060101

Project Title: VILLALOBOS RICHARD A & ELSA R

Location: 387 SAN BENANCIO RD SALINAS

Primary APN: 416-641-013-000

Applicable Plan: Toro Area Plan

Coastal Zone: No

Permit Type: Combined Development Permit

Zoning: RC/40-VS

Environmental Status: MND

Plan Designation: RC 10-160 AC MIN

Advisory Committee: Toro

Final Action Deadline (884): 9/2/2008

Project Site Data:

Lot Size: 80 AC

Coverage Allowed: 25%

Coverage Proposed: 0.57%

Existing Structures (sf): 0 SF

Height Allowed: 30 FT

Proposed Structures (sf): 12,424 SF

Height Proposed: 17 FT

Total Sq. Ft.: 12,424 SF

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: Yes

Erosion Hazard Zone: HIGH

Biological Report #: LIB060485

Soils Report #: LIB060526

Forest Management Rpt. #: LIB080541

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: III

Archaeological Report #: LIB060484

Geologic Report #: LIB060487

Fire Hazard Zone: HIGH

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC SYSTEM & WELL

Sewage Disposal (method): SEPTIC

Water Dist/Co: DIAZ RANCH WATER SYSTEM

Sewer District Name: N/A

Fire District: SALINAS RURAL FPD

Grading (cubic yds.): 0.0

Tree Removal: 0

Exhibit I
Recommended Findings
and Evidence
for PLN060101

EXHIBIT I
RECOMMENDED FINDINGS AND EVIDENCE FOR VILLALOBOS
RESIDENCES COMBINED DEVELOPMENT PERMIT NO. PLN060101

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, Toro Area Plan, Toro 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 387 San Benancio Road, Salinas (Assessor's Parcel Number 416-641-012-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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 for two single-family dwelling with attached garages and a detached guesthouse are a use allowed in accordance with Sections 21.36.030.A and 21.36.030 B of Chapter 21.36 of the Zoning Ordinance (Regulations for the Resource Conservation or "RC" District) and is consistent with the development standards of Section 21.36.060 of the same Chapter; and is consistent with the regulations of Chapter 21.64.030 (Regulations for Guesthouses) of Zoning Ordinance (Title 21).

(d) The provisions of the Visual Sensitivity or "VS" zoning district, Chapter 21.46 of the Monterey County Zoning Ordinance (Title 21), include regulations for development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area. These regulations allow development within visually sensitive areas upon securing an Administrative Permit provided that after flagging, staking and an on-site inspection, the project is determined not to have the potential to create a substantial adverse visual impact when viewed from a common public viewing area. Staff's visual reconnaissance of the staking and flagging indicates that the proposed project will not be visible from any common public viewing areas such as San Benancio Road, Highway 68, Laguna Seca Park, Toro Park, Highway 101, and Corral de Tierra Road. Therefore, the project does not have the potential to create ridgeline development and is consistent with the provisions of "VS" zoning district. See Aesthetics analysis provided within the Initial Study attached to the January 28, 2009 Planning Commission Staff Report as **Exhibit R**. The development is proposed blend into the existing residential development by the use of an 18 foot one-story project design and the use of materials and colors of natural earth-toned colors.

- (e) The Toro Land Use Advisory Committee (LUAC) reviewed the project on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2004, November 19, 2007, September 22, 2008 and October 27, 2008 (site visit). The LUAC recommended approval of the final design of project on October 27, 2008 with a 5-1 vote and two members absent. The minutes are attached as **Exhibit Q**. The LUAC's discussions revolved around concerns regarding the water availability (specifically connecting to the Diaz Ranch water system), visual sensitivity, and the grading. The October 27, 2008 minutes concur with staff's analysis of the project's visibility and conclusion that "visual impacts of either proposed house is minimal to none from a public viewing area." The committee recommended the addition of conditions for minimal down-lit lighting, native landscaping, and the use of natural earth-toned colors. Condition Nos. 7 and 16 have been incorporated to address these concerns.
- (f) The project planner conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- (g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Planning File No. PLN060101.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District Fire Protection District, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) The property is located at 387 San Benancio Road, Salinas (Assessor's Parcel Numbers 416-641-013-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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) According to Toro Area Plan, the parcel is located within an area of "high" archeological sensitivity. Prehistoric sites have been found at the lower and upper ends of San Benancio Gulch, but not at the elevation of the current project site. A Preliminary Archaeological Reconnaissance (LIB060484) was prepared by Archaeological Consulting, dated May 13, 2004. The report concludes that the project site does not contain surface evidence of potentially significant archaeological resources but recommends that work stop should any archeological resources or human remains be discovered during construction (Condition No. 3).
 - (d) Vegetation in the project area consists predominantly of grassland and oak woodland occurring on varying slopes which supports Coastal Terrace Prairie, California Annual Grassland, and Coast Live Oak Forest plant

communities. According to the Biological reports prepared by Jud Vandevere, (A Biological Report Concerning the Access Road and Home Site report, dated May 29, 2007 (LIB080438), A Biological Report for Richard Villalobos Property, dated June 2006 (LIB060485), and a Biological Letter Regarding Site Restoration report, dated August 20, 2007 (LIB080437) no rare plants no special-status plant or wildlife species occur or are expected to occur within the areas proposed for disturbance. Therefore, the site is suitable respective to biological resources.

- (c) The site is located within a V or "high" landslide and erosion susceptibility zone and within an III or "moderately" seismic hazard zone. The Toro Area Plan recognizes the Harper and Harper Canyon Faults as active faults within Monterey County. The following reports prepared for the project address these hazards: Report for the Proposed Primary Roadway to APN 416-641-007 & 008", prepared by Grice Engineering, Inc., dated July 25, 2006 (LIB060487); "A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007", prepared by Grice Engineering, Inc., dated June 15, 2004 (LIB060486); and a "Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000" prepared by Grice Engineering, Inc., dated August 26, 2006 (LIB060525). In addition, the application of the following County regulations and conditions and mitigation measures would further assure that these hazards are addressed in the development of the project: (1) the building permit process requires structures to be in conformance with the California Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas; (2) Condition No. 14 have been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection; and (3) Condition No. 42 / Mitigation Measure No. 4 requires construction activities to adhere to the special recommendations contained within the reports. Considering these requirements, the site is suitable respective to seismic hazards, landslide, and erosion concerns.
- (d) A Percolation and Groundwater Study with Septic Recommendations report has been prepared for this parcel by Grice Engineering, Inc., dated August 2006 (LIB060526). The report identified the project site has having soil conditions that would adequately support the use of septic tanks for the proposed residences. The Environmental Health Division has incorporated Condition No. 36 requiring that applicants submit plans for review and approval showing the location and design of the proposed septic system and obtain a permit for the installation of the system prior to the issuance of building permits. Therefore, the site is suitable for the installation of septic disposal systems.
- (e) To reduce impacts associated with be located with an "High" fire hazard zone, the Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire

sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction (Condition Nos. 25-34).

- (f) The project would contribute temporary vehicle trips in the form of contractor and construction vehicles, building material delivery trucks and soil and debris off-haul trucks during grading and construction activities. According to the Construction Management Plans prepared for this project ["Construction Management Plan for Villalobos Project", prepared by Monterey Bay Engineers, Inc., received June 4, 2008, (LIB080442); and "A Construction Management Plan for Villalobos Driveway", prepared by Monterey Bay Engineers, Inc., received December 21, 2007, (LIB080439).] grading and construction operations would be phased over an approximately 417 day period in order to minimize traffic impacts. The Plan estimates that these operations would involve an average of 14 vehicle trips per day. It is anticipated that these temporary vehicle trips would be accommodated by the local road system and would not result in a significant impact. Mitigation Measure No. 6 / Condition No. 45 requires the applicants to adhere to the project management recommendations prescribed by the traffic management plans.
- (c) Staff conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the site is suitable for this use.
- (d) Materials in Planning File No. PLN060101.

3. FINDING: CEQA (Mitigated Negative Declaration) – On the basis of the whole record before the Monterey County 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) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
 - (b) Potentially adverse environmental effects were identified during staff review of the development application.
 - (c) The Monterey County prepared an Initial Study pursuant to CEQA. The Initial Study is attached to the January 28, 2009 Planning Commission Staff Report as Exhibit R. The Initial Study and Mitigated Negative Declaration are on file in the office of the RMA – Planning Department and are hereby incorporated by reference (File No. PLN070482, PLN060101, and PLN060296). The Initial Study identified potentially significant impacts to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems.
 - (d) The Mitigated Negative Declaration was filed on November 26, 2008, and circulated for a 30-day public review period from November 27, 2008 to December 27, 2008.
 - (e) On January 28, 2009 the Monterey County Planning Commission Resolution No. ____ adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) to ensure the compliance monitoring of conditions and mitigation measures during project implementation. This Combined Development Permit

(PLN060101) is required to adhere to certain conditions of approval pursuant to said MMRP. They are:

1. Condition No. 5 requiring that applicant enter into an "Agreement to Implement a Mitigation Monitoring and Reporting Program";
 2. Mitigation Measure No. 1, to mitigate the physical impacts of the project to air quality;
 3. Mitigation Measure No. 4 and 5 to mitigate the physical impacts of the project to geology and soils;
 4. Mitigation Measure No. 6 and 7 to mitigate the physical impacts of the project to transportation/traffic by paying an in lieu fee.
- (f) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

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

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

5. **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: Preceding findings and supporting evidence.

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

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

Exhibit J
Recommended
Conditions of Approval
and Mitigation Measures
for PLN060101

EXHIBIT J

**Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan**

Project Name: VILLALOBOS RICHARD A ET AL

File No: PLN060101

APN: 416-641-012-000

Approved by: Planning Commission

Date: January 28, 2009

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
PLANNING DEPARTMENT CONDITIONS						
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN060101) allows consisting of: (1) an Administrative Permit for development in a Visually Sensitivity or "VS" district to allow the construction of: Villalobos Residence No. 1, a 5,158 square foot one-story single-family dwelling with an attached 864 square foot one-story three-car garage, a detached 576 square foot guesthouse, and Villalobos Residence No. 2, a two-story 4,998 square foot single-family dwelling with attached one-story 828 square feet three-car garage; and (2) an Administrative Permit for a second residential dwelling pursuant to the Resource Conservation zoning designation; and grading (approx. 14,647 cu. yds. cut/14,647 cu. yds. fill). The property is located at 387 San Benancio Road, Salinas (Assessor's Parcel Number 416-641-013-000), Toro Area. 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 the RMA - Planning Department. Any use or construction not in substantial conformance with the terms</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
2.		<p>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)</p> <p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice, which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 416-641-013-000 on January 28, 2009. The permit was granted subject to 43 conditions of approval and 7 mitigations measures 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)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT 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</p>	<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</p>	Owner/Applicant/Archaeologist	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. (RMA - Planning Department)</p>	<p>shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.</p>			
4.		<p>PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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 the property, filing of the final map, 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</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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)</p>				
5.		<p>PD006 - MITIGATION MONITORING PROGRAM 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. (RMA - Planning Department)</p>	<p>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.</p>	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
6.		<p>PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)</p>	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
7.		<p>PD011 - TREE AND ROOT PROTECTION 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)</p>	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/ Applicant	Prior to the issuance of grading and/or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)</p>	<p>Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p> <p>Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.</p>	Owner/ Applicant/ Arborist	During Construction	
8.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <p>All development shall be in accordance with the following reports:</p> <ul style="list-style-type: none"> ▪ A Preliminary Archaeological Reconnaissance of Two Proposed House Sites and Road Improvements on Assessor's Parcels 416-641-007 and -008 has been prepared for this parcel by Archaeological Consulting, dated May 13, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060484. ▪ An Arborist's Report – Corral del Cielo prepared by Forest City Consulting, dated April 21, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080541. ▪ An Arborist's Report for Corral del Cielo has been prepared for this parcel by Forest City Consulting, dated August 8, 2006, and is on record in the Monterey County 	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>RMA - Planning Department, Library No. LIB060555.</p> <ul style="list-style-type: none"> ▪ A Biological Report Concerning the Access Road and Home Site report has been prepared for this parcel by Vandevere, dated May 29, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080438. ▪ A Biological Report for Richard Villalobos Property report has been prepared for this parcel by Jud Vandevere, dated June 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060485. ▪ A Biological Letter Regarding Site Restoration report has been prepared for this parcel by Jud Vandevere, dated August 20, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080437. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Primary Roadway to APN 416-641-007 & 008 report has been prepared for this parcel by Grice Engineering, Inc., dated July 25, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060487. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007 report has been prepared for this parcel by Grice Engineering, Inc., dated June 15, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060486. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008 report has been prepared for this parcel by Grice Engineering, Inc., dated August 26, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060525. ▪ A Grading Justification Letter for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, dated August 31, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. 				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>LIB080440.</p> <ul style="list-style-type: none"> ▪ A Construction Management Plan for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, Inc., received June 4, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080442. ▪ A Construction Management Plan for Villalobos Driveway report has been prepared for this parcel by Monterey Bay Engineers, Inc., received December 21, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080439. ▪ A Percolation and Groundwater Study with Septic Recommendations report has been prepared for this parcel by Grace Engineering, Inc., dated August 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060526." <p>(RMA – Planning Department)</p>				
9.		<p>PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	Install and maintain utility and distribution lines underground.	Owner/Applicant	Ongoing	
10.		<p>PDSP001 – MATERIALS AND COLORS (NON-STANDARD) The structures shall be painted earth tone colors to blend into the area and landscape. Any changes to colors and materials shall require Design Approval pursuant to Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21). (RMA - Planning Department)</p>	Submit proposed color samples to RMA – Planning Department for review and approval.	Applicant/Owner	Prior to the issuance of grading and building permits	
11.		<p>PD042 – GRADING/EASEMENT STAKING The conservation and scenic easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official</p>	The easement(s) and proposed grading shall be staked with 18" stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as	Owner/Applicant	At presite inspection by the grading inspector	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
12.		<p>record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA – Planning Department and Building Services Department)</p> <p>PD043 – GRADING PERMITS REQUIRED A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA – Planning Department and Building Services Department)</p>	<p>indicated in the official record at the Monterey County RMA – Building Services Department.</p> <p>If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.</p>	Owner/ Applicant/ Engineer	Commence ment of activity	
PLANNING DEPARTMENT CONDITIONS FOR RESIDENCE 1						
13.		<p>PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)</p>	<p>Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.</p>	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
14.		<p>PDSP002 – LANDSCAPE, RESTORATION PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) (NON-STANDARD) The site shall be landscaped. Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning</p>	<p>Submit landscape and restoration plans and contractor's estimate to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Department. Prior to the issuance of building permits, three (3) copies of a landscaping and restoration 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)</p>	<p>Landscaping and restoration 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.</p> <p>All landscaped and restored 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.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p> <p>Owner/ Applicant</p>	<p>Prior to Occupancy</p> <p>Ongoing</p>	
15.		<p>PD014(B) - LIGHTING - EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</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. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set</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> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p> <p>Prior to Occupancy/ Ongoing</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
16.		<p>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)</p> <p>PD010 - EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	<p>An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.</p>	Owner/ Applicant	Prior to the issuance of building permits	
17.		<p>PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide</p>	<p>1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)</p>	<p>2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.</p>	Owner/ Applicant/ Engineer	Prior to the final inspection	
18.		<p>PD019(A) – DEED RESTRICTION – GUESTHOUSE (INLAND) The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Detached guesthouses shall be located in close proximity to the principal residence. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens. • The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets. • The guesthouse shall not exceed 600 square feet of livable floor area. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. 	<p>Submit signed and notarized document to the Director of RMA – Planning Department for review and signature by the County.</p>	Owner/ Applicant	Prior to the issuance of grading or building permits	
			<p>Proof of recordation of the document shall be submitted to the RMA – Planning Department.</p>	Owner/ Applicant	Prior to occupancy or commencement of use	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</p> <ul style="list-style-type: none"> The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area. The guesthouse height shall not exceed 15 feet nor be more than one story. <p>(RMA – Planning Department)</p>				
PLANNING DEPARTMENT CONDITIONS FOR RESIDENCE 2						
19.		<p>PD009 - GEOTECHNICAL CERTIFICATION</p> <p>Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA – Planning Department and Building Services Department)</p>	<p>Submit certification by the geotechnical consultant to the RMA – Building Services Department showing project's compliance with the geotechnical report.</p>	<p>Owner/ Applicant/ Geotechnical Consultant</p>	<p>Prior to final inspection</p>	
20.		<p>PDSP002 – LANDSCAPE, RESTORATION PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) (NON-STANDARD)</p> <p>The site shall be landscaped. Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the adjoining area, subject to the approval of the Director of the RMA - Planning Department. Prior to the issuance of building permits, three (3) copies of a landscaping and restoration 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</p>	<p>Submit landscape and restoration plans and contractor's estimate to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to issuance of Building Permits</p>	
			<p>Landscaping and restoration 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.</p>	<p>Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect</p>	<p>Prior to Occupancy</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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)</p>	<p>All landscaped and restored 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.</p>	Owner/Applicant	Ongoing	
21.		<p>PD014(B) - LIGHTING - EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT) All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA - Planning Department)</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> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/Applicant	Prior to the issuance of building permits.	
22.		<p>PD033 - RESTORATION OF NATURAL MATERIALS Upon completion of the development, the area disturbed shall be restored to a condition to correspond with the</p>	<p>Submit restoration plans to the RMA - Planning Department for review and approval.</p>	Owner/Applicant	Prior to commencement of use.	

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		adjoining area, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA - Planning Department)				
23.		PD041 - HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA - Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA - Planning Department and Building Services Department)	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection 2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA - Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant	Prior to the issuance of grading or building permits Prior to the final inspection	
SALINAS RURAL FIRE PROTECTION DISTRICT CONDITIONS						
24.		FIRE007 - DRIVEWAYS 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	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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 long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Salinas Rural Fire Protection District)</p>				
25.		<p>FIRE008 - GATES 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
26.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to final building inspection.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall schedule fire dept. clearance inspection.</p>	<p>Applicant or owner</p>	<p>permit. Prior to final building inspection</p>	
27.		<p>FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner Applicant or owner</p>	<p>Prior to issuance of permit. Prior to final building inspection</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation. Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
28.		<p>modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available. (Salinas Rural Fire Protection District)</p> <p>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
29.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES 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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
30.		<p>FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
31.		<p>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</p> <p>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	Applicant or owner	Prior to issuance of grading and/or building permit.	
32.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD) 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p>	Applicant or owner	Prior to issuance of building permit. Prior to framing inspection Prior to final building inspection	
33.		<p>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
ENVIRONMENTAL HEALTH DIVISION CONDITION						
34.		EH11 - SEPTIC SYSTEM DESIGN Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)	Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of building	
WATER RESOURCES AGENCY CONDITIONS						
35.		WR2 - STORMWATER CONTROL The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)	Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.	Owner/ Applicant/ Engineer	Prior to issuance of any grading or building permits	
36.		WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to: a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.	Compliance to be verified by building inspector at final inspection.	Owner/ Applicant	Prior to final building inspect-ion/ occupancy	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)				
MITIGATION MEASURES						
37.	1.	<p>Mitigation Measure #1 (Air Quality): In order to minimize short-term construction emissions, the project shall implement the following MBUAPCD-recommended mitigation measures during grading and construction activities. The County's designated construction contractor shall monitor grading and construction activities on a daily basis to ensure that these measures are implemented.</p> <ul style="list-style-type: none"> • Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day; • Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure; • Prohibit all grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, 	<p>Mitigation Monitoring Action #4: Prior to issuance of grading permits, the applicant shall incorporate a "Fugitive Dust Control" note on the grading plans that includes, but is not limited to, the measures set forth in Mitigation Measure #4. During grading operations, the contractor shall obtain any required Air District permits and conduct all grading and construction activities as required by the Air District.</p>	Applicant or owner	Prior to issuance of building permit.	

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		<p>sand, etc;</p> <ul style="list-style-type: none"> • Cover inactive storage piles; • Sweep streets daily, with water sweepers, if visible soil materials are carried onto adjacent public streets; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Install wheel washers at the entrance to construction sites for all exiting trucks; • Pave all roads at construction sites; • Construction equipment shall not be left idling for periods longer than 5 minutes when not in use; and <p>Post a publicly visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).</p>				
38.	2.	<p>Mitigation Measure #3 (Biology): In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.</p>	<p>Mitigation Monitoring Action #3-1: Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional</p>	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
39.	3.	<p>Mitigation Measure #3 (Biology): In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.</p>	<p>mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.</p>	Applicant or owner	Prior to issuance of grading or building permits.	
		<p>Mitigation Monitoring Action #3-1: Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest</p>				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
40.	4.	<p>Mitigation Measure #4 (Soils & Geology): In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, for the proposed roadway, the loose site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below existing grade in areas of on-grade development such as fill placement. Actual depth of processing shall be determined in the field by the soils engineer during construction. For the proposed residence and related structures, the site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below grade in areas of on-grade development such as fill placement, slabs, and pavement. The over-excavation shall include the construction envelope plus 5 feet. The process shall include the complete removal of the required soils and subsequent placement of engineered fill. The soils removed may be utilized as engineered fill. After removal of the soils to the required depth, the base of the excavation shall be inspected and approved by the soils engineer prior to further soils processing or placement.</p>	<p>management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.</p>	Applicant or owner	Prior to issuance of grading or building permits.	
41.	5.	<p>Mitigation Measure #5 (Soils & Geology): In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations</p>	<p>Mitigation Monitoring Action #4: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #9.</p>	Applicant or owner	Prior to issuance of grading or building permits.	
41.	5.	<p>Mitigation Measure #5 (Soils & Geology): In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations</p>	<p>Mitigation Monitoring Action #5: Prior to issuance of grading or building permits, the applicant shall submit</p>	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, all concentrated roof and area drainage shall be released to open areas away from structures, pavements, and septic systems. A sub-surface dispersal system shall not be used on the site as it will be ineffective and could cause surficial slumping. To reduce the impact of released drainage on downslope features, the discharge point shall consider area and downslope features and use of multiple outlets. As proposed, the roadway surface is to primarily sheet drain off the outside edge of the roadway. This method is acceptable provided the fill edges and slopes are adequately protected against surface erosion by vegetative cover. All fill surfaces shall be vegetated with native species suitable for the climate and irrigated to provide adequate cover prior to winter. During and after the first winter, the slopes shall be evaluated and improved as necessary. General concentrated surface drainage shall be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.</p>	<p>grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.</p>		building permits.	
42.	6.	<p>Mitigation Measure #6 (Transportation): In order to minimize potential regional traffic/transportation impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County.</p>	<p>Mitigation Monitoring Action #6: Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.</p>	Applicant or owner	Prior to issuance of building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
43.	7.	<p>Mitigation Measure #7 (Transportation): In order to mitigate construction and grading truck traffic impacts on Highway 68, the applicant shall arrange for the hauling of construction and grading materials to occur at hours other than 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, Monday through Friday. Hauling operations shall not occur on weekends and holidays. The only exception shall be structural concrete, which will be allowed to be hauled during the 7:00 am to 9:00 am time period on non-holiday weekdays only.</p>	<p>Mitigation Monitoring Action #7: During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the Planning Department for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.</p>	Applicant or owner	Monthly during construction and grading operations	

END OF CONDITIONS

Exhibit K
Project Data Sheet
for PLN060296

EXHIBIT K

Project Information for PLN060296

Project Title: CHRISTENSEN STEPHANIE LYNN

Location: 383 SAN BENANCIO RD SALINAS

Primary APN: 416-641-012-000

Applicable Plan: Toro Area Plan

Coastal Zone: No

Permit Type: Administrative Permit

Zoning: RC/40-VS

Environmental Status: MND

Plan Designation: RC 10-160 AC MIN

Advisory Committee: N/A

Final Action Deadline (884): 11/21/2007

Project Site Data:

Lot Size: 40 AC

Coverage Allowed: 25%

Existing Structures (sf): 0 SF

Coverage Proposed:

Height Allowed: 30FT

Proposed Structures (sf):

Height Proposed:

Total Sq. Ft.:

FAR Allowed: N/A

FAR Proposed:

Resource Zones and Reports:

Environmentally Sensitive Habitat:

Erosion Hazard Zone: HIGH

Biological Report #: N/A

Soils Report #:

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: III

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: HIGH

Traffic Report #: N/A

Other Information:

Water Source: SYSTEM

Sewage Disposal (method): SEPTIC

Water Dist/Co: DIAZ RANCH

Sewer District Name: N/A

Fire District:

Grading (cubic yds.): 0.0

Tree Removal: N/A

Exhibit L
Recommended Findings
and Evidence for
PLN060296

EXHIBIT L
RECOMMENDED FINDINGS AND EVIDENCE FOR
CHRISTENSEN ADMINISTRATIVE PERMIT NO. PLN060296

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, Toro Area Plan, Toro 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 383 San Benancio Road, Salinas (Assessor's Parcel Number 416-641-012-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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 for a single-family dwelling with attached garage and guesthouse is allowed per the Regulations of Sections 21.36.030.A and B of Chapter 21.36 of the Zoning Ordinance (Regulations for Resource Conservation or "RC" Districts) and is consistent with the development standards of Section 21.36.060 and is consistent with the regulations of Chapter 21.64.020 (Regulations for Guesthouses) of the Ordinance.
 - (d) The provisions of the Visual Sensitivity or "VS" zoning district, Chapter 21.46 of the Monterey County Zoning Ordinance (Title 21), includes regulations for development in those areas of the County of Monterey in which such development could potentially create adverse visual impacts when viewed from a common public viewing area. These regulations allow development within visually sensitive areas upon securing an Administrative Permit provided that after flagging, staking and an on-site inspection, the project is determined not to have the potential to create a substantial adverse visual impact when viewed from a common public viewing area. Staff's visual reconnaissance of the staking and flagging indicates that the proposed project will not be visible from any common public viewing areas such as San Benancio Road, Highway 68, Laguna Seca Park, Toro Park, Highway 101, and Corral de Tierra Road. Therefore, the project does not have the potential to create ridgeline development and is consistent with the provisions of "VS" zoning district. See Aesthetics analysis provided within the Initial Study attached to the January 28, 2009 Planning Commission Staff Report as Exhibit R.
 - (e) The Toro Land Use Advisory Committee (LUAC) reviewed the project on October 9, 2006, October 23, 2006, November 13, 2006 (site visit), November 27, 2004, November 19, 2007, September 22, 2008 and October 27, 2008 (site visit). The LUAC recommended approval of the

final design of project on October 27, 2008 with a 6-0 vote and two members absent. The minutes are attached as Exhibit Q to the January 28, 2009 Planning Commission Staff Report. The LUAC's discussions revolved around concerns regarding the water availability (specifically connecting to the Diaz Ranch water system), visual sensitivity, and the grading. The October 27, 2008 minutes concur with staff's analysis of the project's visibility and conclusion that "visual impacts of either proposed house is minimal to none from a public viewing area." The committee recommended the addition of conditions for minimal down-lit lighting, native landscaping, and the use of natural earth-toned colors. Conditions No. 10, 11 and 21 have been incorporated to address these concerns.

- (f) The project planner conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- (g) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Planning File No. PLN060296.

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

- EVIDENCE:**
- (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Salinas Rural Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - (b) The property is located at 383 San Benancio Road, Salinas (Assessor's Parcel Numbers 416-641-012-000), Toro Area Plan. The parcel is zoned Resource Conservation, 40 acres per unit, with a Visual Sensitivity zoning district overlay ("RC/40-VS"). 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) According to Toro Area Plan, the parcel is located within an area of "high" archeological sensitivity. Prehistoric sites have been found at the lower and upper ends of San Benancio Gulch, but not at the elevation of the current project site. A Preliminary Archeological Reconnaissance (LIB060484) was prepared by Archaeological Consulting, dated May 13, 2004. The report concludes that the project area does not contain surface evidence of potentially significant archaeological resources but recommends that work stop should any archeological resources or human remains be discovered during construction (Condition No. 3).
 - (d) Vegetation in the project area consists predominantly of grassland and oak woodland occurring on varying slopes which supports Coastal Terrace Prairie, California Annual Grassland, and Coast Live Oak Forest plant communities. According to the Biological reports prepared by Jud Vandevere, (A Biological Report Concerning the Access Road and Home Site report, dated May 29, 2007 (LIB080438), A Biological Report for Richard Villalobos Property, dated June 2006 (LIB060485), and a

Biological Letter Regarding Site Restoration report, dated August 20, 2007 (LIB080437) no rare plants no special-status plant or wildlife species occur or are expected to occur within the areas proposed for disturbance. Therefore, the site is suitable respective to biological resources.

- (c) The site is located within a V or "high" landslide and erosion susceptibility zone and within an III or "moderately" seismic hazard zone. The Toro Area Plan recognizes the Harper and Harper Canyon Faults as active faults within Monterey County. The following reports prepared for the project address these hazards: Report for the Proposed Primary Roadway to APN 416-641-007 & 008", prepared by Grice Engineering, Inc., dated July 25, 2006 (LIB060487); "A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007", prepared by Grice Engineering, Inc., dated June 15, 2004 (LIB060486); and a "Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000" prepared by Grice Engineering, Inc., dated August 26, 2006 (LIB060525). In addition, the application of the following County regulations and conditions and mitigation measures would further assure that these hazards are addressed in the development of the project: (1) the building permit process requires structures to be in conformance with the California Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas; (2) Condition No. 7 have been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection; and (3) Condition No. 36 / Mitigation Measure No. 5 requires construction activities to adhere to the special recommendations contained within the reports. Considering these requirements, the site is suitable respective to seismic hazards, landslide, and erosion concerns.
- (d) A Percolation and Groundwater Study with Septic Recommendations report has been prepared for this parcel by Grice Engineering, Inc., dated August 2006 (LIB060526). The report identified the project site has having soil conditions that would adequately support the use of septic tanks. The Environmental Health Division has incorporated Condition No. 34 requiring that applicants submit plans for review and approval showing the location and design of the proposed septic system and obtain a permit for the installation of the system prior to the issuance of building permits. Therefore, the site is suitable for the installation of septic disposal systems.
- (e) To reduce impacts associated with the site being located within a "High" fire hazard zone, the Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction (Condition No.s 21-33).

- (f) Staff conducted a site inspection on June 2, 2006, June 27, 2007, June 18, 2008 and October 27, 2008 to verify that the site is suitable for this use.
- (g) Materials in Planning File No. PLN060296.

3. FINDING: CEQA (Mitigated Negative Declaration) – On the basis of the whole record before the Monterey County 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) The proposed project is subject to environmental review due to the potential for significant environmental effects pursuant to CEQA Guidelines Section 15070 (Decision to Prepare a Negative or Mitigated Negative Declaration).
 - (b) Potentially adverse environmental effects were identified during staff review of the development application.
 - (c) The Monterey County prepared an Initial Study pursuant to CEQA. The Initial Study is attached to the January 28, 2009 Planning Commission Staff Report as Exhibit R. The Initial Study and Mitigated Negative Declaration are on file in the office of the RMA – Planning Department and are hereby incorporated by reference (File No. PLN070482, PLN060101, and PLN060296). The Initial Study identified potentially significant impacts to aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, recreation, transportation/traffic and utilities/service systems.
 - (d) The Mitigated Negative Declaration was filed on November 26, 2008, and circulated for a 30-day public review period from November 27, 2008 to December 27, 2008.
 - (e) On January 28, 2009 the Monterey County Planning Commission Resolution No. _____ adopted a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program (MMRP) to ensure the compliance monitoring of conditions and mitigation measures during project implementation. This Administrative Permit (PLN060296) is required to adhere to certain conditions of approval pursuant to said MMRP. They are:
 - 1. Condition No. 5 requires the applicant to enter into an “Agreement to Implement a Mitigation Monitoring and Reporting Program”;
 - 2. Mitigation Measure No. 1, to mitigate the physical impacts of the project to air quality;
 - 3. Mitigation Measure No. 2, to mitigate the physical impacts of the project to oak tree resources and nesting raptors (biological resources);
 - 4. Mitigation Measure No. 5, to mitigate the physical impacts of the project to geology and soils;
 - 5. Mitigation Measure No. 6 & 7, to mitigate the physical impacts of the project to transportation/traffic by paying an in lieu fee.
 - (f) The Monterey County Resource Management Agency – Planning Department, (located at 168 W. Alisal Street, 2nd Floor, Salinas, CA, 93901) is the custodian of documents and other materials that constitute the record of proceedings upon which the decision to adopt the Mitigated Negative Declaration is based.

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

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

5. **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: Preceding findings and supporting evidence.

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

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

Exhibit M
Recommended
Conditions of Approval
and Mitigation Measures
for PLN060296

EXHIBIT M

**Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan for PLN060296**

Project Name: STEPHANIE LYNN CHRISTENSEN
File No: PLN060296 **APN:** 416-641-012-000
Approved by: Planning Commission **Date:** January 28, 2009

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

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
PLANNING DEPARTMENT CONDITIONS						
1.		<p>PD001 - SPECIFIC USES ONLY This Administrative Permit (PLN070296) allows development within a Visual Sensitivity district or "VS" district for the construction of a one-story 1,170 square foot single family dwelling with an attached 774 square foot covered porch, and detached 576 square foot two-car garage with an attached 240 square foot carport, a 600 square foot one-story guesthouse, 2,160 square feet of barn and stables, installation of two septic disposal systems, and grading (approximately 1,898 cubic yards cut/ 1,898 cubic yards fill). The property is located at 383 San Benancio Road, Salinas (Assessor's Parcel Number 416-641-012-000), Toro 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 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</p>	Adhere to conditions and uses specified in the permit.	Owner/ Applicant	Ongoing unless otherwise stated	

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		<p>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)</p>				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice, which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 416-641-012-000 on January 28, 2009. The permit was granted subject to 36 conditions of approval and 5 mitigations measures 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)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		<p>PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT 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</p>	<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</p>	Owner/Applicant/Archaeologist	Ongoing	

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		<p>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. (RMA - Planning Department)</p>	<p>required for the discovery.</p>			
4.		<p>PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the 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. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his 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 the property, filing of the final map, 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</p>	<p>Submit 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.</p>	<p>Owner/ Applicant</p>	<p>Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)				
5.		PD006 - MITIGATION MONITORING PROGRAM 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. (RMA - Planning Department)	1) Enter into agreement with the County to implement a Mitigation Monitoring Program. 2) Fees shall be submitted at the time the property owner submits the signed mitigation monitoring agreement.	Owner/ Applicant	Within 60 days after project approval or prior to the issuance of grading and building permits, whichever occurs first.	
6.		PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA - Planning Department and Building Services Department)	Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.	Owner/ Applicant	Ongoing	
7.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	

<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>
8.		<p>PD010 - EROSION CONTROL PLAN AND SCHEDULE</p> <p>The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA – Planning and Director of Building Services. All cut and/or fill slopes exposed during the course of construction be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during and immediately following construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)</p>	<p>An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.</p> <p>Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.</p>	<p>Owner/Applicant</p> <p>Owner/Applicant</p>	<p>Prior to the issuance of grading and building permits</p> <p>Ongoing</p>	
9.		<p>PD011 – TREE AND ROOT PROTECTION</p> <p>Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is</p>	<p>Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department</p> <p>Submit evidence of tree protection to the RMA - Planning Department for review and approval.</p> <p>Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p>	<p>Owner/Applicant</p> <p>Owner/Applicant</p> <p>Owner/Applicant/Arborist</p>	<p>Prior to final inspection</p> <p>Prior to the issuance of grading and/or building permits</p> <p>During Construction</p>	

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		<p>any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)</p>	<p>Submit photos of the trees on the property to the RMA - Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.</p>	Owner/ Applicant	Prior to final inspection	
10.		<p>PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY)</p> <p>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)</p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
		<p>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.</p>	<p>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.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
			<p>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.</p>	Owner/ Applicant	Ongoing	

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11.		<p>PD014(B) – LIGHTING – EXTERIOR LIGHTING PLAN (VISUAL SENSITIVITY DISTRICT/ RIDGELINE DEVELOPMENT)</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. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from when viewed from a common public viewing area, as defined in Section 21.06.195, are prohibited. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)</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> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	Owner/ Applicant	Prior to the issuance of building permits.	
12.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states:</p> <p>All development shall be in accordance with the following reports:</p> <ul style="list-style-type: none"> ▪ A Preliminary Archaeological Reconnaissance of Two Proposed House Sites and Road Improvements on Assessor's Parcels 416-641-007 and -008 has been prepared for this parcel by Archaeological Consulting, dated May 13, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060484. ▪ An Arborist's Report – Corral del Cielo prepared by Forest City Consulting, dated April 21, 2008, and is on record in the 	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	Owner/ Applicant	Prior to the issuance of grading and building permits.	

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		<p>Monterey County RMA - Planning Department, Library No. LIB080541.</p> <ul style="list-style-type: none"> ▪ An Arborist's Report for Corral del Cielo has been prepared for this parcel by Forest City Consulting, dated August 8, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060555. ▪ A Biological Report Concerning the Access Road and Home Site report has been prepared for this parcel by Vandevere, dated May 29, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080438. ▪ A Biological Report for Richard Villalobos Property report has been prepared for this parcel by Jud Vandevere, dated June 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060485. ▪ A Biological Letter Regarding Site Restoration report has been prepared for this parcel by Jud Vandevere, dated August 20, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080437. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Primary Roadway to APN 416-641-007 & 008 report has been prepared for this parcel by Grice Engineering, Inc., dated July 25, 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060487. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007 report has been prepared for this parcel by Grice Engineering, Inc., dated June 15, 2004, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060486. ▪ A Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000 report has been prepared for this parcel by Grice Engineering, Inc., dated August 26, 2006, and is on record in the Monterey County RMA - 				

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Planning Department, Library No. LIB060525.</p> <ul style="list-style-type: none"> ▪ A Grading Justification Letter for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, dated August 31, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080440. ▪ A Construction Management Plan for Villalobos Project report has been prepared for this parcel by Monterey Bay Engineers, Inc., received June 4, 2008, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080442. ▪ A Construction Management Plan for Villalobos Driveway report has been prepared for this parcel by Monterey Bay Engineers, Inc., received December 21, 2007, and is on record in the Monterey County RMA - Planning Department, Library No. LIB080439. ▪ A Percolation and Groundwater Study with Septic Recommendations report has been prepared for this parcel by Grice Engineering, Inc., dated August 2006, and is on record in the Monterey County RMA - Planning Department, Library No. LIB060526." <p>(RMA - Planning Department)</p>				
13.		<p>PD019(A) - DEED RESTRICTION - GUESTHOUSE (INLAND)</p> <p>The applicant shall record a deed restriction stating the regulations applicable to a Guesthouse as follows:</p> <ul style="list-style-type: none"> • Only one guesthouse shall be allowed per lot. • Detached guesthouses shall be located in close proximity to the principal residence. • Guesthouses shall share the same utilities with the main residence, unless prohibited by public health requirements. • The guesthouse shall not have cooking or kitchen facilities, including but not limited to microwave ovens, hot plates and toaster ovens. 	<p>Submit signed and notarized document to the Director of RMA - Planning Department for review and signature by the County.</p> <p>Proof of recordation of the document shall be submitted to the RMA - Planning Department.</p>	Owner/Applicant	Prior to the issuance of grading or building permits	Prior to occupancy or commencement of use

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		<ul style="list-style-type: none"> • The guesthouse shall have a maximum of six (6) linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight (8) square feet of cabinet space, excluding clothes closets. • The guesthouse shall not exceed 600 square feet of livable floor area. • The guesthouse shall not be separately rented, let or leased from the main residence whether compensation be direct or indirect. • Subsequent subdivisions which divide a main residence from a guesthouse shall be prohibited. • The guesthouse shall be designed in such a manner as to be visually consistent and compatible with the main residence on site and other residences in the area. • The guesthouse height shall not exceed 15 feet nor be more than one story. <p>(RMA – Planning Department)</p>				
14.		<p>PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)</p>	Install and maintain utility and distribution lines underground.	Owner/ Applicant	Ongoing	
15.		<p>PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection. The applicant shall provide</p>	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The benchmark shall remain visible onsite until final building inspection	Owner/ Applicant	Prior to the issuance of grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant/ Engineer	Prior to the final inspection	
16.		PD042 – GRADING/EASEMENT STAKING The conservation and scenic easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department. The staking shall be verified at the grading pre-site inspection by the grading inspector. (RMA – Planning Department and Building Services Department)	The easement(s) and proposed grading shall be staked with 18” stakes at intervals as necessary to clearly delineate the easement and grading. The staking shall be consistent with recorded easement lines and proposed grading as indicated in the official record at the Monterey County RMA – Building Services Department.	Owner/ Applicant	At presite inspection by the grading inspector	
17.		PBD – NON STANDARD – GUESHOUTS TEMPORARY KITCHEN / COOKING FACILITIES Pursuant to 21.64.070, the guesthouse shall be used as a temporary residence during the construction of the single family dwelling. The kitchen or cooking facilities may be present in the guesthouse only during its use as a temporary residence. (RMA – Planning Department)	Proof of recordation of this notice shall be furnished to PBI.	Owner/ Applicant	Prior to Issuance of grading and building permits or start of use.	
18.		PD043 – GRADING PERMITS REQUIRED A grading permit is required for new private single family access driveways greater than fifty (50) feet in total length that require 100 cubic yards or more of earthwork. An over the counter (OTC) grading permit may be issued for	If applicable, apply and receive the appropriate grading permit from Monterey County RMA – Building Services Department.	Owner/ Applicant/ Engineer	Prior to the issuance of grading or building permits	

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		new private single family access driveways greater than fifty (50) feet in total length that require less than 100 cubic yards of earthwork. (RMA – Planning Department and Building Services Department)	Submit proposed color samples to RMA – Planning Department for review and approval.	Applicant/ Owner	Prior to the issuance of grading and building permits	
19.		PDSP001 – MATERIALS AND COLORS (NON-STANDARD) The structures shall be painted earth tone colors to blend into the area and landscape. Any changes to colors and materials shall require Design Approval pursuant to Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21). (RMA - Planning Department)				
20.		PDSP002 – EASEMENT – CONSERVATION AND SCENIC (NON-STANDARD) In order to minimize impacts to visual resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, outside of the proposed building site and road improvement areas, slopes exceeding 30 percent. (RMA – Planning Department)	The scenic easement, for portions of the property containing slopes exceeding 30%, shall be prepared in consultation with a licensed land surveyor or civil engineer and shall be submitted to the Director of Planning for review and approval and recordation upon approval, prior to issuance of grading and/or building permits. Record the deed and map showing the approved scenic easement. Submit a copy of the recorded deed and map to the RMA – Planning Department.	Owner/ Applicant/ Engineer Owner/ Applicant	Prior to the issuance of grading or building permits Prior to final inspection	
SALINAS RURAL FIRE PROTECTION DISTRICT CONDITIONS						
21.		FIRE001 – ROAD ACCESS Access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from fire department access. All roads shall be constructed to provide a minimum of	Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	

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22.		<p>two nine-foot traffic lanes with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Each road shall have an approved name. (Salinas Rural Fire Protection District)</p> <p>FIRE002 - ROADWAY ENGINEERING 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p> <p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to final building inspection</p> <p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
23.		<p>FIRE006 - DEAD-END ROADS (4) For parcels greater than 20 acres, the maximum length of a dead-end road, including all dead-end roads accessed from that dead-end road, shall not exceed 5280 feet. All dead-end road lengths shall be measured from</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

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		<p>the edge of the roadway surface at the intersection that begins the road to the end of the road surface at its furthest point. Where a dead-end road serves parcels of differing sizes, the shortest allowable length shall apply. Each dead-end road shall have turnarounds at its terminus and at no greater than 1320-foot intervals. 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
24.		<p>FIRE007 - DRIVEWAYS 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</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	

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		<p>shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Salinas Rural Fire Protection District)</p>				
25.		<p>FIRE008 - GATES 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
26.		<p>FIRE011 - ADDRESSES FOR BUILDINGS 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</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	
			<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	

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		<p>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. (Salinas Rural Fire Protection District)</p>				
27.		<p>FIRE012 - EMERGENCY WATER STANDARDS - WATER SYSTEMS The provisions of this condition shall apply when new parcels are approved by a local jurisdiction. The emergency water system shall be available on-site prior to the completion of road construction, where a community water system is approved, or prior to the completion of building construction, where an individual system is approved. Approved water systems shall be installed and made serviceable prior to the time of construction. Water systems constructed, extended or modified to serve a new development, a change of use, or an intensification of use, shall be designed to meet, in addition to average daily demand, the standards shown in Table 2 of the Monterey County General Plan, NFPA Standard 1142, or other adopted standards. The quantity of water required pursuant to this chapter shall be in addition to the domestic demand and shall be permanently and immediately available. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire-Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of permit.</p>	
			<p>Applicant shall schedule fire dept. clearance inspection for each phase of development.</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	

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28.		<p>FIRE014 - EMERGENCY WATER STANDARDS - FIRE PROTECTION WATER SUPPLY - (SINGLE PARCEL) For development of structures totaling less than 3,000 square feet on a single parcel, the minimum fire protection water supply shall be 4,900 gallons. For development of structures totaling 3,000 square feet or more on a single parcel, the minimum fire protection water supply shall be 9,800 gallons. For development of structures totaling more than 10,000 square feet on a single parcel, the reviewing authority may require additional fire protection water supply. Other water supply alternatives, including ISO Rural Class 8 mobile water systems, may be permitted by the fire authority to provide for the same practical effect. The quantity of water required by this condition shall be in addition to the domestic demand and shall be permanently and immediately available. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	
29.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES 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,</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p> <p>Prior to final building inspection</p>	

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		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. (Salinas Rural Fire Protection District)				
30.		FIRE016 - SETBACKS All parcels 1 acre and larger shall provide a minimum 30-foot setback for new buildings and accessory buildings from all property lines and/or the center of the road. For parcels less than 1 acre, alternate fuel modification standards or other requirements may be imposed by the local fire jurisdiction to provide the same practical effect. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	
31.		FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Remove combustible vegetation from within a minimum of 100 feet of structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Salinas Rural Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of grading and/or building permit.	
			Applicant shall schedule fire dept. clearance inspection	Applicant or owner	Prior to final building inspection	

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32.		<p>FIRE021 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (STANDARD)</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 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. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p> <p>Applicant shall schedule fire dept. rough sprinkler inspection</p> <p>Applicant shall schedule fire dept. final sprinkler inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to framing inspection</p> <p>Prior to final building inspection</p>	
33.		<p>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE)</p> <p>All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Salinas Rural Fire Protection District)</p>	<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	
ENVIRONMENTAL HEALTH DEPARTMENT CONDITIONS						
34.		<p>EH11 - SEPTIC SYSTEM DESIGN</p> <p>Submit plans for review and approval showing the location and design of the proposed septic system meeting the standards found in Chapter 15.20 of the Monterey County Code (Septic Ordinance) and "Prohibitions", Central Coast Basin Plan, RWQCB. (Environmental Health)</p>	<p>Division of Environmental Health must approve plans. Applicant shall obtain a permit to install the septic system.</p>	<p>CA Licensed Engineer /Owner/ Applicant</p>	<p>Prior to filing the final parcel map or issuance of building</p>	
WATER RESOURCES AGENCY CONDITIONS						
35.		<p>WR2 - STORMWATER CONTROL</p> <p>The applicant shall provide the Water Resources Agency a drainage plan prepared by a registered civil</p>	<p>Submit 3 copies of the engineered drainage plan to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant/ Engineer</p>	<p>Prior to issuance of any</p>	

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		<p>engineer or architect addressing on-site and off-site impacts. Stormwater runoff from impervious surfaces shall be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, with erosion control at outlets. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)</p> <p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>			grading or building permits	
36.			Compliance to be verified by building inspector at final inspection.	Owner/Applicant	Prior to final building inspection/occupancy	
MITIGATION MEASURES						
37.	1.	<p>Mitigation Measure #1 (Air Quality): In order to minimize short-term construction emissions, the project shall implement the following MBUAPCD-recommended mitigation measures during grading and construction activities. The County's designated construction contractor shall monitor grading and</p>	<p>Mitigation Monitoring Action #1: Prior to issuance of grading permits, the applicant shall incorporate a "Fugitive Dust Control" note on the grading plans that includes, but is not limited to, the measures set forth in</p>	Applicant or owner	Prior to issuance of building permit.	

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		<p>construction activities on a daily basis to ensure that these measures are implemented.</p> <ul style="list-style-type: none"> • Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day; • Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure; • Prohibit all grading activities during periods of high wind (over 15 mph); • Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); • Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas; • Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard; • Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, sand, etc; • Cover inactive storage piles; • Sweep streets daily, with water sweepers, if visible soil materials are carried onto adjacent public streets; • Install sandbags or other erosion control measures to prevent silt runoff to public roadways; • Install wheel washers at the entrance to construction sites for all exiting trucks; • Pave all roads at construction sites; • Construction equipment shall not be left idling for periods longer than 5 minutes when not in use; and 	<p>Mitigation Measure #4. During grading operations, the contractor shall obtain any required Air District permits and conduct all grading and construction activities as required by the Air District.</p>			

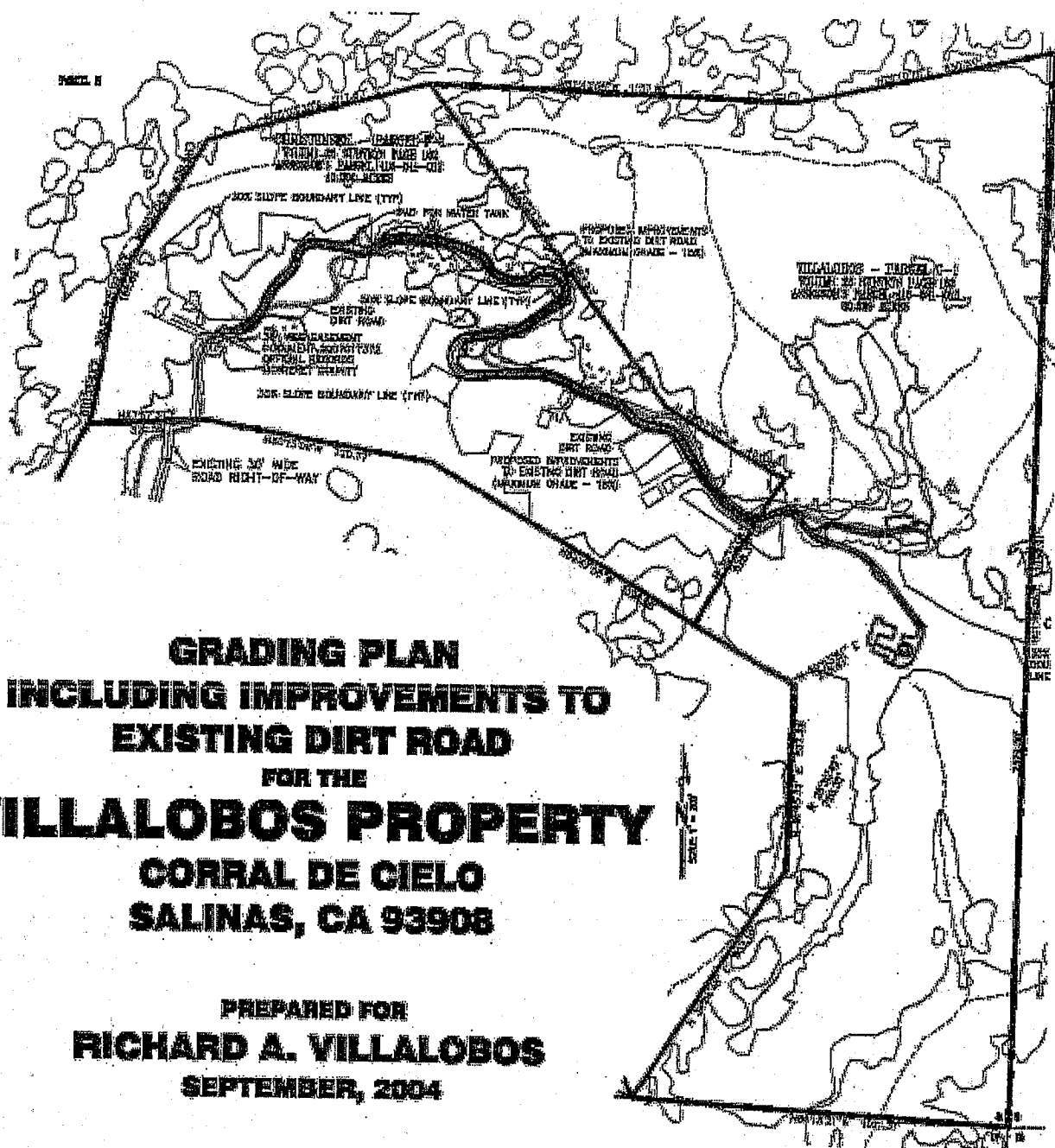
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
38.	2.	<p>Post a publicly visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).</p> <p>Mitigation Measure #3 (Biology): In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.</p>	<p>Mitigation Monitoring Action #3: Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.</p>	Applicant or owner	Prior to issuance of grading or building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
39.	3.	<p>Mitigation Measure #5 (Soils & Geology): In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, all concentrated roof and area drainage shall be released to open areas away from structures, pavements, and septic systems. A sub-surface dispersal system shall not be used on the site as it will be ineffective and could cause surficial slumping. To reduce the impact of released drainage on downslope features, the discharge point shall consider area and downslope features and use of multiple outlets. As proposed, the roadway surface is to primarily sheet drain off the outside edge of the roadway. This method is acceptable provided the fill edges and slopes are adequately protected against surface erosion by vegetative cover. All fill surfaces shall be vegetated with native species suitable for the climate and irrigated to provide adequate cover prior to winter. During and after the first winter, the slopes shall be evaluated and improved as necessary. General concentrated surface drainage shall be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.</p>	<p>Mitigation Monitoring Action #5: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #4.</p>	Applicant or owner	Prior to issuance of grading or building permits.	
40.	4.	<p>Mitigation Measure #6 (Transportation): In order to minimize potential regional traffic/transportation impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within</p>	<p>Mitigation Monitoring Action #6: Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.</p>	Applicant or owner	Prior to issuance of building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
41.	5.	<p>Monterey County.</p> <p>Mitigation Measure #7 (Transportation): In order to mitigate construction and grading truck traffic impacts on Highway 68, the applicant shall arrange for the hauling of construction and grading materials to occur at hours other than 7:00 am to 9:00 am and 4:00 pm to 6:00 pm, Monday through Friday. Hauling operations shall not occur on weekends and holidays. The only exception shall be structural concrete, which will be allowed to be hauled during the 7:00 am to 9:00 am time period on non-holiday weekdays only.</p>	<p>Mitigation Monitoring Action #7: During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the Planning Department for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.</p>	Applicant or owner	Monthly during construction and grading operations	

END OF CONDITIONS

Exhibit N
**Road Alignment/
Site Plan**
PLN070482

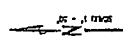


**GRADING PLAN
INCLUDING IMPROVEMENTS TO
EXISTING DIRT ROAD
FOR THE
VILLALOBOS PROPERTY
CORRAL DE CIELO
SALINAS, CA 93908**

**PREPARED FOR
RICHARD A. VILLALOBOS
SEPTEMBER, 2004**

Exhibit O
Site Plan, Floor Plan
and Elevations for
PLN060101

Villalobos Residence 1 (PLN060101)

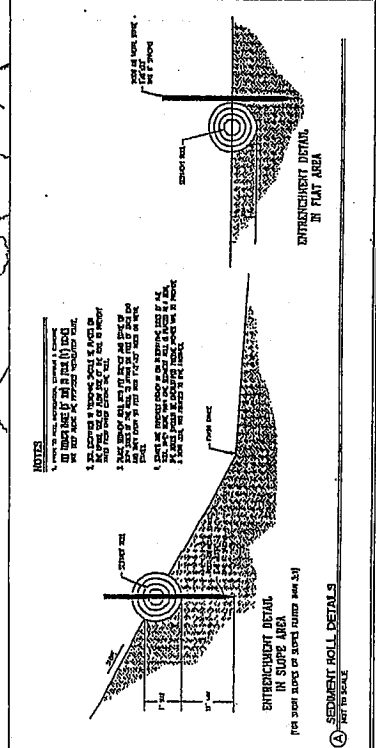
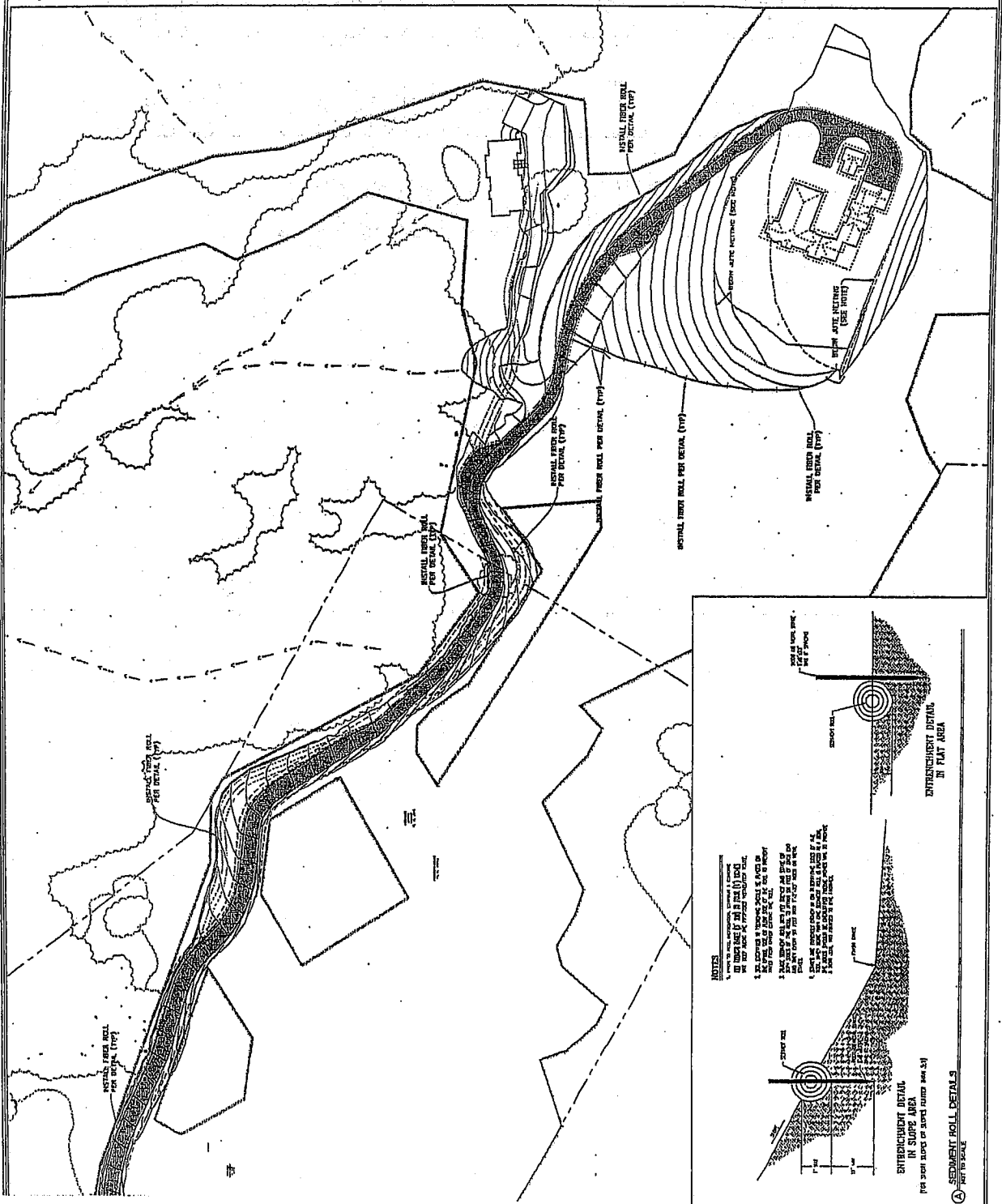


LEGEND

PROPOSED	EXISTING
PROPOSED EROSION CONTROL MEASURES	EXISTING EROSION CONTROL MEASURES
PROPOSED GRADING	EXISTING GRADING
PROPOSED DRIVEWAY	EXISTING DRIVEWAY
PROPOSED SIDEWALK	EXISTING SIDEWALK
PROPOSED FENCE	EXISTING FENCE
PROPOSED UTILITY	EXISTING UTILITY
PROPOSED TREES	EXISTING TREES
PROPOSED BUSHES	EXISTING BUSHES
PROPOSED ROADS	EXISTING ROADS
PROPOSED DRIVEWAYS	EXISTING DRIVEWAYS
PROPOSED SIDEWALKS	EXISTING SIDEWALKS
PROPOSED FENCES	EXISTING FENCES
PROPOSED UTILITIES	EXISTING UTILITIES
PROPOSED TREES	EXISTING TREES
PROPOSED BUSHES	EXISTING BUSHES
PROPOSED ROADS	EXISTING ROADS
PROPOSED DRIVEWAYS	EXISTING DRIVEWAYS
PROPOSED SIDEWALKS	EXISTING SIDEWALKS
PROPOSED FENCES	EXISTING FENCES
PROPOSED UTILITIES	EXISTING UTILITIES

REVISIONS	
NO.	DESCRIPTION
1	ISSUE FOR PERMIT

EROSION CONTROL PLAN	
DATE: 08/14/2024	PROJECT: VILLALOBOS RESIDENCE 1
BY: R. VILLALOBOS	CHECKED BY: R. VILLALOBOS
SCALE: AS SHOWN	DATE OF CONSTRUCTION: 2024
RICHARD VILLALOBOS	
MONTREY BAY ENGINEERS, INC.	
PROJECT NO.: 24-001	DATE: 08/14/2024
SCALE: AS SHOWN	DATE OF CONSTRUCTION: 2024
BY: R. VILLALOBOS	CHECKED BY: R. VILLALOBOS
DATE: 08/14/2024	PROJECT: VILLALOBOS RESIDENCE 1



Villalobos Residence 1 (PLN06010)



SCALE: 1" = 20'

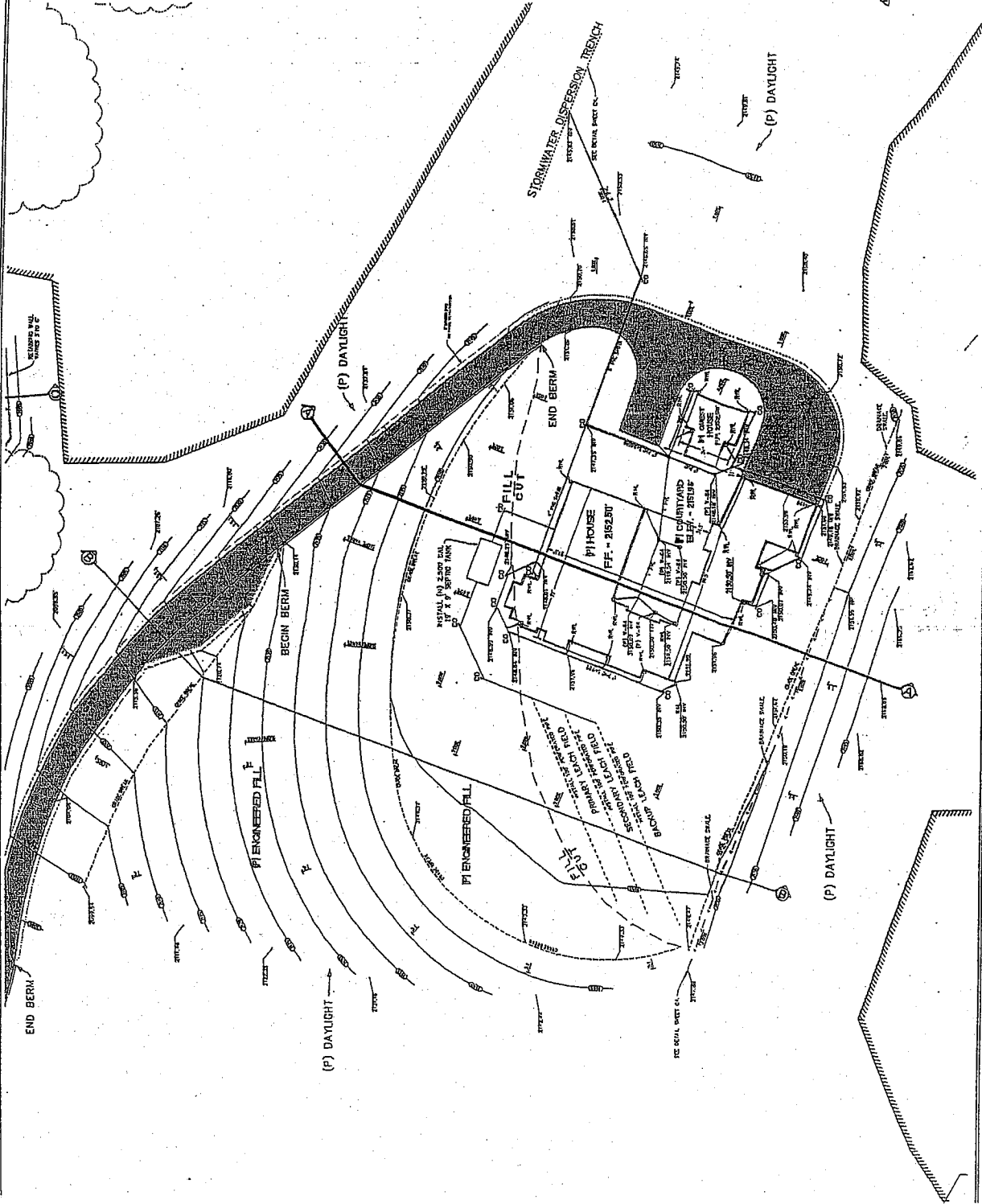
LEGEND

Proposed	Existing
Gravel	Concrete
Asphalt	Drainage
Stormwater	Sanitary
Gas	Water
Electric	Fire
Telephone	Other
Proposed	Existing
Gravel	Concrete
Asphalt	Drainage
Stormwater	Sanitary
Gas	Water
Electric	Fire
Telephone	Other

PROVISIONS & CHANGE PLAN (SEE PRICE)

NO.	DATE	DESCRIPTION
1	11-15-87	ISSUED FOR PERMITS

CREATING PLAN: RICHARD VILLALOBOS
 UNIT: P-1, 1000 VILLALOBOS RD, MONTEREY, CA 94028
 COUNTY OF MONTEREY: 11-15-87 11:50 AM '87
 STATE OF CALIFORNIA: RICHARD VILLALOBOS
 LICENSE NO. 10427
MONTEREY BAY ENGINEERS, INC.
 1000 VILLALOBOS RD, MONTEREY, CA 94028
 PHONE: (408) 935-1111
 FAX: (408) 935-1112
 SCALE: 1" = 20' (SEE PRICE)
 SHEET NO. 1 OF 1



MAIN RESIDENTIAL UNIT AND GUESTHOUSE

A1

PLN060101

PROPOSED RESIDENCE FOR
LOT G-1, CORRAL DE CIELO
SAN BENAPIO, CA

Drawings Prepared By:
FREDERICK A. SANDOZ ARCHITECT
1755 COVERED WAY, FIBERGLASS, CA 95027
Ph: (931) 665-0909, Fax: (931) 665-5187

Owner: Rafael A. Villalobos
129 J. Lopez Blvd., #1075
San Jose, CA 95128
Tel: (931) 252-3384

Assessor's Parcel Number

Address: Lot G
Corral De Cielo
Santana, CA

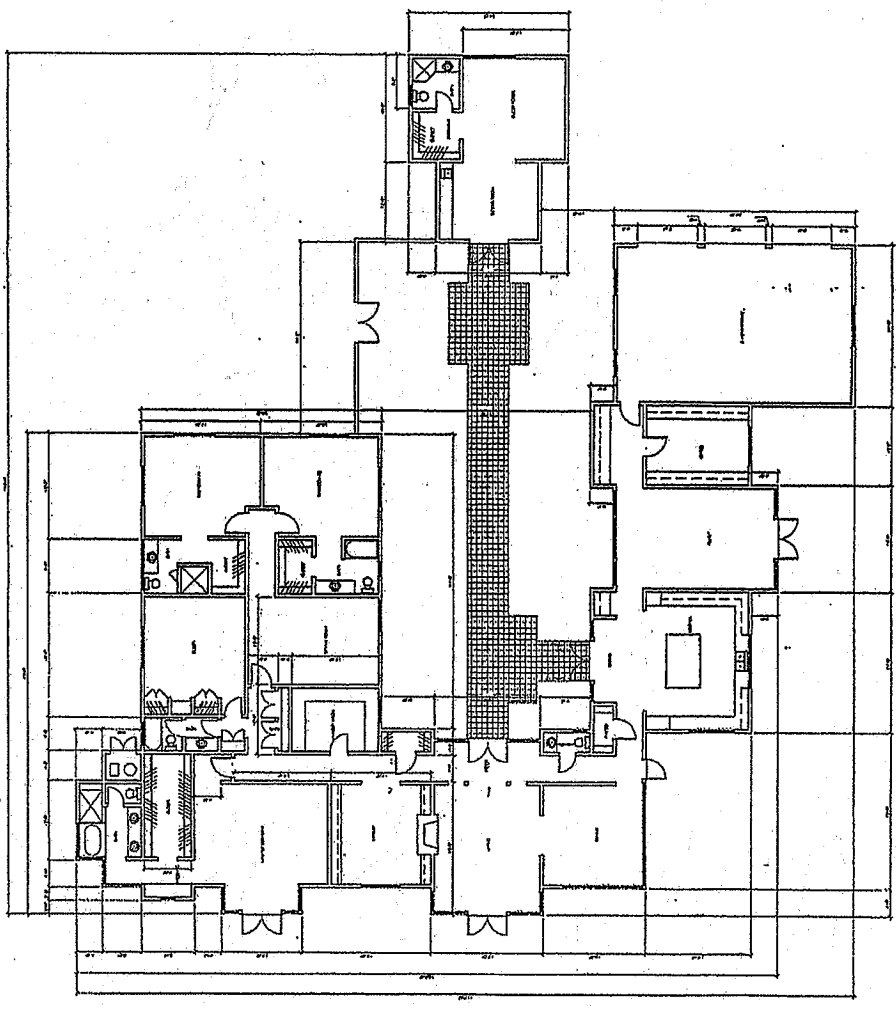
Scope of Work: Construct a single family residence
with attached garage and a guest house.

Lot Size: Lot G-1 = 30.59 Acres (5,510,092 s.f.)

Site Coverage:
Main Floor = 5138 s.f.
Garage = 2295 s.f.
Guesthouse = 6598 s.f. (0.001974)
Total = 14031 s.f.

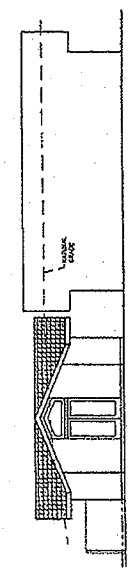
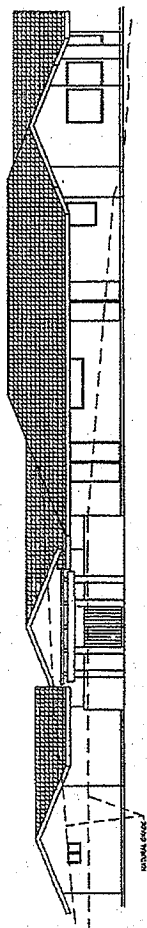
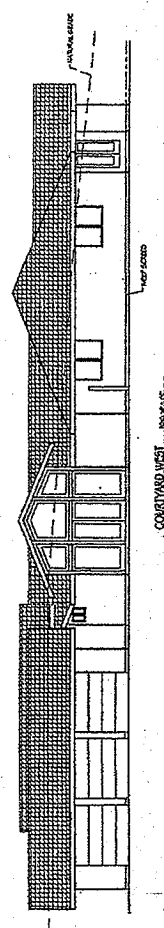
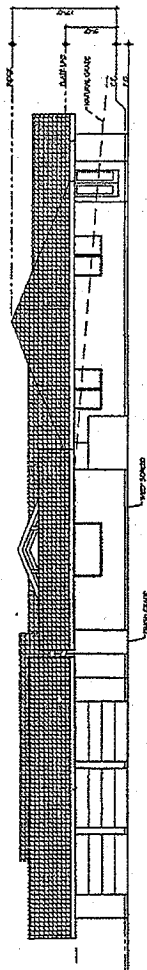
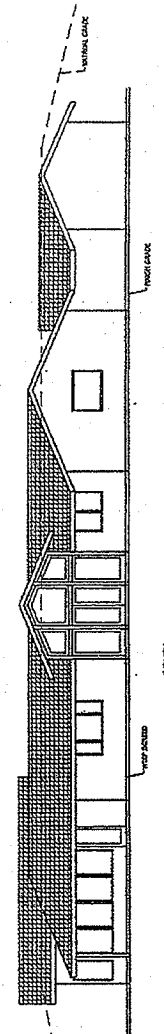
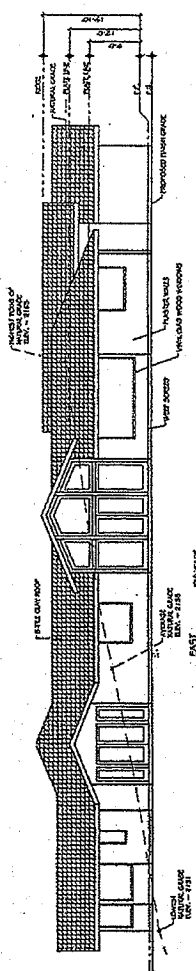
Zoning: RC240-1S

NOTE: THE ARCHITECT HAS CONDUCTED VISUAL ANALYSES AND HAS PREPARED THIS REPORT TO ASSIST THE LOCAL GOVERNMENT IN THE REVIEW AND APPROVAL OF THE PROPOSED DEVELOPMENT. THIS REPORT IS INTENDED TO PROVIDE INFORMATION TO THE LOCAL GOVERNMENT AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND. THE ARCHITECT HAS CONDUCTED VISUAL ANALYSES AND HAS PREPARED THIS REPORT TO ASSIST THE LOCAL GOVERNMENT IN THE REVIEW AND APPROVAL OF THE PROPOSED DEVELOPMENT. THIS REPORT IS INTENDED TO PROVIDE INFORMATION TO THE LOCAL GOVERNMENT AND DOES NOT CONSTITUTE A GUARANTEE OF ANY KIND.



FLOOR PLAN

04/



EAST COURTYARD (UPST)

SOUTH

WEST

COURTYARD WEST

NORTH

ELEVATIONS

A2

02/

PLN 060101

Villalobos Residence 2 (PLN060101)

LEGEND

---	Center Line
---	Right of Way
---	Property Line
---	Subgrade
---	Proposed Pavement
---	Proposed Concrete
---	Proposed Earthwork
---	Proposed Structure
---	Proposed Driveway
---	Proposed Utility
---	Proposed Retaining Wall
---	Proposed Fencing
---	Proposed Slope
---	Proposed Road
---	Proposed Utility
---	Proposed Structure
---	Proposed Driveway
---	Proposed Utility
---	Proposed Retaining Wall
---	Proposed Fencing
---	Proposed Slope
---	Proposed Road

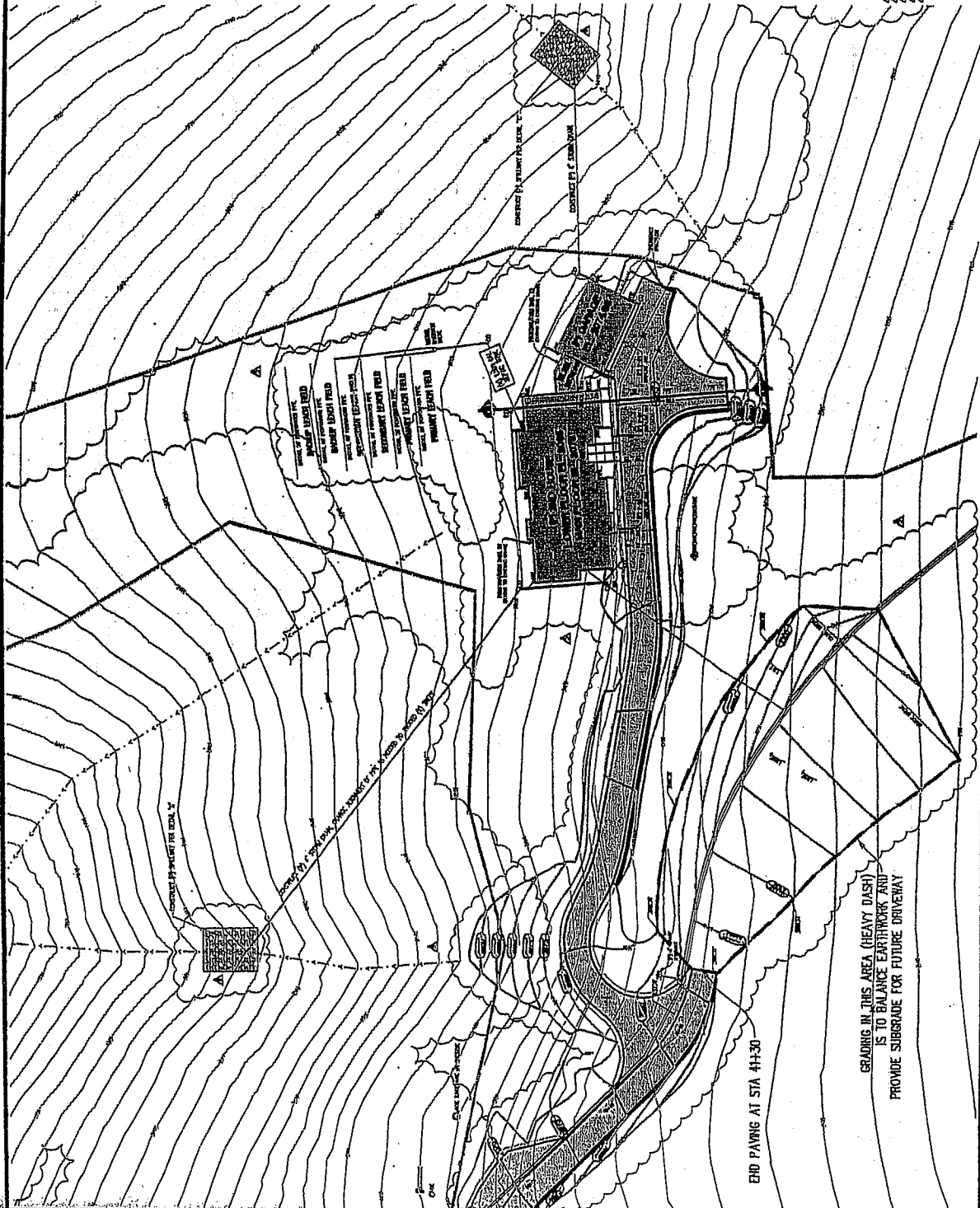


Scale 1" = 10'-0"

REVISIONS	
NO.	DATE
1	10-26-2011
2	11-15-2011
3	11-16-2011
4	11-17-2011
5	11-17-2011
6	11-17-2011
7	11-17-2011
8	11-17-2011
9	11-17-2011
10	11-17-2011

PROJECT PLAN
DATE: 10-26-2011
BY: RICHARD VALALOBOS
CHECKED BY: RICHARD VALALOBOS
DATE: 11-15-2011
PROJECT NO.: PLN060101
SHEET NO.: 2 OF 2
OWNER: RICHARD VALALOBOS
PROJECT: VILLALOBOS RESIDENCE 2

RICHARD VALALOBOS
MONTEREY BAY ENGINEERS, INC.
2011010101
10-26-2011
11-15-2011
11-16-2011
11-17-2011
11-17-2011
11-17-2011
11-17-2011
11-17-2011
11-17-2011
11-17-2011



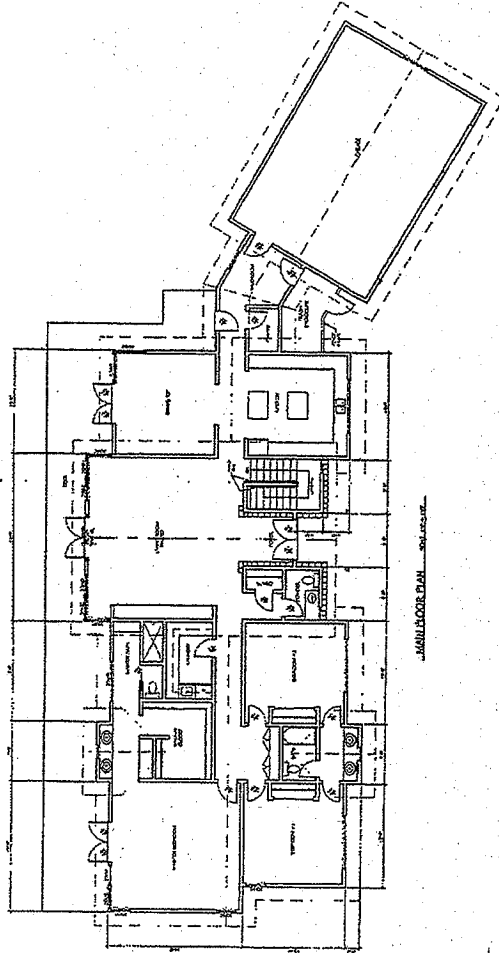
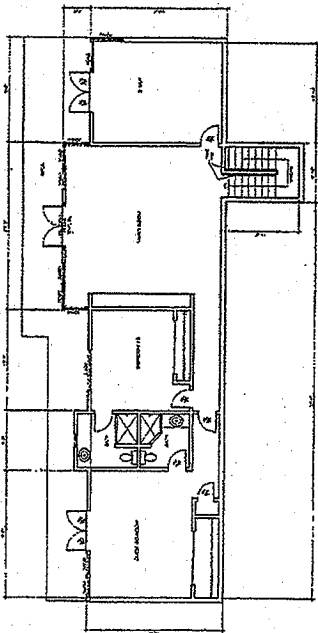
GRADING IN THIS AREA (HEAVY DASH)
IS TO BALANCE EARTHWORK AND
PROVIDE SUBGRADE FOR FUTURE DRIVEWAY

SECOND RESIDENTIAL UNIT

A3

01/09/2007
12/01/2007

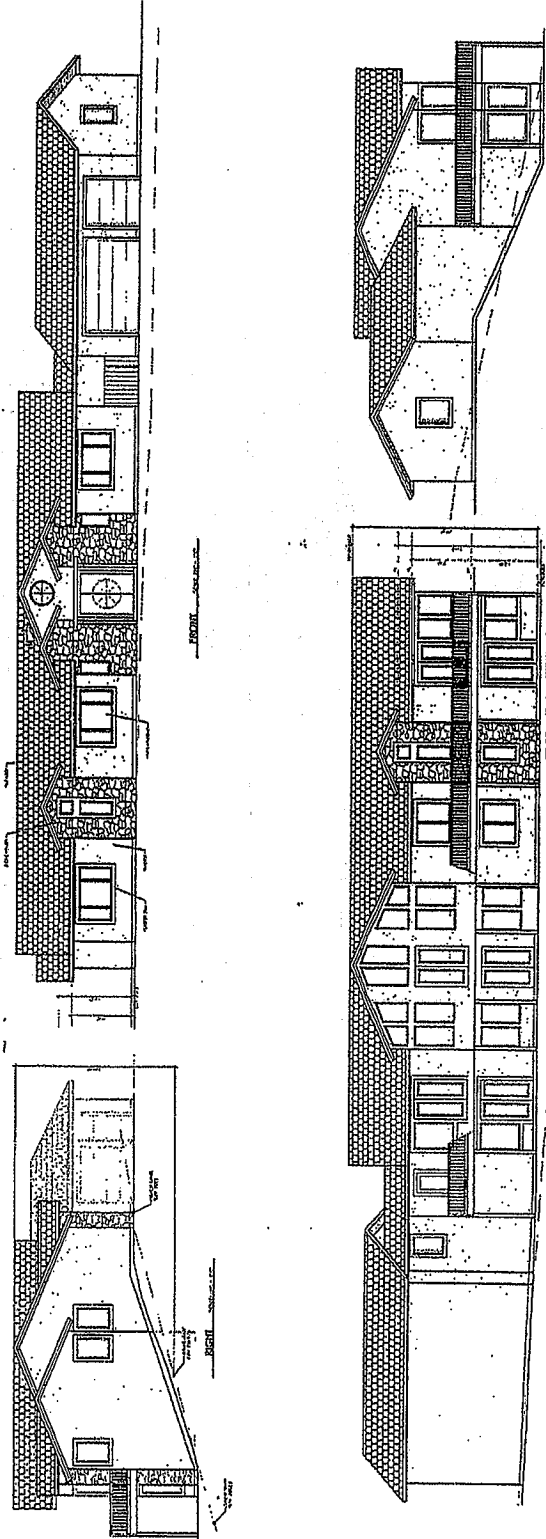
PN060101



PN060101
VILLALOBOS
And Residence

03/

12/01/2007



01/03/2025
12:04:07

A4

04/

PLN060101

Exhibit P
Site Plan, Floor Plan
and Elevations for
PLN060296

FULL SITE PLAN

A1.1

PROPOSED CHRISTENSEN RESIDENCE
387 SAN BENAVENUE RD.

Drawings Prepared By:
PEDRO E. ROSADO, Architect
8755 Coker Road, Pinole, CA 94907
Ph. (831) 663-0966, Fax (831) 663-1817

Owner:
Stephanie Christensen
559 Virginia Dr.
Hollister, CA 95023
(831) 723-0691

Assessor's Parcel Number: 416-641-012

Address:
387 San Benavente Rd.
Sellers, CA 95068

Lot Size:
48.0 ACRES (1,452,400 +/- 4.0)

Site Coverage:
Main House Living Area = 1,170.00
Main House covered porch = 774.00
Main House Garage = 576.00
Guest House = 600.00
Barn & Stables = 2,160.00
Main House Driveway = 2,660.00
Barn & Stables Driveway = 1,960.00
Total = 10,480.00 (58% Coverage)

Zoning: RC/M6-NS and RC/HO

Permits:
Main house = 3 Covered

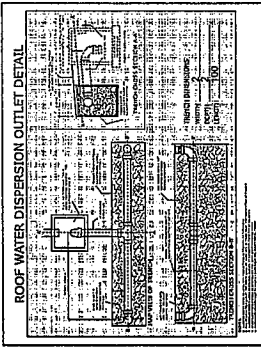
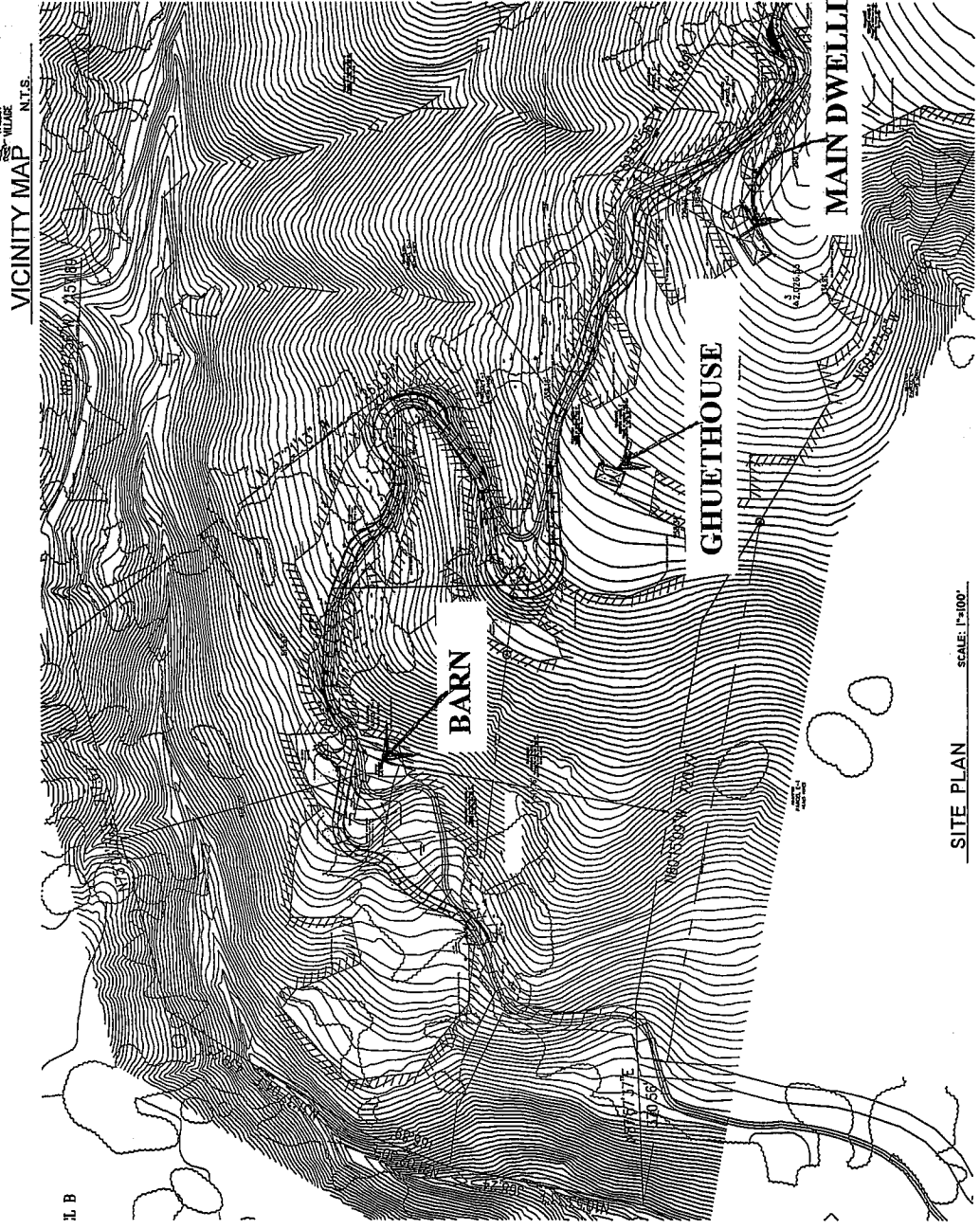
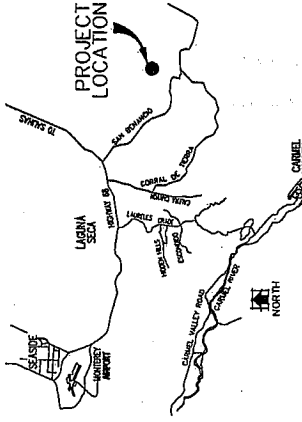
SCOPE OF WORK:
Construct a one story Single Family Residence with attached garage & carport and granite pad.
Construct a one story Guest House and granite pad.
Construct a Barn and associated parking.
**Driveway access by separate permit.

CONTRACTORS:
A11 FIVE STAR CONSTRUCTION
A12 MAIN HOUSE ARCHITECTURE
A13 GUEST HOUSE ARCHITECTURE
A14 BARN ARCHITECTURE
A15 BARN ARCHITECTURE
A16 BARN ARCHITECTURE
A17 BARN ARCHITECTURE
A18 BARN ARCHITECTURE
A19 BARN ARCHITECTURE
A20 BARN ARCHITECTURE
A21 BARN ARCHITECTURE
A22 BARN ARCHITECTURE

Project Date:
November 2009 (P.O. 8/14/11)
November 2009
November 2009

Code Applicable:
2007 CALIF. GOV. BLDG. CODE
2007 CALIF. GOV. BLDG. CODE
2007 CALIF. GOV. BLDG. CODE
2007 CALIF. GOV. BLDG. CODE
2007 CALIF. GOV. BLDG. CODE

LIST OF ASSIGNED PERMITS (See Schedule of Permit Fees):
1. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
2. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
3. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
4. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
5. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
6. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
7. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
8. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
9. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables
10. PERMIT TO CONSTRUCT - Main House, Guest House, Barn & Stables



SITE PLAN SCALE: 1"=100'

PERMITS AND APPROVALS:
1. The applicant shall obtain all necessary permits from the appropriate agencies.
2. The applicant shall obtain all necessary permits from the appropriate agencies.
3. The applicant shall obtain all necessary permits from the appropriate agencies.
4. The applicant shall obtain all necessary permits from the appropriate agencies.
5. The applicant shall obtain all necessary permits from the appropriate agencies.
6. The applicant shall obtain all necessary permits from the appropriate agencies.
7. The applicant shall obtain all necessary permits from the appropriate agencies.
8. The applicant shall obtain all necessary permits from the appropriate agencies.
9. The applicant shall obtain all necessary permits from the appropriate agencies.
10. The applicant shall obtain all necessary permits from the appropriate agencies.

GENERAL NOTES:
1. The applicant shall obtain all necessary permits from the appropriate agencies.
2. The applicant shall obtain all necessary permits from the appropriate agencies.
3. The applicant shall obtain all necessary permits from the appropriate agencies.
4. The applicant shall obtain all necessary permits from the appropriate agencies.
5. The applicant shall obtain all necessary permits from the appropriate agencies.
6. The applicant shall obtain all necessary permits from the appropriate agencies.
7. The applicant shall obtain all necessary permits from the appropriate agencies.
8. The applicant shall obtain all necessary permits from the appropriate agencies.
9. The applicant shall obtain all necessary permits from the appropriate agencies.
10. The applicant shall obtain all necessary permits from the appropriate agencies.

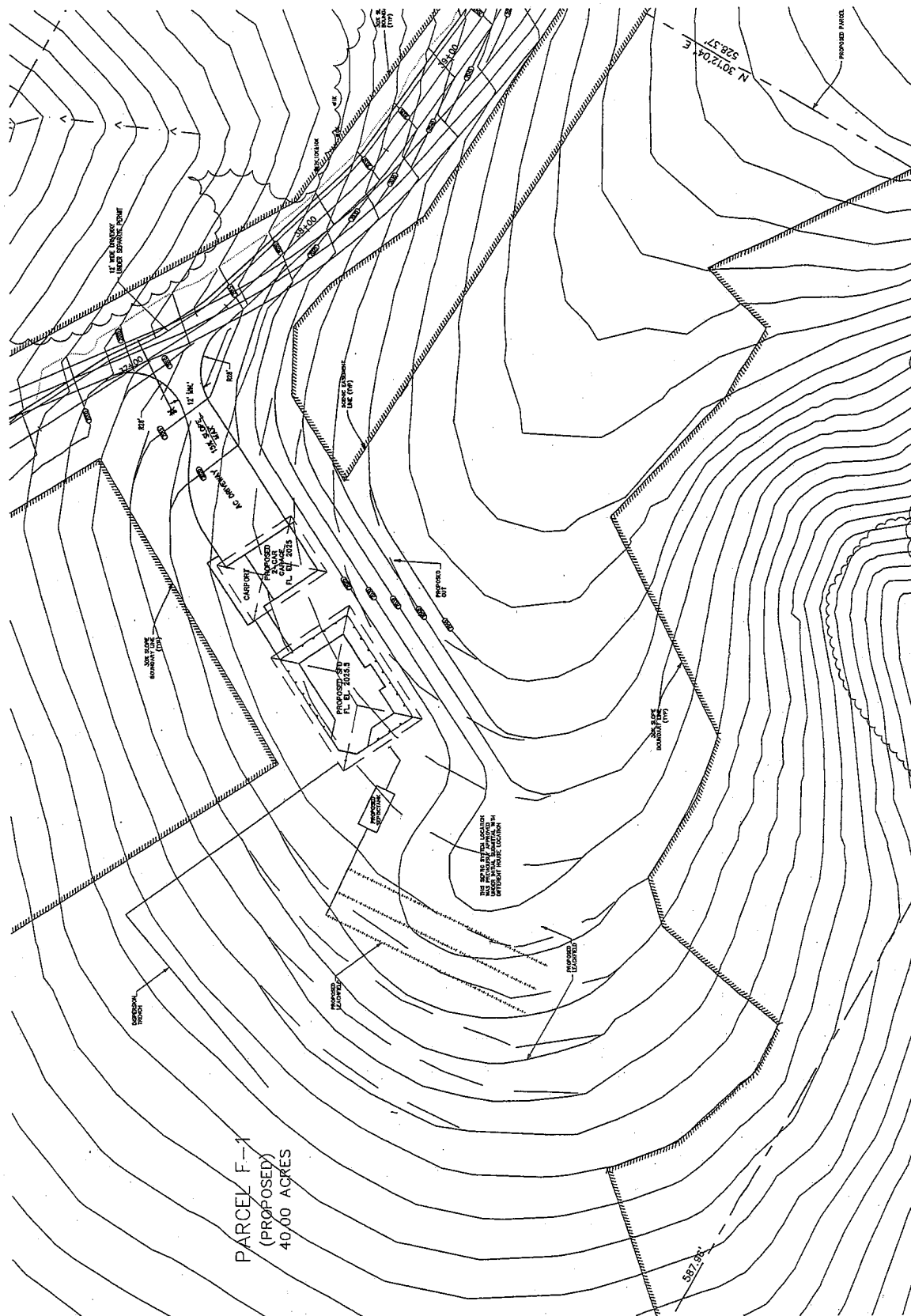
CONTRACTORS:
A11 FIVE STAR CONSTRUCTION
A12 MAIN HOUSE ARCHITECTURE
A13 GUEST HOUSE ARCHITECTURE
A14 BARN ARCHITECTURE
A15 BARN ARCHITECTURE
A16 BARN ARCHITECTURE
A17 BARN ARCHITECTURE
A18 BARN ARCHITECTURE
A19 BARN ARCHITECTURE
A20 BARN ARCHITECTURE
A21 BARN ARCHITECTURE
A22 BARN ARCHITECTURE

PERMITS AND APPROVALS:
1. The applicant shall obtain all necessary permits from the appropriate agencies.
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8. The applicant shall obtain all necessary permits from the appropriate agencies.
9. The applicant shall obtain all necessary permits from the appropriate agencies.
10. The applicant shall obtain all necessary permits from the appropriate agencies.

GENERAL NOTES:
1. The applicant shall obtain all necessary permits from the appropriate agencies.
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7. The applicant shall obtain all necessary permits from the appropriate agencies.
8. The applicant shall obtain all necessary permits from the appropriate agencies.
9. The applicant shall obtain all necessary permits from the appropriate agencies.
10. The applicant shall obtain all necessary permits from the appropriate agencies.

MAIN DWELLING SITE PLAN

A2.1

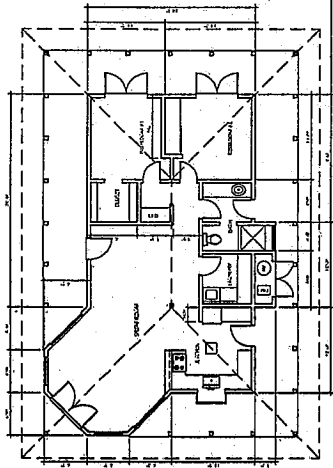
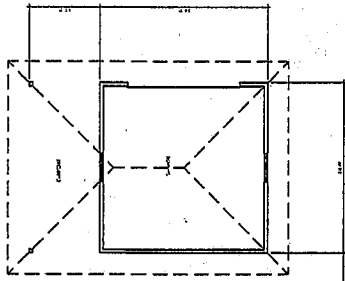


PARCEL F-1
(PROPOSED)
40.00 ACRES

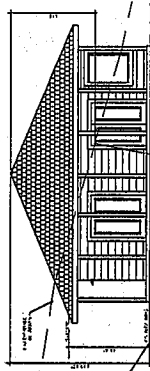
507.81'

MAIN DWELLING FLOOR PLAN/ELEVATIONS

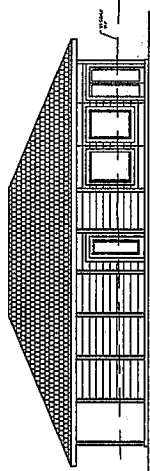
A2.2



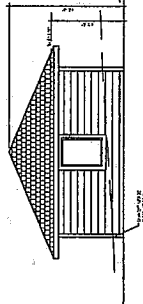
MAIN HOUSE FLOOR PLAN



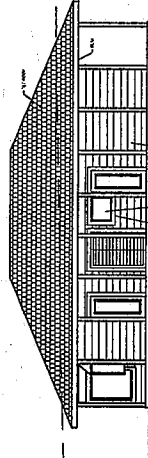
MAIN HOUSE ELEVATION



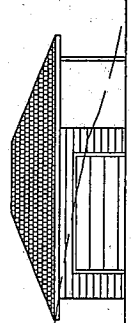
WEST (SIDE)



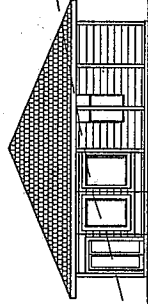
SOUTH (REAR)



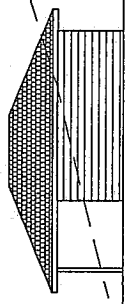
EAST (SIDE)



MAIN GARAGE ELEVATION



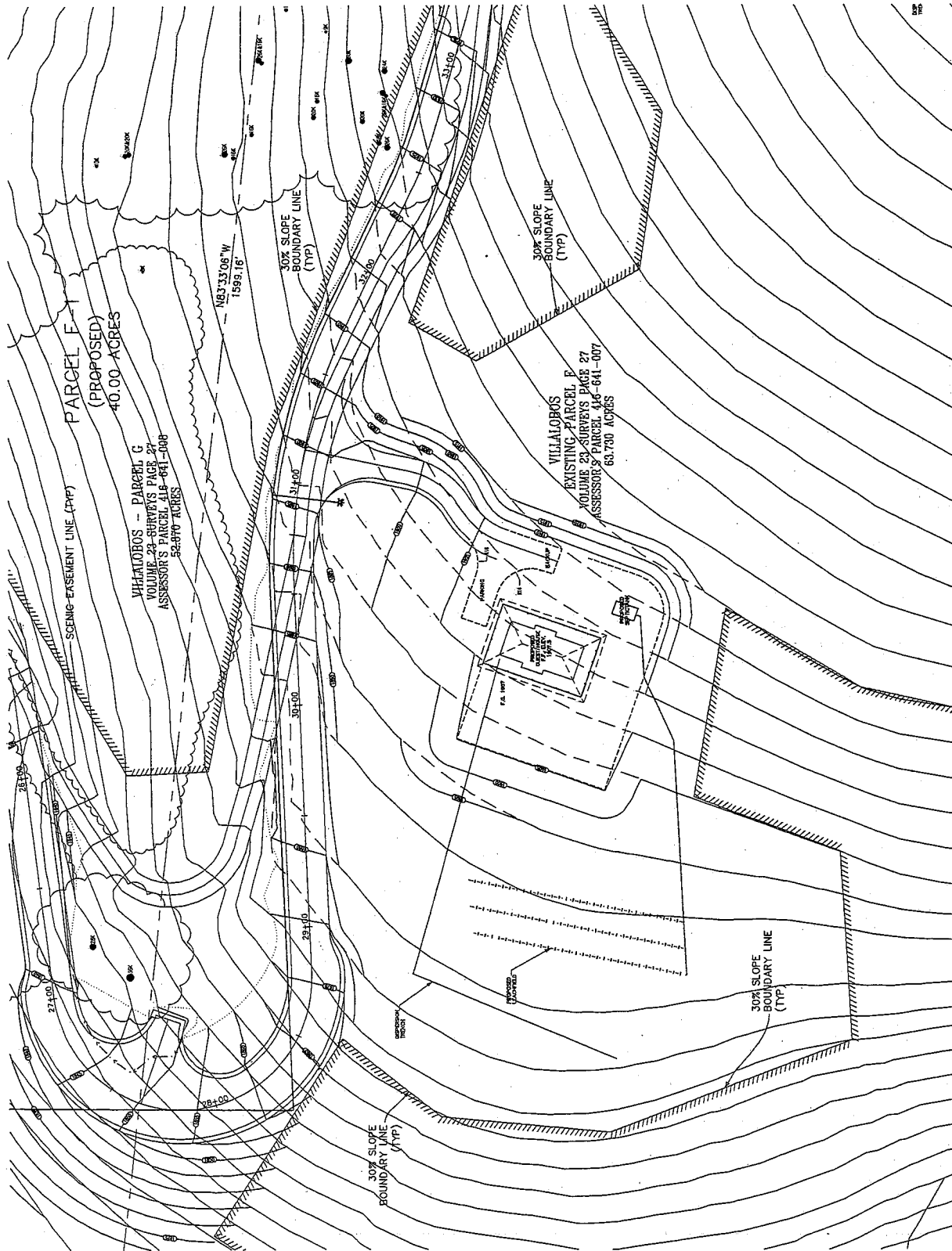
SOUTH (REAR)



MAIN GARAGE ELEVATION

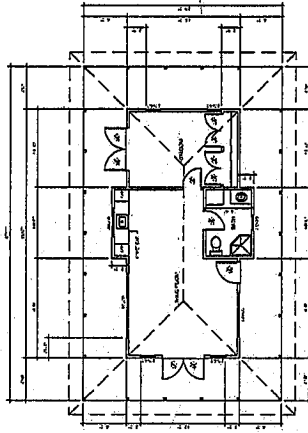
GUESTHOUSE SITE PLAN

A3.1

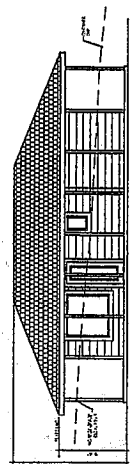


GUESTHOUSE FLOOR PLAN/ELEVATIONS

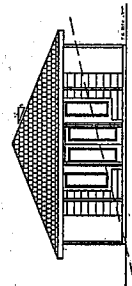
A3.2



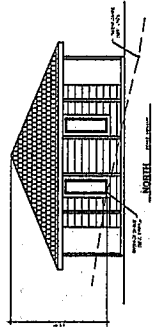
GUESTHOUSE FLOOR PLAN



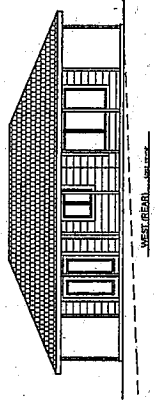
EAST ELEVATION



SOUTH ELEVATION



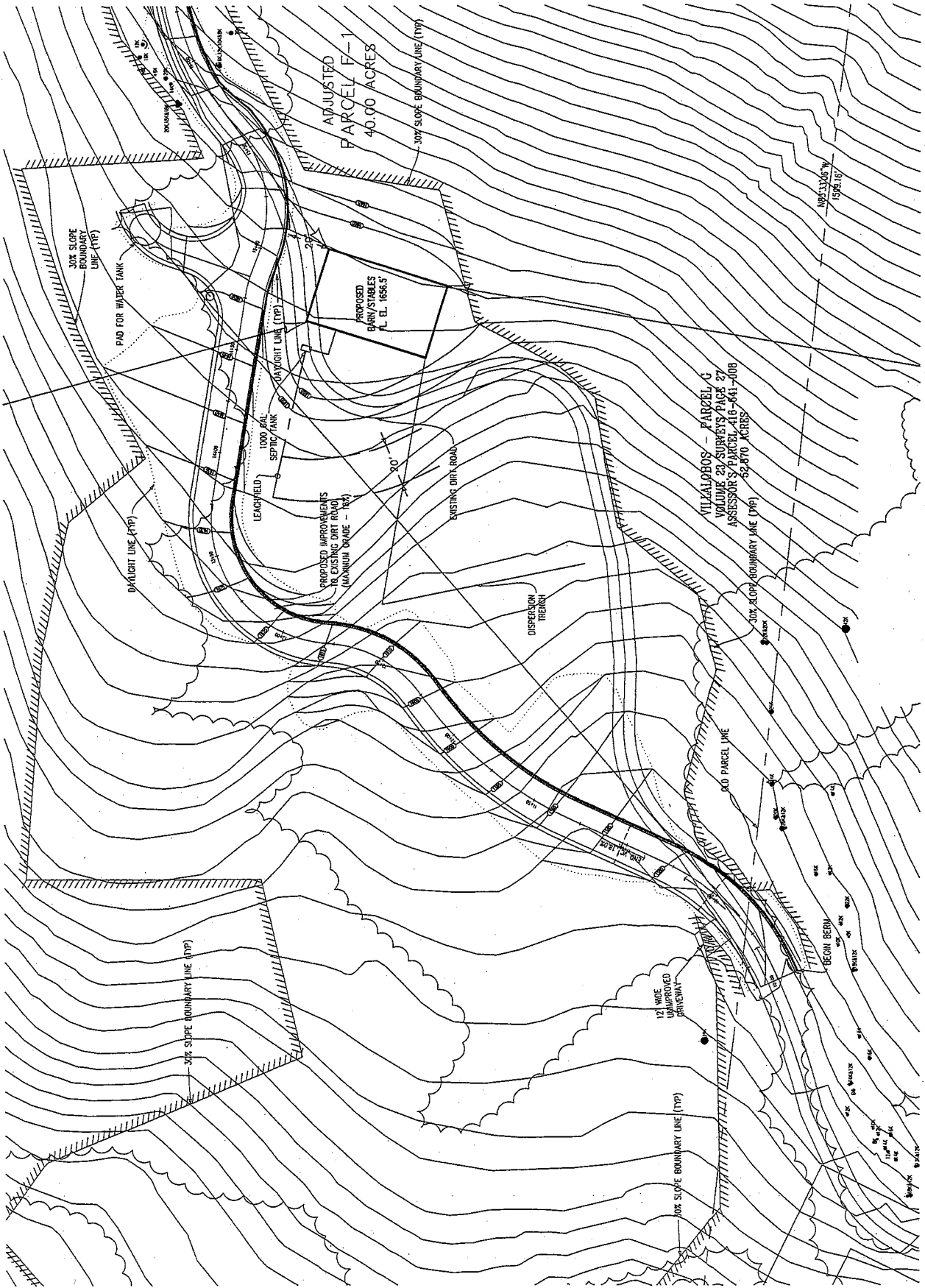
NORTH ELEVATION



WEST ELEVATION

BARN SITE PLAN

A4.1



SITE PLAN SCALE: 1"=20'

BARN FLOOR PLAN/ELEVATIONS

A4.2

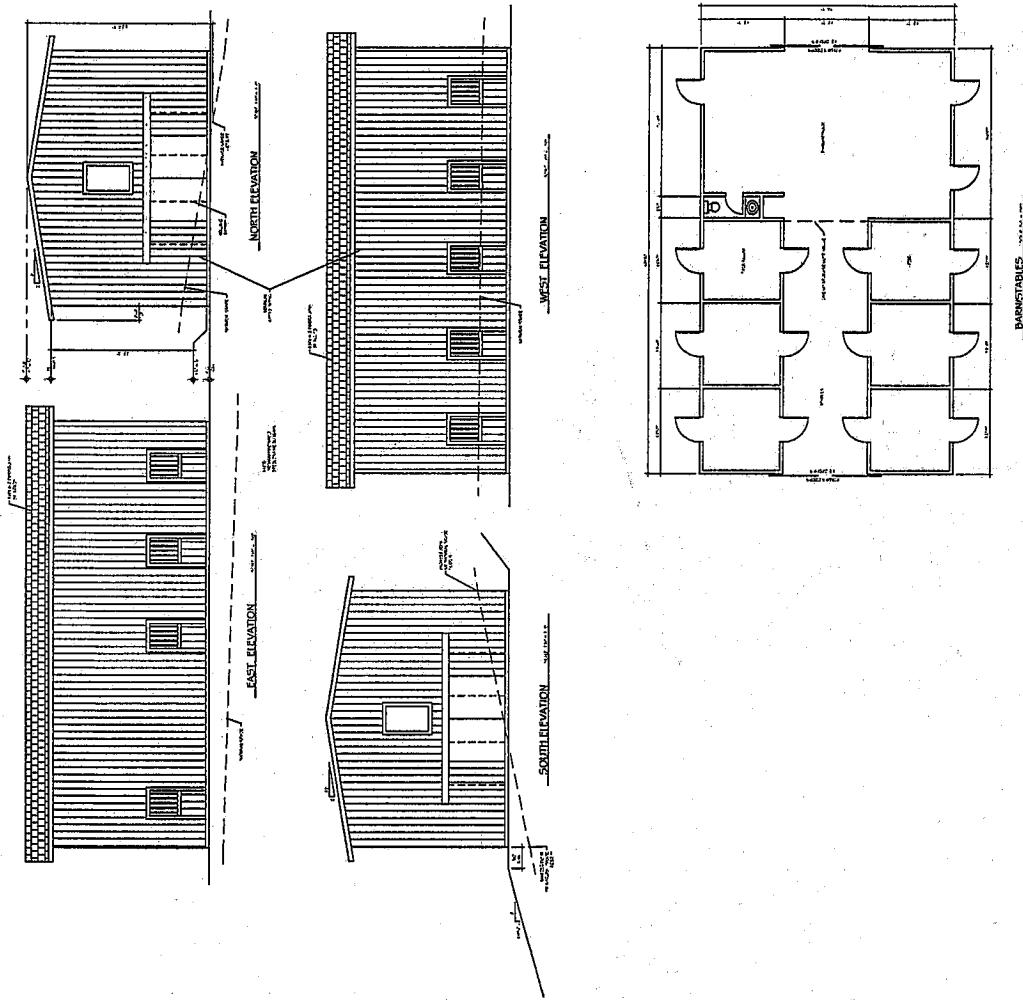


Exhibit Q
Toro LUAC Minutes

MINUTES

Toro Land Use Advisory Committee Monday, November 19, 2007

1. Meeting called to order 4 PM by Chair Rich Hughett

2. Members Present: Baker, Vandergrift, Weaver, Hughett, Mueller, Marvin, Varney (7)

3. Members Absent: Kennedy, Pessagno (excused) 2

4. Approval of Minutes: To be corrected for spelling and grammar errors & subsequently faxed to Planning

(October 8, 2007)

Motion: Baker (LUAC Member's Name)

Second: Hughett (LUAC Member's Name)

Ayes: Baker, Hughett, Weaver, Mueller, Varney, Marvin (6)

Noes: None

Absent: Kennedy, Pessagno (2)

Abstain: Vandergrift (1) not at meeting

5. Public Comments: Chair Hughett reported there was no quorum for the meeting on October 22, 2007, thus no minutes

No further public comments

6. Other Items: A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications

None

Action by Land Use Advisory Committee

Project Referral Sheet

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

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 19, 2007.

Project Title: REGA RICHARD BENJAMIN ET AL

Item continued from 10/8/07 meeting

File Number: PLN070383

File Type: AP

Planner: MANUGUERRA

Location: 354 SAN BENANCIO RD SALINAS

Project Description:

ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 4,037 SQUARE FEET SINGLE FAMILY DWELLING WITH TWO ATTACHED GARAGES TOTALING 1,157 SQUARE FEET AND A DETACHED ACCESSORY STRUCTURE CONTAINING A 600 SQUARE FEET GUESTHOUSE, A 632 SQUARE FEET GARAGE, A 560 SQUARE FEET WORKSHOP, A 336 SQUARE FEET COVERED PORCH, TWO RETAINING WALLS THREE FEET IN HEIGHT OF 120 AND 100 LINEAR FEET, THE INSTALLATION OF A SEPTIC DISPOSAL SYSTEM, AND GRADING (APPROX. 580 CU. YDS. CUT/580 CU. YDS. FILL). THE PROPERTY IS LOCATED AT 354 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-631-009-000), TORO AREA.

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

Owner Rega was present, as well as Monterey County Project Planner Elisa Manuguerra

PUBLIC COMMENT:

Chair Hughett said this application before the LUAC was the subject of a site visit by the LUAC today at 3 PM. The LUAC had the opportunity to visit the site and see the red flagging that had been put up.

Chair Hughett read the project application description for the record.

He noted for the LUAC that the location was listed as Critical Viewdshed on a 1991 Map.

Mueller asked why this application was at the LUAC?

Hughett responded that it was because of the V.S., Visual Sensitive issue.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Weaver asked where the building envelope was on the plan? There didn't appear to be one on this plan submitted for review.

Weaver also asked where were the Subdivision Conditions of Approval for the parcels. This parcel was one of the parcels approved for what was called The Margaret Baker Estate. The subdivision consisted of approximately 160 acres, with a 40 acre minimum. This 160 acre subdivision was the first of the properties to be proposed for development as part of the Diaz Ranch. Weaver stated he had attended hearings regarding this particular 160 acre Margaret Baker Estate Subdivision Process some time ago. This property was in Critical Viewshed. He stated that the County of Monterey revisited the definition of Visual Sensitivity at about that time, and this property had been a focus of that discussion and analysis. He thought he remembered a 16 foot building height limit being imposed upon this parcel, in addition to a building envelope that had been created. He remembered the word "significant" had been added to what constituted a visual impact at the encouragement of attorney Brian Finegan. "A significant visual impact from a common public viewing area" was the summary of the definition that had evolved during the hearings to his recollection.

[PLN070383 REGA CONTINUED]

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.): CONTINUED

The property was categorized as Resource Conservation in the General Plan.

Monterey County Planner Manuguerra stated she had pulled a map from the Recorder's Office. What was shown here today was what had been approved by the Board of Supervisors and recorded as such. If there was a building envelope where was it? Did Mr. Weaver bring a map with him today?

Weaver stated he hadn't thought it necessary. However, a previous application for this parcel showed a circle on a part of the application map, he understood to be the location of a proposed building site.

Manuguerra stated that the circle referenced was most likely a septic envelope site.

Mueller said the location appeared to be the most logical and best.

Vandergrift asked about whether a soils engineer had done a soils report, specifically at the location where this project was being proposed. The reason being is that the adjacent property has been moving during the wet Winters. It's been subject to Earth moving.

Rega stated there had been a soils report done

Vandergrift asked it is was for this site.

Rega responded that the soils report had been completed as part of the previous subdivision process.

Planner Manuguerra concurred. There had been a geotechnical soils report that had been done for the subdivision. Besides, deeper footings for the foundation and things like that could be done to minimize the potential for earth moving impacts.

Baker observed that the proposed project appeared to be less visible than surrounding ones.

Varney observed that the application was for two structures of single story height.

Applicant Rega stated the plan was for 18 feet high with 9 foot walls inside.

Hughett asked where was the Lanscaping Plan? He stated that perhaps Visual Impacts could be softened or mitigated with proper landscaping. He was concerned there was no landscaping plan included in this application referral to the LUAC.

Monterey County Planner Manuguerra stated that landscaping plans are no longer required by Monterey County Planning until just before completion of the project. A landscaping plan needs to be tunred in prior to the final inspection.

Hughett said that the LUAC had looked at and made recommendation in several cases regarding visual sensitive sites and recommended landscaping. Why could that not be done here?

Planner Manuguerra said that under recent new rules adopted by Planning, landscaping plans were not required at this stage of the application. Under Resource Conservation 40 acre minimum, the Visual Sensitivity designation is an overlay. If it's significant it goes to the Planning Commission, if it is not significant it takes an Administrative Permit to allow development in a V.S. District. Besides, Manuguerra stated, any landscaping will need to be both drought tolerant and be native plants.

[PLN070383 REGA CONTINUED]

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.): CONTINUED

Weaver asked if Planner Manuguerra had visited this application site. She confirmed that she had visited it. Weaver asked if she had seen the tall Palm trees growing in front of the house on the next parcel of this subdivision? She confirmed that she had seen them. Weaver asked if Palm trees might be considered native and drought tolerant by the Planning Department? Planner Manuguerra stated that no, they were not. Weaver asked if a landscaping plan would have had to have been completed by the house next door? Planner Manuguerra said that yes, a landscaping plan would have been done. Weaver asked, what happened then? Planner Manuguerra stated that was a code enforcement issue that belong with Monterey County Code Enforcement and that Monterey County Planners do not get involved with code Enforcement.

Applicant Rega said he was not planning on planting any Palm trees.

Marvin asked Planner Manuguerra about Visual sensitivitiy intensity. A similar intensity to what? Manuguerra responded similar to adjacent.

Hughett asked if a landscaping plan for this would come back before the LUAC. It was unclear from the planner whether or not this might occur.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

Baker said she'd like to make a motion to approve, however she had concerns regarding the movement of the earth in that area. She'd like to see a second opinion from a soils engineer geotechnical consultant for this parcel.

Vandergrift said he would support a recommendation for a second geotechnical opinion. The previous report is not current. He'd like to see a current report prepared.
He will second Baker's motion

ADDITIONAL LUAC COMMENTS:

Mueller said that the Visual Sensitivity issue was why the application was here at the LUAC not earth movement.

Weaver said he could not support approval of the application at this time as he feels the file is incomplete. It's possible his memory is wrong. However, he had attended the hearings and remembers a building envelope and a condition for a height limit he remembers as 16 feet on this parcel. He asks where is the file. He will attempt to see if he can find his own file on the Margaret Baker Subdivision Hearings.

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Baker motion to approve, with second geotechnical opinion regarding earth movement
Vandergrift second

CONCUR WITH RECOMMENDATION:

AYES: Baker, Vandergrift, Hughett, Marvin, Varney, Mueller (6)

NOES: Weaver (1)

ABSENT: Kennedy, Pessagno (2)

ABSTAIN: None

Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 19, 2007.

Project Title: VILLALOBOS RICHARD A & ELSA R

File Number: PLN060101

File Type: ZA

Planner: MANUGUERRA

Location: 383 & 387 SAN BENANCIO RD SALINAS

Project Description:

COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 5,158 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 864 SQUARE FOOT ONE-STORY THREE-CAR GARAGE, A 576 SQUARE FOOT GUESTHOUSE, AND GRADING (APPROX. 15,930 CU. YDS. CUT/15,930 CU. YDS. FILL FOR THE RESIDENCE); (2) A USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% TO RECTIFY CODE ENFORCEMENT CASE CE070222 TO ALLOW IMPROVEMENTS TO AN UNPAVED ROAD, OF APPROXIMATELY XXXX LINEAR FOOT, AND GRADING (APPROX. 8,239 CU. YDS. CUT/ 8,239 CU. YDS. FILL); AND (3) A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF THREE PROTECTED OAK TREES. THE PROPERTY IS LOCATED AT 383 & 387 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-641-008-000 AND 416-641-007-000), TORO AREA.

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

Applicant's representative Gail Hatter-Crawford, a Planner working for Lombardo & Gilles Law Firm was present. Also, Pedro Rosado, architect for Villalobos, was present.

PUBLIC COMMENT:

Weaver asked if former land use Planner for Lombardo & Gilles, Brian Foucht, was off the project? Mr. Foucht had formerly represented the project on behalf of Villalobos. Ms. Gail Hatter-Crawford stated Mr. Foucht no longer worked for Lombardo & Gilles and that she had taken over the project. She stated she had been on the project at an earlier time and now was back.

Monterey County Planner Manuguerra presented this application to the LUAC

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Hughett said his understanding of a previous referral on this was that the LUAC was only advising the clearing of the violation so the project could move forward.

Manuguerra stated the Villalobos application for a Minor Subdivision is incomplete. It needs a Hydrology report. As the property is at the top of a mountain, this will be a very difficult report to get that shows proper hydrology.

They have not completed an environmental study for two houses and a road to them.

Ultimately, it could be for three houses as the 80 acre parcel could have two houses on it whether or not there is a Minor Subdivision. The house and road are still subject to the 80 acre Minor Subdivision. It is not ridgeline.

Hughett stated, so there could be a house and a guest house.

[PLN060101 VILLALOBOS CONTINUED]

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.): CONTINUED

There was concern about three oak trees having to be removed for the proposed road. The LUAC remembered that the number previously was two oak trees proposed for removal.

Marvin said that clearing the Code Violation was a Catch 22. It needed to be cleared so that Environmental Review could go forward.

Project Planner Manuguerra gave the tree sizes and said landmark trees are those 24 inches in diameter or greater.

Weaver said he had several concerns:

The underlying property is Resource Conservation. Resource Conservation underlies all of this former Diaz Ranch property, approximately 1,000 acres, including the Margaret Baker Estate. However, the 160 acres of the Diaz Ranch referred to as the Margaret Baker Estate went through formal Subdivision Hearings in the County of Monterey. Impacts as to traffic, water, drainage, flora and fauna, and Visual Sensitivity were all formally reviewed in public hearings, with discussion as to structure location, road locations, building envelopes and building heights. Impacts were addressed and Mitigations planned, with Conditions imposed.

NOW, immediately across San Benancio Road is 700 acres of the former Diaz Ranch also purchased by Jeff Ramsey, the same purchaser of the Margaret Baker Estate. And we have seen NO formal subdivision process even though the impacts will be similar and cumulative. It seems to be a series of lot line adjustments, minor subdivision applications, combined development permits, etcetera. It is a haphazard series of applications that do not constitute good planning. The water system approved for the Margaret Baker Subdivision across the road has now had water mains run under San Benancio Road and is providing water for how many houses here on this 700 acres? Then we have this road of over half a mile in length cut illegally. Yes, where is the CEQA review?

Weaver stated he would like to make a motion to send this back to the Monterey County Planning Department with a recommendation to send this 700 acre Ranch through a proper Subdivision Planning and Hearing Process.

Vandergrift said he would like to second that motion.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.): None

ADDITIONAL LUAC COMMENTS:

Monterey County Planner Manuguerra said from a Planner perspective that is the way she would like to see it done too, but that's not the way it got started or is being done here. That's not the application.

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Hughett calls for a vote
Recommendation: Denial

CONCUR WITH RECOMMENDATION:

AYES: Weaver, Vandergrift (2)

NOES: Hughett, Baker, Mueller, Marvin, Varney (5)

ABSENT: Kennedy, Pessagno (2)

ABSTAIN: (0)

MOTION FAILED

RECOMMENDATION (e.g. recommend approval (as per motion modified); recommend denial; recommend continuation):

Varney states that he would like to make a motion to approve subsections 2 and 3 of item 2 on the agenda with a condition that the tree removed will be replaced per County guidelines.

Mueller seconds this motion.

Baker asks who makes the decision as to whether the Oaks can be saved?
Planner Manuguerra says a professional forester will be consulted.

Marvin asks if he may offer a modification to the motion, and that is to require two trees to be protected. Provide retaining walls to protect the trees as per an arborist plan. Plant three 5-gallon Oak trees for each of the two that potentially might be removed.

Hughett asks if the maker of the Motion and the second concur with this motion modification. Both Varney and Mueller state they concur.

CONCUR WITH RECOMMENDATION:

AYES: Hughett, Marvin, Mueller, Varney, Baker (5)

NOES: Weaver, Vandergrift (2)

ABSENT: Kennedy, Pessagno (2)

ABSTAIN: (0)

MOTION PASSED

Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 19, 2007.

Project Title: VILLALOBOS RICHARD A & ELSA R

File Number: PLN060296

File Type: ZA

Planner: MANUGUERRA

Location: 387 SAN BENANCIO RD SALINAS

Project Description:

COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A VISUAL SENSITIVITY DISTRICT OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A TWO-STORY 4,397 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED 852 SQUARE FOOT THREE-CAR GARAGE, 255 SQUARE FOOT PORTE COCHERE, 381 SQUARE FOOT MAIN HOUSE COVERED PORCH, SWIMMING POOL, 2,679 SQUARE FEET OF BARN AND STABLES, AND TWO SEPTIC DISPOSAL SYSTEMS; AND (2) USE PERMIT TO ALLOW THE CONSTRUCTION OF A 1,200 SQUARE FOOT ONE-STORY CARETAKER'S UNIT WITH AN ATTACHED 576 SQUARE FOOT TWO-CAR GARAGE. THE PROPERTY IS LOCATED AT 387 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-008-000), TORO AREA.

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

Architect, Pedro Rosado wsa present

PUBLIC COMMENT:

Architect Rosado stated that the new owner of this parcel, Stephanie Christensen, was not ready yet. The application was premature as the buildings and sizes in this application might not be her plans. She was present at a previous Villalobos application hearing regarding the road before the LUAC.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

None

[PLN060296 VILLALOBOS CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

ADDITIONAL LUAC COMMENTS:

Weaver states this application or will-be-application needs to be considered in conjunction with the other applications and the entirety of this 700 acre parcel needs to be considered in an overall subdivision hearing process.
Weaver asks Planner Manuguerra how many houses have been approved or are in the application process on this former 700 acre Diaz cattle ranch?
Planner Manuguerra states that she does not know.

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation (table project):

Varney makes a motion to continue the item
Vandergrift seconds this motion

Marvin suggests tableing it for the time being

Planner Manuguerra states the LUAC will see it after the Initial Study.
Weaver asks when will Planner Manuguerra begin the Initial Study?
Manuguerra answers that she won't be doing the Initial Study. The planners don't do Initial Studies. She states all that stuff is subcontracted out by the Planning Department.
In this case this Initial Study will be done by Denise Duffy and Associates.
Ms. Manuguerra offers to add Weaver to her notes to be put on the mailing list for a copy of this Initial Study.

Hughett asks the maker of the motion and the second if the motion can be modified to table the application. Varney and Vandergrift both agree.

Hughett makes a motion to table this item
Varney seconds this motion

CONCUR WITH RECOMMENDATION:

AYES: Hughett, Varney, Mueller, Baker, Vandergrift, Marvin (6)

NOES: Weaver (1)

ABSENT: Kennedy, Pessagno (2)

ABSTAIN: (0)

Action by Land Use Advisory Committee Project Referral Sheet

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

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 19, 2007.

Project Title: VILLALOBOS RICHARD A ET AL

File Number: PLN070482

File Type: PC

Planner: MANUGUERRA

Location: CORRAL DE CIELO SALINAS

Project Description:

USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% TO CLEAR CODE ENFORCEMENT VIOLATION (CE070222) FOR THE GRADING OF A 3,121 LINEAR FOOT RANCH ROAD WITHOUT PERMITS. THE PROPERTIES ARE LOCATED ALONG CORRAL DE CIELO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-641-013-000 AND 416-641-012-000), TORO AREA.

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

Applicant representative Pedro Rosado, architect for Villalobos, was present

PUBLIC COMMENT:

Chair Hughett stated that this item had been discussed and acted on at a previous LUAC hearing and in application PLN060101 discussed earlier today.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

N/A

[PLN070482 VILLALOBOS CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

N/A

ADDITIONAL LUAC COMMENTS:

N/A

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

N/A

CONCUR WITH RECOMMENDATION:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

Motion to adjourn made by Mueller
Motion to adjourn seconded by Varney
Ayes: Mueller, Varney, Hughett, Marvin, Baker, Vandergrift, Weaver (7)
Noes: 0
Absent: Kennedy, Pessagno (2)
Abstain: 0

MEETING ADJOURNED AT: 5:40 PM

PREPARED BY: Mike Weaver

Sent by Mike Weaver, Secretary of the Toro LUAC
Received via fax on December 19, 2007
Michele Friedrich, LUAC Contact

MINUTES

Toro Land Use Advisory Committee Monday, November 13, 2006

1. Meeting called to order 4:30 PM by Chair, Rich Hughett

2. Members Present: Vandergift, Weaver, Hughett, Varney, Violini (6)
Marvin (arrived at 4:45 pm)

3. Members Absent: Baker, Mueller (2)

4. Approval of Minutes: **Committee did vote on September 19th minutes so they will be added to a future agenda for approval**

(September 19, 2006 GPU)

Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

Motion to approve October 9th minutes as amended below:

Weaver stated that the October 9th Minutes as sent from Planning needed correcting /clarification in that the Minor Subdivision proposed by Richard Villalobos (PLN060177) was voted down by a majority vote of the Committee at the October 9th meeting. Varney had made a motion to approve it, seconded by Marvin. The vote was 3-2. Hughett, Weaver, and Baker voted no, while Varney and Marvin voted yes.

Hughett then stated that he felt the application and associated requests for design approvals needed a field trip to the site. He wanted to hear from the planner, who was supposed to be here as well as continue these applications until October 23rd at 3 PM for a field trip, to be followed by the LUAC hearing at 4:30 PM.

(October 9, 2006)

Motion: Varney (LUAC Member's Name)

Second: Vandergift (LUAC Member's Name)

Ayes: Weaver, Varney, Hughett, Vandergift (4)

Noes: 0

Absent: Baker, Mueller, Marvin (3)

Abstain: Violini (1) Not an official LUAC member at that time

5. Public Comments:

Rich Hughett noted that the field trip today at 3:00 PM was a very rainy one. There was so much rain it was hard to see anything.

Therefore he suggested individual field trips to the site prior to the November 27th meeting.

Some potential issues were visual sensitivity and ridgeline construction.

6. Other Items: A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications

None

Action by Land Use Advisory Committee

Project Referral Sheet

Planning & Building Inspection Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 13, 2006.

Project Title: DOMAIN CORPORATION

Item continued from October 9, 2006

File Number: DA060399

File Type: Admin

Planner: OSORIO

Location: 715 MONTEREY SALINAS HWY SALINAS

Project Description:

DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A SUBDIVISION ENTRY GATE AND WALL TO CONSIST OF: 1) WROUGHT IRON PICKET GATE; 2) 4 16 X 8 X 16 CONCRETE COLUMN/PILLARS WITH WALL AND PLANTER WALL; AND 3) A 120-FOOT AND 96-FOOT WALL ON EITHER SIDE OF THE GATE. MATERIALS OF CULTURED STONE "TEHEMA WATER WASH" (WALLS), WITH A CONCRETE BLOCK WALL WITH BEIGE "NAVAJO WHITE" STUCCO FINISH WITH THE WORDS "VILLIA OAKS". THE PROPERTY IS LOCATED AT 715 MONTEREY-SALINAS HIGHWAY, SALINAS (ASSESSOR'S PARCEL NUMBERS 161-011-078-000), TORO AREA.

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

Representative Ray Harrod Jr. introduced himself

PUBLIC COMMENT:

LUAC members asked exactly where was the proposed project location as none had been able to figure out where 715 Monterey Salinas Highway was.

Ray Harrod Jr stated that the project location was just off San Benancio Road in front of the area undergoing construction known as the San Benancio Oaks Subdivision. The proposal was for two entry gates and wall fences on either side of the entry gates. These two entry gates were proposed for the two separate entrances for the San Benancio Oaks Subdivision.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Weaver stated that the project description that was noticed by the County stated that it was for "A" (singular) entry gate, not two, and that the description of the location was confusing.

The Domain Corporation may be on the map, but it should also state that it's the San Benancio Oaks Subdivision as that's what the County called it when processing it. He suggested it be re-noticed and re-posted for accuracy.

Bob Rieger, a neighbor who lives immediately across San Benancio Road from this proposed entry gates project stated he attended the LUAC Hearing today because of a different issue on the agenda. He was unaware that this entry gate issue was on the agenda for the Oaks Subdivision. He did say he received a notice but thought that 715 Monterey Salinas Highway was down on Highway 68 somewhere. He's sure his neighbors would be interested in the entry gates issue and believes they also are unaware that the 715 Monterey Salinas Highway refers to the San Benancio Oaks Subdivision.

[DA060399 DOMAIN CORPORATION CONTINUED]

Mr Harrod Jr said that 715 was used, as that is the address of the large parcel off of Highway 68, of which this San Benancio Oaks Subdivision is a part, past San Benancio School.

Mr. Rieger said that from the drawings, the gates and wall fences would be inside the 100 foot setback from San Benancio Road. He stated he and his neighbors across San Benancio would be prohibited from building anything in their 100 foot setback. He questioned how these gates and fences could even be considered?

There's also a potential for cars to be backed up stopped in front of the entry gates just off of San Benancio Road.

Weaver stated that the design and size presented didn't seem to be in keeping with the rural character of lower San Benancio.

Vandergift asked why a simple wooden fence wasn't being considered? How about a barbed wire fence?

Vandergift asked if the two entrances could possibly be combined into one?

Harrod Jr. responded that the two entrances could not be combined and that the stucco walls proposed were not intended to prohibit wildlife from being able to cross.

Marvin asked for clarification and questioned the height of both the entry gates and the fence walls on either side of the gates. It was determined that the stucco walls were 5'5" on either side of the gates and the gate caps were 6'6".

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

None

ADDITIONAL LUAC COMMENTS:

Marvin states he has difficulty with the design presented and suggests that the applicant work with the neighbors.

Would these proposed entry gates be lit up at night?

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Weaver recommends a continuation of the hearing until December 11, 2006. He states that the proposed project needs to be renoticed for accuracy, TWO entry gates are proposed (NOT "A" entry gate), also a better description, one that anyone in the area would recognize, that the proposed location is on lower San Benancio Road, just past San Benancio School on the left as one climbs up San Benancio Road. He believes it needs to be renoticed to the neighbors within 300 feet and that providing an accurate description as well as a small map would be helpful. Also stake the proposed entry gates for size and the height of the proposed fencing with green stakes, and stake where the fencing is proposed to taper off. Stake it by the 1st of December.

CONCUR WITH RECOMMENDATION:

AYES: Hughett, Marvin, Vandergift, Varney, Violini, Weaver (6)

NOES: 0

ABSENT: Mueller, Baker (2)

ABSTAIN: 0



Action by Land Use Advisory Committee Project Referral Sheet

Planning & Building Inspection Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 13, 2006.

Project Title: CYPRESS COMMUNITY CHURCH

File Number: PLN040308

File Type: AP

Planner: BRADLEY

Location: 681 MONTEREY SALINAS HWY SALINAS

Project Description:

ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A DRIVEWAY CONNECTING TO THE NORTH SIDE OF THE INTERSECTION OF CORRAL DE TIERRA ROAD AND HIGHWAY 68 IN A VS (VISUAL SENSITIVITY) ZONE; GRADING (734 CU. YDS. OF CUT/1,698 CU. YDS OF FILL); AND DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 681 MONTEREY SALINAS HIGHWAY, SALINAS (ASSESSOR'S PARCEL NUMBER 161-251-010-000, 161-251-011-000, 161-251-012-000), TORO AREA.

NOTE: THE LUAC WILL REVIEW THE LANDSCAPE PLAN ONLY AT THIS TIME

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

James Coulter of Cypress Community Church

PUBLIC COMMENT:

Rich Hughett gave a brief background of the proposal stating that it had come before the LUAC before and that the LUAC asked to see it again with a landscaping plan.

Mr Coulter described the project. It is to be the 4th leg of the signal light at Corral de Tierra Road and Highway 68. It will utilize the existing driveway, then turn and go parallel with Highway 68, before turning again to access Highway 68 at the signal light. He stated the State Department of Transportation is studying the current Highway 68 access point as apparently the five houses that use it have been accessing their houses via the Church owned driveway approach.

The landscaping design presented showed a row of trees on either side of the new driveway extension. Mr Coulter stated that was originally what was planned but now it was felt that a row of trees lined up on either side of the road would only call attention to this new road from Highway 68. It would highlight it. Instead, the plan was to hydro-seed it for a natural grass appearance. It is set back from Highway 68. The entrance at the Corral de Tierra signal light would retain natural foliage and in addition young Oak Trees would be planted to add to the rural character. The existing sign at the current entrance would be moved down to the new entrance at the signal light.

[PLN040308 CYPRESS COMMUNITY CHURCH CONTINUED]

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Vandergift asked if there wasn't some issues with the Bureau of Land Management?

Jim Coulter responded that a plant known as "Tar weed" has been found on the property which is the reason for the low wooden fencing recently seen. The new driveway entrance avoids this Tar weed by going around it.

Weaver stated he was pleased that the existing Church driveway would be utilized and that this extension would be better if hydro-seeded on either side rather than a row of trees.

Hughett asked if there shouldn't be something planted along the frontage of Highway 68 to hide this road extension. He suggested plants perhaps three feet high or so would hide it from the motoring public.

Coulter responded that he felt this would detract from the natural ruralness of the views. It would stick out because it was different.

Violini asked about possibly berming.

Coulter felt that this wouldn't work with the Tar weed found nearby.

Hughett stated he still thought a low planting along the frontage of the Church property next to Highway 68 would be appropriate.

Weaver said that if his memory served him the biggest concern the LUAC had when they previously looked at this was what specifically would the entrance at the signal light look like? That immediate area by the signal light seemed to be the primary concern.

Varney agreed with this.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

Marvin said he would like to see a natural appearing planting of Oak Trees, not something that looked geometric. Rather a random planting, natural clustering, at the entryway that fits in with the other foliage. He'd like to see a blending of the foliage and keep it rural looking.

Weaver suggested five-gallon Oak Trees as his experience is they ultimately grow faster and hardier than the fifteen gallon Oak Trees that have been in the can too long.

ADDITIONAL LUAC COMMENTS: None

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Vandergift: Motion to approve with a random plating of Oak Trees at the entrance. Keep it natural looking and rural looking not geometric.

Weaver: Second

CONCUR WITH RECOMMENDATION:

AYES: Vandergift, Weaver, Marvin, Varney, Violini (6)

NOES: 0

ABSENT: Baker, Mueller (2)

ABSTAIN: 0

Action by Land Use Advisory Committee Project Referral Sheet

Planning & Building Inspection Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Toro

Please submit your recommendations for this application by Monday, November 13, 2006.

Project Title: SILVA KARLA A NEUBERT

File Number: PLN060589

File Type: MS

Planner: AMADOR

Location: 9999 (NO ADDRESS ASSIGNED AT THIS TIME)

Project Description:

MINOR SUBDIVISION OF AN EXISTING 10.2 ACRE PARCEL INTO TWO LOTS OF 5.1 ACRES EACH. THE PARCEL IS LOCATED ON PINE CANYON ROAD (NO ADDRESS ASSIGNED), SALINAS (ASSESSOR'S PARCEL NUMBER 416-449-003-000), FRONTING ON AND EASTERLY OF PINE CANYON ROAD, TORO AREA.

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

Karla Neubert Silva

PUBLIC COMMENT:

Karla Neubert Silva described the minor subdivision. The size is in keeping with other surrounding parcels. She has two boys, thus the reason for the minor subdivision. The location is near the very top of Pine Canyon.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Violini said that this is in keeping with immediately surrounding parcel sizes.

[PLN060589 SILVA CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

None

ADDITIONAL LUAC COMMENTS:

None

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuation):

Violini motion to approve
Varney: second

CONCUR WITH RECOMMENDATION:

AYES: Violini, Varney, Hughett, Marvin, Vandergrift, Weaver (6)

NOES: 0

ABSENT: Baker, Mueller (2)

ABSTAIN: 0

MEETING ADJOURNED AT: 5:25 PM

Sent by Mike Weaver, Secretary of the Toro LUAC
Received via email on November 22, 2006
Michele Friedrich, LUAC Contact

MINUTES
Toro Land Use Advisory Committee
Monday, October 27, 2008

A. Site Visit(s) 4:00pm TO 387 AND 383 SAN BENAVENUE ROAD, TORO AREA
TOP OF SAN BENAVENUE

LUAC
Attendees HUGHETT, WEAVER, KENNEDY, BAKER, MARVIN
PLUS PEDRO RODRIGO ARCHITECT; STEVE WILSON, ENGINEER; STEPHANIE CHRISTENSEN,
PROPERTY OWNER; ELISA MANVUELEPA, PLANNER; FRANK VOST, NEIGHBOR

Meeting called to order at 5:35 pm

B. Roll Call:

Members Present: HUGHETT, WEAVER, KENNEDY, BAKER, MARVIN, VANDERGRIFT,
MUELLER, VARNEY

Members Absent: NONE

C. Approval of Minutes:

(Date: 10/11/08) Motion: VARNEY (LUAC Member's Name)

Second: KENNEDY (LUAC Member's Name)

Ayes: HUGHETT, KENNEDY, BAKER, VANDERGRIFT, MUELLER, VARNEY

Noes: NONE

Absent: NONE

Abstain: WEAVER, MARVIN (NOT AT MEETING)

Approval of Minutes:

(Date: _____) Motion: _____ (LUAC Member's Name)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

D. Public Comments:

NINE

E. Scheduled Items – see following pages

F. Other Items: A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications

NINE

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: Toro

Please submit your recommendations for this application by Monday, October 27, 2008

Project Title: VILLALOBOS RICHARD A & ELSA R

File Number: PLN060101

File Type: ZA

Planner: ELISA MANUGUERRA

Location: 387 SAN BENANCIO RD SALINAS

Project Description COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A 5,158 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 864 SQUARE FOOT ONE-STORY THREE-CAR GARAGE, A 576 SQUARE FOOT GUESTHOUSE; (2) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A SECOND TWO-STORY 4,998 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED ONE-STORY 828 SQUARE FEET THREE-CAR GARAGE; AND GRADING (APPROX. 14,647 CU. YDS. CUT/14,647 CU. YDS. FILL); AND (3) A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF ONE OAK TREE 14 INCHES IN DIAMETER AT BREAST HEIGHT. THE PROPERTY IS LOCATED AT 387 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-013-000), TORO AREA.

Was the Owner/Applicant/Representative Present? Yes No PEDRO RODRIGUEZ, ARCHITECT, STARR WELSH
ELISA MANUGUERRA, PLANNER, GAIL WATERS-CRAIGHEAD, WILSON GILLESPIE LAND FIRM, NEIGHBOR STEPHANIE
GRIFFITHS, NEIGHBOR FRANK WOST, NEIGHBOR TISHA POLAND

PUBLIC COMMENT:

11/10/08: THE LUCAS HAS VISITED THIS APPLICATION AT AN EARLIER DATE WHEN IT WAS THE SUBJECT OF A LOT LINE ADJUSTMENT.
WEAVER - THE LOT LINE ADJUSTMENT CREATED THIS PARCEL WHICH IS JUST SLIGHTLY OVER 80 ACRES IN AN AREA WITH 40 ACRE MINIMUMS AND IT'S RESOURCE CONSERVATION.
ALSO THE WATER SUPPLY TO THIS AND THE OTHER PARCELS ON THE 700 ACRES ARE A RESULT OF RUNNING A WATER PIPE BENEATH SAN BENANCIO ROAD FROM THE OTHER SIDE OF THE ROAD, THE MARGARET BAKER SUBDIVISION.
PLANNER MANUGUERRA EXPLAINED THAT THERE WAS A WELL DRILLED ON THIS PARCEL. THE NUMBER OF PERMITS CONNECTIONS TO THE DIAZ WATER COMPANY ACROSS THE ROAD HAS BEEN INCREASED TO 14 FOR THE APPLICANT TO USE THE WELL, HE'D HAVE TO PROVE A LONG TERM WATER SUPPLY WHICH WOULD BE HARD TO DO. IT IS A DEPARTMENT OF ENVIRONMENTAL HEALTH ISSUE.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

CONCERN - RECOMMENDING APPROXIMATE OF TWO RESIDENTIAL HOUSES ON THIS 80 ACRE PARCEL IS A BACKDOOR WAY TO A MINOR SUBDIVISION.

MANUGUERRA STATES THEY WOULD STILL HAVE TO PROVE A LONG TERM WATER SUPPLY
THE APPLICANT'S REPRESENTATIVE STATED THERE IS NO INTENTION, AT THIS TIME, TO DIVIDE THE 80 ACRES.

VISUAL IMPACT OF EITHER PROPOSED HOUSE IS MINIMAL TO NONE FROM A PUBLIC VIEWING AREA - EXTERIOR LIGHTING AND LANDSCAPE CONCERNS WERE EXPRESSED - MINIMAL "DOWN" LIGHTING OUTSIDE. NATIVE PLANTS. PLANNER MANUGUERRA ASSURED THE LUCAS -

ADDITIONAL CONCERN IS APPLICANT VILLALOBOS HAS AN APPLICATION FOR MINOR SUBDIVISION HOWEVER THE MINOR SUBDIVISION HAS BEEN SUSPENDED.

[PLN060101 VILLALOBOS RICHARD A & ELSA R]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

EARTH TONE EXTERIOR COLORS
SENSITIVITY TO EXTERIOR LIGHTING

ADDITIONAL LUAC COMMENTS:

WEAVER: STAFF RECOMMENDATION; ONE HOUSE, INSTEAD OF TWO. THE LANGUAGE OF THE RESOLUTION LIMITS THE INCLUSION OF OTHER ISSUES OR HISTORY OF THIS PARCEL. ONE HOUSE PLANS (WITH PORCH AND GARAGE) QUARTERS OK, IN THE ORIGINAL LOCATION AS APPROVED BY THE LUAC AT A PREVIOUS DESIGN REVIEW AND FIELD TRIP.

THERE IS NO SECOND TO THIS MOTION. FAILS TO GO FORWARD TO A VOTE FOR LACK OF A SECOND.

MARVIN STATES A SECOND HOUSE IS ALLOWED BY ZONING. THERE ARE NO VISUAL IMPACTS. EVALUATING THE LARGEST ROLE IS TO VISUAL SENSITIVITY

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance): (5-1)

KENNEDY - MOTION TO APPROVE AS SUBMITTED PLUS CONDITIONED FOR EARTH TONE COLORS AND SENSITIVITY TO EXTERIOR LIGHTING

MUELLER - SECONDS MOTION

CONCUR WITH RECOMMENDATION:

AYES: KENNEDY, MUELLER, HUBBERTZ, WEAVER, MARVIN

NOES: WEAVER

ABSENT: VAN DER GRIET, VORNEY

ABSTAIN: NONE

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: Toro

Please submit your recommendations for this application by Monday, October 27, 2008

Project Title: CHRISTENSEN STEPHANIE LYNN

File Number: PLN060296

File Type: ZA

Planner: ELISA MANUGUERRA

Location: 383 SAN BENANCIO RD SALINAS

Project Description ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A VISUAL SENSITIVITY DISTRICT OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A ONE-STORY 1,170 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED 774 SQUARE FOOT COVERED PORCH, AND DETACHED 576 SQUARE FOOT TWO-CAR GARAGE WITH AN ATTACHED 240 SQUARE FOOT CARPORT, A 600 SQUARE FOOT ONE-STORY GUESTHOUSE, 2,160 SQUARE FEET OF BARN AND STABLES, AND TWO SEPTIC DISPOSAL SYSTEMS. THE PROPERTY IS LOCATED AT 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-012-000), TORO AREA.

Was the Owner/Applicant/Representative Present? Yes No

STEPHANIE CHRISTENSEN, PROPERTY OWNER WAS PRESENT.

PUBLIC COMMENT:

RESOURCE CONSERVATION, VISUALLY SENSITIVE, 40 ACRE MINIMUM, NEEDS AN ADMINISTRATIVE PERMIT

KENUTY STATED THAT AFTER SEEING THE STABLES, THAT THE CUTTING OF THE PAD TO REDUCE HEIGHT AND HIDE THE STRUCTURE HE WAS IMPRESSED.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

EXTERIOR LIGHTING

EXTERIOR COLORS OF STRUCTURES

[PLN060296 CHRISTENSEN STEPHANIE LYNN]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

ADDITIONAL LUAC COMMENTS:

MARVIN STATED HE WAS IMPATIENT WITH THE SITING OF THE PROPOSED STRUCTURES TO AS TO MAKE THEM NOT VISIBLE.

WEAVER AGREED WITH MARVIN AND ASKED THE APPLICANT IF SHE WAS PLANNING ANY FUTURE ADDITIONS? SHE SAID NO.

WEAVER SAID HE EMPATHIZED WITH THIS APPLICANT, AS WITH THE PURCHASE OF THE PROPERTY SHE GOT HERSELF INVOLVED IN DEVELOPMENT ISSUES THAT SHE WAS UNAWARE OF.

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

WEAVER - MOTION FOR APPROVAL CONDITIONED FOR COLORS AND MATERIALS THAT BLEND AND TOGO "QUALITY OF DARKNESS" EXTERIOR LIGHTING

MUELLER - SECONDS THE MOTION

CONCUR WITH RECOMMENDATION:

AYES: ~~BRADY, MUELLER, HUGHETT, MARVIN, WEAVER, KENNEDY~~

NOES: NONE

ABSENT: VARNLEY, VANDERKLEEF

ABSTAIN: NONE

MEETING ADJOURNED AT 6:30 PM PREPARED BY: MIKE WEAVER

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: Toro

Please submit your recommendations for this application by Monday, October 27, 2008

Project Title: VILLALOBOS RICHARD A ET AL

File Number: PLN070482

File Type: PC

Planner: ELISA MANUGUERRA

Location: 387 & 383 SAN BENANCIO RD SALINAS

Project Description USE PERMIT TO CLEAR CODE ENFORCEMENT VIOLATION (CE070222) TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% FOR THE GRADING OF A 3,121 LINEAR FOOT RANCH ROAD WITHOUT PERMITS AND IMPROVEMENTS TO MEET ROAD IMPROVEMENT STANDARDS. GRADING TO CONSIST OF APPROX. 11,370 CU. YDS. CUT AND 11,370 CU. YDS. FILL. THE PROPERTIES ARE LOCATED ALONG A PRIVATE ROAD (CORRAL DE CIELO) OFF 387 & 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-641-012-000 & 416-641-013-000), TORO AREA.

Was the Owner/Applicant/Representative Present? Yes No
FRANK VODT-ARCHITECT, STEVE WILSON, MONTEREY BAY ENGINEERS, ELISA MANUGUERRA, MONTEREY COUNTY PLANNER
TINA ROLAND NEIGHBOR. FRANK VODT NEIGHBOR, STEPHANIE CANNISTOWN, PROPERTY OWNER, GAIL HATTER-CRAWFORD
OF LUMBERED HILLS

PUBLIC COMMENT: AT THE RECOMM. MEETING OF MIKE WEAVER, ATTENDED BY HUGHETT, AND APPROVED BY
ALL OF US. THIS ITEM WAS HEARD FIRST, AS IT IS THE ACCESS TO THE OTHER ITEMS ON
TODAY'S AGENDA.

WILSON TRUNKED ROAD IS TO BE 16 FT WIDE AND PAVED TO 383 SAN BENANCIO ROAD, THEN 12 FEET WIDE
AND PAVED TO 387 SAN BENANCIO ROAD, PER FIRE DEPT.
THE ROAD REFERRAL DID NOT MENTION THE APPLICANT'S WISH TO REMOVE THREE OAK TREES PROTECTED.
ALTHOUGH THE AGENDA DOES MENTION REMOVAL OF THREE PROTECTED OAK TREES, 18", 19", AND 28"
DIAMETER.

HUGHETT ASKED THAT WATER TANKS FOR FIRE PROTECTION AT THE TOP OF THE ROAD ARE AN ADDITIONAL
REQUIREMENT BY THE FIRE DEPT. A TOTAL OF SEVEN 5,000 GALLON WATER TANKS, EIGHT FEET TALL
ARE NOT TO BE VISIBLE OVER THE TOP OF THE HILL.

THE USE PERMIT IS FOR ONE ACRE OF ROAD. IT IS A MAJOR REVISION GRADING PROJECT
AND WILL BE A MAJOR REVISION GRADING PROJECT. THE AREA IS IN A VISUALLY SENSITIVE ZONE
THE ROAD GRADING PROJECT IS NOT VISIBLE FROM SAN BENANCIO ROAD.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

NEIGHBORS TINA ROLAND OF 309 SAN BENANCIO ROAD STATED SHE'S LIVED THERE FOR 40 YEARS
AND IS ALSO REPRESENTING HER NEIGHBOR ROBERT BENNETT, WHO HAS LIVED THERE FOR 60 YEARS.
THEY FEEL THE OPEN PAVING THROUGH THEIR PROPERTY IS NOW JUST SEASONAL RUNOFF. THEY ARE CONCERNED
ABOUT THEIR OWN WATER SUPPLY. THEY'VE HAD PROBLEMS WITH THEIR WELLS. WE'VE BEEN GOING
MAY IN THE AREA, ALSO SOME CONCERN ABOUT DRAINAGE FROM THIS PROJECT. WHERE ARE THE STORM
DRAINS? ARE THEY CLEAN? ARE THEY FROM THE PROJECT AREA (DOWNHILL FROM PROJECT SITE)?
VANDERKAM ASKED: WILL THERE BE ANY CONCERN, INCLUDING TINA ROLAND GET SEDIMENT DRAINAGE IN THEIR
DRAINAGE?

WEAVER ASKED IF A QUALITY TEST HAD BEEN CONDUCTED ON THE (PROMISED ROAD)?
HUGHETT AND REPRESENTATIVES STATE IT COULD BE MADE AS A CONDITION OF APPROVAL AND WENT ON TO
DISCUSS THE MAJOR REVISION GRADING PROJECT.

HUGHETT ASKED IF ANY OF THE THREE TREES CAN BE SAVED? APPLICANT'S ARE DOUBTFUL BECAUSE
THEY SAY OF FIRE DEPARTMENT REGULATIONS BUT THEY SAY THEY CAN TRY.

WEAVER FOR HIS ATTEMPTED TO REVIEW THE PROJECT FILE THIS MORNING BEFORE THE MEETING
HOWEVER DUE TO AN OFF SITE MEETING OF PLANNERS THE FILE WOULD NOT BE AVAILABLE UNTIL
THIS LATE.

[PLN060296 VILLALOBOS RICHARD A ET AL]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

ENCOURAGE ON-SITE WATER RETENTION FOR DRAINAGE, ATTEMPT TO SAVE ONE TREE IF POSSIBLE. COMPACTION TESTS TO DETERMINE IF ROAD IS FEASIBLE. FIRE DEPARTMENT REQUIRED WATER STORAGE TANKS BE NOT VISIBLE TO PUBLIC VIEWING AREAS. WEAVER RECOMMENDED THEY BE PLACED UNDERGROUND, APPLICANT REPORTED THIS WAS NOT POSSIBLE AS THE GRAVITY/FALL WOULDNT BE ENOUGH FROM THE LOCATION. APPLICANT REITERATED NOT VISIBLE.

ADDITIONAL LUAC COMMENTS: WEAVER SAID HE'D LIKE TO ADD SOME HISTORICAL PERSPECTIVE TO THIS APPLICATION. IN THE MID 1990S HE WAS SECRETARY OF THE TORD LUAC. SHORTLY AFTER THE 700 ACRES THIS PROPOSED ROAD IS ON WAS SOLD BY KINGAN, REPRESENTING THE TRUST, AND CLINE, REPRESENTING THE TRUST, JEFF RAMSEY; THE TORD LUAC WAS APPROACHED BY RAMSEY AND CLINE. THE LUAC WAS TOLD THAT SUBSEQUENT TO THE SALE, HISTORIC LOTS, ABOUT 7, HAD BEEN DISCOVERED ON THE PROPERTY. THE OWNERSHIP OF THE PROPERTY, THE DIAZ RANCH, GOES BACK TO SPANISH LAND GRANT DAYS. IT HAS ALWAYS BEEN IN THE DIAZ FAMILY. IT WAS PRESUMED THAT ONE RELATIVE HAD GIVEN ANOTHER SMALL PARCELS OVER THE YEARS, BUT NEVER BUILT ON. BECAUSE OF THE STEEPNESS OF THE TERRAIN ON THOSE 700 ACRES THE LUAC WAS ASKED FOR A RECOMMENDATION TO ALLOW THESE HISTORIC LOTS TO BE CLUSTERED CLOSE TO SAN BENITO ROAD. IT WAS EXPLAINED THIS WOULD MINIMIZE INFRASTRUCTURE ISSUES INCLUDING GRADING AND ACCESS. THE TORD LUAC APPROVED THIS RECOMMENDATION NOW, TODAY, BECAUSE OF LOT LINE ADJUSTMENTS AND MINOR SUBDIVISION APPLICATIONS

RECOMMENDATION (e.g. recommend approval, recommend denial, recommend continuance):

WE HAVE AN ILLEGAL ROAD AND BUILDING LOTS FAR FROM SAN BENITO ROAD. WEAVER STATED IT WAS HIS BELIEF, IN TALKING TO THE HEIRS, THAT THE HISTORIC LOTS WERE MOST LIKELY HISTORIC BURIAL PLOTS. REGARDLESS, THE 700 ACRES NEVER WENT THROUGH A FORMAL SUBDIVISION PROCESS LIKE THE RAMSEY PARCEL ACROSS THE ROAD THE MARGARET BAKER ESTATE.

RECOMMEND APPROVAL: MOTION, VARNNEY WITH COMPACTION TESTS, WITH GEOTECHNICAL REPORT AND ENCOURAGE ON-SITE WATER RETENTION

KENNEDY DEAND THE MOTION LE APPROVAL

CONCUR WITH RECOMMENDATION:

AYES: VARNEY, KENNEDY, HUGHETT, BAKER, MARVIN, MUELLER

(6-2)

NOES: WEAVER, VANDERGRIFT

ABSENT: NONE

ABSTAIN: NONE

RON VANDERGRIFT AND KERRY VARNEY LEAVE FOR THE DAY, OTHER APPT'S.

MEETING ADJOURNED AT: _____ PREPARED BY: _____

Exhibit R
Mitigated Negative
Declaration and
Initial Study

MITIGATED NEGATIVE DECLARATION

FILED

NOV 26 2008

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title & Owner :	RICHARD A VILLALOBOS ET AL & STEPHANIE LYNN CHRISTENSEN
Project Location:	387 & 383 SAN BENANCIO ROAD, SALINAS
Primary APNs:	416-641-012-000 AND 416-641-013-000
Project Planner:	Elisa Manuguerra, Associate Planner
Permit Type:	Two Combined Development Permits and One Administrative Permit
Project Descriptions:	<p><u>PLANNING FILE NO. PLN070482 FOR STEPHANIE LYNN CHRISTENSEN AND RICHARD A. VILLALOBOS ET AL:</u> A COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A USE PERMIT TO CLEAR CODE ENFORCEMENT VIOLATION (CE070222) TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% FOR THE GRADING OF A 3,121 LINEAR FOOT RANCH ROAD TO INCLUDE APPROXIMATELY 11,410 CU. YDS. CUT AND 11,410 CU. YDS. FILL AND IMPROVEMENTS (THE INSTALLATION OF NINE 5,000 GALLON WATER TANKS) TO FACILITATE COMPLIANCE WITH FIRE DEPARTMENT REQUIREMENT FOR ROAD AND DRIVEWAY; AND (2) A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF 3 PROTECTED COAST LIVE OAKS (18 INCHES, 19 INCHES AND 28 INCHES IN DIAMETER).</p> <p><u>PLANNING FILE NO. PLN060101 FOR RICHARD A. VILLALOBOS ET AL:</u> A COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A 5,158 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 864 SQUARE FOOT ONE-STORY THREE-CAR GARAGE, A 576 SQUARE FOOT GUESTHOUSE, AND INSTALLATION OF A SEPTIC DISPOSAL SYSTEM; (2) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW A THE CONSTRUCTION OF A SECOND TWO-STORY 4,998 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED ONE-STORY 828 SQUARE FEET THREE-CAR GARAGE, INSTALLATION OF A SEPTIC DISPOSAL SYSTEM, AND GRADING (APPROX. 14,647 CU. YDS. CUT/14,647 CU. YDS. FILL.</p> <p><u>PLANNING FILE NO. PLN060296 FOR STEPHANIE LYNN CHRISTENSEN:</u> AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A VISUAL SENSITIVITY DISTRICT OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A ONE-STORY 1,170 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED 774 SQUARE FOOT COVERED PORCH, AND DETACHED 576 SQUARE FOOT TWO-CAR GARAGE WITH AN ATTACHED 240 SQUARE FOOT CARPORT, A 600 SQUARE FOOT ONE-STORY GUESTHOUSE, 2,160 SQUARE FEET OF BARN AND STABLES, AND A SEPTIC DISPOSAL SYSTEM.</p>

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

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

Decision Making Body:	Planning Commission Hearing January 14, 2008
Responsible Agency:	County of Monterey
Review Period Begins:	November 27, 2008
Review Period Ends:	December 27, 2008

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

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT
168 WEST ALISAL, 2ND FLOOR, SALINAS, CA 93901
(831) 755-5025 FAX: (831) 757-9516



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION MONTEREY COUNTY MINOR SUBDIVISION COMMITTEE

NOTICE IS HEREBY GIVEN that the Monterey County Resource Management Agency – Planning Department has prepared a draft Mitigated Negative Declaration, pursuant to the requirements of CEQA, for Combined Development Permits and an Administrative Permit (PLN060101, PLN060296, and PLN070482) at 387 & 383 San Benancio Road Salinas (Assessor's Parcel Numbers 416-641-012-000 & 416-641-013-000 (see descriptions below)). The Mitigated Negative Declaration and Initial Study, as well as referenced documents, are available for review at the Monterey County Resource Management Agency – Planning Department, 168 West Alisal, 2nd Floor, Salinas, California. The Planning Commission will consider this proposal on January 14, 2009 at the Board of Supervisors Chambers located at 168 West Alisal, 1st Floor, Salinas, California. Written comments on this Mitigated Negative Declaration will be accepted from November 27, 2008 to December 27, 2008.

Project Description:

PLANNING FILE NO. PLN070482 FOR STEPHANIE LYNN CHRISTENSEN AND RICHARD A. VILLALOBOS ET AL
COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) A USE PERMIT TO CLEAR CODE ENFORCEMENT VIOLATION (CE070222) TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% FOR THE GRADING OF A 3,121 LINEAR FOOT RANCH ROAD TO INCLUDE APPROXIMATELY 11,410 CU. YDS. CUT AND 11,410 CU. YDS. FILL AND IMPROVEMENTS (THE INSTALLATION OF NINE 5,000 GALLON WATER TANKS) TO FACILITATE COMPLIANCE WITH FIRE DEPARTMENT REQUIREMENT FOR ROAD AND DRIVEWAY; AND (2) A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF 3 PROTECTED COAST LIVE OAKS (18 INCHES, 19 INCHES AND 28 INCHES IN DIAMETER). THE PROPERTY IS LOCATED ALONG A PRIVATE ROAD (CORRAL DE CIELO) OFF 387 & 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-641-012-000 AND 416-641-013-000), TORO PLANNING AREA.

PLANNING FILE NO. PLN060101 FOR RICHARD A. VILLALOBOS ET AL
COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A 5,158 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 864 SQUARE FOOT ONE-STORY THREE-CAR GARAGE, A 576 SQUARE FOOT GUESTHOUSE, AND INSTALLATION OF A SEPTIC DISPOSAL SYSTEM; (2) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW A THE CONSTRUCTION OF A SECOND TWO-STORY 4,998 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED ONE-STORY 828 SQUARE FEET THREE-CAR GARAGE, INSTALLATION OF A SEPTIC DISPOSAL SYSTEM, AND GRADING (APPROX. 14,647 CU. YDS. CUT/14,647 CU. YDS. FILL. THE PROPERTY IS LOCATED AT 387 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-013-000), TORO PLANNING AREA.

PLANNING FILE NO. PLN060296 FOR STEPHANIE LYNN CHRISTENSEN

AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A VISUAL SENSITIVITY DISTRICT OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A ONE-STORY 1,170 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED 774 SQUARE FOOT COVERED PORCH, AND DETACHED 576 SQUARE FOOT TWO-CAR GARAGE WITH AN ATTACHED 240 SQUARE FOOT CARPORT, A 500 SQUARE FOOT ONE-STORY GUESTHOUSE, 2,160 SQUARE FEET OF BARN AND STABLES, AND A SEPTIC DISPOSAL SYSTEM. THE PROPERTY IS LOCATED AT 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-012-000), TORO PLANNING AREA.

We welcome your comments during the 30-day public review period. You may submit your comments in hard copy to the name and address above. The Department also accepts comments via e-mail or facsimile but requests that you follow these instructions to ensure that the Department has received your comments. To submit your comments by e-mail, please send a complete document including all attachments to:

CEQAcomments@co.monterey.ca.us

An e-mailed document should contain the name of the person or entity submitting the comments and contact information such as phone number, mailing address and/or e-mail address and include any and all attachments referenced in the e-mail. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please send a second e-mail requesting confirmation of receipt of comments with enough information to confirm that the entire document was received. If you do not receive e-mail confirmation of receipt of comments, then please submit a hard copy of your comments to ensure inclusion in the environmental record or contact the Department to ensure the Department has received your comments.

Facsimile (fax) copies will be accepted with a cover page describing the extent (e.g. number of pages) being transmitted. A faxed document must contain a signature and all attachments referenced therein. Faxed document should be sent to the contact noted above at (831) 757-9516. To ensure a complete and accurate record, we request that you also provide a follow-up hard copy to the name and address listed above. If you do not wish to send a follow-up hard copy, then please contact the Department to confirm that the entire document was received.

For reviewing agencies: The Resource Management Agency – Planning Department requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments. In compliance with Section 15097 of the CEQA Guidelines, please provide a draft mitigation monitoring or reporting program for mitigation measures proposed by your agency. This program should include specific performance objectives for mitigation measures identified (CEQA Section 21081.6(c)). Also inform this Department if a fee needs to be collected in order to fund the mitigation monitoring or reporting by your agency and how that language should be incorporated into the mitigation measure.

All written comments on the Initial Study should be addressed to:

County of Monterey
Resource Management Agency – Planning Department
Attn: Elisa Manuguerra, Associate Planner
168 West Alisal, 2nd Floor
Salinas, CA 93901

Re: Freeman, PLN060101, PLN060296, & PLN070482

From: Agency Name: _____
Contact Person: _____
Phone Number: _____

- _____ No Comments provided
- _____ Comments noted below
- _____ Comments provided in separate letter

COMMENTS: _____

DISTRIBUTION

1. County Clerk's Office
2. Association of Monterey Bay Area Governments
3. Washington Union School District
4. Salinas Union High School District
5. Monterey County Sheriff's Office
6. California Department of Fish and Game
7. Monterey Bay Unified Air Pollution Control District
8. North Monterey County Fire Protection District
9. Monterey County Water Resources Agency
10. Monterey County Public Works Department
11. Monterey County Division of Environmental Health
12. Monterey County Parks Department
13. Transportation Agency of Monterey County
14. CALTRANS District #5
15. Regional Water Quality Control Board #3 (Central Coast Office)
16. California Air Resources Board (CARB)
17. Richard Villalobos, Property Owner
18. Lombardo and Gilles, Attn: Gail Hatter-Crawford, Agent
19. Pedro Rosado, Architect
20. Stephanie Lynn Christensen, Property Owner
21. Property Owners within 300 feet (Notice of Intent only)
22. Diaz Ranch Water Company, Water Purveyor

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:	Richard Villalobos / Stephanie Christensen
File No.:	PLN070482, PLN060101, and PLN060296
Project Location:	383 and 387 San Benancio Road, Salinas
Name of Property Owner(s):	Richard Villalobos and Stephanie Christensen
Name of Applicant:	Lombardo & Gilles/ Pedro Rosado
Assessor's Parcel Number(s):	416-641-012-000 and 416-641-013-000
Acreage of Properties:	40.00 acres and 80.60 acres
General Plan Designation:	Resource Conservation, 40 acre minimum
Zoning District:	RC/40-VS (Resource Conservation, 40 acre minimum, with Visual Sensitivity zoning district overlay)
Lead Agency:	Monterey County Resource Management Agency – Planning Department
Prepared By:	PMC for Lead Agency
Date Prepared:	November 26, 2008
Contact Person:	Elisa Manuguerra, Associate Planner
Phone Number/Email:	(831) 755-5179; manuguerrae@co.monterey.ca.us

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- V. Evaluation of Environmental Impacts
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II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The Villalobos/Christensen projects involve three land use applications for development on two adjacent parcels, which are located at 383 and 387 San Benancio Road, Salinas.¹ The projects consist of the construction of access road improvements and three single family dwellings with accessory structures. The vicinity map and site plans are shown on pages 12 to 19. The applications (PLN070482, PLN060101, and PLN060296) consist of the following:

PLN070482 and PLN060101 (Villalobos Property)

A Combined Development Permit (PLN070482) to clear a code enforcement violation (CE070222) to allow development on slopes exceeding 30 percent for the grading of a 3,121 linear foot ranch road without permits to include approximately 11,410 cu. yds. cut and 11,410 cu. yds. fill and improvements (the installation of nine 5,000 gallon water tanks) to facilitate compliance with fire department requirement for road and driveway; and (2) a tree removal permit to allow the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter). The maximum road grade would be 18 percent in order to meet Salinas Rural Fire Protection District standards for road construction. Grading would consist of approximately 11,410 cubic yards of cut and 11,410 cubic yards of fill. The road improvements would involve the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter) and 1 non-protected California Buckeye (18 inches in diameter). A road restoration plan has been submitted to restore some portions of the previously graded area where gullying and erosion have occurred.

A Combined Development Permit (PLN060101) consisting of: (1) an Administrative Permit for development in a Visual Sensitivity or "VS" Zoning District to allow the construction of a 5,158 square foot one-story single family dwelling with an attached 864 square foot three-car garage, a 576 square foot guesthouse, a 2,500 gallon septic system, a connection to the existing Diaz Ranch water system (Villalobos Residence 1) and grading (approximately 14,985 cubic yards cut and 14,985 cubic yards fill); and (2) an Administrative Permit for development in a Visual Sensitivity or "VS" Zoning District to allow the construction of a second two-story 4,998 square foot single family dwelling with an attached 828 square foot three-car garage, a 1,500 gallon septic system, and connection to an existing private well (Villalobos Residence 2).

PLN060296 (Christensen Property)

An Administrative Permit (PLN060296) for development within a Visual Sensitivity or "VS" Zoning District to allow the construction of a one-story 1,170 square foot single family dwelling with an attached 774 square foot covered porch and detached 576 square foot two-car garage with an attached 240 square foot carport, a 600 square foot one-story guesthouse, 2,160 square feet of barn and stables, a septic disposal system, and a connection to the existing Diaz Ranch water system. Grading estimates include 2,187 cubic yards cut/1,426 cubic yards fill for the

¹ The three land use applications (PLN070482, PLN060101, and PLN060296) were deemed complete by the County based on the information submitted for these applications and as listed in Section IX of this Initial Study document. Pursuant to CEQA Guidelines Section 15060, the County determined that these land use applications would be subject to CEQA evaluation. A fourth land use application (PLN060177) involves a Minor Subdivision to divide the 80-acre Villalobos property into two lots of 40 acres each. This application was deemed incomplete by the County due to outstanding information needs regarding consistency with the Subdivision Ordinance (Title 19). The Minor Subdivision application will be subject to a separate CEQA evaluation once adequate information has been submitted by the applicant and a completeness determination has been made by the County.

single family dwelling, 655 cubic yards cut/380 cubic yards fill for the barn, and 533 cubic yards cut/480 cubic yards fill for the caretaker's unit.

Road Design

The original project design involved the construction of a *driveway* 12 feet in width. That project was reviewed by the Salinas Rural Fire Department. The conditions recommended by the Fire Department required the driveway to be improved to the standards of a roadway for the majority of the access alignment which resulted in the need to redesign the project. Fire Department Regulations, Chapter 18.56, Wildfire Protection Standards in State Responsibility areas, defines "driveways" as vehicular access that serves "no more than two buildings, with no more than three dwelling units on a single parcel," and any number of accessory buildings. While "roads, streets, and private lanes" are defined as vehicular access to more than one parcel, or vehicular access to a single parcel with more than "two buildings or four or more dwelling units." Road construction standards require the road to be: 18 feet in width with a minimum of two nine-foot traffic lanes, turnouts at 400-foot intervals, an unobstructed vertical clearance of not less than 15 feet, and support the load of a 22-ton fire apparatus. As such, the project was redesigned to involve the construction of a road approximately 4,700 linear feet in length, 18 feet in width as it traverses the Christiansen property and narrowing to 12 feet wide on the Villalobos property. See Figure 1 below. The original driveway designs involved approximately 8,239 cubic yards of cut and fill, with no tree removal. The revised road design, considering the Fire Department standards, increased the grading to 11,410 cubic yards of cut and fill, requires encroachment on slopes exceeding 30%, and requires the removal of three protected oak trees.

Figure 1. Existing and Proposed Alignment

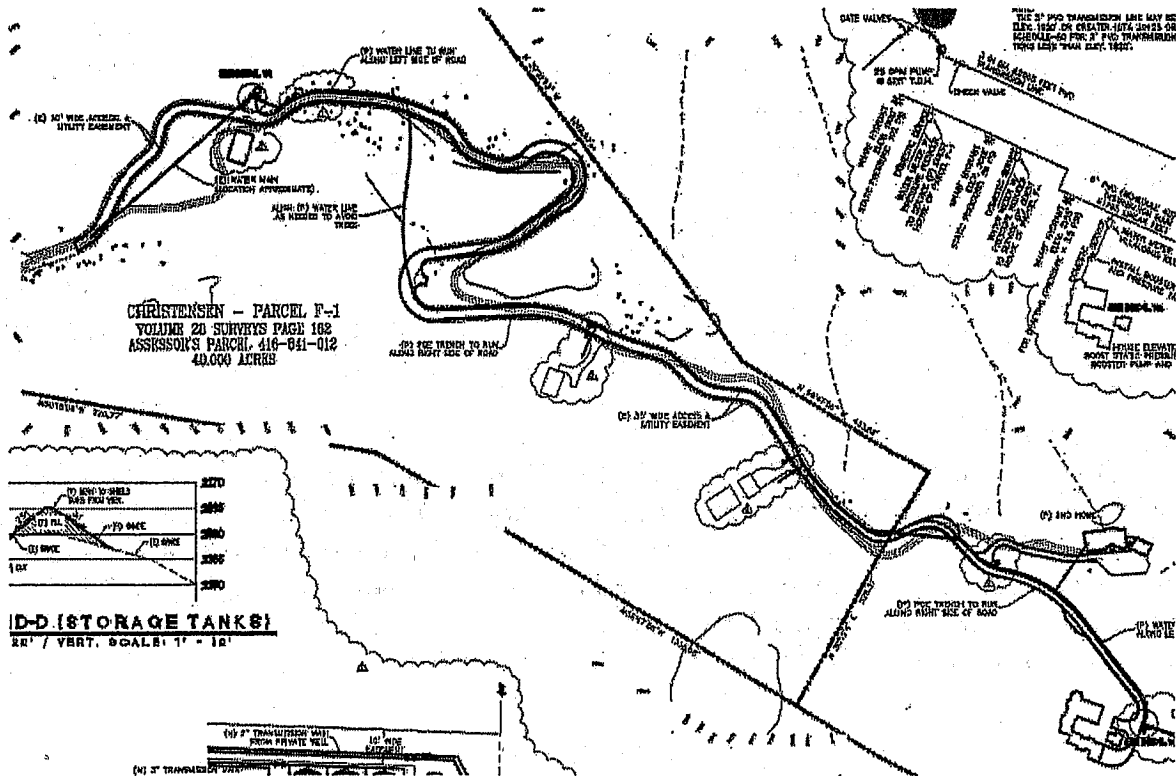
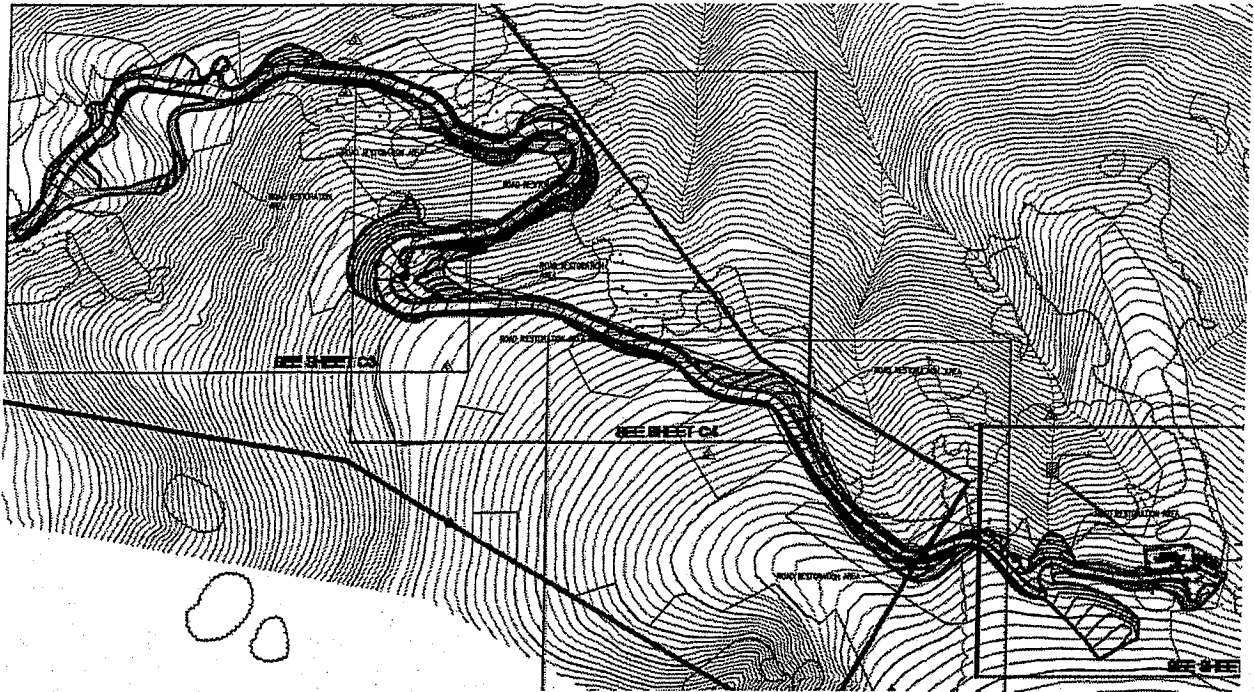


Figure 2. Proposed Road Alignment Improvements (PLN070482)



Water Supply

Proposed structures would be served by an existing water system (Diaz Ranch Water System), an existing private well. Stormwater drainage and water system infrastructure would be located along the improved access road. The water tanks are proposed in order to provide storage capacity for adequate fire suppression, as well as potable water storage.

Two of the three residences (first Villalobos residence and Christensen residence) would be provided with water supply via the existing fourteen-connection Diaz Ranch Water System regulated by the Monterey County Health Department, Environmental Health Division. The well for the Diaz Ranch Water System is located in the valley below the project properties. A second private well has been installed at the Villalobos property and would serve the second Villalobos residence.

Septic Disposal

Sewage disposal for each residence is proposed through individual septic tank and leach field systems designed in accordance with the specifications and recommendations of the soils percolation testing report, as required by the Environmental Health Division. Septic systems would be located within relatively flat portions of the proposed building sites for each residence. Septic waste water will be processed on site by standard septic methods with the effluent dispersed to the subsoils. The recommended sewage disposal system configuration should be a septic tank, associated piping and leach field trenches sized as discussed in the Percolation and Groundwater Study prepared for the project. Construction and operation of the systems should conform to the recommendations given in the Percolation and Groundwater Study and the requirements set forth by Monterey County. (Source: 1, 2, 3, 6, 20)

Table 1. Cumulative Construction of Villalobos and Christensen Applications

Road		ft		Grading (cu. yds.)		Tree Removal
				cut	fill	(Protected)
PLN070482 (Villalobos)	3,121	access road and driveway		11,410	11,410	3 coast live oak
Houses		sq ft		Disposal		
PLN060101 (Villalobos)	5,158	single-family dwelling (one-story)	2,500 gal septic system	14,985	14,985	
	864	three-car garage	9-5,000 gal water tanks			
	576	guesthouse				
PLN060296 (Christensen)	4,998	single-family dwelling (two-story)	1,500 gal septic system			
	828	three-car garage				
PLN060296 (Christensen)	1,170	single-family dwelling (one-story)	2-1,500 gal septic system	2,187	1,426	
	576	two-car garage	1-10,000 gal water tank	655	380	
	600	guesthouse		533	480	
	2,160	barn & stable				
Total	16,930			29,770	28,681	3 coast live oaks

Construction Management Plan

An updated Construction Management Plan prepared by Monterey Bay Engineers, Inc. (June 2008) has been submitted for the Villalobos Property applications. The Construction Management Plan addresses the road improvements and residences for Villalobos. Construction for the second single family dwelling and Christensen Property structures would occur subsequent to the initial construction work. A summary of the Construction Management Plan includes the construction in four phases:

- Phase 1 – Construction and restoration of the access road.
- Phase 2 – Construction and installation of the fire suppression components/water tanks.
- Phase 3 – Construction of Villalobos Residence 2.
- Phase 4 – Construction of the Villalobos Residence 1.

Note: Due to the split ownership, the Christiansen construction activities were not addressed in the Construction Management plan. However, it is anticipated that construction activities would take place contemporaneous to Phase 3 as identified above.

B. Environmental Setting and Surrounding Land Uses:

The project site (Villalobos and Christensen properties) is approximately 120 acres in size and is currently undeveloped. The properties are located at 383 and 387 San Benancio Road (Assessor's Parcel Numbers 416-641-012-000 and 416-641-013-000); within unincorporated Monterey County, near the City of Salinas and the Highway 68 transportation corridor. A detailed description of the environmental setting follows:

Aesthetics

The project site is located in an area designated as visually sensitive by the Toro Area Plan and is within a Visual Sensitivity overlay zoning district. The site consists of various small hills rising to a knoll which overlooks San Benancio Road and valley. The Christensen property building sites are the first sites encountered on the access road. These building sites are located within the least steep portions of the property with the barn and stables proposed at the base of a small hill and the residence and guesthouse proposed higher up on the hill.

The original project design proposed the construction of Villalobos Residence 1 closer towards San Benancio Road the project was redesigned moving the residence away from the road. The

project design recommended for approval was staked and flagged and could not be seen from any common public viewing areas, such as San Benancio Road, due to the existing topography and vegetation. The Villalobos property building sites are encountered at the top of the knoll within an area that is fairly flat (approximately 3 to 5% natural grade). Villalobos Residence 1 has the highest probability of being viewed from a common public viewing area.

The project design considers these potential impacts and has incorporated design features to reduce impacts such as a one-story project design and excavation into the hillside to eliminate the potential for ridgeline development. The height allowance for the property is 30 feet from average natural grade; however, Residence 1 is proposed to be 17 feet in height to minimize the potential for the residence to protrude from the silhouette of the mountain top. Moreover, to reduce to the potential visibility of structures on top of the knoll, approximately 20 feet of excavation is proposed to sink the finished floor of Villalobos Residence 1 into the top of the hillside thereby reducing impacts to visibility by the structures from common public viewing areas. See Figure 3 and 4 below. The proposed grading will create a large notch cut at the top of the hillside providing a flat area for the building pad and an 18 foot high berm to serve as a barrier between residence and the viewable face of the hillside. The building sites were staked and flagged to exemplify this and none of the orange netting was visible from common public viewing areas, such as San Benancio Road, Corral de Tierra Road, Highway 68, Highway 101, and Highway 1. (Source: 1, 2, 3, 4, 6, 13)

Figure 3. Cross Section of Second House

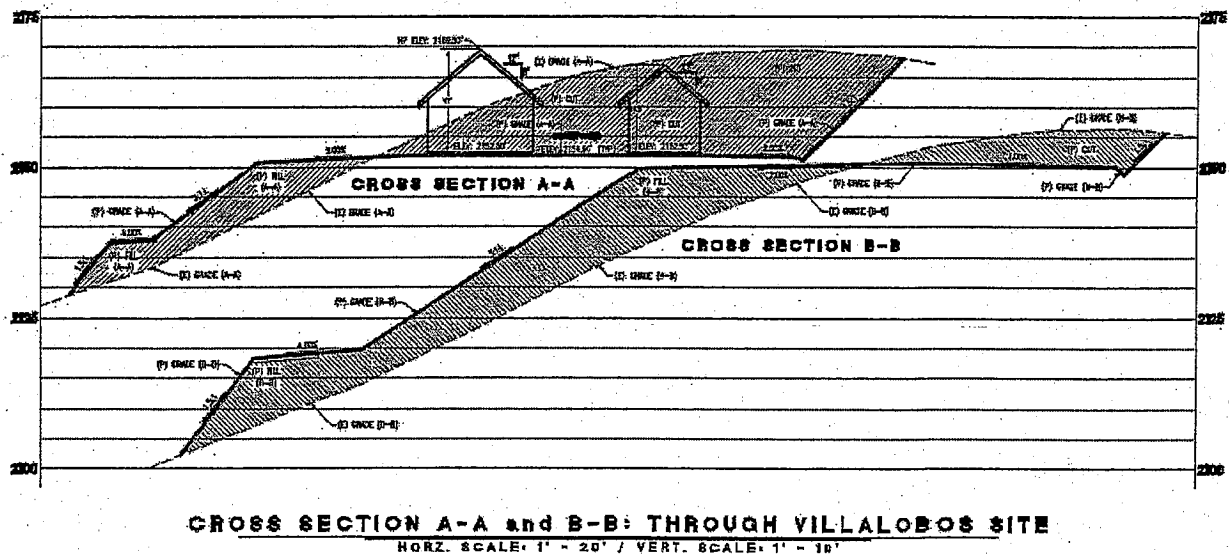
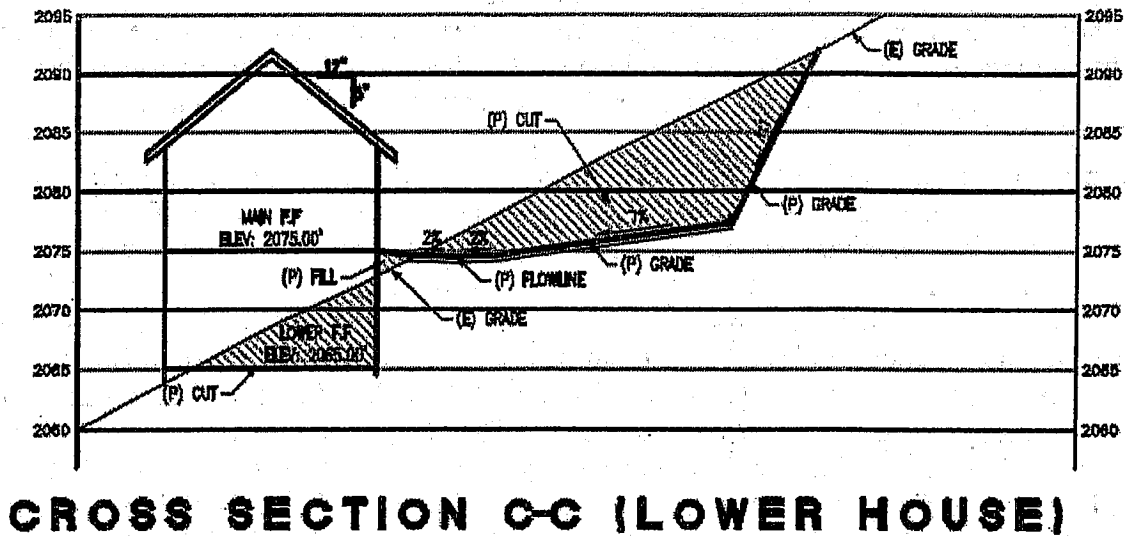


Figure 4. Cross Section of Second House



Agricultural Resources

The project site is designated as Resource Conservation in the Toro Area Plan. The project site is not within the vicinity of Salinas Valley, which contains most of the County's productive soils. The California Department of Conservation Farmland Mapping and Monitoring Program designates the site as Grazing/Other. While the property was previously used as grazing land, the project site is not currently used for agricultural purposes. The parcel is not under Williamson Act contract. The proposal would not convert prime farmland or conflict with for agricultural uses in the project vicinity. (Source: 1, 2, 3, 6, 7, 9)

Biological Resources

Vegetation in the project area consists predominantly of grassland and oak woodland occurring on varying slopes. According to the Biological Reports prepared by Jud Vandevere, no rare plants were found on the properties. The project site supports the following plant communities:

Coastal Terrace Prairie – This habitat is found on elevated sites, which have been historically isolated from intensive grazing. Co-dominants are purple needlegrass and foothill needlegrass. Other native grasses that are present include California oatgrass. Other plants present include pretty face, soap plant, California poppy, and blue-eyed grass.

California Annual Grassland – This habitat is mixed with Coastal Terrace Prairie and is dominated mostly by exotics, especially slender wild oat, soft chess, ripgut grass, reed fescue, silvery hair-grass, and Italian ryegrass. Many exotic forbs are also present such as filarees, clovers, and Italian thistle.

Coast Live Oak Forest – This community, occurring in deep soils on level to moderately sloping sites, is dominated by coast live oak. Oak woodland is common but is declining in abundance in Monterey and other California counties. Understory taxa include: blue elderberry, California hedge-nettle, poison oak, Henderson's shooting star, goose-grass, large-flowered agoseris, woodland star, fiesta flower, California buttercup, bull thistle, tomcat clover, redspot clarkia, golden stars, blue dicks, checker bloom, soap plant, smooth cat's ear, long-beaked filaree, narrow-leaved filago, popcorn flower, spring vetch, hayfield tarweed, windmill pink, Lindley's annual lupine, hedge mustard, and sheperd's purse. (Source: 1, 2, 3, 6, 7, 9, 14, 15, 16, 17)

Geology/Soils

The project site occupies a portion of a northwest-southeast trending ridge with a southeastern knoll being the highest point on the properties at 2,169.5 feet mean sea level, with the remainder of the acreage ranging at an elevation of approximately 1,425 to 2,169.5 feet above mean sea level. Topography of the area is generally uniform with the crown of the ridge being approximately 1 to 200 feet wide and at gradients of 5 to 27 percent. The side slopes to the west, north, and east are moderately steep with slopes approaching 60 percent.

The project site is located in the seismically active San Francisco, Monterey Bay region, but outside of the Alquist-Priolo Earthquake Fault Zone established by the Alquist-Priolo Earthquake Fault Zoning Act of 1972. This region lies adjacent to the San Andreas Fault System, which has created predominantly northwest-southeast trending geologic structure and topographic features. The San Andreas Fault System constitutes the boundary between the Pacific and North American tectonic plates, and active faults are abundant in the region. The project lies in an area identified by the Monterey County Geographic Information System as an area of moderate earthquake potential. The proposed project is located approximately 19.9 miles southwest of the San Andreas Rift System and 6.8 miles northeast of the Monterey Bay-Tularcitos Fault Zone. The Harper Fault and Harper Canyon Fault are located in the vicinity of the project site. The *Monterey County General Plan* and *Toro Area Plan* recognize the Harper and Harper Canyon Faults as active faults within Monterey County. However, regional studies for other projects within the vicinity found inconclusive evidence regarding the likelihood of seismic activity from these faults. No known active faults traverse the project site. (Source: 1, 2, 3, 7, 10, 11, 13, 18, 20, 21)

Hazards/Hazardous Materials

The project site is surrounded by rural residential uses served by local access roads. The project, through construction or use, will not itself create a hazard to the public or the environment through the release of hazardous materials. The project site is not located on a site that is included on a list of hazardous materials sites.

The project site is located in a high fire hazard area according to the Monterey County Geographic Information System. The risk of wildland fires is primarily due to the existing undisturbed grassland and oak woodland habitat, steep terrain, and undeveloped rural nature of the project properties. The Salinas Rural Fire Protection District provides fire protection services to the area and ensures that new development is consistent with current fire codes and regulations. The Salinas Rural Fire Protection District will require that all access roads and driveways on the project site be in compliance with the most current fire codes. According to the Salinas Rural Fire Protection District, compliance with fire codes would reduce exposure of residents or structures to a significant risk of loss from wildland fires. (Source: 1, 2, 3, 6, 7)

Hydrology/Drainage

The project site has a Mediterranean climate where the summers are typically cool and dry and winters are mild and wet. Rainfall in the area averages approximately 16 inches per year. The project site is in the upper reaches of the San Benancio Gulch watershed, which flows northwest to the Corral de Tierra Valley and into the Salinas River to the east.

The project site is located in the El Toro Groundwater Basin. The El Toro Groundwater Basin is a much smaller basin than the three major basins in Monterey County (Salinas Valley, Carmel River, and North County). Groundwater flow generally follows the topography and exits the

Toro Area Plan planning area to the northeast. Groundwater basins are often broken up into several subareas. Subareas often have aquifers that are interconnected and laterally continuous within their respective geologic units. Therefore, water levels in subareas can influence nearby well water levels in other subareas. In the vicinity of the project site, groundwater is pumped from three water-bearing geologic units: the Aromas-Paso Robles Formation (also referred to as the Paso Robles Formation), the Santa Margarita Formation, and alluvium in local drainages. Decline of groundwater in some *Toro Area Plan* wells during the 1980s resulted in the County imposing a B-8 zoning overlay to portions of the Plan area due to potential water supply limitations. The B-8 zoning limits development to single family dwellings on existing lots of record since 1991. The proposed project is located outside the B-8 zoning overlay and is not subject to this restriction.

The project proposes 3 new residences on the project site. For these residential uses and landscaping, the potential water usage (incorporates return flow from discharge to septic systems) based on an average of 0.3 AF/year (acre feet a year) per unit would be 0.9 AF/year. Projected water estimates for 3 residences and landscaping was derived from the El Toro Groundwater Study prepared by Geosyntec (July 2007).

Surface drainage on the project site is either absorbed into the soil and slowly percolates into the groundwater or flows across the surface of the soil when the soil is saturated or precipitation rate is greater than the absorption rate. Runoff at the site occurs primarily by sheet drain along and off the outside edge of the existing dirt access road. This has caused some erosion and gulying to occur along the roadway.

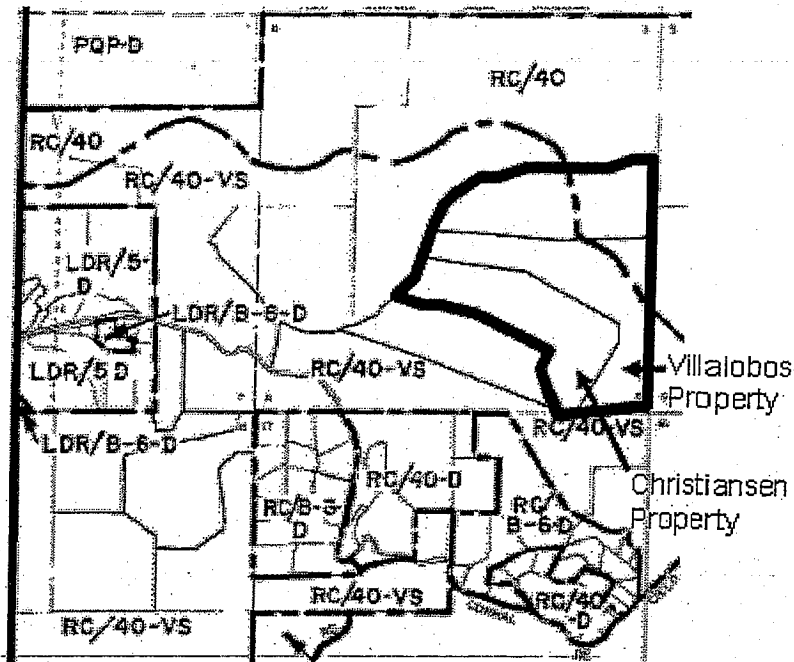
The existing onsite natural drainages are ephemeral and carry flows from winter storms to the El Toro Creek, which is located northwest of the project site. San Benancio Creek and Watson Creek are two tributary creeks of the El Toro Creek. El Toro Creek flows to the Salinas River to the northeast and eventually to the Pacific Ocean near Moss Landing. There are no streams or rivers on the project site.

Flood hazards from long-cycle storms can occur at most locations however are most common within areas designated as a 100-year flood zone by the Federal Emergency Management Agency (FEMA). The project site is not located within a 100-year flood zone. Since the project site is located approximately 20 miles inland from the coast at an elevation of approximately 1,400 feet or more above sea level, potential flooding due to seismically induced waves (tsunami or seiche) is slim to none. Small stock reservoirs in the vicinity of the project site have the potential to cause some uncontrolled runoff, however, the potential for inundation from a reservoir failure is considered very low. (Source: 1, 2, 3, 6, 10, 11, 18, 20, 21)

Land Use/Planning

The project area is designated as Resource Conservation (RC) under the Toro Area Plan and Monterey County General Plan (1982) and is zoned Resource Conservation, 40 acre minimum, with a Visual Sensitivity zoning district overlay or "RC/40-VS". The project area is located within San Benancio Canyon and is surrounded by predominantly rural residential development at a density of roughly 40 acres per single family residence. (Source: 1, 2, 3, 4, 6, 7)

Figure 5. Zoning Map



Public Services

Fire protection service at the project site would be provided by the Salinas Rural Fire Protection District (SRFPD). The SRFPD provides firefighting, rescue and emergency medical service to approximately 21,000 residents district wide. The SRFPD service area is comprised of approximately 250 square miles of predominantly rural and agricultural land uses, in addition to the community of Spreckels. The closest station to the project site is the Toro Station (Station #1) located at 19900 Portola Drive, Salinas.

The Monterey County Sheriff's Office is the main provider of law enforcement services to the unincorporated areas of Monterey County. The closest patrol station to the project site is the Central Station (formerly the Salinas Station) located at 1414 Natividad Road, Salinas.

Washington Union School District provides primary education to the project site, while secondary education is provided by Salinas Union High School District. Within Washington Union School District there are three schools, Toro Park Elementary, Washington Elementary, and San Benancio Middle School. Salinas Union High School District contains eleven schools but students would only attend Salinas High School within this District. (Source: 1, 2, 3, 6, 7)

Transportation/Access

The project site is located within the vicinity of the Highway 68 transportation corridor. The local roadway system stretches from the State Route 68 at State Route 218 intersection in the west to the State Route 68 at San Benancio Road intersection in the east. State Highway 68 is the main connector between Monterey County's two principal urbanized areas, Salinas and the Monterey Peninsula. It serves as a commuter route between Salinas and the Monterey Peninsula while providing access to the low density residential developments, schools and business parks adjacent to the corridor. The majority of traffic generated on Highway 68 is not created by residents living along the corridor, but by commute trips and tourism coming to and from the Salinas Valley and the Monterey Peninsula.

Current access to the properties is via a paved entrance road with a locked gate off of San Benancio Road, approximately 4 miles from the intersection of Highway 68 and San Benancio Road. Access to the proposed building sites is provided by an approximately 100 yard extension of the paved road, which then turns into an existing dirt ranch road (known as Corral Del Cielo Road), which will be improved as part of the project. The improvements include restoration of eroded areas, re-grading in order to maintain 18 percent grades and 18 foot widths, and paving. The access road begins by crossing through the Christensen property, and then continues through the Villalobos property higher up along the hillside. Some stretches of the dirt access road currently exceed 18 percent grades. There are some small gullying and rills beginning to form on steeper sections of the road. (Source: 1, 2, 3, 6, 7, 12, 13, 22)

Figure 6. Vicinity Map

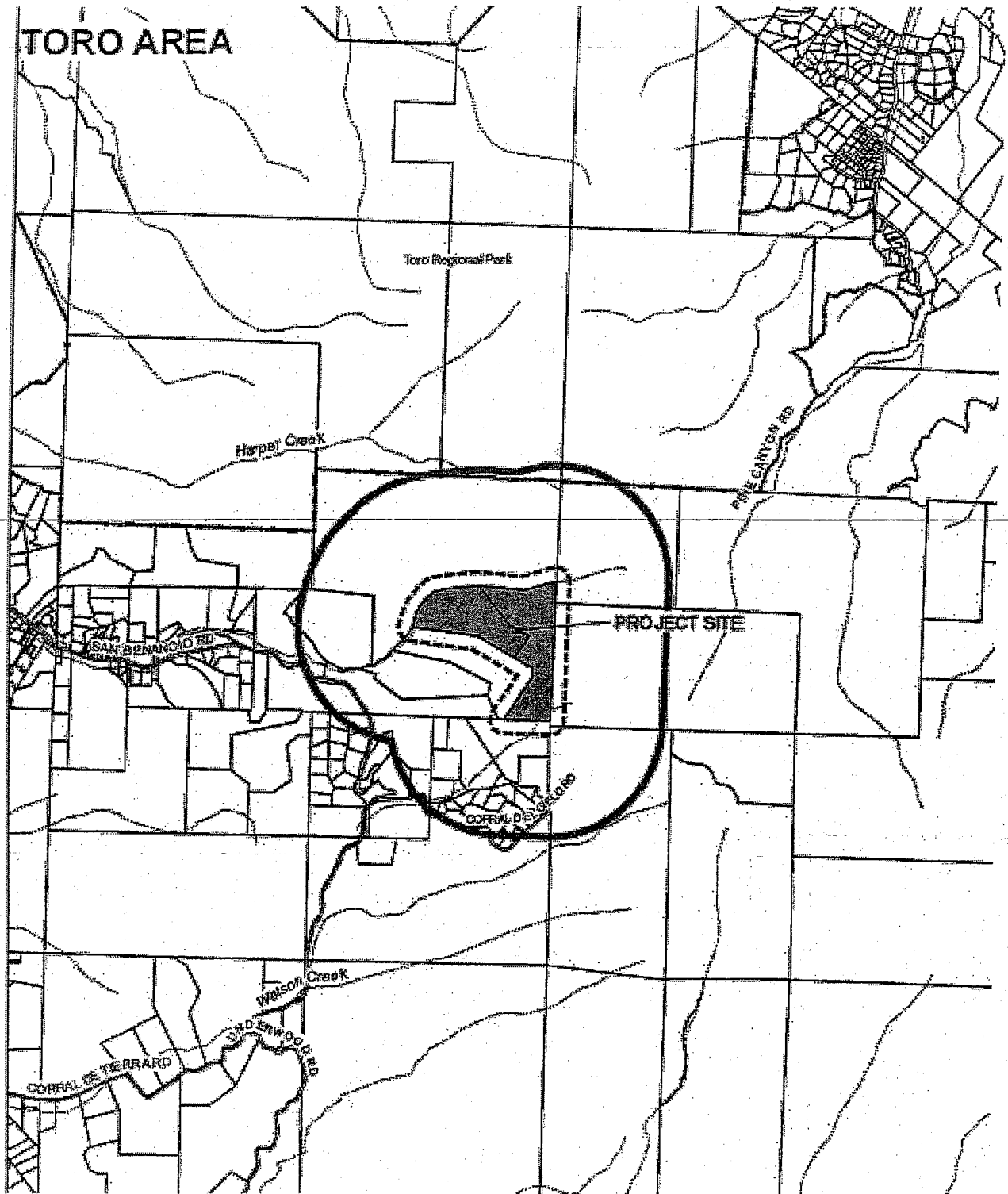


Figure 7. Site Plan

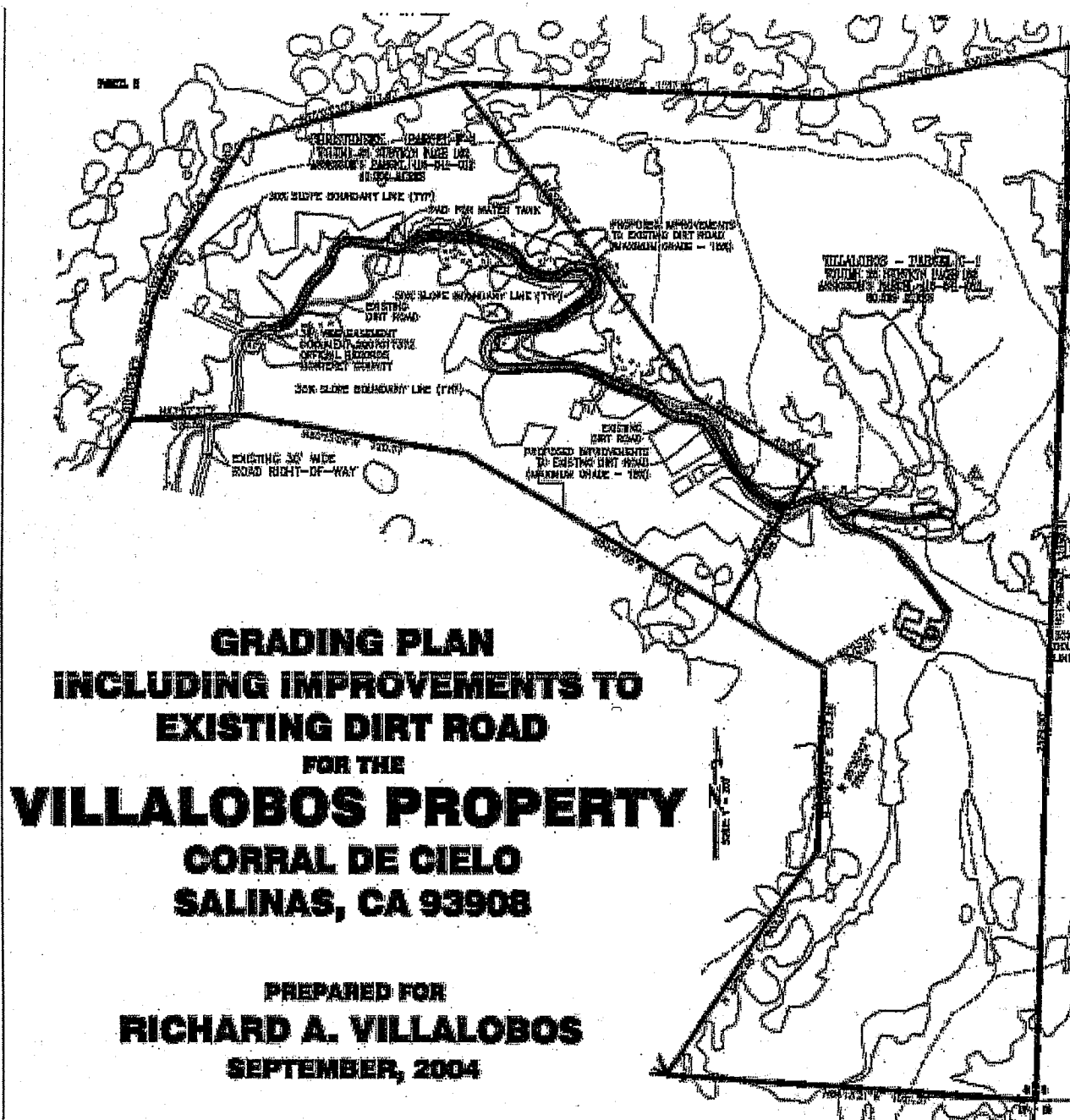


Figure 7a. Road Alignment

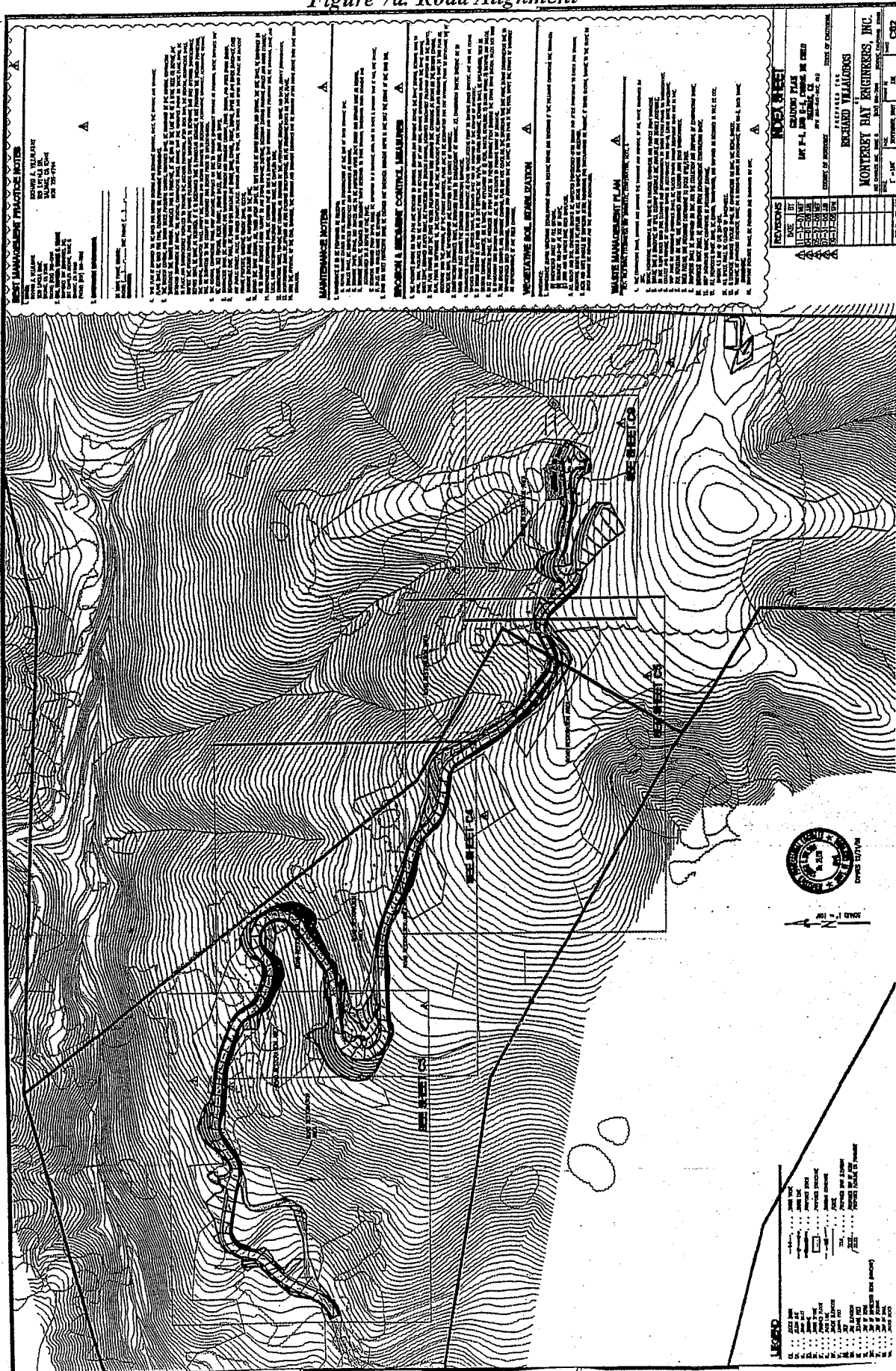


Figure 7c. Road Alignment

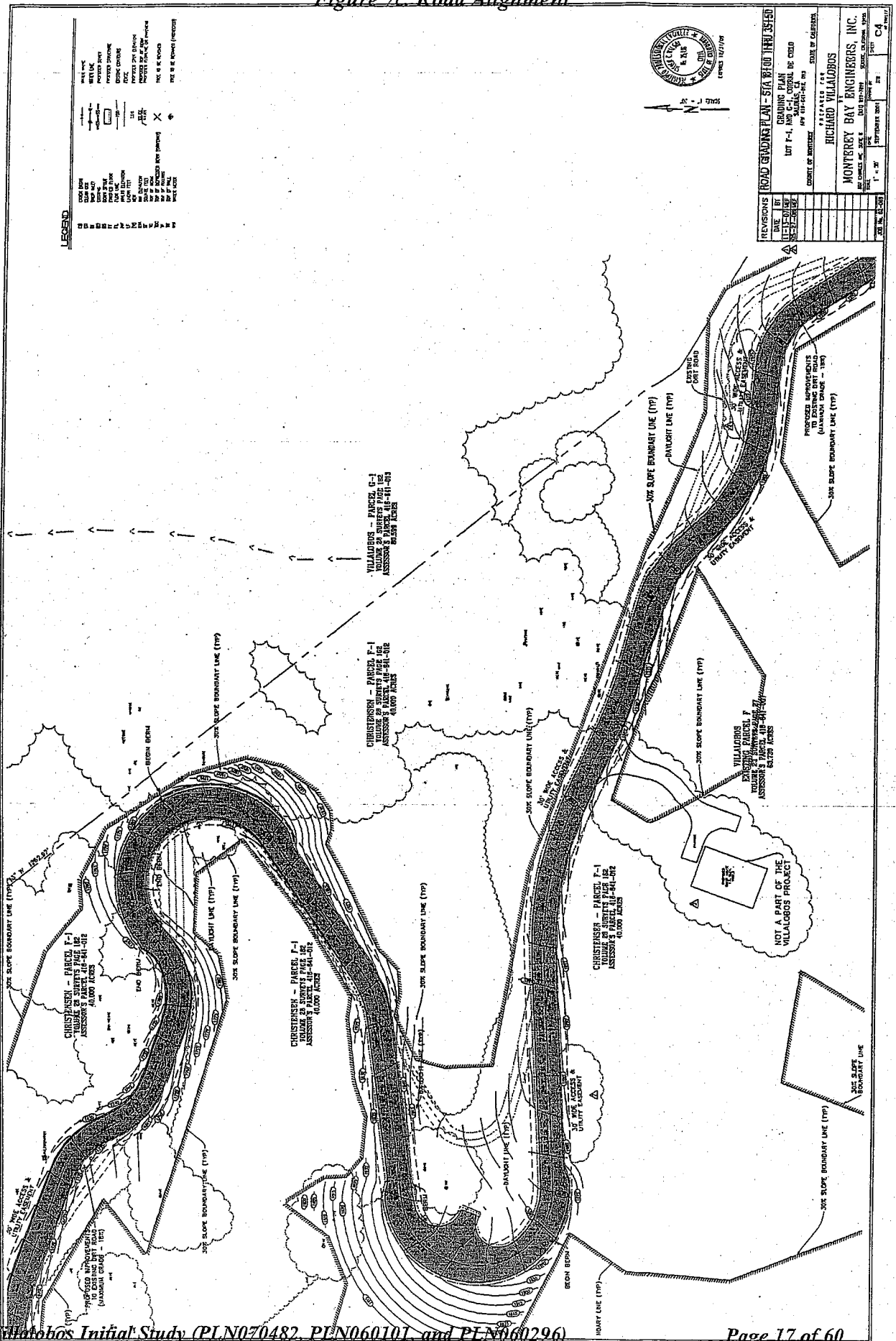
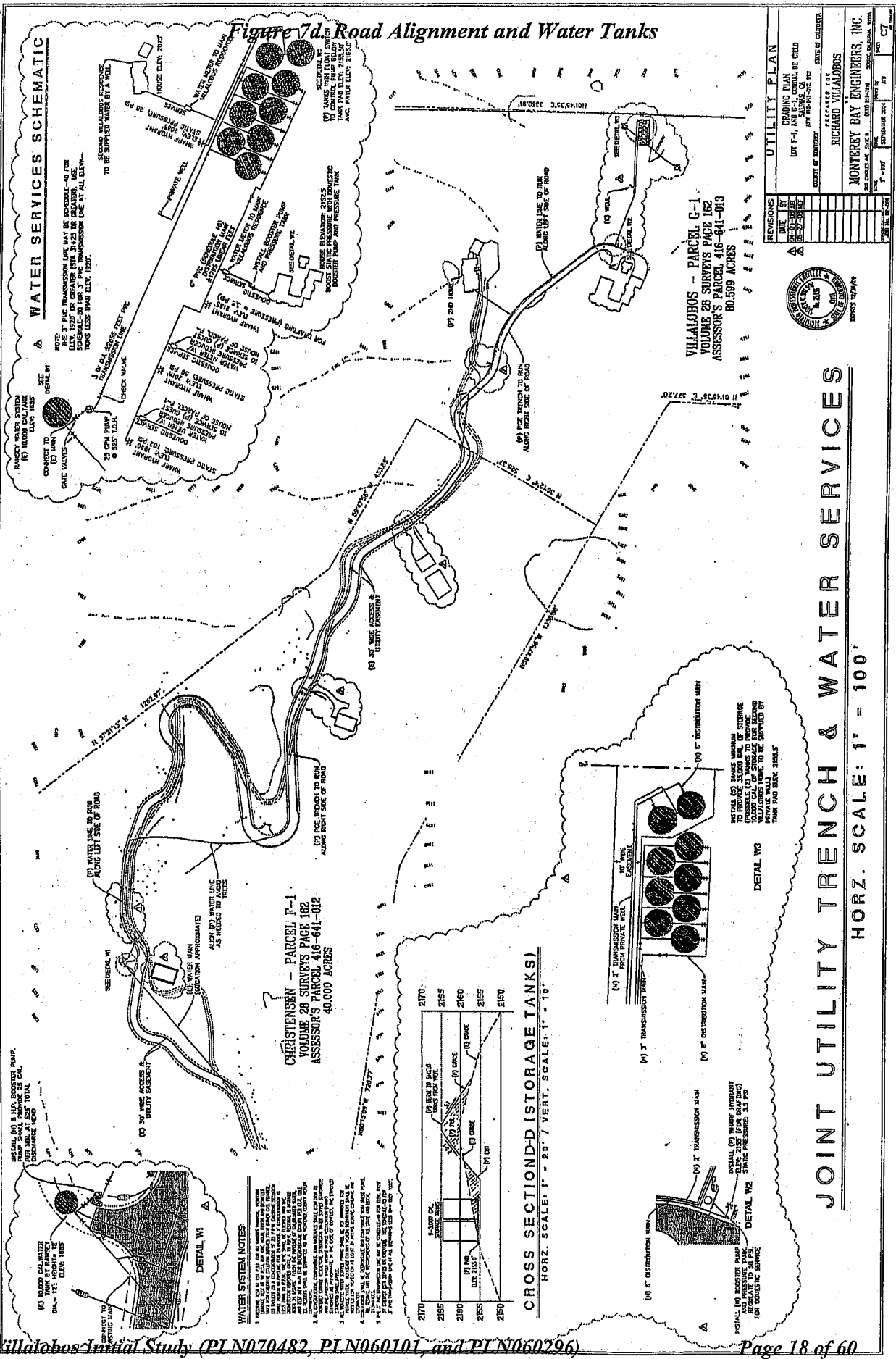


Figure 7d. Road Alignment and Water Tanks



WATER SERVICES SCHEMATIC

NOTE: THE TRANSMISSION LINE MAY BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.

NOTE: THE TRANSMISSION LINE MAY BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.

CHRISTENSEN - PARCEL F-1
VOLUME 28 SURVEYS PAGE 182
ASSESSOR'S PARCEL 416-041-012
40.000 ACRES

VILLALOBOS - PARCEL C-1
VOLUME 28 SURVEYS PAGE 182
ASSESSOR'S PARCEL 416-041-013
80.599 ACRES

WATER SYSTEM NOTES

1. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.
2. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.
3. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.
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8. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.
9. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.
10. THE TRANSMISSION LINE SHALL BE SCHEDULED FOR CONSTRUCTION AT A LATER DATE. THE TRANSMISSION LINE SHALL BE SCHEDULED TO BE SUPPLIED WATER BY A WELL.

CROSS SECTION-D (STORAGE TANKS)
HORZ. SCALE: 1" = 20' / VERT. SCALE: 1" = 10'

2170	4.500' DIA. STORAGE TANK	(R) 8" TRANSMISSION MAIN	(R) 8" TRANSMISSION MAIN
2165		(R) 8" TRANSMISSION MAIN	(R) 8" TRANSMISSION MAIN
2160		(R) 8" TRANSMISSION MAIN	(R) 8" TRANSMISSION MAIN
2155		(R) 8" TRANSMISSION MAIN	(R) 8" TRANSMISSION MAIN
2150		(R) 8" TRANSMISSION MAIN	(R) 8" TRANSMISSION MAIN

UTILITY PLAN

NO.	DATE	BY	REVISIONS
1	10/26/08
2
3
4
5
6
7
8
9
10

DESIGNED BY: RICHARD VILALOBOS
CHECKED BY: ...
DATE OF REVISION: ...
SCALE OF DRAWING: ...
PROJECT NO.: ...
SHEET NO.: ...

JOINT UTILITY TRENCH & WATER SERVICES

HORZ. SCALE: 1" = 100'

Figure 8a. Villalobos Residence 1 (PLN060101)

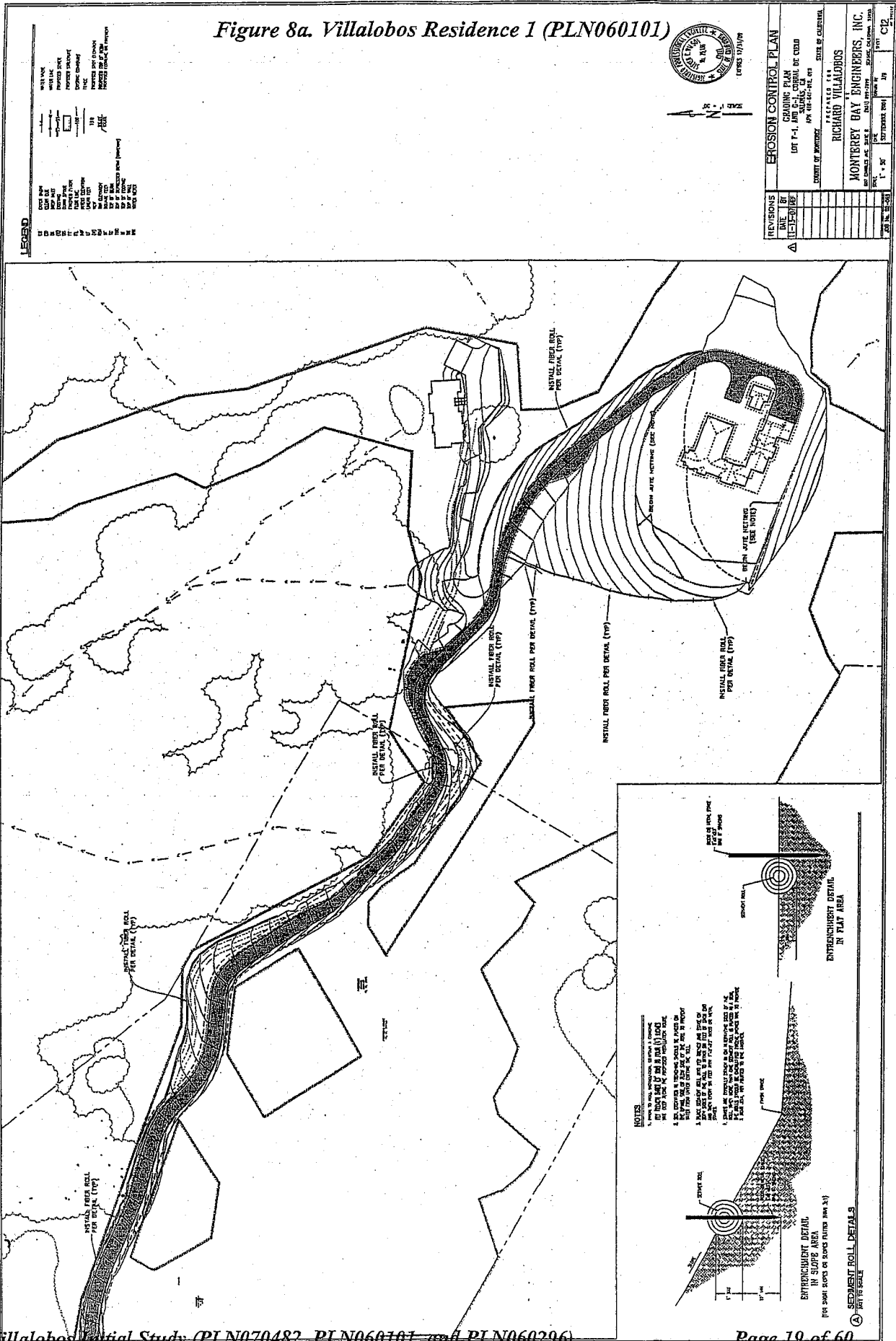
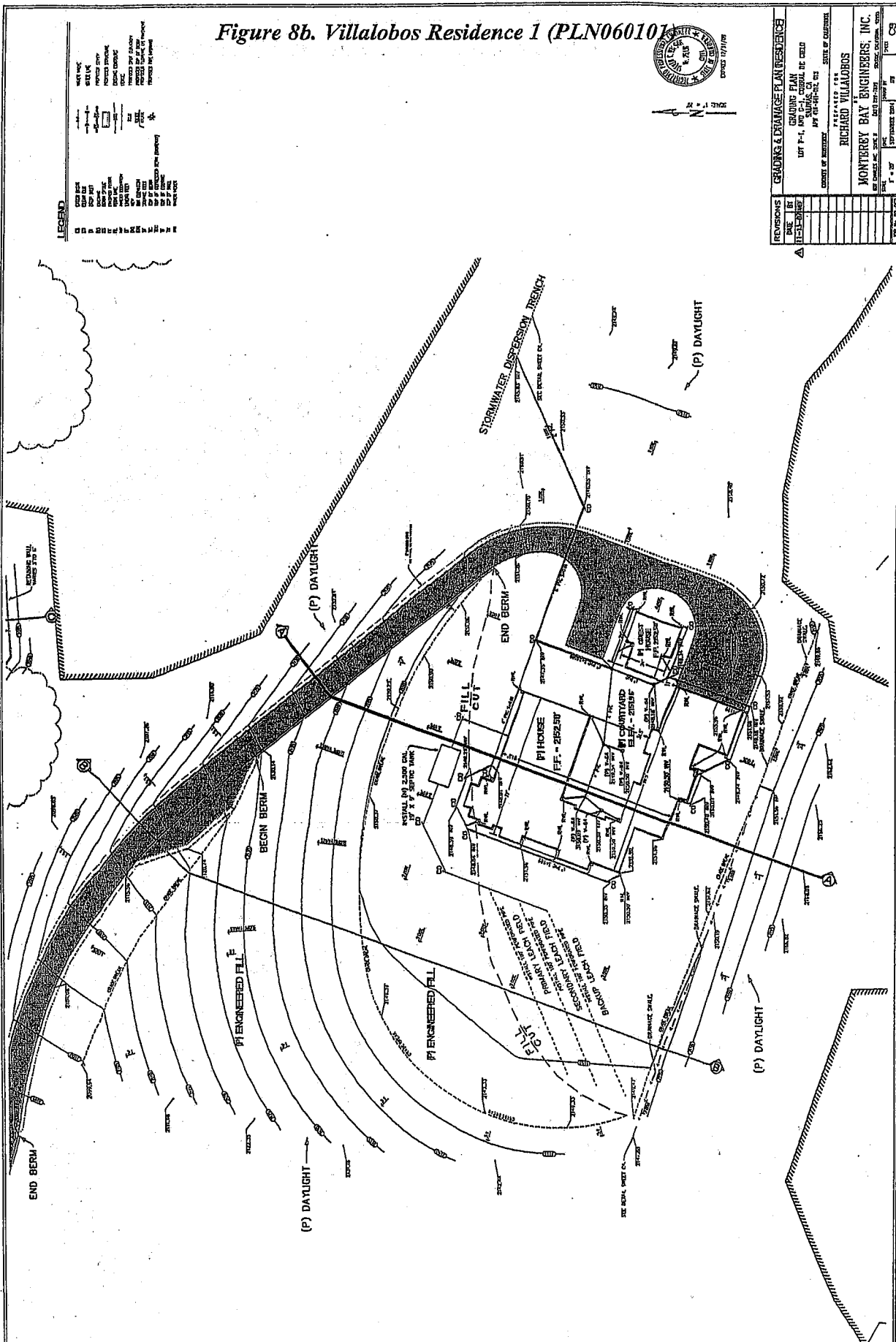


Figure 8b. Villalobos Residence 1 (PLN060101)



LEGEND

EXISTING	PROPOSED
GRADE	GRADE
CONTOUR	CONTOUR
...	...

SCALE 1" = 10'

DATE 1/17/08

PROJECT NO. PLN060101

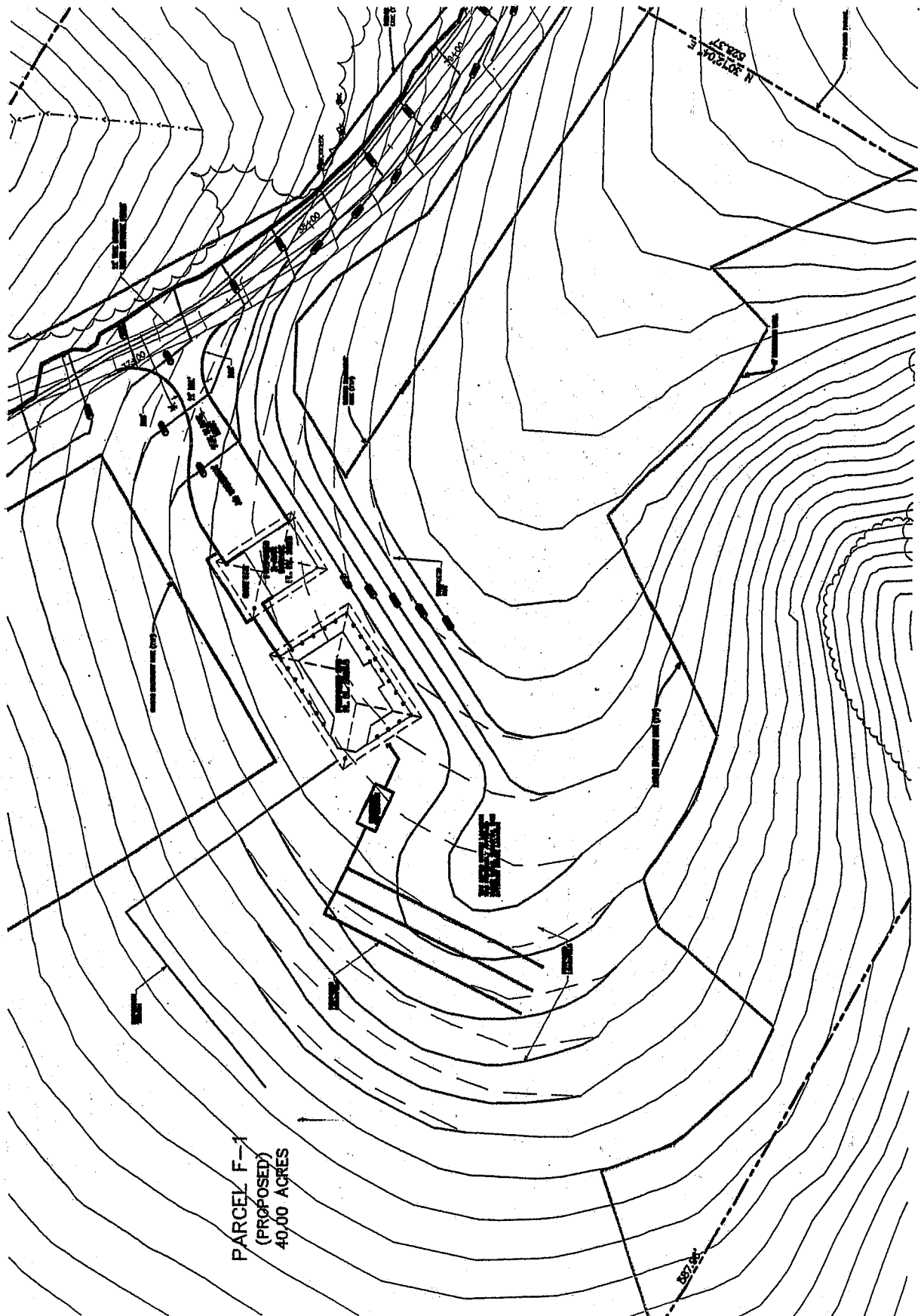
GRADING & DRAINAGE PLAN RESIDENCE

REVISIONS	NO.	DATE	DESCRIPTION

DRAWN BY: J. L. ...
 CHECKED BY: ...
 DATE: 1/17/08
 PROJECT NO: PLN060101

RICHARD VILLALOBOS
 MONTEREY BAY ENGINEERS, INC.
 1000 ...
 MONTEREY, CA 94038

Figure 10. Christensen Residence (PLN060296)



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

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

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

Monterey County General Plan/Toro Area Plan

The project was reviewed for consistency with the Monterey County General Plan (1982) and Toro Area Plan. Section VI.9 (Land Use and Planning) discusses whether the project physically divides an established community, conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project or conflicts with any applicable habitat conservation plan or natural community conservation plan. The project is consistent with the General Plan policies and the Toro Area Plan policies, as explained below in section IV.A. The Toro Area Plan (Reference #3) designates the site with a "Resource Conservation" (RC) land use designation. The proposed project is consistent with allowable uses under this designation.

CONSISTENT

Water Quality Control Plan

The Regional Water Quality Control Board incorporates the County's General Plan in its preparation of regional water quality plans. The project is consistent with the General Plan and with AMBAG'S regional population and employment forecast and, therefore, is consistent with the Regional Water Quality Control Plan. Section VI.8 (Hydrology and Water Quality) below discusses whether the proposed project violates any water quality standards or waste discharge requirements, substantially depletes groundwater supplies or interferes substantially with groundwater recharge, substantially alters the existing drainage pattern of the site or area or creates or contributes runoff water that would exceed the capacity of existing or planned stormwater drainage. **CONSISTENT**

Air Quality Management Plan (AQMP)

Consistency with the AQMP is an indication of a project's cumulative adverse impact on regional air quality (ozone levels). It is not an indication of project-specific impacts, which are evaluated according to the Air District's adopted thresholds of significance. Inconsistency with the AQMP is considered a significant cumulative air quality impact.

Consistency of a residential project is determined by comparing the project population at the year of project completion with the population forecast for the appropriate five year increment that is listed in the AQMP. If the population increase resulting from the project would not cause the estimated cumulative population to exceed the relevant forecast, the project would be consistent with the population forecasts in the AQMP. The project would involve new residential construction. The proposed new residences would not significantly increase the population to a point that would exceed the relevant forecast. Therefore, the project would be consistent with the population forecasts in the AQMP. **CONSISTENT**

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

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

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

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

Check here if this finding is not applicable

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

EVIDENCE: Less than significant impacts or potentially significant impacts are identified for **aesthetics, air quality, biological resources, geology/soils, hazards, hydrology/water quality, noise, transportation/traffic and utilities/service systems**. The project will have no quantifiable adverse environmental effect on the categories not checked above, as follows:

Agricultural Resources: The project site is not within the vicinity of Salinas Valley, which contains most of the County's productive soils. According to the Monterey County Geographic Information System, the project site is not designated as Prime, Unique or Farmland of Statewide or Local Importance, zoned for agricultural use and is not under a Williamson Act Contract. Proposed development would not result in conversion of prime agricultural lands to non-agricultural uses, conflict with existing agricultural zoning, or conflict with a

Williamson Act contract. Therefore, the proposed project would not result in impacts to agricultural resources. (Source: 1, 2, 3, 6, 7, 9)

Cultural Resources: The subject parcels are located within an area of high archaeological sensitivity as identified by the Toro Area Plan. The project area lies within the currently recognized ethnographic territory of the Costanoan (often called Ohlone) linguistic group. The Costanoan group followed a general hunting and gathering subsistence pattern with partial dependence on the natural acorn crop. Habitation is considered to have been semi-sedentary and occupation sites can be expected most often at the confluence of streams, other areas of similar topography along streams, or in the vicinity of springs. Prehistoric sites have been found at the lower and upper ends of San Benancio Gulch, but not at the elevation of the current project site. A Preliminary Archaeological Reconnaissance was prepared by Archaeological Consulting, dated May 13, 2004, for the project indicates that the project area does not contain surface evidence of potentially significant archaeological resources. The Archaeological Report further confirms that the project would not affect historic resources, paleontological resources, unique geologic features, or human remains. A standard condition of approval would require that land disturbance be halted in the event that cultural resources are found. Therefore, the project would not result in impacts to cultural resources. (Source: 1, 2, 3, 6, 7, 8)

Land Use/Planning: The project site is designated Resource Conservation (RC) and is predominantly surrounded by rural residential uses. The project will not physically divide an established community, conflict with any applicable land use plan, policy or regulation adopted for the purpose of avoiding or mitigating an environmental effect, or conflict with any applicable habitat or natural community conservation plan. The project, as designed, conditioned, and mitigated, would be consistent with the Monterey County General Plan, Toro Area Plan, and Zoning Ordinance (Title 21) with regard to policy and regulatory conformance. Therefore, the project would not result in land use impacts. (Source: 1, 2, 3, 4, 6, 7)

Mineral Resources: According to the Monterey County Geographic Information System, no mineral resources have been identified at or near the project site. Therefore, the project would not result in the loss of availability of a known mineral resource or a locally important mineral resource recovery site. (Source: 1, 2, 3, 6, 7)

Population/Housing: The project proposes 2 new residences on the Villalobos property and 1 new residence on the Christensen property. The proposed project's limited residential use will not substantially induce growth and will not displace housing or people. According to Monterey County Housing and Redevelopment, the project would be exempt under the County's Inclusionary Housing Ordinance (#04185), as codified in Chapter 18.40 of the County Code. The ordinance defines "residential development" as any project requiring any subdivision of land, use permit, discretionary permit or building permit, or combination thereof, for which an application or applications are submitted to the County and which would by construction or alteration of structures create three or more new or additional dwelling units and/or lots. (Source: 1, 2, 3, 6, 7)

Public Services: Fire protection service at the project site would be provided by the Salinas Rural Fire Protection District (SRFPD). The SRFPD consists of three fire stations: the Toro Station (Station #1) located at 19900 Portola Drive, Salinas; the Chualar Station (Station #2) located at 24281 Washington Street, Chualar; and the Laureles Station (Station #3) located at 31 Laureles Grade, Salinas. Station #3 would serve the project site and includes the State Route 68 corridor from just west of Toro Park to Olmstead Road and Laureles Grade to the Carmel Valley side of the Laureles Summit. According to the Salinas Rural Fire Protection District, the average response time to the project site would be approximately five minutes.

The Monterey County Sheriff's Office is the main provider of law enforcement services to the unincorporated areas of Monterey County. The Monterey County Sheriff's Office has three patrol stations: the Central Station located at 1414 Natividad Road, Salinas; the Coastal Station located at 1200 Aguajito Road, Monterey; and the South County Station located at 250 Franciscan Way, King City. The closest patrol station to the project site is the Central Station. According to the Monterey County Sheriff's Office, the response time to the project site would range from five to seven minutes, depending on the location of the officer on the beat and the priority of the call.

Washington Union School District provides primary education to the project site, while secondary education is provided by Salinas Union High School District. Within Washington Union School District there are three schools, Toro Park Elementary, Washington Elementary, and San Benancio Middle School. According to Washington Union School District, the student generation rate is 0.4 students per residential unit and the District has a maximum capacity of approximately 980 students. Salinas Union High School District provides secondary education to the project site contains eleven schools but students would only attend Salinas High School within this District. According to Salinas Union High School District, the current generation rate is 0.19 students per residential unit. The school board has recommended that Salinas High School have a capacity of 2,000 students.

The proposed project's limited residential use will not create the need for new or expanded public services or facilities as adequate fire, police, and parks services exist near the project site. Standard school impact fees will be assessed during the building permit process. The proposed project's residential use and compatibility with surrounding land 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 of the project. Therefore, the project would not result in impacts on fire protection, police protection, schools, parks, and other public facilities. (Source: 1, 2, 3, 6, 7)

Recreation: The County of Monterey designates two kinds of parks: local and regional parks. Local parks are located largely within subdivision developments; the County does not maintain information about these parks. Larger subdivisions have been required to provide a minimum of 3 acres of park per 1,000 in population. No recreational uses exist on the project site. The nearest regional

park to the site is Toro Park, which is located more than two miles away. Located south of Salinas on State Route 68, this park contains 4,783 acres, of which 77 acres have been developed for day uses. The park includes nearly 20 miles of trails available to hikers, equestrian users and mountain bikes. The project design does not include the construction of recreational facilities, but will be required to pay a recreation-in lieu fee to the County Parks Department in order to support current and future recreational uses within the County. The project would not cause the construction or expansion of recreational facilities to have an adverse physical impact effect on the environment and would result in no impacts.

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.

Elisa Manuguerra

Elisa Manuguerra
Associate Planner

11/26/08

Date

V. *EVALUATION OF ENVIRONMENTAL IMPACTS*

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 2, 3, 4, 6, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 2, 3, 4, 6, 13)	<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, 4, 6, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 2, 3, 4, 6, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion, Analysis and Conclusions:

1(a), (c), (d): Less Than. The project site is currently undeveloped and located in an area designated as visually sensitive by the Toro Area Plan and is within a Visual Sensitivity Zoning District pursuant to Title 21 Zoning Ordinance. In order to determine project-related impacts and in accordance with the Visual Sensitivity Zoning Standards (Section 21.46.060), the applicant staked and flagged the proposed building sites and demonstrated the maximum allowable building height consistent with the County's structural height standards. County staff conducted a visual reconnaissance of the project site in order to determine potential impacts with regards to visual resources. Construction on the subject property has the potential to affect a scenic vista, the existing visual character of the site and surroundings, and could affect day or nighttime views due to the creation of a new source of substantial light. However the project has been designed to mitigate visual impacts to the greatest extent feasible. See discussion provided at page 6. Therefore potentially significant impacts to aesthetics have been mitigated to a less than significant level by the project's design. See Figures 3, 4, 5 and 6 and 11a regarding views of the project site and staking and flagging.

According to the project plans, building sites have been located within the least steep and visible portions of the property in order to utilize existing topography and vegetation to screen proposed structures from common public viewing areas such as San Benancio Road, Highway 68, Laguna Seca Park, Toro Park, Highway 101, and Corral de Tierra Road. Additionally, the building sites were located to take advantage of the existing ranch road access. According to a Grading Description Letter prepared by Monterey Bay Engineers, Inc. (August 2007), grading improvements are proposed for these building sites to further reduce structure visibility by reducing building pad elevations. The building pad for the Villalobos Residence 1 is proposed on top of a knoll and has the highest potential to create visual impacts. In order to reduce this potential impact, the project proposes to excavate into the hillside at an approximate height of 20 feet in order to accommodate the proposed 17 foot high residence. The building pad locations for the other two proposed residences have less of a potential to be visible from the public viewshed and do not require as much excavation in order to reduce their visibility. See Figure 3 on page 7

Improvements would be made to an existing ranch road in order to provide easy and direct access to the building sites and avoid substantial grading, erosion and scarring resulting from the siting of a new access road. The alternative of relocating the building sites to better minimize their visibility would have required a new access road alignment as well as total restoration of the existing dirt ranch road. This alternative was deemed impractical since it would require significantly more grading, and would result in substantial visual scarring, erosion and impacts to the oak woodland habitat.

Numerous water tanks are proposed in order to provide storage capacity for fire suppression, as well as potable water. These water tanks are proposed just behind and at the base of the knoll, where they will not be visible from any public viewing areas.

Based on visual reconnaissance of the project site, the proposed buildings would be minimally visible from the public viewshed due to existing topography and vegetation and proposed grading improvements. The staking and flagging was not visible from San Benancio Road.

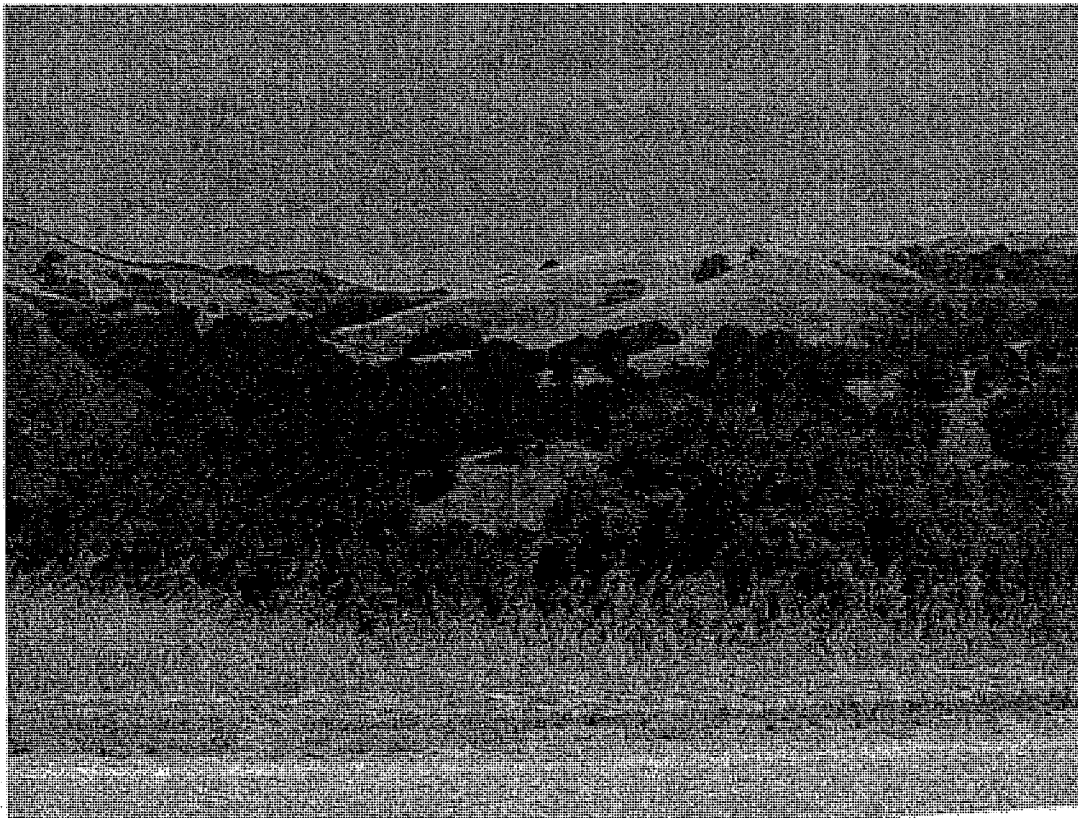


Figure 11a – View of Project Site from San Benancio Road.



Figure 11b – View of Existing Dirt Access Road and Valley Below.

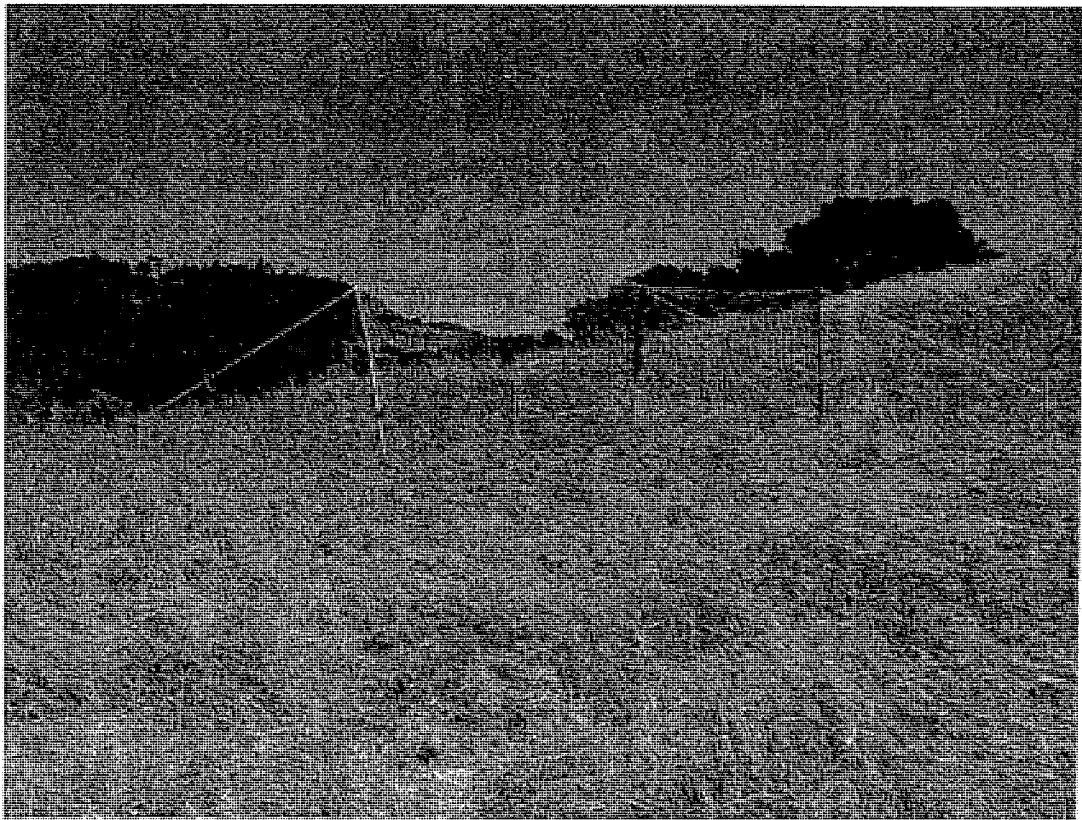


Figure 12a – View of Christensen Property Building Site.



Figure 12b – View of Villalobos Property Building Site.

In order to ensure that the project's visibility will be minimized, the following conditions of approval will be required pursuant to County code.

Proposed Condition of Approval: *In order to minimize impacts to visual resources, a conservation and scenic easement shall be conveyed to the County over those portions of the property, outside of the proposed building site and road improvement areas, slopes exceeding 30 percent.*

Monitoring Action: *The scenic easement, for portions of the property containing slopes exceeding 30%, shall be prepared in consultation with a licensed land surveyor or civil engineer and shall be submitted to the Director of Planning for review and approval and recordation upon approval, prior to issuance of grading and/or building permits.*

Proposed Condition of Approval: *In order to ensure that the structures will blend into the surrounding natural landscape, the applicant shall utilize appropriate architectural design techniques and materials and colors. The projects should incorporate the use of non-reflective glass. In addition, all exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lighting shall be placed at near-ground level, downcast, and shielded behind vegetation and walls.*

Monitoring Action: *Prior to issuance of building permits, the applicant shall submit architectural design plans, material and color sample sheets, and exterior lighting plans for review and recommendation by the Toro Land Use Advisory Committee and review and approval by the Director of Planning. Prior to final building inspection/occupancy, evidence*

regarding implementation of appropriate design techniques, materials and colors, and exterior lighting shall be submitted to the Director of Planning for review and approval.

Implementation of the above conditions of approval regarding protection the requirement that the structures to blend into the natural landscape would minimize the project's visibility and reduce visual resource impacts to a less than significant level.

1(b): No Impact. In 1968, approximately 13 miles of State Route 68, between State Route 1 and River Road, were designated as a State scenic highway under California's Scenic Highway Programs. State Route 68 is major regional transportation route that connect the cities of Monterey and Salinas and would provide regional access to the project site. Based on a visual reconnaissance of the project properties as well as their location 4 miles away from Highway 68, the project site would not be visible to those traveling on State Route 68. Therefore, the project would not damage scenic resources within this corridor, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

2. AGRICULTURAL RESOURCES

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, 7, 9)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 2, 3, 6, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

3. AIR QUALITY

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, 5)	<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, 5)	<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, 5)	<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, 12)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1, 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, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

The proposed project is located in the North Central Coast Air Basin (NCCAB) and within the jurisdiction of the Monterey Bay Unified Air Pollution Control District (MBUAPCD). Both the federal government and the State of California have adopted air quality standards for criteria air pollutants. For purposes of demonstrating regulatory compliance, areas are designated as either "attainment," "non-attainment," or "unclassified." An attainment designation for an area signifies that pollutant concentrations did not violate the standard for a specific pollutant in that area. A non-attainment designation indicates that a pollutant concentration violated the standard at least once, excluding those occasions when a violation(s) was caused by an exceptional event, as defined in the criteria. Unclassified designations indicate insufficient data is available to determine attainment status. Under the Federal Clean Air Act, the NCCAB is currently designated attainment for the recently established eight-hour ozone federal Ambient Air Quality Standards (AAQS). The NCCAB is designated either attainment or unclassified for the remaining federal AAQS. Under the California Clean Air Act, the basin is designated as a non-attainment transitional area for the state 1-hour ozone standard and non-attainment for the recently promulgated 8-hour ozone standard. The NCCAB is also designated a non-attainment area for the state PM₁₀ (Particulate Matter₁₀) AAQS. The nearest sensitive receptors to the project site are single family dwellings, located approximately 40 acres away. (Source: 1, 5, 6, 7)

3(d): Less Than Significant with Mitigation Incorporated. The project, including the development of the building sites and road improvements, has the potential to result in potentially significant temporary construction-related air quality impacts. Temporary impacts are associated with the operation of heavy equipment, grading, and construction truck trips, which are estimated to be an average of 14 vehicle trips per day.

Construction-generated emissions are short-term and of temporary duration, lasting only as long as construction activities occur, but possess the potential to represent a significant air quality impact. The construction and development of the proposed project would result in the temporary generation of emissions resulting from site grading and excavation, paving, the application of architectural coatings, motor vehicle exhaust associated with construction equipment and worker trips, and the movement of construction equipment, especially on unpaved surfaces. Emissions of airborne particulate matter are largely dependent on the amount of ground disturbance associated with site preparation activities.

The MBUAPCD has determined that construction activities that involve minimal earth moving over an area of 8.1 acres, or more, could result in a potentially significant temporary air quality impacts, if not mitigated. Construction activities that require more extensive site preparation (e.g., grading and excavation) may result in significant unmitigated impacts if the area of disturbance were to exceed 2.2 acres per day.

According to the MBUAPCD, activities involving minimal ground-disturbance typically generate an average of approximately 10 lbs/day/acre while excavation and earthmoving activities generate about 38 lbs/day/acre. Based on the more conservative emission rate (38 lbs/day/acre), the largest area of site disturbance (i.e., approximately 1.01 acres for access road improvements), proposed grading for road improvements (11,410 cubic yards), and subsequent phasing of other grading and construction operations for the proposed residences, construction activities would generate a maximum of approximately 38.4 lbs/day of PM₁₀, which would be below the MBUAPCD's significance threshold of 82 lbs/day. Furthermore, the overall area of earthmoving would not exceed the MBUAPCD's construction screening criteria of either 8.1 acres for minimal site preparation activities or 2.2 acres for construction-related activities involving extensive site preparation. As a result, short-term construction related emissions would not be anticipated to exceed applicable air quality standards. However, localized concentrations of dust could potentially occur that may be a nuisance and would require the following mitigation:

Mitigation Measure #1: *In order to minimize short-term construction emissions, the project shall implement the following MBUAPCD-recommended mitigation measures during grading and construction activities. The County's designated construction contractor shall monitor grading and construction activities on a daily basis to ensure that these measures are implemented.*

- *Limit grading to 8.1 acres per day, and grading and excavation to 2.2 acres per day;*
- *Water all active construction areas at least twice daily. Frequency should be based on the type of operation, soil and wind exposure;*
- *Prohibit all grading activities during periods of high wind (over 15 mph);*
- *Apply chemical soil stabilizers on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days);*
- *Apply non-toxic binders (e.g., latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas;*
- *Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;*
- *Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles, such as dirt, sand, etc;*
- *Cover inactive storage piles;*

- Sweep streets daily, with water sweepers, if visible soil materials are carried onto adjacent public streets;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Install wheel washers at the entrance to construction sites for all exiting trucks;
- Pave all roads at construction sites;
- Construction equipment shall not be left idling for periods longer than 5 minutes when not in use; and
- Post a publicly visible sign which specifies the telephone number and person to contact regarding emissions-related complaints. This person shall respond to complaints and take corrective action within 48 hours. The phone number of the Monterey Bay Unified Air Pollution Control District shall be visible to ensure compliance with Rule 402 (Nuisance).

Mitigation Monitoring Action #1: Prior to issuance of grading permits, the applicant shall incorporate a "Fugitive Dust Control" note on the grading plans that includes, but is not limited to, the measures set forth in Mitigation Measure #4. During grading operations, the contractor shall obtain any required Air District permits and conduct all grading and construction activities as required by the Air District.

Implementation of the above mitigation would reduce fugitive dust emissions associated with individual construction activities by approximately 4 to 90 percent, with overall fugitive dust emission reductions of approximately 50 percent, depending on the activities conducted. Mitigated construction-generated emissions would not exceed the MBUAPCD's significance threshold of 82 lbs/day. With phasing of onsite areas of disturbance and implementation of recommended dust-control measures, predicted concentrations would not be anticipated to exceed applicable standards. As a result, mitigation of this impact would be reduced to a less than significant level.

3(a), (b), (c), (e), (f): No Impact. The project would not conflict with or obstruct implementation of the Monterey Bay Unified Air Pollution Control District's *Air Quality Management Plan for the Monterey Bay Region*, nor would it violate any air quality standards, result in a cumulatively considerable net increase of any criteria pollutant, expose sensitive receptors to substantial pollutant concentrations, or create objectionable odors.

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than Significant	Less than Significant	No Impact
		with Mitigation Incorporated	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, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<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, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4. BIOLOGICAL RESOURCES	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<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, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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, 2, 3, 6, 7, 9, 14, 15, 16, 17)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

4(a) (d): Less Than Significant with Mitigation Incorporated. The proposed project has the potential to adversely affect, either directly or through habitat modifications, species identified as a candidate, sensitive, special status species or other sensitive natural community. Project grading and construction in the vicinity of oak woodland has the potential to result in the disturbance or abandonment of active raptor nests if such activities occur during the nesting season (typically February through August). This would result in a potentially significant impact. A pre-construction raptor survey would be required to determine the presence or absence of active raptor nests within the project area.

The following mitigation measure, as recommended by the biological consultant and County staff, will reduce potential raptor impacts to a less than significant level:

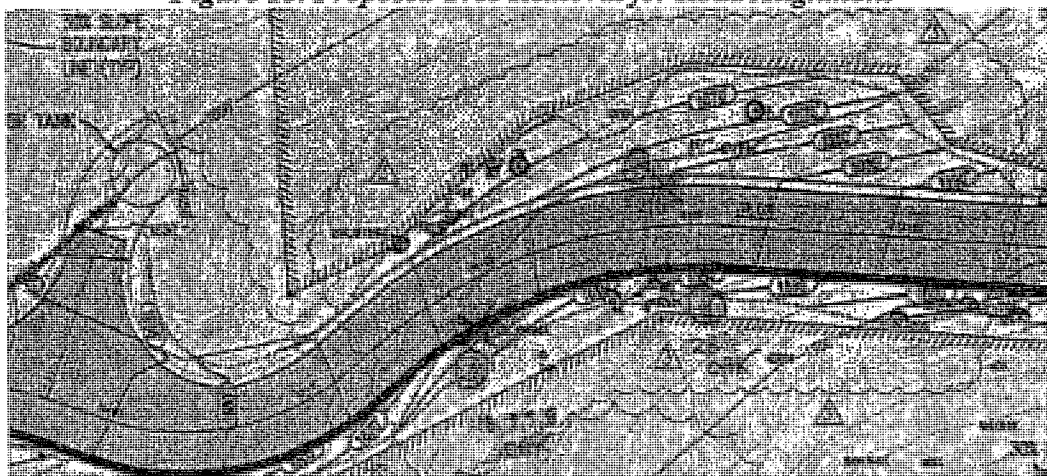
Proposed Mitigation Measures #2: *If tree removal or grading activities occur between February 15 and August 15, in order to adequately determine the presence of active raptor nests within the oak woodland habitat, the applicant shall arrange for a pre-construction raptor survey to be prepared by a County-approved biological consultant prior to the initiation of development activities. If active raptor nests are found and the biologist determines that construction development activities would remove the nest or have the potential to cause abandonment, then those activities shall be avoided until the raptor young have fledged as determined through monitoring of the nest. Once the raptor young have fledged, development activities may resume.*

Proposed Monitoring Action #2-1: *Prior to the issuance of a grading or building permit, a pre-construction raptor survey shall be submitted to the Planning Department for review and approval.*

4(e): No Impact. The proposed project will not conflict with local policies or ordinances protecting biological resources, such as the Monterey County Tree Preservation Ordinance or the Oak Woodland Conservation Act. The forested areas of the parcels are primarily coast live oak. These oaks are mostly growing in small stands mixed with open meadows. Other trees on the parcels include California buckeye. The project involves the removal of three oak trees and replanting of oak trees is proposed as part of the project design.

The proposed project is subject to the requirements set forth by the Oak Woodland Conservation Act (Section 21083.4). The Oak Woodland Conservation Act defines “oak” as a native tree species that is five inches or more in diameter at breast height. As identified in the Biological Reports and Letter prepared by Jud Vandevere (June 2006, May 2007 and August 2007) and the Arborist Reports prepared by Forest City Consulting (August 2006 and April 2008), the project has the potential to result in impacts to oak woodland habitat. Specifically, the project proposes the removal of 3 protected coast live oaks (18 inches, 19 inches and 28 inches in diameter) and 1 non-protected California buckeye (18 inches in diameter) to allow for access road improvements and 1 protected coast live oak (14 inches in diameter) to allow for one of the Villalobos single family dwellings. It is not anticipated that the removal of 3 oak trees would result in a significant environmental impact to oak woodland resources.

Figure 13. Proposed Tree Removal for Road Alignment



The applicants attempted to retain the subject three oak trees along the proposed road alignment; however, to due fire department road construction standards requiring a road of 18 feet in width it was not possible to retain the trees. This tree removal represents the minimum necessary in order to construct the road improvements and building sites. According to the biological consultant, other project alternatives such as total restoration of the existing dirt access road, would be neither advisable nor practical since no better location exists for placement of the access road besides the existing location. Other potential access road locations would involve increased slope disturbance, erosion, and impacts to the oak woodland habitat.

The following condition of approval and mitigation measure, as recommended by the biological and forestry consultants and County staff, would reduce potential oak woodland habitat impacts to a less than significant level:

Proposed Condition of Approval: *In order to protect the oak woodland habitat within the project site, the applicant shall arrange for a tree replacement plan to be prepared and implemented by a County-approved forester or arborist. The tree replacement plan shall include replacement of all protected trees proposed for removal (native trees 5 inches in diameter or greater) unless it is shown to be a hardship or detrimental to the long term health of the remaining habitat. Replacement of Coast live oaks shall be at a ratio of 1:1. The forester or arborist shall specify recommended planting areas and numbers by species.*

Monitoring Action: *Prior to the issuance of a grading or building permit, the tree replacement plan shall be submitted to the Planning Department for review and approval. The tree replacement plan shall follow the recommendations made in the Arborist Report prepared for the site by Forest City Consulting, dated April 21, 2008. Prior to final building inspection/occupancy, the tree replacement plan shall be implemented and shall be subject to the approval of the Planning Department.*

Monitoring Action: *In order to monitor the success of tree replanting, the applicant shall arrange for monitoring inspections to be done by a County-approved forester or arborist. Success of tree replanting shall be assessed on the basis of percent survival of Coast live oaks. Success shall be defined as 100 percent. If the 100 percent success rate has not been achieved, the trees that have perished shall be replanted and follow up monitoring shall occur three months after replanting and a year thereafter.*

Monitoring Action: *Monitoring Inspections shall occur once within the 3 months following completion of the development and one year thereafter. A report on each inspection shall be submitted to the Planning Department for review and approval.*

Mitigation Measure #3: *In order to minimize impacts to oak woodland habitat, the applicant shall arrange for all oak trees located in proximity to the proposed development to be adequately protected from grading and construction activities. Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by 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. Protective fencing and grading limits shall be reviewed and established by the contractor in consultation with a qualified forester or arborist immediately prior to commencement of grading and construction operations.*

Mitigation Monitoring Action #3-1: *Prior to the issuance of a grading or building permit, evidence of adequate protection shall be submitted to the Planning Department for review and approval. Accompanying this evidence shall be a letter from a County-approved forester or arborist which certifies said protection. Prior to final building inspection/occupancy, a letter from a County-approved forester or arborist shall be submitted to the Planning Department, which states that grading, and construction operations did not impact the protected oak trees. Any impacts shall require additional mitigation in accordance with implementation of an approved forest management and tree replacement plan prepared by a County-approved forester or arborist. The forest management and tree replacement plan shall include a consistency analysis related to Monterey County's Tree Preservation Ordinance and the Oak Woodland Conservation Act. This plan and its implementation shall be subject to the approval of the Planning Department.*

See Mitigation Measure and Monitoring Action #1, contained in Section VI.1 – Aesthetics, regarding recordation of conservation and scenic easement over slopes exceeding 30 percent.

4(b), (c), (f): **No Impact.** The proposed project will not affect any riparian habitat or sensitive natural community, federally protected wetlands or the movement of any native resident, migratory fish or wildlife species. It will not conflict with an approved local, regional, state or federal habitat conservation plan.

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, 8)	<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, 8)	<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, 8)	<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, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

6. GEOLOGY AND SOILS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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: 1, 2, 3, 7, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii)	Strong seismic ground shaking? (Source: 1, 2, 3, 7, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction? (Source: 1, 2, 3, 7, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. GEOLOGY AND SOILS	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
iv) Landslides? (Source: 1, 2, 3, 6, 7, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1, 2, 3, 6, 7, 10, 11, 12, 13, 18, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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, 7, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 2, 3, 6, 7, 10, 11, 13, 18, 20)	<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, 10, 11, 13, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

According to the Geotechnical Soils-Foundation and Geoseismic Reports prepared by Grice Engineering, Inc., the project site surficial soils to depths of three feet consist of sands of fine to medium gradation with little amounts of silt and were found dry to damp and loose. Directly beneath the top soils is weathered bedrock consisting of very dense sand. Free water was observed in shallow portions of a couple of drilling bores. Percolation test results indicate the entire column is of adequate permeability. (Source: 1, 2, 3, 7, 10, 11, 13, 18, 20, 21)

6(a) (ii), (iii), (iv): Less Than Significant Impact. The proposed project would expose people and/or structures to seismic hazards. The project site lies in an area of moderate earthquake potential. As such, the proposed site will experience seismic activity of various magnitudes originating from one or more of the numerous faults in the region in the design life span. The project site has a 10% probability of "very strong" levels of ground shaking (VIII on the Modified Mercalli Intensity Scale) over the next 50 years. While there is the potential for seismic hazards, these impacts are considered less than significant as buildout of the project site would be required to be in conformance with the Uniform Building Code, which contains regulations to protect structures within active or potentially active seismic areas.

6(b), (c): Less Than Significant With Mitigation Incorporated. According to the project plans, building sites have been located within the least steep and visible portions of the property. Additionally, the building sites were located to take advantage of the existing ranch road access. Total grading amounts include 11,410 cubic yards of cut/fill for the road improvements and 18,360 cubic yards of cut/fill for the building sites. According to a Grading Description Letter prepared by Monterey Bay Engineers, Inc. (August 2007), grading improvements are proposed for these building sites to further reduce structure visibility by reducing building pad elevations. Further, improvements would be made to the existing ranch road in order to provide easy and

direct access to the building sites and avoid substantial grading, erosion and scarring resulting from the siting of a new access road. The alternative of relocating the building sites to better minimize their visibility would have required a new access road alignment as well as total restoration of the existing dirt ranch road. This alternative was deemed impractical since it would require significantly more grading, and would result in substantial visual scarring, erosion and impacts to the oak woodland habitat.

According to the Geotechnical Soils-Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004, July 2006 and August 2006), in general, the undisturbed, in-situ, native soils are suitable for foundation purposes and roadway development. As found in the exploratory drilling, the surficial soils to depths of three feet are typically sands of fine to medium gradation with little amounts of silt and were found dry to damp and loose. Directly beneath the top soils is weathered bedrock consisting of very dense sand. Free water was observed in shallow portions of a couple drilling bores. Due to the loose nature of the top soils at the project site, the Reports included special recommendations for grading and drainage which has been incorporated as mitigation measures for surface drainage impacts as described below.

The following mitigation measures, as recommended by the geotechnical consultant and County staff, will reduce potential geology/soils impacts to a less than significant level:

Mitigation Measure #4: *In order to minimize geotechnical impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, for the proposed roadway, the loose site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below existing grade in areas of on-grade development such as fill placement. Actual depth of processing shall be determined in the field by the soils engineer during construction. For the proposed residence and related structures, the site soils shall be processed as engineered fill to a minimum depth of 1.5 feet below grade in areas of on-grade development such as fill placement, slabs, and pavement. The over-excavation shall include the construction envelope plus 5 feet. The process shall include the complete removal of the required soils and subsequent placement of engineered fill. The soils removed may be utilized as engineered fill. After removal of the soils to the required depth, the base of the excavation shall be inspected and approved by the soils engineer prior to further soils processing or placement.*

Mitigation Monitoring Action #4-1: *Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #9.*

Mitigation Measure #5: *In order to minimize drainage and erosion impacts, the applicant shall adhere to the special recommendations contained in the Geotechnical-Soils Foundation & Geoseismic Reports prepared by Grice Engineering, Inc. (June 2004 and July 2006). Specifically, all concentrated roof and area drainage shall be released to open areas away from structures, pavements, and septic systems. A sub-surface dispersal system shall not be used on the site as it will be ineffective and could cause surficial slumping. To reduce the impact of released drainage on down slope features, the discharge point shall consider area and down slope features and use of multiple outlets. As proposed, the roadway surface is to primarily sheet*

drain off the outside edge of the roadway. This method is acceptable provided the fill edges and slopes are adequately protected against surface erosion by vegetative cover. All fill surfaces shall be vegetated with native species suitable for the climate and irrigated to provide adequate cover prior to winter. During and after the first winter, the slopes shall be evaluated and improved as necessary. General concentrated surface drainage shall be retained at low velocity by slope, sod or other energy reducing features sufficient to prevent erosion, with concentrated over-slope drainage carried in lined channels, flumes, pipe or other erosion-preventing installations.

Mitigation Monitoring Action #5-1: Prior to issuance of grading or building permits, the applicant shall submit grading and building plans that have been reviewed and approved by a registered geotechnical engineer, and verified as consistent with the special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports. Accompanying the grading and building plans shall be a letter prepared by the consulting registered geotechnical engineer stating that the plans are consistent with the special recommendations described in Mitigation Measure #10.

6(a)(i), (d), (e): No Impact. According to the Geotechnical-Soils Foundation & Geoseismic Reports, the proposed project will not be located within a known earthquake fault or on expansive soils. The project application was referred to the Monterey County Division of Environmental Health for review regarding septic suitability for the proposed project. Based on Environmental Health review and comments as well as the Percolation and Groundwater Study prepared for the project, the site soils have acceptable percolation rates for dispersal of septic effluent and would be capable of adequately supporting septic tanks and the onsite disposal of wastewater. Therefore, the project would not be impacted by soils incapable of adequately supporting septic systems.

7. HAZARDS AND HAZARDOUS MATERIALS		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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)	<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)	<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)	<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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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, 7)	<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, 7)	<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, 7)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion, Analysis and Conclusions:

7(h): Less Than Significant Impact. The proposed project has the potential to expose people or structures to a significant risk of loss, injury or death resulting from wildland fires. This is primarily due to the existing undisturbed grassland and oak woodland habitat, steep terrain, and undeveloped rural nature of the project properties.

In order to address the health and safety risks associated with wildland fires, the applicant consulted with the Salinas Rural Fire Protection District to determine water suppression, access, and road design needs of the Fire District. For fire suppression, the District determined that nine 5,000 gallon water tanks for the two Villalobos residences and one 10,000 gallon water tank for the Christensen residence would be adequate for fire suppression needs. The project has been designed to include these water tanks in order to provide adequate fire suppression for the District.

According to the District, improvements to the access road would have to meet road design requirements rather than driveway design requirements since the proposed access road would serve three single family dwellings on two parcels. Pursuant to Monterey County Code, Chapter 18.58 – Wildfire Protection Standards, access roads shall be required for every building when any portion of the exterior wall of the first story is located more than 150 feet from a fire hydrant or other emergency water supply. All roads shall be constructed to provide a minimum of two nine-foot traffic lanes (or a total 18 feet wide) with an unobstructed vertical clearance of not less than 15 feet. The roadway surface shall provide unobstructed access to conventional drive vehicles including sedans and fire apparatus and shall be an all-weather surface designed to support the imposed load of fire apparatus (22 tons). Further, the proposed access road and driveways between the building sites and main road would be required to have a grade that does not exceed 15-18 percent and turnouts every 400 feet. In order to meet these design

requirements, grading and development on slopes exceeding 30 percent is required. The project has been designed to meet the above road design requirements by improving the access road to 18 foot widths with a grade not exceeding 18 percent and turnouts every 400 feet.

In addition, the Salinas Rural Fire Protection District has recommended conditions of approval regarding fire safety through the installation and maintenance of: road and driveway engineering, an emergency water supply and a fire hydrant/fire valve, vegetation/fuel disposal, fire sprinklers, 100-foot defensible space setback, fire sprinklers, gates, addresses, smoke alarms, and roof construction to ensure the development would be consistent with all applicable fire regulations. The project's compliance with the above conditions would ensure that health and safety risks associated with wildland fires would be kept to a minimum. Therefore, the project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires would be less than significant.

7(a), (b), (c), (d), (e), (f), (g): No Impact. The project is for residential use and will not involve the transport, use, or disposal of hazardous materials. No known hazards or hazardous materials exist on or within the vicinity of the project site.

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (Source: 1, 2, 3, 7)	<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, 7, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? (Source: 1, 6, 10, 11, 18, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Source: 1, 6, 10, 11, 18, 20)	<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, 10, 11, 18, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Otherwise substantially degrade water quality? (Source: 1, 2, 3, 6, 20)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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, 7, 20)	<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, 7, 20)	<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, 7, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow? (Source: 1, 2, 3, 6, 7, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

8(b): Less Than Significant Impact. The project has the potential to affect groundwater supplies since the project proposes to be served by an existing water system and private well, and is located within the Toro Planning Area, which is an area with potential water supply limitations.

According to the El Toro Groundwater Study prepared by Geosyntec (July 2007), water supply for the Toro Planning Area is derived entirely from groundwater, and major portions of the Planning Area subareas are hydro-geologically contiguous as are the aquifer systems beneath the northwest portion of the Planning Area and the adjacent Laguna Seca portion of the Seaside Basin along Highway 68. Decline of groundwater in some *Toro Area Plan* wells during the 1980s resulted in the County imposing a B-8 zoning overlay to portions of the Plan area due to potential water supply limitations. The B-8 zoning limits development to single family dwellings on existing lots of record since 1991. The proposed project is located outside the B-8 zoning overlay and is not subject to this restriction. Further, the Division of Environmental Health and Water Resources Agency reviewed the project's land use applications for residential development. They determined that the proposed use of the Diaz Ranch Water System for the first Villalobos residence and Christensen residence, and the use of the private well for the second Villalobos residence, would comply with all sections of the Monterey County Code related to water supply and capacity and would not significantly impact the Toro Planning Area water supply. Therefore, project impacts to groundwater supplies would be considered less than significant.

8(c), (e), (f): Less Than Significant With Mitigation Incorporated. The proposed project has the potential to affect the existing drainage pattern, contribute runoff water, and will potentially provide an additional source of polluted runoff which may degrade water quality. The project proposes to construct new single family residences with associated structures along with improvements to the access road. This development will alter the existing landscape via grading improvements, increase the impervious surface area onsite and will contribute runoff water.

However, the project has been designed, where feasible, to minimize runoff, site disturbance, erosion and sedimentation.

The project was reviewed by the Water Resources Agency in order to determine the project's effect on the existing drainage pattern of the site. The Water Resources Agency assessment concluded that standard drainage improvements to the access road and building sites could be implemented in order to control stormwater runoff and maintain onsite drainage patterns. As a condition of approval, the project would be required to provide drainage improvements pursuant to an approved drainage plan. Specifically, stormwater runoff from impervious surfaces would be required to be dispersed at multiple points, away from and below any septic leach fields, over the least steep available slopes, and with erosion control at outlets. In addition, the mitigation referenced below would reduce drainage and stormwater runoff impacts to a less than significant level:

See Mitigation Measure and Monitoring Action #2, contained in Section VI.6 – Geology and Soils, regarding adherence to special recommendations of the Geotechnical-Soils Foundation & Geoseismic Reports for erosion and drainage.

8(a), (d), (g), (h), (i), (j): No Impact. The proposed project will not violate water quality standards. It will not affect the existing drainage pattern for that watershed area nor will it expose people or structures to flood hazards.

9. LAND USE AND PLANNING	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community? (Source: 1, 2, 3, 6)	<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, 6)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

10. 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, 7)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

11. 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 checked="" type="checkbox"/>	<input 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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

Noise-sensitive land uses generally include those uses where exposure to noise would result in adverse effects, as well as uses where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Other noise-sensitive land uses include hospitals, convalescent facilities, parks, hotels, churches, libraries, and other uses where low interior noise levels are essential. Land uses located near the project site consist primarily of rural residential uses, which are located approximately 40 acres away. (Source: 1, 2, 3, 6, 7)

11(d): Less Than Significant Impact. The proposed project may cause a temporary or periodic increase in ambient noise levels within the project vicinity due to construction and grading operations for infrastructure improvements, access roads, and building pads and construction as well as ongoing residential uses. The nearest residential sensitive receptors are located approximately 40 acres from proposed building pads and access roads.

Development activities include operation of graders, backhoes, caterpillars and trucks, which will cause localized noise levels to temporarily increase above existing ambient levels. All development activities would be required to adhere to the County's Noise Control Ordinance (Chapter 10.60 of the Monterey County Code). The nearest residences' exposure to construction noise would be limited due to the long distance between the residences and location of development activities, and would be buffered from existing topography and vegetation. Therefore, the project would have a less than significant impact on ambient noise levels within the project vicinity.

11(a), (b), (c), (e), (f): No Impact. The project would be located in a rural density area buffered by existing topography and vegetation. Therefore, the project is not expected to adversely affect current noise levels. The proposed project is consistent with acceptable uses in the area and would not violate any County noise standards and would not have a significant adverse affect on sensitive receptors.

12. 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, 7)	<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, 7)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

13. PUBLIC SERVICES		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:					
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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Police protection? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Schools? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Parks? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Other public facilities? (Source: 1, 2, 3, 6, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

14. RECREATION		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:					
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, 7)	<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, 7)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1, 2, 3, 6, 7, 12, 13, 22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1, 2, 3, 6, 7, 12, 13, 22)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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, 7)	<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, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, 2, 3, 6, 13,)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 1, 2, 3, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1, 2, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

The project site is located within the vicinity of the Highway 68 transportation corridor. The local roadway system stretches from the State Route 68 at State Route 218 intersection in the west to the State Route 68 at San Benancio Road intersection in the east. State Highway 68 is the main connector between Monterey County's two principal urbanized areas, Salinas and the Monterey Peninsula. It serves as a commuter route between Salinas and the Monterey Peninsula while providing access to the low density residential developments, schools and business parks adjacent to the corridor. The majority of traffic generated on Highway 68 is not created by residents living along the corridor, but by commute trips and tourism coming to and from the Salinas Valley and the Monterey Peninsula.

Traffic congestion along Highway 68 is currently at a level of service F conditions during the morning and afternoon commute periods. The metered traffic conditions at critical intersections on Highway 68 result in exceptionally long queues during peak periods of traffic. The evidence of diversion to Blanco Road and "peak spreading" are further indicators that traffic along the Highway 68 corridor currently exceeds capacity. Since increased traffic demand along Highway 68 cannot be served in the peak hour, congestion is likely to begin earlier each morning and end later each evening. However, most of these problems should be significantly reduced by taking

less signal time to serve the side streets and allowing more green time for the mainline traffic using Highway 68.

As described in the Highway 68 Traffic Improvements Action Plan, the following improvements are proposed:

- 1) Install Opticomms at signal controlled intersections on Highway 68;
- 2) Double left-turn lanes on westbound Highway 68 at the intersection with Laureles Grade;
- 3) Provide improved Torero Drive access onto Highway 68;
- 4) Double left-turn lanes on westbound Highway 68 at the intersection with Corral de Tierra Drive;
- 5) Continuously maintain the existing shoulder on Highway 68 to the maximum extent feasible;
- 6) Extend eastbound right turn lane at Los Laureles Grade;
- 7) Widen Highway 68 from State Route 218 to Ragsdale Road;
- 8) Double left-turn lanes on westbound Highway 68 at the intersection with San Benancio Road; and
- 9) Implement the South Fort Ord Bypass from Torero Drive to State Route 218.

In order to support implementation these improvements, Monterey County Public Works has coordinated with the Transportation Agency of Monterey County (TAMC) to develop a Regional Traffic Plan and the institution of regional traffic impact mitigation fees. These projects are required to contribute to the regional traffic mitigation fee program.

15(a), (b): Less Than Significant With Mitigation Incorporated. A single family residence normally generates about 10 trips per day. This means that the potential homes could generate a total of approximately 30 trips per day. Normally three trips of the entire 30 trips will be made during afternoon peak hours. This number is minimal and will not cause an increase in traffic which is substantial in relation to existing traffic load and capacity of the road system. However, the project will add incrementally to the traffic volume in the surrounding County roads. Incremental impacts to regional transportation and causing an increase in traffic flow levels are considered potentially significant unless mitigation is incorporated. According to Monterey County Public Works, in order to mitigate for incremental regional impacts (includes Highway 68 transportation corridor), the project would be required to pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee. The below TAMC mitigation would reduce these impacts to a less than significant level.

The project would also contribute temporary vehicle trips in the form of contractor and construction vehicles, building material delivery trucks and soil and debris off-haul trucks during grading and construction activities. According to the Construction Management Plan prepared by Monterey Bay Engineers, Inc. (June 2008), grading and construction operations would be phased over an approximately 417 day period in order to minimize traffic impacts. The Plan estimates that these operations would involve an average of 14 vehicle trips per day. It is anticipated that these temporary vehicle trips would be accommodated by the local road system and would not result in a significant impact. However, nearby Highway 68 operates at a deficient level of service during peak traffic hours. Therefore, the project would be required to minimize impacts on Highway 68 during AM and PM peak traffic hours. The below mitigation would reduce traffic impacts to a less than significant level by keeping truck traffic to off-peak hours.

The following mitigation measures, as recommended by Monterey County Department of Public Works and Planning staff, would reduce traffic impacts to a less than significant level:

Mitigation Measure #6: *In order to minimize potential regional traffic/transportation impacts resulting from the project, the applicant shall pay the Transportation Agency of Monterey County (TAMC) regional traffic mitigation fee identified in the TAMC nexus study to the County of Monterey for future transportation improvements within Monterey County.*

Mitigation Monitoring Action #6-1: *Prior to the issuance of building permits, the applicant shall submit payment of the TAMC fees to the Public Works Department for review and approval.*

Mitigation Measure #7: *In order to mitigate construction and grading truck traffic impacts on Highway 68, the applicant shall arrange for the hauling of construction and grading materials pursuant to the recommendations prescribed by the construction management plan. Hauling operations shall not occur on weekends and holidays. The only exception shall be structural concrete, which will be allowed to be hauled during the 7:00 am to 9:00 am time period on non-holiday weekdays only.*

Mitigation Monitoring Action #7-1: *During construction and grading operations, the applicant shall submit monthly reports that include the daily truck trip log showing travel times to the Planning Department for review and approval. The contractor shall submit a signed certification to contain an "under penalty of perjury" clause. Failure to comply shall cause revocation of permit.*

15(c), (e), (f), (d), (g): No Impact. The proposed project is not located near any airports and will not change air traffic patterns. The project will not substantially increase hazards to a design feature. The project includes a redesigned access road which would provide suitable access for fire vehicles and response. Therefore, the project would be suitable from a parking and safety aspect and would not result in inadequate emergency access or parking capacity. The project is located within access of alternative modes of transportation such as bus services. Therefore, the project would not conflict with policies, plans or programs supporting alternative transportation.

16. 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)	<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, 20, 21)	<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, 10, 11, 18, 20)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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, 20, 21)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 1, 2, 3)	<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)	<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)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion, Analysis and Conclusions:

16(c), (d): Less Than Significant Impact. The proposed project has the potential to impact stormwater drainage facilities and water supplies due to proposed residential uses located within an area that is currently undeveloped.

The project was reviewed by the Water Resources Agency and Division of Environmental Health for stormwater drainage and water suitability. Proposed structures would be served by an existing water system (Diaz Ranch Water System), a private well, and new septic systems with leach fields. The project proposes 3 new residences on the project site. For these residential uses and landscaping, the potential water usage (incorporates return flow from discharge to septic systems) for 3 new units based on an average of 0.3 AF/year (acre feet a year) per unit would be 0.9 AF/year. Projected water estimates for 3 residences and landscaping was derived from the El Toro Groundwater Study prepared by Geosyntec (July 2007). Numerous water tanks are proposed in order to provide storage capacity for fire suppression, as well as potable water. Drainage and water system infrastructure will be located along the improved access road. Based on Water Resources Agency review of stormwater drainage, standard drainage improvements would be feasible. Further, locating these improvements along the existing ranch road would minimize environmental impacts such as uncontrolled erosion and runoff, and disturbance to oak woodland habitat. Based on Division of Environmental Health review of water, the Diaz Ranch Water System has adequate capacity to provide water to the first Villalobos residence and Christensen residence; and the private well has adequate capacity to provide water to the second Villalobos residence. Further, locating the water system infrastructure along the existing ranch road would minimize environmental impacts as described above. Therefore, the project would result in less than significant impacts for stormwater drainage facilities and water supplies.

16(f): No Impact. Solid waste collection service at the project site would be provided by the Carmel Marina Corporation, a local division of Waste Management, and delivered to the Monterey Regional Waste Management District (MRWMD) landfill located outside of the City of Marina. The MRWMD landfill receives solid waste disposal and sewage sludge; recovers

recycling materials; and safely recycles or disposes of household hazardous waste for the many cities on the Monterey Peninsula. The MRWMD landfill currently has a permit capacity of 3,500 tons per day and receives an average of 750 tons per day. The facility was recently re-engineered to have a total capacity of 48 million tons, of which 40 million tons are remaining, which is expected to provide service through the year 2107. (Source: 1, 2, 3, 6, 20)

16(a), (b), (e), (f), (g): No Impact. According to Environmental Health's review of the project, the project would be able to comply with wastewater treatment requirements. Septic systems, including septic tanks and leach fields, would be located within relatively flat portions of the proposed building sites for each residence. According to the Percolation and Groundwater Study prepared by Grice Engineering and Geology, Inc. (August 2006), the project site soils have acceptable percolation capacity for disposal of septic effluent by either trench or pit-style leach fields. In addition, there are extensive areas available for septic dispersal. As such, the project properties are relatively free of any septic restrictions or setbacks. Similarly, the amount of solid waste generated by the proposed project would not significantly impact the area's solid waste facilities. Therefore, the proposed project would not result in impacts related to these utilities and service systems issues.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

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, 7, 8, 9, 14, 15, 16, 17)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? (Source: 1, 2, 3, 4, 6, 10, 11, 18, 20, 21, 22)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion, Analysis and Conclusions:

(a): Less than Significant With Mitigation Incorporated. Based upon the analysis throughout this Initial Study, the proposed project, as designed, conditioned, and mitigated, would not 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. See previous Sections II. A (Project Description) and B (Environmental Setting) and Section IV. A (Environmental Factors Potentially Affected), as well as the sources referenced.

(b), (c): Less than Significant Impact. The project would involve residential development on a site that is planned for Resource Conservation uses in the Monterey County General Plan and Toro Area Plan. Implementation of the proposed project would result in minor incremental reductions in air quality in the project vicinity, and minor increases in traffic congestion. The incremental air quality, transportation/traffic, public services, and utilities impacts of the project, when considered in combination with the effects of past projects, current projects, and probable future projects in the planning area, would result in less than significant impacts. Conditions of approval would ensure consistency with relevant General Plan health and safety policies. All potential impact areas are deemed less than significant with County imposed conditions of approval.

Global Warming: The enactment of AB 32, the Global Warming Solutions Act, was signed into legislation by Governor Schwarzenegger in September 2006 and requires that greenhouse gases emissions be reduced to 1990 levels by the year 2020. Increased emissions of greenhouse gases due to developmental pressures have resulted in multiple adverse environmental effects, including, sea level rise, increased incidence and intensity of severe weather events (e.g., heavy rainfall, droughts), and extirpation or extinction of plant and wildlife species. Further, emissions contributing to climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors. Given the significant adverse environmental effects associated with anthropogenic climate change, increased emissions have the potential to result in cumulatively considerable air quality impacts and indirect biological and hydrological impacts.

When analyzing a project's potential to affect climate change, it is important to note that neither CEQA nor current case law identifies thresholds or other direction in measuring or evaluating the effect of individual projects on global warming. As a result, in the absence of applicable methodology and thresholds, the significance of the project's effect on global warming cannot be quantified. Furthermore, given the transboundary nature of greenhouse gases, the cumulative global emissions contributing to climate change can be attributed to every nation, region, and city, in addition to naturally occurring phenomenon.

The level of emissions resulting due to project-generated traffic would not be expected to exceed air quality standards. Further, as identified in Section VI.3 - Air Quality, the development of the proposed project would not exceed applicable air quality standards as established by the air pollution district. Given the scale and nature of the proposed project, in addition to, the use of energy efficient appliances and other modern amenities, the proposed project is unlikely to substantially impact existing levels of greenhouses gases on a local, regional, or global scale.

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 **would** be required to pay the fee.

Evidence: Based on the record as a whole as embodied in the Resource Management Agency - Planning Department files pertaining to PLN070482, PLN060101, and PLN060296 and the attached Initial Study and Mitigated Negative Declaration.

IX. REFERENCES

1. Project Application, Plans and Materials in File Nos. PLN070482, PLN060101, and PLN060296
2. Monterey County General Plan
3. Toro Area Plan
4. Title 21 of the Monterey County Code (Zoning Ordinance)
5. CEQA Air Quality Guidelines, Monterey Bay Unified Air Pollution Control District, Revised June 2004
6. Site Visit Conducted by PMC and the County Project Planner
7. Monterey County Geographic Information System
8. Preliminary Archaeological Reconnaissance of Two Proposed House Sites and Road Improvements on Assessor's Parcels 416-641-007 and -008 prepared by Archaeological Consulting, dated May 13, 2004 (LIB060484)
9. Biological Report for Richard Villalobos Property prepared by Jud Vandevere, dated June 2006 (LIB060485)
10. Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Primary Roadway to APN 416-641-007 & 008 prepared by Grice Engineering, Inc., dated July 25, 2006 (LIB060487)
11. Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Residence at San Benancio Road, Salinas, California, APN 416-641-007 prepared by Grice Engineering, Inc., dated June 15, 2004 (LIB060486)
12. Construction Management Plan for Villalobos Project prepared by Monterey Bay Engineers, Inc., received June 4, 2008 (LIB080442)
13. Grading Justification Letter for Villalobos Project prepared by Monterey Bay Engineers, dated August 31, 2007 (LIB080440)
14. Arborist's Report – Corral Del Cielo prepared by Forest City Consulting, dated April 21, 2008 (LIB080541)
15. Biological Report Concerning the Access Road and Home Site prepared by Jud Vandevere, dated May 29, 2007 (LIB080438)
16. Biological Letter Regarding Site Restoration prepared by Jud Vandevere, dated August 20, 2007 (LIB080437)
17. Arborist's Report – Corral Del Cielo prepared by Forest City Consulting, dated August 8, 2006 (LIB060555)
18. Geotechnical Soils-Foundation & Geoseismic Report for the Proposed Subdivision of the Combined Parcels 416-641-007-000 and 416-641-008-000 prepared by Grice Engineering, Inc., dated August 26, 2006 (LIB060525)
19. Construction Management Plan for Villalobos Driveway prepared by Monterey Bay Engineers, Inc., received December 21, 2007 (LIB080439)
20. Percolation and Groundwater Study with Septic Recommendations prepared by Grice Engineering, Inc., dated August 2006 (LIB060526)

21. El Toro Groundwater Study prepared by Geosyntec Consultants, dated July 2007, website: http://www.mcwra.co.monterey.ca.us/Agency_data/Hydrogeologic%20Reports/El%20Toro%20GW%20Study/El%20Toro%20GW%20Study.htm (add information re: regional water issues from this document in project description and in section)
22. Monterey County State Highway 68 Traffic Improvement Action Plan adopted by the Board of Supervisors on September 21, 2001

X. ATTACHMENT

Construction Management Plan

Monterey Bay Engineers, Inc.

CIVIL ENGINEERING
LAND SURVEYING
SUBDIVISIONS

607 CHARLES AVENUE, SUITE B • SEASIDE, CALIFORNIA 93955

PHONE (831) 899-7899

FAX (831) 899-7879

EMAIL mbayengr@mbay.net

STEVE C. WILSON, RCE 25,136, PLS 5,207

BRIAN M. WILSON, PLS 7,771

CONSTRUCTION MANAGEMENT PLAN

for

VILLALOBOS PROJECT

387 SAN BENANCIO ROAD, SALINAS, CA

Parcels F-1 & G-1, Volume 28 Surveys Page 162

Assessor's Parcel: 416-641-012, and 013

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JUN - 4 2008

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Overview:

The scope of the project located at 387 San Benancio Road, for the purposes of this construction management plan will be to grade and pave the proposed driveway, extend service from the existing water system to the building sites, provide fire protection storage, install a water system with storage tanks for the guest house, construct a main residence and a guest house, all of which will service the Villalobos property. In addition to the new paving and grading of the road, there will be restoration work to repair areas where unauthorized grading has occurred.

The goal of this construction management plan is to minimize traffic impacts and ensure public safety during construction of the proposed driveway. Included herewith is a description of the project's construction schedule, determination of construction personnel trip generation and parking requirements, expected distribution of site and deliveries, identification of proposed staging areas, dust control and any traffic impacts expected to occur during the construction of this project. It is the responsibility of the Contractor to monitor and ensure compliance with this management plan.

Please be advised that most of the construction activity will occur within the property's boundaries. Because of this, most of the activity will not interfere with outside vehicular or pedestrian routes of travel. However, during the times that construction may occur outside of the property's boundaries, all appropriate measures will be taken to ensure safe vehicular and pedestrian passage.

Construction Schedule:

Phase 1- Road Grading, Paving, and Restoration

We expect construction of the proposed driveway along with the restoration work to take approximately 21 days once started. Rough grading of the driveway will take 15 days to move, grade and compact 11,370 cu.yds with no on or off hauling. The laying of the aggregate base and fine grading will take 4 days to import and place 822 cu.yds. (1645 tons) of aggregate base. Paving operations will take 2 days to import and place 411 cu.yds. (823 tons) of asphalt at which time the driveway will be complete. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

During rough grading operations a grader, loader and roller will be used within the project site boundaries. Truck traffic on public roads associated with this stage of the project will be limited to the staging and servicing of the construction equipment. 20 truck trips are needed to complete the rough grading operations over a 15-day period.

The importation and placement of the driveway's aggregate base will require 69 truck trips over a 3 day period. This averages to 23 trucks per day to and from the project site. All transfer and truck dumping operations will occur within the project site boundaries.

Paving operations will require 35 truck trips over a 2-day period to import the asphalt to the job site as well as 8 additional trips to stage an asphalt paving machine, and 2 rollers. This averages out to 22 truck trips over the 2-day period for paving operations.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 6 employees daily at the job site. The project is expected to generate 6 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 2- Water System Installation

We expect construction of the proposed water system to take approximately 16 days once started. Rough grading of the water storage tank pad will take 3 days to move, grade and compact 390 cu.yds with no on or off hauling. The forming and pouring of the concrete pad will take 3 days. Installation of 5,000 gal. water tanks (qty. 9), 2,900 l.f. of 3" main, 2,600 l.f. of 6" main, fire hydrants (qty. 3), and associated plumbing and hardware will take approximately 10 days. Some or all portions of the water system installation may occur simultaneously with road grading and paving operations. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging of materials and concrete delivery within the project boundary and away for the public right-of-way. 27 truck trips are needed to complete the water system installation over a 16-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 3 employees daily at the job site. The project is expected to generate 2 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 3- Construction of Guesthouse

We expect construction of the proposed guesthouse to take approximately 190 days once started. Some portions of grading for the guesthouse pad and driveway may be accomplished concurrently with road grading and paving operations when practical. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging and delivery of construction materials. 1 truck trip per day on average is needed to complete construction of the guesthouse over a 190-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 5 employees daily at the job site. The project is expected to generate 4 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 4- Construction of Main Residence

We expect construction of the proposed main residence to take approximately 190 days once started. Some

portions of grading for the house pad and driveway may be accomplished concurrently with road grading and paving operations when practical. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging and delivery of construction materials. 1 truck trip per day on average is needed to complete construction of the guesthouse over a 190-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 5 employees daily at the job site. The project is expected to generate 4 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

All Phases:

Delivery Patterns/Circulation:

All deliveries will access the site via Highway 68 and San Benancio Road. Loading and unloading of all construction materials will take place onsite, near the proposed structures. Material loading and unloading in the public right-of-way will not be allowed. If loading or unloading does need to occur within the public right-of-way, it will take place outside of peak commuter hours and flagmen will be provided to direct and control traffic.

Dust/Erosion Control:

Dust will be minimized using water as control.

The following notes and instructions have been added to sheet C1 of the project's grading plan to insure compliance with erosion control and air quality standards:

1. All disturbed surfaces must be protected from erosion. Between October 15 and April 15, erosion control measures must be in place and continuously maintained.
2. Disturbance of surface vegetation during construction shall be kept to a minimum.
3. Disturbed areas should be seeded, fertilized, and mulched to prevent erosion during winter months. A continuous straw bale barrier shall also be installed below the disturbed areas.
4. All cut and fill slopes shall be planted with a seed mixture consistent with the existing natural vegetation.
5. After cultivation, the erosion control material shall be mixed and applied to all cut and fill slopes in approximately the following proportions:

<u>Material</u>	<u>Per acre (slope measurements)</u>
Seed	51 Pounds
Fertilizer	500 Pounds
Straw Mulch	1,000 Pounds
Water	As Required

6. Rain runoff from the site shall be filtered by a straw bale siltation barrier to prevent the escape of sediment from the site.
7. Temporary cutoff berms or ditches may be constructed to direct runoff to siltation basins prior to outletting into natural channels or onto roads.
8. All erosion control measures must be in place at the end of each day.
9. The use of the best available control measures (bcm's) shall be required during grading and construction operations
 - On site grading construction activities will be limited to two-acres or less per day to ensure that air thresholds for construction-related air impacts are not exceeded.
 - During grading and construction phases of the project, the active grading and construction areas shall be watered at least twice daily or more often when conditions warrant. Frequency shall be based on the type of operation, soil, and wind conditions.

- Haul trucks shall maintain a minimum of 6 inches of freeboard and wither be covered or sprinkled with water in such a manner that visible dust will not be emitted during transportation and debris will not be deposited onto public roadways.
- Apply water three times daily or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily all paved access roads, parking areas and staging areas at the construction site.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles such as dirt, sand, etc..
- Limit traffic speeds on unpaved roads to 10 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas.

Sanitation/Trash:

At least one portable latrine shall be kept on site during all phases of the construction activities. In addition to the latrine, a trash bin shall also be kept on site during all phases of the construction activities for the collection of solid waste and construction debris at the each workday. The contractor will specify a location for these facilities near the main area of activity. A regular pickup and servicing schedule should be set and maintained by the contractor.

Summary:

- Phase-1: Construction of the proposed driveway is expected to take approximately 21 days.
- Phase-2: Construction and installation of the water system expected to take approximately 16 days.
- Phase-3: Construction of the proposed guesthouse is expected to take approximately 190 days.
- Phase-4: Construction of the proposed main residence is expected to take approximately 190 days.
- Portions of the construction phasing may overlap with one another, run concurrent, or run sequentially at the discretion of the owner and contractor.
- All construction materials, vehicles and staging will be stored and operated within the property's boundaries and not on the public right-of-way.
- On site parking will be provided to all construction personnel.
- On-site vehicular traffic will be limited to only vehicles associated with the construction of the project. All heavy equipment will be equipped with operable backup alarms.
- A buffer area and gated fence separate the site from the public right-of-way (Sand Benancio Road).
- On-site sanitary facilities shall be supplied and maintained on site during construction operations.
- Contractor shall be responsible for monitoring and ensuring compliance with this management plan.

Exhibit S
Letter Regarding
Restoration

PLN 060101
LIB 080 440

Monterey Bay Engineers, Inc.

CIVIL ENGINEERING
LAND SURVEYING
SUBDIVISIONS

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STEVE C. WILSON, RCE 25,136, PLS 5,207
BRIAN M. WILSON, PLS 7,771

August 31, 2007

Monterey County Planning Department
168 W. Alisal Street, 2nd Floor
Salinas, California 93901

Re: Villabos Residence, 387 San Benancio Road
Parcels F-1 & G-1, Volume 28 Surveys Page 162
Assessor's Parcels 416-641-012 & 416-641-013

Dear Sir or Madam:

The purpose of this letter is to clarify why grading work directed at total restoration of the access road to the pre-construction condition is not advisable, practical or feasible. Attached is a copy of an enlarged aerial photo showing the limits of Parcels F-1 and G-1. The photo contains annotations to label the various features of these properties. The construction plans for the improvement of the access road should also be viewed in conjunction with this letter so that the topographic constraints associated with these sites are apparent.

There are limited suitable building sites within Parcel G-1. This parcel has a V-shaped canyon along its northerly boundary. The majority of this parcel consists of a north-facing canyon slope with a dense oak tree cover and slopes ranging from 30 to 60 percent. The southerly side of this parcel consists of a narrow ridge and two canyons oriented generally to the south with slopes ranging from 30 to 70 percent. There are suitable building sites only in the central portion on the property on the ridges and hilltop. These building sites are characterized by having slopes ranging from nearly level to less than 30 percent grade. These suitable building sites are also located where there will be no impact on the native oak trees. These sites are only accessible via the subject new access road.

We have investigated other possible road alignments and find there are no other possible routes that could provide access to the building sites within Parcel G-1 without significant adverse affects. The canyon and the north-facing slope situated in the northerly half of Parcel G-1 is very steep and has a dense cover of oak trees. Grading and tree removal impacts would be severe. While it would be possible to construct a road along the ridge oriented east to west through Parcel F-1, that route would be over steep slopes exceeding 30 percent, and would require several switchbacks. A road traversing up the ridge would also be very visible from adjoining properties, and the switchbacks

would require extensive land disturbance and grading. The route of the proposed road is along the northerly side of the east-to-west ridge, only requires one switchback to construct, minimizes impacts on native oak trees, and minimizes grading in areas of slopes in excess of 30 percent. The total length of the access road where grading work occurs is 3,700 feet. The natural cross slope along the route of the proposed road slightly exceeds 30 percent from Station 15+50 to Station 17+50, and from Station 37+00 to Station 40+00.

Although the county grading ordinance authorizes "restoration" in areas where grading has occurred prior to the issuance of a permit, implementation of restoration would result in further erosion due to disturbance of areas now stabilized with vegetation. In some areas, especially where the cross-slopes exceed 30 percent, use of reinforced earth fills would be necessary to prevent sloughing of the newly placed fill. Because almost all of this existing road is constructed adjacent to steep slopes, there is no practical way to replace the materials that have been displaced by the grading work without creating further erosion, increasing the possibility of sedimentation to the watershed below, and creating unstable soil conditions.

The area of the existing road in the current state is 71,100 square feet, or 1.63 acres. The only practical method of restoring the areas associated with the existing unpaved road would require fill soil to be taken from areas that have not been disturbed uphill of the existing road. This will cause approximately 57,700 square feet, or 1.32 acres of additional land disturbance and potential erosion problems associated with grading operations on sloping terrain. If the actual materials that were removed were retrieved for the purpose of filling the road cuts, it would involve disturbing the downhill slopes that are now mostly stabilized with the re-growth of native vegetation. We estimate that an additional 36,000 square feet, or 0.83 acres would be disturbed. We believe that retrieving the materials below the original graded road would result in significantly more erosion hazards than would exist from taking the material from above the road cut since it would required the disruption of vegetation that has been established during the past several years. Either of these restoration methods would result in highly undesirable amounts of land disturbance.

If restoring the grading should be accomplished, there would then be no way of accessing the building sites on Parcel G-1. The most practical solution would be to construct the permanent paved access road, and restore only the portions of the existing road that are not necessary with the new proposed road alignment. We recognize that the areas where the road grading occurred and where the road grading is not necessary for the permanent road should be restored to eliminate evidence of unnecessary grading. The plans for the construction of the permanent road call for restoring 28,400 square feet, or 0.65 acres of the original road. This represents approximately 40 percent of the areas that were originally graded without benefit of proper permits. Specifically, the plans call for restoration where the proposed permanent road alignment does not follow the graded road at Station 11+25 through 15+00, Station 21+00 through 22+00,

Station 24+75 through 29+00, Station 33+00 through 35+50, and Station 40+00 through 42+75. The plans call for partial restoration where the alignment of the permanent road is slightly off-center from the graded road at Station 30+75 through 32+25, and Station 36+75 through 39+75.

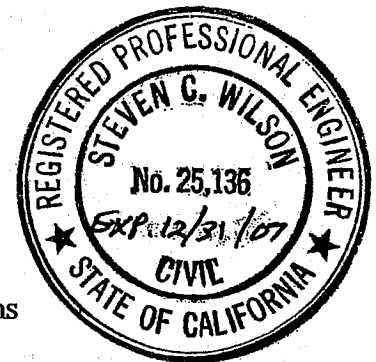
It also should be noted that the partial restoration as outlined above, if it is accomplished in conjunction with the construction of the permanent road, will not require additional land disturbance above or below the road cuts because the material used to fill the road cuts will be available from the overall grading operation. Implementation of the drainage and erosion control measures as outlined in the road improvement plans will also alleviate the existing rill type erosion that has been occurring on the unprotected graded road surfaces.

The construction of the permanent road and restoration of the old road cuts not necessary with the permanent road can be accomplished with a staging area at Station 12+00. The equipment necessary for the proposed grading work would likely consist of a water truck, a bulldozer with a sheeps-foot compactor, and an earthmover. Since the grading is "balanced" between cut and fill, there would be no need for dump trucks, and no need for import or export of soil. This eliminates any impacts to local roads and traffic, except for the flat-bed trucks used to transport the equipment to and from the site at the beginning and ending of the project. The grading operation is expected to last for approximately 10 to 15 working days.

Please contact me should there be any questions or if you need any additional information.

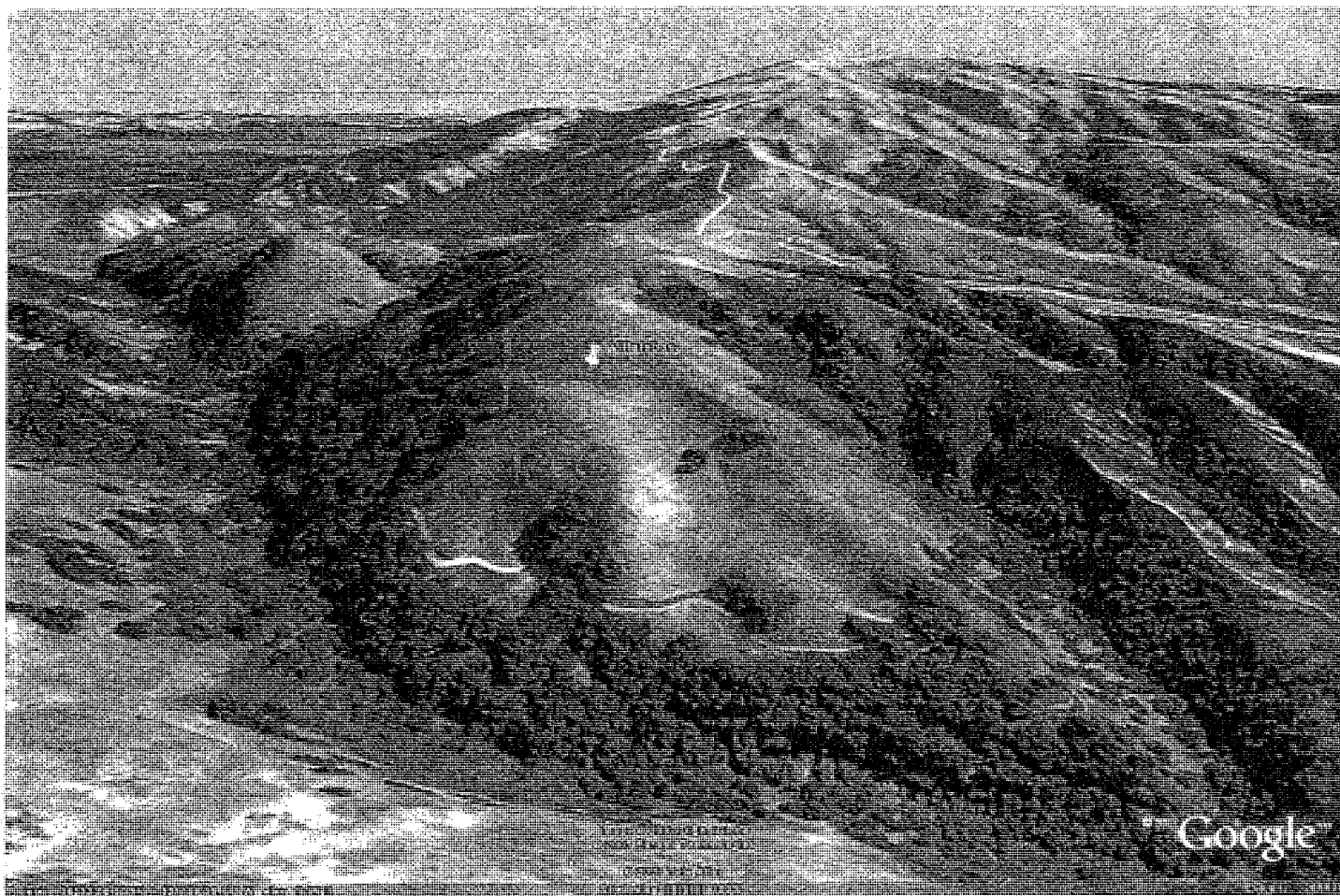
Sincerely yours,


Steven C. Wilson



Attachments: Aerial Photo, Road Construction Plans, Road Restoration Plans

cc: Richard Villalobos, Owner
Brian Foucht, Lombardo & Gilles, LLC
Sam Grice, Grice Engineering and Geology, Inc.



Oblique view looking to ESE taken from Google Earth

V-Shaped canyon and dense oak tree cover on northerly facing slope on left side of ridge

Steep westerly end of ridge immediately above graded road

Steep canyons along southerly side of ridge

Exhibit T
Biological Letter Report
regarding Restoration

LIB080437

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SEP 10 2007

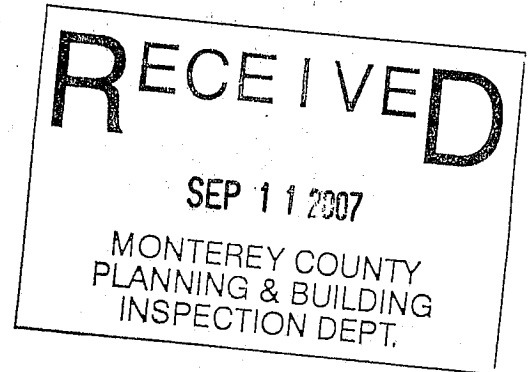
Jud Vandevere
Biological Consulting
93 Via Ventura
Monterey, CA 93940

jvan@mbay.net
372-6001

BIOLOGICAL LETTER
20 Aug 07

Monterey County Planning Department
168 W. Alisal Street, 2nd Floor
Salinas 93901

Re: Villalobos Residence, 387 San Benancio Road
Parcels F-1 & G-1, Volume 28 Surveys Page 162



Dear Staff:

Total restoration of the access road to the pre-construction condition is neither advisable nor practical. Putting the surrounding grassland and scrub vegetation back will not result in stable slopes. The route shown on the plans represents the design with the least impacts on trees, avoidance of native slopes exceeding thirty percent, and the least grading requirement. Excavated soil must not be piled around the bases of the oaks. Trees which are expected to remain should have no more than fifty percent of their root systems destroyed. Because almost all of this existing road is constructed on slopes, there is no practical way to replace the materials that have been displaced by grading without creating further erosion, increasing the possibility of sedimentation to the watershed below, and creating unstable soil conditions. The plan has the least impact on trees. The home site has no trees, and it has flatter native slopes. Shown on the plans are areas that exceed thirty percent, in anticipation of a condition requiring that they be placed in Scenic Easement. The access road is not included in the proposed Scenic Easement.

Sincerely,

Jud Vandevere

Exhibit U

Arborist's Report



Forest City Consulting

Matt Horowitz

PMB # 305

225 Crossroads Boulevard

Carmel, CA 93923

831-464-9302

Arborist's Report – Corral Del Cielo

Introduction

This project will remove three protected trees.

This Arborist's Report was prepared for APN's 416-641-007 and 416-641-008. Preparation of the report is per request of the property owner, Mr. Richard Villalobos. This report was prepared to address the removal of trees protected by Monterey County Zoning Ordinance - Title 21. This report was prepared to meet the requirements of section 21.64.260 - Preservation of Oak and Other Protected Trees. Preparation of this report was done by Matt Horowitz of Forest City Consulting, which has been on the County's list of Consulting Foresters since 1998.

This Arborist's Report is not a monetary valuation of the trees. It is not the intent of this report to provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present.

In addition to its own inspection of the property, Forest City Consulting relied on information provided in the preparation of this report (such as, surveys, property boundaries and property ownership) and must reasonably rely on the accuracy of the information provided. Forest City Consulting shall not control nor be responsible for another's means, methods, techniques, schedules, sequences or procedures, or for contractor safety or any other related programs, or for another's failure to complete the work in accordance with the plans and specifications.

Site inspection

A site inspection was made on April 14, 2008 by Matt Horowitz. Trees at the site were located and given a cursory review for health and condition. Existing improvements and the extents of proposed improvements were located. Potential tree impacts were reviewed.

The site currently is undeveloped. There is an existing dirt road that provides access to the hill top. Some stretches of the road exceed 18% grades. There are some small rills beginning to form on steeper sections of the road. The lot size is approximately 80.5 acres.

Project description

The project as proposed will: Widen the existing dirt road and reroute it in some places to reduce the grade to 18% or less. Two new homes are proposed for construction near the hill top. The homes will be single story residence with a footprint of 6598 square feet and a two story home with approximately 6,000 square feet.

Tree description

The forested areas of the parcels are primarily coast live oak (*Quercus agrifolia*). These oaks are mostly growing in small stands mixed with open meadows. Other trees on the parcels include California buckeye (*Aesculus californica*). Under story vegetation is compromised primarily of grass, poison oak and various blackberry species.

The diameter for the trees was measured at two feet above grade (D2') as required by section 21.64.260. This diameter measurement was made using a standard diameter tape, which measures the distance around the tree and converts to "diameter" based on the relationship of circumference and diameter of a true circle.

Tree removal

Four trees are proposed for removal. All are native trees. The three oaks are protected while the buckeye is not.

Tree 1 is a coast live oak measuring 19 inches D2'. This oak has some heart rot but otherwise appears to be in fair shape. This tree is compromised by proposed driveway improvements.

Tree 2 is a two stem California buckeye measuring 18 and 16 inches respectively. The tree has heart rot in many of its limbs. This tree is compromised by proposed construction.

Tree 3 is a 4-stemmed coast live oak measuring 18, 9, 9 and 8 inches D2'. This tree is compromised by proposed driveway improvements.

Tree 4 is a coast live oak measuring 28 inches D2'. This tree is compromised by proposed driveway improvements.

Removal method

All trees will be removed by felling. This can be done without serious risk to other trees or structures by a trained professional. Small pieces of the felled trees can be chipped. Wood will be utilized as firewood or some other use.

Impacts of removal

Tree removal will not have any significant impacts to the property or the neighborhood. The property retains many thousands of trees including landmark oaks.

Tree retention

Many other oak trees on the property will be retained. This project has been designed to work around existing trees and protect them as much as possible.

Protection of retained trees

When grading for road widening, side cast (excess dirt from grading) should not be pushed downhill under the driplines of existing trees to be retained. If fill is needed to widen the road under the driplines of oaks then small retaining walls should be constructed between the

driveway and the trunk of the oak. These retaining walls should be as close to the road as practical. These retaining walls will prevent grade changes near the trunk of these oaks.

The trees to be retained should be protected from damage by the construction related activities. Most of the retained trees will be located away from development activities and can be easily protected by staging demolition and construction activities away from the trees. The primary method of limiting work areas away from the trees will be by installing a Tree Protection Fence.

Tree Protection Fence (TPF)

A temporary fence should be erected on the property and maintained through construction. The fence will incorporate the dripline of each retained tree, where possible.

All areas protected by the TPF shall be considered off-limits during all stages of development. These areas shall not be used to park cars, store materials, pile debris, or place equipment. Gates into the protected areas may be installed to allow normal residential use of the property.

Utility trenching

When possible, utilities should be placed in the same trench. Care will be taken to avoid trenching on two sides of a tree. Major roots encountered will be tunneled under or bridged over and retained when possible. The portion of the utility trenching within the area protected by the TPF shall be dug using hand-tools or with light equipment under the supervision of a qualified arborist or forester.

Roots encountered

Roots encountered during trenching, grading and excavation that are not to be retained will be cleanly cut to promote re-growth and to prevent increased damage from breaking the root closer to the tree than is necessary. If cutting the root(s) will significantly affect the stability or vitality of the tree, the roots will either be bridged over or tunneled under where feasible.

Pruning for construction

Branches located close to construction activities are subject to breakage from contact with heavy equipment and materials. A properly pruned branch will heal faster and is generally less damaging to the tree than a broken branch. Branches subject to breakage should be pruned when such pruning will not cause significant damage to the health, vitality and safety of the tree. Pruning should be conducted under the supervision of an Arborist certified by the International Society of Arboriculture.

Construction contracts

All construction contracts for the project shall include a provision requiring that all contractors and subcontractors performing work on this project be given a copy of the

forest management plan and conditions of approval and agree to implement the provisions of the forest management plan and conditions of approval. In addition, the contracts shall also identify a County approved Arborist or Forester to be available to interpret this report or provide additional recommendations.

Tree replacement

Tree replacement at a 1:1 ratio is recommended for the coast live oak to be removed.

Three (3) trees should be planted as part of the landscaping. The trees should not be planted within 10 feet of existing trees or other landscape trees. Replacement areas have not been identified as the desired location of planted tree may change after the project is complete.

Coast live oak is the recommended replacement species. The tree should be of local origin and shall be from a nursery that is or can be certified free from Sudden Oak Death. Smaller trees tend to become established quicker, require less irrigation for a shorter duration, and obtain the same size as larger nursery trees over the long-term. The only real advantage of larger nursery trees is to create an **immediate visual impact**. This property will have many retained trees and tree replacement is not necessary to mitigate any visual impacts of tree removal.

The replacement tree will need supplemental irrigation until it becomes established. Any irrigation system should be as temporary in nature as possible and watering from an existing garden hose is acceptable. The numerous large oaks on the property will not tolerate supplemental summer irrigation. Irrigation needs to be kept out of the dripline of the retained oaks.

Required findings

The following findings are from section 21.64.260.D.5 and are listed here as they appear for the use of the appropriate authorities in considering approval for tree removal. Each of the findings was evaluated by Forest City Consulting in regards to the proposed removal of the protected trees. Matt Horowitz is a Certified Arborist with degrees in Forestry from institutions accredited by the Society of American Foresters, has a basic knowledge and understanding of each of the following factors for consideration as each relates to forest resources, and is qualified to give his opinion on the following issues. In addition, Matt's knowledge and expertise is adequate to allow him to determine if another expert needs to evaluate any of the specific concerns raised.

Is the tree removal the minimum required under the circumstances of the case?

This project, as proposed, will require the removal of three protected trees and one unprotected tree.

As the project is proposed, the tree removal is the minimum required. The existing driveway exceeds 18% slope in some areas and small rills are beginning to form on the

dirt surface. The proposed driveway improvements are required due to needed grade and radii changes as well as fire department requirements. There are no trees growing at either home site.

Will tree removal involve a risk of adverse environmental impacts?

Soil erosion: The proposed tree removal is not expected to increase the risk of soil erosion or contribute to erosion.

Tree removal, in and of itself, will not create an increased risk of soil erosion on this property. The area of the tree removals is flat. Soil erosion concerns are more a factor of the grading plans than this report. As previously noted erosion is becoming a factor on the steeper sections of the existing driveway. The proposed driveway improvements will address this issue.

Water quality: The removal of the trees will not substantially lessen the ability for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substances from ground and surface waters.

The trees proposed for removal play a relatively insignificant role with concerns to water quality. It is unlikely that there are any chemical pollutants or heavy metals present upon the property or likely to be introduced that could potentially be assimilated to any significant degree by the trees to be removed. Any ability of the trees proposed for removal to provide for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substances from ground and surface waters would be insignificant.

Ecological impacts: Tree removal will not have a substantial adverse impact upon existing biological and ecological systems, climatic conditions, which affect these systems, or such removal will not create conditions which may adversely affect the dynamic equilibrium of associated systems. Only two trees are being removed with many other large trees being retained.

Noise pollution: The removal will not significantly increase ambient noise levels to a degree that a nuisance is anticipated to occur.

The trees do not appear to have any affect on reducing noise. A relatively large area of dense vegetation is required to control noise. Proposed tree removal will not significantly increase ambient noise levels to a degree that a nuisance is anticipated to occur.

Air movement: The removal will not significantly reduce the ability of the existing vegetation to reduce wind velocities to the degree that a nuisance is anticipated to occur.

Wildlife habitat: The removal will not significantly reduce available habitat for wildlife existence and reproduction or result in the immigration of wildlife from adjacent or associated ecosystems.

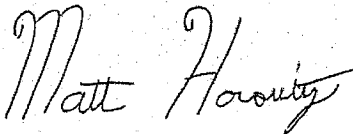
Many sections of the property will be retained with tree cover available for wildlife habitat.

6.0 Site map

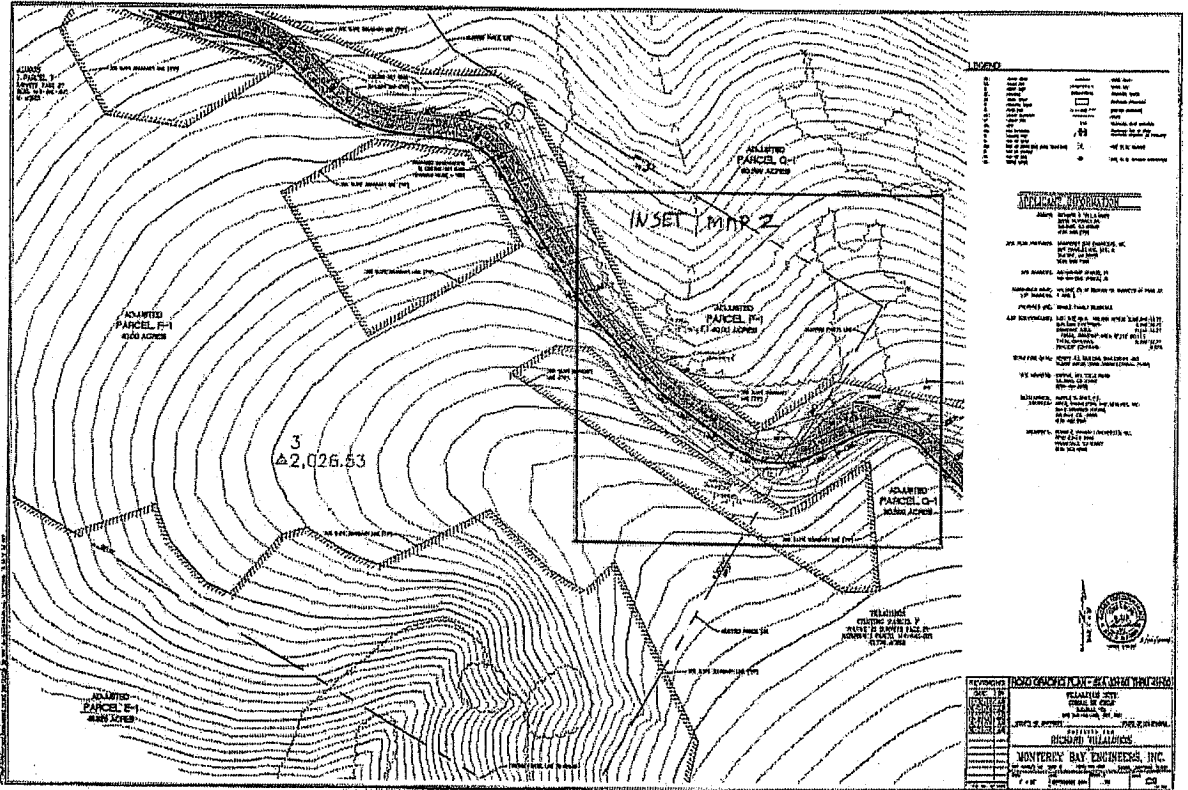
The site maps reviewed for this report are the maps prepared by Monterey Bay Engineers dated August 21, 2006.

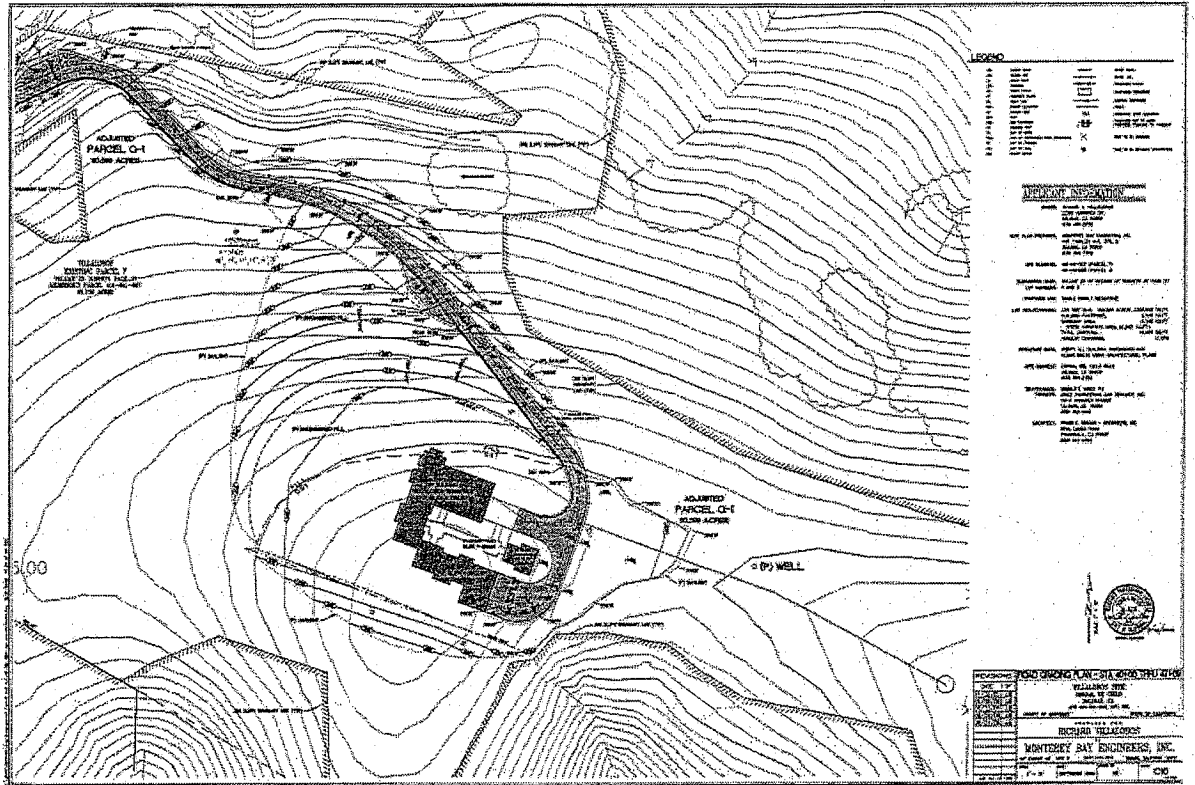
Trees #1 and #2 were located and placed on the attached site map by Monterey Bay Engineers. Their diameters were measured in the field by Forest City Consulting.

Please see attachment 1 for the site plans and inset maps.

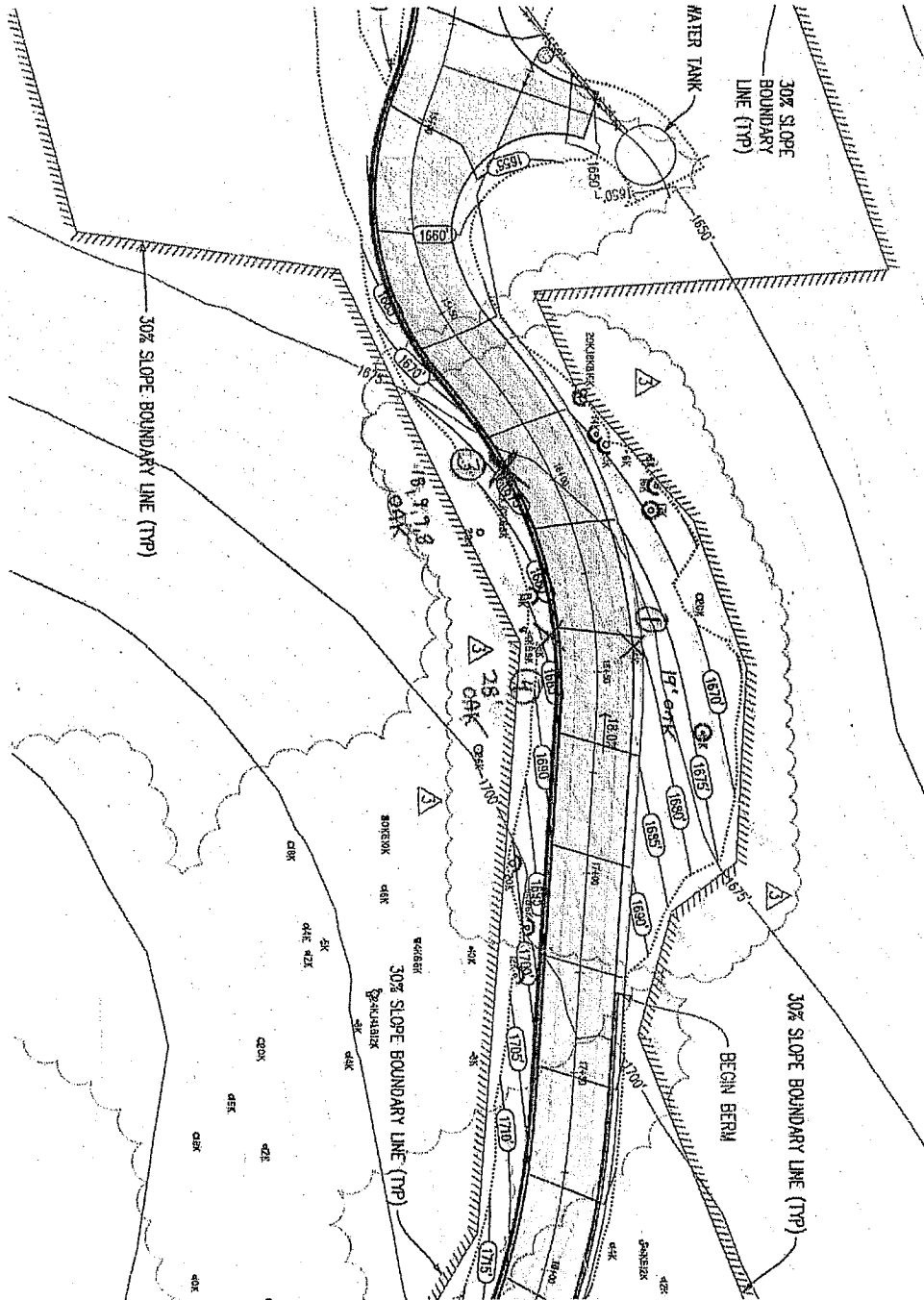


Matt Horowitz
Certified Arborist/Utility Specialist # WE 3163AU





INSET MAP 1



Insert Map 2

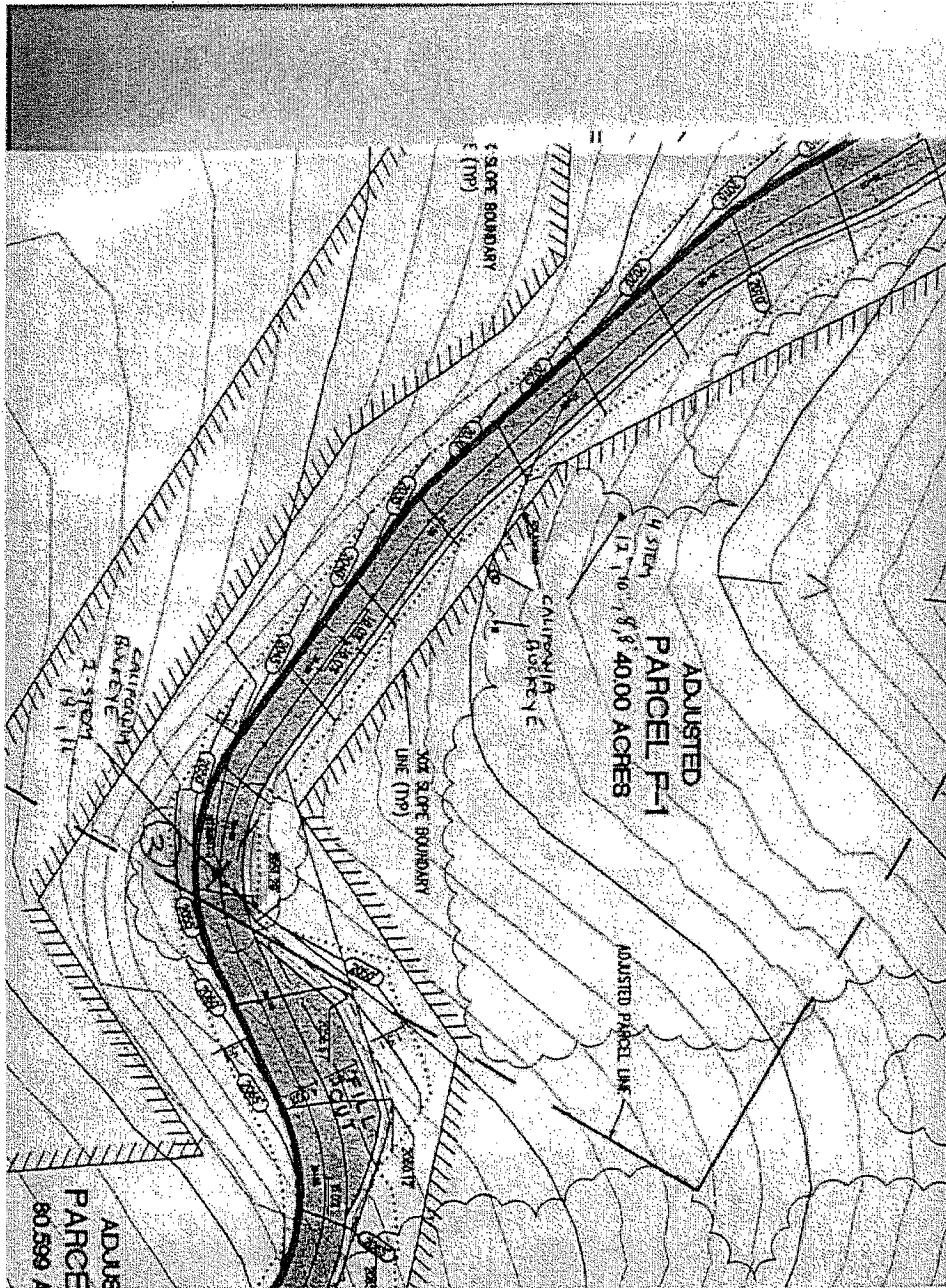


Exhibit V
Construction
Management Plan

CONSTRUCTION MANAGEMENT PLAN
for
VILLALOBOS PROJECT
387 SAN BENANCIO ROAD, SALINAS, CA
Parcels F-1 & G-1, Volume 28 Surveys Page 162
Assessor's Parcel: 416-641-012, and 013

Overview:

The scope of the project located at 387 San Benancio Road, for the purposes of this construction management plan will be to grade and pave the proposed driveway, extend service from the existing water system to the building sites, provide fire protection storage, install a water system with storage tanks for the main residence, second house, and a guest house, all of which will service the Villalobos property. In addition to the new paving and grading of the road, there will be restoration work to repair areas where unauthorized grading has occurred.

The goal of this construction management plan is to minimize traffic impacts and ensure public safety during construction of the proposed driveway. Included herewith is a description of the project's construction schedule, determination of construction personnel trip generation and parking requirements, expected distribution of site and deliveries, identification of proposed staging areas, dust control and any traffic impacts expected to occur during the construction of this project. It is the responsibility of the Contractor to monitor and ensure compliance with this management plan.

Please be advised that most of the construction activity will occur within the property's boundaries. Because of this, most of the activity will not interfere with outside vehicular or pedestrian routes of travel. However, during the times that construction may occur outside of the property's boundaries, all appropriate measures will be taken to ensure safe vehicular and pedestrian passage.

Construction Schedule:

Phase 1- Road Grading, Paving, and Restoration

We expect construction of the proposed driveway along with the restoration work to take approximately 21 days once started. Rough grading of the driveway will take 15 days to move, grade and compact 11,370 cu.yds with no on or off hauling. The laying of the aggregate base and fine grading will take 4 days to import and place 822 cu.yds. (1645 tons) of aggregate base. Paving operations will take 2 days to import and place 411 cu.yds. (823 tons) of asphalt at which time the driveway will be complete. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

During rough grading operations a grader, loader and roller will be used within the project site boundaries. Truck traffic on public roads associated with this stage of the project will be limited to the staging and servicing of the construction equipment. 20 truck trips are needed to complete the rough grading operations over a 15-day period.

The importation and placement of the driveway's aggregate base will require 69 truck trips over a 3 day period. This averages to 23 trucks per day to and from the project site. All transfer and truck dumping operations will occur within the project site boundaries.

Paving operations will require 35 truck trips over a 2-day period to import the asphalt to the job site as well as 8 additional trips to stage an asphalt paving machine, and 2 rollers. This averages out to 22 truck trips over the 2-day period for paving operations.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 6 employees daily at the job site. The project is expected to generate 6 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 2- Water System Installation

We expect construction of the proposed water system to take approximately 16 days once started. Rough grading of the water storage tank pad will take 3 days to move, grade and compact 390 cu.yds with no on or off hauling. The forming and pouring of the concrete pad will take 3 days. Installation of 5,000 gal. water tanks (qty. 9), 2,900 l.f. of 3" main, 2,600 l.f. of 6" main, fire hydrants (qty. 3), and associated plumbing and hardware will take approximately 10 days. Some or all portions of the water system installation may occur simultaneously with road grading and paving operations. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging of materials and concrete delivery within the project boundary and away for the public right-of-way. 27 truck trips are needed to complete the water system installation over a 16-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 3 employees daily at the job site. The project is expected to generate 2 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 3- Construction of 2nd Residence

We expect construction of the proposed second residence to take approximately 190 days once started. Some portions of grading for the guesthouse pad and driveway may be accomplished concurrently with road grading and paving operations when practical. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging and delivery of construction materials. 1 truck trip per day on average is needed to complete construction of the guesthouse over a 190-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 5 employees daily at the job site. The project is expected to generate 4 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

Phase 4- Construction of Main Residence

We expect construction of the proposed main residence to take approximately 190 days once started. Some

portions of grading for the house pad and driveway may be accomplished concurrently with road grading and paving operations when practical. The typical workday will start at 7:30 am and end by 4:00 pm.

Construction Traffic Generated:

Truck traffic on public roads associated with this stage of the project will be limited to the staging and delivery of construction materials. 1 truck trip per day on average is needed to complete construction of the guesthouse over a 190-day period.

Construction Personnel Trip Generation and Parking:

The total number of personnel at the job site will vary depending on the construction activity. It is expected that there will be an average of 5 employees daily at the job site. The project is expected to generate 4 vehicle trips during any peak period of construction. There will be ample on-site parking for all construction personnel vehicles within project boundaries.

All Phases:

Delivery Patterns/Circulation:

All deliveries will access the site via Highway 68 and San Benancio Road. Loading and unloading of all construction materials will take place onsite, near the proposed structures. Material loading and unloading in the public right-of-way will not be allowed. If loading or unloading does need to occur within the public right-of-way, it will take place outside of peak commuter hours and flagmen will be provided to direct and control traffic.

Dust/Erosion Control:

Dust will be minimized using water as control.

The following notes and instructions have been added to sheet C1 of the project's grading plan to insure compliance with erosion control and air quality standards:

1. All disturbed surfaces must be protected from erosion. Between October 15 and April 15, erosion control measures must be in place and continuously maintained.
2. Disturbance of surface vegetation during construction shall be kept to a minimum.
3. Disturbed areas should be seeded, fertilized, and mulched to prevent erosion during winter months. A continuous straw bale barrier shall also be installed below the disturbed areas.
4. All cut and fill slopes shall be planted with a seed mixture consistent with the existing natural vegetation.
5. After cultivation, the erosion control material shall be mixed and applied to all cut and fill slopes in approximately the following proportions:

<u>Material</u>	<u>Per acre (slope measurements)</u>
Seed	51 Pounds
Fertilizer	500 Pounds
Straw Mulch	1,000 Pounds
Water	As Required

6. Rain runoff from the site shall be filtered by a straw bale siltation barrier to prevent the escape of sediment from the site.
7. Temporary cutoff berms or ditches may be constructed to direct runoff to siltation basins prior to outletting into natural channels or onto roads.
8. All erosion control measures must be in place at the end of each day.
9. The use of the best available control measures (bcm's) shall be required during grading and construction operations
 - On site grading construction activities will be limited to two-acres or less per day to ensure that air thresholds for construction-related air impacts are not exceeded.
 - During grading and construction phases of the project, the active grading and construction areas shall be watered at least twice daily or more often when conditions warrant. Frequency shall be based on the type of operation, soil, and wind conditions.

- Haul trucks shall maintain a minimum of 6 inches of freeboard and either be covered or sprinkled with water in such a manner that visible dust will not be emitted during transportation and debris will not be deposited onto public roadways.
- Apply water three times daily or apply non-toxic soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily all paved access roads, parking areas and staging areas at the construction site.
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas.
- Enclose, cover, water twice daily or apply non-toxic soil binders to exposed stockpiles such as dirt, sand, etc..
- Limit traffic speeds on unpaved roads to 10 miles per hour.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Suspend grading activities when winds exceed 25 miles per hour and visible dust clouds cannot be prevented from extending beyond active construction areas.

Sanitation/Trash:

At least one portable latrine shall be kept on site during all phases of the construction activities. In addition to the latrine, a trash bin shall also be kept on site during all phases of the construction activities for the collection of solid waste and construction debris at the each workday. The contractor will specify a location for these facilities near the main area of activity. A regular pickup and servicing schedule should be set and maintained by the contractor.

Summary:

- Phase-1: Construction of the proposed driveway is expected to take approximately 21 days.
- Phase-2: Construction and installation of the water system expected to take approximately 16 days.
- Phase-3: Construction of the proposed 2nd house is expected to take approximately 190 days.
- Phase-4: Construction of the proposed main residence is expected to take approximately 190 days.
- Portions of the construction phasing may overlap with one another, run concurrent, or run sequentially at the discretion of the owner and contractor.
- All construction materials, vehicles and staging will be stored and operated within the property's boundaries and not on the public right-of-way.
- On site parking will be provided to all construction personnel.
- On-site vehicular traffic will be limited to only vehicles associated with the construction of the project. All heavy equipment will be equipped with operable backup alarms.
- A buffer area and gated fence separate the site from the public right-of-way (Sand Benancio Road).
- On-site sanitary facilities shall be supplied and maintained on site during construction operations.
- Contractor shall be responsible for monitoring and ensuring compliance with this management plan.