

## MONTEREY COUNTY PLANNING COMMISSION

|   |  |                           |
|---|--|---------------------------|
| <b>Meeting:</b> April 13, 2011  | <b>Time:</b> 9:00 A.M  | <b>Agenda Item No.:</b> 1 |
| <b>Project Description:</b> Rezone of Assessor's Parcel Number 173-121-016-000 from VO/B-6-UR-D-S to VO/UR-D-S and a Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A). |  |                           |
| <b>Project Location:</b> 24591 Silver Cloud Ct., Monterey   | <b>APN:</b> 173-121-016-000  |                           |
| <b>Planning File Number:</b> PLN090410  | <b>Owner:</b> Oceanview Investors L.P.<br><b>Agent:</b> Ernest Lostrom |                           |
| <b>Planning Area:</b> Greater Monterey Peninsula  | <b>Flagged and staked:</b> No  |                           |
| <b>Zoning Designation:</b> VO/B-6-UR-D-S or "Visitor Serving/Professional Office with Building Site, Urban Reserve, Design Control, and Site Plan Review overlay districts"   |  |                           |
| <b>CEQA Action:</b> Consider the Addendum to the Negative Declaration   |  |                           |
| <b>Department:</b> RMA - Planning Department  |  |                           |

### RECOMMENDATION:

Staff recommends that the Planning Commission:

- 1) Consider the Addendum to the previously adopted Negative Declaration;
- 2) Approve the Standard Subdivision and General Development Plan (PLN090410), based on the findings and evidence and subject to the conditions of approval (**Exhibit B**); and
- 3) Recommend that the Board of Supervisors approve the rezone for Assessor's Parcel Number 173-121-016-000 from VO/B-6-UR-D-S to VO/UR-D-S (**Exhibit C**).

### PROJECT OVERVIEW:

The subject property is located at 24591 Silver Cloud Court, Monterey (Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan, and is zoned VO/B-6-UR-D-S (Visitor Serving/Professional Office with Building Site Plan Review, Design Control, and Site Plan Review overlay districts). On October 12, 2000, the Zoning Administrator adopted a Negative Declaration and approved a Use Permit and Design Approval (PLN000164) allowing a two-story 18,425 square foot professional office building and associated uses on the subject property. The applicant requests to subdivide the interior space of the building (commercial condominium subdivision) allowing the option to sell "units" as an alternative to leasing while maintaining the existing uses and structure. In addition, a General Development Plan was submitted by the applicant (**Exhibit B-2**) stating that the existing approved uses, hours of operation, or parking will have no change.

The subject property was created through a 19-lot subdivision for the Laguna Seca Office Park (Volume 16, Cities and Towns page 32) resulting in the placement of a B-6 overly district over the entire subdivision and restricting future subdivisions of the property (21.42.030.F of the Monterey County Zoning Ordinance). In order to process the project, rezoning of the property will be required to remove the B-6 overlay district removed. Staff is not recommending that the B-6 be replaced post subdivision.

Pursuant to the Guidelines of the California Environmental Quality Act (CEQA) Section 15164, an Addendum to the previously adopted Negative Declaration (ND) was prepared for the project. Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior ND which identified potential impacts caused by the project that were found to be less than significant or to have no impact.

The proposed project was heard before the Standard Subdivision Committee on March 10, 2011 (see attached Resolution No. 11-006). No issues were identified and the Standard Subdivision Committee

recommended that the Planning Commission consider the Addendum to the adopted ND, recommend that the Board of Supervisors approve the rezone, and approve the Standard Subdivision Tentative Map and General Development Plan.

The project was found to be consistent with the applicable area plan, zoning ordinance, and subdivision ordinance. No issues remain. See **Exhibit A-1, B and C** for further discussion.

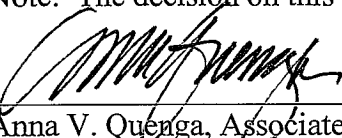
**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:

- √ RMA - Public Works Department
- √ Environmental Health Bureau
- √ Water Resources Agency
- √ Monterey County Regional Fire District

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by the RMA-Public Works Department, Environmental Health Bureau, and the Monterey County Regional Fire District have been incorporated into the Condition Compliance attached as Exhibit 1 to the draft resolution (**Exhibit B**).


The proposed project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on September 1, 2010 pursuant to the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338. This application warrants referral to the LUAC because the project is not exempt from environmental review. The LUAC voted recommendation of the project with a vote of 5 to 0, with one member absent.

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

  
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Anna V. Quenga, Associate Planner  
(831) 755-5175, quengaav@co.monterey.ca.us  
April 1, 2011

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Laura Lawrence, Planning Services Manager; Anna V. Quenga, Project Planner; Carol Allen, Senior Secretary; Oceanview Investors L.P., Owner; Ernest Lostrom, Agent; Planning File PLN090410.

- Attachments:
- Exhibit A Project Data Sheet
  - Exhibit A-1 Project Discussion
  - Exhibit B Draft Resolution, including:
    - 1. Conditions of Approval
    - 2. General Development Plan
    - 3. Tentative Map
  - Exhibit C Draft Resolution Recommending approval of the rezone
    - 1. Draft Ordinance
  - Exhibit D Vicinity Map
  - Exhibit E Greater Monterey Land Use Advisory Committee Minutes
  - Exhibit F Zoning Administrator Resolution No. 000164 (for PLN000164)
  - Exhibit G Addendum to the Negative Declaration (ND) including a copy of the ND for PLN000164
  - Exhibit H Standard Subdivision Committee Resolution No. 11-006

This report was reviewed by Laura Lawrence, Planning Services Manager  
Oceanview Investors L.P. (PLN090410)  Page 2

## EXHIBIT A

### Project Data Sheet for PLN090410

Project Title: OCEANVIEW INVESTMENTS L.P.

Location: 24591 SILVER CLOUD COURT  
MONTEREY

Primary APN: 424-331-013-000

Applicable Plan: GREATER MONTEREY  
PENINSULA AREA PLAN

Coastal Zone: NO

Permit Type: STANDARD SUBDIVISION

Zoning: VO/B-6/UR/D/S

Environmental Status: ADDENDUM TO ND

Plan Designation: VISITOR SERVING/  
PROFESSIONAL OFFICE

Advisory Committee: GMP LUAC

Final Action Deadline (884): 04/1/2011

#### Project Site Data:

Lot Size: 1 ACRE

Coverage Allowed: 50%

Coverage Proposed: N/A

Existing Structures (SF): 18,425 SQ FT

Height Allowed: 35'

Height Proposed: N/A

Proposed Structures (SF): N/A

Total SF: 18,425 SQ FT

Floor Area Ratio Allowed: N/A

Floor Area Ratio Proposed: N/A

#### Resource Zones and Reports:

Environmentally Sensitive Habitat: N/A

Erosion Hazard Zone: N/A

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: MODERATE

Geologic Hazard Zone: UND

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: N/A

Traffic Report #: N/A

#### Other Information:

Water Source: CALIFORNIA AMERICAN  
WATER CO

Sewage Disposal (method): SEWER

Water Dist/Co: MPWMD

Sewer District Name: CALIFORNIA AMERICAN  
WATER CO

Fire District: MONTEREY COUNTY  
REGIONAL FPD

Total Grading (cubic yds.): N/A

Tree Removal: N/A

# EXHIBIT A-1

## PROJECT DISCUSSION

### Project Overview

The subject property contains an existing two-story 18,425 square foot professional office building. An environmental review and entitlements for the structure were obtained by a Use Permit (PLN000164) approved by the Monterey County Zoning Administrator on October 12, 2000. The applicant requests a standard subdivision to allow the commercial condominium subdivision of the existing building creating seven (7) units, or ownership parcels, with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A). Pursuant to Section 21.22.030.A.3 of the Monterey County Zoning Ordinance (Title 21), a General Development Plan (GDP) has been submitted by the applicant. The GDP includes provisions for uses (restricted to professional offices), hours of operation (8:00 AM to 6:00 PM), employees (approximately 25, not including visitors), parking (53 parking stalls and additional street parking), site development standards, signs, landscaping, recycling, exterior lighting, and hazardous materials. No changes are anticipated with approval of the subdivision and a condition has been incorporated requiring the applicant to place a note on the final map referring to the approved GDP (attached hereto as **Exhibit B-2** and incorporated herein by reference).

### Rezone

When the Laguna Seca Office Park was created, the sewer collection system, sewer plant, water system improvements, underground utility facilities, and improvements to Highway 68 were designed and sized to support the overall buildout. Parcels resulting from the Laguna Seca Office Park subdivision, including the subject property, were zoned with a B-6 (Building Site) overlay district in order to establish a fixed impact and capacity to the planned infrastructure systems. The proposed commercial condominium subdivision does not include an increase in the amount of units within the existing building, nor is the permitted use proposed for modification. Therefore, the subdivision will not result in the increase of water connections, sewer connections, or traffic then what already exists. Based on these factors, the applicant proposes to rezone the property and lift the B-6 in order to allow for the project's consistency with the zoning district. The subdivision will remain to be consistent with the purpose of the B-6 as it will not create an additional impact on infrastructure. Staff does not recommend the B-6 be replaced on the resulting parcels, as further subdivision of the resulting parcels would not be feasible.

### CEQA

A Negative Declaration was prepared for the previous Use Permit and Design Approval (PLN000164) and adopted by the Zoning Administrator on October 12, 2000 (Resolution No. 000164). No significant impacts requiring mitigation were identified. The project includes the subdivision of the interior space of the existing building, creating a commercial condominium subdivision which will not result in a change to the physical environment. No new impacts were identified, the project will not cause substantial change, and no new information requiring a major revision to the adopted ND was found. Therefore, pursuant to Section 15164 of the California Environmental Quality Act guidelines, an addendum was prepared (**Exhibit G**).

### Consistency

The proposed project was found to be consistent with the 2010 General Plan, the Greater Monterey Peninsula Area Plan, the Greater Monterey Peninsula Inventory and Analysis, the Monterey County Zoning Ordinance (Title 21), and the Monterey County Subdivision Ordinance (Title 19). No issues remain.

**EXHIBIT B  
DRAFT RESOLUTION**

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

In the matter of the application of:

**Oceanview Investors L.P. (PLN090410)**

**RESOLUTION NO. [REDACTED]**

Resolution by the Monterey County Planning  
Commission to:

- 1) Consider the Addendum to the previously adopted Negative Declaration; and
- 2) Approve the Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A); and

[PLN090410, Oceanview Investors L.P., 24591 Silver Cloud Court, Monterey, Greater Monterey Peninsula Area (APN: 173-121-016-000)]

**The Standard Subdivision application (PLN090410) came on for public hearing before the Monterey County Planning Commission on April 13, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Standard Subdivision Committee finds and decides as follows:**

**FINDINGS**

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.  
**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
  - the 2010 Monterey County General Plan;
  - Greater Monterey Peninsula Area Plan;
  - Greater Monterey Peninsula Area Plan, Inventory and Analysis;
  - Monterey County Zoning Ordinance (Title 21); and
  - Monterey County Subdivision Ordinance (Title 19).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 24591 Silver Cloud Court, Monterey (Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan. The parcel is zoned VO/B-6-UR-D-S (Visitor Serving/Professional Office with Building Site Plan Review, Design

- Control, and Site Plan Review overlay districts). The project does not include a change in the permitted use within the existing building (see subsequent Evidence c). Therefore, the uses remain consistent with the respective zoning district.
- c) On October 12, 2000, the Zoning Administrator adopted a Negative Declaration and approved a Use Permit and Design Approval (PLN000164) for the construction of a two-story 18,425 square foot office building on the subject property. Construction was completed and commercial tenants now occupy the building. The applicant requests to subdivide the interior space of the building (commercial condominium subdivision) to allow the option to sell “units” instead of leasing. The proposed subdivision will not result in a physical change to the land and/or structure.
  - d) Design Control and Site Plan review overlay districts require an additional review of projects if exterior modifications are proposed (see Sections 21.44 and 21.45 of the Monterey County Zoning Ordinance). No exterior modifications to the existing building are proposed; therefore, a Design Approval is not required.
  - e) A B-6 overly district was placed over the subject property as a result of a previous Subdivision (Volume 16, Cities and Towns page 32) for the Laguna Seca Office Park, restricting future subdivisions of the property (21.42.030.F of the Monterey County Zoning Ordinance). The B-6 was required to establish a fixed impact and capacity to the planned infrastructure systems in the project area. When the Laguna Seca Office Park was created, the sewer collection system, sewer plant, water system improvements, underground utility facilities, and improvements to Highway 68 were designed and sized to support the overall buildout. The proposed commercial condominium subdivision does not include an increase in the amount of units within the existing building, nor is the permitted use proposed for modification. Therefore, the subdivision will not result in the increase of water connections, sewer connections, or traffic that already exists. Based on these factors, the applicant proposes to rezone the property and lift the B-6 in order to allow for the project’s consistency with the zoning district. The subdivision will remain consistent with the purpose of the B-6, as it will not create an additional impact on infrastructure. The subdivision would be consistent with the zoning if the Board of Supervisors approves the proposed rezone. A condition of approval has been incorporated requiring Board of Supervisors approval prior to filing of the final map.
  - f) The proposed subdivision is consistent with the Greater Monterey Peninsula Area Plan (GMPAP). Policy No. GMP 3.14 of the GMPAP states that the County will encourage development projects to be served by water from public utilities or mutual water companies. Policies for protection of open space, geology, minerals, soils, water resources, vegetation and wildlife habitats, ocean resources, environmentally sensitive areas, archaeological resources, and energy resources were not identified to pertain to the project.
  - g) The proposed subdivision is consistent with the 2010 Monterey County General Plan. Policy No. LU-1.19 of the 2010 Monterey County General Plan requires residential developments of five (5) or more lots or units be subject to review by a Development Evaluation System.

This also applies to commercial subdivisions with traffic, water, or wastewater impacts similar to a five lot (or more) residential subdivision. Although more than five new lots will be created, there will be no change in use or intensity as a result of the proposed condominium subdivision. Therefore, the impacts are not similar to a five lot residential subdivision and project is not subject to review by a Development Evaluation System.

- h) The proposed project is found to be consistent with the Monterey County Subdivision Ordinance (see subsequent Finding No. 6).
- i) The project planner conducted a site inspection on September 7, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The proposed project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on September 1, 2010 pursuant to the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338. This application warrants referral to the LUAC because the project is not exempt from environmental review. The LUAC voted recommendation of the project with a vote of 5 to 0, with one member absent.
- k) Pursuant to Section 19.03.025.C of the Subdivision Ordinance (Title 19), the project was considered by the Standard Subdivision Committee on March 10, 2011 and forwarded staff's recommendation of the project to the Planning Commission.
- l) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File No. PLN090410.

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, the Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) The proposed project was reviewed relative to resource material (Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, the Monterey County Geographic Information System) and no potential impacts caused by the project were identified. Therefore, no reports were required to be submitted as part of the subdivision application.
  - c) Staff conducted a site inspection on September 7, 2010 to verify that the site is suitable for this use.
  - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File No. PLN090410.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or

operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by the Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) Necessary public facilities are available. The existing office building is serviced by the Laguna Seca Office Park infrastructure. The subdivision will not require an increase in the existing service connections provided by the water and sewer purveyor, California American Water Company (also refer to Finding No. 1, Evidence e).
  - c) Preceding findings and supporting evidence for Project File No. PLN090410.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
  - b) Staff conducted a site inspection on September 7, 2010 and researched County records to assess if any violation exists on the subject property.
  - c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File No. PLN090410.

5. **FINDING:** **CEQA (Addendum):** - An Addendum to a previously adopted Negative Declaration (ND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted ND.

- EVIDENCE:**
- a) An ND for the Archer Use Permit and Design Approval (PLN000164) was prepared and adopted by the Zoning Administrator on October 12, 2000 (Resolution No. 000164). The Use Permit and Design Approval allowed the construction of a two-story 18,425 square foot office building on the subject property. The applicant requests to subdivide the interior space of the building (commercial condominium subdivision) to allow the sale of "units" instead of leasing. This will not result in a physical change to the land and/or structure.
  - b) An Addendum to the Archer Use Permit and Design Approval (PLN000164) project ND was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).
  - c) The Addendum attached as **Exhibit G** of the March 10, 2011 Standard Subdivision Committee staff report and reflects the County's



independent judgment and analysis.

- d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major revisions to the prior ND which identified potential impacts caused by the project that were found to be less than significant or to have no impact. Since the proposed subdivision will not result in a change to the physical environment, no new impacts are identified.
- e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the ND was adopted. The proposed subdivision does not result in the intensification of use on the property which would result in an impact to resources identified in the area. Therefore no new reports or information was required to be submitted by the applicant.

6. **FINDING:** **GENERAL DEVELOPMENT PLAN** –Monterey County Code requires a General Development Plan (GDP) prior to the establishment of uses/development if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision.

- EVIDENCE:**
- a) Pursuant to Section 21.22.030.A.3 (Visitor Serving/Professional Office) of the Monterey County Zoning Ordinance, the proposed subdivision requires a GDP.
  - b) The project as described in the application and accompanying materials was reviewed by the Planning Department, Monterey County Regional Fire Protection District, Parks Department, Public Works Department, Environmental Health Bureau, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general.
  - c) A General Development Plan has been developed that includes provisions for uses, hours of operation, employees, parking, site development standards, signs, landscaping, recycling, exterior lighting, and hazardous materials. The GDP is attached hereto as Exhibit 2 and incorporated herein by reference. A condition of approval has been incorporated requiring the applicant to place a note on the plans referring to the approve GDP.
  - d) Staff conducted site inspections on September 7, 2010, to verify that the proposed GDP and project are consistent with allowed uses for a professional office site.
  - e) Materials in Planning File PLN090410.

7. **FINDING:** **SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code requires that a request for subdivision be denied if any of the following findings are made:

1. That the proposed map is not consistent with the applicable general plan and specific plans.
2. That the design or improvement of the proposed subdivision is not consistent with the applicable general plan and specific plans.
3. That the site is not physically suitable for the type of development.

4. That the site is not physically suitable for the proposed density of development.
5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- EVIDENCE:**
- a) Consistency. The project as designed and conditioned is consistent with the 2010 Monterey County General Plan, Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance. (See Finding Nos. 1 and 6)
  - b) Design. The lot design is consistent with the Lot Design Standards of Section 19.10.030 County Codes.
  - c) Site Suitability. The site is suitable for the proposed project including the type and density of the development (see Finding No. 2 and following Evidence)
  - d) Health and Safety. The proposed project as designed and conditioned will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. (See Finding No. 3 and following Evidence)
  - e) Easements. The subdivision or the type of improvements will not conflict with easements. There are no existing easements that will be affected by the subdivision. However, the applicant proposes easement areas within the building to provide for common areas, exclusive use common areas, and balcony easements. The Public Works Department has conditioned the project to require the applicant to delineate all easements on the recorded Final Map.
  - f) Water Supply. Section 19.10.070 MCC requires that provisions shall be made for such domestic water supply as may be necessary to protect public health, safety, or welfare, that the source of supply is adequate and potable, and that there is proof of a long term water supply with the proposed project. Sections 19.03.015.L and 19.07.020.K MCC requires Water Supply and Nitrate Loading Information in order to assess these conditions. There will be not increase in water service connections as a result of the subdivision (see Finding No. 3, Evidence c).
  - g) Sewage Disposal (Sections 19.03.015.K and 19.07.020.J MCC). There will be not increase in sewer service connections as a result of the subdivision (see Finding No. 3, Evidence c).
  - h) Traffic The Public Works Department has reviewed the proposed subdivision and no traffic concerns were identified.
  - i) Affordable Housing The proposed project does not include residential housing units. Therefore, it is not required to meet the County's Inclusionary Housing Ordinance No. 04185.
  - j) Parks and Recreation The proposed project was referred to the Parks Department for review. Parks has determined that the proposed commercial subdivision does not fall into the requirements of the

- Quimby Act. Therefore, the project is not required to provide recreational facilities onsite or pay fees towards the Regional Parks.
- k) The application, tentative map and supporting materials submitted by the project applicant to the Monterey County RMA-Planning Department for the proposed development are found in Project File No. PLN090410.
  - l) The project planner conducted a site inspection on September 7, 2010.

8. **FINDING:** **APPEALABILITY** - The decision on the proposed subdivision may be appealed to the Board of Supervisors.
- EVIDENCE:** Section 19.16.020.B of the Monterey County Subdivision Ordinance (Board of Supervisors).

### DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

- A. Consider the Addendum to previously adopted Negative Declaration; and
- B. Approve the Standard Subdivision Tentative Map and General Development Plan (**Exhibit 3**) to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A), in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), all exhibits being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 13th day of April, 2011 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Mike Novo, Planning Commission Secretary

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

## NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

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

Project Name: Oceanview Investors L.P.

File No: PLN090410

APNs: 173-121-016-000

Approved by: Planning Commission

Date: April 13, 2011

*\*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) |
|----------------------------------|---------------|--|---|---|--|--|
| <b>RMA – Planning Department</b> |               |  |   |   |  |  |
| 1.                               |               | <p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Standard Subdivision Tentative Map and General Development Plan (PLN090410) allows the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A). The property is located at 24591 Silver Cloud Court, Monterey (Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>(RMA-Planning Department)</b></p> | <p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p> | <p>Owner/<br/>Applicant</p> <p>RMA -<br/>Planning</p> <p>WRA<br/>RMA -<br/>Planning</p> | <p>Ongoing unless otherwise stated</p> |  |

| Permit Cond. Number | Mittig. 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><b>PD002 - NOTICE-PERMIT APPROVAL</b><br/> The applicant shall record a notice which states: "A permit (Resolution [redacted]) was approved by the Planning Commission for Assessor's Parcel Number 173-121-016-000 on April 13, 2011. The permit was granted subject to 13 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." <b>(RMA-Planning Department)</b></p>   | <p>Obtain appropriate form from the RMA-Planning Department.<br/><br/> The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>   | <p>Owner/<br/> Applicant<br/><br/> RMA-<br/> Planning</p> | <p>Prior to the issuance of grading and building permits or commencement of use.</p>   |  |
| 3.                  |                | <p><b>PD004 - INDEMNIFICATION AGREEMENT</b><br/> 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</p> | <p>Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County.<br/><br/> Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.</p> | <p>Owner/<br/> 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) |
|---------------------|---------------|---|--|----------------------------------|---|--|
|                     |               | 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. <b>(RMA - Planning Department)</b>   |  |                                  |   |  |
| 4.                  |               | <b>PD032(A) - PERMIT EXPIRATION</b><br>The permit shall be granted for a time period of 2 years, to expire on April 14, 2013 unless use of the property or actual construction has begun within this period. <b>(RMA - Planning Department)</b>   | The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date. | Owner/<br>Applicant              | As stated in the conditions of approval |  |
| 5.                  |               | <b>PDSP001 - GENERAL DEVELOPMENT PLAN (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that a General Development Plan has been prepared by Oceanview Investments, for Planning File No. PLN090410 and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report." <b>(RMA - Planning Department)</b>   | The requirements of this condition shall be included as a note on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval.  | Owner/<br>Applicant              | Prior to recordation of Final Map       |  |
| 6.                  |               | <b>PDSP002 - BOARD OF SUPERVISORS APPROVAL (NON-STANDARD)</b><br>Prior to recordation of the Final Map, the applicant shall receive approval from the Board of Supervisors to allow the rezone of the subject property located at 24591 Silver Court, Monterey (Assessor's Parcel Number 173-121-016-000) from Visitor Serving/Professional Office with Building Site Plan Review, Design Control, and Site Plan Review overlay districts (VO/B-6-UR-D-S) to Visitor Serving/Professional Office with Design Control and Site Plan Review overlay districts (VO/UR-D-S). <b>(RMA - Planning Department)</b> | The subject property shall be rezoned to remove the Building Site Plan Review (B-6) overlay zoning district prior to filing of the final map.  | Owner/<br>Applicant              | Prior to recordation of Final Map       |  |

| 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>Conditions Carried Over From PLN000164</b> |               |  |  |                                  |                                   |  |
| 7.  |               | <b>PSD002 – DESIGN APPROVAL (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that all exterior design changes, including color changes associated with repainting, re-roofing, and lighting changes, require a Design Approval to be approved by the Planning Commission. <b>(RMA-Planning)</b> | The requirements of this condition shall be included as a not on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval. | Owner/<br>Applicant              | Prior to recordation of Final Map |  |
| 8.  |               | <b>PSD003 - LANDSCAPING (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that all landscaped areas be continuously maintained in a litter-free, weed-free, healthy growing condition. <b>(RMA-Planning Department)</b>  | The requirements of this condition shall be included as a not on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval. | Owner/<br>Applicant              | Prior to recordation of Final Map |  |
| <b>RMA – Public Works Department</b>          |               |  |  |                                  |                                   |  |
| 9.  |               | <b>PW0015 – UTILITY’S COMMENTS</b><br>Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. <b>(Public Works)</b>  | Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW   | Owner/<br>Applicant              | Prior to recordation of Final Map |  |
| 10.   |               | <b>PWSP001 – CONDOMINIUM MAP (NON-STANDARD)</b><br>File a condominium map delineating all existing and required easements or rights-of-way and monument new lines. <b>(Public Works)</b>   | Subdivider’s Surveyor shall include all existing and required easements or rights of way on Final Map.   | Subdivider/<br>Surveyor          | Prior to recordation of Final Map |  |
| 11.   |               | <b>PWSP002 – ROAD AND DRAINAGE MAINTENANCE ASSOCIATION (NON-STANDARD)</b>  | Subdivider’s Surveyor shall include all existing and required easements or rights of way on Final Map.   | Subdivider/<br>Surveyor          | Prior to recordation of Final Map |  |



| 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) |
|---|---------------|--|--|--|--|--|
|   |               | A property owners association or other responsible entity shall be legally formed and maintained, and a fee program to fund operation and maintenance shall be implemented. The association shall be responsible for the maintenance of site for road, drainage, and common areas. The Public Works Department shall be provided a copy of the fully executed and recorded documentation for the formation of the property owners association and appropriate documentation shall be recorded against each parcel within the subdivision. <b>(Public Works)</b>  | Subdivider shall submit documentation to DPW for formation of homeowners association or other entity to maintain roads and drainage improvements.<br><br>Appropriate documentation shall be recorded against each parcel within the subdivision. | Subdivider/Surveyor<br><br>Subdivider/Surveyor | Concurrent with recordation of Final Map<br><br>Subsequent to recordation of Final Map |  |
| <b>Environmental Health Bureau</b>            |               |  |  |  |  |  |
| 12.   |               | <b>EH40 - MEDICAL WASTE</b><br>Storage, transportation, and disposal of biohazardous/medical wastes shall be in compliance with of Title 22, Division 20, Chapter 6.1 of the California Code of Regulations. <b>(Environmental Health)</b>   | The operation shall register and shall maintain a valid permit from the Division of Environmental Health.  | Owner/Applicant                                | Prior to issuance of building permits/Continuous condition                             |  |
| <b>Monterey County Regional Fire District</b> |               |  |  |  |  |  |
| 13.   |               | <b>FIRESP001 – PROPERTY OWNERS ASSOCIATION (NON-STANDARD)</b><br>A property owners association shall be legally formed and maintained. The association shall be responsible for the maintenance of site and system plans and/or information, maintenance and repair of all fire protection systems and their appurtenances, including but not limited to fire sprinklers and fire alarm. The association shall also maintain fire department access (driveway, parking lot, etc.), as well as building/suite addresses and other required signage. A representative of the property owners association shall be designated as an emergency contact person. The association shall send to the fire department | Prior to approval of Final Map, applicant shall provide to the Monterey County Regional Fire District a fully executed and recorded documentation of the formation of the condominium or property owners association                             | Owner/Applicant                                | Prior to recordation of Final Map  |  |

| Permit<br>Cond.<br>Number | Mitig.<br>Number | Conditions of Approval and/or Mitigation Measures and<br>Responsible Land Use Department  | Compliance or Monitoring Actions<br>to be performed. Where applicable, a<br>certified professional is required for<br>action to be accepted. | Responsible<br>Party for<br>Compliance | Timing | Verification<br>of<br>Compliance<br>(name/date) |
|---------------------------|------------------|---|--|--|--------|---|
|                           |                  | written notification of any change in association<br>representatives and/or emergency contact persons. The<br>fire department shall be provided a copy of the fully<br>executed and recorded documentation for the formation of<br>the property owners association. ( <b>Monterey County<br/>Rural Fire Protection District</b> ) |  |  |        |   |

**END OF CONDITIONS**

Rev. 08/25/2010

**EXHIBIT "C"**

**DRAFT PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL  
OF REZONE OF ASSESSOR'S PARCEL NUMBER 173-121-016-000**

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

Resolution No. \_\_\_\_\_ )  
Resolution of the Monterey County )  
Planning Commission recommending )  
adoption of an ordinance )  
amending Title 21 (Zoning Ordinance) )  
to the Monterey )  
County Board of Supervisors )

This resolution is made with reference to the following facts:

**I. RECITALS:**

1. The proposed Oceanview Investors L.P. project (PLN090410) consists of: A Rezone to allow a Standard Subdivision Tentative Map and General Development Plan for the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A) The project is located at the northern corner of Axtell Street and Preston Street and areas north and west of Davis Street, Castroville (hereafter the "Property").
2. The proposed zoning ordinance is attached to this Resolution as **Attachment A** and is incorporated herein by reference. The ordinance would amend Section 21-17B of the Sectional District Maps of Section 21.08.060 of Title 21 (Zoning) of the Monterey County Code to change the existing zoning designations of Visitor Serving/Professional Office with Building Site Plan Review, Design Control, and Site Plan Review overlay districts (VO/B-6-UR-D-S) to Visitor Serving/Professional Office with Design Control and Site Plan Review overlay districts (VO/UR-D-S) to the Property.
3. A B-6 overly district was placed over the subject property as a result of a previous Subdivision (Volume 16, Cities and Towns page 32) for the Laguna Seca Office Park, restricting future subdivisions of the property (21.42.030.F of the Monterey County Zoning Ordinance). The B-6 was required to establish a fixed impact and capacity to the planned infrastructure systems in the project area. When the Laguna Seca Office Park was created, the sewer collection system, sewer plant, water system improvements, underground utility facilities, and improvements to Highway 68 were designed and sized to support the overall buildout. The proposed commercial condominium subdivision does not include an increase in the amount of units within the existing building, nor is the permitted use proposed for modification. Therefore, the subdivision will not result in the increase of water connections, sewer connections, or traffic that already exists. Based on these factors, the applicant proposes to rezone the property and lift the B-6 in order to allow for the project's consistency with the zoning district. The subdivision

will remain to be consistent with the purpose of the B-6 as it will not create an additional impact on infrastructure.

6. The Planning Commission held a duly noticed public hearing on April 13, 2011 to make a recommendation to the Board on, among other actions, adoption of this ordinance.

## II. DECISION:

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission hereby recommends that the Board of Supervisors adopt the attached hereto as Attachment A Ordinance amending Title 21 (Zoning Ordinance) of the Monterey County Code.

**PASSED AND ADOPTED** on this April 13, 2011, upon motion of Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote, to-wit:

AYES:  
NOES:  
ABSENT:

By \_\_\_\_\_  
MIKE NOVO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON:

**ATTACHMENT A TO EXHIBIT "C"**  
**DRAFT ZONING ORDINANCE AND ZONING MAP**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA AMENDING SECTION 21.08.060 OF TITLE 21 (ZONING) OF THE MONTEREY COUNTY CODE TO REMOVE THE BUILDING SITE PLAN OVERLAY DISTRICT FROM THE SUBJECT PROPERTY LOCATED AT 24591 SILVER CLOUD COURT, MONTEREY (APN 173-121-016-000).

***County Counsel Summary***

*This ordinance amends Section 21-17b of the Sectional District Maps of Section 21.08.060 of Title 21 (Zoning) of the Monterey County Code to remove the building site plan overlay district from the Oceanview Investors L.P. Permit (PLN090410) area, including zoning districts to accommodate a commercial condominium subdivision and its associated uses.*

The Board of Supervisors of the County of Monterey ordains as follows:

**SECTION 1.** Section 21-17B of the Sectional District Maps of Section 21.08.060 of the Monterey County Code is hereby amended as shown on the map attached hereto as Exhibit A and incorporated herein by reference.

*17B the Sectional District Maps of subject properties located at 24591 Silver Cloud Court, Monterey (APN 173-121-016-000), with a total acreage of 1 acre. 17B of the Sectional District Maps of to change the zoning Visitor Serving/Professional Office with Building Site Plan Review, Design Control, and Site Plan Review overlay districts (VO/B-6-UR-D-S) to Visitor Serving/Professional Office with Design Control and Site Plan Review overlay districts (VO/UR-D-S).*

**SECTION 2. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

**SECTION 3. EFFECTIVE DATE.** This Ordinance shall become effective on the 31<sup>st</sup> day after its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by the following vote:

AYES: Supervisors

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Jane Parker, Chair  
Monterey County Board of Supervisors

Attest:

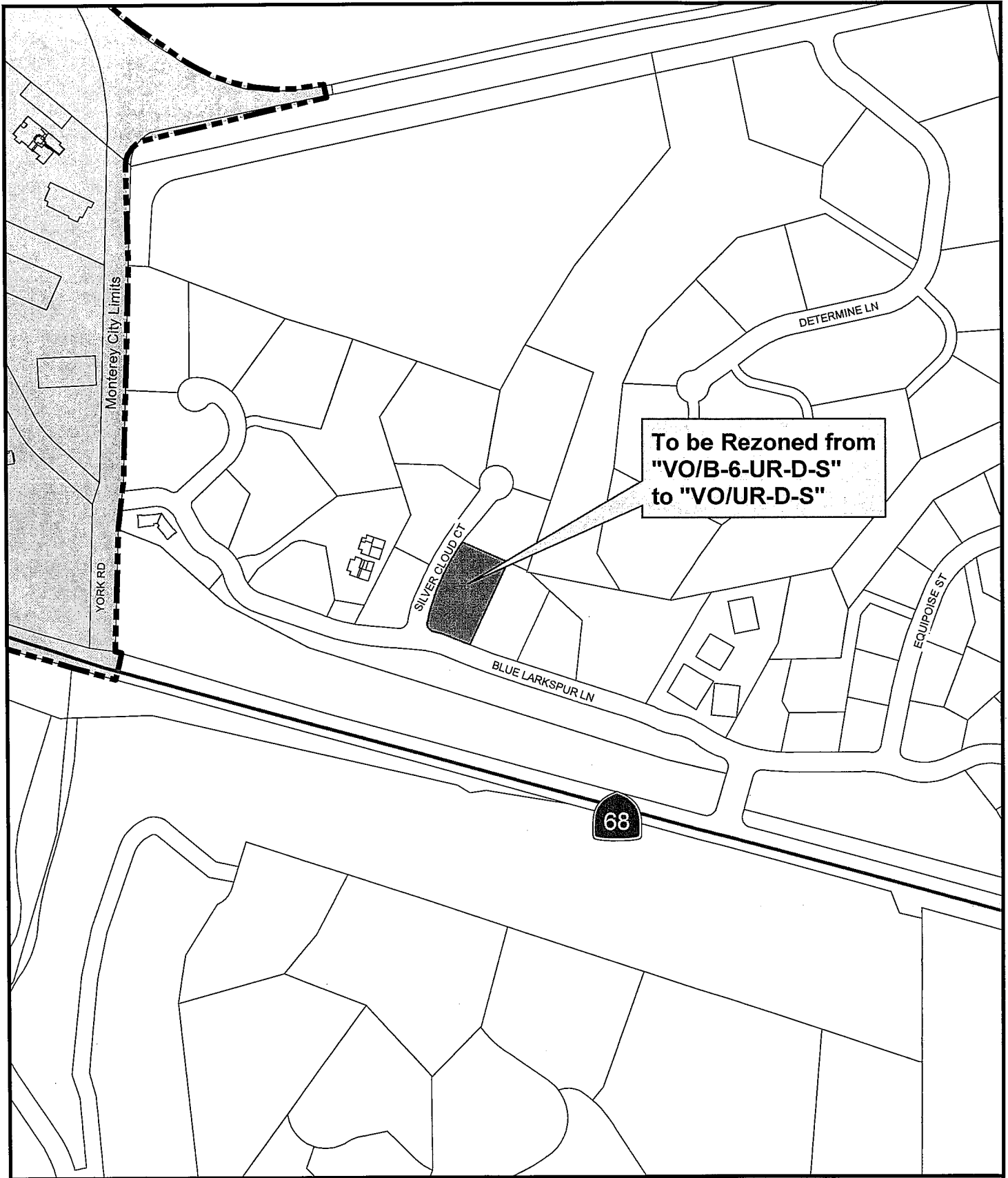
Gail T. Borkowski  
, Clerk of the Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Leroy W. Blankenship, Assistant County Counsel

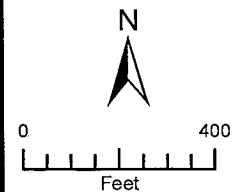
# EXHIBIT A



## PROPOSED REZONING

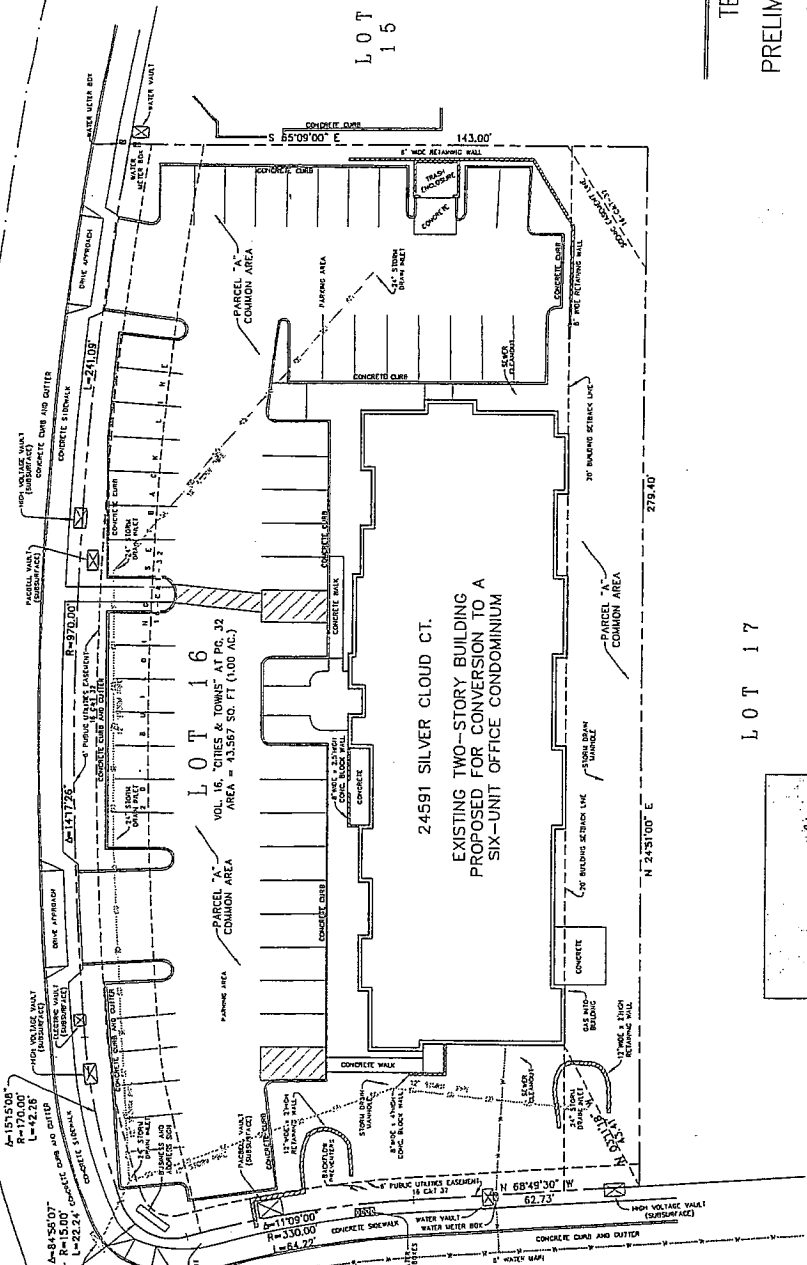
APN: 173-121-016-000

FILE # PLN090410, Oceanview Investors LP



SILVER CLOUD COURT  
(A 60' WIDE COUNTY ROAD)

BLUE LARKSPUR LANE  
(A 60' WIDE COUNTY ROAD)

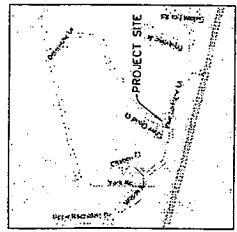


LOT 15

LOT 16  
VOL. 15, "CITIES & TOWNS" AT PG. 30  
AREA = 43,567 SQ. FT. (1.00 AC.)

24591 SILVER CLOUD CT.  
EXISTING TWO-STORY BUILDING  
PROPOSED FOR CONVERSION TO A  
SIX-UNIT OFFICE CONDOMINIUM

LOT 17



VICINITY MAP  
N.T.S.

- NOTES:
1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. BUILDINGS AND OTHER SITE PLANNOMETRY SHOWN HEREON FROM OTHER SOURCES.

TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
OF  
LOT 16 IN TRACT NO. 1068,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
**Oceanview Investments**

BY  
CENTRAL COAST SURVEYORS  
MONTEREY, CALIFORNIA 93940  
PHONE: (408) 398-4331  
FAX: (408) 398-4833

SCALE: 1" = 20'  
JOB NO. 09-03  
FEBRUARY 2009  
PREPARED BY: OIZ

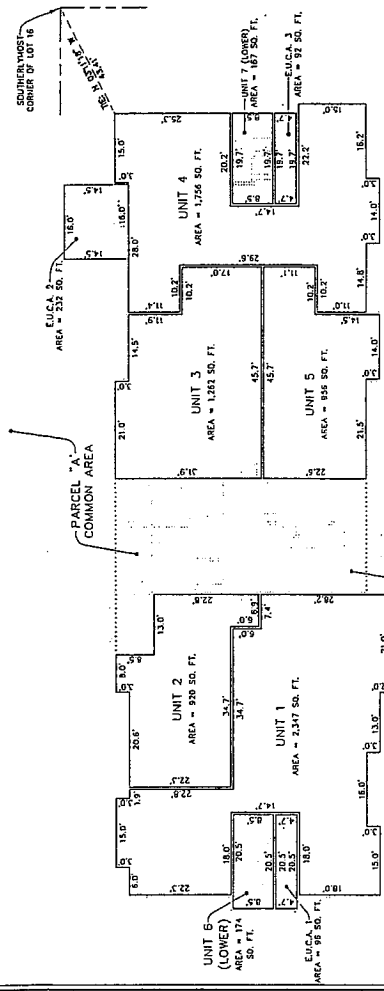
APN 173-121-016  
UPDATED FEB. 2, 2010  
SHEET 1 OF 2







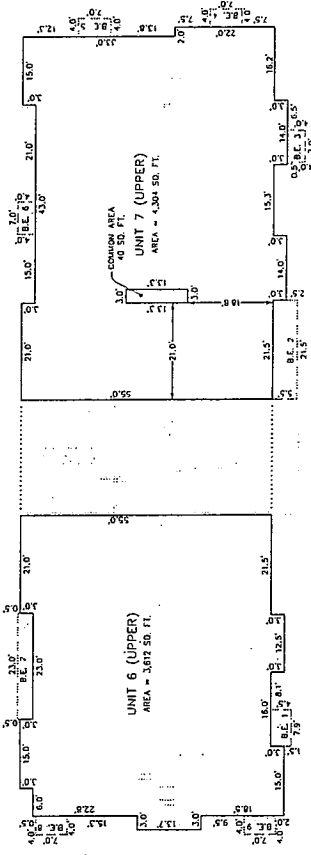
SCALE: 1" = 16'



LOWER FLOOR

AREA TABULATION

| UNIT            | FLOOR AREA (SQ. FT.) |
|-----------------|----------------------|
| UNIT 1          | 2,347                |
| UNIT 2          | 930                  |
| UNIT 3          | 1,253                |
| UNIT 4          | 1,254                |
| UNIT 5          | 935                  |
| UNIT 6 (LOWER)  | 174                  |
| UNIT 7 (LOWER)  | 167                  |
| E.U.C.A. 1      | 95                   |
| E.U.C.A. 2      | 232                  |
| E.U.C.A. 3      | 82                   |
| BLDG. FOOTPRINT | 9,725                |



UPPER FLOOR

AREA TABULATION

| UNIT              | FLOOR AREA (SQ. FT.) |
|-------------------|----------------------|
| UNIT 6 (UPPER)    | 3,672                |
| UNIT 7 (UPPER)    | 4,304                |
| UNIT 8 (UPPER)    | 36                   |
| B.L.E. 1          | 118                  |
| B.L.E. 2          | 28                   |
| B.L.E. 3          | 28                   |
| B.L.E. 4          | 28                   |
| B.L.E. 5          | 28                   |
| B.L.E. 6          | 28                   |
| B.L.E. 7          | 28                   |
| B.L.E. 8          | 28                   |
| B.L.E. 9          | 28                   |
| B.L.E. 10         | 28                   |
| COMMON AREA       | 40                   |
| SECOND FLOOR AREA | 9,657                |

24591 SILVER CLOUD CT.

TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN

LOT 16 IN TRACT NO. 1068,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
**Oceanview Investments**

BY  
**CENTRAL COAST SURVEYORS**  
5 HARRIS COURT, SUITE 14-11 MONTEREY, CALIFORNIA 93910  
Phone: (831) 384-4930  
Fax: (831) 335-5251

SCALE: 1" = 16'  
JOB NO. 09-03  
PREPARED: DRG  
FEBRUARY 2009  
APN 173-121-016  
UPDATED FEB. 2, 2010  
SHEET 2 OF 2

- NOTES:
1. ALL MEASUREMENTS ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. BUILDINGS AND OTHER SITE PLANNOMETRY SHOWN HEREON FROM OTHER SOURCES.
  3. E.U.C.A. = EXCLUSIVE USE COMMON AREA.
  4. B.E. = BALCONY EASEMENT.

# GENERAL DEVELOPMENT PLAN

24591 Silver Cloud Court

Monterey, CA 93940

PLN # 090410

The subject property is an existing office building located in the Laguna Seca Office Park, Monterey, CA. This building was built in 2003. No physical changes to the interior or exterior will occur as a result of approval of this application as it is just a mapping/parcel map being proposed.



Purpose of the current submittals are to merely place a parcel map which encompass the existing office spaces in the building to allow for the occupants of such space to purchase their office space. The parcel size is just under an acre and all of the landscaping has matured.

## GENERAL DEVELOPMENT PLAN

PLN #090410

PAGE TWO

USES: Uses will remain as currently occupied, as professional office space. At the current time there are two law firms and one medical practice in the building, with two units being available for lease.

HOURS OF OPERATION: Hours of operation will remain as current, with most of the tenants starting their work day around 8:00 AM and concluding same by 6:00PM. Typically there is very little activity at the property on weekends. No change in hours of operation are anticipated.

EMPLOYEES: Currently there are about 25 occupants of the subject building, plus normal visitors.

PARKING: Parking is consistent with the building plans as submitted and approved by the County of Monterey in 2002. The site plan which is attached hereto shows 53 parking spaces on site plus there is available street parking on Silver Cloud Court. No changes will be made to the approved parking.

SITE DEVELOPMENT STANDARDS: Existing building, which was completed in 2003 as approved by the County of Monterey. No physical changes will be made to the site.

SIGNS: Signs on the site are as approved by the County of Monterey. No changes are anticipated.

LANDSCAPING PLAN: All landscaping was installed pursuant to the approved 2002 plans and permits. All landscaping has grown to maturity, as per above photograph. No changes will be made to the landscaping.

RECYCLING: Currently the building has separate dumpsters for trash, cardboard and recyclable materials which is serviced by the Waste Management as part of their contract to provide service to this part of Monterey County. No changes will be made to the existing recycling program in place.

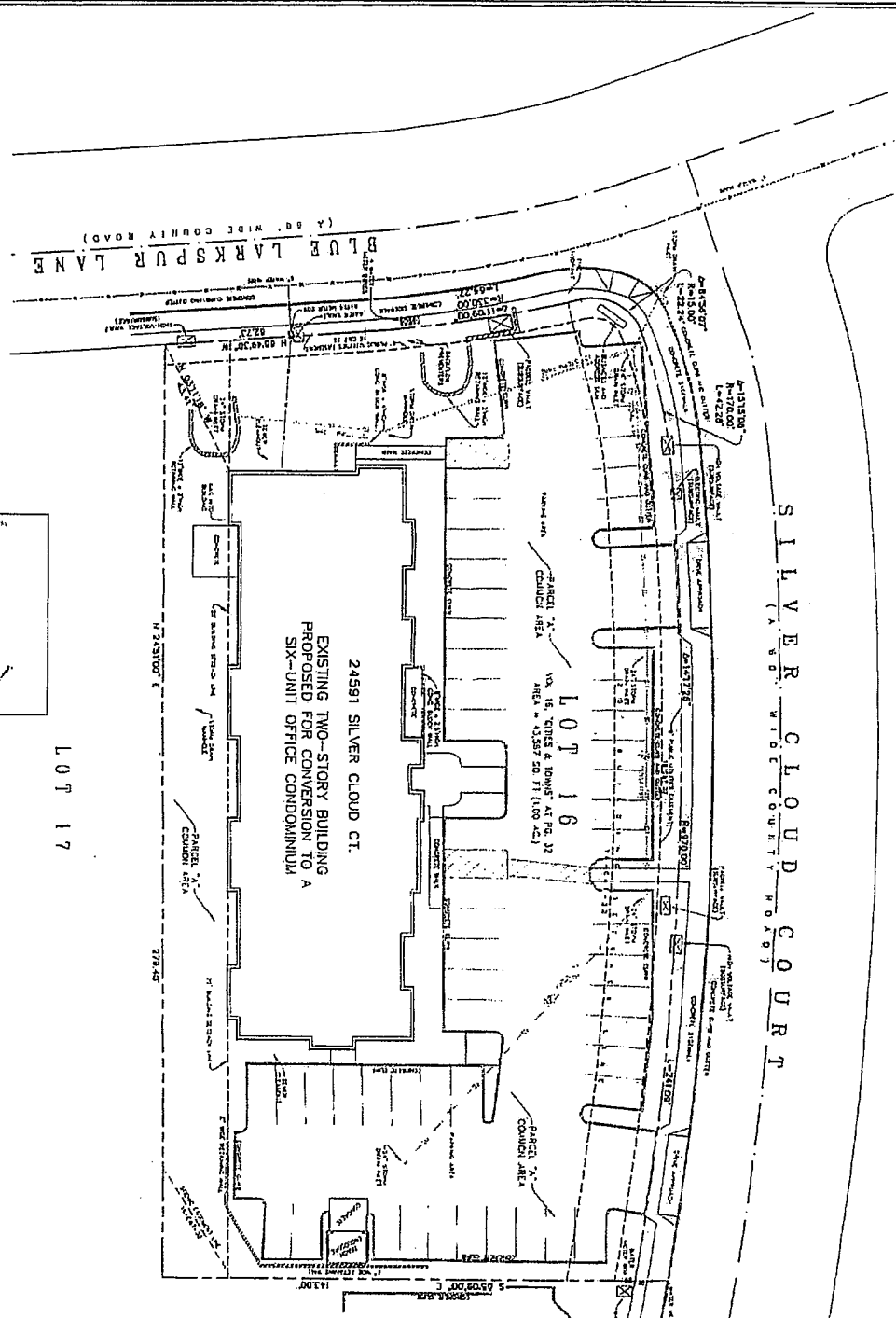
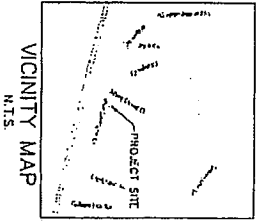
EXTERIOR LIGHTING PLAN: All exterior lighting was installed as on the approved 2002 plans and permits. No changes will be made to the exterior lighting.

HAZARDOUS MATERIALS: A hazardous materials Questionnaire was completed as part of the original 2002 plans and permits. Currently the building is used for professional office purposes, with no changes anticipated.



EXISTING PARKING LAYOUT PNL 090410

NOTES:  
 1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.  
 2. BUILDINGS AND OTHER SITE PLANNERY SHOWN HEREON FROM OTHER SOURCES

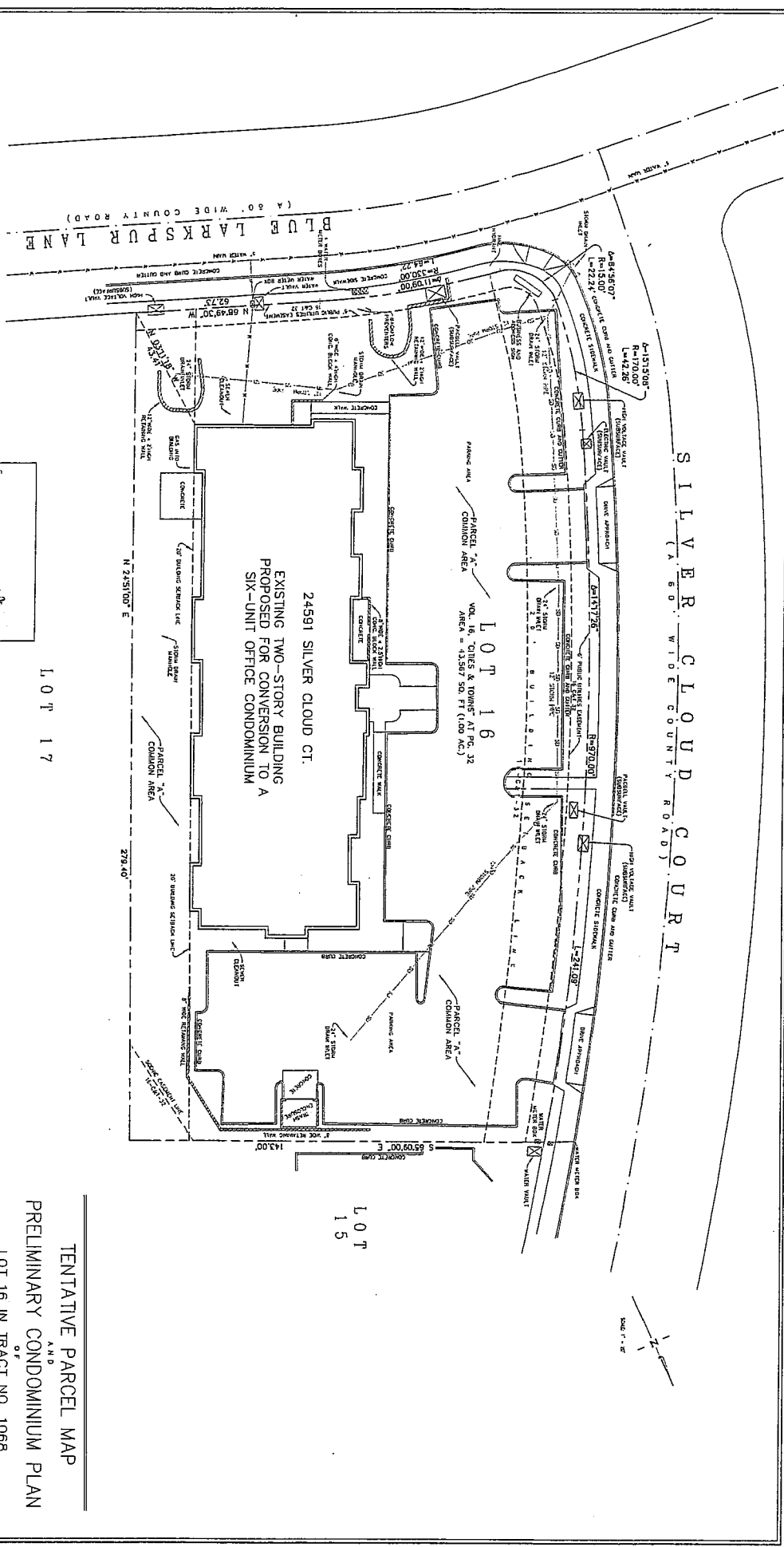


TENTATIVE PARCEL MAP  
 AND  
 PRELIMINARY CONDOMINIUM PLAN  
 of  
 LOT 16 IN TRACT NO. 1068,  
 "LAGUNA SECA OFFICE PARK"  
 VOL. 16, "CITIES AND TOWNS" AT PG. 32  
 RECORDS OF MONTEREY COUNTY  
 COUNTY OF MONTEREY STATE OF CALIFORNIA

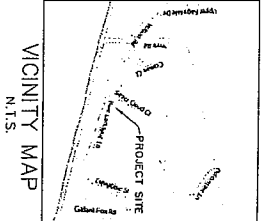
Prepared for  
**Oceanview Investments**

BY  
**CENTRAL COAST SURVEYORS**  
 5 HAWK CANYON, SUITE 4-111  
 WATERSIDE, CALIFORNIA 95910  
 Phone: (438) 311-1432  
 Fax: (438) 311-4931

SCALE: 1" = 20'  
 PREPARED BY: JCS 02-09-03  
 FEBRUARY 2004  
 APN 173-121-016  
 SHEET 1 OF 2  
 UPDATED FEB. 2, 2010



- NOTES:
1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. BUILDINGS AND OTHER SITE PLANNERY SHOWN HEREON FROM OTHER SOURCES.

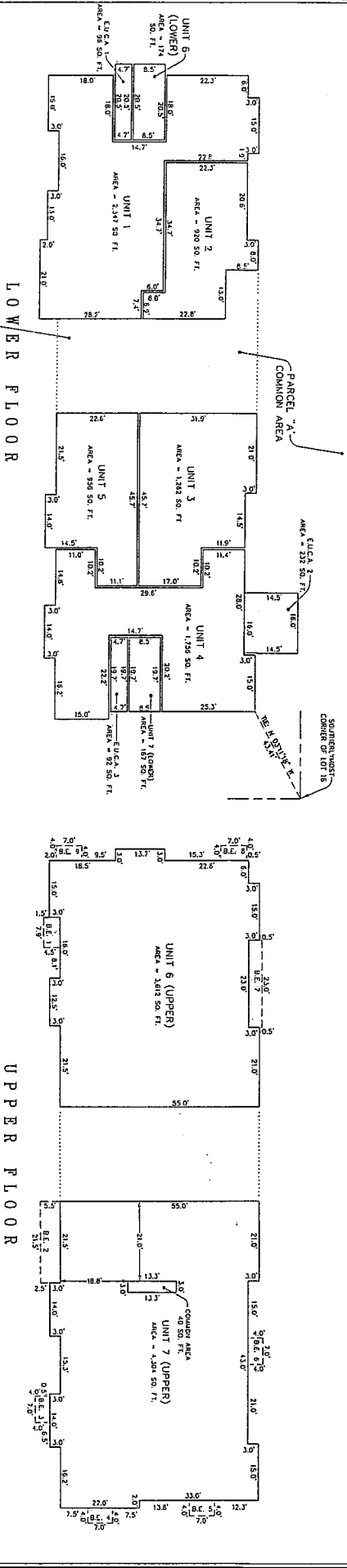


TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
of  
LOT 16 IN TRACT NO. 1066,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
**Oceanview Investments**

BY  
**CENTRAL COAST SURVEYORS**  
5 HARRIS COURT, SUITE N-11  
MONTEREY, CALIFORNIA 93940  
Phone: (831) 394-4920  
Fax: (831) 394-4931

SCALE: 1" = 20'  
JOB NO. 09-03  
FEBRUARY 2009  
PREPARED BY  
APN 173-121-016  
UPDATED FEB. 2, 2010  
SHEET 1 OF 2



LOWER FLOOR

UPPER FLOOR

AREA TABULATION

| UNIT            | FLOOR AREA (SQ. FT.) |
|-----------------|----------------------|
| UNIT 1          | 2,247                |
| UNIT 2          | 2,247                |
| UNIT 3          | 1,726                |
| UNIT 4          | 1,726                |
| UNIT 5          | 1,726                |
| UNIT 6 (LOWER)  | 1,726                |
| UNIT 7 (LOWER)  | 1,726                |
| COMMON AREAS    | 972                  |
| E.U.C.A. 1      | 232                  |
| E.U.C.A. 2      | 232                  |
| E.U.C.A. 3      | 232                  |
| BLDG. FOOTPRINT | 9,723                |

AREA TABULATION

| UNIT           | FLOOR AREA (SQ. FT.) |
|----------------|----------------------|
| UNIT 6 (UPPER) | 3,014                |
| UNIT 7 (UPPER) | 4,504                |
| B.E. 1         | 35                   |
| B.E. 2         | 118                  |
| B.E. 3         | 28                   |
| B.E. 4         | 28                   |
| B.E. 5         | 28                   |
| B.E. 6         | 28                   |
| B.E. 7         | 28                   |
| B.E. 8         | 28                   |
| B.E. 9         | 40                   |
| COMMON AREA    | 9,857                |

24591 SILVER CLOUD CT.

- NOTES:
1. ALL MEASUREMENTS ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. BUILDINGS AND OTHER SITE PLANNOMETRY SHOWN HEREON FROM OTHER SOURCES.
  3. E.U.C.A. = EXCLUSIVE USE COMMON AREA.
  4. B.E. = BALCONY EASEMENT.

TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
OF  
LOT 16 IN TRACT NO. 1068,  
"LAGUNA SECA OFFICE PARK",  
VOL. 16 "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

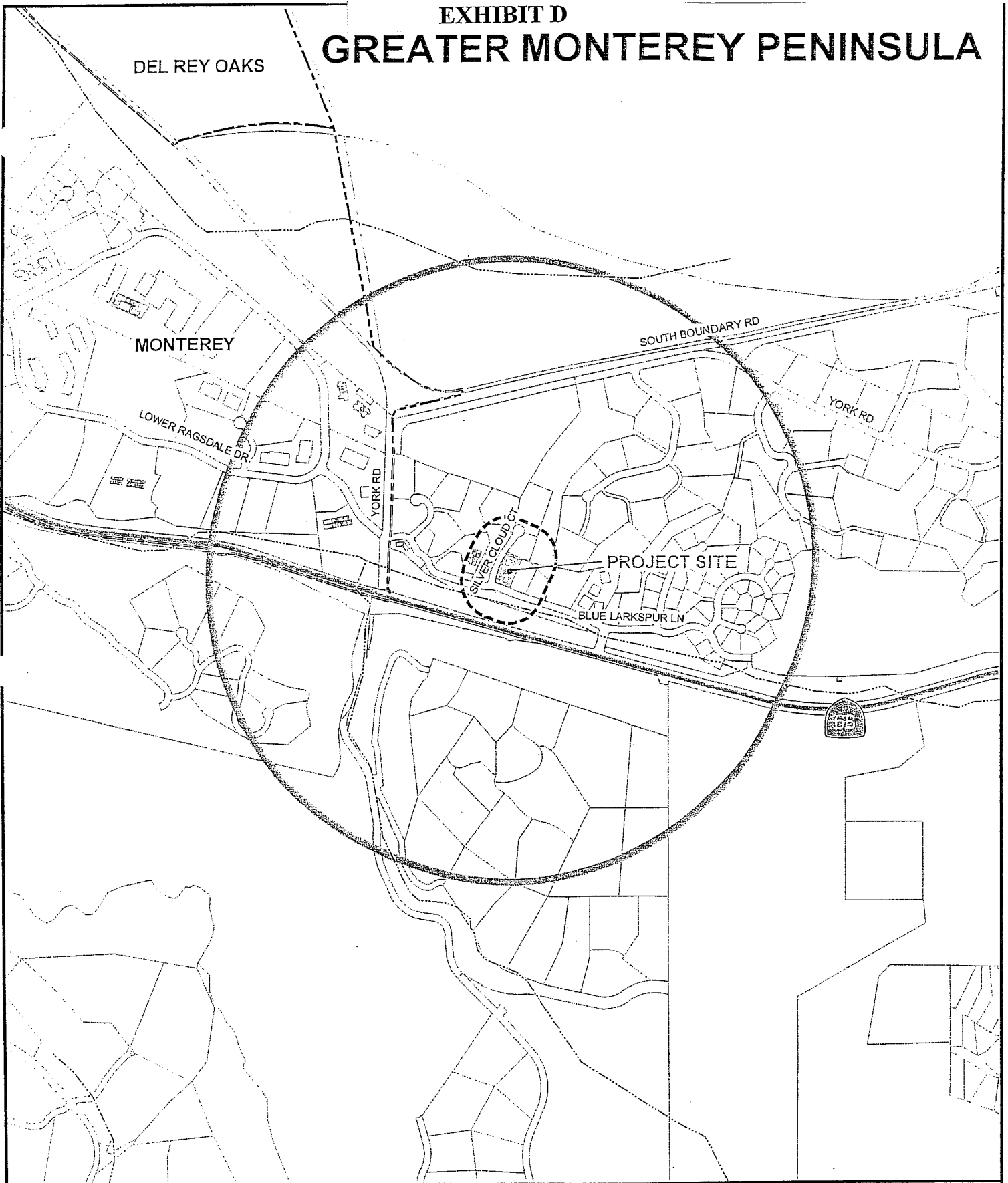
PREPARED FOR  
Oceanview Investments

B Y  
CENTRAL COAST SURVEYORS  
3 HARRIS COURT, SUITE 10-11  
MONTEREY, CALIFORNIA 93940  
Phone: (831) 371-4530  
FAX: (831) 371-4530

SCALE: 1" = 16'  
FEBRUARY 2009  
JOB NO. 09-03  
PREPARED BY

APN 173-121-016  
SHEET 2 OF 2  
UPDATED FEB. 2, 2010

# EXHIBIT D GREATER MONTEREY PENINSULA

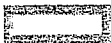


APPLICANT: OCEANVIEW INVESTORS LP

APN: 173-121-016-000

FILE # PLN090410

Water



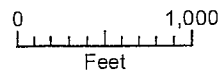
2500' Limit



300' Limit



City Limits



PLANNER: QUENGA



EXHIBIT E

Action by Land Use Advisory Committee  
Project Referral Sheet

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

RECEIVED

SEP 08 2010

Advisory Committee: **Greater Monterey Peninsula**

MONTEREY COUNTY  
PLANNING & BUILDING  
INSPECTION DEPT

Please submit your recommendations for this application by: **September 1, 2010**

**Project Title:** OCEANVIEW INVESTORS LP  
**File Number:** PLN090410  
**File Type:** PC  
**Planner:** QUENGA  
**Location:** 24591 SILVER CLOUD CT MONTEREY

**Project Description:**  
Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven units with nine balcony easements and four common areas. The property is located at 24591 Silver Cloud Court, Monterey (Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes  No   
ERNEST K. LOSTROW  
LOSTROW & Co.

**PUBLIC COMMENT:**

| Name | Site Neighbor? |    | Issues / Concerns<br>(suggested changes) |
|------|----------------|----|--|
|      | YES            | NO |  |
|      |                |    |  |
|      |                |    |  |
|      |                |    |  |
|      |                |    |  |

LUAC AREAS OF CONCERN

| Concerns / Issues<br>(e.g. site layout, neighborhood compatibility; visual impact, etc) | Policy/Ordinance Reference<br>(If Known) | Suggested Changes -<br>to address concerns<br>(e.g. relocate; reduce height; move road access, etc) |
|---|--|---|
| No Physical changes<br>to Interior spaces<br>with conversion                            |  |   |
|   |  |   |
|   |  |   |
|   |  |   |

ADDITIONAL LUAC COMMENTS <sup>TEMPORARY</sup> B-6 ORDINANCES LIFTED & THEN <sup>B-6 ZONE</sup> REINSTATED?  
 B-6 means no further subdivisions -

RECOMMENDATION:

Motion by: KEIERSON (LUAC Member's Name)

Second by: SMITH (LUAC Member's Name)

APPROVED  
WITH  
CONDITIONS

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

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

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

AYES: 5  
 NOES: 0  
 ABSENT: 1  
 ABSTAIN: 0

**RECEIVED**

SEP 08 2010

MONTEREY COUNTY  
 PLANNING & BUILDING  
 INSPECTION DEPT

## EXHIBIT F

DALE ELLIS  
ZONING ADMINISTRATOR

STATE OF CALIFORNIA  
COUNTY OF MONTEREY

NO. 000164

A.P.# 173-121-016-000

In the matter of the application of  
**Daniel Archer (000164)**

### FINDINGS & DECISION

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, and Design Approval for a two-story, 18,425 square foot office building, associated parking (58 spaces), 300 cubic yards of grading, removal of two protected trees (Coast live oak) including two 26 inch diameter Coast live oaks, and transplanting nine other Coast live oaks along the Silver Cloud Court, located on Lot #16 at 9741 Silver Cloud Court, (cross street: Blue Larkspur Lane) east of York Road and north of Highway 68 within the Laguna Seca Office Park Subdivision (approved 11/3/87), Greater Monterey Peninsula area, came on regularly for hearing before the Zoning Administrator on October 12, 2000.

Said Zoning Administrator, having considered the application and the evidence presented relating thereto,

### FINDINGS OF FACT

- FINDING:** The subject Use Permit and Design Approval application (PLN000164), as described in Condition 1 of the attached Exhibit "C," and as conditioned, conforms with the plans, policies, requirements and standards of the Greater Monterey Peninsula Area Plan and the Monterey County Zoning Ordinance (Title 21). The property is located at 9741 Silver Cloud Court, (Assessors Parcel Number 173-121-016-000) Greater Monterey Peninsula area. The Greater Monterey Peninsula Area Plan land use designation is Commercial. The parcel is zoned "VO/B-6-UR-D-S" or Visitor Serving/Professional Office/Urban Reserve/Design/Site Review. The site is physically suitable for the proposed use.

**EVIDENCE:** The Planning and Building Inspection staff reviewed the project, as contained in the application and accompanying materials, for conformity with:

- The certified Greater Monterey Peninsula Area Plan;
- Chapter 21.22 of the certified Monterey County Zoning Ordinance (Title 21) regulations for the "VO/B-6-UR-D-S" Zoning District; and
- Section 21.64.260 Preservation of Oak and Other Protected Trees.

**EVIDENCE:** The Monterey County Planning and Building Inspection Department, the Water Resources Agency, the Public Works Department, the Sheriff's Department, the Environmental Health Department, the Parks and Recreation Department, and the Salinas Rural Fire Protection District reviewed the proposed project. There has been no indication from these agencies that the site is not suitable for the proposed development. Staff verification of the Monterey County Planning and Building Inspection Department records indicated that no violations exist on subject property. The Initial Study prepared for the project concludes that no physical or environmental constraints exist that would indicate the site is not suitable for the proposed project. Each agency has recommended conditions for improvements where appropriate.

**EVIDENCE:** Design Approval request form, with recommendation for approval of the project by the Greater Monterey Peninsula Land Use Advisory Committee on July 5, 2000, by a vote of 3-0.

**EVIDENCE:** The on-site inspection by the project planner in June 2000, verifies that the proposed project is partially visible from Highway 68, but a 200-foot wide, heavily vegetated open space buffer provides adequate screening of the project from public view.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

2. **FINDING:** The proposed office building and associated parking, is consistent with the "VO/B-6-UR-D-S" or Visitor Serving/Professional Office/Urban Reserve/Design/Site Review zoning of the property.

**EVIDENCE:** Chapter 21.22 of Title 21 permits office buildings in the "VO/B-6-UR-D-S" zoning district with a Use Permit.

3. **FINDING:** The proposed tree removal is consistent with Section 21.64.260.

**EVIDENCE:** The project requires the removal 12 protected Coast live oak trees, two of which are defined as landmark trees. The proposed tree removal was evaluated by a registered forester. One of the landmark trees is decaying and dying. The loss of the other landmark tree will be replanted by a 2 to 1 ratio. The remaining nine oak trees will be relocated elsewhere on the property by using a "roundball" technique. (See Project Description for explanation). As a result, less than three protected trees will be removed, thereby promoting the minimum tree removal. In addition, the removal/relocation of trees will not create a visual impact.

**EVIDENCE:** The project has been evaluated regarding the risk of adverse environmental impacts to soils, water quality, ecology, noise, air and wildlife. The removal/relocation of trees will not create impacts to the environment.

4. **FINDING:** The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment and a Negative Declaration has been adopted. Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as designed, may cause a significant effect on the environment. The Negative Declaration reflects the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and in consideration of testimony and information received, and scientific and factual data presented as evidence during the public review process. Studies, data and reports prepared by staff from various County departments including Planning and Building Inspection, Public Works, Environmental Health and Water Resources Agency support the adoption of the Negative Declaration for the project. The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative Declaration is based is the Monterey County Planning and Building Inspection Department located at 240 Church Street, Room 116, Salinas. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual foundation, or expert opinion supported by facts, have been submitted that refute the conclusions reached by these studies, data and

reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data and reports.

**EVIDENCE:** County staff prepared an Initial Study for the project in compliance with the California Environmental Quality Act (CEQA), its Guidelines, and the Monterey County CEQA Guidelines. The Initial Study provided substantial evidence that the project would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on September 14, 2000. All comments on the Initial Study have been received and considered as well as evidence in the record that includes studies, data and reports supporting the Initial Study; additional documentation requested by staff in support of the Initial Study findings; information presented during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data and reports; application materials, and expert testimony. Among the studies, data and reports analyzed as part of the environmental determination are the following:

Webster & Associates Forest Management Plan, May 25 2000;  
Zander Associates Biological Assessment, July 10, 2000;  
Archaeological Investigation Section from the Laguna Seca Office Park EIR adopted March 1983;  
Traffic and Circulation Section from the Laguna Seca Office Park EIR adopted March 1983.

**EVIDENCE:** Initial Study, Negative Declaration and Conditions.

**EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.

5. **FINDING:** The project site is physically suitable for the proposed office building.

**EVIDENCE:** The project consists of an office building with 18,425 square feet of floor area and a parking area with 58 parking spaces on a one-acre, relatively flat parcel located within the Laguna Seca Office Park Subdivision that was approved in 1987. There are no physical or environmental constraints, such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar conditions, that would indicate that the site is not suitable for the proposed use, nor is there other evidence in the record to indicate that the site is not suitable for the project.

6. **FINDING:** The proposed project is compatible with the surrounding uses, and will not create any significant impacts.

**EVIDENCE:** The project is located in the Laguna Seca Office Park Subdivision where several existing and proposed office-type buildings are located. The project has been conditioned to insure strict compliance with the regulations for "VO/B-6-UR-D-S" as defined in Chapter 21.64.260, and with the regulations for removal of protected trees set forth in Section 21.22, both in Title 21.

7. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the particular case, be detrimental to 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 improvement in the neighborhood, or to the general welfare of the County.
- EVIDENCE:** The project as described in the application and accompanying materials was reviewed by the Department of Planning and Building Inspection, Health Department, Public Works Department, the Salinas Rural Fire Protection District, and the Water Resources Agency, Parks Department, the Monterey County Sheriff's Department and the Greater Monterey Peninsula Land Use Advisory Committee. The preceding agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general.
- EVIDENCE:** The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed development, found in the project file.
8. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of Title 21, and any zoning violation abatement costs have been paid.
- EVIDENCE:** Staff verification of the Monterey County Planning and Building Inspection Department records indicate that no violations exist on subject property.
9. **FINDING:** The project, as approved by the Zoning Administrator is appealable to the Planning Commission.
- EVIDENCE:** Section 21.80.040 Monterey County Zoning Ordinance (Title 21).

### DECISION

THEREFORE, it is the decision of said Zoning Administrator that said application for a Use Permit be granted as shown on the attached sketch, and subject to the following conditions:

1. The subject Use Permit and Design Approval application is for a two-story, 18,425 square foot office building, associated parking (58 spaces), 300 cubic yards of grading, removal of two protected trees (Coast live oak) including two 26-inch diameter Coast live oaks, and transplanting nine other Coast live oaks along the Silver Cloud Court. Access to the office building will be from Silver Cloud Court via Blue Larkspur Lane. The project site is located on Lot #16 at 9741 Silver Cloud Court (Assessor's Parcel Number 173-121-016), Greater Monterey Peninsula area. The parcel is zoned "VO/B-6-UR-D-S" or Visitor Serving/Professional Office/Urban Reserve/Design/Site Review. The proposed project is in accordance with County ordinances and land use regulations, subject to the following terms and conditions. Neither the use 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 Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed

unless additional permits are approved by the appropriate authorities. (**Planning and Building Inspection**)

**Prior to the Issuance of Grading and Building Permits:**

2. 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 shall not thereafter be responsible to defend, indemnify or hold the County harmless. (**Planning and Building Inspection**)
3. The applicant shall record a notice which states: "A permit Resolution PLN000164 was approved by the Zoning Administrator for Assessor's Parcel Number 173-121-016-000 on October 12, 2000. The permit was granted subject to 42 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Land Use Programs prior to issuance of building permits or commencement of the use. (**Planning and Building Inspection**)
4. The Coast live oak trees identified for relocation on the site plan shall be relocated as shown on a landscape plan. Up to five parking spaces may be eliminated or relocated to accommodate proper spacing of relocated oak trees. The location of the trees shall be shown on the landscape plan subject to approval by the Director of Land Use Programs. (**Planning and Building Inspection**)
5. The applicant shall record a notice that states "The nine Coast live oak trees identified for relocation on the approved site plan stamped "Received September 12, 2000", will be relocated by a professional tree relocation company. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Land Use Programs prior to issuance of building permits or commencement of the use. (**Planning and Building Inspection**)
6. The applicant shall obtain a grading permit. (**Planning and Building Inspection**)
7. 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. That 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 exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection, prior to the issuance of building permits. **(Planning and Building Inspection)**
8. The applicant shall record a deed restriction indicating that all exterior design changes, including color changes associated with repainting and re-roofing and including exterior lighting changes, be approved by the Planning Commission. The deed restriction shall be subject to the approval of the Director of Planning and Building Inspection prior to recordation. **(Planning and Building Inspection)**
  9. All unpaved construction areas shall be watered at least twice per day in dry weather during grading activities. **(Planning and Building Inspection)**
  10. A non-toxic tactifier or other suitable cover (i.e. jute netting, erosion control fabric, mulch, etc.), shall be placed on the exposed areas immediately after cut and fill operations are completed. **(Planning and Building Inspection)**
  11. Trucks hauling dirt and debris shall be covered. **(Planning and Building Inspection)**
  12. Dirt and debris that is spilled onto paved areas shall be cleaned up immediately. **(Planning and Building Inspection)**
  13. Excavated materials that are stockpiled on-site shall be covered up. **(Planning and Building Inspection)**
  14. Construction-related soils on public roads shall be cleaned up. **(Planning and Building Inspection)**
  15. Native trees that are located close to the construction site shall be protected from inadvertent damage from construction equipment by wrapping the tree trunks with protective materials, avoid fill of any type against the base of the tree trunks and avoid increase in soil depth at the feeding zone or drip line of the native trees. Said protection shall be demonstrated prior to the issuance of grading and building permits subject to approval by the Director of Land Use Programs. **(Planning and Building Inspection)**
  16. Excavation work shall be halted in the event that cultural, archaeological, historical or paleontological resources are uncovered. A buffer area of 150 feet shall be created around the site and a qualified professional archaeologist shall be contacted. **(Planning and Building Inspection)**
  17. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. **(Planning and Building Inspection)**
  18. The parking layout shall be approved by the Director of Land Use Programs. **(Public Works)**
  19. The applicant must obtain a sewer connection permit from the County Service Area (CSA) No. 10 and pay all required fees. **(Public Works)**



20. A drainage plan shall be prepared by a registered civil engineer or architect addressing the on-site and off-site impacts to include oil-grease water separators for the paved parking area. The necessary improvements shall be constructed in accordance with the approved plans. **(Water Resources Agency)**
21. The applicant shall obtain proof of water availability on the property in the form of an approved Water Release Form from the Monterey County Water Resources Agency (MCWRA). **(Water Resources Agency)**
22. Building permit plans shall identify that the grade for all roads, streets, private lanes and driveways does not exceed 15 percent. **(Salinas Rural Fire Protection District)**
23. Before construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. **(Salinas Rural Fire Protection District)**
24. 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. **(Salinas Rural Fire Protection District)**
25. The roadway surface shall provide unobstructed access to conventional drive vehicles, including sedans and fire engines. Surfaces should be established in conformance with local ordinances, and be capable of supporting the imposed load of fire apparatus. **(Salinas Rural Fire Protection District)**
26. 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. **(Salinas Rural Fire District)**
27. Minimum fire flow shall be 3500 gallons per minute for three (3) hours with a residual pressure of 20 psi. However, due to the required installation of an approved automatic fire sprinkler system, the fire flow may be reduced to 1500 gallons per minute for three (3) hours with a residual pressure of 20 psi. **(Salinas Rural Fire District)**
28. Roof construction shall be a Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired or modified so as to affect 50 percent or more of the roof. **(Salinas Rural Fire District)**
29. The building(s) shall be fully protected with an approved central station, proprietary station or remote station automatic fire alarm system as defined by National Fire Protection Association Standard 72-1996 Edition. Plans and specifications for the fire alarm system must be submitted and approved by the enforcing agency prior to requesting a framing inspection. All fire alarm system inspections and acceptance testing shall be done in accordance with Chapter 7 of NFPA 72-1996. **(Salinas Rural Fire District)**

30. Portable fire extinguishers shall be installed and maintained per Uniform Fire Code. (**Salinas**

**Rural Fire District)**

31. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. **(Salinas Rural Fire District)**

**Prior to Final Building Inspection/Occupancy:**

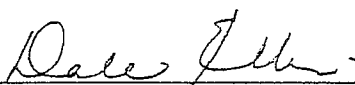
32. The site shall be landscaped. At least three weeks prior final building inspection, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. 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 Planning and Building Inspection Department. **(Planning and Building Inspection)**
33. The applicant shall comply with Ordinance No. 3932 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.
  - 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)**
34. The applicant shall comply with the Monterey County Public Safety and Security Guidelines to the satisfaction of the Monterey County Sheriff's Department. **(Sheriff's Department)**
35. New utility and distribution lines shall be placed underground. **(Planning and Building Inspection)**
36. The exterior colors and roofing material as submitted and reviewed by the Greater Monterey Peninsula Area Land Use Advisory Committee shall be implemented. **(Planning and Building Inspection)**
37. If signage is used for the office building, the size of the sign shall not exceed 35 square feet in the aggregate and cannot be lighted. **(Planning and Building Inspection)**
38. Roadway turnarounds shall be required on driveways and dead-end roads in excess of 150 feet of surface length. Required turnarounds on access roadways shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the centerline of the road. If a hammerhead/T is used, the top of the "T" shall be minimum of 60 feet in length. **(Salinas Rural Fire Protection District)**
39. The building(s) shall be fully protected with automatic fire sprinkler system(s). The following notation is required on the plans when a building permit is applied for:

“The building shall be fully protected with an automatic fire sprinkler system. Installation, approval and maintenance shall be in compliance with applicable National Fire Protection Association and/or Uniform Building Code Standards, the editions of which shall be determined by the enforcing jurisdiction. Four (4) sets of plans for fire sprinkler systems must be submitted and approved prior to installation. Rough-in inspections must be completed prior to requesting a framing inspection.” (Salinas Rural Fire Protection District)

Continuous Permit Conditions:

- 40. The Director of Planning and Building Inspection shall approve the location, type and size of all antennas, satellite dishes, tower, and similar appurtenances. (Planning and Building Inspection)
- 41. All landscaped areas and replanted trees shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)
- 42. 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 Planning and Building Inspection. (Planning and Building Inspection Department)

PASSED AND ADOPTED this 12th day of October, 2000.

  
 \_\_\_\_\_  
 DALE ELLIS, AICP  
 ZONING ADMINISTRATOR

COPY OF THIS DECISION WAS MAILED TO THE APPLICANT ON NOV - 6 2000

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY TO THE PLANNING COMMISSION ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE NOV 16 2000

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

NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Salinas.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.

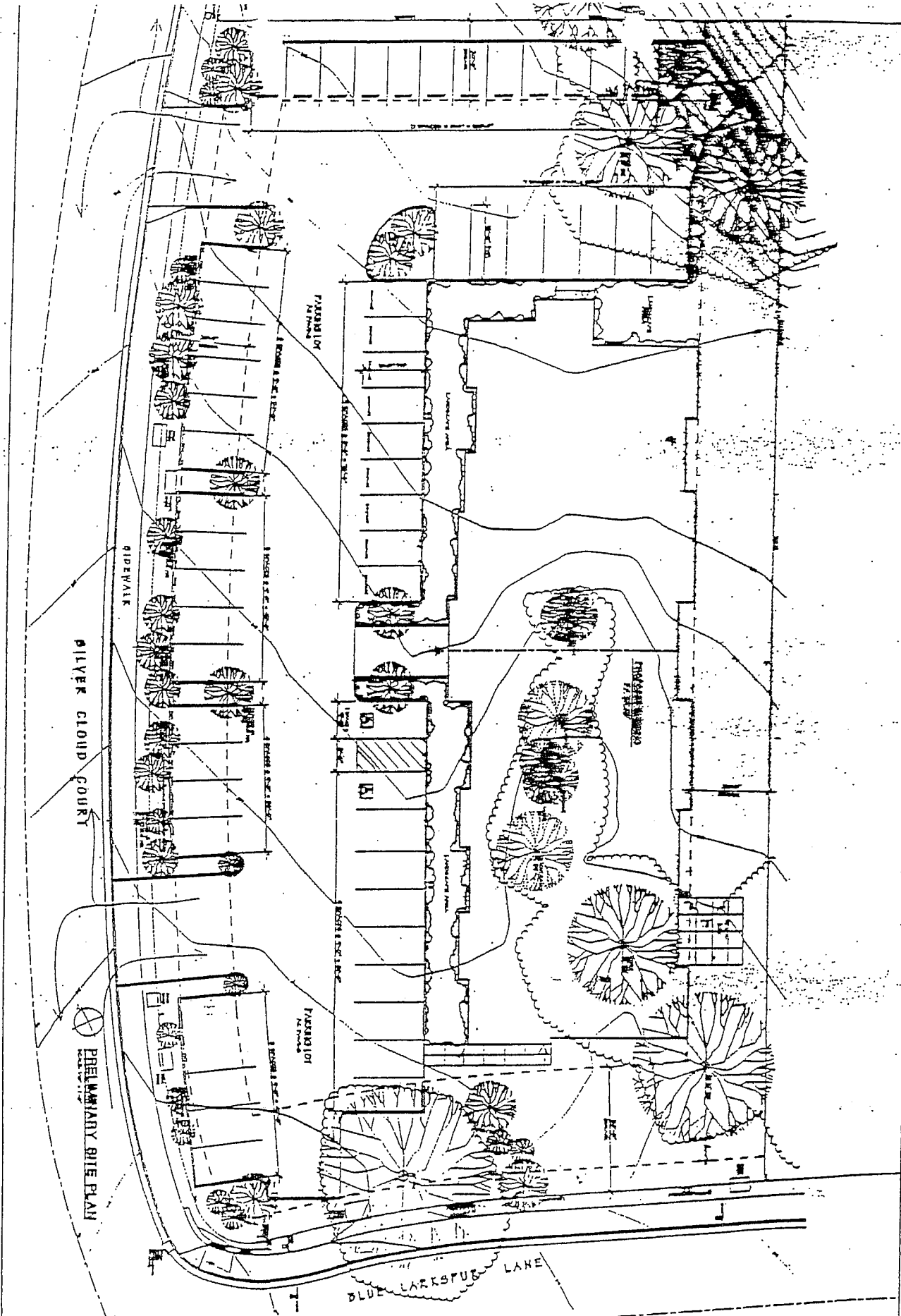
### NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Monterey.

2. This permit expires two years after the above date of granting thereof unless construction or use is started within this period.



11.1

SITE SURVEY  
**Archer Office Building**  
 1400 Pine Street, Suite 100  
 Berkeley, California 94702 AIA 10-05-88 THE BLUE LARKSPUR

Wald, Runke & Dost Architects  
 AIA • ARCHITECTS • PLANNERS  
 1400 Pine Street, Suite 100  
 Berkeley, California 94702

| NO. | DESCRIPTION  |
|-----|--------------|
| 1   | DESIGN       |
| 2   | PERMIT       |
| 3   | CONSTRUCTION |

9

## EXHIBIT G

### **Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164**

### **Oceanview Investments L.P. Planning File No. *PLN090410* Combined Development Permit**

#### 1. Introduction

An ND for the Archer Use Permit and Design Approval (PLN000164) was prepared and adopted by the Zoning Administrator on October 12, 2000 (Resolution No. 000164). The Use Permit and Design Approval allowed the construction of a two-story 18,425 square foot office building on the subject property. No significant impacts requiring mitigation were identified. The applicant requests to subdivide the interior space of the building, creating a commercial condominium subdivision to allow the sale of "units".

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in the Negative Declaration, adopted October 12, 2000, by the Zoning Administrator Resolution No. 1000164. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

#### 2. Scope and Purpose of this Addendum

The proposed commercial condominium subdivision will not result in a physical change to the land and/or structure and will not result in the intensification of use on the property which would result in an impact to resources identified in the area. No new impacts caused by the project were identified. Therefore, an addendum to the ND may be processed.

#### 3. Minor Technical Additions

The following sections of the Initial Study/ND have been amended:

**Section II.A Project Description (1<sup>st</sup> paragraph)** – The application is a Use Permit and Design Approval for a two-story, 18,425 square foot office building, associated parking (58 spaces), 300 cubic yards of grading, removal of two protected trees (Coast live oak) including one 26-inch diameter Coast live oaks, which are considered landmark trees per the Greater Monterey Peninsula Area Plan and

transplanting nine other Coast live oaks along Silver Cloud Court. In addition to construction of the building, the project includes a commercial condominium subdivision of the 18,425 square foot office building post construction. Rezoning of the parcel to remove the B-6 zoning overlay district is required for consistency with the County's zoning regulations. The project site is located on Lot #16 at 9741 Silver Cloud Court, east of York Road and north of Highway 68 within the Laguna Seca Office Park Subdivision (approved 11/3/87). ~~13,334 square feet of the floor area will be for prospective tenants.~~ Access to the office building will be from Silver Cloud Court via Blue Larkspur Lane.

**Section IV.A Land Use Planning (portion of 1<sup>st</sup> paragraph)** – The project site is located within the Laguna Seca Office Park subdivision. Therefore, the project would not physically divide an established community. ~~The project overall is in compliance with the policies and ordinances of the Monterey County General Plan and Greater Monterey Peninsula Area Plan.~~ The project involves the construction of a two-story office building and associated parking on a legal lot of record in the VO/B-6-UR-D-S zoning district and a subsequent condominium subdivision of the office building post construction. As part of the application, the applicant requests rezoning of the property to remove the B-6 overlay district. Once the rezoning is approved, the project overall is will be in compliance with the policies and ordinances of the Monterey County General Plan and Greater Monterey Peninsula Area Plan....

**Section IV.A Utilities and Service Systems** – The project site is located within the existing Laguna Seca Office Park, and would utilize existing office park infrastructure. The project would involve connections to this existing infrastructure but would not provide extensions of infrastructure beyond that necessary to serve the project. The California American Water Company (CAWC) is the only public water service in the project area. Sanitary waste disposal for the project would be accommodated by connections to public sewer lines ~~in County service area (CSA) 10<sup>1</sup>~~ also served by the California American Water Company.

#### 4. Conclusion

No impacts were identified in the ND and no new information or impacts caused by the project were identified. The project will not result in a changed in the physical environment and is considered to be a minor change. Therefore an addendum to the ND was prepared in accordance with the CEQA Guidelines Section 15164.

Attachment: Negative Declaration for PLN000164

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<sup>1</sup> Public sewer in the area was served by CSA 10 during adoption of the ND in 2000. California American Water Company acquired the wastewater district on April 2, 2002.



# MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT  
PO BOX 1208 SALINAS, CA 93902  
PHONE: (831) 755-5025 FAX: (831) 755-5487



## *INITIAL STUDY*

### *I. BACKGROUND INFORMATION*

Project Title: Daniel Archer

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File No.: PLN000164

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Project Location: North of Scenic Highway 68 along Blue Larkspur Lane at 9741 Silver Cloud Court, Greater Monterey Peninsula Area, Monterey County

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Name of Property Owner: McIntosh Leonard & Pamela C.

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Name of Applicant: Wald, Ruhnke & Dost, Architects

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Assessor's Parcel Number(s): 173-121-016-000

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Acreage of Property: One acre

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General Plan Designation: Commercial

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Zoning District: VO/B-6-UR-D-S (Visitor Serving/Professional Office/Urban Reserve/Design/Site Review)

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Lead Agency: Monterey County Planning and Building Inspection

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Prepared By: Michael W. Walker

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Date Prepared: September 5, 2000

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Contact Person: Michael W. Walker

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Phone Number: (831) 755-5178

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

### **A. Project Description**

The application is a Use Permit and Design Approval for a two-story, 18,425 square foot office building, associated parking (58 spaces), 300 cubic yards of grading, removal of two protected trees (Coast live oak) including two 26-inch diameter Coast live oaks, which are considered landmark trees per the Greater Monterey Peninsula Area Plan and transplanting nine other Coast live oaks along the Silver Cloud Court. The project site is located on Lot #16 at 9741 Silver Cloud Court, east of York Road and north of Highway 68 within the Laguna Seca Office Park Subdivision (approved 11/3/87). 13,334 square feet of the floor area will be for prospective tenants. Access to the office building will be from Silver Cloud Court via Blue Larkspur Lane.

Within the Laguna Seca Office Park Subdivision, all required infrastructure, such as streets, curbs, sidewalks, gutters and storm drainage and underground utilities, are currently in place. The only infrastructure improvements necessary for this project are on-site improvements to connect to the existing infrastructure. County Service Area (CSA) 10 will provide maintenance services for the sewer and storm drainage system. Water will be provided by the California American Water Company and public sewer service provided by CSA 10.

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

#### Regional Setting

The project site is located approximately ¼ mile north of Highway 68, a designated scenic state highway, within the Greater Monterey Peninsula Planning Area of Monterey County. The City of Del Rey Oaks is the nearest community. The Monterey Peninsula Airport is within a five-mile radius. This area is situated at the periphery of the Santa Lucia Mountains of the Coast Range system of central California.

#### Site setting

The project site is a vacant lot one acre in size within the Laguna Seca Office Park Subdivision. The surrounding development consists of office uses to the south and west, a private secondary school (York School) to the northwest and single-family residences (the Laguna Ranch Estates II Subdivision) to the north and east. At no time has the site been used for any agricultural crop production. There are a few vacant lots available for office development. Lot #14 is located north and adjacent to the subject project site and is currently in the planning process.

The parcels surrounding the site are also part of the Laguna Seca Office Park Subdivision. The site will be accessed from York Road and Silver Cloud Court. The project site is zoned "VO/B-6-UR-D-S" (Visitor Serving Professional Office/ Building Site 6, Design Control, Site Plan). Historically, the site has been vacant until planned and rezoned for office use.

An Environmental Impact Report (EIR) was completed for the Laguna Seca Office Park Subdivision in March 1983. The EIR addressed the major issues at the time the subdivision was proposed including traffic, cultural resources, noise, erosion, seismic, and biotic resources. The

type and size of office buildings was not evaluated in the EIR because this information was not available. The proposed office building will not create additional impacts in the area because the EIR addressed potential impacts from the perspective of cumulative impacts by various office uses.

#### Slopes/Topography:

The site's topography is flat except for the northeast corner of the parcel with a slope of approximately 25 percent. Most of the 300 cubic yards of grading for the project will occur in this area.

#### Vegetation:

The parcel consists of annual grassland and several large Coast live oak trees throughout the site. The grassland is the dominant vegetation type on the project site and consists of wild oat, foxtail and wildrye. The parcel had been mowed at some point. Several Coast live oaks are scattered throughout the parcel. A group of Coast live oak trees is located within the proposed building footprint including a 26-inch oak, which is considered a landmark tree. Section 21.64.260.C5 states that a tree measuring 24 inches in diameter when measured two feet from the ground is defined as a landmark tree. The Forest Management Plan dated May 25, 2000, prepared by Webster & Associates states that this tree is showing signs of serious decline in health and recommended its removal. The other 26-inch landmark oak tree proposed to be removed is located at the northeast corner of the parcel. The landmark trees proposed for removal would be replaced at a ratio of 2:1. The proposed parking layout requires this tree to be removed. Nine other coast live oaks ranging in size from 6 to 14 inches are proposed to be transplanted along the west property line along Silver Cloud Court. The method used for transplanting the trees is the "roundball" method, which involves field digging the tree's root ball, wrapping it in dunlap, transporting the tree by crane, then plant, water and guy wire the tree for support. This method has a 95 percent success rate, and has been used for the Tehema/Canada Woods and Pasadera projects in Monterey County with success. The Biological Assessment dated July 20, 2000 prepared by Zander Associates states that the applicant must remove the oak trees prior to January 2001, to avoid potential nesting birds. If removal is not possible before this date, then another pre-construction survey must be conducted to confirm that there are no active nesting sites in the oak tree canopy or trunk cavities. The project will be conditioned to address tree removal. The proposed project would result in less than significant impacts on forest resources.

#### Wildlife

In general, oak trees provide nesting sites and cover for many birds and mammals. Cavity-bearing trees supply denning, nesting and roosting sources. Woody debris and duff in the forest contribute to the structural complexity of the forest floor and provide foraging for small mammals and microclimates suitable for amphibians and reptiles. Acorns are a valuable food source for many animal species including California quail and black-tailed deer. Other potential species of the oak forest include the arboreal salamander, southern alligator lizard, common kingsnake, western screech owl, scrub jay, Virginia opossum and dusky-footed woodrat. The oak tree canopy provides nesting habitat for several bird species such as the red-tailed hawk and black-shouldered kite and roosting habitats for bats such as the pallid bat and Townsend's big-eared bat. The biological assessment dated July 10, 2000, prepared by Zander Associates concludes that wildlife is limited on the project site due to the surrounding development and lack

of diversity in vegetation, and that the site does not contain any sensitive biological resources.  
(See Exhibit A).

### 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 type="checkbox"/> |
| Specific Plan              | <input type="checkbox"/>            | Airport Land Use Plans    | <input type="checkbox"/> |
| Water Quality Control Plan | <input type="checkbox"/>            | Local Coastal Program-LUP | <input type="checkbox"/> |
| Transportation Plan        | <input type="checkbox"/>            |                           |                          |

### IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

#### A. FACTORS

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

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

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:** Staff's analysis of the project description and the environmental setting concludes that none of the individual measures, nor the collective measures, of the project would have any individual or cumulative impacts to the environmental topics of: AESTHETICS, AIR QUALITY, BIOLOGICAL RESOURCES, CULTURAL RESOURCES, GEOLOGY/SOILS, HAZARDS/HAZARDOUS MATERIALS, MINERAL RESOURCES, PUBLIC SERVICES, RECREATION, TRANSPORTATION/TRAFFIC and UTILITIES/SERVICE SYSTEMS. The project consists of a two-story, 18,425 square foot office building, associated parking (58 spaces), 300 cubic yards of grading, removal of two Coast live oak trees and transplanting 9 other Coast live oaks. Items not checked above do not have any relationship to the project and any resultant potential impact from the project. Staff reviewed all potential development related actions that could occur subsequent to approving the project and concludes that project will have less than a significant impact on the environment either directly or indirectly when all mitigation measures are properly implemented.

Aesthetics:

The tree removal will not create a visual impact to the public because there is an approximate 200-foot open space buffer with sufficient tree and other vegetation coverage, which adequately screens the project site from Highway 68.

Agricultural Resources:

According to the Monterey County Important Farmland 1998 Map, the project site is not located in or adjacent to any areas identified as containing prime farmlands, farmlands of statewide importance, unique farmlands or farmlands of local importance in the Greater Monterey Peninsula Area Plan. In addition, the property has not been used for agricultural uses historically, and is not under Williamson Act contract. Therefore, development would not result in loss of agricultural land. No impacts would result.

Air Quality:

Air quality standards are adopted by state and federal agencies to protect public health, vegetation, materials and visibility. The Air Quality Management Plan for the Monterey Bay Region (AQMP) prepared by the Monterey Bay Unified Air Pollution Control District (MBUAPCD) addresses the attainment and maintenance of state and federal ambient air quality standards within the North Central Coast Air Basin (NCCAB). The consistency of a proposed project with the AQMP is based on a quantitative comparison of expected population increases generated by the project and cumulative projects in the county relative to the AQMP population forecasts for the region. The proposed project would not significantly increase the

population of the area. Therefore, the project is found to be consistent with the AQMP.

Biological Resources:

No drainage course, wetland or endangered wildlife has been identified on the project site.

Cultural Resources:

The Greater Monterey Peninsula Area Plan indicates that the project site is located within a moderate archaeological sensitivity zone. An archaeological evaluation performed for the Laguna Seca Office Park EIR concludes that there is no evidence of cultural resources in the area. In the unlikely event that cultural resources are discovered during excavation, the project will be conditioned to protect these resources.

Geology/Soils:

Monterey County is a seismically active region that contains several active faults, including the San Andreas Fault. The San Andreas Fault system has created a predominantly northwest-trending geologic structure of ridges and valleys. The San Andreas Fault system also is the boundary between the Pacific and American geotectonic plates. It has been estimated that the maximum likely earthquake along the San Andreas Fault would have a magnitude of 7.0 to 8.0 (Richter). Several other significant seismic faults are located within the vicinity of the project site. These include the Chupines, San Gregorio and Monterey Bay Faults. The Chupines Fault, which is located on the south side of Highway 68, is designated as potentially active. The San Gregorio Fault and the Monterey Bay Fault Complex, both active, are located offshore. The nearest known potentially active fault is the Chupines Fault, which is located approximately ½ mile from the site. The soil type for the project area is Santa Ynez fine sandy loam and is considered to have high erosion potential on slopes of 15 to 30 percent. The proposed building would be located on a relatively flat parcel; therefore, the parcel would not be susceptible to landslides. The northeast portion of the site has a small 25 percent sloped area where some grading will occur to for a few parking spaces and a trash enclosure are. Two retaining walls are proposed in this area. Therefore, the proposed project would result in no impacts related to landslides.

Drainage/Water Hazards:

According to the Greater Monterey Peninsula Planning Area Flood Prone Map, the site is not at risk of flooding during the 100-year flood cycle nor is the site within an expected area of dam inundation.

Hazardous Materials

A "hazardous material" is a substance or combination of substances that, because of its quantity, concentration, or physical, chemical, or infectious characteristics, may pose a potential hazard to human health or the environment when handled improperly. A "hazardous waste" is a hazardous material that: 1) has no use or

reuse and is intended to be discarded; or 2) is recyclable. Proper management of hazardous materials and hazardous wastes are integrated; both substances present the same threat to the environment when improperly managed. Some transport, use and/or disposal of hazardous materials are expected during site preparation and construction. The handling of such materials would be required to conform to federal, state and local laws. Under normal operating conditions, an office building would not typically use, store or emit substantial quantities of hazardous materials. Best management practices are incorporated to minimize potential impacts.

#### Other Hazards

The project site is not located within the vicinity of a public or private airport or airstrip, and is not located within an area covered by an emergency evacuation or response plan. Therefore, the proposed project would result in no impacts on such plans and facilities.

#### Fire Hazards:

The project site is located in an area of grasslands and an oak tree forest where fire hazards are considered moderate. The project site is located within the Salinas Rural Fire Protection District area of service.

#### Hydrology and Water Quality:

The Californian American Water Company would serve the project.

#### Land Use Planning:

The project site is located within the Laguna Seca Office Park subdivision. Therefore, the project would not physically divide an established community. The project overall is in compliance with the policies and ordinances of the Monterey County General Plan and Greater Monterey Peninsula Area Plan. The project involves the construction of a two-story office building and associated parking on a legal lot of record in the VO/B-6-UR-D-S zoning district. The project as proposed would not have an impact on land use in the area or reduces the acreage available for any agricultural crop. The proposed project does not require the issuance of a variance or rezoning and no lands on the site are under Williamson Act contract. The site is not located within an area included in a habitat conservation plan or natural community conservation plan. Therefore, the project would result in no impacts related to such plans.

#### Mineral Resources:

There are no large mines or mining operations currently in production in the proposed project area. No significant mineral resources have been identified on the project site, according to the Monterey County General Plan resource maps. Therefore, the proposed project would result in no impacts related to the availability of a known mineral resource or locally important mineral resource recovery site.



#### Noise:

Sensitive receptors in the vicinity of the site include single-family residences to the north and east, and York School to the north. The project may generate noise during grading and construction, however, this would be a short-term issue, and no permanent or long-term increases in ambient noise levels are expected. The project would not involve pile-driving or other sources of substantial ground-borne vibration. The project site is located in an existing office park. Therefore, project implementation would not expose sensitive receptors immediately surrounding uses to substantial noise levels.

#### Population and Housing:

The project does not provide housing. However, the project would provide employment opportunities that would indirectly induce minor amounts of population growth in the Greater Monterey Peninsula Area Plan. Therefore, the proposed project would result in less than significant impacts related to population growth. The project site is located within the existing Laguna Seca Office Park, and would utilize existing office park infrastructure. The project would involve connections to this existing infrastructure but would not provide extensions of infrastructure beyond that necessary to serve the project. The project would not alter the location, distribution or density of housing or human population in the area.

#### Public Services:

The Monterey County Water Resources Agency, Salinas Rural Fire Protection District, Environmental Health Section, Department of Public Works, Sheriff's and Parks Departments reviewed the project. The preceding agencies provided comments that are incorporated as conditions of approval. None of these agencies indicated that the project would cause any impacts. The addition of an office building is not expected to significantly increase the demand on these public services.

#### Recreation:

No parks, trail easements or other recreational opportunities would be negatively impacted by the proposed project. Per Monterey County Subdivision Ordinance Section 19.12.010, all subdivisions are required to dedicate or pay a fee in lieu of, or both, for park and recreational purposes, which is a required condition of approval.

#### Transportation and Traffic:

Highway 68 extends between the Cities Salinas and Monterey. It is a two-lane scenic highway. Project access is provided from Highway 68 via York Road, Blue Larkspur Lane and Silver Cloud Court.

According to the Traffic and Circulation section in the Laguna Seca Office Park EIR, the 1980 Traffic Flow Map showed the calculations for the average existing daily traffic along Highway 68 at 12,700 trips and 550 trips along York Road. The EIR also included the year 2000 projections for average daily traffic for Highway 68 at 42,780 and 8550 for York Road. These projections were based on the

proposed office uses within the Laguna Seca Office Park. The proposed project does not provide the number of new tenants and anticipated employees. Therefore, a traffic analysis was not included in this Initial Study. However, the proposed office building has planned for 58 parking spaces (53 spaces are required based on the project's 13,334 square feet of office space). It is anticipated that impacts to the existing traffic is less than significant because public transit and carpooling are possible alternatives.

Utilities and Service Systems:

The project site is located within the existing Laguna Seca Office Park, and would utilize existing office park infrastructure. The project would involve connections to this existing infrastructure but would not provide extensions of infrastructure beyond that necessary to serve the project. The California American Water Company (CAWC) is the only public water service in project area. Sanitary waste disposal for the project site would be accommodated by connections to public sewer lines in County service area (CSA) 10. The Carmel Valley Disposal Service Inc. and the King City Disposal Service provide garbage collection services, which have regular routes through Laguna Seca Office Park. The project area has electrical and gas service. Telephone service is available by Pacific Telephone.

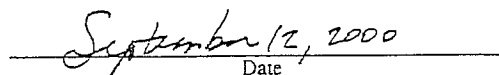
## B. DETERMINATION

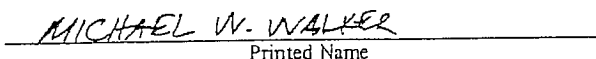
### B. DETERMINATION


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 would be prepared.
- I find that although the proposed project could have a significant effect on the environment there would 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 would be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

  
Date

  
Printed Name

  
Title

## 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 would 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 that 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?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b)                 | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c)                 | Substantially degrade the existing visual character or quality of the site and its surroundings?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d)                 | Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? (Source: #1)                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

## 2. AGRICULTURAL RESOURCES

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

| 2. AGRICULTURAL RESOURCES |  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------|--|--------------------------------|--|------------------------------|-------------------------------------|
| Would the project:        |  |                                |  |                              |                                     |
| 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) | <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)   | <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)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

### 3. AIR QUALITY

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

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: #1)  | <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)   | <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 that exceed quantitative thresholds for ozone precursors)? (Source: #1) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Result in significant construction-related air quality impacts?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Expose sensitive receptors to substantial pollutant concentrations? (Source: #1)   | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

### 4. BIOLOGICAL RESOURCES

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

4. **BIOLOGICAL RESOURCES**

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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 and Exhibit X)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV

5. **CULTURAL RESOURCES**

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|--|--------------------------------|--|-------------------------------------|--------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: #1) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

6. GEOLOGY AND SOILS

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:   |                                |  |                                     |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iii) Seismic-related ground failure, including liquefaction?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| iv) Landslides?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" 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? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" 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?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Section II and IV.



7. HAZARDS AND HAZARDOUS MATERIALS

| Would the project:  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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)  | <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)  | <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)                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: #1) | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildland.   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

Discussion/Impacts/Mitigation: See Sections II and IV.

8. HYDROLOGY AND WATER QUALITY

| Would the project:   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| a) Violate any water quality standards or waste discharge requirements?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (Source: #1) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Otherwise substantially degrade water quality? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Source: #1)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows? (Source: #1)  | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

| 9. LAND USE AND PLANNING   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                |  |                              |                                     |
| a) Physically divide an established community? (Source: #1)  | <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) | <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)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

Discussion/Conclusion/Mitigation: See Sections II and IV.

| 10. MINERAL RESOURCES  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>  |                                |  |                              |                                     |
| 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)                                | <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) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

**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)   | <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)   | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input 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) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input 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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

**Discussion/Impacts/Mitigation:** See Sections II and IV.

**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)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: #1)  | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

| 13. PUBLIC SERVICES  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|--|--------------------------------|--|-------------------------------------|-------------------------------------|
| <b>Would the project result in:</b>  |                                |  |                                     |                                     |
| Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                |  |                                     |                                     |
| a) Fire protection? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Police protection? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Schools? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Parks? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Other public facilities? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

| 14. RECREATION  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| <b>Would the project:</b>   |                                |  |                              |                                     |
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (Source: #1) | <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 that might have an adverse physical effect on the environment? (Source: #1)       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

| 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 that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" 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)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: #1)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access? (Source: #1)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Result in inadequate parking capacity? (Source: #1)  | <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)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

Discussion/Impacts/Mitigation: See Sections II and IV.

| 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)  | <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) | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" 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                           |
|---|--------------------------------|--|------------------------------|-------------------------------------|
| 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)                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: #1)   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider that 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) | <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?  | <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)  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**Discussion/Impacts/Mitigation:** See Sections II and IV.

**VII. MANDATORY FINDINGS OF SIGNIFICANCE**

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

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

### Discussion/Impacts/Mitigation:

Based upon the findings of this environmental initial study, the proposed project could not potentially degrade or diminish the quality of the environment, substantially reduce or burden the habitat of fish or wildlife species, cause fish or wildlife populations to decrease below self-sustaining levels, threaten to eliminate special or unique plant or animal communities, reduce the number or restrict the habitat or range of rare or endangered plants or animal life.

The proposed project may produce "cumulatively considerable" effects when considered in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. The project as described, will have less than a significant impact. The construction of the office building and associated facilities within an existing office park would not produce environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

## VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

### Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, would result in changes to resources A-G listed below, then a Fish and Game Document



**Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, watercourses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which would individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

**De minimis Fee Exemption:** For purposes of implementing Section 735.5 of the California Code of Regulations: A De Minimis Exemption may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **would not** be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inceptions Department Procedures for filing a de minimis exemption.

**Conclusion:** The project would not be required to pay the fee.

**Evidence:** The project proposes to construct a two-story office building, associated parking lot, grading and tree removal/relocation of Coast live oaks. A Biological Assessment and Forest Management Plan both conclude that there would not be any significant impacts to the Coast live oaks that will remain. No habitat of species listed as threatened, protected or identified for special management by the California Department of Fish and Game would be impacted. Changes to Criteria A-F above would occur as a direct and/or indirect result of the project.

## *IX. REFERENCES*

1. Project Description and Environmental Setting
2. Biological Assessment dated July 20, 2000, prepared by Zander Associates.
3. Forest Management Plan dated May 25, 2000, prepared by Webster & Associates.
4. Traffic and Circulation Section from the Laguna Seca Office Park EIR prepared March 1983.

5. Archaeological Investigation Section from the Laguna Seca Office Park EIR prepared March 1983.
6. Site Plan, Wald, Ruhnke & Dost Architects, May 18, 1999.
7. Monterey County General Plan
8. Greater Monterey Peninsula Area Plan

X. *EXHIBITS*

- Exhibit A: Biological Assessment
- Exhibit B: Forest Management Plan
- Exhibit C: Traffic and Circulation Section from the Laguna Seca Office Park EIR prepared March 1983
- Exhibit D: Archaeological Investigation Section from the Laguna Seca Office Park EIR prepared March 1983
- Exhibit E: Project Plans
- Exhibit F: Vicinity Map

**Exhibit "A"**

# ZANDER ASSOCIATES

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*Environmental Consultants*

July 10, 2000

RECEIVED

Daniel Archer  
Kennedy & Archer, LLP  
20 Ragsdale Drive, Suite 200  
Monterey, California 93940

Kennedy & Archer, LLP

Biological Assessment  
Laguna Seca Lot # 16  
Monterey, California

Dear Dan:

Zander Associates conducted a reconnaissance-level survey of Laguna Seca Lot # 16 on July 2, 2000 to evaluate potential wildlife habitat on the property, in particular, habitat provided by the oak trees that are proposed to be removed or relocated with development of the site. Laguna Seca Lot # 16 is a component of the Laguna Seca Office Park and it is located at the northeast corner of Blue Larkspur Lane and Cannonade Court (signed as Silver Cloud Court currently). There is existing development to the west and east of the site and a wooded hillside to the north.

The subject property is approximately one acre in extent and it is relatively flat. The vegetation consists of annual grassland with several large coast live oak trees (*Quercus agrifolia*) scattered throughout the site. The annual grassland is comprised of mostly non-native species such as wild oat (*Avena barbata*), foxtail (*Hordeum murinum* ssp. *leporinum*) and wildrye (*Elymus* sp.) and it had been mowed prior to our site survey. The large oak trees are kept trimmed so the canopies are relatively open and spreading. A cluster of smaller oak trees is located in the portion of the site where the office building is proposed. Based on discussions with you, it is our understanding that these trees will either be relocated or removed.

Wildlife use of the area is probably limited due to the proximity of existing development and the lack of vegetative diversity. The oak trees could provide perching and nesting sites for a variety of birds. However, many of these trees do not appear to provide suitable nest sites for larger birds such as hawks or kestrels. The smaller trees do not have sufficient canopy structure and the canopies of the larger trees are relatively open and do not provide enough cover for the nest. We surveyed all of the trees on the site to determine if there were any active nests present. We found a small nest (suitable for a scrub jay) in one of the smaller oaks that is to be removed but were able to access it to verify that it was not active at this time. None of the large oak trees on the site contained active or abandoned nests, but there were several relatively large stick nests (suitable for smaller hawks) present in the oak trees on the hillside to the north of Lot #16. We evaluated these nests for signs of current use because they are in close proximity to the proposed construction area. We confirmed that none of these nests is currently active.

Removal of the oak trees within the proposed development area will not substantially reduce potential perching and nesting sites for birds in the vicinity because several trees will remain on and adjacent to the site. The only potential impact of tree removal could result from disturbance of an active nest. Based on our recent survey, we concluded that there are no active nests currently present in the trees to be removed or in surrounding areas. However, there is a potential that birds may reestablish nests in these trees prior to the initiation of construction activities. To avoid impacting nesting birds, we recommend that the trees be removed prior to January 2001. If removal is not possible before that date, then another pre-construction survey should be conducted to confirm that no active nests are present.

If you have any questions regarding our assessment, please call me.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Zander".

Leslie Zander  
Principal

**Exhibit "B"**

LIBRARY #:  
File #: *PLAN-00164*  
Parcel #: *141-011-008-00*  
Owner: *ARCHER*  
Planner: *Walker*

# Forest Management Plan For Office Building

Prepared For

Kennedy & Archer  
Laguna Seca Office Park  
Monterey County, CA

Prepared By

Webster & Associates  
512 Capitola Ave., Suite 201  
Capitola, CA 95010

May 25, 2000

## 1. Introduction

This forest management plan has been prepared for Kennedy & Archer of Laguna Seca, by Webster & Associates. This plan is a part of the Building Permit Application allowing for the removal of trees selected by a forester, for the development of Kennedy & Archer Office Building, Laguna Seca Office Park, Monterey County, California. The tree species intended for removal include Coastal live oak (*Quercus agrifolia*). The scope of this plan extends over the entire parcel, with the intent to remove 2 landmark trees and transplant (or remove) 9 smaller Oak trees within the perimeter of the office building and parking lot. It is the landowners desire to transplant several Coastal Live Oaks, that are within the building envelope, in areas around the parking lot. However, the landowner will decide if transplanting will be economically feasible during operations. All other trees within parcel will remain standing outside these perimeters.

Refer to attached map to locate all trees on parcel and their description.

## 2. Site Description

- a) Assessor's Parcel Number: 173-121-16
- b) Location: The parcel is located in Laguna Seca Office Park, Monterey County, CA, on the corner of Blue Larkspur Lane and Silver Cloud Court.
- c) Parcel size: 43560 square feet (1acre)
- d) Existing land use: Professional Office
- e) Slope: There is a gradual slope facing the west that ranges from 0% to 8%.
- f) Soils: Soils are of the Elder Series. Soil type is Elder very fine sandy loam, 2 to 9 percent slopes. This is a gently sloping and moderately sloping soil that occupies small areas in narrow valleys. It formed on alluvial fans, terraces, and flood plains. The underlying sandstone ranges from a depth of 40 to 72 inches. Permeability is moderate. Runoff is slow, and the erosion hazard is moderate. Roots can penetrate to a depth of 40 to 60 inches where available water capacity is 6 to 11 inches.
- g) Vegetation: The parcel is sparsely vegetated with Coastal Live Oaks (*Quercus agrifolia*). Most of the Coastal Live Oaks on the parcel are in good health and condition and receiving an abundance of sunlight. Very little competition of sunlight and water exist between the existing Coastal Live Oaks. Other vegetation includes herbaceous annuals and some perennial shrubs such as Coyote Brush (*Baccharis pilularis*).



Forest Condition and Health: The overall stand is in good condition and health. All Coastal Live Oaks, for the exception of one, are in good condition, receiving full sunlight.

### 3. Project Description

This Forest Management Plan is to work in conjunction with a proposal to build a new office building and parking lot. During a site visit to the parcel on April 26, 2000, I was aided with a Site Plan Map prepared by Wald, Runke & Dost Architects. This map showed the proposal of the office building, and parking lot (total area: 29,000 square feet or 67% of parcel area).

During the visit, I evaluated the location of the proposed office building on the site corresponding to the map. The Architect and I reviewed plans and discussed location of structure and tree removal/planting/transplanting there after. I then made several observations on the site, measured, tallied and flagged each tree with white flagging with a corresponding number (white flagging indicates tree #, species, and diameter at 2ft).

#### Tree Removal

In order to construct the proposed building structures 9 Coastal Live Oaks will have to be moved and transplanted on parcel and 2 landmark trees will be removed. All trees to be removed/transplanted are within the perimeter of either the office building or parking lot.

Appendix B (page 11) shows tree number, species, <sup>1</sup>diameter, and treatment with each tree number corresponding with flagged trees on parcel.

As indicated before only trees within the proposed structure perimeter will be removed or transplanted and no other trees will be cut. The trees are being removed because they exist within the building envelope of either the office building or the parking lot. The proposed plan was developed to avoid having to take several other Coastal Live Oaks within the parcel but outside the perimeter of the proposed building structures. In order to develop the proposed structures all Coastal Live Oaks shown on the plan diagram with an "X" through them must be removed and all those that say "Relocate" next to them will be transplanted. All other trees shown on map are areas that planting of Oaks will take place.

\*See attached plan diagram for tree location and grading plan.

Coastal Live Oak number 1 is a 29 inch landmark tree. As stated above no alternative to removal was given because of its location relative to the proposed building plans. This tree was showing signs of serious decline in health. Evidence of insect attack was observed, many small limbs and branches showed signs of death or die-back where there is a partial or complete loss of foliage.

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<sup>1</sup> Diameter was measured in inches 2 feet from ground level.

This tree should be removed for the purpose of constructing the proposed structures.

Coastal Live Oak number 11 is also a landmark tree. This 26 inch tree is within the building envelope of the parking lot. Any alternative would create a more limited parking situation; therefore, no alternative could have been made to retain this tree. Tree planting and transplanting will make up for the loss of landmark trees.

Tree number 12 is a large 22" Coastal Live Oak that is not on the property, but very close to the parking lot. It has been shown that covering more than 40% of the dripline of an Oak tree with an impermeable layer (such as concrete), can have a significant impact on the health of the tree due to decrease in water availability. I recommend staying at least 5 feet away from the base of this Coastal Live Oak. This will make sure that no more than 40% of the dripline will be covered. Creating this buffer away from the tree may limit spacing for a parking area; therefore, it may be necessary to subtract this parking space from the proposed plan or to make it available for compact cars only.

The landowner has made it clear that tree planting will be a part of the construction efforts. In the past Forest Management Plans that I have reviewed, landmark trees are replaced 2 or 3 to 1. In this case, they will be replaced on a 10 to 1 basis, along with the transplanting efforts.

#### Tree Planting

A total of 22 or more Coastal Live Oaks will be planted in the areas shown on the attached map. Planting will be on a 2 to 1 ratio for each Landmark tree proposed for removal. The other Coastal Live Oaks will be transplanted within the parcel. If transplanting is not successful after further evaluation, they will be removed and then replaced with Coastal Live Oaks no smaller than one-gallon in size.

Planted Coastal Live Oaks should come from a local seed source and should be no smaller than one-gallon in size.

#### Tree Transplanting

It is the landowner's desire to transplant several Coastal Live Oaks, that are within the building envelope, in areas around the parking lot. However, the landowner will decide if transplanting will be economically feasible during operations. If the landowner decides not to transplant, then those Coastal Live Oaks designated for transplanting in this Forest Management Plan will be replaced with planted Coastal Live Oaks on a 1 to 1 basis and no smaller than one gallon in size.

Coastal Live Oaks numbered 2 –10 are designated to be transplanted in areas shown on the attached map. The following Project Description will be my recommendations to the transplanting efforts to take place. Great care should be

taken in transplanting Coastal Live Oaks and a competent and experienced worker or workers should be consulted to complete these tasks.

According to *Arboriculture-Care of trees, shrubs, and Vines in the Landscape*, there are many ways to go about transplanting trees. Soil types, tree size, tree health and season of transplanting are just some of the factors that must be looked at before transplanting operations can occur. In this Forest Management Plan, the trees to be transplanted are in good health condition, which will help the success of the transplanting operation. Generally larger plants are harder to transplant and smaller trees are easier to transplant with more success. The largest tree to transplant for this FMP is a 14 inch Coastal Live Oak. Most care should be taken in transplanting this tree.

Roots are more compact in well-aerated and fertile soil, therefore, making the transplanting efforts easier.

The health of trees to be transplanted should not be severely affected if the following practices are adhered to:

- a) First find the location of where each Oak will be transplanted and dig an area that will fit the dimensions of the root ball. The planting hole should be wide enough to allow 1 to 1.5 feet of back fill of good topsoil beyond the tips of the roots. Refer to the Appendix A, Figure 1 for a graph showing the approximate depth and size of the root ball for each tree and an illustration (Figure 2) of how each tree should fit into hole.
- b) Begin digging a trench by hand around the tree using a sharp bladed shovel. Make sure to stay just outside the dripline of each Oak. Larger Oaks will have a drip line that extends further out than smaller trees. The furthest extension of the dripline exists just under the furthest extension of the trees branches. Look at Figure 2, Appendix A for drawn illustration of dripline location.
- c) Continue digging down to the estimated depth of the root ball (refer to graph on page 10, Figure 1) and then towards the tree while staying at a depth that will minimize major root damage. While digging sever larger roots and remove as much soil as possible around the root ball.
- d) When the constructor feels that enough soil and roots have been severed to remove the tree without extensive damage, removal and transplanting should take place immediately. The shorter the wait between tree removal and transplanting the better chances the tree will survive the operation.
- e) As mentioned earlier there are many methods of removing trees. My recommendation is to use a small crane. Place a cable around the trunk of the tree beneath the lowest branch to prevent slippage. Place a towel or other material between cable and trunk to minimize any damage that can occur to the

trunk. When the cable is secured and the constructor feels enough roots have been severed and enough soil removed, carefully remove tree.

f) While the trees roots are exposed the leaves should be misted to minimize transpiration.

g) Transplant the Oak in hole that was previously dug as soon as possible making sure that there are 1 to 1.5 feet of back fill of good topsoil beyond the tips of the roots. Also, make sure that the tree is not planted any deeper than when it was originally removed.

h) After the plant has been properly oriented in the hole and set at the right depth, work loose soil around the roots being sure that no air pockets remain. When the roots are sufficiently covered, tamp the soil firmly. Add water to settle the soil around the roots and add soil as needed.

As mentioned earlier a competent and experience operator should be consulted to perform the duty of tree transplanting. After transplanting has taken place, the landowner should hire a forester or arborist to evaluate the trees if any signs of dieback occur. The yellowing and/or loss of leaves are usually a sign of health decline/dieback.

### **3. Project Assessment**

The envelope of the parking lot and office building take up most of the parcel size. Therefore, no alternate adjustment could have been made to lessen tree removal. I feel that the current plan of development has taken good considerations for transplanting and the remanding trees that will continue their prosperity and role in the existing environment.

#### Short Term Impacts

Site disturbance will occur during construction. Approximately 29,000 square feet of area will be used for construction of office building and parking area. The shallow slope will be a factor in minimizing soil erosion.

#### Long Term Impacts

As mentioned earlier, only trees within structure perimeters will be removed. All other trees will remain standing. The trees outside the parcel and proposed building area will not be disturbed and will continue prosperity and function in their existing environment.

The health of trees surrounding the residence and driveway should not be affected if the following practices are adhered to:

- A) Do not deposit any fill around trees, which may compact soils and alter water and air relationships. Fill placed within the drip-line may encourage the development of oak rot fungus (*Armillaria mellea*).
- B) Excavation contractor shall be careful not to damage stems and/or exposed roots of trees with heavy equipment. If necessary, trees may be protected by boards or other materials.
- C) When trees inside the area of development are removed, leave a high stump (24-36 inches) to aid in removal by mechanized equipment. Before excavating the stump and root system, first locate all roots close to the ground surface by visual inspection and probing with a shovel. These roots should be cut before trying to remove the stump. This will make stump removal easier and will insure minimal impact to other trees whose roots may be intertwined with the stump being removed.
- D) Over-watering of remaining trees may occur if turf of herbaceous plants are grown under the tree canopy. Native live oaks are not adapted to summer watering and may develop crown or root rot as a result. Do not irrigate within the dripline of oaks.
- E) The trees remaining near the parking lot will be bounded by impermeable surfaces. Although these trees should survive, the change in the ground surface underneath the dripline of these trees may affect their long-term health due to a decrease in water availability. These trees should be monitored for any visual changes. If changes occur, a professional forester should evaluate tree health.
- F) The trees near the proposed building footprint may be adversely affected by excavating or building activities. Damage to the root systems of these trees should be limited as much as possible. Periodic monitoring of the health of these trees is necessary after operations have begun and after operations have ceased. This would ensure that die-back of the supporting roots (as indicated by leaf yellowing and branch die-back) will not create the hazard of dead or dying trees.

### 3. Agreement by Landowner

The following standard conditions are made a part of all Monterey County Forest Management Plans:

- A. Management Objectives
  - 1. Minimize erosion in order to prevent soil loss and siltation
  - 2. Preserve natural habitat including native forest, understory vegetation and associated wildlife
  - 3. Prevent forest fire

4. Preserve scenic forest canopy as located within the Critical Viewshed (any public viewing area).
5. Preserve landmark trees to the greatest extent possible as defined below.

#### B. Management Measures

1. Tree Removal: No tree will be removed without a Forest Management Plan or an Amended Forest Management Plan.
2. Application Requirements: Trees proposed for removal will be conspicuously marked by flagging or by paint. Proposed removal of native trees greater than six inches will be the minimum necessary for the proposed development. Removal not necessary for the proposed development will be limited to that required for the overall health and long term maintenance of the forest, as verified in this plan or in subsequent amendments to this plan.
3. Landmark Trees: All landmark trees will be protected from damage if not permitted to be removed as a diseased tree which threatens to spread the disease to nearby healthy trees or as a dangerous tree which presents an immediate danger to human life or structures. Landmark Monterey pines are trees that are visually, historically, or botanically significant specimens or are greater than 24 inches or more in diameter at breast height (DBH), or more than 1,000 years old.
4. Dead Trees: Because of their great value for wildlife habitat (particularly as nesting sites for insect eating birds) large dead trees will normally be left in place. Smaller dead trees will normally be removed in order to reduce the fire hazard. Dead trees may be removed at the convenience of the owner.
5. Thinning: Trees less than six inches diameter breast height may be thinned to promote the growth of neighboring trees, without first developing a Forest Management Plan.
6. Protection of Trees: All trees other than those approved for removal shall be retained and maintained in good condition. Trimming, where not injurious to the health of the tree, may be performed wherever necessary in the judgment of the owner, particularly to reduce personal safety and fire hazards.  
Retained trees which are located close to the construction site shall be protected from inadvertent damage by construction equipment through wrapping of trunks with protective materials, bridging or tunneling under major roots where exposed in foundation or utility trenches and other measures appropriate and necessary to protect the well-being of the retained trees.

7. Fire prevention: In addition to any measures required by the local California Department of Forestry fire authorities, the owner will:
  - A) maintain a spark arrester screen atop each chimney
  - B) maintain spark arresters on gasoline powered equipment
  - C) establish a "greenbelt" by keeping vegetation in a green growing condition to a distance of at least 50 feet around the house
  - D) break up and clear away any dense accumulation of dead or dry underbrush or plant litter, especially near landmark trees and around the greenbelt.
  
8. Use of fire (for clearing, etc.): Open fires will be set or allowed on the parcel only as a forest management tool under the direction of the Department of Forestry authorities, pursuant to local fire ordinances and directives.
  
9. Clearing Methods: Brush and other undergrowth, if removed, will be cleared through methods, which will not materially disturb the ground surface. Hand grubbing, crushing and mowing will normally be the methods of choice
  
10. Irrigation: In order to avoid further depletion of groundwater resource, prevent root diseases and otherwise maintain favorable conditions for the native forest, the parcel will not be irrigated except within developed areas. Caution will be exercised to avoid over watering around trees.
  
11. Exotic Plants: Care will be taken to eradicate and to avoid introduction of the following pest species:
  - A) Pampas Grass
  - B) Genista (Scotch broom, French broom)
  - C) Eucalyptus (large types)

#### 4. Amendments

The Monterey County Director of Planning may approve amendments to this plan; provided that such amendments are consistent with the provisions of the discretionary permit or building submittal. Amendments to this Forest Management Plan will be required for proposed tree removal not shown as part of this Plan, when the proposed removal falls within the description of a Forest Management Plan or Amendment to an existing Forest Management Plan.

Amended Forest Management Plan

- A) An amended forest Management Plan shall be required when:

1. A forest Management Plan for the parcel has been previously approved by the Monterey County Director of Planning.
2. The proposed tree removal as reviewed as part of a development has not been shown in the previously approved Forest Management Plan

- B) At a minimum, the Amended Forest Management Plan shall consist of:
1. A plot showing the location, type and size of each tree proposed for removal, as well as the location and type of trees to be replanted.
  2. A narrative describing reasons for the proposed removal, alternatives to minimize the amount and impacts of the proposed tree removal, tree replanting information and justification for removal of trees outside of the developed area, if proposed.

**5. Compliance**

It is further understood that failure to comply with this Plan will be considered as failure to comply with the conditions of the Use Permit.

**8. Transfer of Responsibility**

This plan is intended to create a permanent forest management program for the site. It is understood, therefore, that in the event of a change of ownership, this plan shall be as binding on the new owner as it is on the present owner. As a permanent management program, this Plan will be conveyed to the future owner upon sale of the property.

Forest Management Plan prepared by:

Erik Wahl  
Erik Wahl, Associate Forester

May 26, 2000  
Date

Roy Webster  
Roy Webster, RPF #1765

May 26, 2000  
Date

Owner's Agreement as to the provisions of the Plan:

\_\_\_\_\_  
Owner's Name

\_\_\_\_\_  
Owner's Signature

\_\_\_\_\_  
Date

Forest Management Plan approved by:

\_\_\_\_\_  
Director of Planning

\_\_\_\_\_  
Date



## Appendix A

Table 1. Table 1 shows tree number, species, diameter @ 2 feet from ground, treatment (remove or transplant tree) and health condition of those trees within the parcel that will either be removed or transplanted.

| Tree # | Species          | Diameter @ 2feet | Treatment  | Health Condition                     |
|--------|------------------|------------------|------------|--------------------------------------|
| 1      | Coastal Live Oak | 26               | Remove     | Poor Health-Signs of Dieback Present |
| 2      | Coastal Live Oak | 14               | Transplant | Good Health-Abundant Foliage         |
| 3      | Coastal Live Oak | 8                | Transplant | Good Health-Abundant Foliage         |
| 4      | Coastal Live Oak | 12               | Transplant | Good Health-Abundant Foliage         |
| 5      | Coastal Live Oak | 9                | Transplant | Good Health-Abundant Foliage         |
| 6      | Coastal Live Oak | 6                | Transplant | Good Health-Abundant Foliage         |
| 7      | Coastal Live Oak | 11               | Transplant | Good Health-Abundant Foliage         |
| 8      | Coastal Live Oak | 12               | Transplant | Good Health-Abundant Foliage         |
| 9      | Coastal Live Oak | 9                | Transplant | Good Health-Abundant Foliage         |
| 10     | Coastal Live Oak | 9                | Transplant | Good Health-Abundant Foliage         |
| 11     | Coastal Live Oak | 26               | Remove     | Good Health-Abundant Foliage         |
| 12     | Coastal Live Oak | 22               | Buffer     | Good Health-Abundant Foliage         |

Note: The landowner has the desire to transplant trees 2-10. During operation, the landowner may decide to remove these trees because of economic reasons. If these trees are not transplanted they will be replaced by planting Coastal Live Oaks from a local seed source and no smaller than one gallon in size.

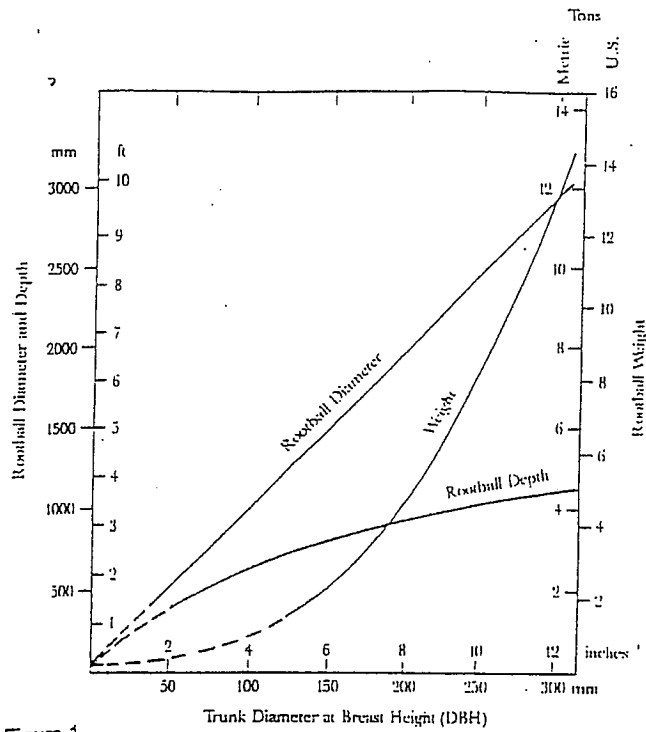


Figure 1

Estimated weight of root balls of recommended diameter and depth for standard shade trees of different trunk diameters. Weights are based on soil weighing 1500 kg per m<sup>3</sup> (110 lbs/ft<sup>3</sup>). (Adapted from Thompson 1940)

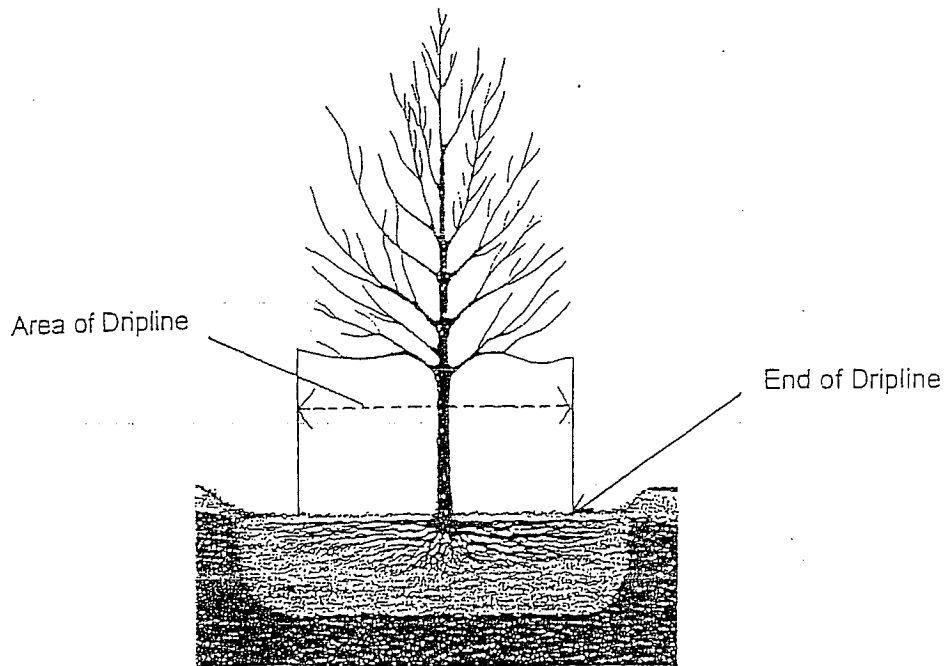


Figure 2 Bare-root planting. The planting hole should be wide enough to allow 1 to 1½ feet of backfill of good topsoil beyond the tips of the roots.

**Exhibit "C"**

Street furniture, such as lamp posts, benches, litter containers, hydrants, plant containers, et cetera, shall be of a design compatible with the architecture and the character of the land and shall be consistent throughout the development.

All signs shall conform to an overall sign design concept coordinated through the entire development. This overall sign design concept will control color, shape, size and content of all signs. Symbols rather than words shall be used wherever possible.

Shingle roofs and/or tile stucco and natural wood siding exterior walls, arranged with particular attention to human size, shall dominate the architectural design of all buildings. Building complexes shall be designed to follow the existing slope of the land and be planned to minimize exposed earth cuts and fills and to preserve existing trees. In all cases, the forest shall take aesthetic precedence over structures and shall penetrate building complexes. Colors shall be selected from a recommended color palette. Color accents, in general, will be in doorways, windows, and on selected wall areas.

Exposed mechanical devices, such as radio and TV antennas, blowers, air conditioning devices, et cetera, will be minimized and blended. All utilities are to be underground.

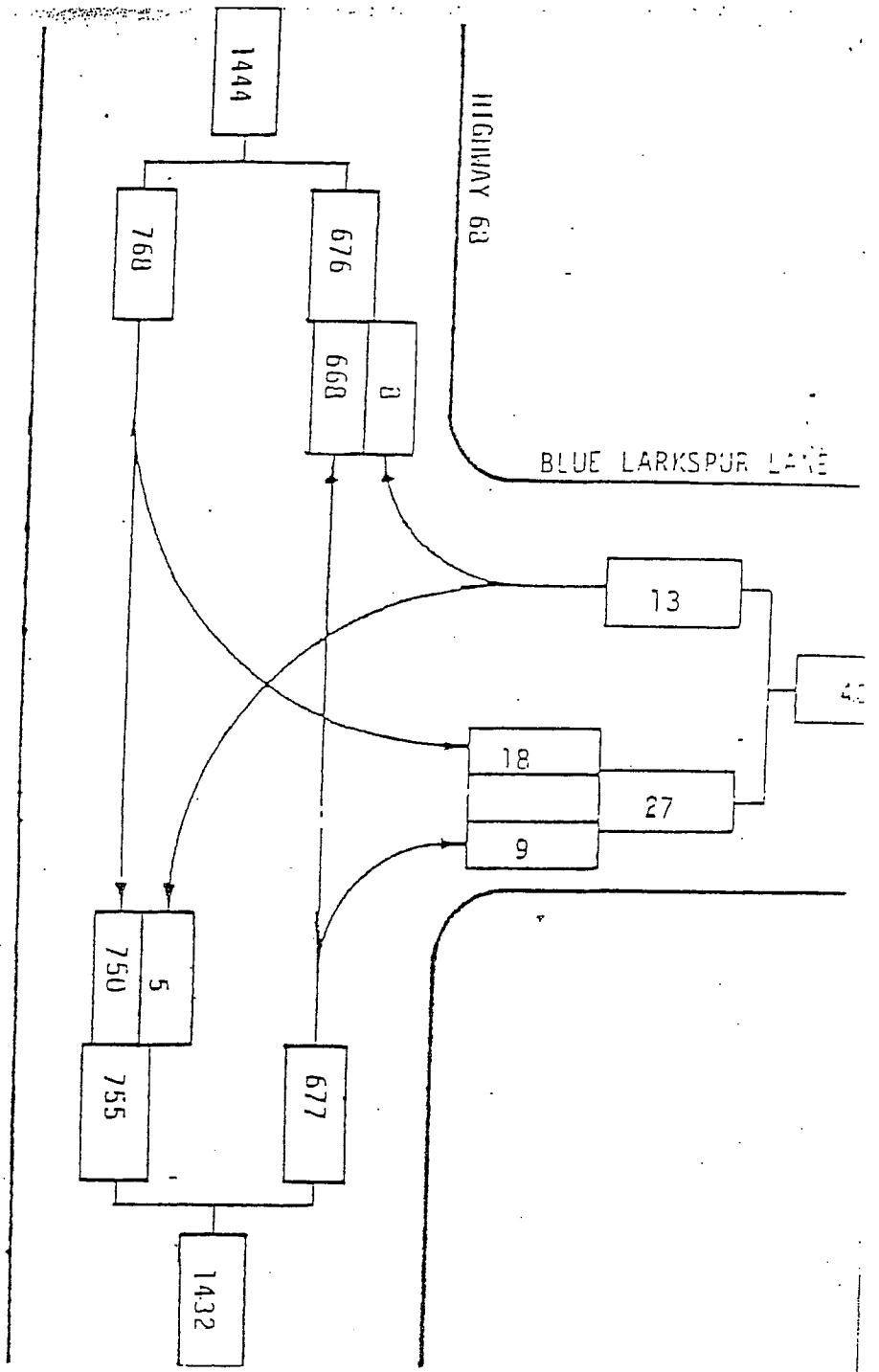
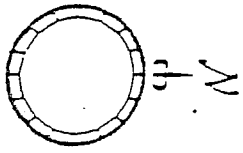
## 2.7 Traffic and Circulation

### Traffic Volumes

The following discussion is taken from traffic reports prepared for the area by William Dryden, Consulting Engineers and George W. Nickelson, P. E., Traffic Engineer.

Access to the project vicinity is provided by State Highway 68 (Monterey-Salinas Highway), which is a two-lane rural highway which runs in an east/west direction. It is the main traffic corridor between Salinas and Monterey. Current daily traffic volumes near the project site on Highway 68 average about 12,700 with peak hour volumes of approximately 1,250, based upon recent CalTrans counts summarized in Table 5 and illustrated in Figure 16. The peak hour level of service (L.O.S.) is D, with a volume to capacity (v/c) ratio of .67.

Additional access to the project vicinity is provided by State Highway 218 (Canyon del Rey Boulevard), which is a two-lane rural highway, in the vicinity of its intersection with Highway 68 -- approximately a half mile west of the Office Park. It provides service to State Highway 1 in Seaside via Del Rey Oaks. Average daily traffic (ADT) on Highway 218 is presently about 4800 near the junction of Highway 68.



Legend  
 Existing traffic counts  
 ADI - Average Daily Traffic

**LAGUNA SECA OFFICE PARK**  
 1980 Peak Hour Volumes  
 FIGURE 16

Source: William Dyden Consulting Engineers

Table 5

Traffic Characteristics

| Street                                    | Speed (MPH)<br>Signed<br>Expected | Lanes of Travel |      | Average Daily Traffic    |                                |
|---|-----------------------------------|-----------------|------|--------------------------|--------------------------------|
|   |                                   | 1980            | 2000 | 1980                     | 2000                           |
| Highway 68<br>(Monterey-Salinas Highway)  | 55<br>50-55                       | 2               | 2-6  | 12,700-15,000<br>245-595 | 49,560-81-780*<br>6,780-12,600 |
| Highway 218<br>(Canyon del Rey Boulevard) | 55<br>50-55                       | 2               | 2-4  | 4800<br>150              | 21,920<br>2,520                |

Note: A. Source: California Department of Transportation.  
 B. Peak Hourly Volumes (PHV) are approximately 10 percent of Average Daily Traffic (ADT).  
 C. 1980 Project Traffic includes York School, the golf course and 45 residential units.

\* Includes Montero and Tarry Flats Developments, which no longer exist because of the defeat of Monterey II.

Access to the on-site street network is presently provided from Highway 68 by Blue Larkspur Lane and York Road. Blue Larkspur Lane provides a two-lane temporary access to Laguna Seca Estates No. 1, with an estimated average daily traffic (ADT) of about 450. Evening peak hour turning volumes at this intersection are illustrated in Figure 16. This is a temporary access that will be closed upon completion of the street network to the Office Park, located between Blue Larkspur Lane and York Road. York Road is a two-lane facility presently providing access to the golf course, York School and Fort Ord Military Reservation.

The north-south portion of York Road at the west end of the Ranch lies within a 70 foot wide strip owned in fee by Fort Ord. The owners of the Laguna Seca Ranch hold a license for use of this road. The owners of the Ranch have reserved a 60 foot roadway easement paralleling York Road so that a new road could be built along this westerly quarter mile should it ever become necessary that the Army revoke the existing license.

The intersection of Highway 68/York Road presently provides a 200 foot left turn lane for the eastbound Highway 68 traffic entering York Road. According to the Monterey County Planning Department, existing average daily traffic (ADT) on York Road is 550.

#### Public Transit Service

Existing public transit service is provided by the Monterey Peninsula Transit District Route 21. This route operates between Monterey and Salinas at a one hour headway from 6 a.m. to 7 p.m. on weekdays and Saturdays. Sunday service also is provided between 10 a.m. and 7 p.m. Ridership presently has an insignificant impact on vehicular traffic volumes.

#### Projected Future Traffic Volumes

Traffic from Off-Site Sources. A number of large developments on Highway 68 in the project vicinity are currently in various stages of planning or construction. These include the Garden Road Office Park, the Way Station motel and restaurant, the Trade Center, Monterra Ranch, the Airport Industrial Park, Ryan Ranch and Tarpey Flats, all located to the west of the project; and Hidden Hills. These developments are expected to be completed over the next 25 to 30 years. At that time, total daily external traffic generated from the projects to the west of Laguna Seca are expected to be approximately 84,500, based upon a traffic study for Monterra, Ryan Ranch and Tarpey Flats by TJKM Transportation Consultants. Approximately 25,000 (30%) of these trips are expected to be distributed to the east of their points of generation, and to pass the entrance to Laguna Seca Office Park on Highway 68. Approximately 8724 trip ends (10% of the ADT) are expected during the evening peak hour, with 3571 inbound and 5154 outbound. The resulting peak hour

volumes past Laguna Seca Office Park from these off-site developments are 2620 vehicles per hour, with a directional split of 1070 westbound and 1550 eastbound. Hidden Hills is expected to generate about 600 trips per day with about ten percent in the peak hour. This results in an additional 30 vehicle trips past the Office Park entrance during the peak hour, based upon the directional splits of other off-site projects.

Additional traffic growth on Highway 68 is expected to occur, due to regional growth, at a rate of two percent per annum. The resulting traffic volumes near the Office Park, excluding its future traffic, are shown in Figure 17.

George W. Nickelson, Traffic Engineer, has pointed out in his Traffic Analysis of Laguna Seca Ranch (1981), that the magnitude of added development as projected by the TJKM Transportation Study may be grossly overstated. He indicated that the projected developments would represent a major increase in the employment and population characteristics of the entire County. Over 20,000 new jobs would need to be created along the Highway 68 corridor, as well as 3,400 new residential units (which, in themselves, could not balance the employment demand) in order to arrive at the 8,724 p.m. trip ends.

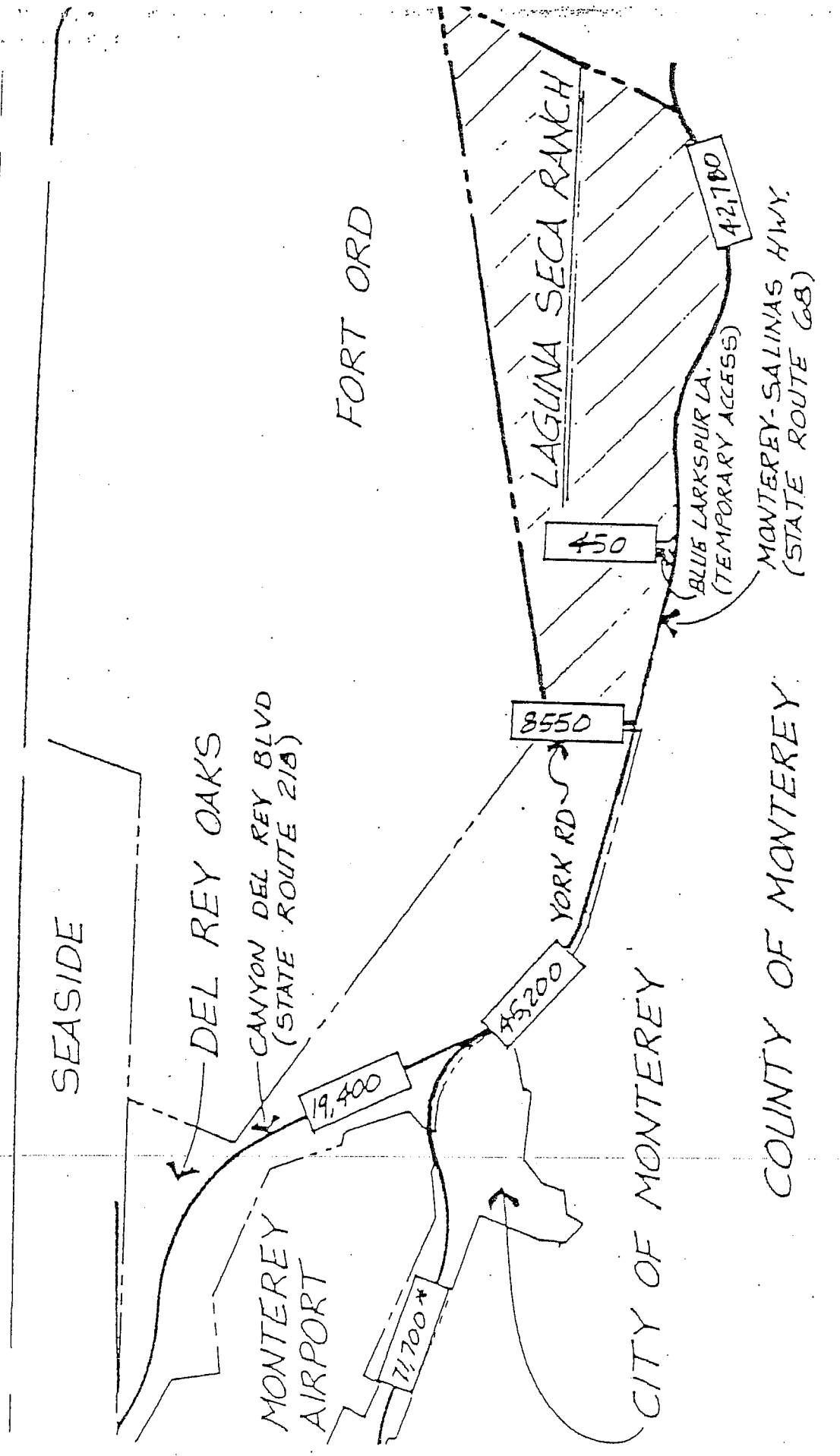
Furthermore, the projected developments in the TJKM study no longer exist because of the recent rejection of Monterey II. He concludes that the TJKM analysis is tenuous because the actual development along the Highway 68 corridor may be significantly less than projects currently proposed.

Freeway Plan Lines Plan Lines for future freeway construction have been adopted for the entire route between Monterey (Highway 1) and the end of freeway at River Road near Salinas. However, funding currently is unavailable and no specific forecast exists of the timing for conversion. A portion of the future right of way within the plan lines was granted as an easement to Monterey County by the owners of Laguna Seca Ranch at the recordation of the Laguna Seca Ranch Estates No. 2 Subdivision early in 1980.

The Ryan Ranch will utilize York Road as a major project entrance, and is expected to add 7,000 vehicle trips per day to York Road, with 1400 of these during the peak hour. The resulting turning volumes at the York Road intersection with Highway 68 are shown on Figure 18.

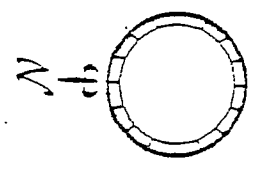
The preliminary plans for the freeway include an interchange to serve the Office Park development. This intersection at York Road, also will service Ryan Ranch and the east end of Monterra. The preliminary development plans include cooperation with the developers of Ryan Ranch in any necessary improvements to the present York Road/Highway 68 intersection.





Legend

ADT - Average Daily Traffic East of Highway 68

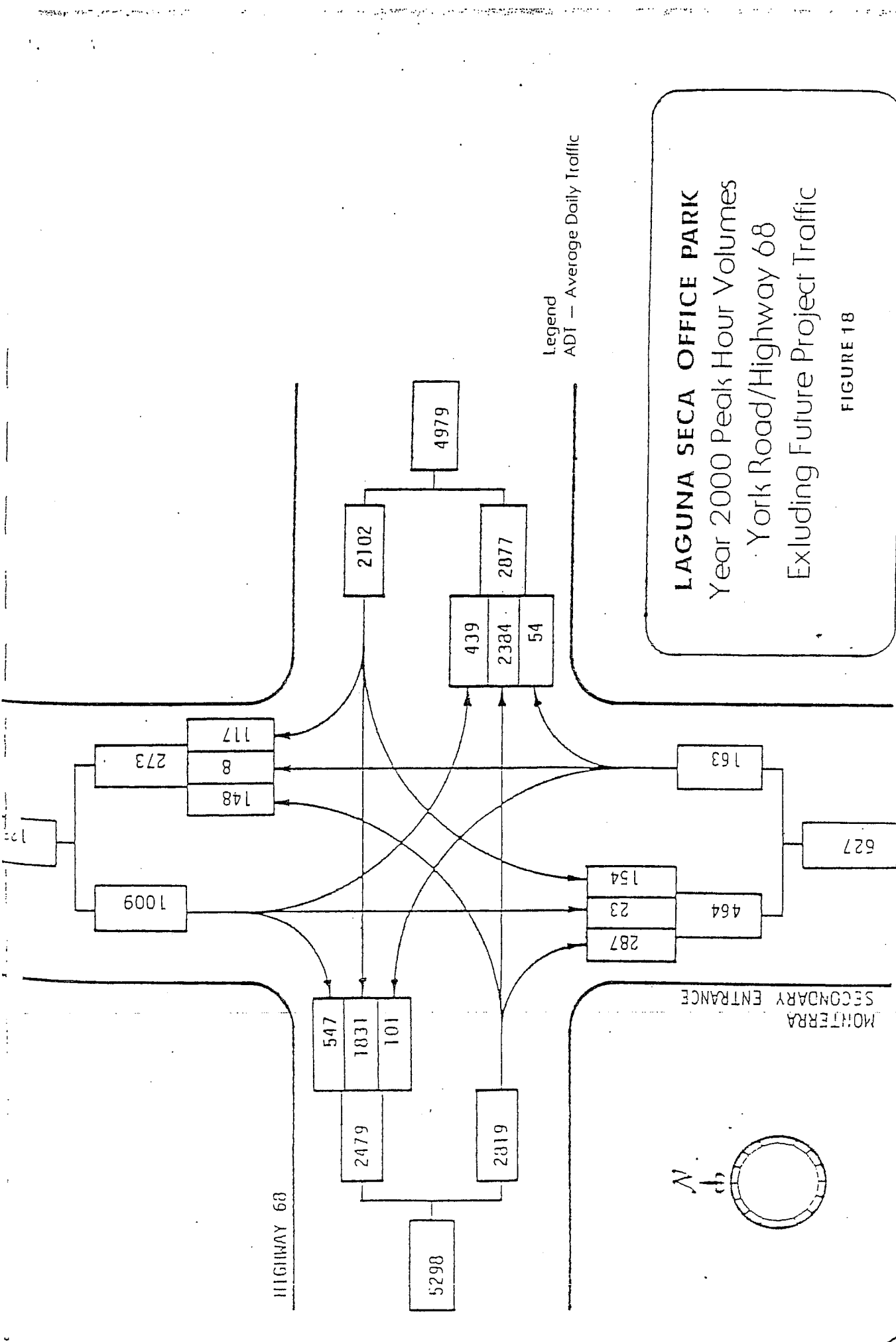


**LAGUNA SECA OFFICE PARK**

Traffic Flow Map  
Year 2000 Volumes  
Excluding Project Traffic

FIGURE 17

Source: William Dryden, Consulting Engineers

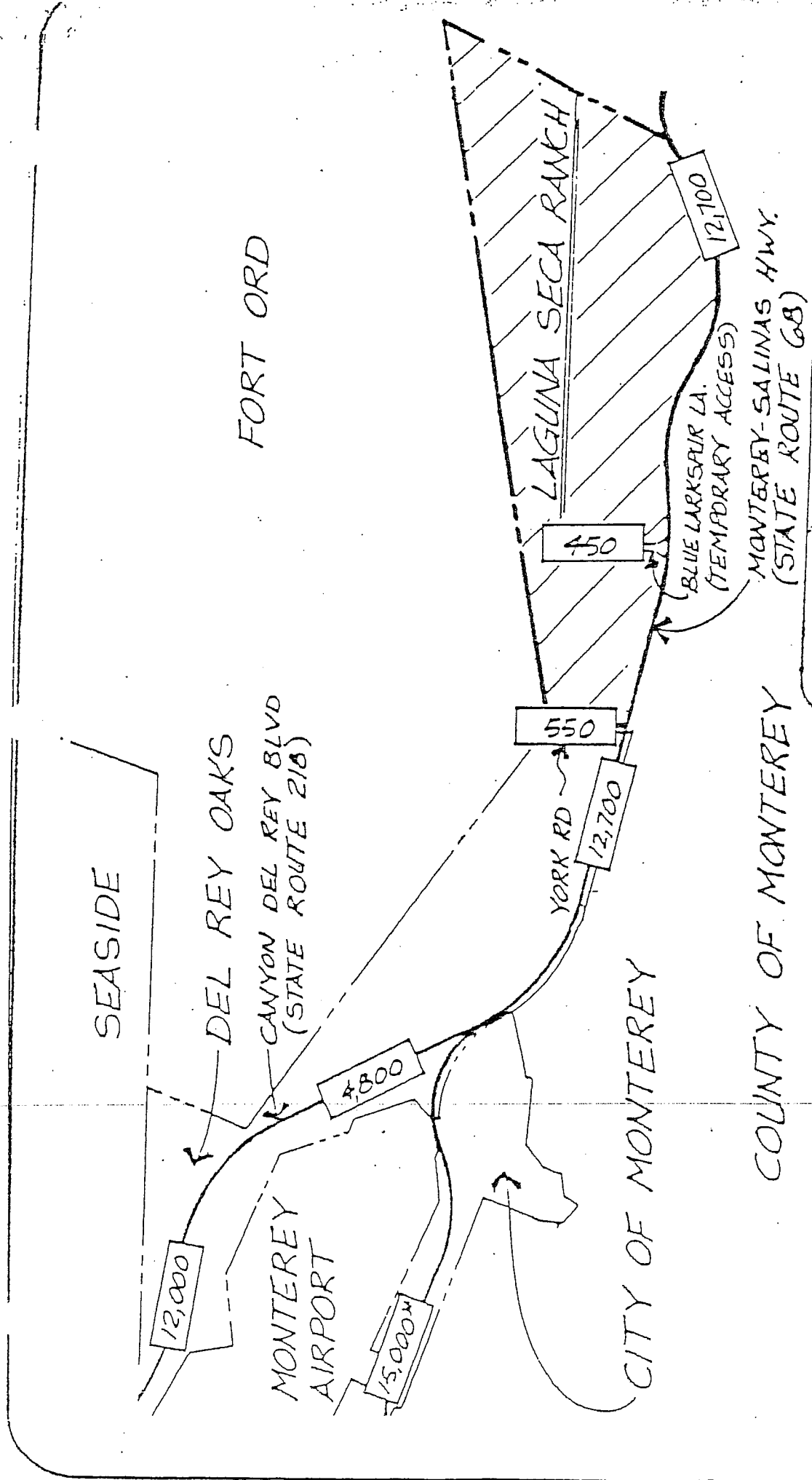


Legend  
ADT — Average Daily Traffic

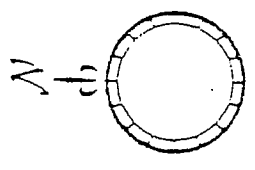
**LAGUNA SECA OFFICE PARK**  
Year 2000 Peak Hour Volumes  
York Road/Highway 68  
Excluding Future Project Traffic

FIGURE 18

Source: Williams-Dryden Consulting Engineers



LEGEND  
 ADT - Average Daily Traffic  
 \*Lost of Hwy 1

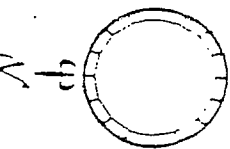
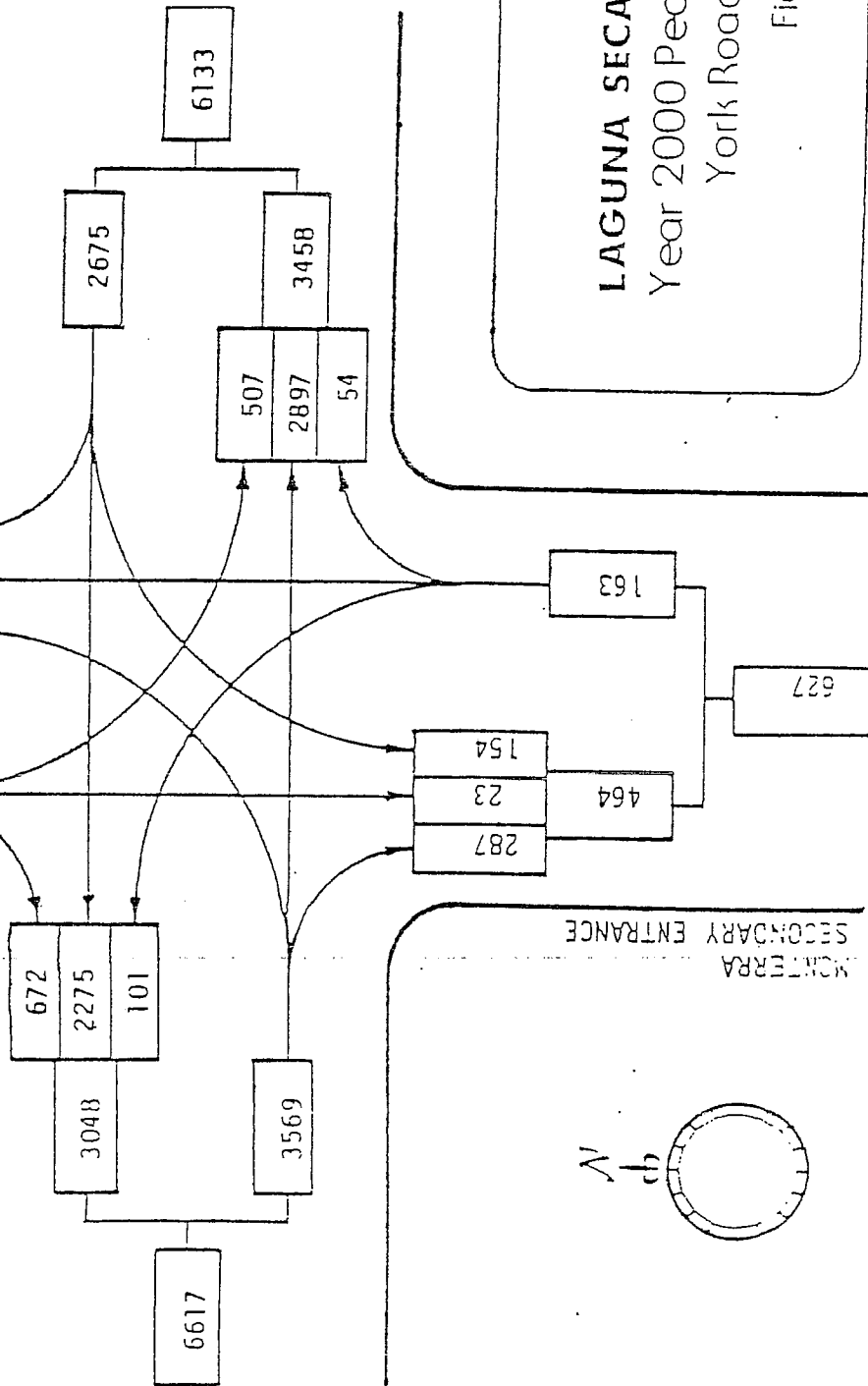


**LAGUNA SECA OFFICE PARK**  
 Traffic Flow Map  
 1980 (Existing) Volumes

Fig. 19

Average Daily Traffic

HIGHWAY 68



MONTERRA SECONDARY ENTRANCE

**LAGUNA SECA OFFICE PARK**  
 Year 2000 Peak Hour Volumes  
 York Road/Highway 68

Fig. 20

Source: Wilbur Smith Consulting Engineers

### Project Traffic Generation and Distribution

On-site access to the project site will be provided by York Road which is an existing entrance to the property. Blue Larkspur Lane will be closed to through traffic after development occurs.

According to both Traffic Engineers, Dryden and Nickelson, expected project-generated traffic is 3,120 trips per day and 3,900 average trips per day (ADT).

It has been pointed out by Carl Hooper, Project Engineer for Laguna Seca Office Park, that with a small change in transportation mode, the average trips per day could be reduced by 30% to approximately 2,500 average trips per day. He suggests that 20% of the employees would car pool, 10% would use buses and the remaining 70% use individual cars. Also included in the 2,500 ADT would be 400 customer trips per day. The breakdown would be as follows:

|             |                    |                             |         |
|-------------|--------------------|-----------------------------|---------|
| 70%         | in individual cars | = 700 employees X 2.5 trips | = 1,750 |
| 20%         | in car pools       | = 200 employees X 2.0 trips | = 400   |
| 10%         | in buses           | = 100 employees X 0 trips   | = 0     |
|             |                    | 200 customers X 2.0 trips   | = 400   |
| TOTAL TRIPS |                    |                             | = 2,550 |

### Impacts

Traffic increases external to the project could include 85,120 vehicle trips added over the next 25 to 30 years from various developments near Laguna Seca Office Park plus about a two percent per annum increase due to regional growth.

The professional Office Park development will produce between 2,500 to 3900 average daily trips (ADT).

According to the TKJM Report, near the proposed Office Park Highway 68 presently operates at a D L.O.S., with a v/c ratio of .67. The expected level of service in the year 2000 on a proposed six-lane expressway will be F with a v/c ratio of 1.01 without project traffic.

Traffic signals will be warranted at the project entrance. Additional study of the necessary signal control and intersection geometrics will be required when the type of Highway 68 facility to be constructed is determined.

Additional examination of traffic control will be necessary at York Road/Blue Larkspur Road intersection at the time of development.

### Mitigation Measures

47. Traffic signalization should be provided. Additional study is necessary for the intersection of York Road and Highway 68. Determination of signal phasing, location, timing and intersection geometrics will be required. It has been determined by Public Works that Larkspur Road will be closed.
48. Care should be taken to provide adequate sight distances at all on-site intersections.
49. Additional study by the County Public Works Department should be made of the usage of Ryan Ranch roads as access routes to Highway 218 from York Road.
50. Additional bus transit service should be provided to and from Monterey.
51. The Office Park business organizations should cooperate with one another to provide flexible or staggered business hours and to assist in the formation of carpools or vanpools.

### 2.8 Air Quality

The northern portion of the Salinas Valley, to which this area is connected, is considered a part of the same air basin as all of the coastal areas of Monterey County. It is identified as the North Central Coast Air Basin. Motor vehicles are the largest source of gaseous pollutants in the North Coastal basins. Carbon monoxide, nitrogen oxides and hydrocarbons comprise the basic category of air pollutants emitted from automobiles. Though the emissions from a particular car do not seem exorbitant, it is the volume which accounts for the pollution potential.

Under the Federal Prevention of Significant Deterioration Program (PSD), areas which are maintaining federal air quality standards currently are being classified. Monterey County presently fails to meet standards designated as Non-Attainment Areas, and is required to prepare a Non-Attainment Plan. A Non-Attainment Plan has been prepared by the Association of Monterey Bay Area Governments (AMBAG); it proposes general measures regarding traffic flow and transit services which should enable this district to meet federal standards by 1982. In addition, general policies pertaining to mobile-source and land-use controls are suggested. Although there are no specific policies for North Monterey County, the plan recommends that all large residential developments be reviewed by AMBAG according to the A95 review process.

**Exhibit "D"**

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95. Consider orientation, color, micro-climatic data, the physiography of the site, building form response, choice of materials, construction practices and passive sources in site planning.

2.11. Archaeology

Archaeology was deemed an insignificant impact on the initial study prepared for this project. A preliminary archaeological investigation failed to locate any direct evidence of archaeological resources on the parcel. Therefore, it is recommended that the proposed project not be delayed for archaeological reasons.

Mitigation Measures

96. If cultural resources are located during construction, work should be halted in the area of the finds and the County Planning Department, the Regional Office of the California Archaeological Site Survey (408/425-6294) or other appropriate authorities should be notified.



**Exhibit "E"**

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# ARCHER OFFICE BUILDING

9741 Blue Larkspur Lane  
Laguna Seca - Office Park  
Monterey County, California

### PROJECT TEAM

**OWNER:**  
LAGUNA SECA PARTNERS  
340 TOWN STREET SUITE 200  
MONTEREY, CALIFORNIA 95030  
PHONE: (408) 314-4141

**OWNER REPRESENTATIVE:**  
DAVID J. ANDERSON  
20 RAYSONVILLE DRIVE SUITE 200  
MONTEREY, CALIFORNIA 95030  
PHONE: (408) 314-4141  
FAX: (408) 314-4141  
EMAIL: dander@lscpa.com

**ARCHITECT:**  
WALTER BAKER & BOSS ARCHITECTS  
290 HAYWARD STREET SUITE 100  
MONTEREY, CALIFORNIA 95030-3444  
PHONE: (408) 314-4141  
FAX: (408) 314-4141  
WWW: www.walterbakera.com

**FORESTRY CONSULTANT:**  
COURTESY CONSULTANTS  
2155 CALIFORNIA STREET SUITE 200  
MONTEREY, CALIFORNIA 95030  
PHONE: (408) 314-4141  
FAX: (408) 314-4141  
WWW: www.courtesyconsultants.com

### SHEET INDEX

**SHEET # SHEET TITLE**  
ARCHITECTURAL  
A01 COVER SHEET  
A02 PRELIMINARY SITE PLAN & SURVEY  
A03 PRELIMINARY SCHEMATIC PLANS  
A04 NORTH & EAST ELEVATIONS  
A05 SOUTH & WEST ELEVATIONS

### PROJECT INFORMATION

AGENDA, VERTICALS  
LOT AREA: 49,740 SQ. FT.  
SHADED PORTAGE CIRCULATION  
4,049 SQ. FT.  
DEVELOP PORTAGE AREA  
5,334 SQ. FT.  
TOTAL LEASABLE AREA  
9,383 SQ. FT.  
TOTAL LEASABLE AREA  
2,505 SQ. FT.  
TOTAL LEASABLE AREA  
2,505 SQ. FT.  
TOTAL LEASABLE AREA  
2,505 SQ. FT.  
TOTAL LEASABLE AREA  
2,505 SQ. FT.

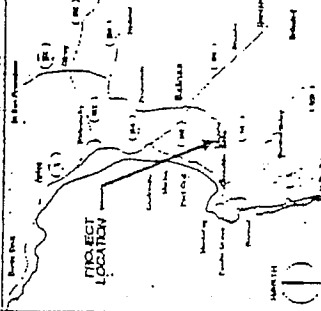
### SYMBOLS

ROCK MAPPER  
SHEET NOTE  
SHEET NOTE (BOUNDARY)  
POOR SITE/LINE  
HATCH LINE  
MARK POINT DATA  
SECTION  
DETAIL  
PROPOSED LINE  
REVISION

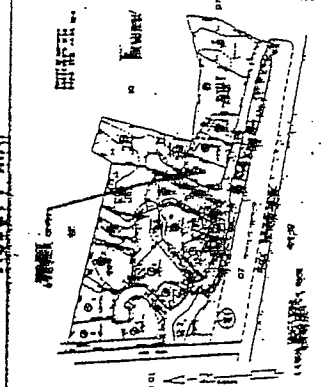
### ABBREVIATIONS

|          |        |
|----------|--------|
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |
| [Symbol] | [Text] |

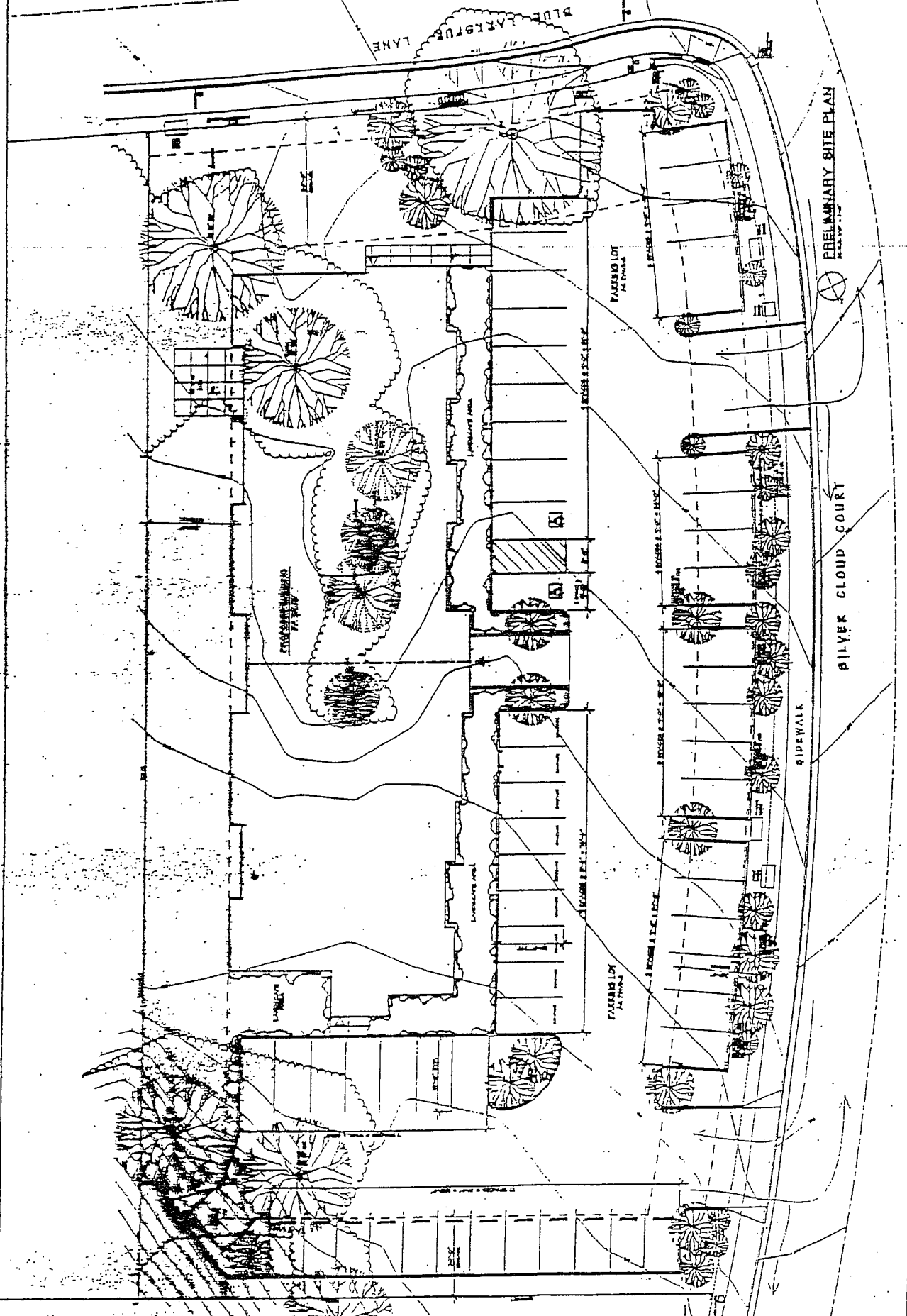
### LOCATION MAP



### VICINITY MAP



|           |  |
|-----------|--|
| DATE      |  |
| SCALE     |  |
| PROJECT   |  |
| CLIENT    |  |
| ARCHITECT |  |



PRELIMINARY SITE PLAN  
SHEET NO. 11.1

SILVER CLOUD COURT

RIDEWALK

PARKING LOT  
14 SPACES

PARKING LOT  
14 SPACES

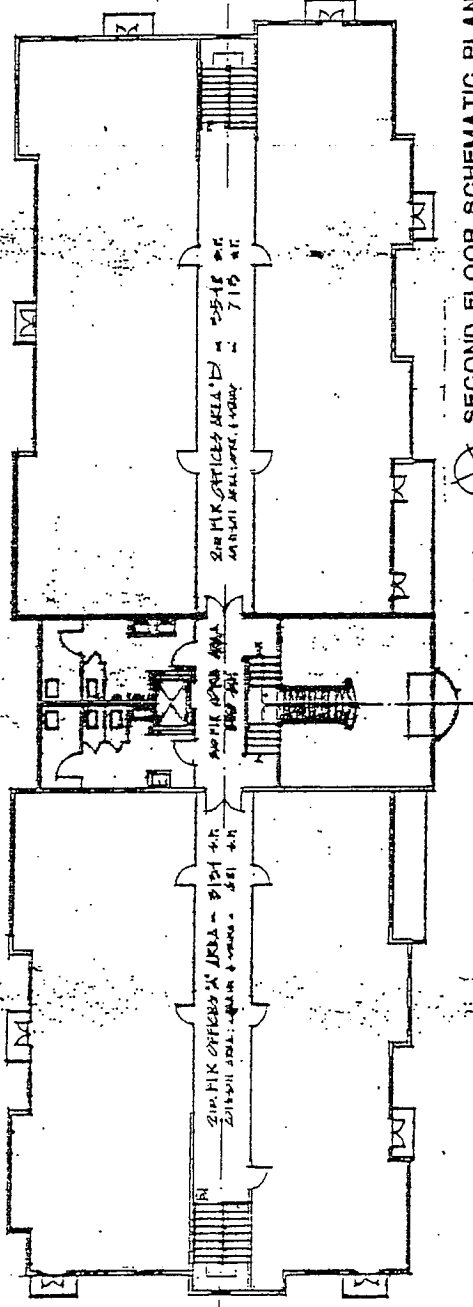
PARKING LOT  
14 SPACES

PARKING LOT  
14 SPACES

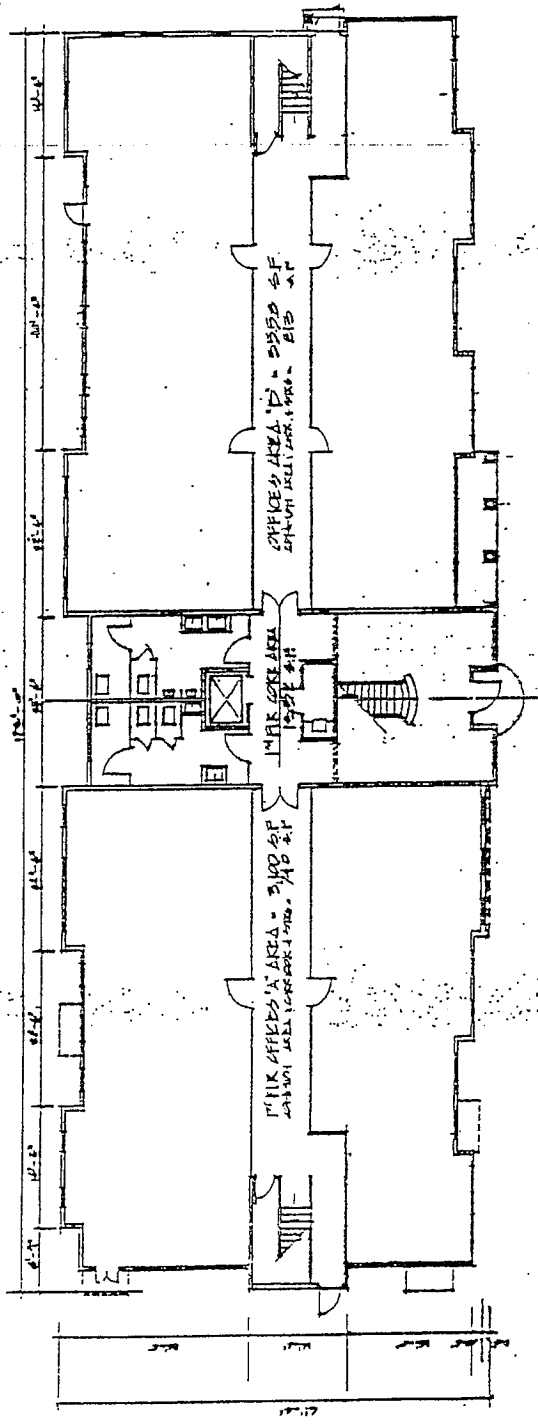
PARKING LOT  
14 SPACES

PARKING LOT  
14 SPACES

BLUE LAKESIDE LANE



SECOND FLOOR SCHEMATIC PLAN



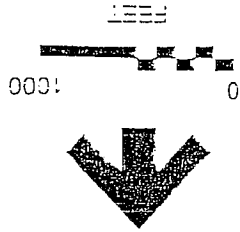
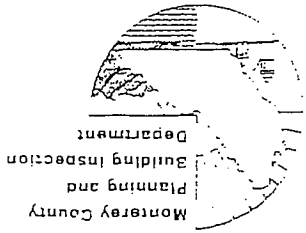
FIRST FLOOR SCHEMATIC PLAN

|        |           |
|--------|-----------|
| NO. OF | DOORS     |
| NO. OF | STAIRS    |
| NO. OF | ELEVATORS |
| NO. OF | RESTROOMS |
| NO. OF | LOCKERS   |
| NO. OF | STORAGE   |

Wald, Rohrer & Doel Architects  
 AIA - Architects - Planning

PRELIMINARY & SCHEMATIC PLANS  
 Archer Office Building  
 411 M-100 - 7TH FLOOR LANSING

A2.9



FILE # 000164

APPLICANT: ARCHER

APN: 173-121-016-000

2,500' LIMIT:

300' LIMIT:

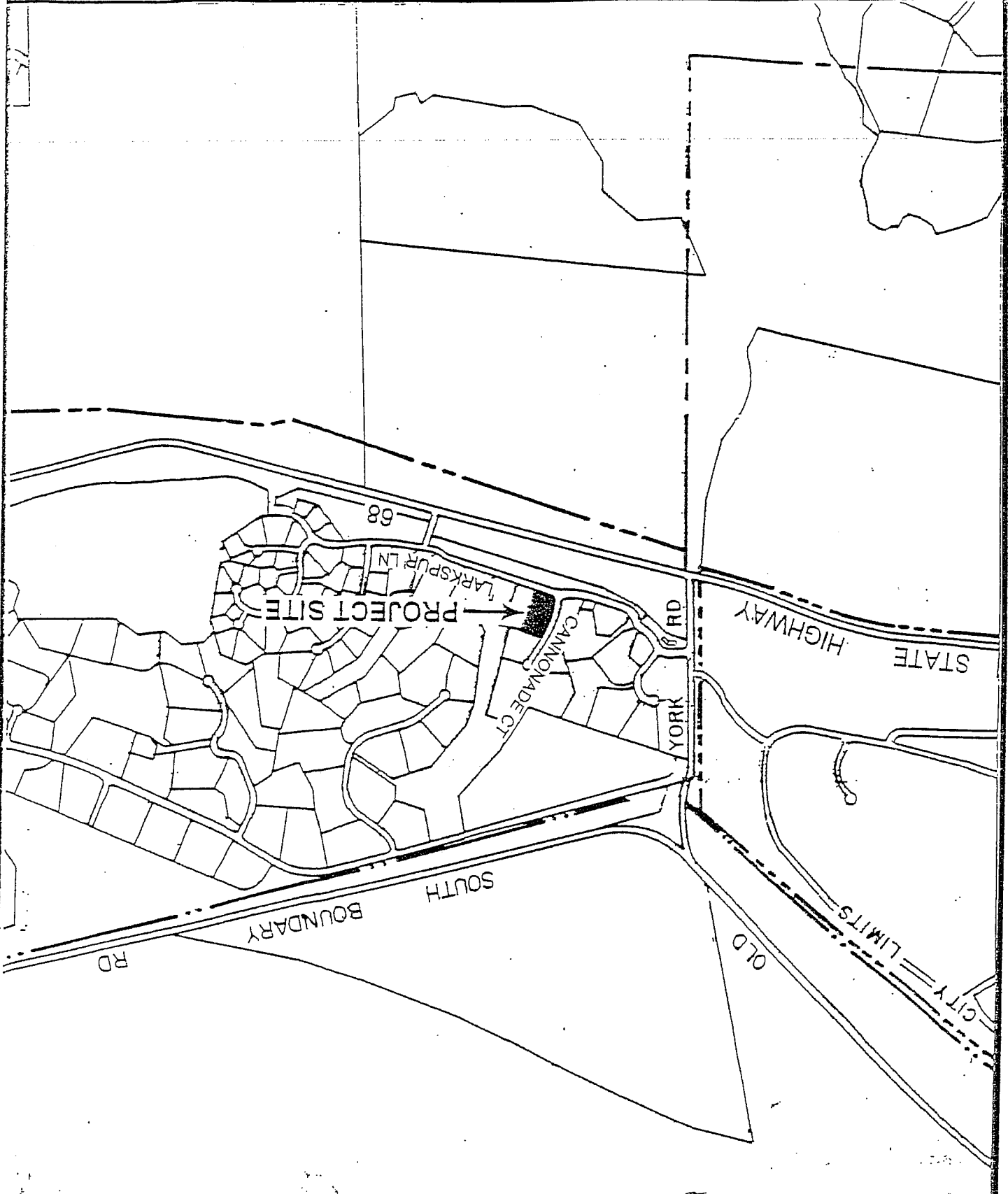


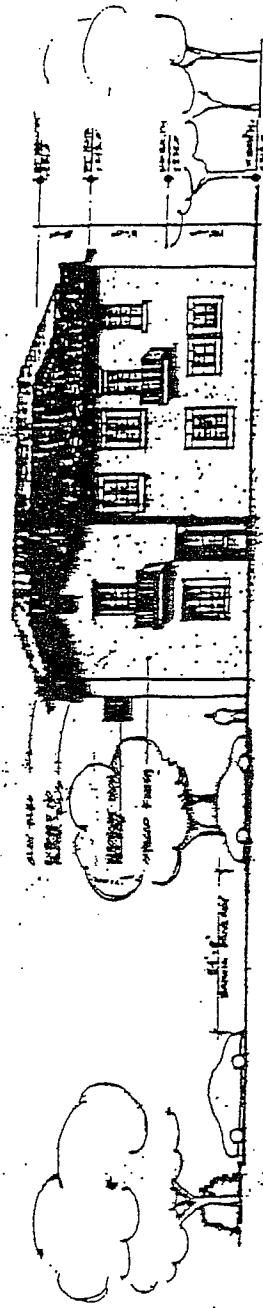
Exhibit "F"

|      |                  |
|------|------------------|
| NO.  | 10000            |
| DATE | 1912             |
| BY   | W. A. D. O'NEILL |
| FOR  | ARCHITECTS       |

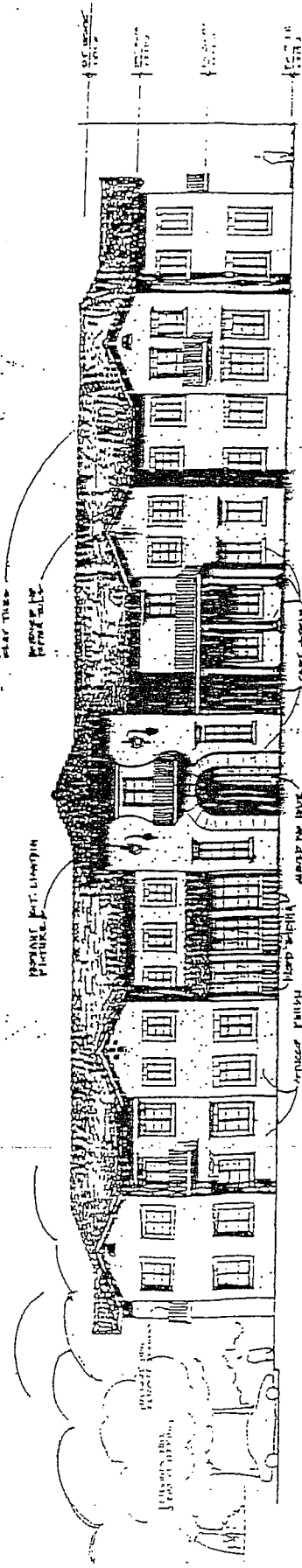
Wald, Ruhnke & Dost Architects  
 A. I. A. • ARCHITECTS • PLANNERS  
 1000 Broadway, New York City

Architect Office Building  
 1000 Broadway, New York City

ELEVATIONS  
 A.S. 8

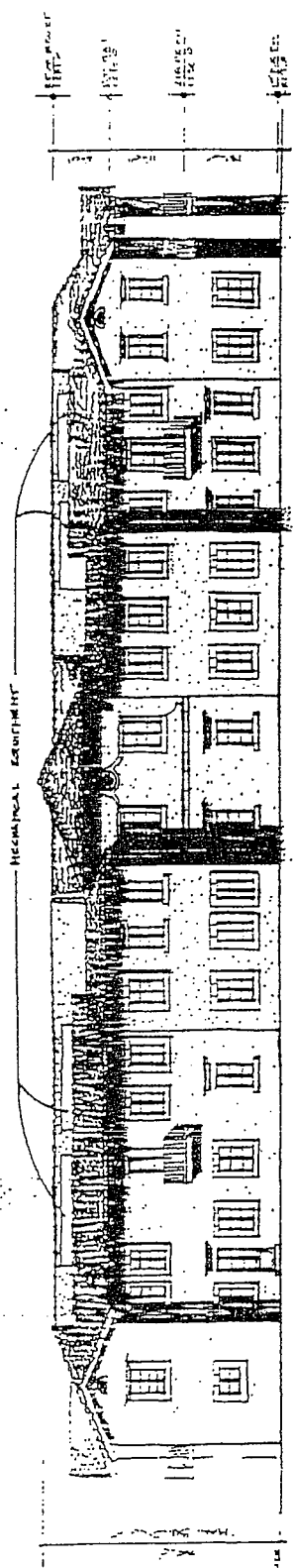


**SOUTH ELEVATION**  
 SCALE 1/8" = 1'-0"

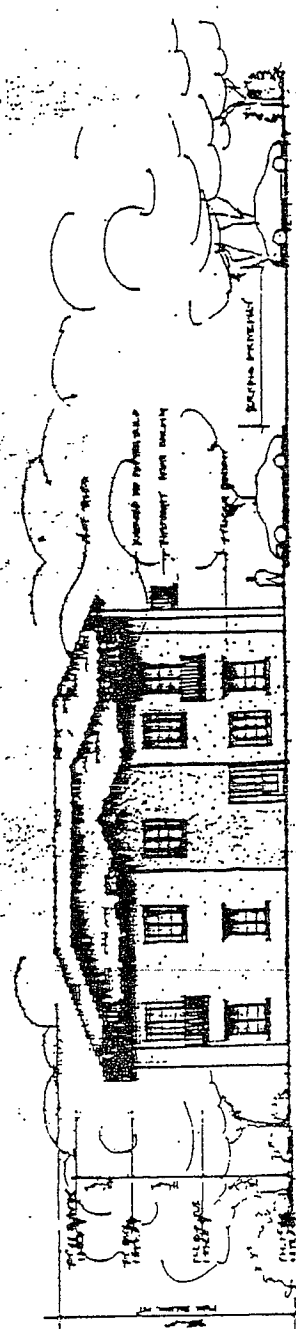


**WEST ELEVATION**  
 SCALE 1/8" = 1'-0"

|           |
|-----------|
| NO. 100   |
| DATE 1930 |
| SCALE     |
| PROJECT   |



EAST ELEVATION  
SCALE 1/8" = 1'-0"



NORTH ELEVATION  
SCALE 1/8" = 1'-0"



## EXHIBIT H

### Before the Standard Subdivision Committee in and for the County of Monterey, State of California

In the matter of the application of:

**OCEANVIEW INVESTORS L.P. (PLN090410)**

**RESOLUTION NO. 11-006**

Resolution by the Monterey County Standard Subdivision Committee to recommend the Planning Commission:

- 1) Consider the Addendum to the adopted Negative Declaration;
- 2) Recommend that the Board of Supervisors approve the rezone for Assessor's Parcel Number 173-121-016-000 from VO/B-6-UR-D-S to VO/UR-D-S; and
- 3) Approve the Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A).

[PLN090410, Oceanview Investors L.P., 24591 Silver Cloud Court, Monterey, Greater Monterey Peninsula Area (APN: 173-121-016-000)]

The Standard Subdivision application (PLN090410) came on for public hearing before the Monterey County Standard Subdivision Committee on March 10, 2011. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Standard Subdivision Committee finds and decides as follows:

### FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

**EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:

- the 2010 Monterey County General Plan;
- Greater Monterey Peninsula Area Plan;
- Greater Monterey Peninsula Area Plan, Inventory and Analysis;
- Monterey County Zoning Ordinance (Title 21); and
- Monterey County Subdivision Ordinance (Title 19).

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 24591 Silver Cloud Court, Monterey

(Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan. The parcel is zoned VO/B-6-UR-D-S (Visitor Serving/Professional Office with Building Site Plan Review, Design Control, and Site Plan Review overlay districts). The project does not include a change in the permitted use within the existing building (see subsequent Evidence c). Therefore, the uses remain consistent with the respective zoning district.

- c) On October 12, 2000, the Zoning Administrator adopted a Negative Declaration and approved a Use Permit and Design Approval (PLN000164) for the construction of a two-story 18,425 square foot office building on the subject property. Construction was completed and tenants now occupy the building. The applicant requests to subdivide the interior space of the building (commercial condominium subdivision) to allow the option to sell "units" instead of leasing. The proposed subdivision will not result in a physical change to the land and/or structure.
- d) Design Control and Site Plan review overlay districts require an additional review of projects if exterior modifications are proposed (see Sections 21.44 and 21.45 of the Monterey County Zoning Ordinance). No exterior modifications to the existing building are proposed; therefore, a Design Approval is not required.
- e) A B-6 overly district was placed over the subject property as a result of a previous Subdivision (Volume 16, Cities and Towns page 32) for the Laguna Seca Office Park, restricting future subdivisions of the property (21.42.030.F of the Monterey County Zoning Ordinance). The B-6 was required to establish a fixed impact and capacity to the planned infrastructure systems in the project area. When the Laguna Seca Office Park was created, the sewer collection system, sewer plant, water system improvements, underground utility facilities, and improvements to Highway 68 were designed and sized to support the overall buildout. The proposed commercial condominium subdivision does not include an increase in the amount of units within the existing building, nor is the permitted use proposed for modification. Therefore, the subdivision will not result in the increase of water connections, sewer connections, or traffic that already exists. Based on these factors, the applicant proposes to rezone the property and lift the B-6 in order to allow for the project's consistency with the zoning district. The subdivision will remain to be consistent with the purpose of the B-6 as it will not create an additional impact on infrastructure.
- f) The proposed subdivision is consistent with the Greater Monterey Peninsula Area Plan (GMPAP). Policy No. GMP 3.14 of the GMPAP states that the County will encourage development projects to be served by water from public utilities or mutual water companies. Policies for protection of open space, geology, minerals, soils, water resources, vegetation and wildlife habitats, ocean resources, environmentally sensitive areas, archaeological resources, and energy resources were not identified to pertain to the project.
- g) The proposed subdivision is consistent with the 2010 Monterey County General Plan. Policy No. LU-1.9 of the 2010 Monterey County General Plan requires residential developments of five (5) or more lots or units

be subject to review by a Development Evaluation System. This also applies to commercial subdivisions with traffic, water, or wastewater impacts similar to a five lot (or more) residential subdivision. Since there will be no change in use or intensity as a result of the proposed subdivision, the project is not subject to review by a Development Evaluation System.

- h) The proposed project is found to be consistent with the Monterey County Subdivision Ordinance (see subsequent Finding No. 6).
- i) The project planner conducted a site inspection on September 7, 2010 to verify that the project on the subject parcel conforms to the plans listed above.
- j) The proposed project was referred to the Greater Monterey Peninsula Land Use Advisory Committee (LUAC) on September 1, 2010 pursuant to the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338. This application warrants referral to the LUAC because the project is not exempt from environmental review. The LUAC voted recommendation of the project with a vote of 5 to 0, with one member absent.
- 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 Project File No. PLN090410.

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, the Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
  - b) The proposed project was reviewed relative to resource material (Greater Monterey Peninsula Area Plan, Greater Monterey Peninsula Area Plan Inventory and Analysis, the Monterey County Geographic Information System) and no potential impacts caused by the project were identified. Therefore, no reports were required to be submitted as part of the subdivision application.
  - c) Staff conducted a site inspection on September 7, 2010 to verify that the site is suitable for this use.
  - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File No. PLN090410.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to

property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:** a) The project was reviewed by the Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) Necessary public facilities are available. The existing office building is serviced by the Laguna Seca Office Park infrastructure. The subdivision will not require an increase in the existing service connections provided by the water and sewer purveyor, California American Water Company (also refer to Finding No. 1, Evidence e).
- c) Preceding findings and supporting evidence for Project File No. PLN090410.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on September 7, 2010 and researched County records to assess if any violation exists on the subject property.
- c) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File No. PLN090410.

5. **FINDING:** **CEQA (Addendum):** - An Addendum to a previously adopted Negative Declaration (ND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted ND.

- EVIDENCE:** a) An ND for the Archer Use Permit and Design Approval (PLN000164) was prepared and adopted by the Zoning Administrator on October 12, 2000 (Resolution No. 000164). The Use Permit and Design Approval allowed the construction of a two-story 18,425 square foot office building on the subject property. The applicant requests to subdivide the interior space of the building (commercial condominium subdivision) to allow the sale of "units" instead of leasing. This will not result in a physical change to the land and/or structure.
- b) An Addendum to the Archer Use Permit and Design Approval (PLN000164) project ND was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines).
- c) The Addendum attached as **Exhibit G** of the March 10, 2011 Standard Subdivision Committee staff report and reflects the County's independent judgment and analysis.
- d) Pursuant to Section 15162 of the CEQA Guidelines, there are no substantial changes proposed in the project that would require major

revisions to the prior ND which identified potential impacts caused by the project that were found to be less than significant or to have no impact. Since the proposed subdivision will not result in a change to the physical environment, no new impacts are identified.

- e) Pursuant to Section 15162 of the CEQA Guidelines, there is no new information of substantial importance that was not known at the time the ND was adopted. The proposed subdivision does not result in the intensification of use on the property which would result in an impact to resources identified in the area. Therefore no new reports or information was required to be submitted by the applicant.

**6. FINDING: GENERAL DEVELOPMENT PLAN** –Monterey County Code requires a General Development Plan (GDP) prior to the establishment of uses/development if there is no prior approved GDP, and if: 1) the lot is in excess of one acre; or, 2) the development proposed includes more than one use; or, 3) the development includes any form of subdivision.

**EVIDENCE:** a) Pursuant to Section 21.22.030.A.3 (Visitor Serving/Professional Office) of the Monterey County Zoning Ordinance, the proposed subdivision requires a GDP.

b) The project as described in the application and accompanying materials was reviewed by the Planning Department, Monterey County Regional Fire Protection District, Parks Department, Public Works Department, Environmental Health Bureau, and the Water Resources Agency. The respective departments have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood; or the county in general.

c) A General Development Plan has been developed that includes provisions for uses, hours of operation, employees, parking, site development standards, signs, landscaping, recycling, exterior lighting, and hazardous materials. The GDP is attached hereto as Exhibit 2 and incorporated herein by reference. A condition of approval has been incorporated requiring the applicant to place a note on the plans referring to the approve GDP.

d) Staff conducted site inspections on September 7, 2010, to verify that the proposed GDP and project are consistent with allowed uses for a professional office site.

e) Materials in Planning File PLN090410.

**7. FINDING: SUBDIVISION** – Section 66474 of the California Government Code (Subdivision Map Act) and Title 19 (Subdivision Ordinance) of the Monterey County Code requires that a request for subdivision be denied if any of the following findings are made:

1. That the proposed map is not consistent with the applicable general plan and specific plans.
2. That the design or improvement of the proposed subdivision is not consistent with the applicable general plan and specific plans.
3. That the site is not physically suitable for the type of development.
4. That the site is not physically suitable for the proposed density of development.

5. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.
6. That the design of the subdivision or type of improvements is likely to cause serious public health problems.
7. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

- EVIDENCE:**
- a) Consistency. The project as designed and conditioned is consistent with the 2010 Monterey County General Plan, Greater Monterey Peninsula Area Plan, and the Monterey County Zoning Ordinance. (See Finding Nos. 1 and 6)
  - b) Design. The lot design is consistent with the Lot Design Standards of Section 19.10.030 County Codes.
  - c) Site Suitability. The site is suitable for the proposed project including the type and density of the development (see Finding No. 2 and following Evidence)
  - d) Health and Safety. The proposed project as designed and conditioned will not, under the circumstances of the particular application, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood or to the general welfare of the County. (See Finding No. 3 and following Evidence)
  - e) Easements. The subdivision or the type of improvements will not conflict with easements. There are no existing easements that will be affected by the subdivision. However, the applicant proposes easement areas within the building to provide for common areas, exclusive use common areas, and balcony easements. The Public Works Department has conditioned the project to require the applicant to delineate all easements on the recorded Final Map.
  - f) Water Supply. Section 19.10.070 MCC requires that provisions shall be made for such domestic water supply as may be necessary to protect public health, safety, or welfare, that the source of supply is adequate and potable, and that there is proof of a long term water supply with the proposed project. Sections 19.03.015.L and 19.07.020.K MCC requires ~~Water Supply and Nitrate Loading Information in order to assess these conditions.~~ There will be not increase in water service connections as a result of the subdivision (see Finding No. 3, Evidence c).
  - g) Sewage Disposal (Sections 19.03.015.K and 19.07.020.J MCC). There will be not increase in sewer service connections as a result of the subdivision (see Finding No. 3, Evidence c).
  - h) Traffic The Public Works Department has reviewed the proposed subdivision and no traffic concerns were identified.
  - i) Affordable Housing The proposed project does not include residential housing units. Therefore, it is not required to meet the County's Inclusionary Housing Ordinance No. 04185.
  - j) Parks and Recreation The proposed project was referred to the Parks Department for review. Parks has determined that the proposed commercial subdivision does not fall into the requirements of the Quimby Act. Therefore, the project is not required to provide

recreational facilities onsite or pay fees towards the Regional Parks.

- k) The application, tentative map and supporting materials submitted by the project applicant to the Monterey County RMA-Planning Department for the proposed development are found in Project File No. PLN090410.
- l) The project planner conducted a site inspection on September 7, 2010.

8. **FINDING:** **APPEALABILITY** - The decision on the proposed subdivision may be appealed to the Board of Supervisors.

**EVIDENCE:** Section 19.16.020.B of the Monterey County Subdivision Ordinance (Board of Supervisors).

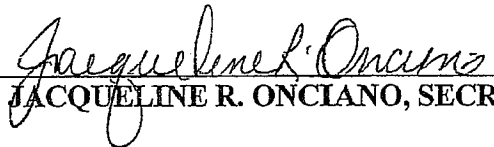
**DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Standard Subdivision Committee does hereby recommend to the Planning Commission to:

- A. Consider the Addendum to the Negative Declaration;
- B. Recommend that the Board of Supervisors approve the rezone for Assessor's Parcel Number 173-121-016-000 from VO/B-6-UR-D-S to VO/UR-D-S; and
- C. Approve the Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A), in general conformance with the attached sketch, the attached General Development Plan, and subject to the conditions, both being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 10th day of March, 2011 upon motion of Committee Member Alinio, seconded by Committee Member McPharlin, by the following vote:

- AYES: Alinio, Lutes, McPharlin, Moss, Onciano, Van Horn
- NOES: None.
- ABSENT: None.
- ABSTAIN: None.

  
\_\_\_\_\_  
JACQUELINE R. ONCIANO, SECRETARY

COPY OF THIS DECISION MAILED TO APPLICANT ON **MAR 14 2011**

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK TO THE BOARD ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **MAR 24 2011**

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

NOTES

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

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

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.



2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.

**RESOLUTION No. 11-006**

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

Project Name: **OCEANVIEW INVESTORS L.P.**

File No: **PLN090410**

APNs: **173-121-016-000**

Approved by: **STANDARD SUBDIVISION COMMITTEE**

Date: **MARCH 10, 2011**

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

| Permit<br>Cond<br>Number         | Mitig.<br>Number | Conditions of Approval and/or Mitigation Measures and<br>Responsible Land Use Department   | Compliance or Monitoring Actions<br>to be performed. Where applicable, a<br>certified professional is required for<br>action to be accepted.   | Responsible<br>Party for<br>Compliance   | Timing   | Verification<br>of<br>Compliance<br>(Date/Time) |
|----------------------------------|------------------|--|--|--|--|---|
| <b>RMA - Planning Department</b> |                  |  |  |  |  |   |
| I.                               |                  | <p><b>PD001 - SPECIFIC USES ONLY</b></p> <p>This Combined Development Permit (PLN090410) allows the Rezone of Assessor's Parcel Number 173-121-016-000 from VO/B-6-UR-D-S to VO/UR-D-S and a Standard Subdivision Tentative Map and General Development Plan to allow the conversion of an existing two-story 18,425 square foot office building into an office condominium containing seven (7) units with nine (9) balcony easements (B.E. 1-9), four (4) common areas within the building, and one (1) outside common area (Parcel A). The property is located at 24591 Silver Cloud Court, Monterey (Assessor's Parcel Number 173-121-016-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. <b>(RMA-Planning Department)</b></p> | <p>Adhere to conditions and uses specified in the permit.</p> <p>Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department.</p> <p>To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the County Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.</p> | <p>Owner/<br/>Applicant</p> <p>RMA -<br/>Planning</p> <p>WRA</p> <p>RMA -<br/>Planning</p> | <p>Ongoing<br/>unless<br/>otherwise<br/>stated</p> |   |

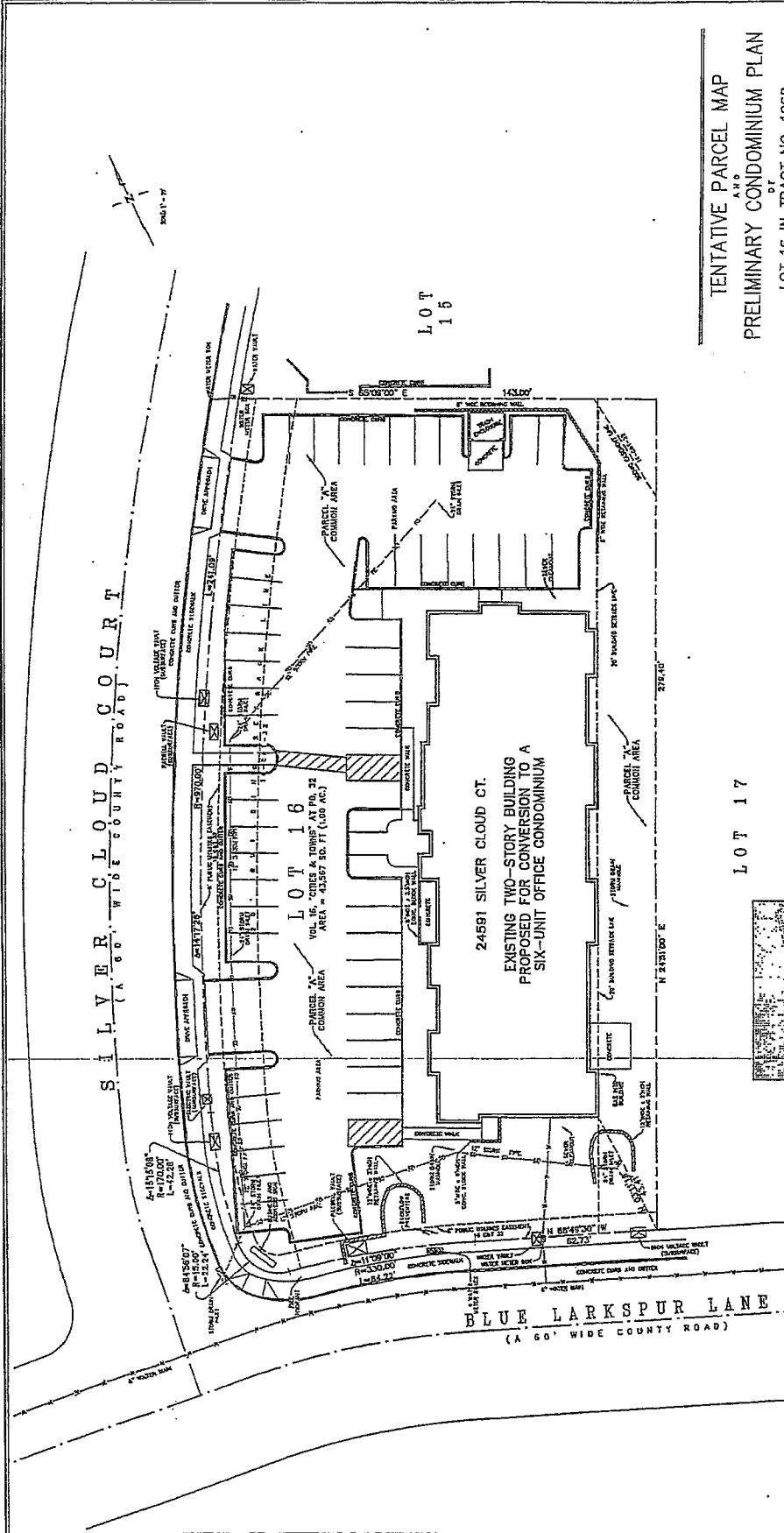
| Permit Condition Number                       | Mtg. Number | Conditions of Approval and/or Mitigation Measures and Responsible Party/Department  | Compliance or Monitoring Actions to be performed. Where applicable a certified professional is required for action to be accepted.   | Responsible Party/for Compliance        | Timing  | Verification of Compliance (Date/Date) |
|---|-------------|---|--|---|---|--|
| 2.  |             | <b>PD002 - NOTICE-PERMIT APPROVAL</b><br>The applicant shall record a notice which states: "A permit (Resolution 11-006) was approved by the Standard Subdivision Committee for Assessor's Parcel Number 173-121-016-000 on March 10, 2011. The permit was granted subject to 11 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department) | Obtain appropriate form from the RMA-Planning Department.<br><br>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.   | Owner/<br>Applicant<br>RMA-<br>Planning | Prior to the issuance of grading and building permits or commencement of use. |  |
| 3.  |             | <b>PD032(A) - PERMIT EXPIRATION</b><br>The permit shall be granted for a time period of 2 years, to expire on March 10, 2013 unless use of the property or actual construction has begun within this period. (RMA - Planning Department)  | The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date. | Owner/<br>Applicant                     | As stated in the conditions of approval                                       |  |
| 4.  |             | <b>PDSP001 -GENERAL DEVELOPMENT PLAN (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that a General Development Plan has been prepared by Oceanview Investments, for Planning File No. PLN090410 and is on record in the Monterey County RMA - Planning Department. All development shall be in accordance with this report" (RMA - Planning Department)  | The requirements of this condition shall be included as a not on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval.   | Owner/<br>Applicant                     | Prior to recordation of Final Map   |  |
| <b>Conditions Carried Over From PLN000164</b> |             |   |  |   |   |  |
| 5.  |             | <b>PSD002 -DESIGN APPROVAL (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that all exterior design changes, including color changes associated with repainting, re-roofing, and lighting changes, require a Design Approval to be approved by the Planning Commission.(RMA-Planning)   | The requirements of this condition shall be included as a not on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval.   | Owner/<br>Applicant                     | Prior to recordation of Final Map   |  |

| Permit Condition 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 activity to be accepted.  | Responsible Party for Compliance                       | Timing  | Verification of Compliance (Name/Date) |
|--------------------------------------|---------------|--|--|--|---|--|
| 6.                                   |               | <b>PSD003 - LANDSCAPING (NON-STANDARD)</b><br>The applicant shall include a note on the Final Map stating that all landscaped areas be continuously maintained in a litter-free, weed-free, healthy growing condition. <b>(RMA-Planning Department)</b>  | The requirements of this condition shall be included as a note on the final map. Prior to recordation, the final map shall be submitted to the RMA-Planning Department for review and approval.  | Owner/<br>Applicant                                    | Prior to recordation of Final Map   |  |
| <b>RMA - Public Works Department</b> |               |  |  |  |   |  |
| 7.                                   |               | <b>PW0015 - UTILITY'S COMMENTS</b><br>Submit the approved tentative map to impacted utility companies. Subdivider shall submit utility company recommendations, if any, to the Department of Public Works for all required easements. <b>(Public Works)</b>  | Subdivider shall provide tentative map to impacted utility companies for review. Subdivider shall submit utility comments to DPW   | Owner/<br>Applicant                                    | Prior to recordation of Final Map   |  |
| 8.                                   |               | <b>PWSP001 - CONDOMINIUM MAP (NON-STANDARD)</b><br>File a condominium map delineating all existing and required easements or rights-of-way and monument new lines. <b>(Public Works)</b>   | Subdivider's Surveyor shall include all existing and required easements or rights of way on Final Map.   | Subdivider/<br>Surveyor                                | Prior to recordation of Final Map   |  |
| 9.                                   |               | <b>PWSP002 - ROAD AND DRAINAGE MAINTENANCE ASSOCIATION (NON-STANDARD)</b><br>A property owners association or other responsible entity shall be legally formed and maintained, and a fee program to fund operation and maintenance shall be implemented. The association shall be responsible for the maintenance of site for road, drainage, and common areas. The Public Works Department shall be provided a copy of the fully executed and recorded documentation for the formation of the property owners association and appropriate documentation shall be recorded against each parcel within the subdivision. <b>(Public Works)</b> | Subdivider's Surveyor shall include all existing and required easements or rights of way on Final Map.<br><br>Subdivider shall submit documentation to DPW for formation of homeowners association or other entity to maintain roads and drainage improvements.<br><br>Appropriate documentation shall be recorded against each parcel within the subdivision. | Subdivider/<br>Surveyor<br><br>Subdivider/<br>Surveyor | Prior to recordation of Final Map<br><br>Concurrent with recordation of Final Map<br><br>Subsequent to recordation of Final Map |  |
| <b>Environmental Health Bureau</b>   |               |  |  |  |   |  |
| 10.                                  |               | <b>EH40 - MEDICAL WASTE</b><br>Storage, transportation, and disposal of biohazardous/medical wastes shall be in compliance   | The operation shall register and shall maintain a valid permit from the Division of Environmental Health.  | Owner/<br>Applicant                                    | Prior to issuance of building   |  |

| Permit<br>Cond.<br>Number                     | Mitig.<br>Number | Conditions of Approval and/or Mitigation Measures and<br>Responsible Party (Use Department)   | Compliance or Monitoring Actions<br>to be performed where applicable, a<br>certified professional is required for<br>action to be accepted.   | Responsible<br>Party for<br>Compliance | Timing                                     | Verification<br>of<br>Compliance<br>(time/date) |
|---|------------------|---|---|--|--|---|
|   |                  | with of Title 22, Division 20, Chapter 6.1 of the California Code of Regulations. (Environmental Health)  |   |  | permits/<br>Continuous<br>condition        |   |
| <b>Monterey County Regional Fire District</b> |                  |   |   |  |  |   |
| 11.   |                  | <p><b>FIREP001 - PROPERTY OWNERS ASSOCIATION (NON-STANDARD)</b></p> <p>A property owners association shall be legally formed and maintained. The association shall be responsible for the maintenance of site and system plans and/or information, maintenance and repair of all fire protection systems and their appurtenances, including but not limited to fire sprinklers and fire alarm. The association shall also maintain fire department access (driveway, parking lot, etc.), as well as building/suite addresses and other required signage. A representative of the property owners association shall be designated as an emergency contact person. The association shall send to the fire department written notification of any change in association representatives and/or emergency contact persons. The fire department shall be provided a copy of the fully executed and recorded documentation for the formation of the property owners association. (Monterey County Rural Fire Protection District)</p> | <p>Prior to approval of Final Map, applicant shall provide to the Monterey County Regional Fire District a fully executed and recorded documentation of the formation of the condominium or property owners association</p> | Owner/<br>Applicant                    | Prior to<br>recordation<br>of Final<br>Map |   |

**END OF CONDITIONS**

Rev. 08/25/2010



TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
LOT 16 IN TRACT NO. 1068,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
**Oceanview Investments**  
BY  
**CENTRAL COAST SURVEYORS**  
9 HARRIS COURT, SUITE N-11  
MONTEREY, CALIFORNIA 93940  
PHONE (831) 381-4330  
FAX (831) 381-1031  
JOB NO. 09-03 FEBRUARY 2009  
PREPARED BY  
**APN 173-121-016**  
UPDATED FEB. 2, 2010

LOT 17



- NOTES:
1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. BUILDINGS AND OTHER SITE PLAINMETRY SHOWN HEREIN FROM OTHER SOURCES.

SILVER CLOUD COURT  
(A 60' WIDE COUNTY ROAD)

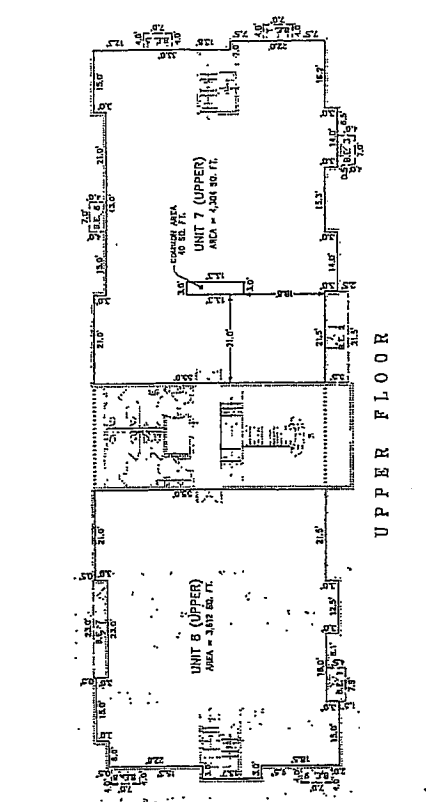
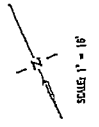
BLUE LARKSPUR LANE  
(A 60' WIDE COUNTY ROAD)

LOT 15

LOT 16  
VOL. 16, "CITIES & TOWNS" AT PG. 32  
AREA = 42,567 SQ. FT. (1.00 AC.)

24591 SILVER CLOUD CT.  
EXISTING TWO-STORY BUILDING  
PROPOSED FOR CONVERSION TO A  
SIX-UNIT OFFICE CONDOMINIUM

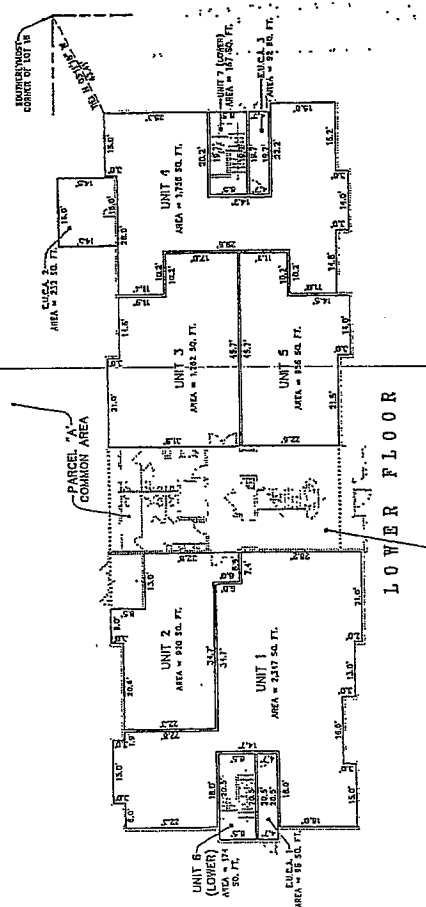
VICINITY MAP  
N.T.S.



UPPER FLOOR

AREA TABULATION

| UNIT              | FLOOR AREA<br>SQ. FT. |
|-------------------|-----------------------|
| UNIT 8 (UPPER)    | 3,872                 |
| UNIT 7 (UPPER)    | 4,201                 |
| B.E. 1            | 118                   |
| B.E. 2            | 28                    |
| B.E. 3            | 28                    |
| B.E. 4            | 28                    |
| B.E. 5            | 28                    |
| B.E. 6            | 28                    |
| B.E. 7            | 28                    |
| B.E. 8            | 28                    |
| B.E. 9            | 28                    |
| BALCONY EASEMENTS | 40                    |
| COMMON AREA       | 9,657                 |



LOWER FLOOR

AREA TABULATION

| UNIT            | FLOOR AREA<br>SQ. FT. |
|-----------------|-----------------------|
| UNIT 6 (LOWER)  | 1,177                 |
| UNIT 1          | 2,817                 |
| UNIT 2          | 1,484                 |
| UNIT 3          | 1,736                 |
| UNIT 4          | 1,736                 |
| UNIT 5 (LOWER)  | 174                   |
| COMMON AREAS    | 1,977                 |
| E.U.C.A. 1      | 259                   |
| E.U.C.A. 2      | 82                    |
| E.U.C.A. 3      | 82                    |
| BLDG. FOOTPRINT | 9,725                 |

24591 SILVER CLOUD CT.

TENTATIVE PARCEL MAP  
 440  
 OF  
 PRELIMINARY CONDOMINIUM PLAN  
 LOT 16 IN TRACT NO. 1069,  
 "LAGUNA SECA OFFICE PARK"  
 VOL. 16, "CITIES AND TOWNS" AT PG. 32  
 RECORDS OF MONTEREY COUNTY  
 COUNTY OF MONTEREY

STATE OF CALIFORNIA  
 PREPARED FOR  
**Oceanview Investments**  
 BY  
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 5 HARRIS COURT, SUITE 10-11  
 MONTEREY, CALIFORNIA 93940  
 Phone (831) 381-1130  
 Fax (831) 381-1130  
 JOB No. 09-03 FEBRUARY 2009  
 PREPARATION DATE  
**APN 173-121-016**  
 UPDATED FEB. 2, 2010 SHEET 2 OF 2

- NOTES:
1. ALL MEASUREMENTS ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. DIMENSIONS AND OTHER SITE PLANNOMETRY SHOWN HEREON FROM OTHER SOURCES.
  3. E.U.C.A. = EXCLUSIVE USE COMMON AREA.
  4. B.E. = BALCONY EASEMENT.

EXHIBIT 2

**GENERAL DEVELOPMENT PLAN**

**24591 Silver Cloud Court**

**Monterey, CA 93940**

**PLN # 090410**

The subject property is an existing office building located in the Laguna Seca Office Park, Monterey, CA. This building was built in 2003. No physical changes to the interior or exterior will occur as a result of approval of this application as it is just a mapping/parcel map being proposed.



Purpose of the current submittals are to merely place a parcel map which encompass the existing office spaces in the building to allow for the occupants of such space to purchase their office space. The parcel size is just under an acre and all of the landscaping has matured.



GENERAL DEVELOPMENT PLAN

PLN #090410

PAGE TWO

USES: Uses will remain as currently occupied, as professional office space. At the current time there are two law firms and one medical practice in the building, with two units being available for lease.

HOURS OF OPERATION: Hours of operation will remain as current, with most of the tenants starting their work day around 8:00 AM and concluding same by 6:00PM. Typically there is very little activity at the property on weekends. No change in hours of operation are anticipated.

EMPLOYEES: Currently there are about 25 occupants of the subject building, plus normal visitors.

PARKING: Parking is consistent with the building plans as submitted and approved by the County of Monterey in 2002. The site plan which is attached hereto shows 53 parking spaces on site plus there is available street parking on Silver Cloud Court. No changes will be made to the approved parking.

SITE DEVELOPMENT STANDARDS: Existing building, which was completed in 2003 as approved by the County of Monterey. No physical changes will be made to the site.

SIGNS: Signs on the site are as approved by the County of Monterey. No changes are anticipated.

LANDSCAPING PLAN: All landscaping was installed pursuant to the approved 2002 plans and permits. All landscaping has grown to maturity, as per above photograph. No changes will be made to the landscaping.

RECYCLING: Currently the building has separate dumpsters for trash, cardboard and recyclable materials which is serviced by the Waste Management as part of their contract to provide service to this part of Monterey County. No changes will be made to the existing recycling program in place.

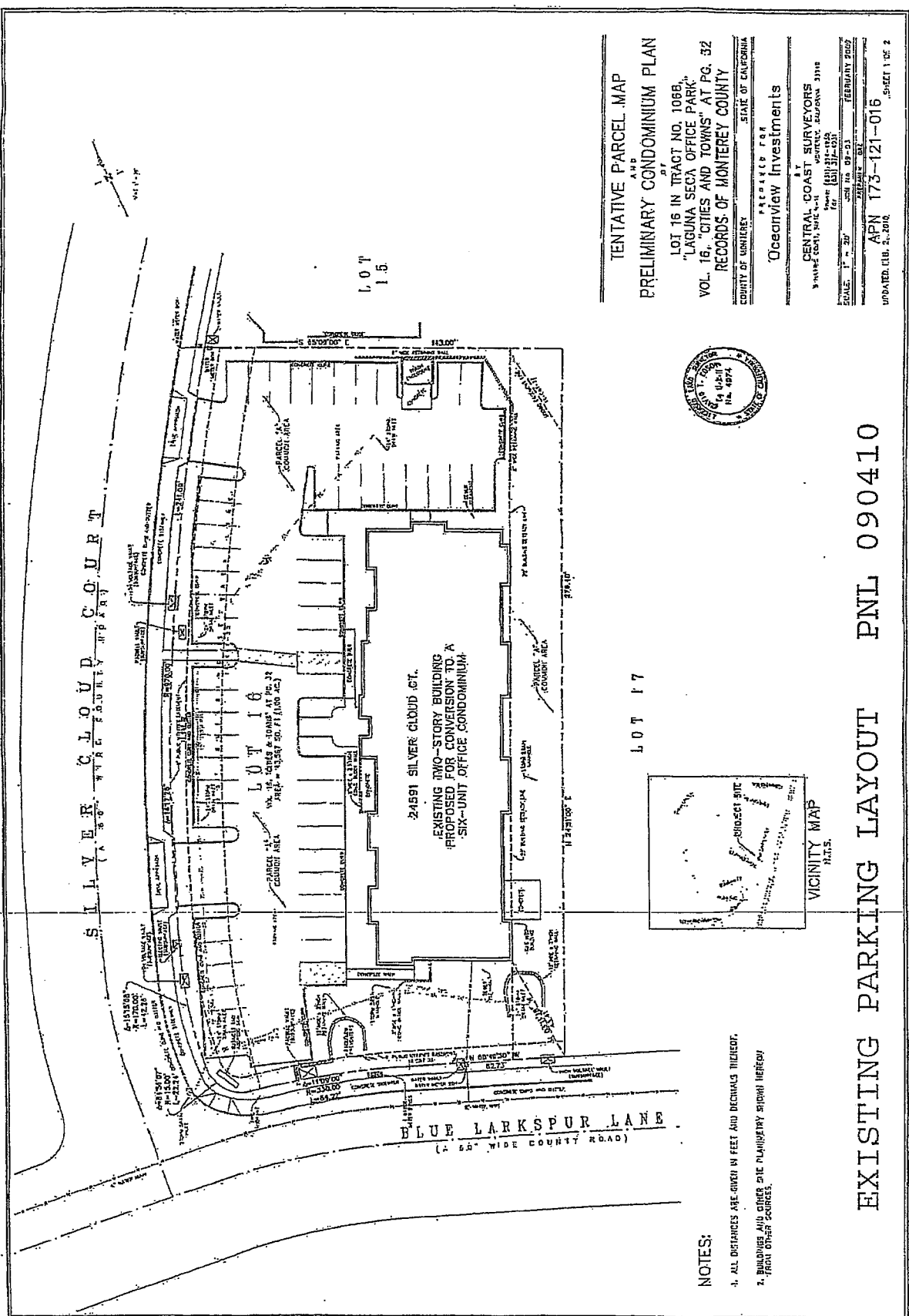
EXTERIOR LIGHTING PLAN: All exterior lighting was installed as on the approved 2002 plans and permits. No changes will be made to the exterior lighting.

HAZARDOUS MATERIALS: A hazardous materials Questionnaire was completed as part of the original 2002 plans and permits. Currently the building is used for professional office purposes, with no changes anticipated.

1944



SILVER CLOUD COUNTRY



NOTES:

- 1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
- 2. DIMENSIONS AND OTHER SITE DIMENSIONS SHOWN HEREIN FROM OTHER SOURCES.

TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
OF  
LOT 16 IN TRACT NO. 1066,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
Oceanview Investments  
CENTRAL COAST SURVEYORS  
15 HAVRE STREET, SUITE 101  
MORRO, CALIFORNIA 93940  
PHONE (805) 241-1959  
FAX (805) 241-1958  
JULY 1999  
APRIL 2001  
FEBRUARY 2002  
APN 173-121-016  
UPDATED (11.2.2010) SHEET 1 OF 2



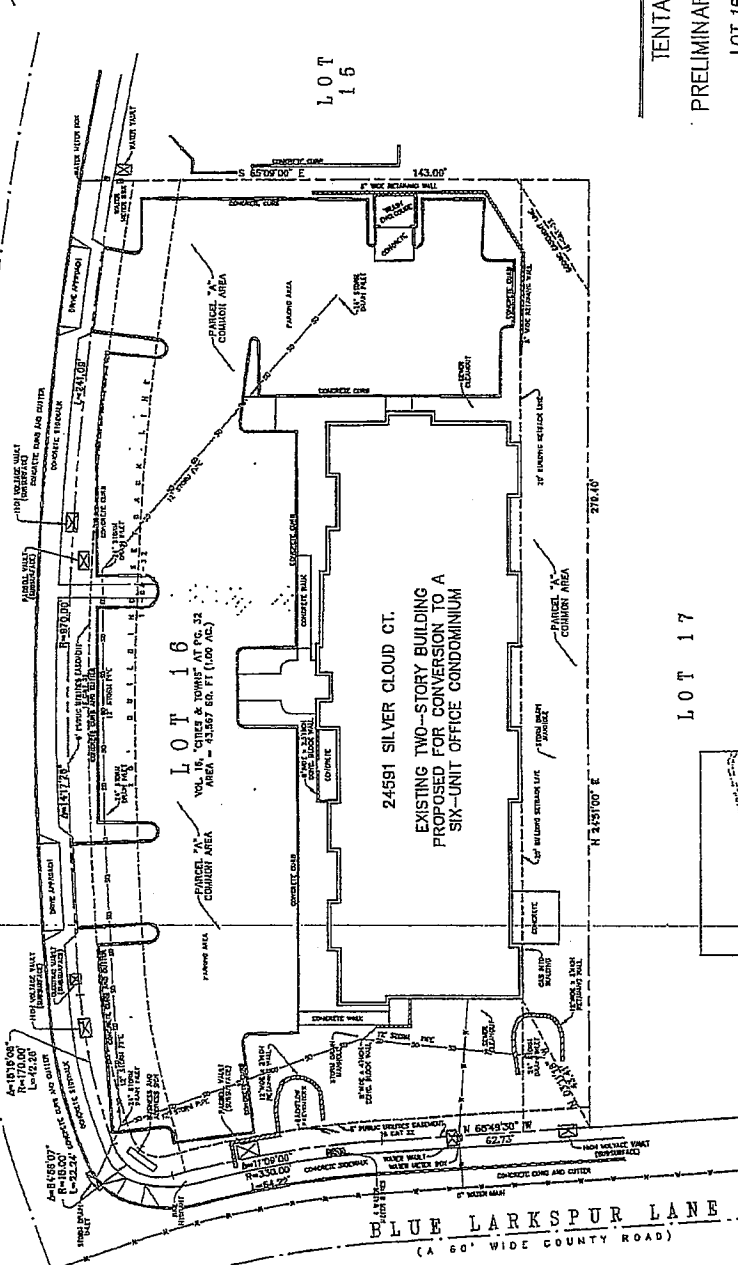
LOT 17



EXISTING PARKING LAYOUT PNL 090410

BLUE LARKSPUR LANE  
(A 55' WIDE COUNTY ROAD)

SILVER CLOUD COURT  
(A 60' WIDE COUNTY ROAD)



BLUE LARKSPUR LANE  
(A 60' WIDE COUNTY ROAD)

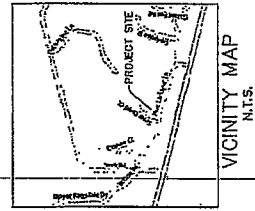
NOTES:

1. ALL DISTANCES ARE GIVEN IN FEET AND DECIMALS THEREOF.
2. BUILDINGS AND OTHER SITE PLANNERY SHOWN HEREON FROM OTHER SOURCES.

TENTATIVE PARCEL MAP  
AND  
PRELIMINARY CONDOMINIUM PLAN  
OF  
LOT 16 IN TRACT NO. 1068,  
"LAGUNA SECA OFFICE PARK"  
VOL. 16, "CITIES AND TOWNS" AT PG. 32  
RECORDS OF MONTEREY COUNTY  
COUNTY OF MONTEREY  
STATE OF CALIFORNIA

PREPARED FOR  
Oceanview Investments

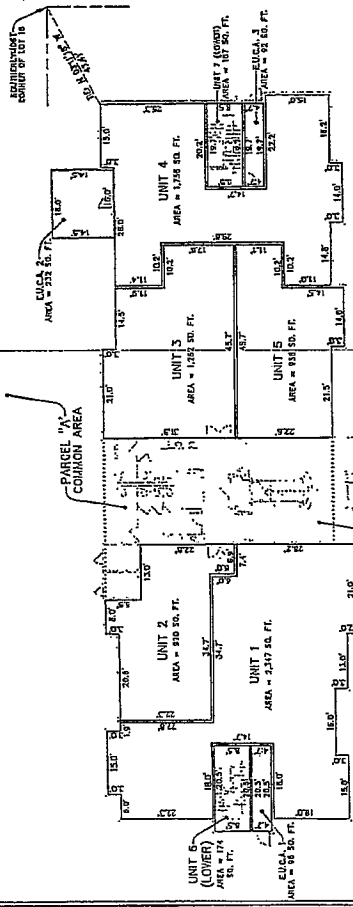
BY  
CENTRAL COAST SURVEYORS  
5 HAWES COURT, SUITE 101, SAN JOSE, CALIFORNIA 95110  
Phone (415) 351-4920  
Fax (415) 351-1931  
SCALE: 1" = 20'  
DATE: JAN. NO. 08-03  
FEBRUARY 2009  
APN 173-121-016  
UPDATED FEB. 2, 2010  
SHEET 1 OF 2



VICINITY MAP  
N.T.S.



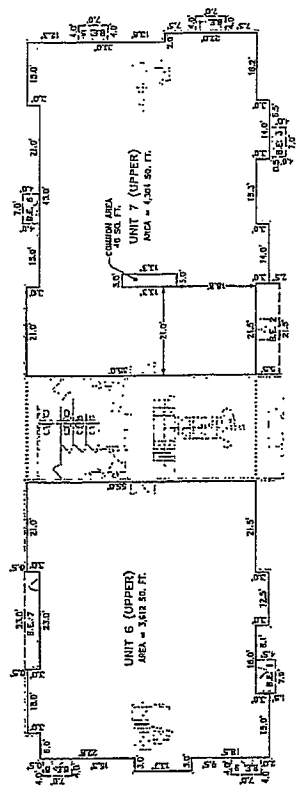
SCALE 1" = 16'



LOWER FLOOR

AREA TABULATION

| UNIT            | FLOOR AREA (SQ. FT.) |
|-----------------|----------------------|
| UNIT 1          | 2,317                |
| UNIT 2          | 810                  |
| UNIT 3          | 1,081                |
| UNIT 4          | 1,116                |
| UNIT 5 (LOWER)  | 174                  |
| UNIT 6 (LOWER)  | 174                  |
| UNIT 7 (LOWER)  | 167                  |
| E.U.C.A. 1      | 100                  |
| E.U.C.A. 2      | 100                  |
| E.U.C.A. 3      | 192                  |
| COMMON AREAS    | 1,000                |
| BLDG. FOOTPRINT | 5,725                |



UPPER FLOOR

AREA TABULATION

| UNIT              | FLOOR AREA (SQ. FT.) |
|-------------------|----------------------|
| UNIT 5 (UPPER)    | 3,513                |
| UNIT 7 (UPPER)    | 1,501                |
| E.U.C.A. 1        | 100                  |
| E.U.C.A. 2        | 100                  |
| E.U.C.A. 3        | 192                  |
| E.U.C.A. 4        | 20                   |
| E.U.C.A. 5        | 20                   |
| E.U.C.A. 6        | 20                   |
| E.U.C.A. 7        | 20                   |
| E.U.C.A. 8        | 20                   |
| E.U.C.A. 9        | 20                   |
| E.U.C.A. 10       | 20                   |
| COMMON AREA       | 30                   |
| SECOND FLOOR AREA | 9,657                |

24591 SILVER CLOUD CT.

TENTATIVE PARCEL MAP  
 AND  
 PRELIMINARY CONDOMINIUM PLAN  
 OF  
 LOT 16 IN TRACT NO. 1085,  
 "LAGUNA SEGA OFFICE PARK"  
 VOL. 16, "CITIES AND TOWNS" AT PG. 32  
 RECORDS OF MONTEREY COUNTY  
 COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR  
**Oceanview Investments**  
 BY  
**CENTRAL COAST SURVEYORS**  
 3 HUNTER COURT, SUITE 10-11  
 LAGUNA SEGA, CALIFORNIA 93140  
 Phone: (831) 314-4320  
 Fax: (831) 314-4331  
 SCALE: 1" = 16' JOB No. 09-03 FEBRUARY 2009  
 PREPARED BY: [Signature]  
 APN 173-121-016  
 UPDATED FEB. 2, 2010 SHEET 2 OF 2

- NOTES:
1. ALL MEASUREMENTS ARE GIVEN IN FEET AND DECIMALS THEREOF.
  2. DIMENSIONS AND OTHER SITE PLANNOMETRY SHOWN HEREON FROM OTHER SOURCES.
  3. E.U.C.A. = EXCLUSIVE USE COMMON AREA.
  4. B.E. = BALCONY EASEMENT.

**PROOF OF SERVICE**

I am employed in the County of Monterey, State of California. I am over the age of 18 years and not a party to the within action. My business address is 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, California.

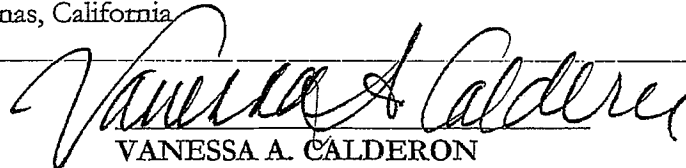
On Monday, March 14, 2011 I served a true copy of the following document:

- RESOLUTION NO. 10-006 OCEANVIEW INVESTORS (PLN090410)
- NOTICE OF APPEAL AND INSTRUCTIONS

on the interested parties to said action by the following means:

- (BY HAND-DELIVERY) By causing a true copy thereof, enclosed in a sealed enveloped, to be hand-delivered.
- (BY MAIL) By placing a true copy thereof, enclosed in a sealed envelope, for collection and mailing on that date following ordinary business practices, in the United States Mail at the Resource Management Agency Planning Department, 168 W. Alisal Street, 2<sup>nd</sup> Floor, Salinas, California, addressed as shown below. I am readily familiar with this business's practice for collection and processing of correspondence for mailing with the United States Postal Service, and in the ordinary course of business, correspondence would be deposited with the United States Postal Service the same day it was placed for collection and processing.
- (BY OVERNIGHT DELIVERY) By placing a true copy thereof, enclosed in a sealed envelope, with delivery charges to be billed to the Resource Management Agency, Planning Department, to be delivered by Overnight Delivery.
- (BY FACSIMILE TRANSMISSION) By transmitting a true copy thereof by facsimile transmission from facsimile number (831) 757-9516 to the interested parties to said action at the facsimile number(s) shown below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on Monday, March 14, 2011, at Salinas, California

  
VANESSA A. CALDERON

Place address(es) mailed to here:

**AGENT:**  
LOSTROM ERNEST  
C/O LOSTROM & CO. INC.  
30 RYAN COURT  
MONTEREY CA 93940